




N



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

NOTIFICATIONS
CASE#: C15-2015-0163
LOCATION: 3119 E. SH 71 WB



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" = 193'

CASE# C15-2015-0163
ROW# 11443380
TAX# 0316360311

M3
2

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: 3119 E. STATE HWY 71

LEGAL DESCRIPTION: Subdivision - .577 AC. OF LOT 31 GLENBROOK ADDITION SEC. 1

Lot(s) _____ Block _____ Outlot _____ Division _____

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

_____ affirm that on _____, _____,

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

SEE ATTACHED LETTER

in a GR 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.

133
3

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:

SEE ATTACHED LETTER

HARDSHIP:

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

SEE ATTACHED LETTER

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

SEE ATTACHED LETTER

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:

SEE ATTACHED LETTER

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:

N/A

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

N/A

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

N/A

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 John F Patton Mail Address P. O. Box 17788

City, State & Zip Austin TX 78760
John F Patton

Printed Director of Development Phone 512-923-0529 Date 10/16/15
Sonic Properties of Austin, Inc.

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 John F Patton Mail Address P.O. Box 17788

City, State & Zip Austin TX 78760
John F Patton

Printed Director of Development Phone 512-923-0529 Date 10/16/15
Sonic Properties of Austin, Inc

m3
5/

Code you are seeking a variance from:

This application to the Board of Adjustments is for consideration of a variance request from Section 25-2-1067 Design Regulations (C) (1) to decrease the distance a permanently placed refuse receptacle, including a dumpster, may be located from a property in an SF-5 or more restrictive zoning district from 20 feet to 3 feet.

and 25-2-1067 Design Regulations (G) (1), Compatibility Standards to decrease the distance a driveway may be constructed from a property zoned SF-5 or more restrictive from 25 feet (required) to 3 feet (requested) in order to allow circulation and placement of a dumpster adjacent to I-SF-2 lots for the proposed re-build of existing Sonic Drive-In.

REASONABLE USE:

The zoning regulation applicable to the property do not allow for a reasonable use because:

The existing Sonic Restaurant has been effected by the TXDOT right-of way taking for US Hwy. 71. TXDOT has acquired the front 40' of this site, approximately 6,000 square feet. The existing restaurant will have to be demolished and reconstructed due to the proximity of the new front property line. The new site plan, attached to this application, will push the rear circulation drive and the dumpster into the compatibility setbacks. The existing improvements, including the dumpster pad, constructed in 1986, are approximately 9 feet from the rear property line.

THE HARDSHIP:

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

The eminent domain process has forced the existing business to reconstruct 40 feet back from the original property line.

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

This is not a new business being proposed on a vacant piece of property, but an existing business that has been part of the neighborhood for 29 years and they are asking to re-construct their business on the remainder of their tract.

133
6

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:

This business has been located in a similar configuration for 29 years. The three I-SF-2 lots with residential structures adjacent to the rear lot line of the subject site range from approximately 116' to 157' from the rear lot line. See the attached exhibit. The change of 9 feet will not affect the neighbors. A privacy fence will be constructed along the property line so that head lights will not shine in the neighbors back yards. The property to the west is a used car sales business and is not affected by this variance request.

LOT 33

GLENBROOK ADDITION
SECTION ONE
Volume 5 Page 30

1/2" Iron rod found
but not used bears
S78°52'W 0.61'

LOT 32

<S59°13'E 150.00'>
<S59°09'55"E 150.00'>

<50.00'>

(19") TRASH

DO NOT ENTER

SONIC
1388680, RT
12_61 NB

LOT 31
0.577 ACRE
SURVEYED

DRIVE
THRU

CHEVLOT LANE <50'>

PROPOSED SONIC
SITEPLAN AFTER
TXDOT ACQUISITION

33

<N30°47'E 207.50'>
<N31°06'56"E 167.65'>

LOT 30

<N31°06'56"E 207.50'>
<N29°04'34"E 40.00'>
per 2013193736

BENCHMARK
Square cut on concrete wall
Elevation = 496.74'

