

CASE# C15-2014-0102
ROW# 1179895
TAX# 032200199

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: 410 East Annie

LEGAL DESCRIPTION: Subdivision – South River City

Lot(s) 19 Block 12F Outlot Division Fairview Park

I/We Chris Kobitz on behalf of myself/ourselves as authorized agent for

Chris Kobitz affirm that on June, 12,

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

(check appropriate items below and state what portion of the Land Development Code you are seeking a variance from)

ERECT ATTACH COMPLETE REMODEL MAINTAIN

SF-3, requesting to convert an upper level storage loft in the garage to a one-bedroom efficiency apartment. This would create two dwelling units on the property which is prohibited by zoning code. I am seeking a variance to allow for this unit to be constructed.

Wanted to increase size of 2nd story of 2nd dwelling unit,
in a SF-3-NP district. (South River City) 500 SF permitted, 621 requested
(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:

It restricts second dwelling units from being constructed on the property due to the lot size.

HARDSHIP:

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

The house is a two bedroom and a third bedroom is necessary. Adding on to the house is not financially feasible. Utilizing the space in the upper level of the garage is both financially beneficial and it allows the pervious portion of the lot to remain intact.

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

There are many three bedroom residences in the immediate 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:

There are many condominium style properties in the area north of the property on Newning. The exterior of the building will not change other than the addition of a small (10x7) wood deck on the rear of the building.

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  Mail Address PO Box 42229
City, State & Zip Austin, TX 78704

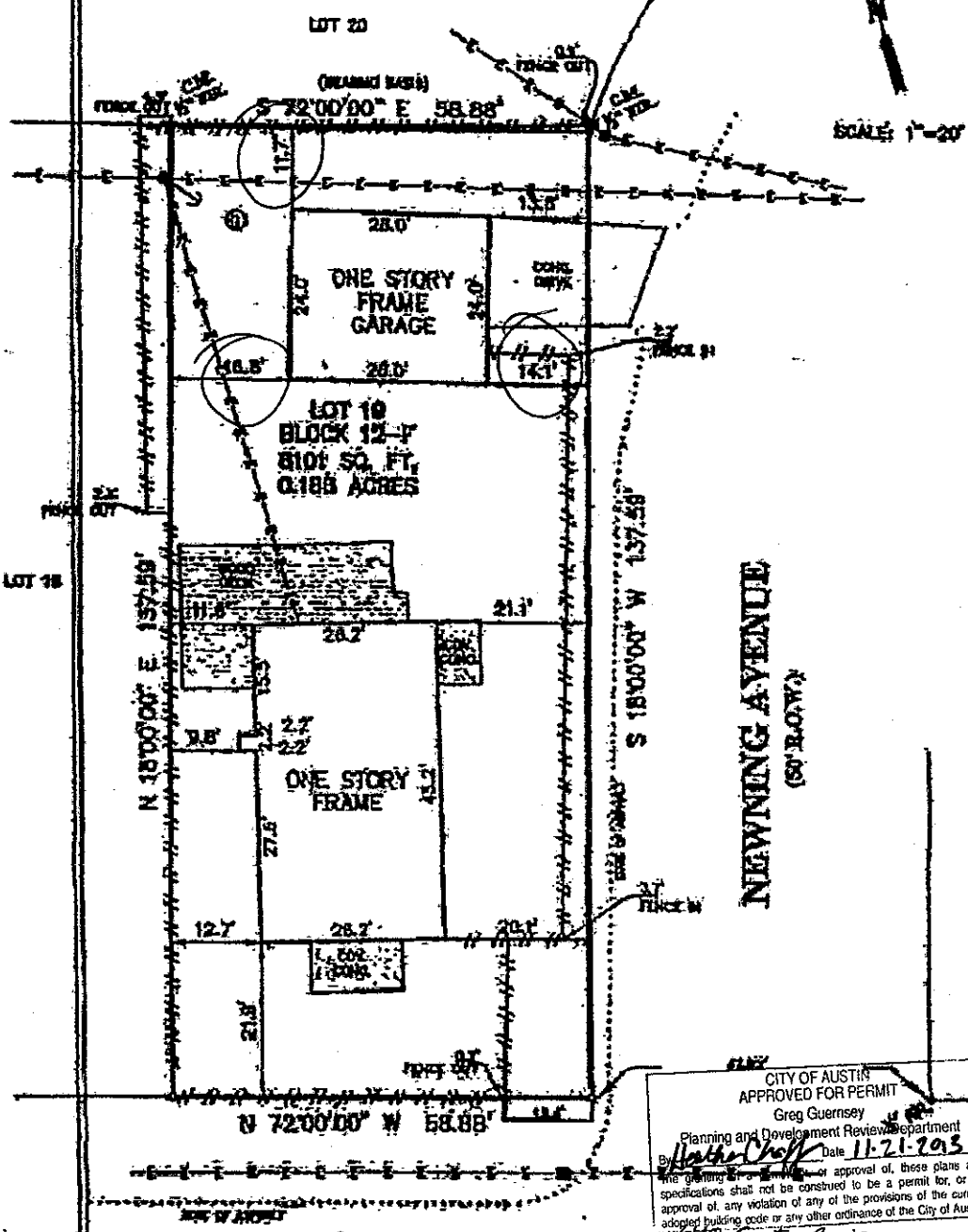
Printed Chris Kobitz Phone 219-405-0723 Date 6/12/2014

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 _____
City, State & Zip _____

Printed _____ Phone _____ Date 6-12-14

THIS REPORT ORIGINATES FROM AN UNREGISTERED SURVEYOR OR CONTRACTOR OF TEXAS.



CITY OF AUSTIN
 APPROVED FOR PERMIT
 Greg Guernsey
 Planning and Development Review Department
 By *Hatch* Date 11-21-2013

EAST ANNIE
 (50' E.O.W.)

410 East Annie
 Lot 19 BLK 12F
 Fairview Park

RECORDED ON MARCH 27, 2008
 (ADDED CORRECT STREET NAME)

PROPERTY ADDRESS
 410 EAST ANNIE

OWNER
 JACK H. W. WETTER
 JE TRANE L. MCKINNEY

PROPERTY DESCRIPTION
 LOT 19, BLOCK 12-F, FAIRVIEW PARK ADDITION, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT RECORDED IN PLAT 2, PAGE 104, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS.

