

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

CASE # C15-2010-0053
ROW # 10435719
04-02060907

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: 2001 S 1 ST, 78704

LEGAL DESCRIPTION: Subdivision – _____

Lot(s) 1 Block C Outlot _____ Division Bouldin James E Addn

I/We _____ on behalf of myself/ourselves as authorized agent for

THREADGILL PROPERTIES LLC affirm that on April 27, 2010,

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

(check appropriate items below)

☒ ERECT ☐ ATTACH ☐ COMPLETE ☐ REMODEL ☐ MAINTAIN

A 1,667.34 sqft wood frame, one story, pier and beam structure under SF3 site development standards but with a front setback of 20ft instead of 25ft and a side street setback of 5ft instead of 15ft.

in a **CS-MU-V-CO-NP** district.
(zoning district)

Single family residence

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:

The zoning regulations applicable to the property do not allow for a reasonable use because: The required setbacks under SF3 site plans specific to the front yard, 25ft, and the north boundary side street (W. Johanna) setback of 15ft, would require the removal of a 44" diameter Oak tree, (deemed protected even under the old tree protection ordinance) in order to allow full use of the 40% allowable FAR under SF3 site regulations.

HARDSHIP:

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

The specific, central location on the 49.5ft wide lot of a very large protected oak tree and the associated 22ft critical root zone (CRZ) combined with a steep grade at the rear of the lot that is part of the Bouldin Creek watershed (where the lot drops directly to the creek) make the construction of a functional and logically designed building that conforms to the SF3 front yard and side street setbacks impracticable without either removal of the tree or adjustment of the setbacks.

(b) The hardship is not general to the area in which the property is located because: Existing commercial and residential development on S. 1st was largely completed in past years without regard to the preservation of large trees so only a very few large trees of comparable size still exist in the immediate area. In the immediate area no other vacant lots still exist along this portion of S. 1st Street which means any redevelopment on other lots have at least an existing structure and existing impervious cover to start with regardless of any tree locations, CRZ issues or regulations. In addition the existence of a 15ft ROW along Johanna is unique to the immediate area. Thus the impact of the requested setback variances would be very limited in application and unique to this lot and the immediate area.

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 planned building is designed to look similar to the adjacent structures in both height (1 story) and design (residential style). Further the proposed front setback of 20ft, rather than 25ft, places the planned structure in line and consistent with the front boundaries of the adjacent structures to the south and in no way impairs the use of those properties. The front setback of the building to the north across Johanna is only 10ft on parts of the structure and roughly 15ft on other parts so less than the requested 20ft setback for the proposed structure. The proposed 5ft side yard setback, verse 15ft required, on the Johanna side street lot line places the side of the proposed structure approximately 20ft away from the actual curb due to the existence of a ROW that is already 15ft wide on

average. By comparison the neighboring building across Johanna to the north has a side street setback of only 15ft from the curb for parts of the building. The resulting actual side street setback between the curb and the proposed structure would be more than the desired 15ft per the zoning district regulations for side streets even with the setback reduction requested and thus does not impair the purpose of the side street setback regulation.

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 3503 Bridle Path Ste B.

City, State & Zip Austin, TX 78703

Printed John Carter Shanklin Phone 512-276-5414 Date 4/27/10

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:

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

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City, State & Zip_Austin, TX 78703_____

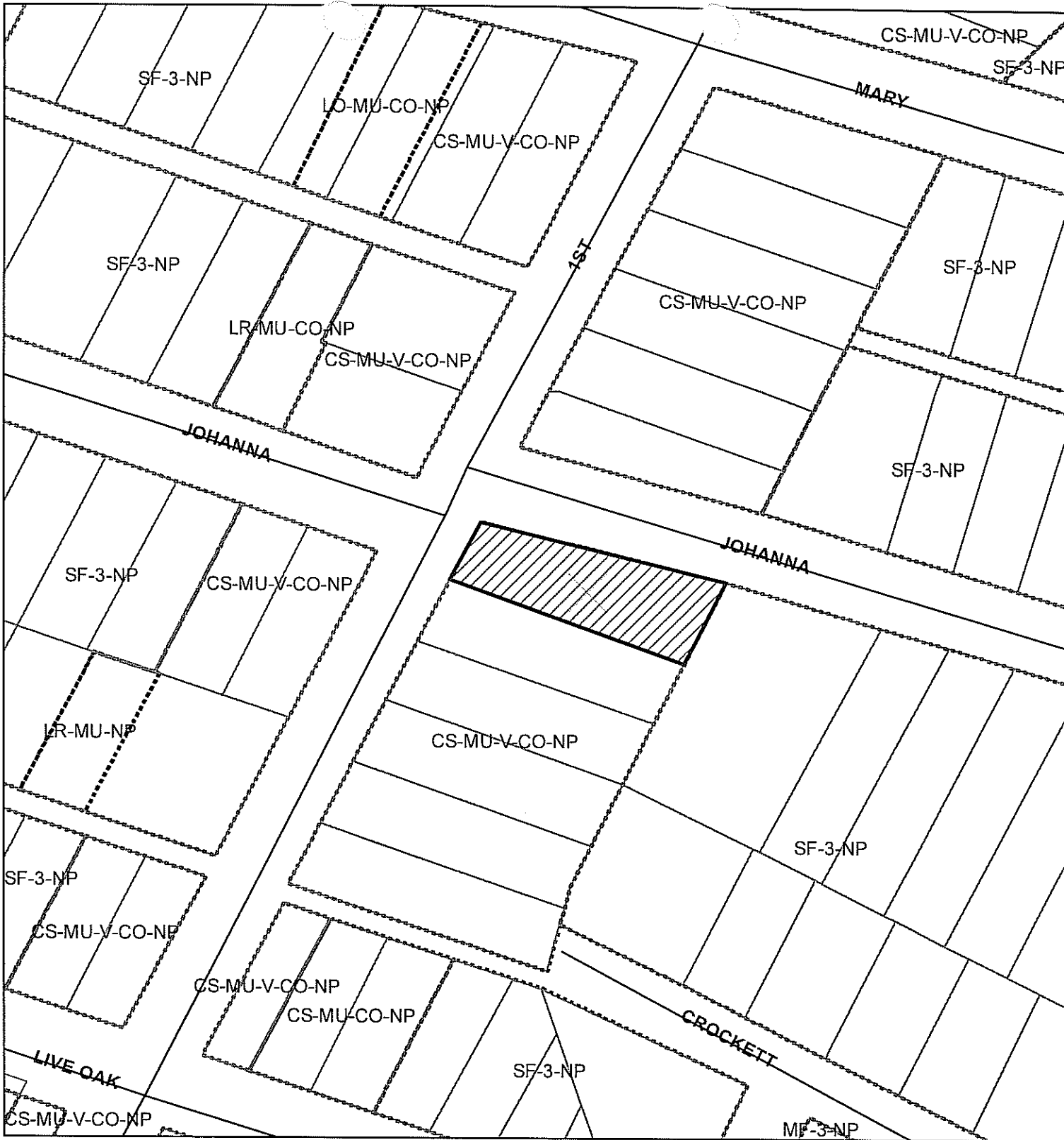
Printed __John Carter Shanklin_____ Phone __512-276-5414___ Date 4/27/10__

