

**CITY OF AUSTIN**  
**Board of Adjustment**  
**Decision Sheet**  
**D-11**

**DATE: Monday July 12, 2021**

**CASE NUMBER: C15-2021-0075**

Y \_\_\_ Thomas Ates  
 Y \_\_\_ Brooke Bailey  
 Y \_\_\_ Jessica Cohen  
 Y \_\_\_ Melissa Hawthorne  
 Y \_\_\_ Barbara Mcarthur  
 - \_\_\_ Rahm McDaniel (OUT)  
 Y \_\_\_ Darryl Pruett  
 Y \_\_\_ Agustina Rodriguez  
 - \_\_\_ Richard Smith (OUT)  
 Y \_\_\_ Michael Von Ohlen  
 Y \_\_\_ Nicholl Wade  
 Y \_\_\_ Kelly Blume (Alternate)  
 Y \_\_\_ Carrie Waller (Alternate)  
 - \_\_\_ Vacant (Alternate)

**APPLICANT: Tere O’Connell**

**OWNER: Chris Oakland**

**ADDRESS: 813 PARK BLVD Unit 2**

**VARIANCE REQUESTED:** The applicant is requesting variance(s) from the Land Development Code, Section 25-2-774 (Two-Family Residential Use) (C) (5)

- (a) from 1,100 total square feet (maximum allowed) to 1,150 square feet (requested) and
- (b) from 550 square feet on the second story (maximum allowed), to 575 square feet (requested) in order to remodel an existing historic detached Accessory Structure in an “SF-3-CO-NP”, Single- Family Residence-Combined Overlay-Neighborhood Plan zoning district. (Hancock Neighborhood Plan)

Note: Per LDC 25-2-774 (Two-Family Residential Use) (C) The second dwelling unit (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: BOA JULY 12, 2021 The public hearing was closed by Chair Jessica Cohen, Board Member Carrie Waller motions to Grant; Board Member Melissa Hawthorne seconds on 11-0 vote; GRANTED.**

**FINDING:**

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: the historic building floor areas exceed the allowable area for new construction by 25 SF per floor, the coverage is existing, unavoidable and very modest in size
2. (a) The hardship for which the variance is requested is unique to the property in that: removing 25 sq feet from each level of the 2 story garage is not possible or reasonable without inflicting damage on the historic integrity of the building, the residence and accompanying garage were built in 1929 for Austin mayor Tom Miller and was later owned and occupied by Emma Long, Austin's first female councilwoman  
  
(b) The hardship is not general to the area in which the property is located because: the unique condition that qualifies this property as special exception is the building in question is historically and architecturally tied to the style and character of the historic house and significant to the history of Austin
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: these historic buildings have stood as part of the neighborhood fabric since their construction in 1929, built the same year as the adjacent Commodore Perry Estate, the land originally belonged to E.G. "Commodore" Perry, if the variance gets approved the main house and the garage will maintain their original footprint and massing and continue to contribute to the historic character of the neighborhood.

  
Elaine Ramirez  
Executive Liaison

Diana Ramirez for

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Jessica Cohen  
Chair