



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

CASE # C15-2010-0117

ROW # 10491114

CITY OF AUSTIN TP-0202110723  
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: 2714 E 3<sup>rd</sup> St

LEGAL DESCRIPTION: Subdivision -- W. B. Anthony

Lot(s) 2 Block 4 Outlot 12  
Division "O"

I/We Brian Evans  
on behalf of myself

affirm that on September , 8th, 2010

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

(check appropriate items below)

ERECT ATTACH COMPLETE REMODEL X MAINTAIN

The front porch of my residence. 16' from front p.l.

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:

When this house was originally built the set backs were less invasive to the home owner. Originally, when this house was built in 1954, the front setback was 15 feet rather than the current 25 feet. To retroactively impose more stringent set back rules on existing older homes in older neighborhoods does not allow for a reasonable use in the current day. The current rules allow for a 5 foot front porch. However, a 5 foot gabled porch does not keep rain off the front door sill, does not keep the sun off the south facing (front) wall and windows in the summer, and does not allow for reasonable comfort, i.e. shade when sitting on the front porch in the summer.

**HARDSHIP:**

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

The set back lines to the house were 10 feet further to the street when this house was originally built. For whatever reason the builder of this home did not build a nice front porch. It was a shed roof that did not extend out to cover the original porch decking. For safety reasons this roof was redesigned and replaced in accordance to sight lines of neighboring properties. This porch addition has maintained and enhanced the neighborhoods' aesthetic appeal according to neighbors.

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

Many of my neighbors are not subject to this rule because their houses and porches were built in closer to the street which the original set back allowed.

**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:

I have added a front porch that is in line with craftsman style of the original houses in this neighborhood. The site lines down the street are not impaired, but strengthened with the addition of this porch. Several of my neighbors have commented on how much they like the new porch. It doesn't impair the zoning as I have not added living space and have simply used set back rules that were originally allowed.

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**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:

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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:

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

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

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**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 2714 E 3<sup>rd</sup> St \_\_\_\_\_

City, State & Zip Austin, TX 78702 \_\_\_\_\_

Printed Brian Evans \_\_\_\_\_ Phone 512-228-9861 \_\_\_\_\_ Date 09/15/2010 \_\_\_\_\_

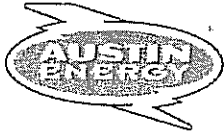
**OWNERS CERTIFICATE** – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed \_\_\_\_\_ Mail Address 2714 E 3<sup>rd</sup> St \_\_\_\_\_

City, State & Zip Austin, TX 78702 \_\_\_\_\_

Printed Brian Evans \_\_\_\_\_ Phone 512-228-9861 \_\_\_\_\_ Date 09/15/2010 \_\_\_\_\_





## City of Austin

Austin's Community-Owned Electric Utility

[www.austinenergy.com](http://www.austinenergy.com)

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

September 13, 2010

Brian Evans  
2714 E 3<sup>rd</sup> Street  
Austin, Texas 78704  
[brian@austinaardvark.com](mailto:brian@austinaardvark.com)

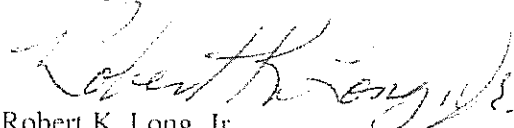
Re: 2714 E 3<sup>rd</sup> Street  
Lt 2 Blk 4 OLT 12 W B Anthony

Dear Mr. Evans,

Austin Energy (AE) has reviewed your application for the above referenced property requesting to maintain the front porch of your residence within the set back. 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,



