

CASE # C15-2014-0056
ROW # 11104067

TAX ROLL # 022006115

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

02-2006115

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

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

STREET ADDRESS: 4300 Avenue G

LEGAL DESCRIPTION: Subdivision – Hyde Park, East 91 ft 8 inches

Lot(s) 17, 18 & 19 Block 16

Outlot Division

I/We Mike McHone on behalf of myself/ourselves as
authorized agent for

Sidney Lock affirm that on March, 5th, 2014, hereby

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

(check appropriate items below)

ERECT ATTACH X COMPLETE REMODEL MAINTAIN

Building Permit 2013-093151-BP, for an addition and kitchen remodel for an existing Bed and
Breakfast,

Located in the Historic Adams House, a Historic Landmark in the Hyde Park Historic District

in a SF-3-H-NCCD
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.**

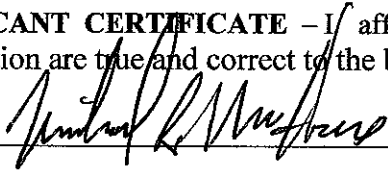
2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

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 8142

City, State & Zip Austin, Texas 78713-8142

Printed Mike McHone Phone 512-554-8440 Date 3-5-2014

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 4300 Ave G

City, State & Zip Austin, Texas 78751

Printed Sidney Lock Phone 512-453-7696 Date 3-5-2014

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Building Permit 2013-093151-BP, for an addition and kitchen remodel for an existing Bed and
Breakfast,

Located in the Historic Adams House, a Historic Landmark in the Hyde Park Historic District; by
Increasing the floor area ratio F.A.R. from 0.49 to 0.59

in a SF-3-H-NCCD ;
(zoning district);
Subchapter F Article 2.1 of

Chapter 25-2 of the Land
Development Code limits
the maximum development
to a F.A.R. of 0.4 to 1.

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Updated 3/4/14

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 Adams House Bed and Breakfast is existing and it is unreasonable not to make improvements to this Historic zoned building located in the Hyde Park Historic District especially when those improvements do not increase the impervious or building coverage.

HARDSHIP:

2. (a) The hardship for which the variance is requested is unique to the property in that: After extensive review and numerous meetings with city staff and a public hearing and approval by the Historic Landmark Commission, City staff issued Building Permit 2013-093151-BP on September 6, 2013 for the addition and kitchen remodel of the accessory building. The Owners relied upon this permit to obtain a loan and hire a contractor to perform the work. The work was started and is over half way completed. In mid January of 2014, City of Austin inspectors stopped the work stating they had made an error in issuing the permit. The City's errors have created an unreasonable hardship by not allowing the completion of the permitted project. This has created a hardship for the owner, and is inconsistent with the Certificate of Appropriateness issued by the Historic Landmark Commission.

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

The City of Austin Permit Review staff does not usually issued Building Permits in Error. The Historic Adams House exceeded the FAR as it existed. The small addition under construction is over the existing accessory building and carport. It does not increase the building coverage or the impervious coverage, and complies with all other zoning and building code requirements.

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:

This is a unique situation. Hyde Park is an old Historic Neighborhood with many homes that have unusual conditions. The Historic Adams House is the only Bed And Breakfast in the neighborhood and it contributes to the character of the neighborhood. The addition is not changing the use of the existing building (Bed and Breakfast which is existing). Adjacent properties will not be impaired by the granting of this variance.

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:

Updated 3/4/14