

Revised

CASE# 15-2014-0143
ROW# 11015684
TAX# 0114030136

**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: Winsted Lane – TCAD ID 113955

LEGAL DESCRIPTION: Subdivision – Westfield A

W 46FT AV OF LOT 5-6 BLK 2 STEINER T C RESUB LT6-8 BL 11 WESTFIELD A

I/We Drew Tate on behalf of myself/ourselves as authorized agent for

Robert Littlefield Buford and Christy Buford Werner affirm that on Aug. 4th, 2014

_____, 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)

☒ X ERECT ☐ ATTACH ☐ COMPLETE ☐ REMODEL ☐ MAINTAIN

We are seeking a variance that would allow construction of a Single Family home in keeping with the size and design traditions of the neighboring homes on lots with same zoning. Specific variances requested are Impervious Cover of 65%, Building Coverage of 55% and building setbacks of 15' front yard, 10' street side yard, 3.5' interior side yard and a 5' rear. These are the restrictions that would normally be placed on a lot of this size.

in a West Austin Neighborhood
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:

The building setbacks in front and rear, combined with the triangular shape of the lot, create a building envelope that does not have sufficient depth for a reasonable structure of a design that would complement the surrounding homes.

HARDSHIP:

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

When the R.O.W. condemnation took place in the 1970s the subject lot was bisected corner to corner, leaving the remainder lot with a challenging triangular shape. Additionally, this lot was left with its original zoning of SF-3 when, by today's standards, it would have been rezoned SF-4A based on its size of less than 5,750sf.

(b) The hardship is not general to the area in which the property is located because:
Most lots are still in their original platted configuration.

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 variance will allow the overgrown land to be developed with a single family home that is in keeping with the style and size of the surrounding homes in the neighborhood.

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:

The zoning of SF-3 will remain and a single family home will be built.

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:

The additional impervious cover requested will allow for a site plan that includes off street parking.

3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:


The zoning of SF-3 will remain and a single family home will be built.

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

The variance should be awarded with respect to a building pad as opposed to a full site plan because it would not make sense to spend the time and money to develop a site plan prior to having an understanding of the probability the variance being granted.

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 2414 Exposition Blvd. Suite A1
City, State & Zip Austin, TX 78703

Printed Drew Tate Phone 512-680-5811 Date 7/31/2014

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 4405 Waterford Place
City, State & Zip Austin, TX 78703

Printed Robert Buford Phone 512-909-6201 Date 7/31/2014



HARTFORD TO MOPAC NB

MOPAC

MOPAC

NEWFIELD

HARTFORD

WATCHHILL

WINSTED

GRISWOLD

SHARON

MC CALL

HORN

DORMARION

INDIAN

WINDSOR



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

CASE#: C15-2014-0143
Address: 2104 WINSTED LANE



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.

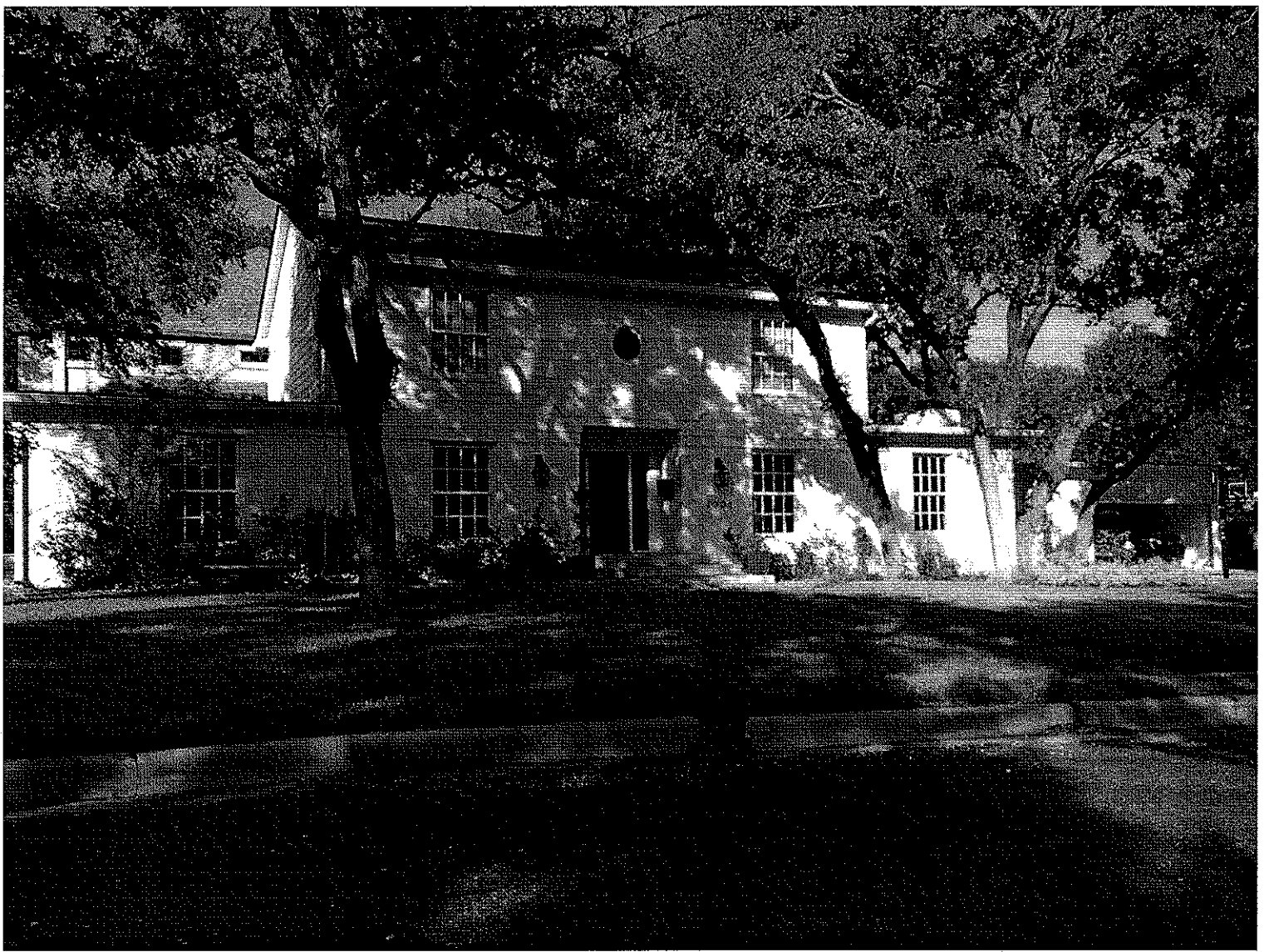
This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

1" = 200'

