

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 # C15-2011-0067
ROW # 1060626

TP-0217090501

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: 3901 Becker Ave. Austin TX 78751

LEGAL DESCRIPTION: Subdivision – Country club heights.
A subdivision of Block No. 7 of Plainview heights.

Lot(s) 1 Block 2 Outlot _____ Division _____

I/We Derjane Ho on behalf of myself/ourselves as authorized agent for

_____ affirm that on April 2, 2011

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

(check appropriate items below)

ERECT ATTACH COMPLETE REMODEL MAINTAIN

It is an existing old garage which was built on 1943. It is going to fall apart and it does not have a foundation under the wall.

I ask to rebuild a garage in same location and foot print.

11.5 from side street p.l.
2.9 from rear p.l.

in a Travis SF-30-NP district.
(zoning district)

(Mancock N.P.)

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):

Reason:

It is an existing old garage which was built on 1943. It is going to fall apart soon.

1. It does not have a foundation under the wall.
2. The concrete floor have big crakes inside the garage.
3. The roof has a big hole when tree log fell down on the roof.
4. The 4 wood walls are rotting, have big holes and animals (Raccoon and Opossum) stay inside the garage at times.
5. This existing garage sits on 11.7 feet from property line to the road (I have told it needs to be 15 feet.)and 2.9 feel from property line of neighbors (it needs to be 5 feet.).
6. Please let me build a new garage in same location.

REASONABLE USE:

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

This existing garage sits on 11.7 feet from property line to the road (I have told it needs to be 15 feet.)and 2.9 feel from property line of neighbors (it needs to be 5 feet.).

HARDSHIP:

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

It is an existing old garage which was built on 1943. It is going to fall apart soon.

1. It does not have a foundation under the wall.
2. The concrete floor have big crakes inside the garage.
3. The roof has a big hole when tree log fell down on the roof.
4. The 4 wood walls are rotting, have big holes and animals (Raccoon and Opossum) stay inside the garage at times.

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

This is a old garage which is falling apart. My neighbor, Rene, said this old garage next to her driveway; it appears very bad from her living room. She will sign any latter for me to fix this garage if I need one.

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:

It is an existing old garage which was built on 1943.

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 Derjane Ho Mail

Address 3901 Becker Ave.

Austin TX 78751

Printed Derjane Ho Phone 512-3809645 Date 4/2/11

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 Derjane Ho Mail Address 3901 Becker Ave. Austin TX 78751

City, State & Zip _____

Printed Derjane Ho Phone 512-3809645 Date 4/2/11

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:

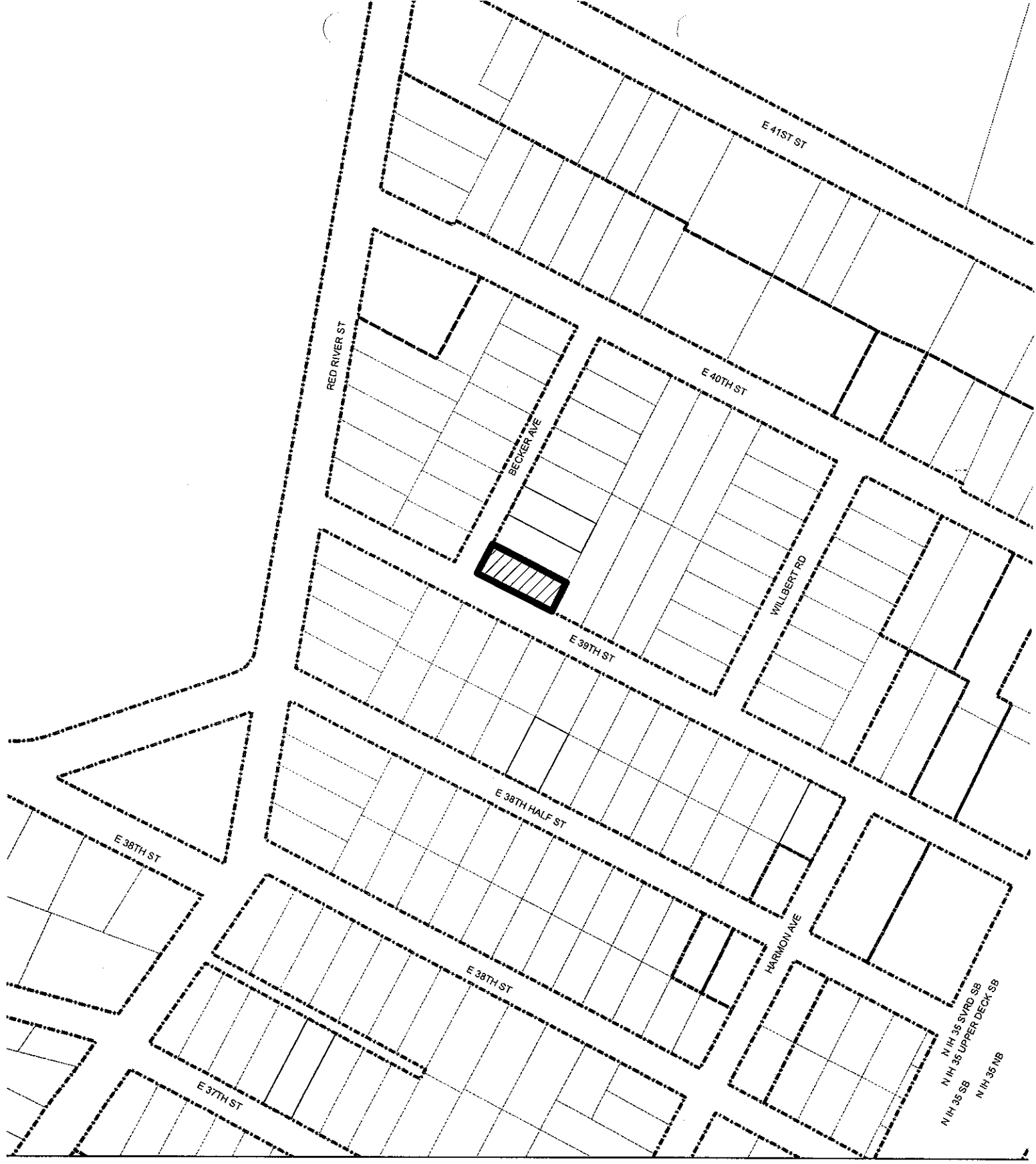
General Requirements:

- 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.



