

CASE # 215-2010-0122
ROW # 1080255

TP- # 0237070905

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: 1801 Princeton Avenue

LEGAL DESCRIPTION:
LOT 37 and west 25' of LOT 36, BLOCK 2, of CRESTVIEW ADDITION
SECTION 10

We, Dave and Melissa Considine affirm that on 9-22-2010

we hereby apply for a hearing before the Board of Adjustment for consideration to:
(check appropriate items below)

ERECT ATTACH COMPLETE REMODEL MAINTAIN

A storage shed which encroaches into the west sideyard setback approx. ~~8~~ 10'
in a SF-3-NP [crestview NP] 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:

The shed existed in its present location when we purchased the house in 2002 and is a typical and reasonable accessory use in an SF-3 district.

The 6" encroachment is minimal and does not affect the purpose or function of the required sideyard setback.

The granting of this variance will allow us to maintain this established accessory use on our property.

HARDSHIP:

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

Permit history from 1976 was found for the construction of the 200 sf shed. Because there were no inspection notes attached, staff required us to seek a variance to allow it to remain in place.

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

The shed was permitted in 1976 and is particular to this lot.

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 shed has stood for many years in its present location and does not present a conflict with adjacent properties or uses.

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 R. Dave Considine Mail Address 1801 PRINCETON AVE.

City, State & Zip AUSTIN, TX 78757

Printed R. DAVE CONSIDINE Phone (512) 407-8567 Date 9/22/2010

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 R. Dave Considine Mail Address 1801 PRINCETON AVE.

City, State & Zip AUSTIN, TX 78757

Printed R. DAVE CONSIDINE Phone (512) 407-8567 Date 9/22/2010

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.)

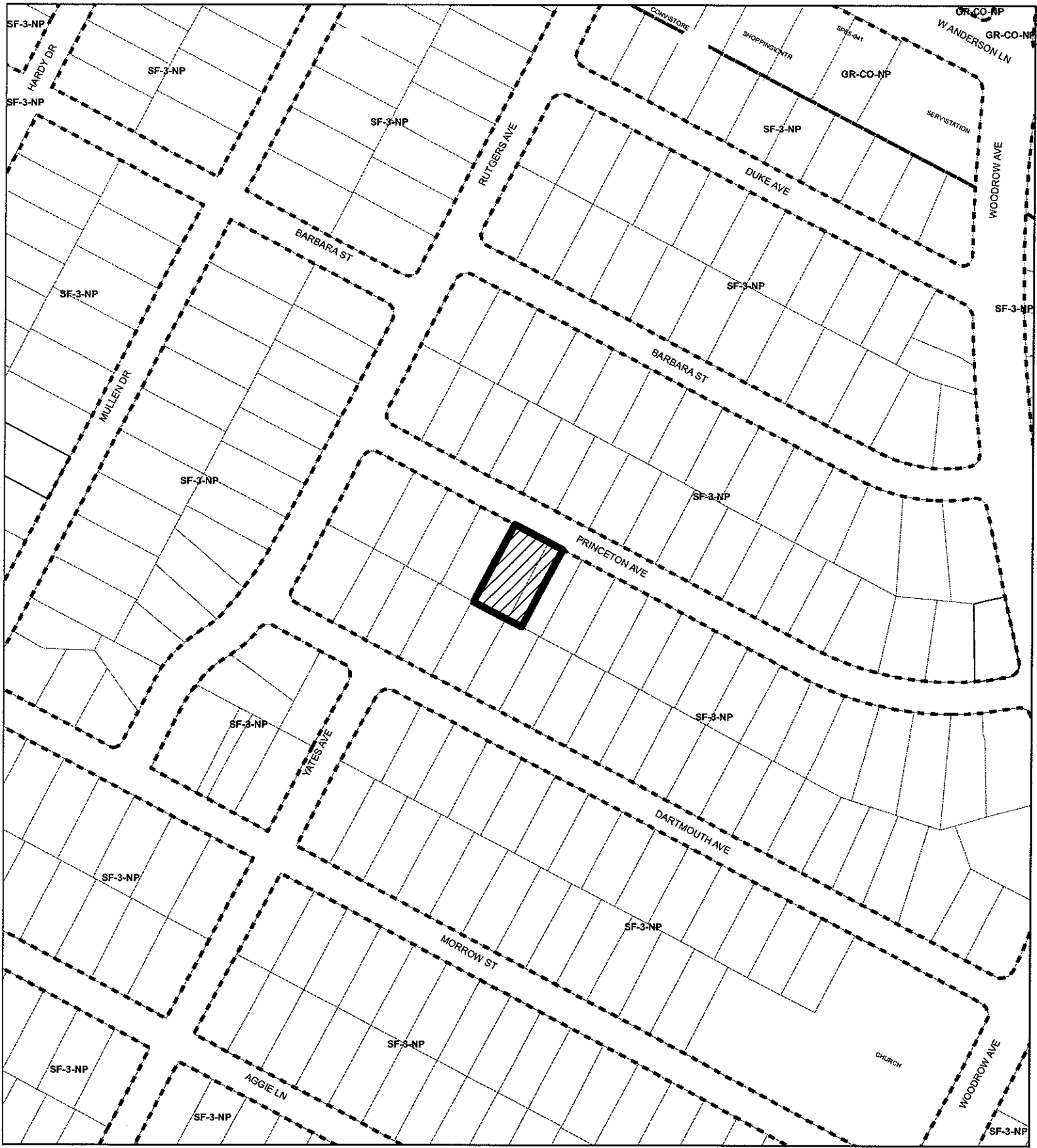
VARIANCE REQUIREMENTS:

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.



BOARD OF ADJUSTMENTS

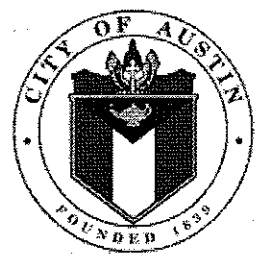


SUBJECT TRACT

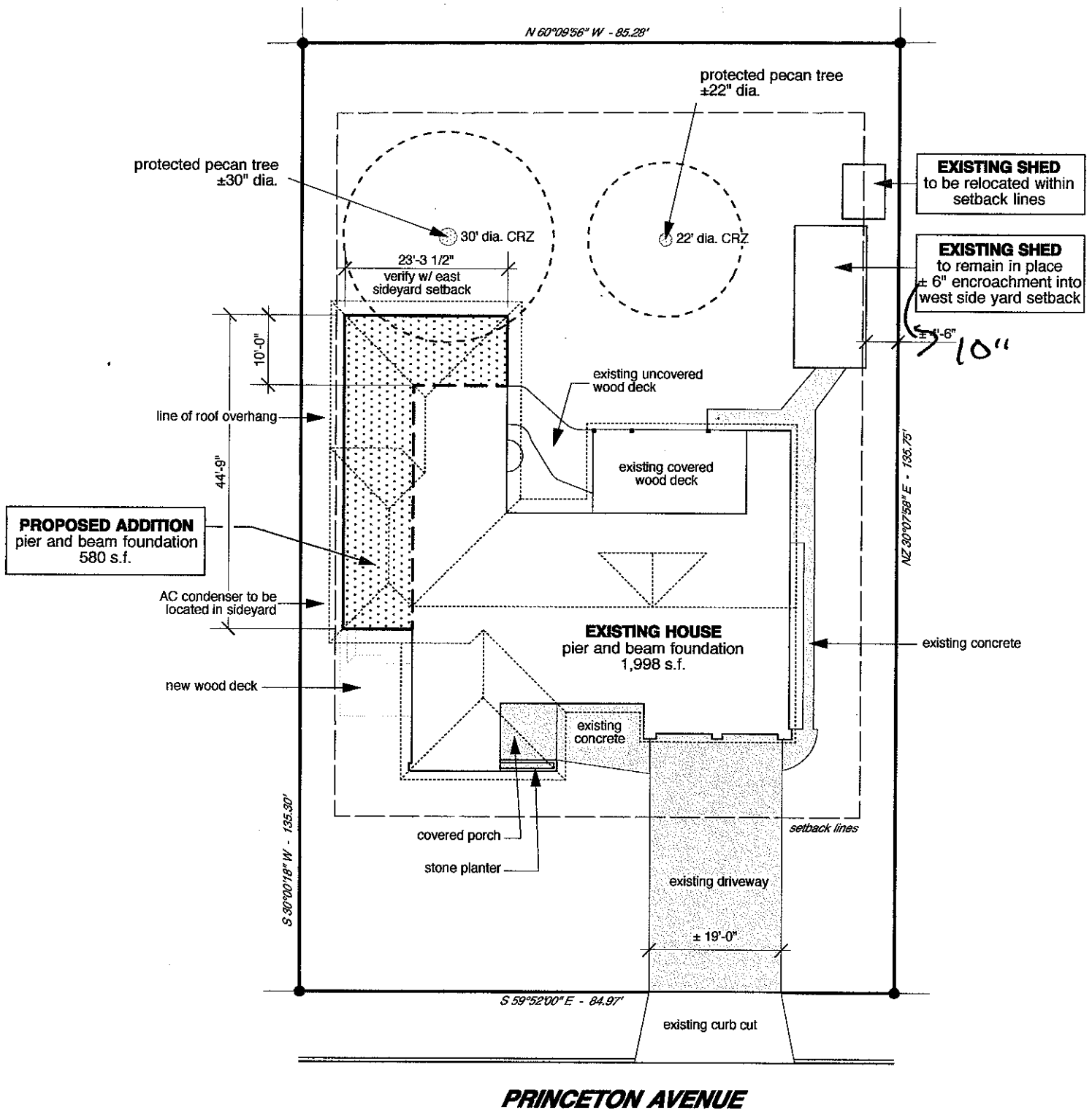


ZONING BOUNDARY

CASE#: C15-2010-0122
 LOCATION: 1801 PRINCETON AVE
 GRID: K29
 MANAGER: SUSAN WALKER



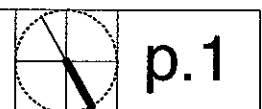
This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



