


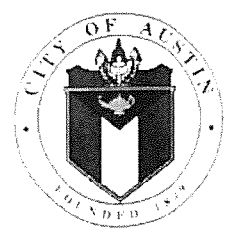




-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

CASE#: C15-2015-0032
Address: 1701 W 31ST 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.

1" = 200'

CASE# C15-2015-0032
ROW# 11290553
TAX# 0118021104

CITY OF AUSTIN TCAD ✓
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 W. 31st Street, Austin, TX 78701
LEGAL DESCRIPTION: Subdivision Brykerwoods

Lot: 4 Block: 2 Outlot: N/A Division: F

I, Edward Jarrett, on behalf of myself affirm that on January 22, 2015, 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 X COMPLETE REMODEL X MAINTAIN

25-2-963 (B)(4) – Seeking a variance allowing encroachment of the 15 foot building
set back on a street facing, side yard.

in a SF2 SF-3-NP district. (Windsor Road)
(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 original Remodel permit (2014-024488) was issued and allowed for building on the existing 70 year old foundation which encroaches on the 15 foot side yard setback. Unforeseen damage created a need to apply for a New Construction permit.

HARDSHIP:

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

The original structure/foundation encroached on the 15 foot setback by .4 feet at the NE corner and 1.7 feet at the SE corner of the easternmost 8'x12' section of the original building. New framing and siding was erected on the original foundation. Only then were we told that the New Construction permit would be needed and the newly created wall would not be allowed.

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

Other buildings running the length of Jefferson encroach on the 15 foot building setback.

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 original home built in the late '40s sat on this exact location and foundation. None of the foundation was moved to further encroach on the set back in question.

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 EB Jarrett Mail Address: 4112 Sinclair Avenue

City, State & Zip: Austin, Texas 78756

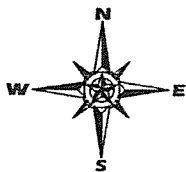
Printed EDWARD JARRETT Phone 202-549-3322 Date 1/22/15

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 EB Jarrett Mail Address: Same

