

October 20, 2014

Board of Adjustment, City of Austin
PO Box 1088
Austin, Texas 78767

Re: Reconsideration of C15-2014-0135

Dear Commissioners:

I am requesting the reconsideration of case C15-2014-0135. We were originally scheduled for the 10/13/14 meeting but our case was denied due to our absence. We were instructed by Leane to arrive around 8:30pm when the new cases began and when we arrived, the meeting had ended. Please consider attached information as new evidence.

Best Regards,

A handwritten signature in cursive script that reads "Johana Zavaleta".

Johana Zavaleta

revised

CASE# _____
ROW# _____
TAX# _____

**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: 2911 E. 3rd Street

LEGAL DESCRIPTION: Subdivision - Hartwell Sec. 1

Lot(s) 7 Block 3 Outlot 29 Division _____

I/We Johana Zavaleta on behalf of myself/ourselves as authorized agent for

Agustin Zavaleta affirm that on October, 20 ,

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

(check appropriate items below and state what portion of the Land Development Code you are seeking a variance from)

ERECT ___ ATTACH COMPLETE ___ REMODEL ___ MAINTAIN

1. Request a lot variance to section 25-4-232 - to subdivide lot and build to two single family homes.
2. Request variances to base zoning district to build a duplex.

in a SF-3-NP (Govalle) 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:

Variance to minimum site development regulations to meet 25-4-232 small lot.

1. A lot variance is needed to subdivide the property and create (2) single family homes.
2. Variance under 2-4-292, lot minimum width of 50' to 47' existing is sought in order to comply with base zoning district (SF-3).

HARDSHIP:

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

It will increase the single family home inventory.

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

Other lots in immediate vicinity are being combined; reducing the amount of existing housing for the more dense multifamily units. Areas new developments are generally to increase family units through duplex and small lot subdivision.

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:

Surrounding lots have been subdivided. The lot right next door to us has a duplex. The subdivision of our lot or the building of a duplex does not impair any adjacent property and/or zoning district regulations because it continues existing neighborhood patterns of development.

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:

Required parking can be met with off street parking.

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 Johana Zavaleta Mail Address 8104 Posten Ln
City, State & Zip Austin, TX 78744

Printed Johana Zavaleta Phone 512-40-1848 Date 10/20/14

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 Agustin Zavaleta Mail Address 8104 Posten Ln
City, State & Zip Austin, TX 78744

Printed Agustin Zavaleta Phone 512-633-4337 Date 10/20/14

October 20, 2014

Board of Adjustment, City of Austin
PO Box 1088
Austin, Texas 78767

Re: Variance requested for 2911 E 3rd Street

Dear Commissioners:

My name is Johana Zavaleta here to represent my parents, Maria & Agustin Zavaleta, the owners of 2911 E 3rd Street.

I'm an Austin native who was born and raised here. In the late 80's my parents married and moved into their first home at 2911 E. 3rd Street. My parents originally rented the home. After hard work and dedication my parents were able to officially purchase the home in 2007. My parents dream, just like any other parents is to leave their children with something for their future. My parents wish is to build two homes on this lot, one for my sister and one for myself. This property has significant sentimental value to us as this was where our family started. My sister and I were born and raised in Austin and want to continue to stay and grow here.

Therefore, today we are requesting one of the following two options:

1. Subdivide the existing corner lot (147.6'x46'=6789 sq ft.) and create two single-family homes. Variances needed:
 - Minimum lot size 5,750 sq ft (required) to 3392 sq ft (proposed).
 - Minimum lot width 50 ft (required) to 46 ft (current).
2. Build a duplex on existing lot. Variances needed:
 - Minimum lot area 7,000 sq ft (required) to 6,789 sq ft (existing).
 - Minimum lot width 50 ft (required) to 46 ft (current)

The lot is located at the corner of E 3rd Street and Linden. The home was originally located at 822 E. 53rd Street around 1938 and moved to its current location (2911 E 3rd Street) in 1963. The current house was found not to have neither architectural nor historic significance to warrant the designation as a historic landmark.

