

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 # C15-2014-0035  
ROW # 11087900  
TAX ROLL # 0202110824

**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: 403 San Saba St

LEGAL DESCRIPTION: N 77' of Subdivision - Chernosky

Lot(s) 1 Block 4 Outlot 11 Division O

I, Cayce Weems, affirm that on February 5, 2014, hereby apply for a hearing before the Board of Adjustment for consideration to:

(check appropriate items below)

☒ MOVE ☐ ATTACH ☐ COMPLETE ☐ REMODEL ☐ MAINTAIN

My 816 sqft house onto this empty lot. The variance requested is 13 feet, instead of 15 feet for the corner lot street side setback. Thank you.

in a SF-3-NP (Holly) 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 relatively new 15-foot corner side setback requirements do not work well for substandard lot sizes. The median corner lot size on San Saba is 6972 sqft (25 data points). My lot is less than half that size (3307 sqft).

**HARDSHIP:**

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

Unlike new construction where dimensions are changeable, my house is already built. In order for the driveway and house to fit on this narrow lot and to still stay away from the critical root zones of two protected trees, a variance is needed on the side setback.

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

This legal lot is much smaller than normal. Protected tree locations are unique for each property. Not having the flexibility to change the dimensions of my existing house is also unique for this particular project.

**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:

For many years, the corner lot side setback was 10 feet. The Holly neighborhood is so historic that many houses in the neighborhood have side setbacks even less than 10 feet. The property directly to the south of 403 San Saba, for example, has a house with a 6-foot setback. The property directly to the north of 403 San Saba is commercial, with a zero foot setback.

**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 1518 Barton Springs Rd, #6

City, State & Zip Austin, TX 78704

Printed Cayce Weems Phone 512-961-6618 Date February 5, 2014

**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 1518 Barton Springs Rd, #6

City, State & Zip Austin, TX 78704

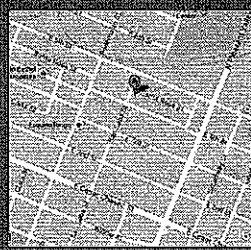
Printed Cayce Weems Phone 512-961-6618 Date July 25, 2013

PREPARED BY:

# EXACTA

TEXAS SURVEYORS, INC.

www.exacta365.com  
P (281) 763-7766 - F (281) 763-7767  
7416 Canal Drive, Lake Worth, FL 33467



PROPERTY ADDRESS: 403 SAN SABA STREET AUSTIN, TEXAS 78702

SURVEY NUMBER: 1401.2493

FIELD WORK DATE: 2/6/2014

REVISION DATE(S): (REV.3 2/6/2014) (REV.2 2/6/2014) (REV.1 2/6/2014)

1401.2493

BOUNDARY SURVEY  
TRAVIS COUNTY

**NOTES:**

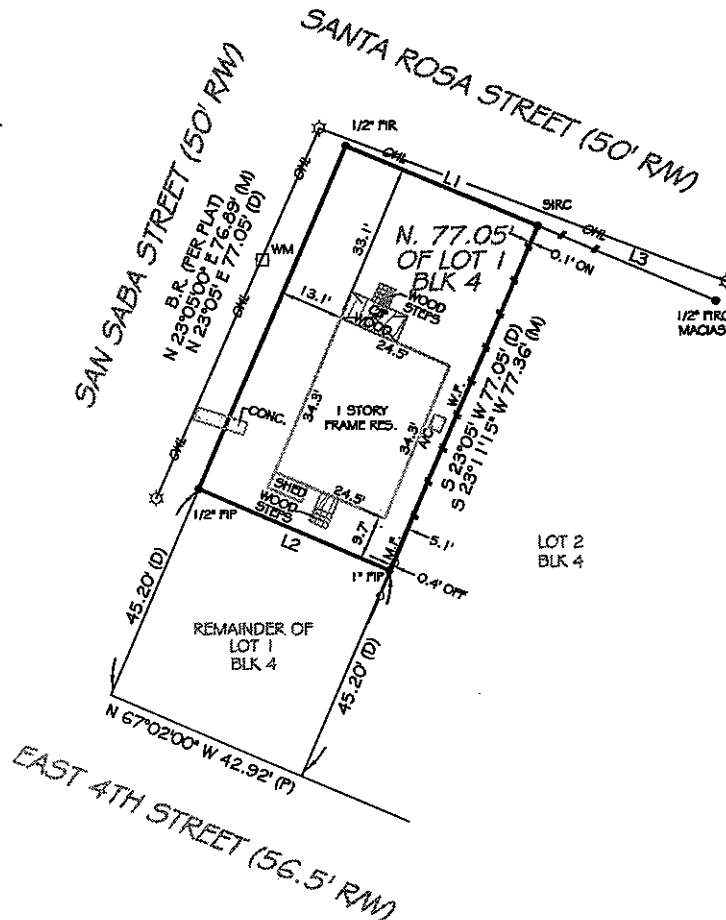
1.) THE SURVEY WAS MADE WITHOUT THE BENEFIT  
OF A TITLE COMMITMENT.

