

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

DATE: Monday, January 10, 2011

CASE NUMBER: C15-2010-0150

y Jeff Jack
 y Michael Von Ohlen (**Motion to PP**)
 y Nora Salinas
 y Bryan King
 y Leane Heldenfels, Chairman
 - Clarke Hammond, Vice Chairman **ABSENT**
 y Heidi Goebel
 y Melissa Hawthorne (**2nd the Motion**)

APPLICANT: Elvira, Escobar

ADDRESS: 2016 JESSE E SEGOVIA ST

VARIANCE REQUESTED: The applicant has requested a variance from Section 25-2-1463 (C) (2) (a) in order to remodel an existing accessory building to create a Secondary Apartment use in an "SF-3-NP", Family Residence – Neighborhood Plan zoning district. The Land Development Code states that a secondary apartment must be located at least 15 feet to the rear of the principal structure. (*Note: This variance was approved on 12-8-2008 under case # C15-2008-0145 but has since expired.*)

The applicant has requested a variance to decrease the minimum front street setback requirement of Section 25-2-492 (D) from 25 feet to 2 feet in order to maintain a carport/garage in an "SF-3-NP", Family Residence – Neighborhood Plan zoning district.

The applicant has requested a variance to decrease the minimum side yard setback requirement of Section 25-2-492 (D) from 5 feet to 3 feet in order to maintain one carport/garage and from 5 feet to 1 foot in order to maintain another carport in an "SF-3-NP", Family Residence – Neighborhood Plan zoning district.

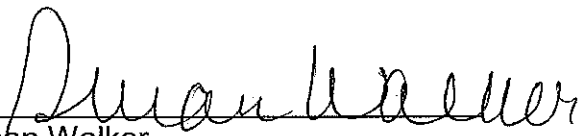
The applicant has requested a variance to increase the maximum impervious coverage requirement of Section 25-2-492 (D) from 45% to 47% in order to maintain a single-family residence, secondary apartment and accessory structures in an "SF-3-NP", Family Residence – Neighborhood Plan zoning district.

BOARD'S DECISION: POSTPONED to February 14, 2011 (need additional information, topography photos and need work on the Impervious Coverage variance to get to 45%); Board member Michael Von Ohlen motioned, Board member Melissa Hawthorne seconded; Vote 7-0; POSTPONED TO February 14, 2011


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

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: C15-2010-0150 - 2016 Jesse E Segovia
Contact: Susan Walker, 512-974-2202
Public Hearing: Board of Adjustment, January 10th, 2011

Robert Gomez
Your Name (please print)

I am in favor
 I object

2007 WASKELL ST

Your address(es) affected by this application

Robert Gomez

Signature

1-6-2011
Date

Daytime Telephone: 512 542-9265

Comments: To: Board Members,

Robert Gomez recommend denial of that application. The hand Development should over see that all variance good or bad be identified according to the interest of the public. Robert Gomez

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

PUBLIC HEARING INFORMATION

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 specific 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; 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: C15-2010-0150 - 2016 Jesse E Segovia
 Contact: Susan Walker, 512-974-2202
 Public Hearing: Board of Adjustment, January 10th, 2011

Lececa Brown

Your Name (please print)

1909 Riverview St

Your address(es) affected by this application

Katelin Brown

Signature

Date

Daytime Telephone: 512 507 1947

Comments: The garage built on River by front fence
 if it remains should serve the public. books
 better to be considered - with 15' the
 place. A compound of some sort - because
 of this report was submitted. The fence does
 not fit character of this "hood", needs
 gardening. City should be more involved with
 improvement. If they've been found enough,
 let em stay if they're here.

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
 Katelin Brown
 512 507 1947

CASE # ~~C15-2008-0145~~

C15-2010-0150

ROW-10525015

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

TR-0200080810

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

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

STREET ADDRESS: 2016 Jesse E. Segovia St.

LEGAL DESCRIPTION: Subdivision - Bergman Segovia Valley View

Lot(s) 9+ Block 4 Outlot 66 Division 0
E9B of 2078

I/We ELVIRA Escobar on behalf of myself/ourselves as authorized agent for
_____ affirm that on _____, _____,

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

ERECT - ATTACH - COMPLETE - REMODEL - MAINTAIN

A secondary apartment located to the front of the principal structure instead of the rear.

