

CITY OF AUSTIN
Board of Adjustment/Sign Review Board
Decision Sheet
(RECONSIDERATION REQUEST)

DATE: Monday, November 10, 2014

CASE NUMBER: C15-2014-0135

☐ Y ☐ Jeff Jack
☐ Y ☐ Michael Von Ohlen **Motion to PP to 1-12-15**
☐ Y ☐ Stuart Hampton - Ricardo De Camps(OUT)
☐ Y ☐ Bryan King **2nd the Motion**
☐ - ☐ Vincent Harding (OUT)
☐ Y ☐ Melissa Hawthorne
☐ Y ☐ Sallie Burchett

APPLICANT: Michael Benitez

OWNER: Augustine Zavaleta

ADDRESS: 2911 3RD ST

VARIANCE REQUESTED: The applicant has requested a variance(s) to Section 25-2-492 (D) (Site Development Regulations) to decrease the minimum lot width from 50 feet (required) to 47 feet (requested) and to decrease the minimum lot size from 5,750 (required) to 3,392.5 square feet (requested) in order to either subdivide the property into two lots or construct a second dwelling unit in an "SF-3-NP", Family Residence – Neighborhood Plan zoning district. (Govalle)

The applicant has requested a variance to Section 25-2-774 (B) and (C) (7) (Two-family Residential Use) to decrease the minimum lot area from 7,000 square feet (required) to 5,785 square feet (requested) and to increase the gross floor area of the second dwelling unit from 850 square feet (required) to 1,200 square feet (requested) in order to construct a two family residential use in an "SF-3-NP", Family Residence – Neighborhood Plan zoning district. (Govalle)

The applicant has requested a variance to Section 25-2-773 (B) (1) and (2) (Duplex Residential Use) to decrease the minimum lot area from 7,000 square feet (required) to 5,785 square feet (requested) and to decrease the minimum lot width from 50 feet (required) to 46 feet (requested) in order to construct a duplex unit in an "SF-3-NP", Family Residence – Neighborhood Plan zoning district. (Govalle)ther

BOARD'S DECISION: The public hearing was closed on Board Member Jeff Jack motion to Deny (applicant no show), Board Member Bryan King second on a 5-2 vote (Board member Michael Von Ohlen, Ricardo De Camps nay); **DENIED.**

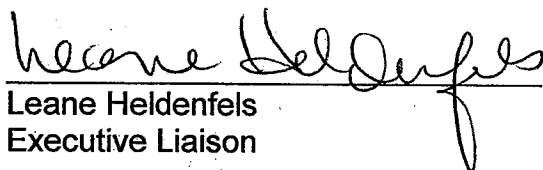
RECONSIDERATION REQUEST: The applicant has requested a variance(s) to Section 25-2-492 (D) (Site Development Regulations):

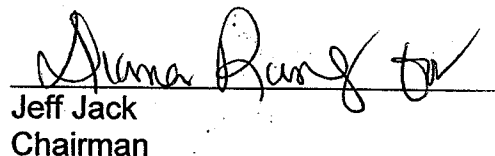
- A. to decrease the minimum lot width from 50 feet (required) to 47 feet (requested) and;
- B. to decrease the minimum lot size from 5,750 (required) to 3,392.5 square feet (requested) in order to either subdivide the property into two lots or construct a second dwelling unit in an "SF-3-NP", Family Residence – Neighborhood Plan zoning district. (Govalle) The applicant has requested a variance to Section 25-2-774 (B) and (C) (7) (Two-family Residential Use);
- C. to decrease the minimum lot area from 7,000 square feet (required) to 5,785 square feet (requested) and;
- D. to increase the gross floor area of the second dwelling unit from 850 square feet (required) to 1,200 square feet (requested) in order to construct a two family residential use in an "SF-3-NP", Family Residence – Neighborhood Plan zoning district. (Govalle).

Nov 10, 2014 Board Member Bryan King motion to Reconsider request, Board Member Michael Von Ohlen second on a 6-0 vote; RECONSIDERED; the public hearing was closed on Board Member Michael Von Ohlen motion to Postpone to January 12, 2015, Board Member Bryan King second on a 6-0 vote; POSTPONED TO January 12, 2015.

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:


Leane Heldenfels
Executive Liaison


Jeff Jack
Chairman

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

DATE: Monday, October 13, 2014

CASE NUMBER: C15-2014-0135

☒ Y ☐ Jeff Jack **Motion to Deny**
☐ N ☐ Michael Von Ohlen
☐ N ☐ Ricardo De Camps
☒ Y ☐ Bryan King **2nd the Motion**
☒ Y ☐ Vincent Harding
☒ Y ☐ Melissa Hawthorne
☒ Y ☐ Sallie Burchett

APPLICANT: Michael Benitez

OWNER: Augustine Zavaleta

ADDRESS: 2911 3RD ST

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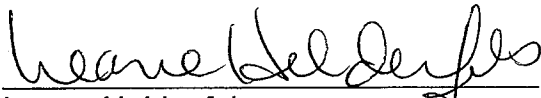
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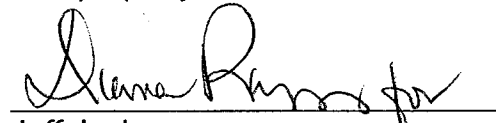
FINDING:

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:



Leane Heldenfels
Executive Liaison



Jeff Jack
Chairman

October 20, 2014

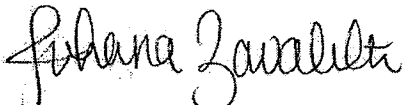
Board of Adjustment, City of Austin
PO Box 1088
Austin, Texas 78767

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, appearing to read "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.

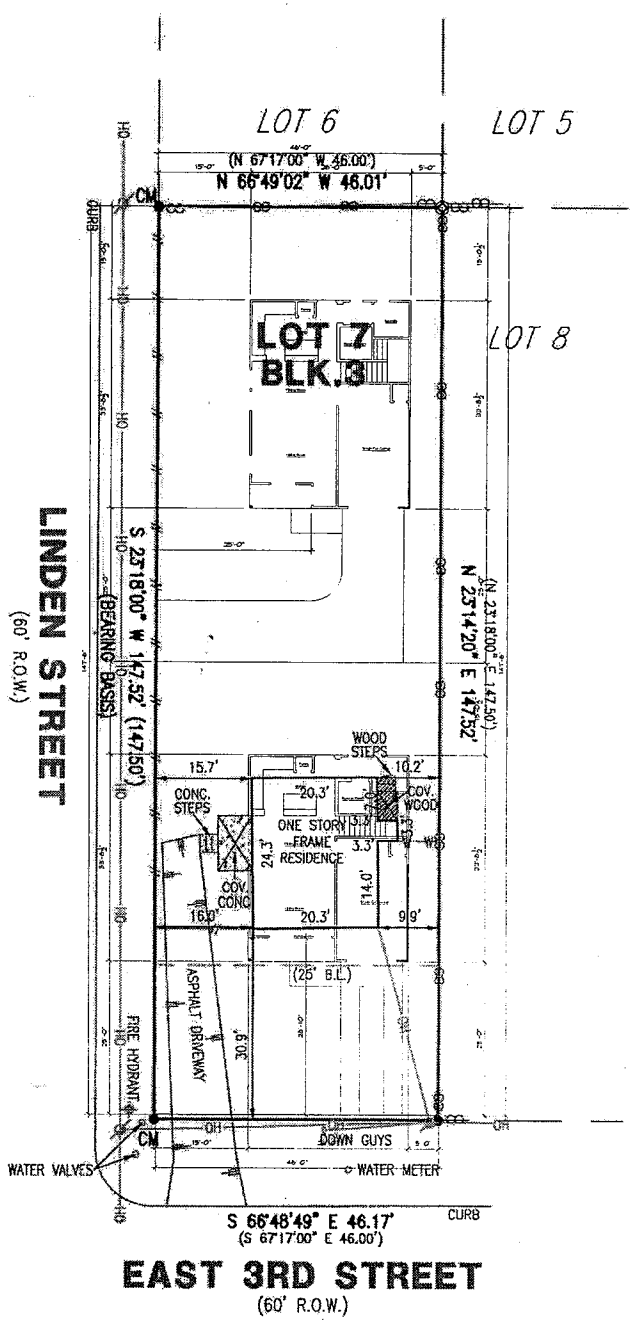
It was not till we reached Zoning Review that our request was denied and determined it was a substandard lot that would require variances to construct any of the permitted two family dwelling designs. Options and comments were reviewed by all interested parties and it was advised that we proceed with 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" CAPTED REBAR SET
 - 1/2" IRON PIPE FOUND
 - ▲ 600 NAL. FOUND
 - ▲ 600 NAL. SET
 - CAPTED REBAR FOUND
 - "X" SET IN CONCRETE
 - "X" FOUND IN CONCRETE
 - COTTON SPINDLE 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
 - PP POWER POLE
 - AC AIR CONDITIONER



