

CASE # C15-2012-0032

TP-040905-04-065

ROW-10722497

040905-0407

040905-0408

**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: 3902,3904,&3906 Wadford St.

LEGAL DESCRIPTION: Subdivision – Fortview

Lot(s) portions of 7 Block Outlot Division

I Jim Bennett as authorized agent for The Dupont Group

 affirm that on 1/27/12, hereby apply for a hearing before the Board of

Adjustment for consideration to:

ERECT – ATTACH – COMPLETE – REMODEL – MAINTAIN

A commercial building providing a compatibility setback of 30 inches driveway and parking from then west property line.

2.5 feet

 in a OS-MU-V-CO-NP 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:

The compatibility standards are designed to protect adjacent residential uses from commercial uses. In this case the adjoining property is zoned commercial and is currently being used for residential use. The adjoining owner supports the variance request

HARDSHIP:

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

Texdot installed the drive way cut along Ben White Blvd when Ben White was being constructed and the driveway and parking will align with the existing driveway. The adjoining property is in transition from the temporary residential use to commercial development in the future.

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

Single family use is not a customary and usual use when located on a busy commercialized urban stat highway.

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 adjacent property owner supports the compatibility setback for the driveway and parking. The variance only effects this property owner. The other properties along Ben White Blvd are zoned commercial and are used commercially.

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 _____

City, State & Zip 11505 Ridge Dr. Austin, TX 78748

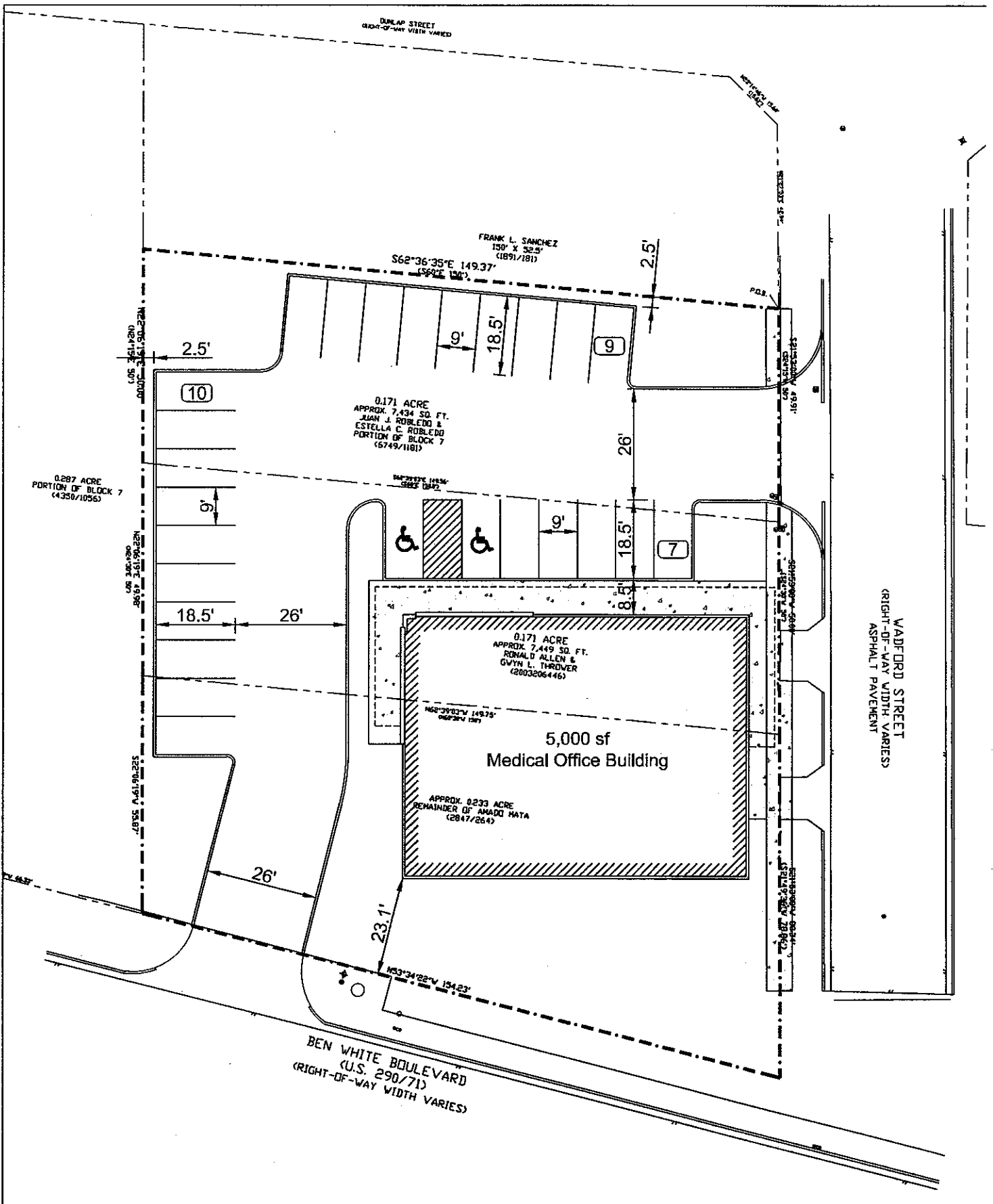
Printed Jim Bennett Phone 282-3079 Date 1/25/12

