

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

DATE: Monday, July 8, 2013

CASE NUMBER: C15-2013-0069

Y _____ Jeff Jack
 Y _____ Michael Von Ohlen
 Y _____ Will Schnier - Nora Salinas-ABSENT Motion to Deny
 Y _____ Bryan King
 Y _____ Fred McGhee - 2nd the Motion
 Y _____ Melissa Hawthorne
 Y _____ Sallie Burchett
 - _____ Cathy French (SRB only)

OWNER/APPLICANT: Jon Michael Phillips

ADDRESS: 5609 PORSCHE LN

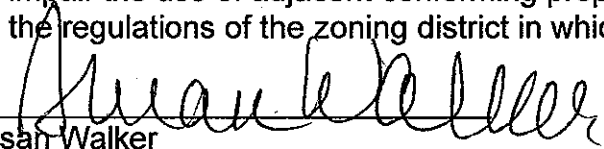
VARIANCE REQUESTED: The applicant has requested a variance to decrease the minimum front street setback requirement of Section 25-2-492 (D) from 25 feet to 18 feet in order to erect a carport for a single-family residence in an "SF-2-NP", Single-Family Residence – Neighborhood Plan zoning district.

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 (along the west property line) in order to erect a carport for a single-family residence in an "SF-2-NP", Single-Family Residence – Neighborhood Plan zoning district.

BOARD'S DECISION: The public hearing was closed on Board Member Will Schnier motion to Deny (applicant no show), Board Member Fred McGhee second on a 7-0 vote; **DENIED (APPLICANT NO SHOW).**

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



Jeff Jack
Chairman

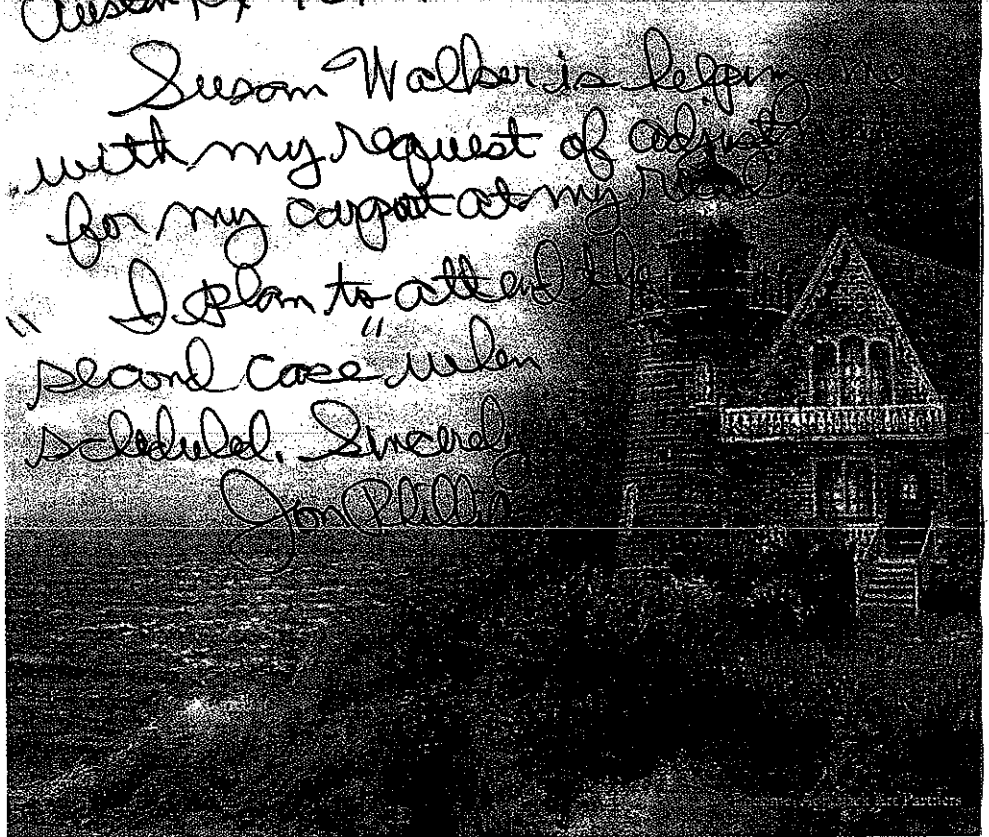
City of Austin Board of Adjustments

I'm sorry I was not able to attend the meeting at the City Council Chambers. However I was sick and could not attend. My contractor attended but left early. Please reconsider my case.

C 15-2013-0069-5609 Perdue Lane Austin TX 78749.

