

CASE# C15-2014-0166  
ROW# 11248 114  
TAX# 0219361418  
(TCAPV)

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: 6914 Shannon Drive, Austin, Texas 78724

LEGAL DESCRIPTION: Subdivision - Lot 22 Blk P Colony Park Sec 1 PHS 4-A

Lot(s) 22 Block P Outlot \_\_\_\_\_ Division Colony Park

I/We \_\_\_\_\_ on behalf of myself/ourselves as authorized agent for  
\_\_\_\_\_ affirm that on \_\_\_\_\_, \_\_\_\_\_,

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 X MAINTAIN

Maintain my existing carport within the front yard setback located over the driveway that was placed approximately in 2005; the home was sold to my father by HUD prior to his passing.

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:

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The minimum front setback in the SF-2 zone I believe is 25 feet. Due to the narrowness of my lot and the existing house layout does not allow much room within the required setback. The shape of the lot would require a very large front yard if the full setback is to be followed according to code; the shape of the lot is beyond my control, and the carport was attached years prior to me inheriting the property.

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**HARDSHIP:**

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

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Approval of the variance would allow me to keep the existing carport without having a negative impact on safety and does not interfere with the adjacent neighbor's property. The variance approval would permit me to continue to have the same or similar property value that is consistent in size and character with other homes in the vicinity and same zone.

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

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Severe lot contours or the location of natural features which cause hardship in complying with setback requirements.

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**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:

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The proposed variance does no harm to either my neighbors or to the public and is not injurious to any other property or interest. The pre-existing carport is consistent with the demographics of the colony park neighborhood, and blends in visually in a low-key, unobtrusive manner with the property surroundings. The variance that is being requested does not encroach or infringe on any neighboring residential properties, nor would it impose any hardships on any neighbors, nor would it serve to create a situation where any neighbor's quality of life, property value, or peaceful co-existence would be negatively affected.

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**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:

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

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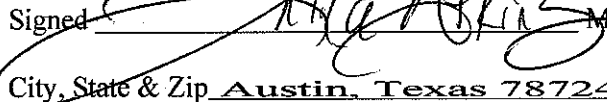
4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

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**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 6914 Shannon Drive  
City, State & Zip Austin, Texas 78724-3663

Printed Juanita Marie Atkins Phone 512-460-1968 Date 10/21/2014




**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 6914 Shannon Drive  
City, State & Zip Austin, Texas 78724-3663

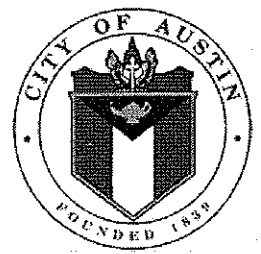
Printed Juanita Marie Atkins Phone 512-460-1968 Date 10/21/2014

