

CASE #

C15-2012-0036

TP-0200100514

ROW-10735529

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: 2604 Canterbury Street, Austin Texas 78702

LEGAL DESCRIPTION: Subdivision – Riverview Addition
Austin, Travis County Texas

Lot(s) 14 Block 5, Volume 2, Page 212

I/We Craig Nasso, Architect on behalf of myself/ourselves as authorized agent for

Luke Sanchez affirm that on 19 January, 2012,

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

ERECT – ATTACH – COMPLETE – REMODEL – MAINTAIN

Remodel existing detached structure into a second dwelling unit.

in a SF-3 district.
(zoning district)

Holly N.P.

(Secondary Apt)
5.90' 4.40'
Rear & Side Setback

The Austin Electric Utility Department (Austin Energy) enforces electric easements and the setback requirements set forth in the Austin Utility Code, Electric Criteria Manual and National Electric Safety Code. The Board of Adjustment considers variance to the Land Development Code, and a variance granted by the Board of Adjustment does not waive the requirements enforced by Austin Energy. Please contact Lena Lund with Austin Energy at 322-6587 before filing your application with the Board of Adjustment if your request is for a reduction in setbacks or height limits.

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:

Zoning regulations for 2604 Canterbury do not allow for the existing detached structure to be remodeled into a second dwelling unit because the new structure is closer to the rear and side property lines than SF-3 zoning allows.

The structure is currently used as a garage and storage space. Current SF-3 zoning requires a 10 ft rear yard setback and 5 ft side yard setback for new construction. The existing structure is approximately 5.90 ft to 6.30 ft from the rear property line and 4.40 ft from the side property line.

HARDSHIP:

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

- The structure to be remodeled existed prior to current zoning. Travis County tax records show the structure was constructed in 1936. See attached Travis County Tax Information.
- The Existing L shaped structures location is restricted because of its position relative to an existing protected Pecan tree. The Pecan Tree does not allow the structure to be moved any further to the south or west. A recent tree permit was required with special conditions for the construction of entrance steps to the structures existing entrance door.

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

Other houses in the area may not have protected size trees restricting the location of existing structures. New construction can be designed to comply with current zoning setback and tree setback requirements.

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:

The variance will not alter the character of the area or impair the use of adjacent conforming properties. Other properties in the area also have detached structures built within the SF-3 zoning setbacks. Many of the structures in the neighborhood were built prior to the establishment of zoning and setbacks.

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:

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:

No parking space variance is required for the Second Dwelling unit. A new parking space accessed from the alley will be built adjacent to the existing structure.

1. 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:

The granting of this variance will not interfere with the free flow of traffic in the alley behind 2604 Canterbury Street. The structure and parking are not located in the alley ROW.

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

This variance request does not create a safety hazard.

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

The variance will run with the use because the property will remain residential.

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 R. Craig Nasso Mail Address 88- 1/2 Rainey Street
City, State & Zip Austin, Texas, 78701

Printed R. Craig Nasso Phone 512-626-8411 Date 09 February 2012

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 D. Limon Mail Address Home Address: 3428 Pine Needle Circle
City, State & Zip Round Rock, TX. 78681

Printed David Limon Phone 832-373-9907 Date February 13, 2012

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.)

