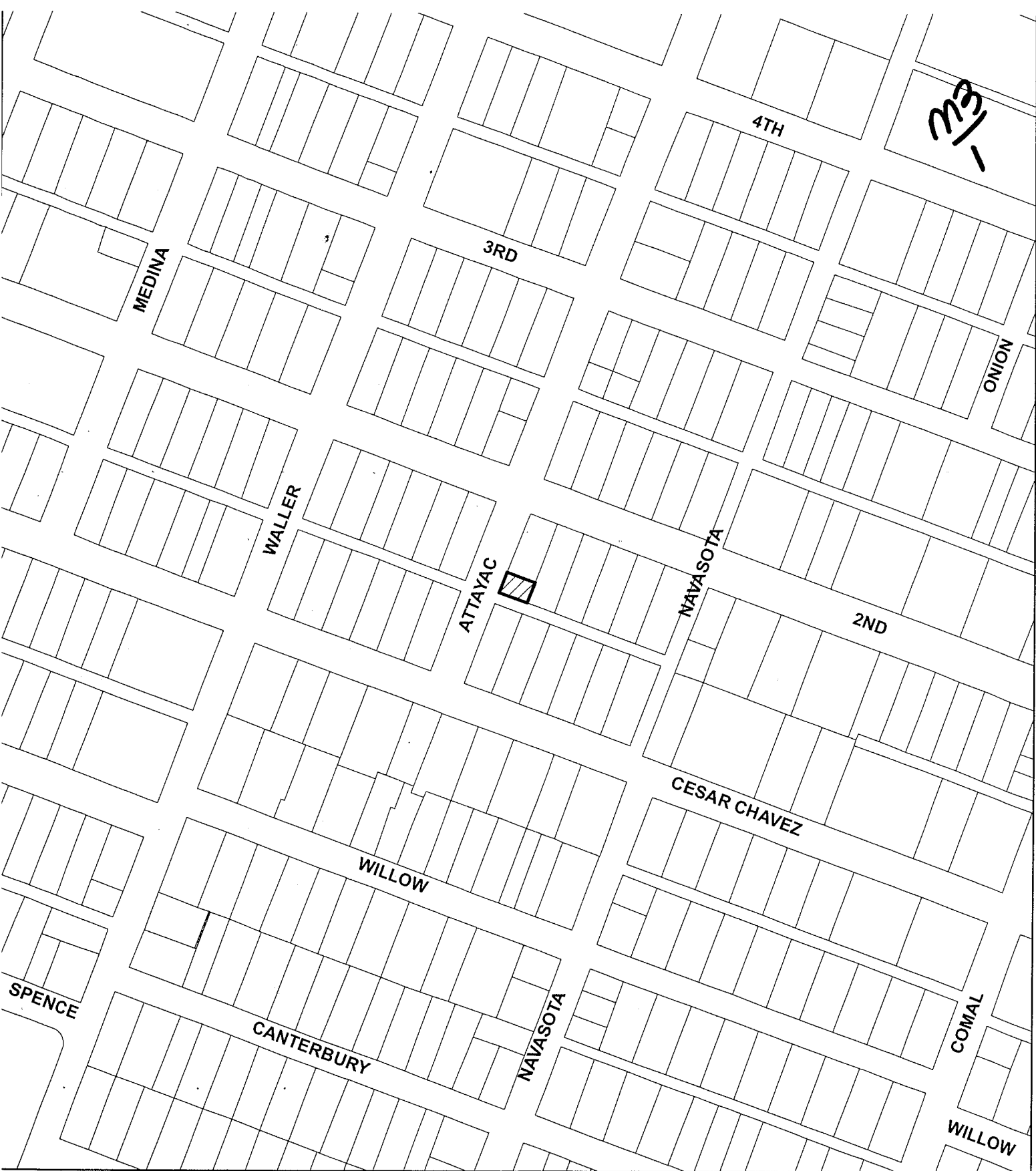





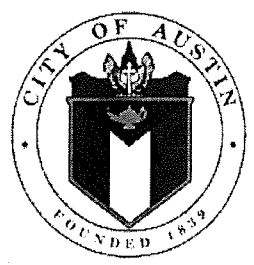
23-1



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

NOTIFICATIONS

CASE#: C15-2016-0016
111 ATTAYAC 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" = 208'

m3/2

CASE# C15-2016-0016
ROW# 11469361
TAX# 0204060601

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

TCAD ✓

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

PLEASE: APPLICATION MUST BE TYPED WITH ALL REQUESTED INFORMATION COMPLETED.

STREET ADDRESS: 111 ATTAYAC STREET, AUSTIN, TX 78702

LEGAL DESCRIPTION: Subdivision - _____

S.35' OF LOT 12

Lot(s) _____ Block 12 Outlot 9 Division O GARY & PECK

I/We LUCY BEGG/THOUGHTBARN on behalf of myself/ourselves as authorized agent for

KEVIN FAGAN & CHRISTINA DIPIERRO affirm that on DEC. 2, 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 X ATTACH COMPLETE X REMODEL MAINTAIN

PLEASE SEE ATTACHED.

in a SF-3-NP district. (East Cesar Chavez)
(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.

123
3

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:

PLEASE SEE ATTACHED.

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

PLEASE SEE ATTACHED.

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

PLEASE SEE ATTACHED.

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 Lucy Begg ^{THOUGHTBARN} Mail Address 4805 Red Bluff Rd. Studio A
City, State & Zip Austin, TX 78702
Printed Lucy Begg Phone 512.388.1579 Date 12/21/15

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 K. Fagan Mail Address 4805 Red Bluff Rd, Studio A
City, State & Zip Austin TX 78702
Printed Kevin Fagan Phone 858-688-3861 Date 12/11/15

33
5

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:

PLEASE SEE ATTACHED.

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

PLEASE SEE ATTACHED.

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

PLEASE SEE ATTACHED.

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 *Christina DiPera* Mail Address *303 Greenwich St, 8G*

City, State & Zip *New York NY*

Printed *Christina DiPera* Phone *774.253.9442* Date *12/15/15*

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 *Christina DiPera* Mail Address *303 Greenwich St, 8G*

City, State & Zip *New York, NY 10013*

Printed *Christina DiPera* Phone *774.253.9442* Date *12/15/15*

OWNER'S AUTHORIZATION LETTER FOR 111 ATTAYAC ST., AUSTIN, TX, 78702

11/3/15

I/we hereby certify that I/we am/are the owner(s) of the above described property. I/we am/are respectfully requesting processing and approval of the above referenced permit(s) review. I/we hereby authorize the Applicant listed on this application to act on my/our behalf during the processing and presentation of this request. They shall be the principal contact with the City in processing this application.

Owner's Signature, Date

K. W. Fagan 11/17/15

Owner's Printed Name:

Kevin Fagan

Sworn and subscribed before me this 17th day of November, 2015

Joyce C De Castro

Signature of Notary Public

JOYCE C. DECASTRO

Notary Public State of New York

No. 01DE6050253

Qualified in New York County

Commission Expires 10/30/20 11/27/18

J

M3
6

OWNER'S AUTHORIZATION LETTER FOR 111 ATTAYAC ST., AUSTIN, TX, 78702

I/we hereby certify that I/we am/are the owner(s) of the above described property. I/we am/are respectfully requesting processing and approval of the above referenced permit(s) review. I/we hereby authorize the Applicant listed on this application to act on my/our behalf during the processing and presentation of this request. They shall be the principal contact with the City in processing this application.

Christina M. DiPierro

Owner's Signature

11/18/15

Date

Christina M. DiPierro

Owner's Printed Name

Sworn and subscribed before me this 18th day of November, 2015

[Signature]
MASSACHUSETTS

Notary Public in and for the State of ~~Texas~~

My commission expires on: 2-1-16

111 ATTAYAC STREET
AUSTIN, TX 78702

m3
7


WE HEREBY APPLY FOR A HEARING BEFORE THE BOARD OF ADJUSTMENT FOR CONSIDERATION TO:

- A. Decrease the minimum lot size requirement for LDC 25-2-1406 (5) (Small Lot Amnesty) from 2,500 sqft to 1,650 sqft to allow a second floor addition to an existing, long-vacant, single-story house and to increase the impervious cover maximum to 65% so a single parking space can be included on-site.
- B. Reduce parking requirement for single family residence required in LDC 25-6, Appendix A to 1 space. (Ref. A1.1)
- C. Reduce the front yard setback to 3 feet so that the existing structure is complying and a second story can be added. (LDC 25-2-492, ref. A1.0, A1.1, A1.2)
- D. Reduce the rear yard setback to 5 feet to align with adjacent property setbacks. (LDC 25-2-492, ref. A1.0, A1.1, A1.3)
- E. Remove the rear yard setback plane restriction (LDC 25-2, subchapter F, 2.6.B) to allow for a continuous second floor ceiling height up to a 5 foot rear setback.
- F. Allow a gross floor area of 1,485 sqft (or 0.9 FAR) for this 1,650 sqft lot, which is the equivalent to the FAR of the largest allowable gross floor area (2,300 sqft) per LDC Subchapter F, Article 2.1 and smallest allowable lot size (2,500 sqft) under the Small Lot Amnesty (LDC 25-2-1406 (5)).

