

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 # 015-2010-0099
ROW # 10477694

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: 1105 Norwalk Lane, Austin, TX 78703

LEGAL DESCRIPTION: Subdivision – Marlton Place Section 2

Lot(s) 68 Block 1100 Outlot Division

I/We William and Laurie Worsham on behalf of myself/ourselves as authorized agent for

affirm that on July 26, 2010, hereby apply for a hearing before the Board of Adjustment for consideration to:

(check appropriate items below)

X ERECT ATTACH COMPLETE REMODEL MAINTAIN

An attached carport providing a front setback of 19.8 ft.

in a SF-3 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.

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:
Covered parking is a reasonable use of the property. The proposed configuration represents the minimum feasible encroachment in terms of both distance and area to achieve covered parking for two vehicles. A covered porch would be allowed to encroach the same distance and area as the proposed carport without a variance.

HARDSHIP:

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

There is no vehicular access to the rear of the property because the existing structure extends to within approximately 5 ft from each side property line. This was a reasonable design approach given the downward slope of the lot from front to rear and the existence of very mature oak trees near each side property line. The open space (schoolyard) across the street results in unobstructed evening sun and severe weather impacting the property. Non-resident users of school grounds (tennis courts and organized non-school events on the track/football field) create noise and privacy concerns. The proposed carport will be placed above the existing driveway/parking location.

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

The vast majority of properties in the area have garages and/or covered parking. The mature oak trees and front to rear slope of the subject lot is not conducive to rear parking such that the original structure was reasonably built to both side property setback lines. The property faces the open schoolyard of O.Henry Middle School such that there is no relief from evening sun or weather events (such as the hail storms of the past two years). The existing parking is located adjacent to a very large oak tree from which sap, bird droppings, etc. are a constant nuisance.

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 adjacent property owners support this variance request (see petition signatures). The large oak tree near the property line adjacent to the proposed carport is located a similar distance from the street such that the proposed carport will not extend noticeably forward. A covered porch of similar setback distance and area is allowable without variance. Across the street is the O.Henry Middle School tennis court—no other neighbors will have a direct view of the carport. The street view of the subject property will be more orderly and in character with the neighborhood.

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 _____ Mail Address _____

City, State & Zip _____

Printed _____ Phone _____ Date _____

(owner is applicant – see next page)

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 Laurie Worsham Mail Address 1105 Norwalk Ln.

City, State & Zip Austin TX 78703

Printed Laurie Worsham Phone 512 633-6149 Date 8/2/10

GENERAL INFORMATION FOR SUBMITTAL OF A VARIANCE REQUEST TO THE BOARD OF ADJUSTMENT

(The following is intended to provide assistance in explaining the variance process. These suggestions are not intended to be a complete or exhaustive guide in assisting you through this process.)

VARIANCE REQUIREMENTS:

General Requirements:

- A. A variance may be granted if, because of special circumstances of a property, the strict application of the Land Development Code regulations deprives the property owner of privileges that are enjoyed by another person who owns property in the area that has the same zoning designation as the property for which the variance is requested.
- B. A variance to a regulation may not grant special privileges that are inconsistent with the limitations on other properties in the area or in the district in which the property is located.

SUBMITTAL REQUIREMENTS: (Failure to complete the application or to submit all the required materials will result in non-acceptance of the application.)

- (1) A completed application indicating all variances being requested. An application must include proposed findings that will support requested variances. The required findings must address each variance being sought.
- (2) A site plan to scale indicating present and proposed construction and location and use of structures on adjacent lots.
- (3) Check made payable to the City of Austin for the Board of Adjustment application fee. (Residential zoning - \$360. All other zonings - \$660.)
- (4) Other Information -- Although the following is not a requirement of submittal you may wish to include additional information that may assist the Board in making an informed decision regarding your request such as: photos of the site or visual aids to support the request, letters from the neighborhood association(s) etc. Any additional information you wish to submit must be in our office one week prior to the meeting. The Board will receive a packet with all information that has been submitted on the Thursday prior to the meeting.
- (5) Austin Energy approval

Variances approved by the Board are limited to and conditioned upon the plans and specifications presented by the applicants, except as modified by the Board.

