



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

CASE#: C15-2015-0031  
Address: 7900 TISDALE DR



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'

If you need assistance completing this application (general inquires only) please contact Susan Walker, 974-2202; 505 Barton Springs Road, 2<sup>nd</sup> Floor (One Texas Center).

C15-2015-0031

CASE # ~~14-043379~~

ROW # 11290529

ROLL TCADV 023710011 6

**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: 7900 Tisdale Dr, Austin TX 78757

LEGAL DESCRIPTION: Subdivision – Wooten

Lot(s) 47 Block \_\_\_\_\_ Outlot \_\_\_\_\_ Division Sunset View

I/We Matthew Hemby and Maitland Lederer on behalf of myself/ourselves as authorized agent for

NA/Owner affirm that on January 20, 2015,

hereby apply for a hearing before the Board of Adjustment for consideration to:

(check appropriate items below)

\_\_\_ ERECT \_\_\_ ATTACH \_\_\_ COMPLETE \_\_\_ REMODEL X MAINTAIN

attached carport; lack of permit was not disclosed to us by previous owner at time of purchase (10/1/14).

+ 25-2-1403 - Garage placement

in a residential district.  
(zoning district)

SF-3-NP (Wooten)

**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:

Numerous existing comparable carport structures which encroach in both front and side setbacks in Wooten, examples of which are documented in supporting paperwork.

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**HARDSHIP:**

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

as new owners, the lack of a permit for this structure was not disclosed to us at time of purchase and transfer from previous owner.

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

Numerous existing comparable carport structures which encroach in both front and side setbacks in Wooten, examples of which are documented in supporting paperwork.

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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:

As supported by the submitted letter from our Neighborhood Association, these types of professionally constructed structures exist across Wooten.

**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:

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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 7900 Tisdale Dr

City, State & Zip Austin, TX 78757

Printed Matthew Hemby Phone 512-912-6248 Date 1/20/15

**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 7900 Tisdale Dr

City, State & Zip Austin, TX 78757

Printed Matthew Hemby Phone 512-912-6248 Date 1/20/15

Legend

Lot Lines

Streets

Building Footprints

Named Creeks

Lakes and Rivers

Parks

County



Google earth

feet  
meters



# 7900 Tisdale Dr, 78757

(Wooten Neighborhood)



**Applicants:** Matthew Hemby & Maitland Lederer  
Prepared for Austin Board of Adjustments - 12/11/2014  
**Case #:** 14-043379

**BoA Request:** We are requesting a variance which will allow us to keep our existing carport without modification. We are new buyers, and this structure was erected by the previous owner without obtaining a permit. Code Compliance contacted us about the problem shortly after purchase.

**Document Purpose:** This document has been prepared for the Austin Board of Adjustments in order to provide examples of secondary carport structures encroaching on S-3 front (25') and side (5') property setbacks in Wooten.

**Justification for Request:** Wooten is a S-3 zoned community. Within, there are a large number of existing carport structures built within side and front property setbacks. Below is a small sample (10) of such structures within our community.

December 30, 2014

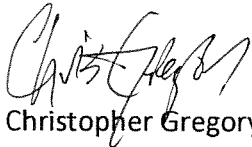
Dear Board Members,

I respectfully ask that you grant a variance to Matthew Hemby and Maitland Lederer (7900 Tisdale Dr.) allowing them to keep their existing carport intact without modification.

As shown in the documents provided by Hemby and Lederer, there are a number of added carports in the Wooten neighborhood. The carport located at 7900 Tisdale Dr. is professionally constructed and does not detract in any way from the appearance of the property or neighborhood.

Thank you for your consideration in this matter, and please do not hesitate to contact me with any questions you may have.

Respectfully,

A handwritten signature in black ink, appearing to read "Chris Gregory", written over the printed name.

