

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 # C15-2013-0126
ROW # 11048090

TP-011707-03-10

**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: 3401 Windsor Rd
LEGAL DESCRIPTION: Subdivision - Tarry town 4
Lot(s) 155 and E 25 ft of Lot 156 Block Outlot Division
I/We Michele Malooly on behalf of myself/ourselves as authorized agent for
 Self/owner affirm that on December 12, 2012
10-11-13

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

(check appropriate items below)

ERECT ATTACH COMPLETE REMODEL MAINTAIN

 Carport was build in 1995

 Special Exception

in a SF3 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):

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REASONABLE USE:

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

Suspected encroachment on side set-back; variance request unknown at time structure was built; building was constructed prior to 1996 per photos supplied

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HARDSHIP:

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

The permit was never closed on the property when the structure was built more than 15 years prior

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

This is a specific to the carport located at 3401 Windsor

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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:

It is located adjacent to a vacant piece of the adjoining yard

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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

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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:

N/A

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

N/A

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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 Michele Malooly Mail Address 3401 Windsor Rd
City, State & Zip Austin, TX 78703

Printed Michele Malooly Phone 512-569-2500 Date 12/12/12

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 SAME AS ABOVE Mail Address _____
City, State & Zip _____

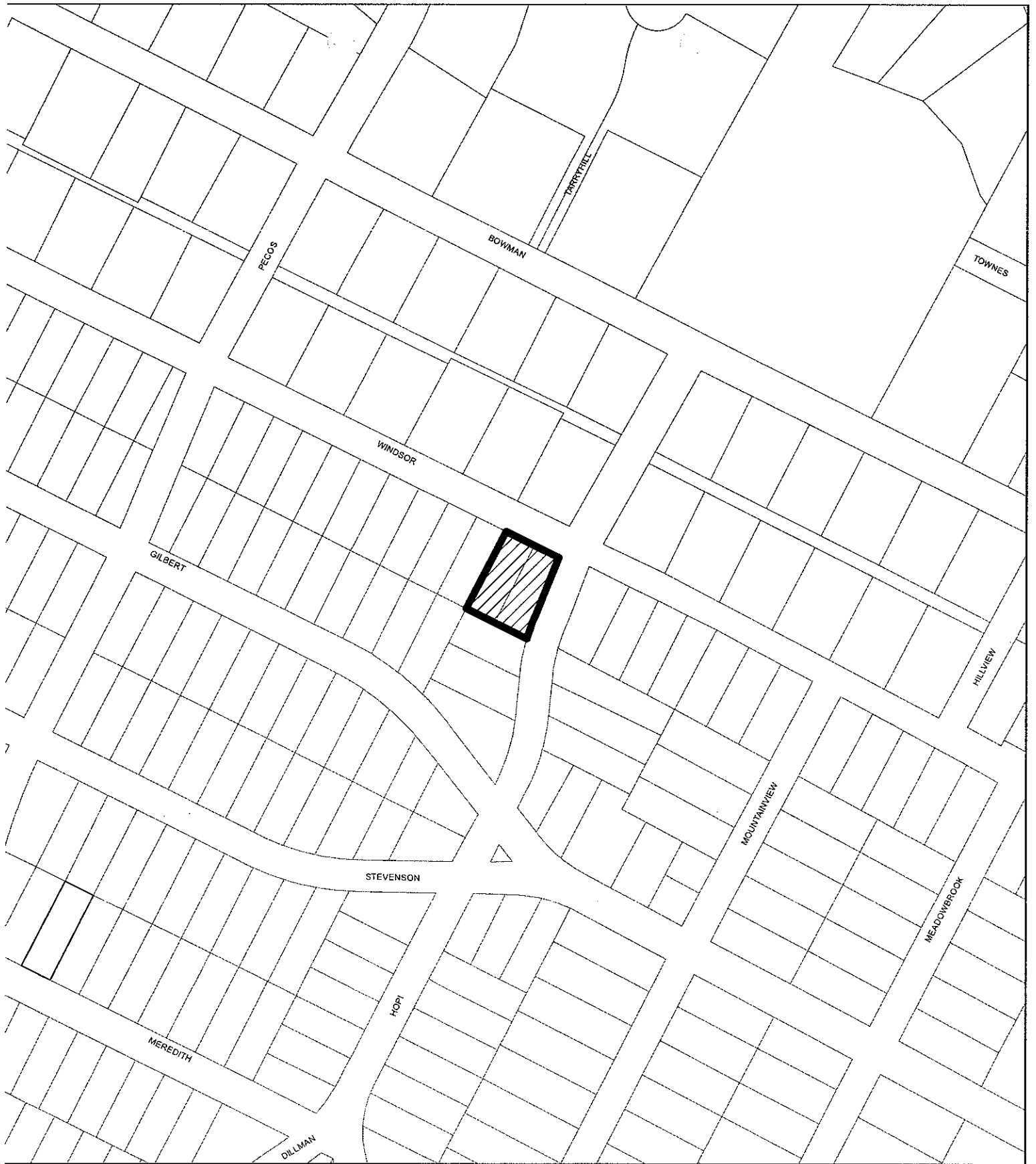
Printed _____ Phone _____ Date _____

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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:

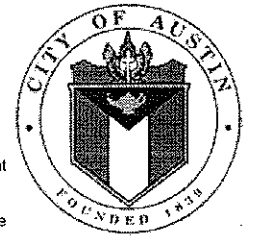


SUBJECT TRACT



ZONING BOUNDARY

CASE#: C15-2013-0126
 LOCATION: 3401 WINDSOR ROAD



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.

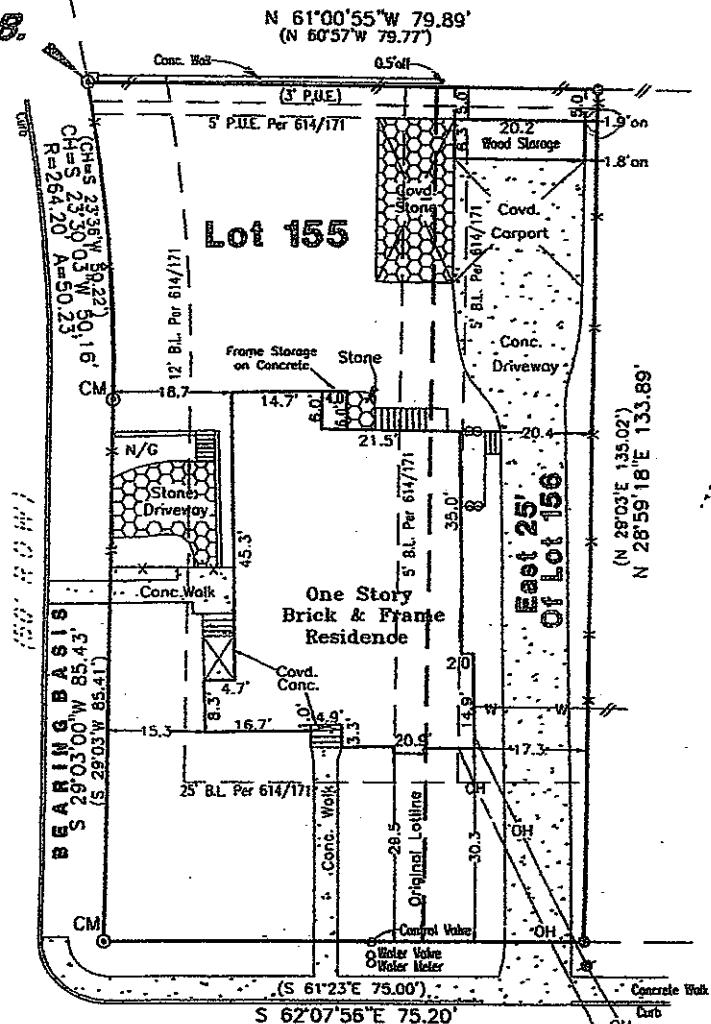
This product has been produced by the Planning and Development Review Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

2010
TO
SCALE

P.O.B.

