


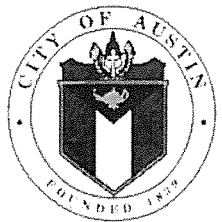




-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

CASE#: C15-2015-0090
Address: 2710 & 2712 E FOURTH STREET



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'

CASE # C15-2015-0090

ROW # 11367 574

TAX # 0202 1108 213, 20
TCAD ✓

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: 2710 & 2712 East Fourth Street

LEGAL DESCRIPTION: Subdivision – D. C. Pace Addition (C8i20150008

Lot(s) Part of 27, 28, & 29 Block Outlot 12 Division O

I Jim Bennett as authorized agent for MX 3 Homes, LLC

 affirm that on 2/23/2015 hereby apply for a hearing before the Board of

Adjustment for consideration to:

ERECT – ATTACH – COMPLETE – REMODEL – MAINTAIN

Construct a single family dwelling providing a total lot area of 2419 sq. ft. for 2710 E 4th. St. and request a variance to construct a single family residence providing a total lot area of 2242 sq. ft. for 2712 E. 4th St

 in a SF-3 NP (zoning district) (Holly)

The Austin Electric Utility Department (Austin Energy) enforces electric easements and the setback requirements set forth in the Austin Utility Code, Electric Criteria Manual and National Electric Safety Code. The Board of Adjustment considers variance to the Land Development Code, and a variance granted by the Board of Adjustment does not waive the requirements enforced by Austin Energy. Please contact Christine Esparza with Austin Energy at 322-6112 before filing your application with the Board of Adjustment if your request is for a reduction in setbacks or height limits.

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

REASONABLE USE:

1. The zoning regulations applicable to the property do not allow for a reasonable use because:
the variance requested is a minimal departure from the requirements, and the property is zoned for residential use.

HARDSHIP:

2. (a) The hardship for which the variance is requested is unique to the property in that:
The lots are grandfather lots, with legal lot determinations. Without a variance the lots cannot be developed with any use including residential.

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

The majority of the lots in the area comply with the stand lot size.

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 not alter the character of the area because the lots are small lots, which will limit the size of the proposed construction and will be compatible with 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:

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 Jim Bennett Mail Address 11505 Ridge Dr.

City Austin, State Texas, & Zip 78748

Printed : Jim R. Bennett Phone: (512) 282-3079 Date: _____

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 Sal Mitz Mail Address 1703 W. Koenig Lane

City, State & Zip Austin TX 78756

Printed _____ Phone _____ Date 512. 290. 2700 03/24/2015
Sal Martinez



**City of Austin
Planning and Development Review
Land Status Determination
1995 Rule Platting Exception**

January 07, 2015

File Number: **C8I-2015-0008**

Address: **2710 E 4TH ST & 2712 E 4th ST**

Tax Parcel I.D. **#0202110821 & 0202110820** Tax Map Date: **10/24/2014**

The Planning & Development Review Department has determined that this parcel, as described in the attached description and map, **IS EXCEPTED FROM THE REQUIREMENT TO PLAT** in accordance with the Land Development Code, Section 25-4-2(C), and is eligible to receive utility service.

