

/// SUBJECT TRACT **PENDING CASE ZONING BOUNDARY**  **NOTIFICATIONS** 

CASE#: C15-2016-0082 LOCATION: 2100 E 14th 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.



# CITY OF AUSTIN Board of Adjustment Decision Sheet



CASE NUMBER: C15-2016-0082

APPLICANT: Howard E Smith

**OWNER: Daniel Graham** 

ADDRESS: 2100 14TH ST

VARIANCE REQUESTED: The applicant has requested variance(s) from Section 25-2-774 (C) (5) (a) (Two-Family Residential Use) to increase the maximum size of a second dwelling unit from 1,100 square feet (required/permitted) to 1,356 square feet (requested) in order to add a second dwelling unit behind a new primary home that is a recreation of the original primary home, identical on the exterior per plans approved by the Historic Land Commission, in a "SF-3-NP", Family Residence – Neighborhood Plan zoning district. (Chestnut)

Note: A variance with a condition that historic zoning be obtained for the primary house was approved 9/8/2014. During remodel/expansion of the existing house, the remaining 2 walls of the house collapsed. Therefore, retaining the historic zoning condition of the variance was no longer possible.

BOARD'S DECISION: The public hearing was closed on Board Member Michael Von Ohlen motion to Postpone to August 8, 2016, Board Member Bryan King second on a 10-1 vote (Board member Michael Benaglio nay); POSTPONED TO AUGUST 8, 2016; AUG 8 POSTPONED TO SEPTEMBER 28, 2016 BY APPLICANT; Sept 28, 2016 POSTPONED TO OCTOBER 10, 2016 BY APPLICANT

#### FINDING:

- 1. The Zoning regulations applicable to the property do not allow for a reasonable use because:
- 2. (a) The hardship for which the variance is requested is unique to the property in that:



# CITY OF AUSTIN Board of Adjustment Decision Sheet

DATE: Monday, August 8, 2016	CASE NUMBER: C15-2016-0082
yBrooke Bailey	
yMichael Benaglio	
yWilliam Burkhardt	
yEric Goff 2 <sup>nd</sup> the Motion	
yMelissa Hawthome	
nBryan King	
yDon Leighton-Burwell	
Rahm McDaniel (out)	
yMelissa Neslund	
yJames Valadez	
yMichael Von Ohlen Motion to PP to Sept 28	
yKelly Blume (Alternate)	
, , , , , , , , , , , , , , , , , , , ,	

APPLICANT: Howard E Smith

OWNER: Daniel Graham

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#### FINDING:

- 1. The Zoning regulations applicable to the property do not allow for a reasonable use because:
- 2. (a) The hardship for which the variance is requested is unique to the property in that:
  - (b) The hardship is not general to the area in which the property is located because:



3. 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:

Leane Heldenfels Executive Liaison Villiam Burkhardt

Chairman

Olo

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For Office Use Only

## **CITY OF AUSTIN**

# **Development Services Department**

One Texas Center | Phone: 512.978.4000 505 Barton Springs Road, Austin, Texas 78704

# **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).

Case # <u>C15-2016-0082</u> ROW # <u>11549274</u> Tax #	0209092000
Section 1: Applicant Statement  Street Address: 2100 East 14th, Austin, TX 78702  Subdivision Legal Description:  see below	
Zoning District: SF-3-NP ((Most-vill)	
I/We Howard 'Bud' Smith on be authorized agent for 2100 E 14TH VENTURES LLC  Month June , Day 12 , Year 2016 , hereby appropriate option below Defect OAttach  Complete ORemodel OMaintain  Type of Structure: single family residence and accessory dwelling unit	ply for a hearing before the w): Other:
City of Austin   Board of Adjustment General/Parking Variance Application	09/11/2015   Page 4 of 8

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

To amend varaiance C15-2014-0108 we received w/a unanimous BOA vote. HLC support, & NPCT support in order to erect an ADU that's <.15 FAR but >1100sf. The current variance requires historical zoning but that's no longer possible nor supported by the COA Historic Preservation Officer so the requirement needs to be changed to Certificate of Appropriateness.

### 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:

We will finish recreating the original residential home (the Lillie Scott Residence) as per the building permit we received and HLC Certificate of Appropriateness approval we already have and it will not just fit into the community and its scale/characeter—It will be a shining recreation of an original part of Chestnutl And we will complete the also already-permitted/HLC-approved ~1400sf ADU that the variance we already received allows. The ADU will be another residence that will be green and fit into the community and its scale and character.

