B2 T

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

DATE: Monday, November 8, 2010	CASE NUMBER: C15-2010-0111
Jeff Jack Michael Von Ohlen Nora Salinas Bryan King Leane Heldenfels, Chairman Clarke Hammond, Vice Chairman Heidi Goebel	
APPLICANT: Matthew J, Moore	
ADDRESS: 906 56TH ST	
VARIANCE REQUESTED: The applicant has req minimum front street setback requirement of Se 10 feet in order to erect a garage and second floresidence in an "SF-3-NP", Family Residence – Mistrict. (North Loop Neighborhood Plan)	ction 25-2-492 (D) from 25 feet to or addition to a single-family
BOARD'S DECISION: POSPONED to December 13	3, 2010
FINDING:	
 The Zoning regulations applicable to the property because: 	do not allow for a reasonable use
2. (a) The hardship for which the variance is reques	sted is unique to the property in that:
(b) The hardship is not general to the area in whi	ch the property is located because:
3. The variance will not alter the character of the arc impair the use of adjacent conforming property, a the regulations of the zoning district in which the	and will not impair the purpose of
Susan Walker Lear	huna Rumu Jo

Chairman

Executive Liaison

B2

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

DATE: Monday, October 11, 2010		CASE NUMBER: C15-2010-0111	
	_y Jeff Jack _y Michael Von Ohlen Motion to PP to Nov _y Nora Salinas _y Melissa Hawthorne _y Leane Heldenfels, Chairman _y Clarke Hammond, Vice Chairman _y Heidi Goebel	8, 2010	
ΑI	PPLICANT: Matthew J, Moore		
ΑI	DDRESS: 906 56TH ST		
m 10 re	ARIANCE REQUESTED: The applicant has reque inimum front street setback requirement of Secti) feet in order to erect a garage and second floor sidence in an "SF-3-NP", Family Residence – Ne strict. (North Loop Neighborhood Plan)	ion 25-2-492 (D) from 25 feet to addition to a single-family	
Ol	OARD'S DECISION: The public hearing was close blen motion to POSTPONE TO November 8, 2010 formation and photos, 7-0 vote; POSTPONED TO November 8, 2010 formation and photos, 7-0 vote; POSTPONED TO November 8, 2010 formation and photos, 7-0 vote; POSTPONED TO November 8, 2010 formation and photos, 7-0 vote; POSTPONED TO November 8, 2010 formation and photos, 7-0 vote; POSTPONED TO November 8, 2010 formation and photos, 7-0 vote; POSTPONED TO November 8, 2010 formation and photos, 7-0 vote; POSTPONED TO November 8, 2010 formation and photos, 7-0 vote; POSTPONED TO November 8, 2010 formation and photos, 7-0 vote; POSTPONED TO November 8, 2010 formation and photos, 7-0 vote; POSTPONED TO November 8, 2010 formation and photos, 7-0 vote; POSTPONED TO November 8, 2010 formation and photos, 7-0 vote; POSTPONED TO November 9, 2010 formation and photos, 7-0 vote; POSTPONED TO November 9, 2010 formation and photos, 7-0 vote; POSTPONED TO November 9, 2010 formation and photos, 7-0 vote; POSTPONED TO November 9, 2010 formation and photos, 7-0 vote; POSTPONED TO November 9, 2010 formation and photos, 2010 formation and photos, 2010 formation and 201	or complete findings and additional	
FII	NDING:		
1.	The Zoning regulations applicable to the property debecause:	lo not allow for a reasonable use	
2.	(a) The hardship for which the variance is requeste	d 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 impair the use of adjacent conforming property, and the regulations of the zoning district in which the pr	d will not impair the purpose of	
	\	200	

Susan Walker Executive Liaison Leane Heldenfels

Chairman

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CASE #	C15-2010-0111	3

ROW # _____

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

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WARNING: Filing of this appeal stops all affected construction activity.
PLEASE: APPLICATION MUST BE TYPED WITH ALL REQUESTED INFORMATION COMPLETED.
STREET ADDRESS: 906 E 56 th Street LEGAL DESCRIPTION: Subdivision – Morningside
Lot(s) 4 Block_OutlotDivision Addn Sec 2
I/We Ann Pelton and Matthew Moore on behalf of myself/ourselves as authorized agent for Ann Pelton affirm that on August 5, 2010, hereby apply for a hearing before the Board of Adjustment for consideration to: (check appropriate items below)
_X ERECTATTACHCOMPLETE _X REMODEL MAINTAIN
The applicant has requested a variance to decrease the minimum front street setback requirement of Section 25-2-492 (D) from 25 feet to 12.5 feet in order to erect a garage and second floor for a single-family residence in an "SF-3-NP", Family Residence – Neighborhood Plan zoning district. (North Loop Neighborhood Plan)
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:

Adding a garage to the house is not possible while maintaining the required setback from the front of

Amended

25 feet due to the curve in the road. It is not possible to locate the garage in the back of the property since there is no access either via an alley behind or beside the house.