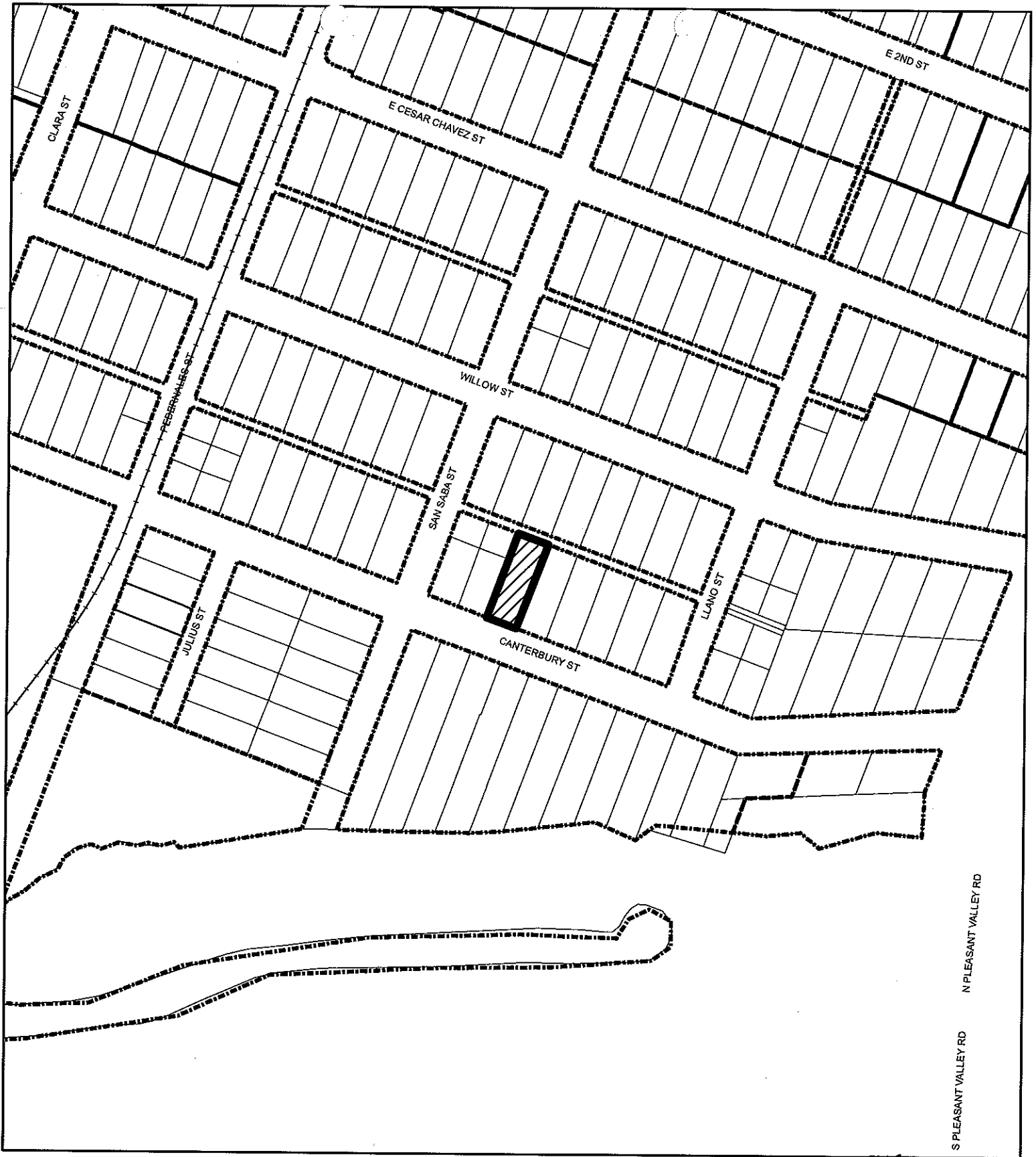
VARIANCE REQUIREMENTS:

General Requirements:

- A. A variance may be granted if, because of special circumstances of a property, the strict application of the Land Development Code regulations deprives the property owner of privileges that are enjoyed by another person who owns property in the area that has the same zoning designation as the property for which the variance is requested.
- B. A variance to a regulation may not grant special privileges that are inconsistent with the limitations on other properties in the area or in the district in which the property is located.

Required Findings:

The Board of Adjustment is also required to make findings discussed below in order to grant a variance. Applicants must provide the Board with proposed findings.