VARIANCE FINDINGS:

REASONABLE USE:

1. The zoning regulations applicable to the property do not allow for a reasonable use because:
 - A. This legal lot cannot be developed under existing code, because it is less than the minimum lot size requirement for the Small Lot Amnesty (LDC 25-2-1406(5)). The existing 563 sqft vacant structure is in disrepair and requires an addition to make it usable for a young family, one of the East Cesar Chavez Neighborhood Plan's stated goals.
 - B. This site cannot physically accommodate more than one parking space based on required parking dimensions.
 - C. There are no adjacent structures with front yards on Attayac St. to complete front yard setback averaging as required by the Small Lot Amnesty. Without the reduced setback, the owners are unable to add onto the existing structure to create a viable single-family residence. The current buildable area of the site is on 19% of the lot size, compared to 43% for a typical corner lot, and 59% for a typical interior lot. (ref. A1.4)

- 
- D. The current buildable area of the site is on 19% of the lot size, compared to 43% for a typical corner lot, and 59% for a typical interior lot. (ref. A1.4)
 - E. Provided a 5 ft rear setback is allowed, the rear setback plane does not allow for a continuous second floor ceiling height. This lot is so small that the rear setback plane restriction places an overbearing burden on the form and function of this structure.
 - F. The Small Lot Amnesty is unclear what the guidelines are for maximum FAR, but a 0.4:1 limit does not provide adequate area for a young family.

HARDSHIP:

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

- A. The 45% maximum impervious cover required by the zoning does not allow for on-site parking because the allowable area, with the existing structure subtracted, is too small for a parking spot. Additionally, this is the only lot in the area under 2,000 sqft (ref A1.2) and the structure is in severe disrepair. Without a variance this property cannot be brought into the East Cesar Chavez Neighborhood Plan's stated goals.
- B. There is not enough room on the site for two spaces or for a driveway from the street. Only a single parking space from the alley is feasible.
- C. There are no adjoining lots facing Attayac, per the Small Lot Amnesty, to average the front yard setbacks. This lot is unusually small and it is one of only 3 lots with the front yard facing North/South streets (like Attayac) within, at least, three contiguous blocks (ref. A1.2), causing the depth of the lot to be less than 50 feet.
- D. This is the only property among the four surrounding properties with a 10' rear yard setback, instead of a 5' side yard setback, along the North/South interior property line. (ref. A1.3)
- E. This lot is smaller than the Small Lot Amnesty governs, and it is the only lot in the area under 2,000 sqft (ref A1.2).
- F. This lot is smaller than the Small Lot Amnesty governs, and it is the only lot in the area under 2,000 sqft (ref A1.2).

2b. The hardship is not general to the area in which the property is located because:

- A. This is the only lot less than 2,000 sqft in the area, therefore it doesn't set any precedents.
- B. Most lots in this area are large enough to accommodate two parking spaces.

m3
/9

- C. Most lots have adjoining lots facing the same street in order to do front yard setback averaging. In the surrounding six blocks, this is the only lot under 2,000 sqft and one of three houses facing a N/S street, thereby limiting the lot depth to less than 50 feet.
- D. There are only two other properties in the area that have the same orientation as 111 Attayac compared to their adjacent properties. Both appear to violate the 10' setback. So this is the only property in the area with this particular restriction.
- E. This is the only lot less than 2,000 sqft in the area, therefore it doesn't set any precedents.
- F. This is the only lot less than 2,000 sqft in the area, therefore it doesn't set any precedents.

AREA CHARACTER:

- 2. 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:
 - A. The variance seeks to develop an undersized lot in the character of the neighborhood by updating a dilapidated existing structure, adding a modest second story (ref. A2.0, A2.1, A3.0, A3.1), and accommodating parking.
A3.2, A3.3
 - B. The variance seeks to accommodate as much on-site parking as physically possible. Another small lot down the street, 205B Attayac St, was permitted alley parking like this one will require (ref. A1.1).
 - C. The adjacent residences are an average of five feet from the property line along Attayac, so the location of the structure is not out of character. There are two other lots facing Attayac, one with a front yard setback of less than 5ft, and the other less than 10 ft. While the structure on this property is *slightly* closer than those examples, it is an existing structure built in 1947 in the same era. And a 3 ft front yard setback, in conjunction with the 5 ft rear yard setback from request (D), would give this lot 59% buildable area, making it comparable to typical interior lots in the neighborhood. (ref. A1.4)
 - D. The 5 ft rear setback will bring this property *into* character with the neighborhood, as that distance will align with the setbacks and structures of the adjacent sites. (ref. A1.3) A 5 ft rear setback, in conjunction with the 3 ft front yard setback from request (C), would give this lot 59% buildable area, making it comparable to typical interior lots in the neighborhood. (ref. A1.4)
 - E. Even with this variance request, the structure is very small compared to the others in the neighborhood and will therefore not violate the neighborhood character.
 - F. The typical maximum FAR in the area is 2,300 sqft, and this modest house at 1,485 sqft would be well within the size of the homes in the area.

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PARKING

1. Single family residential lots anticipate two cars per residence. However only one parking space can fit between the bounds of the lot and the existing structure.
2. The single parking space will not inhibit the flow of traffic, because it reduces existing street parking by one.
3. The variance request does not create any safety hazards because it reduces existing street parking.
4. The variance will run with the use to which it pertains because it provides off-street parking, to the extent possible, as required by SF-3 zoning.

BUILDING AND SITE AREA	EXISTING
a) FIRST FLOOR CONDITIONED	555
b) SECOND FLOOR CONDITIONED	N/A
c) THIRD FLOOR CONDITIONED	N/A
d) BASEMENT	N/A
e) ATTACHED COVERED PARKING	N/A
f) DETACHED COVERED PARKING	N/A
g) COVERED WOOD DECKS (100%)	0
h) COVERED PATIO, PORCH	8
i) BALCONY	N/A
j) OTHER ...	N/A

TOTAL BUILDING AREA (a through j): 563 S.F.

TOTAL BUILDING COVERAGE (a+e+f+g+h+j): 563 S.F.

k) DRIVEWAY	N/A
l) SIDEWALKS	N/A
m) UNCOVERED PATIO	7
n) UNCOVERED WOOD DECKS (50%)	N/A
o) AC PADS, CONCRETE FLATWORK	N/A
p) OTHER ...	N/A

