

CASE # C15-2014-0087

ROW ID # 11157556

TAX ROLL # 0303000309

**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: 518 East Live Oak St.

LEGAL DESCRIPTION: Subdivision – Pleasant View Addition

Lot(s) E. 45ft. of lot 32 & 33 Block Outlot Division

I Jim Bennett as authorized agent for Dagmar Grieder

 affirm that on 2/13/14 hereby apply for a hearing before the Board of

Adjustment for consideration to:

ERECT – ATTACH – COMPLETE – REMODEL – MAINTAIN

A second floor addition to an existing non-complying structure providing a front street setback of existing 15 ft., and providing a side yard setback existing 4.2 ft. and providing a 4ft. 2 inch encroachment into the setback plane.

 in a SF-3-NP district. (South River City)
(zoning district)

The Austin Electric Utility Department (Austin Energy) enforces electric easements and the setback requirements set forth in the Austin Utility Code, Electric Criteria Manual and National Electric Safety Code. The Board of Adjustment considers variance to the Land Development Code, and a variance granted by the Board of Adjustment does not waive the requirements enforced by Austin Energy. Please contact Christine Esparza with Austin Energy at 322-6112 before filing your application with the Board of Adjustment if your request is for a reduction in setbacks or height limits.

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

REASONABLE USE:

1. The zoning regulations applicable to the property do not allow for a reasonable use because: the existing structure is only 816 sq. ft. and is not a suitable size for a family.
-

HARDSHIP:

2. (a) The hardship for which the variance is requested is unique to the property in that: Due to the lot size and the location of two large trees prevent the addition at ground level.

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

.other nearby lots are larger in size. The setback plane encroachment is due to the location of the existing bearing wall.

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 area of character will not change due to the fact that the use will remain single family, and due to the age of this neighborhood other structures have a similar front 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 Jim Bennett Mail Address _____

City, State & Zip 11505 Ridge Dr Austin, TX 78748

Printed Jim Bennett Phone 512-282-3079 Date 2/13/14




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 Dagmar Grieder Mail Address 502 W. LIVE OAK ST

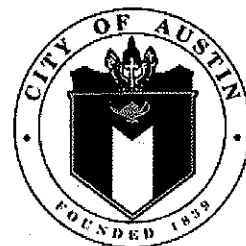
City, State & Zip AUSTIN, TX 78704

Printed DAGMAR GRIEDER Phone 512-916-8961 Date 2/13/14



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

CASE#: C15-2014-0087
Address: 518 E LIVE OAK STREET



1" = 200'

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 CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

Dagmar Grieder
502 West Live Oak Street
Austin, TX 78704

Tel: 512-916-8961 Cell: 512-775-2638

e-mail: djgrieder@sbcglobal.net

October 17, 2013

South River City Neighborhood Association
P.O. Box 40632
Austin, TX 79704

Re: 518 East Live Oak St.

Dear fellow South Austinites on the East Side of S. Congress Ave.

My husband, a retired UT professor, and I have been living in South Austin for about eight and a half years and are members of the Bouldin Creek Neighborhood Association. About one and a half years ago I purchased a tiny house on the Travis Heights side of my street at 518 East Live Oak Street as a project to preserve it and as an investment. The house has a lot of charm, great curb appeal but it needed then and still needs work. I have installed an engineered foundation. The roof should come next.

To make this 816 sf, one bedroom, one bath house (built in 1935) a more useful dwelling and to make better use of a highly assessed lot, I want to add a master suite consisting of a nice bedroom and bathroom on a second floor, using about two thirds of the rear of the existing attic. The footprint of the house would not change. The front elevation would have a second soffit of the full width of the current roof, only somewhat higher than the current roof ridge, but be otherwise unchanged. Making the house larger by expanding the first floor toward the back is not an option. Two gigantic sycamores are in the way.

I have preliminary architectural plans for this expansion. Like many properties on my block, the lot is undersized (4,500 so) and the structure is not in compliance with current set back code. In front, like its neighbors on both sides, the house is set back only 15 feet instead of the codified 25, and the side yard setback is 4.2 feet instead of the required 5 feet. I plan to apply for a variance reducing the side yard set back of the second floor addition from 5 ft to 4.2 ft (same as the first floor) but I wanted to inform you of my plan before I make a formal application.

