

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

CASE # C15-2013-0105
ROW # 11013034

TP-0402010101

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

Amended

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

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

STREET ADDRESS: 1811 S. 1st Street Austin, TX 78704

LEGAL DESCRIPTION: Subdivision - Bouldin's Addition

Lot(s) 6 Block A Outlot N.A. Division N.A.

I/We Eric Brown, HA Architecture on behalf of
myself/ourselves as authorized agent for

Thomas Esparza affirm that on September 6, 2013,

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

(check appropriate items below)

 ERECT X ATTACH COMPLETE X REMODEL X MAINTAIN

We request a variance to convert an existing covered porch into a vestibule. We are requesting a variance for the 43 square feet that are to be converted that are beyond the 10' street side setback. Additionally, we request the variance to include a new stoop and steps that extend 3'-4 1/2" beyond the allowable encroachment of 3' into a setback. Finally, we request that the variance include a new roof over the stoop, which adds 21 square feet of roof area beyond allowable overhang.

This project site is extremely constrained due to two street side setbacks (each 10' from property line), an adjacency to a residential use property (15' from property line), and a flood plain. The building, as it currently exists, could not be built today due to zoning changes precipitated by the development of this area. The intention of this project is to update the building so that it is more like the updated / hip 78704 neighborhood in which it resides. I have been running my business in this neighborhood for thirty two years and would like to see my building evolve with the rest of the community.

Respectfully submitted,

in a CS-MU-V-CO-NP district.
(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:

The setback of 10' is more restrictive than what currently exists – the existing porch, which we would like to convert, is outside of the street side setback (not to mention other portions/sides of the building). When this project site was last renovated in the early 80's – via a building permit, the zoning designation and restrictions were not as constraining as they are today.

HARDSHIP:

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

The hardship for this variance is the configuration of the existing building and its relationship to the building setbacks. This is an existing building that has a clean permit history – all built items were built in accordance with City criteria at the time of their construction. I would like to utilize this existing building by enclosing a portion of the existing porch to create a vestibule for my clients. Additionally, this will continue to present an appropriate (business) street front to the neighborhood.

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

The hardship is not general to the area as most businesses are already pushed all the way to the street or property lines. We are requesting to convert the existing porch to conditioned space – this area is 5.75 feet from the property line (see Site Plan), but is beyond the (current) street side setback.

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 entry for which we are requesting a variance is in the same general vicinity as currently exists. The conversion does not affect the most immediate adjacent property in any way – it is across the street.

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:

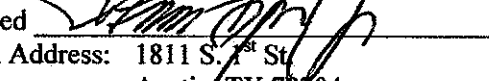
4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

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: HA Architecture
2125 E. Cesar Chavez
Austin, TX 78702
Printed: Eric Brown, HA Architecture
Phone 512.769.1622
Date September 6, 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.

