

BOA GENERAL REVIEW COVERSHEET

RE-NOTIFICATION

CASE: C15-2023-0034**BOA DATE:** December 11th, 2023**ADDRESS:** 5111 Lansing Dr**COUNCIL DISTRICT:** 3**OWNER:** Margarita Renee Suaste**AGENT:** N/A**ZONING:** SF-3-NP (South Manchaca NP)**LEGAL DESCRIPTION:** LOT 12 BLK F EMERALD FOREST SEC 5

VARIANCE REQUEST: a) decrease the minimum front yard setback from 25 feet to 5 feet **and**
b) erect Carport in front of building façade.

SUMMARY: erect a Carport**ISSUES:** protected oak tree

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

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District
Austin Lost and Found Pets
Austin Neighborhoods Council
Friends of Austin Neighborhoods
Go Austin Vamos Austin 78745
Homeless Neighborhood Association
Neighborhood Empowerment Foundation
Onion Creek HOA
Preservation Austin
SELTexas
South Austin Neighborhood Alliance (SANA)
South Manchaca Neighborhood Plan Contact Team
Southwood Neighborhood Association

CITY OF AUSTIN
Board of Adjustment
Decision Sheet
ITEM08

DATE: Monday September 11, 2023

CASE NUMBER: C15-2023-0034

____ Thomas Ates (D1)
 ____ VACANT (D2)
 ____ Jessica Cohen (D3)
 ____ Yung-ju Kim (D4)
 ____ Melissa Hawthorne (D5)
 ____ Jeffrey Bowen (D6)
 ____ Janel Venzant (D7)
 ____ Margaret Shahrestani (D8)
 ____ Brian Poteet (D9)
 ____ Michael Von Ohlen (D10)
 ____ Marcel Gutierrez-Garza (M)
 ____ Kelly Blume (Alternate) (M)
 ____ Suzanne Valentine (Alternate) (M)
 ____ VACANT (Alternate) (M)

OWNER/APPLICANT: M Renee Suaste

ADDRESS: 5111 LANSING DR

VARIANCE REQUESTED: The applicant is requesting a variance(s) from the Land Development Code, Section 25-2-492 (*Site Development Regulations*) from setback requirements to decrease the minimum front yard setback from 25 feet (required) to 20 feet (requested), in order to erect a Carport in a “SF-3-NP”, Single-Family - Neighborhood Plan zoning district (South Manchaca Neighborhood Plan)

BOARD’S DECISION: AUG 14 BOA MEETING **POSTPONED TO September 11, 2023 BY APPLICANT (RE-NOTIFICATION NEEDED); Sept 11, 2023 POSTPONED TO DECEMBER 11, 2023 BY APPLICANT**

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because:
2. (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:


Elaine Ramirez
Executive Liaison

 for _____
Jessica Cohen
Chair



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 # **C15-2023-0034** ROW # **13167564** Tax # **0412101422**

Section 1: Applicant Statement

Street Address: 5111 Lansing Drive, Austin, Texas 78745

Subdivision Legal Description:

LOT 12, BLOCK "F", EMERALD FOREST, SECTION 5, VOLUME 55, PAGE 20, OF THE PLAT
RECORDS OF TRAVIS COUNTY, TEXAS

Lot(s): 12 Block(s): F

Outlot: Division: EMERALD FOREST

Zoning District: SF-3-NP **Council District: 3**

I/We M Renee Suaste on behalf of myself/ourselves as

authorized agent for M Renee Suaste affirm that on

Month May, Day , Year , hereby apply for a hearing before the

25 2023
Board of Adjustment for consideration to (select appropriate option below):

☒ Erect ☐ Attach ☐ Complete ☐ Remodel ☐ Maintain ☐ Other: _____

Type of Structure: 20' x 20' carport extruding from existing roofline

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

LDC, Section 25-2-492 to reduce front yard setback from 25 ft. (required) to 5 ft. (requested)
for a 20' X 20' carport be erected, extruding existing roofline.

LDC, Section 25-2-1604 (C) (1) a parking structure with an entrance that faces the front yard abutting public right-of-way: may not be closer to the front lot line than the front most exterior wall of the first floor of the building façade.

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 proposed carport is unable to be built within existing city codes without the need of these approved variances or zoning change. Additionally, in order to save my protected oak tree that is adjacent to my car and protect my cars from other ice / freeze storm or hail events, this proposed carport would allow 1 combined practical and reasonable solution to protect both.

Hardship

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

I have a protected heritage oak tree larger than 19 inches in diameter adjacent to the proposed build but outside of the 50% critical root zone. The 2023 February ice storm event imposed a large amount of ice on a high limb that created a break in the limb, falling on my vehicle, preventing weeks of inability to drive to work and obtaining essential needs while simultaneously out of power for 5 days.

