

If you need assistance completing this application (general inquires only) please contact Susan Walker, 974-2202; 505 Barton Springs Road, 2<sup>nd</sup> Floor (One Texas Center).

CASE # C15-2011-0027  
ROW # 10562056  
TP-0301020323

**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: 801 Avondale Road, Austin, TX 78704

LEGAL DESCRIPTION: Subdivision - Travis Heights

Lot(s) 21 and west 25' of Lot 20 Block 3 Outlot          Division         

I James Pounds, C.P.B.D. on behalf of ourselves as authorized agent for

Michael and Laura Benton, Owners affirm that on February 10, 2011,

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

(check appropriate items below)

ERECT  ATTACH  COMPLETE  REMODEL  MAINTAIN (and erect an addition)

On an existing SFR 0' from side street (Alameda) property line and, a) maintain carport in the front setback, b) remodel an existing greenhouse/utility room into a bedroom, which is 1.4' from side property line on east side (will be 2.9' from PL after remodel) and, c) erect a 250 sf bath addition and a 187 sf patio over an existing deck, which is also 0' from side street PL.

Front deck will be rebuilt to comply with front setback and side street PL.

Building encroachment into east ROW will be removed.

Back deck encroachment into east ROW will be removed.

No second story addition.

Addition complies with building coverage & impervious cover limits.

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

Dough River City 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 irregular lot shape and natural escarpments result in the existing house and previously permitted additions being unavoidably in the setbacks.

**HARDSHIP:**

2. (a) The hardship for which the variance is requested is unique to the property in that:  
The irregular shape, integral escarpments, and having a street sideline of 15' on the curving PL leaves no room for reasonable addition or remodel without a variance.  
  
(b) The hardship is not general to the area in which the property is located because:  
Most of the lots in Travis Heights are rectangular in shape and do not converge into to a point like this lot. Most, although, sloping, do not have such a limiting topography.

**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:  
There are no adjacent properties to the east. Adjoining two-story property to west sits approx 20' higher than subject property due to natural terrain. Property across the street is three stories. Adjacent property to rear is around the bend on Alameda and not visible from subject property. Subject property is at the bottom of a steep hill so all adjacent properties are higher, and we are not adding a second story.

**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:

There will be no change to parking situation or number of vehicles if existing carport is allowed to remain.

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:

There is no change to occupancy or to existing front drive and curb areas.

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

Nothing in this plan will create a safety hazard.

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

Variances in Travis Heights have been historically necessary to accommodate property upgrades/remodels because of 1946 annexation date, when setbacks were not the same, so this variance request is not out of the ordinary for the subdivision and is not specific in nature to this site. Previous additions to this property were permitted and inspected by the city and approved even though now they are out of compliance. We have made every effort to maintain the character of the residence and the area, declining to build up or to exceed impervious or building limits, and are intending to remedy several areas of encroachment that currently exist.

