

Special Exception

CASE# C15-2015-0021
ROW# 11279179
TAX# 0231070904

CITY OF AUSTIN (TCAD) ✓
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: 1803 Princeton Avenue

LEGAL DESCRIPTION: Subdivision - Crestview Addn Sec 10

Lot(s) 38 Block 2 Outlot _____ Division _____

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

Jesse Atlas & Chris Macleod affirm that on Dec 17, 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

carport w/in side setback that's existed
for more than 10 yrs

in a SF-3-NP district. Crestview
(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 P. Brown Mail Address 905 East 55th St.

City, State & Zip Austin, TX 78751

Printed _____ Phone 512 517 1532 Date 12.17.2014

OWNERS CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

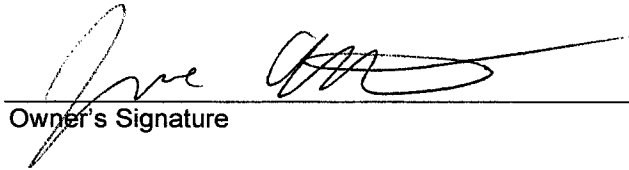
Signed see authorization Mail Address _____

City, State & Zip _____

Printed _____ Phone _____ Date _____

OWNER'S AUTHORIZATION LETTER

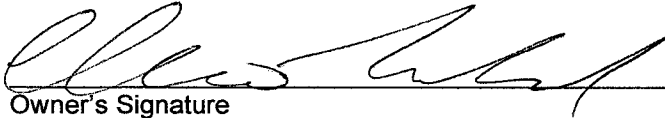
I/we hereby certify that I/we am/are the owner(s) of the above described property. I/we am/are respectfully requesting processing and approval of the above referenced permit(s) review. I/we hereby authorize the Applicant listed on this application to act on my/our behalf during the processing and presentation of this request. They shall be the principal contact with the City in processing this application.



Owner's Signature

12/16/14

Date



Owner's Signature

12/16/14

Date

Jesse Attas

1st Owner's Printed Name

Christine MacLeod

2nd Owner's Printed Name



SUBJECT TRACT

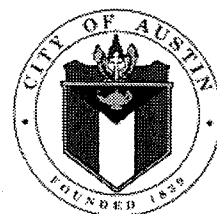


PENDING CASE



ZONING BOUNDARY

CASE#: C15-2015-0021
Address: 1803 PRINCETON AVE



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'

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:

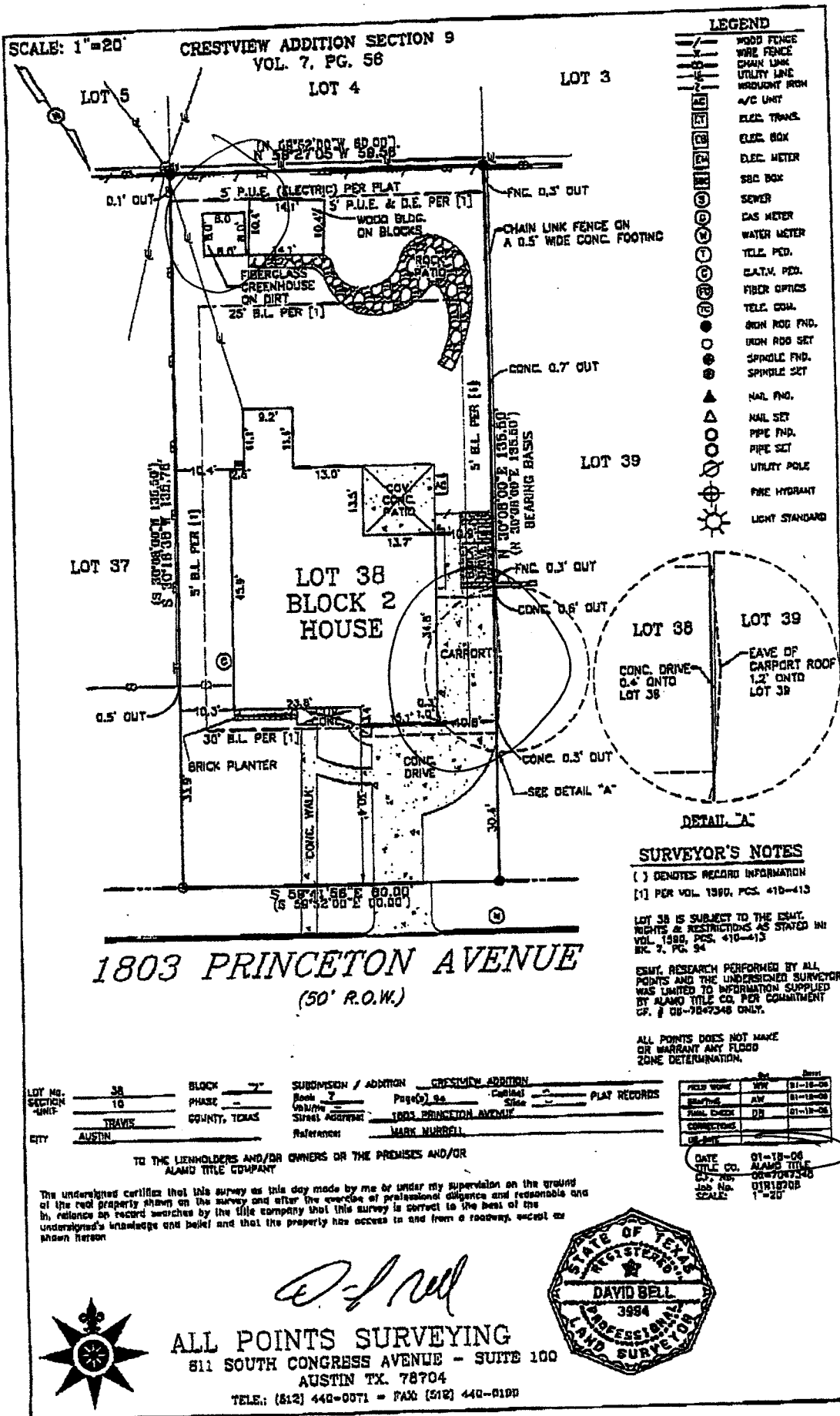
(1) applies only to the structure, or portion of a structure, for which the special exception was granted and does not run with the land;

(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.



25-2-553 SINGLE-FAMILY RESIDENCE LARGE LOT (SF-1) DISTRICT REGULATIONS.

In a single-family residence large lot (SF-1) district, **the rear yard setback is five feet for an accessory building that is not more than one story or 15 feet in height.**

Source: Section 13-2-633; Ord. 990225-70; Ord. 031211-11.

§ 25-2-554 SINGLE-FAMILY RESIDENCE STANDARD LOT (SF-2) DISTRICT REGULATIONS.

In a single-family residence standard lot (SF-2) district, **the rear yard setback is five feet for an accessory building that is not more than one story or 15 feet in height.**

Source: Section 13-2-634(a); Ord. 990225-70; Ord. 031211-11.

§ 25-2-555 FAMILY RESIDENCE (SF-3) DISTRICT REGULATIONS.

(A) This section applies in a family residence (SF-3) district.

(B) The rear yard setback is five feet for an accessory building that is not more than one story or 15 feet in height.

(C) For a retirement housing (small site) use:

- (1) the minimum site area is 18,675 square feet;
- (2) a site may be developed with not more than 122 dwelling units;
- (3) at least 6,225 square feet of site area is required for each dwelling unit; and
- (4) except for a parking space in a driveway, a parking space may not be located in a front street yard.

(D) This subsection applies to a duplex residential use.

(1) On a lot with a lot area of less than 10,000 square feet, a duplex structure may not exceed 4,000 square feet of gross floor area or contain more than six bedrooms.

(2) On a lot with a lot area of 10,000 square feet or more, a duplex structure may not exceed a floor-to-area ratio of 0.57 to 1.