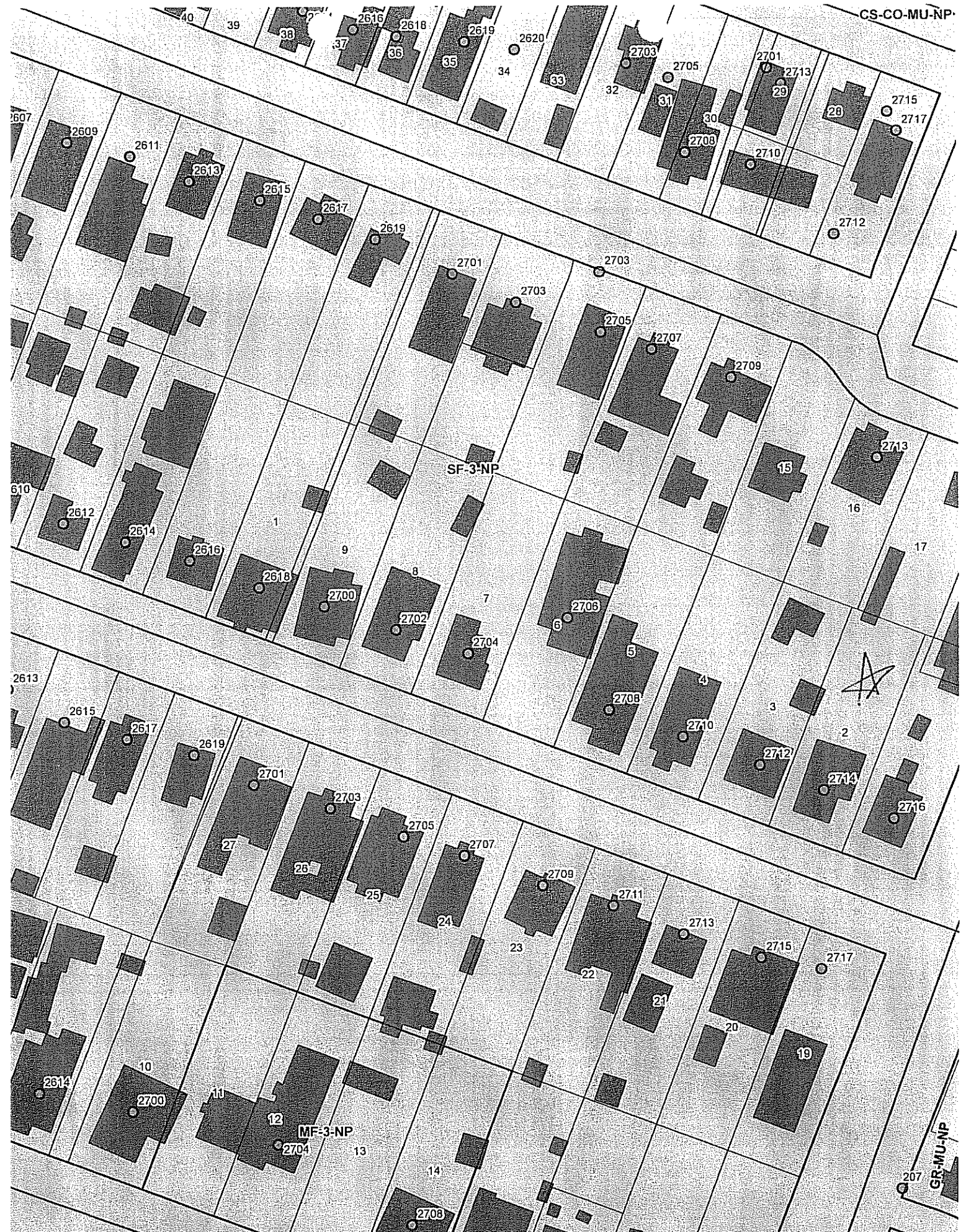
Robert K. Long, Jr.  
Public Involvement/Real Estate Services

Cc: Diana Ramirez and Susan Walker





CS-CO-MU-NP



1954  
ZONING ORDINANCE  
of the  
CITY OF AUSTIN, TEXAS



## FIRST HEIGHT AND AREA DISTRICT

SECTION 14. In the First Height and Area District, for buildings hereafter erected or structurally altered, the height of buildings, the minimum dimensions of yards and courts, the minimum lot and lot area per family shall be as follows:

### A. GENERAL PROVISIONS

1. Height: No building shall exceed thirty-five (35) feet in height.
2. Courts: The least dimension of an inner court shall be not less than six (6) feet, nor less than two and one-half (2-1/2) inches for each foot of height of such court, nor shall its area be less than twice the square of its required least dimension.
3. Off-Street Parking: Space for off-street parking shall be provided as prescribed in Section 10-C.
4. Conditional Uses: Where uses enumerated in any USE District are conditioned upon special height, yard, open space, or coverage requirements and are to be constructed in First Height and Area District, the special requirements shall apply unless the requirements of this District are more restrictive.

### B. RESIDENTIAL BUILDINGS

#### 1. Yards:

- (a) Front and Side Streets: All buildings shall be set back from the front street twenty-five (25) feet for the building line, and the front line of any porch shall be set back from the front street fifteen (15) feet; buildings shall be set back from the side street ten (10) feet for the building line, and porches shall be set back from the side street five (5) feet.
- (b) Side Yard and Rear Yard: There shall be a rear yard, and a side yard on each side of the building. A rear yard shall be not less than five (5) feet in depth, and the total width of side yards shall be not less than thirty per cent (30%) of the total width of the lot; except that the total width of side yards shall not be required to be more than fifteen (15) feet, and that the least side yards shall not be less than five (5) feet wide.
- (c) Coverage: The combined area of the side yards and the rear yard shall not be less than forty-five per cent (45) of the total area of the

# 1969 zoning ord.

## SECTION 14

## FIRST HEIGHT AND AREA DISTRICT

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A. In the FIRST HEIGHT AND AREA DISTRICT, for buildings hereafter erected or structurally altered, the height of buildings, the minimum dimensions of yards and courts, the minimum lot and lot area per family shall be as follows (as amended 6-20-68):

