





PENDING CASE

ZONING BOUNDARY

CASE#: C15-2014-0160

Address: 1211 W ST JOHNS AVENUE



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.



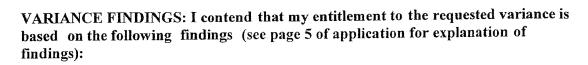
CASE# <u>C(5-2014-0140</u> ROW# <u>11247992</u> TAX# <u>0233090102</u>

CITY OF AUSTIN ÚTCA 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: 1211 West Saint Johns Ave
LEGAL DESCRIPTION: Subdivision - <u>Crestview addn sec 1</u>
Lot(s) 21 Block 7 Outlot Division
I/We_Nicholas Crumpton on behalf of myself/ourselves as
authorized agent for
Nicholas Crumpton affirm that on Oct 9, 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
An accessory building built summer 2004, single story plus attic and dormers, encroaching in side yard and rear yard setback. 5' side yard required, 1.5' requested. 10' rear yard required, 5.3' requested. The side yard setback issue is primarily the stairs to the attic and not the building footprint.
A second accessory building, shed build fall 2000(162'sqr), rear and side yard encroachment. Rear, 5' required, 4.9' requested. Side, 5' required, 4.7' requested.
in a SF-3-NP (Crestyiew) 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.



REASONABLE USE:

1.	The zoning regulations applicable to the property do not allow for a reasonable use because:
Spe	cial Exception
HA	ARDSHIP:
2.	(a) The hardship for which the variance is requested is unique to the property in that:
<u>Spe</u>	cial Exception
	(b) The hardship is not general to the area in which the property is located because:
<u>Spe</u>	cial Exception
AI	REA 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:
<u>Spe</u>	ecial Exception
PA	RKING: (Additional criteria for parking variances only.)
Bo res	quest for a parking variance requires the Board to make additional findings. The ard may grant a variance to a regulation prescribed Section 479 of Chapter 25-6 with spect to the number of off-street parking spaces or loading facilities required if it makes dings of fact that the following additional circumstances also apply: 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:
No	t_Applicable

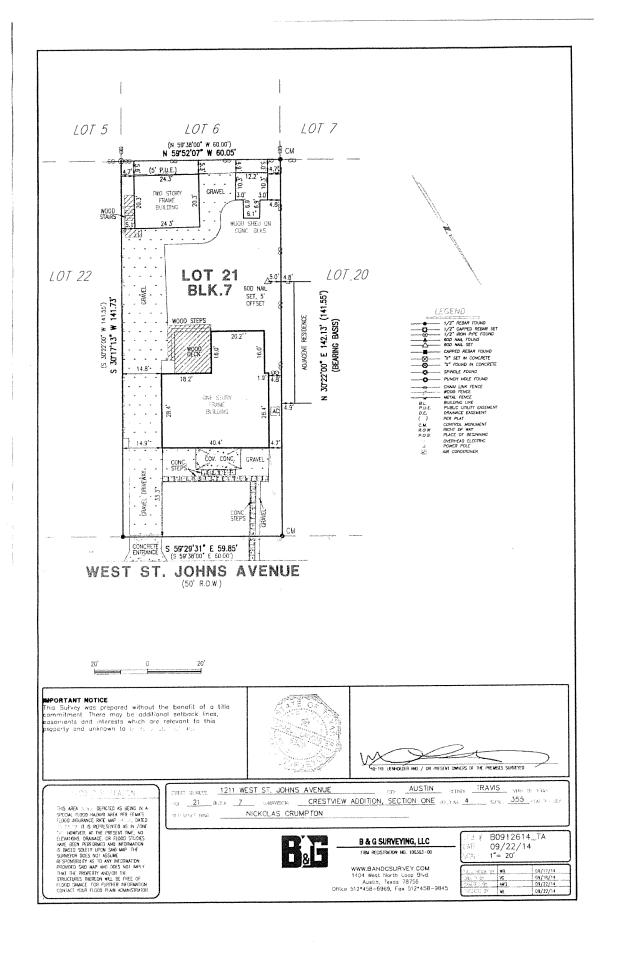
25-2-476 SPECIAL EXCEPTIONS.

