

CASE # C15-2010-0109

TP-0110011211

20W-10490868

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: 1211 Lorrain Street

LEGAL DESCRIPTION: Subdivision – Shelly Heights

Lot(s) 41.31' of 5 & 6 Block Outlot Division

I Jim Bennett as authorized agent for Scott & Brenda Mitchell

 affirm that on 8/24 , 2010 , hereby apply for a hearing before the Board of Adjustment for consideration to:

ERECT – ATTACH – COMPLETE – REMODEL – MAINTAIN

An addition to an existing residence (a front porch) providing a front street setback of 15 ft. from the front property line, a second story addition providing a side street setback of 10 feet, and an accessory building (carport & guest house) providing a side street setback of 11' 9"

in a SF-2-NP district.
(Zoning district)

The Austin Electric Utility Department (Austin Energy) enforces electric easements and the setback requirements set forth in the Austin Utility Code, Electric Criteria Manual and National Electric Safety Code. The Board of Adjustment considers variance to the Land Development Code, and a variance granted by the Board of Adjustment does not waive the requirements enforced by Austin Energy. Please contact Christine Esparza with Austin Energy at 322-6112 before filing your application with the Board of Adjustment if your request is for a reduction in setbacks or height limits.

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:
The addition of a front porch, a second story bump out, and the carport are common to this diverse neighborhood

HARDSHIP:

2. (a) The hardship for which the variance is requested is unique to the property in that:
the foot print of the house is existing and dictating the location of the porch and the window seat on the second level of the residence. The location of the 19" Oak tree with the alignment of the residence is commanding the placement of the accessory structure.

(b) The hardship is not general to the area in which the property is located because: Due to the location of the existing structures and trees on this site the improvements are specific to this site.

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:

This property is located between multi-family used property to the north and south, and most of the older homes in this older neighborhood have porches on the front and many are built with a lesser setback than is currently required. The amount of variance is minimal and should not have a negative impact on the character of 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.

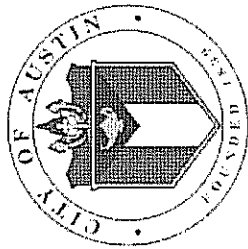
Signed Jim Bennett Mail Address 11505 Ridge Dr
City, State & Zip Austin, TX 78748
Printed Jim Bennett Phone 282-3079 Date 8/10

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 S. Scott Mitchell Mail Address 1002 Lorraine
City, State & Zip Austin TX 78703
Printed George Scott Mitchell Phone 512 565 6646 Date 8-16-10

REQUEST FOR 3 VARIANCES

1. Variance request #1 is to allow an addition of a front porch to be built with a setback of 15' from the front property line. The existing 1938 home's front wall encroaches within the 25' setback regulation. The owner's desire a front porch on which they can see and visit with neighbors. Having a front porch fosters a sense of community within the neighborhood. See the attached City of Austin Neighborhood Plan Design Tools – Front Porches Extending into the Front Setback for New and Existing Single-Family Houses LDC-2-1602. The proposed front porch complies with these guidelines.
2. Variance request #2 is to allow the projection of a 2nd story room into the side setback. Note the existing home's footprint encroaches 3.1' on the required side setback line. Variance #2 asks for the encroachment of 1'-10" deep by 11'-11" wide 2nd level room to be cantilevered into the existing setback (1' -10" beyond the existing 1st level north wall line of the existing building. This cantilevered projection breaks up an otherwise flat wall plane on the north side of the house. It improves the aesthetics of the architecture similar to the reasons for the articulation rules that are incorporated in the "McMansion Ordinance".
3. Variance #3 is to allow the carport building with 2nd level apartment to be built to align with the footprint of the existing house setback on the north side. This will be a 3'-2" encroachment into the 15' setback regulation. The variance facilitates greater level of protection to an existing 19" diameter Live Oak tree on the south side of the proposed building. The critical root zone of the protected tree is less impacted by the granting of this variance.



