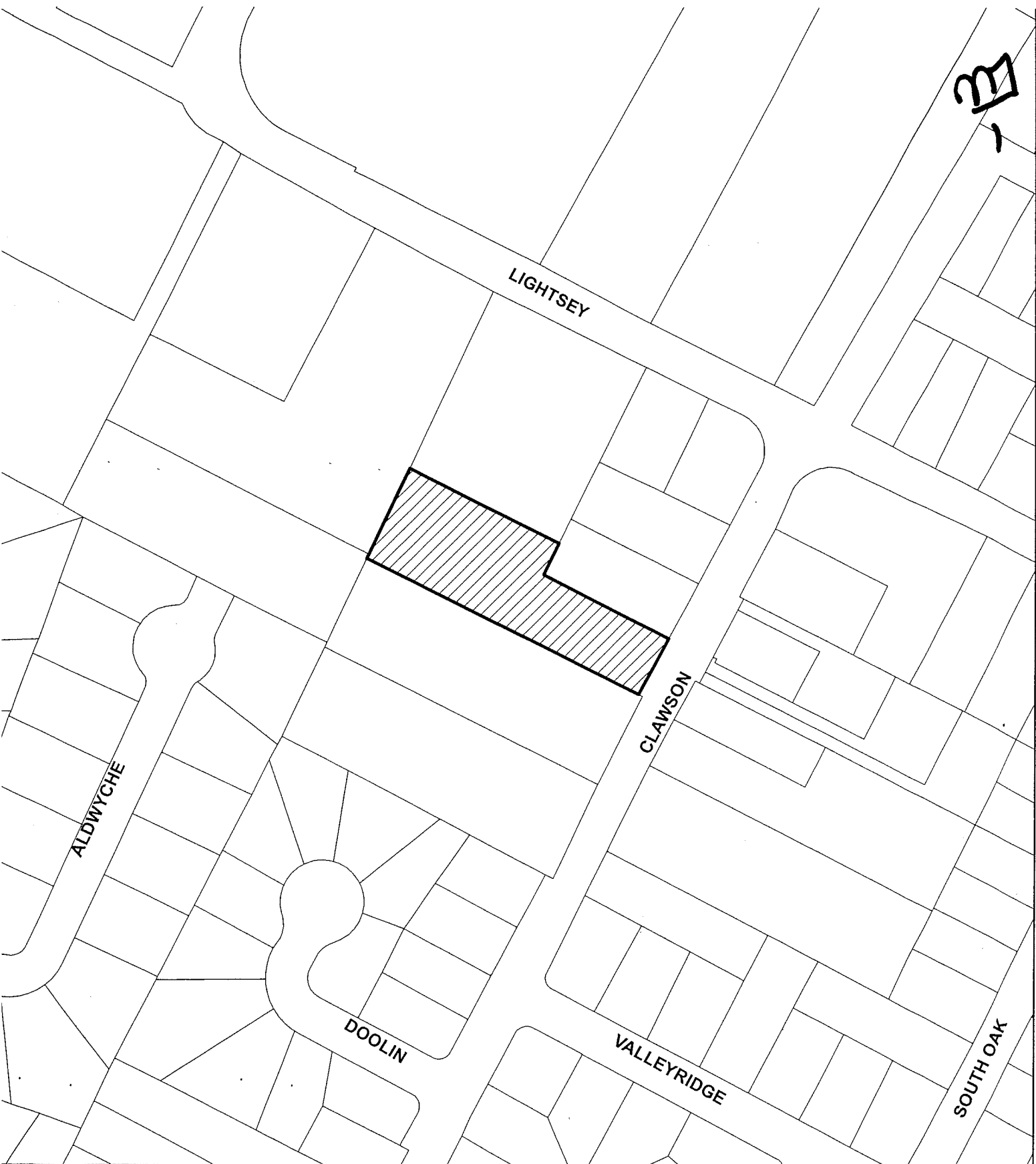
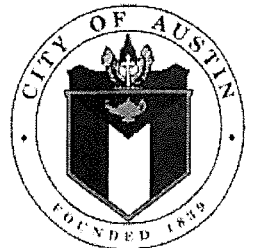





23-13



NOTIFICATIONS

CASE#: C15-2016-0041
LOCATION: 3200 Clawson Road



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

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" = 153'



CITY OF AUSTIN
Development Services Department
One Texas Center | Phone: 512.978.4000
505 Barton Springs Road, Austin, Texas 78704

2/3

Board of Adjustment General/Parking Variance Application

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

This application is a fillable PDF that can be completed electronically. To ensure your information is saved, [click here to Save](#) the form to your computer, then open your copy and continue.

