

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

DATE: Monday, December 8, 2014

CASE NUMBER: C15-2014-0162

☒ Y Jeff Jack - Chair
☐ - Michael Von Ohlen
☐ N Melissa Whaley Hawthorne - Vice Chair
☒ Y Sallie Burchett
☒ Y Ricardo De Camps **Motion to PP to Jan 12, 2015**
☐ - Brian King
☒ Y Vincent Harding **2nd the Motion**
☐ N Will Schnier - Alternate
☐ N Stuart Hampton - Alternate

APPLICANT: Jim Bennett

OWNER: William Reid

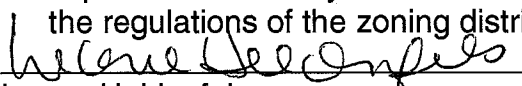
ADDRESS: 1301 29TH ST

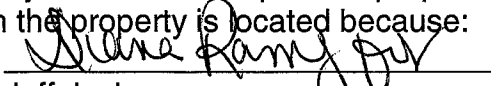
VARIANCE REQUESTED: The applicant has requested a variance from Section 25-2-492 (D) (Site Development Regulations) to increase the maximum impervious cover from 45% (required) to 50.15% (requested) in order to maintain existing single family home, drive and landscape components in an "SF-3-H-NP", Family Residence – Historic – Neighborhood Plan zoning district. (Windsor Road) The applicant has requested a variance from Section 25-2-492 (D) (*Site Development Regulations*) to increase the maximum impervious cover from 45% (required) to 50.15% (requested) in order to maintain existing single family home, drive and landscape components in an "SF-3-H-NP", Family Residence – Historic – Neighborhood Plan zoning district. (Windsor Road)

BOARD'S DECISION: The public hearing was closed on Board Member Ricardo De Camps motion to Postpone to January 12, 2015, Board Member Vincent Harding second on a 4-3 vote (Board members Melissa Hawthorne, Will Schnier, Stuart Hampton nay); **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

P.O. Box 1088, Austin, Texas 78767

RECEIPT

Receipt 6049691
No.:

Payment 11/12/2014
Date:

Invoice 6069938
No.:

Payer Information

Company/Facility Name:

Payment Made By: William Reid
9508 PRINCE WILLIAM
AUSTIN TX 78730 3423

Phone No.: (512) 748-4351

Payment Method: Check

Payment Received: \$388.00

Amount Applied: \$388.00

Cash Returned: \$0.00

Comments: CK 804

Additional Information

Department Name: Planning and Development Review

Receipt Issued By: Cary Guedea

Receipt Details

FAO Codes	Fee Description	Internal Ref. No.	Address	Permit/Case No.	Amount
1000 6800 9770 4120	BOA/SRB Fee	11248067	1301 W 29TH ST	2014-000161-BA	\$388.00
Total					\$388.00

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 application. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice will be sent.

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.austintexas.gov/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. All comments received will become part of the public record of this case.

Case Number: C15-2014-0162, 1301 W. 29th Street

Contact: Leane Heldenfels, 512-974-2202, leana.heldenfels@austintexas.gov

Public Hearing: Board of Adjustment, December 8th, 2014

ANNA KNOTT

Your Name (please print)

1401 C W. 29th ST

Your address(es) affected by this application



Signature

Daytime Telephone: 828-337-5000

Date

12/4/14

Comments:

THE REID'S HAVE DONE AN AMAZING JOB OF PRESERVING THIS IMPORTANT PIECE OF ARCHITECTURE. WE ARE FULLY SUPPORTIVE OF THE VARIANCE THEY ARE SEEKING TO COMPLETE THEIR PROJECT.

Note: any comments received will become part of the public record of this case

If you use this form to comment, it may be returned to:

City of Austin-Planning & Development Review Department/ 1st Floor

Leane Heldenfels

P. O. Box 1088

Austin, TX 78767-1088

Or fax to (512) 974-2934

Or scan and email to leana.heldenfels@austintexas.gov

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Public Hearing: Board of Adjustment, December 8th, 2014

FRED FALBO

Your Name (please print)

1303 B W. 29TH ST.

Your address(es) affected by this application

Fred Falbo

Signature

11-27-2014

Date

Daytime Telephone: **512-560-0166**

Comments: **I AM THE NEXT DOOR**

NEIGHBOR, AND BELIEVE THE

NEW OWNERS SHOULD BE GRANTED

THE VARIANCE SIMPLY BECAUSE

THEY HAD THE VISION + COURAGE

TO RESTORE THE HISTORIC BORN HOUSE

IN A WAY THAT MADE THE MOST

SENSE TO ALL PARTIES INVOLVED WHICH

DROVE THE NEED FOR THE VARIANCE.

