

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

CASE # C152010-0083  
ROW # 10468246  
TP# 0162030440

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: 6117 Harrogate Drive, Austin, Texas 78759

LEGAL DESCRIPTION: Subdivision – The Enclave At Sierra Vista

Lot(s) 5 Block A Outlot \_\_\_\_\_ Division \_\_\_\_\_

I/We Frank Peter and Carol Suzanne Anzalone on behalf of myself/ourselves as authorized agent for Frank Peter and Carol Suzanne Anzalone affirm that on June 18, 2010, hereby apply for a hearing before the Board of Adjustment for consideration to:

(check appropriate items below)

\_\_\_ ERECT \_\_\_ ATTACH \_\_\_ COMPLETE \_\_\_ REMODEL X MAINTAIN

A garden shed located in the side yard on the southeast side of the lot. The 8 foot by 12 foot shed is located at the south corner of the residence, parallel and equal distance from the residence and the southwest lot line. The attached sketch shows the shed location and size to scale in a 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 additional support documents.

received  
10/23/10

**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:

Our garden shed has been in this location for over ten (10) years. While the northwest side yard is used for AC Compressors, a walkway and gated access to the backyard, the southeast side yard is fenced in without a gate and unusable for other purposes. There is no room within the southeast side yard to provide for the lot line set back.

**HARDSHIP:**

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

We built this shed back in 2000 at considerable cost after checking with the city and were told that it was permissible as long as it was not a poured foundation and did not exist over utility easements. The shed is on cinder blocks and is not over any utility easements as is shown in the attached letter from Austin Energy. We have been out of work for some time now and simply do not have the resources to remove and rebuild this shed. I have contacted all my neighbors and they have no issue with our shed. Many of my neighbors did not even realize that we have a shed as it is barely visible from the street as shown in the attached pictures.

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

As one of the smaller lots in our neighborhood, there is no room to situate the shed out of the usable area within our very limited backyard that is very much used by our two young children. Our shed is the storage location for gardening and yard equipment, bicycles and scooters that will not fit into our small garage. As is the case with many parents on our cul-de-sac, we prefer to keep our cars off the street and driveway to increase visibility and reduce "hiding areas" that small children can run out from. Least this seem an exaggeration, we have 22 elementary age or younger children within the 15 houses on our cul-de-sac portion of Harrogate Drive.

**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 shed is over 60 feet from the street and barely visible behind a tree and fencing (see attached pictures). The construction, trim materials and color are contiguous with our house. It has been in this same location for over ten years and has never been an issue. I have contacted my neighbors and they have no issue with our shed. My closest neighbor to the shed at 6113 Harrogate has specifically voiced his support of this variance request. The shed was in place when he purchased this house in 2005.

**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:

NA

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:

NA

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

NA

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

NA

<p><b>NOTE:</b> 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.</p>
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**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 6117 Harrogate Drive

