

CITY OF AUSTIN
APPLICATION TO BOARD OF ADJUSTMENT
GENERAL VARIANCE/PARKING VARIANCE

C15-2011-0099

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

TP-0101000201
ROW-10634216

STREET ADDRESS: 801 1/2 South 1st Street

LEGAL DESCRIPTION: Subdivision - 19,800 SF out of Abstract 8, Survey 20 Decker I 61.855 Acres

Lot(s) _____ Block _____ Outlot _____ Division _____

I/We Axiom Engineers Inc. on behalf of myself/ourselves as authorized agent for

Texas School for the Deaf affirm that on July 26, 2011,

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

(check appropriate items below)

ERECT ATTACH COMPLETE REMODEL MAINTAIN

An unmanned 3,063 sf communication services facility for Time Warner Cable.

in a SF 2 - NP district.
(zoning district)

25-2-804

Boulder Creek N.P.

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 lease boundary footprint for the proposed Time Warner Cable communication services facility is zoned SF-2. City staff recommended this zoning specifically to limit the types of uses that might be allowed within the zoning footprint. All adjacent properties are zoned MF or less restrictive or are unzoned state-owned Texas School for the Deaf campus property. Section 25-2-804 of the Land Development Code limits communication service facility structure height to 12 feet in, or immediately adjacent to, SF-6 or more restrictive zoning. The purpose of this rule is to ensure compatibility with adjacent single-family property. In this case however, none of the surrounding property contains single-family zoning or is used for single family residential purposes. Accordingly, enforcement of the 12-foot compatibility height limit in this case creates an unreasonable hardship because no property exists which requires single-family compatibility protection. The proposed structure will be approximately 21 feet in height, well below the maximum height limit of 35-feet generally allowed under SF-2 zoning. In addition, other buildings in the area are two and three story structures that occupy higher ground than the proposed Time Warner Cable facility. The Texas School for the Deaf administration leased the land to Time Warner Cable for the specific purpose of constructing the proposed building and therefore has no compatibility issues with on-campus structures. In addition, the architecture of the proposed building was specifically selected to compliment the existing building on the campus.

HARDSHIP:

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

The situation in which the lease boundary footprint for the Time Warner Cable building itself is zoned SF-2 is unique. None of the surrounding properties have single family zoning of any type and are primarily used for multi-family residential. The hardship therefore occurs through the application of a compatibility requirement (Section 25-2-804) that does not serve to protect any single-family property and does not apply to any of the surrounding property, except the subject facility.

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

Similar to question 2a, the situation in which the footprint for the Time Warner Cable building itself is zoned SF-2 is unique. The hardship is unique and specific to the communication service facility under consideration. It is highly unlikely that any of the surrounding properties will ever encounter the same hardship.

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:

As discussed above, all adjacent properties are zoned MF or less restrictive or are unzoned state-owned Texas School for the Deaf campus property. The proposed structure will be approximately 21 feet in height, well below the maximum height limit of 35-feet generally allowed under SF-2 zoning. In addition, other buildings in the area are two and three story structures that occupy higher ground than the proposed Time Warner Cable facility. The Texas School for the Deaf administration leased the land to Time Warner Cable for the specific purpose of constructing the proposed building and therefore has no compatibility issues with on-campus structures. In addition, the architecture of the proposed building was specifically selected to compliment the existing building on the campus.

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:

Not Applicable.

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:

Not Applicable.


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

Not Applicable.

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

Not Applicable.

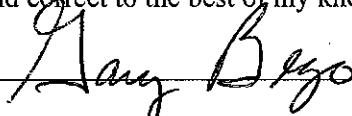
APPLICANT CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed  Mail Address ncf@axiomtexas.com

City, State & Zip Axiom Engineers Inc., 13276 Research Blvd. Ste 208, Austin, TX 78750