**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 James Pounds Mail Address 207 WEST SPRING DR.

City, State & Zip AUSTIN, TX 78746

Printed JAMES POUNDS Phone 512-589-4900 Date 2/10/2011

**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 [Signature] Mail Address 801 AVONDALE ROAD

City, State & Zip AUSTIN, TX 78704

Printed Michael BENZON Phone 512-586-2702 Date 2/10/2011

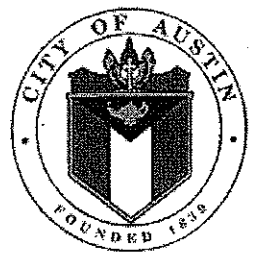


**BOARD OF ADJUSTMENTS**



- SUBJECT TRACT
- ZONING BOUNDARY

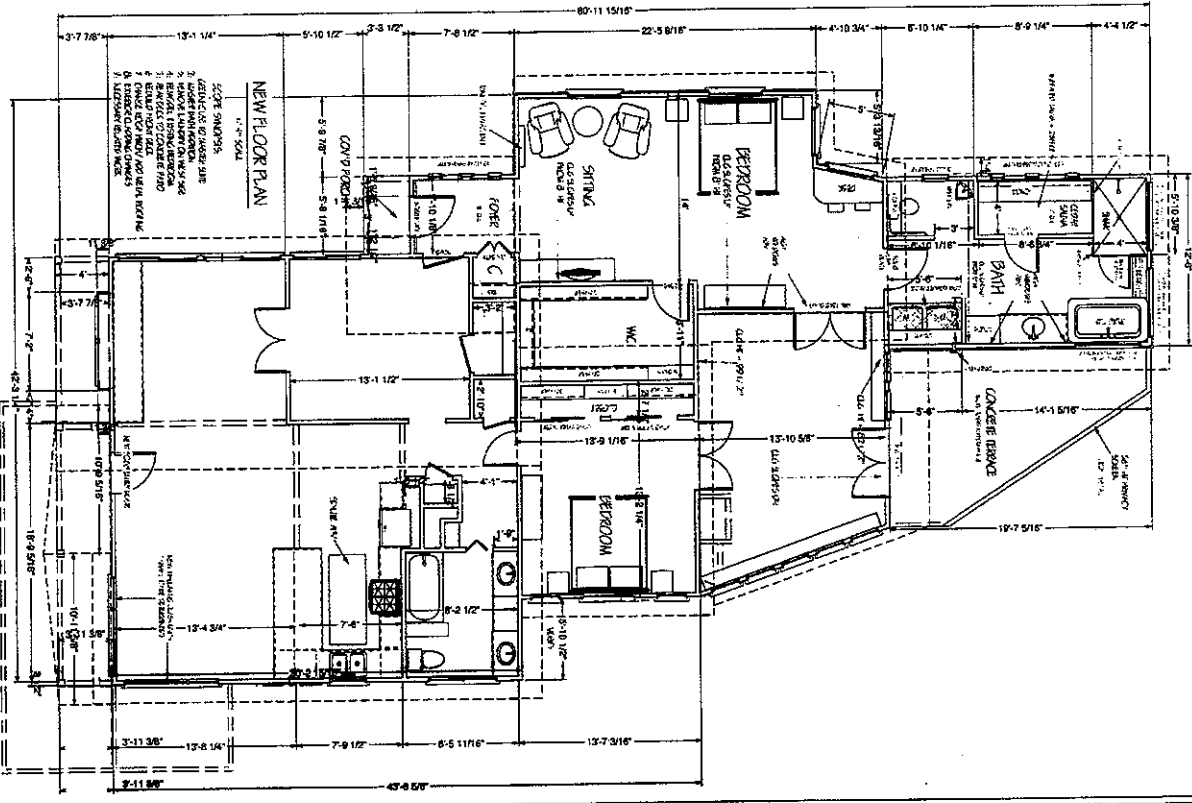
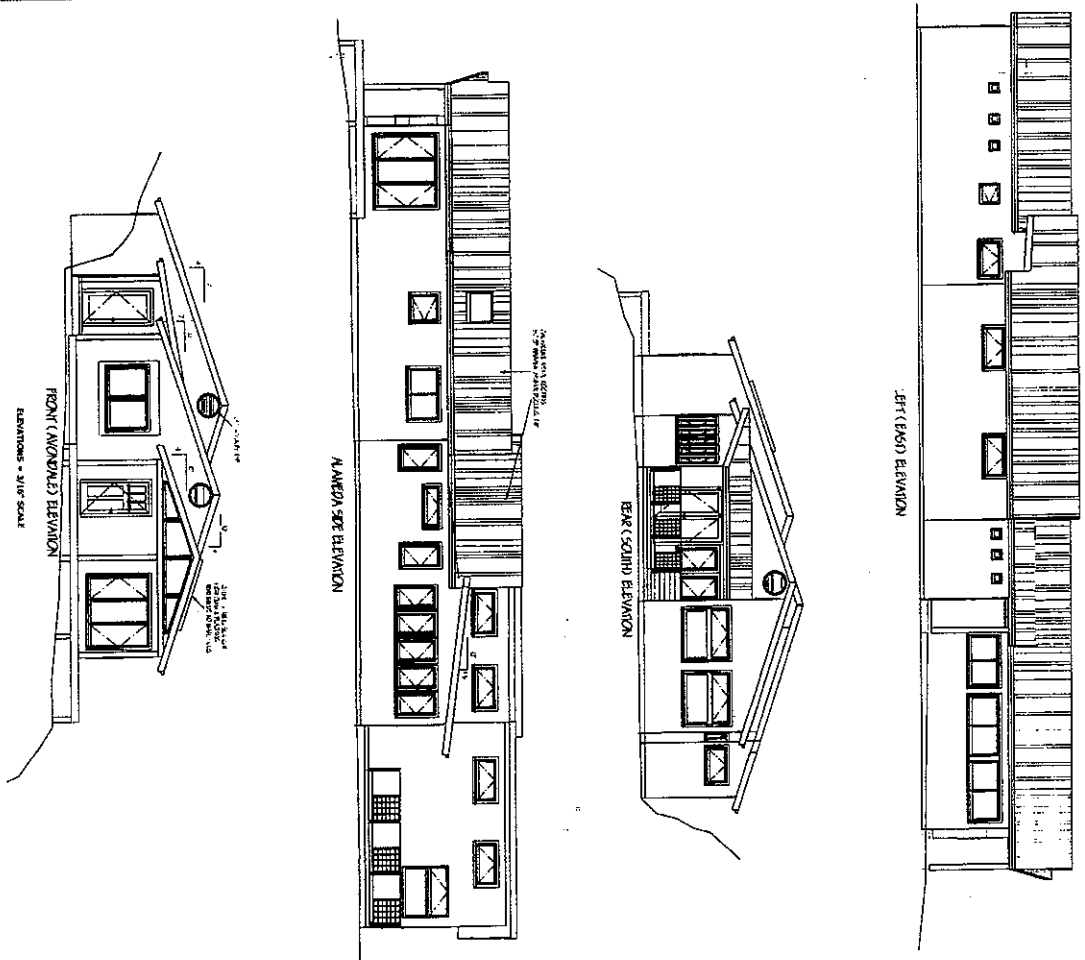
CASE#: C15-2011-0027  
 LOCATION: 801 AVONDALE ROAD  
 GRID: J20  
 MANAGER: SUSAN WALKER