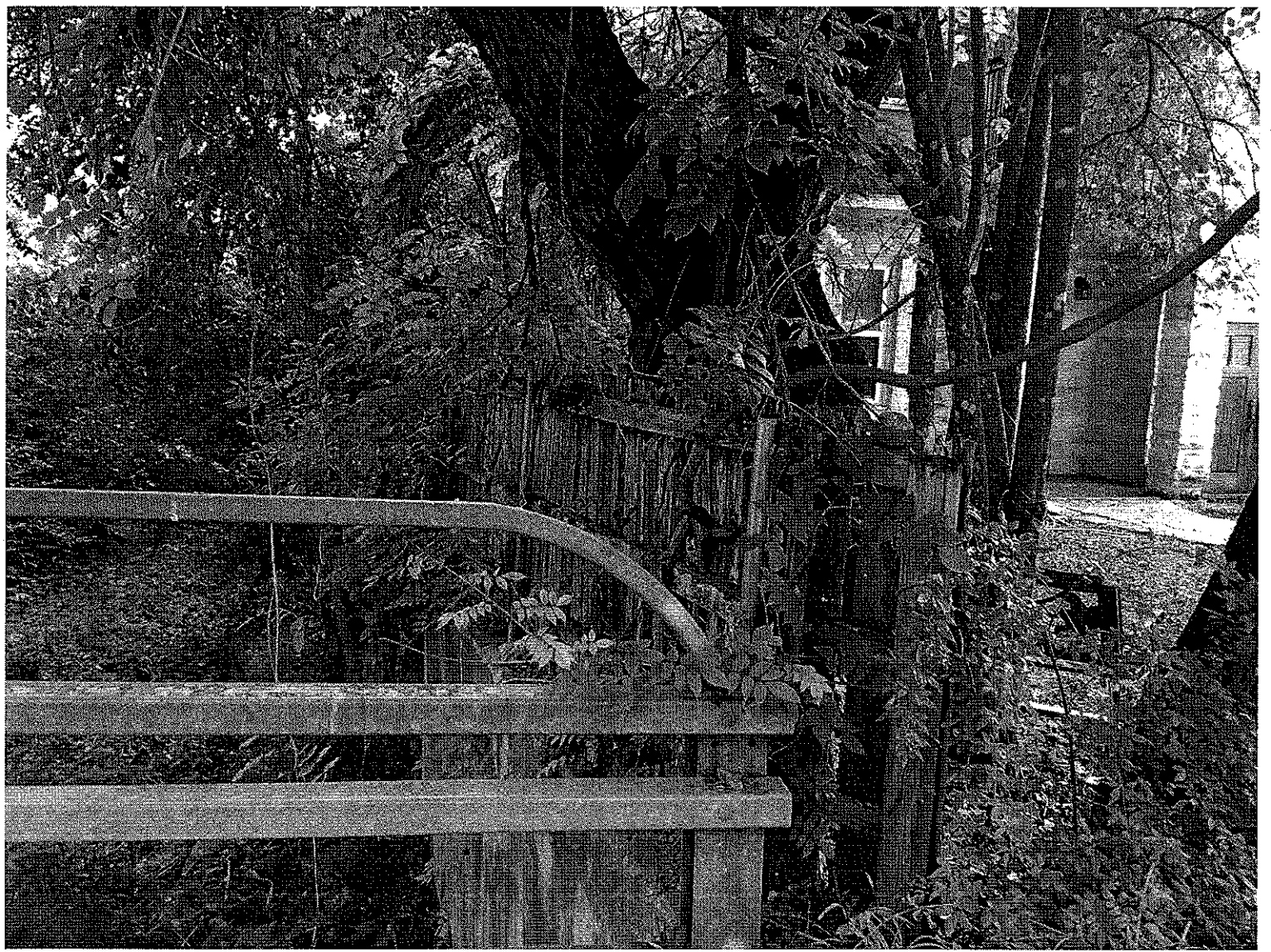
Mr. Buford,

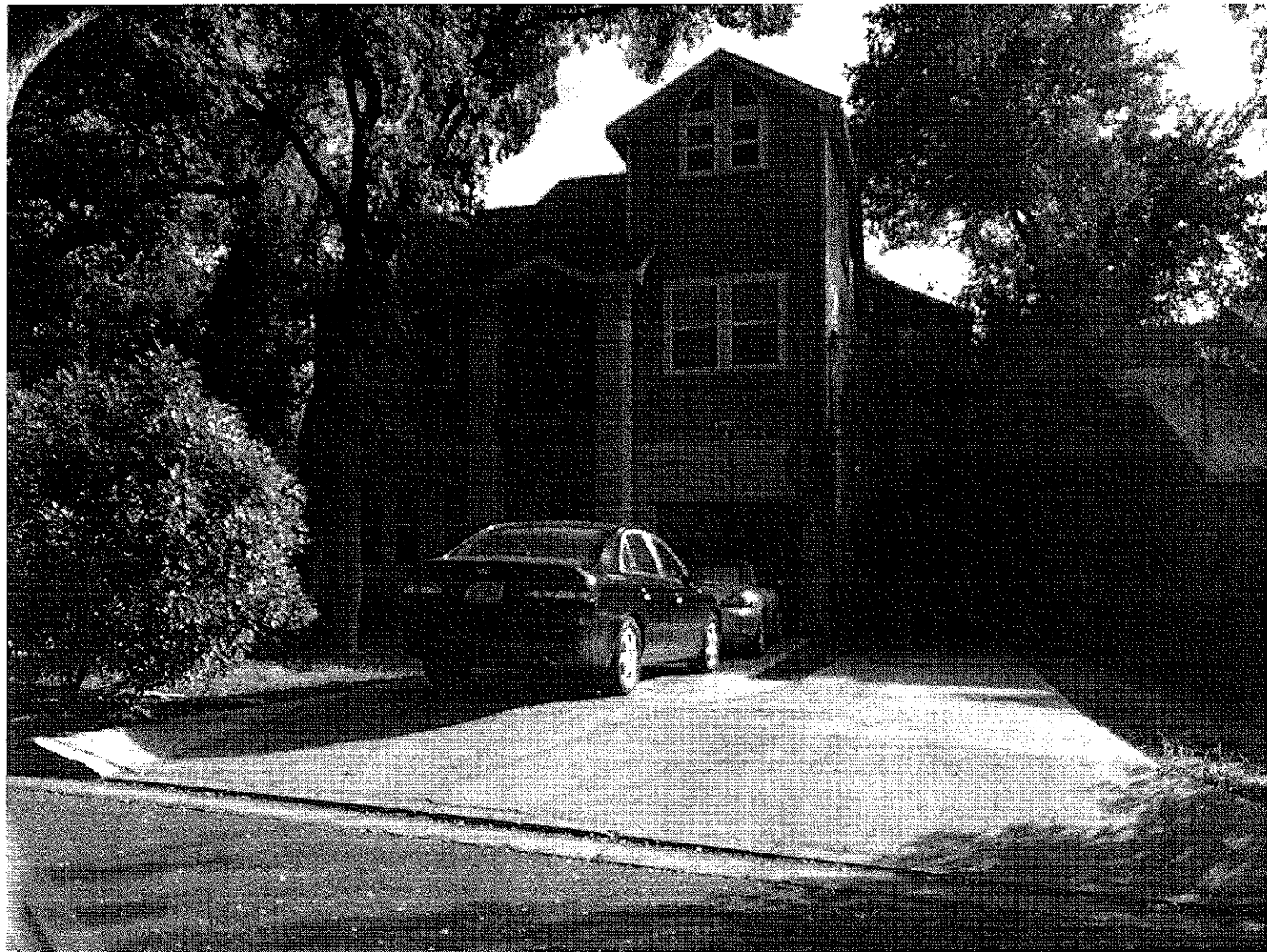
Good to speak with you earlier this week. As discussed, we see no issues with the variance you are seeking for your property on Winsted Lane. The variance to allow for a single family home (equivalent to SF-4A zoning) on the lot you own seems sensible and we see no reason that it would negatively impact our property or the neighborhood. Please let us know if there is any additional information we can provide to assist as you seek this variance.

