

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

CASE #

ROW #

015-2012-0047
10747248

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

TP-023005-02-10

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

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

STREET ADDRESS: 1415 Alguno Road

LEGAL DESCRIPTION: Subdivision – Violet Crown Heights; Section Two

Lot(s) 8 Block U Outlot _____ Division _____

I/We Robert S. Walker on behalf of myself/ourselves as authorized agent for

Robert S. Walker affirm that on March, 19, 2012

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

(check appropriate items below)

___ ERECT ___ ATTACH ___ COMPLETE ___ REMODEL x MAINTAIN

a detached garage/shed in which it's southwest corner is 4.9 feet in distance from the closest property line and not 5 feet as required. I am applying for a permanent variance.

in a residential district.
(zoning district)

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:

The garage is only 1.2 inches too close to the property line and this deficiency does not have any measureable impact to the other lots or utilities.

HARDSHIP:

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

The garage is mounted on a permanent foundation and has been established at least since 2001, as it appears in the attached survey, and most likely for decades. The effective date of the structure according to the Travis County Tax Assessor records is 1950. Moving the structure may severely damage or destroy it.

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

Other garages may have been erected fifteen or fewer years ago and may not be on a permanent foundation.

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:

Many of these similar garages exist in the Brentwood/Crestview subdivisions and specifically on Alguno Road (see attached photos) at a distance of about five feet from the property line. Removal or damage to the garage would be a detriment to the neighborhood by impacting the character of the neighborhood. Property values may also be reduced.

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.

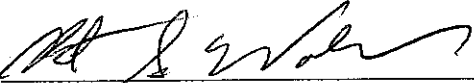
APPLICANT CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed  Mail Address 1415 Alguno Road

City, State & Zip Austin, Texas, 78757

Printed Robert S. Walker Phone 512-751-7304 Date 18 March 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  Mail Address 1415 Alguno Road

City, State & Zip Austin, Texas 78757

Printed Robert S. Walker Phone 512-751-7304 Date 18 March 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.

SUBMITTAL REQUIREMENTS: (Failure to complete the application or to submit all the required materials will result in non-acceptance of the application.)

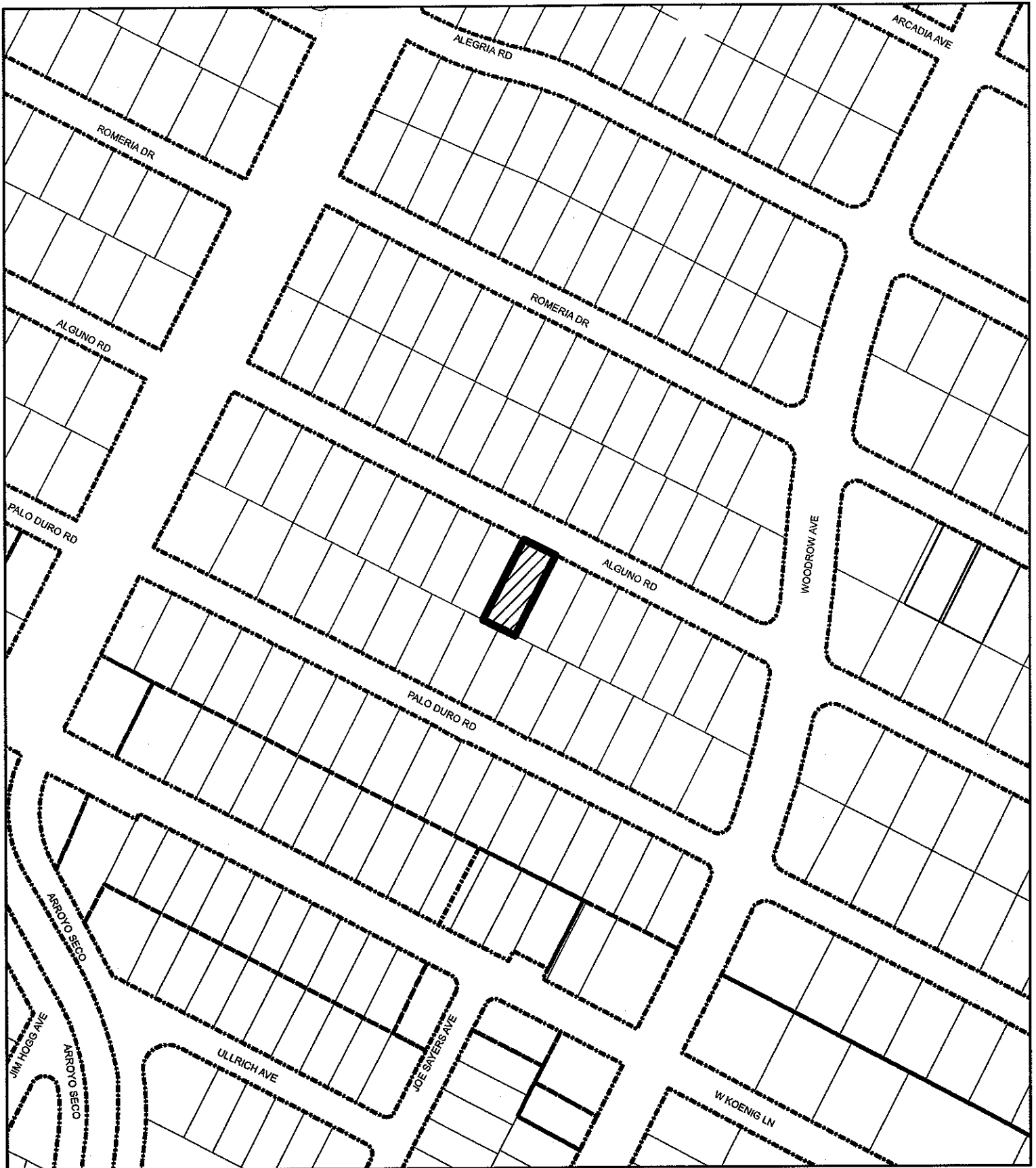
- (1) A completed application indicating all variances being requested. An application must include proposed findings that will support requested variances. The required findings must address each variance being sought.
- (2) A site plan to scale indicating present and proposed construction and location and use of structures on adjacent lots.
- (3) Check made payable to the City of Austin for the Board of Adjustment application fee. (Residential zoning - \$360. All other zonings - \$660.)
- (4) Other Information - Although the following is not a requirement of submittal you may wish to include additional information that may assist the Board in making an informed decision regarding your request such as: photos of the site or visual aids to support the request, letters from the neighborhood association(s) etc. Any additional information you wish to submit must be in our office one week prior to the meeting. The Board will receive a packet with all information that has been submitted on the Thursday prior to the meeting.
- (5) Austin Energy approval

