

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 # 015-2010-0110
ROW # 10090871

CITY OF AUSTIN TP-0217000202
APPLICATION TO BOARD OF ADJUSTMENT
GENERAL VARIANCE/PARKING VARIANCE

WARNING: Filing of this appeal stops all affected construction activity.

STREET ADDRESS: 2822 Wooldridge Dr.

LEGAL DESCRIPTION: Subdivision — Jones and Sedwick subdivision of the George W. Spears League _____

Lot(s) _____ Block 3 Outlot _____ Division _____

I/We Jeffrey L. Barger and Betty J. Trent on behalf of ourselves _____

_____ affirm that on _____,

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

(check appropriate items below)

 x ERECT ATTACH COMPLETE REMODEL MAINTAIN

A - a detached garage at 15' from the rear (Oakhurst Ave.) property line to reflect our three neighbors on the block who have existing detached garages at 15' from Oakhurst.

B - Add up to 5% additional floor area (390 square feet) for a total of 3510 square feet of floor area.

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
);

REASONABLE USE:

1. The zoning regulations applicable to the property do not allow for a reasonable use because:

A - We are a through lot with a 25' setback in front at Wooldridge Dr. and an additional 25' setback at the rear at Oakhurst Ave. that takes an additional 15' away from our usable area as opposed to a typical lot.(10' setback)

B - Our lot has a 3000 sq. ft. unbuildable easement tract next to it which is partially owned by the city of Austin and is visually and practically a part of our lot and is maintained by us. This gives us an apparent lot size of 10,800 sq. ft. and should give us a commensurate floor area of 4320 sq. ft.

HARDSHIP:

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

A - We are restricted by a combined total of 50' of setback as opposed to the 35' combined front and rear setbacks for a typical lot.

B - We spent two years researching and negotiating the possible purchase of the adjacent 3000 sq. ft. easement tract with the city of Austin only to find in the end that there are possibly two additional minority owners of this tract who can not be identified. The legal papers pertaining to the tract are vague and insufficient for us to obtain clear title to the tract. Subsequently, we looked into building a basement to gain relief from the FAR regulation, but any basement would be below the storm drainage and below the waste water line, rendering this possibility impractical.

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

A - Typical residential setbacks are 25' in front and 10' at rear

B - The stated intention of the McMansion ordinance is to regulate the visual size and mass of a home in relation to it's site and neighbors. Our site is unique in that it has an apparent size of 10,800 sq.ft. due to the easement tract adjacent to it which we maintain. In addition, this adjacent tract which we had attempted to purchase is odd shaped and at only 3000 sq. ft. is not a legal sf 3 lot. (See exhibit) Therefore, for all intents and

purposes it is unbuildable and there would not be any additional mass constructed on it.

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:

A - The three properties adjacent to us in our block on Oakhurst Ave. have existing detached garages at 15'. We are requesting an equivalent setback to our immediate neighbors and the equivalent setback required for a corner typical lot. This is 5' more than a typical rear setback in our neighborhood. In addition, the two lots across this street have side yards on Oakhurst, giving every house on the block a 15' setback.

B - Since our lot has an apparent size of 10,800 sq. ft. and is surrounded on three sides by streets, our proposed home will be considerably smaller than a comparable site would allow, will be within the 'building envelope', and will not be out of scale or height with any of the homes in our immediate area.

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 Betty J. Trent Mail Address 2601 Maria Anna Rd.
City, State & Zip Austin, Tx. 78703

Printed BETTY J. TRENT Phone 323-0331 Date 8/19/10

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 Betty J. Trent Mail Address Same
City, State & Zip Same

Printed BETTY J. TRENT Phone 323-0331 Date 8/19/10

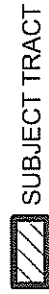
GENERAL INFORMATION FOR SUBMITTAL OF A VARIANCE REQUEST TO THE BOARD OF ADJUSTMENT

(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.)

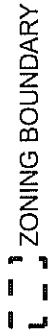
VARIANCE REQUIREMENTS:

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.



