

BOA GENERAL REVIEW COVERSHEET

CASE: C15-2021-0079

BOA DATE: August 9th, 2021

ADDRESS: 6506 Hergotz Ln

COUNCIL DISTRICT: 3

OWNER: Paul Le

AGENT: Daniel Dugan

ZONING: SF-3

LEGAL DESCRIPTION: ABS 24 DELVALLE S ACR .0959

VARIANCE REQUEST: decrease the minimum Front Yard Setback from 25 feet to 10 feet

SUMMARY: erect a Single-Family home

ISSUES: topography

	ZONING	LAND USES
<i>Site</i>	SF-3	Single-Family
<i>North</i>	SF-3	Single-Family
<i>South</i>	SF-3	Single-Family
<i>East</i>	SF-3	Single-Family
<i>West</i>	SF-3	Single-Family

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District
 Austin Lost and Found Pets
 Austin Neighborhoods Council
 Del Valle Community Coalition
 Del Valle Independent School District
 Dog's Head Neighborhood Association
 Friends of Austin Neighborhoods
 Homeless Neighborhood Association
 Neighborhood Empowerment Foundation
 SELTexas
 Sierra Club, Austin Regional Group



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

NOTIFICATIONS

CASE#: C15-2021-0079

LOCATION: 6506 HERGOTZ LANE



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" = 292'



Board of Adjustment General/Parking Variance Application

DevelopmentATX.com | Phone: 311 (or 512-974-2000 outside Austin)
For submittal and fee information, see austintexas.gov/digitaldevelopment

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 # _____ ROW # _____ Tax # _____

Section 1: Applicant Statement

Street Address: 6506 Hergotz Ln, Austin, TX 78742

Subdivision Legal Description:

ABS 24 DELVALLE S ACR .0959

Lot(s): - _____ Block(s): - _____

Outlot: - _____ Division: - _____

Zoning District: SF-3

I/We Daniel Dunigan on behalf of myself/ourselves as

authorized agent for Paul Le affirm that on

Month July, Day 7, Year 2021, 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: Single-Family Dwelling

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

I am requesting a variance from the Land Development Code section 25-2-492 Site Development Regulations for a SF-3 residential property for a Front Yard setback of 25 ft. (required) to 10 ft. (requested).

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:

The river-front topography of the property creates an undue burden for development with the zoned front yard setback of 25 ft. and all of the other homes on this side of the street were built less than 25' from the front setback. We would use the setback averaging ordinance but the building on the lot directly adjacent to ours has been demolished therefore we only have a building 2 lots down and this is not allowed per the language of the averaging ordinance.

Hardship

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

The property is located on the river front of the Colorado River. The topography of the lot is not conducive to development of any kind (economically) without a reduction of the front yard setback restriction. which is how all of the lots on this side of the street have developed.

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

The topography of the properties along the river front in the general area varies per lot.

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:

The adjacent properties are undeveloped. Nearby properties along the river on the street have development within the 25 ft. setback. Reduction of the front yard setback ordinance for this property will neither create non-conformity with nearby development, nor infringe upon future COA ROW infrastructure work.

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:

The proposed development is a single-family dwelling; the construction and habitation of such will not adversely affect current or future traffic volumes.

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:

The proposed development is a single-family dwelling; the construction and habitation of such will not adversely affect current or future traffic volumes.