Variances approved by the Board are limited to and conditioned upon the plans and specifications presented by the applicants, except as modified by the Board.

REQUIRED FINDINGS: All variance findings must be met in order for the Board to grant a variance. An application must include proposed findings that will support the requested variance. Incomplete applications will not be accepted.

Reasonable Use:

Application must demonstrate to the Board how the zoning regulations applicable to the property do not allow for a reasonable use of the property. [Note: The Board cannot approve a variance for a use that is not allowed in the zoning district in which the property is located. This requires a change in zoning.]



SUBJECT TRACT



ZONING BOUNDARY

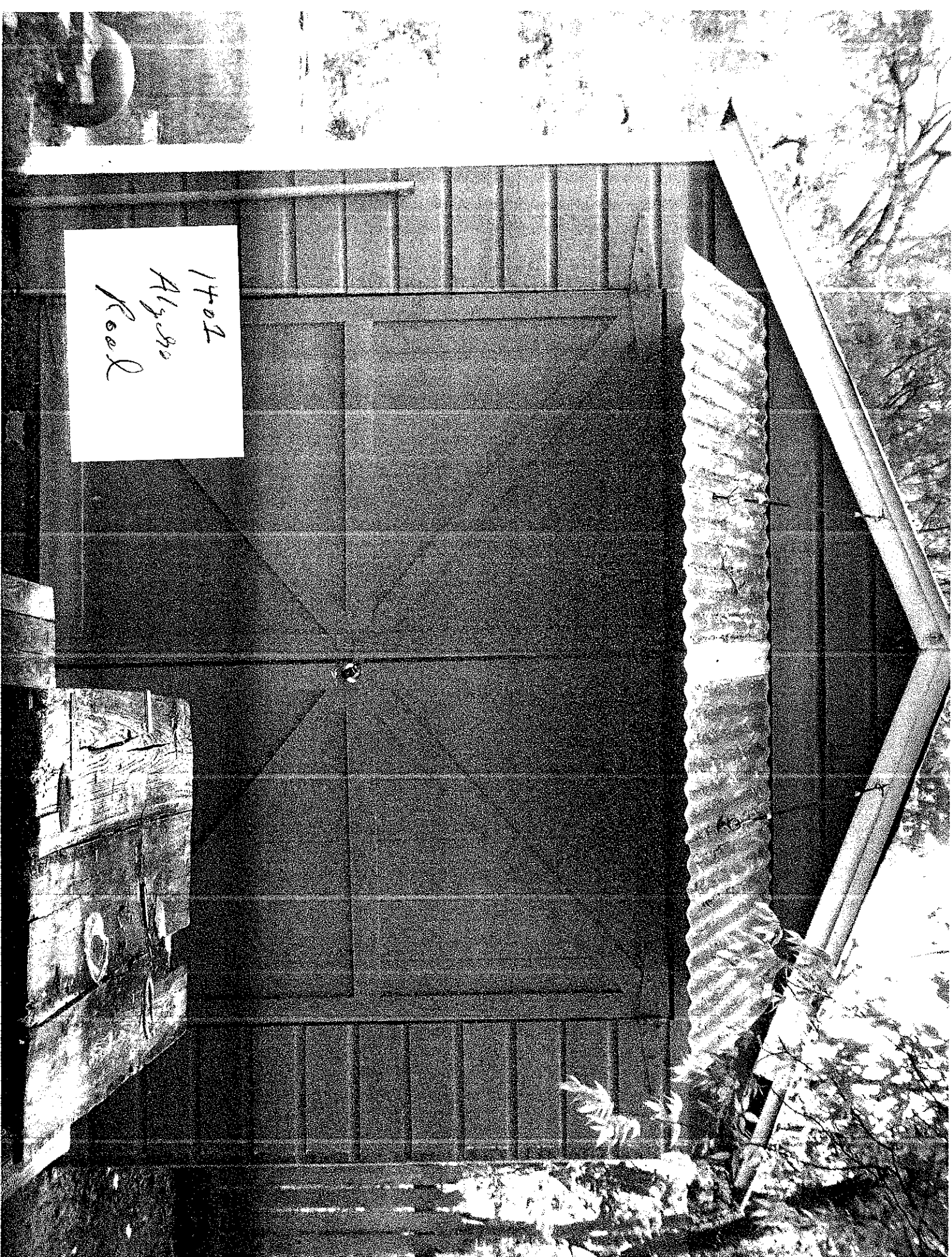
CASE#: C15-2011-0047
LOCATION: 1415 ALGUNO ROAD



