


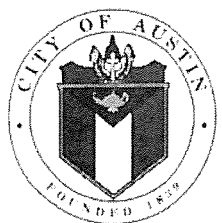




-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

CASE#: C15-2015-0083  
Address: 4514 AVENUE B



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.

1" = 200'

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made

*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: 4514 Avenue B

LEGAL DESCRIPTION: Subdivision – Ramsey Place (North Hyde Park)

Lot(s) 0223050521 Block 5 Outlot    Division   

We John Walewski/Anna Graybeal on behalf of  
ourselves affirm that on June 8, 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    COMPLETE    REMODEL    MAINTAIN

Petitioner proposes to build a 550 sq. ft. detached auxiliary dwelling unit specifically for Melissa Ruof (mother of the applicant Anna Graybeal). The SF3-NCCD-NP zoning classification and our lot size allows for the ADU.

The SF3-NCCD-NP zoning classification requires three off-street parking spaces when adding a 550 sf. Auxiliary Dwelling Unit (ADU). Three spaces cannot be configured on our lot without placing two space in the front setback disallowed by the North Hyde Park neighborhood conservation - neighborhood plan overlay (NCCD-NP).

We seek a variance from the requirement for one additional parking space.

\_\_\_\_\_

in a SF3-NCCD-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:

The SF3-NCCD-NP zoning classification requires three off-street parking spaces when adding a 550 sf. Auxiliary Dwelling Unit (ADU). Three spaces cannot be configured on our lot without placing two space in the front setback disallowed by the North Hyde Park neighborhood conservation neighborhood plan overlay (NCCD-NP).

**HARDSHIP:**

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

The SF3-NCCD-NP zoning classification and our lot size allows for an ADU. However, configuring the three required parking spaces per the North Hyde Park neighborhood conservation neighborhood plan (NCCD-NP) is not feasible.

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

Other properties in the area are able to achieve required off street parking spaces because of their driveway and building orientations.

**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 balance of on-street and off street parking on the 4500 block of Avenue B will not be impaired. The variance is supported by the adjacent neighbors and those within the 500 ft. impact zone. Letters of support are provided as supplements to the application.

**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:

Current and future use will remain as SF3-NCCD-NP.

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:

\_\_\_\_\_  
Traffic and vehicle loading will be unchanged with the granting of this variance.

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

\_\_\_\_\_  
No safety issues will be created with the granting of this variance.

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

\_\_\_\_\_  
The use of the property will remain as SF3-NCCD-NP.

**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 4514 Avenue B

City, State & Zip Austin, Texas 78751

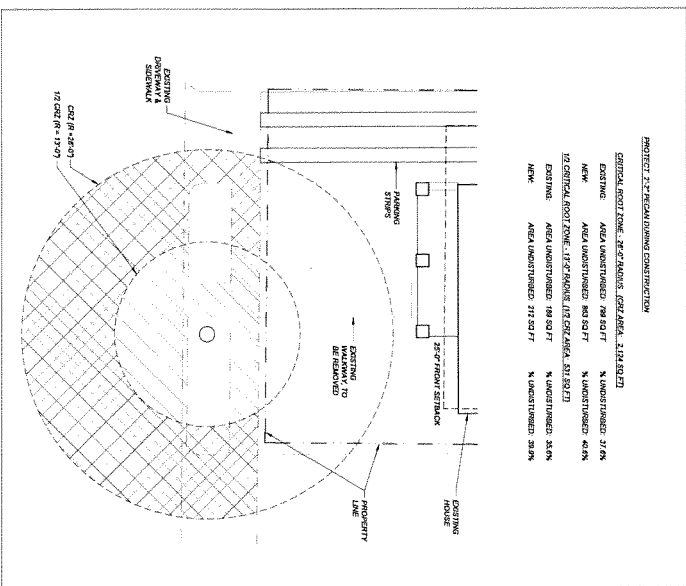
Printed John Walewski Phone 786-9345 Date 4/23/15

