

A variance from the Building Code Board of Appeals may be required for variances from the Zoning Board of Adjustment (no Sign Review Board cases need to call). Please consult a code specialist in the Plan Review Division at 974-2580.

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 # C15-2011-0107
ROW # 10651109
TR-0103030424

**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: 1402 Juliet St

LEGAL DESCRIPTION: Subdivision -- Okie Heights

Lot(s) 61 Block Outlot Division

I/We Tanya Ortega on behalf of myself/ourselves as authorized agent for

Tanya Ortega affirm that on September 9, 2011,

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

(check appropriate items below)

ERECT ATTACH COMPLETE REMODEL MAINTAIN

A carport providing a 0 foot setback

in a SF-3 district.
(zoning district)

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:

If the carport were moved to the front of the home, the carport would be in either the front or side setback. If moved towards the center of the front of the property, the carport would then infringe upon the branches of a burr oak tree located in the front yard.

HARDSHIP:

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

The carport was on the property, in the current location, when purchased in July of 2008. Furthermore, if moved to the front of the property, it would infringe upon the front and/or side setback. If moved further towards the center of the front of the property, the carport would then infringe upon the branches of a burr oak tree located in the front yard.

If we were to rebuild the carport in the backyard, we would have to add more pervious cover to the property due to elongating the driveway, and erecting the new structure on previously pervious cover.

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

My lot is one of the smaller lots in the neighborhood, being shorter and narrower than most others. In addition, the home is a single story ranch with over 1300 square feet. In most cases, homes on similar size lots are either two story or smaller than my home, allowing more configurations for a carport within allowable property lines. Homes on larger lots in Okie Heights subdivision have an easier time finding a suitable spot for their carports because their lots are wider and/or there's more flexibility in locating the structure either in the front or back without giving up pervious cover or curb appeal.

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:

A carport located on the side of the property can be found on many homes in the neighborhood. Specifically, my neighbors at 1404 Juliet St have a similar carport located on the side of their house, providing a 0 foot setback. They were granted a variance for the carport.

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 Tanya Ortega Mail Address 1402 Juliet St

City, State & Zip Austin, TX 78704

Printed Tanya Ortega Phone 512-784-3810 Date 9/9/2011

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 Tanya Ortega Mail Address 1402 Juliet St

City, State & Zip Austin, TX 78704

Printed Tanya Ortega Phone 512-784-3810 Date 9/9/2011

GENERAL INFORMATION FOR SUBMITTAL OF A VARIANCE REQUEST TO THE BOARD OF ADJUSTMENT

(The following is intended to provide assistance in explaining the variance process. These suggestions are not intended to be a complete or exhaustive guide in assisting you through this process.)

VARIANCE REQUIREMENTS:

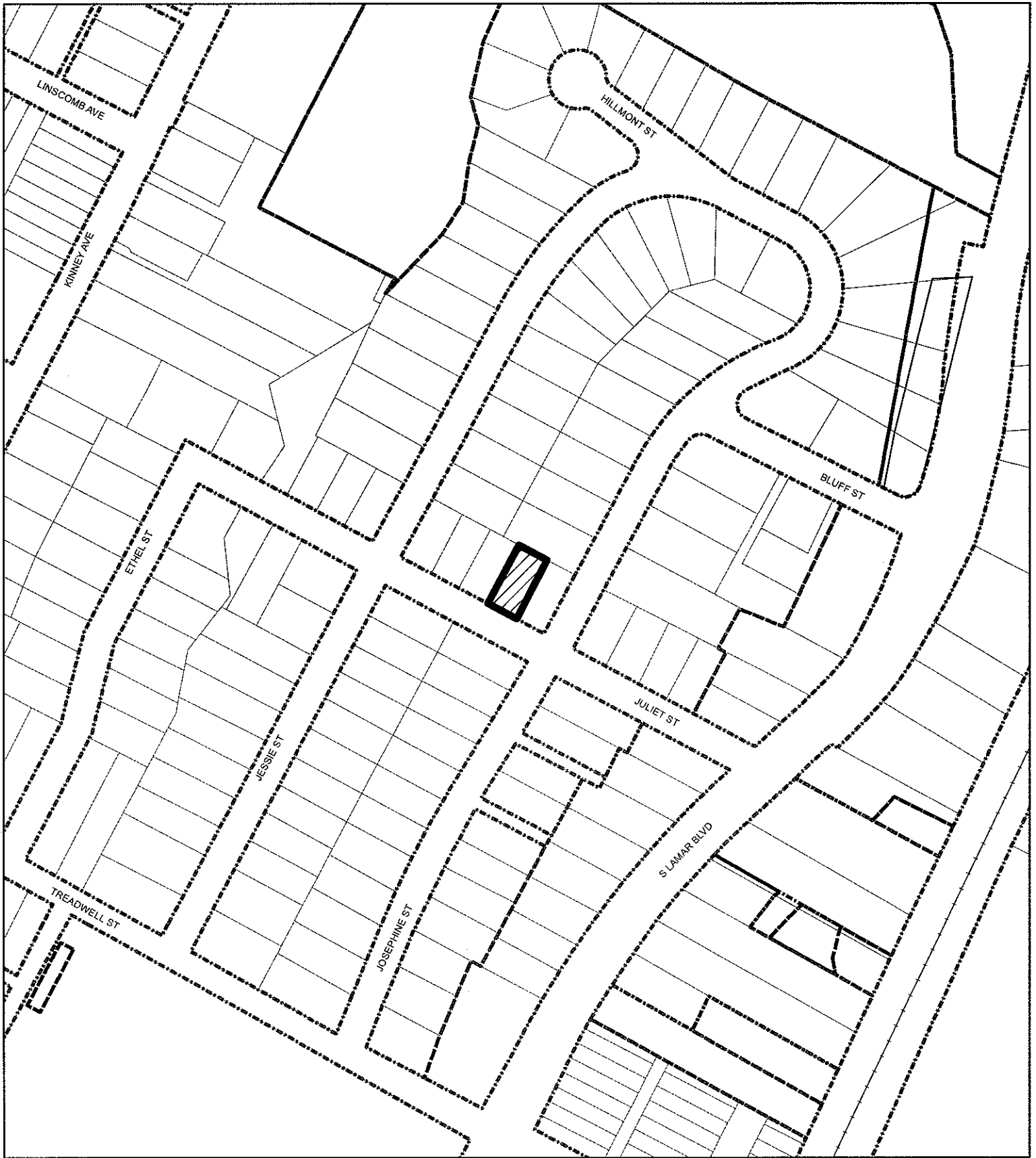
General Requirements:

- A. A variance may be granted if, because of special circumstances of a property, the strict application of the Land Development Code regulations deprives the property owner of privileges that are enjoyed by another person who owns property in the area that has the same zoning designation as the property for which the variance is requested.
- B. A variance to a regulation may not grant special privileges that are inconsistent with the limitations on other properties in the area or in the district in which the property is located.

SUBMITTAL REQUIREMENTS: (Failure to complete the application or to submit all the required materials will result in non-acceptance of the application.)

- (1) A completed application indicating all variances being requested. An application must include proposed findings that will support requested variances. The required findings must address each variance being sought.
- (2) A site plan to scale indicating present and proposed construction and location and use of structures on adjacent lots.
- (3) A tax plat with subject property clearly marked indicating property within a 500-foot radius. These are available from the Travis Central Appraisal District at 8314 Cross Park Drive (834-9138).

