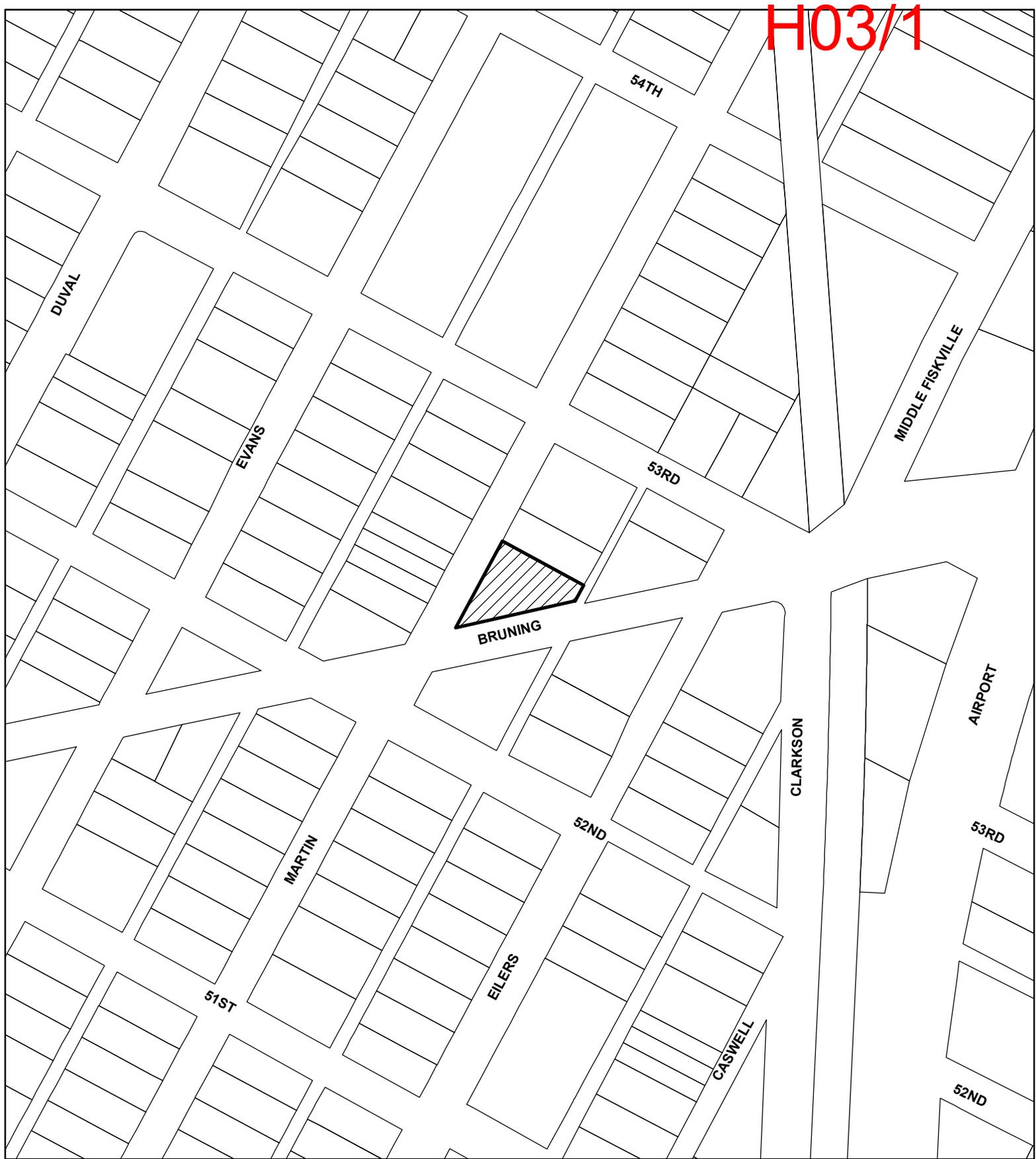


H03/1



**NOTIFICATIONS**

**CASE#:** C15-2017-0060  
**LOCATION:** 5203 Martin Avenue



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY



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" = 171'



**CITY OF AUSTIN**

**Development Services Department**

One Texas Center | Phone: 512.978.4000  
505 Barton Springs Road, Austin, Texas 78704

**Board of Adjustment  
General/Parking Variance Application**

**WARNING: Filing of this appeal stops all affected construction activity.**

This application is a fillable PDF that can be completed electronically. To ensure your information is saved, [click here to Save](#) the form to your computer, then open your copy and continue.

