

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

CASE # C15-2011-0119  
ROW # 10661051

TP-0 223021011

**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: 4210 ROSEDALE

LEGAL DESCRIPTION: Subdivision - \_\_\_\_\_

Lot(s) 6 Block 10 Outlot \_\_\_\_\_ Division ROSEDALE

I/We DAVID CANCIALOSI on behalf of myself/ourselves as authorized agent for

\_\_\_\_\_ affirm that on Sept, 26, 2011

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

(check appropriate items below)

\_\_\_ ERECT \_\_\_ ATTACH \_\_\_ COMPLETE \_\_\_ REMODEL  MAINTAIN

A SECONDARY DWELLING UNIT ON A LOT < 7000 sq ft.

6796 sq ft

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:

The Existing Permitted secondary unit was built w/ permit in 2002. The regulations have increased since that time. The owner added a kitchen prior to the definition of a dwelling unit, issued  
**HARDSHIP:** Jan 2010 By COA.

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

The dwelling unit interpretation was not in place @ time of kitchen install, in 2002

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

There are no known scenarios in the area similar to this subject 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 existing structure is consistent w/ other's found on surrounding properties. The exterior has not changed since original permit issuance in 2002. There is sufficient room for the required 3rd on-site parking space.  
**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:

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

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

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**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  Mail Address \_\_\_\_\_

City, State & Zip 8500 Shoal Creek Bldg 4 #200

Printed DAVID CIANCIUSI Phone 799 2461 Date 9/24/11

**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 \_\_\_\_\_ Mail Address \_\_\_\_\_

City, State & Zip \_\_\_\_\_

Printed \_\_\_\_\_ Phone \_\_\_\_\_ Date \_\_\_\_\_

**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**

**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 \_\_\_\_\_  
Mail Address \_\_\_\_\_

Printed \_\_\_\_\_  
Phone 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 \_\_\_\_\_

Printed Jason Yu  
Phone Date 9/29/2011



SUBJECT TRACT



ZONING BOUNDARY

CASE#: C15-2011-0119  
 LOCATION: 4210 ROSEDALE



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.

Add Detailed Lot Area Garage

CITY OF AUSTIN  
APPROVED FOR PERMIT

Michael J. Helz, A.L.A.  
Planning & Development Review Department

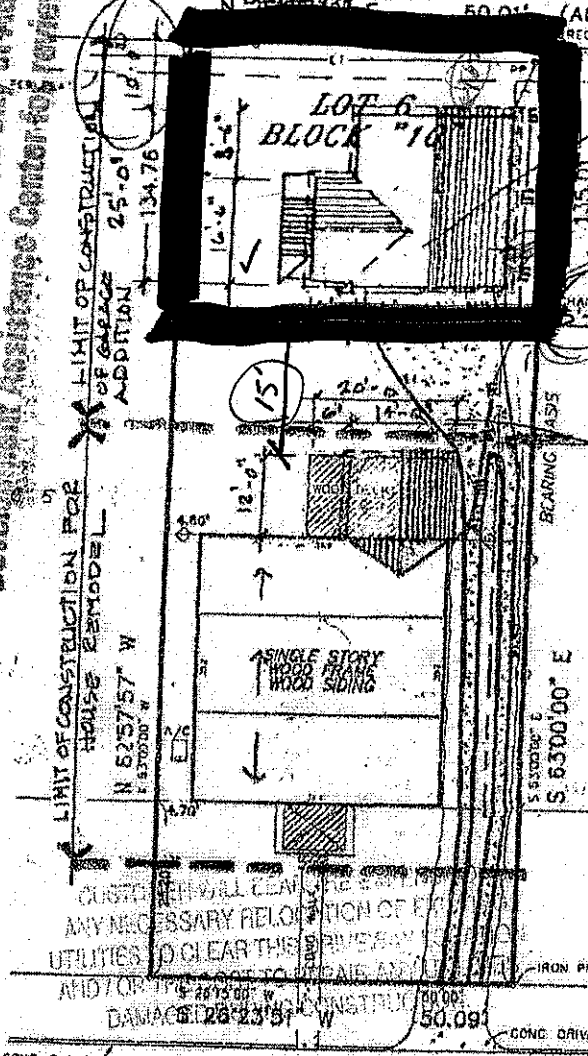
By *[Signature]* Date 3-14-2007

The granting of a permit for, or approval of, these plans and specifications shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of the current adopted building code or any other ordinance of the City of Austin.

