


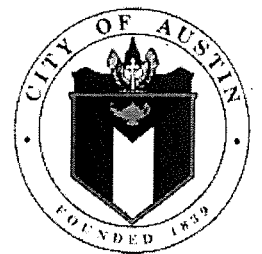




-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

NOTIFICATIONS
 CASE#: C15-2015-0127
 1014 E 8TH 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" = 267'

CASE# C15-2015-0127
ROW# 11394835
TAX# 0206051010

13/2

CITY OF AUSTIN EAD
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: 1014 E 8th St., Austin, TX 78702

LEGAL DESCRIPTION: Subdivision – S 85.67FT OF LOT 7 BLK 4 OLT 2-3 DIV B ROBERTSON GEO L SUE

Lot(s) 7 Block 4 Outlot _____ Division B ROBERTSON GEO L SUBD

I/We George W Rodenbusch on behalf of myself/ourselves as authorized agent for
myself affirm that on June 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 COMPLETE X REMODEL X MAINTAIN

Request to reduce parking requirement from 4 spaces as required by Section 25-6-472 of Article 7
to 0 spaces.

in a mf-3 (Central East Austin) 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):

12/3

REASONABLE USE:

1. The zoning regulations applicable to the property do not allow for a reasonable use because:

Triplex cannot be maintained unless necessary variance is obtained. With no consideration for change, the building might have to be removed which would change the character, fabric and historic culture of the neighborhood. It is reasonable to expect to be able to maintain and remodel a triplex on an MF-3 zoned lot of adequate size especially since it will be allowed if and when the large oak tree dies.

HARDSHIP:

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

There is a large heritage tree growing in the area that was previously used for parking on the dirt.

The house is over 100 years old and was not designed to accommodate new parking requirements.

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

Few lots have trees of this size or homes of this age. Those that do should be maintained.

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:

This house has been maintained and restored by owner to keep its original character. Allowing this

variance would ensure that this structure would not be replaced by one that did not fit with the area.

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:

The existing tenants bike most places. They both live and work close. This is why they prefer

this location.

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:

There is a surplus of reserved neighborhood street parking available surrounding the house.

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

There is nothing hazardous about the existing street parking and tenants will not be forced to park in front of other residences because of the 6 reserved spots in front of the property.

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

A condition of the variance should be that it is tied to multifamily 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 400 Ridgewood Rd

