

Tax Parcel
0209092501

CASE # C15-2012-0139
ROW-10856742
TP-0209092501

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: 1307 Alamo Street

LEGAL DESCRIPTION: Subdivision -

Lot(s) Block Outlot Division

I/ Jim Bennett as authorized agent for Ira & Amy Knox

affirm that on 10/10/12, hereby apply for a hearing before the Board of

Adjustment for consideration to:

ERECT - ATTACH - COMPLETE - REMODEL - MAINTAIN

A single family dwelling providing a total lot area of 2367 sq. ft. (small lot amnesty requires 2500 sq. ft.)

in a SF-3 NP zoning district

Chestnut N.P.

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:

This lot was created in 1959 and is considered a grandfather tract. See attached Land Status Determination.

HARDSHIP:

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

This lot is a separate tract and without a variance nothing can be built on this tract. This is a minimal 133 sq. ft. departure from the requirement.

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

This neighborhood plan allows for small lot amnesty and other lots are existing as small lot, are already developed

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 area character will not change as a result of this variance, because the proposed residence will comply with the remaining ordinance requirements, and the minimal departure most likely would not be noticeable. The majority of the neighbors and the association support the variance request.

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.

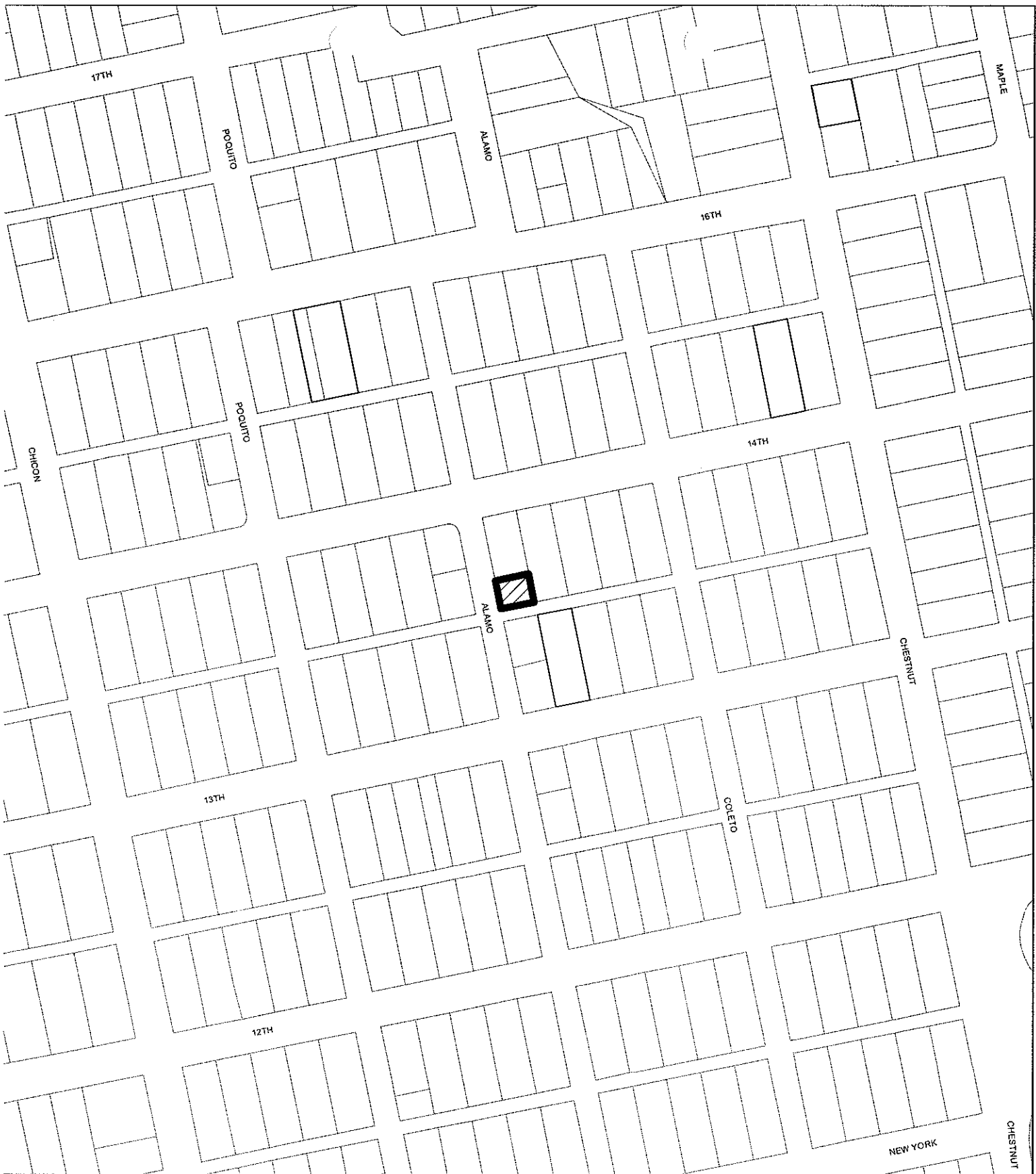
Signed Jim Bennett Mail Address 11505 Ridge Dr
City, State & Zip Austin, TX 78748