Christopher Gregory  
President, Wooten Neighborhood Association



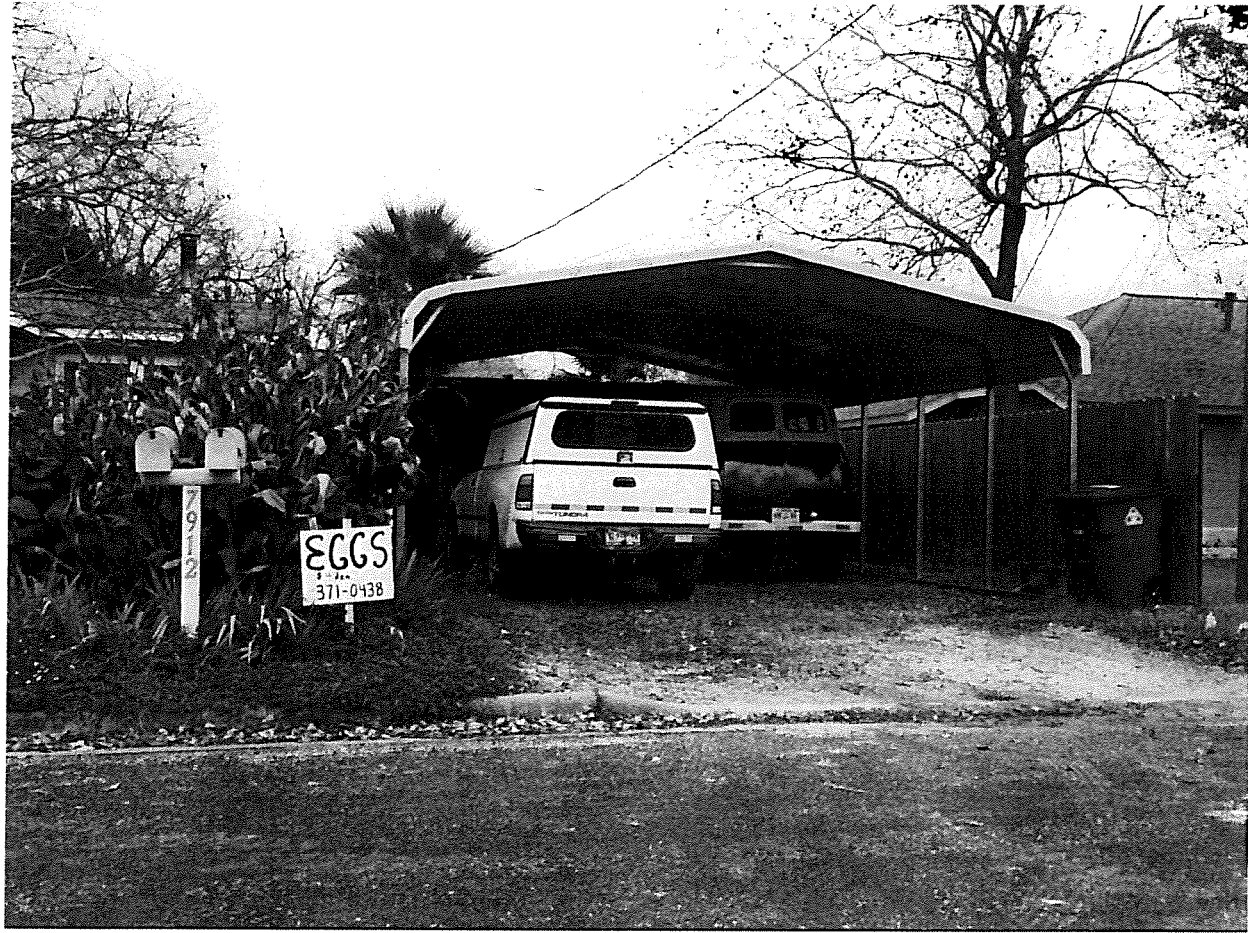
[illegible]

## HOME

Anderson Ln

**Example #1: 7912 Tisdale Dr**

Carport foundations built into front and side property setbacks.



**Example #2: 7707 Lazy Ln**

Carport constructed to side property line; also encroaches front property setback.



