

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).

Amended

CASE # C15-2011-0053
ROW # 10575878

TP-0200080415

**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: 1904 Riverview Street, Austin Tx

LEGAL DESCRIPTION: Subdivision – Driving Park Addition

Lot(s) 11 Block I Outlot _____ Division Driving Park Addition

I/We Darrel and Betty Branhagen on behalf of myself/ourselves as authorized agent for

Darrel and Betty Branhagen affirm that on March 27, 2011,

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

(check appropriate items below)

ERECT ATTACH COMPLETE REMODEL MAINTAIN

We want a variance on the 5 foot set back. We want to add water and sewer to an existing building that was built years ago slightly less (1.1 ft) than the 5 foot set back. (See survey for specifics)

in a Residential 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:

The property is already zoned for the intended use. The building has already existed on the property through the years. The building is a little less (1.1 ft) than the 5 foot set back required. (See copy of recent survey) We want to obtain a permit from the city to remodel and add water and sewer to the unit to use it as an efficiency apartment.

HARDSHIP:

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

The building has already been constructed including foundation, sidewalk to the front door and electricity. The survey states it is pier and beam, but there are also large concrete pillars supporting the foundation that would be extremely difficult to remove and very unsightly and a hazard if left.

- (b) The hardship is not general to the area in which the property is located because:
The property was purchased with the building existing in its current location.

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 is already existing. We just want to add water and sewer to the back of the lot, inside the existing building. (Electricity is already there.) It is not out of character

with the neighborhood. It will not change the appearance, in fact we are planning on up grading the gutters and repainting it all to match the main house that has just been repainted. A satellite picture is enclosed that shows the character and use of adjacent properties. Many of the lots in the same also have back structures and parking access off the alley.

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 is alley access to the property. One (or more) parking spaces can easily be added in the back yard. There is a 6 ft tall wrought iron fence across the back with two large gates that swing open to easily accommodate a couple vehicles to pass into the area to and from the alley. We plan to outline the parking space and put crushed granite there for adequate drainage and so it won't tear up the yard. The attached satellite picture shows that properties in the same block use this alley for access to the back buildings and for parking.

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:

In the front of the house there is adequate room for two or more cars in the driveway, including a covered carport attached to the roof of the main house. (In addition to the parking space that will be added to the back yard beside the existing unit.)

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

Any remodeling will be done according to the city code. (The main house was recently remodeled and upgraded voluntarily to increase safety and assure compliance with recent code changes that may not have existed when the house was built in 1980)

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

The property is zoned to have a back house of 850 sq feet or less. The current building is less than 400 sq ft. The front house is 1008 sq ft.

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 1132 Camrose Lane, _____

City, State & Zip DeSoto, Tx., 75115

Printed Darrel and Betty Branhagen _____

Phone 972-709-9580 _____ Date March 27, 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 1132 Camrose Lane _____

City, State & Zip DeSoto, TX 75115

Printed Darrel and Betty Branhagen _____

Phone 972-709-9580 _____ Date March 27, 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:

1132 Camrose Lane
DeSoto, TX 75115
April 27, 2011

City of Austin
Review Department
505 Barton Springs Road
Austin, TX 78705

Re: 1904 Riverview St
Set Back Variance Application

Dear Ms. Walker

As discussed yesterday, we want to remodel/add water and sewer to the back unit so that it can be utilized as a small efficiency apartment. We are requesting the variance because we realize there may be difficulty getting a permit to do the work as planned because it is 3.9 ft instead of 5 ft from the property line.

I can be reached at bettybranhagen@tx.rr.com, home phone is 972-709-9580 and my cell phone is 214-226-2617. I appreciate your assistance in this matter. Please let me know how I can further assist you.

Sincerely,

Betty Branhagen