STATE OF TEXAS
(0.138 ACRE)
Document No. 2013193736

<N59°08'50"W 150.00'>
<N60°56'55"W 149.79'>
per 2013193736

<N60°56'55"W 149.79'>
per 2013193736

<N59°08'50"W 150.00'>
<N59°13'W 150.00'>

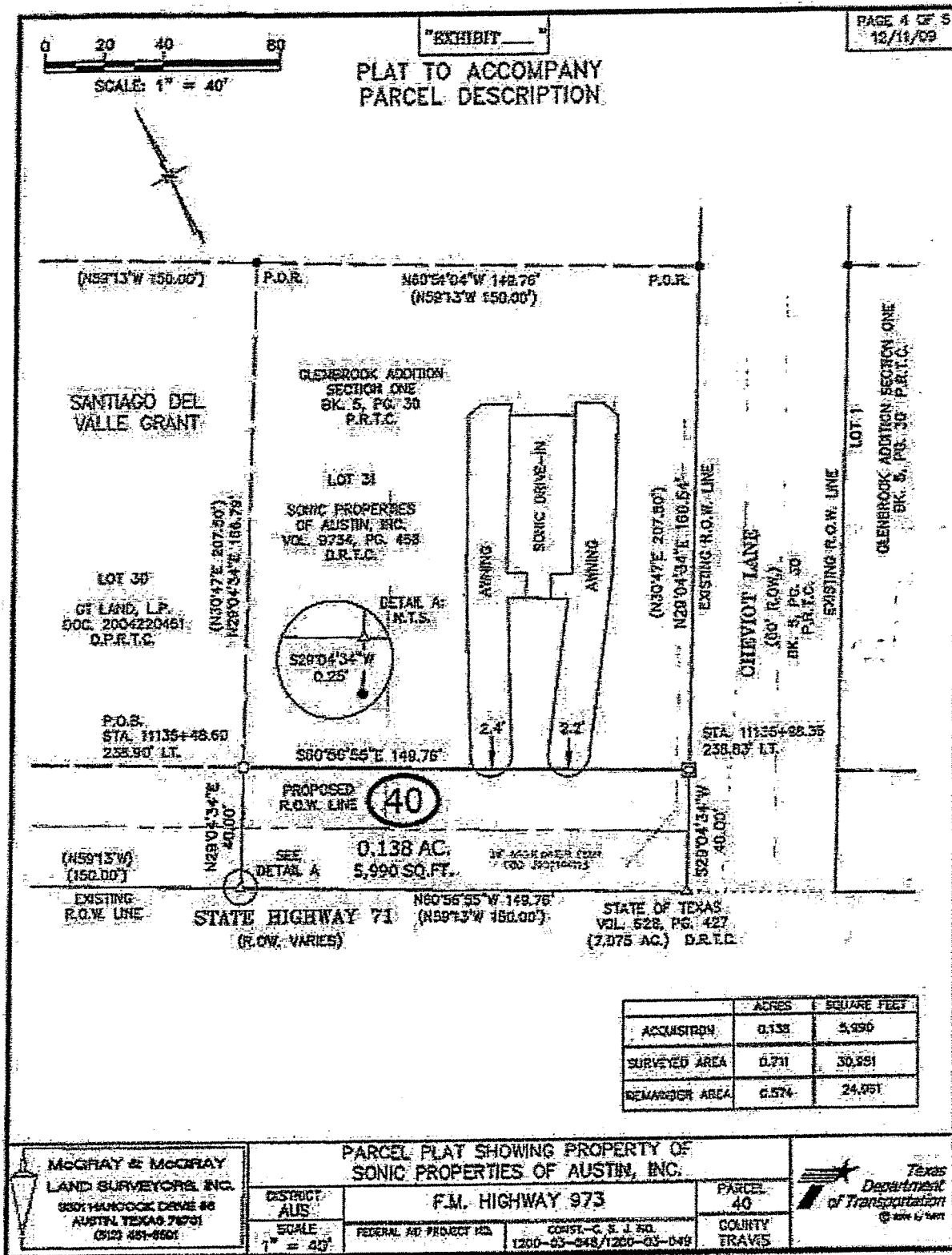
<N29°04'34"E 40.00'>
per 2013193736

<S31°06'55"W 40.00'>

<50'>

TEXAS STATE HIGHWAY NO. 71 <120' R.O.W.>

133/8



\\ATXDC01_09-146_COMBINED FM973-SH71_SH71/DWG/PARCELS 2009/PARCEL 40.dwg

33/9

Mr. Ed Simpson, Owner

TCAD Lots ID#292641 & #292642

Glenbrook Addition, Section One, Travis County Texas

Mailing Address: 15410 Littig Rd, Manor TX 78653

Phone: 512-785-6647

September 10, 2015

Chairman & Commissioners

