



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

### NOTIFICATIONS

CASE#: C15-2016-0090  
LOCATION: 1103 W. 45th 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.

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1" = 134'



## CITY OF AUSTIN

Development Services Department

One Texas Center | Phone: 512.978.4000

505 Barton Springs Road, Austin, Texas 78704

25  
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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 # C15-2016-0090 ROW # 11564192 Tax # 0222031012  
TAD

#### Section 1: Applicant Statement

Street Address: 1103 w 45th Street Austin, TX 78756

Subdivision Legal Description:

West 47 feet of Lot 12 Block 3 Alta Vista

Lot(s): 12

Block(s): 3

Outlot: \_\_\_\_\_

Division: Alta Vista

Zoning District: SF-3

I/We Bill Bucuk, Patrick St Cin, John Harter on behalf of myself/ourselves as  
authorized agent for Patrick Dixon affirm that on  
Month June, Day 27, 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: New Single-Family Residence

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

25-2-492 Site Development Regulations - Minimum Lot Size, Minimum Lot Width, Minimum Front Side & Rear Setbacks (Existing Parcel & Building Are Already Non-Compliant with These)  
25-6-472 Parking Facility Standards/ Appendix A - Tables of Off-Street Parking and Loading Requirements - Minimum Off-Street Parking (Existing Property Already Non-Compliant)

135/3

## 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 parcel was deed-divided in 1977 and has existed in it's current configuration for several decades. The current lot width (47') and lot area (2,269 sq. ft.) do not allow the application of standard SF-3 restrictions. We have obtained a land status designation but require these additional variances to put a dwelling and required parking on the buildable area of 36'x13'.

### Hardship

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

The parcel is smaller than nearly all properties in the surrounding neighborhood. It appears it was deeded off from the front half of the lot in 1977. The sub-standard lot size is unique to this property as well as the hardship created by applying the minimum lot size/ width, setback requirements, and off-street parking requirements. There is also a large tree on the site which impacts the buildable area.

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

Because this parcel was deed-divided in 1977 by previous owners it is unique to the area. Nearly all of the properties in this neighborhood meet the minimum SF-3 lot area requirements or can utilize cottage lot or small lot amnesty tools as permitting tools, but this lot cannot.

## 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:

There is an existing home on this parcel. Our new single family residence will align with the existing foundation on three sides and observe the side setback on the fourth side. It will extend no further towards adjacent properties than the existing building. The building will be designed in the Rosedale bungalow style with proportion, roof pitch, detail, and materials to match the character of the neighborhood. Adjacent conforming properties will not be impaired by this project & the construction of a single-family residence is in keeping with zoning district.

## 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:

With one off-street parking space on the property the one or two additional overflow vehicles will have ample parking on nearby Bellvue Ave and Marathon Blvd. There are no large institutional or commercial sites nearby with overflow parking and most of the homes have alley access. This area is also well served by public transit along 45th St, Lamar Blvd & Burnet Rd.

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:

Neither Bellvue Ave. nor Marathon Blvd. are frequently used through-streets. One or two overflow vehicles from our property on Bellvue Ave or Marathon Blvd will not impede the free flow of traffic on the streets.

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

There is adequate available parking for any overflow vehicles from our property along Bellevue Ave. and Marathon Blvd. Currently the "front" property from which this parcel was divided has (4) off-street spaces.

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

The development of this parcel as a single family residence is the best use for this property.