Note: any comments received will become part of the public record of this case

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P. O. Box 1088

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Contact: Leane Heldenfels, 512-974-2202, leana.heldenfels@austintexas.gov

Public Hearing: Board of Adjustment, December 8th, 2014

MARY E. FALBO

Your Name (please print)

1303 B WEST 29th St.

Your address(es) affected by this application

Mary E. Falbo

Signature

11/27/2014

Date

Daytime Telephone: 512-560-0166

Comments: I AM IN FAVOR OF GRANTING

THE VARIANCE BECAUSE I THINK THE
REIDS HAVE DONE A BEAUTIFUL RENOVATION
& RESTORATION OF THE BOHN HOUSE AND
THE PERCENTAGE OF THE VARIANCE
SEEMS QUITE SMALL TO ME.

Note: any comments received will become part of the public record of this case

If you use this form to comment, it may be returned to:

City of Austin-Planning & Development Review Department/ 1st Floor
Leane Heldenfels

P. O. Box 1088

Austin, TX 78767-1088

Or fax to (512) 974-2934

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CASE # C15-2014-0162

Row 11248067

Roll 02170004283

CITY OF AUSTIN
APPLICATION TO BOARD OF ADJUSTMENT
GENERAL VARIANCE/PARKING VARIANCE

(TCAD ✓) ↑

WARNING: Filing of this appeal stops all affected construction activity.

PLEASE: APPLICATION MUST BE TYPED WITH ALL REQUESTED INFORMATION COMPLETED.

STREET ADDRESS: 1301 West 29th Street

LEGAL DESCRIPTION: Subdivision – Amended plat of Lts 1,2,&3 Wooldridge

Lot(s) 3A Block Outlot Division

I Jim Bennett as authorized agent for William Reid

 affirm that on 10/13/14 hereby apply for a hearing before the Board of

Adjustment for consideration to:

ERECT – ATTACH – COMPLETE – REMODEL – MAINTAIN

An existing residence providing a total impervious cover of 50.15

 in a SF-H-NP district.
(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 ordinance does not give consideration of Historical structures and conditions that may warrant the preservation and continuing character.

HARDSHIP:

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

Due to the slope of the site and the necessity to install french drains and other infrastructure to direct the flow of the drainage away from the house and to preserve the landscape gardens on the site.

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

The historical structure, the topography of the site, and the landscape gardens are not general to the area..

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 use of the site is residential and the improvement which were approved by The Historical Commission will insure the continuance of the area.

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:

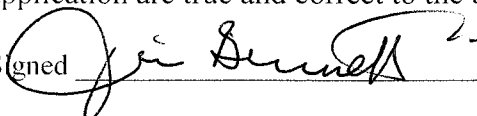
2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

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 11505 Ridge Dr.

City Austin, State Texas, & Zip 78748

Printed : Jim R. Bennett Phone: (512) 282-3079 _____ Date:

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 _____

City, State & Zip _____

Printed _____ Phone _____ Date _____

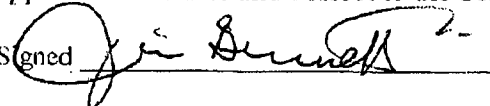
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City Austin, State Texas, & Zip 78748

Printed : Jim R. Bennett Phone: (512) 282-3079 Date:

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 1301 West 29th
City, State & Zip Austin, TX 78748

Printed Phone Date

William Reid - 512-344-5205



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

CASE#: C15-2014-0162
Address: 1301 W 29TH STREET



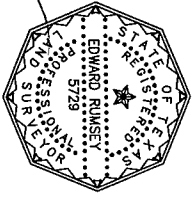
1" = 200'

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.

LEGEND

- COTTON GIN SPRINCLE FOUND
- CALCULATED POINT
- 1/2" IRON PIPE FOUND
- 1/2" ROD FOUND
- 1/2" ROD SET
- METAL FENCE
- PUBLIC UTILITY ESMT
- EE ELECTRIC ESMT
- SSE SANITARY SEWER ESMT
- RECORD INFORMATION
- UTILITY POLE
- DOWN GUY
- OVERHEAD UTILITY LINES
- WATER METER
- CLEAN OUT
- WATER VALVE
- AIR CONDITIONER
- INSIDE OF SUBJECT BOUNDARY
- OUTSIDE OF SUBJECT BOUNDARY
- OFF



TO THE LIEB AND/OR OWNERS OF THE PREMISES SURVEYED AND TO:

HERITAGE TITLE COMPANY

I DO HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE OF THE PROPERTY LEGALLY DESCRIBED HEREON AND THAT THE BOUNDARIES, EASEMENTS, AND ENCUMBRANCES SHOWN HEREON ARE ACCORDING TO THE RECORDS OF THE PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS. I CERTIFY THAT THE SURVEY WAS MADE WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE.

