

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 # C15-2012-0017
ROW # 10705598

TR-0206100201

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: 1148 Northwestern Avenue

LEGAL DESCRIPTION: Subdivision – _____

Lot(s) 41' x 82' Block _____ Outlot 62 Division B Jones M L

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

Sarah Harris affirm that on Dec, 14th,

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

(check appropriate items below)

X ERECT ATTACH COMPLETE REMODEL MAINTAIN

1 - To build a 14 ft. (W) x 20 ft. (L) x 17 ft. (H) (<300 Total Square Ft.) unattached Secondary Apartment in our backyard, and requesting a 5 foot set-back on the west rear property line.

2 - In addition we are requesting a waiver for the required additional off-street parking spot for our secondary apartment. 3 → 0

③ Separation - 15' 6" 1' lot width - 40.59'
lot size - 3,362 sq ft per TCAD
in a SF 3 H NP district. Central East Austin n.i.
(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:

1 - We have no alley with adjacent rear building that butts up to our property. With a small lot, our need to build a small family guest house is not possible in any other location on our property and to meet minimal size needs we will need a 5 ft setback from our west rear property line to construct any habitable building. See Attached Site Plan.

HARDSHIP:

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

1 - We have only one possible location for building on our property and as small as our lot is – with a 10 ft. rear setback we would be unable to build any additional structure on our property.

2 – When we bought our house, the only curb-break for parking access was on Rosewood Avenue, a very busy street, with blind hilltop and frequent number two bus stop on our homes corner. There was never any off-street parking for that reason and because Northwestern Avenue has amply west side street parking and we and only a few neighbors share a more than ample empty public street with no homes on the west side of Northwestern Avenue. There is very limited space on the Rosewood Side (North) for any parking spot and the angle of parking with the curb break, and trees would make that very difficult if not impossible. We are also building the home in the only section for which a feasible backyard parking spot could be made. The corner of Northwestern Avenue and Rosewood Avenue is a very dangerous one and the only other possible place for off-street parking in the front of our house does not have a curb-break. It would also be HIGHLY dangerous for traffic to try to stop and pull into a spot on this very tight corner that also often services a waiting bus, blinding the already difficult corner.

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

1 - Many lots on our street are small , but as a corner lot, ours is especially small and thus requires a variance for any building on the property.

2 - With a very dangerous and busy corner lot as well as no present curb-break on our front yard, we feel a parking spot on Northwestern Avenue is very irresponsible to our safety and our neighbors families with small children. Rosewood Avenue provides a curb break, but with a busy bus stop, still very dangerous corner, one larger tree, and the positioning of our historical home, it is not feasible to add a safe and large enough parking spot.

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:

1 - The setback in question if varied to 5 ft. would leave adequate and necessary space for safety and use between buildings. The guest house built will not run along the entire side of adjacent rear property structure. It will add and maintain character because the rear adjacent building is apt. style built in tight space and the house will leave room and trees for neighbors to enjoy shade and partially use our property for hanging laundry. Adding charcter and an urban in-fill quality as our neighbors and neighborhood assosciation strongly advocates.

2 - This variance will in no way affect the character of our street. We have always parked on street parking. We also rent some of our rooms to help save cost of the house, we have done this ever since we owned our home, we specifically often have renters without cars.

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:

It would actually be FAR more dangerous for transportation issues and pedestrians and children at this highly utilized corner; safety, bus waiting/usage, across the street daycare pick-ups/drop-offs, and traffic flow if we were to add the required off-street parking in either potential location on Northwestern or Rosewood Avenue and have cars pulling-in/pulling-out at this location.

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:

This is currently how our home must operate, and it actually makes the flow of traffic easier as we can simply pull up onto the west side of Northwestern Avenue coming from the south and exit our cars, without disturbing the activity at the corner intersection or bus stop pick-up.

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

See Above.

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

It is a parking variance only that currently is unusual and works without danger or traffic impediment, the variance will only support that logical arrangement that has been in place for over 15 years.

