

# Variance Request 1303 Harvey St C15-2022-0087

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Board of Adjustment – Dec. 12<sup>th</sup> 2022

Samuel Berniard - Homeowner

# Overview



- Seeking variance for front yard setback of 25' to 10.4'
- Completed Front Porch deck remodel (pictured on right)
- Working with COA Residential Review on retroactive permit approval
- New deck was built in same footprint as previous deck (pictured on left), with the exception of front steps / access



## Overview (continued)



- Home originally built in 1947 and original structure exists within the current 25' setback
- Red line in picture shown is location of current 25' setback
- Remodeled in 2011, original 1947 structure and porch were kept in place during remodel
- Setback code was adopted in 1985 to current 25' setback

# Requested Variance

- Site development regulations for a Front Yard setback of 25ft
- Seeking Front Yard setback of 10.4ft due to added steps for access to existing deck remodel

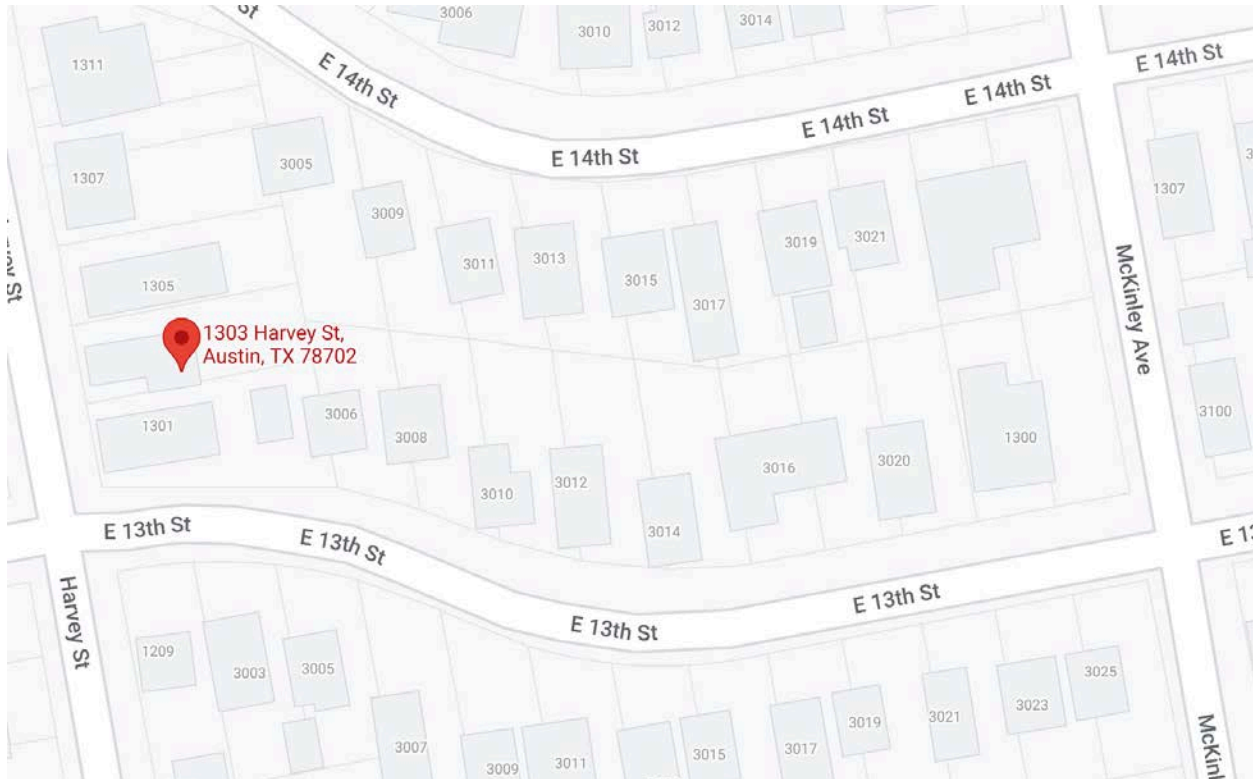
## Zoning Regulations do not allow for a reasonable use because:

- They do not allow for any front-porch to obtain permit approval with an access modification only such as the front-facing steps added
- Current 25' setback exists ~5' into the existing interior of the home creating an unreasonable situation for a structure grandfathered into current code

# Hardship is unique to the property because:

- Home was built in 1947 much closer to the street than the majority of homes in the neighborhood
- Front of house was not changed in 2011 remodel, existing porch from 1947 is what the current porch and remodel were both built on (same footprint)
- Only modification are the front-steps for access that are similar to the existing roof line from the front-porch awning

# Hardship is not general to the area because:



- Setbacks in McKinley Heights have no consistency based on most structures being built in the 1940s and not a part of City of Austin front-yard setback code when built



Approval would not alter area character because:



- Footprint of deck has not increased, only change are front steps for access
- Front-step design is consistent with both immediate neighbors on Harvey St (pictured) and homes throughout the neighborhood