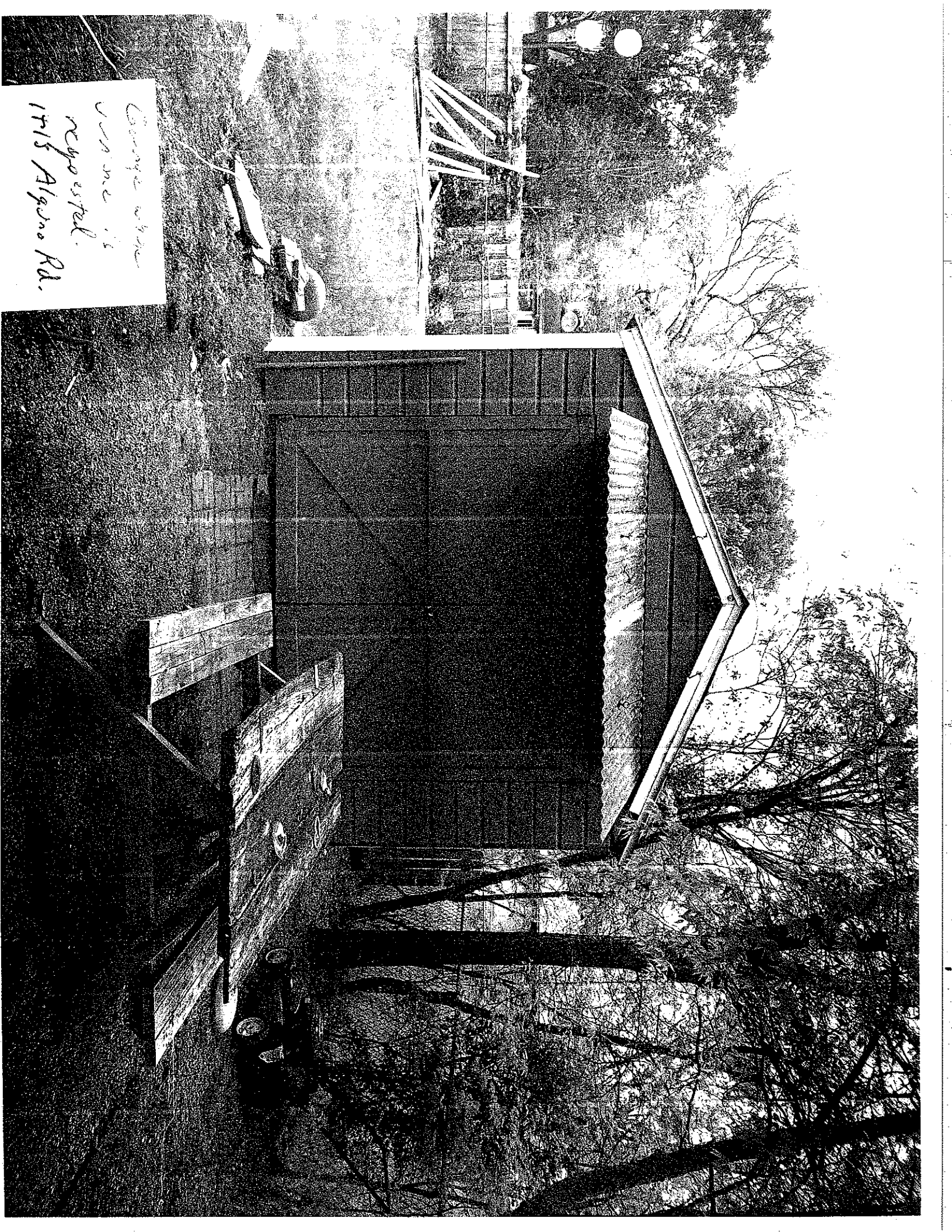
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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.