HARDSHIP:

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

The significant curves in the road are unique to the lot and the location of the existing house is set farther back than the others. The result is that while the southeast corner of the garage is setback 25 feet the southwest corner is setback 12.5 feet. The average setback for the garage is 19 feet while the remainder of the house average setback will be 27 feet.

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

While other properties are similar, no other property has as significant a curve. If a similar garage was placed on the other properties it would result in a minimum setback of less than 10 feet in all cases.

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 neighboring house to the east will still be six feet in front of the garage. It does not infringe on the visibility from the adjacent neighbors and their view to the streets. The architectural design is taking into account the period correct features, such as low pitched roof, half stone columns, etc.

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:

Not requesting a variance on parking.

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:

It is expected that this will actually allow for two additional cars to be parked on the property instead of the street.

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

It maintains the existing use of the property.



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

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 Matthew 9 Moore Mail Address 906 E 56 ST City, State & Zip AUSTIN, TX 78751
City, State & Zip AUSTIN, TX 78751
Printed MATTHEW J MOORE Phone 512 302 4013 Date November 1, 2010
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
City, State & Zip Austin, TK 78751
Printed Ann C. P. 1 ton Phone 512.302-4013 Date Movember 2, 2010



- A. SUBJECT PROPERTY: REQUESTING ADJUSTMENT AT STREET FRONT SETBACK LINE FOR NEW ATTACHED GARAGE.
- B. ADJACENT PROPERTY W/ RESIDENCE.
- C. ADJACENT PROPERTY W/ RESIDENCE.
- D. PUBLIC STORAGE

TITLE: SITE PLAN

SCALE: 1" = 100'

DRAWN BY: JW

JWHALL
D ESIGN/BUILD CONSTRUCTION
3014 WASHINGTON SQUARE, AUSTIN, TX 18150 512.810.1981

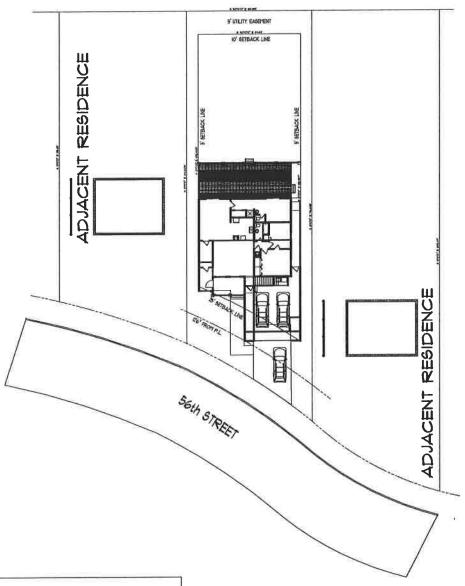
October 07, 2010

REVISED

DRAWING *: ALN

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PELTON-MOORE RESIDENCE 906 56TH STREET AUSTIN, TX

TITLE: SITE PLAN

SCALE: 1" = 40'

DRAWN BY: JW

JWHALL
DESIGN/BUILD CONSTRUCTION

October 28, 2010

REVISED

DRAWING *: ALT

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SQ. FT. CALCULATIONS			
AREA		TTL	
TOTAL LOT AREA:		8,920	sa. Ft.
EXISTING FIRST FLOOR	APPROX.	1166	9Q. Ft.
NEW FIRST FLOOR	APPROX.	346	6Q. FT.
NEW SECOND FLOOR	APPROX.	1072	6Q. FT.
COVERED PORCHES	APPROX.	832	6Q. FT.
EXISTING GARAGE	APPROX.	205	sa. Ft.
NEW GARAGE	APPROX.	427	sa. Ft.
TOTAL BUILDING AREA	APPROX.	4048	6Q, FT,
TOTAL FLOOR AREA	APPROX.	3216	SQ. FT.
DRIVEWAY	APPROX.	460	SQ. FT.
SIDEWALKS	APPROX.	116	SQ. FT.
TOTAL IMPERVIOUS COVERAGE	APPROX.	3552	sa. FT.
IMPERVIOUS COVERAGE		39.8%	
FLOOR AREA RATIO		36%	

5' UTILITY EASEMENT 5 90'0'0' E 44.62' IO' SETBACK LINE RESIDENCE ADJACENT ADJACENT RESIDENCE 25' SETBACK LINE SELA STREET

PELTON-MOORE RESIDENCE 906 56TH STREET AUSTIN, TX

TITLE: SITE PLAN

SCALE: 1" = 20'