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BOARD OF ADJUSTMENTS

CASE#: C15-2011-0107

LOCATION: 1402 JULIET ST

GRID: H21

MANAGER: SUSAN WALKER



SUBJECT TRACT



ZONING BOUNDARY



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by the Planning and Development Review Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

PARTIES INTERESTED IN PREMISES SURVEYED:—

I hereby certify that I have, this date, made a careful and accurate survey on the ground of property located at No. Juliet Street in the City of Austin, Texas, being described as follows:

61 Block No.

Okie Heights, an addition to the City of Austin

according to the final plat thereof recorded in Vol. 3 at page 255 of the Plat

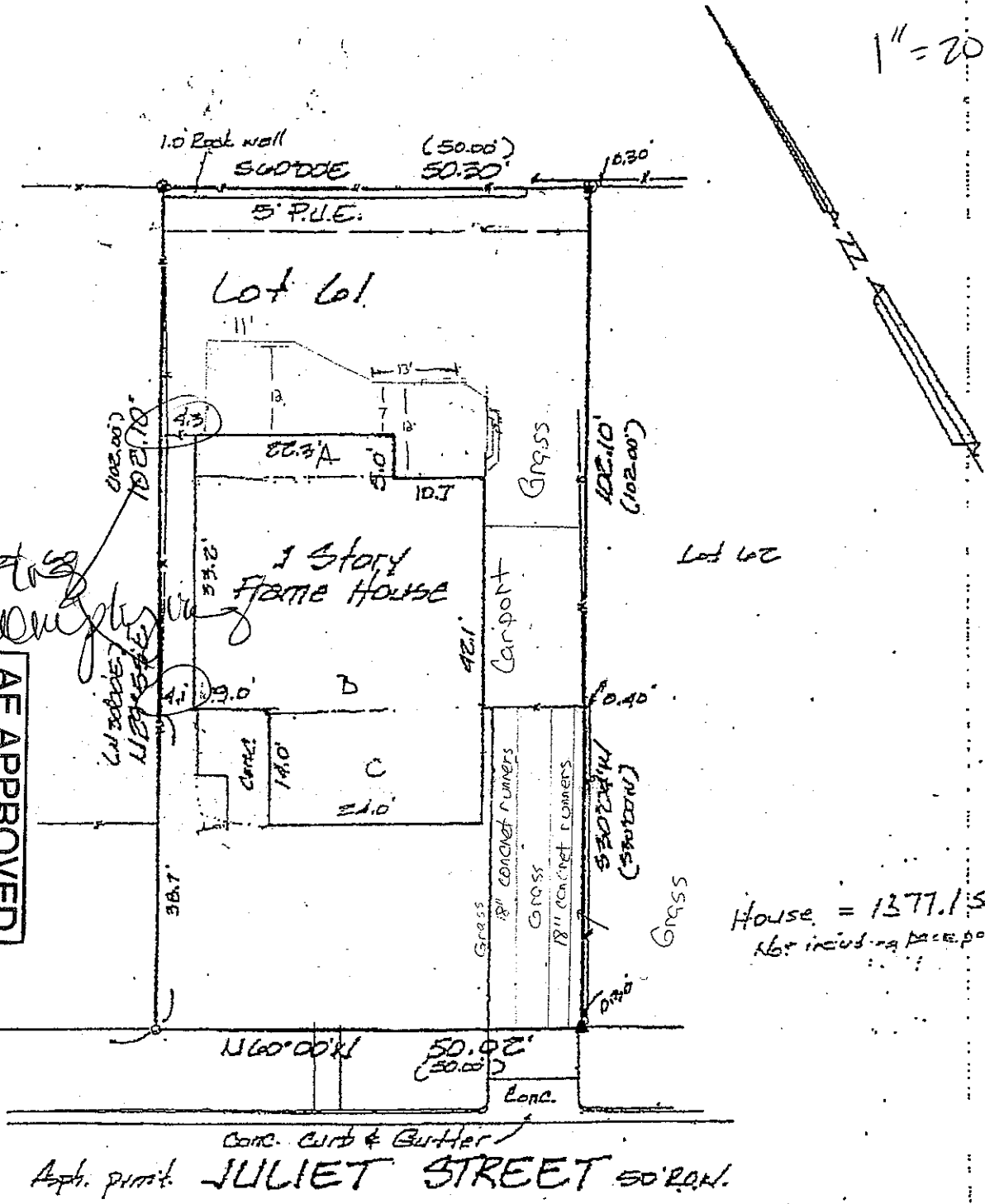
of Travis County, Texas.

