

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#

ROW#

C15-2013-0052

10948295

TP-011802-01-08

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: 2200 Westover Road, Austin, Texas 78703

LEGAL DESCRIPTION: Subdivision- Herman Brown

Lot(s) 7 Block 4 Outlot n/a Division n/a

I/We Andrew and Ann Erben on behalf of myself/ourselves as authorized agent for
ourselves affirm that on 4/15/2013

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

(check appropriate items below)

ERECT ATTACH COMPLETE REMODEL MAINTAIN

We wish to remodel an existing carport that was damaged during the heavy winds over the last two months.

The carport was aluminum and was part of the structure when we purchased the home in 1996. The former

carport was becoming a safety risk and we ask that it be remodeled for safety and aesthetic reasons.

I'm in a ST-3-NP district.
(zoning district)

15: from p-1

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:

The home has had a comparably-sized carport since prior to 1996 (please see Attachment 1: photo of previous carport and Attachment 2: dimensions of previous carport). The previous carport was 19 feet wide and extended towards 20 feet from the house toward the street (380 square feet of coverage). The proposed carport is 23.5 feet wide (measured from the outside of the eaves), but only extends 16 feet from the front of the house and covers 376 square feet. Side setbacks have been maintained.

Strict adherence to the 25-foot front setback for carports would make the carport unusable, detract from the appearance of the neighborhood, and may increase on-street parking.

HARDSHIP:

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

The carport has been part of the house for at least 18 years. We are simply asking to replace it with a structure that is safer, more durable, and adds to the character of the neighborhood. All immediate neighbors do not oppose the project. In fact, my feeling is that another contractor in the area reported the perceived violation—not a neighbor. Strict application of the setback requirements would create an undue financial burden on my family, remove any option for covered parking on my property, and detract from the appearance of the neighborhood. We do not have the option to create parking in the rear of the property as the topography, drainage issues, utility placement, and impervious cover restrictions would make this impossible.

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

A previous owner converted the garage into a kitchen prior to our purchase of the home in 1996 and constructed the original carport on or around that time. While other homes in the area have remodeled, they have sufficient lot widths for rear/side garages or their houses have sufficient front setbacks to allow for the construction of a suitable carport in conformance with front setback requirements.

AREA CHARACTER:

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 replacement of the carport brings our home more in line with other structures in the area. Please see Attachment 3 which shows comparable open carports that are similarly situated on their respective lots. Please also see Attachment 4 which shows the carport we hope to complete with approval of this variance. All are similar in construction quality, aesthetics, and utility. If our variance is approved and once proper inspections have been completed, the carport will be finished and it and the house will be repainted in enhance neighborhood aesthetics.

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:

n/a

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:

The requested variance will not change the character or use of the home and will simply allow the same parking options we have had since 1996.

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

Outside of the front variance setback request (which has been grandfathered since at least 1996), all other setbacks, codes, and ordinances will be followed and all applicable permits and inspections will be obtained.

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 LC Sh Mail Address: 2200 Westover Road

