

CASE #
ROW #

C15-2012-0067

10768081

TP-011306-07-15

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: 1105 Norwalk Lane, Austin, TX 78703

LEGAL DESCRIPTION: Subdivision -- Marlton Place Section 2

Lot(s) 68 Block 1100 Outlot Division

I, Gary Robinson on behalf of Home as Art, Inc. as contractor and authorized agent for owners, Bill and Laurie Worsham affirm that on April 16th, 2012, hereby apply for a hearing before the Board of Adjustment for consideration to:

(check appropriate items below)

 ERECT ATTACH X COMPLETE REMODEL MAINTAIN

An attached carport providing a front setback of 19.0 ft.

NOTE: A variance for an attached carport providing a front setback of 19.8 ft. was already granted. (See Case # C15-2010-0099, ROW # 10477694, TP - 0113060715)

in a SF-3 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:

Covered parking is a reasonable use of the property. The proposed configuration represents the minimum feasible encroachment in terms of both distance and area to achieve covered parking for two vehicles. A covered porch would be allowed to encroach the same distance and area as the proposed carport without a variance.

HARDSHIP:

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

The 4 metal posts for the carport were integrated into the concrete driveway as per the approved variance. Inadvertently the placement of the 2 front posts were installed into the front setback by 0.8' more than approved. On looking back this probably occurred due to the need to clear the 9" of overhang from the roof. Aside from the high cost associated with literally moving these 2 posts back 0.8', the fact that reducing the clearance between front and back posts will make opening of the back doors in a vehicle more difficult as the clearance now stands at the minimum distance of 17'.

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

The vast majority of properties in the area have garages and/or covered parking. The additional 0.8' requested to keep the posts where they currently stand will make no visual difference and will have no negative impact on the property and/or neighbors.

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 adjacent property owners support this variance request. The large oak tree near the property line adjacent to the proposed carport is located a similar distance from the street such that the carport will not extend noticeably forward. Across the street is the O.Henry Middle School tennis courts - no other neighbors have a direct view of the carport. The street view of the subject property remains orderly and in character with the neighborhood.

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:

N/A

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:

N/A

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

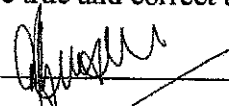
N/A

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

N/A

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 5101 Quail Run

City, State & Zip Austin, Texas 78746

Printed Gary Robinson Phone 512.636.0726 Date 4.16.2012

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 W. L. Worsham, P.E. Mail Address 1105 Norwalk Lane

