

CASE # C15-2011-0007
ROW # 10536032

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

TP-0405030202

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

STREET ADDRESS: 2702 La Mesa Drive

LEGAL DESCRIPTION: Subdivision - McEntire HL Subdivision

Lot(s) 5 Block A Outlot _____ Division _____

I/We Peter Germanio on behalf of myself/ourselves as authorized agent for

Peter and Natalie Germanio affirm that on _____, _____,

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

(check appropriate items below)

ERECT ATTACH COMPLETE REMODEL MAINTAIN

request a variance to decrease the minimum front street setback requirement of Section 25-2-492(D) from 20 feet to 18 feet in order to complete and maintain a 7ft. deep covered front porch for an existing single family residence in an "SF-3-NP" Family Residence-Neighborhood Plan zoning district (Dawson Neighborhood Plan). The Land Development Code states that a covered porch that is open on three sides may project five feet into the required front yard.

variance for front porch was granted April 11, 2005 (Case number: C15-05-046). work was permitted and 3- 16"x16" porch column-foundation piers were installed in approved setback. Due to priority of other permitted construction on property and unforeseen circumstances (baby and non-sale of investment property), further construction of home and attached porch was postponed, and permits and variance expired. * see attached documents *.

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

VARIANCE FINDINGS: I contend that my entitlement to the requested variance is based on the following findings

):

REASONABLE USE:

1. The zoning regulations applicable to the property do not allow for a reasonable use because:

existing configuration of the property and small lot size (5824s.f.) impair the space needed for front porch with reasonable depth for: 1. safer distance between entry door and porch steps for maneuvering children, pets, and out swing screen doors. 2. space for porch swing or seating area. 3. added entry and seating area protection from sun and rain.

HARDSHIP:

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

existing configuration, lot size, and layout of home limit the porch and entry to the current setback location and provide no additional space for alternate location or shift of existing to accommodate deeper porch.

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

the existing configuration of the property is specific to the property, and with the exception of a few neighboring properties with similar configurations and size, most of the properties in the area are larger by (500-1000s.f.) and have different placement and/or have extra space to accommodate.

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:

front porch is consistent in use and character of the area and zoning district and is located away adjacent properties.

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:
not applicable
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:
not applicable
3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:
not applicable
4. The variance will run with the use or uses to which it pertains and shall not run with the site because:
not applicable

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 2702 La Mesa Drive

City, State & Zip Austin, TX 78704

Printed Peter Germanio Phone (512) 968-8960 Date 12/21/10

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  Mail Address 2702 La Mesa Drive

City, State & Zip Austin, TX 78704



Printed Peter Germanio Phone (512) 968-8960 Date 12/21/10



BOARD OF ADJUSTMENTS

CASE#: C15-2011-0007
 LOCATION: 2702 LA MESA DR.
 GRID: H19
 MANAGER: S. WALKER



-  SUBJECT TRACT
-  ZONING BOUNDARY



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.

CITY OF AUSTIN

SPC-04-0047C

MULTI-PURPOSE CENTER



SUBJECT TRACT
 PENDING CASE
 ZONING BOUNDARY
 CASE MGR: S. WALKER



CASE #: C15-05-046
 ADDRESS: 2702 LA MESA DR
 SUBJECT AREA (acres): N/A

BOARD OF ADJUSTMENTS

DATE: 05-03

INTLS: SM

CITY GRID
 REFERENCE
 NUMBER
 H19



SKETCH TO ACCOMPANY METES AND BOUNDS FOR EASEMENT RELEASE

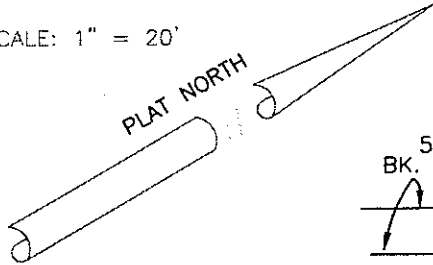
2702 LA MESA DRIVE, AUSTIN, TEXAS
 OF LOT 5, H.L. McENTIRE SUBDIVISION
 V. 5, PG. 70