Zachary Richards
Jennifer Deegan
2101 Winsted Lane
Austin, Texas 78703
512-468-2942













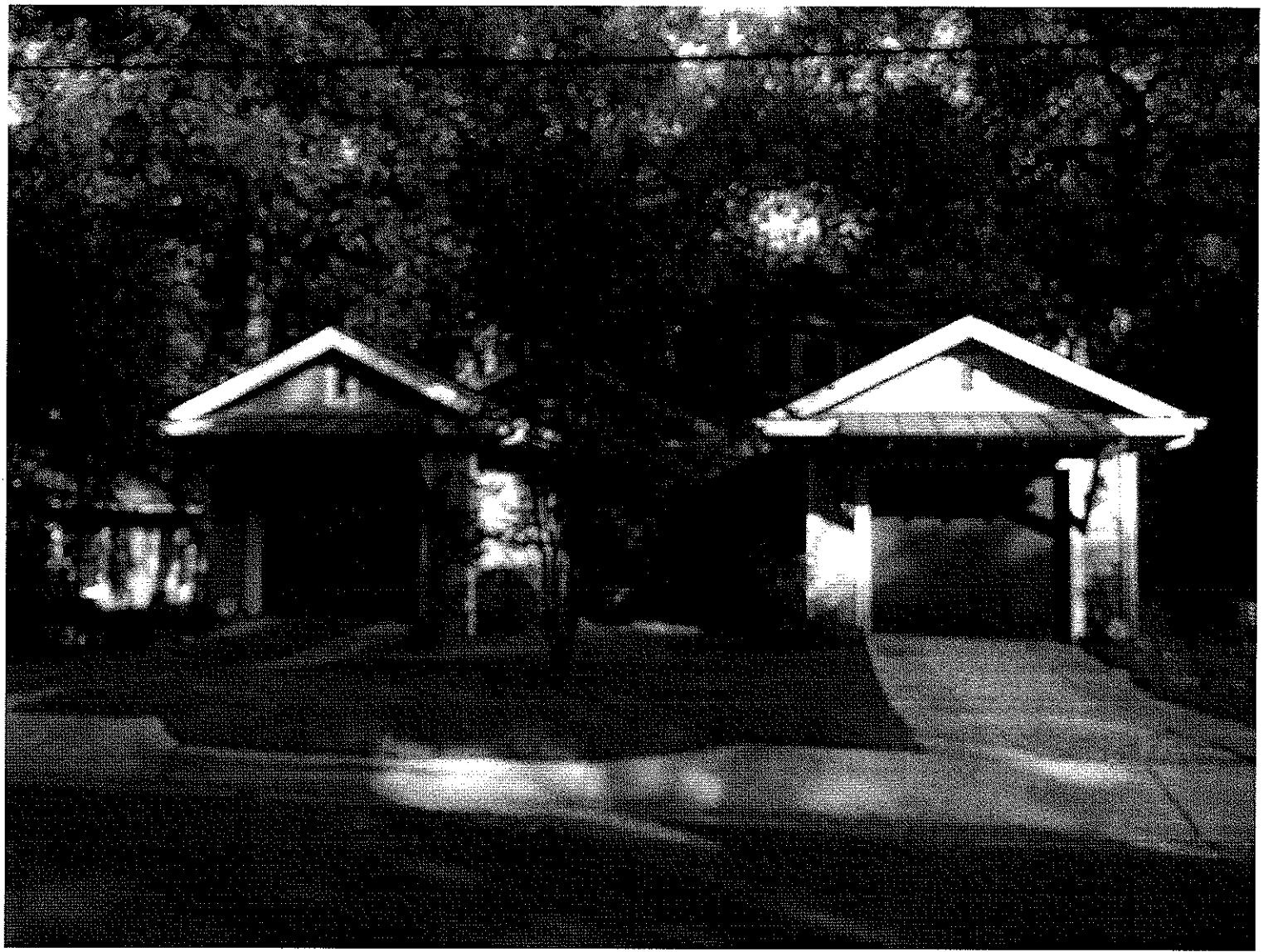


**FOR
SALE
BY OWNER**

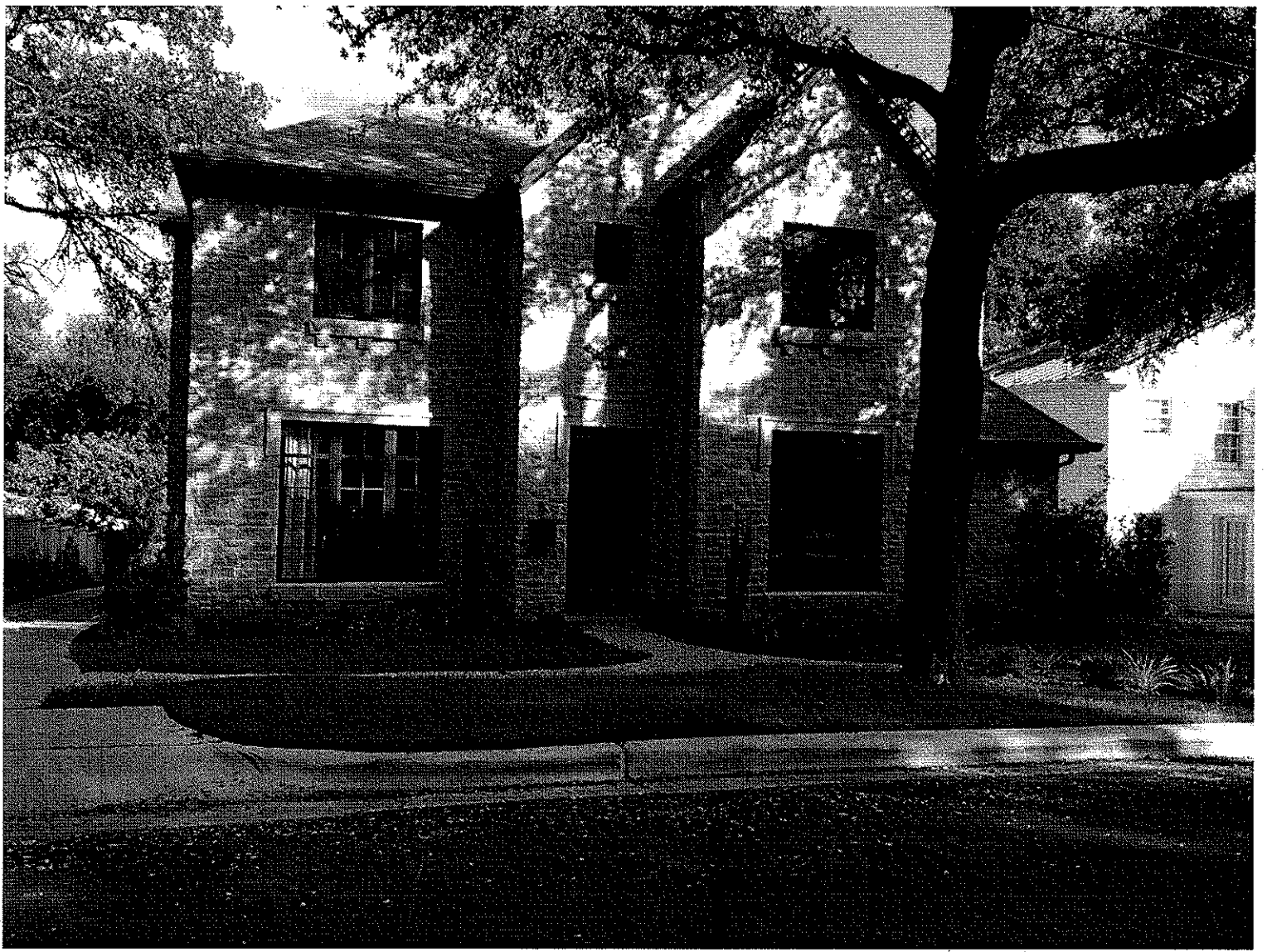
