

CITY OF AUSTIN
Board of Adjustment
Decision Sheet
F-2

DATE: Monday June 14, 2021

CASE NUMBER: C15-2021-0055

☐ Y ☐ Thomas Ates
☐ Y ☐ Brooke Bailey
☐ Y ☐ Jessica Cohen
☐ Y ☐ Melissa Hawthorne
☐ Y ☐ Don Leighton-Burwell
☐ Y ☐ Rahm McDaniel
☐ Y ☐ Darryl Pruett
☐ Y ☐ Agustina Rodriguez
☐ - ☐ Michael Von Ohlen
☐ Y ☐ Nicholl Wade
☐ - ☐ Vacant
☐ - ☐ Kelly Blume (Alternate)
☐ Y ☐ Carrie Waller (Alternate)
☐ - ☐ Vacant (Alternate)

OWNER/APPLICANT: Ruben Valdez

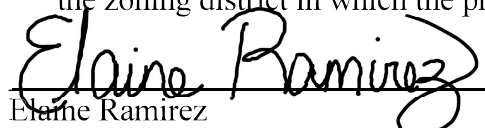
ADDRESS: 1206 W OLTORF ST

VARIANCE REQUESTED: The applicant is requesting a variance(s) from the Land Development Code Section 25-2-492 (*Site Development Regulations*) from setback requirements to decrease the minimum Front Yard Setback from 25 feet (required) to 0 feet (requested) in order to maintain a Carport and Covered Entry in a "SF-6-NP", Single-Family-Neighborhood Plan zoning district (Bouldin Creek Neighborhood Plan).

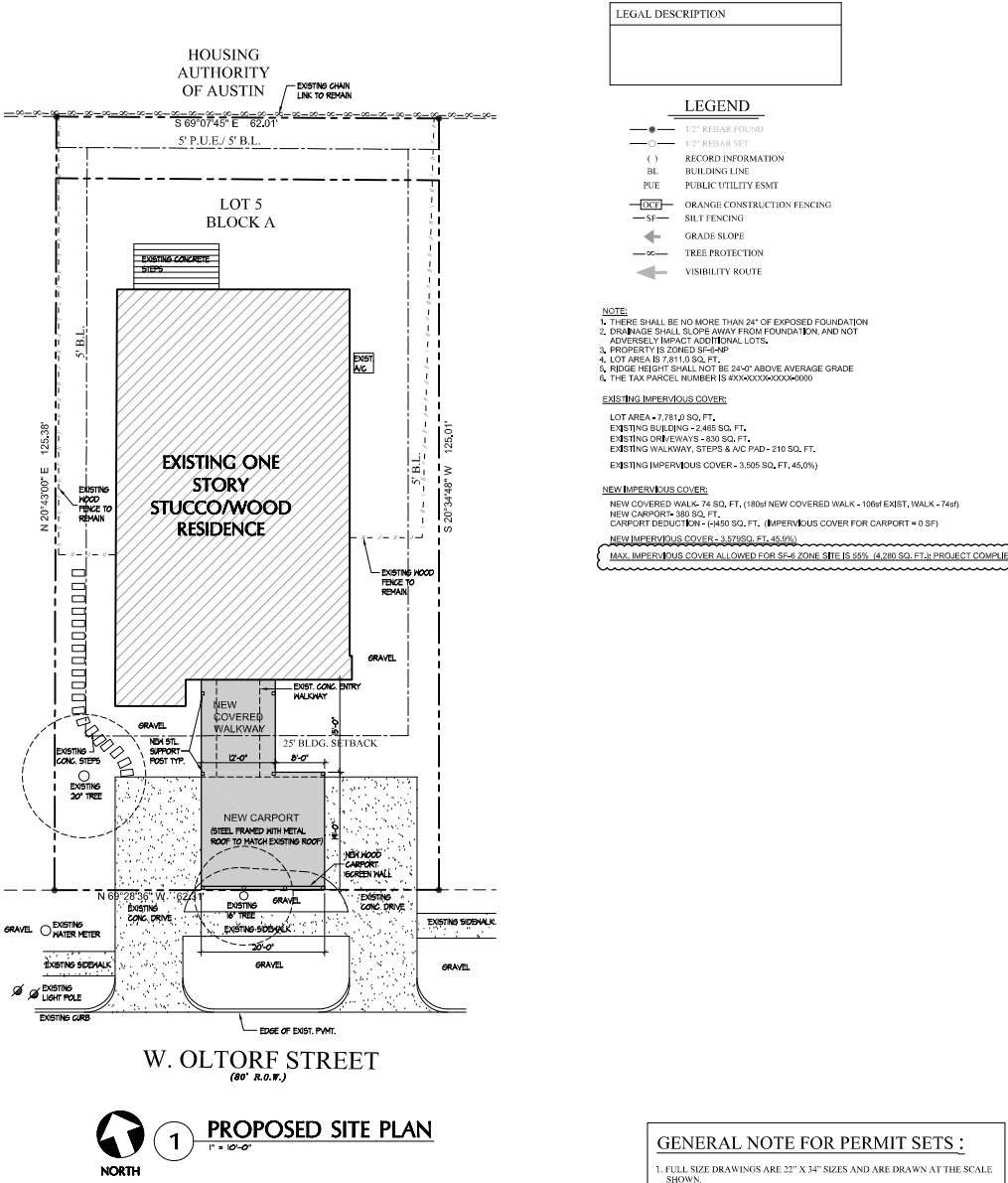
BOARD'S DECISION: June 14, 2021 The public hearing was closed by Chair Jessica Cohen, Board Member Melissa Hawthorne motions to Postpone to August 9, 2021; Board Member Brooke Bailey seconds on a 10-0 vote; POSTPONED TO AUGUST 9, 2021.

