

CASE # C15-2013-0007

ROW # 10879830

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

TP-0200080413

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

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

STREET ADDRESS: 1908 Riverview St., Austin, TX 78702

LEGAL DESCRIPTION: Subdivision – Driving Park Addition

Lot(s) 13 Block 1 Outlot
Division

I Forrest D. Berkey on behalf of myself as authorized agent for 1908 Riverview St.,
Austin, TX 78702 affirm that on August 20th, 2012 hereby apply for a hearing before the
Board of Adjustment for consideration to:

(check appropriate items below)

☒ ERECT ☐ ATTACH ☐ COMPLETE ☐ REMODEL ☐ MAINTAIN

a detached carport providing
a 5' setback from the property
line

in a Family residence (SF-3) district.

SF-3-NP-

Holly N.R.

(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 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: They do not permit me to build a covered parking spot for my vehicle. The large trees in my neighbor's yard at 1906 Riverview St. consistently drop large branches, pecans, and sap on my vehicle. The branches can damage the car and the sap makes it difficult to see out of the car's windows. I do not think it is reasonable to prevent me from protecting my vehicle.

HARDSHIP:

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

The property was built in 1915 and there is no physical space to build a covered parking area or garage that would not violate current zoning regulations. I purchased the home 2 years ago and have not made any structural changes to cause this hardship. Since I have owned the property, there has never been enough space to build a covered parking area while still remaining 20 ft from the front property line and 5 ft from the side property line. The paved driveway is less than 5ft from the side property line and less than 20 ft from the front property line.

- a. The hardship is not general to the area in which the property is located because:

Because the vast majority of other properties in the area have adequate space on the side of the residence for a carport or garage.

AREA CHARACTER:

1. 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 will be a small structure with no walls or electricity built professionally and designed to blend in with the architecture of my residence. It will look visually appealing and will match the character of the area. It will not impair the use of the adjacent property because it will not have walls therefore it will not obstruct any views. Additionally, it will not overlap the boundaries of my property line and cause any blockages or obstructions to the adjacent property. My property is very well maintained and has excellent curb appeal.

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 Just My Mail Address 1908 Riverview St.

City, State & Zip Austin, TX 78702

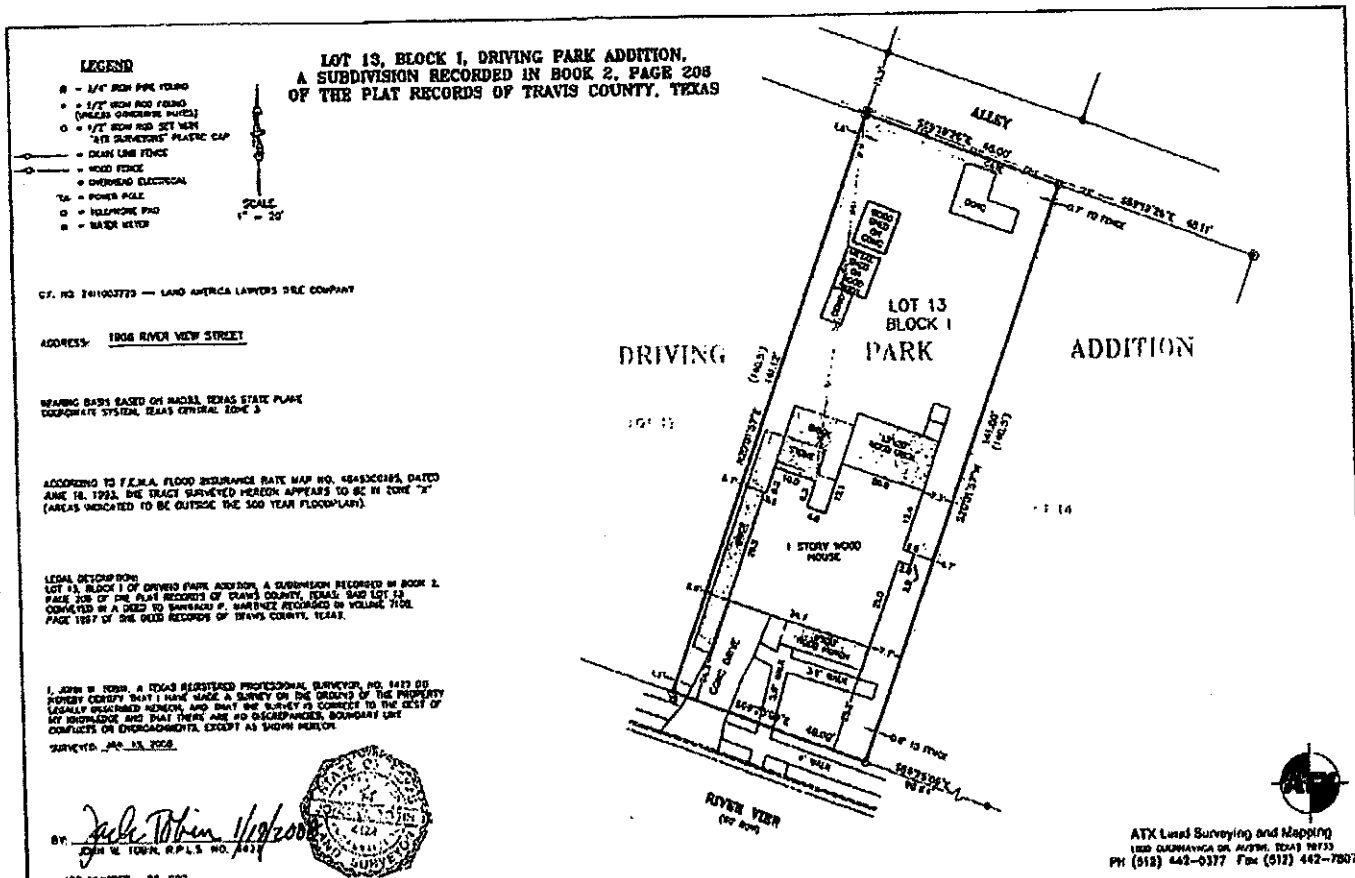
Printed _____ Phone 541-953-3236 Date August 20th, 2012

