

CITY OF AUSTIN
APPLICATION TO BOARD OF ADJUSTMENT

C15-2012-0132
ROW-10841506
TP-0204130619

STREET ADDRESS: 2814 Gonzales St, Austin, Tx 78702

Revised

LEGAL DESCRIPTION: Subdivision: Chernosky Subd No 11
Lot: 4 Block: 1

I, on behalf of myself as authorized agent affirm that on September, 25, 2012, hereby apply for a hearing before the Board of Adjustment for consideration of a special exception (ordinance # 20110526-098) to

ERECT ATTACH COMPLETE REMODEL Maintain

an encroachment into a side yard setback (2 areas) in a SF-3-NP zoning district.

VARIANCE FINDINGS: I contend that my entitlement to the requested variance is based on the following findings:

REASONABLE USE:

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

-A was permit issued for the detached garage in 2003. The permit was finalized and everything was found to be in compliance by the City of Austin. Upon purchase of the home in 2012, a survey found the detached garage to be 0.2 feet into the setback.

HARDSHIP:

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

-The building has already been there since 2003 and has already been permitted and approved by the City of Austin. This became an inherited issue when the home was purchased in 2012.

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

-No one in the neighborhood has complained. The detached garage is only inches into the setback. The City of Austin has already permitted and approved the existing structure in 2003.

AREA CHARACTER:

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 existing main house structure has been there for over 15 years. The previous owner had initially passed the first two inspections on the addition, but did not finalize out the permit, thus letting them expire. No one in the neighborhood has complained. The side yard setback is 4.3 ft, inches less than 5 ft (See site plan). A recent life safety inspection was completed and passed (see attached).