~~Juanita Marie Atkins~~



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

CASE#: C15-2014-0166  
Address: 6914 SHANNON DRIVE

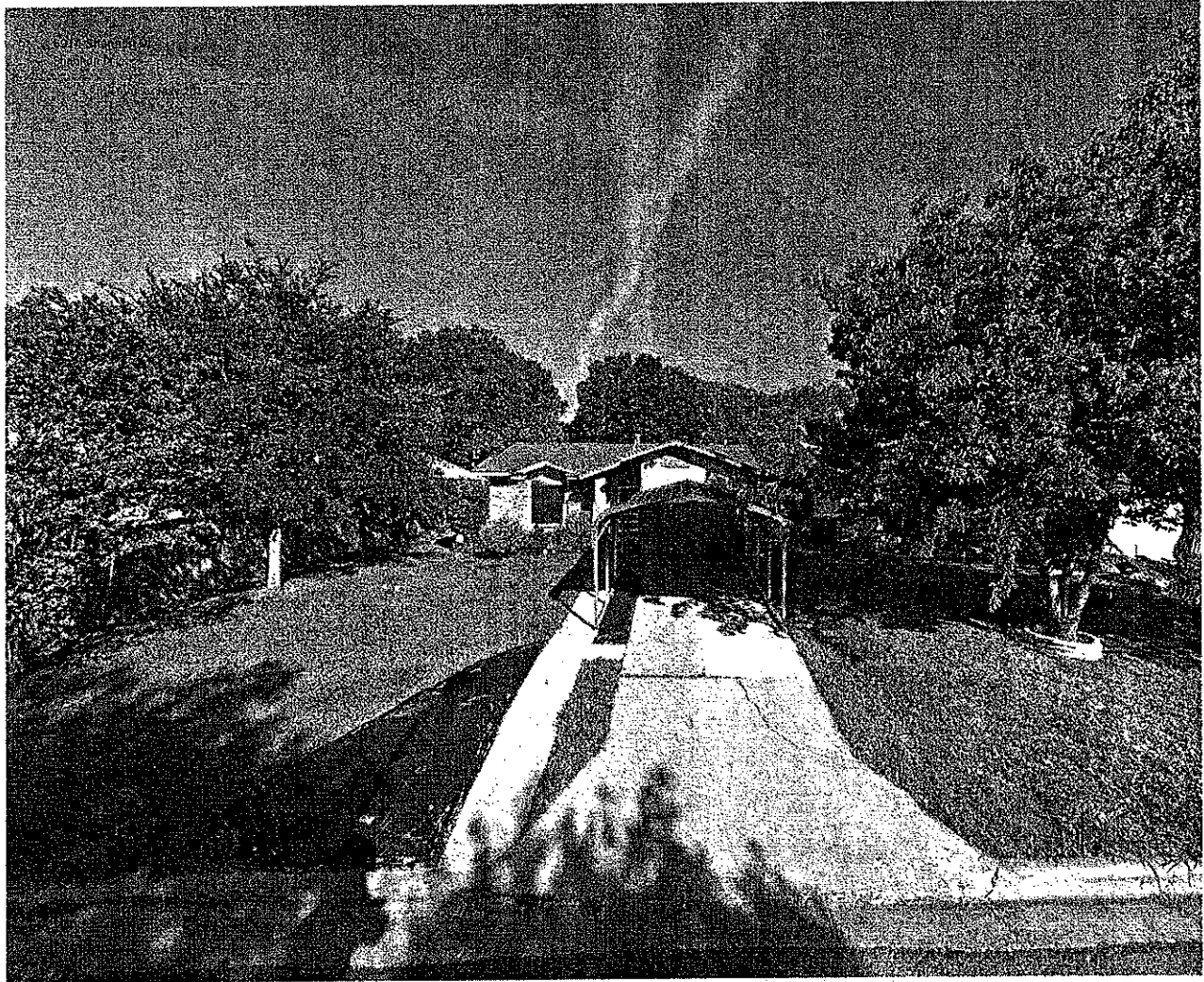


This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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

1" = 200'

CHRYL		
FIELD WORK	GRADY	8-2
CALCULATIONS	JA	8-2
DRAFTING	AW	8-2
FINAL CHECK		
CORRECTIONS		
AMOUNT		



## INVESTIGATION REPORT

**Investigator:** Mike Carter

**Case:** CV-2013-084844

**Address:** 6914 SHANNON DR 78724

**Zoned as** SF-2

The item(s) listed below are in violation of the Austin City Code. A required remedy may be specified after a violation and may include a time period for compliance. If no required remedy is specified for a violation, the **Required Remedy Summary** will be in effect. For questions concerning residential property, please contact the Zoning Review Division at (512) 978-4000. For questions concerning commercial property, please contact the Development Assistance Center (DAC) at (512) 974-6370.

### LAND USE

Code Section: Site Development Regulations for Zoning Districts (§25-2-492)

Description of Violation: The Light blue metal carport on the West side area is encroaching into the front yard setback and a minimum of 25 feet is required in a SF 2 and SF 3 zoning district. The carport does not appear to be attached to main structure.

Date Observed: August 13, 2013

Status: Not Cleared

Required Remedy: Remove carport or obtain a variance.

### Required Remedy Summary

Obtain Variance in 30 days

**NOTE:** The time period(s) indicated in this summary reflect the total time allowed for compliance. A time period indicated in an individual violation's required remedy is the actual time allowed for compliance of that individual violation. If no time period is indicated in an individual violation's required remedy, the summary time period associated with the required remedy will be the time allowed for compliance.

### Appeal

A person may appeal a Stop Work Order to the City of Austin's Code Official. A written appeal must be filed no later than 3 days after the posting of the Order and contain:

- the name and address of the appellant;
- a statement of facts;
- the decision being appealed; and
- the reasons the decision should be set aside.

