

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).

ROW

CASE #

C15-2013-0068

10963160

TP-0245210623

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

Special exception

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

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

STREET ADDRESS: 304 W. Grady Drive

LEGAL DESCRIPTION: Subdivision – Mockingbird Hill, Section 1

Lot(s) 23 Block E Outlot Division

I/We Phil Moncada on behalf of myself/ourselves as authorized agent for

Jose Gomez affirm that on 5-17- , 2013,

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

(check appropriate items below)

___ ERECT ___ ATTACH ___ COMPLETE X REMODEL X MAINTAIN

?

in a SF-2-NP 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:

Structure in question was built over 15 years ago before COA annexed in.

We are requesting a special exception to maintain this structure located in rear portion of lot.

HARDSHIP:

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

N/A

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

N/A

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:

Structure is located at the rear portion of lot and has existed there for over 15 years.

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

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 Phil Moncada Mail Address 1301 S. IH 35, Ste. 204

City, State & Zip Austin, Texas 78741

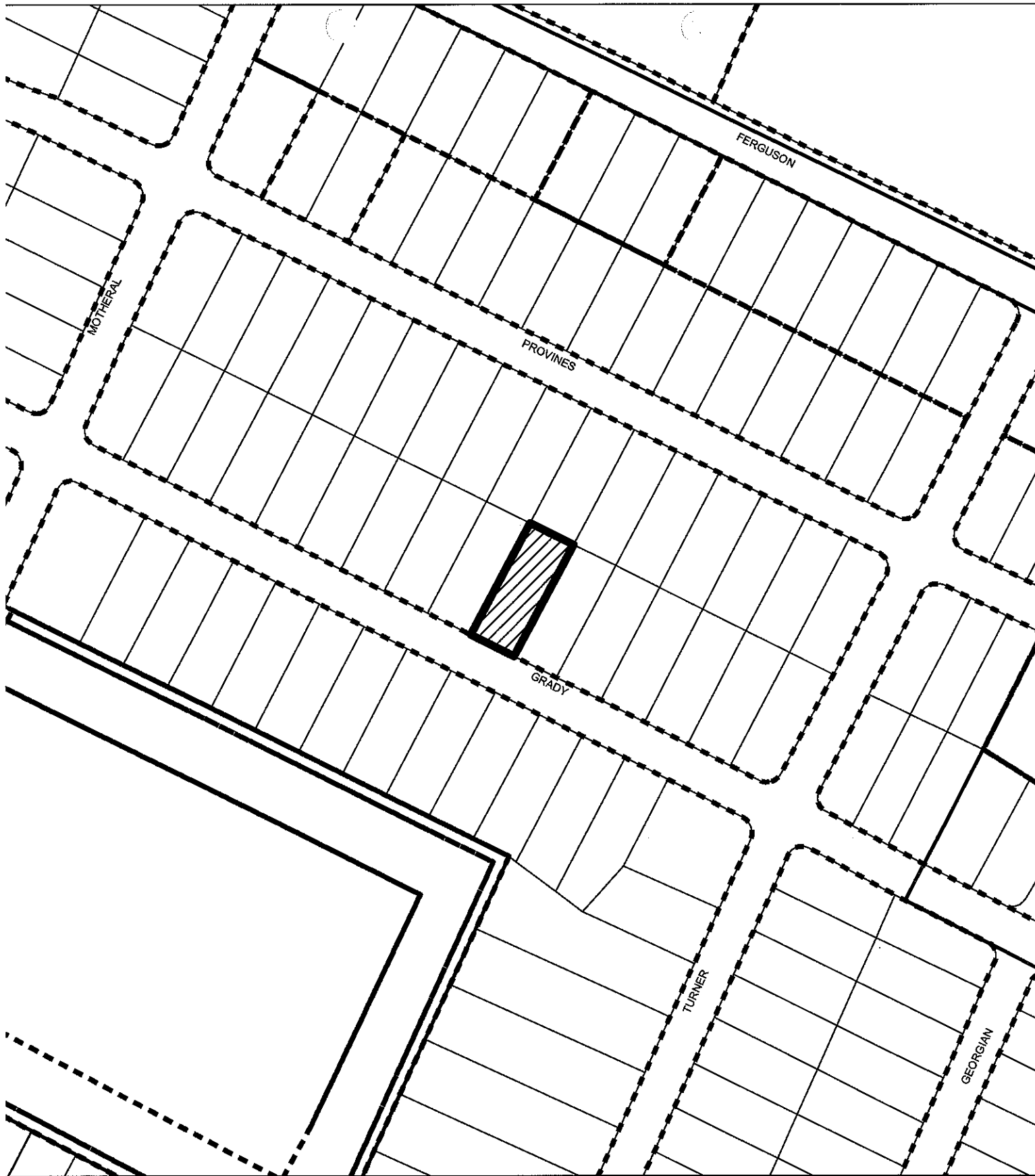
Printed Phil Moncada Phone 627-8815 Date 5-17-13

