

Ramirez, Diana

CS-2014-0032

From: Heldenfels, Leane
Sent: Friday, February 28, 2014 4:42 PM
To: Ramirez, Diana
Subject: FW: 6015 Ponca St BOA Application questions
Attachments: 6015c Ponca boa-var-app-updated.pdf

Diana – can you print this out for the 3/10 mtg packet.

Thanks –

Leane

From: Ryan Bollom [mailto:~~ryanbollom@gmail.com~~]
Sent: Friday, February 28, 2014 4:36 PM
To: Heldenfels, Leane
Subject: Re: 6015 Ponca St BOA Application questions

Hi Leane,

I finally received the tree and topo survey around 2pm and it took a bit of time to adjust everything so I was unable to drop off a printout of our complete package at the office. I've attached it here to this email.

I updated the original plot plans and application and added the survey, photos of the site conditions, and a recommendation from the structural engineer. We haven't received any response from the neighborhood association at this time.

I'm happy to bring in a hard copy on Monday morning if you like. Please let me know and thanks for all of your help with this.

Best,
Ryan

ryan bollom
principal, low design office
~~www.lowdo.net~~
~~ryan@lowdo.net~~
832 729 7962

On Fri, Feb 28, 2014 at 12:28 PM, Heldenfels, Leane <Leane.Heldenfels@austintexas.gov> wrote:

That's fine – I have a little mail box up there she can put it in.

You can also send me a pdf via email –

Leane

From: Ryan Bollom [mailto:~~ryanbollom@gmail.com~~]
Sent: Friday, February 28, 2014 11:43 AM

To: Heldenfels, Leane

Subject: Re: 6015 Ponca St BOA Application questions

Still waiting on the tree and topography survey-- they told me I'd have it before today! So, I will have to leave the packet at the desk.

ryan bollom
principal, low design office
~~www.lowdo.net~~
~~ryan@lowdo.net~~
832 729 7962

On Thu, Feb 27, 2014 at 2:51 PM, Heldenfels, Leane <Leane.Heldenfels@austintexas.gov> wrote:

Hi Ryan – you can leave it for me, or if you arrive before 12 you can sign in for me and we can talk, look and see if we've gotten any responses to the mailing yet (usually not this early, most of them will come next week) or just if you want to ck on anything else w/ the case.

Anything I receive tomm (and really Mon – but we like to say end of day Fri so we don't leave anything out by mistake) will go into the Board's packet, things received after that will go into their late back-up and then things presented at the meeting you can bring 8 copies of and/or we can project if you have a usb drive/connector.

Thanks –

Leane

From: Ryan Bollom [mailto:~~ryanbollom@lowdo.net~~]

Sent: Thursday, February 27, 2014 1:36 PM

To: Heldenfels, Leane

Subject: Re: 6015 Ponca St BOA Application questions

Hi Leane,

Still waiting for the topo map-- I plan to drop off all available materials tomorrow mid morning. Is there a time cutoff I need to be aware of? Should I just leave for you at front desk?

Thanks,

Ryan

ryan bollom
principal, low design office
www.lowdo.net
ryan@lowdo.net
832 729 7962

On Tue, Feb 18, 2014 at 11:26 AM, Ryan Bollom <~~ryanbollom@gmail.com~~> wrote:

Thank you!

ryan bollom
principal, low design office
www.lowdo.net
ryan@lowdo.net
832 729 7962

On Tue, Feb 18, 2014 at 11:24 AM, Heldenfels, Leane <Leane.Heldenfels@austintexas.gov> wrote:

Yes – if we get anything from you later than that they will still get it, but not in their packet – they'll get it that night at the meeting in their late backup packet.

Take care –

Leane

From: Ryan Bollom [mailto:~~ryanbollom@gmail.com~~]
Sent: Tuesday, February 18, 2014 11:14 AM

To: Heldenfels, Leane
Subject: Re: 6015 Ponca St BOA Application questions

Hi Leane,

I wrote down that I should submit all supporting documents for the March 10 BOA agenda before February 28th-- is this correct?

