

SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

CASE#: C15-2015-0036  
Address: 206 ELIZABETH



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.

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1 " = 200 '

CASE# C15-2015-0036  
ROW# 11290865  
TAX# 030001071

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: 206 East Elizabeth

LEGAL DESCRIPTION: Subdivision – Fairview Park

Lot(s) 7A Block 12 Outlot \_\_\_\_\_ Division \_\_\_\_\_

I/We Vicki Faust on behalf of myself/ourselves as  
authorized agent for \_\_\_\_\_ affirm that on January 29,

2015, 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 \_\_\_ x COMPLETE \_\_\_ REMODEL \_\_\_ x MAINTAIN

To change an existing non-conforming accessory structure to an accessory dwelling unit by simply adding a  
kitchen – no additional square footage or exterior changes are needed.

in a SF-3-NP district. (SRCC)  
(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 property meets the lot size requirement (>7000 sq feet) and has the proper zoning (SF-3) to have a  
secondary dwelling but the requirement that that dwelling unit be 15 feet of the rear of the principal  
structure limits the options on this site. (25-2-774)

**HARDSHIP:**

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

The unique shape of this lot, specifically that it is 130 feet wide but only 55 feet deep makes it impossible to have an accessory building to the rear of the primary structure.

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

it is due to the unique shape of this lot, which is not repeated anywhere within the general 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:

The request is only to add an interior kitchen to an existing structure so no change of character to it or the area adjacent to the property will occur, and it will not impair the purpose of the zoning district regulations because the lot meets size and zoning requirements to allow for an ADU and the existing structure is less than the required 850 sq feet (444)

**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:

NA \_\_\_\_\_

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

NA \_\_\_\_\_

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

NA \_\_\_\_\_

**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 206E.Elizabeth

City, State & Zip Austin TX 78704

Printed Vicki Faust Phone 512-217-3686 Date 1-29-2015

**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: 206 E.Elizabeth Street

City, State & Zip Austin TX 78704

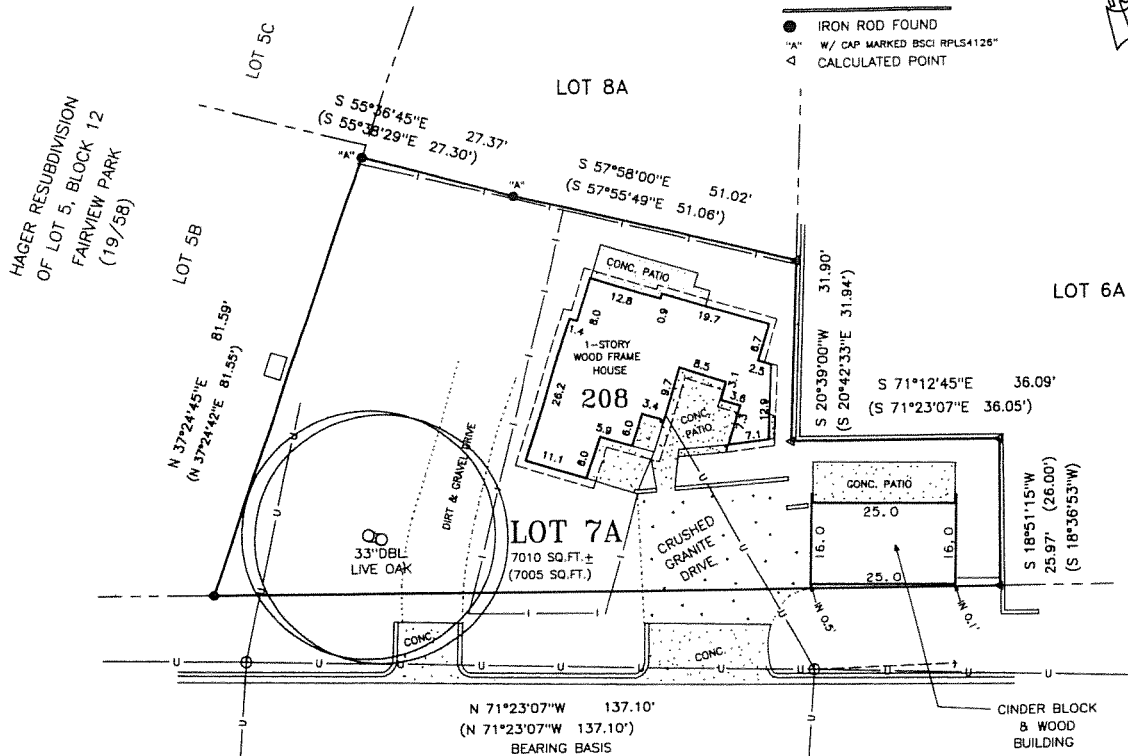
Printed Vicki Faust Phone 512-217-3686 Date 1-29-2015

