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CITY OF AUSTIN
Board of Adjustment/Sign Review Board
Decision Sheet

DATE: Monday, October 12, 2015

CASE NUMBER: C15-2015-0142

☐ Y ☐ Brooke Bailey
☐ Y ☐ Michael Benaglio
☐ Y ☐ William Burkhardt -2nd the Motion
☐ N/A ☐ Eric Goff
☐ Y ☐ Vincent Harding
☐ Y ☐ Melissa Hawthorne - Motion to PP to 11/9/15
☐ Y ☐ Don Leighton-Burwell
☐ Y ☐ Melissa Neslund
☐ Y ☐ James Valadez
☐ OUT ☐ Michael Von Ohlen

OWNER/APPLICANT: Victoria S Flores

ADDRESS: 6508 SANDSHOF DR

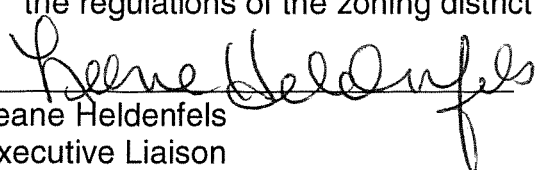
VARIANCE REQUESTED: The applicant has requested a Special Exception under Section 25-2-476 (Special Exception) from Section 25-2-492 (D) (Site Development Regulations) to decrease the front yard setback from 25 feet (required) to 12 feet (requested, existing) in order to maintain a carport constructed at least 10 years ago in an "SF-2", Family Residence zoning district.

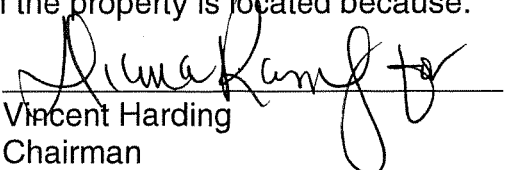
Note: Section 25-2-554 (FAMILY RESIDENCE (SF-2) DISTRICT REGULATIONS) of the zoning ordinance states that the rear yard setback is five feet for an accessory building that is not more than one story or 15 feet in height. The accessory structure in the rear of this property meets this description.

BOARD'S DECISION: POSTPONED TO 11/9/15 BY STAFF TO RESOLVE PENDING AUSTIN ENERGY ISSUES


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


Vincent Harding
Chairman







N



SUBJECT TRACT

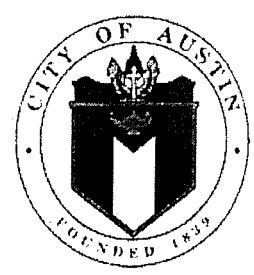


PENDING CASE



ZONING BOUNDARY

NOTIFICATIONS
CASE#: C15-2015-0142
6508 SANDSHOF 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" = 208'

Special Exception

CASE# C15-2015-0142
ROW# 11412731
TAX# 029330903

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3

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: 6508 Sandshof Dr.

LEGAL DESCRIPTION: Subdivision - Park Place 1

Lot(s) 3 Block A Outlot _____ Division _____

I/We Victoria Flores on behalf of myself/ourselves as authorized agent for
self affirm that on 7th, 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

carport in front setback for at least
10 years (13' from front property line)

in a SF-2 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.

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):

**B3
4**

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

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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:

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 Victoria Flores Mail Address 6508 Sandshof Dr.

