

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 # C15-2013-0022  
ROW # 10911763

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

TP-0118020513

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

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

STREET ADDRESS: 1706 Westover Road, Austin, Texas 78730

LEGAL DESCRIPTION: Subdivision – BRYKERWOODS C\_\_

Lot(s) 11 & W 10 FT OF LOT 12\_ Block 4 Outlot\_\_ Division\_\_

I/We Smith Holt on behalf of myself/ourselves as authorized agent for

John and Tamara Plemmons affirm that on 13 Feb, 2013,

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

(check appropriate items below)

\_X\_ ERECT \_X\_ ATTACH \_\_ COMPLETE \_\_ REMODEL \_\_ MAINTAIN

A second story guest room addition to an existing garage structure located to the rear of the property located at 1706 Westover Road

in a SF-3 district.  
(zoning district)

Side yard - 2.85'  
Rear yard - 3.38'

**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):

**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.

**REASONABLE USE:**

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

Under 25-2-963 and as applied by the City of Austin, Zoning prohibits the modification of an existing structure that is noncompliant with current ordinances. In this case structure was built closer than 5' to the rear and side property lines. At issue is the rear yard setback distance as it relates to accessory structures. This application does not include any modification to the existing structure location nor does it increase the degree of non-compliance of the existing structure, complying with of 25-2-963. All new construction is within current zoning as it applies to accessory structures.

**HARDSHIP:**

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

The current location of the existing structure and the existence of a heritage tree to the east of the structure prohibit the relocation of the garage structure. The hardship is regulatory given the prohibition on extensive construction within 10' of protected trees.

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

This hardship is specific to this property, the location of the existing garage and the existence of a heritage tree adjacent to the garage. The configuration of elements on this property does not appear to exist on adjacent lots.

**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 proposed improvement by itself is not prohibited by ordinance, the proposed design is of similar character to the existing house and will have to be approved by the Historic Landmark Commission prior to construction.

**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: **NA**
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: **NA**
3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because: **NA**
4. The variance will run with the use or uses to which it pertains and shall not run with the site because: **NA**