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 & G SURVEYING.



[Signature]
 FOR THE LENDHOLDER 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 09/28/08. 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 DEPLY 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/CMB: **709** PG/SID: **93** DEED RECORDS
 REFERENCE NAME: **AGUSTIN ZAVALETA**



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
CALCD BY:	WYLE 01/17/14
DRAFTED BY:	AMS 01/17/14
CHECKED BY:	ML 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

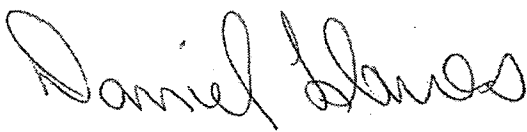
**2911 E. 3rd St. - zoned SF3
seeking to subdivide into 2 lots**

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.**

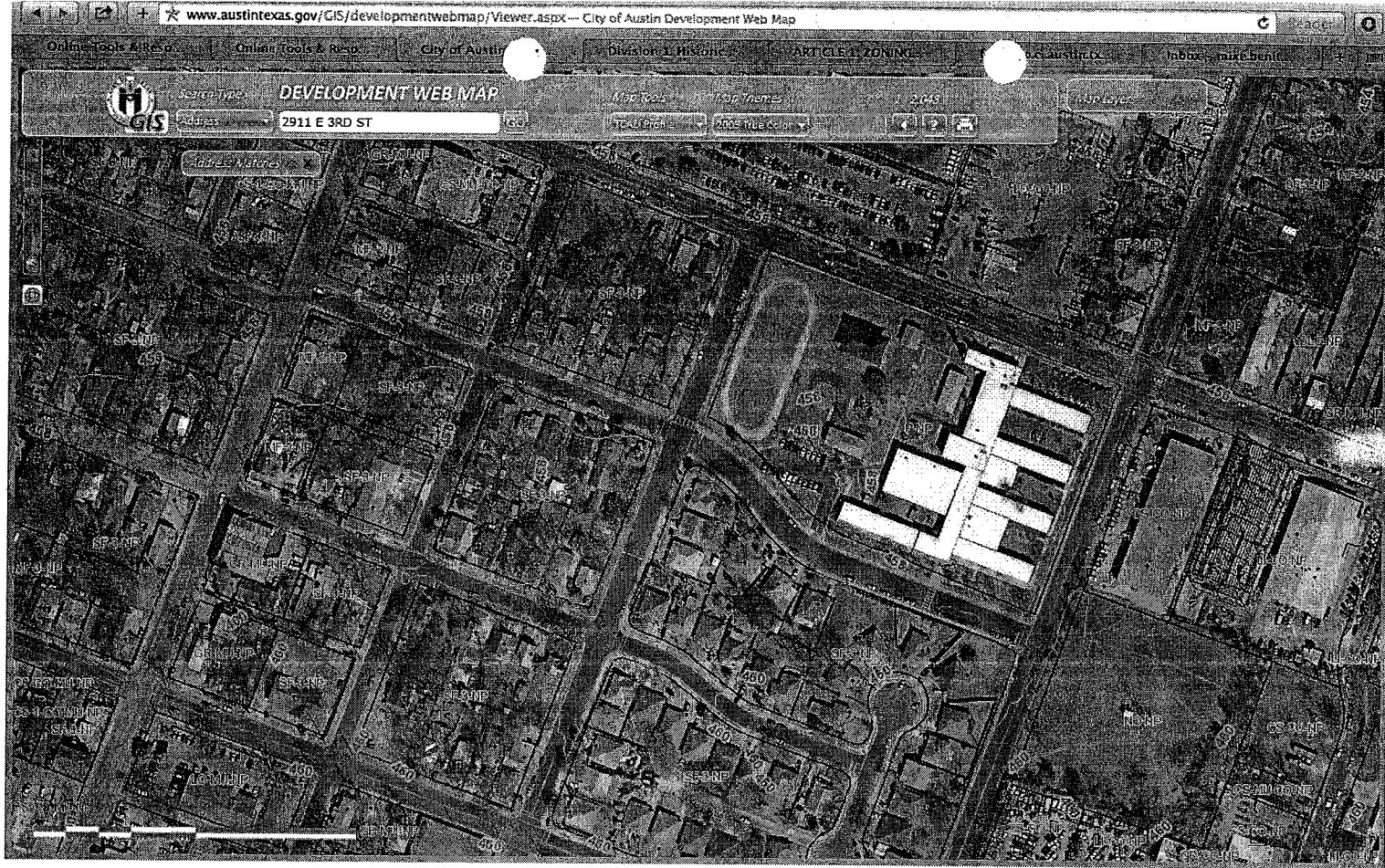
Please feel free to contact me with any questions or comments.

Thank you,

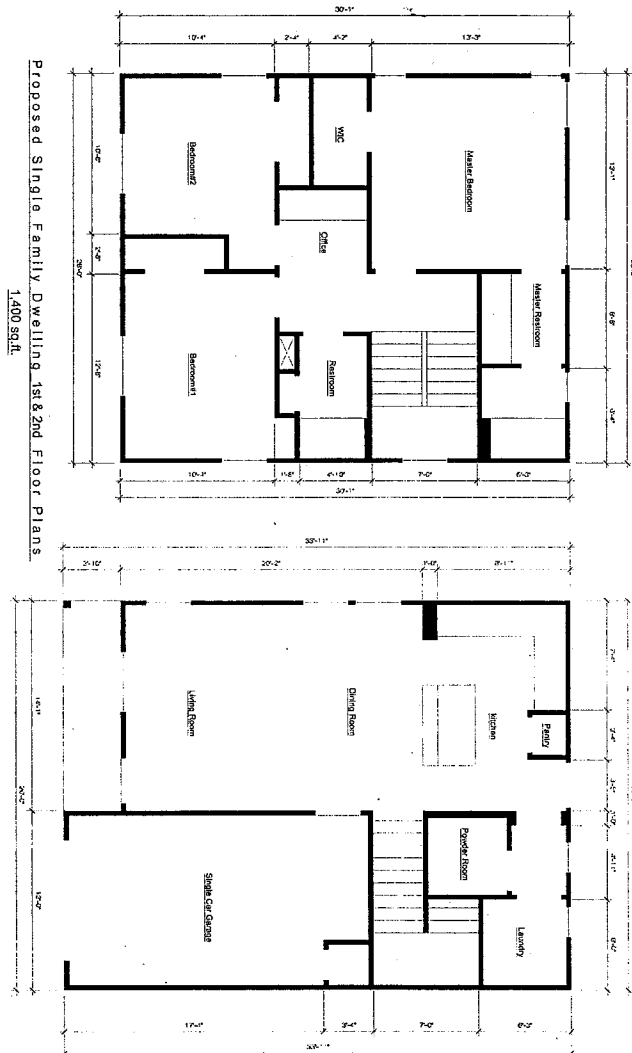
A handwritten signature in cursive script that reads "Daniel Llanes".