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 Sarah Harris Mail Address: 1148 Northwestern Avenue

City, State & Zip Austin, Texas 78702

Printed _____ Phone 512-435-7775 Date Dec. 14th, 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 Sarah Harris Mail Address 1148 Northwestern Avenue

City, State & Zip Austin, Texas 78702

Printed _____ Phone 512-435-7775 Date Dec. 14th, 2011

'Rea. - Set' [Request Variance]

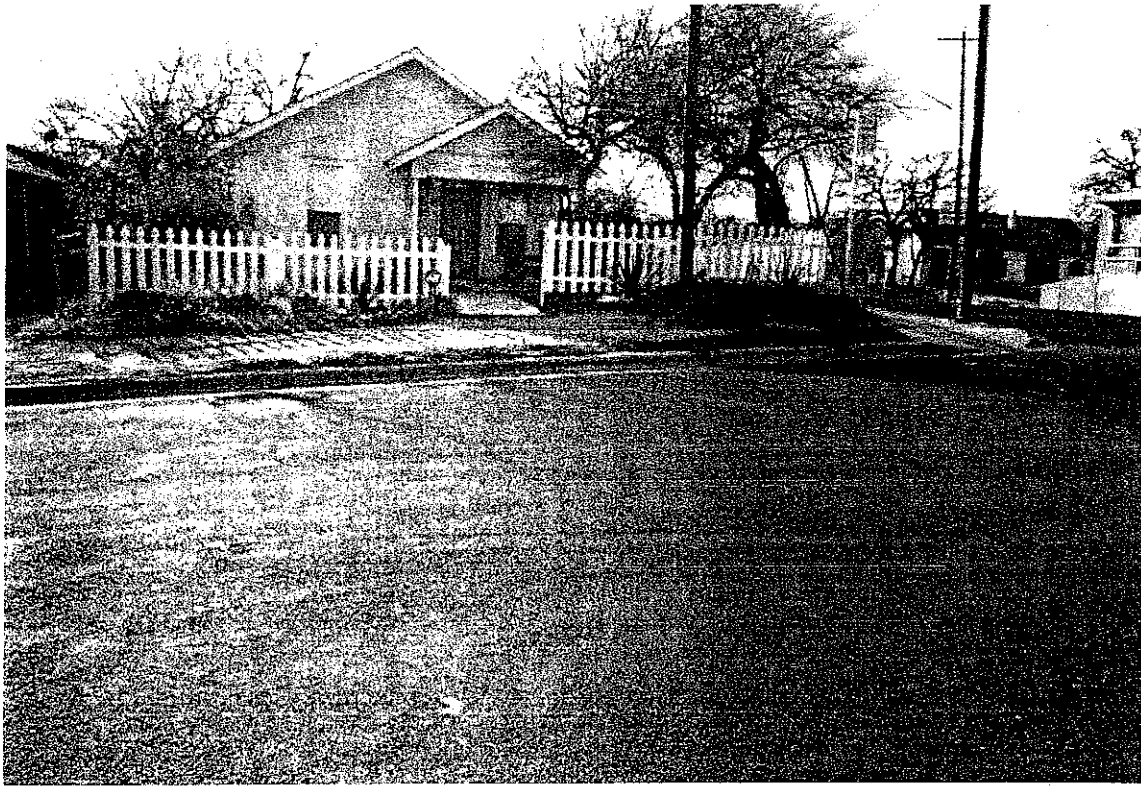


With a 5-ft. rear setback
variance we would be able
to safely construct our apartment.
(Facing South)

