

If you need assistance completing this application (general inquires only) please contact Susan Walker, 974-2202; 505 Barton Springs Road, 2nd Floor (One Texas Center).

CASE # C15-2010-0058
ROW # 10439822

TP-0137340205

CITY OF AUSTIN
APPLICATION TO BOARD OF ADJUSTMENT
GENERAL VARIANCE/PARKING VARIANCE

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

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

STREET ADDRESS: 3013 Edgewater Dr. Austin TX 78733

LEGAL DESCRIPTION: Subdivision - Austin Lake Estates

Lot(s) 34 Block 1 Outlot Division

I/We Allen Edward Clauss on behalf of myself/ourselves as authorized agent for

 owner affirm that on May 12, 2010.

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

(check appropriate items below)

ERECT ATTACH COMPLETE REMODEL MAINTAIN

I'm requesting variances to the side and rear setbacks for an existing structure on my lot that was not properly permitted when built.

Side - 7.6'
rear - 5.9'

in a 1A 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 additional support documents.

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 lot is odd-shaped, narrow and sloped. The swimming pool was existing when I purchased the property. Consequently, I was severely limited in terms of locations on the lot for the pool house.

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HARDSHIP:

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

This was my first time building anything and I hired a contractor who was referred to me and I made the mistake of assuming that he was taking care of any required permits. I also incorrectly assumed that he would position the structure such that it would comply with all applicable property lines and setbacks unique to my lot. I've just recently learned that the structure was built without permits and that it encroaches on specific property setback lines.

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

My property is an irregular shaped lot compared to other lots in the neighborhood and it is located on a corner.

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:

partially concealed from the street due to extensive foliage and because of the curve of the street itself. It does not at all impact the view or otherwise for either of the adjacent neighbors to the south or to the west.

Deleted: _____
Deleted: _____

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:

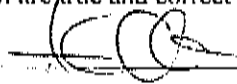
2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

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:

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 3013 Edgewater Dr.

Deleted: _____

City, State & Zip Austin, TX
78733

Deleted:

Printed ALLEN CLAUS Phone 512-699-1166 Date 5-12-2010

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 [Signature] Mail Address 3013 Edgewater Dr.

City, State & Zip Austin, TX
78733

Printed ALLEN CLAUS Phone 512-699-1166 Date 5-12-2010

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.)

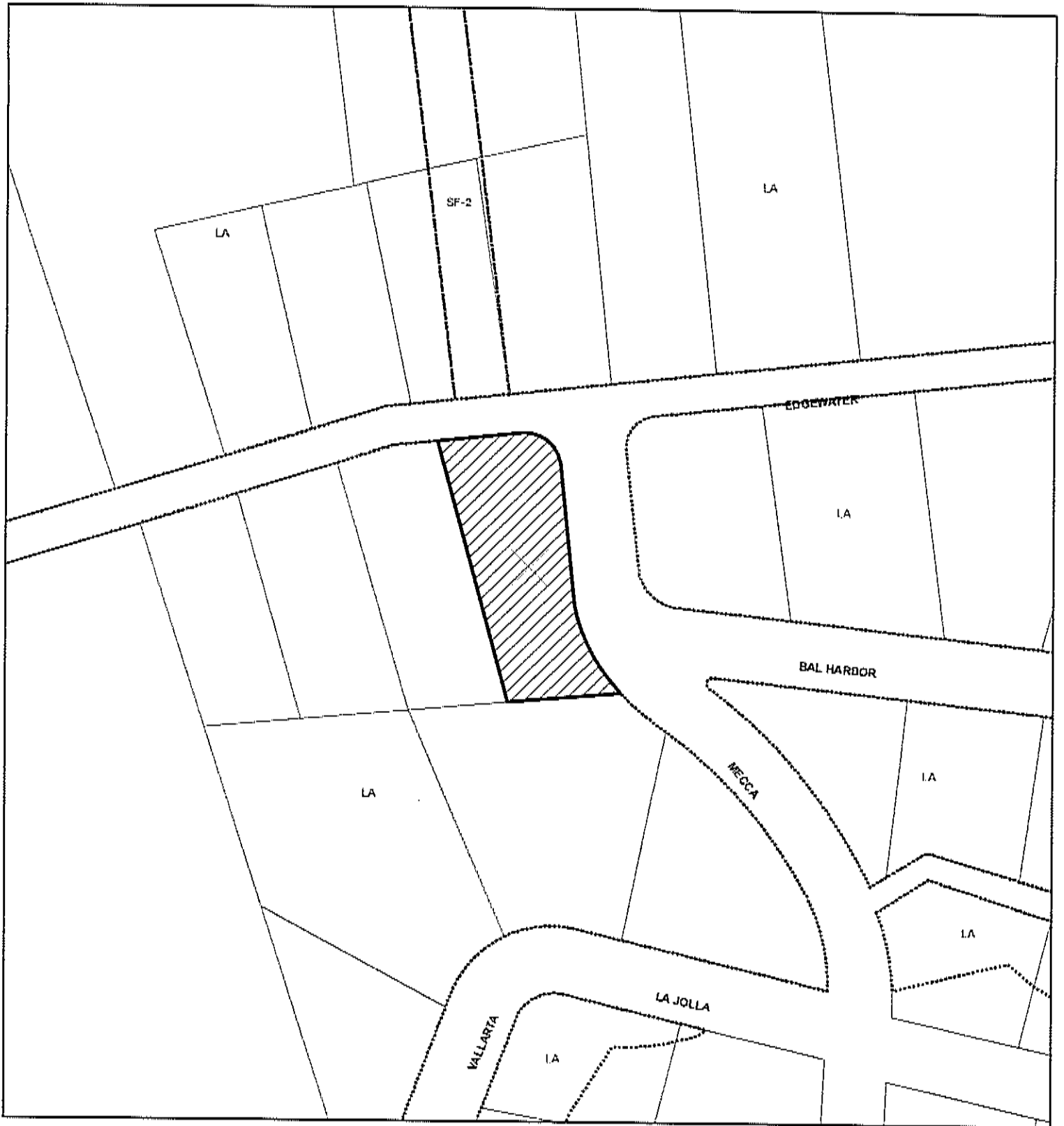
VARIANCE REQUIREMENTS:

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) etc. Any additional information you wish to submit must be in our office one week prior to the meeting.



Board of Adjustments



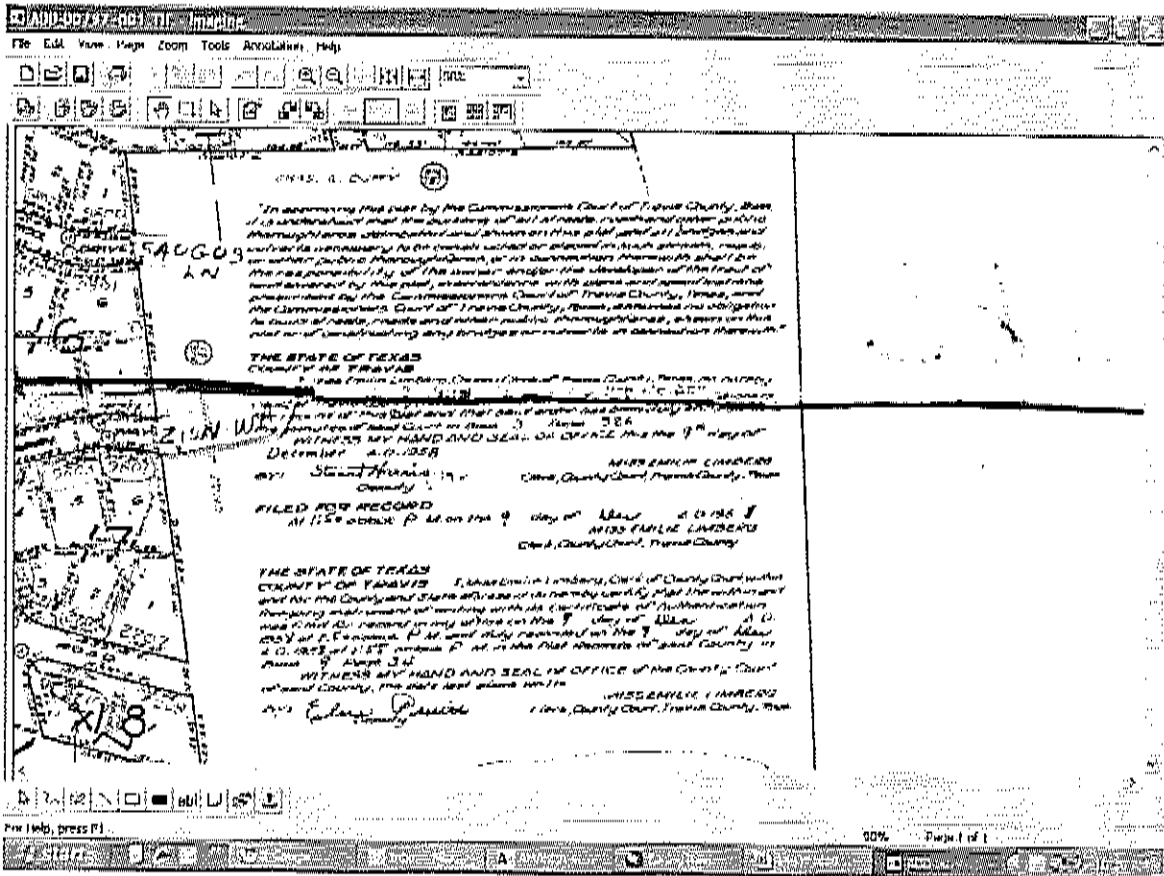
CASE#: C15-2010-0058
 ADDRESS: 3013 EDGEWATER DR
 GRID: C29
 MANAGER: SUSAN WALKER



