

CASE# C15-2014-0167  
ROW# 11248311  
TAX# 0227000219

**CITY OF AUSTIN (TCAD v)  
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: 5010 Strass Drive

LEGAL DESCRIPTION: Subdivision - Shoalmont Addition,

Section 5 Lot(s) Portions of lots 13

& 14 Block A Outlot Division \_\_\_\_\_

I/We Andrew Hutton on behalf of myself/ourselves as  
authorized agent for

\_\_\_\_\_ affirm that on 10/31, 2014,

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

Code Section: Accessory Uses for Principal Residential Use (25-2-893)

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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A 6' six foot tall wood or masonry fence that screens my Airstream from all public viewing angles would negatively impact the curb appeal of my house, and make my car port unusable for the vehicle that primarily parks there.

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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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We can't park our Airstream in the rear yard, due to our lot configuration and limited access.

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

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We have a carport and parking area adjacent to the house that works well for parking our Airstream (a travel trailer that is considered a recreation vehicle per City of Austin).

The topography of the site and landscaping we have installed help to provide enhancement and screening from most all angles of public view.

Our home has a circle drive with adequate off-street parking for our vehicles and guests.

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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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We have landscaped the area with native and adaptive plants to provide vegetative screening. In addition, we feel that the Airstream is true to Austin's character and further enhances our home and the neighborhood.

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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 500 STRASS DR