OR
LEASE 512 773 7646

INFO
ABOUT

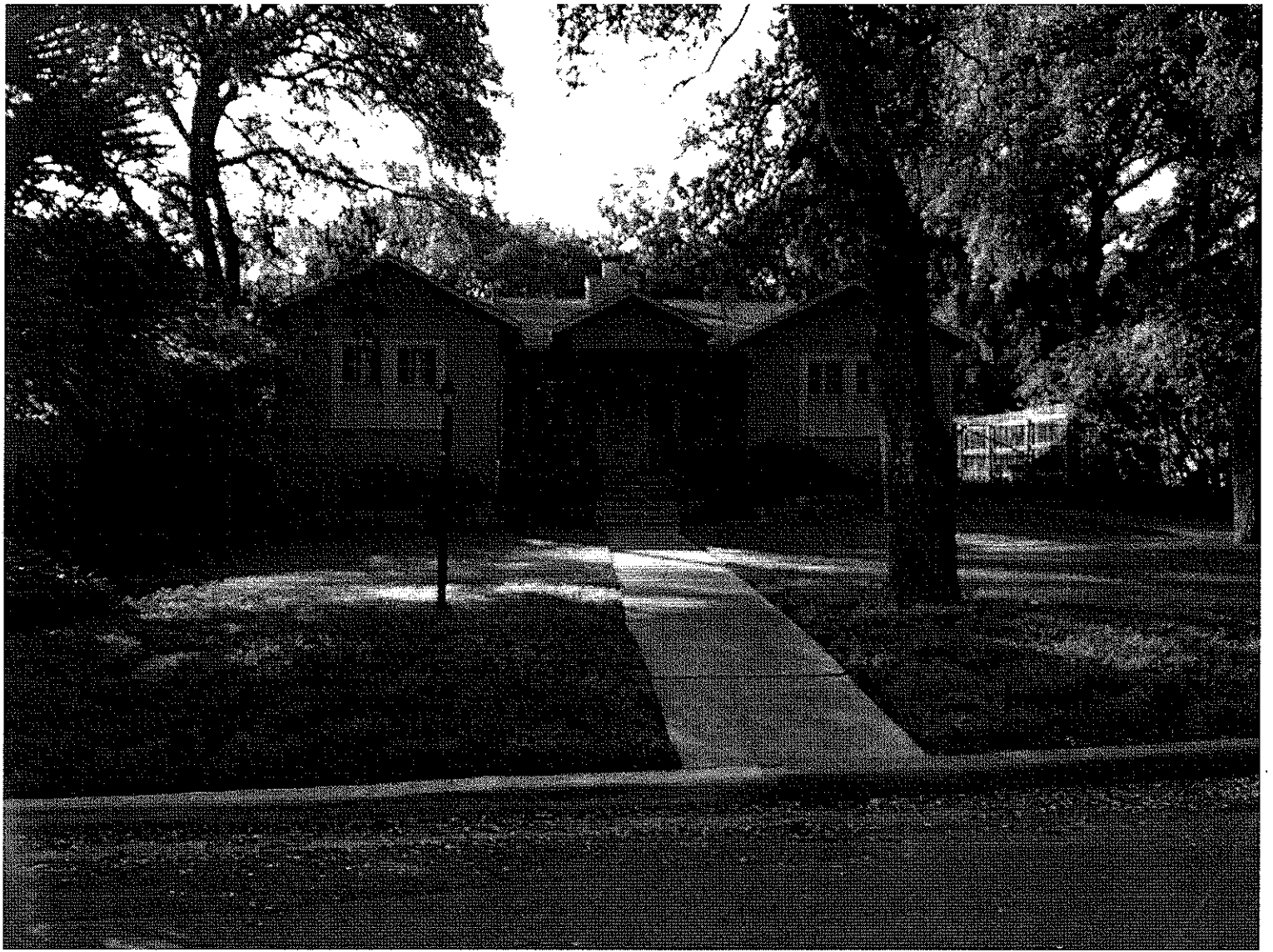
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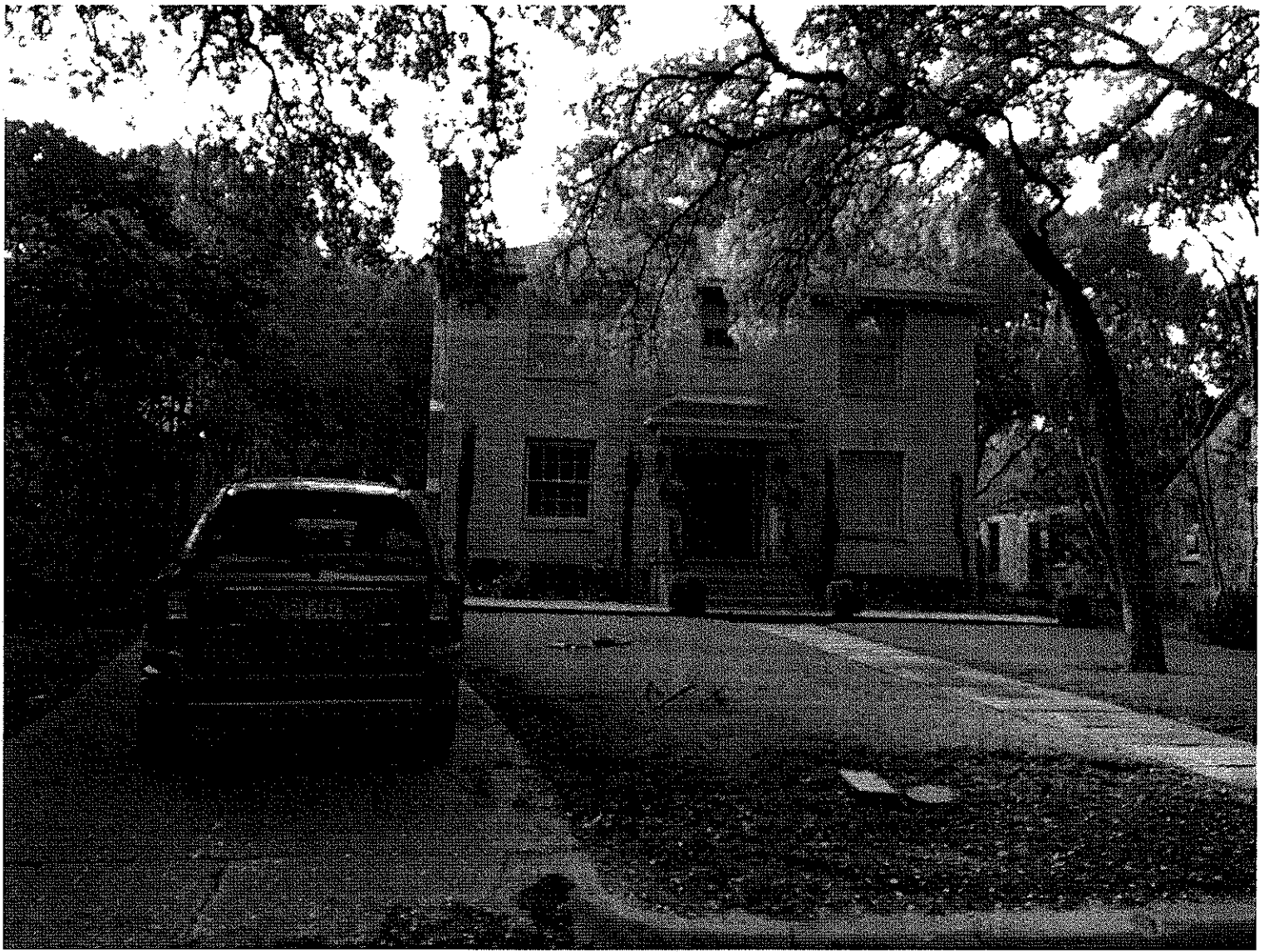