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:


 Elaine Ramirez
 Executive Liaison

Diana Ramirez for
 Jessica Cohen
 Chairman



NOTES:

TREE PROTECTION NOTES:

1. A root protection zone will be established around each tree or any vegetation to be preserved to meet the landscape or tree preservation ordinances. The root protection zone shall be an area defined by the radius extending outward from the trunk of the tree a distance of one (1) times foot for each inch diameter inch at breast height (4.5') of the tree. A 10-inch diameter tree will have a 10 foot radius root protection zone.
 2. No work shall begin where tree protection fencing has not been completed and approved. Tree protection fencing shall be installed, maintained and repaired by the contractor during construction. The fencing will be a minimum of 4' height.
 3. All roots larger than one-inch in diameter shall be cut cleanly and oak wounds painted within 30 minutes.
 4. Exposed roots shall be covered at the end of the work day using techniques such as covering with soil, mulch or wet burlap.
 5. No equipment, vehicles or materials shall be operated or stored within the root protection zone. No clean-out areas will be constructed so that the material will be in or migrate to the root protection zone.
 6. No grade change more than 3" is allowed within the root protection zone.
 7. Roots or branches in conflict with construction shall be cut cleanly according to proper pruning methods. All oak wounds shall be painted within 30 minutes to prevent oak wilt infection.
 8. Any tree removal shall be approved by the city arborist.
 9. Trees which are damaged or lost due to the contractor's negligence during construction shall be replaced.
- Trees must be maintained in good health throughout the construction process. Maintenance may include watering the root protection zone and/or watering foliage. No wires, nails or other materials may be attached to protected trees.

