

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

**DATE: Monday September 14, 2020**

**CASE NUMBER: C15-2020-0043**

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

Item C-3

**APPLICANT: Katherine Loayza**

**OWNER: Robin Moore**

**ADDRESS: 4708 COLORADO XING**

**VARIANCE REQUESTED: The applicant is requesting variance(s) from the Land Development Code, Section 25-2-551 (Lake Austin District Regulations) (C) (3)**

**(a) increase the maximum impervious cover on a slope with a gradient of 15 percent or less from 35 percent (allowed) to 57.3 percent (requested), (56.1% existing)**

**(b) increase the maximum impervious cover on a slope with a gradient of 15 percent and not more than 25 percent from 10 percent (allowed) to 74.4 percent (requested), (73.4% existing)**

**(c) increase the maximum impervious cover on a slope with a gradient of more than 25 percent and not more than 35 percent from 5 percent (allowed) to 18.6 percent (requested), (17.1% existing)**

**(d) increase maximum impervious cover on a slope gradient greater than 35 percent to 13 percent (requested), (9.4% existing) in order to erect a Swimming Pool in a "LA", Lake Austin zoning district.**

**Note: This section of the Land Development Code applies to lots that are included in a subdivision plat recorded before April 22, 1982 or a tract that is not required to be platted.**

**For the above address the Subdivision Plat was recorded on January 13, 1982**

**BOARD'S DECISION: The public hearing was closed by Chair Don Leighton-Burwell, Board Member Melissa Hawthorne motions to Grant with a Rainwater Collection (in excess of allowed impervious cover; rainwater collection should be calculated based on October 2017 table presented by City Staff to BOA), Board Member Ada Corral seconds on an 11-0 vote; GRANT WITH A RAINWATER COLLECTION (IN EXCESS OF ALLOWED IMPERVIOUS COVER; RAINWATER COLLECTION SHOULD BE CALCULATED BASED ON OCTOBER 2017 TABLE PRESENTED BY CITY STAFF TO BOA).**

**EXPIRATION DATE: September 14, 2021**

**FINDING:**

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: as this lot was planned when it was zoned SF-2 and slope restrictions and calculations would of not been required at the time of the subdivision was planned, accessory structure to an existing home zoning cap is very restrictive and doesn't meet the minimum lot size for LA zoning and is already constructed, accessory addition is not unreasonable.
2. (a) The hardship for which the variance is requested is unique to the property in that: home sits on a heavily slope lot, drainage easement back and heavy trees, as property was planned under SF-2 zoning doesn't meet criteria for LA zoning further away from lake and has a greenbelt and drainage way that will filter any additional rainwater.  
  
(b) The hardship is not general to the area in which the property is located because: other homes don't have extreme slopes right outside their backyard and with distance from lake and majority of subdivision zoned SF-2 wouldn't be possible to build anything without a variance.
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: many houses in the neighborhood own a pool and won't be visible from the front house and being designed to put a very minimal of impervious coverage and rainwater collection will be provided for additional 225 square feet.

  
Elaine Ramirez  
Executive Liaison

Diana Ramirez for  
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Don Leighton-Burwell  
Chairman