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

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 Amy Knox Mail Address _____
City, State & Zip 2205 E 13th St Austin, TX 78704

Printed IRA & Amy Knox Phone _____ Date _____



SUBJECT TRACT



ZONING BOUNDARY

CASE#: C15-2012-0139
 LOCATION: 1307 Alamo 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
Development Review and Inspection Department

LAND STATUS DETERMINATION
1987 RULE PLATTING EXCEPTION

04/15/2002

File Number: C8I-02-0103

Address: 1307 ALAMO ST

Tax Parcel ID: 0209092501

Map Date: 01/25/1999

The Development Review and Inspection Department has determined that this parcel, as described in the attached description and map, **IS EXCEPTED FROM THE REQUIREMENT TO PLAT** in accordance with the Land Development Code, Section 25-4-2(C), and is eligible to receive utility service.

The parcel of land consists of five acres or less, and is described as being the south 44 feet of Lot 10, Block 6, Outlot 34, Division "B" in the current deed, recorded on 03/11/2002, in Document #2002045918, Travis County Deed Records. This parcel existed in its current configuration on August 31, 1987, as evidenced by a deed recorded on 02/09/1959, in Volume 2007, Page 146, Travis County Deed Records. The parcel was lawfully receiving utility service, as defined in Section 212.012 of the Texas Local Government Code, on August 31, 1987, as evidenced by electric service on 09/03/1980. The parcel meets the requirements of the Land Development Code for roadway frontage and is located on an existing street.

Additional Notes/Conditions:

The current recorded deed says as described in volume 2007 Page 146, but in that deed it described it as the south 54 feet of Lot 10.

This determination of the status of the property is based on the application of Chapter 212, Municipal Regulation of Subdivisions and Property Development, Texas Local Government Code; and the City of Austin Land Development Code, Chapter 25-4, Subdivision. Recognition hereby does not imply approval of any other portion of the City Code or any other regulation.

By: 

HECTOR AVILA

Director (or representative)

