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SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

NOTIFICATIONS

CASE#: C15-2015-0109
LOCATION: 617 Thrasher Lane

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.

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1" = 139'

CASE# C15-2015-0109 ROW# 11385415
TAX# 0205180108
TCADV APPLICATION TO BOARD OF ADJUSTMENT
GENERAL VARIANCE/PARKING VARIANCE

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WARNING: Filing of this appeal stops all affected construction activity.

PLEASE: APPLICATION MUST BE TYPED WITH ALL REQUESTED INFORMATION COMPLETED.

STREET ADDRESS: 617 Thrasher Lane, 36404 Ponca Street

LEGAL DESCRIPTION: 50 X 198 FT AV ABS 24 DELVALLE S

Subdivision - _____

Lot(s) _____ Block _____ Outlot _____ Division _____

I/We IT Gonzalez on behalf of myself/ourselves as authorized agent for
Eddie Sanchez, Naomi Cuellar Sanchez, Susan C. Garza affirm that on May 20, 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 ☐ COMPLETE ☐ REMODEL ☐ MAINTAIN

☒ SUBDIVIDE ; LDC 25-2-779-SMALL LOT SINGLE-FAMILY RESIDENTIAL USE and

LDC 25-4-232-SMALL LOT SUBDIVISIONS Existing houses do not meet minimum 15' front setback
on proposed Lot 2 or minimum 10' street side setback on proposed Lot 1.

in a SF-4A -CO-NP district. (Montopolis)
(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):

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REASONABLE USE:

1. The zoning regulations applicable to the property do not allow for a reasonable use because:

Existing houses do not comply with current setback requirements. Need variance so family can subdivide legal tract with two existing houses to permit family members can clean up the deed records and have their own separate property and house.

HARDSHIP:

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

Family members want to subdivide so can have own separate property and house rather than owning the houses and property jointly as is the current situation.

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

In most cases, grandfathered non-conforming properties can just stay as they are. Here, the owners need to subdivide to have their own property and house and are not able to do so without a variance for the setbacks that do not comply with current rules.

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:

Houses are existing. Even if were to rebuild, size of houses will be limited by small sizes of lots and would be built to respect the current zoning setbacks. The SF-4A zoning district purpose is to permit houses to be built on smaller lots.

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:

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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:

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

4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

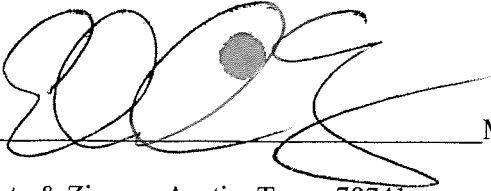
NOTE: The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.

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 I.T. Gonzalez Mail Address 3501 Manor Road
City, State & Zip Austin, Texas 78723
Printed I. T. Gonzalez Phone 512-447-7400 Date 5-20-15

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 Susan C. Garza Mail Address 617 Thrasher Lane
City, State & Zip Austin, Texas 78741
Printed Susan C. Garza Phone 512-633-7437 Date 5-22-15

Signed  Mail Address 6404 Ponca Street


City, State & Zip Austin, Texas 78741

Printed Eddie Sanchez

Phone 512-385-1830

Date 5/22/15

5/23

Signed  Mail Address 6404 Ponca Street

City, State & Zip Austin, Texas 78741

Printed Naomi Cuellar Sanchez

Phone 512-385-1830

Date 5/22/15

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**EVIDENCE TO
BOARD OF ADJUSTMENTS**

July 27, 2015

Attn: Leane Heldenfels
Board of Adjustments Liaison
City of Austin

RE: Case No. C15-2015-0109, 617 Thrasher Ln and 6404 Ponca St, Austin, Texas

Dear Sir or Madam:

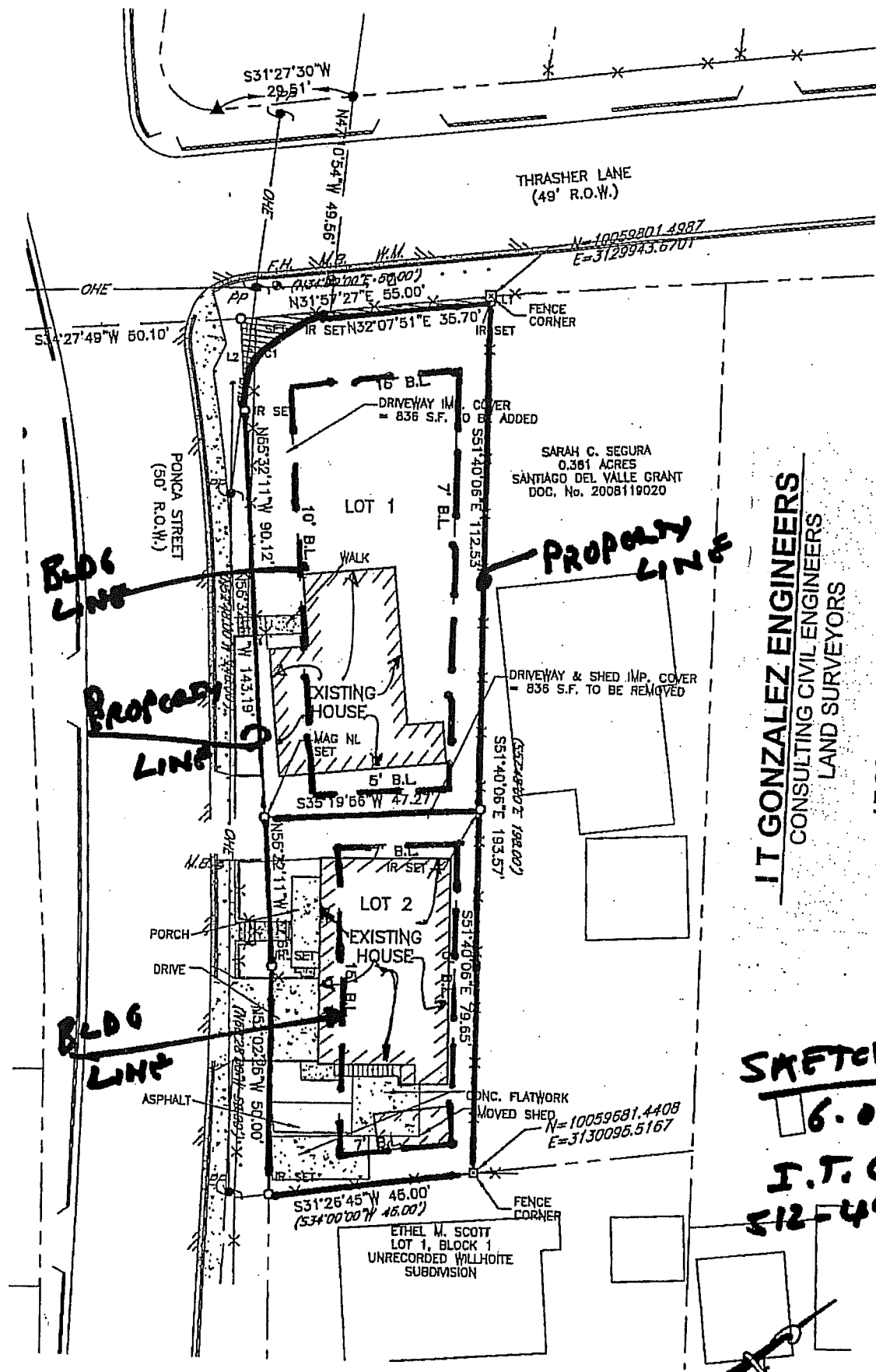
Attached are the following:

1. Sketch A, showing the existing site, setbacks, property lines, etc.
2. Exhibit 1, Letter of Support, from the Montopolis Community Alliance, a neighborhood association.
3. Exhibit 2, picture of 617 Thrasher, showing house view from street corner.
4. Exhibit 3, picture of 617 Thrasher, showing side of house, along Ponca.
5. Exhibit 4, picture of 6404 Ponca house