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 Jose Gomez Mail Address 304 W. Grady

City, State & Zip Austin, Texas 78753

Printed Jose Gomez Phone 680-2771 Date 5-17-13



SUBJECT TRACT



ZONING BOUNDARY

CASE#: C15-2013-0068
LOCATION: 304 W Grady Drive



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.



Moncada Consulting

1301 S IH 35 Ste 204
Austin, TX 78741

Phone: (512) 474-7377 Fax: (512) 474-4923

May 22, 2013

City of Austin
P.O. Box 1088
Austin, Texas

RE: 304 W. Grady Drive
BOA – Special Exception Variance Request

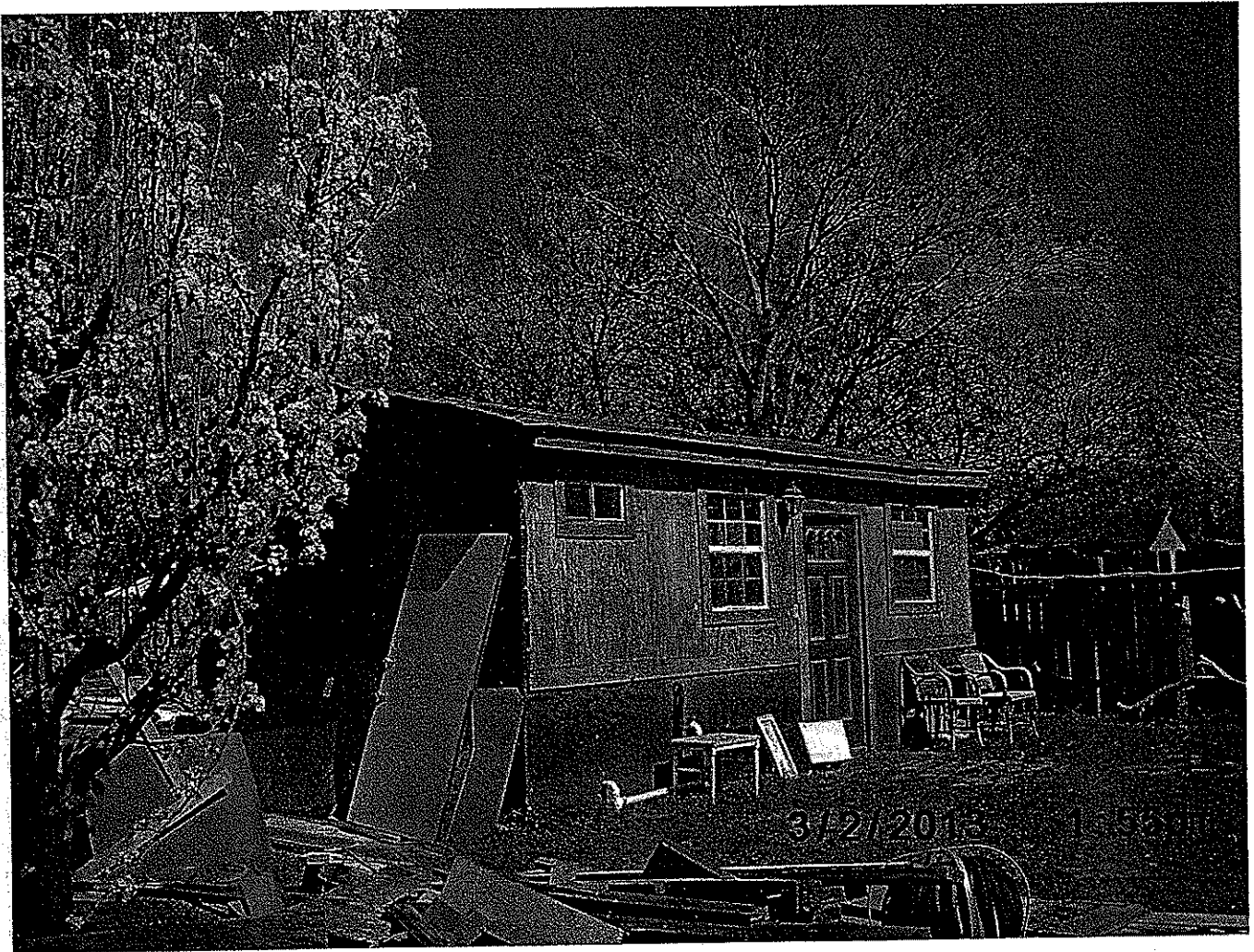
Good Evening Commissioners,

Thank you for the opportunity to apply for a special exception variance for the structure located at 304 W. Grady Drive. The structure has existed in this location for over 15 years. The site has a privacy fence along the rear property line to screen the structure from neighbors. In addition, anyone could have built this type of structure in the past as this lot use to be in the County's Jurisdiction. This will not change the character of the neighborhood since this building has been here for over 15 years.

