

Amended Application

CITY OF AUSTIN

APPLICATION TO BOARD OF ADJUSTMENT
GENERAL VARIANCE/PARKING VARIANCE

CL5-2010-0077
ROW-104 55290
TR0225100107
612

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 x 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)
 Wendle Loop
 Neighborhood
 Plan

VARIANCE FINDINGS: I contend that my entitlement to the requested variance is

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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. Because the church was built in 1955 with two restrooms that were unusually small, there is not only this need, but also the difficulty of remodeling the present restrooms. The need exists because A) Each restroom contains only one water closet in a facility designed for an occupancy of 229, and B) wheelchairs cannot fit in the existing restrooms, which measure only 23 inches from the front of the lavatory to the opposite wall, and 13 inches from the front of the commode bowl to the opposite wall. One elderly handicapped lady was injured in this tiny space and underwent months of physical therapy due to her injury. The difficulty in remodeling the restrooms arises because meeting the ADA requirements and city code requirements would cause the church to lose much of its essential classroom space, child-care space, and even hallway and exit space. We must go beyond the present building footprint to both achieve ADA standards and provide the minimum number of water closets for an occupancy load of 229. If not, this problem will persist for years to come for future occupants of this building. Existing impervious cover is occupied by our parking lot and an additional classroom building, and therefore cannot be taken up for this project.

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

unlike the surrounding residential area, this property is being used as a church, as it has for over 50 years. The requirements for the church, as a commercial building, are completely different from the requirements of residences surrounding us.

AREA CHARACTER:

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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 due to the existing 8' and 6' privacy fences on this property and on the neighboring properties. This rear addition will drain onto the rear yard and therefore will not significantly increase the rain water 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:

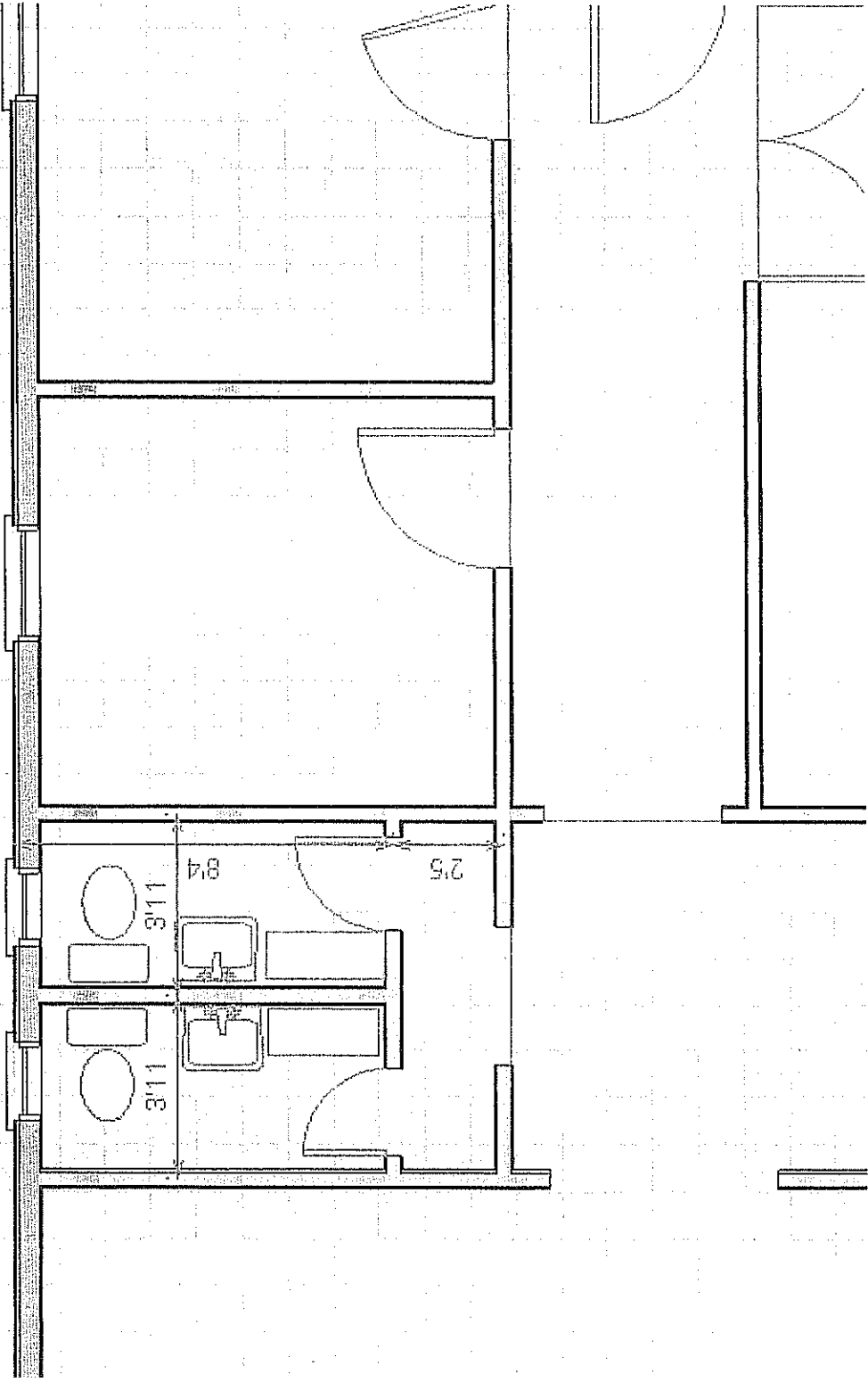
Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonable require strict or literal interpretation and enforcement of the specific regulation because:

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:

Dayspring Chapel

Existing Restrooms

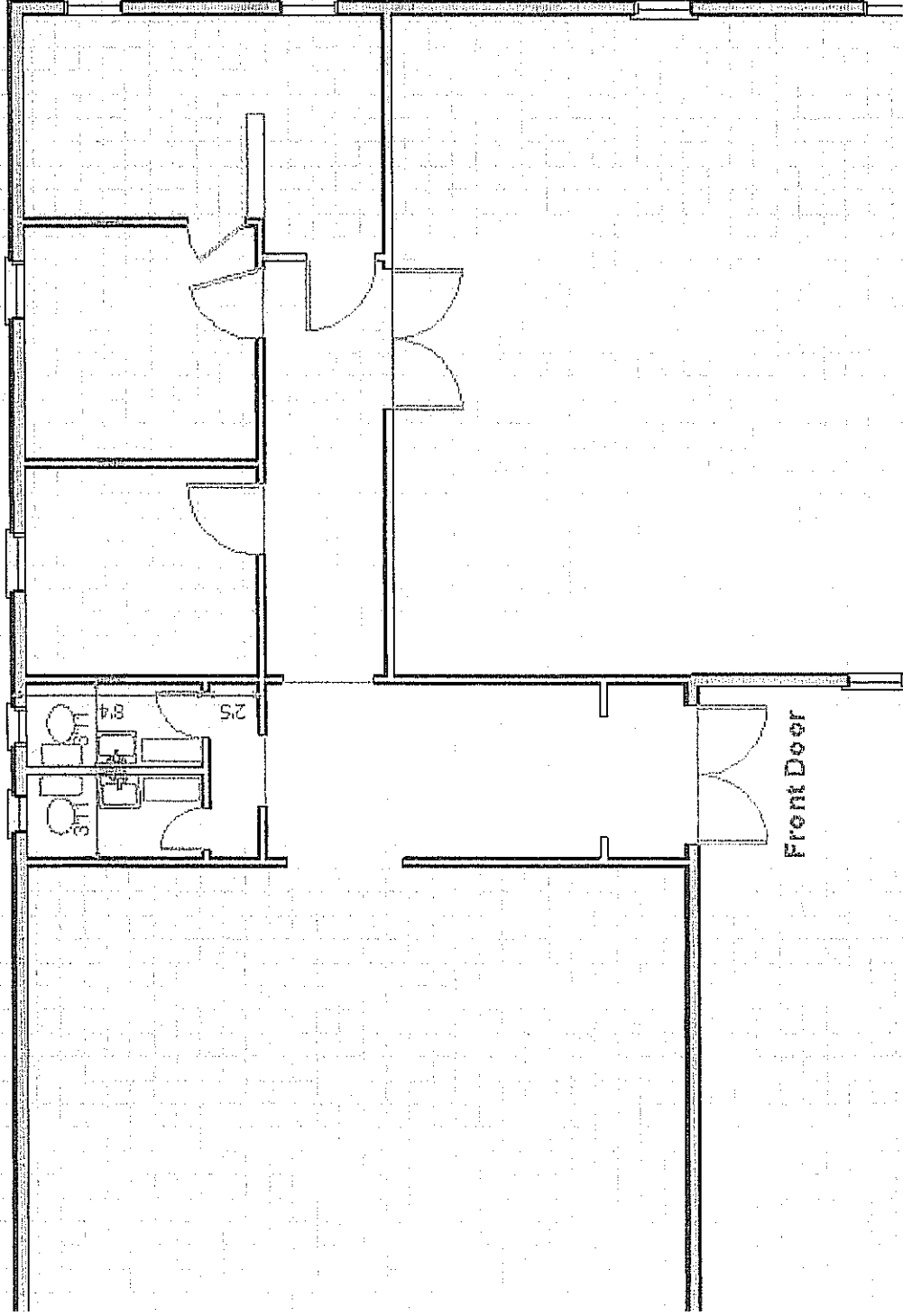


