CITY OF AUSTIN Board of Adjustment Decision Sheet

CASE NUMBER: C15-2017-0012
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OWNER/APPLICANT: Joe Del Rio

ADDRESS: 2006 CANTERBURY ST

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 side yard setback from 5 feet (required) to 0 feet (requested, existing) in order to maintain an enclosed carport and shed that have been at this location for at least 10 years in a "SF-3-NP", Family Residence - Neighborhood Plan zoning district. (Holly)

BOARD'S DECISION: March 13, 2107 POSTPONED TO APRIL 10, 2017 BYTHE APPLICANT

FINDING:

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







PENDING CASE

ZONING BOUNDARY

NOTIFICATIONS

CASE#: C15-2017-0012 LOCATION: 2006 Canterbury





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.



CITY OF AUSTIN

31/3

Development Services Department
One Texas Center | Phone: 512.978.4000
505 Barton Springs Road, Austin, Texas 78704

Board of Adjustment General/Parking Variance Application

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

Case # CIR-2017 -00 12ROW # 11673684

This application is a fillable PDF that can be completed electronically. To ensure your information is saved, <u>click here to Save</u> 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

			TCAD
Section 1: A	pplicant Stateme	nt	
Street Address:Subdivision Legal	2006 CANTEN Description:	burg	
Lot(s): 12		Block(s):	
Outlot: Zoning District:	SF-3-NP-(Ho)		37438
INVE GAUND	Formanhez,	2	on behalf of myself/ourselves a
Month Select	, Day Select		ereby apply for a hearing before the ption below):
	Attach O Complete	O Remodel Ma	aintain Other:
		•	

Tax# 0202080814

Portion of the City of Austin Land Development Code applicant is seeking a variance from the Confidence of the Confidenc	rom:
Section 2: Variance Findings	
The Board must determine the existence of, sufficiency of, and weight of evidence supplications described below. Therefore, you must complete each of the applicable Finding as part of your application. Failure to do so may result in your application being rejected incomplete. Please attach any additional supporting documents.	o Cłołomoni
NOTE: The Board cannot grant a variance that would provide the applicant wit privilege not enjoyed by others similarly situated or potentially similarly si	th a special ituated.
contend that my entitlement to the requested variance is based on the following finding Reasonable Use The zoning regulations applicable to the property do not allow for a reasonable use become the property of the property	
ardship a) The hardship for which the variance is requested is unique to the property in that: The property in that:	
b) The hardship is not general to the area in which the property is located because:	

-	special exception
_	
eque varia ppen	ng (additional criteria for parking variances only) est for a parking variance requires the Board to make additional findings. The Board may grant ence to a regulation prescribed in the City of Austin Land Development Code Chapter 25-6, dix A with respect to the number of off-street parking spaces or loading facilities required if it is 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 inconsister 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

I affirm that my statements contained in the complete applic my knowledge and belief.	ation are true and corre	ct to the best of
Applicant Signature: R D 1 2	Date	: 2-8-17
Applicant Name (type or printed): Toe bel Ri		
Applicant Mailing Address: 2006 CANderburg	1	-10
	State: TX	Zip: <u>78?</u> ბ
Phone (will be public information): 512-217-5		30.1
Email (optional – will be public information): RAZAGA	vino 1 eg mail	Com
Section 4: Owner Certificate		
I affirm that my statements contained in the complete application my knowledge and belief.	ation are true and corre	ct to the best of
Owner Signature: R. Well Kis	Date:	: 2-8-17
Owner Name (typed or printed): Joe Del Rio		1
Owner Mailing Address: 2006 CANTON 6 WY		
City: Augtin s	tate:	Zip: <u>78%</u>
Phone (will be public information): $\underline{507 - 217 - 56}$		
Email (optional – will be public information): RAZAGA	vivo7egmail.	Com
Section 5: Agent Information		
Agent Name:		
Agent Mailing Address:		
City:S	tate:	Zip:
Phone (will be public information):	11101 115	100
Email (optional – will be public information):		
Section 6: Additional Space (if applicable)		
Please use the space below to provide additional information referenced to the proper item, include the Section and Field i	names as well (continue	ed 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 <u>Chapter 25-2</u> (*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.





