

A variance from the Building Code Board of Appeals may be required for variances from the Zoning Board of Adjustment (no Sign Review Board cases need to call). Please consult a code specialist in the Plan Review Division at 974-2580.

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 # C15-2013-0079

ROW # 10978159

TP-023411-13-03

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

*Revised*

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

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

STREET ADDRESS: 612 BISSONET LN AUSTIN TX 78752

LEGAL DESCRIPTION: Subdivision – LOT 3 BLK A TEMPO NORTH  
Lot(s) 3 Block A Outlot \_\_\_\_\_  
Division TEMPO NORTH

I/We ROGELIO LOZANO on behalf of myself/ourselves as authorized agent for

MY SELF  
affirm that on JUNE 19, 2013

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

(check appropriate items below)

    ERECT     ATTACH X COMPLETE     REMODEL     MAINTAIN

A CHANGE OF USE TO CREATE A TWO FAMILY RESIDENTIAL USE WITH 903 SF INSTEAD OF 850 SF

in a SF-3-NP \_\_\_\_\_ district HIGHLAND N.P.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:

A change of use to create a two family residential use with 903 sf instead of 850sf in a SF-3-NP

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**HARDSHIP:**

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

The building is only 53 s.f. larger than it's suggested. We purchased the property in 2002 with out knowing that the apartment in the rear did not have a permit for it to be habitable. It does not affect the property presence in any way As I found out during this permit process that it had all applicable permits for it to be build but not habitable. It's been the apartment for my senior citizen parents to live in which is small enough as it is. Having to reduce the apartment will not only reduce their living space but also force them to look for another place to live while we make the modifications that are suggested. We don't have any need for a car garage or don't have any other use for this building. I proffer for it to stay as have had it for the last 10 years and also allow me to be close and take care of my senior parents.

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

Most of the houses are single family and have a car garage in front of their houses, as for our property the garage is in the rear with driveway from the back street. We have plenty of parking.

**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:

We are not changing anything to the existing building exterior, witch meet all zoning regulations when it was initially build. We also don't see an increase on requesting additional variance to this rule as an apartment in the rear is not common in the neighborhood.

**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:

N/A  
\_\_\_\_\_  
\_\_\_\_\_

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

N/A  
\_\_\_\_\_  
\_\_\_\_\_

4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

N/A  
\_\_\_\_\_  
\_\_\_\_\_

**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 \_\_Rogelio G. Lozano Mail Address 612 BISONET LN

City, State & Zip AUSTIN TX 78752

Printed \_\_\_\_\_ Phone 512 796-5176 Date 6/19/2013

**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 \_\_\_\_\_ Mail Address SAME AS ABOVE

City, State & Zip \_\_\_SAME AS ABOVE

Printed \_\_\_\_\_ Phone 512 796-5176 Date 6/19/2013

**GENERAL INFORMATION FOR SUBMITTAL OF A VARIANCE REQUEST TO THE BOARD OF ADJUSTMENT**

(The following is intended to provide assistance in explaining the variance process. These suggestions are not intended to be a complete or exhaustive guide in assisting you through this process.)

**VARIANCE REQUIREMENTS:**

**General Requirements:**

- A. A variance may be granted if, because of special circumstances of a property, the strict application of the Land Development Code regulations deprives the property owner of privileges that are enjoyed by another person who owns property in the area that has the same zoning designation as the property for which the variance is requested.
- B. A variance to a regulation may not grant special privileges that are inconsistent with the limitations on other properties in the area or in the district in which the property is located.

**SUBMITTAL REQUIREMENTS:** (Failure to complete the application or to submit all the required materials will result in non-acceptance of the application.)

- (1) A completed application indicating all variances being requested. An application must include proposed findings that will support requested variances. The required findings must address each variance being sought.
- (2) A site plan to scale indicating present and proposed construction and location and use of structures on adjacent lots.
- (3) Check made payable to the City of Austin for the Board of Adjustment application fee. (Residential zoning - \$360. All other zonings - \$660.)
- (4) Other Information – Although the following is not a requirement of submittal you may wish to include additional information that may assist the Board in making an informed decision regarding your request such as: photos of the site or visual aids to support the request, letters from the neighborhood association(s) etc. Any additional information you wish to submit must be in our office one week prior to the meeting. The Board will receive a packet with all information that has been submitted on the Thursday prior to the meeting.
- (5) Austin Energy approval

Variances approved by the Board are limited to and conditioned upon the plans and specifications presented by the applicants, except as modified by the Board.

