

CITY OF AUSTIN
Board of Adjustment/Sign Review Board
Decision Sheet

DATE: Monday, May 14, 2012

CASE NUMBER: C15-2012-0050

_____ Jeff Jack
_____ Michael Von Ohlen
_____ Nora Salinas
_____ Bryan King
_____ Susan Morrison
_____ Melissa Hawthorne
_____ Heidi Goebel
_____ Cathy French (SRB only)
_____ Dan Graham (SRB only)

APPLICANT: Julia C Webber

OWNER: Luis Sentis & Adela Ben-Yakar

ADDRESS: 1512 29TH ST

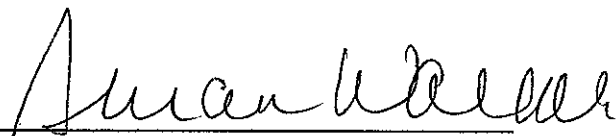
VARIANCE REQUESTED: The applicant has requested a variance to increase the maximum impervious coverage requirement of Section 25-2-492 (D) from 45% to 56% in order to maintain impervious coverage for a two-family residential use in an "SF-3-NP", Family Residence – Neighborhood Plan zoning district.

BOARD'S DECISION: POSTPONED TO JUNE 11, 2012

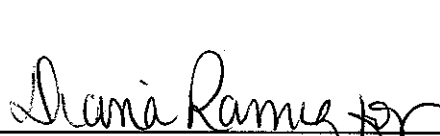
FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because:
2. (a) The hardship for which the variance is requested is unique to the property in that:

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



Susan Walker
Executive Liaison



Jeff Jack
Chairman

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 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: C15-2012-0050 – 1512 W 29th Street
Contact: Susan Walker, 512-974-2202
Public Hearing: Board of Adjustment, May 14th, 2012

Adi Lerner *Case Land and Capital*
 Your Name (Please print)

1517 Mahke Drive
 Your address(es) affected by this application

Adi Lerner Signature _____ Date _____

Daytime Telephone: *512-773-9827*

Comments: *This represents clear over-development of a historically significant neighborhood*

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

City of Austin-Planning & Development Review Department/ 1st Floor
 Susan Walker
 P. O. Box 1088
 Austin, TX 78767-1088



Walker, Susan

From: Julia Webber <julia@rarejules.com>
Sent: Monday, May 14, 2012 1:37 PM
To: Walker, Susan
Cc: Luis Sentis; Jeff Bullard
Subject: 1512 W 29th C15-2012-0050 POSTPONED

Hello, Susan. My client would like to postpone their presentation to the BOA that is scheduled for this evening. Hopefully you have received the voice messages and my prior emails regarding this request. I have tried reaching Diana Ramirez, Clara Hilling and Christopher Johnson in an attempt to communicate this message to a person and not a voice machine, but have not been successful in my efforts. Please email me back to confirm that you have received this message and to confirm that we have been postponed for tonight's hearing and put on the agenda for the following BOA in June.

Thank you,

Julia

Julia Webber
julia@rarejules.com
961-9519 c

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Case Number: C15-2012-0050 - 1512 W 29th Street
Contact: Susan Walker, 512-974-2202
Public Hearing: Board of Adjustment, May 14th, 2012

FRAN T. WARD
Your Name (please print)

<input type="checkbox"/>	I am in favor
<input type="checkbox"/>	I object

212 KERNEY LANE
Your address(es) affected by this application

FRAN T. WARD
Signature

5/7/12
Date

Daytime Telephone: 512-478-6207

Comments: OK BY ME

If you use this form to comment, it may be returned to:
City of Austin-Planning & Development Review Department/ 1st Floor
Susan Walker
P. O. Box 1088
Austin, TX 78767-1088

PUBLIC HEARING INFORMATION

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Case Number: C15-2012-0050 – 1512 W 29th Street
Contact: Susan Walker, 512-974-2202
Public Hearing: Board of Adjustment, May 14th, 2012

