

**CITY OF AUSTIN**  
**Board of Adjustment/Sign Review Board**  
**Decision Sheet (SPECIAL EXCEPTION)**

**DATE: Monday, May 11, 2015**

**CASE NUMBER: C15-2015-0067**

☐ Y ☐ Jeff Jack - Chair  
☐ Y ☐ Michael Von Ohlen 2<sup>nd</sup> the Motion  
☐ Y ☐ Melissa Whaley Hawthorne - Vice Chair – Motion to PP to June 8, 2015  
☐ Y ☐ Sallie Burchett  
☐ - ☐ Ricardo De Camps (OUT)  
☐ Y ☐ Brian King  
☐ Y ☐ Vincent Harding

**OWNER: Mary Jane Garza**

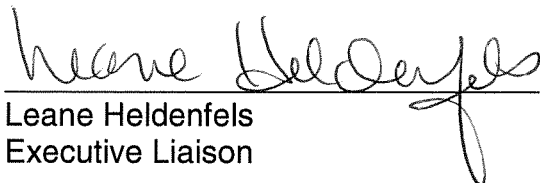
**ADDRESS: 6006 DUNBURY DR**

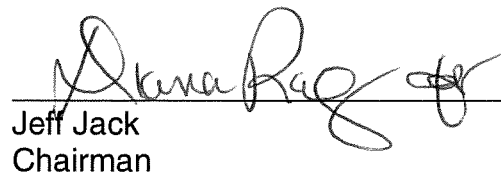
**VARIANCE REQUESTED:** The applicant has requested a Special Exception under Section 25-2-476 (Special Exception) from Section 25-2-492 (D) (Site Development Regulations) to decrease the front yard setback from 25 feet (required) to 2 feet (requested) in order to maintain a carport structure in an "SF-3-NP", Family Residence – Neighborhood Plan zoning district. (Windsor Park)

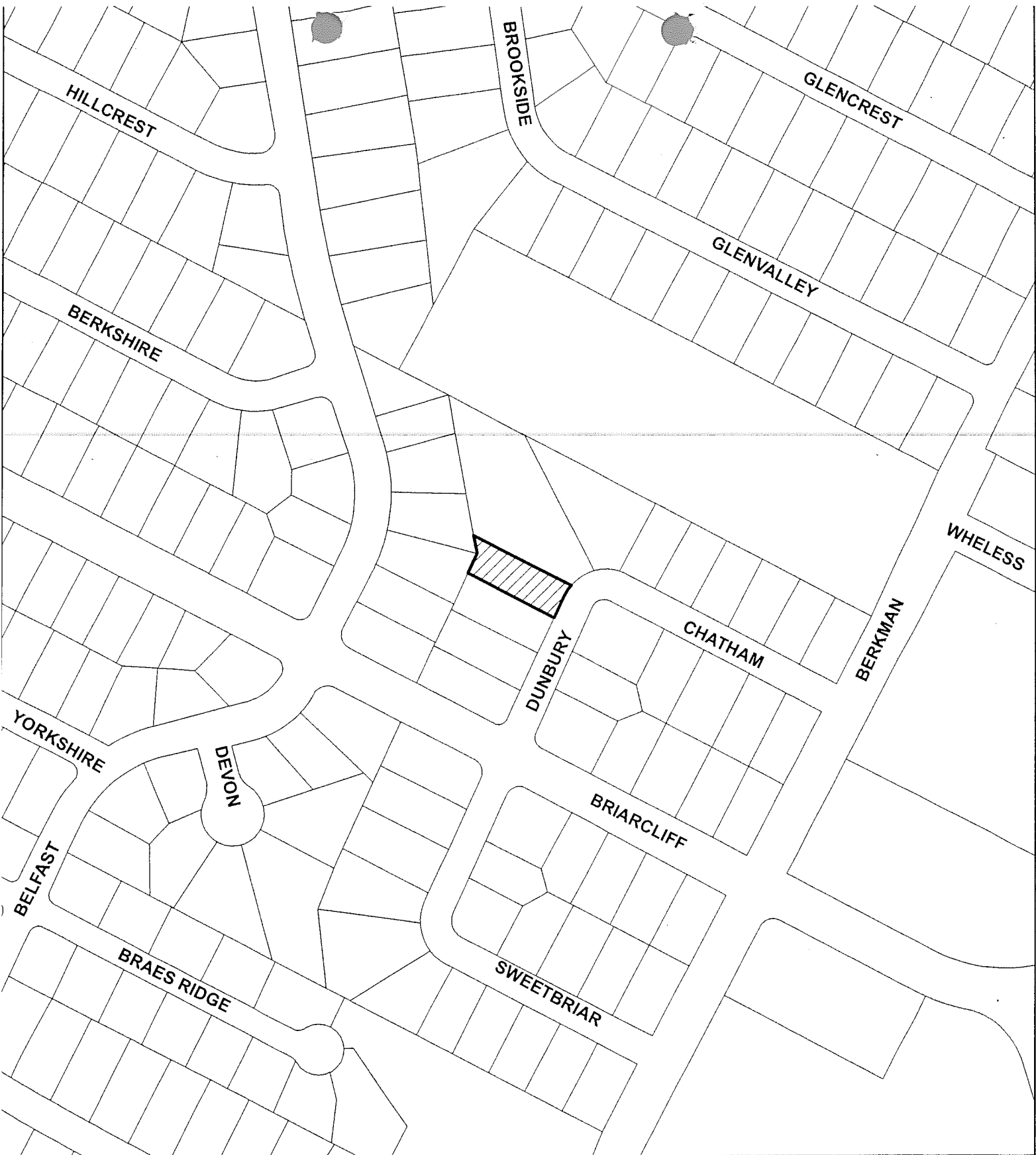
**BOARD'S DECISION:** The public hearing was closed on Board Member Melissa Hawthorne motion to Postpone to June 8, 2015, Board Member Michael Von Ohlen second on a 6-0 vote; **POSTPONED TO JUNE 8, 2015.**




