

APPLICATION TO BOARD OF ADJUSTMENT
GENERAL VARIANCE/PARKING VARIANCE

C15-2010-0059

TP-0406150420

ROW-10439883

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

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

STREET ADDRESS: 3218 Bruce Drive

LEGAL DESCRIPTION: Subdivision - Barton View

Lot(s) 11 Block D Outlot _____
Division _____

I/We Roberto Romero on

behalf of myself/ourselves as authorized agent for

Roberto Romero

affirm that on

May 14, 2010,

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

(check appropriate items below)

ERECT ATTACH COMPLETE REMODEL MAINTAIN

a screened in Porch 9' rear set back

in a residential SF-2 district.
(zoning district)

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

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:

My home, being located on the corner, limits how close I can build to the property lines. Other properties, not located on a corner, can build up to 5ft from the property lines. I did contact the city help line requesting permit advice. I thought I was in compliance. After building the screened porch, which is 9 feet from the property line. I was told that I needed to be 10 feet from the property line. Many homes on my block have structures less than 5 feet from the property lines. The 9 feet allow plenty of space and sunshine between the porch and fence.

HARDSHIP:

2. (a) The hardship for which the variance is requested is unique to the property in that: I honestly thought I was in compliance with all City Building Codes. The permitting office did tell me the porch could be as close as 5 feet and 3 feet for the roof over-hang. The porch is 9feet. But, the porch is attached to the house; it has to be 10feet. This advice as well as a couple of other things would have been very helpful. By just looking no one could tell that the porch is 9ft instead of ten.

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

I, as a home owner, built the porch. I did contact and received information from the city permitting office. The information did not advise me about the 10ft set back, nor did it direct me to the permitting office it self. The porch doesn't obstruct anything around my neighborhood. If not for being 12 inches too close to the back fence, the porch is in total compliance with all city codes.

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:

My property is located on the Austin City limits. Across the street from my front yard is Sunset Valley and across the street from my back yard is Travis County. There are not electrical, gas or water lines over, under or near the porch. Right now the screened porch is 9feet from the back fence. City code allows structures to be as close as 5feet and 3feet for the roof over-hang. There is still plenty of space and sunshine between the porch and the fence. The shade line of the porch doesn't add any more shade beyond the back fence. By just looking, no one could tell that the porch is 9feet away from the fence instead of ten.

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:

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

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 _____ Mail
Address 3218 Bruce Drive _____

City, State & Zip _____ Austin Tx
78735 _____

Printed _____ Roberto Romero _____ Phone 512-844-
0486 _____ Date 5/14/2010 _____

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 _____ Mail Address 3218 Bruce
Drive _____

City, State & Zip _____ Austin Tx
78735 _____

Printed _____ Roberto Romero _____ Phone 512-844-0486 _____
Date 5/14/2010 _____

GENERAL INFORMATION FOR SUBMITTAL OF A VARIANCE REQUEST TO THE BOARD OF ADJUSTMENT

(The following is intended to provide assistance in explaining the variance process. These suggestions are not intended to be a complete or exhaustive guide in assisting you through this process.)