OWNER: MARY LOU CAVENDISH LIFE ESTATE

LEGAL DESCRIPTION: Lot 7A, FAIRVIEW PARK, AMENDED PLAT OF LOTS 6, 7 AND 8, BLOCK 12, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Document No. 200200280, of the Official Public Records of Travis County, Texas, also locally known as 206 and 208 East Elizabeth Street, Austin, Texas.

LEGEND

- IRON ROD FOUND
- "A" W/ CAP MARKED BSCI RPLS4128"
- △ CALCULATED POINT



DATE July 28, 2006

SCALE 1" = 20'

FB/PG 282/01

J.O.# 070606

REVISED: AUGUST 10, 2013  
ADDED TOPO AND REMOVED  
DEMOLISHED BUILDING

DATE February 18, 2013

SCALE 1" = 20'

FB/PG 310/11-13

J.O.# 020413

DATE December 9, 2013

SCALE 1" = 20'

FB/PG 304/16

J.O.# 120713

206 AND 208 EAST ELIZABETH STREET  
(60' R.O.W.)

THIS SKETCH IS FOR PERMITTING AND BUILDING INSPECTION PURPOSES ONLY. THIS SKETCH IS NOT TO BE USED FOR TITLE TRANSFER PURPOSES.

NOTE: THIS SURVEY WAS MADE ON THE GROUND WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT. THEREFORE, CERTAIN EASEMENTS MAY HAVE BEEN GRANTED WHICH ARE NOT REFLECTED HEREON.

PLAT PREPARED FROM RECORD INFORMATION AND MEASUREMENTS MADE ON THE GROUND ON JULY 28, 2006; FEBRUARY 18, 2013; AUGUST 10, 2013 AND DECEMBER 9, 2013 AND IS CORRECT TO THE BEST OF MY KNOWLEDGE.

C. MICHAEL McMINN, JR., R.P.L.S. NO. 4267

THIS SURVEY PLAT IS VALID ONLY IF IT BEARS THE ORIGINAL SIGNATURE IN GREEN INK AND THE IMPRESSION SEAL OF THE ABOVE SURVEYOR.

Copyright 2013 McMinn Land Surveying Company

CMC  
**McMinn**  
Land Surveying Company  
4008 GREENMOUNTAIN LANE  
AUSTIN, TEXAS 78759  
(512) 343-1970  
FAX (512) 243-6343  
FIRM NO. 10094300 CMM

S 57° 58' 00" E 51.02



206 EAST ELIZABETH STREET  
ISSUED FOR PERMITTING





## City of Austin

# CERTIFICATE OF OCCUPANCY

**BUILDING PERMIT NO. 2013-073316 BP**

**ISSUE DATE:** 02/19/2014

**BUILDING ADDRESS:** 206 E ELIZABETH ST

**LEGAL DESCRIPTION:** Lot: 7A Block: 12 Subdivision: FAIRVIEW PARK BLOCK 12; AMENDED PLAT OF LOTS 6, 7 & 8

**PROPOSED OCCUPANCY:**

R- 435 Renovations/Remodel

Remodel - Partial Demolition Permit included for remodel, removing the portion of the accessory structure encroaching into the right-of-way, and removal of existing patio located to the rear of the accessory structure. Remodel of existing accessory structure will create a full bathroom, study, and storage area within the accessory structure.