Thanks,

Ryan

ryan bollom
principal, low design office
~~www.lowdo.net~~
~~ryan@lowdo.net~~
832 729 7962

On Thu, Feb 6, 2014 at 11:10 AM, Heldenfels, Leane <Leane.Heldenfels@austintexas.gov> wrote:

Hi Ryan – yes, with receipt of this application you are on the March 10 agenda for BOA. You can email the other documents when you have them as well, or drop off if you're in town.

I'll put the receipt for your ck in the file unless you'd like me to mail it to you –

Take care,

Leane

From: Ryan Bollom [mailto:~~ryan.bollom@lowdo.net~~]
Sent: Thursday, February 06, 2014 10:33 AM
To: Heldenfels, Leane

Subject: Re: 6015 Ponca St BOA Application questions

Leane,

Please find attached our variance application for 6015C Ponca St. I'll bring in printouts of all documents once we put the others together.

Please let me know if you need anything else at this time and confirm that we can now be officially scheduled on the boards agenda next month.

Thanks for all of your help.

Best,

Ryan

ryan bollom
principal, low design office
~~www.lowdo.net~~
~~ryan@lowdo.net~~
832 729 7962

On Wed, Feb 5, 2014 at 2:10 PM, Ryan Bollom <~~ryanbollom@lowdo.net~~> wrote:

No problem-- Thanks so much for the prompt, helpful information.

ryan bollom
principal, low design office
~~www.lowdo.net~~
~~ryan@lowdo.net~~
832 729 7962

On Wed, Feb 5, 2014 at 1:55 PM, Heldenfels, Leane <Leane.Heldenfels@austintexas.gov> wrote:

After you left, I looked for that, too, and only found what you found.

I think your argument can be that you don't want to disrupt the natural slope and then give topo, tree evidence.

If you went through a site plan review and you showed some construction happening in that area they would probably cite the code reference I was thinking of, but I'm really new to all the code here, so am just having to trust/go by what you've been told in an official review.

I'm never sure what the Board will say regarding a variance, but at least in your case you do have some physical hardships/limitations – just may come down to whether they think you can solve the problems by going up, so you'll have to also lean on your argument about why you need not want to have a single story.

Take care - sorry I'm not the best code resource yet!

Leane

From: Ryan Bollom [mailto:~~ryanbollom@gmail.com~~]
Sent: Wednesday, February 05, 2014 1:20 PM
To: Heldenfels, Leane
Subject: Re: 6015 Ponca St BOA Application questions

Thanks Leane,

Last question: you mentioned looking into code that might require minimum standards for building next to steep slopes-- The only thing I could find regarding this issue was 25-2-1123 Construction on Slopes, which suggests how you can build on the slope, but nothing which might suggest minimum distance which you must build next to slope. Do you have an idea where I might look for something else?

Thanks for all of your help.

Best,

Ryan

ryan bollom
principal, low design office
~~www.lowdesign.net~~
~~ryan@lowdesign.net~~
832 729 7962

On Wed, Feb 5, 2014 at 12:11 PM, Heldenfels, Leane <Leane.Heldenfels@austintexas.gov> wrote:

Hi Ryan – I checked with my Supervisor, and in this case, the people who are acting as the “Building Official” are the residential review permitters who advised you’d need a BOA variance. So, they are advising that the front lot line is that part of the lot that is a width of 50 feet or more – so that was the line they were measuring from, so you do need to proceed w/ the variance – there is no other interpretation to be made by any other staff people/building official.

I’ll hold onto your check/prelim ap until you turn in the official/complete application. You can send it to me via email to save the trip, just scan at owner sig page, sketch plan, survey if you have one.

Thanks –

Leane

From: Ryan Bollom [mailto:~~ryanbollom@gmail.com~~]
Sent: Wednesday, February 05, 2014 11:23 AM
To: Heldenfels, Leane
Subject: 6015 Ponca St BOA Application questions

Hi Leane,

I met with you yesterday to discuss our application for a variance waiver regarding the front yard setback on a flag lot. As you suggested, I've been looking at the code definitions for flag lots and have found an area of ambiguity regarding our particular lot.

