

CASE # C15-2010-0075

ROW# 10455247

TR# 02-2309-1812

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: 5000-5002 Martin Avenue

LEGAL DESCRIPTION: Subdivision – The Highlands

Lot(s) 27 thru 32 Block _____ Outlot _____ Division _____

I Jim Bennett as authorized agent for The Griffin School

_____ affirm that on 6/18, 2010 _____, hereby apply for a hearing before the Board of Adjustment for consideration to:

ERECT – ATTACH – COMPLETE – REMODEL – MAINTAIN

An existing religious assembly use to create a private secondary education facility
in a SF-3-NCCD- NP district.
(zoning district)

The Austin Electric Utility Department (Austin Energy) enforces electric easements and the setback requirements set forth in the Austin Utility Code, Electric Criteria Manual and National Electric Safety Code. The Board of Adjustment considers variance to the Land Development Code, and a variance granted by the Board of Adjustment does not waive the requirements enforced by Austin Energy. Please contact Christine Esparza with Austin Energy at 322-6112 before filing your application with the Board of Adjustment if your request is for a reduction in setbacks or height limits.

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:

The redevelopment of this existing civic use to create another civic use cannot occur without the variance. The ordinance when adopted did not considered a property with three street frontages.

HARDSHIP:

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

the property has frontage on three streets and an alley, none of which has 40ft of paving width. Additional R.O.W. nor paving can be provided when someone else owns the property that would be required to provide the 40 ft. of paving width for the entire block.

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

Private secondary schools are required to meet this requirement while the nearby public school is not required to meet this requirement. This is the only private school in close proximity.

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:

The site is developed with a church use and the change of use will not be a detriment to the neighborhood. It will not impair the purpose the regulations because ample frontage, access, and traffic is being distributed onto three streets.

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 Jim Bennett Mail Address 11505 Ridge Drive,

City, State & Zip Austin, Texas 78748

Printed Jim Bennett Phone (512)282-3079 Date _____

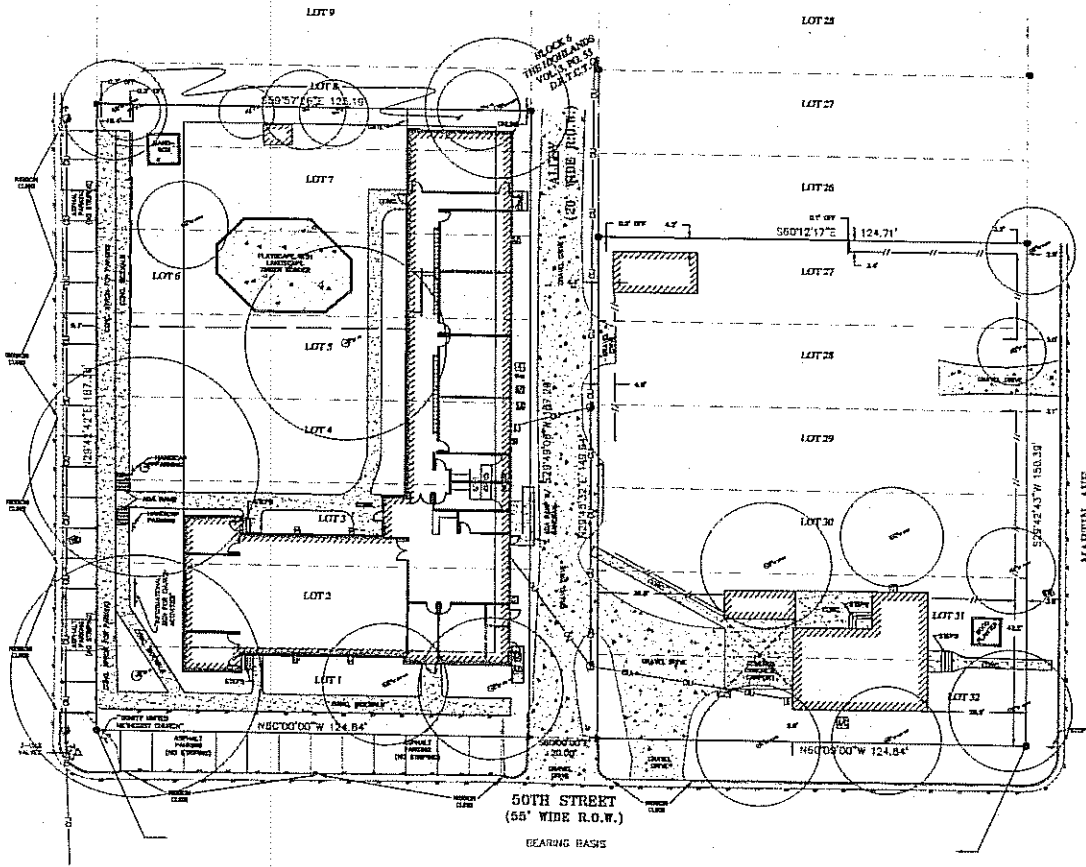
OWNERS CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed _____ Mail Address _____

City, State & Zip _____

Printed _____ Phone _____ Date _____

EVANS AVE.
(60' WIDE R.O.W.)



CVS-2010-0015

SITE PLAN
1" = 20' SCALE