Your Name (please print)
 JOHN STREET

1520 W. 29th 78763

I am in favor
 I object

Your address(es) affected by this application

Daytime Telephone: 512-577-5446 *Signature* _____ *Date* _____

Comments: _____

If you use this form to comment, it may be returned to:
 City of Austin-Planning & Development Review Department/ 1st Floor
 Susan Walker
 P. O. Box 1088
 Austin, TX 78767-1088

APPLICATION TO BOARD OF ADJUSTMENT
GENERAL VARIANCE/PARKING VARIANCE

C15-2012-0050
ROW-10747269
TP-011801-10-18

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

PLEASE:
APPLICATION MUST
BE TYPED WITH ALL
REQUESTED
INFORMATION
COMPLETED.

STREET ADDRESS: 1512 W. 29th Street

LEGAL DESCRIPTION: Subdivision -
Bryker Woods

Lot(s) 29 Block Outlot
Division

I, Julia Webber, as authorized agent for

Luis Sentis and Adela Ben-Yakar affirm that on March 27, 2012,

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

(check appropriate items below)

___ ERECT ___ ATTACH ___ COMPLETE X REMODEL ___ MAINTAIN

seek adjustment of the allowable impervious cover from 45% to 56% in order to provide the driveway necessary to access one of the required three parking spaces and maintain those existing hardscape conditions that would bring considerable hardship if removed, in a

SF-3-NP
(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

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:

as existing, the site can not support the required three parking spaces and meet impervious cover restrictions without reasonable hardship for the homeowner. The existing conditions were in place prior to changes in the building requirements that now require the homeowner to provide three spaces, not two, and prior to impervious cover restrictions. While three spaces are currently possible and provided for on site within setback requirements, the necessary parking pads and parking access drives, combined, exceed the impervious cover.

Handwritten mark or signature in the bottom right corner.

HARDSHIP:

2. (a) The hardship for which the variance is requested is unique to the property in that: recent changes to the building requirements have created a situation where existing conditions, all permitted and once in compliance, are no longer meeting current impervious cover requirements. In an effort to find reductions in the impervious cover on the lot, the homeowner is suggesting a design that eliminates the impervious concrete pathways in the rear yard and converts to pervious crushed limestone the driveway connection to the covered parking spot. While this driveway connection will actually be out of a pervious material, the area must be counted within the impervious cover calculations. Meeting the parking demand AND the impervious cover demand would require the homeowner to remove all of the existing decking surrounding the pool area, which was permitted and approved (at a time when only two parking pads were required) and would require eliminating the existing hardscape at the entry that gives a safe walking surface and a clean front to their property.

(b) The hardship is not general to the area in which the property is located because: this property is one of the few in the neighborhood that has both a pool (permitted in 1980) and a garage apartment (permitted in 1940s.) At the time that the garage was converted to an apartment, the third parking spot was not a requirement. Recent changes in nomenclature and building restrictions have resulted in a required third parking spot. While site conditions allow for all three spaces to be provided, the combination of the pool and garage (both permitted) leave no options for reducing impervious cover other than those which create a hardship for the homeowner (removing the pool deck, which is a necessity for pool maintenance and use, and removing the front porch and concrete walkway which is a necessity for providing a safe surface at the entry and a clean front to the property.)

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 existing parking use and perceived impervious cover on the property will not change from what is existing. There are currently three parking spots provided on site. This variance for additional impervious cover will not change the amount of existing impervious cover on the lot. In fact, there will be a reduction of actual impervious cover from 57.3% to 51% (the rule of counting a connecting driveway as impervious, whether it is made of a pervious material or not, brings the calculated impervious cover to 56%).

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:

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

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 *Julia Webber*
Mail Address: 15 Sugar Shack

Austin, TX 78746

Printed JULIA WEBBER Phone 512-961-9519
Date: March 27, 2012

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 *Adela Ben-Yakar* Mail Address 1512 W. 29th St.