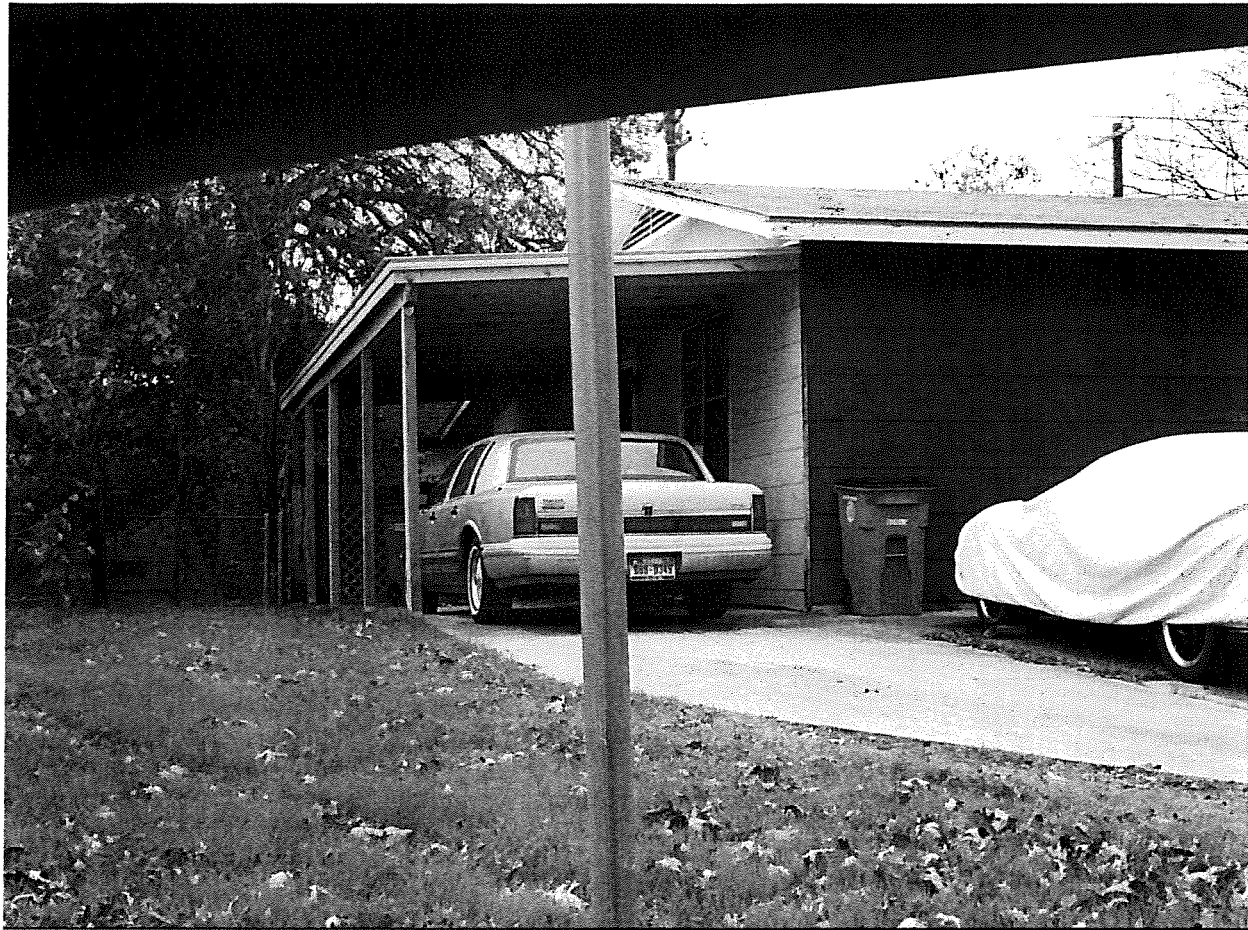
**Example #3: 7803 Lazy Ln.**

Carport constructed to side property line; also encroaches front property setback.