City, State & Zip AUSTIN TX 78731

Printed ANDREW HUTTON Phone (512) 826-0171 Date 10.31.2014




**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 \_\_\_\_\_

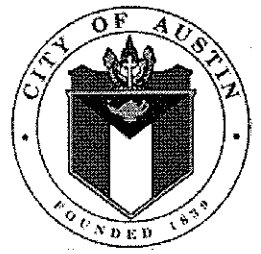
City, State & Zip \_\_\_\_\_

Printed \_\_\_\_\_ Phone \_\_\_\_\_ Date \_\_\_\_\_



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

CASE#: C15-2014-0167  
 Address: 5010 STRASS DRIVE

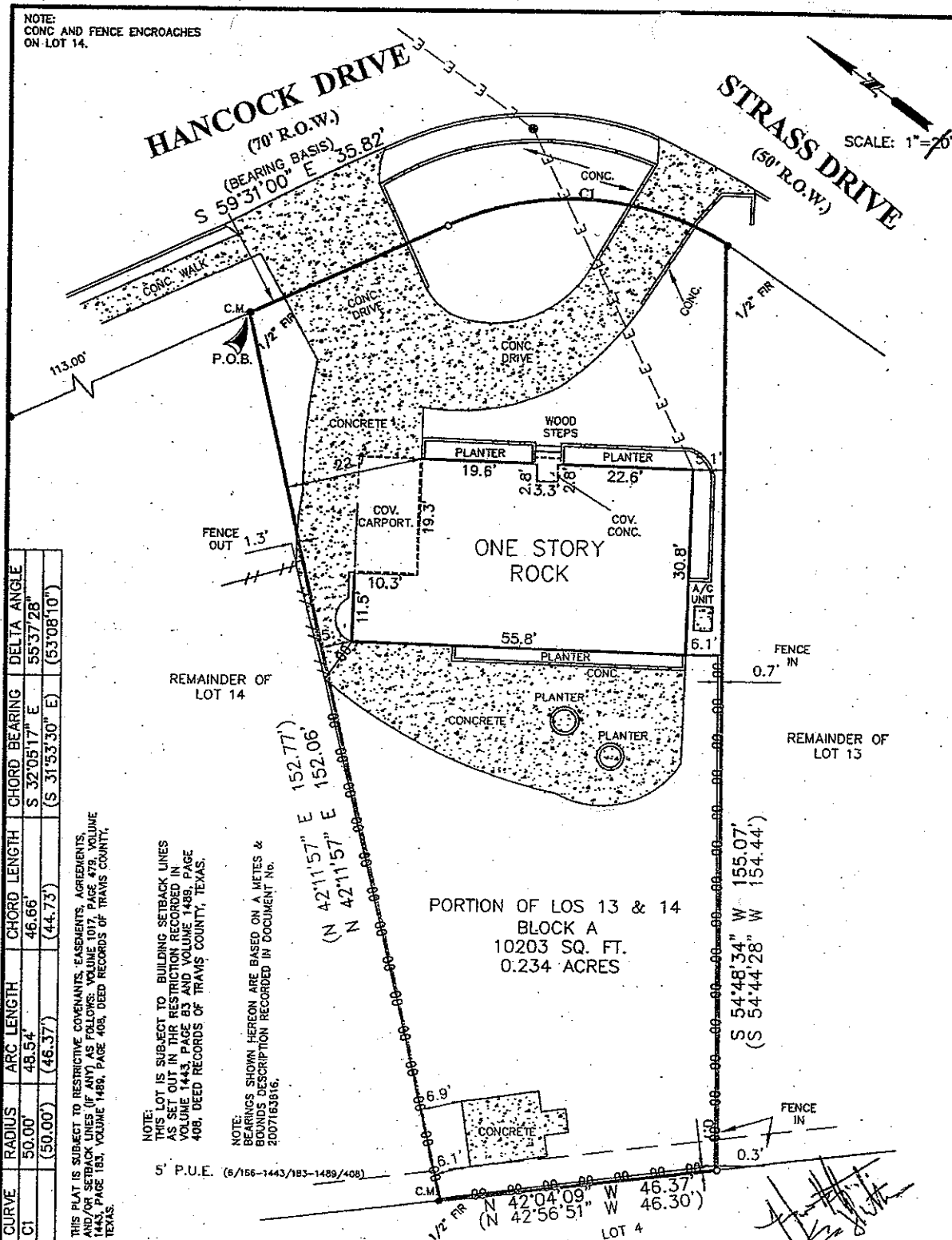


1" = 200'

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.

NOTE:  
CONC AND FENCE ENCROACHES  
ON LOT 14.



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	50.00' (50.00')	48.54' (46.37')	46.66' (44.73')	S 32°05'17" E (S 31°53'30" E)	55°37'28" (53°08'10")

NOTE:  
THIS PLAT IS SUBJECT TO RESTRICTIVE COVENANTS, EASEMENTS, AGREEMENTS,  
AND/OR SETBACK LINES (IF ANY) AS FOLLOWS: VOLUME 1017, PAGE 479, VOLUME  
1489, PAGE 185, VOLUME 1489, PAGE 408, DEED RECORDS OF TRAVIS COUNTY,  
TEXAS.

NOTE:  
THIS LOT IS SUBJECT TO BUILDING SETBACK LINES  
AS SET OUT IN THIR RESTRICTION RECORDED IN  
VOLUME 1443, PAGE 83 AND VOLUME 1489, PAGE  
408, DEED RECORDS OF TRAVIS COUNTY, TEXAS.

NOTE:  
BEARINGS SHOWN HEREON ARE BASED ON A METES &  
BOUNDS DESCRIPTION RECORDED IN DOCUMENT NO.  
2007163816.

**PROPERTY ADDRESS**  
5010 HANCOCK DRIVE

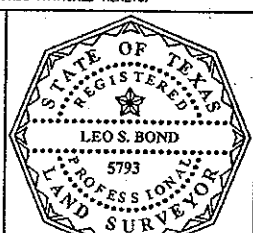
**BORROWER**  
ANDREW HUTTON & KERI HUTTON

As stated from FEMA'S FLOOD INSURANCE RATE MAP, Community No. 480624, Panel No. Q160 E, Panel Dated 6-16-93, this tract is in Zone(s) \_\_\_\_\_ and is in a special flood hazard zone, as that term defined by FEMA. This flood zone identification is this surveyor's interpretation, which may or may not agree with the interpretations of FEMA or state or local officials, and which may not agree with the tract's actual conditions. This surveyor does not certify the accuracy of this flood zone designation with FEMA and state and local officials. Because this is a boundary survey, the persons to verify the accuracy of the flood zone designation with FEMA and state and local officials. Because this is a boundary survey, the surveyor did not take any actions to determine the flood status of the surveyed property other than interpret the status off of FEMA's FIRMA. This surveyor is not responsible for misinterpreting the flood zone designation or any flood information printed on this survey. This surveyor is not aware of or responsible for determining the tract's flood risk, its intended function or suitability for any use whatsoever.

