

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

DATE: Monday, May 11, 2015

CASE NUMBER: C15-2015-0059

☐ Y ☐ Jeff Jack - Chair
☐ Y ☐ Michael Von Ohlen
☐ Y ☐ Melissa Whaley Hawthorne - Vice Chair
☐ Y ☐ Sallie Burchett
☐ - ☐ Ricardo De Camps - (OUT)
☐ Y ☐ Brian King
☐ Y ☐ Vincent Harding

APPLICANT: Lotte Vehko

OWNER: Steven & Susie Roselle

ADDRESS: 4005 AVENUE D

VARIANCE REQUESTED: The applicant has requested variance(s) from Section 25-2-492 (D) (Site Development Regulations) and from NCCD-NP Ordinance 20120112-086, Part 8. Residential District, 1.(Site Development Standards) to increase the building cover from 40% (required) to 70% (requested) in order to enlarge an existing single family home that currently has 68% building coverage in a "SF-3-HD-NCCD-NP", Family Residence – Historic Area – Neighborhood Conservation Combining District - Neighborhood Plan zoning district. (Hyde Park)

BOARD'S DECISION: The public hearing was closed on Board Member Michael Von Ohlen motion to Postpone to June 8, 2015, Board Member Melissa Hawthorne second, **NO OBJECTION; POSTPONED TO JUNE 8, 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

C15-2015-0059

Heldenfels, Leane

From: David Conner <~~daypaycon@yahoo.com~~>
Sent: Tuesday, May 12, 2015 9:48 AM
To: Heldenfels, Leane; Lotte Vehko
Subject: BOA case for 4005 Avenue D Austin Texas 78751

Hello Leane,

The applicant and the architect met the Hyde Park NA Development Review Committee on May 7, 2015 and discussed their project. The DRC did not oppose the project and I recommended that when the BOA notice is mailed to the official HPNA receiver, they would mark "not oppose".

Sorry, this activity must have crossed in the mail. I will look in the BOA case backup to see if anything was sent back.

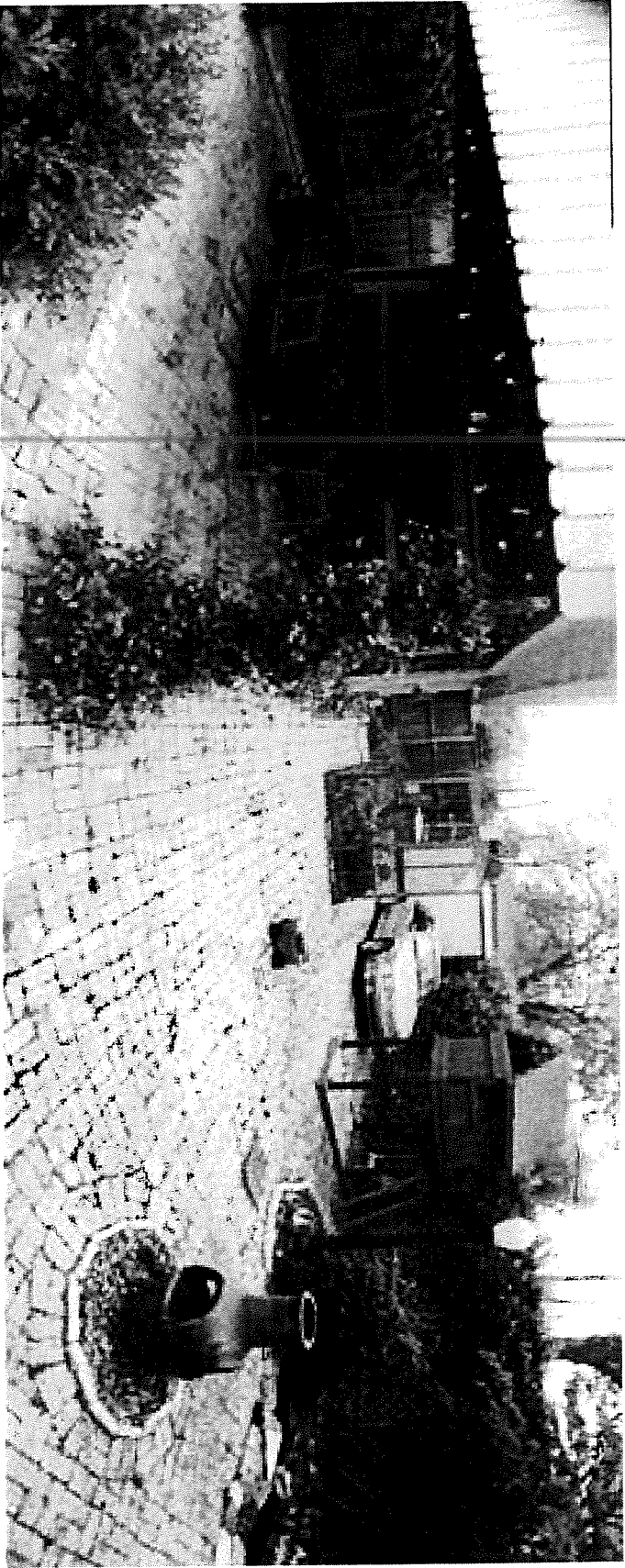
~~However, the project does not cause any concern and there is no reason why the variance should not be granted.~~

David Conner, HPNA DRC Chair

215-2015-0059

Roselle Residence
4005 Avenue D
26 Apr 2015

View of back yard from house



Roselle Residence | 4005 Avenue D | 25 Apr 2015 | sump drain





Roselle Residence | 4005 Avenue D | 25 Apr 2015 | historic brick detail



Roselle Residence | 4005 Avenue D | 25 Apr 2015 | historic brick detail



Rosale Residence | 4005 Avenue D | 25 Apr 2015 | Brick detail



Rosella Positano | 4005 Avenue D | 25 Apr 2011 | historic brick detail



Roselle Residence | 4005 Avenue B | 25 Apr. 2015 | historic brick detail



Roselle Residence | 4005 Avenue D | 25 Apr 2015 | Historic brick detail

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: C15-2015-0059, 4005 Avenue D

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

Public Hearing: Board of Adjustment, May 11th, 2015

Maxfield Mathews Ski

Your Name (please print)

303 W. 40th St

Your address(es) affected by this application

Leane

Signature

Date

5/5/15

Daytime Telephone: _____

Comments: _____

☒ I am in favor
☐ I object

Note: all 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) 974-6305

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



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:

They do not take into account the location of the property within the central city area, where more building density is desired, or the historic status of the property and the area in which it is located (Hyde Park).

HARDSHIP:

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

The topography of the lot is such that rainwater and other runoff from adjoining lots pools in the yard(s) of the subject property.

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

This topography is unique to the subject property.

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 yard(s) of the subject property have been paved with salvaged vintage brick in order to direct runoff into a sump pump, which routes the water off the lot and into the city drainage system. This prevents water from pooling in the yard(s) of the subject property and causing damage to the foundations of the historic house and other structures, providing habitat for undesirable insects and mold growth, and preventing the owners from being able to use their yard during wet weather. Leaving this drainage system in place will not alter the character of the area because no changes are proposed. It will not impair the purpose of the zoning regulations because the existing drainage system performs the same purpose that limitations on lot coverage are intended to perform (protects ground water quality).

CASE# 45-2015-0059
ROW# 11327655
TAX# 0219060403

**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: 4005 Avenue D, Austin, TX 78751

LEGAL DESCRIPTION: LOT 11-12 BLK 33 HYDE PARK ADDN NO 1

I/We on behalf of myself/ourselves as authorized agent for Steven and Susie Roselle

affirm that on March 9th, 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

Construct an addition to the existing 2-2 house to enlarge it to 3-2, increasing the lot coverage from

68% to 70% (exception to LDC 25-2-492 - Site Development Regulations) in a SF-3-HD-NCCD-NP

district.