Sincerely,



I. T. Gonzalez, P.E., R.P.L.S.



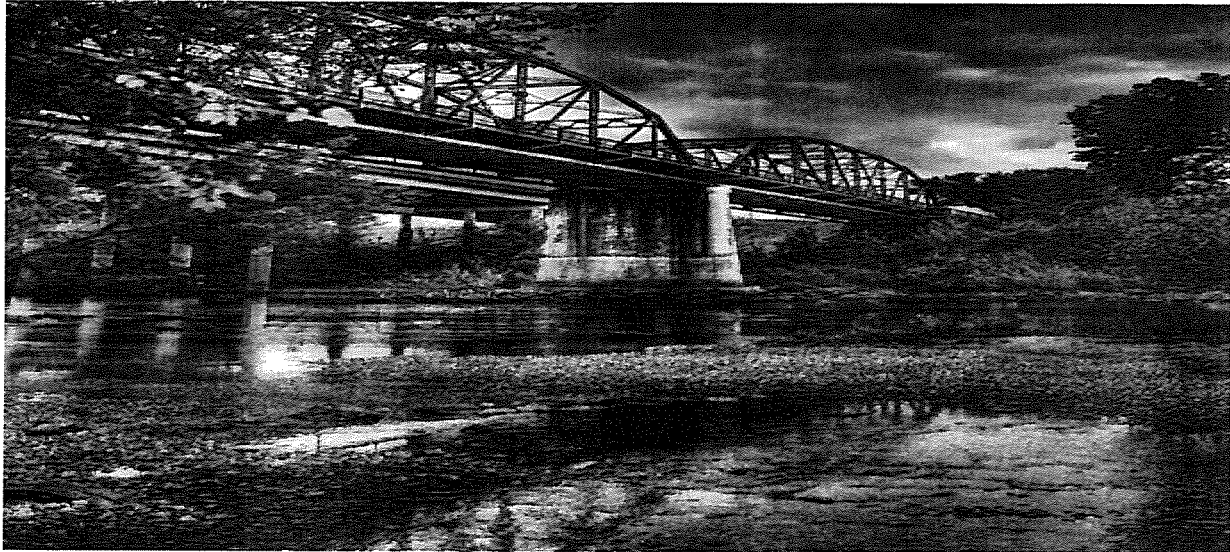
IT GONZALEZ ENGINEERS
 CONSULTING CIVIL ENGINEERS
 LAND SURVEYORS

IT GONZALEZ, P.E., R.P.L.S.

3501 Manor Rd.
 Austin, Texas 78723-5815
 www.itgonzalezengineers.com
 (512) 447-7400, ext 11
 Fax (512) 447-6389
 E-Mail: ITGONZ@SWBELL.NET

SKETCH "A"
 6.05.15
 I.T. GONZALEZ
 512-447-7400

② PROPOSED SITE PLAN WITH PROPOSED
 PROPERTY LINES & SF4A BUILDING SETBACK LINES
 SCALE 1" = 20'



The Montopolis Community Alliance a neighborhood association

RE: SUSIE & MARTIN CUELLAR SUBDIVISION, CASE NO. C8-2014-0200.0A

June 23, 2015

To the City of Austin Board of Adjustment and other concerned parties:

I. T. Gonzalez Engineers presented to us that the existing structures are encroaching on the Ponca setback and that a variance is being requested to allow the encroachment. It is our understanding that any and all future construction, additions, etc., would need to respect all building setbacks, stipulated by the subdivision plat.

The members of the Montopolis Community Alliance a neighborhood association located in the Montopolis neighborhood of Austin, Texas want to express their support for a a variance in the set back requirements for the property located at 617 Thrasher and 6404 Ponca Street

**Delwin Goss President
Montopolis Community Alliance (M.C.A.)
6410 Ponca Street
Austin, Texas 78741
Delwingoss@aol.com
512-389-2133
512-507-7615**