REQUIRED FINDINGS: All variance findings must be met in order for the Board to grant a variance. An application must include proposed findings that will support the requested variance. Incomplete applications will not be accepted.

Reasonable Use:

Application must demonstrate to the Board how the zoning regulations applicable to the property do not allow for a reasonable use of the property. [Note: The Board cannot approve a variance for a use that is not allowed in the zoning district in which the property is located. This requires a change in zoning.]

Hardship:

- a. Application must demonstrate to the Board how the hardship for which the variance is requested is unique to the property. Hardship should be specific to the property for which the variance is being requested. (For example, topography, lot configuration, or any physical constraint that would limit the placement of the structure or prevent compliance with required site development regulations, etc.) A strictly financial or personal reason is not a valid hardship.
- b. Application must demonstrate to the Board why the hardship is not general to the area in which the property is located. Describe how the hardship relating to the site is different from other properties in the area.

Area Character:

Application must demonstrate to the Board how 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 zoning regulations of the zoning district in which the property is located.

NOTE: Parking variances require additional findings to be made. The additional findings are listed on the application and must also be completed for submittal of the application.

Board of Adjustment Staff:

Susan Walker, Planner
974-2202

Diana Ramirez, Administrative Specialist, Board Secretary
974-2241

Fax #974-6536

Planning and Development Review Department
One Texas Center
505 Barton Springs Road, 2nd Floor

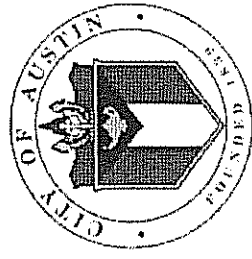
Mailing Address:
P. O. Box 1088
Austin, TX 78767-1088