Signed  Mail Address 612 BISONET LN

City, State & Zip AUSTIN TX 78752

Printed Rogelio G. Lozano Phone 512 796-5176 Date 6/19/2013

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

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- (1) A completed application indicating all variances being requested. An application must include proposed findings that will support requested variances. The required findings must address each variance being sought.
- (2) A site plan to scale indicating present and proposed construction and location and use of structures on adjacent lots.
- (3) ~~A tax plat with subject property clearly marked indicating property within a 500-foot radius. These are available from the Travis Central Appraisal District at 8314 Cross Park Drive (834-9138).~~
- (4) (3) Check made payable to the City of Austin for the Board of Adjustment application fee. (Residential zoning - \$360. All other zonings - \$660.)

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 SUBJECT TRACT

 ZONING BOUNDARY

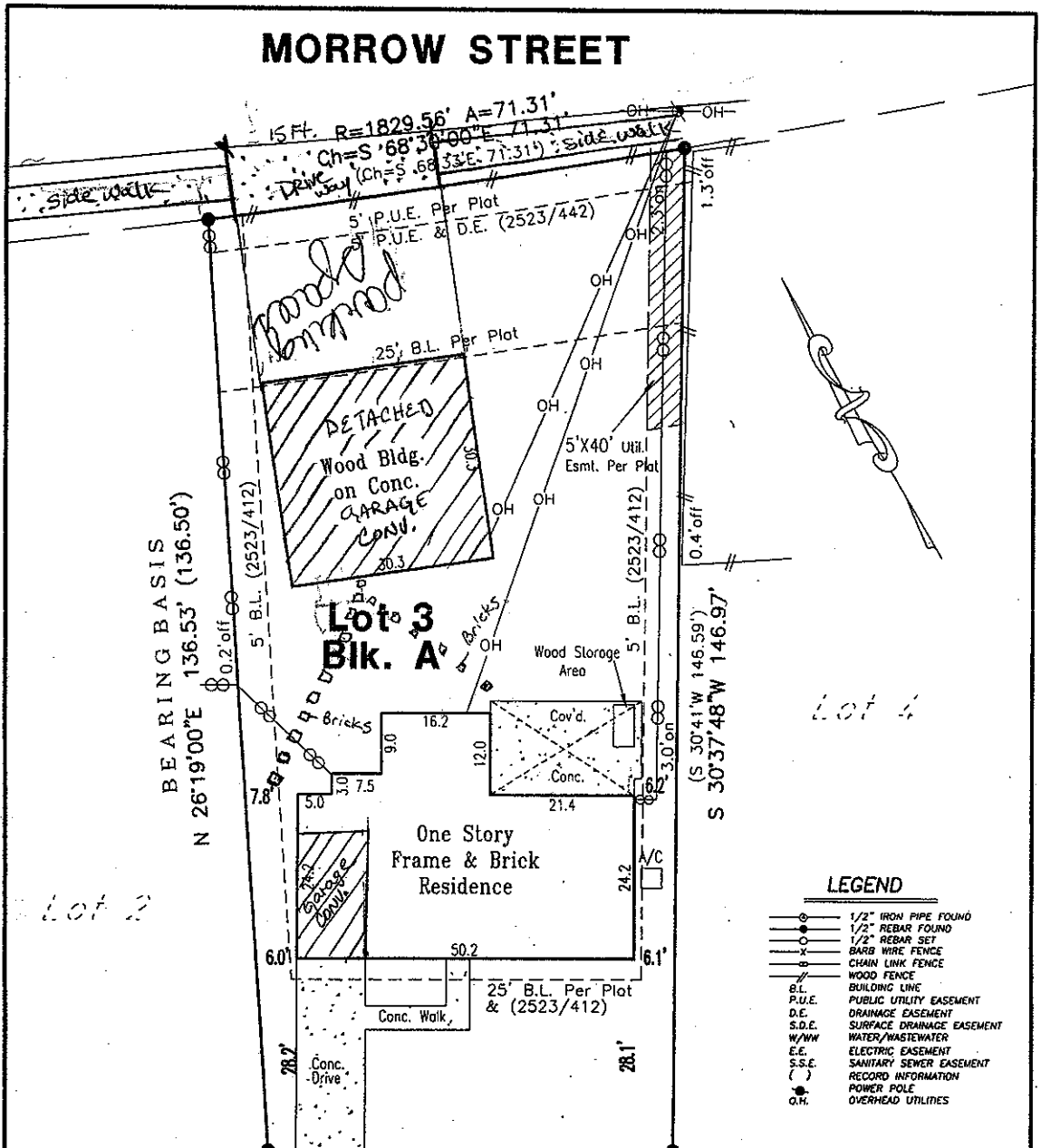
CASE#: C15-2013-0079  
 LOCATION: 612 Bissonet LN



