

**CITY OF AUSTIN**  
**Board of Adjustment**  
**Decision Sheet**  
**D-2**

**DATE: Monday April 11, 2022**

**CASE NUMBER: C15-2022-0026**

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

**APPLICANT: Michele Rogerson Lynch**

**OWNER: Lennar- Kevin Pape**

**ADDRESS: 7236 & 7240 DANCING WIND LN**

**VARIANCE REQUESTED:** The applicant is requesting a variance(s) from the Land Development Code, Section 25-2-492 (Site Development Regulations) from setback requirements to decrease the minimum front yard setback from 25 feet (required) to 16.5 feet (requested) for each lot in order to erect a Single-Family attached residence in a “MF-2”, Multi-Family zoning district.

**BOARD’S DECISION: BOA MEETING APRIL 11, 2022**

**The public hearing was closed by Madam Chair Jessica Cohen, Board Member Michael Von Ohlen motions to approve; Board Member Melissa Hawthorne seconds on a 10-1 vote (Board member Darryl Pruett nay); GRANTED.**

**FINDING:**

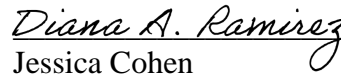
1. The Zoning regulations applicable to the property do not allow for a reasonable use because: the property is located in the city limited purpose jurisdiction and is subject to both 25-2-492 for MF-2 site development regulations as well as 30-2-233 for single family attached use in the ETJ per approved plant

2. (a) The hardship for which the variance is requested is unique to the property in that: the site property is irregular shape, curve in the front, shape of the lot.

(b) The hardship is not general to the area in which the property is located because: the entire subdivision of 94 single family attached dwelling units and 47 lots is nearly completed and this is one of only two single family attached dwellings that will have slightly less than the 25 foot setback for MF-2 site development regulations

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: as noted the subdivision is nearly completed and this is only one of two single family attached dwellings that will have a slight deviation from the MF-2 setback regulations.

  
Elaine Ramirez  
Executive Liaison

 for  
Jessica Cohen  
Madam Chair