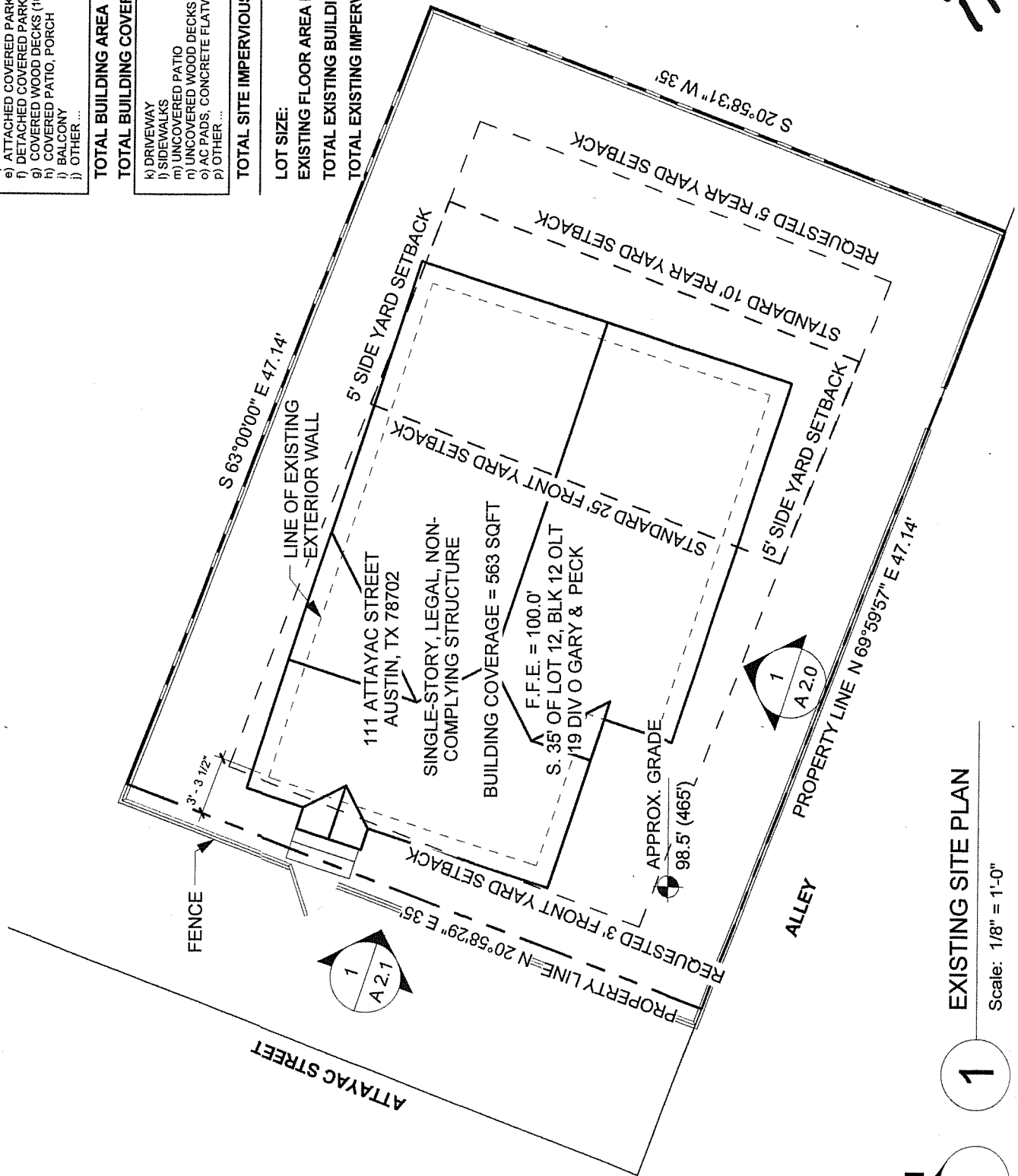
TOTAL SITE IMPERVIOUS COVER (TBC+k...p): 570 S.F.

LOT SIZE: 1,650 S.F.

EXISTING FLOOR AREA RATIO: 34%

TOTAL EXISTING BUILDING COVERAGE: 563 S.F. (34%)

TOTAL EXISTING IMPERVIOUS COVER: 570 S.F. (35%)



1 EXISTING SITE PLAN

Scale: 1/8" = 1'-0"

ANOTHER EXISTING PROJECT BY
THOUGHTBARN LLC
THE DRAWING IS THE PROPERTY OF THOUGHTBARN LLC
AND IS NOT TO BE REPRODUCED OR COPIED WITHOUT THE WRITTEN
CONSENT OF THOUGHTBARN LLC

PROJECT
111 ATTAYAC

DATE
12/2/2015

SCALE
As indicated

SECTION
PAGE NUMBER

A 1.0

BUILDING AND SITE AREA	EXISTING
a) FIRST FLOOR CONDITIONED	555
b) SECOND FLOOR CONDITIONED	665
c) THIRD FLOOR CONDITIONED	N/A
d) BASEMENT	N/A
e) ATTACHED COVERED PARKING	N/A
f) DETACHED COVERED PARKING	N/A
g) COVERED WOOD DECKS (100%)	36
h) COVERED PATIO, PORCH	0
i) BALCONY	N/A
j) OTHER ...	N/A

TOTAL BUILDING AREA (a through j): 1,256 S.F.
TOTAL BUILDING COVERAGE (a+e+f+g+h+j): 591 S.F.

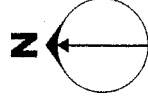
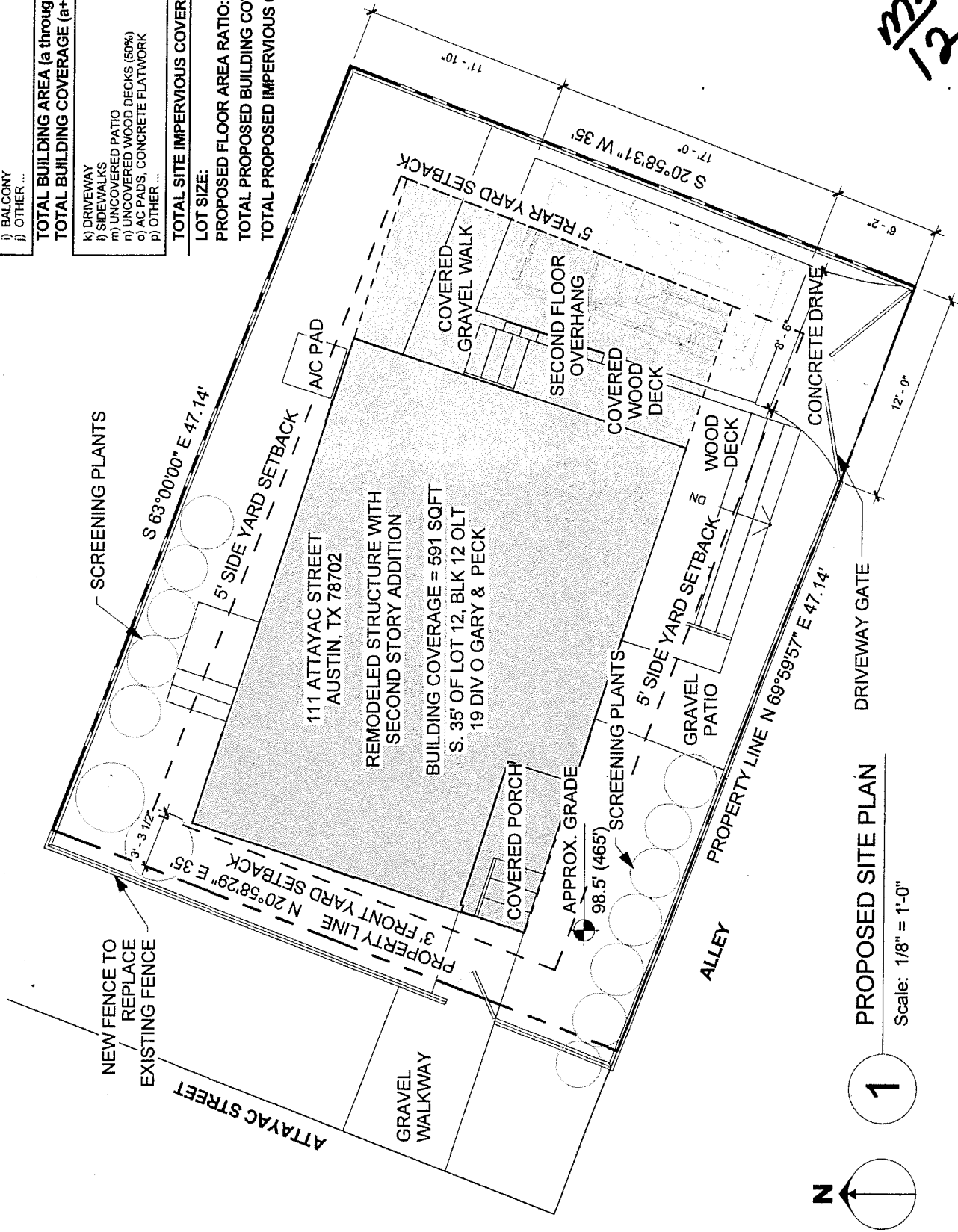
k) DRIVEWAY	212
l) SIDEWALKS	N/A
m) UNCOVERED PATIO	N/A
n) UNCOVERED WOOD DECKS (50%)	63
o) AC PADS, CONCRETE FLATWORK	9
p) OTHER ...	N/A

TOTAL SITE IMPERVIOUS COVER (TBC+k...p): 875 S.F.
LOT SIZE: 1,650 S.F.

