

CITY OF AUSTIN
Board of Adjustment
Decision Sheet
D-1

DATE: Monday September 13, 2021

CASE NUMBER: C15-2021-0083

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

APPLICANT: Victoria Haase

OWNER: 1207 Taylor Series, LLC, Les Canter

ADDRESS: 1207 TAYLOR ST

VARIANCE REQUESTED: The applicant is requesting a variance(s) from the Land Development Code Section(s)

- a) **25-2-492 (Site Development Regulations) to decrease the minimum Lot Size requirements from 5,750 square feet (required) to 5,676 square feet (requested) (see Note 1) and**
- b) **25-2-515 (Rear Yard of a Through Lot) from setback requirements to decrease the minimum rear yard setback from 25 feet (required) to 19.25 feet (requested) in order to erect a Two-Family Residential use (see Note 2) in an "SF-3-NP", Single-Family Residence-Neighborhood Plan zoning district. (East Cesar Chavez Neighborhood Plan)**

Note(s):

- a) **Per LDC 25-2-774 (Two-Family Residential Use) (B) For a two-family residential use the minimum lot area is equivalent to a standard lot.**
- b) **Per LDC 25-2-515 (Rear Yard of a Through Lot) a rear yard must comply with the minimum requirements applicable to a front yard.**

BOARD'S DECISION: BOA MEETING SEPT 13, 2021 The public hearing was closed by Chair Jessica Cohen, Board Member Michael Von Ohlen motions to Grant; Board Member Melissa Hawthorne seconds on a 11-0 vote; GRANTED.

FINDING:

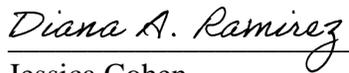
1. The Zoning regulations applicable to the property do not allow for a reasonable use because: the East Cesar Chavez NP demonstrates clear preference for residential development that includes secondary apartment and two family uses, this lot has SF-3-NP zoning, which allows for Secondary Apartment Special Use and two Family use, however the lot was platted at 5,663 sq ft, just under the minimum standard lot size requirement of 5,750 sq ft for an SF-3 lot.

2. (a) The hardship for which the variance is requested is unique to the property in that: the property has three protected trees of which two are heritage and must be preserved and protected, no construction can occur in the ½ critical root zone, thereby reducing the buildable area.

(b) The hardship is not general to the area in which the property is located because: many of the lots in this area have structures built decades ago and therefore were not constrained by tree root systems and reduced building area due to large rear building setbacks requirements.

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 new construction is in keeping with the intentions of the NP and the character of development on adjacent lots


Elaine Ramirez
Executive Liaison

 for
Jessica Cohen
Chair