

CASE # C15-2012-0056

ROW-10767778

TP-021212-06-22

**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: 2800 E. 22<sup>nd</sup> Street

LEGAL DESCRIPTION: Subdivision – Austin Heights, Resub. of lots 7&8

Lot(s) 1 Block 3 Outlot \_\_\_\_\_ Division \_\_\_\_\_

I Jim Bennett as authorized agent for R. L. Horn Trust  
\_\_\_\_\_ affirm that on 3/31/2012, hereby apply for a hearing before the Board of

Adjustment for consideration to:

ERECT – ATTACH – COMPLETE – REMODEL – MAINTAIN

A two family dwelling providing a front street setback of 18 ft.

in a Sf-3 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 new structure will be setback futher from the property line than the old structure. The old structure was setback 7 ft.

**HARDSHIP:**

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

The location of the xxxinch xxxxxx tree prevents the structure from being places further back from the property line.

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

The removal of the old house and the location of the existing trees on this lot, prevent a reasonable opportunity to redevelop this inter-city 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 area of character will not negatively change because the new structure will be setback futher than the existing structure. The adjoining neighbors and the xxxxxxxxxxxxxxxx Association support this project.

**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:

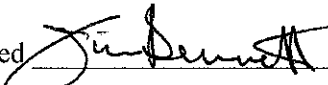
\_\_\_\_\_

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  Mail Address 11505 Ridge Dr.

City, State & Zip Austin, TX. 78748

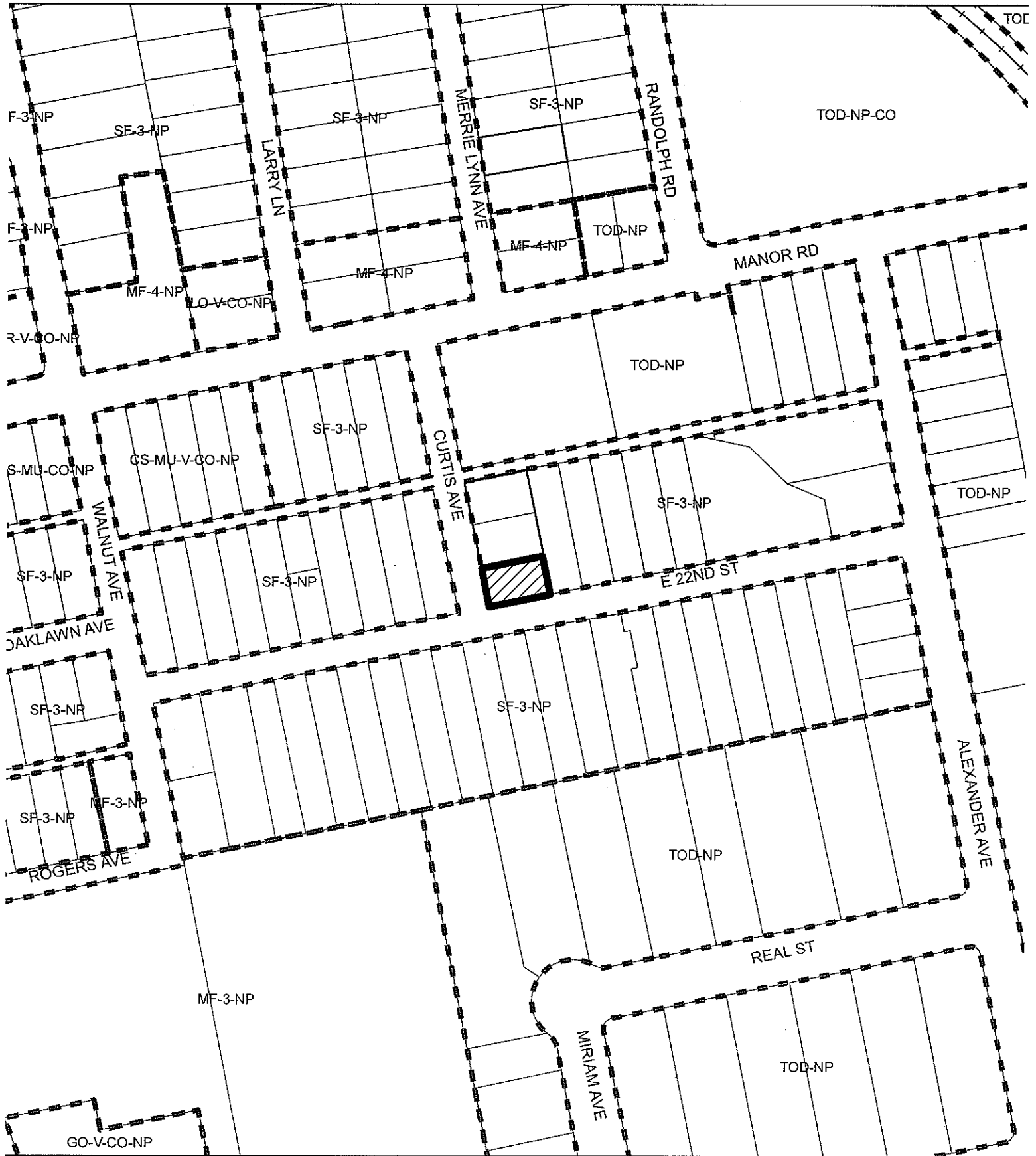
Printed JIM Bennett Phone 282-3079 Date 3/31/12

