

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 # CIS-2012-0078
ROW # 10781187
TP-040000-10-15

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: 1414 Eva Street

LEGAL DESCRIPTION: Subdivision - Swisher

Lot(s) 16&pt15 Block 3A Outlot _____ Division _____

I/We Vicki Faust on behalf of myself/ourselves as authorized agent for

F2C Trust affirm that on May 5, 2012

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

(check appropriate items below)

ERECT ATTACH COMPLETE REMODEL MAINTAIN
A Bed & Breakfast 1000' → 941'

in a SF-3-NP district. (Boulder Creek NP)
(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: 25-2-782(I) requires 1000 feet between B&Bs. Using the accepted standard of measurement "as the crow flies, door to door", EVA is 941(59' or a mere 6% short!) feet from the KimberModern. Using every other alternative standard of measurement the property is in compliance. Most direct walking - 1019; Lot to lot - 1069; Most direct driving - 1372. Lastly, this distance is accentuated **HARDSHIP** by the properties being on opposite sides of Congress Avenue in totally different neighborhoods.

2. (a) The hardship for which the variance is requested is unique to the property in that: This property is a perfect B&B location. It's adjacent to retail businesses, one block west of South Congress, located at a busy intersection. B&B parking and square footage requirements are easily met due to it's corner location and larger lot size. It is an ideal buffer between business & residential; a rare find west of congress where there are aren't any existing B&B's.

(b) The hardship is not general to the area in which the property is located because: Most properties are lacking either the square footage or the access to get the required parking/rooms available to meet the bed and breakfast requirements. Larger more embedded properties are more affordable yet less desirable as a business and more invasive to the neighborhood.

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 property was purchased as a short term rental investment with hopes of converting it to a bed & breakfast. The variance will allow this improvement and significantly enhance the appearance of the corner while being a totally self-sufficient and not impair the adjacent properties in any way. The B&B location still follows the spirit of the 1000 ft distance requirement becoming the first B&B in the area west of Congress.

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 Vicki Faust Mail Address 1503A Nickerson Street

City, State & Zip Austin, TX 78704

Printed Vicki Faust Phone 512-912-1040 Date 5/11/2012

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 Vicki Faust Mail Address Same as above

City, State & Zip _____

Printed _____ Phone _____ Date _____

YAHOO! MAPS

1- 1414 Eva Street - Potential B&B

2- KimberModern

1414 Eva St, Austin, TX 78704-3009

Distance - address to address
941 feet



When using any driving directions or map, its a good idea to double check and make sure the road still exists, watch out for construction, and follow all traffic safety precautions. This is only to be used as an aid in planning

YAHOO! MAPS

1- 1414 Eva Street - Potential B&B

2- KimberModern

1414 Eva St, Austin, TX 78704-3009

Distance - walking using 'short cuts'
1019 feet



When using any driving directions or map, its a good idea to double check and make sure the road still exists, watch out for construction, and follow all traffic safety precautions. This is only to be used as an aid in planning

YAHOO! MAPS

1- 1414 Eva Street - Potential B&B

2- KimberModern

1414 Eva St, Austin, TX 78704-3009

Distance - back of each Lot
1069 feet



When using any driving directions or map, its a good idea to double check and make sure the road still exists, watch out for construction, and follow all traffic safety precautions. This is only to be used as an aid in planning

YAHOO! MAPS

1- 1414 Eva Street - Potential B&B

2- KimberModern

1414 Eva St, Austin, TX 78704-3009

Distance - driving or walking -most direct route
1373 feet



When using any driving directions or map, its a good idea to double check and make sure the road still exists, watch out for construction, and follow all traffic safety precautions. This is only to be used as an aid in planning

BUYER: F2C TRUST - **VICKI FAUST - BAB!**

LEGAL DESCRIPTION: LOT 16 AND THE SOUTH 1/2 OF LOT 15, BLOCK 3A, RESUBDIVISION OF BLOCK 3A OF SWISHER ADDITION TO THE CITY OF AUSTIN, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 3, PAGE 68, PLAT RECORDS OF TRAVIS COUNTY, TEXAS, BEING THE SAME PROPERTY CONVEYED IN DEED RECORDED IN DOCUMENT NO. 200113539, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS, ALSO LOCALLY KNOWN AS 1414 EVA STREET, AUSTIN, TEXAS.