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Signed  Mail Address 2414 Exposition Blvd. Suite A1

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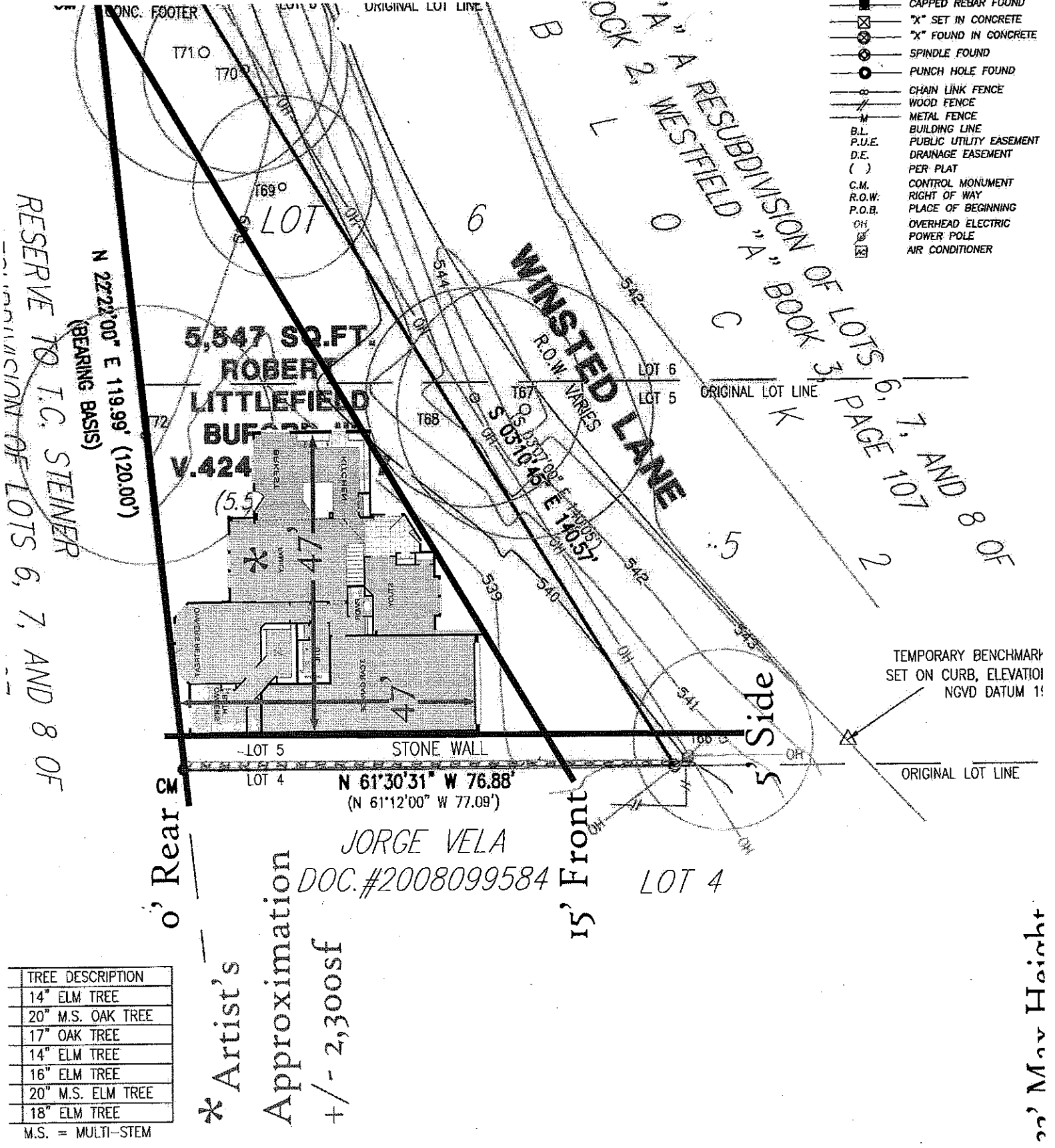
Printed Drew Tate Phone 512-680-5811 Date 7/31/2014