City, State & Zip Austin, TX 78703

Printed ADELA BEN-YAKAR Phone 650-704-0764 Date 3/28/12

LUIS SENTIS



-  SUBJECT TRACT
-  ZONING BOUNDARY

CASE#: C15-2011-0050
 LOCATION: 1512 WEST 29TH STREET



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 the Planning and Development Review Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



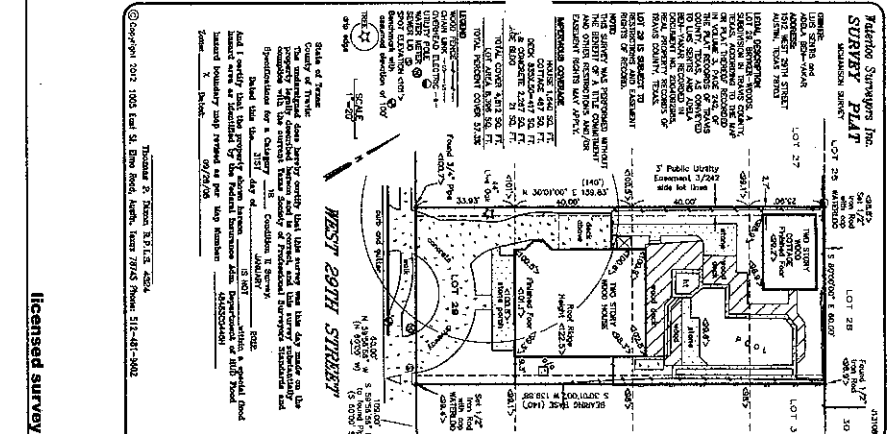
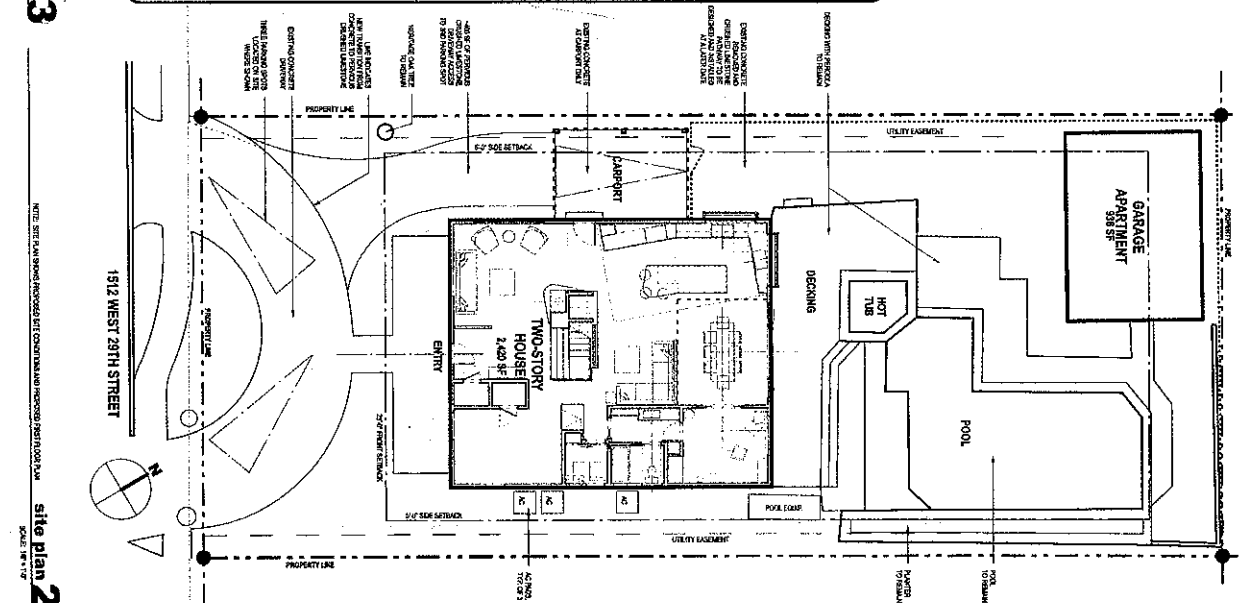
J&B Civil & Surveying, Inc.
1500 West
Austin, TX 78704
512-452-1111

