

CITY OF AUSTIN
Board of Adjustment
Decision Sheet
D-2

DATE: Monday August 09, 2021

CASE NUMBER: C15-2021-0079

Y Thomas Ates
 Y Brooke Bailey
 Y Jessica Cohen
 Y Melissa Hawthorne
 Y Barbara McArthur
 Y Rahm McDaniel
 - Darryl Pruett (out – no show)
 Y Agustina Rodriguez
 Y Richard Smith
 - Michael Von Ohlen (out)
 Y Nicholl Wade
 Y Kelly Blume (Alternate)
 - Carrie Waller (Alternate)
 _____ Vacant (Alternate)

APPLICANT: Charles Dunigan

OWNER: Paul Le

ADDRESS: 6506 HERGOTZ LN

VARIANCE REQUESTED:): **The applicant is requesting a variance(s) from the Land Development Code Section 25-2-492 (*Site Development Regulations*) from setback requirements to decrease the minimum Front Yard Setback from 25 feet (required) to 10 feet (requested) in order to erect a Single-Family residence in a “SF-3”, Single-Family-Neighborhood Plan zoning district.**

BOARD’S DECISION: BOA AUG 9 MEETING **The public hearing was closed by Chair Jessica Cohen, Board Member Rahm McDaniel motions to Grant; Board Member Melissa Hawthorne seconds on a 10-0 vote; GRANTED.**

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: the river front topography of the property creates an undue burden for development with the zoned front yard setback of 25ft and all the other homes on this side of the street were built less than 25’ from the front setback.

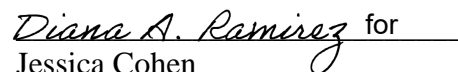
2. (a) The hardship for which the variance is requested is unique to the property in that: property is located on the river front of the Colorado River, topography of the lot is not conducive to

development of any kind without reduction of the front yard setback restriction, which is how all of the lots on this side of the street have developed.

(b) The hardship is not general to the area in which the property is located because: the topography of the properties along the river front in the general area varies per lot

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 adjacent properties are undeveloped, nearby properties along the river on the street have development within the 25ft setback, reduction of the front yard setback ordinance for this property will neither create non-conformity with nearby development, not infringe upon future COA ROW infrastructure work.


Elaine Ramirez
Executive Liaison

 for
Jessica Cohen
Chair