City, State & Zip _____

Printed EDWARD JARRETT Phone 202-549-3322 Date 1/22/15

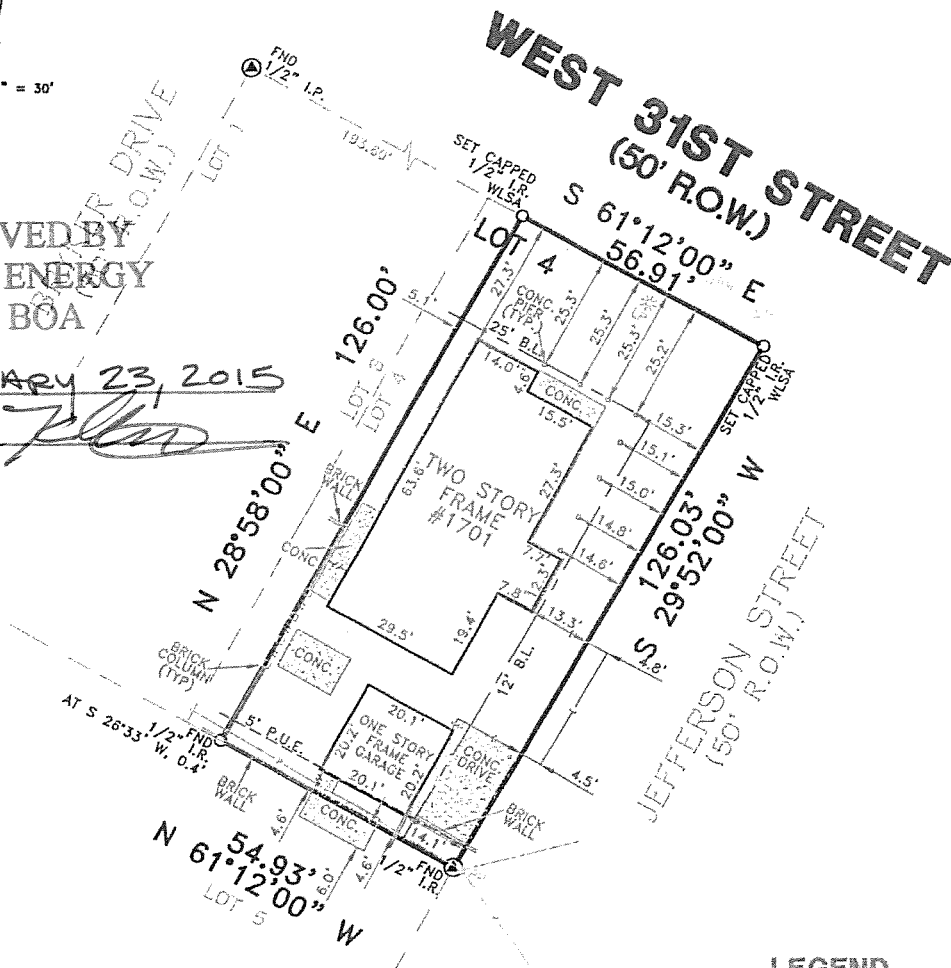


SCALE: 1" = 30'

APPROVED BY
AUSTIN ENERGY
FOR BOA

DATE: JANUARY 23, 2015

Ela F...



LEGEND

- FIRE HYDRANT
- LIGHT POLE
- POWER POLE
- OVERHEAD POWER LINE
- WATER METER
- WROUGHT IRON FENCE
- WOOD FENCE
- BUILDING SETBACK
- PUBLIC UTILITY EASEMENT
- CONTROL MONUMENT
- RECORD

NOTES:

- 1) SUBJECT TO RESTRICTIVE COVENANTS BY VOL. 4, PG. 102, T.C.P.R.
- 2) ONE STORY FRAME GARAGE AND CONCRETE ARE WITHIN 5' PUBLIC UTILITY EASEMENT (REAR) AS SHOWN.
- 3) CONCRETE AND FENCES EXTEND ACROSS PROPERTY LINES AS SHOWN.

ALL BEARINGS ARE BASED ON THE RECORDED PLAT UNLESS OTHERWISE NOTED. ALL EASEMENTS AND BUILDING LINES ARE BASED ON THE RECORDED PLAT, UNLESS OTHERWISE NOTED. SURVEYOR DID NOT ABSTRACT SUBJECT PROPERTY. THIS SURVEY HAS BEEN COMPILED IN ACCORDANCE WITH INFORMATION CONTAINED IN THE TITLE COMMITMENT REFERENCED IN GF NO. 1823349-AU20

SURVEY OF
THE EAST 56.91' OF LOT 4, BLOCK 2, BRYKER WOODS "F" A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT RECORDED IN VOL. 4, PGS. 102-103, PLAT RECORDS OF TRAVIS COUNTY, TEXAS, BEING THE SAME PROPERTY DESCRIBED IN VOLUME 948, PAGE 329, T.C.D.R..

THIS TRACT IS LOCATED WITHIN FLOOD ZONE "X(UNSHADE)" ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY PANEL NO. 480624 0445 H, REVISED SEPTEMBER 26, 2008. FLOOD ZONE DETERMINED BY GRAPHIC PLOTTING ONLY. WE DO NOT ASSUME RESPONSIBILITY FOR EXACT DETERMINATION.

PURCHASER	-	LENDER CO.	-
ADDRESS	1701 WEST 31ST STREET, AUSTIN, TEXAS 78703	TITLE CO.	FIRST AMERICAN TITLE INSURANCE COMPANY

Windrose Land Services Austin
4120 Commercial Center Dr.
Suite 300
Austin, Texas 78744
TEL (512) 326-2100 FAX (512) 326-2770

