

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 # C15-2012-0066
ROW # 10768064

WCAD

**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: 11800 Buggy Whip Trail Austin, TX 78750

LEGAL DESCRIPTION: Subdivision – Anderson Mill

Lot(s) 1 Block L Outlot Division Village 16 at Anderson Mill

I Monica Putnam on behalf of myself as authorized agent for

n/a affirm that on April, 27, 2012,

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

(check appropriate items below)

 ERECT ATTACH COMPLETE X REMODEL MAINTAIN

Enclose our existing slab foundation in the front of the house to expand our dining room and move the front door to a reasonable location that will provide easier access. There is no other structural configuration within the house that would alleviate the front door issue. The existing slab foundation encroaches on the 25' setback line and we only want to enclose a portion of the encroaching area by 2' on one end and 1' on the other over a distance of about 24'. We will also be removing the existing paved walkway to allow for more native vegetation and reduce runoff.

in a 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:

The dining room is located in the front of the house and the only location we can expand the dining room to is toward the front of the house on the existing concrete slab.

HARDSHIP:

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

The concrete slab foundation and the roofline covering the patio already exists and is original to the house; therefore, there will be no extension of the existing concrete slab or a change to the roofline. The existing slab will be enclosed on three sides. Also, the front door must be moved as it does not allow easy entry into the house and the only location to extend to allow for more room is toward the front of the house.

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

There is no other place on the property to expand the dining room since it's in the front of the house; it can only expand toward the front of the house.

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 concrete slab is original to the house and already has a roof. We will only be enclosing the area with walls. The neighbor next to us faces and resides on an adjacent street and their back yard fence backs up to our front yard. This change should not affect them as they cannot see the area we are altering due to the wooden fence.

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 11800 Buggy Whip Trail

City, State & Zip Austin, TX 78750

Printed Monica Putnam Phone 512-785-9352 Date 27 April 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 11800 Buggy Whip Trail

City, State & Zip Austin, TX, 78750

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.)

- (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.
- (3) Check made payable to the City of Austin for the Board of Adjustment application fee. (Residential zoning - \$360. All other zonings - \$660.)
- (4) Other Information – Although the following is not a requirement of submittal you may wish to include additional information that may assist the Board in making an informed decision regarding your request such as: photos of the site or visual aids to support the request, letters from the neighborhood association(s) etc. Any additional information you wish to submit must be in our office one week prior to the meeting. The Board will receive a packet with all information that has been submitted on the Thursday prior to the meeting.
- (5) Austin Energy approval

Variances approved by the Board are limited to and conditioned upon the plans and specifications presented by the applicants, except as modified by the Board.

REQUIRED FINDINGS: All variance findings must be met in order for the Board to grant a variance. An application must include proposed findings that will support the requested variance. Incomplete applications will not be accepted.

Reasonable Use:

Application must demonstrate to the Board how the zoning regulations applicable to the property do not allow for a reasonable use of the property. [Note: The Board cannot approve a variance for a use that is not allowed in the zoning district in which the property is located. This requires a change in zoning.]

Hardship:



Buggy Whip Trail

Buggy Whip Trail

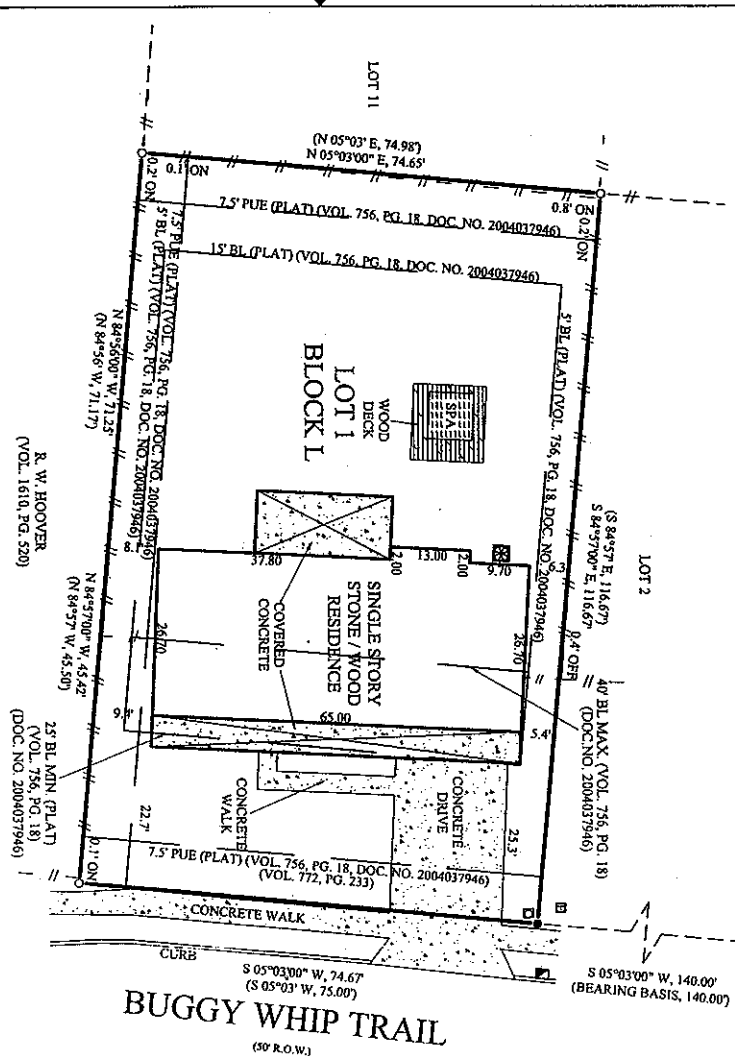
NOTE:
TOTAL SIDEYARD
SETBACK MUST
TOTAL 15' OR MORE FEET
(VOL. 756, PG. 18)

RESTRICTIONS

SUBJECT TO RESTRICTIONS IN VOLUME 756, PAGE 18, DOCUMENT NO. 2004037946, AND AS PER PLAT IN CABINET D, SLIDE 213.
SUBJECT TO BUILDING SETBACK LINES IN VOLUME 756, PAGE 18, DOCUMENT NO. 2004037946.
SUBJECT TO UNDERGROUND ELECTRIC DISTRIBUTION SYSTEMS EASEMENT GRANTED TO PEDERNALES ELECTRIC COOPERATIVE, INC. IN VOLUME 772, PAGE 233.