Development Review and Inspection Department

OWNERS

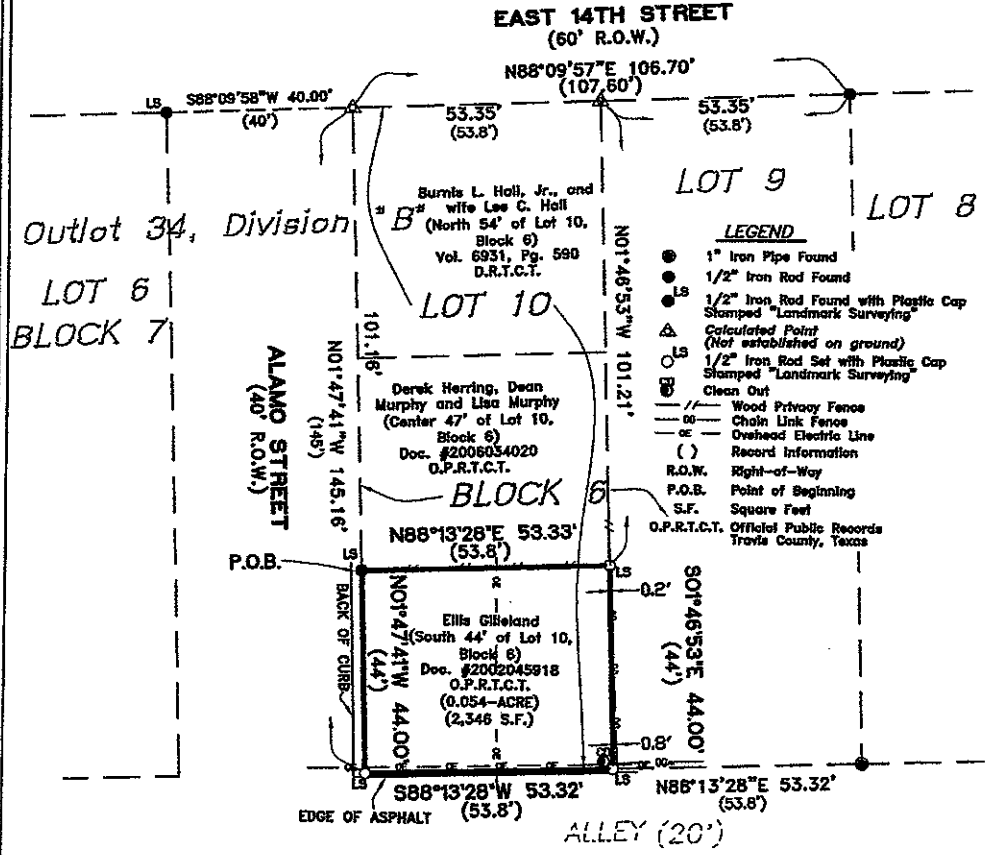
IRA JOY + AMY ELIZABE + KNOX

LAND TITLE SURVEY

Address 1307 ALAMO STREET, Reference Jake & Gary Gilleland
South 44' of Lot 10, Block 6, Outlot 34, Division "B"
 a Subdivision in Austin, Travis County, Texas of record in
 Book 1 Page 42 of the Plat Records of Travis County, Texas



SCALE 1"=30'



BEARING BASIS NOTE
Assumed Bearing Basis.

BUILDING LINE NOTE:
Building lines may affect this lot that are not shown hereon.

A TITLE COMMITMENT WAS NOT AVAILABLE AT THE TIME OF THIS SURVEY, THEREFORE EASEMENTS MAY AFFECT THIS TRACT WHICH ARE NOT SHOWN HEREON.

The property described hereon is contained within Flood Zone X as identified on F.I.R.M. Map No. 48453C0165 E, dated JUNE 16, 1993 as published by the Federal Emergency Management Agency, the purpose of which is for flood insurance only.

I HEREBY CERTIFY that a survey was made on the ground of the property shown hereon; that there are no visible discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, easements or right-of-way, except as shown; that said property has access to and from a public roadway; and that this plat is an accurate representation of the property to the best of my knowledge.

AS SURVEYED BY:
LANDMARK SURVEYING, LP

Dana A. Markus-Wolf

DANA A. MARKUS-WOLF
Registered Professional Land Surveyor No. 4996
Date: January 8, 2007

THIS SURVEY PLAT IS VALID ONLY IF IT BEARS THE ORIGINAL SIGNATURE OF THE ABOVE SURVEYOR.