**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:

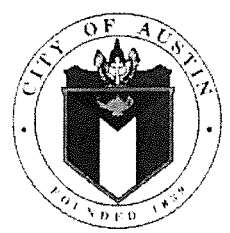
  
Leane Heldenfels  
Executive Liaison

  
Jeff Jack  
Chairman



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

CASE#: C15-2015-0067  
Address: 6006 DUNBURY 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'

Special EXCERPTION

CASE# C15-2015-0067  
ROW# 11328074  
TAX# 0225170220

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: 6006 Dunbury Dr.

LEGAL DESCRIPTION: Subdivision – Gaston Park

Lot(s) 11 Block H Outlot \_\_\_\_\_ Division \_\_\_\_\_

I/We Mary Jane Garza on behalf of myself/ourselves as authorized agent for  
\_\_\_\_\_ affirm that on March 13, 2015

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 X COMPLETE \_\_\_ REMODEL \_\_\_ MAINTAIN  
car port

in a Residential district. SF-3-NP (Windsor Park)  
(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:  
The original carport is small and was only  
for one car. My carport is larger and allows better use.

**HARDSHIP:**

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:

**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:  
There are three other carports within a  
block from my house. My carport is maintained.

**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:

It will keep my cars off the street.

3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

My carport passed a safety test and does not create a safety hazard.

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 [Signature] Mail Address 6006 Dunbury Dr.  
City, State & Zip Austin TX 78723  
Printed \_\_\_\_\_ Phone 512-467-7306 Date \_\_\_\_\_

**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 \_\_\_\_\_  
City, State & Zip \_\_\_\_\_  
Printed \_\_\_\_\_ Phone \_\_\_\_\_ Date \_\_\_\_\_



## SPECIAL EXCEPTION INSPECTION



Address:	6006 Dunbury Dr.
Permit Number:	2014-127820
Property Owner Requesting Special Exception:	Mary Jane Garza

**Special Exception Requested:**

Carport located in front yard setback

**Date Structure was originally constructed:** as per COA GIS carport built sometime after 2006

Date of Inspection:	1-27-2015
Building Official or designated representative	Tony Hernandez
<b>X</b>	The granting of the variances requested will <u>Not</u> result in any hazard to the life, health or public safety for either the property for which the variance is requested or to an adjoining public or private property
	The granting of the variances request will result in a hazard to the life, health or public safety of the either the property for which the variance is requested or to an adjoining public or private property. The following hazards related to the variance request were noted in this inspection:  1.



