

If you need assistance completing this application (general inquires only) please contact Susan Walker, 974-2202; 505 Barton Springs Road, 2<sup>nd</sup> Floor (One Texas Center).

CASE # C15-2012-0033  
ROW # 10 T22508  
TP. 040402-04-24

**CITY OF AUSTIN**  
**APPLICATION TO BOARD OF ADJUSTMENT**  
**GENERAL VARIANCE/PARKING VARIANCE**

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

**PLEASE: APPLICATION MUST BE TYPED WITH ALL REQUESTED INFORMATION COMPLETED.**

STREET ADDRESS: 2425 Euclid Avenue; Austin, Texas 78704

LEGAL DESCRIPTION: Subdivision – Forest Wood

Lot(s) 29 Block \_\_\_\_\_ Outlot \_\_\_\_\_ Division \_\_\_\_\_

I/We Darren Barger on behalf of myself/ourselves as authorized agent for  
Britt Taylor-Burton affirm that on February 7, 2012,

hereby apply for a hearing before the Board of Adjustment for consideration to:

(check appropriate items below)

    ERECT     ATTACH   X   COMPLETE     REMODEL   X   MAINTAIN

Request Board approval to allow for the existence of a .8 foot (2.08 sf) encroachment in a 25' front  
yard set-back to remain in place, and to allow the encroachment of the existing single family home, built  
in 1964 to remain in place.

in a Residential district.  
(zoning district)

I maintain a side  
yard set-back of 4.45'.  
SF-3-NP- (Pawson N.P.)

**NOTE: 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 support documents.**

**VARIANCE FINDINGS:** I contend that my entitlement to the requested variance is based on the following findings (see page 5 of application for explanation of findings):

**REASONABLE USE:**

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

An irregular property shape with a front of property arc, the radius of which was misinterpreted, and which is not true to the existing curb line, created an unplanned and unanticipated .8 ft (2.08 sf) new addition set back encroachment, and the pre-existing encroachment of home built in 1964.

**HARDSHIP:**

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

A slab on grade structure was erected per City and Architect's approved site plan. Aside from the unintentional 2.08 sf (.8 foot) set back violation the structure is in all other regard code compliant, and that a pre-existing non-compliant home built in 1964 encroaches upon a side yard set back.

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

This is the only property on the East side of Eclid, in this block, that has a front yard outside curb arc.

The face of home does not line up with any home on the street given the existance of this front yard arc.

**AREA CHARACTER:**

3. 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:

Homes in this older neighborhood often times push or exceed property setbacks. The home, prior to the the start of construction was plain face (see attached photo) while the new addition provides a pleasant facade consistant with neighboring Architecture of it's period. Granting approval does not limit use of, or access to the property.

**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 Section 479 of Chapter 25-6 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 reasonable 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.

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

Signed Darren Barger Mail Address 605A West 37th Street

City, State & Zip Austin, Texas 78705

Printed Darren Barger Phone 512-420-9929 Date 2/7/12

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

Signed Brett Taylor-Burton Mail Address 2425 Euclid Ave

City, State & Zip Austin TX 78704

Printed Brett Taylor-Burton Phone 326-3521 Date 2/7/12

#### GENERAL INFORMATION FOR SUBMITTAL OF A VARIANCE REQUEST TO THE BOARD OF ADJUSTMENT

(The following is intended to provide assistance in explaining the variance process. These suggestions are not intended to be a complete or exhaustive guide in assisting you through this process.)

#### VARIANCE REQUIREMENTS:



## City of Austin

*Austin's Community-Owned Electric Utility*

[www.austinenenergy.com](http://www.austinenenergy.com)

Town Lake Center • 721 Barton Springs Road • Austin, Texas • 78704

February 8, 2012

Darren Barger  
605A West 37<sup>th</sup> St  
Austin, Texas 78705  
Via email to: [bargerconstruction@sbcglobal.net](mailto:bargerconstruction@sbcglobal.net)

Re: 2425 Euclid Avenue  
Lot 29 Forest Wood

Dear Mr. Barger,

Austin Energy (AE) has reviewed your application for the above referenced property requesting reduce the front setback in order to maintain existing home. Austin Energy does not oppose this application as requested and shown on the attached red-stamped sketch.

Thank you for checking with us in advance. Should you have any questions, please feel free to contact me at 322-6587.

