

CITY OF AUSTIN
Board of Adjustment
Decision Sheet
C-2

DATE: Monday October 12, 2020

CASE NUMBER: C15-2020-0053

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: Michael Gaudini

OWNER: Thomas Bercy

ADDRESS: 900 OLD KOENIG LN AND 5916 N. LAMAR BLVD.

VARIANCE REQUESTED: The applicant is requesting a variance(s) to decrease the required setback and increase the maximum allowable height requirements of Article 10, Compatibility Standards, Division 2 –Development Standards, Section 25-2-1063 (*Height Limitations and Setbacks for Large Sites*)

- a) (B) (2) reduce setback from 25 feet (minimum allowed) to 0 feet (requested)**
- b) (C) (1) (b) increase height limit from 30 feet (maximum allowed) to 60 feet (requested)**
- c) (C) (2) (b) increase height limit from 40 feet (maximum allowed) to 60 feet (requested) in order to erect Vertical Mixed Use project with on-site affordable units in a “CS-MU-V-CO-NP”, General Commercial Services – Mixed Use – Vertical Mixed Use - Conditional Overlay – Neighborhood Plan zoning district. (Brentwood Neighborhood Plan)**

Note: The Land Development Code Section 25-2-1063 (B) A person may not construct a structure 25 feet or less from property: (2) on which a use permitted in an SF-5 or more restrictive zoning district is located.

(C) The height limitation for a structure are: (1) two stories and 30 feet, if the structure is 50 feet or less from the property: (b) on which a use is permitted in an "SF-5" or more restrictive zoning district; or (2) three stories and 40 feet if the structure is more than 50 feet and not more than 100 feet from property: (b) on which a use is permitted in an "SF-5" or more restrictive zoning district is located.

BOARD'S DECISION: BOA MEETING OCT 12, 2020

Board Member Melissa Hawthorne motions to Postpone to December 14, 2020, Board Member Brooke Bailey seconds on an 11-0 vote; POSTPONED TO DECEMBER 14, 2020.

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 for

Don Leighton-Burwell
Chairman