

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 # C15-2011-0084
ROW # 10621238

TP-0416290108

**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: 7802 Wakefield Drive, Austin TX 78749

LEGAL DESCRIPTION: Subdivision - Woodstone Village

Lot(s) 13 Block E Outlot _____ Division _____

We Hedy Bower and Kevin Easton on behalf of ourselves as authorized agent for

ourselves affirm that on June 1, 2011,

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

(check appropriate items below)

ERECT ATTACH COMPLETE REMODEL MAINTAIN

Enclose carport with two walls to create storage and create a rear covered patio

Side yard setback from 5' to 4.5'

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:

There is nowhere to store tools and other items safely

HARDSHIP:

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

The house was built in 1980. The left side of the house was built 4ft 9inches from the property line and therefore not in compliance with the set-back requirement. We purchased the house in 2003 and were not made aware that the structure was not in compliance despite having both an inspection and an appraisal.

The wall we extended on the left-hand side of the carport is flush with the concrete slab and does not extend any closer to the property line.

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

All the houses on the block have enclosed garages and presumably are in compliance with the set-back requirement.

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:

All other houses on the block have enclosed garages, this structure does not extend any closer to the property line than does the existing structure; the existing structure has been out of compliance since 1980 when it was built.

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 Hedy Bower Kevin Easton Mail Address 7802 Wakefield Drive _____

City, State & Zip Austin, Texas
78749 _____

Printed Hedy Bower, Kevin Easton Hedy Bower Kevin Easton Phone 512-574-2100
Date June 1, 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 Hedy Bower Kevin Easton Mail Address 7802 Wakefield Drive _____

City, State & Zip Austin, Texas
78749 _____

Printed Hedy Bower, Kevin Easton Hedy Bower Kevin Easton Phone 512-574-2100
Date June 1, 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.)

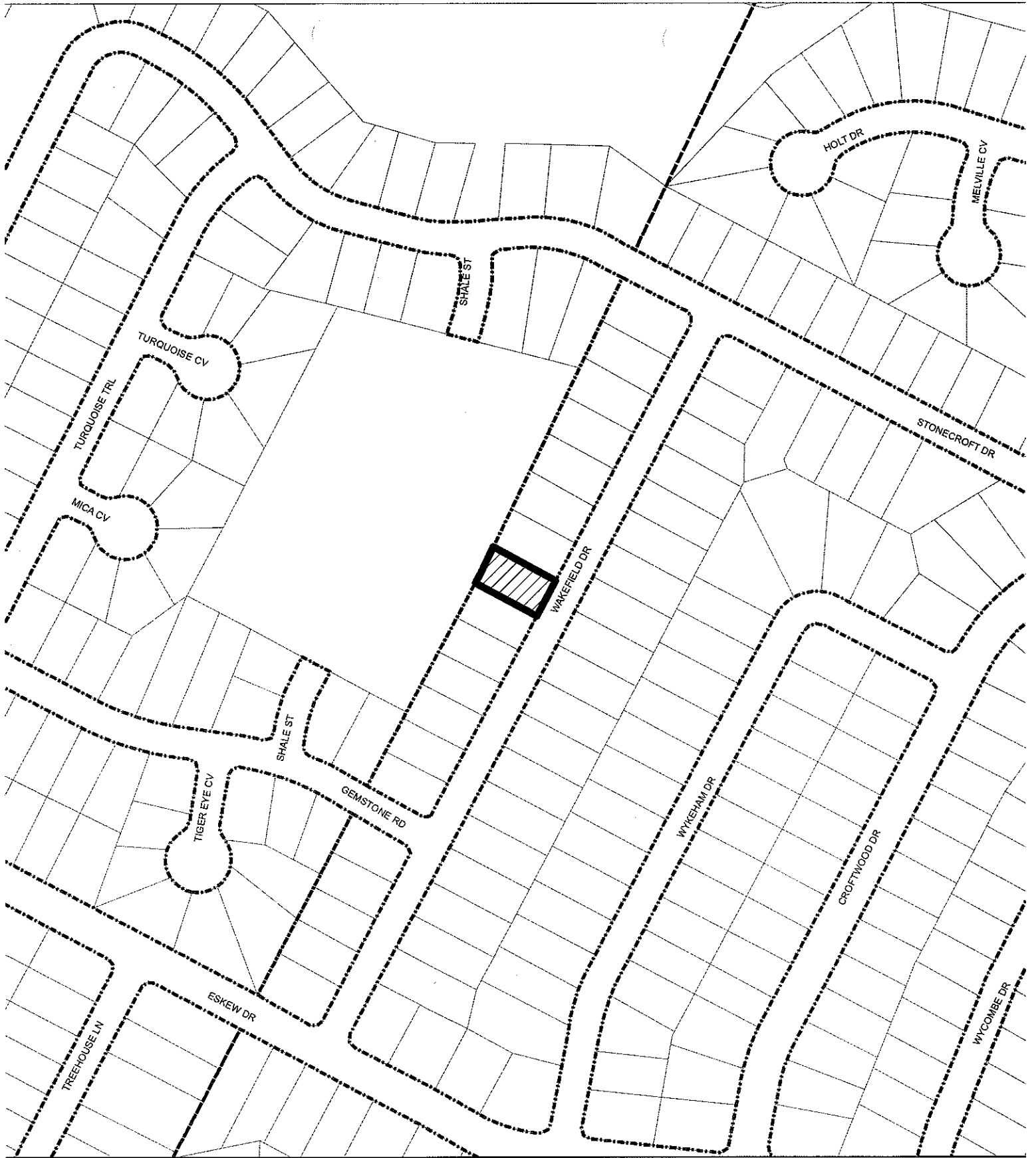
VARIANCE REQUIREMENTS:

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.
- B. A variance to a regulation may not grant special privileges that are inconsistent with the limitations on other properties in the area or in the district in which the property is located.



SUBMITTAL REQUIREMENTS: (Failure to complete the application or to submit all the required materials will result in non-acceptance of the application.)

- (1) A completed application indicating all variances being requested. An application must include proposed findings that will support requested variances. The required findings must address each variance being sought.
- (2) A site plan to scale indicating present and proposed construction and location and use of structures on adjacent lots.
- (3) Check made payable to the City of Austin for the Board of Adjustment application fee. (Residential zoning - \$360. All other zonings - \$660.)
- (4) Other Information – Although the following is not a requirement of submittal you may wish to include additional information that may assist the Board in making an informed decision regarding your request

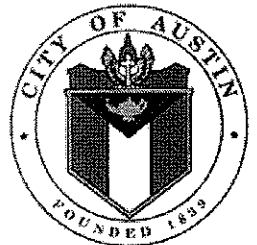


BOARD OF ADJUSTMENTS

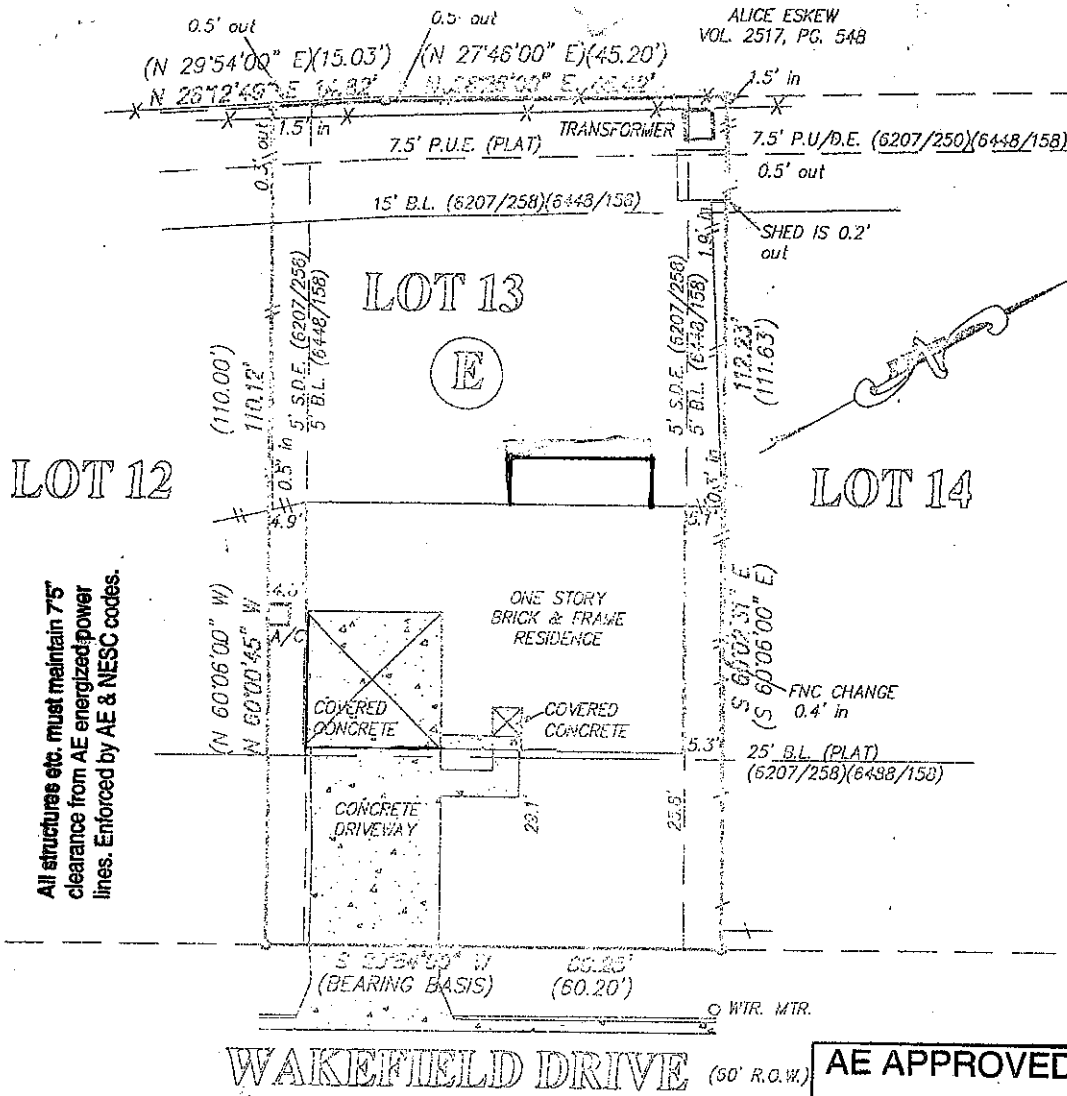


-  SUBJECT TRACT
-  ZONING BOUNDARY

CASE#: C15-2011-0084
 LOCATION: 7802 WAKEFIELD DRIVE
 GRID: D17
 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.



All structures etc. must maintain 75' clearance from AE energized power lines. Enforced by AE & NESC codes.

AE APPROVED
APR 07 2011
RLS 97-7

NOTE: SUBJECT TO EASEMENTS, BUILDING SETBACK LINES AND RESTRICTIVE COVENANTS RECORDED IN BOOK 71, PG. 39 PLAT RECORDS, VOL. 6207, PG. 258, VOL. 6448, PG. 158, DEED RECORDS, TRAVIS COUNTY, TEXAS.

CAPITAL MORTGAGE SERVICES

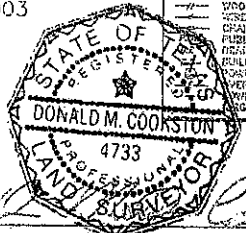
Donald M. Cookston, a Registered Professional Land Surveyor in the State of Texas, do hereby certify to NORTHLAND FUNDING GROUP/AUSTIN TITLE CO./LAYERS TITLE INSURANCE CORP./*

