If you need assistance completing this application (general inquiries only) please contact Susan Walker, 974-2202; 505 Barton Springs Road, 2nd Floor (One Texas Center).

CASE # C15-2013-0054

ROW   # 10948333

TP-023714-02-18

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: 8412 Georgian Drive - Austin, Texas 78753

LEGAL DESCRIPTION: Subdivision – LOT 5, LORENA ADDITION

Lot(s) 5 Block_____ Outlot_____ Division LORENA ADDITION

I/We Martin Barrera _____ on behalf of myself/ourselves as authorized agent for

Sabino Diaz _____ affirm that on April 26, 2013 ,

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

(check appropriate items below)

___ ~~ERECT~~ ✔ ~~ATTACH~~ ✔ ~~COMPLETE~~ ✔ ~~REMODEL~~ ✔ ~~MAINTAIN~~

A variance is requested to allow Sabino Diaz to complete the remodel of the existing front carport and to allow Sabino Diaz to complete the partial conversion ~~of the rear porch to habitable space, and to maintain the location and size of the~~ remaining rear porch, and to maintain the location and size of an existing wood carport.

in a   SF-3 – NP district.   Carport 25→
(zoning   district)   Covered porch - 15'→0'
                         wood carport . 5' →

> **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.

Georgian Acres

VARIANCE FINDINGS: I contend that my entitlement to the requested variance is **based on the follow ing 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:
   The existing front carport, the existing rear porch roof are existing non-conforming structures Mr. Diaz was attempting to repair at the time of his citation.

HARDSHIP:

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

   Mr. Diaz does not speak English, and was unaware that he could not completely replace the existing structures with new structures of the same dimension, in the same location.

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

   The codes and ordinances regarding existing non-conforming structures and their maintenance and repair are in English, and Mr. Diaz has no knowledge of their complexity.

AREA CHARACTER:

3. The variance will not alter th e character of the area adjacent to the p roperty, 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:

   Many houses nearby have existing non-conforming structures, be they carports, or porches.

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 _____ Mail Address 1000 E. Cesar Chavez

City, State & Zip Austin, Texas 78702

Printed Martin Barrera, Architect Phone 512.473.0055 Date 04.26.2013

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 Sabino Diaz Mail Address 8412 Georgian Drive

City, State & Zip Austin, Texas 78753

Printed Sabino Diaz Phone 512.300.5573 Date 04.26.2013

From:	Martin Barrera, AIA + LEED AP ~~chitect.com~~
Sent:	Friday, May 24, 2013 1:51 PM
To:	Walker, Susan
Subject:	8412 Georgian Drive Variance Application

Susan,

The Variances we are requesting are to reduce the setbacks as follows:

1) Georgian Drive - Front Yard Setback reduced to 12'-7" to allow the reconstructed Front Carport to remain.
2) Walnut Drive - Street SideYard Setback reduced to 6'-5" to allow the reconstructed Front Carport to remain.
3) Walnut Drive - Street Side Yard Setback reduced to 0'-0" to allow the reconstructed Rear Carport to remain.
4) Interior Side Yard Setback reduced to 1'-8" to allow the existing free standing wood carport to remain.

Please let me know if you need any additional information.

Sincerely,

Martin Barrera, AIA + LEED AP
1000 East Cesar Chavez Street | Suite 200 | Austin, Texas | 78702
phone 512.473.0055 | fax 512.473.0056 | mobile 512.740.4417
~~martin@~~ ~~arch~~ | w~~ww~~

On Apr 25, 2013, at 3:13 PM, "Walker, Susan" <Susan.Walker@austintexas.gov> wrote:

$360. for residential. ☺

Susan Walker
Senior Planner
Planning & Development Review Department
Phone: 512-974-2202
Fax: 512-974-6536

From: Martin Barrera, AIA + LEED AP ~~martin@mb-architect.com~~
Sent: Thursday, April 25, 2013 9:58 AM
To: Walker, Susan
Subject: Variance Fee

Susan,

Can you remind me what the variance fee is for a residential project?