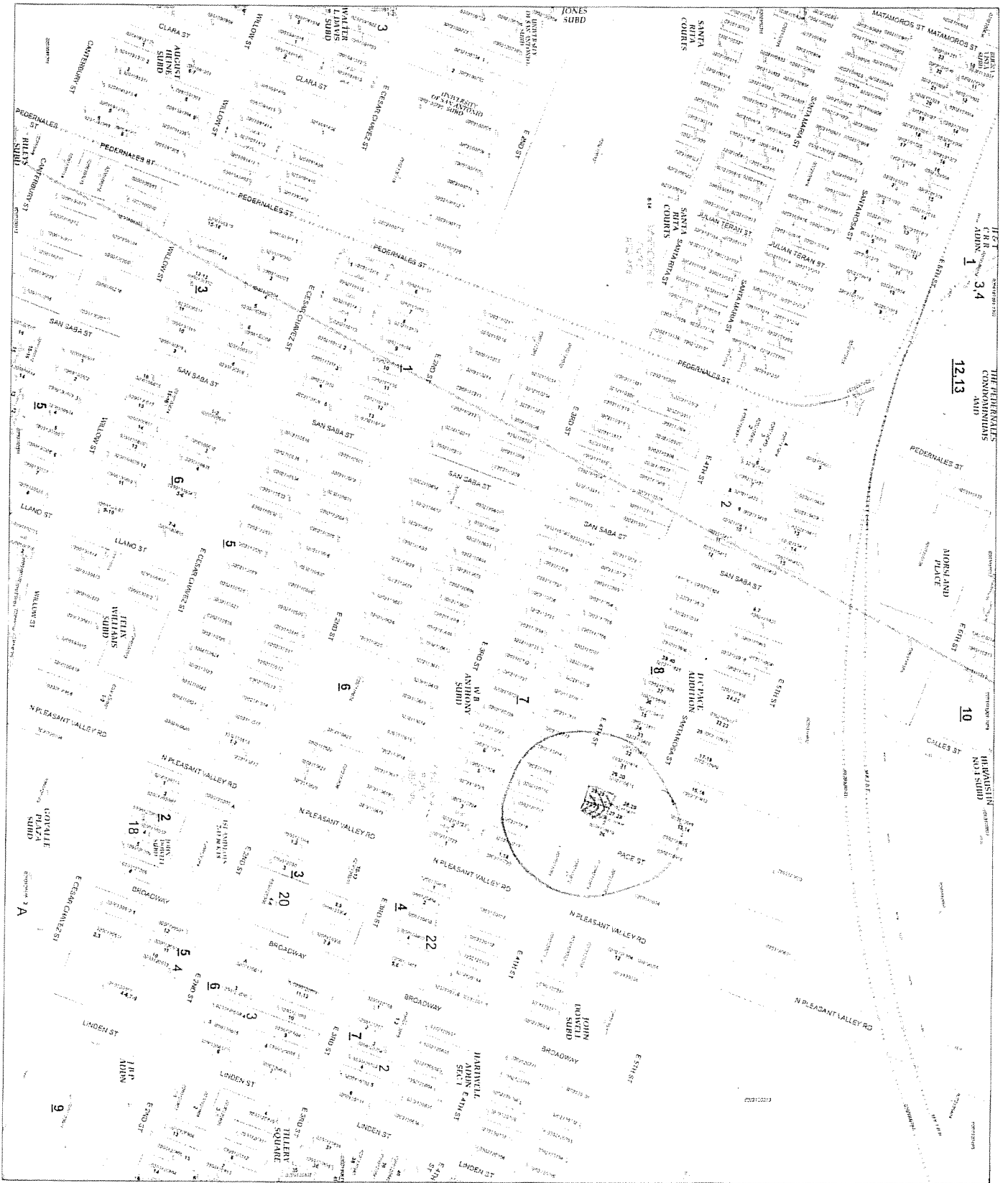
The parcel of land consists of five acres or less, and is described as being the first tract: West 31 ft. lot 28 and South 59 ft. of East 8 ft. average lot 29, Outlot 12, Division O, D. C. Pace Addition, second tract; South 59 ft. lot 27 and South 59 ft. of East 4 ft. average lot 28, Outlot 12, Division O, D. C. Pace Addition in the current deed, recorded on May 27, 1976, in Volume 5469, Page 1789, Travis County Deed Records. This parcel existed in its current configuration on January 1, 1995, as evidenced by a deed recorded on May 27, 1976, in Volume 5469, Page 1789, Travis County Deed Records. The parcel was lawfully receiving utility service, as defined in Section 212.012 of the Texas Local Government Code, on January 1, 1995, as evidenced by water service on Jul 13, 1950. The parcel meets the requirements of the Land Development Code for roadway frontage and is located on an existing street.

Additional Notes/Conditions: Affidavit of Heirship for 2710 E 4th, Document number 2008106848, Recorded on June 25, 2008.

This determination of the status of the property is based on the application of Chapter 212, Municipal Regulation of Subdivisions and Property Development, Texas Local Government Code; and the City of Austin Land Development Code, Chapter 25-4, Subdivision. Recognition hereby does not imply approval of any other portion of the City Code or any other regulation.

By: Michelle Casillas
**Michelle Casillas, Representative of the Director
Planning and Development Review Department**