SUBJECT TRACT



ZONING BOUNDARY

CASE#: C15-2012-0036
LOCATION: 2604 CANTERBURY STREET



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

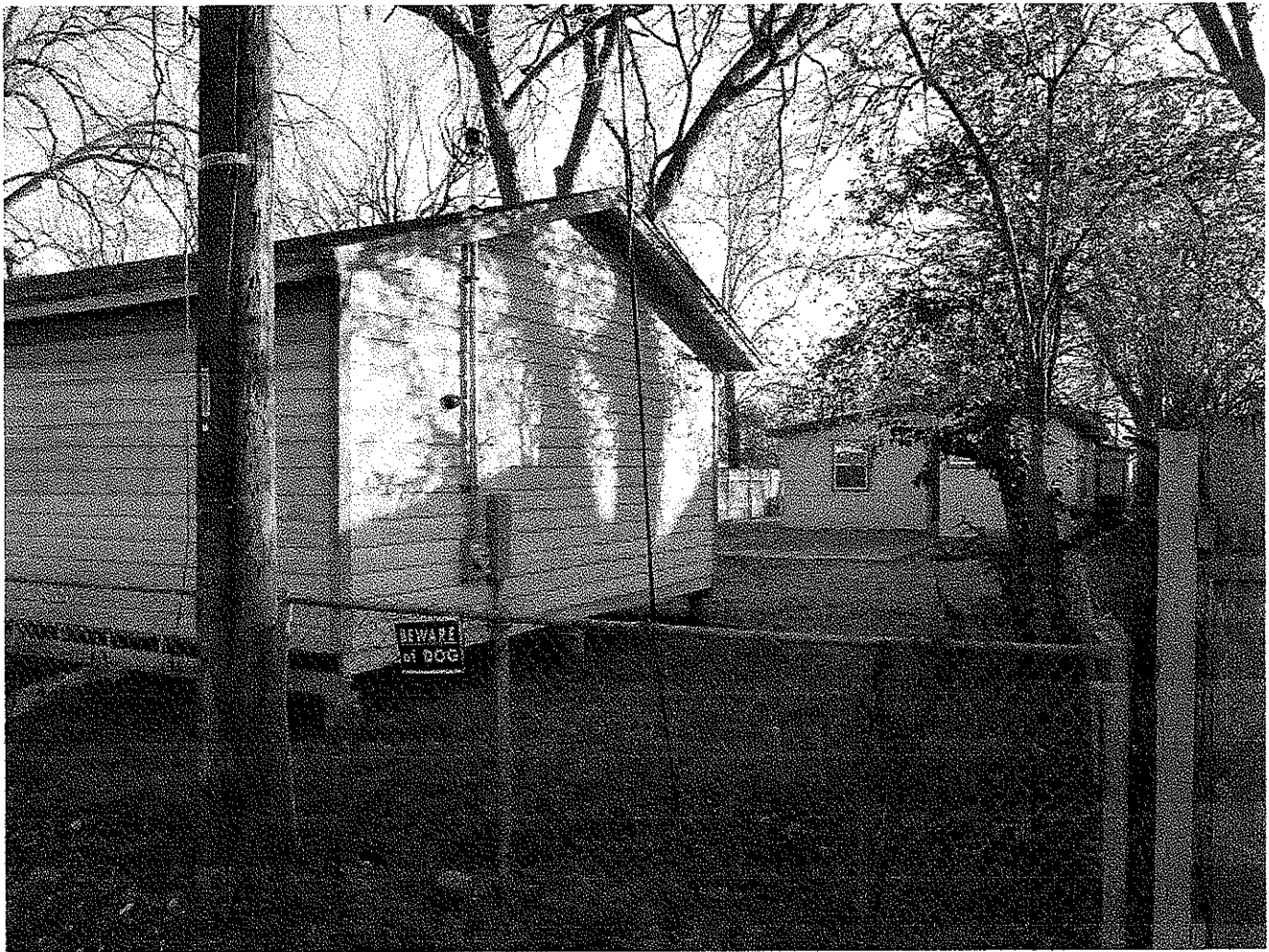
This product has been produced by the Planning and Development Review Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



VIEW TO BACK HOUSE FROM FRONT HOUSE.