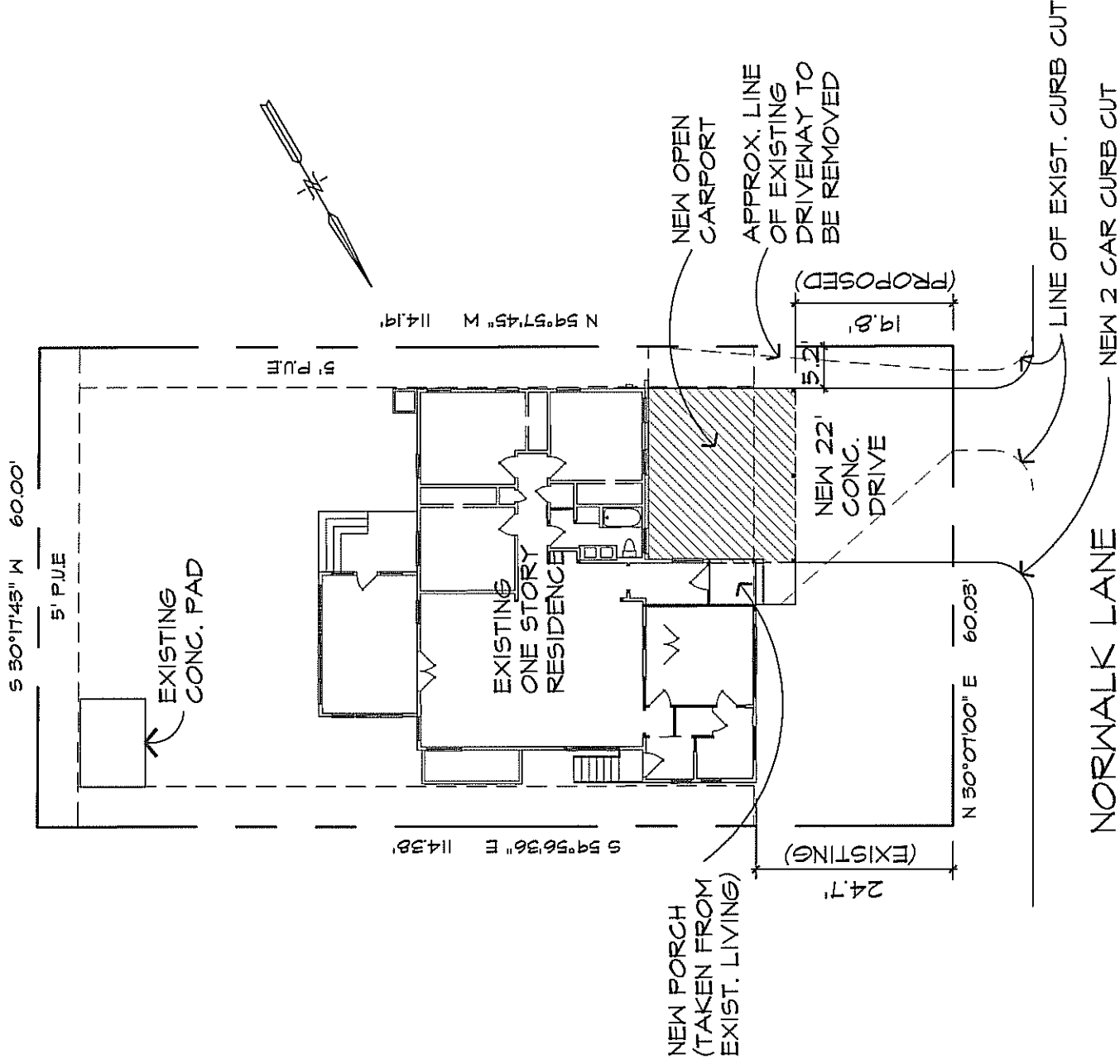
SUBJECT TRACT
ZONING BOUNDARY

BOARD OF ADJUSTMENTS

CASE#: C15-2010-0099
 LOCATION: 1105 NORWALK LANE
 GRID: G 24
 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 the accuracy or completeness of the information shown on this map.