BOARD OF ADJUSTMENTS



-  SUBJECT TRACT
-  ZONING BOUNDARY

CASE#: C15-2011-0067
 LOCATION: 3901 BECKER AVENUE
 GRID: K25 & K24
 MANAGER: SUSAN WALKER



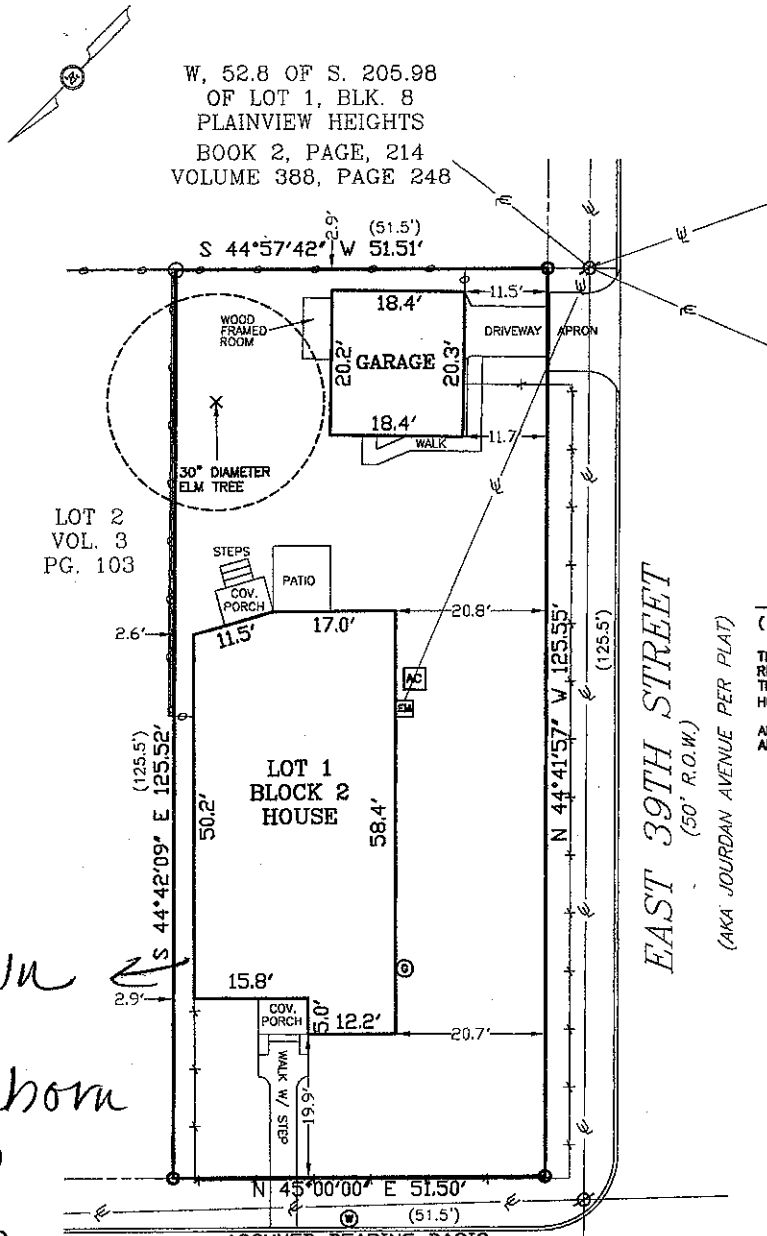
This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

SCALE: 1"=20'

W, 52.8 OF S. 205.98
OF LOT 1, BLK. 8
PLAINVIEW HEIGHTS
BOOK 2, PAGE, 214
VOLUME 388, PAGE 248

LEGEND

- X WIRE FENCE
- CHAIN LINK
- UTILITY LINE
- AC A/C UNIT
- EM ELEC. METER
- G GAS METER
- W WATER METER
- 1/2" IRON ROD W/
PLASTIC CAP STAMPED
(ALL POINTS SET)
- PIPE FND.
- UTILITY POLE
- B.L. BUILDING LINE
- P.U.E. PUBLIC UTILITY EASEMENT



SURVEYOR'S NOTES

() DENOTES RECORD INFORMATION
THE MAP DOES NOT REFLECT BUILDING REQUIREMENTS WHICH MAY BE IMPOSED BY THE LOCAL GOVERNING AUTHORITY OR HOME OWNER'S ASSOCIATION.
ALL POINTS DOES NOT MAKE OR WARRANT ANY FLOOD ZONE DETERMINATION.

Shown on Sanborn map Vol 3 pg. 0325

3901 BECKER AVENUE
(40' R.O.W.)

| | | | | | |
|---------|--------|---------------|---|------------------------|--|
| LOT No. | 1 | BLOCK | 2 | SUBDIVISION / ADDITION | COUNTRY CLUB HEIGHTS A SUBDIVISION OF BLOCK No. 7 OF PLAINVIEW HEIGHTS |
| SECTION | - | PHASE | - | Book | Page(s) 103 Cabinet - PLAT RECORDS |
| | TRAVIS | COUNTY, TEXAS | | Volume | Slide - |
| CITY | - | | | Document | - |
| | | | | Reference: | HO DERJANE |

| | | | |
|------------|-----------|-----|----------|
| FIELD WORK | WV/RCS/CO | Sr. | Date: |
| DRAFTING | GM | | 07-15-10 |

SURVEY DATE: 07-15-10
Job No. 07812010
SCALE: 1"=20'

* 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 1.



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

C. Richard Ralph 7/15/10

Der-Jane,

Below is my report on the subject tree. Please include in your report as you see fit.