Client: Austin Habitat for Humanity, Inc.
 Office: SRL
 Crew: Dunn
 F.S.: 981/24-26
 Job No.: 654-3-03
 Disk: T:\gilleland\Outlot 34 div B\title\LOT 10 BLK6



Landmark SURVEYING, LP
 1301 S. CAPITAL OF TEXAS HWY.
 BUILDING B, SUITE 315
 AUSTIN, TEXAS 78746
 PH: (512)328-7411 FAX: (512)328-7413

CURRENT OWNERS - IRA KNOX & AMY ELIZABETH KNOX

Scale 10' = 1"

14 STREET

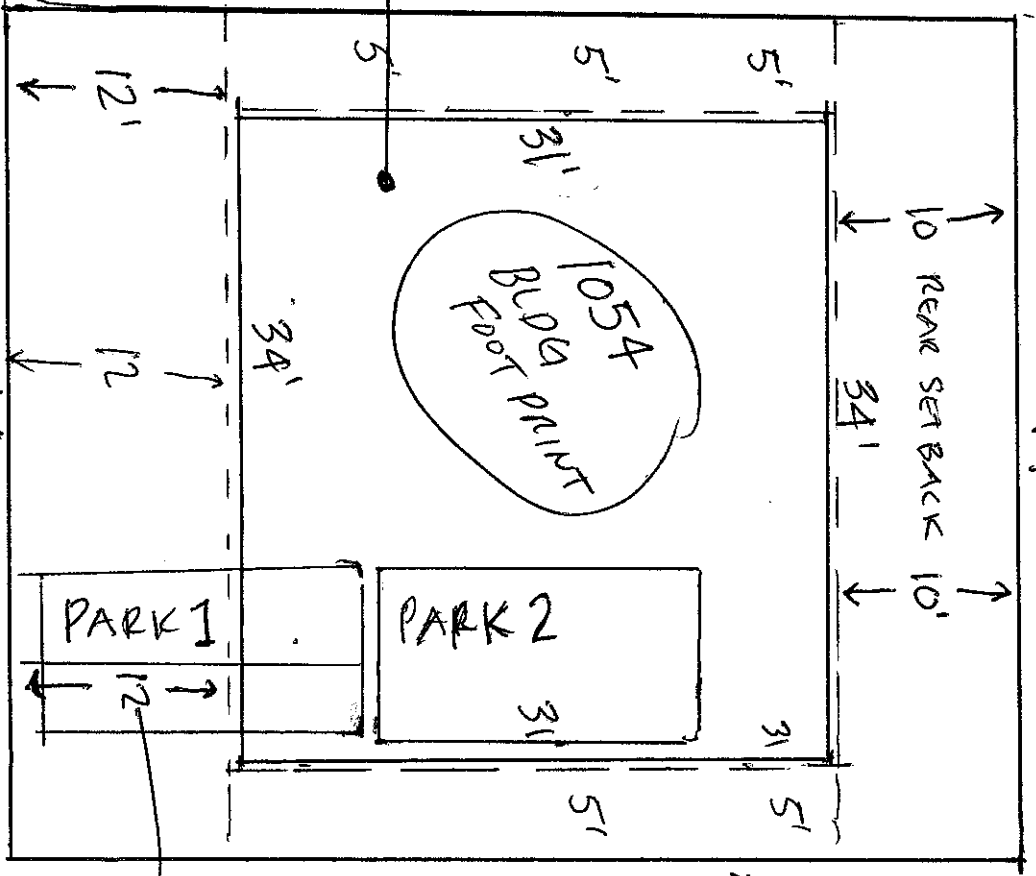
1307
ALAMO

SIDE
SET BACK

12' SET BACK
AVERAGE

53.8'

ALAMO STREET



44'

10' REAR SET BACK
10'

34'

1054
BLDG
FOOTPRINT

34'

PARK 1

PARK 2

12'

12'