An appeal may be delivered in person to Code Compliance Department located at 1520 Rutherford Lane, Building 1 or mailed to:

**Code Official  
Code Compliance Department  
P.O. Box 1088  
Austin, Texas 78767**

## City of Austin Residential Permit Application

Residential Review, 2<sup>nd</sup> floor, One Texas Center  
505 Barton Springs, Austin, TX 78704  
(512) 978-4000

## Project Information

Project Address: <u>6914 SHANNON DRIVE Austin, TX 78724</u>		Tax Parcel ID: <u>0219361418</u>	
Legal Description: <u>Lot 22 BIK P Colony Park Sec 1 PH5 4-A</u>			
Zoning District or PUD: <u>SF-2</u>		Lot Size (square feet): <u>6,148.56</u>	
Neighborhood Plan Area (if applicable):		Historic District (if applicable):	
Is this site within the Residential Design and Compatibility Standards Ordinance Boundary Area? Note: Boundaries are defined under Title 25-2 Subchapter F of the Land Development Code.			<input checked="" type="checkbox"/> Y <input type="checkbox"/> N
Does this site currently have water availability?		<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	wastewater availability? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N
If no, contact Austin Water Utility to apply for water/wastewater taps and/or service extension request.			
Does this site have or will it have an auxiliary water source?		<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	If yes, submit approved auxiliary and potable plumbing plans (Auxiliary water supplies are wells, rainwater harvesting, river water, lake water, reclaimed water, etc.)
Does this site have a septic system?		<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	If yes, submit a copy of approved septic permit to construct
Does this site require a cut or fill in excess of four (4) feet? If yes, contact the Development Assistance Center for a Site Plan Exemption.		<input type="checkbox"/> Y <input type="checkbox"/> N	
Does this site front a paved street?		<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Is this site adjacent to a paved alley? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N
Does this site have a Board of Adjustment (BOA) variance?		<input type="checkbox"/> Y <input type="checkbox"/> N	Case # (if applicable)
Does this site have a Residential Design and Compatibility Commission (RDCC) waiver? If yes, provide a copy of decision sheet. Note: A permit cannot be approved within 10 days of approval of a variance from BOA.		<input type="checkbox"/> Y <input type="checkbox"/> N	
Does the project impact a tree protected by ordinance? This includes canopy and/or critical root zone impacts to nearby trees. Note: If yes, application for a tree permit with the City Arborist may be required.			<input type="checkbox"/> Y <input checked="" type="checkbox"/> N
Is this site within one hundred-fifty (150) feet of the one hundred (100) year floodplain? Note: Proximity to a floodplain may require additional review time.			<input type="checkbox"/> Y <input type="checkbox"/> N

## Description of Work

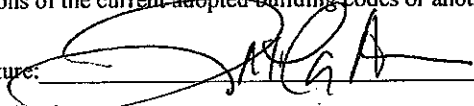
Existing Use: <input type="checkbox"/> vacant <input checked="" type="checkbox"/> single-family residential <input type="checkbox"/> duplex residential <input type="checkbox"/> two-family residential other _____			
Proposed Use: <input type="checkbox"/> vacant <input checked="" type="checkbox"/> single-family residential <input type="checkbox"/> duplex residential <input type="checkbox"/> two-family residential other _____			
Project Type: <input type="checkbox"/> new construction <input checked="" type="checkbox"/> addition <input type="checkbox"/> addition/remodel <input type="checkbox"/> remodel/repair other _____			
# of existing bedrooms: <u>3</u>	# of bedrooms upon completion: <u>3</u>	# of existing baths: <u>2</u>	# of baths upon completion: <u>2</u>
Will all or part of an existing exterior wall be removed as part of the project? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N Note: Removal of all or part of a structure requires a demolition permit.			
Project Description: (Note: Please provide thorough description of project. Attach additional pages as necessary) <u>CARPORT</u> <u>encroaching 19.2'</u> <u>include 1996-008970 BP</u> <u>2524</u>			
Trades Permits Required: <input type="checkbox"/> electric <input type="checkbox"/> plumbing <input type="checkbox"/> mechanical (HVAC) <input type="checkbox"/> concrete (right-of-way) (circle all that apply)			

## Job Valuation

Total Job Valuation: \$ <u>600.00</u>	Portion of Total Job Valuation Dedicated to Addition/New Construction: \$ _____ Bldg: \$ _____ Elec: \$ _____ Plmbg: \$ _____ Mech: \$ _____ Primary Structure: \$ _____ Accessory Structure: \$ _____	Portion of Total Job Valuation Dedicated to Remodel/Repair: \$ _____ Bldg: \$ _____ Elec: \$ _____ Plmbg: \$ _____ Mech: \$ _____
Note: The total job valuation should be the sum total of all valuations noted to the right. Labor and materials only, rounded to nearest dollar. Permit fees are based on adopted fee schedule.		