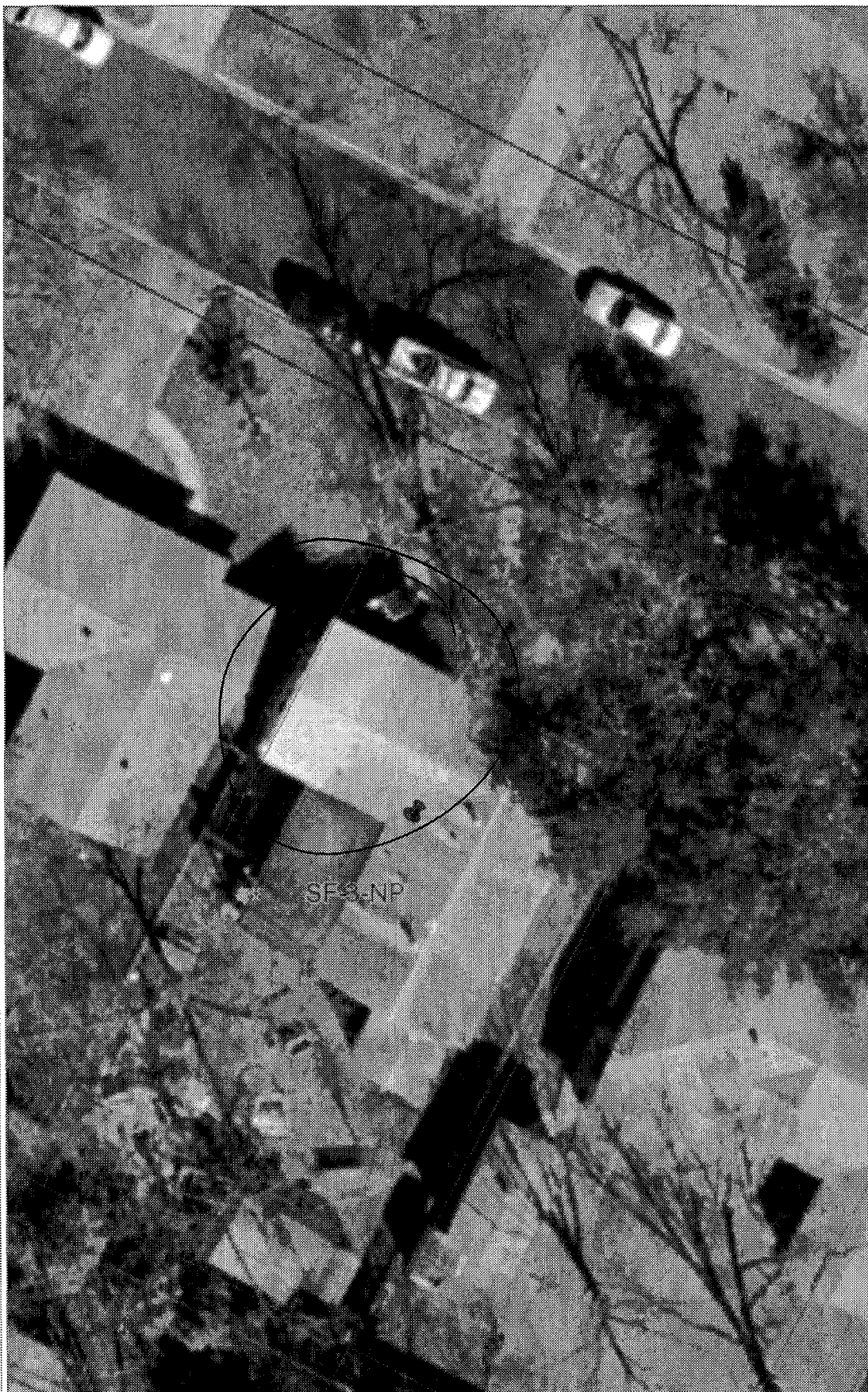
Source: Section 13-2-635; Ord. 99025-70; Ord. 030605-49; Ord. 031211-11.

rear
shed

1803 Princeton

CITY OF AUSTIN DEVELOPMENT WEB MAP

2003 Aerial



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)

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