

BOA GENERAL REVIEW COVERSHEET

CASE: C15-2021-0058

BOA DATE: July 12th, 2021

ADDRESS: 1209 Choquette Dr

COUNCIL DISTRICT: 7

OWNER: Robert & Jennifer Carson

AGENT: N/A

ZONING: SF-3-NP (Brentwood NP)

LEGAL DESCRIPTION: LOT 9 BLK C BELLAIRE HEIGHTS SEC 1

VARIANCE REQUEST: decrease the minimum front yard setback from 25 feet to 16 feet

SUMMARY: maintain carport

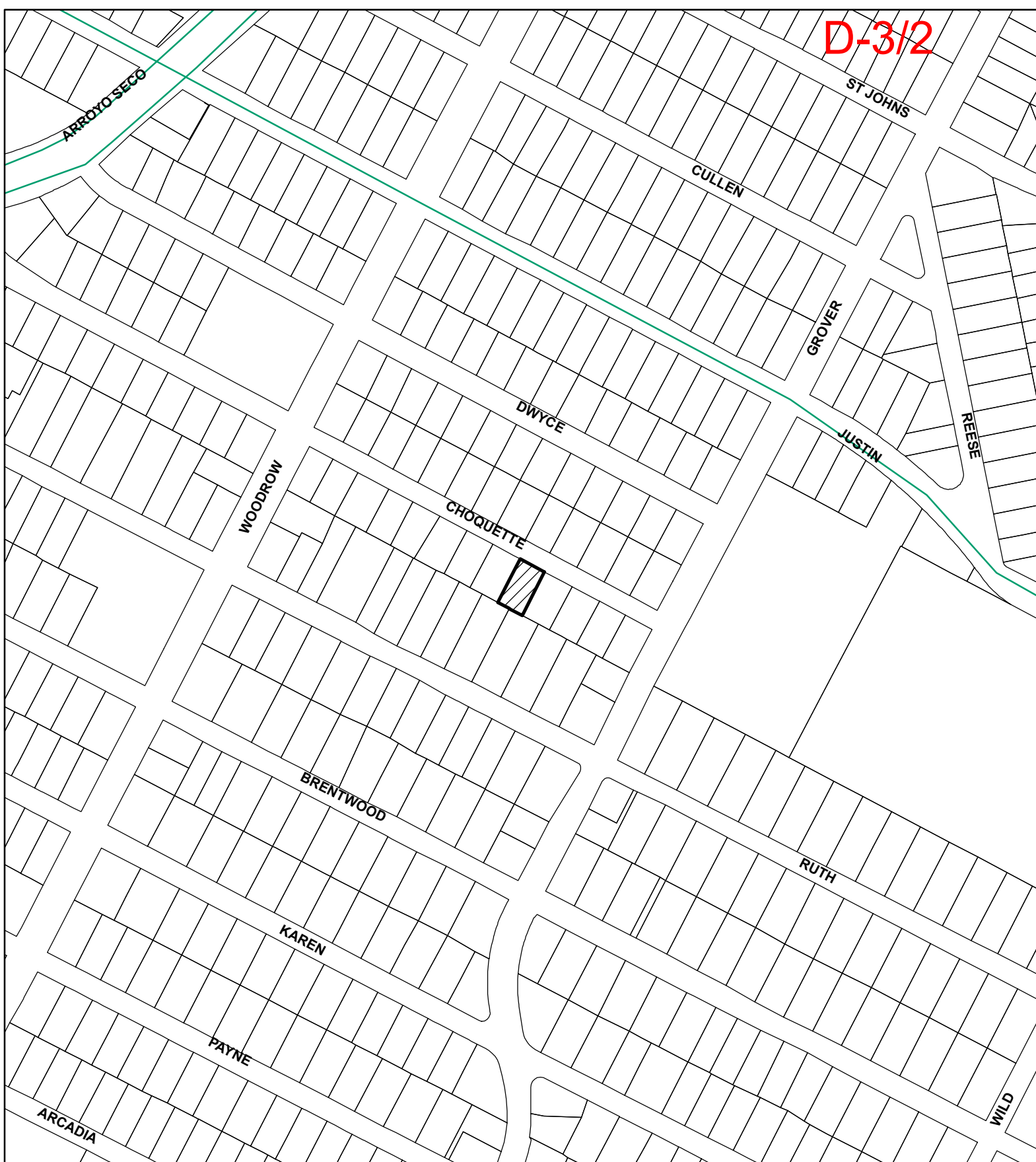
ISSUES: developed independently each lot is different