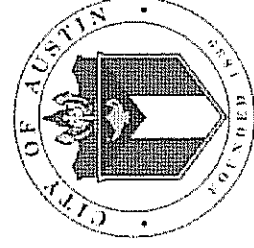
SUBJECT TRACT



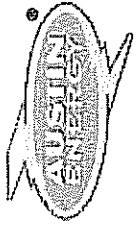
ZONING BOUNDARY

BOARD OF ADJUSTMENTS

CASE#: C15-2010-0110
 LOCATION: 2822 WOOLDRIDGE DR
 GRID: H25
 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.



City of Austin

Austin's Community-Owned Electric Utility

www.austinenenergy.com

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

July 9, 2010

Jeff Barger
2703 Pecos St
Austin, Texas 78703

Re: 2822 Wooldridge Dr
Pt of Blk 3 Jones & Sedwick Subdivision of the George W. Spears League

Dear Mr. Barger,

Austin Energy (AE) has reviewed your application for the above referenced property requesting to reduce the rear setback to 15 feet in order to erect a detached garage. Austin Energy has no conflicts with this application as requested and shown on the attached red-stamped sketch.

Thank you for checking with us in advance. Should you have any questions, please feel free to contact me at 322-6522.

Sincerely,

A handwritten signature in black ink, reading "Robert K. Long, Jr." in a cursive script.

Robert K. Long, Jr.
Public Involvement/Real Estate Services

Cc: Diana Ramirez and Susan Walker

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

OAKHURST AVENUE
(50' R.O.W.)
ASSUMED BEARING BASIS
N 28°05'31" E 59.97' (60.00')

D=17°44'13" TAN=29.02'
CB=S 86°18'47" E C=57.35'
L=57.58' R=186.00'

WEST 29TH STREET
(R.O.W. VARIES)

"X" SET

N 88°49'29" E 30.42'

CENTERLINE OF 25' SANITARY SEWER EASEMENT
(4171/1391)

CITY OF AUSTIN
V.6822 P.542
(NO AREA
SPECIFIED)

**3,009
SQ.FT.**

**0.069
AC.**

N 63°00'55" W 130.63' (130')

N 63°01'09" W 129.86' (130')

P.O.C.

N 28°49'38" E 59.98' (60.00')

P.O.B.

WOOLDRIDGE DRIVE

(R.O.W. VARIES)

CB=S 27°06'17" E C=63.15'
L=74.52' R=38.01'
D=112°19'59" TAN=56.71'

LEGEND

- 1/2" IRON PIPE FOUND
- 1/2" REBAR FOUND
- 1/2" REBAR SET
- 600 MAIL FOUNG
- 600 MAIL SET
- 600 MAIL FOUND
- 600 MAIL SET
- CHAIN WIRE FENCE
- CHAIN WIRE FENCE
- WOOD FENCE
- METAL FENCE
- B.L.
- BUILDING LINE
- P.U.E.
- PUBLIC UTILITY EASEMENT
- D.E.
- DRAINAGE EASEMENT
- W.E.
- WATER EASEMENT
- E.E.
- ELECTRIC EASEMENT
- S.S.E.
- SANITARY SEWER EASEMENT
- ()
- RECORD INFORMATION
- POWER POLE
- O.H.
- OVERHEAD UTILITIES



Victor M. Garza
TO THE LIENHOLDER AND/OR PRESENT OWNERS OF THE PREMISES SURVEYED

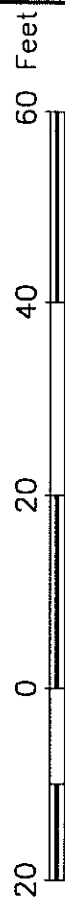
B&G Surveying, Inc.
Victor M. Garza R.P.L.S.