# Genesis 1 Engineering Company

(T.B.P.E. Registered Firm # F-2565)

George A. Gonzalez, Jr. PE

Consulting Engineer

2605 Jones Rd. Suite E \* Austin, Texas, 78745 \* (512)899-2246 \* (512)899-2203

Engineer1@genesis1engineering.com

Office

Fax

Date: September 30, 2014

TO: DEVELOPMENTAL SERVICES DEPARMENT  
CITY OF AUSTIN  
505 BARTON SPRINGS ROAD  
AUSTIN, TEXAS 78704

RE: **Certification of Attached Carport Structural Framing Inspection**

The structural wood framing for the location referenced below was visually inspected by me or under my direct supervision.

SUBDIVISION: GASTON PARK SUDVISION

LOT: 11 BLOCK: H

ADDRESS: 6006 Dunbury Street, Austin Texas 78723

BUILDER: Ms. Mary Garza, Owner-Contractor

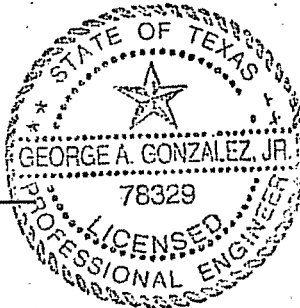
BUIDING PERMIT: Pending

All beams, columns, purlins, anchoring, wind bracing, and decking for the existing attached carport structure were inspected for design and proper placement and connection of structural members to insure the stability of the structure for the location mentioned above.

On the basis of this inspection, I certify that the superstructure has been constructed in accordance with the plans and specification mentioned above and that any additional bracing and/or structural members have been incorporated unto the framing to provide a structurally sound building in accordance with the City of Austin adopted 2012 Edition of the International Residential Code (IRC)