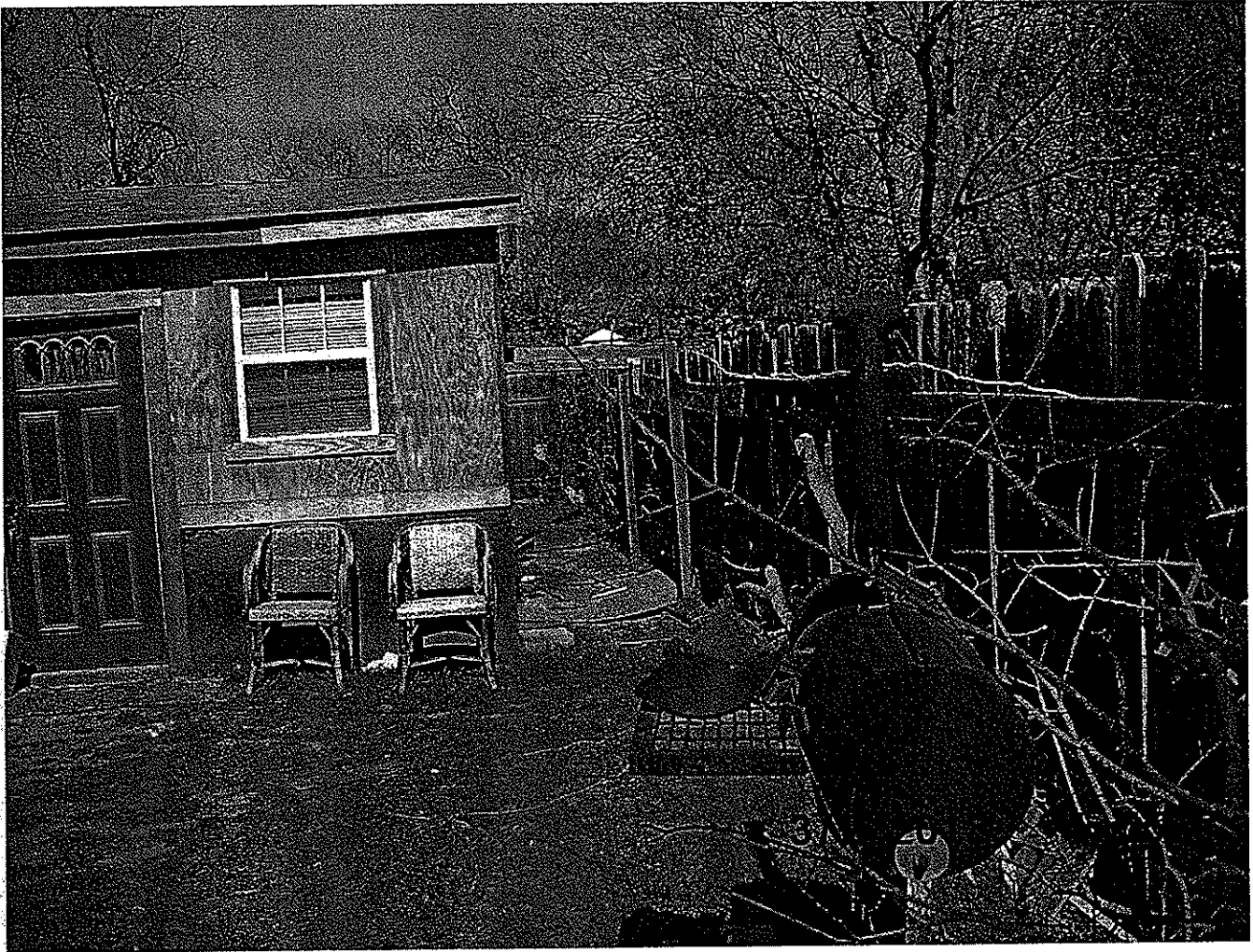
Thank you for your consideration,



Phil Moncada,
Agent for Jose Gomez



EXIST Detached Apt



EXIST Detached Apt

304 W Grady
Case 13 19362

03-02-2013
Investigator Garrett



§ 25-2-476 SPECIAL EXCEPTIONS.

(A) The Board of Adjustment shall grant a special exception for an existing residential structure, or portion of an existing structure, that violates a setback required under Chapter 25-2 (Zoning) if the board finds that the special exception meets the requirements of this section.

(B) The Board shall grant a special exception under Subsection (A) of this section if:

(1) the residential use for which the special exception is sought is allowed in an SF-3 or more restrictive zoning district;

(2) the building official performs an inspection and determines that the violation does not pose a hazard to life, health, or public safety; and

(3) the Board finds that:

(a) the violation has existed for:

(i) at least 25 years; or

(ii) at least 15 years, if the application for a special exception is submitted on or before June 6, 2013;

(b) the use is a permitted use or a nonconforming use;

(c) the structure does not share a lot with more than one other primary residence; and

(d) granting a special exception would not:

(i) alter the character of the area;

(ii) impair the use of adjacent property that is developed in compliance with city code;

or

(iii) grant a special privilege that is inconsistent with other properties in the area or in the district in which the property is located.

(C) A special exception granted under this section:

(1) applies only to the structure, or portion of a structure, for which the special exception was granted and does not run with the land;

(2) may not authorize an increase in the degree of noncompliance or excuse compliance with minimum health and safety requirements; and

~~(3)~~ may not authorize a remodel or addition to the existing structure, except to the extent required by the building official to meet minimum life and safety requirements.

(D) A structure granted a special exception under this section shall be treated as a non-complying structure under Chapter 25-2, Article 8 (Noncomplying Structures).

Source: Ord. 20110526-098; Ord. 20121108-091.

Use must have been existing prior to 6-17-1976
SF-2-NP does not allow 2-family res. use

