

BOA GENERAL REVIEW COVERSHEET

CASE: C15-2023-0049

BOA DATE: December 11th, 2023

ADDRESS: 4908 Crestway Dr

COUNCIL DISTRICT: 10

OWNER: Stacey Martinez

AGENT: Paul DeGroot

ZONING: SF-3

LEGAL DESCRIPTION: LOT 9B HIGHLAND PARK WEST RESUB OF LOT 9 BLK W

VARIANCE REQUEST: decrease the minimum rear yard setback from 10 feet to 5.5 feet

SUMMARY: erect an attached 1st FL Screened in porch in rear of existing 2 story SF res

ISSUES: triangular shaped lot & 10 ft utility easement

	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

Friends of Austin Neighborhoods

Highland Park West Balcones Area Neighborhood Assn.

Neighborhood Empowerment Foundation

Preservation Austin

SELTexas

TNR BCP – Travis Natural Resources



November 29, 2023

Paul DeGroot
6202 Highland Hills Dr
Austin, TX 78731

Property Description: LOT 9B HIGHLAND PARK WEST RESUB OF LOT 9 BLK W

Re: C15-2023-0049

Dear Paul,

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 to decrease the minimum rear yard setback at 4908 Crestway 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 III

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.

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 # **C15-2023-0049** ROW # **13226285** Tax # **0129040305**

Section 1: Applicant Statement

Street Address: _____

Subdivision Legal Description:

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

Outlot: _____ Division: _____

Zoning District: _____ **Council District: 10**

I/We _____ on behalf of myself/ourselves as
authorized agent for _____ affirm that on
Month , Day , Year , 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: _____

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

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:

Hardship

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:

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:

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:

- 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: Paul R. G. [Signature] Date: _____

Applicant Name (typed or printed): _____

Applicant Mailing Address: _____

City: _____ State: _____ Zip: _____

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

Email (optional – will be public information): [REDACTED] _____

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: [Signature] Date: _____

Owner Name (typed or printed): _____

Owner Mailing Address: _____

City: _____ State: _____ Zip: _____

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

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).



Getting Around Search & Identify Data Drawing & Measurement Printing & Reporting Help



Address

4908 CRESTWAY DR

Jurisdiction: AUSTIN FULL PURPOSE

Zoning: SF-3

Council District: 10

County: TRAVIS

Map Grid: MH28

Property Profile Report

Appraisal District

FloodPro

FULL_STREET_NAME

4908 CRESTWAY DR

PLACE_ID

3054135

ZType

SF-3

Annexation History - Click Below

12/19/1985 - FULL

07/19/1951 - FULL

Legal Description

LOT 9B HIGHLAND PARK WEST RESUB OF LOT 9
BLK W



Fr 1:500

OWNER:
STACEY MARTINEZ
ADDRESS:
4908 CRESTWAY DRIVE

LEGAL DESCRIPTION:
LOT 9B, RESUBDIVISION OF LOT 9, BLOCK W, HIGHLAND PARK WEST,
A SUBDIVISION IN TRAVIS COUNTY, TEXAS ACCORDING TO THE MAP
OR PLAT THEREOF RECORDED IN DOCUMENT NO. 200100321, OFFICIAL
PUBLIC RECORDS, TRAVIS COUNTY, TEXAS.

LOT 9B IS SUBJECT TO EASEMENT RIGHTS AND RESTRICTIVE
COVENANTS OF RECORD.

NOTE:
This survey was made without the benefit
of a title commitment and additional
easements and/or restrictions may apply

State of Texas:
County of Travis:

SCALE
1"=20'

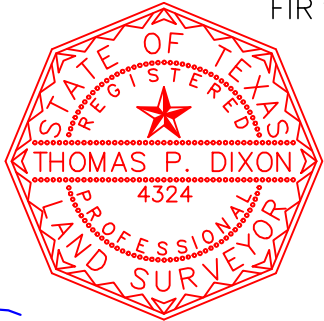
The undersigned does hereby
certify that this survey was
this day made on the
property legally described
hereon and is correct, and
this survey substantially
complies with the current
Texas Society of Professional
Surveyors Standards and
Specifications for a Category
1B,3 & 6 Condition II Survey.

Dated this the 2ND day
of OCTOBER,
202 3.

And I certify that the property
shown hereon IS NOT

within a special flood hazard
area as identified by the
Federal Insurance Adm.
Department of HUD Flood
hazard boundary map revised
as per Map Number:
48453C0435K

Zone: X
Dated: JANUARY 22, 2020.



Thomas P. Dixon R.P.L.S. 4324

FIRM#10124400
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Waterloo Surveyors
SURVEY PLAT
Topographic & Tree

- LEGEND
- FOUND 1/2" IRON ROD
 - FIR
 - WROUGHT IRON FENCE
 - WOOD FENCE
 - CHAIN LINK FENCE
 - UTILITY POLE & ELECTRIC LINE
 - WATER METER
 - CLEANOUT
 - SAN SEWER MANHOLE
 - (RECORD)
 - TREE SYMBOL
 - W/DRIP LINE

BENCHMARK BM:
Triangle cut in concrete curb,
Elevation 777.22' NAVD88
FINISHED FLOOR ELEVATIONS FF 750.0'

BEARING BASE
THE TEXAS COORDINATE SYSTEM OF
1983(NAD83)CENTRAL TEXAS ZONE,
BASED ON LOCAL NETWORK GPS
OBSERVATIONS.