City, State & Zip Austin, TX 78746

Printed George W Rodenbusch Phone 512-468-6541 Date 6-23-2015

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

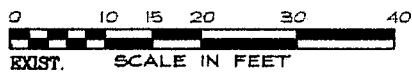
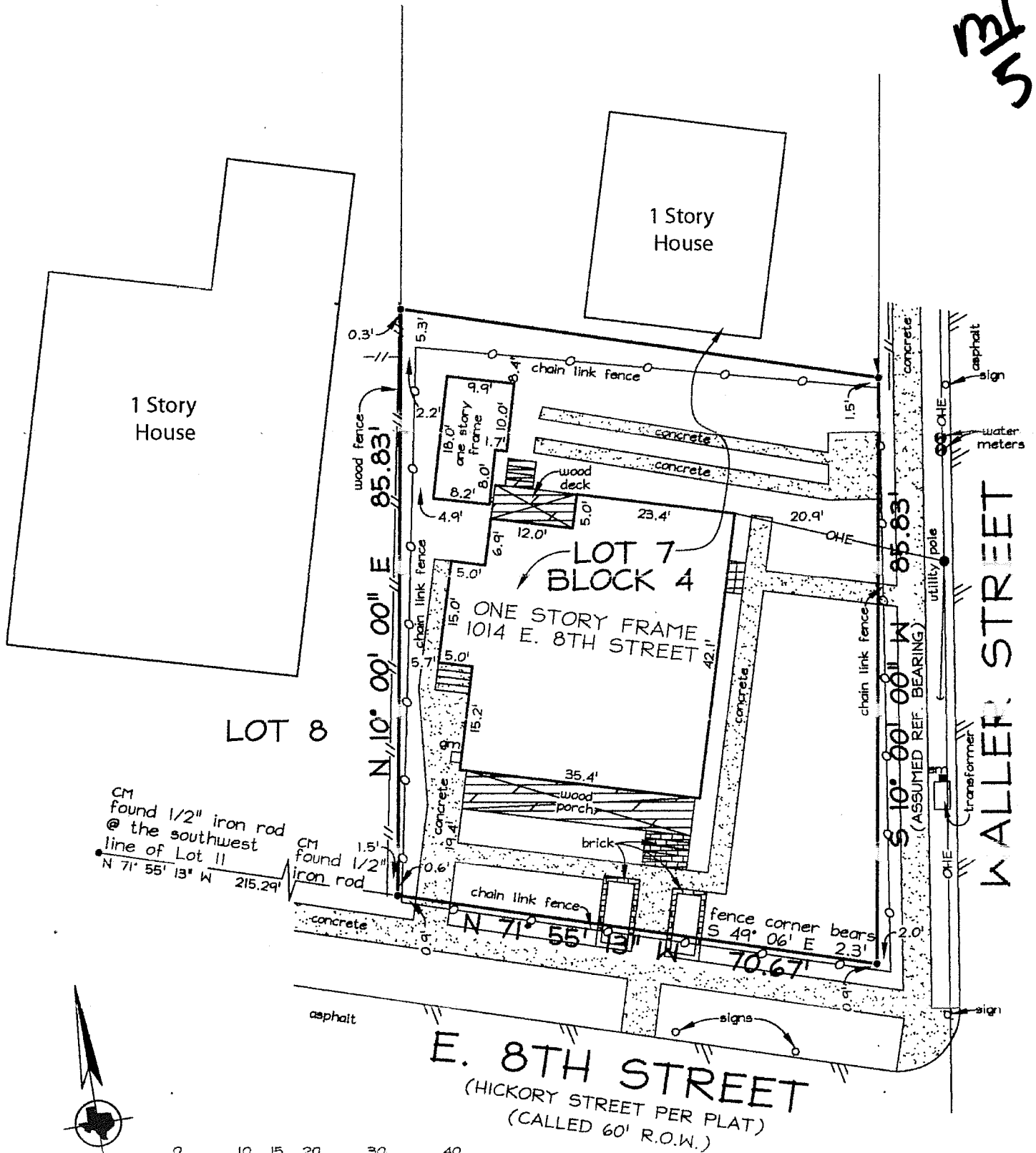
Signed  Mail Address 400 Ridgewood Rd