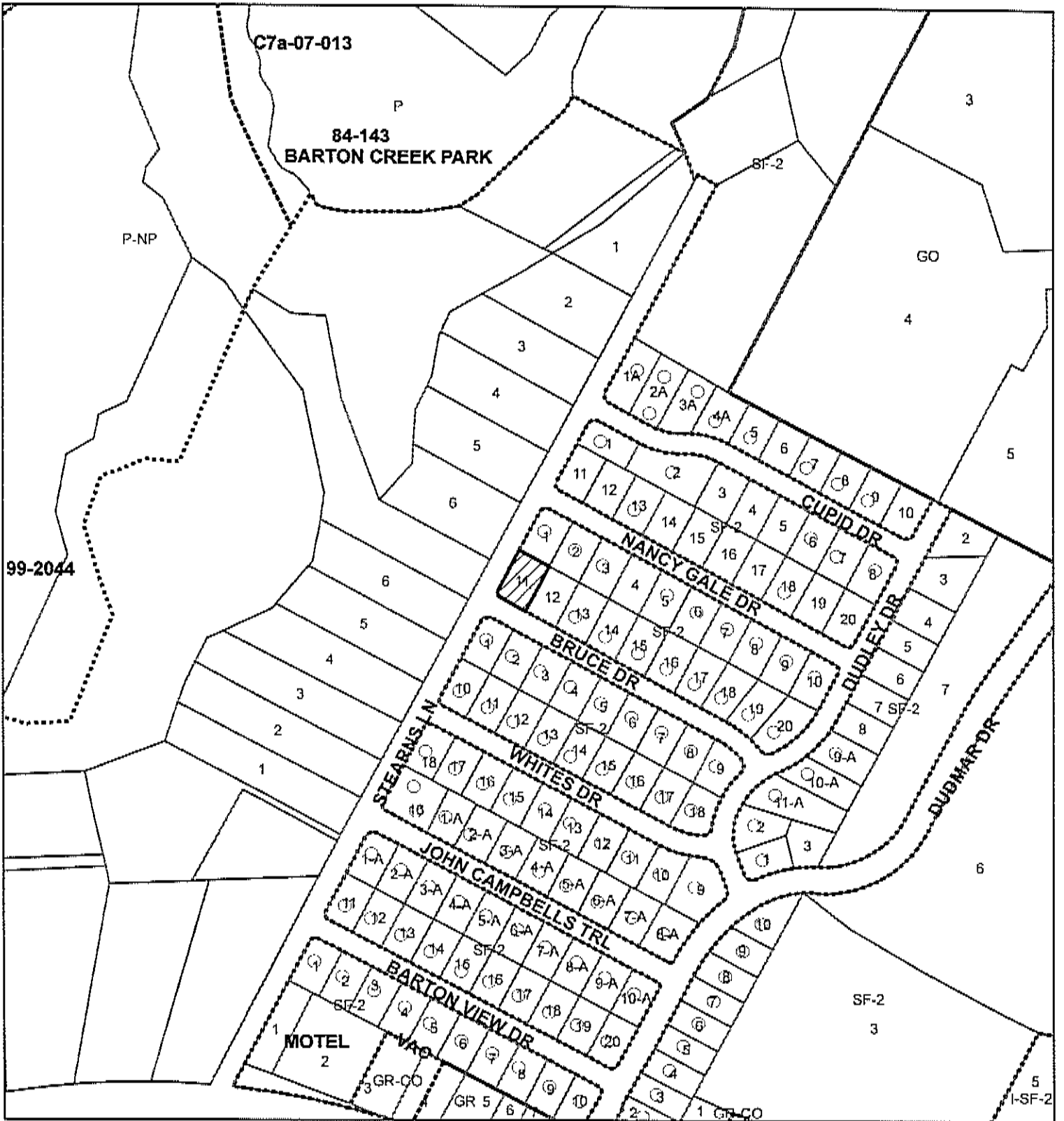
VARIANCE REQUIREMENTS:

General Requirements:

- A. A variance may be granted if, because of special circumstances of a property, the strict application of the Land Development Code regulations deprives the property owner of privileges that are enjoyed by another person who owns property in the area that has the same zoning designation as the property for which the variance is requested.
- B. A variance to a regulation may not grant special privileges that are inconsistent with the limitations on other properties in the area or in the district in which the property is located.

SUBMITTAL REQUIREMENTS: (Failure to complete the application or to submit all the required materials will result in non-acceptance of the application.)

- (1) A completed application indicating all variances being requested. An application must include proposed findings that will support requested variances. The required findings must address each variance being sought.
- (2) A site plan to scale indicating present and proposed construction and location and use of structures on adjacent lots.
- (3) A tax plat with subject property clearly marked indicating property within a 500-foot radius. These are available from the Travis Central Appraisal District at 8314 Cross Park Drive (834-9138).
- (4) Check made payable to the City of Austin for the Board of Adjustment application fee. (Residential zoning - \$360. All other zonings - \$660.)
- (5) Other Information - Although the following is not a requirement of submittal you may wish to include additional information that may assist the Board in making an informed decision regarding your request such as: photos of the site or visual aids to support the request, letters from the neighborhood association(s)



