

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

DATE: Thursday, November 14, 2013

CASE NUMBER: C15-2013-0110

_____ Jeff Jack
_____ Michael Von Ohlen **Motion to PP Dec 9, 2013**
_____ Nora Salinas
_____ Bryan King **2nd the Motion**
_____ Fred McGhee
_____ Melissa Hawthorne
_____ Sallie Burchett
_____ Cathy French (SRB only)

OWNER/APPLICANT: Jose Minjares

ADDRESS: 7216 HILLCROFT DR

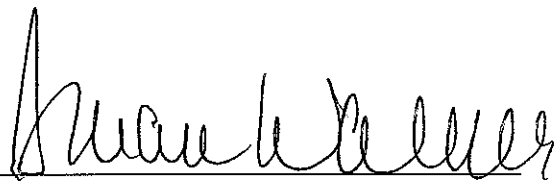
VARIANCE REQUESTED: The applicant has requested a variance to decrease the minimum front street setback requirement of Section 25-2-492 (D) from 25 feet to 10 feet in order to maintain a carport for a single family residence in an "SF-2", Single Family Residence zoning district.

BOARD'S DECISION: The public hearing was closed on Board Member Michael Von Ohlen motion to Postpone to December 9, 2013, Board Member Bryan King second on a 7-0 vote; **POSTPONED TO DECEMBER 9, 2013.**

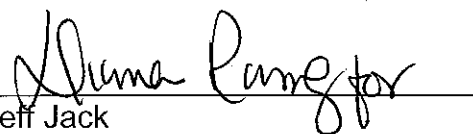
FINDING:

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

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 # CL5-2013-0110
ROW # 11015497
TP-0221360821

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: 7216 Hillcroft Drive

LEGAL DESCRIPTION: Subdivision - The Meadows of Walnut Creek
Lot(s) 24 Block R Outlot _____ Division _____
Jose Mujares on behalf of myself/ourselves as authorized agent for
myself Seg. 6

I/We Jose Mujares on behalf of myself/ourselves as authorized agent for

myself 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

a carport providing a front street setback of 10 feet

in a SF-2 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: Current Garage is being used for storage and is full

HARDSHIP:

2. (a) The hardship for which the variance is requested is unique to the property in that: Carpport is used for proper weather and seasonal protection for my vehicles, Also a shade source for my children to play.

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

There are no trees or pre-existing shade/shelter for proper covering from the sun or the elements,

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:

To who may respond, I would like to keep maintaining my carport, reason being...

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 Minjeres Jose Mail Address 7216 Hillcroft Rd.

City, State & Zip Austin TX 78724

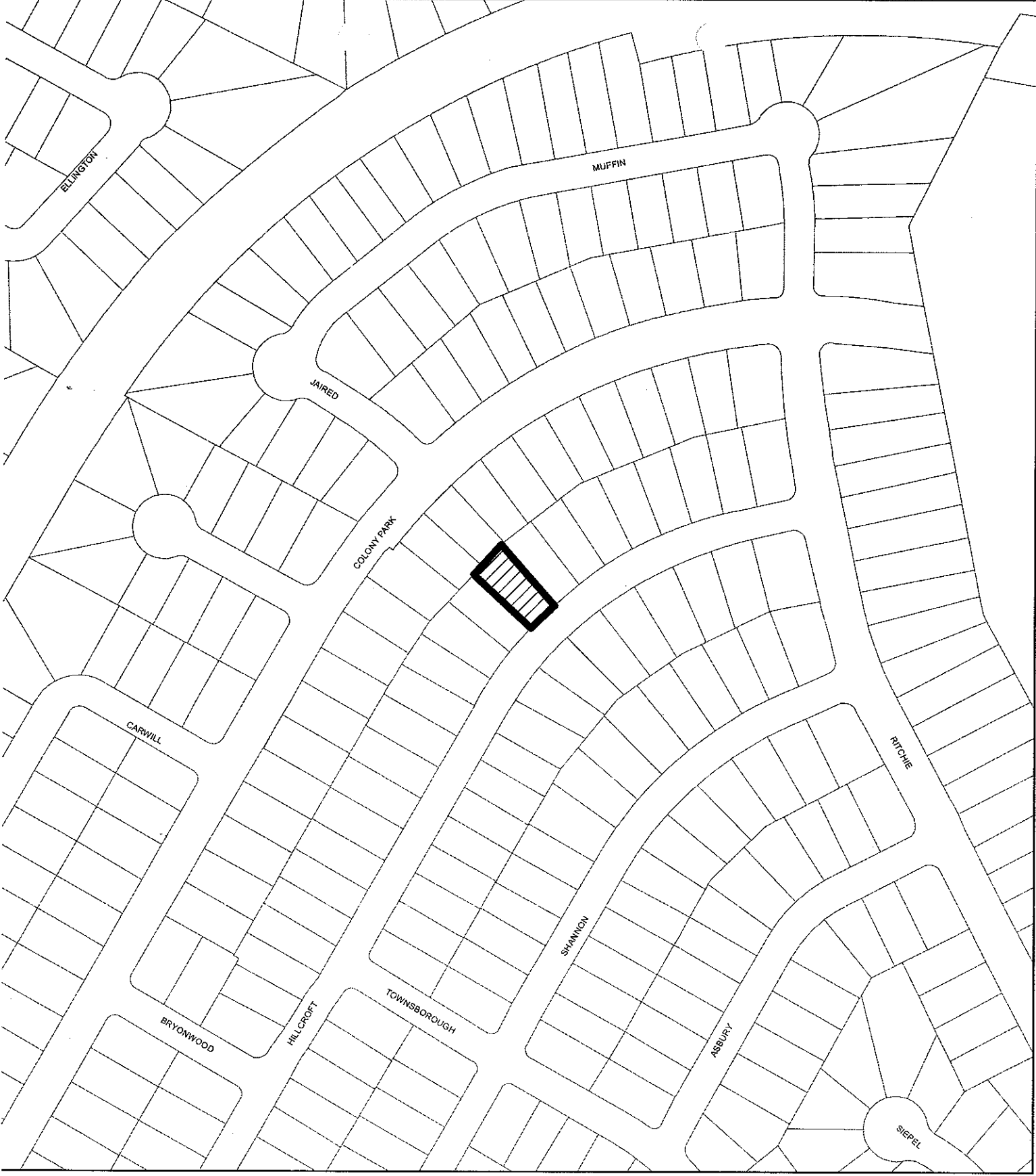
Printed Jose Minjeres Phone 817-637-7373 Date _____

