

CITY OF AUSTIN
Board of Adjustment
Decision Sheet
Item 5

DATE: Monday September 12, 2022

CASE NUMBER: C15-2022-0002

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

APPLICANT: Rao Vasamsetti

OWNER: 5413 Guadalupe LLC

ADDRESS: 5413 GUADALUPE STREET

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 Interior Side Yard Setback from 5 feet (required) to 4 feet (requested), in order to erect a three story condominium in a “MF-4-CO-NP”, Multi-Family-Conditional Overlay-Neighborhood Plan zoning district (North Loop Neighborhood Plan).

BOARD’S DECISION: BOA MEETING JUNE 13, 2022 APPLICANT NO SHOW - The public hearing was closed by Madam Chair Jessica Cohen, Board member Jessica Cohen motions to postponed to July 11, 2022; Board member Brooke Bailey seconds on a 11-0, vote; POSTPONED TO JULY 11, 2022. JULY 11, 2022 The public hearing was closed by Madam Chair Jessica Cohen, Board member Jessica Cohen motions to postpone to September 12, 2022; Board member Melissa Hawthorne seconds on a 11-0 vote; POSTPONED TO SEPTEMBER 12, 2022.

RENOTICE -VARIACE REQUESTED The applicant is requesting a variance(s) from the Land Development Code:

Article 10, Compatibility Standards, Division 2 –Development Standards,
Section 25-2-1063 (*Height Limitations and Setbacks for Large Sites*):

a) (C) (1) (a) from height limitations to increase the height limit from two (2) stories and 30 feet (maximum allowed) to three (3) stories and 30 feet (requested) for a building located 50-ft or less from property in an SF-5 or more restrictive zoning district

b) (C) (2) (a) from height limitations to increase the height limit from three (3) stories and 40 feet (maximum allowed) to four (4) stories and 40 feet (requested) and

Section 25-2-1064 (Front Setback):

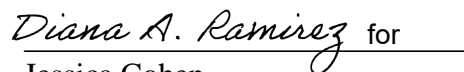
c) (1) (a) to decrease the front setback from 25 feet (minimum required) to 15 feet (requested) on a tract that adjoins property in an SF-5 or more restrictive zoning district and fronts on the same street in order to erect a Multi-Family building in a “MF-4-CO”, Multi-Family Residence Moderate-High Density-Conditional Overlay zoning district.

BOARD’S DECISION: BOA September 12, 2022 The public hearing was closed by Madam Chair Jessica Cohen, Board member Michael Von Ohlen motions to postpone to October 10, 2022; Board member Melissa Hawthorne second on 11-0 vote; POSTPONED TO OCTOBER 10, 2022.

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because:
2. (a) The hardship for which the variance is requested is unique to the property in that:
 - (b) The hardship is not general to the area in which the property is located because:
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:


Elaine Ramirez
Executive Liaison


Diana A. Ramirez for
Jessica Cohen
Madam Chair