(Hyde Park)

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.

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: (Not Applicable)
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: (Not Applicable)
3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because: (Not Applicable)
4. The variance will run with the use or uses to which it pertains and shall not run with the site because: (Not Applicable)

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 [Signature] Mail Address 110 E 37th #108

City, State & Zip Austin, TX 78705

Printed Name Lotte Vehko Phone 512-708-0703 Date March 9, 2015

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 [Signature] Mail Address 4005 Avenue D

City, State & Zip Austin, TX 78751

Printed Name Steven Roselle Phone 512-452-8456 Date 3/9/15

March 9, 2015

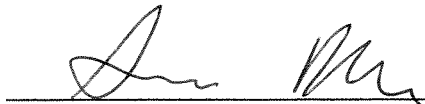
City of Austin
Residential Building Review
505 Barton Springs Road
Austin, Texas

To whom it may concern:

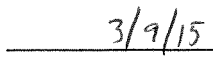
This is to certify that we, the owners of 4005 Avenue D,
Austin, Texas, authorize Lotte Vehko of Vehko Architecture
to act as our agent with the city of Austin regarding the
construction project "Roselle Residence" (Vehko
Architecture project number 14-1006).



Steve Roselle



Susie Roselle



Date

TAX CERTIFICATE
Bruce Elfant
Travis County Tax Assessor-Collector
P.O. Box 1748
Austin, Texas 78767
(512) 854-9473

NO 2246972

ACCOUNT NUMBER: 02-1906-0403-0000

PROPERTY OWNER:

ROSELLE STEVEN T L & SUSAN M L
SUSAN M LEVITSKY
4005 AVENUE D
AUSTIN, TX 78751-4615

PROPERTY DESCRIPTION:

LOT 11-12 BLK 33 HYDE PARK ADDN NO
1

ACRES

.1370 MIN%

.000000000000 TYPE

SITUS INFORMATION: 4005 AVENUE D

This is to certify that after a careful check of tax records of this office, the following taxes, delinquent taxes, penalties and interests are due on the described property of the following tax unit(s):

YEAR	ENTITY	TOTAL
2014	AUSTIN ISD	*ALL PAID*
	CITY OF AUSTIN (TRAV)	*ALL PAID*
	TRAVIS COUNTY	*ALL PAID*
	TRAVIS CENTRAL HEALTH	*ALL PAID*
	ACC (TRAVIS)	*ALL PAID*
TOTAL SEQUENCE 0		*ALL PAID*
TOTAL TAX:		*ALL PAID*
UNPAID FEES:		* NONE *
INTEREST ON FEES:		* NONE *
COMMISSION:		* NONE *
TOTAL DUE ==>		*ALL PAID*

TAXES PAID FOR YEAR 2014 \$8,582.17

ALL TAXES PAID IN FULL PRIOR TO AND INCLUDING THE YEAR 2014 EXCEPT FOR UNPAID YEARS LISTED ABOVE.

The above described property may be subject to special valuation based on its use, and additional rollback taxes may become due. (Section 23.55, State Property Tax Code).

Pursuant to Section 31.08 of the State Property Tax Code, there is a fee of \$10.00 for all Tax Certificates.

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS DATE OF 03/10/2015

Fee Paid: \$10.00

Bruce Elfant
Tax Assessor-Collector

By: 

ROSELLE RESIDENCE
4005 AVENUE D
AUSTIN, TEXAS

LIST OF DRAWINGS

LEGEND

12 ROOF SLOPE

1 KEYED NOTE

PI TYPICAL ASSEMBLY

101 DOOR NUMBER

101 WINDOW NUMBER

1015 HEIGHT

PROJECT INFORMATION

LEGAL DESCRIPTION: LOT 11-12 BLK 33
HYDE PARK ADDN NO 1
TAX PROPERTY ID NUMBER: 214757

ZONING: SF-3-HD-MCD-NP

ZONING OVERLAYS: HYDE PARK
NATIONAL REGISTER HISTORIC
DISTRICT, HYDE PARK NEIGHBORHOOD
PLANNING AREA, RESIDENTIAL DESIGN
STANDARDS

ADOPTED NEIGHBORHOOD PLAN TOOLS:
SMALL LOT AMNESTY INFILL

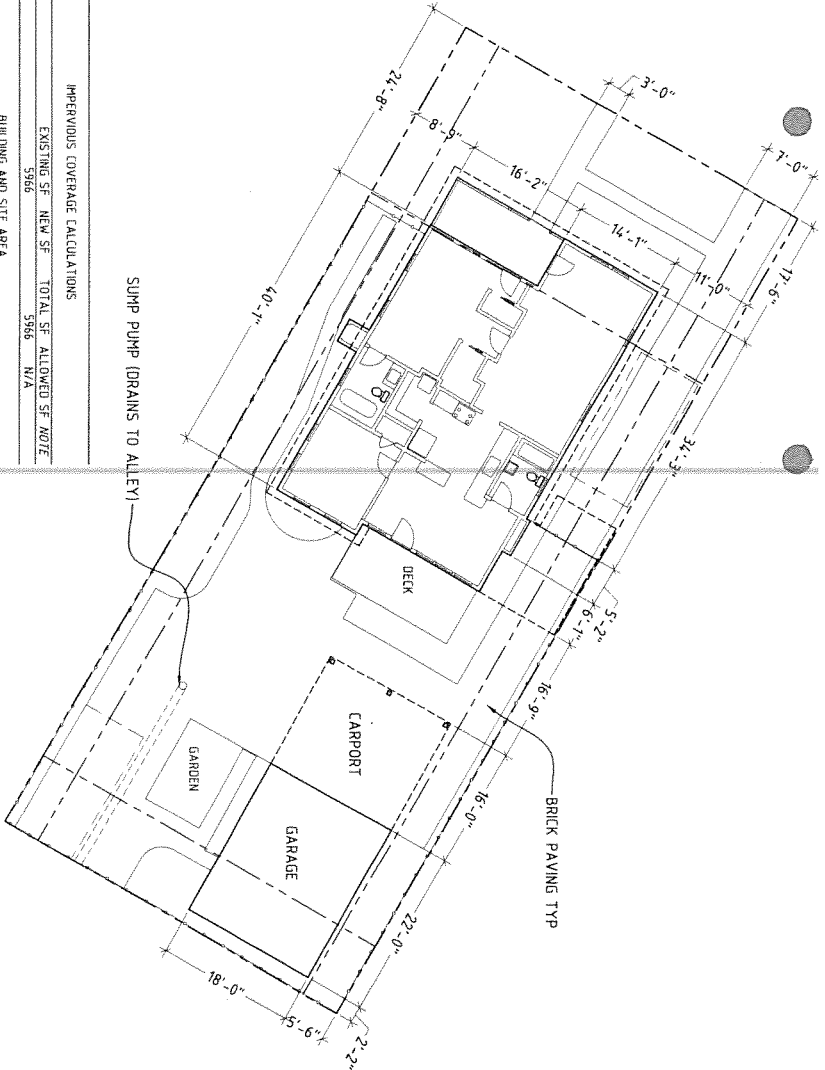
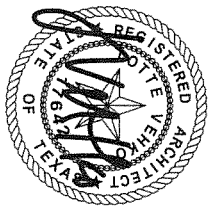
HISTORIC STATUS: NATIONAL REGISTER
DISTRICT CONTRIBUTING PROPERTY