BOARD OF ADJUSTMENTS

CASE#: C15-2010-0109

LOCATION: 1211 LORRAIN ST

GRID: H23

MANAGER: SUSAN WALKER



SUBJECT TRACT

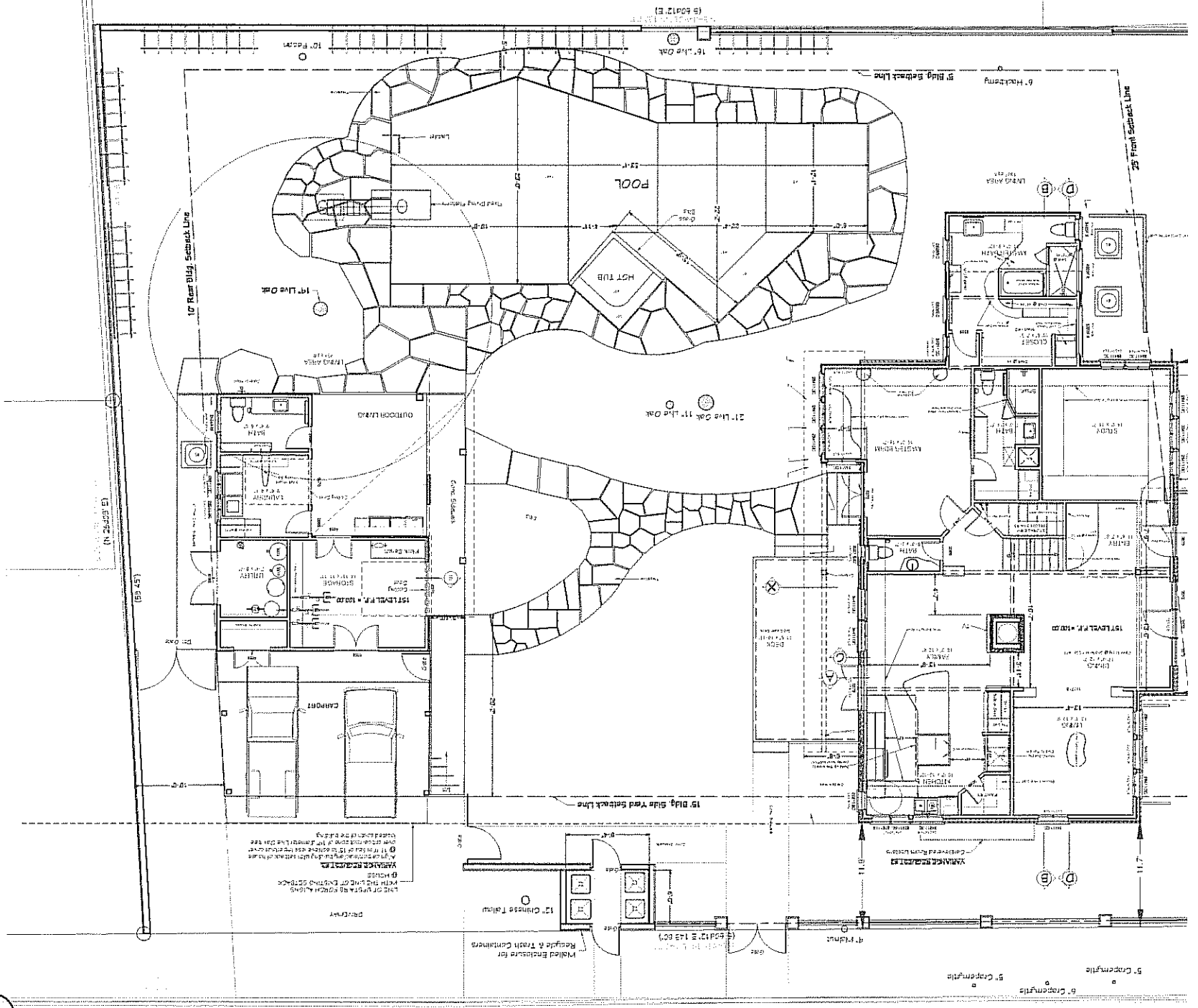
ZONING BOUNDARY



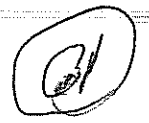
This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