PEARSON SUBD.
 BK. 5 PG. 8
 BLOCK A

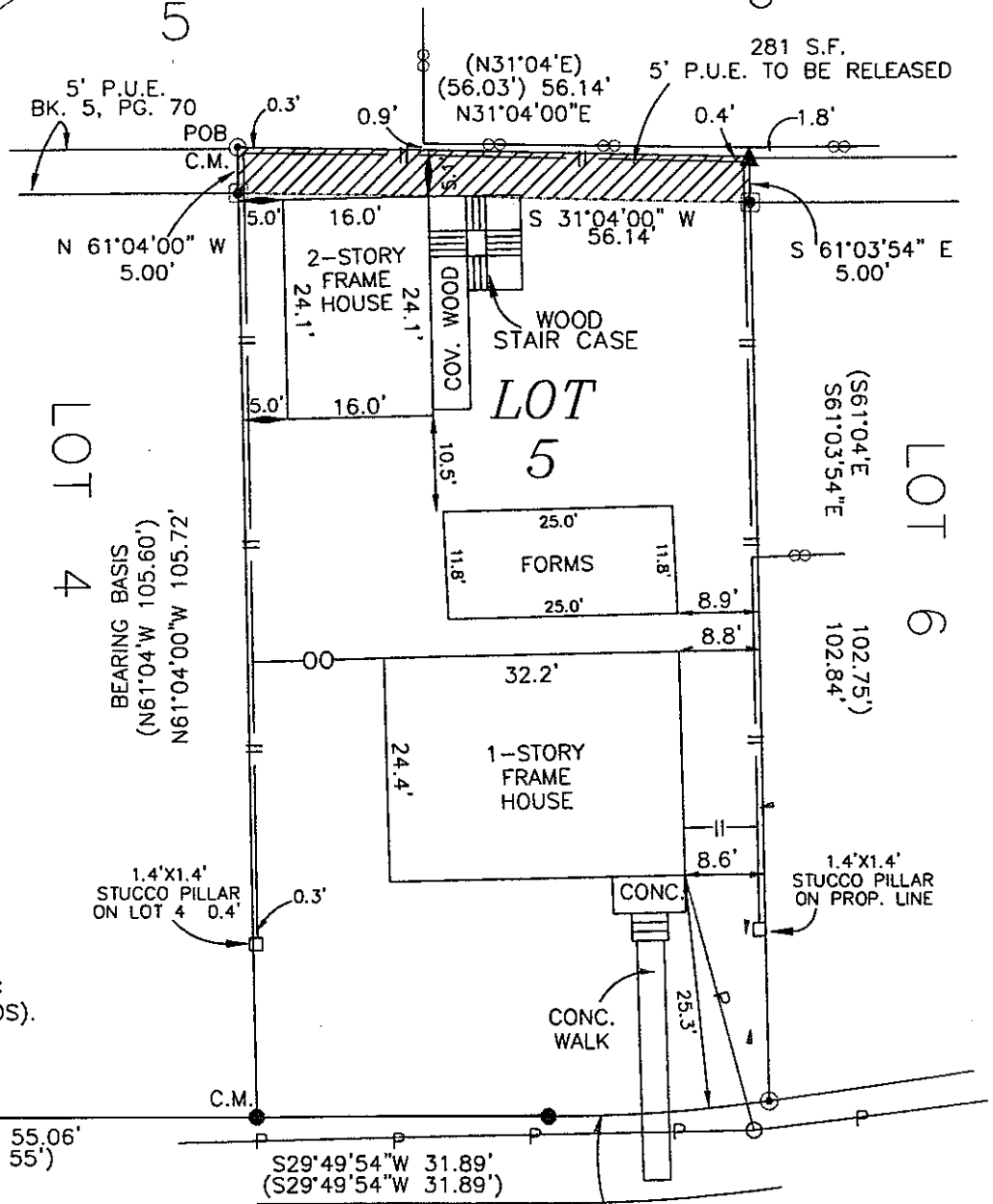
LOT 6

SCALE: 1" = 20'

PLAT NORTH



- LEGEND**
- ⊙ 1" IRON PIPE FOUND
 - 1/4" REBAR FOUND
 - ⊙ CALCULATED POINT
 - CHAINLINK FENCE
 - POWER LINE
 - ⊙ POWER POLE
 - C.M. CONTROL MONUMENT
 - () RECORD CALL, V.5 P.70
 - POB PLACE OF BEGINNING
 - ▲ 60D NAIL FOUND



NOTES:
 1.) SUBJECT TO RESTRICTIONS:
 V.1048 P.2000 (DEED RECORDS).