City, State & Zip Austin, Texas 78703

Printed Bill or Laurie Worsham Phone 512.422.0998 Date 4.16.2012



SUBJECT TRACT



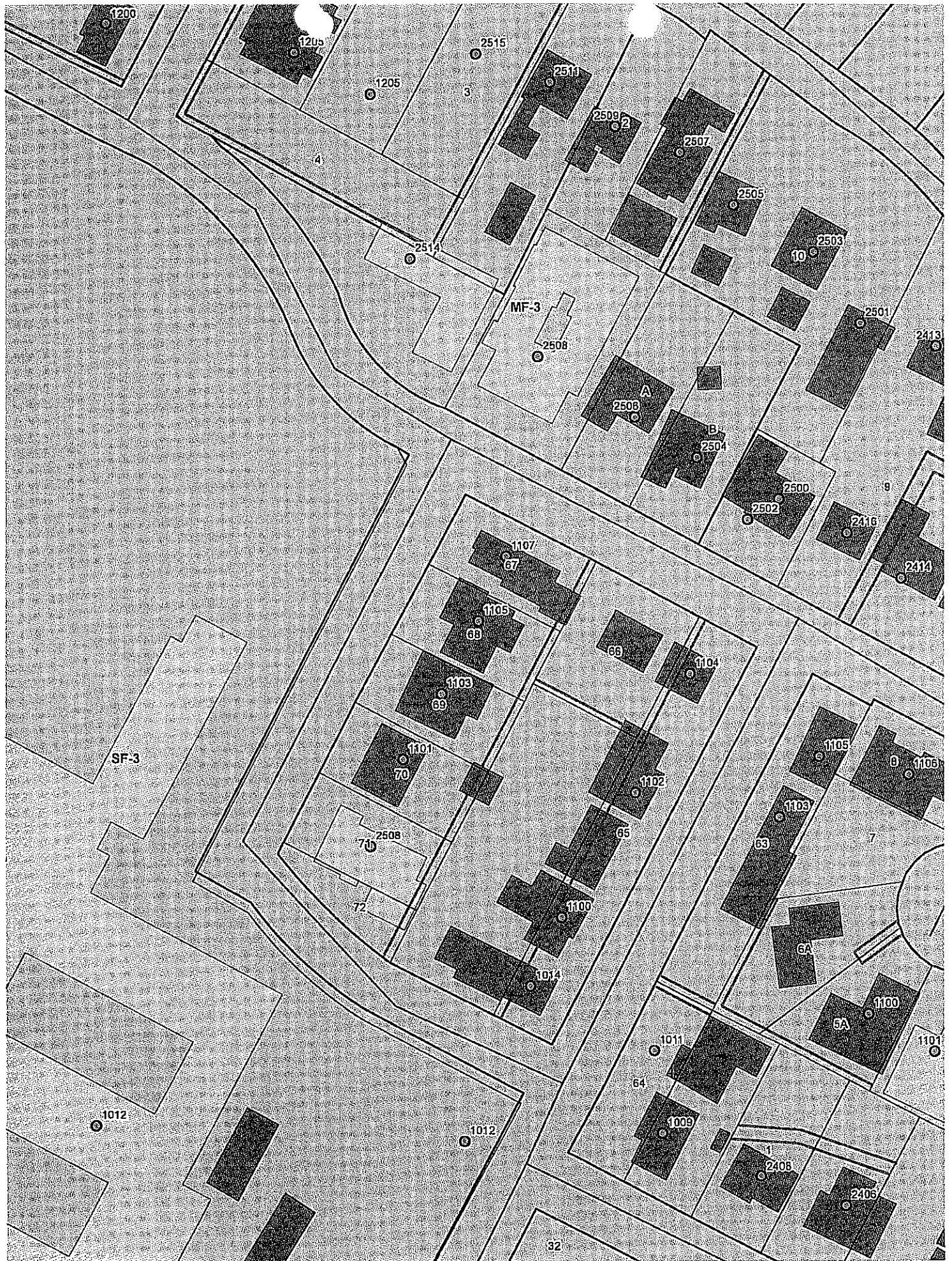
ZONING BOUNDARY

CASE#: C15-2012-0067
LOCATION: 1105 NORWALK LANE



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.



ONE STOP SHOP
505 Barton Springs
Austin, Texas 78701
(512) 974-2632 phone
(512) 974-9112 phone
(512) 974-9779 fax
(512) 974-9109 fax



Austin Energy
Electric Service Planning Application (ESPA)
For Residential and Commercial "SERVICE ONLY"
Under 350 amps 1 ϕ or 225 amps 3 ϕ

☐ Check this box if
this is for a
building permit
only.

(Please print or type. Fields left blank will be considered Not Applicable.)

Responsible Person for Service Request Laurie Worsham Phone 633-6149

Email laurieworsham@yahoo.com Fax _____

Project Name _____ ☐ New Construction ☒ Remodeling

Project Address 1105 Norwalk Lane OR

Legal Description Lot 68, Marlton Place Section 2 Lot _____ Block _____

Requested Service Duration: ☐ Permanent Service ☐ Construction Power/Temp Service
(Usually less than 24 months)

Who is your electrical service provider? ☒ AE ☐ Other _____

☐ Overhead or ☐ Underground Voltage _____ ☐ Single-phase (1 ϕ) or ☐ Three-phase (3 ϕ)

Service Main Size(s) _____ (amps) Number of Meters? _____

AE Service Length _____ (ft.) Conductor _____ (type & size)

SqFt Per Unit _____ #Units _____ ☐ All Electric ☐ Gas & Electric ☐ Other _____

Total AC Load _____ (Tons) Largest AC unit _____ (Tons)

