

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

DATE: Monday August 12, 2019

CASE NUMBER: C15-2019-0016

Y Brooke Bailey
 Y Jessica Cohen
 - Ada Corral OUT
 Y Melissa Hawthorne
 Y William Hodge
 Y Don Leighton-Burwell
 Y Rahm McDaniel
 N Darryl Pruett
 Y Veronica Rivera
 Y Yasmine Smith
 - Michael Von Ohlen OUT
 N Kelly Blume (Alternate)
 - Martha Gonzalez (Alternate) OUT
 Y Denisse Hudock (Alternate)

APPLICANT: Jim Witliff

OWNER: Alvin Momin

ADDRESS: 13414 HARRISGLENN DR

VARIANCE REQUESTED: The applicant has requested a variance(s) to Section 25-2-814 (Service Station Use) (3) to increase the queue lanes from 8 (required, permitted) to 12 (requested) in order to add a retail gas service station in a "GR" Community Commercial zoning district.

BOARD'S DECISION: April 8, 2019 **The public hearing was closed by Chair William Burkhardt, Board Member Michael Von Ohlen motion to Grant, Board Member Veronica Rivera second on an 8-3 vote (Board members Darryl Pruett, Eric Goff and Yasmine Smith nay); DENIED DUE TO LACK OF VOTES.**

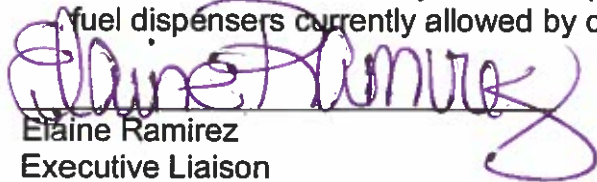
RECONSIDERATION REQUEST: May 13, 2019 **Board Member Melissa Hawthorne motion to hear reconsideration request, Board Member Michael Von Ohlen second on an 11-0 vote; GRANTED TO HEAR THE RECONSIDERATION REQUEST. The public hearing was closed by Chair William Burkhardt, Board Member Veronica Rivera motion to Postpone to July 8, 2019, Board Member Ada Corral second on a 8-3 vote (Board members William Burkhardt, Darryl Pruett and Michael Von Ohlen nay); POSTPONED TO JULY 8, 2019. July 8, 2019 POSTPONED TO AUGUST 12, 2019 BY APPLICANT DUE TO SHORTAGE OF A BOARD MEMBER; Aug 12, 2019 The public hearing was closed by Chair Don**

Leighton-Burwell, Board Member Melissa Hawthorne motion to Grant, Board Member William Hodge second on a 9-2 vote (Board members Darryl Pruett and Kelly Blume nay); GRANTED.

EXPIRATION DATE: August 12, 2020

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: the queue lane example listed in Appendix H of the Transportation Criteria Manual is outdated fuel dispensing alignment with 16 pumps and 8 queue lanes.
2. (a) The hardship for which the variance is requested is unique to the property in that: the size and configuration of the lot does not allow adequate room to design the proposed service station with the City's outdated dispenser configuration which also creates health and safety concern egress and ingress in alignment of vehicles
(b) The hardship is not general to the area in which the property is located because: this fuel pump alignment design is now used on most new service stations, furthermore there are only a few service stations within any geographic area, design will have only 12 fuel dispensers, City Code allows up to 16 fuel dispensers on a 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 variance will result in only 12 fuel dispensers on the site, which is only 75% of the fuel dispensers currently allowed by code.


Elaine Ramirez
Executive Liaison


Don Leighton-Burwell
Chairman