

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

**DATE: Monday, December 8, 2014**

**CASE NUMBER: C15-2014-0157**

☒ Y ☐ Jeff Jack - Chair  
☐ - ☐ Michael Von Ohlen  
☒ Y ☐ Melissa Whaley Hawthorne - Vice Chair **Motion to PP to Jan 12, 2015**  
☒ Y ☐ Sallie Burchett  
☒ Y ☐ Ricardo De Camps  
☐ -- ☐ Brian King  
☒ Y ☐ Vincent Harding 2<sup>nd</sup> the **Motion**  
☒ Y ☐ Will Schnier - Alternate  
☒ Y ☐ Stuart Hampton - Alternate

**APPLICANT: Cesar A Perez**

**OWNER: : Cesar A Perez**

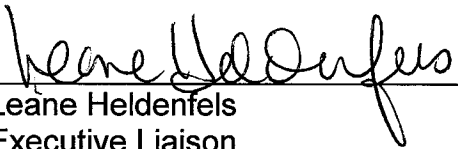
**ADDRESS: 8806 GLENN LN**

**VARIANCE REQUESTED:** The applicant has requested a variance from Section 25-2-492 (D) (*Site Development Regulations*) to decrease the minimum street side setback from 15 feet (required) to 9 feet (requested) in order to construct 6 foot wide, 30 foot long porch and covered walkway open on 3 sides in an "SF-3-NP", Family Residence zoning district. (Georgian Acres)

**BOARD'S DECISION:** At a later time in the meeting from the other case postponement, withdraw vote, Melissa Hawthorne motion to postpone to January 12, 2015, Board Member Vincent Harding second on a 7-0 vote; **POSTPONED TO January 12, 2015 BY APPLICANT**

**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

## 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 application. 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 will be sent.

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](http://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. Any comments received will become part of the public record of this case.

**Case Number:** C15-2014-0157, 8806 Glenn Lane

**Contact:** Leane Heldenfels, 512-974-2202, [leane.heldenfels@austintexas.gov](mailto:leane.heldenfels@austintexas.gov)

**Public Hearing:** Board of Adjustment, December 8th, 2014

**ERIC TRUAX**

Your Name (please print)

202 SCHIRRA PL

(just down the street)

Your address(es) affected by this application

Eric Truax

11/28/2014

Date

Daytime Telephone:

512-415-8705

Comments: The legally-required sign for this change was not posted in front of the house. I am concerned primarily that this zoning variance will be used to construct storage space or a poorly-designed deck-enclosed deck. I would have less objection to a well-built deck without a covering. There are good reasons for setbacks. The board shall exercise good judgment.

Note: any comments received will become part of the public record of this case

**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](mailto:leane.heldenfels@austintexas.gov)

CASE# C15-2014-0137  
ROW# 11.247358  
TAX# 0239170109  
(TCADV)

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: 4806 Glenn Lane

LEGAL DESCRIPTION: Subdivision - North Lamar, Sect. 1

Lot(s) 3 Block B Outlot - Division -

I/We Cesar Perez on behalf of myself/ourselves as authorized agent for  
Self affirm that on 11-7-14

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

a 6' wide x 30' long covered walkway and  
porch, open on 3 sides within the  
15' side street setback

in a OF-3-NP district. (Georgian Acres)  
(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: need Protection at front Door from sun, not able due to setback

**HARDSHIP:**

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

1963 BUILT. UP TO THE BUILT LINE

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

NOT ALL HOMES IN AREA ARE BUILT ON A CORNER LOT.

**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:

Porch will make House welcoming  
3 will improve area

**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 [Signature] Mail Address 8806 Glenhurst Lane  
City, State & Zip Austin TX 78753  
Printed Cesar Perez Phone 512-848-0661 Date 11-2-14  
512-3393760 Melwin, Pablo/sons

**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 Same Mail Address \_\_\_\_\_  
City, State & Zip \_\_\_\_\_  
Printed \_\_\_\_\_ Phone \_\_\_\_\_ Date \_\_\_\_\_