Westar Alamo
 LAND SURVEYORS, INC.
 P.O. BOX 1288 SHELTON, TEXAS 75783-1288
 PHONE (281) 372-4000 FAX (281) 372-4000

LEGEND

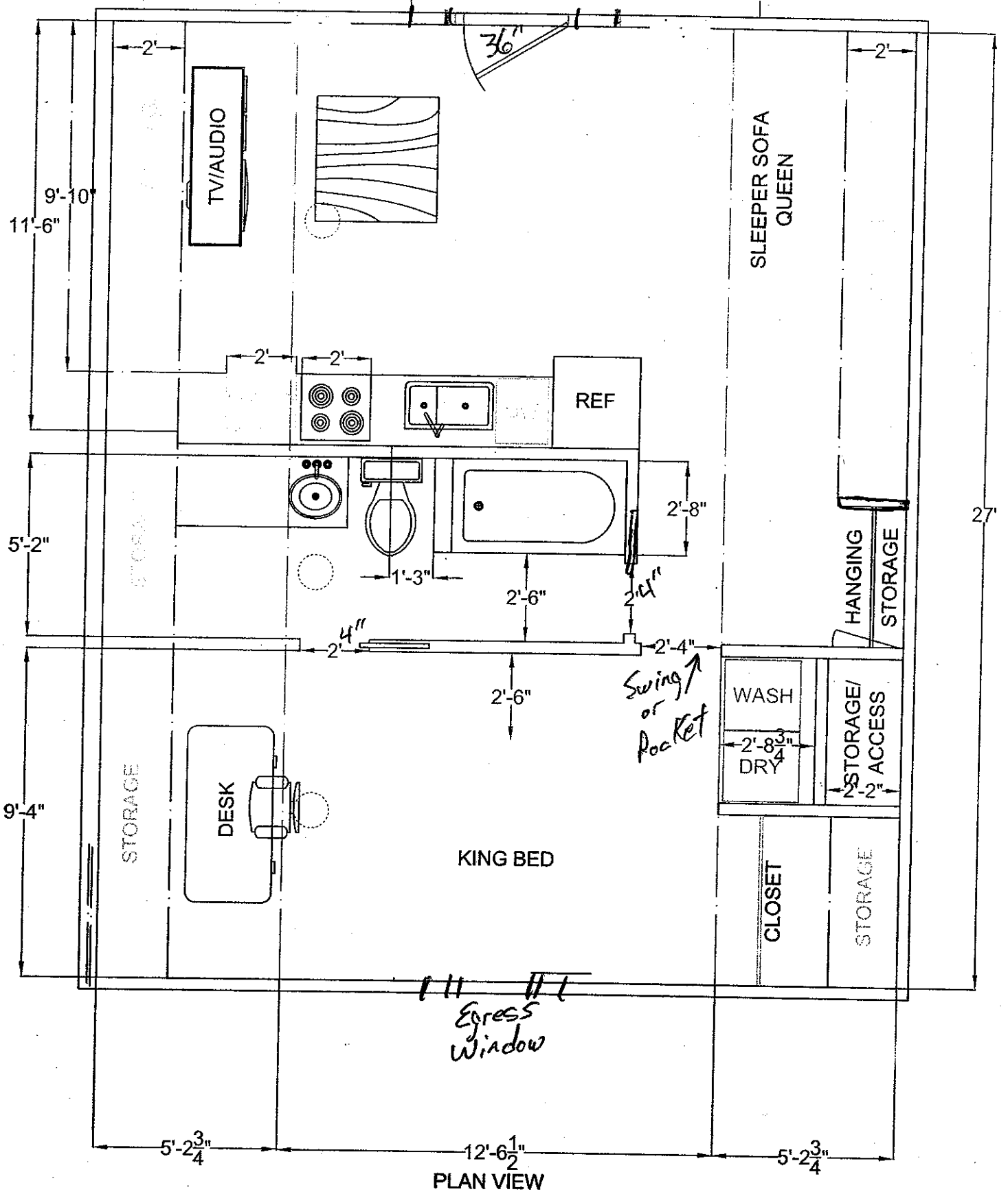
- - 1/2" DIA. IRON ROD WITH CAP STOPPED SECTION
- ⊕ - 1/2" DIA. IRON ROD
- () - SECTION INFORMATION
- - BOUNDARY
- - CONTIGUOUS BOUNDARY
- - PUBLIC UTILITY LINE
- - ROAD FRONT
- - FENCE LINE
- - OVERHEAD ELECTRIC
- - CITY
- - RAILROAD
- - OTHER

OTTO F. BERSHARDT
 REGISTERED LAND SURVEYOR
 4778

OTTO F. BERSHARDT, Registered Professional Land Surveyor, State of Texas, do hereby certify that the above plat represents an actual survey made on the ground under my supervision, and that the same is a true and correct representation of the boundary lines, or any subdivision or subdivision of land, as shown on the plat, and that I am a duly licensed and qualified land surveyor in the State of Texas.

Otto F. Bershardt

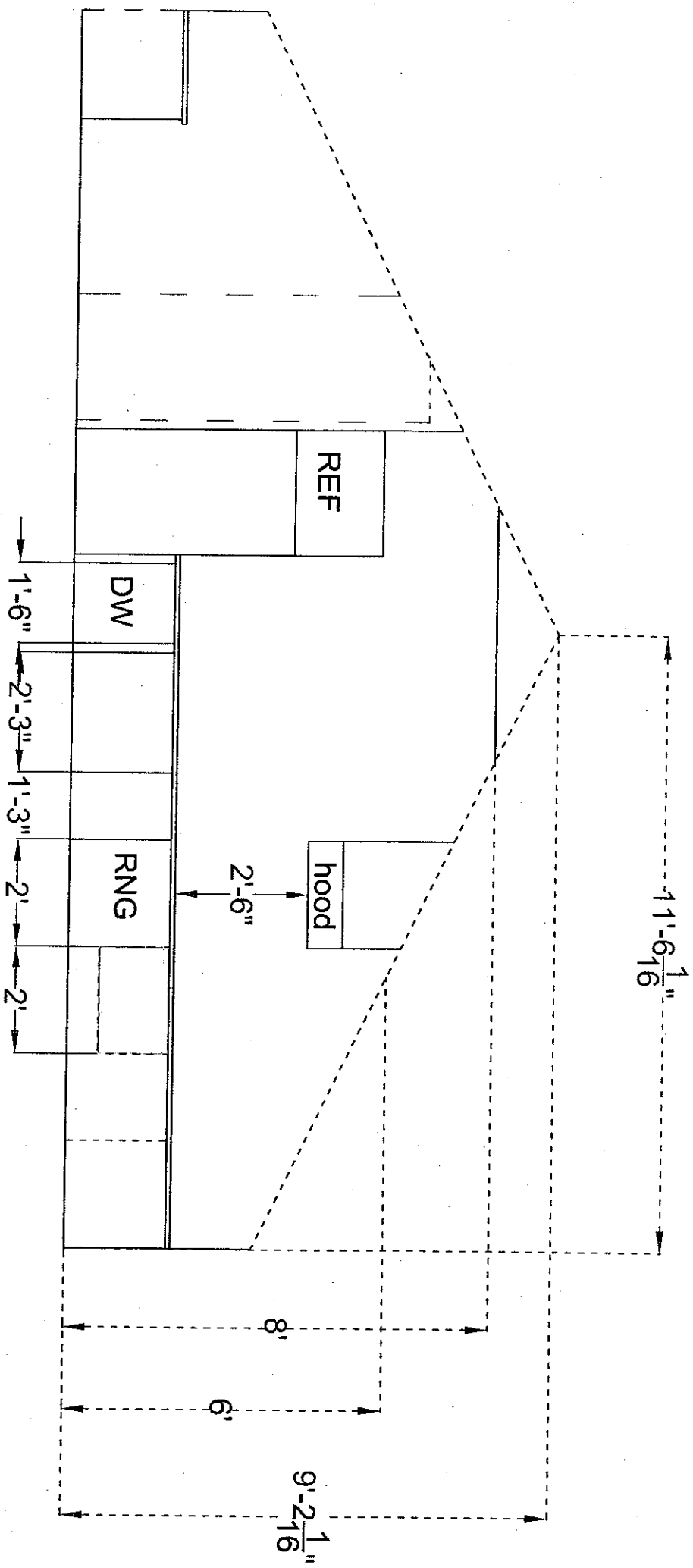
OTTO F. BERSHARDT
 Registered Professional Land Surveyor
 Texas Registration No. 4778

