





PENDING CASE

ZONING BOUNDARY

CASE#: C15-2015-0120

Address: 1813 BRACKENRIDGE 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.



C15-2015-0120 revised

SEPTEMBER 01 ZIE

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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: 1813 Brackenridge Street Austin, Texas 78704
LEGAL DESCRIPTION: Subdivision-
Tract 1:Lot 8 and the South 27 feet of Lot 7, Blk 12H Fairview Park.
Tract 2: North 10 Feet of Lot 1 BLK 5C Newning and Warner's Subdivision of Lot 5C,
Swisher Addition
I/We David West on behalf of myself/ourselves as authorized agent for Developing West
LLC. affirm that on July 24 th 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)
X ERECT ATTACH COMPLETE REMODEL MAINTAIN
Erect 1850 Square Feet Secondary Unit at 1814 Drake ave to enable preservation of historic structure at 1813 Brakenridge Street.

in a <u>SF-3-NP</u> 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:
 - a) A new duplex structure would require 50% shared wall requiring the demolition of the existing historic structure at 1813 Brackenridge Street.
 - b) A secondary Unit only allows 850 total Square Feet.
 - c) Rear setback for a through lot is 25' from property line

HARDSHIP:

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

We are working with Neighborhood and The City of Austin Historical
Preservation to preserve and restore the 1813 Brackenridge structure and need to
enlarge the size of the secondary dwelling unit and establish the rear setback at 10'
to make the project viable.

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

The Neighborhood association and Historical Preservation has requested that this house be saved due to its prominent location as an entry point into Travis Heights at the dead end of Mary Street. This house typifies the character of Early 1900 Architecture in the neighborhood and owner is amicable to make all attempts to save the house. The viability of this pursuit is dependent on building a larger secondary Unit on the Drake side of the property with a 10' setback from the property line.

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 proposed plan will be more conforming with the surrounding neighborhood. Not only due to the preservation of the Brackenridge house, but the fact that this lot stretches through to Drake, a larger secondary Unit fronting Drake would be a more complete addition to the Drake street scape. The House on Drake will be 25' from street, two feet further form the street than where the current house sits in order to minimize the impact on the heritage oak and on the view from Brackenridge.



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:

All setback and parking codes are being followed

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:

No it will not

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 it will not

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

The variance sought runs with the current use.

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 1810 Frazier Ave.

City, State & Zip: Austin Texas 78704

Printed <u>David West</u> Phone (917)744-6238 Date <u>7.24.2015</u>

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 1810 Frazier Ave.

City, State & Zip: Austin Texas 78704

Printed David West Phone (917)744-6238 Date 7.24.2015

Updated 1/15

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City of Austin

Founded by Congress, Republic of Texas, 1839 Historic Preservation Office Planning and Zoning Department One Texas Center, 505 Barton Springs Road P.O. Box 1088, Austin, Texas 78767



July 13, 2015

Board of Adjustment, City of Austin P.O. Box 1088 Austin, Texas 78767

Re: Variance request for 1813 Brackenridge Street; David West

Dear Board of Adjustment Members:

I am writing in support of David West, the owner of the house at 1813 Brackenridge Street, who is seeking a variance to build an auxiliary structure on the property while preserving the ca. 1909 house. In developing the lot, Mr. West will be able to fund the restoration of the historic house.

The house at 1813 Brackenridge Street is not a landmark, but it is a significant house in Travis Heights, which is working on historic district status. It is important for its turn-of-the century architecture, and its history represents the traditional residents of the neighborhood. Loss of this house would be very detrimental to the historic character of the neighborhood, and after much negotiation, the owner has agreed to restore the house, which has suffered from deterioration as a rental property over the years.

It is extremely important that the City provide a means to develop central-city properties in ways that allows for the preservation of historic-age houses that may not rise to the level of historic landmarks, but are still very important to preserve. Our central city neighborhoods are undergoing such radical changes, that whenever we have an owner who is amenable to preservation of a historic-age house, but needs a variance to develop the lot to make the restoration and preservation of the existing house worthwhile, that we do everything we can to help make that happen. We can no longer afford to look at the preservation of individual houses on a case-by-case basis - the rate of change in our older neighborhoods is too rapid for that luxury, and we are losing the character of our central-city neighborhoods too quickly. Preservation of this house will maintain the architectural and historic character of this neighborhood, and I support Mr. West's request for a variance for the further development of this lot. This is a unique situation, and conditions call for the granting of a variance to make this project a success for both the applicant and the interests of historic preservation. In all of the City's existing and potential historic districts, we encourage preserving the historic streetscape to the greatest extent possible. I hope that you will agree that the preservation of this house, as well as the integrity and character of Travis Heights merits the granting of a variance in this case.

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

Sincerely,

Steve Sadowsky

Historic Preservation Officer



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SRCC Neighborhood Assoc P.O. 40632 Austin, TX 78704 www.srccatx.org

Sounthaly Outhavong president@srccatx.org

Gretchen Otto vicepresident@srccatx.org

Garret Nick secretary@srccatx.org

Nancy Byrd treasurer@srccatx.org

Historic Landmark Commission City of Austin

June 8, 2015

RE: 1813 Brackenridge (HDP-2015-0126-1813)

