

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

DATE: Monday, January 13, 2020

CASE NUMBER: C15-2019-0055

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

APPLICANT: David Cancialosi

OWNER: Mark Odom

ADDRESS: 2803 EDGEWATER DR

VARIANCE REQUESTED: The applicant is requesting a variance(s) from Section 25-2-551 (Lake Austin (LA) District Regulations)

- 1. (C) (3) (c) increase Impervious Cover from 5 percent, on a slope with a gradient of more than 25 percent and not more than 35 percent (required) to 66% (requested); 0% (existing)**
- 2. (E) (2) to increase Impervious Cover to 29% for a driveway in order to erect a Single-Family Residential use in an "LA" zoning district.**

NOTE: (for item (E) (2) The Land Development Code states on a slope with a gradient of more than 35 percent, development is prohibited except for the construction of a fence, driveway, road or utility that cannot be reasonably placed elsewhere, or a non-mechanized pedestrian facility, such as a foot path, sidewalk, or stairs.

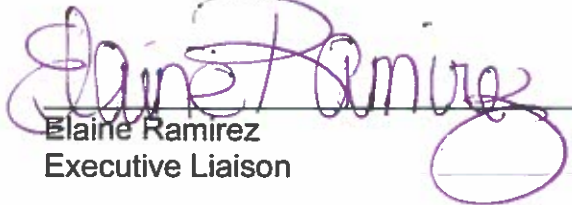
BOARD'S DECISION: BOA meeting Oct 14, 2019 The public hearing was closed by Chair Don Leighton-Burwell, Board Member Michael Von Ohlen motions to Postpone to November 7, 2019, Board Member Melissa Hawthorne seconds on an 11-0 vote; POSTPONED TO November 7, 2019. Nov 7, 2019 The public hearing was closed by Chair Don Leighton-Burwell, Board Member Michael Von Ohlen motions to Postpone to January 13, 2020, Board Member William Hodge seconds on a 10-0 vote; POSTPONED TO JANUARY 13, 2020. JAN 13, 2020 The public

hearing was closed by Chair Don Leighton-Burwell, Board Member Melissa Hawthorne motions to Grant, Board Member Ada Corral seconds on a 4-6 vote (Board members Brooke Bailey, Jessica Cohen, Don Leighton-Burwell, Rahm McDaniel, Darryl Pruett and Yasmine Smith nay); DENIED

EXPIRATION DATE: Jan 13, 2021

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: while the site has LA zoning, doesn't meet the other characteristics of LA zoning, size, 196 sq.ft in residential lot is really very small.
2. (a) The hardship for which the variance is requested is unique to the property in that: it was legally platted 1959 in this configuration, unbuilt for all these years and is a residential property.
(b) The hardship is not general to the area in which the property is located because: there are other houses on Edgewater Dr that are similar in this configuration
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: as the house size is moderately in taking in to more moderate construction practices and honor the slope of this land in its configuration.


Elaine Ramirez
Executive Liaison


Don Leighton-Burwell
Chairman