City, State & Zip: Austin, Texas 78703

Printed ANDREW C. ERBEN Phone 512-963-3580 Date 4/15/2013

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

Signed LC Sh Mail Address 2200 Westover Road

City, State & Zip: Austin, Texas 78703

Printed ANDREW C. ERBEN Phone 512-963-3580 Date 4-15-2013

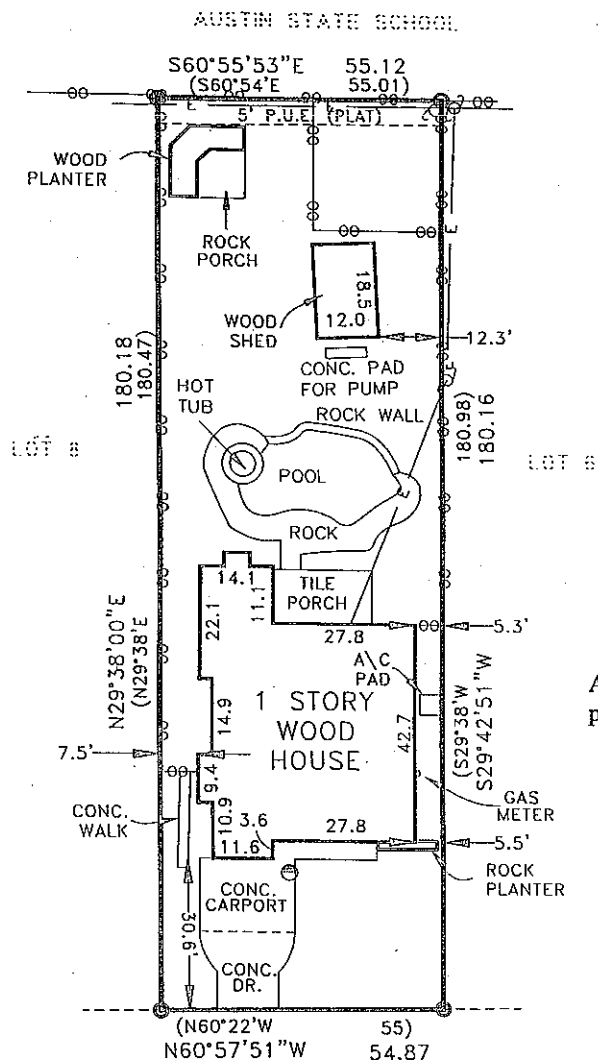
Ann Erben
Ann Erben

512-913-1343

4-15-2013

Plat of survey of property at 2200 Westover Road
described as Lot 7, Block 4, of HERMAN BROWN ADDITION
Volume/Book/Cabinet 5 at Page(s)/Slide(s) 98 a subdivision of record in Map or Plat
County, Texas Plat Records. G.F. # 02-7024168 of the Travis
Ref: Andrew Erben and Ann Erben Dated: Dec. 10, 2002

SCALE: 1" = 30'



NOTE:
SUBJECT TO RESTRICTIONS AS
SET OUT IN VOL. 1037 PG.
487 AND AMENDED IN VOL.
1041 PG. 25 DEED RECORDS
OF TRAVIS COUNTY, TEXAS.

Attachment 2a: Plat showing
previous carport

WESTOVER ROAD

To: Alamo Title Company and Advantage Capital Funding

exclusively.

The undersigned does hereby certify that the plat shown represents the results
of a survey on the ground under my supervision and is true and correct and
that there are no discrepancies, conflicts, shortages in area, boundary line
conflicts, encroachments, overlapping of improvements, visible utility easements,
except as shown and the property has access to and from a dedicated roadway.

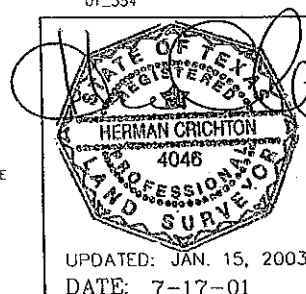
The property shown hereon is located in Zone "X" (areas outside the 500 year floodplain)

as shown on Community Panel Number 480624 0205 E
of the FLOOD INSURANCE RATE MAP prepared for City of Austin
by the Federal Insurance Administration Department, H.U.D.
Effective Date: June 16, 1993

CRICHTON
AND ASSOCIATES INC.
LAND SURVEYORS

107 N. LAMPASAS STREET
ROUND ROCK, TEXAS 78664
(512) 244-3395
FAX (512) 244-9508

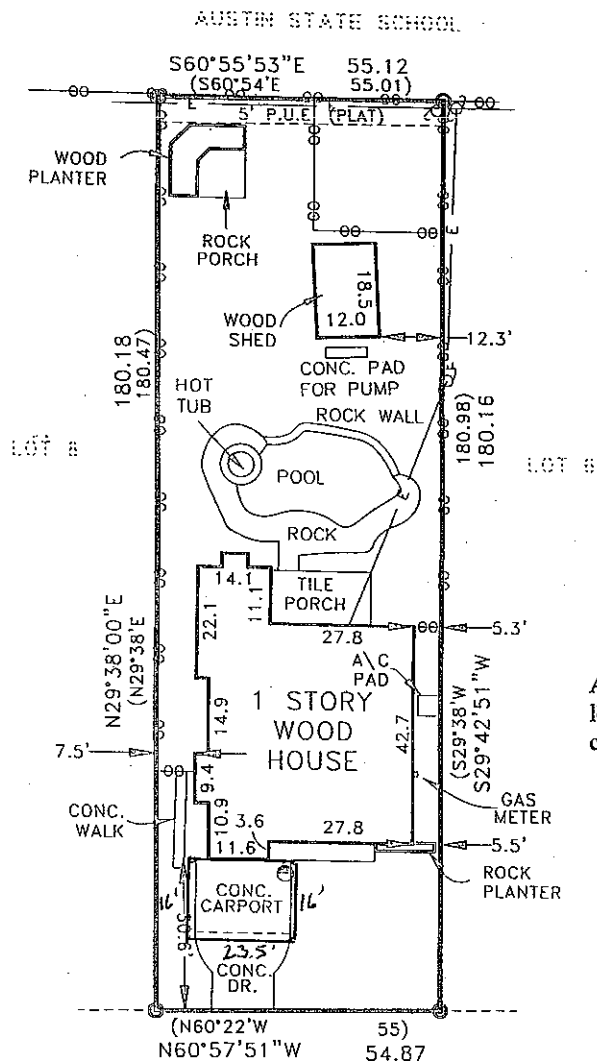
LEGEND
○ 3/4" PIPE FOUND
○ WATER VALVE
○ WATER METER
○ POWER POLE
○ GUY WIRE
○ FIRE HYDRANT
○ SANITARY SEWER MANHOLE
○ LIGHT POLE
○ CHAIN LINK FNC.
○ ELEC. MANHOLE
○ UTILITY PEDESTAL
○ SEWER CLEAN-OUT
○ WOOD FNC.
() INDICATES RECORD INFO



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487 AND AMENDED IN VOL.
1041 PG. 25 DEED RECORDS
OF TRAVIS COUNTY, TEXAS.