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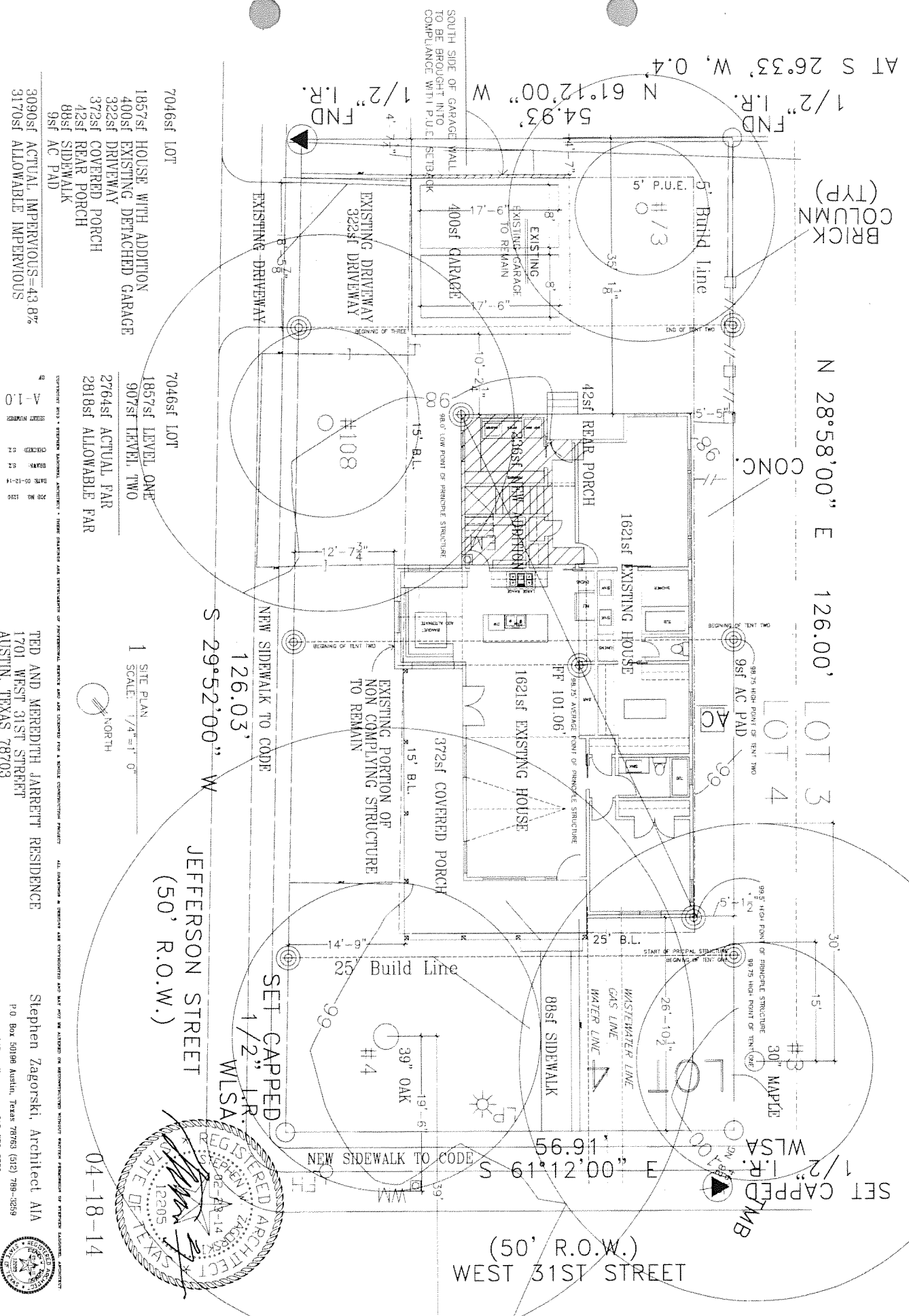


I do hereby certify that this survey was this day made on the ground and that this plat correctly represents the property legally described hereon (or on attached sheet). That the facts found at the time of this survey show the improvements and that there are no encroachments apparent on the ground, except as shown. Surveyor for Windrose Land Services Austin.

