

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

**DATE: Thursday, November 8, 2018**

**CASE NUMBER: C15-2018-0036**

<input checked="" type="checkbox"/>	Brooke Bailey
<input checked="" type="checkbox"/>	William Burkhardt
<input type="checkbox"/>	Christopher Covo (OUT)
<input checked="" type="checkbox"/>	Eric Golf
<input type="checkbox"/>	Melissa Hawthorne (OUT)
<input checked="" type="checkbox"/>	Bryan King
<input type="checkbox"/>	Don Leighton-Burwell
<input checked="" type="checkbox"/>	Rahm McDaniel
<input type="checkbox"/>	Martha Gonzalez (Alternate)
<input checked="" type="checkbox"/>	Veronica Rivera
<input checked="" type="checkbox"/>	James Valdez
<input checked="" type="checkbox"/>	Michael Von Ohlen
<input checked="" type="checkbox"/>	Kelly Blume (Alternate)
<input type="checkbox"/>	Ada Corral (Alternate)

**APPLICANT: Gregg Andrulis**

**OWNER: 2713 Hemphill Park, LLC**

**ADDRESS: 2711 HEMPHILL PARK**

**VARIANCE REQUESTED: The applicant has requested variance(s) to Ordinance 040826-58 (North University Neighborhood Conservation Combining District – Neighborhood Plan) Part 7, (1) to decrease the minimum lot size from 8,000 square (required) to 7,772 square feet (requested, existing) in order to erect a multi-family residence in a “MF-5-NCCD-NP”, Multifamily Residence High Density – Neighborhood Conservation Combining District – Neighborhood Plan zoning district. (North University)**

**Note: no conflict exists between the Land Development Code and the NCCD in regard to MF-5 minimum lot size.**

**BOARD’S DECISION: BOA MEETING SEPT 10, 2018 The public hearing was closed on Board Member Michael Von Ohlen motion to postpone to October 8, 2018, Board Member Melissa Hawthorne second on a 10-0 vote; POSTPONED TO OCTOBER 8, 2018.**

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residence in a "MF-5-NCCD-NP", Multifamily Residence High Density – Neighborhood Conservation Combining District – Neighborhood Plan zoning district. (North University)

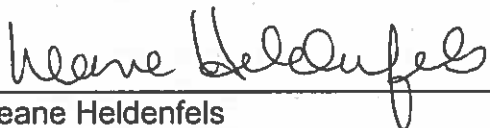
**Note:** There is no conflict between the Land Development Code and the NCCD in regard to MF-5 minimum lot size, both require 8,000 square feet. The lot size above is according to a sealed survey of the property, however the Travis County Appraisal District property detail information describes the property as having 7,763 square feet. The Board typically just approves variances based on a sealed survey when one is available.


**BOARD'S DECISION:** October 8, 2018 POSTPONED TO November 8, 2018 (6pm) BY APPLICANT; Nov 8, 2018 The public hearing was closed on Board Member Michael Von Ohlen motion to Grant with conditions as per letter O01/49, Board Member Rahm McDaniel second on a 9-1 vote (Board member Don Leighton-Burwell nay); **GRANTED WITH CONDITIONS AS PER LETTER O01/49.**

**EXPIRATION DATE:** November 8, 2019

**FINDING:**

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: LDC 25-2-492 (D) states that for the MF-5 base zoning district the minimum lot size is 8,000 SF, the subject property is comprised of 7,772 sf.
2. (a) The hardship for which the variance is requested is unique to the property in that: property is zoned for a dense multi-family use (MF-5) but lacks the minimum required area to develop for a multi-family use.  
(b) The hardship is not general to the area in which the property is located because: other properties on Hemphill Park between Guadalupe and 29thSt zoned MF-5 and MF-6 are less than 8,000 sf and are currently supporting multi-family use.
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 property proximity to the University of Texas makes it an excellent candidate for high density student housing and vast majority of properties on Hemphill Park between 27<sup>th</sup> St and 29<sup>th</sup> St are currently supporting multi-family uses similar to the proposed project.

  
\_\_\_\_\_  
Leane Heldenfels  
Executive Liaison

  
\_\_\_\_\_  
William Burkhardt  
Chairman



001/49

**UNIVERSITY AREA PARTNERS, INC.**

BOA COA  
William Burkhardt, Chair

Dear Mr. Burkhardt,

The Planning Committee of University Area Partners with their recommendations endorsed by the Board of Directors have the following concerns for case C15-2018-0036 at 2713 Hemphill Park.

The committee recommends support of the variance with the following conditions:

1. The design of the new building must comply with the UNO overlay requirements.
  - a. UNO streetscape ( 12 ft wide sidewalk, street trees, and pedestrian lighting)
  - b. UNO building design requirements (building located adjacent to sidewalk, no setback, etc.)

This property is located across the street from the Villas on Guadalupe which has these features and was built in 2003. 2713 Hemphill Park is less than a block from the UT Campus and no new housing has been built in this area south of 29th near the campus since the Villas 15 years ago.

The committee wants to see a new project that is more pedestrian oriented and less like the other older stilt built parking lot oriented apartment projects to the north.

We understand that following our recommendations may require the applicant to seek additional variances from the current zoning requirements; however we need projects that reflect the new needs and not ones that resemble the projects of the 1960's.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Cathy Norman', is written over a light blue horizontal line.

Cathy Norman, President.