The subject tree is a 30" diameter American Elm (*Ulmus americana*). The subject tree appears to be physiologically and structurally sound (e.g., root flare present, scaffolding limbs present, adequate foliage density, etc). The tree is located in the northeast corner of the lot adjacent to the existing garage. The current structure is located outside the 1/2 critical root zone of the subject tree. City Arborist staff understands there are setback issues regarding the current location of the garage. However, if the garage is rebuilt to respect the setbacks this will necessitate development in the 1/2 critical root zone of the subject tree. Therefore, City Arborist staff requests the current footprint of the garage be reused for redevelopment of this area.

KM

Keith Mars
Environmental Program Coordinator
City Arborist Program
City of Austin
505 Barton Springs Road, 4th Floor
Austin, TX 78704
Phone: (512) 974-2755
Fax: (512) 974-2423

From: Bart Whatley <bwhatley@yahoo.com>

[View Contact](#)

To: der-jane Ho <hoderjane@yahoo.com>

DJ, I stopped by today, but the gate was locked, preventing me from ringing the doorbell.

I saw your situation.

Maybe the best thing to do is come to the next neighborhood Zoning Committee meeting to share your situation.

We meet 4-20 at at the room.

Let me know if you would like to be added to the agenda that evening.

Thanks,

--

Bart Whatley, AIA

From: der-jane Ho <hoderjane@yahoo.com>

To: Bart Whatley < >

Cc:

Sent: Wed, April 6, 2011 9:39:09 AM

Subject: Re: Board of Variance Help for neighbor

Dear Mr. Whatley,

I don't know if I e-mail you about what date is good date for your visit.

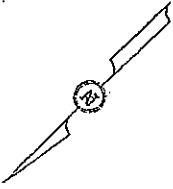
I will be home this afternoon after , if that is good for you too.

Let me know if you will come.

Thank you.

DJ

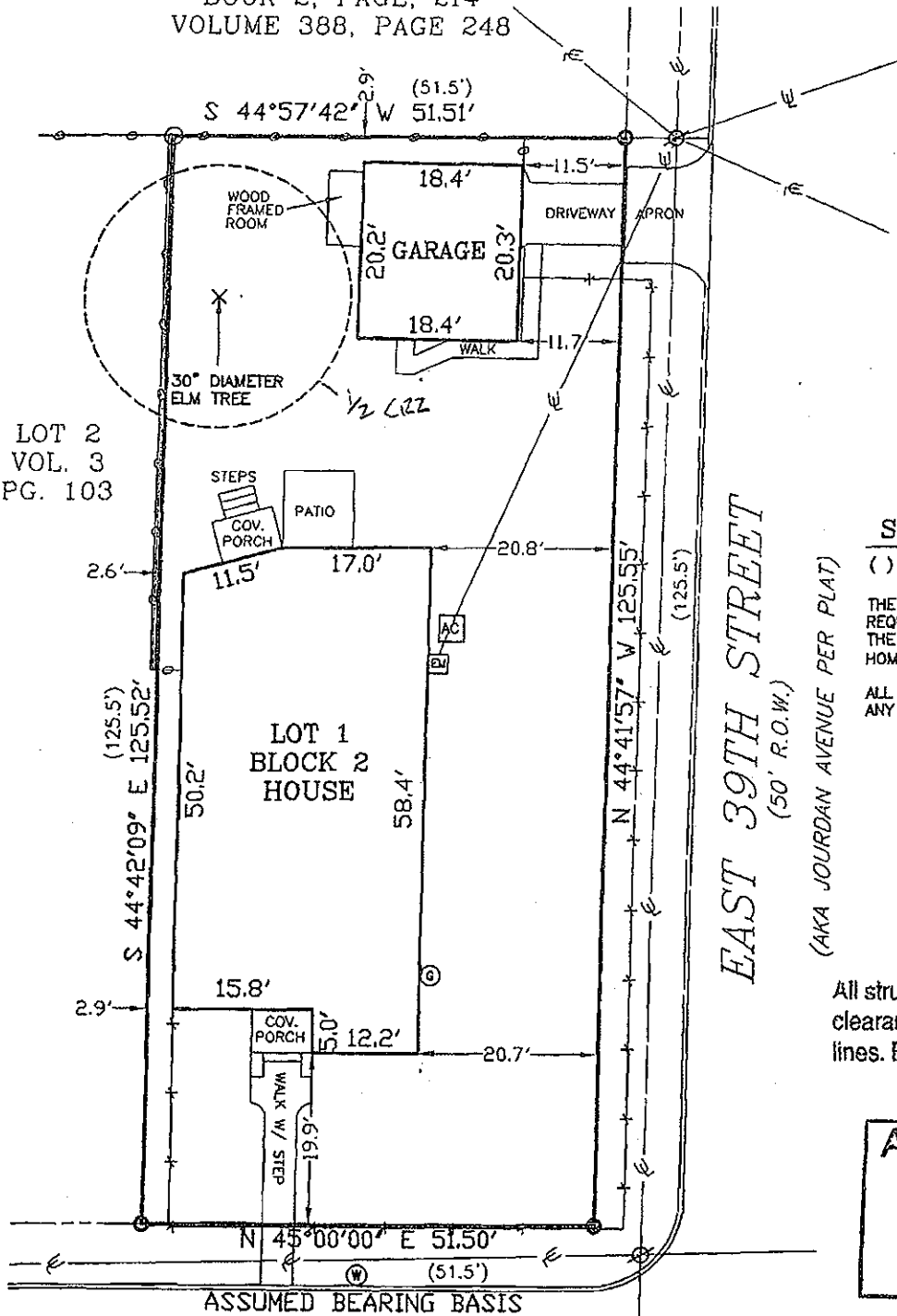
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PLAINVIEW HEIGHTS
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SURVEYOR'S NOTES