Harris GRANT
SURVEYING, INC.

1406 HETHER ST. AUSTIN, TX. 78704
 (512)444-1781

James M. Grant

JAMES M. GRANT R.P.L.S. 1919
 DATE: FEBRUARY 3, 2005
 REVISED DATE: SEPTEMBER 20, 2005

LA MESA
 DRIVE
 (50' R.O.W.)

S25°53'33"W C=24.25'
 (S25°56'W C=24.14')
 R=176.66'

N61°04'00"W 105.72' (N61°04'W 105.60')

5' SIDERYARD SETBACK

EXISTING TWO STORY WOOD FRAME

STAIRS

EXIST. 2ND STORY COVERED WOOD DECK

WOOD DECK

2nd STORY WOOD DECK

NEW ONE AND A HALF STORY WOOD FRAME ADDITION TO RESIDENCE

EXISTING ONE STORY WOOD FRAME

25' FRONT YARD SETBACK

NEW COVERED PORCH

CONCRETE WALK

CONCRETE DRIVEWAY

31.89' S29°49'54"W
(31.89' S29°49'54"W)

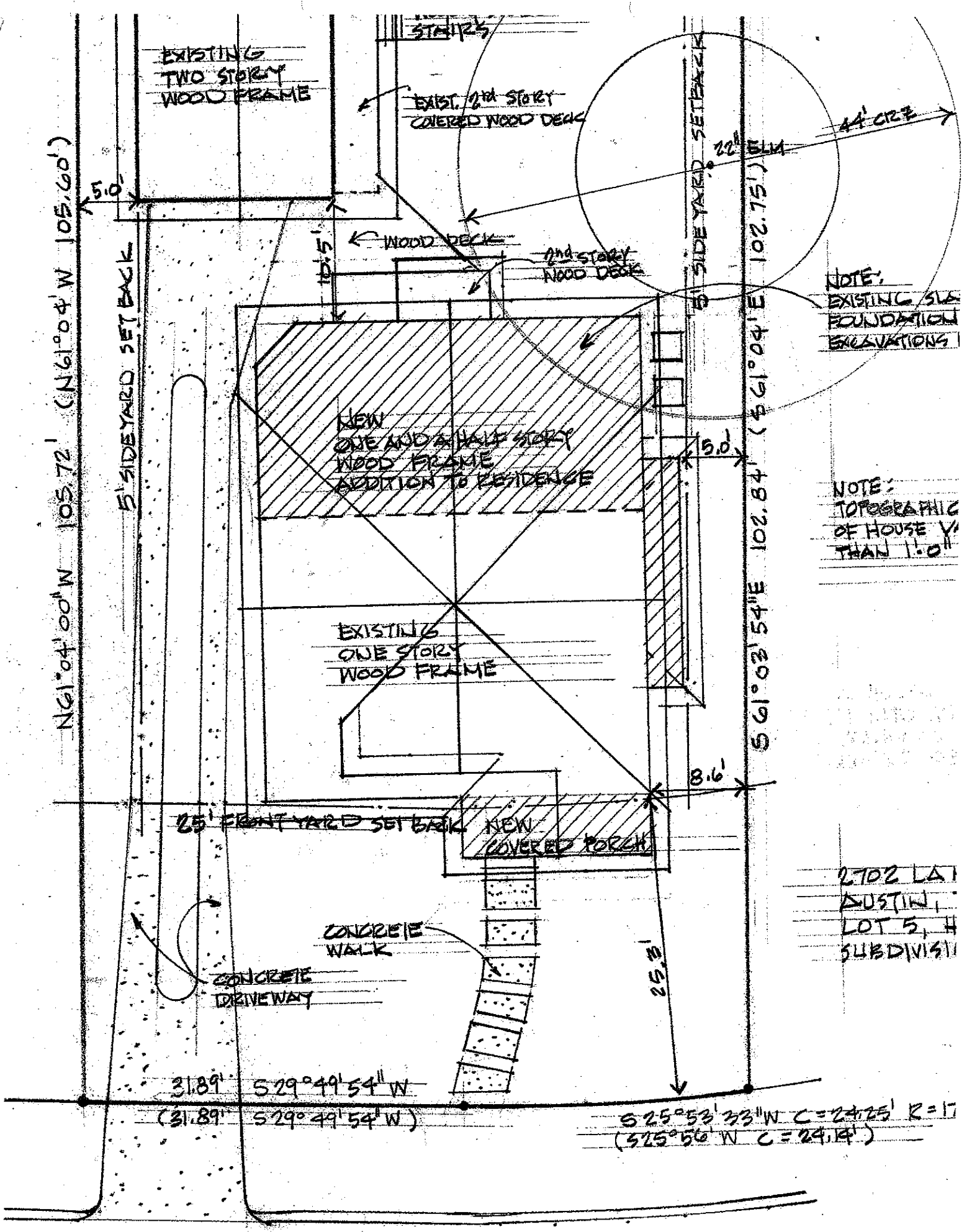
S25°53'33"W C=24.25' R=17
(S25°56'W C=24.14')