Susan Walker is helping me with my request of adjustment for my carpet at my residence.

I plan to attend the second case when scheduled. Sincerely
Jon P. Williams



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 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: C15-2013-0069 – 5609 Porsche Lane
 Contact: Susan Walker, 512-974-2202
 Public Hearing: Board of Adjustment, July 8th, 2013

Lorraine Bingham
 Your Name (please print)

I am in favor
 I object

5609 PORSCHE LANE
 Your address(es) affected by this application

Lorraine Bingham
 Signature

7/30/13
 Date

Daytime Telephone: (512) 284-7143

Comments:

Detract from charm of neighborhood

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 78767-1088

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 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: C15-2013-0069 – 5609 Porsche Lane
Contact: Susan Walker, 512-974-2202
Public Hearing: Board of Adjustment, July 8th, 2013

ISAIDS VASQUEZ I am in favor
 I object

Your Name (please print) Sell Howard Dan Terrace

Your address(es) affected by this application _____

Daytime Telephone: (512) 378-3636 Signature _____ Date 7/1/2013

Comments: _____

I'M ABSOLUTELY AGAINST IT.
NO CARPOIS, IT WILL
CREATE A TREND DETERMINAL
TO OUR NEIGHBORHOOD.
F.

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 78767-1088

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 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: C15-2013-0069 - 5609 Porsche Lane
Contact: Susan Walker, 512-974-2202
Public Hearing: Board of Adjustment, July 8th, 2013

Joelyn Bingham Brantley
 Your Name (please print) I am in favor
 I object

Stedd Porsche Ln
 Your address(es) affected by this application

Sue Lynn Bingham Brantley 10/28/13
 Signature Date

Daytime Telephone: 512-303-5008

Comments: I believe this change would negatively affect the overall look of the neighborhood, and negatively impact property value. I am sorry to object, but this is my true opinion. Thank you

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 78767-1088

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

CASE # C15-2013-0069
ROW # 10963102

CITY OF AUSTIN TP-0408300518
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: 5609 PORSCHE LANE ZIP 78749

LEGAL DESCRIPTION: Subdivision - _____

Lot(s) 13 Block _____ Outlot _____ Division Westcreek

I/We JON PHILLIPS on behalf of myself/ourselves as authorized agent for

SELF affirm that on _____, _____,

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

(check appropriate items below)

ERECT ___ ATTACH ___ COMPLETE ___ REMODEL ___ MAINTAIN

Erect a carport (metal) over my driveway.
I request permission to be granted approval to
extend 7' more than requirement. Thus 18' from
Property line instead of 25' from street side property
in a _____ district. line. Property line is 10' back from street.
(zoning district) 18 from p.l.
from
front
3'
from
side
p.l.

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 zoning regulation permit a carport to be erected. I was approved last year for the 25' back from property line, however 4' of my car **HARDSHIP:** would not be covered.

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

In order to cover my car from hail the carport needs to be longer since my car is 17 1/2 feet long.

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

My house was built without a garage so to protect my cars I need a carport or garage long enough to protect my vehicles. **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 will not interfere with anything.

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 Jon Phillips Mail Address 5609 PORSCHE LANE
City, State & Zip AUSTIN, TX 78749
Printed JON PHILLIPS Phone (512) 565-7489 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 Jon Phillips Mail Address 5609 PORSCHE LA
City, State & Zip AUSTIN, TX 78749
Printed JON PHILLIPS Phone (512) 565-7489 Date 5-16-13



