



C01/1  
*Special Exception*

**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

**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 # <u>C15-2017-0024</u>	ROW # <u>11721218</u>	Tax # <u>0247200301</u>
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### Section 1: Applicant Statement

Street Address: 11400 Hilltop St Austin, TX 78753

Subdivision Legal Description:

Eubank Acres

Lot(s): 6 Block(s): M

Outlot: \_\_\_\_\_ Division: Eubank Acres Sec 3

Zoning District: SF-1

I/We Carlos Acevedo on behalf of myself/ourselves as  
authorized agent for 11400 Hilltop Street Austin, TX 78753 affirm that on  
Month April, Day 17, Year 2017, 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: Carport

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

The setback of the carport which is at 17ft instead of the 25ft required from the street. The  
Carport has been part of the property for more than the 10 years required for requesting a  
special exception and there are carports similar to the one that is part of this property.

## 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

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### Hardship

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

SE

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

SE

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**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:

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:
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

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

Applicant Signature: Carlos Acevedo Digitally signed by Carlos Acevedo  
Date: 2017.04.17 09:42:17 -05'00' Date: 04/17/2017

Applicant Name (typed or printed): Carlos Acevedo

Applicant Mailing Address: 5832 Tributary Ridge Dr

City: Austin State: TX Zip: 78759

Phone (will be public information): \_\_\_\_\_

Email (optional – will be public information): \_\_\_\_\_

### 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: Carlos Acevedo Digitally signed by Carlos Acevedo  
Date: 2017.04.17 09:42:44 -05'00' Date: 04/17/2017

Owner Name (typed or printed): Carlos Acevedo

Owner Mailing Address: 5832 Tributary Ridge Dr

City: Austin State: TX Zip: 78759

Phone (will be public information): \_\_\_\_\_

Email (optional – will be public information): \_\_\_\_\_

### 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).

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## SPECIAL EXCEPTION INSPECTION



<b>Address:</b>	11400 HILLTOP STREET, AUSTIN, Texas, 78753, USA
<b>Permit Number:</b>	2017 044341 RM 00 PR Plan Review
<b>Property Owner Requesting Special Exception:</b>	Carlos Acevedo

<b><u>Special Exception Requested:</u></b>  <p>To allow the existing car port to remain in the front yard setback</p>
<b>Date Structure was originally constructed:</b> Arial Show that the structure existed in 2006

<b>Date of Inspection:</b>	4/27/2017
<b>Building Official or designated representative</b>	Richard Anderson
<b>X</b>	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. Structure appears to be sound and securely installed. Structure is not deteriorated and is good condition.
	<p>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:</p> <ol style="list-style-type: none"> <li>1.</li> </ol>

ORDERED BY:



# Austin Title

Spicewood Springs

3708 Spicewood Springs Rd. • Suite 100 • Austin, Texas 78759  
 p: 512 346 4020 • f: 512 651 9246  
 www.austintitle.com



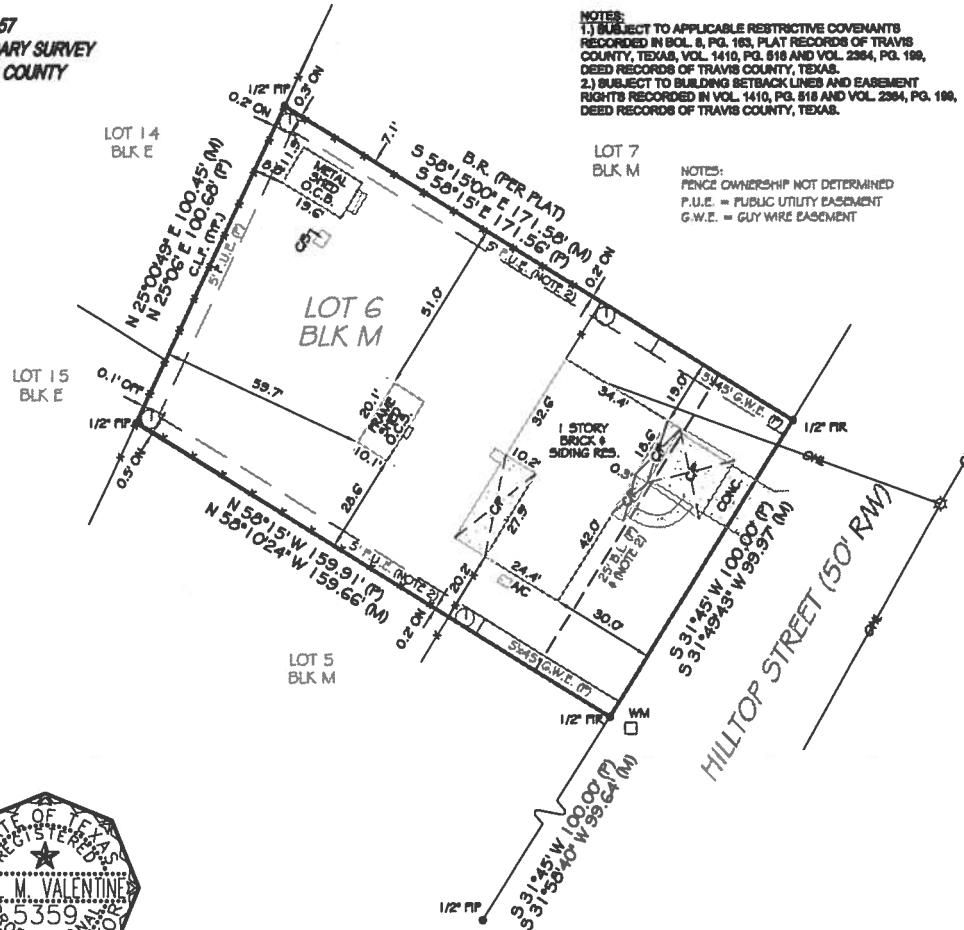
PROPERTY ADDRESS: 11400 HILLTOP STREET AUSTIN, TEXAS 78753

SURVEY NUMBER: 1606.4057

FIELD WORK DATE: 6/30/2016

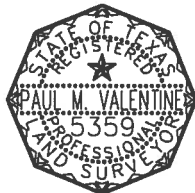
REVISION DATE(S): (REV 0 7/2/2016)

1606.4057  
 BOUNDARY SURVEY  
 TRAVIS COUNTY



NOTES:  
 1.) SUBJECT TO APPLICABLE RESTRICTIVE COVENANTS RECORDED IN VOL. 8, PG. 163, PLAT RECORDS OF TRAVIS COUNTY, TEXAS, VOL. 1410, PG. 818 AND VOL. 2384, PG. 198, DEED RECORDS OF TRAVIS COUNTY, TEXAS.  
 2.) SUBJECT TO BUILDING SETBACK LINES AND EASEMENT RIGHTS RECORDED IN VOL. 1410, PG. 818 AND VOL. 2384, PG. 198, DEED RECORDS OF TRAVIS COUNTY, TEXAS.

NOTES:  
 FENCE OWNERSHIP NOT DETERMINED  
 P.U.E. = PUBLIC UTILITY EASEMENT  
 G.W.E. = GUY WIRE EASEMENT



*Paul M. Valentine*

I HEREBY CERTIFY THAT: THIS PLAT REPRESENTS THE RESULTS OF A SURVEY MADE ON THE GROUND ON THE 30th DAY OF JUNE 2016; ALL EASEMENTS AND RIGHTS-OF-WAY SHOWN ON THE PLAT AND SET FORTH WITHIN THE TITLE COMMITMENT ISSUED BY FIDELITY NATIONAL TITLE INSURANCE COMPANY, GP NO. AUT-13-673-AUT16005788, EFFECTIVE JUNE 13, 2016, ARE SHOWN OR NOTED HEREON; THERE ARE NO VISIBLE ENCROACHMENTS OR OVERLAPPING OF IMPROVEMENTS EXCEPT AS SHOWN HEREON; THE PROPERTY HAS ACCESS TO A DEDICATED RIGHT-OF-WAY PER PLAT.



GRAPHIC SCALE (in Feet)  
 1 inch = 40' ft.



Use of This Survey for Purposes other than Intended, Without Written Verification, will be at the User's Sole Risk and Without Liability to the Surveyor.  
 Nothing hereon shall be Construed to Give ANY Rights or Benefits to Anyone Other than those Certified.