Attachment 2b: Plat showing
location and dimensions of proposed
carport

WESTOVER ROAD

To: Alamo Title Company and Advantage Capital Funding

exclusively.

The undersigned does hereby certify that the plat shown represents the results
of a survey on the ground under my supervision and is true and correct and
that there are no discrepancies, conflicts, shortages in area, boundary line
conflicts, encroachments, overlapping of improvements, visible utility easements,
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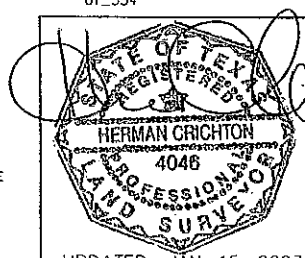
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LEGEND
○ 3/4" PIPE FOUND
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○ UTILITY PEDESTAL
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○ WOOD FNC.
() INDICATES RECORD INFO



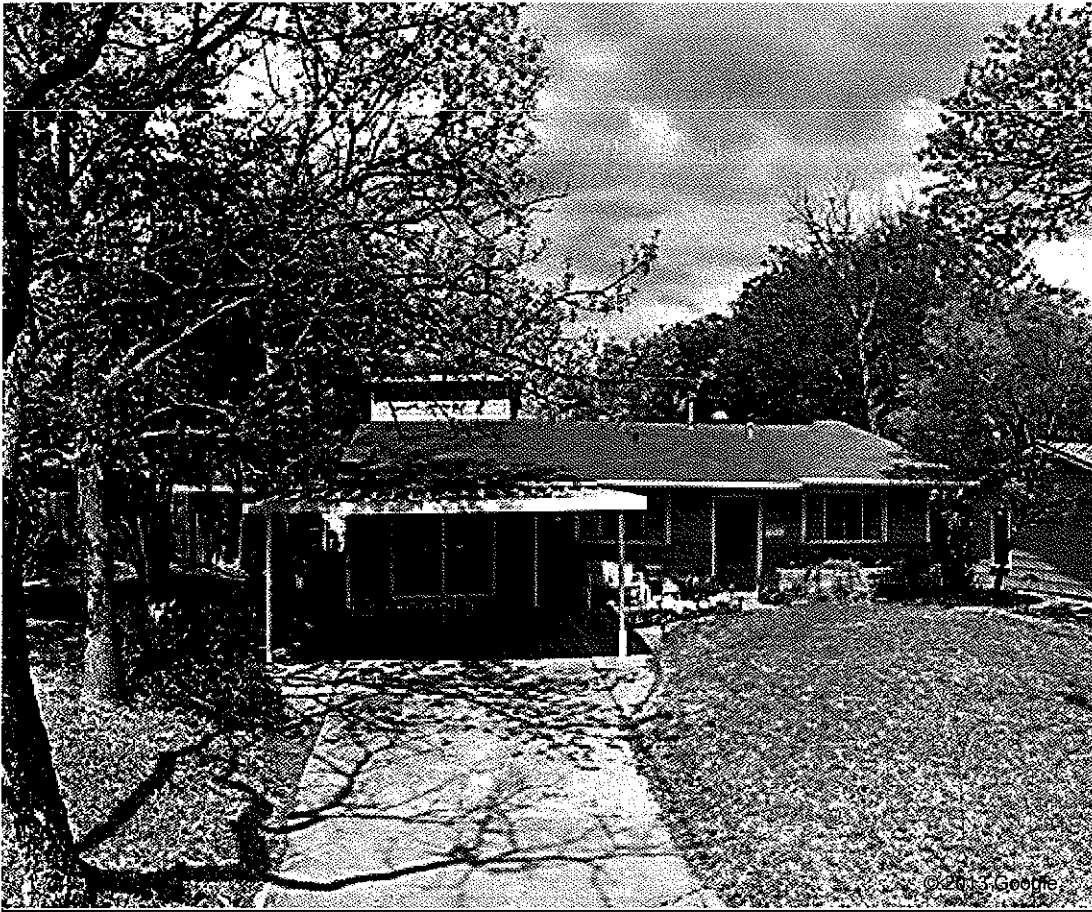
01_354
UPDATED: JAN. 15, 2003
DATE: 7-17-01

Attachment 1: Photo of previous carport

Google

Address 2201 Westover Road

Address is approximate



Borrower: Andrew C Erben	File No.	286862
Property Address: 2200 Westover Rd	Case No.:	65286862
City: Austin	State: TX	Zip: 78703
Lender: Wells Fargo Bank, N.A. WFA - XNA		

14.1'

11.1'

27.8'

Patio

22.2'

Family Room

2.5'

14.9'

3.2'

5.4'

3.2'

10.9'

3.6'

27.8'

Front Porch

20'

20'

19'

Carport

Bedroom

Bedroom

Bedroom

Laundry

Bath

Bath

Kitchen

Dining

Living Room

Breakfast

Entry

Sketch by Apex Sketch v5 Standard™

Comments:

AREA CALCULATIONS SUMMARY			
Code	Description	Net Size	Net Totals
GLA1	First Floor	1938.48	1938.48
GAR	Carport	380.00	380.00
Net LIVABLE Area		(rounded)	1938

