

C15-2016-0100

Heldenfels, Leane

From: Rye, Stephen [REDACTED]
Sent: Friday, September 23, 2016 8:22 AM
To: Heldenfels, Leane
Cc: Jay Otto; ROBERT SHAWN BREEDLOVE
Subject: RE: 3312 Robinson Avenue Board of Adjustment backup

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Leane,

We will agree to the postponement. I will be at the meeting to answer any questions if needed.

Thank you,

Stephen Rye
Urban Planner
Stantec
221 West Sixth Street Suite 600 Austin TX 78701-3411
Phone: (512) 328-0011
Cell: (512) 803-7984
Fax: (512) 328-0325
Stephen.Rye@stantec.com



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From: Heldenfels, Leane [mailto:Leane.Heldenfels@austintexas.gov]
Sent: Wednesday, September 14, 2016 4:59 PM
To: Rye, Stephen [REDACTED]
Cc: Jay Otto [REDACTED]; ROBERT SHAWN BREEDLOVE [REDACTED]
Subject: RE: 3312 Robinson Avenue Board of Adjustment backup

Have received and will include in the Board's advance packet –
Take care,
Leane Heldenfels
Board of Adjustment Liaison
City of Austin

From: Rye, Stephen [REDACTED]
Sent: Wednesday, September 14, 2016 4:12 PM
To: Heldenfels, Leane
Cc: Jay Otto; ROBERT SHAWN BREEDLOVE
Subject: 3312 Robinson Avenue Board of Adjustment backup

Hi Leane,

Please see attached for additional back up material for the 9/28/16 variance request for 3312 Robinson. Let me know if you have any questions or need any additional information.

Thank you,

C15-2016-0100

Heldenfels, Leane

From: Stuart Reilly ~~XXXXXXXXXX~~
Sent: Wednesday, September 21, 2016 5:06 PM
To: Heldenfels, Leane
Cc: Jules Kniolek
Subject: 3312 Robinson - front setback variance - BOA

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Hi Leane,

As I mentioned on the phone, the neighbors will be requesting a postponement on the 3312 Robinson Avenue variance request (C15-2016-0100). Unfortunately, the meeting on September 28th is too short of a turnaround for us to examine all the potential issues. In addition, I'll be out of town starting Friday and returning late on the 27th.

Because of the way the meeting schedule has worked out, the next meeting (Oct. 10) will be less than a two week delay. So, hopefully our request for postponement will be viewed as reasonable by everyone involved.

Many thanks,
Stuart Reilly

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61**Development Services Department
Memorandum**