It was not till we reached Zoning Review that our request was denied and determined it was a substandard lot that would require variances to construct any of the permitted two family dwelling designs. Options and comments were reviewed by all interested parties and it was advised that we proceed with attaining variances. The property is currently permitted for development types/land uses for SF-3-NP. Both options would include off street parking requirements, setback requirements, and maintain impervious coverage.

I hope that you will vote in our favor so that my parents wish can come true and my sister and I can preserve a piece of our history and make new memories.

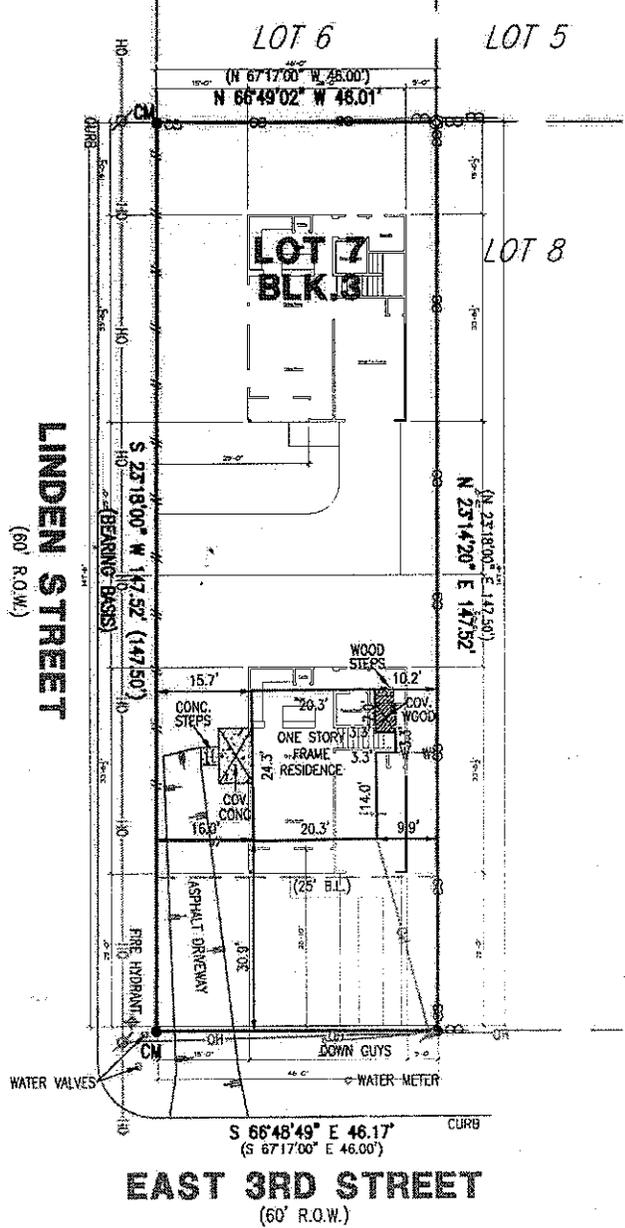
Best Regards,


Johana Zavaleta



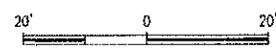
LEGEND

- 1/2" REBAR FOUND
- 1/2" CAPPED REBAR SET
- 1/2" IRON PIPE FOUND
- 600 NAIL FOUND
- 600 NAIL SET
- CAPPED REBAR FOUND
- "X" SET IN CONCRETE
- "X" FOUND IN CONCRETE
- COTTON SPARKLE FOUND
- PUNCH HOLE FOUND
- CHAIN LINK FENCE
- WOOD FENCE
- METAL FENCE
- B.L. BUILDING LINE
- P.U.E. PUBLIC UTILITY EASEMENT
- D.E. DRAINAGE EASEMENT
- () PER PLAT
- C.M. CONTROL MONUMENT
- R.O.W. RIGHT OF WAY
- P.O.B. PLACE OF BEGINNING
- OH OVERHEAD ELECTRIC
- P.P. POWER POLE
- AC AIR CONDITIONER



LINDEN STREET
(60' R.O.W.)

