

If you need assistance completing this application (general inquiries only) please contact Susan Walker, 974-2202; 505 Barton Springs Road, 2nd Floor (One Texas Center).

CASE # C15-2011-0114
ROW # 10661022
TP-0303020702

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: 1118 Gillespie Place, Austin TX 78704

LEGAL DESCRIPTION: Subdivision – _____

Lot(s) _____ Block _____ Outlot _____ Division _____

I/We Carol Vaughan on behalf of myself/ourselves as authorized agent for

myself affirm that on 26th Sept 2011

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

(check appropriate items below)

☒ **ERECT** ☐ **ATTACH** ☐ **COMPLETE** ☒ **REMODEL** ☐ **MAINTAIN**

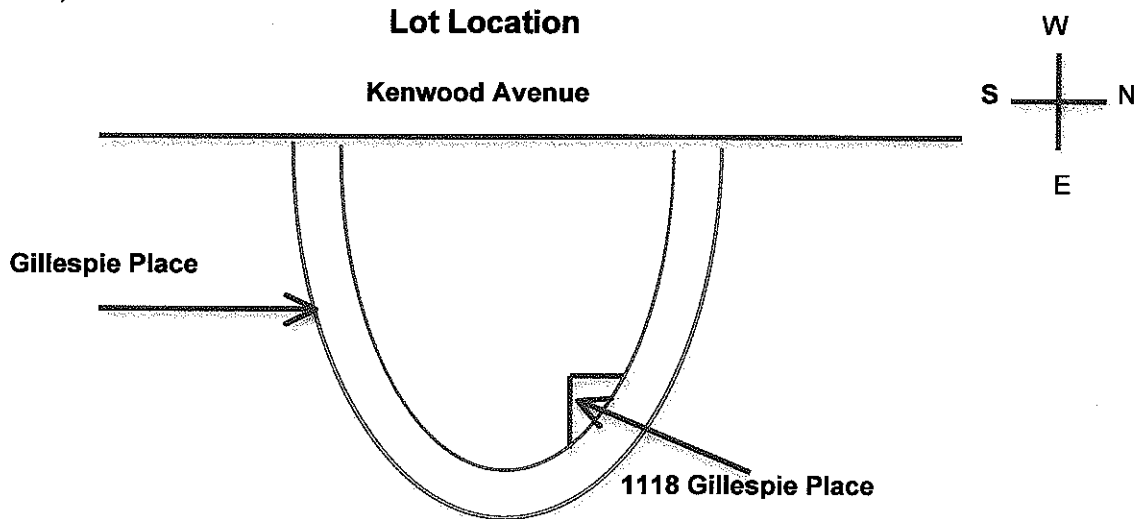
- ① enclose small deck area 3' from front p.l.
- ② add 2nd sty addn from 25' to 10'
- ③ Parking variance from 2 to 1

in a SF 3 district.
(zoning district)

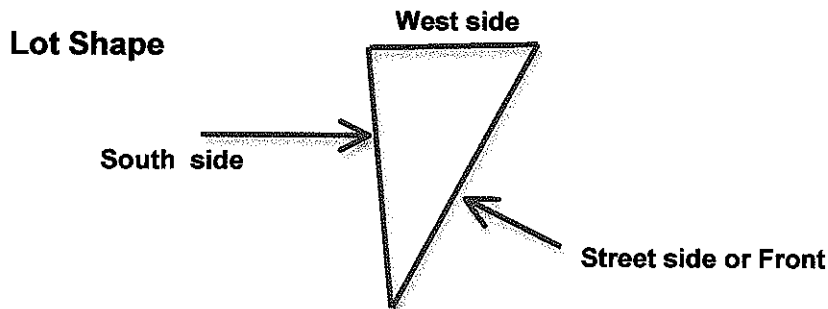
NOTE: The Board must determine the existence of, sufficiency of and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional support documents.

General Information

The lot for which this variance is requested is one of the 29 properties on Gillespie Place, a small street in the Travis Heights subdivision located between Riverside Drive and Oltorf Street and South Congress and I 35. The street is a horseshoe shape, with the respective ends of the street intersecting with the same cross street that runs approximately north—south. (Kenwood).



The lot is located where the street begins to curve and, because of this location, is shaped like an irregular triangle rather than a rectangle. Because of the shape of the lot, the terms “back”, “front” and “side” do not really describe the lot’s appearance.



The lot is 4652 square feet and is the smallest single family property on the street. Two lots adjacent to the lot were formerly approximately 7000 square feet each but these lots have been subdivided into condominiums, each having an area approximately 3000 to 4000 square feet.

The topography of the lot is unusual. The terms “front”, “back” and “sides” do not describe the lot well since it is shaped like a triangle instead of the usual rectangle. The western most point on the South side is 16 feet higher than the eastern most point in the South side.

The street contains approximately 29 lots ranging from approximately 18,000 square feet on the high end to my lot which is 4652 square feet. The square footage of the living spaces of the properties varies from less than 1000 to just under 5000 square feet (4879).

The majority of the homes on Gillespie Place were built in the 1940’s and 50’s. A number of homes on the street have been rebuilt totally or with additions or renovated since 2000.

Gillespie Place is a lovely street in a lovely neighborhood.

Description of Variance Requested

(Pictures are included at the end of the application.)

The application includes three requests for variances: two variance requests related to the setback and one variance request related to offstreet parking.

Two Variance Requests to Setback. As shown in the drawings submitted with the application for variance, I am effectively requesting that the setback be limited to 10 feet (i.e., zero lot line, only the width of the right-of-way) rather than to 25 feet. Granting this variance would allow me to:

- 1. Add a second story bedroom, bath and deck.** The requested second bedroom, bath and deck would be approximately 600 square feet and would be situated well within the footprint of the existing 1114 square feet existing first story. It. Because of the unusual shape of the lot, the 25-ft setback line goes through the existing structure, which was built in built in 1952.

Without a variance for the second story, I will not be able to enjoy the privileges enjoyed by other property owners on Gillespie Place. At least six other homes on the street renovated with the past fifteen years, as well as countless others in the Travis Heights subdivision, have an added second story. This variance is not inconsistent with the limitations on other properties on the street and in the neighborhood.

The setback would need to be established at approximately 10 feet to accommodate the second story, as designed.

Since the existing structure was built in 1952, the 25 foot building setback did not apply. Theoretically, to be approved, the setback for the current structure would have been approximately 5 feet.

- 2. Enclose the area beneath the eave that extends beyond the front porch.**

Granting this variance would result in an addition of a small, enclosed area around the front door of approximately 15 extra square feet. A variance for the additional 15 square feet around the entrance of the home would be minor and would allow me to enjoy the property like other property owners in the area.

The setback would need to be set at approximately 3 feet to accommodate this enclosed area.

- 3. Offstreet Parking Variance.** I am requesting a variance to have only one offstreet parking place rather than two.