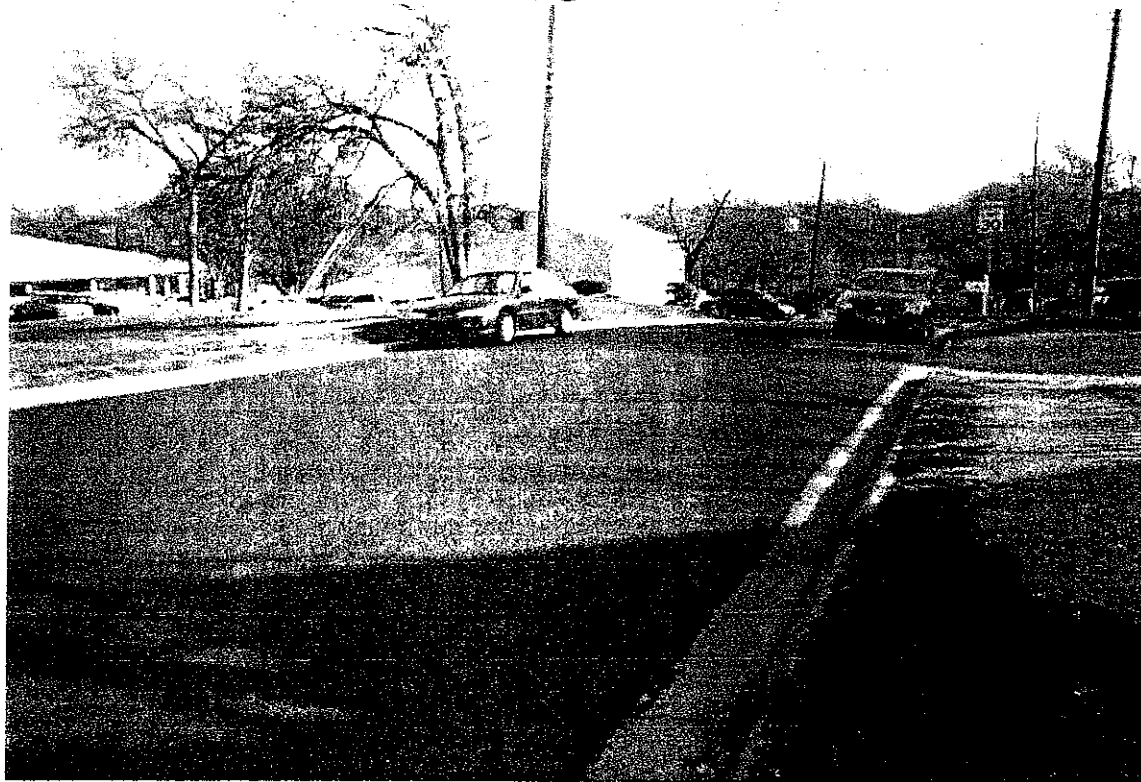


(Facing North)
Stairs will be repaired & shortened in
width (of main house) trees will be left,

Parking "Hardship"



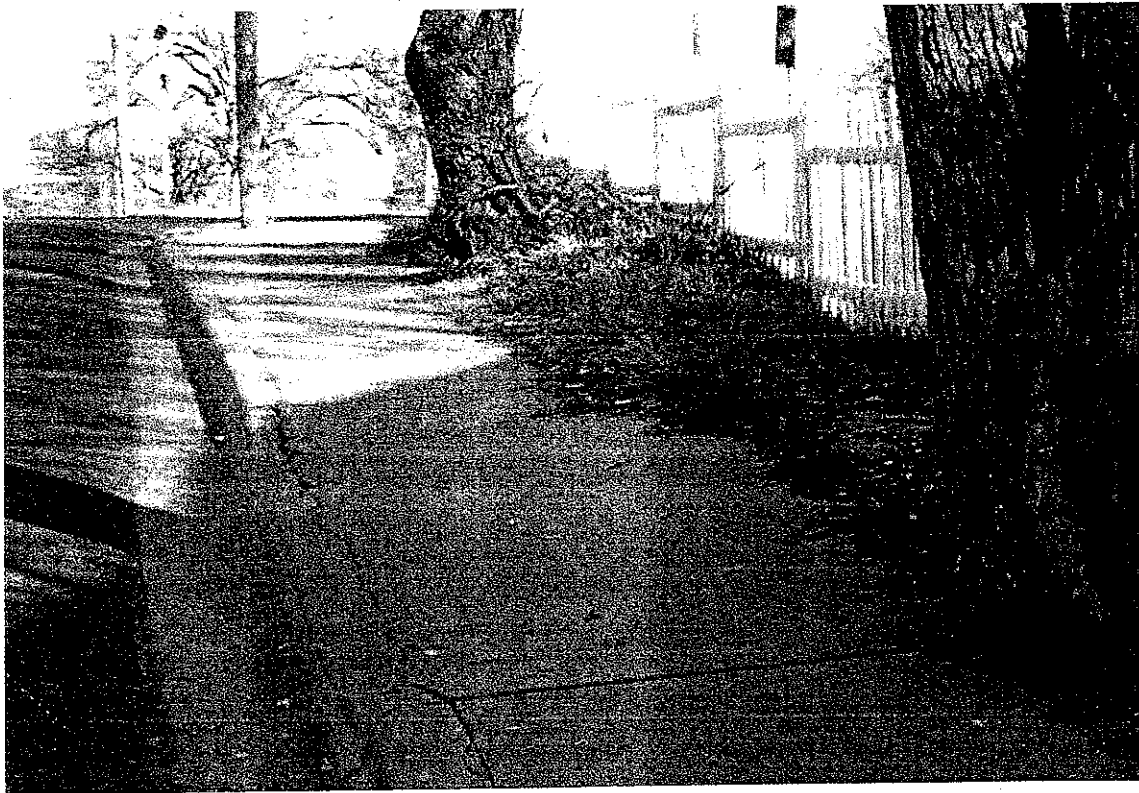
Northwestern Avenue: Shows limited property space, no curb break, large portion of public property, and 'blind corner' at bus stop intersection on busy corner.



