

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

**DATE: Monday August 12, 2019**

**CASE NUMBER: C15-2019-0033**

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

**APPLICANT: Melissa Brown**

**OWNER: Bryan Cumby**

**ADDRESS: 3219 MANOR RD**

**VARIANCE REQUESTED: The applicant is requesting a variance(s) from the maximum allowable Compatibility Height requirements of Article 10, Compatibility Standards, Division 2 –Development Standards, Section 25-2-1063 (C) (2) and (3) (Height Limitations and Setbacks for Large Sites) in order to construct a 60 foot Multi-Family use in a “CS-V-CO-NP”, General Commercial Services – Vertical Mixed Use – Conditional Overlay –Neighborhood Plan zoning district. (MLK Neighborhood Plan)**

**a. The Land Development Code Section 25-2-1063 (C) (2) allows a height limit of three stories or 40 feet, if the structure is more than 50 feet and not more than 100 feet from property (a) in an "SF-5" or more restrictive zoning district, or (b) on which a use permitted in an "SF-5" or more restrictive zoning district is located.**

**b. The Land Development Code Section 25-2-1063 (C) (3) allows a height limit for a structure more than 100 feet but not more than 300 feet from property zoned "SF-5" or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned "SF-5" or more restrictive.**

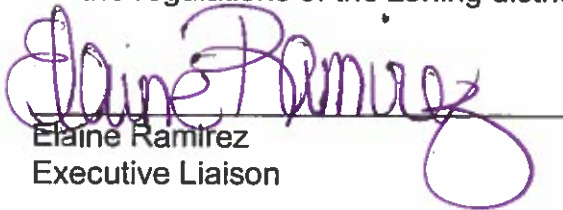
**Note: This variance will allow for a uniform height of 60 ft. for the entire project. 60 ft. is currently allowed in portions of the project and graduating down to 40 ft. in other portions of the project.**

**BOARD'S DECISION: June 10, 2019 The public hearing was closed by Chair William Burkhardt, Board Member Michael Von Ohlen motion to Postpone to July 8, 2019, Board Member Don Leighton-Burwell second on a 10-0 vote; POSTPONED TO JULY 8, 2019. July 8, 2019 POSTPONED TO AUGUST 12, 2019 BY APPLICANT; Aug 12, 2019 POSTPONED TO SEPTEMBER 9, 2019 BY APPLICANT**

**EXPIRATION DATE:**

**FINDING:**

1. The Zoning regulations applicable to the property do not allow for a reasonable use because:
2. (a) The hardship for which the variance is requested is unique to the property in that:  
(b) The hardship is not general to the area in which the property is located because:
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:

  
Elaine Ramirez  
Executive Liaison

  
Don Leighton-Burwell  
Chairman