that this survey was made on the ground of the property described hereon (and/or by metes and bounds on attached sheet) and is correct and that there are no visible encroachments, except as shown hereon; and I do certify that, except as noted hereon, there are no overlapping of improvements, there are no discrepancies or conflicts in the boundary lines, there is no visible evidence of utility lines or rights-of-way on the ground, and the subject property has access to and from a dedicated roadway. This survey is being provided solely for the use of the named parties herein and no license has been created, expressed or implied, to copy the survey except as is necessary in conjunction with the original transaction, which shall take place within 6 months after the survey is provided.

(s) 13 Block E, WOODSTONE VILLAGE SECTION III
 according to the map or plat recorded in Volume 71 Page 39 of the Plat
 records of TRAVIS County, Texas.
 Witness my hand and seal this 9TH day of MAY ©2003
 Surveyor: EASTON/BOWER
 Address: 7802 WAKEFIELD DRIVE, AUSTIN, TEXAS
 No. 2003 DT 251735 - L

SCALE: 1" = 20'

LEGEND	
□	CORNER FENCE POST
○	IRON ROD FOUND
○	IRON ROD SET
○	PIPE FOUND
△	MAIL FOUND
△	MAIL SET
■	"X" FOUND IN CONC.
—	WOOD FENCE
—	WIRE FENCE
—	CHAIN LINK FENCE
—	PUBLIC UTILITY ESMT.
—	RESURFACE ESMT.
—	BUILDING LINE
—	WATER POLE
—	OVERHEAD ELEC. LINE
—	W/W R/W
—	REG. DIST. RECORD CALL



COOKSTON & ASSOCIATES
 SURVEYING & MAPPING
 68 Spring Hill Lane, Suite 110-Pflugerville, Tx. 78680
 Office: (512) 252-9737 - FAX: (512) 252-9533

Donald M. Cookston
 Registered Professional Land Surveyor, No. 4733



Austin's Community-Owned Electric Utility

City of Austin

Austin Energy

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

May 26, 2011

Hedy Brower and Kevin Easton
7802 Wakefield Drive
Austin, Texas 78749

Re: 7802 Wakefield Drive
Lot 13, Block E Woodstone Village

Dear Brower and Easton:

Austin Energy (AE) has reviewed your application for the above referenced property requesting a variance to erect and complete the enclosed carport with two walls to create storage and create a rear covered patio. Austin Energy has no conflicts with this application as requested and shown on the attached red-stamped sketch.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Christine Esparza", with a long horizontal flourish extending to the right.

Christine Esparza
Public Involvement & Real Estates Services

Cc: Diana Ramirez and Susan Walker



7804

7802

WAKEFIELD DR