



SUBJECT TRACT

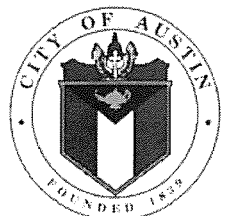


PENDING CASE



ZONING BOUNDARY

CASE#: C15-2015-0088
Address: 4705 & 4707 ROSEDALE AVE



1" = 200'

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 CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

CASE# C 15-2015-0088
ROW# 11367449
TAX# 022503106
3015
TCADV

**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: 4705 & 4707 Rosedale Ave.

LEGAL DESCRIPTION: Subdivision – Rosedale-H

Lot(s) 22 & 23 Block 34 Outlot _____ Division _____

I/We Mark Vornberg, Dick Clark + Associates on behalf of myself/ourselves as
authorized agent for Diane Howard affirm that on April 29th, 2015, hereby apply for a
hearing before the Board of Adjustment for consideration to:

**(check appropriate items below and state what portion of the Land Development
Code you are seeking a variance from)**

 ERECT ATTACH COMPLETE X REMODEL MAINTAIN

LDC 25-2-773 DUPLEX RESIDENTIAL USE

- A.) 25-2-773 (B) (1) MINIMUM LOT AREA OF 7000 SQ FT
B.) 25-2-773 (B) (4) MAXIMUM IMPERVIOUS COVER IS 45%
C.) 25-2-773 (D) TWO UNITS SEPARATED BY CARPORT / MUST HAVE COMMON FLOOR OR WALL

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:

Improvements cannot be made to the existing dilapidated and failing structures on these lots without losing the current duplex use – the original intent of the neighborhood was to use these lots as a buffer between the Burnet Road retail and the single-family neighborhood.

HARDSHIP:

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

The existing duplexes, built in 1954, before current duplex restrictions were in place, cannot be improved without forcing the teardown and conversion to single-family use.

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

The existing duplexes, built in 1954, have acted for 60 years as the buffer between residential and commercial with the rest of neighborhood being single-family residences.

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 duplexes have existed on these sites for 60 years and this variance is needed in order to maintain the current character of the neighborhood. The neighboring properties are owned by the same owner and are also existing duplexes; the closest of which was rebuilt as a duplex as recent as 1984.

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:

The property maintains the existing parking configuration and complies with current parking requirements.

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:

The property maintains the existing parking configuration and complies with current parking requirements.

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

The property maintains the existing parking configuration and complies with current parking requirements.

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

The property maintains the existing parking configuration and complies with current parking requirements.

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 207 West 4th Street

City, State & Zip Austin, Texas 78701

Printed Mark Vornberg Phone 512.472.4980 Date 04.30.15

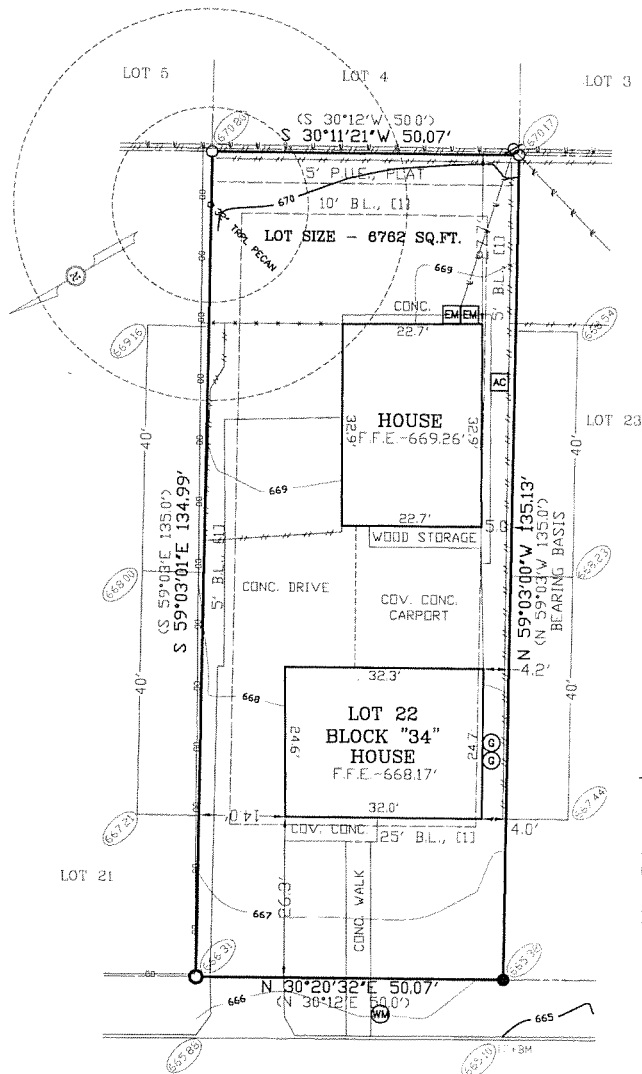
OWNERS CERTIFICATE - I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed  Mail Address 3704 Meadowbank Drive

City, State & Zip Austin, Texas 78703

Printed Diane Howard Phone 512.699.7201 Date 04.30.15

SCALE: 1"=20'