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.

6-2-2011-00-000

Architectural (A)



<b>A-3</b>	SHEET:	SCALE:	DATE: 7/21/2011	DRAWINGS PROVIDED BY: <b>Casa Design Company</b> 257 WEST SPRING DRIVE WESTLAKE HILLS, TX 78746 512-467-4201 www.CasaDesignCo.com	PROJECT DESCRIPTION: <b>BENTON RESIDENCE REMODEL</b> 801 AVONDALE AUSTIN, TX 78704	SHEET TITLE: <b>NEW FLOOR PLAN</b>	NO. DESCRIPTION BY DATE			



**City of Austin**  
Austin Energy

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Town Lake Center • 721 Barton Springs Road • Austin, Texas  
78704 - 1145

February 17, 2011

Mr. James Pounds  
Casa Design Co, Inc.  
207 West Spring Drive  
Austin, Texas 78746

Re: 801 Avondale Road  
Lots 21 and west 25' of Lot 20, Block 3 Travis Heights Subdivision

Dear Mr. Pounds,

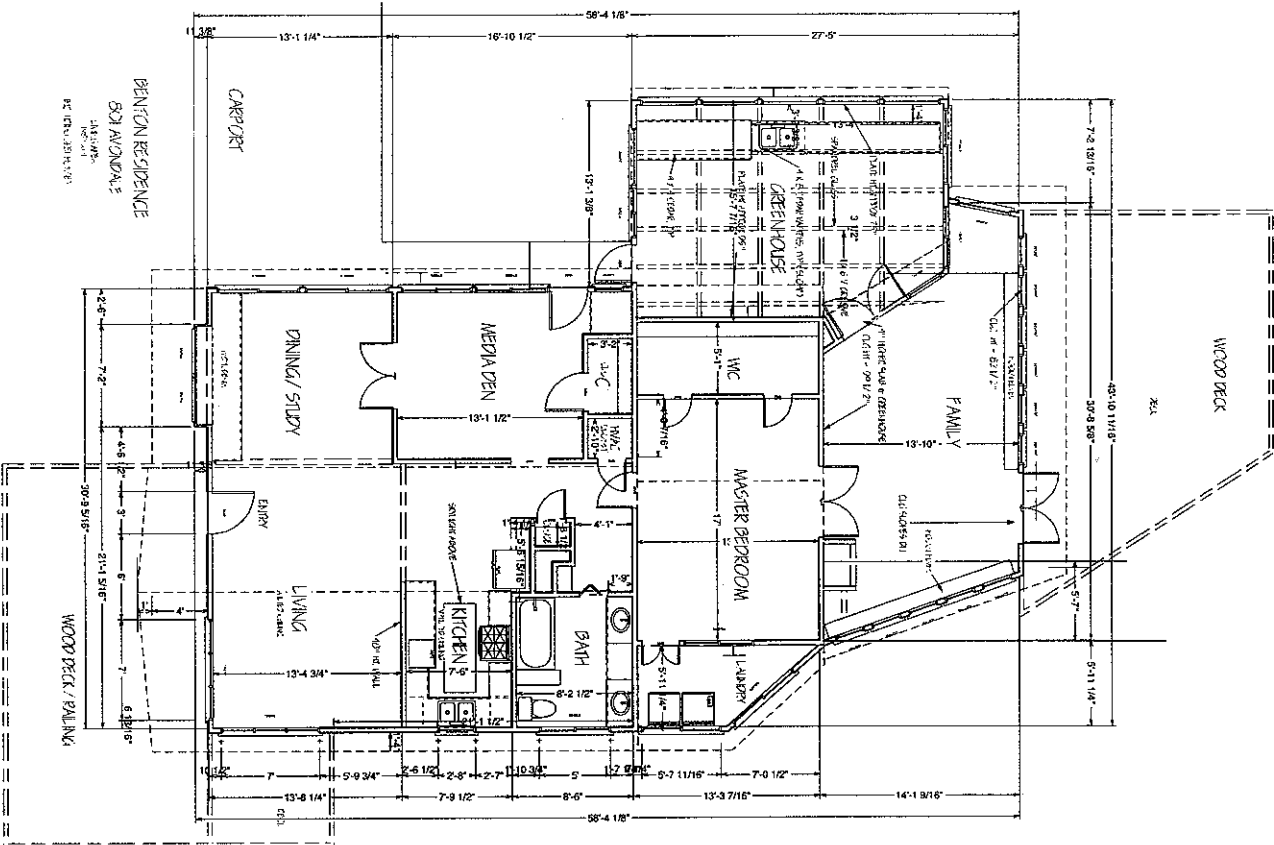
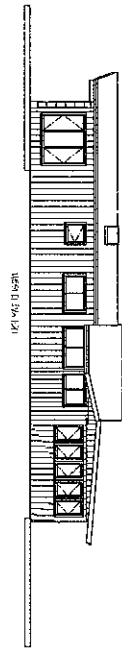
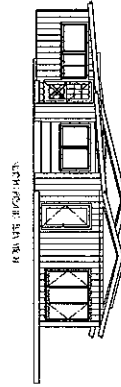
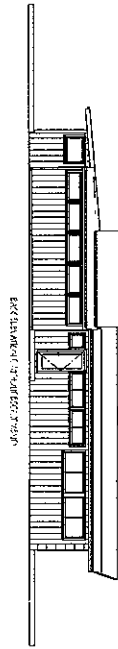
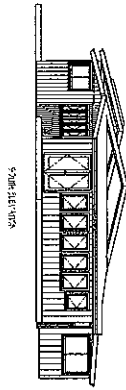
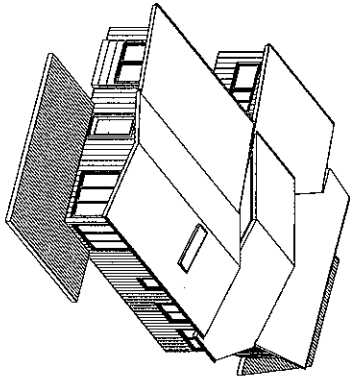
