

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 # C15-2011-0033
ROW # 10562827

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

TP-0115060708

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

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

STREET ADDRESS: 1704 Exposition Blvd. 78703

LEGAL DESCRIPTION: Subdivision - Westenfield

Lot(s) 78 Block 1 Outlot _____ Division _____

We, Bradley Coburn and Christopher Johns, on behalf of ourselves hereby apply for a hearing before the Board of Adjustment for consideration to:

(check appropriate items below)

ERECT ATTACH COMPLETE REMODEL MAINTAIN

An addition for use as a residential duplex providing (i) 65% impervious coverage, and (ii) a common wall requirement of 15.1 feet in lieu of the 52 foot common wall otherwise required by 25-2-773(D)(1)(a) in an SF-3 district.

SF-3-NP
West Austin 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 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 structure has been in existence since 1951 (see relevant 1/15/1951 permit attached hereto as Exhibit A) and was erected in 1951 for the purpose of being used, and was in fact used, as a separate unit.

HARDSHIP:

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

There is no feasible way to conform the structure's original and historical use with existing zoning regulations as to use of a residential duplex without knocking the house down and rebuilding a wholly new structure in compliance with current zoning regulations as to duplex use.

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

The 1951 permit (Ex. A) regarding the structure at issue specified a "Two room and bath addition..." but did not specify that one of the two rooms constituted a kitchen.

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 structure has been in existence since 1951 and was first used in 1951 in the manner for which this variance is being sought.

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:

N/A

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:

N/A

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

N/A

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

N/A

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 – We affirm that our statements contained in the complete application are true and correct to the best of our knowledge and belief.

Signed:  Mail Address: 1512 Dexter Street

City, State & Zip: Austin, Texas 78704

Printed: Bradley Coburn Phone: 512.589.9154 Date: February 8, 2011

Signed:  Mail Address: 4608 Madrona Drive

City, State & Zip: Austin, Texas 78731

w/permission: Bradley Coburn

Printed: Christopher Johns Phone: 512.358.6727 Date: February 8, 2011

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: 1512 Dexter Street

City, State & Zip: Austin, Texas 78704

Printed: Bradley Coburn Phone: 512.589.9154 Date: February 8, 2011

Signed: Christopher Johns Mail Address: 4608 Madrona Drive
City, State & Zip: Austin, Texas 78731 w/permission: Bradley Coburn

Printed: Christopher Johns Phone: 512.358.6727 Date: February 8, 2011

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:

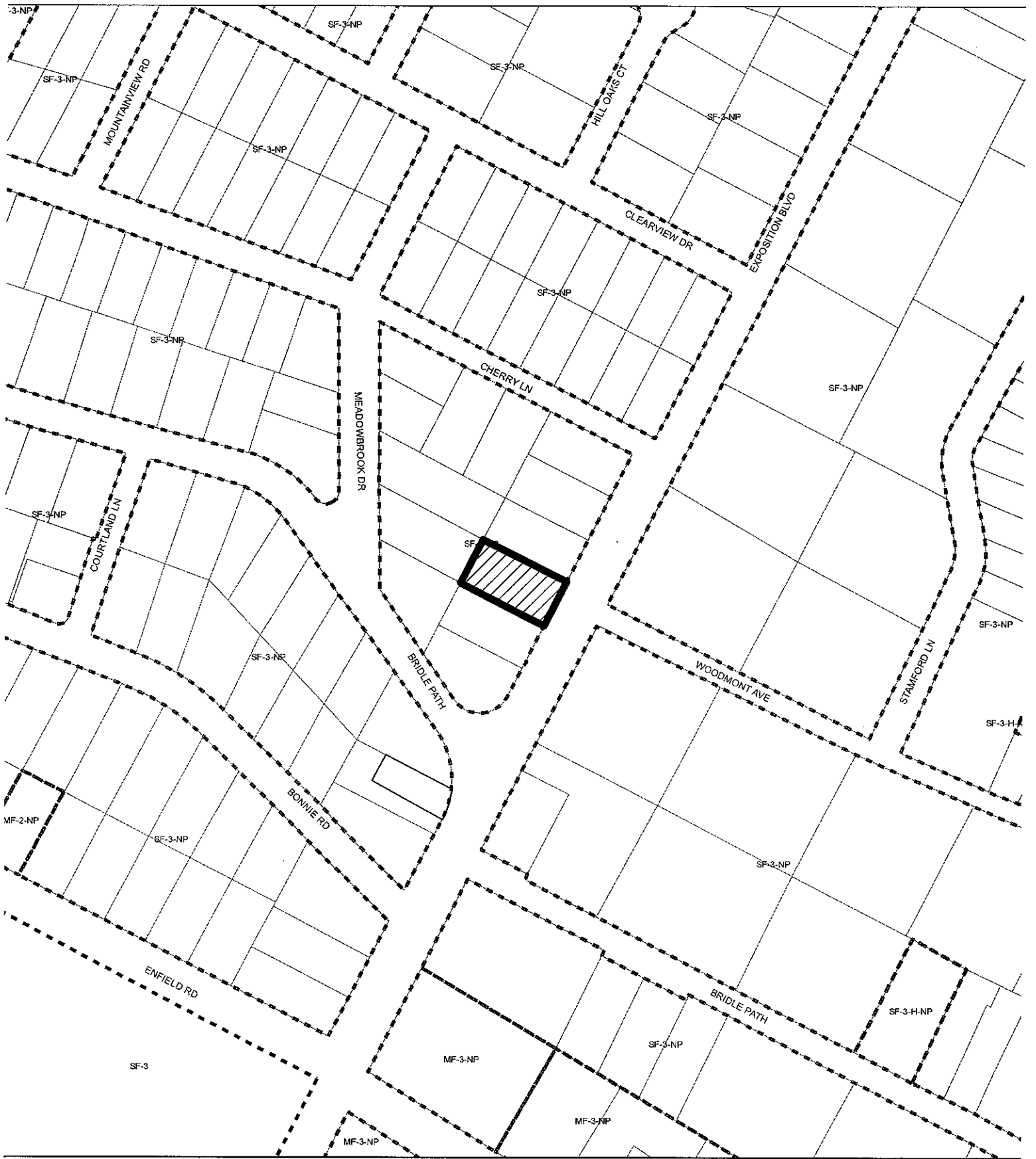
Susan Walker, Planner
974-2202

Diana Ramirez, Administrative Specialist, Board Secretary
974-2241

Fax #974-6536

Watershed Protection and Development Review Department
One Texas Center
505 Barton Springs Road, 2nd Floor

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




BOARD OF ADJUSTMENTS


CASE#: C15-2011-0033
 LOCATION: 1704 EXPOSITION BLVD
 GRID: G24, H24
 MANAGER: SUSAN WALKER

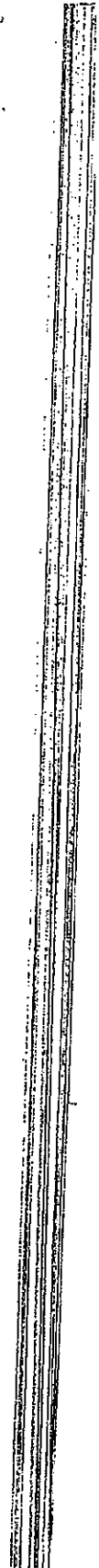
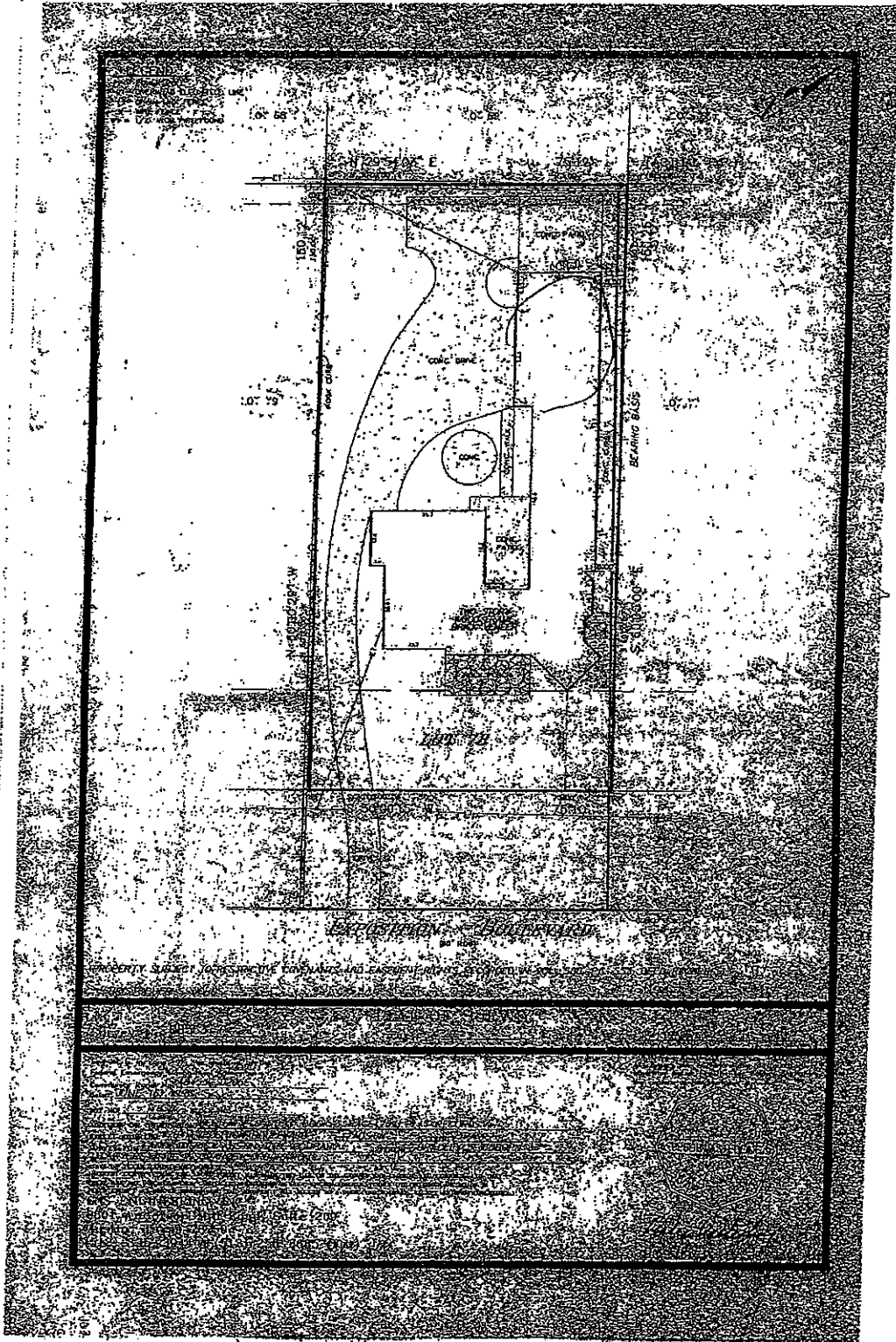