Respectfully,

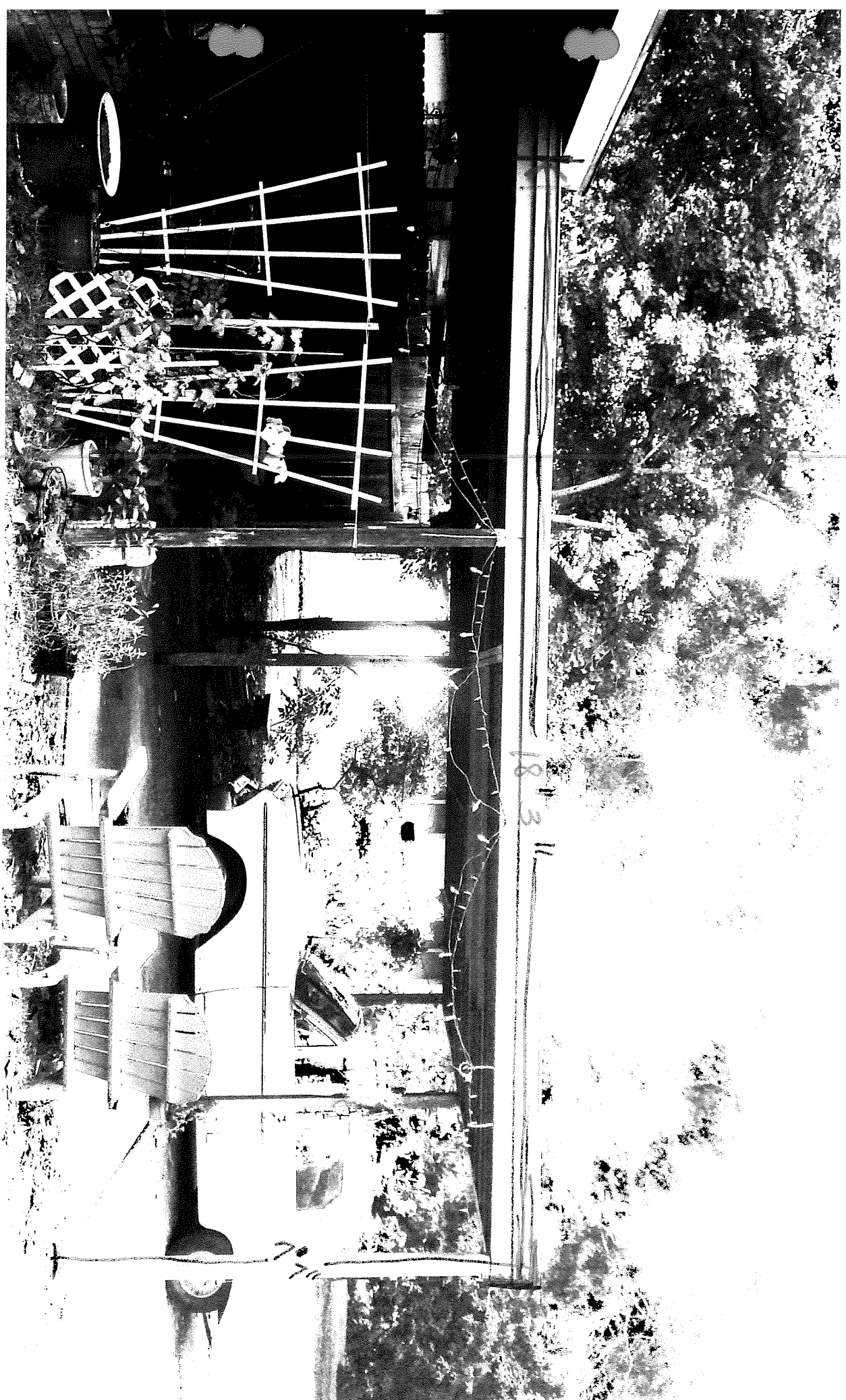
By: George A. Gonzalez, Jr. PE  
Texas Reg. # 78329



Date: 09/30/14







November 18, 2014  
To: The City of Austin

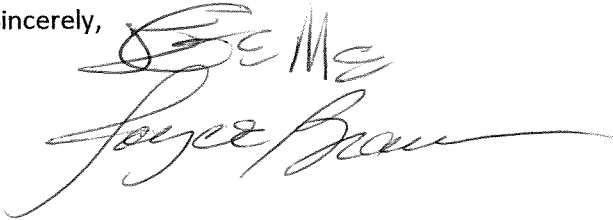
Esteemed person(s):

My wife Joyce and I have lived continuously at 1600 Chatham Avenue for over thirty years. From our front yard we can easily see the front yard of the property owned for many years by Mary Jane Garza at 6006 Dunbury, including the carport.

It has come to our attention some neighborhood verification is desired confirming the age of this carport in Ms. Garza's front yard. The carport has been there for many years now, certainly at least ten years. Construction on the carport started within a year or so of when we had to have a sewer line to the city main replaced in 2002.

We thought the carport a magnificent improvement at the time it was built, and still do.

Sincerely,




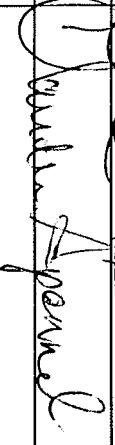
Handwritten signatures of John Gjedde and Joyce Braun. The signature for John Gjedde is written above the signature for Joyce Braun.

John Gjedde and Joyce Braun  
1600 Chatham Avenue  
Austin Texas 78723



I, Mary Jane Gerza, 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 Keep my carport the way it is.