**REMODEL BUILDING SQUARE FOOTAGE:** 444 SQ. FT.

**SPRINKLER SYSTEM:**

**CODE YEAR:** 2006

**CODE TYPE:** International Residential Code

**FIXED OCCUPANCY:**

**NON FIXED OCCUPANCY:**

**CONTRACTOR:** Vicki Faust, Kimber Modern

\*\*\*\*\* **CERTIFICATE OF OCCUPANCY** \*\*\*\*\*

**THIS IS TO CERTIFY THAT THE BUILDING OR STRUCTURE AT THE ADDRESS LISTED ABOVE HAS BEEN INSPECTED FOR COMPLIANCE WITH THE REQUIREMENTS OF THE AUSTIN CITY CODE FOR THE GROUP AND DIVISION OF OCCUPANCY LISTED ABOVE.**

NEITHER THE ISSUANCE OF THIS CERTIFICATE NOR THE INSPECTIONS MADE SHALL LESSEN THE RESPONSIBILITY OR LIABILITY OF ANY PERSON, FIRM OR CORPORATION

OWNING, OPERATING, CONTROLLING OR INSTALLING ANY APPLIANCE OR MATERIAL UPON THE PREMISE, OR DOING ANY WORK WHATSOEVER ON SUCH PREMISE.

THE CITY OF AUSTIN DOES NOT ASSUME ANY RESPONSIBILITY OR LIABILITY BY REASON OF THE INSPECTION OR REINSPECTION OF THE PREMISE; OR THE ISSUANCE OF THIS "CERTIFICATE OF OCCUPANCY"; OR BY ANY REASON OF ANY APPROVAL OR DISAPPROVAL.

**BUILDING CODE REVIEWER:**

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**For Leon Barba, Building Official**

§ 25-2-774 - TWO-FAMILY RESIDENTIAL USE.

- (A) For a two-family residential use, the base zoning district regulations are superseded by the requirements of this section.
- (B) For a two-family residential use the minimum lot area is 7,000 square feet.
- (C) The second dwelling unit:
  - (1) must be contained in a structure other than the principal structure;
  - (2) must be located:
    - (a) at least 15 feet to the rear of the principal structure; or
    - (b) above a detached garage;
  - (3) may be connected to the principal structure by a covered walkway;
  - (4) may not have an entrance within 10 feet of a lot line;
  - (5) unless the second dwelling unit has vehicular access from a rear alley, it must be served by a paved driveway, and the portion of the driveway that crosses the front yard must be at least 9 feet and not more than 12 feet wide;
  - (6) may not exceed a height of 30 feet, and is limited to two stories; and
  - (7) may not exceed a gross floor area of:
    - (a) 850 total square feet; or
    - (b) 550 square feet on the second story, if any.
- (D) Impervious cover for the site may not exceed 45 percent.
- (E) Building cover for the site may not exceed 40 percent.
- (F) Other than in a driveway, parking is prohibited in the front yard.

*Source: Section 13-2-255; Ord. 990225-70; Ord. 000511-108; Ord. 000831-65; Ord. 031211-11; Ord. 041118-59.*