**PROPERTY DESCRIPTION**  
A PORTION OF LOTS THIRTEEN (13) AND FOURTEEN (14), BLOCK "A", SHALMONT ADDITION, SECTION 5, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT RECORDED IN VOLUME 6, PAGE 185, DEED RECORDS OF TRAVIS COUNTY, TEXAS, BEING THE SAME PROPERTY DESCRIBED IN GENERAL WARRANTY DEED RECORDS IN DOCUMENT NO. 2007163816, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS ATTACHED HERETO.

**Westar Alamo**  
LAND SURVEYORS, INC.  
P.O. BOX 1036 HELOTES, TEXAS 78023-1036  
PHONE (210) 372-9500 FAX (210) 372-9999

- LEGEND**
- = SET 1/2" IRON ROD WITH CAP STAMPED WESTAR
  - = FND 1/2" IRON ROD
  - ( ) = RECORD INFORMATION
  - B.S. = BUILDING SETBACK
  - C.M. = CONTROLLING MONUMENT
  - = WOOD FENCE
  - = CHAIN LINK FENCE
  - ⊙ = POWER POLE
  - E-E = ELEC. LINE



I, LEO S. BOND, Registered Professional Land Surveyor, State of Texas, do hereby certify that the above plat represents an actual survey made on the ground under my supervision, and there are no discrepancies, conflicts, shortages in area or boundary lines, or any encroachment or overlapping of improvements, to the best of my knowledge and belief, except as shown herein.

*Leo S. Bond*

INVESTIGATION REPORT

Investigator: James Paxton
Case: CV-2014-111273
Address: 5010 STRASS DR 78731
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: Accessory Uses for Principal Residential Use (§25-2-893)
Description of Violation: The airstream rv that is parked next to the residence is a code violation.
Date Observed: October 13, 2014 Status: Not Cleared
Required Remedy: Either remove the rv or screen it with a six foot tall wood or masonry fence that screens the rv from all public viewing angles. Please do this in order to comply with the City of Austin ordinance that states The airstream trailer is a recreational vehicle and is required to be enclosed within a building or screened from public view.

Required Remedy Summary

Discontinue prohibited use in 14 days

LEE ANN HENDERSON
- FROM 9:12 AM

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 TO THE DIRECTOR - NOT MY

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.

