

CITY OF AUSTIN
Board of Adjustment
Decision Sheet
D-10

DATE: Monday June 14, 2021

CASE NUMBER: C15-2021-0049

Y Thomas Ates
 Y Brooke Bailey
 Y Jessica Cohen
 Y Melissa Hawthorne
 Y Don Leighton-Burwell
 Y Rahm McDaniel
 Y Darryl Pruet
 Y Agustina Rodriguez
 - Michael Von Ohlen
 Y Nicholl Wade
 - Vacant
 - Kelly Blume (Alternate)
 Y Carrie Waller (Alternate)
 - Vacant (Alternate)

APPLICANT: Perry Hunt

OWNER: Amias Maldonado and Lena Banks

ADDRESS: 1025 ELLINGSON LN

VARIANCE REQUESTED: The applicant is requesting a variance(s) from the Land Development Code Section 25-2-1463 (*Secondary Apartment Regulations*) (C) (5) (a) to increase Floor to Area ratio from 15% (required) to 15.87% (requested) in order to maintain a Secondary Apartment in a "SF-3-NP", Single-Family-Neighborhood Plan zoning district (Hancock Neighborhood Plan)

Note: 25-2-1463 - SECONDARY APARTMENT REGULATIONS (C) The secondary apartment: (5) may not exceed: (a) 1,100 total square feet or a floor-to-area ratio of 0.15, whichever is smaller and (b) 550 square feet on the second story, if any.

BOARD'S DECISION: **May 10, 2021 POSTPONED TO JUNE 14, 2021 DUE TO LACK OF BOARD MEMBERS/VOTES; June 14, 2021 The public hearing was closed by Chair Jessica Cohen, Board Member Melissa Hawthorne motions to Grant; Board Member Brooke Bailey seconds on a 10-0 vote; GRANTED.**

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: existing structure, not common for existing structure to be built this far back on the property,

can be consider secondary unit, to reuse this structure from 1957 currently with 966 sf limit, 50 years later is odd.

2. (a) The hardship for which the variance is requested is unique to the property in that: with lot size, ADU limited to 966 sq ft, home exist back of the property, it is actually really unique.

(b) The hardship is not general to the area in which the property is located because: there are not any homes in direct area that are in the same configuration.
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: property will conform to .4 FAR overall, even though there is a slight amount square footage more in the existing structure, site will comply with .4 FAR


Elaine Ramirez
Executive Liaison

Diana Ramirez for _____
Jessica Cohen
Chairman