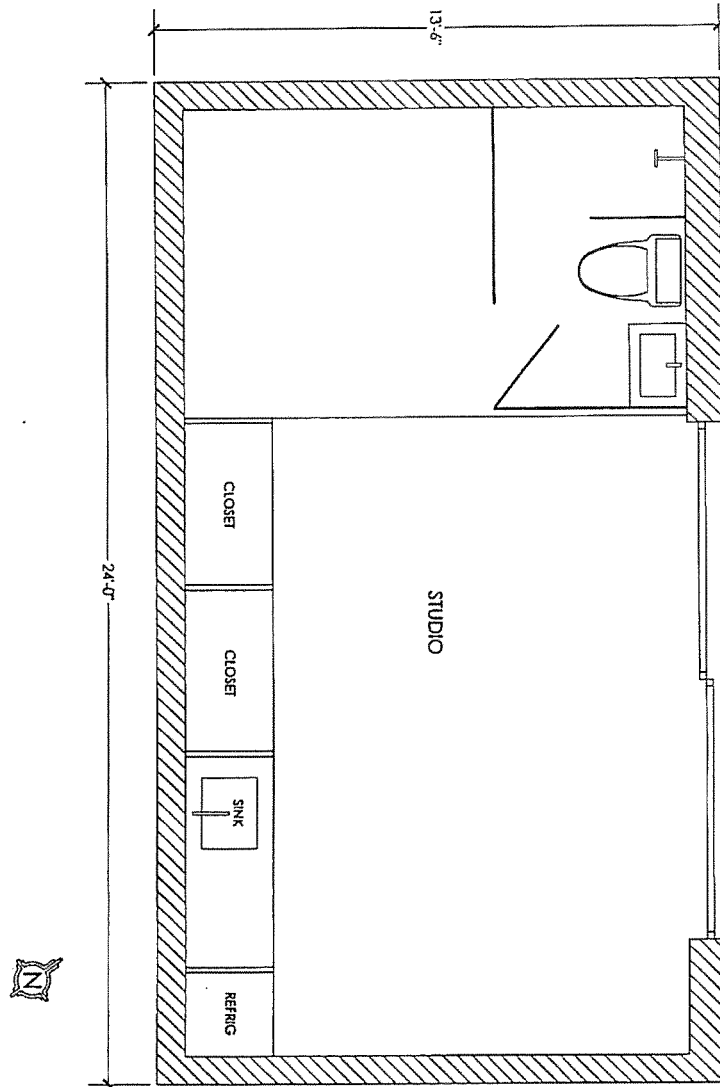




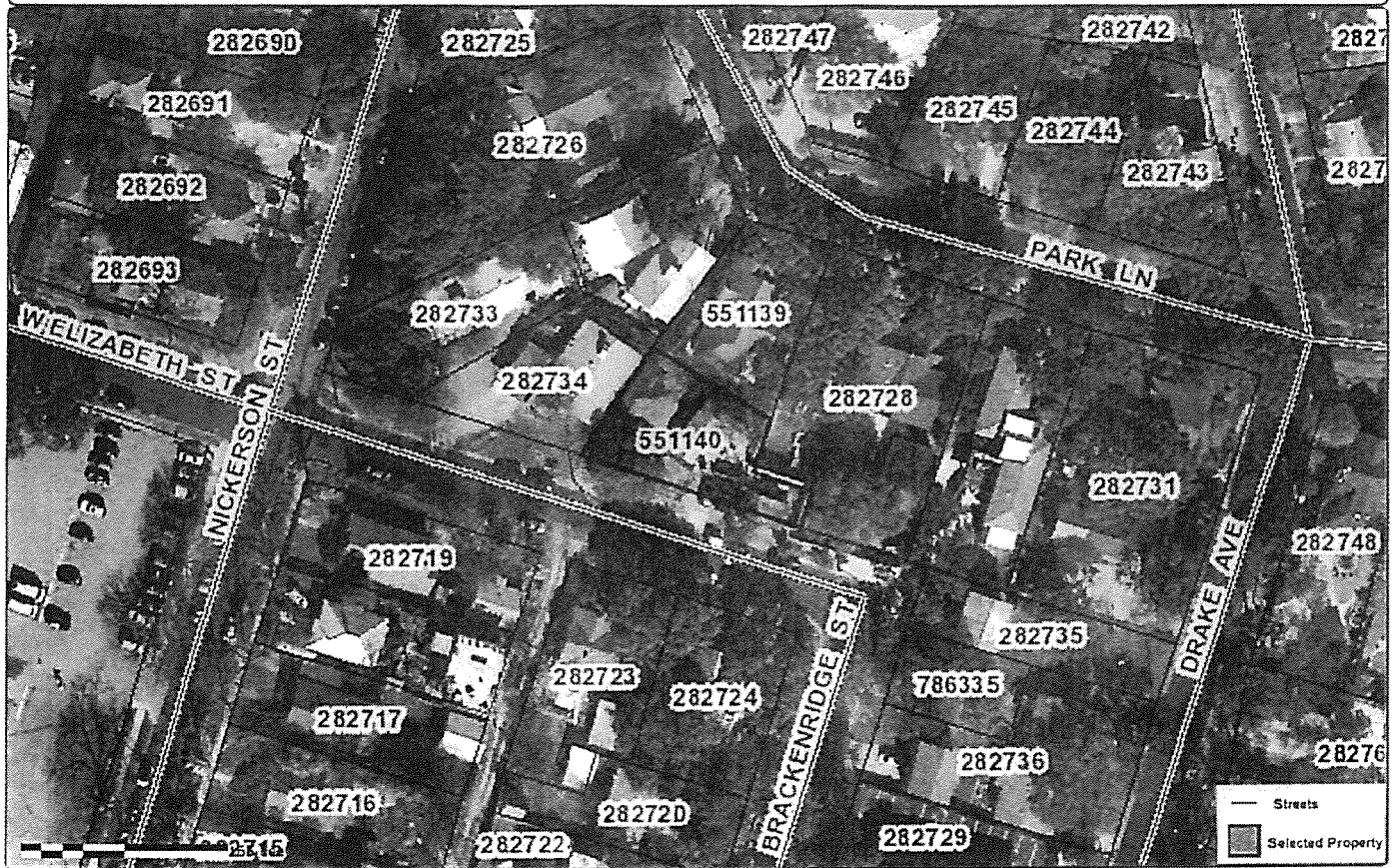
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STUDIO FLOOR PLAN