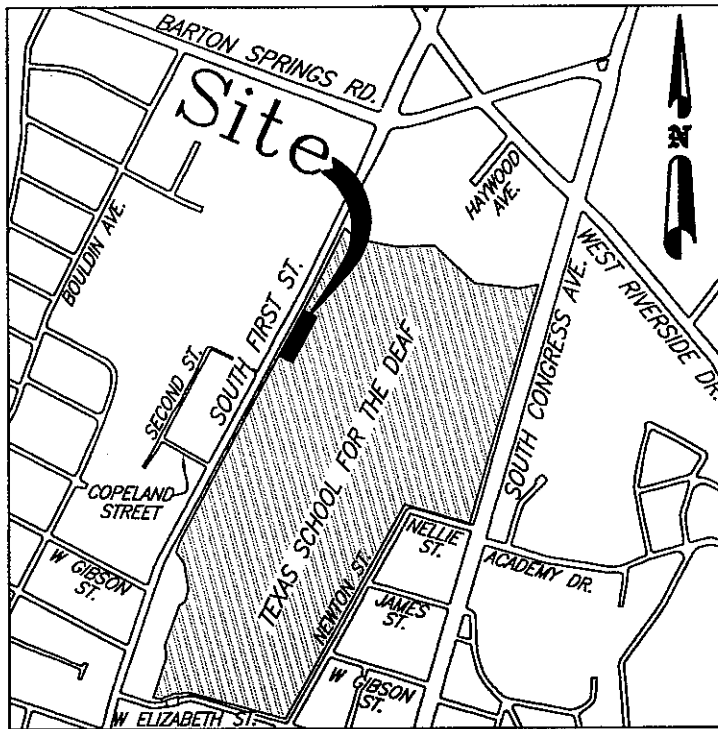
Printed Nicole Folta Findeisen, P.E. Phone (512) 506-9335 Date 07/26/2011

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 gary.bego@tsd.state.tx.us

City, State & Zip Texas School for the Deaf, 1102 So. Congress Ave., Austin, Texas, 78704

Printed Gary Bego, Director of Business and Operations Phone (512) 462-5350 Date 8/2/11



PROJECT LOCATION MAP
NTS

GRIDS H21
MAPSCO PAGE 614

Owner's Name **TEXAS PUBLIC FINANCE AUTHORITY**

Property Details

Mailing Address STE 313
1201 BRAZOS ST
AUSTIN, TX 78701-1938
Location 1102 S CONGRESS AVE 78704
Legal ABS 8 SUR 20 DECKER I ACR 61.855

Deed Date 02281990
Deed Volume 11133
Deed Page 00532
Exemptions TOT
Freeze Exempt F
ARB Protest F
Agent Code 0
Land Acres 61.8550
Block
Tract or Lot
Docket No.
Abstract Code A0008
Neighborhood Code KEXMP

Value Information

2011 Certified

Land Value 11,451,213.00
Improvement Value 0.00
AG Value 0.00
AG Productivity Value 0.00
Timber Value 0.00
Timber Productivity Value 0.00
Assessed Value 11,451,213.00
10% Cap Value 0.00
Total Value 11,451,213.00

Data up to date as of 2011-08-03

- AGRICULTURAL (1-D-1) APPOINTMENT OF AGENT FORM FREEPORT EXEMPTION HOMESTEAD EXEMPTION FORM
PRINTER FRIENDLY REPORT PROTEST FORM RELIGIOUS EXEMPTION FORM (TIFF) PLAT MAP (PDF) PLAY MAP

Value By Jurisdiction

Entity Code	Entity Name	2010 Tax Rate	Assessed Value	Taxable Value	Market Value	Appraised Value
0A	TRAVIS CENTRAL APP DIST		11,451,213.00	0.00	11,451,213.00	11,451,213.00
01	AUSTIN ISD	1.227000	11,451,213.00	0.00	11,451,213.00	11,451,213.00
02	CITY OF AUSTIN	0.457100	11,451,213.00	0.00	11,451,213.00	11,451,213.00
03	TRAVIS COUNTY	0.465800	11,451,213.00	0.00	11,451,213.00	11,451,213.00
2J	TRAVIS CO HEALTHCARE DIST	0.071900	11,451,213.00	0.00	11,451,213.00	11,451,213.00
68	AUSTIN COMM COLL DIST	0.095100	11,451,213.00	0.00	11,451,213.00	11,451,213.00

Improvement Information

Improvement ID State Category Description

Segment Information

Imp ID Seg ID Type Code Description Class Effective Year Built Area
Total Living Area 0

Land Information

Land ID Type Code SPTB Code Homesite Size-Acres Front Depth Size-Sqft
100829 LAND D2 F 61.855 0 0 2,694,403

Show History



City of Austin

Austin's Community-Owned Electric Utility

www.austinenergy.com

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

August 1, 2011

Nicole Folta Findeisen
Axiom Engineers Inc
13276 Research Blvd, Ste 208
Austin, Texas 78750
[ncf@axiomtexas.com](mailto:nf@axiomtexas.com)

Re: 801 S. 1st St
19,800 Sq Ft out of 61.855 acre tract, Isaac Decker League

Dear Ms. Findeisen,

Austin Energy (AE) has reviewed your application for the above referenced property requesting to increase the height from 12 feet to 20 feet in order to construct a building which will be set back 25 feet off the front property line. 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 322-6587.