LEGEND	
---	WOOD FENCE
---	CHAIN LINK FENCE
---	WIRE FENCE
---	UTILITY LINE
AC	A/C UNIT
EM	ELEC. METER
G	GAS METER
WM	WATER METER
●	IRON ROD FND.
○	1/2" IRON ROD W/ PLASTIC CAP STAMPED "ALL POINTS" SET
○	PIPE FND.
○	UTILITY POLE
B.L.	BUILDING LINE
D.E.	DRAINAGE EASEMENT
P.U.E.	PUBLIC UTILITY EASEMENT

*** IMPORTANT NOTICE ***

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND DEPICTS ONLY THOSE BOUNDARIES, EASEMENTS AND BUILDING LINES SHOWN ON THE RECORDED PLAT. BOUNDARY AMENDMENTS, ADDITIONAL EASEMENTS AND SETBACKS MAY AFFECT LOT 22.

SURVEYOR'S NOTES

() DENOTES RECORD INFORMATION

[1] BUILDING LINE PER CITY OF AUSTIN CURRENT ZONING ORDINANCE.

THIS LOT IS SUBJECT TO ALL EASEMENT RIGHTS AND/OR CONDITIONS WHICH MAY APPEAR ON THE PLAT OF RECORD.

ALL POINTS DOES NOT MAKE OR WARRANT ANY FLOOD ZONE DETERMINATION.

4707 ROSEDALE AVENUE
(50' R.O.W.)

LOT No. 22 BLOCK "34" SUBDIVISION / ADDITION ROSEDALE-H
SECTION --- PHASE --- Book 4 Page(s) 26 Cabinet --- Slide --- PLAT RECORDS
CITY TRAVIS COUNTY, TEXAS Document No. --- Official Public Records of --- County, Texas
Reference: ---

By: --- Date: 04-02-13
FIELD WORK JS
DRAFTING SCN
SURVEY DATE: 04-09-15
Job No. 02B34015
SCALE: 1"=20'

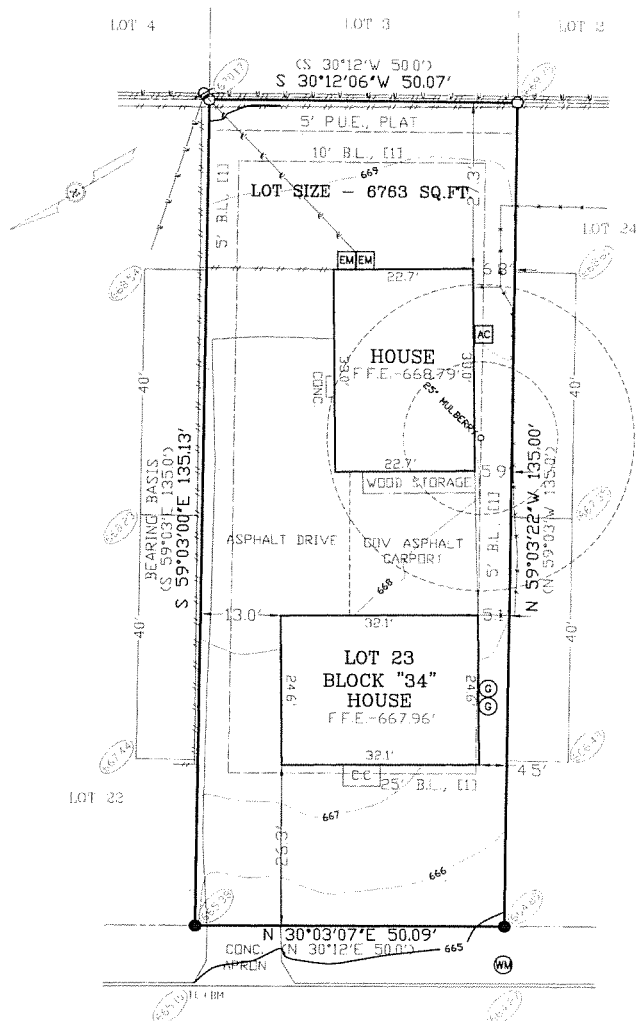


ALL POINTS SURVEYING
1714 FORTVIEW ROAD - SUITE 200
AUSTIN TX. 78704
TELE.: (512) 440-0071 - FAX: (512) 440-0199
FIRM REGISTRATION # 10110900



Roger L. Way

SCALE: 1"=20'



LEGEND	
---	WOOD FENCE
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---	WIRE FENCE
---	UTILITY LINE
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SURVEYOR'S NOTES

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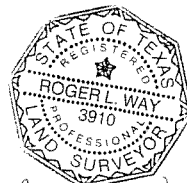
4705 ROSEDALE AVENUE
(50' R.O.W.)

LOT No. 23 BLOCK "34" SUBMISSION / ADDITION ROSEDALE-H
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Document No. --- Volume --- Slide --- Official Public Records of --- County, Texas
CITY AUSTIN Reference: ---

By: JS Date: 04-02-15
FIELD WORK --- DRAFTING SCN
SURVEY DATE: 04-09-15
Job No. 02B33915
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