**NOTES:**

FENCE OWNERSHIP NOT DETERMINED

**TABLE:**

L1 S 67°02' E 42.92' (P)  
S 67°31'37" E 42.95' (M)  
L2 N 67°02' W 42.92' (P)  
N 66°53'43" W 42.80' (M)  
L3 S 67°02' E 40' (P)  
S 67°31'37" E 40.02' (M)



*Paul M. Valentine*

I HEREBY CERTIFY THAT: THIS PLAT REPRESENTS THE  
RESULTS OF A SURVEY MADE ON THE GROUND ON THE  
4TH DAY OF FEBRUARY, 2014; ALL EASEMENTS AND  
RIGHTS-OF-WAY SHOWN ON THE PLAT ARE SHOWN OR  
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GRAPHIC SCALE (In Feet)  
1 inch = 30' ft.



Use of This Survey for Purposes other than Intended, Without Written Verification, will be at the User's Sole Risk and Without Liability to the Surveyor.  
Nothing herein shall be Construed to Give ANY Rights or Benefits to Anyone Other than those Certified.

**FLOOD INFORMATION:**

BY PERFORMING A SEARCH WITH THE LOCAL GOVERNING  
MUNICIPALITY OR WWW.FEMA.GOV, THE PROPERTY APPEARS TO BE  
LOCATED IN ZONE X. THIS PROPERTY WAS FOUND IN THE CITY OF  
AUSTIN, COMMUNITY NUMBER 480624, DATED 09/26/08.

CLIENT NUMBER:

DATE: 2/6/2014

BUYER:

SELLER:

CERTIFIED TO:

**POINTS OF INTEREST**

NONE VISIBLE



Your Exacta Contact

Laura Paredes Caffey Director of Sales  
Laura@Exacta365.com www.exacta365.com

EXACTA  
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LB# 10193731

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This is page 1 of 2 and is not valid without all pages.

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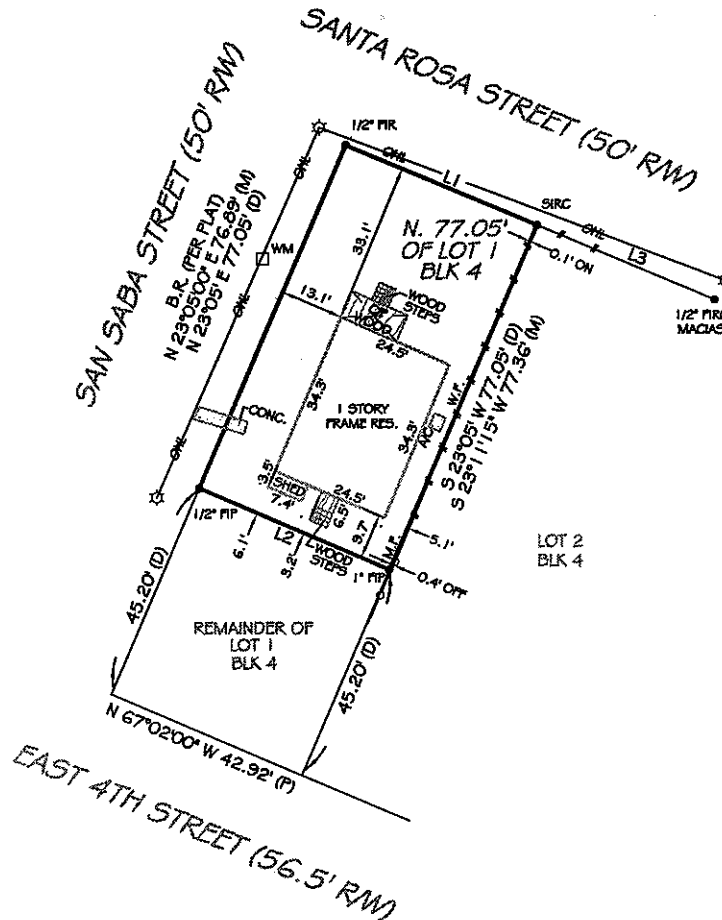
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THE NORTH 77.05 FEET OF LOT ONE (1), BLOCK 4, CHERNOSKY SUBDIVISION, OUT OF OUT LOT 11, DIVISION O, AN ADDITION IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN BOOK 4, PAGE 5, PLAT RECORDS OF TRAVIS COUNTY, TEXAS.

