

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

DATE: Monday July 09, 2018

CASE NUMBER: C15-2018-0030

Brooke Bailey
 William Burkhardt
 Christopher Covo
 Eric Golf
 Melissa Hawthorne
 Bryan King
 Don Leighton-Burwell
 Rahm McDaniel (OUT)
 Martha Gonzalez (Alternate)
 Veronica Rivera
 James Valdez
 Michael Von Ohlen
 Kelly Blume (Alternate)
 Pim Mayo (Alternate)

APPLICANT: Richard T Suttle Jr.

OWNER: Red Bluff Partners, LLC

ADDRESS: 4701 RED BLUFF RD Bldg C

VARIANCE REQUESTED: The applicant is requesting a variance to Section 25-2-1064 to decrease the front building line setback of a least 25 feet from a right-of-way (required) 0 feet (requested) because the tract on which the building is constructed adjoins property that is in an urban family residence (SF-5) or more restrictive zoning district; or (b) on which a use permitted in an SF-5 or more restrictive district is located; and (2) fronts on the same street as the adjoining property in order to construct a hotel and restaurant in a "GR-MU-CO-NP", Community Commercial – Mixed Use – Conditional Overlay – Neighborhood Plan zoning district. (Govalle)

BOARD'S DECISION: BOA meeting July 9, 2018 The public hearing was closed on Board Member Bryan King motion to Grant with a condition that the subject property owner continue to assist the owner of the adjacent property with requesting and coordinating the future repair, replacement, and/or upgrade of a City of Austin drainage structure/culvert located within an easement on the adjacent property along their property line, Board Member Don Leighton-Burwell second on an 11-0 vote; GRANTED WITH A CONDITION THAT THE SUBJECT PROPERTY OWNER CONTINUE TO ASSIST THE OWNER OF THE ADJACENT PROPERTY WITH REQUESTING AND COORDINATING THE FUTURE REPAIR, REPLACEMENT, AND/OR UPGRADE OF A CITY OF AUSTIN DRAINAGE

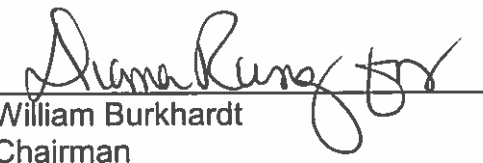
**STRUCTURE/CULVERT LOCATED WITHIN AN EASEMENT ON THE ADJACENT
PROPERTY ALONG THEIR PROPERTY LINE.
EXPIRATION DATE: JULY 9, 2019**

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: the zoning regulations applicable to the site require a 25 foot front yard compatibility setback due to the adjoining property to the west which is used as a single family residence but that is zoned GR-MU-CO-NP and is a non-complying structure that encroaches into the 25 foot setback., the property is uniquely shaped having a long narrow configuration.
2. (a) The hardship for which the variance is requested is unique to the property in that: the wetland to the south of the site appears to only affect this property, in order to retain the natural vegetative cover to the greatest extent practical it is imperative that the structures are located as close to Red Bluff as possible.
(b) The hardship is not general to the area in which the property is located because: the wetlands appears to only affect this property, in addition to the wetland, the unique configuration of the site provides very little room outside of the primary setback for development
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 adjacent single family home to the west of the site is built closer to Red bluff Road than the proposed project, since the proposed project will be setback more than the triggered use the character of the area will be maintained.



Leane Heldenfels
Executive Liaison



William Burkhardt
Chairman