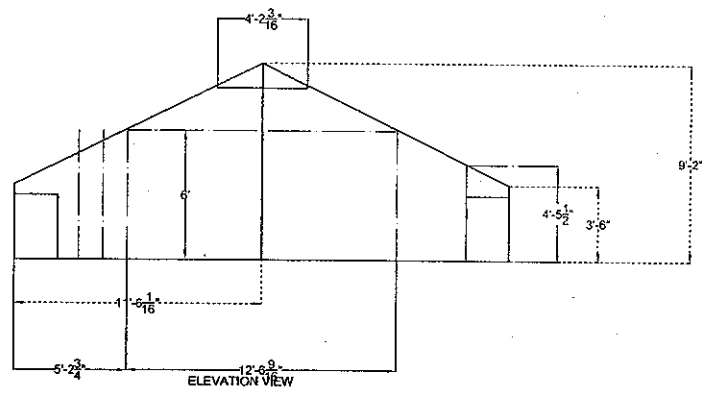
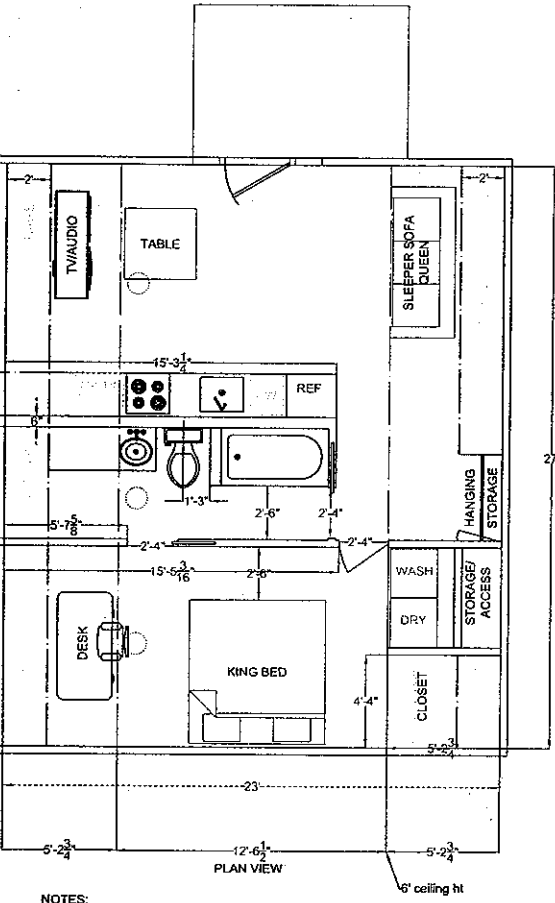


NOTES:

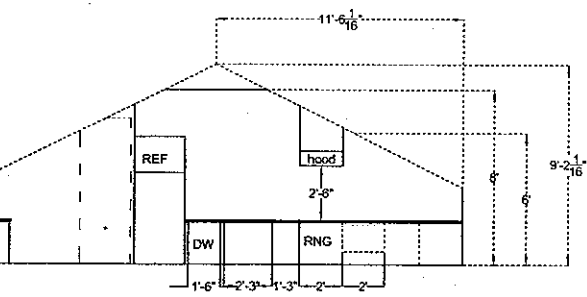
- Slide-in Range = 26" wide, max
- Refrigerator = 30" wide, max
- Kitchen sink = 30" wide, max
- Dishwasher = 18" wide, max, built-in
- Range Hood = 24" wide, max, ducted

○ Solar Tube, Skylight (3)





NOTES:
 Slide-in Range = 24" wide, electric
 Refrigerator = 24" wide
 Kitchen sink = 25" wide
 Dishwasher = 18" wide, built-in
 Range Hood = 24" wide, ducted
 ○ Solar Tube, Skylight (3)



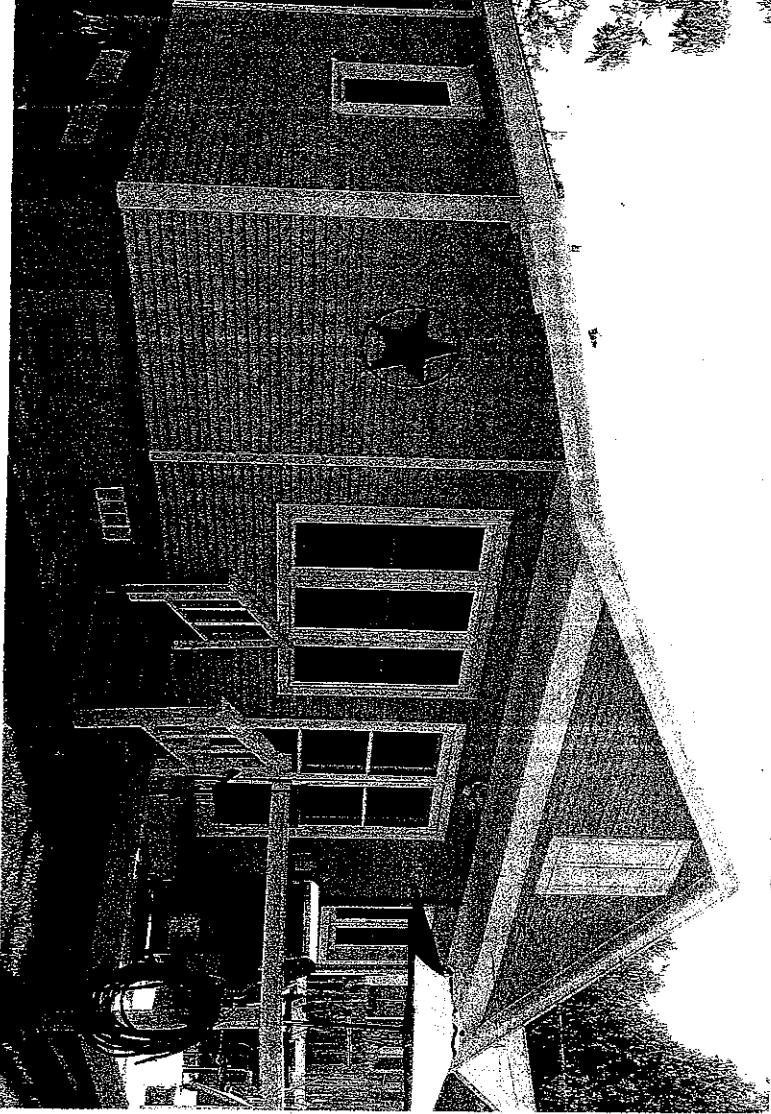
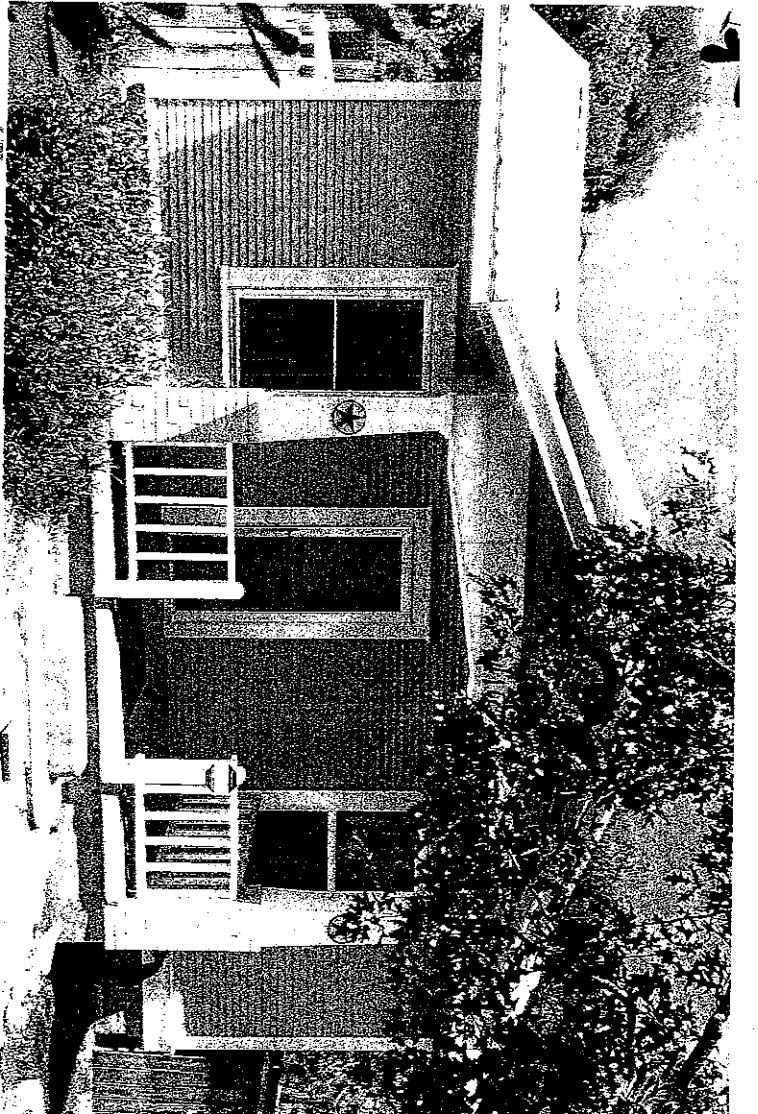
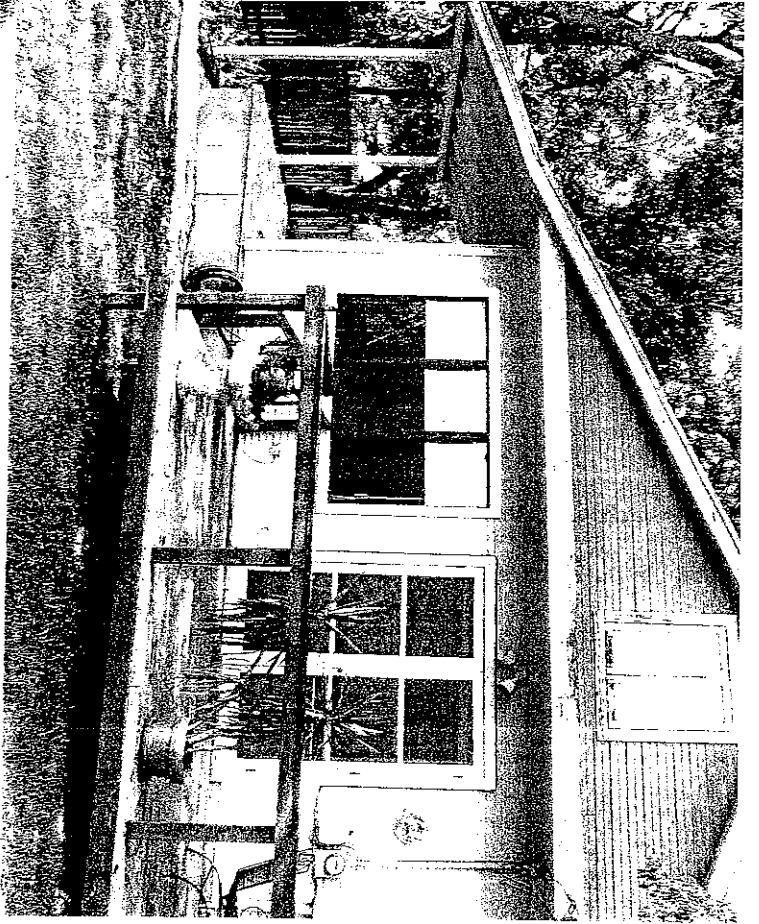
CITY OF AUSTIN DEVELOPMENT WEB MAP '07 Aerial

