

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 # C15-2012-0086
ROW # 10790218
TP-021905-11-07

**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: 4014 Avenue D

LEGAL DESCRIPTION: Subdivision - _____

Lot(s) _____ Block _____ Outlot _____ Division _____

I/We Carola Plaw on behalf of myself/ourselves as authorized agent for

myself affirm that on June 13, 2012

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

(check appropriate items below)

ERECT ATTACH COMPLETE REMODEL MAINTAIN

an accessory building
0 feet from the side
street property line.

in a SF-3-HD-NCP 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.

Reasonable Use:

1. The zoning regulations applicable to the property do not allow for reasonable use because:

A) The back staircase from the main house would have to be moved to allow for a 15 foot setback.

B) Both existing (100 year old) buildings are non-conforming and only have a setback of 12 ft 8 in (main house) and 10 ft 8 in (garage house).

C) The shed is a small and impermanent structure which is behind a 6 ft privacy fence. It does not impact the purpose for which setbacks were established.

Hardship:

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

A) The staircase from the 2nd floor into the garden is specific to the property

B) The cost of moving the staircase would be prohibitive (between \$8k - \$10k)

C) Not granting the variance would cause the loss of the whole shed as I cannot afford to move the staircase. The shed is only 160 sqft in size and does not even require a building permit. When I inquired about the necessity for a building permit I was told none was needed and no setback requirements were mentioned. Relying on this information I built the shed. At the time I was asked my address and gave it and so the person at the permit information desk should have told me about setback as a consideration of placing the shed.

D) Moving the shed to any other place would completely ruin my garden. The garden is small and the shed is tucked away underneath 2 large pecan trees and does not intrude into the garden. Not only is this clearly the best spot for the shed in terms of leaving an intact area for the garden but it is also the coolest spot for the shed as the big trees provide shade and even hide it from view to a large extent.

The placement of doors and the staircase in the garden do not allow for different placement of the shed as views and walkways would be badly impacted. I placed the shed in the least obtrusive and most energy intelligent spot possible on my property.

Enforcing the setback regulation be extremely damaging to the garden area which is enjoyed not just by me but my tenants.

E) As my husband is due to retire shortly and join me in Austin I want to have a small shed for my artisanal work and not do it in the bedroom. In addition, the work I do produces a lot of dust and it would help my allergy problems not to be forced to work in the bedroom anymore. I saved about 3 years to be able to have this tiny but well insulated shed built. The apartment we live in is less than 1000 sqft in size so even such a small shed is a big help.

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

A) The staircase is specific to my property.

B) The financial loss caused by a denial of the variance application would be at least partially due to the incomplete information provided by the city regarding the necessity for a building permit and other requirements.

Area Character:

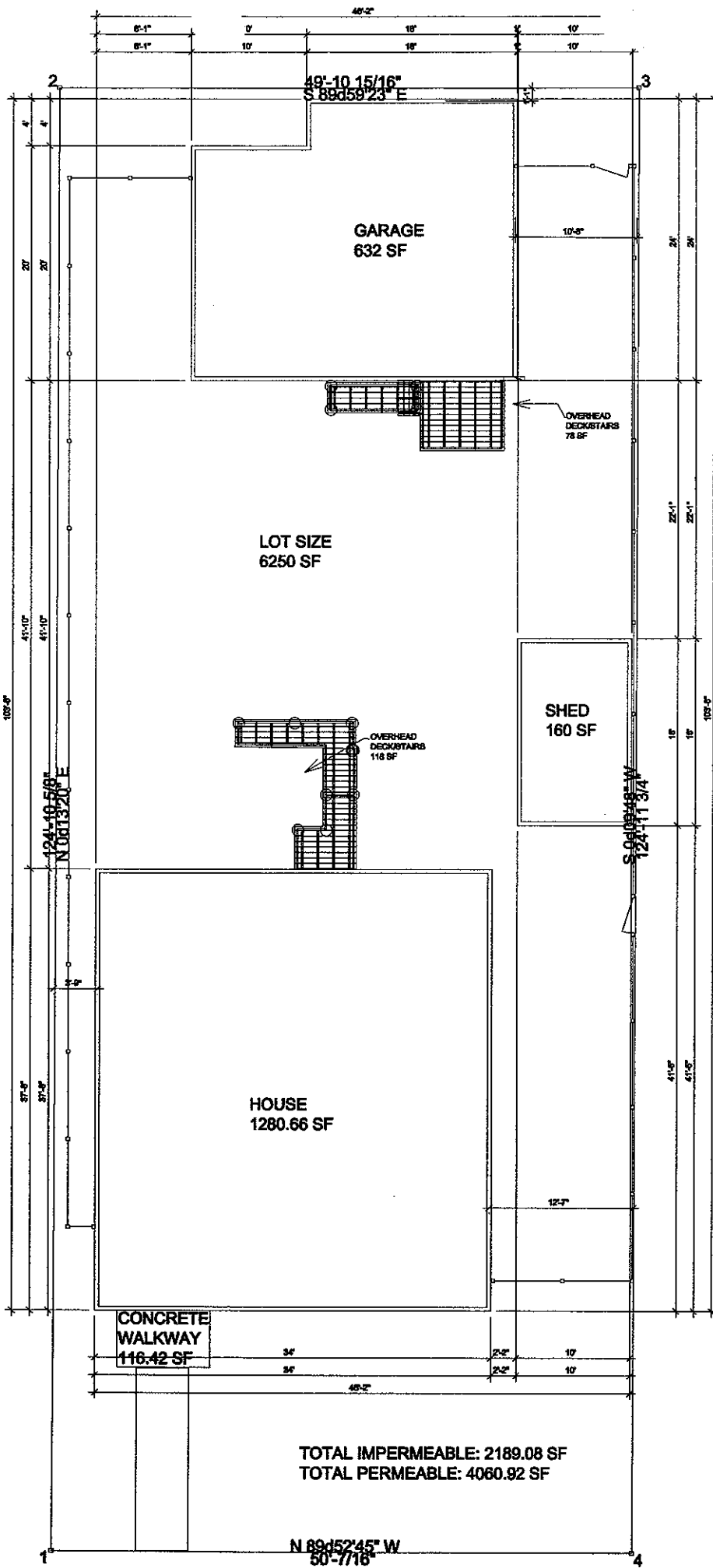
3. The variance will not alter the character of the area adjacent to the property, will not impair the use of the adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

