

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).

Updated findings

CASE # C15-2011-0070

0223020909

ROW # 10606146 TP-

**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: 4419 Sinclair Ave.

LEGAL DESCRIPTION: Subdivision – Rosedale D

Lot(s) 11 Block 13 Outlot _____ Division _____

I/We Nicole Cooper on behalf of myself/ourselves as authorized agent for

Martha Richards affirm that on May 12, 2011, _____,

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

(check appropriate items below)

ERECT ATTACH COMPLETE REMODEL MAINTAIN

Maintain the covered area between the rear of the home and garage.

in a SF-3 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 reasonable use for the covered back deck is to provide shade and a place to relax out of the sun. People need a gathering place outdoors that is protected from the sun and the Texas heat. This deck and its cover provide this necessary protection.

HARDSHIP:

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

The structures already exist and were built before the current owner purchased the property. It appears the garage was built in or before 1950. At some point before the current owner purchased the property a covered deck was built between the garage and rear of the house which connected the two structures. This addition/connection made the eastern setback on the property non conforming. The placement of the deck is the most reasonable space to build as it minimizes new construction walls and pillars by tying into the existing house and garage.

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

This is a corner property with 2 car garage. Most homes in this area of town don't have garages and would therefore be unable to attach the main house to a garage.

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 property already exists and is not currently altering the character of the adjacent property nor impairing the use of the adjacent property. Also, there is another property at 1606 42nd St. that has a similar configuration.

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:
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-

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

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