

Zoning Code Administrative Interpretation Decision No. 2021-11-15

**Date Issued:** November 15, 2021

**Question.** Are portable storage facilities subject to the zoning code's front, side and rear yard setback requirements?

**Answer.** Yes, portable storage facilities are required to comply with the setback requirements set out in City Code Section 118-20 (entitled "general requirements and limitations") Table 1.

**Analysis.** In considering this query, code provisions that were considered are as follows:

**Sec. 118-5. – Definitions:**

*Building* means **any structure designed or built for the support, enclosure, shelter, or protection of persons, animals, chattels or property of any kind.** When subdivided in a manner sufficient to prevent the spread of fire, each portion so subdivided may be deemed a separate building.

**Sec. 118-20. - General requirements and limitations.**

(j) Height and placement requirements. Except as otherwise specifically provided in this chapter, **no building shall be erected or maintained within the required building setbacks set forth herein**, or which exceeds the height limits specified in the following.

**Application.** This question was raised in conjunction with an inquiry related to property located at 105 Burnet Hills.

**Conclusion.** Portable buildings are required to comply with the setback requirements of City Code Sec. 118-20, Chart 1. Pursuant to section 118-73(d), this decision shall govern questions relating to setback requirements for placement of portable buildings; and, shall be retained in the official records of the Director of Development Services until rescinded by action of City Council, amendment to Chapter 118 or reversed by action of the Zoning Board of Adjustment.

**Appeal.** Pursuant to Texas Local Government Code Section 211.01 this decision is appealable to the City of Burnet, Board of Adjustment. Notice of appeal must be filed in the office of the City Secretary **not later than 20 days** from the date this decision was issued. The notice must include a written narrative specifying the grounds for the appeal.

To be effective as of the date first stated above.

City of Burnet, Texas  
Zoning Administrator

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Habib H. Erkan Jr.  
Assistant City Manager