City, State & Zip Austin, Texas 78759

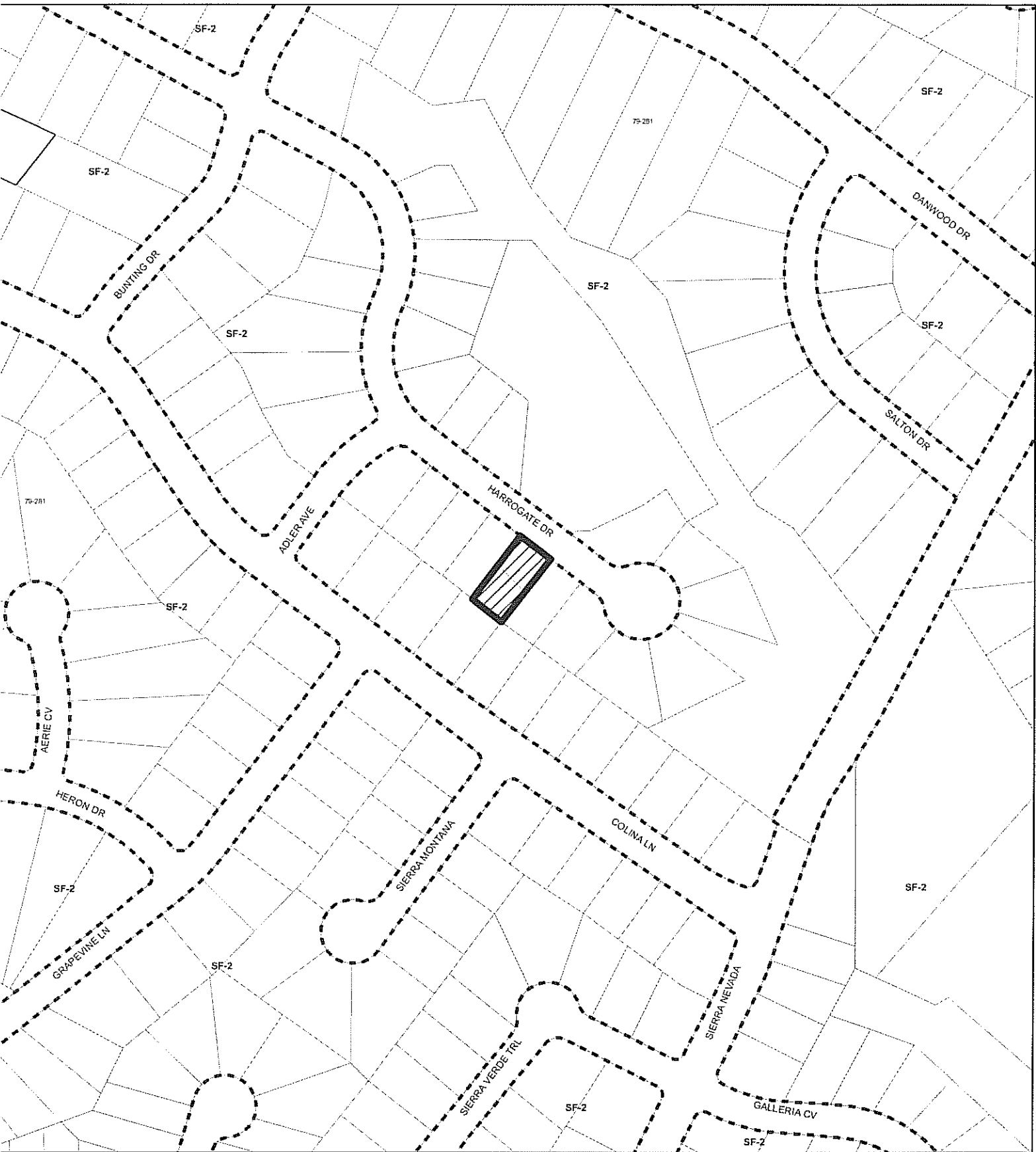
Printed Frank Peter Anzalone Phone 512-249-8422 Date June 18, 2010


**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 6117 Harrogate Drive


City, State & Zip Austin, Texas 78759

Printed Frank Peter Anzalone Phone 512-249-8422 Date June 18, 2010






N



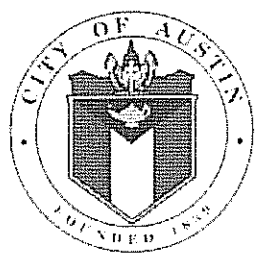
SUBJECT TRACT



ZONING BOUNDARY

**BOARD OF ADJUSTMENTS**

ZONING CASE#: C15-2010-0083  
LOCATION: 6117 HARROGATE DR  
GRID: H35  
MANAGER: SUSAN WALKER



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.

**Walker, Susan**

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**From:** Peter Anzalone (via Gmail) [peter.anzalone@gmail.com]  
**Sent:** Wednesday, July 21, 2010 11:34 AM  
**To:** Walker, Susan  
**Cc:** 'Carol Anzalone'  
**Subject:** Follow-up to your call re distance to the Property Line

Good Morning Susan.

Thanks for your call this morning. The exact distance from the shed to our fence is 9 inches.

I am assuming that the fence is on my side of the property line as it was installed for us by the builder when we purchased the house new in 1996. The lot next to us was empty so it was fully at our request that the fence was built.

Hope this helps. If you need pictures or other measurements, please don't hesitate to call or email.

Many Thanks,  
Peter

Peter Anzalone  
[peter.anzalone@gmail.com](mailto:peter.anzalone@gmail.com)  
6117 Harrogate Drive  
Austin, Texas 78759  
512-779-8151  
509-272-0250 Fax