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

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



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

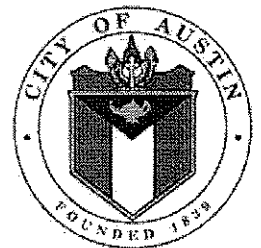


**BOARD OF ADJUSTMENTS**

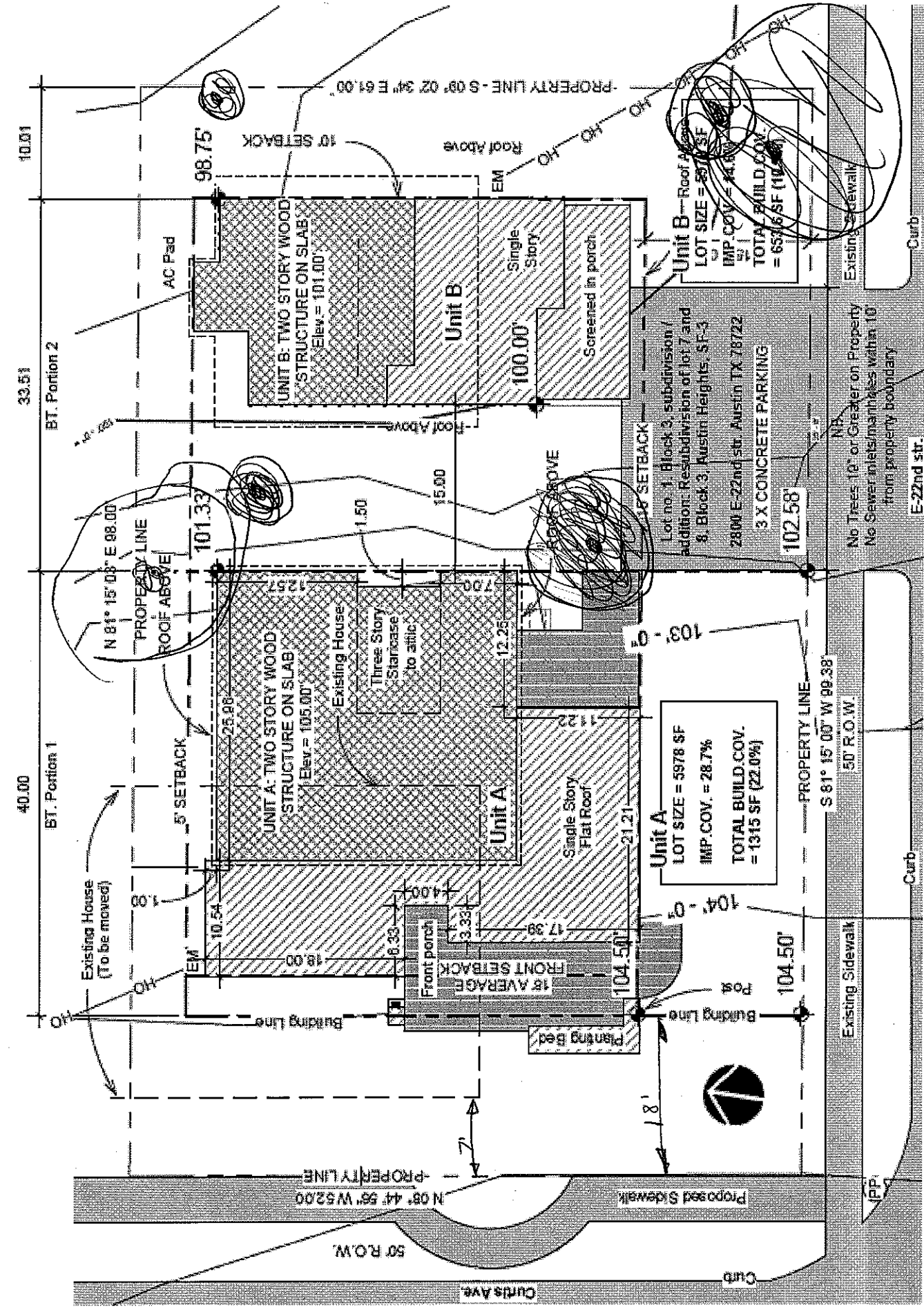
CASE#: C15-2012-0056  
 LOCATION: 2800 E 22ND STREET  
 GRID: K 23  
 MANAGER: SUSAN WALKER



-  SUBJECT TRACT
-  ZONING BOUNDARY



This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



Lot no. 1 Block 3, subdivision /  
 addition; Resubdivision of lot 7 and  
 8, Block 3, Austin Heights, SF-3  
 2800 E-22nd str. Austin TX 78722  
 3 X CONCRETE PARKING

No Trees 10' or Greater on Property  
 No Sewer inlet/manholes within 10'  
 from property boundary