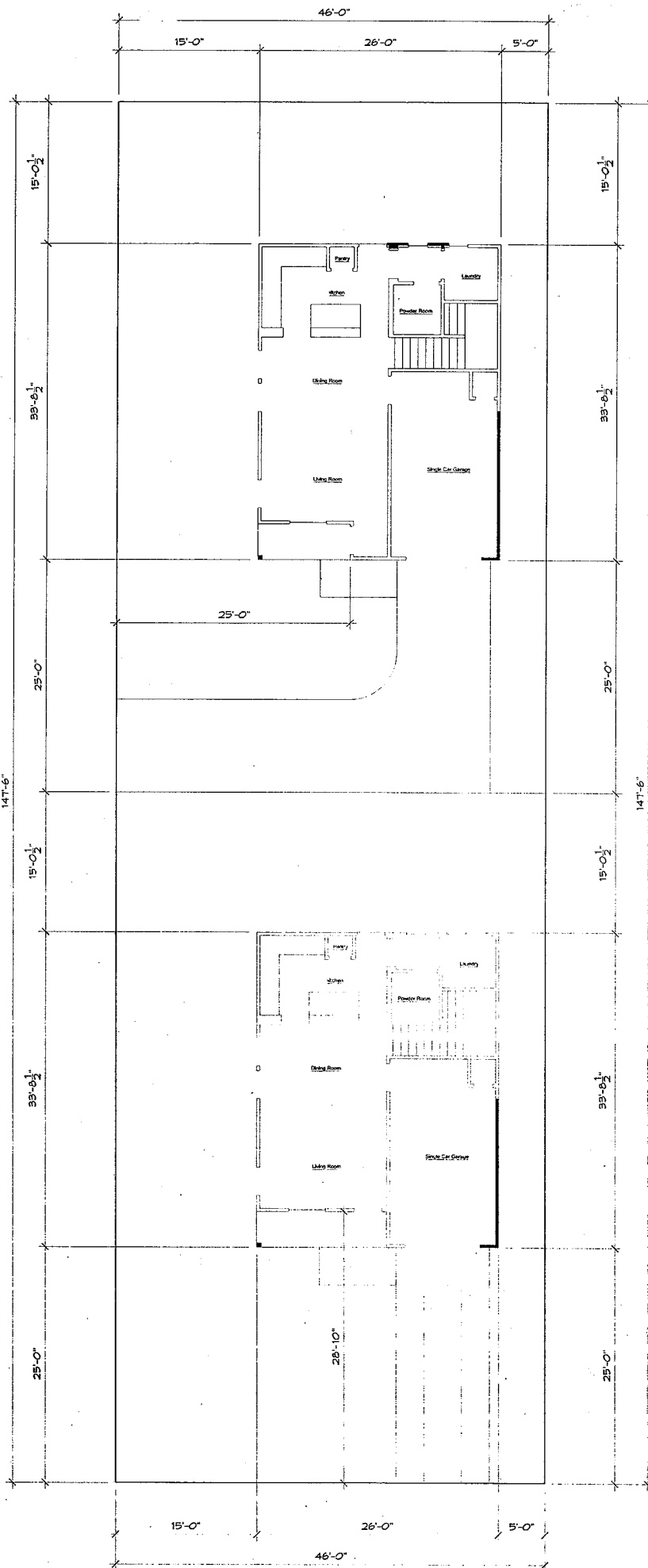
Daniel Llanes, Chair
Govalle/Johnston Terrace Neighborhood Contact Team
512-431-9665
dllanesrb@earthlink.net

