

CASE # C15-20130073
ROW-10963106
TP-0210020903

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: 509 West 16th street

LEGAL DESCRIPTION: Subdivision -- Original City

Lot(s) 0.124 acres Block Outlot 30 Division E

I Jim Bennett as authorized agent for Mary Anne Notzon

 affirm that on 5/27/2013, I hereby apply for a hearing before the Board of

Adjustment for consideration to:

ERECT – ATTACH – COMPLETE – REMODEL – MAINTAIN

Expand a nonconforming use for a second time to allow for an addition to a single family

dwelling (25-~~247~~ c) 2 a.)

in a GO 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:

The structure needs improving for a growing family.

HARDSHIP:

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

An inferior addition was made to this structure in the late nineties and this addition needs to be removed as well as the structure at the rear of the site. The proposed addition will conform to all other ordinance requirements including the McMansion requirements. The structure was existing prior to the 1984 adoption of The Land Development Code which made the structure nonconforming. The use of the structure has always been residential.

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

This single family dwelling is adjacent to multi-family development on the east and west sides of the property.

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 addition is to the rear of the residence and is not out of scale or character with neighboring properties.

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:

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:

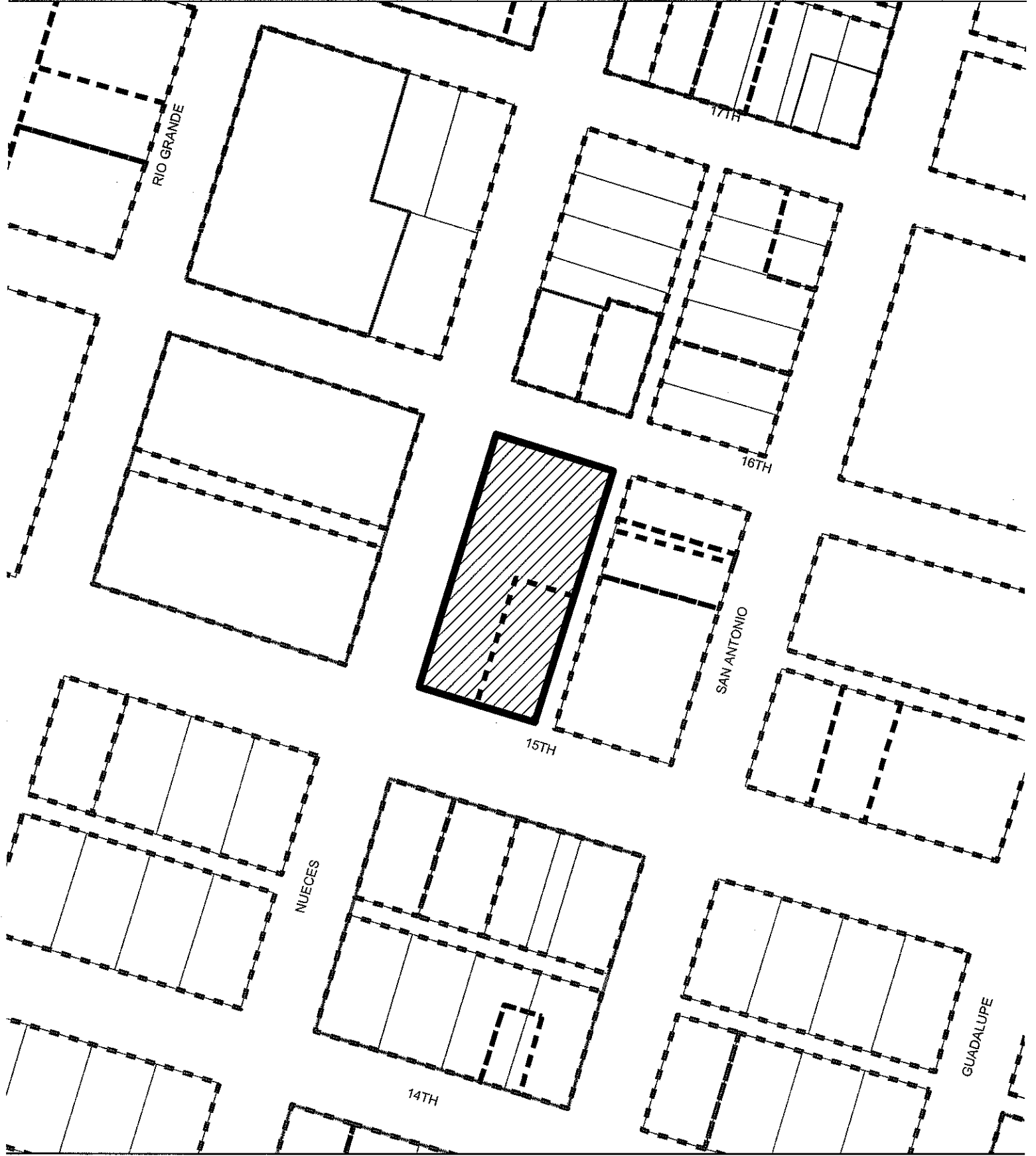
NOTE: The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.

