

CITY OF AUSTIN LOW 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: 4112 Medical Parkway
LEGAL DESCRIPTION: Subdivision – <u>Draught House</u>
Lot(s) 1 Block A Outlot Division
I/ Jim Bennett as authorized agent for The Draught House
affirm that on $9/20/12$, hereby apply for a hearing before the Board of
Adjustment for consideration to:
ERECT – ATTACH – COMPLETE – <u>REMODEL</u> – MAINTAIN
the second floor of an existing commercial building to expand an existing Pub and Brewery providing 19 paved off street parking spaces. in a district.
(zoning district)

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 establishment has existed at this location since 1966, and the expansion will allow for the continuation of this use.

HARDSHIP:

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

Due to the existing developed condition of the site additional parking cannot be provided. The second floor is existing and a reasonable use to this site is to allow the expansion of this use.

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

The lot is an irregular shaped corner lot and is a fully developed site.

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 use of the site will not change but will continued to serve the neighborhood as it has since 1966.

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:

The increase in floor area does not mean that the numbers of patrons will necessarily create a higher demand for parking, but will probably be used by the existing patrons to serve their needs.

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:

This is an existing site and loading and unloading provisions are existing and the expanded floor area will not change existing conditions.

3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

Driveways and parking spaces as well as circulation of the spaces are existing and the parking variance will not change these conditions.

4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

Any change of use requiring additional parking would require a new variance from the Board.

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.

City, State & Zip Austin, TX. 78748

Printed Jim Bennett

Phone 282-3079

Date 9/20/12

Mail Address 11505 Ridge Dr.

OWNERS CERTIFICATE - I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Mail Address 41/2 Medical Parkwag

City, State & Zip autic oth



SUBJECT TRACT

ZONING BOUNDARY

CASE#: C15-2012-0135 LOCATION: 4112 Medical Parkway

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.



xNetUSA:	. 114415 C								
	ODITE 0	CDACE		Pre	operty Details				
Owner's Name	GRIT &	GRACE			-	•	•		404040
Mailing	•				d Date				121319
Address	4112 MEDICA AUSTIN, TX 7				d Volume				000
	•				d Page				000
Location	4112 MEDICA	L PKWY 78756			mptions				
Legal	LOT 1 BLK A	DRAUGHT HOUSE	SUBD		eze Exempt .				
					3 Protest				20
Value Inform	nation		2012 Certi	e: _ a	nt Code d Acres				0.28
and Value			368,49						0.20
mprovement Va	hie		327,99		et or Lot				
AG Market Value			021,00		ket No.			10	9991619087
Timber Market V					tract Code			18	\$040
Market Value			696,48		hborhood Code				39CE
AG Productivity	Value			0.00	,				0001
Timber Productiv				0.00					
Appraised Value			696,48		Dat	ta up to d	ate as of 201	12-09-04	
10% Cap Loss				0.00					
Assessed Value			696,48	32.00					
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Land ID	Type Code	SPTB Code	Homesite	Size-Acres	Front	Depth	Size-Sq:
215024	LAND	F5	F	0.282	0	0	12,28

axNetUSA	: Travis County	Proper	ty ID Number: 217802 Ref ID2	Number: 0221020723000
Owner's Name	GRIT & GRA	CE	Property Details	
			Deed Date	12131999
Mailing	4112 MEDICAL PKW	<i>(</i>	Deed Volume	00000
Address	AUSTIN, TX 78756-37	11	Deed Page	00000
Location	4112 MEDICAL PKW	78756	Exemptions	
Land	LOT 1 BLK A DRAUG	UT HOUSE SUBD	Freeze Exempt	F
Legal	LOT I BLK A DRAUG	HI HOUSE SUBD	ARB Protest	F
			Agent Code	2094
Value Infor	mation	2012 Certified	Land Acres	0.2820
Land Value		368,490.00	Block	А
Improvement Va	alue	327,992.00	Tract or Lot	1
AG Market Valu	е	0.00	Docket No.	1999161908TR
Timber Market \	/alue	0.00	Abstract Code	S04049
Market Value		696,482.00	Neighborhood Code	39CEN
AG Productivity	Value	0.00		
Timber Producti	vity Value	0.00		
Appraised Value	;	696,482.00	Data up to date as	of 2012-09-04
10% Cap Loss		0.00		
Assessed Value	;	696,482.00		