Austin Energy (AE) has reviewed your application for the above referenced property requesting to remodel and maintain existing carport and deck. Approved by Austin Energy provided owner/applicant meets AE clearance criteria requirements as well as be in compliance with the National Electric Safety Code and OSHA.

Thank you for checking with us in advance. Should you have any questions, please feel free to contact me at 322-6112.

Sincerely,

Christine Esparza  
Public Involvement & Real Estate Services

Cc: Diana Ramirez and Susan Walker



BENTON RESIDENCE  
 BOJ ANONVALS  
 1/24/2010  
 10:57:41  
 BY: CEMALBENLICI

<b>A-1</b>	SHEET:	DATE: 1/27/2010	DRAWING PROVIDED BY: <b>Casa Design Company</b> 207 WEST SPRING DRIVE WESTLAKE HILLS, TX 78746 512-467-6091 www.CasaDesignCo.com	PROJECT DESCRIPTION: <b>BENTON RESIDENCE REMODEL</b> 801 AVONGALE AUSTIN, TX 78704	SHEET TITLE: <b>EXISTING</b>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;">RD.</th> <th style="width: 50%;">DESCRIPTION</th> <th style="width: 10%;">BY</th> <th style="width: 20%;">DATE</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table>	RD.	DESCRIPTION	BY	DATE																
RD.	DESCRIPTION	BY	DATE																							





**OWNERS COPY**

**AVONDALE ROAD**

S 45°00'00"E 76.09' (76.20')  
ASSUMED BEARING BASIS

S 45°00'00"E 122.71'