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 _____

Mail Address _____

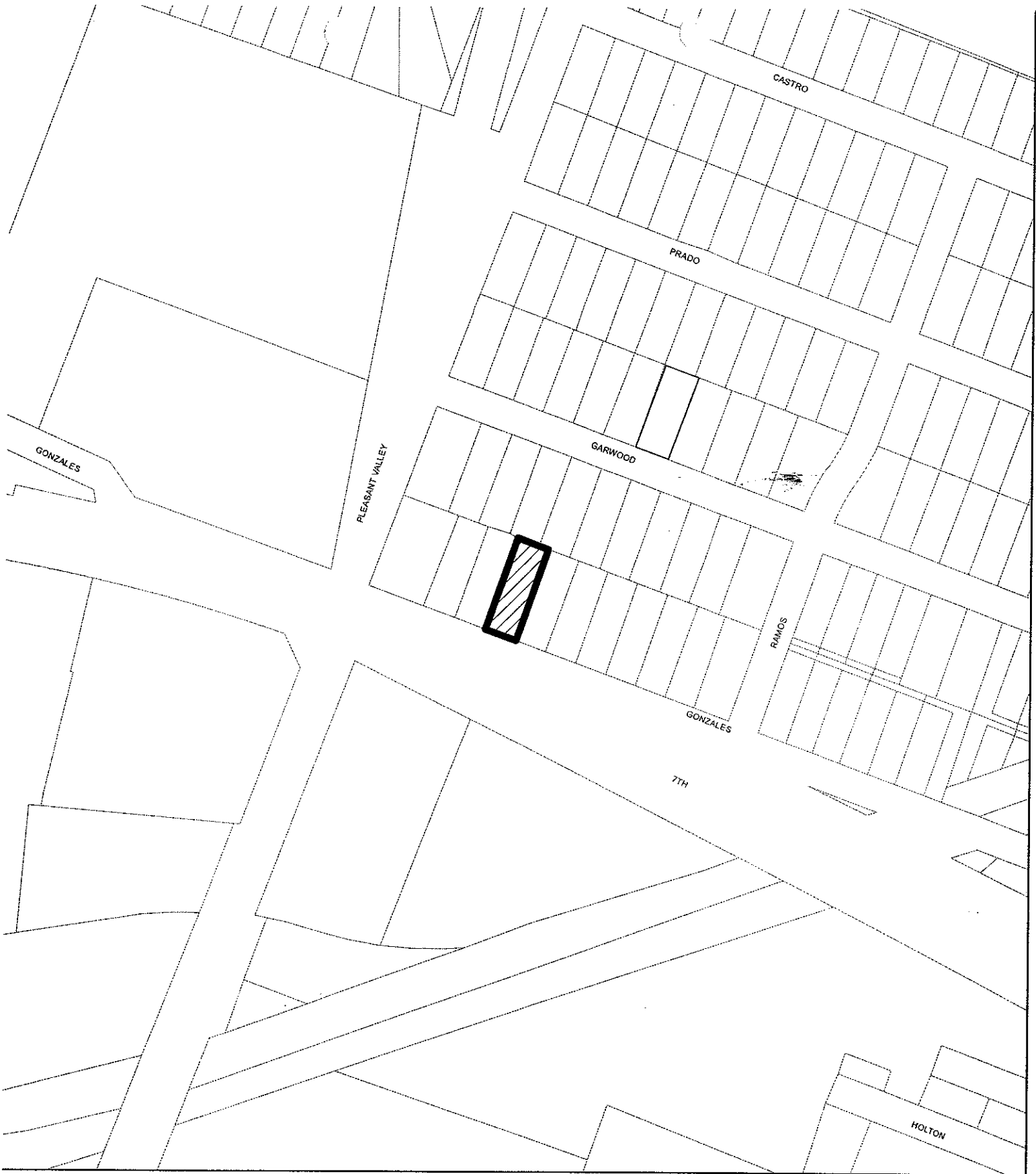
Printed _____ Phone _____ Date _____

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 _____

Mail Address _____

Printed _____ Phone _____ Date _____



N

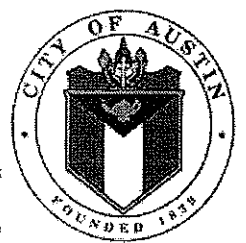


SUBJECT TRACT



ZONING BOUNDARY

CASE#: C15-2012-0132
LOCATION: 2814 Gonzales 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.



City of Austin BUILDING PERMIT

PERMIT NO: 2003-019741-BP
2814 GONZALES ST

Type: RESIDENTIAL Status: **Final**
Issue Date: 12/01/2003 **EXPIRY DATE: 01/21/2004**

LEGAL DESCRIPTION Lot: Block: 1 Subdivision: CHERNOSKY SUBD NO 11						SITE APPROVAL		ZONING	
PROPOSED OCCUPANCY: Detached Garage To Existing Sf Residence		WORK PERMITTED: New				ISSUED BY: Diana Cortinas			
TOTAL SQFT		VALUATION Tot Val Rem: \$0.00 Tot Job Val: \$3,500.00		TYPE CONST.	USE CAT. 438	GROUP	FLOORS	UNITS	# OF PKG SPACES
TOTAL BLDG. COVERAGE		% COVERAGE	TOTAL IMPERVIOUS COVERAGE		% COVERAGE	# OF BATHROOMS		METER SIZE	

Contact	Phone	Contact	Phone
General Contractor, Rocky Ramirez(Owner)	0 -		

<u>Fee Desc</u>	<u>Amount</u>	<u>Date</u>	<u>Fee Desc</u>	<u>Amount</u>	<u>Date</u>	<u>Fee Desc</u>	<u>Amount</u>	<u>Date</u>
Building Permit Fee	33.00	12/1/2003	Electrical Permit Fee	34.00	1/15/2004			
Fees Total:	67.00							

Inspection Requirements	
Building Inspection	Electric 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		
Residential Zoning Review	Date 12/01/2003	Reviewer Sylvia Benavidez