- (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 <u>Chapter 25-2</u> (*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:

or

- (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;
- (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 <u>Chapter 25-2</u>, <u>Article 8</u> (*Noncomplying Structures*). *Source: Ord. 20110526-098; Ord. 20121108-091; Ord. 20130822-126.*

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:
Not	Applicable
	The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:
Not	: Applicable
4.	The variance will run with the use or uses to which it pertains and shall not run with the site because:
Not	Applicable
1	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.
Al ap	PPLICANT CERTIFICATE — I affirm that my statements contained in the complete plication are true and correct to the best of my knowledge and belief.
Sig	gned Mail Address 1211 w st johns
Ci	ty, State & Zip Austin, TX 78757
	inted Nichols Crumpton Phone 512-459-7458_ Date 10/09/14
are	WNERS CERTIFICATE – I affirm that my statements contained in the complete application e true and correct to the best of my knowledge and belief. Mail Address 1211 w st johns
	ty, State & Zip <u>Austin, TX 78757</u>
Pr _1	inted Nicholas Crumpton Phone 512-459-7458_Date _ O/O9/14



STATEMENT DATE 8/19/	74 July	MS print due - jubission
Nick Crumpton		
DDRESS 1211 WS+Johns		
Hustin, Tx 78757	cell #41	3-19/7
Maccountwith mel Barke	7 Tr.	
10400 Sprink		
Austin, TX 78		
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DELIVERY TICKET DISPATCH: 243-2943

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P.O. Box 18865 Austin, TX 78760

8000 D.G. Collins Rd. Austin, TX 78744

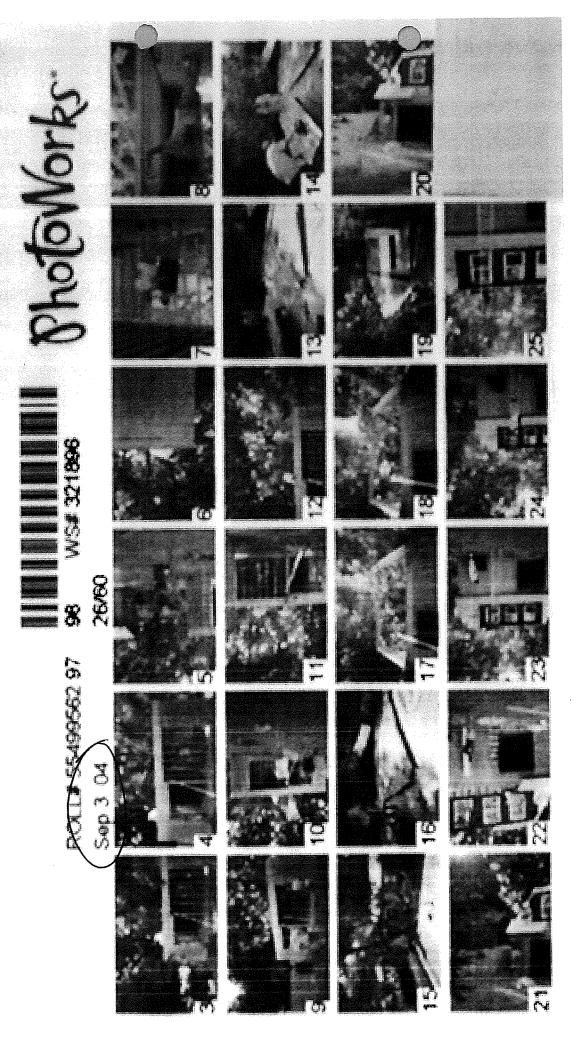
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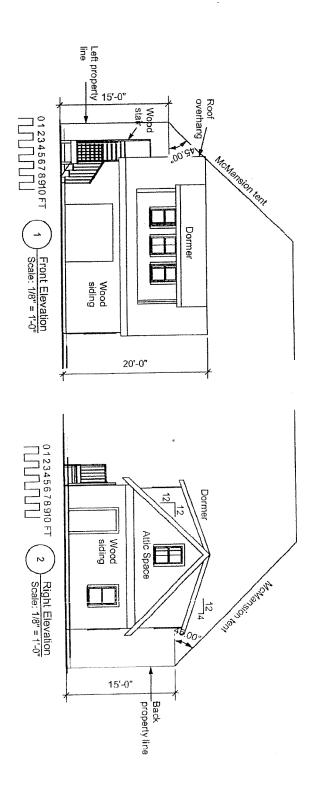
Drivers are not permitted to go beyond the curb line, EXCEPT upon authorization of the customer or authorized agent and his acceptance of risk for any damages.