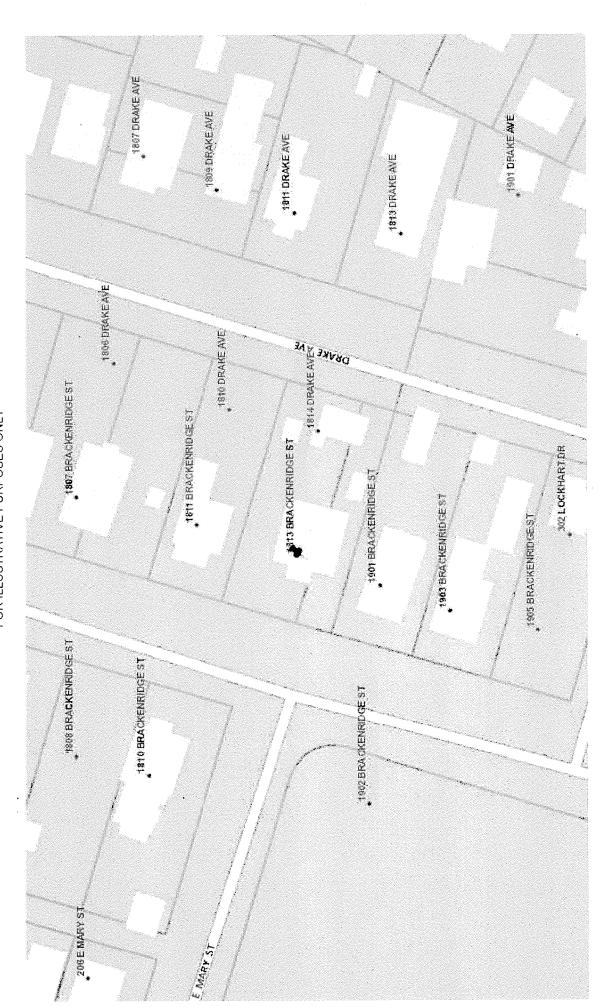
Dear Commissioners,

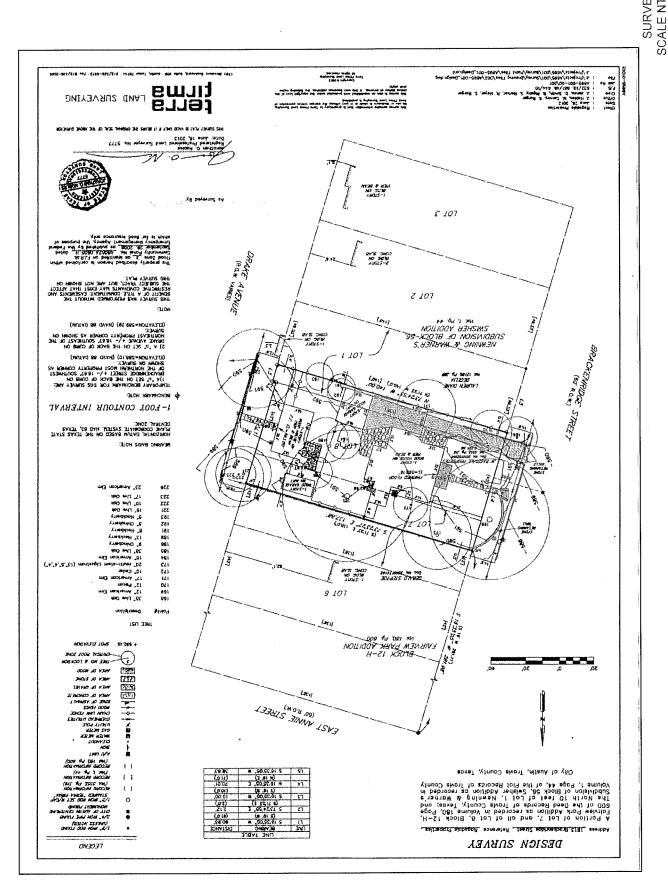
At the June 2015 general meeting of the South River City Citizens (SRCC) Neighborhood Association, the members voted to support a 1,000 square foot variance requested by the developer on a proposed accessory dwelling unit, provided that 1) the developer preserves the interior and exterior of the existing Brackenridge house and 2) the developer receives no additional variances. We were in favor of this solution, because the combined square footage of both structures on the property would not exceed the original maximum allowed square footage of 3,900 square feet, and because the developer agreed to restore the original house inside and outside.

Thank you for your consideration.