Office 512-458-6969
Fax 512-458-9843

1404 West North Loop Blvd.
Austin, Texas 78756

DATE 12-20-06

JOB# B1211706.TA



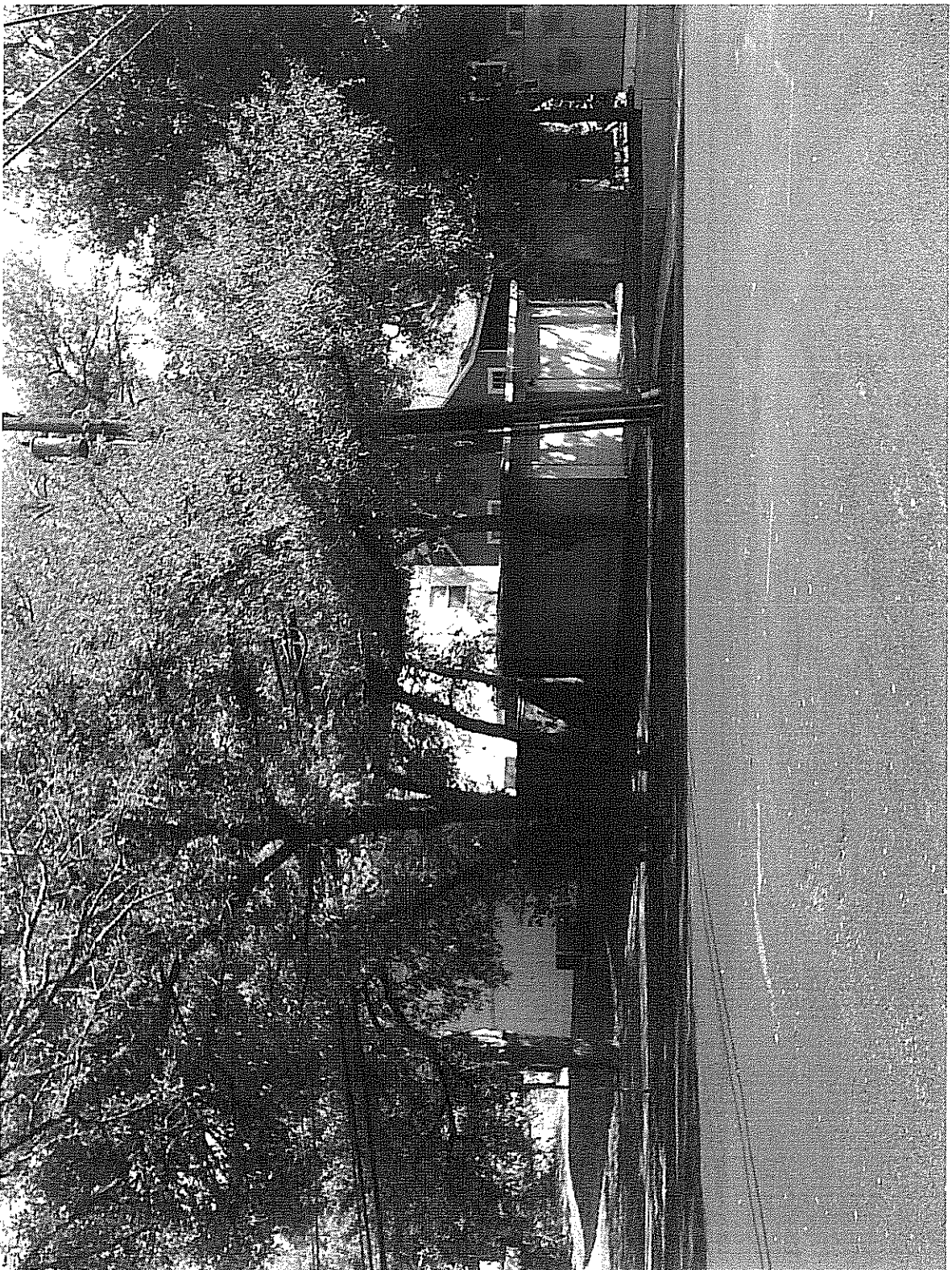
OAK HURST AVE



WOOLBRIDGE DRIVE

existing SITE PLAN 1"=20'
Conditions 2022 WOOLBRIDGE DR
To be removed









OAKHURST AVE

N 28° 05' 31" E 600'



PROPOSED IS EASE BUILDING LINE 2

GARAGE

BREEZEWAY

N 63° 02' 18" W 129.87'

N 65° 02' 21" W 130.61'

5' B.L.

24'-9"

COVERED PORCH

CON PORCH

2 STORY DUPLEX

45'-0"

44'-6"

6'-0"

25' EASE LINE

PROPOSED STRUCTURE
2822 WOOLBRIDGE DR.

1" = 10'

S 28° 47' 50" W 60.02'

WOOLBRIDGE DR