

CITY OF AUSTIN
Board of Adjustment
Decision Sheet
D-3

DATE: Monday July 11, 2022

CASE NUMBER: C15-2022-0057

Y Thomas Ates
 Y Brooke Bailey
 Y Jessica Cohen
 Y Melissa Hawthorne
 Y Barbara Mcarthur
 Y Ryan Nill
 Y Darryl Pruett
 - Agustina Rodriguez OUT
 - Richard Smith OUT
 Y Michael Von Ohlen
 Y Nicholl Wade
 - Kelly Blume (Alternate) N/A
 Y Carrie Waller (Alternate)
 Y Marcel Gutierrez-Garza (Alternate)

OWNER/APPLICANT: Aaron Seifert

ADDRESS: 8114 CACHE DR

VARIANCE REQUESTED: The applicant is requesting a variance(s) from the Land Development Code, Section(s) 25-2-492 (*Site Development Regulations*) from setback requirements to decrease the minimum street side yard setback from 15 feet (required) to 5 feet (requested) in order to complete a shed in a “SF-3”, Single-Family Residence zoning district.

BOARD’S DECISION: July 11, 2022 The public hearing was closed by Madam Chair Jessica Cohen, Board member Michael Von Ohlen motions to approve with condition that the variance only applies to the proposed structure (new shed) Board member Melissa Hawthorne seconds on a 11-0 vote; GRANTED WITH CONDITION THAT THE VARIANCE ONLY APPLIES TO THE PROPOSED STRUCTURE (NEW SHED).

FINDING:

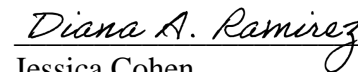
1. The Zoning regulations applicable to the property do not allow for a reasonable use because: other properties have a 5 foot setback on the side of their property, however the street side setback is 15 feet because of homes location which limits the buildable area in this lot, also unique to the property is the 40 foot easement.

2. (a) The hardship for which the variance is requested is unique to the property in that: a 40 foot easement on the back of this property, a tree with a critical root zone that don't want to infringe upon, a retaining wall that would cause structural issues if built across it, for that reason need to be able to build within 15 foot setback that has been set by the city.

(b) The hardship is not general to the area in which the property is located because: the drainage/utility easement is not in every backyard, it is specific to the property.

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 structure will still be setback 5 feet from out property line, which is 15 feet from the street.


Elaine Ramirez
Executive Liaison

 for
Jessica Cohen
Madam Chair