Michael Turner

8/28/14

FIELD WORK	08/27/14	CW	DRAFTED BY	08/28/14	JP	CHECKED BY	08/28/14	MT
REVISION	-	-		-		MAPSCO PAGE		JOB NO.
REVISION	-	-		-		554 V		27404



From: **Hernandez, Tony [PDRD]** Tony.Hernandez@austintexas.gov
Subject: RE: 1701 west 31st
Date: January 22, 2015 at 2:18 PM
To: mtimmons61@sbcglobal.net, Heldenfels, Leane Leane.Heldenfels@austintexas.gov
Cc: Ted Jarrett ted@mammothmg.com



Mr. Timmons,

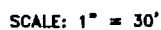
Due to the fact that the foundation has already been poured and the structure has been framed and the encroachment is very minor. COA determined that continuing construction and obtaining inspections will be allowed while waiting on a BOA hearing. With the understanding that if BOA denies a variance the encroachment will be required to be rectified. The continuous of construction will be at the Builders risk.

Respectfully,
Tony Hernandez, Program Manager
City of Austin, Planning Development Review Department
505 Barton Springs Road, Suite 300
Austin, Texas 78704
Office (512) 974-1230

From: mtimmons61@sbcglobal.net [mailto:mtimmons61@sbcglobal.net]
Sent: Monday, January 12, 2015 10:08 AM
To: Hernandez, Tony [PDRD]
Cc: Ted Jarrett
Subject: 1701 west 31st

Tony , could you sent me the email concerning the project at 1701 west 31st , requesting continuance of work while applying for a variance i.e.: rough ins insulation and drywall this will also help in the application for the variance
thanks Mark Timmons





30°
BRYKER DRIVE
(50' R.O.W.)

WEST 31ST STREET
(50' R.O.W.)

N 28°58'00" E 126.00"

BRICK WALL

CONC

LOT 3

LOT 4

TWO STORY
FRAME
#1701

JEFFERSON STREET
(50' R.O.W.)

N 61°54.93' 12"00" LOT 5 W

LEGEND

NOT
1
E

Heldenfels, Leane

From: Jessie Bloede [redacted]
Sent: Tuesday, February 17, 2015 3:16 PM
To: Heldenfels, Leane
Subject: 1701 W. 31st - Letter of Support

Hello,

We are Brykerwoods residents and neighbors of the Jarretts who are building a home at 1701 W. 31st st.

We are writing to express our support for the current structure they are building and have enjoyed have enjoyed having them in the neighborhood.

Sincerely,

Jessie & Forrest Bloede
1714 W. 34th st.
Austin, TX 78703

C15. 2015 - 0032

KATIE COLEMAN

3000 Bryker Drive Austin, TX 78703 512.773.0394



February 15, 2015

Leane Heldenfels
City of Austin
Planning and Development Review Department

Re: 1710 W. 31st Street, Austin TX 78703 (Brykerwoods)

Dear Planning Department,

I am writing to express my support for Ted and Meredith Jarrett's remodeling plans at the corner of 31st and Jefferson. I am a close neighbor, approximately one block away at 30th and Bryker Drive. I turn onto 31st from Jefferson to reach my home anytime I come from the north, so I drive or walk by the Jarretts' "home-in-progress" on a daily basis.

I understand that there is a minor permitting issue regarding the footprint of the Jarretts' remodel. I have corresponded with the Jarretts about this, and understand that the planned construction will use the exact same 70-year old foundation and footprint as the original home they purchased. It seems to me that any setback discrepancies predate the Jarretts' purchase of this property. This footprint was previously approved by the City in the Jarretts' original remodeling plans, and they are relatively far along in constructing the remodel based on those approvals. The Jarretts should not be required to tear down existing walls and redo existing construction to observe a setback requirement that hasn't been observed or enforced in decades—particularly when the discrepancy is a matter of inches. The house is fully framed and has standing walls at this time, so it is easy for neighbors to see what the structure will look like once it is completed. I do not feel that it is too close to Jefferson or that it otherwise conflicts with the prevailing aesthetics in the neighborhood.