SUBJECT TRACT



ZONING BOUNDARY

CASE#: C15-2013-0069
 LOCATION: 5609 Porsche Ln



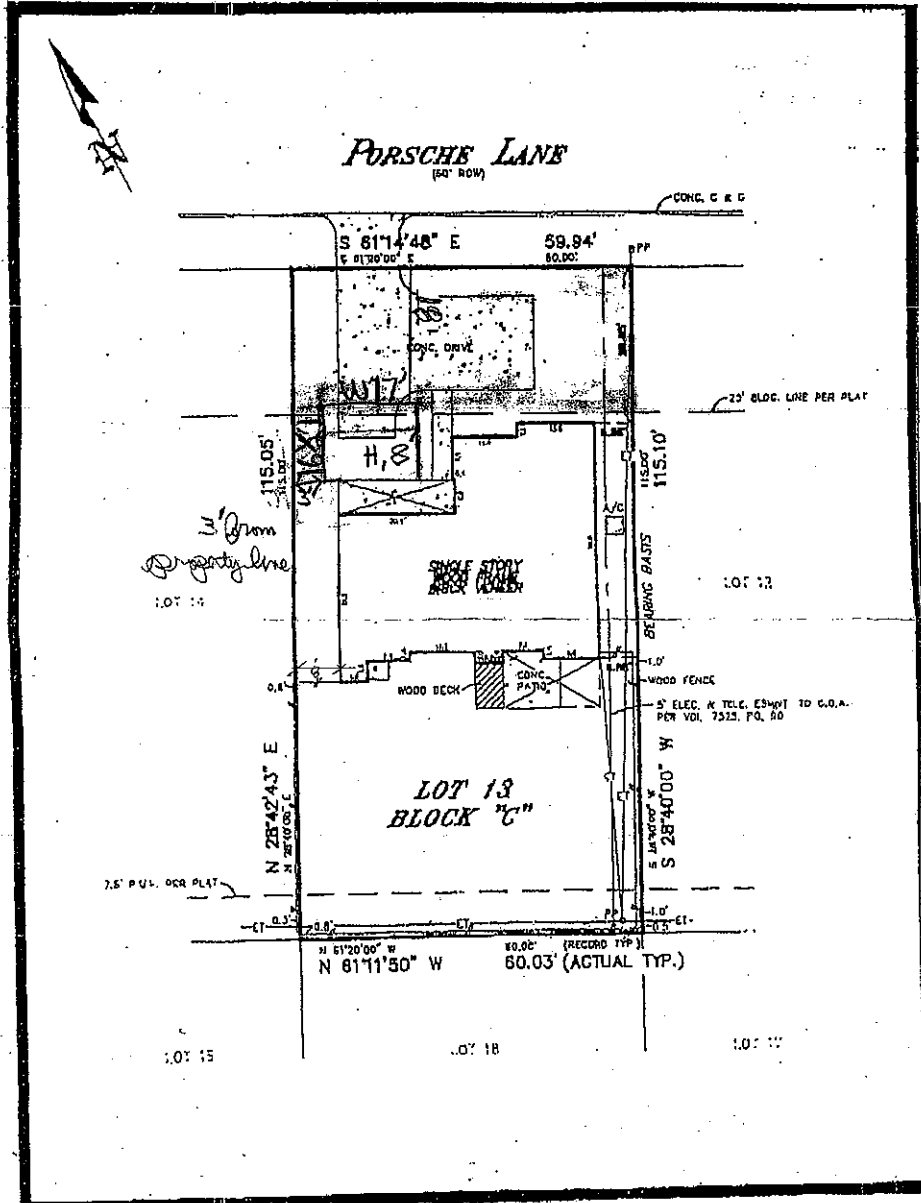
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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.

THIS SURVEY HAS BEEN REVIEWED
BY THE UNDERSIGNED & CONDITIONS
ARE HEREBY NOTED

Jon Phillips

TOTAL P. 02



PLAT OF SURVEY

Survey No. 02460

SCALE: 1" = 20'

of J340184P

Reid lot 12/11, not in a school zone area as indicated
by the Federal Emergency Management Agency on
Community Panel No. 42451C 0235E & PER PLAT
Dated JUNE 05, 1997 (ZONE 2)

All corners are iron rod found unless otherwise
noted. To the best of the holder's and/or the owner's
of the premises knowledge.

LOT NO. 13 BLOCK NO. "C"
ADDITION OR SUBDIVISION: WESTCREEK PHASE THREE SECTION FIVE, VOLUME 80, PAGES 66-67
STREET ADDRESS: 5608 PORSCHE LANE CITY: AUSTIN COUNTY: TRAVIS
SURVEY FOR: COMMONWEALTH LAND TITLE COMPANY REFERENCE TO: PHILLIPS
BY: COMMONWEALTH LAND TITLE COMPANY OF AUSTIN



STATE OF TEXAS, COUNTY OF TRAVIS
I HEREBY CERTIFY THAT THE ABOVE SURVEY WAS MADE THIS DAY ON THE DOUBLE AND IN TRUE AND CORRECT AND THAT
THERE ARE NO DISCREPANCIES, CONFLICTS, SHORTAGES IN MEASUREMENTS, UNLAWFUL UTILITY LINES OR RIGHTS OF WAY
PLACES EXCEPT AS SHOWN HEREON AND THIS PROPERTY HAS ACCORD TO A RECORDED ROADWAY, EXCEPT AS SHOWN HEREON.

SNS ENGINEERING, INC.
12488 Los Indios Trall, Suite 101
Austin, Texas 78729

Leslie Vasterling
Dated: 03-29-2002