The Tab key may be used to navigate to each field; Shift + Tab moves to the previous field. The Enter key activates links, emails, and buttons. Use the Up & Down Arrow keys to scroll through drop-down lists and check boxes, and hit Enter to make a selection.

The application must be complete and accurate prior to submittal. ***If more space is required, please complete Section 6 as needed.*** All information is required (if applicable).

**For Office Use Only**

Case # \_\_\_\_\_ ROW # \_\_\_\_\_ Tax # \_\_\_\_\_

**Section 1: Applicant Statement**

Street Address: 5203 Martin Ave Austin TX 78751

Subdivision Legal Description:

Lot 1 and 2, Block 20, The Highlands, according to the map or plat thereof, recorded in volume 3, page 55, plat records of Travis County, Texas

Lot(s): 1 and 2 Block(s): 20

Outlot: \_\_\_\_\_ Division: The Highlands

Zoning District: SF-3

I/We Rachel Forster & Adnan Prcic on behalf of myself/ourselves as authorized agent for \_\_\_\_\_ affirm that on

Month October, Day 8, Year 2017, hereby apply for a hearing before the Board of Adjustment for consideration to (select appropriate option below):

- Erect  Attach  Complete  Remodel  Maintain  Other: \_\_\_\_\_

Type of Structure: Accessory Dwelling Unit

Portion of the City of Austin Land Development Code applicant is seeking a variance from:

25-2-492(B) Street Side Yard Setback

---

---

---

## Section 2: Variance Findings

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 supporting documents.

I contend that my entitlement to the requested variance is based on the following findings:

### Reasonable Use

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

The two streets that bound our property intersect at a 45 degree angle, therefore our property is triangular shaped and the back portion of the property is very small. With the required setback, the buildable area is too small to build an accessory dwelling unit with a garage that faces the alley.

---

### Hardship

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

The lot is not shaped like a traditional, rectangular suburban lot found in our neighborhood and surrounding neighborhoods.

---

---

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

Most of the roads intersect at right angles creating rectangular lots. At our house, two streets (Martin Ave and Bruning Ave) intersect at a 45 degree angle.

---

---

### Area Character

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:

Our neighborhood is full of diverse, eclectic houses and many ADUs. The variance would only allow around 18.5 sqft of the ADU to be built in the street side yard setback, so the ADU would be an appropriate scale for our 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 in the City of Austin Land Development Code Chapter 25-6, Appendix A 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 reasonably 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.**

### Section 3: Applicant Certificate

I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Applicant Signature: \_\_\_\_\_ Date: 10/08/2017

Applicant Name (typed or printed): Rachel Forster & Adnan Prcic

Applicant Mailing Address: 5203 Martin Ave

City: Austin State: Texas Zip: 78751

Phone (will be public information): (512) 522-4257

Email (optional – will be public information): \_\_\_\_\_

## Section 4: Owner Certificate

I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Owner Name (typed or printed): Rachel Forster & Adnan Prcic

Owner Mailing Address: 5203 Martin Ave

City: Austin State: Texas Zip: 78751

Phone (will be public information): (512) 522-4257

Email (optional – will be public information): \_\_\_\_\_

## Section 5: Agent Information

Agent Name: \_\_\_\_\_

Agent Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone (will be public information): \_\_\_\_\_

Email (optional – will be public information): \_\_\_\_\_

## Section 6: Additional Space (if applicable)

Please use the space below to provide additional information as needed. To ensure the information is referenced to the proper item, include the Section and Field names as well (continued on next page).

