

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

CASE #

ROW #

AXLD

CV2014-020683

11146942

0118020824

CITY OF AUSTIN

APPLICATION TO BOARD OF ADJUSTMENT
GENERAL VARIANCE/PARKING VARIANCE

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

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

STREET ADDRESS: 1806 W 29th St 78703

LEGAL DESCRIPTION: Subdivision – LOT 16 BLK 1 BRYKERWOODS C

Lot(s) 16 Block 1 Outlot _____ Division _____

I/We Tracy Allison & Sidney F Mourning on behalf of myself as authorized agent for

Sidney Mourning of 1806 W 29th St affirm that on 4/28, 2014,

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

(check appropriate items below)

 ERECT ATTACH COMPLETE REMODEL x MAINTAIN

Driveway and carport; Preexisting driveway over 30 years, carport is to cover for handicap.

None of which is an eyesore, and is barely noticeable with landscape around it.

in a SF-3-NP (Z3300) district. (zoning district) (Windsor Road)

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:

The Driveway was put into place long before the property in 2007 was purchased, and the carport is needed

To have limbs & hail not hit the car. He is handicap and walking from the street is unacceptable.

HARDSHIP:

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

The owner of the house is handicap, he bought the property with the preexisting driveway there in 2007,

Added the carport (in between 2 trees) to protect him & his car (after a part came down thru porch)

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

The carport or driveway is not an eyesore because every other neighbor has a covered area. His yard has

Many trees and its beautifully landscaped. He can not move the parking space around.

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:

It is covered in vines and is a feature of the property; it has been there for atleast 7 years (since he bought

the property), and we believe its been over 10 years but do not have proof.

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:

The would allow for more off street parking.

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:

We will park under the carport not in the street.

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

We will be parking off street in a 50 year old driveway and carport and keep the street clear of cars, to

Improve traffic, for a handicap person which will be closer to his front door.

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

It will let us use the preexisting drivewat and carport and keep the streets clear of cars.

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 [Signature] Mail Address 1806 W 29th ST

City, State & Zip Austin, TX 78703

Printed Tracy Allison Phone 512-934-1889 Date 5/1/14

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 [Signature] Mail Address 1806 w 29th St

City, State & Zip Austin, TX 78703

Printed Sidney F Mourning Phone 512-657-4349 Date 5/1/14



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

CASE#: C15-2014-0076
Address: 1806 29TH STREET



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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

1" = 200'

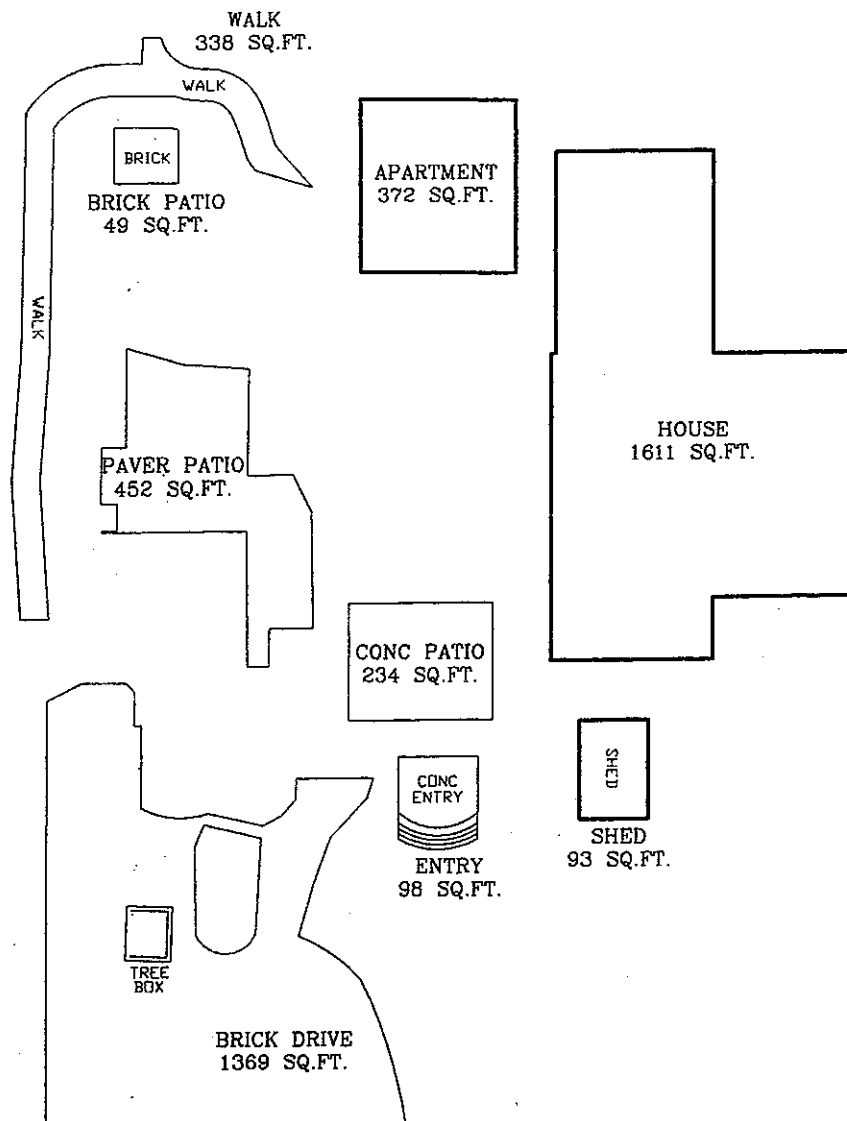
LOT 17
8595 SQ.FT.

IMPERVIOUS COVER

HOUSE	1611 SQ.FT.
APARTMENT	372 SQ.FT.
SHED	93 SQ.FT.
BRICK DRIVE	1369 SQ.FT.
ENTRY	98 SQ.FT.
CONC PATIO	234 SQ.FT.
PAVER PATIO	452 SQ.FT.
WALK	338 SQ.FT.
BRICK PATIO	49 SQ.FT.
TOTAL	4616 SQ.FT.

LOT 8595 SQ.FT.