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

The Austin Electric Utility Department (Austin Energy) enforces electric easements and the setback requirements set forth in the Austin Utility Code, Electric Criteria Manual and National Electric Safety Code. The Board of Adjustment considers variance to the Land Development Code, and a variance granted by the Board of Adjustment does not waive the requirements enforced by Austin Energy. Please contact Lena Lund with Austin Energy at 322-6587 before filing your application with the Board of Adjustment if your request is for a reduction in setbacks or height limits.

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:

HARDSHIP:

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

See Attached

- (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:

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:

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:

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

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 _____ Mail Address _____

City, State & Zip _____

Printed _____ Phone _____ Date _____

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

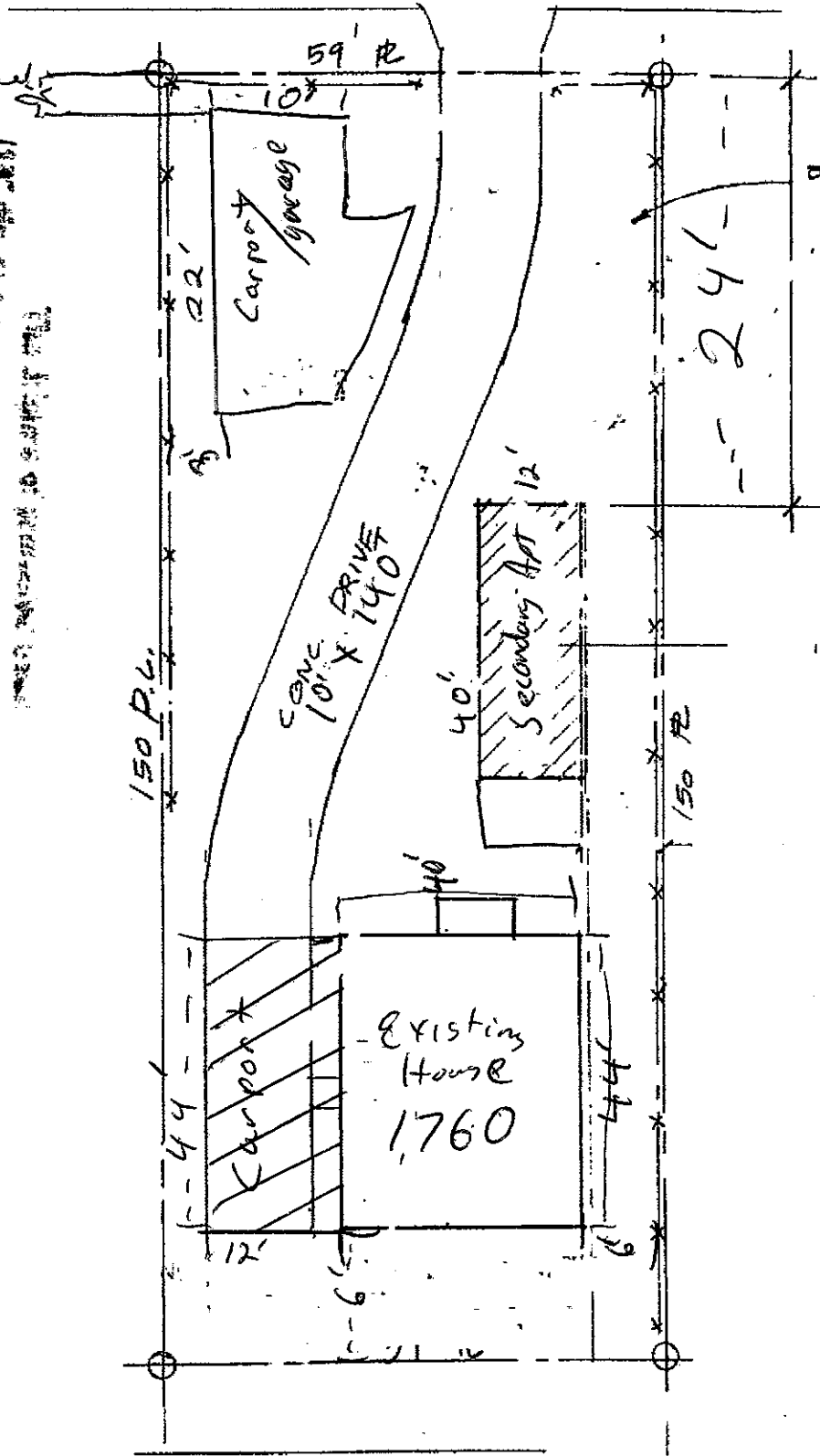
Signed *X Elvira Esobar* Mail Address _____