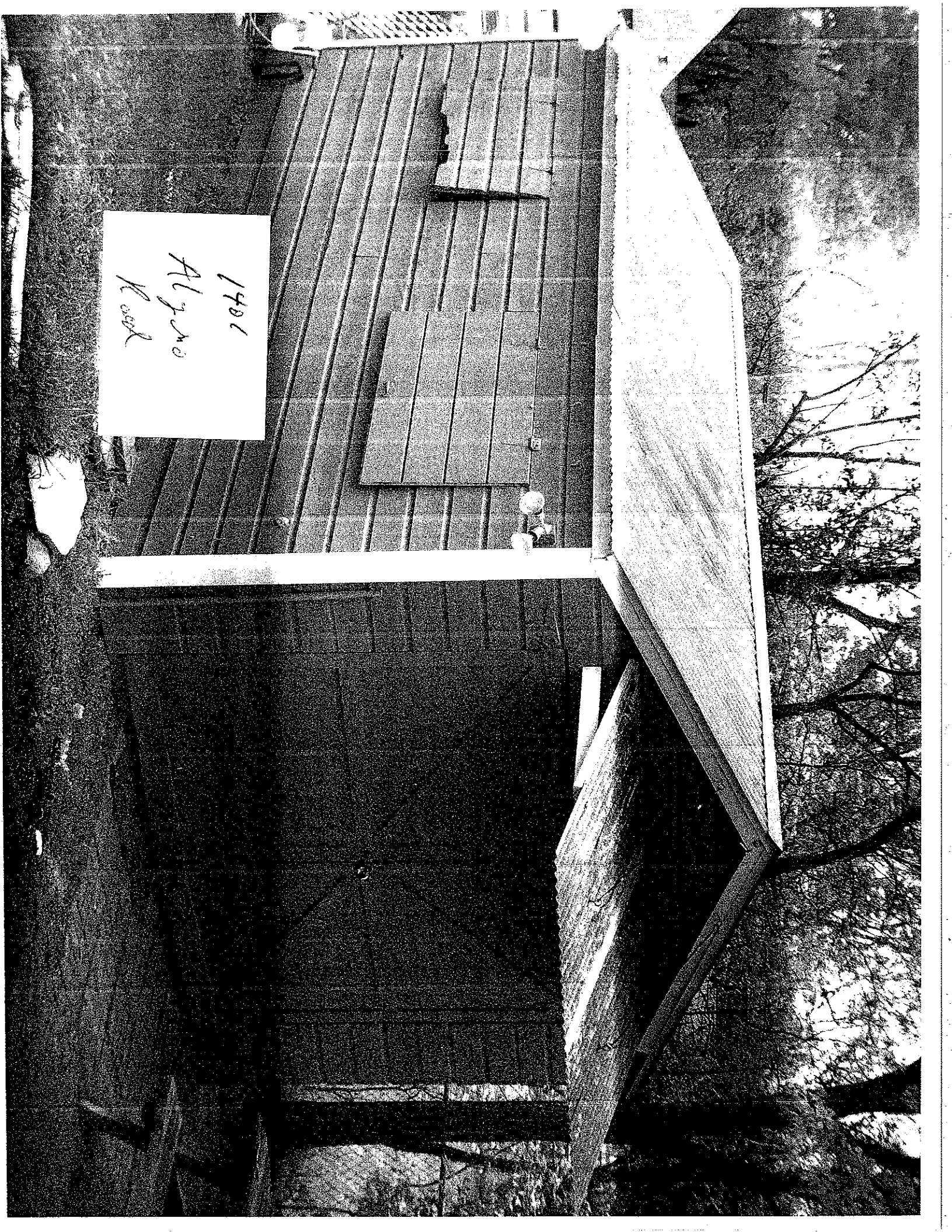
1402
Alyson
Reed

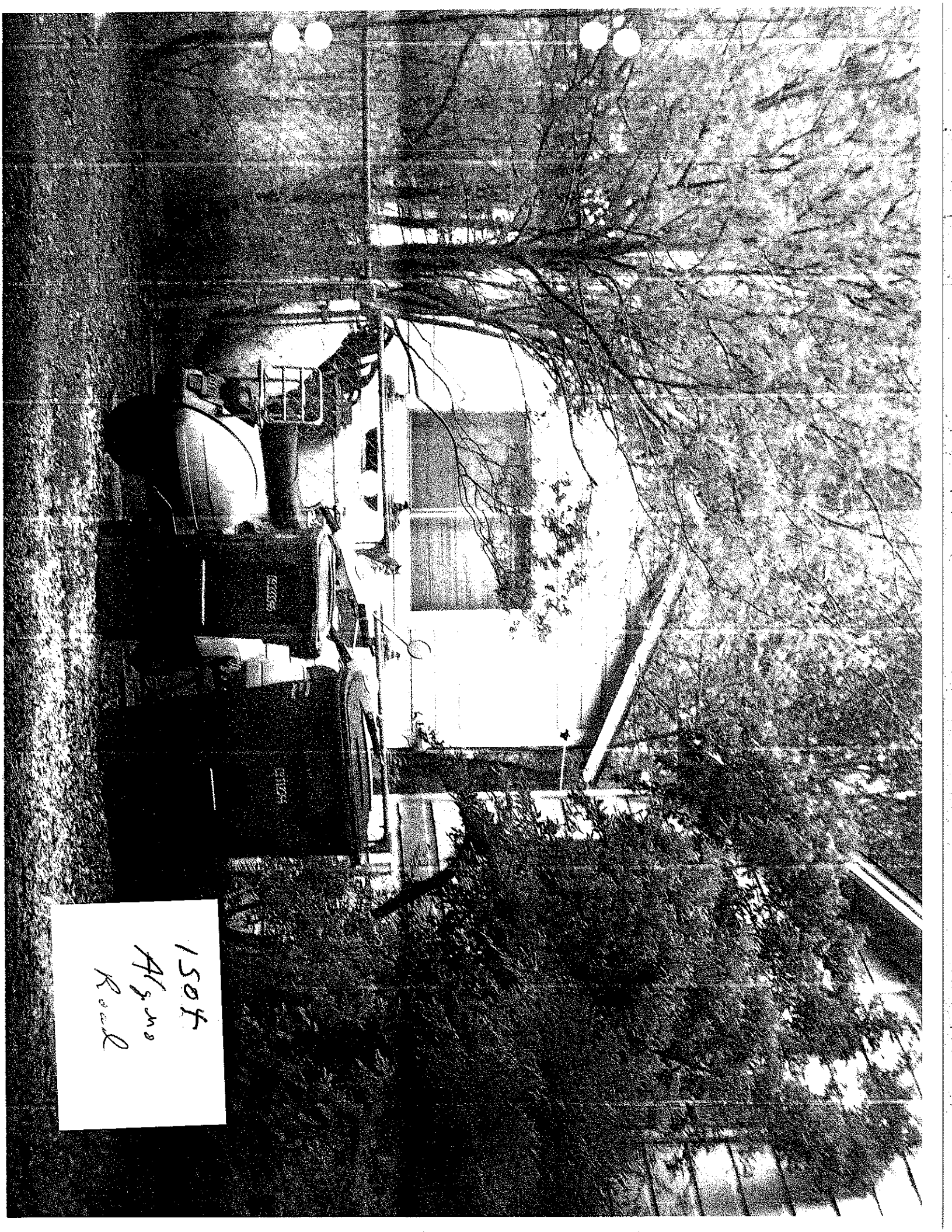


George and
I are in
reposed.
1715 Algon Rd.