ONLY FOR

Life Safety

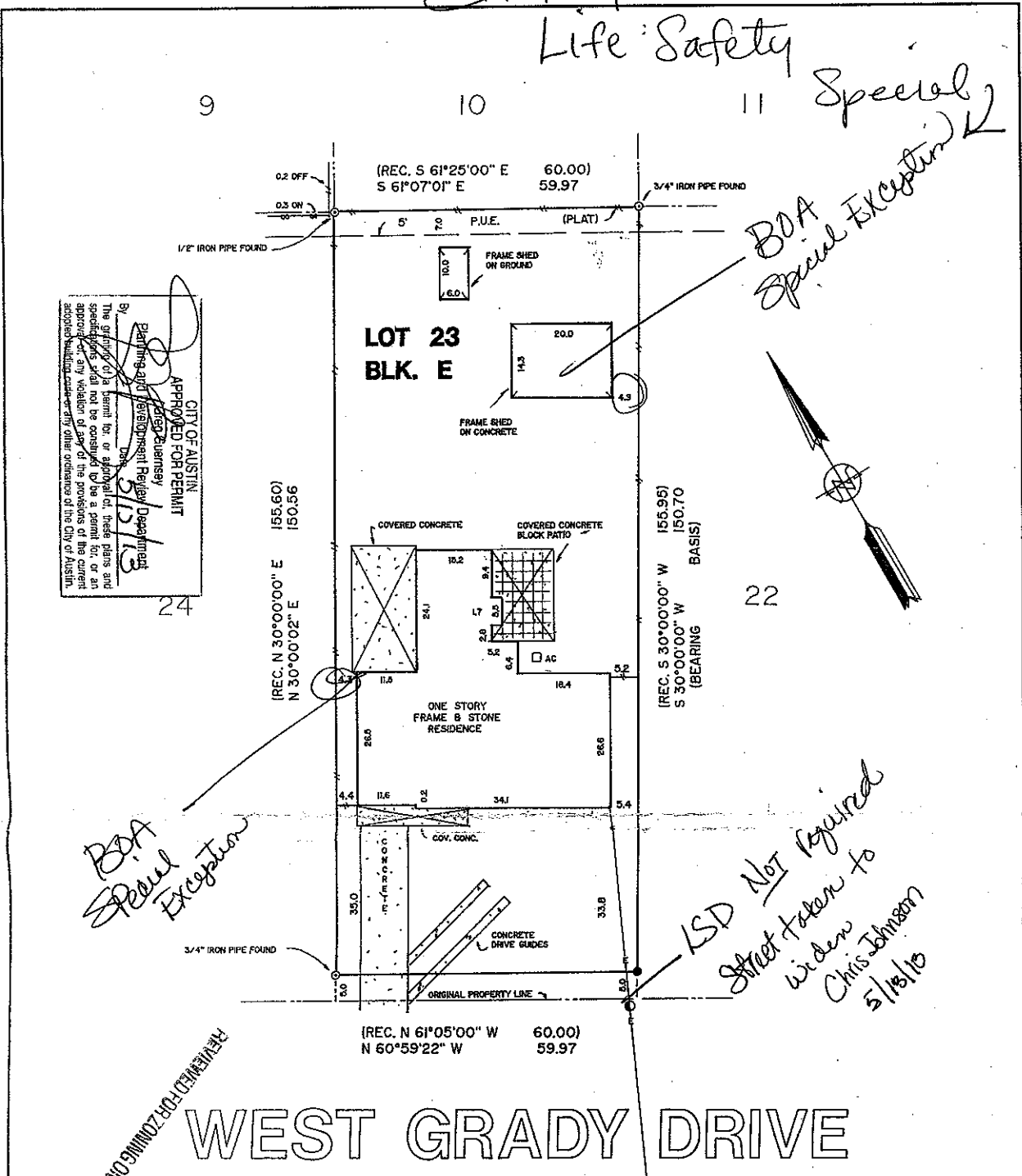
Special

BOA Special Exception

CITY OF AUSTIN
APPROVED FOR PERMIT
Planning and Development Review Department
By: [Signature]
Date: 5/15/10
The granting of a permit for, or approval of, these plans and specifications shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of the current adopted building code or any other ordinance of the City of Austin.

BOA Special Exception

LSD Not Required
Street taken to
Chris Johnson
5/18/10



SUBJECT TO RESTRICTIONS IN (V.005, P.159)
PLAT RECORDS TRAVIS COUNTY, TEXAS

SUBDIVISION LOT 23, LESS THE SOUTH .5' FEET THEREOF, BLOCK E, MOCKINGBIRD HILL, SECTION ONE

