

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 # C15-2011-0082
ROW # 10621164
TP- 0230040401

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: 2009 Palo Duro Road

LEGAL DESCRIPTION: Subdivision – Burnet Heights

Lot(s) 1 Block F Outlot n/a Division n/a

I/We Theresa Lucore on behalf of myself/ourselves as authorized agent for

Theresa Lucore affirm that on May 31, 2011,

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

(check appropriate items below)

ERECT ATTACH COMPLETE REMODEL MAINTAIN

I am requesting a variance to reduce the side set back from 15 feet to 12 feet and a
variance to reduce the rear set back from 10 feet to 5 feet to an existing garage that
was permitted and built in 1998. We believe we were following the code in 1998.

in a single family district.
(zoning district)

SF-3-NP (Brentwood 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 garage I'm requesting a variance for was built in 1998 and we had obtained a permit and had a final temporary permit from the City of Austin. The building directly behind the garage also has a 12 foot side set back.

HARDSHIP:

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

The variance is unique to the property because it has existed for 13 years and has not affected the surrounding structures use. I have only one residential neighbor on one side and behind us is all commercial property that faces Keonig Lane. The building directly behind the garage has a 12 foot set back. See attached map.

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

The hardship relating to this property is different because the garage has existed on this site for 13 years and we had obtain a permit from the City of Austin to build this structure in 1998 and had obtained a temporary final permit. Also, behind and directly across from the garage is commercial property.

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:

This variance will not alter the character of the area because directly behind and across from this garage is commercial property and this structure has not impaired the use of their property for the past 13 years.

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

Signed Theresa Lucore Mail Address 2009 Palo Duro Road

City, State & Zip Austin, Texas 78757

Printed Theresa Lucore Phone 619-5526 Date May 31, 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 Theresa Lucore Mail Address 2009 Palo Duro Road