Sincerely,

A handwritten signature in black ink, appearing to read "Lena Lund". The signature is fluid and cursive, with the first name "Lena" and last name "Lund" clearly distinguishable.

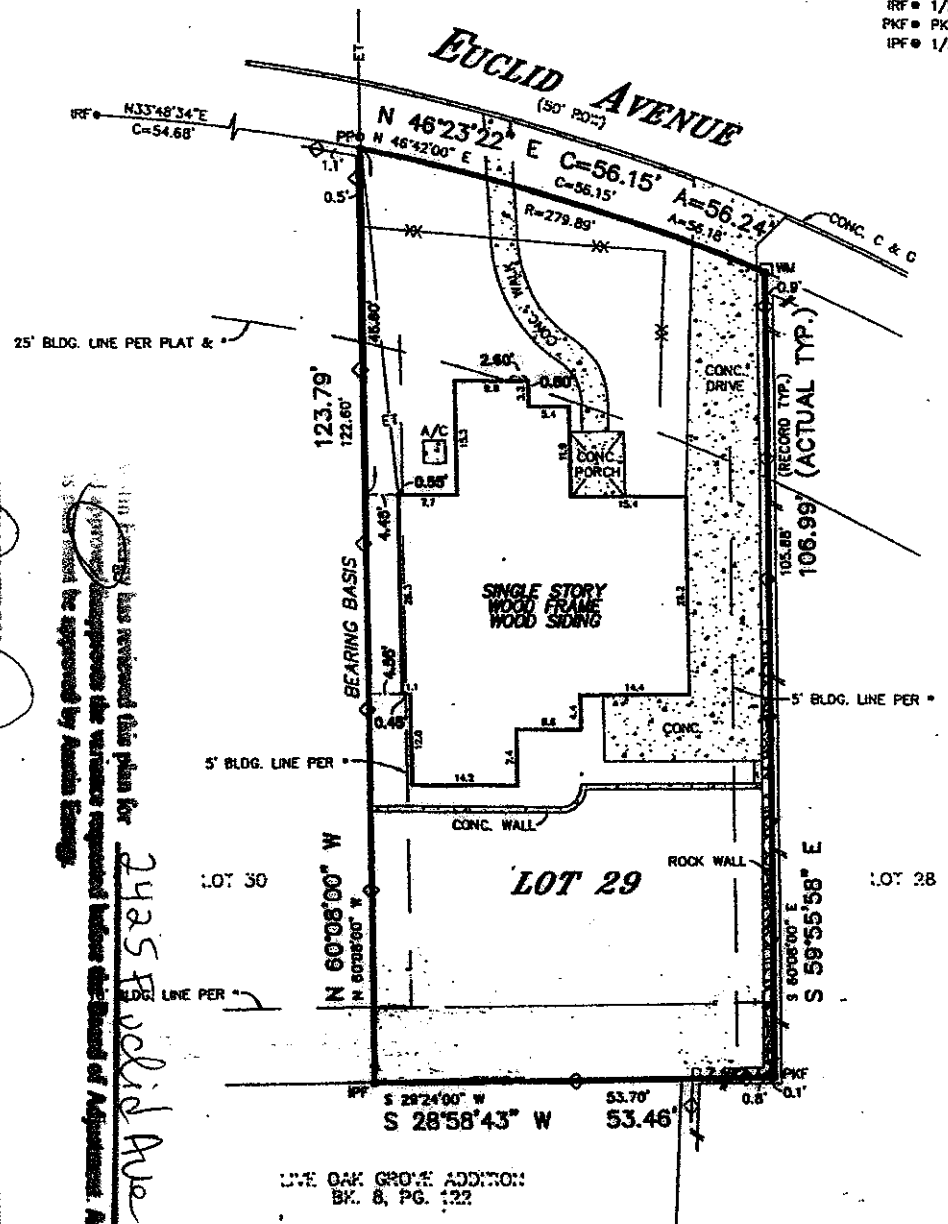
Lena Lund

Public Involvement/Real Estate Services

Cc: Diana Ramirez and Susan Walker



- LEGEND**
- PPE POWER POLE
  - ET OVERHEAD ELEC./TELE. LINE
  - CL CHAIN LINK FENCE
  - TM TEMP. METAL/WIRE FENCE
  - WF WOOD FENCE
  - WM WATER METER
  - IRF 1/2" IRON ROD FOUND
  - PKF PK NAIL FOUND IN ROCK
  - IPF 1/2" IRON PIPE FOUND



\* BUILDING SETBACK LINES PER THE CITY OF AUSTIN ZONING ORDINANCE

A Title Commitment was NOT furnished to the Surveyor. The only Easements shown hereon are per Plat. The Surveyor does not assume any Liability for existence of any easements and/or restrictions encumbered to the Property.