Address:	2006 Canterbury St.		
Permit Number:	2017-021481		
Property Owner Requesting Special Exception:	Joe Del Rio R		

Special Exception Requested:	
Carport encroaching into side yard setback.	
Date Structure was originally constructed: verified by COA ARC GIS to exist in 1997	

safety for either the private property		March 24, 2017		
		Tony Hernandez		
		ances requested will <u>Not</u> result in any hazard to the life, health or public operty for which the variance is requested or to an adjoining public or on is required when less than 3' from property line		
	(A) 1 hour fire sep	aration is required when less than 3' from property line		

CITY OF AUSTIN DEVELOPMENT WEB MAP

ODG Canderloons

Den 3 April

Lot Lines

Streets

്^{റ്റ} Named Creeks

Building Footprints

Lakes and Rivers

Parks

County

THIS PRODUCT IS FOR INFORMATIONAL PURPOSES AND MAY NOT HAVE BEEN PREPARED FOR OR SUITABLE FOR LEGAL, ENGINEERING, OR SURVEYING PURPOSES. IT DOES NOT REPRESENT AN ON-THE-GROUND 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 W THE CITY OF AUSTIN REGARDING SPECIFIC ACCURACY OR COMPLETENESS.



Residential Review – One Texas Center 505 Barton Springs Road, Austin, TX 78704; (512) 978-4000

Residential New Construction and Addition Permit Application

To complete this form electronically: Open with Internet Explorer, then <u>Click Here to Save</u> and continue.

Property Information	
Project Address: 2006 Canterbury street	Tax Parcel ID:
Legal Description: Lol 12, Blk R, OLT 37 & 38, DIV O, DRIVING PA	RK ADDN
Zoning District: SF-3-NP	Lot Area (sq ft): 6,744.00
Neighborhood Plan Area (if applicable): Holly	Historic District (if applicable):
Required Reviews	The state of the s
Is project participating in S.M.A.R.T. Housing? Y (N)	Does project have a Green Building requirement? Y (N)
letter from Austin Energy Green Building) (It yes, arosen signed conditional approval (Enter from Austin Energy Green Building)	If yes, attach signed conditional approval letter from Austin Energy Green Building)
Is this site within an Airport Overlay Zone? (If yes, approval through Aviation is required)	Does this site have a septic system? Y
Does the structure exceed 3,600 square feet total under roof?	If yes, submit a copy of approved septic permit) (If yes, Fire review is program)
Is this property within 200 feet of a hazardous pipeline?	(If yes, Fire review is required) (If yes, Fire review is required)
Is this site located within an Erosion Hazard Zone? + N Is th	is property within 150 feet of the 100 year floodplain?
(If yes, EHZ review is required)	N (Proximity to floodplain may require additional review time.)
Profe: include free location(s) on plot plan.	(If yes, application for a tree permit with the <u>City Arborist</u> is required)
Is this site within the Residential Design and Compatibility Standards Or	dinance Boundary Area? (LDC 25-2 Subchapter F)
Does this site currently have: water availability?	(If no, contact Austin Water Utility to apply for
Are there existing water/wastewater infrastructure, appurenances or exis	ting water/wastewater easements located on site?
The state of the s	
Does this site have or will it have an auxiliary water source? Y (Auxiliary water supplies are wells, rainwater harvesting, river water, lake water, reclaimed	(If yes, submit approved auxiliary and potable plumbing plans.)
	Γyes, contact the Development Assistance Center for a Site Plan Exemption)
	within the Lake Austin Overlay? Y (N)
Does this site front a paved street? (Y) N Is this site a	adjacent to a paved alley? approval required to take access from a public alley.)
requirements.)	
Does this site have a Board of Adjustment (BOA) variance? ¥ Does this site have a Residential Design and Compatibility Commission (N Case # (if applicable) RDCC) waiver? \(\forall \big(\big)\)
(If yes, provide a copy of decision sheet. Note: A permit cannot be approved within 10 days Description of Work	of approval of a variance from BOA.)
	f yes, construction material recycling is required per LDC 25-11-39)
and the state of t	sidential two-family residential other:
Proposed Use: vacant single-family residential duplex re-	sidential two-family residential other:
Project Type: new construction addition	addition/remodel other: carport
Will all or part of an existing exterior wall, structure, or roof be removed a Note: Removal of all or part of a structure requires a demolition permit application.)	s part of the project? ¥ N
existing bedrooms: 2 # bedrooms upon completion: 2	# baths existing: 1.0 # baths upon completion: 1.0
Project Description: (Note: Please provide thorough description of project. Attach addit. Carport addition	ional pages as necessary.)
rades Permits Required (Circle as applicable): (electric) plumbin	ng mechanical (HVAC) concrete (R O W)

