

BOARD OF ADJUSTMENTS

CASE#: C15-2011-0062

LOCATION: 1201 ESPOSITION, 1206 NORWALK LN A
1206 NORWALK LN B

GRID: G24

MANAGER: SUSAN WALKER



 SUBJECT TRACT

 ZONING BOUNDARY



This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

Walker, Susan

From: Carter Shanklin [carter_shanklin@hotmail.com]
Sent: Thursday, June 09, 2011 12:22 AM
To: Walker, Susan
Subject: RE: C15-C15-2011-0062
Attachments: VAR DIAGRAM-MAX_FIN[1].pdf

Susan,

I know this might be late to include in your packets to BoA members but just in case there is time here is one additional diagram that I don't think was submitted originally, the maximum allowable building footprint for the tract that is the subject of C15-C15-2011-0062. This maximum has been confirmed by our architect, an engineer and city staff. Thanks, see you Monday.

Carter

Carter Shanklin
Jacaranda Management
PSW Homes
415-608-5310 Cell
512-276-5414 Ofc

Subject: RE: variance request for May mtg
Date: Thu, 14 Apr 2011 15:08:52 -0500
From: susan.walker@ci.austin.tx.us
To: carter_shanklin@hotmail.com

There are no slots available for May. June 13th is the next hearing. We already have a few waiting for June. Sorry...You can submit while you are pending Austin Energy approval though.

Susan Walker
Senior Planner
Planning & Development Review Department
Phone: 512-974-2202
Fax: 512-974-6536

From: Carter Shanklin [mailto:carter_shanklin@hotmail.com]
Sent: Thursday, April 14, 2011 12:23 PM
To: Walker, Susan
Subject: variance request for May mtg

Hi Susan,

We submitted a setback variance request to Austin Energy last Friday and are waiting on them to approve. I see no reason they would not since we leave more than 17ft between any proposed structure and their power line. Are there still slots available for the May BoA meeting? Can we submit the app to you subject to Austin Energy approval? I expect that any day but didn't want to

6/9/2011

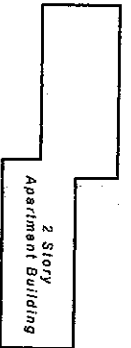
fall out of May meeting simply because of a delay in getting it to you between the time we hear back from AE and get it over to you. Thanks,

Carter

Carter Shanklin
Jacaranda Management
PSW Homes
415-608-5310 Cell
512-276-5414 Ofc

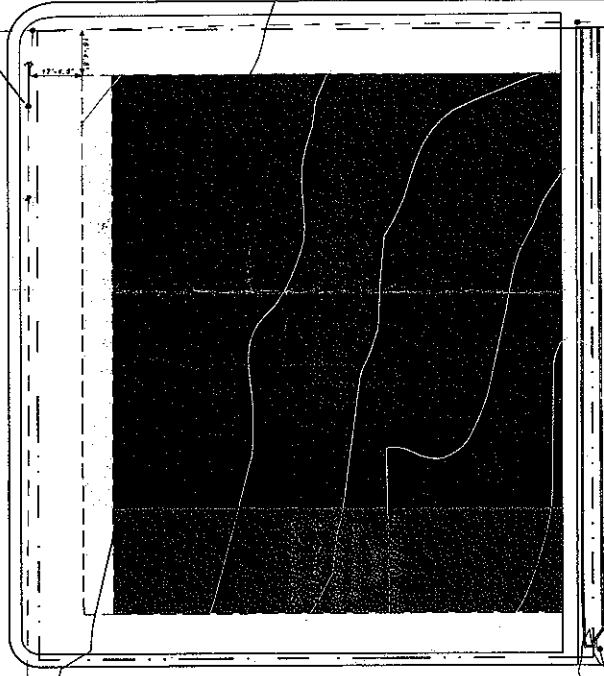
Lions
Municipal
Golf
Course

Exposition Blvd.

