

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 # C15-2010-0067
ROW # 10441820
TP-0220110953

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: 4705 Harmon Ave. Austin, Texas 78751

LEGAL DESCRIPTION: Subdivision - W132FT OF N33.84FT OF

Lot(s) 7 and 8 Block v Outlot _____ Division RIDGETOP FOU

I/We Adriana Montero on behalf of myself/ourselves as authorized agent for

_____ affirm that on May 18, 2010,

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

(check appropriate items below)

ERECT ATTACH COMPLETE REMODEL MAINTAIN

An "existing structure"

REAR SETBACK 5 FT to 0' E side yard to 0'

in a CS-MU-CO-NP district.
(zoning district)

North Loop N.P.

Bldg covg - 42.9%
Imp covg - 56.1%

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:

See Attached

HARDSHIP:

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

See Attached

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

See Attached

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:

See Attached

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:

N/A

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:

N/A

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

N/A

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

N/A

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 _____

City, State & Zip _____

Printed _____ Phone _____ 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 3014 Chenevert, Ho

City, State & Zip Houston, Texas 77004

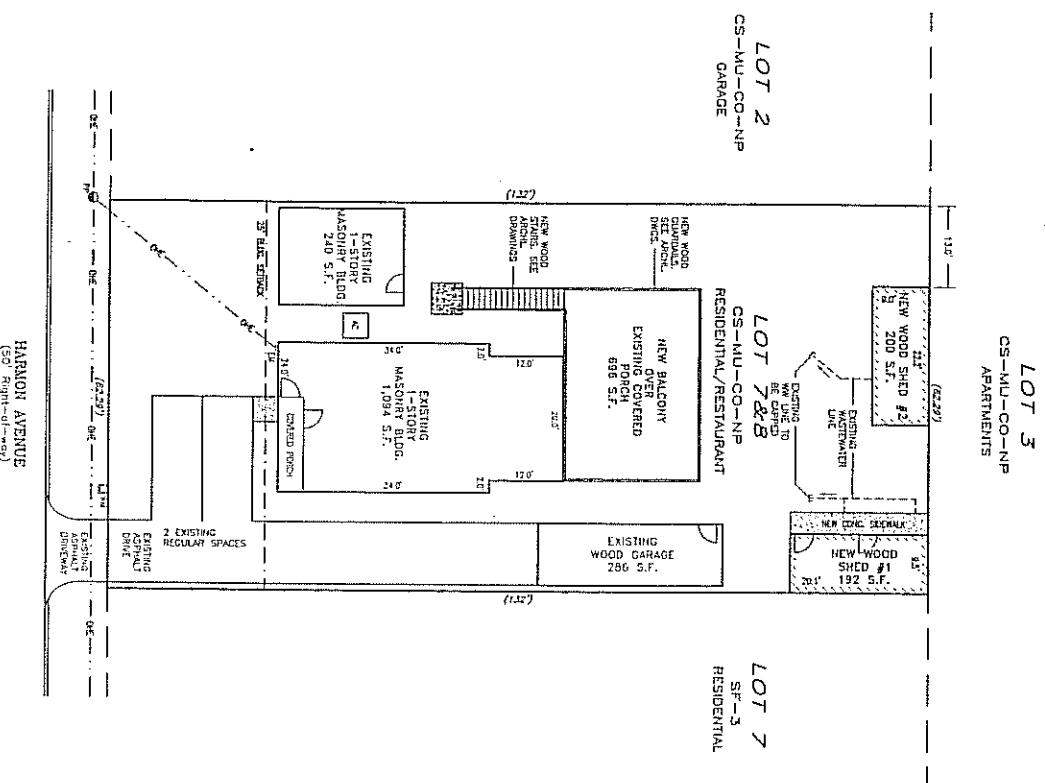
Printed Adriana Montero Phone 281-300-8497 Date 5/17/10

Board of Adjustment Application for 4705 Harmon Ave.