3/8"=1'-0"



## Travis CAD - Map of Property ID 551140 for Year 2015



### Property Details

#### Account

Property ID: 551140  
Geo ID: 0300010719  
Type: Real  
Legal Description: LOT 7A FAIRVIEW PARK AMENDED PLAT OF LTS 6-8 BL 12

#### Location

Situs Address: 206 E ELIZABETH ST TX 78704  
Neighborhood: TRAVIS HEIGHTS  
Mapsc0: 615J  
Jurisdictions: 01, 0A, 2J, 68, 03, 02

#### Owner

Owner Name: FAUST VICKI  
Mailing Address: , 1503A NICKERSON ST, AUSTIN, TX 78704

#### Property

Appraised Value: N/A

<http://propaccess.traviscad.org/Map/View/Map/1/551140/2015>

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**PropertyACCESS**  
www.trueautomation.com

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**Travis CAD - Map of Property ID 551140 for Year 2015**

Map showing property lots and streets. The selected property is highlighted in grey.

**Streets:** ELIZABETH ST, NICKERSON ST, BRACKENRIDGE ST, DRAKE AVE, PARK LN.

**Property Lots (IDs):**

- 282690, 282691, 282692, 282693
- 282725, 282726, 282727, 282728, 282729, 282730, 282731, 282733, 282734, 282735, 282736, 282737, 282738, 282739, 282740, 282741, 282742, 282743, 282744, 282745, 282746, 282747, 282748, 282749, 282750, 282751, 282752, 282753, 282754, 282755, 282756, 282757, 282758, 282759, 282760, 282761, 282762, 282763, 282764, 282765, 282766, 282767, 282768, 282769, 282770, 282771, 282772, 282773, 282774, 282775, 282776, 282777, 282778, 282779, 282780, 282781, 282782, 282783, 282784, 282785, 282786, 282787, 282788, 282789, 282790, 282791, 282792, 282793, 282794, 282795, 282796, 282797, 282798, 282799, 282800, 282801, 282802, 282803, 282804, 282805, 282806, 282807, 282808, 282809, 282810, 282811, 282812, 282813, 282814, 282815, 282816, 282817, 282818, 282819, 282820, 282821, 282822, 282823, 282824, 282825, 282826, 282827, 282828, 282829, 282830, 282831, 282832, 282833, 282834, 282835, 282836, 282837, 282838, 282839, 282840, 282841, 282842, 282843, 282844, 282845, 282846, 282847, 282848, 282849, 282850, 282851, 282852, 282853, 282854, 282855, 282856, 282857, 282858, 282859, 282860, 282861, 282862, 282863, 282864, 282865, 282866, 282867, 282868, 282869, 282870, 282871, 282872, 282873, 282874, 282875, 282876, 282877, 282878, 282879, 282880, 282881, 282882, 282883, 282884, 282885, 282886, 282887, 282888, 282889, 282890, 282891, 282892, 282893, 282894, 282895, 282896, 282897, 282898, 282899, 282900, 282901, 282902, 282903, 282904, 282905, 282906, 282907, 282908, 282909, 282910, 282911, 282912, 282913, 282914, 282915, 282916, 282917, 282918, 282919, 282920, 282921, 282922, 282923, 282924, 282925, 282926, 282927, 282928, 282929, 282930, 282931, 282932, 282933, 282934, 282935, 282936, 282937, 282938, 282939, 282940, 282941, 282942, 282943, 282944, 282945, 282946, 282947, 282948, 282949, 282950, 282951, 282952, 282953, 282954, 282955, 282956, 282957, 282958, 282959, 282960, 282961, 282962, 282963, 282964, 282965, 282966, 282967, 282968, 282969, 282970, 282971, 282972, 282973, 282974, 282975, 282976, 282977, 282978, 282979, 282980, 282981, 282982, 282983, 282984, 282985, 282986, 282987, 282988, 282989, 282990, 282991, 282992, 282993, 282994, 282995, 282996, 282997, 282998, 282999, 283000

