

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

DATE: Monday, June 12, 2017

CASE NUMBER: C15-2017-0025

_____ Brooke Bailey
 _____ William Burkhardt
 _____ Christopher Covo
 _____ Eric Goff
 _____ Melissa Hawthorne
 _____ Bryan King
 _____ Don Leighton-Burwell
 _____ Rahm McDaniel
 _____ Veronica Rivera
 _____ James Valadez
 _____ Michael Von Ohlen
 _____ Kelly Blume (Alternate)
 _____ Martha Gonzalez (Alternate)
 _____ Pim Mayo (Alternate)

APPLICANT: Phil Moncada

OWNER: JOHN LUKE Sanchez

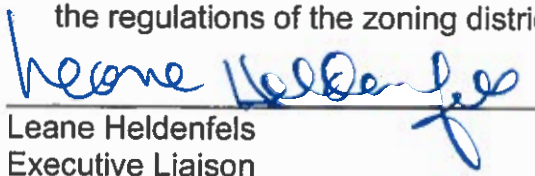
ADDRESS: 916 JEWELL ST

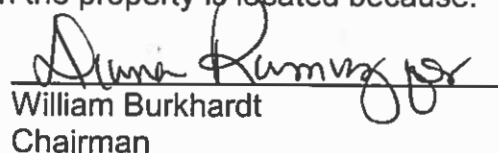
VARIANCE REQUESTED: The applicant has requested variance(s) to Section 25-2-492 (D) (Site Development Regulations) to decrease the street side yard setback from 15 feet (required) to 5 feet (requested, existing home) in order to permit a new single family home in a "SF-3-NP", Family Residence – Neighborhood Plan zoning district. (Bouldin)

BOARD'S DECISION: POSTPONED TO AUGUST 14, 2017 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:


 Leane Heldenfels
 Executive Liaison


 William Burkhardt
 Chairman

L01/2



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

NOTIFICATIONS

CASE#: C15-2017-0025
LOCATION: 916 Jewell 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" = 140'



CITY OF AUSTIN
 Development Services Department
 One Texas Center | Phone: 512.978.4000
 505 Barton Springs Road, Austin, Texas 78704

Board of Adjustment General/Parking Variance Application

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 # C15-2017-0025 ROW # 11721230 Tax # 0100031617
 TAD

Section 1: Applicant Statement

Street Address: 916 JEWELL ST.

Subdivision Legal Description:

LOT 9 BLK A CAPITAL HEIGHTS

Lot(s): 9

Block(s): A

Outlot: _____

Division: CAPITAL HEIGHTS

Zoning District: SF--3-NP (Bouldin)

I/We PHIL MONCADA on behalf of myself/ourselves as
 authorized agent for JOHN SANCHEZ affirm that on
 Month April, Day 5, Year 2017, 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: SINGLE FAMILY STRUCTURE

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

25-2-492(A) DECREASE THE MINIMUM SIDEYARD SETBACK FROM 15' TO 5'

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:

CORNER LOT WITH EXISTING STRUCTURE ALREADY AT 5' SETBACK TO SOUTH 5TH STREET. SPEED BUMPS ON SOUTH 5TH STREET REDUCE TRAFFIC SPEED AND MINIMIZE OPPORTUNITY THAT STRUCTURE WOULD IMPACT TRAFFIC PATTERNS.

Hardship

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

CORNER LOT WITH EXISTING PROTECTED TREES MAKE LOT DIFFICULT TO BUILD ON. AS IT RELATES TO SIDEYARD SETBACK.

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

OTHER LOTS NOT ON THE CORNER HAVE BEEN ABLE TO REDEVELOP SINGLE FAMILY HOMES. OTHER LOTS DO NOT HAVE PROTECTED TREES SITUATED ON LOT. IN A MANNER THAT IMPACTS DESIGN OF NEW RESIDENCE.

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:

MANY NEIGHBORS HAVE ALREADY REMODELED HOMES OR HAVE BUILT NEW,
LARGER STRUCTURES IN IMMEDIATE AREA.

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: Phil Moncada Date: 04/05/2017

Applicant Name (typed or printed): PHIL MONCADA

Applicant Mailing Address: 13013 S IH 35 STE 204

City: AUSTIN State: TEXAS Zip: 78754

Phone (will be public information): (512) 627-8815

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: John Sanchez Date: 04/05/2017

Owner Name (typed or printed): JOHN SANCHEZ

Owner Mailing Address: 11000 SWELFLING TER

City: AUSTIN State: TEXAS Zip: 78737

Phone (will be public information): _____

Email (optional – will be public information): _____

Section 5: Agent Information

Agent Name: PHIL MONCADA

Agent Mailing Address: 1301 S IH 35 STE 204

City: AUSTIN State: TEXAS Zip: 78754

Phone (will be public information): (512) 627-8815

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

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).