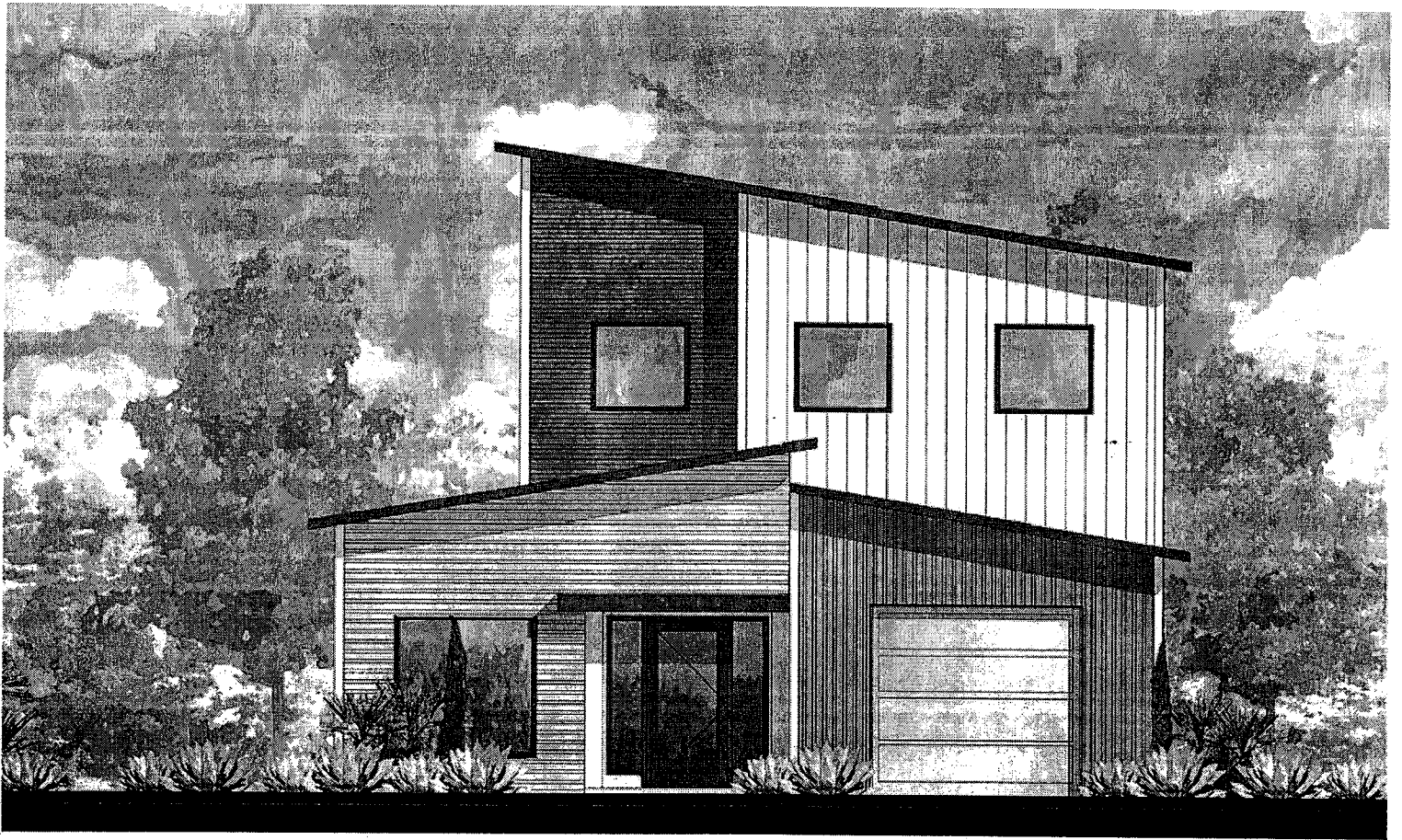




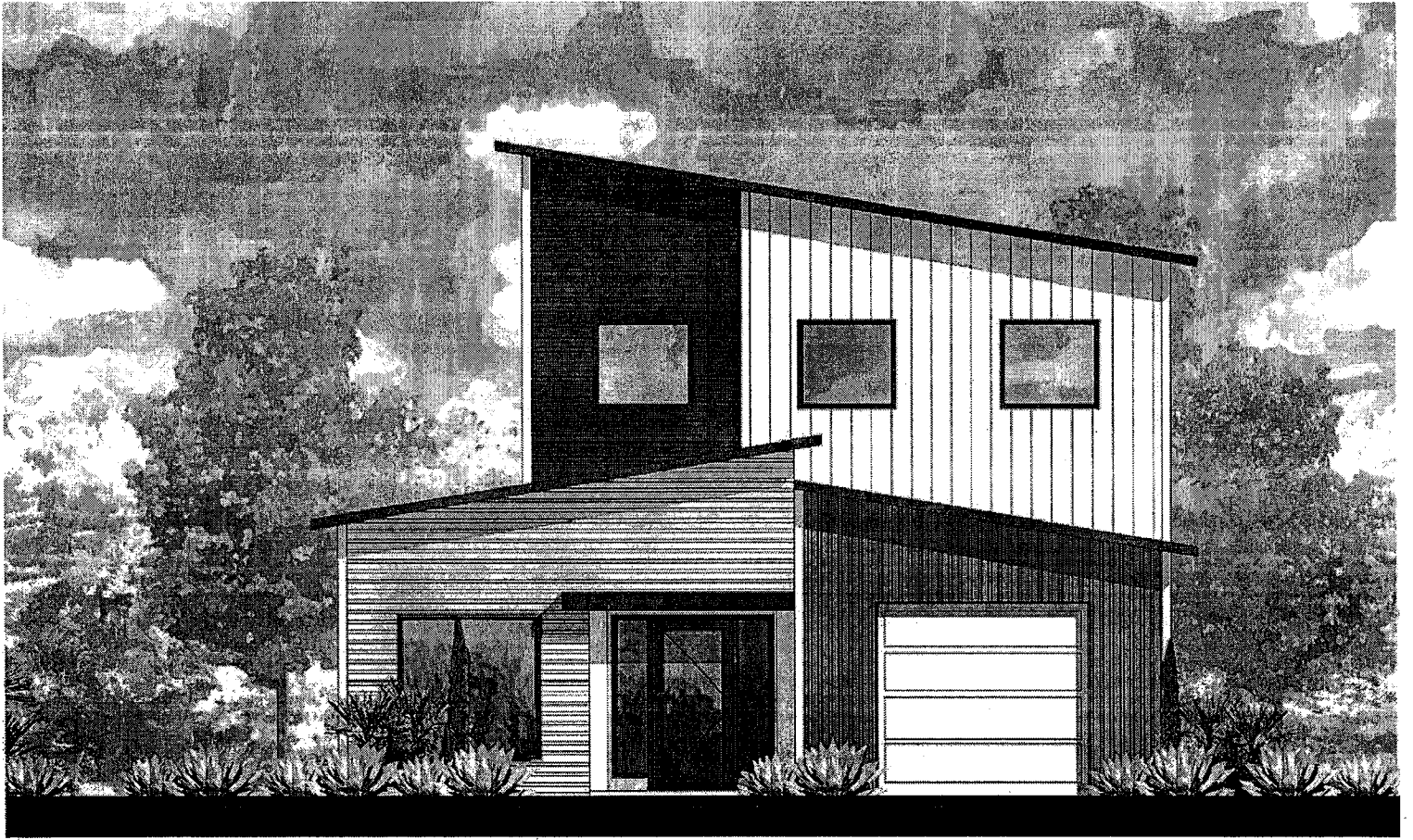
Proposed Single Family Dwelling 1st & 2nd Floor Plans
1400 sq.ft.













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



1" = 125'

-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

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-Statesman, 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
OWNERS
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 PERMIT 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.
FOUNDATION	CON 8x8s		FLOOR JOIST SIZE & O.C.	2x6 24"	NECESSARY BLDG. CONN.		ACC. BLDG.
FR. SETBACK	28		CEILING JOIST SIZE & O.C.	2x4 24"	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 CP or far.
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 of FELIPE CASTILLO Date 2-26-63

Address 2911 East 3rd Street

Amount FIFTY \$50.00

Plumber Size of Tap 3/6"

Date of Connection 3-15-63

Size of Tap Made 3/4"

Size Service Made 3/4" Cop.

Size Main Tapped 2" C.P.

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.

