

CITY OF AUSTIN
Board of Adjustment
Decision Sheet
E-3

DATE: Monday December 14, 2020

CASE NUMBER: C15-2020-0068

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

APPLICANT: Courtney Mogonye-McWhorter

OWNER: Peter Huff

ADDRESS: 3115 WESTLAKE DR

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

- a) (B) (1) (a) from shoreline setback requirements to reduce the shoreline setback from 75 feet (required) to 15 feet (requested) (Canal only)
- b) (C) (3) (a) increase the maximum impervious cover on a slope with a gradient of 15 percent or less from 35 percent (allowed) to 40 percent (requested) in order to erect a new Single-Family Residential Guest House in an "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.


The above address received a Land Status Determination, which shows that the tract is not required to be platted as allowed under (C)(3). The grandfather date is 7/19/1951.

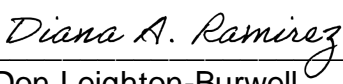
BOARD'S DECISION: The public hearing was closed by Chair Don Leighton-Burwell, Board Member Melissa Hawthorne motions to Postpone to December 14, 2020, Board Member Brooke Bailey seconds on an 11-0 vote; POSTPONED TO DECEMBER 14, 2020. DEC 14, 2020 The public hearing was closed by Chair Don Leighton-Burwell, Board Member Michael Von Ohlen motions to Grant with conditions at 15 feet ONLY at footprint of Guest House to Canal, beyond that 25 feet as per drawing E-3/17, and Board Member Melissa Hawthorne seconds on a 10-0 vote; GRANTED WITH CONDITIONS AT 15 FEET ONLY AT FOOTPRINT OF GUEST HOUSE TO CANAL, BEYOND THAT 25 FEET AS PER DRAWING E-3/17.

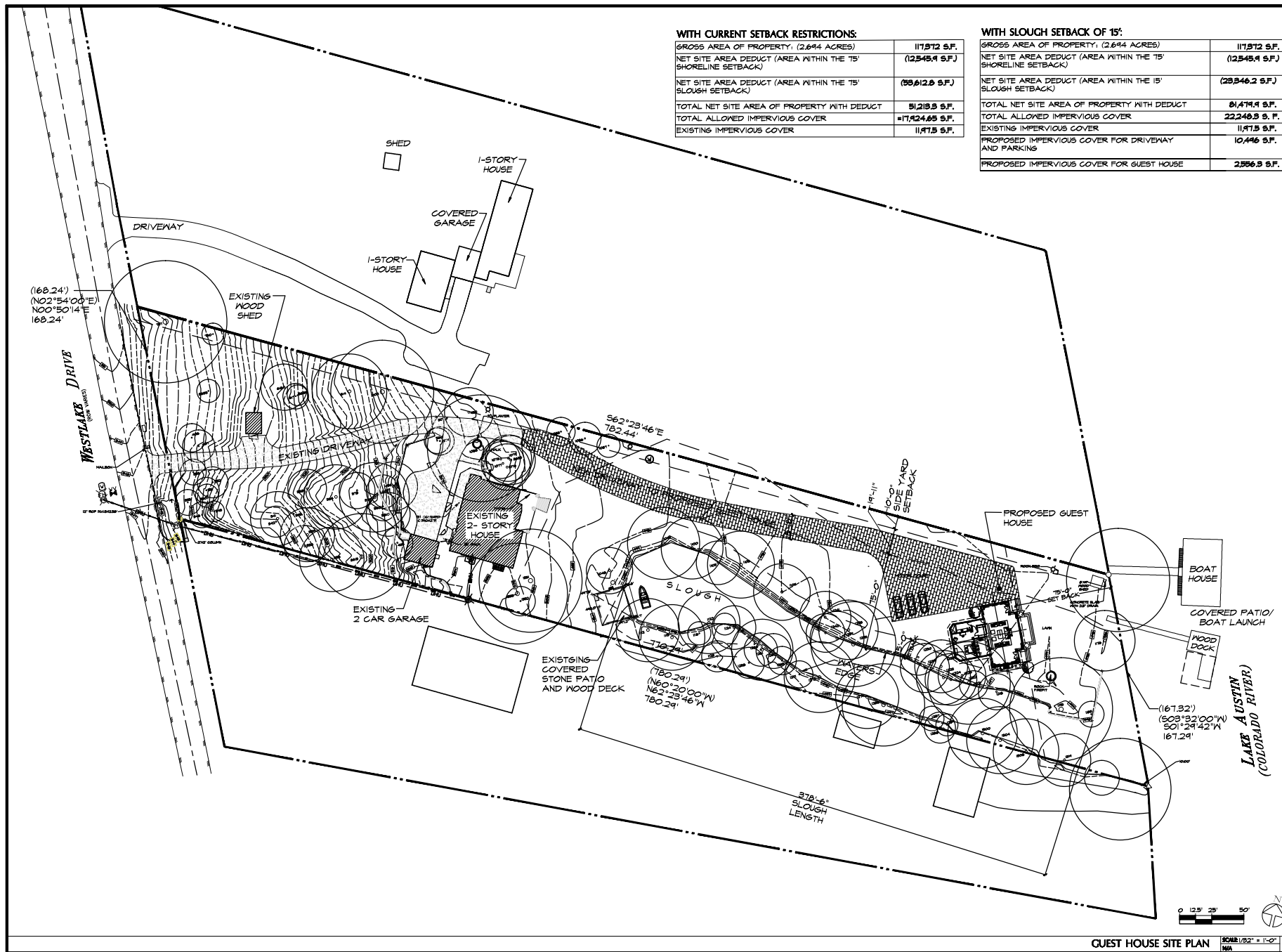
FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: the property was set out in its current configuration prior to 1951
2. (a) The hardship for which the variance is requested is unique to the property in that: the site has a main body and a canal feature which requires a 75' setback from each, both features are rare

(b) The hardship is not general to the area in which the property is located because: man-made inlet's on private lots are not general to the area but are rather the exception
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: the proposed construction is limited to an accessory structure (guest house) which is common along Lake Austin and allowed within the LA zone district


Elaine Ramirez
Executive Liaison


Don Leighton-Burwell
Chairman



GUEST HOUSE SITE PLAN