 SUBJECT TRACT

 ZONING BOUNDARY

This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



Austin Lake Estates
Section One

Recorded in 1958.

A

Acc. Structure setback is 10'
~~Outside Street~~
~~Outside Street~~

COLORADO RIVER (Lake Austin)

CL BAR RANCH LAKEVIEW
ACRES

0137340121

0137340119

0137340115

0137340111

0137340113

0137340110

0137340109

0137340124

0137340125

0137340301

0137340302

0137340310

0137340202

0137340203

0137340204

0137340205

MECCA RD

01373404

77360209

0137340207

0137340208

0137340206

0137340402

77360208

0137340201

AUSTIN LAKE ESTATES
SLC. 2

0137340209

RIALTO

0137340702

0137340703

3101 Edgewater Drive
Area Plat Map



City of Austin

Austin's Community-Owned Electric Utility

www.austinenergy.com

Town Lake Center • 721 Barton Springs Road • Austin, Texas • 78704

May 13, 2010

Kate Tart, AIA, LEED AP
kate@katetart.com

Re: 3013 Edgewater Dr.
Lt 34 Blk 1 Austin Lake Estates

Dear Ms. Tart,

Austin Energy (AE) has reviewed your application for the above referenced property requesting to maintain a pool house within the property setbacks. Austin Energy has no conflicts with this application as requested and shown on the attached red-stamped sketch.

Thank you for checking with us in advance. Should you have any questions, please feel free to contact me at 322-6522.