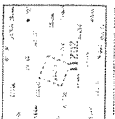
CGI-2015-0002



20211

Revision Date: 10/24/2014

0 120 Feet

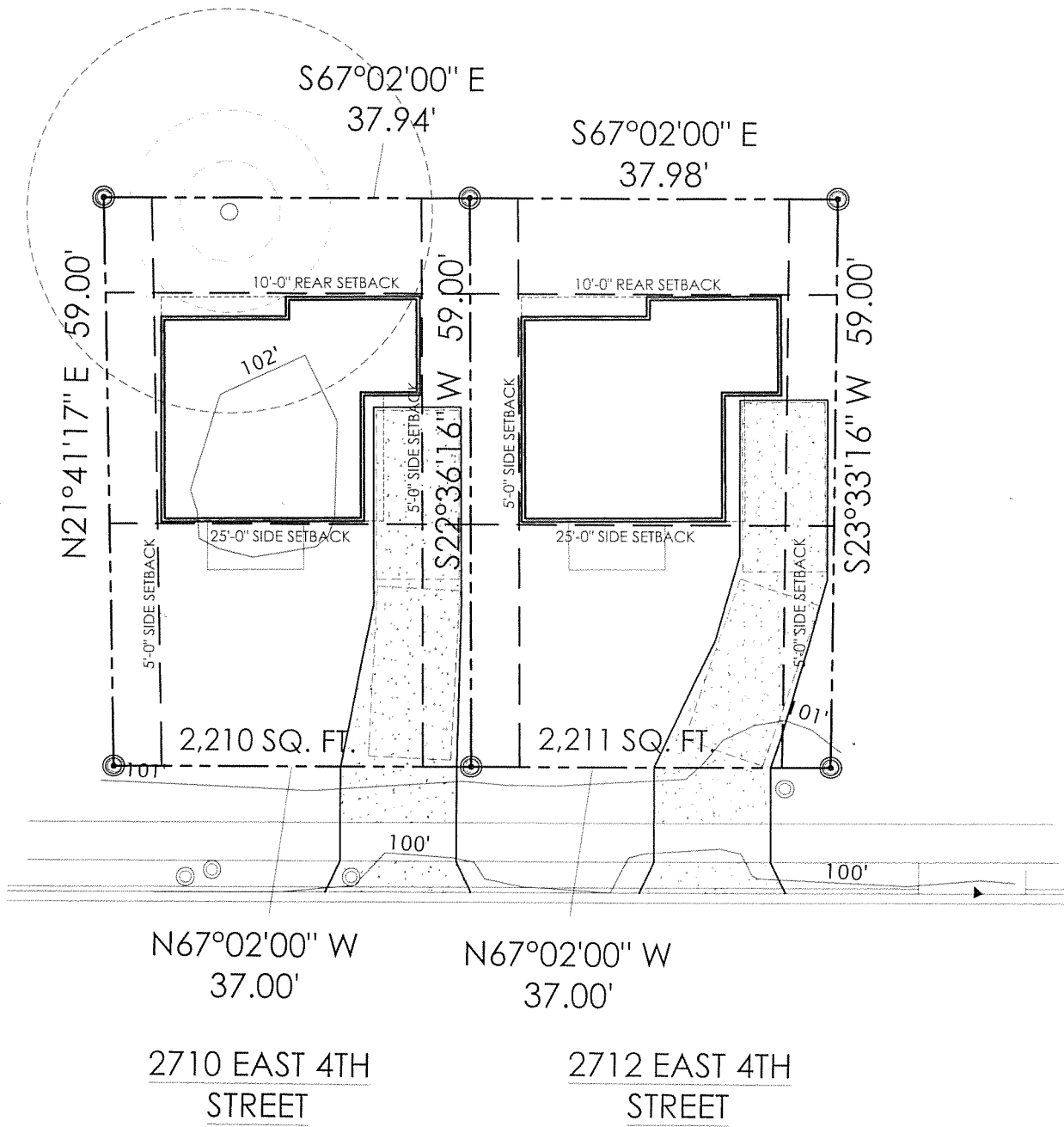


NAD_1983_StatePlane_Texas_Central_FIPS_4203_Feet
Projection: Lambert_Conformal_Conic



This tax map was compiled solely for the use of TCAD. Areas depicted by these digital products are approximate and are not necessarily accurate to mapping, surveying or engineering standards. Conclusions drawn from this information are the responsibility of the user. The TCAD makes no claims, promises or guarantees about the accuracy, completeness or adequacy of this information and expressly disclaims liability for any errors and omissions. The mapped data does not constitute a legal document.

Travis Central Appraisal District
8314 Cross Park Drive P.O. Box 149012
Austin, Texas 78754 Austin, Texas 78714
Internet Address: www.traviscad.org
Main Telephone Number (512) 834-9317
Appraisal Information (512) 834-4318
TCD (512) 836-3328



[illegible]

A SUBDIVISION OF THE NORTHERN
HALF OF OUTLOT NO. 12 IN DIVISION "O"
OF THE OUTLOT IN THE GOVERNMENT
TRACT ADJOINING THE CITY OF
AUSTIN, TRAVIS COUNTY TEXAS.

Two more repetitions are made
of this exercise, one in each
of the following positions: the feet
together, the knees apart, the feet
apart, the knees together.

2. Mr. Thompson's intention to have

7. *Veronica* 21

Had an accident, minor damage.

A hand-drawn diagram of a rectangular field divided into four quadrants by a horizontal and a vertical line. The top-left quadrant is labeled '100' and '100'. The top-right quadrant is labeled '100' and '100'. The bottom-left quadrant is labeled '100' and '100'. The bottom-right quadrant is labeled '100' and '100'. The entire field is labeled '100' on the left side and '100' on the right side. The top and bottom edges are labeled '100'.

[illegible]