**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 \_\_\_\_\_ Mail Address 4514 Avenue B

City, State & Zip Austin, Texas 78751

Printed John Walewski Phone 786-9345 Date 4/23/15



1  
Site plan  
1/8" = 1'-0"

PROPOSED 30-UNIT APARTMENT BUILDING

LOT 022305522

LOT 022305521

LOT 022305520

LOT 022305519

LOT 022305518

LOT 022305517

LOT 022305516

LOT 022305515

LOT 022305514

LOT 022305513

LOT 022305512

LOT 022305511

LOT 022305510

LOT 022305509

LOT 022305508

LOT 022305507

LOT 022305506

LOT 022305505

LOT 022305504

LOT 022305503

LOT 022305502

LOT 022305501

LOT 022305500

LOT 022305499

LOT 022305498

LOT 022305497

LOT 022305496

LOT 022305495

LOT 022305494

LOT 022305493

LOT 022305492

LOT 022305491

LOT 022305490

LOT 022305489

LOT 022305488

LOT 022305487

LOT 022305486

LOT 022305485

LOT 022305484

LOT 022305483

LOT 022305482

LOT 022305481

LOT 022305480

LOT 022305479

LOT 022305478

LOT 022305477

LOT 022305476

LOT 022305475

LOT 022305474

LOT 022305473

LOT 022305472

LOT 022305471

LOT 022305470

LOT 022305469

LOT 022305468

LOT 022305467

LOT 022305466

LOT 022305465

LOT 022305464

LOT 022305463

LOT 022305462

LOT 022305461

LOT 022305460

LOT 022305459

LOT 022305458

LOT 022305457

LOT 022305456

LOT 022305455

LOT 022305454

LOT 022305453

LOT 022305452

LOT 022305451

LOT 022305450

LOT 022305449

LOT 022305448

LOT 022305447

LOT 022305446

LOT 022305445

LOT 022305444

LOT 022305443

LOT 022305442

LOT 022305441

LOT 022305440

LOT 022305439

LOT 022305438

LOT 022305437

LOT 022305436

LOT 022305435

LOT 022305434

LOT 022305433

LOT 022305432

LOT 022305431

LOT 022305430

LOT 022305429

LOT 022305428

LOT 022305427

LOT 022305426

LOT 022305425

LOT 022305424

LOT 022305423

LOT 022305422

LOT 022305421

LOT 022305420

LOT 022305419

LOT 022305418

LOT 022305417

LOT 022305416

LOT 022305415

LOT 022305414

LOT 022305413

LOT 022305412

LOT 022305411

LOT 022305410

LOT 022305409

LOT 022305408

LOT 022305407

LOT 022305406

LOT 022305405

LOT 022305404

LOT 022305403

LOT 022305402

LOT 022305401

LOT 022305400

LOT 022305399

LOT 022305398

LOT 022305397

LOT 022305396

LOT 022305395

LOT 022305394

LOT 022305393

LOT 022305392

LOT 022305391

LOT 022305390

LOT 022305389

LOT 022305388

LOT 022305387

LOT 022305386

LOT 022305385

LOT 022305384

LOT 022305383

LOT 022305382

LOT 022305381

LOT 022305380

LOT 022305379

LOT 022305378

LOT 022305377

LOT 022305376

LOT 022305375

LOT 022305374

LOT 022305373

LOT 022305372

LOT 022305371

LOT 022305370

LOT 022305369

LOT 022305368

LOT 022305367

LOT 022305366

LOT 022305365

LOT 022305364

LOT 022305363

LOT 022305362

LOT 022305361

LOT 022305360

LOT 022305359

LOT 022305358

LOT 022305357

LOT 022305356

LOT 022305355

LOT 022305354

LOT 022305353

LOT 022305352

LOT 022305351

LOT 022305350

LOT 022305349

LOT 022305348

LOT 022305347

LOT 022305346

LOT 022305345

LOT 022305344

LOT 022305343

LOT 022305342

LOT 022305341

LOT 022305340

LOT 022305339

LOT 022305338

LOT 022305337

LOT 022305336

LOT 022305335

LOT 022305334

LOT 022305333

LOT 022305332

LOT 022305331

LOT 022305330

LOT 022305329

LOT 022305328

LOT 022305327

LOT 022305326

LOT 022305325

LOT 022305324

LOT 022305323

LOT 022305322

LOT 022305321

LOT 022305320

LOT 022305319

LOT 022305318

LOT 022305317

LOT 022305316

LOT 022305315

LOT 022305314

LOT 022305313

LOT 022305312

LOT 022305311

LOT 022305310

LOT 022305309

LOT 022305308

LOT 022305307

LOT 022305306

LOT 022305305

LOT 022305304

LOT 022305303

LOT 022305302

LOT 022305301

LOT 022305300

LOT 022305299

LOT 022305298

LOT 022305297

LOT 022305296

LOT 022305295

LOT 022305294

LOT 022305293

LOT 022305

## A0.2



















May 26, 2015

City of Austin  
Board of Adjustment

Members:

Jeff Jack, Melissa Hawthorne, Vincent Harding, Sallie Burchett, Michael Von Ohlen, Bryan King, Ricardo De Camps, Cathy French, Will Schnier, and Stuart Hampton;

RE: Case Number: C15-2015-0083 (4514 Avenue B)

I was pleased to meet with John Walewski at the most recent Hyde Park Neighborhood Association (HPNA) Development Review Committee (DRC) meeting where John presented his plans for improving the property he owns at 4514 Avenue B.

John's plan includes a small accessory dwelling unit that will house his mother in law. The improvement plans meet each of the following current requirements to build an ADU:

- Lot size greater than 7,000 sq. ft.
- Impervious cover not to exceed .45
- Floor to area ratio not to exceed .40
- 45 degree tent
- Property set backs
- Public utility easement
- Heritage tree protection

The plan makes sense and adds valuable missing middle housing that will be used for a multi-generational family. What does not make sense, and the reason for John's request for a variance and my letter today, is the requirement to provide off street parking for three cars. Incorporating a third parking space into the plan for 4514 Avenue B will mean significant additional *redundant* impervious cover. I say redundant because the impervious cover already exists along the street where there is currently ample available parking for cars on this block of Avenue B.