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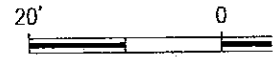
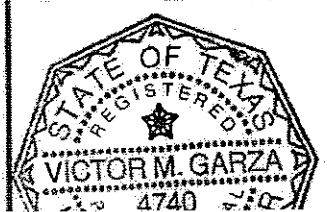
City, State & Zip Austin, TX 78703

Printed Robert Buford Phone 512-909-6201 Date 7/31/2014

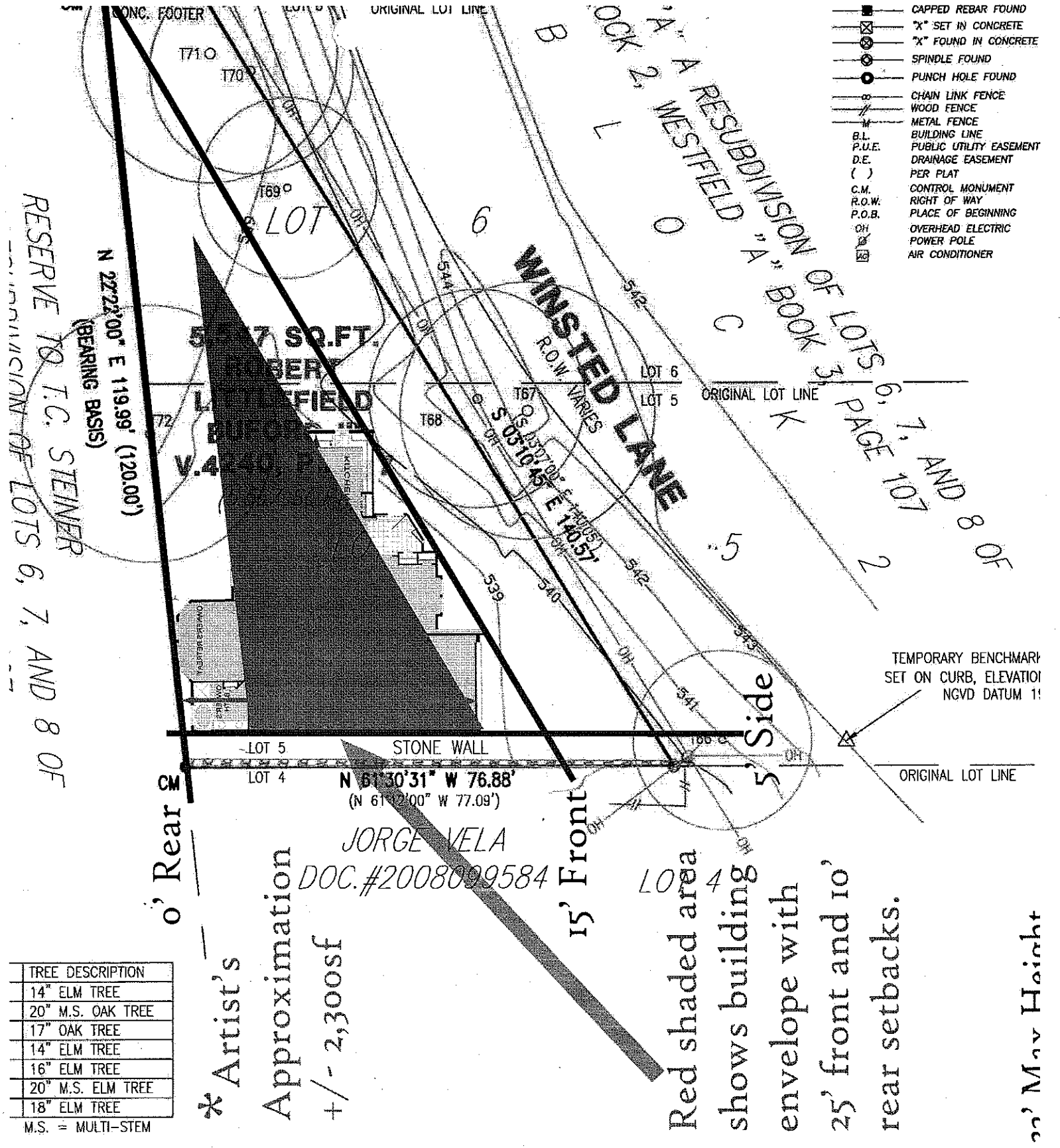


TOPOGRAPHIC & TREE & BOUNDARY SURVEY

NOTICE
 was prepared without the benefit of a title
 There may be additional setback lines,
 and interests which are relevant to this
 unknown to B & G SURVEYING.



20' Max Height



TREE DESCRIPTION
14" ELM TREE
20" M.S. OAK TREE
17" OAK TREE
14" ELM TREE
16" ELM TREE
20" M.S. ELM TREE
18" ELM TREE

M.S. = MULTI-STEM

* Artist's Approximation
 +/- 2,300sf
 Red shaded area shows building envelope with 25' front and 10' rear setbacks.

TOPOGRAPHIC & TREE & BOUNDARY SURVEY

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2



City of Austin

Founded by Congress, Republic of Texas, 1839
Planning & Development Review Department
One Texas Center, 505 Barton Springs Road
P.O. Box 1088, Austin, Texas 78767

July 21, 2014

Re: Winsted Lane, Tax Parcel ID# 0114030136

Dear Mr. Drew Tate:

This letter is in regards to the land status determination application that was submitted for Winsted Lane, Tax Parcel ID#0114030136. These two lots were originally platted with the Westfield A Subdivision (see exhibit A), recorded with Travis County under book 4, page 70. Subsequent to platting, a portion of these lots was conveyed to the City of Austin for public right-of-way [ROW] under the following warranty deeds, Volume 4240, Page 2337 and a portion was conveyed to the City of Austin for the Johnson Creek (see exhibit B). There is also additional evidence by old tax plat maps dated April of 1987 that demonstrate that these tracts were in the same configuration as they are today. Condemnation of a portion of a legally platted lot for ROW does not jeopardize the legal status of the remainder, therefore the remaining portions of the two platted lots after the ROW dedication are considered legal tracts and no land status determination application is necessary.

