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.
Board of Adjustment
General/Parking Variance Application

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

This application is a fillable PDF that can be completed electronically. To ensure your information is saved, click here to Save the form to your computer, then open your copy and continue.

The Tab key may be used to navigate to each field; Shift + Tab moves to the previous field. The Enter key activates links, emails, and buttons. Use the Up & Down Arrow keys to scroll through drop-down lists and check boxes, and hit Enter to make a selection.

The application must be complete and accurate prior to submittal. If more space is required, please complete Section 6 as needed. All information is required (if applicable).

For Office Use Only

Case # C15-2017-0041   ROW # 11754 193   Tax # D102050806

Section 1: Applicant Statement

Street Address: 1701 Treadwell St

Subdivision Legal Description:

Barton Heights

Lot(s): 38 & 40   Block(s): D
Outlot:   Division:

Zoning District: SF-3

I/We Marc Bergeron on behalf of myself/ourselves as authorized agent for ____________________________ affirm that on

Month July   Day 10   Year 2017   hereby apply for a hearing before the

Board of Adjustment for consideration to (select appropriate option below):

○ Erect   ○ Attach   ○ Complete   ○ Remodel   ○ Maintain   ○ Other: ___________

Type of Structure: garage remodeled
Portion of the City of Austin Land Development Code applicant is seeking a variance from:

Code 25-8-392 Increasing the impervious coverage from 45 to 48.5%

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Section 2: Variance Findings

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 supporting documents.

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.

I contend that my entitlement to the requested variance is based on the following findings:

Reasonable Use
The zoning regulations applicable to the property do not allow for a reasonable use because:

After remodeling the garage, there was a miscalculation from my architect on the impervious coverage and I could not close the building permit

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

Not all lot have garage in the back and this garage require a longer driveway. The property is located on a slope street and requires retaining wall to prevent flooding.

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

Not everyone has a rear garage access

---
Area Character
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:

At the end of this project, none of the work alter any of the adjacent properties.
I will harvest rain water, the area of the new roof is 31’x33’, and I will be able to collect 638 gallons per in of rain.

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 in the City of Austin Land Development Code Chapter 25-6, Appendix A 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 reasonably 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
Section 3: Applicant Certificate

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

Applicant Signature: ___________________________ Date: 07/10/2017
Applicant Name (typed or printed): Marc Bergeron
Applicant Mailing Address: 1701 Treadwell St
City: Austin State: TX Zip: 78704
Phone (will be public information): (512) 785-0433
Email (optional – will be public information): ___________________________

Section 4: Owner Certificate

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

Owner Signature: ___________________________ Date: 07/10/2017
Owner Name (typed or printed): Marc Bergeron
Owner Mailing Address: 1701 Treadwell St
City: Austin State: TX Zip: 78704
Phone (will be public information): ___________________________
Email (optional – will be public information): ___________________________

Section 5: Agent Information

Agent Name: ___________________________
Agent Mailing Address: ___________________________
City: ___________________________ State: __________________ Zip: ______
Phone (will be public information): ___________________________
Email (optional – will be public information): ___________________________

Section 6: Additional Space (if applicable)

Please use the space below to provide additional information as needed. To ensure the information is referenced to the proper item, include the Section and Field names as well (continued on next page).

I intent to do water collection. I will collect the water from the metal roof of the garage studio. The dimentions are 31'x33'. For 1 in of rain, I would be able to collect 638 US gallons. I was planning to get an 800 gallon tank for water collection.
To
City of Austin
Board of Adjustment:
505 Barton Springs Road
Austin, Texas

July 10th, 2017

Variance application for impervious coverage

I, Marc Bergeron, am applying for a variance from the Board of Adjustment regarding Section_25-8-392 of the Land Development Code. The Variance would allow me the ability to increase the impervious coverage from 45% to 48.5% and close the building permit 2015-148162.

The hardship for which the variance is requested is unique to the property because not everyone in the zoning district has a rear garage requiring a long driveway. Previous to the garage remodel, I was already at maximum for impervious coverage. I worked with my architect to keep it as close to the same as possible, but there was a mistake in the impervious calculation calculations. My architect forgot to add the retaining wall into the calculation. The retaining walls are needed to prevent water from neighbor to flood my property, which was an issue in the past.

When the inspection discovered the 3.5% difference, my architect and I tried to come up with a solution such as tearing up part of the driveway. Unfortunately, that would only give back 100 yards. At that point, my architect walked away and I am trying to close the permit on my own.

To help with my case, I am planning to harvest rainwater from the remodeled garage. The total surface area of the metal roof is 1023sq feet and that will allow me to harvest 638 gallon per inch or rainfall. I was planning on installing a 800 gallon tank to harvest the rain water.

I have collected the 80% of signatures needed from neighbors in the zoning district in support of my case and have contacted the Zilker Neighborhood Association as well as Friends of Zilker explaining my case.