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 Jim Bennett Mail Address 11505 Ridge Dr
City, State & Zip Austin, TX 78748
Printed Jim Bennett Phone 282-3079 Date 5/23/2013



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

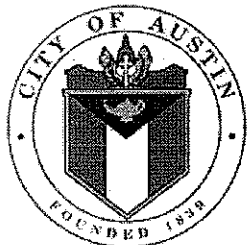
Signed Mary Anne Notzon Mail Address 509 W. 16th St
City, State & Zip Austin, TX 78701
Printed Mary Anne Notzon Phone (512) 799-4745 Date 5/23/2013



CASE#: C15-2013-0073
 LOCATION: 509 West 16th St



-  SUBJECT TRACT
-  ZONING BOUNDARY



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.



GO

GO

GO

GO

DMU-CO

GO

GO

DMU-H-CO

503

507

DMU CO

508

GO

DMU CO

LR

510

CITY OF AUSTIN – PLANNING AND DEVELOPMENT REVIEW DEPARTMENT
RESIDENTIAL PLAN REVIEW APPLICATION – MASTER COMMENT REPORT



CASE NUMBER:
CASE MANAGER: **Taylor Horton** PHONE #: **512-974-2618**

PROJECT NAME: **509 W 16TH ST**
LOCATION:

SUBMITTAL DATE: **Tuesday, November 27, 2012**
FINAL REPORT DATE: **March 5, 2013**

STAFF REPORT:

This report includes all staff comments received to date concerning your most recent residential application submittal. The comments may include requirements, recommendations, or information. The requirements in this report must be addressed by an updated submittal.

The application will be approved when all requirements from each review discipline have been addressed. However, until this happens, your application is considered disapproved. Additional comments may be generated as a result of information or design changes provided in your update.

If you have any questions, problems, concerns, or if you require additional information about this report, please do not hesitate to contact your case manager at the phone number listed above or by writing to the City of Austin, Planning and Development Review Department, P.O. Box 1088, Austin, Texas 78704.

UPDATE SUBMITTALS: An update submittal is required. You must make an appointment with the Intake Staff (974-2919) to submit the update. Please bring a copy of this report with you upon submittal to Intake.

Please submit 1 copies of the plans and 1 copies of a letter that address each comment for distribution to the following reviewers. Clearly label information or packets with the reviewer's name that are intended for specific reviewers.

REVIEWERS:
Taylor Horton

Residential Zoning Review - Taylor Horton - 512-974-2618

The permit application is rejected because of the following discrepancies:

1. The property is zoned GO, and the (residential) use is a nonconforming use ; as such it is subject to section 25-2-974 of the LDC. This section states that the a person may expand the portion of a structure of site that is used for a nonconforming use, except ; an expansion of the portion of the site must be on the same lot and **may occur only one time**... The property was permitted an expansion in 1998 to "Add Laundry, Master Bedrm/Bath&Enlarge Kitchen", thereby making the property ineligible for another expansion.
2. The project cannot be permitted unless a variance is granted by the Board of Adjustments.

509 WEST 16TH STREET

N 20°01'49" E
59.98'

SURVEY OF 0.124 ACRES OUT OF OUTLOT NO. 30, IN DIVISION "E", IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING THE SAME TRACT RECORDED TO GREGORY IN VOL. 814, PG. 116, DEED RECORDS, TRAVIS COUNTY, TEXAS.

West 16th Street

NUECES STREET

BACK OF CURB

- TREE LIST:
 T1 - 22" LIVE OAK
 T2 - 26" PALM
 T3 - 22" PECAN
 T4 - 17" PECAN
 T5 - 17", 10" PECAN
 T6 - 9" MULBERRY

JULIA J. SAWYER
FAMILY LTD.
128' x 50'
#2004212822

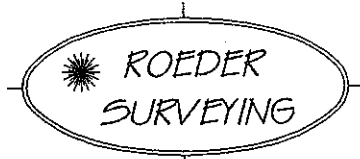
TSE MING YANG
0.124 AC.
#2010139010

NOTE:
NO TITLE COMMITMENT FURNISHED.

