






-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

NOTIFICATIONS

CASE#: C15-2016-0048
 LOCATION: 1605 Brackenridge St.



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

1" = 160'



CITY OF AUSTIN

Development Services Department

One Texas Center | Phone: 512.978.4000

505 Barton Springs Road, Austin, Texas 78704

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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 # C15-2016-0048 ROW # 11516356 Tax # 0302001309
TRADV

Section 1: Applicant Statement

Street Address: 1605 Brackenridge

Subdivision Legal Description:

South 7 ft of Lot 2 and North 39 ft of Lot 3, Block 12G, Fairview Park

Lot(s): _____ Block(s): _____

Outlot: _____ Division: _____

Zoning District: SF-3-NP (South River City)

I/We Jim Wittliff/Land Answers, Inc. on behalf of myself/ourselves as
authorized agent for Charles Newman affirm that on
Month March, Day 3, 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: Garage (23' wide x 20' deep)

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

25-2-515: "For through lots, the rear setback must comply with the minimum requirements applicable to a front yard."

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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 there are eight structures along the west side of Drake Avenue that do not meet current setback regulations, Section 2.3 of Subchapter 7 (Setback averaging) does not allow any of the noncomplying structures to be used for setback averaging, since they are not principal residential structures. Our proposed 5 foot setback will be in conformity with other structures along Drake Avenue.

Hardship

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

Drake Avenue is unique, in that it is the only area of double-fronting lots in the neighborhood, and this property is unique in requiring a setback variance in order to rebuild a garage in conformance with Drake Avenue typical setbacks. The standard required 25' setback would put the garage closer than 10' from the existing residence, in violation of the fire code, and a 25' setback would require an impervious cover increase in excess of the (see additional page)

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

Most of the other structures along Drake Avenue that do not comply with current setback regulations are in good physical condition, and therefore are able to be maintained as non-complying structures, per LDC 25-2-961. The garage on this lot is in such poor condition that its repair cannot be legally accomplished in compliance with the City's non-complying structure regulations.

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:

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Reduced setbacks along Drake Avenue are common. In the two block area between East Monroe and Lockhart, there are a total of 14 structures along the west side of Drake Avenue that fail to meet the minimum setback requirements of current code.

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

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:

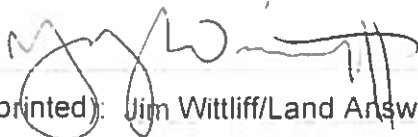
N/A

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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: 3-20-16

Applicant Name (typed or printed): Jim Wittliff/Land Answers, Inc.

Applicant Mailing Address: 3606 Winfield Cove

City: Austin

State: Texas

Zip: 78704

Phone (will be public information): (512) 416-6611

Email (optional – will be public information): landanswers@sbcglobal.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: 3/21/16

Owner Name (typed or printed): Charles Newman

Owner Mailing Address: P.O. Box 684824

City: Austin

State: Texas

Zip: 78768

Phone (will be public information): (512) 416-6611

Email (optional – will be public information):

Section 5: Agent Information

Agent Name:

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).

Additional Space (continued)