PROPOSED FLOOR AREA RATIO: 76%

TOTAL PROPOSED BUILDING COVERAGE: 591 S.F. (36%)

TOTAL PROPOSED IMPERVIOUS COVER: 875 S.F. (53%)



1

PROPOSED SITE PLAN

Scale: 1/8" = 1'-0"

ANOTHER EXCITING PROJECT BY
THOUGHTBARN LLC
THE CHARTERED PROFESSIONAL ARCHITECTS OF TEXAS
 LICENSE NO. 12862015
 111 ATTAYAC

PROJECT
111 ATTAYAC

DRAWING
PROPOSED SITE PLAN

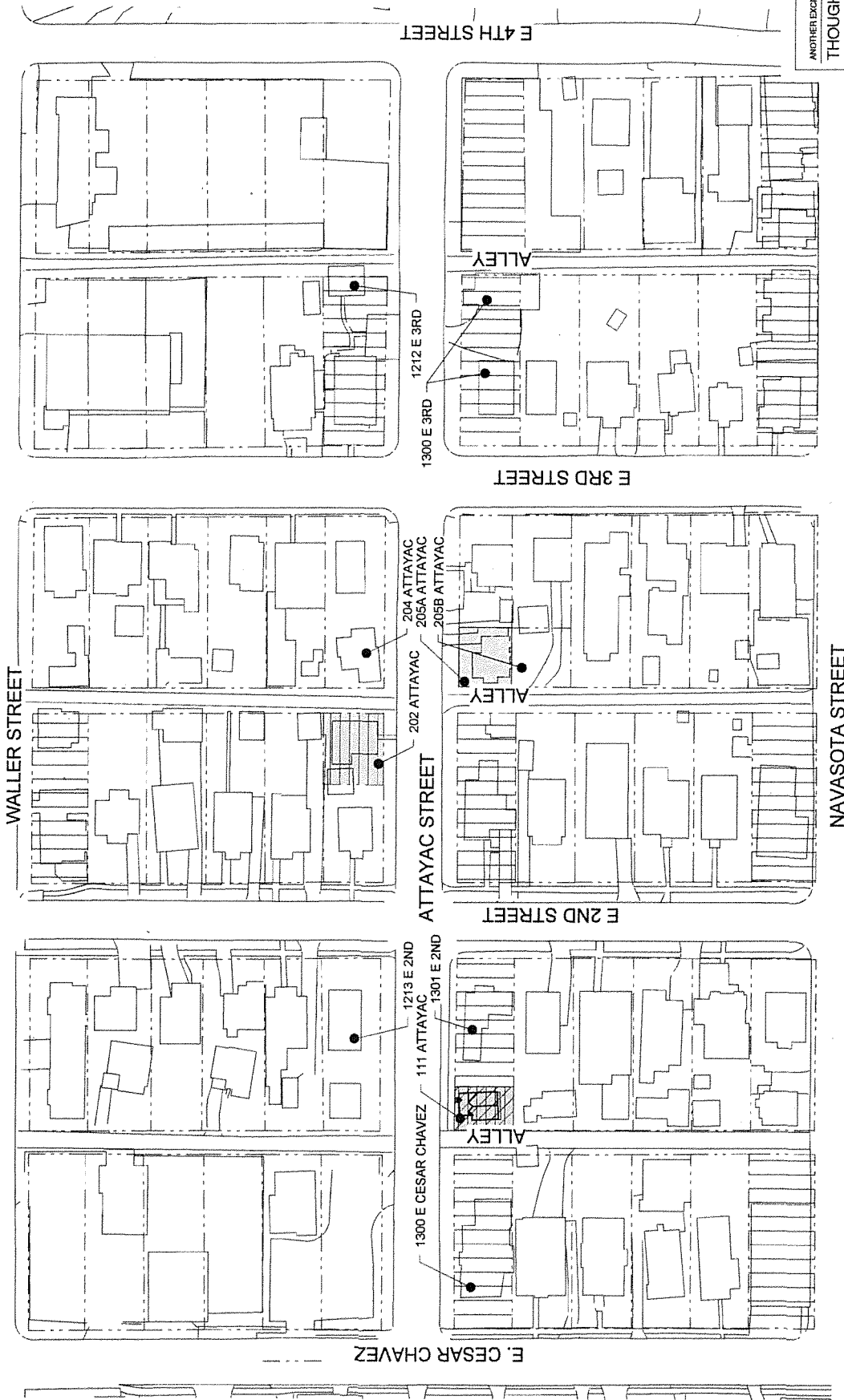
SCALE
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DATE
12/8/2015

SECTION
PAGE NUMBER

A 1.1

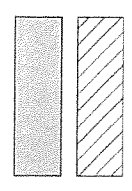
123



FRONT YARD SETBACK ANALYSIS

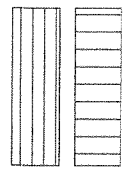
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NOTE: DATA FROM CITY OF AUSTIN 2003, 2013 DATA AND FIELD UPDATES



FRONT YARD ALONG N/S STREETS (eg. Attayac)

LOT SIZE <2,000 SQFT

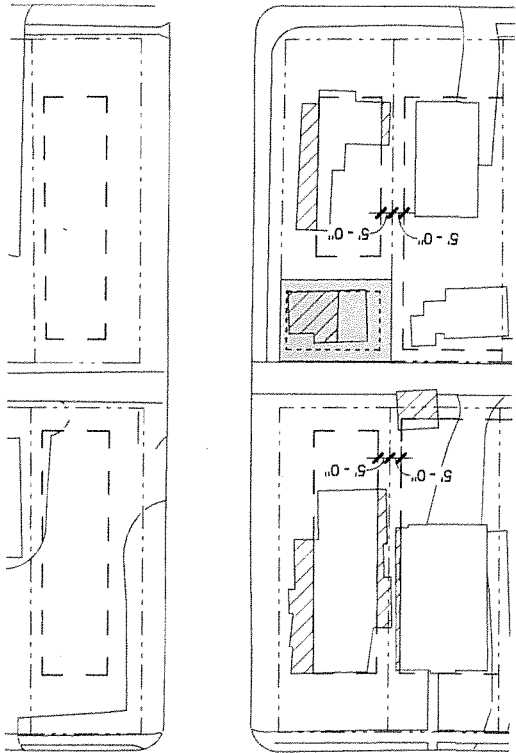


FRONT YARD SETBACK < 5FT

STREET SIDE YARD SETBACK <=6FT

ANOTHER EXISTING PROJECT BY THOUGHTBARN LLC <small>THIS IS A PRELIMINARY DESIGN. THE CLIENT HAS REVIEWED AND APPROVED THIS DESIGN. THE CLIENT HAS REVIEWED AND APPROVED THIS DESIGN. THE CLIENT HAS REVIEWED AND APPROVED THIS DESIGN.</small>	
PROJECT	111 ATTAYAC
DRAWING	
SITE COMPARISON	
SCALE	As indicated
DATE	12/8/2015
PAGE NUMBER	
A 1.2	

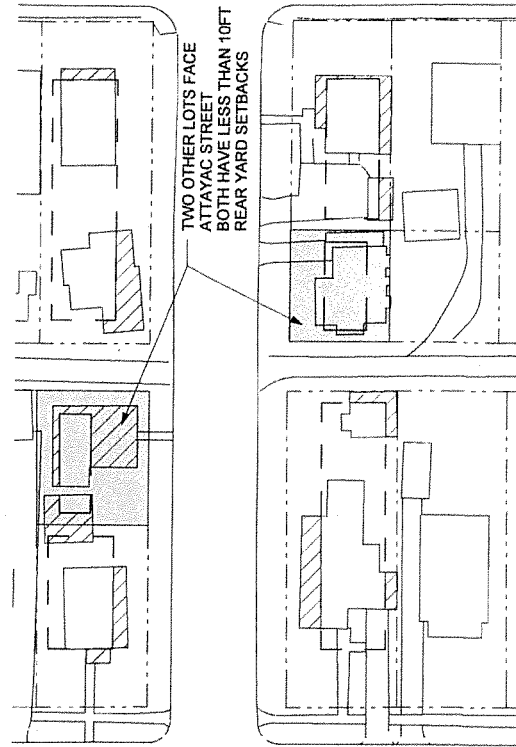
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-3



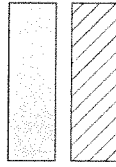
REAR YARD SETBACK ANALYSIS

Scale: 1" = 80'-0"