LIVING AREA BREAKDOWN			
Breakdown			Subtotals
First Floor			
14.1	x	11.1	156.5
41.9	x	11.1	465.09
3.6	x	11.6	41.76
7.3	x	39.4	287.62
9.4	x	42.6	400.44
14.9	x	39.4	587.06
6 Items (rounded)			1938

FLOORPLANS SKETCH

Borrower: Andrew C Erben

File No: 286862

Property Address: 2280 Westover Rd

Case No.: 65286862

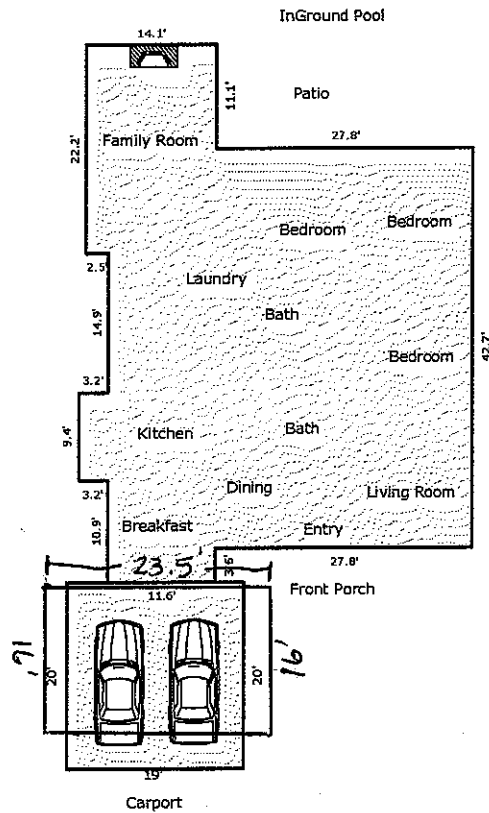
City: Austin

State: TX

Zip: 78703

Lender: Wells Fargo Bank, N.A. WFA - XNA

Attachment 2d: Appraiser's measurement of previous carport noting location of proposed carport



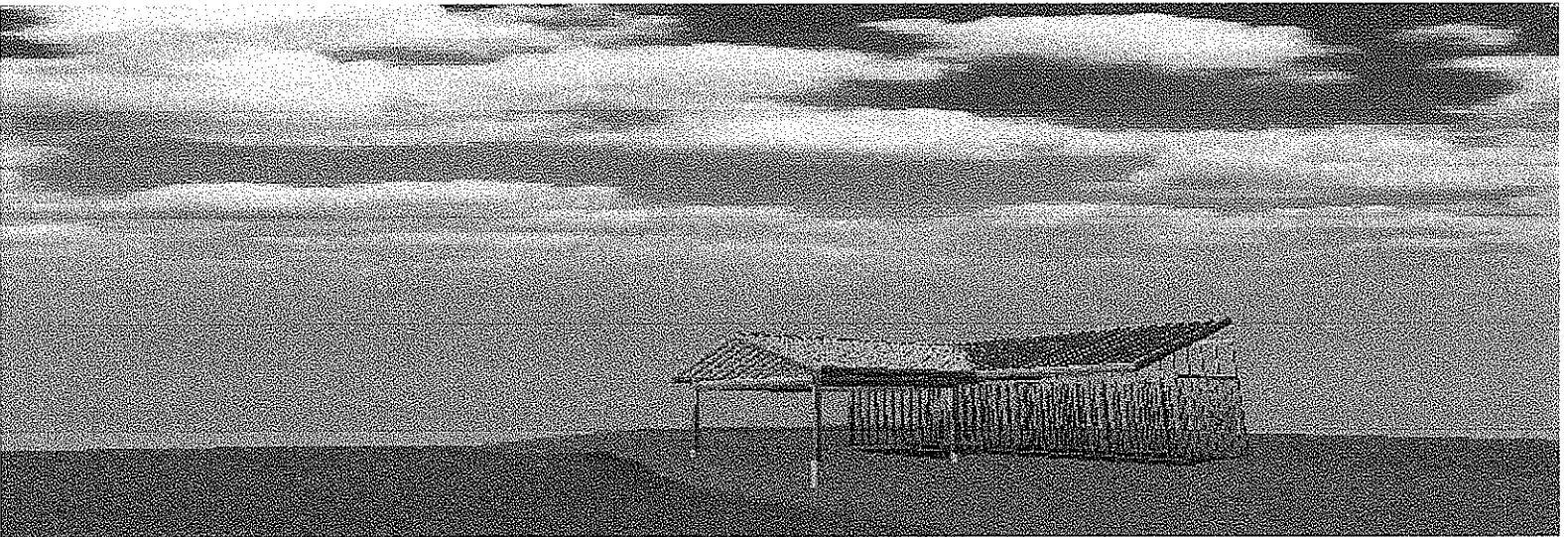
Sketch by Apex Sketch v5 Standard™

Comments:

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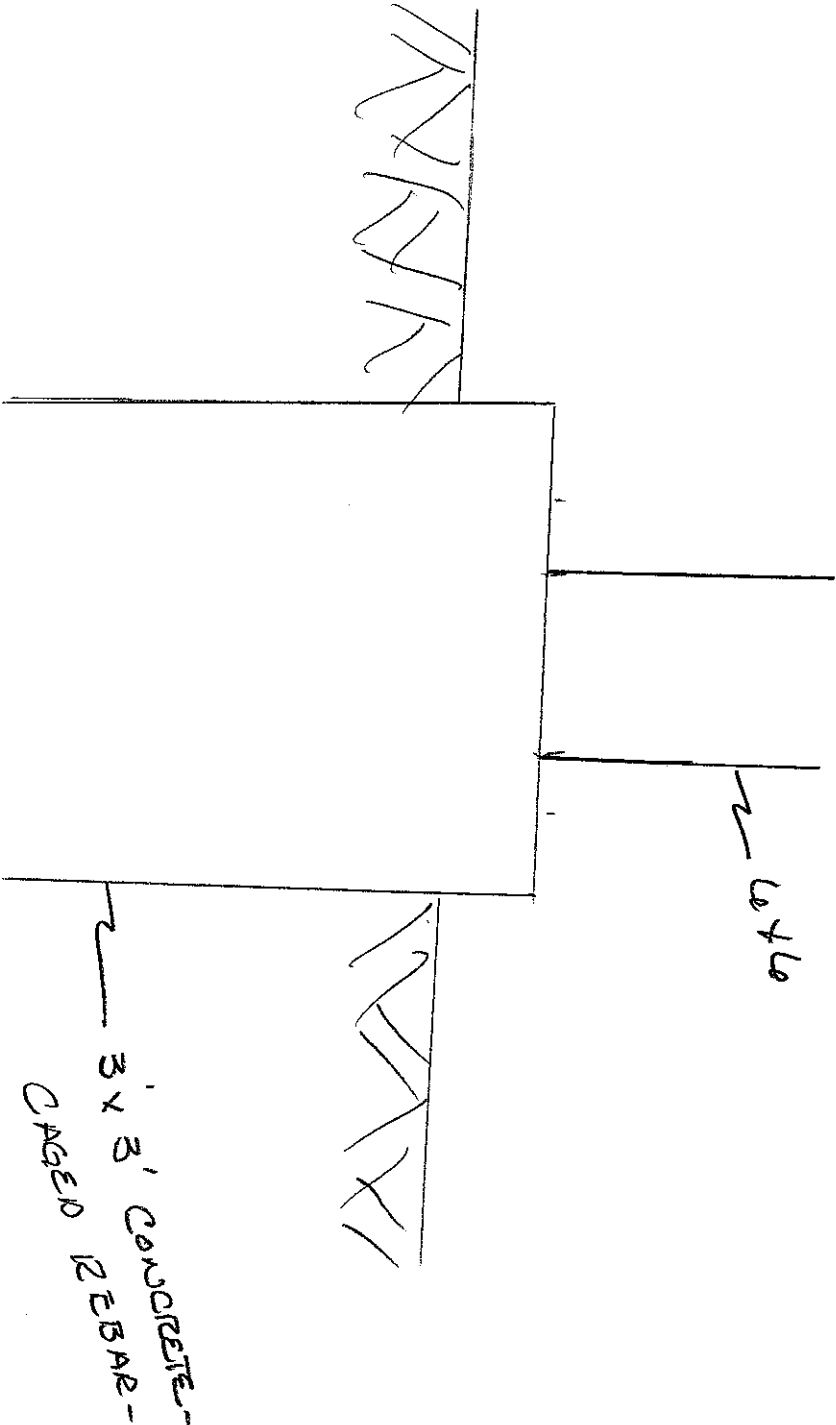
LIVING AREA BREAKDOWN			
Breakdown			Subtotals
First Floor			
14.1	x	11.1	156.51
41.9	x	11.1	465.09
3.6	x	11.6	41.76
7.3	x	39.4	287.62
9.4	x	42.6	400.44
14.9	x	39.4	587.06
6 Items			(rounded)
			1938