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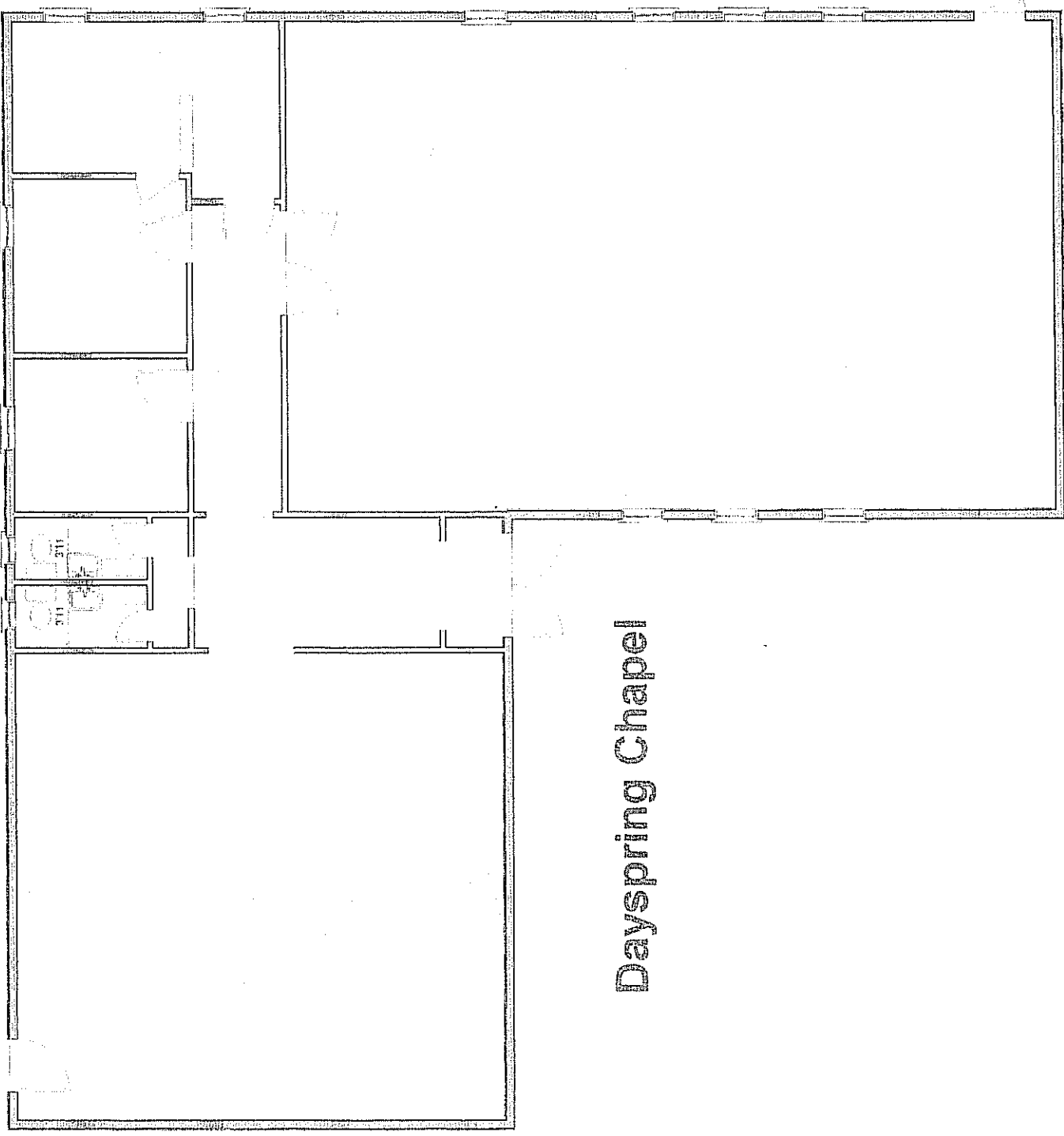
Dayspring Chapel