Legend

- Lot Lines
- Streets
- Building Footprints
- Named Creeks
- Lakes and Rivers
- Parks
- County



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 CITY OF AUSTIN FOR THE SOLE PURPOSE OF GEOGRAPHIC REFERENCE. NO WARRANTY IS MADE BY THE CITY OF AUSTIN REGARDING SPECIFIC ACCURACY OR COMPLETENESS.

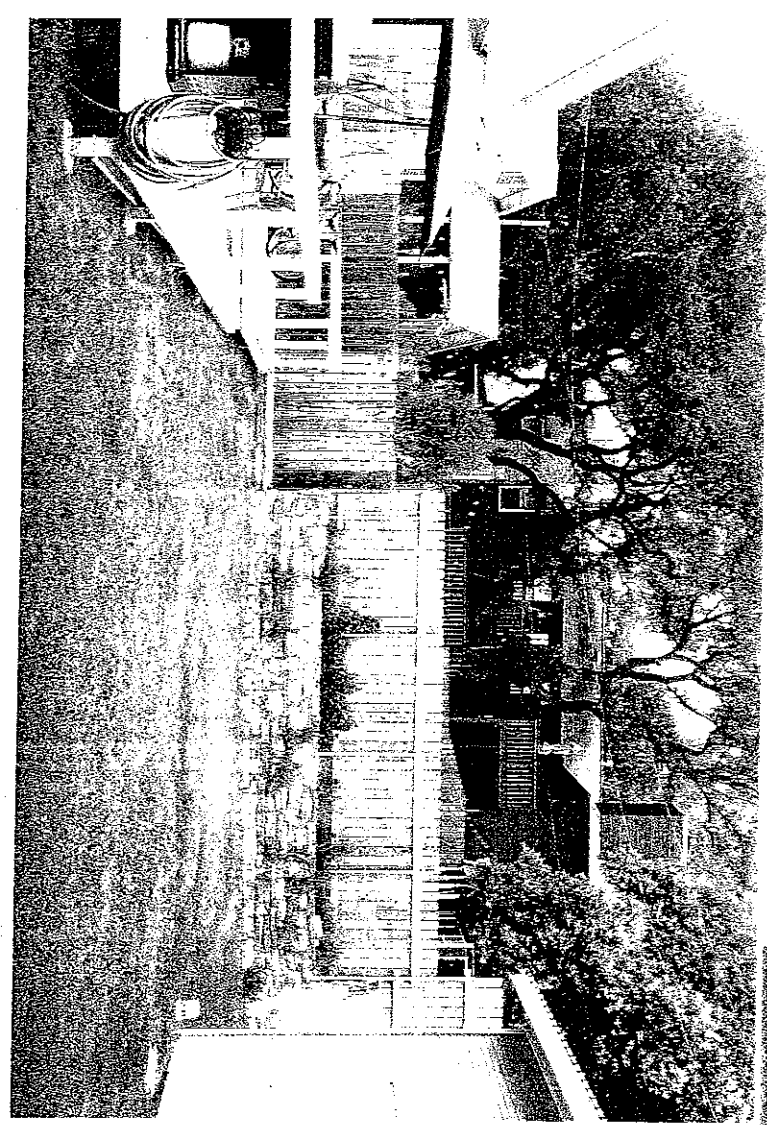
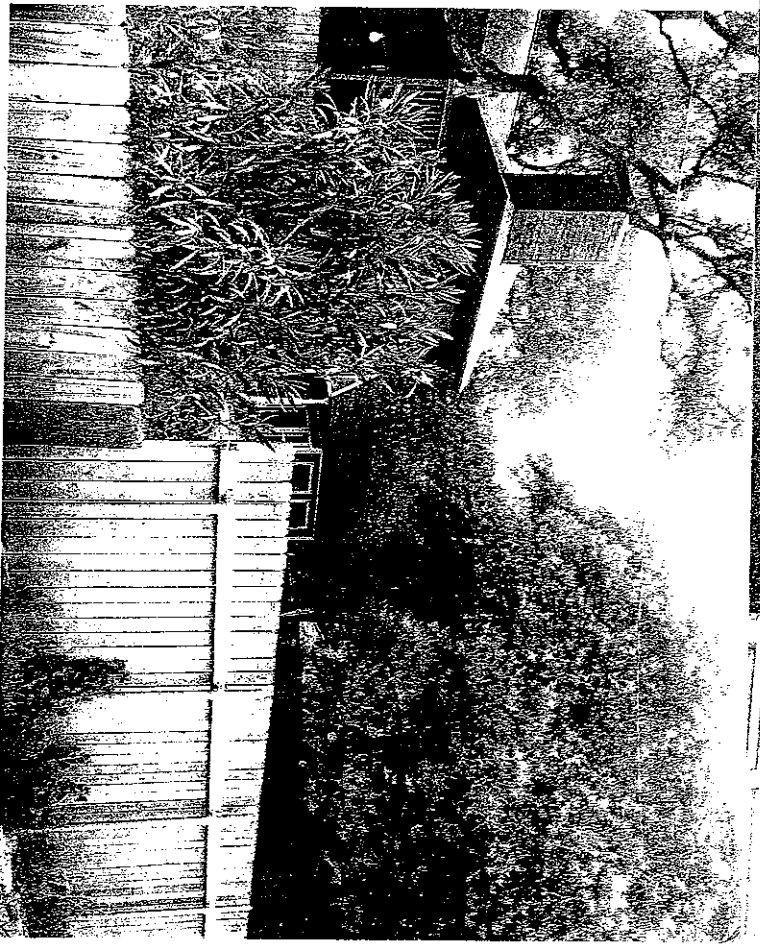
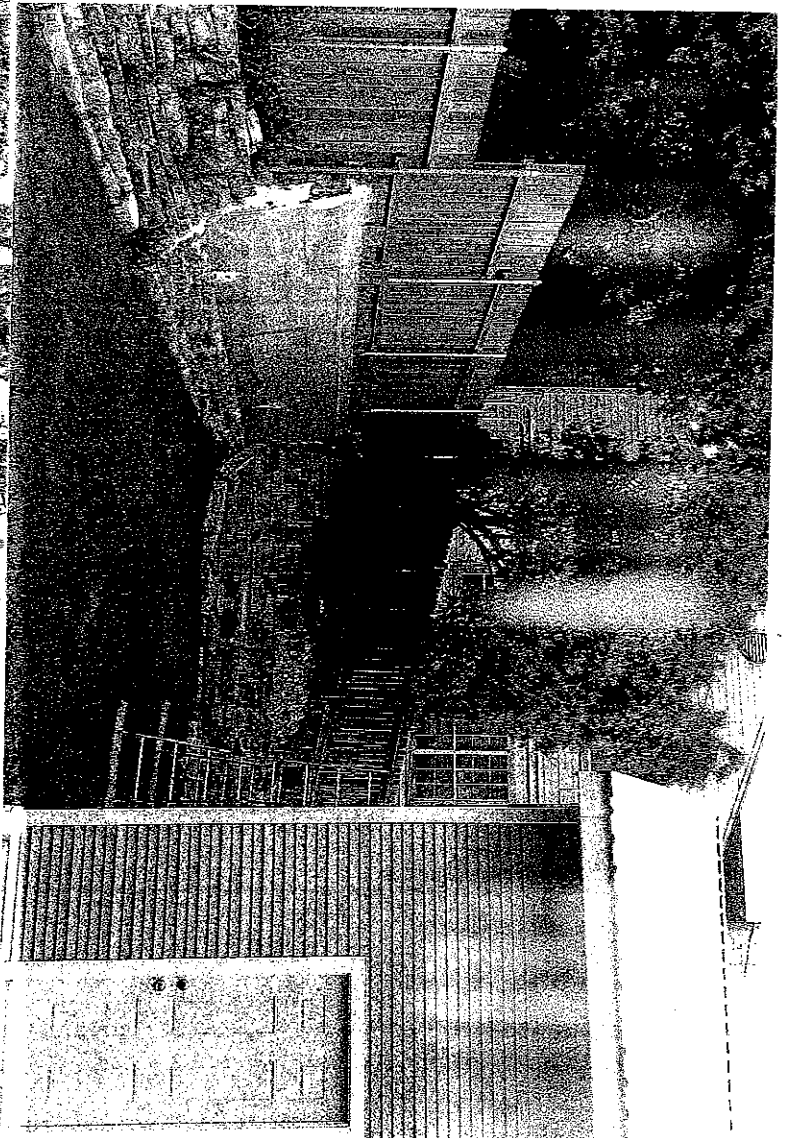


410 E. Annie
Home structure

First picture is as
purchased.

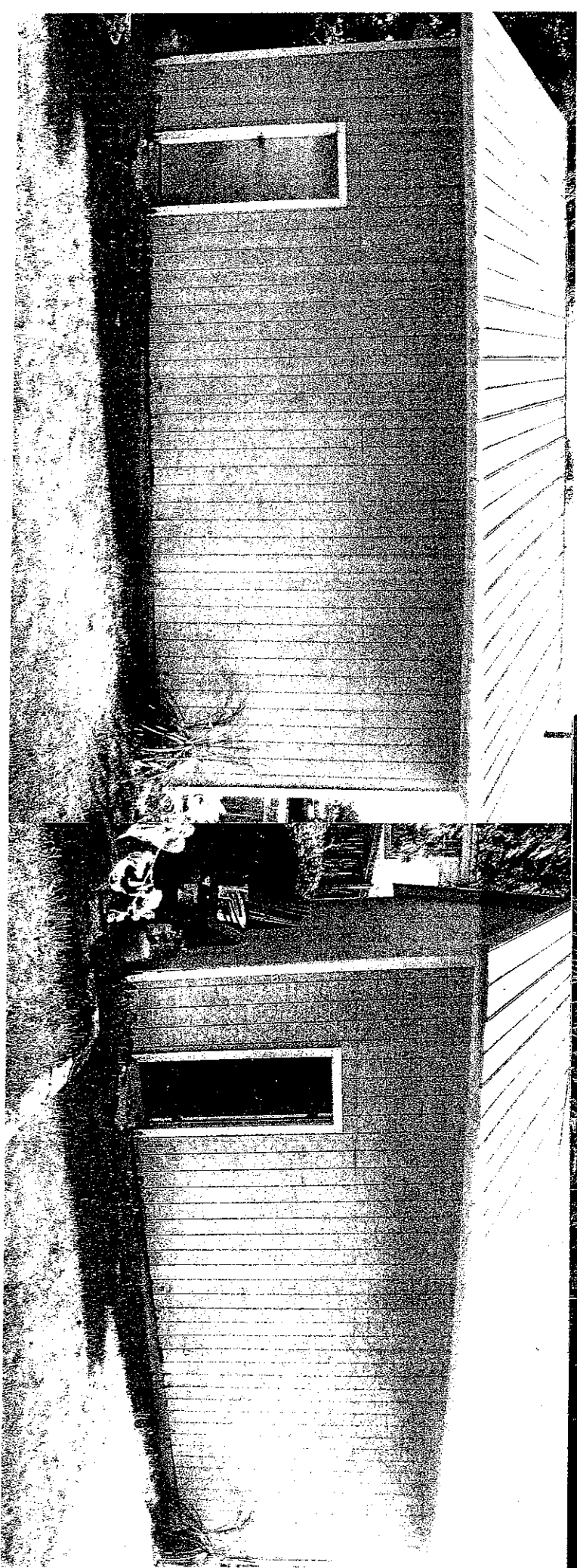
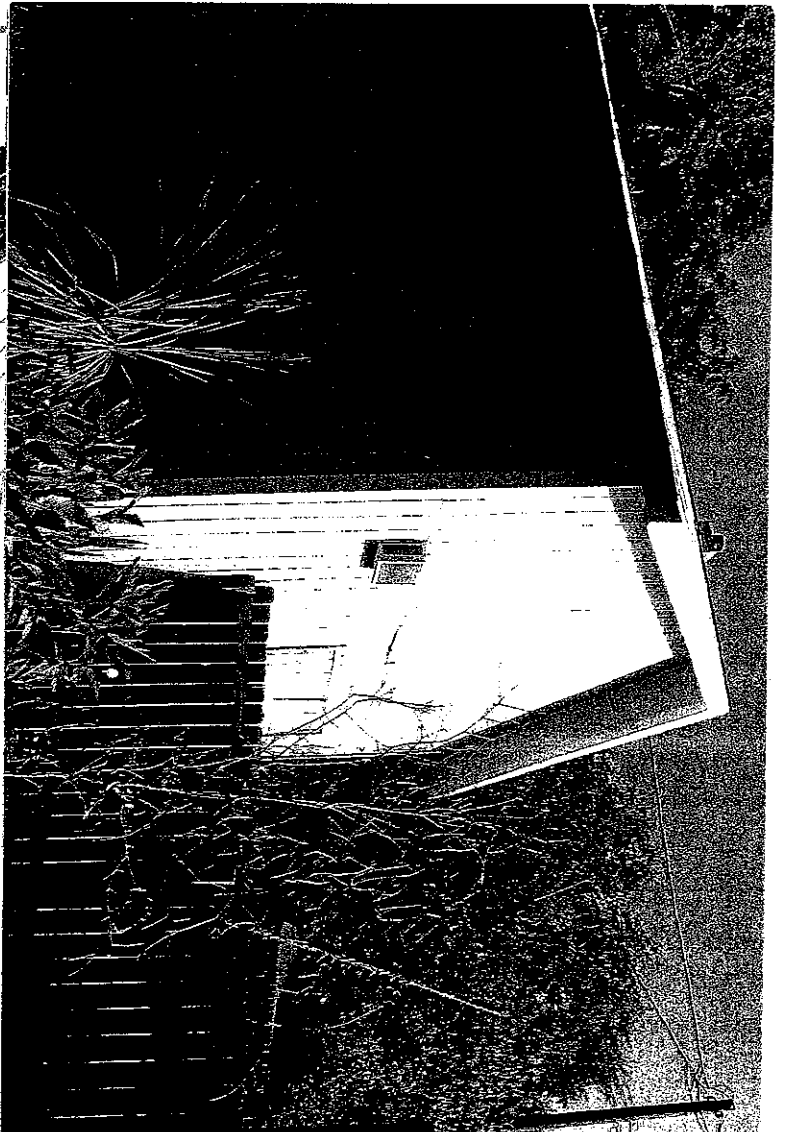
C15-2014-0102