## FLOOD INFORMATION:

BY PERFORMING A SEARCH WITH THE LOCAL GOVERNING MUNICIPALITY OR WWW.FEMA.GOV, THE PROPERTY APPEARS TO BE LOCATED IN ZONE X. THIS PROPERTY WAS FOUND IN THE CITY OF AUSTIN, COMMUNITY NUMBER 480624, DATED 08/18/14.

## POINTS OF INTEREST:

1. CHAIN LINK FENCE OVER 5' P.U.E.

CLIENT NUMBER: AUT16005788

DATE: 7/2/2016

BUYER: Carlos Acevedo and Michelle Lai

SELLER:

CERTIFIED TO: CARLOS ACEVEDO AND MICHELLE LAI; AUSTIN TITLE;  
 FIDELITY NATIONAL TITLE INSURANCE COMPANY

This is page 1 of 2 and is not valid without all pages.

POWERED BY:

surveystars

www.surveystars.com

EXACTA  
 TEXAS SURVEYORS, INC.

184 10119731  
 exacta@ex.com  
 512.657.7519  
 1040 744-7862  
 7416 Carroll Creek Lake View, TX 78757



2006 Series

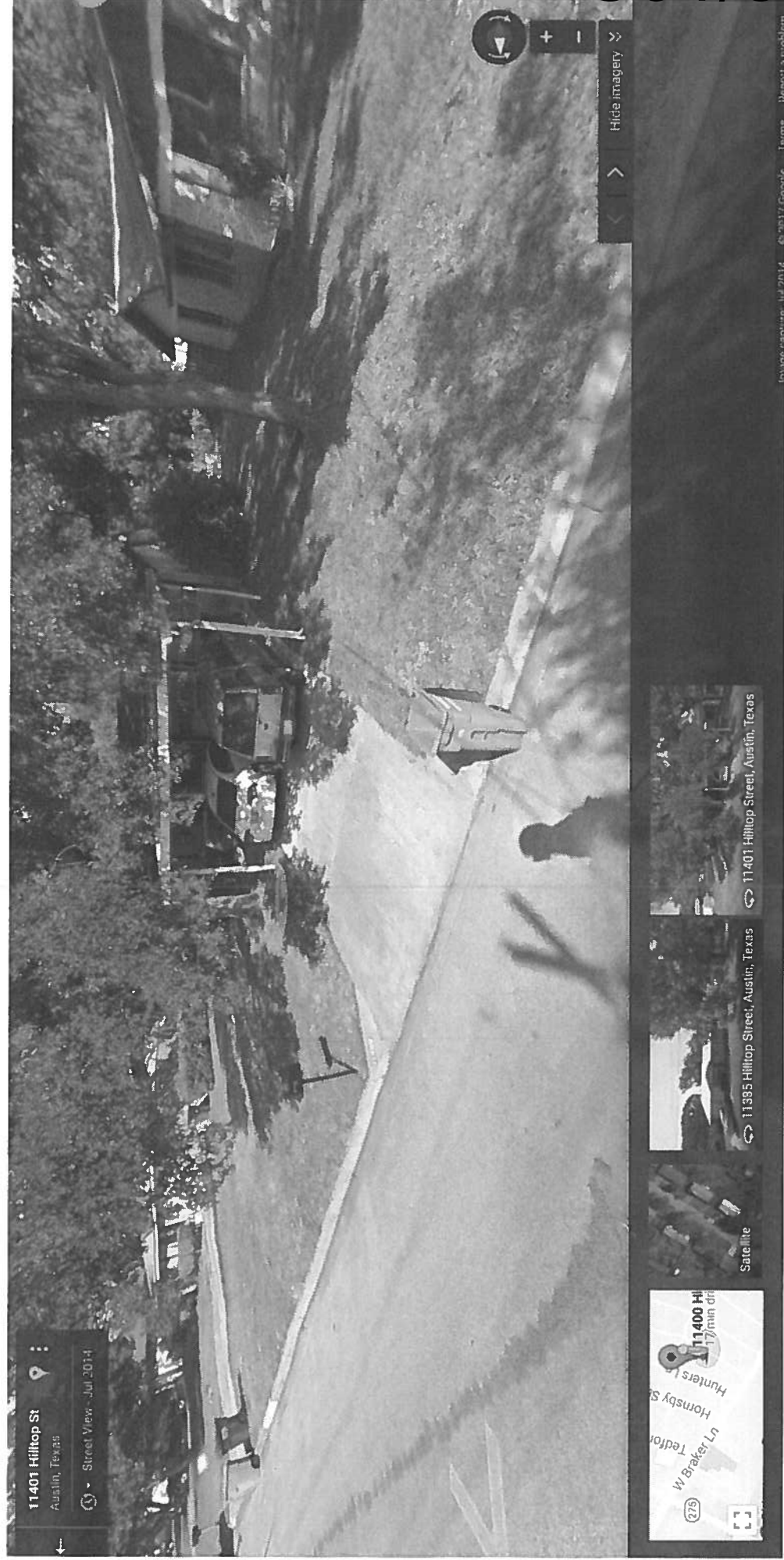
11400 Hilltop

C01/7



Carport with a setback encroachment

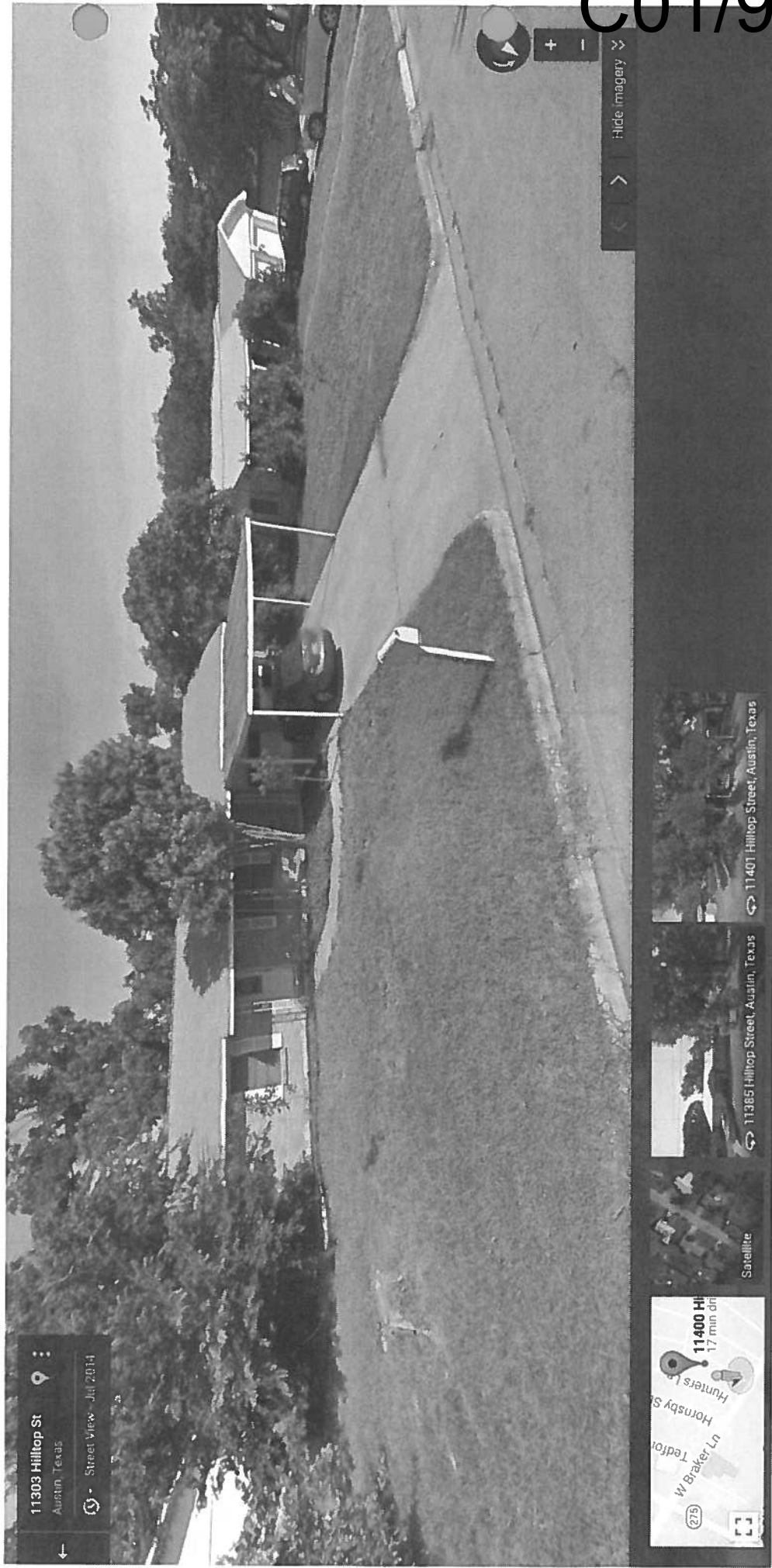
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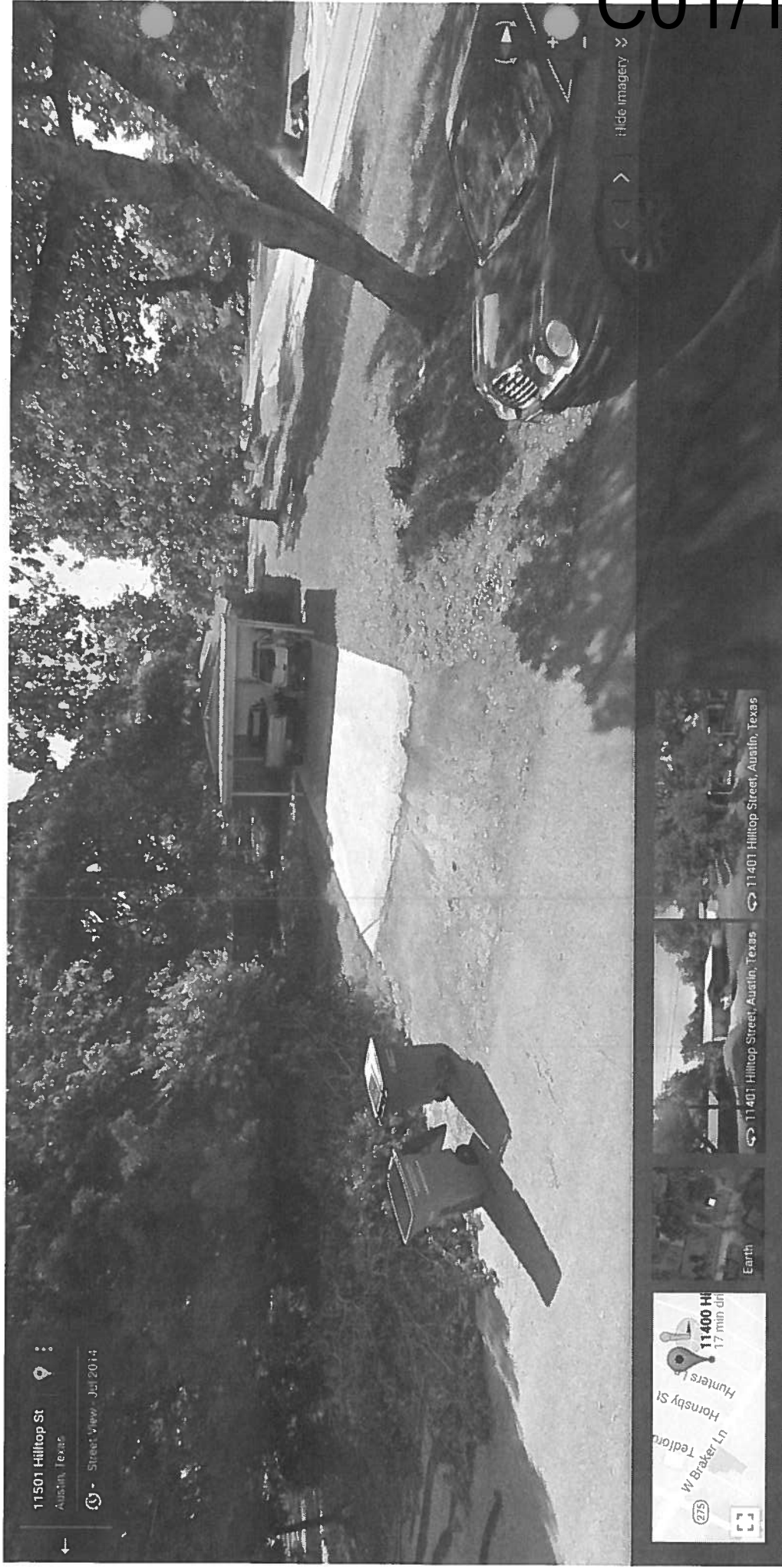
C01/8