JONES & SEDWICK SUB.
(VOL. 2, PG. 601)

FLR.M. MAP INFORMATION

ALLSTAR
Land Surveying
9020 ANDERSON MILL RD
AUSTIN, TEXAS 78729
(512) 249-8149 PHONE
(512) 331-5217 FAX
WWW.ALLSTARLANDSURVEYING.COM

THIS PROPERTY DOES NOT LIE WITHIN THE 100 YEAR FLOOD PLAIN AND HAS A ZONE "X" RATING AS SHOWN ON THE FLOOD INSURANCE RATE MAPS F.I.R.M. MAP NO. 48520465H
DATE: 7-26-2008
DRAWN BY: EDWARD RUNSEY
CHECKED BY: EDWARD RUNSEY
NOT A GUARANTEE THAT THIS IS AN ACCURATE REPRESENTATION OF THE ACTUAL FLOOD PLAIN ADMINISTRATION FOR THE CURRENT STATUS OF THIS TRACT.

WILLIAM T. REID IV and MISTY REID
1301 W. 29TH STREET
AUSTIN, TRAVIS COUNTY, TEXAS

SURVEY DATE:	SEPTEMBER 13, 2014	FIELD BY:	EDWARD RUNSEY	09/24/2014
TITLE CO.:	HERITAGE TITLE COMPANY	CALC. BY:	CHRIS ZOTTER	12/12/2013
G.F. NO.:	201001360	DRAWN BY:	SEAN SUTTON	09/25/2014
JOB NOS.:	40908114 - A0107414 - A1211813	PLTS CHECK:	EDWARD RUNSEY	09/25/2014
	A107313 - A120513 - A0516613			

LINE	BEARING	LENGTH
1	N 13°12'11" E	105.05'
2	N 33°51'11" E	13.33'
3	N 33°51'11" E	13.33'
4	N 33°51'11" E	13.33'

IMPERVIOUS COVERAGE CALCULATIONS

RESIDENCE: 3430.12 SQ. FT.
COVERED AREAS: 738.44 SQ. FT.
CONCRETE FLATWORK: 3099.59 SQ. FT.
CONCRETE WALLS: 291.84 SQ. FT.
STAIRS: 248.48 SQ. FT.
STONE WALLS: 380.54 SQ. FT.
STONE WALK: 73.67 SQ. FT.

TOTAL IMPERVIOUS COVERAGE: 3282.68 SQ. FT.
BOUNDARY: 16,561.58 SQ. FT.