25' B.L. Per Plat

CH=N 14°52'58"E 151.67'  
R=272.10' A=153.71'

**ALAMEDA DRIVE**

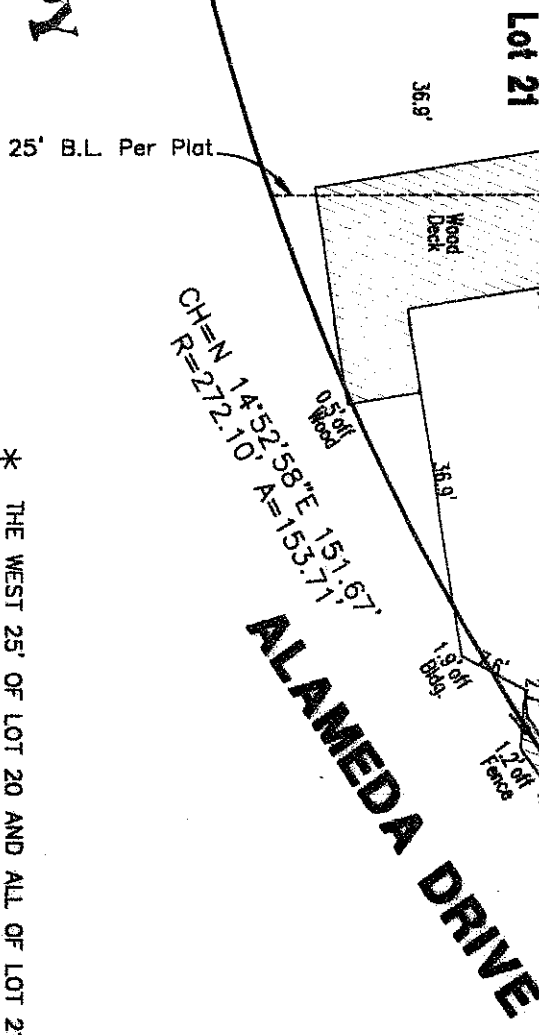
CATHERINE M. SIMS &  
FRITCHARD RD 1624 LA VINE  
(825) 015877

S 44°59'36"W 131.20'

