



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 # _____
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Section 1: Applicant Statement

Street Address: 101 E North Loop

Subdivision Legal Description:
Smith and Abrahamson Subdivision

Lot(s): 10 Block(s): 2

Outlot: N/A Division: N/A

Zoning District: CS-CO-NP NPA-North Loop

I/We Folkmade, LLC on behalf of myself/ourselves as authorized agent for Folkmade, LLC affirm that on Month March, Day 23, Year 2018, 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: Parking area in front of a commercial building.

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

25-6-472 - PARKING FACILITY STANDARDS.

(A) Except as provided in Section 25-6-473 (Modification Of Parking Requirement), a parking facility for a use must comply with the requirements in Appendix A (Tables Of Off-Street Parking And Loading Requirements).

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.

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.

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 commercial building was constructed in 1951 with 5 available parking spaces, (a disabled parking van accessible space will reduce the available spaces to 4), running the length of the building perpendicular to the store front. Current zoning requires 7 spaces. The strict enforcement of the zoning requirement will not allow for reasonable use of the building.

Hardship

a) The hardship for which the variance is requested is unique to the property in that: The current number of parking spaces (4) on this property does not allow most commercially zoned properties to utilize the entirety of the building (3600 sq ft). The zoning requirements for building/parking would allow for only business requiring 1 space per every 1000 sq ft of gross floor area. The small lot size does not allow for additional on site parking for customers/clients, making the building unusable for most potential businesses.

b) The hardship is not general to the area in which the property is located because: The building's floor area square footage is one of larger size in the area, however the dimensions and positioning of the building on the lot make it deeper than most other buildings in the area but also with fewer linear feet of store front. It is due to the lack of store front and excess of floor area square footage which has created a hardship unique to this building.

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:

The proposed property will not require more than 4 spaces due to the nature of the business. The hours in which the business will be open will not compete directly with the neighboring business, which are primarily restaurants and busy during nights and weekends, while this building's business will be operating during standard day/business hours.

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:

The anticipated future traffic volumes will be minor and the hours will not not compete with most of the neighboring business. Strict enforcement of the specific regulations will continue to keep this building empty and a hazard to the surrounding neighborhood.

- 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:

There will not be an excess of vehicle traffic created by this business. The immediate neighbor to the business operates as a restaurant and has eight (8) spaces available. The restaurant and the proposed business have complimentary hours and would not be utilizing the total 13 available spaces during the same hours.

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

Businesses with complementary hours will be able to share parking. Granting a parking variance to the proposed art workshop space will not limit the available parking for either the workshop or the neighboring restaurant.

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

If the business requires a change of use from the intended art workshop, a new parking variance or agreement would need to be reached.

North Loop Blvd East - History

A.F. Smith owned the Leralyn/North Loop corner. He was also the father in law of Mrs. Johnson of Mrs. Johnson's bakery.

The road was gravel when the first business opened in 1951.

The builders/owners of the business constructed in this area of North Loop were demolition contractors. They constructed the buildings with recycled and salvaged materials.

1951 - Construction of the buildings west of Ave F on North Loop began

1953 - Construction of 101 North Loop Blvd. E is complete and Mrs. Johnson's bakery is opened for business.

1975 - Mrs. Johnson's Bakery moves to a larger building on Burnet Rd.

1980 - 101 is Vacant

1985 - 101 is Vacant

1990 - Capital Restaurant Equipment in operation at 101

1996 - 101 is Vacant

1997 - 101 is Vacant

2000 - Action Lock in operation at 101

2007 - 24 hr. Locksmith in operation at 101

Gaps in history are due to a lack of information in listing books and missing books.