I live in a house built in 1939 that has not been remodeled or expanded. I chose Brykerwoods for its charm and aesthetics, and I am very committed to preserving the character and historic qualities of the neighborhood. However, we also need to be reasonable about allowing people to update and refurbish deteriorating structures and make the existing homes livable for modern families. The structure the Jarretts purchased was not in great condition, and I think their remodel will be a welcome addition to the neighborhood. The Jarretts have a new baby and have been living in a very small rented home in Rosedale while their Brykerwoods project is on hold due to this issue. It is certainly important to enforce reasonable restrictions on new constructions and remodels, but I urge you and all of our neighbors not to create arbitrary obstacles and cost impediments for new families trying to make a home in Brykerwoods.

As a soon-to-be-neighbor, I support allowing the Jarretts' to complete their home based on structure as it exists today. Please feel free to contact me if you have questions or need further information.

Sincerely,

Katie Coleman

February 17, 2014

VIA EMAIL

City of Austin Board of Adjustment

Jeff Jack, Chair
Melissa Hawthorne, Vice Chair
Sallie Burchett
Ricardo De Camps
Stuart Hampton

Stuart Hampton
Bryan King
Will Schnier
Michael von Ohlen

Re: 1701 West 31st Street (C15-2015-0032)

Dear Chair and Board of Adjustment Members:

We live on Mohle Drive in the Brykerwoods neighborhood approximately three blocks from the above-referenced property. We understand that Ted and Meredith Jarrett, the owners of the property, have filed the above-referenced application for a variance to reduce the building setback line along Jefferson Street from 15 feet to 12 feet in order to accommodate a small encroachment of the easternmost portion of the new residential structure being constructed on the existing, 70-year-old foundation located on the lot. We also understand that, pursuant to the original remodeling permit that was issued by the City, the new residential structure was constructed on the existing foundation and within the footprint of the original residential structure that was constructed on the lot.

The Jarretts were extraordinarily careful to ensure that the design of the new residential structure was consistent with the architectural style of our Brykerwoods neighborhood. As noted above, the new residential structure is currently located on the original foundation that was constructed on the lot 70 years ago. Additionally, we understand that the new residential structure has been constructed exactly to the specifications required by and approved under the City's remodeling permit. Moreover, we are very comfortable with the new residential structure that the Jarretts are constructing and we have very much enjoyed having them in our Brykerwoods neighborhood.

For these reasons, we ask that you approve the above-referenced application for the variance. Thank you for your time and consideration in this matter. If you have any questions or comments, or need additional information, please do not hesitate to contact us.

Sincerely,

Patrick and Michelle Carlson

cc: Leane Heldenfels (via email)

C15-2015-0032

From: Lesley Pitts
Subject: Letter of Support - 1701 West 31st Street
Date: February 17, 2015 at 12:35 PM
To: [redacted]
Cc: Ted Jarrett [redacted]

Leane:

I am writing to you today in support of Meredith and Ted Jarrett, friends of ours who are currently building a house at the corner of 31st and Jefferson (1701 W 31st Street) in Brykerwoods. Having recently completed a new build, we have been walking with the Jarretts through this process and can tell you they have taken every step to ensure the house they designed is in the same architectural style of the neighborhood. Additionally, the house sits on the original foundation, which was first built 70 years ago and their permit approves building on this foundation. We are extremely excited about them joining the neighborhood and know they will add to the community of Brykerwoods. We've walked through the house and feel very comfortable with what they are building from an aesthetic nature.

Thank you for time and consideration.

