

CASE# C15-2015-0023  
ROW# 11275264  
TAX# 0111030209  
(TCAD ✓)

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: 1701 Waterston Ave, Austin, TX 78703

LEGAL DESCRIPTION: Subdivision – Maas Addition

Lot(s) 8 Block 14 Outlot \_\_\_\_\_ Division \_\_\_\_\_

I/We Kevin S. Sims on behalf of myself/ourselves as authorized agent for  
\_\_\_\_\_ affirm that on Dec. 13, 2014,

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)**

☒ X ERECT \_\_\_ ATTACH \_\_\_ COMPLETE \_\_\_ REMODEL \_\_\_ MAINTAIN

Restore and preserve the existing, contributing dwelling in the front of the lot. Add a second, separate structure in the back of the lot.

in a SF-3-NP district. (old west Austin)  
(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:

The lot is located in the historic Clarksville neighborhood. The existing structure was built in 1935 and is considered contributing. After restoration, the existing structure will be approximately 820 square feet. I am a single parent of three young kids and will be challenged to make this a suitable living environment for the four of us.

**HARDSHIP:**

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

The lot is approximately 10,000 square feet and is zoned SF-3-NP. Because the existing structure is protected, and because the lot is large, I would like to build a separate, secondary structure that is consistent with the zoning district and adheres to the neighborhood plan.

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

The existing structure is one of a handful of remaining houses in the neighborhood that represents the historic character of Clarksville. The lot is adjacent to the Haskell House, a national landmark, and has the potential to express the history of what was once the only freedman town west of the Mississippi River.

**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:

I am committed to restoring and preserving the existing structure as much as I can.

The new structure is intended to be respectful of and consistent with the scale of the surrounding properties and houses while also being suitable for housing a family of four. When all is complete, the new structure will serve as my primary residence and the restored house will serve as either guest quarters or an affordable rental unit.

**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:

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

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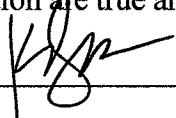
4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

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**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 1100 Maufrais St

City, State & Zip Austin, TX 78703

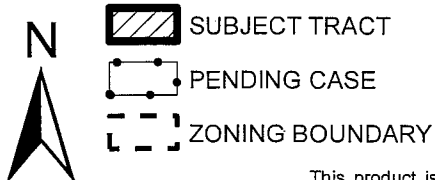
Printed Kevin S. Sims Phone 206.225.6501 Date 12.13.14

**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  Mail Address 1100 Maufrais St

City, State & Zip Austin, TX 78703

Printed Kevin S. Sims Phone 206.225.6501 Date 12.13.14



CASE#: C15-2015-0023  
Address: 1701 WATERSTON AVE



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.

12.13.14

MidSpace, LLC  
Managing Member: Kevin S. Sims  
1100 Maufrais St  
Austin, TX 78703  
206.225.6501  
kevin@midspacedac.com

Variance Application - Cover Letter

City of Austin  
Board of Adjustment

Project: Waterston  
Address: 1701 Waterston Ave - Austin, TX 78703  
Owner: Kevin S. Sims

Dear Board of Adjustment Members,

I am seeking a variance to add a second structure to the back of my property which is located in the historic Clarksville neighborhood. The property contains a small existing structure that was built in 1935 and is considered contributing by the City Preservation Office, the Historic Landmark Commission, the Old West Austin Neighborhood Association (OWANA), and the Clarksville Community Development Corporation (CCDC). I am committed to restoring the original character of the existing structure and preserving the legacy of the area.

The property information is as follows:

- Zoning: **SF-3-NP**
- Area of lot = 10487 sf
- Area of existing structure (after partial demo) = 820 sf
- Area of proposed structure = 2000 sf
- Area of driveway extension = 800 sf
- Total building area = 2820 sf
- FAR = 2820 sf / 10487 sf = **0.27**
- Total area impervious cover area = 3620 sf
- IP = 3620 sf / 10487 sf = **0.35**