ELEVATION VIEW
AT NUMBER/SHEET
INDICATED

SECTION VIEW
AT NUMBER/SHEET
INDICATED

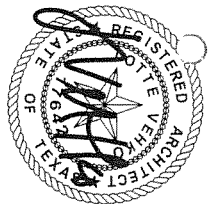
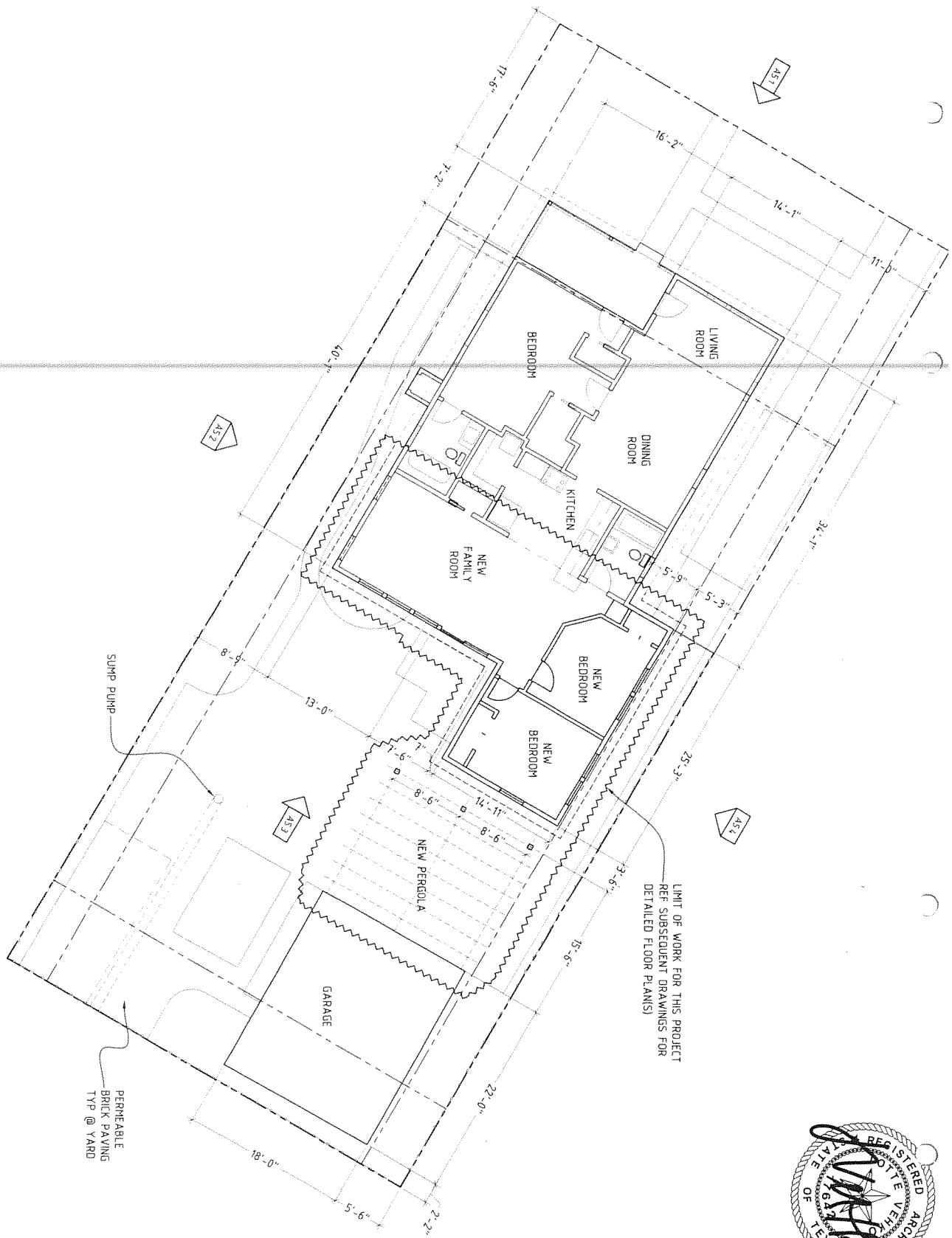
COMMON ABBREVIATIONS:

AFF ABOVE FINISHED FLOOR
CL CENTER LINE
SIM SIMILAR
ETR EXISTING TO REMAIN
TYP TYPICAL
EQ EQUAL - DIVIDE
AVAILABLE SPACE
EQUALLY

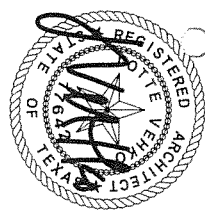
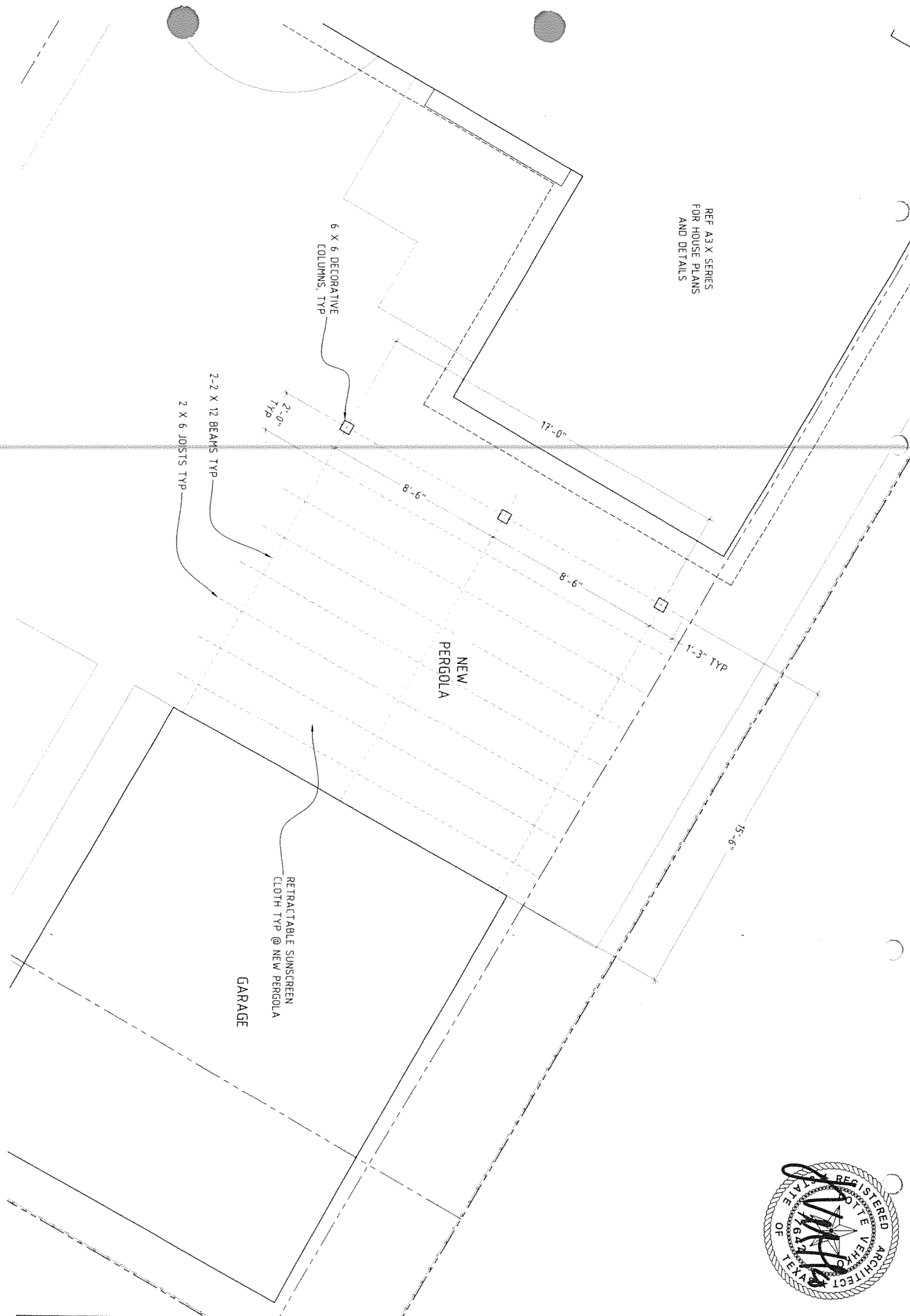



