

If you need assistance completing this application (general inquires only) please contact Susan Walker, 974-2202; 505 Barton Springs Road, 2<sup>nd</sup> Floor (One Texas Center).

CASE # C15-2012-0133  
ROW # 10841573

**CITY OF AUSTIN**  
**APPLICATION TO BOARD OF ADJUSTMENT**  
**GENERAL VARIANCE/PARKING VARIANCE**

TP-0202070618

**WARNING: Filing of this appeal stops all affected construction activity.**

**PLEASE:  
APPLICATION MUST  
BE TYPED WITH ALL  
REQUESTED  
INFORMATION  
COMPLETED.**

STREET ADDRESS: 1800 HOLLY ST

LEGAL DESCRIPTION: Subdivision - POPE'S RESUBDIVISION

Lot(s) 18 Block 8 Outlot 48  
Division O

I/We PABLO TABOADA on behalf of myself/ourselves as  
authorized agent for

TONY BROWNING affirm that on September 25, 2012

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

(check appropriate items below)

   ERECT    ATTACH    COMPLETE    REMODEL X MAINTAIN

A 28 FEET LONG AND 10'4" WIDE CARPORT BUILT ON THE DRIVEWAY  
OF 1800 HOLLY. THE FOUR 6"X6"EASTERN POSTS SUPPORTING THE  
CARPORT ARE ONLY 28 INCHES FROM THE PROPERTIES EASTERN  
BOUNDARY AND FENCE LINE, INSIDE THE 60" SETBACK REQUIREMENTS.

in a SF3 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

**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 HOUSE AT 1800 HOLLY WAS BUILT IN SUCH A WAY THAT THE DRIVEWAY IS LOCATED IN THE ONLY POSSIBLE LOCATION WITHIN THE FIVE FOOT SETBACK REQUIREMENTS, AND ADJACENT TO THE PROPERTY LINE ON THE EASTERN PORTION OF THE LOT.

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**HARDSHIP:**

2. (a) The hardship for which the variance is requested is unique to the property in that:  
A ROOF COVERING A PORTION THE DRIVEWAY TO PROTECT CARS FROM HAIL DAMAGE IS IN THE ONLY POSSIBLE LOCATION GIVEN THE LOCATION AND PLACEMENT OF THE DRIVEWAY ITSELF. ALLOWING FOR THE USE OF THE 5 FOOT SETBACK ON THE EASTERN PROPERTY LINE WOULD PLACE THE POSTS HOLDING THE CARPORT CLOSER TO THE MIDDLE OF THE DRIVEWAY ITSELF, AND WOULD NOT ALLOW FOR ITS INTENDED USE

- (b) The hardship is not general to the area in which the property is located because:  
MANY HOUSES IN THE NEIGHBORHOOD HAVE BEEN SITUATED IN THEIR LOTS AS TO ALLOW FOR A DRIVEWAY AND STILL HAVE A FIVE FOOT SETBACK FROM ADJACENT PROPERTIES

**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:

ATTACHED PHOTOGRAPHS OF THE CARPORT AT 1800 HOLLY WILL SHOW THAT IT WAS MADE WITH GOOD BUILDING STANDARDS, AND THAT IT DOES NOT APPEAR TO AFFECT THE NEIGHBORING PROPERTY IN ANY ADVERSE WAY. OTHER ATTACHED PHOTOS SHOW THAT MANY HOUSES IN THE SAME STREET, (AT LEAST 12 EXAMPLES WERE FOUND) THAT HAVE A SIMILAR SITUATION WITH THE DRIVEWAY ADJACENT TO THE NEIGHBORING PROPERTY, AND A CARPORT HAVING BEEN BUILT WITHIN THE 5 FOOT SETBACK REQUIREMENTS.

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**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 P. Taboada Mail  
Address 710 LYDIA ST  
City Austin State TX & Zip 78702

Printed PABLO TABOADA Phone 512 619-3315  
Date Sept 25 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 \_\_\_\_\_ Mail Address [SEE ATTACHED LETTER]

