



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

NOTIFICATIONS

CASE#: C15-2016-0076

LOCATION: 2104 Chestnut Avenue



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" = 84'



Special Exception
CITY OF AUSTIN
Development Services Department
One Texas Center | Phone: 512.978.4000
505 Barton Springs Road, Austin, Texas 78704

C/3.

Board of Adjustment General/Parking Variance Application

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 # C15-2016-0076 ROW # 11549091 Tax # 0212100508

Section 1: Applicant Statement

Street Address: 2104 CHESTNUT AVE.

Subdivision Legal Description:

.1470 AC OF LOT 3-4 BLK 12 OLT 46 DIV B JOHNS CR
SUBD & PLUS ADS VAC ALLEY

Lot(s): 3-4 Block(s): 12

Outlot: 46 Division: B JOHNS CR SUBD

Zoning District: SF3-NP UPPER BOGGY CREEK

I/We Vanessa McMahan on behalf of myself/ourselves as
authorized agent for James McMahan Jr. affirm that on
Month Select May 20, Day Select 20/6 Year Select 2016, 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: patio extension enclosure in side setback
built in 2006

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

Special exception for side setback

C/4

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:

SE

Hardship

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

SE

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

SE

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:

CL/S

SE

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:

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

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

Section 3: Applicant Certificate

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

Applicant Signature: [Signature] Date: 5/20/16

Applicant Name (typed or printed): Vanessa McMahon

Applicant Mailing Address: 9115 McAfee Dr.

City: HOUSTON State: TX Zip: 77031

Phone (will be public information): 512-695-7088

Email (optional – will be public information): vanessa.mcmahan@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: [Signature] Date: _____

Owner Name (typed or printed): James McMahon

Owner Mailing Address: 134 Merrywood Ln.

City: SAN MARCOS State: TX Zip: 78666

Phone (will be public information): [Redacted]

Email (optional – will be public information): Texan55555@yahoo.com

Section 5: Agent Information

Agent Name: Julietta McMahon

Agent Mailing Address: 134 Merrywood Ln.

City: SAN MARCOS State: TX Zip: 78666

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).

NA

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; 2017

(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.

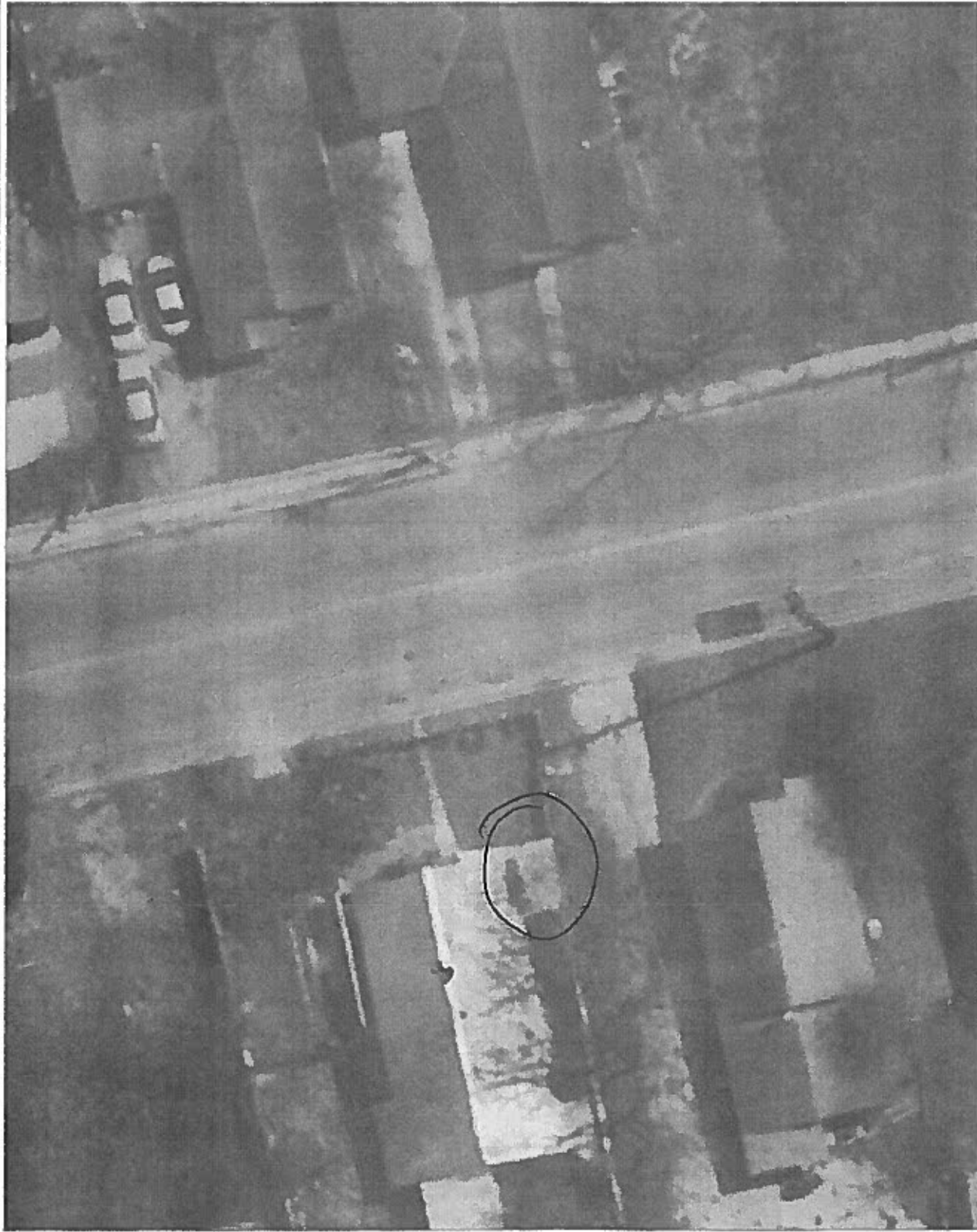
(D) A structure granted a special exception under this section shall be treated as a non-complying structure under Chapter 25-2, Article 8 (Noncomplying Structures).