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 J.R. Threadgill, mbr Mail Address_1501 N. Bell Blvd

City, State & Zip __Cedar Park, TX 78163_____

Printed J.R. Threadgill Phone 423-0922 Date 4/27/10



Board of Adjustments



CASE#: C15-2010-0053
 ADDRESS: 2001 S 1ST ST
 GRID: H20
 MANAGER: SUSAN WALKER

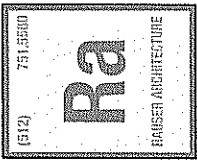


SUBJECT TRACT



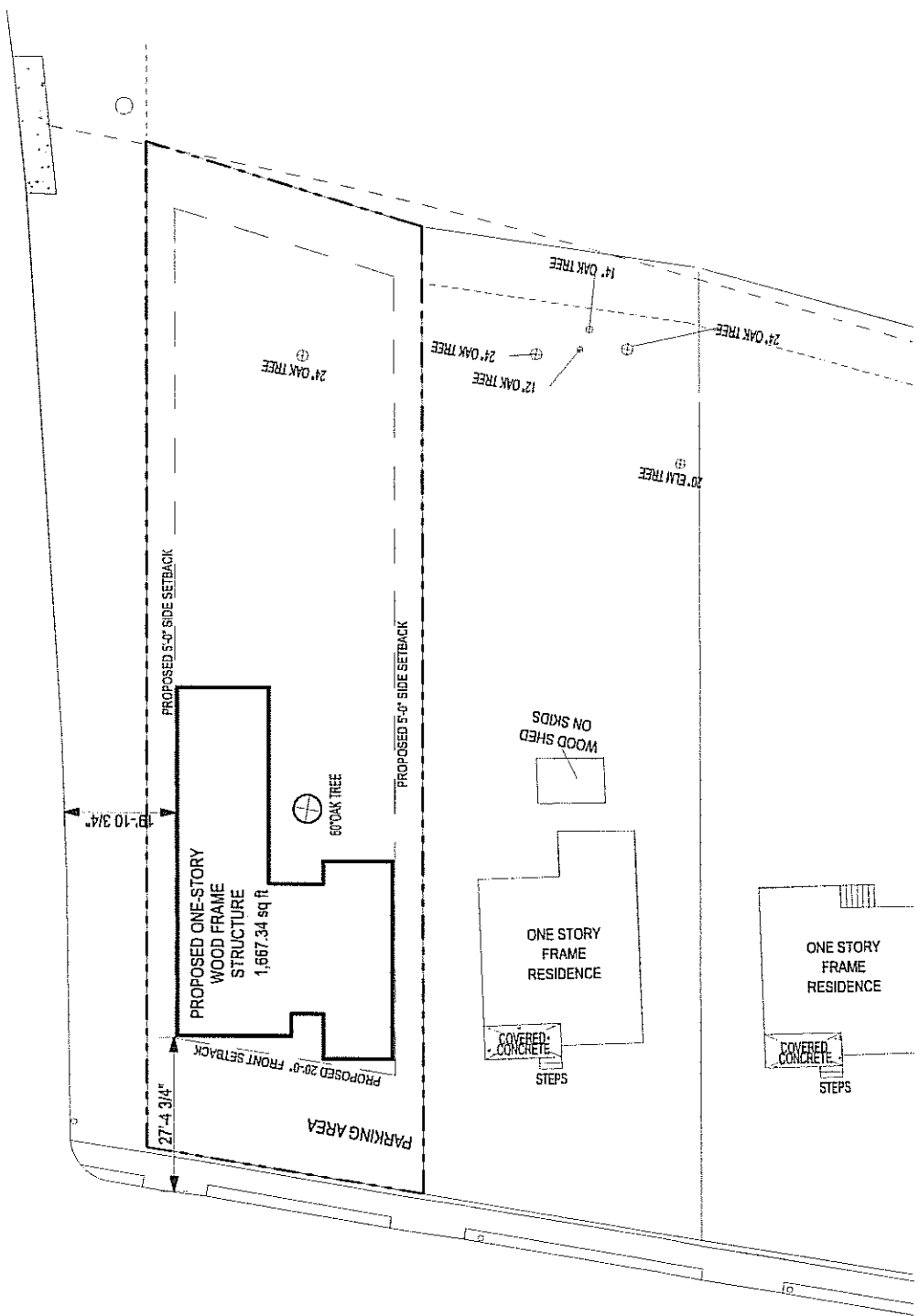
ZONING BOUNDARY





NOT INTENDED FOR
 REGULATORY APPROVAL
 PERMITTING OR CONSTRUCTION

2001 SOUTH FIRST
D.03
Site plan



1 Site Plan
 SCALE 1" = 10'-0"

44" Oak at 2001 S. 1st

From: **Embesi, Michael** (Michael.Embesi@ci.austin.tx.us)
Sent: Wed 5/05/10 2:49 PM
To: Carter Shanklin (carter_shanklin@hotmail.com)

Thank you for your request and for your interest in minimizing impacts to this 44-inch Heritage Live Oak tree. Please share this email with those individuals which may be interested in the possible development of this lot.

In order to meet the requirements of the Heritage Tree Ordinance, a variance request is required to assess the possible shifting of the proposed development away from the tree. It is preferable from a tree preservation standpoint to shift building footprints as far from the tree as possible. However, please be aware that the preservation standards do not allow disturbance within 22 feet of the tree. Nonetheless, if a development is approved on this lot, a review of the proposed impacts would be required via a tree permit application. If a plan is approved, it is anticipated that at a minimum, the following conditions would apply:

- remedial tree care, and any required pruning, will be performed by a certified arborist;
- no more than 30% is permitted to be removed;
- no underground utility trenching within 22-feet of the tree;
- pier-and-beam (above grade) foundation; and,
- tree protection throughout the development (e.g. chain link fence, mulch).

Thank you for your time and please contact me if I can assist you further,
Michael Embesi

City of Austin - Planning and Development Review Department

City Arborist

505 Barton Springs Road

Austin, TX 78704

Phone (512) 974-1876

Fax (512) 974-3010

Web Site www.ci.austin.tx.us/trees



City of Austin

Austin's Community-Owned Electric Utility

www.austinenergy.com

Town Lake Center • 721 Barton Springs Road • Austin, Texas • 78704

April 28, 2010

Carter Shanklin
3503 Bridle Pate Suite B
Austin, Texas 78703
carter_shanklin@hotmail.com

Re: 2001 South 1st Street
Lot 1, Block C, James E. Bouldin Addition

Dear Mr. Shanklin,

Austin Energy (AE) has reviewed your application for the above referenced property requesting to reduce the front setback to 20 feet along South 1st Street and the Johanna street side setback to 5 feet. Austin Energy has no conflicts with this application as requested and shown on the attached red-stamped sketch.

