

ms-1



SUBJECT TRACT



PENDING CASE



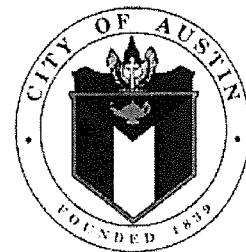
ZONING BOUNDARY

### NOTIFICATIONS

CASE#: C15-2016-0042  
LOCATION: 1001 E Riverside Dr.

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" = 154'



## CITY OF AUSTIN

Development Services Department

One Texas Center | Phone: 512.978.4000

505 Barton Springs Road, Austin, Texas 78704

Revised  
MB  
2/2

### 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 #

ROW #

Tax #

#### Section 1: Applicant Statement

Street Address: 1001 E. Riverside Dr.

Subdivision Legal Description:

Lot 1 Lot 2 & W25.02 of Lot 2 Blk 28 Travis

Lot(s): Lot 1 Lot 2 & W25.02 of Lot 2

Block(s): 28

Outlot:

Division: Travis

Zoning District: SF-3

I/We Donna Bahara & Bess Giannakakis

on behalf of myself/ourselves as

authorized agent for 1001 E. Riverside Dr.

affirm that on

Month March , Day 22 , 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: Repurpose

Type of Structure: Existing bedroom in an existing secondary structure on the property for B&B.

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

25-2-782-J A Group 1 bed and breakfast residential use must be located in the principal residential structure on the lot.

m8/3

## 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:

The main historic house does not offer space for more bedrooms.

The main historic house is not recommended for an addition because of its historic status and because of the substantial existing live oak trees.

This is an existing space with bedroom and bathroom. No building is required.

### Hardship

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

The historic nature and existing trees of the property are not recommended for an addition to the main house.

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

The house is uniquely positioned as a historic B&B among the long growing live oaks of the Travis Heights neighborhood.

m8/24

### 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:

Adjoining properties are single family homes who support and enjoy our business in the neighborhood. Please see our neighborhood signatures in support of the variance.

### 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:

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:

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

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

28  
5

### 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:

Date: 3/17/2016

Applicant Name (typed or printed): Donna Bahara & Bess Giannakakis

Applicant Mailing Address: 1001 E. Riverside Dr.

City: Austin

State: TX

Zip: 78704

Phone (will be public information): 512-326-2646

Email (optional – will be public information): gatewayguest@earthlink.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:

Date: 3/17/2016

Owner Name (typed or printed): Donna Bahara & Bess Giannakakis

Owner Mailing Address: 1001 E. Riverside Dr.

City: Austin

State: TX

Zip: 78704

Phone (will be public information): 512-326-2646

Email (optional – will be public information): gatewayguest@earthlink.net

### Section 5: Agent Information

Agent Name: none

Agent Mailing Address:

City:

State:

Zip:

Phone (will be public information):

Email (optional – will be public information):

### 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 attached email from Steve Sadowsky related to our Historic Building status and additions.

Please see attached overview of property, location of Room to be added for our B&B license and live oak canopy.

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6/6

Board of Adjustment  
Austin TX

April 11, 2016

Dear Board Members:

We are a licensed and successfully running B&B in Travis Heights. For more than five years, we have provided a professional lodging option for those who prefer to stay in a small and personal establishment while also being pampered by Inn owners.

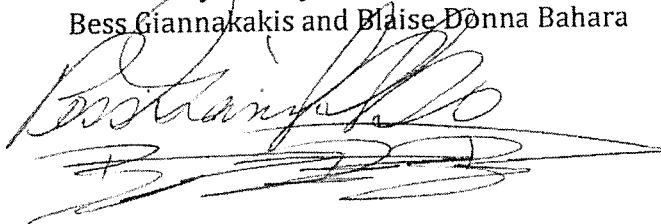
We employ a housecleaner, yard maintenances crews and gardeners, along with just about every trade imaginable to make sure our historic home remains a stellar example of all that makes Austin such a special place. We are commercially inspected by the city, for both our rooms and pool/spa, each year and our licenses are annually renewed.