According to section 25-1-21 (41)(d):

Front lot line means for a flag lot, the lot line designated as the front lot line by a subdivision or parcel map, or if none, the line determined by the building official to be the front lot line.

I have reviewed the subdivision map for this lot and it does not designate a front lot line. Everyone I have spoke to thus far has automatically assumed the front lot line to be where the easement from the street meets the lot-- do you know if this comes from another part of the code I am missing? Do you think this is this something I could work with a building official to designate otherwise? Your advice would be greatly appreciated-- I'd like to send you our signed application today to make sure we get on next months agenda but also understand this could change the process.

Thanks,

Ryan

ryan bollom
principal, low design office
~~www.lowdo.net~~
~~ryan@lowdo.net~~
832 729 7962

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).

ROW

CASE # _____

**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: 6015 C Ponca Street, Austin, TX 78741

LEGAL DESCRIPTION: Subdivision – Montopolis

Lot(s) 3 Block 11 & 12 Outlot _____ Division J. Gordon Brown Resubdivision

I/We Ryan Bollom on behalf of myself/ourselves as authorized agent for

Robin and Eric Dexheimer affirm that on January, 21,

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

(check appropriate items below)

X ERECT ___ ATTACH ___ COMPLETE ___ REMODEL ___ MAINTAIN

A new construction single family residence that extends into the front yard setback limit

due to atypical lot adjacencies and a steeply sloped ravine that severely limits the buildable

area at the lot. We would like the front setback requirement changed to 5' to allow adequate space.

in a SF3 NP district.
(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: A ravine runs through the back area of the property, severely restricting the area where the house can be built. In addition, the lot is a flag lot, so there is no true street frontage. The adjacent lot at the front treats the shared property line as a backyard and therefore would not be impacted in a harmful or inappropriate manner

HARDSHIP:

2. (a) The hardship for which the variance is requested is unique to the property in that: A large portion of the lot contains a large ravine with steep slopes on both sides, rendering over 50% of the lot unbuildable. A large number of trees also exist on the property and we would like to preserve as many as possible.
- (b) The hardship is not general to the area in which the property is located because: The ravine only runs through a few lots in the neighborhood. It particularly affects this lot because it is the only flag lot (two deep from the street) which also includes the ravine.

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 character of the area adjacent to the property will not change. Since it is a flag lot its relationship to adjacent properties is already unique. A smaller front yard setback would in fact lead to a more typical condition of two lots sharing a back or side yard 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:

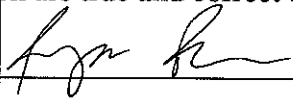
3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

