

CASE # C15-2012-0031
Row- 18722494
TP- 024106-10-12

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: 8503 Stillwood Lane

LEGAL DESCRIPTION: Subdivision -Northtown

Lot(s) 12 Block F Outlot Division

I/ Jim Bennett as authorized agent for James Leal affirm that on 1/26/2012, hereby apply for a hearing before the Board of Adjustment for consideration to:

ERECT – ATTACH – COMPLETE – REMODEL – MAINTAIN

An open carport providing a front street setback of 12 feet
in a SF-3 district.
(zoning district)

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:

Without a variance there is no place to construct a carport.

HARDSHIP:

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

The property is fully developed, and due to the location of the existing structures there is no other place to locate the carport, except over the existing driveway.

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

Other homes in the area are built on the 25 ft. setback line but they are not requesting to construct a carport, or some already have carports under different ordinance requirements.

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 character of the area wont change because this carport is over the existing driveway and will not be an increase of impervious cover, and the are many carports in this neighborhood.

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:

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 282-3079 Date 1/9/12

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 James L. Leal Mail Address Jeaphook@aol.com

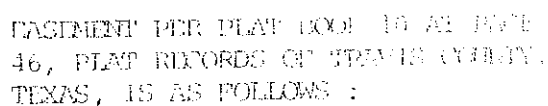
City, State & Zip Austin TX 78752

Printed James L. Leal Phone (512) 590-3741 Date _____

1955-1956 100% 1957-1958 100% 1959-1960 100%

REFERENCE NAME : JAMES L. LEAL

RESTRICTIONS FOR SUBJECT TRACT RECORDED IN VOLUME 2139 AT PAGE 389 OF THE DEED RECORD OF
WILCOX COUNTY, TEXAS.




AN AERIAL OVERHANG EASEMENT IS GRANTED
FOR ONLY ELECTRIC AND TELEPHONE WIRES
ON THE REAR PORTION OF ALL LOTS OF
THIS SUBDIVISION (PLAT BOOK 10 / PAGE
46), AS IS NOW NECESSARY TO CROSS,
IN ORDER TO SERVICE THE IMPROVEMENTS
ON ANY ONE OR ADJOINING LOT, SAFELY
FROM THE POLE LINE TO BE COOPERATIVE
IN THE PUBLIC UTILITY EASEMENTS
ACROSS THE REAR OF SAID LOTS, AS THE
SAME APPEARS ON THIS SUBDIVISION
PLAT (PLAT BOOK 10 / PAGE 46).

NORTH

SCALE 1" = 20'

0 - IRON PIN FOUND

 CHAIN LINK FENCE WOOD FENCE

STILLWOOD LANE
(50' R.O.W.)