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

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District
 Austin Lost and Found Pets
 Austin Neighborhoods Council
 Brentwood Neighborhood Assn.
 Brentwood Neighborhood Plan Contact Team
 Central Austin Urbanists
 Choquette Neighborhood Association
 Friends of Austin Neighborhoods
 Homeless Neighborhood Association
 Neighborhood Empowerment Foundation
 North Austin Neighborhood Alliance
 SELTexas
 Shoal Creek Conservancy
 Sierra Club, Austin Regional Group

D-3/2



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

NOTIFICATIONS

CASE#: C15-2021-0058

LOCATION: 1209 CHOQUETTE DRIVE



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" = 292'



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 # _____ ROW # _____ Tax # _____

Section 1: Applicant Statement

Street Address: 1209 Choquette Drive

Subdivision Legal Description:

LOT 9 BLK C BELLAIRE HEIGHTS SEC 1

Lot(s): 9 Block(s): C

Outlot: _____ Division: Bellaire Heights, Section 1

Zoning District: SF-3-NP

I/We Robert/Jennifer Carson on behalf of myself/ourselves as

authorized agent for _____ affirm that on

Month May, Day 12, Year 2021, 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: carport

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

LDC 25-2-492 - to decrease the minimum front yard setback from 25' [required] to
16' [requested] in order to maintain a carport constructed in 2003

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:

Original house built in 1957 included a carport. Carports are a common feature in the area. Additionally, many houses in the area were laid out in such a way to be existing / non-complying with regard to current setback requirements. It is worth noting that the covered porch we wish to construct is allowed under the adopted neighborhood plan to take advantage of a relaxed 15' frontyard setback, which is greater than the existing carport encroachment we are seeking a variance for. These 2 building elements, the existing carport and the proposed covered porch are identical in the way they are experienced. Both are open on 3 sides and add residential

Hardship

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

Each lot in Bellaire Section 1 was developed independently - site plan layouts & floor plans are different for each lot. The property lot elevation slopes from the front of the property toward the house so that water running off the original roof fell directly on the driveway, flowed toward the house and pooled in the original carport area.

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

Each lot in Bellaire Section 1 was developed independently - site plan layouts & floor plans are different for each lot.

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:

Carport has been in place since 2003, we simply want to maintain it as-is. It open on 3 sides and is only 1-story tall, so it does not present any adverse effects to neighboring properties. The carport setback is actually greater than the average of the two adjacent houses.

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: Robert and Jennifer Carson Digitally signed by Robert and Jennifer Carson
Date: 2021.04.14 12:18:02 -05'00' Date: 04-14-2021

Applicant Name (typed or printed): Robert/Jennifer Carson

Applicant Mailing Address: 1209 Choquette Dr

City: Austin State: TX Zip: 78757

Phone (will be public information): 512/567-0353

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: Robert and Jennifer Carson Digitally signed by Robert and Jennifer Carson
Date: 2021.04.14 12:17:18 -05'00' Date: 04-14-2021

Owner Name (typed or printed): Robert/Jennifer Carson

Owner Mailing Address: 1209 Choquette Dr

City: Austin State: TX Zip: 78757

Phone (will be public information): 512/567-0353

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).

