

CITY OF AUSTIN
Board of Adjustment
Decision Sheet
D-3

DATE: Monday December 14, 2020

CASE NUMBER: C15-2020-0080

Y Brooke Bailey
 Y Jessica Cohen
 Y Ada Corral
 Y Melissa Hawthorne
 - VACANT
 Y Don Leighton-Burwell
 - Rahm McDaniel -OUT
 Y Darryl Pruett
 Y Veronica Rivera
 Y Yasmine Smith
 Y Michael Von Ohlen
 Y Kelly Blume (Alternate)
 - Martha Gonzalez (Alternate)
 - Donny Hamilton (Alternate)

APPLICANT: Paul Bielamowicz

OWNER: Paul Bielamowicz

ADDRESS: 2111 WILSON ST

VARIANCE REQUESTED: The applicant is requesting a variance(s) from the Land Development Code,

- a) Section 25-2-492 (Site Development Regulations) from setback requirements to decrease the minimum rear yard setback from 10 feet (required) to 0.1 feet (requested)**
- b) Section 25-2-492 (Site Development Regulations) from setback requirements to decrease the minimum interior side yard setback from 5 feet (required) to 2 feet (requested) in order to remodel an existing Non-Complying detached Garage in a SF-3-NP”, Single-Family Residence – Neighborhood Plan zoning district (Bouldin Creek Neighborhood Plan).**

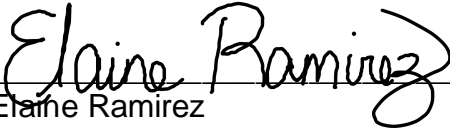
BOARD’S DECISION: BOA meeting Dec 14, 2020 The public hearing was closed by Chair Don Leighton-Burwell, Board Member Michael Von Ohlen motions to Grant, and Board Member Jessica Cohen seconds on a 10-0 vote; GRANTED.

FINDING:

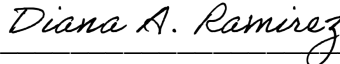
1. The Zoning regulations applicable to the property do not allow for a reasonable use because: LDC 25-2-893 allows for vehicle storage and similarity zoned properties (Sf-3-NP) with similar sized lots are allowed to have a garage

2. (a) The hardship for which the variance is requested is unique to the property in that: the garage cannot be relocated out of the setback as there is a heritage oak tree (>24"") that constitutes a hardship restricting construction in the area outside of the setback, constructing a new foundation out of the setback would disturb the 1/2 critical root zone of the heritage tree

(b) The hardship is not general to the area in which the property is located because: a similar sized property that does not have a heritage oak tree in this location would not have this hardship
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 proposed renovations do not increase the size or height of the structure and do not change the use of the structure



Elaine Ramirez
Executive Liaison



Don Leighton-Burwell
Chairman