Lot 142

HOPI TRAIL



Remainder of
Lot 156

WINDSOR ROAD
R.O.W. VARIES

1:30'



Notes:
1.) Subject to restrictions and easement rights as stated in: V.614, P.171 Deed Records and per plat in Vol.4, Pg.38 Plat Records

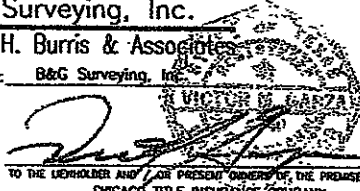
BEING A 0.23 OF AN ACRE (10,193 SQUARE FOOT) PARCEL OF LAND OUT OF AND PART OF THE DANIEL J. GILBERT SURVEY, SITUATED IN TRAVIS COUNTY, TEXAS, BEING ALL OF LOT 155 AND THE CALLED EAST TWENTY-FIVE (25) FEET OF LOT 156 OF TARRY-TOWN 4, AN ADDITION TO THE CITY OF AUSTIN, TEXAS AS DEPICTED BY THE INSTRUMENT RECORDED IN BOOK 4, PAGE 38 THE PLAT RECORDS OF TRAVIS COUNTY; THE AFOREMENTIONED 0.23 OF AN ACRE BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

COUNTY: TRAVIS STATE OF TEXAS STREET ADDRESS: 3401 WINDSOR ROAD
CITY: AUSTIN REFERENCE NAME: MICHELE MALOOLY



B&G Surveying, Inc.
Dewey H. Burris & Associates
Surveyed by: B&G Surveying, Inc.

1404 West North Loop Blvd.
Austin, Texas 78758
Office 512-458-0868
Fax 512-458-9845
JOB # 8060610.TA



THIS AREA IS NOT DEPICTED AS BEING IN A SPECIAL FLOOD HAZARD AREA PER FEMA'S FLOOD INSURANCE RATE MAP OH4511 DATED 8-26-08. IT IS REPRESENTED AS IN ZONE X, HOWEVER AT PRESENT TIME, NO ELEVATIONS, DRAINAGE, OR FLOOD STUDIES HAVE BEEN PERFORMED AND INFORMATION IS BASED SOLELY UPON SAID MAP. THE SURVEYOR DOES NOT ASSUME RESPONSIBILITY AS TO ANY INFORMATION PROVIDED BY SAID MAP AND DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE OF FLOOD DAMAGE. FOR FURTHER INFORMATION CONTACT YOUR FLOOD PLAN ADMINISTRATOR.

DATE: 6-25-10
TITLE CO: CHICAGO
C.F. # CTA-07-CTA10000941P
SCALE 1" = 20'

I DO HEREBY CERTIFY TO THOSE LISTED HEREON THAT THIS SURVEY WAS THIS DAY MADE ON THE GROUND UNDER MY SUPERVISION, OF THE PROPERTY LEGALLY DESCRIBED HEREON, AS PREPARED IN ACCORDANCE TO THE TITLE COMMITMENT REFERENCED HEREON, AND THAT THERE ARE NO VISIBLE BOUNDARY LINE CONFLICTS, ENCROACHMENTS, OR OVERLAPPING OF IMPROVEMENTS, OR ROADS IN PLACE, EXCEPT AS SHOWN HEREON.

FIELD WORK:	JESUS	6-24-10
CALCULATIONS:	WYLE	6-25-10
DRAFTING:	KE/LALD	6-25-10
CORRECTIONS:	AWS	6-25-10
UP DATE:		

LEGEND

- 1/2" IRON PIPE FOUND
- 1/2" REBAR FOUND
- BARS IRON FENCE
- WOOD FENCE
- BUILDING LINE
- PUBLIC UTILITY EASEMENT
- DRAINAGE EASEMENT
- () PER PLAT
- POWER POLE
- OVERHEAD UTILITIES
- CONCRETE MONUMENT
- RIGHT OF WAY
- PLACE OF BEGINNING