### 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: W. I. / Date: \_\_\_\_\_  
Applicant Name (typed or printed): William Bucuk, Jr  
Applicant Mailing Address: 16521 Ennis Trail  
City: Austin State: TX Zip: 78717  
Phone (will be public information): (512) 663-2395  
Email (optional – will be public information): Bill.Bucuk@yahoo.com  
Jade. Harter 82@gmail.com

### 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: Sharon Watkins Date: June 24, 2016  
Owner Name (typed or printed): SHARON WATKINS Patrick DIXSON  
Owner Mailing Address: 4416 Ramsey  
City: Austin State: TX Zip: 78756  
Phone (will be public information): 512-844-0612  
Email (optional – will be public information): Patrick@PatrickDixon.com

### 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).

The existing residence is in a state of disrepair. It has major structural failure occurring throughout the building. Our intention is to build a new single family residence which aligns with the existing footprint on three sides and adhere's to the side setback on the fourth side. We will meet the standard SF-3 site development standards of 45% impervious cover and 40% building cover as

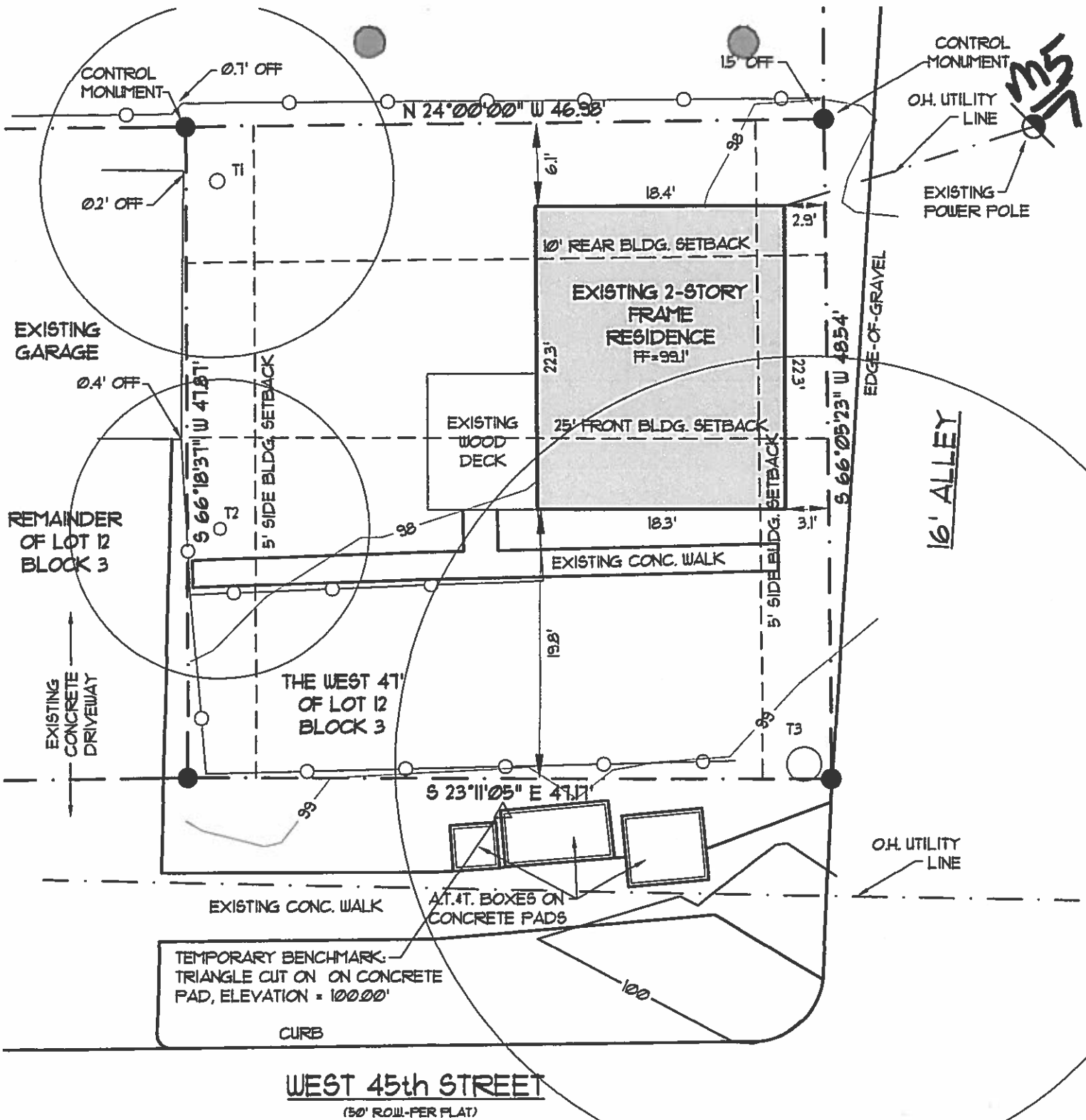
Additional Space (continued)

