



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: 1701 E HOWARD LN

Subdivision Legal Description:

DESSAU DAVENPORT SUBD

Lot(s): 1 Block(s): _____

Outlot: _____ Division: _____

Zoning District: GR-MU

I/We RODNEY K. BENNETT on behalf of myself/ourselves as

authorized agent for Exten LLC affirm that on

Month September, Day 12, Year 2023, 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: 12 QUEUE LANES FOR A GAS STATION

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

25-2-814 - SERVICE STATION USE.

A service station use:

(3) may not have more than eight vehicle queue lanes.

WE ARE REQUESTING 12 QUEUE LANES

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:

1) THE LOT IS ENCOMBERED BY A 50' CEF SETBACK ON THE NORTH AND A 20' E.D.E. ON THE WEST, THUSLY REDUCING THE BUILDABLE AND QUEUEING AREAS 2) AS PREVIOUSLY EVIDENCED BY MULITPLE VARIANCE REQUESTS, THE CITY'S QUEUEING DESIGN IS OUTDATED.

Hardship

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

THE SIZE OF LOT AND THE BUILDABLE AREA DO NOT MAKE IT FEASIBLE TO IMPLEMENT THE REQUIRED PARKING, DRIVE AISLES, AND LARGER QUEUEING AREAS

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

1) WE ARE REQUESTING ONLY 12 FUEL DISPENSERS WHERE AS THE CODE ALLOWS 16. 2) AT 12401 TECHRIDGE (3 MILES AWAY) THEY WERE APPROVED FOR 12 QUEUEING SPACES.

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 ADJOINING NEIGHBOR IS COMMERCIAL. BECAUSE THE VEHICLES HAVE 3 DRIVE WAY AISLES TO ENTER AND EXIT THE SITE, THE QUEING CAN BE HANDLED ON SITE.

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
Date: 2023.09.15 14:14:10 -05'00' Date: _____

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

Applicant Mailing Address: 529 EVENING STAR

City: KYLE State: TEXAS Zip: 78640

Phone (will be public information): [REDACTED]

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: Inayat Maredhija Date: 09/14/2023

Owner Name (typed or printed): Exten LLC

Owner Mailing Address: 11700 Dessau Rd

City: Austin State: Texas Zip: 78754

Phone (will be public information): [REDACTED]

Email (optional – will be public information): _____

Section 5: Agent Information

Agent Name: RODNEY K. BENNETT

Agent Mailing Address: 529 EVENING STAR

City: KYLE State: TEXAS Zip: 78640

Phone (will be public information): [REDACTED]

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).