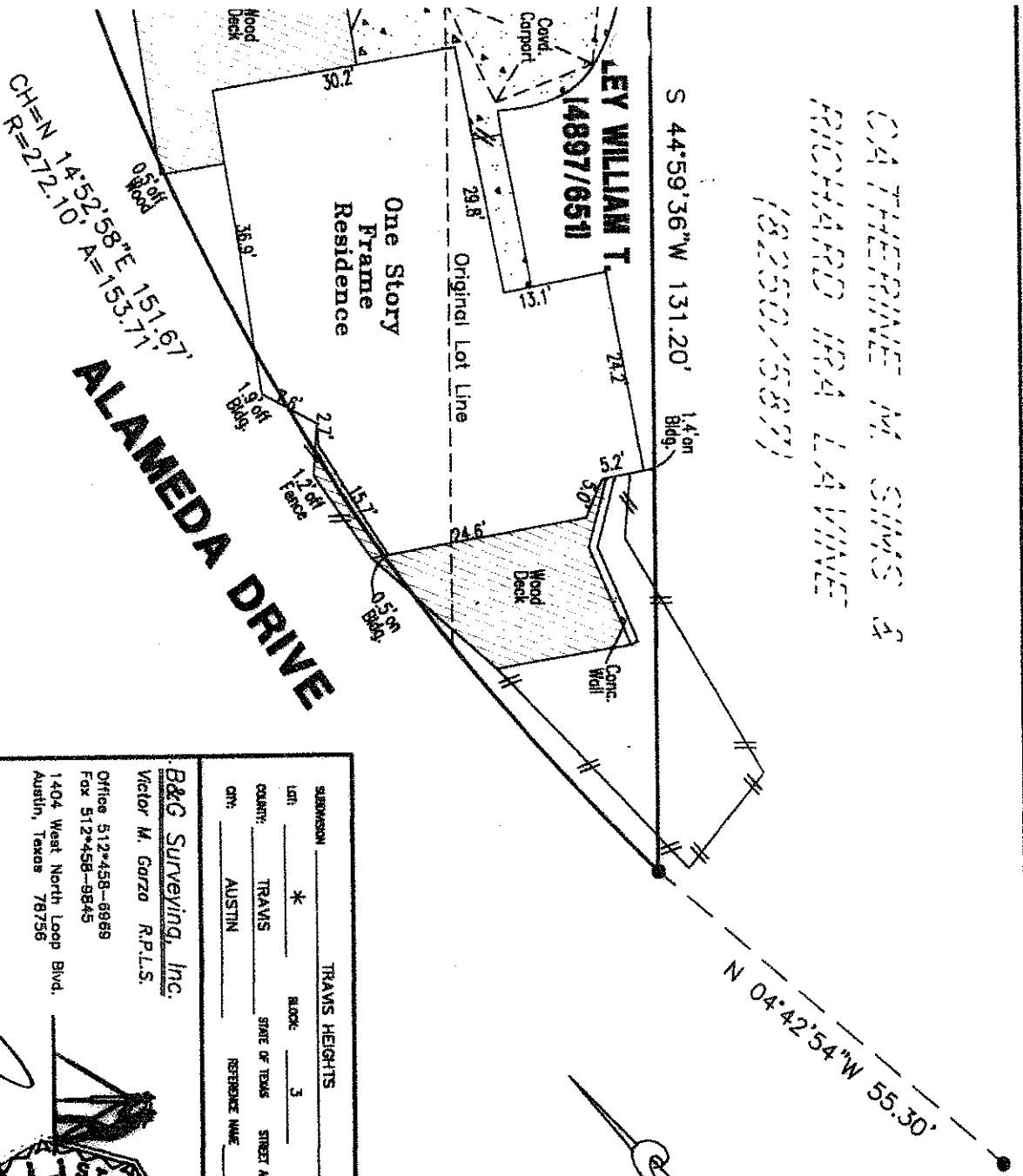
**LEY WILLIAM T**  
14897/6511

One Story  
Frame  
Residence

Original Lot Line



04 THE PRINCE M. SIMS &  
 FRIEDLAND PPA LA WAVE  
 18250/15877



**LEGEND**

- 1/2" IRON PIPE FOUND
- 1/2" REBAR FOUND
- 1/2" REBAR SET
- 60D NAIL FOUND
- 60D NAIL SET
- SPANDE FOUND
- BARS WIRE FENCE
- CHAIN LINK FENCE
- WOOD FENCE
- METAL FENCE
- BUILDING LINE
- PUBLIC UTILITY EASEMENT
- DRAINAGE EASEMENT
- SURFACE DRAINAGE EASEMENT
- ELECTRIC EASEMENT
- W/W/W
- WATER/MASTERWATER
- RECORD INFORMATION
- POWER POLE
- O.H. OVERHEAD UTILITIES

**TRAVIS HEIGHTS**

SECTION: \*      BLOCK: 3      SHEET: 3      PAGE: 15      PLAT RECORDS

LOT:      TRAVIS      STATE OF TEXAS      STREET ADDRESS: 801 AVONDALE ROAD

COUNTY:      AUSTIN      REFERENCE NAME: MICHAEL D. BENTON AND LAURA BENTON

OWNER:      AUSTIN

**B&G Surveying, Inc.**  
 Victor M. Garza R.P.L.S.  
 Office 512-458-8889  
 Fax 512-458-9845  
 1404 West North Loop Blvd.  
 Austin, Texas 78756

**STATE OF TEXAS REGISTERED PROFESSIONAL SURVEYOR**  
 DEWEY H. BURNIS  
 4369

THIS PROPERTY DOES NOT LIE WITHIN THE 100 YEAR FLOODPLAIN AND HAS A ZONE X RATING AS SHOWN ON THE FLOOD INSURANCE RATE MAPS FILED MAP NO. 4880X 070 B DATED 1-18-00

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.

\* THE WEST 25' OF LOT 20 AND ALL OF LOT 21  
 Subject to Restrictions as Stated in  
 Book 3, Pg.15 Plat Records.

DATE 12-30-02  
 TITLE CO GRACY TITLE  
 C.F. # 02128244  
 JOB No. B1218802 1A  
 SCALE 1" = 20'

GRACY TITLE COMPANY  
 I do hereby certify that this survey was the day made on the ground of the property legally described hereon and that there are no visible boundary line conflicts, encroachments, overlapping of improvements, or roads in place, except as shown hereon, and certify only to the legal description and assessments shown on the referenced Title Commitment.

CHECK	DATE	BY
FIELD WORK	12-28-02	J.S.
FINAL CHECK	12-30-02	L.A.O.
CORRECTIONS		
UP DATE		