Sincerely,

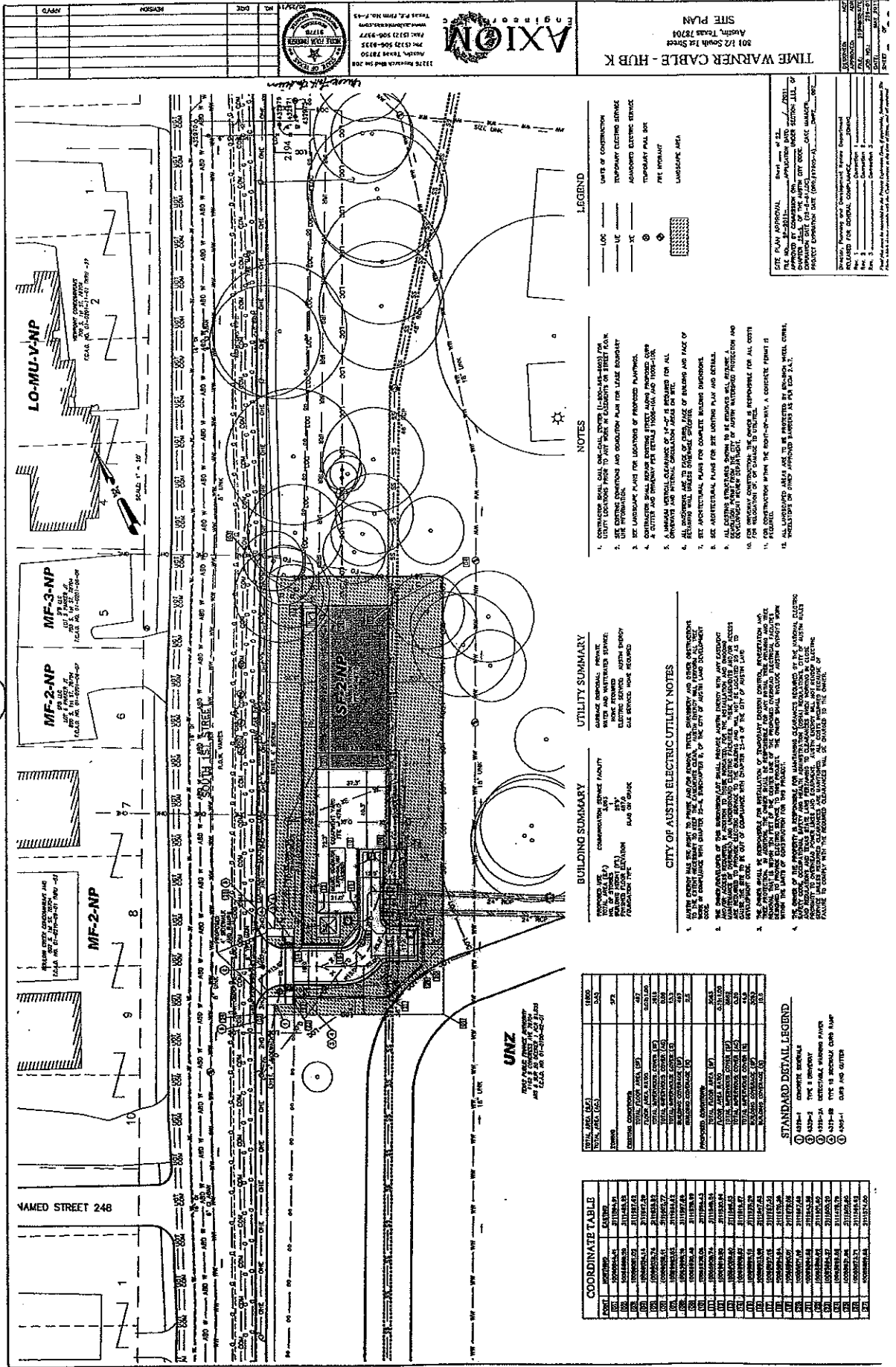
A handwritten signature in black ink, appearing to read "Lena Lund".

