

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

**Date: May 13, 2019**

**Case number C15-2019-0027**

<input checked="" type="checkbox"/>	Ada Corral
<input checked="" type="checkbox"/>	William Burkhardt
<input checked="" type="checkbox"/>	Darryl Pruett
<input checked="" type="checkbox"/>	Eric Goff
<input checked="" type="checkbox"/>	Melissa Hawthorne
<input checked="" type="checkbox"/>	Yasmine Smith
<input checked="" type="checkbox"/>	Don Leighton-Burwell
<input checked="" type="checkbox"/>	Rahm McDaniel
<input checked="" type="checkbox"/>	Veronica Rivera
<input checked="" type="checkbox"/>	Jessica Cohen
<input checked="" type="checkbox"/>	Michael Von Ohlen
<input type="checkbox"/>	Kelly Blume (Alternate)
<input type="checkbox"/>	Martha Gonzalez (Alternate)
<input type="checkbox"/>	Vacant (Alternate)

**APPLICANT: Bryan Lynn**

**OWNER: Barbara Stevens, Daughters of the Republic of Texas**

**ADDRESS: 810 ½ San Marcos Street**

**VARIANCE REQUESTED:** The applicant has requested variance(s) to Ordinance 010607-23, Part 3 to increase the height from 40 feet (required, permitted) to 50 feet (requested) in order to construct a cultural center – the Republic of Texas History Museum - in an “GR - MU - CO - NCCD - NP”, Community Commercial – Mixed Use – Conditional Overlay - Neighborhood Conservation Combining District-Neighborhood Plan zoning district. (11th Street)

**BOARD’S DECISION:** May 13, 2019 The public hearing was closed by Chair William Burkhardt, Board Member Rahm McDaniel motion to Grant, Board Member Michael Von Ohlen second on an 11-0 vote; **GRANTED.**

**EXPIRATION DATE: May 13, 2020**

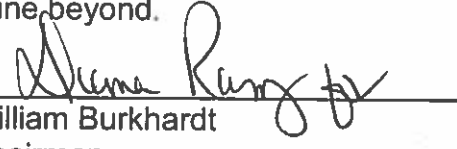
**FINDING:**

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: the lowered height restrictions in the NCCD sections noted above do not allow for reasonable development of this site when combined compliance with Subchapter E Design Requirements, lowers the base elevation below 12 feet of the site elevation and this lowered allowable height does not allow reasonable use.

2. (a) The hardship for which the variance is requested is unique to the property in that: this small lot adjacent to the French Legation has limited street frontage and TCM requirements heavily restrict driveway access, requiring the French Legation Museum site adjacent to two sides to trigger SF-3 compatibility requirements further restricts pedestrian and vehicular access.
- (b) The hardship is not general to the area in which the property is located because: all other sites around the French Legation are afforded taller height restrictions and area at a lower elevation that this site and this site is the highest point in the immediate area.
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 proposed building will be a three story cultural center that steps back from and respects the French Legation site, with the majority of the third story planned to be an open-air rooftop deck for public events that looks over the historic French Legation site with a view of the downtown skyline beyond.



Elaine Ramirez  
Executive Liaison



William Burkhardt  
Chairman