### 1. GENERAL PROVISIONS

- a. Height: No building shall exceed thirty-five (35) feet in height.
- b. Courts: The least dimension of an inner court shall be not less than six (6) feet, nor less than two and one-half ( $2\frac{1}{2}$ ) inches for each foot of height of such court, nor shall its area be less than twice the square of its required least dimension.
- c. Off-Street Parking: Space for off-street parking shall be provided as prescribed in SECTION 10-C.
- d. Conditional Uses: Where uses enumerated in any USE DISTRICT are conditioned upon special height, yard, open space, or coverage requirements and are to be constructed in FIRST HEIGHT AND AREA DISTRICT, the special requirements shall apply unless the requirements of this DISTRICT are more restrictive.

### 2. RESIDENTIAL BUILDINGS

#### a. Yards:

- (1) Front and Side Streets: In the "SUBURBAN RESIDENCE DISTRICT" the building setback line shall be not less than forty (40) feet from the front street and twenty-five (25) feet from the side street. All buildings in "AA" and less restrictive USE DISTRICT shall be set back from the front street twenty-five (25) feet for the building line, (and the front line of any porch shall be set back from the front street fifteen (15) feet;) buildings shall be set back from the side street ten (10) feet for the building line, and porches shall be set back from the side street five (5) feet.
- (2) Side Yard and Rear Yard: There shall be a rear yard, and a side yard on each side of the building. In the "SUBURBAN RESIDENCE DISTRICT" the minimum side yard shall be not less than ten (10) feet and the rear yard shall be not less than twenty (20) feet. In "AA" and less restrictive USE DISTRICTS the rear yard shall be not less than five (5) feet in depth, and the total width of side yards shall be not less than thirty (30) percent of the total width of the lot; except that the total width of side yards shall not be required to be more than fifteen (15) feet, and

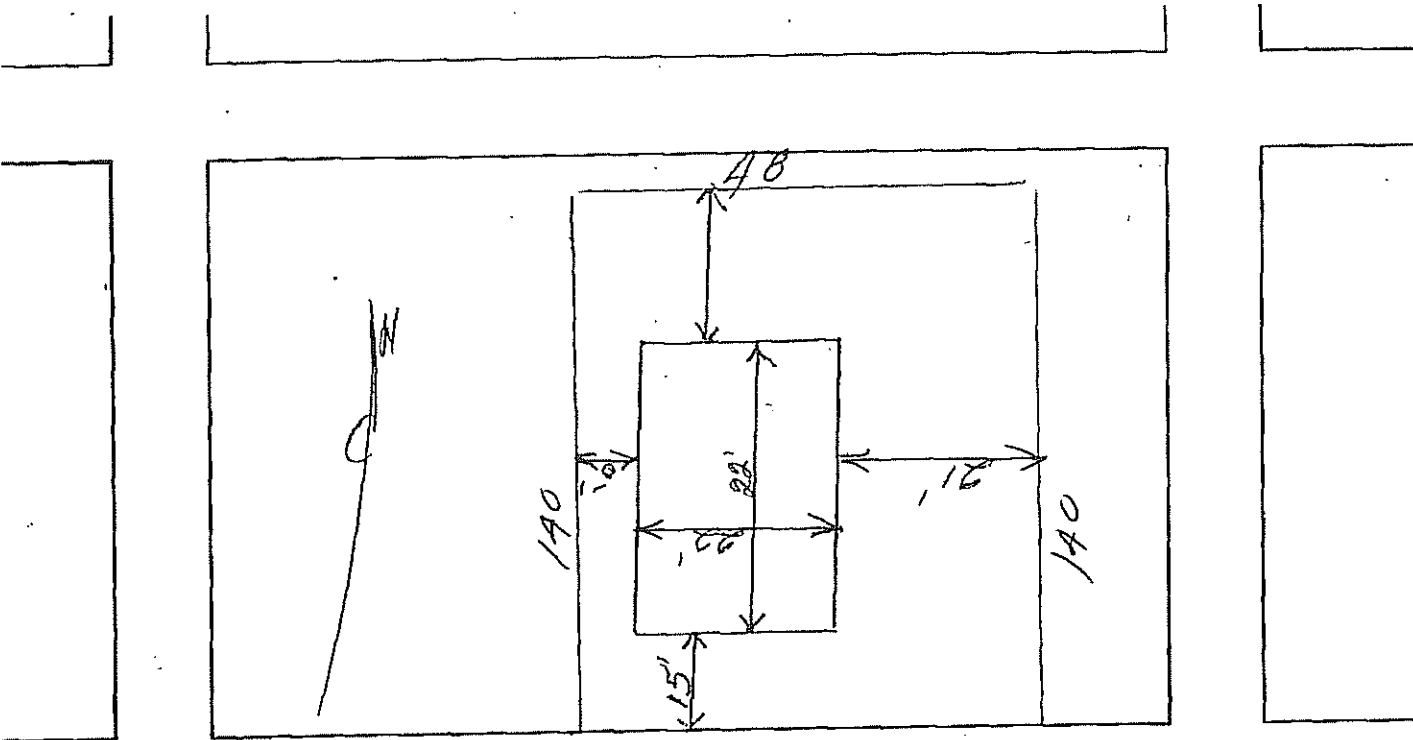
ADDRESS: 2710 East 3rd ST PERMIT 15166 PLAT 387

