

CASE # C15-2012-0105

ROW-10815876
TP-0164030808

**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: 11615 Buttonwood drive

LEGAL DESCRIPTION: Subdivision – Woodcrest A

Lot(s) 40 Block _____ Outlot _____ Division _____

I/We Jim Bennett on behalf of myself/ourselves as authorized agent for

Albert Garcia affirm that on 7/30, 2012, hereby apply for a hearing
before the Board of Adjustment for consideration to:

ERECT – ATTACH – COMPLETE – REMODEL – MAINTAIN

A carport providing a front street setback of 9'4", and providing a fence height of 6ft.
6 inches..

in a SF-2 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 most reasonable place to locate a carport is over the existing drive way, thereby maintaining the existing impervious cover, and use of the property. Relative to the fence height the amount of departure from the code is very minimum of 6 inches.

HARDSHIP:

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

It would be an undue hardship to have to remove the existing carport, and change the existing structure which appears to be original construction, and to re-erect a new carport which would be destroying the existing highly maintain landscaping, and increasing the impervious cover as well as giving a tacked on appearance of a new carport. The property across the street is developed with a post office use with mail truck traffic and the fence variance of 6 inches will provide additional privacy and conform with standard fence height.

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

This site is a corner lot and the amount of setback is well compensated by the side street setback. There are only two properties on this side of Woodcrest Dr. that are across from the post office.

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 character of the neighborhood will not change because this is an existing well maintained carport which matches the original construction of the residence, and has a greater appeal than trying to construct a new carport from the Woodcrest Drive side of the lot.

PARKING: (Additional criteria for parking variances only.)

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 Jim Bennett Mail Address 11505 Ridge Dr.
City, State & Zip Austin TX 78748 512-282-3079 8/1/12

Printed Jim Bennett Phone _____ Date _____

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 Alfredo Garcia Mail Address _____