VIEW to BACK HOUSE & PECAN TREE



VIEW FROM ALLEY



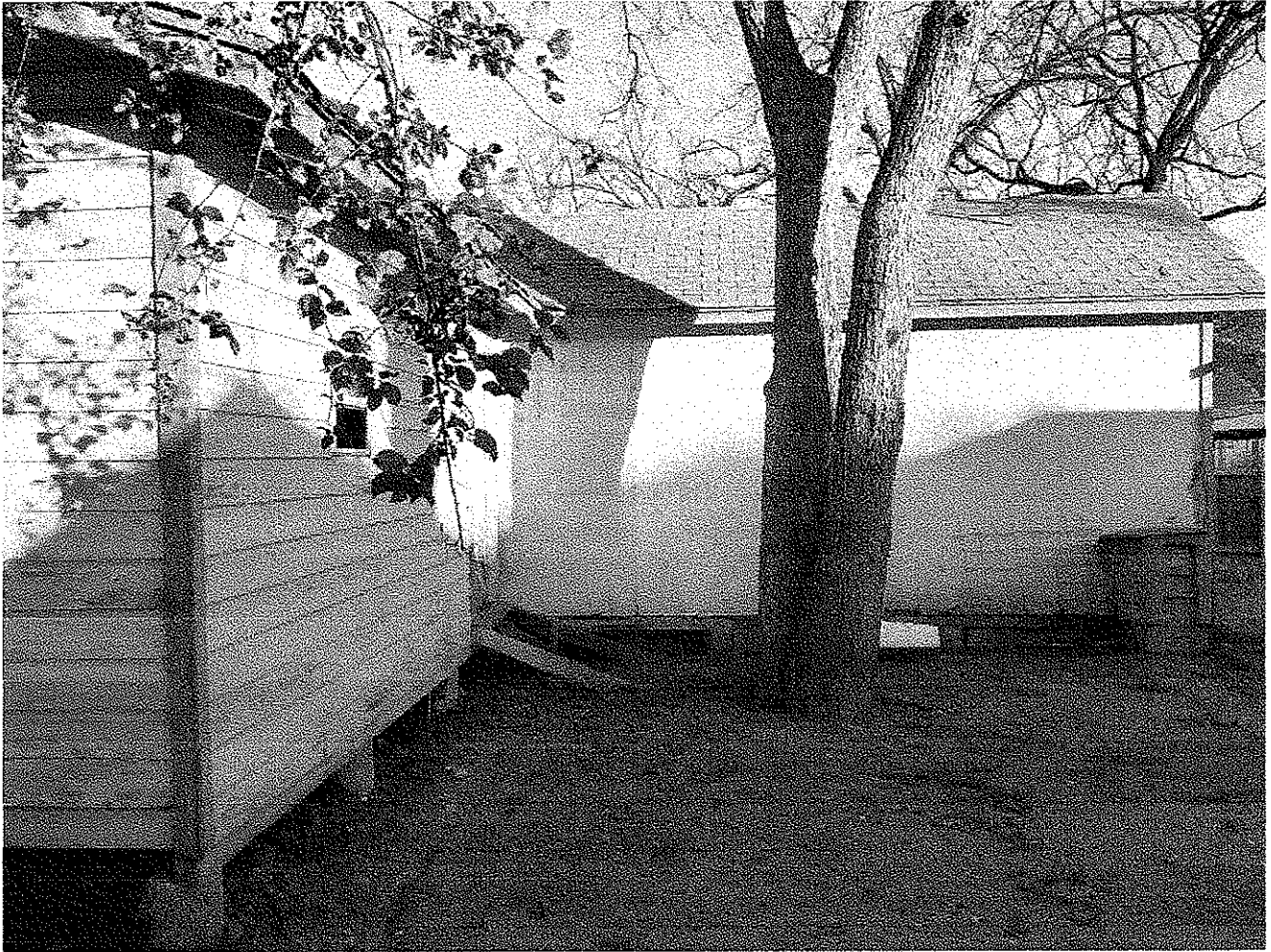
VIEW LOOKING EAST IN ALLEY.



BACK HOUSE REAR SET BACK



BACK HOUSE SIDE SET BACK



BACK HOUSE - VIEW TOWARD STEPS & PECAN TREE

TaxNetUSA: Travis County

Property ID Number: 187576 Ref ID2 Number: 02001005140000

Owner's Name **LANKFORD HENRY & AMY J****Property Details**Mailing Address 2604 CANTERBURY ST
AUSTIN, TX 78702-5621

Deed Date 10182006

Deed Volume

Deed Page

Location 2604 CANTERBURY ST 78702

Exemptions HS, OA

Legal LOT 14 BLK 5 OLT 41-42 OLT 53 DIV O
RIVERVIEW ADDN

Freeze Exempt F

ARB Protest F

Agent Code 0

Land Acres 0.1575

Block 5

Tract or Lot 14

Docket No. 2006207220TR

Abstract Code S11527

Neighborhood Code E0120

Value Information**2011 Certified**

Land Value 90,000.00

Improvement Value 123,531.00

AG Value 0.00

AG Productivity Value 0.00

Timber Value 0.00

Timber Productivity Value 0.00

Assessed Value 193,177.00

10% Cap Value 20,354.00

Total Value 213,531.00

Data up to date as of 2012-01-03**Value By Jurisdiction**

Entity Code	Entity Name	2010 Tax Rate	Assessed Value	Taxable Value	Market Value	Appraised Value
0A	TRAVIS CENTRAL APP DIST		193,177.00	193,177.00	213,531.00	213,531.00
01	AUSTIN ISD	1.227000	193,177.00	143,177.00	213,531.00	213,531.00
02	CITY OF AUSTIN	0.457100	193,177.00	142,177.00	213,531.00	213,531.00
03	TRAVIS COUNTY	0.465800	193,177.00	89,542.00	213,531.00	213,531.00
2J	TRAVIS COUNTY HEALTHCARE DISTRICT	0.071900	193,177.00	89,542.00	213,531.00	213,531.00
68	AUSTIN COMM COLL DIST	0.095100	193,177.00	73,177.00	213,531.00	213,531.00

