

**ZONING CHANGE REVIEW SHEET**

CASE: C14-2022-0166 (Georgian Drive Quality Foundation) DISTRICT: 4

ADDRESS: 8226-8240 Georgian Drive

ZONING FROM: LR-NP

TO: ~~CS-NP~~ CS-MU-CO-NP\*

\*In the Applicant's Request Letter, the agents have stated that they offering to prohibit the following incompatible commercial uses on the property through a proposed conditional overlay (CO): Automotive Rental, Automotive Repair Services, Automotive Sales, Automotive Washing (of any type), Bail Bond Services, Service Station, Vehicle Storage, Custom Manufacturing and Limited Warehousing & Distribution.

SITE AREA: 0.75 acres

PROPERTY OWNER: Georgian Drive Quality Foundation (Simon A. Wallace)

AGENT: Thrower Design, LLC (A. Ron Thrower)

CASE MANAGER: Sherri Sirwaitis (512-974-3057, [sherri.sirwaitis@austintexas.gov](mailto:sherri.sirwaitis@austintexas.gov))

STAFF RECOMMENDATION:

**Staff recommends LR-MU-NP, Neighborhood Commercial-Mixed Use-Neighborhood Combining District, zoning.**

PLANNING COMMISSION ACTION / RECOMMENDATION:

**June 13, 2023: Postponed to July 25, 2024 at the staff and applicant's request by consent (11-0, C. Hempel-absent); A. Woods-1st, A. Azhar-2nd.**

**July 25, 2023**

CITY COUNCIL ACTION:

ORDINANCE NUMBER:

ISSUES:

There are currently Code violations on the property (*please see Notice of Violations – Exhibit D*).

CASE MANAGER COMMENTS:

The property in question is 0.75 acre area composed of four lots that front onto Georgian Drive. These lots are currently being utilized for a Construction Sales and Services use. The property to the north is zoned MF-3-NP and is developed with a multifamily use (Pathways at Georgian Manor Apartments). To the south, there are automotive uses (Capital Inspections and Glass Repair and Heritage Automotive) and a food sales/convenience store (Sunrise Mini-Mart) that are zoned LR-NP. To the east, across Georgian Drive, there is a single-family residential neighborhood. To the west, there are office/warehouse uses zoned CS-CO-NP that front onto W. Powell Lane

The applicant is requesting CS-MU-CO-NP zoning to bring the existing illegal use on the property into conformance with use regulations in the Land Development Code. In the Fall of 2021, the current owner purchased these lots for his foundation repair business, which is classified as a Construction Sales & Service use by the City of Austin. The previous landowner had an air conditioning repair business at this location. The Construction Sales and Services use is first permitted in the CS, General Commercial District.

The staff recommends LR-MU-NP, Neighborhood Commercial-Mixed Use-Neighborhood Plan Combining District, zoning at this location. The property meets the intent of the LR district as it will provide limited commercial, and office uses to serve the residents of the surrounding residential neighborhood. The zoning staff supports the addition of the 'MU' combining district to the existing zoning as this property is adjacent to residential uses/zoning to the north and east. There is an associated neighborhood plan amendment (NPA) case for this property, case NPA-2022-0026.01. The applicant is requesting to amend the future land use map (FLUM) from Neighborhood Commercial to Mixed Use for these lots in the Georgian Acres portion of the North Lamar Neighborhood Plan. LR-MU-NP zoning will be consistent with the long-range planning staff's recommendation on the associated NPA case from the Neighborhood Commercial to the Mixed Use designation.

The zoning staff understands that the applicant is requesting a rezoning from LR-NP to CS-MU-CO-NP to bring an existing illegal Construction Sales and Services use into compliance. However, this property was downzoned from GR to LR-NP during the North Lamar Neighborhood Plan process because it takes access to Georgian Drive a Level 2/Collector roadway. It does not meet the intent of the CS district as it is not located on or at the intersection of major roadways. The property is within a residential neighborhood adjacent to MF-3-NP zoning to the north, SF-3-NP zoning to the east and LR-NP zoning along the western side of Georgian Drive. The CS-CO-NP zoning to the west takes access to W. Powell Lane, a Level 3/Minor Arterial roadway. The staff's recommendation of LR-MU-NP zoning will permit low intensity office, commercial and civic uses that will provide services to the surrounding residential areas.

The applicant does not agree with the staff's recommendation.

BASIS OF RECOMMENDATION:

1. *The proposed zoning should be consistent with the purpose statement of the district sought.*

Neighborhood Commercial district is intended for neighborhood shopping facilities which provide limited business service and office facilities predominately for the convenience of residents of the neighborhood.

Mixed Use combining district is intended for combination with selected base districts, in order to permit any combination of office, retail, commercial, and residential uses within a single development.

Neighborhood Plan district denotes a tract located within the boundaries of an adopted Neighborhood Plan.

2. *The proposed zoning should promote consistency and orderly planning.*

The staff's recommendation of LR-MU-NP zoning is consistent with the surrounding zoning patterns as the property is located within a residential neighborhood adjacent to MF-3-NP zoning to the north, SF-3-NP zoning to the east and LR-NP zoning along the western side of Georgian Drive.

3. *Zoning should allow for reasonable use of the property.*

LR-MU-NP zoning will permit low intensity office, commercial and civic uses along Georgian Drive a Level 2/Local Collector street that will provide services to the surrounding residential areas to the north and east.