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



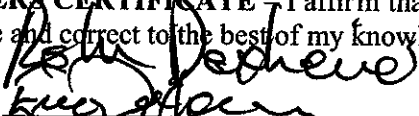
Mail Address

City, State & Zip San Antonio, Texas 78204

Printed Ryan Bollom Phone 832 729 7962 Date 2/5/2014

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

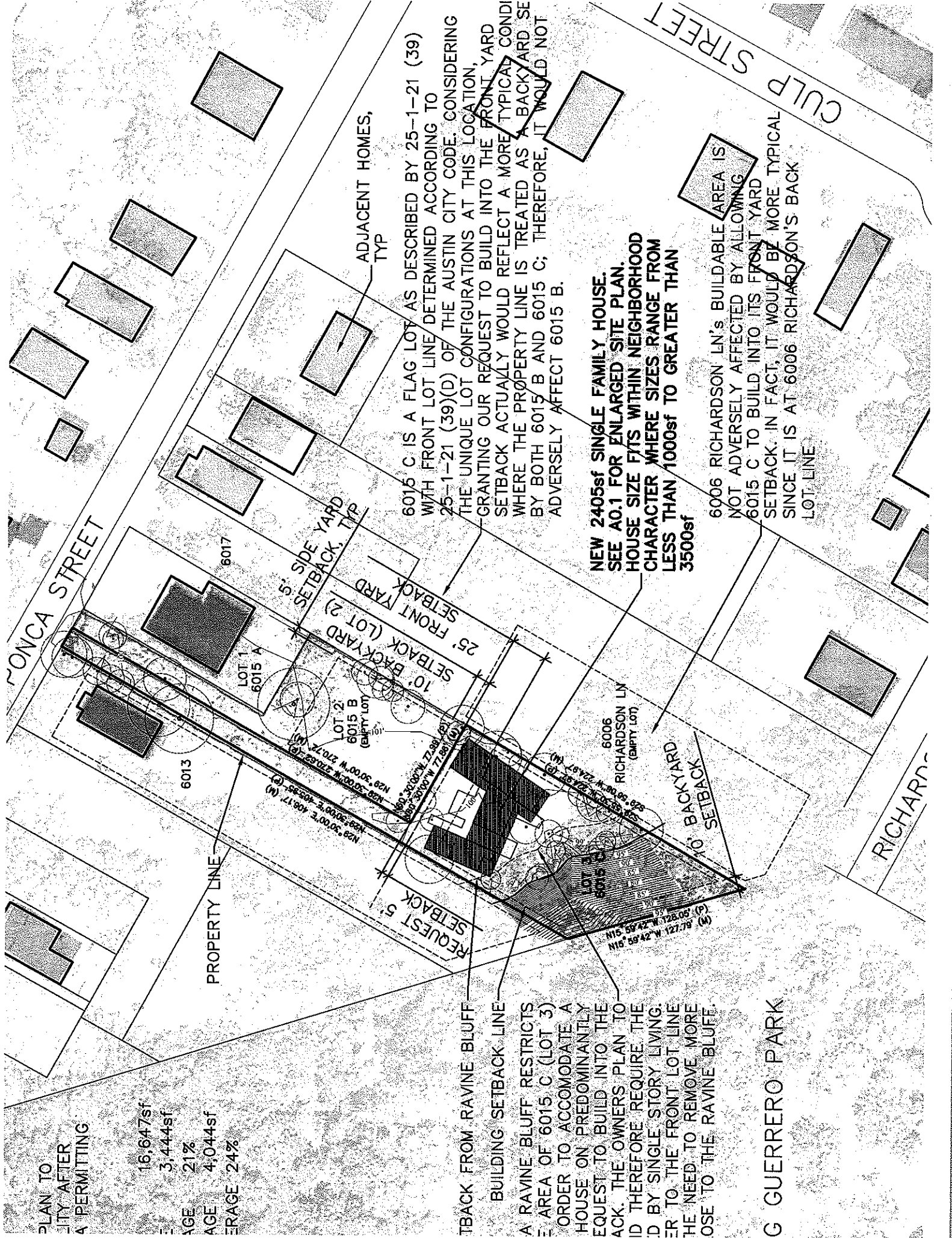
Signed



Mail Address 2101 Bluebonnet Ln.

City, State & Zip Austin, TX 78704

Printed ERIC DEXHEIMER Phone 512 608 3125 Date 2/5/14



**HOOD
FROM
-AN**

LOT 1
6015 A

6017

LOT 2
6015 B
(EMPTY LOT)

5' SIDE YARD
SETBACK, TYP

DR-10

FOR 55

~~6015 C IS A FLAG LOT AS DESCRIBED BY 25-1-21 (39) WITH FRONT LOT LINE DETERMINED ACCORDING TO 25-1-21 (39)(D) OF THE AUSTIN CITY CODE. CONSIDERING THE UNIQUE LOT CONFIGURATIONS AT THIS LOCATION, GRANTING OUR REQUEST TO BUILD INTO THE FRONT YARD SETBACK ACTUALLY WOULD REFLECT A MORE TYPICAL CONVICTION WHERE THE PROPERTY LINE IS TREATED AS A BACKYARD SETBACK BY BOTH 6015 B AND 6015 C; THEREFORE, IT WOULD NOT ADVERSELY AFFECT 6015 B.~~