EAST 3RD STREET
(60' R.O.W.)



IMPORTANT NOTICE
This Survey was prepared without the benefit of a title commitment. There may be additional setback lines, easements and interests which are relevant to this property and unknown to B & C SURVEYING.



[Signature]
BY THE LICENSEE AND / OR PRESENT OWNERS OF THE PREMISES SURVEYED

FLOOD CERTIFICATION
THIS AREA IS NOT DEPICTED AS BEING IN A SPECIAL FLOOD HAZARD AREA PER FEMA'S FLOOD INSURANCE RATE MAP (FIRM), DATED 09/28/04. IF IT IS REPRESENTED AS IN ZONE "X", HOWEVER, AT THE PRESENT TIME, NO ELEVATIONS, DRAINAGE, OR FLOOD STUDIES HAVE BEEN PERFORMED BY THIS FIRM AND INFORMATION IS BASED SOLELY UPON SAID MAP. THE SURVEYOR DOES NOT ASSUME RESPONSIBILITY AS TO ANY INFORMATION PROVIDED ON SAID MAP AND DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE OF FLOOD DAMAGE. FOR FURTHER INFORMATION CONTACT YOUR FLOOD PLAN ADMINISTRATOR.

STREET ADDRESS: **2911 EAST 3RD STREET** CITY: **AUSTIN** COUNTY: **TRAVIS** STATE OF TEXAS
 LOT: **7** BLOCK: **3** SUBDIVISION: **HARTWELL ADDITION** VOL/CMS: **709** PG/BLD: **83** DEED RECORDS
 REFERENCE NAME: **AGUSTIN ZAVALA**



B & G SURVEYING, LLC
 FIRM REGISTRATION NO. 100363-00
 WWW.BANDGSURVEY.COM
 1404 West North Loop Blvd.
 Austin, Texas 78756
 Office 512*458-6969, Fax 512*458-9845

JOB #: **B0106614_TA**
 DATE: **01/17/14**
 SCALE: **1" = 20'**

FIELD WORK BY:	JERRY	01/15/14
CALC'D BY:	WYLE	01/17/14
CHECKED BY:	AMS	01/17/14
CHECKED BY:	M	01/17/14

July 9, 2014

To whom it may Concern,

On June 21st, 2014 the Review Committee for the Govalle/Johnston Terrace Neighborhood Contact team heard a presentation by Michael Benitez on the property at

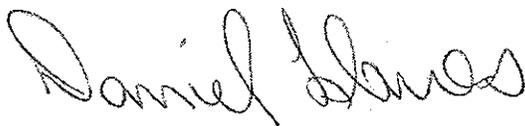
**2911 E. 3rd St. - zoned SF3
seeking to subdivide into 2 lots**

in order to add on to the existing building and the construction of an additional house to the subdivided property.

After review and discussion with the applicant and with City staff, the Review Committee recommends **support for the zoning change from SF3 to SF4, if required, and/or the necessary variances to complete the subdivision application.**

Please feel free to contact me with any questions or comments.