1401
Algo
Kool

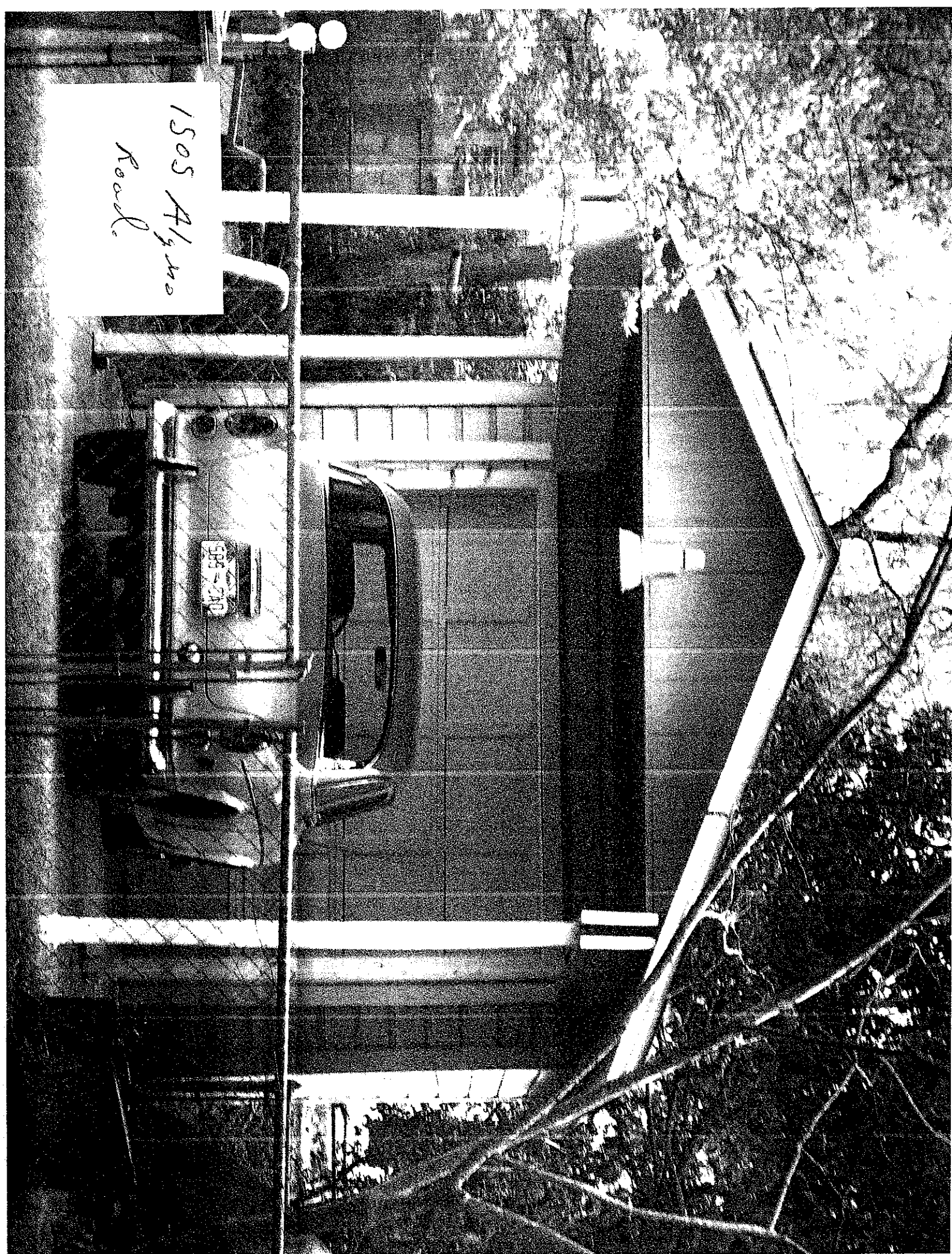




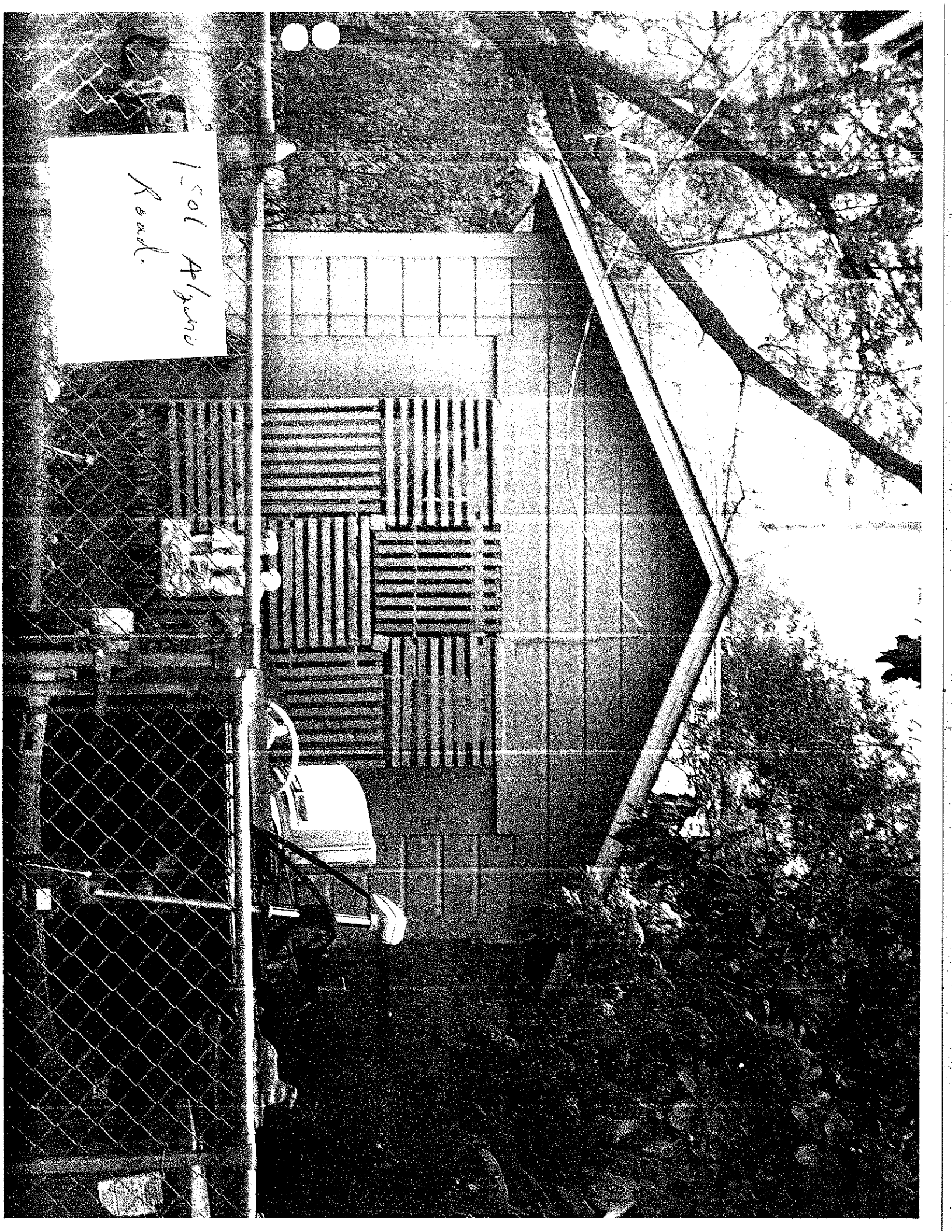
1504
Alamo
Road

1505 Alymo
Road.

BB-210



1501 Albany
Road.



20' 0 20'

LOT 27

LOT 26

(N 60°18'00" W 55.00')
N 60°30'02" W 55.12'

(5' P.U.E.)

WOOD SHED
ON GROUND

**LOT 8
BLOCK U**

LOT 7

BEARING BASIS
S 29°15'00" W 134.12' (134.00')

LOT 9

N 29°18'24" E 134.33'
(N 29°15'00" E 134.00')

WOOD DECK

ONE STORY
FRAME
RESIDENCE

CONCRETE
DRIVE

COVERED
AREA

COVERED
CONCRETE

CONCRETE
WALK

CONCRETE
WALK

CURB

S 60°16'40" E 54.99'
(S 61°18'00" E 55.00')

ALGUNO ROAD

(50' R.O.W.)

LEGEND

- 1/2" REBAR FOUND
- 1/2" CAPPED REBAR SET
- 1/2" IRON PIPE FOUND
- 600 MM. FOUND
- CAPPED REBAR FOUND
- 1" SET IN CONCRETE
- 1" FOUND IN CONCRETE
- SPRINKLE FOUND
- CHAIN LINK FENCE
- WOOD FENCE
- METAL FENCE
- BUILDING LINE
- P.U.E. PUBLIC UTILITY EASEMENT
- D.E. DRAINAGE EASEMENT
- P.R. PLAT
- C.M. CONTROL MONUMENT
- R.O.W. RIGHT OF WAY
- P.O.E. PLACE OF BEGINNING
- O.H. OVERHEAD ELECTRIC
- P.P. POWER POLE



TO THE LIENHOLDER AND / OR PRESENT OWNERS OF THE PREMISES SURVEYED

IMPORTANT NOTICE

This Survey was prepared without the benefit of a title commitment. There may be additional setback lines, easements and interests which are relevant to this property and unknown to DEWEY H. BURRIS AND ASSOCIATES.

STREET ADDRESS: **1415 ALGUNO ROAD**

CITY: **AUSTIN**

COUNTY: **TRAVIS**

STATE OF TEXAS

LOT: **8** BLOCK: **U** SUBDIVISION: **VOLET CROWN HEIGHTS, SECTION TWO RESUBDIVISION** VOL/CAB: **5** PG/SLD: **68** PLAT RECORDS:

REFERENCE NAME: **ROBERT S. WALKER**

R0104112_TA



B & G SURVEYING, INC.

DEWEY H. BURRIS & ASSOCIATES, INC.