7/21/2010

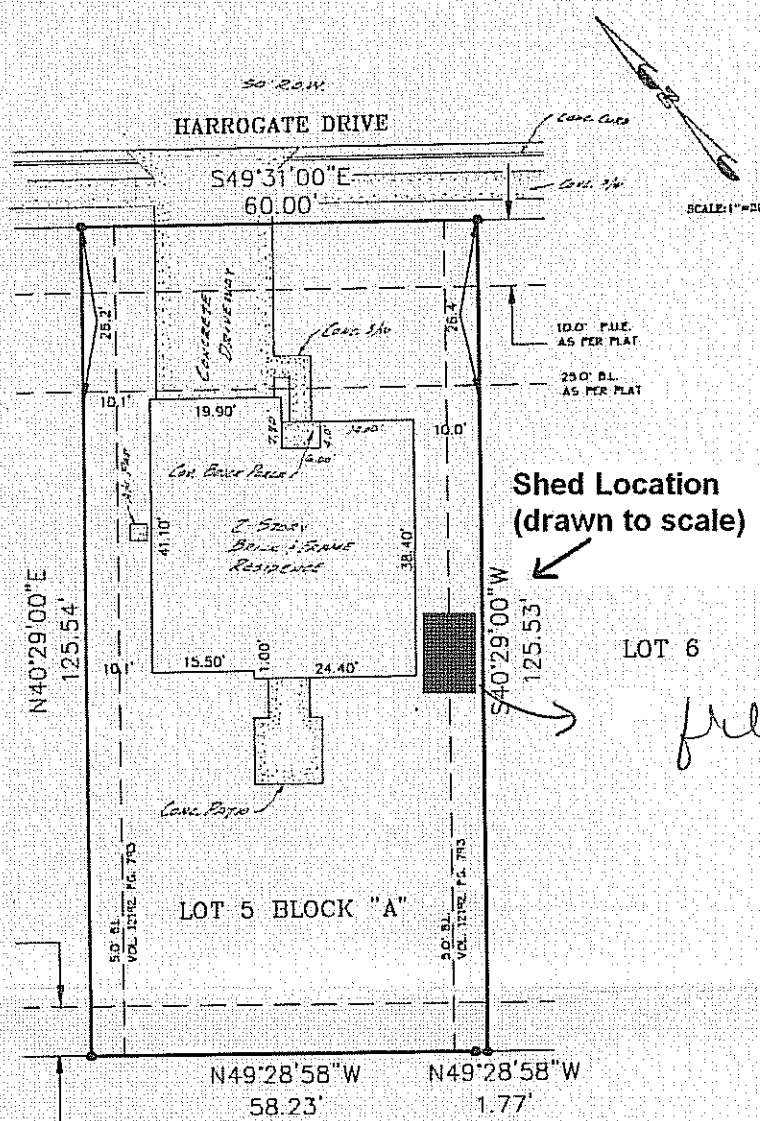
# Shed Location at 6117 Harrogate Drive

SURVEY PLAT OF: LOCAL ADDRESS 6117 HARROGATE DRIVE REF: ANZALONE GF#95103701  
 LEGAL DESCRIPTION: LOT 5 BLOCK A THE ENCLAVE AT SIERRA VISTA  
 A SUBDIVISION IN TRAVIS COUNTY TEXAS OF RECORD IN VOL 93 PGS. 121 OF  
 THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS.

SIGNED [Signature]  
 BY [Signature]  
 DATE 5/16/96

LEGEND  
 • 1/2" STEEL PIN FOUND

SIGNED [Signature]  
 BY CLINTON P. RIPPY  
 DATE 5/16/96



NOTES 1 & 3 APPLY:

- ☒ This property is in ZONE "X" of the F.E.M.A. Flood Insurance Rate Map for TRAVIS COUNTY, Texas, Community Panel No. 48453C 01D5E, dated 6-16-93.
- ☐ According to the recorded plat of this subdivision, this lot is within the 100 year flood plain.
- ☒ According to the recorded plat of this subdivision, the 100 year flood plain is contained within the drainage easements shown on the plat. There IS NO drainage easement on this lot.

THE STATE OF TEXAS, TO THE LIEN HOLDERS AND/OR THE OWNERS OF THE PREMISES SURVEYED AND TO THE TITLE AGENCY OF AUSTIN & ALAMO TITLE INSURANCE OF TEXAS  
 The undersigned does hereby certify that this survey was this day made on the ground of the property legally described hereon and is correct, and that there are no discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, visible utility lines or roads in place, except as shown hereon, and that said property has access to and from a dedicated roadway, except as shown hereon.