Thank you,

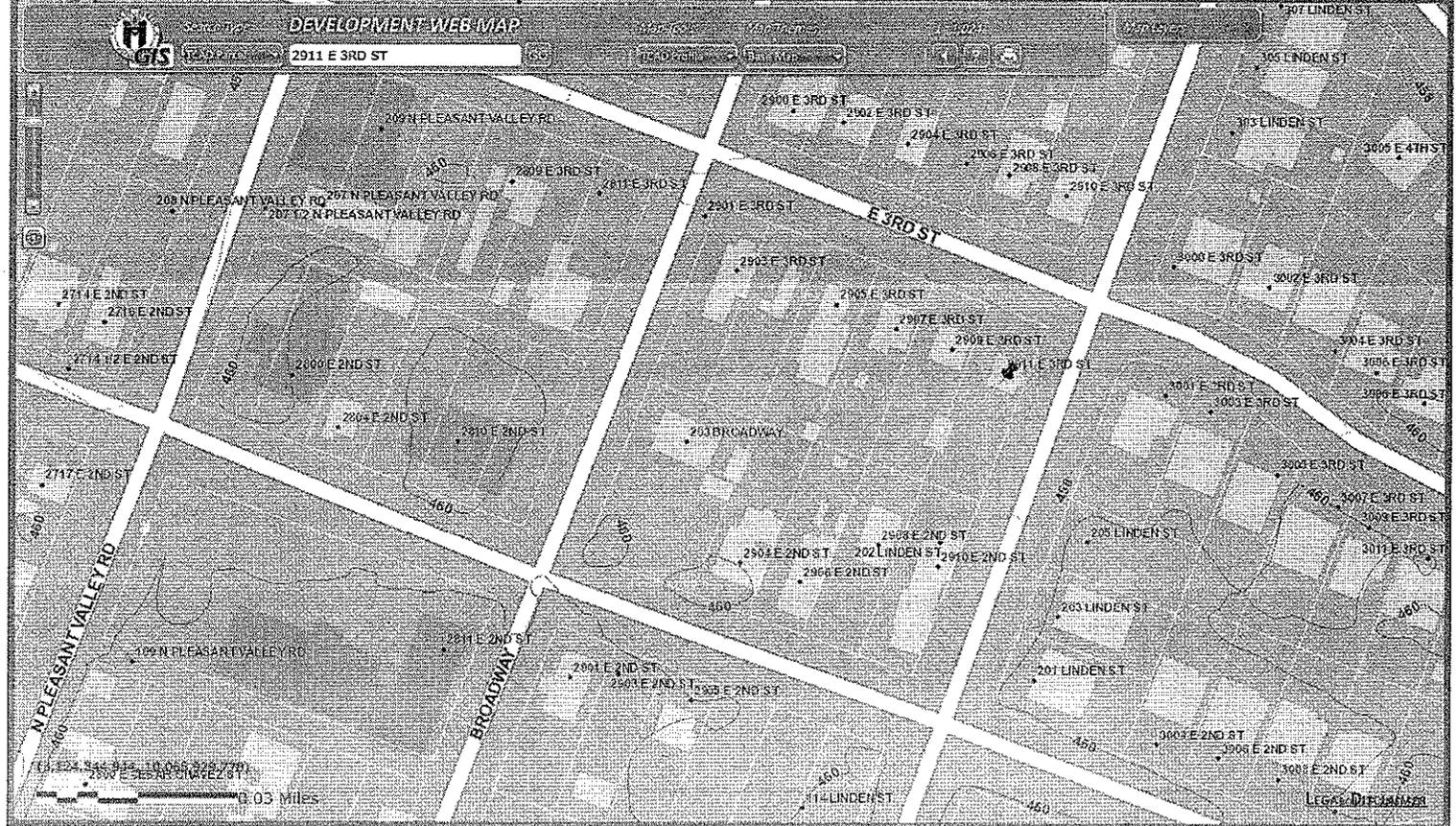
A handwritten signature in cursive script that reads "Daniel Llanes".

Daniel Llanes, Chair
Govalle/Johnston Terrace Neighborhood Contact Team
512-431-9665
dllanesrb@earthlink.net



DEVELOPMENT WEB MAP

2911 E 3RD ST





DEVELOPMENT WEB MAP

2911 E 3RD ST

Map Tools: Map, Measure, Layers, Full Screen, Print, Home, Refresh, Stop, Start, Stop, Start, Stop, Start





