



SPECIAL EXCEPTION INSPECTION



Address:	5903 Cherry Loop
Permit Number:	2013-128472
Property Owner Requesting Special Exception:	Rodrigo Castaneda

Special Exception Requested:

Rear and Right interior side yard encroachment

Date Structure was originally constructed: 12-26-2000 / from expired permit 2000-011044

Date of Inspection:	12-19-2013
Building Official or designated representative	Tony Hernandez
X	The granting of the variances requested will <u>Not</u> result in any hazard to the life, health or public safety for either the property for which the variance is requested or to an adjoining public or private property
	<p>The granting of the variances request will result in a hazard to the life, health or public safety of the either the property for which the variance is requested or to an adjoining public or private property. The following hazards related to the variance request were noted in this inspection:</p> <ol style="list-style-type: none"> 1.

A variance from the Building Code Board of Appeals may be required for variances from the Zoning Board of Adjustment (no Sign Review Board cases need to call). Please consult a code specialist in the Plan Review Division at 974-2580.

If you need assistance completing this application (general inquires only) please contact Susan Walker, 974-2202; 505 Barton Springs Road, 2nd Floor (One Texas Center).

CASE # C15-2014-0016

ROW # 11072796

Tax # 0415120629

CITY OF AUSTIN
APPLICATION TO BOARD OF ADJUSTMENT
GENERAL VARIANCE/PARKING VARIANCE

life safety
WARNING: Filing of this appeal stops all affected construction activity.

PLEASE: APPLICATION MUST BE TYPED WITH ALL REQUESTED INFORMATION COMPLETED.

STREET ADDRESS: 5903 CHERRY LOOP

LEGAL DESCRIPTION: Subdivision - CHERRY CREEK EAST

Lot(s) 18 Block C Outlot _____ Division _____

I/We RODRIGO CASTANEDA on _____ behalf _____ of
myself/ourselves as authorized agent for

_____ affirm that on Nov 12,
2013 _____,

hereby apply for a hearing before the Board of Adjustment for consideration to:

(check appropriate items below)

___ ERECT ___ ATTACH ___ COMPLETE ___ REMODEL X ___ MAINTAIN

20'
An attached storage area 2 feet from the side property line.

in a SF-3 district.
(zoning district)

NOTE: 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 support documents.

VARIANCE FINDINGS: I contend that my entitlement to the requested variance is based on the following findings (see page 5 of application for explanation of findings):

REASONABLE USE:

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

HARDSHIP:

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:

AREA CHARACTER:

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:

The adjacent home is 10 feet from the property line and will not impaired the use of the property by the two foot encroachment

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 Section 479 of Chapter 25-6 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 reasonable 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:

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.

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

Signed Rodrigo P. Castaneda Mail Address 5903 Cherry Loop

City, State & Zip Austin, Texas 78745

Printed RODRIGO CASTANEDA Phone 512-547-9880
Date Nov 12, 2013

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

Signed Rodrigo P. Castaneda Mail Address 5903 Cherry
 Loop _____
 City, State & Zip Austin, Texas
78745
 Printed RODRIGO CASTANEDA Phone 512-547-
9880 Date Nov 12, 2013

GENERAL INFORMATION FOR SUBMITTAL OF A VARIANCE REQUEST TO THE BOARD OF ADJUSTMENT

(The following is intended to provide assistance in explaining the variance process. These suggestions are not intended to be a complete or exhaustive guide in assisting you through this process.)

VARIANCE REQUIREMENTS:

General Requirements:

- A. A variance may be granted if, because of special circumstances of a property, the strict application of the Land Development Code regulations deprives the property owner of privileges that are enjoyed by another person who owns property in the area that has the same zoning designation as the property for which the variance is requested.
- B. A variance to a regulation may not grant special privileges that are inconsistent with the limitations on other properties in the area or in the district in which the property is located.

SUBMITTAL REQUIREMENTS: (Failure to complete the application or to submit all the required materials will result in non-acceptance of the application.)

- (1) A completed application indicating all variances being requested. An application must include proposed findings that will support requested variances. The required findings must address each variance being sought.
- (2) A site plan to scale indicating present and proposed construction and location and use of structures on adjacent lots.
- ~~(3) A tax plat with subject property clearly marked indicating property within a 500-foot radius. These are available from the Travis Central Appraisal District at 8314 Cross Park Drive (834-9139).~~
- ~~(4)(3)~~ Check made payable to the City of Austin for the Board of Adjustment application fee. (Residential zoning - \$38608. All other zonings - \$68860.)
- ~~(5)(4)~~ Other Information - Although the following is not a requirement of submittal you may wish to include additional information that may assist the Board in making an informed decision regarding your request such as: photos of the site or visual aids to support the request, letters from the neighborhood association(s) etc. Any additional information you wish to submit must be in our office one week prior to the meeting. The Board will receive a packet with all information that has been submitted on the Thursday prior to the meeting.
- ~~(6)(5)~~ Austin Energy approval

Variances approved by the Board are limited to and conditioned upon the plans and specifications presented by the applicants, except as modified by the Board.