Northwestern Avenue:

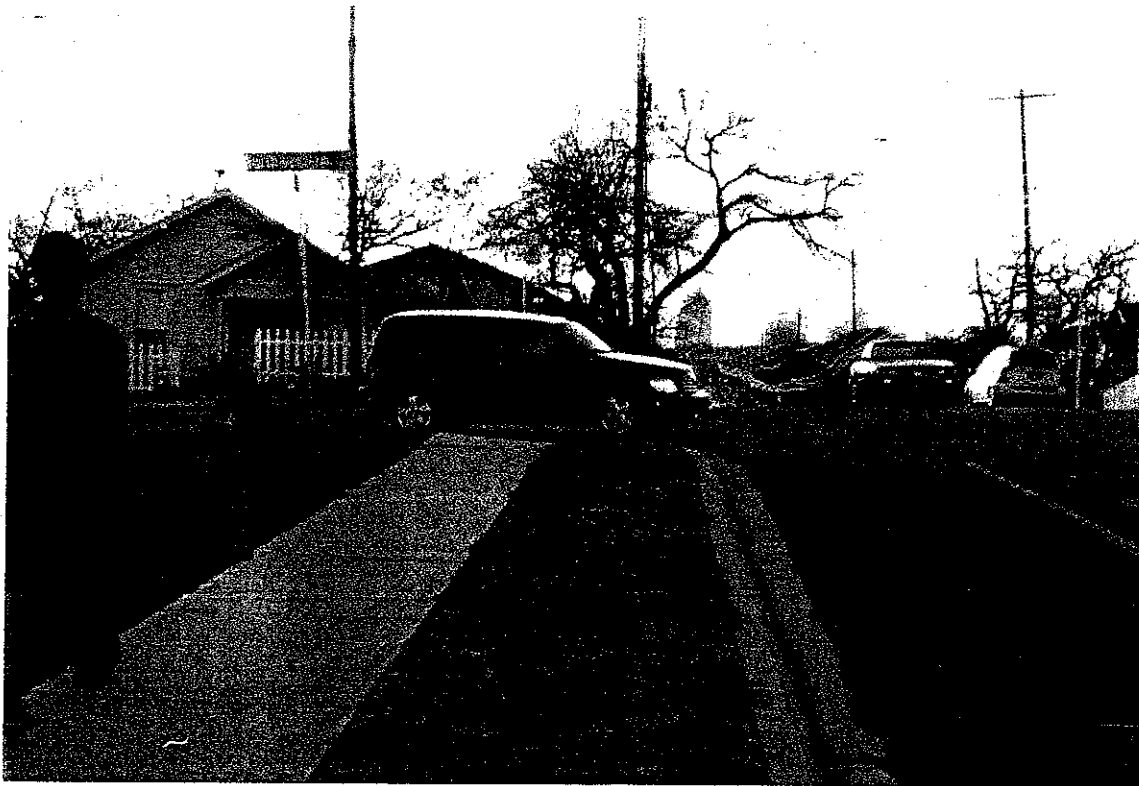
Shows ample & historically used parking for the home without house along Railroad Park