Job Valuation		5772556	esa Sucrataro			A Service Control	1800 22 4400
the state of the s	Amount of Total Job \	/aluation ded	ionted to all	est A al al la la an		of the state of the	
Total Job Valuation: SO	and/or New Constructi	on:	S		dedicated	of Total Job Vi I to all Remode	el/Repair:
Note: The total job valuation should be	Amount for Primary Structure: \$					<u>\$</u>	
rounded to nearest dollar. Permit fees are based on adopted fee schedule. Amount for Accessory Elec: Y N Pln		obg: □Y 🗀	N Mech: [□Y □N	Elec:	S	
		Structure:	S		Mech:	s ———	
		abg: □Y □	N Mech: [□Y □N	1	\$ \$	
Please utilize the Calculation following cale	n Ald on the last page culations and to prov	e of the Add	litional Info nental info	ormation, p	age 7, as a	guide to con	plete the
Site Development Information	in a second						
Area Description Note: Provide a separate calculation for each distinct area. Attach additional sheets as necessary. Measurements are to the outside surface of the exterior wall.		Existing Sq Ft New/Adde		d So Et	T-4-1 C	Maring access of	
		Bldg I	Bldg 2	Bldg 1	Bldg 2	Total S Bldg I	Bldg 2
a) 1st Floor conditioned area		1,224.00		25K1F62GCR28L100	Didg 2		
b) 2 nd Floor conditioned area	THE RESIDENCE OF THE PROPERTY OF THE PROPERTY OF THE PARTY OF THE PART	1,227.00	80 10 State 200			1,224.00	0.00
c) 3 rd Floor conditioned area		15771637513574	2017/10/2016/52	COLUNIO PARK	ON ALCOHOL SE BALBO	0.00	0.00
d) Basement	- NAMES IN COLUMN STREET, COLUMN STREET, CO., CO., CO., CO., CO., CO., CO., CO.	SERVICE SCHOOL	THE PROPERTY.	180818852		0.00	0.00
e) Covered parking (garage or cas	port)	PER CONTROL	BENDERATURE.	360.00	- 15 Value 1 1-	0.00	0.00
f) Covered patio, deck, porch,		CAC 2827-1- FASSA (CO.)		300.00	WINDERS ACT	360.00	0.00
g) Other covered or roofed area		ANGELIS	THE FIRST	43896.TRYA	WE ARE NATION	0.00	0.00
h) Uncovered wood decks	A STATE OF THE PARTY OF THE PAR	75, 40, 10, 10, 10, 10, 10	ACTIVITIES CONTRACTOR	1464 (8025-71299)		0.00	0.00
Total Building Area (total a	through h)	1,224.00	0.00	360.00	0.00	1,584.00	0.00
i) Pool					0.00	0.00	0.00
j) Spa	The transfer of the		24040863	K. Grant State	erres Jest	0.00	0.00
k) Remodeled Floor Area, exclusive Construction	uding Addition /	-	-			0.00	0.00
Building Coverage Information							
Note: Building Coverage means the area of	a lot covered by buildings or	roofed areas, bu	t escludes amon	ul-level envisur 1			12.1
incidental projecting caves, balconies, and Total Building Coverage (sq ft): 2	- Harries to the state of the s	and fountains as lot size: 31	e not mellined t	n this measureme	mi_(LDC 25-1-	an recreational fac (21)	iliues,
Impervious Cover Information		01					
•	tal area of covered cooper and			_			
Note: Impervious cover is the total horizon gravel placed over pervious surfaces that as boards and that is located over a pervious surface.	e used only for landscaping or	by pedestrians.	nys, and drivew: For an uncovere	nys. The term exc ed wood deck tho	ludes pools, po t has dminue s	inds, fountains, an inaces between the	d areas with
	attener by betcetting the tights	norm nice of the	ucck is included	I in the measuren	ent of impervi	ous cover. (LDC 2	5-1-23)
Total Impervious Cover (sq ft): 2.	272.00 % of	lot size: <u>34</u>					
Setbacks Building S	ervice Planning	Applicat	cion				
Are any existing structures on this	site a non-compliant stru	icture based	on a yard sett	back requirem	ent? (LDC 25	-2-492) Š	r N
more may structure for an element to	of 8 Structure) extend ove	er or bevond	a required va	rd? a no se s	612)	Y N	"
Is front yard setback averaging bei			, Subchapter F,	Sec. 2.3 or 25-2-	778)	Y N	
Height Information (LDC 25-1-21 or	25-2 Subchapter F, Section 3.	4) Park	ng (LDC 25-6	Appendix A & 2	5-6-178)	<u> </u>	
Building Height: ft in	Number of Floors: 1	# of s	paces require	ed:	# of space	s provided: 1_	
Right-of-Way Information		·	سر				
Is a sidewalk required for the prope Sidewalks are to be installed on any new co- increases the building's gross floor area by	Instruction of a single family	!5-6-353) two-family or d	Y (N uplex residential	Structure and an	y addition to ar	existing building	that
Will a Type I driveway approach be	installed, relocated, ren	noved or rep	aired as part (of this project	? Y	(C)	
Width of approach (measured at pro	operty line): Unkno	<u> 2</u> UM. Di	stance from i	intersection (f	or comer lat	s only): <u>以い</u>	known
Are storm sewer inlets located alon (If yes, drainage review is required)	g the property or within	ten (10) feet	of the bound:	aries of the pr	operty?	Y N	
							1