CITY OF AUSTIN ADOPTED CODES:

1. INTERNATIONAL BUILDING CODE 2015
2. INTERNATIONAL RESIDENTIAL CODE FOR ONE AND TWO FAMILY DWELLINGS 2015
3. UNIFORM MECHANICAL CODE 2015
4. NATIONAL ELECTRICAL CODE 2020
5. INTERNATIONAL ENERGY CONSERVATION CODE 2015
6. INTERNATIONAL FIRE CODE 2015
7. INTERNATIONAL GAS CODE 2015

1. No portion of the building, HVAC unit, its screen fencing shall encroach over the 5 foot side property setback lines.
2. The site will be provided with a commercial 30 yard construction debris waste container and portable chemical toilet. These will be located on the lot per city code.
3. The ridge line of the house is 15'-0" 1/2" off. The plate height is 12'-0". The average ridge height above the plate line is 6'-4" 1/2". The highest natural grade is under the slab at the rear of the house (10X). The ridge height along the rear of the house is 12'-0" 6'-4" 1/2" 12'-0" 1/2".
1. Plans have been drawn in accordance with city code.

PROJECT DIRECTORY:

OWNER: RUBEN DARIO VALDES
1206 W. OLTORF STREET
AUSTIN, TEXAS 78704

BUILDER:

ENGINEER: LOC CONSULTANTS STRUCTURAL ENGINEERS
1707B KINNEY AVE.
AUSTIN, TEXAS 78704
512-499-0908 office

SHEET INDEX:

A0.1 SITE PLAN AND GENERAL NOTES

NEW CARPORT FOR
RUBEN DARIO VALDES
1206 W. OLTORF STREET
AUSTIN, TX 78704

Consultants:
MECH., ELEC. & PLUMB.
STRUCTURAL ENGINEER
CIVIL ENGINEER

REVISIONS

PROJECT NO.
DATE 07-22-21
DRAWN BY R.G.
CHECKED BY R.F.G.
SHEET CONTENTS

SITE PLAN

SHEET
A0.1





BOA GENERAL REVIEW COVERSHEET

CASE: C15-2021-0055

BOA DATE: June 14th, 2021

ADDRESS: 1206 W Oltorf St

COUNCIL DISTRICT: 9

OWNER: Ruben Valdez

AGENT: N/A

ZONING: SF-6-NP (Bouldin Creek)

LEGAL DESCRIPTION: LOT 5 BLK A SOUTHWOOD SEC 1

VARIANCE REQUEST: decrease minimum front yard setback from 25 ft. to 0 ft.

SUMMARY: maintain a carport and covered entry

ISSUES: heritage tree, crime on the rise in the area

	ZONING	LAND USES
<i>Site</i>	SF-6-NP	Single-Family
<i>North</i>	MF-3-NP	Multi-Family
<i>South</i>	SF-3	Single-Family
<i>East</i>	SF-6-NP	Single-Family
<i>West</i>	SF-6-NP	Single-Family

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District

Austin Lost and Found Pets

Austin Neighborhoods Council

Bouldin Creek Neighborhood Association

Friends of Austin Neighborhoods

Homeless Neighborhood Association

Neighborhood Empowerment Foundation

Perry Grid 614

Preservation Austin

SELTexas

Sierra Club, Austin Regional Group

South Central Coalition



June 3, 2021

RUBEN VALDES
1206 W Oltorf St
Austin TX, 78704

Property Description: LOT 5 BLK A SOUTHWOOD SEC 1

Re: C15-2021-0055

Dear Ruben,

Austin Energy (AE) has reviewed your application for the above referenced property, requesting that the Board of Adjustment consider a variance(s) from the following section of the Land Development Code;

Section 25-2-492 (*Site Development Regulations*) from setback requirements to decrease the minimum Front Yard Setback from 25 feet (required) to 0 feet (requested) in order to maintain a Carport and Covered Entry in a "SF-6-NP", Single-Family-Neighborhood Plan zoning district (Bouldin Creek Neighborhood Plan).

Austin Energy **does not oppose** the requested front yard setback variance, provided any proposed and existing improvements follow Austin Energy's clearance criteria requirements, the National Electric Safety Code and OSHA. Any removal or relocation of existing electric facilities will be at owners /applicants' expense.

