

BOA GENERAL REVIEW COVERSHEET

CASE: C15-2022-0022

BOA DATE: March 14th, 2022

ADDRESS: 4901 Mirador Dr

COUNCIL DISTRICT: 8

OWNER: Luis Jauregui

AGENT: Claudia De La Vega

ZONING: RR

LEGAL DESCRIPTION: LOT 4 BLK A BARTON CREEK SEC M

VARIANCE REQUEST: decrease the minimum front yard setback from 40 feet (required) to 30 feet (requested)

SUMMARY: erect a Single-Family residence

ISSUES: lot is split between Austin LTD and ETJ jurisdictions

| | ZONING | LAND USES |
|--------------|---------------|--------------------------------|
| <i>Site</i> | RR / ETJ | Rural Residential / Austin ETJ |
| <i>North</i> | ETJ | Austin ETJ |
| <i>South</i> | RR | Rural Residential |
| <i>East</i> | ETJ | Austin ETJ |
| <i>West</i> | RR / ETJ | Rural Residential / Austin ETJ |

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District

Austin Lost and Found Pets

City of Rollingwood

East Oak Hill Neighborhood Association

Friends of Austin Neighborhoods

Oak Hill Association of Neighborhoods (OHAN)

Oak Hill Trails Association

Save Our Springs Alliance

Sierra Club, Austin Regional Group

TNR BCP – Travis County Natural Resources



February 8, 2022

Sarah Martin
4901 Mirador Dr
Austin TX, 78735

Property Description: LOT 4 BLK A BARTON CREEK SEC M

Re: C15-2022-0022

Dear Sarah,

Austin Energy (AE) has reviewed your application for the above referenced property, requesting that the Board of Adjustment consider a variance(s) from City of Austin Land Development Code Section 25-2-492.

Austin Energy does not oppose the request, provided that any proposed or existing improvements follow Austin Energy's Clearance & Safety Criteria, the National Electric Safety Code, and OSHA requirements. Any removal or relocation of existing facilities will be at the owner's/applicant's expense.

Please use this link to be advised of our clearance and safety requirements which are additional conditions of the above review action:

https://library.municode.com/tx/austin/codes/utilities_criteria_manual?nodeId=S1AUENDECR_1.10.0CLSARE

If you require further information or have any questions regarding the above comments, please contact our office. Thank you for contacting Austin Energy.

Cody Shook, Planner II

Austin Energy
Public Involvement | Real Estate Services
2500 Montopolis Drive
Austin, TX 78741
(512) 322-6881



CITY OF AUSTIN

Development Services Department

Permitting & Development Center

Phone: 512.978.4000

6310 Wilhelmina Delco Dr, Austin, Texas 78752

E-3/3

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 # _____ ROW # _____ Tax # _____

Section 1: Applicant Statement

Street Address: 4901 Mirador

Subdivision Legal Description:

Lot(s): 4 Block(s): A

Outlot: _____ Division: Barton Creek Section M

Zoning District: RR

I/We Gail O'Kelly on behalf of myself/ourselves as
authorized agent for Jauregui, Inc. affirm that on
Month January, Day 20, Year 2022, 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 Residential

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

LDC, Section 25-2-492 Site Development Regulations for a Front Yard setback of 40' (required)
to 30' (requested)

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:

Due to the nature of the lots and it's restrictions, it would be difficult to utilize the narrow allowed
buildable space of the property without encroaching into the WQE.

Hardship

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

The Lot is split between the Austin LTD and ETJ jurisdictions. The Home was designed to
utilize the Buildable area of the property as per the BCS guidelines

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

N/A: Surrounding homes do not have the RR zoning and have utilized the 30' Setback.

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:

Sourrounding homes, in the LTD Jurisdiction and the ETJ Jursidiction in the subdivision were
built following the 30' front setback as shown in the BCS guidlines