Improvement Information

Improvement ID	State Category	Description
152513		1 FAM DWELLING

Segment Information

Imp ID	Seg ID	Type Code	Description	Class	Effective Year Built	Area
152513	176349	1ST	1st Floor	WS4-	1936	1,008
152513	722743	011	PORCH OPEN 1ST F	*4-	1936	90
152513	722744	031	GARAGE DET 1ST F	WS4-	1936	440
152513	722745	095	HVAC RESIDENTIAL	**	1936	1,008
152513	722746	251	BATHROOM	**	1936	1
152513	722748	581	STORAGE ATT	WS4-	1936	360



Tree Ordinance Review Application

Planning and Development Review Department

One Texas Center, 505 Barton Springs Road, 4th floor, Austin, TX 78704

Phone: (512) 974-1876 Fax: (512) 974-3010

Email: Michael.Embese@ci.austin.tx.us Website: www.ci.austin.tx.us/trees

ROW ID. 10700179
Mapsco Pg# 615H

Application request* (specify all that apply):

- ☐ Tree removal
- ☒ Development exceeding allowable standards for encroachment in the tree's critical root zone;
- ☐ Removal of more than 30% of a tree's crown.

* Refer to Land Development Code 25-8 (B)(1) and Environmental Criteria Manual (Section 3, App. F). Applicant understands that all impacts may threaten the health of the tree and that approval of this application does not guarantee favorable tree results.

Address and zip code of property: 2604 Canterbury St.

Name of owner or authorized agent: Luke Sanchez

Building permit number (if applicable): _____

Telephone #: 512-656-7729 Fax #: 512-479-0316 E-mail: _____

Tree Species: Pecan Tree location on lot: at rear in front of Dwelling

Trunk size (in inches) at 4 1/2 feet above ground: circumference (around) 55"/63" or diameter (across) 28"

General tree condition: ☒ Good / ☐ Fair / ☐ Poor / ☐ Dead

Reason for request: To build a new covered Landing on a existing rear Dwelling

Luke Sanchez 1-4-12

Owner/ Authorized Agent Signature

Date

- Proposed development projects should include an aerial drawing that includes the location of the tree and planned improvements (e.g. structure, driveway, utility and irrigation lines).
- This application is reviewed for tree impacts only; not for zoning or other applicable regulations. Payment (\$25 check to the City of Austin) must be made prior to City personnel completing this application. No fee is required for dead or diseased trees.

Application Determination - To be completed by City Arborist Program Personnel

- ☐ Approved ☒ *Approved With Conditions ☐ Denied ☐ Statutory Denial (more information required)

Comments: No CUTTING INTO SUBGRADE WITHIN 14- FEET OF TREE
(E.G. STAIRS, UTILITY, PILES)

- ☒ Heritage Tree(s) ☒ A heritage tree variance is required: ☒ Administrative / ☐ Land Use Commission

Conditions of Approval: ☐ None or ☐ As described within Arborist Comments (see above); and

- ☐ Applicant agrees to plant _____ caliper inches of container grown City of Austin Appendix F trees on the lot prior to obtaining a final inspection (if applicable). Trees are to have a minimum 2-inch trunk diameter. Examples include Oaks, Cedar Elm, Bald Cypress, Desert Willow, Mountain Laurel, Texas Persimmon, Mexican Plum, etc.
- ☒ Prior to development, applicant agrees to supply a root zone mulch layer and maintain tree protection fencing (chain-link, five-foot in height) throughout the project duration. (ECM 3.5.2)
- ☐ Provide a receipt for remedial tree care and / or any required pruning as performed by a certified arborist.
- ☒ No impacts are permitted within the tree 1/2 Critical Root Zone (ECM 3.5.2), including trenching for utilities.