EXHIBIT 1

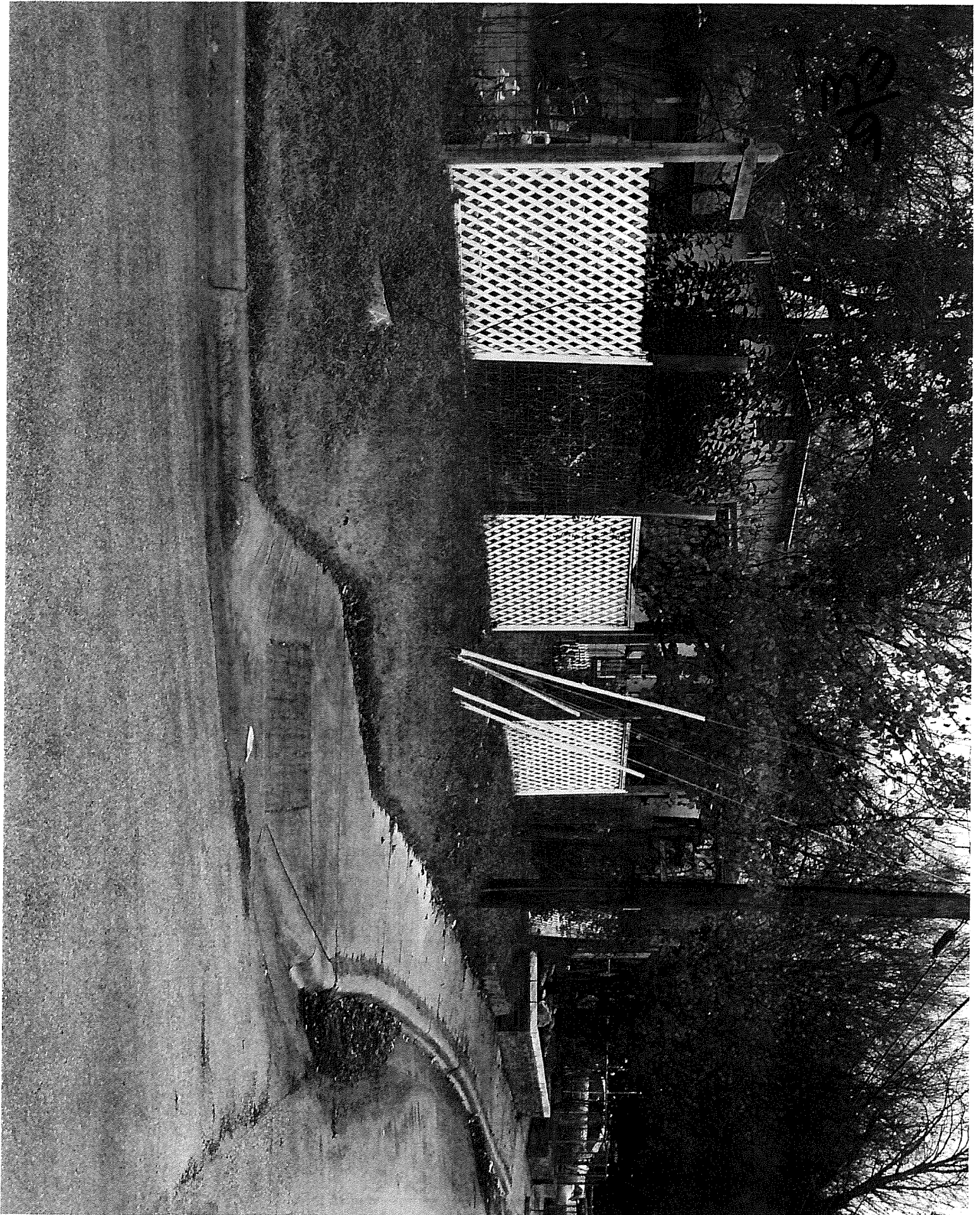


EXHIBIT 2

