

CITY OF AUSTIN
Board of Adjustment/Sign Review Board
Decision Sheet

DATE: Monday, May 10, 2010

CASE NUMBER: C15-2010-0046

____ Jeff Jack
____ Michael Von Ohlen
____ Nora Salinas
____ Bryan King
____ Leane Heldenfels, Chairman
____ Clarke Hammond, Vice Chairman
____ Heidi Goebel
____ Melissa Hawthorne

APPLICANT: Michael Vacek

OWNER: Celia Thrash

ADDRESS: 5705 AVENUE G

VARIANCE REQUESTED: The applicant has requested a variance to decrease the minimum front street setback requirement of Section 25-2-492 (D) from 25 feet to 15 feet in order to attach a carport and porch to a single-family residence in an "SF-3-NP", Family Residence – Neighborhood Plan zoning district. (Highland Neighborhood Plan)

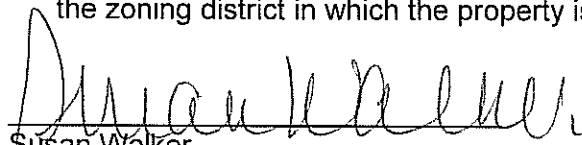
The applicant has requested a variance from Section 25-2-1604 (C) (1) which states that a parking structure with an entrance that faces the front yard may not be closer to the front lot line than the building façade in order to attached a carport to a single-family residence in an "SF-3-NP", Family Residence – Neighborhood Plan zoning district. (Highland Neighborhood Plan)

BOARD'S DECISION: POSTPONED TO JUNE 14, 2010 FOR HARDSHIP AND SCALED DRAWING

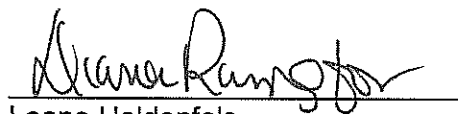
FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because:
2. (a) The hardship for which the variance is requested is unique to the property in that:

(b) The hardship is not general to the area in which the property is located because:
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:



Susan Walker
Executive Liaison



Leane Heldenfels
Chairman

PUBLIC HEARING INFORMATION

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- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact person listed on a notice*); or
- appearing and speaking for the record at the public hearing; and:
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: www.ci.austin.tx.us/development.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice.

Case Number: C15-2010-0046, 5705 Ave G
 Contact: Susan Walker, 974-2202
 Public Hearing:
 Board of Adjustment, May 10, 2010

Michael Vacek
 Your Name (please print)

I am in favor
 I object

5705 Ave G
 Your address(es) affected by this application

Mick Vacek *5/3/2010*
 Signature Date

Daytime Telephone: *512-576-8793*

Comments: _____

If you use this form to comment, it may be returned to:

City of Austin-Planning & Development Review Department/ 2nd Floor
 C/O Susan Walker
 P. O. Box 1088
 Austin, TX 78767-8810

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 Contact: Susan Walker, 974-22202
 Public Hearing:
 Board of Adjustment, May 10, 2010

Sacculine Scoggins
 Your Name (please print) _____
 I am in favor
 I object

Your address(es) affected by this application

5705 Ave G 28752

Susan Walker
 Signature _____ 5/13/2010
 Date

Daytime Telephone: 576-8783

Comments: _____

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Case Number: C15-2010-0046, 5705 Ave G
 Contact: Susan Walker, 974-2202
 Public Hearing:
 Board of Adjustment, May 10, 2010

Celia Thash
 Your Name (please print)

I am in favor
 I object

5705 Ave G 28752
 Your address(es) affected by this application

Celia Thash *5/3/2010*
 Signature Date

Daytime Telephone: *576-8773*

Comments: _____

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Case Number: C15-2010-0046, 5705 Ave G
 Contact: Susan Walker, 974-2202
 Public Hearing:
 Board of Adjustment, May 10, 2010

Priscilla Thomas
 Your Name (please print)

5705 Ave G 78052
 Your address(es) affected by this application

Priscilla Thomas
 Signature

5/3/2010
 Date

Daytime Telephone: *576-8793*

Comments:

I am in favor
 I object

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 C/O Susan Walker
 P. O. Box 1088
 Austin, TX 78767-8810

If you need assistance completing this application (general inquires only) please contact Susan Walker, 974-2202; 505 Barton Springs Road, 2nd Floor (One Texas Center).

CASE # C15-2010-004c
ROW # 1047277

TP-0226100618

**CITY OF AUSTIN
APPLICATION TO BOARD OF ADJUSTMENT
GENERAL VARIANCE/PARKING VARIANCE**

WARNING: Filing of this appeal stops all affected construction activity.

PLEASE: APPLICATION MUST BE TYPED WITH ALL REQUESTED INFORMATION COMPLETED.

STREET ADDRESS: 5705 Ave G

LEGAL DESCRIPTION: Subdivision - Skylark

Lot(s) 1104 Block _____ Outlot _____ Division _____

I/We Michael Yacek on behalf of myself/ourselves as authorized agent for Celia Thrash affirm that on 4/9, 2010,

hereby apply for a hearing before the Board of Adjustment for consideration to:

(check appropriate items below)

___ ERECT ATTACH ___ COMPLETE ___ REMODEL ___ MAINTAIN

Carport, porch

in a SF-3-UP district.
(zoning district)

SF-3-NP Highland N.P.

NOTE: The Board must determine the existence of, sufficiency of and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional support documents.

VARIANCE FINDINGS: I contend that my entitlement to the requested variance is based on the following findings (see page 5 of application for explanation of findings):

REASONABLE USE:

1. The zoning regulations applicable to the property do not allow for a reasonable use because:
the carport would not be large enough to cover a car - protect from rain and hail.