City, State & Zip Austin, TX 78759

Printed _____ Phone _____ Date _____

Alfredo GARCIA (512) 554-6304



SUBJECT TRACT



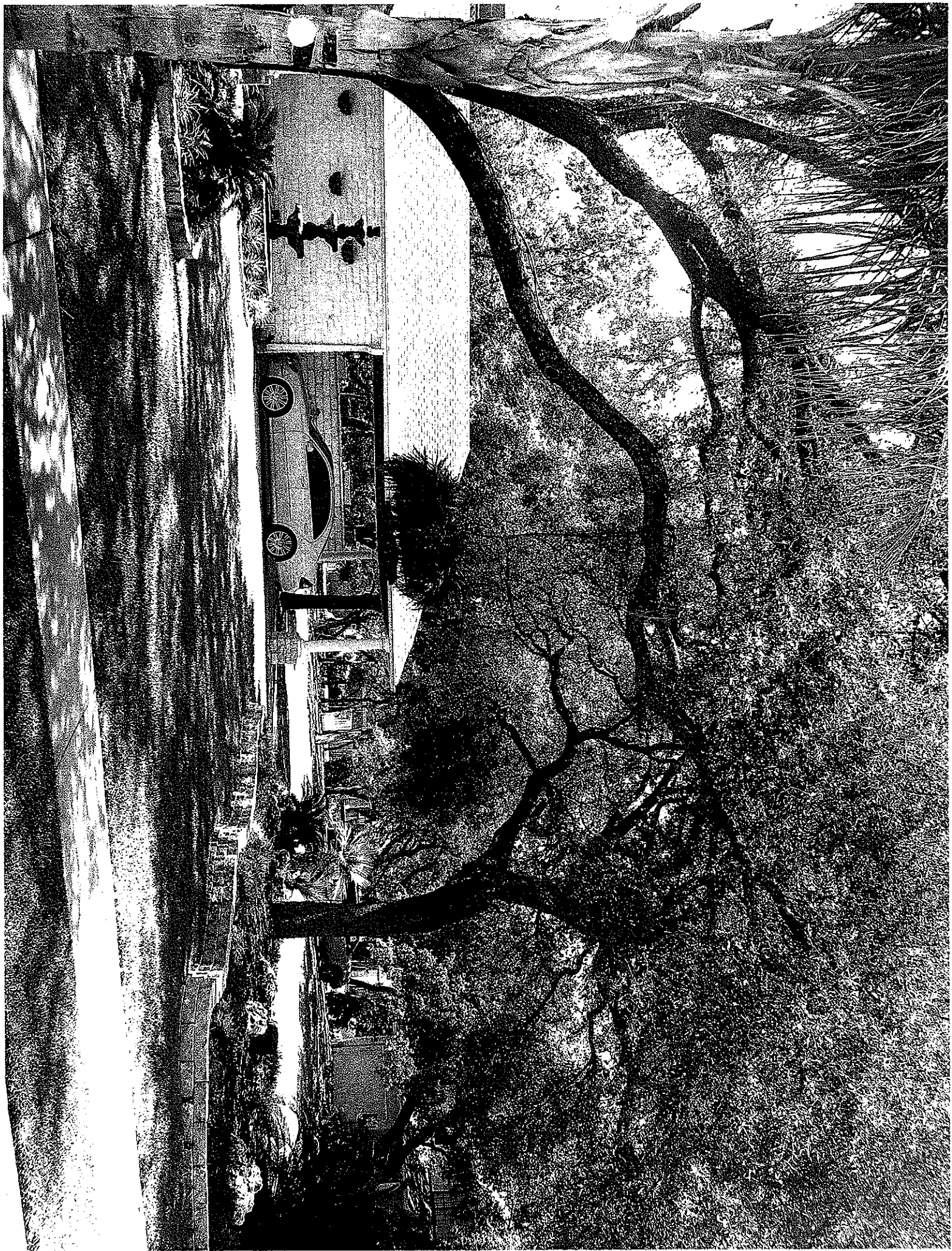
ZONING BOUNDARY

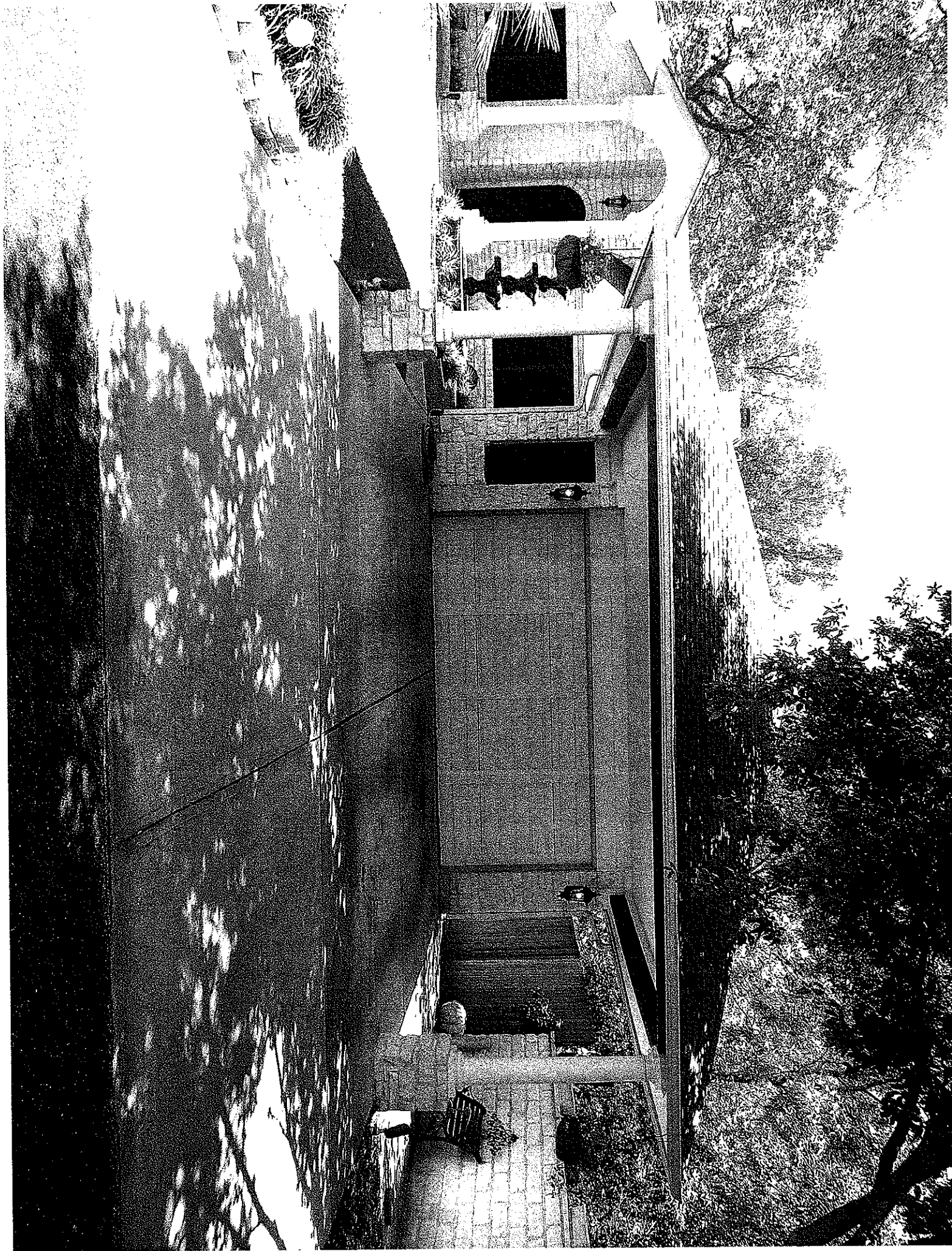
CASE#: C15-2012-0105
LOCATION: 11615 BUTTOWOOD DR