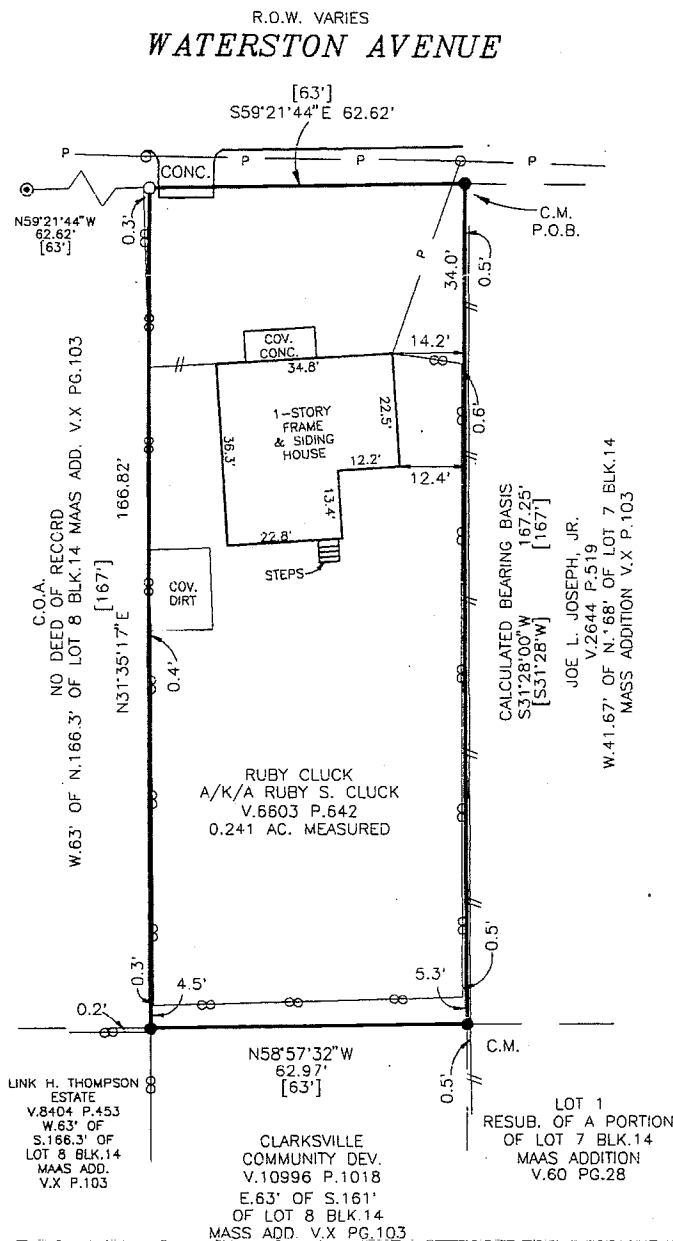
Please find within this packet a completed application form, an official survey, a vicinity plan, a composite plan,, and a check for \$388.00. Thank you for your time and consideration. I look forward to speaking with you in the near future.

Best Regards,  
Kevin

I, THE UNDERSIGNED, HAVE, THIS DAY, MADE A CAREFUL AND ACCURATE SURVEY OF THE PROPERTY LOCATED AT: 1701 WATERSTON AVENUE, AUSTIN, TEXAS, BEING DESCRIBED AS FOLLOWS: BEING A 0.241 ACRE PORTION OF LOT 8, BLOCK 14, MAAS ADDITION, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT OF RECORD IN VOLUME X, PAGE 103, PLAT RECORDS, TRAVIS COUNTY, TEXAS, SAME BEING MORE PARTICULARLY DESCRIBED BY A METES AND BOUNDS DESCRIPTION IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

REFERENCE: GF NO. 125269DML  
 BUYER: MICHAEL CLUCK  
 SELLER: RUBY CLUCK A/K/A RUBY S. CLUCK  
 LENDER: FORT WORTH MORTGAGE  
 TITLE COMPANY: COMMONWEALTH LAND TITLE  
 UNDERWRITER: COMMONWEALTH LAND TITLE INSURANCE COMPANY

SCALE: 1" = 30'



- LEGEND
- 1/2" REBAR FOUND
  - ⊙ 1/2" IRON PIPE FOUND
  - 1/2" REBAR SET CAPPED-" 1729"
  - CHAINLINK FENCE
  - WOOD FENCE
  - POWER LINE
  - ⊙ POWER POLE
  - C.M. CONTROL MONUMENT
  - P.O.B. POINT OF BEGINNING
  - ( ) RECORD CALL, V.X P.103
  - [ ] RECORD CALL, CALCULATED

