

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

DATE: Monday, July 13, 2020

CASE NUMBER: C15-2020-0010

**ITEM # F-1**

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

APPLICANT: Travis Young

OWNER: Daniel and Amy Coops

ADDRESS: 71 JULIUS ST

**VARIANCE REQUESTED**The applicant is requesting a variance(s) from Section 25-2-721 (Waterfront Overlay (WO) Combining District Regulations) to (C) (1) and (2) from secondary setback area to allow construction of a home and increase the maximum allowable impervious cover from 30% (allowed) to 36.8% (requested) in order to erect a single-family residence with a detached garage and guest house in a SF-3-NP”, Single-Family Residence – Neighborhood Plan zoning district (Holly Neighborhood Plan).

Note: Per LDC 25-2-721 Waterfront Overlay (WO) Combining District Regulations (C) In a secondary setback area:

- (1) fountains, patios, terraces, outdoor restaurants, and similar uses are permitted; and
- (2) impervious cover may not exceed 30 percent.

**BOARD’S DECISION: BOA MEETING FEB 5, 2020 POSTPONED TO MARCH 9, 2020 BY APPLICANT DUE TO SHORTAGE OF BOARD MEMBERS (LEIGHTON-BURWELL ABSTAINING); MARCH 9, 2020 The public hearing was closed by Chair Don Leighton-Burwell, Board Member Darryl Pruet motions to Postpone to April 13, 2020, Board Member Brooke Bailey seconds on a 10-1 vote (Board member Don Leighton-Burwell abstained); POSTPONED TO APRIL 13, 2020. April 13, 2020**

Due to the on-going need for social-distancing while we continue our efforts as a community to address the health concerns around COVID-19 , our 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 Vice-Chair Melissa Hawthorne, Board Member Michael Von Ohlen motions to postpone to June 8, 2020, Board Member Jessica Cohen seconds on an 11-0 vote (Chair Don Leighton-Burwell abstained); POSTPONED TO JUNE 8, 2020. June 8, 2020 The public hearing was closed by Michael Von Ohlen, Board Member Rahm McDaniel motions to postpone to July 13, 2020, Board Member William Hodge seconds on an 11-0-1 vote (Board member Don Leighton-Burwell abstained); POSTPONED TO JULY 13, 2020. July 13, 2020 The public hearing was closed by Melissa Hawthorne, Board Member Michael Von Ohlen motions to Grant, Board Member Jessica Cohen seconds on an 8-2 vote (Board members Melissa Hawthorne and Darryl Pruettt nay; Chair Don Leighton-Burwell abstained); DENIED.

**FINDING:**

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: the waterfront overlay of festival Beach requires a secondary setback that is within 100ft and 150ft from the water edge wherein no vertical structures can be built and impervious cover must not exceed 30%.
2. (a) The hardship for which the variance is requested is unique to the property in that: very few residential properties are affected by the secondary setback and these two lots are the only lots affected on the existing block of homes, and heritage trees furthers this unique condition  
  
(b) The hardship is not general to the area in which the property is located because: very few residential lots are affected by the waterfront overlay setback and the heritage trees are unique
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 location for the proposed house is within the same location of the previously existing house that had existed since 1972

  
\_\_\_\_\_  
Elaine Ramirez  
Executive Liaison

Diana Ramirez  
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Don Leighton-Burwell  
Chairman