

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

**DATE: Monday September 10, 2018**

**CASE NUMBER: C15-2018-0039**

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

**APPLICANT: Hector Avila**

**OWNER: A New Hope Investments, LLC**

**ADDRESS: 4201 CLAWSON RD**

**VARIANCE REQUESTED: The applicant has requested variance(s) from Section 25-2-492 (D) (Site Development Regulations) to:**

**A. decrease the minimum lot area from 5,750 square feet (required) to 4,320 square feet (requested. existing); and to**

**B. decrease the minimum lot width from 50 feet (required) to 40 feet (requested, existing)**

**in order to erect a new single family residence limited to .4 floor to area ratio in a "SF-3", Family Residence zoning district.**

**Note: this property does meet exception from platting/land status requirements, however it does not meet sub-standard lot requirements since it was deed divided into its current configuration after 1946, therefore the lot size and width must meet current zoning requirements before permits for a new home can be issued on it.**

**These variances were granted by the Board on April 9, 2018 with a condition that the proposed development be limited to .4 FAR. However, that request erroneously listed the lot size as 4,361 square feet due to a survey error which has now been corrected as part of a pending subdivision application currently under review for this property.**


**BOARD'S DECISION: BOA MEETING SEPT 10, 2018** The public hearing was closed on Board Member Bryan King motion to Grant with same findings from April 2018 decision, Board Member Melissa Hawthorne second on a 10-0 vote; **GRANTED WITH SAME FINDINGS FROM APRIL 2018 DECISION (limited to .4 FAR).**

**EXPIRATION DATE: September 10, 2019**

**FINDING:**

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: the current configuration has been the same since 1953
2. (a) The hardship for which the variance is requested is unique to the property in that: are unable to rebuild due to the lots configuration, minimum lot frontage for SF-3 is 50' and minimum lot size is 5750  
(b) The hardship is not general to the area in which the property is located because: this lot is in the same configuration since 1953 and was a home present there.
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: they are asking for the same use as the homes around it and will make it uniform with the area of character.

  
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Leane Heldenfels  
Executive Liaison

  
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William Burkhardt  
Chairman