Ref. _____

1" = 20'

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

Noting non-compliance
AE APPROVED
SEP 09 2011
RLS 25231



House = 1377.1 sq ft
Not including porch

Conc. curb & gutter
Asph. pmt. JULIET STREET 50' ROW.



JESSIE ST

JULIET ST

JOSEPHINE ST

1504

1502

714

708

1503

800

801

803

805

807

1408

1406

709

707

1404

1402

1400

708

706

704

702

1310

1308

707

1309

705

703

BOARD OF ADJUSTMENT (BOA)/SIGN REVIEW BOARD (SRB)

October 11, 2004

One Texas Center

505 Barton Springs Road, Room 325

CALL TO ORDER – 5:30 P.M.

___ Herman Thun Chair	___ Barbara Aybar Vice-Chair	___ Frank Fuentes	___ Leane Heldenfels
___ Betty Edgemond	___ Bruce Shelton (SRB Only)	___ Cathy French (SRB Only)	___ Laurie Virkstis (Alternate)
___ Leroy Vaughn (Alternate)			

ORDER OF PROCEDURE

1. Chair calls meeting to order
2. Staff presents the variance request
3. Chair calls on those FAVORING the request
 - a. Applicant's presentation (5 minutes)
4. Chair calls on those OPPOSING the request
 - a. Presentation (5 minutes)
If more than one wanting to speak, it is suggested one person be selected as spokesperson
5. Applicant is given opportunity to answer objections stated (2 minutes)
Upon the motion of any member and a positive vote by a majority of The Board, or upon a ruling by the Chair, these time limits may be equitably extended.
6. The public hearing may be closed and no further testimony is taken from the public (unless requested by the Chair).
7. Questions from the Board
8. When the public hearing is closed, the Board shall make a recommendation
9. If motion is for approval, findings of fact are stated in support of the approval

CITIZENS WISHING TO SPEAK BEFORE THE BOARD MUST REGISTER BY SIGNING IN WHERE INDICATED BY BOARD SECRETARY.

Any interested party aggrieved by a decision of the Board of Adjustment may appeal the Board's decision to a District Court. The petition must be submitted within ten (10) days after the date the decision is filed in the Board's office (Local Government Code 211.011).

POSTED: October 7, 2004

TIME: 3:00 P.M.

POSTPONED BY APPLICANT UNTIL 11-8-04

5. C15-04-116 Laura Toups for City of Austin
1001-1105 E. 12th Street

The applicant has requested a variance to increase the maximum height of a solid fence requirement of Section 25-2-899(D) from 6 feet to 8 feet in order to erect an 8 foot fence along the south property line in a "CS-MU-CO-NP", Commercial Services-Mixed Use-Conditional Overlay-Neighborhood Plan zoning district. The Land Development Code states that a solid fence constructed along a property line may not exceed an average height of six feet or a maximum height of seven feet.

GRANTED (5-0)

6. C15-04-117 Covenant Presbyterian Church
3003 Northland Drive

The applicant has requested a variance to increase the maximum compatibility height requirement of Section 25-2-1063 from 44 feet to 52 feet in order to erect a building for a Religious Assembly use in a "GO-CO", General Office-Conditional Overlay zoning district.

GRANTED (5-0)

7. C15-04-119 A. J. Ghaddar for Corinth Baptist Church
1602 Salina & 1700 E. 16th Street

The applicant has requested a variance to decrease the minimum compatibility setback requirement of Section 25-2-1063(B) from 25 feet to 5 feet in order to erect an administrative building and parking for an existing Religious Assembly use in an "SF-3-NP", Family Residence-Neighborhood Plan zoning district.