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 1908 Riverview St.

City, State & Zip Austin, TX 78702

Printed _____ Phone 541-953-3236 Date August 20th, 2012



Supporting Info

Carports in the area with similar set backs:

1603 Garden Street, Austin, TX 78702



no variance
no permit

2204 Canterbury Street, Austin, TX 78702



no variance
no permit

Preliminary BOA review request - 1908 Riverview St

Inbox x



Lund, Lena

9:14 AM (1 hour ago)



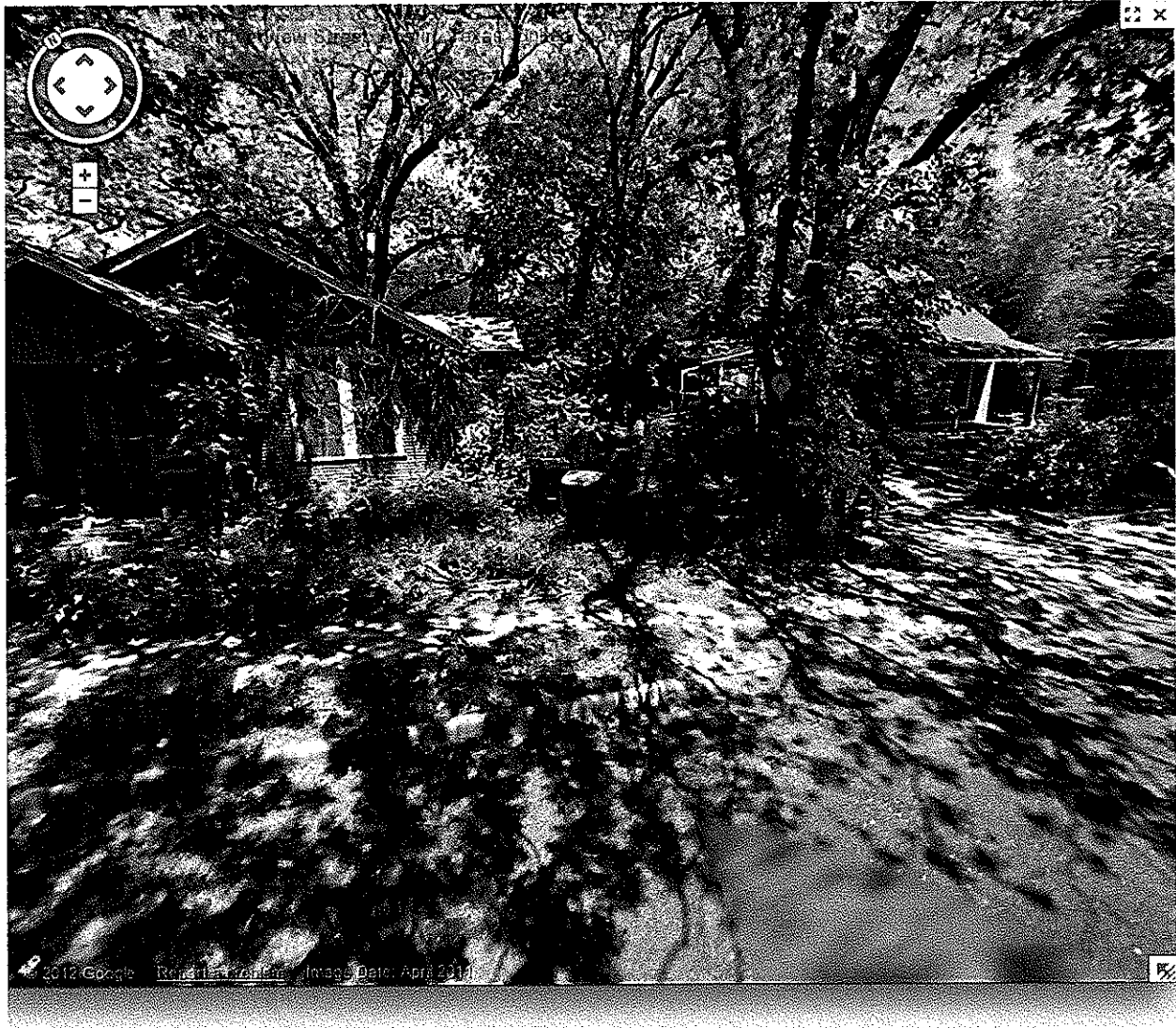
to me, Susan, Diana

Hello Mr. Berkey,

Austin Energy (AE) has reviewed your application for the above referenced property requesting to reduce the front setback in order to build a detached carport over the existing driveway. Austin Energy does not oppose this request as described.

Thank you for checking with us in advance. Should you have any questions, please feel free to contact me at 322-6587.