() DENOTES RECORD INFORMATION

THE MAP DOES NOT REFLECT BUILDING REQUIREMENTS WHICH MAY BE IMPOSED BY THE LOCAL GOVERNING AUTHORITY OR HOME OWNER'S ASSOCIATION.

ALL POINTS DOES NOT MAKE OR WARRANT ANY FLOOD ZONE DETERMINATION.

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

AE APPROVED
NOV 10 2010
RLS 314-13

3901 BECKER AVENUE
(40' R.O.W.)



Tree Permit

Planning and Development Review Department

One Texas Center, 505 Barton Springs Road, 4th floor

Phone: (512) 974-1876

Fax: (512) 974-3010

Email: Michael.Embese@ci.austin.tx.us

Website: www.ci.austin.tx.us/trees

#10513602
585C

- Application request* (specify all that apply): Single Family Home / Duplex or Other
- Removal of a protected-size tree;
- Development exceeding allowable standards for encroachment in the tree's critical root zone;
- Removal of more than 30% of a tree's crown.

* Refer to Land Development Code (25-8-601) and Environmental Criteria Manual (Section 3, App. F). Applicant understands that all impacts may threaten the health of the tree and that approval of this application does not guarantee favorable tree results.

Address of Property (including zip code): 3901 Becker Ave.

Name of Owner or Authorized Agent: Der Jane Ho

Building Permit Number (if applicable): _____ Apply application fee to this permit (escrow)

Telephone #: 512-3809645 Fax #: _____ E-mail: hoderjane@yahoo.com

Type of Tree: Dak American Elm Location on Lot: SEC

Trunk size at 4 1/2 feet above ground: circumference (inches around) _____ or diameter 30"

General Tree Condition: LOOKS OLD AND DYING ~ 75% canopy

Reason for Request: Demo existit garage and building New

Der Jane Ho
Owner/ Authorized Agent Signature

11/10/10
Date

- Attach an aerial drawing that includes the location of the tree and the proposed development, including driveways, utility lines, irrigation systems, etc. This application is reviewed for tree impact only; not for zoning or other applicable regulations.
- The application may be emailed, faxed, or delivered to the above address. Payment (\$25 check to the City of Austin) must be made prior to City personnel completing this application. No fee is required for dead or diseased trees.