0.124 AC.

TEXAS ASSOC. OF
BUILDERS INC.
62' x 128' & 10' ALLEY
8387/543

RONALD C. GREENING
64' x 128' & 10' ALLEY
13245/626 12-65

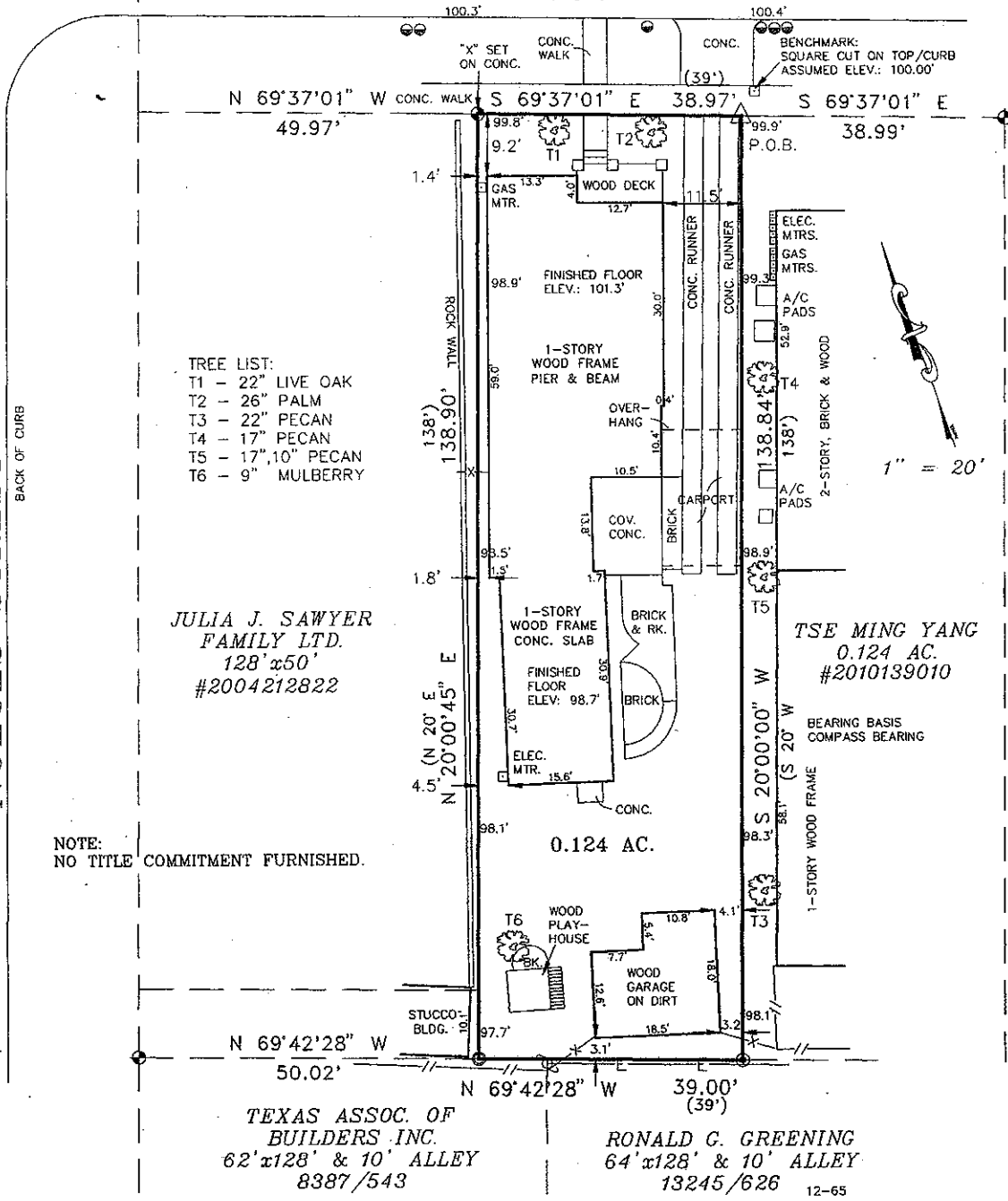


3705 VINELAND DRIVE
AUSTIN, TEXAS
FAX & PHONE (512) 478-7673

- LEGEND
- ⊙ 1/2" IRON PIN FOUND
 - ⊙ 1/2" IRON PIN SET
 - △ NAIL FOUND
 - ⊗ "X" FOUND ON CONCRETE
 - ⊕ POWER POLE
 - ⊖ WATER METER
 - //— WOODEN FENCE
 - X-X- WIRE FENCE
 - E- OVERHEAD ELECTRIC LINE
 - () RECORD INFORMATION