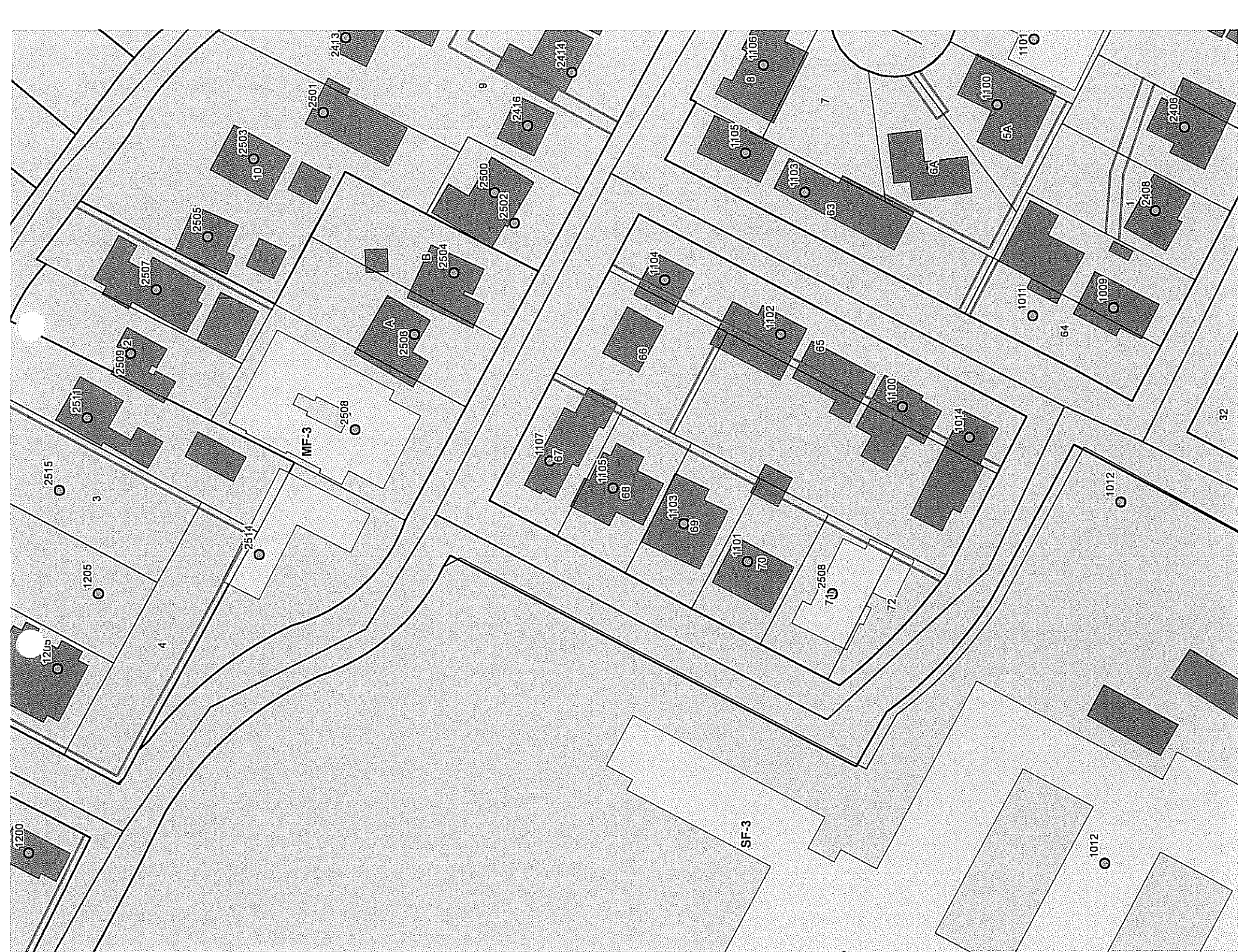
SITE PLAN

SCALE: 1" = 20.00'

LOT 68, MARLTON PLACE

SECTION 2

CITY OF AUSTIN, TRAVIS CO. TX.



ONE STOP SHOP
505 Barton Springs
Austin, Texas 78701
(512) 974-2632 phone
(512) 974-9112 phone
(512) 974-9779 fax
(512) 974-9109 fax



Austin Energy
Electric Service Planning Application (ESPA)
For Residential and Commercial "SERVICE ONLY"
Under 350 amps 1φ or 225 amps 3φ

☐ Check this box if
this is for a
building permit
only.

(Please print or type. Fields left blank will be considered Not Applicable.)

Responsible Person for Service Request Lawrie Worsham Phone 433-6149

Email lawrie.worsham@egohs.com Fax _____

Project Name _____ ☐ New Construction ☒ Remodeling

Project Address 1105 Norwalk Lane **OR**

Legal Description Lot 68, Marlton Place Section 2 Lot _____ Block _____

Requested Service Duration: ☐ Permanent Service ☐ Construction Power/Temp Service
(Usually less than 24 months)

Who is your electrical service provider? ☒ AE ☐ Other _____

☐ Overhead or ☐ Underground Voltage _____ ☐ Single-phase (1φ) or ☐ Three-phase (3φ)

Service Main Size(s) _____ (amps) Number of Meters? _____

AE Service Length _____ (ft.) Conductor _____ (type & size)

SqFt Per Unit _____ # Units _____ ☐ All Electric ☐ Gas & Electric ☐ Other _____

Total AC Load _____ (Tons) Largest AC unit _____ (Tons)

LRA (Locked Rotor Amps) of Largest AC Unit _____ (Amps)

Electric Heating _____ (kW) Other _____ (kW)

Comments: Carport - FRONT

ESPA Completed by (Signature & Print name) _____ Date _____ Phone _____

Approved: ☐ Yes ☐ No (Remarks on back) _____

AE Representative _____ Date _____

Application expires 180 days after date of Approval
(Any change to the above information requires a new ESPA)