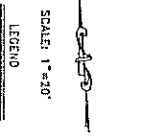
1. Certain improvements encroaching on the rear building set back lines existed at the time the current owner purchased the property; the new improvement(s) (the “New Improvements”) were constructed to compliment the already existing structures and keeping in mind the configuration of the lot/tract. The New Improvement(s) were placed in the existing location due to the configuration of the lot and also to ensure a safe distance from the existing dwelling. The property, although purchased as commercial property, has only been used as residential property.

2.
 - (a) the property is being and is intended to be used as residential property, unlike other properties in the area.
 - (b) the other properties in the area are commercial properties.

3. The other properties in the area are commercial properties and subject to commercial property set back requirements. As such, granting of a variance for the subject property (to allow the New Improvements to remain on the residential building set back line) should not alter the character of the area adjacent to the property nor impair the purpose of the zoning regulations for commercial properties in the area.



HARMON AVENUE
(50' Right-of-Way)



SCALE: 1"=20'

OWNER INFORMATION	LEGAL DESCRIPTION
U.S. ADRIAN HOLDINGS 4705 HARMON AVENUE AUSTIN, TEXAS 78751 TEL: (512) 238-2428	WEST 1/2 OF LOT 1341, 79' OF LOT 2 & 800'N, 134.43' OF LOT 1342, BLOCK 1, SUBDIVISION OF FOURTH ADDITION, BOCHEWITZ #1 (PART) OF HENDRICKS TRAVIS COUNTY, TEXAS
	STORM INLET NOISE
	THESE ARE TO EXISTING STORM INLET ADVISORY ON THE BASIS OF THE SITE

BUILDING COVERAGE	BUILDING COVERAGE
EXISTING PORCH/COV BLDG AREAS: 1,716 S.F. EXISTING COVERED PORCH: 698 S.F. TOTAL BUILDING COVERAGE: 2,414 S.F.	NET SITE AREA: 6,222 S.F. (0.1422 ACRES) TOTAL SITE AREA: 13,141 S.F. (0.3012 ACRES) ROOF COVERED WAREHOUSE: 2,800 S.F. NEW WOOD GARAGE: 286 S.F. NEW WOOD COVERED PORCH: 798 S.F. NEW WOOD SHED #1: 192 S.F. NEW WOOD SHED #2: 200 S.F. TOTAL BUILDING COVERAGE: 4,612 S.F. (0.8115)
OVERLAPPING COVERAGE	OVERLAPPING COVERAGE
TOTAL BUILDING COVERAGE ON LOT: 2,414 S.F. OVERLAP: 82 S.F. A/C OVER: 16 S.F. TOTAL OVERLAPPING COVERAGE: 4,612 S.F. (0.8115)	TOTAL BUILDING COVERAGE ON LOT: 3,244 S.F. OVERLAP: 82 S.F. A/C OVER: 16 S.F. TOTAL OVERLAPPING COVERAGE: 4,612 S.F. (0.8115)

For File

Ramirez, Diana

From: Walker, Susan
Sent: Friday, June 25, 2010 12:00 PM
To: Castillo, Edward; Baranovicht, Almira
Cc: Ramirez, Diana
Subject: DO NOT SEND C15-2010-0067
Importance: High

They are pulling from this agenda and will go in August.

Sorry for any inconvenience this may have caused!

They just now told me that the date in July doesn't work for them...