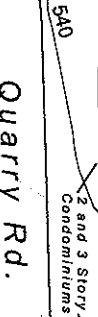


W. 12th Street

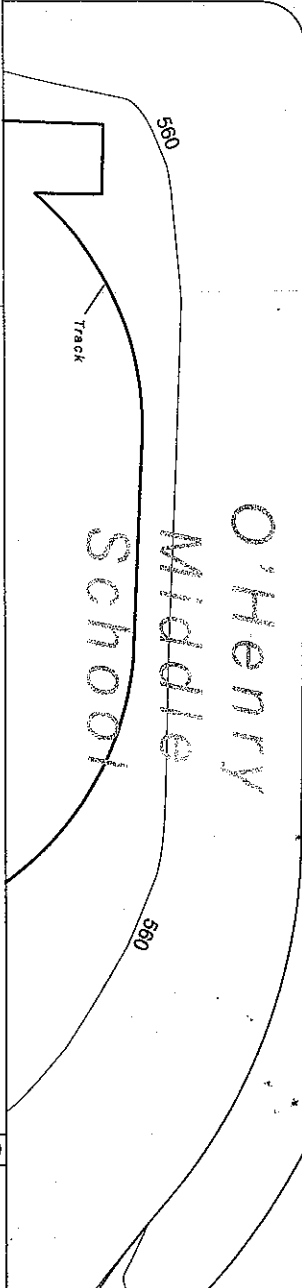
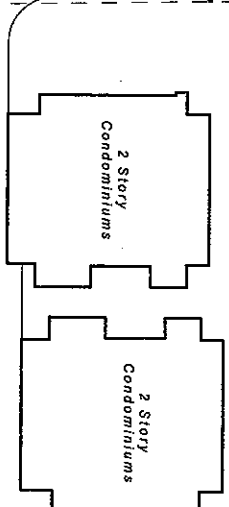
utility pole
5' x 10'



Norwalk Ln.



Quarry Rd.