Applicant Signature

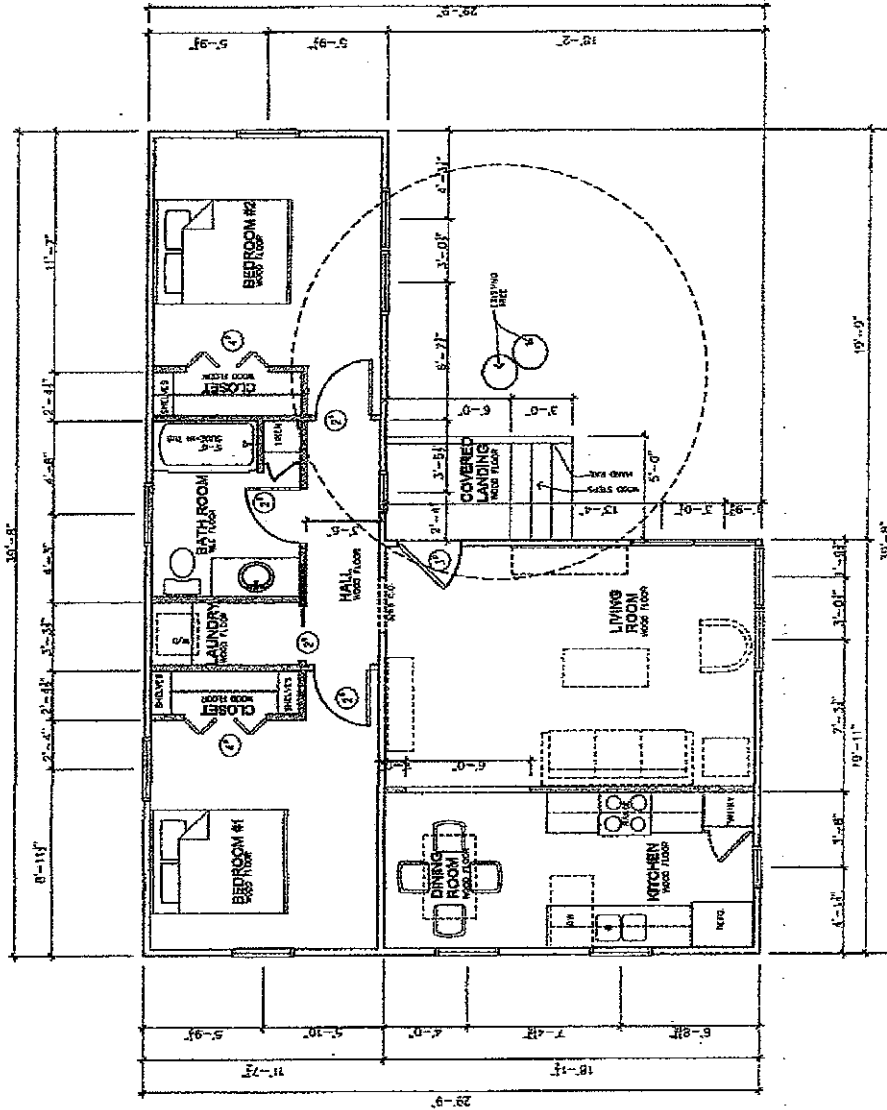
Date

City Arborist Signature

Date

5 JAN 12

Post this document on site while any proposed work is in progress.
Conditions for approval of this application must be met within 1 year of the effective date.



WALL SCHEDULE:	
	NEW 2X4 WALLS
	EXISTING 2X4 WALLS
<p>This drawing is intended for inspection review of design content & preliminary cost estimating and is not intended for construction purposes. It is not to be used for any other purpose without the written consent of the Architect.</p> <p>NYC - for Construction</p>	
<p>REVIEW SET NOT FOR CONSTRUCTION</p>	
<p>Canterbury Remodel 2604 Canterbury St. AUSTIN, TEXAS 78702</p>	
<p>R. CRAIG NASSO ARCHITECT 88-12 Rainey Street Austin, Texas 78701 P: (512) 709-5227 F: (512) 709-0704 rcnasso@comcast.net</p>	
DATE: 1.02.12	Drawn by: RGN
	floor plan
	Sheet of
	SHEET NUMBER
A2.0	