Cordially,

Sounthaly Outhavong SRCC President

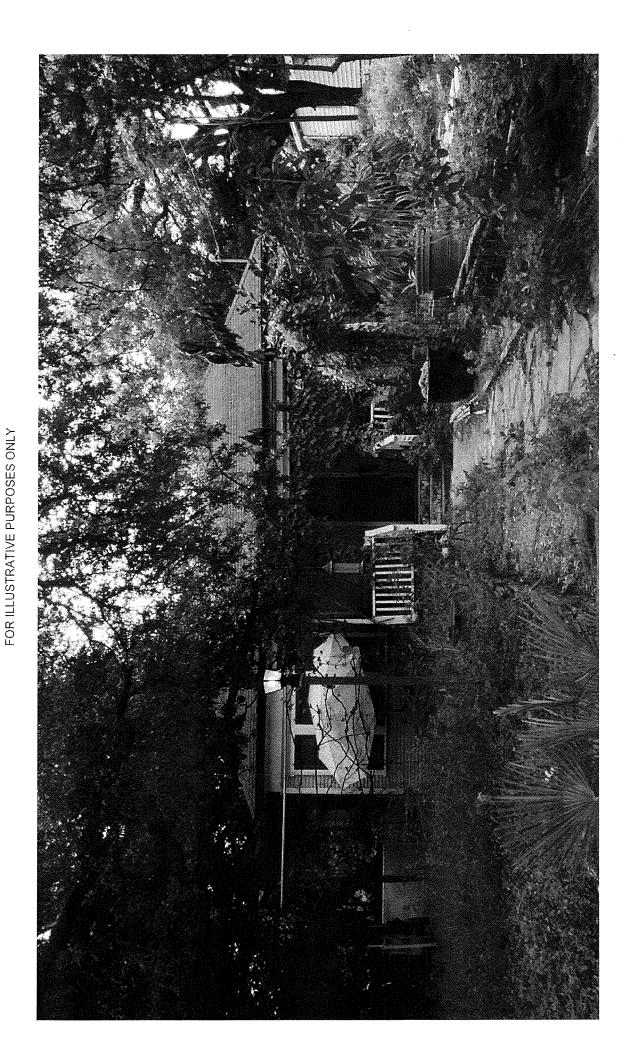




FOR ILLUSTRATIVE PURPOSES ONLY











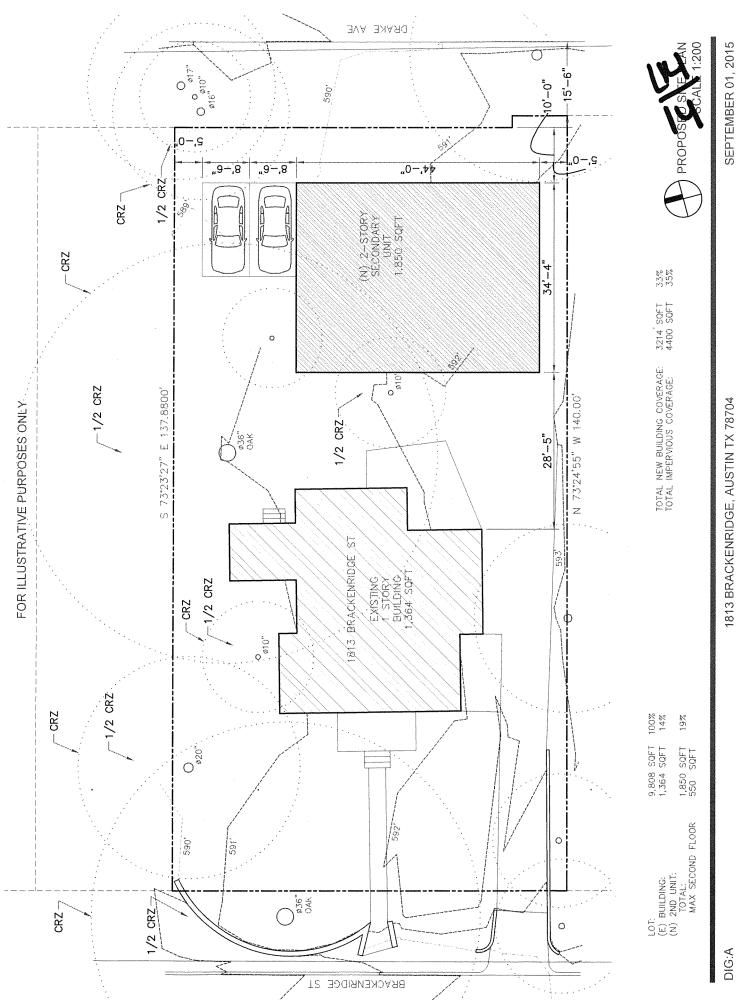
SEPTEMBER 01, 2015

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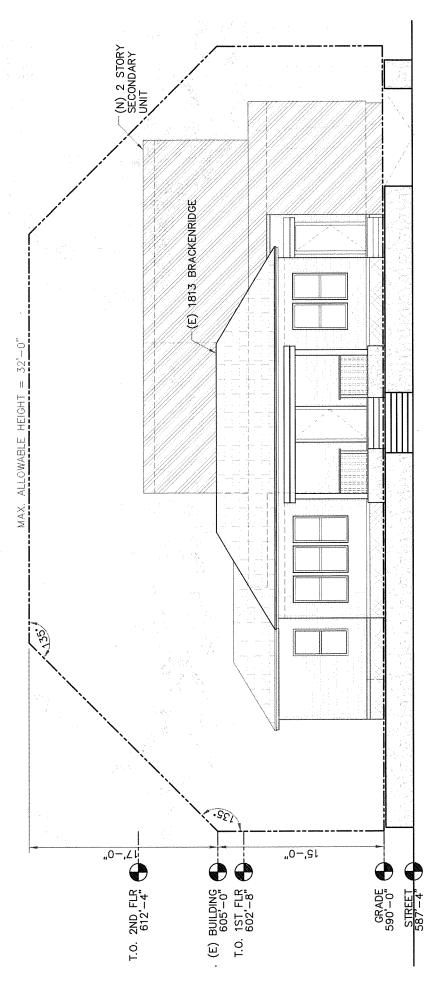
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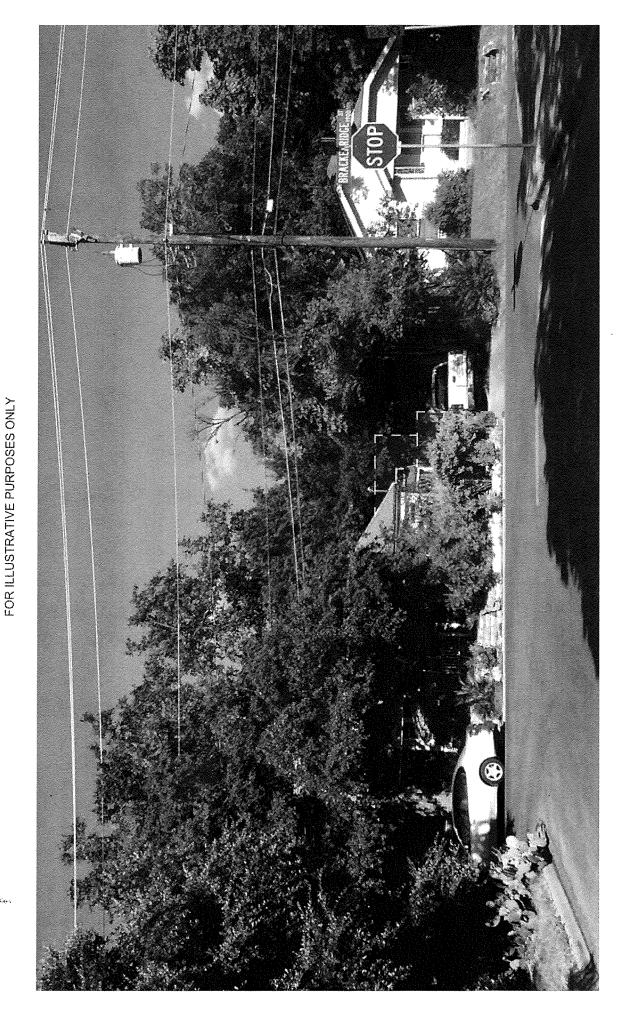