1 EXISTING SITE PLAN
SCALE: 1/16" = 1'-0"

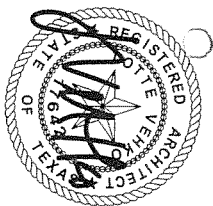
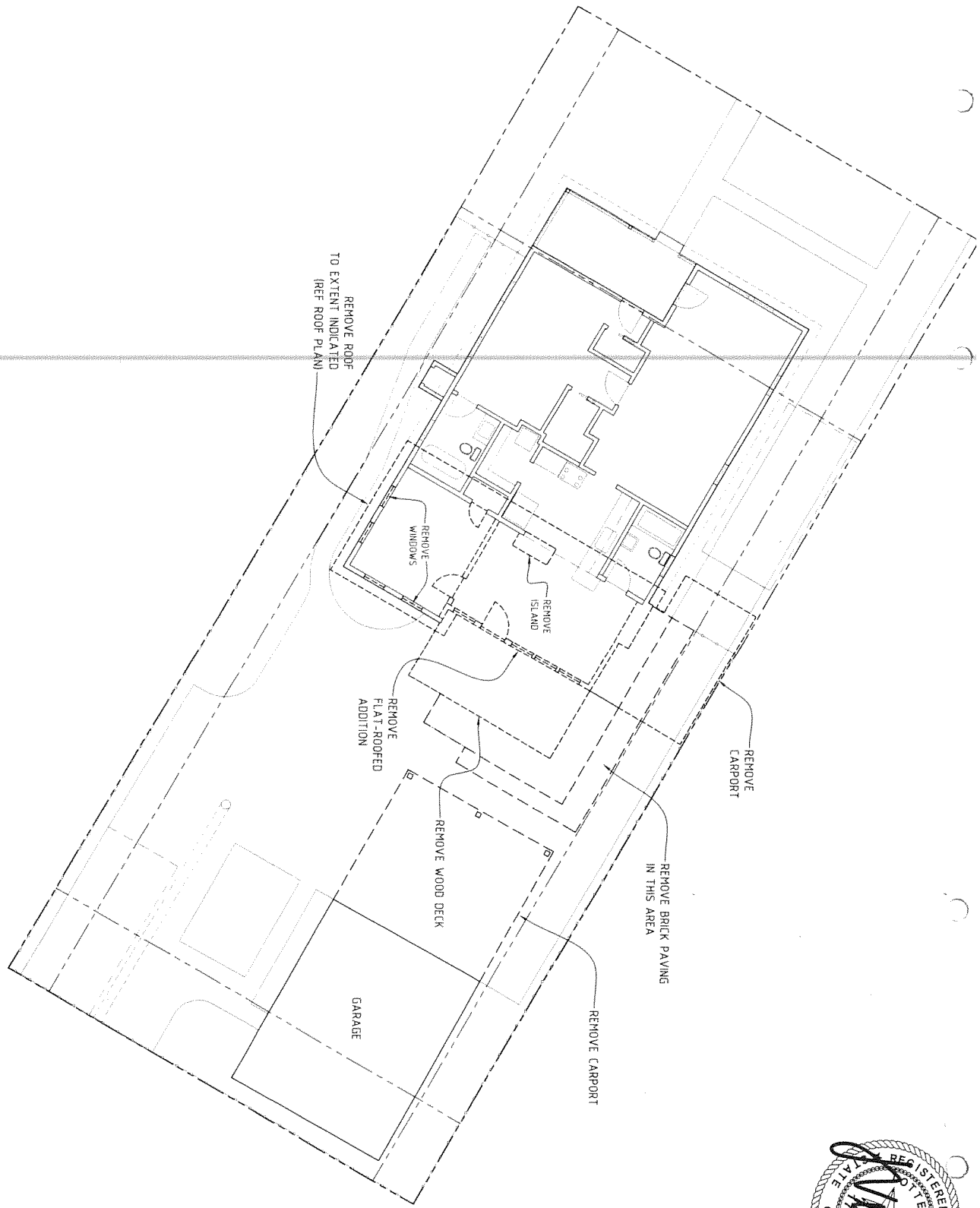
IMPERVIOUS COVERAGE CALCULATIONS			
LOT SIZE	EXISTING SF	NEW SF	TOTAL SF ALLOWED SF NOTE
	5966		5966 N/A
BUILDING AND SITE AREA			
1ST FLOOR GROSS AREA	1291	287	1578
COVERED FRONT PORCH	117	0	117
NORTH CARPORT	163	-163	0
DETACHED GARAGE	395	0	395
REAR CARPORT	288	-288	0
TOTAL BUILDING COVERAGE	2254	-164	2090
	3782		3505
FRONT DRIVE & WALKWAY	420	81	501
REAR YARD BRICK PAVING	1950	227	1517
A/C UNITS	9	0	9
TOTAL SITE COVERAGE	4033	477	2685
	6762		7002
FLOOR TO AREA RATIO			
1ST FLOOR GROSS AREA (HOUSE)	1291	287	1578
DETACHED GARAGE	395	0	0
TOTAL GROSS FLOOR AREA	1686	287	1578
F.A.R.	0.28		0.26
PARKING CALCULATION			
REQD FOR SF RESIDENCE	2.00	1.50 SF EXEMPT PER LDC 25-2-E-3.3.2	
SUBTOTAL	2.00	2 "NEW" REFERS TO BRICK PAVING PREVIOUSLY COVERED BY DEMOLISHED CARPORTS	
REDUCTION PER LDC 25-5-4.7B	0.80		
SUBTOTAL	1.60		
TOTAL PARKING SPACES REQD	2		



A1.1	NEW SITE PLAN		ROSELLE RESIDENCE 4005 Avenue D Austin, Texas		Vehko Architecture	
	DRAWING SCALE: 1" = 10'-0"		DATE: 09 MAR 2015		PROJECT NUMBER: 14-1006	
	PERMITTING / CONSTRUCTION DRAWING		REVISIONS:		512.458.9791 vehko@sbcglobal.net	



A1.2	SITE PLAN DETAIL		ROSELLE RESIDENCE 4005 Avenue D Austin, Texas		 Vehko Architecture 512.458.9791 vehko@sbcglobal.net	
	DRAWING SCALE: 1/4" = 1'-0"		DATE: 09 MAR 2015			PROJECT NUMBER: 14-1006
	PERMITTING / CONSTRUCTION DRAWING			REVISIONS		



A2.1	DEMOLITION PLAN		ROSELLE RESIDENCE 4005 Avenue D Austin, Texas	
	DRAWING SCALE: 1" = 10'-0"	DATE: 09 MAR 2015	PROJECT NUMBER: 14-1006	
	PERMITTING / CONSTRUCTION DRAWING		REVISIONS	