City, State & Zip Austin, Texas 78724

Printed Victoria Flores Phone 512-541-8496 Date 8/7/15

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 SAME Mail Address _____

City, State & Zip _____

Printed _____ Phone 512-541-8496 Date _____

Flores, Victoria91@yahoo.com
Flores, victoria⁹¹@yahoo.com

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

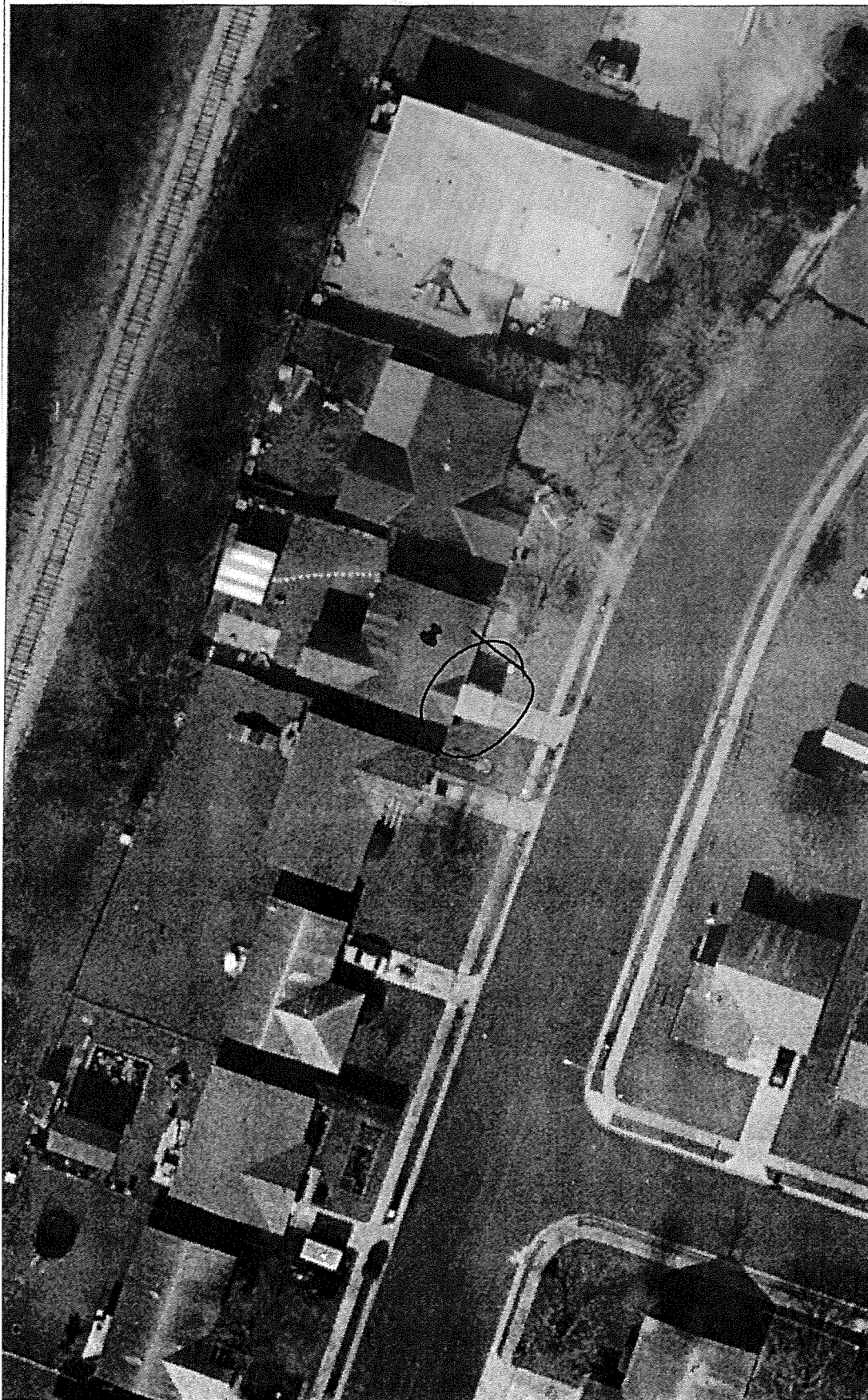
(3) may not authorize a remodel or addition to the existing structure, except to the extent required by the building official to meet minimum life and safety requirements.

(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.

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CITY OF AUSTIN DEVELOPMENT WEB MAP 6508 Sandshof



Legend

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

JB
1

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.

SAMPLE PLOT PLAN EXHIBIT

BASIC REQUIREMENTS

PROPERTY ADDRESS

LEGAL DESCRIPTION

PROPERTY LINE W/ BEARINGS & DIMENSIONS

REQUIRED SETBACKS

NORTH ARROW

DRAWING SCALE

EXISTING/PROPOSED BUILDING IMPROVEMENTS

ROOF OVERHANGS

REQUIRED OFF-STREET PARKING SPACES (8.5FT X 17FT)