Thank you for checking with us in advance. Should you have any questions, please feel free to contact me at 322-6522.

Sincerely,

A handwritten signature in cursive script that reads "Robert K. Long, Jr.".

Robert K. Long, Jr.
Public Involvement/Real Estate Services

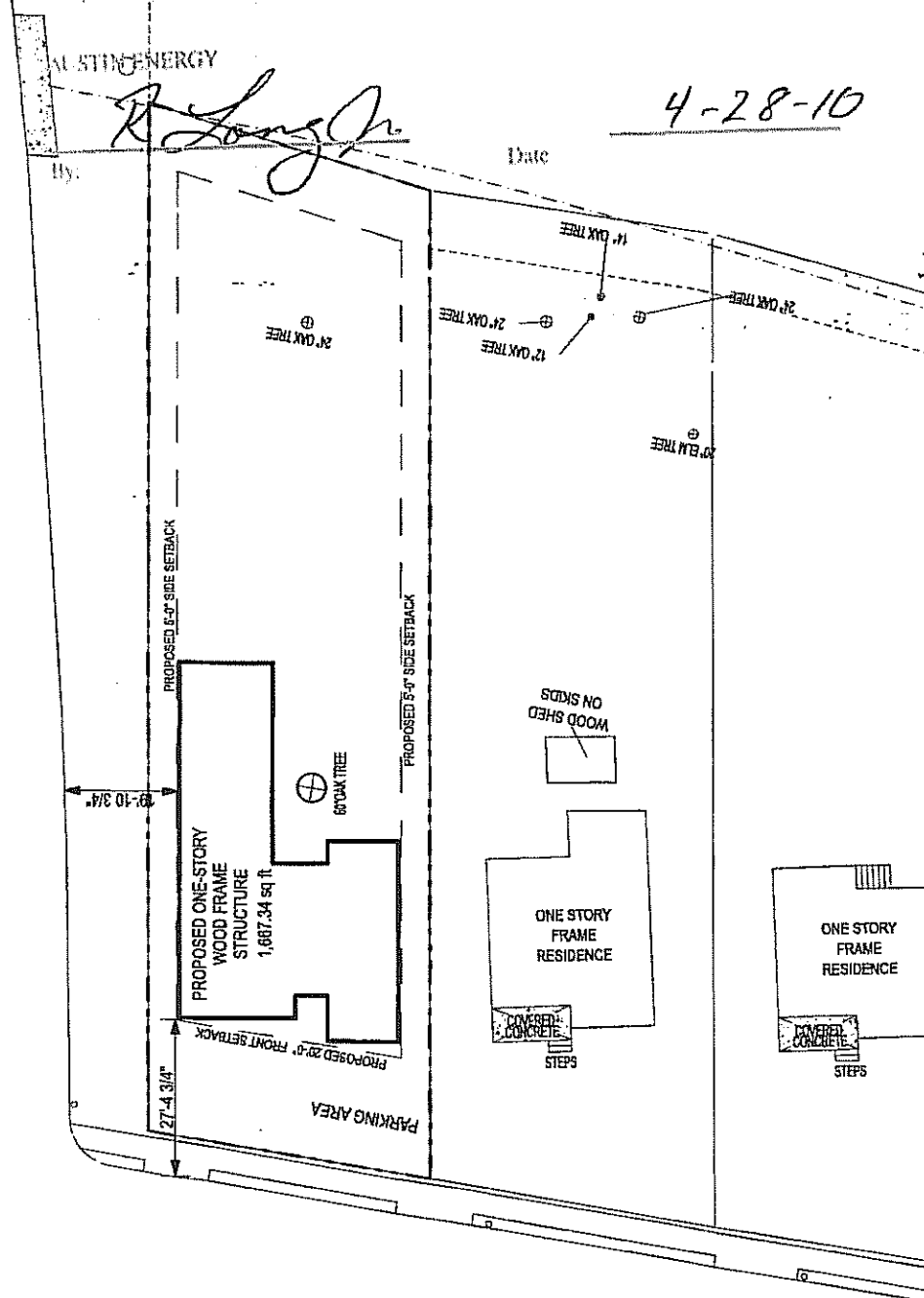
Cc: Diana Ramirez and Susan Walker



NOT INTENDED FOR
REGULATORY APPROVAL
PERMITTING OR CONSTRUCTION

PROJECT 2001 SOUTH FIRST FROM BROWNS BLVD
MAY 15, 2010
D.03
2001 SOUTH FIRST
S.A. 100

Austin Energy has reviewed this plan for 2001 S. 1st
and approved/disapproved the variance requested before the Board of Adjustment. Any changes to
this plan must be approved by Austin Energy.



Walker, Susan

From: Carter Shanklin [carter_shanklin@hotmail.com]
Sent: Wednesday, June 09, 2010 12:20 PM
To: Walker, Susan
Subject: RE: C15-2010-0053 FW: 2001 South First St.

Susan,

Here are the Bouldin Creek Neighborhood Association's thoughts on our requested variances to add to the application. I suspect the Board will be interested in their views on the matter. Thanks,

Carter Shanklin
Jacaranda Management
512-276-5414 Ofc

From: Bradford Patterson [mailto:bradfordpatterson04@yahoo.com]
Sent: Wednesday, June 09, 2010 12:13 AM
To: ryan@pswrealestate.com
Subject: 2001 South First St.

Ryan,
Thank you for meeting with our Zoning Committee regarding the variance application for 2001 South First St. It is our understanding that you are requesting a reduction in the front and street side setbacks in order to construct a single story, single family residence on the site while preserving the large live oak tree. It is also our understanding that the plans have been reviewed by the city arborist in order to provide the highest likelihood of the tree surviving. Our comfort level with the proposal is dependent on the small size of the proposed construction and the preservation of the tree.

We have discussed the application among the Zoning Committee and the Steering Committee of the Bouldin Creek Neighborhood Association. Given these understandings above, we have decided not to take a formal position of support or opposition for this application and to allow the variances to be worked out between the applicant and the Board of Adjustment.

Thank you again for taking the time to meet with our association so that we could better understand the application prior to the hearing.

-Bradford Patterson
Chair, Zoning Committee
Bouldin Creek Neighborhood Association (BCNA)
512-326-4956

6/9/2010

PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak **FOR** or **AGAINST** the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact person listed on a notice*); or
- appearing and speaking for the record at the public hearing; and:
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: www.ci.austin.tx.us/development.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice.