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: 2003-019741-BP

Type: RESIDENTIAL

Status: Final

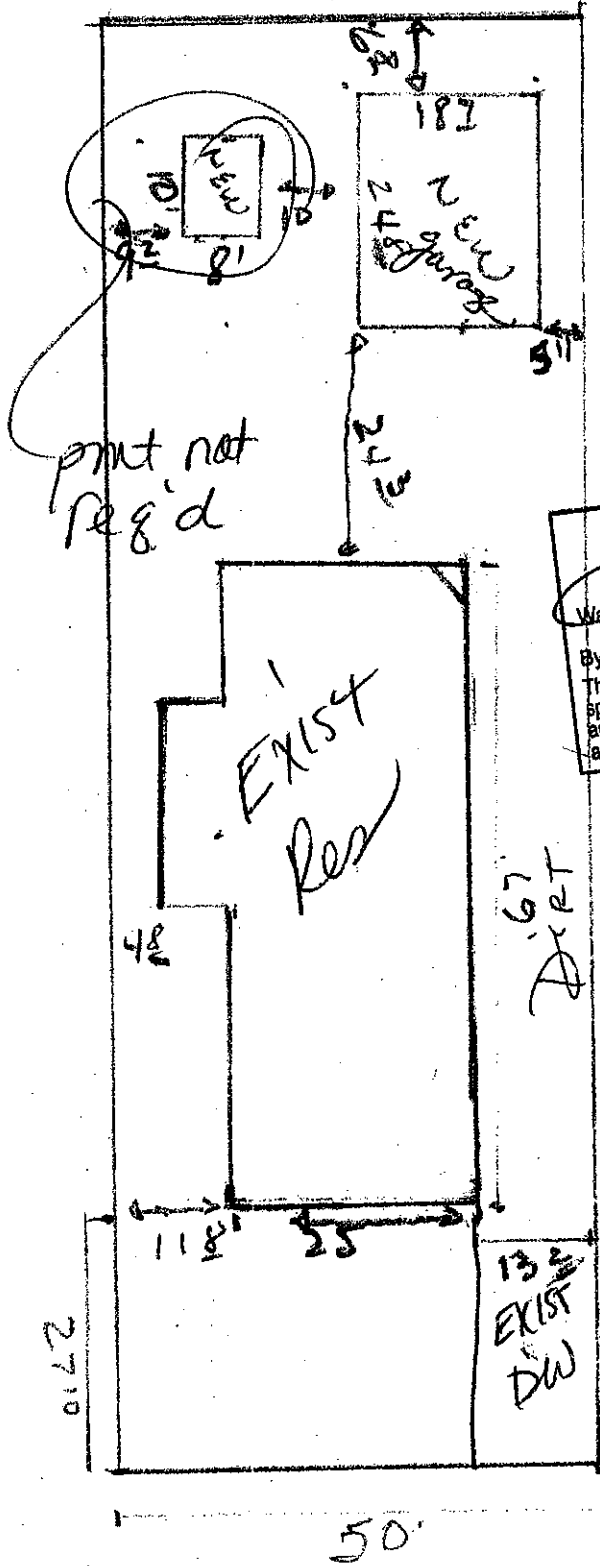
2814 GONZALES ST

Issue Date: 12/01/2003

EXPIRY DATE: 01/21/2004

LEGAL DESCRIPTION Lot: Block: 1 Subdivision: CHERNOSKY SUBD NO 11						SITE APPROVAL		ZONING	
PROPOSED OCCUPANCY: Detached Garage To Existing Sf Residence		WORK PERMITTED: New				ISSUED BY: Diana Cortinas			
TOTAL SQFT		VALUATION Tot Val Rem: \$00 Tot Job Val: \$3,500.00		TYPE CONST.	USE CAT. 438	GROUP	FLOORS	UNITS	# OF PKG SPACES
TOTAL BLDG. COVERAGE		% COVERAGE	TOTAL IMPERVIOUS COVERAGE		% COVERAGE	# OF BATHROOMS		METER SIZE	

<u>Type</u>	<u>Date</u>	<u>Status</u>	<u>Comments</u>	<u>Inspector</u>
101 Building Layout	12/8/2003	Pass	MIGRATED FROM PIER.	Michael Husted
103 Framing	1/20/2004	Pass	MIGRATED FROM PIER.	Michael Husted
112 Final Building	1/21/2004	Pass	MIGRATED FROM PIER.	Michael Husted
609 Fire		Open		Jessie Scott



NO ROOF OVERHANGS ARE ALLOWED IN
PUBLIC UTILITY EASEMENTS OR
DRAINAGE EASEMENTS

BP-03-9282 RA
2003-019741-BP

CITY OF AUSTIN
APPROVED FOR PERMIT
Joseph G. Pantalon, P.E.
Water Resources & Development Review Department
By *[Signature]* Date 12/1/03
The granting of a permit for, or approval of, these plans and specifications shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of the current adopted building code or any other ordinance of the City of Austin.

