

CASE # C15-2010-0153
ROW-10525029
TP-0113011002

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: 1501 Rainbow Bend

LEGAL DESCRIPTION: Subdivision – Enfield D

Lot(s) part of 37 Block _____ Outlot _____ Division _____

I Jim Bennett as authorized agent for Matthew & Christine Butterfield

affirm that on December 2, 2010 hereby apply for a hearing before the Board of

Adjustment for consideration to:

ERECT – ATTACH – COMPLETE – REMODEL – MAINTAIN

A deck providing a rear yard setback of _____ ft.

in a SF-3 district.
(zoning district)

The Austin Electric Utility Department (Austin Energy) enforces electric easements and the setback requirements set forth in the Austin Utility Code, Electric Criteria Manual and National Electric Safety Code. The Board of Adjustment considers variance to the Land Development Code, and a variance granted by the Board of Adjustment does not waive the requirements enforced by Austin Energy. Please contact Christine Esparza with Austin Energy at 322-6112 before filing your application with the Board of Adjustment if your request is for a reduction in setbacks or height limits.

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 deck is existing and because of the topography of the site .

HARDSHIP:

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

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

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:

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 _____ Mail Address 11505 Ridge Drive,

City, State & Zip Austin, Texas 78748

Printed Jim Bennett Phone (512)282-3079 Date _____

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 _____

City, State & Zip _____

Printed _____ Phone _____ Date _____

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 Jim Bennett Mail Address 11505 Rudge Dr
City, State & Zip Austin TX 78748

Printed Jim Bennett Phone 282-3079 Date 11/23/10

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 [Signature] Mail Address 1501 Rainbow
City, State & Zip Austin TX 78703