I hope to add 502 sf of space including the stairs that lead to the second floor, bringing the whole house to ca 1,300 sf. This would benefit me by adding value to my investment and allow me to realize a decent return. It would benefit the prospective tenants or future owners as, due to my age, I do not foresee owning this house for longer than 5-10 years. I will NOT use this house as a short term rental. The addition would also benefit the neighbors on both sides since the larger house would then be more likely to attract a family than a single adult. Finally, it would benefit the City, AISD and other taxing

districts by enlarging the tax base. I ask that you acquaint your membership of my plan as you deem appropriate and give your support to my application. Please feel free to contact me if you would like additional information or to see preliminary drawings of the elevations. Thank you for your consideration.

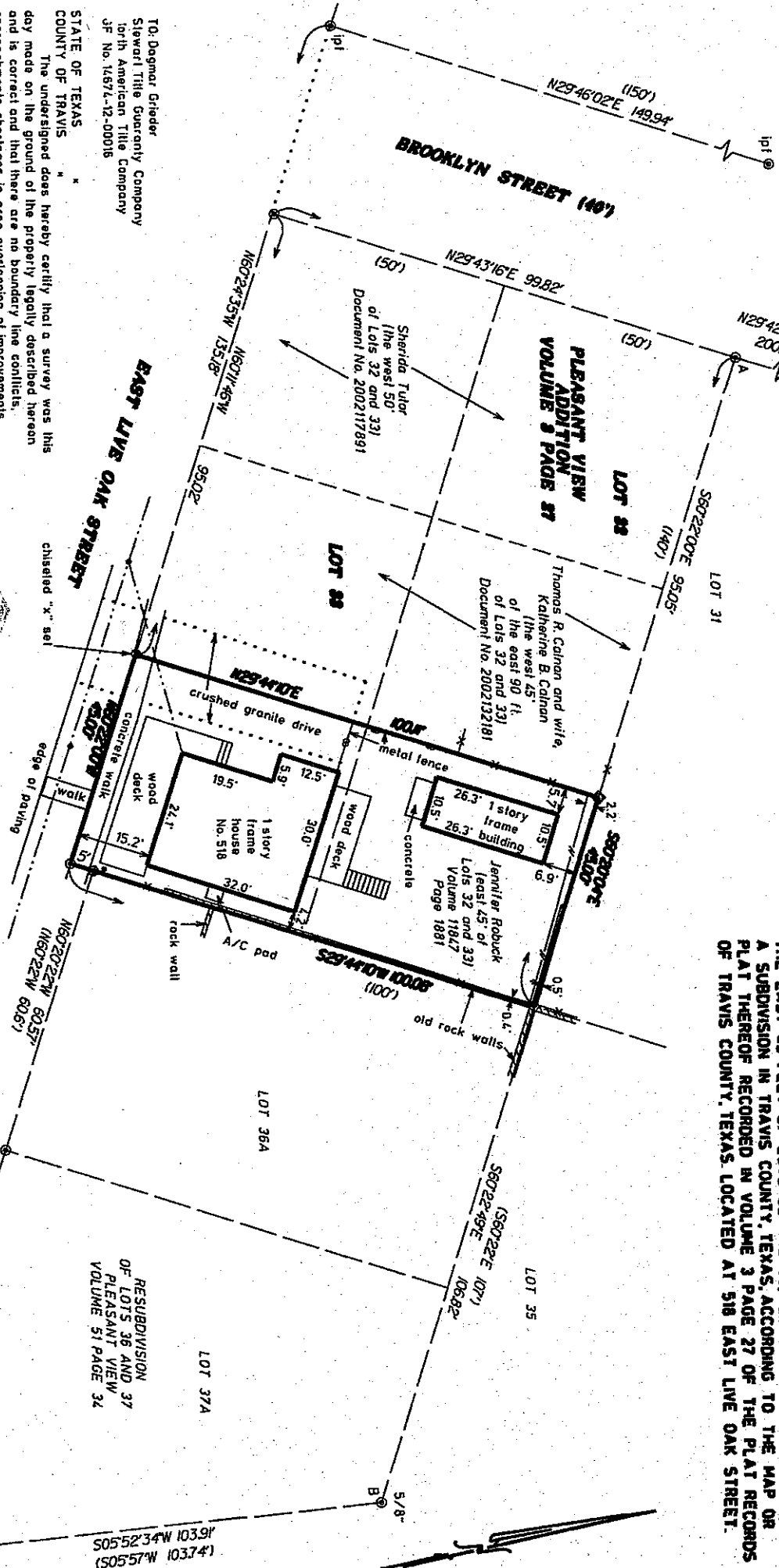
With best regards,

Dagmar Grieder

SCALE: 1"=20'

Orientation for this survey is based on a bearing of S60°22'00"E between points A and B labeled hereon.