53.7% IMPERVIOUS COVER





City of Austin

Founded By Congress, Republic of Texas 1839

Code Compliance Department

P.O. Box 1088, Austin, Texas 78767 - 1088

April 24, 2014

NOTICE OF VIOLATION

via Certified Mail #7012 1010 0002 5894 7636

Sidney Mourning
1806 W 29th St
Austin, Texas 78703

RE: 1806 W 29 ST 78703

Legally described as LOT 16 BLK 1 BRYKERWOODS C

Zoned as SF-3-NP

Parcel Number 0118020824

Dear Sidney Mourning:

An investigation by the City of Austin's Code Compliance Department was conducted relating to the property indicated above and violations of Austin City Code were found that require your immediate attention. An investigation report is enclosed which defines the code violation(s) found with required remedies for attaining compliance with the City Code.

After receipt of this notice, you may not sell, lease, or give away this property unless you have provided the buyer, lessee, or other transferee a copy of this notice, and provided the name and address of the buyer to the Code Official. Also, it is a misdemeanor to rent this property if the code violation(s) on this property pose a danger to the health, safety and welfare of the tenants.

If you have any questions, please contact me by telephone at 512-974-6087 between 7:30AM - 4:00PM. You may leave a voicemail message at any time.

Si usted tiene alguna pregunta, contácteme por favor por teléfono en 512-974-6087 de lunes a viernes o puede dejar un mensaje de correo vocal en cualquier momento.

Ownership Information

According to the applicable records of the County, you own the real property described in this notice. If you no longer own this property, you must execute an affidavit stating that you no longer own the property and stating the name with the last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to our office not later than the 20th day after the date you receive this notice. If you do not submit an affidavit, it will be presumed that you own the property described in this notice, even if you do not.

An affidavit form is available at our office located at 1520 Rutherford Lane. An affidavit may be mailed to:

INVESTIGATION REPORT

Investigator: John Hale
Case: CV-2014-020683
Address: 1806 W 29 ST 78703
Zoned as SF-3-NP

The item(s) listed below are in violation of the Austin City Code. A required remedy may be specified after a violation and may include a time period for compliance. If no required remedy is specified for a violation, the **Required Remedy Summary** will be in effect. For questions concerning residential property, please contact the Zoning Review Division at (512) 978-4000. For questions concerning commercial property, please contact the Development Assistance Center (DAC) at (512) 974-6370.

LAND USE

Code Section: Site Development Regulations for Zoning Districts (§25-2-492)
Description of Violation: This property is zoned SF-3-NP and allows for maximum impervious cover of 45 %.
Date Observed: March 3, 2014 **Status:** Cleared
Required Remedy:

Code Section: Site Development Regulations for Zoning Districts (§25-2-492)
Description of Violation: The detached carport is encroaching into the side yard setback and a minimum of 5 feet is required in a SF-3-NP zoning district.
Date Observed: March 3, 2014 **Status:** Not Cleared
Required Remedy: Obtain variance or remove structure

Required Remedy Summary

Variance Required

Remove Structure From in 7 days
Obtain Variance in 7 days

NOTE: The time period(s) indicated in this summary reflect the total time allowed for compliance. A time period indicated in an individual violation's required remedy is the actual time allowed for compliance of that individual violation. If no time period is indicated in an individual violation's required remedy, the summary time period associated with the required remedy will be the time allowed for compliance.

Appeal

A person may appeal a Stop Work Order to the City of Austin's Code Official. A written appeal must be filed no later than 3 days after the posting of the Order and contain:

- the name and address of the appellant;
- a statement of facts;
- the decision being appealed; and
- the reasons the decision should be set aside.

An appeal may be delivered in person to Code Compliance Department located at 1520 Rutherford Lane, Building 1-Security Desk or mailed to:

Code Official
Code Compliance Department
P.O. Box 1088
Austin, Texas 78767

**City of Austin
Code Compliance Department
P.O. Box 1088
Austin, Texas 78767**

Additionally, if this property has other owner(s), please provide me with this information.

Failure to Correct

If a violation is not corrected, any existing site plan, permit, or certificate of occupancy may be suspended or revoked by the City. If the site plan, permit or certificate of occupancy is suspended or revoked, the utility service to this property may be disconnected.

If the violation continues, the City may take further legal action to prevent the unlawful action as authorized by State law and may seek civil injunctions or penalties in State court.

For dangerous or substandard buildings, the City may also take further action to require the vacation, relocation of occupants, securing, repair, removal or demolition of a building.

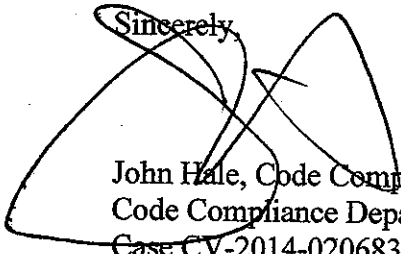
If the violations are not brought into compliance within the timeframes listed in the investigation report, criminal charges may be filed against you in the City of Austin Municipal Court subjecting you to fines of up to \$2,000 per violation, per day.

