

CASE # C15-2011-0100

ROW-10634224

TP-0301020303

**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: 1304 Alta Vista Ave.

LEGAL DESCRIPTION: Subdivision – Travis Heights

Lot(s) 11, 17 & vacated alley Block 3 Outlot _____ Division _____

I/ Jim Bennett as authorized agent for Tom Cooke affirm that on

Aug. 25, 2011, hereby apply for a hearing before

the Board of Adjustment for consideration to:

ERECT – ATTACH – COMPLETE – REMODEL – MAINTAIN

To reconstruct a carport providing a side yard set-back of 2.5 feet
in a SF-3-NP district.
(zoning district)

South River City N.P.

The Austin Electric Utility Department (Austin Energy) enforces electric easements and the setback requirements set forth in the Austin Utility Code, Electric Criteria Manual and National Electric Safety Code. The Board of Adjustment considers variance to the Land Development Code, and a variance granted by the Board of Adjustment does not waive the requirements enforced by Austin Energy. Please contact Christine Esparza with Austin Energy at 322-6112 before filing your application with the Board of Adjustment if your request is for a reduction in setbacks or height limits.

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 ordinance does consider the replacement of an existing structure that is being rebuilt on the same location.

HARDSHIP:

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

This property was developed in the 1930's. An attempt was made to repair the carport, but it was discovered that it was rotten, and repairs could not be made. Due to the existing developed conditions the only reasonable place to put the carport is in the same location where the previous carport and driveway is located.

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

The topography, landscaping, and the existing developed conditions are unique to this site.

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 area character will not change because this structure has been located at this location for a long period, and is a replacement of the original carport, and the topography of the site along with the existing landscaping and wall reasonable prevent the structure from being seen from off-site. The reconstruction of the carport will not be an increase of impervious cover or conditions.

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 Jim Bennett Mail Address 11505 Ridge Dr.