SUBJECT TRACT

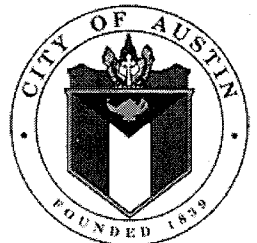


PENDING CASE



ZONING BOUNDARY

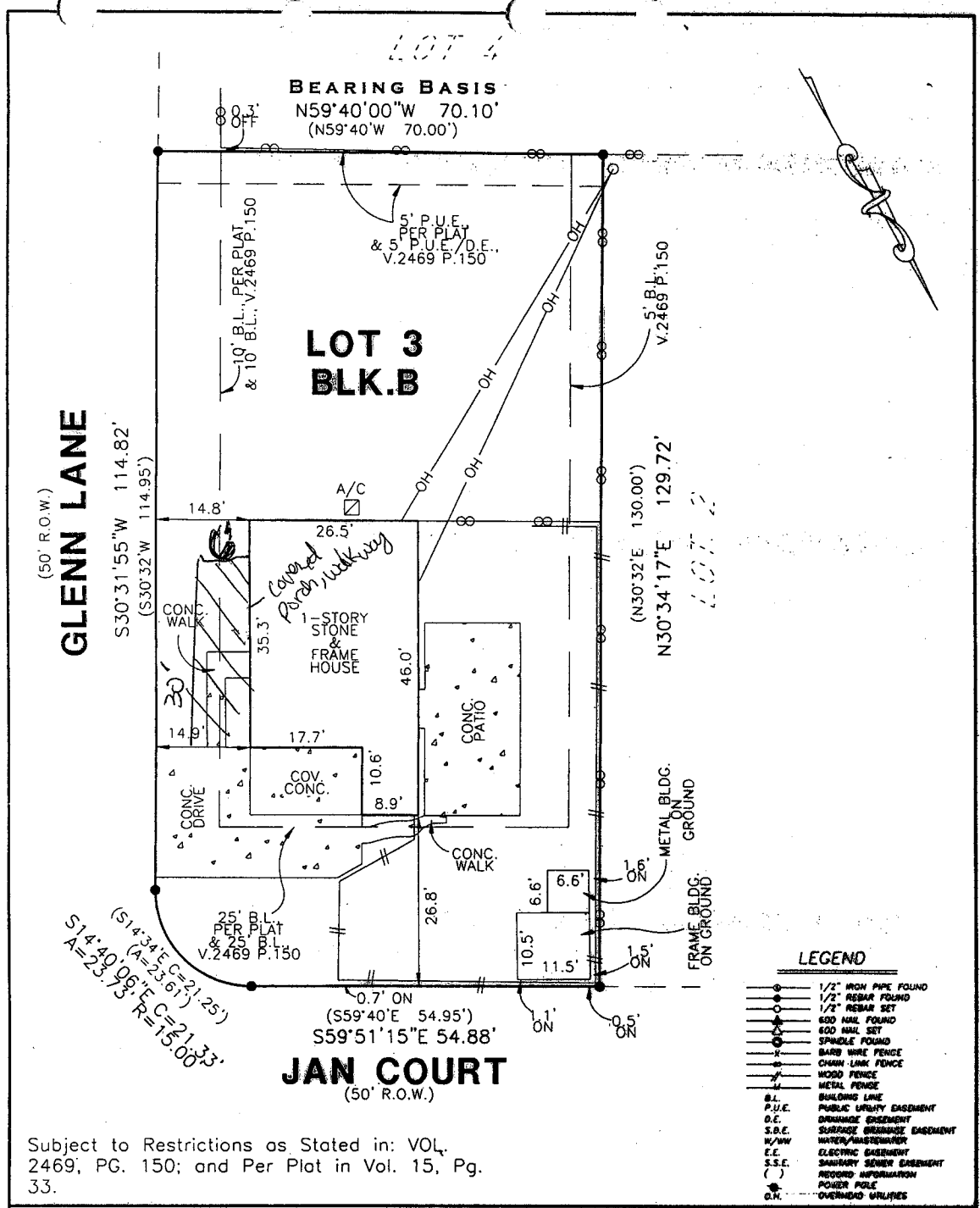
CASE#: C15-2014-0157  
Address: 8806 GLENN LANE



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.



SUBDIVISION NORTH LAMAR PARK, SECTION 1

LOT: 3 BLOCK: B BOOK 15 PAGE 33 PLAT RECORDS

COUNTY: TRAVIS STATE OF TEXAS STREET ADDRESS 8806 GLENN LANE

CITY: AUSTIN REFERENCE NAME CESAR PEREZ, GRACIELA RAYO

**Dewey H. Burris & Associates, Inc.**  
Land Surveying Services

1404 West North Loop Blvd. 512-458-6969  
Austin, Texas 78756 Fax 512-458-9845

THIS PROPERTY DOES NOT  
LIE WITHIN THE 100 YEAR FLOODPLAIN,  
AND HAS A ZONE X RATING AS  
SHOWN ON THE FLOOD INSURANCE RATE MAPS  
F.I.R.M. MAP No. 480624  
PANEL 0160 E  
DATED: 8-16-83

This certification is for insurance purposes  
only and is not a guarantee that this  
property will or will not flood. Contact  
your local floodplain administrator for the  
current status of this tract.

DATE 9-27-02  
TITLE CO ALAMO TITLE  
G.F. # 02-7306040  
JOB. No. R0916802\_TA  
SCALE 1" = 20'

ALAMO TITLE COMPANY / ALAMO TITLE INSURANCE OF TEXAS

I do hereby certify that this survey was this day made on the ground of the  
properly legally described hereon and that there are no visible boundary line  
conflicts, encroachments, overlapping of improvements, or roads in place,  
except as shown hereon, and certifies only to the legal description and  
easements shown on the referenced Title Commitment.