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

2 out of the 10 homes on my side of Lansing Drive have aluminum carports and 4 out of the 10 homes have functional garages allowing for protection. While a few homes have nearby trees adjacent to
(continued below in Section 6:).

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 proposed design will extrude from the existing roofline, blend in with the new builds in the area, leaving the existing character in the surrounding neighborhood.

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:

N/A

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:

N/A

3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

N/A

4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

N/A

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: M Renee Suaste Date: 11/7/2023

Applicant Name (typed or printed): M Renee Suaste

Applicant Mailing Address: 5111 Lansing Drive

City: Austin State: Texas Zip: 78745

Phone (will be public information): [REDACTED]

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: M Renee Suaste Date: 11/7/2023

Owner Name (typed or printed): M Renee Suaste

Owner Mailing Address: 5111 Lansing Drive

City: Austin State: Texas Zip: 78745

Phone (will be public information): [REDACTED]

Email (optional – will be public information): _____

Section 5: Agent Information

Agent Name: N/A

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).

Continued from **Section 2: Variance Findings; Hardship (b) Continued**

their driveways, most trees are ornamentals or situated far enough away from potential damage. My desire is to save the tree and these approved variances will allow for the carport build, which grants both abilities to save the tree and to protect material property, decreasing disruption of livelihood.



City of Austin Residential Permit Application

Master Comment Report



Property: 5111 LANSING DR

Case #: 2023-130825 PR

Cycle #: 1

Original Application Date: October 9, 2023

Application Expiration: October 9, 2024

Comment-report Sent: October 31, 2023

Coordinating Reviewer: Mike Alvarado

Coordinator's Contact: Mike.Alvarado@ausintexas.gov

This report includes all review staff comments and deficiencies that remain open and need to be addressed concerning your residential permit application submittal. The comments may include requirements, recommendations, information contained within our records or within the submitted contents, and/or references to other departments.

ALL comments listed within each review discipline must be addressed for your application to be approved. Your application is considered disapproved until the update process occurs, and all comments have been addressed and cleared. Additional comments may be generated as a result of information or design changes provided in the update. Once your application is approved, all permits must be activated prior to the Application Expiration date listed above.

Specific questions about comments should be directed to the reviewer noted for the associated review discipline. Please contact the reviewer directly **to schedule an appointment** so that your concerns can be addressed. Please contact your coordinating reviewer listed above for any questions on the process of your application.

REQUIREMENTS:

- Include this report, along with a narrative explaining your response to each item listed in this report. Explain how each comment is addressed and reference any pertinent code sections.
- Submit a full drawing set including all pages previously submitted. Using revision clouds to distinguish changes from the previous cycle are highly recommended and will assist in efficient reviews.
- **Changes made that will affect already approved disciplines need to be communicated to Intake upon resubmittal.** This includes changes to any drawing, or addition of sheets, for an approved discipline. It is your responsibility to notify intake upon resubmittal so that they can redistribute to that discipline reviewer.
- Label all additional reviewer-specific paperwork accordingly.
- If information on the application changed from the initial submittal, you must provide a new application (that is filled out in its entirety) along with your update.
- If revisions to the plot plan are required, it must be re-stamped by Austin Energy and Austin Water Utility – as applicable.
- The drawing set must be submitted in its entirety as a Vector based PDF file.
- Supporting documents do not need to be a Vector based PDF file.

TO RESUBMIT:

- Go to the following website: <https://www.austintexas.gov/page/residential-plan-review#form>
 - Select **Revision or Update**
 - Then select **Update**
 - **The full plan set must be submitted, not just the updated sheets.** Any partial electronic resubmittal will result in a rejection and will incur an update fee if this is the second rejection or any thereafter. Changes made



that will affect already approved disciplines need to be communicated to Intake upon resubmittal. This includes changes to any drawing for an approved discipline.

Update Fees and Submittal:

ALL documents and items must be sent in one complete update. It is required that you submit all documents requested for the update together. Intake will **NOT** accept informal updates for any case – NO EXCEPTIONS. Remaining comments not completely addressed on this comment report will result in an automatic rejection and incur a resubmittal fee &/or application processing fee for subsequent update submittals. Invoices will use the billing information obtained during Intake. The fee must be paid online via the Applicant's AB+C account before the update will be accepted.

Update Deadline (LDC 25-1):

It is the responsibility of the applicant or his/her agent to update this application. The final update to clear all comments must be submitted by the application expiration date. Otherwise, the application will automatically expire. If this date falls on a weekend or City of Austin holiday, the next City of Austin workday will be the deadline.

General Contractor (GC) Information:

In order to expedite the approval process of the building permit once the permit application has been approved, it is highly encouraged to include the GC's contact information on the application so that the permit can be linked to his/her account.

Online Reference:

The status of your project and project information is available online via the City's Austin Build + Connect website:
<https://abc.austintexas.gov/web/permit/public-search-other?reset=true>

Residential Zoning Review - Carmen Bellis - Carmen.Bellis@austintexas.gov

RZ.1 - Garage Placement

The proposed project must comply with garage placement design requirements adopted by the Neighborhood Plan. See [Land Development Code 25-2-1604](#) (see below).

