

**CITY OF AUSTIN  
Board of Adjustment  
Decision Sheet**

**DATE: Monday January 14, 2019**

**CASE NUMBER: C15-2019-0001**

Y \_\_\_ Brooke Bailey  
 Y \_\_\_ William Burkhardt  
 Y \_\_\_ Christopher Covo  
 Y \_\_\_ Eric Golf  
 Y \_\_\_ Melissa Hawthorne  
 Y \_\_\_ Bryan King  
 Y \_\_\_ Don Leighton-Burwell  
 Y \_\_\_ Rahm McDaniel  
 - \_\_\_ Martha Gonzalez (Alternate)  
 Y \_\_\_ Veronica Rivera  
 Y \_\_\_ James Valdez  
 - \_\_\_ Michael Von Ohlen OUT  
 Y \_\_\_ Kelly Blume (Alternate) MVO  
 - \_\_\_ Ada Corral (Alternate)

**OWNER/APPLICANT: Susan Hays**

**ADDRESS: 902 HERNDON LN**

**VARIANCE REQUESTED: The applicant has requested variance(s) to:**

**A. Section 25-2-492 (D) to decrease the minimum rear setback from 10 feet (required) to 5 feet (requested, existing); and to**

**B. Section 25-2-774 (Two-Family Residential Use) (C) (2) to decrease the distance a second dwelling unit must be located from at least 10 feet to the rear or side of the principal structure (required) to 5 feet (requested)**

**in order to reconstruct a garage with a second dwelling unit above in an "SF-3", Family Residence zoning district..**

**BOARD'S DECISION: BOA meeting Jan 14, 2019 The public hearing was closed on Board Member Melissa Hawthorne motion to Grant, Board Member Christopher Covo second on an 11-0 vote; GRANTED REAR SETBACK TO 9'6". EXPIRATION DATE: January 14, 2020**

**FINDING:**

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: as it's an older subdivision set up with 5 foot setback with existing large trees, to replace an existing structure in 5ft setback is reasonable.

2. (a) The hardship for which the variance is requested is unique to the property in that: tree care and placement of trees and structures, trying to have a reasonable space  
  
(b) The hardship is not general to the area in which the property is located because: large heritage trees is on site in their care
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: replacing an existing structure in a heavily tree lot and it is in scale with neighboring property

*Leane Heldenfels*

Leane Heldenfels  
Executive Liaison

*William Burkhardt*

William Burkhardt  
Chairman