

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

DATE: Monday July 13, 2020

CASE NUMBER: C15-2020-0020

ITEM # G-1

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

OWNER/APPLICANT: Durham Trading Partners XII, LLC

ADDRESS: 1401 3RD ST

VARIANCE REQUESTED: The applicant is requesting a variance(s) from Section 25-2-492 (Site Development Regulations) from setback requirements to decrease the minimum interior side setback from 5 feet (required) to 2.77 feet (requested) in order to complete a Single-Family residence in an "SF-3-NP", Single-Family Residence-Neighborhood Plan zoning district. (East Cesar Chavez Neighborhood Plan)

Note: currently under construction, layout error


BOARD'S DECISION: BOA meeting April 13, 2020 CANCELLED MEETING; MAY 11 2020 The public hearing was closed by Chair Don Leighton-Burwell, Board Member Michael Von Ohlen motions to postpone to June 8, 2020, Board Member Rahm McDaniel seconds on a 10-1 vote (Board member Darryl Pruett nay, William Hodge abstained); POSTPONED TO JUNE 8, 2020. June 2020 The public hearing was closed by Chair Don Leighton-Burwell, Board Member Don Leighton-Burwell motions to Deny, Board Member Michael Von Ohlen seconds on a 10-1 vote (Board member Veronica Rivera nay and William Hodge abstained); DENIED.

RECONSIDERATION REQUEST: July 13, 2020 Board member Melissa Hawthorne motions to reconsider the reconsideration request, Board member Rahm McDaniel seconds on 5-5 votes (Board members Jessica Cohen, Darryl Pruett, Michael Von Ohlen, Kelly Blume and Martha Gonzalez nay); RECONSIDERATION REQUEST DENIED.

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

Diana Ramirez

Don Leighton-Burwell
Chairman