DRAWN BY: JW

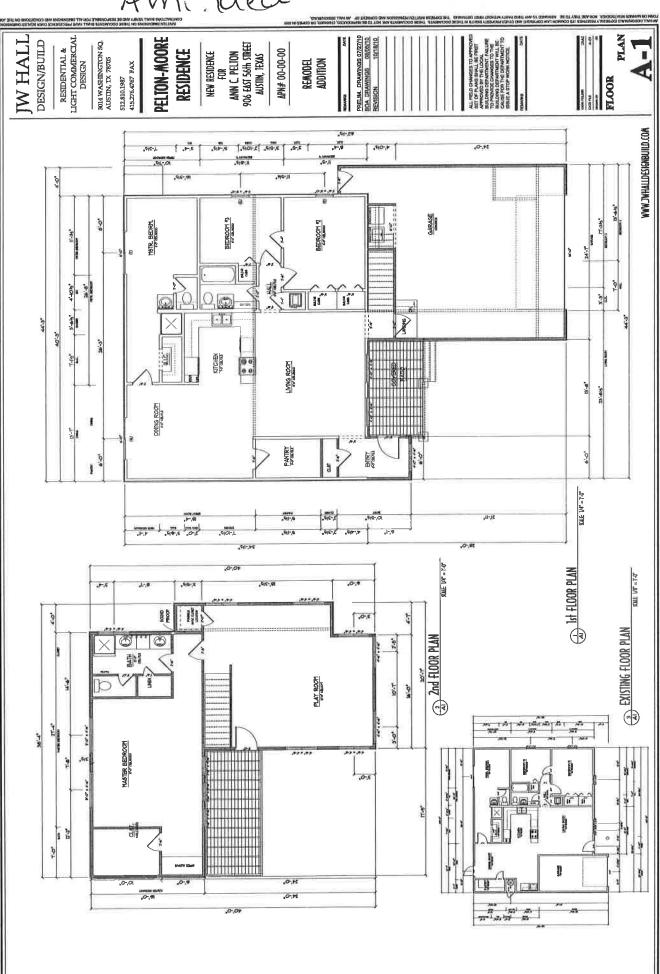
JWHALL
DESIGN/BUILD CONSTRUCTION

October 28, 2010

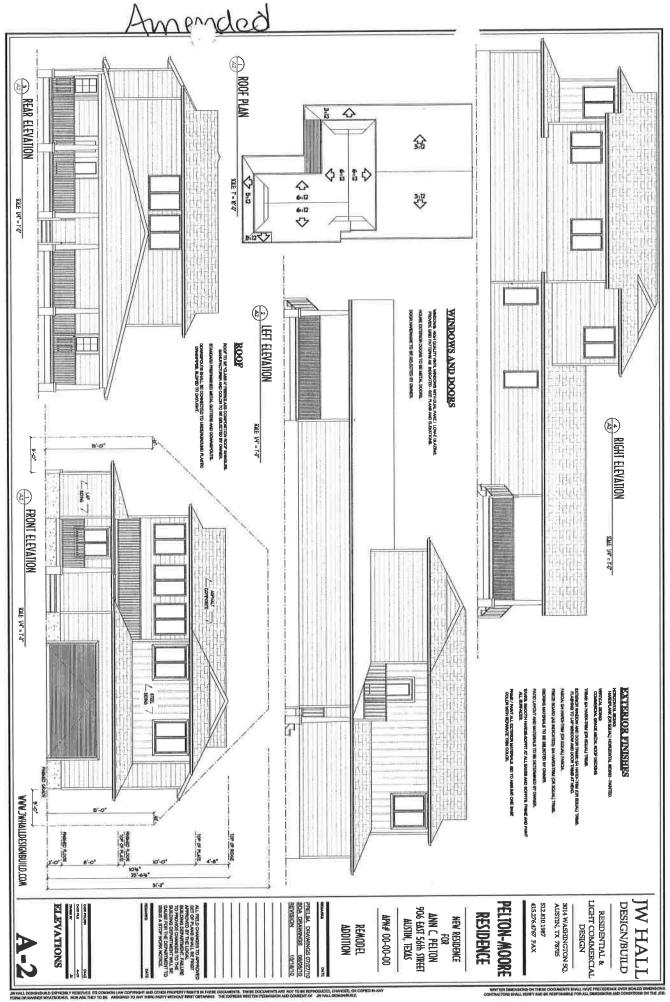
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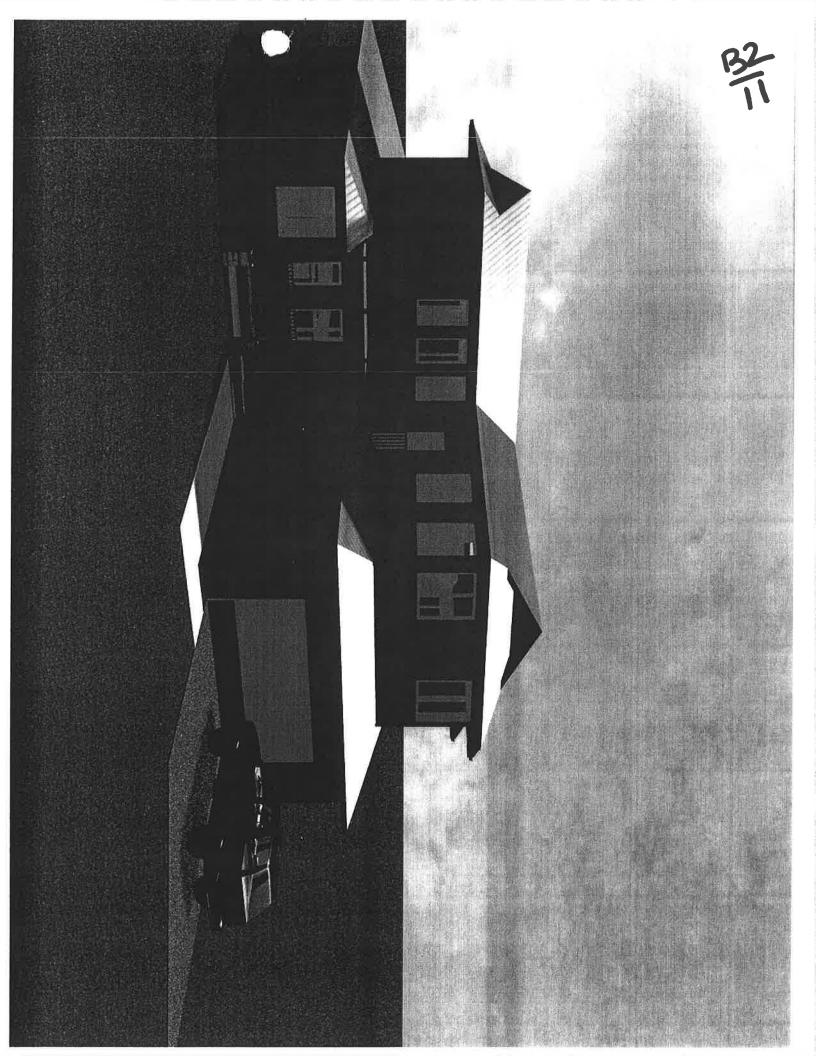