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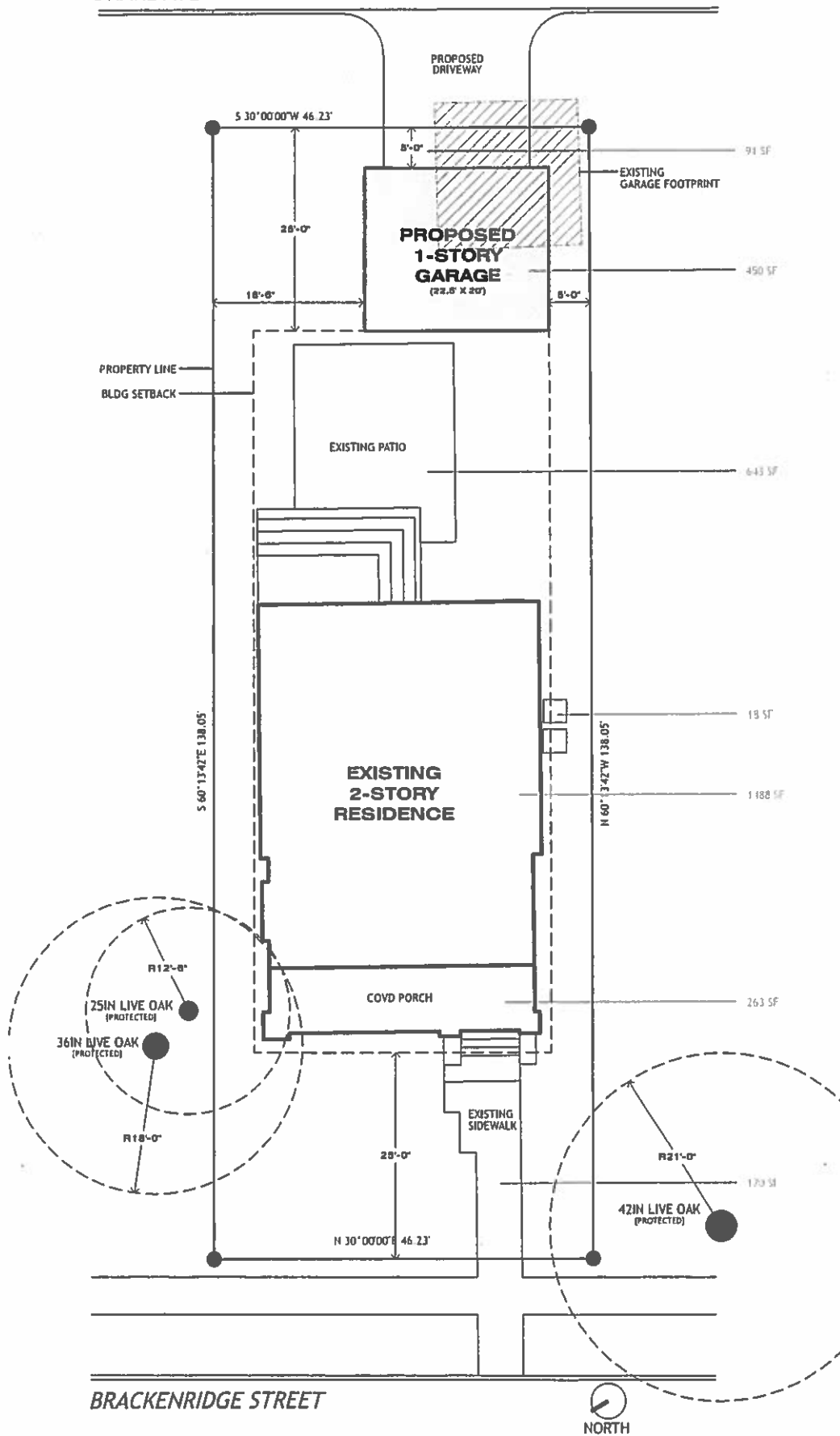
Hardship (a):

45% allowed by zoning. The existing structure extends into the Drake Avenue ROW, it cannot be repaired, and therefore it must be replaced.

SAVE

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DRAKE AVE





**City of Austin
Development Services Department
Land Status Determination
1995 Rule Platting Exception**

October 22, 2015

File Number: C8I-2015-0310

Address: 1605 BRACKENRIDGE ST

Tax Parcel I.D. #0302001309

Tax Map Date: 12/22/2014

The Development Services Department has determined that this parcel, as described in the attached description and map, **IS EXCEPTED FROM THE REQUIREMENT TO PLAT** in accordance with the Land Development Code, Section 25-4-2(C), and is eligible to receive utility service.

The parcel of land consists of five acres or less, and is described as being the south 7 feet of lot 2 and the north 39 feet of lot 3, block 12G, Fairview Park in the current deed, recorded on May 21, 2015, in Document #2015078885, Travis County Deed Records. This parcel existed in its current configuration on January 1, 1995, as evidenced by a deed recorded on May 08, 1985, in Volume 9153, Page 78, Travis County Deed Records. The parcel was lawfully receiving utility service, as defined in Section 212.012 of the Texas Local Government Code, on January 1, 1995, as evidenced by wastewater service on May 03, 1925. The parcel meets the requirements of the Land Development Code for roadway frontage and is located on an existing street.