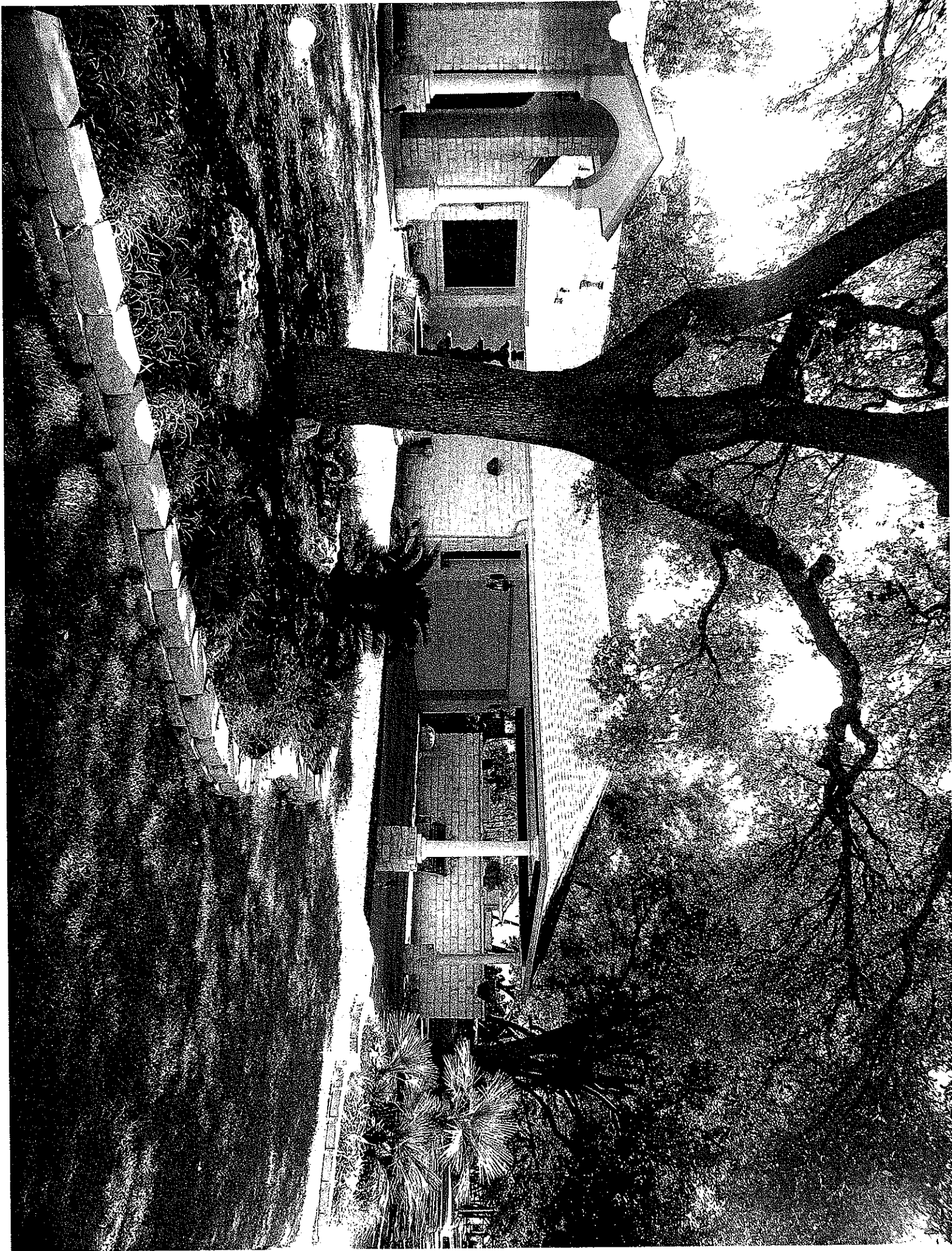


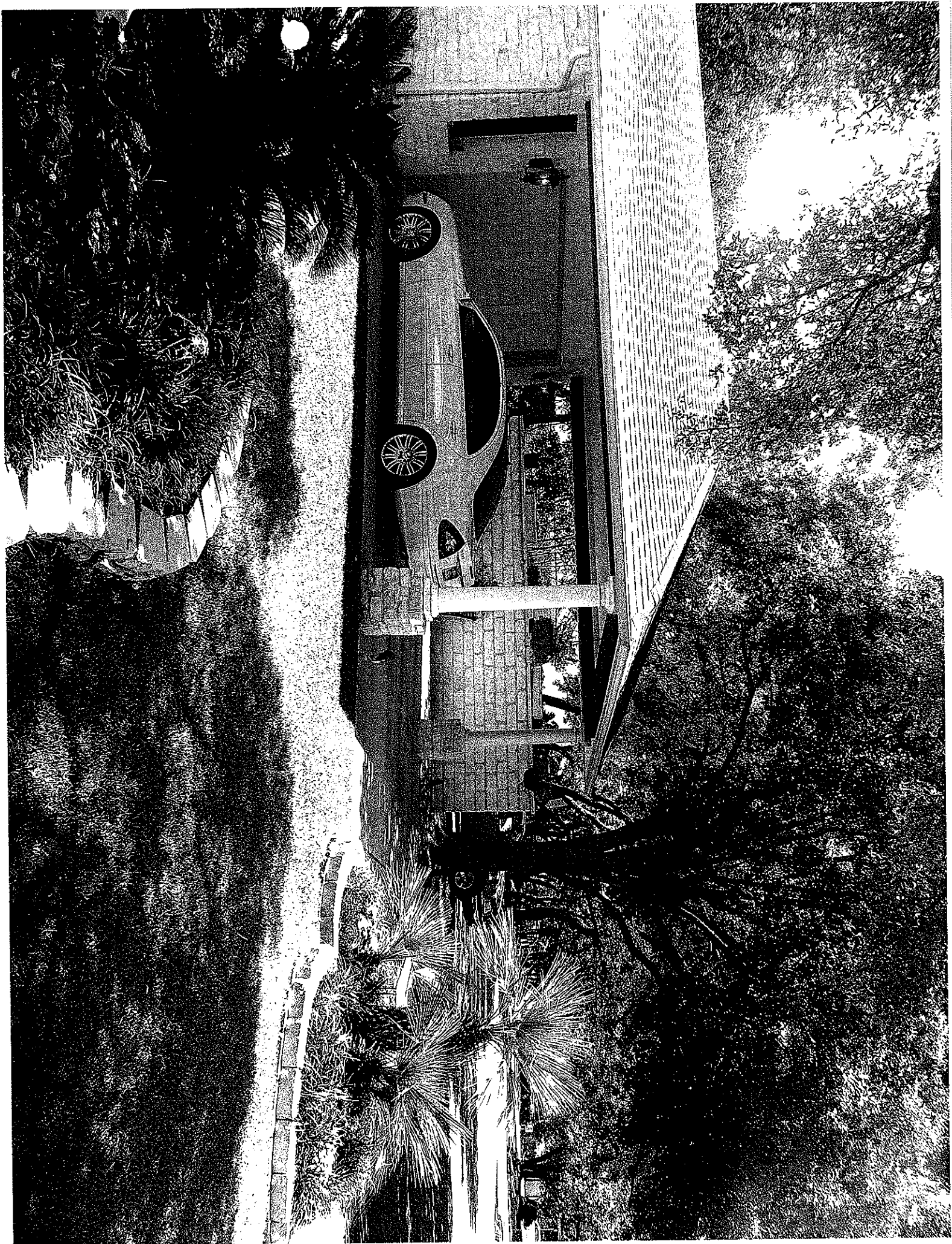
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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.

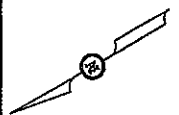








SCALE: 1"=20'