REASONABLE USE:

- 1. The zoning regulations applicable to the property do not allow for a reasonable use because:**

The changes to the property that require a variance include a carport (replacing the carport present for many years prior to when I purchased the property), a second story (at least six other homes on the street have second stories), and a small enclosed area beyond the residence's front door.

I believe that all of these changes are reasonable and not at all unusual to the neighborhood.

HARDSHIP:

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

The hardship for which the variance is requested is unique to the property. The property is the smallest lot on the street and has an unusual shape (triangular instead of rectangular) and an unusual topography (the lot slopes 16 feet from end to end). Because of the slope and shape, the standard 25-foot setback line goes through the footprint of the current one-story structure. Without the variance, a second story (even considerably smaller than the first story) would not be possible.

Additionally, the triangular shape of the lot combined with the City's designation of the "front" of the lot as the portion following the curve of the street (i.e., the long side of the triangle) results in eliminating the possibility of a small second story without a variance.

The significant slope of the lot precludes the addition of a garage on the property but does allow for a small carport for parking.

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

The property is the smallest single-residence property on the street and has a triangular shape. Although the street has other curves that result in unusually shaped lots, the lots at the curved portions of the street are not unusually small like my lot is. Also, although a few of the other lots located on the same side of the street near the lot have steep slopes, none of the lots are triangled-shaped and do not have the same design challenges for a second story.

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 renovations and addition to the home will blend beautifully with both the neighborhood and the topography of the lot. The use of adjoining properties will not be impaired at all. Because of the uniqueness of the lot and the fact that the design is based on the unique topography of the lot, the purposes of the zoning regulations will not be impaired.

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:**

The street and neighborhood were established in the 1940's and 50's. Traffic volumes for the area would not be expected to increase or decrease due to the established nature and age of the neighborhood.

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:**

If the property owner has one vehicle, an occasional visiting vehicle would not pose interference when a visitor or visitors briefly entered or exited the car. If the property owner(s) have two vehicles, parking one on the street will not interfere with the free flow of traffic because of the rare entry into or exit from the vehicle. Also, since Gillespie Place is a horseshoe shape with both ends of the street on Kenwood Avenue, there is little thru traffic; the street is almost exclusively traveled by the property owners and residents.

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

Gillespie Place is a short street (total of 29 properties on the street) with a minimal traffic flow. It is not a cross street of any type and, because of the shape of the street, the street has minimal traffic flow.

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

The deed does not contain any reference to off-street parking.

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.
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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 Carol Vaughan Mail Address 2509 Addison Ave

City, State & Zip Austin TX 78757

Printed Carol Vaughan Phone 512-924-5652 Date 10-5-11

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 Carol Vaughan Mail Address 2509 Addison Ave

City, State & Zip Austin Tx 78757

Printed Carol Vaughan Phone 512-924-5052 Date 10/3/11

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 such as: photos of the site or visual aids to support the request, letters from the neighborhood association(s) etc. Any additional information you wish to submit must be in our office one week prior to the meeting. The Board will receive a packet with all information that has been submitted on the Thursday prior to the meeting.
- (5) Austin Energy approval

Variances approved by the Board are limited to and conditioned upon the plans and specifications presented by the applicants, except as modified by the Board.

REQUIRED FINDINGS: All variance findings must be met in order for the Board to grant a variance. An application must include proposed findings that will support the requested variance. Incomplete applications will not be accepted.

Reasonable Use:

Application must demonstrate to the Board how the zoning regulations applicable to the property do not allow for a reasonable use of the property. [Note: The Board cannot approve a variance for a use that is not allowed in the zoning district in which the property is located. This requires a change in zoning.]

Hardship:

- a. Application must demonstrate to the Board how the hardship for which the variance is requested is unique to the property. Hardship should be specific to the property for which the variance is being requested. (For example, topography, lot configuration, or any physical constraint that would limit the placement of the structure or prevent compliance with required site development regulations, etc.) A strictly financial or personal reason is not a valid hardship.