Additional Notes/Conditions:

NONE

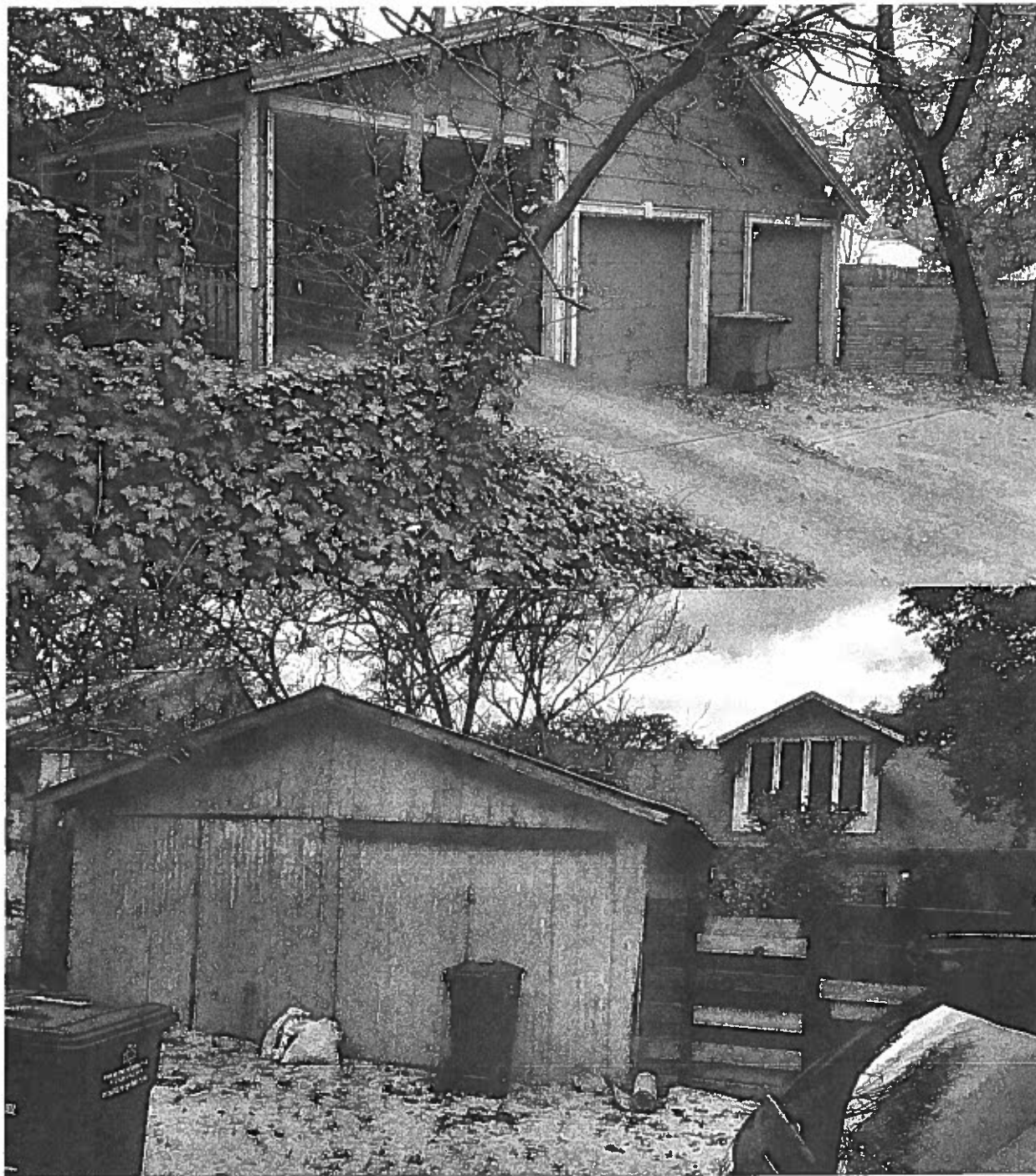
This determination of the status of the property is based on the application of Chapter 212, Municipal Regulation of Subdivisions and Property Development, Texas Local Government Code; and the City of Austin Land Development Code, Chapter 25-4, Subdivision. Recognition hereby does not imply approval of any other portion of the City Code or any other regulation.