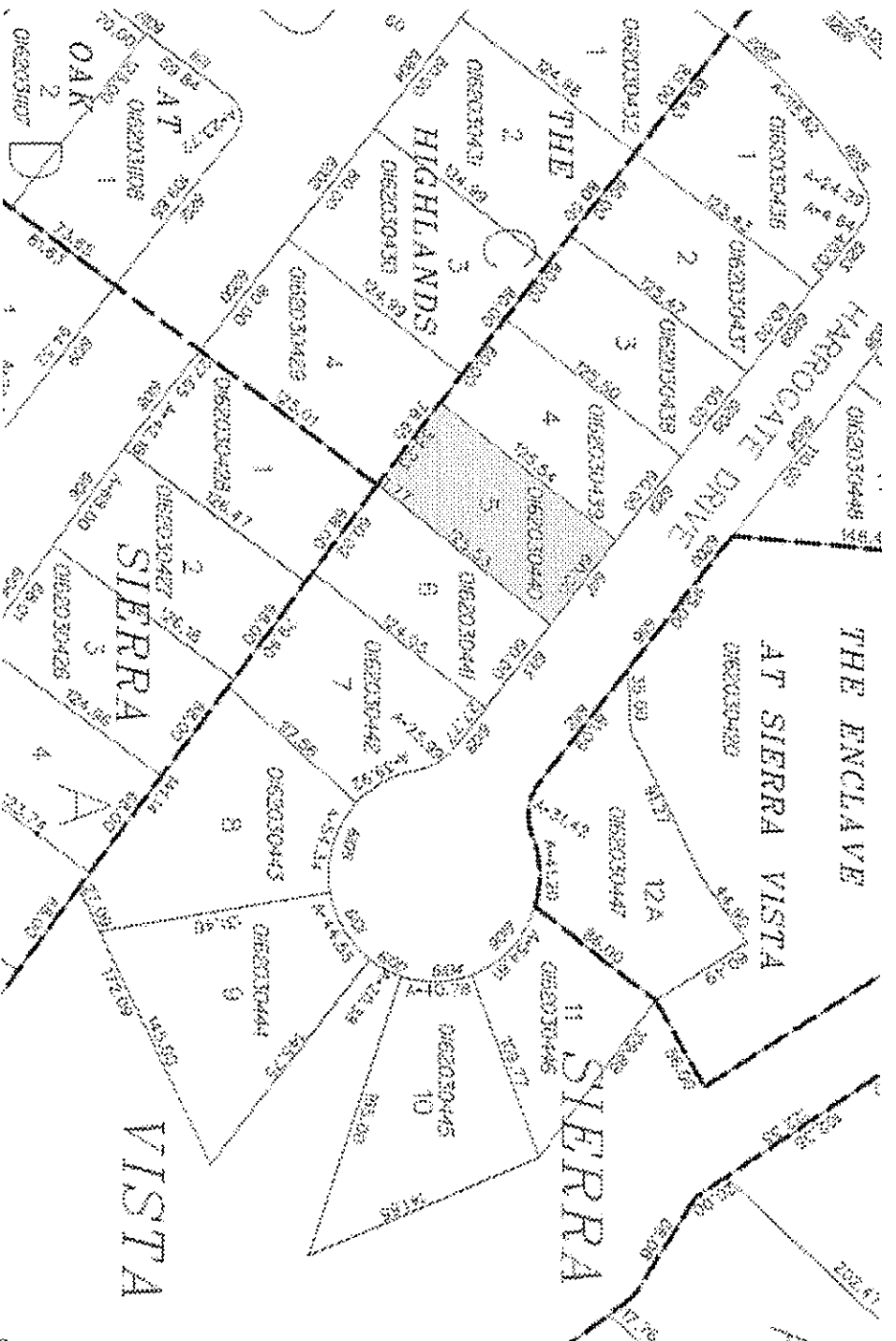
USE OF THIS SURVEY FOR ANY OTHER PURPOSE OR OTHER PARTIES SHALL BE AT THEIR RISK AND UNDERSIGNED IS NOT RESPONSIBLE TO OTHERS FOR ANY LOSS RESULTING THEREFROM.