2

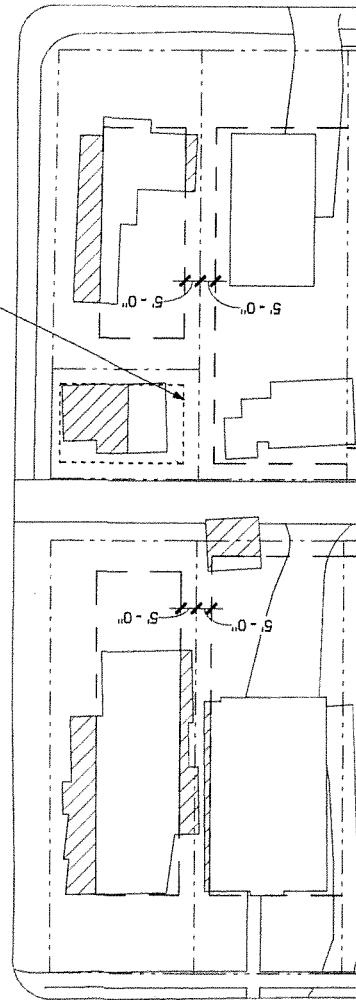


TWO OTHER LOTS FACE
ATTAYAC STREET
BOTH HAVE LESS THAN 10FT
REAR YARD SETBACKS



FRONT YARD ALONG ATTAYAC STREETS

NON-COMPLYING STRUCTURES



PROPOSED 5' REAR YARD SETBACK
WOULD BE CONTIGUOUS WITH
ADJACENT 5' SIDE YARD SETBACKS

REAR YARD SETBACK ANALYSIS

Scale: 1" = 60'-0"

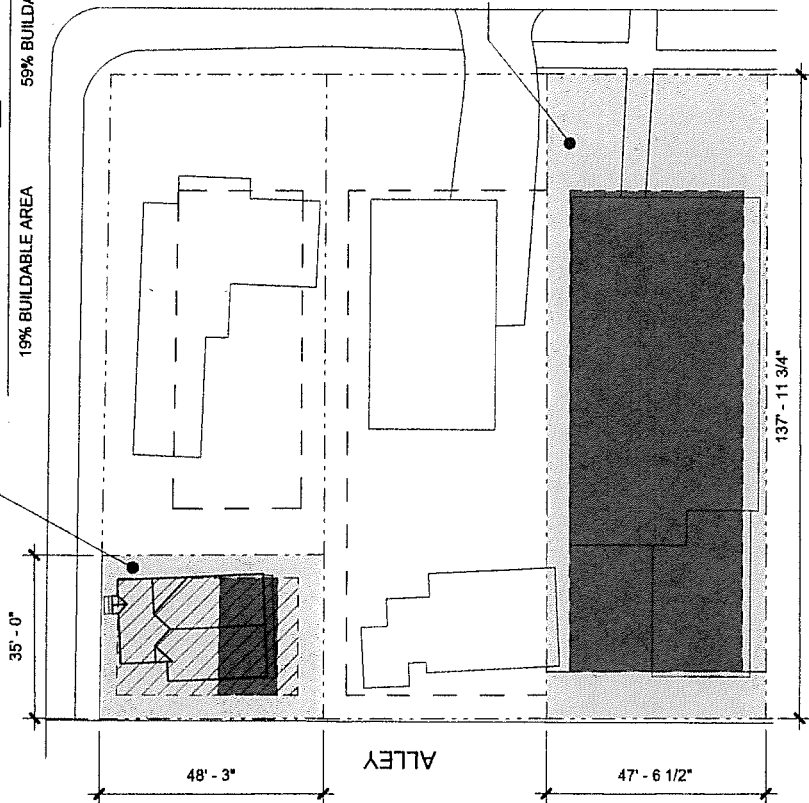
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ANOTHER EXISTING PROJECT BY THOUGHTBARN LLC <small>THIS DRAWING IS THE PROPERTY OF THOUGHTBARN LLC. NO PART OF THIS DRAWING IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF THOUGHTBARN LLC.</small>	
PROJECT 111 ATTAYAC	DRAWING 111 ATTAYAC
SITE COMPARISON	
SCALE As indicated	DATE 12/2/2015
SECTION	PAGE NUMBER
A 1.3	

12/3

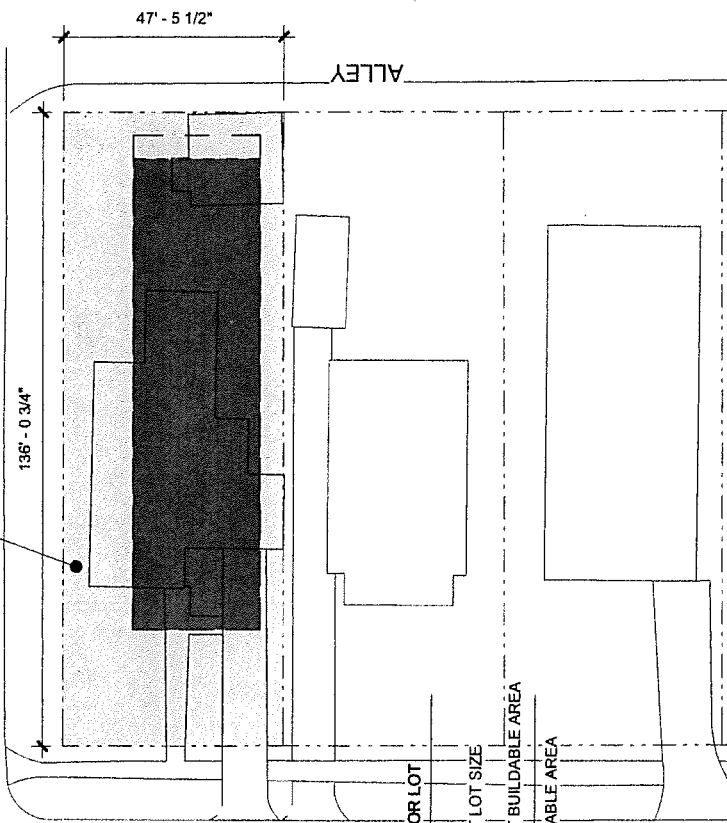
LOT IN QUESTION

111 ATTAYAC	1,650 SQFT LOT SIZE	1,650 SQFT LOT SIZE
314 SQFT BUILDABLE AREA	19% BUILDABLE AREA	976 SQFT BUILDABLE AREA
59% BUILDABLE AREA		



