

TP# 0431570218

TP# 04-2455-0549

PLEASE: APPLICATION MUST BE TYPED WITH ALL REQUESTED INFORMATION COMPLETED.

PVD -

Impervious
Cover
Variance
needed for
walk way.

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 City of Austin land development code does not offer special consideration for odd shaped lots with regard to setbacks of landscape structures or allow sufficient leeway for impervious covers like walkways.

HARDSHIP:

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

The lot configuration limits the placement of the pergola "structure" outside our back door, making it difficult to avoid noncompliance with the required site development regulations. Positioning the pergola "structure" outside the 5' setback would cause a functioning window to be blocked (see Pictures 2, 3, 4). There currently is no hardscaped ways to access the back yard. A hardscaped walkway would facilitate safer access to the rear of the house.

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

Unlike many other properties in the area, this one sits on the curve of the street and, as a result, is wide at the front, narrow at the back, and has an angled property line (see Plat drawing). The narrowness at the back, together with angled property line and the placement of the house on the lot, leaves very little space for any landscape "structure" without impeding on the 5' setback at the southwest side of the property.

Other properties in the area are two-story and, as a result, are less likely to exceed their impervious cover restriction by adding a walkway. Also, some other properties have other means to safely access their back yards (i.e. access doors from the garage).

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 pergola “structure” is self-contained. It will not impair the use of our property or any surrounding properties (see Google Satellite image). Drainage will be installed to ensure that rain water falling in the gutters is used in the pervious areas of the yard.

Additionally, both landscape elements will be visually pleasing and constructed of high quality, natural materials.

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 Kristine E. Vazquez Mail Address 8101 Alophia Drive

City, State & Zip Austin, TX 78739

Printed Kristine E. Vazquez Phone (512) 288-0250 Date August 25, 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 Kristine E. Vazquez Mail Address 8101 Alophia Drive

City, State & Zip Austin, TX 78739

Printed Kristine E. Vazquez Phone (512) 288-0250 Date August 25, 2010

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) A tax plat with subject property clearly marked indicating property within a 500-foot radius. These are available from the Travis Central Appraisal District at 8314 Cross Park Drive (834-9138).
- (4) Check made payable to the City of Austin for the Board of Adjustment application fee. (Residential zoning - \$360. All other zonings - \$660.)
- (5) 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.

(6) 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:

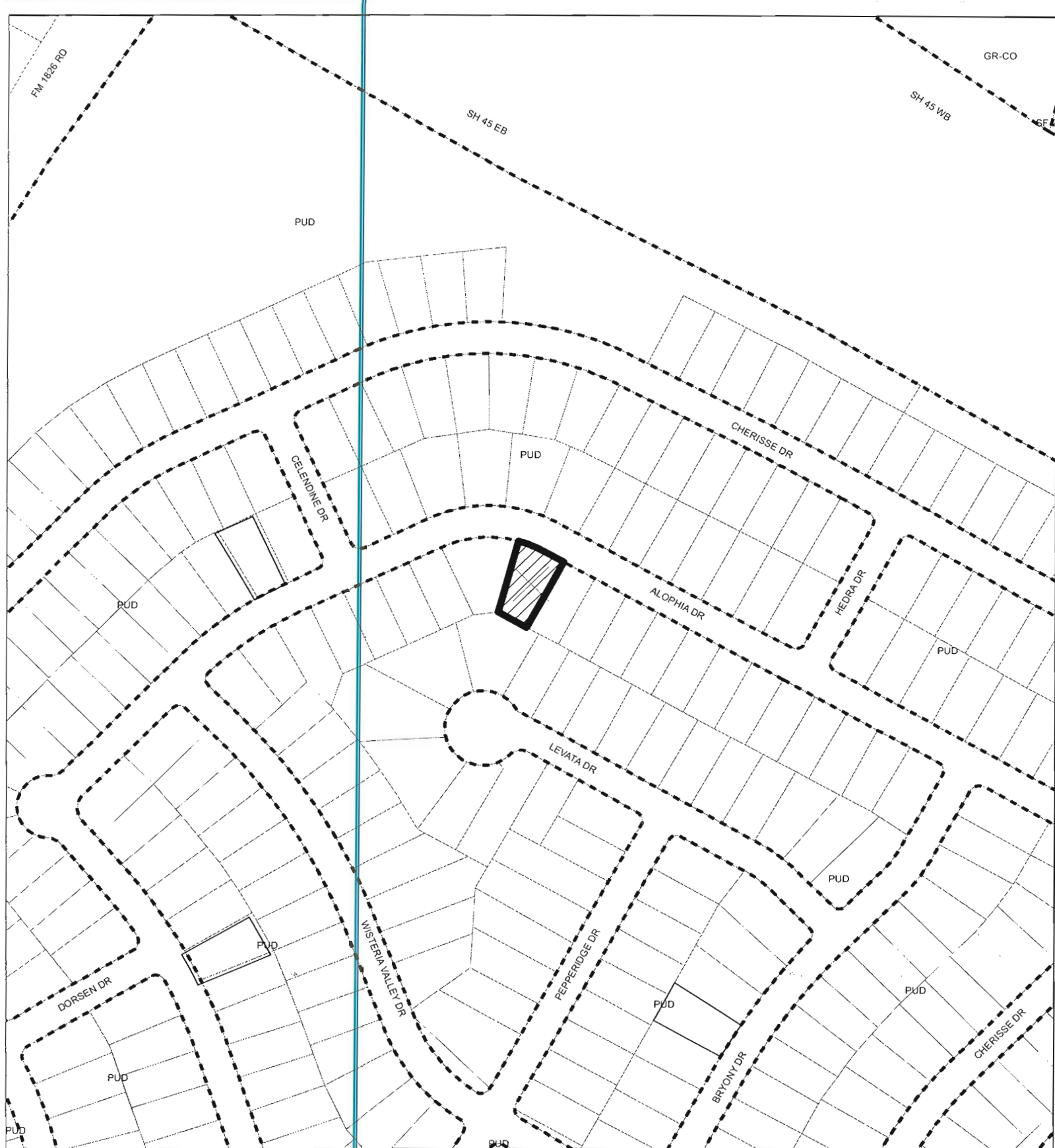
Susan Walker, Planner
974-2202

Diana Ramirez, Administrative Specialist, Board Secretary
974-2241

Fax #974-6536

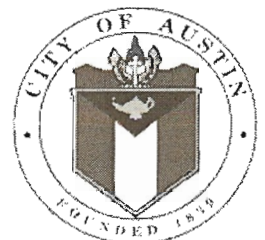
Watershed Protection and Development Review Department
One Texas Center
505 Barton Springs Road, 2nd Floor

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





BOARD OF ADJUSTMENTS

CASE#: C15-2010-0118
LOCATION: 8101 ALOPHIA DR
GRID: WZ15
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.



 SUBJECT TRACT
 ZONING BOUNDARY



City of Austin

Austin's Community-Owned Electric Utility

www.austinenergy.com

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

August 25, 2010

Daniel & Kristine Vazquez
8101 Alophia Dr
Austin, Texas 78739
Email address if applicable

Re: 8101 Alophia Drive
Lot 19, Blk F, Meridian Sec C Ph 2

Dear Mr. & Mrs. Vazquez,

Austin Energy (AE) has reviewed your application for the above referenced property requesting to erect a pergola within the 5' setback. This property is outside of AE's service and therefore AE has no conflicts with this application as requested.

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, appearing to read "Robert K. Long, Jr.", written in a cursive style.

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

Cc: Diana Ramirez and Susan Walker

Daniel & Kristine Vazquez
8101 Alophia Drive



PICTURE 1

SCALE: 1"=20'

LOT 43
MERIDIAN, SEC. 2, PH. 1
Doc#200500137



LEGEND

- IRON ROD FND.
- WOOD FENCE
- EB ELEC. BOX
- W WATER METER
- AC A/C UNIT
- G GAS METER
- EM ELECTRIC METER

LOT 20

SURVEYOR'S NOTES

() DENOTES RECORD INFORMATION

[1] BUILDING LINE PER CITY OF AUSTIN ZONING ORDINANCE.

ACCORDING TO INDEPENDENCE TITLE/FIRST AMERICAN TITLE INS. CO. COMMITMENT (G.F. #0718445-ARB) LOT 19 IS SUBJECT TO THE ESMT. RIGHTS, BUILDING LINES & RESTRICTIONS AS STATED IN:

DOC. #'S 2002151142, 2002151193, 20020151987, 2004140491, 2005034410, 2002151985, 2004126025, 2002151984, 2004236024, 2002151986, 2003152218, 2004180483, 2005151012, 2005220913, 2005224685, 2005224686, 2006015521, 2006074887, 2006087155, 2006149175, 2006165808, 2006165809, 2006165810, 2006165811, 2006174332, 2006213039, 2007147017, 2007194916, 200600327 (PLAT)

LOT 19 IS NOT SUBJECT TO THE FOLLOWING:

VOL. 12005, PG. 460
VOL. 12005, PG. 455
DOC. #2005081325
DOC. #2005081326
DOC. #2005081327

FOR INFORMATION ON CONSERVATION EASEMENT SEE DOC. #2002151985.