Case Number: C15-2010-0053 – 2001 S 1st St
Contact: Susan Walker, (512) 974-2202
Public Hearing: Board of Adjustment, Jun 14, 2010

Timothy M. Lee

Your Name (please print)

419 W. Johnson St. Austin, TX.

Your address(es) affected by this application

6/7/2010

Date

Signature

Daytime Telephone: 512-474-6061

Comments:

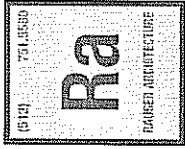
If you use this form to comment, it may be returned to:

City of Austin-Planning & Development Review Department/2nd Floor

C/O Susan Walker

P. O. Box 1088

Austin, TX 78767-8810



ELECTRICAL

SITE PLAN PROJECT INFO

A1.1 SITE PLAN PROJECT INFO

A2.1 DIMENSION PLAN

A2.2 CONSTRUCTION PLAN

A2.3 FOUNDATION PLAN

A3.1 ELEVATIONS

A3.2 ELEVATIONS

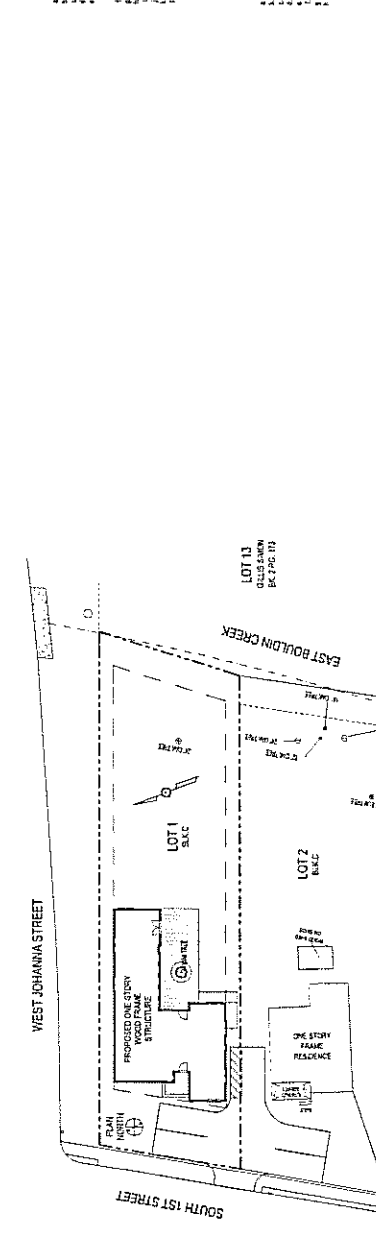
A4.1 CEILING PLAN

A4.2 ELECTRICAL PLAN

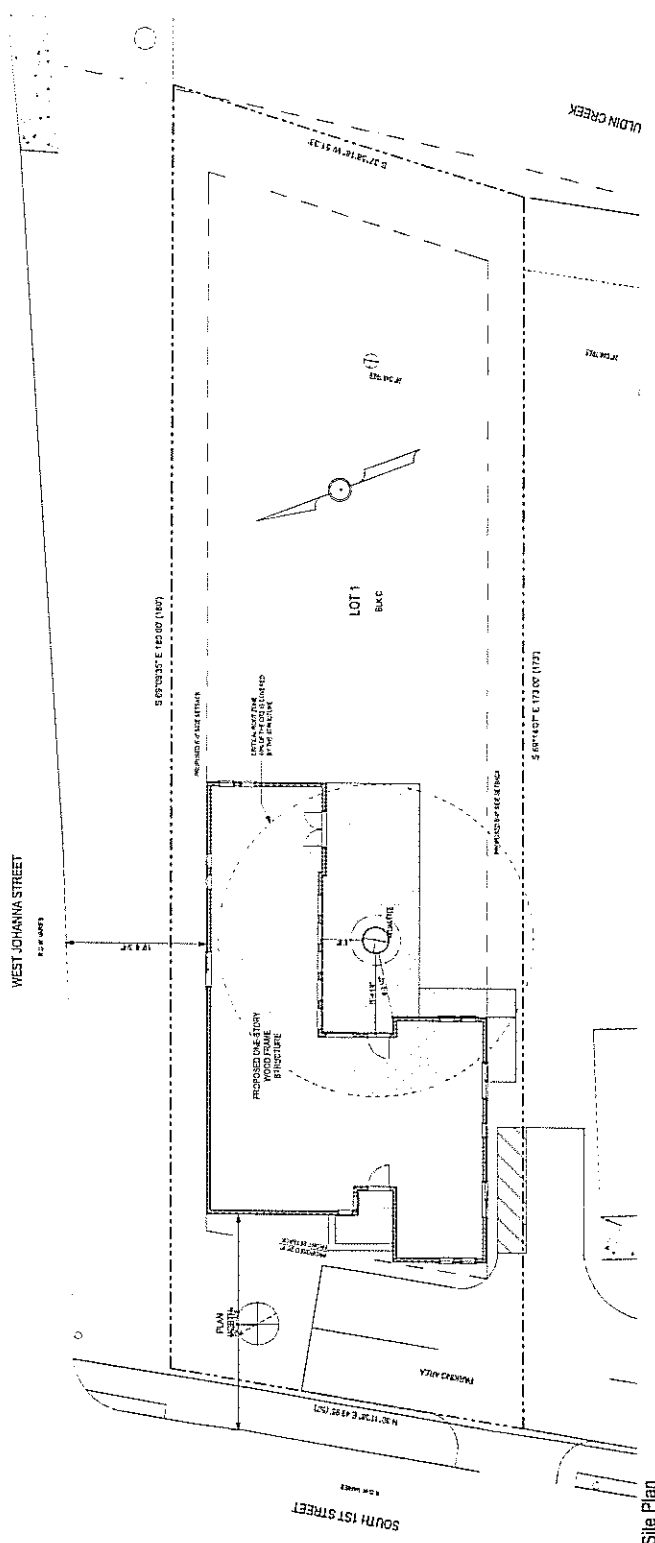
A5.1 INTERIOR ELEVATIONS

A7.1 3D VIEWS

APPLICABLE TO BUILDING CONTRACT	
1. TOTAL FLOOR AREA (F.A.)	1427 SF
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100. TOTAL FLOOR AREA (F.A.)	1427 SF



2 Plot Plan
SCALE 1/4" = 1'-0"



1 Site Plan
SCALE 1/4" = 1'-0"

2001 SOUTH FIRST
A1.1
Site Plan Project Info

C15-2010-0053

PUBLIC HEARING INFORMATION

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Case Number: C15-2010-0053 – 2001 S 1st St

Contact: Susan Walker; (512) 974-2202

Public Hearing: Board of Adjustment, Jun 14, 2010

Your Name (please print)

DAN SCHULMAN

Your address(es) affected by this application

4603 W. Live Oak

Signature

Date

Daytime Telephone:

4418495

Comments:

☒ I am in favor
☐ I object

If you use this form to comment, it may be returned to:

City of Austin-Planning & Development Review Department/ 2nd Floor

C/O Susan Walker

P. O. Box 1088

Austin, TX 78767-8810

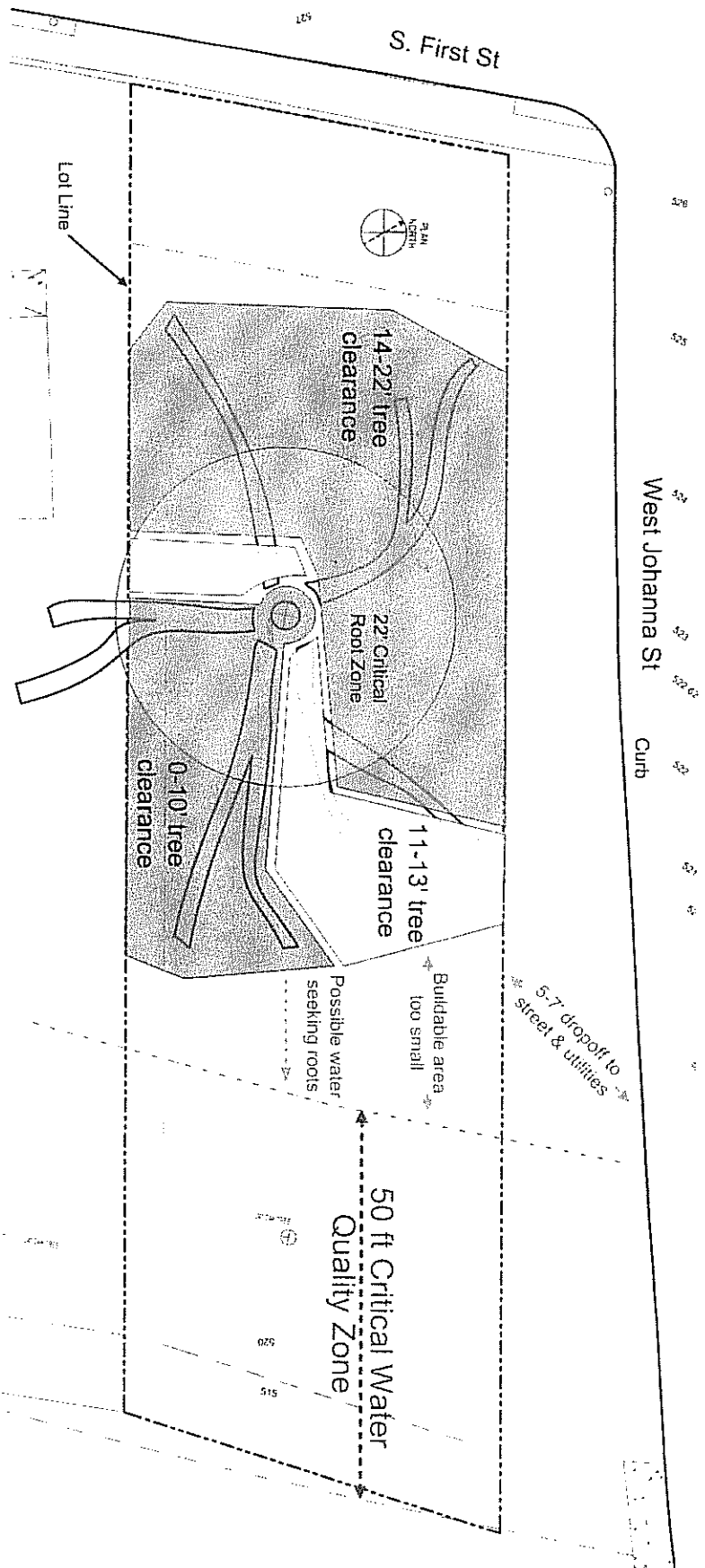
2001 S. First Street: Lot Analysis for Variance Request

Hardship 1: Critical water quality zone (50ft setback from Bouldin Creek centerline)

Hardship 2: Heritage Class Tree requires maximum protection of a beautiful Oak on property.

Major branches of the lower canopy (showing clearances), along with the Critical Water Quality zone, are illustrated in diagram below. These two issues significantly reduce the buildable area under either SF3 or CS-MU codes.

Note: Total lot size is approximately 8700 Sq Ft.





- North and west parts of the lot have open 14-22' canopy
- South and East portions have low hanging major branches with only 10' clearance