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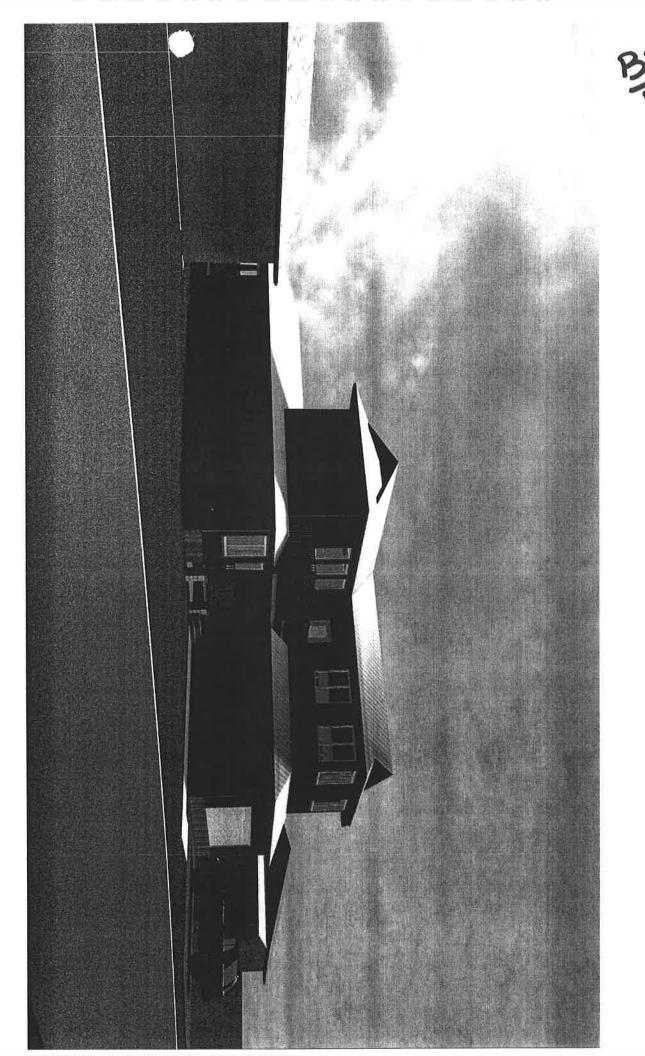
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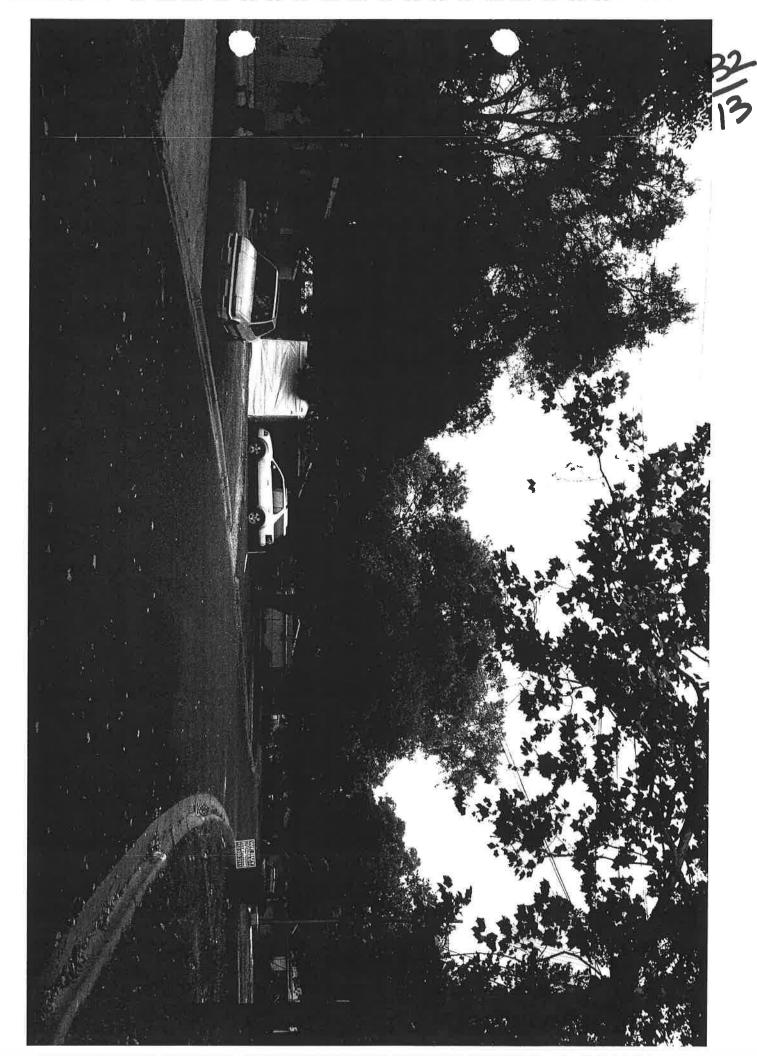


