

CITY OF AUSTIN
Board of Adjustment
Decision Sheet
ITEM07

DATE: Monday September 11, 2023

CASE NUMBER: C15-2023-0027

Y ___ Thomas Ates (D1)
 - ___ VACANT (D2)
 Y ___ Jessica Cohen (D3)
 Y ___ Yung-ju Kim (D4)
 Y ___ Melissa Hawthorne (D5)
 Y ___ Jeffrey Bowen (D6)
 Y ___ Janel Venzant (D7)
 - ___ Margaret Shahrestani (D8) OUT
 Y ___ Brian Poteet (D9)
 Y ___ Michael Von Ohlen (D10)
 Y ___ Marcel Gutierrez-Garza (M)
 Y ___ Kelly Blume (Alternate) (M)
___ Suzanne Valentine (Alternate) (M)
___ VACANT (Alternate) (M)

APPLICANT: JP Sullivan

OWNER: Mayo C Cuellar

ADDRESS: 1305 S 6TH STREET

VARIANCE REQUESTED: The applicant is requesting a variance(s) from the Land Development Code, Section 25-2-492 (*Site Development Regulations*) to decrease the minimum lot width from 50 feet (required) to 47 feet (requested), in order to subdivide a residential lot in a SF-3-NP”, Single-Family-Neighborhood Plan zoning district (Bouldin Creek Neighborhood Plan).

BOARD’S DECISION: BOA MEETING JUNE 12, 2023 POSTPONED TO JULY 10, 2023 DUE TO NOTIFICATION ERROR; July 10, 2023 The public hearing was closed by Madam Chair Jessica Cohen, Chair Jessica Cohen motions to postpone to August 14, 2023; Board member Michael Von Ohlen seconds on -10-0 votes; POSTPONED TO AUGUST 14, 2023. Aug 14, 2023 POSTPONED TO September 11, 2023 BY APPLICANT; Sept 11, 2023 The public hearing was closed by Madam Chair Jessica Cohen, Board member Melissa Hawthorne motions to approve with a friendly amendment that any proposed building at 1305 S 6th Street will be in accordance with the City of Austin’s setback requirements and zoning ordinances; Board member Michael Von Ohlen seconds on 10-0 votes; GRANTED WITH A FRIENDLY AMENDMENT THAT ANY PROPOSED BUILDING AT 1305 S 6TH STREET WILL BE IN ACCORDANCE WITH THE CITY OF AUSTIN’S SETBACK REQUIREMENTS AND ZONING ORDINANCE.

FINDING:


1. The Zoning regulations applicable to the property do not allow for a reasonable use because: as the site is ineligible for a land status determination and cannot be redeveloped without first being platted, this plat does not make for a larger lot than was originally in the original subdivision that was platted in 1894 and has a bigger width than most of the original lots in the subdivision.

2. (a) The hardship for which the variance is requested is unique to the property in that: this has been divided over the years, which has been in different dates, it's actually been combined to be pretty close and as it also actually gained the alley.

(b) The hardship is not general to the area in which the property is located because: many tax parcels are greater than 50 ft and would be able to plat without variances.

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: as it will be a single family home, it will be tear down, it will still be a single family home, a proportion in scale to city of Austin code requirements.


Elaine Ramirez
Executive Liaison

 for _____
Jessica Cohen
Madam Chair