LRA (Locked Rotor Amps) of Largest AC Unit _____ (Amps)

Electric Heating _____ (kW) Other _____ (kW)

Comments: Carport - Front

ESPA Completed by (Signature & Print name) _____

Date _____

Phone _____

AE Representative _____

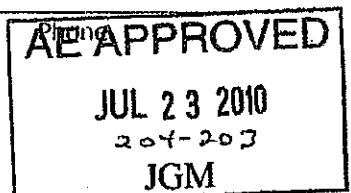
Approved: ☐ Yes ☐ No (Remarks on back) _____

Date _____

Application expires 180 days after date of Approval
(Any change to the above information requires a new ESPA)

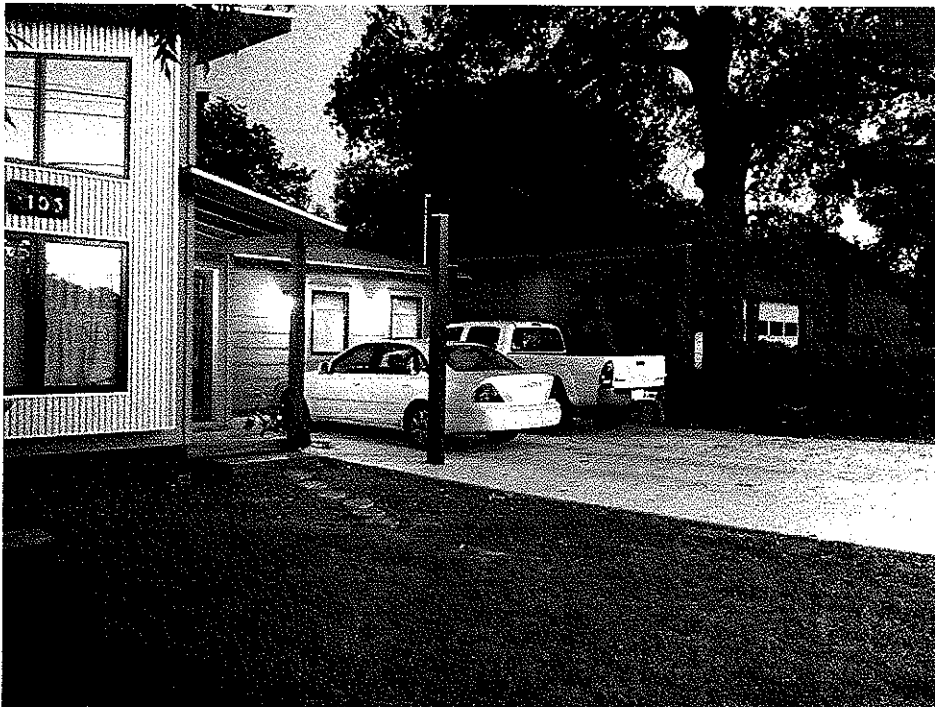
Version 1.1.0.0

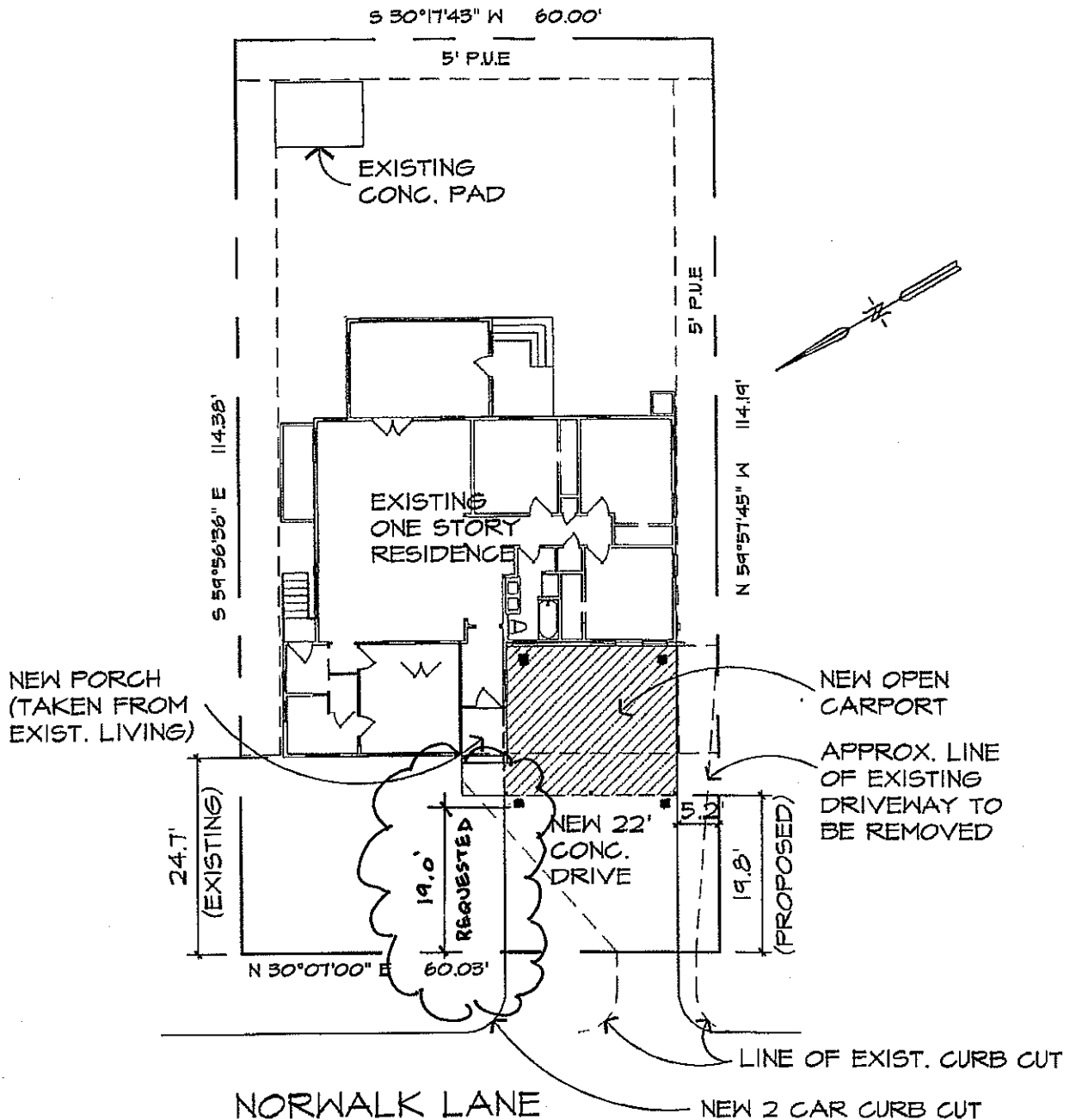
All structures etc. must maintain 7'5"
clearance from AE energized power
lines. Enforced by AE & NESC codes.



1105 Norwalk Lane Carport

Metal posts set in concrete driveway. April, 2012.





SITE PLAN

SCALE: 1" = 20.00'

LOT 68, MARLTON PLACE

SECTION 2

CITY OF AUSTIN, TRAVIS CO. TX.

All structures etc. must maintain 7'5" clearance from AE energized power lines. Enforced by AE & NESC codes.

AE APPROVED

JUL 23 2010

204-203
JGM



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I N K
CUSTOM HOME DESIGN
512 - 261 - 6226

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CITY OF AUSTIN
Board of Adjustment/Sign Review Board
Decision Sheet

DATE: Monday, September 13, 2010

CASE NUMBER: C15-2010-0099

☒ Y Jeff Jack
☒ Y Michael Von Ohlen
☒ Y Melissa Hawathorne
☒ Y Bryan King **Motion to GRANT**
☒ Y Leane Heldenfels, Chairman
☒ Y Clarke Hammond, Vice Chairman **2nd the Motion**
☒ Y Heidi Goebel

APPLICANT: Laurie H, Worsham

ADDRESS: 1105 NORWALK LN

VARIANCE REQUESTED: The applicant has requested a variance to decrease the minimum front street setback requirement of Section 25-2-492 (D) from 25 feet to 19.8 feet in order to erect an attached carport to an existing single-family residence in an "SF-3", Family Residence zoning district.