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

Property Owner Name (Printed)	Address	Signature
Jim Wilson	1611 Chastana Ave	
Moel Arellano	1600 Briarcliff Blvd.	
John Giedde	1600 Chastana Ave	
Cludia Valencia	1701 Ophelia Dr	



# City of Austin BUILDING PERMIT

**PERMIT NO:** 2014-127820-BP  
6006 DUNBURY DR

Type: RESIDENTIAL Status: Active  
Issue Date: 01/07/2015 **EXPIRY DATE: 07/06/2015**

LEGAL DESCRIPTION Lot: 11 Block: H Subdivision: GASTON PARK				SITE APPROVAL		ZONING	
PROPOSED OCCUPANCY:		WORK PERMITTED: Life Safety		ISSUED BY: Marcial Perez			
<p>*Special exception* repermitting expired BP: 2012-088478BP for a carport addition. Carport is in front building setback. Applicant has included letter from a neighbor stating that the carport has been there at least 10 years.</p>							
TOTAL SQFT New/Addn: 1,008	VALUATION Tot Val Rem: \$0.00 Tot Job Val: \$0.00	TYPE CONST.	USE CAT. 435	GROUP	FLOORS 1	UNITS 0	# OF PKG SPACES
TOTAL BLDG. COVERAGE	% COVERAGE	TOTAL IMPERVIOUS COVERAGE	% COVERAGE	# OF BATHROOMS	METER SIZE		

<b>Contact</b>	<b>Phone</b>	<b>Contact</b>	<b>Phone</b>
Applicant, Mary Jane Garza	(512) 467-7306	Owner, Mary Jane Garza	(512) 467-7306
General Contractor, Mary Jane Garza	(512) 467-7306		

<u>Fee Desc</u>	<u>Amount</u>	<u>Date</u>	<u>Fee Desc</u>	<u>Amount</u>	<u>Date</u>	<u>Fee Desc</u>	<u>Amount</u>	<u>Date</u>
Building Permit Fee	45.00	1/7/2015	Development Services Surcha	1.80	1/7/2015			
<b>Fees Total:</b>	<b>46.80</b>							

**Inspection Requirements**  
Building Inspection

All Buildings, Fences, Landscaping, Patios, Flatwork And Other Uses Or Obstructions Of A Drainage Easement Are Prohibited, Unless Expressly Permitted By A License Agreement Approved By COA Authorizing Use Of The Easement.

**City Code Chapter 25-12, Article 13: A permit expires on the 181st day if the project has not scheduled nor received an inspection. A "Cancelled" and/or "Failed/No Work Performed" inspection result does not extend the expiration date.**

The following permits are required as a separate permit: See Mechanical, Electrical, Plumbing permits for Related Fees and Inspections.

**Comments**  
Expired Permit Number: 2012-088478\*\*\*\*Place a hold after building permit has been issued\*\*\*\*

By Accepting Or Paying For This Permit You are Declaring That You Are The Owner Or Authorized By The Owner That The Data Submitted At The Time Of Application Was True Facts And That The Work Will Conform To The Plans And Specification Submitted Herewith.



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1997 Aerial

CITY OF AUSTIN DEVELOPMENT WEB MAP

1006 Donburg



Legend

\* Driveway  
w/ dither

☐ Lot Lines

☐ Streets

☐ Building Footprints

☐ Named Creeks

☐ Lakes and Rivers

☐ Parks

☐ County

☐ Lot ID

☐ Block ID

☐ Lot Line

☐ Zoning Text

☐ Zoning (Large Map Scale)

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 BY THE CITY OF AUSTIN REGARDING SPECIFIC ACCURACY OR COMPLETENESS.