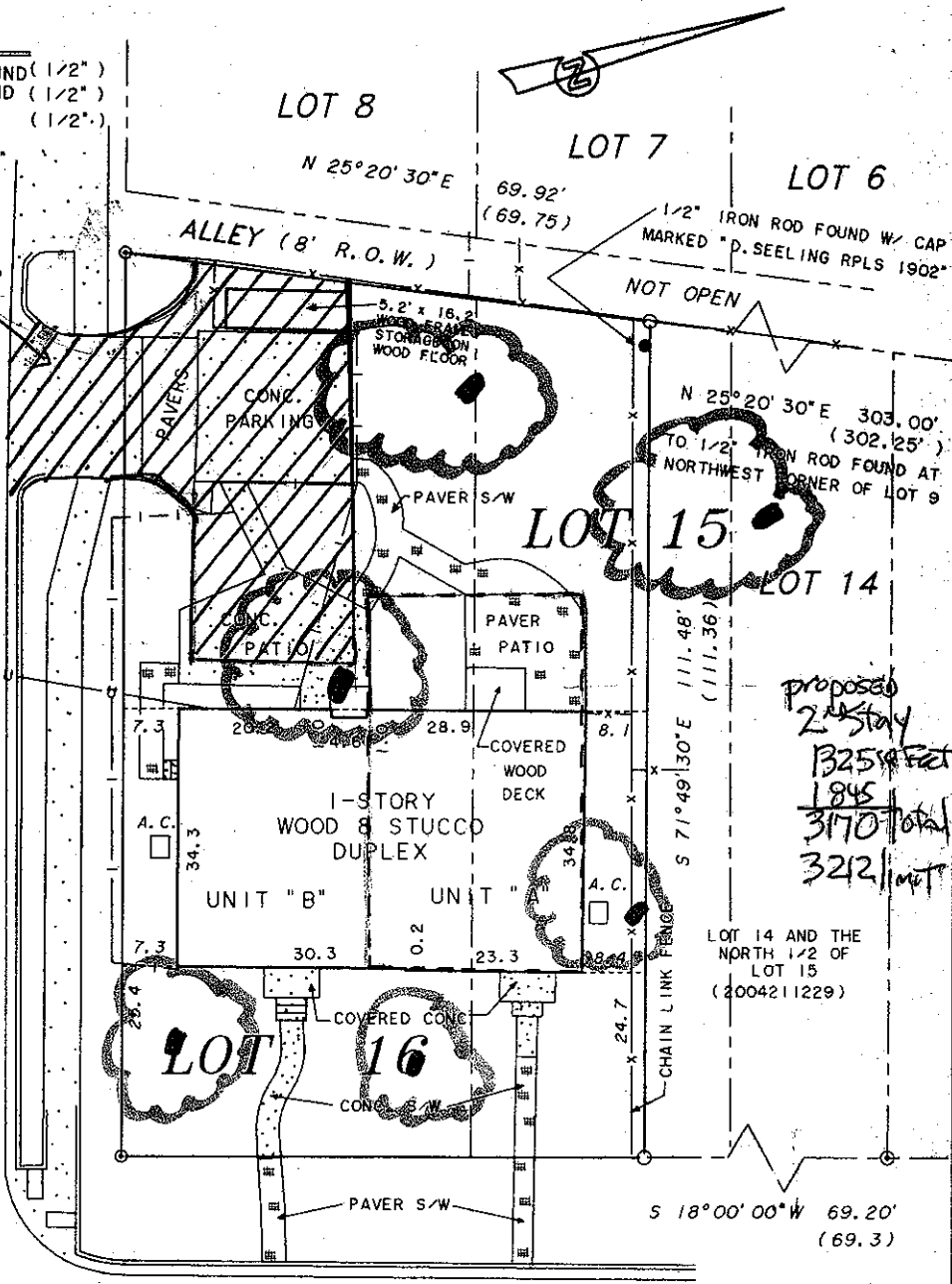
LEGEND

- ⊙ IRON PIPE FOUND (1/2")
- IRON ROD FOUND (1/2")
- IRON ROD SET (1/2")
- WITH ORANGE CAP MARKED "RPLS 4267"

Proposed Parking
50x20 = 1000
5 cars

LOT AREA = 8,030 SQ.FT. ± = 0.184 ACRE ±
DUPLX FOOTPRINT AREA = 1,845 SQ.FT. ±
W. ELIZABETH STREET
N 71°54'30"W 120.41' (119.71)

ImperVIOUS
parking ≈ 1000
Building ≈ 2235
3235
limit 3614



Proposed 2-story
1325 Feet
1845
3170 total
3212 limit

S 18°00'00"W 69.20' (69.3)
(BEARING BASIS - SCALED FROM TAX MAP)

1414 EVA STREET

TO STEWART TITLE GUARANTY COMPANY, AND F2C TRUST, EXCLUSIVELY:

The undersigned does hereby state that this survey was this day made on the ground of the property legally described hereon and is correct to the best of my knowledge, and that there are no visible discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, visible utility lines or roads in place except as shown or noted hereon, and that said property has access to and from a dedicated roadway, except as shown or noted hereon.

C. Michael McMinn, Jr., R.P.L.S.No. 4267

THIS SURVEY PLAT IS VALID ONLY IF IT BEARS THE ORIGINAL SIGNATURE IN GREEN INK AND THE IMPRESSION SEAL OF THE ABOVE SURVEYOR.

Copyright 2011 McMinn Land Surveying Company

$FAC = .4 \times 8030 = 3212$

$Imp Cov = .45 \times 8030 = 3614$

McMinn
Land Surveying Company
4008 GREENMOUNTAIN LANE
AUSTIN, TEXAS 78759
(512) 343-1970
FAX (512) 243-6439

REVISED: OCTOBER 31, 2011
DATE October 30, 2011
SCALE 1" = 20'
FB/PG 293/07-10

J. O. # 100511