

CITY OF AUSTIN
Board of Adjustment
Decision Sheet
ITEM05

DATE: Monday December 11, 2023

CASE NUMBER: C15-2023-0049

Y Thomas Ates (D1)
 - VACANT (D2)
 Y Jessica Cohen (D3)
 Y Yung-ju Kim (D4)
 Y Melissa Hawthorne (D5)
 Y Jeffery Bowen (D6)
 Y Janel Venzant (D7)
 Y Margaret Shahrestani (D8)
 Y Brian Poteet (D9)
 Y Michael Von Ohlen (D10)
 Y Marcel Gutierrez-Garza (M)
 - Kelly Blume (Alternate) (M)
 - Suzanne Valentine (Alternate) (M)
 - VACANT (Alternate) (M)

APPLICANT: Paul DeGroot

OWNER: Stacey Martinez

ADDRESS: 4908 CRESTWAY 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 rear yard setback from 10 feet (required) to 5.5 feet (requested) in order to erect an attached 1st FL Screened-in porch in rear of existing 2 story Single-Family residence in a “SF-3”, Single-Family zoning district.

BOARD’S DECISION: The public hearing was closed by Madam Chair Jessica Cohen, Vice-chair Melissa Hawthorne motions to table this case until after the next item on the agenda to communicate with opposing neighbors; Board member Michael Von Ohlen motions to approve; Board member Jeffery Bowen seconds on 10-0 votes; GRANTED.

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: Adhering to the 10’ setback line will result in a very skinny screened porch with inside dimensions of 8’-6”X 15’-8”, the 8’-6” dimension is too narrow to comfortable seating around a patio table for outdoor dining.

2. (a) The hardship for which the variance is requested is unique to the property in that: the lot is triangular and has a 10' utility easement running through the interior of it at a location just 3' away from the east end of the house, the home was built in the only usable portion of the lot, leaving very little backyard space, further, a very tall, steep retaining wall takes up more yard space behind the house.

(b) The hardship is not general to the area in which the property is located because: other lots are not triangle or irregular shape lots and have a deeper front-to-back dimensions allowing for generous backyards.
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 4 lots that border this lot have homes that are not near their respective property lines so there is considerable distance between these homes and the proposed screened porch, the steep hill behind this lot makes the proposed porch essentially hidden from their views, covered patios/decks and screened porches are very common in backyards and are part of the residential character of the neighborhood.



Elaine Ramirez
Executive Liaison

 for _____

Jessica Cohen
Madam Chair