Par'ing "Hardship"



Rosewood Avenue : Curb Break

@ odds with large tree, position
and angle of house on property,
and large tree.



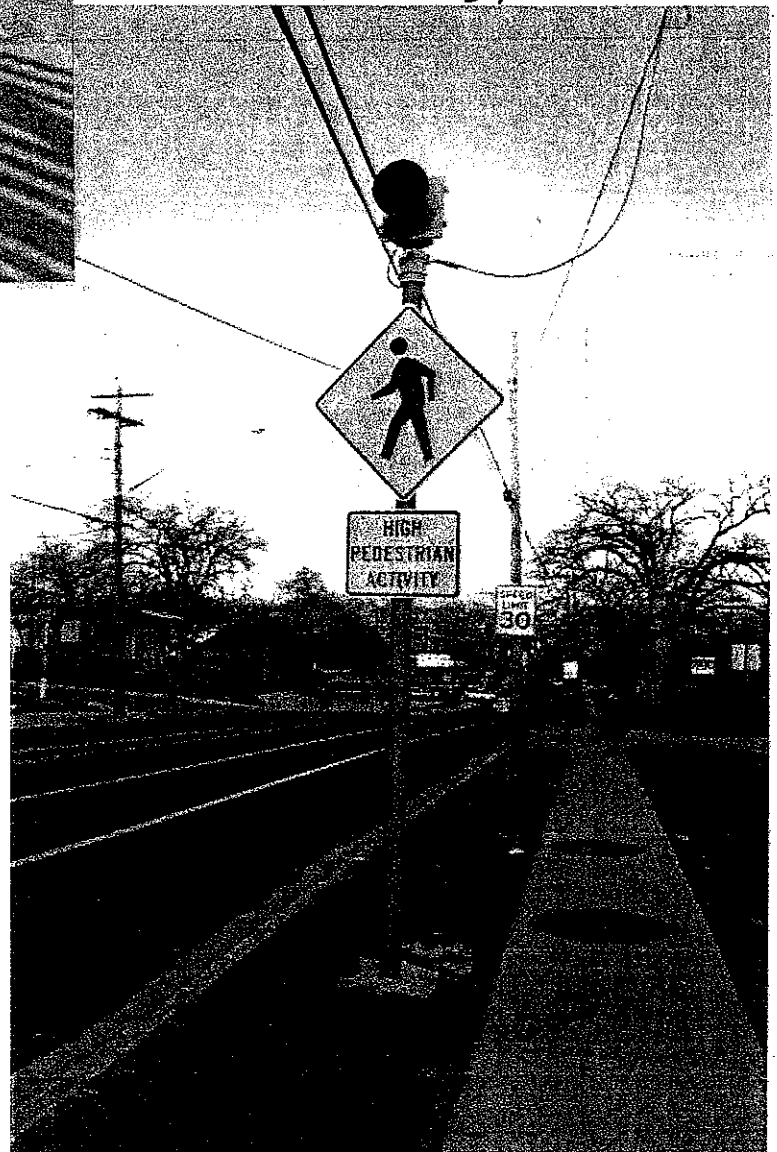
Rosewood Avenue : Showing
Hilltop 'blindspot' that is both directions



Marking Markings
 Rosewood Avenue
 &
 Northwestern Avenue

① Safety

- ↑ pedestrian use
 - across street daycare
 - regular downtown bus
 - public computer lab on the same corner
 - children on our street
- Pulling - In
 &
 Pulling - Out = ↑ Danger,
 ↓ Visibility, Flow Disturbance





Gives idea of colors
surrounding the home, varied
greatly from 'original' homes
color.