PROPERTY OWNER SHALL PROVIDE ACCESS TO ALL DRAINAGE ESMTS. & ELEC. UTILITIES PER PLAT GENERAL NOTES #12, 20 & 21.

ESMT. RESEARCH PERFORMED BY ALL POINTS AND THE UNDERSIGNED SURVEYOR WAS LIMITED TO INFORMATION SUPPLIED BY INDEPENDENCE TITLE/FIRST AMERICAN TITLE INS. CO. PER COMMITMENT G.F. #0718445-ARB PARAGRAPH 10.

LOT No. 19 BLOCK "F"
SECTION C PHASE 2
TRAVIS COUNTY, TEXAS
CITY -

BEARING BASIS
(N 58°36'26"W 50.17')
N 58°36'26"W 50.19'

5' B.L. PLAT

17' x 12' concrete patio

Post sits 6" in on patio

actual measurement =
43" from property line
(post to property line)

LOT 19
BLOCK F
HOUSE

LOT 18

CURVE TABLE

①
S 65°28'14" E 41.37'
A=41.47' R=175.00'
(S 65°23'56" E 41.39')
(A=41.49)

8101 ALOPHIA DRIVE
(50' R.O.W.)

SUBMISSION / ADDITION MERIDIAN
Doc# 200600321 Page(s) -- Cabinet -- PLAT RECORDS
Volume -- Slide --
Street Address: 8101 ALOPHIA DRIVE
Reference: DANIEL JOSE VAZQUEZ AND KRISTINE ELIZABETH VAZQUEZ