ALLEY

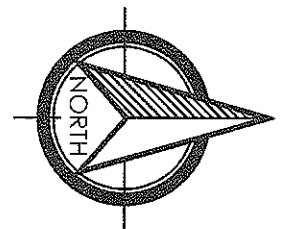
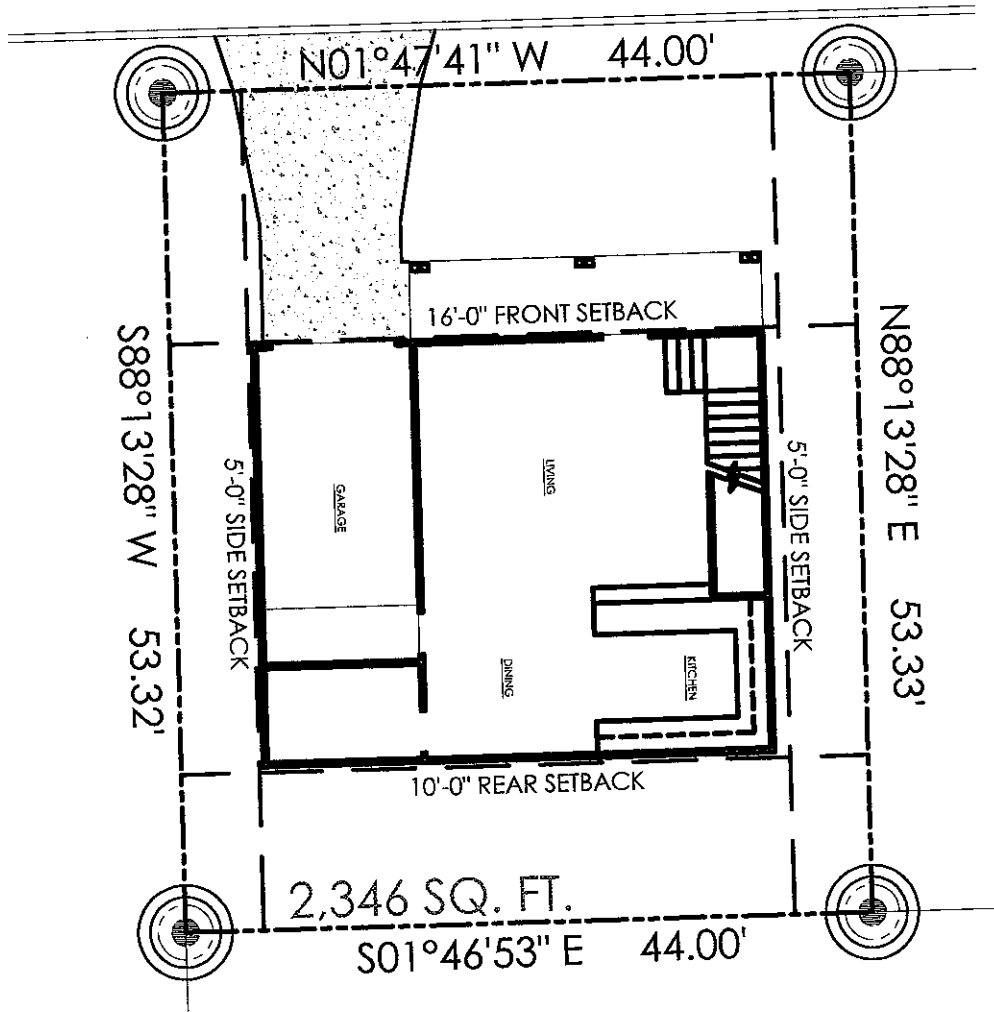
53.8'