DATE: 4-23-12



ROEDER SURVEYING

3705 VINELAND DRIVE
Austin, TEXAS 78722
(512) 478-7673

FIELD NOTES:

FIELD NOTES FOR 0.124 ACRES OUT OF OUTLOT NO. 30, DIVISION "E", IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING THE SAME TRACT RECORDED TO GREGORY IN VOL. 814, PG. 116, DEED RECORDS, TRAVIS COUNTY, TEXAS, SAID TRACT TO BE MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS:

BEGINNING at a nail found in the south R.O.W. of West 16th Street in Austin, Texas, said nail being the northwest corner of a 0.124 acre tract recorded to Yang in Doc. No. 2010139010, Official Public Records, Travis County, Texas, the northeast corner hereof and the **POINT OF BEGINNING**, an "X" found at the northeast corner of said Yang tract bears S 69°37'01" E, 38.99'.

THENCE, S 20°00'00" W, 138.84' with the west line of said Yang tract to a 1/2" iron pin found in the north line of a tract recorded to Greening in Vol. 13245, Pg. 626, Deed Records, Travis County, Texas, for the southeast corner hereof.

THENCE, N 69°42'28" W, 39.00' with the north line of said Greening tract and passing the northeast corner of a tract recorded to Texas Association of Builders Inc. in Vol. 8387, Pg. 543, Deed Records, Travis County, Texas, to a 1/2" iron pin set for the southwest corner hereof, an "X" found on concrete at the northwest corner of said Texas Association of Builders Inc. tract bears N 69°42'28" W, 50.02'.

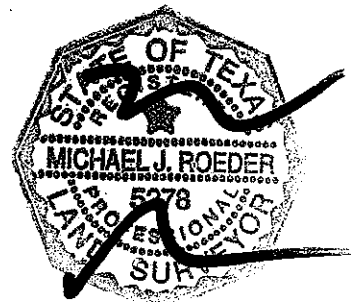
THENCE, N 20°00'45" E, 138.90' passing the southeast corner of a tract recorded to Sawyer in Doc. No. 2004212822, Official Public Records, Travis County, Texas, and with the east line of said Sawyer tract to an "X" set on concrete in the south R.O.W. of West 16th Street for the northwest corner hereof, a 1/2" iron pin found in the north R.O.W. of West 16th Street bears N 69°37'01" W, 49.97, N 20°01'49" E, 59.98'.

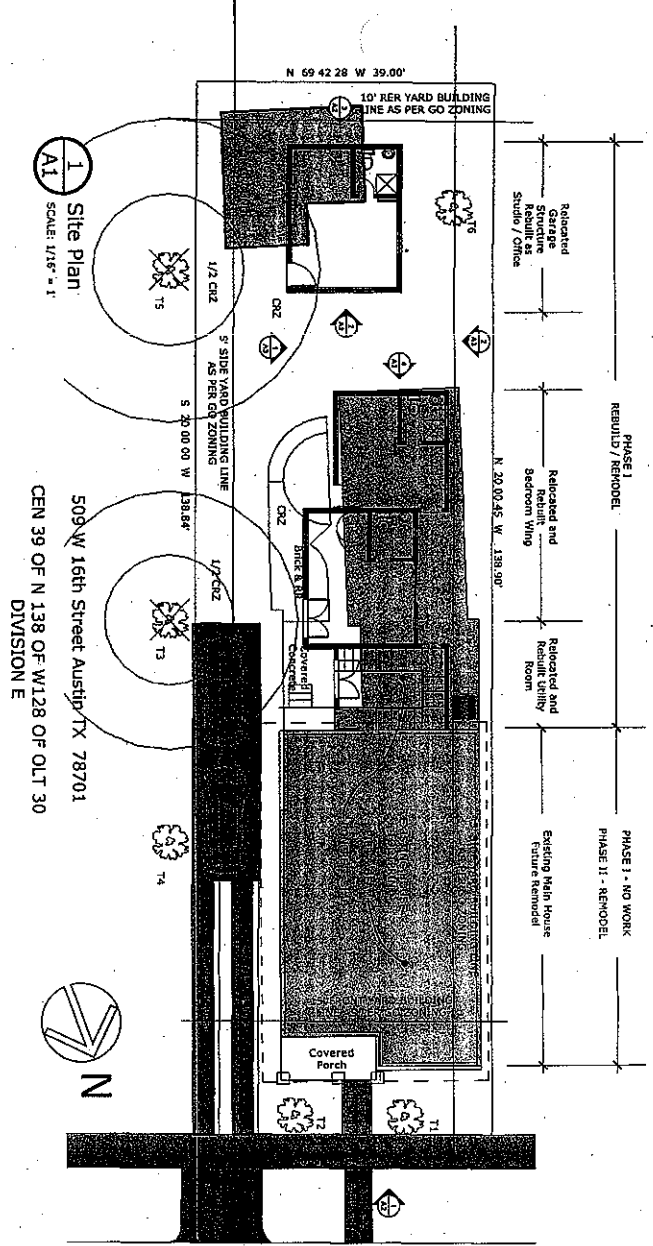
THENCE, S 69°37'01" E, 38.97' with the south R.O.W. of West 16th Street to the **POINT OF BEGINNING** and containing 0.124 acres more or less.