SURVEY PLAT OF THE EAST 45 FEET OF LOTS 32 AND 33, PLEASANT VIEW ADDITION, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 3 PAGE 27 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, LOCATED AT 518 EAST LIVE OAK STREET.



TO: Dagmar Grieder
Stewart Title Guaranty Company
North American Title Company
JP No. 14674-12-00016

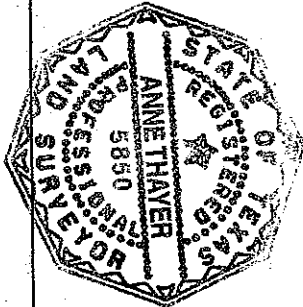
**STATE OF TEXAS
COUNTY OF TRAVIS**

The undersigned does hereby certify that a survey was this day made on the ground of the property legally described hereon and is correct and that there are no boundary line conflicts, encroachments, shortages in area, overlapping of improvements, visible utility lines, or roads in place, except as shown hereon, and said property abuts a dedicated road. This property lies within Zone X (areas determined to be outside the 100 year flood plain) according to Federal Emergency Management Agency Flood Insurance Rate Map Panel No. 480624, 0605 H, dated September 26, 2008. THIS the 10th day of APRIL, A.D. 2012.

BY

[Signature]

Anne Thayer
Registered Professional Land Surveyor No. 5950



- 1/8" Iron Rod Found
- 1/2" Iron Pipe Found
- Marked "Hill Carson, Inc."
- Calculated Point
- Wood Fence
- Chain Link Fence
- Overhead Utility Line
- (Record Bearing and Distance)

HOLT CARSON, INC.
1902 FORTVIEW ROAD
AUSTIN, TX 78701
512.442-0990
A89701

Copyright 2012

Heidenfels, Leane

From: Jean mather [REDACTED]
Sent: Monday, March 31, 2014 4:42 PM
To: Heidenfels, Leane
Subject: 518 E.Live Oak

Dear Leane,

Would you please pass this on to the Board? I've lost the case number!

Jean

Board of Adjustment
Austin, Texas

Dear Board Members:

The Zoning Committee of South River City Citizens met on March 13th to discuss the proposed variances to the side setbacks and the Macmanson ordinance at 518 E. Live Oak. This old residence is among many on Live Oak that don't conform to the setback rules and we assume would be grandfathered.

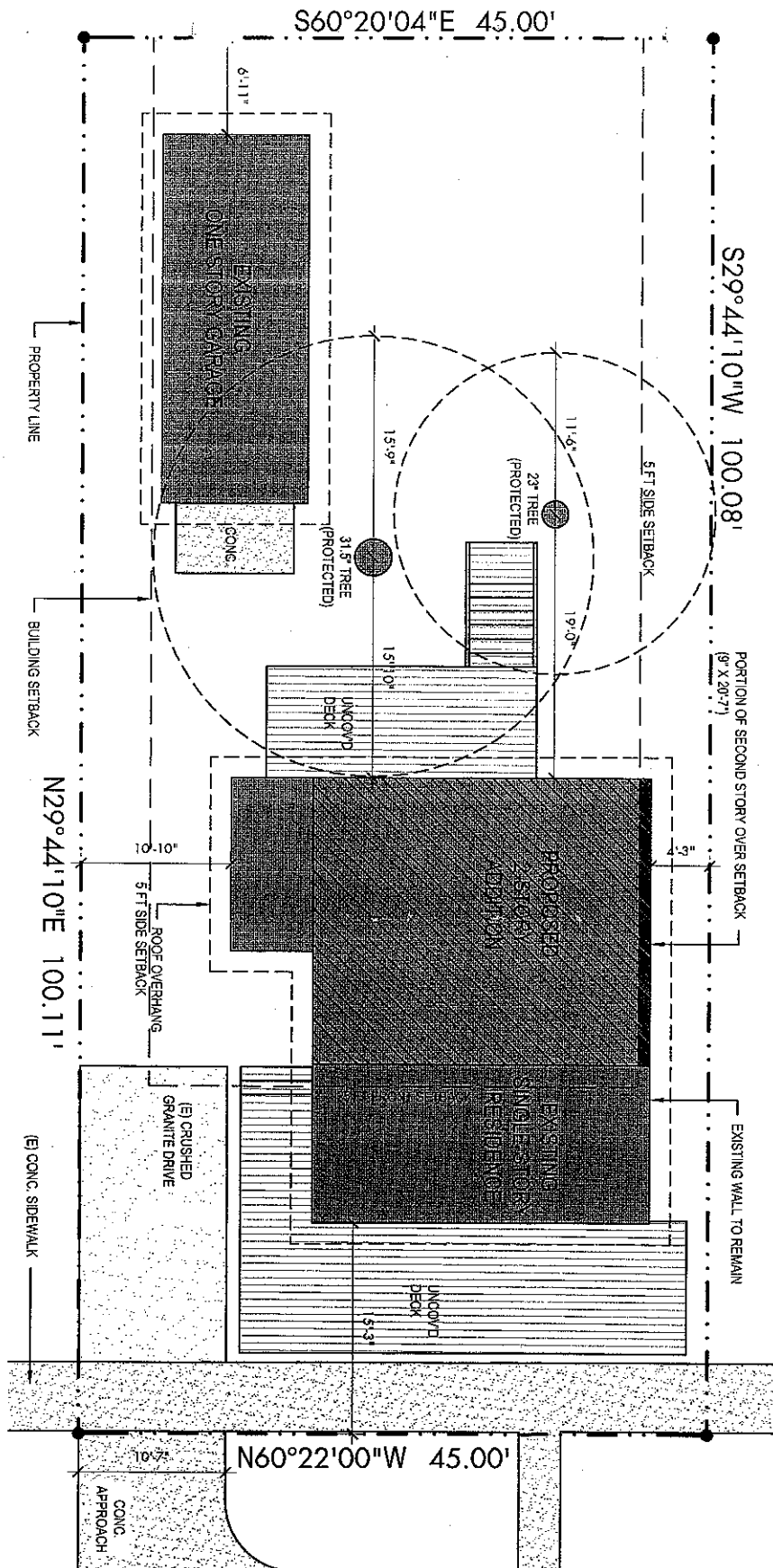
Applying the Macmanson ordinance to this tiny house seems strange.