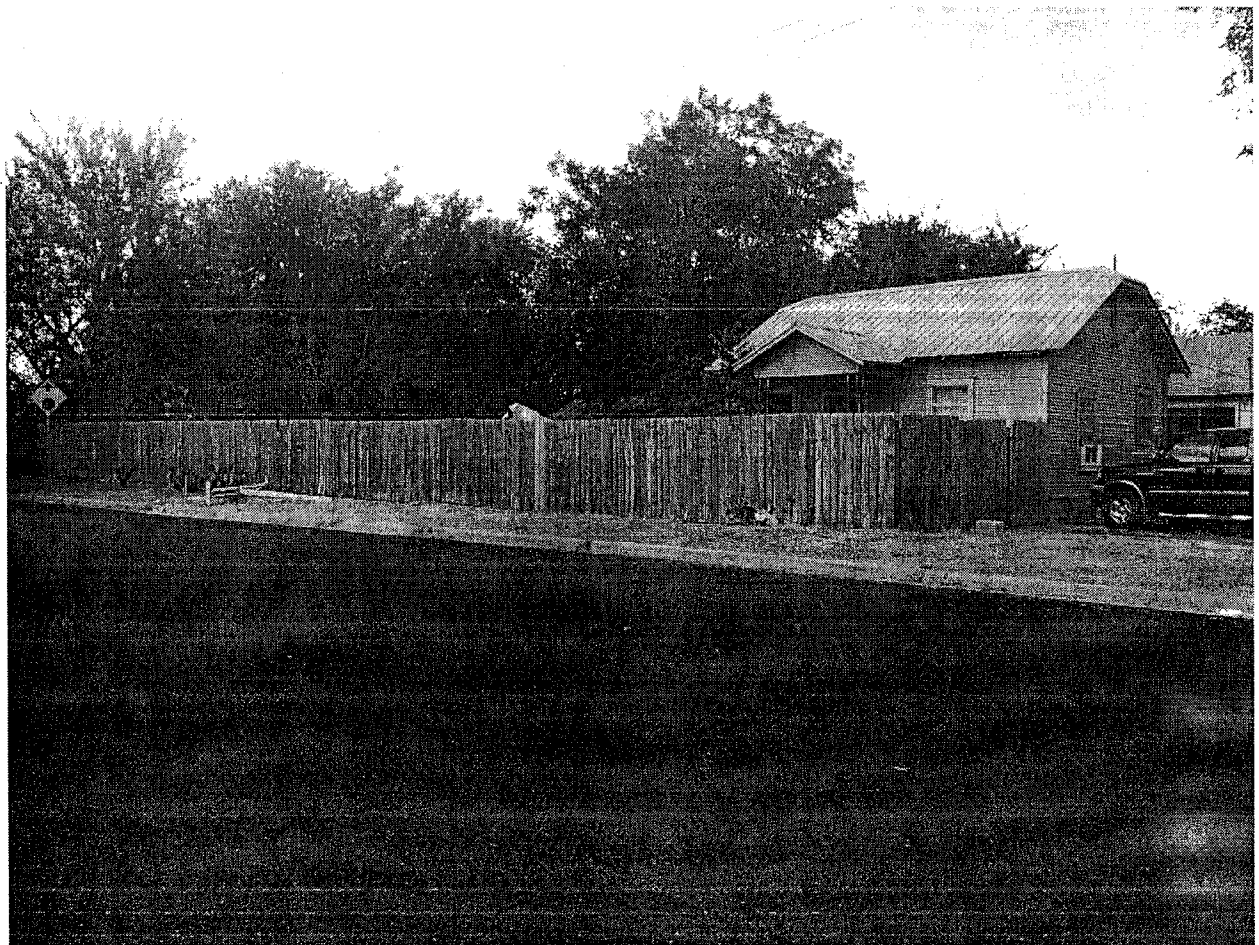
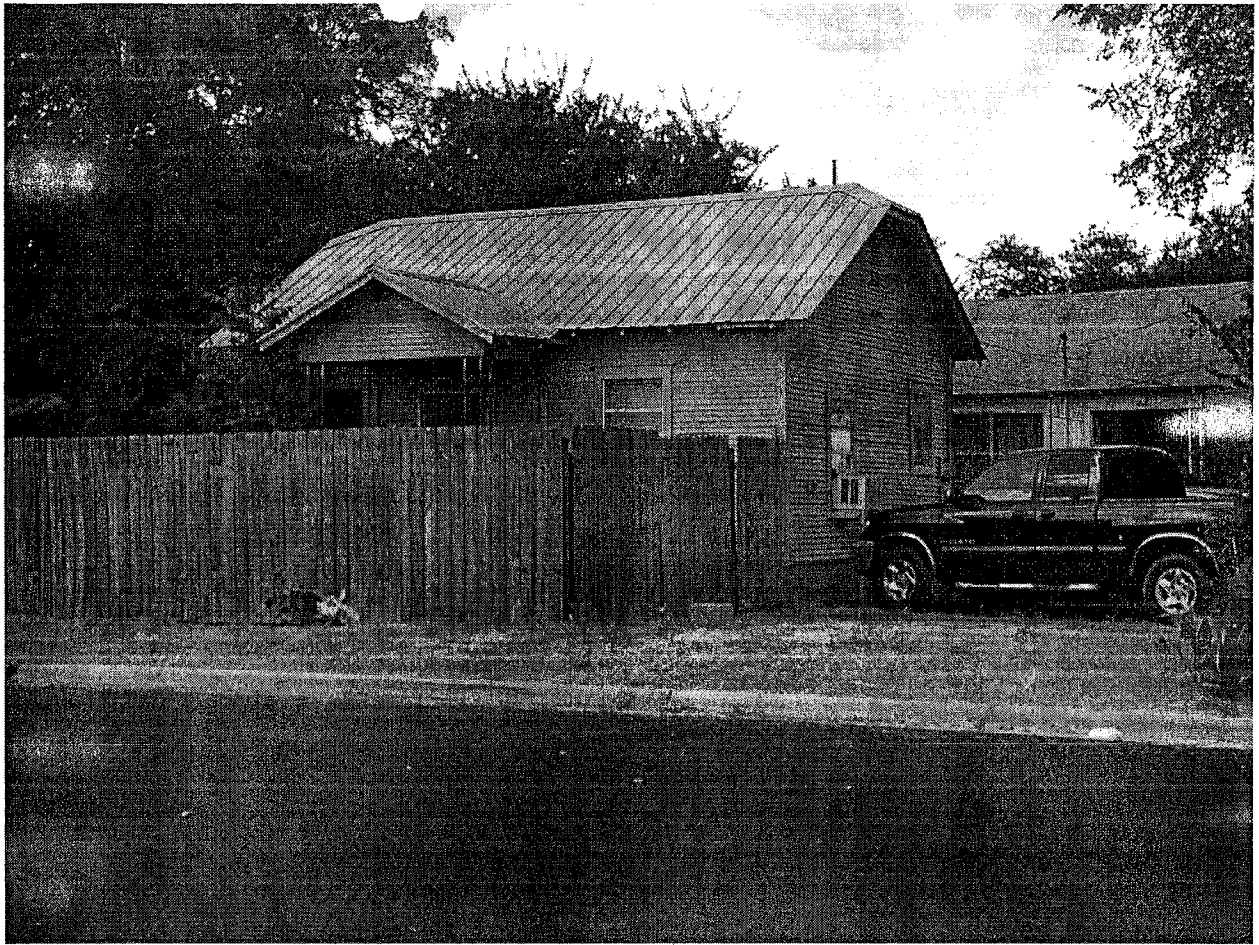
ENTERED APR 9 1963

CHANGED TO 6.25" MAIN AND RENEWED SERVICE WITH 3/4" COPPER ON 2911 East 3rd Street

INDEXED

Job No. 62323-502 Foreman J. R. Rios

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



4-2014-0135
CASE# ~~CT4-2014-0116~~
ROW# 11214854
TAX# ~~187661~~ 0200120606

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 St

LEGAL DESCRIPTION: Subdivision – HARTWELL Sec. 1

Lot(s) 7 Block 3 Outlot 29 Division _____

I/We Michael Benitez on behalf of myself/ourselves as authorized agent for

AGUSTIN ZAVALETA affirm that on August, 07,

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

OPTION 1: Request a lot variance(s) to Section 25-2-232 (D)(2) (Small Lot Subdivision) to preserve/update/
with addition to existing ca. 1937 house and build new house at southern portion of lot.

OPTION 2: Request variances to Base Zoning district (25-2-773 Duplex Residential) (B.1 & B.2, decrease
Minimum Lot Width 50' to existing (47'), and Minimum Lot Size 7,000 SF to existing (6,785 SF). Variance to
25-2-492 (D) (Site Development Regulations) decrease the minimum lot width from 50' to existing (47')

in a SF-3-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:

1) VARIANCE TO MINIMUM SITE DEVELOPMENT REGULATIONS TO MEET 25-4-232 SMALL LOT

SUBDIVISION, C-1 (a) &(b) MINIMUM LOT AREAS. A lot variance is needed to subdivide the property and create (2) single family homes as is consistent with adjacent lot and other corner lots in neighborhood.

OR

2) VARIANCE UNDER 2-4-492 SITE DEVELOPMENT REGULATION, LOT MINIMUM WIDTH OF 50' TO 47'(existing) is sought in order to comply with the base zoning district (SF-3) regulations for DUPLEX RESIDENTIAL.

HARDSHIP:

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

1.) Current lot size does not meet new site development regulations for minimum lot size and minimum lot widths for subdivision of lot; so that the preservation of Austin ca. 1937 house could be done with minimal changes; while increasing single family inventory with minimal waste.

2.) Lot is Substandard Lot and currently does not comply with requirements of zoning district requirement of minimum lot size and minimum lot width, a characteristic that is common in the neighborhood and immediate vicinity.

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

1.) & 2.) Other lots in area are being combined; reducing the amount of existing housing for the more dense multi family units. Areas new developments are generally to increase family units instead of incorporating two family residence either through duplex, small lot sub division, and/or secondary apartment. There is support by the neighborhood and historic preservation to preserve the single family residence and increase family residence housing either through duplex, small lot sub division, and secondary apartment.

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:

1) & 2.) The variances required in this case involves preserving the character of the area from the 1930s and the adding of an additional structure to lot 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..