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well as the Sub-Chapter F guidelines including the floor-to-area restriction and setback planes.  
Without these variances this property is will continue to sit empty. In the "Imagine Austin"  
comprehensive vision for the City, urban-infill, density, and development of areas already served by  
utility and mass-transit are all focal points. "Grow as a compact, connected city" is one of the six  
core principles of the plan. We believe this project is in line with those priorities and will transform  
an abandoned derelict building into a livable, affordable house in the city core.

SAVE

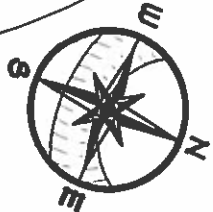


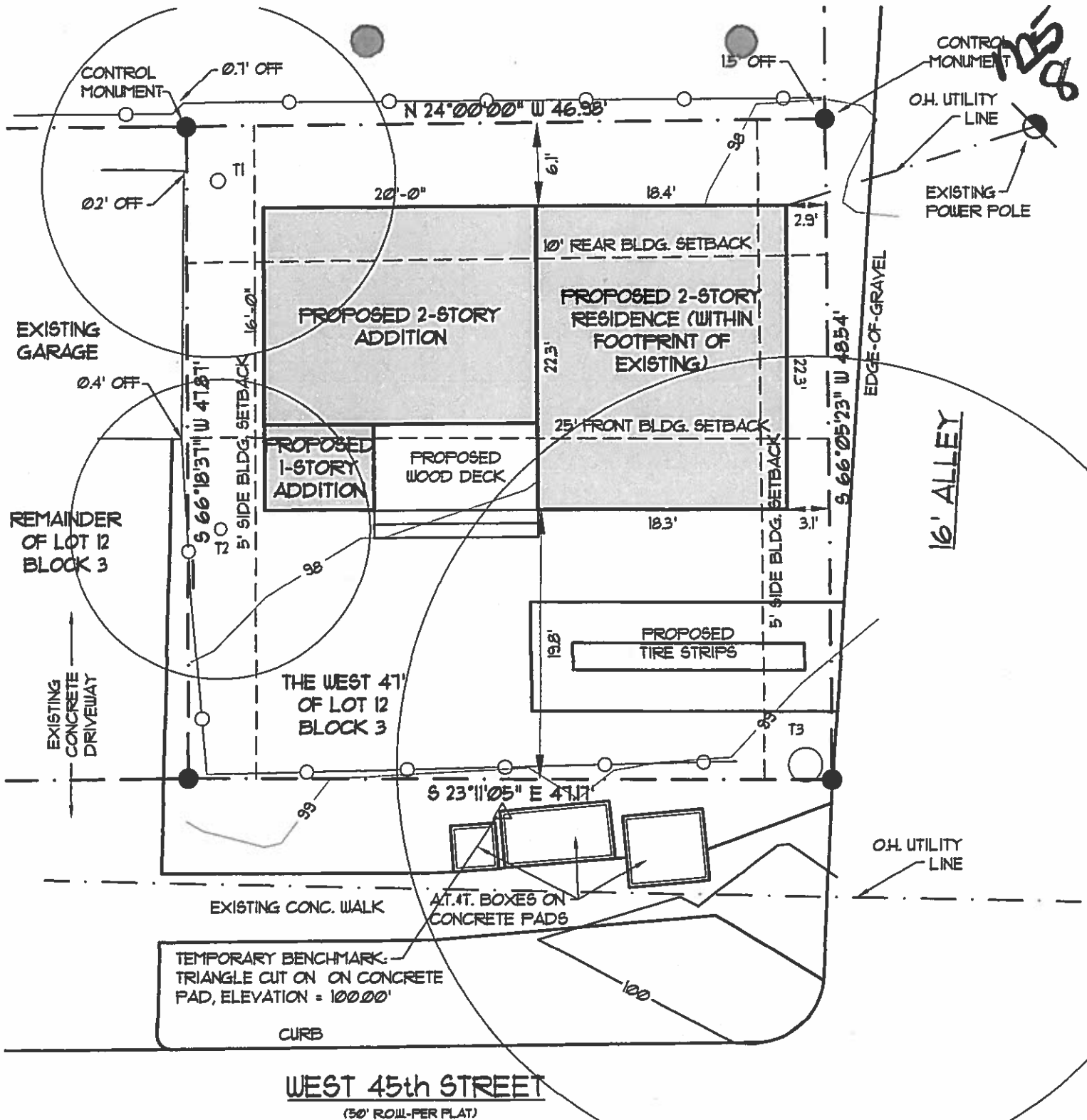


TAG	TREE DESCRIPTION
1	13" HACKBERRY
2	11" LIVE OAK
3	30" HACKBERRY

**LEGAL DESCRIPTION:**  
 1103 W 45th STREET  
 THE WEST 41' OF LOT 12  
 BLOCK 3 ALTA VISTA  
 AUSTIN, TX 78756  
 TRAVIS COUNTY

**1103 W 45th STREET**  
**EXISTING CONDITION**  
 SCALE 1"=10'-0"  