We currently offer two B&B rooms + one 30 day plus lodging option. We would like to expand our B&B rooms to four rooms (five rooms are allowed in our Group 1 designation). This will involve the addition of one room in the main house and, with a variance, one room in the South Building on our property. This space is already a bedroom with bath, previously in our private use. This one room would be, as mentioned, in a secondary building which conflicts with 25-2-782(J) of city code.

We believe that this existing room is truly a part of our home and provides a great option for potential guests who'd like to have their own private entry and deck for their stay. Further this room can not be provided in the main house as there is no room for it and is not recommended as an addition due to our historic status (see email from Steve Sadowski).

In the end, we are proud of our small business in Austin, we'd like to expand and continue to offer stellar service, luxury accommodations and a unique and fun lodging option for Austin - rated #2 on TripAdvisor. Our neighbors are in agreement (see their attached signatures) and, unlike STR's, they love that we are here and want us to stay.

We thank you for your consideration.  
Bess Giannakakis and Blaise Donna Bahara



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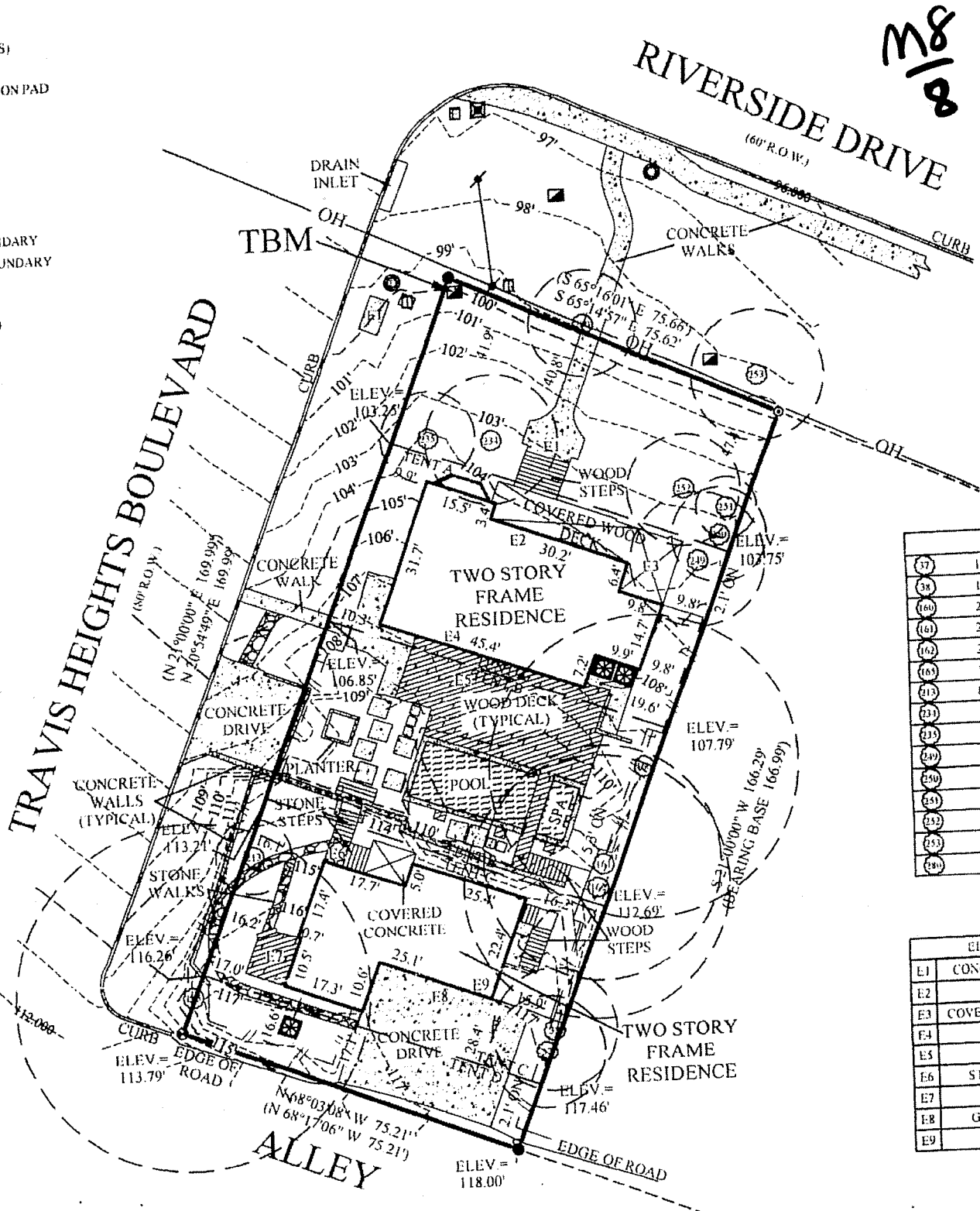
## § 25-2-782 - GENERAL REQUIREMENTS FOR A BED AND BREAKFAST RESIDENTIAL USE.