BOARD OF ADJUSTMENT



SUBJECT TRACT



ZONING BOUNDARY

CASE#: C15-2010-0059
 ADDRESS: 3218 BRUCE ST
 GRID: F 19
 MANAGER: SUSAN WALKER

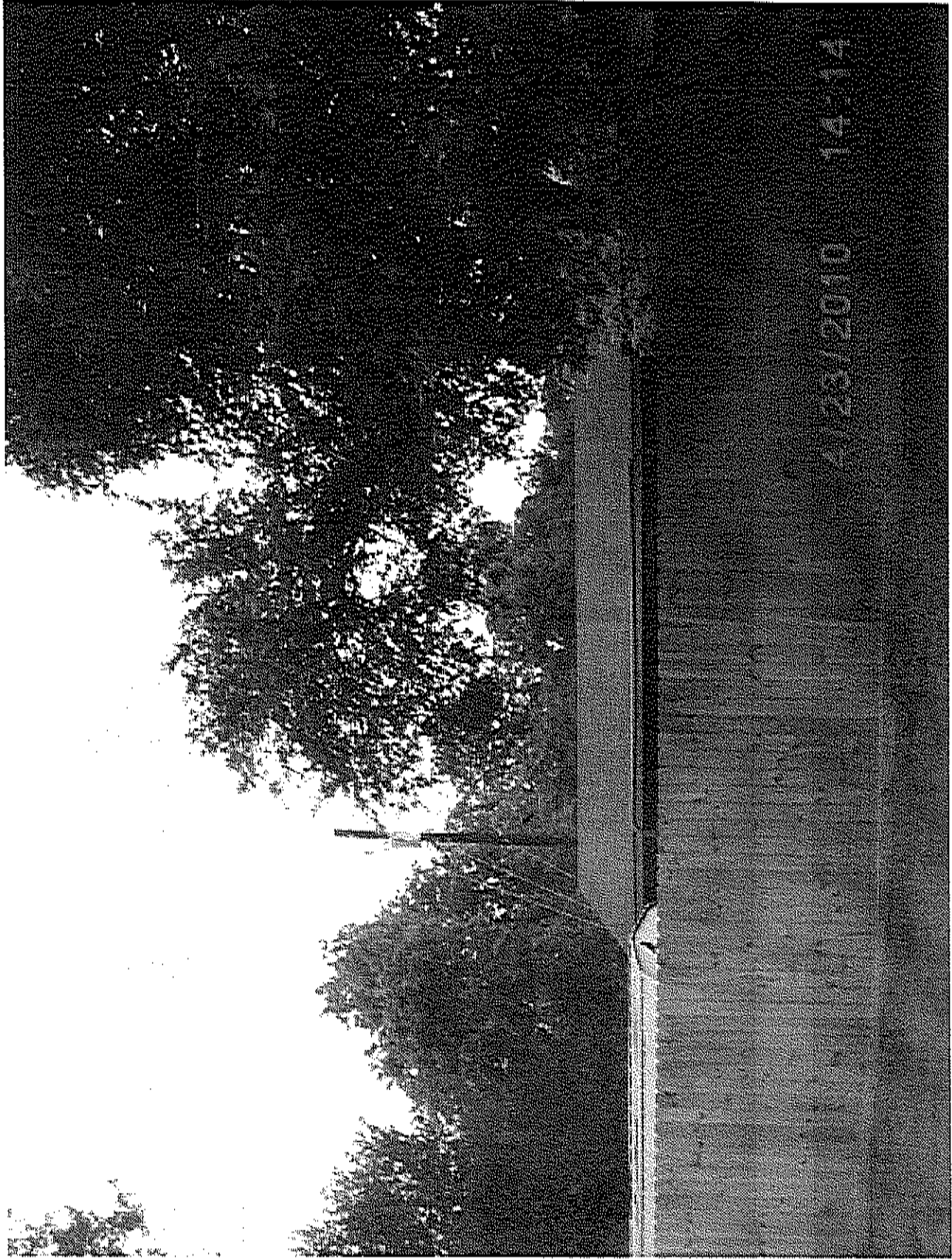


This map has been produced by G.I.S. Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



Address 3218 Bruce Drive
Case CC – 2010 035062-CV

04-23-2010
Investigator C Maldonado



Address 3218 Bruce Drive
Case CC - 2010 035062-CV

04-23-2010
Investigator C Maldonado

AE APPROVED
APR 28 2010
118-203
JGM

All structures etc. must maintain 7'5" clearance from AE energized power lines. Enforced by AE & NESC codes.