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

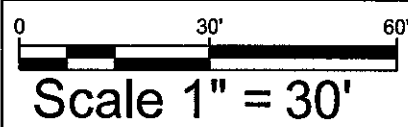
Signed A. Ron Thrown/Michael Mail Address P.O. Box 214

City, State & Zip Buda, TX 78610

Printed Michael A. Colanetta Phone (512) 496-8457 Date 1-26-12



Parking Required (1:200) = 25 Spaces
 Parking Provided = 26 Spaces



Austin MedSprings
 Layout #1
 01-30-2012
GARRETT-IHNE
 CIVIL ENGINEER

January 26, 2012

City of Austin
Board of Adjustment
P.O. Box 1088
Austin, Texas 78767

Subject: 3902, 3904, & 3906 Wadford Dr., Austin, 78704
Variance for construction in the setback

Dear Board Members,

I am the owner of 3813 Wadford St which is nearby the above referenced subject properties. The Owners of the subject property have explained that they are seeking a variance to allow for parking and or drives in the setback.

The property has had the use of a driveway to the Ben White frontage road for many years and the continued use of the existing driveway and the subsequent placement of parking and or drive within the setback has always been included in any development plans of the property.

Please accept this letter as my SUPPORT for the variances as they are requested.

Respectfully Submitted,

Name:

Gladys L. Long

Address:

1510 Betty Jo Dr
Austin, Texas 78704

January 26, 2012

City of Austin
Board of Adjustments
P.O. Box 1088
Austin, Texas 78767

Subject: 3902, 3904, & 3906 Wadford Dr., Austin, 78704
Variance for construction in the setback

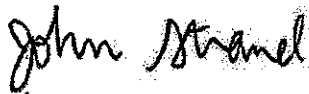
Dear Board Members,

I am the owner of 213 Dunlap which is approximately one-half (1/2) block from the subject properties. The Owners of the subject property have explained that they are seeking a variance to allow for parking and or drives in the setback.

The property has had the use of a driveway to the Ben White frontage road for many years and the continued use of the existing driveway and the subsequent placement of parking and or drive within the setback has always been included in any development plans of the property.

Please accept this letter as my **SUPPORT** for the variances as they are requested.

Respectfully Submitted,



John Strand
213 Dunlap
Austin, Texas 78704

DATE: January 20, 2012

FROM: Jim Lacey

207 Dunlap Street

Austin, Texas 78704

TO: Board of Adjustment
City of Austin
P.O. Box 1088
Austin, Texas 78767

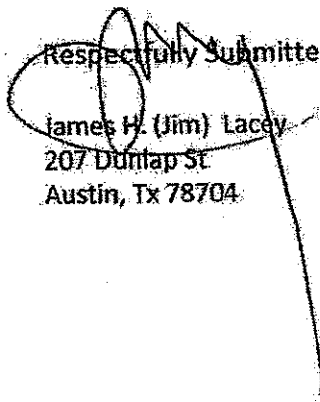
RE: Variance for construction in the setback on 3902, 3904, & 3906 Wadford

Dear Board Members,

I am the adjacent landowner abutting and to the west of the above referenced addresses for which a variance is sought to allow for parking and / or drives to be within the setback. The property has had the use of a driveway to Ben White frontage road for many years and the use of the driveway and the subsequent placement of the parking and/or and drive within the setback has always been a consideration for any development of the property.