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:  Date: _____

Applicant Name (typed or printed): Claudia De La Vega

Applicant Mailing Address: 3660 Stone Ridge Road Bldg A102

City: Austin State: TX Zip: 78746

Phone (will be public information): 512-328-7706

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: _____

Owner Name (typed or printed): Luis Jauregui

Owner Mailing Address: 3660 Stone Ridge Road Bldg A102

City: Austin State: TX Zip: 78746

Phone (will be public information): 512-328-7706

Email (optional – will be public information): _____

Section 5: Agent Information

Agent Name: Claudia De La Vega

Agent Mailing Address: 3660 Stone Ridge Road Bldg A102

City: Austin State: Texas Zip: 78746

Phone (will be public information): 512-328-7706

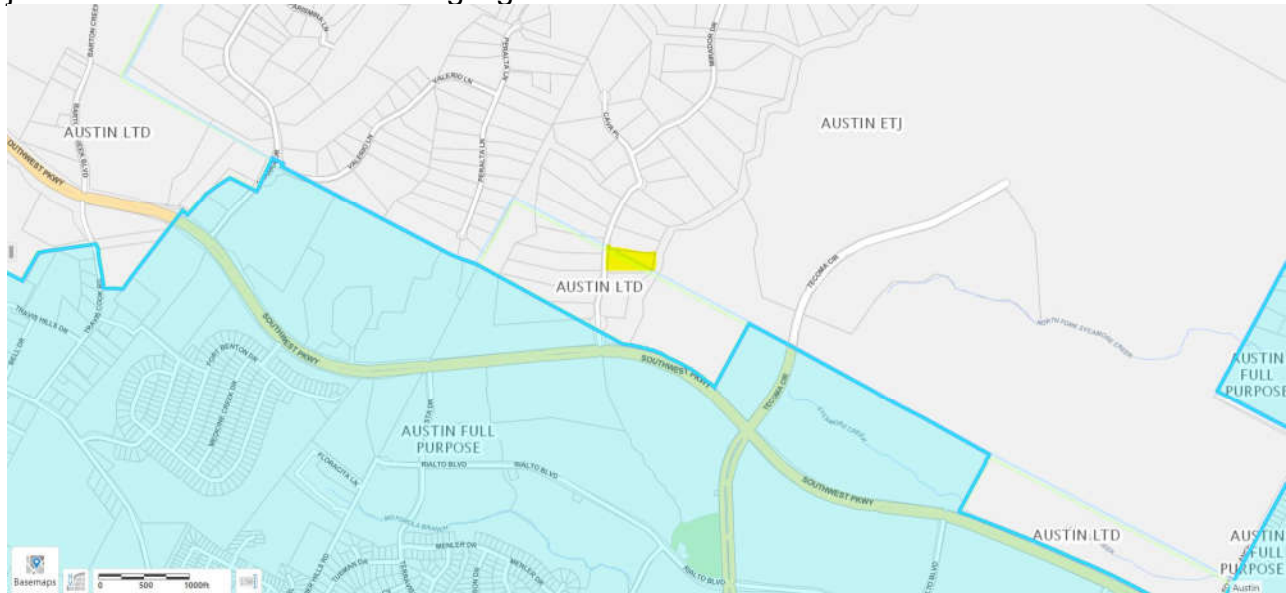
Email (optional – will be public information): _____

Section 6: Additional Space (if applicable)

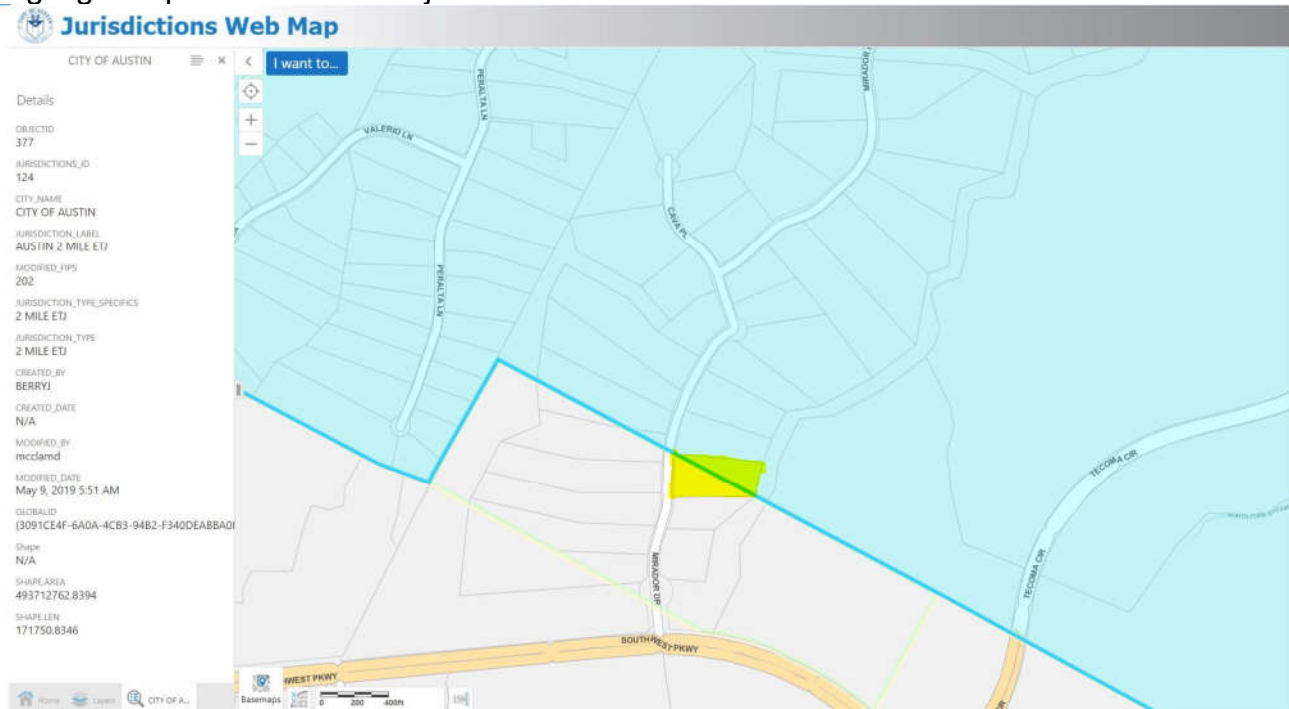
Please use the space below to provide additional information as needed. To ensure the information is referenced to the proper item, include the Section and Field names as well (continued on next page).