SINGLE FAMILY RESIDENCE

APARTMENT BUILDING



SETBACK PLAN - PORTION 1 SETBACK PLAN - PORTION 2 SETBACK PLAN - PORTION 3

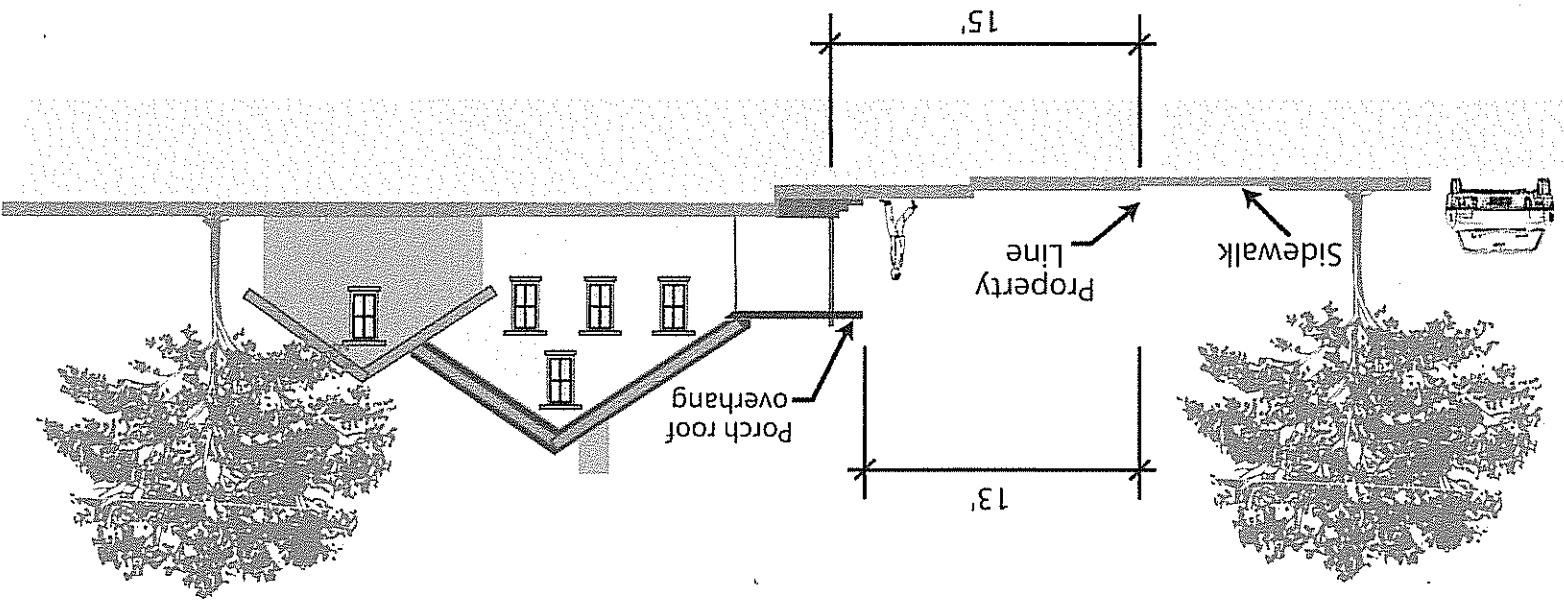


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Front Porches Extending into the Front Setback for New and Existing Single-Family Houses

LDC 25-2-1602

Covered and uncovered front porches shall be allowed to extend within 15 feet (15') of the front property line. Porch roof overhangs may extend no more than two feet (24") into the setback. Support columns—but not walls—are allowed within the footprint of the porch.