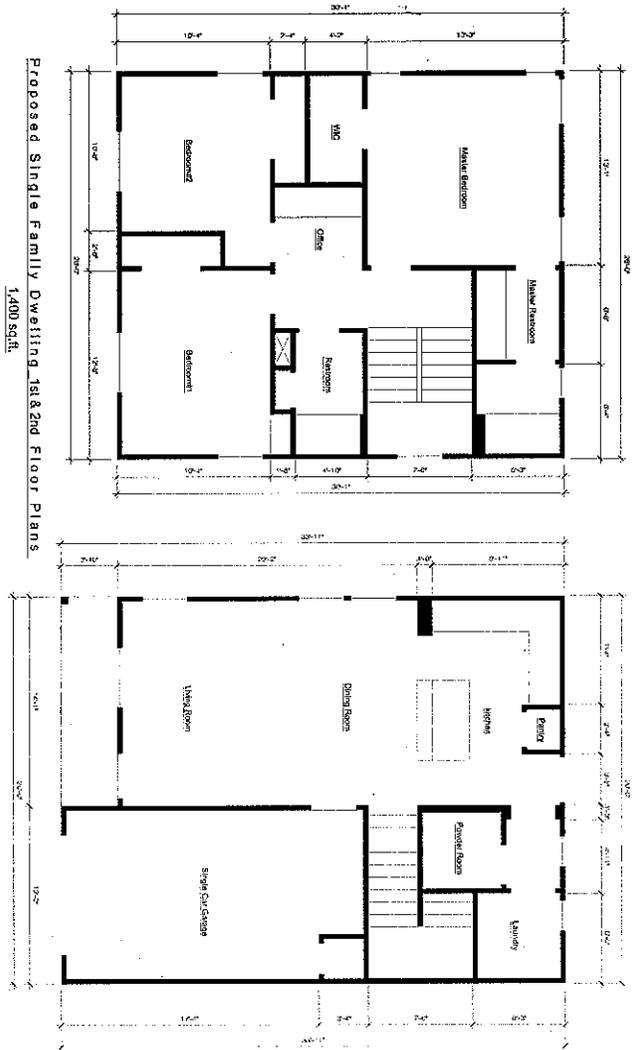
DEVELOPMENT WEB MAP

2911 E 3RD ST

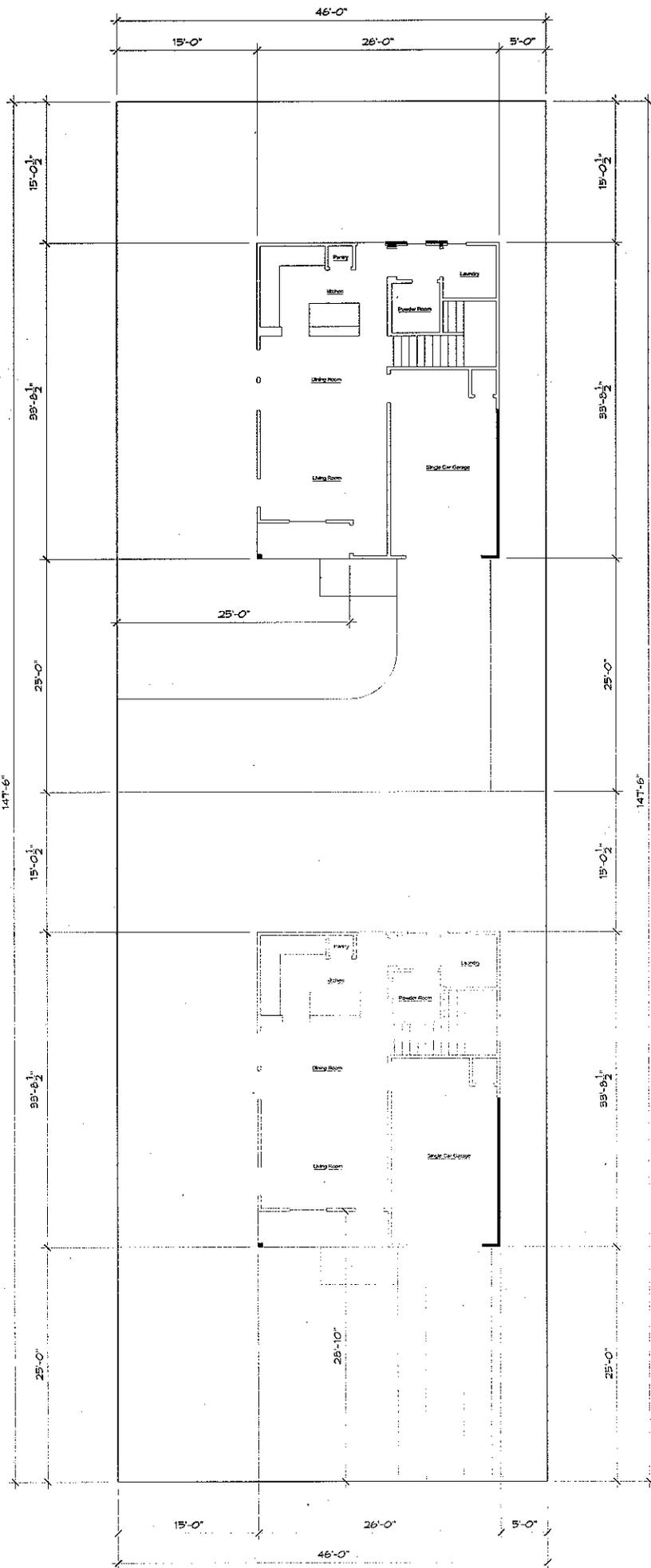
Map Tools: Map Layers: 2646 Map Color:

Map Scale: 1:25000 1:50000 1:100000





Proposed Single Family Dwelling 1st & 2nd Floor Plans
1,400 sqft.











HISTORIC LANDMARK COMMISSION
JUNE 23, 2014
DEMOLITION AND RELOCATION PERMITS
HDP-2014-0335
2911 E. 3RD STREET

PROPOSAL

Demolish a ca. 1937 house that was moved to the site in 1963.

ARCHITECTURE

One-story, rectangular-plan, side-gabled frame house with a central, partial-width, front-gabled independent porch; 1:1 fenestration.

RESEARCH

The house was built around 1938 by Martin J. Hodnett and his wife, Ethel; the original location of the house was at 822 E. 53rd Street. Martin Hodnett never had an occupation listed in the city directories. After the house was moved to the current site, it only sporadically appeared in city directories, and was a rental unit in the late 1960s and early 1970s.

STAFF COMMENTS

The house does not appear in any City survey.

STAFF RECOMMENDATION

Encourage relocation over demolition, but release the permit upon completion of a City of Austin Documentation Package, consisting of photographs of all elevations, a dimensioned sketch plan, and a narrative history, for archiving at the Austin History Center. The house has neither the architectural nor the historical significance to warrant individual designation as a historic landmark.

LOCATION MAP



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

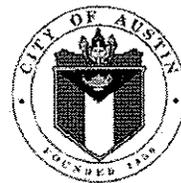
1" = 125'

NOTIFICATIONS

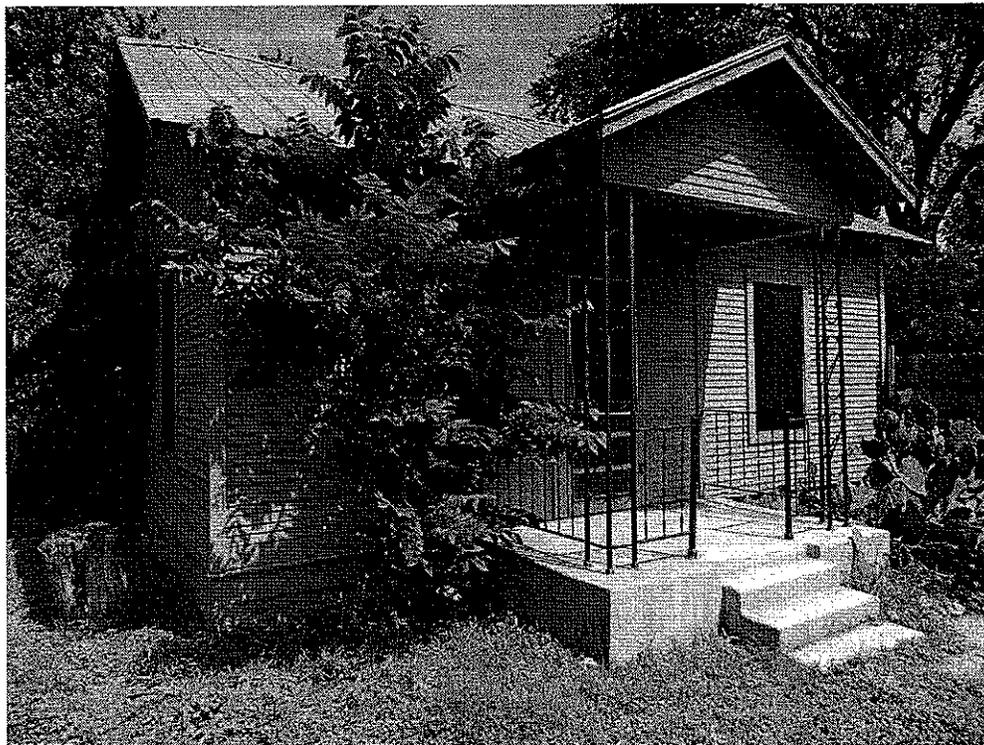
CASE#: HDP-2014-0335
LOCATION: 2900 East 3rd Street