A) The shed is behind a 6ft high privacy fence and to a large degree hidden by both the fence and the two trees shading it. In addition there is climbing ivy on the fence and very quickly the ivy will also cover the exposed part of the back wall of the shed above the fence. Thus in a few months to a year the back of the shed visually will become part of the ivy covered fence.

The character of the area adjacent to the property, i.e. the walkway will not be altered.

B) There is no impact on the property adjacent to mine as the shed is not on the side of the property where I have a direct neighbor.

C) The size and impermanent nature of the shed 16 x 10 alone should preclude any impairment to the purpose of the regulations of the zoning district. It is so smaller it did not even require a building permit. It is not a permanent structure and it is not intended for habitation.



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 Carola Pfau Mail Address 4014 Ave D

City, State & Zip Austin TX 78751

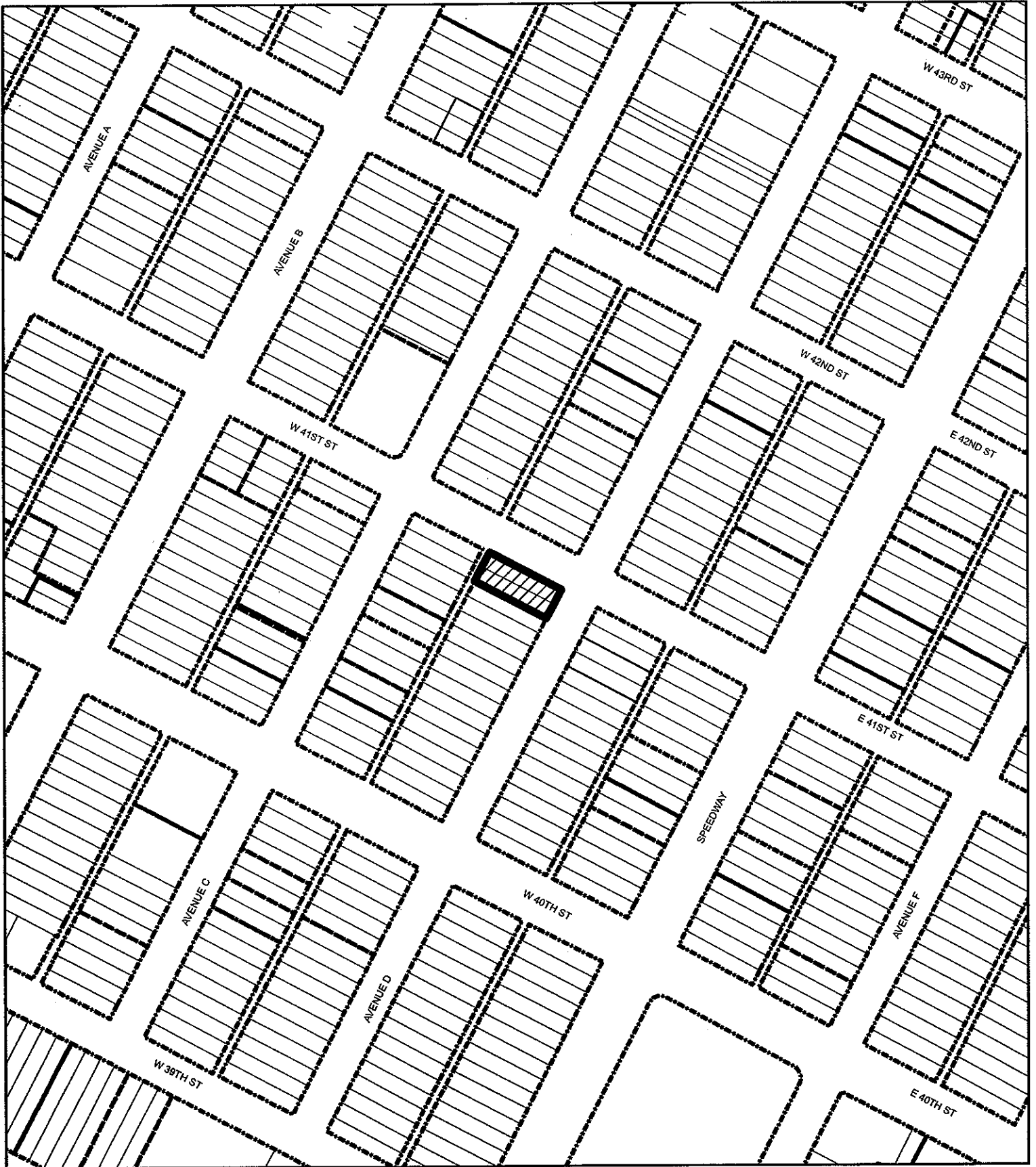
Printed CAROLA PFAU Phone 512-351-6995 Date 06/12/2012