By:

A handwritten signature in cursive script, appearing to read "Michelle Chiles", written over a horizontal line.

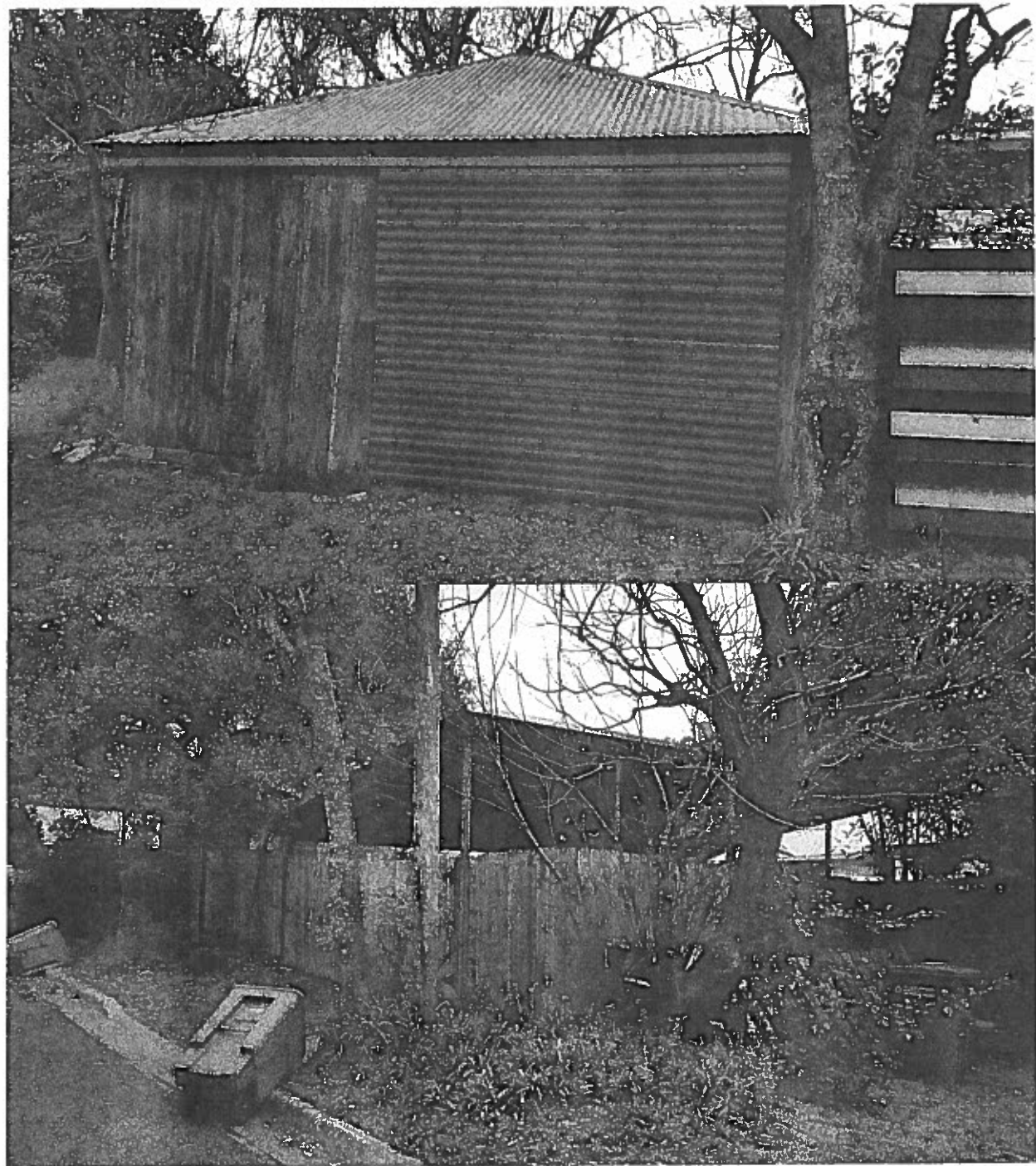
**Development Services Department, Representative of the Director
Development Services Department**