Vehko Architecture
 512.458.9791
vehko@sbcglobal.net

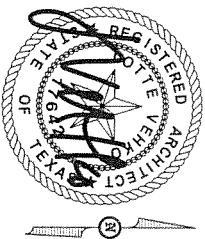
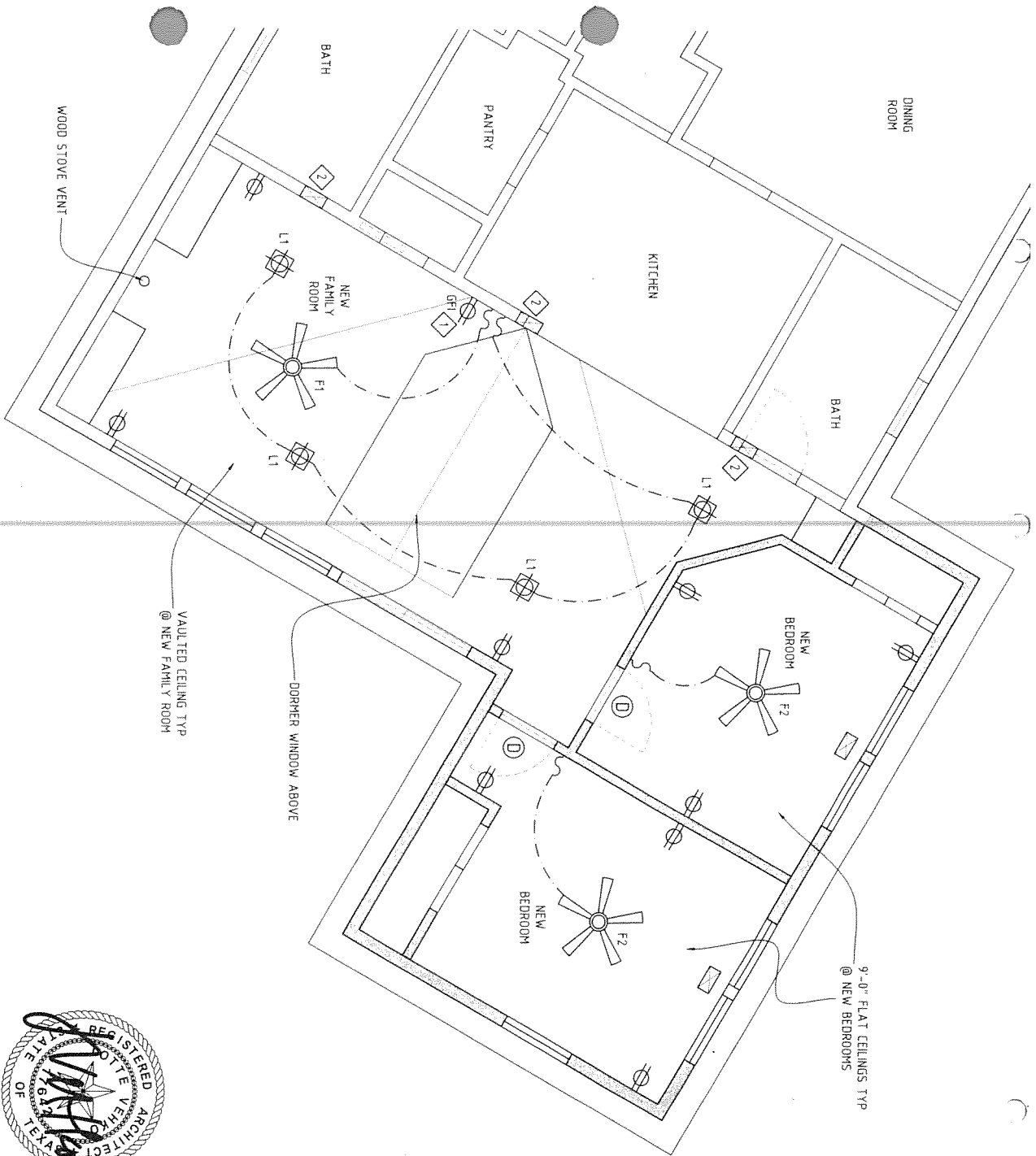


FIGURE SCHEDULE

NOTE: ALL FIXTURES ARE AS SELECTED BY OWNER

- L1 RECESSED FLUORESCENT DOWNLIGHT
- F1 54" CEILING FAN
- F2 48" CEILING FAN

LEGEND

- Φ ELECTRICAL OUTLET MOUNTED 12" A.F.F.
- Φ^{GFI} OUTLET ON GROUND FAULT INTERRUPT CIRCUIT
- ⌋ LIGHT SWITCH MOUNTED 54" A.F.F.
- ⌋ LIGHT SWITCH ON DIMMER
- ⌋ THREE-WAY SWITCH
- Ⓢ TELEPHONE / CABLE OUTLET
- Ⓢ THERMOSTAT
- Ⓢ SMOKE DETECTOR
- Ⓢ HVAC SUPPLY

