




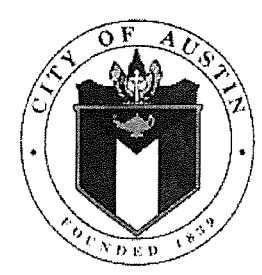
K/1



- N
-  SUBJECT TRACT
 -  PENDING CASE
 -  ZONING BOUNDARY

NOTIFICATIONS

CASE#: C15-2016-0029
LOCATION: 1209 Richcreek Road



1" = 174'

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.

Special Exception

K1
2



CITY OF AUSTIN

Development Services Department

One Texas Center | Phone: 512.978.4000

505 Barton Springs Road, Austin, Texas 78704

Board of Adjustment

~~General/Parking Variance Application~~

SPECIAL EXCEPTION

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

This application is a fillable PDF that can be completed electronically. To ensure your information is saved, [click here to Save](#) the form to your computer, then open your copy and continue.

The Tab key may be used to navigate to each field; Shift + Tab moves to the previous field. The Enter key activates links, emails, and buttons. Use the Up & Down Arrow keys to scroll through drop-down lists and check boxes, and hit Enter to make a selection.

The application must be complete and accurate prior to submittal. ***If more space is required, please complete Section 6 as needed.*** All information is required (if applicable).

For Office Use Only

Case # C15-2016-0029 ROW # 11483924 Tax # 0235081211

Section 1: Applicant Statement

Street Address: 1209 Richcreek Road

Subdivision Legal Description:

Lot(s): 30

Block(s): L

Outlot:

Division: Crestview Addition

Zoning District: SF-3-NP (crestview)

Section 7

I/We Connie Piper

on behalf of myself/ourselves as

authorized agent for

affirm that on

Month Select 02/09/2016 Day Select , Year Select , hereby apply for a hearing before the

Board of Adjustment for consideration to (select appropriate option below):

☐ Erect ☐ Attach ☐ Complete ☐ Remodel ☒ Maintain ☐ Other:

Type of Structure: accessory building encroaching # in west side yard

K/3

Portion of the City of Austin Land Development Code applicant is seeking a variance from:

requesting a special exception under section 25.2.476 to decrease the west side yard setback from 5' (required) to 2.6' (requested + existing) in order to maintain an accessory building (detached)

Section 2: Variance Findings

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 supporting documents.

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.

I contend that my entitlement to the requested variance is based on the following findings:

Reasonable Use

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

* SPECIAL EXCEPTION *

Hardship

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 *

K/4

Area Character

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 in the City of Austin Land Development Code Chapter 25-6, Appendix A 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 reasonably 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:

Section 3: Applicant Certificate

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

Applicant Signature: _____ Date: 02.09.2016
Applicant Name (typed or printed): Connie Piper
Applicant Mailing Address: 1209 Richcreek Road
City: Austin State: Texas Zip: 78757
Phone (will be public information): 512.468.6008 ✓
Email (optional – will be public information): Connie R Piper
connie.l.piper@gmail.com

Section 4: Owner Certificate

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

Owner Signature: _____ Date: 02.09.2016
Owner Name (typed or printed): Connie Piper
Owner Mailing Address: 1209 Richcreek Road
City: Austin State: Texas Zip: 78757
Phone (will be public information): 512.468.6008 ✓
Email (optional – will be public information): Connie R Piper

Section 5: Agent Information

Agent Name: _____
Agent Mailing Address: _____
City: _____ State: _____ Zip: _____
Phone (will be public information): _____
Email (optional – will be public information): _____

Section 6: Additional Space (if applicable)

Please use the space below to provide additional information as needed. To ensure the information is referenced to the proper item, include the Section and Field names as well (continued on next page).

