


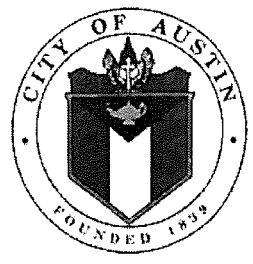


-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

NOTIFICATIONS
CASE#: C15-2015-0130
806 PATTERSON AVENUE



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" = 267'

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

L9
2

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

DATE: Monday, September 14, 2015

CASE NUMBER: C15-2015-0130

____ Brooke Bailey
____ Michael Benaglio
____ William Burkhardt
____ n/a Eric Goff
____ Vincent Harding (Chair)
____ Melissa Hawthorne (Vice-Chair)
____ Don Leighton-Burwell
____ out Melissa Neslund
____ James Valadez
____ Michael Von Ohlen

OWNER/APPLICANT: Jennifer Parker

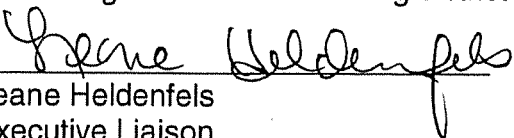
ADDRESS: 806 PATTERSON AVE

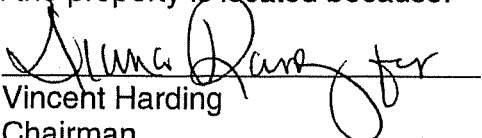
VARIANCE REQUESTED: The applicant has requested a variance(s) from Subchapter F: Residential Design and Compatibility Standards, Article 3, Section 3.3.3 (Gross Floor Area – Porch, basement and attic exemptions) (B) (2) to increase the level the first story is above the average elevation at the intersections of the minimum front yard setback line and the side property lines from 3 feet above that intersection point (required/permitted) to 13.75 feet above that intersection point (requested), an increase of 10.75 feet in order to be able to exclude the basement area from the calculation of gross floor area for a new single family home in an "SF-3-NP", Family Residence – Neighborhood Plan zoning district. (Old West Austin)

BOARD'S DECISION: POSTPONED TO October 12, 2015 AT THE NEIGHBORHOOD ASSOCIATION REQUEST

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


Vincent Harding
Chairman

Heldenfels, Leane

From: Steve Wilson ~~steve.wilson@grm.com~~
Sent: Monday, September 14, 2015 10:26 AM
To: Heldenfels, Leane
Subject: Case C15-2015-0130 Postponement Request

49
3

806 Patterson

Hi Leane,

I would like to request a postponement for this BOA hearing scheduled this evening.

I am requesting the postponement due to the short amount of time we had to respond to the variance request.

The notification for public hearing was sent on 9/3. I received it on 9/4 but due to the following labor day holiday we only had about 5 business days to gather development plan information, communicate with the city, and gather neighborhood input before the hearing.

Please let me know if you have any questions.

Thanks,
Steve Wilson
807 Theresa Ave
Austin, TX 78703
(512) 751-7623

Heldenfels, Leane

From: Jean Stevens ~~jean.stevens@owana.org~~
Sent: Monday, September 14, 2015 8:05 AM
To: Heldenfels, Leane
Subject: BOA Postponment Request 806 Paterson.docx
Attachments: BOA Postponment Request 806 Paterson.docx

5/4

Good morning Leane,

I am sending this request for postponement for OWANA as Rosemary Merriam is out of town until later tonight. Please contact me at (512) 236-1626, or ~~jean.stevens@owana.org~~, if you have any questions.

Thank you,

Jean Stevens

Sent from my iPad

19/5

OLD WEST AUSTIN NEIGHBORHOOD ASSOCIATION

Post Office Box 2724
Austin, TX 78768-2724

To: Members of the Board of Adjustment

Date: September 9, 2015

Re: C15-2015-0130 806 Patterson

On behalf of the neighborhood (OWANA) I am requesting a postponement until the next meeting of the BOA. We are requesting this postpone due to time constraints which include the holiday three day weekend and being unable to reach either the city staff person or the owner of 806 Patterson Avenue to discuss the requested variances and see the plans of the new construction.