Susan Walker
Senior Planner
Planning & Development Review Department
Phone: 512-974-2202
Fax: 512-974-6536

5

North Loop Neighborhood Plan

54	207 53 ST E	LR	LR-CO-NP
55	5213 AVENUE G	LR	LR-CO-NP
56	5214 AVENUE H	CS	CS-MU-CO-NP
57	401 53 ST E	LR	LR-CO-NP
58	501 53 ST E	GR	GR-CO-NP
59a	5213 EVANS AV	LR	LR-MU-CO-NP
59b	601 53 ST E	LR	LR-CO-NP
60	5211 MARTIN AV	SF-3, LR	LR-MU-CO-NP
61	705 53 ST E; 5210 BRUNING AV	GR	GR-CO-NP
62	5201, 5203, 5205, 5207 EVANS AV	LO	LO-MU-CO-NP
63	5206 EILERS AV	CS	CS-MU-CO-NP
64	5211 EILERS AV	CS	CS-MU-CO-NP
65	5204 CLARKSON AV	LO	LO-MU-CO-NP
66	5102 DUVAL ST ; 404 51 ST E	CS	CS-MU-CO-NP
67	5100 BRUNING AV	CS	CS-MU-CO-NP
68	0 BRUNING AV (LOT 1 BLK 14 HIGHLANDS THE)	CS	CS-MU-CO-NP
69	500 51 ST E	CS	CS-MU-CO-NP
70	5101 EVANS AV	CS	CS-MU-CO-NP
71	5102, 5106 CLARKSON AV	CS	CS-MU-CO-NP
72	4701 RED RIVER ST #101 - 304; 4705 RED RIVER ST	CS	CS-MU-CO-NP
73	4700 DEPEW AV	CS, MF-2	CS-MU-CO-NP, MF-2-NP
74	4625 RED RIVER ST	CS	CS-MU-CO-NP
75	4624 DEPEW AV	CS	CS-MU-CO-NP
76	900 51 ST E	GO	GO-MU-CO-NP
77a	940 51 ST E	LO	LO-MU-NP
77b	944 51 ST E	GR	GR-MU-CO-NP
78	905 & 907 51 ST E	LO	LO-MU-NP
79	4817 HARMON AV	MF-2	SF-3-NP
80a	4705, 4707, 4709, 4715 HARMON AV	CS	CS-MU-CO-NP
80b	4719 HARMON AV	LO	LO-MU-CO-NP
81	4701 HARMON AV	LO	LO-MU-CO-NP
82	4610, 4612 CONNELLY ST	LO	LO-MU-CO-NP
83	4606 CONNELLY ST	LO	LO-MU-CO-NP
84	906 49 ST E ; 909 49 1/2 ST E	LO	LO-MU-CO-NP
85	822, 908 REINLI ST ; 919 KOENIG LN E; 5804, 5812, 5816 INTERSTATE HY 35 N	CS	CS-CO-NP
86a	5510, 5526, 5610, 5656, 5740 INTERSTATE HY 35 N; 0 INTERSTATE HY 35 N (LOT 2 *RESUB LOT 41-42 LESS W45.57FT AV DUVAL HEIGHTS); 925, 959 REINLI ST	CS	CS-CO-NP
86b	922 56 1/2 ST E	LO & CS	LO-CO-NP & CS-CO-NP
86c	5500 INTERSTATE HY 35 N	MF-3 & CS	NO-NP; CS-CO-NP
86d	5330 INTERSTATE HY 35 N	CS	CS-CO-NP

PART 4. Secondary apartment special use is permitted on lots in residential districts within the boundaries of the NP combining district as set forth in Sections 25-2-1462 and 25-2-1463 of the Code (8,150) ... by ...

PART 5. Corner store special use is permitted on lots in residential districts within the boundaries of the NP combining district as set forth in Sections 25-2-1482 through 25-2-1485 of the Code.

PART 6. Tracts 2, 3, 4a, 4b, 4c, 5a, 5b, 9 through 22, 24, 25a, 25b, 26a, 26b, 26c, 27a, 27b, 28 through 35, 36a, 36b, 36c, 37, 38, 39a, 39b, 39c, 40, 41a, 41b, 42 through 49, 51 through 58, 59a, 59b, 60, 61, 66 through 69, 84, and 99 may be developed as a neighborhood mixed use building special use as set forth in Sections 25-2-1502 through 25-2-1504 of the Code:

PART 7. Tracts 1a, 1b, 1c, 11 through 22, 24, 25a and 25b may be developed as neighborhood urban center special use as set forth in Sections 25-2-1521 through Section 25-2-1524 of the Code.