LOT: BLOCK 4 SUB. OUTLOT - W B Anthony

FIRE ZONE 3 USE DIST: A-15 OCCUPANCY: Res

	LAYOUT			FRAMING		9-15-75	FINAL		ROOF OVERHANG
	PRINC. BLDG.	ACC. BLDG.		PRINC. BLDG.	ACC. BLDG.		PRINC. BLDG.	ACC. BLDG.	PRINC. BLDG.
FOUNDATION	Post		FLOOR JOIST SIZE & O.C.	2x6 2'0"		NECESSARY BLDG. CONN.			ACC. BLDG.
R. SETBACK	15'		CEILING JOIST SIZE & O.C.	2x4 2'0"		ROOM VENTILATION			PAVED PARKING
TOTAL & MIN. SIDE YD.	26'		STUD SIZE & O.C.	2x4 2'0"		STAIRS REQ. & NO.			
IDE STREET	-		MASONRY WALL	✓		ATTIC FIRE STOPS REQ.			

OWNER: Rommel Properties CONTRACTOR: Manuel Hughes



INSPECTOR

CIS-2010-0117

Al firmar la petición siguiente estoy apoyando la adición porche en 2714 E 3rd Street. Creo que no va en detrimento de la estética del barrio, sino en beneficios hecho de la estética de la calle y el barrio. Al firmar Insto a la Ciudad de Austin y la Junta de Ajustes a la concesión de cualquier servidumbre necesaria y permitir que el dueño de una casa en el 2714 E 3rd Street para mantener su porche:

By signing the following petition I am endorsing the front porch addition at 2714 E 3<sup>rd</sup> Street. I feel that it does not detract from the aesthetic of the neighborhood but in fact benefits the aesthetic of the street and neighborhood. By signing I urge the City of Austin and the Board of Adjustments to grant any necessary easement and allow the homeowner at 2714 E 3<sup>rd</sup> Street to keep his/her front porch:

1. [Signature]
2. Jose Hernandez 2715
3. Lydia Ochoa
4. Cecilia Cortez 2713
5. McDonnell 2711
6. Am. D. [Signature] 2711
7. Lavin [Signature] 2707
8. [Signature] 2708 E. 3<sup>rd</sup> St.
9. [Signature] 2618 E 3<sup>rd</sup> ST
10. [Signature]
11. Francisco Cuevas 2703 E. 3<sup>rd</sup> St.
12. Epitacio Villarreal 2716 E. 3<sup>rd</sup> St.
13. Patricia [Signature] 2613 E 3<sup>rd</sup> ST
14. [Signature] 2611 E 3<sup>rd</sup> St.
15. [Signature] 2610 E 3<sup>rd</sup> ST
16. [Signature] 2608 E 3<sup>rd</sup> ST
17. Telesfora Ramirez E 3<sup>rd</sup> ST
18. [Signature] 2609 E 3<sup>rd</sup> ST.
19. Maria Ramirez 2607 E. 3<sup>rd</sup> St.
20. Patricia Lindsey 2606 E 3<sup>rd</sup> Street
- Frances C. Ramirez - 2607 E. 3<sup>rd</sup> St.

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1. Conrado Pacheco 2711 E 4th ST
2. Guil A Vallejo 2711 E 4th ST
3. Rick B Moore 2716 E 3rd Austin 78872
4. John L. Morgan 2717 E. 3rd -
5. Mike B. Hama
6. Bruce Kelly 2707 E 2nd St.
7. Norma Child 2707 E. 2nd St
8. Debbie Duran 2703 E. 2nd
9. R. Cam NASSO 2701 E. 2nd St, 78702
10. J. Stark 2700 E 2nd St 78702
11. Emma Gunn 2613 E. 2nd St 78702
12. Patricia 2607 E 2nd 78702
13. Walt 2606 E 2nd 78702
14. Foster 2603 E. 2nd 78702
15. Sandra 2712 E 3rd 78702
16. \_\_\_\_\_
17. \_\_\_\_\_
18. \_\_\_\_\_
19. \_\_\_\_\_
20. \_\_\_\_\_