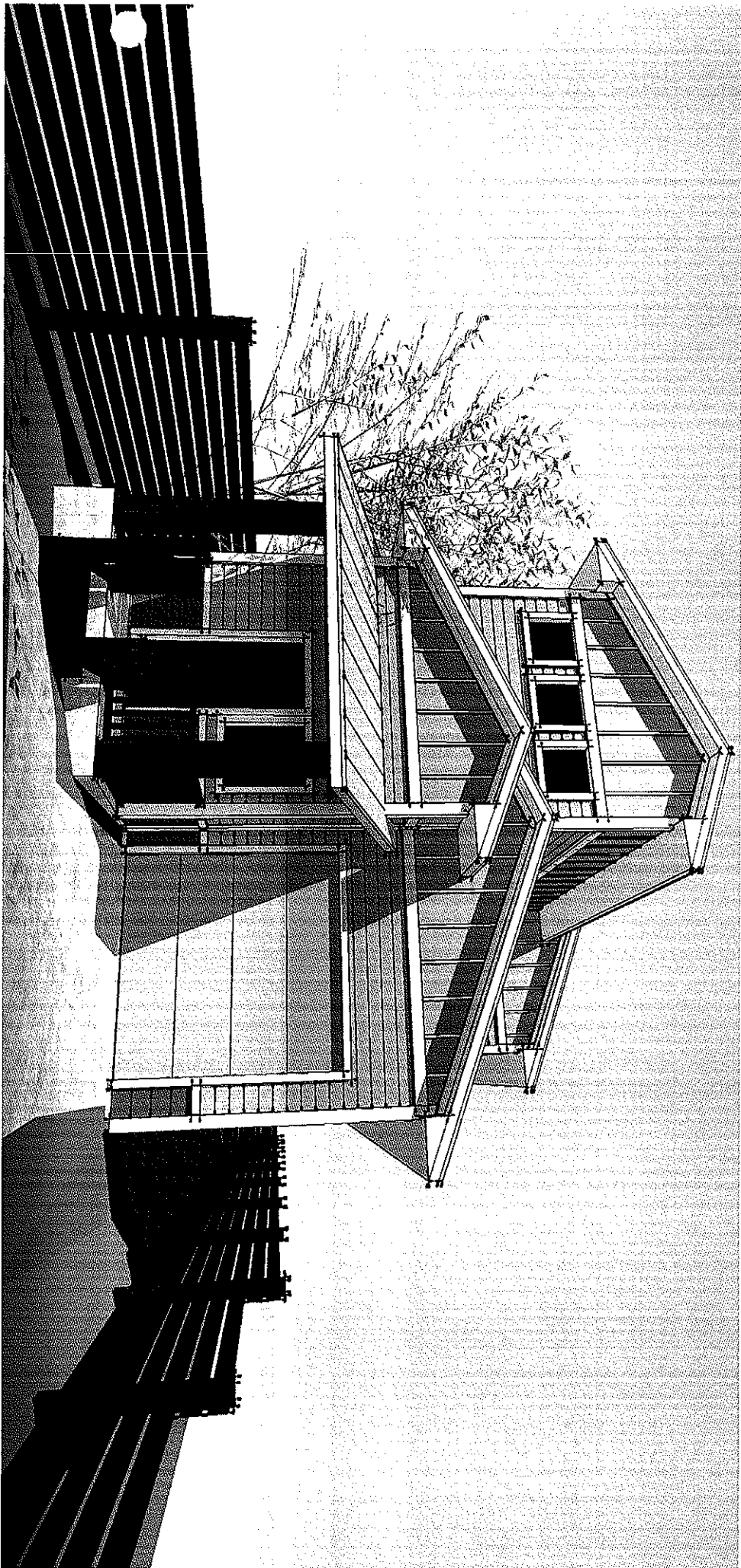
12'
SET BACK
AVERAGE

1307 ALAMO

ALAMO STREET (40' R.O.W.)

20' ALLEY





MF-3-NP

2105

2103

SF-3-NP

2101

1309

1307

SF-3-NP

1303

E 14TH ST

ALAMO ST

2009

1306

SF-3-NP

SF-3-NP

2007