---

---

---

---

---

---

---

---

---

---

Board of Adjustment

City of Austin

Dear Members of the board of Adjustment:

Rachel and I purchased our first home in February 2016. The house we purchased had a hole in the roof and a neglected detached garage that had long ago served as a rental unit. We spent the next year renovating the house, careful to preserve its historic charm. However, the garage apartment had what looked like a kitchen fire burn a portion of the structure at some point in its past, rendering it beyond repair. Hence, there was no choice but to demolish the garage.

We would now like to build a granny flat where the converted garage once stood. We are requesting a variance to section 25-2-492-(D) of the Land Development Code in order to construct approximately 18.5 sq. ft. of the granny flat in the street-side set back. The majority of that space, 14.9 sq. ft., will be used to accommodate a garage, with the remaining 3.9 sq. ft. accommodating the living space.

The principal reason for requesting this variance is that our site has a unique shape that makes the buildable area prohibitively small for reasonable use; therefore applying standard setbacks creates a hardship. The site is shaped like a triangle and the buildable area in the back portion of the lot becomes very narrow (8ft wide at 10ft from the alley).

Additionally, the current driveway faces Bruning Ave, a busy street. Exiting the driveway can be dangerous during peak traffic hours in the morning and early evening. To make exiting the lot safer, we would like to reorient the garage to face the alley in the back of the lot. A garage that faces the alley would cross into the setback, therefore a variance is necessary. Street parking can be an issue on our block, so many of the neighbors we talked to while gathering signatures were delighted by the off-street parking we're adding.

For the reasons stated above, we believe that our case is a clear example of a hardship. We have done our due diligence and not only received the endorsement of our neighborhood association, whose members also chair the neighborhood planning committee, but also the approval of all the neighbors within 300 ft of our property that we could contact. We hope that the attached documentation demonstrates the clear hardship we face given the shape of our property.