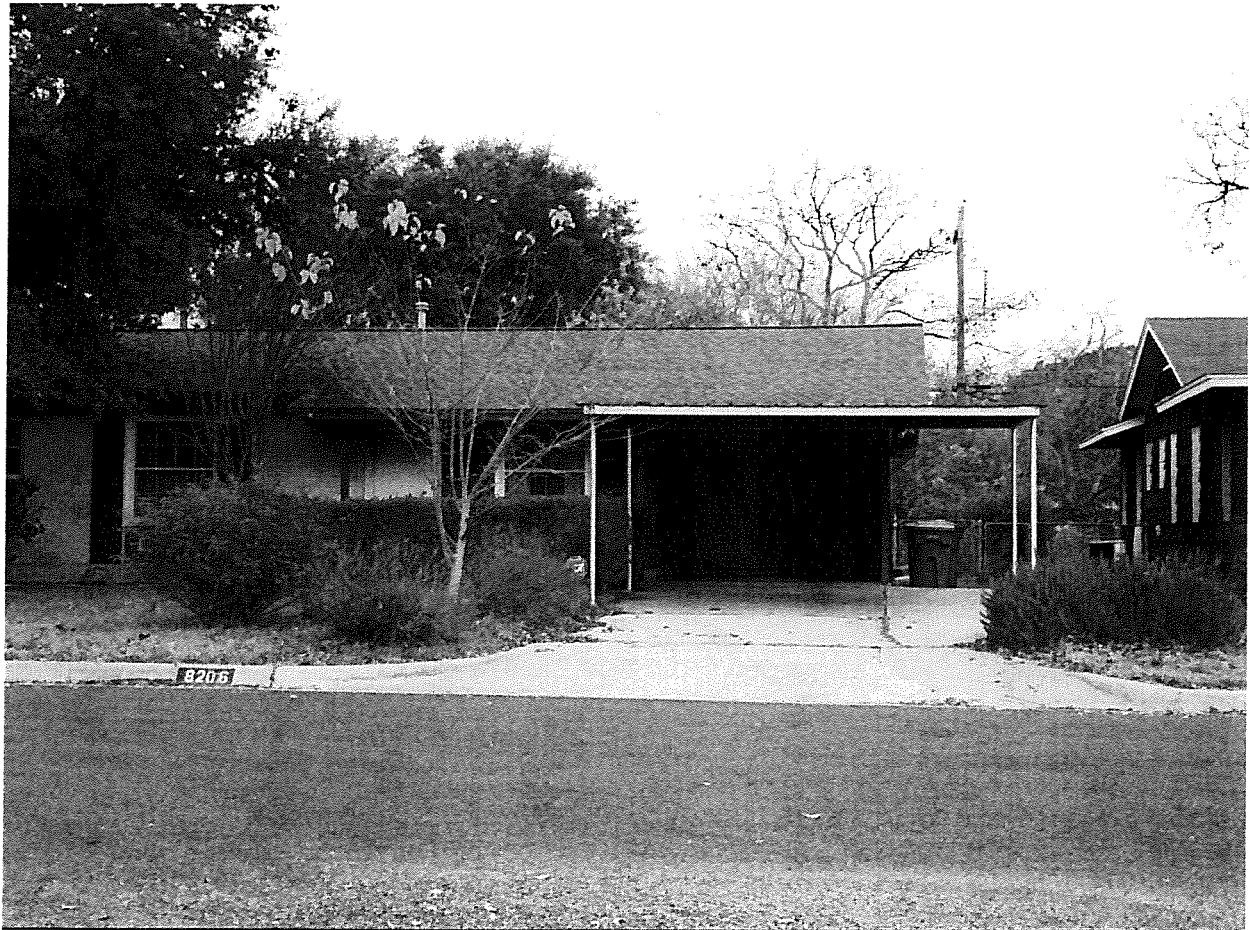
**Example #4: 8205 Lazy Ln.**

Secondary carport built on side property, built flush to property line.



**Example #5: 8206 Kromer St.**

Carport foundations built into front property setback; built to edge of property and into side setback.





**Example #6: 8105 Kromer St.**

Carport foundations built into front property setback; built to edge of property and into side setback.



**Example #7: 8211 Renton Dr.**

Carport foundations built into front property setback; built to edge of property and into side setback.





