

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

**DATE: Monday April 08, 2019**

**CASE NUMBER: C15-2019-0015**

Y  Ada Corral  
 Y  William Burkhardt  
 Y  Darryl Pruett  
 Y  Eric Goff  
 Y  Melissa Hawthorne  
 Y  Yasmine Smith  
 Y  Don Leighton-Burwell  
 -  Rahm McDaniel OUT  
 Y  Martha Gonzalez (Alternate) RM  
 Y  Veronica Rivera  
 Y  James Valdez  
 Y  Michael Von Ohlen  
 -  Kelly Blume (Alternate) OUT  
 -  Alternate (Vacant)

**APPLICANT: Michael Kane**

**OWNER: Vanessa Tate**

**ADDRESS: 910 BERRYWOOD DR**

**VARIANCE REQUESTED:** The applicant has requested variance(s) from Section 25-2-492 (D) (Site Development Regulations) to decrease the front yard setback from 25 feet (required) to 20 (requested) in order to reconstruct a carport in a "SF-2" Family Residence zoning district.

**BOARD'S DECISION:** The public hearing was closed on Board Member Michael Von Ohlen motion to Grant with conditions that the carport remain open on 3 sides and protect the tree, Board Member Melissa Hawthorne second on an 11-0 vote; **GRANTED WITH CONDITONS THAT THE CARPORT REMAIN OPEN ON 3 SIDES AND PROTECT THE TREE.**

**EXPIRATION DATE: APRIL 8, 2020**

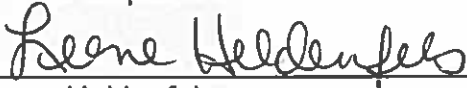
**FINDING:**

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: scope of work is to remove/replace carport, no increase to the footprint, carport is existing non-complying
2. (a) The hardship for which the variance is requested is unique to the property in that: the home and carport were built in 1965 and was not annexed into the COA

jurisdiction till 2005, this means the set-back requirements were not applicable at the time of construction

(b) The hardship is not general to the area in which the property is located because: the property is the original built and no new sq feet is proposed to the property, other properties have similar set-back issues.

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 new carport will match the characteristics of the carport and neighborhood.

  
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Leane Heldenfels  
Executive Liaison

  
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William Burkhardt  
Chairman