MATERIAL SAFETY DATA

CAUTION: Freshly mixed cement, mortar or grout may cause skin injury. Avoid contact with skin where possible and wash exposed sidn areas promptly with water. If any cement mortures get into eyes, rince immediately and repeatedly with water and get prompt medical attention. If swallowed, dilute with large quantity of water or milk (at least 2 quants for adults).

DO NOT INDUCE VOMITING . CALL DOCTOR IMMEDIATELY . KEEP OUT OF REACH OF CHILDREN







9-25-14



Renovation for Nick Crumpton 1211 W St Johns Avenue Austin, Texas

CITY OF AUSTIN DEVELOPMENT WEB MAP



BY THE CITY OF AUSTIN REGARDING SPECIFIC ACCURACY OR COMPLETENESS. 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 THE CITY OF AUSTIN FOR THE SOLE PURPOSE OF GEOGRAPHIC REFERENCE. NO WARRANTY IS MADE

Heldenfels, Leane

From:

Nicholas Crumpton

Sent:

Wednesday, November 19, 2014 4:31 PM

To:

Heldenfels, Leane

Subject:

Re: Variance/Special Exception 25-2-476

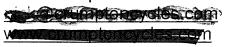
Leane,

It seems I am on the schedule for the 12/8 as this has been posted in my front yard today but I am still unable to get the permit for life safety inspection. Apparently the hold up is a few inches of eaves encroaching in the PUE. I have been told by Taylor Horton to wait pending further information.

Is it possible t continue with the BOA meeting before having an inspection? In other words, can the board grant the variance pending a future inspection?

Regards, Nick

Nick Crumpton



512.459.7458

On Oct 9, 2014, at 10:55 AM, Heldenfels, Leane wrote:

Glad you saved all your construction records! These will be good evidence of the date of construction.

Your cases will be heard at the Board's 12/8 meeting (yours are the first cases for December, so if anyone drops off of November 10th you will move into that slot – so mark both dates on your calendar to potentially be at the Board hearing – starts at 5:30 at City Hall Council Chambers, there is a garage below the building that we can validate for).

Now, take out the life safety permit and advise on the permit that you're seeking a Special Exception with the Board of Adjustment at their 12/8 hearing – sometimes they say they don't do permits for structures less than 200 sf, but advise that you need the Life Safety permit/report for your Special Exception application to be complete.

The Life safety permit can be taken out at residential review on m/w/fr from 8-11am. Bring copies of your survey, photos, construction does for that application.

Once you have a permit number (it may take a few days for them to issue it), then you can call in for an inspection of the structures. Once the inspection has been made then they will issue a report and advise if any corrections need to be made to the structures for it to meet Life Safety standards. If not corrections, they'll issue a report passing the structure and we'll put that report in your file.

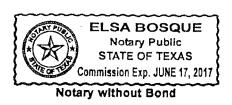
Then you'll go to the Board hearing and hopefull/probably they'll approve your Special Exception. Then you can call for a final inspection and have that life safety permit closed.

Take care – I'll advise if I need anything further, will follow up and see how progress w/ the life safety permit/report is going.

Leane

Sent: Wednesday, October 08, 2014 6:15 PM

NO	
\$ \$ \$ \$	
AFFIDAVIT	
THE STATE OF TEXAS COUNTY Of	
BEFORE ME, the undersigned authority, on this day personally appeared swore or affirmed to tell truth, and stated as follows:	, who
My name is Todal Caerige	·
I am of sound mind and capable of making this sworn statement. I have personal knowledge of the facts written in this statement. I understand that if I lie in this statement I may be criminally responsible. This statement is true. I witnessed the construction of the 2 story accessory build on the southeast corner of the located 1211 West Saint Johns Ave, Austin, Texas 78757 during the summer months of 2004.	edge be held ne lot
I was at the time and am still the owner/occupant residing at 1301 West Saint Johns Av Austin, Texas 78757. Signed	
State of Texas County of Security	
SWORN to and SUBSCRIBED before me, the undersigned authority, on the 24 year,	ay of by
Notary Public, State of	Texas



