

CITY OF AUSTIN
Board of Adjustment
Decision Sheet
E-1

DATE: Monday July 11, 2022

CASE NUMBER: C15-2020-0038

Y Thomas Ates
 Y Brooke Bailey
 Y Jessica Cohen
 Y Melissa Hawthorne
 Y Barbara McArthur
 Y Ryan Nill
 Y Darryl Pruett
 - Agustina Rodriguez OUT
 - Richard Smith OUT
 Y Michael Von Ohlen
 Y Nicholl Wade
 - Kelly Blume (Alternate) N/A
 Y Carrie Waller (Alternate)
 Y Marcel Gutierrez-Garza (Alternate)

APPLICANT: Jim Wittliff

OWNER: Braden Crockett

ADDRESS: 1409 POSSUM TROT

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 rear yard setback from 10 feet (required) to 5 feet (requested) in order to maintain an existing Duplex in a SF-3-NP”, Single-Family Residence – Neighborhood Plan zoning district (West Austin Neighborhood Plan).

BOARD’S DECISION: July 12, 2021 POSTPONED TO JAN 10, 2022 -AE DENIAL

July 11, 2022 -RENOTICE: 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 rear yard setback from 10 feet (required) to 5 feet (requested) in order to maintain an existing Duplex in a SF-3-NP”, Single-Family Residence – Neighborhood Plan zoning district (West Austin Neighborhood Plan).

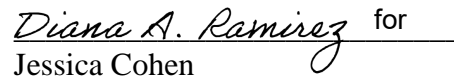
BOARD’S DECISION: July 11, 2022 The public hearing was closed by Madam Chair Jessica Cohen, Board member Michael Von Ohlen motions to approve with condition that this variance only applies to the existing duplex structure located at 1409 Possum Trot, if structure is demolished the variance is rescinded; Board member Melissa Hawthorne seconds on a 11-0 vote; GRANTED WITH CONDITION THAT THIS VARIANCE ONLY

APPLIES TO THE EXISTING DUPLEX STRUCTURE LOCATED AT 1409 POSSUM TROT, IF STRUCTURE IS DEMOLISHED THE VARIANCE IS RESCINDED.

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: the property was built in 1942 as a duplex and a single family residence on the same property
2. (a) The hardship for which the variance is requested is unique to the property in that: the tract was then annexed into the City of Austin four years later, on March 14, 1946, the property is not platted lot, but the COA issued a Land Status Determination on Sept. 27, 2002, the new property owner wishes to plat the property as two lots in order to bring it into conformance with the existing SF-3 zoning.
(b) The hardship is not general to the area in which the property is located because: None of the surrounding properties have three residential units on a single SF-3 zoned tract 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 existing structures have existed in their current locations on the property since 1942.


Elaine Ramirez
Executive Liaison

 for
Jessica Cohen
Madam Chair