

**CITY OF AUSTIN
Board of Adjustment
Decision Sheet
E-2**

DATE: Monday NOVEMBER 9, 2020

CASE NUMBER: C15-2020-0054

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

APPLICANT: Mari Russ

OWNER: Matthew Satter

ADDRESS: 3612 GOVALLE AVE

VARIANCE REQUESTED: The applicant is requesting a variance(s) from the Land Development Code, Section 25-2-774 (Two-Family Residential Use) (C) (5) (a) to increase the total area of a Second Dwelling Unit; unit not to exceed 1,100 total square feet or Floor to Area Ratio of 0.15, whichever is smaller (maximum allowed) to 2,000 square feet (requested) and (b) to increase the second floor area of a Second Dwelling Unit; 550 square feet on second floor (maximum allowed) to 1,100 square feet (requested) in order to erect an Accessory Dwelling Unit in an "SF-3-NP", Single-Family Residence-Neighborhood Plan zoning district. (Govalle Neighborhood Plan)

Note: 25-2-774 (C) The Second Dwelling Unit: (5) may not exceed: (a) 1,100 total square feet or a floor-to-area ration of 0.15, whichever is smaller; and (b) 550 square feet on the second story, if any; and (6) may not be used as a Short Term Rental for more than 30 days in a calendar year if the second dwelling unit was constructed after October 1, 2015.

BOARD'S DECISION: BOA MEETING OCT 12, 2020 **The public hearing was closed by Chair Don Leighton-Burwell, Board Member William Hodge motions to**

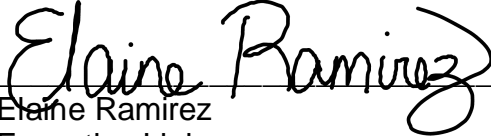
Postpone to November 9, 2020, Board Member Darryl Pruett seconds on an 11-0 vote; POSTPONED TO NOVEMBER 9, 2020.

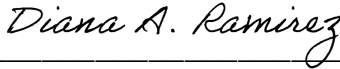
Nov 9 2020 The public hearing was closed by Chair Don Leighton-Burwell, Board Member Melissa Hawthorne motions to Grant, Board Member Rahm McDaniel seconds on a 7-4 vote (Board members Brooke Bailey, Don Leighton-Burwell, Darryl Pruett, Donny Hamilton nay); DENIED.

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: providing a secondary unit on rear side of primary unit only allows 1100 sf less limiting amount redevelopment in order to preserve the structure in front and keep its context the scale and mass of the neighborhood allowing larger structure back while still needing all the other development regulations
2. (a) The hardship for which the variance is requested is unique to the property in that: has an original structure from the 20's/30's structure and context and mass of the road is consistent.

(b) The hardship is not general to the area in which the property is located because: most of the lots don't contain original structure as they have been demolished and the ones that have some context are putting larger units towards the rear.
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: it is supported by neighborhood association and most of properties are general in this area have smaller units in front and larger units in rear.


Elaine Ramirez
Executive Liaison


Don Leighton-Burwell
Chairman