 DATE: 6/22/16



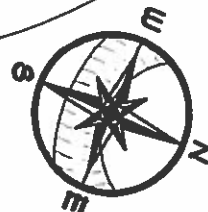


TAG	TREE DESCRIPTION
1	13" HACKBERRY
2	11" LIVE OAK
3	30" HACKBERRY

**LEGAL DESCRIPTION:**  
 1103 W 45th STREET  
 THE WEST 47' OF LOT 12  
 BLOCK 3 ALTA VISTA  
 AUSTIN, TX 78756  
 TRAVIS COUNTY

**1103 W 45th STREET**  
**PROPOSED CONDITION**

SCALE 1"=10'-0"  
 DATE: 6/22/16





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9

<u>BUILDING COVERAGE</u>		EXISTING	PROPOSED
A.	1ST FLOOR CONDITIONED AREA	410#	780#
B.	2ND FLOOR CONDITIONED AREA	410#	730#
C.	3RD FLOOR CONDITIONED AREA	0#	0#
D.	BASEMENT		0#
E.	GARAGE / CARPORT		
	ATTACHED	0#	0#
	DETACHED	0#	0#
F.	WOOD DECKS (100%)	80#	100#
G.	BREEZEWAYS	0#	0#
H.	COVERED PATIOS	0#	0#
I.	COVERED PORCHES	0#	0#
J.	BALCONIES	0#	0#
K.	SWIMMING POOLS (POOL SURFACE AREA)	0#	0#
L.	OTHER BUILDING OR COVERED AREA	0#	0#
TOTAL BUILDING AREA		900#	1610#
TOTAL AREA OF LOT:		2269#	2269#
TOTAL BUILDING COVERAGE ON LOT		410#	780#
(SUBTRACT B,C,D,K, & F IF UNCOVERED)		18.1%	34.4%

