

Special Exception

CASE# C15-2015-0002
ROW# 11260520
TAX# ~~0206130416~~
TCAD 0206130411 ✓

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: 1105 BRASS ST.

LEGAL DESCRIPTION: Subdivision -

Lot(s) 8 Block 1 Outlot Division A BURATTIN Cherico

I/We Martin & Gonzales on behalf of myself/ourselves as authorized agent for
Self affirm that on Nov 72 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 ☒ MAINTAIN

Carport 1999 (constructed)
NO Survey available

in a SF-3-NP district. (Goralle)
(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:

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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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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 Mary Gonzales Mail Address 1105 Beas St
City, State & Zip Austin Texas 78702
Printed MARY Gonzales Phone 512-771-3160 Date 11-12-2014

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 Mary Gonzales Mail Address Same
City, State & Zip Same
Printed Same Phone _____ Date _____

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.

Tucker Engineering, Inc.

Suite 303 at 1311 Chisholm Trail

Round Rock, TX 78681

(512) 255-7477 FAX (512) 244-3366

www.TuckerEngineering.net

CARPORT COVERING CERTIFICATION

November 6, 2014

Reference No.28596

Martin & Mary Gonzales
1105 Brass Street
Austin, TX 78702

Location of Property: 1105 Brass Street, Austin, TX

INSPECTION

November 5 – The carport was covered with a heavy corrugated steel shed roof supported on steel channel beams connected to four 3x3 galvanized steel posts, which were bearing on concrete footings.

CERTIFICATION

This is to certify that the concrete footings and the carport frame are properly constructed and structurally sound.

Jeffrey L. Tucker



Jeffrey L. Tucker, P. E.
Structural Engineer

turn in w/ Special
Exception



I, MARCO R. GONZALEZ 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
Fidel Herrera	1100 Brass St	Bill Herrera
Gloria Ruiz	1101 Brass St	Gloria Ruiz
Arnold Maldonado	1101 Brass St	Arnold Maldonado
Alexandro Diaz	1102 Brass St	Alex
Olivia Orellana	1103 1/2 Brass St.	Jim Orellana
Savanna Russell	1103 Brass St.	Forzaello
Glenn Russell	1103 Brass St.	Glenn

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


Property Owner Name (Printed)	Address	Signature
Sylvia Casiano	1105 Y. Bross	S. Casiano
Therap Tan	3012 NEAL ST	T. Tan
GUSTAVO T. BARRERA	1102 BROSS	Gustavo T. Barrera
Larmer Moreno	1102 Y. BROSS	Larmer Moreno
Ashish Patel	3104 Neal St	Ashish Patel
Shannon Simmons	3104 Neal St.	Shannon Simmons
Carrie Holmerson	3014 Neal St	Carrie Holmerson
Rebecca Younger	3014 Neal Street	Rebecca Younger
Mat Kos	5511 Jeff Davis Ave Unit B	Mat Kos
Emilie Yeager	3014 Neal Str	Emilie Yeager


CITY OF AUSTIN DEVELOPMENT WEB MAP


2003 Aerial





Legend


 Lot Lines


 Streets

 Building Footprints

 Named Creeks

 Lakes and Rivers

 Parks

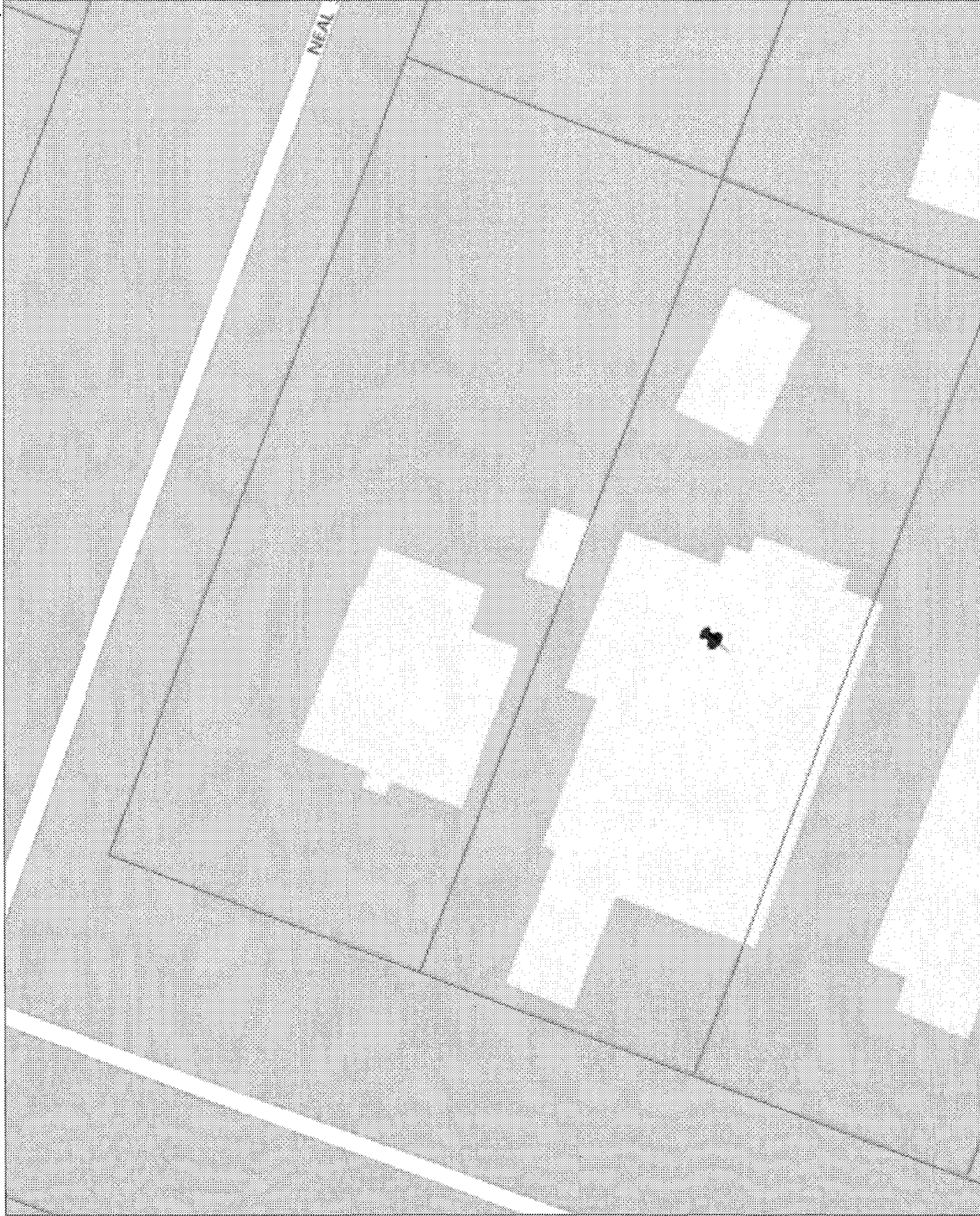
 County

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CITY OF AUSTIN DEVELOPMENT WEB MAP

Mapper/Building footprint

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



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