Ms. Grieder is proposing to add a second story to the rear of the house, conforming to the existing first floor exterior, to add a bedroom and bath. She is preserving the charming front entrance.

The Zoning Committee voted not to oppose this addition or the existing grandfathered (we assume) setbacks. The committee felt that enhancing this small house with the addition was preferable to the demolitions which are erasing the smaller, and even larger, homes in our neighborhood. This committee report is subject to the vote of general membership of SRCC on April 7.

Jean Mather, Chair
Zoning Committee,
SRCC

3 0300



Zoning	SF-3 NP
Site Area	4504.38 sf
Building Area	
Existing First Floor	845 sf
Second Floor Addition	497 sf
Garage	276 sf
Covered Porch	0 sf
Uncovered Porch	0 sf
Uncovered Deck	360+198 = 558 sf
Driveway	224 sf
Circ. Walk/Ratio	221+413 = 264 sf
A/C	9 sf
Impervious Coverage	1897 sf
Building Coverage	845+276 = 1121 sf
Flood/Hazard Ratio	845+497 = 1342 sf
	(42.11%, max allowed 45% = 2026.97 sf)
	(24.89%, max allowed 40% = 1801.75 sf)
	(29.79%, max allowed 40% = 1801.75 sf)
	(50% = 229 sf)

1 PLOT PLAN
1/8"=1'-0"

EAST LIVE OAK STREET

GRIEDER RESIDENCE
518 EAST LIVE OAK STREET
AUSTIN, TEXAS 78704

ISSUE
2014.00.00 REVISION

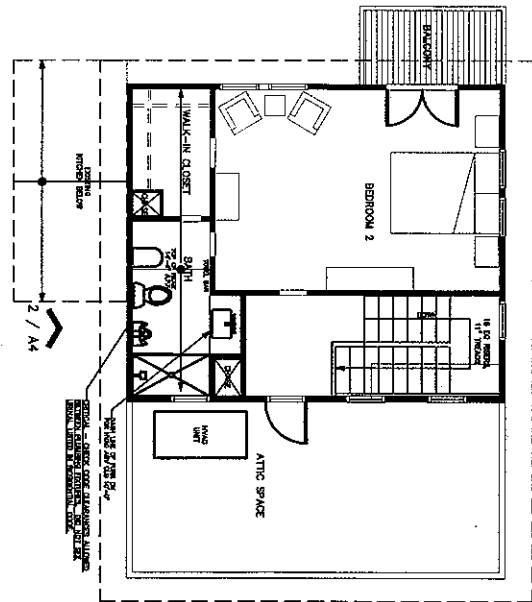
BOROWICZ
ARCHITECTURE
ONE EAST 6TH STREET
AUSTIN, TEXAS 78701
512.517.1322