PART 8. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions.

1. The following uses are conditional uses on Tracts 1a, 1b, 1c, 2, 3, 4a, 4b, 4c, 5a, 8, 9, and 10:

- | | |
|--------------------------------|---------------------------------|
| Adult oriented businesses | Agricultural sales and services |
| Automotive sales | Campground |
| Commercial blood plasma center | Construction sales and services |
| Convenience storage | Equipment repair services |
| Equipment sales | Kennels |
| Vehicle storage | |

2. The following uses are prohibited uses on Tracts 11 through 22, 23a, 23b, 23c, 23d, 24, 25a, 25b, 26a, 26c, 27a, 28, 29, 30, 32, 33, 34, 36b, 36c, 37, 38, 39a, 39c, 80a, 85, 86a, 86b, 86c, 86d, 87, 88a, 89b, 91, 92b, 93, 94, 95a, 95b, 96, 97, and 98:

- | | |
|---------------------------|----------------------|
| Adult oriented businesses | Pawn shop services |
| Residential treatment | Transitional housing |

15. The following uses are conditional uses on Tracts 80a, 85, 86a, 86b, 86c, 86d, 87, 88a, 89b, 91, 92b, 93, 94, 95a, 95b, 96, 97, and 98:

Campground

Convenience storage

Kennels

Commercial blood plasma center

Equipment sales

Vehicle storage

16. Residential treatment use is a prohibited use on Tracts 26b, 27b, 76, 80b, and 81 through 84.

17. The followings uses are prohibited uses on Tract 88b:

Automotive repair services

Pawn shop services

Restaurant (drive-in, fast food)

Exterminating services

Residential treatment

Service station

18. The following conditions apply to Tract 88b:

a. The floor area ratio (F.A.R.) may not exceed 1 to 1 for general retail sales (general) use, general retail sales (convenience) use, and financial services use.

b. The floor area ratio (F.A.R.) may not exceed 0.45 to 1 for restaurant (general) use and restaurant (limited) use.

c. The floor area ratio (F.A.R.) may not exceed 0.38 to 1 for food sales use.

d. Vehicular access from the Property to 53rd Street is prohibited. All vehicular access to the Property shall be from other adjacent public streets or through other adjacent property.

19. The following conditions apply to Tract 101:

a. Hospital services (limited) use is a prohibited use.

b. The maximum height of a building is 40 feet from ground level.

c. The minimum front yard setback is 25 feet.



City of Austin BUILDING PERMIT

PERMIT NO: 2010-030105-PR
705 HARMON AVE

Type: RESIDENTIAL **Status:** Rejected
Issue Date: **EXPIRY DATE: 04/09/2010**

LEGAL DESCRIPTION Lot: Block: 2 Subdivision: W. P. CONNELLY SUBDIVISION	SITE APPROVAL	ZONING
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PROPOSED OCCUPANCY:	WORK PERMITTED: Remodel	ISSUED BY:
----------------------------	--------------------------------	-------------------

permit is not required; a application was submitted to legalize the structures on site.
 existing SF residence with cov'd porch shown on Sanborn Map vol.3 page 336
 existing Store use shown on Sanborn Map vol.3 page 336-
NO ADDITIONAL PERMITS ON THE SITE.
 Attached wood garage(existing non complying for side setback) shown on sanborn map vol 3 page 336
 Attached storage shed (192 sq ft) permit not required less than 200 sq ft
 Attached storage shed (200 sq ft) permit not required less than 200 sq ft.



