

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 # C15-2010-0147
ROW # 10525000

CITY OF AUSTIN
APPLICATION TO BOARD OF ADJUSTMENT
GENERAL VARIANCE/PARKING VARIANCE

TP-0308160802

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

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

STREET ADDRESS: 6703 Canal Street

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LEGAL DESCRIPTION: Subdivision - Chernosky Subdivision, Number 17

Lot(s) 2 Block 14 Outlot _____ Division _____

I/We Antonio and Leticia Vargas, on behalf of myself/ourselves as authorized agent for

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_____ affirm that on November 15, 2010

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

(check appropriate items below)

ERECT ATTACH COMPLETE REMODEL MAINTAIN

To fix roof of porch that is in need to repair to the point that it is not safe.

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To maintain covered

in a SF-3 NP district.
(zoning district)

porch 3' from west property line Montopolis N.P.

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 3 of application for explanation of findings):

REASONABLE USE:

The zoning regulations applicable to the property do not allow for a reasonable use because: When the porch was build 23 years ago, to my understanding no permits were required. The roof on the porch is deteriorated to the point that it is not safe.

- 1.
- 2.

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HARDSHIP:

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

23 years ago when the porch was build I was not aware of the 5 foot space between property line and the porch.. It would be very hard to remove a portion of the slab and the rock wall which is 18 inches wide by 7 feet high.

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

discrepancy of property line and new survey when adjacent house was sold

AREA CHARACTER: is unique to this property & not general to the area.

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:

It will not alter the character of the area adjacent to the property because it has been that way for the past 23 years.

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 Antonio Vargas Mail Address 6703 Canal Street

City, State & Zip Austin, Texas 78741

Printed Antonio Vargas Phone 512.385.7339 Date November 15, 2010

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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 Antonio Vargas Mail Address 6703 Canal Street

City, State & Zip Austin, Texas 78741

Printed Antonio Vargas Phone 512.385.7339 Date November 15, 2010

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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.)

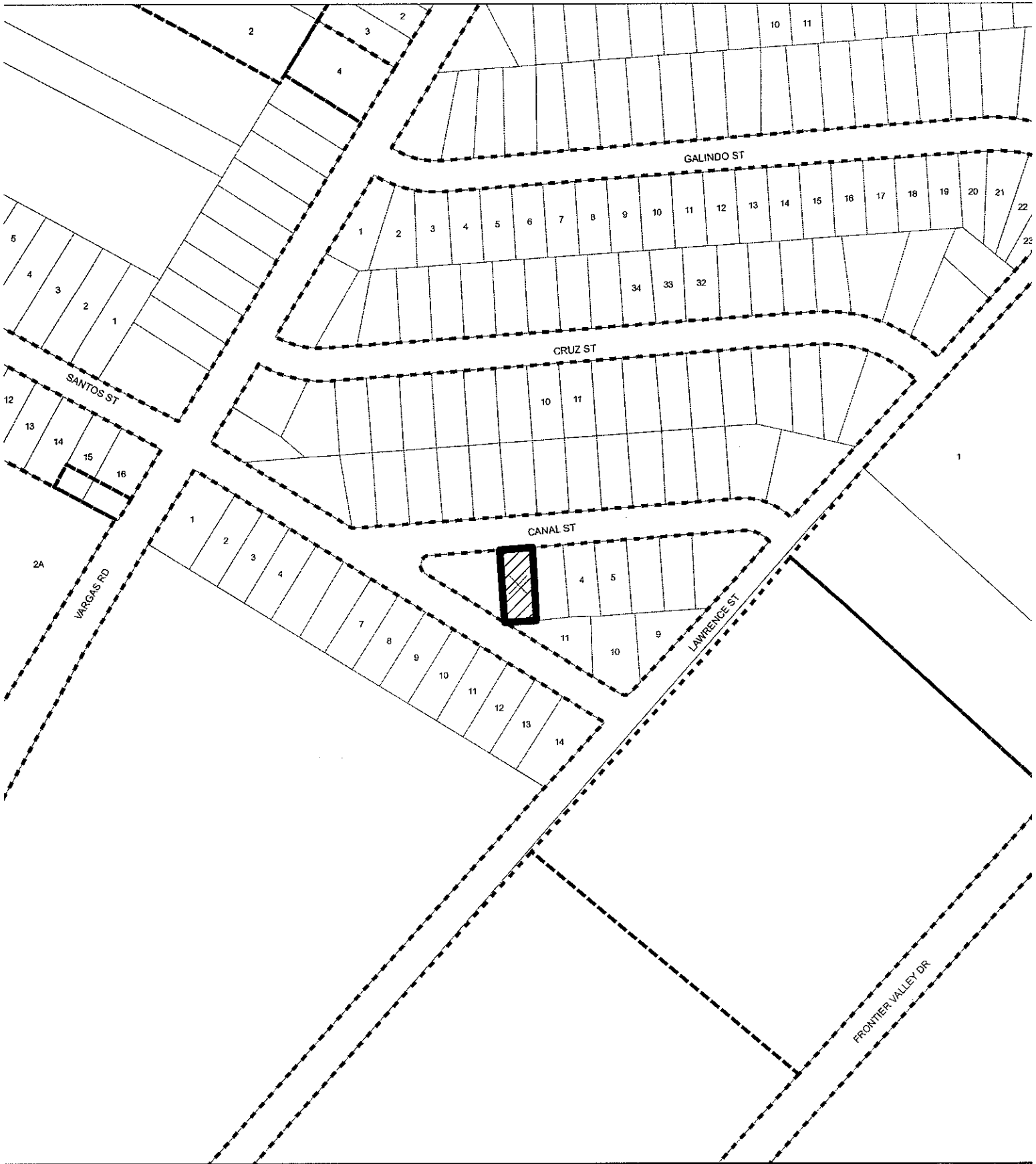
- (1) A completed application indicating all variances being requested. An application must include proposed findings that will support requested variances. The required findings must address each variance being sought.
- (2) A site plan to scale indicating present and proposed construction and location and use of structures on adjacent lots.
- (3) Check made payable to the City of Austin for the Board of Adjustment application fee. (Residential zoning - \$360. All other zonings - \$660.)
- (4) 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.
- (5) Austin Energy approval