THE BEARING REFERENCE OF NORTH 23 DEGREES 05 MINUTES 00 SECONDS WEST IS BASED ON THE WESTERLY LINE OF THE NORTH 77.05 FEET OF LOT 1, BLOCK 4, CHERNOSKY SUBDIVISION, OUT OF OUT LOT 11, DIVISION 0, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN VOL. 4, PAGE 5 OF THE MAP RECORDS OF TRAVIS COUNTY, TEXAS.

1. The Legal description used to perform this survey was supplied by others. This survey does not determine or imply ownership.
2. Due to varying construction standards, house dimensions are approximate.
3. This survey is exclusively for the use of the parties to whom it is certified. It is not transferable to additional institutions or subsequent owners.
4. This property subject to any and all recorded and unrecorded easements. Surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants or ownership title evidence.
5. Surveying services performed by the Austin branch of Exacta Texas Surveyors, Inc., 7416 Canal Drive, Lake Worth, FL 33467.
6. If there is a septic tank, well or drain field on this survey, the location of such items was showed to us by others and are not verified.
7. Any additions or deletions of this 2 page survey document are strictly prohibited. Use of this survey beyond the purpose of the transfer of title without written authorization of the signing surveyor is prohibited.
8. Any FEMA flood zone data contained on this survey if for informational purposes only. Research to obtain such data was performed at [www.fema.gov](http://www.fema.gov)
9. Dimensions are in feet and decimals thereof.
10. All pins marked as set are 5/8" diameter, 18" iron rebar.
11. This survey only shows improvements found above ground. Underground footings, utilities and encroachments are not located on this survey map.
12. The information contained on this survey has been performed exclusively, and is the sole responsibility, of Exacta Surveyors. Additional logos or references to third party firms are for informational purposes only.
13. Points of Interest (POI's) are selected above- ground Improvements which may be in conflict with boundary, building setbacks or easement lines, as defined by the parameters of this survey. There may be additional POI's which are not shown, not called-out as POI's, or which are otherwise unknown to the surveyor. These POI's may not represent all items of interest to the viewer.
14. The information contained on this survey has been performed exclusively, and is the sole responsibility, of Exacta Surveyors. Additional logo or references to third party firms are for informational purposes only.
15. House measurements should not be used for new construction or planning. Measurements should be verified prior to such activity.

[illegible]

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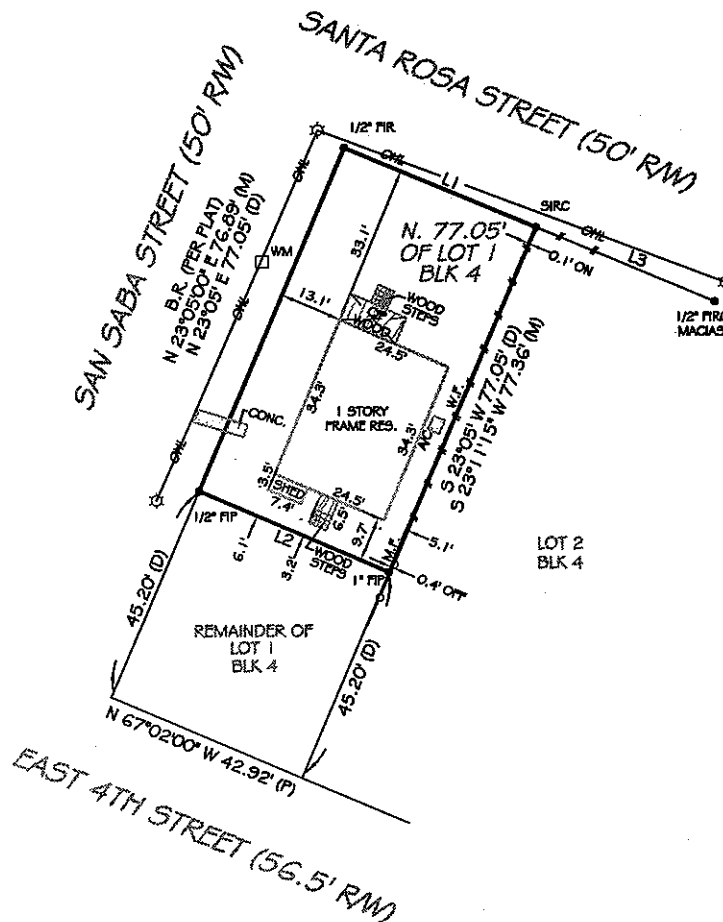
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