↓ 14' Clearance

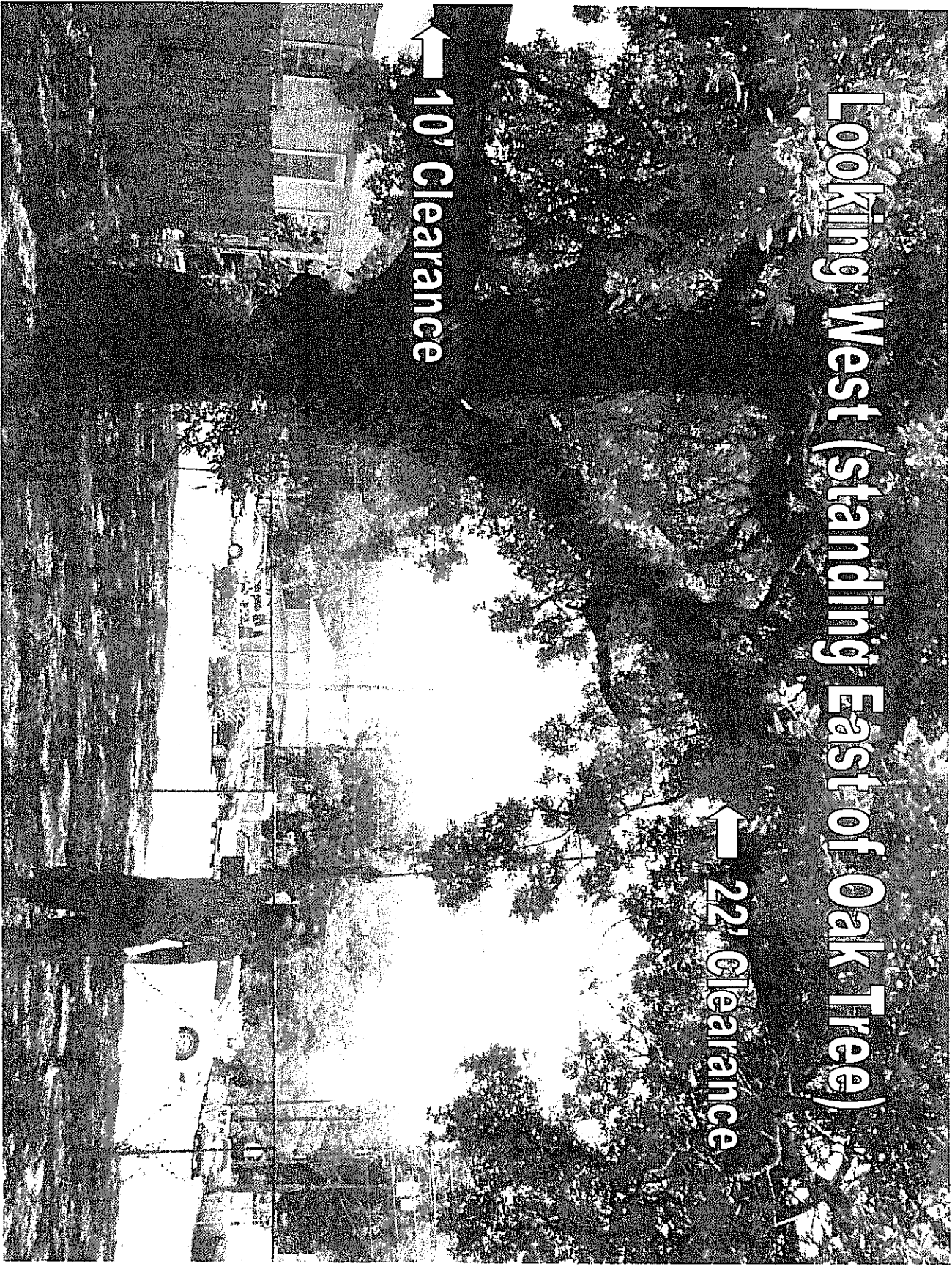
← 10' Clearance

Looking East (standing North of Oak Tree)

Looking West (standing East of Oak Tree)

← 22' Clearance

← 10' Clearance

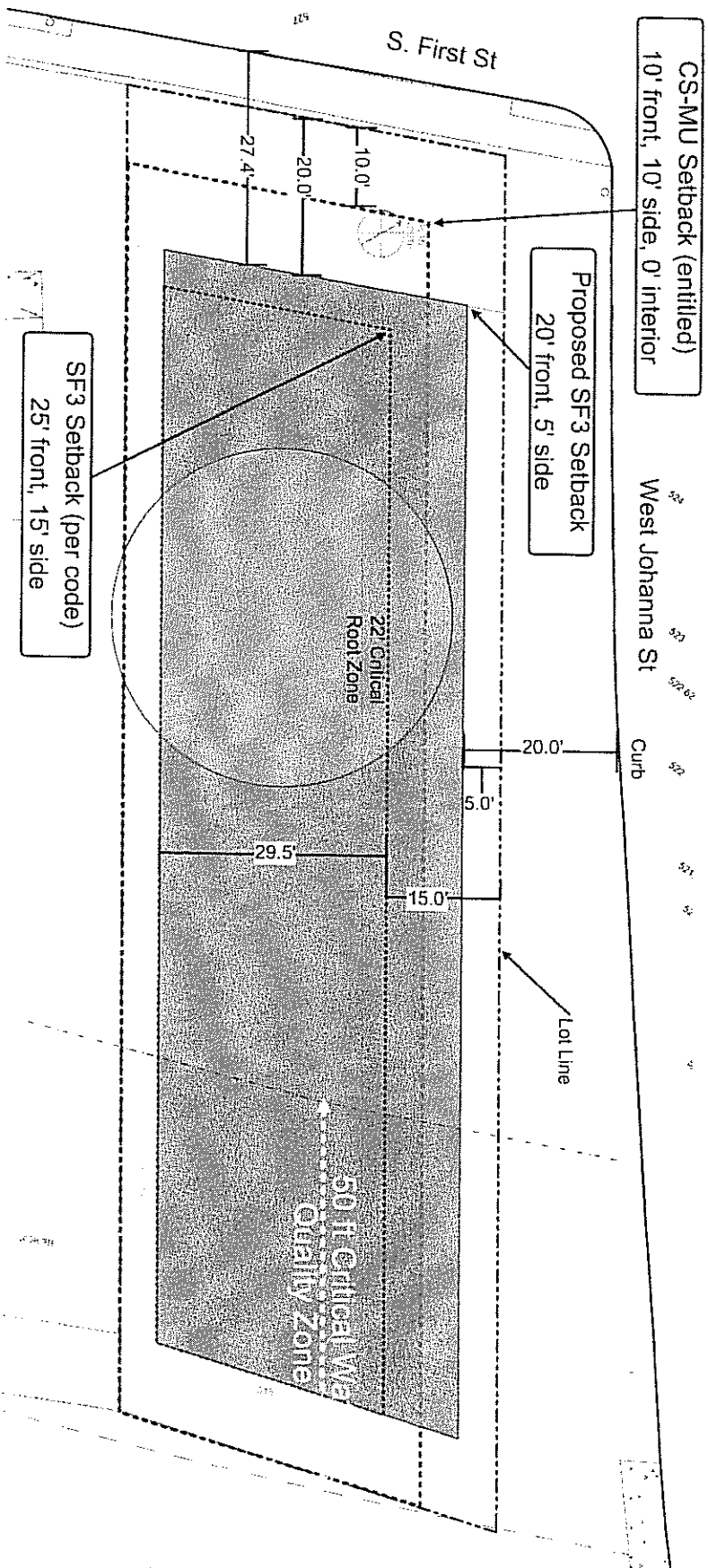


2001 S. First St: Setback analysis under various building codes

Owner intends to build a residential (SF3) single-story investment property, which could be rented as either a home or an office (given appropriate use permits), in line with the mixed-use designation along this corridor.

Owner intends to build 'to scale' to fit in with adjacent properties, resulting in a smaller structure (1,694 sq ft) than CS-MU or SF3 would entitle.

