

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

DATE: Monday, May 12, 2014

CASE NUMBER: C15-2014-0066

☐ Y ☐ Jeff Jack
☐ Y ☐ Michael Von Ohlen
☐ Y ☐ Ricardo De Camps **Motion to PP to June 9, 2014**
☐ Y ☐ Bryan King
☐ Y ☐ Fred McGhee
☐ Y ☐ Melissa Hawthorne **2nd the Motion**
☐ Y ☐ Sallie Burchett

APPLICANT: Christine Chun

OWNER: Christine Chun

ADDRESS: 57 ANTHONY ST

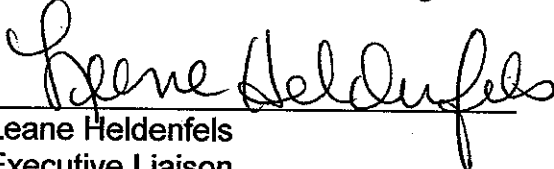
VARIANCE REQUESTED: The applicant has requested a variance to Section 25-2-492 (D) of the Site Development Standards to reduce the side setback from 5 feet to 1 foot in order to widen an existing carport by 3 feet (existing carport 8 feet 6 inches wide, expanding to 11 feet 6 inches wide) in an "SF-3- NP", Family Residence – Neighborhood Plan zoning district. (Holly)

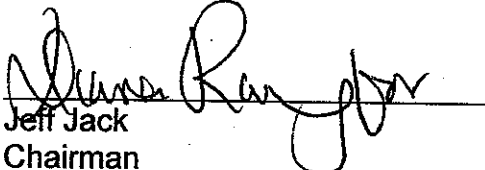
BOARD'S DECISION: The public hearing was closed on Board Member Ricardo De Camps motion to Postpone to June 9, 2014, Board Member Melissa Hawthorne second on a 7-0 vote; **POSTPONED TO JUNE 9, 2014.**

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:


Leane Heldenfels
Executive Liaison


Jeff Jack
Chairman

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.austintexas.gov/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: C15-2014-0066, 57 Anthony

Contact: Susan Walker, 512-974-2202, leane.heldenfels@austintexas.gov

Public Hearing: Board of Adjustment, May 12th, 2014

Alex H. HARTNER

☐ I am in favor
☒ ~~BI~~ object

Your address(es) affected by this application

Alex M. Lee, III
Signature

Signature

Date _____

Daytime Telephone: 926 4247

Comments: These people are really pressing
their luck. (Bullies) They know in
building these houses adding my
water sky high. We show in siding
to reduce build setbacks to 1 ft.
The 5 ft being in place for thousands
of years. The should have build
that house smaller on the side. Please
don't have to add to let her do this.

Note: Any responses received will become part of the record of this case which is open to the public for review.

If you use this form to comment, it may be returned to:

City of Austin-Planning & Development Review Department/ 1st Floor

Leanne Heldenfels

P. O. Box 1088

Austin, TX 78767-1088

Or fax to (512)974-2934

Or scan and email to leane.heldenfels@taustintexas.gov

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.

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Case Number: C15-2014-0066, 57 Anthony

Contact: Susan Walker, 512-974-2202, leane.heldenfels@austintexas.gov

Public Hearing: Board of Adjustment, May 12th, 2014

Roger Treviño

Your Name (Please print)

2202 Haskell St

Your address(es) affected by this application

Roger M Treviño 5/6/14

Signature

Date

Daytime Telephone: (512) 810-4493

Comments:

Note: Any responses received will become part of the record of this case which is open to the public for review.

If you use this form to comment, it may be returned to:

City of Austin-Planning & Development Review Department/ 1st Floor
Leane Heldenfels

P. O. Box 1088

Austin, TX 78767-1088

Or fax to (512)974-2934

Or scan and email to leane.heldenfels@austintexas.gov

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 # C15-2014-0066

111 23077

Tax Roll # 0200080301, 81501

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: 57 Anthony St. Austin, TX 78702

LEGAL DESCRIPTION: Subdivision – Driving Park Addition
South 40%

Lot(s) Lot 8 Block K Outlot 61 Division O

I/We Christine Chun on behalf of myself/ourselves as authorized agent for

Christine Chun affirm that on April 8, 2014,

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

(check appropriate items below)

 ERECT X ATTACH COMPLETE REMODEL MAINTAIN

an extension to an existing carport to widen it from 8'6" to 11'6" (measured by the
concrete footing) and to widen the concrete driveway leading to the carport to 14'6".

This requires a 4' variance into a 5' side setback including a 1' roof overhang.

in a SF-3-NP (Holly) 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:

unsafe
The existing carport has a ~~usable~~ width of 8'2" due to support posts. Entry is off of the alleyway, and the carport is not wide enough to safely allow a small car to go in or out.

HARDSHIP:

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

The carport is insufficiently designed, resulting in an unsafe structure. The car doors can't open while parked, and I have hit and damaged the car on the carport 3 times in 2 months.

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

There are many properties with functional 1 or 2 car carports or garages, some with entry off of the alley.

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:

There are many properties with 1 or 2 car carports or garages in the area. There will still be two feet between the carport structure and the neighbor's fence.

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  Mail Address 57 Anthony St.