DAVID LIMON AND SONIA LIMON
2604 CANTERBURY STREET
LOT 14, BLOCK 5,
RIVER VIEW ADDITION,
VOLUME 2, PAGE 212,
AUSTIN, TRAVIS COUNTY, TEXAS

THIS PROPERTY DOES NOT LIE WITHIN THE
100 YEAR FLOOD-PLAIN, AND HAS A ZONE "X"
RATING AS SHOWN ON THE FLOOD
INSURANCE RATE MAPS
FIRM MAP NO. 48453C0465H
FIRM MAP NO. 48453C0465H

DATE: 9-25-2008
THIS CERTIFICATION IS FOR INSURANCE
PURPOSES ONLY AND IS NOT A GUARANTEE
THAT THIS PROPERTY WILL OR WILL NOT
FLOOD. CONTACT YOUR LOCAL
FLOOD-PLAIN ADMINISTRATOR FOR THE
CURRENT STATUS OF THIS TRACT.

TITLE CO.	INDEPENDENCE TITLE CO.
JOB NO.	108237-BAL
FILED BY	EANON HORTON 07/13/2011
CALC. BY	CHRIS ZOTTER 07/14/2011
DRAWN BY	DAMIAN SMITH 07/14/2011
RPS CHECK	EDWARD RUMSEY 07/14/2011

ALLSTAR
Land surveying
9020 ANDERSON MILL RD
AUSTIN, TEXAS 78729
(512) 249-8149 PHONE
(512) 331-5217 FAX
WWW.ALLSTARLANDSURVEYING.COM

SCALE 1"=20'

- LEGEND**
- 1/2" ROD FOUND
 - CHAIN LINK FENCE
 - WOOD FENCE
 - RECORD INFORMATION
 - UTILITY POLE
 - DOWN GUY
 - OVERHEAD UTILITY LINE(S)
 - AIR CONDITIONER
 - OUTSIDE OF SUBJECT BOUNDARY