25-2-1604 - GARAGE PLACEMENT.

(A) This section applies to a single-family residential use, a duplex residential use, or a two-family residential use.

(B) In this section:

(1) BUILDING FACADE means the front-facing exterior wall or walls of the first floor of the principal structure on a lot, and the term excludes the building facade of the portion of the principal structure designed or used as a parking structure. Projections from front-facing exterior walls, including but not limited to eaves, chimneys, porches, stoops, box or bay windows, and other similar features as determined by the building official, are not considered part of the building facade.

(2) PARKING STRUCTURE means a garage or carport, either attached or detached from the principal structure.

(C) A parking structure with an entrance that faces the front yard abutting public right-of-way:



(1) may not be closer to the front lot line than the front-most exterior wall of the first floor of the building facade; and

(2) if the parking structure is less than 20 feet behind the building facade, the width of the parking structure may not exceed 50 percent of the width of the building facade, measured parallel to the front lot line, or the line determined by the building official if located on an irregular lot.

You have two options:

1. Please remove/abandon the scope of work to comply with the requirements adopted by the [SOUTH MANCHACA neighborhood plan](#) and prescribed in Land Development Code 25-2-1604 - GARAGE PLACEMENT.

OR

2. Provide an approved Board of Adjustments variance for 25-2-1604 garage placement in your updated submittal.
 - a. Please contact the Board of Adjustment Liaison, Elaine Ramirez (Elaine.Ramirez@austintexas.gov), if you have any questions above the variance process.

RZ.2 – Application

There appears to be missing or incorrect information listed on the application. Please resubmit completed applicable application pages with the following information corrected/filled out:

1. **Neighborhood Plan (pg. 1)** – the correct neighborhood plan for the property can be found on Property Profile (<https://www.austintexas.gov/GIS/PropertyProfile/>). Your neighborhood plan is South Manchaca.
2. **Is this site within the Residential Design and Compatibility Standards Ordinance Boundary Area? (pg. 1)** – this site is within the Residential Design and Compatibility Standards Ordinance Boundary Area. Please mark “Yes” to this question on the application.

RZ.3 - Proof of Ownership

TCAD shows (Renee Suaste) as the owner of the property. Please provide either:

1. Renee Suaste signature on the application.

OR

2. Provide an [Owner's Authorization Letter](#) certifying the applicant, AGC Design, may sign on the owners behalf.

RZ.4 - Expired Permit

There is an expired building permit on this tract for MP#: 2011-000263 (change out hvac system). You may either:

1. Submit an Acknowledgement of Expired Permits Form with your update submission.

OR

2. Submit a Reactivation Request Form, prior to update submittal, to the [Service Center's website](#) to have the permit reactivated. If this option is chosen, this plan review may not be approved until the expired permit has been returned to an “Active” status.



RZ.5 - Site Plan/Plot Plan

Plot plans must be drawn to a standard scale and are to include but are not limited to the following items: property address and legal description, north arrow, drawing scale, trees within the ROW or trees equal to or greater than 19 inches in diameter located on the property and immediately adjacent to the property, property lines, building lines for both existing and proposed improvements, easements, **required zoning setbacks** and roof overhangs, water meter and wastewater cleanout locations, underground and overhead utility lines and appurtenances, and water and/or wastewater line size and material.

1. Please update the site plan to display the **bolded** information provided above. Zoning Setbacks can be found using the [§ 25-2-492 - Site Development Table](#)

RZ.6 - Impervious Cover and Parking Placement Restrictions

The proposed project must comply with front yard impervious cover design requirements adopted by the Neighborhood Plan. See [Land Development Code 25-2-1603](#) (see below).

25-2-1603 - IMPERVIOUS COVER AND PARKING PLACEMENT RESTRICTIONS.

- (A) This section applies to a single-family residential use, a duplex residential use, or a two-family residential use.
- (B) Except as provided in Subsection (C), impervious cover in a front yard may not exceed 40 percent.
- (C) The director may waive Subsection (B) if the director determines backing a motor vehicle onto the adjacent roadway is unsafe and that a circular driveway or turnaround in the front yard is required.
- (D) Not more than four parking spaces may be located in the front street yard, or for a corner lot, not more than four parking spaces may be located in the front street yard and side street yard combined.

1. Please update the site plan to show the front yard impervious cover percentage.

Tech Master Review - Mike Alvarado - (512) 974-2785

Comment 23 RT

Category: Residential Technical - Administrative

Code Location: [Residential Zoning Review Checklist -](#)

ZONING REVISIONS REQUIRED: Due to the zoning revisions required by the Residential Zoning Reviewer that may potentially result in spatial or structural changes or relocation of the proposed construction, the Residential Technical Review has been rejected. Please resubmit all architectural drawings and structural



drawings for technical review, once drawings have been updated to illustrate compliance with the zoning requirements.

