

CITY OF AUSTIN
Board of Adjustment
Decision Sheet
Item 8

DATE: Monday October 10, 2022

CASE NUMBER: C15-2022-0071

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

APPLICANT: Micah King

OWNER: Daniel Mitchell

ADDRESS: 2311 LAFAYETTE AVE

VARIANCE REQUESTED: The applicant is requesting variance(s) from the Land Development Code, Section 25-2-774 (*Two-Family Residential Use*) for a Two-Family Residential

- a) (C) (5) (a) to increase the total square footage of a Secondary Dwelling unit from the lesser of 1,100 square feet or 0.15 FAR (maximum allowed) to 1,452 square feet; and
- b) (C) (5) (b) to increase the second floor square footage of 550 square feet (maximum allowed) to 756 square feet (requested) in order to erect a Secondary Dwelling Unit in an "SF-3-NP", Single-Family Residence-Neighborhood Plan zoning district. (Upper Boggy Creek Neighborhood Plan)

Note: *Per LDC 25-2-774 - TWO-FAMILY RESIDENTIAL USE.*

(A) For a two-family residential use, the base zoning district regulations are superseded by the requirements of this section.

(B) For a two-family residential use the minimum lot area is equivalent to a standard lot.

(C) The second dwelling unit:

(1) must be contained in a structure other than the principal structure;

(2) must be located:

(a) at least 10 feet to the rear or side of the principal structure; or

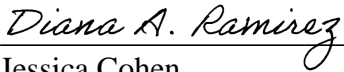
- (b) above a detached garage;*
- (3) may be connected to the principal structure by a covered walkway;*
- (4) may not exceed a height of 30 feet, and is limited to two stories;*
- (5) may not exceed:*
 - (a) 1,100 total square feet or a floor-to-area ratio of 0.15, whichever is smaller; and*
 - (b) 550 square feet on the second story, if any; and*
- (6) may not be used as a short term rental for more than 30 days in a calendar year if the second dwelling unit was constructed after October 1, 2015.*

BOARD'S DECISION: The public hearing was closed by Madam Chair Jessica Cohen, Board member Michael Von Ohlen motions to postpone to November 14, 2022; Board member Melissa Hawthorne second on 9-0 vote; POSTPONED TO NOVEMBER 14, 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

 for
Jessica Cohen
Madam Chair