Complaints

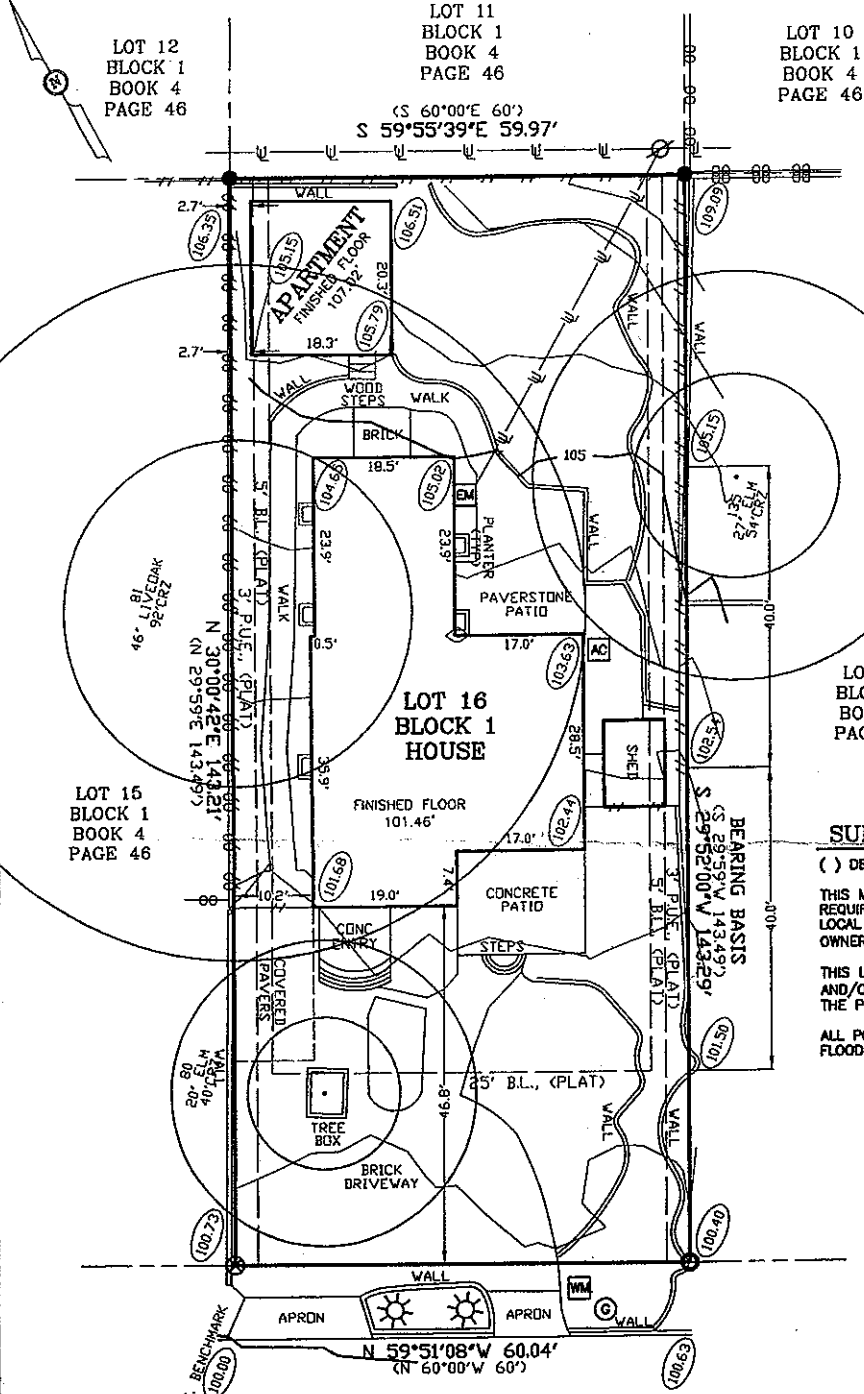
To register a complaint regarding a Code Compliance Department investigator, you may submit your complaint in writing no later than 3 days after receipt of this letter to:

**City of Austin
Code Compliance Department Manager
P.O. Box 1088
Austin, Texas 78767**

Sincerely,


John Hale, Code Compliance Inspector
Code Compliance Department
Case CV-2014-020683

SCALE: 1"=20'



LEGEND

- WOOD FENCE
- CHAIN LINK FENCE
- UTILITY LINE
- A/C UNIT
- ELEC. METER
- WATER METER
- GAS METER
- IRON ROD FND.
- PIPE FND.
- X SET
- UTILITY POLE
- LIGHT STANDARD
- B.L. BUILDING LINE
- D.E. DRAINAGE EASEMENT
- P.U.E. PUBLIC UTILITY EASEMENT

SURVEYOR'S NOTES

() DENOTES RECORD INFORMATION

THIS MAP DOES NOT REFLECT BUILDING REQUIREMENTS WHICH MAY BE IMPOSED BY THE LOCAL GOVERNING AUTHORITY OR HOME OWNER'S ASSOCIATION.

THIS LOT IS SUBJECT TO ALL EASEMENT RIGHTS AND/OR CONDITIONS WHICH MAY APPEAR ON THE PLAT OF RECORD.

ALL POINTS DOES NOT MAKE OR WARRANT ANY FLOOD ZONE DETERMINATION.

IMPERVIOUS COVER

HOUSE	1611 SQ.FT.
APARTMENT	372 SQ.FT.
SHED	83 SQ.FT.
BRICK DRIVE	1369 SQ.FT.
ENTRY	98 SQ.FT.
CONC PATIO	234 SQ.FT.
PAVER PATIO	452 SQ.FT.
WALK	338 SQ.FT.
BRICK PATIO	49 SQ.FT.
TOTAL	4616 SQ.FT.
LOT	8585 SQ.FT.
53.7% IMPERVIOUS COVER	

1806 WEST 29th STREET
(50' R.O.W.)

LOT No. 16 BLOCK "1" SUBDIVISION / ADDITION BRYKER WOODS "C"

SECTION PHASE Book 4 Page(s) 48 Cabinet PLAT RECORDS

CITY AUSTIN COUNTY, TEXAS Volume Document No. Slide

Reference: SIDNEY MOURNING

FIELD WORK JS 6/29/12

DRAFTING MDL

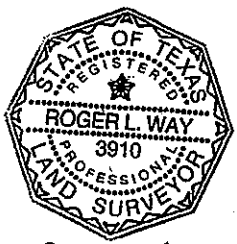
SURVEY DATE: 6/29/12

Job No. 08820912

SCALE: 1"=20'

*** IMPORTANT NOTICE ***

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND DEPICTS ONLY THOSE BOUNDARIES, EASEMENTS AND BUILDING LINES SHOWN ON THE RECORDED PLAT. BOUNDARY AMENDMENTS, ADDITIONAL EASEMENTS AND SETBACKS MAY AFFECT LOT 16.