PT OF LOTS 10 & 11
BLOCK W
V 4/ P 299
DOC# 2020036850

PT OF LOTS 10 & 11
BLOCK W
V 4/ P 299
DOC# 2004000540

LOT 12
BLOCK W
V 4/ P 299

5' PUE DOC# 200100321

TREE NOTE:
Trees as shown on this survey are
measured 4.5' above natural grade;
the circle represents a simulated
root zone with one foot of radius
for one inch of tree diameter.

TREE LEGEND
LIVE OAK lo
HACKBERRY hb
SPANISH OAK so
MONTERREY OAK mo
PECAN pec
LIGUSTRUM lig
HERITAGE TREE (H)
TREE LIST

T#	TYPE	SIZE
67	oak	22"(H)
68	lo	25 27 14"(H)
106	hb	11"
107	hb	12"
108	hb	13"
109	lo	16"
110	lo	15"
151	so	10"
152	lo	8"
180	hb	16"
210	mo	8"
213	pec	15"
214	lo	9"
222	hb	10"
223	hb	8"
224	lig	8 4"
226	hb	8"
236	lo	9"

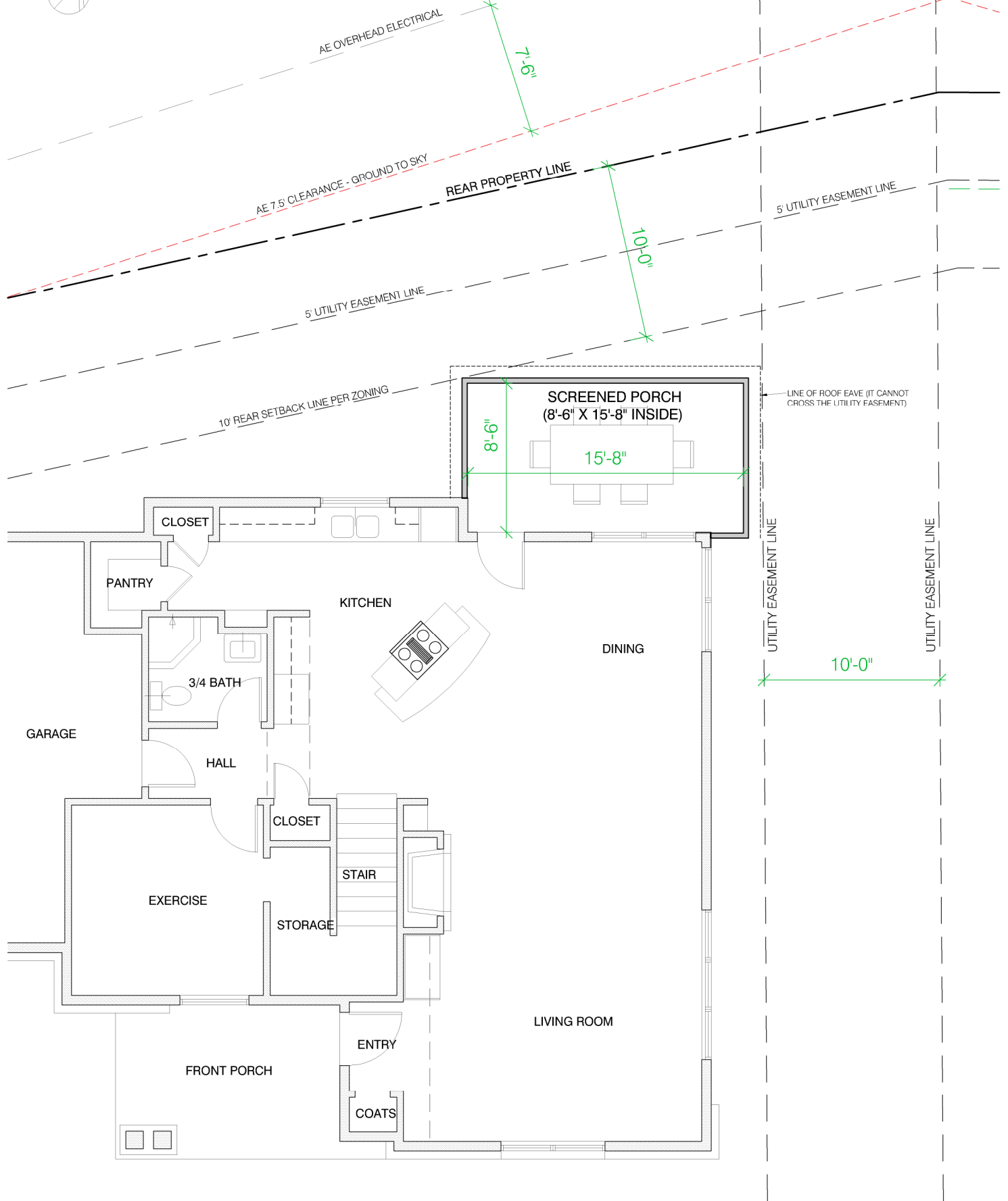
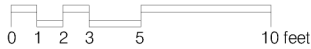
N73°54'58"E TO FIR
171.48'(171.41')

