



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: 2815 GLENVIEW

Subdivision Legal Description:

NORTH 45' LOT 6 AND THE SOUTH 25' OF LOT 7 BRYKER-WOODS

Lot(s): _____ Block(s): _____

Outlot: _____ Division: _____

Zoning District: SF3NP

I/We RODNEY K. BENNETT on behalf of myself/ourselves as authorized agent for WENDY H. DRHAM affirm that on Month February, Day 11, Year 2020, 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: AN EXTERIOR ELEVATOR

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

25-2-2.1 A REQUEST TO EXCEED THE F.A.R. THE EXISTING FAR IS 54%, THE PROPOSED IS 55% IN ORDER TO CONSTRUCT AN EXTERIOR ELEVATOR

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 HOME EXCEEDED THE F.A.R LIMIT PRIOR TO THE ADOPTION OF THE F.A.R ORDINANCE. AND THE ORDINANCE DOES NOT TAKE INTO CONSIDERATION THE NEED TO EXCEED THE F.A.R. IF IT IS FOR ADA ACCESS.

Hardship

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

BECAUSE IT IS NEEDED TO ACCESS THE SECOND FLOOR OF THE HOME BY A PERSON WITH DISABILITIES.

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

BECAUSE MOST PEOPLE DO NOT HAVE DISABILITIES HENDERING THEM FROM CLIMBING STAIRS

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:

BECAUSE IT IS NOT IN THE SETBACK AND IS VERY SMALL IN RELATION TO THE
STRUCTURE (31.92 SF). FURTHERMORE, ALMOST HALF OF THE FRONT VIEW WILL BE
BLOCKED BY THE EXISTING CHIMNEY.

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:

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: Rodney K. Bennett Digitally signed by Rodney K. Bennett
DN: cn=Rodney K. Bennett, o, ou,
email=r.kbconsulting@yahoo.com, c=US
Date: 2020.02.12 21:41:55 -0600 Date: 02/11/2020

Applicant Name (typed or printed): RODNEY K. BENNETT

Applicant Mailing Address: 529 EVENING STAR

City: KYLE State: TX Zip: 78640

Phone (will be public information): (512) 627-7227

Email (optional – will be public information): [REDACTED]

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: Wendy H. Durham Date: Feb 13 '20

Owner Name (typed or printed): Wendy H. DURHAM

Owner Mailing Address: 273 Walnut St

City: Abilene State: TX Zip: 79601

Phone (will be public information): 325 476-7724

Email (optional – will be public information):

Section 5: Agent Information

Agent Name: [REDACTED]

Agent Mailing Address: 529 EVENING STAR

City: KYLE State: TX Zip: 78640

Phone (will be public information): (512) 627-7227

Email (optional – will be public information): [REDACTED]

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).

2815 GLENVIEW PROPOSED

Subchapter F

Gross Floor Area

This section is only required for projects located within the Residential Design and Compatibility Standards Ordinance Boundaries as defined and illustrated in Title 25-2 Subchapter F of the Land Development Code. The Gross Floor Area of each floor is measured as the area contained within the outside edge of the exterior walls.

	Existing sq. ft. to remain	New/Added sq. ft.	Proposed Exemption (check article utilized)	Applied Exemption sq. ft.	Total sq. ft.
1 st Floor	2,072	32			2,104
2 nd Floor	2,692	32			2,724
3 rd Floor	729				729
Area w/ ceilings > 15'			Must follow article 3.3.5		0
Ground Floor Porch ¹ (check article utilized)	193		<input checked="" type="checkbox"/> Full Porch sq. ft. (3.3.3.A) <input type="checkbox"/> 200 sq. ft. (3.3.3 A 2)	193	0
Basement ⁴			Must follow article 3.3.3B, see note below		0
Attic ⁵			Must follow article 3.3.3C, see note below		0
Garage ² (check article utilized)	Attached		<input type="checkbox"/> 200 sq. ft. (3.3.2 B 1)		0
	Detached	620	<input checked="" type="checkbox"/> 450 sq. ft. (3.3.2 A 1 / 2a) <input type="checkbox"/> 200 sq. ft. (3.3.2 B 2a / 2b)	450	170
Carport ² : (check article utilized)	Attached		<input type="checkbox"/> 450 sq. ft. (3.3.2 A 3) <input type="checkbox"/> 200 sq. ft. (3.3.2 B 1) ³		0
	Detached		<input type="checkbox"/> 450 sq. ft. (3.3.2 A 1)		0
Accessory Building(s) (detached)					0
Totals	6,306	64	TOTAL GROSS FLOOR AREA		5,727

(Total Gross Floor Area ÷ Lot Area) x 100 = 55 Floor-To-Area Ratio (FAR)

Is a sidewall articulation required for this project? Y N
 (Yes, if: a wall, 15' tall or higher, within 9 feet of a side property line extends further than 36 feet in length per article 2.7.1)

Does any portion of the structure extend beyond a setback plane/exemption exhibit (aka "tent")? Y N
 (If Yes, indicate applicable section of Subchapter F and length of protrusion on the drawings.)