City, State & Zip Austin, TX 78702

Printed Christine Chun Phone (512) 665-2226 Date 4/8/2014

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 57 Anthony St.

City, State & Zip Austin, TX 78702

Printed Christine Chun Phone (512) 665-2226 Date 4/8/2014



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

CASE#: C15-2014-0066
Address: 57 ANTHONY ST



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 CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

1" = 167'

April 8, 2014

Hello!

I am requesting a setback variance for the property at 57 Anthony St. The setback concerned is at the rear of my property, but it is a side setback for a normal lot.

I purchased the property last November from the builder as a newly constructed home, and quickly found after moving in that the carport was too narrow to be used easily or safely. The car must be positioned very carefully within the carport to allow the driver's side door to open enough to exit the car, and even then it is a very tight squeeze. In the first two months of residence, I hit and damaged the car against the carport three times. I have a rather small car (Honda Civic), so I imagine the carport is simply unusable as such for any larger vehicle.

The driveway leading up to the carport was also not built according to the plans, resulting in a 8'6" driveway when a 12' driveway was drawn. There is no concrete supporting the arc between the alleyway and the carport where the car must drive in order to reach the carport, resulting in the car "falling" into the yard when entering or exiting the carport. This can't be good for the vehicle, and it is creating a hole in the yard.

Though the carport is drawn and built to be 8'6" wide (which I understand to be the minimum required in the city of Austin), there are 4" cedar support posts which make the actual usable width 8'2" wide.

I am requesting a setback variance to be able to widen the carport and driveway 3 feet, taking it to 11'6" (usable width of 11'2"). Typical carport widths seem to range from 10' to 12'. This variance would leave 2 feet of open ground between the carport and the neighbor's fence. The additional one foot of the variance is to accommodate the 1' roof overhang.

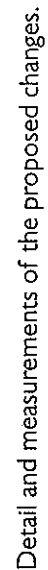
I have spoken with both of my adjacent neighbors, and they are all right with my proposal to widen the carport. I have also spoken with the Holly Neighborhood Coalition about my situation, and they are initially also in support of the modifications. Though I attended their last meeting to discuss the issue, we ran out of time to go into my request in detail. I have submitted my application materials to the Coalition's board so that they might review the modifications in further detail.

Thank you for taking the time to consider my request. I will look forward to speaking with you soon!

Sincerely,
Christine Chun

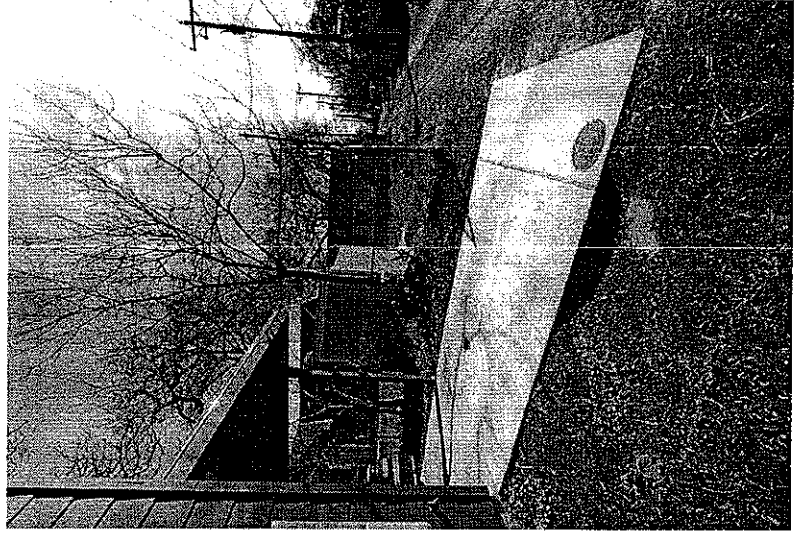
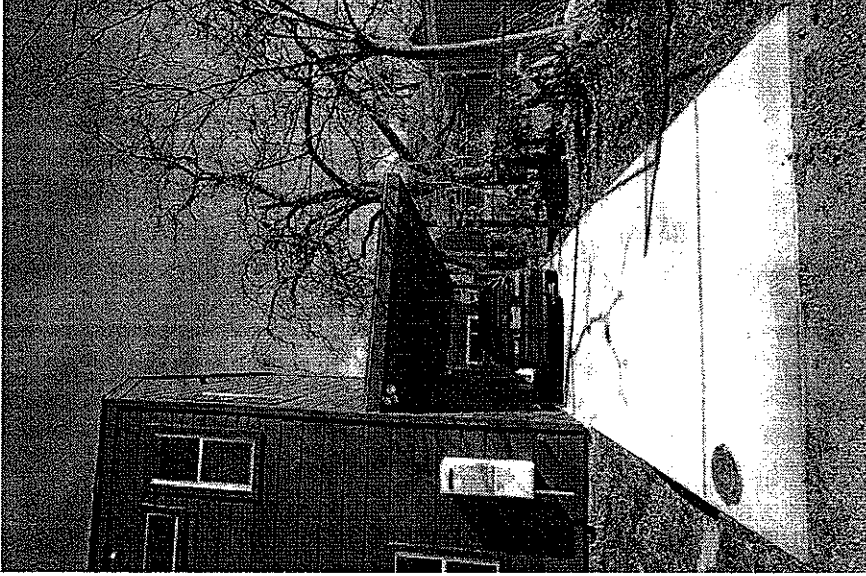


Current, proposed, and adjacent structures. Proposed modifications in blue.