TOTAL SQFT	VALUATION	TYPE CONST.	USE CAT.	GROUP	FLOORS	UNITS	# OF PKG SPACES
	Tot Val Rem: \$4.00		435				
TOTAL BLDG. COVERAGE	% COVERAGE	TOTAL IMPERVIOUS COVERAGE	% COVERAGE	# OF BATHROOMS	METER SIZE		

Contact Applicant, Juan Montero	Phone () -	Contact Owner, SPUR INTERESTS LTD	Phone () -
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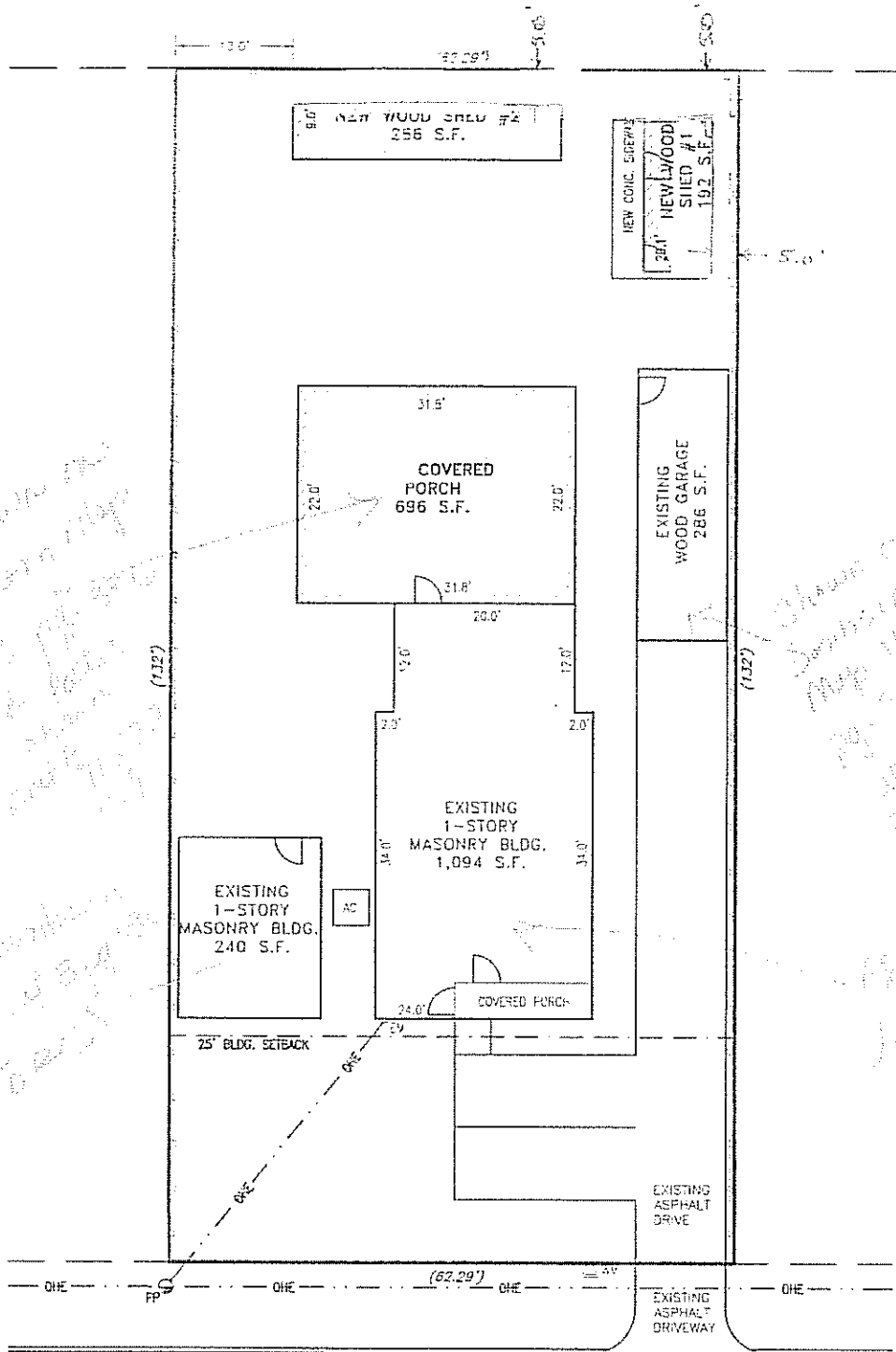
Inspection Requirements