Version 1.1.0.0

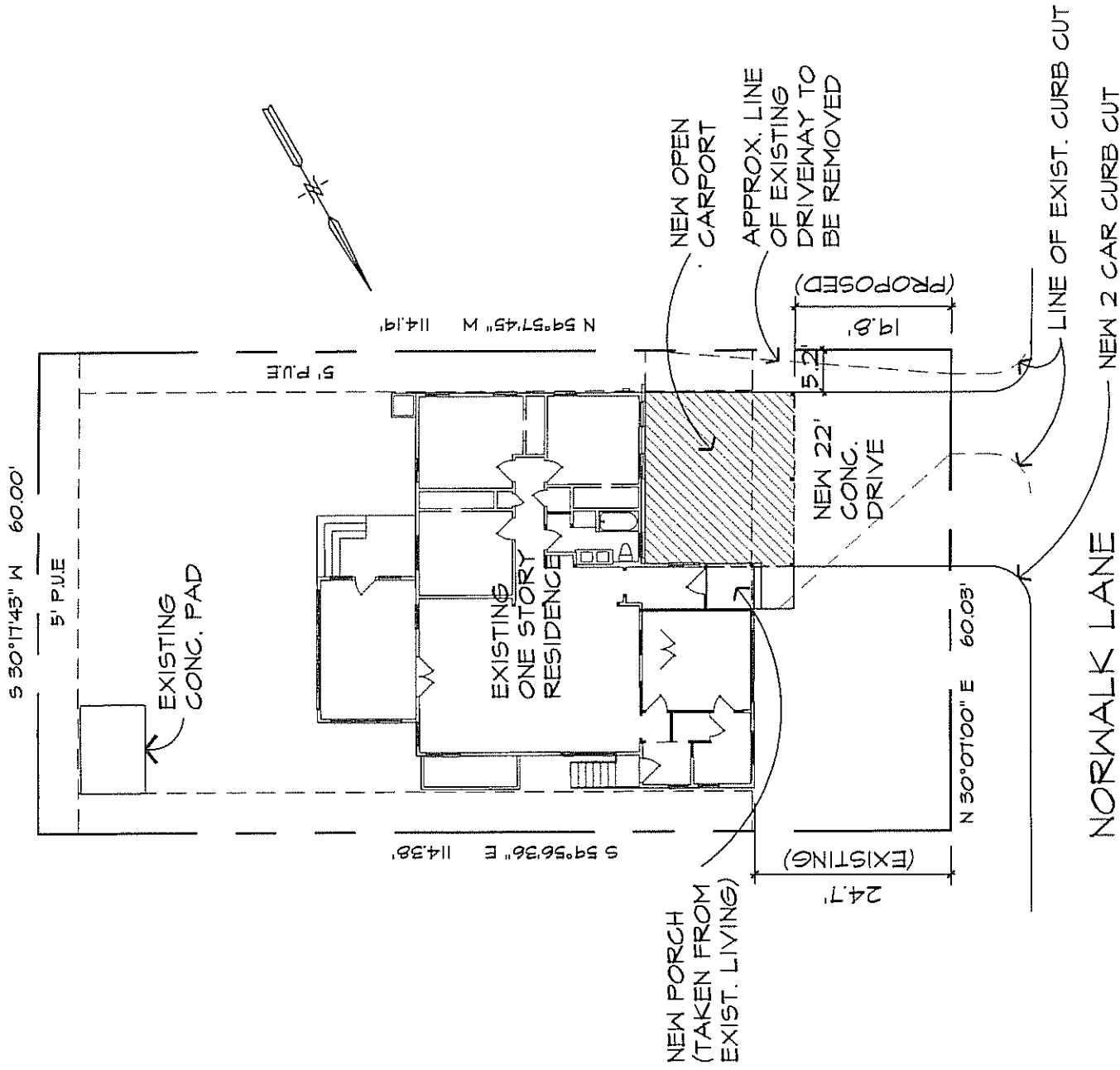
All structures etc. must maintain 7'5"
clearance from AE energized power
lines. Enforced by AE & NESC codes.