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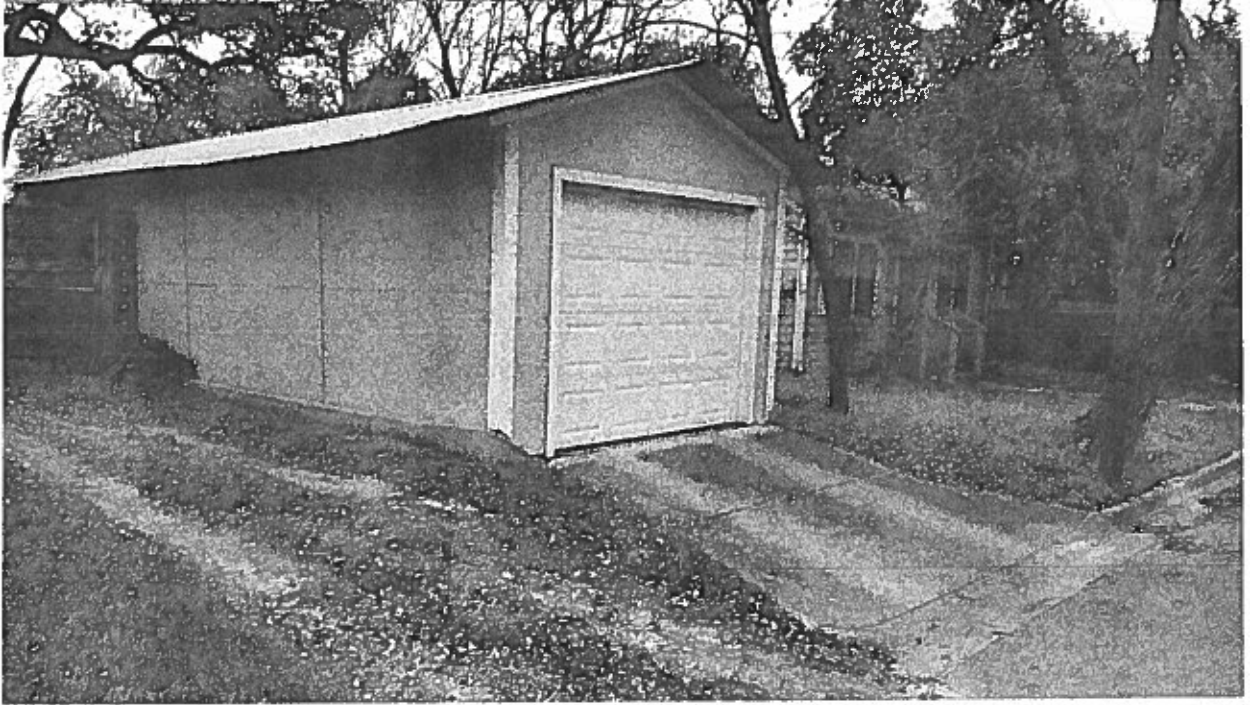