4901 Mirador Drive – Zoning Variance Supporting Documents

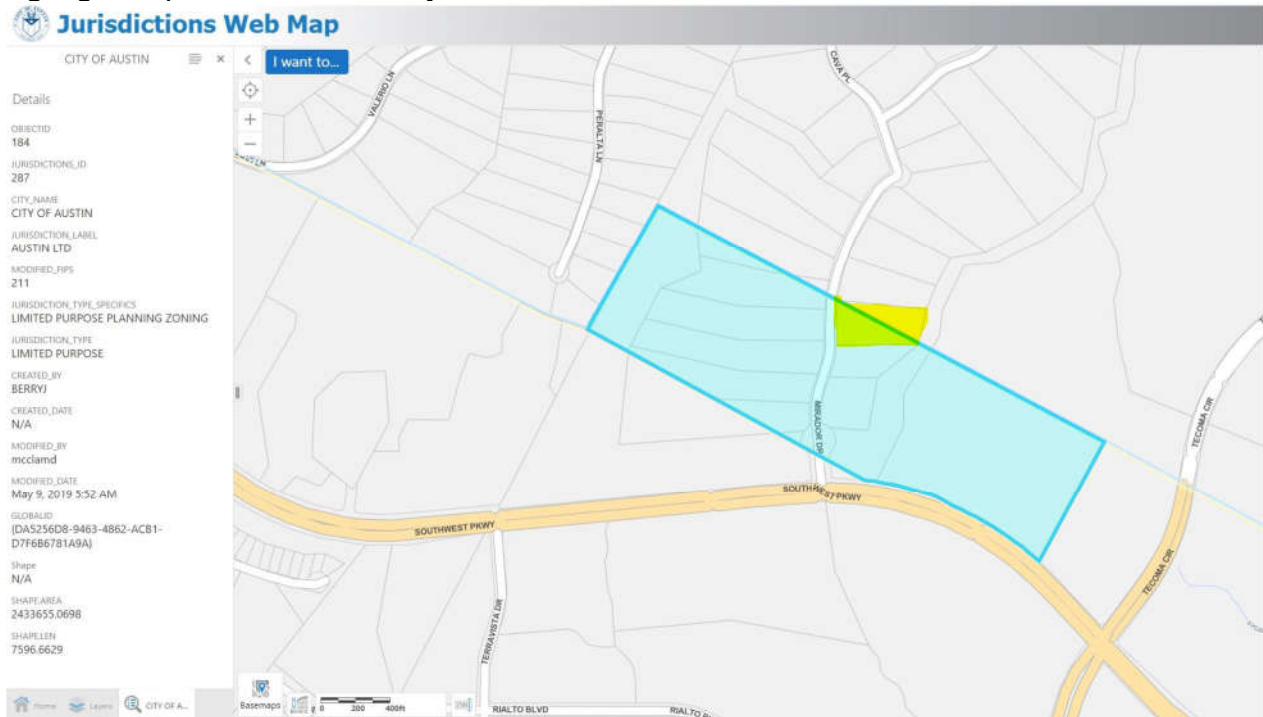
Parcel is divided by the Austin ETJ and Austin LTD jurisdictions with adjacent jurisdiction boundaries – see highlighted below