EXISTING ZONING AND LAND USES:

|              | ZONING   | LAND USES   |
|--------------|----------|---|
| <i>Site</i>  | LR-NP    | Construction Sales and Services, Cell Tower   |
| <i>North</i> | MF-3-NP  | Multifamily/Apartments (Pathways at Georgian Manor Apartments)  |
| <i>South</i> | LR-NP    | Automotive Inspections (Capital Inspections and Glass Repair), Automotive Sales (Heritage Automotive), Food Sales/Convenience Store (Sunrise Mini-Mart), Restaurant (Nonos Tacos) |
| <i>East</i>  | SF-3-NP  | Single Family Residences  |
| <i>West</i>  | CS-CO-NP | Office/Warehouse  |

NEIGHBORHOOD PLANNING AREA: North Lamar Combined Neighborhood Plan  
(Georgian Acres)

TIA: Deferred to the time of Site Plan

WATERSHED: Little Walnut Creek

SCHOOLS: Austin I.S.D.

Brown Elementary

Webb Middle School

Lanier High School

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District

Austin Lost and Found Pets

Austin Mayan Collective

Austin Neighborhoods Council

Friends of Austin Neighborhoods

Georgian Acres Neighborhood Association

Go Austin Vamos Austin-North

Homeless Neighborhood Association

Neighborhood Empowerment Foundation

North Growth Corridor Alliance

North Lamar/Georgian Acres Neighborhood Team

SELTEXAS

Sierra Club, Austin Regional Group

AREA CASE HISTORIES:

| NUMBER  | REQUEST                       | COMMISSION   | CITY COUNCIL   |
|---|-------------------------------|--|--|
| C14-2019-0012<br>(Phan Mobile Home Park)  | CS-MU-V-CO-NP to MH-NP        | 5/28/19: Approved staff's recommendation of MH-NP zoning by consent (12-0, K. McGraw-absent); J. Shieh-1 <sup>st</sup> , P. Howard-2 <sup>nd</sup> .   | 6/20/19: Approved MH-NP zoning by consent on all 3 readings (11-0); L. Pool-1 <sup>st</sup> , N. Harper-Madison-2 <sup>nd</sup> .  |
| C14-2018-0024<br>(Powell Lane Apartments: 411 & 601 East Powell Lane and 410, 500, 502, 504, 508, and 606 East Wonsley Drive) | LO-MU-NP, LR-MU-NP to MF-4-NP | 8/14/18: Approved the staff's recommendation of MF-4-NP zoning, with NTA conditions, for the property at 502 E. Wonsley Drive by consent (9-0, K. McGraw and T. Shaw-absent); C. Kenny-1 <sup>st</sup> , P. Seeger-2 <sup>nd</sup> . | 9/30/18: Approved MF-4-NP zoning, with conditions, on 1 <sup>st</sup> reading only, leaving the public hearing open and requesting 2 <sup>nd</sup> /3 <sup>rd</sup> readings of the case on the September 20, 2018 City Council agenda (10-0, E. Troxclair-off the dais); G. Casar-1 <sup>st</sup> , A. Alter-2 <sup>nd</sup> .<br><br>9/20/18: The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20180920-090 for |

|   |  |  |   |
|---|--|--|---|
|   |  |  | multifamily residence-moderate-high density-neighborhood plan (MF-4-NP) combining district zoning was approved on Council Member Casar's motion, Council Member Renteria's second on an 8-1 vote. Council Member Houston voted nay. Council Member Garza was off the dais. Council Member Alter was absent.   |
| C14-2017-0089<br>(Georgian Acres Neighborhood Park)                   | CS-CO-NP to P-NP   | 9/12/17: Approved the staff's recommendation of P-NP zoning by consent (13-0); P. Seeger-1 <sup>st</sup> , J. Shieh-2 <sup>nd</sup> .  | 10/19/17: The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20171019-045 for public-neighborhood plan (P-NP) combining district zoning was approved on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.  |
| C14-2015-0059<br>(8130 North Lamar)                                   | CS-NP to CS-MU-NP  | 7/14/15: Approved staff recommendation of CS-MU-NP zoning on consent (12-0); J. Stevens-1 <sup>st</sup> , J. Schissler-2 <sup>nd</sup> .   | 8/13/15: Approved CS-MU-NP zoning on 1 <sup>st</sup> reading (11-0); L. Pool-1 <sup>st</sup> , D. Zimmerman-2 <sup>nd</sup> .<br>10/15/15: Approved general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning on 2 <sup>nd</sup> /3 <sup>rd</sup> readings (10-0, A. Kitchen-off dais); S. Gallo-1 <sup>st</sup> , P. Renteria-2 <sup>nd</sup> .   |
| C14-2010-0049<br>(Georgian Acres Neighborhood Planning Area Rezoning) | To create a Neighborhood Plan Combining District (NPCD) covering the entire 669.83 acre plan area. Under the proposed Georgian Acres NPCD, the following design tools will be applied area-wide: "Parking Placement and Impervious | 5/11/10: Approved the proposed re-zonings for the Georgian Acres NPCD as recommended by the staff, except for following tracts: 101, 102, 103, 104, 106, 107, 108, 109, 110, 111, 112, 115, 118, 119, 134, 136, and 137 (8-0, J. Reddy-absent); D. Chimenti-1 <sup>st</sup> , M. Dealey-2 <sup>nd</sup> .<br><br>Approved the staff's recommendation to rezone to Vertical Mixed-Use "V" and to remove the dimensional standards identified in Article 4.3.3 E.3 (Dimensional and Parking Requirements – reduction in parking requirements) and the Future Land Use designation of Mixed Use for the following tracts: | 6/24/10: Approved the North Lamar Combined Neighborhood Plan, except for tract 32 (postponed to July 29, 2010), and tracts 134 and 135B, on Council Member Spelman's motion, Council Member Cole's second on a 7-0 vote.<br><br>Approved the Georgian Acres Neighborhood Plan Combining District (NP), except for tracts 134 and 135B (as shown below), and including the following motions was approved on Council Member Spelman's motion, Council Member Morrison's second on a 7-0 vote.<br><br>The motion to amend the |