6006 RICHARDSON LN
(EMPTY LOT)

BUILDING SETBACK LINE

06 MAY 1964

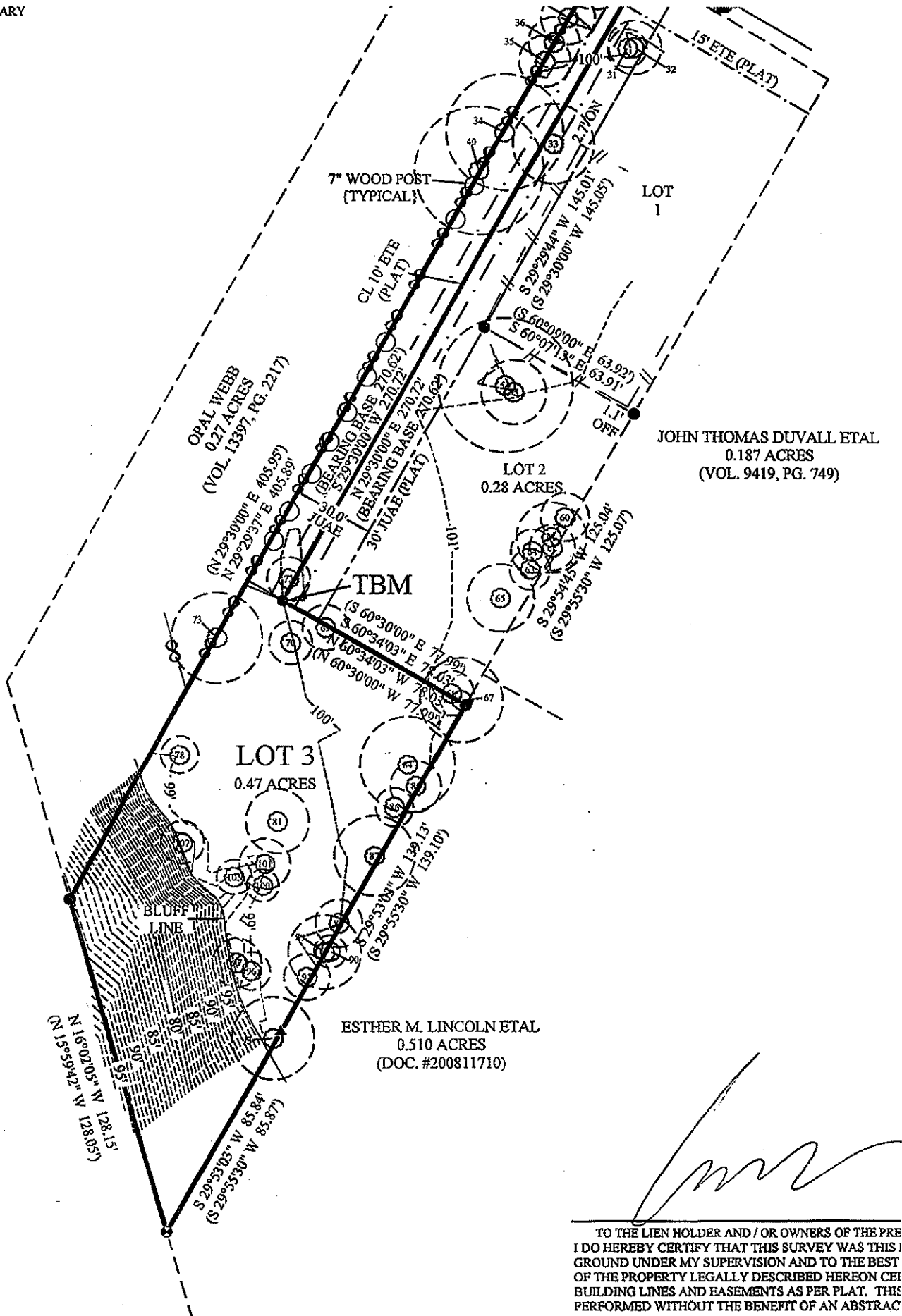
REQUESTED FRONT
BUILDING LINE

UTSIDE OF SUBJECT BOUNDARY
REE

Y BENCH MARK (TBM)
F IRON ROD FOUND
ELEVATION = 100.00'