Tree Ordinance Review - Sydney Tafolla – sydney.tafolla@austintexas.gov

Instructions: Tree Review comments apply to Protected trees (19 inches or greater in diameter) on or adjacent to the property with a Critical Root Zone (CRZ) that overlap the subject property. Please e-mail your reviewer if you have any questions, concerns, or require additional information about these comments. Updates cannot be reviewed outside of the Plan Review cycle and the review comments can only be cleared through the formal update process.

Please reference the City's [Land Development Code Section 25-8 Subchapter B, Article 1](#) and [Environmental Criteria Manual Section 3.5.2](#) for details about Tree Preservation Criteria.

TOR Comment #1: Properly represent to scale and label the Quarter, Half, and Full Critical Root Zones (CRZs) of all protected trees (19 inch or greater diameter) on the Site Plan and Foundation Plan if any CRZs overlap the proposed foundation.

- Show the 36-inch live oak's Full, Half and Quarter CRZ to scale.
- Show the Quarter CRZ of the tree in the left neighbor's front yard.

TOR Comment #2: Accurately identify the species (ex. Live Oak, Post Oak, Cedar Elm, American Elm, etc. - not just Oak or Elm or Tree).

- The tree listed as a hackberry is a Chinese tallow.

TOR Comment #3: Tree protection fencing (5-foot chain-link fence) should be extended to the Full available Critical Root Zone (CRZ) of all Protected trees (19-inches or greater in diameter). Fencing is the primary method of tree protection. Any area of the Full Critical Root Zone that is not fenced will be allocated 8 inches of natural wood mulch. Decking (plywood or similar) is required when mulch is used within the Half Critical Root Zone and is not protected by fencing. Install trunk wrap (2x4 lumber) whenever protective fencing is 5 feet or less from the trunk of the tree. Please depict both the fencing and mulch clearly on the plans. [Reference the Environmental Criteria Manual 3.6.1 – Tree Protection Requirements for more information.](#)

- Tree protection fencing must be continuous and create a closed, inaccessible area of root zone protection. Please expand the fencing for the 36-inch live oak. Show tree protection mulch in any area of the CRZ that cannot be fenced for the Chinese tallow and live oak.
- Show tree protection directly on the site plan (ex: fencing as a red line, shaded areas for mulch). A note will not suffice for the depictions.

**CITY OF AUSTIN
Board of Adjustment
Decision Sheet
ITEM06**

DATE: Monday August 14, 2023

CASE NUMBER: C15-2023-0034

____ Thomas Ates
____ Jessica Cohen
____ Melissa Hawthorne
____ Brian Poteet
____ Marcel Gutierrez-Garza
____ Margaret Shahrestani
____ Richard Smith
____ Janel Venzant
____ Michael Von Ohlen
____ Yung-ju Kim
____ Kelly Blume (Alternate)
____ VACANT (Alternate)
____ Suzanne Valentine (Alternate)

OWNER/APPLICANT: M Renee Suaste

ADDRESS: 5111 LANSING DR

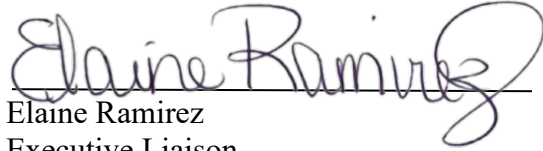
VARIANCE REQUESTED: The applicant is requesting a variance(s) from the Land Development Code, Section 25-2-492 (*Site Development Regulations*) from setback requirements to decrease the minimum front yard setback from 25 feet (required) to 20 feet (requested), in order to erect a Carport in a “SF-3-NP”, Single-Family - Neighborhood Plan zoning district (South Manchaca Neighborhood Plan)

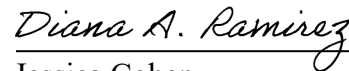
**BOARD’S DECISION: AUG 14 BOA MEETING POSTPONED TO September 11, 2023
BY APPLICANT (RE-NOTIFICATION NEEDED)**

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because:
2. (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:


Elaine Ramirez
Executive Liaison

 for _____
Jessica Cohen
Chair

C15-2023-0034
M RENEE SUASTE
5111 LANSING DR, AUSTIN, TEXAS 78745

September 5, 2023

Ms. Elaine Ramirez, Planner Senior
City of Austin
Board of Adjustments Liaison

Via Email

Re: Board of Adjustments Postponement Request

Please use this letter to request the Board of Adjustments postpone my case from October 2023 to December 2023 Agenda due to the need of additional time required by the Residential Plan Review team.