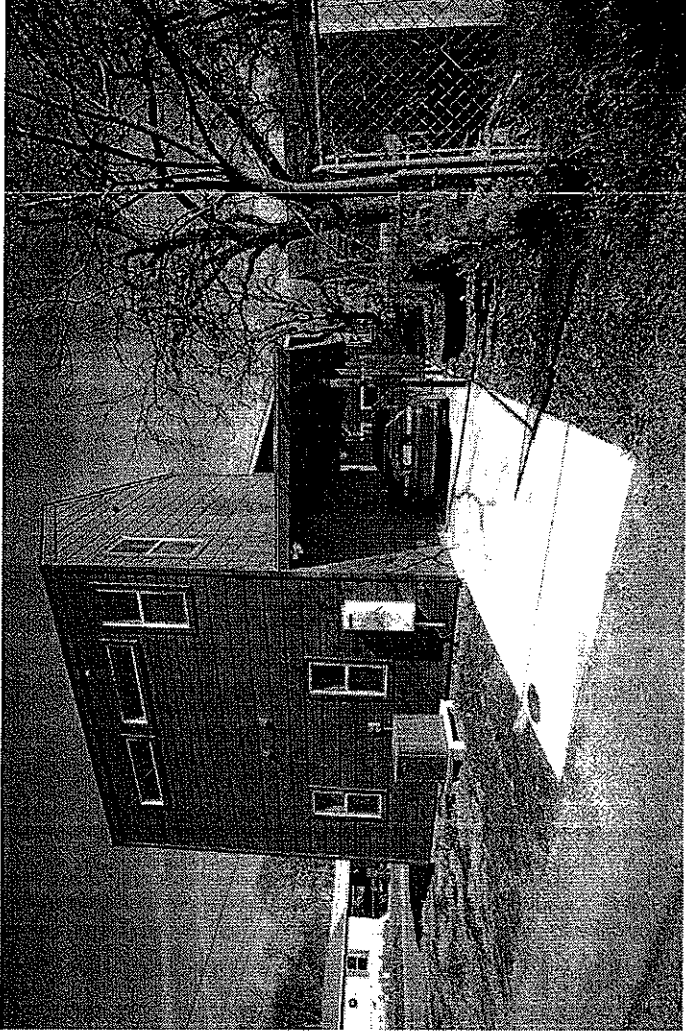


Current carport photos.

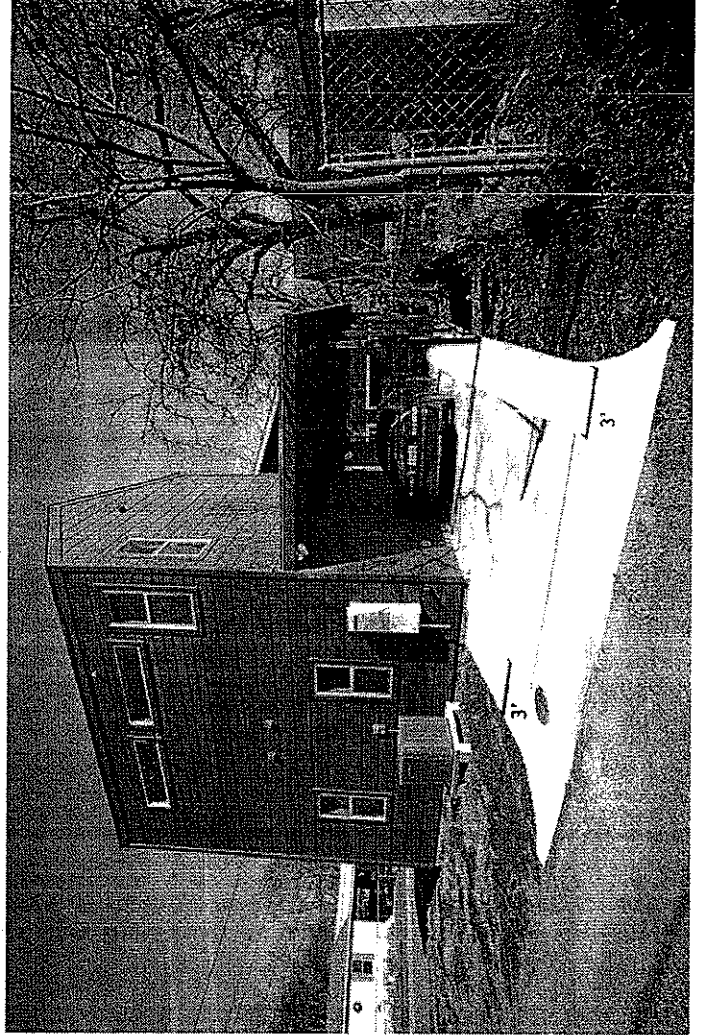
This shows that the driver's side door cannot open comfortably while parked.