Dated this the 10TH day of MAY, 1996

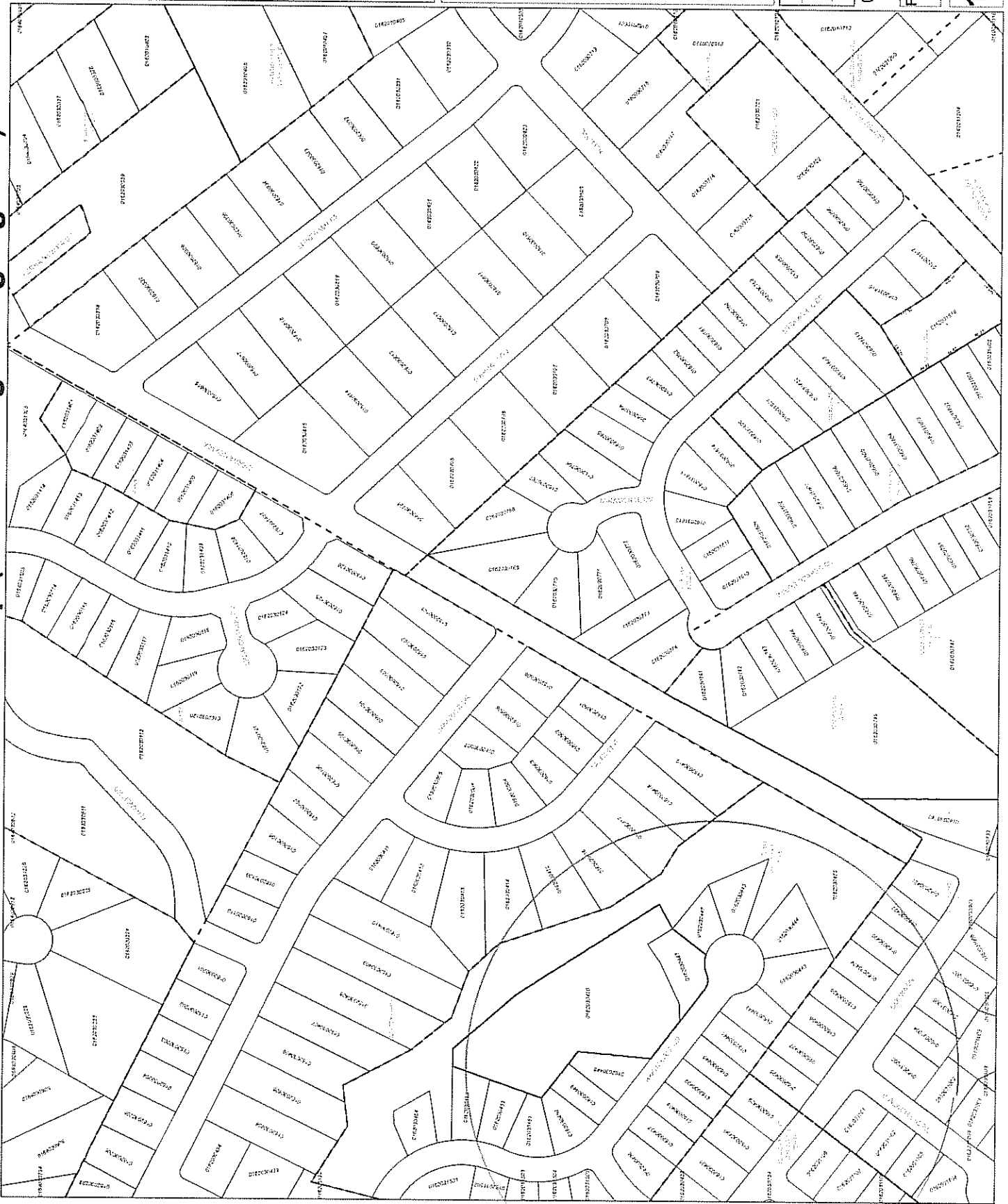
JOB No. 68870 INVOICE No. 33252

[Signature]  
 CLINTON P. RIPPY  
 REGISTERED PROFESSIONAL LAND  
 SURVEYOR NO. 1453

Lot Location at 6117 Harrogate Drive (shown shaded)



# TCAD Tax Plat Map (6117 Harrogate highlighted)



Travis Central Appraisal District  
 P.O. Box 149012  
 Austin, Texas 78714  
 Internet Address: [www.traviscentral.org](http://www.traviscentral.org)  
 Main Telephone Number (512) 834-9317  
 TDD (512) 836-3328  
 Appraisal Information (512) 834-9318

NAD\_1983\_StatePlane\_Texas\_Central\_FIPS\_4203\_Feet  
 Projection: Lambert\_Conformal\_Conic  
 3

Red lines = 100' width map  
 Blue lines = 100' width map  
 Blue lines = 100' width map

15208	15209	15210	15211
15212	15213	15214	15215

0 100 Feet

Revision Date  
 12/15/2005

16203



# TCAD Tax Plat Map (west of 6117 Harrogate location)



Travis Central Appraisal District  
8314 Cross Park Drive  
Austin, Texas 78754  
Internet Address: [www.traviscentral.org](http://www.traviscentral.org)  
Main Telephone Number (512) 834-9317  
TDD (512) 834-9328  
Fax (512) 834-9319

NAD 1983 StatePlane, Texas Central FIPS 4203 Feet  
Projection: Lambert\_Conformal\_Conic  
3

0 100 Feet

Revision Date  
5/31/2005

16205



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

**Cc: Diana Ramirez and Susan Walker**

## Pictures of the shed at 6117 Harrogate Drive



It is located between these houses in the back.



It is visible just above the right fence.



The shed is effectively shielded from view by the fence and tree within our side yard.