Printed _____ Phone _____ Date _____



BOARD OF ADJUSTMENTS



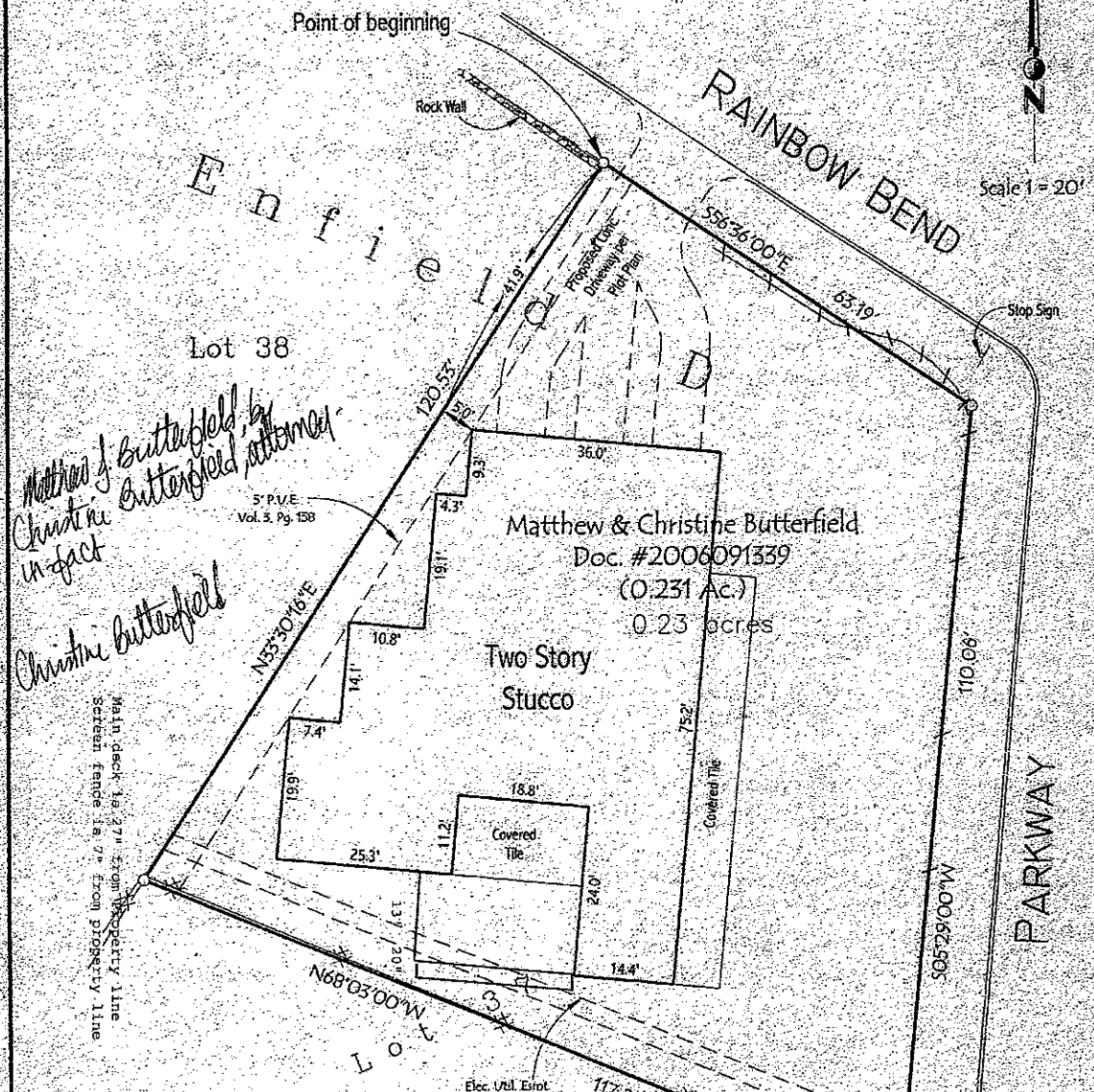
-  SUBJECT TRACT
-  ZONING BOUNDARY

CASE#: C15-2010-0153
 LOCATION: 1501 RAINBOW BND
 GRID: H23
 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.

SURVEY MAP OF 0.23 ACRES PART OF AND A PART OF LOT 37, ENFIELD L, SUBDIVISION OF RECORD IN VOLUME 3, PAGE 158 OF THE TRAVIS COUNTY, TEXAS PLAT RECORDS, SITUATED IN TRAVIS COUNTY, TEXAS



Scale 1" = 20'

Note: Subject to water line esmt. for service to subject property; there is no description available, as recorded in Vol. 594, Pg. 264.
 Note: Esmt. of record in Vol. 960, Pg. 82 does not apply.
 Note: Subject to grade requirement release as described in Vol. 545, Pg. 230.
 Note: Subject to esmt. rights, restrictions & building setbacks in Vol. 480, Pg. 71; Vol. 482, Pg. 625; Vol. 538, Pg. 539-Deed Records, Travis County, Texas.

Elec. Util. Esmt. Vol. 12546, Pg. 25
 Elec. Tele. Esmt. Vol. 2356, Pg. 537

--- Iron Fence
 --- Chain Link Fence
 (xxx) = Record Information
 ● = Iron Pin Found
 ○ = Iron Pin Set

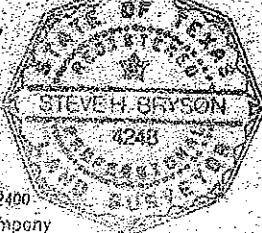
RE: GF# 9704-07-1101
 TO: Texas American Title Company, Title Resources Guaranty Company, Wells Fargo Bank, N.A., Matthew J. Butterfield & Christine Butterfield.

STATE OF TEXAS
 COUNTY OF TRAVIS

I, the undersigned, do hereby certify that this survey was this day made on the ground of the property legally described hereon and is correct, and that there are no boundary line conflicts, encroachments, overlapping of improvements, visible utility easements or roadways, except as shown hereon and certifies only to the legal description and easements shown on the referenced title commitment.