PERMIT DETERMINATION – To be completed by City Arborist Personnel

- Approved *Approved With Conditions Denied Statutory Denial (more information required)

Comments: No 1/2 CRZ impacts (within 15 feet)

*Conditions of Approval: None; As described within Arborist Comments (see above); and

- Applicant agrees to plant _____ caliper inches, container grown, City of Austin Class 1 trees* (i.e. Live Oak, Cedar Elm, Mountain Laurel) on the lot prior to obtaining a Certificate of Occupancy (minimum 2-inch trunk diameter).
- Prior to development, applicant agrees to supply an 8-inch root zone mulch layer and maintain tree protection fencing (chain-link, five-foot in height) throughout the project duration.
- Provide a receipt for remedial tree care and / or any required pruning as performed by a certified arborist.
- No impacts are permitted within the tree 1/2 critical root zone (* ECM 3.5.2), including trenching for utilities.

Owner/ Authorized Agent Signature

Date

[Signature]
City Arborist Signature

11/12/2010
Date

Post this permit on site while any proposed work is in progress.



City of Austin BUILDING PERMIT

PERMIT NO: 2010-097059-PR
3901 BECKER AVE

Type: RESIDENTIAL
Issue Date:

Status: Expired
EXPIRY DATE: 05/09/2011

| | | |
|--|----------------------|---------------|
| LEGAL DESCRIPTION Lot: 1 Block: 2 Subdivision: COUNTRY CLUB HEIGHTS RESUB OF BLOCK 7 PLAINVIEW HEIGHTS | SITE APPROVAL | ZONING |
|--|----------------------|---------------|

| | | |
|---|--------------------------------|-------------------|
| PROPOSED OCCUPANCY: | WORK PERMITTED: Remodel | ISSUED BY: |
| ReTotal demo of existing non complying detached 2 car garage. Total demo required due to safety hazards with the existing garage. Rebuild garage with exact footprint and square footage. | | |

| | | | | | | | |
|-----------------------------|--|----------------------------------|------------------------|-----------------------|-------------------|--------------|------------------------|
| TOTAL SQFT | VALUATION Tot Val Rem: \$11,000.00 | TYPE CONST. | USE CAT. 435 | GROUP | FLOORS | UNITS | # OF PKG SPACES |
| TOTAL BLDG. COVERAGE | % COVERAGE | TOTAL IMPERVIOUS COVERAGE | % COVERAGE | # OF BATHROOMS | METER SIZE | | |

| | | | |
|---|--------------------------------|----------------|--------------|
| Contact Applicant, Derjane Ho | Phone (512) 380-9645 | Contact | Phone |
|---|--------------------------------|----------------|--------------|

| |
|---|
| Inspection Requirements Building Inspection |
|---|

All Buildings, Fences, Landscaping, Patios, Flatwork And Other Uses Or Obstructions Of A Drainage Easement Are Prohibited, Unless Expressly Permitted By A License Agreement Approved By COA Authorizing Use Of The Easement.
City Code Chapter 25-12, Article 13: A permit expires on the 181st day if the project has not scheduled nor received an inspection.
A "Cancelled" and/or "Failed/No Work Performed" inspection result does not extend the expiration date.

The following permits are required as a separate permit: See Mechanical, Electrical, Plumbing permits for Related Fees and Inspections.

Comments

By Accepting Or Paying For This Permit You are Declaring That You Are The Owner Or Authorized By The Owner That The Data Submitted At The Time Of Application Was True Facts And That The Work Will Conform To The Plans And Specification Submitted Herewith.



City of Austin

BUILDING PERMIT

PERMIT NO: 2010-097059-PR
3901 BECKER AVE

Type: RESIDENTIAL Status: Expired
 Issue Date: **EXPIRY DATE: 05/09/2011**

| | | | | | | | | |
|---|--|---------------------------|-------------|---------------------|----------------|---------------|------------|-----------------|
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| TOTAL BLDG. COVERAGE | % COVERAGE | TOTAL IMPERVIOUS COVERAGE | | % COVERAGE | # OF BATHROOMS | | METER SIZE | |

George H. B. Showalter/ Jr. -3901 Becker Avenue

81 7 2 1 C

Plainview Heights

Box garage

27683 - 9/19/45 \$200.00

Owner

G. H. P. Showalter Jr.

3901 Becker St.

81

1

2

Country Club Heights

Frame addition to rear of residence.

56065 2-15-54

\$850.00

Owner

2