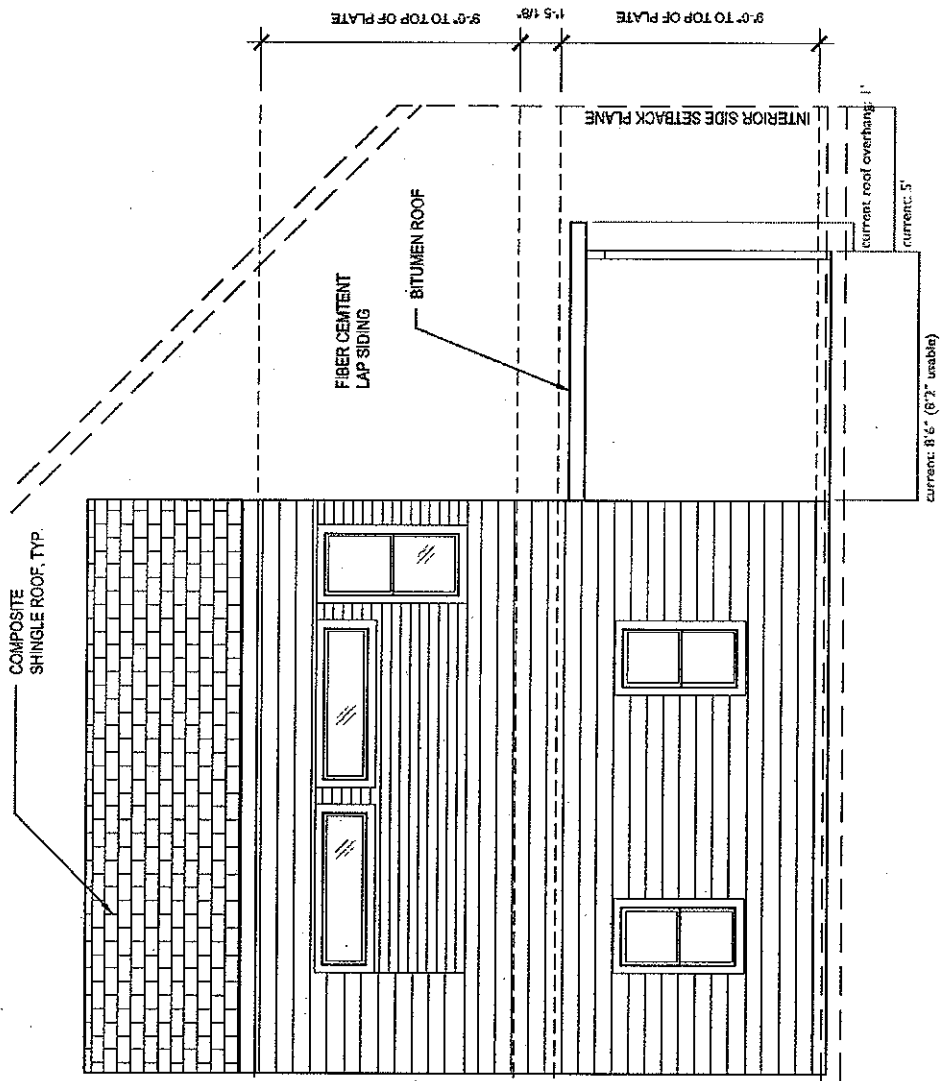
The driveway leading up to the carport does not have concrete bridging the alley and the carport, resulting in the car "falling" into the yard and creating a hole every time it enters or exits.



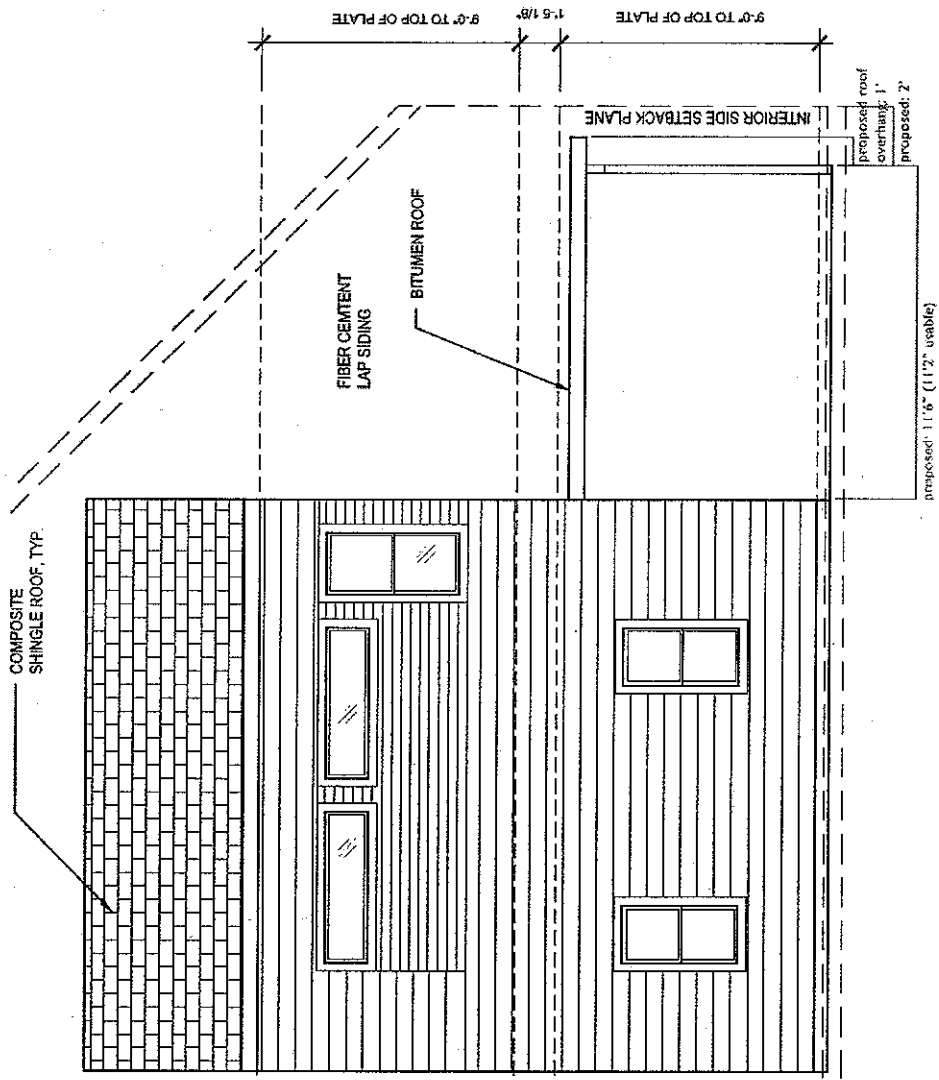
Current carport, with the concrete footing 5' from the fence at 2103 Holly St. (1' roof overhang.)