Lena Lund
Public Involvement/Real Estate Services

Cc: Diana Ramirez and Susan Walker

Austin Energy has reviewed this plan for 801 S. 1st St. and approves the variance requested before the Board of Adjustment. Any changes to this plan must be approved by Austin Energy.

AUSTIN ENERGY
[Signature]
 Date 8/1/2011



AXION ENGINEERS
 13175 BELLEVUE ROAD SUITE 200
 AUSTIN, TEXAS 78750
 TEL: (512) 506-9333
 FAX: (512) 506-9377
 www.axionengineers.com

TIME WARNER CABLE - HUB K
 SITE PLAN
 801 S. 1st Street
 Austin, Texas 78704

LEGEND

- LOC - LIMIT OF CONSTRUCTION
- UE - UTILITY EASEMENT
- AE - ASSUMED EASEMENT
- TE - TEMPORARY EASEMENT
- PE - PERMITS
- LA - LANDSCAPE AREA

- NOTES**
- CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS FROM THE CITY OF AUSTIN AND THE UTILITY COMPANIES PRIOR TO ANY WORK BEING PERFORMED ON STREET EAK.
 - SEE GENERAL CONDITIONS AND SPECIFICATIONS FOR THE UTILITY COMPANIES.
 - SEE LANDSCAPE PLAN FOR LOCATIONS OF PROPOSED PLANTINGS.
 - CONTRACTOR SHALL PROVIDE STREET LIGHTS AND TRAFFIC SIGNALS AS SHOWN ON THE PLAN.
 - A MINIMUM VERTICAL CLEARANCE OF 14'-0" IS REQUIRED FOR ALL OVERHEAD AND UNDERGROUND UTILITIES.
 - SEE ARCHITECTURAL PLAN FOR COMPLETE BUILDING ELEVATIONS.
 - SEE ARCHITECTURAL PLAN FOR THE EXTERIOR FINISHES AND DETAILS.
 - ALL EXISTING STRUCTURES SHOWN TO BE REMOVED WILL BE DEMOLISHED AND RECONSTRUCTED IN ACCORDANCE WITH THE CITY OF AUSTIN ORDINANCES.
 - FOR CONSTRUCTION WITHIN THE RIGHT-OF-WAY, A CONCRETE FURNISH IS REQUIRED.
 - ALL LANDSCAPING SHALL BE TO BE PROVIDED BY THE CONTRACTOR.
 - RECONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF AUSTIN ORDINANCES.

- UTILITY SUMMARY**
- BUILDING SUMMARY**
- CITY OF AUSTIN ELECTRIC UTILITY NOTES**
- THE OWNER SHALL BE RESPONSIBLE FOR THE INSTALLATION OF TEMPORARY CONSTRUCTION UTILITY SERVICE TO THE PROJECT. THE UTILITY COMPANY SHALL BE RESPONSIBLE FOR THE PERMANENT UTILITY SERVICE TO THE PROJECT.
 - THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE INSTALLATION OF PERMANENT UTILITY SERVICE TO THE PROJECT. THE UTILITY COMPANY SHALL BE RESPONSIBLE FOR THE PERMANENT UTILITY SERVICE TO THE PROJECT.
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COORDINATE TABLE

POINT	EASTING	NORTHING
001	1000000.00	1000000.00
002	1000000.00	1000000.00
003	1000000.00	1000000.00
004	1000000.00	1000000.00
005	1000000.00	1000000.00
006	1000000.00	1000000.00
007	1000000.00	1000000.00
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046	1000000.00	1000000.00
047	1000000.00	1000000.00
048	1000000.00	1000000.00
049	1000000.00	1000000.00
050	1000000.00	1000000.00

STANDARD DETAIL LEGEND

- 01-101-1 CONCRETE CURABLE
- 01-101-2 TYPE 1 CONCRETE
- 01-101-3A DETECTABLE WARNING PAVEMENT
- 01-101-3B TYPE 1 DETECTABLE CURB RAMP
- 01-101-4 CURB AND GUTTER