Example of a "shot-gun" style
from similar - historical period, in our

Walker, Susan

From: sarah harris [sarahperformance@gmail.com]
Sent: Wednesday, January 25, 2012 4:21 PM
To: Walker, Susan
Subject: Fwd: Req'd Off-Street Parking

Susan,
I wanted to copy you on this. It should be the answer you were looking for. Our entire lot has never had a single spot on this corner, and with the size of the lot, the most we could even fit would be one,...So I suppose we are now asking for a variance on all three. Our home is historical and was grandfathered in we were told for things as this and set-backs the original home exceeds...
Thanks So Much for the response, and we will get the full packet of everything to you by friday,

Sarah and Leo

----- Forwarded message -----

From: Cain, Darren <Darren.Cain@austintexas.gov>
Date: Wed, Jan 25, 2012 at 11:05 AM
Subject: RE: Req'd Off-Street Parking
To: sarah harris <sarahperformance@gmail.com>

Sarah – Unfortunately I do not remember the details of our meeting since I see so many projects daily. I am confident that I would have let you know everything you needed a variance for. Typically, with a secondary garage apartment, we would require 3 off street parking spaces, with each space measuring a minimum of 8.5 feet by 17 feet. Tandem (back to back) parking is limited to 2 max.

Thanks

Darren Cain

Planner III

City of Austin - Planning and Development Review Dept.

(512) 974-9113

darren.cain@austintexas.gov

From: sarah harris [mailto:sarahperformance@gmail.com]
Sent: Tuesday, January 24, 2012 6:09 PM
To: Cain, Darren
Subject: Req'd Off-Street Parking

1/27/2012

Hello Darren,

This is Sarah and Leonel. We had one quick question if possible coming from Susan Walker in BOA office. We have a meeting next month with a deadline this week, and she needed to know how many parking spaces we are required to have adding this secondary apt?

Thanks So Much,

Sarah and Leonel

--just a confirmation as well, do you recommend we wait until after the BOA meeting and things are approved to come for our general building permit, or did you see anything else for which we would need another variance, as we are set to go very soon to that meeting - and it is costly, so getting everything we needed for variances at that time is pretty critical for us. Otherwise we will come in after for our building permit.

Thank You and Best Wishes on this rainy day -

Walker, Susan

From: sarah harris [sarahperformance@gmail.com]
Sent: Wednesday, January 25, 2012 4:46 PM
To: Walker, Susan
Subject: 1148 Northwestern Avenue, Feb. BOA and Historical Meeting Updated Papers
Attachments: 1148 NORTHWESTERN_ 2011 12 12_ELEVATIONS[1].pdf; 1148 NORTHWESTERN_ 2012 01 23_PLOT PLAN[1].pdf; BOA Application 7-31-08 Version[1].doc; Letter of Building Support Angela.doc; Letter of Building Support HelenRoy.doc; Letter of Building Support LeRoy.doc; 1148 NORTHWESTERN_ 2012 01 25_FLOOR PLAN[1].pdf

Susan,

Here is an updated Site Plan/Floor Plan/Elevation Plan for our property that is on the agenda for BOA Review and Historical Review in February. These revisions came after a meeting with residential building department. As well as an updated BOA application. The letters attached will be signed and brought in person as well.