AE APPROVED

JUL 23 2010

204-203

JGM

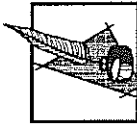


SITE PLAN

SCALE: 1" = 20.00 '
 LOT 68, MARLTON PLACE
 SECTION 2
 CITY OF AUSTIN, TRAVIS CO. TX.

AE APPROVED
 JUL 23 2010
 204-203
 JGM

All structures etc. must maintain 7'5" clearance from AE energized power lines. Enforced by AE & NESC codes.



HOBBS' I N K
 CUSTOM HOME DESIGN
 512 - 261 - 6226
 © COPYRIGHT 2007, HOBBS' INK

Figure 1. Street view of front of property looking east.



Figure 2. Sketch of proposed configuration over existing photo.

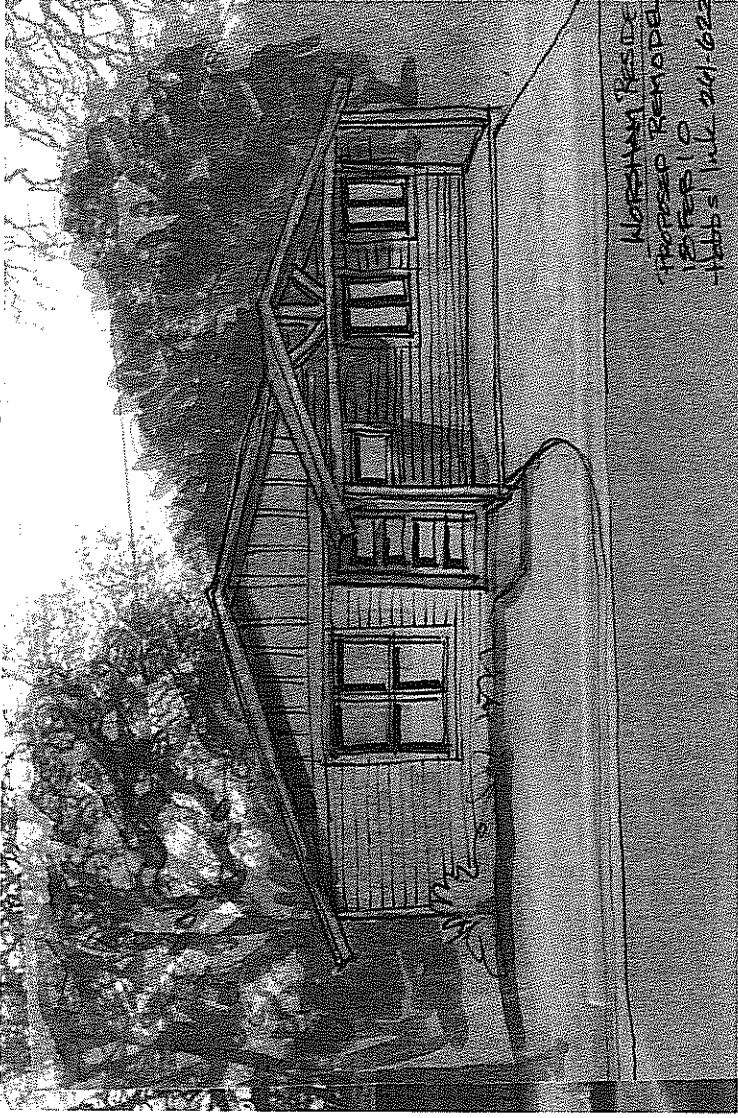


Figure 3. Street view of front of property looking southeast.



Figure 4. Street view of front of property looking northeast.