Respectfully,

M Renee Suaste

C15-2023-0034
M RENEE SUASTE
5111 LANSING DR, AUSTIN, TEXAS 78745

August 29, 2023

Ms. Elaine Ramirez, Planner Senior
City of Austin,
Board of Adjustments Liaison
Via email

Re: Board of Adjustments Postponement Request

Dear Ms. Ramirez,

Please use this letter to respectfully request the Board of Adjustments Postpone my Advance Packet from August 2023 Agenda to the October 2023 Agenda.

I am in need of additional time to update my technical details provided by my Contractor, that will be the heart of the presentation to the Board of Adjustments, at the time of the October 2023 meeting.

I appreciate your assistance and trust you will let me know if more is needed in the interim.

Respectfully submitted,

M Renee Suaste

BOA GENERAL REVIEW COVERSHEET

CASE: C15-2023-0034

BOA DATE: August 14th, 2023

ADDRESS: 5111 Lansing Dr

COUNCIL DISTRICT: 3

OWNER: Margarita Renee Suaste

AGENT: N/A

ZONING: SF-3-NP (South Manchaca NP)

LEGAL DESCRIPTION: LOT 12 BLK F EMERALD FOREST SEC 5

VARIANCE REQUEST: decrease the minimum front yard setback from 25 feet to 20 feet.

SUMMARY: erect a Carport

ISSUES: protected oak tree

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

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District

Austin Lost and Found Pets

Austin Neighborhoods Council

Friends of Austin Neighborhoods

Go Austin Vamos Austin 78745

Homeless Neighborhood Association

Neighborhood Empowerment Foundation

Onion Creek HOA

Preservation Austin

SELTexas

South Austin Neighborhood Alliance (SANA)

South Manchaca Neighborhood Plan Contact Team

Southwood Neighborhood Association



July 26, 2023

M Renee Suaste
5111 Lansing Dr
Austin TX, 78745

Property Description: LOT 12 BLK F EMERALD FOREST SEC 5

Re: C15-2023-0034

Dear M,

Austin Energy (AE) has reviewed your application for the above referenced property, requesting that the Board of Adjustment consider a variance request from LDC Section 25-2-492 at 5111 Lansing Dr.

Austin Energy does not oppose the request, provided that any proposed or existing improvements follow Austin Energy's Clearance & Safety Criteria, the National Electric Safety Code, and OSHA requirements. Any removal or relocation of existing facilities will be at the owner's/applicant's expense.

Please use this link to be advised of our clearance and safety requirements which are additional conditions of the above review action:

https://library.municode.com/tx/austin/codes/utilities_criteria_manual?nodeId=S1AUENDECR_1.10.0CLSARE

If you require further information or have any questions regarding the above comments, please contact our office. Thank you for contacting Austin Energy.

Cody Shook, Planner II

Austin Energy
Public Involvement | Real Estate Services
2500 Montopolis Drive
Austin, TX 78741
(512) 322-6881
Cody.Shook@austinenergy.com



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.

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For Office Use Only

Case # **C15-2023-0034** ROW # **13167564** Tax # **0412101422**

Section 1: Applicant Statement

Street Address: 5111 Lansing Drive, Austin, Texas 78745

Subdivision Legal Description:

LOT 12, BLOCK "F", EMERALD FOREST, SECTION 5, VOLUME 55, PAGE 20, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS

Lot(s): 12 Block(s): F

Outlot: Division: EMERALD FOREST

Zoning District: SF-3-NP (South Manchaca NP) Council District: **3**

I/We M Renee Suaste on behalf of myself/ourselves as
authorized agent for M Renee Suaste affirm that on
Month May, Day 25, Year 2023, 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: 20 x 20 carport extruding from existing roofline

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

LDC, Section **25-2-492** for a Front Yard setback of 25 ft. (required) to 20 ft (requested)
for a 20 X 20 carport be erected, extruding existing roofline

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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 proposed build is unable to build within existing city codes without the need of an approved variance or zoning change.

Hardship

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

I have a protected oak tree larger than 19 inches in diameter adjacent to the proposed build but outside of the 50% critical root zone. The 2023 February ice storm event imposed a large amount of ice on a high limb that created a break in the limb, falling on my vehicle, preventing weeks of inability to drive to work and obtaining essential needs while simultaneously out of power for 5 days.

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

2 out of the 10 homes on Lansing have aluminum carports and 4 out of the 10 homes have functional garages allowing for protection. While a few homes have nearby trees adjacent to their driveways, most trees are ornamentals or situated far enough away from potential damage. My desire is to save the tree and an approved carport build grants both abilities to save the tree and to protect material property that doesn't disrupt my livelihood.

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 proposed design will extrude from the existing roofline, blend in with the new builds in the area, leaving the existing character in the surrounding neighborhood.