Sincerely,

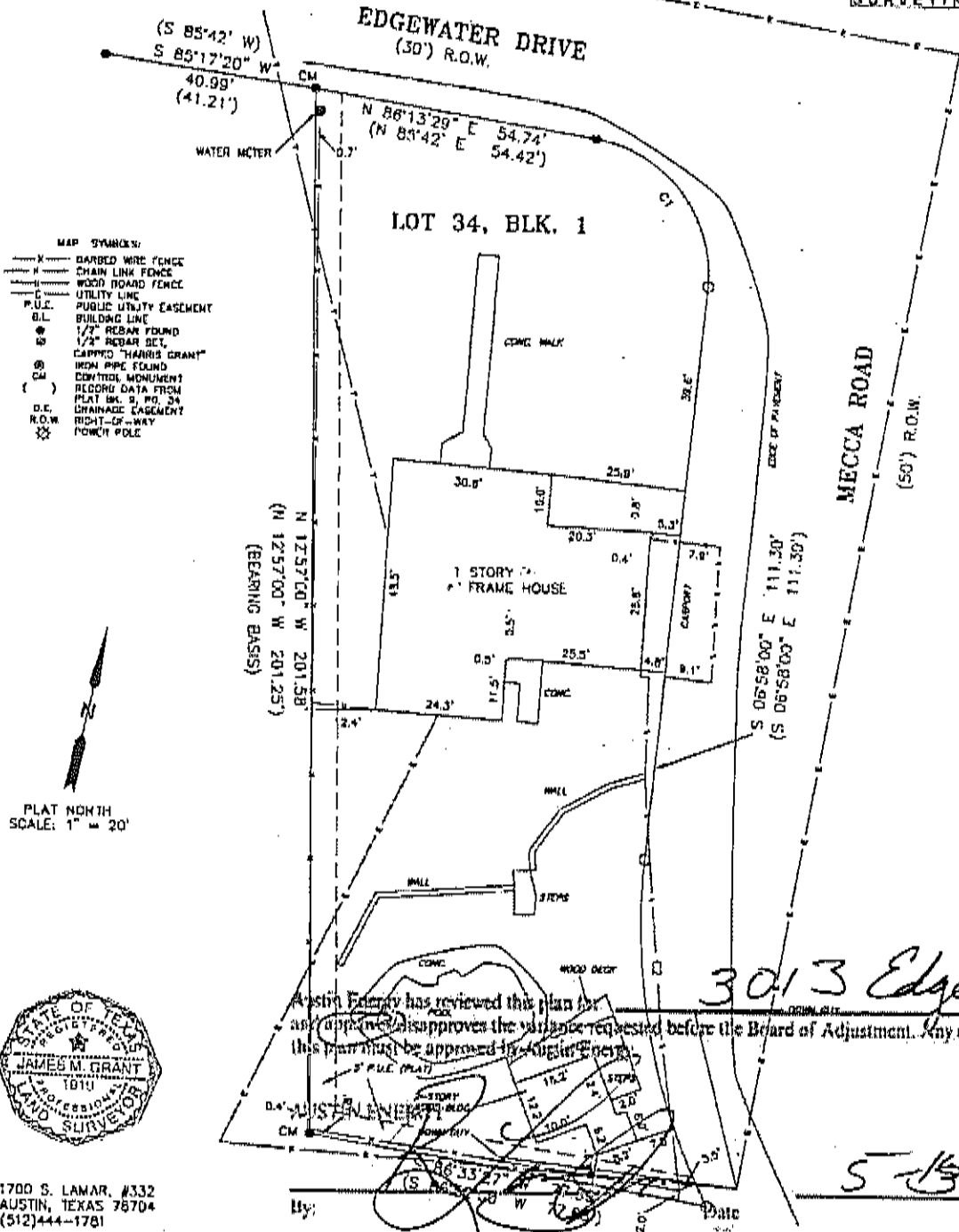
A handwritten signature in cursive script that reads "Robert K. Long, Jr.".

Robert K. Long, Jr.
Public Involvement/Real Estate Services

Cc: Diana Ramirez and Susan Walker

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	28.10'	39.14'	33.58'	S 60°51'31" E	85°30'57"
C2	120.00'	88.03'	68.00'	N 23°18'00" W	32°40'40"

Harris GRANT
SURVEYING, INC.



- MAP SYMBOLS:
- X --- BARBED WIRE FENCE
 - H --- CHAIN LINK FENCE
 - W --- WOOD BOARD FENCE
 - U --- UTILITY LINE
 - P.U.E. --- PUBLIC UTILITY EASEMENT
 - B.L. --- BUILDING LINE
 - 1/2" --- 1/2" REBAR FOUND
 - 1/2" --- 1/2" REBAR SET
 - CARRIED --- CARRIED "HARRIS GRANT"
 - IRON --- IRON PIPE FOUND
 - CONTROL --- CONTROL MONUMENT
 - RECORD --- RECORD DATA FROM
 - PLAT --- PLAT Bk. 9, Pg. 34
 - DRAINAGE --- DRAINAGE EASEMENT
 - R.O.W. --- RIGHT-OF-WAY
 - POWER --- POWER POLE

PLAT NORTH
SCALE: 1" = 20'



1700 S. LAMAR, #332
AUSTIN, TEXAS 78704
(512)444-1781

James M. Grant
JAMES M. GRANT, R.P.S. 10119
DATE: OCT. 13, 2009

NOTE: THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF A TITLE COMMITMENT. THEREFORE, THERE MAY BE EASEMENTS AND OR RESTRICTIONS NOT SHOWN HEREON.

**BOUNDARY AND AS-BUILT SURVEY OF
LOT 1, BLOCK 34, AUSTIN LAKE ESTATES SEC. ONE
(PLAT BOOK 9, PG. 34)
LOCATED AT 3013 EDGEWATER DRIVE**

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	28.19'	39.14'	35.59'	S 50°51'51" E	85°36'57"
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Harris GRANT
SURVEYING, INC.