- 1 Ground Floor Porch exemption:** A ground floor porch, including a screened porch, may be exempted, provided that the porch is not accessible by automobile and is not connected to a driveway; and the exemption may not exceed 200 square feet if a porch has habitable space or a balcony above it.
- 2 Garage and carport exemptions (in relation to primary structure):** Exemptions must follow the code as outlined in Title 25-2 Subchapter F 3.3.2. Each amount listed (450 or 200) is the maximum exclusion allowed per the article designated. Note: Article 3.3.2 C, "An applicant may receive only one 450-square foot exemption per site under paragraph A. An applicant who receives a 450-square foot exemption may receive an additional 200-foot exemption for the same site under paragraph B, but only for an attached parking area used to meet minimum parking requirements."
- 3 Ordinance article 3.3.2 B 1 is 200 sq. ft. exemption may be combined with a 450 sq. ft. exemption. Otherwise only one 450 exemption or one 200 sq. ft. exemption may be taken.**
- 4 Basement exemption:** A habitable portion of a building that is below grade may be exempted if the habitable portion does not extend beyond the first-story footprint and is below natural or finished grade, whichever is lower; and it is surrounded by natural grade for at least 50% of its perimeter wall area and the finished floor of the first story is not more than three feet above the average elevation at the intersections of the minimum front yard setback line and the side property lines.
- 5 Habitable Attic exemption:** A habitable portion of an attic may be exempted if: 1) The roof above it is not a flat or mansard roof and has a slope of 3 to 12 or greater; 2) It is fully contained within the roof structure; 3) It has only one floor; 4) It does not extend beyond the footprint of the floors below; 5) It is the highest habitable portion of the building, or a section of the building, and adds no additional mass to the structure; and 6) Fifty percent or more of the area over 5 feet has a ceiling height of seven feet or less.

Subchapter F					
Gross Floor Area					
This section is only required for projects located within the Residential Design and Compatibility Standards Ordinance Boundaries as defined and illustrated in Title 25-2 Subchapter F of the Land Development Code. The Gross Floor Area of each floor is measured as the area contained within the outside edge of the exterior walls.					
	Existing Sq Ft	New/Added Sq Ft	Proposed Exemption (check article utilized)	Applied Exemption Sq Ft	Total Sq Ft
1 st Floor	2,072				2,072
2 nd Floor	2,692				2,692
3 rd Floor	729				729
Area w/ ceilings > 15'			Must follow article 3.3.5		0
Ground Floor Porch* (check article utilized)	70	123	<input checked="" type="checkbox"/> Full Porch sq ft (3.3.3 A) <input type="checkbox"/> 200 sq ft (3.3.3 A 2)	193	0
Basement			Must follow article 3.3.3B, see note below		0
Attic			Must follow article 3.3.3C, see note below		0
Garage**: (check article utilized)	Attached		<input type="checkbox"/> 200 sq ft (3.3.2 B 1)		0
	Detached	620	<input checked="" type="checkbox"/> 450 sq ft (3.3.2 A 1 / 2a) <input type="checkbox"/> 200 sq ft (3.3.2 B 2a / 2b)	450	170
Carport**: (check article utilized)	Attached		<input type="checkbox"/> 450 sq ft (3.3.2 A 3) <input type="checkbox"/> 200 sq ft (3.3.2 B 1)***		0
	Detached		<input type="checkbox"/> 450 sq ft (3.3.2 A 1)		0
Accessory Building(s) (detached)					0
Totals	6,183	123			5,663

TOTAL GROSS FLOOR AREA (add Total Sq Ft column) 5,663.00

(Total Gross Floor Area + Lot Area) x 100 = 54.03 Floor-To-Area Ratio (FAR)

Is a sidewall articulation required for this project? Y N

(Yes, if: a wall, 15' tall or higher, within 9 feet of a side property line extends further than 36 feet in length per article 2.7.1)

Does any portion of the structure extend beyond a setback plane/exemption exhibit (aka "tent")? Y N

(If Yes, indicate applicable section of Subchapter F and length of protrusion on the drawings.)