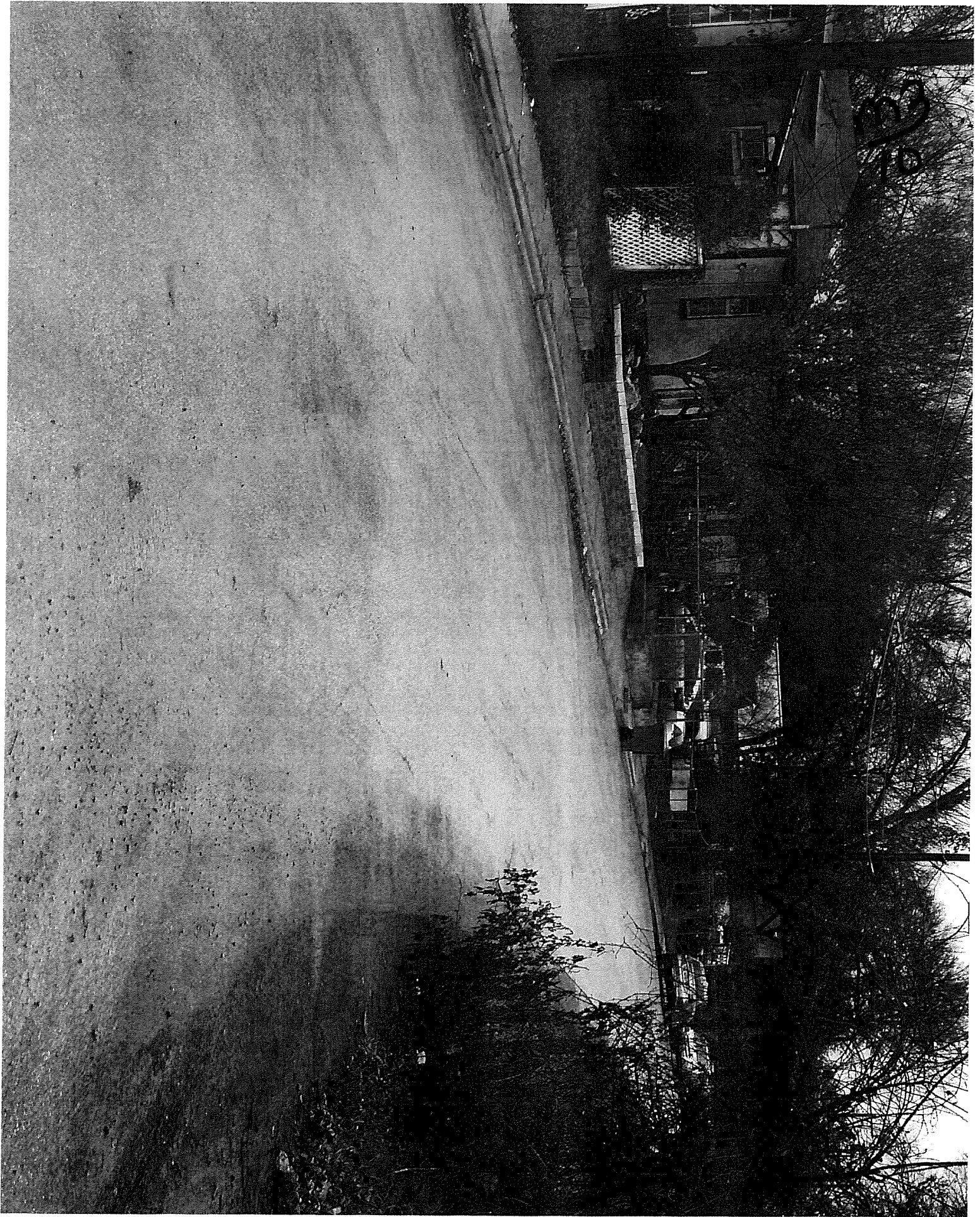
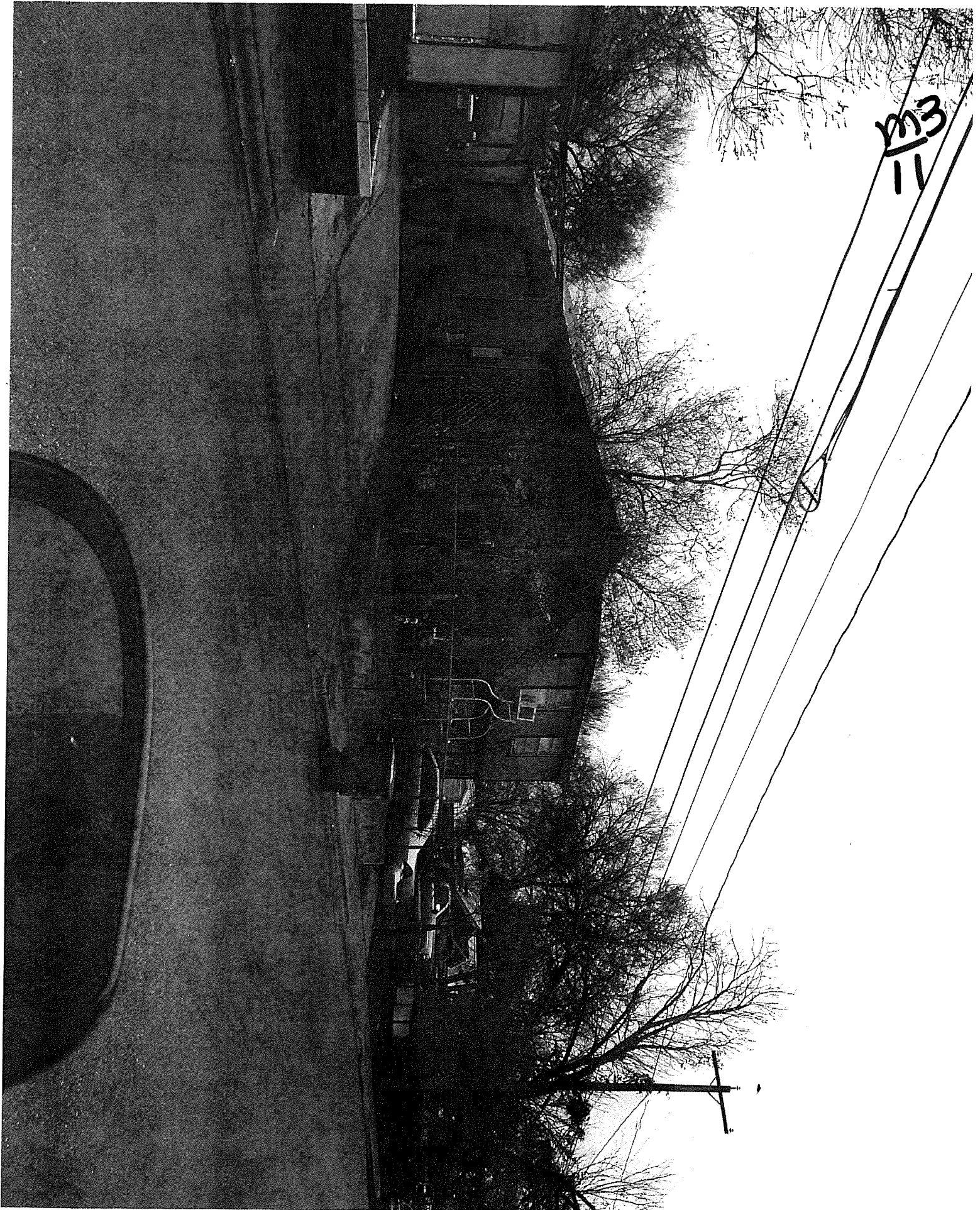