**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 [Signature] Mail Address 100 E. Skyview

City, State & Zip AUSTIN, TX 78752

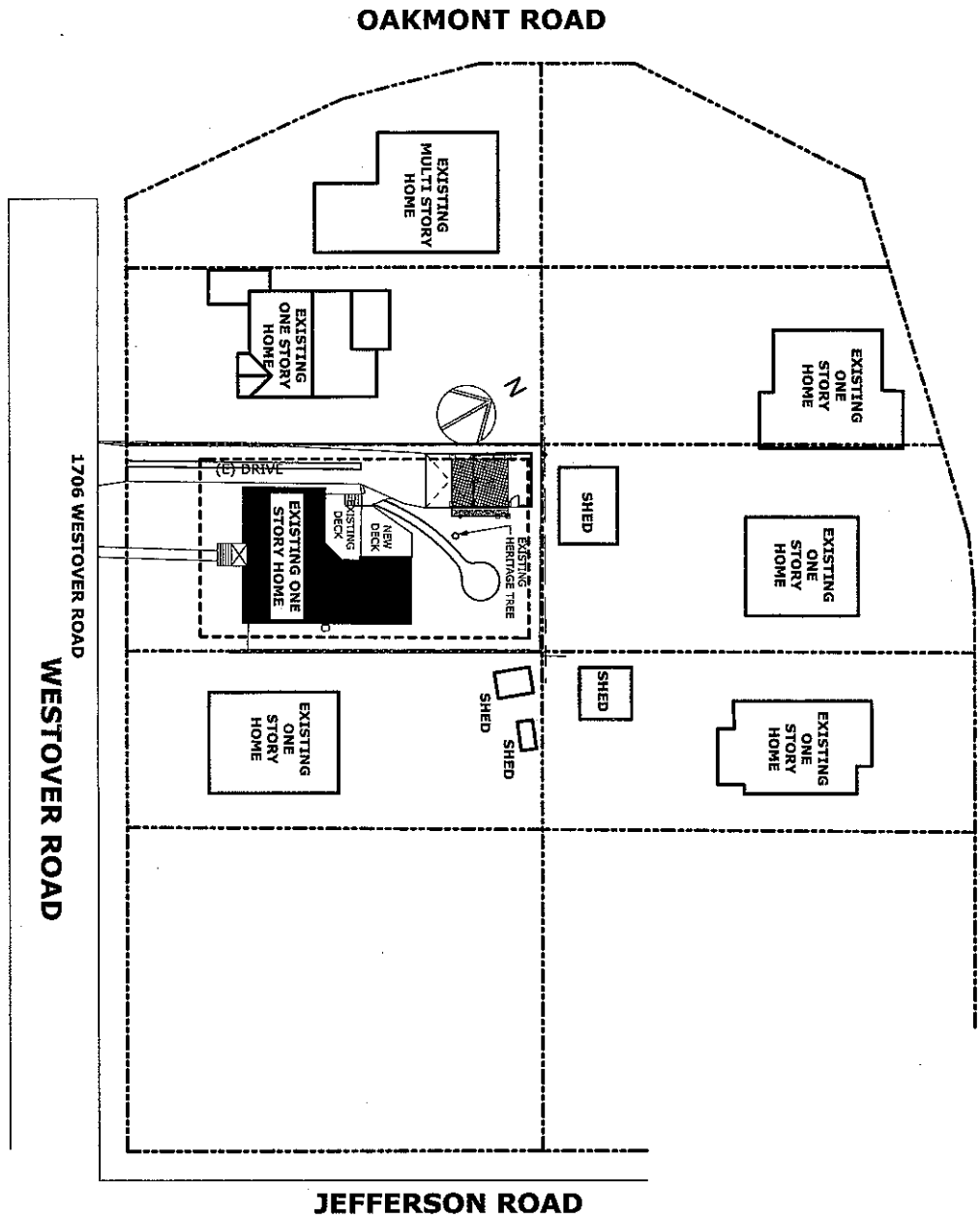
Printed STEVEN L. HOLT Phone (512) 420 0026 Date 17 Feb 13

**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 [Signature] Mail Address 1706 Westover Rd

City, State & Zip AUSTIN, TX 78703

Printed John Plemmas Jr. Phone 512-47-7253 Date 2/14/13



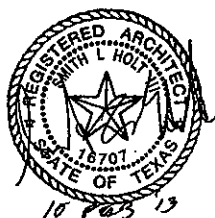
# 1 Area Plan

SCALE: 1" = 40'

BOA-1 Area Plan : Plotted on 2/15/13 at 8:33 AM by Smith Holt, File Path: /Users/smith 1/Documents/Projects/2012/12016 Plemmons/K.1 Drawings/12016 - Model - RES.plt

SMITH L HOLT

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(512) 420-0026  
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www.smithholt.com