TEXAS CENTER

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

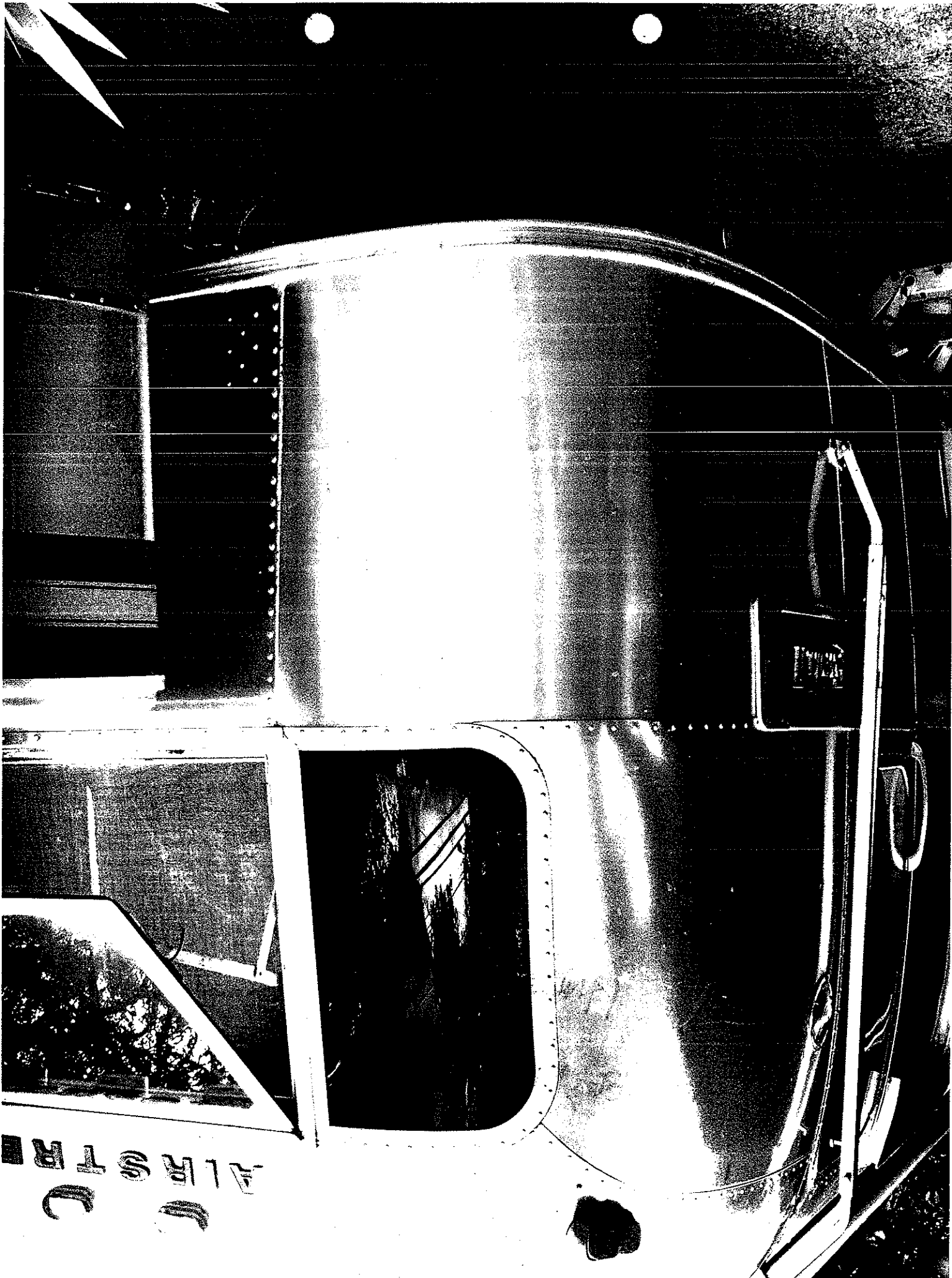
Code Official
Austin Code Department
P.O. Box 1088
Austin, Texas 78767

DAC - AMBER MITCHELL
(DEREK CONTACT)
...ZONING REVIEWER.

VARIANCE - JAMES CAN GRANT EXTENSION. \*\*\*
FROM BOARD OF ADJUSTMENTS
...KEEP HIM INFORMED
...ASK E-MAIL FOR EXTENSION (TIME) 2 MO.
OR TOWN FLOODS.