CASE#: C15-2011-0114
LOCATION: 1118 GILLESPIE PLACE



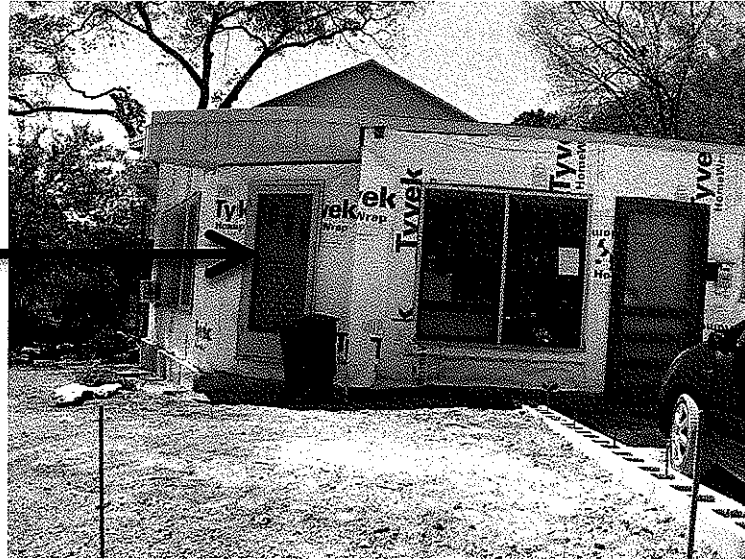
SUBJECT TRACT



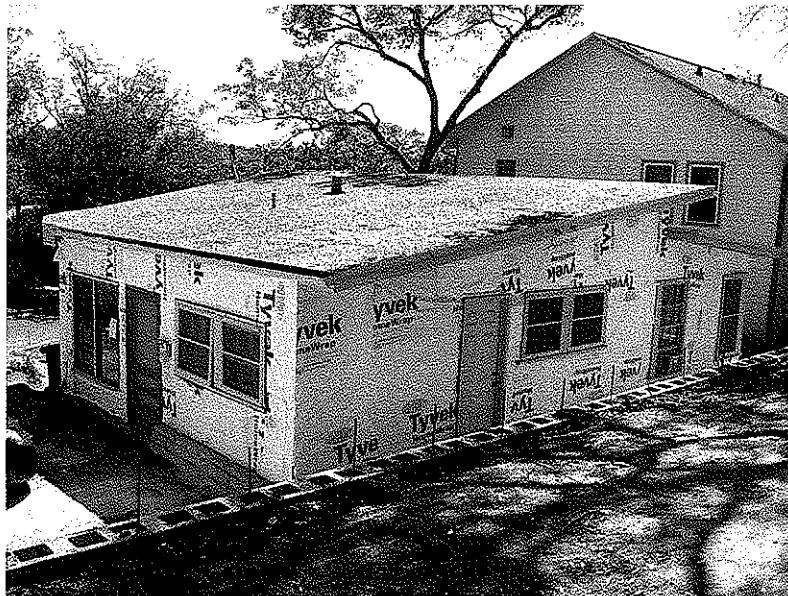
ZONING BOUNDARY

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

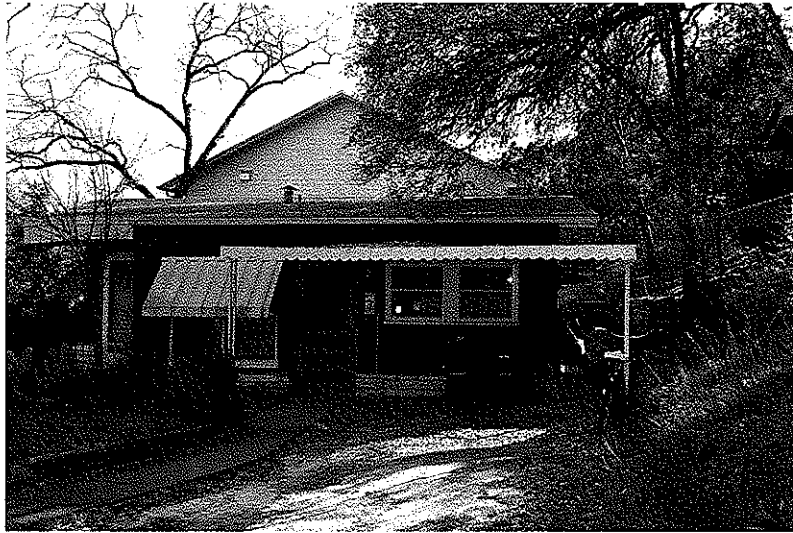
This product has been produced by the Planning and Development Review Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



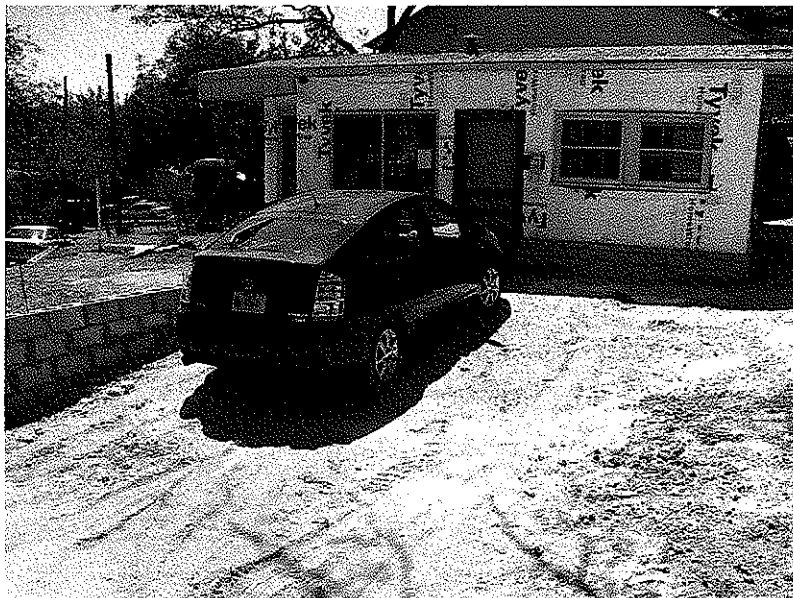
Arrow above points to where I would like to enclose the area around the porch beneath the eave. About 15 enclosed square feet would be added. To enclose the area, I need a variance on the 25-



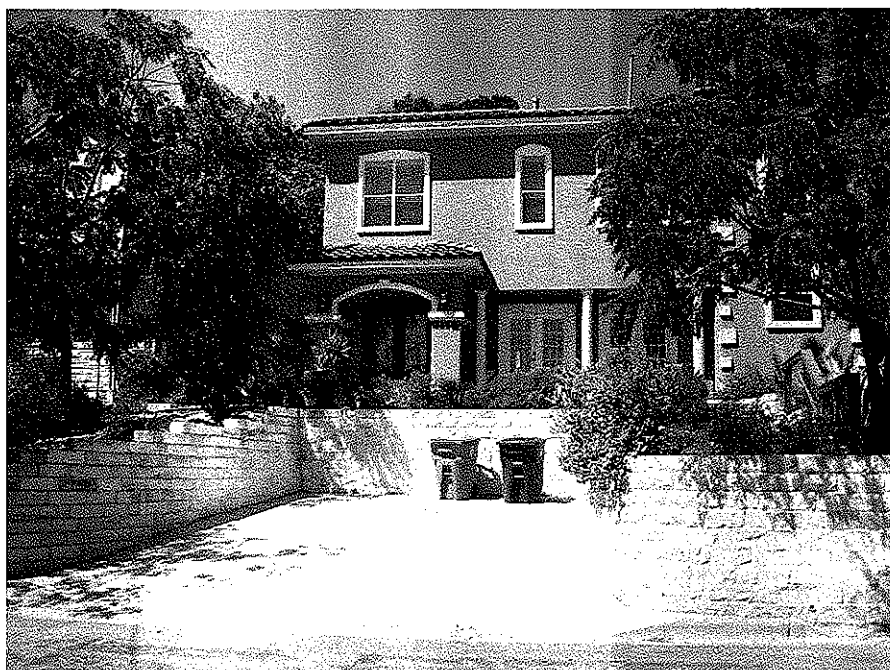
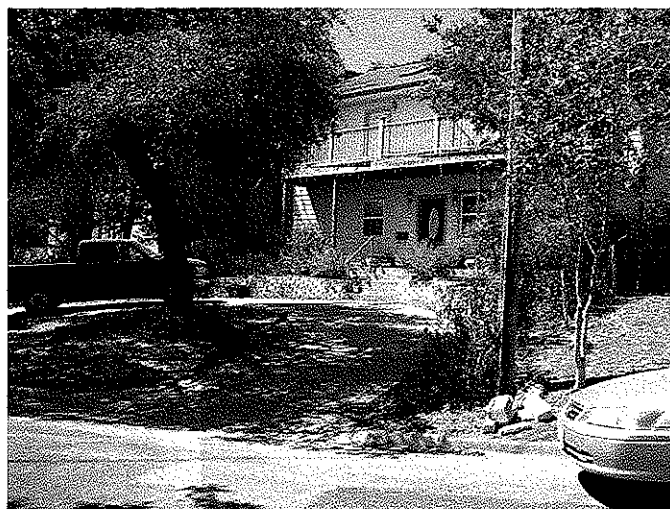
This picture is taken from the "top" of the lot. It shows the house nextdoor which was rebuilt in 2003 as a two-story house. The proposed second story would be contained within the footprint of the current structure. To be able to add the second story, I need a variance on the 25-foot setback.



This City has determine that this is a picture of the "front" of the property (although it looks like it would be the side). The picture shown is how this part of the propey looked before April 2011 when I purchased the property



This is a recent picture of the property. The City has determined that the space pictured only qualifies as one off-street parking place rather than the two required for the property as designed. The slope of the lot does not allow for any other off-street parking so I am requesting a variance.