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.

# MORROW STREET



## BISSONET LANE

Subject to Restrictions as Stated in: Vol.2523, Pg.442; and Per Plot in Vol.16, Pg.32.

SUBDIVISION TEMPO NORTH

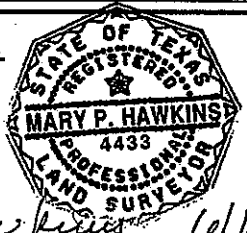
LOT: 3 BLOCK: A VOLUME 16 PAGE 32 PLAT RECORDS

COUNTY: TRAVIS STATE OF TEXAS STREET ADDRESS 612 BISSONET LANE

CITY: AUSTIN REFERENCE NAME ROGELIO LAZANO, ALFREDO LAZANO

**Dewey H. Burris & Associates, Inc.**  
Land Surveying Services

1404 West North Loop Blvd. 512\*458-6969  
Austin, Texas 78757 Fax: 512\*458-9845



THIS PROPERTY DOES NOT  
LIE WITHIN THE 100 YEAR FLOODPLAIN,  
AND HAS A ZONE X RATING AS  
SHOWN ON THE FLOOD INSURANCE RATE MAPS  
F.I.R.M. MAP No. 480624

PANEL 0160 E  
DATED: 6-8-93  
This certification is for insurance purposes  
only and is not a guarantee that this  
property will or will not flood. Contact your  
local floodplain administrator for the current  
status of this tract.