Adjacent structures



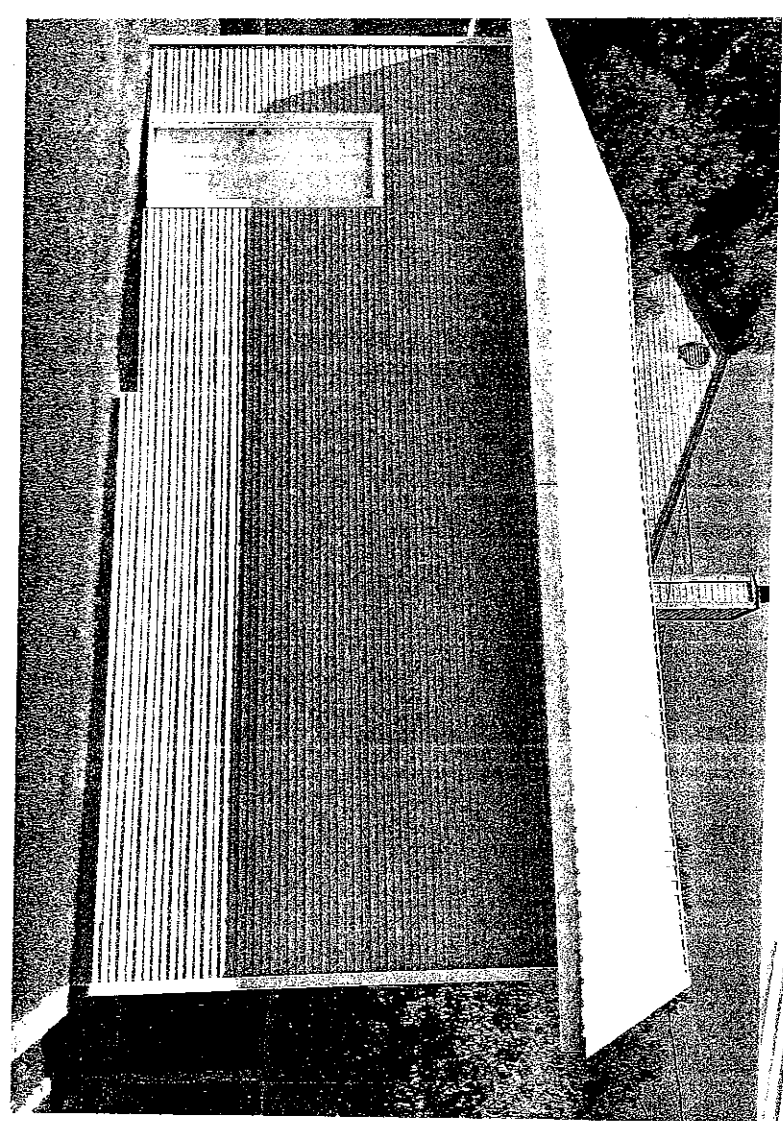
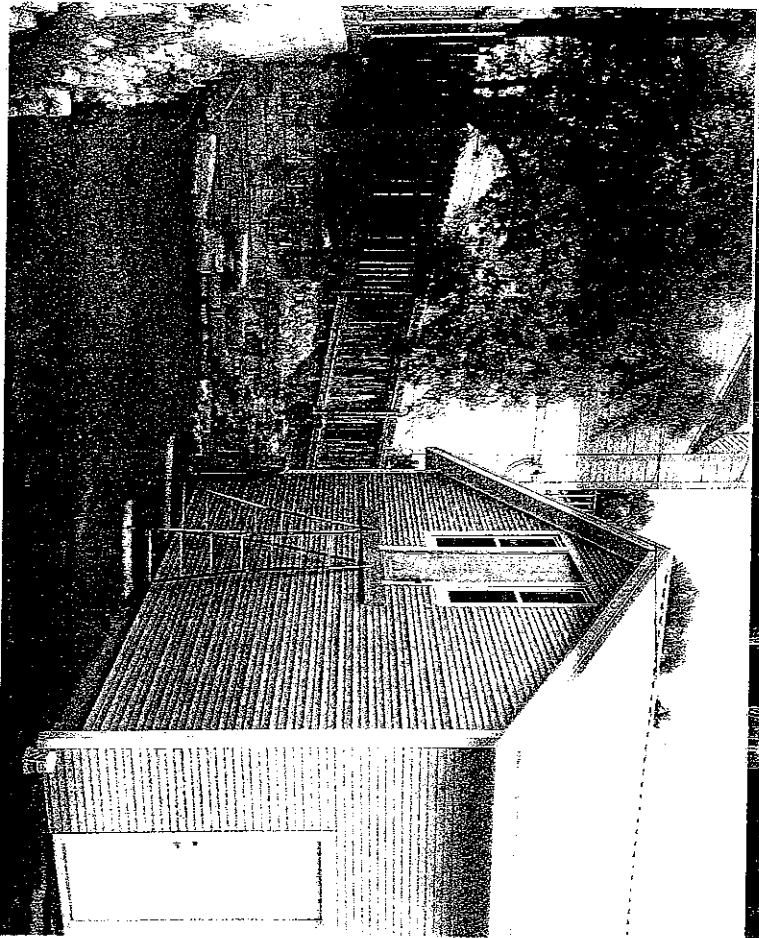
As Purchased

