

ROW # C-15-2014-0013  
ROW-11061454  
TP-024521-06-15

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: 203 Provines, Austin Tx 78753

LEGAL DESCRIPTION: Subdivision – Mockingbird Hill

Lot(s) 15 & 16 Block E Outlot \_\_\_\_\_ Division \_\_\_\_\_

I/ Rey Cedillos, P.E. on behalf of myself/ourselves as authorized agent for

Chun Phap Hoa Buddhist temple  
affirm that on December 6, 2013,

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

(check appropriate items below)

x ERECT    ATTACH    COMPLETE    REMODEL    MAINTAIN

7 pave an existing gravel  
parking lot  
78%

in a SF2 district.  
(zoning district)

**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 use is allowed in the zoning district.

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### **HARDSHIP:**

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

In order to provide additional parking, Lot 16 needs to continue to be used as parking. The proposed improvements on Lot 16 consist of paving the existing gravel parking area with asphalt.

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

This site is limited to 45% impervious cover by zoning. The site plan is proposing 78 % impervious cover.

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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:

The area was a rural area annexed by the City of Austin. It still does not have sidewalks, curb and gutter or a stormsewer system. The proposed improvements will not impair the use of adjacent property since the Buddhist Temple has been in the neighborhood since April 2012. The proposed improvements will not impair the zoning regulations of the zoning district because the impervious cover is existing. The improvements will be paving over existing impervious cover.

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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:
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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:

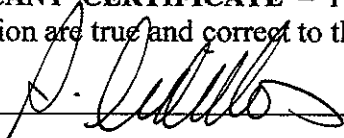
2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

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 P.O. BOX 50362

City, State & Zip AUSTIN, TX 78763

Printed REY CEDILLOS Phone (512) 306-1322 Date 12/6/13

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

Signed  Mail Address 203 Provines Dr

City, State & Zip Austin TX 78753

Printed HOA HUYNH Phone (512) 425-0693 12/06/13  
(512) 425-0693