Lena Lund
Austin Energy
Public Involvement/Real Estate Services
512-322-6587





CS-MU-CO-NP

1908

SF-3-NP

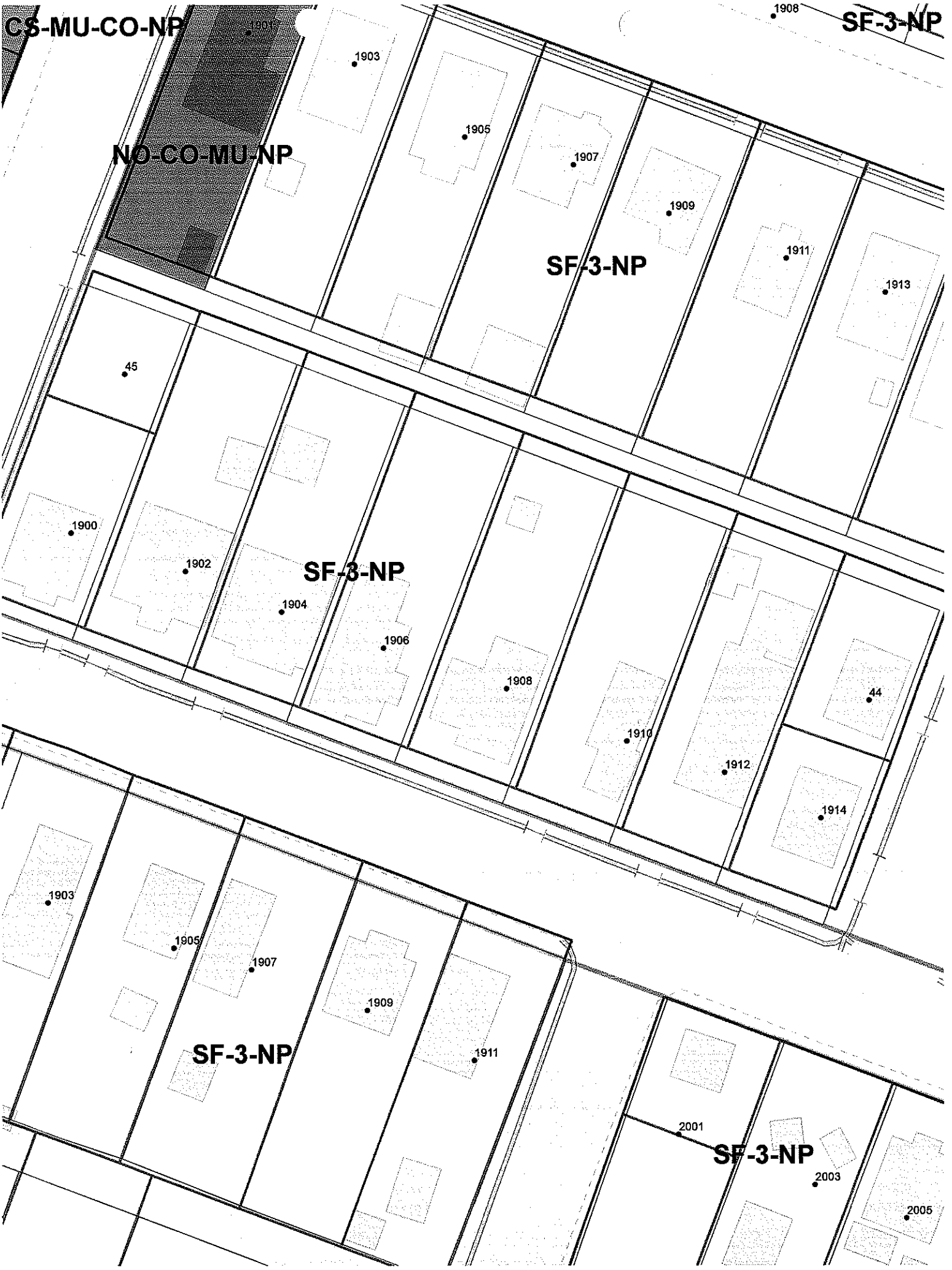
NO-CO-MU-NP

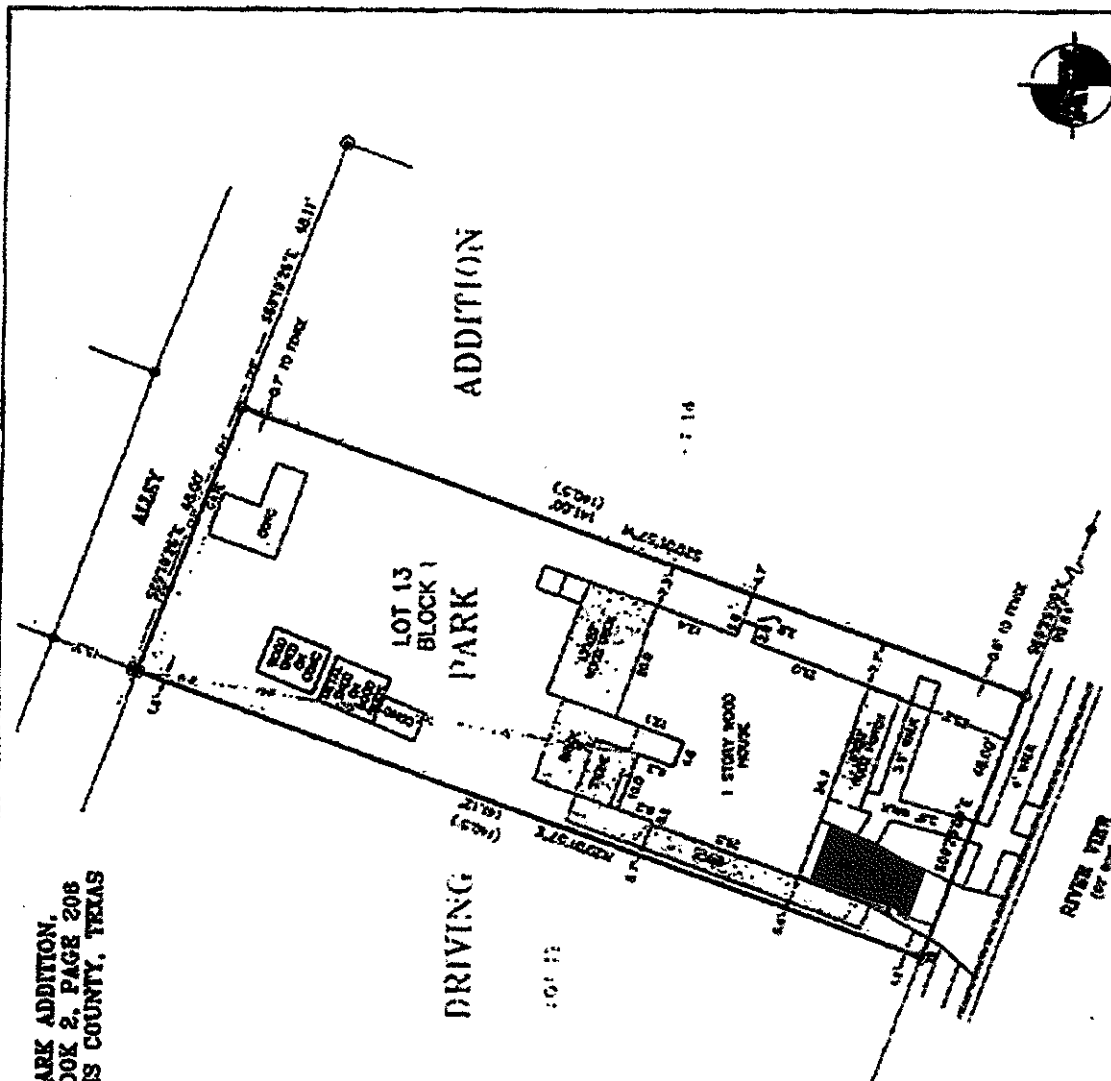
SF-3-NP

SF-3-NP

SF-3-NP

SF-3-NP





ATX Land Surveying and Mapping
1800 OMAHA ON HWY. 2823 18133
PM (512) 442-0377 Fax (512) 442-7807

**LOT 13, BLOCK 1, DRIVING PARK ADDITION,
A SUBDIVISION RECORDED IN BOOK 2, PAGE 208
OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS**

Legend

- 3/8" NON PPK FOLIO
- 1/2" NON RED FOLIO
- (PAPER OVERSTOCK PAPER)
- 1/2" NON RED SET MEN