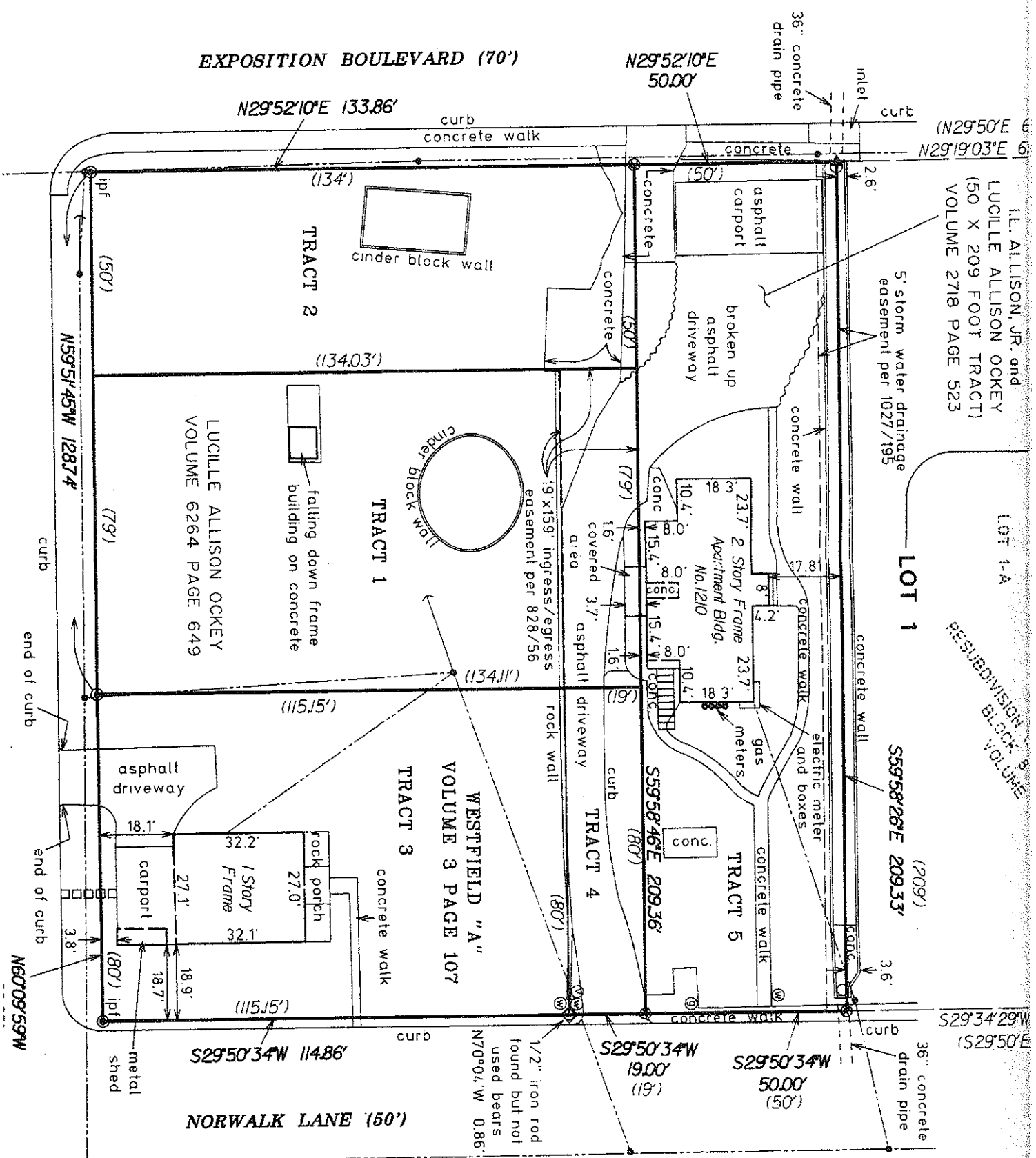
12th & Exposition

RAW REAL ESTATE

Site Plan
Maximum Density Development

C15-2011-0002





1210 Norwalk/Tract 5		
1201 Exposition/Tract 2	1206 Norwalk B/Tract 1	1206 Norwalk A/Tract 3

Exposition

Norwalk

12th Street

SURVEY PLAT OF

TRACT 1: 79 BY 134 FOOT TRACT OF LAND, BEING A PART OF LOT 1, BLOCK 8, WESTFIELD "A", A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 3, PAGE 107 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS.

TRACT 2: 50 X 134 FOOT TRACT OF LAND, BEING A PART OF LOT 1, BLOCK 8, WESTFIELD "A", A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 3, PAGE 107 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS.

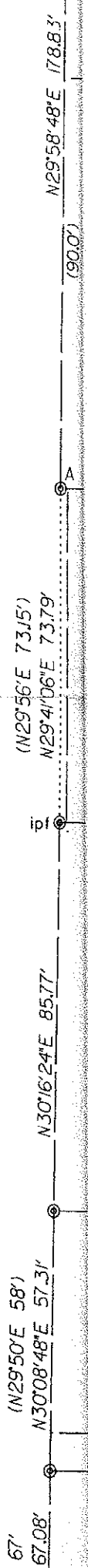
TRACT 3: 80 X 115.15 FOOT TRACT OF LAND, BEING A PART OF LOT 1, BLOCK 8, WESTFIELD "A", A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 3, PAGE 107 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS.

TRACT 4: 19 X 80 FOOT TRACT OF LAND, BEING A PART OF LOT 1, BLOCK 8, WESTFIELD "A", A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 3, PAGE 107 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS.

THE ABOVE LISTED TRACTS OF LAND BEING ALL OF THOSE CERTAIN FOUR TRACTS OF LAND CONVEYED TO LUCILLE ALLISON OCKEY IN WARRANTY DEED RECORDED IN VOLUME 6264 PAGE 649 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS.