#### Hardship

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

We already received a variance to do this but it called for historical zoning and that's no longer possible nor supported by the COA Historic Preservation Officer since the 2 facades attempting to be reused crumbled due to 1, more extensive decay than was initially rezlised during the permitted exploratory demo process and 2, severe wind/rain during contruction, so the requirement needs to be changed from Historic Zoning to Certificate of Appropriateness

requirement needs to be changed from Historic Zoning to Certificate of Appropriateness.
b) The hardship is not general to the area in which the property is located because:
This situation is absolutely unique to this structure, location, set of circumstances as explained
above.



#### 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 main focus of this project is to recreate the original home, the Lillie Scott Residence, as historically accurate as possible while building an ADU <.15 FAR in the rear of this oversized for that fils in with the neighborhood scale/character and zoning. This project will actually significantly ENHANCE the character of the neighborhood, be a project that everyone can be proud of, and also set an example of cooperation and a viable alternate path to historic preservation.

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:

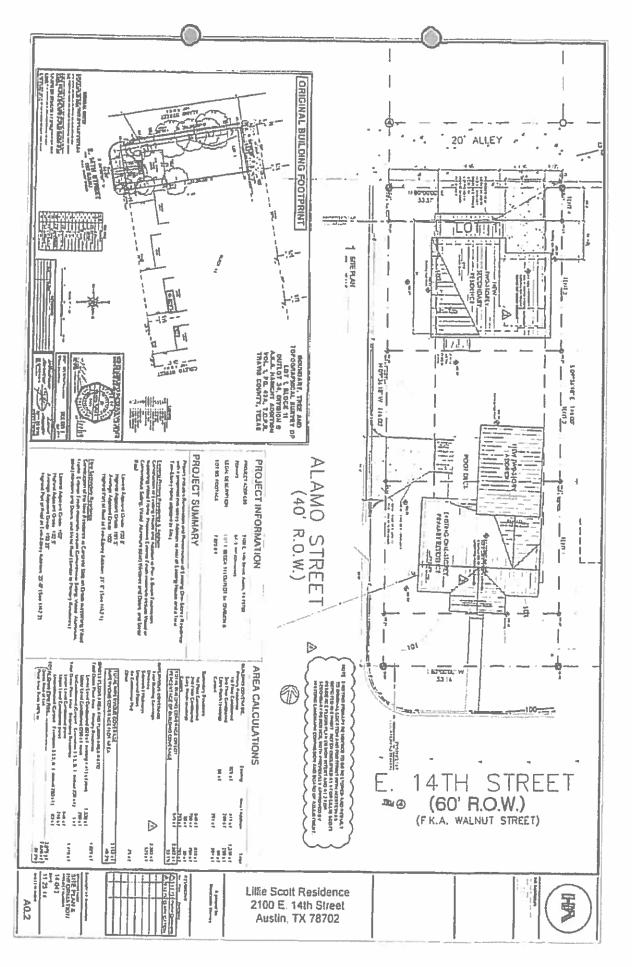
1	Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonably require strict or literal interpretation and enforcement of the specific regulation because:
2.	The granting of this variance will not result in the parking or loading 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:

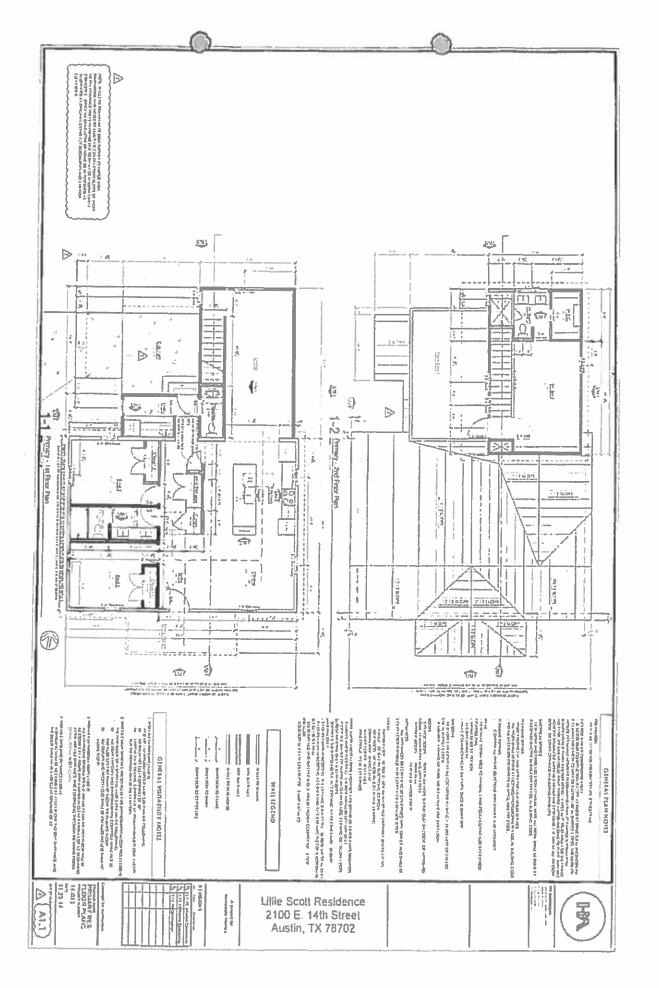


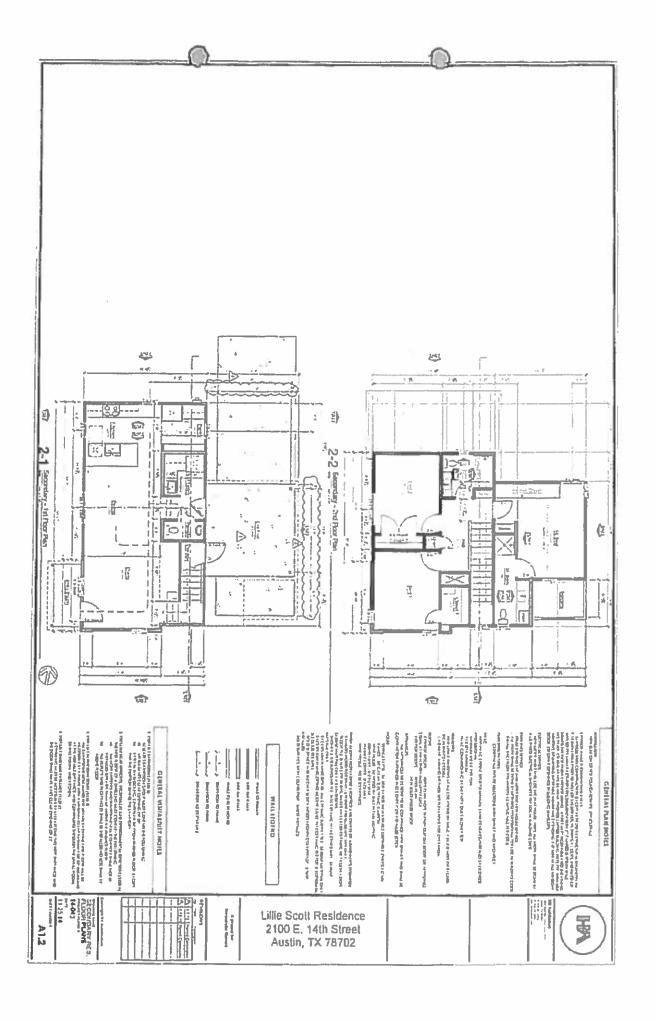
09/11/2015 | Page 7 of 8

# Section 3: Applicant Certificate

I affirm that my statements contained in the comp my knowledge and belief.	lete application are true	and correct to the best of
Applicant Signature: Bud Smith		Dete: 06/44/2046
Applicant Name (typed or printed): Howard 'Bud'	Smith	Date: 06/11/2016
Applicant Mailing Address: 5108 Ave. G	With the same of t	
City: Austin	State: TY	70754
Phone (will be public information): 512-454-4500		Zip: 78751
Email (optional – will be public information):		
Section 4: Owner Certificate		
I affirm that my statements contained in the complemy knowledge and belief.	ale application are true a	and correct to the best of
Owner Signature:		D-40. 6/41/2016
Owner Name (typed or printed): Daniel A. Graham		Date: 6/11/2016
Owner Mailing Address: 54 Rainey St. Ste 503		
City: Austin	State: TX	7:a. 78701
Phone (will be public information): 512-593-2999		
Email (optional – will be public information):		
Section 5: Agent Information  Agent Name: same as applicant		
Agent Mailing Address:	·	
City:	State:	Zio:
Phone (will be public information):		
Email (optional – will be public information):		
Section 6: Additional Space (if applic	able)	
referenced to the broket item, include the Section at	nd Field names as well i	(continued on next name)
see extensive files from C15-2014-0108 as well as letter of support from COA Historia Preservation Of	eviancivo cunnadina de	navenandada a tuali, d
City of Austin   Board of Adjustment General/Parking Variance		
I maning or Unitroducing Contrast Lauding Asuauce	Application	09/11/2015   Page 7 of 8