REQUIRED FINDINGS: All variance findings must be met in order for the Board to grant a variance. An application must include proposed findings that will support the requested variance. Incomplete applications will not be accepted.

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5802

711

SF-3

5801

5803

SF-3

5905

5903

5901

5907

5900

SF-3

1997 aerial

5902



City of Austin BUILDING PERMIT

PERMIT NO: 2013-128472-BP
5903 CHERRY LOOP

Type: RESIDENTIAL Status: Active
Issue Date: 12/13/2013 **EXPIRY DATE: 06/11/2014**

LEGAL DESCRIPTION Lot: 18 Block: Subdivision:				SITE APPROVAL		ZONING	
PROPOSED OCCUPANCY:		WORK PERMITTED: Life Safety		ISSUED BY: Marcial Perez			
<p>life safety special exception per ordinance 20110526-098-Add To Enlarge Livingroom To Sf Residence 2000-011044 - rear and right interior side encroachment.</p> <p>City Code Chapter 25-12, Article 13: A permit expires on the 181st day if the project has not scheduled nor received an inspection.</p> <p>"Cancelled" and/or "Failed/No Work Performed" inspection result does not extend the expiration date</p>							
TOTAL SQFT New/Addn: 430	VALUATION Tot Val Rem: \$0.00 Tot Job Val: \$0.00	TYPE CONST.	USE CAT. 435	GROUP	FLOORS 1	UNITS 1	# OF PKG SPACES
TOTAL BLDG. COVERAGE	% COVERAGE	TOTAL IMPERVIOUS COVERAGE	% COVERAGE	# OF BATHROOMS	METER SIZE		

Contact	Phone	Contact	Phone
Applicant, Rodrigo Castaneda	(512) 547-9880	General Contractor, Rodrigo Castaneda	(512) 547-9880

Fee Desc	Amount	Date	Fee Desc	Amount	Date	Fee Desc	Amount	Date
Building Permit Fee	36.00	12/13/2013	Development Services Surchar	1.44	12/13/2013			
Fees Total:	37.44							

Inspection Requirements

Building Inspection

All Buildings, Fences, Landscaping, Patios, Flatwork And Other Uses Or Obstructions Of A Drainage Easement Are Prohibited, Unless Expressly Permitted By A License Agreement Approved By COA Authorizing Use Of The Easement.

City Code Chapter 25-12, Article 13: A permit expires on the 181st day if the project has not scheduled nor received an inspection.
A "Cancelled" and/or "Failed/No Work Performed" inspection result does not extend the expiration date.

The following permits are required as a separate permit: See Mechanical, Electrical, Plumbing permits for Related Fees and Inspections

Comments

Expired Permit Number: 2000-011044 LDC 25-2-476
((SPECIAL EXCEPTION)))

Permits/Approved plans must be posted on job site layout inspection/Permit must be made prior to beginning construction.

By Accepting Or Paying For This Permit You are Declaring That You Are The Owner Or Authorized By The Owner That The Data Submitted At The Time Of Application Was True Facts And That The Work Will Conform To The Plans And Specification Submitted Herewith.



City of Austin
BUILDING PERMIT

PERMIT NO: 2013-128472-BP
5903 CHERRY LOOP

Type: RESIDENTIAL Status: Active
Issue Date: 12/13/2013 EXPIRY DATE: 06/11/2014

LEGAL DESCRIPTION Lot: 18 Block: Subdivision:				SITE APPROVAL		ZONING			
PROPOSED OCCUPANCY:		WORK PERMITTED: Life Safety		ISSUED BY: Marcial Perez					
life safety special exception per ordinance 20110526-098-Add To Enlarge Livingroom To Sf Residence 2000-011044 - rear and right interior side encroachment.									
TOTAL SQFT New/Addn: 430		VALUATION Tot Val Rem: \$.00 Tot Job Val: \$.00		TYPE CONST.	USE CAT. 435	GROUP	FLOORS 1	UNITS 1	# OF PKG SPACES
TOTAL BLDG. COVERAGE		% COVERAGE	TOTAL IMPERVIOUS COVERAGE		% COVERAGE	# OF BATHROOMS		METER SIZE	

Type	Date	Status	Comments	Inspector
112 Final Building		Open		Carlos Botello
Deficiencies		Open		Carlos Botello

Pin#
539277