At a time when Central Austin is struggling with density, John's plan provides additional housing on existing land in such a way that retains natural green space and helps mitigate flooding.

I hope you'll approve a variance that grants John Walewski the right to build his planned improvement with dedicated off street parking for two cars.

Sincerely,

Adrian Skinner  
Homeowner  
4613 Duval Street

## **Proposed ADU at 4514 Avenue B**

**From:** Chris\_Corby@Dell.com [Chris\_Corby@Dell.com]

**Sent:** Monday, May 11, 2015 4:03 PM

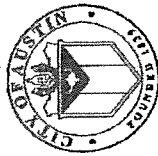
**To:** Walewski@tamu.edu

**Subject:** Proposed ADU at 4514 Avenue B

John, Anna,

I wanted to drop a note to show our support of your ADU project for your mother-in-law. I know you are going through the process on an exception to the City's parking requirement. We fully support the exception of one parking space and feel two parking spaces would help keep the neighborhood more "green". We look forward to welcoming her officially to the neighborhood and hope you are successful in obtaining the exception. If there is more we can do to support, please let me know.

Sincerely,  
Chris Corby  
4516 Ave. B



John Wabowski &








I, Anna Graybeal am applying for a variance from the Board of Adjustment regarding Section 479 of the Land

Development Code. The variance would allow me the ability to not park in the front set-back as

required for construction of one bedroom ADU (to preserve heritage tree)  
Reduce the number of required parking from 3 spaces to 2.  
By signing this form, I understand that I am declaring my support for the variance being requested.

Property Owner Name (Printed)	Address	Signature
CHRISTOPHER CORBY	4516 Ave. B, Austin, TX 78751	Christopher J Corby
Glen & Jupy Gurgado	4506 Ave B 78751	Glen Gurgado
Susan Adams	4510 Ave B 78751	Susan Adams
Danielle Withers	4519 Ave B 78751	Danielle Withers
Aaron Farescas	4517 Ave B 78751	Aaron Farescas
Paul Smith	4512 Avenue B 78751	Paul Smith
Pin Seal	4508 Avenue B 78751	Pin Seal

By signing this form, I understand that I am declaring my support for the variance being requested.

Property Owner Name (Printed)	Address	Signature
David Claxton	4507 Ave B Austin TX	
Kyle Rosenthal	4518 Ave B 78751	
Caleb Johnson	4523 Ave B 78751	
Roy P. Adams	4526 Ave B 78751	
	4528 Ave B 78751	
Trisha + Will Tanner	4525 Ave C 78751	



## Heldenfels, Leane

---

**From:** David Conner ~~dconner@tamu.edu~~  
**Sent:** Monday, May 25, 2015 3:46 PM  
**To:** Walewski, John A  
**Cc:** Heldenfels, Leane  
**Subject:** Re: 4514 Avenue B Board of Adjustment Public notice language

Hello, John presented his project to the Hyde Park development review committee in May. Upon review, we made a few comments and suggested that he move forward with his variance.  
David Conner DRC Chair

Sent from my iPhone

On May 25, 2015, at 1:53 PM, Walewski, John A ~~jwalewski@civil.tamu.edu~~ wrote:

Hi David,

I meet with Leane Heldenfels May 15th and attached will be the notice for the 4514 Avenue B variance we discussed at the May 7th meeting of the Hyde Park Neighborhood Association.

I discussed the meeting we had on May 7th with Leane and she noted the BOA would like to aware the applicant went to the HPNA to explain our proposal regardless of a position of support/oppose/no position.

Can you please email Leane before Wednesday noon to acknowledge that I presented our proposal to the HPNA Design Review Committee?

I can answer any questions.

Regards and thank you.

John

John Walewski, Ph.D.  
Associate Professor of Practice  
Zachry Department of Civil Engineering  
Texas A&M University  
3136 TAMU, 705G CE/TTI Building  
College Station, Texas 77843-3136  
Voice: 979-862-5673  
E-mail: ~~jwalewski@civil.tamu.edu~~

---

**From:** Heldenfels, Leane [[Leane.Heldenfels@austintexas.gov](mailto:Leane.Heldenfels@austintexas.gov)]  
**Sent:** Friday, May 22, 2015 4:21 PM  
**To:** Walewski, John A  
**Subject:** 4514 Avenue B Board of Adjustment Public notice language

Hi John – see attached proposed notice language and reply and advise if you see anything I may have stated incorrectly, especially if I have any of the measurements incorrect.  
If I don't hear back from you then I'll have staff prepare the notice as written on Tuesday for mailing on Thursday.