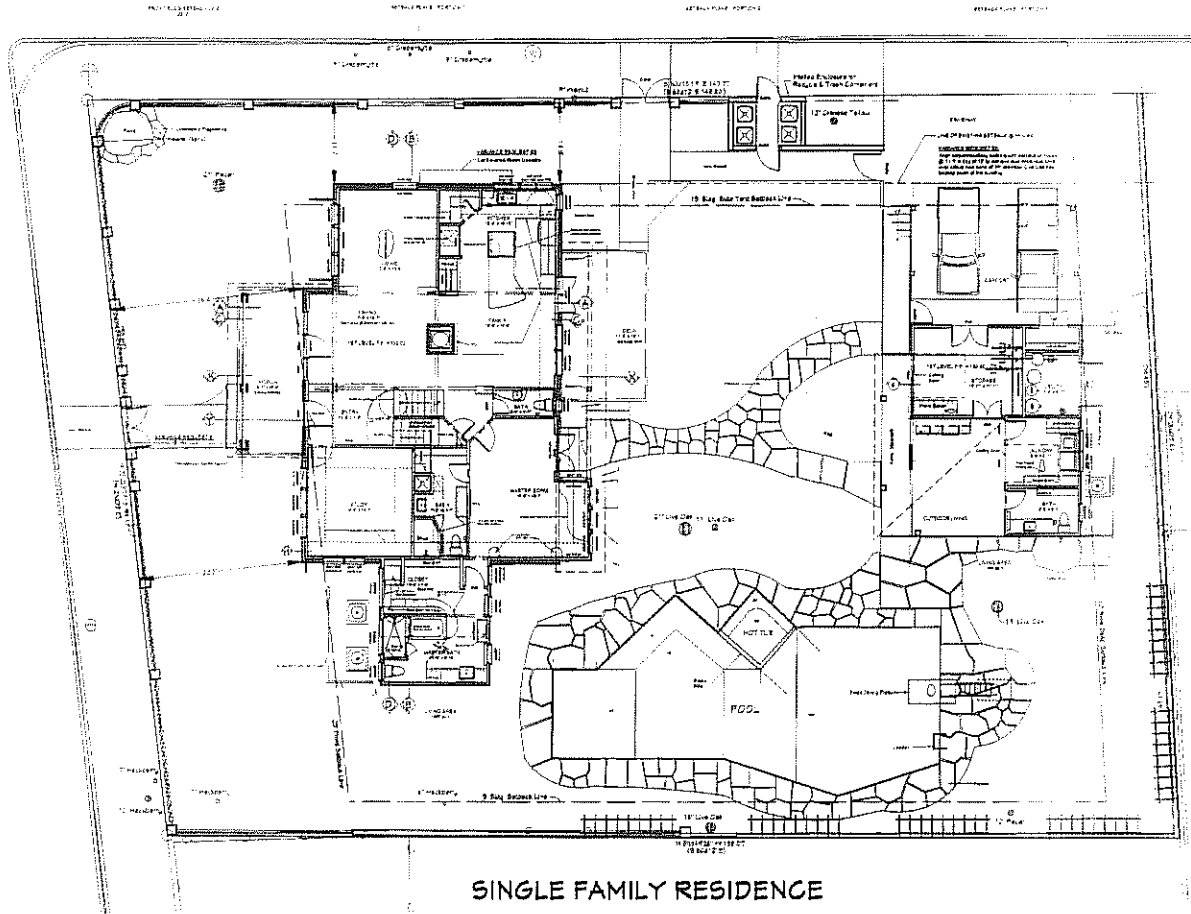
SINGLE FAMILY RESIDENCE

SINGLE FAMILY RESIDENCE W/ GARAGE APARTMENT

West 13th St.
(64' R.O.W.)

APARTMENT BUILDING

Lorraine St.
(57' R.O.W.)



SINGLE FAMILY RESIDENCE

APARTMENT BUILDING

 **SITE PLAN**
1/8" = 1'-0"

C15-2010-0109
1211 Lorraine St

ADDITIONS AND REMODELING

Date:

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