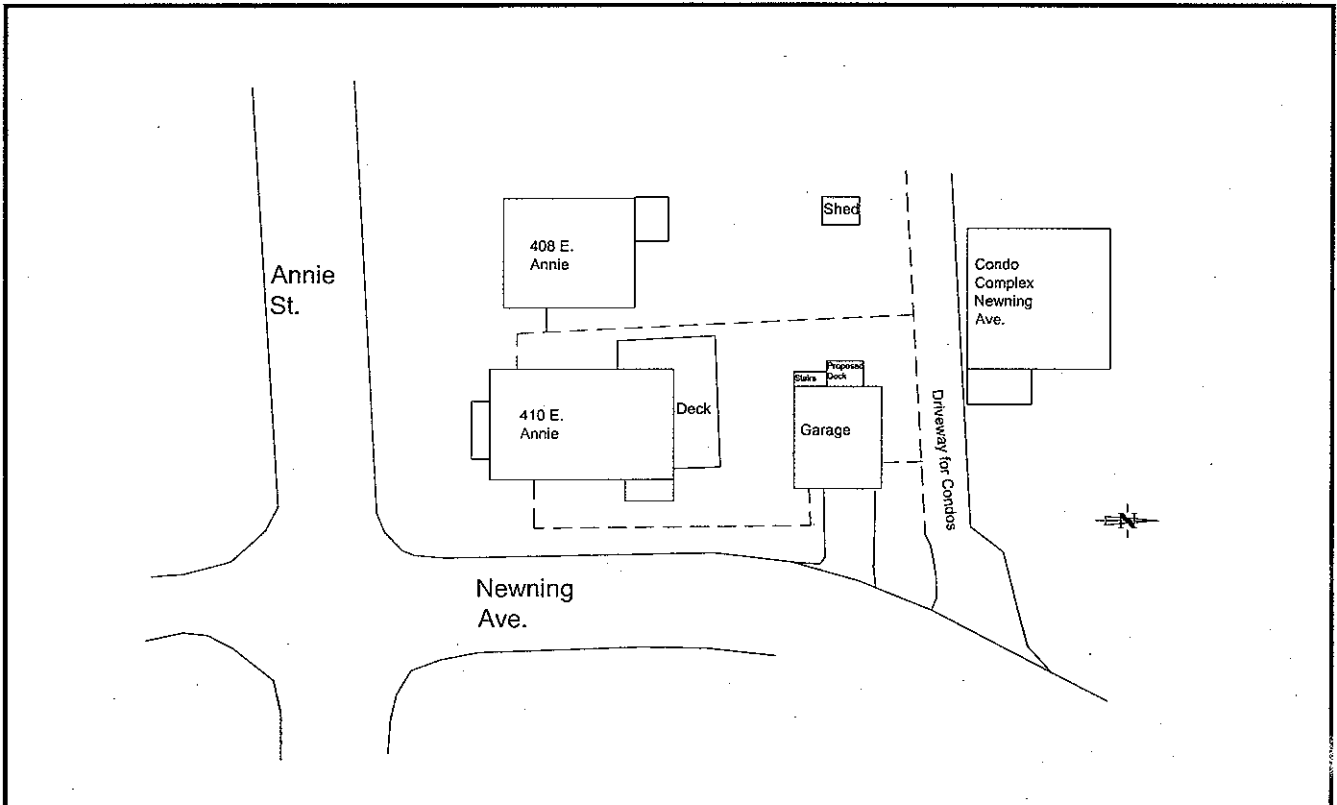
- * Rotten siding & trim
- * Interior door on outside
- * Rusting roof



Improved since
purchased

- * siding to match house
- * exterior door
- * roof to match house
- * new trim





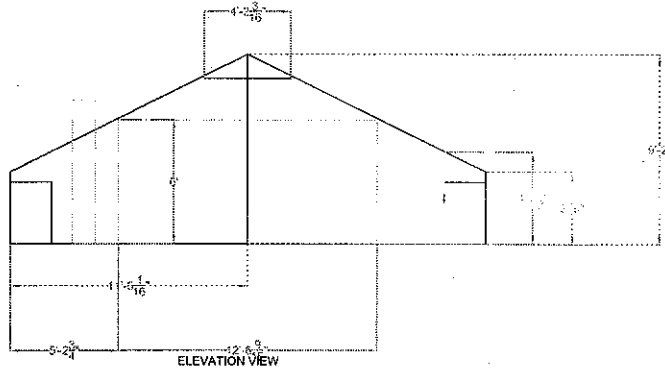
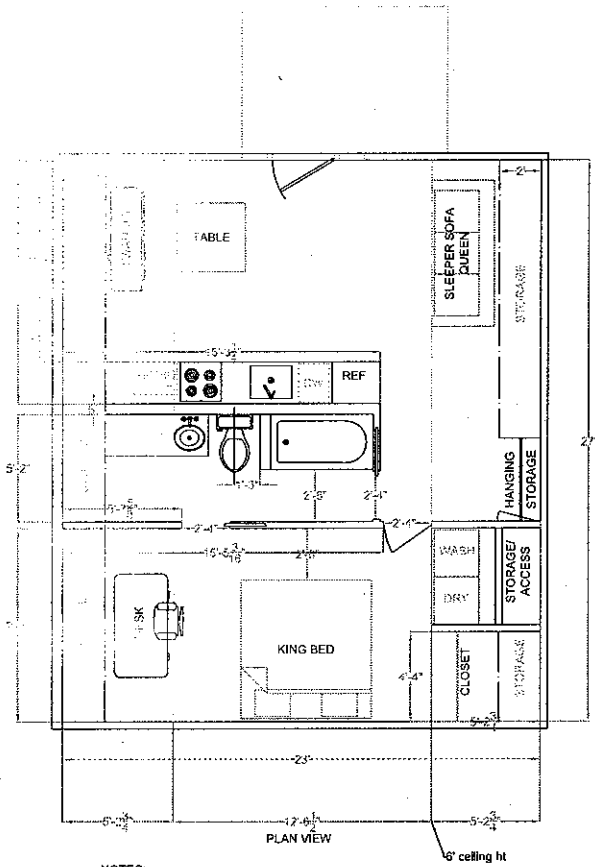
410 E. Annie
Proposed Garage Apartment

ST Environmental LLC

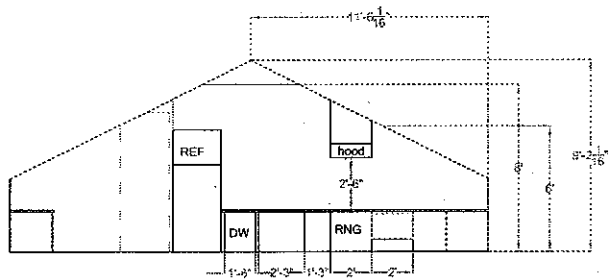
PO Box 2557
Chattanooga, TN 37403
Phone: (423) 725-6312
Fax: (423) 725-6312

MODIFIED:	CCK
CHECKED:	CCK
PROJECT:	Garage Apartment

SCALE:	1" = 25'	DATE:	06/22/2014
FILENAME:		Site layout w neighbors	



NOTES:
 Slide-In Range = 24" wide, electric
 Refrigerator = 24" wide
 Kitchen sink = 25" wide
 Dishwasher = 18" wide, built-in
 Range Hood = 24" wide, ducted





I, Chris Kobitz, am applying for a variance from the Board of Adjustment regarding Section _____ of the Land Development Code. The variance would allow me the ability to add a dwelling unit in the upper area of the garage

By signing this form, I understand that I am declaring my support for the variance being requested.