Surveyed by: **Dewey H. Burris & Associates**

WWW.BANDGSURVEY.COM

1404 West North Loop Blvd. Austin, Texas 78756
Office 512*458-6969, Fax 512*458-9845

JOB #: **R0302412_TA**

DATE: **3/13/12**

SCALE: **1"= 20'**

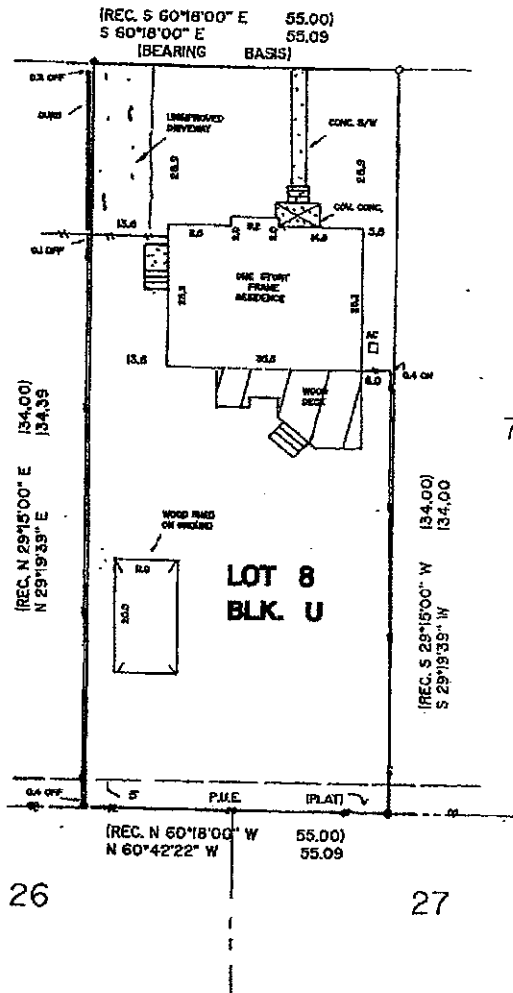
FIELD WORK BY	CHRIS	01/24/12
CALC'D BY	TONI	01/25/12
DRAFTED BY	JOSE	01/25/12
CHECKED BY	M.L.	01/25/12

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AND THAT NO LICENSE HAS BEEN GRANTED, EXPRESS OR IMPLIED TO COPY THE
SURVEY EXCEPT AS IS NECESSARY IN CONJUNCTION WITH THIS TRANSACTION ONLY.

[Signature]

[Signature]

ALGONO ROAD

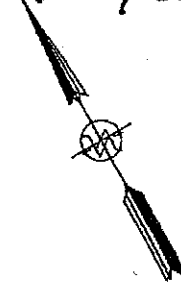


Kimberly Sparkman

LEGEND
● = 1/2" REBAR FOUND
○ = 1/2" REBAR SET
+ = WOOD FENCE

SUBJECT TO RESTRICTIONS IN
PLAT RECORDS
(V.687, P.291 V.684, P.608, V.1034, P.2018
(V.000, P.58) PLAT RECORDS

John S. Wier
10/27/2009.



LOT NO. <u>8</u>	BLOCK NO. <u>U</u>	SUBDIVISION <u>VIOLET CROWN HEIGHTS RESUBDIVISION</u>
SECTION <u>TWO</u>	PHASE <u>BOOK 102 LINE 5</u>	PAGE <u>68</u>
COUNTY <u>TRAVIS</u>	STATE OF TEXAS	STREET ADDRESS <u>1415 ALGONO ROAD</u>
CITY <u>AUSTIN TX</u>	REFERENCE NAME <u>KIMBERLY SPARKMAN</u>	

Dewey H. Burris & Associates
Land Surveying Services

1404 WEST NORTH LOOP BLVD. 15121 455-5365
AUSTIN TEXAS 78756 FAX (512) 455-9845



Subject property DOES NOT
lie within the 100 year flood prone area
and has a Zone X rating as
shown on the Flood Insurance Rate Maps
of FIRM Community No. 440624
Panel 080 E
dated 6/18/98
This certification is for insurance
purposes only and is not a guarantee
that this property will or will not flood.

[Signature]
TO THE LANDHOLDER AND/OR OWNERS OF THE PREMISES SURVEYED AND TO

DATE 8/20/01
TITLE CO. ALAMO
C.F. 04-7802050
J.O. 8-05-140-01
SCALE 1"=20'

ALAMO TITLE COMPANY / ALAMO TITLE INSURANCE OF TEXAS

I do hereby certify that this survey was this day made on the
ground of the property legally described hereon and that there
are no boundary line conflicts, encroachments overlapping of
improvements, or roads in place, except as shown hereon, and
certifies only to the legal description and easements shown on
the referenced title commitment.

	DATE	BY
FIELD WORK	8/20/01	J.S.
DRAFTING	8/20/01	WYLE
FINAL CHECK	8/20/01	M.H.
CORRECTIONS		
VP DATE		

TaxNetUSA: Travis County

Property ID Number: 231235 Ref ID2 Number: 02300502100000

Owner's Name **WALKER ROBERT S****Property Details**Mailing Address 1415 ALGONO RD
AUSTIN, TX 78757-3301

Location 1415 ALGONO RD 78757

Legal LOT 8 BLK U VIOLET CROWN HEIGHTS SEC 2
RESUB

Deed Date 10222009

Deed Volume

Deed Page

Exemptions HS

Freeze Exempt F

ARB Protest F

Agent Code 0

Land Acres 0.1744

Block U

Tract or Lot 8

Docket No. 2009177394TR

Abstract Code S14571

Neighborhood Code Y8004

Value Information**2011 Certified**

Land Value 135,000.00

Improvement Value 94,754.00

AG Value 0.00

AG Productivity Value 0.00

Timber Value 0.00

Timber Productivity Value 0.00

Assessed Value 229,754.00

10% Cap Value 0.00

Total Value 229,754.00

Data up to date as of 2012-02-01

Value By Jurisdiction

Entity Code	Entity Name	2010 Tax Rate	Assessed Value	Taxable Value	Market Value	Appraised Value
0A	TRAVIS CENTRAL APP DIST		229,754.00	229,754.00	229,754.00	229,754.00
01	AUSTIN ISD	1.242000	229,754.00	214,754.00	229,754.00	229,754.00
02	CITY OF AUSTIN	0.481100	229,754.00	229,754.00	229,754.00	229,754.00
03	TRAVIS COUNTY	0.485500	229,754.00	183,803.00	229,754.00	229,754.00
2J	TRAVIS COUNTY HEALTHCARE DISTRICT	0.078900	229,754.00	183,803.00	229,754.00	229,754.00
68	AUSTIN COMM COLL DIST	0.094800	229,754.00	224,754.00	229,754.00	229,754.00