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  Mail Address 8104 POSTEN

City, State & Zip Austin, TX 78744

Printed Michael Benitez Phone 512.576.8015 Date 08/13/2014




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 8104 Posten Ln

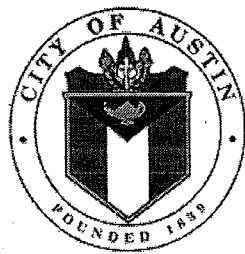
City, State & Zip Austin, TX 78744

Printed Agustin Zavaleta Phone 512.366.4337 Date 08/13/2014



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

CASE#: C15-2014-0135
Address: 2911 E 3RD ST



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.

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1" = 200'

Govalle/Johnston Terrace Neighborhood Contact Team
Strength Through Unity

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 change to SF4 and subdivide into 2 lots

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

After review and discussion the Review Committee recommends **support for the change and subdivision application.**

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

Thank you,



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



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Strength Through Unity***

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

August 27, 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 Michael Benitez here to represent Agustin Zavaleta, the owner at 2911 E 3rd Street.

We are requesting two variance option(s) today; the first: a lot variance to subdivide existing corner lot (147.5'x47'=6785 sf) and create two single-family homes on lots (73.75'x47'=3392.5sf). The current lot is located at the intersection of E 3rd Street and Linden. The home was originally located at 822 E. 53rd Street around 1938 and moved to 2911 E 3rd Street in 1963. The property is currently permitted for development types/Land uses for SF-3-NP, and in effort to develop property per COA development standards, base zoning regulations and a complete develop assessments; concerns were expressed about possibility of saving existing ca. 1937 house by neighborhood group and historic preservation (even though the house was found not to have neither architectural nor historic significance to warrant a designation as a historic landmark).

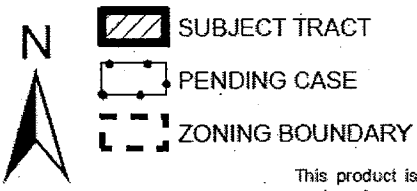
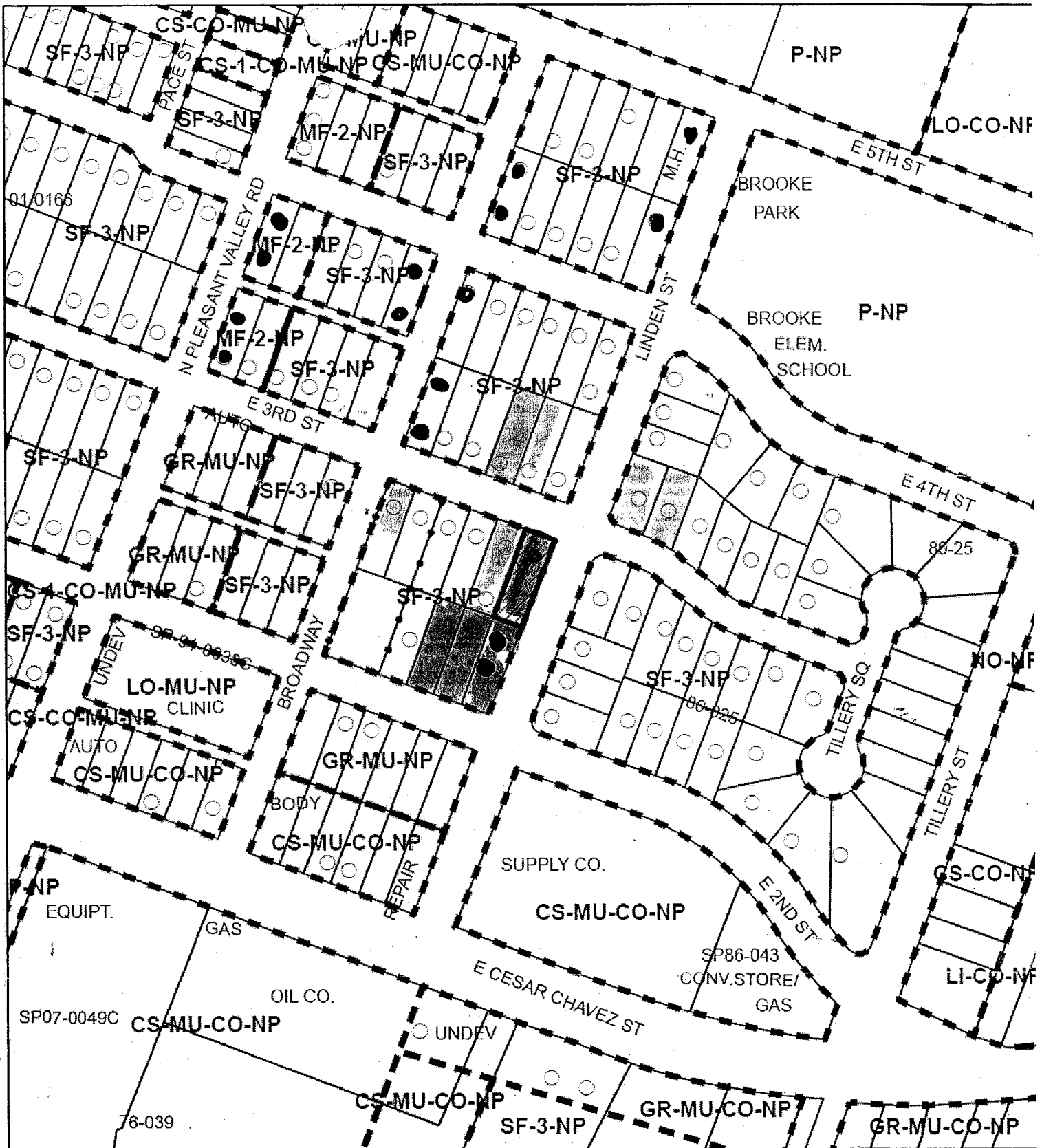
It was not till we reached Zoning Review that request was denied and determined it was a substandard lot that would require variances to construct any of the permitted two family dwelling designs. All comments/notes where discussed and options were reviewed by all interested parties and it was decided that we proceed with our 1st OPTION: subdividing current lot; to allow continued use of home and preserve a piece of Austin and/or 2nd OPTION: demo/move existing home with a variance to permit a 2nd dwelling on a substandard lot per current base zoning regulations.

Both options would include off street parking requirements, setback requirements, and maintain impervious coverage of up to 55% per Sec 25-2-556 (FAMILY RESIDENCE DISTRICT REGULATIONS)

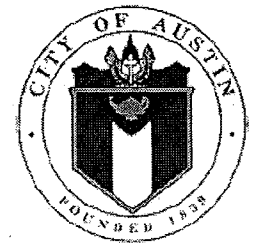
Sincerely,

A handwritten signature in black ink, appearing to read 'Michael Benitez', with a stylized, flowing script.