5' SIDERYARD SETBACK

NOTE:
EXISTING SLA FOUNDATION EXCAVATIONS

NOTE:
TOPOGRAPHIC OF HOUSE Y' THAN 1'-0"

2702 LA
AUSTIN,
LOT 5, 4
SUBDIVISI



N61°04'00"W 105.72' (N61°04'W 105.60')

5' SIDEYARD SETBACK

EXISTING TWO STORY WOOD FRAME

STAIRS

WOOD DECK

5' SIDEYARD SETBACK

NOTE:
EXISTING SLA
FOUNDATION
EXCAVATIONS

NEW ONE AND A HALF STORY WOOD FRAME ADDITION TO RESIDENCE

EXISTING ONE STORY WOOD FRAME

NOTE:
TOPOGRAPHIC
OF HOUSE $\frac{1}{4}$
THAN 1:0"

COVERED
7' INTO 25'
VARIANCE
DATED 03

25' FRONT YARD SETBACK

NEW COVERED PORCH

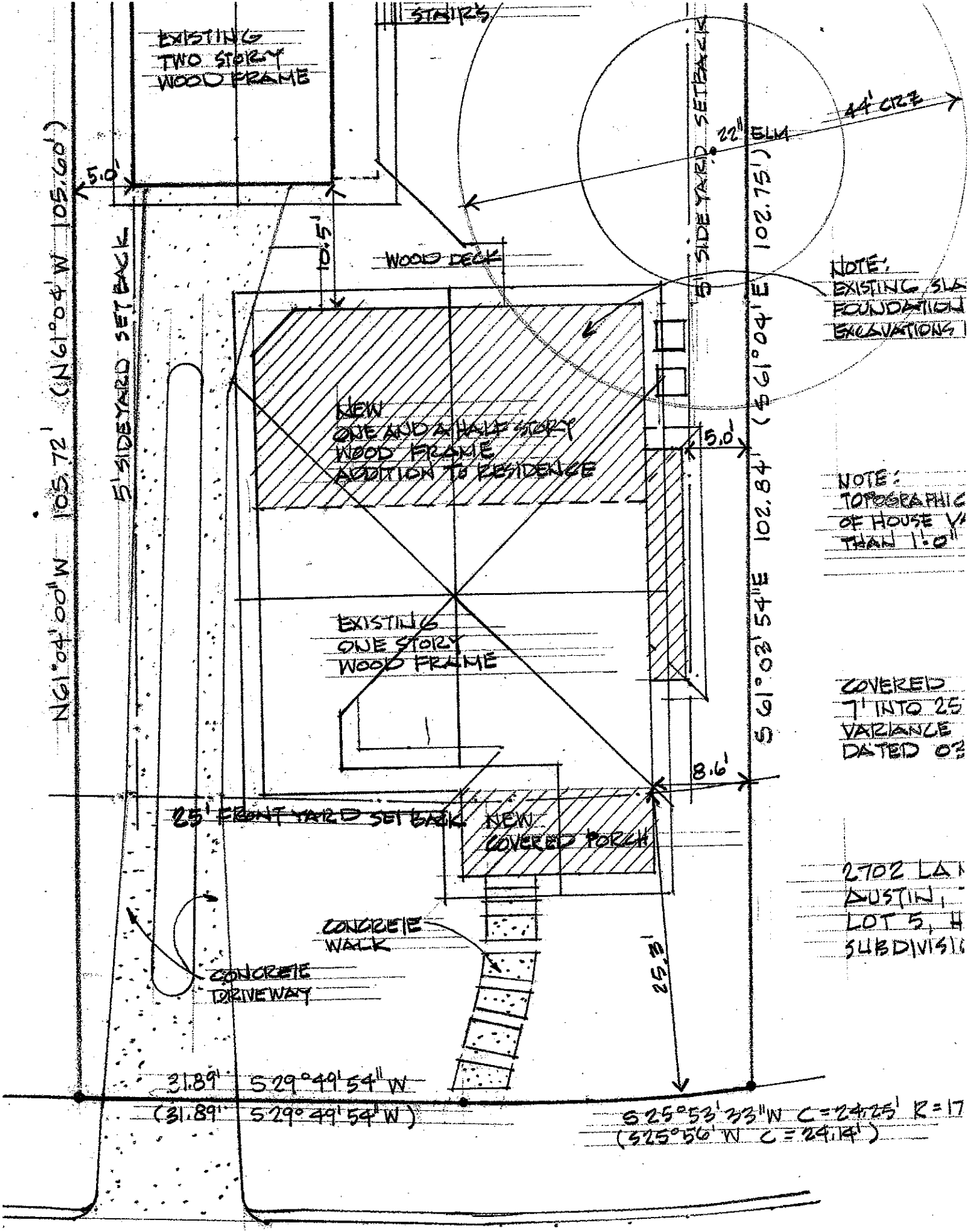
CONCRETE WALK

CONCRETE DRIVEWAY

2702 LA
AUSTIN,
LOT 5, H
SUBDIVISION

31.89' 529°49'54" W
(31.89' 529°49'54" W)

S 25°53'23" W C=24.25' R=17
(S 25°56' W C=24.14')



**CITY OF AUSTIN
BOARD OF ADJUSTMENT/SIGN REVIEW BOARD
DECISION SHEET**

15
4 Herman Thun
4 Barbara Aybar
4 Leane Heldenfels, Vice Chair
2 Frank Fuentes, Chair
4 Betty Edgemond

DATE: April 11, 2005

CASE NUMBER: C15-05-046

APPLICANT: Peter & Natalie Germanio

ADDRESS: 2702 La Mesa Drive

VARIANCE REQUESTED: The applicant has requested a variance to decrease the minimum rear yard setback requirement of Section 25-2-492(D) from 10 feet to 5 feet in order to complete and maintain a two-story accessory structure for a single-family residence in an "SF-3-NP", Family Residence-Neighborhood Plan zoning district (Dawson Neighborhood Plan).

