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 # C15-2013-0123 ROW# 11048052 TP-033203-11-05

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: 7701 Bixler Drive |
| LEGAL DESCRIPTION: Subdivision - Yarrabee Bend South Sec 1 |
| Lot(s) 14 Block A Outlot Division |
| We Tom Gibbons on behalf of myself ourselves as authorized agent for |
| myself affirm that on Oct 1, 2013, |
| hereby apply for a hearing before the Board of Adjustment for consideration to: |
| (check appropriate items below) |
| ERECT ATTACH COMPLETE REMODEL _x MAINTAIN |
| Carport O' from Dide Stelet |
| proporty lell. |
| in a ST-3 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:

Our house was the model home of the neighborhood and it was built w/o a garage. It is inconsistent with other properties in the neighborhood.

We are deprived of privileges of other property owners in the neighborhood by not having covered parking. The previous owner installed the carport over **HARDSHIP**: 25 years ago. (See attached letter from neighbor Marija Neuweg).

| | | • | | | | | | ALCO CONTRACTOR OF THE PARTY OF | | | | | | |
|---------|-------|--------|----------|-----|---------|------|---------------|--|--------|--------|-------|----------|------|-------|
| \sim | / \ ' | ~1 ~ | . 11' | | 1 * 1 | .1 | variance is | - 1 | • | • , | (1 | | • | .1 |
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| | | | | | | | | | | | | | | |

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:

Our house was built on a corner lot and the carport does not alter

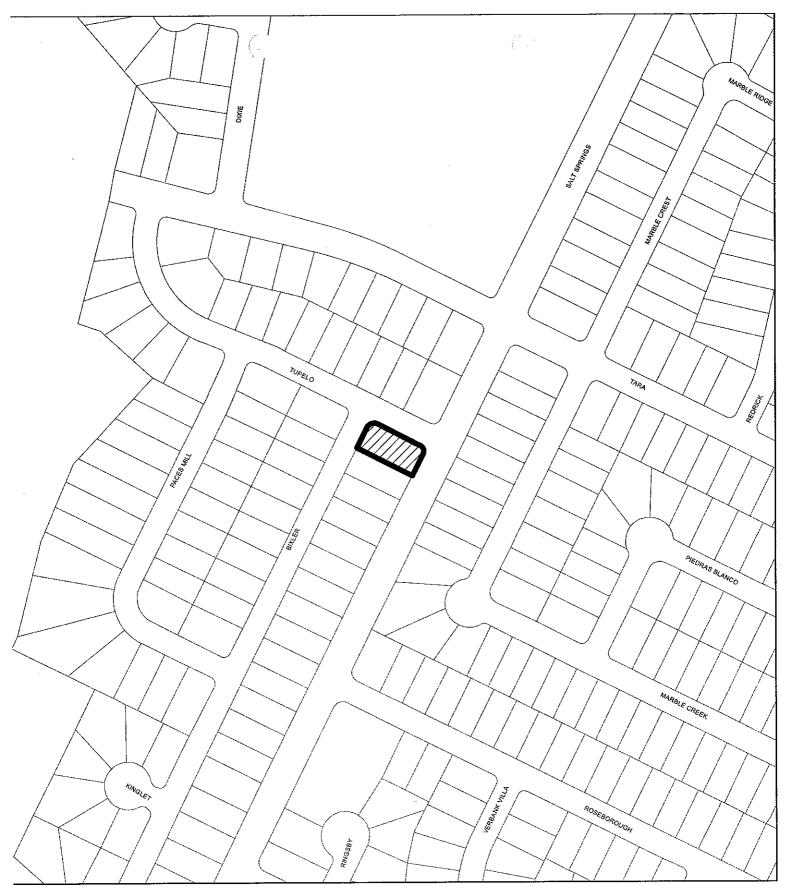
the character of any adjacent property (please see attached pictures).