Bob moved in as renter in 1992 then purchased the home in 1993. In 1995 we married and began our life together at 1209 Choquette. After the birth of our first child in 1997 and the death of our last parent we decided in 1998 to stay put in our Brentwood home because of the community we had established. To make space more practical it was suggested by our architect that adding a second

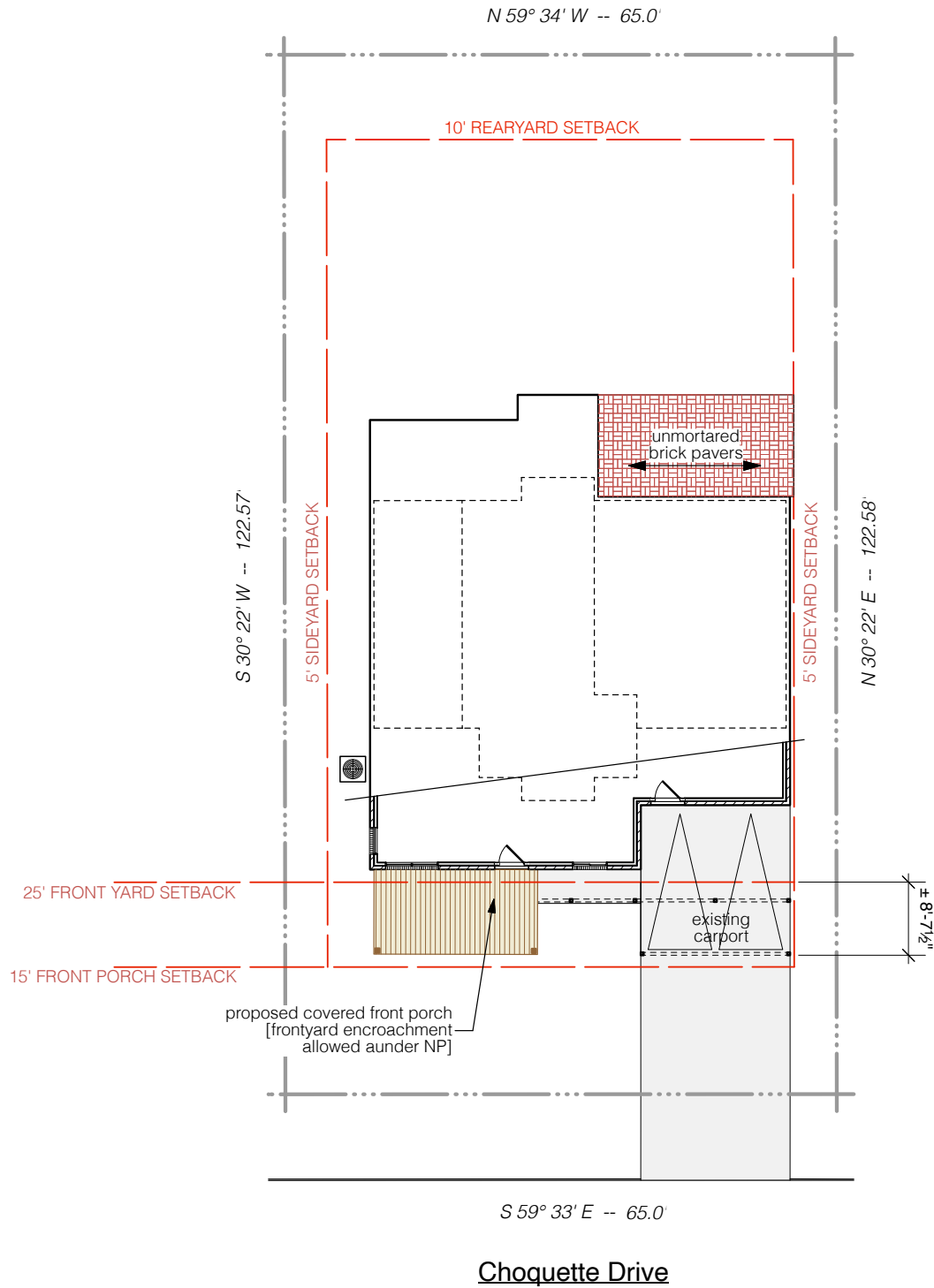
Additional Space (continued)

story was the best option. At the time deed restrictions did not allow a second story without the "approval of neighbors". We took our blueprints to each surrounding neighbor to get their opinion on our two-story addition. Almost all of our neighbors then were original owners and were very supportive of our addition. There were no two-story additions on our block and very few in the entire neighborhood. That is hard to believe now. We made significant effort to have it fit the original character of Brentwood. When we started in 1999, we had a toddler and were expecting our second child. With the need to complete construction quickly and limited funds we did not seek to add on to our original carport at that time.