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



2911 E. 3RD Street
ca. 1937
Moved to this site in 1963



OCCUPANCY HISTORY
2911 E. 3rd Street

City Directory Research, Austin History Center
By City Historic Preservation Office
June, 2013

- | | |
|---------|---|
| 1992 | The address is not listed in the directory. |
| 1985-86 | The address is not listed in the directory. |
| 1981 | The address is not listed in the directory. |
| 1977 | Vacant |
| 1973 | Sarah Arellano, renter
No occupation listed
NOTE: The directory indicates that Sarah Arellano was a new resident at this address. |
| 1968 | Paul and Virginia Zapata, renters
Laborer |
| 1964 | The address is not listed in the directory. |

NOTE: The house was moved from 822 E. 53rd Street to its current site in 1963. The following information is for the house at its original site.

1962	Vacant
1959	The address is not listed in the directory.
1955	Martin J. and Ethel Hodnett, owners No occupation listed
1952	Martin J. and Ethel Hodnett, renters No occupation listed
1949	Martin J. and Ethel Hodnett, renters No occupation listed
1947	Martin J. and Ethel Hodnett, renters No occupation listed
1944-45	Marvin J. and Ethel Hodnett, renters No occupation listed
1941	Martin J. and Ethel Hodnett, renters No occupation listed
1939	Martin J. and Ethel Hodnett, renters No occupation listed
1937	The address is not listed in the directory. NOTE: Martin J. and Ethel Hodnett are not listed in the directory.

MARTIN J. (DOC) HODNETT
 Martin J. (Doc) Hodnett, 96,
 of Temple, died in a local
 hospital Thursday.

He is survived by two
 daughters, Mrs. Ruby Frame of
 Austin, and Mrs. E. Ebner, Jr.,
 of Temple; four grandchildren
 and five great-grandchildren.

Funeral services will be at 2
 p.m. Saturday at Cook Funeral
 Home with Rev. Robert E.
 Warren officiating. Burial will
 be in the Jeffrey Cemetery near
 McMann, Texas.

Pallbearers will be Carl
 Hansen, James Whitefield,
 Benny Courtney, Malcolm
 Walker, all of Austin, Duane
 Wilson of Alvin, and Jose
 Yarrito of Temple.

Obituary of Martin J. Hodnett
 Austin American-Stateman, November 30, 1968

OWNER Felipe Castillo ADDRESS 2911 East 3rd St.
 FLAT 272 LOT 7 BLK. 3 DIV
 SUBDIVISION Hartwell
 OCCUPANCY Frame Res. onto lot & repair, No CP or Garage
 BLD PERMIT # 86963 DATE 2-25-63 ESTIMATE 1600.00
 CONTRACTOR Owner NO. OF FIXTURES 5
 WATER TAP REC # w E 32754 SEWER TAP REC # s 39280

RESIENCE

Building permit to Felipe Castillo to move the house onto the lot (1963)