- MAP SYMBOLS:
- X— BARBED WIRE FENCE
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 - 1/2" REBAR FOUND
 - 1/2" REBAR SET, CAPPED "HARRIS GRANT"
 - ⊗ IRON PIPE FOUND
 - ⊙ CONTROL MONUMENT
 - () RECORD DATA FROM PLAT BK. 9, PG. 34
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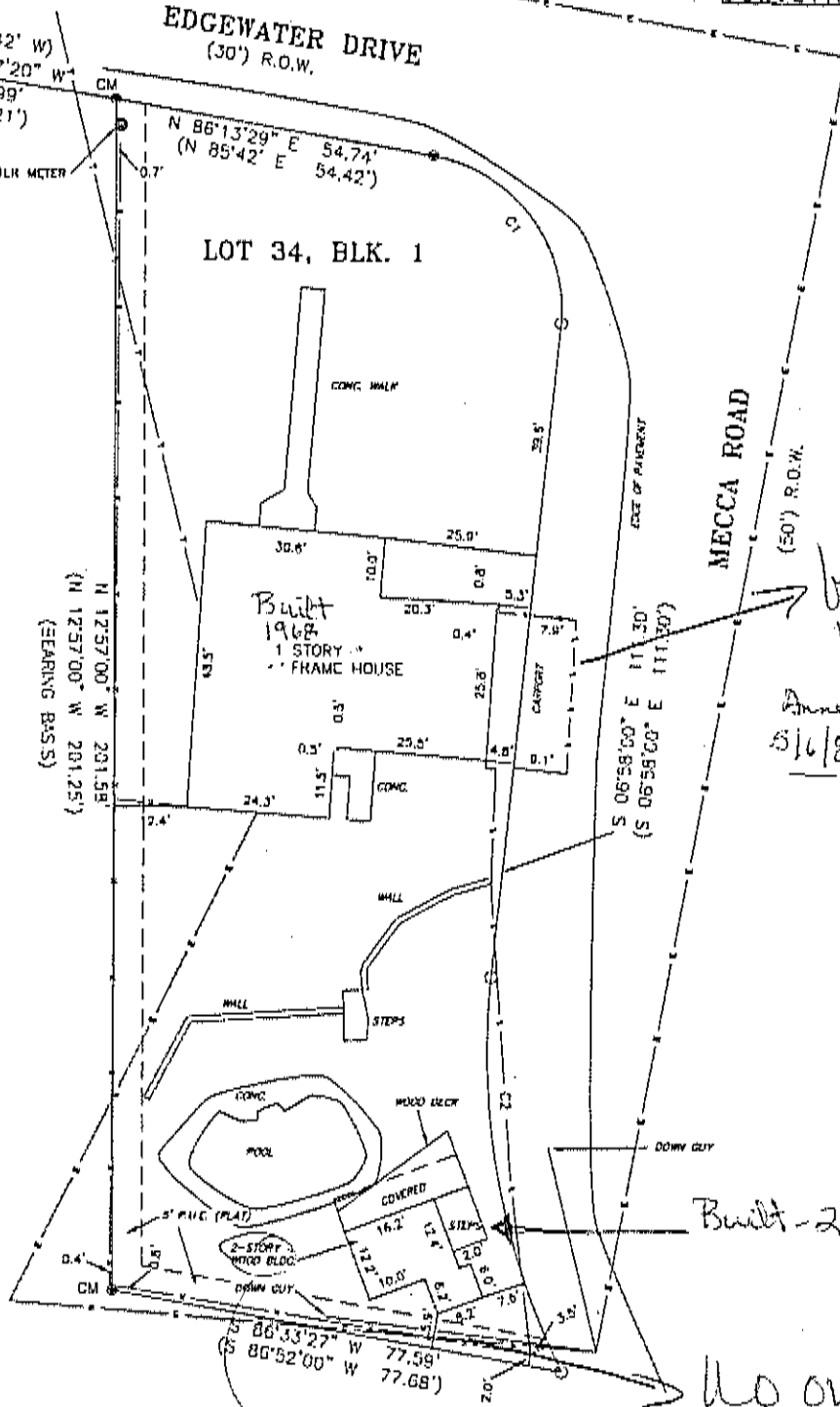
PLAT NORTH
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AUSTIN, TEXAS 78704
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James M. Grant
JAMES M. GRANT, RPLS 1919
DATE: OCT. 13, 2009

BOUNDARY AND AS-BUILT SURVEY OF
LOT 1, BLOCK 34, AUSTIN LAKE ESTATES SEC. ONE
(PLAT BOOK 9, PG. 34)
LOCATED AT 3013 EDGEWATER DRIVE



built prior to annexation in 1968.

Amel 5/6/82

Built-2002:

No overhang into easement.

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