Crestway Drive

4908 CRESTWAY DRIVE
PROPOSED SCREENED PORCH ADDITION
WITH REQUIRED 10' REAR SETBACK

ITEM05/9

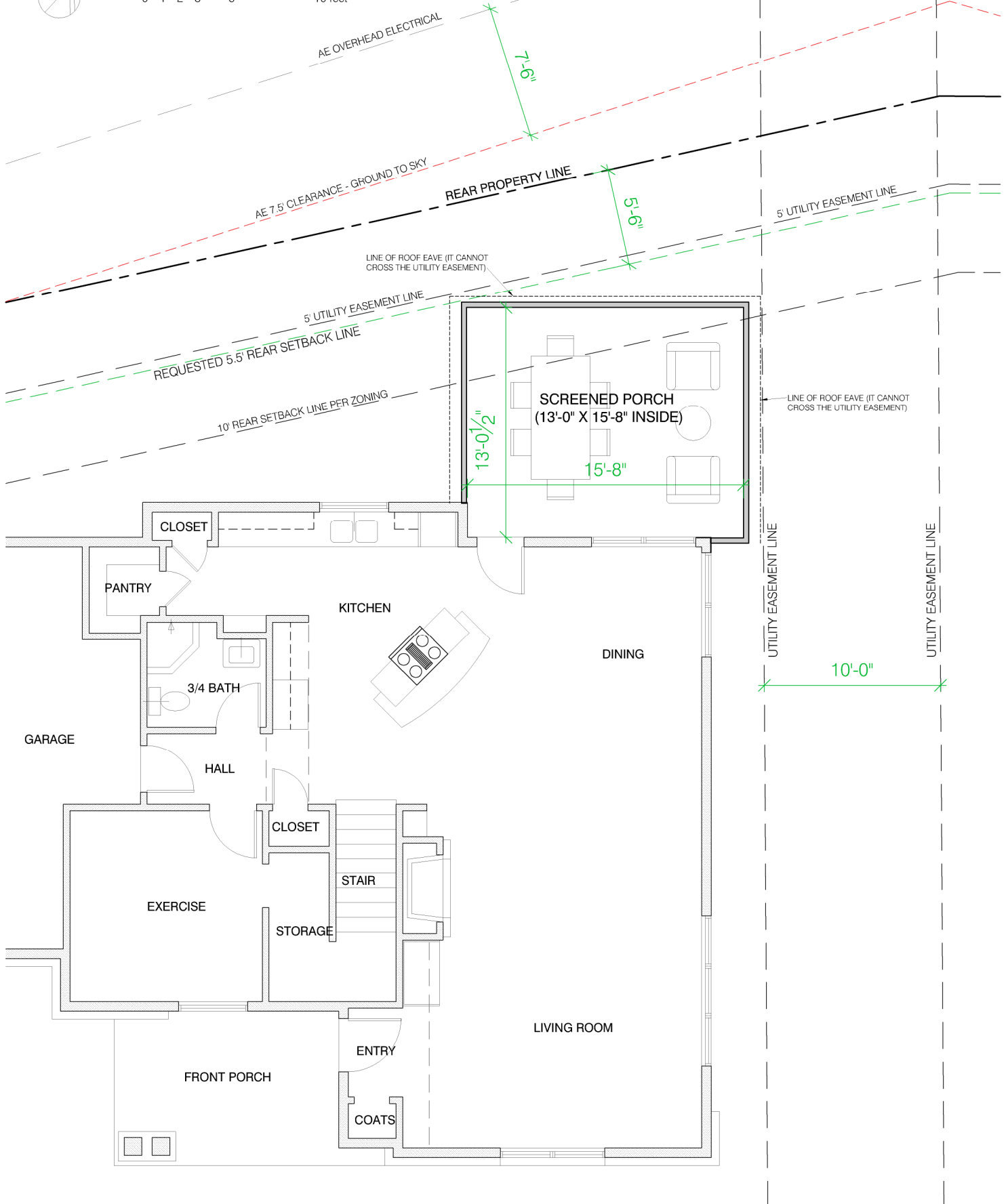
POWER POLE



4908 CRESTWAY DRIVE
PROPOSED SCREENED PORCH ADDITION
WITH PROPOSED 5.5' REAR SETBACK

ITEM05/10

POWER POLE





View of back of house with very tall retaining wall behind it.
The retaining wall is about 25' tall per the survey.



Close-up view of retaining wall and very small back yard



East wall of the house. The 10' utility easement is parallel to this wall and is 3' away from it.