

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 #

ROW #

C15-2011-0075

10606179

TP-0402030601

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: 2215 S 3rd Street Austin, Texas 78704

LEGAL DESCRIPTION: Subdivision – BAWCOM

Lot(s) S49FT OF W 135FT Block 2 Outlot Division

I/We Joel G. Hernandez on behalf of myself/ourselves as authorized agent for

Alice Galindo affirm that on May 19, 2011,

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

(check appropriate items below)

ERECT ATTACH COMPLETE REMODEL ☒ MAINTAIN

Attached Carport that was re-built Nov 21 – 25th, 2010 replacing a pre-existing carport

The Set back is at 10.5 ft instead of the 15 ft requirement - Side Street

The backside of the breezeway and unit #2 is at 0 ft of the property line instead of the 5 ft erroneously stated in the original permit

Total impervious coverage area exceeds limit of 45% we are at 61.6%

in a _____ 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 Carport was rebuilt in the exact manner that the previous carport was. The General Contractor hired deceived my mother and never obtained a permit. The Contractor would have been informed of all the stipulations and regulation changes had he obtained the permit prior to starting the work. My mother specifically asked the General Contractor if a permit was necessary to have the work done. The General Contractor assured my mother that a permit was not needed as this was just a carport with no interior walls, no exterior walls and with no electrical or plumbing.

HARDSHIP:

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

The house and carport in question were built by my grandfather in the 60's my mother inherited the houses and has done her best to maintain them. My mother is now in her 70's and is on a fixed income. A General Contractor was recommended to my mother who felt a new roof was needed. The General Contractor came to her house and gave her a reasonable quote. The General Contractor also convinced my mother to allow him to bid the construction of a new carport as the existing carport was very dilapidated and posed a hazard to both herself and her property. My mother agreed and borrowed over eight thousand dollars to have all work done. The General Contractor was one day away from completion when the city inspectors arrived and cited him for non compliance. We were informed at that time that the General Contractor did in fact need a permit and did not obtain one. We paid him at his behest what we felt was reasonable for what was completed and fired him on the spot. I have since been doing my best to obtain the permit necessary to complete the carport and relieve my mother of the burden that all this has caused her.

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

The Carport was rebuilt in the exact spot that the previous carport was. The new carport is in fact smaller than the original carport. We hired a General Contractor in good faith that all requirements were being met and all regulations followed.

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 will be no altering to the character of the adjacent property due to the fact that the new carport is simply replacing a pre-existing carport in the exact manner it previously was.

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 Joel G. Hernandez Mail Address 712 Fletcher

City, State & Zip Austin, TX 78704

Printed Joel G. Hernandez Phone (512) 576-6789 Date 5/20/2011

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 Joel G. Hernandez Mail Address 712 Fletcher

City, State & Zip Austin, TX 78704

Printed Joel G. Hernandez Phone (512) 576-6789 Date 5/20/2011

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.



BOARD OF ADJUSTMENTS

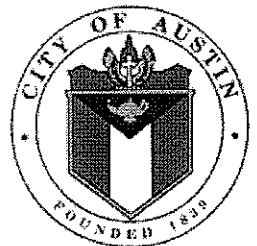
CASE#: C15-2011-0075
LOCATION: 2215 SOUTH 3RD STREET
GRID: H20
MANAGER: SUSAN WALKER



SUBJECT TRACT



ZONING BOUNDARY



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.

PUBLIC HEARING INFORMATION

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Case Number: C15-2011-0075 - 2215 S 3rd Street

Contact: Susan Walker, 512-974-2202

Public Hearing: Board of Adjustment, August 8th, 2011

GEMINE L. FLORES

Your Name (please print)

☒ I am in favor
☐ I object

707 FLETCHER ST.

Property(ies) affected by this application

Signature

Date

Daytime Telephone: 512-701-7549

Comments:

If you use this form to comment, it may be returned to:

City of Austin-Planning & Development Review Department/ 1st Floor
Susan Walker
P. O. Box 1088
Austin, TX 78767-1088

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Contact: Susan Walker, 512-974-2202

Public Hearing: Board of Adjustment, August 8th, 2011

GERMIND FLORES

Your Name (please print)