The Tab key may be used to navigate to each field; Shift + Tab moves to the previous field. The Enter key activates links, emails, and buttons. Use the Up & Down Arrow keys to scroll through drop-down lists and check boxes, and hit Enter to make a selection.

The application must be complete and accurate prior to submittal. *If more space is required, please complete Section 6 as needed.* All information is required (if applicable).

For Office Use Only

Case # C15-2016-0041 ROW # 11500609 Tax # 0404090145
TCAD ✓

Section 1: Applicant Statement

Street Address: 3200 Clawson Road

Subdivision Legal Description:

Theodore Lowe Heights

Lot(s): 5 Block(s): A

Outlot: _____ Division: _____

Zoning District: SF-3

I/We Vincent G. Huebinger on behalf of myself/ourselves as
authorized agent for 3200 Clawson Development LLC affirm that on
Month March, Day 11, Year 2016, hereby apply for a hearing before the
Board of Adjustment for consideration to (select appropriate option below):

☐ Erect ☐ Attach ☒ Complete ☐ Remodel ☐ Maintain ☐ Other: _____

Type of Structure: future residential

m7/3

Portion of the City of Austin Land Development Code applicant is seeking a variance from:

Request a Variance from the Lot frontage requirements in 25-4-157(C)2(c)ii & 25-4-174(B)2(a)
Minimum Lot Width from 50' to allow a 45' width x 172' depth on Clawson Road.

Section 2: Variance Findings

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 supporting documents.

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.

I contend that my entitlement to the requested variance is based on the following findings:

Reasonable Use

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

Although the property is 0.8 acres in size, it is extremely deep relative to its width and contains
heritage trees. Code Chapter 25-4 and specifically, § 25-4-174, which governs lot size,
indicates that the minimum lot width of an interior lot is 50'. In addition, § 25-4-175, which
governs flag lots, indicates that the minimum width of a flag lot is either 15' or 20', depending on
the circumstances. (cont'd on page 8)

Hardship

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

In the tract's current configuration, including the width, depth, and the existing tree cover, the
25-4 current code requirements above restrict the flexibility for saving trees and limit the
potential of a large area (45' x 172') along the frontage of Clawson Road. This area should be
allowed as SF residential. Instead at 45', based on 25-4, it is undevelopable and restricted.
Without the variance, the owner can clearly subdivide; however it would be... (cont'd on page 8)

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

other tracts have been able to develop surrounding this site with similar conditions and
development plans. There are different sized lots along Clawson and most have trees;
however, this tract has an abundance of protected and heritage trees and is larger than most
other tracts in the immediate area.

5/27

Area Character

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 area immediately across the street and to the south, along with numerous tracts along Clawson have been either platted, resubdivided, are under construction, have been rezoned, or are in transition for redevelopment. The frontage along Clawson Road for the variance at the 45' can be limited access and not disturbed by the proposed development if this is the board's choice. It would then eventually become a manicured landscaped yard area and open space. This variance enhances the immediate area and surrounding conforming... (cont'd on page 8)

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 in the City of Austin Land Development Code Chapter 25-6, Appendix A 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 reasonably require strict or literal interpretation and enforcement of the specific regulation because:

N/A - not a parking variance request

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 - not a parking variance request

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 - not a parking variance request