Sincerely,

Rosemary Merriam
Co-Chair OWANA Zoning Committee
800 West Lynn Street
Austin, TX 78703
(512) 477-2382

CASE# C15-2015-0130
ROW# 11394847
TAX# 01100051018

19
6

CITY OF AUSTIN TCADV
APPLICATION TO BOARD OF ADJUSTMENT
GENERAL VARIANCE/PARKING VARIANCE

WARNING: Filing of this appeal stops all affected construction activity.

PLEASE: APPLICATION MUST BE FILLED WITH ALL REQUIRED
INFORMATION COMPLETED.

STREET ADDRESS: 806 Patterson Avenue, Austin, Texas 78703

LEGAL DESCRIPTION: Subdivision – LOT 7 BLK 5 WASHINGTON HEIGHTS

Lot(s) _____ Block _____ Outlot _____ Division _____

I/We Matt Fajkus Architecture, LLC on behalf of myself/ourselves as authorized agent for

Jennifer Parker and Terry Snider affirm that on June 24, 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

Requesting a variance from Chapter 25-2, Subchapter F, Article 3.3.3 B-2. Seeking approval for non-compliance such that habitable area in a basement greater than 50% below grade be exempted from gross square footage calculations on the basis of extreme topography site hardship.

in a SF-3-NP district.
(zoning district)

(old west Austin)

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):

5/7/1

REASONABLE USE:

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

The steeply sloping topography from the front of the lot (East, Patterson Ave) up to the rear alley prevents the project from meeting Subchapter F Article 3.3.3 B-2 requirement which is necessary to achieve a basement exemption.

HARDSHIP:

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

The lot at 806 Patterson has an elevation change of 30 vertical feet from front to back. The constant slope of the site means that there is a greater than 10' difference in natural grade from front to back of the house no matter where it is placed on the lot. There is no reasonable siting where the finish floor elevation of Level 1 can meet the requirement stated in Subchapter F Article 3.3.3 B-2.

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

The west side of Patterson Avenue slopes steeply to the alley, while the east side slopes down away from the road. Thus, lots on the west side of Patterson cannot meet Subchapter F Article 3.3.3 B-2, while all lots directly across the street on the east can, where finish floors of Level 1 are lower than the average elevation at the intersections of the minimum front yard setback line and the side property lines.

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 new construction adheres to the OWANA residential guidelines by promoting architectural diversity while maintaining the prevailing character of the neighborhood. Its massing is proportional to the house that previously occupied the site as well as neighbors. The siting of the proposed house honors the location of the previous structure, well behind the 25' front yard setback line, matching the location of neighboring houses. The front porch and gable rooflines are contemporary interpretations of the characteristic bungalows of the neighborhood. Glass doors for a walkout basement to the front give a more inviting street presence than an austere foundation retaining wall, which is required regardless. There is the same effective mass beneath the finish floor level, but the space is utilized and activated rather than simply covering the foundation cavity.

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:

N/A

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:

N/A

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

N/A

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

N/A

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 Jennifer Parker Mail Address 1722 W. 11th Street

City, State & Zip Austin, Texas 78703

Printed Jennifer Parker Phone 512.809.0762 Date June 24, 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 Jennifer Parker Mail Address 1722 W. 11th Street