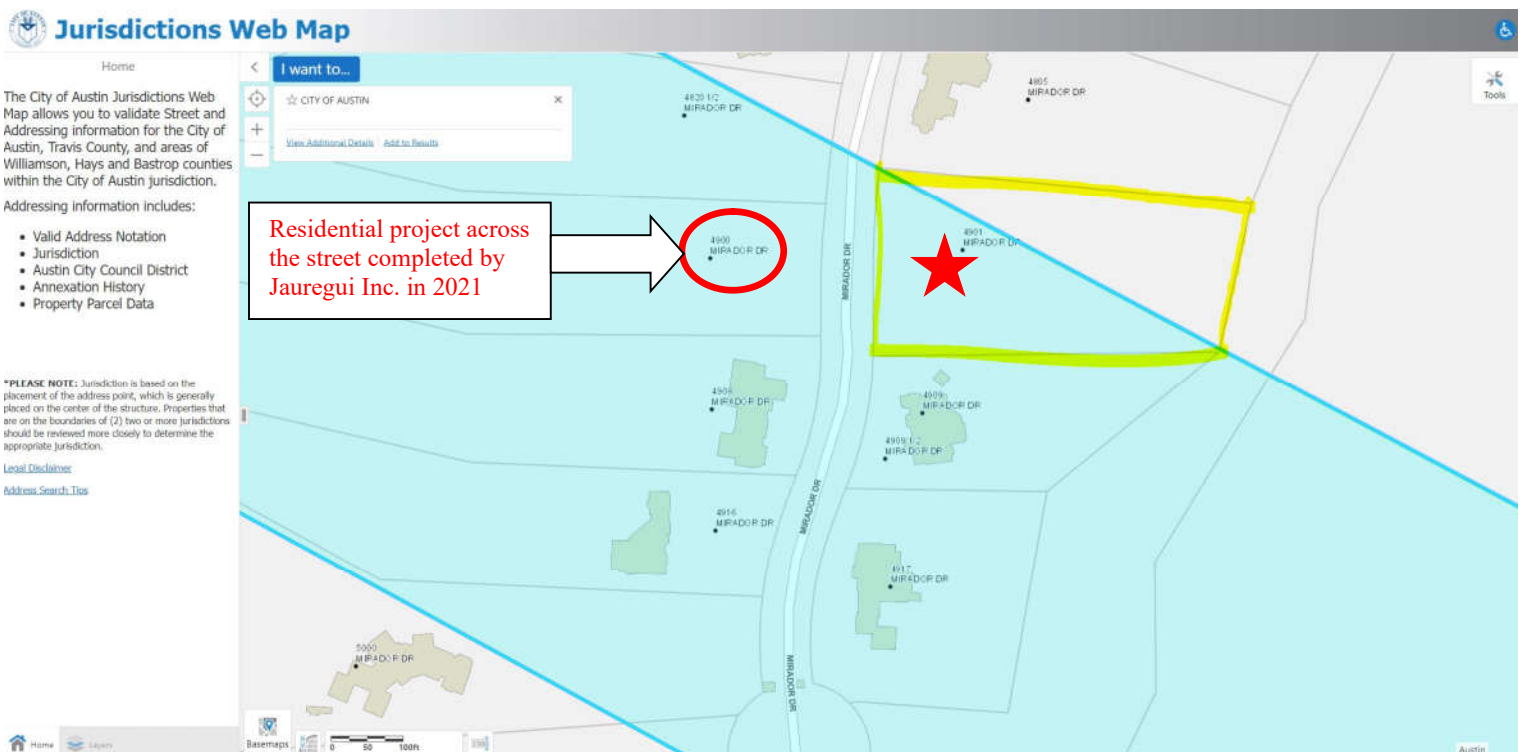
Highlighted parcel on the ETJ jurisdiction:



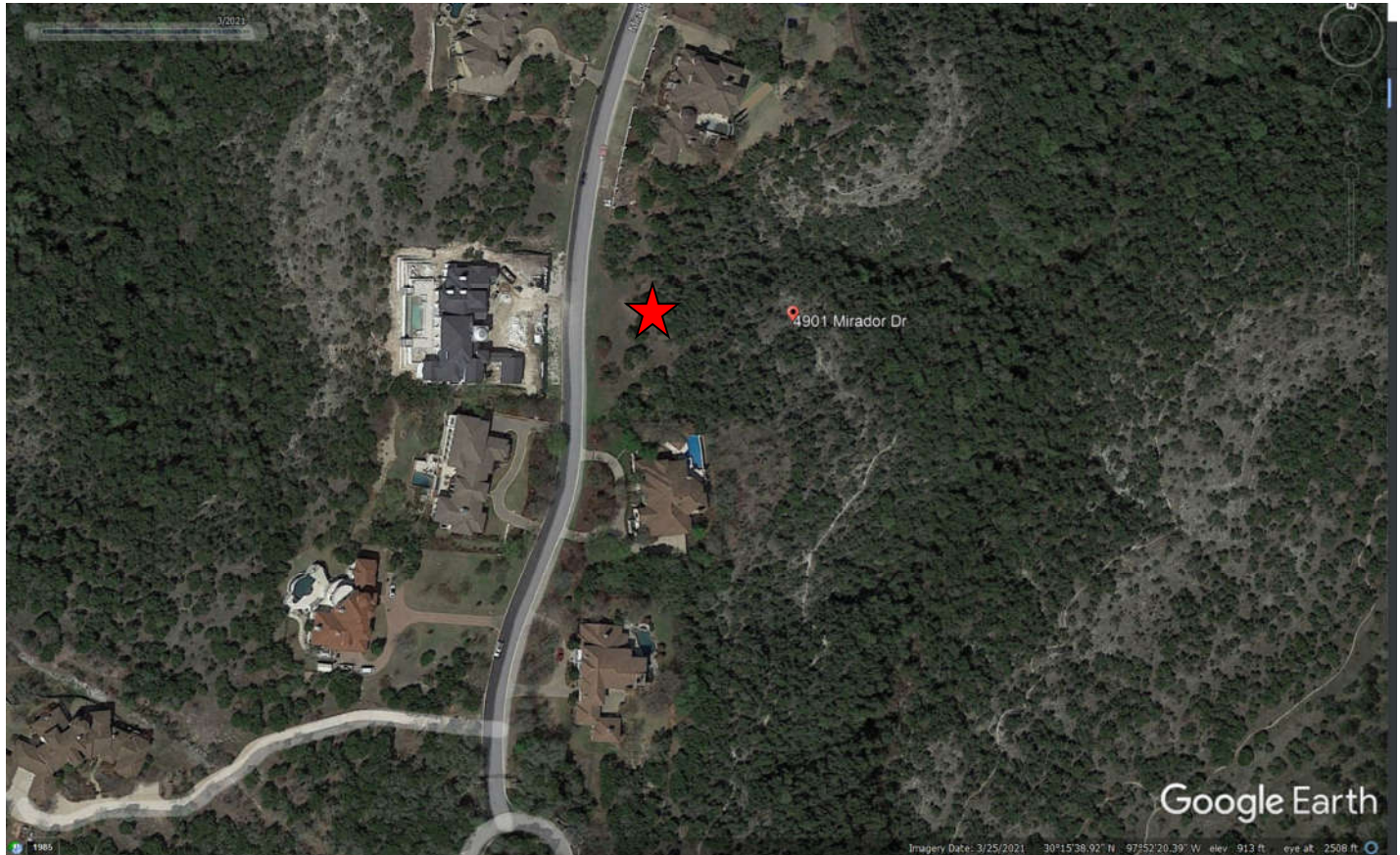
Highlighted parcel on the LTD jurisdiction:



Highlighted parcel showing adjacent properties within the LTD jurisdiction:



Google Earth image of adjacent properties located within the LTD jurisdiction, note house across the street built and completed by Jauregui Inc. in 2021:



Date of Annexation:

07/17/1986 - LTD



Details

| | |
|------------------|-------------------------|
| Annexation | 07/17/1986 - LTD |
| Ordinance Number | 860717-V |
| Description | BOSTON LA. S.W. PARKWAY |
| Case Number | C7A-86-008 |

COA Zoning:

12/21/21, 2:48 PM

Austin, TX Code of Ordinances

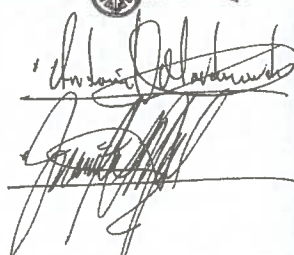
| | LA | RR | SF-1 ³ | SF-2 | SF-3 | SF-SF-4A4B | SF-5 | SF-6 | MF-1 | MF-2 | MF-3 | MF-4 | MF-5 | MF-6 | MHNO | LO | GO | CR | LR | GR | L |
|--|--------|--------|-------------------|-------|-------|------------|-------|-------|-------|-----------------|-------|-------|-------|-------|-------|-----------------|-----------------|-------|--------|-----------------|-------|
| MINIMUM LOT SIZE (square feet): | 43,560 | 43,560 | 10,000 | 5,750 | 5,750 | 5,750 | 5,750 | 5,750 | 8,000 | 8,000 | 8,000 | 8,000 | 8,000 | 8,000 | — | 5,750 | 5,750 | 5,750 | 20,000 | 5,750 | 5,750 |
| MINIMUM CORNER LOT AREA (square feet): | | | | | | 4 5 | | | | | | | | | | | | | | | |
| MINIMUM LOT WIDTH: | 100 | 100 | 60 | 50 | 50 | 4 5 | 50 | 50 | 50 | 50 | 50 | 50 | 50 | 50 | — | 50 | 50 | 50 | 100 | 50 | 50 |
| MINIMUM CORNER LOT WIDTH: | | | | | | 4 5 | 50 | — | — | | | | | | | | | | | | |
| MAXIMUM DWELLING UNITS PER LOT: | 1 | 1 | 1 | 1 | 2 | 4 5 | — | — | 6 | 7 | 8 | 9 | 9 | — | — | | | | | | |
| MAXIMUM HEIGHT: | 35 | 35 | 35 | 35 | 35 | 4 5 | 35 | 35 | 40 | 40 or 3 stories | 40 | 60 | 60 | 90 | — | 35 or 2 stories | 40 or 3 stories | 60 | 40 | 40 or 3 stories | 60 |
| MINIMUM SETBACKS: | | | | | | 4 5 | | | | | | | | | | | | | | | |
| FRONT YARD: | 40 | 40 | 25 | 25 | 25 | 4 5 | 25 | 25 | 25 | 25 | 25 | 15 | 15 | 15 | — | 25 | 25 | 15 | 50 | 25 | 10 |
| STREET SIDE YARD: | 25 | 25 | 15 | 15 | 15 | 4 5 | 15 | 15 | 15 | 15 | 15 | 15 | 15 | 15 | — | 15 | 15 | 15 | 50 | 15 | 10 |
| INTERIOR SIDE YARD: | 10 | 10 | 5 | 5 | 5 | 4 5 | 10 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | — | 5 | 5 | 5 | 20 | — | — |
| REAR YARD: | 20 | 20 | 10 | 10 | 10 | 4 5 | 10 | 10 | 10 | 10 | 10 | 10 | 10 | 10 | — | 5 | 5 | 5 | 20 | — | — |
| MAXIMUM BUILDING COVERAGE: | — | 20% | 35% | 40% | 40% | 4 5 | 40% | 40% | 45% | 50% | 55% | 60% | 60% | 70% | — | 35% | 50% | 60% | 25% | 50% | 75% |
| MAXIMUM IMPERVIOUS COVER: | — | 25% | 40% | 45% | 45% | * | 60% | 55% | 55% | 60% | 65% | 70% | 70% | 80% | — | 60% | 70% | 80% | 60% | 80% | 90% |
| MAXIMUM FLOOR AREA RATIO | | | | | | | | | | .75:1 | .75:1 | 1:1 | — | — | .35:1 | .7:1 | 1:1 | .25:1 | .5:1 | 1:1 | 8:1 |

