

Special Exemption

CASE# 2014-082030-BP
ROW# 11214977
TAX# 0219330710

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: 6807 Hillcroft DR

LEGAL DESCRIPTION: Subdivision - _____

Lot(s) 10 Block 0 Outlot _____ Division Sec 1 P4S3 Colony Park

I/We Porte Williams, Jr on behalf of myself/ourselves as authorized agent for
Self affirm that on 20th Aug

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

(check appropriate items below and state what portion of the Land Development
Code you are seeking a variance from)

___ ERECT ☒ ATTACH ___ COMPLETE ___ REMODEL ☒ MAINTAIN

existing carport in front setback
since 2002.

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:

Special Exception

HARDSHIP:

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

Special Exception

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

Special Exception

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:

Special Exception

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:

NA

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:

NA

3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

NA

4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

NA

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 Porter Williams Mail Address 6807 Hillcroft Dr
City, State & Zip Austin, Texas 78724
Printed PORTER WILLIAMS JR Phone 512-926-2580 Date 8-25-2014

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 Porter Williams Mail Address 6807 Hillcroft Dr.
City, State & Zip Austin, Texas 78724
Printed PORTER WILLIAMS JR Phone 512-926-2580 Date 8-25-2014

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 10 years, if the application for a special exception is submitted on or before June 6, 2016;

(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; Ord. 20130822-126.



CIS-2014-0040

SPECIAL EXCEPTION INSPECTION



Address:	6807 Hillcroft Dr.
Permit Number:	2014-082030
Property Owner Requesting Special Exception:	Algie Williams (Porter Williams)




Special Exception Requested:

21.5' front yard setback encroachment

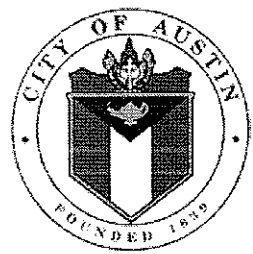
Date Structure was originally constructed: COA, GIS verifies existence in 2003

Date of Inspection:	8-11-14
Building Official or designated representative	Tony Hernandez
X	The granting of the variances requested will <u>Not</u> result in any hazard to the life, health or public safety for either the property for which the variance is requested or to an adjoining public or private property
	The granting of the variances request will result in a hazard to the life, health or public safety of the either the property for which the variance is requested or to an adjoining public or private property. The following hazards related to the variance request were noted in this inspection: 1.



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

CASE#: C15-2014-0140
Address: 6807 HILLCROFT DR



1" = 200'

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.



Legend

-  Lot Lines
-  Streets
-  Building Footprints
-  Named Creeks
-  Lakes and Rivers
-  Parks
-  County

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 CITY OF AUSTIN FOR THE SOLE PURPOSE OF GEOGRAPHIC REFERENCE. NO WARRANTY IS MADE BY THE CITY OF AUSTIN REGARDING SPECIFIC ACCURACY OR COMPLETENESS.

Travis CAD - Map of Property ID 377365 for Year 2013



Property Details

Account

Property ID: 377365
Geo ID: 0219330710
Type: Real

Legal Description: LOT 10 BLK O COLONY PARK SEC 1 PHS 3

Location

Situs Address: 6807 HILLCROFT DR TX 78724
Neighborhood: C0300
Mapsc0: 557Y
Jurisdictions: 01, 68, 0A, 2J, 03, 02

Owner

Owner Name: WILLIAMS PORTER JR
Mailing Address: , 6807 HILLCROFT DR, , AUSTIN, TX 78724-3707

Property

Appraised Value: \$78,815.00

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

AE APPROVED

JUL 28 2014

209-10

RLS

<http://propaccess.traviscad.org/Map/View/Map/1/377365/2013>

Map Disclaimer: This tax map was compiled solely for the use of TCAD. Areas depicted by these digital products are approximate, and are not necessarily accurate to mapping, surveying or engineering standards. Conclusions drawn from this information are the responsibility of the user. The TCAD makes no claims, promises or guarantees about the accuracy, completeness or adequacy of this information and expressly disclaims liability for any errors or omissions. The mapped data does not constitute a legal document.

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CITY OF AUSTIN

APPROVED FOR PERMIT

Greg Guernsey

Planning and Development Review Department

By

Date

7/29/14

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.

carport 17x20
340



547 PINE RIDGE ROAD MOUNT AIRY, NC 27030
BUSINESS 540-755-2030 FAX 540-755-2031 OR FAX 540-755-9270
TOLL 800-579-8589

MOUNT AIRY, NC 27030

FAX 540-755-2031 OR FAX 540-755-9270

TOLL 800-579-8589

DATE _____

DATE _____



City of Austin BUILDING PERMIT

PERMIT NO: 2014-082030-BP
6807 HILLCROFT DR

Type: RESIDENTIAL Status: Active
Issue Date: 08/08/2014 **EXPIRY DATE: 02/04/2015**