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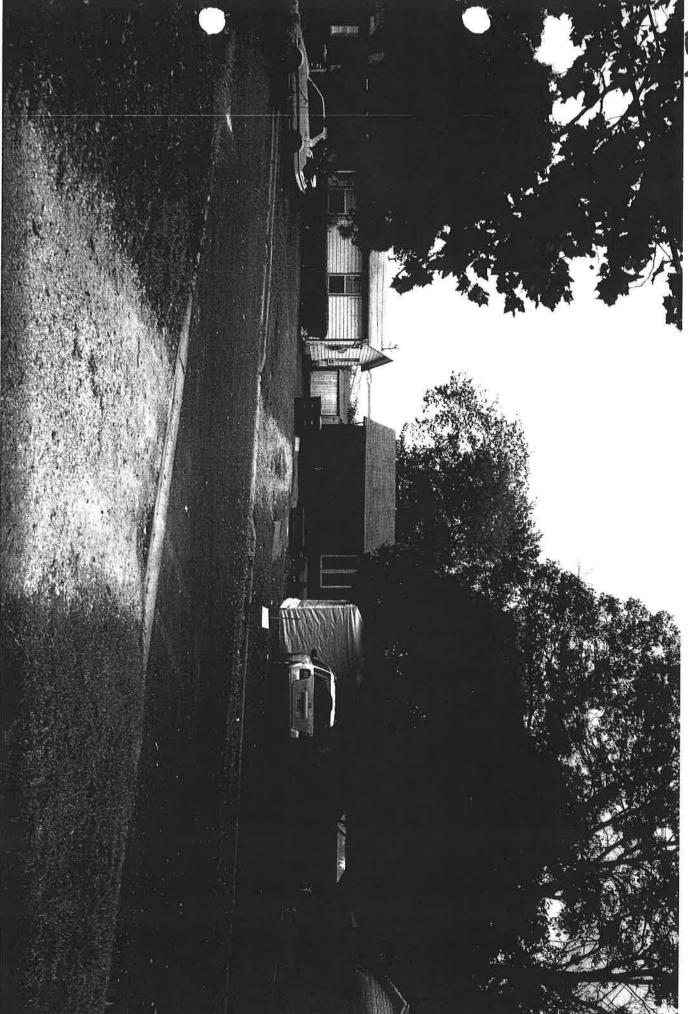