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:

N/A

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:

N/A

3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

N/A

4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

N/A

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: M Renee Suaste Date: 06/28/2023

Applicant Name (typed or printed): M Renee Suaste

Applicant Mailing Address: 5111 Lansing Drive

City: Austin State: Texas Zip: 78745

Phone (will be public information): ([REDACTED])

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: M Renee Suaste Date: 06/28/2023

Owner Name (typed or printed): M Renee Suaste

Owner Mailing Address: 5111 Lansing Drive

City: Austin State: Texas Zip: 78745

Phone (will be public information): ([REDACTED])

Email (optional – will be public information): _____

Section 5: Agent Information

Agent Name: N/A

Agent Mailing Address: _____

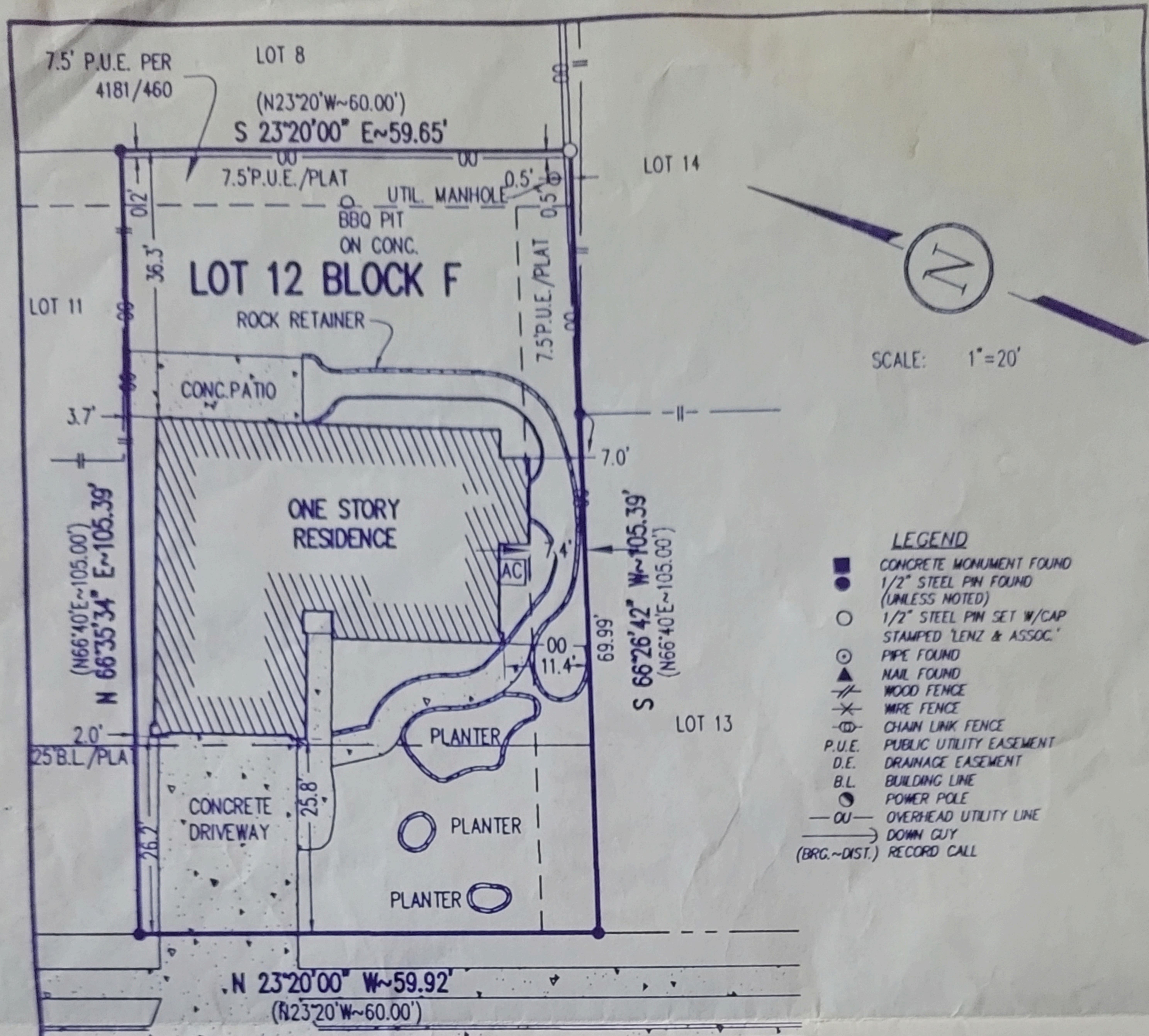
City: _____ State: _____ Zip: _____

Phone (will be public information): _____