TREE LIST	
AN	
CAN	
M	
"19"17.5" HACKBERRY	
ACKBERRY	
ACKBERRY	
1/4" ELM	
M	
M	
M	
7" HACKBERRY	
ACKBERRY	
CKBERRY	
AK	
AK	
ACKBERRY	
CKBERRY	
1"4"1/3" HACKBERRY	
HACKBERRY	
1/4.5"1/4" HACKBERRY	
ACKBERRY	
M	
CKBERRY	
1/4.5" HACKBERRY	
CKBERRY	
"PECAN	
5"1/5"1/5" HACKBERRY	
HACKBERRY	
CKBERRY	
3" HACKBERRY	
" HACKBERRY	
OAK	
EE	
AK	
"1/6.5" HACKBERRY	
CKBERRY	
M	
M	
AK	
ECAN	
CKBERRY	

CITY OF AUSTIN
40.454 ACRES
(DOC. #2000096771)



TO THE LIEN HOLDER AND / OR OWNERS OF THE PRE
I DO HEREBY CERTIFY THAT THIS SURVEY WAS THIS I
GROUND UNDER MY SUPERVISION AND TO THE BEST
OF THE PROPERTY LEGALLY DESCRIBED HEREON CH
BUILDING LINES AND EASEMENTS AS PER PLAT. THIS
PERFORMED WITHOUT THE BENEFIT OF AN ABSTRACT

RESTRICTIONS

WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT AND THIS SURVEYOR DID NOT RESEARCH THE DEED RECORDS FOR PREVIOUS
ENTS AND/OR BOUNDARY LINE AGREEMENTS. THEREFORE, CERTAIN EASEMENTS MAY HAVE BEEN GRANTED WHICH ARE NOT REFLECTED HERE
I, EASEMENTS, BOUNDARY LINES AND INTERESTS WHICH ARE REPRESENTED ON THE PARENT SUBDIVISION PLAT, WHICH IS REFERENCED HERE
V NO DOCUMENTS OTHER THAN THOSE CITED ON THIS SURVEY HAVE BEEN EXAMINED.

LOWDO

6015 C PONCA ST VARIANCE APPLICATION

Low Do Land Group, LLC
P.O. Box 1000
Austin, Texas 78768
737.440.1000

SALE OF SEPARATELY
OWNED LOTS, TX 76204
10/1/24 2 Poin St
245-1000



Figure 1: View of Lots 2 and 3 from easement at back of Lot 1. No existing structures

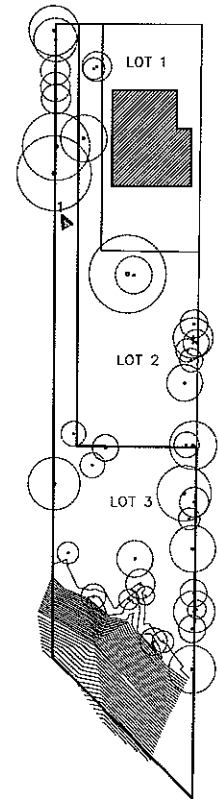
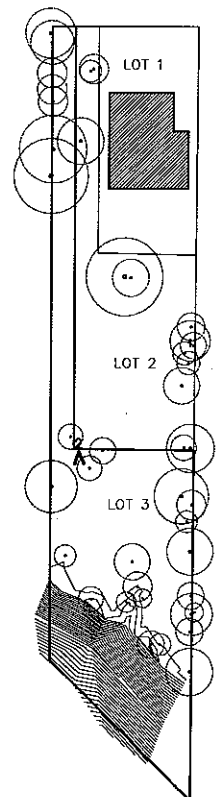