City, State & Zip Austin, Texas 78703

Printed Jennifer Parker Phone 512.809.0762 Date June 24, 2015

19
8

CONTEXT M
Clarksville

Scale: NTS

AREA TOPOGRAPHY

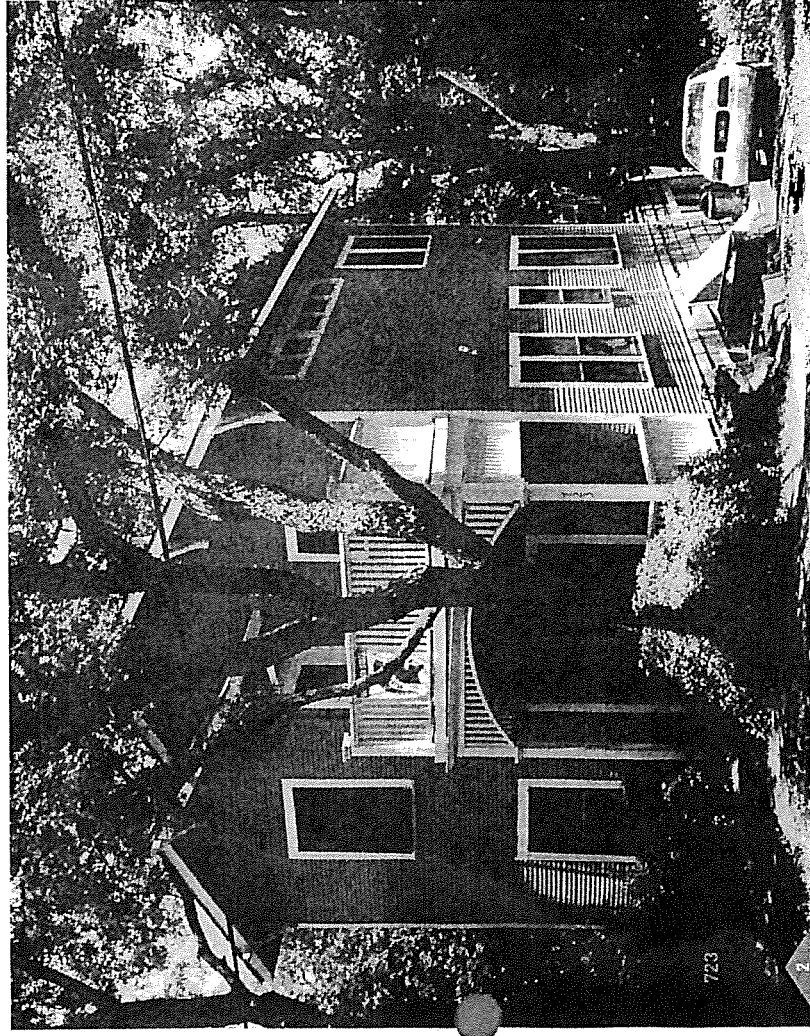
Basement exemptions are possible with respect to Subchapter F Article 3.3.3 B-2 on the east side of Patterson Avenue where front yard setback lines occur on the uphill side of the lot. Lots on the west side of Patterson Avenue have front yard setback lines on the downhill side, and finish floor elevations are dramatically higher for access to alley parking.

69/9



SITE HARDE
View North,

Scale: NTS



VARIABILITY IN AREA

10/19

SITE HARDS
View of East

Scale: NTS



51

VARIABILITY IN AREA

Elevation of proposed house at 806 and example of neighboring house on west side of Patterson with elevated primary floor and deep setback on lot.