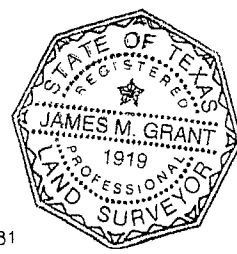
FLOOD NOTE:  
 I HAVE EXAMINED THE F.E.M.A.'S FLOOD INSURANCE RATE MAP FOR TRAVIS COUNTY, TEXAS COMMUNITY No. 484530, EFFECTIVE DATE 06-16-83, AND THAT MAP INDICATED THAT THIS PROPERTY IS WITHIN ZONE X (DETERMINED TO BE OUTSIDE A DESIGNATED 100-YEAR FLOOD PLAIN AREA) AS SHOWN ON PANEL No. 205E OF SAID MAP.  
 WARNING: IF THIS SITE IS NOT WITHIN ZONE AE (AN IDENTIFIED 100-YEAR FLOOD PLAIN AREA), THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE, ON RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

NOTES:  
 1.) SEE ATTACHED METES AND BOUNDS DESCRIPTION.

THE UNDERSIGNED DOES HEREBY CERTIFY TO TITLE COMPANY, UNDERWRITER, LENDER, BUYER AND SELLER ABOVE-NAMED THAT THIS SURVEY WAS THIS DAY MADE BY ME OR UNDER MY SUPERVISION ON THE GROUND OF THE PROPERTY DESCRIBED HEREON AND IS ACCURATE, AND THAT THERE ARE NO VISIBLE DISCREPANCIES, CONFLICTS, OVERLAPPING OF IMPROVEMENTS, VISIBLE UTILITY EASEMENTS OR ROADWAYS, EXCEPT AS SHOWN HEREON, AND THAT SAID PROPERTY HAS ACCESS TO AND FROM A DEDICATED ROADWAY, EXCEPT AS SHOWN HEREON. THIS PLAT IS NOT VALID UNLESS ACCOMPANIED BY AN ORIGINAL SEAL.

RALPH HARRIS SURVEYOR 1406 HETHER, AUSTIN, TEXAS 78704 - (512) 444-1781

JAMES M. GRANT R.P.L.S. NO. 1919 08-31-00  
 INVOICE NO.:38029 WORK ORDER NO.:36609 - R. HANSEN



# WATERSTON

1701 Waterston Ave  
Austin, TX 78703

## ZONING:

SF-3-NP

LOT = 10487 SF  
EXISTING STRUCTURE = 820 SF  
PROPOSED STRUCTURE = 2000 SF

BUILDING AREA = 2820 SF  
FAR = 2820 SF / 10487 SF = 0.27

IMPERVIOUS COVER = 4000 SF  
IP = 4000 SF / 10487 SF = 0.38

## NOTES:

-All areanighborhood data was  
compiled from TCAD (plot maps  
and tax records) and the City of  
Austin (GIS data)  
-See the official survey for more  
detailed site information

