

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 # C15-2011-0020
ROW # 10549475
TP-0420280309

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

Amended

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

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

STREET ADDRESS: 8615 Verona Trail Austin, Texas 78749

LEGAL DESCRIPTION: Subdivision - Maple Run Section 8

Lot(s) 9 Block 1 Outlot _____ Division _____

I/We Deborah York on behalf of myself/ourselves as authorized agent for
???

_____ affirm that on Jan 26,
2011,

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

(check appropriate items below)

ERECT ATTACH COMPLETE REMODEL MAINTAIN

A covered deck area for a single family residence providing a impermeable coverage of 52%

And keep existing deck, shed and walkways that have been there for over 15 years.

Deborah York bought the property with the existing deck, shed and walkways and has documents from Graci Title company showing a drawing that they were there and part of the purchase price and value of the home, dated back in 2000. Seeing the survey and stamp, as a first time buyer Deborah assumed the deck, shed and walkways ways were legal and permitted.

in a SF-2 district.
(zoning 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:

Reasonable to be able to use deck more often when protected from the rain, sun and insects. As it is I can use the deck in the spring and fall, so I am limited to about 6 months out of the year.

HARDSHIP:

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

Upon purchase of property Deborah York was misled into believing property was up to code and all permits obtained and up to date. Looking at Graci Title Documents would have had one believe that everything was legal. The deck was the main attraction and reason Deborah bought this property because of low maintenance yard work for a single woman.

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

Other owners may have purchased homes in compliance, but this one has a legal case to be addressed if Deborah should have to take deck, walkways and shed out. The previous owners said it was there when they bought it and told her that it was legal and had its permits. This was part of the value of this property and has been paying taxes on it for years.

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:

This well built deck has been there over 15 years and has caused no problems to Deborah or any complaints from any of the neighbors. It has been a beautiful

attraction to the home and brought value to the neighborhood. Deborah has had two contractors give bids to have new railings put on and sand the deck and repaint. They both commented how the foundation is solid and very well built. It would be a shame to loose a high quality deck that has been there already for over 15 years. The property is flat and has had 0 problems with water when it rains.

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 _____

City, State & Zip _____

Printed _____ Phone _____ 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 _____

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

**Planning and Development Review Department
One Texas Center
505 Barton Springs Road, 2nd Floor**

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

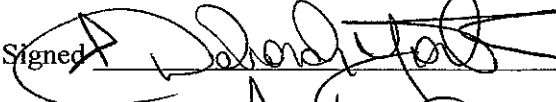
2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

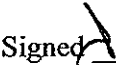
4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

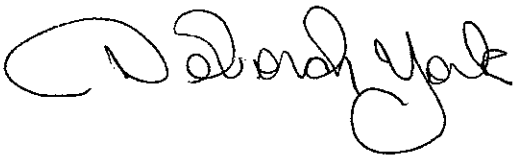
NOTE: The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.

APPLICANT CERTIFICATE - I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

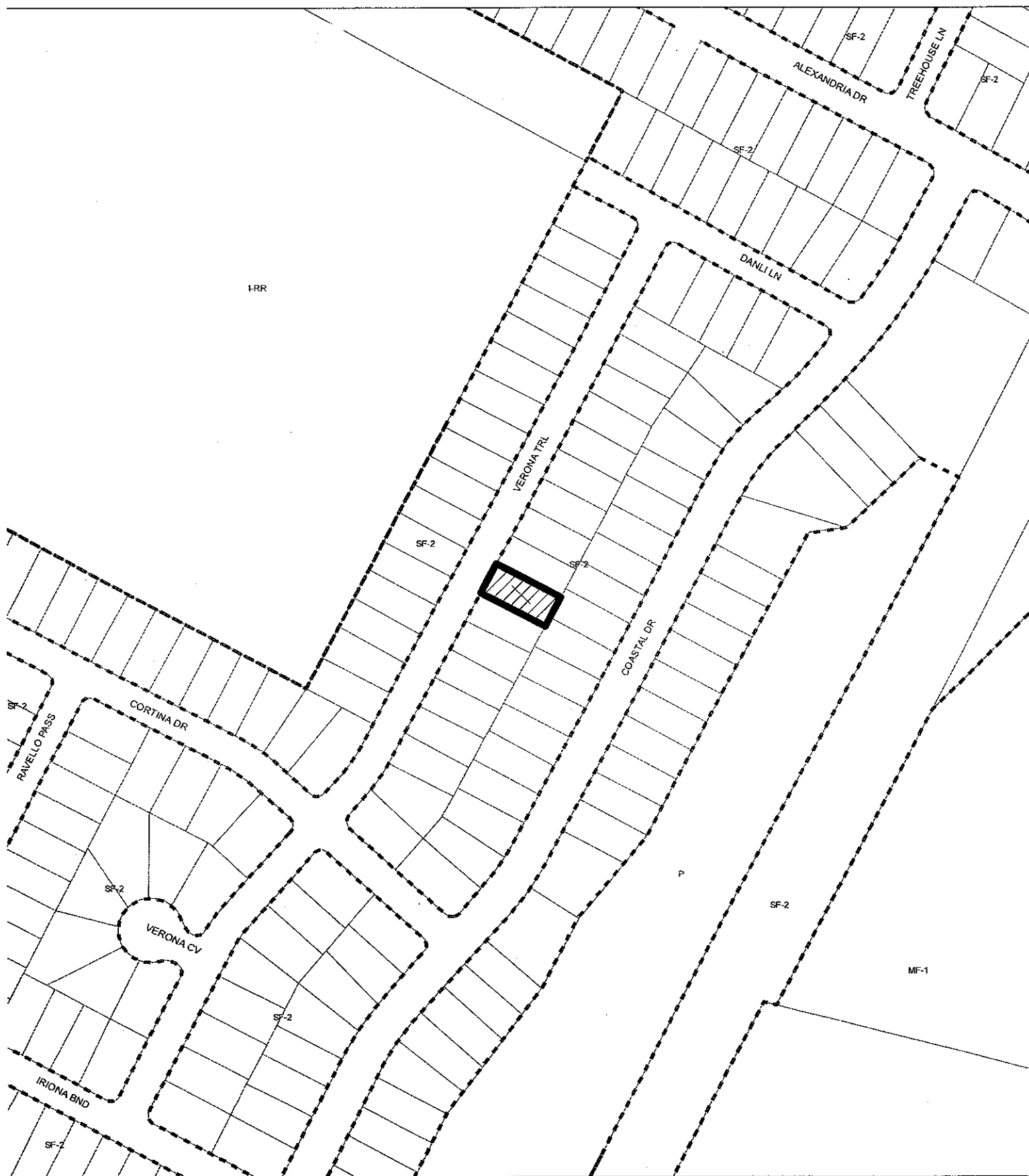
Signed  Mail Address 8615 Verona Trail
City, State & Zip Austin Tx. 78749
Printed Deborah Yorks Phone 512-656-1725 Date _____