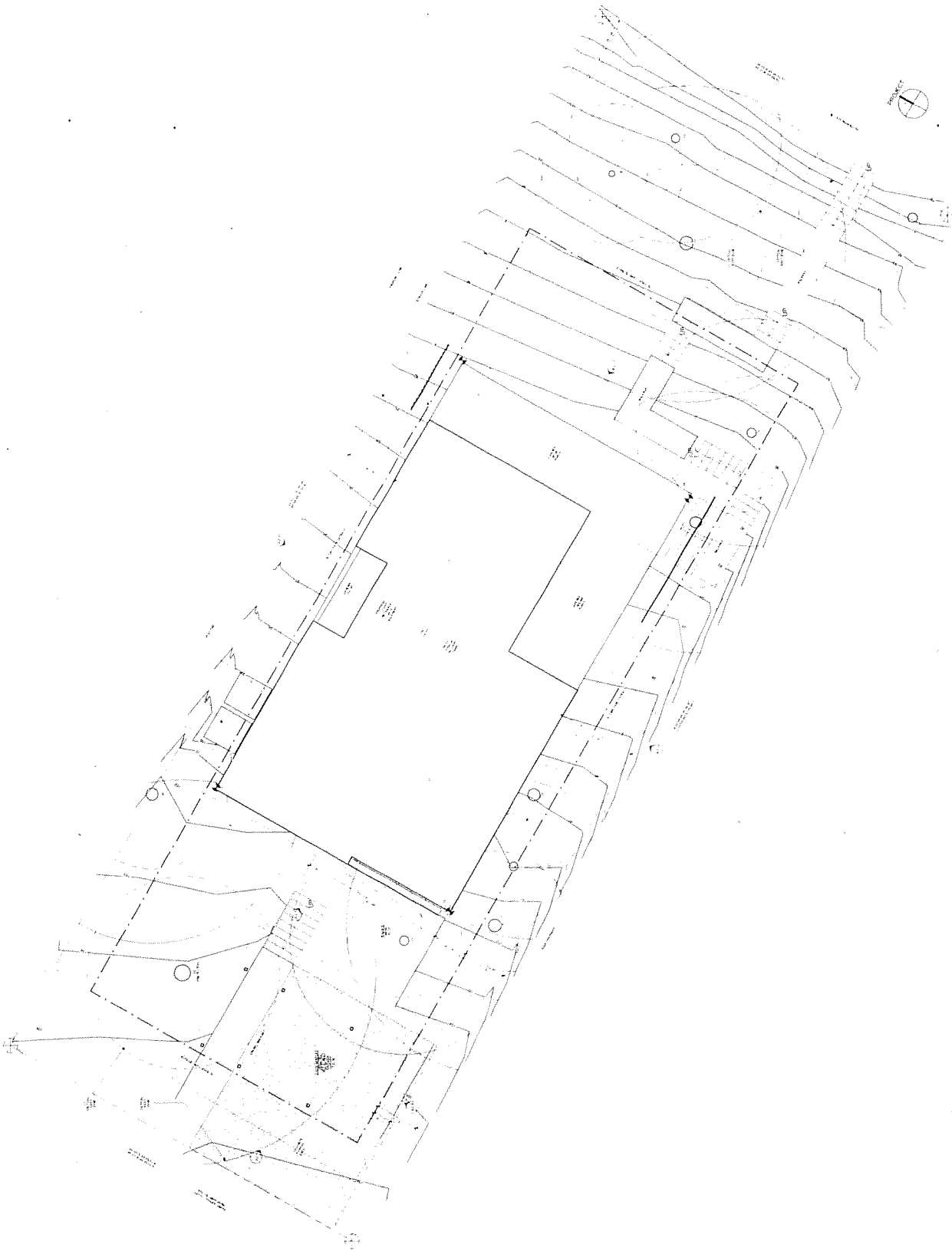
Scale: 1" = 1'

49
12

SITE PLAN
Proposed C

Scale: 3/32"