Existing Restrooms



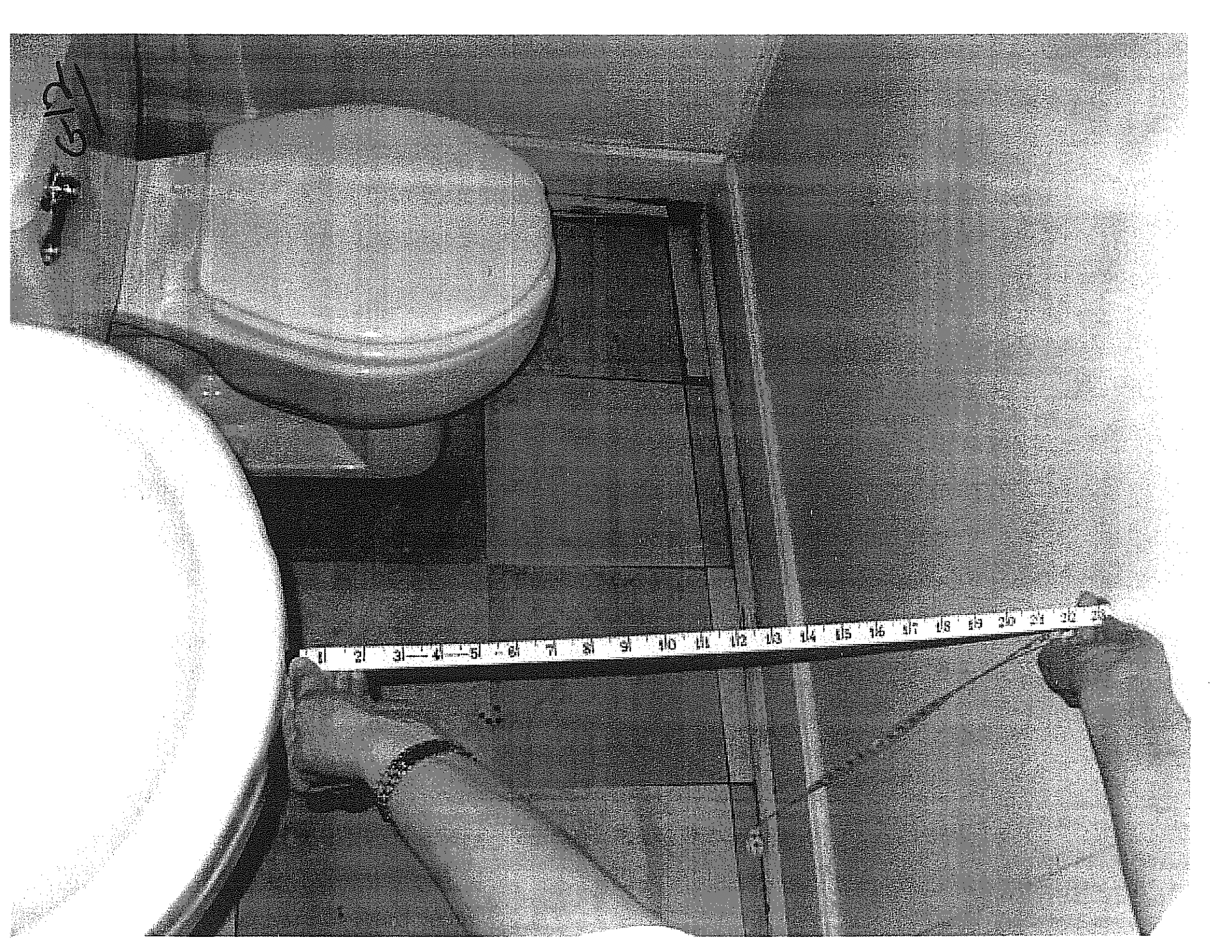
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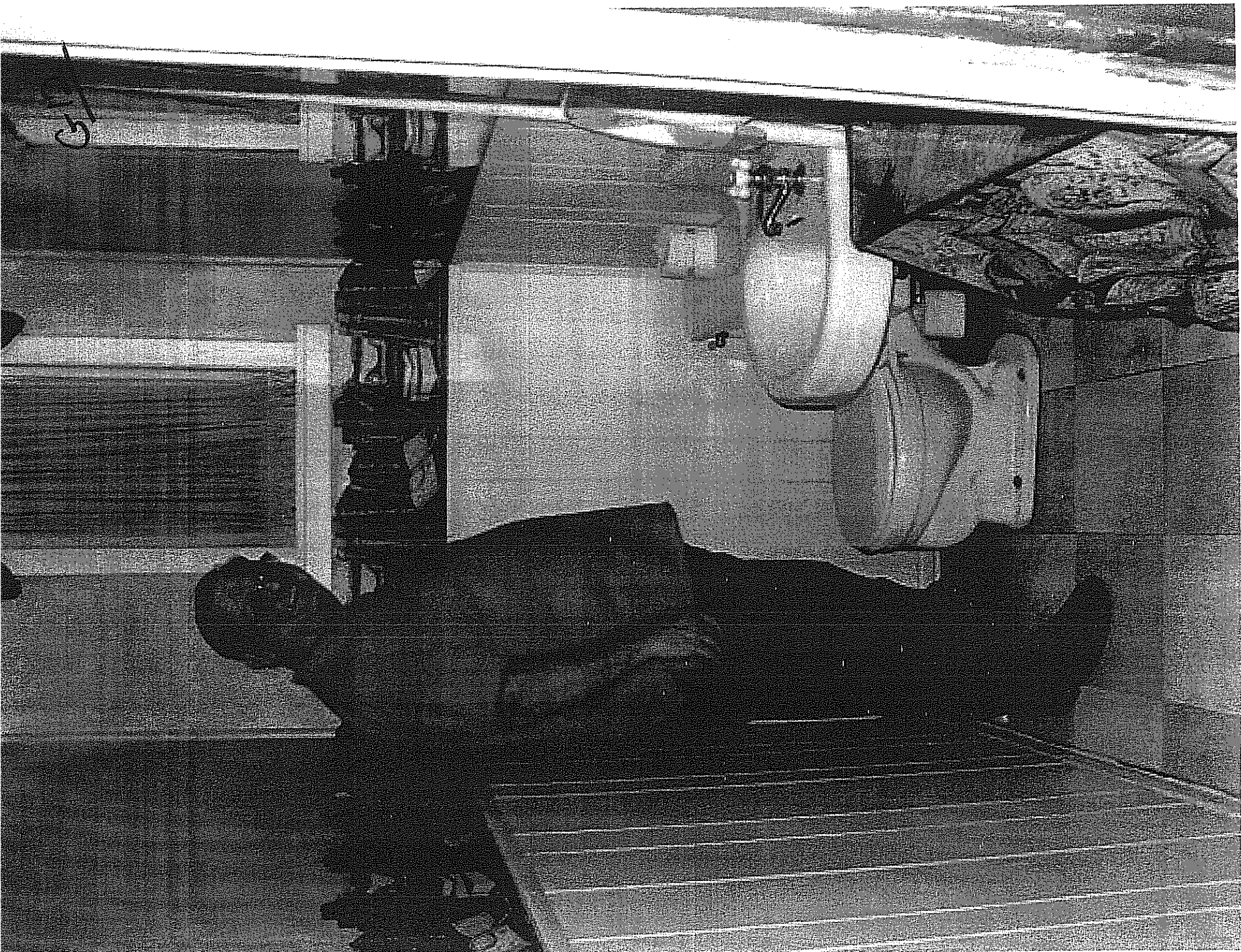
Existing Restrooms



Dayspring Chapel









SUBJECT TRACT

ZONING BOUNDARY

CITY OF SAN FRANCISCO

GRID: K 26

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