

CITY OF AUSTIN
Board of Adjustment
Decision Sheet
E-1

DATE: Monday April 11, 2022

CASE NUMBER: C15-2021-0100

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

OWNER/APPLICANT: Ian Ellis

ADDRESS: 1003 KINNEY AVE

VARIANCE REQUESTED: The applicant is requesting a variance(s) from the Land Development Code: Section 25-2-943 (B) (2) (a) (Substandard Lot) to decrease the minimum Lot Size requirements from 5,750 square feet (required) to 5,464 square feet (requested), (TCAD records show 5,740 sq. ft.) in order to erect a Single-Family residence with a Pool in a “SF-3”, Single-Family zoning district.

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. (2) A substandard lot recorded in the county real property records after March 14, 1946 must: (a) have an area of not less than 5,750 square feet.

BOARD’S DECISION: BOA MEETING NOV 8, 2021 The public hearing was closed by Madam Chair Jessica Cohen, Board Member Melissa Hawthorne motions to Postpone to December 13, 2021; Board Member Darryl Pruett seconds on a 9-0-2 vote (Board members Agustina Rodriguez and Carrie Waller Abstained); POSTPONED TO DECEMBER 13, 2021. Dec 13, 2021 Madam Chair Jessica Cohen motions to Postpone the remaining cases to January 10, 2022 at City Hall due to technical difficulties –internet issues; Board Member Rahm McDaniel seconds on a 11-0 vote; POSTPONED TO JANUARY 10, 2022 DUE TO TECHNICAL DIFFICULTIES-INTERNET ISSUES; Jan 10, 2022 BOA meeting cancelled

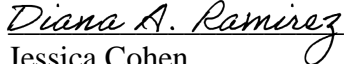
due to not having a quorum present at meeting, case will auto be scheduled and re-notified to February 14, 2021; Feb 14 The public hearing was closed by Madam Chair Jessica Cohen, Board Member Michael Von Ohlen motions to postpone to March 14, 2022; Board Member Brooke Bailey seconds on an 8-1-2 vote (Board members Darryl Pruett nay, Agustina Rodriguez and Carrie Waller abstained); POSTPONED TO MARCH 14, 2022, March 14, 2022 POSTPONED TO APRIL 11, 2022 BY BOARD MEMBERS DUE TO TWO ABSTENTIONS AND NOT ENOUGH BOARD MEMBERS PRESENT ; April 11, 2022 The public hearing was closed by Madam Chair Jessica Cohen, Board Member Melissa Hawthorne motions to approve with conditions limited to .4 FAR, and no accessory structures; Board Member Michael Von Ohlen seconds on a 9-2 vote (Board members Darryl Pruett and Agustina Rodriguez abstained); GRANTED WITH CONDITIONS LIMITED TO .4 FAR, AND NO ACCESSORY STRUCTURES.

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: as code section 25-2-943 substandard lot, from recorded documents in Travis County records, from 1946 property dated Sept 23, 1947 the intend is there and lot is very close part of the variance, it will be limited to .4 FAR, which has to do with mass and scale.
2. (a) The hardship for which the variance is requested is unique to the property in that: there is an non-improved alley behind the property that is not used for access and provides somewhat a relief to the lot.

(b) The hardship is not general to the area in which the property is located because: house adjacent is similar and is also smaller size.
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: does meet the McMansion .4 FAR, with non-improved alley, it is intended to meet its proportion in size.


Elaine Ramirez
Executive Liaison

 for
Jessica Cohen
Madam Chair