NO
\$ \$ \$ \$
§
AFFIDAVIT
THE STATE OF TEXAS COUNTY OF TRAUS
BEFORE ME, the undersigned authority, on this day personally appeared, who swore or affirmed to tell truth, and stated as follows:
My name is Janice Kkiker
I am of sound mind and capable of making this sworn statement. I have personal knowledge of the facts written in this statement. I understand that if I lie in this statement I may be held criminally responsible. This statement is true.
I witnessed the construction of the accessory build on the southeast corner of the lot located 1211 West Saint Johns Ave, Austin, Texas 78757 during the summer months of 2004.
I was at the time and am still the owner/occupant residing at 1210 West Saint Johns Ave, Austin, Texas 78757. Signed
State of Texas County of TRAVIS
SWORN to and SUBSCRIBED before me, the undersigned authority, on the 24 day of OCTOBER , 2014 year, by
O TOURS
SONIA DE HOYOS Sonia De Hoyos Notary Public, State of Texa.



12 E S

I, NTCHOLAS COUMAIN applying for a variance from the Board of Adjustment regarding Section SF3-NP of the Land

Development Code. The variance would allow me the ability to ALAFATATA MY UDIZISHOP AND SHED NITCH ENCRACHES ON STOF VARO & PARTYARD SETBACKS

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

an Kiker	Therese Zeis	BILL Zeis	Codd Carrier	MISS MICHOLA	inc Marky	THE COLLEGE	Property Owner Name
1210 WS+Johns Ave	1313 W. St. Johns Ave	1313 W. St John, Ave Bell 2 en	1301 W ST Devois And Day Of	1209 W St John Rid Clary	race wish Jams Aug Fugledon	12th A CHARLET ALICE	Address
Carlos	There is yes	Beezen			. I acalled Dancher		Signature



TRV 5 PGS

2015010870

Partial Release of Easement

Description of Easement and Recording Data: A 5 foot public utility easement dedicated by instrument recorded in Volume 4, Page 335, Travis County Plat Records, Travis County, Texas.

Description of portion of Easement to be Released: That approximately 30 square foot portion of the public utility (**Part A**: 15 sq. ft. and **Part B**: 15 sq. ft.) easement as described in the attached and incorporated **Exhibit A** (description) and **Exhibit B** (sketch) ("Released Property").

Easement Grantee: The City of Austin, Office of Real Estate Services, P.O. Box 1088, Austin, Travis County, Texas 78767-8839.

Description of Property and Local Address: Lot 21, Block 7, Crestview Addition, Section One, Subdivision, the plat of which is recorded in Volume 4, Page 335, of the Travis County Plat Records, locally known as 1211 W. St. Johns Avenue, Austin, Texas.

Current Owner of Property and Address: Nicholas Imes Crumpton, 1211 W. St. Johns Avenue, Austin, Travis County, Texas 78757.

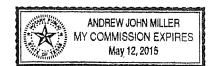
Consideration: TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are acknowledged.

Grantee, the City of Austin, has determined that the Released Property, which is a portion of the Easement, is not now needed and will not be required in the future, since the Released Property portion of the Easement is surplus.

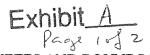
Grantee, for the consideration herein recited, acting by and through its duly authorized City Manager or designee releases the Released Property from the Easement.

EXECUTED this the 20 ^H	day of	Januari	1	_, 2015.
	CITY OF	AUSTIN		
	Laura	OUJUME Oine Rizer, Office of Real Esta	ficer ()	20U
STATE OF TEXAS COUNTY OF TRAVIS	§ §			
This instrument was acknown 2015, by Lauraine Rizer, Officer, Omunicipal corporation, on behalf of	Office of Rea	I Estate Servi	January ces, City of	<u>2υⁿ</u> Austin, a Texa

[Seal]



Notary Public, Stare of Texas



METES AND BOUNDS DESCRIPTION

DESCRIPTION OF TWO AREAS OF LAND TOTALING 30 SQUARE FEET, MORE OR LESS, OUT OF LOT 21, BLOCK 7, OF CRESTVIEW ADDITION, SECTION ONE, A SUBDIVISION OF RECORD IN VOLUME 4, PAGE 335, PLAT RECORDS, TRAVIS COUNTY, TEXAS, SAID LOT 21 BEING CONVEYED TO NICHOLAS IMES CRUMPTON IN DOCUMENT NO. 2011131502, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID TWO AREAS BEING PORTIONS OF A FIVE FOOT WIDE PUBLIC UTILITY EASEMENT (PUE) DEDICATED BY SAID PLAT OF CRESTVIEW ADDITION, SECTION ONE AND MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