Please use this link to be advised of our clearance and safety requirements which are additional conditions of the above review action: <https://austinenergy.com/wcm/connect/8bb4699c-7691-4a74-98e7-56059e9be364/Design+Criteria+Manual+Oct+2015.pdf?MOD=AJPERES>

If you require further information or have any questions regarding the above comments, please contact our office.

Thank you for contacting Austin Energy.

Eben Kellogg, Property Agent

Austin Energy
Public Involvement | Real Estate Services
2500 Montopolis Drive
Austin, TX 78741
(512) 322-6050



Development
CITY OF AUSTIN
SERVICES DEPARTMENT

Building a Better and Safer Austin Together

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: 1206 WEST OLTORF STREET

Subdivision Legal Description:

SOUTHWOOD SECTION 1

Lot(s): 5 Block(s): A

Outlot: _____ Division: _____

Zoning District: SF6NP

I/We RUBEN VALDES on behalf of myself/ourselves as

authorized agent for MYSELF affirm that on

Month May, Day 6, 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 AND COVERED ENTRY

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

25-2-492 - FRONT SETBACK- A building must have a front building line setback of at least 25 feet from a right-of-way if the tract on which the building is constructed.
THE REQUESTED FRONT SETBACK IS 0'0"

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:

THERE IS NOT A COVERED PARKING AREA

Hardship

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

MOST HOMES HAVE COVERED PARKING. THERE IS NO OTHER PLACE IN THE PROPERTY WHERE A CARTPORT COULD BE POSITION WITHOUT INVADING A SETBACK/EASEMENT OR BE TOO CLOSE TO HERITAGE TREE POSITIONED ON THE SOUTHWEST OF PROPERTY. THE ONLY OPTION TO PROVIDE A COVERED PARKING IS VIA THIS CARTPORT AND THE CURRENT POSITION.

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

HOMES IN THE AREA PROVIDE COVERED PARKING. HAVING COVERED PARKING CAN PREVENT SERIOUS BODILY INJURY WHEN SEVERE WEATHER OCCURS. (ADDITIONAL INFO #6)

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:

THE CARPORT IS OPEN ON THREE SIDES AND THE LENGTH OF THE COVERED WALK WAY IN THE SET BACK IS 15 FEET ALSO, THE CARPORT IS CUSTOM BUILT TO MATCH THE DESIGN OF THE HOME. FURTHERMORE, THE PLACEMENT OF THE CARPORT IS MOSTLY OVER EXISTING IMPERVIOUS COVER. FURTHERMORE, THE DISTANCE FROM THE STREET TO THE CARPORT IS 20 FEET, THUS GIVING AN APPERANCE THAT THE CARPORT IS NOT IN THE SETBACK.

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:  Date: 5/6/2021

Applicant Name (typed or printed): RUBEN VALDEZ

Applicant Mailing Address: 1206 WEST OLTORF STREET

City: AUSTIN State: TEXAS Zip: 78704

Phone (will be public information): _____

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:  Date: 5/6/2021

Owner Name (typed or printed): RUBEN VALDEZ

Owner Mailing Address: 1206 WEST OLTORF STREET

City: AUSTIN State: TEXAS Zip: 78704

Phone (will be public information): _____

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)

