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AIRPORT



SUBJECT TRACT



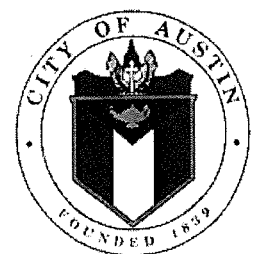
PENDING CASE



ZONING BOUNDARY

NOTIFICATIONS

CASE#: C15-2016-0001
LOCATION: 1126 Gunter Street



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" = 165'

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**CITY OF AUSTIN
Board of Adjustment
Decision Sheet**

DATE: Monday, January 11, 2016

CASE NUMBER: C15-2016-0001

☐ N ☐ Brooke Bailey
☐ Y ☐ Michael Benaglio
☐ Y ☐ William Burkhardt
☐ Y ☐ Eric Goff **2nd the Motion**
☐ Y ☐ Melissa Hawthorne **Motion to PP to March 14, 2016**
☐ Y ☐ Don Leighton-Burwell
☐ Y ☐ Melissa Neslund
☐ Y ☐ James Valadez
☐ - ☐ Michael Von Ohlen
☐ - ☐ Kelly Blume (Alternate)
☐ Y ☐ Rahm McDaniel (Alternate)

APPLICANT: Phil Moncada

OWNER: Pendelton Plus, LLC

ADDRESS: 1126 GUNTER ST

VARIANCE REQUESTED: The applicant has requested variance(s) to Section 25-2-492 (D) (Site Development Regulations) to

A. decrease the minimum front yard setback from 25 feet (required) to 15 feet (requested); and to

B. decrease the minimum lot width from 50 feet (required) to 0 feet (requested, lot depth does not extend 75 feet needed to measure width at that point as required – see note below)

C. decrease the side street setback from 15 feet (required) to 13 feet (requested, existing) for the existing home on Lot 2 in order to create a new, additional lot pending subdivision approval and construct a new single family home on that new lot while maintaining existing home on the existing lot in a “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Govalle)

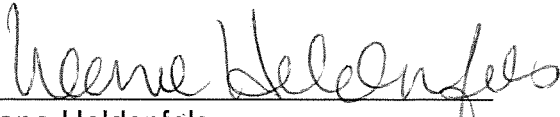
Note: Section 25-1-22 (C) (Measurements) defines lot width as a measurement made at the front setback line and at a distance of 50 feet to the rear of the front setback line.

BOARD’S DECISION: The public hearing was closed on Board Member Melissa Hawthorne motion to Postpone to March 14, 2016, Board Member Eric Goff second on a 8-1 vote (Board Member Brooke Bailey nay); **POSTPONED TO MARCH 14, 2016.**

FINDING:

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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



William Burkhardt
Chairman

CASE# CV5-2016-0001
ROW# 11460539
TAX# 0206150107
CADV

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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: 1126 GUNTER ST

LEGAL DESCRIPTION: Subdivision - .313AC

Lot(s) _____ Block _____ Outlot 49 Division A

I/We PHIL MONCADA on behalf of myself/ourselves as
authorized agent for

PENDLETON PLUS affirm that on OCTOBER, 20TH,

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

LDC 25-2-1064 REGARDING MINIMUM LOT DEPTH (LESS THAN 50') WE REQUEST LOT WIDTH 39.2FT.

LDC 25-1-22© REQUEST TO REDUCE FRONT YARD SETBACK TO 15' TO CONSTRUCT A SINGLE FAMILY

HOME ON EACH PROPOSED LOT. Section 25-2-492(D) Lot width

in a SF-3-NP district. (GoValle)
(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:
PROPOSED SUBDIVISION FRONT YARD SETBACK LINES MAKE IT DIFFICULT TO DEVELOP LOT WITH REDUCED DEPTH.

HARDSHIP:

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

RESUBDIVISION OF LOT IS REQUIRED BECAUSE OWNER PREVIOUSLY DID NOT HAVE LEGAL LOT FOR REDEVELOPMENT.

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

MAJORITY OF LOTS IN GENERAL VICINITY ARE LEGAL LOTS AND NOT PART OF A RECORDED SUBDIVISION.

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:

SINGLE FAMILY LOTS IN THIS AREA ARE COMPARABLE IN SIZE.