City, State & Zip _____

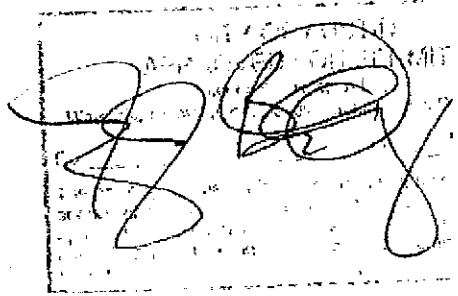
Printed _____ Phone _____ Date _____

Mueda

2016 BERGMAN



1977...
 1978...
 1979...
 1980...
 1981...
 1982...
 1983...
 1984...
 1985...
 1986...
 1987...
 1988...
 1989...
 1990...
 1991...
 1992...
 1993...
 1994...
 1995...
 1996...
 1997...
 1998...
 1999...
 2000...
 2001...
 2002...
 2003...
 2004...
 2005...
 2006...
 2007...
 2008...
 2009...
 2010...
 2011...
 2012...
 2013...
 2014...
 2015...
 2016...

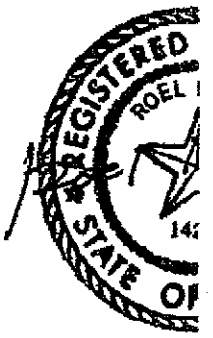


2016 BERGMAN

LOT 9 & 9' OF LOT
 BLOCK 4 OUTLOT 66
 BERGMAN VALLEY VUE
 SUBDIVISION

TAX PARCEL #: 02-00

SITE PLAN
 SC: 1" = 20'-0"



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

DATE: Monday, December 8, 2008

CASE NUMBER: C15-2008-0145

Y Greg Smith
 Y Michael Von Ohlen (Motion to GRANT)
 - Yolanda Arriaga - OUT
 Y Bryan King
 Y Leane Heldenfels, Vice-Chairman (2nd)
 Y Frank Fuentes, Chairman
 Y Nora Salinas

APPLICANT: Elvira Escobar

ADDRESS: 2016 JESSE E SEGOVIA ST

VARIANCE REQUESTED: The applicant has requested a variance from Section 25-2-1463 (C) (2) (a) in order to remodel an existing accessory building to create a Secondary Apartment use in an "SF-3-NP", Family Residence – Neighborhood Plan zoning district. The Land Development Code states that a secondary apartment must be located at least 15 feet to the rear of the principal structure.

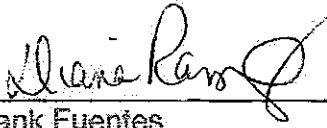
BOARD'S DECISION: GRANTED 6-0

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: house located to back of house due to topography of lot, existing 2nd floor structure and not adding square footage
2. (a) The hardship for which the variance is requested is unique to the property in that: structure is existing approx 20yrs due to topography of lot is reason where structure is built, 15 ft separation of 2 buildings already exists

(b) The hardship is not general to the area in which the property is located because: structure is approx 20yrs due to topography
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: home is existing since 1950s.

Joe Pantalion
Executive Secretary



Frank Fuentes
Chairman

To whom it may concern:

This a brief explanation on why our house at 2016 Jesse E. Segovia is located towards the back of the lot and why we are wanting to convert an existing storage area into living quarters. The house was purchased in 1950 and it was located the same spot as today. The landscape on the lot was hilly with some sharp drop offs a lot of the other houses in the area also had the same type of landscape and were built towards the back of the lot. In 1972 the original house was burned down by an accidental house fire. The city of Austin allowed us to rebuild the house on the same spot as the original house. Our intentions are to connect the storage area to the house so it appears as one unit. We are doing renovations to our house to improve it and expand our living quarters.

take
that
off.

apart

ddd = carport
gar

Thank You

- Need to add description (your explanation) of the garage at front of property that is built within the front set back.
- Need to add description (your explanation) of the carport at side of property that is built in the side set back.

Questions

1) The original construction of the home was created opposite of current regulations - home created in the ~~backyard~~ rear.

2) A The original home was created in the rear, ~~due to~~ This house was the first erected in this area and due to sewage issues ~~home~~ was built in that ~~located~~ location.

B New landowners are abiding by current standards of having the house closest to the street - At the time ^{this} home was built no such regulations existed.