note:
site information on this page is taken from owner's survey dated 03/02/2002

1801 PRINCETON addition / remodel

proposed site plan -- scale: 1" = 20'-0"



NORTH



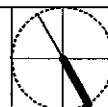
looking at shed from the east



looking at shed from the north

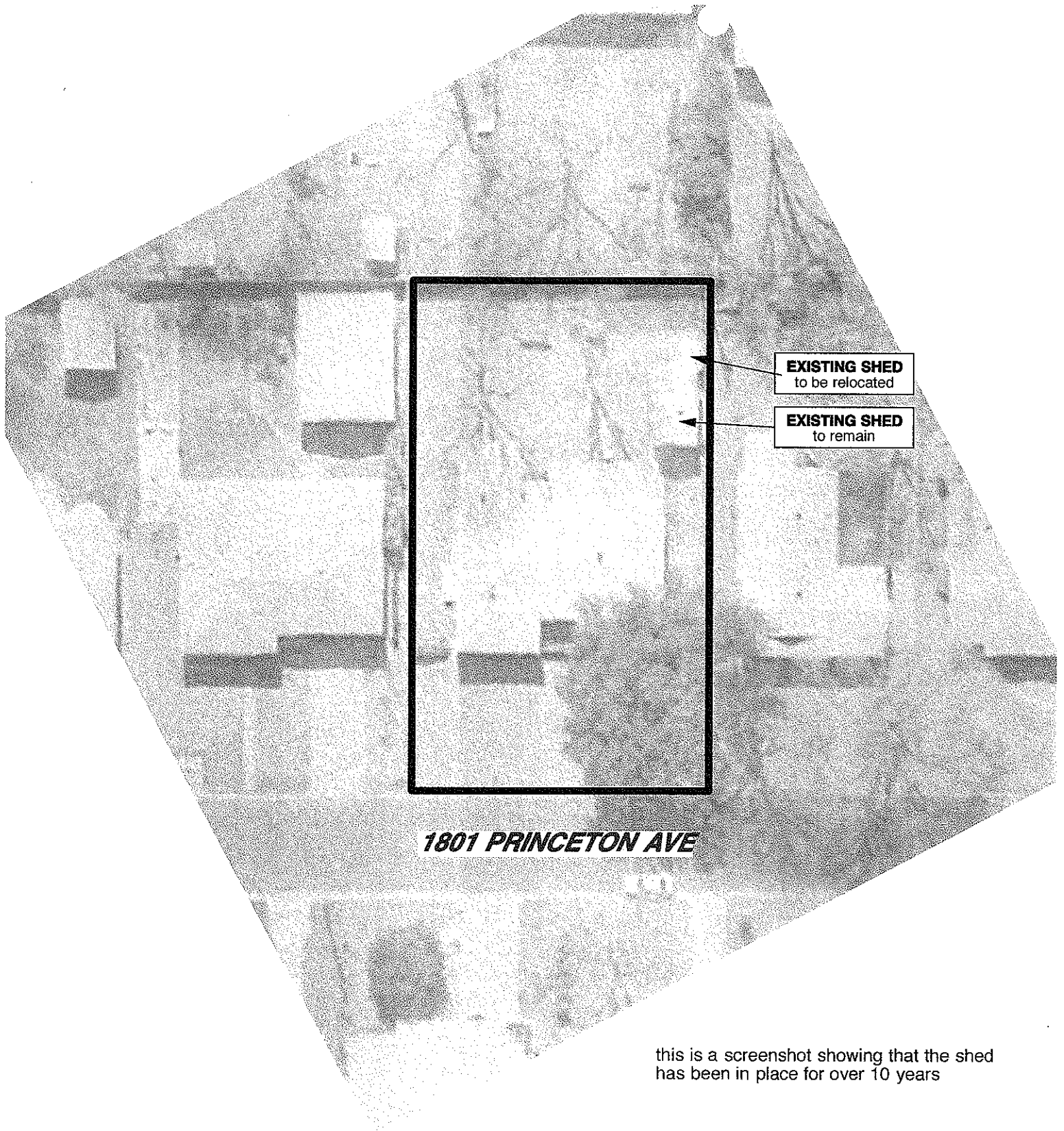
1801 PRINCETON *addition / remodel*

pictures of shed

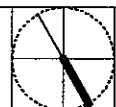


p.2

NORTH



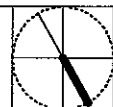
this is a screenshot showing that the shed
has been in place for over 10 years