<u>IMPERVIOUS COVERAGE</u>		EXISTING	PROPOSED
TOTAL BUILDING COVERAGE ON LOT		410#	780#
DRIVEWAY AREA		0#	142#
SIDEWALKS / WALKSWAYS		93#	30#
UNCOVERED PATIOS		0#	0#
UNCOVERED WOOD DECKS (50%)		40#	50#
AIR CONDITIONER PADS		9#	11#
CONCRETE DECKS		0#	0#
OTHER			
SPECIFY: _____		0#	0#
IMPERVIOUS COVERAGE		552#	1013#
TOTAL AREA OF LOT:		2269#	2269#
IMPERVIOUS COVER		2433%	4465%

1103 w 45th STREET  
AREA CALCULATIONS  
 DATE: 6/22/16



1103 W 45TH STREET  
CONTEXTUAL SITE PLAN

175  
11

## Authorization of Agency

I (we) do hereby authorize the following person(s) William Bucuk, Patrick St.Cin and/or Jack Harter to act as our agent regarding the variance application for the property situated at the address 1103 W 45<sup>th</sup> Street, Austin, TX 78756.

Signed this day 24 of June 2016

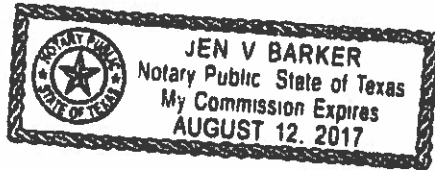
Sharon J. Watkins

Sharon J. Watkins

Patrick L. Dixon

Patrick L. Dixon

Jen V Barker  
NOTARY





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

**May 12, 2016**

**File Number: C8I-2016-0123**

**Address: 1103 W 45TH ST**

**Tax Parcel I.D. #0222031012**

**Tax Map Date: 11/26/2014**

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 west 47 feet of lot 12, Block 3, Alta Vista Addition in the current deed, recorded on Jun 21, 2005, in Document #2005110368, Travis County Deed Records. This parcel existed in its current configuration on January 1, 1995, as evidenced by a deed recorded on Jun 20, 1978, in Volume 6218, Page 1997, 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 water service on May 29, 1981. The parcel meets the requirements of the Land Development Code for roadway frontage and is located on an existing street.