TRACT 5: BEING A PART OF LOT 1, BLOCK 8, WESTFIELD "A", A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 3, PAGE 107 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING ALL OF THAT CERTAIN (50 X 209 FOOT) TRACT OF LAND CONVEYED TO I.L. ALLISON, JR. AND LUCILLE ALLISON OCKEY IN DEED RECORDED IN VOLUME 2718, PAGE 523 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS.

see accompanying field note description



Travis Central Appraisal District
 P.O. Box 149012
 Austin, Texas 78714
 Internet Address: www.travisad.org
 Main Telephone Number (512) 834-9317
 TDD (512) 834-9328

This tax map was compiled solely for the use of T.C.A.D.
 Areas depicted by these digital products are approximate,
 and are not necessarily accurate to mapping, surveying or
 engineering standards. Conclusions drawn from this information
 are the responsibility of the user. The T.C.A.D. makes no claims,
 promises or guarantees about the accuracy, completeness or
 adequacy of this information and expressly disclaims liability for
 any errors and omissions. The mapped data does not constitute
 a legal document.

NAD 1983 StatePlane
 Texas Central FIPS 4203 Feet
 Projection: Lambert_Conformal_Conic
 North Arrow

Scale	1" = 100' scale map
Thin	1" = 100' scale map
Thick	1" = 500' scale map

0 120 Feet
 Revision Date
 3/31/2010

1 1306



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 # C15-2011-0062
ROW # 10589939
TP-0113060820

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: 1201 Exposition, 1206 Norwalk Lane B, 1206 Norwalk Lane A and 1210 Norwalk Lane, four adjacent lots that comprise a tract of land to be redeveloped together:

LEGAL DESCRIPTION:

- 1201 Exposition: 50X134 FT OF LOT 1 BLK 8 WESTFIELD A 0113060820
- 1206 Norwalk Lane B: 79X134 FT OF LOT 1 BLK 8 WESTFIELD A 01-1306-0811
- 1206 Norwalk Lane A: E80 FT OF S134.13 FT AV OF LOT 1 BLK 8 WESTFIELD A 01-1306-0819
- ~~1210 Norwalk Lane~~: CEN 50 FT OF LOT 1 BLK 8 WESTFIELD A 01-1306-0810

I/We PSW Homes (John Carter Shanklin and/or Ryan Diepenbrock) on behalf of myself/ourselves as authorized agent for the Ockey Family Trust affirm that on April 8, 2011 we hereby apply for a hearing before the Board of Adjustment for consideration to:

(check appropriate items below)

ERECT ATTACH COMPLETE REMODEL MAINTAIN

A development of attached, multi-story condominiums (12) on one portion balanced with detached, single story 'homesite' condominiums (8) on the remaining portion of the tract if we can get some modest relief from the required 25ft setback to a 15ft setback on the 12th Street frontage

in an MF-3 - NP district.
(zoning district)

West Austin N.P.

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 property is surrounded on three sides by road frontage which compresses the buildable foot print and pushes the design to be vertical (multi-story, 30 units) to a greater extent than we believe is appropriate given the goals of the neighborhood plan which seek to limit density and maintain a scale that is compatible with the single family character of the area. Without a change in the required setback along 12th street to 15ft from 25ft a single family design on a portion of the tract could only be done if the houses were so close together as to be aesthetically unappealing and out of character of the area and notably less safe from a fire safety perspective.

HARDSHIP:

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

The property is surrounded on three sides by road frontage and the required setbacks limit the buildable foot print significantly more than a comparable adjacent property. An identical MF3 property with streets on two sides would have a buildable area of 76% of the total, the subject tract is limited to 69% by the additional setback required due to the third street.

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

Of the immediate adjacent properties on the three streets two of the three are not residential properties, the one to the west is Lions Municipal Golf course, the one to the south is the football field and track for O'Henry Junior High School, the property to the east is zoned SF3 and the northern MF3 zoned lot has only two streets to contend with.

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 variance helps the planned development conform to the general goals of the neighborhood plan in that it keeps a significant portion of the tract as single family style, one story homes lowering both the overall density and height as opposed to the

alternative of a large monolithic 3 to 4 story building of all attached condos covering the entire buildable area in the tract with current setbacks. It does not impair the use of the adjacent properties (a Jr High School football field directly across), existing area condos and apartments or the golf course and the 15ft setback combined with the approximately 7ft ROW means the closest any structure would come to the curb on the 12th street side would be 22ft (compared to the 25ft setback requirement) which provides a substantial buffer between the street and the nearest structure on the subject property. With no actual building structure currently in place or likely in the future within several hundred feet on the directly adjacent lot to the south (O'Henry Jr HS) this change does not impair the purpose of the regulation zoning 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 *John Carter Shanklin*, April 8th, 2011
John Carter Shanklin, PSW Homes

Mail Address: 2003 S. 1st Street, Austin, TX 78704. 512-276-5414.