Barton Creek South:Barton Creek South Master Property Owners Association
Design GuidelinesTable 2.6.1
Mirador Drive Schedule of Buffers and Setbacks

| Lot | Block | Minimum Street Buffer | Minimum Street Setback | Minimum Sideyard Buffer | Minimum Sideyard Setback | Minimum Combined Side Setback | Minimum Square Footage |
|-----|-------|-----------------------|------------------------|-------------------------|--------------------------|-------------------------------|------------------------|
| 2 | A | 20 | 30 | 10 | 15 | 30 | 3,200 |
| 3 | A | 20 | 30 | 10 | 15 | 30 | 3,200 |
| 4 | A | 20 | 30 | 10 | 15 | 30 | 3,200 |
| 5 | A | 20 | 30 | 10 | 15 | 30 | 3,200 |
| 6 | A | 20 | 30 | 10 | 15 | 30 | 3,200 |
| 7 | A | 20 | 30 | 10 | 15 | 30 | 3,200 |
| 8 | A | 40 | 60 | 15 | 25 | 60 | 4,000 |
| 9 | A | 30 | 40 | 15 | 20 | 40 | 4,000 |
| 10* | A | 20 | 30 | 10 | 15 | 30 | 4,000 |
| 11 | A | 20 | 30 | 15 | 20 | 40 | 3,200 |
| 12 | A | 40 | 60 | 15 | 25 | 60 | 4,000 |
| 13 | A | 20 | 30 | 15 | 25 | 50 | 3,200 |
| 14 | A | 40 | 60 | 15 | 25 | 50 | 4,000 |
| 15 | A | 40 | 60 | 15 | 25 | 60 | 4,000 |
| 16 | A | 40 | 50 | 15 | 25 | 60 | 4,000 |
| 2 | B | 40 | 60 | 15 | 25 | 60 | 4,000 |
| 3 | B | 40 | 60 | 15 | 25 | 60 | 4,000 |
| 4 | B | 40 | 60 | 15 | 25 | 60 | 4,000 |
| 5* | B | 30 | 40 | 15 | 25 | 60 | 4,000 |
| 6 | B | 40 | 60 | 15 | 25 | 60 | 4,000 |
| 7 | B | 40 | 60 | 15 | 25 | 60 | 4,000 |
| 8 | B | 40 | 60 | 15 | 25 | 60 | 4,000 |
| 9 | B | 30 | 40 | 15 | 25 | 60 | 4,000 |
| 10 | B | 30 | 40 | 15 | 25 | 60 | 4,000 |
| 11 | B | 30 | 40 | 15 | 25 | 60 | 4,000 |
| 12* | B | 30 | 40 | 15 | 25 | 60 | 4,000 |
| 13 | B | 30 | 40 | 15 | 25 | 50 | 4,000 |
| 14 | B | 20 | 30 | 15 | 20 | 40 | 4,000 |
| 15 | B | 20 | 30 | 15 | 20 | 40 | 4,000 |
| 16 | B | 20 | 30 | 15 | 20 | 40 | 3,200 |
| 17 | B | 20 | 30 | 15 | 20 | 40 | 3,200 |
| 18 | B | 20 | 30 | 15 | 20 | 40 | 3,200 |
| 19 | B | 20 | 30 | 15 | 20 | 40 | 3,200 |
| 20 | B | 20 | 30 | 15 | 20 | 40 | 4,000 |

