

CASE # C15-2012-0136
ROW-10841542
TP-0220080203

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: 4205 Avenue H

LEGAL DESCRIPTION: Subdivision – Hyde Park

Lot(s) 10 & 11 Block 19 Outlot _____ Division _____

I Jim Bennett _____ authorized agent for Earl O. Wukasch affirm that on 10/2/12,

hereby apply for a hearing before the Board of

Adjustment for consideration to:

ERECT – ATTACH – COMPLETE – REMODEL – MAINTAIN

A two family dwelling providing a total lot area of 6,250 sq. ft.

in a SF-3 NCCD-NP district. 7000 → 6250

(zoning district)

SF-3-HID-NCCD-NP (Hyde Park)

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 existing structure is designed and built as a garage apartment. The amount of variance is minimal and would allow for a more traditional primary structure to be built.

HARDSHIP:

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

This property consist of two 25 ft. wide lots with an existing garage apartment type structure. The existing structure is considered a contributing structure in the local historical district, and cannot be demolished.. It is uncommon to have a garage apartment looking structure as the only structure on the lot in this neighborhood.

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

There was never a house on the lot and a new house would complete the continuity of the street scape which supports the Hyde Park Neighborhood Plan.

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:

With a house built on the front of this lot the lot would be compatible with the surrounding properties and would not look out of character.

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:

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 Jim Bennett Mail Address 11505 Ridge Dr

City, State & Zip Austin, TX 78748

Printed Jim Bennett Phone 282-3079 Date 10/2/12

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 Earl O. Wukasz Mail Address 1422 CLOVERLEAF DR.

City, State & Zip AUSTIN, TEXAS 78723-2506

Printed EARL O. WUKASZ Phone 512/451-1780 Date OCTOBER 2, 2012



SUBJECT TRACT




ZONING BOUNDARY

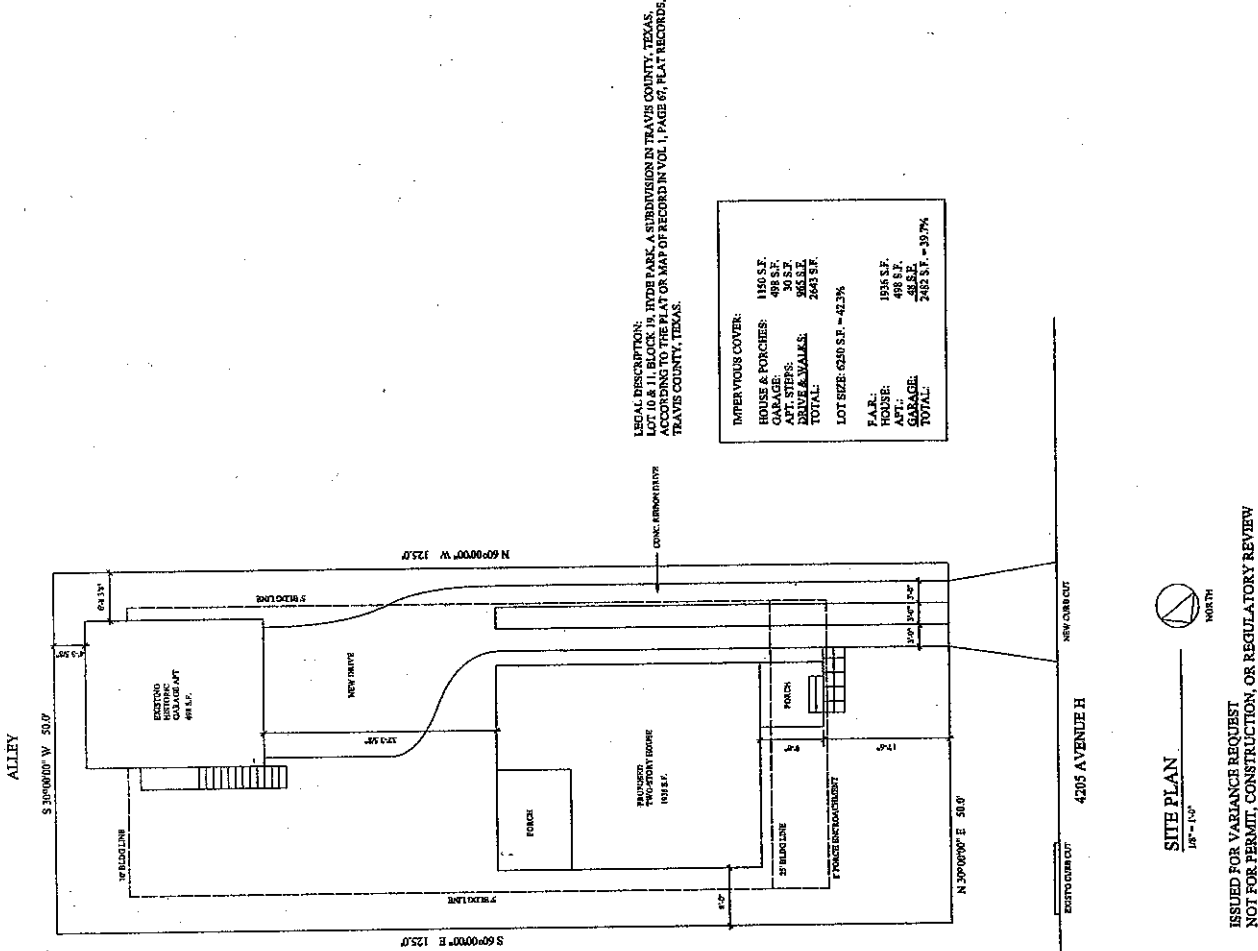
CASE#: C15-2012-0136
 LOCATION: 4205 Avenue H



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.

	Leland F. Decker Architect 184 Daring Dr. Waco, TX 76793 Tel. 81224	4205 Avenue H New Baldess Waco, TX 76793	A-1
--	--	---	------------



LEGAL DESCRIPTION: LOT 10 & 11, BLOCK 19, HYDR PARK, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE PLAT OR MAP OF RECORD IN VOL. 1, PAGE 67, PLAT RECORDS, TRAVIS COUNTY, TEXAS.

IMPERVIOUS COVER:	
HOUSE & PORCHES:	1150 S.F.
GARAGE:	966 S.F.
DRIVE:	363 S.F.
DRIVE & WALKS:	363 S.F.
TOTAL:	2643 S.F.
LOT SIZE: 6250 S.F. - 42.3%	
P.A.R.:	
HOUSE:	101 S.F.
ART.:	483 S.F.
GARAGE:	483 S.F.
TOTAL:	1067 S.F. - 17.1%



SITE PLAN
1/8" = 10'

ISSUED FOR VARIANCE REQUEST
NOT FOR PERMIT, CONSTRUCTION, OR REGULATORY REVIEW