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 same Mail Address _____

City, State & Zip _____

Printed _____ Phone _____ Date _____



N



SUBJECT TRACT



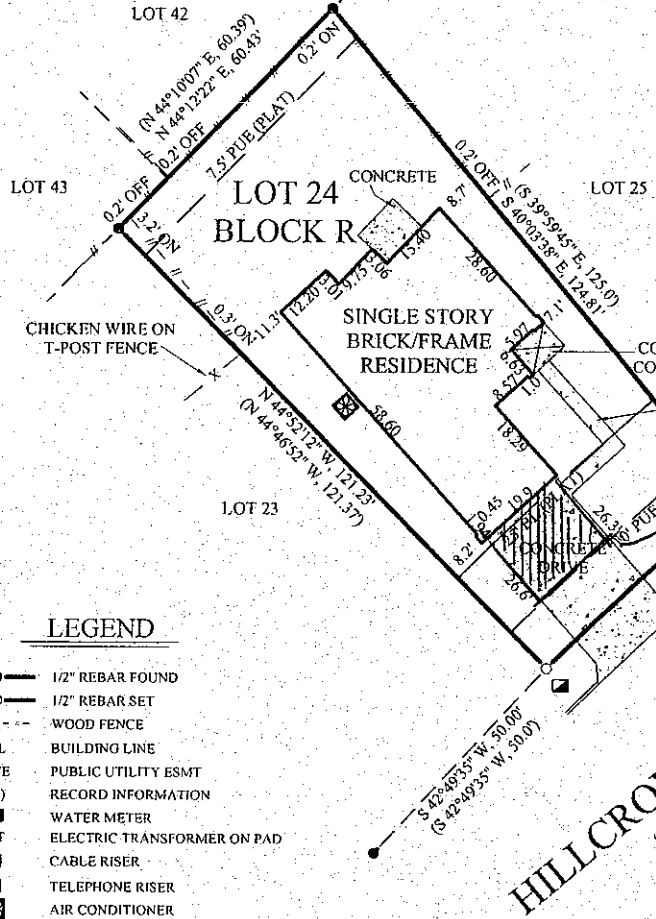
ZONING BOUNDARY

CASE#: C15-2013-0110
 LOCATION: 7216 Hillcroft 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.



Cannot attend to the P.U.E.

LEGEND

- 1/2" REBAR FOUND
- 1/2" REBAR SET
- - - - WOOD FENCE
- BL BUILDING LINE
- PUE PUBLIC UTILITY ESMT
- () RECORD INFORMATION
- ◻ WATER METER
- ET ELECTRIC TRANSFORMER ON PAD
- ◻ CABLE RISER
- ◻ TELEPHONE RISER
- ◻ AIR CONDITIONER
- ON INSIDE OF SUBJECT BOUNDARY
- OFF OUTSIDE OF SUBJECT BOUNDARY

RADIUS= 598.83'
 ARC= 50.01"
 CH= S 47°36'42" W, 50.00'
 (S 47°36'42" W, 50.0')

HILLCROFT DRIVE
 (50' R.O.W.)