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|---|--|---|---|
|   | Cover Restrictions,”“Garage Placement” and “Front Porch Setback” | <p>101, 102, 103, 104, 107, 108, 109, 110, 111, 112, 115, 118, and 119; Vote: (8-0, J. Reddy-absent); D. Chimenti-1<sup>st</sup>, M. Dealey-2<sup>nd</sup>.</p> <p>Approved the staff’s recommendation to rezone to Vertical Mixed-Use “V” and to remove the dimensional standards identified in Article 4.3.3 E.3 (Dimensional and Parking Requirements – reduction in parking requirements) and the Future Land Use designation of Neighborhood Mixed Use for the following tracts: 106, 136 and 137; Vote: (8-0, J. Reddy-absent); D. Chimenti-1<sup>st</sup>, M. Dealey-2<sup>nd</sup>.</p> <p>Approved the staff’s recommendation for the Impervious Cover &amp; Parking Placement Restrictions, Front Porch Setback and Garage Placement design tools for the Georgian Acres Planning Area; Vote: (8-0, J. Reddy-absent); D. Anderson-1<sup>st</sup>, K. Tovo-2<sup>nd</sup>.</p> <p>Approved the staff’s recommendation of SF-3-NP zoning for Tract 134 (602, 604, and 606 Middle Lane); Vote: (8-0, J. Reddy-absent); S. Kirk-1<sup>st</sup>, D. Chimenti-2<sup>nd</sup>.</p> | <p>ordinance per staff’s recommendation to change the future land use for Tract 134 to office and include limited office-conditional overlay-neighborhood plan (LO-CO-NP) zoning with the following conditions and conditional uses was approved on Council Member Spelman’s motion, Council Member Morrison’s second on a 7-0 vote. The conditions were to restrict building height to 18 feet. The conditional uses are: medical offices less than 5,000 square feet and medical offices greater than 5,000 square feet.</p> <p>The motion to amend the ordinance to change the land use designation for Tract 135B on the future land use map (FLUM) to commercial and include general community commercial-conditional overlay-neighborhood plan (GR-CO-NP) zoning with hotel/motel as a conditional use was approved on Council Member Spelman’s motion, Council Member Morrison’s second on a 7-0 vote.</p> |
| C14-2009-0140<br>(Najib’s 214 E. Anderson Lane)           | GR to CS-1   | 1/12/10: Approved staff’s recommendation of CS-1-CO, with a CO for a 2000 vtpd limit, on consent (7-0, D. Anderson, J. Reddy- absent); C. Small-1 <sup>st</sup> , M. Dealey-2 <sup>nd</sup> .   | 2/11/10: Approved CS-1-CO zoning on consent on Council on all 3 readings (6-0, Cole-off dais); Spelman-1 <sup>st</sup> , Morrison-2 <sup>nd</sup>   |
| C14-02-0177<br>(Powell Lane Zoning 2: 700 W. Powell Lane) | CS-CO to CS  | 11/19/02: Approved staff rec of CS-CO by consent (7-0)  | 12/12/02: Approved CS-CO, with a 2,000 vehicle trip limit and prohibiting Agricultural Sales and Services, Art and Craft Studio (General), Building Maintenance Services, Campground, Convenience Storage, Kennels, Laundry Services, Monument Retail Sales, Plant Nursery, Custom Manufacturing (7-0) on all readings  |

|  |             |  |   |
|--|-------------|--|---|
| C14-02-0176<br>(Powell Lane<br>Zoning: 6161 W.<br>Powell Lane) | CS-CO to CS | 11/19/02: Approved staff rec of<br>CS-CO by consent (7-0)  | 12/12/02: Approved CS-CO, with<br>a 2,000 vehicle trip limit and<br>prohibiting Agricultural Sales and<br>Services, Art and Craft Studio<br>(General), Building Maintenance<br>Services, Campground,<br>Convenience Storage, Kennels,<br>Laundry Services, Monument<br>Retail Sales, Plant Nursery,<br>Custom Manufacturing (7-0) on<br>all readings  |
| C14-02-0049<br>(618 Powell<br>Lane)                            | SF-3 to CS  | 4/30/02: Approved staff rec. of<br>CS-CO by consent (6-0)  | 6/27/02: Approved CS-CO, with a<br>2,000 vehicle trip limit and<br>prohibiting Agricultural Sales and<br>Services, Art and Craft Studio<br>(General), Building Maintenance<br>Services, Campground,<br>Convenience Storage, Kennels,<br>Laundry Services, Monument<br>Retail Sales, Plant Nursery,<br>Custom Manufacturing, Limited<br>Warehousing and Distribution (7-<br>0); all 3 readings |
| C14-01-0012  | SF-3 to CS  | 3/27/01: Approved staff's rec. of<br>CS-CO, the conditional overlay<br>will limit the site to less than 2,000<br>vehicle trips per day (9-0) | 4/26/01: Approved CS-CO zoning<br>with conditions (7-0); all 3<br>readings  |

RELATED CASES: C14-2010-0049 (North Lamar Combining Neighborhood Plan Rezoning)  
NPA-2022-0026.01 (Neighborhood Plan Amendment)  
C14-85-250 Previous Zoning Case  
C8S-73-190 (Subdivision Case)  
SP-2017-0387C (Site Plan Case)

EXISTING STREET CHARACTERISTICS:

The adjacent street characteristics table is provided below:

| Name              | ASMP<br>Classification | ASMP<br>Required<br>ROW | Existing<br>ROW | Existing<br>Pavement | Sidewalks | Bicycle<br>Route | Cap<br>Metro<br>(within<br>$\frac{1}{4}$<br>mile) |
|-------------------|------------------------|-------------------------|-----------------|----------------------|-----------|------------------|---|
| Georgian<br>Drive | Level 2                | 84 feet                 | 59 feet         | 42 feet              | Yes       | Two-<br>way      | Yes   |

OTHER STAFF COMMENTS:

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Little Walnut Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.