***Ground Floor Porch exemption:** A ground floor porch, including a screened porch, may be exempted, provided that the porch is not accessible by automobile and is not connected to a driveway; and the exemption may not exceed 200 square feet if a porch has habitable space or a balcony above it.

****Garage and carport exemptions (in relation to primary structure):** Exemptions must follow the code as outlined in Title 25-2 Subchapter F 3.3.2. Each amount listed (450 or 200) is the maximum exclusion allowed per the article designated. Note: Article 3.3.2 C, "An applicant may receive only one 450-square foot exemption per site under paragraph A. An applicant who receives a 450-square foot exemption may receive an additional 200-foot exemption for the same site under paragraph B, but only for an attached parking area used to meet minimum parking requirements."

*****Ordinance article 3.3.2 B 1** is the only 200 sq ft exemption that may be combined with a 450 sq ft exemption. Otherwise only one 450 exemption or one 200 sq ft exemption may be taken.

Basement exemption: A habitable portion of a building that is below grade may be exempted if the habitable portion does not extend beyond the first-story footprint and is below natural or finished grade, whichever is lower; and it is surrounded by natural grade for at least 50% of its perimeter wall area and the finished floor of the first story is not more than three feet above the average elevation at the intersections of the minimum front yard setback line and the side property lines.

Habitable Attic exemption: A habitable portion of an attic may be exempted if: 1) The roof above it is not a flat or mansard roof and has a slope of 3 to 12 or greater; 2) It is fully contained within the roof structure; 3) It has only one floor; 4) It does not extend beyond the footprint of the floors below; 5) It is the highest habitable portion of the building, or a section of the building, and adds no additional mass to the structure; and 6) Fifty percent or more of the area has a ceiling height of seven feet or less.

Board of Adjustment
City of Austin – Development Assistance Center
505 Barton Springs Road
Austin, Texas 78704

Re: 2815 Glenview Ave
Austin, Texas 78703

To whom it may concern:

I/We have been notified by the owner of the property at 2815 Glenview, Austin, Texas 78703, Wendy Durham concerning plans to request a variance to add a 32 sq.ft structure to the existing house. The purpose of the addition is to create an elevator shaft, two stories in height at the north side of the house.

An elevator is required to provide handicap access to the second story for a family member who is no longer able to climb stairs. As an adjoining neighbor and property owner I/We have no objection to this request being granted by City of Austin.

Signed/Date  12/15/19
12/15/19

Printed Bradlee Roffers
Chad Roffers

Address 2812 Glenview Ave
Austin, TX 78703

Contact Phone/email 512-650-5233



Thank you for your attention to this matter.

Board of Adjustment
City of Austin – Development Assistance Center
505 Barton Springs Road
Austin, Texas 78704

Re: 2815 Glenview Ave
Austin, Texas 78703

To whom it may concern:

I/We have been notified by the owner of the property at 2815 Glenview, Austin, Texas 78703, Wendy Durham concerning plans to request a variance to add a 32 sq.ft structure to the existing house. The purpose of the addition is to create an elevator shaft, two stories in height at the north side of the house.

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Signed/Date



12/14/19

Printed

JASON C. SCHUBERT

Address

2814 Glenview Ave.

Contact Phone/email

(512) 947-2356



Thank you for your attention to this matter.

Board of Adjustment
City of Austin – Development Assistance Center
505 Barton Springs Road
Austin, Texas 78704

Re: 2815 Glenview Ave
Austin, Texas 78703

To whom it may concern:

I/We have been notified by the owner of the property at 2815 Glenview, Austin, Texas 78703, Wendy Durham concerning plans to request a variance to add a 32 sq.ft structure to the existing house. The purpose of the addition is to create an elevator shaft, two stories in height at the north side of the house.

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Signed/Date

December 30, 2019 Theresa Ann Kroatz

Printed

Theresa Ann Kroatz

Address 2816 GLENVIEW AVENUE

Contact Phone/email 512(477)3962

Thank you for your attention to this matter.

Board of Adjustment
City of Austin – Development Assistance Center
505 Barton Springs Road
Austin, Texas 78704

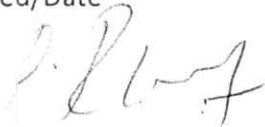
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Austin, Texas 78703

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Signed/Date



12/23/19

Printed

RAVIKUMAR PARAMASIVAM
GUNJAN GUPTA

Address

1606 MOHLE DR
AUSTIN TX 78703

Contact Phone/email

512-476-0796



Thank you for your attention to this matter.