Roger L. Way

ALL POINTS SURVEYING
1714 FORTVIEW ROAD - SUITE 200
AUSTIN TX. 78704
TELE.: (512) 440-0071 - FAX: (512) 440-0199



CITY OF AUSTIN DEVELOPMENT WEB MAP 2003

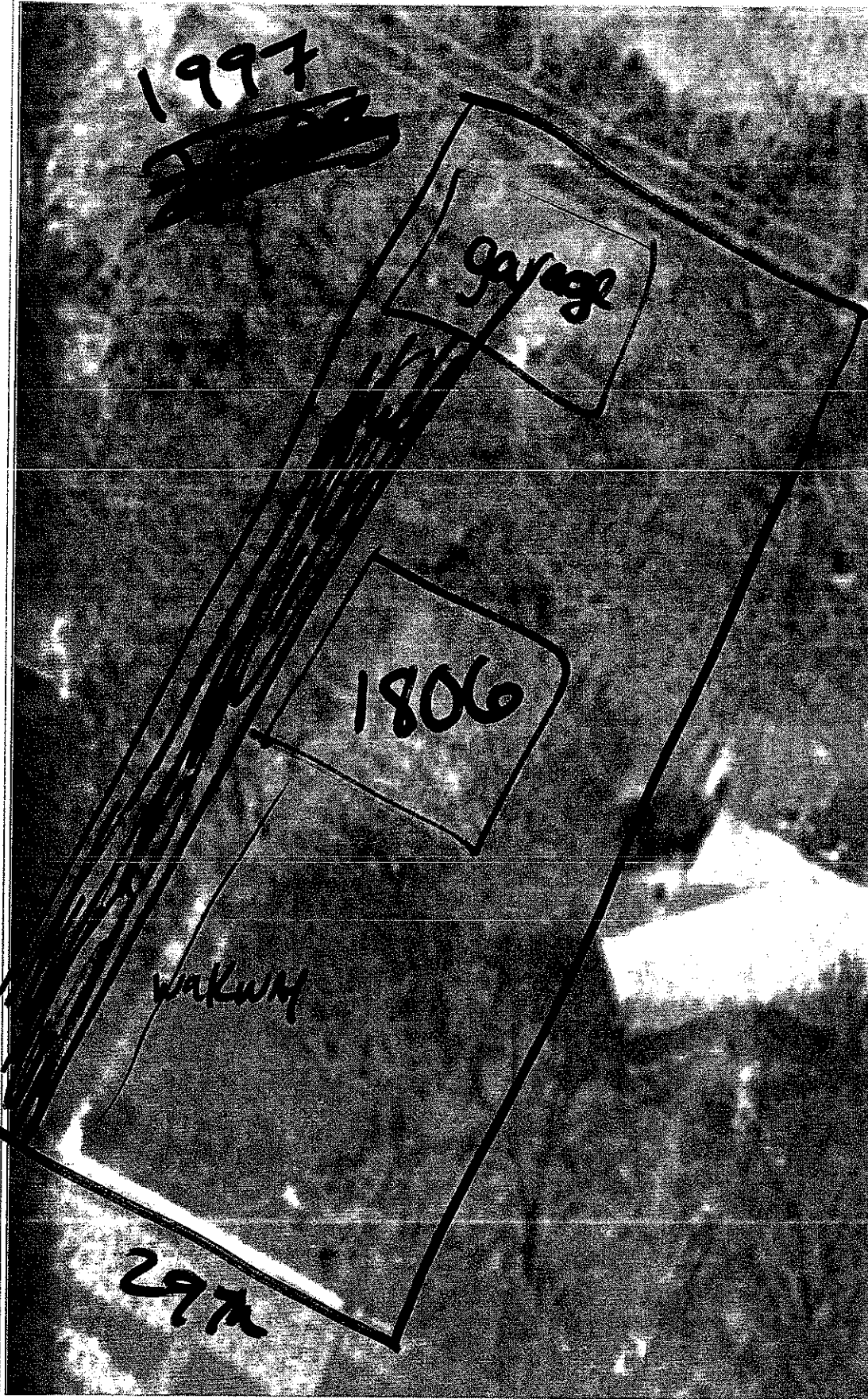


Legend

-  Lot Lines
-  Streets
-  Building Footprints
-  Named Creeks
-  Lakes and Rivers
-  Parks
-  County

THIS PRODUCT IS FOR INFORMATIONAL PURPOSES AND MAY NOT HAVE BEEN PREPARED FOR OR BE SUITABLE FOR LEGAL, ENGINEERING, OR SURVEYING PURPOSES. IT DOES NOT REPRESENT AN ON-THE-GROUND SURVEY AND REPRESENTS ONLY THE APPROXIMATE RELATIVE LOCATION OF PROPERTY BOUNDARIES. THIS PRODUCT HAS BEEN PRODUCED BY THE CITY OF AUSTIN FOR THE SOLE PURPOSE OF GEOGRAPHIC REFERENCE. NO WARRANTY IS MADE BY THE CITY OF AUSTIN REGARDING SPECIFIC ACCURACY OR COMPLETENESS.

CITY OF AUSTIN DEVELOPMENT WEB MAP



Legend

-  Lot Lines
-  Streets
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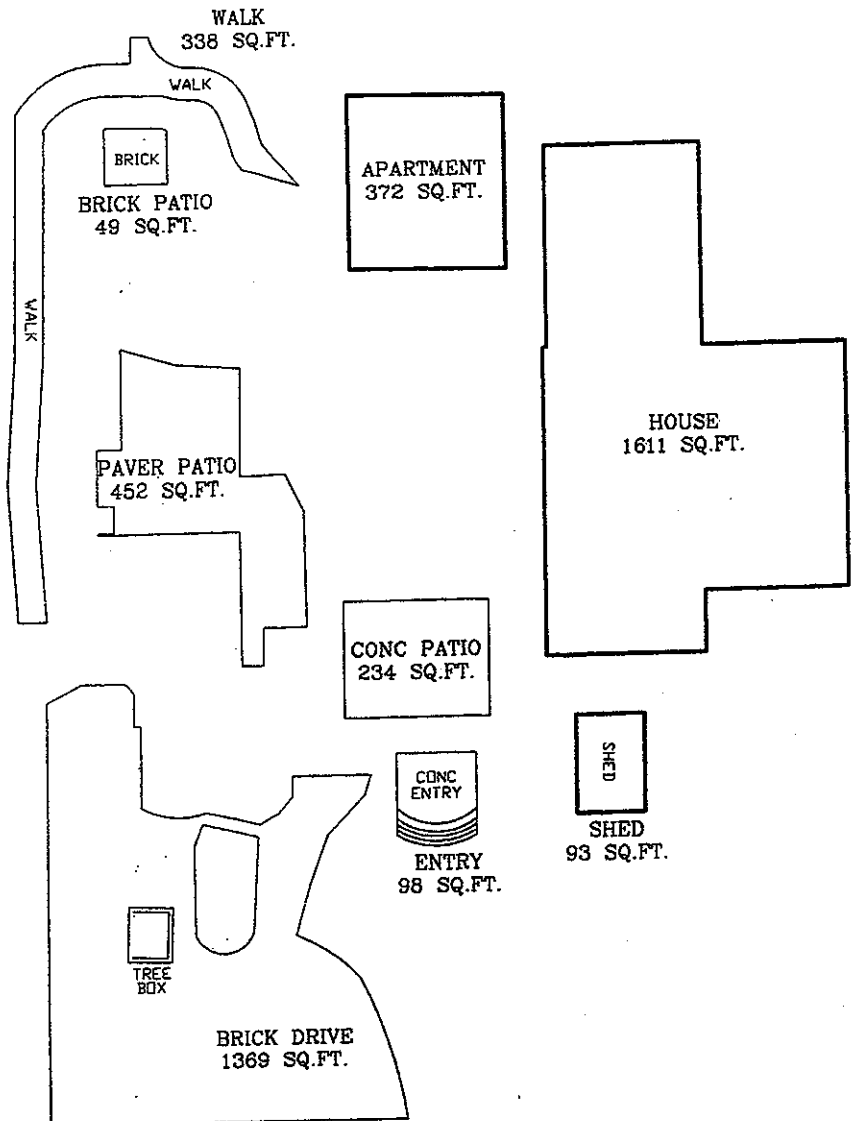
LOT 17
8595 SQ.FT.