Subchapter-F Gross Floor Area This section is only required for projects located within the Residential Design and Compatibility Standards Ordinance Boundaries as defined and illustrated in Title 25-2 Subchapter F of the Land Development Code. The Gross Floor Area of each floor is measured as the area contained within the outside edge of the exterior walls. **Existing Sq Ft** New/Added **Proposed Exemption** Applied **Total Sq Ft** (check article utilized) Sq Ft **Exemption Sq Ft** Ist Floor 0.00 2nd Floor 0.00 3rd Floor 0.00 Area w/ ceilings > 15' Must follow article 3.3.5 0.00 Full Porch sq ft (3.3.3 A) Ground Floor Porch* 0.00 (check article utilized) 200 sq ft (3.3.3 A 2) Must follow article 3.3.3B, Basement 0.00 see note below Must follow article 3.3.3C. Attic 0.00 see note below Garage**: 200 sq ft (3.3.2 B 1) Attached 0.00 (check article 450 sq ft (3.3.2 A 1 / 2a) utilized) Detached 0.00 200 sq ft (3.3.2 B 2a / 2b) Carport**: 450 sq ft (3.3.2 A 3) Attached (check 0.00 200 sq ft (3.3.2 B 1)*** article utilized) 450 sq ft (3.3.2 A 1) Detached 0.00 Accessory Building(s) 0.00 (detached) **Totals** 0.00 0.00 0.00 TOTAL GROSS FLOOR AREA (add Total Sq Ft column) 0.00 (Total Gross Floor Area + Lot Area) x 100 = Floor-To-Area Ratio (FAR) Is a sidewall articulation required for this project? Y (Yes, if: a wall, 15' tall or higher, within 9 feet of a side property line extends further than 36 feet in length per orticle 2.7.1) Does any portion of the structure extend beyond a setback plane/exemption exhibit (aka "tent")? N (If Yes, indicate applicable section of Subchapter F and length of protrusion on the drawings.) *Ground Floor Porch exemption: A ground floor porch, including a screened porch, may be exempted, provided that the porch is not accessible by automobile and is not connected to a driveway; and the exemption may not exceed 200 square feet if a porch has habitable space or a balcony above it. *Garage and carport exemptions (to relation to primary structure); Exemptions must follow the code as outlined in Title 25-2 Subchapter F 3.3.2. Each amount listed (450 or 200) is the maximum exclusion allowed per the article designated. Note: Article 3.3.2 C, "An applicant may receive only one 450-square foot