Attachment 2e: Conceptual rendering of new carport

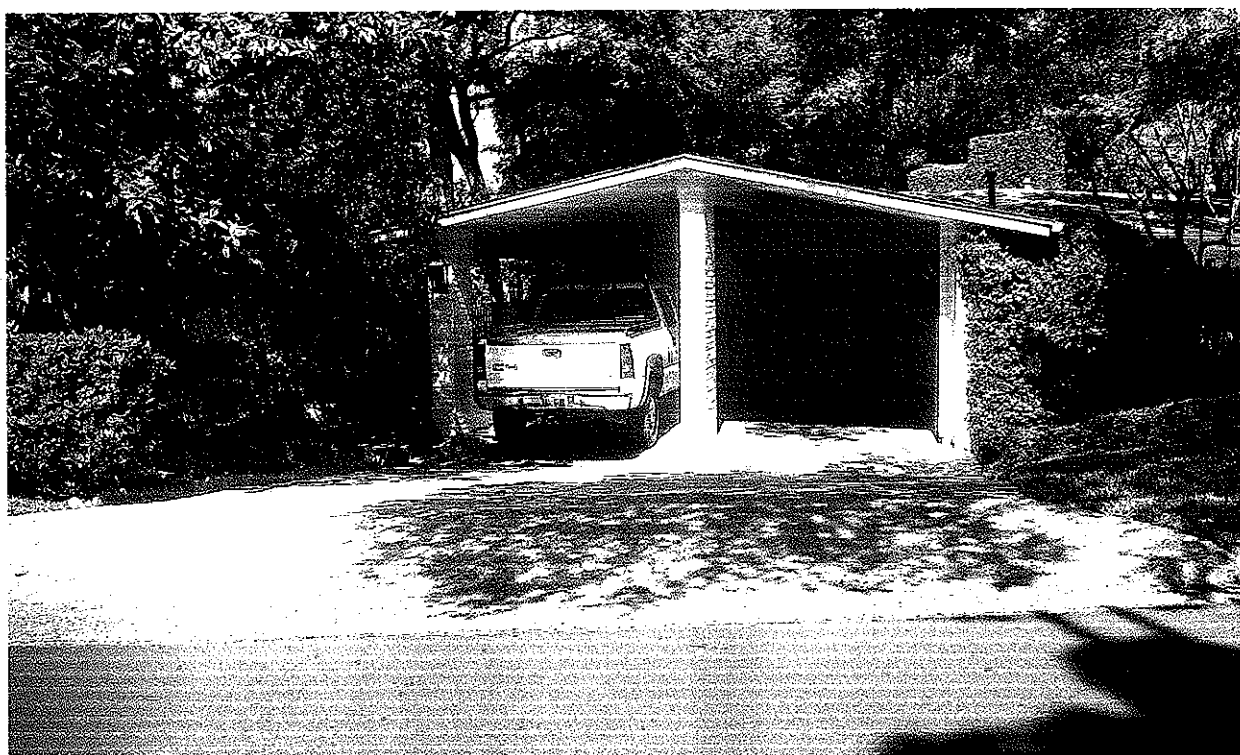


Attachment 2f: Structural design of proposed carport support beams

W
Warnell Construction
238 Old Austin Trl
Elgin Texas 78621
512-318-7580 / 512-712-3693