The dipping of protected areas...

to be enclosed with protective fencing before and throughout construction. No tree measuring 18" in diameter (or greater) may be removed without a TREE REMOVAL PERMIT from the City of Austin. Call the Development Assistance Center for review: 499-6370.

NO ROOF OVERHANGS ARE ALLOWED IN PUBLIC UTILITY EASEMENTS OR DRAINAGE EASEMENTS



DEMOLITION & NEW CONSTRUCTION

1<sup>ST</sup> FLOOR SFT: 672 SQ. FT.  
2<sup>ND</sup> FLOOR SFT: 550 SQ. FT. CONDITIONED

NEW ELEC. SERVICE UNDERGROUND TO HOUSE

INTERIOR REMODEL

EXIST. 2<sup>ND</sup> FLOOR SFT: 1,292 SQ. FT.

2<sup>ND</sup> FLOOR SFT: 168 SQ. FT.

2nd floor study  
Cud porch  
exist res

REVIEWED

4210 ROSDALE AVENUE

PROPERTY SUBJECT TO RESTRICTIVE COVENANTS RECORDED IN VOL. 506, PG. 453, DEED RECORDS.

Survey No. 01818 PLAT OF SURVEY SCALE: 1" = 20'

REVIEWED FOR ZONING

LOT NO. 6 BLOCK NO. 10  
ADDRESS: 4210 ROSDALE AVENUE CITY: AUSTIN COUNTY: TRAVIS  
SURVEY FOR: [Company Name] REFERENCE: [Survey No.]  
BY: [Company Name]



*[Signature]*  
Date: 06-01-2007

12466 Los Indios Trail, Suite 101  
Austin, Texas 78720  
(512) 335-3944 \* (512) 250-8885 (Fax) REB 402/15

lot = 6796f



# City of Austin BUILDING PERMIT

**PERMIT NO:** 2002-004738-BP  
4210 ROSEDALE AVE

Type: RESIDENTIAL Status: Final  
Issue Date: 03/05/2002 **EXPIRY DATE: 08/09/2002**

LEGAL DESCRIPTION Lot: 6 Block: 10 Subdivision: ROSEDALE B	SITE APPROVAL	ZONING
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PROPOSED OCCUPANCY: 2nd Fl Addn To Exist Detached Garage To Create Study-Bath(1st Fl Refer# 02003596)	WORK PERMITTED: Addition	ISSUED BY: Glenda Wilsford
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TOTAL SQFT	VALUATION Tot Val Rem: \$ .00	TYPE CONST.	USE CAT. 434	GROUP	FLOORS 2	UNITS	# OF PKG SPACES
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TOTAL BLDG. COVERAGE	% COVERAGE	TOTAL IMPERVIOUS COVERAGE	% COVERAGE	# OF BATHROOMS	METER SIZE
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<u>Contact</u> General Contractor, Reed Mcfadden, Kelcon Construction	<u>Phone</u> (512) 698-4606	<u>Contact</u>	<u>Phone</u>
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Fee Desc	Amount	Date	Fee Desc	Amount	Date	Fee Desc	Amount	Date
Building Permit Fee	82.00	3/5/2002	Electrical Permit Fee	47.00	4/1/2002	Mechanical Permit Fee	41.00	6/12/2002
Plumbing Permit Fee	41.00	3/13/2002	Re-Inspection Fee	50.00	8/12/2002	Re-Inspection Fee	50.00	8/12/2002
Re-Inspection Fee	50.00	8/12/2002	Re-Inspection Fee	50.00	8/12/2002	Re-Inspection Fee	50.00	8/12/2002
<b>Fees Total:</b>	<b>461.00</b>							

<b>Inspection Requirements</b>			
Building Inspection	Electric Inspection	Mechanical Inspection	Plumbing 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.