Email (optional – will be public information): _____

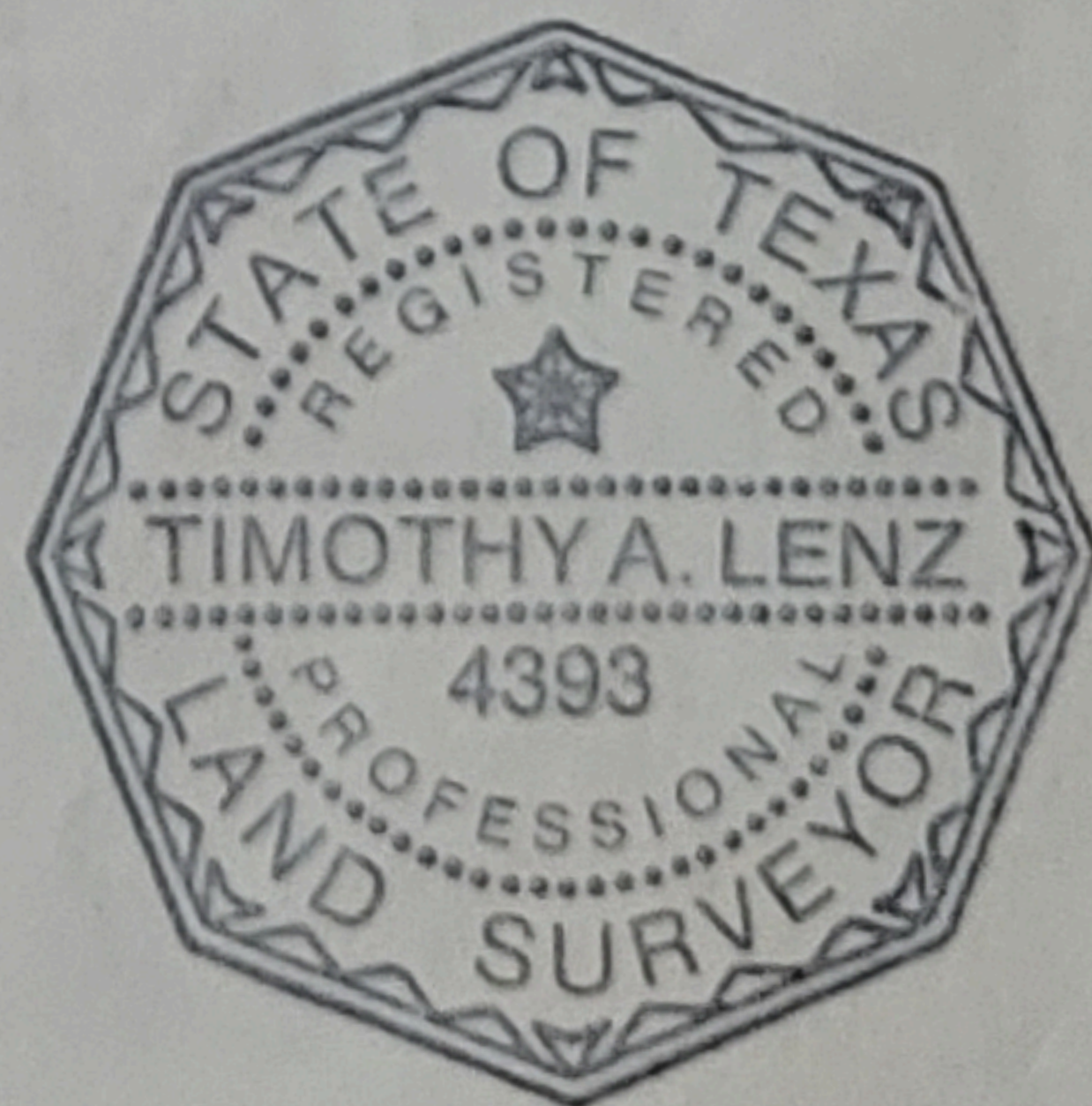
Section 6: Additional Space (if applicable)

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).



TO THE OWNER AND/OR LIENHOLDER AND COMMONWEALTH TITLE COMPANY THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY STATES THAT THIS SURVEY WAS THIS DAY MADE ON THE GROUND BY ME OR UNDER MY SUPERVISION, AND THAT VISIBLE AND APPARENT IMPROVEMENTS, UTILITIES, AND/OR ROADWAYS ARE SHOWN HEREON, AND THAT EXCEPT AS SHOWN, THIS PROPERTY HAS ACCESS TO AND FROM A PUBLIC ROADWAY. THIS SURVEY IS IN COMPLIANCE WITH THE MINIMUM STANDARDS AS SET FORTH BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING.

THE UNDERSIGNED DOES FURTHER STATE THAT THIS PROPERTY DESCRIBED IS NOT WITHIN A 100 YEAR FLOOD HAZARD AREA ACCORDING TO F.E.M.A. FLOOD INSURANCE RATE MAP PANEL No.:48453C 0210F, EFFECTIVE DATE JUNE 5, 1997, THE ZONE DESIGNATION FOR THIS PROPERTY IS X.



Timothy A. Lenz 10-25-01
DATE

LENZ & ASSOCIATES, INC.