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

N/A - not a parking variance request

Section 3: Applicant Certificate

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

Applicant Signature: [Signature] Date: 03/11/2016

Applicant Name (typed or printed): Vincent G. Huebinger

Applicant Mailing Address: 1715 S. Capital of Texas Hwy #207

City: Austin State: TX Zip: 78746

Phone (will be public information): (512) 328-2693

Email (optional – will be public information): vinceh@flash.net

Section 4: Owner Certificate

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

Owner Signature: [Signature] Date: 03/11/2016

Owner Name (typed or printed): 3200 Clawson Development LLC c/o Muazaz Younes

Owner Mailing Address: 816 Congress Ave. #1620

City: Austin State: TX Zip: 78701

Phone (will be public information): (713) 973-7856

Email (optional – will be public information): _____

Section 5: Agent Information

Agent Name: Vincent Gerard & Associates, Inc.

Agent Mailing Address: 1715 S. Capital of Texas Hwy #207

City: Austin State: TX Zip: 78746

Phone (will be public information): (512) 328-2693

Email (optional – will be public information): vinceh@flash.net

Section 6: Additional Space (if applicable)

Please use the space below to provide additional information as needed. To ensure the information is referenced to the proper item, include the Section and Field names as well (continued on next page).

Please see page 8

3/7

Additional Space (continued)

Reasonable Use continued

...The property owner wishes to divide the property, and applying these provisions to the property would prevent any usage of the frontage of the flag lots (which would comprise 0.3 acres of the lot).

The requested variance to the 50' minimum lot width requirement, which would allow a lot with a 45' width, would allow a reasonable use of the property, given the physical conditions on the site and the presence of a number of heritage trees. The variance would allow more usable lots to be developed, instead of requiring more restrictive space and limited lot configurations. Moreover, the lot to which the variance would apply would still be over 7,700 sq ft, which far exceeds the minimum lot square footage of 5,750 sq ft.

In addition, the existing tree locations in proximity to the proposed lot lines are challenging but can be alleviated by the variance approval. If the variance is not granted, the development of the property is forced into a physical hardship for the owners, and portions of the lots will be subject to difficult conditions and restrictions for residential use. Physical conditions of the tree cover onsite are major factors in this variance, and the usability of the frontage lot is a necessity. This variance would allow more flexibility with regard to the development of the lots and allow the owner to preserve the trees and ensure they coexist with the single family subdivision as proposed.

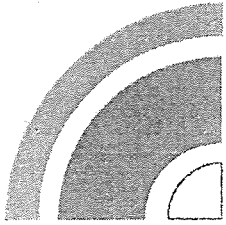
Hardship A continued

...extremely limited by access, utility, and pad site locations to a serious hardship condition. The code protects the heritage trees without the ability to remove, replace or relocate so flexibility needs to come in the form of a variance. The slight variance in minimum lot width (5 ft), still allows for a very large lot (over 7,700 sq ft), preserves heritage trees, and allows for more aesthetic and functional development of the property.

Area Character continued

...tracts by conditions that can be elected to be imposed as a condition of approval.

SAVE



VINCENT GERARD AND ASSOCIATES, INC.

1/37

Leane Heldenfels
City of Austin
Zoning Board of Adjustments
City of Austin, Texas

March 25, 2016

RE: Zoning Board Variance Request, 3200 Clawson Road

The proposed re-subdivision of 3200 Clawson into (3) separate lots within a flag configuration may be summarized under two scenarios.

Variance Request, 3 Single family lots, 1 lot width variance.

Under this scenario, two of the proposed residential lots would be created toward the rear of the lot in a flag lot configuration in accordance with section 25-4-175, City of Austin Land Development Code. This section of the code allows proposed 3 lot scenario that will utilize a shared driveway along the south boundary of the tract. Minimum width restriction of 15' at the ROW frontage would be incorporated in a creation of the flag lots that are more flexible in accommodating the existing protected & heritage trees but would limit the 1st lot width to 45.16' frontage. This scenario is shown on the attachment and by code excludes the flag portion of each lot.