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:

| | streets because: |
|------------------------------|---|
| | |
| | |
| 3. | The granting of this variance will not create a safety hazard or any other conditionsistent 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 the site because: |
| | |
| N | |
| AF | privilege not enjoyed by others similarly situated or potentially similarly situated. |
| AF ap | privilege not enjoyed by others similarly situated or potentially similarly situated. PPLICANT CERTIFICATE – I affirm that my statements contained in the comp |
| AF ap | PLICANT CERTIFICATE – I affirm that my statements contained in the compelication are true and correct to the best of my knowledge and belief. |
| AF ap _j Sig | PPLICANT CERTIFICATE – I affirm that my statements contained in the compelication are true and correct to the best of my knowledge and belief. Mail Address 7701 Bixler Drive |
| AP app Sig | PLICANT CERTIFICATE — I affirm that my statements contained in the compelication are true and correct to the best of my knowledge and belief. Mail Address 7701 Bix1er Drive y, State & Zip Austin, TX 78744 Inted Tom Gibbons Phone 512-282-8680 Date 10-1-2013 |
| AF app | PLICANT CERTIFICATE — I affirm that my statements contained in the compelication are true and correct to the best of my knowledge and belief. Mail Address 7701 Bixler Drive med Mail Address 7701 Bixler Drive med Tom Gibbons Phone 512-282-8680 Date 10-1-2013 WNERS CERTIFICATE — I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief. Mail Address 7701 Bixler Drive Date Town Gibbons Phone 512-282-8680 Date |
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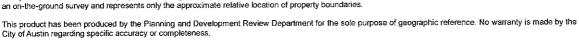


/// SUBJECT TRACT

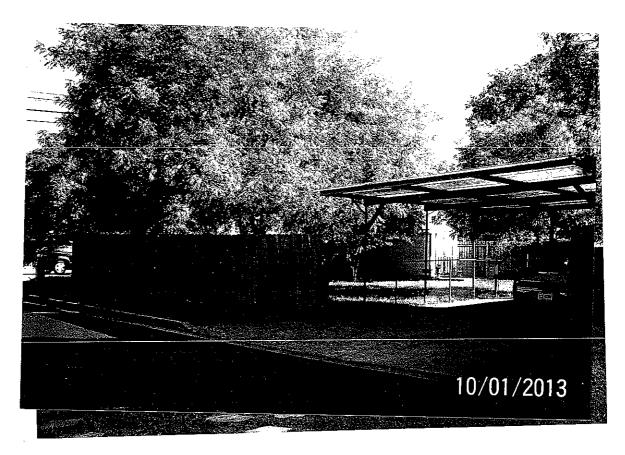
ZONING BOUNDARY

CASE#: C15-2013-0123 LOCATION: 7701 BIXLER DRIVE

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.









| Address: | 7701 Bixler Dr. |
|--|-----------------|
| Permit Number: | 2013-088060 |
| Property Owner Requesting Special Exception: | Tom Gibsons |

Special Exception Requested: Detached carport encroaching into side yard setback Date Structure was originally constructed: dated thru GIS existed in 1997

| Date of Inspection: | 08-29-2013 Tony Hernandez | | | | | | |
|--|---|--|--|--|--|--|--|
| Building Official or designated representative | | | | | | | |
| 1 | e variances requested will <u>Not</u> result in any hazard to the life, health or public be property for which the variance is requested or to an adjoining public or | | | | | | |
| the either the prop | e variances request will result in a hazard to the life, health or public safety of perty for which the variance is requested or to an adjoining public or private owing hazards related to the variance request were noted in this inspection: | | | | | | |
| 1. | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |

APPROVED BY AUSTIN ENERGY

JOB / FOR BOA CLIENT: Columbia National Mortgage DATE: IN 100 YEAR FLOOD PLAIN ACCORDING TO N.F.LP. MAP NO. 480624 01756 CITY OF AUSTIN APPROVED FOR PERMIT Greg Guernsey Planning and Development Review Department

