

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

DATE: Monday, September 17, 2012

CASE NUMBER: C15-2012-0104

Y ___ Jeff Jack
 Y ___ Michael Von Ohlen
 Y ___ Stuart Hampton - Nora Salinas out
 Y ___ Bryan King **2nd the Motion**
 Y ___ Fred McGhee
 Y ___ Melissa Hawthorne **Motion to PP Oct 8, 2012**
 Y ___ Heidi Goebel
 - ___ Cathy French (SRB only)

APPLICANT: Jeffrey M. Bullard

OWNER: Larry Broder

ADDRESS: 512 BOULDIN AVE

VARIANCE REQUESTED: The applicant has requested a variance to decrease the minimum lot area requirement of Section 25-2-773 (B) (1) from 7,000 square feet to 6,975 square feet in order to remodel a single-family residence to create a duplex residential use in an "MF-3-NP", Multi-Family Residence Medium Density – Neighborhood Plan zoning district. (Bouldin Creek Neighborhood Plan)

BOARD'S DECISION: The public hearing was closed on Board Member Melissa Hawthorne motion to Postpone to October 8, 2012, Board Member Bryan King second on a 7-0 vote; POSTPONED TO OCTOBER 8, 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.

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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: C15-2012-0104 - 512 Bouldin Avenue
Contact: Susan Walker, 512-974-2202
Public Hearing: Board of Adjustment, September 17th, 2012

Patrick O'Leary
 Your Name (please print)

I am in favor
 I object

1001 DAVILA DRIVE
 Your address(es) affected by this application

P. O'Leary
 Signature

09/17/12
 Date

Daytime Telephone: _____

Comments: **25 ft?**

WE FIND THIS TO BE A PERFECT LOCATION IN OUR NEIGHBORHOOD FOR DENSITY HOUSING.

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

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 Public Hearing: Board of Adjustment, September 17th, 2012

Your Name (please print)

PERNICK OUSBY

I am in favor
 I object

Your address(es) affected by this application

912 POST OAK

Signature

Date

Daytime Telephone:

Comments: WE SEE THIS AS A PERFECT

LOCATION IN OUR NEIGHBOR -
 HOOD FOOD DENSITY HOUSING

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Contact: Susan Walker, 512-974-2202
Public Hearing: Board of Adjustment, September 17th, 2012

I am in favor
 I object

Sean Kelly
 Your Name (please print)

Q10 AOST OAK

Your address(es) affected by this application

[Signature] 9/17/12
 Signature Date

Daytime Telephone: 512 508

Comments: O AOST OAK

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

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Case Number: C15-2012-0104 - 512 Bouldin Avenue
Contact: Susan Walker, 512-974-2202
Public Hearing: Board of Adjustment, September 17th, 2012

Shana Norton
 Your Name (please print)

I am in favor
 I object

910 Post Oak Street
 Your address(es) affected by this application

Signature: *Shana Norton* Date: 09.17.12

Daytime Telephone: 912-8086

Comments:

It looks like the variance is being requested after the fact.

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

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 # C15-2012-0104
ROW # 10815060

TP-010202121X

**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: 512 Bouldin Ave Austin TX 78704

LEGAL DESCRIPTION: Subdivision – Arboles Terrace

Lot(s) 23 Block _____ Outlot _____ Division _____

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

Larry Broder (Owner) affirm that on July, 30th _____,

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

(check appropriate items below)

ERECT ATTACH COMPLETE REMODEL MAINTAIN

to create a duplex w/ lot
Area of 6975 sq ft

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

Bouldin Creek 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:

At some point in the last 20 years or so a piece on the south side of the lot was deeded off this property and to the Lyric Opera for their parking lot. This makes the total SF of lot space at 512 Boulding 6975 sf. The intent is to create two 704 sf units one being rentable and the other being the owners unit on this property.

HARDSHIP:

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

This lot is sloping from the front to back and has several large trees which limits the development on the lot. We are not increasing the size or footprint of the structure at all. We are seeking to change the use from a single unit with a walk out basement garage to two units one upper and one lower. The issue with this lot is that it is 25 sf short of qualifying to be a duplex lot because of the sliver of land that was deeded several years ago off the south side. This is unique to this property because the other lots are standard size and all are greater than 7000 sf meeting the requirements for duplexes.