City, State & Zip \_\_\_\_\_

Printed \_\_\_\_\_ Phone \_\_\_\_\_ Date \_\_\_\_\_

EMAIL → P. TABOADA C @ YAHOO . COM

### GENERAL INFORMATION FOR SUBMITTAL OF A VARIANCE REQUEST TO THE BOARD OF ADJUSTMENT

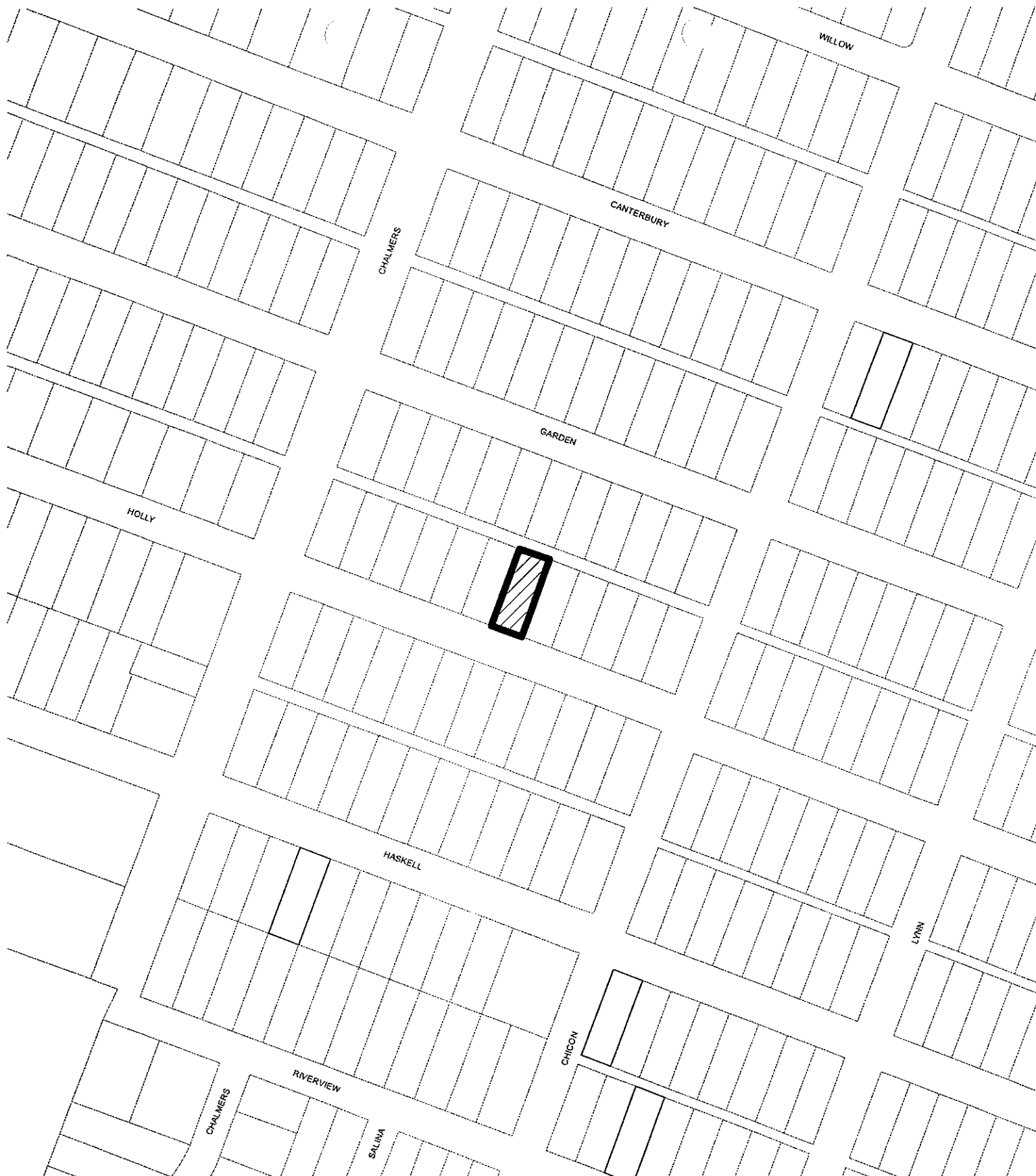
(The following is intended to provide assistance in explaining the variance process. These suggestions are not intended to be a complete or exhaustive guide in assisting you through this process.)



#### VARIANCE REQUIREMENTS:

##### General Requirements:

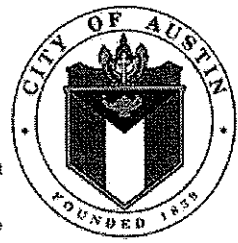
- A. A variance may be granted if, because of special circumstances of a property, the strict application of the Land Development Code regulations deprives the property owner of privileges that are enjoyed by another person who owns property in the area that has the same zoning designation as the property 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.)



-  SUBJECT TRACT
-  ZONING BOUNDARY

CASE#: C15-2012-0133  
LOCATION: 1800 Holly Street



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.