By Date \$122/13 NUCKOLS CIROSSING ROAD The granting of a permit for or appropriate these plans and seedifications shall not be construed in the 12 12 12 15 15 1 to or an approval of, any violation of any of the professions of the construed building code or any other advances of the tray of turning. CARLE SICH 7.5" P.U / O.E. ESH'T. (7326/332) (7537/484) NOOD SHED AE APPROVED (PORTABLE) 25' 81. (PLAT) DIRITVE LOT 14 127.25 (97.15) (97.15) $\overline{\mathbb{A}}$ CYGOU CONC. TUPELO LOT 113 8 • 28% (PLI) All structures etc. must maintain 7'5" clearance from AE energized power lines. Enforced by AE & NESC codes. 21.9* cov. 25' BL (PLAT) ELEC. WIL 7 TELE PEO N 28'41'37' E (N 28'44'00' E) ELEC UN 49,54 R=15.00 C=21.83(21.21) N 71'08'50' E (N 73'44'00' E) BIXLER DIRITVIE SIGNED SIGNED BY Note: Subject to restrictive covenants recorded in Vol. 79, Pg. 259, Vol. 1726, Pg. 332, and in Vol. 7537, Pg. 484, Deed Records of Iran's County, Texas, and slad Building Schlock Lines so set cut in Vol. 7326, Pg. 332, and Vol. 7537, Pg. 484, Deed Records of Iran's County, M. Cookston, a Registered Professional Land Surveyor in the State of Texas, do hereby certify to Columbia National Mortgage / Alamo Title Co. / Alamo Title Insurance that this survey was made on the ground of the property described hereon (and/or by metes and bounds an attached sheet) and is correct and that there are no visible encrocchments, except as shown hereon; and it do certify that, except as noted hereon, there are no overlapping of improvements, there are no overlapping of improvements, there are no discrepancies or conflicts in the boundary lines, there is no visible evidence of utility lines or rights—at—way on the ground, and the subject property has access to and from a dedicated roadway. SCALE: 1"= 20". Yarrabee Bend South Section 1 LEGEND According to the map or plot recorded in Volume $\frac{79}{}$ TRAVIS _County, Texas. October Mitness my hand and seal this ... Gibbons 7701 Bixler Drive. Austin, Texas Address: 98105736 COOKSTON & ASSOC. Donald M. Cooksion Registered Professional Land Surveyor, No. 4755 15608 Spring Hill Lane Suite-110, Pflingerville, Tr. 78680 Office: (512) 252-9737 - FAX (512) 252-9533

I marija Newweg have
lired at 6310 Tupeto Dr.

Since 1983. The previous
owners of 7701 Bixter Dr.

lived there for I year
wefore I moved in. A
few years after I moved
in, the owners of 7701 Bixter
Dr. build the corport.

I do believe that a permit
has been issued after
about I or a years later.

Marija Jewez 512) 282-7903

(The carport has been there for over 25 years)

NUCKOLS CROSSING ROAD (50.03" 28'35'00" W) 2**8'34'59" W** 50.30 CABLE SIGN <u>P.U. / D.E. ESM'T. (7326/332)</u> (7537/484) WÖÖÖ SHED (PORTABLE) 25' B.L. (PLAT) 10.3° 1N 14 CONC. 4 (97.15) COV CONC. LOT 21.9* 7.8 TWO STORY
BRICK & FRAME
RESIDENCE ż N 6176'C CONC CONC. ∞^{21.7} 25' B.L. (PLAT) ELEC. M.H. TELE. PED N 28'41'37" E (N 28'44'00" E) 49.54' (50.00') -ELEC. M.H. R=15.00' C=21.43'(21.21') N 71'08'30" E (N 73'44'00" E) BICXILIEIR DRIVE SIGNED SIGNED DATE Note: Subject to restrictive covenants recorded in Vol. 79, Pg. 259, Vol. 7326, Pg. 332, and in Vol. 7537, Pg. 484, Deed Records of Travis County, Texas; and siad Building Setback Lines as set out in Vol. 7326, Pg. 332, and Vol. 7537, Pg. 484, Deed Records of Travis County, Texas i, Donald M. Cookston, a Registered Professional Land Surveyor in the State of Texas, do hereby certify to Columbia National Mortgage / Alamo Title Co. / Alamo Title Insurance that this survey was made on the ground of the property described hereon (and/or by metes and bounds on attached sheet) and is correct and that there are no visible encroachments, except as shown hereon; and I do certify that, except as noted hereon, there are no overlapping of improvements, there are no discrepancies or conflicts in the boundary lines, there is no visible evidence of utility lines or rights—of—way on the ground, and the subject property has access to and from a dedicated roadway. SCALE: 1"= 20" -Block A_, Yarrabee Bend South Section 1 Lot(s) -LEGEND 79 According to the map or plat recorded in Volume ------ Page --TRAVIS _County, Texas. October Witness my hand and seal this day of 1998 Gibbons 7701 Bixler Drive. Austin, Texas Address: 98105736 GF No. . COOKSTON & ASSOC SURVEYING & MAPPING Donald Cooksion Registered Professional Land Surveyor, No. 4733

