

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

**DATE: Monday, May 11, 2009**

**CASE NUMBER: C15-2009-0035**

Y Greg Smith  
 Y Michael Von Ohlen (2<sup>nd</sup> the Motion)  
 Y Yolanda Arriaga  
 N Bryan King  
 Y Leane Heldenfels, Vice-Chairman (Motion to GRANT)  
 Y Frank Fuentes, Chairman  
 Y Nora Salinas

*new case #  
C15-2011-0015*

**APPLICANT: Carrie Gilbert**

**OWNER: John Fahey**

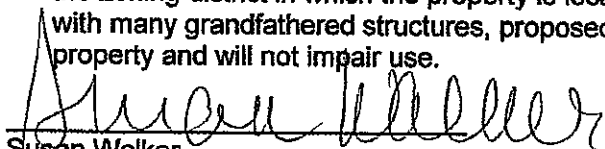
**ADDRESS: 1181 PANDORA ST**

**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 14 feet in order to erect a detached accessory building (garage) for an existing single-family residence in an "SF-3-NP", Family Residence – Neighborhood Plan zoning district.**

**BOARD'S DECISION: GRANTED 6-1**

**FINDING:**

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: garage needs to be spaced a minimum of 10ft from the house to allow for space so that the rear of the property can still be accessed by a truck, construction equipment.
2. (a) The hardship for which the variance is requested is unique to the property in that: because of the cone shape of the property and location of large older tree on the property, it would be fairly impossible to put the garage any closer to the house without blocking the access to the rear of the property without cutting old trees  
  
(b) The hardship is not general to the area in which the property is located because: narrowness of the front part of the property and existing trees
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 area is an older subdivision with many grandfathered structures, proposed structure will remain 5ft from the adjacent property and will not impair use.

  
Susan Walker  
Executive Liaison

  
Frank Fuentes  
Chairman

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

C15-2011-0015  
ROW-10261526

TP-8209140430  
(New) Row # 10549390  
TP # 02-0914-0430

STREET ADDRESS: 1181 Pandora Street

LEGAL DESCRIPTION: Subdivision -- Homewood Heights

Lot(s) 6 Block B Outlot \_\_\_\_\_ Division \_\_\_\_\_

I Jon Fahey on behalf of myself as authorized agent for

\_\_\_\_\_ affirm that on March 5, 2009,

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

(check appropriate items below)

ERECT  ATTACH  COMPLETE  REMODEL  MAINTAIN

An enclosed two car, free standing, garage with storage. Slab for garage will be 25' 8"

by 30' 8" to facilitate a 25' by 30' garage, a total of 750 square foot one story building.

Front of garage to be located 14 feet from street property line, and 5 feet from North property

line.

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

**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 garage needs to be spaced a minimum of 10 feet from the house to allow for space so that the rear of the property can still be accessed by a truck, this is

especially

important as the back end of the property is corroding and will need maintenance such as dirt

fill.

**HARDSHIP:**

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

Because of the cone shape of the property, and location of large older trees on the property, it is would be fairly impossible to put the garage any closer to the house without blocking access to the rear of the property without cutting down beautiful old trees.

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

The narrowness of the front part of the property is due to the fact it is on a curved part of

the street, that in combination with the position of the house and trees make the access to the

rear of the property a crucial consideration in the placement of the garage. The property next to

ours is similiar, but the shape of the lots in the rest of the neighborhood are rectangular and

should not have similiar problems with garage placement.

**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 area is an older subdivision with many grandfathered structures. This proposed structure will remain 5 feet from the adjacent property and will not impair use.

**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

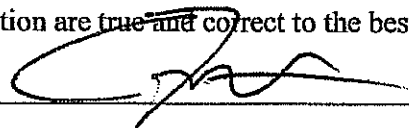
3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

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

**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 1181 Pandora Street

City, State & Zip Austin, TX 78702

Printed Jon Fahey Phone 504-319-6384 Date March 5, 2009

**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  Mail Address 1181 Pandora Street

City, State & Zip Austin, TX 78702

Printed Jon Fahey Phone 504-319-6384 Date March 5, 2009



**ONE STOP SHOP**  
**505 Barton Springs**

Austin, Texas 78701  
(512) 974-2632 phone  
(512) 974-9779 fax

**Austin Energy**

**Electric Service Planning Application (ESPA)**

(Please Print or Type)

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

For Residential or Small Commercial "SERVICE ONLY" under 350 amps 1Ø or 225 amps 3Ø

Requestor's Name \_\_\_\_\_ Phone \_\_\_\_\_

Address 1181 Pandora ST OR \_\_\_\_\_

Legal Description \_\_\_\_\_

Lot \_\_\_\_\_ Block \_\_\_\_\_ Commercial/Residential? Commercial

Who is your electrical service provider? AE or Other AE

Service Main Size \_\_\_\_\_ (amps) Service Conductor \_\_\_\_\_ (type & size)

AE Service Length \_\_\_\_\_ (ft.) Number of Meters? \_\_\_\_\_ Multi-Fuel Y N

Overhead Underground? Voltage R.F  Single-phase (1Ø)  Three-phase (3Ø)

Total Square Footage \_\_\_\_\_  New service or upgrade or temporary

Largest A/C unit \_\_\_\_\_ (Tons) OR LRA of Largest A/C Unit \_\_\_\_\_ (amps)

Electric Heating \_\_\_\_\_ (kW) Other \_\_\_\_\_ (kW)

Comments: Addition on the front of lot/garage

ESPA Completed by (Signature & Print name) \_\_\_\_\_ Date \_\_\_\_\_ Phone \_\_\_\_\_

AE Representative \_\_\_\_\_ Date \_\_\_\_\_  
(Remarks on back) Phone 974-2632

**Application expires 180 days after date of Approval**  
Revised by Austin Energy 12/11/07

**AE APPROVED**  
**MAR 05 2009**  
RLS 65-11

*Approved by AE for Building Permit Only*

# PANDORA STREET

(150' R.O.W.)