City of Austin Board of Adjustment

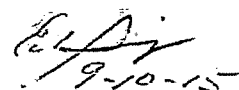
City of Austin, Texas

Chairperson and Commissioners,

For more than 29 years I and my family have been the owners of 2 Residential Zoned lots TCAD ID#292641 & ID#292642 immediately adjacent and behind the Sonic Drive-In located at the corner of Hwy 71 East at Cheviot Lane, TCAD ID #292643; and we have always been good and satisfied neighbors. For 29 years the Sonic has maintained its rear driveway improvements and dumpster within a few feet of my rear property lines and inside what would be considered the 25ft compatibility zone between my residential property and their commercial property fronting State Highway 71. The Sonic has always maintained a high wooden fence separating our properties.

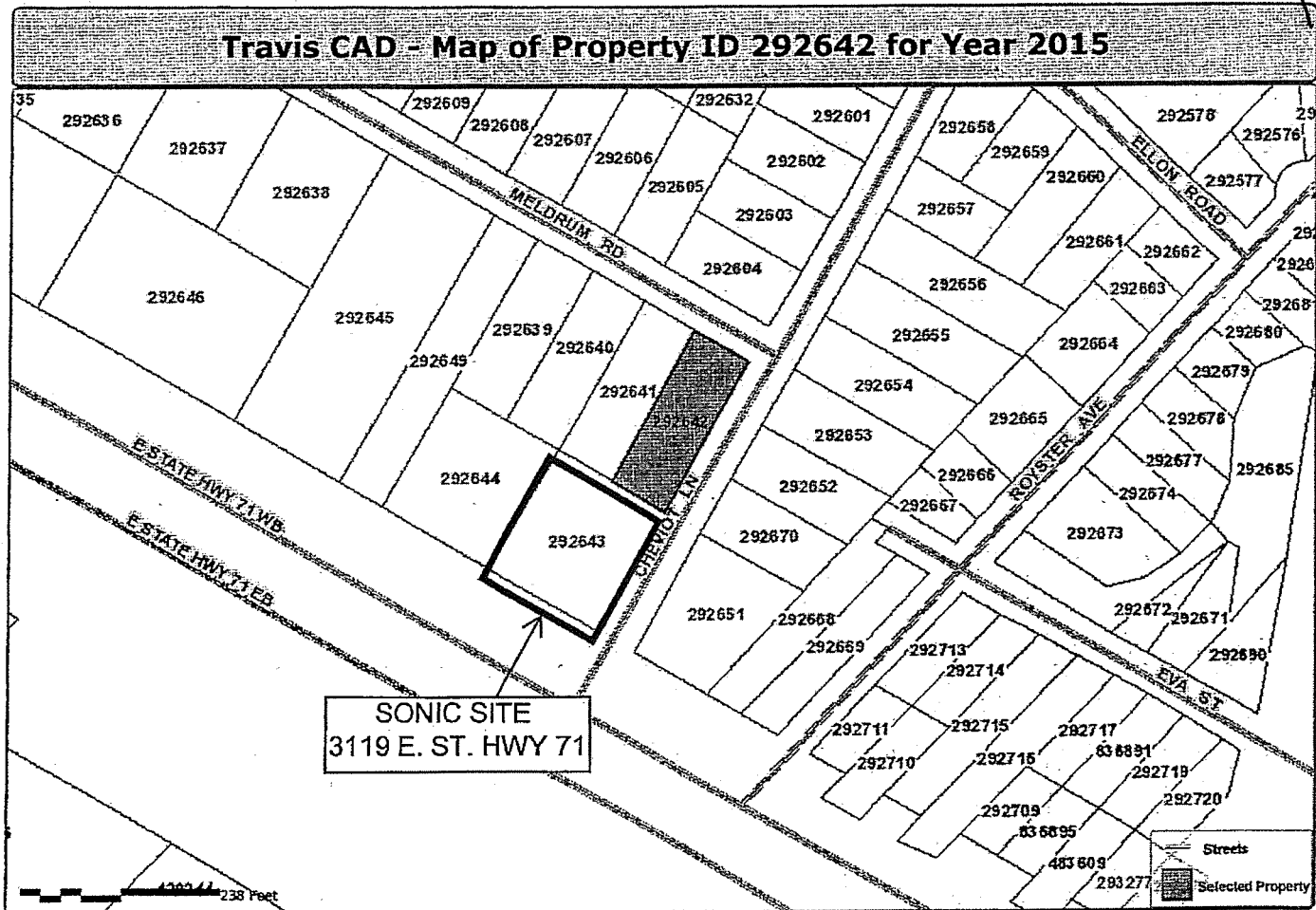
Now I understand the Sonic Drive-In plans to replace the existing improvements on their lot with a new building and driveway; and I have no objection for the Sonic Drive-In to again locate its rear driveway improvements and new dumpster enclosure within 3 ft. of our adjoining property line. I also understand Sonic Drive-In will install and maintain a new-replacement wooden fence along their rear property line at their sole expense in perpetuity.