1813 BRACKENRIDGE, AUSTIN TX 78704

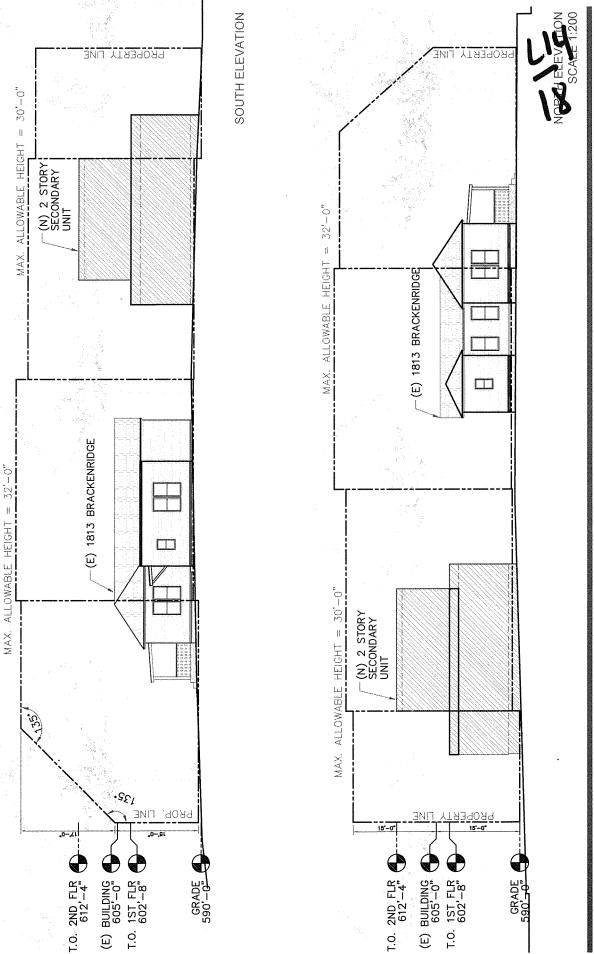
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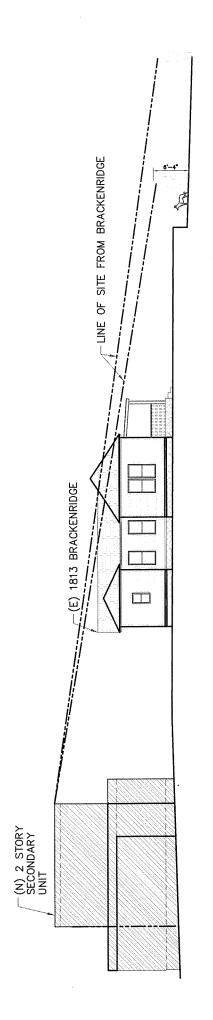






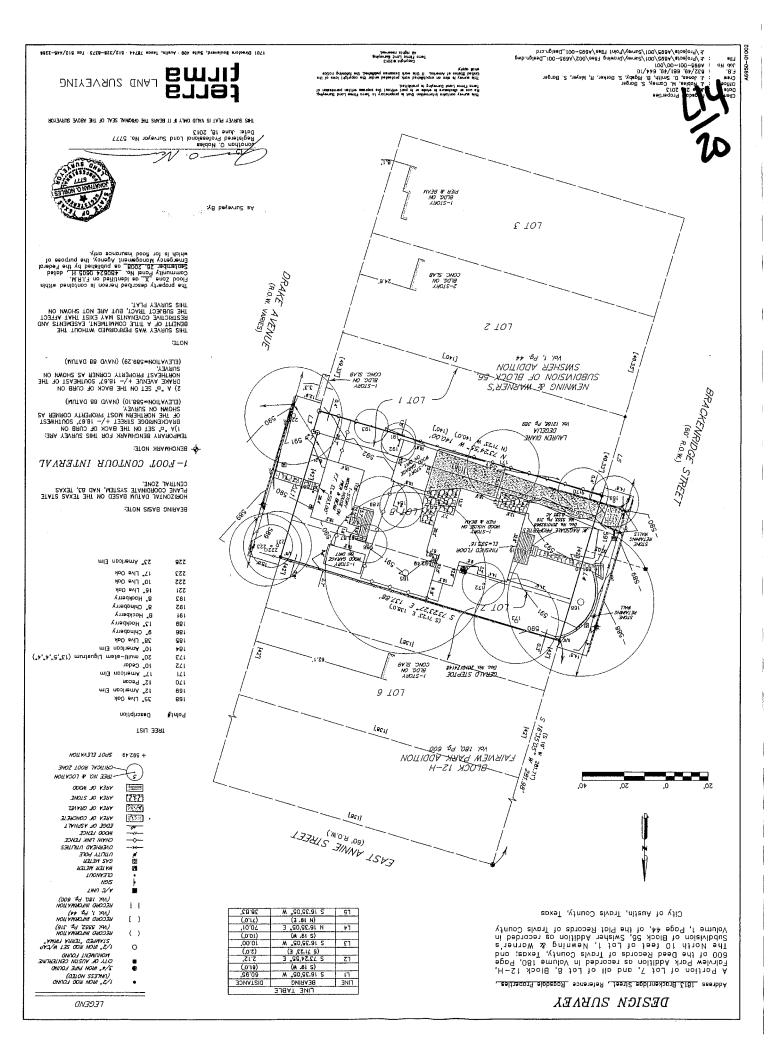
SEPTEMBER 01, 2015





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U5-2015-0120

SRCG South River City Citizens

SRCC Neighborhoo P.O. 40632 Austin, TX 78704 www.srccatx.org

Board of Adjustments City of Austin Sounthaly Outhavong president@srccatx.org

Gretchen Otto vicepresident@srccatx.org

Garret Nick secretary@srccatx.org

Nancy Byrd treasurer@srccatx.org

August 7, 2015

RE: 1813 Brackenridge

Dear Members of the Board of Adjustments,

At the August 2015 general meeting of the South River City Citizens (SRCC) Neighborhood Association, the members voted to amend our previous resolution that was passed during our June meeting.

The original resolution:

support a 1,000 square foot variance requested by the developer on a proposed accessory dwelling unit, provided that 1) the developer preserves the interior and exterior of the existing Brackenridge house and 2) the developer receives no additional variances.

The amended resolution:

support a 1,000 square foot variance requested by the developer on a proposed accessory dwelling unit, provided that the developer preserves the interior and exterior of the existing Brackenridge house.

We were in favor of allowing the 1,000 square foot variance, because the combined square footage of both structures on the property would not exceed the original maximum allowed square footage of 3,900 square feet, and because the developer agreed to restore the original house inside and outside. We voted to amend the resolution by removing the second part of the original resolution, because the developer is requesting an additional variance on the setback requirement for the additional dwelling unit facing Drake. The primary reason is to avoid the critical root zone of a heritage oak tree which we definitely want to preserve. Even though the city requires that the new ADU be set back 25' from the property line, we believe there is a slight improvement with the developer's proposed setback of 10' (to avoid the CRZ), since an existing structure in that location is presently 8.3' from the property line.