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 Carola Pfau Mail Address 4014 Ave D

City, State & Zip Austin TX 78751

Printed CAROLA PFAU Phone 512-351-6995 Date 06/12/2012



 SUBJECT TRACT
 ZONING BOUNDARY

CASE#: C15-2012-0086
 LOCATION: 4014 AVENUE D



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

Austin's Municipally Owned Electric Utility

Town Lake Center • 721 Barton Springs Road • Austin, Texas • 78704

June 14, 2012

Re: Potential approval of variance request at 4014 Ave. D, Austin, Texas

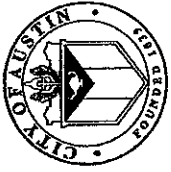
To Whom It May Concern:

Ms. Pfau, is willing to pay Austin Energy to change the location of the service drop to her house which is currently in violation of Austin Energy Clearance Criteria. Once Ms. Pfau has the service drop line to home Austin Energy will be willing to give final approval to her Variance Request.

Respectfully,

Robert K. Long, Jr.
Public Involvement and Real Estate Services
322-6522 Office
802-2507 Pager
Robertk.long@austinenergy.com














I, Carol A. Fox am applying for a variance from the Board of Adjustment regarding Section 252-492D of the Land Development Code. The variance would allow me the ability to keep the shed in its current location at the fence








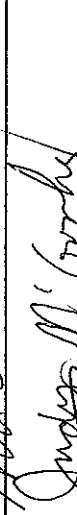
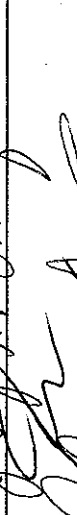
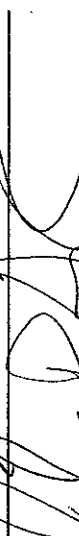

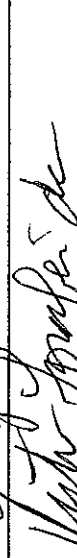
By signing this form, I understand that I am declaring my support for the variance being requested.

Property Owner Name (Printed)	Address	Signature
Mary Lou Serphine	4011 Avenue D	M.L. Serphine
Lindsey Simpson	4007 Avenue D	L. Simpson
CHARLES WARKICK	4012 AVENUE D	Charles Warkick
ZANDRA BUNT	4013 AVENUE D	Zandra Bunt
Jeff Capra	4003 Avenue D	Jeff Capra
Laura Rogers	4001 Avenue D	Laura Rogers
KATE GRANTHAM	4006 AVENUE D	Kate Grantham

By signing this form, I understand that I am declaring my support for the variance being requested.

Property Owner Name (Printed)	Address	Signature
Bill McCorkle	303 W. 40 th Aven ^{ue} TX	
CAMILLA FLOWERBA	4008 Ave. D 78751	
Jason Earle	4100 Avenue D 78751	
Nick van Bavel	213 W 41st ST	
JERRY KEZZO	4001 AVE S.	
Arya Sullivan	4002 Ave C, 78751	
PAULA RHODES	4111 Ave. D 78751	Paula Rhodes
Janet Zeitler	4110 Speedway 78751	
Richard Hirth	4108 Speed way	
TenaE Tetter	4115 Speedway	

By signing this form, I understand that I am declaring my support for the variance being requested.

Property Owner Name (Printed)	Address	Signature
Pete Gilcrease	400 S Avenue F	
Lynn Osgood	4015 Avenue D	
Brandon Suchs Patricia Mills	4100 Avenue D	
MERLE FRANK	4103 AVE D	
KEN RUSSELL	4103 AVE D	
Sarah Wibelk	4101 Ave C	
Mitzi Cotton	4103 Ave C	
Judy McGooley	4107 Ave C	
Ron Moogadian	4115 Ave C	
John D. Archer	4201 Ave C	
VIRGINIA DUBE Virginia Duke	4211 Ave C	
VICKI LOMBEIDA	4215 AVE . C	
Narilyn Techen	303 W. 40th St. Apt 111	