3) The property will be construction^{ed} ~~properly~~ accordingly appropriately & maintained.

Why can't we move Tony's storage back @ .15 ft. which is city requirements 15 ft from property line?

We have no funds to redo it. We did not know it had to be certain feet from the property line. We thought since it was a small storage room that we did not need a permit. "That's what Home Depot said!"

Car Port.

That is the only place we have room for the cars. We build the Car port ourselves because we couldn't afford a carpenter and again we thought ~~there was no~~ no permit was requirement.

The reason we thought no permit was required was because H. Depot and Lowe's told us when we checked on storage buildings. ~~It had~~ no permit's was required.

City requirement 15 ft
from property line.

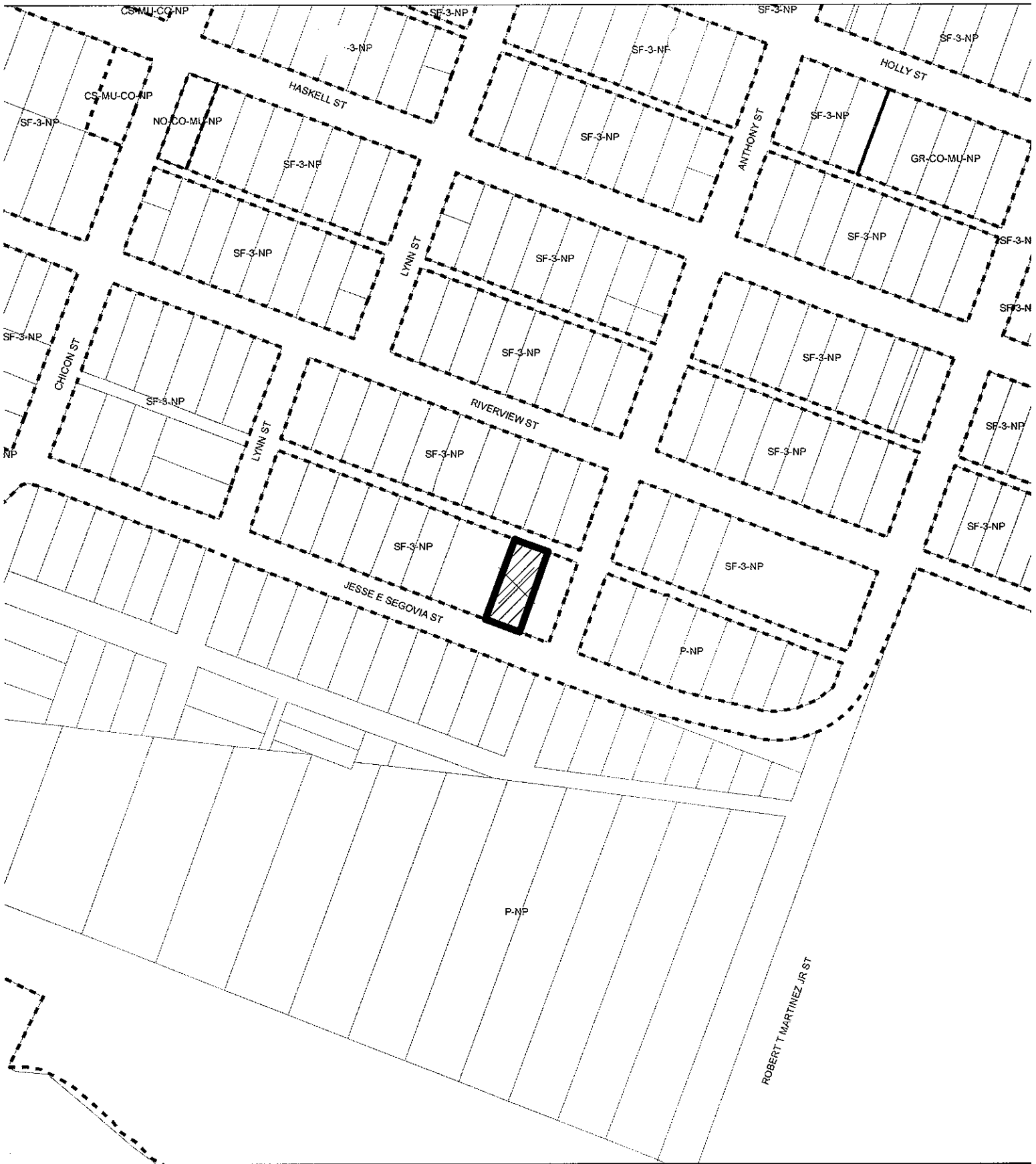
Why can't we move the storage shed
back 15 ft which is city requirements?