These three homes are immediately adjacent to my lot. They are all two-story and very nice homes that look good and go well in the neighborhood. They have been renovated or rebuilt since 2000.

LEGAL DESCRIPTION: LOT 1, TRAVIS HEIGHTS, A SUBDIVISION IN TRAVIS COUNTY, RECORDED IN BOOK 3, PAGE 15, PLAT RECORDS, TRAVIS COUNTY, TEXAS, AND A PORTION OF LOT 11 OF SAID SUBDIVISION RECORDED IN VOLUME 1904, PAGE 501, DEED RECORDS, TRAVIS COUNTY, TEXAS, LESS THE PORTION OF SAID LOT 10 RECORDED IN VOLUME 1005, PAGE 68, DEED RECORDS, TRAVIS COUNTY, TEXAS, ALSO LOCALLY KNOWN AS 111 GULFVIEW PLACE, AUSTIN, TEXAS.

[illegible]

1/2"	IRON PIN TO GROUND
1/2"	IRON PIPE TO GROUND
<input type="checkbox"/>	UTILITY POLE
<input type="checkbox"/>	GAS METER
<input type="checkbox"/>	ELECTRIC METER
<input type="checkbox"/>	WATER METER
<input type="checkbox"/>	COVERED AREA
<input checked="" type="checkbox"/>	DAY ARCHON
0	SHAWN PIN, FENCE
1	WOOD FENCE
2	AREA, UTILITY LINE
3	RECORD PRODUCTION

APPLIED PROFESSIONAL SKILLS

ROBERT M. BARCOMB, R.P.L.S. NO. 4272

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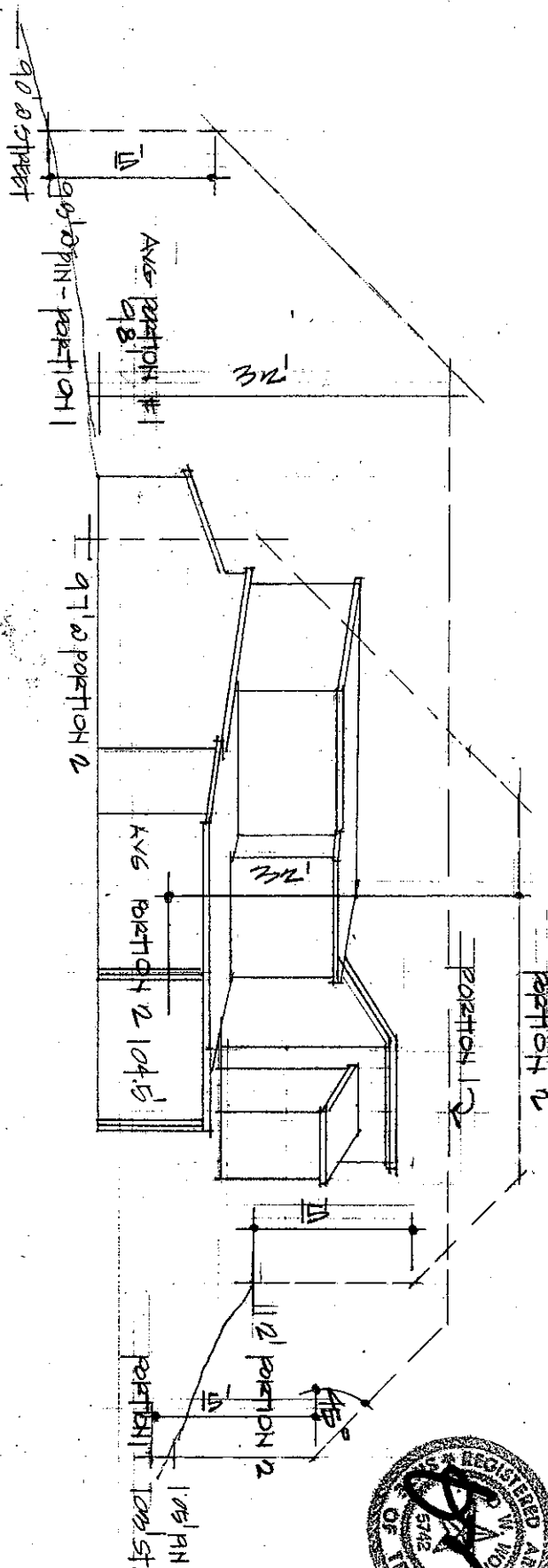
$$\text{Sci}'' = 10^1 - 0''$$


FOR REVIEW | 0/3/11
REMODEL/ADDITION

FRED WORLEY - ARCHITECT
5707 BULLARD DR.
AUSTIN, TX

2

NE VIEW SC: 1" = 10'



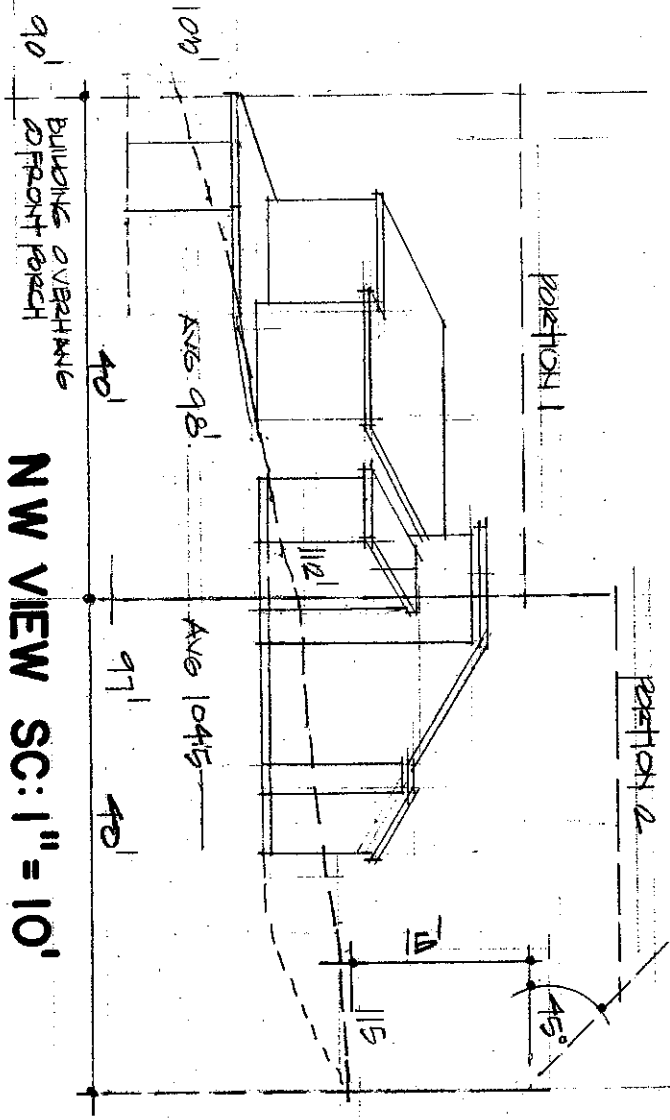
2/15

1118 GILLESPIE PLACE
AUSTIN, TX

FOR REVIEW 9/16/11
REMODEL/ADDITION

FRED WORLEY - ARCHITECT
5707 BULLARD DR.
AUSTIN, TX

3



NW VIEW SC: 1" = 10'



