

CITY OF AUSTIN
Board of Adjustment
Decision Sheet
ITEM03

DATE: Monday May 8, 2023

CASE NUMBER: C15-2023-0024

Y Thomas Ates
 Y Jessica Cohen
 Y Melissa Hawthorne
 Y Brian Poteet
 - Agustina Rodriguez OUT
 Y Margaret Shahrestani
 Y Richard Smith
 Y Janel Venzant
 - Michael Von Ohlen OUT
 Y Nicholl Wade
 Y Kelly Blume (Alternate)
 - Carrie Waller (Alternate)
 Y Marcel Gutierrez-Garza (Alternate)

APPLICANT: Micah King

OWNER: Thomas Neal Hull

ADDRESS: 1502 HILLMONT ST

VARIANCE REQUESTED: The applicant is requesting a variance(s) from the Land Development Code, Subchapter F: Residential Design and Compatibility Standards, Article 2, Development Standards:

a) Section 2.2 (*Building Height*) (A) to increase the height from 32 feet (maximum allowed) to 37 feet (requested)

and

b) Section 2.6 (*Setback Planes*) (B. *Rear Setback Plane*) to extend outside the inwardly sloping 45-degree angle (required) by an additional 3 feet 10 inches (requested) in order to erect a Single-Family residence in an “SF-3”, Single-Family zoning district

Note: 25-2 Subchapter F RESIDENTIAL DESIGN AND COMPATIBILITY STANDARDS, Article 2 Development Standards,

Section 2.2. – Building Height.

Except where these regulations superseded, the maximum building height for development subject to this Subchapter is:

(A) 32 feet for development located outside the 100-year floodplain; and

(B) 35 feet for development located in the 100-year floodplain.

Section 2.6. – Setback Planes.

This subsection prescribes side and rear setback planes in order to minimize the impact of a new development and rear development on adjacent properties. A structure may not extend beyond a setback plane except as authorized by subsection D. below. The height of a setback plane shall be measured under the requirements defined in [Section 3.4](#).

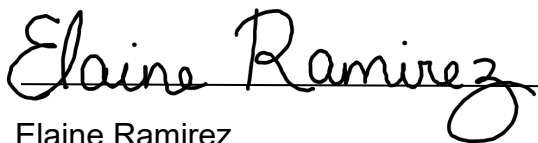
B. Rear Setback Plane. *Except as provided in subsection D, an inwardly sloping 45-degree angle rear setback plane begins at a horizontal line directly above the rear property line at the same elevation as the horizontal line for the last portion of the side setback plane established in paragraph A.3.*

BOARD'S DECISION: May 8, 2023 The public hearing was closed by Madam Chair Jessica Cohen, Board member Melissa Hawthorne motions to postpone to June 12, 2023; Madam Chair Jessica Cohen seconds on 10-0 votes; POSTPONED TO JUNE 12, 2023; June 12, 2023

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



Jessica Cohen
Madam Chair