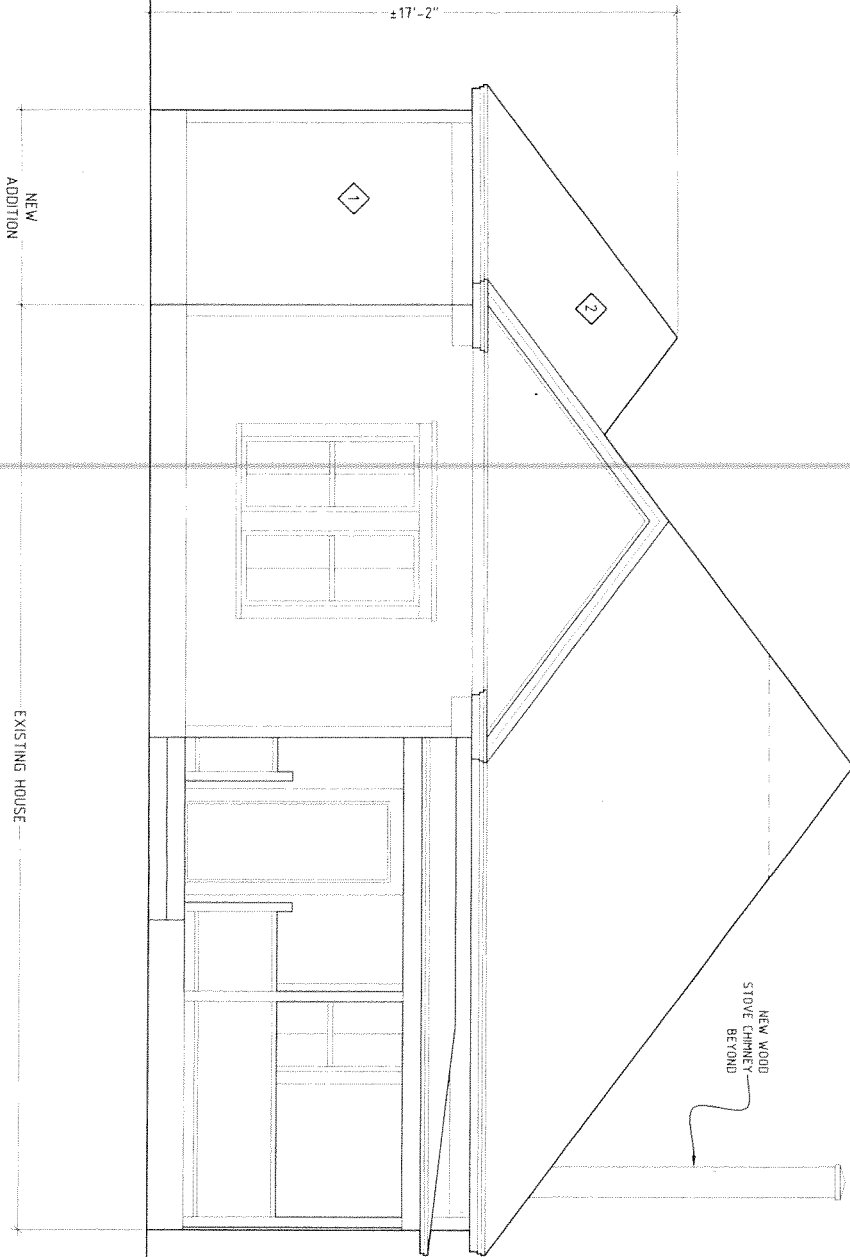
KEYED NOTES

NOTE: NOT ALL KEYS ARE USED ON ALL SHEETS AND NOTE NUMBERS MAY VARY FROM SHEET TO SHEET

- 1 OUTLET MOUNTED ABOVE COUNTER TOP
- 2 A/C SUPPLY GRILLE MOUNTED HIGH UP IN WALL --- REF INTERIOR ELEVATIONS

FIXTURE SCHEDULE	
NOTE: ALL FIXTURES ARE AS SELECTED BY OWNER	
L1	RECESSED FLUORESCENT DOWNLIGHT
F1	54" CEILING FAN
F2	48" CEILING FAN
LEGEND	
Ø	ELECTRICAL OUTLET MOUNTED 12" A.F.F.
ØGFI	OUTLET ON GROUND FAULT INTERRUPT CIRCUIT
Σ	LIGHT SWITCH MOUNTED 54" A.F.F.
ΣD	LIGHT SWITCH ON DIMMER
Σ3	THREE-WAY SWITCH
Ⓒ	TELEPHONE / CABLE OUTLET
Ⓙ	THERMOSTAT
⓪	SMOKE DETECTOR
ⓧ	HVAC SUPPLY
KEYED NOTES	
NOTE: NOT ALL KEYS ARE USED ON ALL SHEETS, AND NOTE NUMBERS MAY VARY FROM SHEET TO SHEET	
1	OUTLET MOUNTED ABOVE COUNTER TOP
2	A/C SUPPLY GRILLE MOUNTED HIGH UP IN WALL --- REF INTERIOR ELEVATIONS

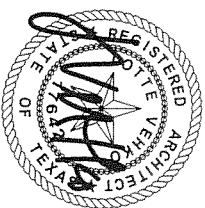
A4.1	REFLECTED CEILING PLAN		ROSELLE RESIDENCE 4005 Avenue D Austin, Texas		<div>Vehko Architecture</div> <div>512.458.9791</div> <div>vehko@sbcglobal.net</div>	
	DRAWING SCALE: 1/4" = 1'-0"		DATE: 09 MAR 2015			PROJECT NUMBER: 14-1006
	PERMITTING / CONSTRUCTION DRAWING		REVISIONS:			



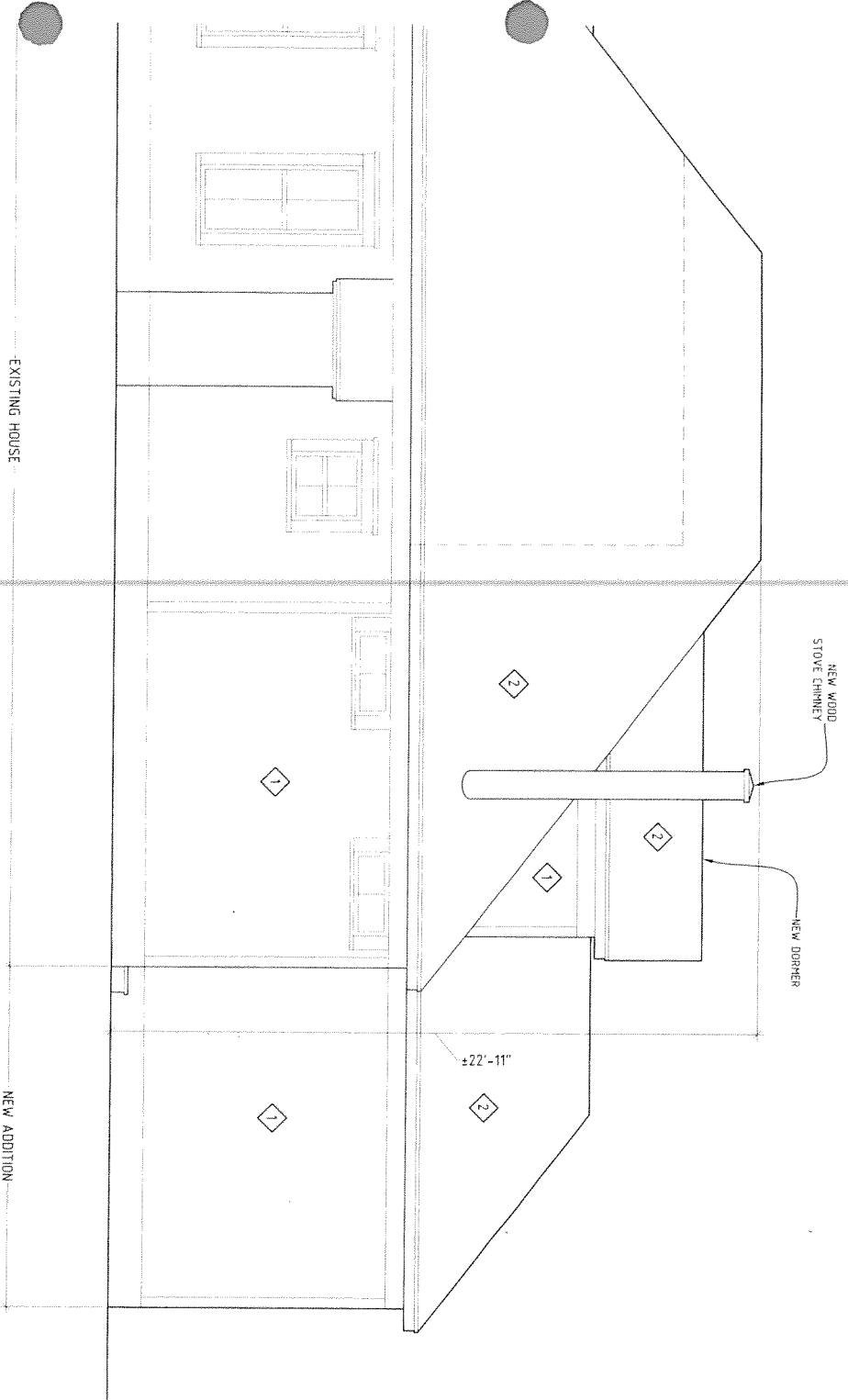
KEYED NOTES

NOTE: NOT ALL KEYS ARE USED ON ALL SHEETS. AND NOTE NUMBERS MAY VARY FROM SHEET TO SHEET

- 1 PAINTED LAPPED SIDING TO MATCH EXISTING HOUSE
- 2 METAL ROOFING TO MATCH EXISTING HOUSE
- 3 MATCH SHINGLE / TRIM / SIDING DETAILS FROM EXISTING GABLES



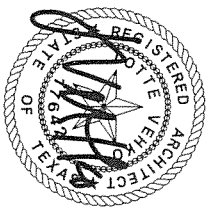
A5.1	EXTERIOR ELEVATION -- WEST		ROSELLE RESIDENCE 4005 Avenue D Austin, Texas	
	DRAWING SCALE: 1/4" = 1'-0"		DATE: 09 MAR 2015	PROJECT NUMBER: 14-1006
	PERMITTING / CONSTRUCTION DRAWING		REVISIONS:	