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:

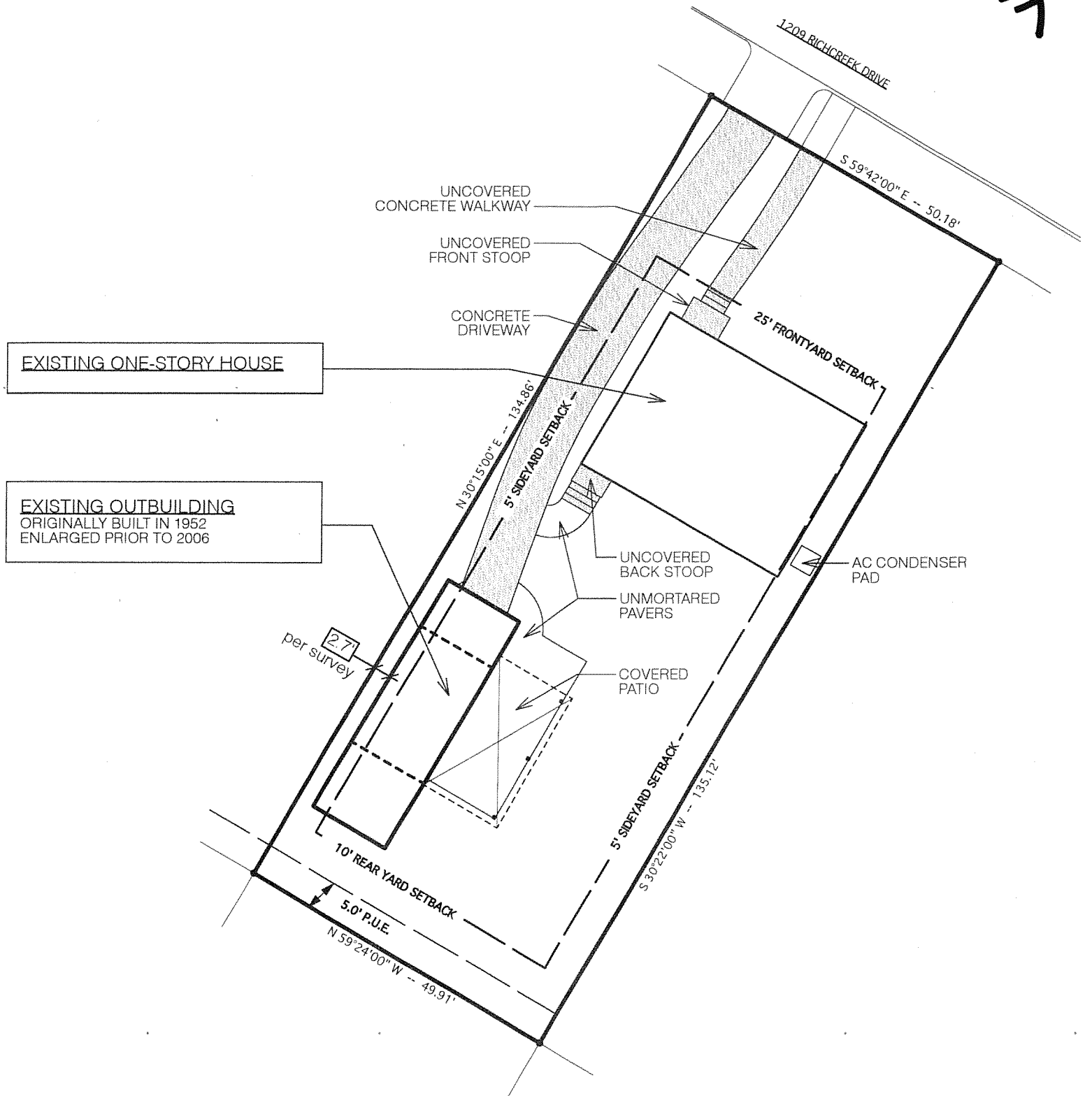
- (1) applies only to the structure, or portion of a structure, for which the special exception was granted and does not run with the land;
- (2) may not authorize an increase in the degree of noncompliance or excuse compliance with minimum health and safety requirements; and
- (3) may not authorize 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.

KL
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14/7










proposed site plan 1209 Richcreek Road

scale: 1" = 20'



Legend

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

.K1
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← RICHCREEK
ROAD

ACCESSORY
BUILDING