While we hope the developer does not need any further variances, we do support this second, special case in order to preserve the heritage oak tree.

Thank you for your consideration.

Cordially,

Sounthaly Outhavong SRCC President



of the Land a 1850 St Secondary Unit 10" s, am applying for a variance from the Board of Adjustment regarding Section Development Code. The variance would allow me the ability to build FCom Due (Red property like. 1, Dewil West

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

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CITY OF AUSTIN Board of Adjustment Decision Sheet



DATE: Monday, August 10, 2015	CASE NUMBER: C15-2015-0120
- Angela Atwood (out) - Y Michael Benaglio - Y William Burkhardt - Y Vincent Harding - Y Melissa Hawthorne Motion to PP - Y Don Leighton-Burwell - Y Melissa Neslund - Y James Valadez - Y Michael Von Ohlen 2 nd the Motion	
OWNER/APPLICANT: David West	
ADDRESS: 1813 BRACKENRIDGE ST	
VARIANCE REQUESTED: The applicant has A. Section 25-2-774 (C) (7) (a) (Two-Fammaximum gross floor area of the second dw (required) to 1,850 square feet total (request B. Section 25-2-515 (Rear Yard of Throughot yard from 25 feet (required) to 10 feet (rein order to reconstruct a second dwelling up lot and maintain the existing 1,322 square for in the front of the lot in a "SF-3-NP", Family zoning district. (South River City)	nily Residential Use) to increase the velling unit from 850 square feet total ted); and to gh Lot) to decrease the rear through equested, 8.3 feet existing) nit to the rear of this 9,747 square foot poot primary, historic structure located
BOARD'S DECISION: The public hearing was a Hawthorne motion to Postpone to September 14, second on a 7-1 vote (Board member Michael Be SEPTEMBER 14, 2015.	2015, Board Member Michael Von Ohlen
 The Zoning regulations applicable to the propert (a) The hardship for which the variance is reque (b) The hardship is not general to the area in wh The variance will not alter the character of the area the use of adjacent conforming property, and with the zoning district in which the property is located because the description of the property of the area o	sted is unique to the property in that: ich the property is located because: rea adjacent to the property, will not impair ill not impair the purpose of the regulations of

CASE#	(152/50/20	4
ROW# TAX#		24

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INFORMATION COMPLETED.
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Tract 1:Lot 8 and the South 27 feet of Lot 7, Blk 12H Fairview Park.
Tract 2: North 10 Feet of Lot 1 BLK 5C Newning and Warner's Subdivision of Lot 5C,
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I/We David West on behalf of myself/ourselves as authorized agent for Developing West
LLC. affirm that on July 24 th 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)
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in a <u>SF-3-NP</u> district. (zoning district)
NOTE: The Board must determine the existence of, sufficiency of and weight of evidence

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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:
 - a) A new duplex structure would require 50% shared wall requiring the demolition of the existing historic structure at 1813 Brackenridge Street.
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2. (a) The hardship for which the variance is requested is unique to the property in that:

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APPLICANT CERTIFICATE –1 affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed

property.

Mail Address 1810 Frazier Ave.

City, State & Zip: Austin Texas 78704

Printed <u>David West</u> Phone (917)744-6238 Date <u>7.24.2015</u>

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Durit

Mail Address 1810 Frazier Ave.

City, State & Zip: Austin Texas 78704

Printed David West Phone (917)744-6238 Date 7.24.2015

Updated 1/15

1813 Brachenida entire legal description.

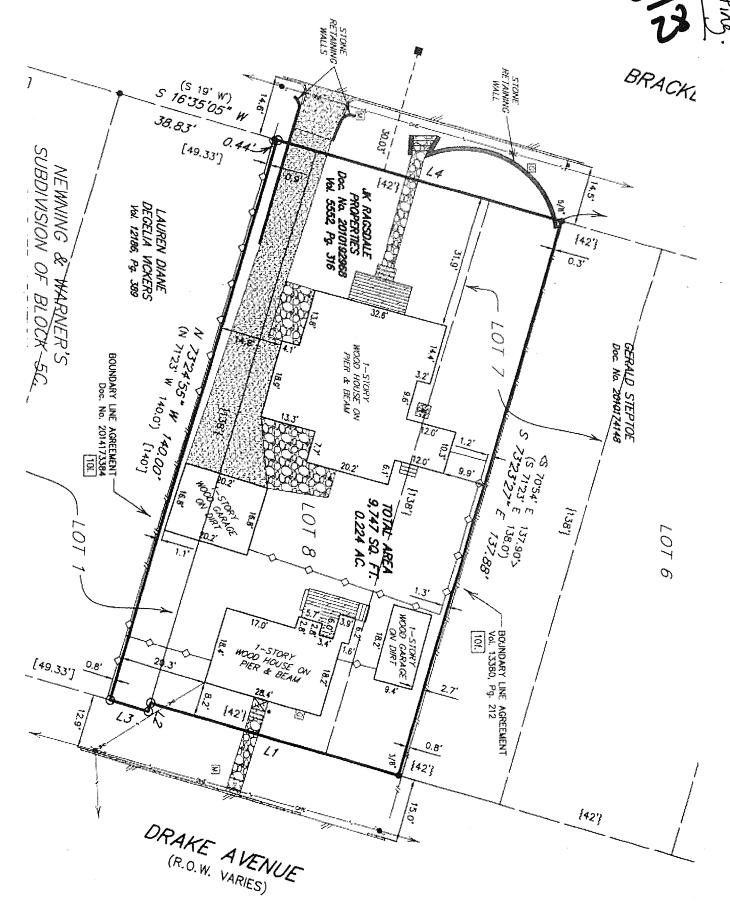
Tract 1:

Lot 8 and the South 27 feet of Lot 7, Block 12H, FAIRVIEW PARK, according to the map or plat thereof, recorded in Volume 180, Page 597, Deed Records, Travis County, Texas.