SENTIS/BEN-YAKAR RESIDENCE
1512 W. 29th Street
Austin, Texas 78703

COVER SHEET
site plan • project info
not for permit or construction

DATE OF SUBMITTAL: 05-2018-001
SCALE: AS SHOWN
DATE: 05-2018-001
PROJECT INDEX: 1512 W 29th St

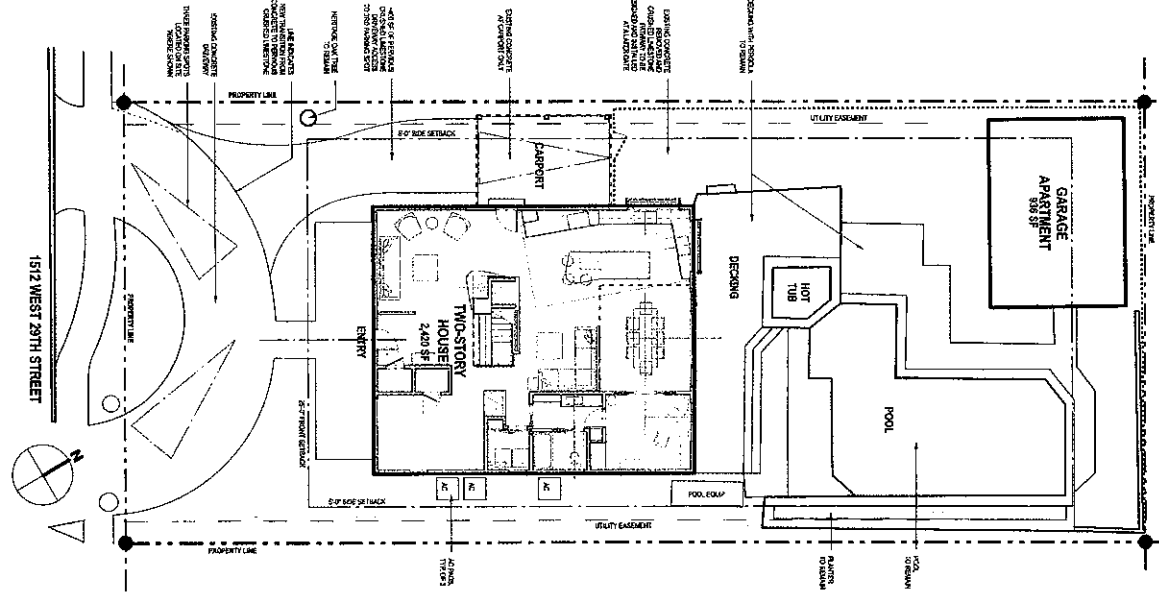
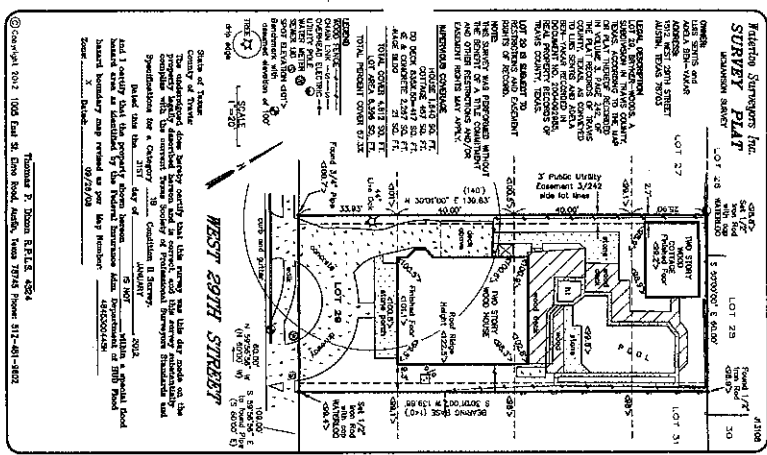
PROJECT INFORMATION	AREA CALCULATION/IRRESOLVED COVER	PROJECT BLOCK MAP
<p>PROJECT: SENTIS/BEN-YAKAR RESIDENCE</p> <p>OWNER: J&B CIVIL & SURVEYING, INC.</p> <p>ARCHITECT: J&B CIVIL & SURVEYING, INC.</p> <p>CONTRACTOR: J&B CIVIL & SURVEYING, INC.</p> <p>DATE: 05-2018-001</p> <p>PROJECT INDEX: 1512 W 29th St</p>	<p>AREA CALCULATION/IRRESOLVED COVER:</p> <p>LOT 28: 2,300 SQ. FT.</p> <p>LOT 29: 2,300 SQ. FT.</p> <p>LOT 30: 2,300 SQ. FT.</p> <p>LOT 31: 2,300 SQ. FT.</p> <p>LOT 32: 2,300 SQ. FT.</p> <p>LOT 33: 2,300 SQ. FT.</p> <p>LOT 34: 2,300 SQ. FT.</p> <p>LOT 35: 2,300 SQ. FT.</p> <p>LOT 36: 2,300 SQ. FT.</p> <p>LOT 37: 2,300 SQ. FT.</p> <p>LOT 38: 2,300 SQ. FT.</p> <p>LOT 39: 2,300 SQ. FT.</p> <p>LOT 40: 2,300 SQ. FT.</p> <p>LOT 41: 2,300 SQ. FT.</p> <p>LOT 42: 2,300 SQ. FT.</p> <p>LOT 43: 2,300 SQ. FT.</p> <p>LOT 44: 2,300 SQ. FT.</p> <p>LOT 45: 2,300 SQ. FT.</p> <p>LOT 46: 2,300 SQ. FT.</p> <p>LOT 47: 2,300 SQ. FT.</p> <p>LOT 48: 2,300 SQ. FT.</p> <p>LOT 49: 2,300 SQ. FT.</p> <p>LOT 50: 2,300 SQ. FT.</p> <p>LOT 51: 2,300 SQ. FT.</p> <p>LOT 52: 2,300 SQ. FT.</p> <p>LOT 53: 2,300 SQ. FT.