City, State & Zip Austin, TX 78748

Printed Jim Bennett Phone (512) 282-3078 Date _____

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

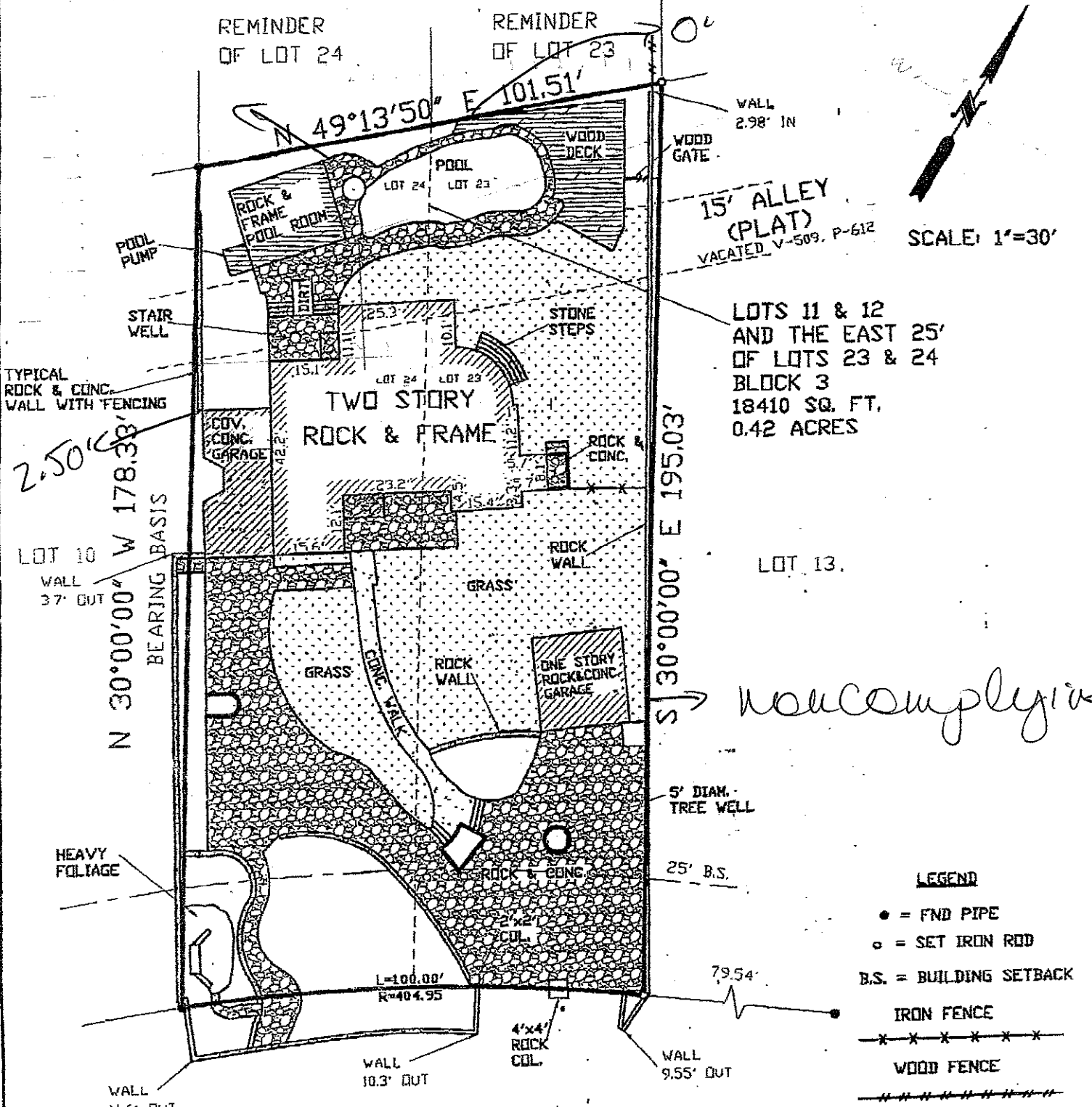
Signed _____ Mail Address _____

City, State & Zip _____

Printed _____ Phone _____ Date _____

REMINDER OF LOT 24

REMINDER OF LOT 23



15' ALLEY (PLAT) VACATED V-509, P-612

SCALE: 1"=30'

LOTS 11 & 12 AND THE EAST 25' OF LOTS 23 & 24 BLOCK 3 18410 SQ. FT. 0.42 ACRES

LOT 13.

non-complying

ALTA VISTA

(60' R.O.W.)