BOARD'S DECISION: The public hearing was closed on Board Member Bryan King motion to GRANT with conditions that carport remains open 3 sides, nothing built on top of encroaching area, Board Member Clarke Hammond second on a 7-0 vote; GRANTED.

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: proposed configuration represents the minimum feasible encroachment in terms of both distance and area to achieve covered parking for two vehicles, covered porch would be allowed to encroach the same distance and area as the proposed carport without a variance
2. (a) The hardship for which the variance is requested is unique to the property in that: there is no vehicular access to the rear of the property because the existing structure extends to within approximately 5ft from each side property line

(b) The hardship is not general to the area in which the property is located because: the vast majority of properties in the area have garages and/or covered parking, the mature oak trees and front to rear slope of the subject lot is not conducive to rear parking
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 adjacent property owners support this variance request. Across the street is the O Henry Middle School tennis court, no other neighbors will have a direct view of the carport


Susan Walker
Executive Secretary


Leane Heldenfels
Chairman

Previously granted
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 # C15-2010-0099
ROW # 10477694

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

TP-0113060715

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

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

STREET ADDRESS: 1105 Norwalk Lane, Austin, TX 78703

LEGAL DESCRIPTION: Subdivision – Marlton Place Section 2

Lot(s) 68 Block 1100 Outlot _____ Division _____

I/We William and Laurie Worsham on behalf of myself/ourselves as authorized agent for

affirm that on July 26, 2010, hereby apply for a hearing before the Board of Adjustment for consideration to:

(check appropriate items below)

X ERECT ___ ATTACH ___ COMPLETE ___ REMODEL ___ MAINTAIN

An attached carport providing a front setback of 19.8 ft.

in a SF-3 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:
Covered parking is a reasonable use of the property. The proposed configuration represents the minimum feasible encroachment in terms of both distance and area to achieve covered parking for two vehicles. A covered porch would be allowed to encroach the same distance and area as the proposed carport without a variance.

HARDSHIP:

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

There is no vehicular access to the rear of the property because the existing structure extends to within approximately 5 ft from each side property line. This was a reasonable design approach given the downward slope of the lot from front to rear and the existence of very mature oak trees near each side property line. The open space (schoolyard) across the street results in unobstructed evening sun and severe weather impacting the property. Non-resident users of school grounds (tennis courts and organized non-school events on the track/football field) create noise and privacy concerns. The proposed carport will be placed above the existing driveway/parking location.

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

The vast majority of properties in the area have garages and/or covered parking. The mature oak trees and front to rear slope of the subject lot is not conducive to rear parking such that the original structure was reasonably built to both side property setback lines. The property faces the open schoolyard of O. Henry Middle School such that there is no relief from evening sun or weather events (such as the hail storms of the past two years). The existing parking is located adjacent to a very large oak tree from which sap, bird droppings, etc. are a constant nuisance.

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 adjacent property owners support this variance request (see petition signatures). The large oak tree near the property line adjacent to the proposed carport is located a similar distance from the street such that the proposed carport will not extend noticeably forward. A covered porch of similar setback distance and area is allowable without variance. Across the street is the O. Henry Middle School tennis court—no other neighbors will have a direct view of the carport. The street view of the subject property will be more orderly and in character with the neighborhood.

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:

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

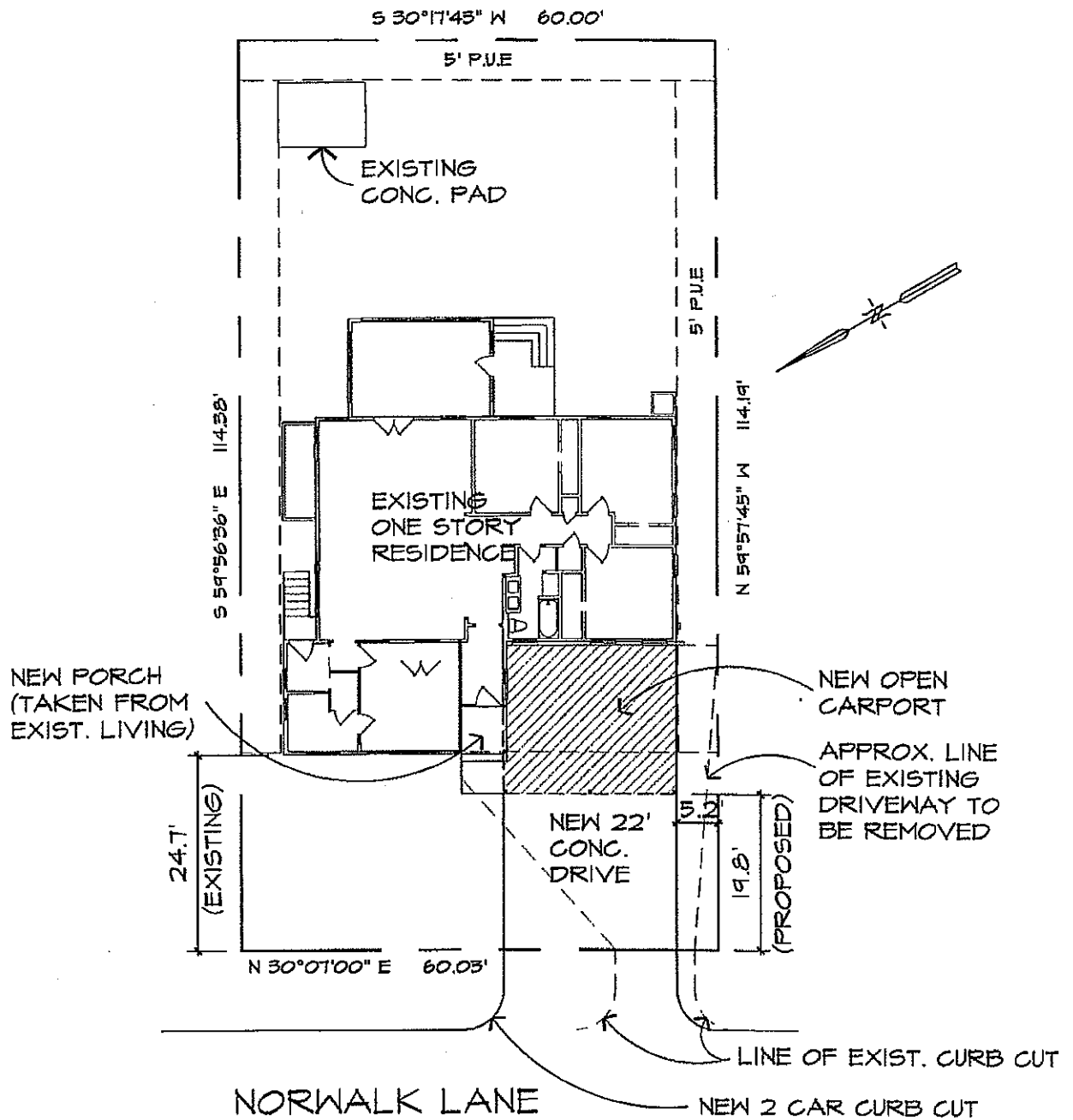
APPLICANT CERTIFICATE - I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Printed _____ Phone _____ Date _____

4

Signed Laurie Worsham Mail Address 1105 Norwalk Ln.
City, State & Zip Austin TX 78703
Printed Laurie Worsham Phone 512 633-6149 Date 8/2/10

[illegible]



SITE PLAN

SCALE: 1" = 20.00'

LOT 68, MARLTON PLACE

SECTION 2

CITY OF AUSTIN, TRAVIS CO. TX.

All structures etc. must maintain 7'5" clearance from AE energized power lines. Enforced by AE & NESC codes.