1605 BRACKENRIDGE

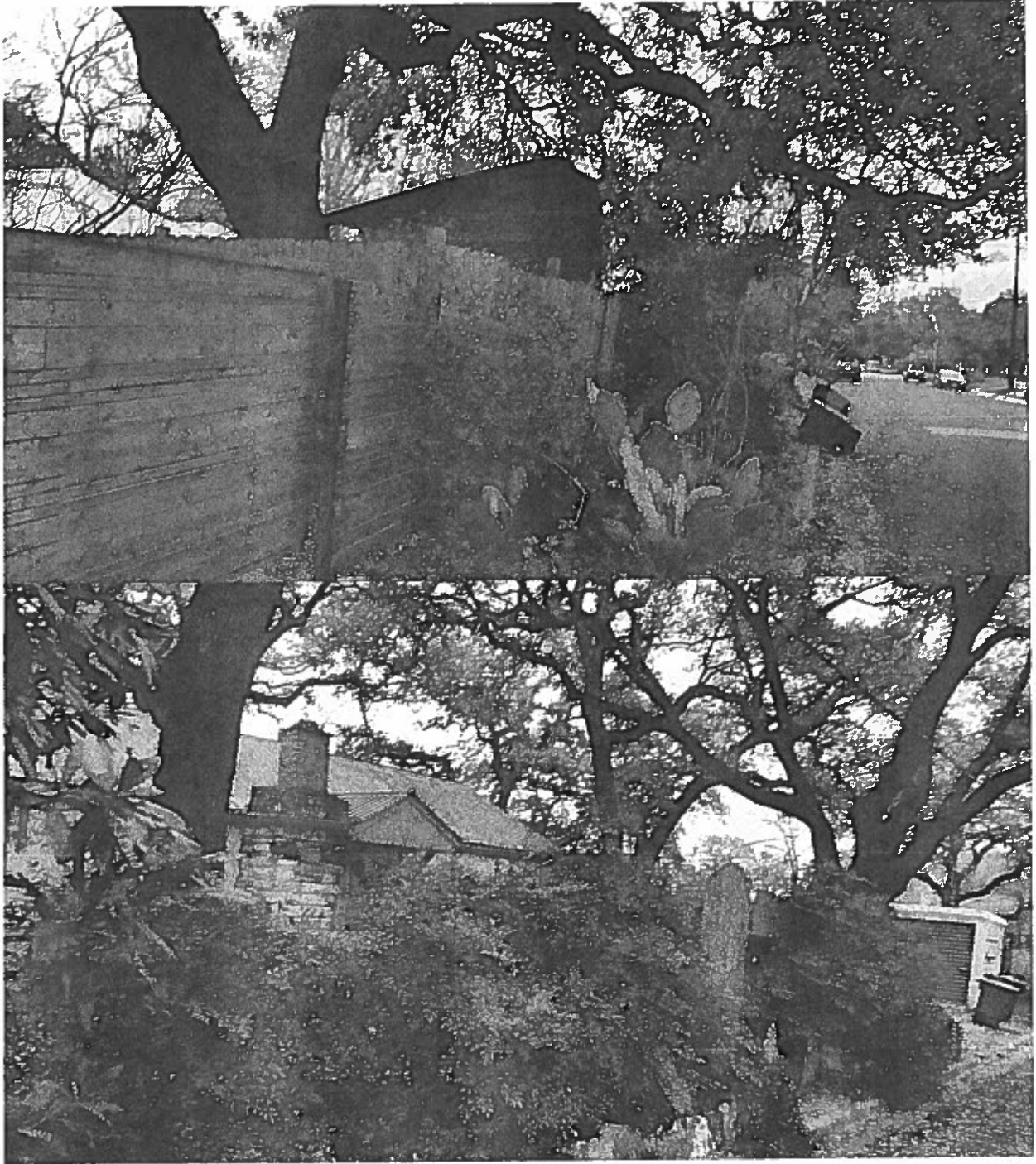
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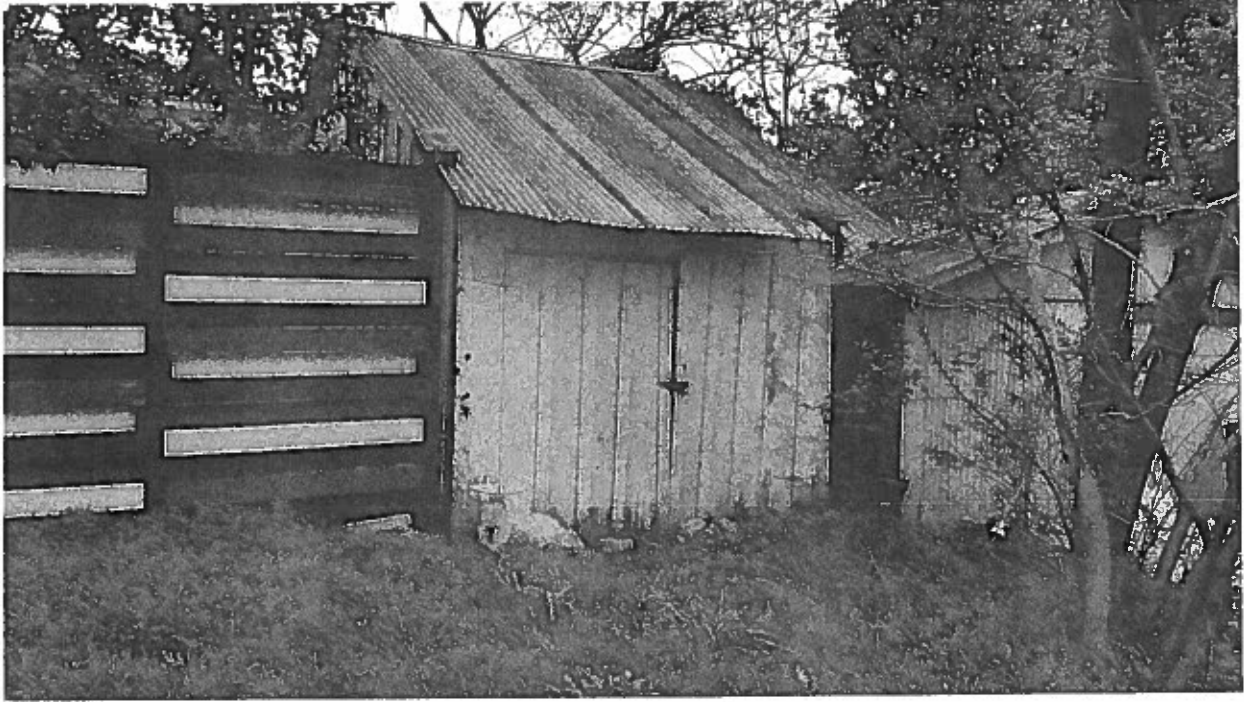