Contact Information			
Owner	Juanita Marie Atkins	Applicant or Agent	
Mailing Address	6914 SHANNON DRIVE AUSTIN TX 78724	Mailing Address	
Phone	512-587-2497	Phone	
Email	<del>juanita@atkins.com</del>	Email	
Fax		Fax	
General Contractor		Design Professional	
Mailing Address		Mailing Address	
Phone		Phone	
Email		Email	
Fax		Fax	

Acknowledgments	
Is this site registered as the owner's homestead for the current tax year with the appraisal district? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
<p>I understand that in accordance with Sections 25-1-411 and 25-11-66 of the Land Development Code (LDC), non-compliance with the LDC may be cause for the Building Official to suspend or revoke a permit and/or license.</p> <p>I understand that I am responsible for complying with any subdivision notes, restrictive covenants and/or zoning conditional overlays prohibiting certain uses and/or requiring certain development restrictions (i.e., height, access, screening, etc.) on this property.</p> <p>If a conflict should result with any of these restrictions, it will be my responsibility to resolve it. I understand that, if requested, I must provide copies of all subdivision plat notes, restrictive covenants, and/or zoning conditional overlay information that may apply to this property.</p> <p>I acknowledge that this project qualifies for the Site Plan Exemption as listed in Section 25-5-2 of the LDC. I understand that nothing may be built upon or over an easement.</p> <p>I further understand that no portion of any roof structure may overhang in any public utility or drainage easement. I acknowledge that customer will bear the expense of any necessary relocation of existing utilities to clear this driveway location and/or the cost to repair any damage to existing utilities caused during construction.</p> <p>I agree that this application will expire on the 181st day after the date that the application is filed if the application is not approved and an extension is not granted. If the application expires, a new submittal will be required and compliance with current code may be required.</p> <p>I hereby certify that to the best of my knowledge and ability, the information provided in this application is complete and accurate.</p> <p>I further acknowledge that, should any information contained herein prove incorrect, the building official may suspend or revoke any resulting permit and/or license.</p> <p>I also understand that if there are any trees greater than 19 inches in diameter located on the property and immediately adjacent to the site, I am required to complete a Tree Ordinance Review Application by contacting (512) 974-1876 or cityarborist@austintexas.gov. This initiates the tree permitting requirement needed to proceed with the development review process.</p> <p>Erosion and Sedimentation Controls are required per Section 25-8-181.</p> <p>I acknowledge that a sidewalk will be required on any new construction of a single family, two-family or duplex residential structure and any addition to an existing building that increases the building's gross floor area by 50 % or more.</p> <p>I acknowledge if my plans are subject to a technical review it will not be construed to be a permit for, or an approval of any violation of any of the provisions of the current adopted building codes or another ordinance of the City of Austin.</p>	
Applicant's signature: 	Date: 8/20/2014
Design Professional's signature: _____	Date: _____

One Stop Shop  
505 Barton Springs Rd  
(512) 974-2632 – phone  
(512) 974-9112 – phone  
(512) 974-9109 – fax  
(512) 974-9779 – fax



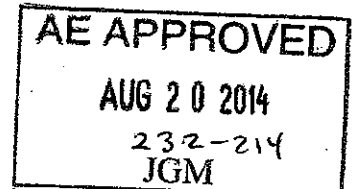
Austin Energy  
Building Service Planning Application (BSPA)

This form to be used for review of Building Permit only  
For use in One Stop Shop Only

Responsible Person for Service Request <u>Juanita Marie Atkins</u>		
Email <u>[redacted]</u>	Fax _____	Phone _____
<input checked="" type="checkbox"/> Residential <input type="checkbox"/> Commercial <input type="checkbox"/> New Construction <input type="checkbox"/> Remodeling		
Project Address <u>2914 Shannon Dr. Austin, TX 78724</u> OR		
Legal Description <u>Lot 22 BIK P Colony Park Sec 1</u> Lot <u>22</u> Block <u>P</u>		
Who is your electrical provider? <input checked="" type="checkbox"/> AE <input type="checkbox"/> Other _____		
<input type="checkbox"/> Overhead Service <input type="checkbox"/> Underground Service <input type="checkbox"/> Single-phase (1Ø) <input type="checkbox"/> Three-phase (3Ø)		
Location of meter _____		
Number of existing meters on gutter _____ (show all existing meters on riser diagram)		
Expired permit # _____		
Comments <u>Carport</u>		
BSPA Completed by (Signature & Print Name) _____ Date _____ Phone _____		
Approved <input type="checkbox"/> Yes <input type="checkbox"/> No		
AE Representative _____	Date _____	Phone _____