- "AIR DRYERS" PLASTIC CAP
- CHAIN LAM FORCE
- WOOD FORCE
- OVERHEAD ELECTRICAL
- POWER AC
- THERMAL PHOTO
- NAUSEA METER

34

CF. NO. 241093723 -- LAW OFFICE LAWYERS FIRE COMPANY

ADDRESS: 1804 9TH AVE NEW YORK 10011

BEHIND BARS BASED ON MARIJUANA STATE PLANS
EXPOSURE BY STANLEY, REAS OFFICIAL FOLLOWS

ACCORDING TO F.E.M.A. FLOOD INSURANCE RATE MAP NO. 4445C016A, DATED JUNE 16, 1993, THE TRACT SURVEYED HEREON APPEARS TO BE IN ZONE "X" (AREAS WORKED TO BE OUTSIDE THE 300 YEAR FLOODPLAIN).

NOTED BY THE FOLLOWING: SET AT INDEX 1 OF VOLUME FOUR, ACTS FROM A SUBMISSION RECORDED IN BOOK 2, PAGE 308 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS. SAYS LOT 13 WAS CONVEYED AS A GIFT TO MARSHALL P. MARSHALL ALLEGED IN VOLUME FOUR, PAGE 1897 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS.

2. JUNE 4, 1968, A REAS RECORDED PROFESSIONAL SURVEY NO. 4422 OF THE PROPERTY DESCRIBED HEREIN, WAS MADE ON THE GRANT OF THE PROPERTY TO THE UNITED STATES OF AMERICA, BY THE UNITED STATES DEPARTMENT OF THE INTERIOR, BUREAU OF LAND MANAGEMENT, AND THAT THERE ARE NO DISCREPANCIES, DISPUTES OR CONFLICTS ON OR CONCERNING, EITHER AS TO WHOM OR



ST. *Jack P. Ben* 1/19/20
JOHN W. LOON, R.P.L.S. NO. 1472