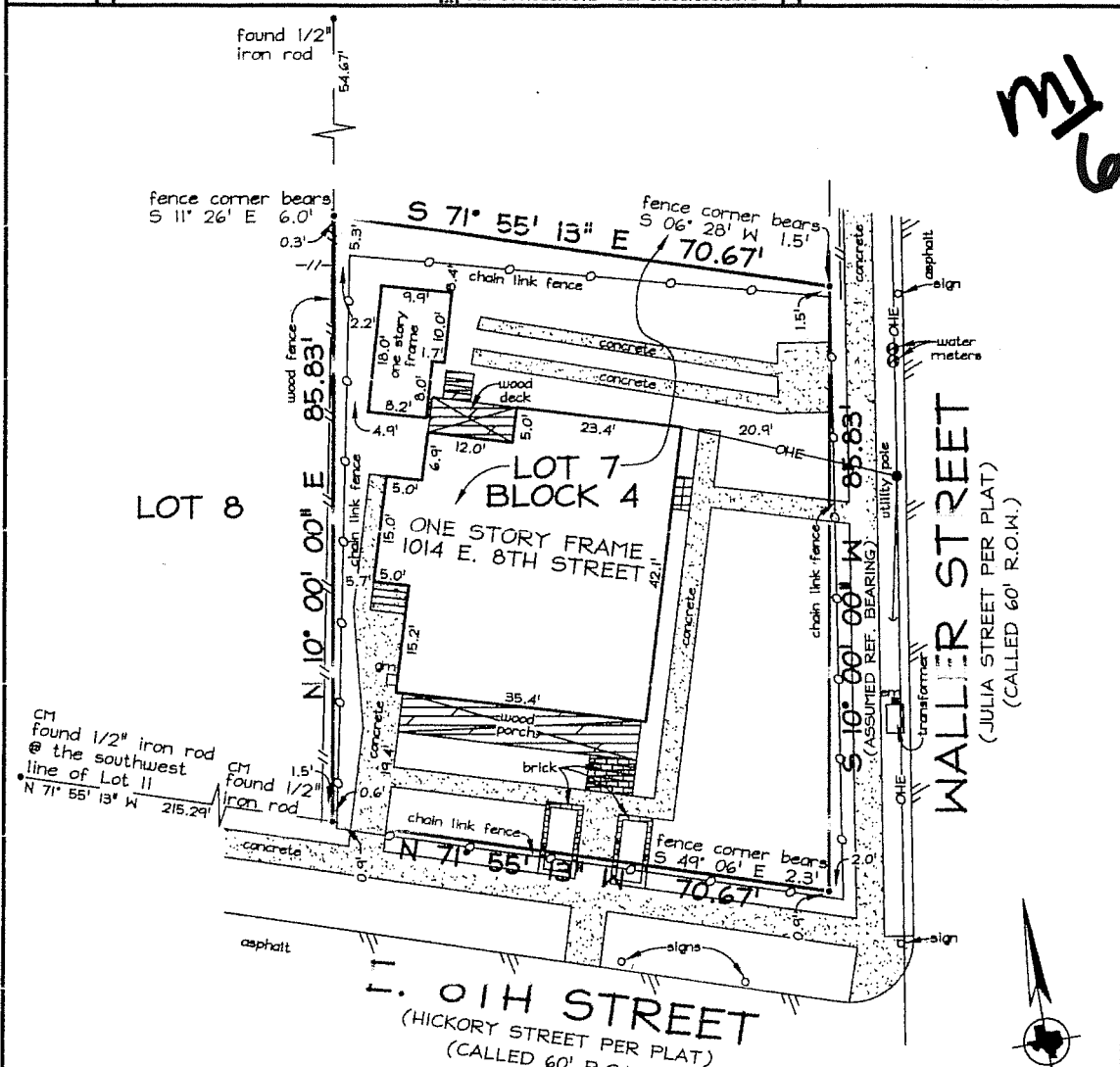
City, State & Zip Austin, TX 78746

Printed George W Rodenbusch Phone 512-468-6541 Date 6-23-2015

m/5

513






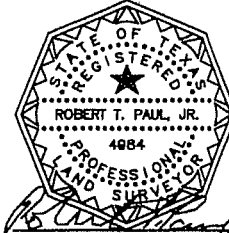
NOTES:
CM = CONTROLLING MONUMENT.
THIS PROPERTY IS SUBJECT TO ANY AND ALL PARENT PLATS, EASEMENTS, RESTRICTIONS AND COVENANTS IN SCHEDULE B OF THE TITLE COMMITMENT LISTED HEREON AND IN EFFECT PRIOR TO SAID PLATS, IF NOT EXTINGUISHED BY SAID PLATS OR OTHER INSTRUMENT, AND CITY/COUNTY ORDINANCES IN EFFECT AT THE TIME OF CONSTRUCTION.
THIS IS A SURVEY OF THE PROPERTY AS DESCRIBED IN SCHEDULE A OF THE TITLE COMMITMENT LISTED HEREON AND WAS PREPARED PURSUANT TO THE INFORMATION CONTAINED THEREIN. OTHER INTERESTS MAY EXIST.

0 10 15 20 30 40
SCALE IN FEET

THIS IS TO DECLARE that on this date a survey was made on the ground, under my direction and supervision of the property located at 1014 E. 8TH STREET, and Being all of Lot 7, Block 4, of the GEORGE L. ROBERTSON SUBDIVISION OF OUTLOTS 2 AND 3, DIVISION "B", CITY OF AUSTIN, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 1, Page 4A, of the Plat Records, of Travis County, Texas; SAVE AND EXCEPT the North 54 feet, 8 inches of Lot 7, Block 4, aforesaid subdivision, conveyed in deed recorded in Volume 752, Page 572, of the Deed Records of Travis County, Texas.