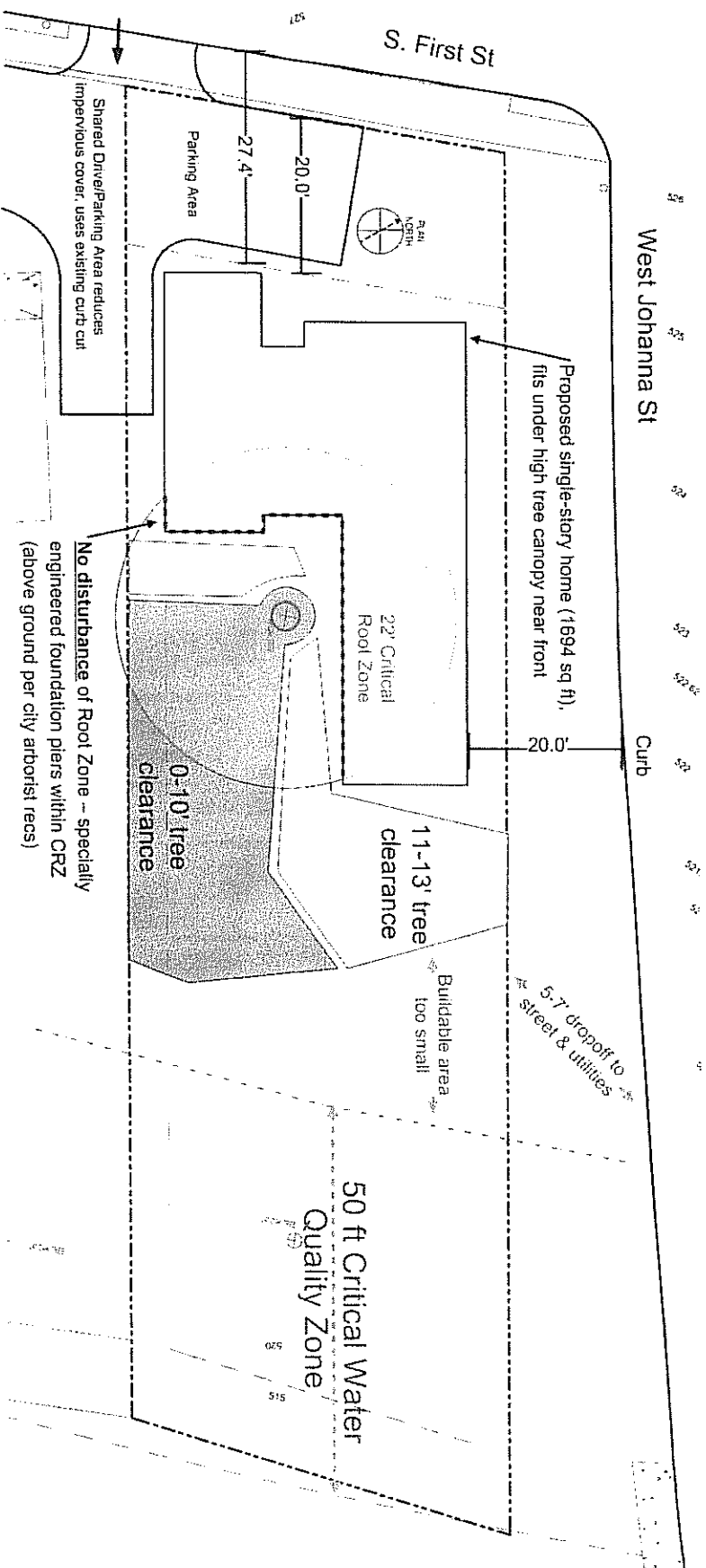
- rear neighbors have given formal support to this variance request
- Bouldin Neighborhood Association provided a 'no-opposition' letter after formal review
- NA members said they were pleased with building plans to scale with deeper setbacks, per the character of the neighborhood
- Extra wide right-of-way to side street (average 15' curb-to-lotline) preserves line-of-sight; proposed plan leaves 20' curb setback, more than double the average curb setback of the structures directly across Johanna Street.



2001 S. First: Site Plan and Heritage Oak Protection

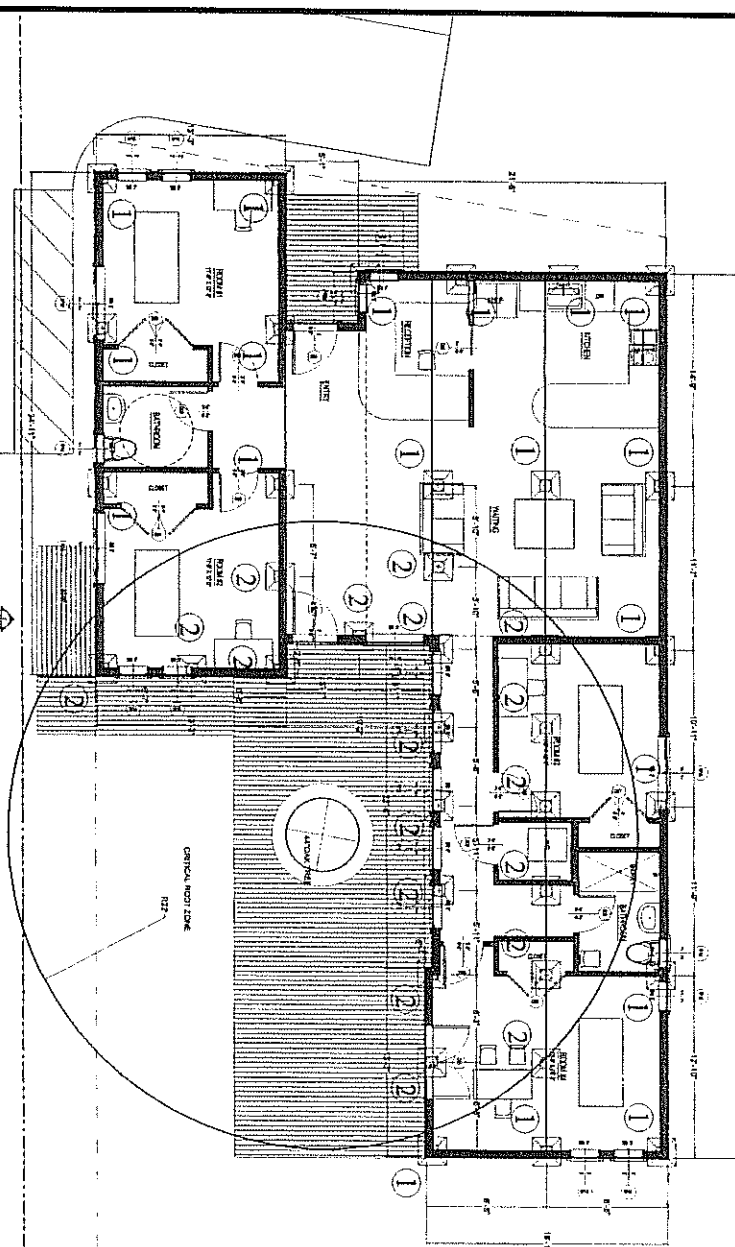
The only area for a 1700 sqft residence that enables front parking/drive (away from root zone) and utilities from S. First (to avoid trenching in rear of property), is on the NW corner of the lot. Though CS-MU would enable a 10' setback, any parking and driveway would then cover the rear of property, disturbing the natural area and impact the critical root zone with concrete flatwork. Owner has designed parking up front (similar to adjacent properties) to preserve the natural, shaded back yard bordered by Bouldin Creek, as would be desired with a residence.

Though the structure will partially cover the 22' critical root zone, it should be noted that the surface and roots in the 22' half-CRZ are left completely undisturbed. Special piers which sit above ground were engineered **per city arborist specifications** to avoid any digging within the 22' critical root zone. Also, canopy is almost entirely preserved with only minimal trimming of small 1" branches above the roof. This building plan **exceeds all requirements** for Heritage Tree Protection.