### PLAT OF SURVEY

Survey No. **1233**

SCALE: 1" = 20'

GF --

Sold lot is in Zone X as identified by the

Federal Emergency Management Agency on

Community Panel No. 48453C 0585H

Dated: SEP. 26, 2008

LOT NO. 29 BLOCK NO. -

ADDITION OR SUBDIVISION FOREST WOOD, BOOK 15, PAGE 68, PLAT RECORDS

STREET ADDRESS 2425 EUCLID AVENUE

CITY AUSTIN

COUNTY TRAVIS

SURVEY FOR BARGER DESIGN + BUILD, INC. REFERENCE JENNIFER & BRITT L. TAYLOR-BURTON

TO: STATE OF TEXAS, COUNTY OF TRAVIS

I HEREBY CERTIFY THAT THE ABOVE SURVEY WAS MADE THIS DAY ON THE GROUND AND IS TRUE AND CORRECT, AND THAT THERE ARE NO DISCREPANCIES, CONTACTS, ENCUMBRANCES, VISIBLE UTILITY LINES OR ROADS IN PLACE EXCEPT AS SHOWN HEREON AND SAID PROPERTY HAS ACCESS TO A DEDICATED ROADWAY, EXCEPT AS SHOWN HEREON.

**SNS ENGINEERING, INC.**

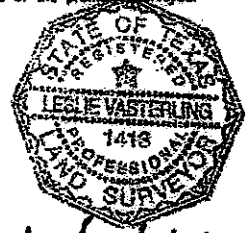
9801 Anderson Mill Road, Suite 209

Austin, Texas 78750

(512) 335-3944 • (512) 250-8685 (Fax) *JM*

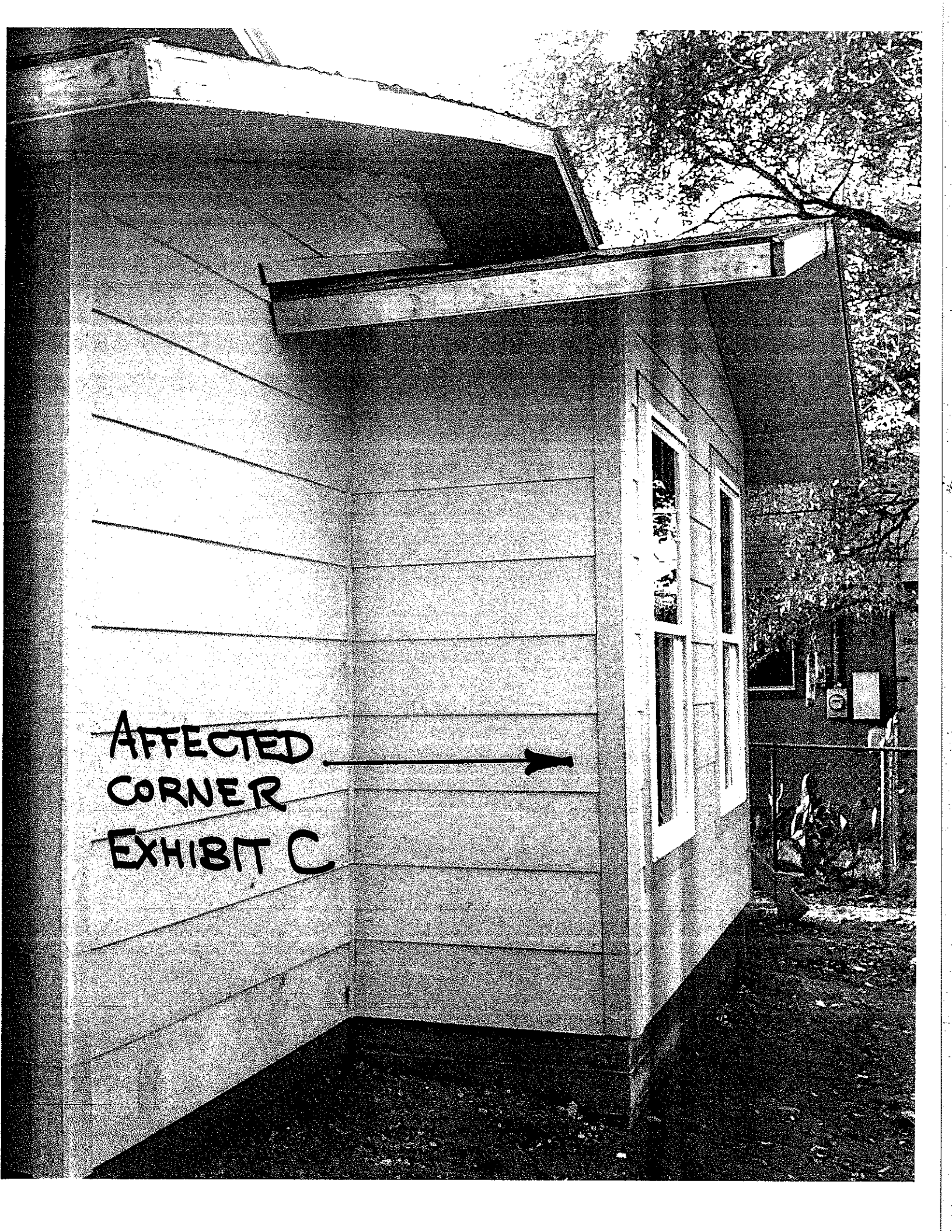
206/62, 633/71

All corners are 1/2-inch iron rod found unless otherwise noted. To the lien holders and/or the owners of the premises surveyed.