By:		Date:
FIELD WORK	JH/BM	6-5-08
DRAFTING	NM	
FINAL CHECK	MCB	
CORRECTIONS		

Daniel & Kristine Vazquez
8101 Alophia Drive



PICTURE 2

Daniel & Kristine Vazquez
8101 Alophia Drive



PICTURE 3

Daniel & Kristine Vazquez
8101 Alophia Drive



PICTURE 4

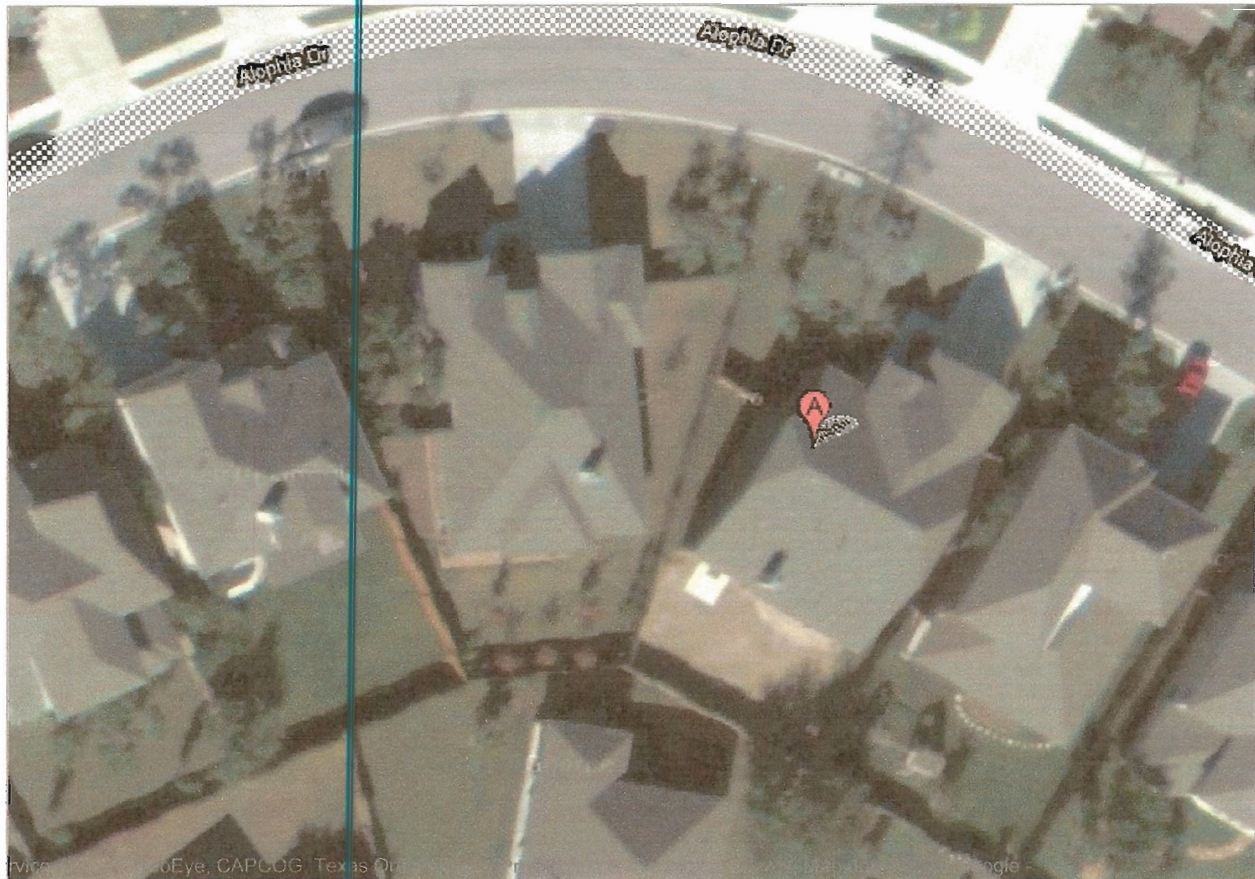


Address

To see all the details that are visible on the screen, use the "Print" link next to the map.

[Get Directions](#) [My Maps](#)

[Edit](#) [Print](#) [Send](#) [Link](#)



Hide

☒ **8101 Alophia Dr, Austin, Travis, Texas 78739**

☐ 8101 Alophia Drive, Austin, TX 78739



TaxNetUSA: Travis County Property Information

Property ID Number: 738127 RefID2 Number: 04245505490000

Owner's Name **VAZQUEZ DANIEL JOSE & KRISTINE ELIZABETH**

Property Details

Mailing Address 8101 ALOPHIA DR
AUSTIN, TX 78739-1997

Location 8101 ALOPHIA DR 78739

Legal LOT 19 BLK F MERIDIAN SEC C PHS 2

Deed Date 06182008

Deed Volume

Deed Page

Exemptions HS

Freeze Exempt F

ARB Protest F

Agent Code 0

Land Acres 0.1769

Block F

Tract or Lot 19

Docket No. 2008104531TR

Abstract Code S16713

Neighborhood Code O1452

Value Information

2010 Preliminary

Land Value 50,000.00

Improvement Value 280,179.00

AG Value 0.00

AG Productivity Value 0.00

Timber Value 0.00

Timber Productivity Value 0.00

Assessed Value 330,179.00

10% Cap Value 0.00

Total Value 330,179.00

Data up to date as of 2010-09-30

- [AGRICULTURAL \(1-D-1\)](#) [APPOINTMENT OF AGENT FORM](#) [FREEPORT EXEMPTION](#) [HOMESTEAD EXEMPTION FORM](#)
- [PRINTER FRIENDLY REPORT](#) [PROTEST FORM](#) [RELIGIOUS EXEMPTION FORM](#) (TIFF) [PLAT MAP](#) (PDF) [PLAT MAP](#)

Value By Jurisdiction

Entity Code	Entity Name	2009 Tax Rate	Assessed Value	Taxable Value	Market Value	Appraised Value
0A	TRAVIS CENTRAL APP DIST		330,179.00	330,179.00	330,179.00	330,179.00
01	AUSTIN ISD	1.202000	330,179.00	315,179.00	330,179.00	330,179.00
02	CITY OF AUSTIN	0.420900	330,179.00	330,179.00	330,179.00	330,179.00
03	TRAVIS COUNTY	0.421500	330,179.00	264,143.00	330,179.00	330,179.00
2J	TRAVIS CO HEALTHCARE DIST	0.067400	330,179.00	264,143.00	330,179.00	330,179.00
68	AUSTIN COMM COLL DIST	0.094600	330,179.00	325,179.00	330,179.00	330,179.00

Improvement Information

Improvement ID 732384

State Category A1

Description 1 FAM DWELLING

Segment Information

Imp ID	Seg ID	Type Code	Description	Class	Effective Year Built	Area
732384	4142185	1ST	1st Floor	WV5+	2008	2,149
732384	4142186	2ND	2nd Floor	WV5+	2008	836
732384	4142187	011	PORCH OPEN 1ST F	*5+	2008	55
732384	4142188	612	TERRACE UNCOVERD	*5+	2008	64
732384	4142189	041	GARAGE ATT 1ST F	WV5+	2008	476
732384	4142190	251	BATHROOM	**	2008	3
732384	4142191	522	FIREPLACE	*5+	2008	1
732384	4142192	095	HVAC RESIDENTIAL	**	2008	2,985
Total Living Area						2,985

Land Information

Land ID	Type Code	SPTB Code	Homesite	Size-Acres	Front	Depth	Size-Sqft
706232	LAND	A1	T	0.177	0	0	7,704

show history