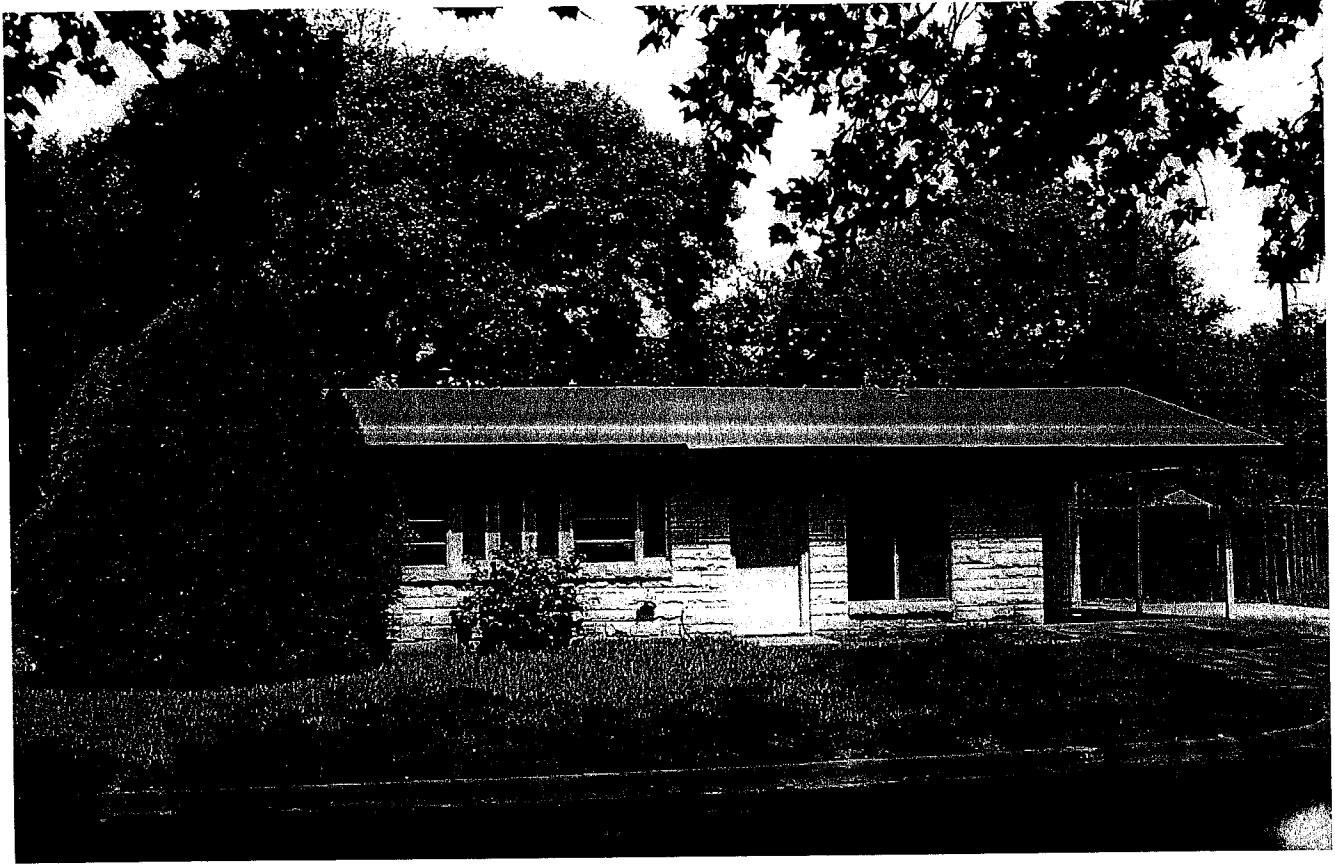
TO THE SURVEYOR AND/OR OWNERS OF THE PREMISES SURVEYED AND TO

CHERYL\_TBLK

FIELD WORK	DAVID	9-26-02
DRAFTING	RACHEL	9-27-02
FINAL CHECK	D.B.	9-27-02
CORRECTIONS		
UP DATE		

# 8806 GLENN LANE

*\$102,500*



- *Affordable Home in Mint Condition*
- *3 Bedrooms, 1 Bath*
- *Approx. 942 Sq.Ft.*
- *Living/Dining Room*
- *Nearly New Everything!*
- *Tile Kitchen Floors & Bath*
- *Tile Countertops/Backsplash*
- *Recent Paint & Carpet*
- *French Patio Doors*
- *Huge Extra Side Lot*
- *Unique Texas Shellstone*
- *Nearly New Roof!*
- *Chainlnk fence*
- *Ready For You!*

*Marcella Keller*

Broker's Realty

606-4085 pager • 892-3570 hm office

INFORMATION DEEMED RELIABLE, BUT NOT GUARANTEED. BUYER MUST VERIFY.

PREFERRED TITLE COMPANY: ALAMO TITLE