Building Inspection

Buildings, Fences, Landscaping, Patios, Flatwork And Other Uses Or Obstructions Of A Drainage Easement Are Prohibited, Unless Expressly Permitted By A License
 Easement Approved By COA Authorizing Use Of The Easement.
Section 25-11-94 Expiration and extension of permit (Active Permits will expire 180 days at 11:59:59 pm after date of last inspection posted). If you allow this permit to expire, you will be required to submit a new application & pay new fees.
 The following permits are required as a separate permit: See Mechanical, Electrical, Plumbing permits for Related Fees and Inspections.

Comments
 Zoning on site is CS-MU-CO-NP (existing uses allowed under the current zoning use)refer to ord#020523-31 from CS to CS-MU_CO-NP Tract #80a refer to LDC 25-2-1502 & 304.
 NorthLoop NP
 CS-MU_CO_NP - reverts back to development standards regulations of SF# for single family use only on the site. For Commercial / Residential for the MU applicant will need submit application with DAC- development assistant center.

By Accepting Or Paying For This Permit You are Declaring That You Are The Owner Or Authorized By The Owner That The Data Submitted At The Time Of Application Was True and That The Work Will Conform To The Plans And Specification Submitted Herewith.



SCALE: 1"=20'

LEGEND

- 1/2" IRON PIPE FOUND
- 1/2" REBAR FOUND
- 1/2" REBAR SET
- 800 NAIL SET
- SPINDLE SET
- BARS WIRE FENCE
- CHAIN LINK FENCE
- WOOD FENCE
- METAL FENCE
- BUILDING LINE
- PUBLIC UTILITY EASEMENT
- DRAINAGE EASEMENT
- SURFACE DRAINAGE EASEMENT
- WATER/WASTEWATER
- ELECTRIC EASEMENT
- SANITARY SEWER EASEMENT
- RECORD INFORMATION
- POWER POLE
- OVERHEAD UTILITIES
- CONTROL MONUMENT

HARMON AVENUE
(50' Right-of-way)

SITE PLAN

SCALE: 1"=20'

3-30-2010

ATX design group



6301 Cannonleague Dr.
Austin, Texas 78745
Mobile: 512 584 0211
e-mail: rduranjr@aet@gmail.com

ADDITIONS AT 4705 HARMON AVE.

4705 Harmon Ave.
Austin, Texas
Site Plan

SHEET

C1

OF

1



Watershed Protection and Development Review Department
 P.O. Box 1088, Austin, Texas 78767
 One Texas Center, 505 Barton Springs Road
 Telephone: (512) 974-6370 Fax: (512) 974-2423

Determination of a Exemption Request

Date: 5/3/2010 Number of pages including cover: 1
 From: Sallie Montemurro @ (512) 974-9747 or Andria Burt @ (512) 974-2774
 To: Ramon Duran Telephone: 584-0211
 FAX: _____
 Exemption #: DA-2010-0397
 Project Name: Additions to 4705 Harmon Ave
 Address: 4705 Harmon Ave
 Review Staff Contact/Telephone: _____

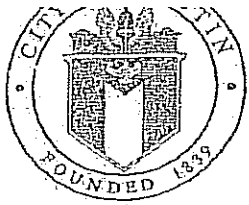
Review Results	
<p>Your request has been Denied.</p> <p>See NOTES for additional information and/or conditions. Your paperwork is in the RETURN BIN area of the Development Assistance Center on the 4th floor of One Texas Center.</p>	
Fees Due	Cost
Site Plan Correction Review	
Landscape Inspection:	
Shared Parking Review	
Phasing Review:	
Change of Use Review	
Commercial Exemption Review	
TOTAL COST:	

NOTES:

- Property does not appear to have a certificate of occupancy for a commercial use. Should be residential permit for accessory structure.
- If commercial use, structure must be at least 17.5' from property line of obtain compatibility variance from B.O.A. of planning commission.