Deleted: -#-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).
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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:



BOARD OF ADJUSTMENTS

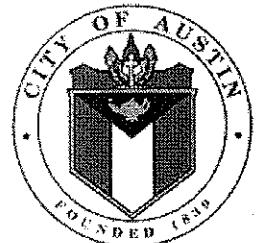


SUBJECT TRACT

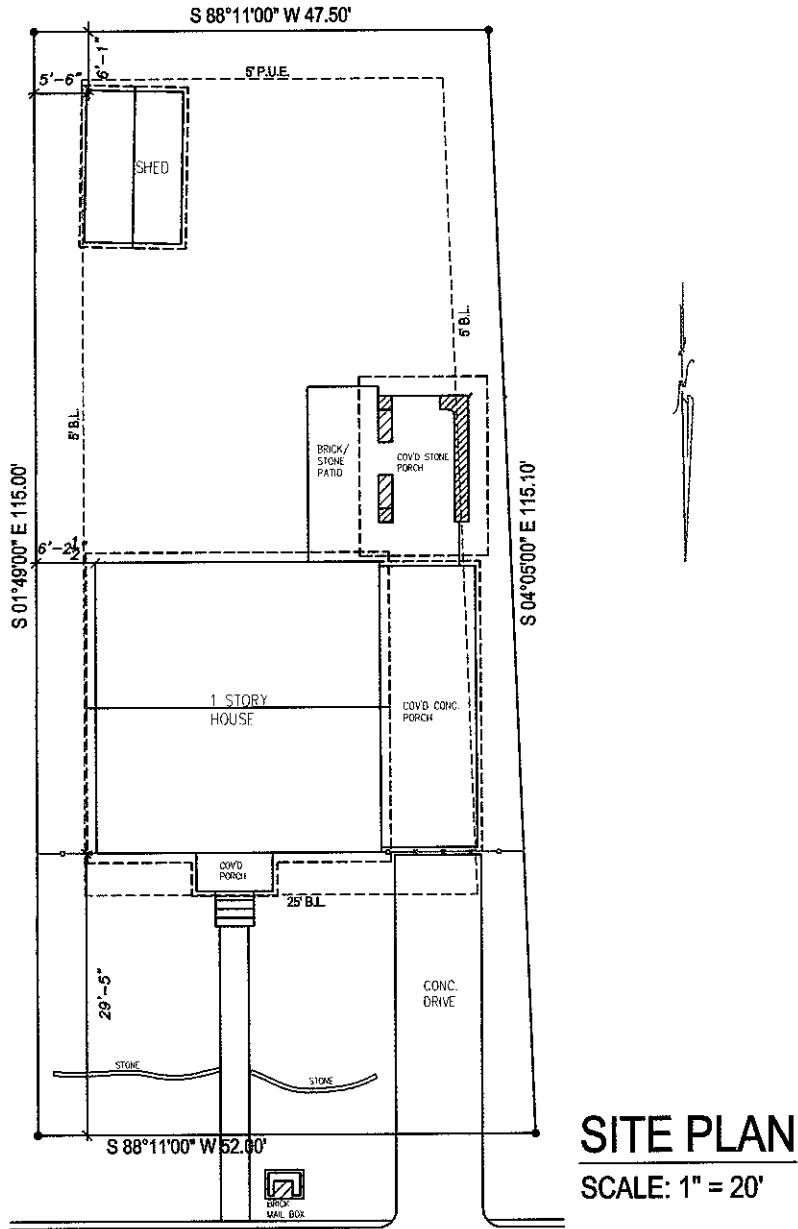


ZONING BOUNDARY

CASE#: C15-2010-0147
 LOCATION: 6703 CANAL ST
 GRID: L18, L19
 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.