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 *Allison R. Ockey (Bob)*
Ockey Family Trust

Mail Address *74 Highland Rd*

City, State & Zip *Sunny Valley, CA 93065*

Printed *ALLISON ROBERT OCKEY* Phone *(818) 599-3725* Date *4-10-11*

GENERAL INFORMATION FOR SUBMITTAL OF A VARIANCE REQUEST TO THE BOARD OF ADJUSTMENT

(The following is intended to provide assistance in explaining the variance process. These suggestions are not intended to be a complete or exhaustive guide in assisting you through this process.)

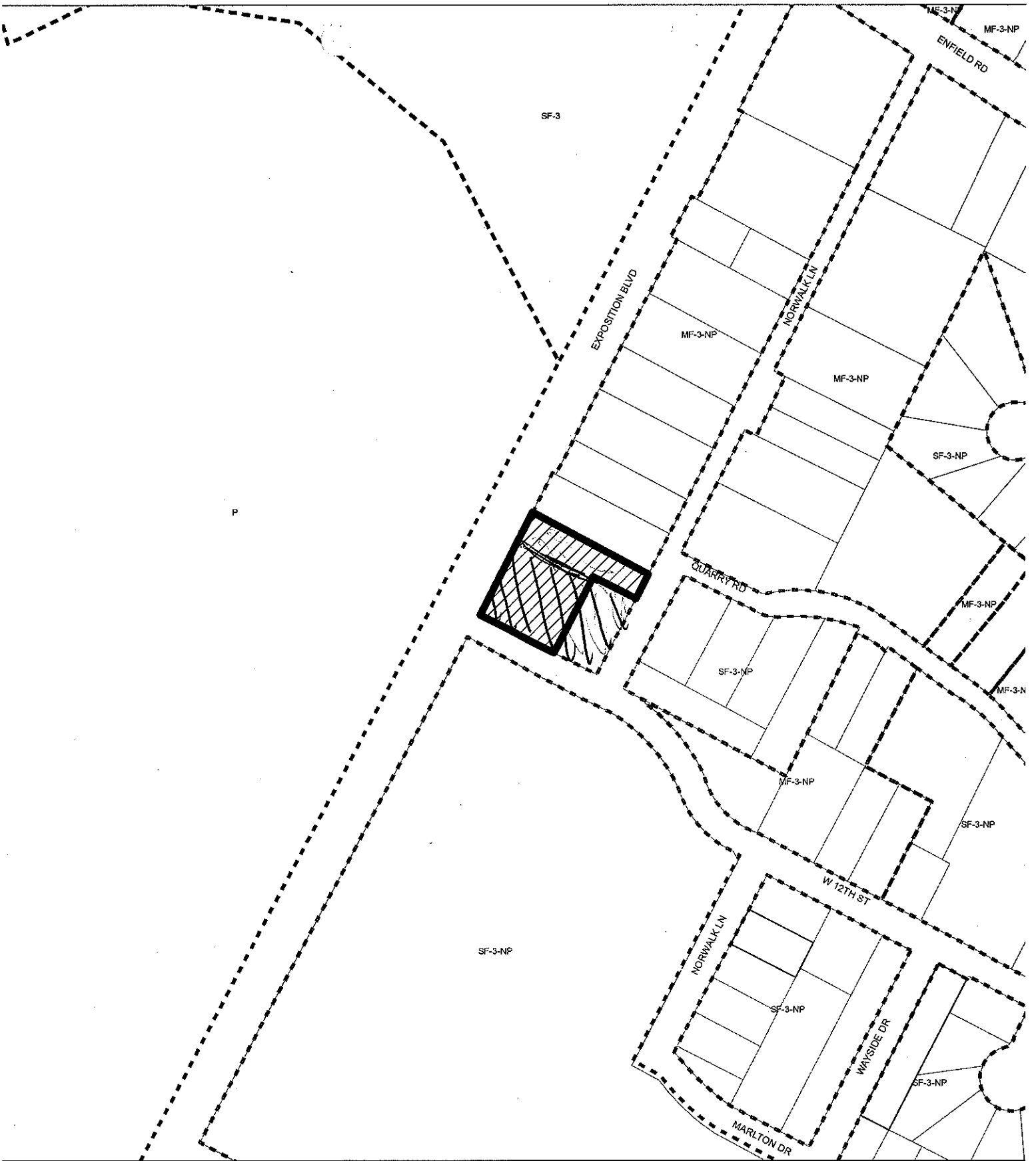
VARIANCE REQUIREMENTS:

General Requirements:

- A. A variance may be granted if, because of special circumstances of a property, the strict application of the Land Development Code regulations deprives the property owner of privileges that are enjoyed by another person who owns property in the area that has the same zoning designation as the property for which the variance is requested.
- B. A variance to a regulation may not grant special privileges that are inconsistent with the limitations on other properties in the area or in the district in which the property is located.

SUBMITTAL REQUIREMENTS: (Failure to complete the application or to submit all the required materials will result in non-acceptance of the application.)



- (1) A completed application indicating all variances being requested. An application must include proposed findings that will support requested variances. The required findings must address each variance being sought.
- (2) A site plan to scale indicating present and proposed construction and location and use of structures on adjacent lots.
- (3) Check made payable to the City of Austin for the Board of Adjustment application fee. (Residential zoning - \$360. All other zonings - \$660.)
- (4) Other Information - Although the following is not a requirement of submittal you may wish to include additional information that may assist the Board in making an informed decision regarding your request such as: photos of the site or visual aids to support the request, letters from the neighborhood association(s) etc. Any additional information you wish to submit must be in our office one week prior to the meeting.

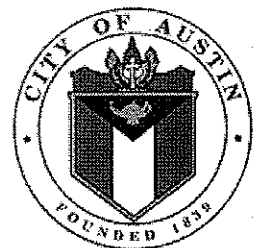


BOARD OF ADJUSTMENTS

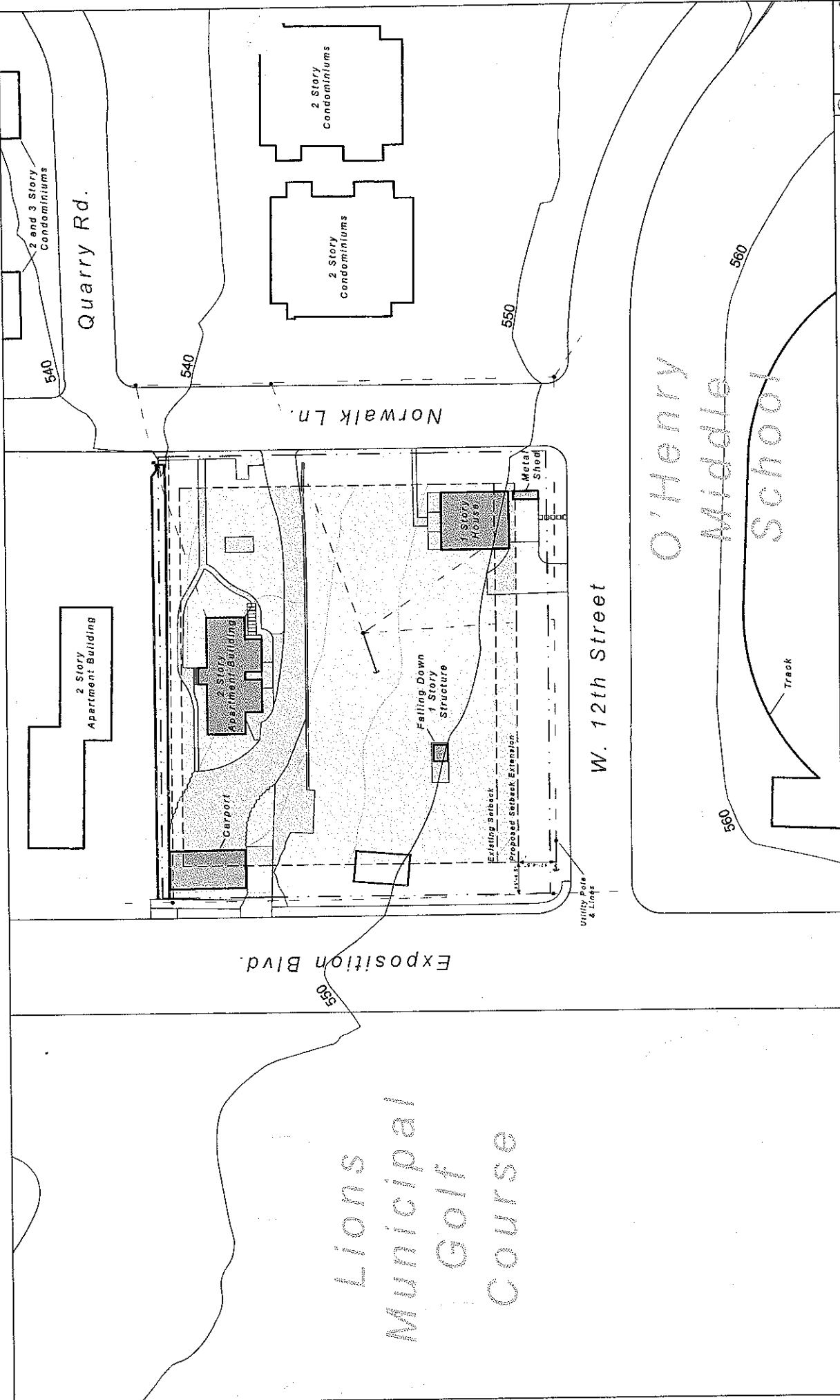
CASE#: C15-2011-0062
 LOCATION: 1201 EXPOSITION BLVD, 1206 A & B
 NORWALK LN & 1210 NORWALK LN
 GRID: G24
 MANAGER: SUSAN WALKER



-  SUBJECT TRACT
-  ZONING BOUNDARY



This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



2 and 3 Story Condominiums

Quarry Rd.

2 Story Apartment Building

2 Story Apartment Building

Carport

Falling Down 1 Story Structure

2 Story House

Metal Shed

Existing Sebeck

Proposed Sebeck Extension

Utility Pole & Lines

Norwalk Ln.

W. 12th Street

O'Henry Middle School

Track

Exposition Blvd.