Application expires 180 days after the date of approval  
(Any change to the above information requires a new BSPA)

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



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

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


CITY OF AUSTIN DEVELOPMENT WEB MAP


2008 Aerial





Legend


 Lot Lines


 Streets

 Building Footprints

 Named Creeks

 Lakes and Rivers

 Parks

 County

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Legend

Lot Lines

Streets

Building Footprints

Named Creeks

Lakes and Rivers

Parks

County

Lot ID

Block ID

Lot Line

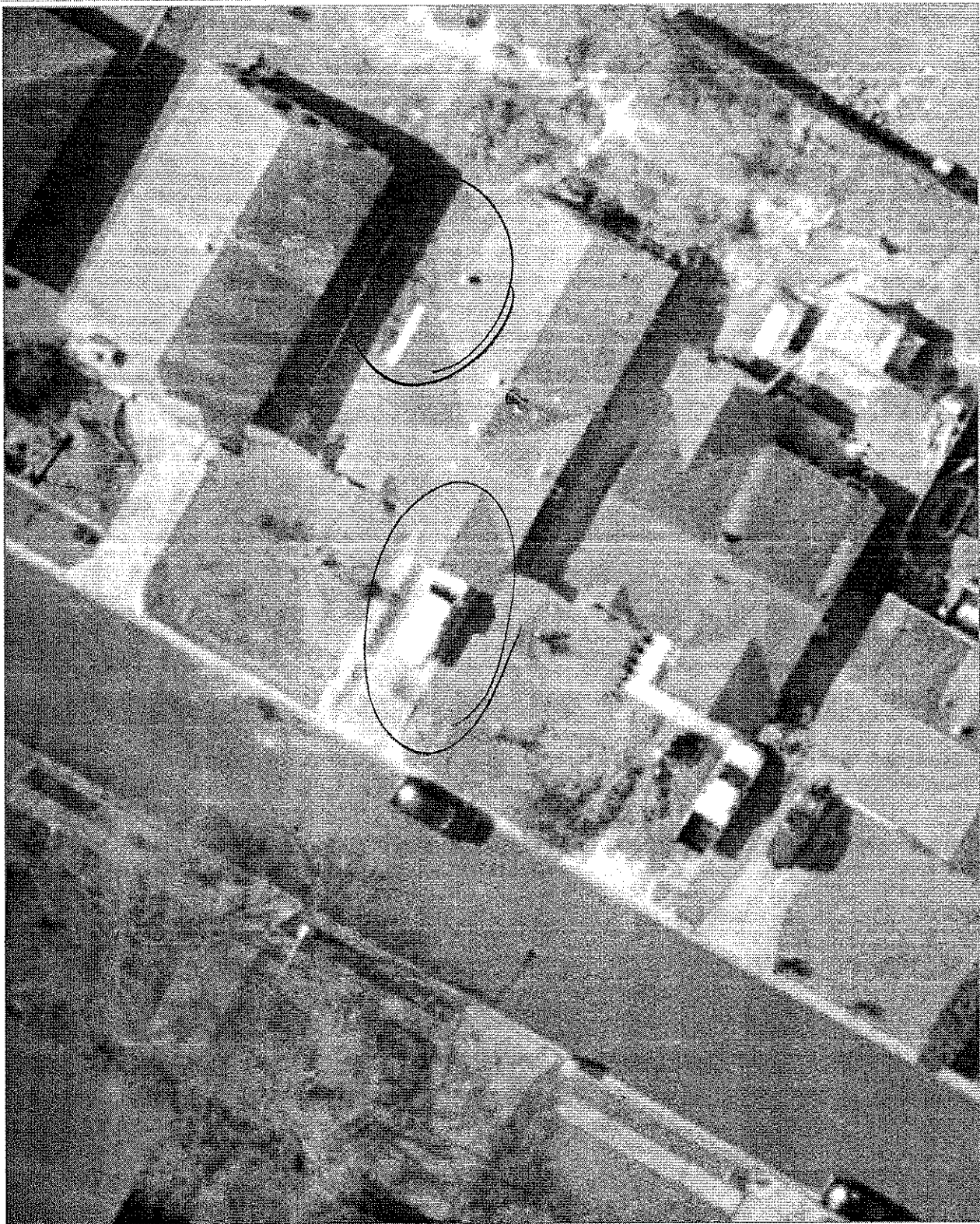
Zoning Text

Zoning (Large Map Scale)