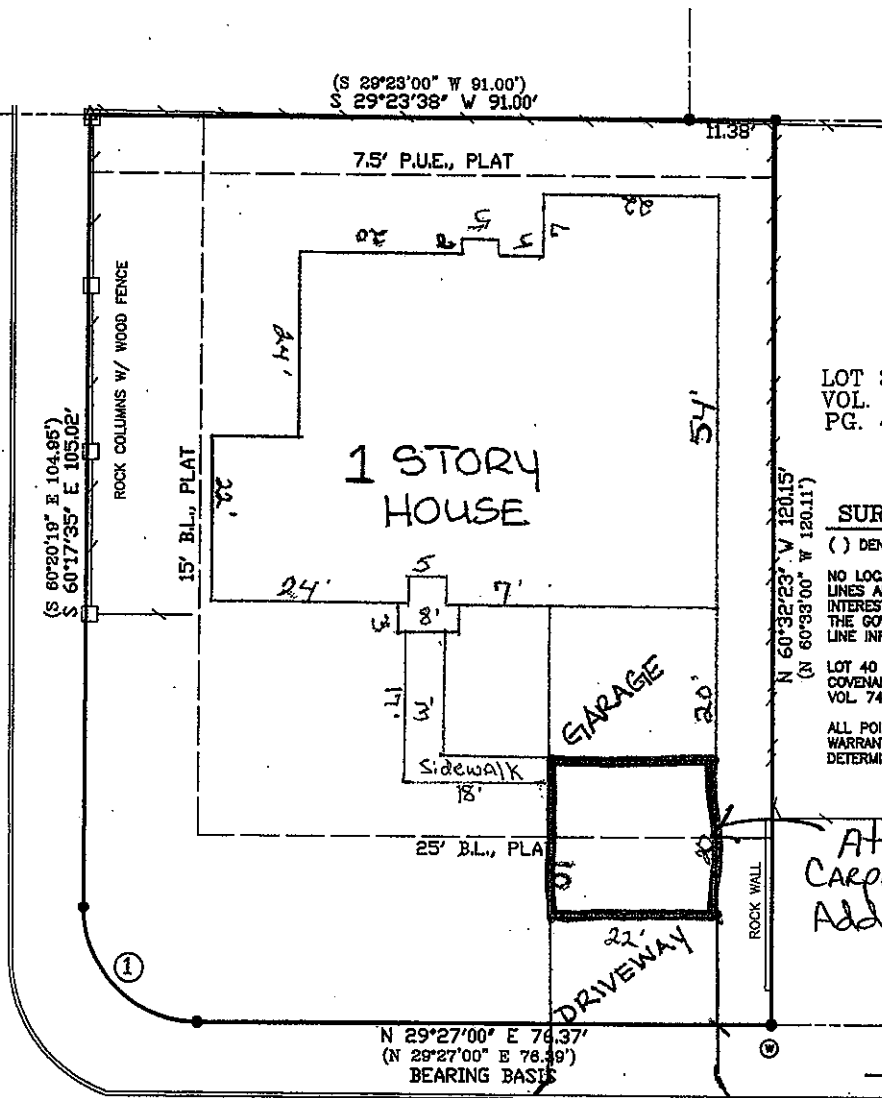


E. MORITZ
BK. 2225, PG. 1

LEGEND

- WOOD FENCE
- (W) WATER METER
- IRON ROD FND.
- ▲ NAIL FND.
- B.L. BUILDING LINE
- P.U.E. PUBLIC UTILITY EASEMENT

WOODCREST DRIVE (50' R.O.W.)



LOT 39
VOL. 83
PG. 45

SURVEYOR'S NOTES

() DENOTES RECORD INFORMATION
NO LOCAL JURISDICTION BUILDING LINES ARE DEPICTED ON THIS MAP. INTERESTED PARTIES SHOULD CONTACT THE GOVERNING BODY FOR BUILDING LINE INFORMATION.
LOT 40 SUBJECT TO RESTRICTIVE COVENANTS AS STATED IN: VOL. 7486, PG. 392
ALL POINTS DOES NOT MAKE OR WARRANT ANY FLOOD ZONE DETERMINATION.

CURVE TABLE

①

C=N 74°23'19" E 21.30'
A=23.69' R=15.00'
(C=N 74°33' E 21.25')
(A=23.62')

11615 BUTTWOOD DRIVE
(50' R.O.W.)

LOT No. 40 BLOCK "A"
SECTION "A" PHASE "A"
COUNTY, TEXAS
CITY "A"

SUBDIVISION / ADDITION WOODCREST-A
Book 83 Page(s) 45
Cabinet "A" Slide "A" PLAT RECORDS

Reference: ALBERT GARCIA

*** IMPORTANT NOTICE ***

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND DEPICTS ONLY THOSE BOUNDARIES, EASEMENTS AND BUILDING LINES SHOWN ON THE RECORDED PLAT. BOUNDARY AMENDMENTS, ADDITIONAL EASEMENTS AND SETBACKS MAY AFFECT LOT 40.

