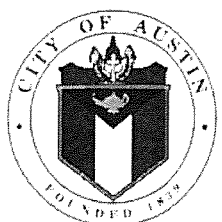


SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

CASE#: C15-2015-0061
Address: 106 LAUREL 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.

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1 " = 200 '

CASE# C.15-2015-0061
ROW# 11327691
TAX# 0216040317

**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: 106 Laurel Lane, Austin, Texas 78705

LEGAL DESCRIPTION: Subdivision: University Heights _____

Lot(s) 19 Block 1 Outlot 74 Division V

I/We Mary Ellen Borgelt on behalf of myself/ourselves as authorized agent for

Roger + Mary Ellen Borgelt affirm that on 3/17, 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 ☐ COMPLETE ☐ REMODEL ☒ MAINTAIN

Storage Shed at 106 Laurel Lane – architect-designed to scale and built to blend into landscape to block neighbor's ground floor garage apartment window which gives occupants view of our yard and bedroom window. In addition to major privacy concerns, Shed also closes off secondary security concerns of neighboring garage window's direct access to our small and intimate back yard.

in a residential district. SF-3-NCCD-NP(North University)
(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:

Architect-designed back yard Storage Shed placed adjacent to Neighbor's Single-Story Garage is needed for privacy and storage but applicable setbacks (5 feet side yard, 10 feet rear yard) would put shed in the middle of our small back yard and defeat privacy concerns. Small back yard is typical of UT area neighborhood. Shed is built to size and scale of small back yard. Neighbor's Single-Story Garage is western boundary of our back yard. Current and historic use of Neighbor's Single-Story Garage as active ongoing apartment rental draws high traffic and constantly changing occupancies. Neighbor's full size ground floor Garage Window gives full viewing of our back yard as well as easy access. View also encompasses direct view into our master bedroom window. Neighbor's Garage Window thus ruins quiet enjoyment and privacy of our small back yard and is invasive of personal privacy as well. Neighbor RECENTLY ALSO INSTALLED A GATE INTO OUR BACK YARD (!!!) as part of new fence bordering property between us, which neighbor installed August 2014.

HARDSHIP:

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

A small size backyard (typical for our UT area neighborhood) will not allow placement of a structure anywhere except in the middle of the yard, rendering the yard practically unusable for any other purpose. It would also defeat purpose of blocking neighboring view into our backyard and bedroom window, and access from unknown persons.

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

It is not a general hardship specifically because of the nuisance and invasion of privacy caused by existence of ground floor window in neighbor's single-story garage apartment. Shed will allow us use of our backyard, which has been severely impaired by the placement of the window. We are not aware of this situation occurring anywhere else.

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:

True and correct. Shed in side yard tucked esthetically beside/behind pecan tree blends into existing architecture and landscape and can be moved for temporary work on garage – such as repaintings. Placement of the shed outside the setbacks would be obnoxious and intrusive. It does not impair anyone else's use of their property and is unobtrusive as currently placed.

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:

N/A

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 Maryellen Borgelt Mail Address 106 Laurel Lane

City, State & Zip Austin, Texas 78705

Printed MARY ELLEN BORGELT Phone 512/560-4674 Date March 16, 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 Robert Borgelt Mail Address 106 LAUREL LN

City, State & Zip AUSTIN TX 78705

Printed ROBERT BORGELT Phone 512-600-3467 Date 3/16/15

Neighbor's
garage

SHED

plum trees

Borgelt's
small backyard

Borgelt's
garage

gate 1

Aug, 2014 utility new fence

BR

BR

106 Laurel Lane