## LEGEND:

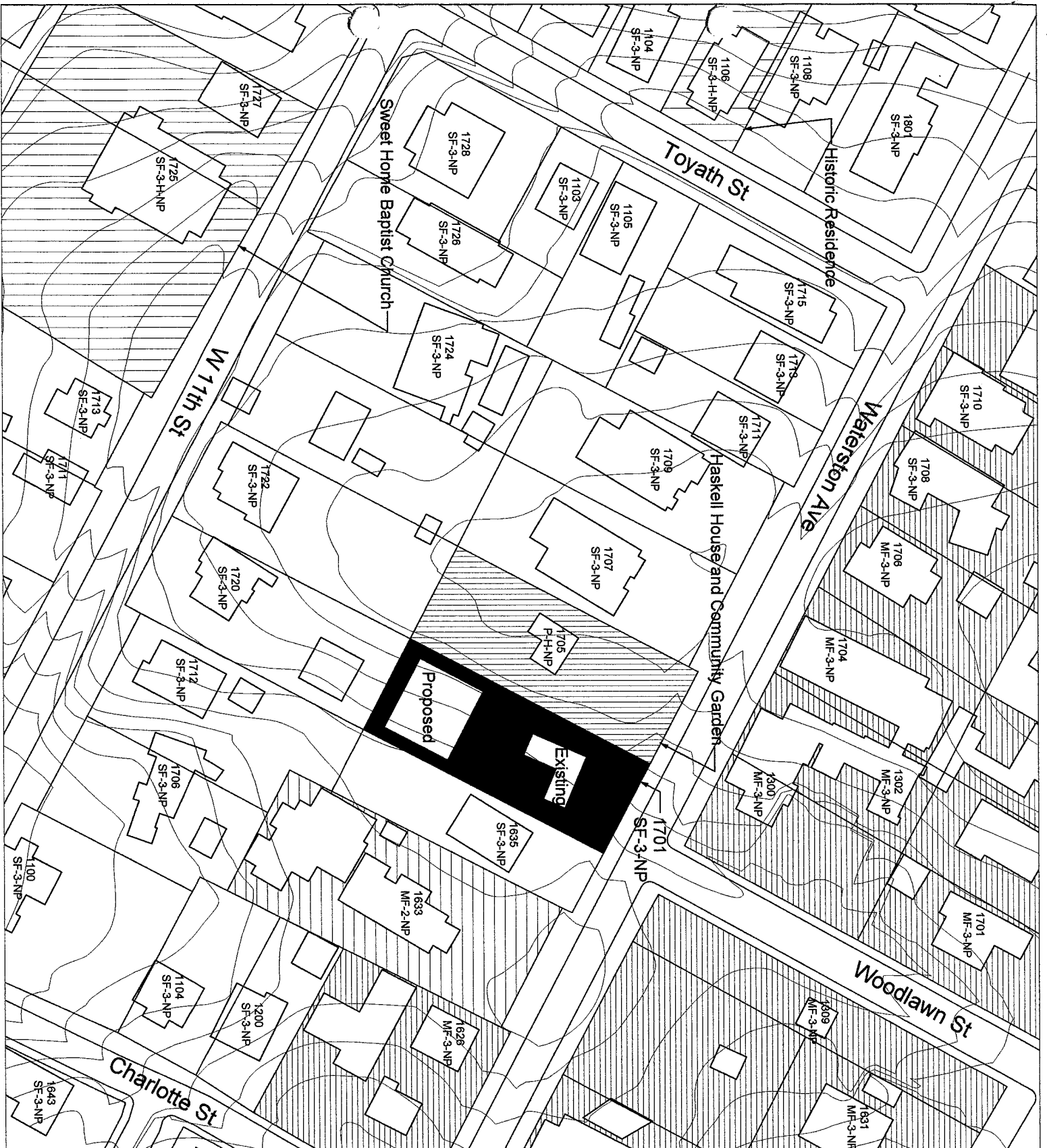
- 1701 Waterston
- SF-3-NP
- P-H-NP (Haskell House)
- SF-3-H-NP (Sweet Home)
- MF-2-NP
- MF-3-NP

SCALE: 1 : 80

## NOT FOR CONSTRUCTION

Phase: DESIGN DEVELOPMENT  
Issue: VARIANCE APPLICATION  
Date: 12.13.14  
Remarks: BOARD OF ADJUSTMENT

## A001 - VICINITY PLAN



**MidSpace**  
Design and Construction  
info@midspacedac.com  
206-225-6501


## WATERSTON

1701 Waterston Ave  
Austin, TX 78703

NOTES:

- All area/neighborhood data was compiled from TCAD (plat maps and tax records) and the City of Austin (GIS data)
- See the official survey for more detailed site information

**LEGEND:**

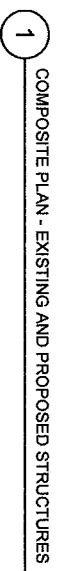
 Partial Demolition: remove portion of structure added after original 1935 construction

SCALE: 1/16" = 1'

NOT FOR CONSTRUCTION

Phase: DESIGN DEVELOPMENT  
Issue: VARIANCE APPLICATION  
Date: 12.13.14  
Remarks: BOARD OF ADJUSTMENT

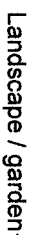
**A002 - COMPOSITE PLAN**



Secondary dwelling;  
approximately 2000 sf

-New driveway extension

- Restored dwelling; approximately 820 sf



— Area of partial demolition