Figure 2: View through Lot 3 to ravine from front lot line



LOWDO

6015 C PONCA ST VARIANCE APPLICATION

Westwood Co.
P.O. Box 76204
9 Palm St
19 Palm St



Figure 3: View from ravine bluff through Lot 3 towards Lot 1, Lot 2, and street

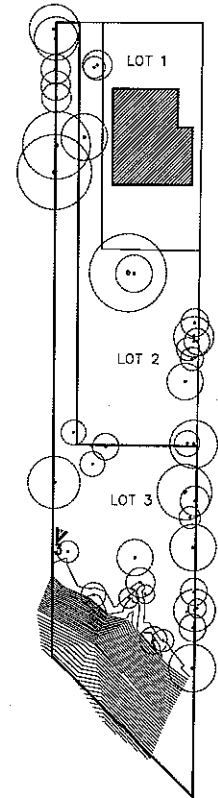
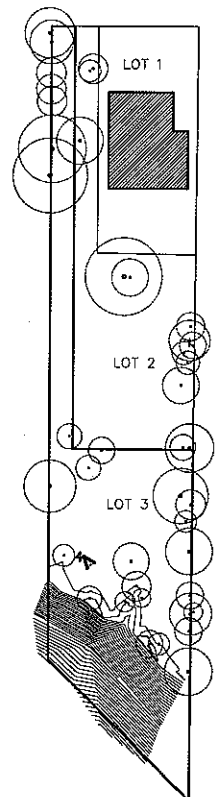


Figure 4: View of ravine



LOWDO

6015 C PONCA ST VARIANCE APPLICATION

Low Density
Development
Ordinance
2015

repealed by
S.B. 70204
2015
15-1000



Figure 5: View from front lot line at Lot 3 across lot to adjacent lot at 6017

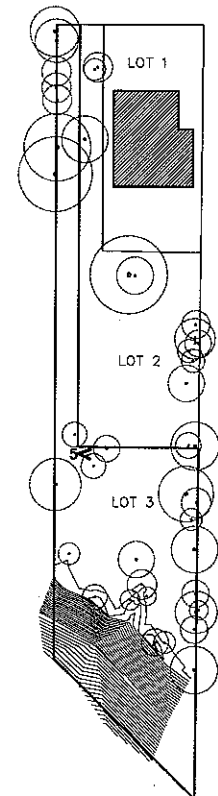
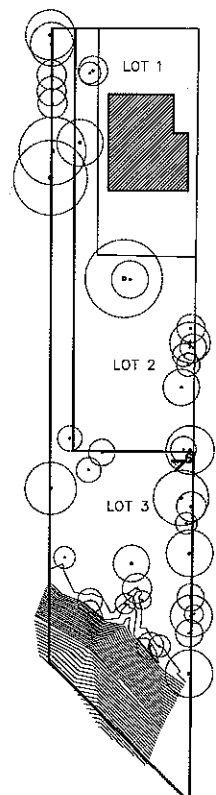


Figure 6: View from front lot line at Lot 3 across lot to adjacent lot at 6013





Ryan Bollom <ryanbollom@gmail.com>

Ponca Street House Ravine and bluff line

Javier Martin, P.E. <jmartin@jmstructural.com>

Fri, Feb 28, 2014 at 3:03 PM

To: Ryan Bollom <ryanbollom@gmail.com>

Ryan,

After reviewing the topographic map and lot cross section for the Ponca Street property, my recommendation is to have the edge of the foundation start at least 15 to 20 feet away from the bluff line. We feel that in order to protect the foundation system from erosion, and without having to incur in additional costly expenses for additional foundation improvements it would be in the clients best interest to set the structure at the distance recommended above.

Let me know if you have further questions.

Javier Martin, P.E.
Principal

JM Structural Engineering
1905 N. Lamar Blvd.
Suite 101
Austin, TX 78705

O: (512) 505-8533
M: (512) 689-9287