this is a screenshot showing structures on neighboring properties

1801 PRINCETON *addition / remodel*
aerial view of property from COA 2003 GIS



p.4

NORTH

Owner's Name **CONSIDINE RAYMOND D & MELISSA**

Property Details

Mailing Address: MELISSA M LOSER
1801 PRINCETON AVE
AUSTIN, TX 78757-1327

Location: 1801 PRINCETON AVE 78757

Legal: W25FT OF LOT 36&37 BLK 2 CRESTVIEW ADDN SEC 10

Deed Date: 03222002
Deed Volume: 00000
Deed Page: 00000
Exemptions: HS
Freeze Exempt: F
ARB Protest: F
Agent Code: 0
Land Acres: 0.2712
Block: 2
Tract or Lot: 36&37
Docket No.: 2002057123TR
Abstract Code: S03533
Neighborhood Code: Y8000

Value Information

2010 Preliminary

Land Value: 165,000.00
Improvement Value: 119,217.00
AG Value: 0.00
AG Productivity Value: 0.00
Timber Value: 0.00
Timber Productivity Value: 0.00
Assessed Value: 284,217.00
10% Cap Value: 0.00
Total Value: 284,217.00

Data up to date as of 2010-09-01

- AGRICULTURAL (1-D-1)
- APPOINTMENT OF AGENT FORM
- FREEPORT EXEMPTION
- HOMESTEAD EXEMPTION FORM (TIFF)
- PRINTER FRIENDLY REPORT
- PROTEST FORM
- RELIGIOUS EXEMPTION FORM
- 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		284,217.00	284,217.00	284,217.00	284,217.00
01	AUSTIN ISD	1.202000	284,217.00	269,217.00	284,217.00	284,217.00
02	CITY OF AUSTIN	0.420900	284,217.00	284,217.00	284,217.00	284,217.00
03	TRAVIS COUNTY	0.421500	284,217.00	227,374.00	284,217.00	284,217.00
2J	TRAVIS CO HEALTHCARE DIST	0.067400	284,217.00	227,374.00	284,217.00	284,217.00
68	AUSTIN COMM COLL DIST	0.094600	284,217.00	279,217.00	284,217.00	284,217.00

Improvement Information

Improvement ID: 199592 State Category: A1 Description: 1 FAM DWELLING

Segment Information

Imp ID	Seg ID	Type Code	Description	Class	Effective Year Built	Area
199592	232142	1ST	1st Floor	WA4	1956	1,390
199592	980298	011	PORCH OPEN 1ST F	*4	1956	60
199592	980299	041	GARAGE ATT 1ST F	WA4	1956	540
199592	980300	095	HVAC RESIDENTIAL	**	1956	1,390
199592	980301	251	BATHROOM	**	1956	1
199592	980302	320	OBS DRIVEWAY	SDC*	1956	1
199592	980303	531	SHED	CAA*	1956	1
199592	980304	571	STORAGE DET	WW3+	1956	200
199592	980305	591	MASONRY TRIM SF	AVG*	1956	200
199592	980306	631	PORCH CLOS UNFIN	*4	1956	264

THIS CORRELATES TO SHED?

Total Living Area 1,390

Land Information

Land ID: 236428 Type Code: LAND SPTB Code: A1 Homesite: T Size-Acres: 0.271 Front: 0 Depth: 0 Size-Sqft: 11,816

[show history](#)

OWNER A. W. Kruencke ADDRESS 1801 Princeton St.

PLAT 319 LOT 37 & W 25' of 36 BLK 2

SUBDIVISION Crestview # 10

OCCUPANCY Sewing room and bathroom

BLD PERMIT #13706 DATE 7-15-69 OWNERS ESTIMATE \$1,000.00

CONTRACTOR owner NO. OF FIXTURES 3

WATER TAP REC # Exist SEWER TAP REC # Exist

Frm addn to rear of residence

208 sq. ft.

2-25-76-frn acc bldg. - 200 sq ft. - \$600.00

September 21, 2010

Board of Adjustment- City of Austin,

Being the neighbors to the immediate west of the Considine's of 1801 Princeton Ave., we are aware of the slight encroachment of the Considine's shed in the setback from our common property line. We do not see this as an issue and support the Considine's application for a variance.

Sincerely,



Omar and Heather Curiel

1803 Princeton

Austin, TX 78757

512/924-5540