## CITY OF AUSTIN Board of Adjustment Decision Sheet

CASE NUMBER: C15-2019-0014

DATE: Monday April 8, 2019

stories and 31 feet (requested)

Acres)

Y	_ Ada Corral
Y	William Burkhardt
Y	Darryl Pruett
Y	Eric Goff
Y	_ Melissa Hawthorne
Y	Yasmine Smith
Y	_ Don Leighton-Burwell
-	Rahm McDaniel OUT
Y	_ Martha Gonzalez (Alternate) RM
Y	_ Veronica Rivera
Y	James Valdez
	Michael Von Ohlen (left early)
	_ Kelly Blume (Alternate) OUT
	_ Alternate (Vacant)
APPLICA	ANT: Tracey Merino
OWNER:	: Granada Lane, LLC
ADDRES WONSLE	SS: 411, 601 E POWELL LANE AND 410, 500, 502, 504, 508, 602, 610 EY
	CE REQUESTED: The applicant has requested variance(s) from Section 3 (Height Limitations and Setbacks for Large Sites)
A. (B permittee	) to decrease the required setback from a property on which a use d in SF-5 or more restrictive zoning district is located from 25 feet d) to 15 feet (requested); and to
B. (C from a p	) to increase the height limitations for a structure that is 50 feet or less roperty on which a use permitted in an (SF-5) or more restrictive zoning s located from two-stories and 30 feet (required, permitted) to three

BOARD'S DECISION: March 11, 2019 POSTPONED TO APRIL 8, 2019 BY APPLICANT (RENOTICE)

in order to erect a multifamily residential use in an "MF-4-NP", Multifamily

Residence Moderate-High Density - Neighborhood Plan zoning district. (Georgian

RENOTICE: The applicant has requested variance(s) from Section 25-2-1063 (Height Limitations and Setbacks for Large Sites)

- A. (B) to decrease the required setback from a property on which a use permitted in SF-5 or more restrictive zoning district is located from 25 feet (required) to 15 feet (requested); and to
- B. (C) to increase the height limitations for a structure that is 50 feet or less from a property on which a use permitted in an (SF-5) or more restrictive zoning district is located from two-stories and 30feet (required, permitted) to three stories and 38.9 feet (requested)

in order to erect a multifamily residential use in an "MF-4-NP", Multifamily Residence Moderate-High Density - Neighborhood Plan zoning district. (Georgian Acres)

BOARD'S DECISION: April 8, 2019 The public hearing was closed on Board Member Martha Gonzalez motion to Grant with conditions that the affordable units as indicated are provided, use of the path on the west side is provided and preservation of the heritage trees is provided, Board Member Melissa Hawthorne second on a 10-0 vote; GRANTED WITH CONDITIONS THAT THE AFFORDABLE UNITS AS INDICATED ARE PROVIDED, USE OF THE PATH ON THE WEST SIDE IS PROVIDED AND PRESERVATION OF THE HERITAGE TREES IS PROVIDED

**EXPIRATION DATE: APRIL 8, 2020** 

## FINDING:

- 1. The Zoning regulations applicable to the property do not allow for a reasonable use because: current regulations coupled with the sites high number of heritage and protected trees limit the buildable area available, in order to preserve as many trees as possible there is necessity to encroach on current setback limitations as well as go slightly higher than the current regulations allow in order to maximize the site, in addition when our re-zoning was approved one of the request from city council were the inclusion of three bedroom units which result in larger building footprints and increase parking requirements
- 2. (a) The hardship for which the variance is requested is unique to the property in that: the unique hardship on this site is the abundance of heritage and protected trees present, there are 47 total heritage and protected trees spread across the property that limit buildable area
  - (b) The hardship is not general to the area in which the property is located because: this is not general hardship to the area based on the numerous heritage and protected trees found on site
- 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 granted setback and height variances will only enhance the character of the area adjacent to the property, a vacant lot which is in planning to become a park and play area, a vacant single family lot which will not be impaired in the slightest as it

pertains to later development as the owner sees fit, will also be constructing a path connecting Wonsley to Powell for pedestrians to access the city park which will further enhance the areas character.

Leane Heldenfels Executive Liaison William Burkhardt

Chairman