LOT: _____ BLOCK: _____ CARNET VOLUME 5 SUB PLAT 159 PLAT RECORDS

COUNTY: TRAVIS STATE OF TEXAS STREET ADDRESS 304 WEST GRADY DRIVE

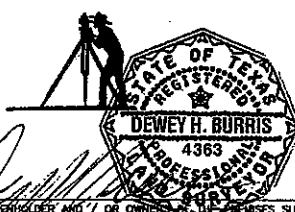
CITY: AUSTIN TX. REFERENCE NAME MIRNA NOEMY MAROQUIN & GERARDO SANTIAGO

LEGEND

- 1/2" IRON PIPE FOUND
- 1/2" REBAR FOUND
- 1/2" REBAR SET
- 60D NAIL FOUND
- 60D NAIL SET
- SPINDLE FOUND
- BARB WIRE FENCE
- CHAIN LINK FENCE
- WOOD FENCE
- METAL FENCE
- B.L. BUILDING LINE
- P.U.E. PUBLIC UTILITY EASEMENT
- D.E. DRAINAGE EASEMENT
- S.D.E. SURFACE DRAINAGE EASEMENT
- E.E. ELECTRIC EASEMENT
- W/WWW WATER/WASTEWATER RECORD INFORMATION
- () POWER POLE
- O.H. OVERHEAD UTILITIES

B&G Surveying, Inc.
Victor M. Garza R.P.L.S.