Lesley and John Pitts

C15-2015-0032

From: Anne Henderson
Subject: 1701 W 31st St
Date: February 17, 2015 at 1:52 PM
To: Ted Jarrett, Meredith Jarrett

Charlie Henderson

Dear Leane Heldenfels or Whom It May Concern

We are neighbors of the Jarrett Family and are reaching out to the City on their behalf concerning the variance that their house at 1701 W 31st St. is being considered for. We live at 1710 Mohle Dr. My husband Charlie and I are in support for allowing the home to remain as it stands today. We have been extremely pleased with the look of the house and feel that it is aesthetically pleasing and fits the neighborhood nicely. The home was built exactly to the specifications that were approved under the city's remodel permit they originally received. The home sits on the original foundation that it was constructed on approximately 70 years ago. The Jarretts worked extremely hard and for many months to make sure their new home was of the architectural style of the neighborhood. We are very pleased with what they are building and look forward to their move in date which hopefully will be sooner than later.

Thank you so much for taking time to read this letter and the others submitted on the Jarretts' behalf. We truly appreciate your time and hope there will be an agreement reached in the Jarretts' favor soon.

Sincerely,
Anne and Charlie Henderson
1710 Mohle Dr
512 466 9830-mobile

C15-2015-0032

From: Meredith Jarrett <meredith.jarrett@cityofaustin.com>
Subject: Fwd: Variance support
Date: February 17, 2015 at 8:05 PM
To: Ted Jarrett <ted@mammothimg.com>



Sent from my iPad

Begin forwarded message:

From: Emily Ellis <emilylewis@cityofaustin.com>
Date: February 17, 2015 at 4:42:47 PM CST
To: Meredith Jarrett <meredith.jarrett@cityofaustin.com>
Subject: Re: Variance support

Hi! So sorry you are having to deal with this. What a ridiculous pain! I wrote out the letter below. Is this ok? Feel free to edit. I am not at home right now, but can easily transfer to word and sign it/scan it to you when I get home, if that's best. Just wanted to send you what I have so far.

City of Austin,

We are neighbors of Meredith and Ted Jarrett, who recently built a home at 1701 West 31st Street in Brykerwoods. We live a few streets over at 3208 Beverly Road and have known the Jarretts for many years. We are thrilled to welcome them to Brykerwoods and know they will be active and involved neighbors. The Jarretts built their home exactly where they were instructed to build it, based on the city's remodel permit, and therefore we believe that they should not have to tear it down and start over. They did what they were instructed to do. The home sits on the original foundation that was constructed nearly 70 years ago, and therefore it is clear that the location of the house on the lot hasn't caused any major problems, or something would have been done about it before now. The house is well-designed, aesthetically pleasing, and most importantly, cohesive with the neighborhood's architectural style. In our opinion, it would be unfair and unnecessary to ask the Jarretts to go to the trouble to reconstruct such a positive addition to our neighborhood. We believe that the city should allow the home to remain as it stands today.

-Emily and Matt Ellis
3208 Beverly Road
Austin, TX 78703

To:

Planning and Development Review Department

Residential Building Review Division

City of Austin

Re:

March 9 2015 Variance Hearing for home at 1701 W. 31st Street

Owners: Ted and Meredith Jarrett

We are immediate neighbors of the Jarrett's home at 1701 W. 31st Street. The Jarrett's house is highly visible from our den windows. We have watched the building process closely and wish to voice our support allowing the home to remain as it stands today.

It is a lovely home consistent with the architecture of Brykerwoods. The Jarretts went to great lengths to make sure the footprint of the house was no larger than the previous construction. We only wish some other Brykerwoods residents, who have remodeled/built recently, had been as conservative and caring in their design. Many other recent remodels and new construction are sprawling and do change the character and beauty of the neighborhood. The Jarretts home is not one of them and we are pleased about that.

One additional point, we are mindful that the beauty of Brykerwoods is not just in the architecture and history it is also in the people that inhabit the houses. It is young families like the Jarretts that keep Brykerwoods vibrant and a desirable place to live. The house at 1701 W. 31st is a beautiful, 21st century, architecturally appropriate home that meets the owners needs while keeping the integrity of our beautiful neighborhood.

Let the house remain as is and let them finish. The house and its inhabitants will be assets to our community.