Sincerely,



Ed Simpson

33
10



Property Details

Account

Property ID: 292642

Geo ID: 0316360310

Type: Real

Legal Description: LOT 32A GLENBROOK ADDN RESUB PT SEC 1 & 2

Location

Situs Address: 3014 MELDRUM RD TX 78617

Neighborhood: G0150

Mapsc0: 647Q

Jurisdictions: 02, 0A, 2J, 03, 06, 68

Owner

Owner Name: SIMPSON EDWARD & CATHY L

Mailing Address: , 3014 MELDRUM RD, DEL VALLE, TX 78617

Property

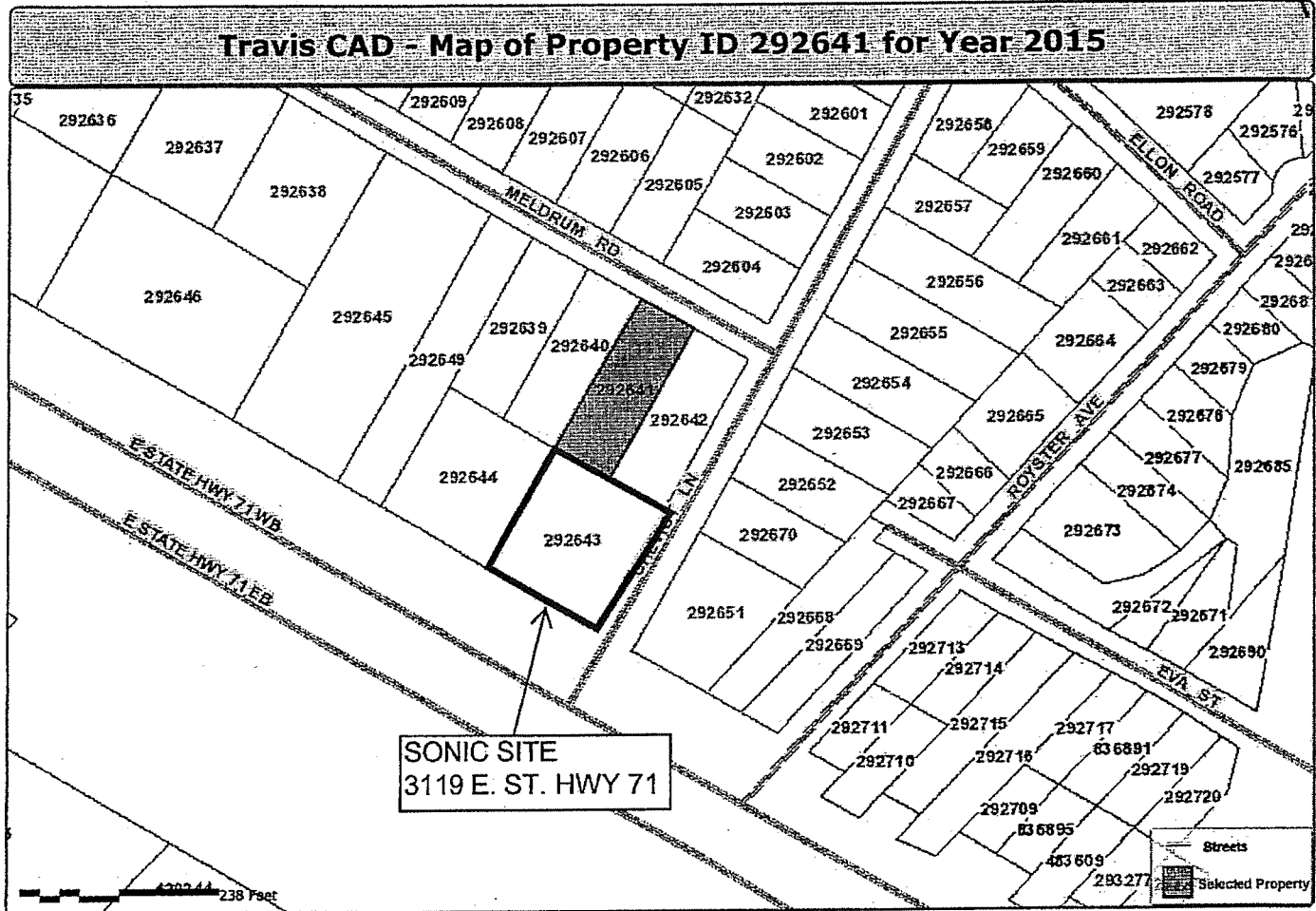
Appraised Value: \$63,362.00

<http://propaccess.traviscad.org/Map/View/Map/1/292642/2015>

powered by
PropertyACCESS
www.trueautomation.com

Map Disclaimer: 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.

23
11



Property Details

Account

Property ID: 292641
Geo ID: 0316360309
Type: Real
Legal Description: LOT 32B GLENBROOK ADDN RESUB PT SEC 1 & 2

Location

Situs Address: 3012 MELDRUM RD TX 78617
Neighborhood: G0150
Mapsc0: 647Q
Jurisdictions: 03, 06, 68, 02, 0A, 2J

Owner

Owner Name: SIMPSON CHARLES & ESTHER L
Mailing Address: , 3014 MELDRUM ST, , DEL VALLE, TX 78617-2313

Property

Appraised Value: \$56,564.00

<http://propaccess.traviscad.org/Map/View/Map/1/292641/2015>

powered by
PropertyACCESS
www.traviscad.com

Map Disclaimer: 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.

CITY OF AUSTIN DEVELOPMENT WEB MAP

M3
12



Legend

- Lot Lines
- Streets
- Building Footprints
- Named Creeks
- Lakes and Rivers
- Parks
- County
- Lot ID
- Block ID
- Lot Line
- Zoning Text
- Zoning (Large Map Scale)

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.