**Example #8: 7916 Burrell Dr.**

Carport installed on side of property; foundations built at side property line.



**Example #9: 2108 Lanier Dr.**  
Carport built into front property setback.



**Example #10: 2011 Belford Dr.**  
Carport built into front property setback.



[ ] By signing below, I support a permit for the carport currently located at 7900 Tisdale Dr.\*

Name or signature:

Cate Bergman + Adam Cohen

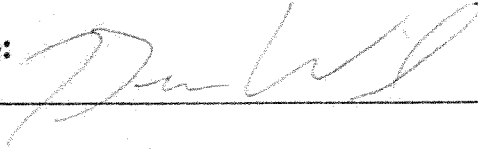
Address:

8015 Tisdale Drive

\*if you support, **please drop off this letter** to our mailbox at 7900 Tisdale Dr., or email [m.hemby@gmail.com](mailto:m.hemby@gmail.com) indicating your support. Thanks!

[ ] By signing below, I support a permit for the carport currently located at 7900 Tisdale Dr.\*

Name or signature:

A handwritten signature in dark ink, appearing to be "Dan W. D.", written over a horizontal line.

Address:

7911 Tisdale Dr.

*\*if you support, **please drop off this letter** to our mailbox at 7900 Tisdale Dr., or email [m.hemby@gmail.com](mailto:m.hemby@gmail.com) indicating your support. Thanks!*

[ ] By signing below, I support a permit for the carport currently located at 7900 Tisdale Dr.\*

Name or signature:

James Hemby

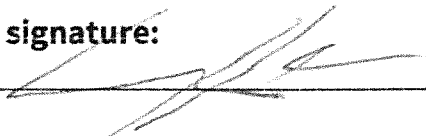
Address:

8001 Lozy Ln.

*\*if you support, **please drop off this letter** to our mailbox at 7900 Tisdale Dr., or email [m.hemby@gmail.com](mailto:m.hemby@gmail.com) indicating your support. Thanks!*

[ ] By signing below, I support a permit for the carport currently located at 7900 Tisdale Dr.\*

Name or signature:

 Ar. Justin Hemby

Address:

8013 Tisdale 78757

*\*if you support, **please drop off this letter** to our mailbox at 7900 Tisdale Dr., or email [m.hemby@gmail.com](mailto:m.hemby@gmail.com) indicating your support. Thanks!*

[ ] By signing below, I support a permit for the carport currently located at 7900 Tisdale Dr.\*

**Name or signature:**

Hyun S. Oh

**Address:**

7907 LAZY LN AUSTIN TX 78757

*\*if you support, **please drop off this letter** to our mailbox at 7900 Tisdale Dr., or email [m.hemby@gmail.com](mailto:m.hemby@gmail.com) indicating your support. Thanks!*



☒ By signing below, I support a permit for the carport currently located at 7900 Tisdale Dr.\*

**Name or signature:**

Chloe Wolf

**Address:**

7913 Tisdale Dr. Austin Tx. 78757

\*if you support, **please drop off this letter** to our mailbox at 7900 Tisdale Dr., or email [m.hemby@gmail.com](mailto:m.hemby@gmail.com) indicating your support. Thanks!

[ ] By signing below, I support a permit for the carport currently located at 7900 Tisdale Dr.\*

Name or signature:

Jon DeMaio

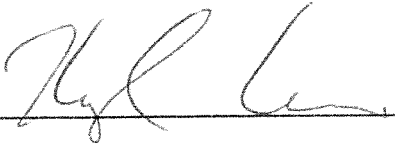
Address:

7911 LAZY LN

\*if you support, **please drop off this letter** to our mailbox at 7900 Tisdale Dr., or email [m.hemby@gmail.com](mailto:m.hemby@gmail.com) indicating your support. Thanks!