* In the case of the corner lots (Lot 10 Block A and Lots 5 and 12 Block B) the Street Buffers and Street Setbacks shall apply to both street frontages. The Side Yard Buffers, Side Yard Setbacks and Combined Setbacks shall apply to the interior property lines.

A horizontal scale bar with markings at 30, 0, 30, 60, and 90 Feet.



✓ Cynthia Marden



LEGEND

- [illegible]

INDEPENDENCE
★
TITLE COMPANY

Linda Kaiser
901 S. Mopac Expy., Bldg. 2, Ste. #570
Austin, Texas 78746
Phone (512) 329-5299
Fax (512) 329-0379

NOTE(S)

1. Subject to restrictions as stated in V.2945, Pg.335, V.13154, Pg.94, Dec. Nos. 1999000204, 1999158830, 2000043878, 2000153777, 2001081869, 2001193374, 2001193375, 2001193378, 2004222627, 2005083839 & 2000153778 (Lots 1-7, Blk. A) And per plot in Doc. No. 200000301.
2. Easements stated in V.4295, Pg.1708, V.4439, Pg.1681, V.4681, & V.6167, Pg.633 do not affect this lot.
3. An easement stated on plan and in V.10852, Pg.642 does not affect this lot.
4. An easement stated in V.1859, Pg.498 does not affect this lot.
5. A drainage and public utility easement dedication stated on plot and in V.10559, Pg.87 & V.10689, Pg.247 does not affect this lot.
6. Subject to a blanket-type utility and access easement stated in V.11970, Pg.407.
7. Subject to easement rights stated in: V.13154, Pg.94.

SUBMISSION _____ **BARTON CREEK SECTION M** _____ **PRICE (\$241,349-03/27)**
 LOT 4 BLOCK A DOCUMENT 200000301
 COUNTY: TRAVIS STATE OF TEXAS STREET ADDRESS: 4901 MIRADOR DRIVE ☐ PLAY RECORDS
 CITY: AUSTIN REFERENCE NAME: JAUREGA CONCEPTS DESIGN BUILD and/or ASSIGN



General Information

Location: **4901 MIRADOR DR**
Parcel ID: **0103360203**
Grid: **MC21**

Planning & Zoning

*Right click [hyperlinks](#) to open in a new window.

Future Land Use (FLUM): **No Future Land Use Map**
Regulating Plan: **No Regulating Plan**
Zoning: **RR**
Zoning Cases: **None:**
Zoning Ordinances: **None:**
Zoning Overlays: **Barton Springs Overlay**
Hill Country Roadways Overlay: SOUTHWEST PARKWAY/LOW INTENSITY
Wildland Urban Interface:
Proximity Class - Within 150 feet of a wildland area

Infill Options: **--**
Neighborhood Restricted Parking Areas: **--**
Mobile Food Vendors: **--**
Historic Landmark: **--**
Urban Roadways: **No**

Zoning Guide

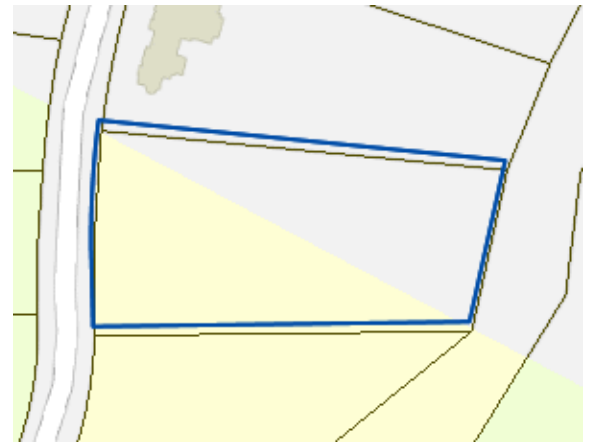
The [Guide to Zoning](#) provides a quick explanation of the above Zoning codes, however, the [Development Assistance Center](#) provides general zoning assistance and can advise you on the type of development allowed on a property. Visit [Zoning](#) for the description of each Base Zoning District. For official verification of the zoning of a property, please order a [Zoning Verification Letter](#). General information on the [Neighborhood Planning Areas](#) is available from Neighborhood Planning.

