

# 1409 Possum Trot

BOA Request  
C15-2020-0038

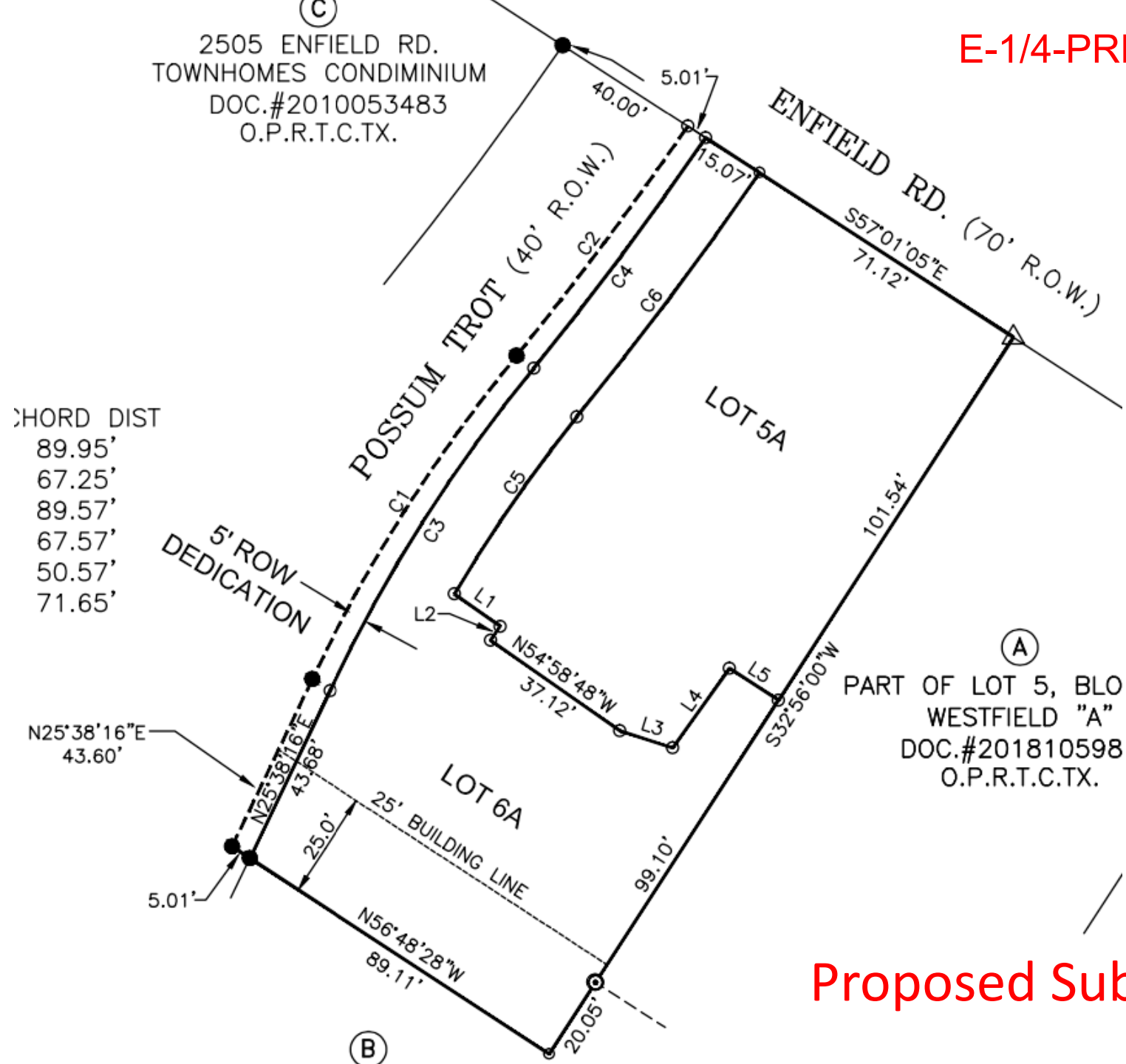
## Our Variance Request

- A variance from LDC 25-2-492; the rear setback in an SF-3 zoning district is 10 feet. We are requesting a rear setback of 5 feet.
- The existing 1942 duplex has a 5-foot setback. It will continue to have the same 5-foot setback if the variance is approved.

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NOTES:



Proposed Subdivision Plat

## Property History

- The existing structures were built in 1942 as a single-family residence and a duplex.
- The property was annexed into Austin's Full Purpose Jurisdiction and zoning regulations on March 14, 1946.
- Because the property is within the City's Full Purpose Jurisdiction with three existing units, it is classified as a legal non-complying use.

## Property History (cont.)

- On September 27, 2002, the City of Austin issued a Legal Tract Determination, which exempted this property from the platting requirements.
- In 2019, the new owner purchased the property, and he wishes to subdivide the property into two lots, in order to bring it into compliance with the zoning regulations.

We are asking  
for BOA  
support for the  
following  
reasons:

- The structures have existed since 1942, so variance approval will not impact the neighborhood.
- This is a minimal departure. If this property were part of a neighborhood residential infill, the rear setback for a duplex would only be 5 feet, under 25-2-1535. However we do not qualify because residential infill requires a residential site area of one acre, and this site is smaller.