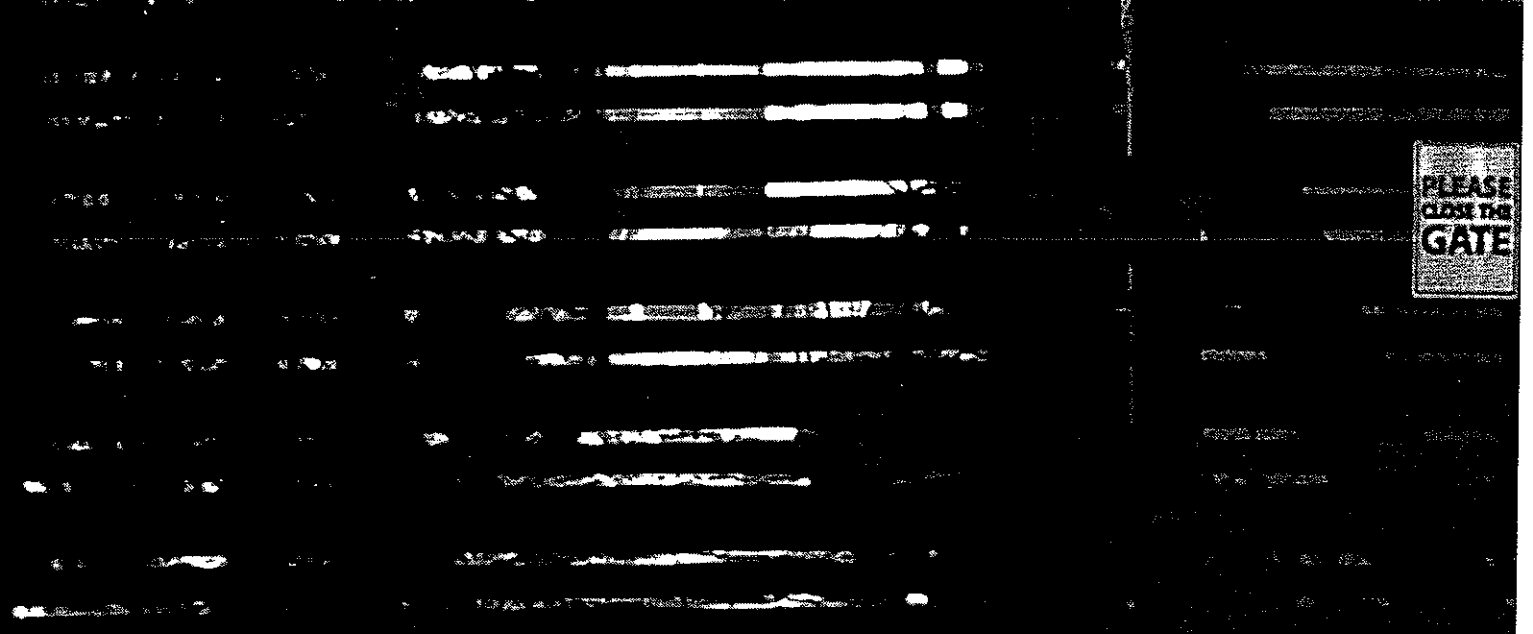
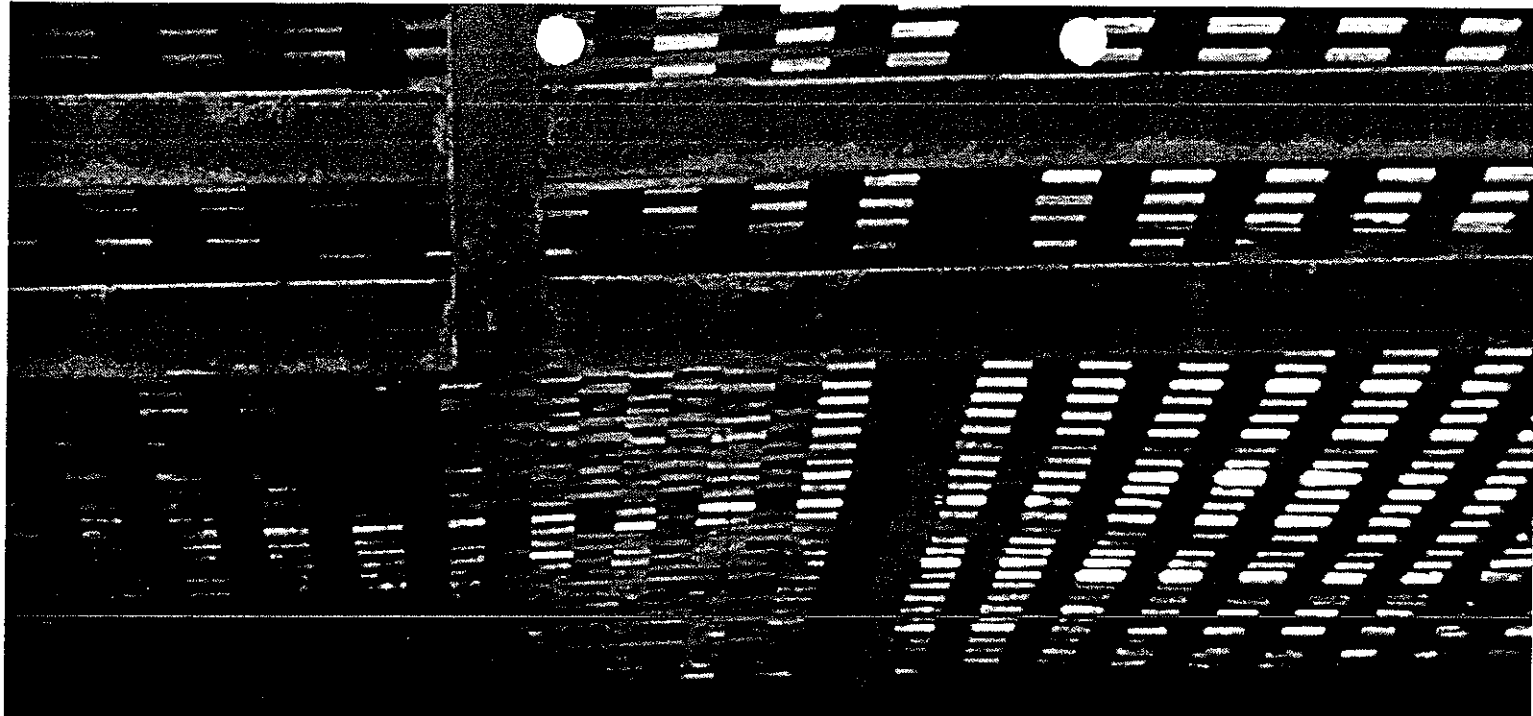
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TOTAL	4516 SQ.FT.

