

C15-2010-0077
ROW-10455290
TP-0225100107

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

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

STREET ADDRESS: 5500 Avenue G., Austin, TX 78751

LEGAL DESCRIPTION: Subdivision - Highlands Addition

Lot(s) 1-6 Block 37 Outlot _____
Division _____

I/We Cheryl Silverman on behalf of
myself/ourselves as authorized agent for

Dayspring Fellowship
affirm that on June, 2010,

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

(check appropriate items below)

___ ERECT ___ ATTACH ___ COMPLETE ___ REMODEL ___ MAINTAIN

an 850 s.f. addition onto the rear of the existing church building for accessible restrooms.

65.57% imp. coverage

in a SF-3-NP district.
(zoning district)

North Loop
Neighborhood
Plan.

(Check Staff map)

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:

The zoning regulations applicable to the property do not allow for a reasonable use because:

the Single Family zoning does not allow impervious cover to exceed 45%.

HARDSHIP:

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

as a church facility with an occupancy load of 229, there is a need for (and code requirement

for) accessible restrooms, and for more water closets than currently exist.

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

unlike the properties in the surrounding area, this property is being used as a church, as it has been for

over 50 years.

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:

this rear addition will not be visible from any street nor neighboring property because of privacy fences, and will NOT

significantly increase the runoff to the area storm sewer system.

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:

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:

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:

The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

The variance will run with the use or uses to which it pertains and shall not run with the site because:

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 Cheryl L. Silverman Mail Address 6212 Speyside Dr.
City, State & Zip Austin, Tx 78754

Printed Cheryl Silverman Phone 512-799-6955 Date 6/13/10

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 Jackson Boyett Mail Address 5500 Ave G
City, State & Zip Austin, TX 78751

Printed Jackson Boyett, Pastor of Dayspring Fellowship Phone 451-0116 Date 6/13/10



Northfield Neighborhood Association

May 18, 2010

Pastor Jackson Boyett
Dayspring Chapel
5504 Avenue G
Austin, TX 78751

Subject: Dayspring Chapel Variance Request

Dear Mr. Boyett:

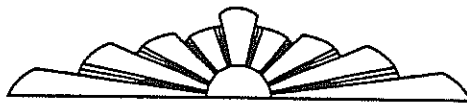
Thank you for your presentation of your variance request to the Northfield Neighborhood Association. As always, we encourage proactive communication with the community.

As I understand from the Chapel's presentation, the Dayspring Chapel has applied for a variance with the City of Austin to accommodate the construction of ADA compliant restrooms. From the discussion with the members in attendance, no significant issues were identified. And as you witnessed, the association members in attendance voted overwhelmingly in favor (without any nay votes) of supporting your variance application.

Therefore, I would like to express on behalf of the Association, that your variance request has the consensus support of our community. Please feel free to contact me should you have any questions or comments. I will also be happy to serve as the contact for the association should others need additional information.

Warmest Regards,

Michael Wong, CPSM, LEED AP
President, Northfield Neighborhood Association
(512) 345-7793 (office)
(512) 944-6370 (cel)



Dayspring Fellowship

A Reformed Baptist Church

Dayspring Chapel 5500 Avenue G Austin, Texas 78751 (512) 451-0116

Jackson Boyett
Pastor

April 21, 2010

To: Neighbors within 500' of Dayspring Chapel
From: Jackson Boyett, Pastor, Dayspring Fellowship
Re: Dayspring Chapel addition, 5500 Avenue G

Dear Neighbor,

Dayspring Fellowship, which meets at Dayspring Chapel, 5500 Avenue G, is beginning the process of building an addition onto our chapel to expand our restroom facilities to meet occupancy and accessibility requirements of the City of Austin and the State of Texas. This is important to us because we currently have no handicapped accessible restrooms in our main building. The addition we propose would be on the north/rear side of the building and would be enclosed on two sides by our existing privacy fence.

The first step for us is to apply for a variance for our addition with the City of Austin Board of Adjustments because we currently exceed and would continue to exceed the impervious cover requirements of the City of Austin with our addition.

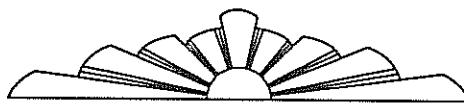
It is our understanding that the City will take into consideration the opinions of the Northfield Neighborhood Association and all property owners within 500' of our property.

As a part of this process, we would like to share with you our general plans at the next Northfield Neighborhood Association meeting on May 3, 2010 at Dayspring Chapel, 5500 Avenue G. The meeting begins at 7:00 PM.

I look forward to seeing you at the meeting.

Respectfully,

Jackson Boyett
Pastor, Dayspring Fellowship



Dayspring Fellowship

A Reformed Baptist Church

Dayspring Chapel 5500 Avenue G Austin, Texas 78751 (512) 451-0116

Jackson Boyett
Pastor

June 17, 2010

Board of Adjustment
City of Austin
P.O. Box 1088
Austin, TX 78767-1088

Gentlemen:

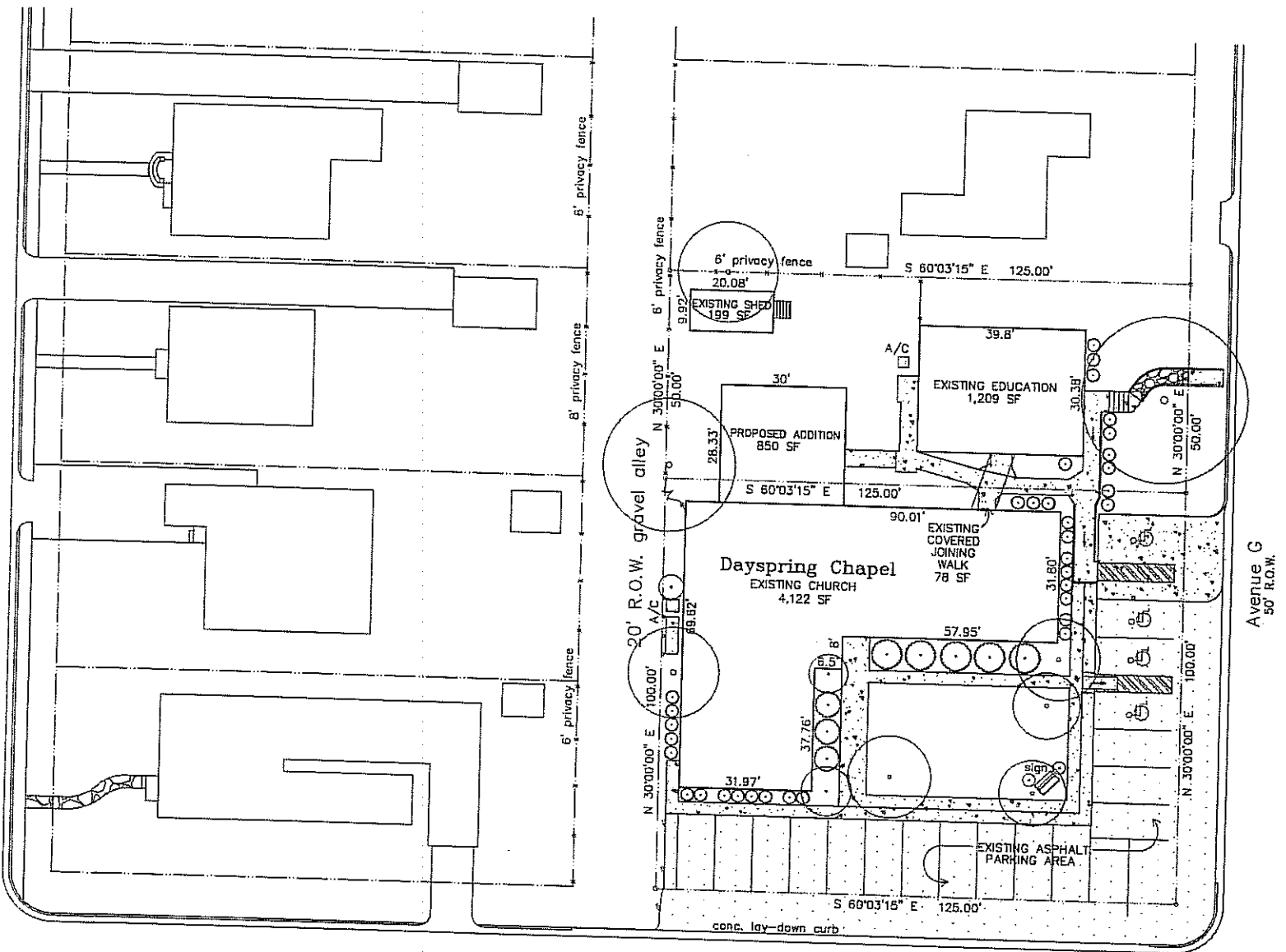
Our church is requesting a variance from the impervious cover requirement in order to construct a new addition, which will provide much-needed handicapped accessible restrooms. Enclosed is the application for such a variance, along with the site plan showing the present and proposed structures.

In addition, there are two letters. One was sent out in April by our church to all the neighbors within 500 feet of our property. The other one, which you may have already received, is from the Northfield Neighborhood Association in support of our variance application. A check for the application fee in the amount of \$360.00 is also enclosed.

Please inform us at the above address and phone number as to when our request will be considered at a Board of Adjustment meeting.

Sincerely,

Jackson Boyett
Pastor, Dayspring Fellowship



SCALE 1" = 20'

Dayspring Chapel
5500 Avenue G
Austin, Texas 78751

Being Lots 1-6, Block 37

The HIGHLANDS Addition to Austin, Texas, a subdivision of record in Vol. 3, Pg. 55 of the Plat Records of Travis County, Texas.

Limited Purpose Survey performed by the undersigned to determine the amount of impervious cover on subject property.

Prepared June 13, 2010 by Cheryl L. Silverman

55th Street
50' R.O.W.

IMPERVIOUS COVER CALCULATIONS: (SITE AREA = 18,750 SF)

	EXISTING	% SITE	ADDITION	PROPOSED	% SITE
CHapel BUILDING	4,122 SF	21.98%	850 SF	4,972 SF	26.52%
EDUCATION BUILDING	1,209 SF	6.45%		1,209 SF	6.45%
PORTABLE STORAGE SHED	199 SF	1.05%		199 SF	1.05%
COVERED/JOINING WALK	78 SF	0.42%		78 SF	0.42%
CONCRETE WALK/PAVING	2,321 SF	12.38%	49 SF	2,370 SF	12.64%
STONE PAVERS	53 SF	0.28%		53 SF	0.28%
ASPHALT PAVEMENT	3,413 SF	18.20%		3,413 SF	18.20%
TOTAL	11,395 SF	60.77%	899 SF	12,294 SF	65.57%

CIS-2010-0077
5500 Ave G.