Value By Jurisdiction

Entity Code	Entity Name	2011 Tax Rate	Assessed Value	Taxable Value	Market Value	Appraised Value
0A	TRAVIS CENTRAL APP DIST		696,482.00	696,482.00	696,482.00	696,482.00
01	AUSTIN ISD	1.242000	696,482.00	696,482.00	696,482.00	696,482.00
02	CITY OF AUSTIN	0.481100	696,482.00	696,482.00	696,482.00	696,482.00
03	TRAVIS COUNTY	0.485500	696,482.00	696,482.00	696,482.00	696,482.00
2J	TRAVIS COUNTY HEALTHCARE DISTRICT	0.078900	696,482.00	696,482.00	696,482.00	696,482.00
68	AUSTIN COMM COLL DIST	0.094800	696,482.00	696,482.00	696,482.00	696,482.00

Improvement Information

Improvement ID	State Category	Description
178759		RESTAURANT (SFR)

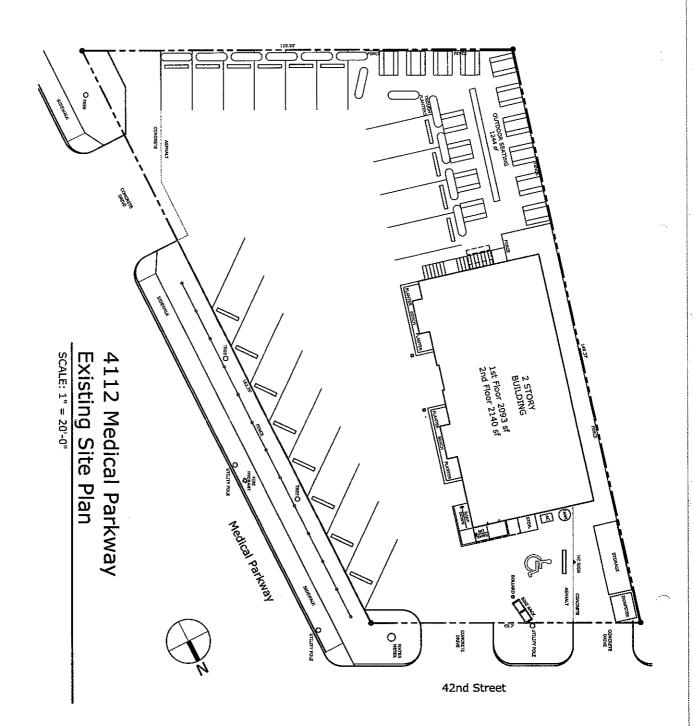
Segment Information

Imp ID	Seg ID	Type Code	Description	Class	Effective Year Built	Area
178759	207784	1ST	1st Floor	WW5	1968	1,989
178759	207785	2ND	2nd Floor	WW5	1968	2,013
178759	207786	UBSMT	Unfinished Basement	WW5	1968	180
178759	845849	011	PORCH OPEN 1ST F	*5	1968	90
178759	845850	413	STAIRWAY EXT	S*	1968	1
178759	845851	541	FENCE COMM LF	W4*	1968	146
178759	845852	551	PAVED AREA	AA*	1968	5,970

178759	4273026	011	PORCH OPEN 1S	TF *5	20	009	56
					Total	Living A	rea 4,002
Land Informat	ion						
Land Informat	ion Type Code	SPTB Code	Homesite	Size-Acres	Front	Depth	Size-Sqft

9/14/2012





Drawing is not intended for construction or for regulatory approval



HOOVER & ASSOCIATES, INC.

ARCHITECTS & PLANNERS 1407 W. 46TH STREET AUSTIN, TEXAS 78756 512/467-2626 FAX 512/467-2655

Draught House

4112 Medical Parkway
Austin TX 78756
Scale: as noted
8-29-2012

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (it may be delivered to the contact person listed on a notice); or
- appearing and speaking for the record at the public hearing;
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: www.ci.austin.tx.us/development.

Written comments must be submitted to the contact person listed on the notice before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice.