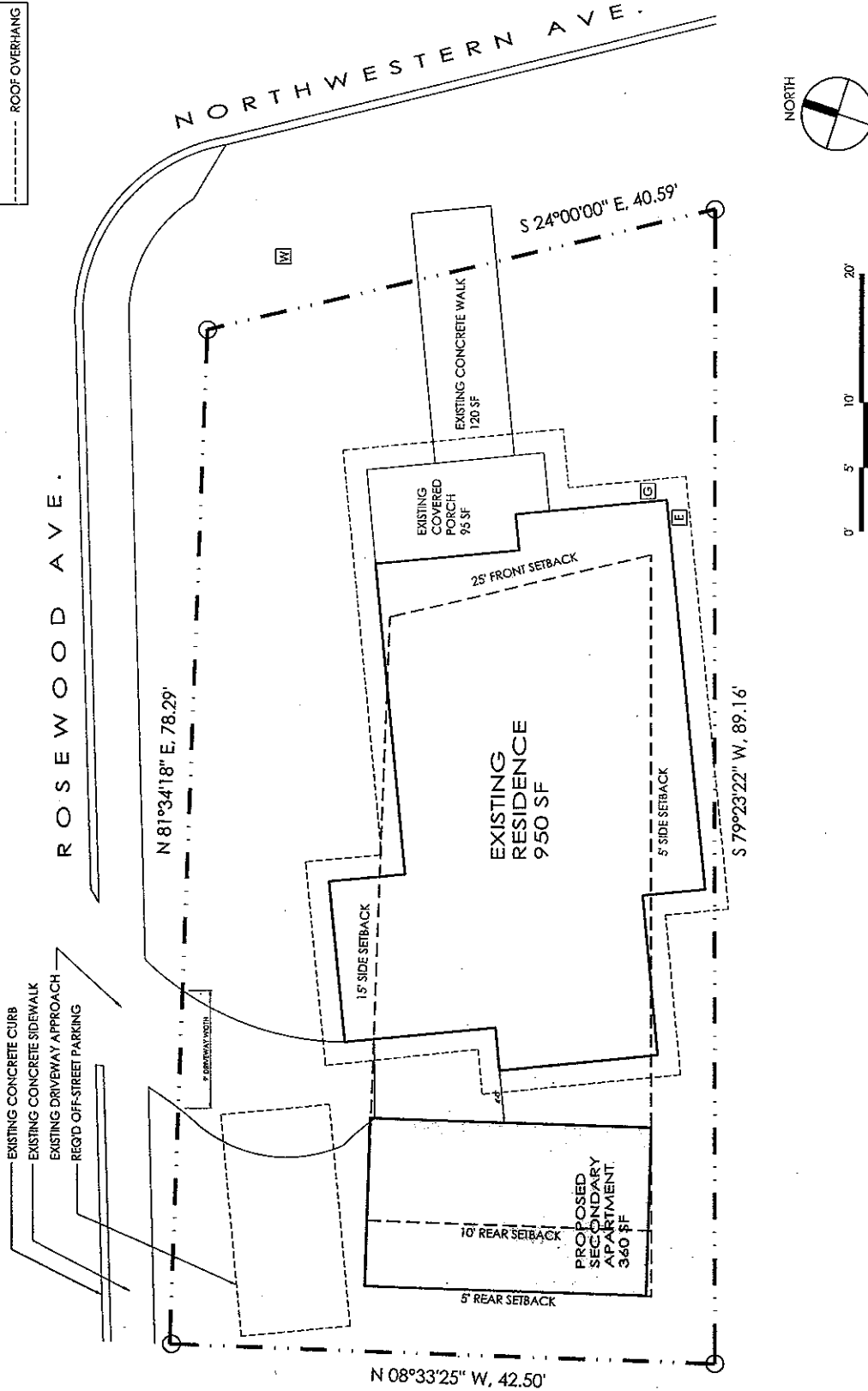
The only other thing we will be bringing for our case are pictures of the lot/street/'situation' for parking/set-back variance request. Is it ok if we bring the pictures to the actual meeting ourselves or should we bring those in as well before? If so that's no problem, but I imagine they need to be brought in as hard copies, or may we send you scanned and labelled copies? Either way just let me know and I will have those to you by tomorrow or Friday. I apologize they weren't ready to send with this set.

It appears we will be asking for a variance on all if not at least two of the spaces required based on our lot size and other factors.