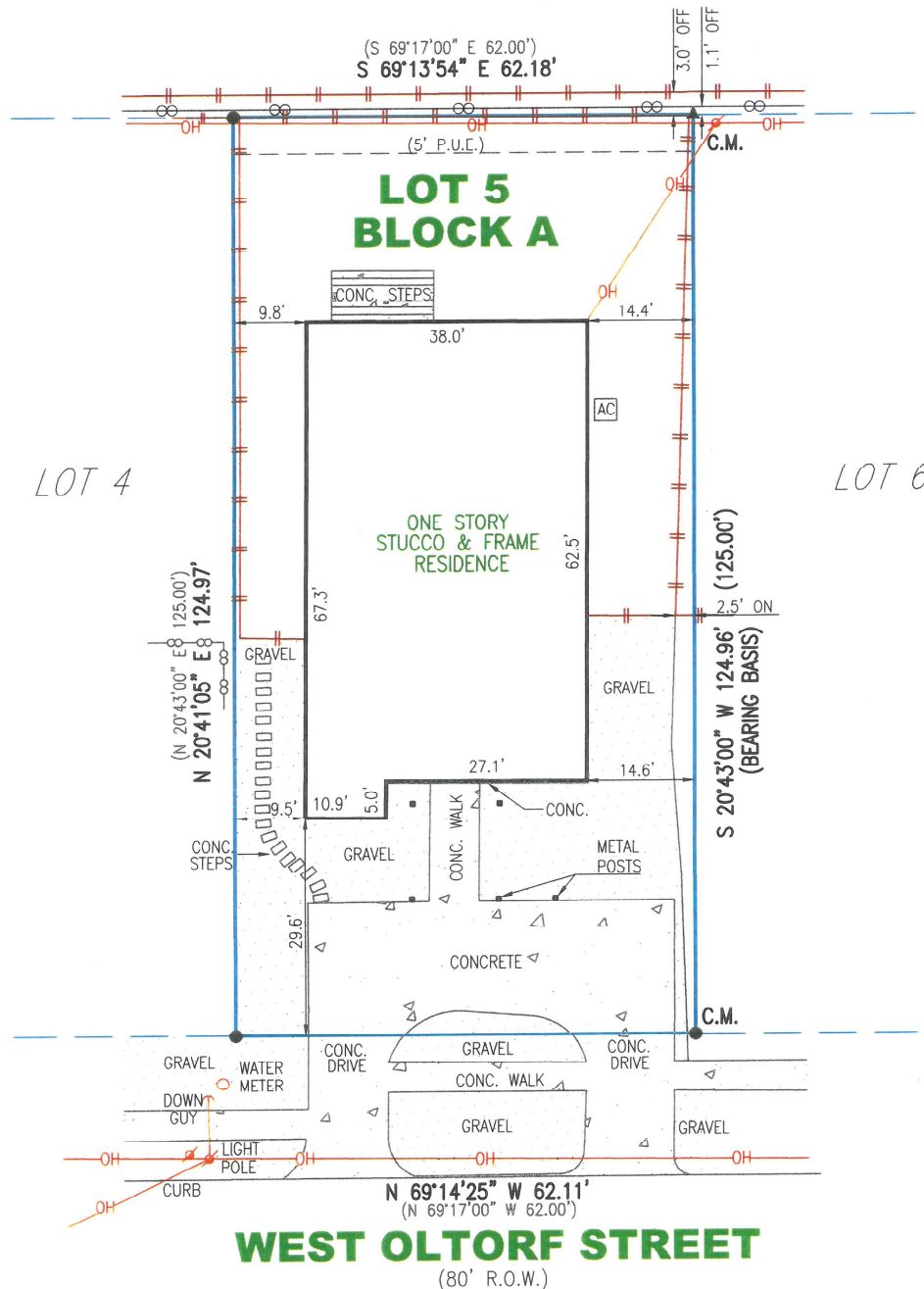
Please use the space below to provide additional information as needed. To ensure the information is referenced to the proper item, include the Section and Field names as well (continued on next page).

CONTINUED- HARSHIP (B)- THE DESIGN OF THIS CARPORT NOT ONLY PREVENTS
POTENTIAL BODILY INJURY, AND/OR PROPERTY DAMAGE. IT ALSO PROVIDES PRIVACY.
IN THE LAST TWO YEARS WE HAVE BEEN VICTIMS OF A SHOOTING TO OUR WINDOWS
AND A FAMILY MEMBER NEARLY BEING ATTACK BY A PEDESTRIAN. ALTHOUGH THIS

Additional Space (continued)

MAY NOT BE SPECIFIC TO THIS PROPERTY, IT IS VERY SPECIFIC TO THIS AREA WHERE
CRIME IS ON THE RISE. PRIVACY IS REQUIRED FOR THE CITIZENS OF THIS COMMUNITY
TO FEEL SAFE. IN ADDITION, COVERED PARKING PROTECTS VEHICLES FROM
PERMANENT DAMAGE FROM THE WEATHER (ex HAIL), AND IT PROVIDES PROTECTION
FROM TREE SAP, WHICH IS KNOWN TO CAUSE PERMANENT DAMAGE TO VEHICLE
FINISHES. WHICH IS A BENEFIT THAT OTHER SURROUNDING PROPERTIES HAVE.

