

**CITY OF AUSTIN  
Board of Adjustment  
Decision Sheet**

**DATE: Monday, October 8, 2007**

**CASE NUMBER: C15-2007-0077**

Y \_\_\_\_\_ Greg Smith (2<sup>ND</sup> to GRANT)  
 N \_\_\_\_\_ Michael Von Ohlen  
 Y \_\_\_\_\_ Barbara Aybar (2<sup>nd</sup> to reconsider)  
 N \_\_\_\_\_ Bryan King  
 Y \_\_\_\_\_ Leane Heldenfels, Vice-Chairman (1<sup>st</sup> to reconsider, to GRANT)  
 Y \_\_\_\_\_ Frank Fuentes, Chairman  
 N \_\_\_\_\_ Betty Edgemond

**APPLICANT: Stephen, Jensen**


**ADDRESS: 8500b, 8500C, 8504A, 8504B RED WILLOW DR Bldg B**

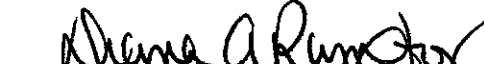
**VARIANCE REQUESTED:** The applicant has requested a variance to reduce the minimum front street setback requirement of Section 25-2-492 (D) from 25 feet from the front lot line as determined by the building official for a flag lot to 5 feet from the front lot line as determined by the building official for a flag lot in order to erect a single-family residence on each lot in "SF-2", Single Family Residence zoning district. The Land Development Code states that for a flag lot, the front lot line is designated as the front lot line by a subdivision or parcel map, or if none, the line determined by the building official to be the front lot line.

**BOARD'S DECISION: MOTION TO GRANT, NO ENOUGH VOTES-DENIED 4-3**

**FINDING:**

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: the lots have a limited build able area due to a steep 30' drop corresponding with a vegetative buffer easement.
2. (a) The hardship for which the variance is requested is unique to the property in that: the steep 30'drop and the corresponding vegetative buffer easement are unique to the property, normally 9000 to 25000 sf lots would have adequate build able area to accommodate a single family home.  
  
(b) The hardship is not general to the area in which the property is located because: the steep 30' drop and the corresponding vegetative buffer easement are also unique to the general area and because flag lot interpretation has caused a hardship.
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 lots in question area bounded by other lots in the same subdivision without need for a variance, the density of homes on the lots is well below that of the surrounding neighborhood, the homes will sit over 60' from the street due to the flags.

  
Tammie Williamson  
Executive Secretary

  
Frank Fuentes  
Chairman