[ ] By signing below, I support a permit for the carport currently located at 7900 Tisdale Dr.\*

**Name or signature:**

HUGH LEVIS - 

**Address:**

7903 TISDALE DR.

*\*if you support, **please drop off this letter** to our mailbox at 7900 Tisdale Dr., or email [m.hemby@gmail.com](mailto:m.hemby@gmail.com) indicating your support. Thanks!*

☒ By signing below, I support a permit for the carport currently located at 7900 Tisdale Dr.\*

**Name or signature:**

Robert S. Porter Jr

**Address:**

8011 Tisdale Drive, Austin TX 78757

\*if you support, **please drop off this letter** to our mailbox at 7900 Tisdale Dr., or email [m.hemby@gmail.com](mailto:m.hemby@gmail.com) indicating your support. Thanks!

[ ] By signing below, I support a permit for the carport currently located at 7900 Tisdale Dr.\*

**Name or signature:**

MIGUEL CRUZ

**Address:**

7915 LAZY LN.  
AUSTIN, TX. 78757

*\*if you support, **please drop off this letter** to our mailbox at 7900 Tisdale Dr., or email [m.hemby@gmail.com](mailto:m.hemby@gmail.com) indicating your support. Thanks!*

[✓] By signing below, I support a permit for the carport currently located at 7900 Tisdale Dr.\*

Name or signature:

Frances Moreno  
Frances Moreno

Address:

8007 Tisdale Dr Apt 28757

\*if you support, **please drop off this letter** to our mailbox at 7900 Tisdale Dr., or email [m.hemby@gmail.com](mailto:m.hemby@gmail.com) indicating your support. Thanks!

Let them keep it.

This should have been addressed  
at the time it was built.

[ ] By signing below, I support a permit for the carport currently located at 7900 Tisdale Dr.\*

**Name or signature:**

Greg Weber

**Address:**

7923 Lazy Ln 78757

*\*if you support, **please drop off this letter** to our mailbox at 7900 Tisdale Dr., or email [m.hemby@gmail.com](mailto:m.hemby@gmail.com) indicating your support. Thanks!*

[ ] By signing below, I support a permit for the carport currently located at 7900 Tisdale Dr.\*

Name or signature:

Don Staples

Address:

8008 TISDALE DR

\*if you support, **please drop off this letter** to our mailbox at 7900 Tisdale Dr., or email [m.hemby@gmail.com](mailto:m.hemby@gmail.com) indicating your support. Thanks!



☒ By signing below, I support a permit for the carport currently located at 7900 Tisdale Dr.\*

Name or signature:

GEORGE WILCOX - [Signature]

Address:

8006 TISDALE DR. AUSTIN, TX 78757

\*if you support, **please drop off this letter** to our mailbox at 7900 Tisdale Dr., or email [m.hemby@gmail.com](mailto:m.hemby@gmail.com) indicating your support. Thanks!

IN MY OPINION, AS A NEIGHBOR AND AN  
ARCHITECT, THE CARPORT @ 7900 TISDALE DR.  
IS NOT DETRIMENTAL TO THE NEIGHBORHOOD.

GEORGE WILCOX, AIA

☒ By signing below, I support a permit for the carport currently located at 7900 Tisdale Dr.\*

Name or signature:

Mara Mindell mara mindell

Address:

7914 Tisdale Dr. Austin TX 78757

\*if you support, **please drop off this letter** to our mailbox at 7900 Tisdale Dr., or email [m.hemby@gmail.com](mailto:m.hemby@gmail.com) indicating your support. Thanks!

☒ By signing below, I support a permit for the carport currently located at 7900 Tisdale Dr.\*

**Name or signature:**

Tammy Westergren

**Address:**

7904 Tisdale Dr. Austin, Tx 78757

*\*if you support, **please drop off this letter** to our mailbox at 7900 Tisdale Dr., or email [m.hemby@gmail.com](mailto:m.hemby@gmail.com) indicating your support. Thanks!*

☒ By signing below, I support a permit for the carport currently located at 7900 Tisdale Dr.\*

Name or signature:

Dr. J. Hemby

Address:

7902 Tisdale Dr.

*\*if you support, **please drop off this letter** to our mailbox at 7900 Tisdale Dr., or email [m.hemby@gmail.com](mailto:m.hemby@gmail.com) indicating your support. Thanks!*