- (A) A person may own only one bed and breakfast residential use facility.
- (B) The owner must reside in the bed and breakfast residential use structure or in another residential structure on the lot on which the structure is located.
- (C) The owner of a bed and breakfast residential use structure must own the land on which the structure is located.
- (D) The owner must obtain a license to operate a bed and breakfast residential use structure. The license must be renewed annually.
- (E) The owner of a bed and breakfast residential use may employ one or more persons who do not permanently reside on the lot on which the use is located to assist in the operation of the bed and breakfast residential use if the total hours worked by the employees does not cumulatively total more than 40 hours per week.
- (F) Meal service is prohibited, except for breakfast service to an overnight guest.
- (G) A register of guests must be maintained.
- (H) A person may not structurally alter the exterior of a Group 1 residential use structure to change the existing residential character of the structure.
- (I) A bed and breakfast residential use must be more than 1000 feet from an existing bed and breakfast residential use. A City council-adopted neighborhood plan that permits spacing of 1000 feet or less supersedes this subsection.
- (J) A Group 1 bed and breakfast residential use must be located in the principal residential structure on the lot.
- (K) Each bed and breakfast residential use structure of a Group 2 bed and breakfast residential use facility must comply with this section and other applicable Code requirements.

Source: Ord. 990520-38; Ord. 031211-11.

WOOD FENCE  
 RECORD INFORMATION  
 UTILITY POLE  
 OVERHEAD UTILITY LINE(S)  
 WATER METER  
 ELECTRIC TRANSFORMER ON PAD  
 ELECTRIC RISER  
 TELEPHONE RISER  
 ELECTRIC MANHOLE  
 LIGHT POLE  
 REE  
 AIR CONDITIONER  
 INSIDE OF SUBJECT BOUNDARY  
 OUTSIDE OF SUBJECT BOUNDARY

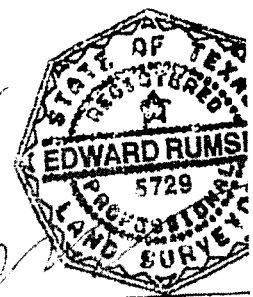
BENCH MARK (TBM)  
 F WATER METER  
 ELEVATION = 100.00'