HARDSHIP:

2. (a) The hardship for which the variance is requested is unique to the property in that:
the only place to put a carport.

- (b) The hardship is not general to the area in which the property is located because:
we are unable to pull car into backyard - other lots have room on side of house to pull car into backyard or alley.

AREA CHARACTER:

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 carport matched the house, when it is painted, you won't be able to tell it was added on.

PARKING: (Additional criteria for parking variances only.)

Request for a parking variance requires the Board to make additional findings. The Board may grant a variance to a regulation prescribed Section 479 of Chapter 25-6 with respect to the number of off-street parking spaces or loading facilities required if it makes findings of fact that the following additional circumstances also apply:

1. Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonable require strict or literal interpretation and enforcement of the specific regulation because:

N/A

2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

N/A

3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

N/A

4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

N/A

NOTE: The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.

APPLICANT CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed Michael Vacek Mail Address 5705 Ave G
City, State & Zip Austin, TX 78752
Printed Michael Vacek Phone ⁽⁵¹²⁾ 576-8793 Date 4/8/10

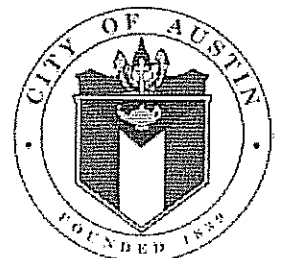
OWNERS CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.



Signed Celia Thrash Mail Address 601 E. Newport
City, State & Zip McAllen Texas 78501
Printed Celia Thrash Phone 956-630-6517 Date 4-7-10



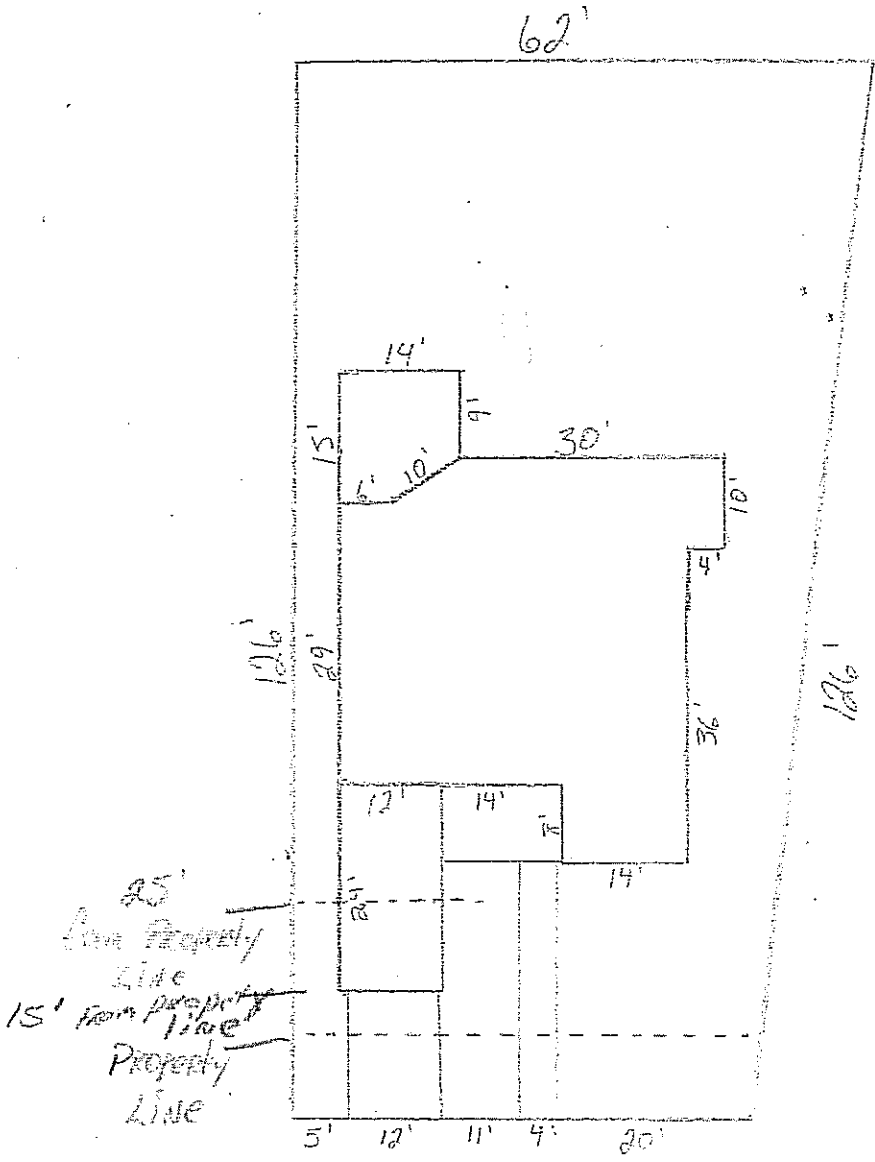
BOARD OF ADJUSTMENT

CASE#: C15-2010-0046
 ADDRESS: 5705 AVENUE G
 GRID: K27
 MANAGER: SUSAN WALKER



 **SUBJECT TRACT**
 **ZONING BOUNDARY**

This map has been produced by G.I.S. Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



All structures etc. must maintain 7'5" clearance from AE energized power lines. Enforced by AE & NESC codes.

AE APPROVED
 MAR 29 2010
 85-200
 JGM

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 Contact: Susan Walker, 974-2202
 Public Hearing:
 Board of Adjustment, May 10, 2010

MHW STEEL MASTERS
 Your Name (please print)

I am in favor
 I object

5805 AVE. G AUSTIN TX 78752
 Your address(es) affected by this application

Manuel M. Santos *5/5/10*
 Signature Date

Daytime Telephone: *459-7965*

Comments: *Loche on his*

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