The dripline of protected trees (19" dia. or greater measured at 4.5' above grade), must be enclosed with protective fencing before and throughout construction. No tree measuring 19" in diameter (or greater) may be removed without a TREE ORDINANCE REVIEW from the City of Austin. Call the Development Assistance Center for review: 974-6370.

2814 GONZALES ST.



City of Austin BUILDING PERMIT

PERMIT NO: 2012-086039-BP
2814 GONZALES ST

Type: RESIDENTIAL Status: Active
Issue Date: 08/27/2012 **EXPIRY DATE: 03/11/2013**

LEGAL DESCRIPTION Lot: Block: 1 Subdivision: CHERNOSKY SUBD NO 11						SITE APPROVAL		ZONING	
PROPOSED OCCUPANCY:		WORK PERMITTED: Life Safety				ISSUED BY: Glenda Wilsford			
<p>+++2011-0526-098 SPECIAL EXCEPTIONS++++ LIFESAFETY: reactivate expired permits BP#1982-009605, 1984-007198, 1987-009655, 1991-012519, 1992-005188: to add a bedroom, washroom, bathroom, and 2nd floor.</p> <p>APPROVAL OF THIS PERMIT DOES NOT CONSTITUTE APPROVAL OF THE SETBACKS, TWO-FAMILY USE, OR PARKING. THIS LIFE-SAFETY INSPECTION IS REQUIRED PRIOR TO THE BOA AMNESTY VARIANCE MEETING AS A CONDITION OF THE SPECIAL EXCEPTION ORDINANCE 2011-0526-098, CITY CODE SECTION 25-1-212</p>									
TOTAL SQFT New/Addn: 600		VALUATION Tot Val Rem: \$.00 Tot Job Val: \$.00		TYPE CONST.	USE CAT. 435	GROUP	FLOORS 2	UNITS 1	# OF PKG SPACES
TOTAL BLDG. COVERAGE		% COVERAGE	TOTAL IMPERVIOUS COVERAGE		% COVERAGE		# OF BATHROOMS	METER SIZE	

Contact		Phone		Contact		Phone	
Applicant, Elaine Davis		(512) 299-1048		Owner, Elaine Davis		(512) 299-1048	
General Contractor, Elaine Davis		(512) 299-1048					

<u>Fee Desc</u>	<u>Amount</u>	<u>Date</u>	<u>Fee Desc</u>	<u>Amount</u>	<u>Date</u>	<u>Fee Desc</u>	<u>Amount</u>	<u>Date</u>
Building Permit Fee	29.00	8/27/2012	Development Services Surcha	1.16	8/27/2012			
Fees Total:	30.16							

Inspection Requirements
Building Inspection

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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
Approval of this permit DOES NOT constitute approval of the setbacks, two-family use, or parking. This Life-Safety inspection is required prior to the BOA amnesty variance meeting as a condition of the special exception ordinance 2011-0526-098, City Code Section 25-1-212.

