CITY OF AUSTIN
Board of Adjustment
Decision Sheet
Item 3

DATE: Monday November 13, 2023   **CASE NUMBER: C15-2023-0041**

___Y____Thomas Ates (D1)
___-____VACANT (D2)
___Y____Jessica Cohen (D3)
___Y____Yung-ju Kim (D4)
___Y____Melissa Hawthorne (D5)
___Y____Jeffery Bowen (D6)
___-____Janel Venzant (D7) OUT
___Y____Margaret Shahrestani (D8)
___Y____Brian Poteet (D9)
___Y____Michael Von Ohlen (D10)
___Y____Marcel Gutierrez-Garza (M)
___-____Kelly Blume (Alternate) (M)
___Y____Suzanne Valentine (Alternate) (M)
___-____VACANT (Alternate) (M)

APPLICANT: Exten LLC- Rahim K. Marediya

OWNER: Rodney Bennett

ADDRESS: 1701 E. HOWARD LN

VARIANCE REQUESTED: The applicant is requesting a variance(s) from the Land Development Code, Section 25-2-814 *(Service Station Use)* (3) to increase the maximum number of vehicle queue lanes from 8 (required) to 12 (requested), in order to erect a gas service station in a "GR-MU" Community Commercial-Mixed Use zoning district.

BOARD'S DECISION: The public hearing was closed by Madam Chair Jessica Cohen, Board member Michael Von Ohlen motions to approve; Vice-Chair Melissa Hawthorne seconds on 10-0 votes; GRANTED.

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: the lots is encumbered by a 50' CEF setback on the north and a 20' EDE on the west, reducing the buildable and queueing areas

2. (a) The hardship for which the variance is requested is unique to the property in that: the size of the lot and the buildable area do not make it feasible to implement the required parking, drive aisles and larger queueing areas.

(b) The hardship is not general to the area in which the property is located because: requesting only 12 fuel dispensers whereas the code allows 16.

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 adjoining neighbor is commercial because the vehicles have 3 drive way aisles to enter and exit the site, the queuing can be handled on site.

Elaine Ramirez
Executive Liaison

Diana A. Ramirez for

Jessica Cohen
Madam Chair