10' ALLEY

LOT 14
BLOCK K

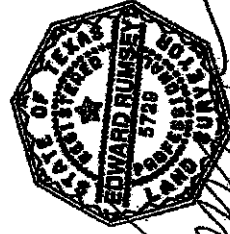
SINGLE STORY
WOOD
BUILDING

WOOD
GARAGE

CONCRETE
PATIO

WOOD
SHED

SINGLE STORY
FRAME
RESIDENCE

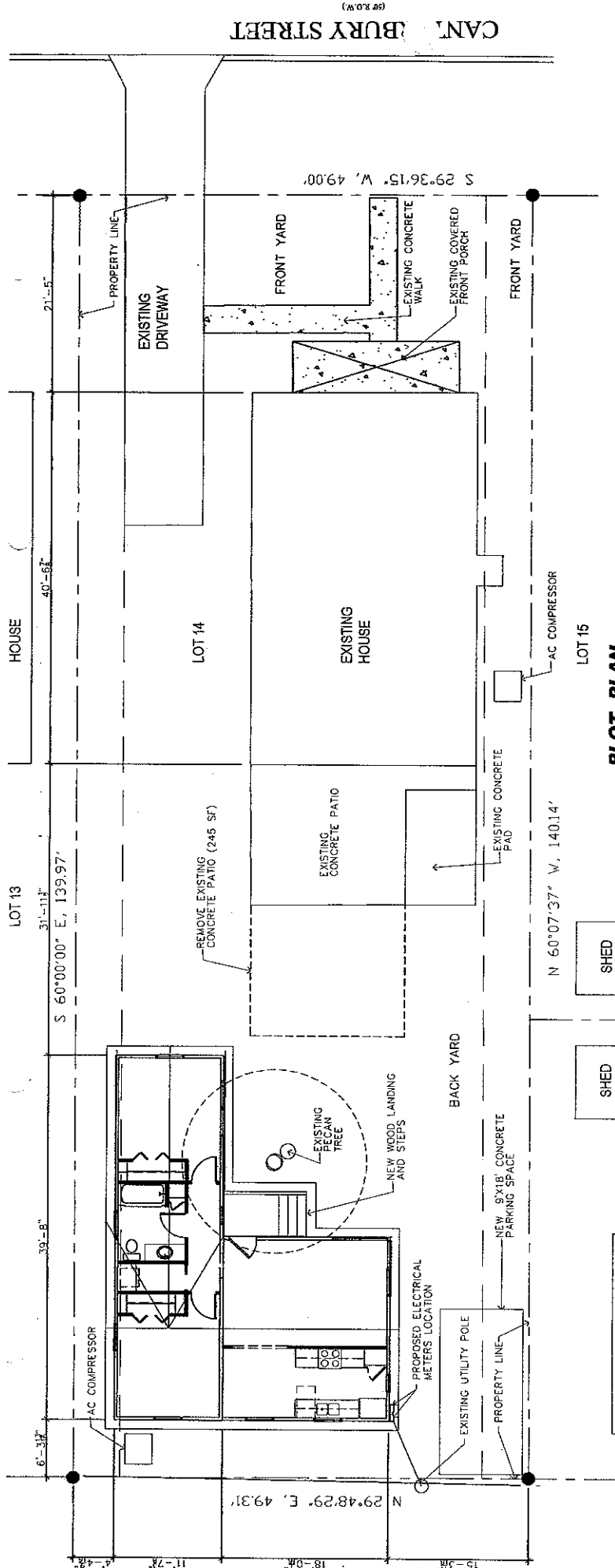


TO THE LIEN HOLDER AND/OR OWNERS OF THE PREMISES SURVEYED AND TO:
INDEPENDENCE TITLE COMPANY
I DO HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND
UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE OF THE
PROPERTY LEGALLY DESCRIBED HEREON AND THAT THERE ARE NO
BOUNDARY LINE CONFLICTS, ENCROACHMENTS, OVERLAYS, OR
IMPROVEMENTS, OR ROADS IN PLACE, EXCEPT AS SHOWN HEREON, AND
CERTIFIES ONLY TO THE LEGAL DESCRIPTION AND ELEMENTS SHOWN ON
THE REFERENCED TITLE COMMITMENT. THIS SURVEY WAS PERFORMED
WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE.

CANTERBURY STREET
(S 29° 36' 15" W, 49' 00")
CURB

ALLEY

CANTERBURY STREET



GENERAL NOTES		IMPERVIOUS COVER		AREAS		LOCATION MAP		DRAWINGS	
1) House remodel is to be constructed to comply with all applicable codes. 2) Review plans and notify R. Craig Nasso of any discrepancies found in plans. 3) Read all Specifications and notes. 4) All dimensions are to face of rough framing unless noted otherwise. 5) Run new utility lines within side setbacks were possible unless noted otherwise. 6) Before proceeding with any major division of work, verify all dimensions to new and existing conditions. 7) Sizes of doors and windows are named and contractor shall verify actual sizes and suitability for opening location with the product manufacturer prior to construction. All materials shall be brought to R. Craig Nasso's attention. 8) Do not scale drawings for construction or coordination purposes. Use indicated dimensions. If questions arise, contact R. Craig Nasso for clarification.		ACTUAL LAND AREA: 6,860 S.F. ALLOWABLE: 6,860 S.F. X .45% = 3,087 S.F. FIRST FLOOR HOUSE 999 S.F. EXISTING GRAVEL PARKING 324 S.F. COVERED FRONT PORCH 101 S.F. A/C PAD 9 S.F. CONCRETE PAD 96 S.F. BACK PATIO 276 S.F. FRONT SIDEWALK 101 S.F. BACK HOUSE 833 S.F. WOOD STEPS & LANDING 45 S.F. A/C PAD 9 S.F. BACKHOUSE PARKING 162 S.F. TOTAL: 2,955 SQFT TOTAL IMPERVIOUS COVER: 2,955 S.F./ 6,860 S.F. = 43.07%		EXISTING HOUSE 999 S.F. BACK HOUSE 833 S.F. CONTACT INFORMATION LUKE SANCHEZ 656-7729 CELL LEGAL DESCRIPTION LOT 14 / BLOCK 5 OIT 41-42 OIT 53 DIV. 0 RIVERVIEW ADD. TRAVIS COUNTY				Canterbury Remodel 2604 Canterbury Rd. AUSTIN, TEXAS 78702 R. CRAIG NASSO ARCHITECT 88-112 Rainey St Austin, Texas 78701 P: (512) 478-8727 F: (512) 478-0704 ronnaso@swbell.net Drawn by: RCN DATE: 202.12 SITE PLAN SHEET NUMBER: A1.0	

REVIEW SET



SAN SABA ST

CANTERBURY ST

83

2600

2602

2604

2606

2608

2610

2601

2603

2605