1800 Holly St.  
Case # 2012 090346

September 11, 2012  
Investigator: E. Hinojosa



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1800 Holly St.  
Case # 2012 090346

September 11, 2012  
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Tony Browning

3616 Far West Blvd. 117-182

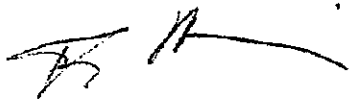
Austin, TX 78731

September 21, 2012

To whom it may concern,

Please allow Pablo Taboada to act as my agent to pull a permit or any other activity concerning the property at 1800 Holly St., Austin, TX. 78702.

Regards,

A handwritten signature in black ink, appearing to be 'TB' followed by a long horizontal stroke.

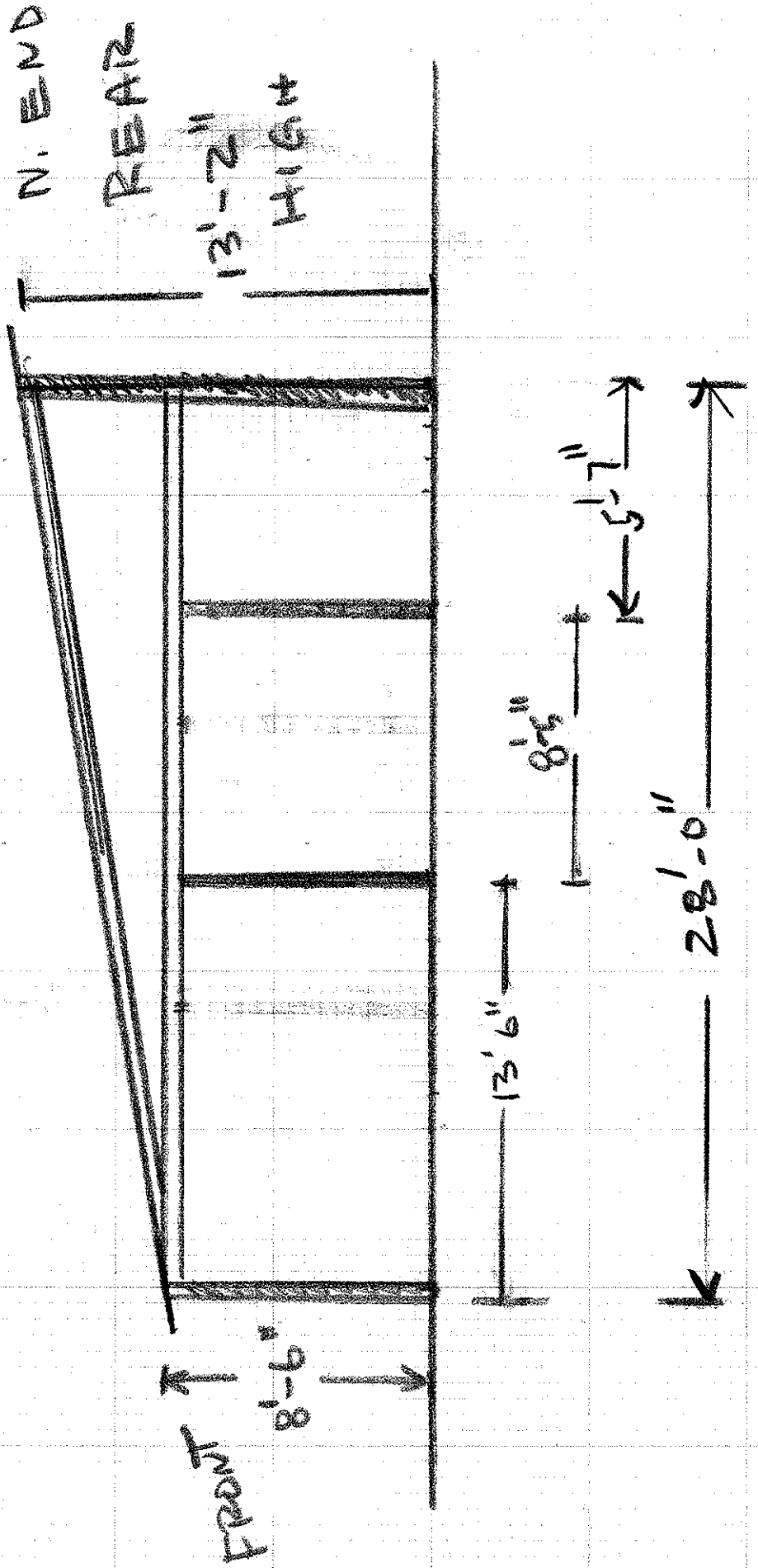
Tony Browning

Owner

1-512-853-9885

1800 HOLLY CARPORT

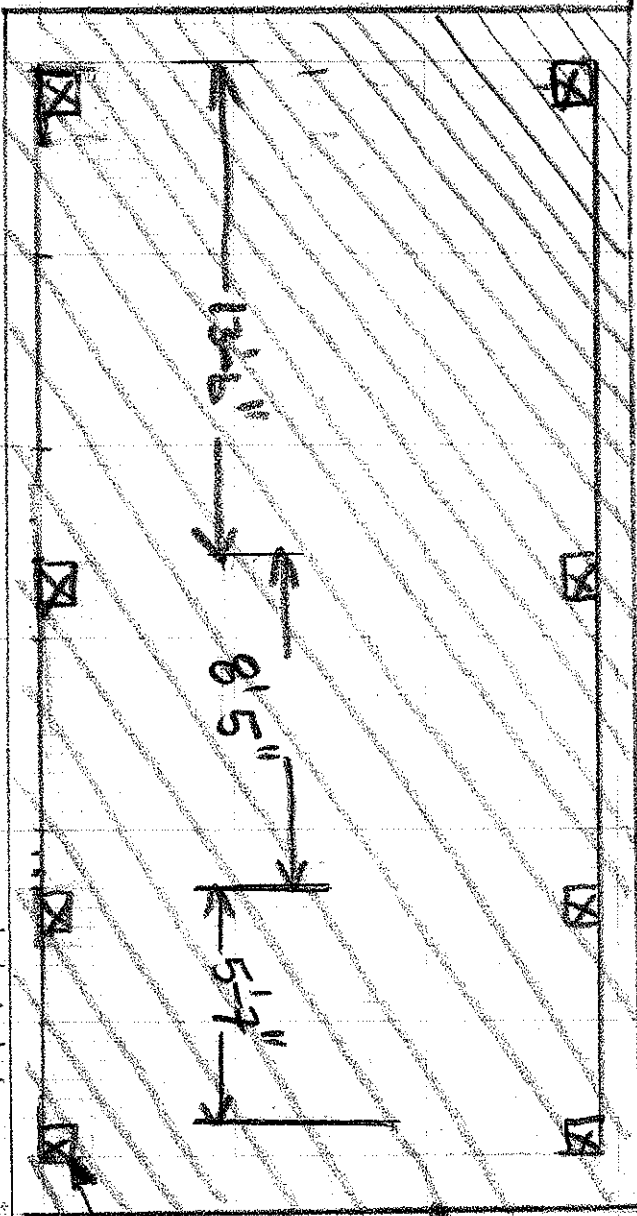
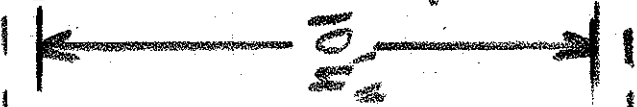
SIDE VIEW  
ELEVATION



CHARPOT 1800 HOLLY



GRAVEL



METAL  
ROOF

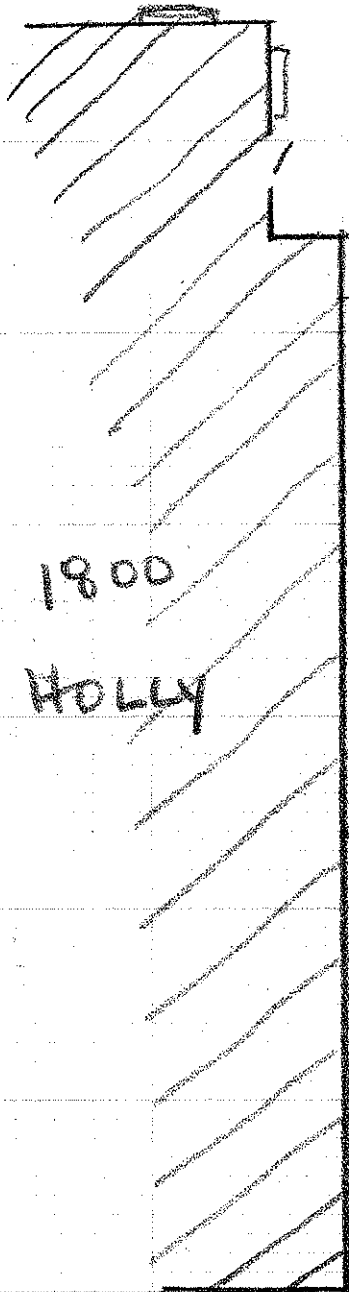
6" X 6" CEDAR  
POSTS

3'-4"