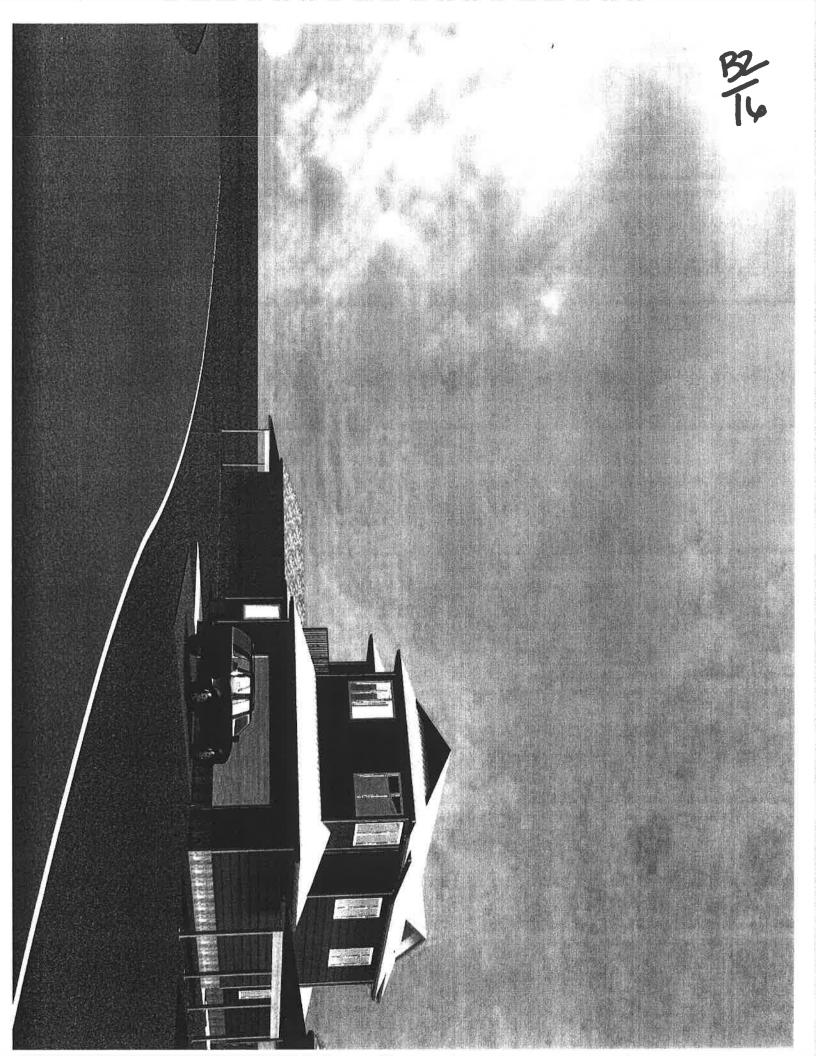




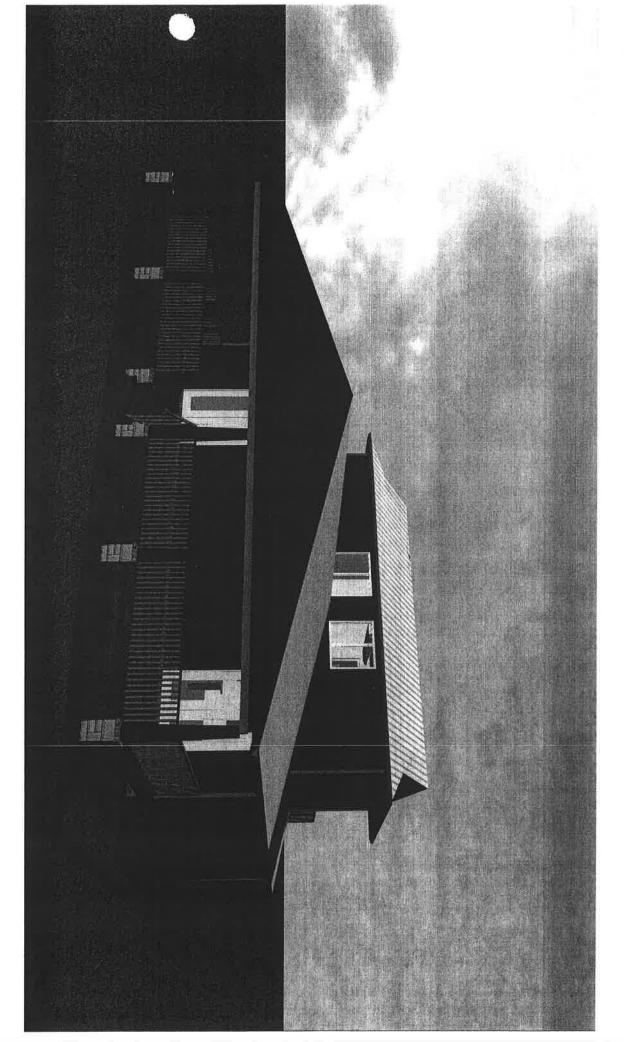
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APPLICATION TO BOARD OF ADJUSTMENT GENERAL VARIANCE/PARKING VARIANCE

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

CITY OF AUSTIN

PLEASE: APPLICATION MUST BE TYPED WITH ALL REQUESTED INFORMATION COMPLETED.		
STREET ADDRESS: 906 E 56 th Street		
LEGAL DESCRIPTION: Subdivision – Morningside		
Lot(s) 4 Block Outlot Division Addn Sec 2		
We Ann Pelton and Matthew Moore on behalf of ourselves as authorized agent for		
Ann Pelton affirm that on August, 5,		
hereby apply for a hearing before the Board of Adjustment for consideration to:		
(check appropriate items below)		
X_ ERECTATTACHCOMPLETE _X_ REMODELMAINTAIN		
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 erect garage and second floor for a single-family residence in an "SF-3-NP", Family Residence – Neighborhood Plan zoning district. (North Loop Neighborhood Plan)		
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:

Adding a garage to the house is not possible while maintaining the required setback from the front and the existing wall is not

HARDSHIP:

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

There is a significant curve in the road that has.

