

A variance from the Building Code Board of Appeals may be required for variances from the Zoning Board of Adjustment (no Sign Review Board cases need to call). Please consult a code specialist in the Plan Review Division at 974-2580.

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 # C15-2011-0130
ROW # 10682583
TP-010006-01-17

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: 2004 Goodrich

LEGAL DESCRIPTION: Subdivision – .2218 acre tract of land in the Issac Decker League, being a portion of Block 36, L. M. Bradley’s Subdivision of Lot 4 of Goodrich’s Subdivision (unrecorded) AND a 2.11 foot strip of land in the Issac Decker League, being a portion of Block 36, L.M. Bradley’s Subdivision of Lot 4 Goodrich Subdivision

Lot(s) 36 Block 60 X 161 ft Outlot _____ Division Bradley Addition

I/We Michael R. McHone on behalf of myself/ourselves as authorized agent for

Lindsey Lane affirm that on October
26, 2011,

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

(check appropriate items below)

ERECT ATTACH COMPLETE REMODEL MAINTAIN

Existing rear yard of 5 ft and existing side yard 3ft 9.5 inches in a SF-3 NP (Bouldin Creek) district. This application is submitted in accordance with Ordinance 20110526-098 SPECIAL EXCEPTION

in a
SF-3 NP 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:
-NA Special Exception (Two family residential use; secondary structure violates required setbacks for side and rear yard)

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HARDSHIP:

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

25-1-212 requires building official to make a report to BOA 11 days prior to meeting of BOA; said report shall be made public when report is filed with BOA
(building official performs inspection and determines violation does not pose hazard to life, health, or public safety)

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

BOA may grant Special Exception for existing residential structure or portion of an existing structure that violates a setback required under Chapter 25-2 (Zoning); 2004 Goodrich has existed for at least 15 years; use is a permitted use, and does not share lot with more than one other primary residence;

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0.6" + Indent at: 0.6"

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:

Granting special exception: would not alter the character of the area; impair the use of adjacent property that is developed in compliance with city code; or grant special privilege that is inconsistent with other properties in the area of in the district in which the property is located. (See neighbors' support letters)
setbacks of various sizes are common to area structures; structure has existed without complaint for at least 15 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:

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 Michael R. McHone Mail Address P.O. Box 8142-

City, State & Zip Austin, Texas 78713-8142

Printed Michael R. McHone Phone 512-554-8440
Date 10-26-2011

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 _____ Mail Address _____

City, State & Zip _____

Printed _____ Phone _____ Date _____

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.)

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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City, State & Zip Austin, Texas 78713-8142

Printed Michael R. McHone Phone 512-554-8440 Date 10-26-2011

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 _____ Mail Address 2004 [Signature]

City, State & Zip Austin 78704

Printed Lindsay Lane Phone 512 293 6044 Date 10/31/11

GENERAL INFORMATION FOR SUBMITTAL OF A VARIANCE REQUEST TO THE BOARD OF ADJUSTMENT

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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.



SUBJECT TRACT



ZONING BOUNDARY

CASE#: C15-2011-0130
 LOCATION: 2004 GOODRICH AVE



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.