	Date	Reviewer
Residential Zoning Review	08/24/2012	Edward Vigil

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City of Austin BUILDING PERMIT

PERMIT NO: 1982-009605-BP
2814 GONZALES ST

Type: RESIDENTIAL Status: VOID
Issue Date: 02/10/1982 **EXPIRY DATE: 11/20/1983**

LEGAL DESCRIPTION Lot: Block: 1 Subdivision: CHERNOSKY SUBD NO 11						SITE APPROVAL		ZONING	
PROPOSED OCCUPANCY:		WORK PERMITTED: Addition				ISSUED BY:			
Addn To Res To Create Bedrooms (See 2012086039)									
TOTAL SQFT		VALUATION		TYPE CONST.	USE CAT.	GROUP	FLOORS	UNITS	# OF PKG SPACES
		Tot Val Rem: \$0.00			434			1	
		Tot Job Val: \$3,000.00							
TOTAL BLDG. COVERAGE		% COVERAGE		TOTAL IMPERVIOUS COVERAGE		% COVERAGE		# OF BATHROOMS	METER SIZE

<u>Fee Desc</u>	<u>Amount</u>	<u>Date</u>	<u>Fee Desc</u>	<u>Amount</u>	<u>Date</u>	<u>Fee Desc</u>	<u>Amount</u>	<u>Date</u>
Building Permit Fee	39.00	2/10/1982	Electrical Permit Fee	26.00	5/10/1983			
<u>Fees Total:</u>	<u>65.00</u>							

Inspection Requirements

Building Inspection Mechanical Inspection Plumbing Inspection

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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

Plans And Eco Ok By Dulce Smoke Detector Req

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City of Austin BUILDING PERMIT

PERMIT NO: 1984-007198-BP

Type: RESIDENTIAL Status: VOID

2814 GONZALES ST

Issue Date: 08/03/1984 **EXPIRY DATE: 01/22/1986**

LEGAL DESCRIPTION Lot: Block: 1 Subdivision: CHERNOSKY SUBD NO 11						SITE APPROVAL		ZONING	
PROPOSED OCCUPANCY:		WORK PERMITTED: Addition				ISSUED BY:			
Addition To Ext Res To Create Bedrm (See 2012086039)									
TOTAL SQFT		VALUATION		TYPE CONST.	USE CAT.	GROUP	FLOORS	UNITS	# OF PKG SPACES
		Tot Val Rem: \$0.00			434			1	
		Tot Job Val: \$3,000.00							
TOTAL BLDG. COVERAGE		% COVERAGE		TOTAL IMPERVIOUS COVERAGE		% COVERAGE		# OF BATHROOMS	METER SIZE

Fee Desc	Amount	Date	Fee Desc	Amount	Date	Fee Desc	Amount	Date
Building Permit Fee	25.00	8/3/1984	Electrical Permit Fee	25.00	3/20/1985			
Fees Total:	50.00							

Inspection Requirements

Building Inspection Mechanical Inspection

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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

Smoke Detector Req Mi Floor Elevation 460.8*** Set N/L Over Deb

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: 1987-009655-BP
2814 GONZALES ST

Type: RESIDENTIAL Status: VOID
Issue Date: 09/09/1987 **EXPIRY DATE: 03/28/1988**

LEGAL DESCRIPTION Lot: Block: 1 Subdivision: CHERNOSKY SUBD NO 11						SITE APPROVAL		ZONING	
PROPOSED OCCUPANCY:		WORK PERMITTED: Addition				ISSUED BY:			
Addn To Exist Res For Bdrm/Washrm/Bath (See 2012086039)									
TOTAL SQFT		VALUATION		TYPE CONST.	USE CAT.	GROUP	FLOORS	UNITS	# OF PKG SPACES
		Tot Val Rem: \$0.00			434		2	1	
		Tot Job Val: \$5,000.00							
TOTAL BLDG. COVERAGE		% COVERAGE	TOTAL IMPERVIOUS COVERAGE		% COVERAGE		# OF BATHROOMS		METER SIZE

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<u>Fee Desc</u>	<u>Amount</u>	<u>Date</u>	<u>Fee Desc</u>	<u>Amount</u>	<u>Date</u>	<u>Fee Desc</u>	<u>Amount</u>	<u>Date</u>
Building Permit Fee	78.00	9/9/1987	Plumbing Permit Fee	37.00	9/9/1987			
Fees Total:	115.00							

Inspection Requirements		
Building Inspection	Mechanical Inspection	Plumbing Inspection

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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 Smoke Detector Required In Existing Residence. Dormant 1-12-90 Per #510***