Improvement Information**Improvement ID****State Category****Description**

191384

1 FAM DWELLING

Segment Information

Imp ID	Seg ID	Type Code	Description	Class	Effective Year Built	Area
191384	222693	1ST	1st Floor	WA4-	1950	893
191384	926597	011	PORCH OPEN 1ST F	*4-	1950	12
191384	926598	011	PORCH OPEN 1ST F	*4-	1950	21
191384	926599	031	GARAGE DET 1ST F	WA4-	1950	216
191384	926600	095	HVAC RESIDENTIAL	**	1950	893
191384	1846662	251	BATHROOM	**	1950	1
191384	2319631	512	DECK UNCOVERED	*4-	1950	257

Total Living Area 893

Land Information

Land ID	Type Code	SPTB Code	Homesite	Size-Acres	Front	Depth	Size-Sqft
228091	LAND	A1	T	0.174	0	0	7,595

Certified Value History

Year	Jur	Entity Name	Assessed Value	Taxable Value
		2010		
2010	0A	TRAVIS CENTRAL APP DIST	229,754.00	229,754.00
2010	01	AUSTIN ISD	229,754.00	214,754.00
2010	02	CITY OF AUSTIN	229,754.00	229,754.00
2010	03	TRAVIS COUNTY	229,754.00	183,803.00
2010	2J	TRAVIS CO HEALTHCARE DIST	229,754.00	183,803.00
2010	68	AUSTIN COMM COLL DIST	229,754.00	224,754.00
		2009		
2009	0A	TRAVIS CENTRAL APP DIST	226,370.00	226,370.00
2009	01	AUSTIN ISD	226,370.00	211,370.00
2009	02	CITY OF AUSTIN	226,370.00	226,370.00
2009	03	TRAVIS COUNTY	226,370.00	181,096.00
2009	2J	TRAVIS CO HEALTHCARE DIST	226,370.00	181,096.00
2009	68	AUSTIN COMM COLL DIST	226,370.00	221,370.00
		2008		
2008	0A	TRAVIS CENTRAL APP DIST	216,781.00	216,781.00
2008	01	AUSTIN ISD	216,781.00	201,781.00
2008	02	CITY OF AUSTIN	216,781.00	216,781.00
2008	03	TRAVIS COUNTY	216,781.00	173,425.00
2008	2J	TRAVIS CO HEALTHCARE DIST	216,781.00	173,425.00
2008	68	AUSTIN COMM COLL DIST	216,781.00	211,781.00
		2007		
2007	0A	TRAVIS CENTRAL APP DIST	206,045.00	206,045.00
2007	01	AUSTIN ISD	206,045.00	191,045.00
2007	02	CITY OF AUSTIN	206,045.00	206,045.00
2007	03	TRAVIS COUNTY	206,045.00	164,836.00
2007	2J	TRAVIS CO HEALTHCARE DIST	206,045.00	164,836.00
2007	68	AUSTIN COMM COLL DIST	206,045.00	201,045.00
		2006		
2006	0A	TRAVIS CENTRAL APP DIST	172,425.00	172,425.00
2006	01	AUSTIN ISD	172,425.00	157,425.00
2006	02	CITY OF AUSTIN	172,425.00	172,425.00
2006	03	TRAVIS COUNTY	172,425.00	137,940.00
2006	2J	TRAVIS CO HEALTHCARE DIST	172,425.00	137,940.00
2006	68	AUSTIN COMM COLL DIST	172,425.00	167,425.00
		2005		
2005	0A	TRAVIS CENTRAL APP DIST	156,750.00	156,750.00
2005	01	AUSTIN ISD	156,750.00	141,750.00
2005	02	CITY OF AUSTIN	156,750.00	156,750.00
2005	03	TRAVIS COUNTY	156,750.00	125,400.00

2005	2J	TRAVIS CO HEALTHCARE DIST	156,750.00	125,400.00
2005	68	AUSTIN COMM COLL DIST	156,750.00	151,750.00
		2004		
2004	0A	TRAVIS CENTRAL APP DIST	156,750.00	156,750.00
2004	01	AUSTIN ISD	156,750.00	141,750.00
2004	02	CITY OF AUSTIN	156,750.00	156,750.00
2004	03	TRAVIS COUNTY	156,750.00	125,400.00
2004	2J	TRAVIS CO HOSPITAL DIST	156,750.00	125,400.00
2004	68	AUSTIN COMM COLL DIST	156,750.00	151,750.00
		2003		
2003	0A		146,091.00	146,091.00
2003	01		146,091.00	131,091.00
2003	02		146,091.00	146,091.00
2003	03		146,091.00	116,873.00
2003	68		146,091.00	141,091.00
		2002		
2002	0A		148,993.00	148,993.00
2002	01		148,993.00	133,993.00
2002	02		148,993.00	148,993.00
2002	03		148,993.00	119,194.00
2002	68		148,993.00	143,993.00
		2001		
2001	0A		125,278.00	85,375.00
2001	01		125,278.00	70,375.00
2001	02		125,278.00	85,375.00
2001	03		125,278.00	68,300.00
2001	68		125,278.00	80,375.00
		2000		
2000	01		111,055.00	62,614.00
2000	02		111,055.00	77,614.00
2000	03		111,055.00	62,091.00
2000	68		111,055.00	72,614.00