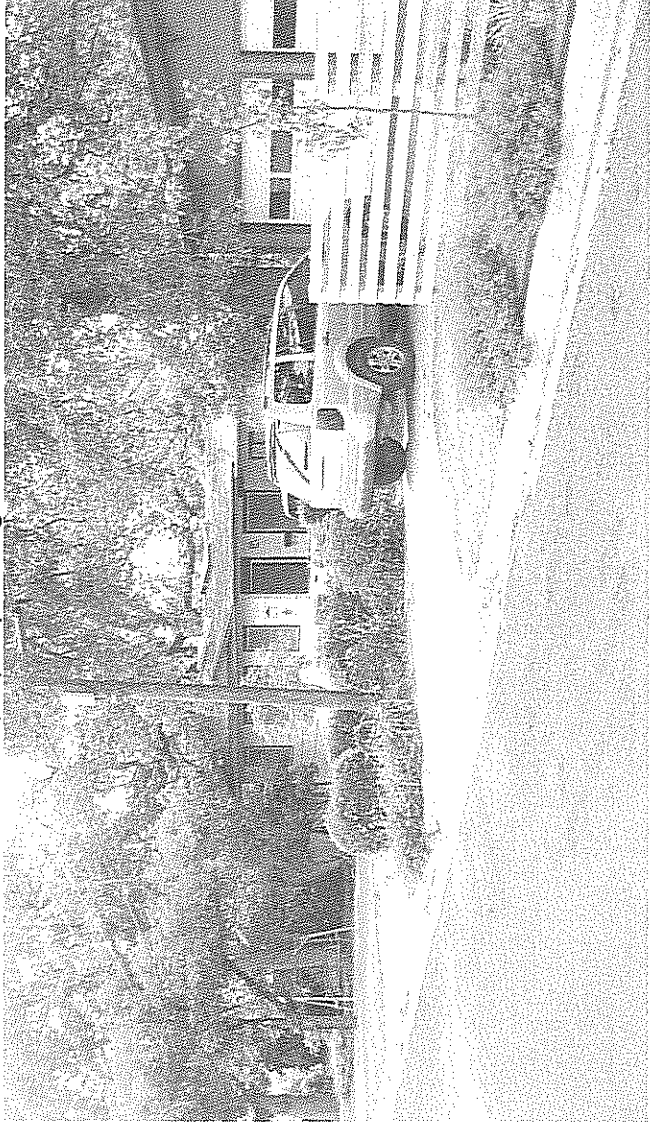
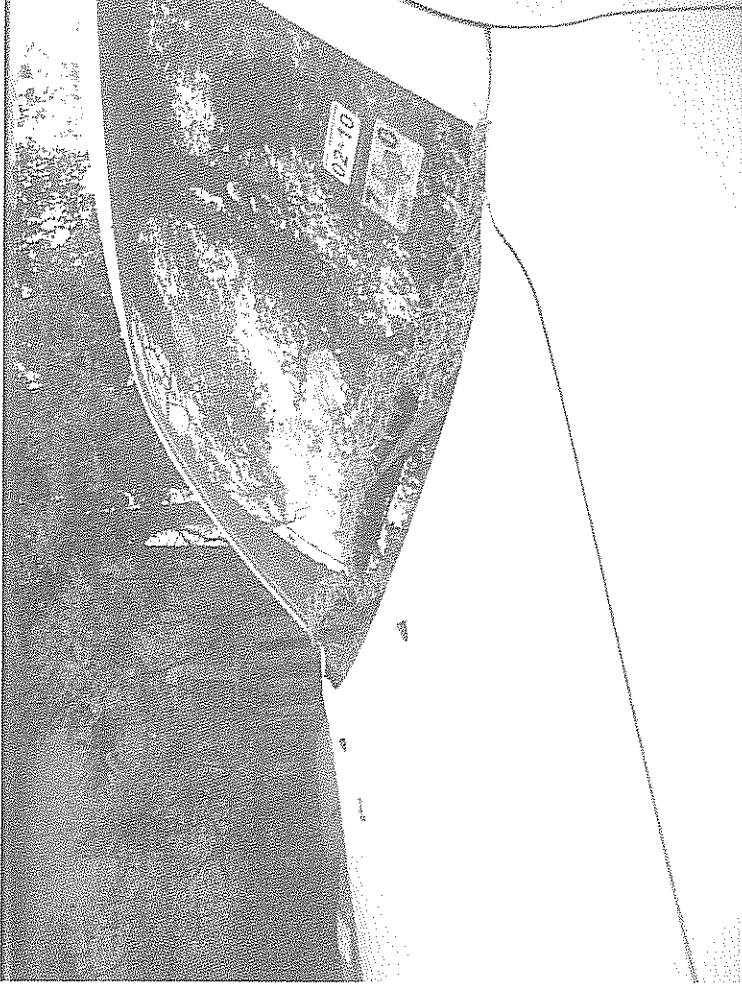