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:

N/A

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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:

N/A

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

N/A

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

N/A

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 Phil Moncada Mail Address 1301 S IH 35 STE 204

City, State & Zip AUSTIN, TEXAS 78741

Printed PHIL MONCADA Phone 512-627-8815 Date 10-20-15

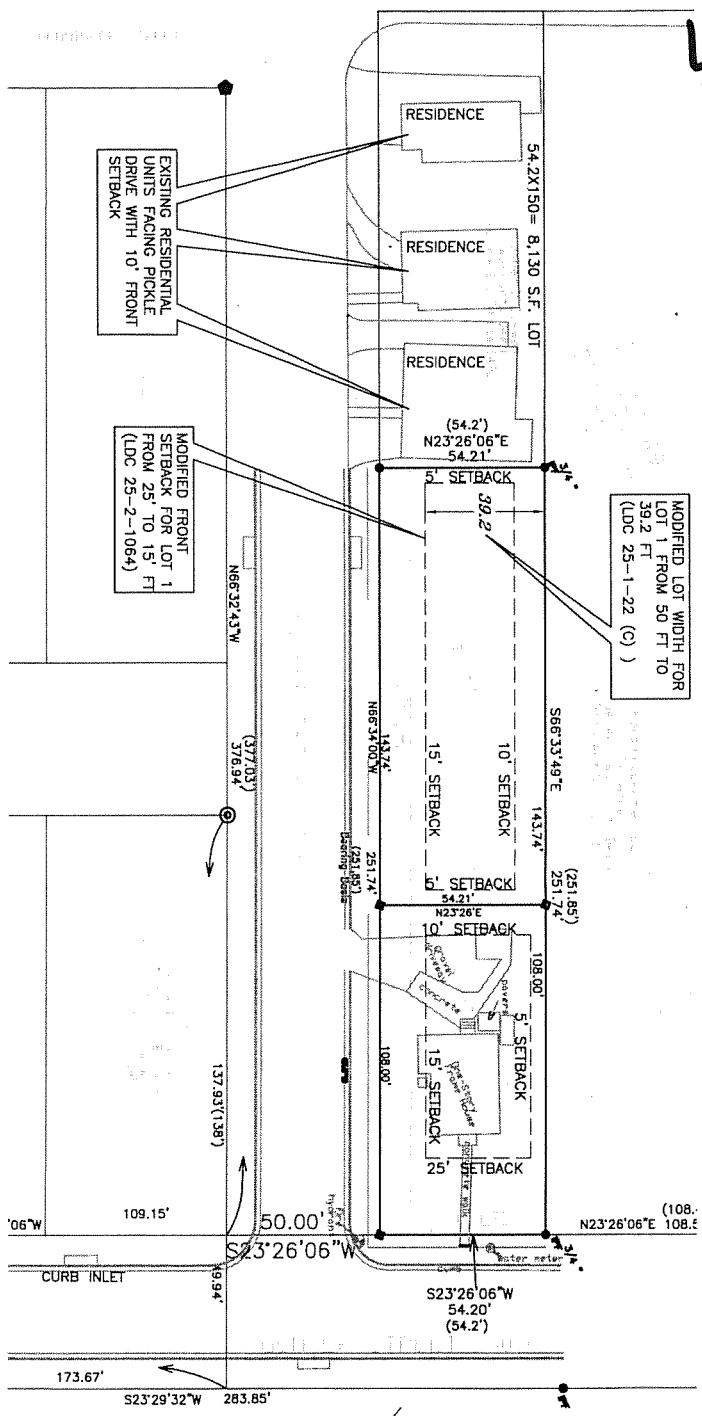
OWNERS CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed E RB Mail Address 1930 PENDLETON DR.

City, State & Zip GARLAND, TEXAS 75041

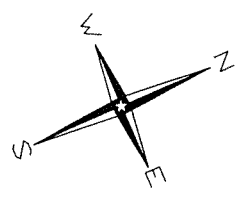
Printed PENDLETON PLUS LLC Phone 214-929-6545 Date 10-21-15

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LOT SUMMARY

Total Number of Lots =	2
Lot 1 =	5,854 Square Feet
Lot 2 =	7,791 Square Feet
Total Area =	13,645 Square Feet = 0.313 Acre



SERVANT ENGINEERING & CONSULTING, PLLC

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 (512) 659-4386 TEL.
 (512) 291-8714 FAX

**PENDELTON PLACE SUBDIVISION
 PROPOSED SETBACKS
 1126 GUNTER STREET
 AUSTIN, TEXAS 78702**