Thank you for your time and consideration,

Rachel Forster and Adnan Prcic

Daniel  
Scott  
Turner  
Design

3730 Kirby Drive, Suite 1200  
Houston, TX USA 77098  
p 1.713.834.1104  
danielscottturner.com

CONSULTANTS	

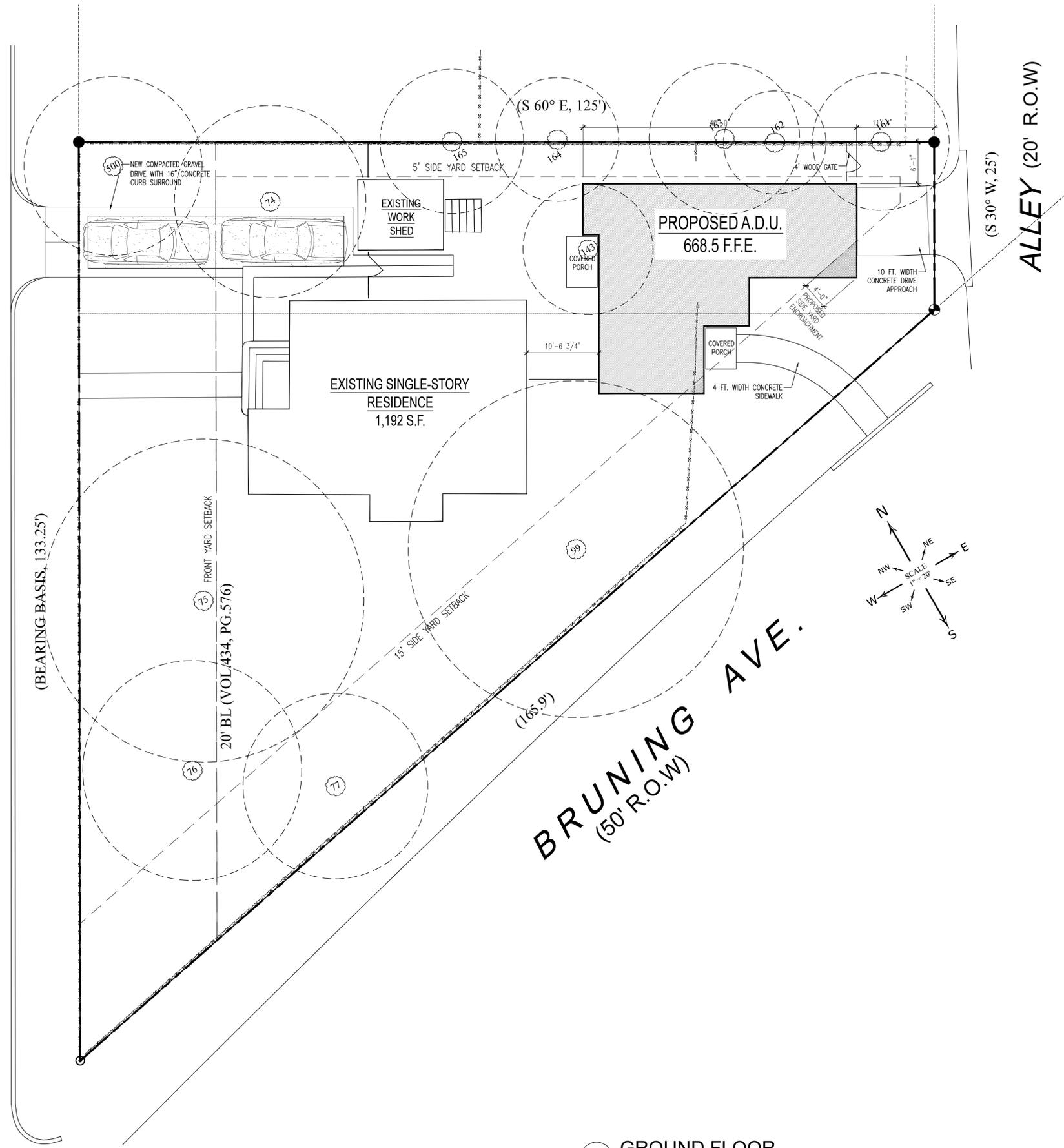
PROJECT NAME  
**5203 Martin Avenue**  
 Unit B - Accessory  
 Dwelling Unit in  
 Austin, TX 78751

a new residence for:  
 Rachel Forster and Adnan Proic

IF THIS DOCUMENT IS NOT SIGNED,  
 SEALED, AND DATED, IT MAY NOT BE  
 USED FOR REGULATORY APPROVAL,  
 PERMIT, OR CONSTRUCTION.  
 © Daniel Scott Turner, 2017

REVISION #	DATE

**5203  
MARTIN AVE.**  
(50' R.O.W)



**BRUNING AVE.**  
(50' R.O.W)

**ALLEY (20' R.O.W)**  
(S 30° W, 25')

**01 GROUND FLOOR**  
1/4" = 1'-0"

SHEET TITLE(S)  
**SCHEMATIC  
SITE PLAN**

REVISION DATE: 2017-10-27  
 ISSUE DATE: 2017-09-05  
 PROJECT NUMBER: 17011

**A0.1.1**

Daniel  
Scott  
Turner  
Design

3730 Kirby Drive, Suite 1200  
Houston, TX USA 77098  
p 1.713.834.1104  
danielscottturner.com

CONSULTANTS	

PROJECT NAME  
**5203 Martin Avenue  
 Unit B - Accessory  
 Dwelling Unit in  
 Austin, TX 78751**  
 a new residence for:  
 Rachel Forster and Adnan Proic

IF THIS DOCUMENT IS NOT SIGNED,  
 SEALED, AND DATED, IT MAY NOT BE  
 USED FOR REGULATORY APPROVAL,  
 PERMIT, OR CONSTRUCTION.  
 © Daniel Scott Turner, 2017

REVISION #	DATE



02 WEST ELEVATION  
1/4" = 1'-0"



01 SOUTH ELEVATION  
1/4" = 1'-0"

SHEET TITLE(S)  
**BUILDING  
ELEVATIONS**

REVISION DATE:

ISSUE DATE: 2017-10-18

PROJECT NUMBER: 17011

**A2.1.1**