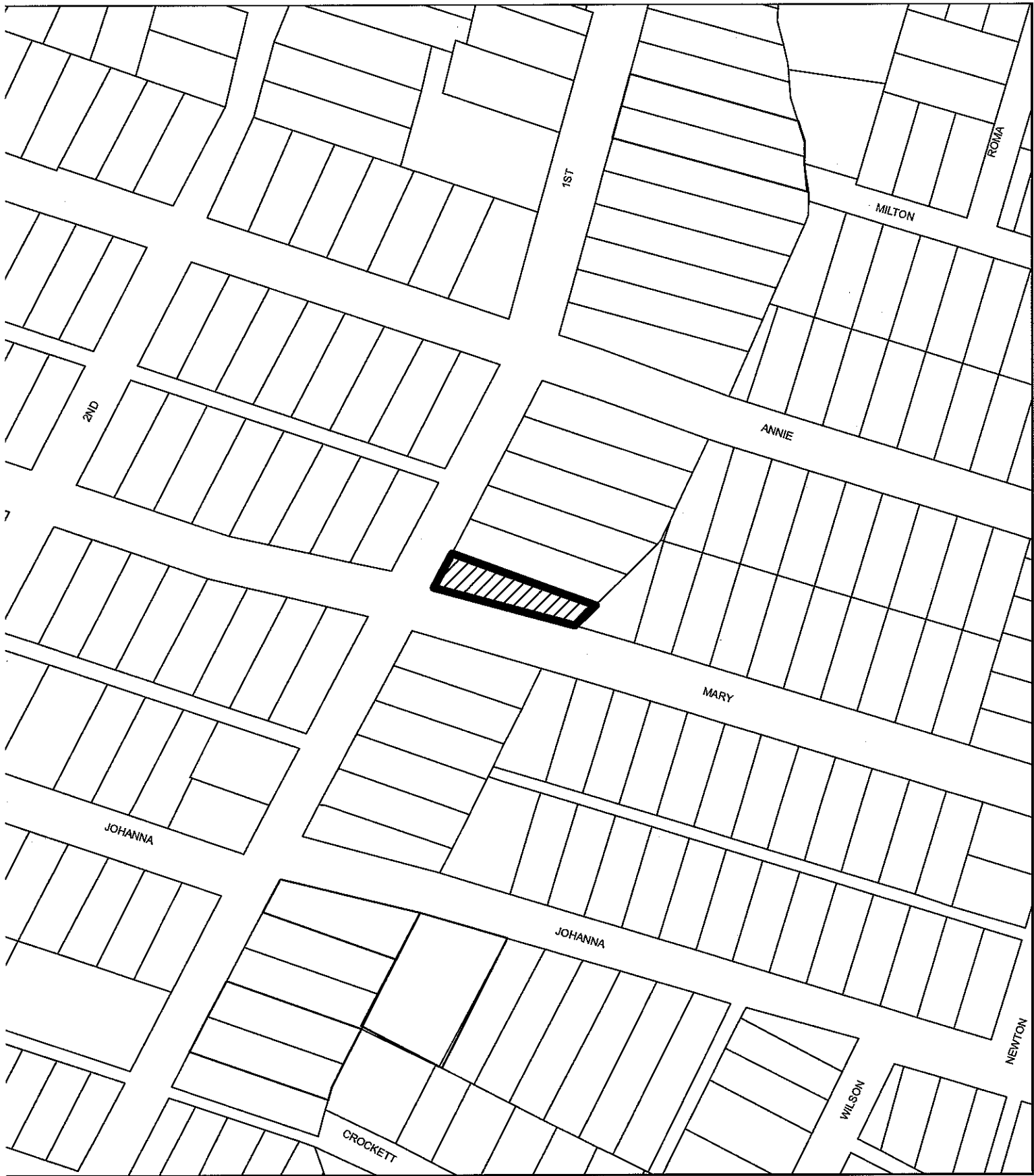
Signed 
Mail Address: 1811 S. 1st St
Austin, TX 78704
Printed: Thomas Esparza
Phone: 512.441.0062
Date: September 6, 2013

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

Note: in addition to maintaining the character of the neighborhood, the updates to be done on this building as part of this project are to make the building safer and more accessible to the public and assure its use long term.

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:



SUBJECT TRACT



ZONING BOUNDARY

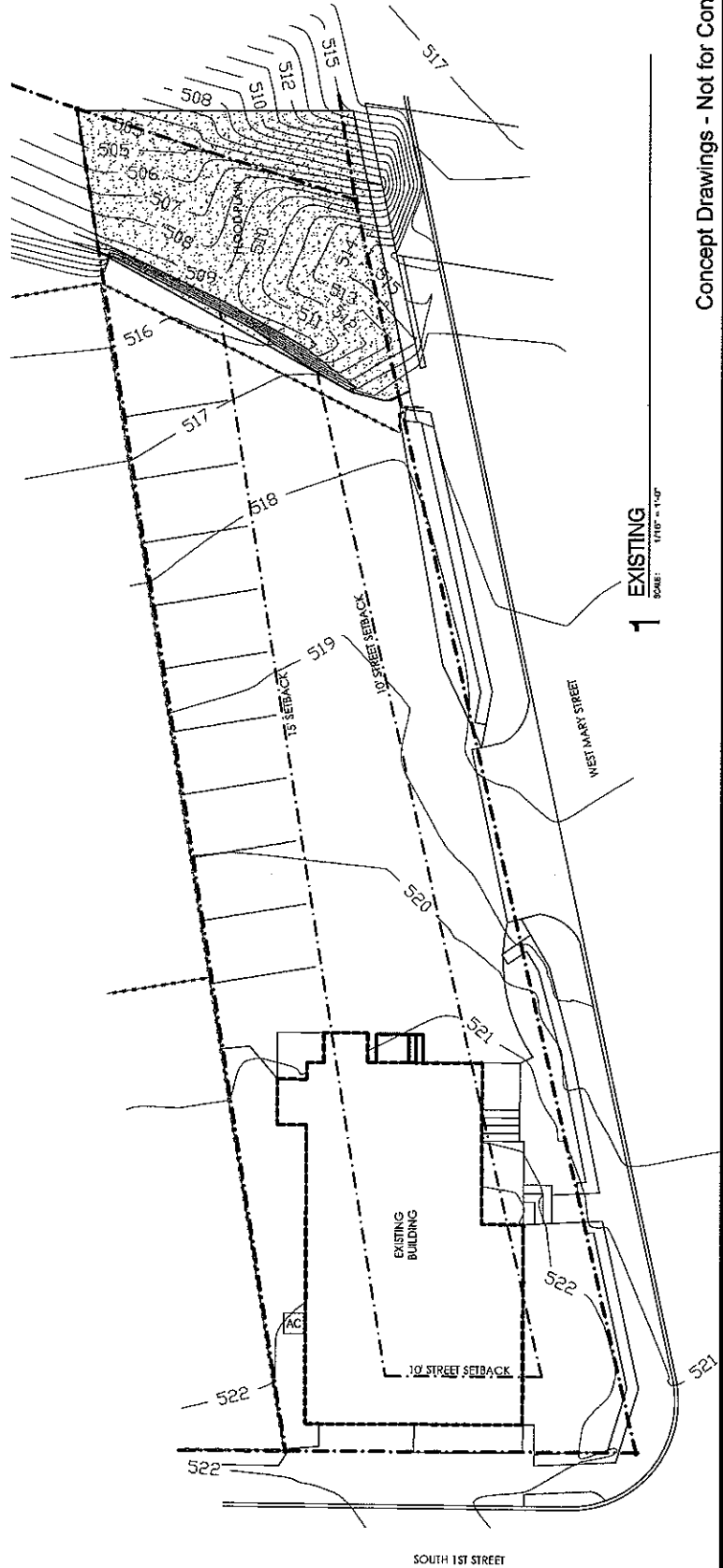
CASE#: C15-2013-0105
 LOCATION: 1811 S 1st Street



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.

VARIANCE EXHIBIT - EXISTING



1 EXISTING
SCALE: 1/16" = 1'-0"

Concept Drawings - Not for Construction EXISTING



H&A Associates, Inc.
2141 East Riverside Drive
Austin, Texas 78741
512-336-4477
www.haassoc.com