M8/8

37	1
38	1
160	2
161	2
162	2
163	1
213	1
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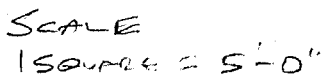
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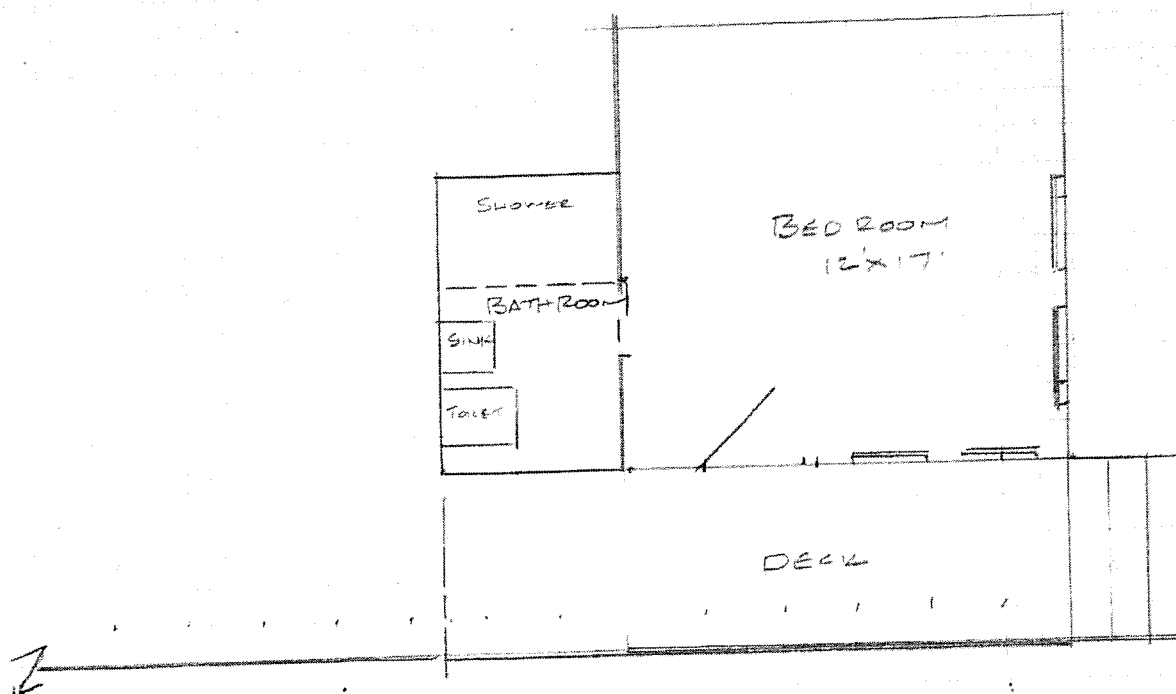
512 326 26 46

PR-10-102758

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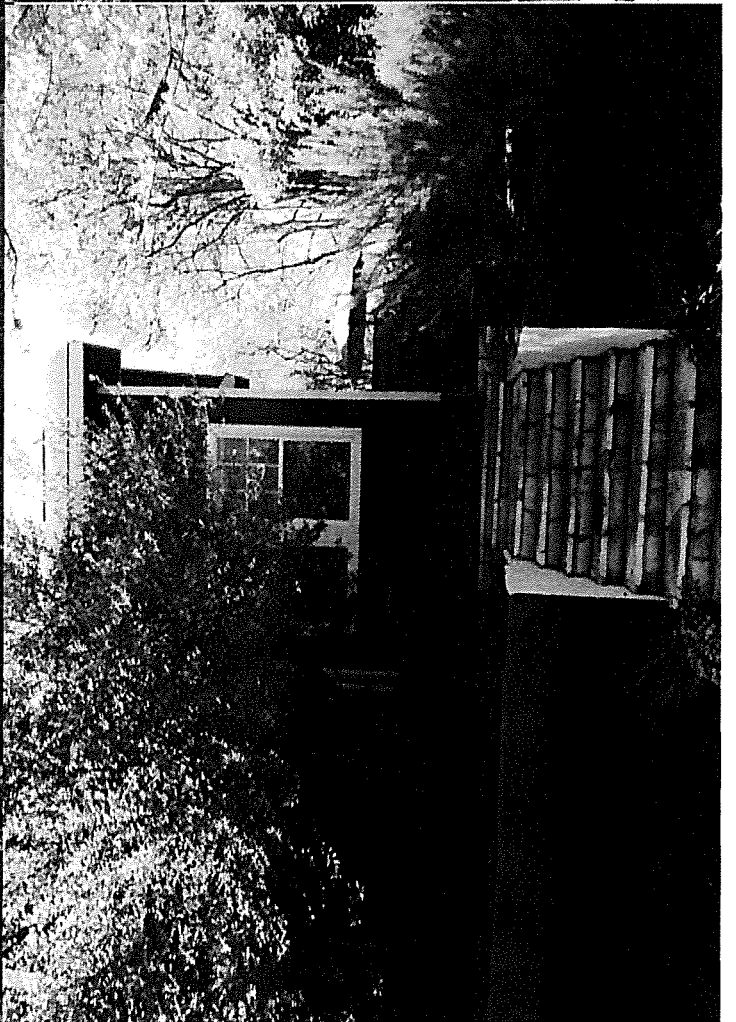
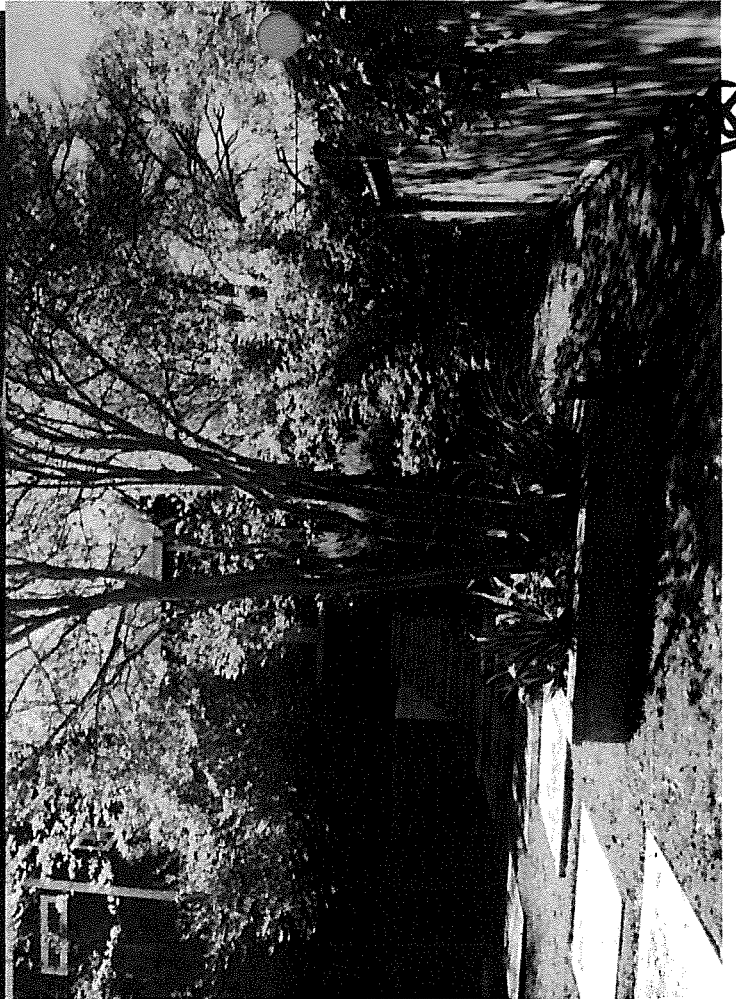
M8  
10