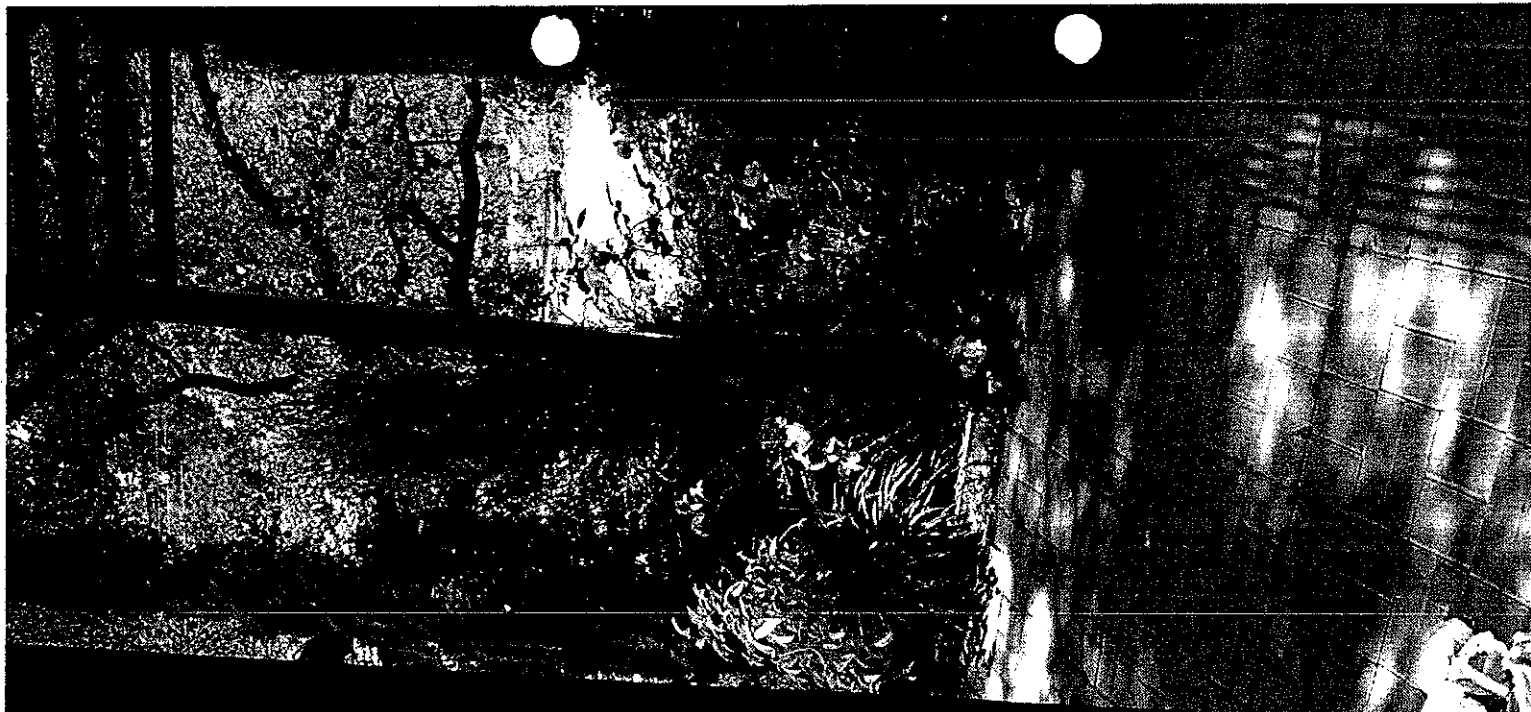
LOT 8595 SQ.FT.