Michael Benitez
512.576.8015



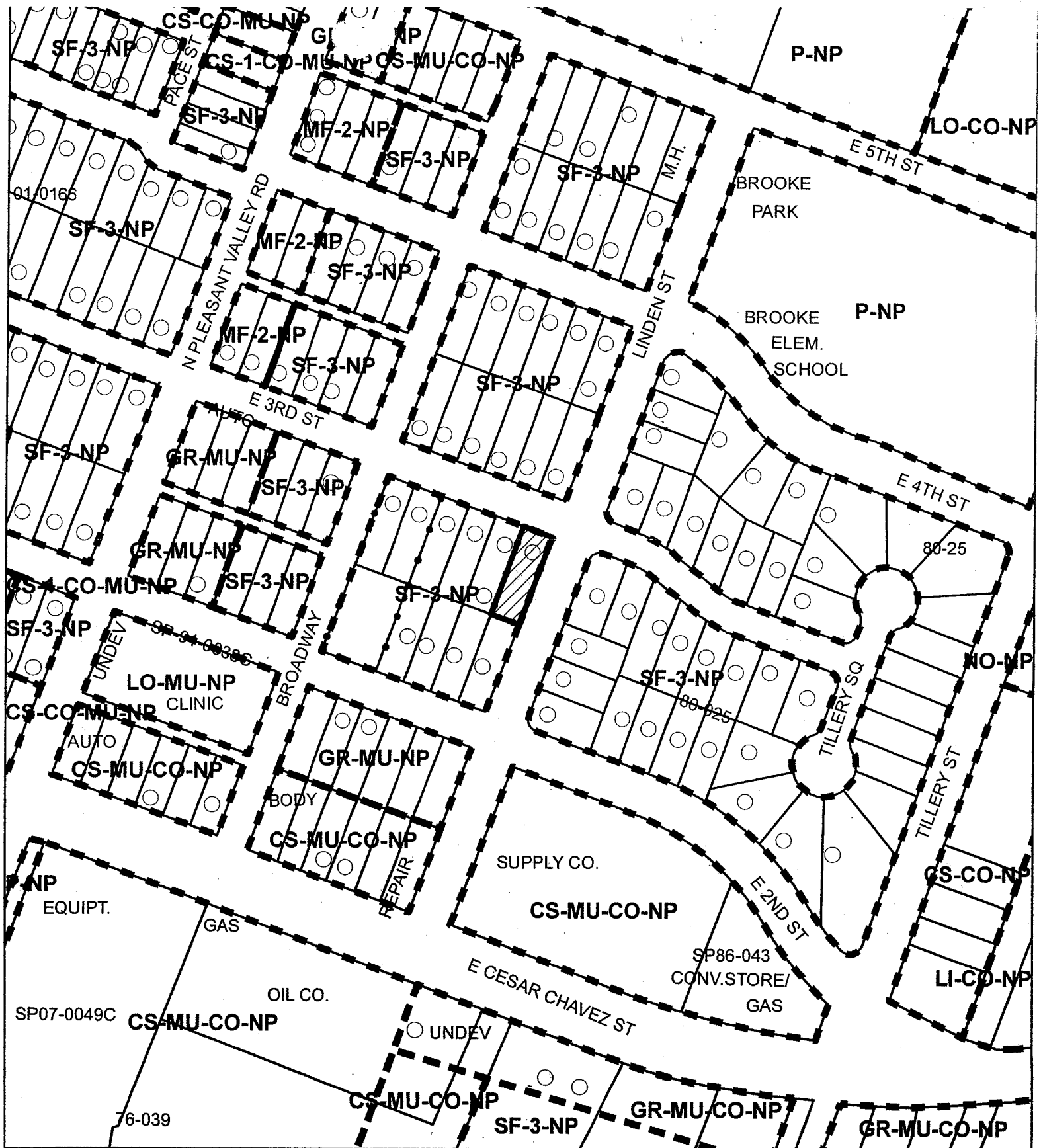
ZONING CASE
C14-2014-0116






1" = 200'

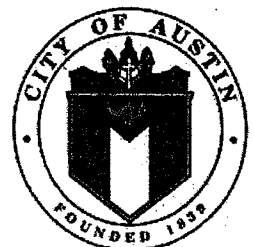
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 SUBJECT TRACT
 PENDING CASE
 ZONING BOUNDARY

