

**CITY OF AUSTIN**  
**Board of Adjustment**  
**Decision Sheet**  
**ITEM03**

**DATE:** Monday July 10, 2023

**CASE NUMBER:** C15-2023-0023

Y \_\_\_\_\_ Thomas Ates  
 Y \_\_\_\_\_ Jessica Cohen  
 Y \_\_\_\_\_ Melissa Hawthorne  
 Y \_\_\_\_\_ Brian Poteet  
 Y \_\_\_\_\_ Marcel Gutierrez-Garza  
 Y \_\_\_\_\_ Margaret Shahrestani  
 Y \_\_\_\_\_ Richard Smith  
 Y \_\_\_\_\_ Janel Venzant  
 Y \_\_\_\_\_ Michael Von Ohlen  
 - \_\_\_\_\_ Nicholl Wade  
 - \_\_\_\_\_ Kelly Blume (Alternate)  
 - \_\_\_\_\_ Carrie Waller (Alternate)  
 Y \_\_\_\_\_ Suzanne Valentine (Alternate)

**APPLICANT:** Richard Mathias

**OWNER:** Tom Blank

**ADDRESS:** 1205 BICKLER RD

**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 interior side yard setback from 5 feet (required) to 0 feet (requested), in order to attach a Carport in a “SF-3-NCCD-NP”, Single-Family - Neighborhood Conservation Combining District - Neighborhood Plan zoning district (South River City Neighborhood Plan; Fairview Park Subdistrict)

**BOARD’S DECISION:** BOA MEETING JUNE 12, 2023      **POSTPONED TO JULY 10, 2023 DUE TO NOTIFICATION ERROR; JULY 10, 2023 The public hearing was closed by Madam Chair Jessica Cohen, Board member Michael Von Ohlen motions to approve; Board member Melissa Hawthorne seconds on -10-0 votes; GRANTED.**

**FINDING:**

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: the NCCD zoning regulations and the Historic Landmark commission prohibits the placement of parking in front of the building and the zoning regulations do not allow the placement of a covered carport within the side yard setback.

2. (a) The hardship for which the variance is requested is unique to the property in that: existing building, site improvements, and protected tree located on the lot does not provide space for the carport outside of the setbacks
- (b) The hardship is not general to the area in which the property is located because: existing building, site improvements, and protected tree located on the lot, one of the existing buildings on the lot was legally constructed within the side yard setback, there is a 14' strip of land between the subject side property line and the adjoining lot rear property line that prohibits development.
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: there is a strip of land between the subject tract and the adjacent property.

*Elaine Ramirez*

Elaine Ramirez  
Executive Liaison

*Diana A. Ramirez* for \_\_\_\_\_

Jessica Cohen  
Madam Chair