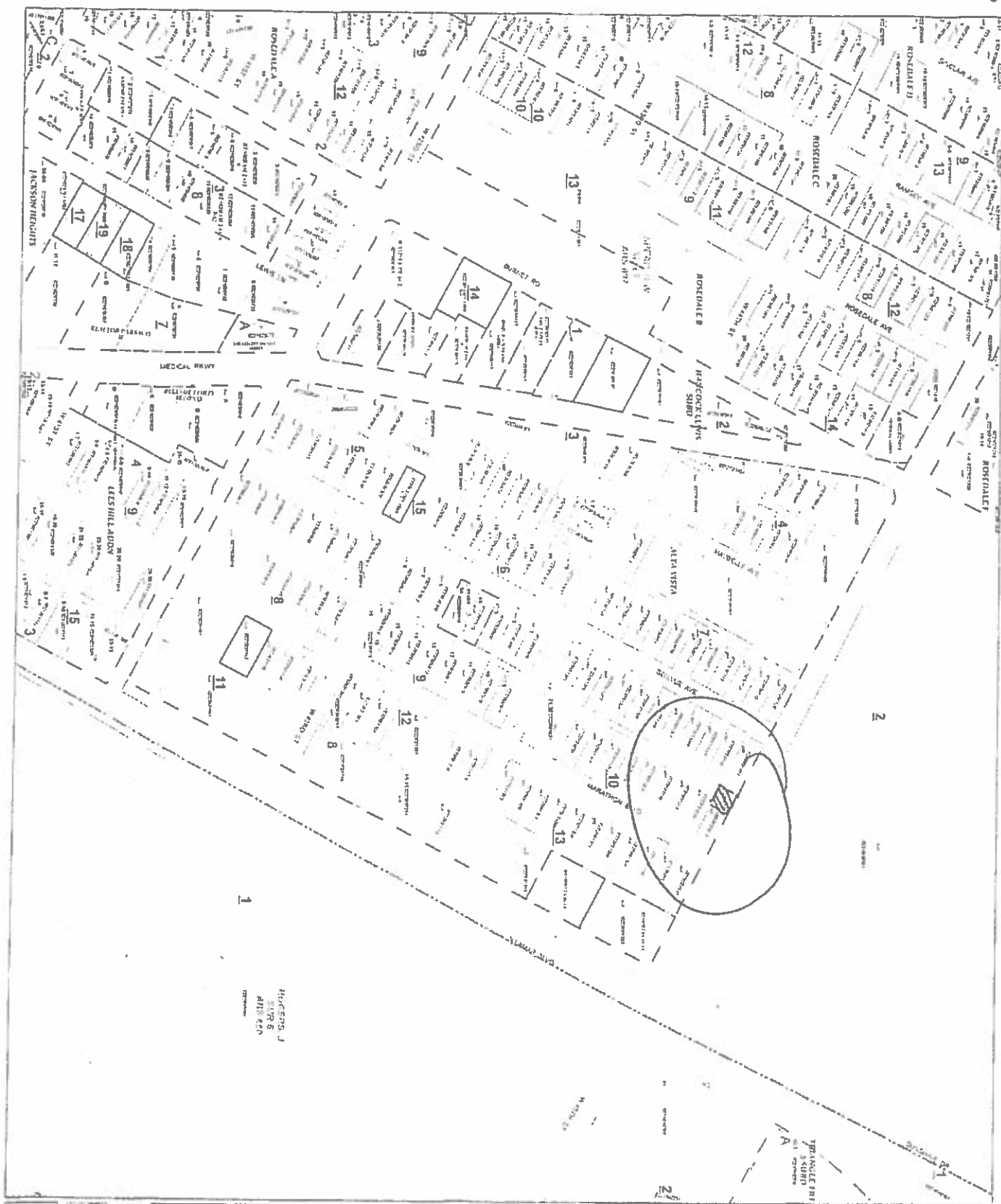
**Additional Notes/Conditions:**  
NONE

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: Michelle Casillas  
**Michelle Casillas, Representative of the Director  
Development Services Department**

12/35

5/13



HUGGINS, J  
11/18/08  
MIS 620

22203

Revision Date:  
11/26/2014

0 120  
1/2" = 120'

Scale:  
1" = 120'  
1/2" = 60'  
1/4" = 30'

NAO 1983 StatePlane  
Texas\_Central\_FIPS\_4203\_Feet  
Projection Lambert\_Conformal\_Conic

This map was compiled solely for the use of TCAD. Areas depicted by these digital products are approximate and are not necessarily accurate to mapping, surveying or engineering standards. Conclusions drawn from this information are the responsibility of the user. The TCAD makes no warranty, representation or guarantee about the accuracy, completeness or adequacy of the information and expressly disclaims liability for any errors and omissions. The printed data does not constitute a legal document.

**Travis Central Appraisal District**  
6214 Cross Park Drive  
Austin, Texas 78754  
Internet Address: [www.traviscad.org](http://www.traviscad.org)  
Main Telephone: (512) 434-7317  
Fax: (512) 434-7318  
TDD: (512) 926-3329