The subject property does not appear to lie within the limits of a 100-year flood hazard zone according to the map published by the Federal Emergency Management Agency, and has a Zone "X" Rating as shown by Map No. 48463C0485 H, dated SEPTEMBER 26, 2008. The statement that the property does or does not lie within a 100-year flood zone is not to be taken as a representation that the property will or will not flood. This survey is not to be used for construction purposes and is for the exclusive use of the hereon named purchaser, mortgage company, and title company only and this survey is made pursuant to that one certain title commitment under the GF number shown hereon, provided by the title company named hereon and that on this date the easements, rights-of-way or other locatable matters of record of which the undersigned has knowledge or has been advised are as shown or noted hereon.

DATE: _____
ACCEPTED BY: _____


DATE: 02/20/13
FIELD DATE: 02/19/13
REVISED: 03/25/13
TECH: MSP FIELD: JG
JOB NO: 613-0304

GF NO. 1301228
MAPSCO NO: 585-X
GRACY TITLE

C15-2015-0127

m/7

Case Number: C15-2015-0127

Applicant: George W. Rodenbusch, (512) 468-6541

Address: 1014 E 8TH ST

To Whom It May Concern,

I am making a request for a parking variance but there is a longer backstory to why this is necessary. When I purchased this property two years ago, I thought it was a triplex. It was zoned MF-3 and had three separate units. At the time, I was unaware that there was another aspect of zoning: use. The house was built in 1910 and was probably a single family house at some point but had since been updated to be multi-family during the course of its life. When I purchased the house it was in disrepair and needed many updates to salvage it from tear down. I did foundation work, patched the drywall, replaced all the floors and kitchens, and painted the house to vastly improve the appearance and restore it to the beautiful house it was built to be.

After all my updates, I removed the three mailboxes that were previously affixed to the house and put out three streetside mailboxes. Immediately after doing so, someone called code enforcement and stated that I had a triplex when I should not. As it turned out, they were right because the "use" was wrong despite having the correct zoning. I have spent the last year trying to figure out how to grandfather this use but cannot find any evidence regarding the configuration of the house. It does not even show up in phone books. I have an email from the former owner stating that the third unit was added by Abraham Abraham who owned it before 1982 but I have no record of that adaptation of the house. I have also not been able to locate the prior deeds at the clerk's office. TCAD does show the "half floor" square footage but does not note that it is a separate unit.

After many trips to DAC, the final result was that to keep the unit I needed to file for a commercial permit to change the use. So, I attempted to do so by starting with a site plan exemption. However, the site plan exemption was denied due to a lack of parking. When I purchased the house, there were two main parking areas but neither had a curb cut. There was a parking area in front of the house next to the tree that was serviced by an asphalt drive that someone had poured to create access and then there was a parking spot in the back that did not even have an asphalt curb. The asphalt curb in front has since been removed by the city. I did discover a curb cut on the east side of the house that was not on the survey but it leads to a very small parking spot that is barely usable.

The main issue with installing parking is the very large oak in the front of the property. The critical root zone of this oak covers almost all of the Waller side of the house where people previously parked and where there is enough room to add 3 or 4 commercial parking spots. The rear of the lot does not have enough space for a maneuvering lane to allow drivers to pull out head first as required in commercial/multifamily parking. I have included the first of many plans created in an attempt to install parking. This plan was ultimately rejected because of the large

tree in the front yard. After many iterations it was clear that we could not create even a single conforming commercial parking spot without endangering the tree.

M/8

Also, there is little or no practical need to install parking. As it is a corner lot, the house has 5 neighborhood reserved spots surrounding it. Those spots should easily serve the three units. A curb cut for new on-site parking would eliminate street parking and potentially create net zero (or negative) parking spots.