Property Owner Name (Printed)	Address	Signature
LAURA BEABLE	500 East Annie Street/78704	
JAY SHREEDHARA	408 _____	
JAN GIIST	404 ANNIE	
Mary Meagher	506 E. Annie	
Fristan Gross	1611 Newning Ave	
Richard Low	1700 Newning Ave	
Judy Frost	1706 Newning	Judy Frost

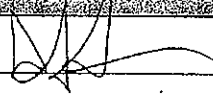
Page 2 of 2

410 E. Annie

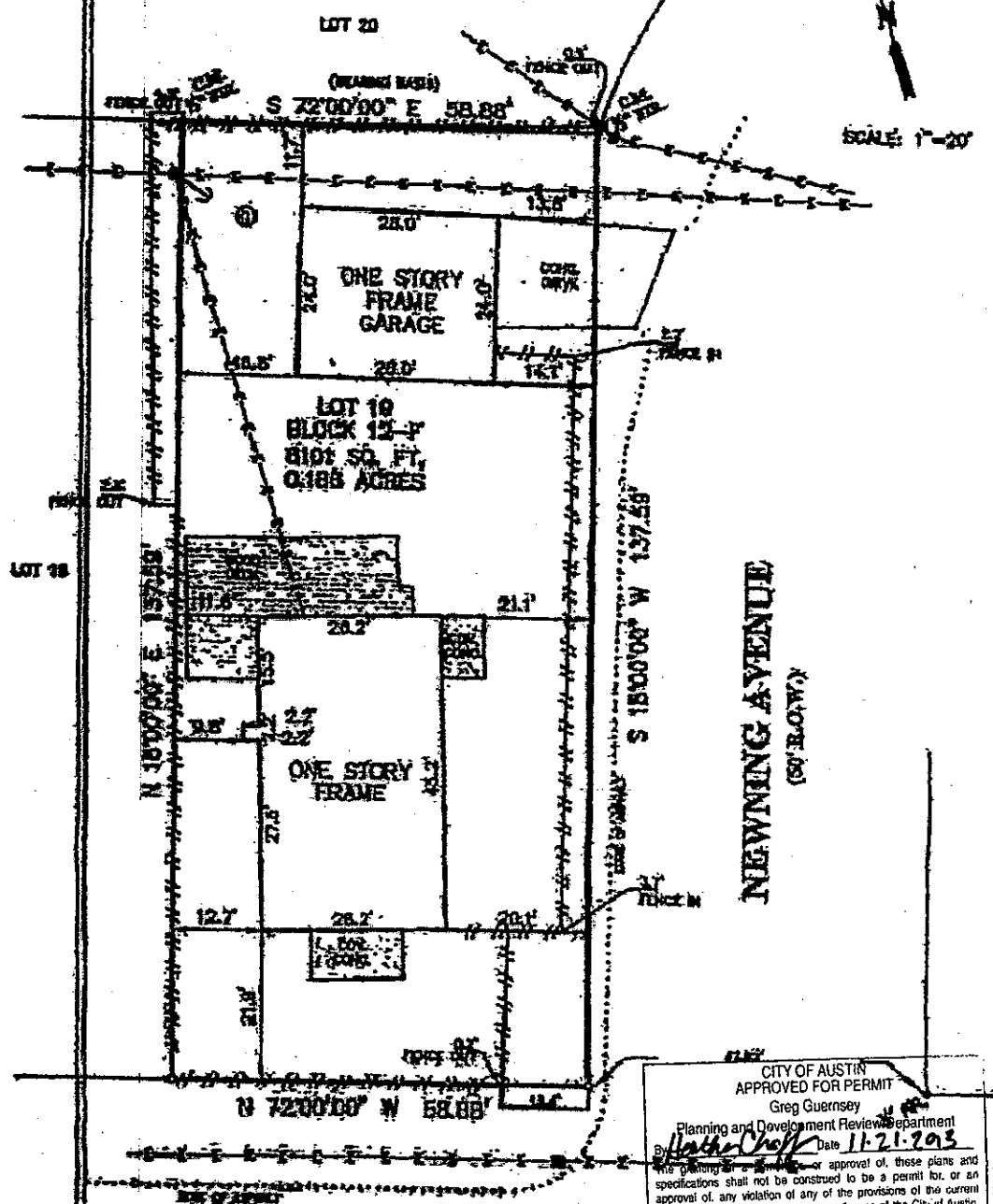
Add dwelling unit in upper area of garage.

3

By signing this form, I understand that I am declaring my support for the variance being requested.

Property Owner Name (Printed)	Address	Signature
LUDMAN	501 E. ANNIE ST	

THIS GENERAL PLAN OF RECORD IS SUBJECT TO THE REVISIONS AND AMENDMENTS WHICH MAY BE MADE FROM TIME TO TIME BY THE BOARD OF COUNTY COMMISSIONERS OF DALLAS COUNTY, TEXAS.



CITY OF AUSTIN
APPROVED FOR PERMIT
Greg Guernsey
Planning and Development Review Department
Date 11-21-2003
Walter Chaff
The granting or approval of these plans and specifications shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of the current adopted building code or any other ordinance of the City of Austin.

EAST ANNIE
(50' E.O.W.)

410 East Annie
Lot 19 BLK 12F
Fairview Park

RECORDED ON MARCH 27, 2004
DALLAS COUNTY CLERK (NAME)

PROPERTY ADDRESS 410 EAST ANNIE		
OWNER JACK M. W. WALTER & TRINA U. MACINDREY		
PROPERTY DESCRIPTION LOT 19, BLOCK 12-F, FAIRVIEW PARK ADDITION, A SUBDIVISION IN DALLAS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT RECORDED IN DALLAS COUNTY CLERK'S OFFICE, DALLAS, TEXAS.		
LEGEND (S) - SURVEYED SECTION (T) - TOWN (R) - RANGE (E) - EASTING NUMBER (N) - NORTHING NUMBER (A) - AREA (B) - BOUNDARY LINE (C) - CORNER (D) - DISTANCE (E) - BEARING (F) - FOOTING (G) - GROUND (H) - HEIGHT (I) - INCH (J) - JUNE (K) - KENTON (L) - LAND (M) - MARCH (N) - NORTON (O) - OCTOBER (P) - PIONEER (Q) - QUARTER (R) - RANGE (S) - SECTION (T) - TOWN (U) - UPRIVER (V) - VINEYARD (W) - WESTING NUMBER (X) - X-SECTION (Y) - YORK (Z) - ZEPHYRUS		OTTO P. REINHARDT , Registered Professional Land Surveyor, State of Texas, No. 479, hereby certifies that the above plat represents the correct survey made on the above described premises, and that the same is a true and correct copy of the original survey, and that he is a duly licensed and qualified surveyor, and that he is a member of the Texas Surveyors Association. In the event of any change or alteration, he will notify the proper authorities.
Westar Alamo LAND SURVEYORS, INC. P.O. BOX 1208 DALLAS, TEXAS 75201-1208 PHONE (214) 343-3333 FAX (214) 372-0000		
FILE NO. 34150 FILE COMPANY GRADY FILE DATE 03-19-05		