Zoning district impervious cover limits apply in the Urban Watershed classification.

According to floodplain maps there is no floodplain within or adjacent to the project location.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, site specific information is unavailable regarding vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 sq. ft. cumulative is exceeded, and on-site control for the two-year storm.

At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

Fire

No comments.

Parks and Recreation

Parkland dedication fees may apply to any future site or subdivision applications resulting from this rezoning. As of January 1, 2023, new commercial uses are subject to parkland dedication requirements at the time of site plan and subdivision.

Site Plan

A site plan would be required for any new development other than single-family, two-family or duplex residential.

Any new development is subject to the design standards in Subchapter E of the Land Development Code. Additional comments will be made when the site plan is submitted.



Any future residential development permitted under the MU combining district will be subject to the multifamily density provisions in Subchapter E 4.2.1.D.6.c.

**Compatibility Standards**

Any new development on this site would be subject to compatibility height standards due to the presence of SF-3-NP zoned property within 540 feet to the N, S and E. The following standards apply:

- No structure in excess of two stories and 30 feet in height may be constructed within 50 feet of the property line of the compatibility-triggering property.
- No structure in excess of three stories and 40 feet in height may be constructed within 100 feet of the property line of the compatibility-triggering property.
- For a structure more than 100 feet but not more than 300 feet from property zoned SF-3-NP, the height is limited to 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-3-NP.
- For a structure more than 300 feet but not more than 540 feet from property zoned SF-3-NP, the height is limited to 60 feet plus one foot for each four feet of distance in excess of 300 feet from the property zoned SF-3-NP.
- Additional design regulations will be enforced at the time a site plan is submitted.

**Neighborhood Planning Area**

This site is located in the Georgian Acres Neighborhood Plan. Please see the City's [Neighborhood Plans and Resources webpage](#) for a copy of the recommended design guidelines.

**Transportation****ROW**

The Austin Strategic Mobility Plan (ASMP) calls for 84 feet of right-of-way for Georgian Drive. It is recommended that 42 feet of right-of-way from the centerline should be dedicated according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

**TIA**

A transportation assessment/traffic Impact analysis shall be required at the time of site plan if triggered, when land uses and intensities will be known per LDC 25-6-113 and TCM 10.2.1.

**Austin Water Utility**

No comments on zoning change.

FYI: The landowner intends to serve the site with existing City of Austin water utilities and an On-Site Sewage Facility previously permitted.

Depending on future development plans submitted, water and or wastewater service extension requests may be required. All water and wastewater construction must be inspected by the City of Austin.

#### INDEX OF EXHIBITS TO FOLLOW

- A: Zoning Map
- B. Aerial Map
- C. Applicant's Summary Letter
- D. Notice of Violations