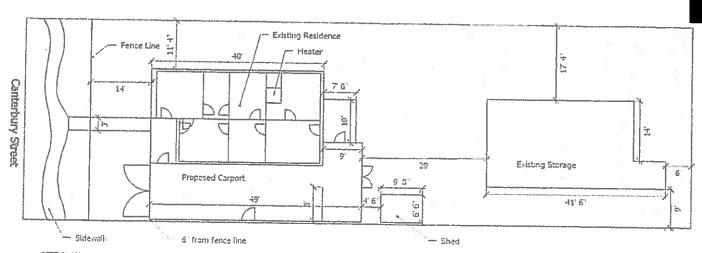
Basement exemption: A habitable portion of a building that is below grade may be exempted if the habitable portion does not extend beyond the first-story footprint and is below natural or finished grade, whichever is lower, and it is surrounded by natural grade for at least 50% of its perimeter wall area and the finished floor of the first story is not more than three feet above the average elevation at the intersections of the minimum front yard setback line and the side property lines.

Habitable Attle exemption: A habitable portion of an attic may be exempted if: 1) The roof above it is not a flat or mansard roof and has a slope of 3 to 12 or greater, 2) It is fully contained within the roof structure; 3) It has only one floor; 4) It does not extend beyond the footprint of the floors below; 5) It is the highest habitable pontion of the building, or a section of the building, and adds no additional mass to the structure; and 6) Fifty percent or more of the area has a ceiling height of seven feet or less.

exemption per site under paragraph A. An applicant who receives a 450-square foot exemption may receive an additional 200-foot exemption for the same site under paragraph B, but only for an attached parking area used to meet minimum parking requirements."

^{***}Ordinance article 3.3.2 B 1 is the only 200 sq ft exemption that may be combined with a 450 sq ft exemption. Otherwise only one 450 exemption or one 200 sq ft exemption may be taken.

Contact Informa	ition	4. 4.50	
Owner	Joe R. Del Rio	Applicant/Agent	
Mailing Address	2006 Canterbury St, Austin 78702	Mailing Address	- W - W - W - W - W - W - W - W - W - W
Phone		Phone	
Email		Email	
General Contractor		Design Professional	710
Mailing Address		Mailing Address	
Phone		Phone	10
Email		Email	
Authorization			
I further understated within public easemer with a gree that the compilance with compilance with accurate. I hereby certify accurate. I further acknown any resulting power in the site, I am recity arborist@acurate fa.k.a. an OSSF initiates the sep. Erosion and Semay result in a S2,000.00 per formula acknowledge structure and an accurate and an accurate facknowledge violation of any	that a sidewalk will be required on any new cony addition to an existing building that increase if my plans are subject to a technical review it of the provisions of the current adopted build owner of this property and authorize the agent	ion of existing utilities to ruction. Water services, plumbing appurtenances nes. Is after the date it is file ires, a new submittal withe information provided therein prove incorrect, ches in diameter located Application by contacting requirement needed to be property, I am required Austin Water at (512) 975 proceed with the development of a single faces the building's gross for will not be construed to ding codes or another or or the contact of the construction of the constructio	clear this driveway location and/or the cost meters, and wastewater cleanouts are not will not be located in public right-of-way or the and will expire if not approved for ill be required and compliance with d in this application is complete and the building official may suspend or revoke on the property and immediately adjacent to a proceed with the development review to complete an On-site Sewage Facility 2-0050 or ossi@oustintexas.gov . This oment review process. Failure to comply with this requirement ding criminal charges and fines of up to mily, two-family or duplex residential loor area by 50 % or more. be a permit for, or an approval of any dinance of the City of Austin.
Design Professional	1		Date:
General Contractor	V		Date:



SITE PLAN
2006 Cantertibury St Austin, TX 78702
Scale 1° = 20°-0"