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Tract 2:

Being a tract or parcel of land containing the North 10 feet of land, more or less, and being a part of Lot 1, Block 5C, NEWNING AND WARNER'S SUBDIVISION OF LOT 5-C, SWISHER ADDITION, according to the map or plat thereof, recorded in Volume 1, Page 44, Plat Records, Travis County, Texas



RETAINING . WALLS BRACKL STOME RETAINING WALL (S 19. W) 16:35:05" 7 S ₹8.83° [49.33] SUBDIVISION OF 4 PROPERTIES

DOC. No. 2010192968

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S 73.23' E 138.0')
137.88' 罪[138] 30 10T 1387 0,224 AC LOT 6 1.1 SA DEL BOUNDARY LINE AGREEMENT Vol. 13380, Pg. 212 [107.] MOSO STORY OF [49,337] 仌 0.8 1427 ORAKE AVENUE & Standard (R.O.W. VARIES) Aprox. 15.0 1427

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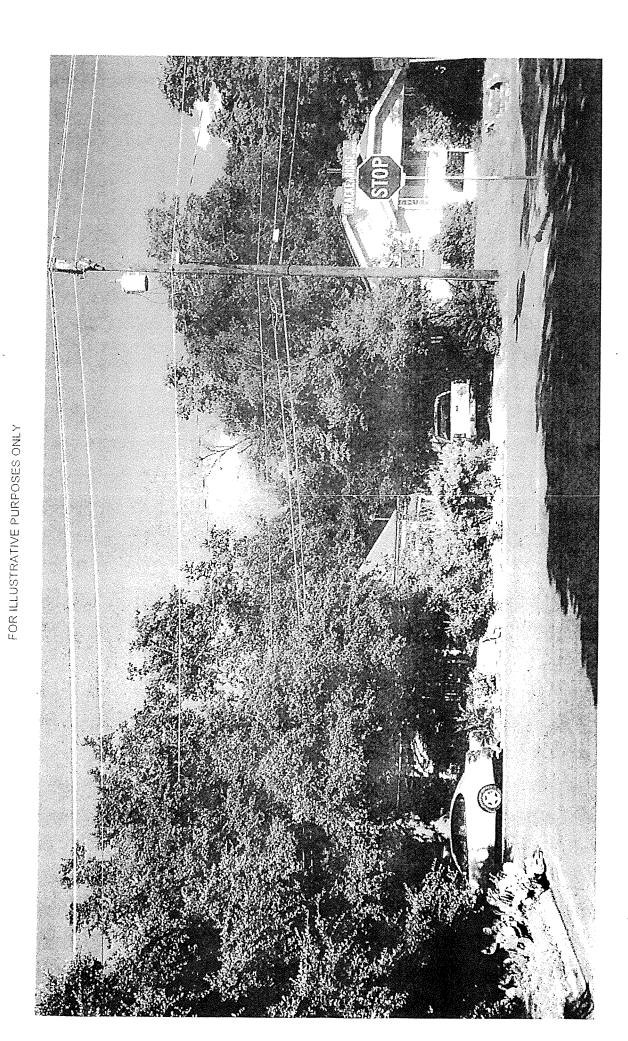
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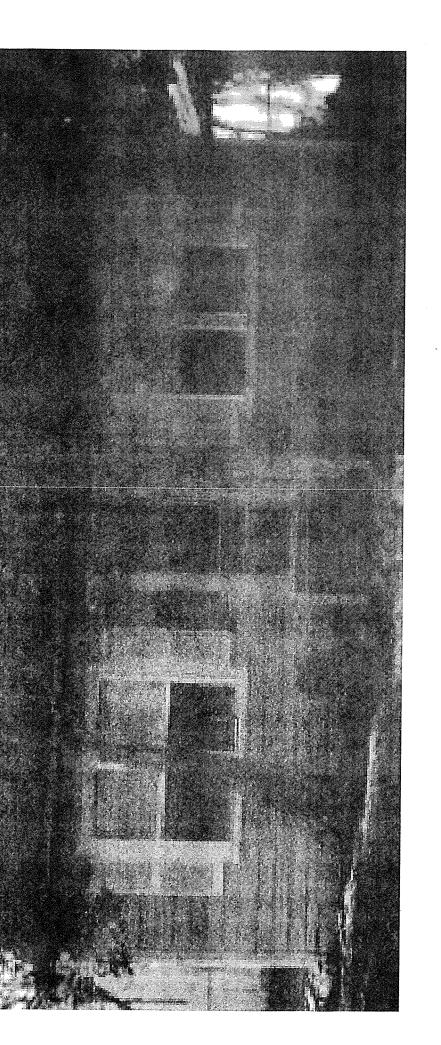