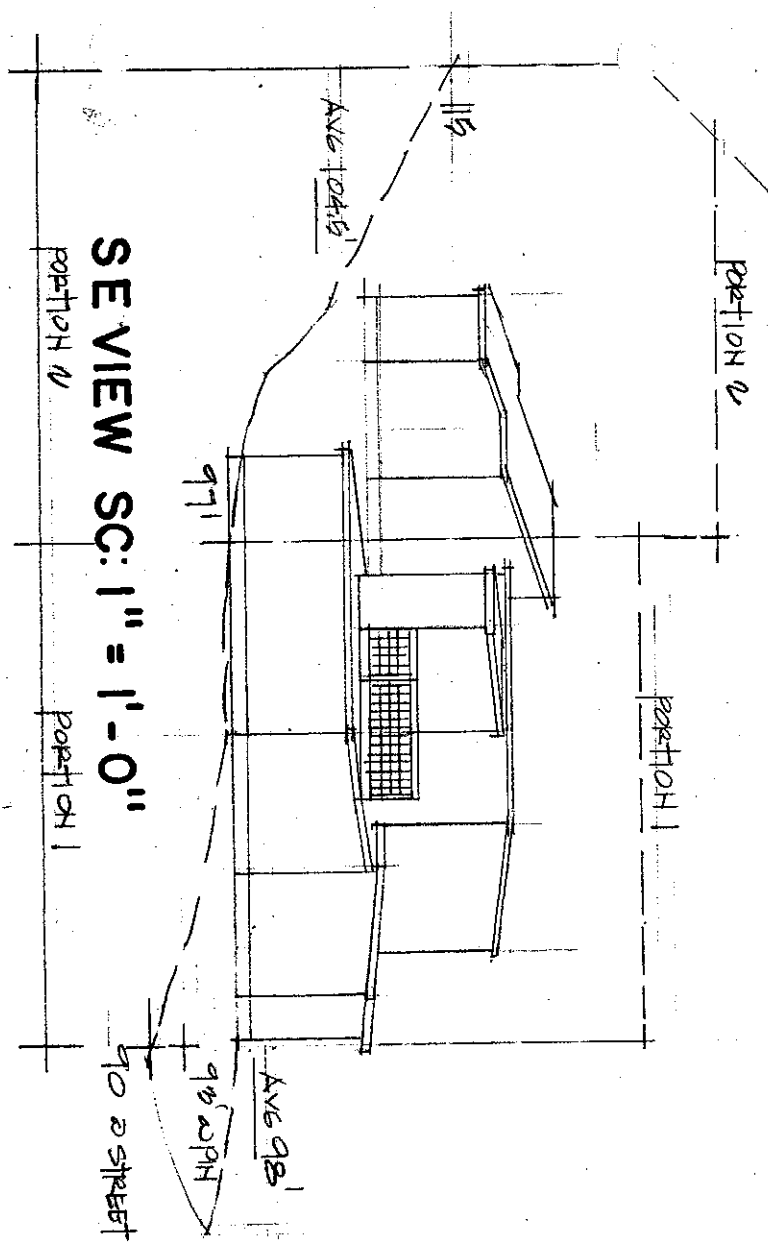
3/15

1118 GILLESPIE PLACE
AUSTIN, TX

FOR REVIEW 9/16/11
REMODEL/ADDITION

FRED WORLEY - ARCHITECT
5707 BULLARD DR.
AUSTIN, TX

X



4/15

1118 GILLESPIE PLACE
AUSTIN, TX

FOR REVIEW 9/16/11
REMODEL/ADDITION

FRED WORLEY - ARCHITECT
5707 BULLARD DR.
AUSTIN, TX



FRED WORLEY - ARCHITECT
5707 BULLARD DR.
AUSTIN, TX



FRED WORLEY - ARCHITECT
5707 BULLARD DR.
AUSTIN, TX

Hand-drawn architectural floor plan of the first floor of a building. The plan includes a Living Room (12'0" x 12'0") with a fireplace, a Kitchen (12'0" x 12'0") with a sink and stove, a Dining Area (12'0" x 12'0"), and a Bathroom (12'0" x 12'0"). There are also two bedrooms (BR 3: 14'0" x 12'0", BR 4: 14'0" x 12'0") and a central hallway. The plan is annotated with dimensions, room names, and notes such as "1/4" SCALE", "2'0" FIXED-TYPICAL HIGH H200 HEIGHT", and "2'0" FIXED-TYPICAL HIGH H200 HEIGHT". The drawing is oriented with the top of the page towards the upper right.