City, State & Zip Austin, Texas 78757


Printed Theresa Lucore Phone 619-5526 Date May 31, 2011




BOARD OF ADJUSTMENTS

N



 SUBJECT TRACT

 ZONING BOUNDARY

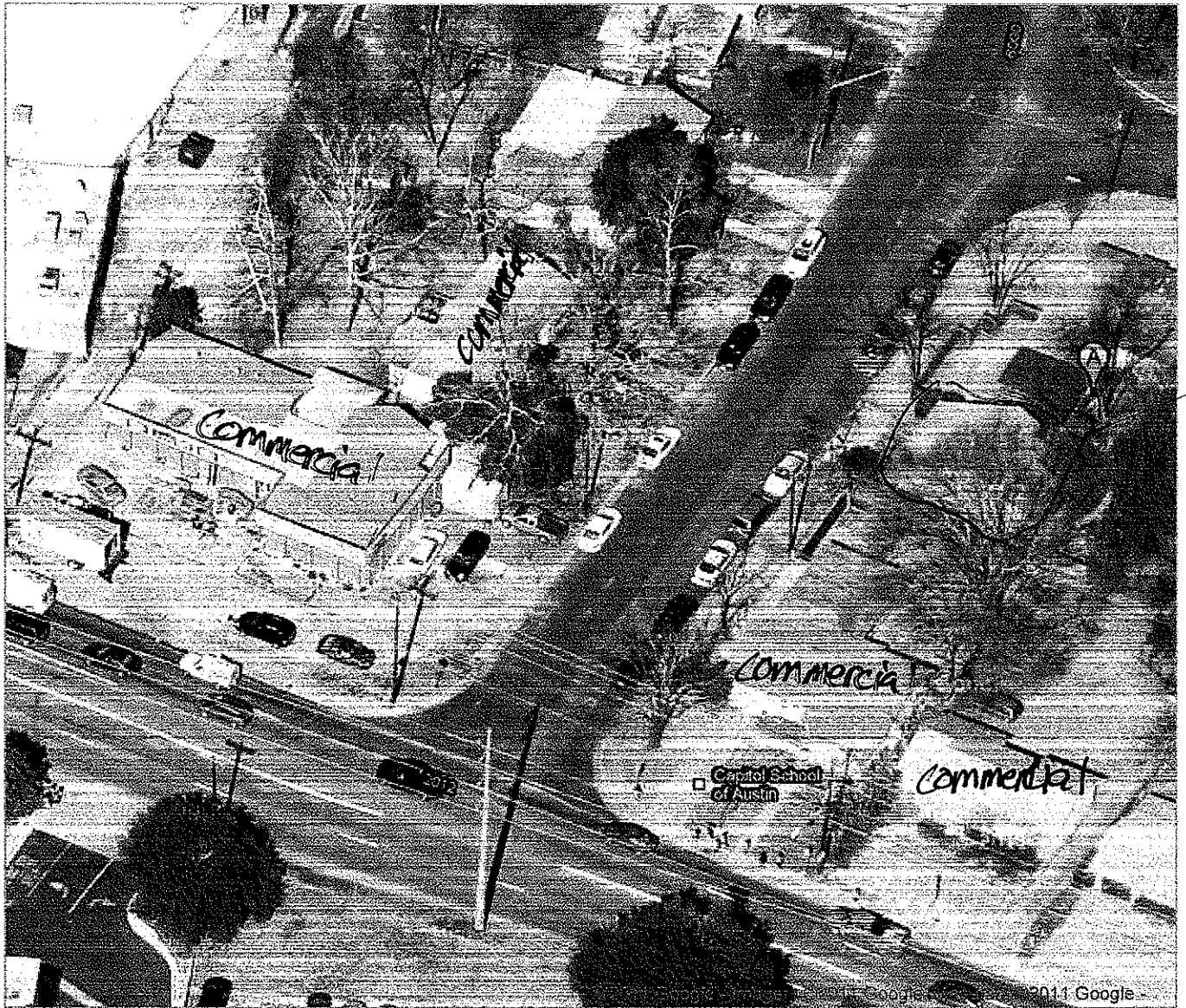
CASE#: C15-2011-0082
 LOCATION: 2009 PALO DURO ROAD
 GRID: J28
 MANAGER: SUSAN WALKER



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.

Google maps

See all the details that are visible on the screen, use the "Print" link next to the map.