JULY 24, 2015



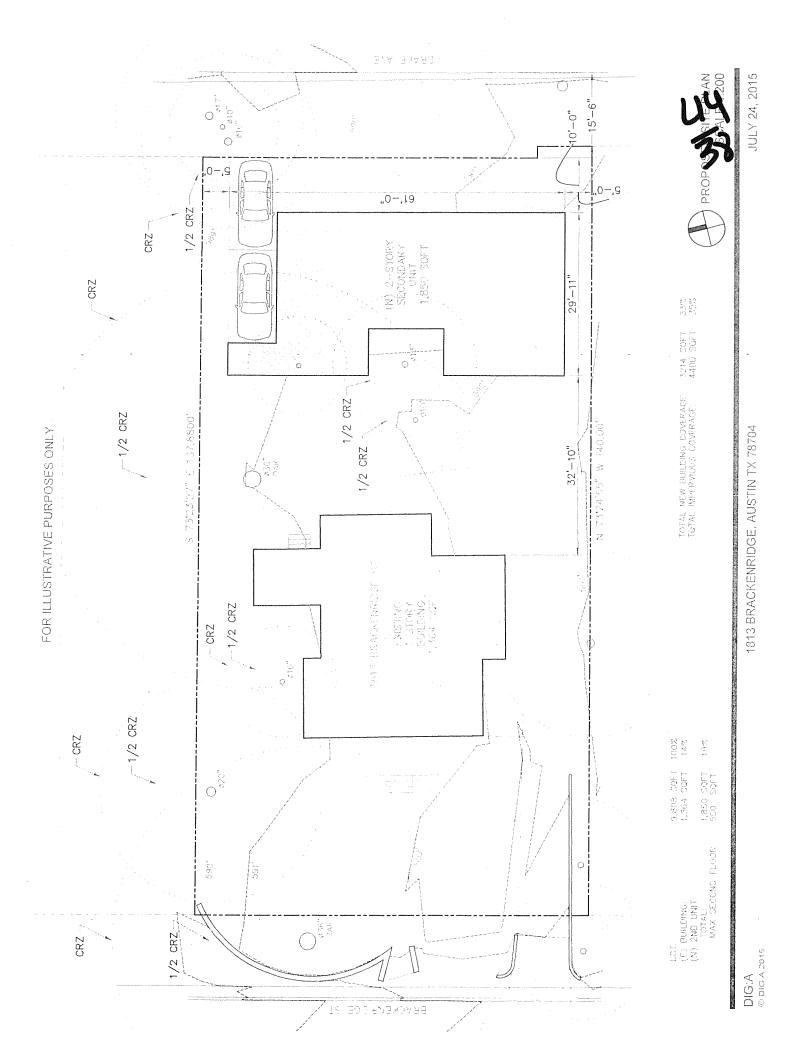
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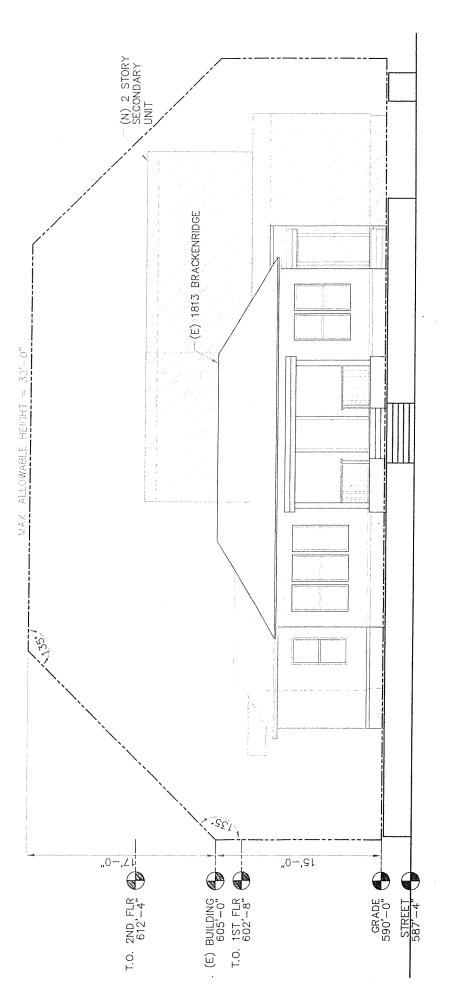