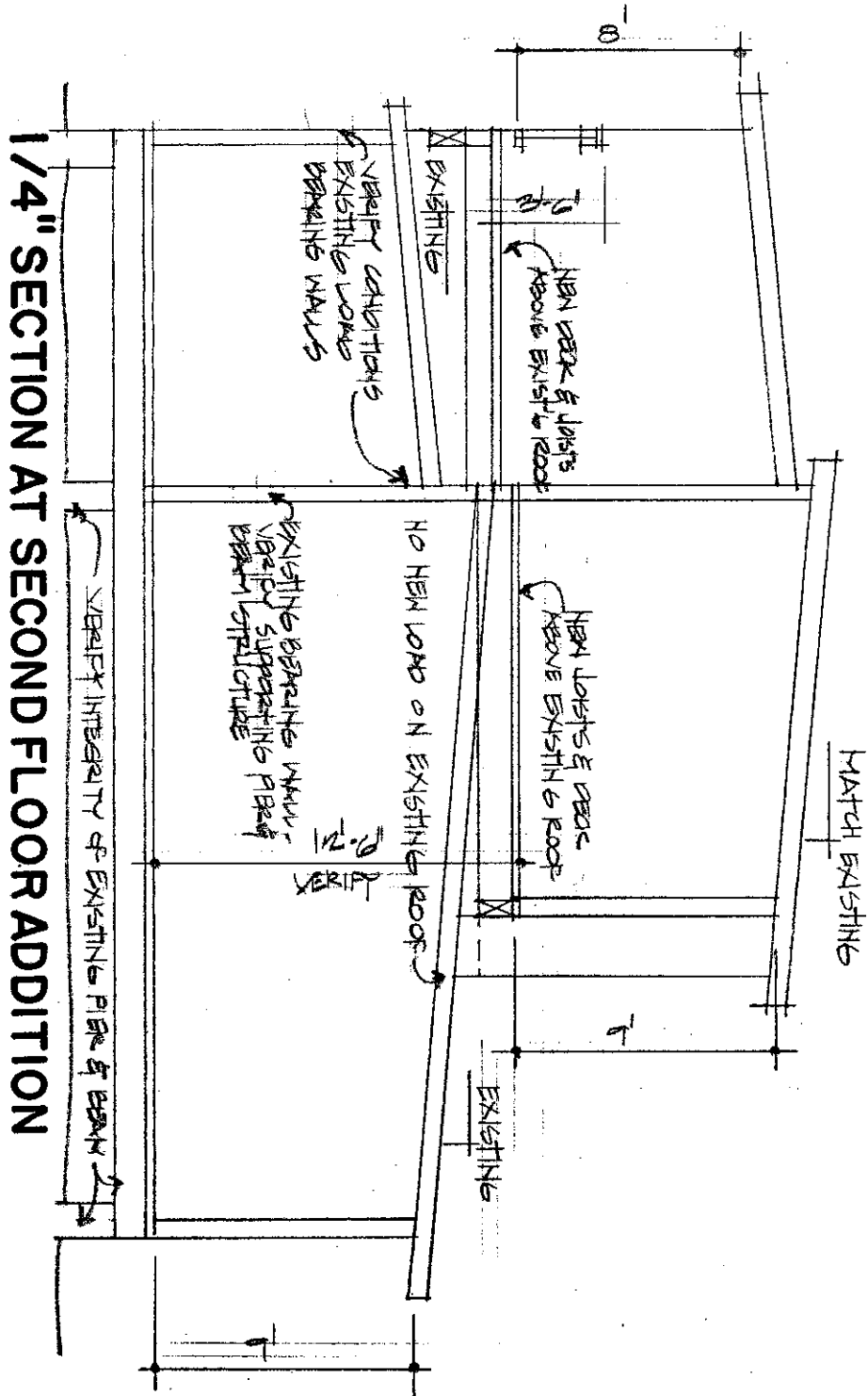


1118 GILLESPIE PLACE
AUSTIN, TX

FOR REVIEW | 0/3 ||
REMODEL/ADDITION

FRED WORLEY - ARCHITECT
5707 BULLARD DR.
AUSTIN TX

7



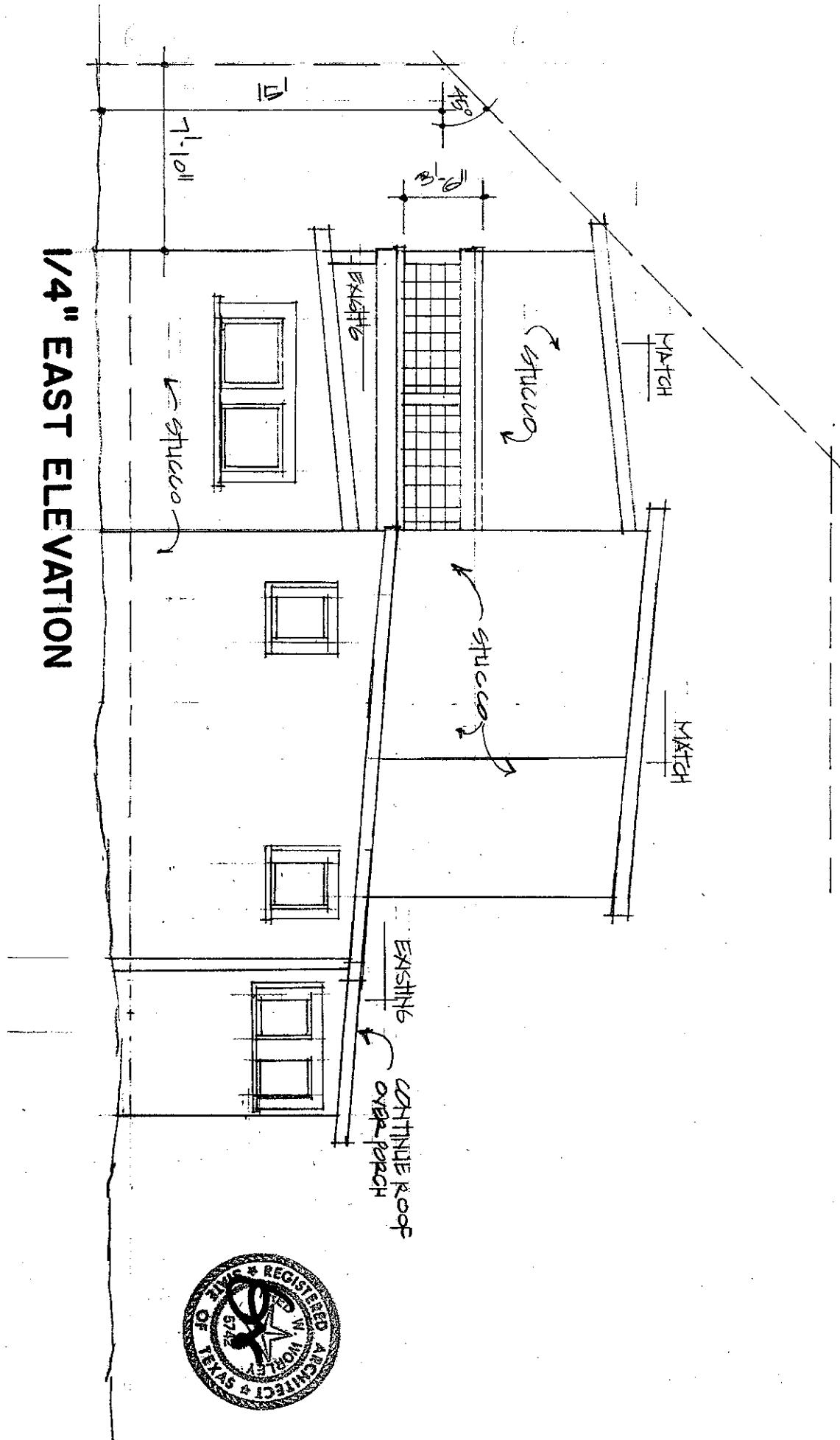
9/15

1118 GILLESPIE PLACE
AUSTIN, TX

FOR REVIEW 9/15/11
REMODEL/ADDITION

FRED WORLEY - ARCHITECT
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AUSTIN, TX