EXISTING BEDROOM  
and BATHROOM  
For B&B



DONNA BAHARA  
BESS GIANNAKAKIS  
1001 E RIVERSIDE DR  
AUSTIN TX 78704  
512 326 2646

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City of Austin

ms  
12

## OPERATING LICENSE

**ESTABLISHMENT:**

Gateway Guesthouse  
1001 E RIVERSIDE DR  
AUSTIN, TX 78704

**LICENSEE:**

Donna Bahara & Bess Giannakakis  
1001 E Riverside Dr  
AUSTIN, TX 78704

Number of Units: 2

**The Austin Code Department.**  
has approved the issuance of this  
Operating License for this establishment.

**The Austin City Code requires that**  
any changes to the information on this  
license be immediately reported in  
writing to:

**License Type:**  
B&B

**CITY OF AUSTIN**  
Austin Code Department  
Attn: CCD Finance  
P.O. Box 1088  
Austin, TX 78767-8810

**License Number:**  
2011 095554 OL

Code Reference:  
**City of Austin**  
Land Development Code  
Chapter 13, Section 1303

Effective Date: January 1, 2015

Expiration Date: December 31, 2015

Issued by:

Carl Smart, Director  
Austin Code Department

ORIGINAL MUST BE CLEARLY DISPLAYED ON ESTABLISHMENT PREMISES

*This is a true and correct copy of the original as filed with the Austin Code Department. It is  
Return to the Austin Code Department for any questions or information. Thank you.*

**CITY OF AUSTIN**  
**PERMIT TO OPERATE A POOL OR SPA**

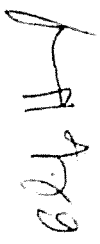
PERMIT No: 2011 095204 PS      Row ID: 10669056

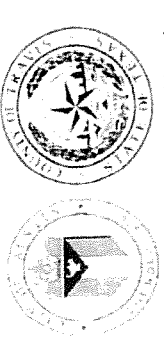
ISSUED TO:  
Bess Gannakakis

FOR THE ESTABLISHMENT:  
Gateway Guest House (Pool)

