

**CITY OF AUSTIN**  
**Board of Adjustment**  
**Decision Sheet**  
**D-1**

**DATE: Monday April 11, 2022**

**CASE NUMBER: C15-2022-0025**

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

**APPLICANT: Karen McGraw**

**OWNER: Suzannah Covx**

**ADDRESS: 3709 CEDAR ST**

**VARIANCE REQUESTED:** The applicant is requesting a variance(s) from the North University NCCD Ord. #040826-058, PART 7(Residential District) from:

- a) lot width requirements to decrease the minimum lot width from 50 feet (required)
- b) to 41 feet (requested) in order to allow a Two-Family residential use and
- c) setback requirements to decrease the minimum interior side yard setback from 5
- d) feet (required) to 3 feet (requested) in order to erect a detached garage in an “SF-3-NCCD-NP”, Single-Family Residence-Neighborhood Conservation Combining District Neighborhood Plan zoning district. (North University NCCD Neighborhood Plan).

***Note:** (1st variance request) Ordinance No. 20110804-040 Part 3 (5) (b) Allows TwoFamily use on a lot at least 5,750 square feet. The existing lot is 41 feet wide and contains 6,636 square feet.*

*(2nd variance request) North University NCCD No. 040826-058 Part 7 (3) (d) a noncomplying accessory building may be reconstructed at its existing location, but may not be less than 3 feet from the rear and interior side property lines. The owner requests to remove the existing garage and replace it with a new garage 3 feet from the south property line – not on its existing location.*

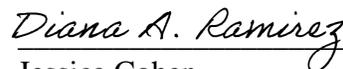
**BOARD'S DECISION: BOA MEETING APRIL 11, 2022**

**The public hearing was closed by Madam Chair Jessica Cohen, Board Member Michael Von Ohlen motions to approve with conditions no STR, limited to .4 FAR, and as per Site plan D-1/8 in Presentation and 3 foot setback only length of garage; Board Member Brooke Bailey seconds on a 11-0 vote; GRANTED WITH CONDITIONS NO STR, LIMITED TO .4 FAR, AND AS PER SITE PLAN D-1/8 IN PRESENTATION AND 3 FOOT SETBACK ONLY LENGTH OF GARAGE.**

**FINDING:**

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: this site has a 41' front width which is the narrowest on the block except for 3711 which has the same and a new home is being constructed there now, the owner wishes to maintain the existing 854 sf home and add a second dwelling of 850 sf limited per code.
2. (a) The hardship for which the variance is requested is unique to the property in that: all other lots are either developed as multi-family or have the lot size and width to create a second dwelling, the garage needs to be relocated to allow alley access due to the tree protection  
  
(b) The hardship is not general to the area in which the property is located because: only two lots on this block have this 41' lot width, all others are wider.
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: this development will be far less dense than the apartments to the north, south and east and will be one story with loft and neighboring buildings are all two stories or greater.

  
Elaine Ramirez  
Executive Liaison

 for \_\_\_\_\_  
Jessica Cohen  
Madam Chair