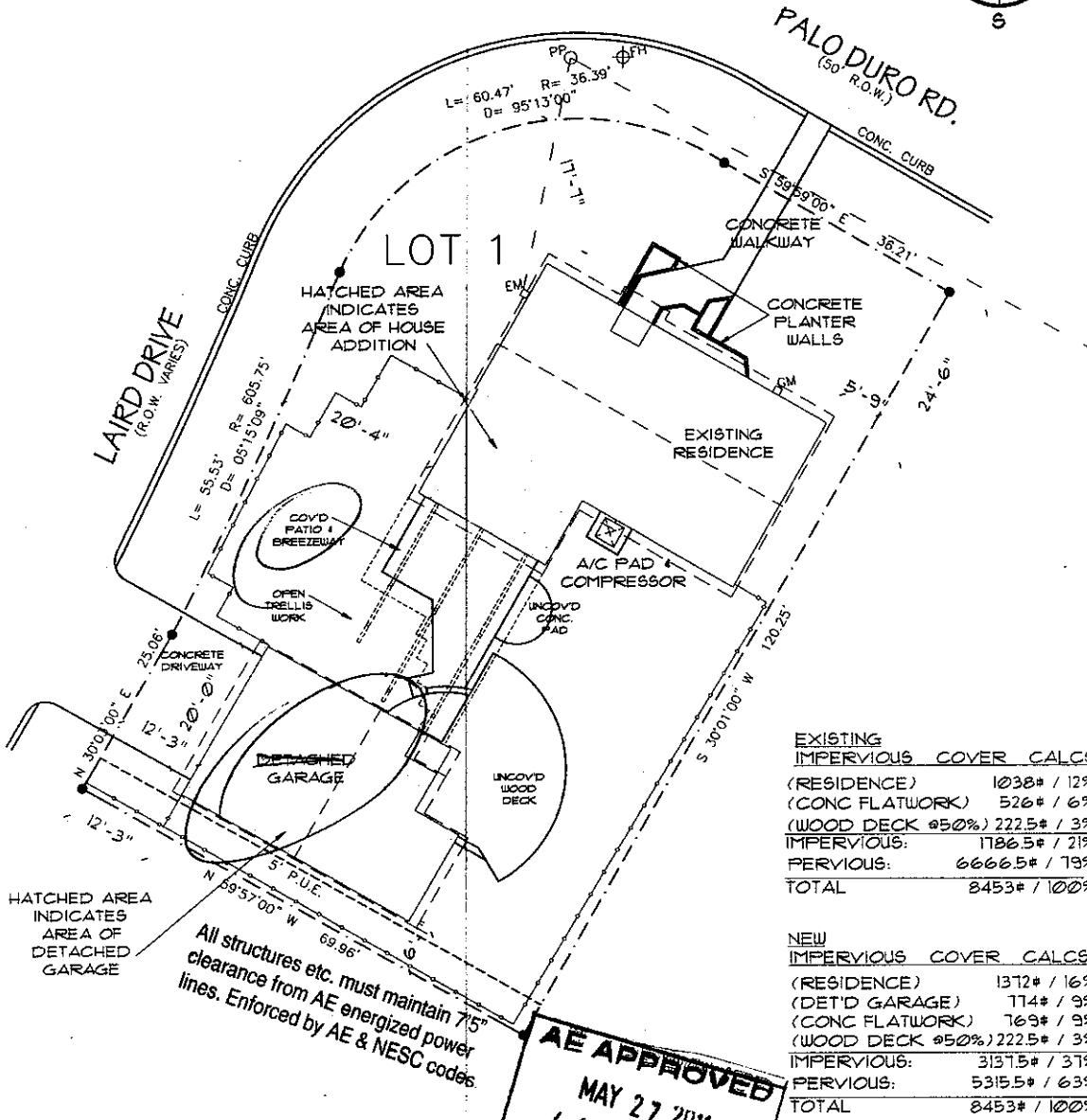
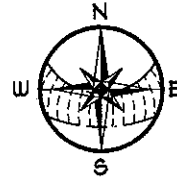
Google maps

See all the details that are visible on the screen, use the "Print" link next to the map.



GENERAL SITE NOTES:

- 1.0 MAXIMUM AMOUNT OF EXPOSED FOUNDATION TO BE 24" UNLESS NOTED OTHERWISE BY CITY, COUNTY OR SUBDIVISION REQUIREMENTS.
- 2.0 CONFIRM ALL DRIVEWAY, WALKWAY AND PVC LAYOUTS/LOCATIONS PRIOR TO COMMENCING WORK.
- 3.0 PROVIDE CONTROL AND EXPANSION JOINTS AS REQUIRED ON CONCRETE DRIVES, WALKS AND PATIOS.
- 4.0 ALL CONSTRUCTION MATERIALS AND WASTE TO BE STORED ON SITE DURING CONSTRUCTION.
- 5.0 CONTRACTOR SHALL CLEAN UP AREAS AFFECTED BY DAILY WORK AND REMOVE DEBRIS AND MATERIALS FROM THE SITE UPON COMPLETION OF THE WORK.



EXISTING IMPERVIOUS COVER CALCS

(RESIDENCE)	1038# / 12%
(CONC FLATWORK)	526# / 6%
(WOOD DECK @50%)	222.5# / 3%
IMPERVIOUS:	1786.5# / 21%
PERVIOUS:	6666.5# / 79%
TOTAL	8453# / 100%

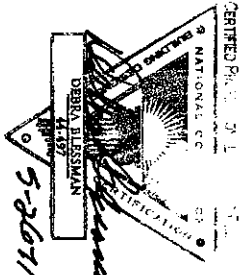
NEW IMPERVIOUS COVER CALCS

(RESIDENCE)	1372# / 16%
(DET'D GARAGE)	174# / 9%
(CONC FLATWORK)	769# / 9%
(WOOD DECK @50%)	222.5# / 3%
IMPERVIOUS:	3137.5# / 37%
PERVIOUS:	5315.5# / 63%
TOTAL	8453# / 100%

LEGAL DESCRIPTION:
2009 PALO DURO RD.
LOT 1 BLOCK F
BURNET HEIGHTS
AUSTIN, TX
TRAVIS COUNTY

Lot Area: 8453 SQ. FT.
FAR (40%): 3381 SQ. FT.
Enclosed Space: 1696 SQ. FT.