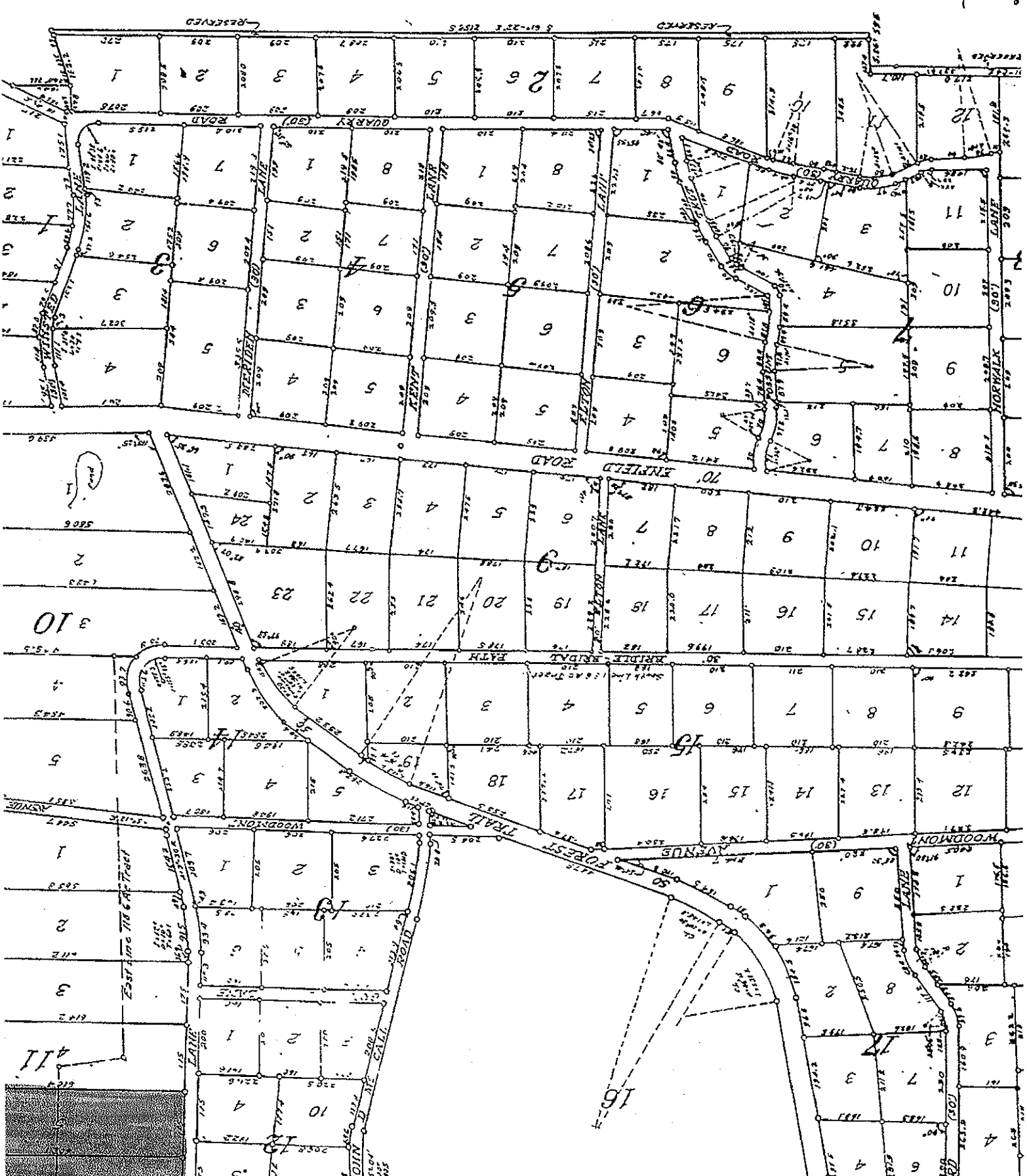
Please let me know if you have additional questions

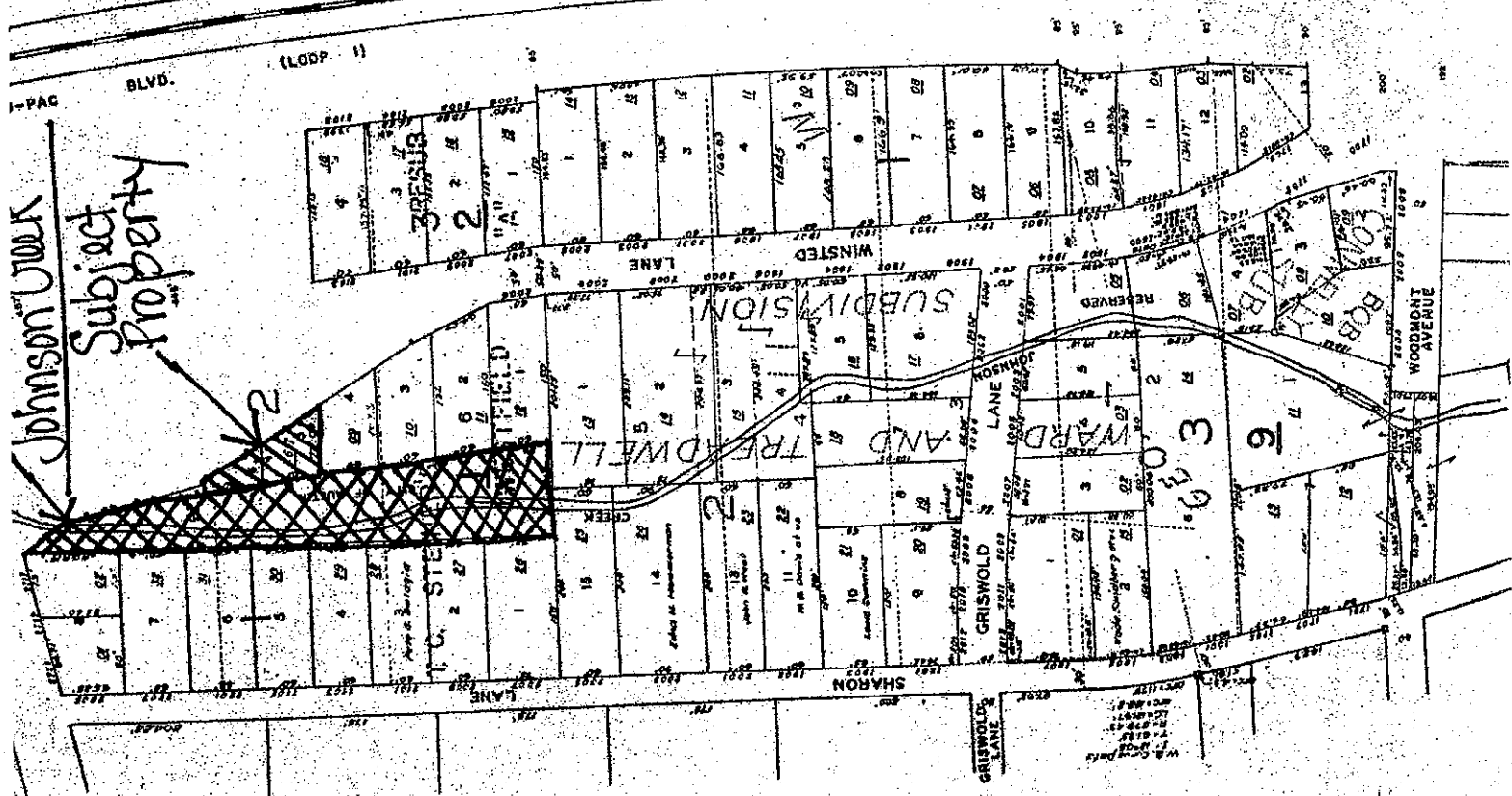
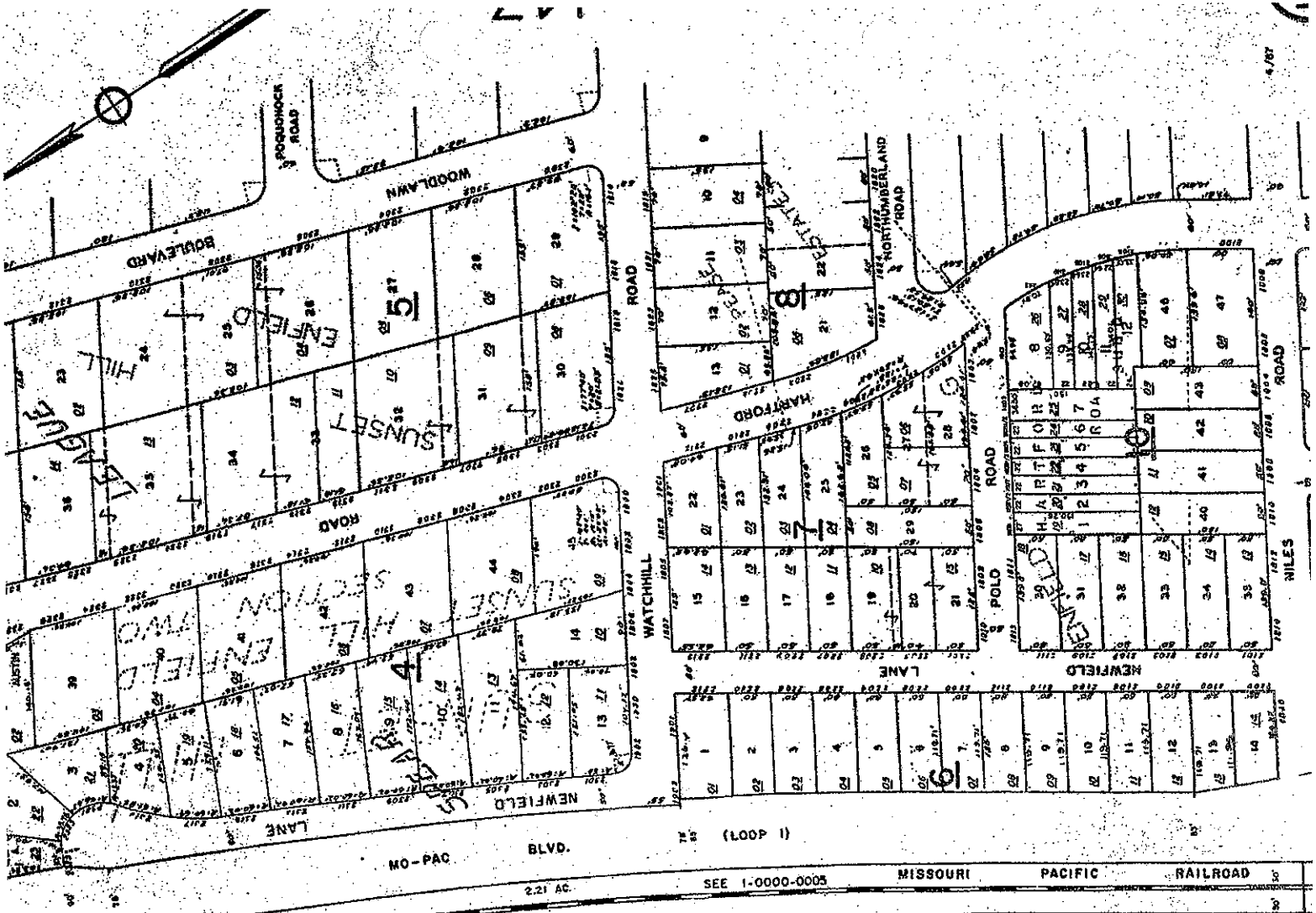
Sincerely,