Please accept this letter as my SUPPORT for the variances as they are requested.

Respectfully Submitted,


James H. (Jim) Lacey
207 Dunlap St
Austin, Tx 78704

January 26, 2012

City of Austin
Board of Adjustment
P.O. Box 1088
Austin, Texas 78767

Subject: 3902, 3904, & 3906 Wadford Dr., Austin, 78704
Variance for construction in the setback

Dear Board Members,

I am the owner of 208 Dunlap St which is nearby the above referenced subject properties. The Owners of the subject property have explained that they are seeking a variance to allow for parking and or drives in the setback.

The property has had the use of a driveway to the Ben White frontage road for many years and the continued use of the existing driveway and the subsequent placement of parking and or drive within the setback has always been included in any development plans of the property.

Please accept this letter as my **SUPPORT** for the variances as they are requested.

Respectfully Submitted,

Cole Alexander

Name Cole Alexander

Address 208 Dunlap St.
Austin, Texas 78704

January 26, 2012

City of Austin
Board of Adjustment
P.O. Box 1088
Austin, Texas 78767

Subject: 3902, 3904, & 3906 Wadford Dr., Austin, 78704
Variance for construction in the setback

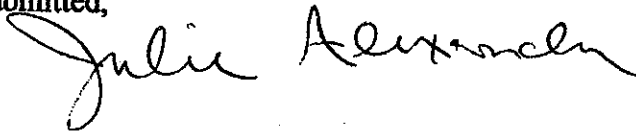
Dear Board Members,

I am the owner of 208 Dunlap St which is nearby the above referenced subject properties. The Owners of the subject property have explained that they are seeking a variance to allow for parking and or drives in the setback.

The property has had the use of a driveway to the Ben White frontage road for many years and the continued use of the existing driveway and the subsequent placement of parking and or drive within the setback has always been included in any development plans of the property.

Please accept this letter as my **SUPPORT** for the variances as they are requested.

Respectfully Submitted,



Name

Julie Alexander

Address

208 Dunlap St.
Austin, Texas 78704

January 26, 2012

City of Austin
Board of Adjustment
P.O. Box 1088
Austin, Texas 78767

Subject: 3902, 3904, & 3906 Wadford Dr., Austin, 78704
Variance for construction in the setback

Dear Board Members,

I am the owner of 210 Dunlap St which is nearby the above referenced subject properties. The Owners of the subject property have explained that they are seeking a variance to allow for parking and or drives in the setback.

The property has had the use of a driveway to the Ben White frontage road for many years and the continued use of the existing driveway and the subsequent placement of parking and or drive within the setback has always been included in any development plans of the property.

Please accept this letter as my **SUPPORT** for the variances as they are requested.

Respectfully Submitted,

Julie Alexander

Name

Julie Alexander

Address

210 Dunlap St
Austin, Texas 78704

January 26, 2012

City of Austin
Board of Adjustment
P.O. Box 1088
Austin, Texas 78767

Subject: 3902, 3904, & 3906 Wadford Dr., Austin, 78704
Variance for construction in the setback

Dear Board Members,

I am the owner of 3811 Wadford St. which is nearby the above referenced subject properties. The Owners of the subject property have explained that they are seeking a variance to allow for parking and or drives in the setback.

The property has had the use of a driveway to the Ben White frontage road for many years and the continued use of the existing driveway and the subsequent placement of parking and or drive within the setback has always been included in any development plans of the property.

Please accept this letter as my **SUPPORT** for the variances as they are requested.

Respectfully Submitted,

Name

Sanja Hunter

Address

3811 Wadford St.
Austin, Texas 78704

Sanja Hunter

January 26, 2012

City of Austin
Board of Adjustment
P.O. Box 1088
Austin, Texas 78767

Subject: 3902, 3904, & 3906 Wadford Dr., Austin, 78704
Variance for construction in the setback

Dear Board Members,

I am the owner of 210 Aunk St which is nearby the above referenced subject properties. The Owners of the subject property have explained that they are seeking a variance to allow for parking and or drives in the setback.

The property has had the use of a driveway to the Ben White frontage road for many years and the continued use of the existing driveway and the subsequent placement of parking and or drive within the setback has always been included in any development plans of the property.

Please accept this letter as my **SUPPORT** for the variances as they are requested.

Respectfully Submitted,

Cole Alexander

Name Cole Alexander

Address 210 Aunk St
Austin, Texas 78704