# 11303 Hilltop Street



# 11500 Hilltop Street



# 11547 Hunters Lane



C01/11

# 11404 Hunter Ln



C01/12

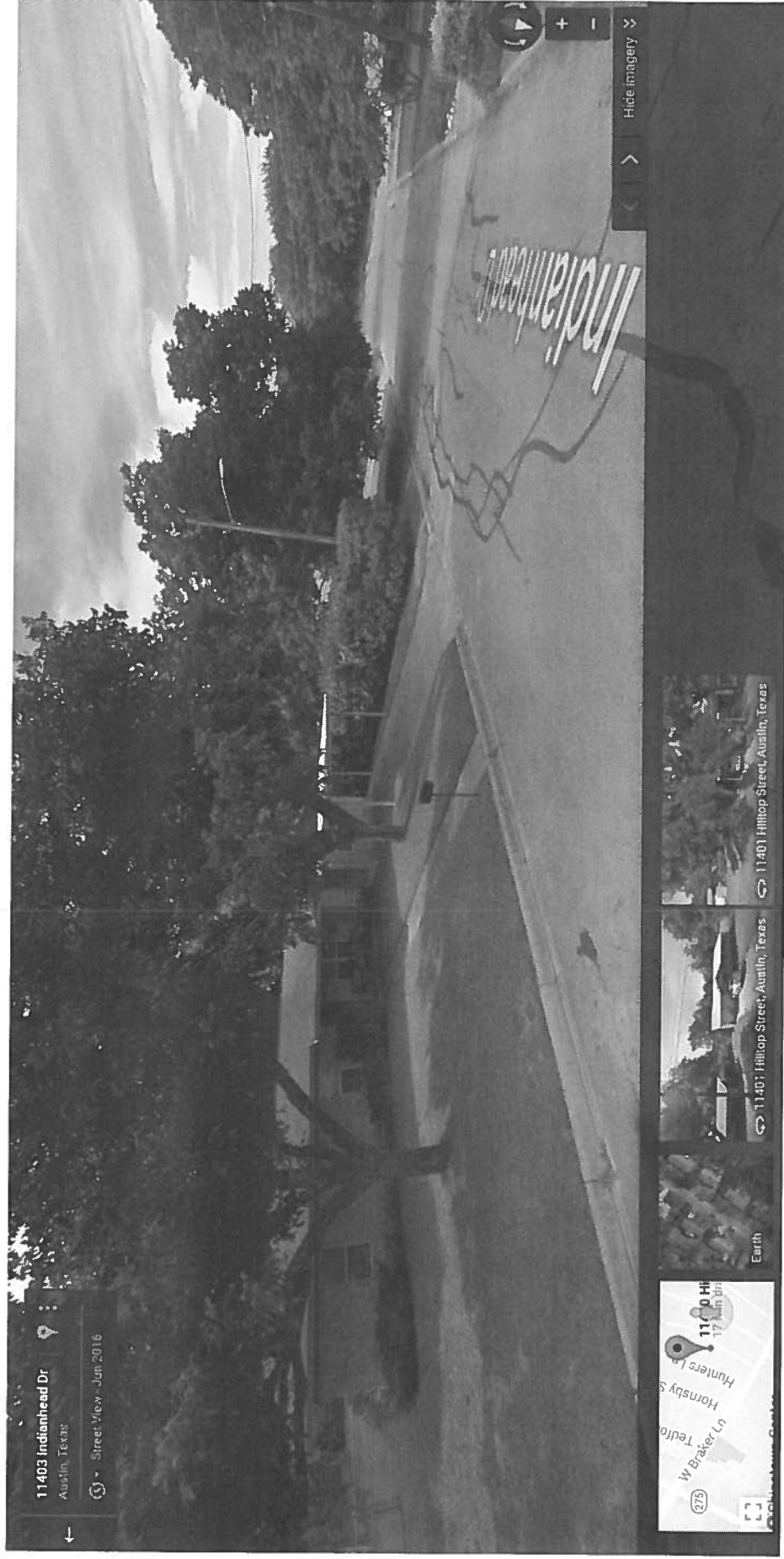


# 11304 Hunters Lane



C01/13

# 11403 Indianhead



C01/14



# 11508 Indianhead



C01/15