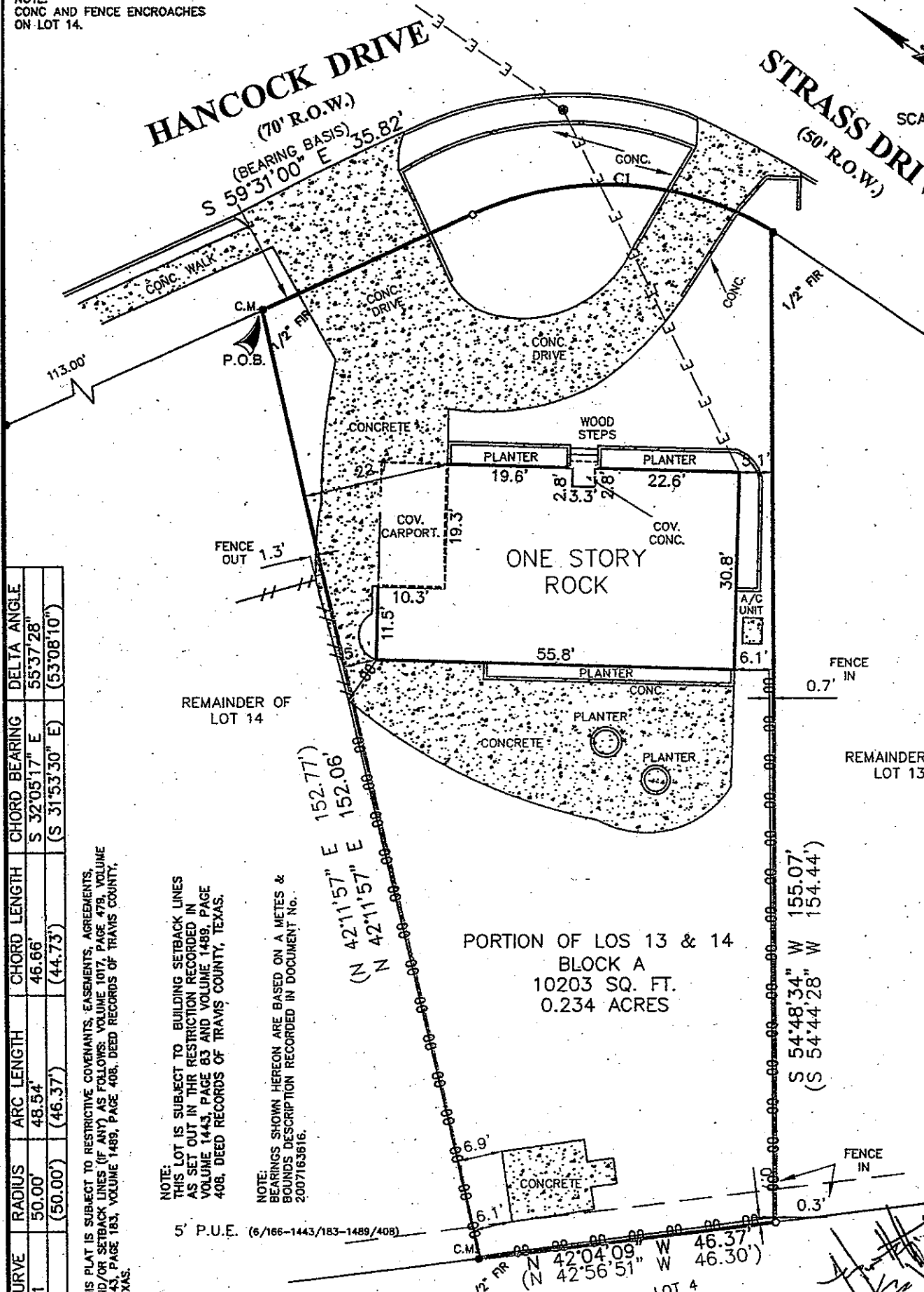


ALPS TR  
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NOTE:  
CONC AND FENCE ENCROACHES  
ON LOT 14.

HANCOCK DRIVE  
(70' R.O.W.)  
(BEARING BASIS)  
S 59°31'00" E 35.82'

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



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	50.00'	48.54'	46.66'	S 32°05'17" E	55°37'28"
	(50.00')	(46.37')	(44.73')	(S 31°53'30" E)	(53°08'10")

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NOTE:  
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NOTE:  
BEARINGS SHOWN HEREON ARE BASED ON A METES & BOUNDS DESCRIPTION RECORDED IN DOCUMENT NO. 2007163616.

PORTION OF LOTS 13 & 14  
BLOCK A  
10203 SQ. FT.  
0.234 ACRES

5' P.U.E. (6/166-1443/183-1489/408)

**PROPERTY ADDRESS**  
5010 HANCOCK DRIVE

**BORROWER**  
ANDREW HUTTON & KERI HUTTON

**PROPERTY DESCRIPTION**  
A PORTION OF LOTS THIRTEEN (13) AND FOURTEEN (14), BLOCK "A", SHOALMONT ADDITION, SECTION 5, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT

As shown from FEMA'S FLOOD INSURANCE RATE MAP, Community No. 480624, Panel No. 0160 E, Panel Dated 6-15-92, Zone(s) AE and is in a special flood hazard zone, as that term defined by FEMA. This flood zone identification is interpretation, which may or may not agree with the interpretations of FEMA or state or local officials, and which may not reflect actual conditions. This surveyor does not certify the accuracy of this flood zone designation. It is the responsibility of the person to verify the accuracy of the flood zone designation with FEMA and state and local officials. Because this is a surveyor did not take any actions to determine the flood status of the surveyed property other than interpret the status, this surveyor is not responsible for misinterpreting the flood zone designation or any flood information printed on this map or responsible for determining the tract's flood risk, its intended use, or suitability for any use whatsoever.