<b>Comments</b>		
Residential Zoning Review	Date 03/05/2002	Reviewer Sylvia Benavidez

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.



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PROPOSED OCCUPANCY:		WORK PERMITTED: Addition				ISSUED BY: Glenda Wilsford			
2nd Fl Addn To Exist Detached Garage To Create Study-Bath(1st Fl Refer# 02003596)									
TOTAL SQFT		VALUATION Tot Val Rem: \$00		TYPE CONST.	USE CAT. 434	GROUP	FLOORS 2	UNITS	# OF PKG SPACES
TOTAL BLDG. COVERAGE		% COVERAGE	TOTAL IMPERVIOUS COVERAGE		% COVERAGE	# OF BATHROOMS		METER SIZE	

Type	Date	Status	Comments	Inspector
101 Building Layout	3/18/2002	Pass	MIGRATED FROM PIER.	Dearl Croft
111 Energy Final	8/12/2002	Pass	MIGRATED FROM PIER.	Dearl Croft
112 Final Building	8/9/2002	Pass	MIGRATED FROM PIER.	Dearl Croft
609 Fire		Open		Tom Tarvin





# City of Austin BUILDING PERMIT

**PERMIT NO:** 2002-007821-BP  
4210 ROSEDALE AVE

Type: RESIDENTIAL Status: Final  
Issue Date: 03/14/2002 **EXPIRY DATE: 08/09/2002**

LEGAL DESCRIPTION Lot: 6 Block: 10 Subdivision: ROSEDALE B	SITE APPROVAL	ZONING
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PROPOSED OCCUPANCY:	WORK PERMITTED: New	ISSUED BY: Diana Cortinas
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Adding 1st Fl Detached Garage (Refer To 2nd Fl On #02003130)

TOTAL SQFT	VALUATION Tot Job Val: \$20,500.00	TYPE CONST.	USE CAT. 438	GROUP	FLOORS 2	UNITS	# OF PKG SPACES
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TOTAL BLDG. COVERAGE	% COVERAGE	TOTAL IMPERVIOUS COVERAGE	% COVERAGE	# OF BATHROOMS	METER SIZE
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<b>Contact</b> General Contractor, Reed Mcfadden, Kelcon Construction	<b>Phone</b> (512) 698-4606	<b>Contact</b>	<b>Phone</b>
--------------------------------------------------------------------------	--------------------------------	----------------	--------------

Fee Desc	Amount	Date	Fee Desc	Amount	Date	Fee Desc	Amount	Date
Building Permit Fee	82.00	3/14/2002						
<b>Fees Total:</b>	<b>82.00</b>							

<b>Inspection Requirements</b>	Building Inspection	Electric Inspection	Plumbing Inspection
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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.

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

<b>Comments</b>		
Residential Zoning Review	Date 03/14/2002	Reviewer Nora Briones

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.



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LEGAL DESCRIPTION Lot: 6 Block: 10 Subdivision: ROSEDALE B						SITE APPROVAL		ZONING	
PROPOSED OCCUPANCY:		WORK PERMITTED: New				ISSUED BY: Diana Cortinas			
Adding 1st Fl Detached Garage (Refer To 2nd Fl On #02003130)									
TOTAL SQFT		VALUATION Tot Job Val: \$20,500.00		TYPE CONST.	USE CAT. 438	GROUP	FLOORS 2	UNITS	# 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	3/15/2002	Fail	MIGRATED FROM PIER.	Earl Spurlock
103 Framing	5/3/2002	Pass	MIGRATED FROM PIER.	Dearl Croft
104 Insulation	5/3/2002	Pass	MIGRATED FROM PIER.	Dearl Croft
105 Wallboard	5/8/2002	Pass	MIGRATED FROM PIER.	Dearl Croft
112 Final Building	8/9/2002	Pass	MIGRATED FROM PIER.	Dearl Croft
609 Fire		Open		Tom Tarvin