Environmental

Fully Developed Floodplain: **No**
FEMA Floodplain: **No**
Austin Watershed Regulation Areas: **BSZ**
Watershed Boudaries: **Barton Creek**
Creek Buffers: **No**
Edwards Aquifer Recharge Zone: **No**
Edwards Aquifer Recharge Verification Zone: **No**
Erosion Hazard Zone Review Buffer: **No**

Political Boundaries

Jurisdiction: **AUSTIN LTD**
Council District: **8**
County: **TRAVIS**
School District: **Austin ISD**
Community Registry: **Austin Independent School District, Austin Lost and Found Pets, City of Rollingwood, East Oak Hill Neighborhood Association, Friends of Austin Neighborhoods, Oak Hill Association of Neighborhoods (OHAN), Oak Hill Trails Association, Save Our Springs Alliance, Sierra Club, Austin Regional Group, TNR BCP - Travis County Natural Resources**



Zoning Map



Current Imagery



Vicinity Map

**Notice of Class "A"
Travis County Development Permit**

This Permit No. 21-35595 is issued on 8/20/2021 and is effective immediately. This permit will expire on 8/20/2026 or in 180 days if construction has not begun.

This Permit is issued to Jauregui Architect - Katie Boggs and is not transferrable.

This Permit authorizes the permittee to construct development in strict compliance with the requirements of Travis County Flood Plain Management Regulations on the following described property

Lot 4 Block A BARTON CREEK SEC M

4901 Mirador Drive, Ausitn, TX 78735

single family residence and pool

The permittee applied in Travis County for a basic development permit on the above described location. The application has been reviewed and it has been determined that the construction and improvement will not be in the 100 year Flood Plain and elevation certificate completion is not required by Travis County.

This permit shall be posted in a location where it is visible to the public, protected from weather and secure from vandalism and will remain posted until work is complete.

This department recommends the finish floor slab be constructed 12 inches above the highest adjacent grade.

The permittee must return to Travis County three 3rd party inspections consisting of a Foundation Inspection, a Framing and Mechanical Inspection and a Final Inspection in compliance with Travis County Code 480. If this permit is for new construction or a remodel done by a professional builder.

Notes:

Compliance with the Endangered Species Act is the responsibility of the applicant.

Issuance of this permit does not imply compliance with deed and/or plat restrictions.

Contact Travis County Prior to Driveway Construction.



**Shawn Snyder, CFM
Development Services Division Manager
Floodplain Administrator
Travis County
Transportation and Natural Resources**

Special Provisions are listed below or attached:

Work under this permit is subject to the prohibitions and requirements of any county, city, or other governmental orders issued in response to the COVID 19 pandemic.


The home is located in the City of Austin Limited Purpose Jurisdiction and may require a permit from the City of Austin.

All development shall be in accordance with plans approved by Travis County



I, Jauregui, Inc., am applying for a variance from the Board of Adjustment regarding Section _____ of the Land Development Code. The variance would allow me the ability to Build new single family home with a 30 ft front setback,


By signing this form, I understand that I am declaring my support for the variance being requested.

| Property Owner Name (Printed) | Address | Signature |
|----------------------------------|-----------------|---|
| Trupti Singhal | 4808 Mirador Dr |  |
| | U | |
| | | |
| | | |
| | | |
| | | |
| | | |



I, Jauregui, Inc., am applying for a variance from the Board of Adjustment regarding Section _____ of the Land Development Code. The variance would allow me the ability to Build new single-family home with a 30 ft front setback,

By signing this form, I understand that I am declaring my support for the variance being requested.

| Property Owner Name (Printed) | Address | Signature |
|----------------------------------|--------------|---|
| Adam Sclamon | 4805 Mirador |  |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |



I, Jauregui, Inc., am applying for a variance from the Board of Adjustment regarding Section _____ of the Land Development Code. The variance would allow me the ability to Build new single family home with a 30 ft front setback,


By signing this form, I understand that I am declaring my support for the variance being requested.

| Property Owner Name (Printed) | Address | Signature |
|----------------------------------|------------------|--------------------|
| DAVID & GWYNNE RICHARDS | 4909 MIRADOR DR. | D. M. Richards |
| | AUSTIN, TX 78735 | Gwynne E. Richards |
| | | |
| | | |
| | | |
| | | |
| | | |



I, Jauregui, Inc., am applying for a variance from the Board of Adjustment regarding Section _____ of the Land Development Code. The variance would allow me the ability to Build new single family home with a 30 ft front setback,

By signing this form, I understand that I am declaring my support for the variance being requested.

| Property Owner Name (Printed) | Address | Signature |
|----------------------------------|-------------------------|---|
| SANJAY LALL / | 4900 Mirador Dr, Austin |  Sanjay Lall |
| JEANINE LALL | 78735 | |
| | | |
| | | |
| | | |
| | | |
| | | |