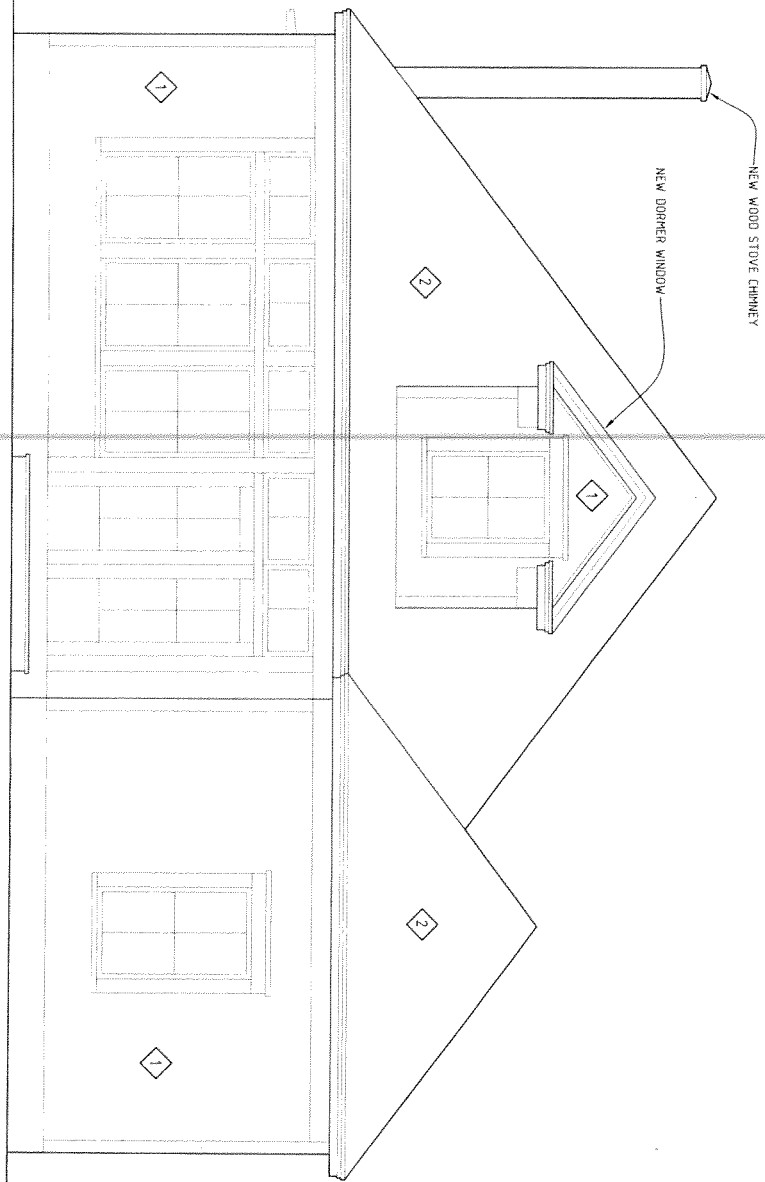
KEYED NOTES

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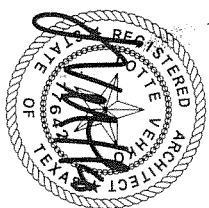
A5.2	EXTERIOR ELEVATION -- SOUTH		ROSELLE RESIDENCE 4005 Avenue D Austin, Texas	
	DRAWING SCALE: 1/4" = 1'-0"		DATE: 09 MAR 2015	PROJECT NUMBER: 14-1006
	PERMITTING / CONSTRUCTION DRAWING		REVISIONS	




KEYED NOTES

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AND NOTE NUMBERS MAY VARY FROM SHEET TO SHEET

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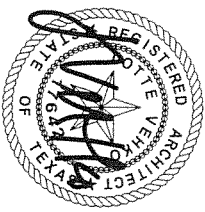
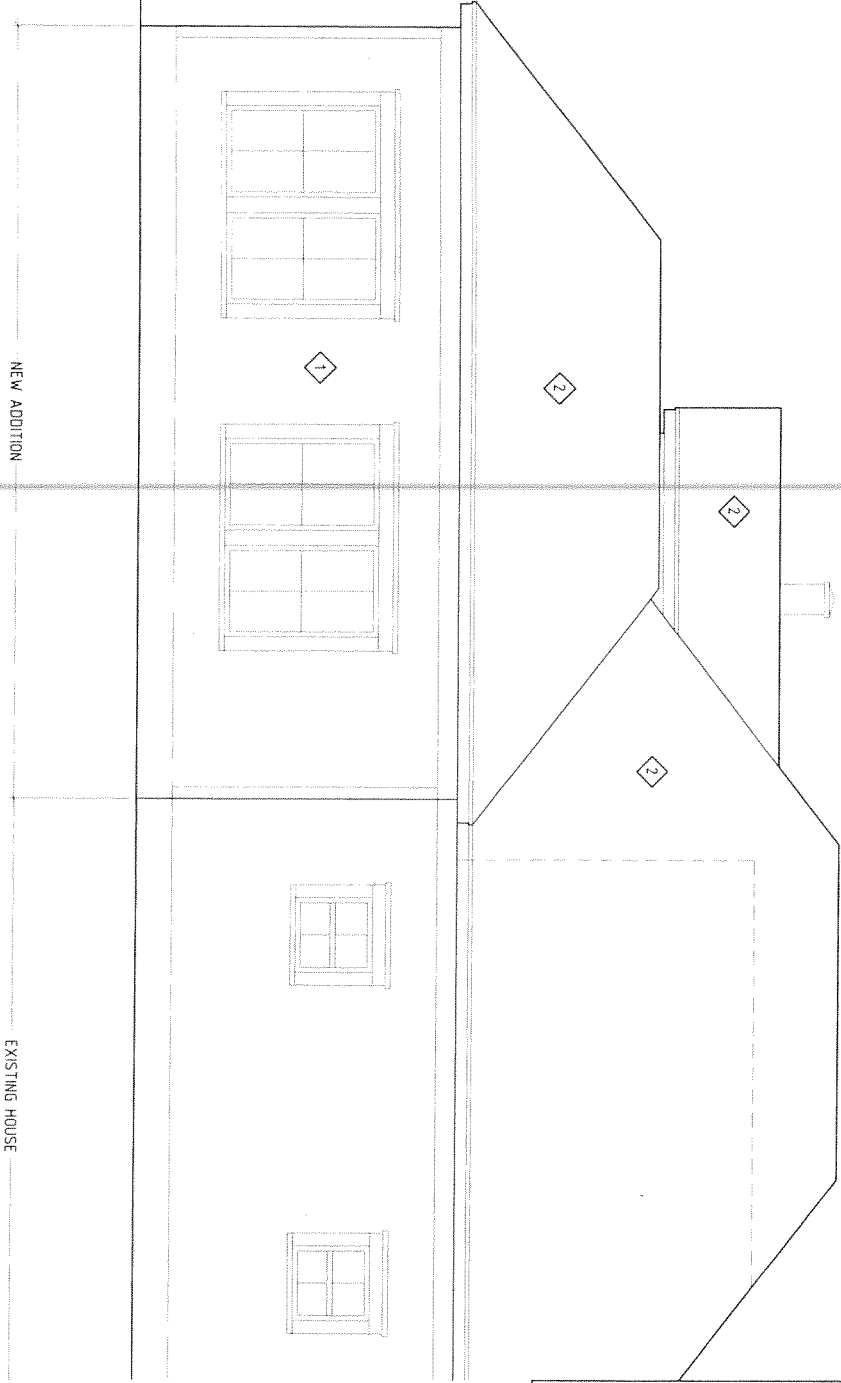


A5.3	EXTERIOR ELEVATION -- EAST		ROSELLE RESIDENCE 4005 Avenue D Austin, Texas		<div>Vehko Architecture</div> <div> 512.458.9791 vehko@sbcglobal.net</div>	
	DRAWING SCALE: 1/4" = 1'-0"		DATE: 09 MAR 2015			PROJECT NUMBER: 14-1006
	PERMITTING / CONSTRUCTION DRAWING		REVISIONS			