53.7% IMPERVIOUS COVER

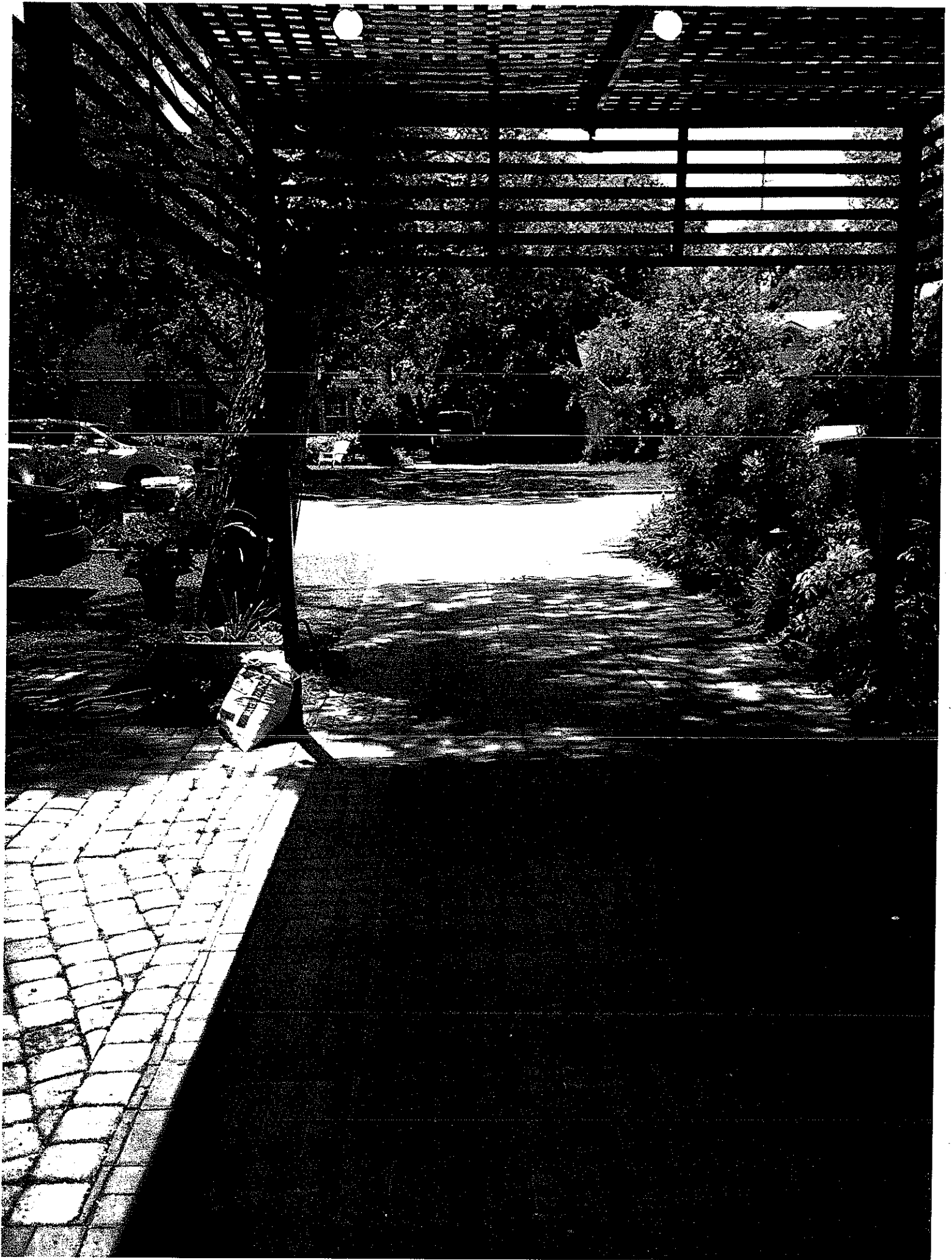






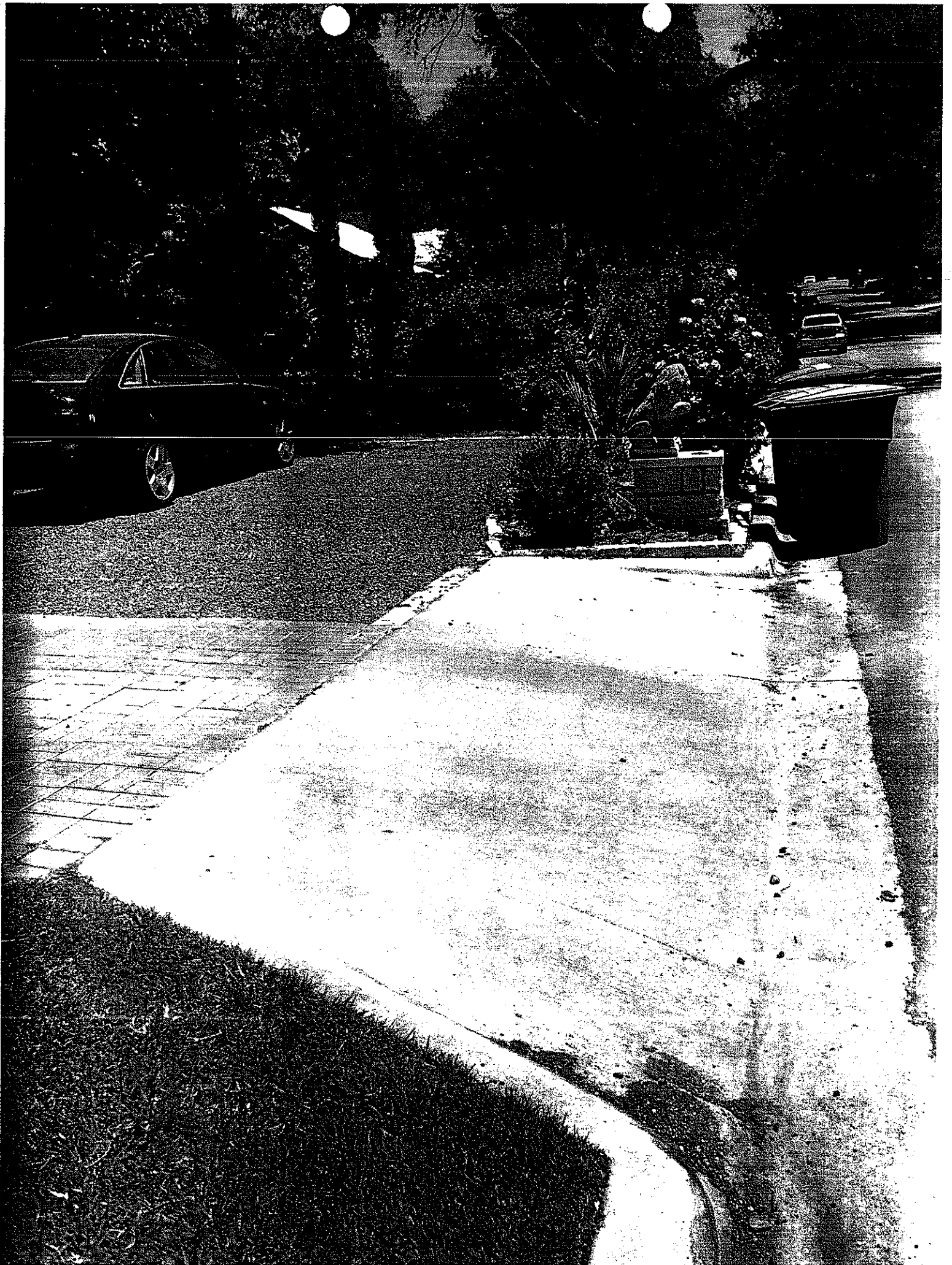












2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

We will park under the carport
not in the street

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

We will park under the carport
not in the street, being handicap
will keep w/m this safety.

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

This will not give us special priveledges
to park in a driveway 50 years old

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 Sidney Mourning Address 1806 W 29th

City, State & Zip Austin TX 78703

Printed Sidney Mourning Phone 512/57-4349 Date 3-6-14

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Signed Sidney Mourning Address 1806 W 29th

City, State & Zip Austin Texas 78703

Printed Sidney Mourning Phone 512 57-4349 Date 3-6-14

SCALE: 1"=20'

LOT 12
BLOCK 1
BOOK 4
PAGE 46

LOT 11
BLOCK 1
BOOK 4
PAGE 46

LOT 10
BLOCK 1
BOOK 4
PAGE 46

LEGEND

- WOOD FENCE
- CHAIN LINK FENCE
- UTILITY LINE