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

The other lots all meet the zoning requirements and size requirements for duplex lots.

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:

We are not changing the footprint, design, elevations, or structure from the exterior at all. All changes are interior thus not altering the character of the adjacent properties.

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 [Signature] Mail Address 806 W 16th st

City, State & Zip Austin TX 78701

Printed Jeffrey Ballard Phone 512-638-1514 Date 7/30/12

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

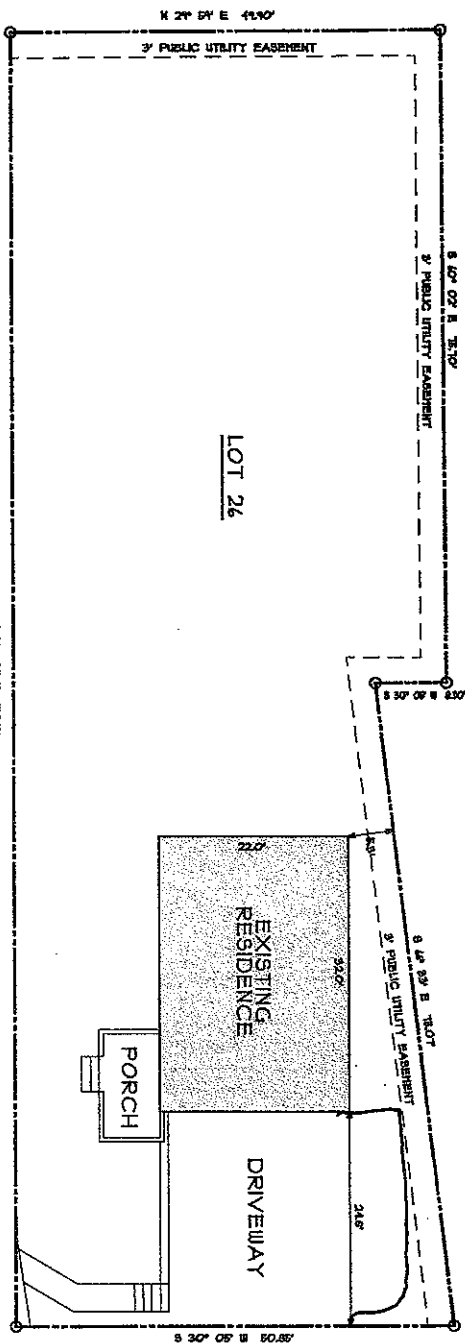
Signed [Signature] Mail Address 512 Bouldin ave

City, State & Zip Austin, TX 78704

Printed Larry Broder Phone 512-497-7697 Date 7/30/12

Owner 7/30/12 10:26 PM
Deleted: Signed
Address 512 Bouldin ave Mail

Owner 7/30/12 10:26 PM
Deleted: Signed
Address 806 W 16th st Mail



BOULDIN AVE.

REVIEWED

JUN 27 2012

AUSTIN WATER UTILITY
CONSUMER SERVICE DIVISION - TAPS

All structures etc. must maintain 7'-5" clearance from AE energized power lines. Enforced by AE & NESC codes.

AE APPROVED
JUL 30 2012
212-205
JOM

ARCHITECTURAL SITE PLAN
SCALE 1/8"=1'-0"

NOTE:
ADDRESS: 102 E. 6th ST.
PLUMBER SHALL BE RESPONSIBLE FOR THE PROPER AND CORRECT INSTALLATION OF THE TAP AND STRIKE COVER.
SITE INFORMATION:
DRAWN BY: JOM
DATE: MARCH 1, 1997