LEGAL DESCRIPTION Lot: 10 Block: O Subdivision:				SITE APPROVAL		ZONING	
PROPOSED OCCUPANCY:		WORK PERMITTED: Life Safety		ISSUED BY: Marcial Perez			
addition of carport encroaching aprox 21.5' will require special exception variance per ordinance 2011526-098 <i>City Code Chapter 25-12, Article 13: A permit expires on the 181st day if the project has not scheduled nor received an inspection. A "Cancelled" and/or "Failed/No Work Performed" inspection result does not extend the expiration date</i>							
TOTAL SQFT New/Addn: 340	VALUATION Tot Val Rem: \$.00 Tot Job Val: \$.00	TYPE CONST.	USE CAT. 435	GROUP	FLOORS 1	UNITS 1	# OF PKG SPACES
TOTAL BLDG. COVERAGE	% COVERAGE	TOTAL IMPERVIOUS COVERAGE	% COVERAGE	# OF BATHROOMS		METER SIZE	

Contact	Phone	Contact	Phone
Applicant, Porter Williams, Algie Williams	(512) 926-2580	Owner, Porter Williams, Algie Williams	(512) 926-2580
General Contractor, Porter Williams, Algie Williams	(512) 926-2580		

Fee Desc	Amount	Date	Fee Desc	Amount	Date	Fee Desc	Amount	Date
Building Permit Fee	36.00	8/8/2014	Development Services Surchar	1.44	8/8/2014			
Fees Total:	37.44							

Permits/Approved plans must be posted on Jobsite. A layout inspection/Pre-con must be made prior to beginning construction.

Inspection Requirements

Building Inspection

All Buildings, Fences, Landscaping, Patios, Flatwork And Other Uses Or Obstructions Of A Drainage Easement Are Prohibited, Unless Expressly Permitted By A License Agreement Approved By COA Authorizing Use Of The Easement.

City Code Chapter 25-12, Article 13: A permit expires on the 181st day if the project has not scheduled nor received an inspection. A "Cancelled" and/or "Failed/No Work Performed" inspection result does not extend the expiration date.

The following permits are required as a separate permit: See Mechanical, Electrical, Plumbing permits for Related Fees and Inspections.

Comments

Expired Permit Number: Colony Park
Ordinance No. 2011526-098 Life/Safety BCM 1.2.4

By Accepting Or Paying For This Permit You are Declaring That You Are The Owner Or Authorized By The Owner That The Data Submitted At The Time Of Application Was True Facts And That The Work Will Conform To The Plans And Specification Submitted Herewith.



CORRECTION NOTICE

Watershed Protection & Development Review

Permit Number: 2014-082030-BP

Permit Address: 6807 HILLCROFT DR

Inspector, phone, pager
& email

Mark Hill 512-974-1273 802-3540
mark.hill@austintexas.gov

No. Location

Inspection Type

Date

Deficiency

Comments

1

112 Final Building

08/11/2014 need BOA variance

structure does not need any repairs
and could be approved as is in the
condition it is in C.Winn 8/19/14

For General Assistance, Dial: 974-2027



I, _____, am applying for a variance from the Board of Adjustment regarding Section _____ of the Land Development Code. The variance would allow me the ability to _____

By signing this form, I understand that I am declaring my support for the variance being requested.

Property Owner Name (Printed)	Address	Signature
BARBARA D. SCOTT	6705 HILLCROFT DR	Barbara D. Scott - Pres - CPMA
BARBARA D SCOTT FOR RYMOND E SCOTT	6705 HILLCROFT DR	Barbara D. Scott FOR R. D. Scott
KRANNA M. SINVILLE	6809 HILLCROFT DR.	Kranna M. Sinville
BRANDON SCHWARTZ	6709 HILLCROFT DR.	Brandon Schwartz
ANNE MIDDLEBROOK	6803 HILLCROFT DR	Annie M. Middlebrook
WILBERT BROWN	6805 HILLCROFT DR	Wilbert Brown

Colony Park Neighborhood Assoc.
P.O. box 12891
Austin, Texas 78711 - 2891

August 19, 2013

Code Compliance/Improper Carports

Director: Carl Smart
1520 Rutherford Lane
Austin, Texas 78754

** sent by neighborhood
association president
in support of all
variances within the
Colony Park Neighborhood.*

Dear Mr. Smart,

It has been brought to the attention of the Colony Park Neighborhood Association that several residents have received notices that their Carports are in violation of code compliance. On June 29, 2013 our association participated in a ride through the neighborhood with code compliance, one of our inexperienced members was paired with a code compliance officer who was not familiar with the area which resulted in several homeowners carports being deemed not up to code because the carports are not set back twenty-five feet from the street.

In many cases the homeowners that received these notices have had their carports for thirty years or more. This neighborhood has been disenfranchised for many years and in the last several months we have made great strides in working with several city departments, as well as meeting with City Council with matters pertaining to the Sustainable Grant that Colony Park was awarded by HUD.

Colony Park Neighborhood has many disadvantages one being many people living on fixed incomes or incomes at or below the poverty level. To comply with this ordinance would cause great hardship, both physical and financially.

Our neighborhood is asking for these carports to be grandfathered in since they have been in existence for 10 years or more, and do not pose a hazard to life, health, or public safety. A setback of twenty-five feet might be possible in some areas, but not in the Colony Park area where many of the houses are less than 1300 square feet.

We the residents of the Colony Park neighborhood and the Neighborhood Association are appealing to you to work with us and develop an amicable solution that can be palatable for your department as well as the neighborhood.

With Sincere Thanks

Barbara Scott - President Colony Park Neighborhood Association