(CITY OF AUSTIN HOUSING AUTHORITY
VOL. 87, PG. 194A)



IMPORTANT NOTICE

This Survey was prepared without the benefit of a title commitment. There may be additional setback lines, easements and interests which are relevant to this property and unknown to B & G SURVEYING, LLC. Building dimensions are approximate.

[Signature]
TO THE LIENHOLDER AND / OR PRESENT OWNERS OF THE PREMISES SURVEYED.



LEGEND

- 1/2" REBAR FOUND
- ▲ 60D NAIL FOUND
- CHAIN LINK FENCE
- WOOD FENCE
- B.L. BUILDING LINE
- P.U.E. PUBLIC UTILITY EASEMENT
- D.E. DRAINAGE EASEMENT
- () PER PLAT
- C.M. CONTROL MONUMENT
- R.O.W. RIGHT OF WAY
- OH OVERHEAD UTILITY LINE
- ⚡ POWER POLE
- AC AIR CONDITIONER

STREET ADDRESS: 1206 WEST OLTORF STREET CITY: AUSTIN COUNTY: TRAVIS STATE OF TEXAS
LOT: 5 BLOCK: A SUBMISSION: SECTION 1 OF SOUTHWOOD VOL/CAB 7 PG/SLD 45 PLAT RECORDS
REFERENCE NAME: RUBEN D VALDES