I hereby certify that these field notes represent an actual on the ground survey under my supervision and are true and correct to the best of my abilities.

MICHAEL J. ROEDER
R.P.L.S. #5278
12-65

4-23-12





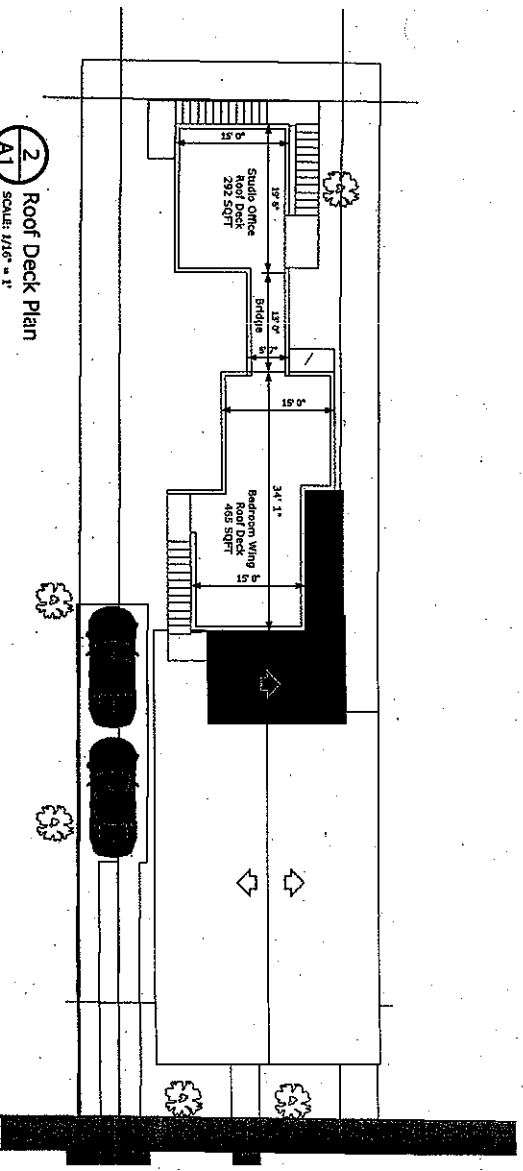
1 Site Plan
SCALE: 1/16" = 1'

509 W 16th Street Austin TX 78701
CEN 39 OF N 138 OF W128 OF OLT 30
DIVISION E

PHASE I - NO WORK
PHASE II - REMODEL
PHASE I - REMODEL / REMODEL

W 16TH STREET

TREES		
T1	22"	LIVE OAK
T2	26"	PALM
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T4	17"	PECAN
T5	20" (DEAD)	PECAN
T6	9"	MULBERRY



2 Roof Deck Plan
SCALE: 1/16" = 1'

Remodel of
The Notzon Family
Residence

A1

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59.98'

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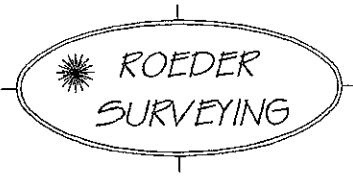
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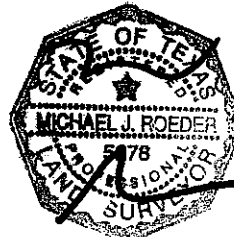
12-65

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