ATTAYAC STREET

TYPICAL CORNER LOT	1300 E 2ND
6,459 SQFT LOT SIZE	
2,776 SQFT BUILDABLE AREA	43% BUILDABLE AREA



TYPICAL INTERIOR LOT

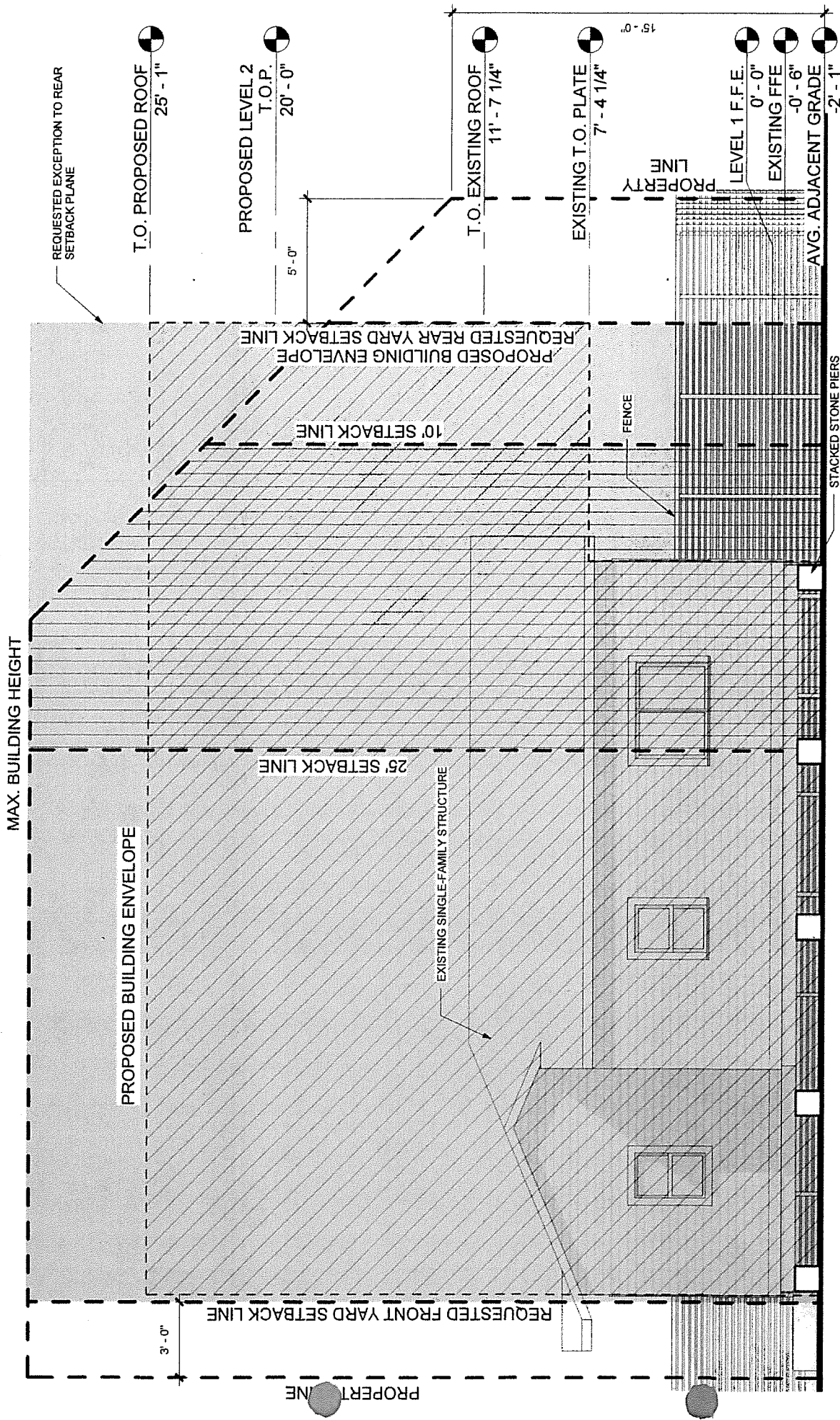
1305 E 2ND	6,587 SQFT LOT SIZE
3,885 SQFT BUILDABLE AREA	59% BUILDABLE AREA

BUILDABLE AREA ANALYSIS

Scale: 1" = 40'-0"

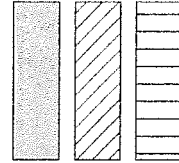
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ANOTHER EXISTING PROJECT BY THOUGHTBARN LLC <small>THE INFORMATION IS THE PROPERTY OF THOUGHTBARN LLC AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS</small>	
PROJECT 111 ATTAYAC	DRAWING SITE COMPARISON
SCALE 1" = 40'-0"	DATE 12/8/2015
SECTION A 1.4	PAGE NUMBER 133-5



1 EXTERIOR ELEVATION, SOUTH

Scale: 3/16" = 1'-0"



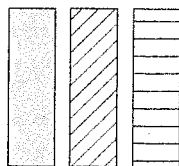
REQUESTED MAXIMUM BUILDING ENVELOPE

PROPOSED BUILDING ENVELOPE

EXISTING MAXIMUM BUILDING ENVELOPE

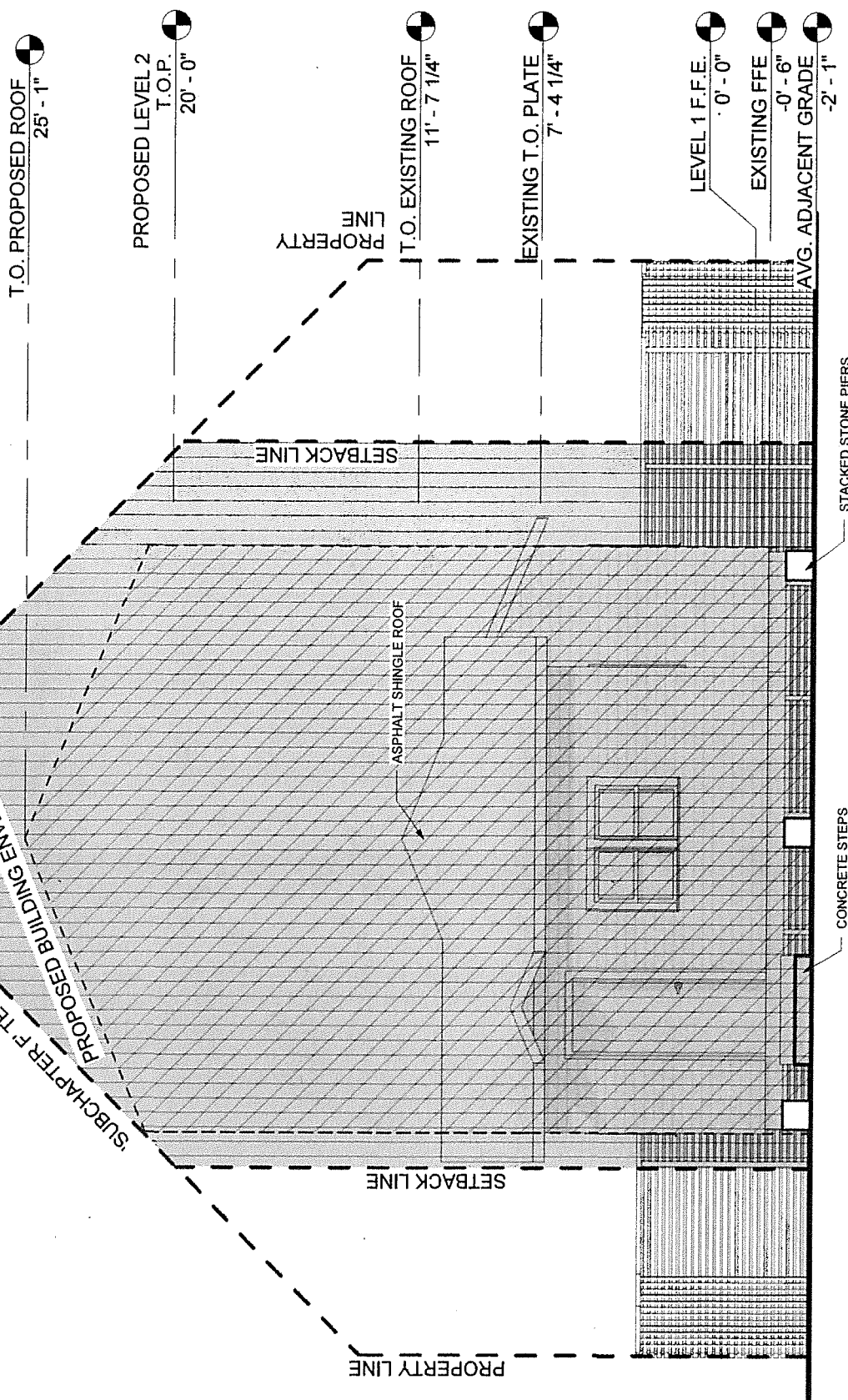
DRAWING		ELEVATIONS	
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PROJECT 111 ATTAYAC		<div style="font-size: 2em; font-weight: bold; display: inline-block;">A 2.0</div>	

REQUESTED MAXIMUM BUILDING ENVELOPE
 PROPOSED BUILDING ENVELOPE
 EXISTING MAXIMUM BUILDING ENVELOPE



MAX. BUILDING HEIGHT

SUBCHAPTER F TENT
 PROPOSED BUILDING ENVELOPE

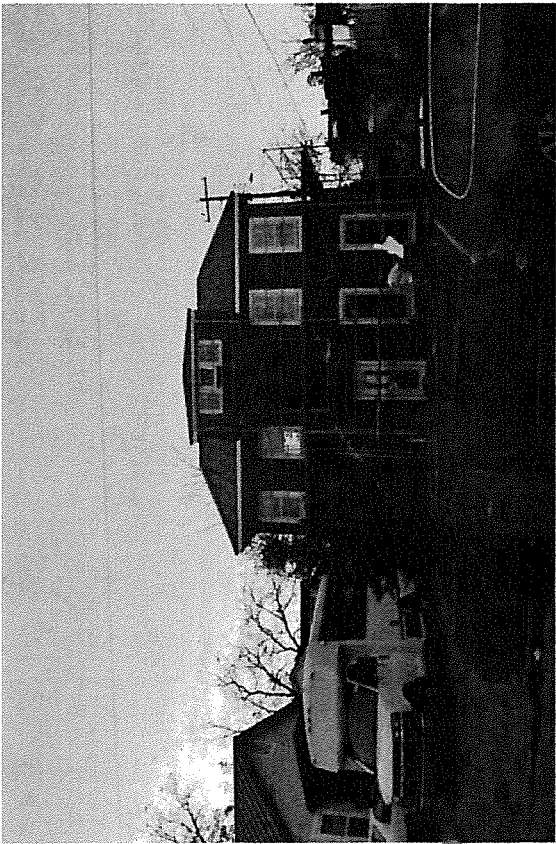


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PROJECT 111 ATTAYAC	DATE 12/28/2015
DRAWING ELEVATIONS	
SCALE As indicated	PAGE NUMBER 2.1