Thank you tremendously for your help, patience and information. This is a huge thing for our family and it is all new to us,
Sarah and Leonel

1/27/2012

KEY	
W	WATER METER
E	ELEC. SERVICE
G	GAS METER
---	PROPERTY LINE
----	ROOF OVERHANG



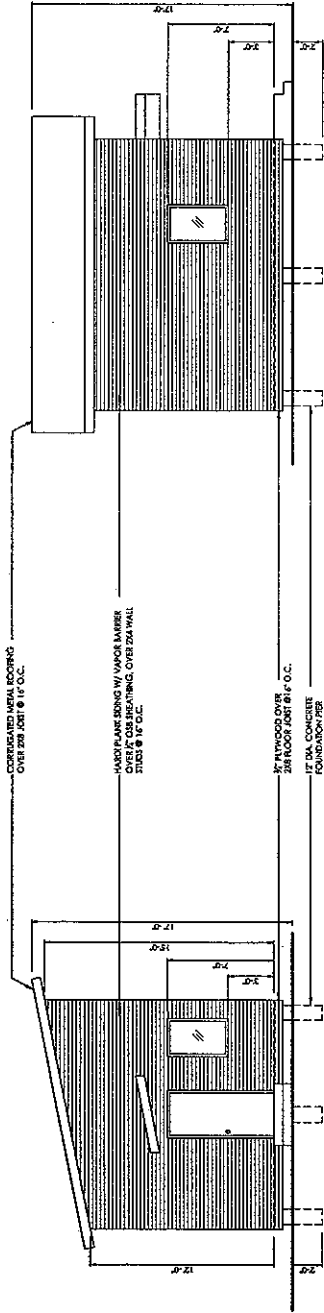


SCALE: 1/4"=1'-0"

Property Address 1148 Northwestern Ave. Austin, TX 78702	Legal Description 41 x 82ft off 62 div B JONES M L	Owner Sarah Harris 512.435.7775	Project Designer Joseph D. Burton 214.886.6549 smash.arc@gmail.com	This drawing is the property of the "Owner" and is not to be reproduced, copied, or otherwise used without the written consent of the architect. It is to be used only for the project and is to be returned upon request.	Issued for Planning	DATE 01/21/2012	SCALE SEE DRAWING	SHEET NUMBER A02	SHEET TITLE FLOOR PLAN
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East Austin Guest House

Property Address	1148 Northwestern Ave. Austin, TX 78702
Owner	Sarah Harris 512.435.7775
Project Designer	Joseph D. Burton 214.886.6549 smash.arc@gmail.com
This drawing is the property of the Owner, and is not to be reproduced or copied in whole or in part. It is not to be used on any other project and is to be returned upon request.	
Issued for	Planning
DATE	12/03/2011
SCALE	SEE DRAWING
SHEET NUMBER	A03
SHEET TITLE	EXTERIOR ELEVATIONS



NORTH ELEVATION

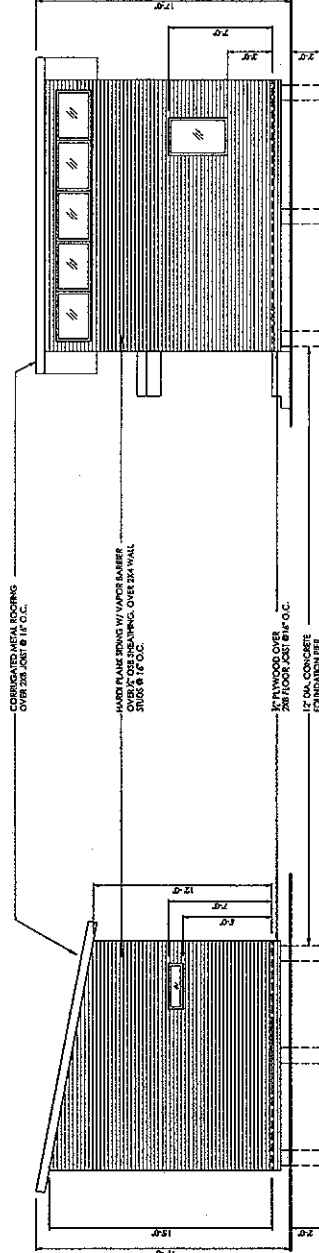
SCALE: 1/8"=1'-0"

4

EAST ELEVATION

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

3



SOUTH ELEVATION

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

2

WEST ELEVATION

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

1