2214 So. 2nd St

Your address(es) affected by this application

Bernard M. Flores

Signature

7/12/11

Date

Daytime Telephone: 512-444-4968

Comments: _____

<input checked="checked" type="checkbox"/> I am in favor
<input type="checkbox"/> I object

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Case Number: C15-2011-0075 - 2215 S 3rd Street
 Contact: Susan Walker, 512-974-2202
 Public Hearing: Board of Adjustment, August 8th, 2011

Your Name (please print) H. Acedo Larsen

☒ I am in favor
☐ I object

2213 S. Third St Austin TX 78704

Your address(es) affected by this application

Helen Jarama Signature 07/07/2011 Date

Daytime Telephone: 512 261 3989

Comments:

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 Susan Walker
 P. O. Box 1088
 Austin, TX 78767-1088

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Contact: Susan Walker, 512-974-2202

Public Hearing: Board of Adjustment, August 8th, 2011

TOSC CAMO
Your Name (please print)

☒ I am in favor
☐ I object

2211-5-3-PP-Austin TX.
Your address(es) affected by this application

Jane Lane Signature *7-10-11* Date

Daytime Telephone: *(512) 416-0142*

Comments:

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Case Number: C15-2011-0075 - 2215 S 3rd Street

Contact: Susan Walker, 512-974-2202

Public Hearing: Board of Adjustment, August 8th, 2011

CHRISTINE GILES

Your Name (please print)

2306 23rd St

Your address(es) affected by this application

Christine Giles

Signature

July 11/11

Date

Daytime Telephone:

442-5840

Comments:

This family has lived on 33rd Street for many years - that's why I am in favor.

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Susan Walker

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Austin, TX 78767-1088

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Case Number: C15-2011-0075 - 2215 S 3rd Street

Contact: Susan Walker, 512-974-2202

Public Hearing: Board of Adjustment, August 8th, 2011

MARSAEI LARSEN
Your Name (please print)

☒ I am in favor
☐ I object

2213 S THIRL ST, AUSTIN 78704
Your address(es) affected by this application

[Signature] 7/9/11
Signature Date

Daytime Telephone 512-491-2930

Comments: _____

[Signature] _____

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P. O. Box 1088
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Contact: Susan Walker, 512-974-2202

Public Hearing: Board of Adjustment, August 8th, 2011

Esther A. Leibas

Your Name (please print)

☒ I am in favor
☐ I object

2301 S. 3rd St Austin TX 78704

Your address(es) affected by this application

Susan A. Walker

Signature

7-12-11

Date

Daytime Telephone: 512/ 443-3728

Comments: To the Board of Adjustment, Case # C15-2011-0075
Applicant Joel Hernandez, Address 2215 S. 3rd St in
regards to rebuilt an existing Carport and driveway,
I am in favor of this. This application is to be heard
on August 8, 2011. The contact person is Susan Walker,
I live across the street from this resident. The
Carport faces my back yard and I see no
problem.

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Susan Walker

P. O. Box 1088

Austin, TX 78767-1088

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Case Number: C15-2011-0075 - 2215 S 3rd Street

Contact: Susan Walker, 512-974-2202

Public Hearing: Board of Adjustment, August 8th, 2011

Mattias & Lupe Limon
Your Name (please print)

☒ I am in favor
☐ I object

2313 So 4th St Austin, TX
Your address(es) affected by this application

Mattias & Lupe Limon
Signature

Date

Daytime Telephone: 512 442-6950

Comments: We support the rezoning

up - grade the property

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Contact: Susan Walker, 512-974-2202

Public Hearing: Board of Adjustment, August 8th, 2011

Your Name (please print)

Benito M. Vega

☒ I am in favor
☐ I object

Your address(es) affected by this application

706 West Live Oak St, Austin, TX 78704

Benito M. Vega 7-9-2011

Signature

Date

Daytime Telephone: 512-442-3437

Comments:

I have no objections to the request of

Alice Galindo
at 2215 South 3rd St
Lot: B1K.2 subdivision BAWcom

If you use this form to comment, it may be returned to:

City of Austin-Planning & Development Review Department/ 1st Floor
Susan Walker
P. O. Box 1088
Austin, TX 78767-1088

PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

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 - appearing and speaking for the record at the public hearing;
- and:

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Case Number: C15-2011-0075 - 2215 S 3rd Street

Contact: Susan Walker, 512-974-2202

Public Hearing: Board of Adjustment, August 8th, 2011

Rita Rosas

Your Name (please print)

☒ I am in favor
☐ I object

2206 S. 3rd St.

Your address(es) affected by this application

Rita Rosas

Signature

7-5-11

Date

Daytime Telephone: _____

Comments: re: Alice, L. Galindo, 2015

S. 3rd St.

- in order to rebuild an existing carport.
There should be NO objections
to this.