At the end of the day, my preference would be to grandfather this use but I have been told that is not an option without proof of the existence of the unit prior to the 80s. In an attempt to help code enforcement close their case while I work this out, I have terminated my lease the tenant in unit C and disassembled the kitchen. This is a shame because this was nice, urban housing for the young man living there and it was the difference for me between profit and loss. If I cannot restore this unit to rental, I will have to find a way to exit this property. Given the lot value, the next owner may tear it down to take advantage of the "best use" of the MF-3 zoning with townhouses. I purchased this house because I loved its appearance and character. I intended to live in the A unit but that did not work out because my family out grew it before the work was finished. I have put a lot of my personal labor in addition to my money into the house. I am proud of the current state of the house and would hate to let it go.

This variance represents the first of many steps to get through the commercial permitting process for this property. I intend to update the units as necessary to meet commercial requirements. I do not know what those requirements are yet because I have not made it through the site plan stage yet. Thanks for your time and your consideration.

Will Rodenbusch



Will Rodenbusch <[redacted]>

ml
9

8th St Attic

Angelica Saldana <[redacted]>
To: Will Rodenbusch <[redacted]>

Thu, Sep 3, 2015 at 1:14 PM

That entrance was there when my mother bought it.

Angelica

From: Will Rodenbusch [mailto:[redacted]]
Sent: Thursday, September 03, 2015 1:09 PM
To: Angelica Saldana
Subject: Re: 8th St Attic

Do you know if there is an Extertal entrance at that time?

Will

On Sep 3, 2015, at 12:29 PM, Angelica Saldana <[redacted]> wrote:

Hello Will,

Those stairs were already there when my mother bought the house around 80's.

I believe the house was 2 a story home at one time but the previous owner, Abraham Abraham divided the home as it is now.
A title search might have original pictures of the property.

I hope this helps.

Angelica

From: Will Rodenbusch [mailto:[redacted]]
Sent: Thursday, September 03, 2015 12:17 PM
To: Angelica Saldana

Subject: 8th St Attic

ml
10

Hi Angelica,

Hope you are doing well. Do you happen to know approximately what year the upstairs unit was built or lived in? I know the utilities were never separated but the city is looking for a rough date for when the stairs went in. They are not looking to blame or fine anyone. They are just trying to eliminate the option of grandfathering that unit and I do not have any date to give them. Could you guess a year when that happened? That way I can move onto other remedies like a building permit.

Will

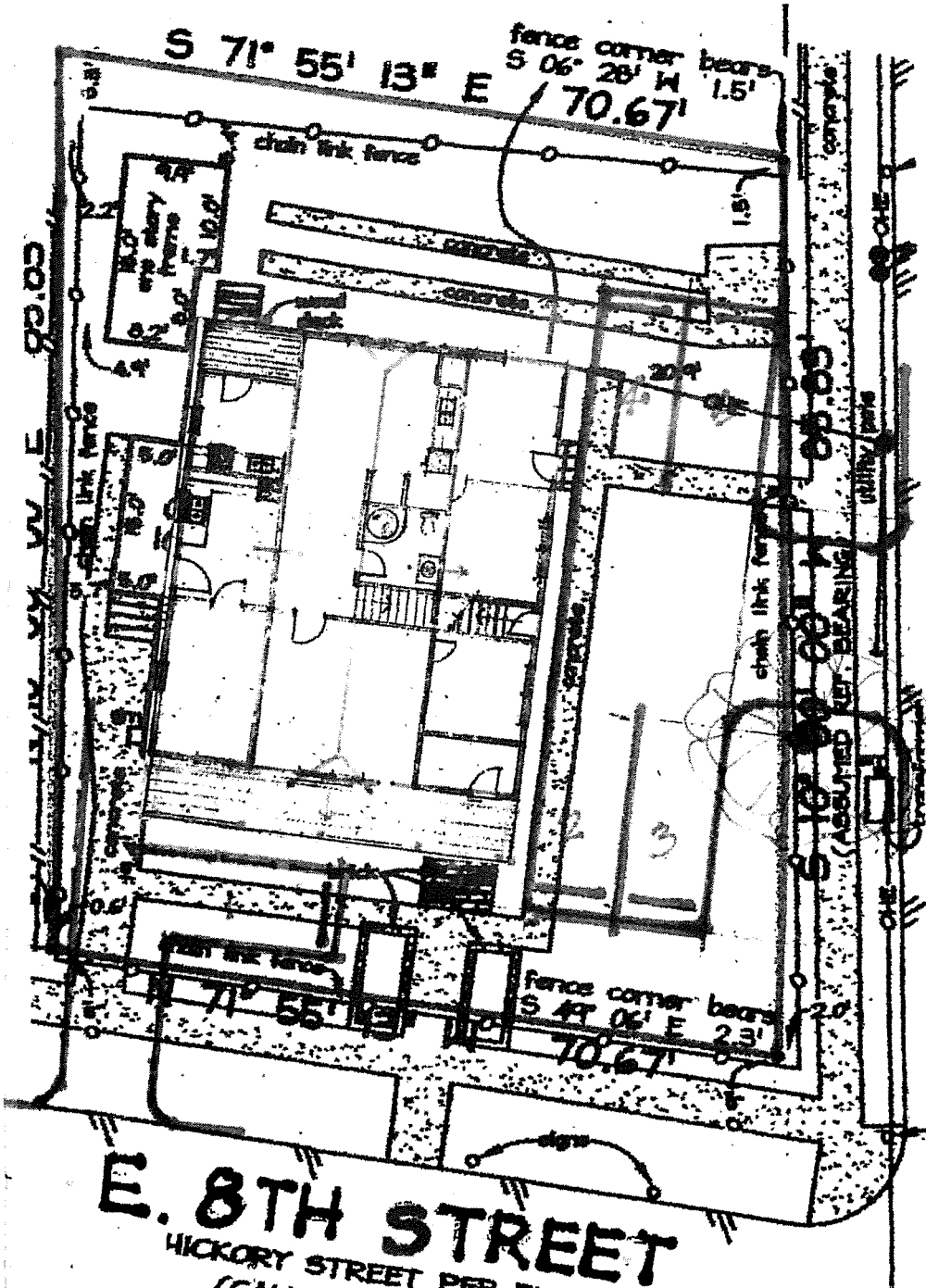
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3/11