AREA "A":

COMMENCING at a ½" iron rebar found at the southwest corner of the above referenced Lot 21, same being the southeast corner of Lot 20, the northeast corner of Lot 7 and the northwest corner of Lot 6, all of Block 7 in said Crestview Addition and being in the south line of said PUE, from which a ½" iron pipe found at the southeast corner of the said Lot 21 bears S 59° 52' 07" E, 60.05 feet, and a ½" iron rebar found at the northwest corner of Lot 21, also being the northeast corner of Lot 20, on the south right-of-way line of West St. John's Avenue bears N 30° 22' 00" E (Bearing Basis), 142.13 feet;

THENCE along the common property line between Lots 21 and 20 and over and across said PUE, N 30° 22' 00" E, 5.00 feet to a point on the north line of said PUE;

THENCE along the north line of said PUE and over and across said Lot 21, S 59° 52' 07" E, 3.71 feet to a point for the **Place of Beginning** and the northwest corner of the herein described Area "A";

THENCE over and across said Lot 21, along the north line of said PUE, S 59° 52' 07" E, 14.27 feet to a point for the northeast corner hereof;

THENCE over and across said Lot 21 and PUE, S 30° 48' 20" W, 1.15 feet to a point for the southeast corner hereof;

THENCE over and across said Lot 21 and PUE, N 59° 11' 40" W, 14.27 feet to a point for the southwest corner hereof;

THENCE over and across said Lot 21 and PUE, N 30° 48' 20" E, 0.98 feet to the **Place of Beginning**, containing 15 square feet of land, more or less.

AREA "B":

COMMENCING at a ½" iron rebar found at the southwest corner of the above referenced Lot 21, same being the southeast corner of Lot 20, the northeast corner of Lot 7 and the northwest corner of Lot 6, all of Block 7 in said Crestview Addition and being in the south line of said PUE, from which a ½" iron pipe found at the southeast corner of the said Lot 21 bears S 59° 52' 07" E, 60.05 feet, and a ½" iron rebar found at the northwest corner of Lot 21, also being the northeast corner of Lot 20, on the south right-of-way line of West St. John's Avenue bears N 30° 22' 00" E (Bearing Basis), 142.13 feet;

Exhibit_A

THENCE along the common property line between Lots 21 and 20 and over and across said PUE, N 30° 22' 00" E, 5.00 feet to a point on the north line of said PUE;

THENCE along the north line of said PUE and over and across said Lot 21, S 59° 52' 07" E, 30.22 feet to a point for the Place of Beginning and the northwest corner of the herein described Area "B";

THENCE along the north line of said Lot 21 and PUE, S 59° 52' 07" E, 25.87 feet to a point for the northeast corner hereof;

THENCE over and across said Lot 21 and PUE, S 29° 25' 41" W, 0.44 feet to a point for the southeast corner hereof;

THENCE over and across said Lot 21 and PUE, N 60° 34' 19" W, 25.87 feet to a point for the southwest corner hereof;

THENCE over and across said Lot 21 and PUE, N 29° 25' 41" E, 0.75 feet to the Place of Beginning, containing 15 square feet of land, more or less.

THIS DESCRIPTION TO BE USED WITH THE ATTACHED SURVEY SKETCH ONLY.

Witness my hand this to the City of Austin:

I, Michael J. Lancaster, licensed to practice Land Surveying in the State of Texas, hereby certify that the foregoing metes and bounds legal description and sketch were based on an on the ground survey, that all visible and apparent protrusions and encroachments into the easement area are accounted for including but not limited to, building footprint, eaves and roof overhangs and all visible improvements whatsoever.

Witness my hand and seal the 30rd day of December, 2014.

Michael J. Lancaster, RPLS 5529

B & G Surveying, Inc.