11 of 21

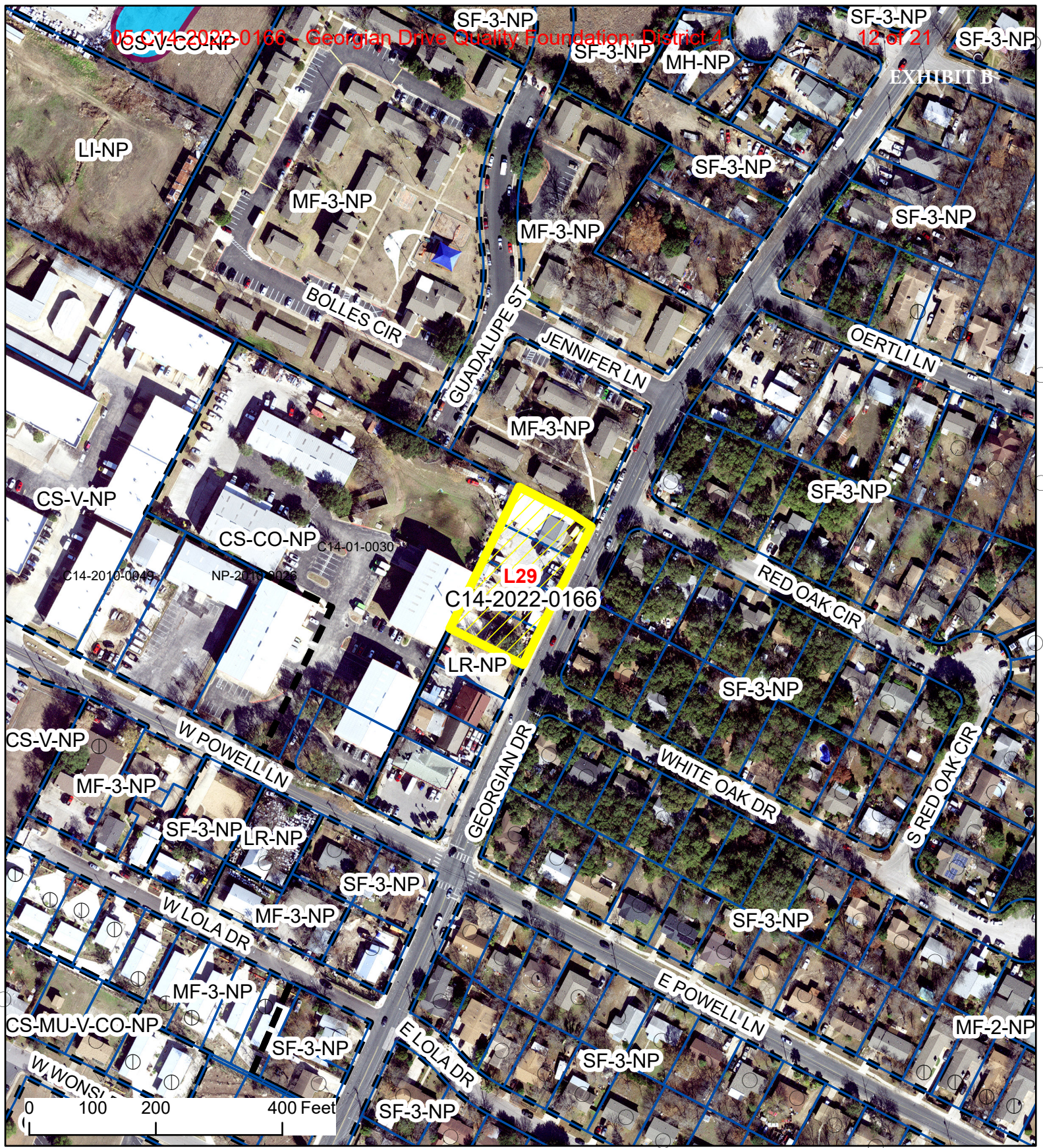
 ZONING BOUNDARY

ZONING CASE#: C14-2022-0166







**Created: 11/30/2022**





## Georgian Drive Quality Foundation



-  SUBJECT TRACT
-  ZONING BOUNDARY
-  PENDING CASE
-  CREEK BUFFER

ZONING CASE#: C14-2022-0166  
LOCATION: 8226-8240 Georgian Drive  
SUBJECT AREA: 0.75 Acres  
GRID: L29  
MANAGER: Sherri Sirwaitis



This product has been produced by the Housing and Planning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

Created: 12/13/2022





November 11, 2022

Ms. Rosie Trulove  
Housing & Planning Department  
City of Austin  
1000 E 11<sup>th</sup> Street  
Austin, TX 78702

***Via Electronic Delivery***

Re: Rezoning of 8226-8240 Georgian Drive, Austin TX 78753

Dear Ms. Trulove:

On behalf of the Owner(s) of the property referenced above, we respectfully submit the enclosed rezoning application package.

The subject area is comprised of 4 legally platted lots located in Georgian Acres of the North Lamar Combined Neighborhood Planning Area. The Future Land Use Map prescribes Neighborhood Commercial for the 4 lots. Once zoned GR, the lots were downzoned during the neighborhood planning process to LR-NP.

The lots have been occupied by a construction sales and service use since at least 1993 and possibly longer, causing for non-compliance with zoning code. There is an associated Neighborhood Plan Amendment under review to amend the FLUM from *Neighborhood Commercial* to *Mixed Use* as per case #NPA-2022-0026.01. This rezoning application is made to request a change in zoning from LR-NP to CS-MU-CO-NP, which is in alignment with the FLUM amendment currently in process. The rezoning application is made for purposes of bringing the construction sales and service use into compliance. The Mixed-Use (-MU) overlay is requested to create opportunity for residential uses in the future.

The general area has long established warehouse buildings with various commercial and industrial uses that have remained for several years/decades. The Construction Sales & Service use has existed for several years and not to detriment or complaint of the local neighbors. Therefore, we respectfully request that the use be allowed to continue and to become legal and

**P.O. BOX 41957, AUSTIN, TEXAS 78704**

compliant through this rezoning request. The landowner is offering a conditional overlay with the rezoning that would parse out commercial uses that would be incompatible with near-by properties, with exception of construction sales and service use.

The following uses are offered to be prohibited:

- Automotive Rental
- Automotive Repair Services
- Automotive Sales
- Automotive Washing (of any type)
- Bail Bond Services
- Service Station
- Vehicle Storage
- Custom Manufacturing
- Limited Warehousing & Distribution

Please contact our office or me directly should you have need for additional information. Thank you for your time and attention to this application.

Kind regards,

A handwritten signature in black ink, appearing to read 'Victoria Haase', with a stylized, flowing script.

Victoria Haase

cc: Maureen Meredith, Housing & Planning Department (*via electronic delivery*)

cc: Sherri Sirwaitis, Housing & Planning Department (*via electronic delivery*)



# City of Austin

P.O. Box 1088, Austin, TX, 78767

## AUSTIN **CODE** DEPARTMENT

### **NOTICE OF VIOLATION**

**Case Number: CV-2021-093090**

via Certified Mail # 7020 2450 0001 3632 0063

June 17, 2021

POWELL LANE PLAZA PARTNERSHIP  
PMB 368 5114 BALCONES WOODS DR STE 307  
AUSTIN, TX 78759 5212

RE: 8226 GEORGIAN DR AUSTIN TX 78753  
Locally known as 8226 GEORGIAN DR AUSTIN TX 78753  
Legally described as LOT 4 \*RESUB NO 1 HOAGLAND ADDN  
Zoned as LR-NP  
Parcel Number 0235140120

Dear POWELL LANE PLAZA PARTNERSHIP:

The City of Austin Code Department investigated the property described above. Austin City Code violations were found that require your immediate attention. A description of the violation(s) and compliance timeframe(s) are provided in the attached violation report.