- A/C UNIT
- ELEC. METER
- WATER METER
- GAS METER
- IRON ROD FND.
- PIPE FND.
- X SET
- UTILITY POLE
- LIGHT STANDARD
- BUILDING LINE
- DRAINAGE EASEMENT
- PUBLIC UTILITY EASEMENT

LOT 15
BLOCK 1
BOOK 4
PAGE 46

LOT 16
BLOCK 1
HOUSE

LOT 17
BLOCK 1
BOOK 4
PAGE 46

SURVEYOR'S NOTES

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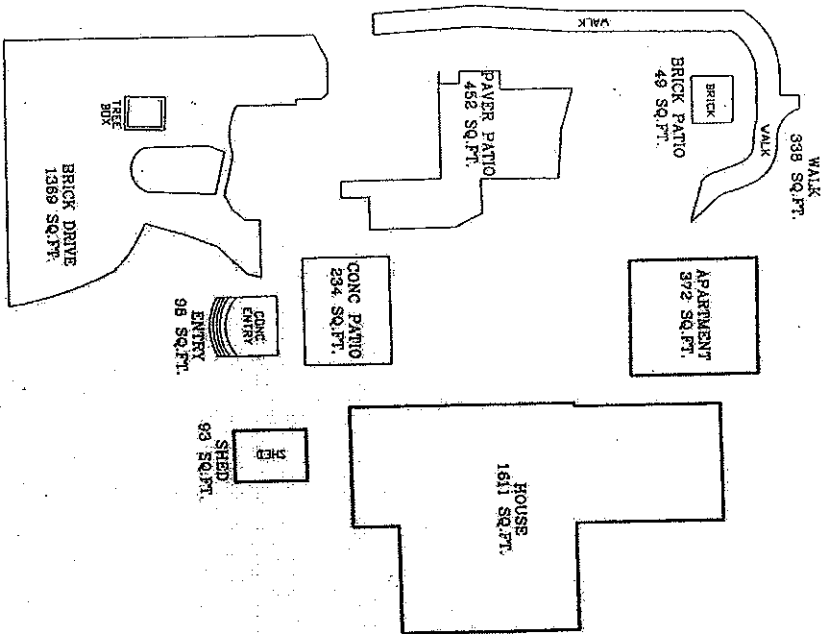
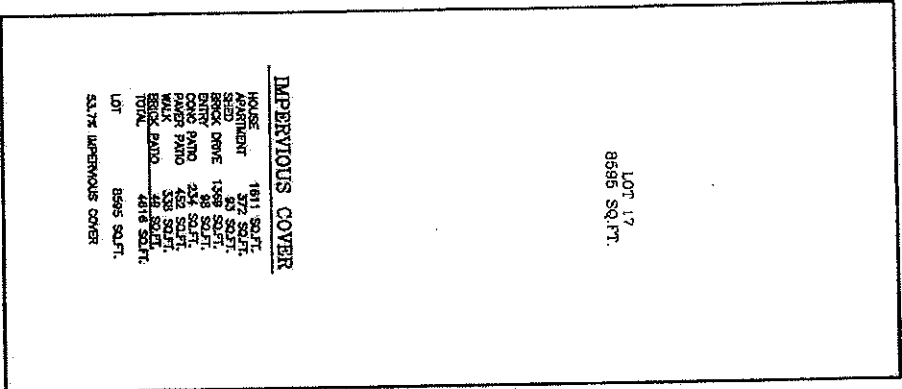
LOT 8595 SQ.FT.

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1806 WEST 29th STREET
(50' R.O.W.)

LOT No. 15 BLOCK "1" SUBMISION / ADDITION BRYKER WOODS "C"
SECTION PHASE Book 4 Page(s) 45 Cabinet PLAT RECORDS
COUNTY, TEXAS Volume Government No Slide

By Date:
FIELD WORK JS 6/29/12
DRAFTING MDL
SURVEY DATE: 6/29/12



CITY OF AUSTIN DEVELOPMENT WEB MAP

1997 aerial



Legend

-  Lot Lines
-  Streets
-  Building Footprints
-  Named Creeks
-  Lakes and Rivers
-  Parks
-  County

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CITY OF AUSTIN DEVELOPMENT WEB MAP



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