Esparza Law
1811 S. 1st St.
Austin, TX

A project for:
Thomas Esparza

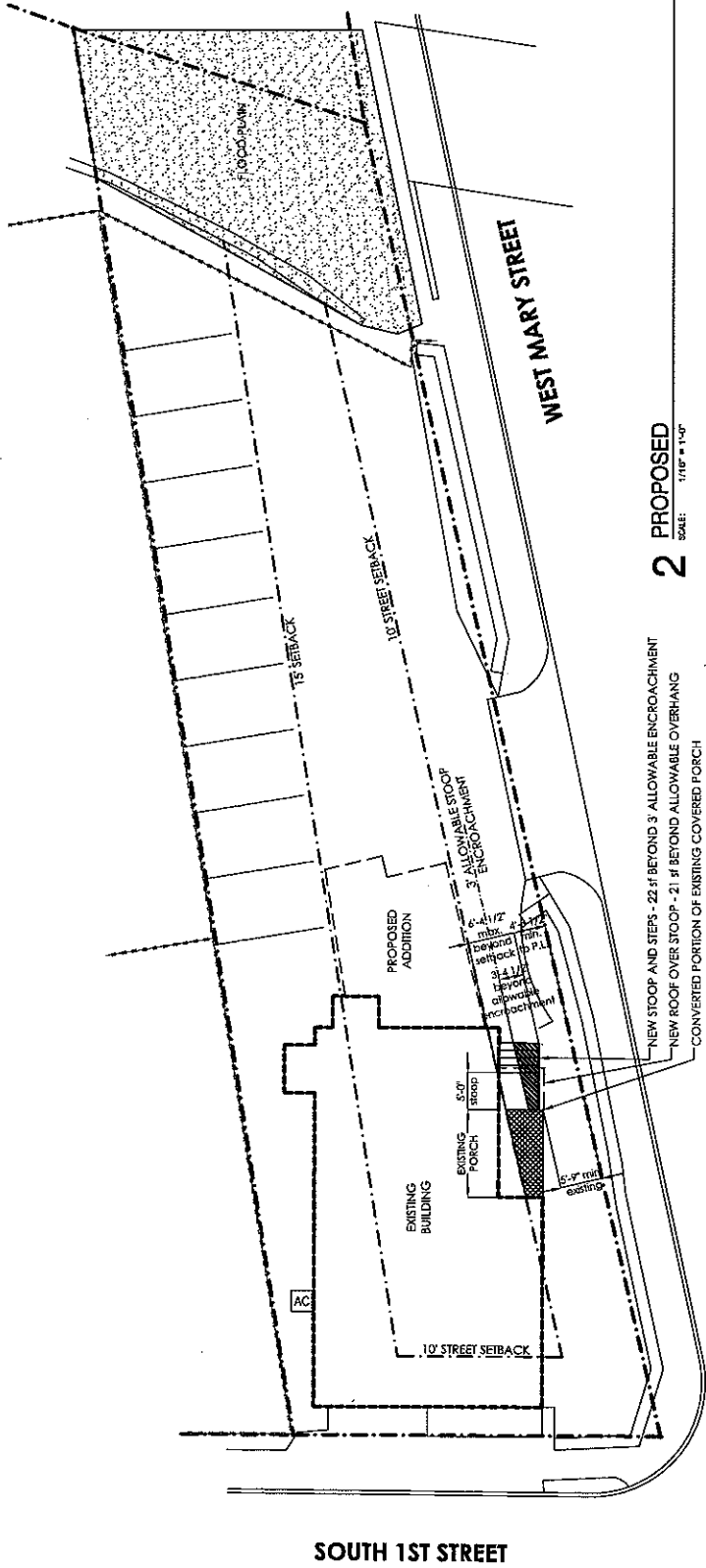
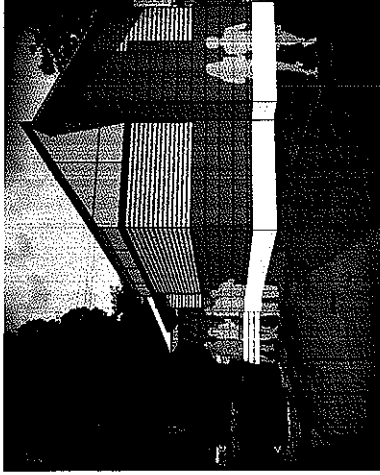
REVISIONS

No.	Date	Description

NOT FOR CONSTRUCTION
PERMITS OR CONSTRUCTION
TABLE # 21502
Original Issuance & revisions
DRAWING TITLE:

PROJECT NUMBER
13-101
DATE
10.14.13

VARIANCE EXHIBIT - PROPOSED



2 PROPOSED
SCALE: 1/16" = 1'-0"

Concept Drawings - Not for Construction



Houston Water & Air
1811 S. 1st St.
Austin, TX 78741
737.455.1100

Espaza Law
1811 S. 1st St.
Austin, TX

A Project for
Thomas Espaza

REVISIONS

No.	By	Date	Description

NOT for regulatory review,
sanitary, fire, electrical,
TITLE # 21582
Copyright Hamilton & Associates
DRAWING NAME:

PROJECT NUMBER:
19-101
DATE:
10.14.13

PROPOSED