Chris Johnson 974-2769

Confidentiality Notice: The documents accompanying this transmission is legally privileged and intended for the use of the recipient named. If received in error, please notify the City of Austin immediately via telephone to arrange for the return of the documents. You are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance on this information is strictly prohibited.



Watershed Protection and Development Review Department
 P.O. Box 1088, Austin, Texas 78767
 One Texas Center, 505 Barton Springs Road
 Telephone: (512) 974-6370 Fax: (512) 974-2423

Handwritten scribble

Site Development Exemption Request

DA-2010-0397

Site Address: 4705 Hummer Ave.
 Project Name: Additions to 4705 Hummer Ave.
 Legal Description: 0.132 A of M. 33.94 A of Lot 7 & S. 28.45 A. of Lot 8 Block II
RidgeTop Fourth Addition
 Zoning: CS-MU-CO-RP Watershed: _____ Flood Plain? Yes No
 Existing Land Use(s): Storage / Residential
 Proposed Land Use(s): Storage / Residential

Brief/General Description of the Development being sought:
Addition of storage.

Attach a detailed description of the proposed development in a memorandum or letter and a site plat or survey plan that graphically indicates, but is not limited to,:

- existing trees
- buildings
- parking areas
- roadways/streets
- all areas of impervious cover levels (existing & proposed)
- erosion controls (i.e.: silt fencing, tree protection)
- limits of construction
- type of construction
- location of construction
- accessible parking
- access route

Ramon Duran Jr.

(PRINT NAME)

do hereby certify that I am the

owner owner's agent (to act as the owner's agent, written authorization from the owner must be provided) of this described property, and in this capacity, submit this request for exemption from the site plan submittal requirements pursuant to Chapter 25-5-2 of the Austin City Code.

- Furthermore, I certify and acknowledge that:
- Although the proposed development does not require a formal site plan approval, it may require, prior to beginning any site work, the approval of the subdivision or issuance of a building, remodel, and/or demolition permit;
 - Although the proposed development complies with all applicable zoning regulations, it does not prohibit enforcement of restrictive covenants and/or deed restrictions;
 - The approval of this exemption request does not constitute authorization to violate any provisions of the Austin City Code or other applicable requirements, which includes the use or occupancy of the improvement.
 - The approval notice with paid receipt shall be clearly posted on-site and protected from the elements at all times.

Ramon Duran Jr.

Signature of Requester

Date: 8/30/10

Address: 6301 Comanche Dr Austin TX 78745
 Telephone: (512) 584-0211

Please indicate how you wish to receive a copy of the results of the review:
 Mail FAX: 499-0907

Departmental Use Only

Project Name: 4705 Harmon Ave		Case Number:		Applicant Name: Ramon Naranjo	
If Required	Reviewer	Date	Comments		
<input type="checkbox"/> Site Plan			<input type="checkbox"/> SPOC*		
<p>- Property does not appear to to have a cert certificate of occupancy for a commercial use. Should be residential permit for accessory structure.</p>					
<input type="checkbox"/> Transport			<input type="checkbox"/> SPOC*		
<p>- If commercial use, structure must be at least 17.5' from property line of obtain compatibility variance from BOA of Planning Commission</p>					
<input type="checkbox"/> Drainage			<input type="checkbox"/> SPOC*		
<input type="checkbox"/> Environ			<input type="checkbox"/> SPOC*		
<p>N/A</p>					
<input checked="" type="checkbox"/> AFD	S. Pelayo	5/3/10			
<p>N/A</p>					
<input checked="" type="checkbox"/> AWU	A. Torres	05/03/2010	No comments		
<input checked="" type="checkbox"/> Plumbing	A. Torres	05/05/2010	No Comments.		
<input type="checkbox"/> AE		5/3/10	N/A		