AE APPROVED

JUL 23 2010

204-203

JGM

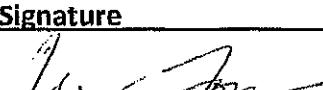
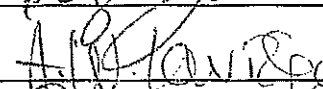
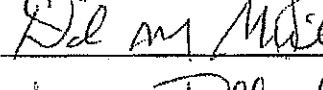
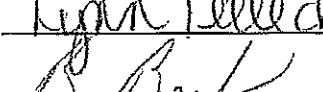
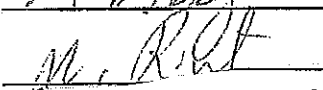
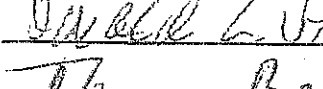
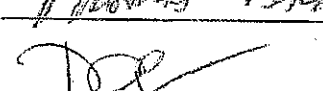

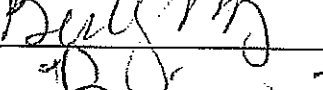
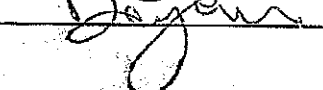




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"I own and/or reside at the property address indicated beside my signature. While reserving all of my rights relating to this issue, at this time I have no objection to the improvement described above."

Signature	Printed Name	Street Address
	Terry Lyons	1100 Heritage Way, 78703
	A.W. LAVIDGE	1101 Heritage Way "
	David Mielke	2414 W 12th, 78703
	Lynn Tellechea	903 Wayside Dr. 78703
	RANDALL BEATTY	2411 MARLTON
	GREGORY MAX RIET	1107 Norwalk 78705
	DONALD L. STONE	2504 W. 12TH 78703
	THOMAS A. BRASSARD	101 Norwalk LN.
	Paige Gandy	1103 Norwalk
	Andrew Breger	2408 W. 8th St.
	Becky Day	1012 Wayside PRB 78703 78703
	Benjamin H. HISON	1012A Wayside Dr

May 22, 2010

To: Marlton Place neighbors
From: Laurie & Bill Worsham, 1105 Norwalk Ln

Re: Carport variance request to City of Austin

The City of Austin has informed us that the addition of a carport above part of the existing driveway to our home will require a variance from the Board of Adjustments because its footprint will extend roughly 5 feet forward of the front setback limit as shown on the attached rendering. They recommend obtaining signatures from neighbors in support of the variance request. We appreciate your consideration of the following and hope that you will support our efforts to improve our home. Please do not hesitate to call us at 512.422.0998 (Bill) or 512.633.6149 (Laurie) with any questions or comments.

"I own and/or reside at the property address indicated beside my signature. While reserving all of my rights relating to this issue, at this time I have no objection to the improvement described above."

SignaturePrinted NameStreet Address

<u>Elaine Mitchell</u>	<u>ELAINE MITCHELL</u>	<u>2506 W 12th St.</u>
<u>William G Reid</u>	<u>William G Reid</u>	<u>1104 Weysside Dr.</u>
		<u>Austin TX 78703</u>
<u>Dianna Sanford</u>	<u>Dianna Sanford</u>	<u>1105-B Weysside Dr.</u>

Walker, Susan

From: August W. Harris III [harris@cfs-texas.com]
Sent: Wednesday, September 01, 2010 10:23 AM
To: Walker, Susan
Cc: 'Blake Tollett'
Subject: Case Number: C15-2010-0099

Dear Susan:

At last night's scheduled meeting of the West Austin Neighborhood Group Board, we reviewed Case Number: C15-2010-0099 wherein the applicant has requested a variance to decrease the minimum front street setback requirement of Section 25-2-492 (D) from 25 feet to 19.8 feet in order to erect an attached carport to an existing single-family residence in an "SF-3", Family Residence zoning district.

The Board has voted not to oppose the variance request on the condition that the portion of the carport for which the variance is being requested never be enclosed nor that any structure be built above that portion of the carport. The applicant was supportive of this restriction.

Mr. Tollett should be back in advance of the hearing and can answer any further questions.

Thank you.

August W. Harris III
President
West Austin Neighborhood Group
Phone 512.320.8808
Fax 512.320.8684

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9/1/2010

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