GRANTED CONDITIONALLY THAT WINDOW SILLS BY 5' 6" HIGH FROM GRADE ALONG ADJACENT RESIDENTIAL PROPERTY AND 16 FEET FROM NORTH PROPERTY LINE INSTEAD OF 5 FEET.

8. C15-04-120 John Maier for Patty Elliott
1404 Juliet Street

The applicant has requested a variance to decrease the minimum side yard setback requirement of Section 25-2-492(D) from 5 feet to 0 feet in order to attach a carport to an existing single-family residence in an "SF-3", Family Residence, zoning district.

**GRANTED - ROOF TO SLOPE TO REAR OF PROPERTY AND
GUTTERED SO THAT RUN OFF WILL COLLECT IN RAIN WATER
COLLECTION SYSTEM ON APPLICANT'S PROPERTY (5-0)**

9. C15-04-121 Sergio Lozano for Daryl Swearingin
1502 S. First Street

The applicant has requested a variance to decrease the minimum compatibility setback requirement of Section 25-2-1062(C) from 23 feet to 5 feet along the west property line in order to maintain an office-recording studio in a "CS-MU-CO-NP", Commercial Services-Mixed Use-Conditional Overlay-Neighborhood Plan zoning district.

POSTPONED BY APPLICANT TO 11-8-04

10. C15-04-122 Michael and Elizabeth Gree
2613 Delwood Place

The applicant has requested a variance to decrease the minimum rear yard setback requirement of Section 25-2-492 (D) from 10 feet to 4 feet 10 inches in order to replace an existing detached accessory structure with an attached single-story garage and additional living area for an existing single-family residence in a "SF-3", Family Residence 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 4 feet 8 inches in order to replace an existing detached accessory structure with an attached single-story garage and additional living area for an existing single-family residence in a "SF-3", Family Residence zoning district.

The applicant has requested a variance to decrease the minimum side street setback requirement of Section 25-2-492 (D) from 15 feet to 13 feet (for 21 feet of garage) and from 15 feet to 9 feet (for 3 feet of garage) in order to replace an existing detached accessory structure with an attached single-story garage and additional living area for an existing single-family residence in a "SF-3", Family Residence zoning district.

GRANTED (5-0)

ADJOURN

WATERSHED PROTECTION AND DEVELOPMENT REVIEW DEPARTMENT

Susan Walker (Planner III)
Clara Hilling (Board Secretary)

Phone No. Fax No.
974-2202 974-6536
974-2686 "



City of Austin

Austin's Community-Owned Electric Utility

www.austinenergy.com

Town Lake Center • 721 Barton Springs Road • Austin, Texas • 78704

September 9, 2011

Tanva Ortega
1402 Juliet St
Austin, Texas 78704

Re: 1402 Juliet St
Lot 61 Okie Heights

Dear Ms. Ortega,

Austin Energy (AE) has reviewed your application for the above referenced property requesting to reduce the east side setback to zero feet in order to maintain a carport. Austin Energy has no conflicts with this application as requested and shown on the attached red-stamped sketch.

Thank you for checking with us in advance. Should you have any questions, please feel free to contact me at 322-6587.

Sincerely,

A handwritten signature in black ink, appearing to read "Lena Lund".

Lena Lund
Public Involvement/Real Estate Services

Cc: Diana Ramirez and Susan Walker

DEEDY PLAT

PARTIES INTERESTED IN PREMISES SURVEYED:—

certify that I have, this date, made a careful and accurate survey on the ground of property located at No. Ullet Street in the City of Austin, Texas, being described as follows:

61 Block No.

Okie Heights, an addition to the City of Austin

ording to the final plat thereof recorded in Vol 3, at page 255 of the Plat

ds of Travis County, Texas. Ref. _____

1" = 20'

