

CITY OF AUSTIN
Board of Adjustment
Decision Sheet
D-1

DATE: Monday October 12, 2020

CASE NUMBER: C15-2020-0042

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

APPLICANT: Harmony Grogan

OWNER: Jessie Patton-Levine

ADDRESS: 2202 49TH ST

VARIANCE REQUESTED: The applicant is requesting a variance(s) from the Land Development Code, Section 25-2-947 (*Nonconforming Use Regulation Groups*) (B) (2) to increase the improvement value from 20% of \$69,983 (allowed) to \$150,000 (requested) in order to complete a remodel and addition to an existing single-family residence in a "SF-3-NP" Single-Family Residence zoning district

Note: *Per LDC for a Nonconforming Use - A person may improve, enlarge, or structurally alter a structure if the cost does not exceed 20 percent of the value of the structure before the improvement.*

Per applicant: *The improvements allowed, or 20% of the value equals \$13,996. Per code, we are able to make improvements of \$13,996 and we are asking to make improvements of \$150,000.*

BOARD'S DECISION: **The public hearing was closed by Chair Don Leighton-Burwell, Board Member Michael Von Ohlen motions to Postpone to October 12, 2020, Board Member Melissa Hawthorne seconds on an 11-0 vote; POSTPONED TO OCTOBER 12, 2020. Oct 12, 2020 The public hearing was closed by Chair Don Leighton-Burwell, Board Member Michael Von Ohlen motions to Grant as per site**

plan D-1/40, D-1/42 and D-1/44, Board Member Jessica Cohen seconds on an 11-0 vote; GRANTED AS PER SITE PLAN D-1/40, D-1/42 AND D-1/44.

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: the 5,025 sf lot was subdivided in 1960 and is therefore a substandard lot and a nonconforming use
2. (a) The hardship for which the variance is requested is unique to the property in that: no improvements valued over \$13,996 are allowed to this residence built in 1947, that means no improvements are allowed, no new windows , no interior remodels of any substance, no new plumbing etc.. this hardship only results because the lot is substandard as it was subdivided in 1960 and is less than 5,750 sf

(b) The hardship is not general to the area in which the property is located because: the property's small size is unique to the neighborhood.
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: any improvements will be within setbacks and will additionally conform to all impervious coverage and FAR limitations.



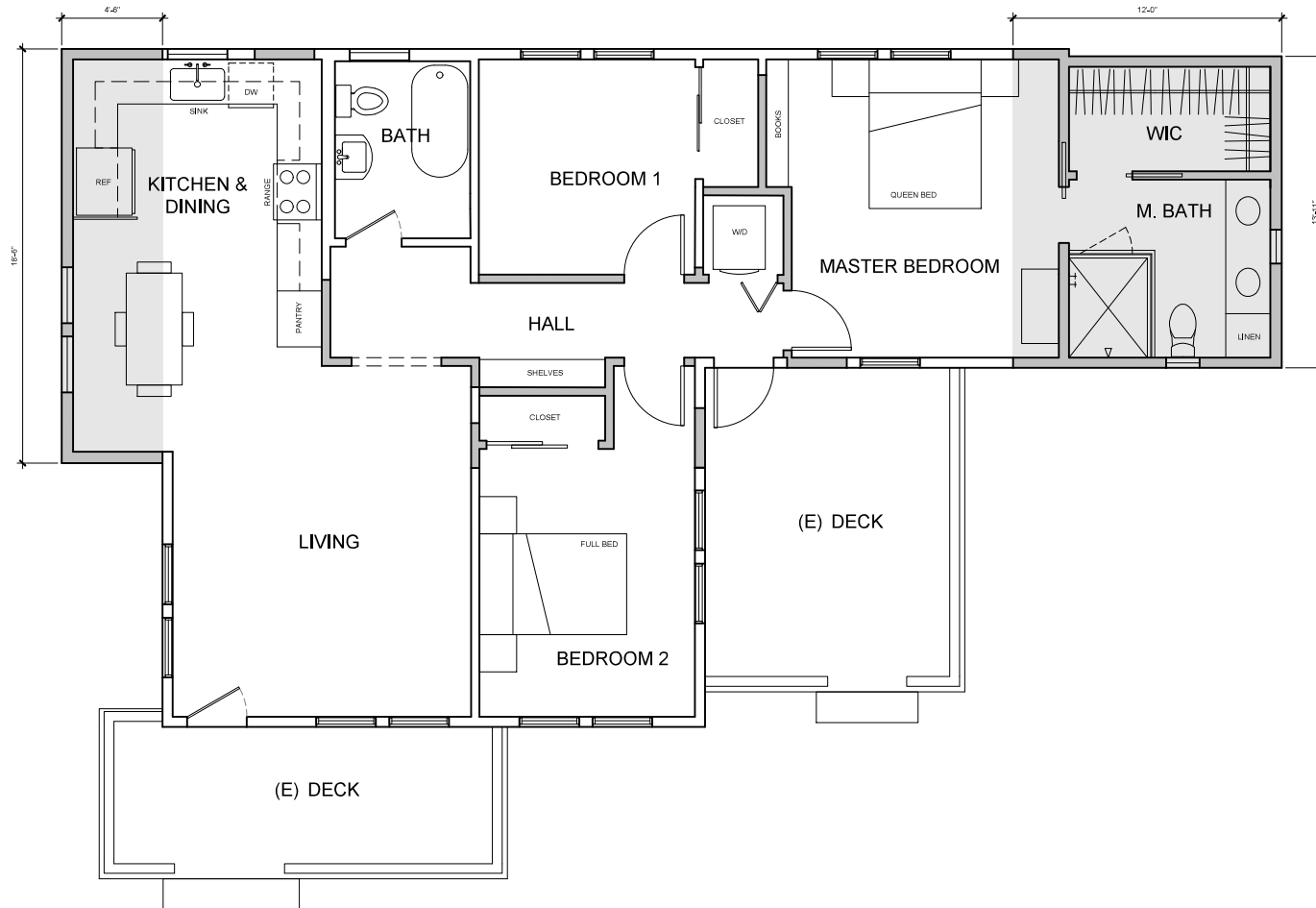
Elaine Ramirez
Executive Liaison

Diana Ramirez for

Don Leighton-Burwell
Chairman



PLUCK ARCHITECTURE
HARMONY GROGAN, AIA
1608 TREADWELL STREET
AUSTIN, TX 78704
512-507-4086



NOT TO BE USED
FOR REGULATORY
APPROVAL,
PERMITTING, OR
CONSTRUCTION

PROJECT:
2202 W 49TH STREET
AUSTIN, TX 78756

DATE:
AUGUST 27, 2020

PROPOSED FLOOR PLAN
SCALE: 3/16"=1'





Not to be used for permitting or construction.