Our driveway follows our sloped lot toward the house so rain from the roof pooled significantly in the original carport. So, in 2003 we extended the carport to its current form to help alleviate this. The pitch on the extension allows rain to drain to either side of the driveway and carport into grass yard rather than flowing directly into the carport.

Over the years we have continued to keep our home well-maintained and we remain fully vested in the neighborhood. Both of our boys attended Lamar and McCallum neighborhood schools. We have since completely remodeled the kitchen (2015/2016) upgrading plumbing and electrical. It was noted on our documents that the carport was over the setback, but all permits were approved and inspections passed.

Currently we want to add a front porch opposite the carport open on all 3 sides with a similar façade.



Choquette Drive



1209 Choquette Drive
proposed site plan

zoning: SF-3-NP
legal description: Lot 9, Block C, Bellaire Heights, Section 1
lot size: 7,967 s.f.



1209 Choquette Dr and 1211 Choquette Dr. – Existing Carports



1209 Choquette Dr. – Front View

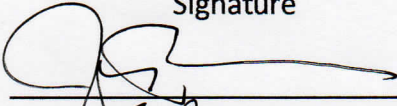

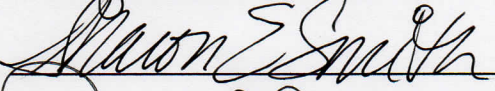
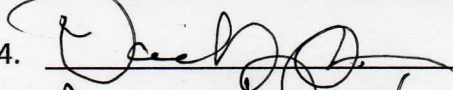



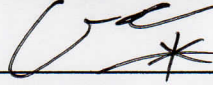
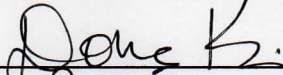
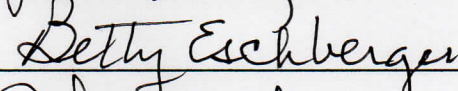
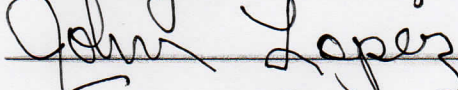
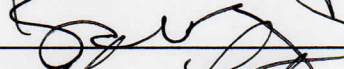
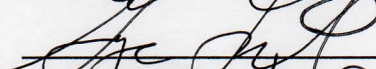

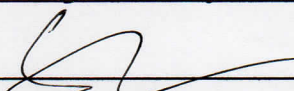
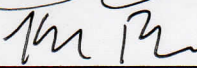
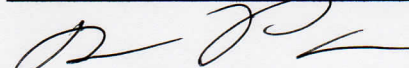


1200 Choquette Dr. – Existing Carport



1201 Choquette Dr. – Existing Carport

We the undersigned neighbors of Robert and Jennifer Carson approve of carport at 1209 Choquette Drive.

	Printed Name	Signature	House # and street
1.	Jonathan Bryant		1208 Choquette
2.	CYNTHIA RAAB		1210 CHOQUETTE
3.	Sharon E. Smith		1204 Choquette
4.			1200 Choquette Dr
5.	Drew Finkel		1300 Choquette Dr
6.	Paulette H. Roch		1207 Choquette Dr.
7.	Craig Washburn		1206 Choquette Dr.
8.	Doris King		1211 Choquette DR.
9.	Betty Eschberger		1201 Choquette Dr
10.	John Lopez		1206 Ruth Ave.
11.	Saran DeBryCarson		1208 Ruth Ave
12.	George Linial		1302 Choquette Drive
13.	Christine Linial		1302 Choquette Drive
14.	Sarah Gajkowski		1304 Choquette Dr
15.	Kelly Parinella		1203 Choquette A
16.	Derek Parinella		1203 Choquette Dr
17.			
18.			
19.			
20.			
21.			
22.			
23.			