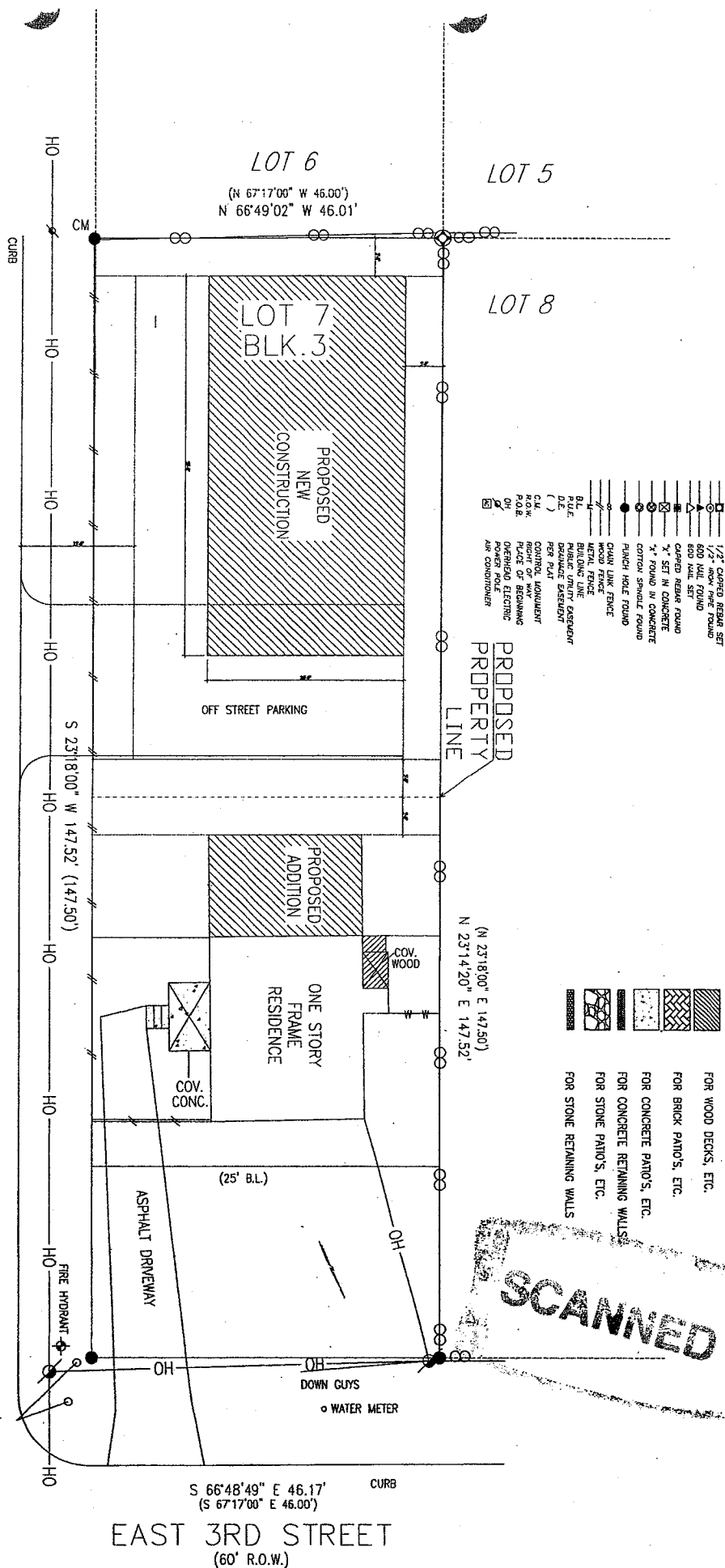
ZONING CASE
C14-2014-0116



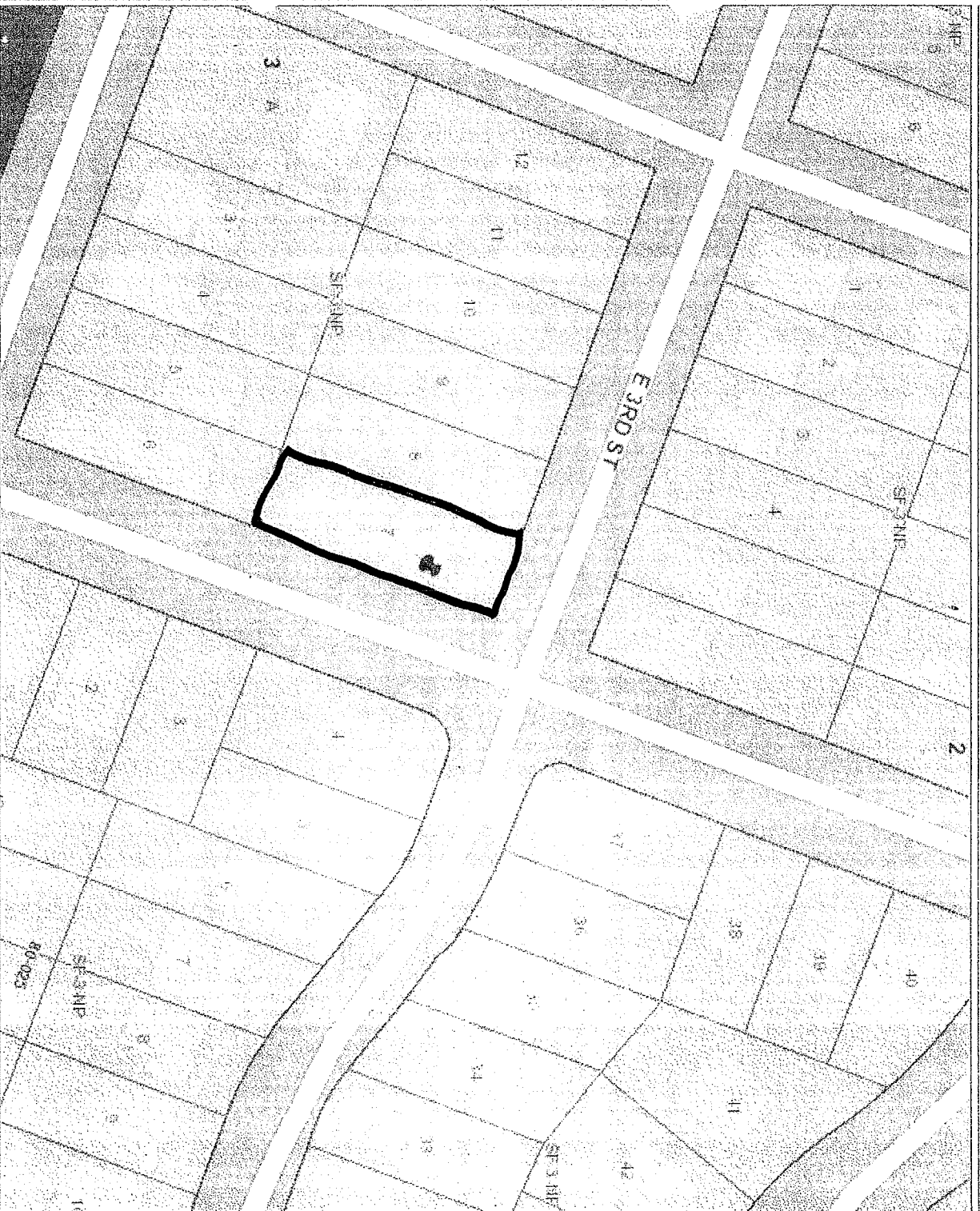
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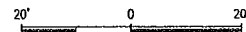


CITY OF AUSTIN DEVELOPMENT WEB MAP

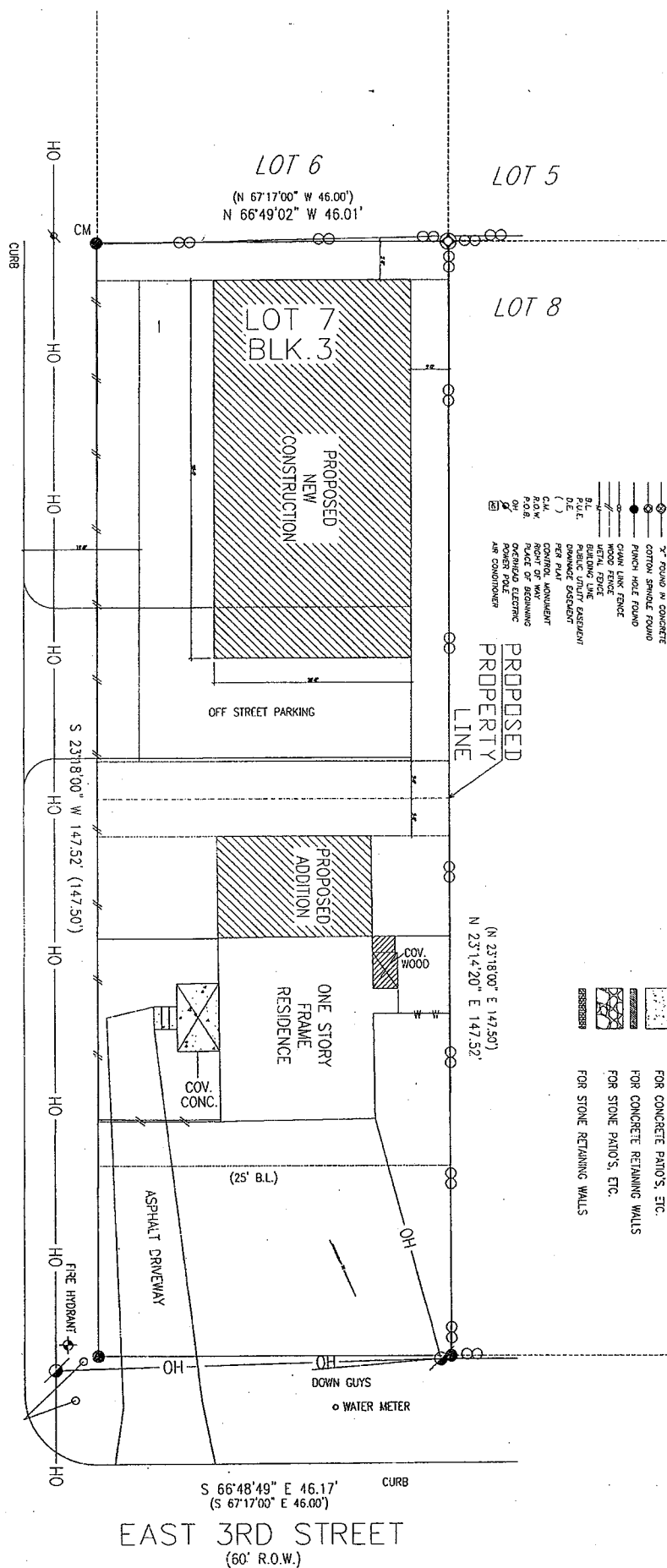


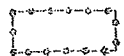
- Legend**
- Lot Lines
 - Streets
 - Building Footprints
 - Named Creeks
 - Lakes and Rivers
 - Parks
 - County
 - Lot ID
 - Block ID
 - Lot Line
 - Zoning Text
 - Zoning (Large Map Scale)
 - Future Land Use
 - Water
 - Utilities
 - Transportation
 - Environmental Conser
 - Recreation & Open Sp
 - Civic

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FIELD WORK BY	JERRY	01/15/14
CALCD. BY	WYLE	01/17/14
DRAFTED BY	AW3	01/17/14
CHECKED BY	MI	01/17/14



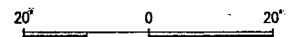
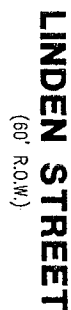


Feet

0 470 940 1,410



K21
Date: 5/19/2014



FIELD WORK BY	JERRY	01/15/14
CMO'D BY	WYLIE	01/17/14
DRAFTED BY	AW3	01/17/14
CHECKED BY	ML	01/17/14