ADJACENT RIGHT-OF-WAYS & SURFACE MATERIAL

EXISTING/PROPOSED SIDEWALKS

EXISTING/PROPOSED DRIVEWAYS

SHOW WIDTH AT PROP. LINE

DISTANCE FROM STORM SEWER INLETS

UTILITY LOCATIONS

WATER METER LOCATION

ELECTRICAL SERVICE LOCATION

NATURAL GAS METER LOCATION

TREES GREATER THAN 19" IN DIAMETER

TREE SPECIES & DIAMETER

CRITICAL ROOT ZONE

ADD'L MISC. REQUIREMENTS

EASEMENTS

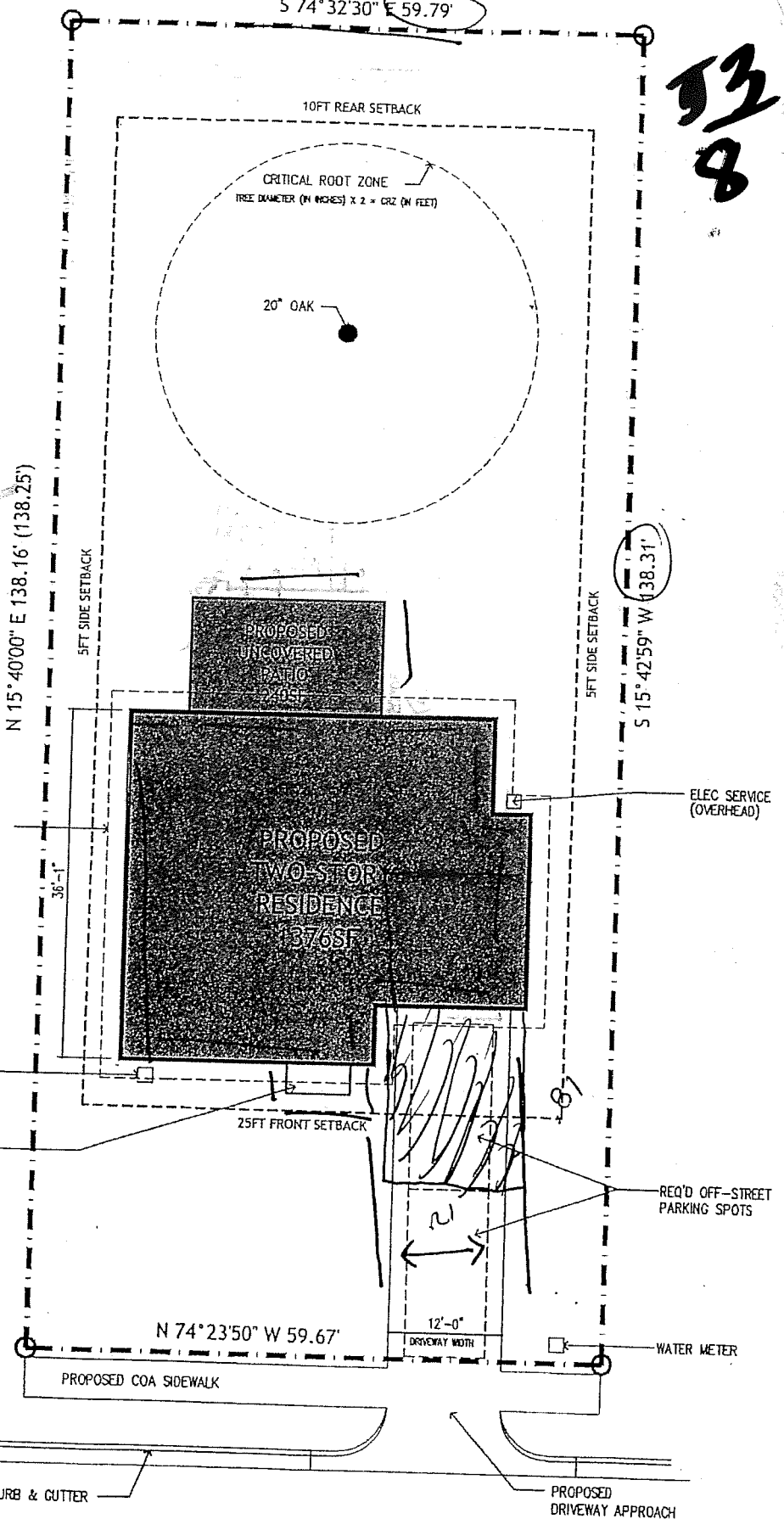
FLOODPLAIN INFORMATION

CITY LIMIT BOUNDARIES

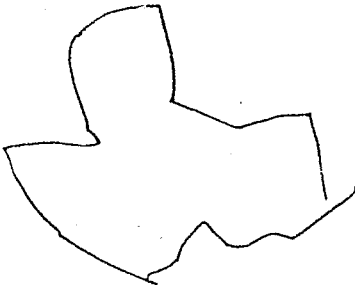
RELATED ZONING/ BOARD OF ADJUSTMENT CASE NUMBERS

FRONT-YARD IMPERVIOUS COVER

GARAGE FACADE PERCENTAGE



53
8



1. hire a land surveyor, arch. engineer, Contractor

2. Do it yourself ✓

3. TCAD

4. C Park N.A.

MAIN STREET
60FT R.O.W.
ASPHALT PAVING

NORTH ⊕
SCALE: 1/8" = 1'-0"