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

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 existing homes already staggered in such a way that the addition of the garage will not infringe on the neighbors use of their property.

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:

Not requesting a variance on parking.

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:

It is expected that this will actually allow for two additional cars to be parked on the property instead of the street.

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

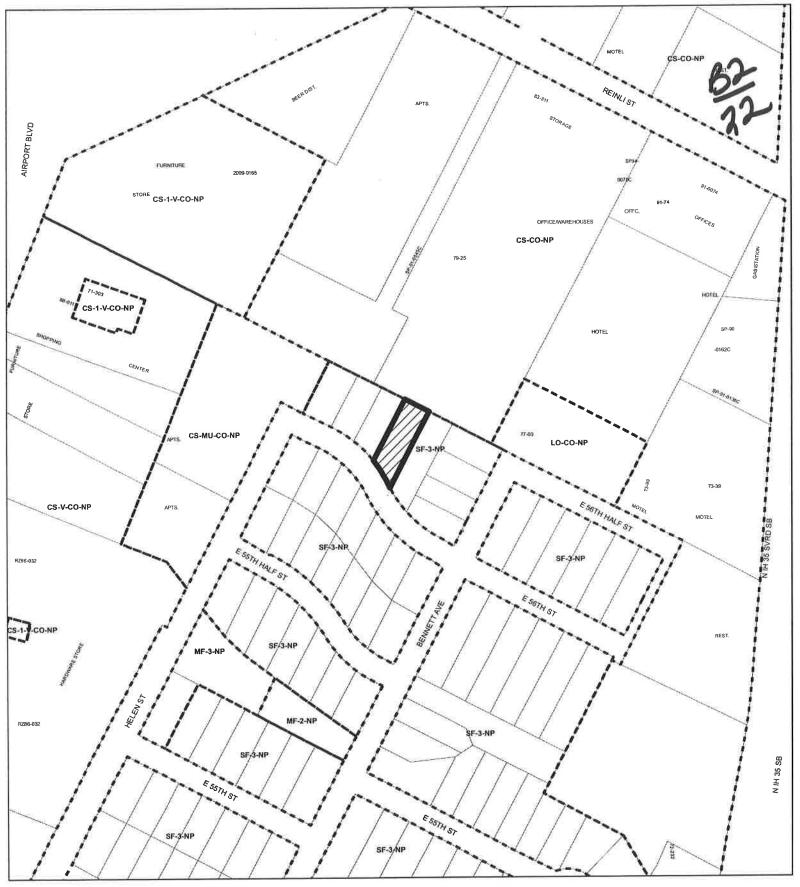
It maintains the existing use of the property.

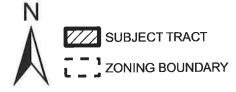
4. The variance will run with the use or uses to which it pertains and shall not run with the site because:



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.

application are true and correct to the best of my knowledge and belief.
Signed Matthew 9 Movre Mail Address 906 E 56th
City, State & Zip AUSTIN TX 78751
Printed MATTHEW J MOREPhone 302-4013 Date 8/11/2010
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 Low C. Petton Mail Address 906 East 56th St.
City, State & Zip Austin, TX +8+3//
Printed Ann Petton Phone 302-4013 Date August 11, 2010





BOARD OF ADJUSTMENTS

CASE#: C15-2010-0111 LOCATION: 906 E 56TH ST

GRID: K26

MANAGER: SUSAN WALKER



SQ. FT. CALCULATIONS			
AREA		ΠL	
TOTAL LOT AREA:		8,995	SQ. FT.
EXISTING FIRST FLOOR	APPROX.	294	SQ. FT.
NEW FIRST FLOOR	APPROX.	289	SQ. FT.
NEW SECOND FLOOR	APPROX.	985	SQ. FT.
COVERED PORCHES	APPROX.	IIBI	SQ. FT.
OPTIONAL DECK ROOF	APPROX.	100	CO. FT.
EXISTING GARAGE	APPROX.	205	SQ. FT.
NEW GARAGE	APPROX.	654	SQ. FT.
TOTAL BUILDING AREA	APPROX.	7987	SQ. FT.
		2	3534
TOTAL FLOOR AREA	APPROX.	1902	SQ. FT.
DRIYEWAY	APPROX.	460	SQ. FT.
SIDEWALKS	APPROX.	80	sa. Ft.
CONCRETE DECK	APPROX.	342	SQ. FT.
TOTAL IMPERVIOUS COVERAGE	APPROX.	3244	ŝQ. FT.
IMPERVIOUS COVERAGE		36.0%	
FLOOR AREA RATIO		21.1%	