FENCE LINE

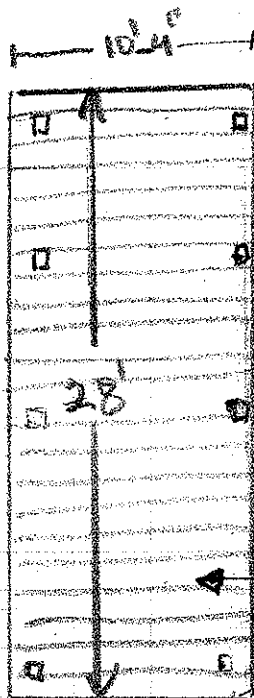


PROPERTY  
LINE



1800

HOLLY

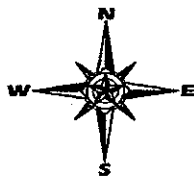


SPACE BETWEEN  
FENCE & POSTS  
= 2' 4"

CARPORT  
28' LONG  
10'4" WIDE

GRAVEL  
DRIVE

15'-7"

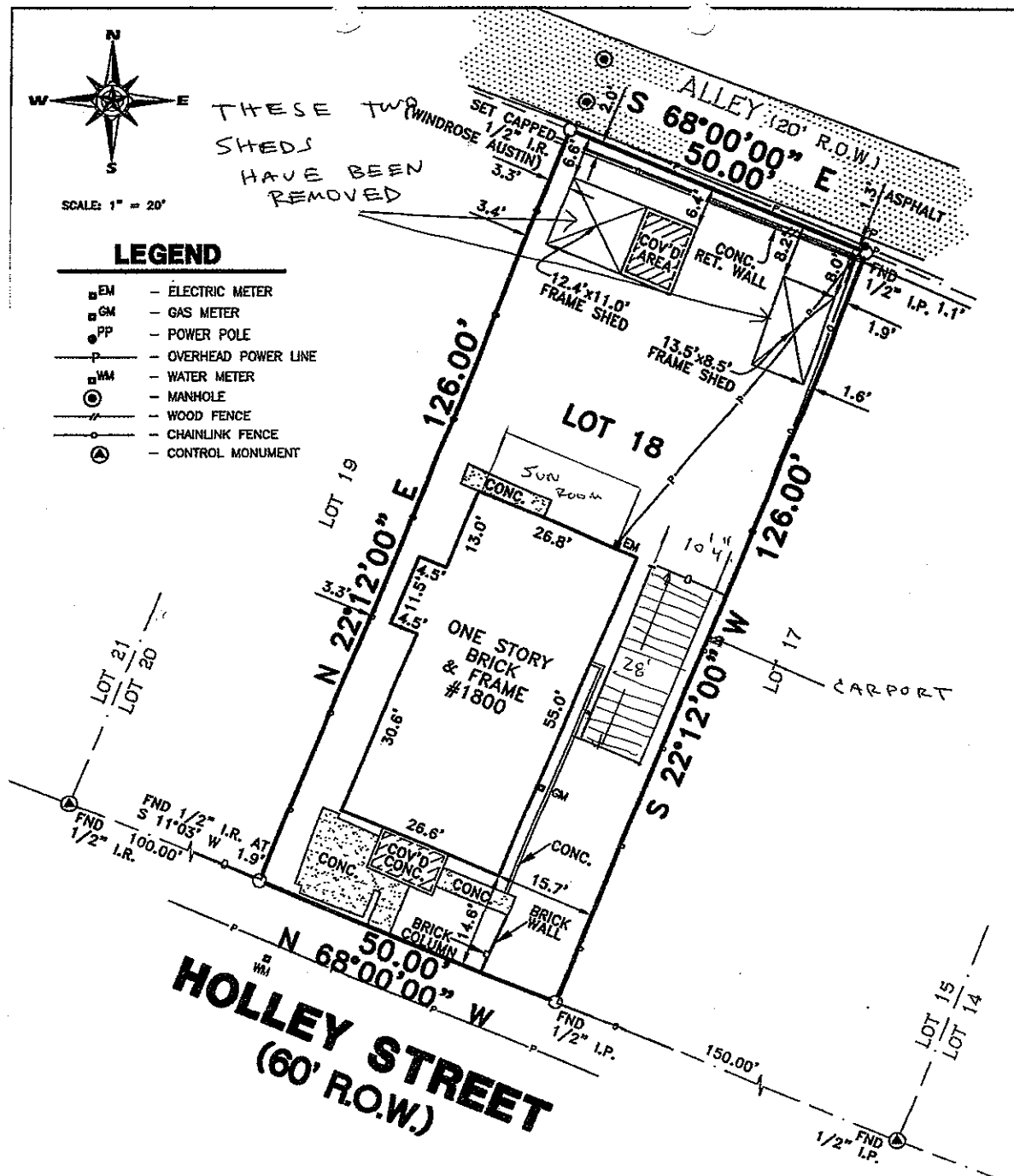


SCALE: 1" = 20'

### LEGEND

- EM - ELECTRIC METER
- GM - GAS METER
- PP - POWER POLE
- P - OVERHEAD POWER LINE
- WM - WATER METER
- - MANHOLE
- - WOOD FENCE
- - CHAINLINK FENCE
- ⊙ - CONTROL MONUMENT

THESE TWO  
SHEDS  
HAVE BEEN  
REMOVED



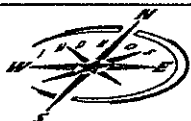
ALL BEARINGS ARE BASED ON THE RECORDED PLAT UNLESS OTHERWISE NOTED. ALL EASEMENTS AND BUILDING LINES ARE BASED ON THE RECORDED PLAT, UNLESS OTHERWISE NOTED. SURVEYOR DID NOT ABSTRACT SUBJECT PROPERTY. THIS SURVEY HAS BEEN COMPILED IN ACCORDANCE WITH INFORMATION CONTAINED IN THE TITLE COMMITMENT REFERENCED IN GF NO. CTA-03-CTA1100148750

#### SURVEY OF

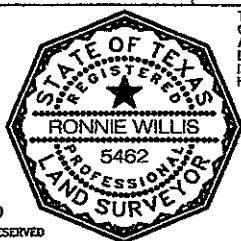
LOT 18, POPE'S RESUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT RECORDED IN VOL. 3, PG. 57, PLAT RECORDS OF TRAVIS COUNTY, TEXAS.

THIS TRACT IS LOCATED WITHIN FLOOD ZONE "X(SHADED)" ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY PANEL NO. 480624 0465 H, REVISED SEPTEMBER 26, 2008. FLOOD ZONE DETERMINED BY GRAPHIC PLOTTING ONLY. WE DO NOT ASSUME RESPONSIBILITY FOR EXACT DETERMINATION.