To: Board of Adjustment

From: Daniel Word, Planner Principal
Residential Review

Date: September 15, 2016

Subject: C15-2016-0100

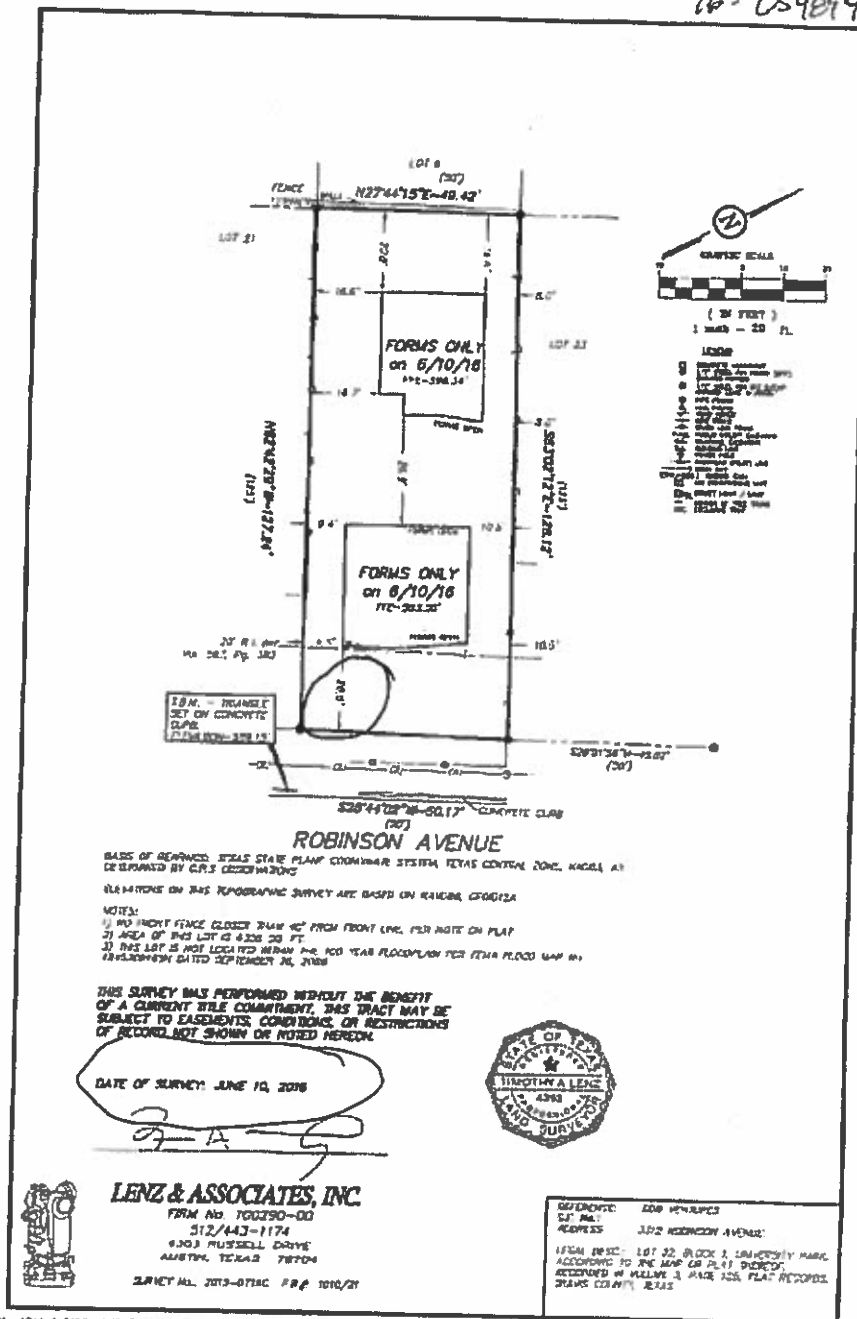
The case referenced was subjected to errors in both the review process and inspections process. The purpose of this memorandum is to attest to the relevant facts of the situation that have led to the case being presented to the Board for a variance request to the minimum front setback.

On February 29, 2016, a residential permit application was submitted for the purpose of constructing a new single-family residence with a detached secondary dwelling to the rear of the principal residence at 3312 Robinson Avenue in the Upper Boggy Creek Neighborhood Plan Area. The plans were reviewed on March 9, 2016 for zoning compliance and were approved. Once review comments from the tree ordinance review were cleared, the permit was released on May 11, 2016. The building permit was purchased on May 18, 2016.

The submitted plans represented a front setback of twenty (20) feet, while the minimum front setback in the zoning district (SF-3-NP) requires twenty-five (25) feet. This discrepancy was not noted during the permit application review and was subsequently released for permit in error. The source of the twenty (20) foot setback referenced appears to be a deed restriction recorded in Volume 587, Page 382 of the Travis County Deed Records.

A layout inspection was performed on June 24, 2016. The form survey showed a front setback of 20.5 feet and was passed for inspection. The construction continued until the error was discovered by the original reviewer as a result of a phone call from a neighborhood resident. The permit holder was contacted on August 5, 2016 to inform them of the discrepancy. A stop work order was issued on August 11, 2016.

A meeting was conducted on August 19, 2016 between city staff and the permit holder to discuss the situation. Setback averaging as described in Title 25-2 Subchapter F was determined to not yield a setback of less than twenty-five (25) feet, leaving either a variance request or deconstruction as the only presentable options for resolving the compliance issue regarding the minimum front setback.

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Heldenfels, Leane

From: Jules Kniolek [REDACTED]
Sent: Thursday, September 22, 2016 11:59 AM
To: Heldenfels, Leane
Subject: C15-2016-0100 Fwd: [CHERRYWOOD] Austin City Builder

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Leane

I am passing this on just fyi re: C15-2016-0100.

Jules

----- Forwarded message -----

From: PJ Raval pjraval@gmail.com [NeighborNet] <[REDACTED]>
Date: Thu, Sep 22, 2016 at 11:31 AM
Subject: [CHERRYWOOD] Austin City Builder
To: CNA NeighborNet <[REDACTED]>

FYI someone from Austin City Builders just knocked on my door and asked if I was willing to sign a petition that allowed their structure (two story home located on Robinson) that they are currently building to be built up to the building line perhaps (which i think he said we 20ft from the curb)? Not the city code line or where the structure should start I believe? I did not sign, but anyone know anything about this? All he had to say was they are building a huge modern two story house and I was already not inclined to sign anything ha ha.