5 90'0'0' E 54.67 5 90'0'0" E 44.67 25' SETBACK LINE

MOORE RESIDENCE 906 56TH STREET AUSTIN, TX

TITLE: SITE PLAN

SCALE: |" = 20'

DRAWN BY: JW

JWHALL
DESIGN/BUILD CONSTRUCTION

August 05, 2010

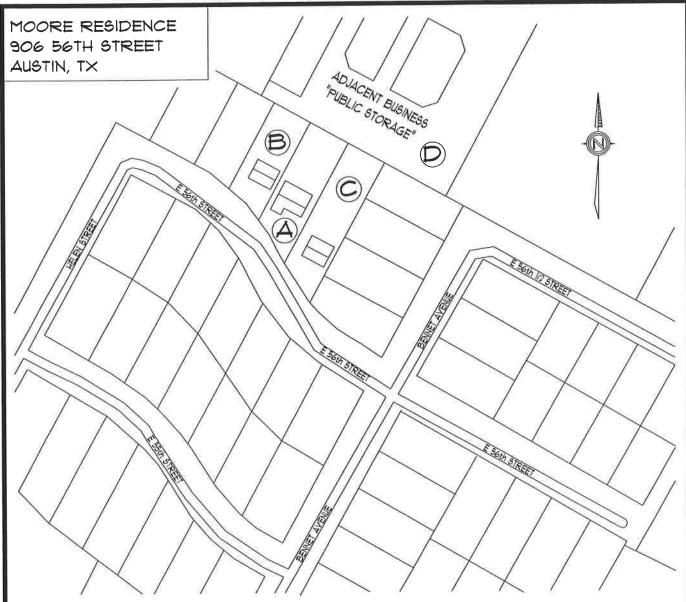
REVISED

DRAWING *: ALS

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- A. SUBJECT PROPERTY: REQUESTING
 ADJUSTMENT AT STREET FRONT SETBACK LINE
 FOR NEW ATTACHED GARAGE.
- B. ADJACENT PROPERTY W/ RESIDENCE.
- C. ADJACENT PROPERTY W/ RESIDENCE.
- D. PUBLIC STORAGE

TITLE: SITE PLAN

SCALE: 1" = 100'

DRAWN BY: JW

JWHALL

DESIGN/BUILD CONSTRUCTION

3014 WASHINGTON SQUARE, AUSTIN, TX 18150 512.810.1981

August 11, 2010

REVISED

DRAWING *: ALN



Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a pecific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- 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;
 nd:
- 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.

City of Austin-Planning & Development Review Department/ 1st Floor

Susan Walker P. O. Box 1088

Austin, TX 78767-8810

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

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



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Austin, TX 78767-8810

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If you use this form to comment, it may be returned to: City of Austin-Planning & Development Review Department/ 1st Floor Susan Walker P O Roy 1088	Daytime Telephone: 458.0751 Comments: This would not fit in with the modest character of the neighborhood. It sounds like a "Mc Mansion" to me.	Case Number: C15-2010-0111; 906 E 56 th Street Contact: Susan Walker, 512-974-2202 Public Hearing: Board of Adjustment, October 11th, 2010 Mayne Decker Your Name (please print) 55/6 Halen St. Your address(es) affected by this application



Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

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- appearing and speaking for the record at the public hearing;
 nd:
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
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- 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.

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

City of Austin-Planning & Development Review Department/ 1st Floor

Susan Walker P. O. Box 1088

Austin, TX 78767-8810

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Daytime Telephone: 513 445. 4867 Comments:	Case Number: C15-2010-0111; 906 E 56 th Street Contact: Susan Walker, 512-974-2202 Public Hearing: Board of Adjustment, October 11th, 2010 G. Rome (Blease Wint) Your Name (please Wint) Your address es) affected by this application Your address es) affected by this application



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- appearing and speaking for the record at the public hearing;
- 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
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If you use this form to comment, it may be returned to: City of Austin-Planning & Development Review Department/ 1st Floor Susan Walker P. O. Box 1088 Austin, TX 78767-8810	Comments:	10 - 6 - 10 10 - 6 - 10 Signature Date Date	ne (please print) S6 +h S+reet ress(es) affected by this application	Case Number: C15-2010-0111; 906 E 56 th Street Contact: Susan Walker, 512-974-2202 Public Hearing: Board of Adjustment, October 11th, 2010 Acran Nelson



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- appearing and speaking for the record at the public hearing;
- 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.

listed on the notice.
Case Number: C15-2010-0111; 906 E 56 th Street Contact: Susan Walker, 512-974-2202
Public Hearing: Board of Adjustment, October 11th, 2010
STEPHEN ISDALE Viam in favor
Your address(es) affected by this application
Signature Date
Daytime Telephone: 5/2 - 874 - 6/14
Comments:

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

City of Austin-Planning & Development Review Department/ 1st Floor Susan Walker
P. O. Box 1088
Austin, TX 78767-8810