

CITY OF AUSTIN
Board of Adjustment
Decision Sheet
(Reconsideration request)

DATE: Monday, January 14, 2019

CASE NUMBER: C15-2018-0043

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

OWNER/APPLICANT: Alecia Browner

ADDRESS: 3906 MANCHACA RD

VARIANCE REQUESTED: The applicant has requested variance(s) from Section 25-2-492 (D) (Site Development Regulations) to decrease the minimum side yard setback from 5 feet (required) to 2.1 feet (requested) along the south property line in order to maintain a recently erected fabric and steel cantilevered shade structure for the parking area of an office building in a "LO-MU", Limited Office – Mixed Use zoning district.

BOARD'S DECISION: October 8, 2018 POSTPONED TO November 8, 2018 (6:00PM)
BY STAFF (RE NOTICE NEEDED);

RENOTICE: The applicant has requested variance(s) from Section 25-2-492 (D) (Site Development Regulations) to decrease the minimum side yard setback from 5 feet (required) to 2.1 feet (requested) along the south property line, and Section 25-2-1062 (C) (Height Limitations and Setbacks for Small Sites) to decrease the minimum side and rear setback from an SF-5 or more restrictive property from 22.0 feet (required) to 5 feet (requested) in order to maintain a recently erected fabric and steel cantilevered shade structure for the parking area of an office building in a "LO-MU", Limited Office – Mixed Use zoning district.

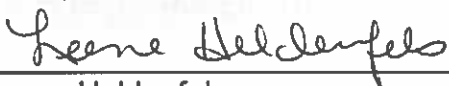
BOARD'S DECISION: Nov 8, 2018 The public hearing was closed on Board Member Michael Von Ohlen motion to Postpone to December 10, 2018, Board Member Brooke Bailey second on a 7-3 vote (Board members Bryan King, Don Leighton-Burwell, James Valadez nay); **POSTPONED TO DECEMBER 10, 2018;** Dec 10, 2018 The public hearing was closed on Board Member Michael Von Ohlen motion to Grant with conditions to get correct paint and signs for accessible ADA parking space, Board Member Martha Gonzalez second on a 7-4 vote (Board members Brooke Bailey, William Burkhardt, Bryan King and Don Leighton-Burwell nay); **DENIED.**

RECONSIDERATION REQUEST: Jan 14, 2019 Board Member Melissa Hawthorne motion to Reconsider the request, Board Member Rahm McDaniel second on a 5-6 vote (Board members Brooke Bailey, William Burkhardt, Bryan King, Don Leighton-Burwell, James Valadez and Kelly Blume nay); **MOTION FAILS DUE TO LACK OF VOTES, RECONSIDERATION REQUEST DENIED.**


EXPIRATION DATE: January 14, 2020

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: N/A
2. (a) The hardship for which the variance is requested is unique to the property in that large pecan root zone to the side of the parking precludes an awning pylon outside the setback
(b) The hardship is not general to the area in which the property is located because: most properties do not have large pecan root zone to deal with to the side of the parking
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: awning made of green fabric that blends into the trees and provides a low visual impact



Leane Heldenfels
Executive Liaison



William Burkhardt
Chairman