

APPLICATION TO BOARD OF ADJUSTMENT  
GENERAL VARIANCE/PARKING VARIANCE

C15-2012-0050  
ROW-10747269  
TP-011801-10-18

WARNING: Filing of this appeal stops all affected construction activity.

PLEASE:  
APPLICATION MUST  
BE TYPED WITH ALL  
REQUESTED  
INFORMATION  
COMPLETED.

STREET ADDRESS: 1512 W. 29<sup>th</sup> Street

LEGAL DESCRIPTION: Subdivision -  
Bryker Woods

Lot(s) 29 Block Outlot  
Division

I, Julia Webber, as authorized agent for

Luis Sentis and Adela Ben-Yakar affirm that on March 27, 2012,

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

(check appropriate items below)

ERECT ATTACH COMPLETE  REMODEL MAINTAIN

seek adjustment of the allowable impervious cover from 45% to 56% in order to provide the driveway necessary to access one of the required three parking spaces and maintain those existing hardscape conditions that would bring considerable hardship if removed, in a  Single Family Residential district.

(zoning district) SF-3-NP

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

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:

as existing, the site can not support the required three parking spaces and meet impervious cover restrictions without reasonable hardship for the homeowner. The existing conditions were in place prior to changes in the building requirements that now require the homeowner to provide three spaces, not two, and prior to impervious cover restrictions. While three spaces are currently possible and provided for on site within setback requirements, the necessary parking pads and parking access drives, combined, exceed the impervious cover.

over

## **HARDSHIP:**

2. (a) The hardship for which the variance is requested is unique to the property in that: recent changes to the building requirements have created a situation where existing conditions, all permitted and once in compliance, are no longer meeting current impervious cover requirements. In an effort to find reductions in the impervious cover on the lot, the homeowner is suggesting a design that eliminates the impervious concrete pathways in the rear yard and converts to pervious crushed limestone the driveway connection to the covered parking spot. While this driveway connection will actually be out of a pervious material, the area must be counted within the impervious cover calculations. Meeting the parking demand AND the impervious cover demand would require the homeowner to remove all of the existing decking surrounding the pool area, which was permitted and approved (at a time when only two parking pads were required) and would require eliminating the existing hardscape at the entry that gives a safe walking surface and a clean front to their property.

(b) The hardship is not general to the area in which the property is located because: this property is one of the few in the neighborhood that has both a pool (permitted in 1980) and a garage apartment (permitted in 1940s.) At the time that the garage was converted to an apartment, the third parking spot was not a requirement. Recent changes in nomenclature and building restrictions have resulted in a required third parking spot. While site conditions allow for all three spaces to be provided, the combination of the pool and garage (both permitted) leave no options for reducing impervious cover other than those which create a hardship for the homeowner (removing the pool deck, which is a necessity for pool maintenance and use, and removing the front porch and concrete walkway which is a necessity for providing a safe surface at the entry and a clean front to the property.)

## **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 parking use and perceived impervious cover on the property will not change from what is existing. There are currently three parking spots provided on site. This variance for additional impervious cover will not change the amount of existing impervious cover on the lot. In fact, there will be a reduction of actual impervious cover from 57.3% to 51% (the rule of counting a connecting driveway as impervious, whether it is made of a pervious material or not, brings the calculated impervious cover to 56%).

## **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:

N/A

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:

N/A

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

N/A

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

N/A

**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: 15 Sugar Shack

Austin, TX 78746

Printed JULIA WEBBER Phone 512-961-9519  
Date: March 27, 2012

**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 1512 W. 29th St.

City, State & Zip Austin, TX 78703

Printed ADELA BEN-YAKAR Phone 650-704-0764 Date 3/28/12

LUIS SENTIS



SUBJECT TRACT



ZONING BOUNDARY

CASE#: C15-2011-0050  
 LOCATION: 1512 WEST 29TH STREET



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.







# City of Austin BUILDING PERMIT

**PERMIT NO:** 2002-005900-BP

Type: RESIDENTIAL Status: VOID

1512 W 29TH ST

Issue Date: 07/11/2002 **EXPIRY DATE: 01/07/2003**

LEGAL DESCRIPTION Lot: 29 Block: Subdivision: BRYKERWOODS	SITE APPROVAL	ZONING
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PROPOSED OCCUPANCY:	WORK PERMITTED: Remodel	ISSUED BY: Glenda Wilsford
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Carport: Add Cover To Existing 2nd Floor Deck Above Carport. Use 25-2-963 Existing Non-Complying Structure To Remain.