2001 S. First: Summary Points

- Development plan balances tree preservation & constructive use of lot
- Saves almost entire tree crown (minimal trimming of 1" branches above roof)
- Avoids covering or disturbing water-seeking roots in rear
- Exceeds Heritage tree preservation requirements, per certified arborist
- Builds *less than* entitled by either CS-MU or SF3 zoning, to match nearby structures
- Reduces impervious and building coverage far below allowable
 - Entitled under CS-MU = 2:1 Floor Area Ratio, 95% Building and Impervious coverage
 - SF3 code allows 40% Building coverage, 45% Impervious coverage
 - **Proposed SF3 plan** = 19.5% Building coverage, 26.7% Impervious coverage
- Received formal support from rear neighbors and letter of "non-opposition" from neighborhood association

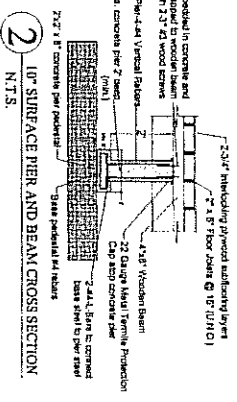
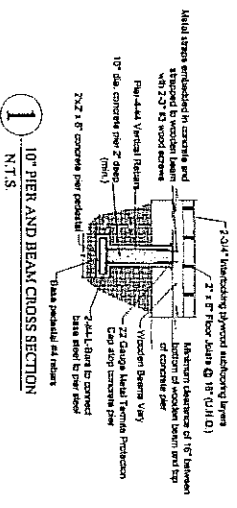


SURFACE PIER LOAD CALCULATIONS:

1. NORMAL COA PIER LOADING
CONTRIBUTING AREA = 12.25 SQ. FT.
DEAD + LIVE LOAD = 40 LBSSQ. FT.
CONTRIBUTING LOAD = 480 LBS
UNIT LOAD = 122.50 LBSSQ. FT.
2. DISTANCED PIER LOADING
CONTRIBUTING AREA = 38 SQ. FT.
DEAD + LIVE LOAD = 40 LBSSQ. FT.
CONTRIBUTING LOAD = 1540 LBS
UNIT LOAD = 580 LBSSQ. FT.
3. DENSE PIER LOADING (THIS PAGE)
CONTRIBUTING AREA = 38 SQ. FT.
DEAD + LIVE LOAD = 40 LBSSQ. FT.
CONTRIBUTING LOAD = 1540 LBS
UNIT LOAD = 40 LBSSQ. FT.

FOUNDATION PLAN

SCALE: 1/8" = 1'-0"



SPECIAL CONCRETE PIER CONDENSATION:
FOR INSIDE THE CRITICAL ROOT ZONE
1. PIERS INSIDE THE CRITICAL ROOT ZONE WOULD HAVE TO HAVE 8" X 7" X 7" PIER BEAMS AT THE SURFACE WITH A 10" CONCRETE BARRIER MIN. 12" IN HEIGHT
2. SPANNING BEAMS AT THIS AREA WOULD BE 4" X 8" BEAMS
3. ALL OTHER CONCRETE PIERS AT OUTSIDE CRITICAL ROOT ZONE WOULD FOLLOW CITY OF AUSTIN TYPICAL PIER AND BEAM DESIGN AND CONSTRUCTION

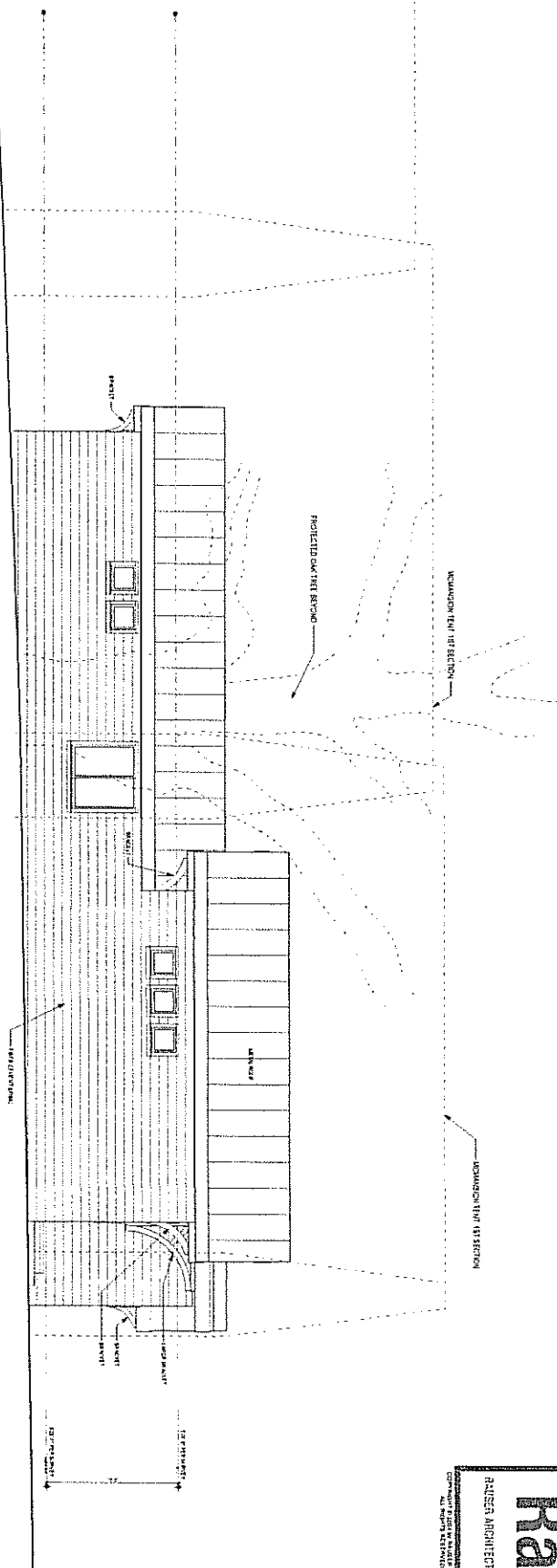
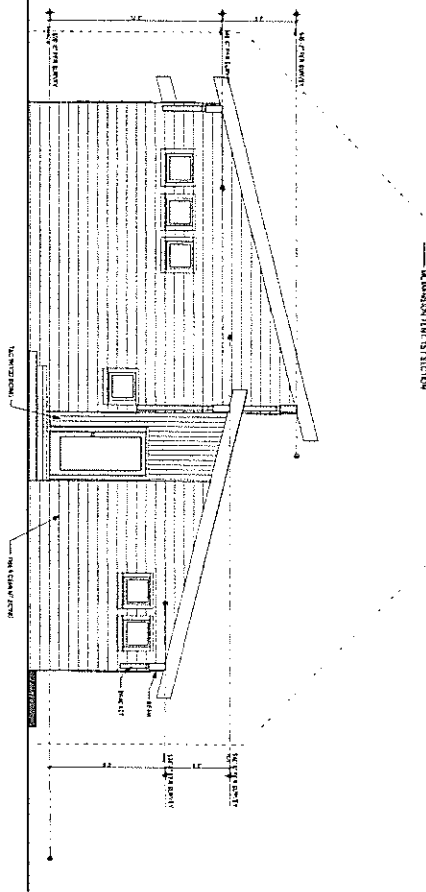
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NEW PRE-BEAM FOUNDATION FOR FAMILY RESIDENCE
2001 Ross Road
AUSTIN, TEXAS 78701

Project: AU-10-88
Date: 04/09/10
Sheet: CE 1 OF 1

003 North
SCALE: 1/4" = 1'-0"001 Wes
SCALE 1/8" = 1'-0"

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