EXHIBIT 3



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EXHIBIT 4

Subdivision Review - Cesar Zavala - 512-974-3404

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SR 1. – SR 6. Comments Cleared.

SR 7. The area included in the plat appears to be developed. A plat cannot be approved if in the proposed plat has a structure and the proposed lots will not meet the required LDC setbacks due to changes in property lines with this application. In order to access building locations and the impacts of this plat application on property lines, please provide this reviewer with a current "as built survey" which includes a red line showing the new property lines and new setback dimensions. Or provide information on the demolition of any structures associated with this application.

Update 1: Once the related SF-4A case is approved the lots will need to demonstrate SF-4A zoning setback requirements or a variance from the Board of Adjustment is required to have the plat approved with the existing structures encroaching in the building setbacks. Any existing structures to remain will need to have a minimum front setback of 15 feet and Lot 1 a 10 foot street side setback. Refer to Land Development Code Sections 25-2-779 and 25-4-232.

Update 2: Comment pending applicant request to the B.O.A.

SR 8. F.Y.I.: The subdivision case cannot be approved until the associated zoning case is approved to meet SF-4A requirements.

SR 9. Comment cleared.

SR 10. Comment Cleared.

SR 11. F.Y.I.: The City of Austin requires the following "Recordation Fee" prior to approval of this plat, \$22.50 for plats to be recorded in Travis County/. This fee is not the County recordation fee required to record the plat. Please make an appointment with the "Intake Center" on the 4th floor at 974-2680 to pay the fee. All checks should be made payable to the City of Austin.

SR 12. F.Y.I.: The following steps are required AFTER approval and the plat has been signed by the Commission (or Director if administrative) to record the plat. The plat is sent to Millers to have 2 photographic mylar copies made (this takes 2-4 working days). Then we check to make sure that we have the current tax current tax certificates (showing that all taxes have been paid for the previous year)

SR 13. F.Y.I.: Recording fees must be paid at the time this plat is approved. Original transparency(ies) will be required for recording. *Travis County* plat recording fees are \$58.00 per sheet for the first sheet and \$27.00 per sheet for any additional sheets. Other instruments (including Tax Certificates) are \$26.00 for the first page and \$4.00 for all other pages. The last page must have a bottom margin of 4 inches, or an additional \$4.00 will be charged. Recording fees must be paid by separate check made payable to the Travis County Clerk.

SR 14. F.Y.I. for Travis County: At the time of recording the following item(s) will be required: original county (crimped tax certificate), and any other document being recorded with the