Thanks,

Martin Barrera, AIA + LEED AP
1000 East Cesar Chavez Street | Suite 200 | Austin, Texas | 78702
phone 512.473.0055 | fax 512.473.0056 | mobile 512.740.4417
~~martin@mb-architect.com~~ | ~~www.mb-architect.com~~

1

TREE LEGEND

- 24" HACKBERRY
- 18" PECAN
- 23" PECAN
- 3 - 8" HACKBERRY's
- 7" HACKBERRY
- 8" HACKBERRY
- 8" and 10" OAKS
- 4", 5" and 8" HACKBERRY
- 24" HACKBERRY
- 21" HACKBERRY
- 8" OAK
- 24" PECAN
- 7" HACKBERRY
- 12" HACKBERRY

SCALE: 1" = 20'

WALNUT DRIVE
(51.0' R.O.W.)

WALNUT DRIVE
(R.O.W.)

GEORGIAN DRIVE
(60.0' R.O.W.)

RADIUS= (16.38')
ARC= 29.16
CHORD= S 12°55'18"E 25.46
(CHORD= S 13°14' E 25.35')

LOT 5

ONE STORY FRAME RESIDENCE
FF ELEV.= 102.78

COVERED ASPHALT

CONCRETE BORDER

COVERED CONCRETE WALK

COVERED CONCRETE

COVERED NATURAL GROUD

WOOD CARPORT

EDGE OF ASPHALT

N 66°10'00"W 149.94
(N)66°10' W 150.00)

EFREN CALIXTO
(DOC. No. 2002130847)

TEMPORARY BENCH MARK IS AT TOP OF IRON ROD FOUND WITH AN ASSUMED ELEVATION OF 100.0' (FT.)
(1' CONTOUR INTERVAL)

EDWARD RUMSEY
5729
REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF TEXAS

LEGEND

○	CALCULATED POINT
●	1/2" ROD FOUND
M	METAL FENCE
○○	CHAIN LINK FENCE
//	WOOD FENCE
UE	UTILITY ESMT
( )	RECORD INFORMATION
	UTILITY POLE
	DOWN GUY
OH	OVERHEAD UTILITY LINE(S)
	WATER METER
	GAS METER
	AIR CONDITIONER
ON	INSIDE OF SUBJECT BOUNDARY
OFF	OUTSIDE OF SUBJECT BOUNDARY
	CONCRETE
	ASPHALT

SABINO DIAZ
8412 GEORGIAN DRIVE,
LOT 5, LORENA ADDITION.
AUSTIN, TRAVIS COUNTY, TEXAS.
BOOK 7, PAGE 90

RESTRICTIONS:
THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT AND THIS SURVEYOR DID NOT RESEARCH THE DEED RECORDS FOR PREVIOUS CONFLICTS IN TITLE, EASEMENTS AND/OR BOUNDARY LINE AGREEMENTS, THEREFORE, CERTAIN EASEMENTS MAY HAVE BEEN GRANTED WHICH ARE NOT REFLECTED HEREON. ONLY THOSE SETBACK LINES, EASEMENTS, BOUNDRY LINES AND INTERESTS WHICH ARE REPRESENTED ON THE PARENT SUBDIVISION PLAT, WHICH IS REFERENCED HEREON, ARE PLOTTED ON THIS SURVEY, NO DOCUMENTS OTHER THAN THOSE CITED ON THIS SURVEY HAVE BEEN EXAMINED.

THIS PROPERTY DOES NOT LIE WITHIN THE 100 YEAR FLOOD-PLAIN, AND HAS A ZONE "X" RATING AS SHOWN ON THE FLOOD INSURANCE RATE MAPS
F.I.R.M. MAP NO.: 48453C045H
PANEL: 045H
DATED: 9-26-2008
THIS CERTIFICATION IS FOR INSURANCE PURPOSES ONLY AND IS NOT A GUARANTEE THAT THIS PROPERTY WILL OR WILL NOT FLOOD. CONTACT YOUR LOCAL FLOOD-PLAIN ADMINISTRATOR FOR THE CURRENT STATUS OF THIS TRACT.

SURVEY DATE	November 29, 2012	
TITLE CO.	-	
G.F NO.	-	
JOB NO.	A1107912	
FIELDED BY	REX NOWLIN	11/27/2012
CALC. BY	CHRIS ZOTTER	11/28/2012
DRAWN BY	ROGER CARDONA	11/28/2012
RPLS CHECK	EDWARD RUMSEY	11/29/2012

ALLSTAR Land Surveying
9020 ANDERSON MILL RD
AUSTIN, TEXAS 78729
(512) 249-8149 PHONE
(512) 331-5217 FAX
WWW.ALLSTARLANDSURVEYING.COM