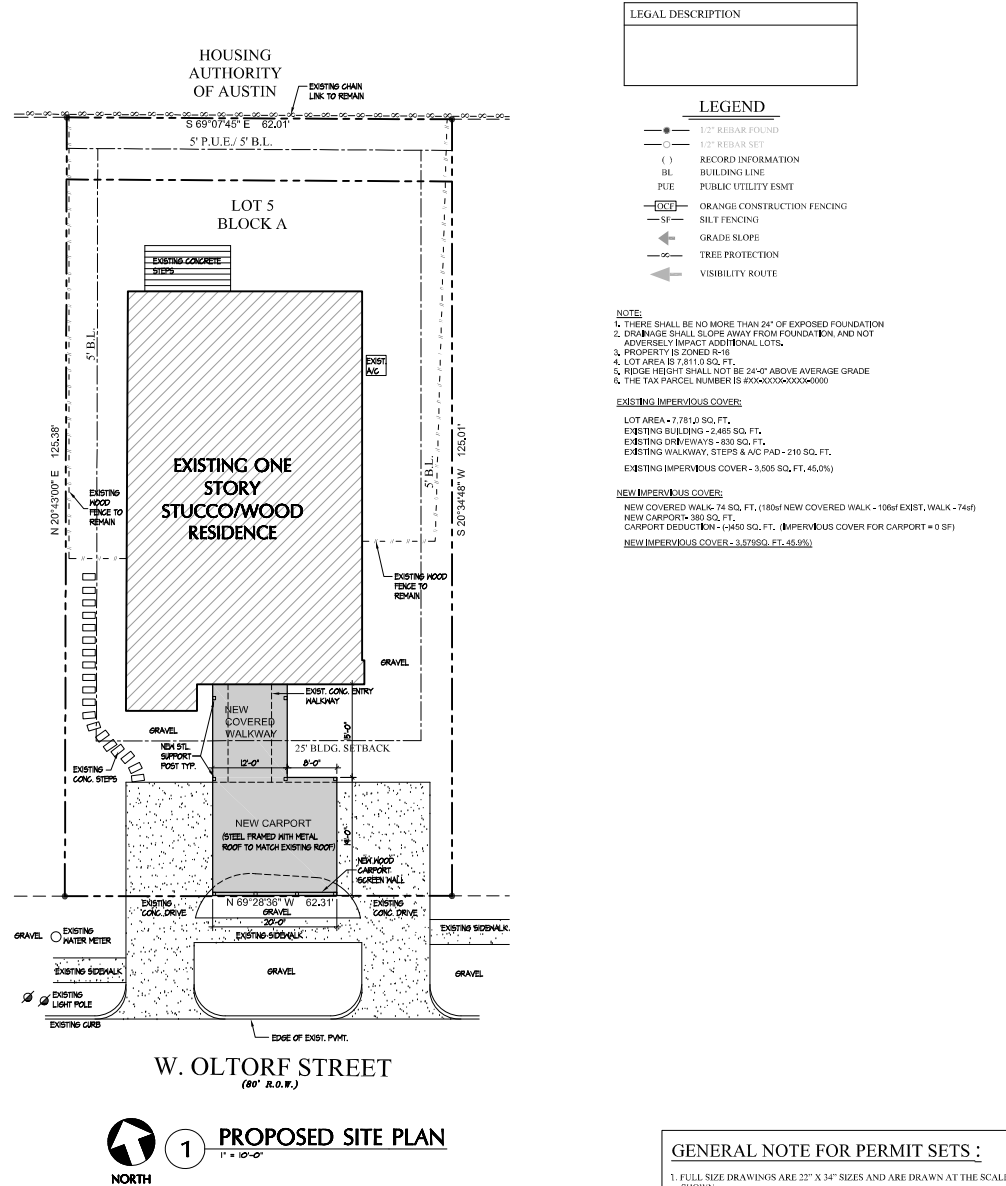


B & G SURVEYING, LLC

FIRM REGISTRATION NO. 100363-00
WWW.BANDGSURVEY.COM
1404 West North Loop Blvd.
Austin, Texas 78756 - Office 512*458-6969

JOB #: B0420719_TA
DATE: 05/02/1970
SCALE: 1" = 20'

FIELD WORK BY	DENNIS	04/30/19
CALC'D BY	VICTOR G.	05/01/19
DRAFTED BY	VIPO	05/02/19
CHECKED BY	VG/ML	05/02/19



NOTES:

TREE PROTECTION NOTES:

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4. Plans have been drawn in accordance with city code.

PROJECT DIRECTORY:

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AUSTIN, TEXAS 78704

BUILDER: -

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1707B KINNEY AVE.
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NEW CARPORT FOR
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AUSTIN, TX 78704

Consultants:
MECH., ELEC. & PLUMB.
STRUCTURAL ENGINEER
CIVIL ENGINEER
REVISIONS

PROJECT NO.
DATE 04-07-21
DRAWN BY R.G.
CHECKED BY R.F.G.
SHEET CONTENTS

SITE PLAN

SHEET

A0.1

From: [REDACTED]
Sent: Thursday, June 10, 2021 12:47 PM
To: Ramirez, Elaine
Subject: Case15-2021-0055

*** External Email - Exercise Caution ***

My name is Annabelle Valle. I am Power of Attorney for Joe Bobby Eurebia who lives at 1211 Southwood Rd. Mr Eurebia is a disabled individual with a mental disability.

As his representative, I feel that he would not object to the proposed variance. Any improvement to a home in his neighborhood should also benefit him. So I do not want to voice any opposition to this request.

If you have any questions, please feel free to call me at (512) 587-4860.

Thank you.

Annabelle Valle
POA for Joe Bobby Eurebia

CAUTION: This email was received at the City of Austin, from an EXTERNAL source. Please use caution when clicking links or opening attachments. If you believe this to be a malicious and/or phishing email, please forward this email to cybersecurity@austintexas.gov.