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Case Number: C15-2011-0075 - 2215 S 3rd Street

Contact: Susan Walker, 512-974-2202

Public Hearing: Board of Adjustment, August 8th, 2011

Diana Seidel v Jim Thutker
Your Name (please print)

☒ I am in favor
☐ I object

709 Fletcher Street, Austin 78704
Your address(es) affected by this application

[Signature]
Signature

7/5/11
Date

Daytime Telephone: 512 300 0931

Comments:

Letters attached
Pictures attached

If you use this form to comment, it may be returned to:

City of Austin-Planning & Development Review Department/ 1st Floor
Susan Walker
P. O. Box 1088
Austin, TX 78767-1088

July 3, 2011

Re: Public Hearing, Board of Adjustment, August 8, 2011
Contact: Susan Walker
Case Number: C15-2011-0075-2215 S. 3rd Street

To whom it may concern,

We are writing in favor of the three variances requested by the applicant.

As you should know, the buildings at 2215 S. 3rd Street all pre-date current zoning code and therefore do not adhere to current setbacks. Beginning about a year ago, we noticed significant clean-up and repair undertaken at this property, culminating in replacing the existing carport (picture attached thanks to Google Earth) with a structure (picture taken July 3, 2011 attached) that is more compatible with the existing house. It appears that the new carport has the same footprint as the old one, but is much improved.

Our neighborhood has a wonderful mix of old, new, big and small houses and duplexes—families that have lived here for a long time and newcomers. For the integrity of the neighborhood, it is important that the older houses be allowed to remain and be repaired and upgraded. We urge you to approve all three variances requested.

Sincerely,



Diana Seidel + Jim Thatcher

Name and Address

709 Fletcher Street
Austin TX 78704

2215 South 33d street, Austin, TX 78704



Before from Google Earth



July 3, 2011 (photo by Jim Thatcher)

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Case Number: C15-2011-0075 - 2215 S 3rd Street

Contact: Susan Walker, 512-974-2202

Public Hearing: Board of Adjustment, August 8th, 2011

Ignacio Leibas

Your Name (please print)

☒ I am in favor
☐ I object

2301 South Third Street

Your address(es) affected by this application

Susan Walker

Signature

7/5/11

Date

Daytime Telephone: 512-443-3728

Comments: _____

Letter attached

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City of Austin-Planning & Development Review Department/ 1st Floor

Susan Walker

P. O. Box 1088

Austin, TX 78767-1088

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Case Number: C15-2011-0075 - 2215 S 3rd Street
 Contact: Susan Walker, 512-974-2202
 Public Hearing: Board of Adjustment, August 8th, 2011

Alicia Twigg

Your Name (please print)

☒ I am in favor
☐ I object

110 FLETCHER ST AUSTIN TX 78704

Your address(es) affected by this application

[Signature]

Signature

July 5, 2011

Date

Daytime Telephone: 502-810-0376

Comments:

Letter attached

If you use this form to comment, it may be returned to:

City of Austin-Planning & Development Review Department/ 1st Floor
 Susan Walker
 P. O. Box 1088
 Austin, TX 78767-1088

July 3, 2011

Re: Public Hearing, Board of Adjustment, August 8, 2011
Contact: Susan Walker
Case Number: C15-2011-0075-2215 S. 3rd Street

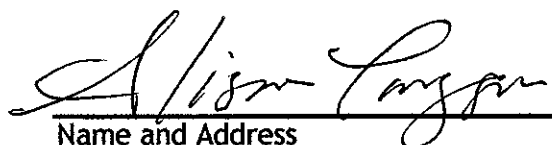
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Sincerely,

 710 FLETCHER ST AUSTIN TX
Name and Address
ALISON TWIGGER 78704