Michelle R. Casillas
City of Austin / PDR
Development Assistance Center
Senior Planner
(512)974-7623 office
(512)974-2934 fax
Michelle.Casillas@austintexas.gov

Supervisor: Christopher Johnson
Christopher.Johnson@austintexas.gov

A SUBDIVISION BY RILEY GRAHAM, ET AL., OF A PART OF SPEAR LEAGUE, TRAVIS COUNTY TEXAS
 WESTFIELD A.
 MAP OF
 8 pages 141
 as shown
 ENFIELD REALTY & HOME BUILDING COMPANY, AUSTIN TEXAS
 C. L. JAYGE, ARCHT.
 MAY 1922
 SCALE 1/2" = 200'

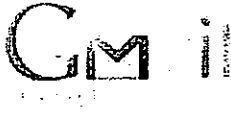




Johnson's Work
Subject Property

155
1504

154
1405



Robert Buford <rob.buford@gmail.com>

Triangular lot on the SW corner of Winsted and Windsor

2 messages

Zack Jamail <zjmail@pelotoncre.com>

Thu, Aug 28, 2014 at 6:29 PM

To: "rob.buford@gmail.com" <rob.buford@gmail.com>

I support your variance but would be interested in seeing a street view design of what would be built.
Good luck.

-2005 Winsted Lane

Zack Jamail

Peloton Commercial Real Estate

221 W 6th St, Suite 100

Austin, TX 78701

O 512.814.3409 | C 512.593.9523

zjmail@pelotoncre.com | www.pelotoncre.com

Robert Buford <rob.buford@gmail.com>

Thu, Aug 28, 2014 at 7:56 PM

To: Drew Tate <drew@tateproperty.com>, Christy Werner <christywerner1@gmail.com>

approval #3

[Quoted text hidden]

Robert Littlefield Buford III

Board Certified--Criminal Law, Texas Board of Legal Specialization

904 West Avenue, Suite 100

Austin, TX 78701

(512) 476-4444

Fax: (512) 474-8006

http://dwireresults.com/



Robert Buford <~~robertbuford@gmail.com~~>

Triangulat lot on the SW corner of Winsted and Windsor

3 messages

Laneda <~~plakeld@yahoo.com~~>

Wed, Aug 20, 2014 at 5:17 PM

Reply-To: Laneda <~~plakeld@yahoo.com~~>

To: "~~rob buford@gmail.com~~" <~~rob buford@gmail.com~~>

I got your letter today. I think your request for a variance is perfectly reasonable and can think of no reason it should be denied.

Good luck,
Laneda Wall Wilhite
1901 Winsted Lane
512-758-2508

Robert Buford <~~rob buford@gmail.com~~>

Thu, Aug 21, 2014 at 3:30 PM

To: Drew Tate <~~drew@tateproperty.com~~>, Christy Werner <~~christy.werner@gmail.com~~>

First neighbor recommendation attached.

[Quoted text hidden]

Robert Littlefield Buford III
Board Certified—Criminal Law, Texas Board of Legal Specialization
904 West Avenue, Suite 100
Austin, TX 78701
(512) 476-4444
Fax: (512) 474-8006
<http://dwireresults.com/>