</p> <p>LOT 54: 2,300 SQ. FT.</p> <p>LOT 55: 2,300 SQ. FT.</p> <p>LOT 56: 2,300 SQ. FT.</p> <p>LOT 57: 2,300 SQ. FT.</p> <p>LOT 58: 2,300 SQ. FT.</p> <p>LOT 59: 2,300 SQ. FT.</p> <p>LOT 60: 2,300 SQ. FT.</p> <p>LOT 61: 2,300 SQ. FT.</p> <p>LOT 62: 2,300 SQ. FT.</p> <p>LOT 63: 2,300 SQ. FT.</p> <p>LOT 64: 2,300 SQ. FT.</p> <p>LOT 65: 2,300 SQ. FT.</p> <p>LOT 66: 2,300 SQ. FT.</p> <p>LOT 67: 2,300 SQ. FT.</p> <p>LOT 68: 2,300 SQ. FT.</p> <p>LOT 69: 2,300 SQ. FT.</p> <p>LOT 70: 2,300 SQ. FT.</p> <p>LOT 71: 2,300 SQ. FT.</p> <p>LOT 72: 2,300 SQ. FT.</p> <p>LOT 73: 2,300 SQ. FT.</p> <p>LOT 74: 2,300 SQ. FT.</p> <p>LOT 75: 2,300 SQ. FT.</p> <p>LOT 76: 2,300 SQ. FT.</p> <p>LOT 77: 2,300 SQ. FT.</p> <p>LOT 78: 2,300 SQ. FT.</p> <p>LOT 79: 2,300 SQ. FT.</p> <p>LOT 80: 2,300 SQ. FT.</p> <p>LOT 81: 2,300 SQ. FT.</p> <p>LOT 82: 2,300 SQ. FT.</p> <p>LOT 83: 2,300 SQ. FT.</p> <p>LOT 84: 2,300 SQ. FT.</p> <p>LOT 85: 2,300 SQ. FT.</p> <p>LOT 86: 2,300 SQ. FT.</p> <p>LOT 87: 2,300 SQ. FT.</p> <p>LOT 88: 2,300 SQ. FT.</p> <p>LOT 89: 2,300 SQ. FT.</p> <p>LOT 90: 2,300 SQ. FT.</p> <p>LOT 91: 2,300 SQ. FT.</p> <p>LOT 92: 2,300 SQ. FT.</p> <p>LOT 93: 2,300 SQ. FT.</p> <p>LOT 94: 2,300 SQ. FT.</p> <p>LOT 95: 2,300 SQ. FT.</p> <p>LOT 96: 2,300 SQ. FT.</p> <p>LOT 97: 2,300 SQ. FT.</p> <p>LOT 98: 2,300 SQ. FT.</p> <p>LOT 99: 2,300 SQ. FT.</p> <p>LOT 100: 2,300 SQ. FT.</p>	<p>PROJECT BLOCK MAP:</p>