Garage  
Guest Room

Area Plan

Board of Adjustments

Job: 12016

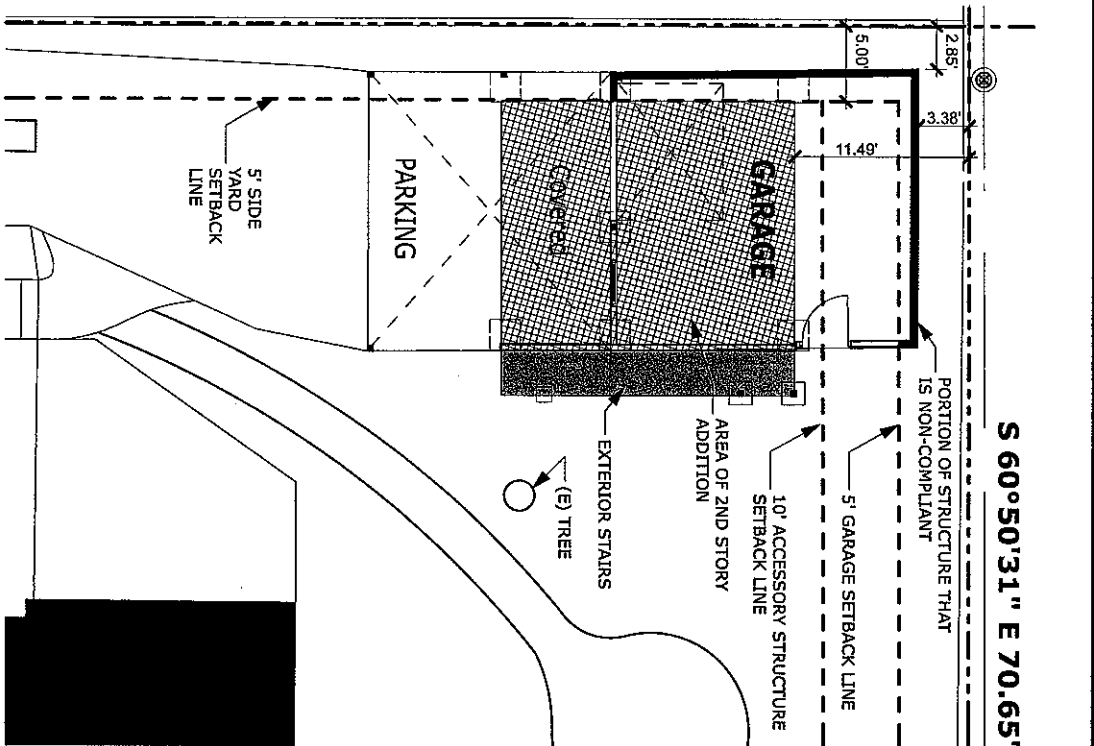
Date of Issue: 15 Feb 2013

Sheet Number:

BOA-1

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Smith Holt, PC

**SCALE: 1" = 20'**

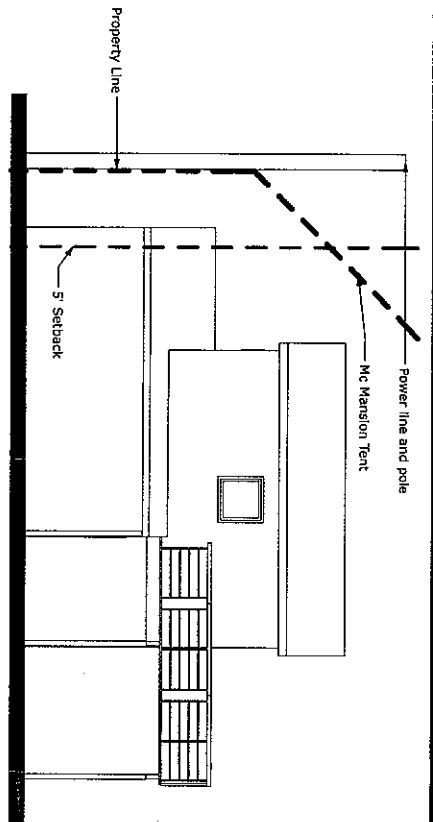


**SCALE: 1/8" = 1'-0"**

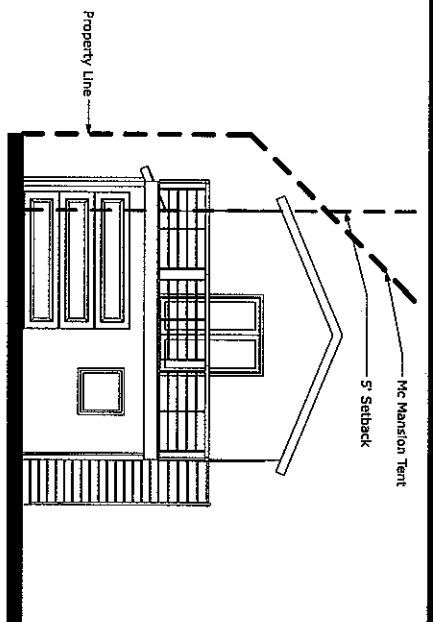
**100 E. Skyview Rd  
Austin, Texas 78752  
(512) 420-0026  
smith@smithholt.com  
www.smithholt.com**