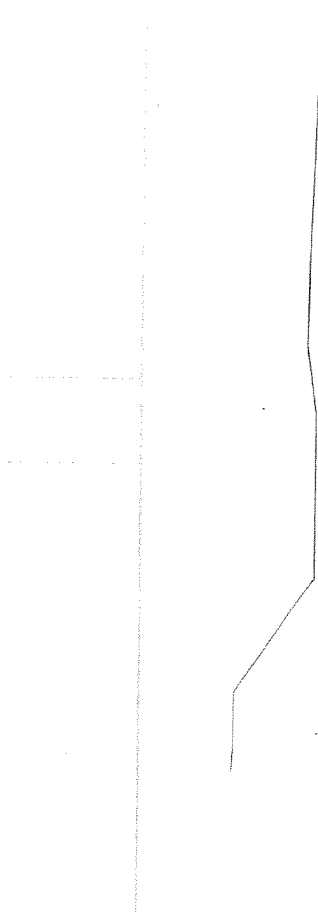
69
13



EAST ELEV
Patterson S

Scale: NTS

59
14



SOUTH ELE
Slope Up To

Scale: NTS

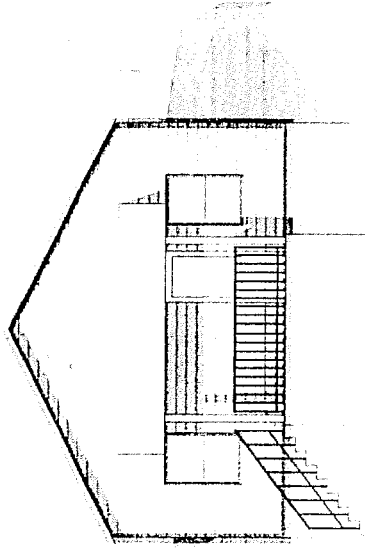
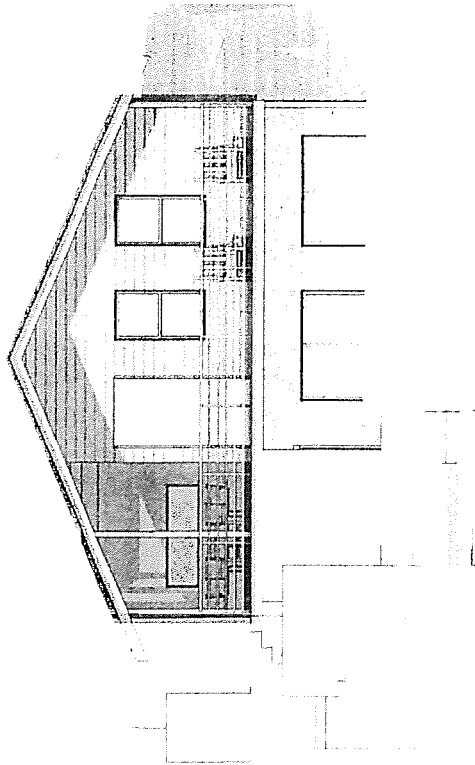
L9
15



NEIGHBORH
Comparativ

Scale: NTS

PROPORTIONAL GAP + PROPOSED
CASE LOCATION AND RELATIONSHIP

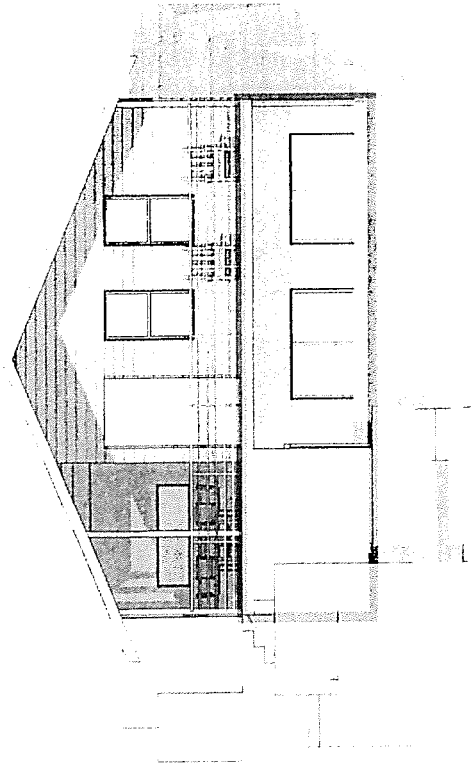
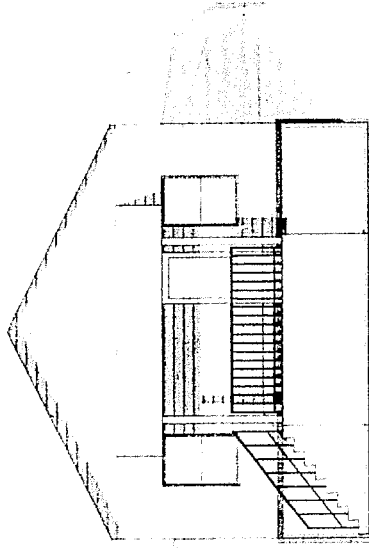