This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

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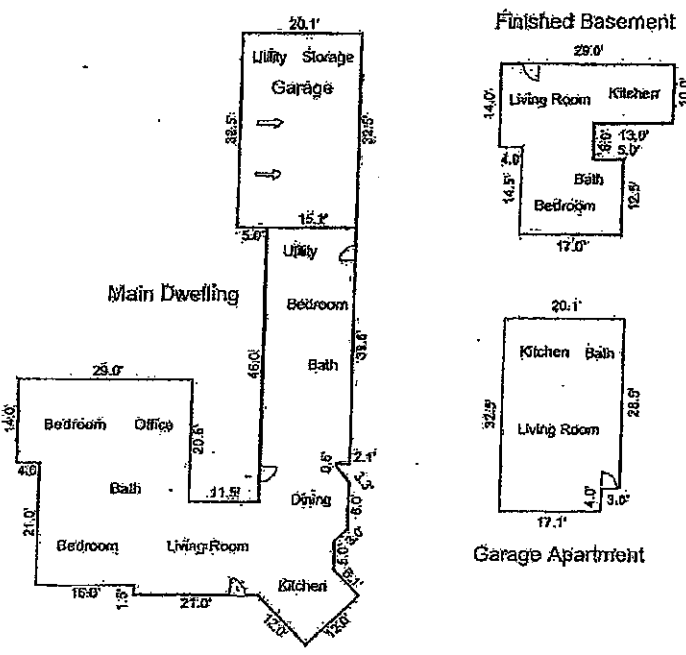
 SUBJECT TRACT

 ZONING BOUNDARY



FLOORPLAN

Buyer: Christopher S. Johns
 Property Address: 1704 Exposition Boulevard
 City: Austin
 State: TX
 Zip: 78703-2832
 File No.: 10V562856
 Case No.: 0217653443



Commercial

AREA CALCULATIONS SUMMARY			
Code	Description	Size	Net Total
0004	Main Dwelling	2119.98	2119.98
0005	Basement	589.56	589.56
0006	Garage	653.25	653.25
0007	Garage Apartment	641.25	641.25
TOTAL LIVABLE (rounded)			2120

LIVING AREA BREAKDOWN		
Breakdown	Subtotal	
0.5' x 2.1'	1.05	
4.3' x 12.5'	53.75	
0.5' x 4.3'	2.15	
0.5' x 16.4'	8.20	
4.3' x 21.0'	90.30	
7.2' x 23.5'	169.20	
3.4' x 17.0'	57.80	
14.0' x 29.0'	406.00	
4.5' x 51.6'	232.20	
6.2' x 55.0'	341.00	
3.4' x 15.1'	51.34	
0.5' x 2.1' x 2.5'	2.63	
13.0' x 42.6'	553.80	
2.1' x 39.6'	83.16	
14 Calculations Total (rounded)		2120

EXHIBIT A

Carl H. Stautz 1704 Exposition Blvd

144

78

Westenfield #1

Two room and bath addition to res. (rear)

47201 1-15-51

\$3700.00

Owner

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