

CASE # C15-2013-0120

TR-012309-02-17

ROW-11026199

**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: 3015 Westlake Drive

LEGAL DESCRIPTION: Subdivision --

Lot(s) 72 Block _____ Outlot _____ Division _____

I Jim Bennett as authorized agent for Ricardo Vega

_____ affirm that on 9/27/13 _____ hereby apply for a hearing before the Board of

Adjustment for consideration to:

ERECT – ATTACH – COMPLETE – REMODEL – MAINTAIN

a single family dwelling providing a shoreline side yard setback of 5 ft.

_____ in a LA district.
(zoning district)

E 10%

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

REASONABLE USE:

1. The zoning regulations applicable to the property do not allow for a reasonable use because:

The man made inlet is triggering the increase shoreline setback.

HARDSHIP:

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

There is an existing man made inlet that serves only this and the adjacent lot. This lot is a long narrow lot with a width of 99 ft. If the 75' shoreline setback is applied from the inlet and along with the 5' setback from the interior side leaves a building width of only 19 ft . The impervious cover is less than allowed on slopes with a gradient of < 15% (21%) 35% is allowed, and the impervious cover on slopes with a gradient of >15% (16%) 10% is allowed. The overall impervious cover spread out over the 75,221 sq. ft. equals 37%. This is because of the long length of the site

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

This lot configuration, and the adjacent man made inlet are not general to the area.

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 surrounding neighbors support the variance and due to the lot size, topography and the placement of the structure the variances will not change the character of the area.

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 Jim Bennett Mail Address 11505 Ridge Dr

City, State & Zip Austin, TX 78748

Printed JIM BENNETT Phone 512-282-3079 Date 9/30/13

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

Y Signed [Signature] Mail Address 3204 Aztec Fall -

City, State & Zip Austin, TX 78746

Printed Ricardo Vega Phone _____ Date 9/30/13

Austin Tx, September 2013

After being informed of the nature of the ordinance and the variance needed as per drawing attached;

We, the undersigned find no objection and therefore support the variance request by Mr. Ricardo Vega for the property located at 3015 Westlake Dr., Austin, TX 78746 *Exhibit A. Site Plan Dated September 21, 2013*

Name	Signature	Address
<u>L.B. GRIFFITH</u>	<u><i>L.B. Griffith</i></u>	<u>3101 Westlake Dr.</u>
<u>Michael A. Schroeder</u>	<u><i>Michael Schroeder</i></u>	<u>3107 #3 Westlake Dr.</u>
<u>TAYLOR GILL</u>	<u><i>Taylor Gill</i></u>	<u>3003 WESTLAKE DR</u>
<u>SEAN M. KELLEY</u>	<u><i>Sean M. Kelley</i></u>	<u>2947 WESTLAKE CME</u>
<u>John or Phyllis Biggar</u>	<u><i>John Biggar</i></u>	<u>3007 Westlake Dr 78746</u>
<u>_____</u>	<u>_____</u>	<u>_____</u>
<u>_____</u>	<u>_____</u>	<u>_____</u>

SF-1

LA

P

SF-3

LA

LA

City of Austin
Fully Developed
100-Year Floodplain

SF-2