Proposed carport modifications, with concrete footing 2' from the fence. Roof 1' from fence.



Drawing of current carport dimensions.



Proposed carport dimensions.

LOT SIZE: 6,744 sf

BUILDING AND SITE AREA				
AREA DESCRIPTION	HOUSE 'A'	HOUSE 'B'	HOUSE 'B'	TOTAL SF
1st FLOOR CONDITIONED AREA	1,145	586		1,741
2nd FLOOR CONDITIONED AREA				
3rd FLOOR CONDITIONED AREA				
BASEMENT				
COVERED PARKING	198	198		396
COVERED PATIO, DECK or PORCH	54	146		200
BALCONY				
OTHER				
TOTAL BUILDING COVERAGE	1,397	940		2,337
DRIVEWAY	300	122		422
SEWERS				
UNCOVERED PATIO				
UNCOVERED WOOD DECK (50%)				
AC PADS	9	9		18
OTHER (POOL COPING ETC.)				
TOTAL SITE COVERAGE	1,646	1,071		2,777
POOL				
SEA				

2,777 sf / 6,744 sf = 41% IMPERVIOUS COVER

GROSS FLOOR AREA				
AREA DESCRIPTION	HOUSE 'A'	HOUSE 'B'	EXEMPT	TOTAL SF
1st FLOOR	1,145	586		1,741
2nd FLOOR	817	254		871
3rd FLOOR				
BASEMENT				
ATTIC				
GARAGE (ATTACHED)				
(DETACHED)				
CARPORT (ATTACHED)	198	198	396	0
(DETACHED)				
ACCESSORY BLDG(S)				
TOTAL GROSS FLOOR AREA				2,612

2,612 sf / 6,744 sf = .39 FAR/GFA

Current impervious cover calculations.

2,777 sf / 6,744 sf = 41% impervious cover

Proposed modifications would add:

3 ft x 10 ft concrete on the left side = 30 sf

3 ft x 33 ft concrete on the right side = 99 sf

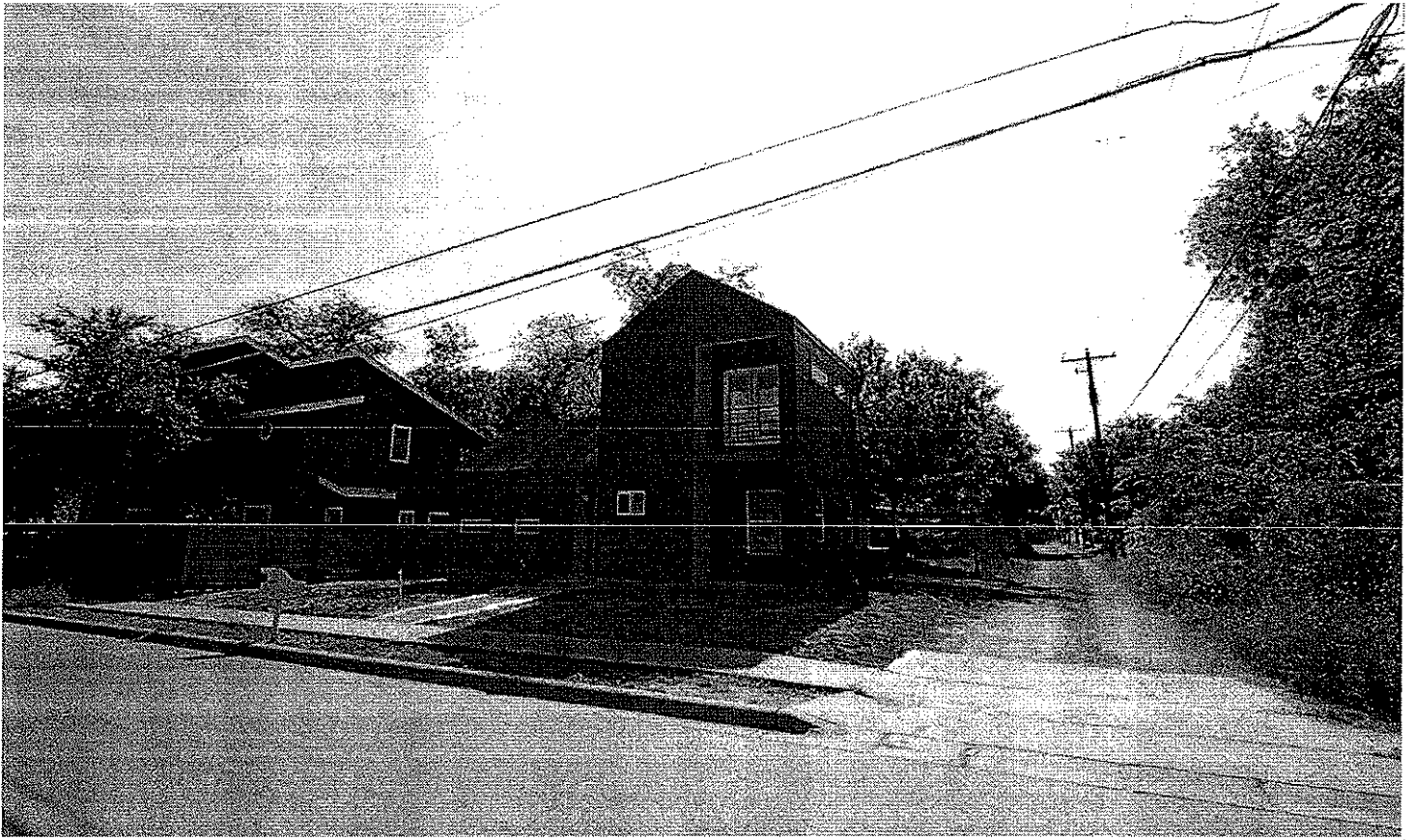
(2,777 sf + 129 sf) / 6,744 sf = 43.1% impervious cover

The style and materials of the carport extension will resemble the style and materials of the existing carport as closely as possible.

The materials currently in use are:

- #2 grade lumber
- TPO membrane
- bitumen roofing
- metal flashing
- 5/8" plywood sheathing
- concrete foundation
- cedar posts and beam support

C15-2014-0066



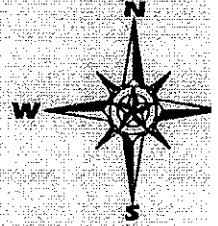
View from the street. Since the carport is located behind the house with alley access, the proposed changes should not alter the character of the neighborhood.

25-2014-0066

LEGEND

- CO - CLEANOUT
- EM - ELECTRIC METER
- WM - WATER METER
- STMH - STORM MANHOLE
- SS - STREET SIGN
- PP - POWER POLE
- OP - OVERHEAD POWER LINE
- CL - CHAINLINK FENCE
- WF - WOOD FENCE
- () - RECORD
- B.L. - BUILDING LINE
- L.C.E. "A" - LIMITED COMMON ELEMENT UNIT "A"
- L.C.E. "B" - LIMITED COMMON ELEMENT UNIT "B"
- ⊙ - CONTROL MONUMENT

2101 HOLLY ST. CONDOS CONDO PLAT



SCALE: 1" = 20'