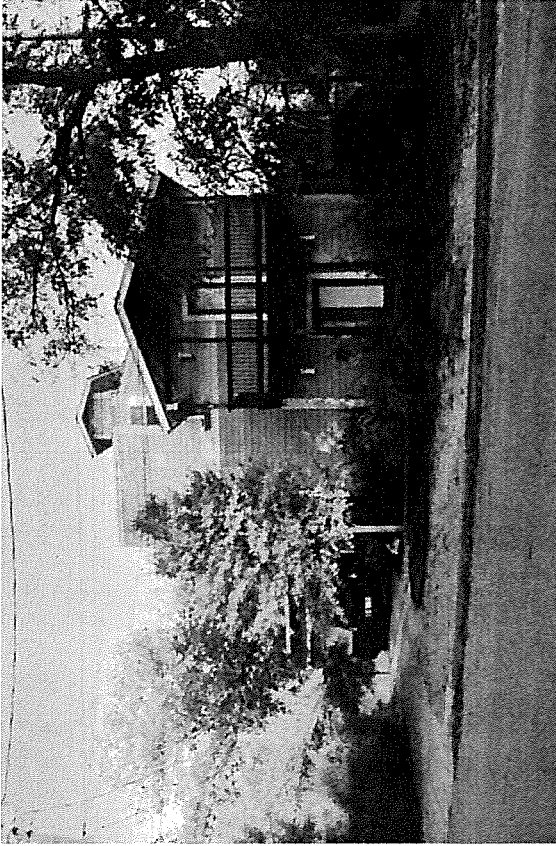
1 EXTERIOR ELEVATION, WEST

Scale: 3/16" = 1'-0"

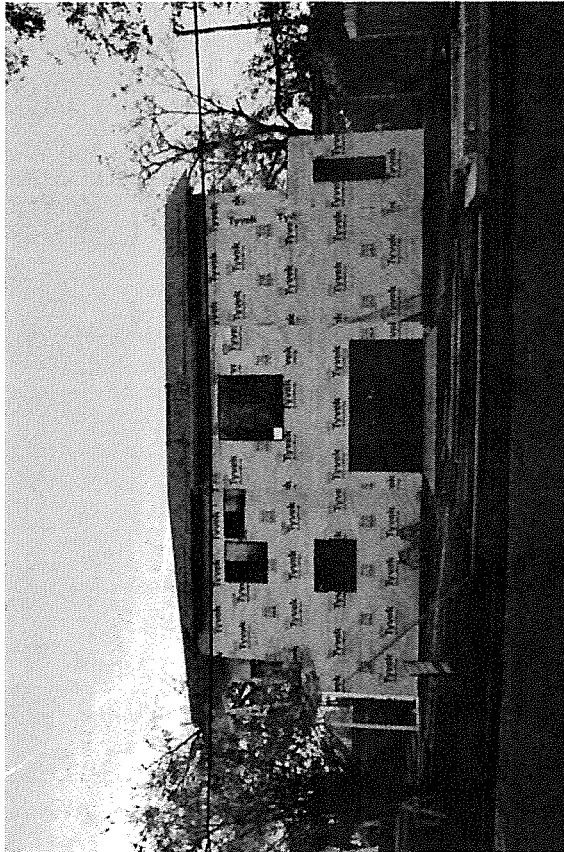
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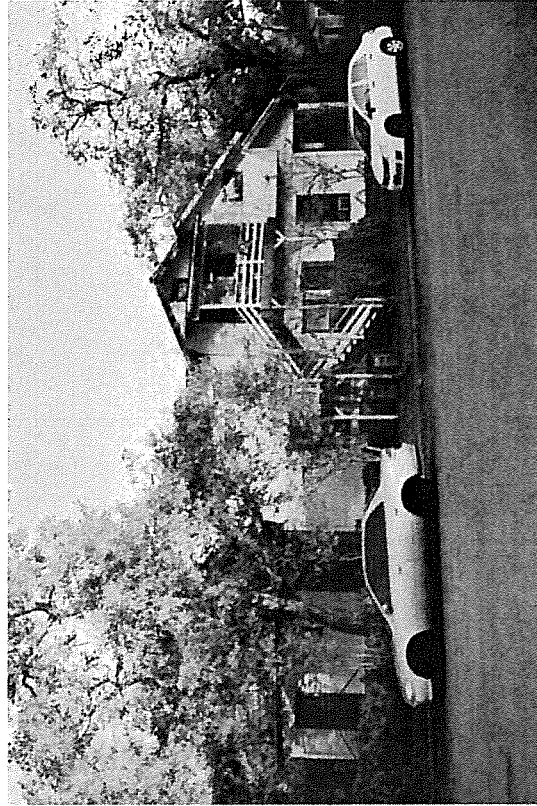
1212 E. 3RD ST.



205A ATTAYAC ST.