A1.1

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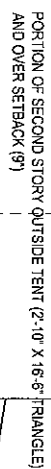
518 EAST LIVE OAK STREET
AUSTIN, TEXAS 78704



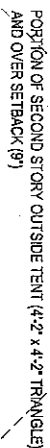


2 PROPOSED 2ND FLOOR PLAN
SCALE 1/8" = 1'-0"

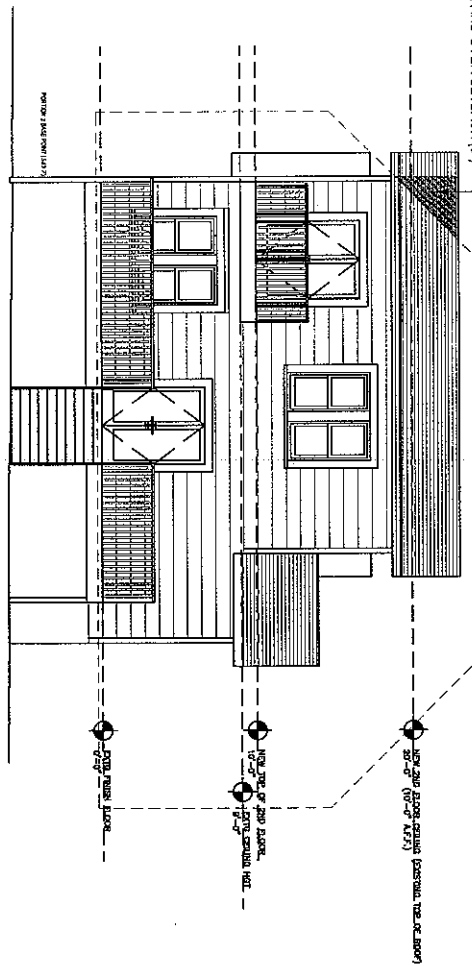
SCALE: 1/8" = 1'-0"



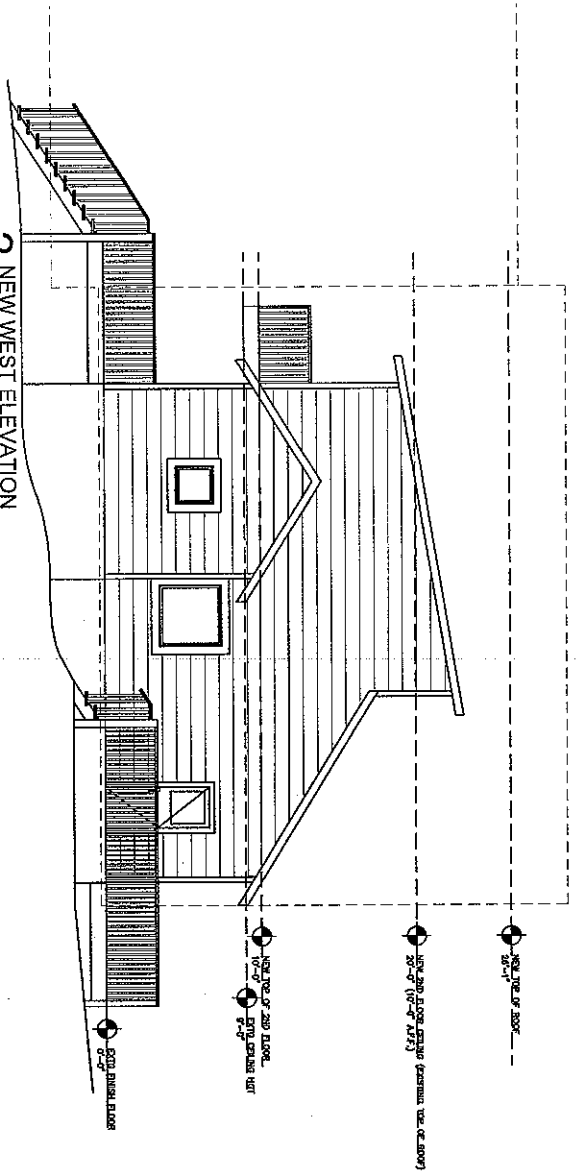
SCALE: 1/8" = 1'-0"



PORTION OF SECOND STORY OUTSIDE TENT
(4'-2" x 4'-2" TRIANGLE AND OVER SETBACK (9'))



4 NEW NORTH ELEVATION
SCALE: 1/4" = 1'-0"



2 NEW WEST ELEVATION
SCALE: 1/4" = 1'-0"

ISSUE
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