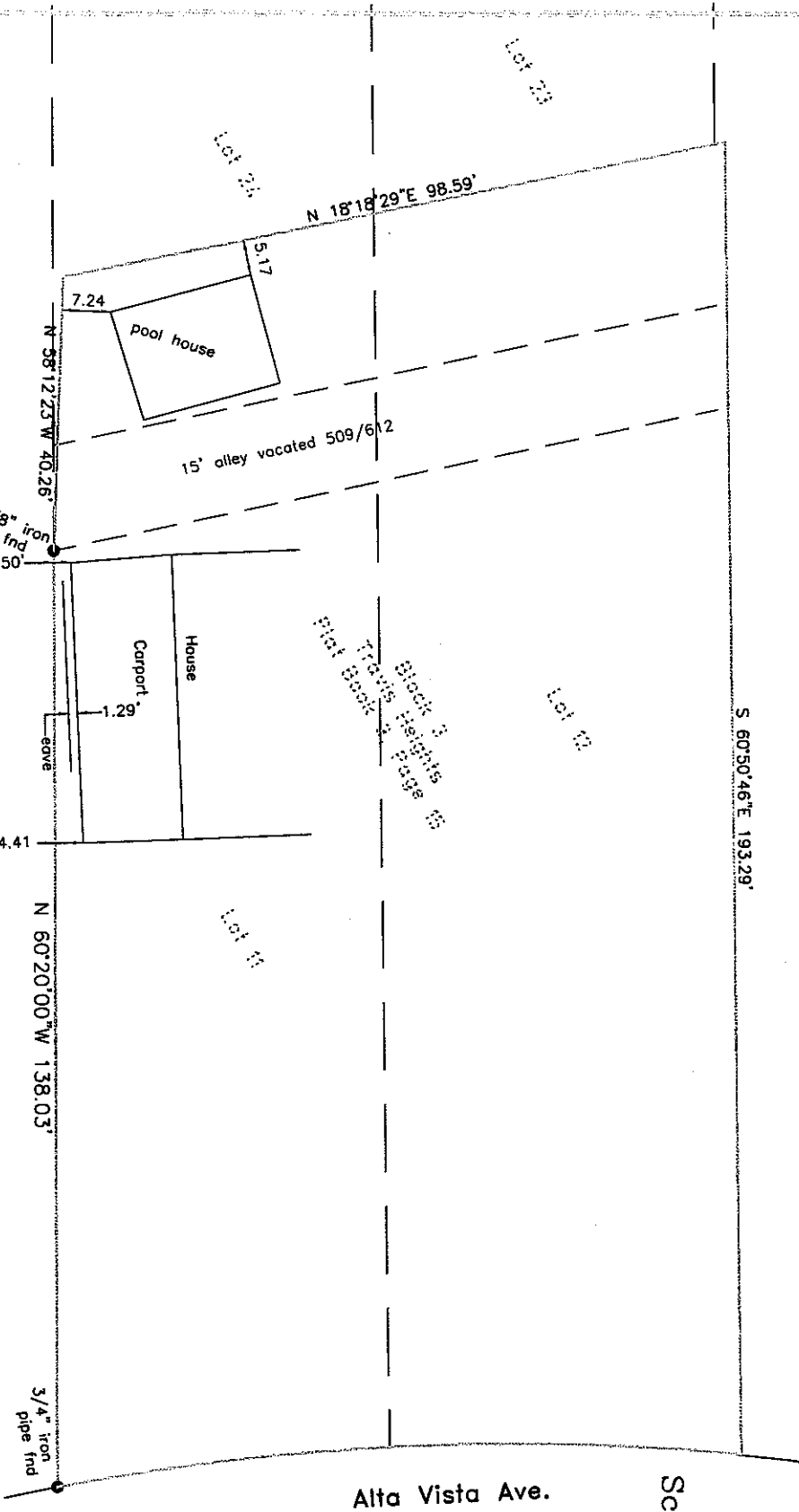
NOTE: THE ORIGINAL PLAT OF RECORD IS ILLEGIBLE. THIS IS REPRESENTATION OF THIS SURVEYORS BEST INTERPRETATION OF RECORD INFORMATION.

NOTE: This plat is subject to restrictive covenants as recorded in Volume 3, Page 15, Plat Records, Volume 539, Page 486, Real Property Records, Building Setback Line as recorded in Volume 3, Page 15, Plat Records, Utility Easement as recorded in Volume 9202, Page 159 & Volume 509, Page 612, Real Property Records, Perpetual Easement and subject to reversionary rights as recorded in Volume 539, Page 486, Real Property Records, All Terms, Conditions and Provisions as recorded in Volume 10271, Page 439, Real Property Records, OFFICIAL RECORDS OF TRAVIS COUNTY TEXAS.

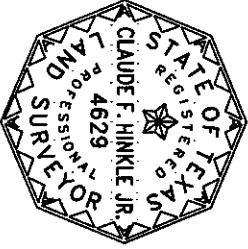
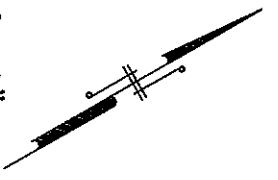
Buyer
THOMAS F. COOKE
AND JUNE COOKE
1304 ALTA VISTA

Flood Zone Information
As scaled from FEMA'S FLOOD INSURANCE RATE

Sketch showing a carport and pool house located at 1304 Alta Vista, Austin, Texas 78704



Scale 1" = 25'



File No.: 1760	Designed By: skip
Job No.: 1760-398	Drawn By: skip
Date: August 2011	Checked By:
Scale: 1" = 25'	Revised:

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AUSTIN SURVEYORS
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 Austin, Texas 78757
 512-454-6805