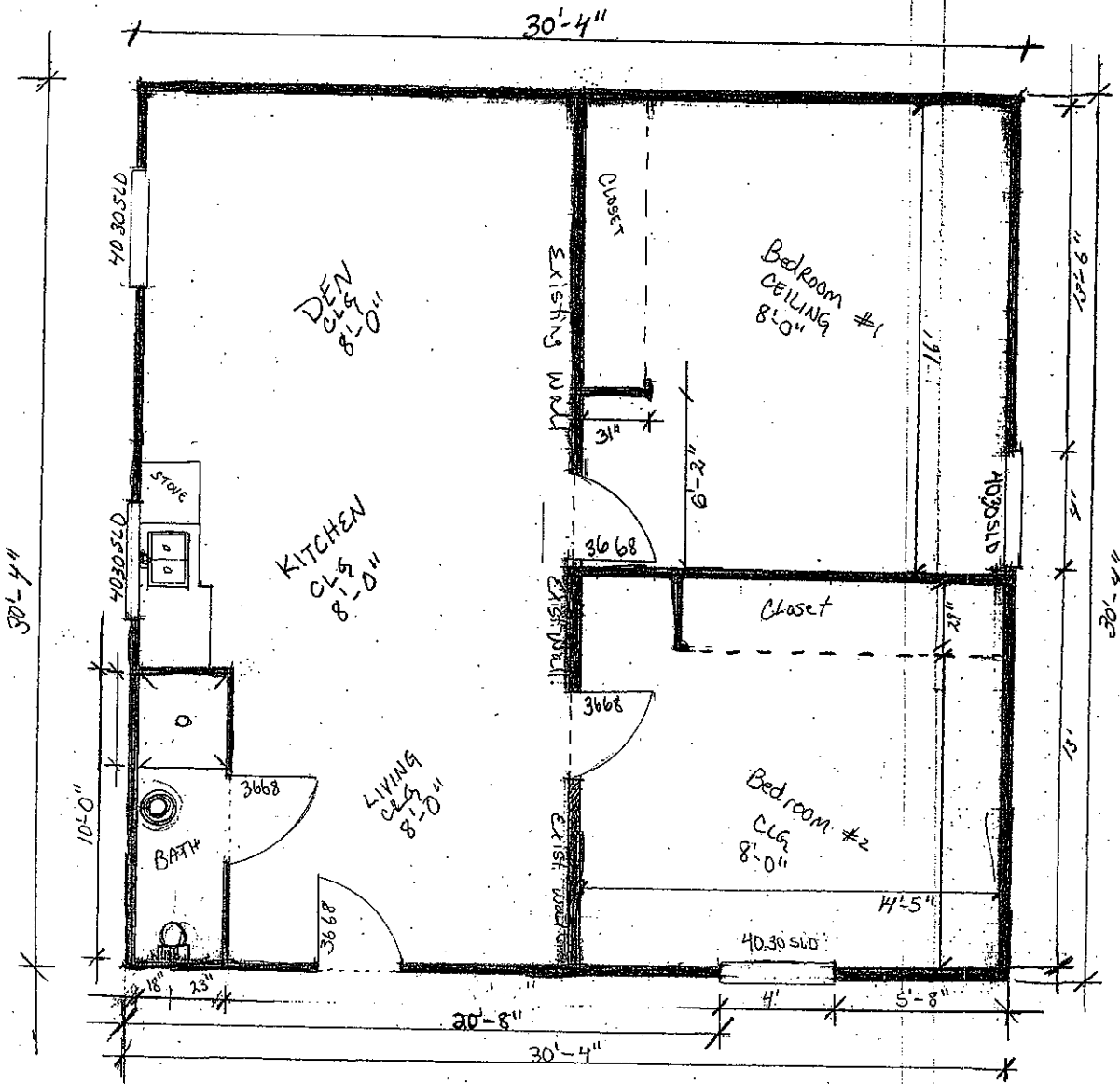
*Mary P. Hawkins*  
TO THE LIENHOLDER AND / OR OWNERS OF THE PREMISES SURVEYED AND TO  
FIDELITY NATIONAL TITLE INSURANCE COMPANY

DATE 6-14-01  
TITLE CO FIDELITY  
G.F. # 01-53887  
JOB. No. 00807101\_TA  
SCALE 1" = 20'

I do hereby certify that this survey was this day made on the ground of the  
property legally described hereon and that there are no Boundary Line  
conflicts, Encroachments overlapping of improvements, or roads in place,  
except as shown hereon, and certifies only to the legal description and  
Easements shown on the referenced Title Commitment. This survey is only  
to be used for this one transaction. Copying or reproducing without  
permission of Dewey H. Burris, Inc is prohibited.

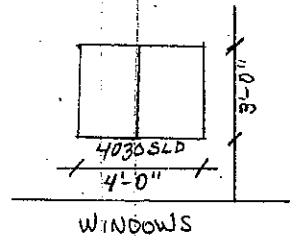
Cheryl_TBLK		
FIELD WORK	DERICK	6-13-01
DRAFTING	M.P.	6-14-01
FINAL CHECK	M.H.	6-18-01
CORRECTIONS		
UP DATE		