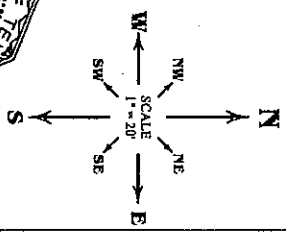
LEGAL DESCRIPTION

LOT 1, BLOCK 1, VILLAGE SEPTEN AT ANDERSON MILL, A SUBDIVISION IN WILLIAMSON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN CABINET D, SLIDE 213 OF THE PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS.



BUGGY WHIP TRAIL
(50' R.O.W.)

- LEGEND**
- 1/2" REBAR FOUND
 - 1/2" REBAR SET
 - WOOD FENCE
 - BL. BUILDING LINE
 - PUE PUBLIC UTILITY ESMAT RECORD INFORMATION
 - () WATER METER
 - ☐ CABLE RISER
 - ☐ AIR CONDITIONER
 - ☐ INSIDE OF SUBJECT BOUNDARY
 - ☐ OFF OUTSIDE OF SUBJECT BOUNDARY



F.I.R.M. MAP INFORMATION

THIS PROPERTY DOES NOT LIE WITHIN THE 100 YEAR FLOOD-PLAIN, AND HAS A ZONE "X" RATING AS SHOWN ON THE FLOOD INSURANCE RATE MAPS (FIRM) PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA).
DATE: SEPTEMBER 27, 1991
THE CERTIFICATION IS FOR INSURANCE PURPOSES ONLY AND IS NOT VALID FOR ANY OTHER PURPOSES.
PROPERTY WILL OR WILL NOT FLOOD AS SHOWN ON THE FLOOD INSURANCE RATE MAPS (FIRM) PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA).
WWW.ALLSTARLANDSURVEYING.COM

TO THE LEND HOLDER AND/OR OWNERS OF THE PREMISES SURVEYED AND TO HERITAGE TITLE COMPANY
I DO HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION AND THAT I AM A LICENSED SURVEYOR IN THE STATE OF TEXAS. I HAVE REVIEWED THE RECORDS OF THE PROPERTY LEGALLY DESCRIBED HEREON AND THAT THERE ARE NO BOUNDARY LINE CONFLICTS, ENCROACHMENTS OR OVERLAPPING OF IMPROVEMENTS OR ROADS IN PLACE, EXCEPT AS SHOWN HEREON, AND I CERTIFY TO THE LEGAL DESCRIPTION AND EASEMENTS SHOWN ON THE REPRESENTED TITLE COMMITMENT.

Paul Rust

MONICA GARCIA AND KYLE PUTNAM
11800 BUGGY WHIP TRAIL
AUSTIN, WILLIAMSON COUNTY, TEXAS

SURVEY DATE:	OCTOBER 24, 2007	FIELD BY:	HEIDI LOEPE	10/24/2007
TITLE CO.:	HERITAGE TITLE CO.	CALC. BY:	EDWARD RUMSEY	10/24/2007
G.T. NO.:	1007376	DRAWN BY:	JAMES BEENE	10/24/2007
JOB NO.:	A1021607	CHECKED BY:	JAMES BEENE	10/24/2007
		SPS CHECK:	PAUL RUST	10/24/2007

ALLSTAR
Land Surveying
9920 ANDERSON MILL RD
AUSTIN, TEXAS 78729
(512) 749-4149 PHONE
(512) 331-5217 FAX
WWW.ALLSTARLANDSURVEYING.COM

Walker, Susan

From: Monica Putnam <mgarcia623@gmail.com>
Sent: Monday, May 21, 2012 11:05 AM
To: Walker, Susan
Subject: RE: You variance request

Hi Susan,

That will work perfectly!

Thank you,

Monica

On May 21, 2012 11:01 AM, "Walker, Susan" <Susan.Walker@austintexas.gov> wrote:

Yes, so if I notify that you are requesting to enclose an existing slab for additional living space 22.7 feet from the front property line, that will be sufficient?

Susan Walker

Senior Planner

Planning & Development Review Department

Phone: 512-974-2202

Fax: 512-974-6536

From: Monica Putnam [mailto:mgarcia623@gmail.com]
Sent: Monday, May 21, 2012 10:47 AM
To: Walker, Susan
Subject: Re: You variance request

Hi Susan,

We are not going further onto the setback. We are just enclosing around the existing concrete slab. Does that answer your question?

Thank you,

Monica

On May 21, 2012 10:36 AM, "Walker, Susan" <Susan.Walker@austintexas.gov> wrote:

Monica,

In regards to your variance request, what is the closest distance that your enclosure will be from the front property line? On your survey it shows 22.7 feet to the concrete slab foundation. Will your enclosure extend further into the setback than that?

Need to know this info quickly so I can get notification sent out for your case.

Thanks in advance!

Susan Walker

Senior Planner

Planning & Development Review Department

Phone: 512-974-2202

Fax: 512-974-6536