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 8615 Verona Trail
City, State & Zip Austin Tx. 78749
Printed Deborah Yorks Phone 512-656-1725 Date _____



1-24-2011



FRR

SF-2

SF-2

SF-2

DANLI LN

VERONA TRL

SF-2

SF-2

COASTAL DR

RAVELLO PASS

CORTINA DR

SF-2

VERONA CV

SF-2

IRIONA BND

SF-2


P

SF-2

MF-1

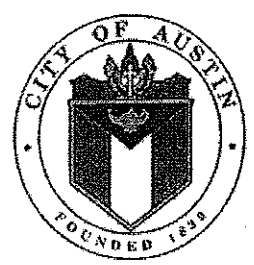
BOARD OF ADJUSTMENTS



 SUBJECT TRACT

 ZONING BOUNDARY

CASE#: C15-2011-0020
 LOCATION: 8615 VERONA TRL
 GRID: D16
 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.

LOT 32

LOT 33

S 31°13'40"W 49.99'
(S 30°55'15" W 50.0)

Portable Metal Building
on Ground 7.5' P.U.E. Per Plat

Stone

LOT 9
BLK. I

One Story
Frame & Brick
Residence

BEARING BASIS
S 59°04'45"E 115.04' (115.0')

N 59°04'45" W 115.0'
N 59°01'50"W 114.87'

LOT 8
TO Scale
1/20

AE APPROVED

JAN 20 2011

20-203

JGM

5' x 5' P.U.E.
Per Plat

25' B.L. Per Plat

Concrete
Drive

All structures etc. must maintain 7'5"
clearance from AE energized power
lines. Enforced by AE & NESC codes.

(N 30°55'15" E 50.0')
N 31°02'00"E 49.89'

VERONA TRAIL

Deborah York

LEGEND

- 1/2" IRON PIPE FOUNDED
- 1/2" REBAR FOUNDED
- 1/2" REBAR SET
- x- BARD WIRE FENCE
- o- CHAIN LINK FENCE
- //- WOOD FENCE
- BUILDING LINE
- P.U.E. PUBLIC UTILITY EASEMENT
- [] RECORD INFORMATION
- o- POWER POLE
- o- OVERHEAD UTILITIES

Subject to Restrictions as Stated in: Vol. 9639,
Pg. 171; Vol. 10374, Pg. 806; & Per Plat in
Book 85, Pg. 21B-21D.

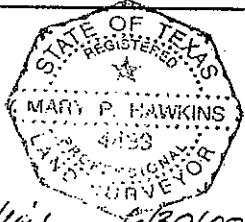
SUBDIVISION: Maple Run Section 8

LOT: 9 BLOCK: I VOLUME: 85 PAGES: 21B-21D PLAT RECORDS

COUNTY: Travis STATE OF TEXAS STREET ADDRESS: 8615 Verona Trail

CITY: Austin REFERENCE NAME: Deborah L. York

B&G Surveying, Inc.
Victor M. Garza R.P.L.S.



THIS PROPERTY DOES NOT
LIE WITHIN THE 100 YEAR FLOODPLAIN,
AND HAS A ZONE X RATING AS
SHOWN ON THE FLOOD INSURANCE RATE MAPS
F.I.R.M. MAP No. 480524
PANEL 0255F
DATED: 05-05-07
This certification is for insurance purposes
only and is not a guarantee that this
property will or will not flood. Contact
your local floodplain administrator for the
current status of this tract.

Office 512-499-6969
Fax 512-499-0945
1404 West North Loop Blvd.
Austin, Texas 78756

Mary P. Hawkins
TO THE MENHOLDER AND / OR OWNERS OF THE PREMISES SURVEYED AND TO
Gracy Title Company

DATE: 11-09-00
TITLE CO: Gracy
C.F. #: 00002581
JOB. No.: 000023600_TA
SCALE: 1" = 20'

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

Jim_TBLK		
FIELD WORK	Adam	05-20-00
DRAFTING	L.K.	06-20-00
FINAL CHECK	M.H.	06-20-00
CORRECTIONS	M.P.	06-20-00
UP DATE		