135  
14

ROSEDALE RESIDENCE  
1103 WEST 45TH STREET

**1103 W 45<sup>th</sup> Street Austin, TX 78753**  
**Nearby Structures**

ms  
15



North East – Front of existing structure



4419 Marathon Blvd



4417 Marathon BVD



1103 W 45<sup>th</sup> Street Austin, TX 78753

MS  
14



1107 W45th Street – immediate neighboring property



1201 W 45<sup>th</sup> Street

1103 W 45<sup>th</sup> Street Austin, TX 78753

17/35



Texas School for the Blind and Visually Impaired



4416 Bellvue



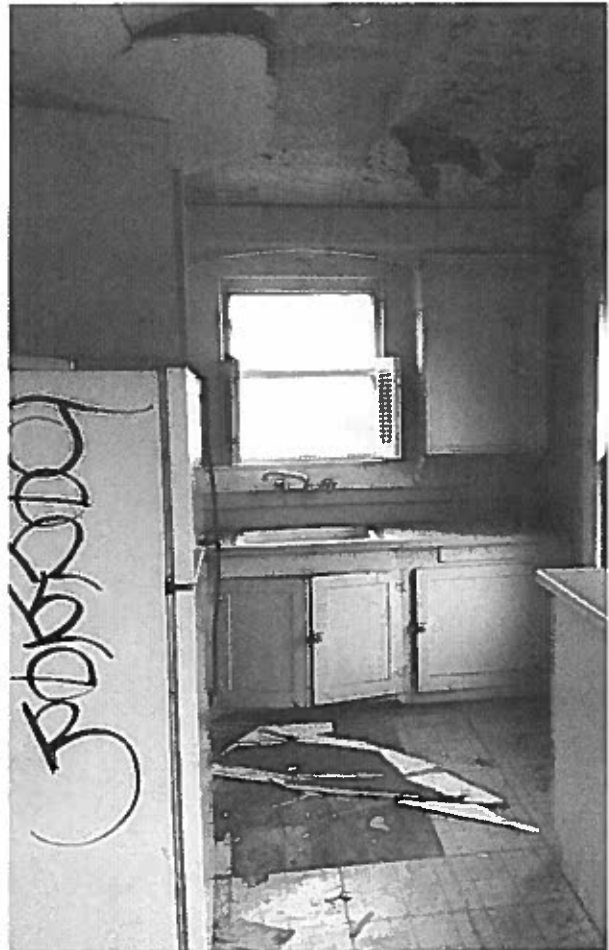
4421 Bellvue

1103 W 45<sup>th</sup> Street Austin, TX 78753  
Condition of Existing Structure

18/3/21



Water Damage along with vandalism



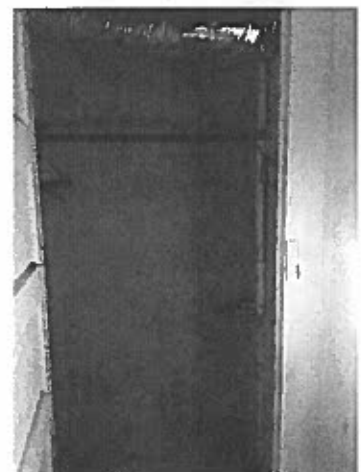
Ceiling / Water Damage and Vandalism



Gerrymandered cast iron plumbing



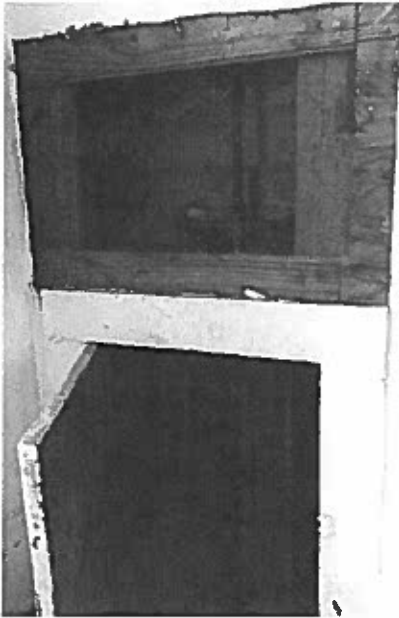
Structural repairs



Plumbing, exposed electrical  
and A/C ducting in closet

1103 W 45<sup>th</sup> Street Austin, TX 78753

3/25/19



Bathtub plumbing



Water damage on first floor with ceiling falling down

Rodent feces throughout the property



Front porch cover is falling off creating a safety hazard



Significant water damage and dry rot thru-out the property

1103 W 45<sup>th</sup> Street Austin, TX 78753

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26



Water damaged clapboard siding. Clapboard cover over original car