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:  Date: 6-16-21

Applicant Name (typed or printed): Daniel Dunigan

Applicant Mailing Address: 500 Irma Drive

City: Austin State: TX Zip: 78752

Phone (will be public information): 5102255611

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:  Date: 6-16-21

Owner Name (typed or printed): Paul Le

Owner Mailing Address: 502 Wilmes Drive

City: Austin State: TX Zip: 78752

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): _____

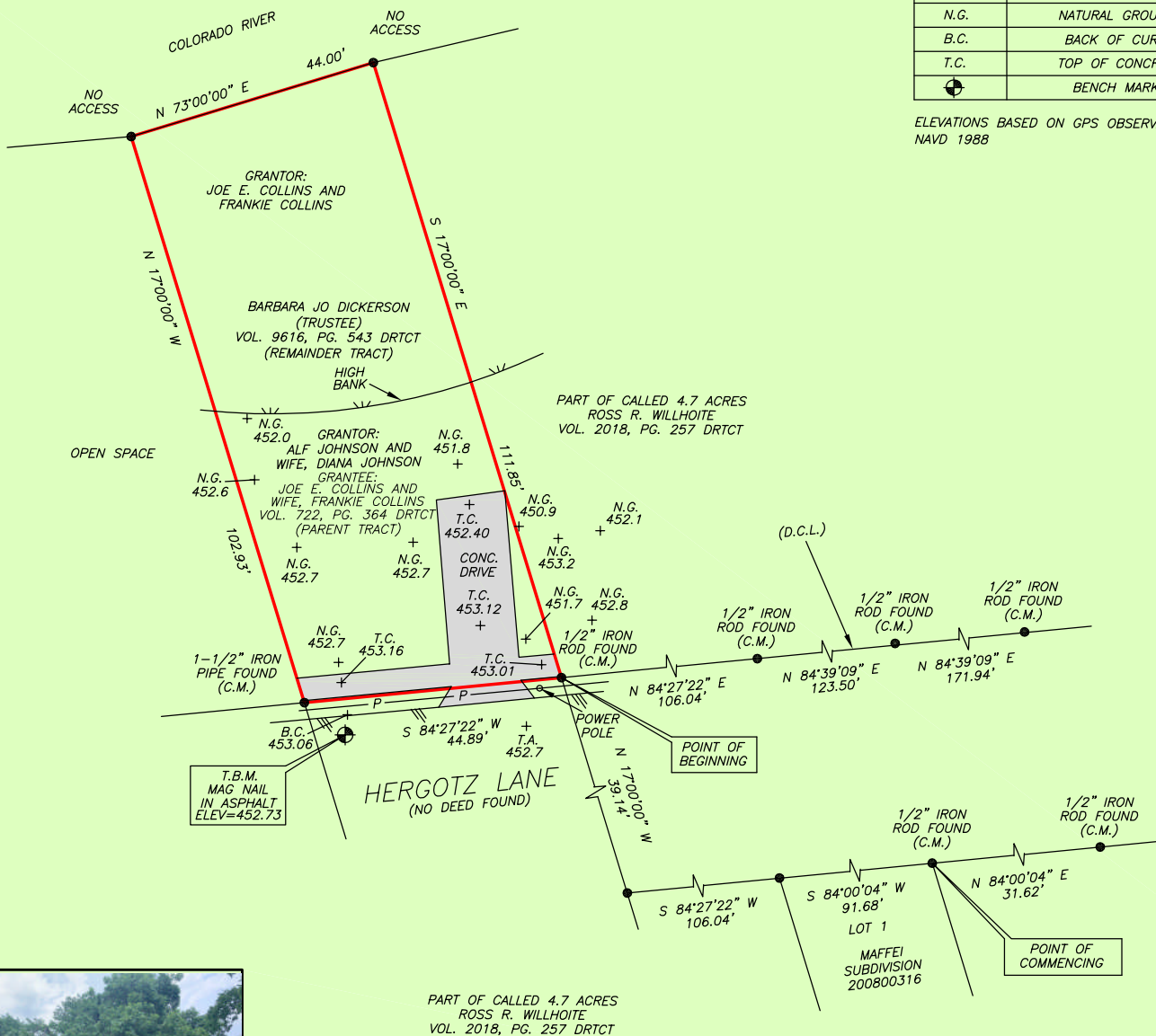
Section 6: Additional Space (if applicable)


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).

GF. NO. 20200664 STEWART TITLE
ADDRESS: 6506 HERGOTZ LANE
AUSTIN, TEXAS 78742
BORROWER: PAUL LE

TOPOGRAPHIC SURVEY
0.1085 ACRE
OUT OF THE SANTIAGO DEL VALLE GRANT
IN TRAVIS COUNTY, TEXAS
(SEE ATTACHED METES AND BOUNDS DESCRIPTION)

SCALE: 1" = 30'



LEGEND	
T.B.M.	TEMPORARY BENCH MARK
N.G.	NATURAL GROUND
B.C.	BACK OF CURB
T.C.	TOP OF CONCRETE
	BENCH MARK

ELEVATIONS BASED ON GPS OBSERVATIONS,
NAVD 1988



THIS PROPERTY IS AFFECTED BY THE
100 YEAR FLOOD PLAIN AS PER FIRM
PANEL NO. 48453C 0610 L
MAP REVISION: 01/22/2020
ZONE AE
BASED ONLY ON VISUAL EXAMINATION OF MAPS.
INACCURACIES OF FEMA MAPS PREVENT EXACT
DETERMINATION WITHOUT DETAILED FIELD STUDY

A SUBSURFACE INVESTIGATION
WAS BEYOND THE SCOPE OF THIS SURVEY

D.C.L. = DIRECTIONAL CONTROL LINE
RECORD BEARING: VOL. 722, PG. 364, D.R.T.C.T.

DRAWN BY: RE

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND, THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF SURVEY AND THAT THERE ARE NO ENCROACHMENTS APPARENT ON THE GROUND, EXCEPT AS SHOWN HEREON. THIS SURVEY IS CERTIFIED FOR THIS TRANSACTION ONLY AND ABSTRACTING PROVIDED IN THE ABOVE REFERENCED TITLE COMMITMENT WAS RELIED UPON IN PREPARATION OF THIS SURVEY.

TERRANCE MISH
PROFESSIONAL LAND SURVEYOR
NO. 4981
JOB NO. SA2020-01727
JUNE 8, 2020
REVISED: JULY 6, 2020 (TOPO)



**ANDY BROWN &
ASSOCIATES
ANDREW BROWN
512-524-1595**



PRECISION
surveyors

1-800-LANDSURVEY
www.precisionsurveyors.com

281-496-1586 FAX 281-496-1867 210-829-4941 FAX 210-829-1555
950 THREADNEEDLE STREET SUITE 150 HOUSTON, TEXAS 77079 1777 NE LOOP 410 SUITE 600 SAN ANTONIO, TEXAS 78217
FIRM NO. 10063700