PJ on Robinson

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PJ Raval
Filmmaker

+1.512.507.8158 Mobile
+1.347.687.8158 NYC
AIM: unraveled
website: unraval.com
twitter: twitter.com/pjraval

"I'm not offended by all the dumb blonde jokes because I know I'm not dumb... and I also know that I'm not blonde."
-Dolly Parton

Posted by: PJ Raval [REDACTED]

Reply via web post • Reply to sender • Reply to group • Start a New Topic • Messages in this topic (1)

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PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak **FOR** or **AGAINST** the proposed application. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice will be sent.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact person listed on a notice*); or
- appearing and speaking for the record at the public hearing; and:
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: www.austintexas.gov/devservices

Written comments must be submitted to the contact person listed on the notice before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice. All comments received will become part of the public record of this case.

Case Number: C15-2016-0100, 3312 Robinson Avenue
Contact: Leanne Heldenfels, 512-974-2202, leanne.heldenfels@austintexas.gov
Public Hearing: Board of Adjustment, September 28th, 2016

James W Reed
Your Name (please print) ☒ I am in favor of this object

3408 Werner Ave
Your address(es) affected by this application


Signature Date 1/20/16

Daytime Telephone: 512 844 0100

Comments:

I disagree changing the offset to be adjacent value than every other house in the neighborhood. This aesthetically changes on they aesthetic of the neighborhood.

Comments must be returned by noon the day of the hearing in order to be seen by the Board at this hearing. They may be sent via:

Mail: City of Austin-Development Services Department/ 1st Floor
Leanne Heldenfels
P. O. Box 1088
Austin, TX 78767-1088

Note: mailed comments must be postmarked by the Wed prior to the hearing to be received timely.

Fax: (512) 974-6305
Email: leanne.heldenfels@austintexas.gov

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WILLIAM and ALEXANDRA DAILEY

3213 Dancy Street

Austin, Texas 78722-2218

TEL. 512-276-2228

September 27, 2016

TO: City of Austin Board of Adjustment via email to Leane Heldenfels, Liaison

Ladies and Gentlemen:

I am writing concerning the variance request for 3312 Robinson, request #C15-2016-0100.

I am strongly opposed to permitting the variance that would allow the 20 foot front setback to stand. I live several blocks from the home in question, and am writing to you as a concerned neighbor who has lived in my home since 1994.

These two houses at 3312 Robinson on this tiny lot are not in keeping with the surrounding neighborhood environment. This is one of the few remaining neighborhoods that retain the look and feel of "Old Austin." This street is primarily made up of small, one-story single family homes and craftsman cottages. While there are a few multifamily homes in this area, they are on much larger lots and do not look out of place in their surroundings, like the two houses on this lot do.

Please notice that the photographs attached to the variance application and discussed in Mr. Rye's letter, which show 13 (not 30, as stated) homes in the neighborhood that do not meet the requirement for setback, are all of much smaller homes, virtually all of them the original single story, single family homes built in approximately the 1940s, roughly 65 to 75 years ago. The presence of a one-story open carport within the 25 foot setback, also pictured in Mr. Rye's packet, has a much different feel from the two-story structures crammed into a small lot at 3312 Robinson.

These structures seem to be overfilling the small lot, at 1873 square feet for the front building, and 1130 square feet for the back building. They have apparently put in a one-car garage in the back building, but how they will ever fit a safe and navigable driveway in the small space they have left along the side of the front house is unclear. The front setback being so close to the curb makes it feel like the oversized front house is spilling into the road, just like the crammed-in driveway makes it feel like the house is encroaching on the neighboring lot. With a total of 5 bedrooms, 4 full bathrooms and 2 half-bathrooms (which seems to exceed the 5 bathrooms permitted by the City) this is really a huge development in a small space. Each of the houses that are crammed into this lot deserves its own lot—this is just too much living for this lot, and the shortened front setback is a significant contributor to the out-of-place look of this project.

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In general, infill is a good concept, but this particular attempt at infill is so at odds with the aesthetic of the neighborhood that it needs to be stopped. The project violates the spirit as well as the letter of the setback ordinance, and does not belong in our neighborhood.

Please vote against the variance, and have the builder correct the plans and the structure to permit a more reasonably-sized house on this tiny lot.

Thank you kindly for your consideration.

Sincerely,

Alexandra Dailey