Steve and Patti Kubala

3002 Glenview Avenue

Brykerwoods residents since 1989

C15-2015-0032

Heldenfels, Leane

From: Jessie Bloede ~~jessie.bassett@gmail.com~~
Sent: Tuesday, February 17, 2015 3:16 PM
To: Heldenfels, Leane
Subject: 1701 W. 31st - Letter of Support

Hello,

We are Brykerwoods residents and neighbors of the Jarretts who are building a home at 1701 W. 31st st.

We are writing to express our support for the current structure they are building and have enjoyed have enjoyed having them in the neighborhood.

Sincerely,

Jessie & Forrest Bloede
1714 W. 34th st.
Austin, TX 78703

KATIE COLEMAN

3000 Bryker Drive | Austin, TX 78703 | (512) 773-0394 | katie.coleman@tklaw.com

February 15, 2015

Leane Heldenfels
City of Austin
Planning and Development Review Department

Re: 1710 W. 31st Street, Austin TX 78703 (Brykerwoods)

Dear Planning Department,

I am writing to express my support for Ted and Meredith Jarrett's remodeling plans at the corner of 31st and Jefferson. I am a close neighbor, approximately one block away at 30th and Bryker Drive. I turn onto 31st from Jefferson to reach my home anytime I come from the north, so I drive or walk by the Jarretts' "home-in-progress" on a daily basis.

I understand that there is a minor permitting issue regarding the footprint of the Jarretts' remodel. I have corresponded with the Jarretts about this, and understand that the planned construction will use the exact same 70-year old foundation and footprint as the original home they purchased. It seems to me that any setback discrepancies predate the Jarretts' purchase of this property. This footprint was previously approved by the City in the Jarretts' original remodeling plans, and they are relatively far along in constructing the remodel based on those approvals. The Jarretts should not be required to tear down existing walls and redo existing construction to observe a setback requirement that hasn't been observed or enforced in decades—particularly when the discrepancy is a matter of inches. The house is fully framed and has standing walls at this time, so it is easy for neighbors to see what the structure will look like once it is completed. I do not feel that it is too close to Jefferson or that it otherwise conflicts with the prevailing aesthetics in the neighborhood.

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As a soon-to-be-neighbor, I support allowing the Jarretts' to complete their home based on structure as it exists today. Please feel free to contact me if you have questions or need further information.

Sincerely,

Katie Coleman

15-2015-0032

Heldenfels, Leane

From: Lesley Pitts [REDACTED]
Sent: Tuesday, February 17, 2015 12:35 PM
To: Heldenfels, Leane
Cc: Ted Jarrett
Subject: Letter of Support - 1701 West 31st Street

Leane -

I am writing to you today in support of Meredith and Ted Jarrett, friends of ours who are currently building a house at the corner of 31st and Jefferson (1701 W. 31st Street) in Brykerwoods. Having recently completed a new build, we have been walking with the Jarretts through this process and can tell you they have taken every step to ensure the house they designed is in the same architectural style of the neighborhood. Additionally, the house sits on the original foundation, which was first built 70 years ago and their permit approves building on this foundation. We are extremely excited about them joining the neighborhood and know they will add to the community of Brykerwoods. We've walked through the house and feel very comfortable with what they are building from an aesthetic nature.

Thank you for time and consideration.

Lesley and John Pitts

C15-2015-0032

February 17, 2014

VIA EMAIL

City of Austin Board of Adjustment

Jeff Jack, Chair
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Sallie Burchett
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Re: 1701 West 31st Street (C15-2015-0032)

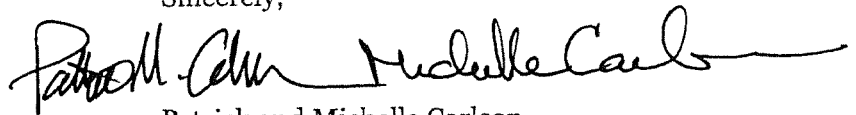
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Sincerely,

Handwritten signatures of Patrick and Michelle Carlson in black ink.

Patrick and Michelle Carlson

cc: Leane Heldenfels (via email)