COMPLETE PROFESSIONAL LAND SURVEYING SERVICES

512/443-1174

1714 FORT VIEW ROAD, SUITE 101
AUSTIN, TEXAS 78704

SURVEY NO.: 2001-0808 F.B.# : 586/72

REFERENCE: M. RENEE SUASTE
G.F. No. 131865MP
ADDRESS: 5111 LANSING DRIVE

LEGAL DESC.: LOT TWELVE (12) BLOCK "F", EMERALD
FOREST SECTION FIVE, VOLUME 55, PAGE 20,
OF THE PLAT RECORDS OF TRAVIS COUNTY,
TEXAS.

Seal:

Signature:

Issue:

07/07/2023
For BOA Review

Project:

5111
Lansing
Carport

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THESE DRAWINGS INDICATE THE GENERAL SCOPE OF WORK. THEY MAY NOT INDICATE OR DESCRIBE ALL WORK REQUIRED FOR FULL COMPLETION OF THE CONTRACT DOCUMENTS.

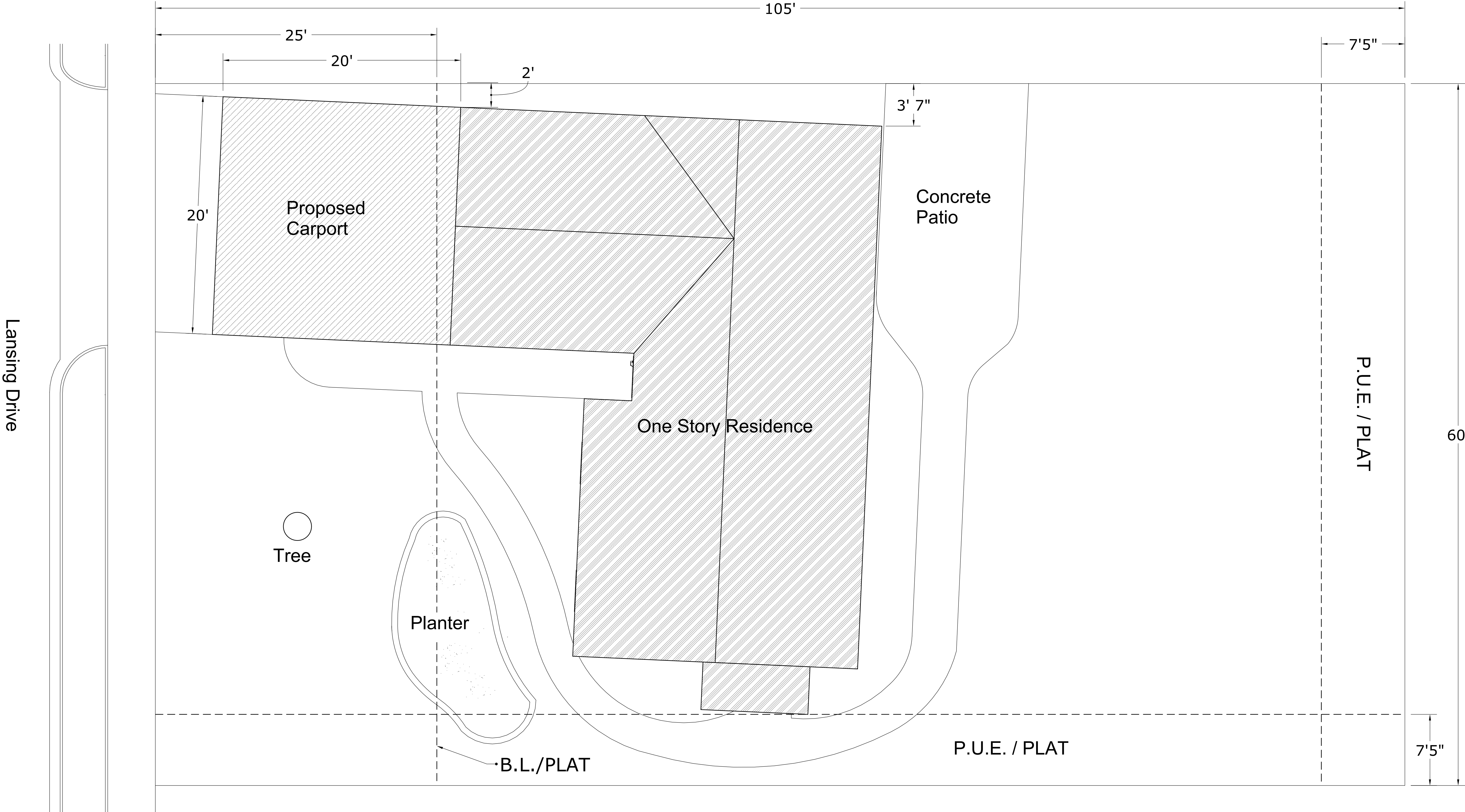
Revisions:

Sheet title:

Plot Plan

Sheet Number:

A1.1



1

Floor Plan

1/4" = 1'-0"

ITEM06/27