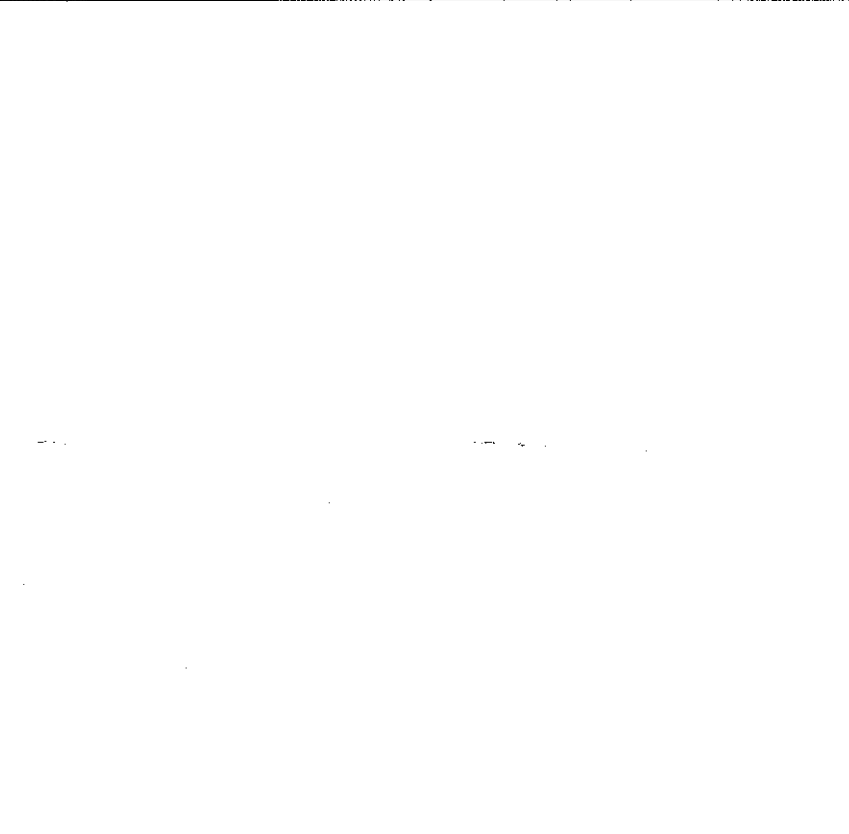
Federico Surveyors, Inc.
SURVEY PLAT
MICHIGAN SURVEY