Office 512*458-6969
Fax 512*458-9845
1404 West North Loop Blvd.
Austin, Texas 78756



DATE 2/11/02 ALAMO TITLE COMPANY / ALAMO TITLE INSURANCE OF TEXAS

I do hereby certify that this survey was this day made on the ground of the property legally described hereon and that there are no visible boundary line conflicts, encroachments overlapping of improvements, or roads in place, except as shown hereon, and certifies only to the legal description and easements shown on the referenced Title Commitment. Copying or reproducing without permission of B & G Surveying, Inc is prohibited.

THIS PROPERTY DOES NOT LIE WITHIN THE 100 YEAR FLOODPLAIN, AND HAS A ZONE X RATING AS SHOWN ON THE FLOOD INSURANCE RATE MAPS F.I.R.M. MAP No. 480624 PANEL 0115 E DATED: 6/16/93 This certification is for insurance purposes only and is not a guarantee that this property will or will not flood. Contact your local floodplain administrator for the current status of this tract.

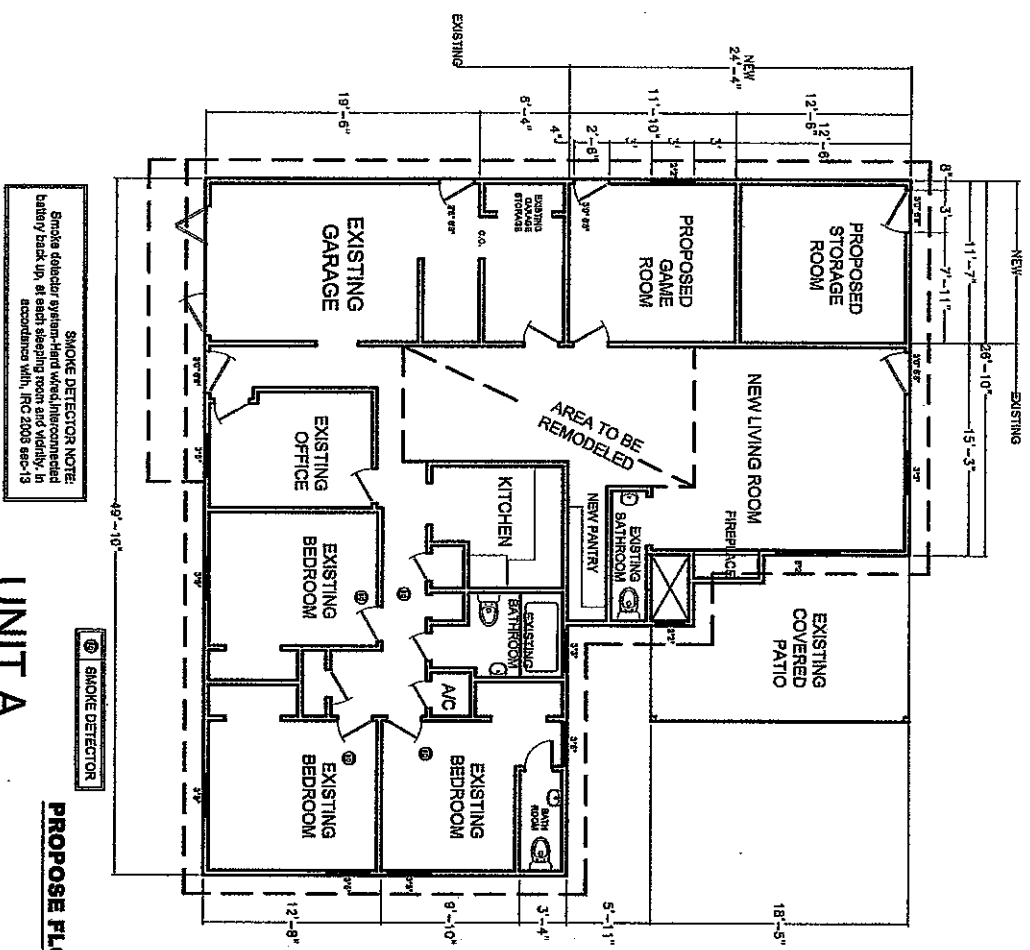
FIELD WORK	ADAM	2/8/02
DRAFTING	WYLEE	2/11/02
FINAL CHECK		2/11/02
CORRECTIONS		
UP DATE		