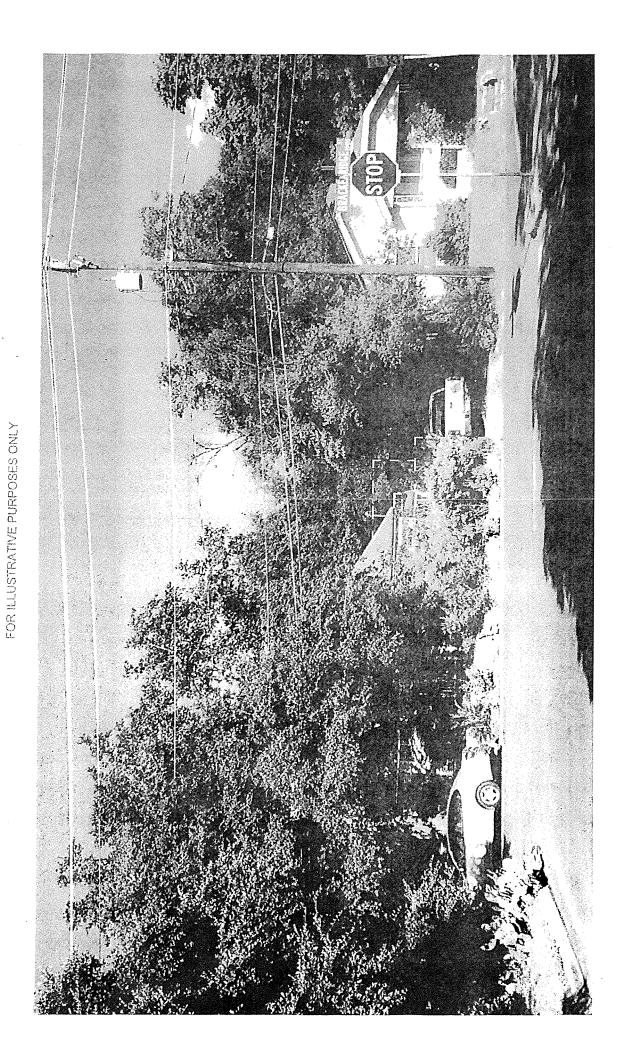
JULY 24, 2015



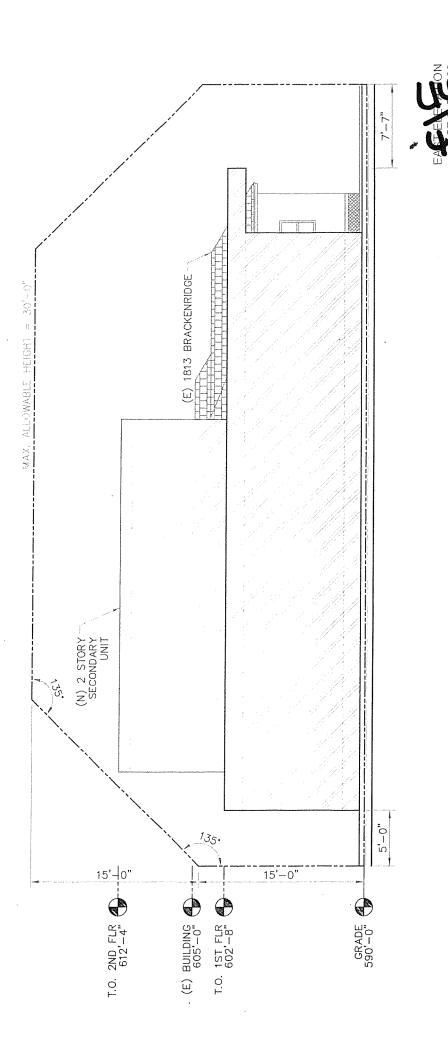


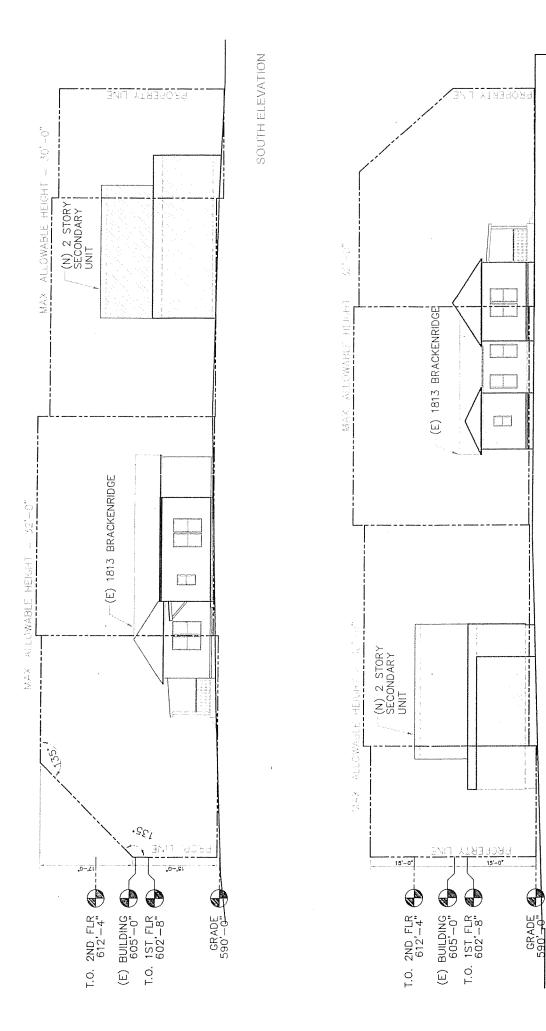




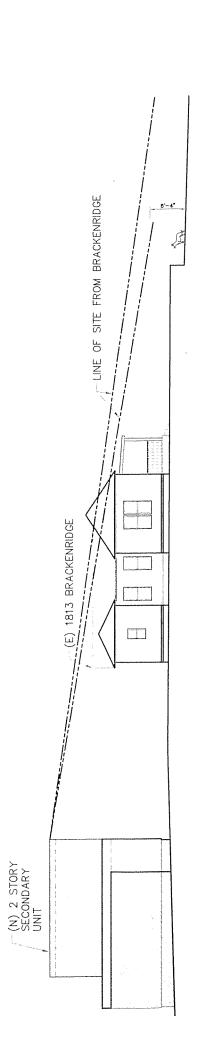






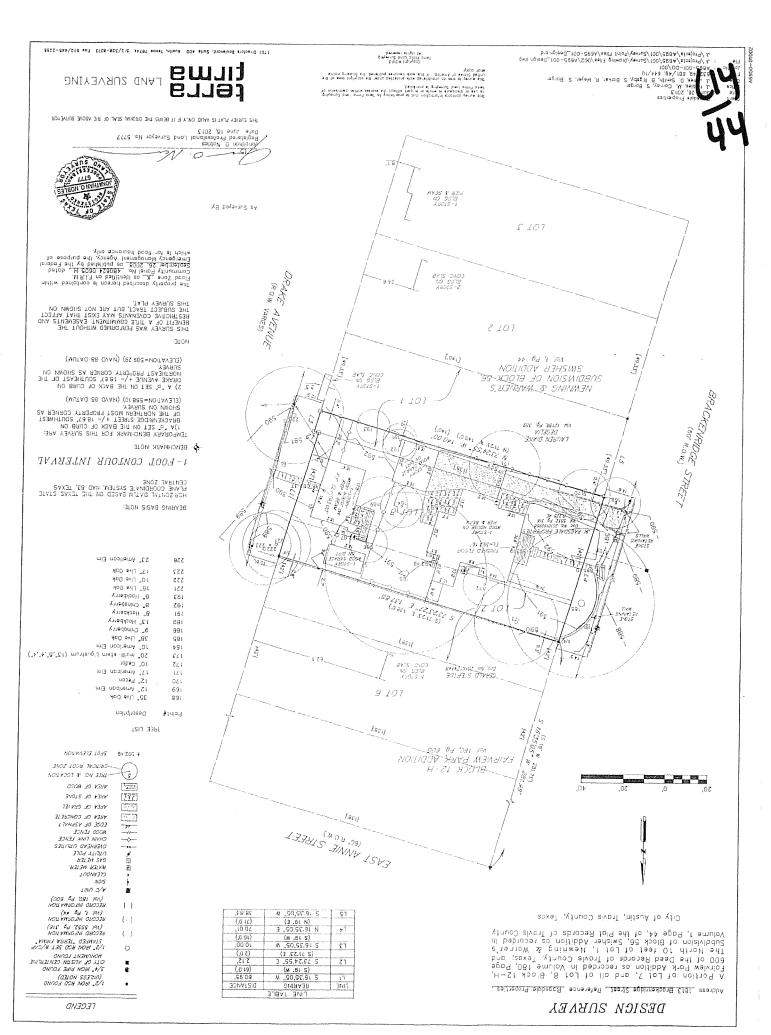


JULY 24, 2015





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City of Austin

Founded by Congress, Republic of Texas, 1839 Historic Preservation Office Planning and Zoning Department One Texas Center, 505 Barton Springs Road P.O. Box 1088, Austin, Texas 78767



July 13, 2015

Board of Adjustment, City of Austin P.O. Box 1088 Austin, Texas 78767

Re:

Variance request for 1813 Brackenridge Street; David West

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Sincerely.

Steve Sadowsky

Historic Preservation Officer

SRCC Neighborhood As bd P.O. 40632 Austin, TX 78704 www.srccatx.org

Historic Landmark Commission City of Austin

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Nancy Byrd treasurer@srccatx.org

June 8, 2015

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