The proposed 1st lot of the re-subdivision would be the creation of a single family lot of 8,385 square feet, far exceeding the minimum lot size requirement of 5,750 square feet. It would have a proposed frontage width of 45.16' adjacent to the Clawson Road ROW and a depth of 172'. The 45.16' frontage would not be in compliance with section 25-4-174 minimum lot width of 50'; therefore, a variance request is submitted for approval by the Zoning Board of Adjustments for the reduction of 50' wide minimum lot frontage. Even though the lot requires a variance for frontage, it would be 172' deep, allowing more than adequate size and shape for a quality residential home site on this property.

m7
8

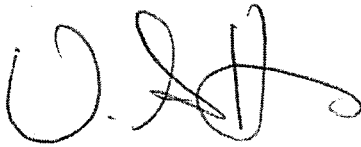
Without the Variance request – 3 single family lots

This proposed scenario would create three single family lots by code that are forced toward the rear of the of existing lot. It complies with the flag lot configuration with a proposed frontage width of 15', providing a lot area of 7009 square feet. The remaining area in the frontage, 172', would be unusable for residential development in accordance with the code criteria.

The three (3) proposed single family lots would also utilize a flag lot configuration. Two of the flag lots would propose a frontage width of 15' yielding a smaller lot area. These proposed lot area square footages exclude the proposed flag portion of both lots. Sizes and configurations are shown on the attached Concept. This scenario does not require a variance to Lot 1 but does prohibit a residential structure within the 172' flag portion of the lot.

The re-subdivision process for this configuration limits the sizes and flexibility of the design even though it complies with the code. Variances are usually granted when the applied code creates a hardship, and this would be a hardship within the land development code if the variance is not granted.