# 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

2006 Aerial



Legend

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








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CITY OF AUSTIN DEVELOPMENT WEB MAP

2008 April



Legend

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

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# CITY OF AUSTIN DEVELOPMENT WEB MAP

2009 Aerial



## Legend

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

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## 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: C15-2015-0067, 6006 Dunbury Drive**

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

**Public Hearing: Board of Adjustment, May 11th, 2015**

Your Name (please print)

*Leane Tucker*

Your address(es) affected by this application

*1604 Chelton Ave*

Signature

*[Signature]*

Date

*5/4/15*

Daytime Telephone:

*512-736-5215*

Comments:

*Attorney's structure to exist this close to setback will fundamentally change the neighborhood*

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-Development Services Department/ 1st Floor

Leane Heldenfels

P. O. Box 1088

Austin, TX 78767-1088

Or fax to (512) 974-6305

Or scan and email to [leaneheldenfels@austintexas.gov](mailto:leaneheldenfels@austintexas.gov)

<input type="checkbox"/> I am in favor <input checked="" type="checkbox"/> Object
--

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**Case Number: C15-2015-00668, 5001 Evans Ave. and 5000**

**Martin Ave.**

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

**Public Hearing: Board of Adjustment, May 11th, 2015**

Pete Gilcrease

Your Name (please print)

☒ I am in favor  
☐ I object

Friends of Hyde Park

Your address(es) affected by this application

[Signature]

Signature

Date

5/9/15

Daytime Telephone: \_\_\_\_\_

Comments: The Griffin School is a

fantastic asset for our neighborhood.

Our neighborhood association fully

supports the school.

Note: all comments received will become part of the public notice of this case

**If you use this form to comment, it may be returned to:**

City of Austin-Development Services Department/ 1st Floor

Leane Heldenfels

P. O. Box 1088

Austin, TX 78767-1088

Or fax to (512) 974-6305

Or scan and email to [leane.heldenfels@austintexas.gov](mailto:leane.heldenfels@austintexas.gov)

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**Contact:** Leane Heldenfels, 512-974-2202, [leana.heldenfels@austintexas.gov](mailto:leana.heldenfels@austintexas.gov)  
**Public Hearing: Board of Adjustment, May 11th, 2015**

*MARY LEANE MARTIN*  
 Your Name (please print)

☐ I am in favor  
☒ I object

*701 E. 50th Street*  
 Your address(es) affected by this application

*Neaeghan Martin* *5/3/2015*  
 Signature Date

Daytime Telephone: *512-658-3456*

Comments: *On-street parking is necessary in this section of the neighborhood given the preponderance of single-car driveways. There is barely enough room to travel these streets at the current width — removing on-street parking not an option (as noted above). Furthermore, doubling the capacity of the school at this location may*

Note: all comments received will become part of the public notice of this case

**If you use this form to comment, it may be returned to:**

City of Austin-Development Services Department/ 1st Floor  
 Leane Heldenfels

P. O. Box 1088

Austin, TX 78767-1088

Or fax to (512) 974-6305

Or scan and email to [leana.heldenfels@austintexas.gov](mailto:leana.heldenfels@austintexas.gov)

will exacerbate an already highly congested area.  
This is not an appropriate request for this  
residential neighborhood. I strongly object to  
granting any such variance.

May 10, 2015

**Re: Case Number: C15-2015-0068, 5001 Evans Avenue and 5000 Martin Ave.**

Public Hearing: Board of Adjustment, May 11, 2015

City of Austin-Development Services Department 1<sup>st</sup> Floor  
Leane Heldenfels  
P.O. Box 1088  
Austin, TX 78767-1088

Dear Ms. Heldenfels,

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I object to the variance requested for the Case number/address shown above. Any increase in the number of students, faculty & staff for the school will also increase the traffic and parking in the neighborhood. We are greatly overburdened now with the increased number of cars that are parked in the neighborhood and have difficulty with having adequate parking for the residences and their guests. Doubling the number of students at the Griffin School and resulting increased staff will put insurmountable pressure for parking on the neighborhood where excess parking does not exist today.

I urge you to please not approve the variance requested.

Please feel free to contact me if you have any questions.

Thank you,



Nina Lockhart  
Owner of the subject address affected by this application:  
5004 Evans Avenue  
Austin, TX 78751  
Daytime Phone number: 512-327-1842