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City of Austin BUILDING PERMIT

PERMIT NO: 1991-012519-BP
2814 GONZALES ST

Type: RESIDENTIAL Status: VOID
Issue Date: 03/06/1991 **EXPIRY DATE: 08/03/1992**

LEGAL DESCRIPTION Lot: Block: 1 Subdivision: CHERNOSKY SUBD NO 11	SITE APPROVAL	ZONING
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PROPOSED OCCUPANCY: Add 2nd Floor Gameroom Residence (See 2012086039)	WORK PERMITTED: Addition	ISSUED BY:
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TOTAL SQFT	VALUATION Tot Val Rem: \$0.00 Tot Job Val: \$850.00	TYPE CONST.	USE CAT. 434	GROUP	FLOORS	UNITS 1	# OF PKG SPACES
TOTAL BLDG. COVERAGE	% COVERAGE	TOTAL IMPERVIOUS COVERAGE	% COVERAGE	# OF BATHROOMS	METER SIZE		

<u>Fee Desc</u>	<u>Amount</u>	<u>Date</u>	<u>Fee Desc</u>	<u>Amount</u>	<u>Date</u>	<u>Fee Desc</u>	<u>Amount</u>	<u>Date</u>
Building Permit Fee	31.00	3/6/1991						
<u>Fees Total:</u>	<u>31.00</u>							

Inspection Requirements

Building Inspection Mechanical Inspection

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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

Dormant 2-6-92 Per Contr. New Fee Adjustment***

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: 1992-005188-BP
2814 GONZALES ST

Type: RESIDENTIAL Status: VOID
Issue Date: 02/06/1992 **EXPIRY DATE: 09/16/1992**

LEGAL DESCRIPTION Lot: Block: 1 Subdivision: CHERNOSKY SUBD NO 11	SITE APPROVAL	ZONING
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PROPOSED OCCUPANCY:	WORK PERMITTED: Addition	ISSUED BY:
Add Bedroom, Washroom, Bathroom & 2nd Floor**** (See 2012086039)		

TOTAL SQFT	VALUATION Tot Val Rem: \$0.00 Tot Job Val: \$10,000.00	TYPE CONST.	USE CAT. 434	GROUP	FLOORS	UNITS 1	# OF PKG SPACES
TOTAL BLDG. COVERAGE	% COVERAGE	TOTAL IMPERVIOUS COVERAGE	% COVERAGE	# OF BATHROOMS	METER SIZE		

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Fee Desc	Amount	Date	Fee Desc	Amount	Date	Fee Desc	Amount	Date
Building Permit Fee	71.00	2/6/1992	Electrical Permit Fee	26.00	2/12/1992	Plumbing Permit Fee	50.00	2/12/1992
Fees Total:	147.00							

Inspection Requirements			
Building Inspection	Mechanical Inspection	Plumbing Inspection	Sewer Tap Inspection
Water Tap Inspection			

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Comments Gameroom.Refer To Original Permits #8715102 And #9102406***
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SPECIAL EXCEPTION INSPECTION



Address:	2814 Gonzales St.
Permit Number:	2012-078942
Property Owner Requesting Special Exception:	Ms. Elaine Davis

<p><u>Special Exception Requested:</u></p> <p>For an encroachment of .7' into the west side yard setback for the length of 20.9' of the primary structure And for an encroachment of .2' of a detached garage into the east side yard setback for a length of 24.9'</p>
<p>Date Structure was originally constructed: original construction date unknown, water tap inspection occurred in 1946, first remodel building permit creating a CO occurred in 1975</p>

Date of Inspection:	September 12, 2012
Building Official or designated representative	Tony Hernandez
X	The granting of the variances requested will <u>Not</u> result in any hazard to the life, health or public safety for either the property for which the variance is requested or to an adjoining public or private property
	The granting of the variances request will result in a hazard to the life, health or public safety of the either the property for which the variance is requested or to an adjoining public or private property. The following hazards related to the variance request were noted in this inspection: <ol style="list-style-type: none"> 1. 2. 3. 4.