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Support For Garage Setback Variance: 1605 Brackenridge St.

I am in support of the variance application for 1605 Brackenridge Street, to reduce the garage setback from 25 feet of 5 feet. I believe that the proposed variance:

- Is necessary due to the nature of the lot
- Will improve the neighborhood by replacing a degraded non-compliant structure
- Is in keeping with the nature and characteristic of the neighborhood as it will be similar, and/or, less close to the property line than other houses, garages, and structures along Drake Avenue.

Sincerely,

Marklyn J. Ford

Owner

Don E. Ford

1707 Brackenridge 18704

Address

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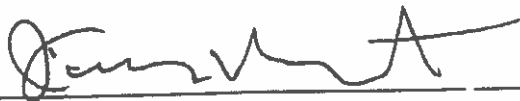
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Sincerely,

James Vincent



Owner

1711 Brackenridge

Address

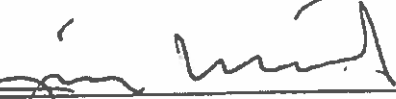
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Sincerely,

Jim Vincek


Owner

1712 Drake Ave

Address

my
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Sincerely,

Henry White / Henry White
Owner

1609 Drake Ave, Austin, Tx 78704
Address

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Sincerely,

CHRISTIAN GOYER,
Owner

Chris Goyer 4/21/16

1607 DRAKE AVENUE
Address

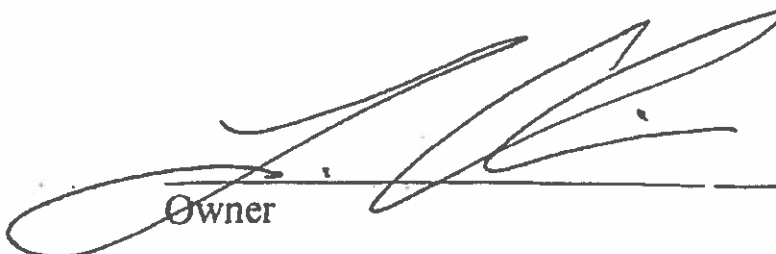
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Sincerely,


Owner

1605 Drake Ave. Austin, TX 78704
Address

my
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- Is in keeping with the nature and characteristic of the neighborhood as it will be similar, and/or, less close to the property line than other houses, garages, and structures along Drake Avenue.

Sincerely,

SHANNON STEWART, M.V. A 4/21/16
Owner

1603 BRACKENRIDGE Austin, 78704
Address