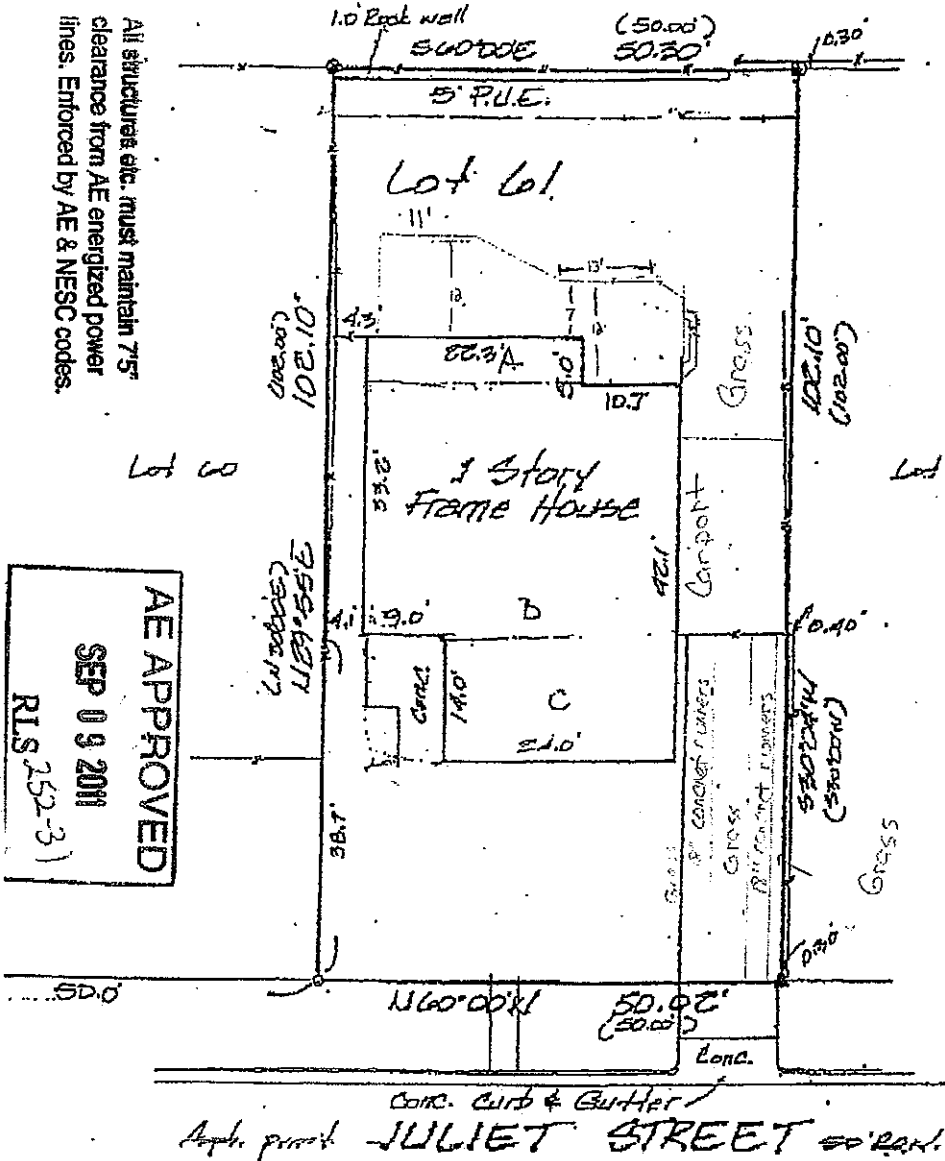
I have reviewed this plan for
 and approved the same as correct and accurate in all respects
 and as the same complies with the provisions required by the Board of Adjustment and I am changing to
 its original form for approval by Austin Heights

1402 Juliet St

[Signature]
 Date

9/9/11

House = 1377.1 sq ft
 Not including porch



All structures etc. must maintain 75'
 clearance from AE energized power
 lines. Enforced by AE & NESC codes.

AE APPROVED
 SEP 09 2011
 RLS 252-31

CONC. CURB & GUTTER
 Apply permit JULIET STREET 50' R.O.W.