29
16

NEIGHBORH
Comparativ

Scale: NTS

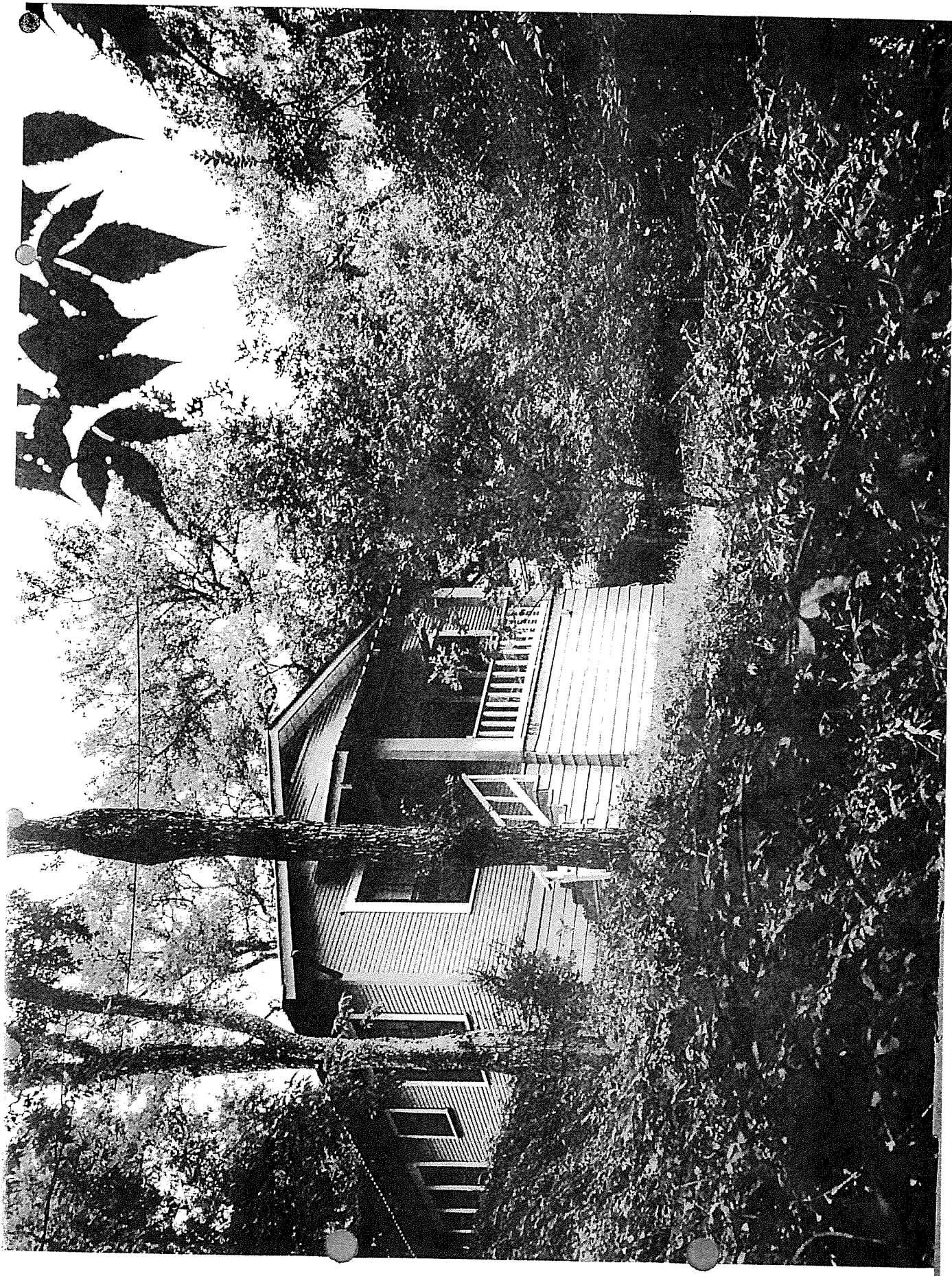
PROPOSED ADDED TO EXISTING BUILDING
GRADE, EXISTING BUILDING TO BE REMOVED
ONLY EXISTING TO BE REMOVED



15/59

ENTRY PER:
Existing Hot

Scale: NTS



5/18

ENTRY PER:
Proposed H-

Scale: NTS

5/5/1



L9
20

July 22, 2015

Houston
804 Patterson Ave.
Austin, TX 78703

To Whom it May Concern:

RE: Letter of Support for Variance Request by Jennifer Parker and Terry Snider to exempt planned basement floor area for their new residence at 806 Patterson Avenue, Austin, Texas 78703.