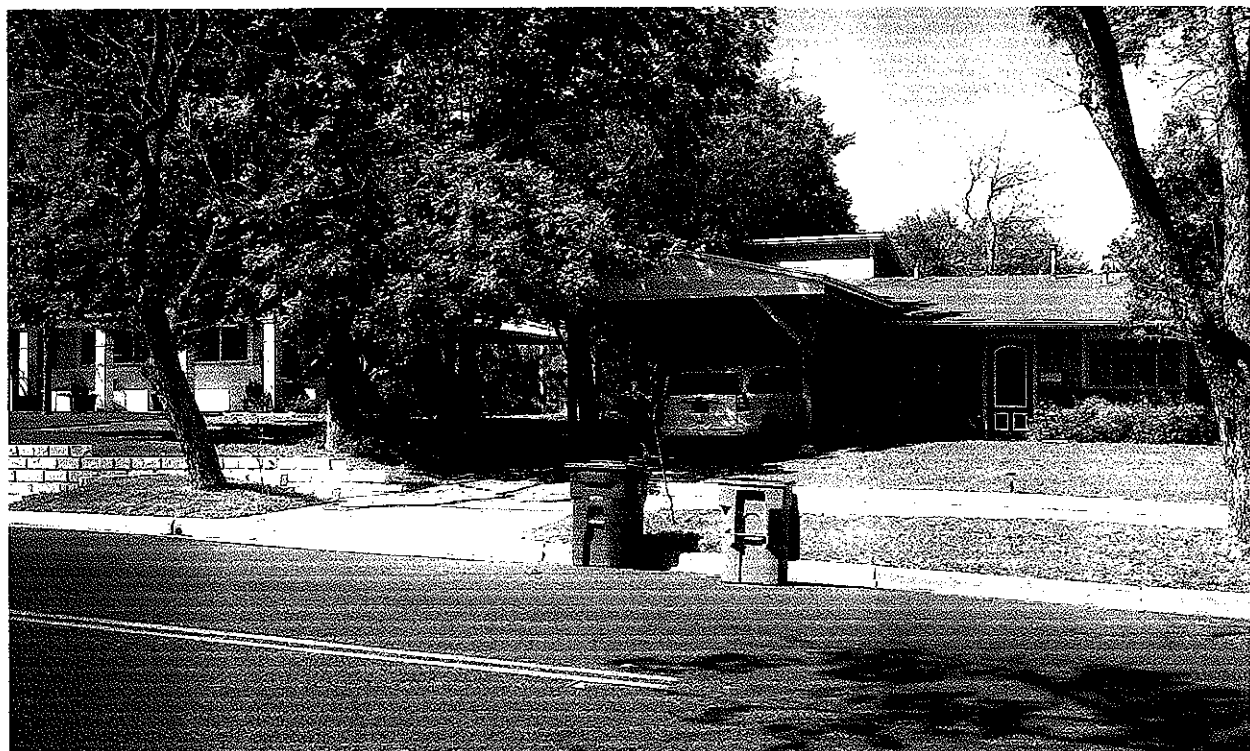
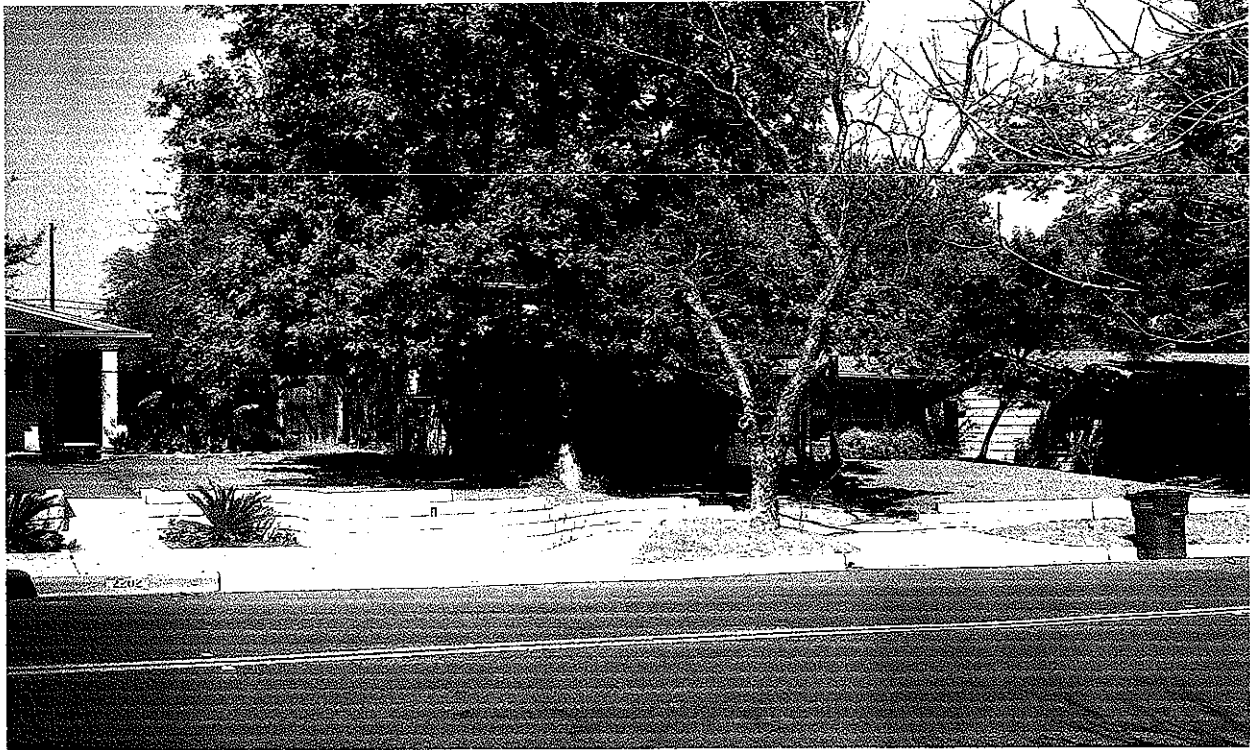
Attachment 3—Similar carports in the immediate area that have similar setbacks.



Attachment 3—Similar carports in the immediate area that have similar setbacks.



Attachment 4—Subject carport as repaired (2200 Westover Road)



Attachment 4—Subject carport as repaired (2200 Westover Road)