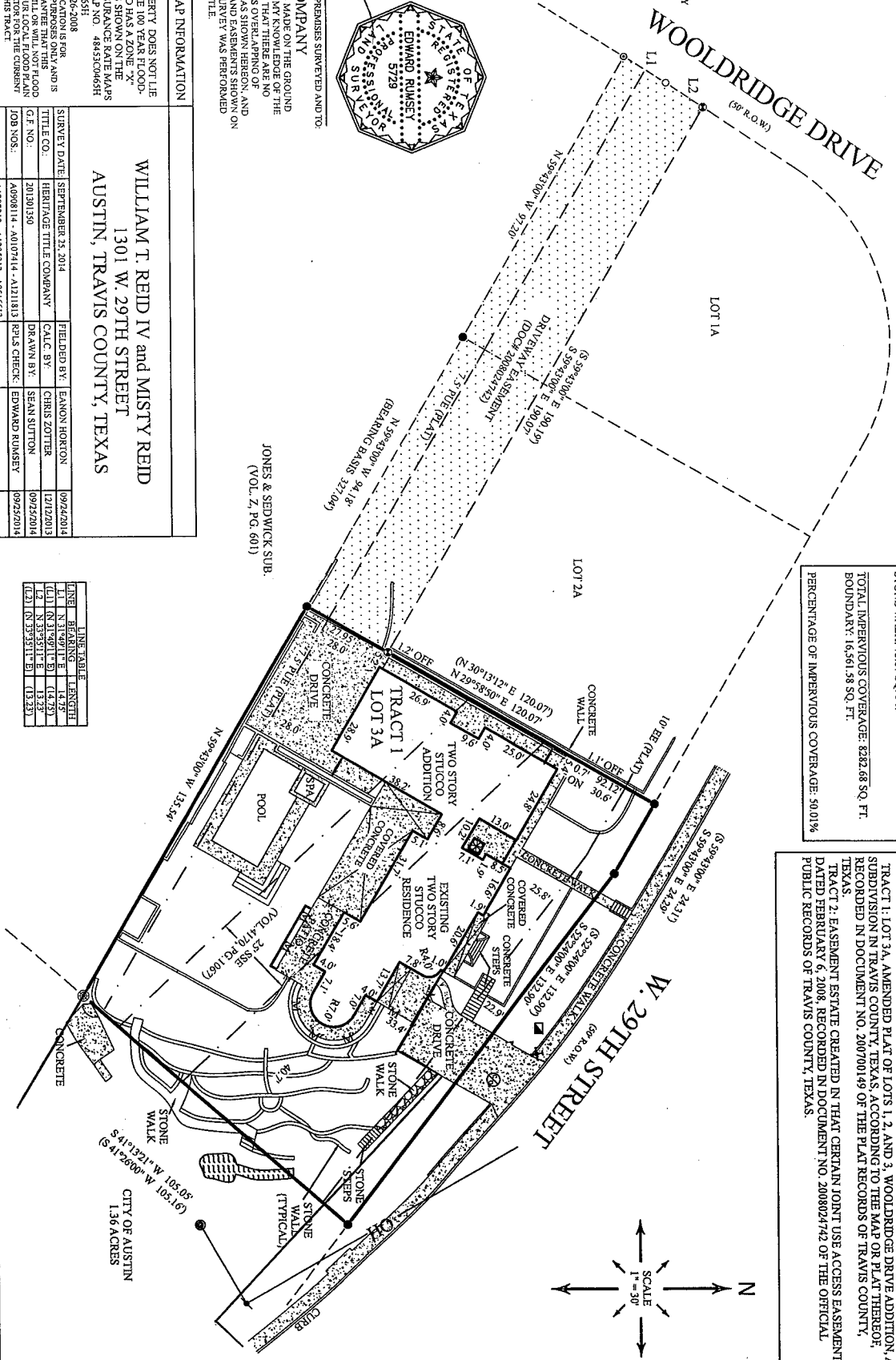
PERCENTAGE OF IMPERVIOUS COVERAGE: 30.01%

RESTRICTIONS

SUBJECT TO RESTRICTIONS AS PER PLAT IN VOL. 45, PG. 45 & DOC. NO. 200700149, SUBJECT TO A SANITARY SEWER EASEMENT GRANTED TO THE CITY OF AUSTIN IN VOL. 4170, PG. 1067, AND AS PER PLAT IN DOC. NO. 200700149, SUBJECT TO TERMS, CONDITIONS AND STIPULATIONS OF THE JOINT USE ACCESS EASEMENT IN DOC. NO. 2008024742.

LEGAL DESCRIPTION

TRACT 1: LOT 3A, AMENDED PLAT OF LOTS 1, 2, AND 3, WOOLDRIDGE DRIVE ADDITION, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN DOCUMENT NO. 200700149 OF THE PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.
TRACT 2: EASEMENT ESTATE CREATED IN THAT CERTAIN JOINT USE ACCESS EASEMENT DATED FEBRUARY 6, 2008, RECORDED IN DOCUMENT NO. 2008024742 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.





City of Austin

Founded by Congress, Republic of Texas, 1839

Historic Preservation Office

Planning and Development Review Department

One Texas Center, 505 Barton Springs Road

P.O. Box 1088, Austin, Texas 78767

October 27, 2014

William T. Reid, IV
1301 W. 29th Street
Austin, Texas 78703

Re: Bohn House, 1301 W. 29th Street

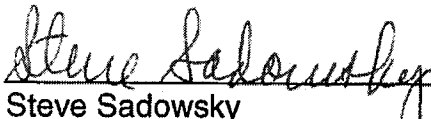
Dear Mr. Reid:

Thank you for contacting us about the preservation of the original, historic landscape features at the Bohn House, including the koi pond and walls, driveway, sidewalk and other historic features that are integral to the historic context and original appearance of the house and its grounds. It is very important to maintain and preserve all historic building and landscape features that were in place at the time the house was designated as a historic landmark, and it is especially important in the case of the Bohn House, which has a design and landscape plan integral to the style of architecture.

We truly appreciate your diligence in restoring the Bohn House and for your sensitive design for preserving the historic landscape.

Please let me know if you have any questions, or if we can assist in any other way.

Sincerely,


Steve Sadowsky
Historic Preservation Officer