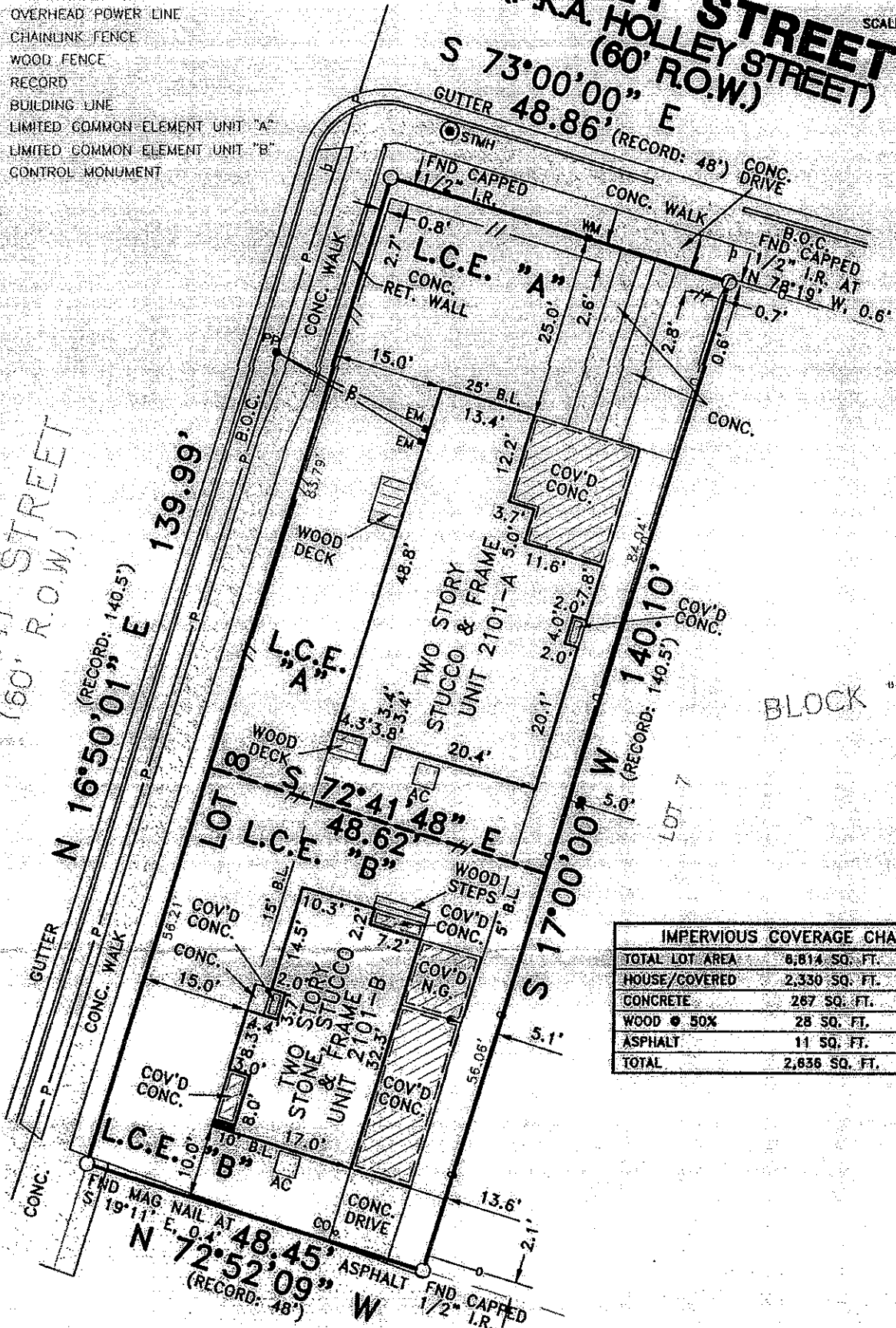
HOLLY STREET
(FKA. HOLLEY STREET)
(60' R.O.W.)

S 73°00'00" E
GUTTER 48.86' (RECORD: 48')

ANTHONY STREET
(60' R.O.W.)

N 16°50'01" E (RECORD: 140.5')

139.99'



BLOCK "K"

IMPERVIOUS COVERAGE CHART		
TOTAL LOT AREA	6,814 SQ. FT.	-
HOUSE/COVERED	2,330 SQ. FT.	34.2 %
CONCRETE	287 SQ. FT.	3.9 %
WOOD • 50%	28 SQ. FT.	0.4 %
ASPHALT	11 SQ. FT.	0.2 %
TOTAL	2,636 SQ. FT.	38.7 %

Home

Inbox

Neighbors

Map

Events

LOCAL

Holly

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Austin Police

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Inbox / Hello!

Conversation between you and Franny Zarate

Christine Chun

2h ago

Hello Franny

I've tried contacting you several times via email and by phone over the past two weeks, and have not been able to get a hold of you regarding the setback variance I spoke about at the last neighborhood Coalition meeting.

The schedules have become rather urgent, and I would really like to be able to know if I will be able to move forward with this application, which requires a letter from the neighborhood association.

If you could please contact me so that I can do what is necessary for all of you, I would appreciate it greatly.

As I've mentioned, this is a matter of property (and psychological) safety, so if you could please respond promptly, that would be amazing.

Thank you again for your time.
Christine



Franny Zarate

30m ago

Hi Christine! It sounds like you didn't get a message I sent this week?? Anyway, the HNC approves your request. We won't be able to provide a letter from the group, but you have our support. I will request our support is noted in our meeting minutes posted on our website.

Thank you



Franny Zarate

36m ago

Is a letter absolutely needed? I may be able to sign something on behalf tomorrow morning?



Christine Chun

Just now

Hello Franny.

Thank you so much for your response! I also just got off the phone with Elizabeth. I did not receive any message from you, I'm sorry that I missed it.

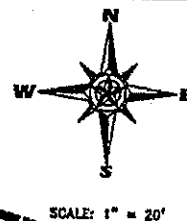
Thank you for your word of support. The Board of Adjustment does specifically ask for a letter