PURCHASER	TONY BROWNING	LENDER CO.	—
ADDRESS	1800 HOLLEY STREET, AUSTIN, TEXAS 78702	TITLE CO.	CHICAGO TITLE INSURANCE COMPANY



Windrose Land Services, Austin  
4120 Commercial Center Dr.  
Suite 300  
Austin, Texas 78744  
TEL. (512) 326-2100 FAX (512) 326-2770



THE UNDERSIGNED DOES HEREBY CERTIFY THAT A SURVEY WAS THIS DAY MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON AND IS ACCURATE TO THE BEST OF MY ABILITIES AND THAT THERE ARE NO BOUNDARY LINE CONFLICTS, ENCROACHMENTS, SHORTAGES IN AREA, OVERLAPPING OF IMPROVEMENTS, VISIBLE UTILITY LINES, OR ROADS IN PLACE, EXCEPT AS SHOWN HEREON, AND SAID PROPERTY ABUTS A DEDICATED ROADWAY.

*R. Willis*

10/24/11

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FIELD WORK	10/24/11	NG	DRAFTED BY	10/24/11	JP	CHECKED BY	10/24/11	RW
REVISION	10/26/11	MT	IMPROVEMENTS			MAPSCO PAGE		JOB NO.
REVISION	—	—	—			615 G		25208





CARPORT AT 1800 HOLLY



NEIGHBORHOOD HOUSE ON HOLLY ST. SHOWING CARPORT USE WITHIN THE 5 FOOT SETBACK REQUIREMENTS. (PLANTED AREA TO THE LEFT IS THE FENCE LINE)



HOUSE ON HOLLY STREET SHOWING A CARPORT BUILT ADJACENT TO THE PROPERTY LINE  
WITHIN THE 5 FOOT SETBACK.



PHOTO SHOWING TWO HOUSES ON HOLLY STREET WITH  
CARPORTS BUILT ADJACENT TO THE PROPERTY LINE