

CITY OF AUSTIN
Board of Adjustment
Decision Sheet
E-4

DATE: Monday April 11, 2022

CASE NUMBER: C15-2022-0018

___Y___ Thomas Ates
___Y___ Brooke Bailey
___Y___ Jessica Cohen
___Y___ Melissa Hawthorne
___-___ Barbara McArthur (OUT)
___-___ Rahm McDaniel (OUT)
___Y___ Darryl Pruett
___Y___ Agustina Rodriguez
___Y___ Richard Smith
___Y___ Michael Von Ohlen
___-___ Nicholl Wade (OFF THE DAIS)
___Y___ Kelly Blume (Alternate)
___-___ Carrie Waller (Alternate)
___Y___ Marcel Gutierrez-Garza (Alternate)

APPLICANT: Jason McNair

OWNER: Paul Smith

ADDRESS: 54 ANTHONY STREET

VARIANCE REQUESTED: The applicant is requesting a variance(s) from the Land Development Code,

- a) Section 25-2-492 (*Site Development Regulations*) from setback requirements to decrease the minimum front yard setback from 25 feet (required) to 10.3 feet (requested)
- b) Section 25-2-943 (*Substandard Lot*) (B) (1) (a) to decrease the minimum Lot Size requirements from 4,000 square feet (required) to 3,380 square feet (requested) in order to erect a Single-Family residence with an attached garage in a "SF-3-NP", Single-Family-Neighborhood Plan zoning district (Holly Neighborhood Plan)

Note: 25-2-943 SUBSTANDARD LOT (B) A substandard lot may be used for a single-family residential use if the use is permitted in the zoning district in which the lot is located and the lot complies with the requirements of this subsection. (1) A substandard lot recorded in the county real property records before March 14, 1946 must: (a) have an area of not less than 4,000 square feet; and (b) be not less than 33 feet wide at the street or at the building line, or have access to a street by an easement that is: (i) not less than ten feet wide if it serves one lot, or not less than 18 feet wide if it serves more than one lot; (ii) not more than 150 feet in length; and (iii) maintained for access by the property owner.

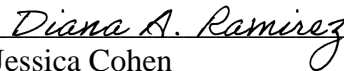
BOARD'S DECISION: POSTPONED TO MARCH 14, 2022 (AE DENIAL); March 14, 2022 The public hearing was closed by Madam Chair Jessica Cohen, Board Madam Chair Jessica Cohen motions to postpone to April 11, 2022; Board Member Melissa Hawthorne seconds on a 10-0 vote; POSTPONED TO APRIL 11, 2022. April 11 2022 The public hearing was closed by Madam Chair Jessica Cohen, Board Member Michael Von Ohlen motions to approve with condition limited to .4 FAR; Board Member Brooke Bailey seconds on a 10-0 vote (Board member Nicholl Wade no vote off the dais); GRANTED WITH CONDITIONS LIMITED TO .4 FAR.

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: current SF-3 site development/zoning regulations do not apply to this lot, considered to be a substandard lot
2. (a) The hardship for which the variance is requested is unique to the property in that: the substandard lot has always been used as single family residence as of the early 1940 where the same house which was built in the 1940s and still existing, this particular lot runs along a side alley on the north side of lot also which has a 15 foot electrical easement and trees on the lot.

(b) The hardship is not general to the area in which the property is located because: the majority of the lots in this neighborhood are at or above minimum lot sizes per COA LDC.
3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because: the front yard setback reduction from 25 feet reduced to 10 feet request would grant only the square footage allowed for a single family house built on a small lot which is allowed within the Holly Neighborhood Plan.


Elaine Ramirez
Executive Liaison

 for
Jessica Cohen
Madam Chair