licensed survey 3

site plan 2



<p>PROJECT PLAT MAP</p>	<p>AREA CALCULATION/AMENITIES COVER</p> <p>EXISTING HOUSE: 2,420 SQ FT GARAGE APARTMENT: 800 SQ FT TOTAL: 3,220 SQ FT</p> <p>ACTUAL LAWN/COURT COVER: 51K SQ FT (ALLOWED) ACTUAL DRIVEWAY COVER: 1,25K SQ FT (ALLOWED) ACTUAL POOL COVER: 1,25K SQ FT (ALLOWED) ACTUAL HOT TUB COVER: 1,25K SQ FT (ALLOWED)</p>	<p>PROJECT INFORMATION</p> <p>ADDRESS: 1512 WEST 29TH STREET AUSTIN, TEXAS 78703</p> <p>OWNER: SENTIS/BEN-YAKAR RESIDENCE</p> <p>ARCHITECT: JAMES W. BERRY, ARCHITECTS 1101 BIRCH STREET, SUITE 100 AUSTIN, TEXAS 78704</p> <p>PERMITS: 1101 BIRCH STREET, SUITE 100 AUSTIN, TEXAS 78704</p> <p>REGULATORY CODE: 25.0000 RESIDENTIAL</p> <p>PROJECT DISCUSSION: THIS RESIDENCE IS A TWO-STORY RESIDENCE WITH A GARAGE APARTMENT AND POOL.</p>
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City of Austin BUILDING PERMIT

PERMIT NO: 2002-005900-BP
1512 W 29TH ST

Type: RESIDENTIAL Status: VOID
Issue Date: 07/11/2002 **EXPIRY DATE: 01/07/2003**

LEGAL DESCRIPTION Lot: 29 Block: Subdivision: BRYKERWOODS	SITE APPROVAL	ZONING
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PROPOSED OCCUPANCY:	WORK PERMITTED: Remodel	ISSUED BY: Glenda Wilsford
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Carport: Add Cover To Existing 2nd Floor Deck Above Carport. Use 25-2-963 Existing Non-Complying Structure To Remain.

TOTAL SQFT	VALUATION	TYPE CONST.	USE CAT.	GROUP	FLOORS	UNITS	# OF PKG SPACES
Remodel: 144	Tot Val Rem: \$.00		435				

TOTAL BLDG. COVERAGE	% COVERAGE	TOTAL IMPERVIOUS COVERAGE	% COVERAGE	# OF BATHROOMS	METER SIZE
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Contact Owner, George Seremetis	Phone ()-	Contact General Contractor, Living Architecture Const Mgmt	Phone (512) 472-0272
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<u>Fee Desc</u>	<u>Amount</u>	<u>Date</u>	<u>Fee Desc</u>	<u>Amount</u>	<u>Date</u>	<u>Fee Desc</u>	<u>Amount</u>	<u>Date</u>
Building Permit Fee	33.00	7/11/2002						
Fees Total:	33.00							

Inspection Requirements
Building Inspection

All Buildings, Fences, Landscaping, Patios, Flatwork And Other Uses Or Obstructions Of A Drainage Easement Are Prohibited, Unless Expressly Permitted By A License Agreement Approved By COA Authorizing Use Of The Easement.
City Code Chapter 25-12, Article 13: A permit expires on the 181st day if the project has not scheduled nor received an inspection. A "Cancelled" and/or "Failed/No Work Performed" inspection result does not extend the expiration date.

The following permits are required as a separate permit: See Mechanical, Electrical, Plumbing permits for Related Fees and Inspections.

Comments

By Accepting Or Paying For This Permit You are Declaring That You Are The Owner Or Authorized By The Owner That The Data Submitted At The Time Of Application Was True Facts And That The Work Will Conform To The Plans And Specification Submitted Herewith.