LOCATED AT:  
1001 E RIVERSIDE DR  
AUSTIN, TX 78704

ISSUE DATE:      EXPIRATION DATE:  
Aug 25, 2014      Oct 20, 2015

  
Philip Huang, M.D., M.P.H.  
Health Authority



Austin-Travis County Health and  
Human Services Department  
Environmental Health Service Division  
Mailing Address

PO Box 1088 Austin, TX 78767

Physical Address:

1520 Rutherford Ln, Austin TX 78754

Phone

(512) 978-0300

Fax

(512) 978-0322

Email

ECHU Service@austintexas.gov

**CONSUMER:**

If you have a health related  
complaint or concern about this  
establishment, you may contact  
the Austin-Travis County Health  
and Human Services  
Department  
using the information above.

1328

**CITY OF AUSTIN**

**PERMIT TO OPERATE A POOL OR SPA**

PERMIT No: 2011 095207 PS

Row ID: 10669059

**ISSUED TO:**

Bess Gannakakis

**FOR THE ESTABLISHMENT:**

Gateway Guest House (Spa)

**LOCATED AT:**

1001 E RIVERSIDE DR

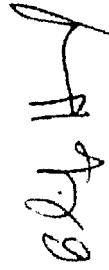
AUSTIN, TX 78704

**ISSUE DATE:**

**Aug 25, 2014**

**EXPIRATION DATE:**

**Oct 20, 2015**



**Philip Huang, M.D. M.P.H.**

Health Authority



Austin/Travis County Health and  
Human Services Department  
Environmental Health Service Division

**Mailing Address:**

PO Box 1088 Austin, TX 78767

**Physical Address:**

1520 Rutherford Ln, Austin TX 78754

**Phone:**

(512) 978-0300

**Fax:**

(512) 978-0322

**Email:**

ECHU.Service@austintexas.gov

**CONSUMER:**

If you have a health related  
complaint or concern about this  
establishment, you may contact  
the Austin/Travis County Health  
and Human Services  
Department  
using the information above.

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m8  
15

**Subject:** Re: 1001 E. Riverside Dr.

**Date:** Monday, March 14, 2016 at 10:54:16 AM Central Daylight Time

**From:** Blaise Bahara (sent by Gateway Guesthouse <gatewayguest@earthlink.net>)

**To:** Sadowsky, Steve

**From:** "Sadowsky, Steve" <[Steve.Sadowsky@austintexas.gov](mailto:Steve.Sadowsky@austintexas.gov)>

**Date:** Friday, March 11, 2016 at 1:32 PM

**To:** Donna Bahara

**Subject:** RE: 1001 E. Riverside Dr.

Dear Donna and Bess:

The Cloud House is a historic landmark, and its architecture and context are important to protect. It is preferable, according to the standards used by this office, the City Historic Landmark Commission, and the Secretary of the Interior, to adaptively re-use existing space within a historic house rather than to make additions.

Steve Sadowsky  
Historic Preservation Officer  
City of Austin, Texas  
974-6454



Donna Blaise Bahere

I, Bess Giannakakis, am applying for a variance from the Board of Adjustment regarding Section 25-2-782 of the Land

Development Code. The variance would allow me the ability to use one room in our secondary

structure as a bedroom for our B+B and allow one car on street per

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

Property Owner Name (Printed)	Address	Signature
LAUREA DAVID + RAYMOND TUN	1007 E. RIVERSIDE DR	<i>Laurea David</i>
ADAM + ADRIANNE PALMA	1105 Riverside Dr	<i>Adrianne Palma</i>
<i>Adrianne Palmer</i>	907 E. Riverside	<i>Adrianne Palmer</i>
ARTHUR + JUDE GALLIGAN	1005 E. RIVERSIDE	<i>Arthur Galligan</i>
CRAB STREET + SHELBY WAGNER	1106 TRAVIS HEIGHTS BLVD	<i>Shelby Wagner</i>
ALAN PARKER	8909 E RIVERSIDE	<i>Alan Parker</i>
<i>Chris Jones</i>	1110 TRAVIS HEIGHTS	<i>Chris Jones</i>

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