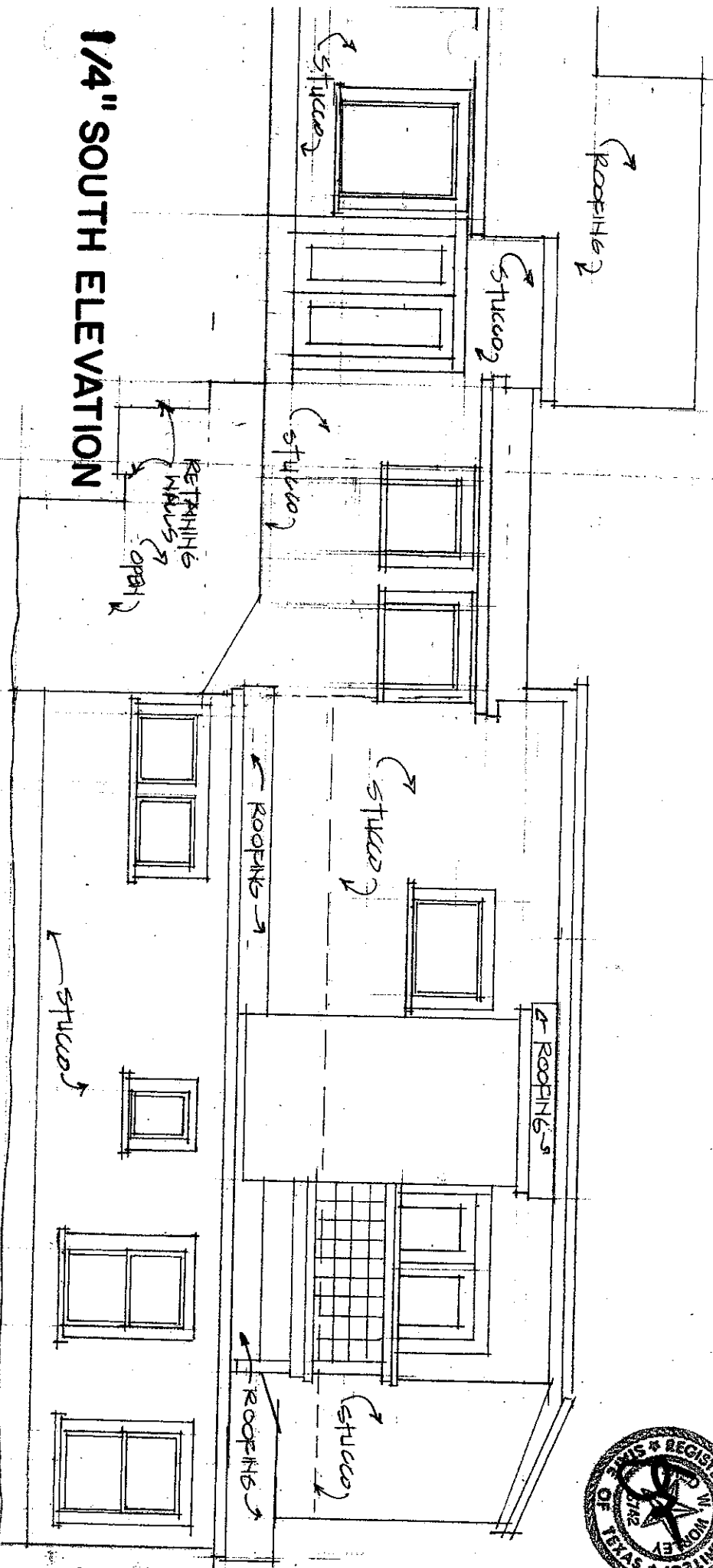
1/4" EAST ELEVATION



11/15
1118 GILLESPIE PLACE
AUSTIN, TX

FOR REVIEW 10/11/11
REMODEL/ADDITION

FRED WORLEY - ARCHITECT
5707 BULLARD DR.
AUSTIN, TX



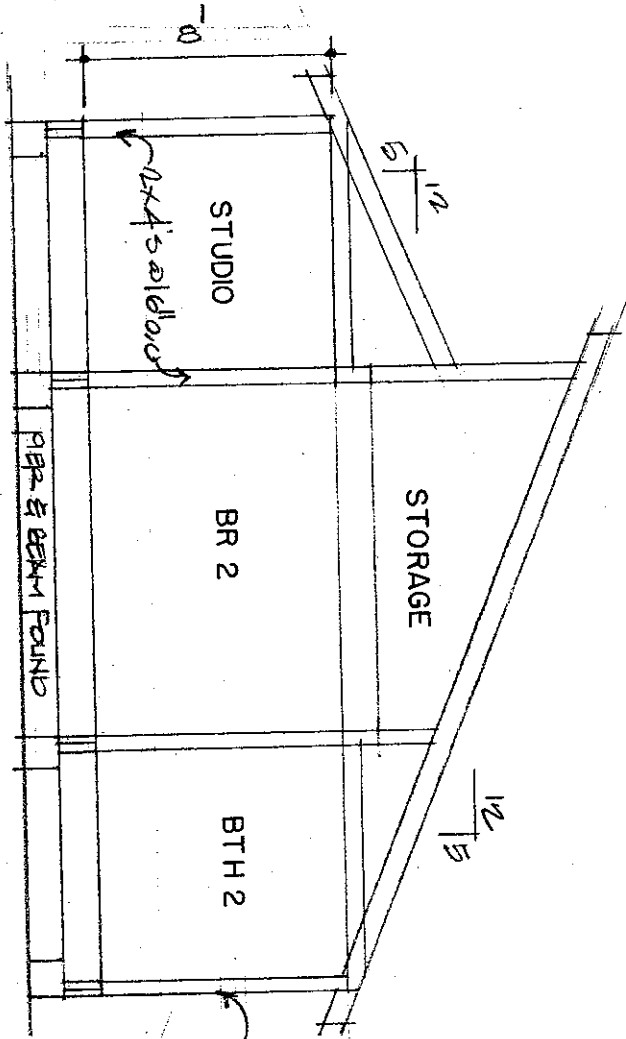
1/4" SOUTH ELEVATION

2

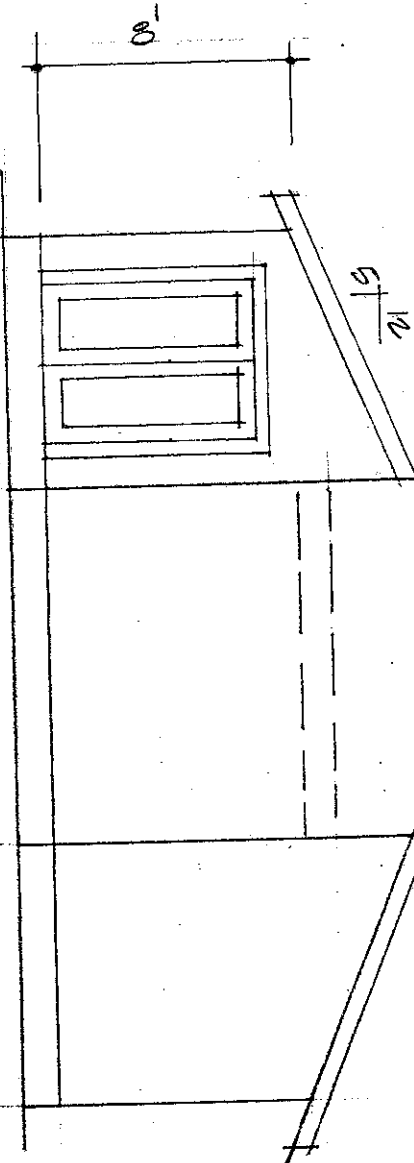
12/15

13

1/4" SECTION BR 2



1/4" WEST ELEVATION BR 2



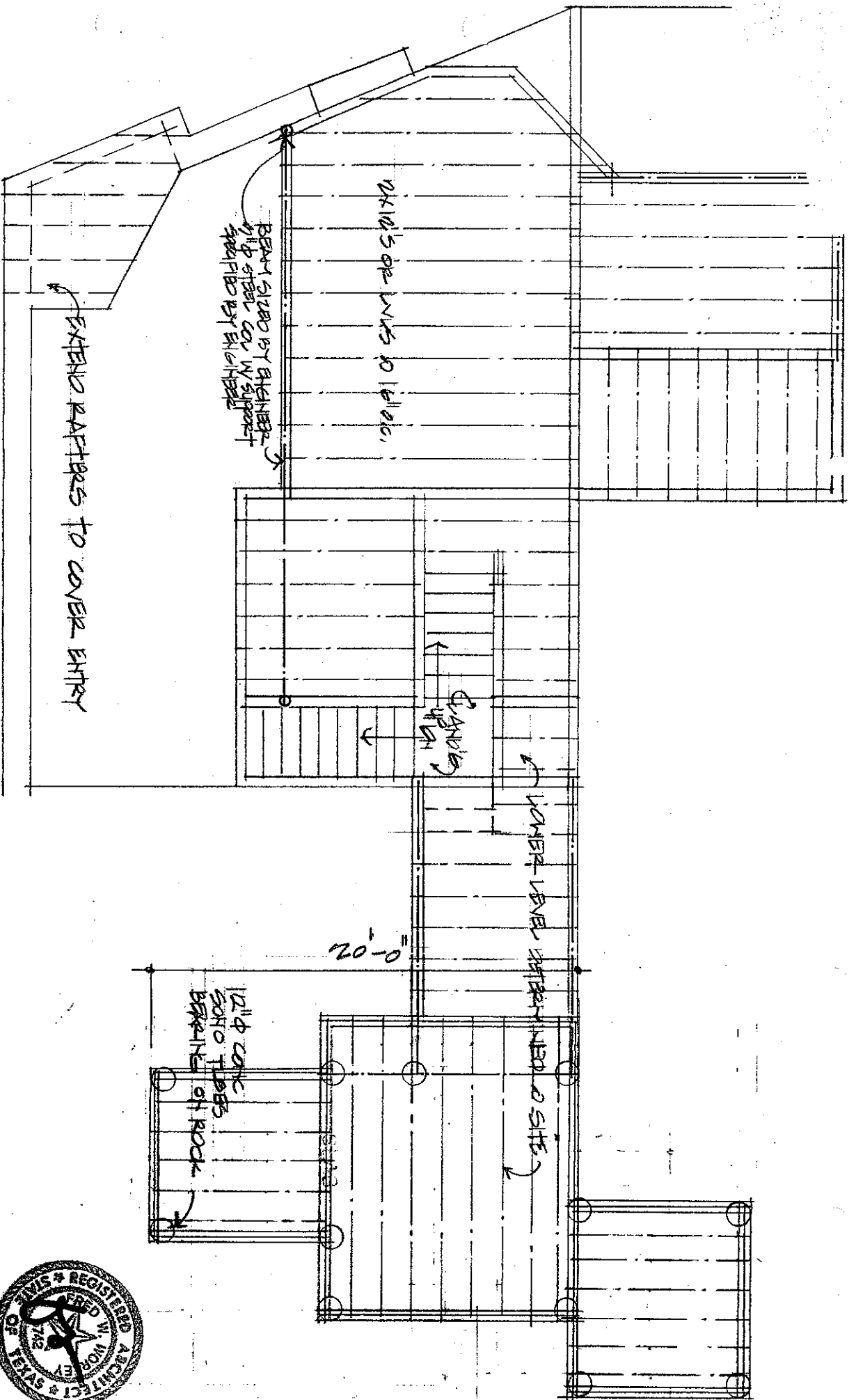