Lions Municipal Golf Course

540

540

550

560

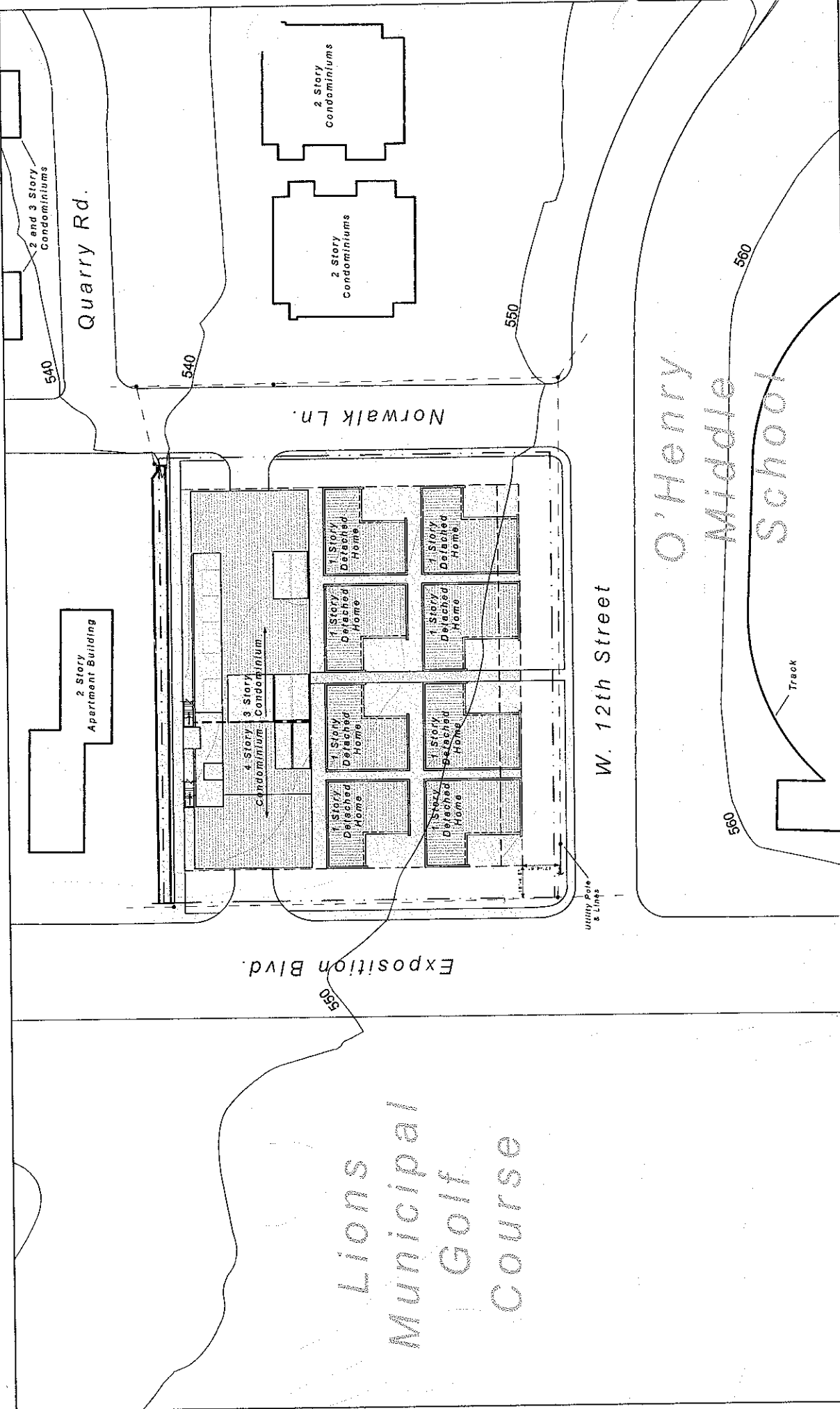
560

Site Plan
Existing Conditions

12th & Exposition

PSW REAL ESTATE

SCALE: 1" = 40'



2 and 3 Story Condominiums

Quarry Rd.

540

540

Norwalk Ln.

550

2 Story Condominiums

2 Story Condominiums

2 Story Apartment Building

4 Story 3 Story Condominium

1 Story Detached Home

1 Story Detached Home

1 Story Detached Home

1 Story Detached Home

1 Story Detached Home

1 Story Detached Home

1 Story Detached Home

1 Story Detached Home

1 Story Detached Home

1 Story Detached Home

1 Story Detached Home

1 Story Detached Home

W. 12th Street

Exposition Blvd.

550

Lions Municipal Golf Course

O'Henry Middle School

560

560

Track

Utility Poles & Lines

Site Plan
Proposed Development

12th & Exposition

PSW REAL ESTATE

SCALE: 1" = 40'



City of Austin

Austin's Community-Owned Electric Utility

www.austinenergy.com

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

April 20, 2011

Mr. Carter Shanklin
2003 S 1st Street
Austin, Texas 78704

Re: 1201 Exposition Blvd; 1206 and 1210 Norwalk Lane
Lot 1, Block 8 Westfield A

Dear Mr. Shanklin,

Austin Energy (AE) has reviewed your application for the above referenced property requesting to erect the multi-story condominiums. 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 322-6112.

Sincerely,

A handwritten signature in black ink, appearing to read "Christine Esparza", with a long horizontal flourish extending to the right.

Christine Esparza
Public Involvement/Real Estate Services

Cc: Diana Ramirez and Susan Walker