1404 W. North Loop Blvd. Austin, Texas 78756 Phone (512) 458-6969

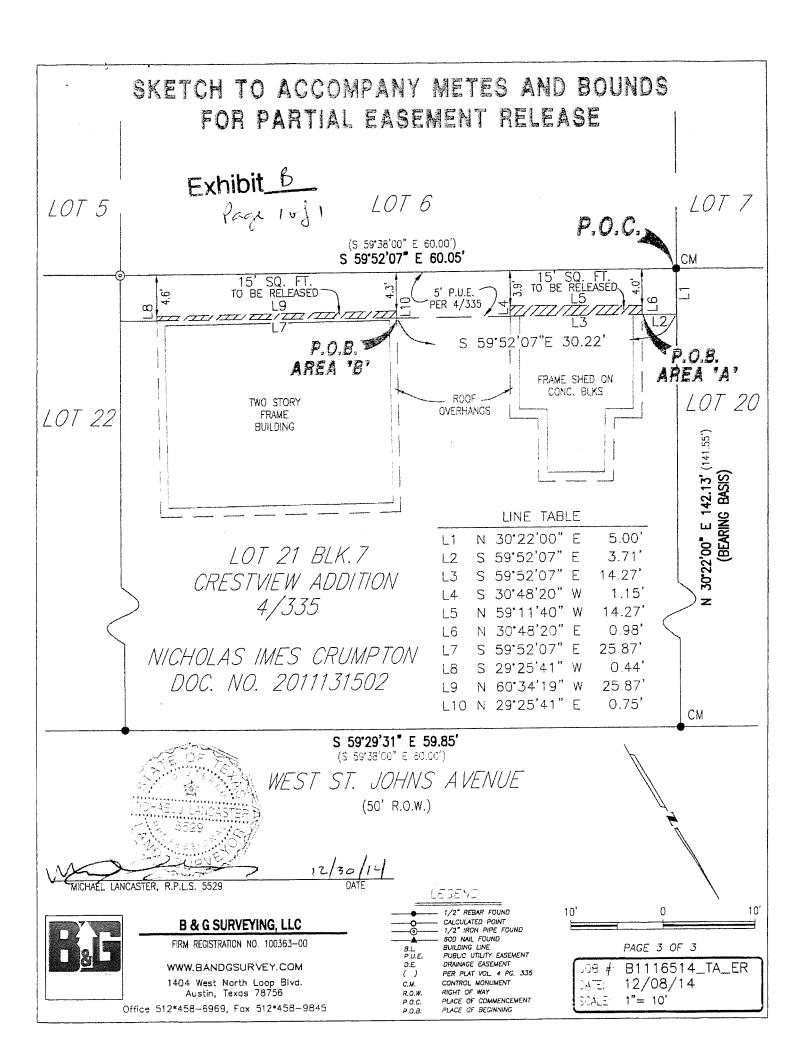
www.bandgsurvey.com

B1116514 TA ER

FIELD NOTES REVIEWED

By CINEK DANGEL Date 01.07.2015

Engineering Support Section Department of Public Works and Transportation



After recording, return to:

City of Austin Office of Real Estate Services 505 Barton Springs Rd., Suite 1350 Austin, TX. 78704

Attn: Betty Nguyen

File No. 9459-1412 Nicholas Imes Crumpton

Exhibit List
Exhibit A – Property Description
Exhibit B – Sketch

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

Jan 23, 2015 03:20 PM

2015010870

RODRIGUEZA: \$42.00

Dana DeBeauvoir, County Clerk

Travis County TEXAS

Recorders Memorandum-At the time of recordation this instrument was found to be inadequate for the best reproduction, because of illegibility, carbon or photocopy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

Heldenfels, Leane

From:

Sent:

Sunday, February 22, 2015 1:05 PM

To:

Heldenfels, Leane

Subject:

Re: 1211 W. Saint Johns Ave

Attachments:

Studio_BP_app.pdf

Leane,

According to IBC 2012 Chapter 12, Section 1208.2, Minimum ceiling heights, Exception:2,

> 2. If any room in a building has a sloped ceiling, the prescribed ceiling height for the room is required in one-half the area thereof. Any portion of the room measuring less than 5 feet (1524 mm) from the finished floor to the ceiling shall not be included in any computation of the minimum area thereof.

The pic below demonstrates the usable floor space considering the 12:12 pitch ceilings on the corners. I have measured/calculated 345' sqr usable space. Combines with the 480' sqr downstairs, we are at 825' sqr usable space. I have also attached my permit app which includes the architect drawings that show the dormers.

Does this help or am I misunderstanding the rule?

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