(CH=N 18°07'00" E 42.00')  
 CH=N 18°05'13" E 42.00'  
 A=42.12' R=162.15'

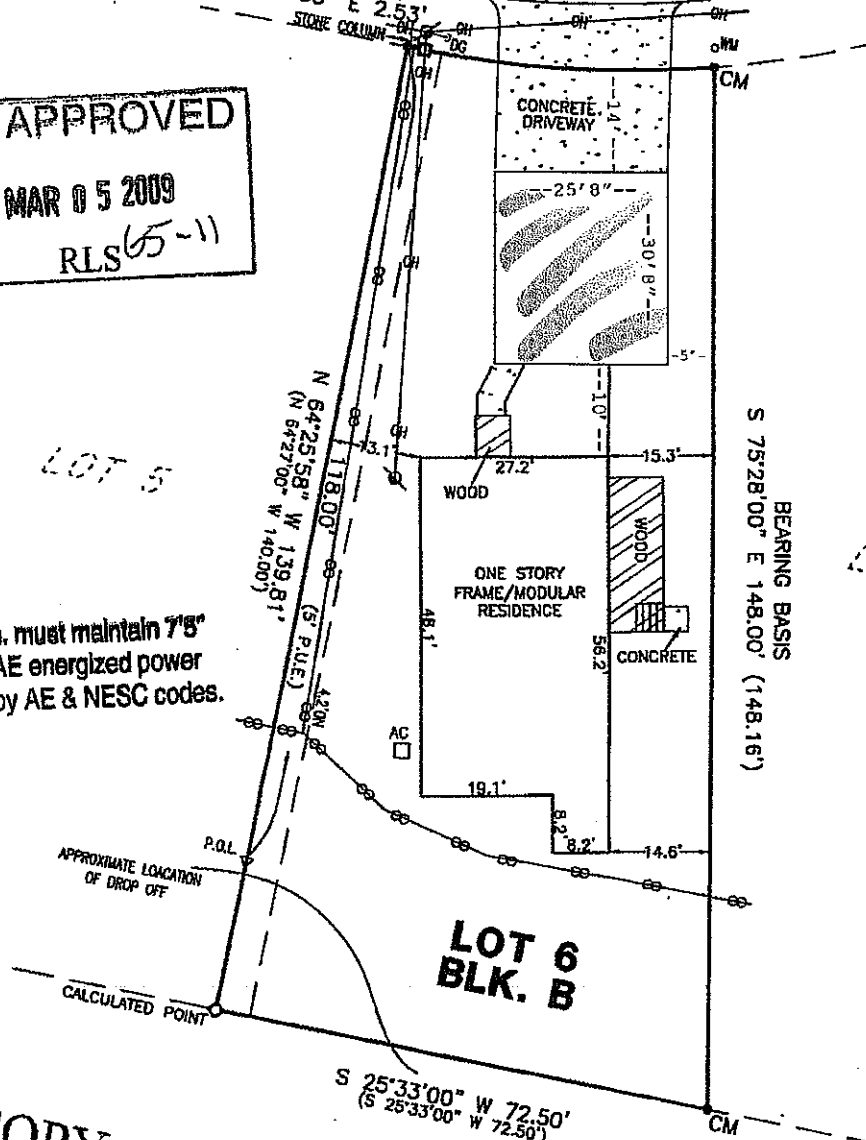
(N 25°33'00" E 2.54')  
 N 25°24'53" E 2.53'

**AE APPROVED**  
**MAR 05 2009**  
 RLS 65-11

LOT 5

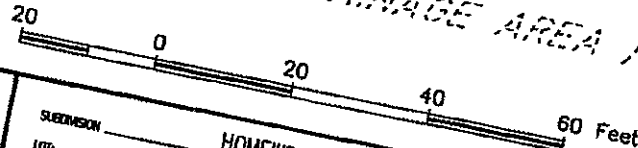
LOT 7

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



**LOT 6  
 BLK. B**

OWNERS COPY (P.U.E. & DRAINAGE AREA)



Subject to restrictions and other rights as stated per plat, Pg. 230.

Reduced Copy  
 Not to Scale

SUBMISSION		HOMEWOOD HEIGHTS		PAGE 230	
LOT:	6	BLOCK:	B	VOLUME:	4
COUNTY:	TRAVIS	STATE OF TEXAS	STREET ADDRESS	1181 PANDORA STREET	PLAT RECORDS
CITY:	AUSTIN	REFERENCE NAME	JON FAHEY		
B&G Surveying, Inc. Victor M. Garza R.P.L.S.					
Office 512-458-6969 Fax 512-458-9845					





THIS AREA IS NOT DEPICTED AS BEING A FLOOD HAZARD AREA PER RATE MAP

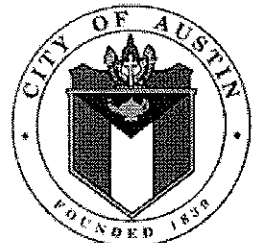


**BOARD OF ADJUSTMENTS**

CASE#: C15-2011-0015  
 LOCATION: 1181 PANDORA ST  
 GRID: L23  
 MANAGER: SUSAN WALKER



-  SUBJECT TRACT
-  ZONING BOUNDARY



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.