G/E

RESIDENTIAL REMODELING

U-13-87



SMOKE DETECTOR NOTE:
Smoke detector system shall be interconnected battery back up, at each sleeping room and vicinity. In accordance with IRC 2008 sec-13

SMOKE DETECTOR

UNIT A

PROPOSE FLOOR PLAN

Scale: 1/8" = 1'-0"

AT-13-87
CE 3
OF 5

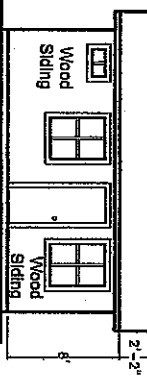
**RESIDENTIAL
REMODELING
PROJECT**
301 W. GILBERT ST.
AUSTIN, TEXAS

G/E
Gentry J. Engle
2000 Pleasant Hill Rd., Suite 100
Austin, TX 78758
(512) 552-2200
www.gentryengle.com

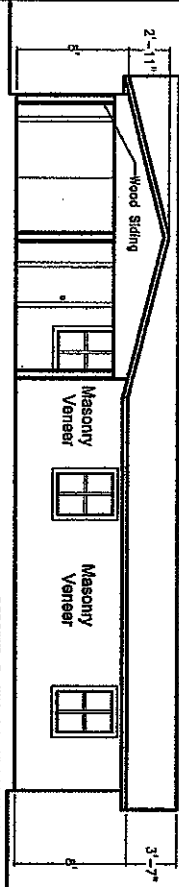
VERSION 6.10

8/1/13

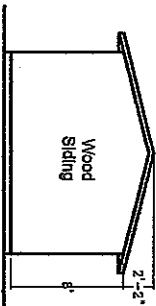




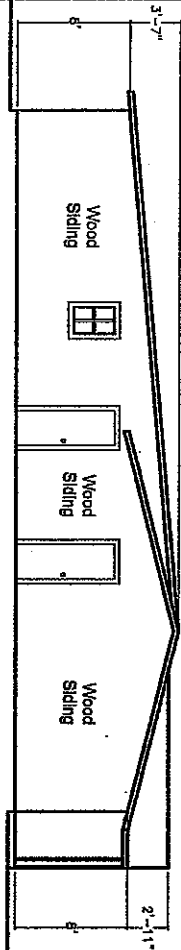
UNIT B FRONT ELEVATION
Scale: 1/8" = 1'-0"



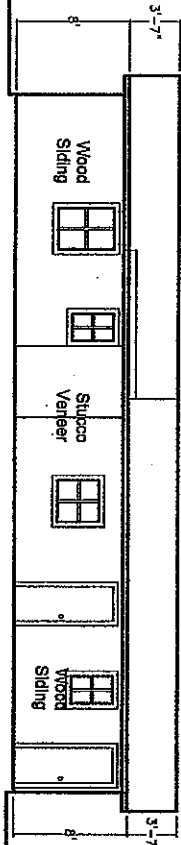
UNIT A FRONT ELEVATION
Scale: 1/8" = 1'-0"



UNIT B LEFT ELEVATION
Scale: 1/8" = 1'-0"



UNIT A LEFT ELEVATION
Scale: 1/8" = 1'-0"



UNIT A BACK ELEVATION
Scale: 1/8" = 1'-0"



VERSION 6.10

G/E
General Engineering Company
2601 New York Ave., Suite 200, Fort Worth, TX 76104
817-335-1111
www.generaleng.com

**RESIDENTIAL
REMODELING
PROJECT**
304 W. GRADY DRIVE
AUSTIN, TEXAS

Project: AU-13-47
Sheet: CB.5
of 5