After receipt of this Notice, and until compliance is attained, the Austin City Code prohibits the sale, lease, or transfer of this property unless:

- You provide the buyer, lessee, or other transferee a copy of this Notice of Violation; and
- You provide the name and address of the buyer, lessee, or other transferee to the Code Official.

For additional information, I can be reached at 512-803-0283 or [eric.finn@austintexas.gov](mailto:eric.finn@austintexas.gov). Please reference **case number** CV-2021-093090. Hours of operation are: Monday – Friday, 7:30 a.m. - 4:00 p.m. If I am unavailable, contact the Code Connect line at (512) 974-CODE (2633) or [codeconnect@austintexas.gov](mailto:codeconnect@austintexas.gov).

Para obtener más información, llame al 512-803-0283 o enviar un correo electrónico a [eric.finn@austintexas.gov](mailto:eric.finn@austintexas.gov). Por favor, consulte **caso número** CV-2021-093090. El horario de atención es: lunes a viernes, 7:30 a.m. - 4:00 p.m. Si no estoy disponible, comuníquese con Code Connect marcando al (512) 974-CODE (2633) o por correo electrónico [codeconnect@austintexas.gov](mailto:codeconnect@austintexas.gov).

Sincerely,

Eric Finn, Austin Code Officer  
City of Austin Code Department



FOR CODE QUESTIONS, CONTACT:  
**512.974.CODE (2633)**  
[CODECONNECT@AUSTINTEXAS.GOV](mailto:CODECONNECT@AUSTINTEXAS.GOV)  
MONDAY - FRIDAY 8:00 AM - 4:00 PM



**VIOLATION REPORT****Date of Notice:** June 17, 2021**Code Officer:** Eric Finn**Case Number:** CV-2021-093090**Property Address:** 8226 GEORGIAN DR AUSTIN TX 78753  
Locally known as 8226 GEORGIAN DR AUSTIN TX 78753  
Zoned as LR-NP

The items listed below are violations of the Austin City Code, and require your immediate attention. If the violations are not brought into compliance within the timeframes listed in this report, enforcement action may be taken. Timeframes start from the Date of Notice.

*Due to the ongoing Declaration of Local Disaster, the Austin Code Department understands that additional time may be required to comply with this notice. **If additional time is required, please contact your Code Officer to request an extension.** Extensions will be considered after evaluating the severity and frequency of the violation, available resources to correct the violation, and the impact of the continued violation on the public health and safety.*

**Violation Type: PROPERTY ABATEMENT**

Austin City Code Section: Duty to Maintain Property In Sanitary Condition (§10-5-21)

Description of Violation: I observed litter and trash with two shopping carts at the sidewalk of this property.

An owner, tenant, resident or person in charge of any property within the City of Austin must maintain said property free of grass and weeds over 12 inches tall, brush, garbage, rubbish, trash, debris, standing water or other objectionable, unsightly or unsanitary matter.

Date Observed: 06/17/2021

Timeframe to Comply: 7 Day(s)

Recommended Resolution: Please pick up, remove, and properly dispose of all litter and trash at the sidewalk of this property.

**Notes:** Failure to correct this condition by the above deadline may result in City action to clean the property at your expense. **Should another violation occur within one year of the date of this notice, the City may take action to clean the property without further notice to you and at your expense.**

**Appeal:** An owner may appeal a notice of violation issued under this article by filing a written statement with the director of the designated department not later than the seventh day after the notice is given. An owner may only appeal on the following grounds:

- (1) The notice was not properly served; or
- (2) A violation did not exist on the property on the date the notice was issued.

An appeal may be delivered in person to the Austin Code Department located at 5202 E. Ben White Blvd. Unit 5, Suite 550, Austin, TX 78741 or mailed to: **City of Austin Code Department, ATTN: Code Official, P.O. Box 1088, Austin, Texas 78767.**



## IMPORTANT INFORMATION

### **Failure to Correct**

If the violations are not brought into compliance within the timeframes listed in the violation report, enforcement action may include:

- Criminal charges in the City of Austin Municipal Court subjecting you to fines of up to \$2,000 per violation, per day.
- Civil penalties in an Administrative Hearing subjecting you to fines of up to \$1,000 per violation, per day, along with additional fees.
- Suspension or cancellation of existing site plan, permit or certificate of occupancy. If the site plan, permit or certificate of occupancy is suspended or revoked, the utility service to this property may be disconnected.
- Civil injunctions or penalties in State court.
- For dangerous or substandard buildings, the City of Austin may also take action with the Building and Standards Commission (BSC) to order the vacation, relocation of occupants, securing, repair, removal or demolition of a building, and civil penalties.

### **Ownership Information**

According to the records of the County, you own the property described in this notice. If this property has other owners, please provide me with this information. If you no longer own this property, you must execute an affidavit form provided by our office. This form should state that you no longer own the property, the name of the new owner, and their last known address. The affidavit must be delivered in person or by certified mail, with return receipt requested, to the Austin Code Department office no later than 20 days after you receive this notice. If you do not submit an affidavit, it will be presumed that you own the property described in this notice.

An affidavit form is available at [www.austintexas.gov/code-resources](http://www.austintexas.gov/code-resources), or at the office at 5202 E. Ben White Blvd. Unit 5, Suite 550, Austin, TX 78741. The completed affidavit should be mailed to: **City of Austin Code Department, P.O. Box 1088, Austin, Texas 78767.**

### **Complaints**

You may file a written complaint or commendation regarding an Austin Code Department Officer no later than 3 days after you receive this notice. Please reference your case number. The complaint or commendation should be mailed to: **City of Austin Code Department, ATTN: Code Official, P.O. Box 1088, Austin, Texas 78767.**

# Community Resources

Austin Code Department aims to bring our communities to a safe standard for Austin residents and visitors. This list of community resources is available to help Austin residents resolve potential hazards.