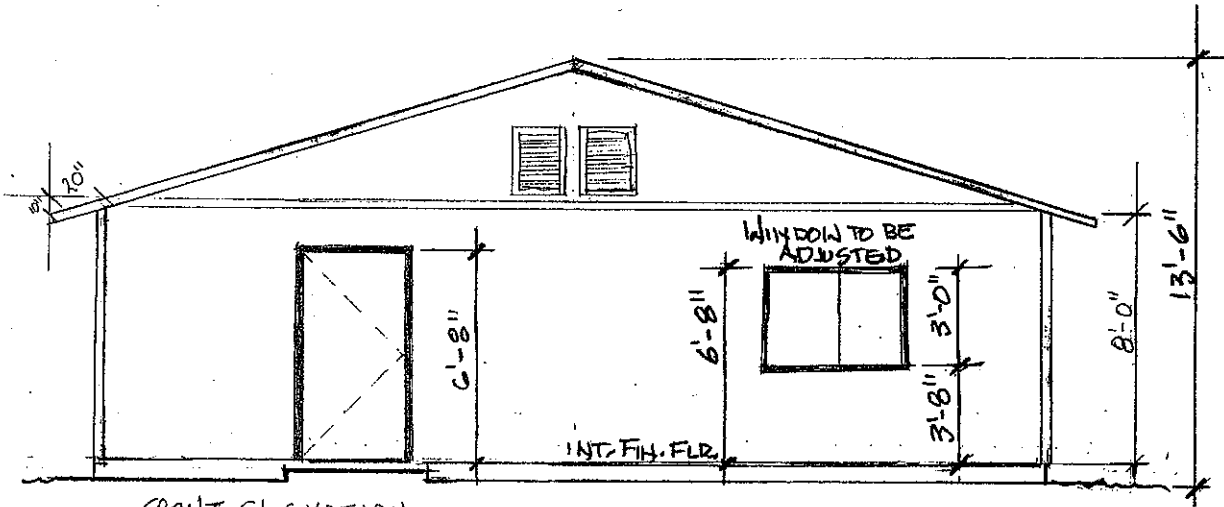




612 BISSONET LN  
 Accessory structure  
 Conversion  
FLOOR PLAN  
 Scale 1/4" = 1'-0"

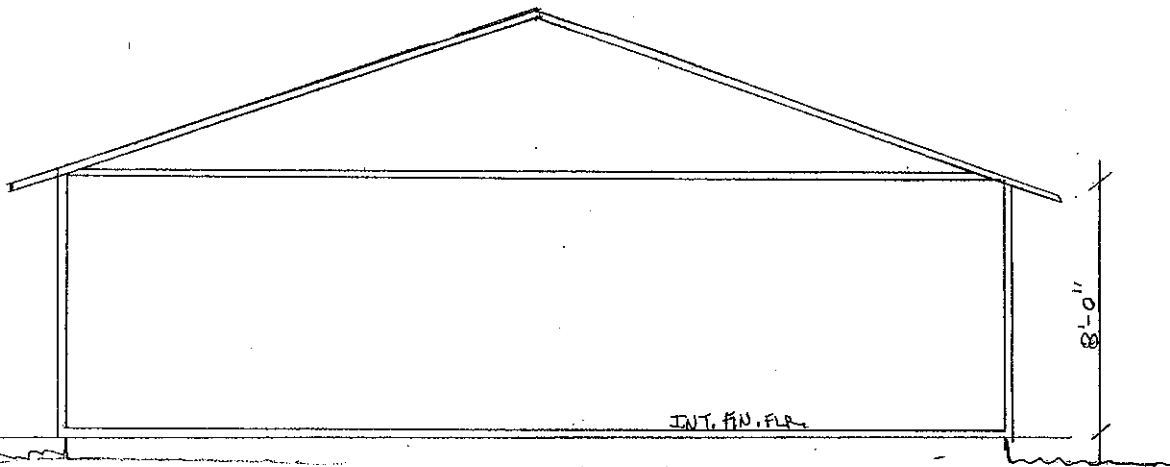
"Smoke Detector System- Hard wired, interconnected,  
 battery backup, at each sleeping room and vicinity.  
 In accordance with IBC 2006 Sec R313."





FRONT ELEVATION  
Scale 1/4" = 1'-0"

612 BISSONET LN



BACK ELEVATION  
Scale 1/4" = 1'-0"

612 BISSONET LN  
AUSTIN TX 78752