Figure 5. Street view across Norwalk Lane from property looking northwest.



Figure 6. Tree debris accumulated overnight.

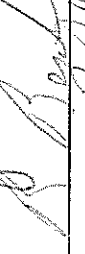
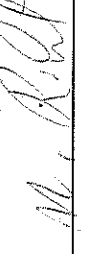
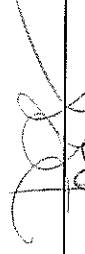


May 22, 2010

To: Marlon Place neighbors
From: Laurie & Bill Worsham, 1105 Norwalk Ln
Re: Carport variance request to City of Austin

The City of Austin has informed us that the addition of a carport above part of the existing driveway to our home will require a variance from the Board of Adjustments because its footprint will extend roughly 5 feet forward of the front setback limit. They recommend obtaining signatures from neighbors in support of the variance request. We appreciate your consideration of the following and hope that you will support our efforts to improve our home. Please do not hesitate to call us at 512.422.0998 (Bill) or 512.633.6149 (Laurie) with any questions or comments.

"I own and/or reside at the property address indicated beside my signature. While reserving all of my rights relating to this issue, at this time I have no objection to the improvement described above."

Signature	Printed Name	Street Address
	Terry Lyons	1100 Heritage Way 78703
	A.W. LAVIDGE	1101 Heritage Way "
	David Mielke	2414 W 12th, 78703
	Lynn Tellock	903 Wayside Dr. 78703
	RANDALL BEATTY	2411 MARLTON
	GREGORY MAX RIED	1107 Norwalk 78703
	DONALD L. STONE	2504 W. 12th 78703
	THOMAS BRANSARS	THOMAS A. BRANSARS 101 Norwalk LN.
	Pae Gandy	1103 Norwalk
	Andrew Berger	2408 W. 8th St.
	Becky Day	1012 Wayside Dr 78703
	Benjamin Hillson	1012A Wayside Dr

Walker, Susan

From: August W. Harris III [harris@cfs-texas.com]
Sent: Wednesday, September 01, 2010 10:23 AM
To: Walker, Susan
Cc: 'Blake Tollett'
Subject: Case Number: C15-2010-0099

Dear Susan:

At last night's scheduled meeting of the West Austin Neighborhood Group Board, we reviewed Case Number: C15-2010-0099 wherein the applicant has requested a variance to decrease the minimum front street setback requirement of Section 25-2-492 (D) from 25 feet to 19.8 feet in order to erect an attached carport to an existing single-family residence in an "SF-3", Family Residence zoning district.

The Board has voted not to oppose the variance request on the condition that the portion of the carport for which the variance is being requested never be enclosed nor that any structure be built above that portion of the carport. The applicant was supportive of this restriction.

Mr. Tollett should be back in advance of the hearing and can answer any further questions.

Thank you.

August W. Harris III
President
West Austin Neighborhood Group
Phone 512.320.8808
Fax 512.320.8684

 **Save a tree. Don't print this e-mail unless it's necessary.**

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9/1/2010