Best regards,

Marc Bergeron
1701 Treadwell St.
Austin, TX 78704
I, Marc Bergeron, am applying for a variance from the Board of Adjustment regarding Section 25-8-392 of the Land Development Code. The variance would allow me the ability to increase the impervious coverage from 45% to 48.6% and close the building permit 2015-148162.

By signing this form, I understand that I am declaring my support for the variance being requested.

<table>
<thead>
<tr>
<th>Property Owner Name (Printed)</th>
<th>Address</th>
<th>Signature</th>
</tr>
</thead>
<tbody>
<tr>
<td>ROSS TETER</td>
<td>1703 TREADWELL</td>
<td>[Signature]</td>
</tr>
<tr>
<td>Allan Weinberger</td>
<td>1705 Treadwell</td>
<td>[Signature]</td>
</tr>
<tr>
<td>Joi Jones</td>
<td>1703 Dexter St</td>
<td>[Signature]</td>
</tr>
<tr>
<td>Wendy Dietrich</td>
<td>1706 Dexter St</td>
<td>[Signature]</td>
</tr>
<tr>
<td>Ed BEAUDER</td>
<td>1610 Dexter St</td>
<td>[Signature]</td>
</tr>
<tr>
<td>Amelia Parker</td>
<td>1611 Dexter</td>
<td>[Signature]</td>
</tr>
<tr>
<td>Robert J. Schlen</td>
<td>1608 Dexter</td>
<td>[Signature]</td>
</tr>
</tbody>
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<tr>
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</thead>
<tbody>
<tr>
<td>Lori Simon</td>
<td>915 Green St Ave</td>
<td>Signature</td>
</tr>
<tr>
<td>Hill Abel</td>
<td>1607 Kerr Ave</td>
<td>Signature</td>
</tr>
<tr>
<td>Pete Malouk</td>
<td>1704 Treadwell</td>
<td>Signature</td>
</tr>
<tr>
<td>James Niebo</td>
<td>1702 Treadwell</td>
<td>Signature</td>
</tr>
<tr>
<td>Jacob Schenck</td>
<td>1608 Treadwell St</td>
<td>Signature</td>
</tr>
<tr>
<td>Harmony Wilson</td>
<td>1608 Treadwell</td>
<td>Signature</td>
</tr>
<tr>
<td>Linda Greenblum</td>
<td>1609 Treadwell</td>
<td>Signature</td>
</tr>
<tr>
<td>Cindy Piato</td>
<td>1606 Dexter</td>
<td>Signature</td>
</tr>
<tr>
<td>David Piato</td>
<td>1606 Dexter</td>
<td>Signature</td>
</tr>
<tr>
<td>David Piato</td>
<td>1701 Dexter</td>
<td>Signature</td>
</tr>
<tr>
<td>Mike Bongem</td>
<td>1701 Treadwell St</td>
<td>Signature</td>
</tr>
<tr>
<td>Amber Logsdon</td>
<td>1004 Kinney Ave</td>
<td>Signature</td>
</tr>
<tr>
<td>Shadrack Thompson</td>
<td>1004 Treadwell</td>
<td>Signature</td>
</tr>
</tbody>
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</tr>
</thead>
<tbody>
<tr>
<td>Doni Krauszer</td>
<td>906 Kinney Ave</td>
<td></td>
</tr>
<tr>
<td>No. 1607 Dexter, Rease</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1708 Dexter, Weissman</td>
<td></td>
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</tr>
<tr>
<td>1101 Garner, Thaddeus</td>
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</tr>
<tr>
<td>1607 Treadwell, Eager</td>
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<td>1704 Dexter, Macbeth</td>
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<tr>
<td>1701 Kerr, Friedlander</td>
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</tr>
<tr>
<td>906 Kinney, Sepulveda</td>
<td></td>
<td></td>
</tr>
<tr>
<td>909 Garner, Rice</td>
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</tr>
</tbody>
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Have 30, Need 30
I, __Marc Bergeron______, am applying for a variance from the Board of Adjustment regarding Section __25-8-392__ of the Land Development Code. The variance would allow me the ability to increase the impervious coverage from 45% to 48.6% and close the building permit 2015-148162.

By signing this form, I understand that I am declaring my support for the variance being requested.

<table>
<thead>
<tr>
<th>Property Renter Name (Printed)</th>
<th>Address</th>
<th>Signature</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aaron Gregg</td>
<td>1607 Dexter St.</td>
<td></td>
</tr>
<tr>
<td><strong>Check</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chris Motley</td>
<td>1611 Treadwell St.</td>
<td></td>
</tr>
<tr>
<td><strong>Check</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Barchin Chace</td>
<td>1003 Garner Ave.</td>
<td></td>
</tr>
<tr>
<td><strong>Check</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
1701 Treadwell St.

Variance for impervious coverage
Front view of the property.

View of the driveway.
Stone walls and concrete wall from around the property
Original calculation from architect. 44.8%
Note: retaining walls are not part of the calculation

From the Impervious coverage survey:
If we remove the stone walls and concrete wall, we get a coverage of 2491sq.ft
Which is 44.99% impervious coverage