- We didn't know the storage shed
had to be 15 ft from property line.
We have no funds to redo or move it.

Car Port

- The reason we cannot move the
car port is because that is the only
room for the cars to fit. We build
it ourselves because it was cheaper
and we didn't have enough funds to
hire a carpenter. We have no funds
to move it and there is no other place
to put the car port.

The storage; That is the only
place for it because the house
is on the top and the only
available space is at the bottom.



BOARD OF ADJUSTMENTS

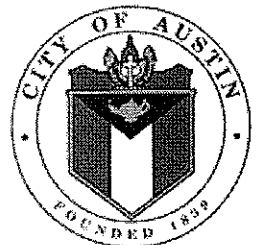


SUBJECT TRACT



ZONING BOUNDARY

CASE#: C15-2010-0150
 LOCATION: 2016 JESSE E SEGOVIA ST
 GRID: K20-21
 MANAGER: SUSAN WALKER



This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

TaxNetUSA: Travis County Property Information

Property ID Number: 187467 RefID2 Number: 02000808100000

Owner's Name **ESCOBAR ELVIRA**

Property Details

Mailing Address 2016 JESSE E SEGOVIA ST
AUSTIN, TX 78702-5504

Location 2016 JESSE E SEGOVIA ST AUSTIN 78702

Legal LOT 9 * & E 9FT OF LOT 8 BLK 4 OLT 66 DIV O BERGMAN VALLEY VIEW

Deed Date 10272000
Deed Volume 00000
Deed Page 00000
Exemptions HS, OA
Freeze Exempt F
ARB Protest F
Agent Code 0
Land Acres 0.1729
Block 4
Tract or Lot 9; 8
Docket No. 2000176455TR
Abstract Code S01223
Neighborhood Code E0120

Value Information

2010 Preliminary

Land Value 108,000.00
Improvement Value 129,596.00
AG Value 0.00
AG Productivity Value 0.00
Timber Value 0.00
Timber Productivity Value 0.00
Assessed Value 237,596.00
10% Cap Value 0.00
Total Value 237,596.00

Data up to date as of 2010-12-01

- AGRICULTURAL (1-D-1)
- APPOINTMENT OF AGENT FORM
- FREEPORT EXEMPTION
- HOMESTEAD EXEMPTION FORM
- PRINTER FRIENDLY REPORT
- PROTEST FORM
- RELIGIOUS EXEMPTION FORM
- PLAT MAP (TIFF)
- PLAT MAP (PDF)

Value By Jurisdiction

Entity Code	Entity Name	2009 Tax Rate	Assessed Value	Taxable Value	Market Value	Appraised Value
0A	TRAVIS CENTRAL APP DIST		237,596.00	237,596.00	237,596.00	237,596.00
01	AUSTIN ISD	1.227000	237,596.00	187,596.00	237,596.00	237,596.00
02	CITY OF AUSTIN	0.457100	237,596.00	186,596.00	237,596.00	237,596.00
03	TRAVIS COUNTY	0.465800	237,596.00	125,077.00	237,596.00	237,596.00
2J	TRAVIS CO HEALTHCARE DIST	0.071900	237,596.00	125,077.00	237,596.00	237,596.00
68	AUSTIN COMM COLL DIST	0.095100	237,596.00	117,596.00	237,596.00	237,596.00

Improvement Information

Improvement ID	State Category	Description
152418	A1	1 FAM DWELLING

Segment Information

Imp ID	Seg ID	Type Code	Description	Class	Effective Year Built	Area
152418	176256	1ST	1st Floor	WW3	1950	1,772
152418	722410	061	CARPORT ATT 1ST	*3	1950	540
152418	2546865	251	BATHROOM	**	1950	1
152418	4239690	612	TERRACE UNCOVERD	*3	2008	304
152418	4239691	483	LIVING QUARTERS	A*	2008	1
152418	4239692	061	CARPORT ATT 1ST	*3	2000	143
152418	4239693	571	STORAGE DET	WS2-	2000	90
Total Living Area						1,772

Land Information

Land ID	Type Code	SPTB Code	Homesite	Size-Acres	Front	Depth	Size-Sqft
185626	LAND	A1	T	0.173	0	0	7,529

[show history](#)