The applicant has requested a variance to decrease the minimum front street setback requirement of Section 25-2-492(D) from 20 feet to 18 feet in order to erect a covered porch for an existing single-family residence in an "SF-3-NP", Family Residence-Neighborhood Plan zoning district (Dawson Neighborhood Plan). The Land Development Code states that a covered porch that is open on three sides may project five feet into a required front yard.

BOARD'S DECISION: GRANTED 5-0 WITH CONDITION NO WINDOWS IN REAR, NO SINK OR COOKING DEVICE AND TAKE TUB OUT

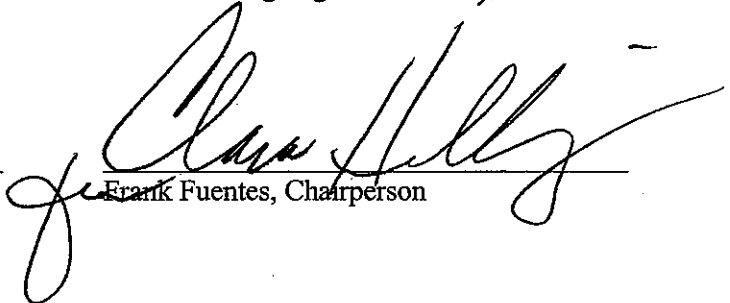
FINDINGS:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: existing configuration and lot size limit building.
2. (a) The hardship for which the variance is requested is unique to the property in that: existing configuration and lot size impair space needed for home office.

(b) The hardship is not general to the area in which the property is located because: size and configuration limits location of detached garage and office.
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: detached garage with home office match area character.



Joseph Pantalion, Executive Secretary



Frank Fuentes, Chairperson