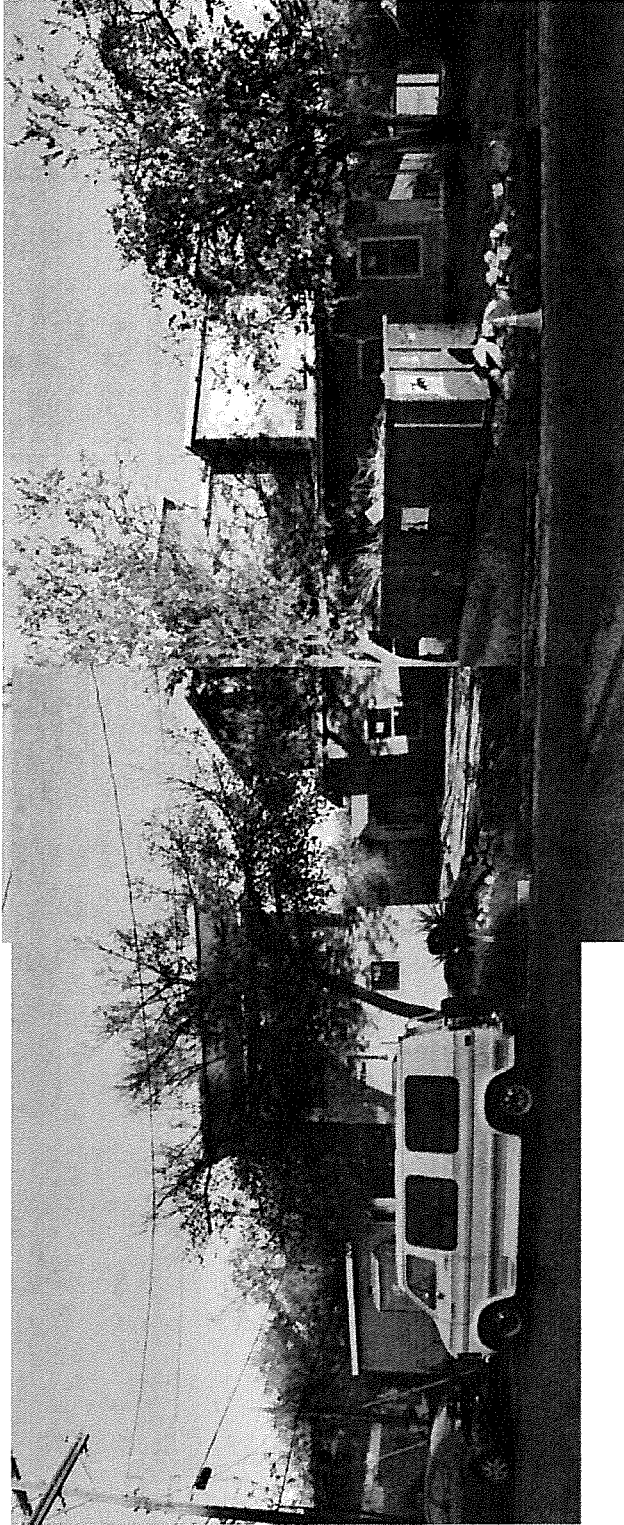


1213 E. 2ND ST.



1300 E CESAR CHAVEZ ST. (ADJACENT TO 111 ATTAYAC)

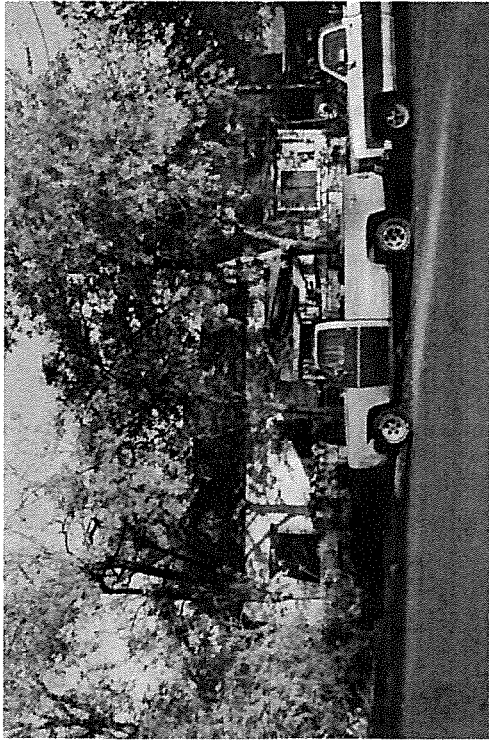
ANOTHER EXCITING PROJECT BY THOUGHTBARN LLC <small>THOUGHTBARN LLC IS A DIVISION OF THOUGHTBARN GROUP, INC. A PUBLIC COMPANY LISTED ON THE NASDAQ STOCK EXCHANGE UNDER THE TICKER SYMBOL THOUGHT. THOUGHTBARN GROUP, INC. IS NOT PROVIDING ANY FINANCIAL OR OTHER INFORMATION IN THIS DOCUMENT.</small>	
PROJECT	111 ATTAYAC
DRAWING	PHOTOS
SCALE	DATE 12/8/2015
SECTION	PAGE NUMBER 18/33 A 3.0



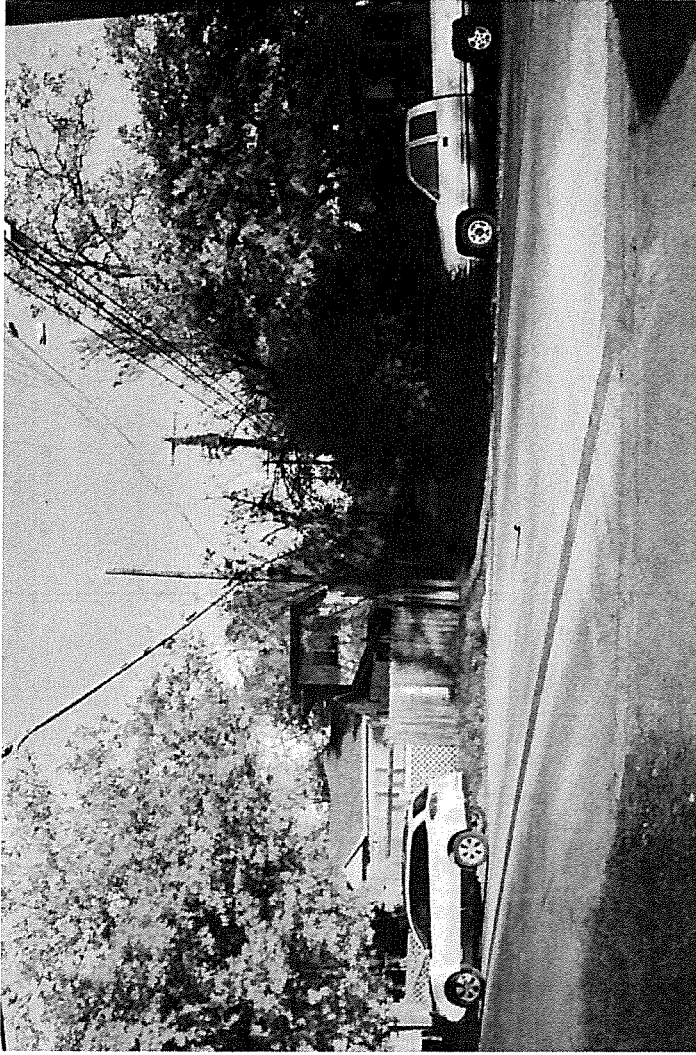
1300 E 3RD ST.

2 STORY STRUCTURES ALONG ATTAYAC ST.

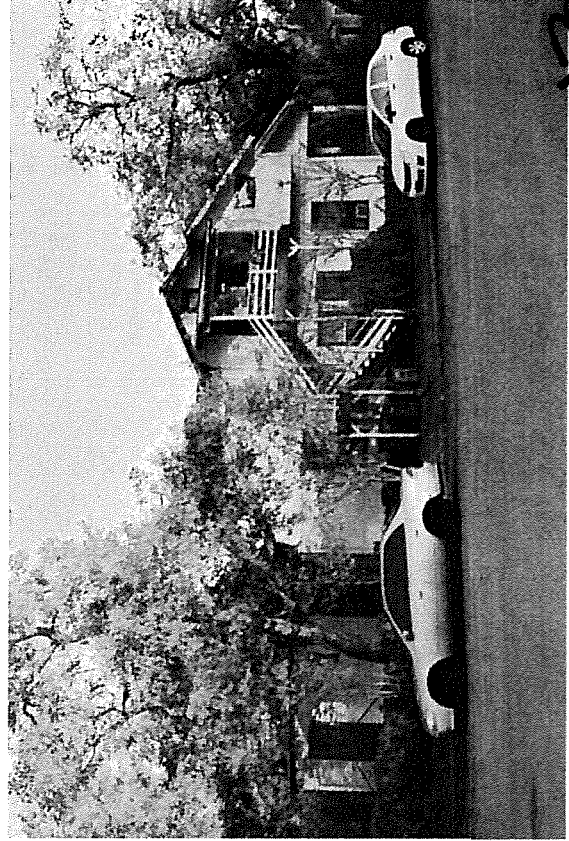
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PROJECT	111 ATTAYAC
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1301 E 2ND STREET



111 ATTAYAC STREET, AND 1303 E 2ND STREET ACCESSORY DWELLING UNIT BEHIND



1300 E CÉSAR CHAVEZ STREET

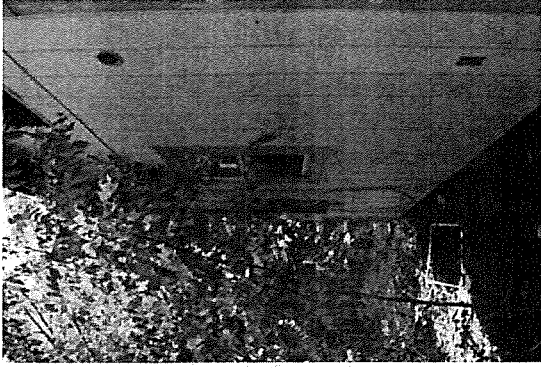
ADJACENT PROPERTIES

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SECTION	PAGE NUMBER A 3.2

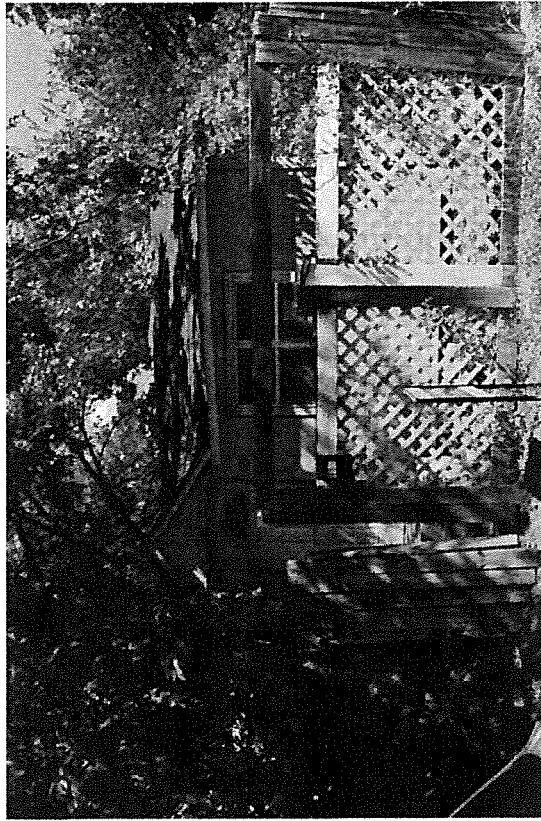
23/20



EAST ELEVATION



NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION

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SCALE _____	DATE 12/8/2015
SECTION _____	PAGE NUMBER A 3.3

111 ATTAYAC ST., EXISTING CONDITIONS

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