

**CITY OF AUSTIN**  
**Board of Adjustment**  
**Decision Sheet**  
**D-3**

**DATE: Monday July 12, 2021**

**CASE NUMBER: C15-2021-0058**

Y  Thomas Ates  
 Y  Brooke Bailey  
 Y  Jessica Cohen  
 Y  Melissa Hawthorne  
 Y  Barbara McArthur  
 -  Rahm McDaniel (OUT)  
 N  Darryl Pruett  
 Y  Agustina Rodriguez  
 -  Richard Smith (OUT)  
 Y  Michael Von Ohlen  
 Y  Nicholl Wade  
 Y  Kelly Blume (Alternate)  
 Y  Carrie Waller (Alternate)  
 -  Vacant (Alternate)

**OWNER/APPLICANT: Robert & Jennifer Carson**

**ADDRESS: 1209 CHOQUETTE DR**

**VARIANCE REQUESTED:** The applicant is requesting a variance(s) from the Land Development Code, Section 25-2-492 (*Site Development Regulations*) from setback requirements to decrease the minimum front yard setback from 25 feet (required) to 16 feet (requested) in order to maintain a Carport in a “SF-3-NP”, Single-Family Residence-Neighborhood Plan zoning district. (Brentwood Neighborhood Plan)

**BOARD’S DECISION: BOA JULY 12, 2021** **The public hearing was closed by Chair Jessica Cohen, Board Member Michael Von Ohlen motions to Grant; Board Member Melissa Hawthorne seconds on a 10-1 vote (Board member Darryl Pruett nay); GRANTED.**

**FINDING:**

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: original house built in 1957 included a carport, carports are a common feature in the area
  
2. (a) The hardship for which the variance is requested is unique to the property in that: each lot in Bellaire Section 1 was developed independently, site plan layouts and floor plans are different for each other, the property lot elevations slopes from the front of the property toward the house so that water running off the original roof fell directly on the driveway, flowed towards the house and pooled in the original carport area.

(b) The hardship is not general to the area in which the property is located because: each lot in Bellaire Section 1 was developed independently.

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: Carport has been in place since 2003, simply want to maintain it as is, open on 3 sides and is only 1 story tall, so it does not present any adverse effects to neighboring properties.

  
Elaine Ramirez  
Executive Liaison

Diana Ramirez for

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Jessica Cohen  
Chair