15608 Spring Hill Lane-Suite-110, Pfilugerville, Tx. 78660 Office: (512) 252-9737 - FAX: (512) 252-9533

APPROVED BY AUSTIN ENERGY

JOB / FOR BOA Columbia National Mortgage CHENT DATE: ZONE: X BY 100 YEAR FLOOD PLAIN ACCORDING TO N.F.LP. WAP NO. 480624 01750 CITY OF AUSTIN APPROVED FOR PERMIT Greg Guernsey Planning and Development Review Department NUCKOLS CROSSING ROAD The granting of a permit for or appropriately these plans and specifications shall not be construed to the second of the grant of any of the grant o PED (S 28'35'00" W) S 28'34'59" W comed pullating code or any other recognition of the City of the 7.5" P.U. / O.C. (SW'T. (7.326/\$32) (7537/484) MOOD SHED AE APPROVED (PORTABLE) 25' AL CLAD DIRITVIE LOT 14 8 (A) CARBOR LOT: 13 CON. PAT All structures etc. must maintain 7'5" clearance from AE energized power lines. Enforced by AE & NESC codes. 21.9 A. 88%. 25' BL (PLAT) ELEC WII 20 TILE PEO N 28'41'37" E (50 00) CLEC. UH R=15.00 C=21 43 (21.21') N 21'08'30' E (N 73'44'00' E) BIXILER DIRITVIE Jan 22 1999 SIGNED Jon SIGNED Nale: Subject to restrictive covenants recorded in Val. 79, Pg. 259, Val. 7326, Pg. 332, and in Val. 7537, Pg. 484, Deed Records at Trains County. Texas: and in Val. 7537, Pg. 484, Deed Records of Italy Val. 7326, Pg. 332, and Val. 7537, Pg. 484, Deed Records of Italy: County, Texas. I. Daniald M. Cookston, a Registered Professional Land Surveyor in the State of Texas, do hereby certify to Columbia National Mortgage / Alamo Title Co. / Alamo Title Insurance that this survey was made on the ground of the property described hereon (and/or by melas and bounds on attached sheet) and is correct and that there are no visible encroachments, except as shown hereon; and I do certify that, except as noted hereon, there are no avertapping of improvements, there are no discrepancies or conflicts in the boundary that here is no visible evidence of utility times or rights—of-way on the ground, and the subject property has access to and from a dedicated coadway. SCALE: 1" = 20" Block A Yerrabee Bend South Section 1 LEGEND According to the map or plot recorded in Volume 79 Page 259 of the Plot TRAVIS County, Texas. October Witness my hand and seal this .. _ day of _ Gibbons 7701 Bixler Drive, Austin, Texas 98105736 L Cook COOKSTON & ASSOC. SURVEYING & MAPPING Registered Professional Land Surveyor, No. 4735 308 Spring Hill Lane Suite-110, Pfliager-lite, Tr. 78680 Office: (512) 252-9737 - FAX: (512) 252-9533