City of Austin BUILDING PERMIT

PERMIT NO: 2002-005900-BP

Type: RESIDENTIAL **Status:** VOID

1512 W 29TH ST

Issue Date: 07/11/2002 **EXPIRY DATE:** 01/07/2003

LEGAL DESCRIPTION Lot: 29 Block: Subdivision: BRYKERWOODS						SITE APPROVAL		ZONING	
PROPOSED OCCUPANCY:		WORK PERMITTED: Remodel				ISSUED BY: Glenda Wilsford			
Carport: Add Cover To Existing 2nd Floor Deck Above Carport. Use 25-2-963 Existing Non-Complying Structure To Remain.									
TOTAL SQFT		VALUATION		TYPE CONST.	USE CAT.	GROUP	FLOORS	UNITS	# OF PKG SPACES
Remodel: 144		Tot Val Rem: \$.00			435				
TOTAL BLDG. COVERAGE		% COVERAGE	TOTAL IMPERVIOUS COVERAGE		% COVERAGE		# OF BATHROOMS		METER SIZE

<u>Type</u>	<u>Date</u>	<u>Status</u>	<u>Comments</u>	<u>Inspector</u>
101 Building Layout		Open		Dearl Croft
102 Foundation		Open		Dearl Croft
103 Framing		Open		Dearl Croft
104 Insulation		Open		Dearl Croft
105 Wallboard		Open		Dearl Croft
108 TCO Stocking		Open		Dearl Croft
109 TCO Occupancy		Open		Dearl Croft
111 Energy Final		Open		Dearl Croft
112 Final Building		Open		Dearl Croft

Address: 1512 W 29

Permit: 183201

Plat: 61

Lot: 29

Block
Outlot

Subdivision
Cryker Woods

Fire Zone: 3

Use Dist. A1st

Occupancy: Repair & remodel Rest Gen. apt. ^{edit non-factory}

6-26-79	Layout	Framing	6-9-80	Final	Commercial
Foundation		Floor joist size & o.c.	Bldg. Conn.		Parking
Front setback		ceiling joist size & o.c.	Room Vent.		Exits
Total & Min. side yard		stud size & o.c.	Stairs		Exit lights
Side St. Yard			Rails		Fences
			Attic Vent.		Co. iders
			Insulation		
Type Const. IV		W. Insulation	Hood Vent.		
Spec. Permit #		Sheetrock	Glass		
BOA		Commercial Sheetrock	Deadbolts		
		Occup. Sep.	Fireplaces		
		Thru out			

Owner: Clarence E. Johnson

Contractor: owner



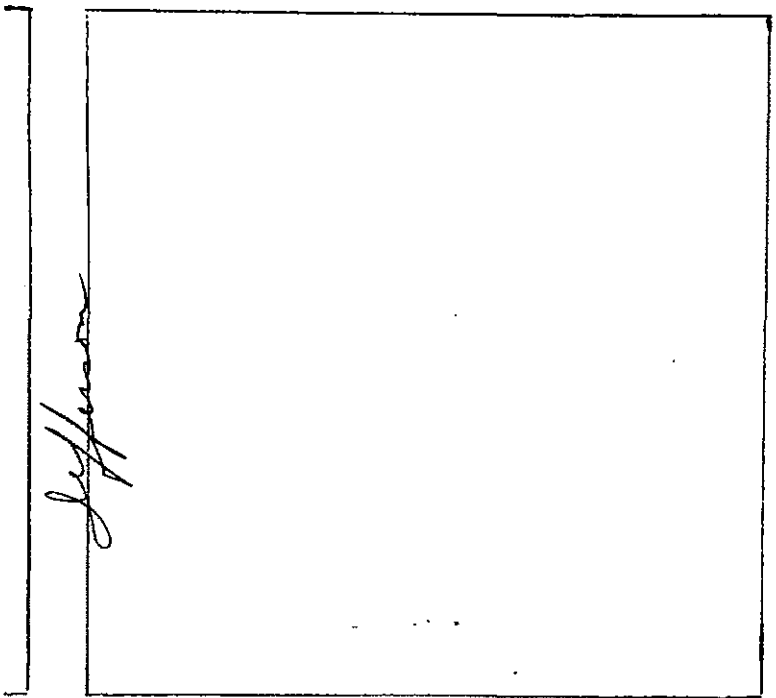
BID 2005 JUNE 77

City of Austin

Clerk: [Signature]

Date: 1-25-79

Address:



W 29

Inspector: [Signature]