*Leslie Vasterling*

Date: 02-06-2012

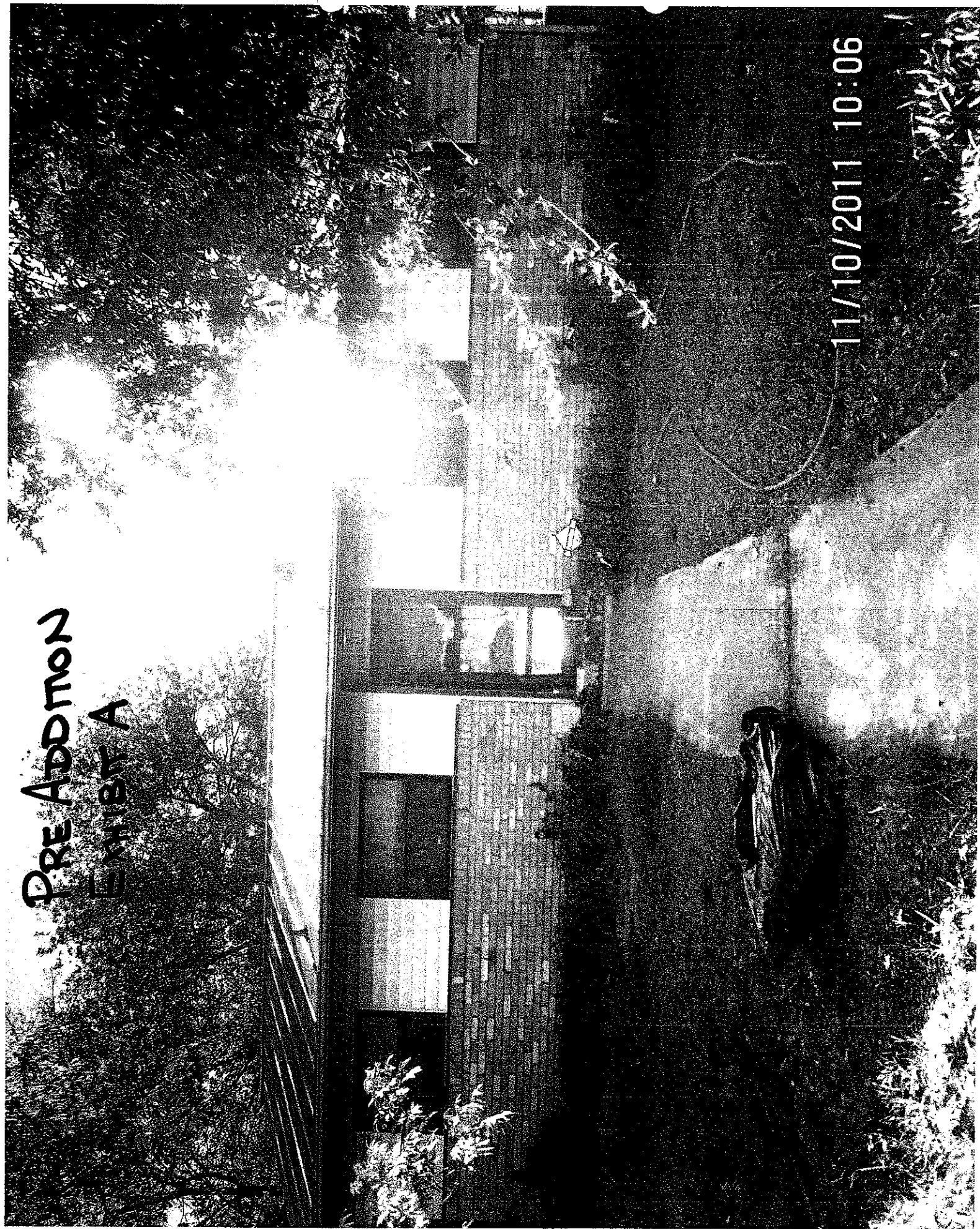


AFFECTED  
CORNER  
EXHIBIT C

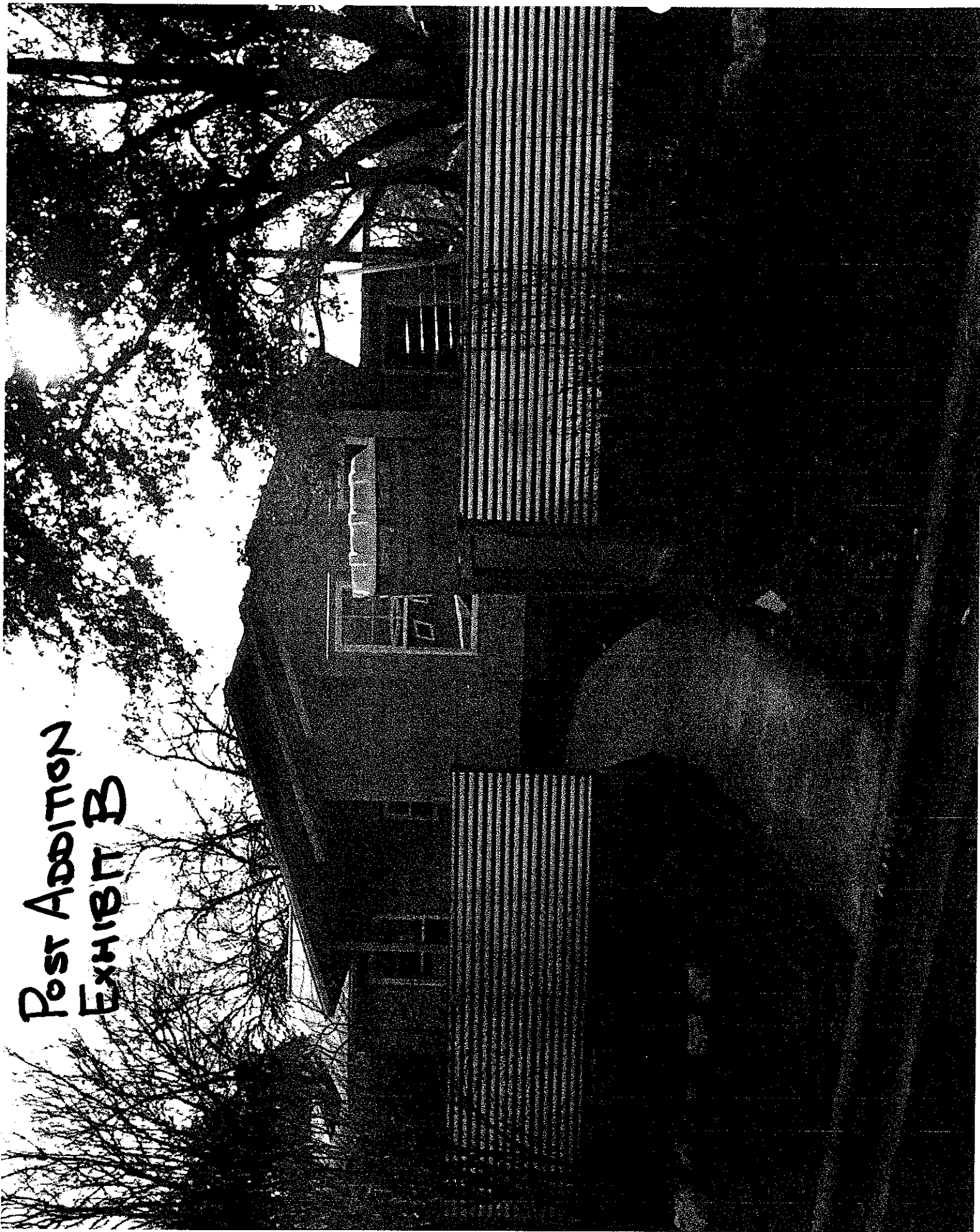


PRE ADDITION  
EXHIBIT A

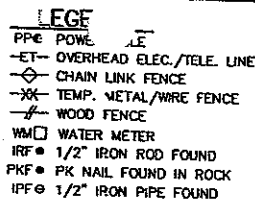
11/10/2011 10:06



# Post Addition EXHIBIT B







A Title Commitment was NOT furnished to the Surveyor. The only Easements shown hereon are per Plat. The Surveyor does not assume any Liability for existence of any easements and/or restrictions encumbered to the Property.

Survey No. 1233

SCALE: 1" = 20'

GF =

Sold lot is in Zone X as identified by the  
Federal Emergency Management Agency on  
Community Panel No. 48453C 0585H  
Dated: SEP. 26, 2008

All corners are 1/2-inch iron rod found unless otherwise noted. To the lien holders and/or the owners of the premises surveyed.

LOT NO. 29<sup>th</sup> BLOCK NO. -

ADDITION OR SUBDIVISION FOREST WOOD, BOOK 15, PAGE 68, PLAT RECORDS

STREET ADDRESS **2425 EUCLID AVENUE** CITY **AUSTIN** COUNTY **TRAVIS**  