If you use this form to comment, it may be returned to: City of Austin-Planning & Development Review Department/ 1st Floor Susan Walker P. O. Box 1088 Austin, TX 78767-1088	Daytime Telephone: 512-799-4455 (LUI) Comments: 512-414-4935 (Work)	Your Name (please print) 4114 BUNNET Rd. Austr 78756 Your address(es) affected by this application Volumble V. Defeated of the Company of	Case Number: C15-2012-0135 – 4112 Medical Parkway Contact: Susan Walker, 512-974-2202 Public Hearing: Board of Adjustment, November 13th, 2012

application affecting your neighborhood environmental organization that has expressed an interest in an development or change. have the opportunity to speak FOR or AGAINST the proposed hearing, you are not required to attend. However, if you do attend, you Although applicants and/or their agent(s) are expected to attend a public You may also contact a neighborhood or

than 60 days from the announcement, no further notice is required. specific date and time for a postponement or continuation that is not later or denial of the application. If the board or commission announces a continue an application's hearing to a later date, or recommend approval During a public hearing, the board or commission may postpone or

standing to appeal, or an interested party that is identified as a person who A board or commission's decision may be appealed by a person with will determine whether a person has standing to appeal the decision. can appeal the decision. The body holding a public hearing on an appeal

board or commission by: owner of the subject property, or who communicates an interest to a An interested party is defined as a person who is the applicant or record

- delivering a written statement to the board or commission before or concern (it may be delivered to the contact person listed on a during the public hearing that generally identifies the issues of
- appearing and speaking for the record at the public hearing;
- occupies a primary residence that is within 500 feet of the subject property or proposed development

is the record owner of property within 500 feet of the subject property

- is an officer of an environmental or neighborhood organization that or proposed development; or
- the subject property or proposed development has an interest in or whose declared boundaries are within 500 feet of

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Contact: Susan Walker, 512-974-2202

Case Number: C15-2012-0135 - 4112 Medical Parkway

Public Hearing: Board of Adjustment, November 13th, 2012	ber 13th, 2012
Billie Jo Wilson	V am in favor
Your Name (please print)	Jobject
4210 MEDICAL PARKWAY	
Your address(es) affected by this application	
Hilling Did	11-4-2
Signature	Date
Daytime Telephone: 512-452-4443	
Comments:	
If you use this form to comment, it may be returned to:	ned to:
Susan Walker	Sometimental role recor
P. O. Box 1088	
Austin, TX 78767-1088	

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During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (it may be delivered to the contact person listed on a notice); or
- appearing and speaking for the record at the public hearing;
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- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

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Case Number: C15-2012-0135 – 4112 Medical Parkway
Contact: Susan Walker, 512-974-2202

Public Hearing: Board of Adjustment, November 13th, 2012

Your Name (please print)

I am in favor Tobject

Your address(es) affected by this application

1302 W. 42

Signature

Date

Comments: My house ign the Corner of gleeting shaped -

42 & ruit my house My sphilos complarer about the spois they here (music flowers feight etc.) My drive way isso my bouse was blocked

last week 2 had to call a wheeken to

more the cor My outer was at this been givent

That no considerations for me date at night

people will urande in the back yord, go get in I you use this form to comment, it may be returned to:

If you use this form to comment, it may be returned to: City of Austin-Planning & Development Review Department/ 1st Floor

Susan Walker P. O. Box 1088

Main Cast - (Loud & druck)

Austin, TX 78767-1088 & am against this

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Case Number: C15-2012-0135 - 4112 Medical Parkway

Contact: Susan Walker, 512-974-2202

Public Hearing: Board of Adjustment, November 13th, 2012

38T4 + LANS Your Name (please print)

⊠ I object Lam in favor

800 x 384

Your address(es) affected by this application

Signature

Daytime Telephone: 512-426-5136

Comments: PORKING IS VIBRY

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VELLAN ASTRON

5005 からて Maysunes, THONK YOU. 100 10E INCUPOINC AVEQ-AIR

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City of Austin-Planning & Development Review Department/ 1st Floor Susan Walker

Austin, TX 78767-1088 P. O. Box 1088

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Contact: Susan Walker, 512-974-2202 Case Number: C15-2012-0135 - 4112 Medical Parkway

Public Hearing: Board of Adjustment, November 13th, 2012

Your Name (please print) Kenter and Catherine Heald

ATI object I am in favor

its with m soci

Your address(es) affected by this application

Signature

Date

Daytime Telephone: 303,507, ,6062

Comments: The bor already causes street consestion around my property which is next door neighbors don't want move people and move noise will allow significantly more noise. the bar Further expanision especially upwards

Mank

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City of Austin-Planning & Development Review Department/ 1st Floor Susan Walker

P. O. Box 1088

Austin, TX 78767-1088