



Board of Adjustment General/Parking Variance Application

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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: 2003 Arpdale St.

Subdivision Legal Description:
W 55 ft of Lot 16 Blk 8 Rabb Inwood Hills

Lot(s): W 55 ft of Lot 16 Block(s): 8

Outlot: _____ Division: _____

Zoning District: SF-3

I/We Scott Jacobs on behalf of myself/ourselves as

authorized agent for Scott Jacobs affirm that on

Month , Day , Year , 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 existing house and accessory structure

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

§ 25-2-492 (Site development regulations) to decrease the minimum lot size from 5,750 square feet (required/permitted) to 5,500 square feet (requested/existing)

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:

City staff have determined that a variance from the minimum lot size is required before building and plumbing permits can be issued and finalized to correct previous work without a permit, bring the property up to code, and repair damage from the recent freeze. Reference BP 2017 74166 (On Hold), PP 2017 74166 (On Hold).

Hardship

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

Most properties in the subdivision were platted in the forties or fifties at 6,000 square feet or more, and so they were unaffected when the minimum lot size of 5750 sf went into effect. It appears, however, that sometime after the house and garage were built, a portion of this lot was sold. The resulting deficiency was not recognized until about 5 years ago. This circumstance is unique within this area.

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

Most properties in the subdivision were platted in the forties or fifties at 6,000 square feet or more and built out with modest houses that meet the current SF3 site development standards.

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 purpose of the variance is to maintain the existing structures and bring the property into compliance with current regulations. That will include closing an unpermitted curb cut, removing an unpermitted kitchen sink, providing two code-compliant parking spaces, removing a storage shed in the rear easement as directed by Austin Energy, and reducing excessive impervious cover and building cover, which should serve to restore the property’s compatibility with adjacent properties.

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: Scott Jacobs Digitally signed by Scott Jacobs
Date: 2021.05.26 15:50:00 -05'00' Date: 05/26/2021

Applicant Name (typed or printed): Scott Jacobs

Applicant Mailing Address: 2003 Arpdale St.

City: Austin State: TX Zip: 78704

Phone (will be public information): (512) 765-5226

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: Scott Jacobs Digitally signed by Scott Jacobs
Date: 2021.05.26 15:50:50 -05'00' Date: 05/26/2021

Owner Name (typed or printed): Scott Jacobs

Owner Mailing Address: Same as above.

City: _____ State: _____ Zip: _____

Phone (will be public information): _____

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).

The variance request is to allow the City to issue plumbing and building permits so that the owner may move forward with repairs and address previous code violations in an SF-3 zoning district. The property will not be used for two-family use and will only be occupied as a single dwelling. Separate designations for A and B units will be removed from the address.

Additional Space (continued)

In addition to repairs of freeze damage, work will include, closing an unpermitted curb cut, removing an unpermitted kitchen sink, relocating a storage shed from the rear easement as directed by Austin Energy, providing two code-compliant parking spaces, reducing impervious cover to less than 45% and building cover to less than 40%, and passing final inspections.

A new sewer line to the house has already been installed and inspected by the city.
The deck on the back side of the main house has already been removed.
A 48 sf portable shed has already been relocated, as required by Austin Energy.

Building cover will be reduced to 40% by

1. Reducing the size of the covered roof from the rear deck.

Impervious cover will be reduced to 45% by:

1. Converting the majority of the rear deck to uncovered deck, such that the impervious cover is below 45%.
2. Installing concrete ribbon strips or using other code-compliant means to reduce the main driveway to ~140 sf, such that the impervious cover is below 45%.
3. Removing at least 310 sf of the circular driveway and revegetating the front yard to a pervious landscape.
4. Removing 131 sf of concrete sidewalks in the front yard.
5. Removing 153 sf of pavers in the side and back yards.
6. Removing 90 sf of concrete pads in the side yard.