## General Information

- **Austin 311** · A single point of contact for every City department 24 hours a day, 7 days a week. Dial: 311 or visit [austintexas.gov/department/311](https://austintexas.gov/department/311)
- **Texas 2-1-1** · Free information from state and local health and human services programs, 24 hours a day 7 days a week. Dial: 211, or 877-541-7905 or visit [www.211texas.org](https://www.211texas.org).
- **Travis County Resources** · Direct services or through non-profit sectors that address community, family support services, weatherization and home repair. Phone numbers by zip (78701) 512-854-4120, (78653) 512-854-1520, (78704) 512-854-1550, (78645) 512-854-9130, (78735) 512-854-1500, (78660) 512-854-2130 or 512-854-1530 or visit [www.traviscountytexas.gov/health-human-services/divisions/family-support-services](https://www.traviscountytexas.gov/health-human-services/divisions/family-support-services).
- **United Way / Connect ATX** · Free or reduced cost services like medical care, food, job training and more [www.unitedwayaustin.org/connectatx](https://www.unitedwayaustin.org/connectatx).

## Housing

- **Neighborhood Housing & Community Development (NHCD)** · (*Austin*) Provides housing and community development services to eligible residents. Dial: 512-974-3100 or visit [austintexas.gov/department/housing](https://austintexas.gov/department/housing)
- **Development Services Department (DSD)** · (*Austin*) Collects and reviews zoning fees & expired permits, building inspections form requests. Dial: 512-978-4000 or visit [austintexas.gov/department/development-assistance-center](https://austintexas.gov/department/development-assistance-center)
- **Building and Strengthening Tenant Action (BASTA)** · Helps renters work with their neighbors to improve conditions in their homes by providing one-on-one guidance and group training in outreach methods, facilitation techniques, negotiation strategy, campaign planning, and property research. Dial: 512-522-9984 or visit [www.bastaustin.org](https://www.bastaustin.org)
- **Austin Tenants Council** · Protects tenant's rights and educates the community on fair housing to advocate for safe, decent and affordable housing for all. Dial: 512-474-6000 or visit [www.housing-rights.org](https://www.housing-rights.org)
- **Austin Area Urban League** · Provides home repairs, advocacy, financial empowerment and workforce and career development. Dial: 512-478-7176 or visit <http://aaul.org>.

## **Health and safety**

- **Austin Public Health's (APH)** • Assists with Graffiti removal, rodent control, swimming pool/spa inspections, health screening and free social services. Neighborhood centers provide basic needs (food pantry), seasonal program services (Christmas Bureau application) and crisis intervention. Dial: 512-972-5000 or visit: [austintexas.gov/department/health](http://austintexas.gov/department/health).
- **Texas Department of Family and Protective Services (DFPS)** • Provides investigative services for abuse, neglect or financial exploitation for persons aged 65 or older or if age 18-65, with mental, physical or developmental disabilities. Visit [www.dfps.state.tx.us](http://www.dfps.state.tx.us).
- **Easter Seals Central Texas** • Supports those with disabilities, supplies summer camps and employment opportunities. Offer a community for women with disabilities and adult day care services as well as in-home care, therapy and mental health programs. Dial: 512-615-6820 or visit [www.easterseals.com/centraltx](http://www.easterseals.com/centraltx)
- **Meals on Wheels Central Texas** • Provides resources including home care, veteran services, home repair, treatment for depression and quality meals. Dial: 512-476-6325 or visit [www.mealsonwheelscentraltexas.org](http://www.mealsonwheelscentraltexas.org).
- **Texas Department on Aging and Disability Services (DADS)** • Offers community partner, faith and community-based programs that support the needs of aging adults. Dial: 1-855-937-2372 or [www.dads.state.tx.us](http://www.dads.state.tx.us)
- **Texas Health and Human Rights Services department** • Provides advice and advocacy for those experiencing discrimination or abuse in nursing homes, assisted living facilities, home health or hospice settings. Dial: 1-800-458-9858 or visit [www.dads.state.tx.us/services/crs](http://www.dads.state.tx.us/services/crs).

## **Legal assistance**

- **Texas RioGrande Legal Aid (TRLA)** • Free civil legal services for residents and represents migrant or seasonal workers. Operates public defender programs that represent low-income and indigent people in areas including family, employment, foreclosure, bankruptcy, subsidized housing, farmworker, civil rights, and environmental law. Dial: 1-888-988-9996 or visit [www.tria.org/office/austin](http://www.tria.org/office/austin).

For more information about the Austin Code Department, check out our websites:

[www.austintexas.gov/code](http://www.austintexas.gov/code) | <http://austincodeit.github.io/open.html>

## Recursos Comunitarios

El Departamento de Códigos de Austin tiene como objetivo llevar a nuestras comunidades un estándar seguro para los que viven y visitan Austin. Esta lista de recursos comunitarios está disponible para resolver posibles peligros.