Jennifer and Terry have submitted an application for the exemption of the habitable basement area from the gross floor area of their new family residence. As a Clarksville resident and their next-door neighbor immediately to the South at 804 Patterson Avenue, I find the proposed design does not negatively impact the streetscape, the foundational massing is much the same as neighboring houses on the steep West slope, and it makes good use of otherwise wasted space.

I hereby assert my support for the proposed residence on their property and their request for variance.

Signed,

Norman Houston

Katie Houston

Katie Houston 7/22/15

Norman Houston 7/22/15

2/19

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: C15-2015-0130, 806 Patterson Avenue

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

Public Hearing: Board of Adjustment, September 14th, 2015

RODNEY M. SMITH & KATRINA D. SMITH

Your Name (please print)

☒ I am in favor
☐ I object

802 TERESA AVE

Your address(es) affected by this application

Rodney M. Smith Katrina D. Smith 9/7/15

Signature

Date

Daytime Telephone: 512-773-6410

Comments: _____

If you use this form to comment, it may be returned up until noon the day of the hearing to (comments received after noon may not be seen by the Board at this hearing) :

City of Austin-Development Services Department/ 1st Floor

Leane Heldenfels

P. O. Box 1088

Austin, TX 78767-1088

Fax: (512) 974-6305

Scan & Email to: leane.heldenfels@austintexas.gov



Terry Snider &
I, Jennifer Parker

City Code Subchapter F
Article 3 of the Land
Development Code. The variance would allow me the ability to






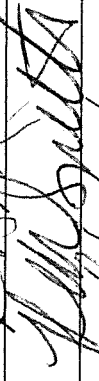







Save trees and the front face setback by
building downward into the sloped lot rather than spread vertically horizontally.

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

Property Owner Name (Printed)	Address	Signature
Susan Kravner	810 Patterson Ave	Susan T Kravner
BJ FRIEDMAN	811 PATTERSON AVE	BJ Friedman
BJ FRIEDMAN	813 Patterson Ave	BJ Friedman
Kate Houston	804 Patterson Ave	Kate Houston
Nathan Combar	905 Patterson Ave	Nathan Combar
Nathan Combar	1306 W 8TH	Nathan Combar
SANDY CARTWRIGHT	907 Theresa Ave	Sandy Cartwright

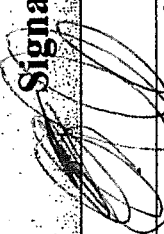

22/59

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

Property Owner Name (Printed)	Address	Signature
Susan Beckholt	1716 W 10 th	
Gary Kelly	1811 W 8 th St	
 Ross Anthony	1613 W. 8 th St.	
Rebecca May	907 Theresa	
RODNEY SMITH	802 Theresa	
Martha Davies	814 Patterson	
"	900 Patterson	"
DUSTIN GRAF	901 PATTERSON AVE	
Jake O'Brien	723 Patterson Ave	
Dorey Rigby	722 Patterson Ave	
Deborah G. d.	719 Patterson Ave	
Randy Harding	719 PATTERSON AVE	
James Jake Sullivan	813 Theresa Ave	

19/23

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

Property Owner Name (Printed)	Address	Signature
Pradeep Kumar	811 Theresa Ave.	
Ron Palito	1815 W. 8th St	

29
24

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/devservices.

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: C15-2015-0130, 806 Patterson Avenue

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

Public Hearing: Board of Adjustment, September 14th, 2015

Kelly Martin
Your Name (please print)

☒ I am in favor
☐ I object

733 Patterson Ave
Your address(es) affected by this application

[Signature]
Signature

Date

Daytime Telephone: *512-426-2196*

Comments: *I am in favor of the variance for 806 Patterson Ave.*

If you use this form to comment, it may be returned up until noon the day of the hearing to (comments received after noon may not be seen by the Board at this hearing) :

City of Austin-Development Services Department/ 1st Floor

Leane Heldenfels

P. O. Box 1088

Austin, TX 78767-1088

Fax: (512) 974-6305

Scan & Email to: leana.heldenfels@austintexas.gov

25/59