13/15

1118 GILLESPIE PLACE
AUSTIN, TX

FOR REVIEW 9/15/11
REMODEL/ADDITION

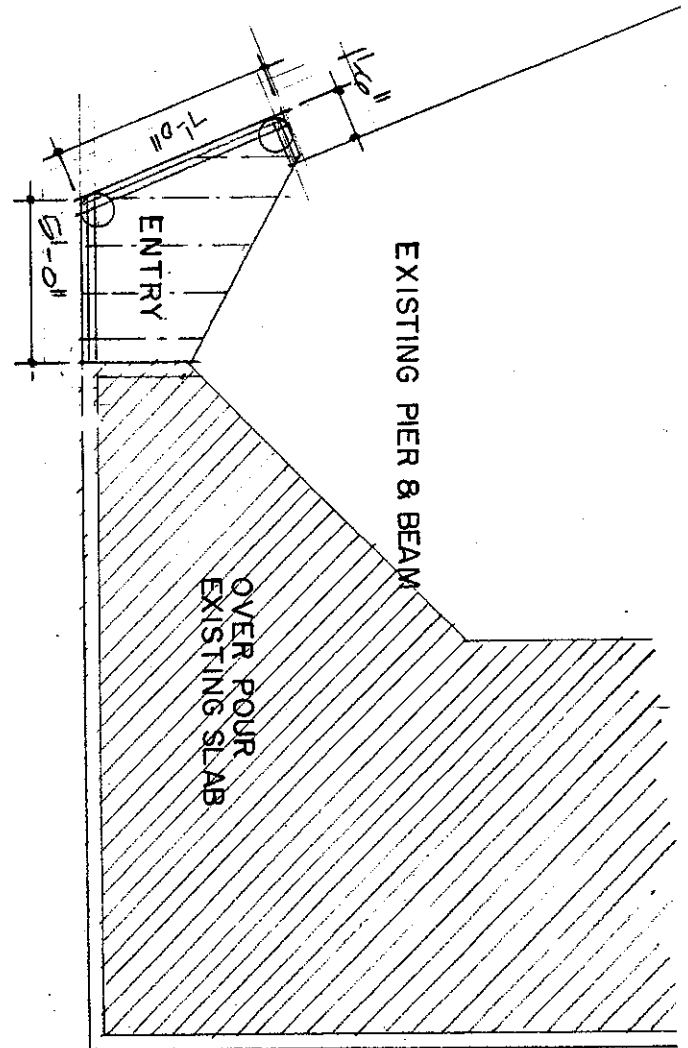
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AUSTIN, TX

1/4" SECOND FLOOR FRAMING LAYOUT



15

1/4" FIRST FLOOR FOUNDATION LAYOUT



15/15

1118 GILLESPIE PLACE
AUSTIN, TX



FOR REVIEW 10/3/11
REMODEL/ADDITION

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