

CITY OF AUSTIN
Board of Adjustment
Decision Sheet
G-3

DATE: Monday February 8, 2021

CASE NUMBER: C15-2020-0069

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

APPLICANT: Courtney Mogonye-McWhorter

OWNER: Malia Muir

ADDRESS: 1230 ROCKCLIFF RD

VARIANCE REQUESTED: The applicant is requesting a variance(s) from the Land Development Code, Section 25-2-551 (Lake Austin (LA) District Regulations) (B) (1) (b) from shoreline setback requirements to reduce the shoreline setback from 25 feet (required) to 10 feet (requested) (canal only) in order to erect a Single-Family Residence in an “LA”, Lake Austin zoning district.

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 a 9-2 vote (Board members Jessica Cohen and Donny Hamilton nay); 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 Postpone to January 11, 2021, and Board Member Melissa Hawthorne seconds on a 10-0 vote; POSTPONED TO JANUARY 11, 2021. Jan 11, 2021 POSTPONED TO FEBRUARY 8, 2021; February 8, 2021 The public hearing was closed by Chair Don Leighton-Burwell, Board Member Darryl Pruett motions to Grant with conditions that the setback is reduced to seventeen (17) feet along Canal only and including the creation of a Stormwater Management Plan (including Construction Mitigation Plan/Run-off Protection), Erosion Control and Rainwater Capture (for impervious cover in excess of that allowed without the variance) for review and approved by city staff; Board Member

Melissa Hawthorne seconds on a 10-0 vote; GRANT WITH CONDITIONS THAT THE SETBACK IS REDUCED TO SEVENTEEN (17) FEET ALONG CANAL ONLY AND INCLUDING THE CREATION OF A STORMWATER MANAGEMENT PLAN (INCLUDING CONSTRUCTION MITIGATION PLAN/RUN-OFF PROTECTION), EROSION CONTROL AND RAINWATER CAPTURE (FOR IMPERVIOUS COVER IN EXCESS OF THAT ALLOWED WITHOUT THE VARIANCE) FOR REVIEW AND APPROVED BY CITY STAFF.

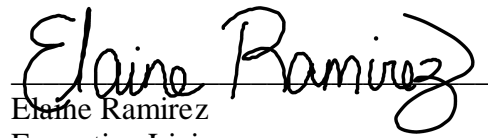
FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: the shoreline setback is measured 25' from all points along both the shoreline of Lake Austin and the canal, making this property unreasonably limited for its intended purpose of residential use.

2. (a) The hardship for which the variance is requested is unique to the property in that: the site has main body and a canal feature which requires a 25' setback from each, having both features is rare.

(b) The hardship is not general to the area in which the property is located because: Man-made inlets 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: due to the various site constraints, the proposed construction has lower impact on the area than neighboring properties given the smaller scale of the proposed house.


Elaine Ramirez
Executive Liaison

Diana Ramirez for
Don Leighton-Burwell
Chairman

Rainwater Harvesting Compensation for excess impervious cover (IC)

Required:

1. Rain tank 2.6 times greater in gallons than number of square feet in excess of IC limit

This formula calculates the number of gallons required to provide flood mitigation plus a factor of safety

Example: 5,000 sq.ft. lot with 45% IC limit permitted by Code is granted a variance to build 46% IC

Therefore: $5,000 \times 0.45 = 2,250$ sq.ft. (Code) vs. $5,000 \times 46\% = 2,300$ sq.ft. (allowed by variance)

Therefore: $2,300 - 2,250 = 50$ sq.ft. over Code limit

Therefore: 50 sq.ft. over limit $\times 2.6 = 130$ gallon rain tank required (minimum)

Result: Applicant installs a 150-gallon rain tank or two 75-gallon rain barrels

2. Guttering installed on an area of roof in square feet at least as large as the number of gallons of the rain tank

Example: Applicant ensures that roof area draining at least 150 sq.ft. drains via gutters to the 150-gallon tank

Or two separate areas draining at least 75 sq.ft. each drain to rain gutters to the two rain barrels.

3. Outflow from tank directed to a safe drainage conveyance where won't adversely impact neighboring properties

Calculation Table

Impervious Cover sq.ft. overage	Minimum Gallons of Rain Tank Volume Required
50	130
100	260
200	520
300	780
400	1,040
500	1,300
600	1,560
700	1,820
800	2,080
900	2,340
1,000	2,600
2,000	5,200
3,000	7,800
4,000	10,400
5,000	13,000