Source: Ord. 20110526-098; Ord. 20121108-091; Ord. 20130822-126.

2006 Aerial


CITY OF AUSTIN DEVELOPMENT WEB MAP

204 Chestnut



Legend

 Lot Lines

 Streets

 Building Footprints

 Named Creeks

 Lakes and Rivers

 Parks

 County

A/C

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.

Travis CAD

Property Search Results > 203988 MCMAHAN JAMES D JR for Year 2016

Property

Account

Property ID: 203988 Legal Description: 1470AC OF LOT 3-4 BLK 12 OLT 46 DIV B JOHNS C R SUBD & PLUS ADJ VAC ALLEY
 Geographic ID: 0212100508 Agent Code:
 Type: Real
 Property Use Code:
 Property Use Description:

Location

Address: 2104 CHESTNUT AVE Mapsco: 585M
 TX 78702
 Neighborhood: D1000 Map ID: 021011
 Neighborhood CD: D1000

Owner

Name: MCMAHAN JAMES D JR Owner ID: 1578341
 Mailing Address: 2104 CHESTNUT AVE % Ownership: 100.0000000000%
 AUSTIN, TX 78722
 Exemptions: HS

Values

(+) Improvement Homesite Value: + \$102,235
 (+) Improvement Non-Homesite Value: + \$0
 (+) Land Homesite Value: + \$200,000
 (+) Land Non-Homesite Value: + \$0 Ag / Timber Use Value
 (+) Agricultural Market Valuation: + \$0 \$0
 (+) Timber Market Valuation: + \$0 \$0
 (=) Market Value: = \$302,235
 (-) Ag or Timber Use Value Reduction: - \$0
 (=) Appraised Value: = \$302,235
 (-) HS Cap: - \$79,660
 (=) Assessed Value: = \$222,575

Taxing Jurisdiction

Owner: MCMAHAN JAMES D JR
 % Ownership: 100.0000000000%
 Total Value: \$302,235

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
01	AUSTIN ISD	1.202000	\$302,235	\$197,575	\$2,374.85
02	CITY OF AUSTIN	0.458900	\$302,235	\$209,220	\$960.11
03	TRAVIS COUNTY	0.416900	\$302,235	\$178,060	\$742.33
0A	TRAVIS CENTRAL APP DIST	0.000000	\$302,235	\$222,575	\$0.00
2J	TRAVIS COUNTY HEALTHCARE DISTRICT	0.117781	\$302,235	\$178,060	\$209.72
68	AUSTIN COMM COLL DIST	0.100500	\$302,235	\$217,575	\$218.67
HPR1	HOMESTEAD PRESERVATION REINVESTMENT ZONE 1	0.000000	\$302,235	\$222,575	\$0.00
Total Tax Rate		2.296081			
				Taxes w/Current Exemptions	\$4,505.68
				Taxes w/o Exemptions	\$5,110.50

Improvement / Building

Improvement #1: 1 FAM DWELLING State Code: A1 Living Area: 1104.0 sqft Value: \$102,235

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
1ST	1st Floor	WW-3		1935	1104.0
631	PORCH CLOS UNFIN	-3		1935	136.0
251	BATHROOM	-3		1935	1.0
011	PORCH OPEN 1ST F	-3		2006	44.0
512	DECK UNCOVERED	-3		2010	57.0
512	DECK UNCOVERED	-3		2010	132.0