SPECIAL EXCEPTION INSPECTION

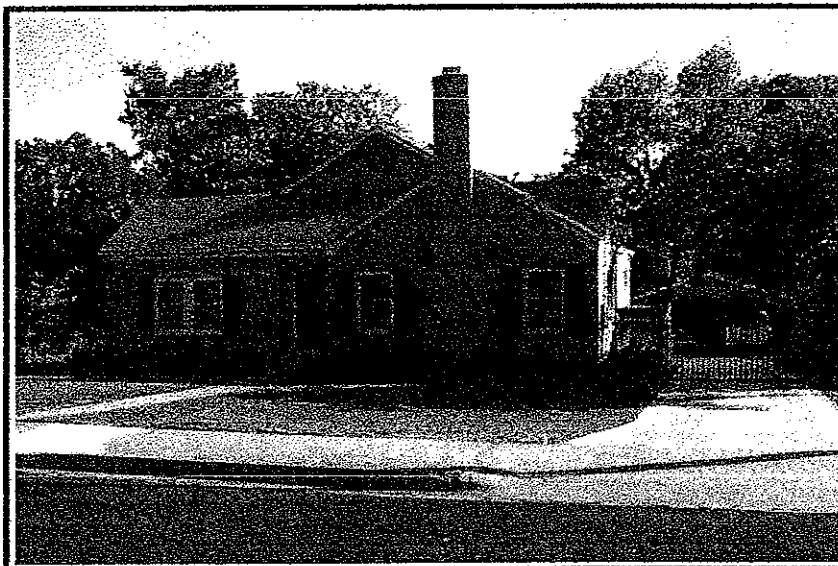


Address:	3401 Windsor Rd.
Permit Number:	2012-122675
Property Owner Requesting Special Exception:	Michele A Malooly

Special Exception Requested: Carport encroaching into ^{side} rear set back
Date Structure was originally constructed: identified with appraiser photos from May 9, 1996

Date of Inspection:	12-12-2012
Building Official or designated representative	Tony Hernandez
X	The granting of the variances requested will <u>Not</u> result in any hazard to the life, health or public safety for either the property for which the variance is requested or to an adjoining public or private property
	The granting of the variances request will result in a hazard to the life, health or public safety of the either the property for which the variance is requested or to an adjoining public or private property. The following hazards related to the variance request were noted in this inspection: 1.

APPRAISAL OF



SUBJECT PROPERTY

LOCATION:

✓ 3401 Windsor Road
Austin, TX 78703

CLIENT:

Edwin Williams Properties, Ltd.

AS OF DATE:

May 9, 1996

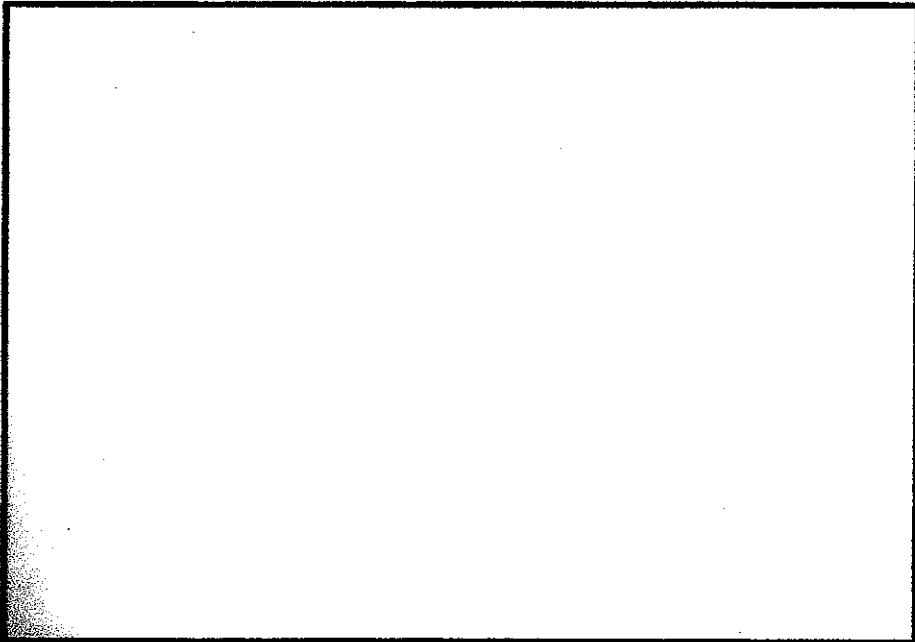
APPRAISER:

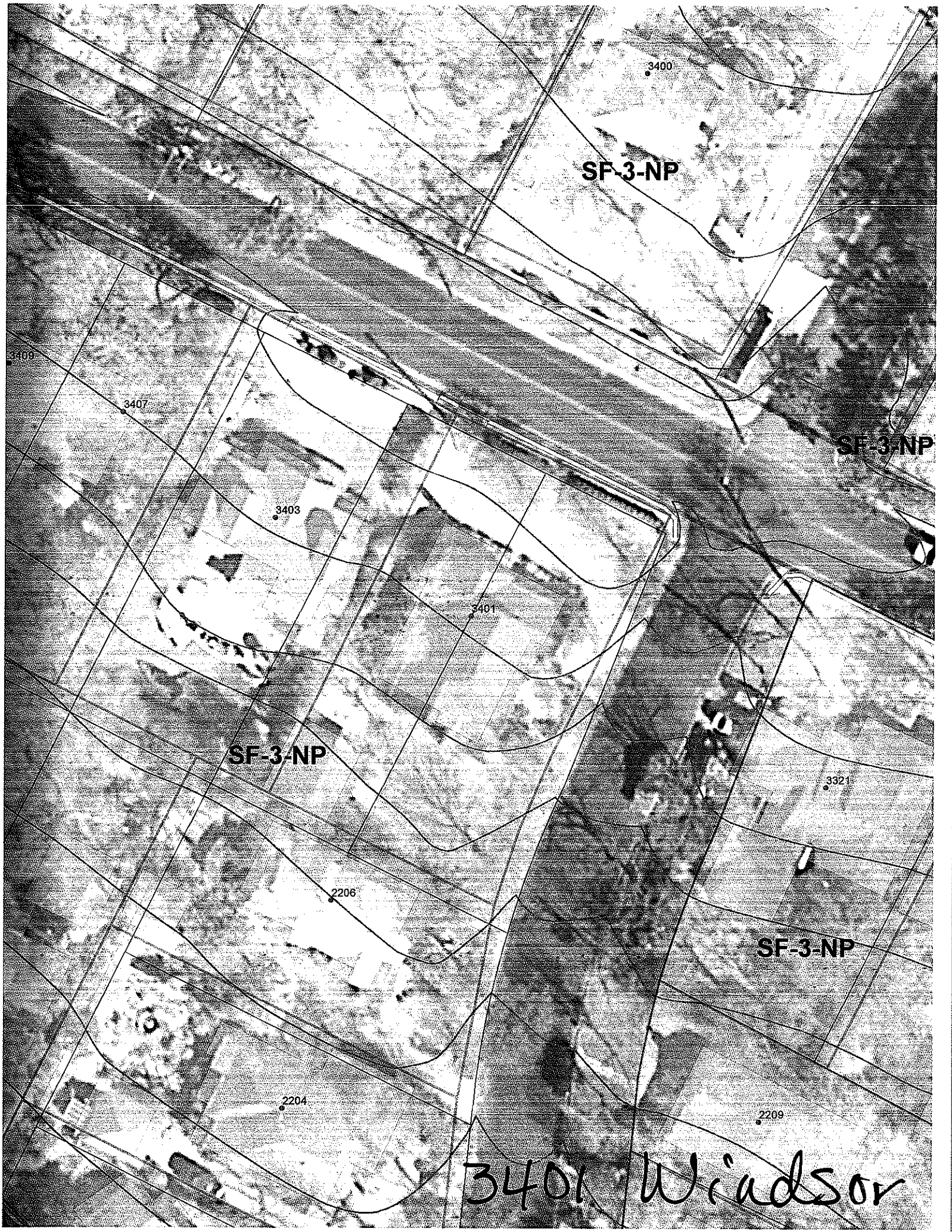
Rob Stone

Borrower	Edwin W. Williams, Jr.						
Property Address	3401 Windsor Road						
City	Austin	County	Travis	State	TX	Zip Code	78703
Lender/Client	Edwin Williams Properties, Ltd.						



Carport/Workshop





SF-3-NP

SF-3-NP

SF-3-NP

SF-3-NP

3401 Windsor