

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

DATE: Monday September 14, 2020

CASE NUMBER: C15-2020-0044

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

Item C-4

APPLICANT: Eduardo Ponce

OWNER: Scott McElwain

ADDRESS: 1209 TAYLOR ST

VARIANCE REQUESTED: The applicant is requesting variance(s) from the Land Development Code, Section 25-2-774 (Two-Family Residential Use) (B) from lot area of 5, 750 square feet (required) to 5, 647 square feet (requested) in order to erect a Two-Family Residential use in an "SF-3-NP", Single-Family Residence-Neighborhood Plan zoning district. (East Cesar Chavez Neighborhood Plan)

Note: Per LDC for a Two-Family Residential use the minimum lot area is equivalent to a standard lot.

BOARD'S DECISION: The public hearing was closed by Chair Don Leighton-Burwell, Board Member Michael Von Ohlen motions to Grant from lot area requirements to erect Two-Family Residential use with condition that structures (existing and proposed combined) not exceed .4 FAR, Board Member Brooke Bailey seconds on an 11-0 vote; GRANTED FROM LOT AREA REQUIREMENTS TO ERECT TWO-FAMILY RESIDENTIAL USE WITH CONDITION THAT STRUCTURES (EXISTING AND PROPOSED COMBINED) NOT EXCEED .4 FAR.

EXPIRATION DATE: September 14, 2020

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: East Cesar Chavez NP outlined objectives include preserving home ownership and physical features of the neighborhood, maintain and increase the number of homeowners in the neighborhood, minimum lot requirement of 5,750 sf restricts the increase of homeowners in the area, existing lot size is 5,647 sf just short by 103 sf

2. (a) The hardship for which the variance is requested is unique to the property in that: SF-3 lot size less than lot minimum required for 2 family residential, this prevents the lot from meeting some of the objectives of the East Cesar Chavez NP

(b) The hardship is not general to the area in which the property is located because: Majority of the lots in the area not through lots, this lot presents a unique opportunity for homes with street frontage

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: proposed new construction is within the original intentions of the neighborhood plan and existing residential structures on adjacent lots.


Elaine Ramirez
Executive Liaison

Diana Ramirez for
Don Leighton-Burwell
Chairman