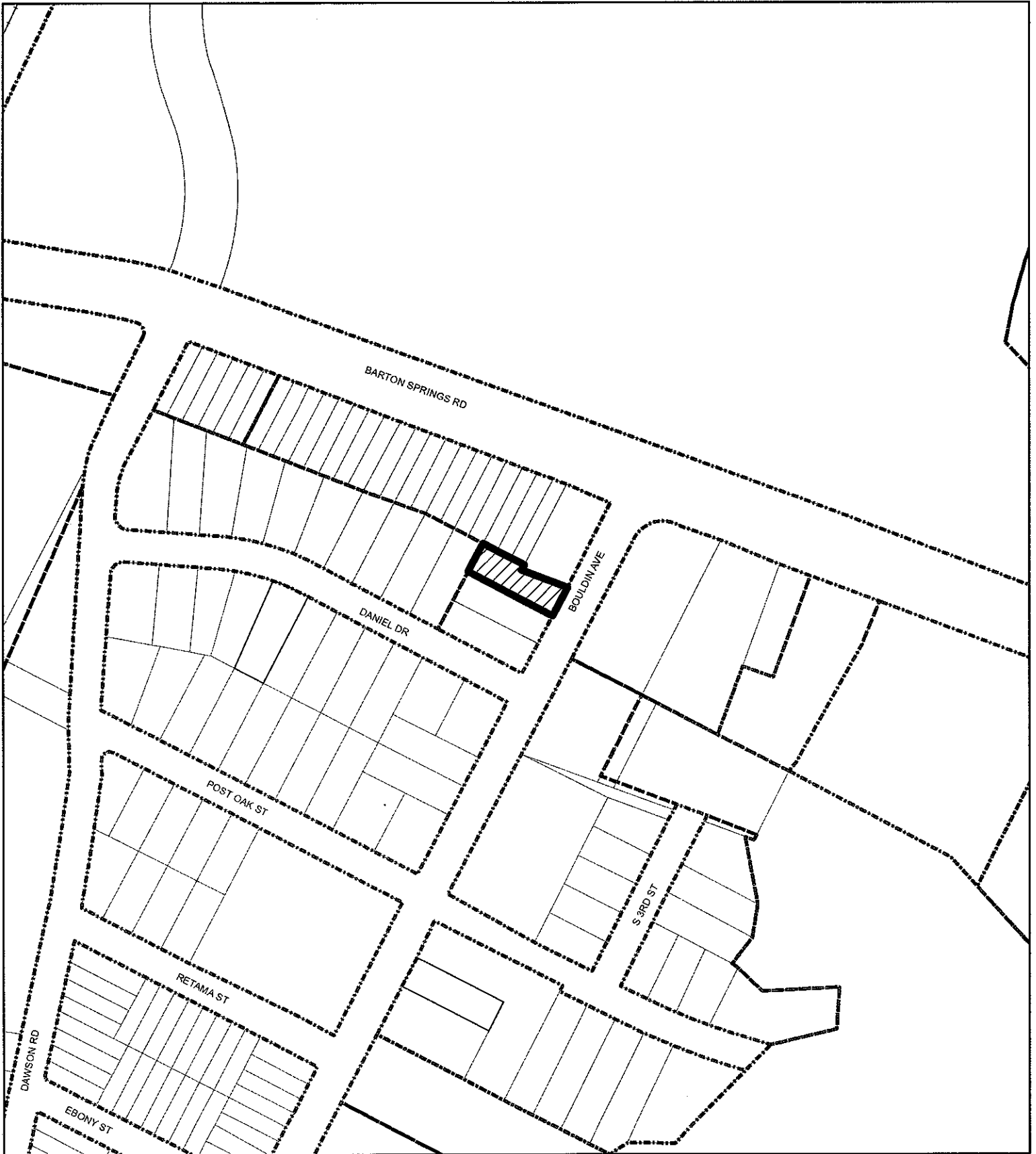
01-1

A RENOVATION TO THE RESIDENCE OF
MR. LAWRENCE BRODER
512 BOULDIN AVE.
AUSTIN, TEXAS 78704

JOE K. SMITH
1101 E. 11TH ST.
AUSTIN, TEXAS 78702
P: 512-245-1411
F: 512-433-5012



DESCRIPTION	DATE



SUBJECT TRACT



ZONING BOUNDARY

CASE#: C15-2012-0104
 LOCATION: 512 BOULDIN AVE



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.