TOTAL SQFT	VALUATION	TYPE CONST.	USE CAT.	GROUP	FLOORS	UNITS	# OF PKG SPACES
Remodel: 144	Tot Val Rem: \$ .00		435				

TOTAL BLDG. COVERAGE	% COVERAGE	TOTAL IMPERVIOUS COVERAGE	% COVERAGE	# OF BATHROOMS	METER SIZE
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<b>Contact</b> Owner, George Seremetis	<b>Phone</b> 0 -	<b>Contact</b> General Contractor, Living Architecture Const Mgmt	<b>Phone</b> (512) 472-0272
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<u>Fee Desc</u>	<u>Amount</u>	<u>Date</u>	<u>Fee Desc</u>	<u>Amount</u>	<u>Date</u>	<u>Fee Desc</u>	<u>Amount</u>	<u>Date</u>
Building Permit Fee	33.00	7/11/2002						
<b>Fees Total:</b>	<b>33.00</b>							

**Inspection Requirements**  
Building 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.

**Comments**

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.



# City of Austin

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PROPOSED OCCUPANCY:		WORK PERMITTED: Remodel				ISSUED BY: Glenda Wilsford			
Carport: Add Cover To Existing 2nd Floor Deck Above Carport. Use 25-2-963 Existing Non-Complying Structure To Remain.									
TOTAL SQFT		VALUATION		TYPE CONST.	USE CAT.	GROUP	FLOORS	UNITS	# OF PKG SPACES
Remodel: 144		Tot Val Rem: \$ .00			435				
TOTAL BLDG. COVERAGE		% COVERAGE	TOTAL IMPERVIOUS COVERAGE		% COVERAGE		# OF BATHROOMS		METER SIZE

Type	Date	Status	Comments	Inspector
101 Building Layout		Open		Dearl Croft
102 Foundation		Open		Dearl Croft
103 Framing		Open		Dearl Croft
104 Insulation		Open		Dearl Croft
105 Wallboard		Open		Dearl Croft
108 TCO Stocking		Open		Dearl Croft
109 TCO Occupancy		Open		Dearl Croft
111 Energy Final		Open		Dearl Croft
112 Final Building		Open		Dearl Croft



Address: 1512 W 29 | Permit: 183201 | Plat: 61

Lot: 29 | Block: | Subdivision: Bryker Woods

Fire Zone: 3 | Use Dist. A1/1st | Occupancy: Repair & remodel West Gar. apt. <sup>exit non-compliant</sup>

6-26-79	Layout	Framing	6-9-80	Final	Commercial
Foundation		Floor joist size & o.c.	Bldg. Conn.		Parking
Front setback		ceiling joist size & o.c.	Room Vent.		Exits
Total & Min. side yard		stud size & o.c.	Stairs		Exit lights
Side St. Yard			Rails		Fences
			Attic Vent.		Co. iders
			Insulation		
Type Const.	JK	W. Insulation	Hood Vent.		
Spec. Permit #		Sheetrock	Glass		
BOA		Commercial Sheetrock	Deadbolts		
		Occup. Sep.	Fireplaces		
		Thru out			

Owner: Charles E. Johnson | Contractor: owner

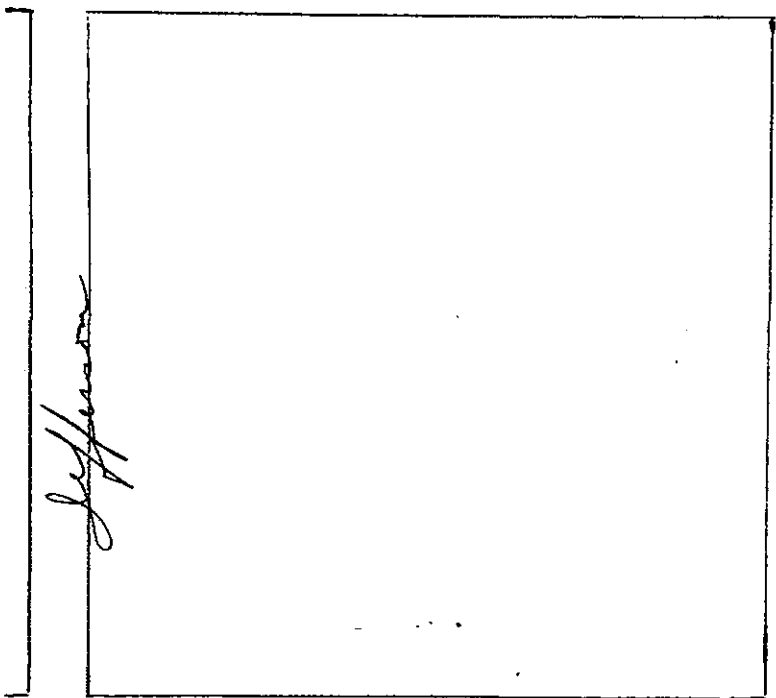


BID 2005 JUNE 77

City of Austin

Clerk: [Signature] | Date: 1-25-99

Address:



W 29

Inspector: [Signature]