SURVEY FOR **BARGER DESIGN + BUILD, INC.** REFERENCE **JENNIFER & BRITT L. TAYLOR-BURTON**

TO:  
STATE OF TEXAS, COUNTY OF TRAVIS  
I HEREBY CERTIFY THAT THE ABOVE SURVEY WAS MADE THIS DAY ON THE GROUND AND IS TRUE AND CORRECT, AND THAT THERE ARE NO DISCREPANCIES, CONFLICTS, SHORTAGES IN AREA, ENCROACHMENTS, VISIBLE UTILITY LINES OR ROADS IN PLACE EXCEPT AS SHOWN HEREON AND SAID PROPERTY HAS ACCESS TO A DEDICATED ROADWAY, EXCEPT AS SHOWN HEREON.  
**SNS ENGINEERING, INC.**

9801 Anderson Mill Road, Suite 209  
Austin, Texas 78750

(512) 335-3944 \* (512) 250-8685 (Fax) JM

206/62, 633/71

A professional land surveyor seal for Leslie Vasterling, State of Texas, No. 1413. The seal is octagonal with a decorative border. The text "STATE OF TEXAS" is at the top, "REGISTERED" is below it, and "PROFESSIONAL LAND SURVEYOR" is at the bottom. In the center, it says "LESLIE VASTERLING" and "1413". A small star is positioned above the name.

Leslie Vesterling

Date: 02-06-2012

# Barger Design + Build, Inc.

605A West 37<sup>th</sup> Street, Austin, Texas 78705

## TRANSMITTAL LETTER

February 8, 2012

### **Planning and Development Review Department**

One Texas Center  
505 Barton Springs Road  
Austin, Texas 78767

Attention: MS Susan Walker  
Planner

Dear Ms. Walker,

Per our recent conversations, please find our attached Application to the Board of Adjustment for a General Variance request.

Included in our submittal are the following items:

1. Check to City of Austin for \$360.00.
2. Completed Application for Variance Request 6-pages
3. Austin Energy Approved Application 2-pages
4. Pictures
  - a. Exhibit A – Pre-Construction Front of House
  - b. Exhibit B – Post-Construction Front of House
  - c. Exhibit C – Affected Corner
5. 8.5 x 14 Site Plan

We thank you for the opportunity to submit our request for approval. If we may be of any assistance, please do not hesitate to contact us.

Sincerely,  
Barger Design + Build, Inc.



Terry Enlow  
Vice President

Mobile: (512) 658-2179  
Office: (512) 420-9929

Darren Barger – President (mobile: 512-422-2588)