

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

DATE: Monday, May 11, 2020

CASE NUMBER: C15-2020-0004

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

OWNER/APPLICANT: Anthony Brown

ADDRESS: 1612 NEWTON ST

VARIANCE REQUESTED: The applicant is requesting a variance(s) from LDC Section 25-2-492 (D) (Site Development Regulations) in order to decrease the minimum lot size requirement from 5,570 square feet (required) to 3,575 square feet (requested) in order to erect a Single Family residence in a “SF-3-NP”, Single-Family Residence – Neighborhood Plan zoning district. (Bouldin Creek Neighborhood Plan)

Note: This neighborhood did not adopt Small Lot Amnesty which would have allowed the applicant to build on a lot smaller than 5,750 sq. ft.

BOARD’S DECISION: BOA MEETING FEB 5, 2020 POSTPONED TO MARCH 9, 2020 BY APPLICANT DUE TO SHORTAGE OF BOARD MEMBERS; MAR 9, 2020 The public hearing was closed by Chair Don Leighton-Burwell, Board Member Melissa Hawthorne motions to Postpone to April 13, 2020, Board Member Ada Corral seconds on a 11-0 vote; POSTPONED TO APRIL 13, 2020. April 13, 2020 Due to the on-going need for social-distancing while continuing our efforts as a community to address the health concerns around COVID-19 , Chair of BOA Chair, Don Leighton-Burwell has postponed our April 13, 2020 Board of Adjustment meeting until the next scheduled date on May 11, 2020. This will include all previously postponed cases slated to be heard at the April 13th meeting; those will now be heard at the May 11, 2020 meeting. May 11, 2020 The public hearing was closed by Chair Don Leighton-Burwell, Board Member Michael Von

Ohlen motions to Grant with condition limited to .27 FAR, Board Member Ada Corral seconds on an 10-1 vote (Board member Rahm McDaniel nay); GRANTED WITH CONDITION LIMITED TO .27 FAR.

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: the lot size is 3575 sf and does not comply with the code and therefore a variance is required to build a single family dwelling
2. (a) The hardship for which the variance is requested is unique to the property in that: currently the property cannot be built upon as it does not comply with the code, the current configuration of this lot has been the same and has not changed, a home was built on the property in 1946 with City of Austin Electric, Waster tap and Gas service.

(b) The hardship is not general to the area in which the property is located because: this lot was the same configuration since 1946 and there was a home present here before
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 plans are to build a single family home in line with the existing homes in the neighborhood, the single family residence will not change the character of the neighborhood, or impair adjacent or surrounding properties



Elaine Ramirez
Executive Liaison

Diana Ramirez for

Don Leighton-Burwell
Chairman