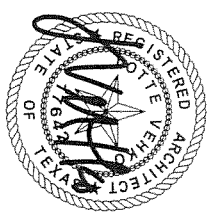
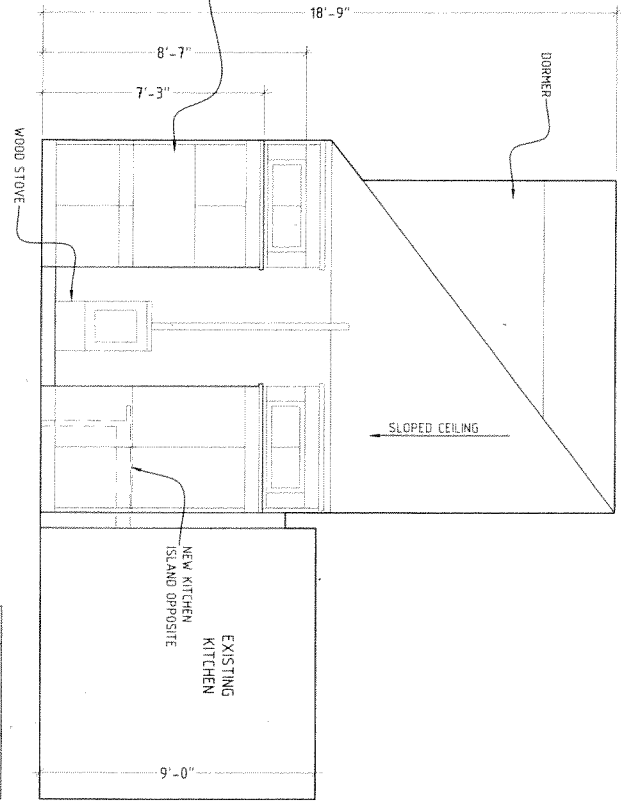
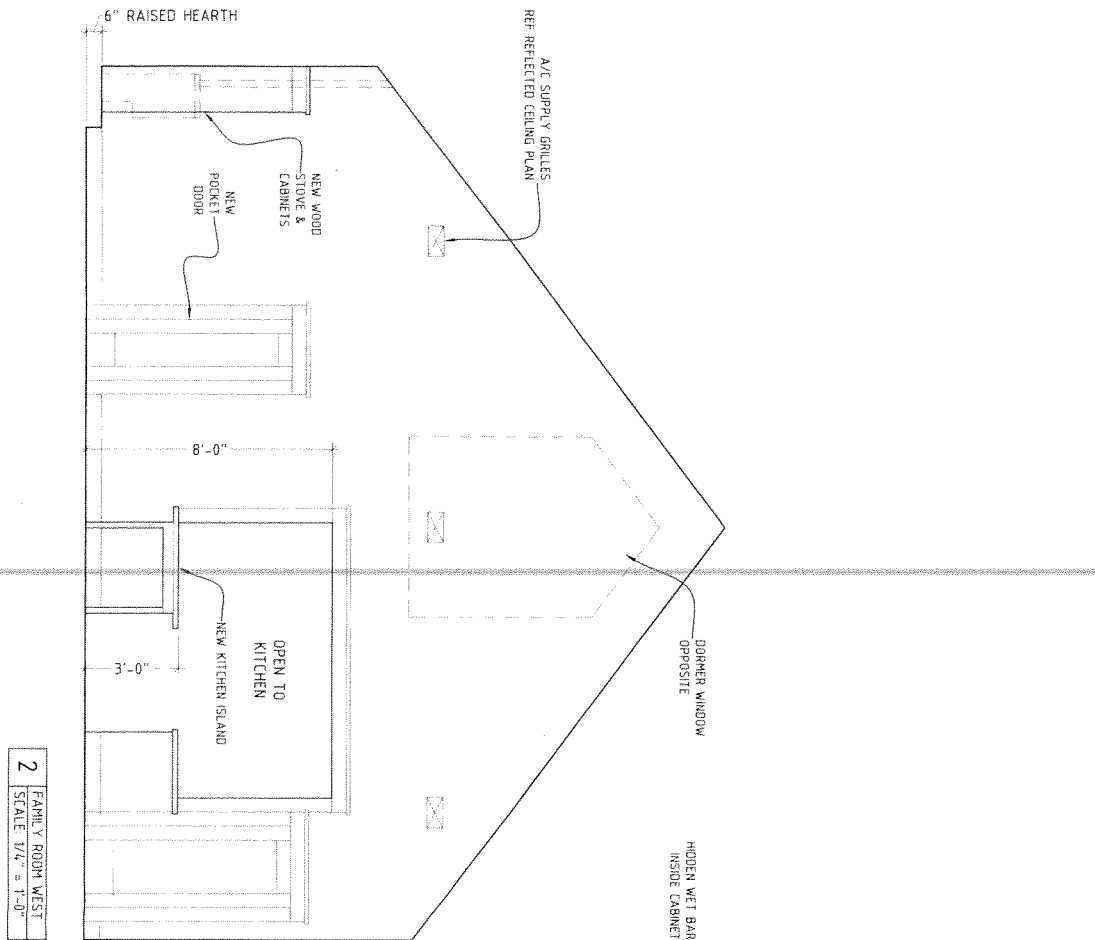
KEYED NOTES

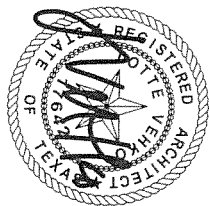
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- 2 METAL ROOFING TO MATCH EXISTING HOUSE
- 3 MATCH SHINGLE / TRIM / SIDING DETAILS FROM EXISTING GABLES

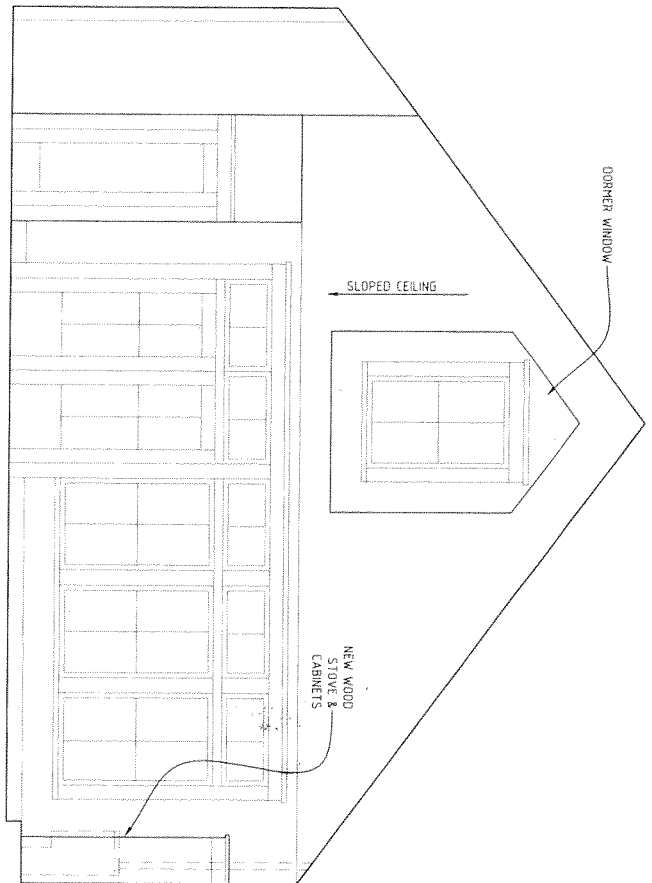



A5.4	EXTERIOR ELEVATION -- NORTH		ROSELLE RESIDENCE 4005 Avenue D Austin, Texas	
	DRAWING SCALE: 1/4" = 1'-0"	DATE: 09 MAR 2015	PROJECT NUMBER: 14-1006	
	PERMITTING / CONSTRUCTION DRAWING		REVISIONS	





1 FAMILY ROOM EAST
SCALE 1/4" = 1'-0"



A7.2	INTERIOR ELEVATIONS		ROSELLE RESIDENCE 4005 Avenue D Austin, Texas		Vehko Architecture  512.458.9791 vehko@sbcglobal.net	
	DRAWING SCALE: AS NOTED		DATE: 09 MAR 2015			PROJECT NUMBER: 14-1006
	PERMITTING / CONSTRUCTION DRAWING		REVISIONS:			