# CITY OF AUSTIN DEVELOPMENT WEB MAP

2003 Aerial



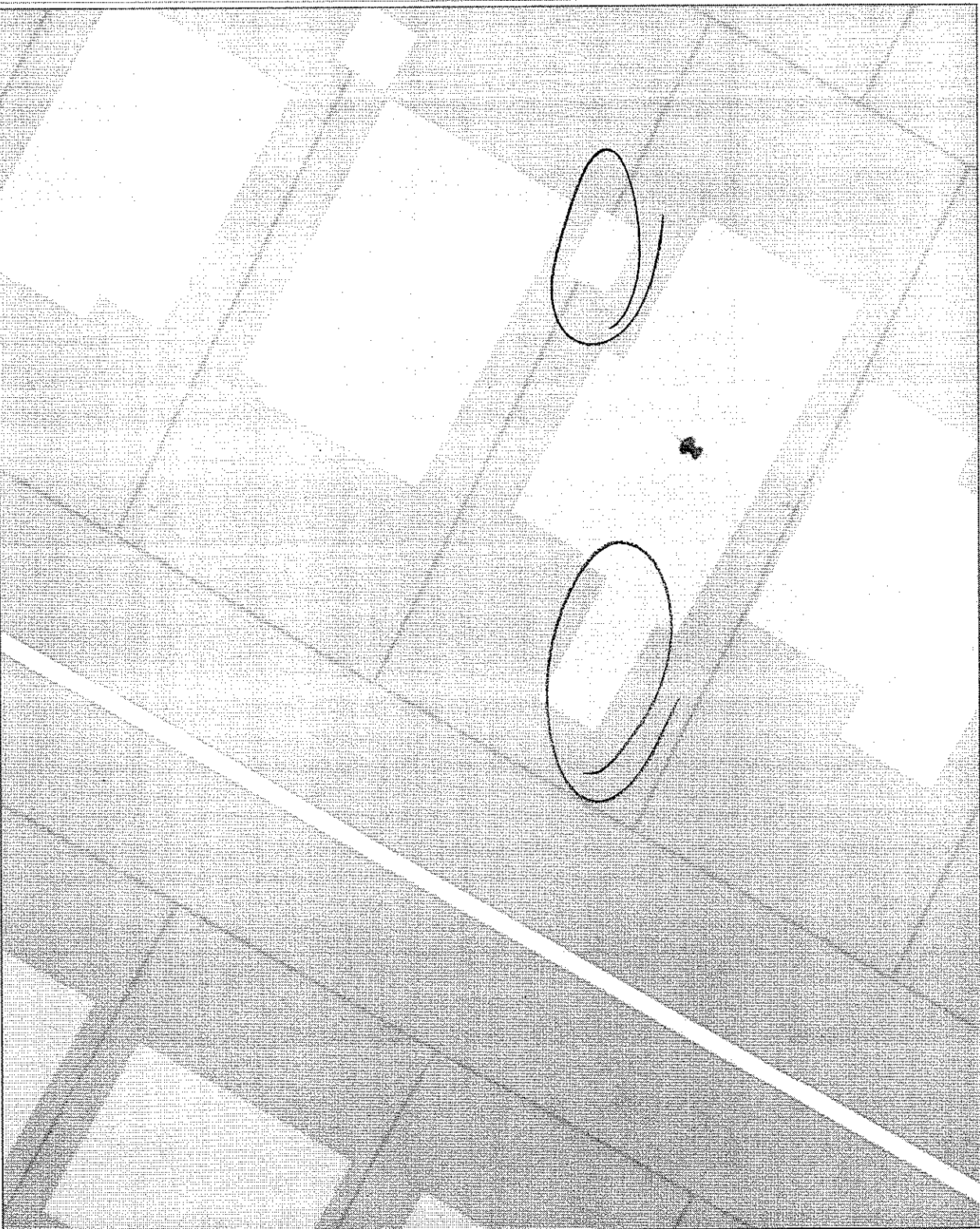
## Legend

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

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CITY OF AUSTIN DEVELOPMENT WEB MAP

2012 Footprint



Legend

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

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