BOA-2

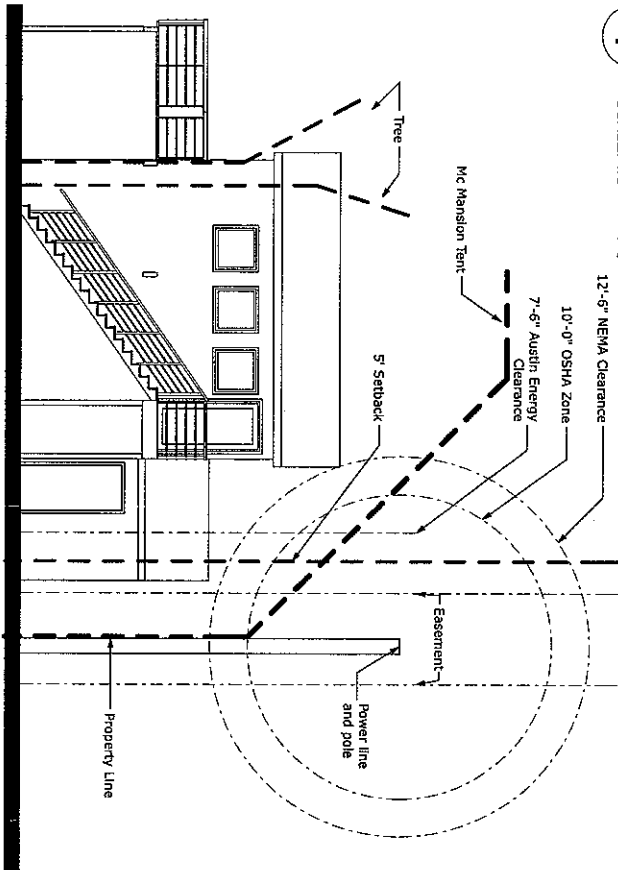
Copyright 2011  
Smith Mob, LLC



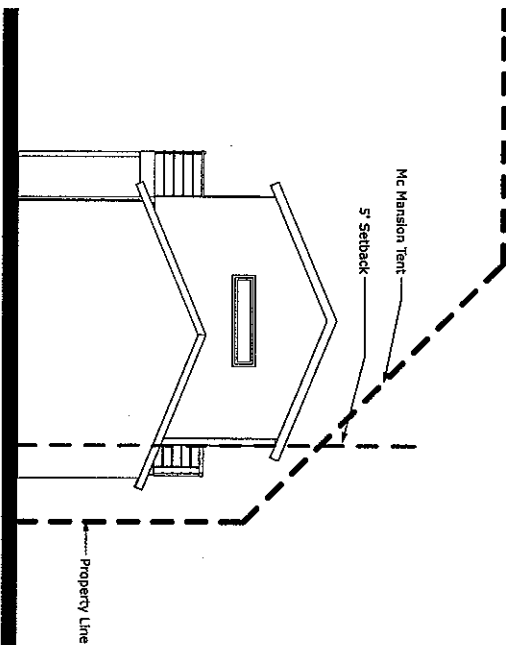
**4** West Elevation  
SCALE: 1/8" = 1'-0"



**2** South Elevation  
SCALE: 1/8" = 1'-0"



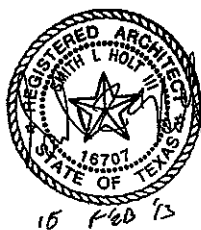
**3** West Elevation  
SCALE: 1/8" = 1'-0"



**1** North Elevation  
SCALE: 1/8" = 1'-0"

**SMITH L HOLT**

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**Garage**  
**Guest Room**

Exterior  
Elevations

Board of Adjustments

Job:  
12016

Date of Issue:  
15 Feb 2013

Sheet Number:

**BOA-3**