Respectfully,



Vincent G. Huebinger

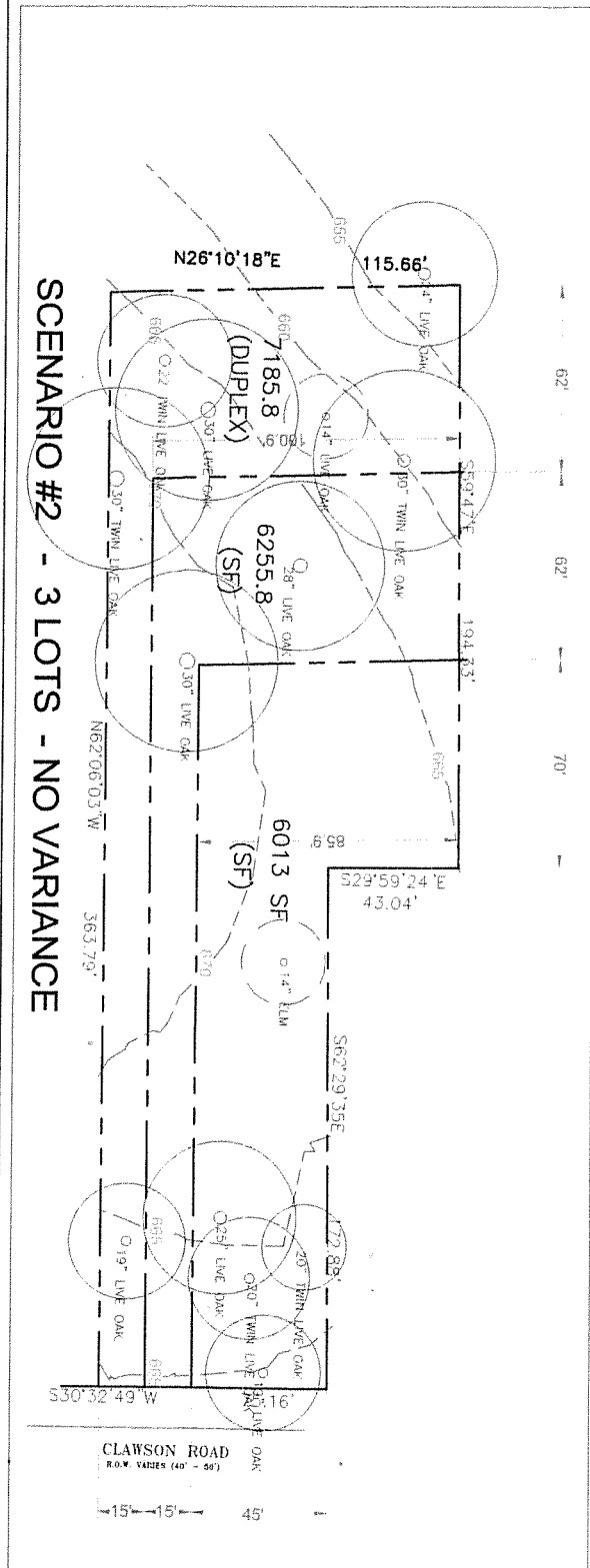
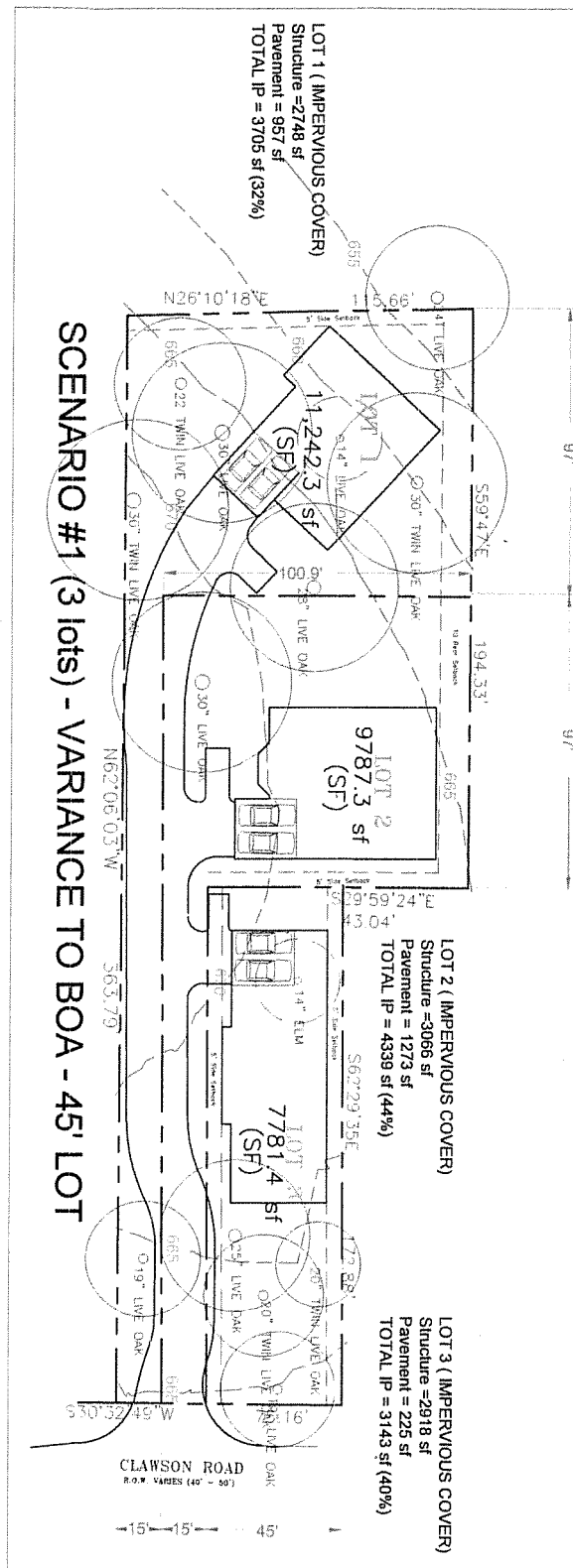
ATTACHMENT:

Feasibility Study Concept



SCALE 1" = 40'

3/9



VINCENT GERARD & ASSOCIATES

LAND PLANNING & ZONING CONSULTANTS
 1715 CAPITAL OF TEXAS HWY SOUTH, STE. 207
 AUSTIN, TEXAS 78746
 (512) 323-2693 • vgerard@vga.net



FEASIBILITY STUDY
 LOT 5 RESUB OF PT OF
 LOT 22 LOW THEODORE HEIGHTS
 3200 CLAWSON ROAD
 AUSTIN, TX 78704