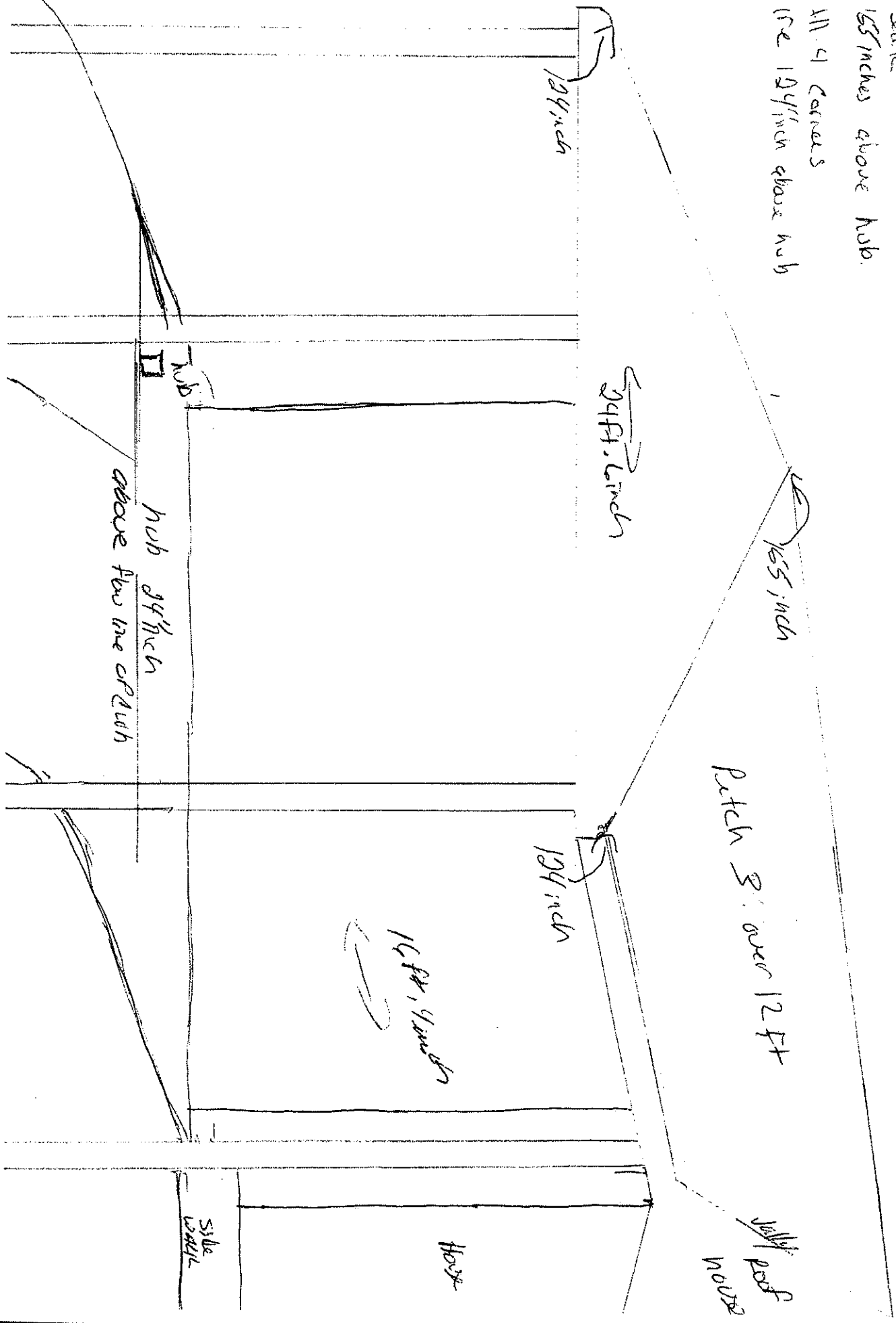
Use 31 Ft from hub to flow line of curb center drive way
hub is 2 Ft above flow line of curb

Peak

165 inches above hub.

All 4 corners

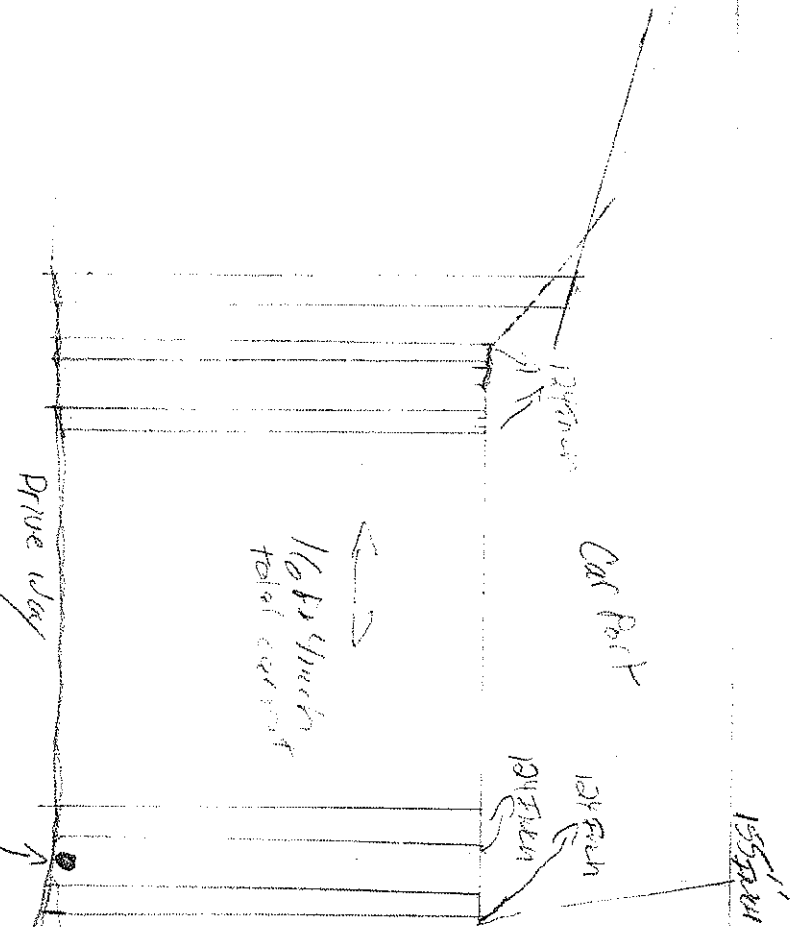
are 124 inches above hub



House

155 Inches

1-10-86



THE AREA of land on car port is 160 1/2'.

The car port is 24 ft. wide inside when facing front of house.

Hub is (24 ft. x 155 ft.) ABOVE Flow line of gutter front of drive way And 31 feet towards the house also 11' center of driveway