### Información General

- **Austin 311** · Un punto de contacto para cada departamento de la ciudad disponible 24 horas del día, 7 días de la semana. Marque 311 o visite [austintexas.gov/department/311](https://austintexas.gov/department/311)
- **Texas 2-1-1** · Información fácil de encontrar programas estatales y locales de salud y servicios humanos. Los servicios son gratuitos y anónimos, incluyendo una línea directa de servicio social las 24 horas del día los 7 días de la semana. Marque: 211, o 877-541-7905 o visite [www.211texas.org](https://www.211texas.org).
- **Recursos del Condado de Travis** · Proporciona servicios directos o a través de sectores sin fines de lucro de apoyo familiar, climatización y reparación de viviendas. Números de teléfono por código postal **(78701)** 512-854-4120, **(78653)** 512-854-1520, **(78704)** 512-854-1550, **(78645)** 512-854-9130, **(78735)** 512-854-1500, **(78660)** 512-854-2130 o 512-854-1530 o visite [www.traviscountytx.gov/health-human-services/divisions/family-support-services](https://www.traviscountytx.gov/health-human-services/divisions/family-support-services).
- **United Way / Connect ATX** · Servicios gratuitos o de costo reducido como atención médica, alimentos, capacitación laboral y más [www.unitedwayaustin.org/connectatx](https://www.unitedwayaustin.org/connectatx).

### Vivienda

- **Departamento de Vivienda Comunitaria y Desarrollo Comunitario (NHCD)** · (Austin) provee servicios de vivienda y desarrollo comunitario a personas elegibles. Marque: 512-974-3100 o visite [austintexas.gov/department/housing](https://austintexas.gov/department/housing)
- **Departamento de Servicios de Desarrollo (DSD)** · (Austin) Cobra y revisa tarifas de zonificación y permisos vencidos, inspecciones de edificios y solicitudes. Marque: 512-978-4000 o visite [austintexas.gov/department/development-assistance-center](https://austintexas.gov/department/development-assistance-center)
- **BASTA - Organizando inquilinos de Austin para hogares saludables y asequibles** · Ayuda a inquilinos a trabajar con sus vecinos para mejorar las condiciones en sus hogares proporcionando orientación personal y capacitación grupal en métodos de extensión, técnicas de facilitación, estrategia de negociación, planificación de campañas e investigación de propiedades. Marque: 512-522-9984 o visite [www.bastaaustin.org](https://www.bastaaustin.org)
- **El Consejo de Inquilinos de Austin (ATC)** · Protege los derechos de inquilinos y educa a la comunidad sobre la vivienda justa para abogar por una vivienda segura, decente y asequible para todos. Marque: 512-474-6000 o visite [www.housing-rights.org](https://www.housing-rights.org)
- **La Liga Urbana de Área de Austin (AAUL)** – Proporciona reparaciones en el hogar, promoción, empoderamiento financiero y desarrollo de la fuerza de trabajo y Carrera. Marque al 512-478-7176 o visite <http://aaul.org>.

## **Salud y Protección**

- **Departamento de Salud Pública (APH)** • Ayuda con la eliminación de grafiti, control de roedores, inspecciones de piscina/spa, exámenes de salud y servicios sociales gratuitos. Los centros comunitarios proporcionan necesidades básicas (despensa de alimentos), servicios de programa estacionales (aplicación de la Oficina de Navidad) servicios sociales como intervención de crisis. marque: 512-972-5000 o visite: [austintexas.gov/department/health](http://austintexas.gov/department/health).
- **El Departamento de Servicios para la Familia y de Protección (DFPS)** • Servicios de investigación por abuso, negligencia o explotación financiera de personas de 65 años o más o si tienen entre 18 y 65 años, con discapacidades mentales, físicas o del desarrollo. Visite [www.dfps.state.tx.us](http://www.dfps.state.tx.us).
- **Easter Seals del Centro de Texas** • Apoyo para personas con discapacidades, ofrece campamentos de verano y oportunidades de empleo. Ofrecer una comunidad para mujeres con discapacidades y servicios de guardería para adultos y programas de atención en el hogar, terapia y salud mental. Marque: 512-615-6820 o visite [www.easterseals.com/centraltx](http://www.easterseals.com/centraltx)
- **Meals on Wheels del Centro de Texas** • Proporciona recursos que incluyen atención domiciliaria, servicios para veteranos, reparación del hogar, tratamiento para depresión y comida. Marque: 512-476-6325 o visite [www.mealsonwheelscentraltexas.org](http://www.mealsonwheelscentraltexas.org).
- **Departamento de Servicios para Adultos Mayores y Personas con Discapacidades (DADS)** • Ofrece a un socio comunitario, programas basados en la comunidad y basados en la comunidad que apoyan las necesidades de los adultos mayores. Marque: 1-855-937-2372 o [www.dads.state.tx.us](http://www.dads.state.tx.us)
- **Departamento de Servicios de Salud y Derechos Humanos de Texas (DADS)** • Proporciona asesoramiento y defensa para aquellos que sufren discriminación o abuso en hogares de ancianos, centros de vida asistida, salud en el hogar o entornos de hospicio. Marque: 1-800-458-9858 o visite [www.dads.state.tx.us/services/crs](http://www.dads.state.tx.us/services/crs).

## **Asistencia Legal**

- **Texas RioGrande Legal Aid (TRLA)** • Proporciona servicios legales civiles gratuitos a los residentes y representa a los trabajadores migrantes o estacionales. Opera programas de defensa pública que representan a personas indigentes y de bajos ingresos en áreas como la familia, el empleo, la ejecución hipotecaria, la quiebra, la vivienda subvencionada, el trabajador agrícola, los derechos civiles y la ley ambiental. Marque: 1-888-988-9996 o visite [www.tria.org/office/austin](http://www.tria.org/office/austin).

Para obtener más información sobre el Departamento de Código de Austin, consulte nuestros sitios web:

[www.austintexas.gov/code](http://www.austintexas.gov/code) | <http://austincodeit.github.io/open.html>