T RMIT 2012 # 092,44

LEGEND

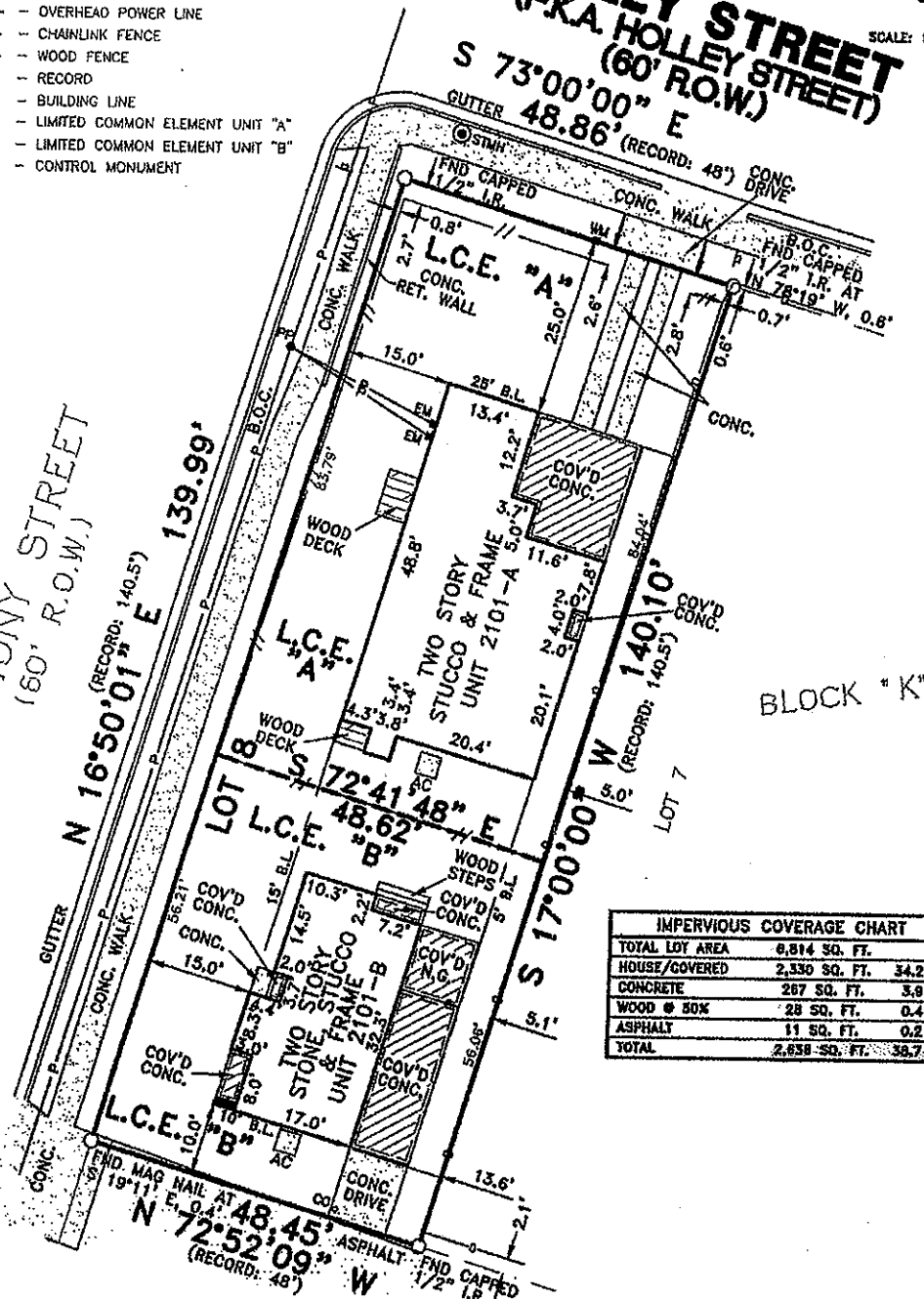
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2101 HOLLY ST. CONDOS CONDO PLAT



HOLLY STREET
(FKA. HOLLEY STREET)
(60' R.O.W.)
S 73°00'00" E
48.86' (RECORD: 48")

ANTHONY STREET
(60' R.O.W.)
N 16°50'01" E
(RECORD: 140.5")



IMPERVIOUS COVERAGE CHART	
TOTAL LOT AREA	0.814 SQ. FT.
HOUSE/COVERED	2,330 SQ. FT. 34.2 %
CONCRETE	287 SQ. FT. 3.8 %
WOOD @ 80%	28 SQ. FT. 0.4 %
ASPHALT	11 SQ. FT. 0.2 %
TOTAL	2,658 SQ. FT. 38.7 %

I do hereby certify that this survey was this day made on the ground under my direct supervision and that this plat correctly represents the property legally described herein (or on attached sheet). That the facts found at the time of this survey show the improvements and that there are no encroachments apparent on the ground, except as shown.

[Signature] 10/8/13
LOT 8, BLOCK "K"
DRIVING PARK ADDITION
OUTLOT 37, 38, 39, 49, 50, 60 AND 61
DIVISION O
VOL. 2, PG. 206D, T.C.P.R.
TRAVIS COUNTY, TEXAS



EXHIBIT "E"

10/03/13
DRAWN BY: MDL
JOB NO.: 25288
SHEET 1 OF 1

Windrose Land Services, Austin
4120 Commercial Center Dr.
Suite 300
Austin, Texas 78744

TEL (512) 326-2100 FAX (512) 326-2770
©COPYRIGHT 2013 WINDROSE LAND SERVICES AUSTIN, ALL RIGHTS RESERVED
BOUNDARY DECISION SHOWN HEREON IS BASED UPON AN ON THE GROUND SURVEY PERFORMED BY THIS FIRM, DATED 01/30/13.