**Handwritten Notes:**

- 201 Park
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- 300 ELIZABETH

**Legend:**

- Streets
- Selected Property

# NEIGHBORS SIZE

Property ID: 551140

Geo ID: 0300010719

Type: Real

Legal Description: LOT 7A FAIRVIEW PARK AMENDED PLAT OF LTS 6-8 BL 12

Situs Address: 206 E ELIZABETH ST TX 78704

Neighborhood: TRAVIS HEIGHTS

Mapsc0: 615J

Jurisdictions: 01, 0A, 2J, 68, 03, 02

Owner Name: FAUST VICKI

Mailing Address: , 1503A NICKERSON ST, AUSTIN, TX 78704

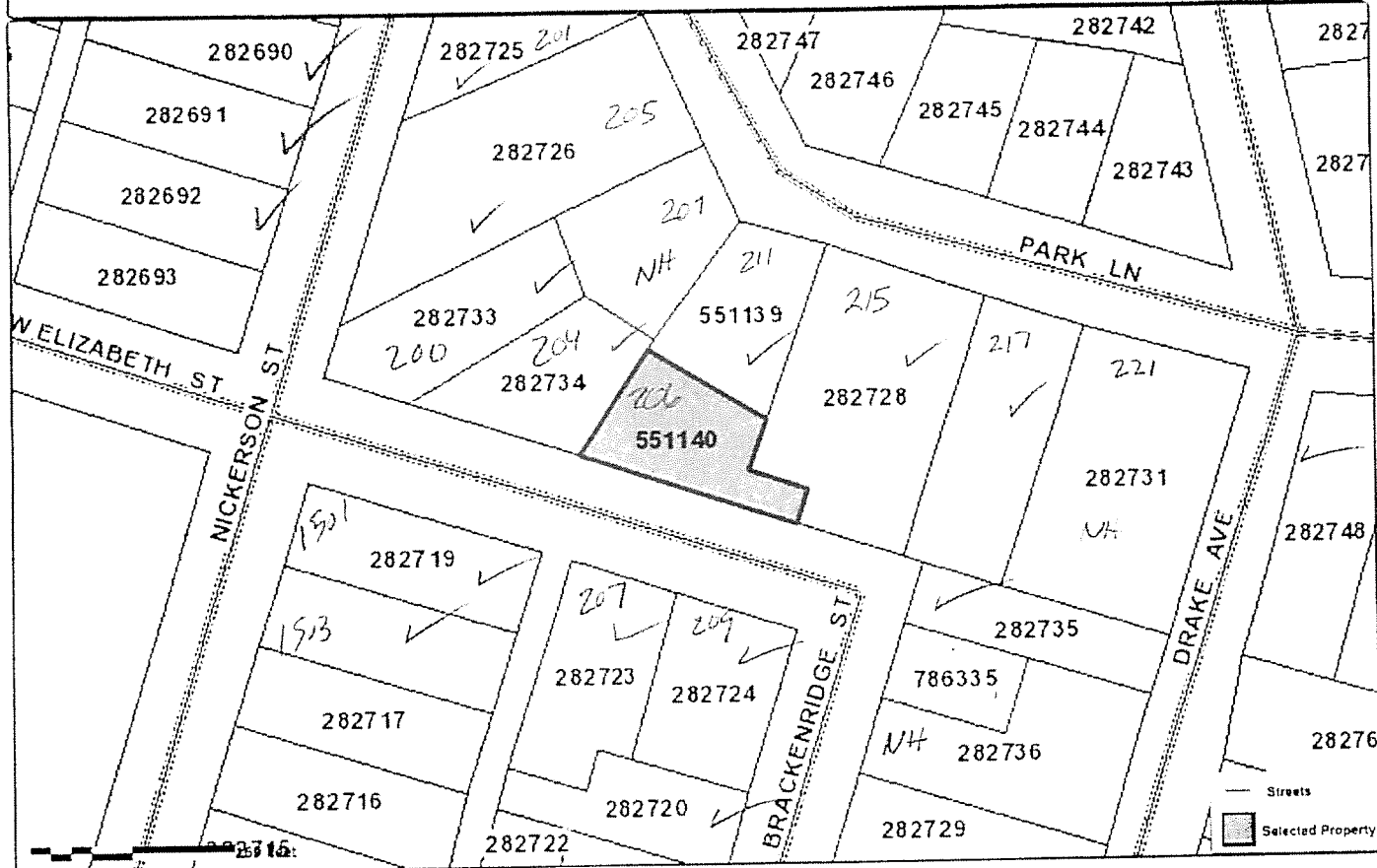
Appraised Value: N/A

<http://propaccess.traviscad.org/Map/View/Map/1/551140/2015>

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## Travis CAD - Map of Property ID 551140 for Year 2015



### Property Details

Neighbors Support

#### Account

Property ID: 551140  
Geo ID: 0300010719  
Type: Real

✓ IN FAVOR OF  
NH. NOT HOME

Legal Description: LOT 7A FAIRVIEW PARK AMENDED PLAT OF LTS 6-8 BL 12

#### Location

Situs Address: 206 E ELIZABETH ST TX 78704  
Neighborhood: TRAVIS HEIGHTS  
Mapsc: 6153  
Jurisdictions: 01, 0A, 2J, 68, 03, 02

#### Owner

Owner Name: FAUST VICKI  
Mailing Address: , 1503A NICKERSON ST, AUSTIN, TX 78704

#### Property

Appraised Value: N/A

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206 E. ELIZABETH - THE AUNT BARN














(ADU)  