6508 SANDSTOF DR.

58'

23
9

CITY OF AUSTIN
APPROVED FOR PERMIT

Greg Guernsey

Planning and Development Review Department

Date 9/10/14

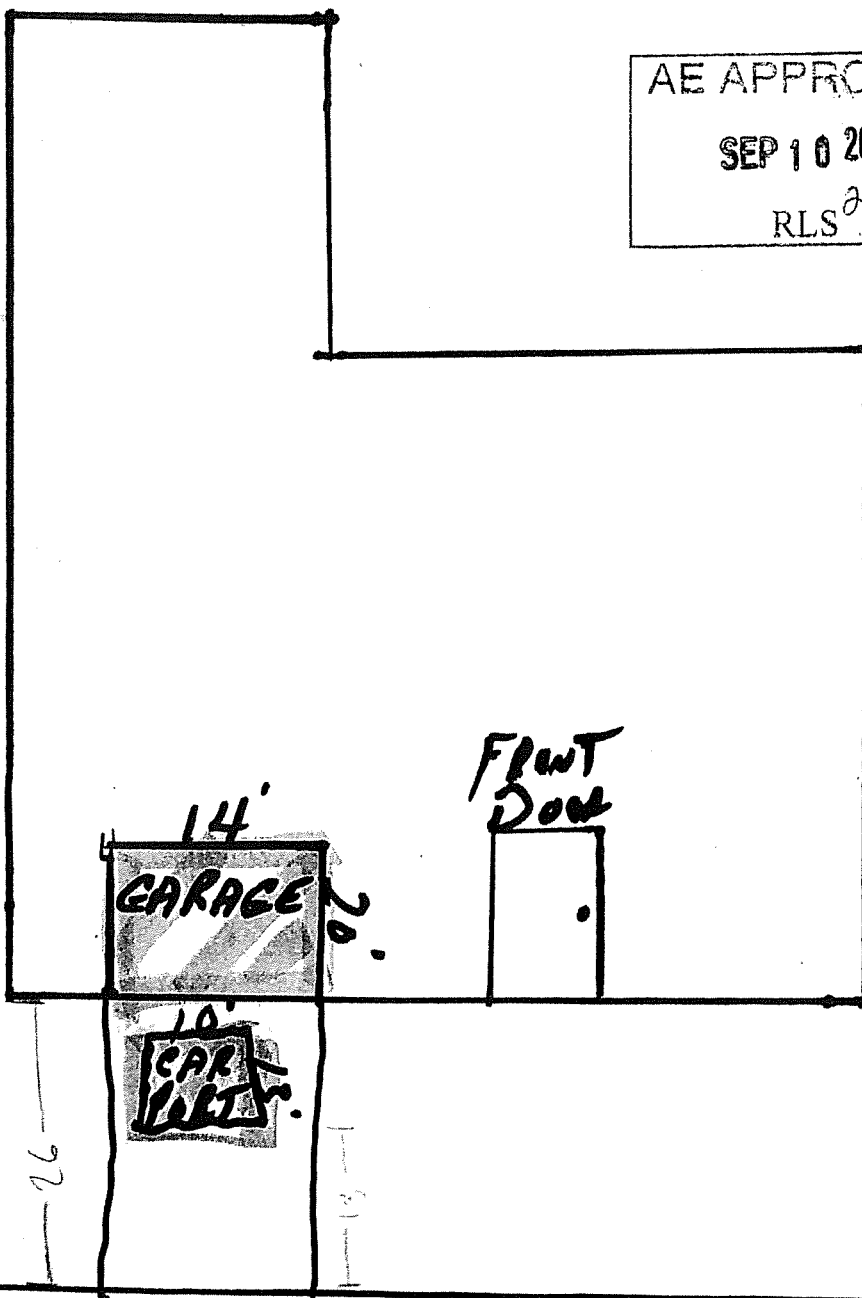
The granting of a permit for, or approval of, these plans and specifications shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of the current adopted building code or any other ordinances of the City of Austin.

All structures etc. must maintain 7'5" clearance from AE energized power lines. Enforced by AE & NESC codes.

AE APPROVED

SEP 10 2014

RLS 253-9



120'



SPECIAL EXCEPTION INSPECTION



CK52ASD42

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10

Address:	6508 Sandshof Dr.
Permit Number:	2014-097074
Property Owner Requesting Special Exception:	Ralph Flores

Special Exception Requested:

13 foot encroachment into the front yard setback with carport

Date Structure was originally constructed: verified 2003 COA GIS

Date of Inspection:	2-27-2015
Building Official or designated representative	Tony Hernandez
X	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.