E. 8TH STREET
 HICKORY STREET PER PLAT
 (CALLED 60' R.O.W.)



ADAM L. CASTANEDA
 Professional Building Designer

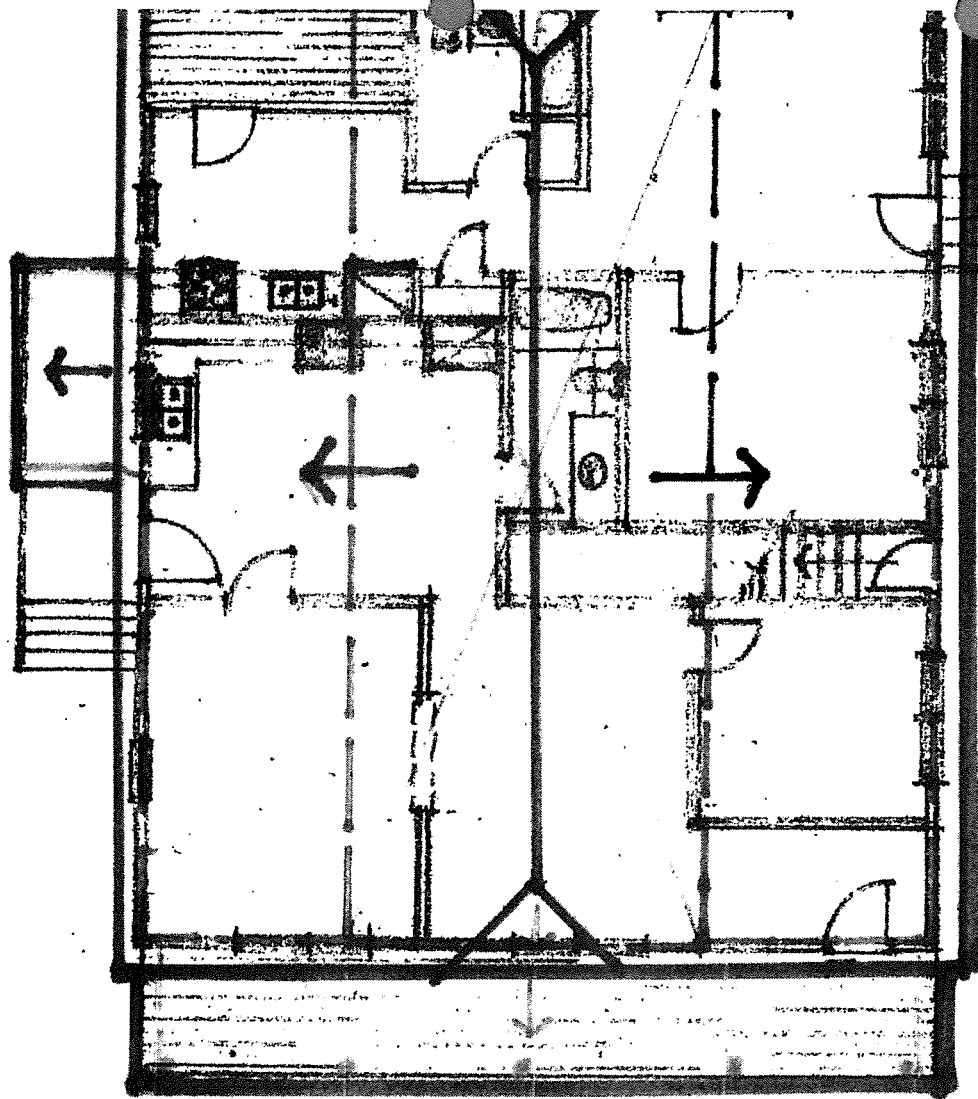
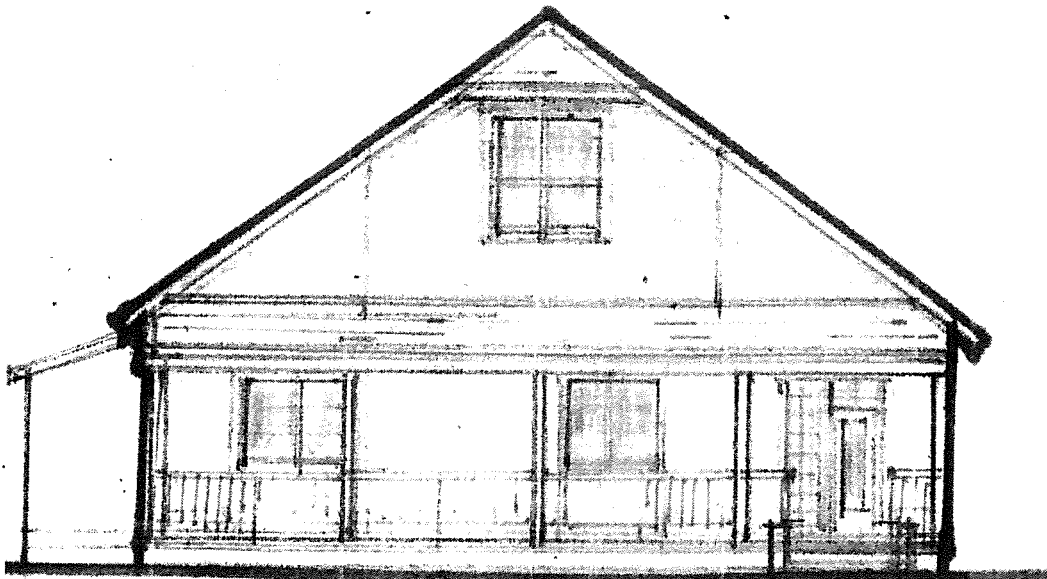
Mobile (512) 228-3403
 Fax (512) 228-2400
 email: adam@adamcastaneda.com

Planning
 Design
 Construction
 Commercial & Residential

**CONSTRUCTION IMPROVEMENTS
 PARKING REQUIREMENTS**
 1014 E. 8TH STREET
 AUSTIN, TEXAS 78702

PLAN:

SCALE:



**CONSTRUCTION IMPROVEMENTS
PARKING REQUIREMENTS**
1014 E. 8TH STREET
AUSTIN, TEXAS 78702

PLAN:

SCALE:

2

2

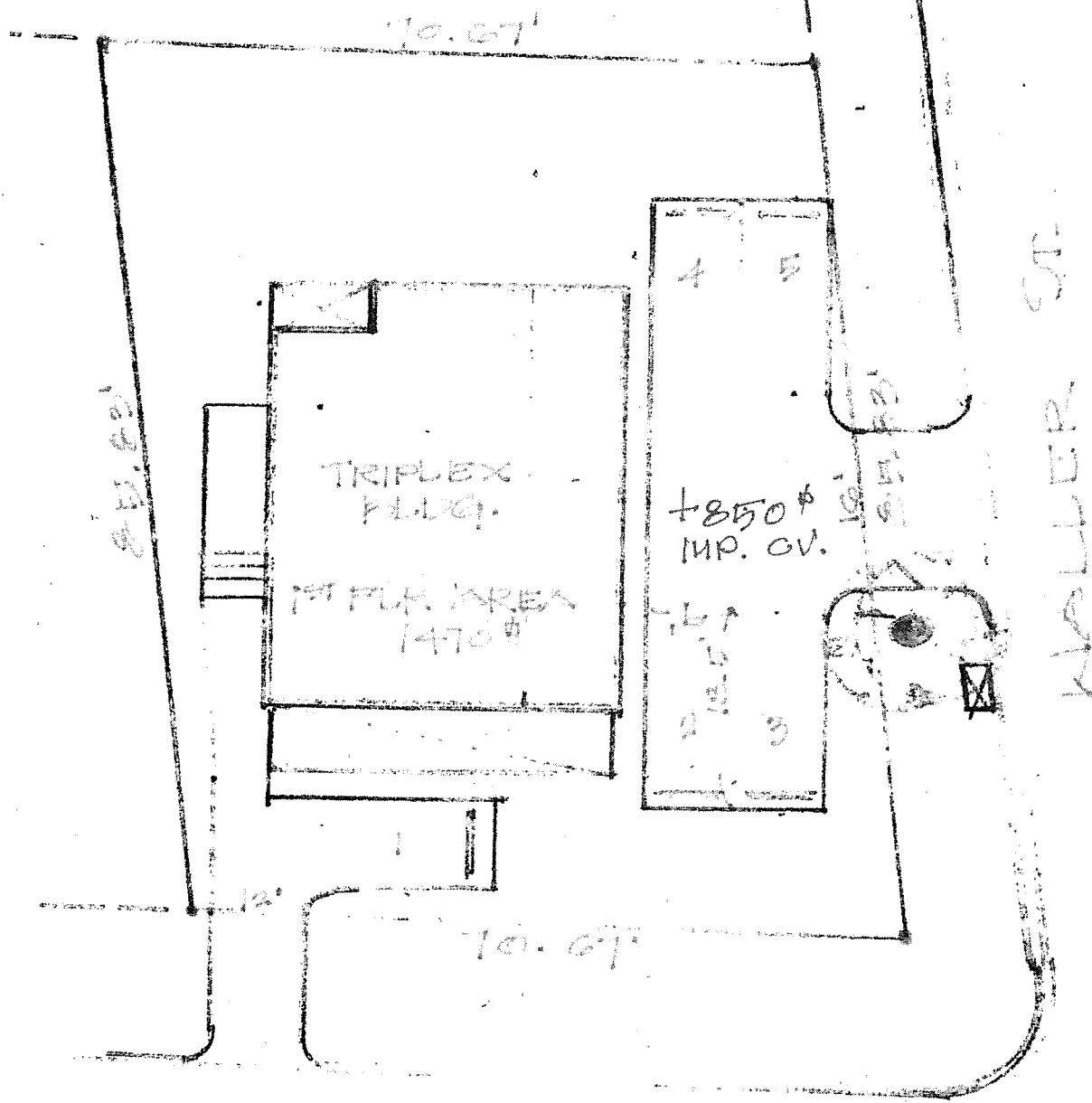
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Fax (512) 888 - 2400
email: adam@adamcastaneda.com

2/2

13/3



E. 8TH STREET

PLOT PLAN 1/16" SC.
± 42% IMP COVER.