- LEGEND**
- ⊕ FH FIRE HYDRANT
 - ⊕ PO POWER POLE
 - OVERHEAD POWER LINE
 - WOOD FENCE
 - EMO ELECTRIC METER
 - GMD GAS METER





City of Austin BUILDING PERMIT

PERMIT NO: 1998-010609-BP
2009 PALO DURO RD

Type: RESIDENTIAL Status: Expired
Issue Date: 10/02/1998 EXPIRY DATE: 09/21/1999

LEGAL DESCRIPTION	SITE APPROVAL	ZONING
-------------------	---------------	--------

PROPOSED OCCUPANCY: Detached Garage	WORK PERMITTED: New	ISSUED BY:
--	---------------------	------------

TOTAL SQFT	VALUATION Tot Job Val: \$7,500.00	TYPE CONST.	USE CAT. 438	GROUP	FLOORS	UNITS 1	# OF PKG SPACES
TOTAL BLDG. COVERAGE	% COVERAGE	TOTAL IMPERVIOUS COVERAGE	% COVERAGE	# OF BATHROOMS	METER SIZE		

--	--	--	--	--	--	--	--

<u>Fee Desc</u>	<u>Amount</u>	<u>Date</u>	<u>Fee Desc</u>	<u>Amount</u>	<u>Date</u>	<u>Fee Desc</u>	<u>Amount</u>	<u>Date</u>
Building Permit Fee	82.00	10/2/1998						
Fees Total:	82.00							

Inspection Requirements	
Building Inspection	Mechanical Inspection

All Buildings, Fences, Landscaping, Patios, Flatwork And Other Uses Or Obstructions Of A Drainage Easement Are Prohibited, Unless Expressly Permitted By A License Agreement Approved By COA Authorizing Use Of The Easement.

City Code Chapter 25-12, Article 13: A permit expires on the 181st day if the project has not scheduled nor received an inspection. A "Cancelled" and/or "Failed/No Work Performed" inspection result does not extend the expiration date.

The following permits are required as a separate permit: See Mechanical, Electrical, Plumbing permits for Related Fees and Inspections.

<u>Comments</u>

By Accepting Or Paying For This Permit You are Declaring That You Are The Owner Or Authorized By The Owner That The Data Submitted At The Time Of Application Was True Facts And That The Work Will Conform To The Plans And Specification Submitted Herewith.



City of Austin BUILDING PERMIT

PERMIT NO: 1998-010609-BP

Type: RESIDENTIAL Status: Expired

2009 PALO DURO RD

Issue Date: 10/02/1998

EXPIRY DATE: 09/21/1999

LEGAL DESCRIPTION						SITE APPROVAL		ZONING	
PROPOSED OCCUPANCY: Detached Garage		WORK PERMITTED: New				ISSUED BY:			
TOTAL SQFT		VALUATION Tot Job Val: \$7,500.00		TYPE CONST.	USE CAT. 438	GROUP	FLOORS	UNITS 1	# OF PKG SPACES
TOTAL BLDG. COVERAGE		% COVERAGE	TOTAL IMPERVIOUS COVERAGE		% COVERAGE		# OF BATHROOMS		METER SIZE

<u>Type</u>	<u>Date</u>	<u>Status</u>	<u>Comments</u>	<u>Inspector</u>
101 Building Layout	10/12/1998	Fail	MIGRATED FROM PIER.	Carl Meuth
103 Framing	3/25/1999	Pass	MIGRATED FROM PIER.	Carl Winn
112 Final Building	3/25/1999	Temporary	MIGRATED FROM PIER.	Carl Winn