FIELD WORK JA/AA 09-29-09
DRAFTING GM
SURVEY DATE: 09-29-09
Job No. 09B20209
SCALE: 1"=20'



ALL POINTS SURVEYING
611 SOUTH CONGRESS AVENUE - SUITE 100
AUSTIN TX. 78704
TELE.: (512) 440-0071 - FAX: (512) 440-0199

C. R. Ralph 10/1/09



Kramer Service Center
2412 Kramer Lane, Bldg. "C"
Austin, Texas 78758
(512) 505-7206

Austin Energy
Electric Service Planning Application (ESPA)
(Please Print or Type)

St. Elmo Service Center
4411-B Meinardus Drive
Austin, Texas 78744
(512) 505-7500

For Residential or Small Commercial "SERVICE ONLY" under 350 amps 1Ø or 225 amps 3Ø

| | |
|---------------------------------------|--|
| Customer Name _____ | Phone _____ |
| Address <u>11615 Buttonwood Drive</u> | |
| Legal Description <u>Woodcrest-A</u> | |
| Lot <u>40</u> | Block _____ Commercial/Residential? <u>Residential</u> |

| | |
|--------------------------------|--|
| Service Main Size _____ (amps) | Service Conductor _____ (type & size) |
| Service Length _____ (ft.) | Number of Meters? _____ Multi-Fuel Y N |
| Overhead/Underground? _____ | Voltage _____ <input type="checkbox"/> Single-phase (1Ø) <input type="checkbox"/> Three-phase (3Ø) |
| Total Square Footage _____ | Total A/C Load _____ (# of units) _____ (Tons) |
| Largest A/C unit _____ (Tons) | LRA of Largest A/C Unit _____ (amps) |
| Electric Heating _____ (kW) | Other _____ (kW) |

Comments: Covered Carpet

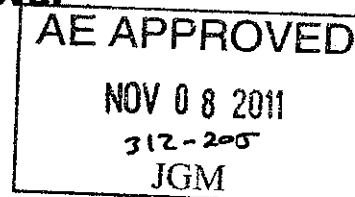
ESPA Completed by (Signature & Print name) _____ Date _____ Phone _____

AE Representative _____ Date _____

Approved: ☐ Yes ☐ No (Remarks on back) _____ Phone _____

Application expires 180 days after date of Approval

All structures etc. must maintain 7'5"
clearance from AE energized power
lines. Enforced by AE & NESC codes.



August 4, 2012

We the undersign below support the carport as it exist today at: 11615
Buttonwood Drive , Austin, TX 78759

Name:

Address:

| | |
|-----------------|-------------------------------|
| Shirley J. Jato | 12908 620 #22208 |
| Shannon McLean | 1282 Candlelight |
| Pamela Lee | |
| Gina Pytko | 11500 Jollyville Rd |
| St. Michael | 9801 Stonelake #2026 |
| Vandana Agarwal | 10710 Oak View Dr 78759 |
| Kristi Weldon | 6000 Colina Lane |
| Patrick Hayes | 10926 JOLLYVILLE RD, 78759 |
| BEN R. KINZ | 11603 QUEENS WAY 78759 |
| Keith Venable S | 1808 Candlelight dr 78741 |
| Dena Liede | 12716 Santana Dr. 78729 |
| Donna Birch | 6602 Branching Oak Ct 78759 |
| Molly Jacobi | 7302 Mead Cove 78759 |
| Ruby Bruffin | 11913 Charing Cross Tr 78759 |
| Charlotte Hahn | 11100 Grapevine Lane 78759 |
| Brenda Wiggill | 11619 Argonne Forest Tr 78759 |

JENNY REYNOLDS
11612 BUTTONWOOD DR.
AUSTIN, TX 78759

October 13, 2009

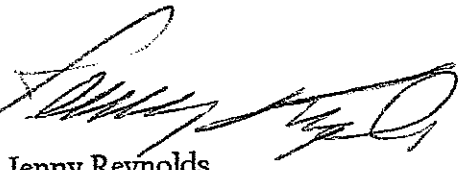
To Whom It May Concern:

I live at 11612 Buttonwood Dr, across from Albert Garcia and Dawn McKim. They have been my neighbors for more than three years.

Their carport is beautiful, and poses no problem to me. I have never been inconvenienced or annoyed by it. It does not bother me in any way. Albert and Dawn keep their property well, and are a pleasure to have as neighbors.

Thank you.

Sincerely,



Jenny Reynolds