Dated, this the 28th day of June, 2007

Steve H. Bryson
 STEVE H. BRYSON, P.P.L.S., NO. 4248
 STEVE H. BRYSON SURVEYING CO.
 7525 West Hwy. 71
 Austin, Texas 78735



The legally described property is not within a special flood hazard area as designated by the Department of Housing and Urban Development Federal Insurance Administration Flood Hazard Boundary Map No. 48453C-0205E for Travis County, Texas, dated 8-16-83. Located in Zone "A".

This certification is for insurance purposes only and is not a guarantee that this property will or will not flood.

TaxNetUSA: Travis County Property Information

Property ID Number: 725975 Ref ID2 Number: 01130110080000

Owner's Name **BUTTERFIELD MATTHEW J & CHRISTINE**

Property Details

Mailing Address 1501 RAINBOW BND
AUSTIN, TX 78703-3101

Location 1501 RAINBOW BND 78703

Legal .231AC OF LOT 37 OLT 8&9 DIV Z ENFIELD D

Deed Date
Deed Volume
Deed Page
Exemptions HS
Freeze Exempt F
ARB Protest F
Agent Code 0
Land Acres 0.2313
Block
Tract or Lot 37
Docket No.
Abstract Code S04294
Neighborhood Code Z7560

Value Information

2010 Preliminary

Land Value 352,750.00
Improvement Value 857,686.00
AG Value 0.00
AG Productivity Value 0.00
Timber Value 0.00
Timber Productivity Value 0.00
Assessed Value 1,210,436.00
10% Cap Value 0.00
Total Value 1,210,436.00

Data up to date as of 2010-12-01

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

Value By Jurisdiction

Entity Code	Entity Name	2009 Tax Rate	Assessed Value	Taxable Value	Market Value	Appraised Value
0A	TRAVIS CENTRAL APP DIST		1,210,436.00	1,210,436.00	1,210,436.00	1,210,436.00
01	AUSTIN ISD	1.227000	1,210,436.00	1,195,436.00	1,210,436.00	1,210,436.00
02	CITY OF AUSTIN	0.457100	1,210,436.00	1,210,436.00	1,210,436.00	1,210,436.00
03	TRAVIS COUNTY	0.465800	1,210,436.00	968,349.00	1,210,436.00	1,210,436.00
2J	TRAVIS CO HEALTHCARE DIST	0.071900	1,210,436.00	968,349.00	1,210,436.00	1,210,436.00
68	AUSTIN COMM COLL DIST	0.085100	1,210,436.00	1,198,332.00	1,210,436.00	1,210,436.00

Improvement Information

Improvement ID	State Category	Description
664131	A1	1 FAM DWELLING

Segment Information

Imp ID	Seg ID	Type Code	Description	Class	Effective Year Built	Area
664131	4105199	1ST	1st Floor	WP6	2006	2,913
664131	4105200	RSBLW	Residence Below	WP6	2006	1,202
664131	4105204	011	PORCH OPEN 1ST F	*6	2006	406
664131	4105205	011	PORCH OPEN 1ST F	*6	2006	406
664131	4105206	011	PORCH OPEN 1ST F	*6	2006	209
664131	4105207	040	GARAGE BELOW GRD	WP6	2006	984
664131	4105208	251	BATHROOM	**	2006	5
664131	4105209	522	FIREPLACE	*6	2006	1
664131	4105210	477	ELEVATOR RES	2A*	2006	1
664131	4105211	095	HVAC RESIDENTIAL	**	2006	4,115
664131	4165324	186	THEATER (HOME)	G*	2007	1
664131	4165326	435	FENCE IRON LF	G*	2007	125
664131	4165327	512	DECK UNCOVERED	*6	2007	508
Total Living Area						4,115

Land Information

Land ID	Type Code	SPTB Code	Homesite	Size-Acres	Front	Depth	Size-Sqft
688183	LAND	A1	T	0.231	0	0	10,075

[show history](#)