ACCESSORY DWELLING UNITS / SECONDARY APARTMENTS

I, Nick Faust, am applying for a variance from the Board of Adjustment regarding Section 25-2-774. N63 of the Land

Development Code. The variance would allow me the ability to HAVE THE EXISTING NON-CONFORMING ACCESSORY STRUCTURE BECOME AN ACCESSORY DWELLING UNIT HAVING A KITCHEN. IT CAN NOT EXIST TO THE REAR OF THE PRIMARY STRUCTURE BECAUSE OF THE UNIQUE SHAPE OF THE LOT. NO EXTERIOR CHANGES WILL BE MADE.  
By signing this form, I understand that I am declaring my support for the variance being requested.

Property Owner Name (Printed)	Address	Signature
Dan Clark	200 T-CLARK	
Mare Hopkins	201 Park Lane	
Peggy Box	303 PARK LANE	
Rick Krevetz	303 PARK LANE	
William Demaris	211 Park Lane	
Amy Leodney	301 Park Lane	
Callie Clark	1504 Bracke ridge st.	

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

Property Owner Name (Printed)	Address	Signature
Seth Bank	1501 Nickerson St	
Karen Arington	300 E. Elizabeth, Unit B	
Dan & Joelle Brown	305 Park Ln	
Mike & Diane Brown	1408 Nickerson	
DANES BROWN	1408 A Nickerson	
GILBERTO MIRANDA	1406 NICKERSON	
DANIEL BOYLE	1708 Nickerson	
BEN LINDSON	1400 NICKERSON	
DUKE KOBLEMAN	211 PARK LANE	
Nathaniel Chapin	309 Park Lane	
JAMELA LARABEE	1501 Brackenridge St.	
412 ARCADEA	204 E. ELIZABETH ST	
SKILLINGSBURN LN	217B Park Ln	

[illegible]