J. Cum 09/29/06

RESTRICTIONS:
 SUBJECT TO RESTRICTIONS IN VOLUME 13234, PAGE 87, VOLUME 13326, PAGE 109, AND AS PER PLAT IN VOLUME 100, PAGE 210.
 SUBJECT TO A PIPELINE EASEMENT IN VOLUME 847, PAGE 135, VOLUME 4759, PAGE 440, VOLUME 4837, PAGE 629.
 SUBJECT TO A PIPELINE EASEMENT IN VOLUME 994, PAGE 587, VOLUME 4837, PAGE 625.
 SUBJECT TO A PUBLIC UTILITY EASEMENT IN VOLUME 4729, PAGE 1637.
 SUBJECT TO A PIPELINE EASEMENT IN VOLUME 11090, PAGE 367, VOLUME 11112, PAGE 40.

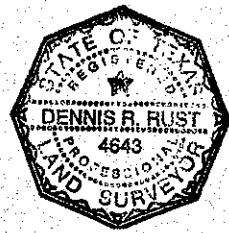
SUBDIVISION: THE MEADOWS OF WALNUT CREEK, SECTION SIX

LOT: 24 BLOCK: R VOLUME 100 PAGE 210 PLAT RECORDS

COUNTY: TRAVIS STATE OF TEXAS STREET ADDRESS 7216 HILLCROFT DRIVE

CITY: AUSTIN REFERENCE NAME JOSE NINJEREZ

SIGNED BY: _____



ALLSTAR
 Land surveying

12731 RESEARCH BLVD.
 BUILDING A, SUITE 106
 AUSTIN, TEXAS 78759
 (512) 249-8149 PHONE
 (512) 331-5217 FAX
 WWW.ALLSTARLANDSURVEYING.COM

Dennis R. Rust

TO THE LIEN HOLDER AND/OR OWNERS OF THE PREMISES SURVEYED AND TO FIRST AMERICAN TITLE INSURANCE COMPANY I DO HEREBY CERTIFY THAT THIS SURVEY WAS THIS DAY MADE ON THE GROUND UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE OF THE PROPERTY LEGALLY DESCRIBED HEREON AND THAT THERE ARE NO 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 REFERENCE TITLE COMMITMENT.

THIS PROPERTY DOES NOT LIE WITHIN THE 100 YEAR FLOOD, AND HAS A ZONE "X" RATING AS SHOWN ON THE FLOOD INSURANCE RATE MAPS
 F.I.R.M. MAP NO.: 48453C0125 E
 PANEL: 0125 E
 DATED: JUNE 16, 1993
 THIS CERTIFICATION IS FOR INSURANCE PURPOSES ONLY AND IS NOT A GUARANTEE THAT THIS PROPERTY WILL OR WILL NOT FLOOD. CONTACT YOUR LOCAL FLOOD ADMINISTRATOR FOR THE CURRENT STATUS OF THIS TRACT.

SURVEY DATE	SEPTEMBER 08, 2006
TITLE CO.	FIRST AMERICAN TITLE INS. CO.
G.F. NO.	887851-SA14
JOB NO.	A0838306
FILED BY	JOSEPH LANG 08/31/2006
CALC. BY	EDWARD RUMSEY 09/01/2006
DRAWN BY	OBADIAH OCASIO 09/01/2006
CHECKED BY	OBADIAH OCASIO 09/01/2006
RPLS CHECK	DENNIS RUST 09/08/2006

This carport is extremely useful for my family and me. My house does not have any trees big enough to give off a helpful amount of shade or protection from the weather elements, like the sun or rain, while my children play outdoors. This carport provides shelter for my kids while I load them into the vehicle to take them to school. This carport is especially necessary for the health of my baby daughter who could become sick if it is raining on her while getting her loaded into the truck if we no longer have this cover. I also use this carport to park my truck underneath to avoid further water damage. As you may not know, I have been having problems with the roof leaking when it rains causing mold to grow. By continuing to have my carport I will be able to prevent replacing my roof which is a costly repair and not in my budget at the time being. Like most people my garage is filled with boxes, tools, and belongings that I need so I don't have room to fit my truck inside and I cannot afford the monthly fees to get a storage unit. I appreciate your time and your reconsideration. Thank you.

Jose C Minjares
7216 Hill Croft Dr
Austin, TX 78724