ADDRESS: 2911 East 3rd Street, 111 PER-MIT 86963 PLAT 272
 LOT: 7 BLOCK 3 SUB. Hartwell
 OUTLOT
 FIRE ZONE 3 USE DIST: D 1 OCCUPANCY: Move in Res.
 2-28-63 LAYOUT 3-11-63 FRAMING 3-11-63 FINAL ROOF OVERHANG 1.8

	PRINC. BLDG.	ACC. BLDG.		PRINC. BLDG.	ACC. BLDG.		PRINC. BLDG.	ACC. BLDG.	PRINC. BLDG.
FOUNDATION	CON 8x8s		FLOOR JOIST SIZE & O.C.	2x6 24		NECESSARY BLDG. CONN.			ACC. BLDG.
FR. SETBACK	28		CEILING JOIST SIZE & O.C.	2x4		ROOM VENTILATION	✓		PAVED PARKING
TOTAL & MIN. SIDE YD.	24 9		STUD SIZE & O.C.	2x4 24		STAIRS REQ. & NO.			
SIDE STREET YARD	15		MASONRY WALL			ATTIC FIRE STOPS REQ.			

OWNER: Felipe Castillo CONTRACTOR:
 20x30 Frames + repair No C.P. or Gas.
 From 822 East 53rd St.

Inspection card showing that the house came from 822 E. 53rd Street (1963)

WATER SERVICE PERMIT No 32754
 Austin, Texas
 RECEIVED BY FELIPE CASTILLO Date 3-26-63
 Address 2911 East 3rd
 Amount FIFTY
 Plumber Size of Tap 3/8"
 Date of Connection 3-15-63
 Size of Tap Made 3/4"
 Size Service Made 3/4" Cop.
 Size Main Tapped 2" C.I.
 From Front Prop. Line to Curb Cock 7'
 From WEST Prop. Line to Curb Cock 14'
 Location of Meter FRONT
 Type of Box ROUND
 Depth of Main in St. 3'
 Depth of Service Line 2'
 From Curb Cock to Tap on Main 2'
 Checked by Engr. Dept.
 ENTERED APR 9 1963

CHANGED TO 6.25" MAIN AND RENEWED SERVICE WITH 9/8" COPPER ON 3222-222-533

INDEXED

No. Fittings	3	Pipe	3/4" COP
Corp. Cock	1	Cop. to Iron ell	3/4"
Cop. to Cop. ell		Cop. to Iron Coupling	
Cop. to Cop. Coupling		Cop. to Cop. Coupling	
Angle Stop	1	Stop	
Bushing		8" x 3/4" BRASS	
Nipples		3" x 3/4"	
Service Clamp	1	Valve	
Meter Box	1	Lock Lid	
Drain Tile	1	Drain Tile Lid	
Stop & Drain	1	Job No. 62323-502	
Foreman			

Water service permit to Felipe Castillo for this address (1963)

SANITARY SEWER SERVICE PERMIT
Austin, Texas

No. 39280

Received of FELIPE CASTILLO Date 2-26-63
 Address 2911 E. 11th ST
 Amount FIFTY
 Builder or Owner CANE Plumber Castillo
 Lot 7 Block 3 Subdivision HARTWELL Plat No. 272

Date of Connection	<u>4-2-63</u>	Price	
By City	<u>7-EDWIC</u>	Size	
By Plumber		No. Fittings	
Checked By	<u>Bush</u>	Pipe	<u>12</u>
Size Main	<u>8"</u> Depth <u>±3'</u>	Wyes	
Main Assign.	<u>13 1/2' N of SR</u>	Bends	<u>6</u>
Stub Depth	Prop. Line <u>2 1/2'</u>	Reducers	
Stub Location	<u>ANYWHERE ON E 3RD STREET</u>	Plugs	
Book No.	<u>A2463</u>	Sand	
Paving Cut	No. <u>Ch. 3-22-63 LIND</u>	Gravel	
		Remix	
		Stoppers	
		Castings	
		Other	<u>1</u>
		Labor:	<u>14 hr</u>
			<u>18.20</u>
			<u>2.50</u>
			<u>1.00</u>
		Total	<u>27.20</u>

Sewer service permit for this address (1963)