SPOC – Single Point of Contact

<input type="checkbox"/> Approved	<input checked="" type="checkbox"/> Denied	<input type="checkbox"/> Determined to be a <input type="radio"/> Revision <input type="radio"/> New Project
-----------------------------------	--------------------------------------------	--------------------------------------------------------------------------------------------------------------

Building permit required? Yes No N/A

Smart Housing Project? Yes No

Qualifies for exemption per Section 25-5-2(____)

Check all that apply:

Review Fee(s) Not Required

Site Plan Correction/ Exemption Review Fee

Change of Use Review Fee

Phasing Review: _____ phases

Landscape Inspection: _____ acres

Shared Parking Review

Note: This "may" be for one
of the buildings in the rear,
but if it was... it was not
built in accordance with
the variance approval and no
building permit was taken out.

File: C-15-86-116

Address: 4705 Hamon Avenue

Applicant: Alma M. McCollum

Request: A variance to erect an accessory building
(garage) providing a side yard setback of 2 feet and a rear
yard setback of 2 1/2 feet in a "SF-3" zoning. Section
13-2A 2204 requires a minimum side yard of 5 feet and a
minimum setback of 5 feet for one story buildings less
than 15 feet in height.

September 8, 1986 Granted

BID 1007



Form No. 105-46



BOARD OF ADJUSTMENT

CASE#: C15-2010-0067
 ADDRESS: 4705 HARMON AVE
 GRID: K 25
 MANAGER: SUSAN WALKER



-  SUBJECT TRACT
-  ZONING BOUNDARY



This map has been produced by GIS Services for the sole purpose of geographic reference.

Walker, Susan

From: Montero, Adriana [Adriana.Montero@coair.com]
Sent: Thursday, July 01, 2010 5:34 PM
To: Walker, Susan
Cc: juanmonterojr@gmail.com
Subject: RE: Notification for 4705 Harmon Avenue

usan- per your request please find the below.

er my communications with Ms. Susan Walker, please consider this statement an amendment to the variance previously submitted for the property located at 4705 Harmon Ave. I, Adriana Montero, the owner would like to a request the following variances for the property:

Rear setback to be zero feet;
South property line setback to be zero feet;
Building coverage of 42.9%; and
Impervious coverage of 56.1%

ne following statements are to address the information requested in Paragraphs 1 -3 of the variance application.

Certain improvements encroaching on the rear building set back lines existed at the time the current owner purchased the property; the new improvement(s) (the "New Improvements") were constructed near the rear property line and the south property line to compliment the already existing structures and keeping in mind the configuration of the lot/tract. The New Improvement(s) were placed in the existing location due to the configuration of the lot and also to ensure a safe distance from the existing dwelling. The property, although purchased as commercial property, has been used as residential property; however, the general area in which the property is located is predominantly commercial. The contractor who constructed the New Improvements assured the current owner of the property that the New Improvements were being constructed in compliance with all applicable laws, rules, regulations and ordinances. Despite numerous efforts to communicate with the contractor, the current owner has been unable to reach the contractor.

the property is being and is intended to be used as residential property, unlike other properties in the area.

the other properties in the area are commercial properties.

The other properties in the area are commercial properties and subject to commercial property set back and coverage requirements. As such, granting of a variance for the subject property (to allow the New Improvements to remain on the existing building set back line and for the building and impervious coverages to remain at 42.9% and 56.1% respectively) should not alter the character of the area adjacent to the property nor impair the purpose of the zoning/other regulations for commercial properties in the area.

From: Walker, Susan [susan.walker@ci.austin.tx.us]
Sent: Friday, June 25, 2010 11:58 AM
To: Montero, Adriana
Subject: RE: Notification for 4705 Harmon Avenue