SITE PLAN
SCALE: 1" = 20'

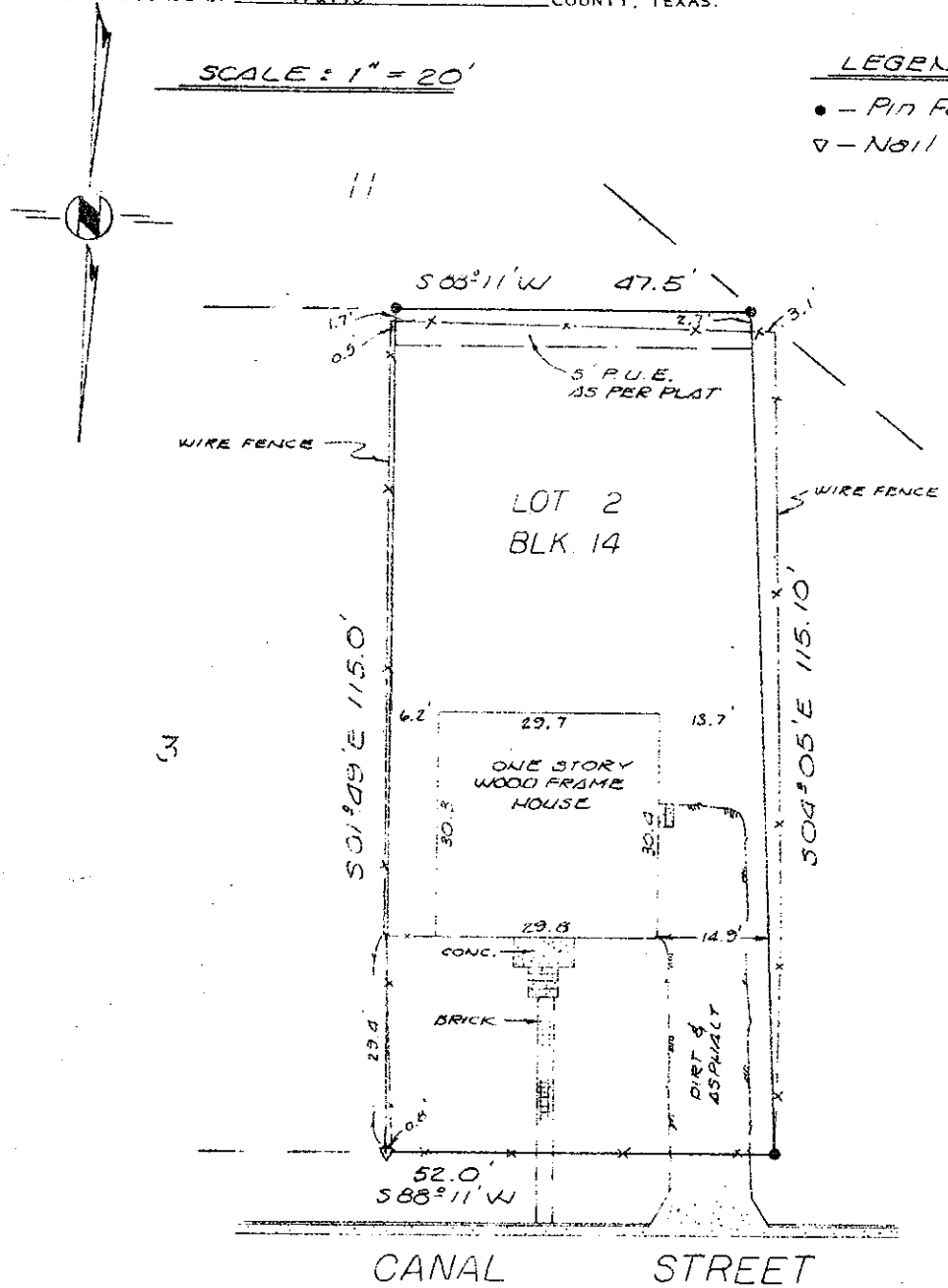
CANAL STREET

6703 CANAL ST. AUSTIN, TX 78741
ANTONIO VARGAS

SURVEY PLAT OF: LOCAL ADDRESS 6703 Canal Street REF. Vargas G.F. #42823
 LEGAL DESCRIPTION: LOT 2 BLOCK 14 Chernosky Subdivision, Number 17
 A SUBDIVISION IN Austin TEXAS. OF RECORD IN Bk. 5 Pg. 130 OF
 THE PLAT RECORDS OF Travis COUNTY, TEXAS.

SCALE: 1" = 20'

LEGEND:
 ● - Pin Found
 ▽ - Nail Set



NOTES 1 APPLY:
 1. This property is in ZONE C of the F.E.M.A. Flood Insurance Rate Map for Austin, Texas. Community Panel No. 480624 0050 B, dated September 2, 1981
 2. This property _____ within a Special Flood Hazard Area, as identified by the F.I.A./H.U.D. Flood Hazard Boundary