# CITY OF AUSTIN Board of Adjustment/Sign Review Board Decision Sheet

DATE: Monday, September 8, 2014	CASE NUMBER: C15-2014-0108
Y Jeff Jack Y Michael Von Ohlen Y Ricardo De Camps Y Bryan King Y Stuart Hampton - Vincent Harding(left Y Melissa Hawthorne Motion to Grant Y Sallie Burchett 2 <sup>nd</sup> the Motion	early)
APPLICANT: Lex Zwarun	
OWNER: Lex Zwarun	
ADDRESS: 2100 14TH ST	
VARIANCE REQUESTED: The applicant has re (B) (7) (a) (Two-Family Residential Use) to incredwelling unit from 850 square feet (required) to add a second dwelling unit in an "SF-3-NP", Fazoning district. (Chestnut)	ease the maximum size of a second o 1,650 square feet (requested) in order to
BOARD'S DECISION: The public bearing was clos motion to Postpone to September 8, 2014, Board Mc POSTPONED TO September 8, 2014. Sept 8, 2014 Member Melissa Hawthorne motion to Grant 1,500 on lot and obtain historic zoning, Board Member Sa 1,500 SQUARE FEET WITH CONDITIONS TO M HISTORIC ZONING.	mber Bryan King second on a 7-0 vote; - The public hearing was closed on Board square feet with conditions to maintain .4 FAR llie Burchett second on a 7-0 vote; GRANTED
FINDING:  1. The Zoning regulations applicable to the proper not all properties in the neighborhood have a hardwellopment of property with entitlement of a 2. (a) The hardship for which the variance is reque is going to be zoned historic through the process.	undred year old house that allows a single family home ested is unique to the property in that: house
the duplex FAR on property (b) The hardship is not general to the area in will many structures deemed worthy of staying then 3. The variance will not alter the character of the at the use of adjacent conforming property, and with a zoning district in which the property is located guidelines of the historic preservation office and because Heldenfels	hich the property is located because: not very e linea adjacent to the property, will not impair vill not impair the purpose of the regulations of ed because: as secondary unit will meet the d add trees along the façade.  Jeff Jack
Executive Liaison	Chairman



### **EXHIBIT A**



252 207 6147 Jonatian Inhi@gmail.com 104 Oak Grove Circle, Dale TX 78616

May 23, 2016

Lex Zwarun NewCastle Homes, Austin 5108 Avenue G Austin, TX 78751

Lex.

I wanted to take the opportunity to weigh in on our firsthand observations regarding the exploratory demo and renovation for the Lillie-Scott project with which we have been working with you, which is at the intersection of E.14th and Alamo. We have been involved from the pre-construction planning, demolition of the compromised portions of the structure, the shoring of the facades that were to be retained, and the new construction of both the renovation in question and the new secondary unit towards the rear of the property. Suffice it to say, although challenging, we were excited about the prospect of reusing the existing two facades, for both historic value and to keep the original frontage aesthetic and character intact.

Our initial demolition of the bulk of the residence revealed that most, if not all of the perimeter support beam/mudsill had been compromised by rot and termite infestation, including the facades that were to be retained. The two subject facades had a significant amount of the bottom half of the wall structure also suffering from the same termite damage, and to be honest, were largely held together by the exterior sheathing and siding materials, which were also well into their own respective states of decomposition.

We were able to shore the front and side facades with lateral and face mounted bracing which was then pinned to the site with stakes, much akin to shoring of tall concrete forms. The soils at the time were both adequately supportive and allowed us to secure both facades as securely as possible (which under the circumstances was no small feat considering the bulk of the bases of both walls were no longer intact). We provided additional support along the bases of the walls with CMU shoring as needed.

After the facades were secured, we received an extended period of time with both significant amounts of rain, but also stronger that normal wind loads, which continued to undermine the integrity of the two walls. During at least two occasions during the storms, we visited the site to check on the walls, and observed them "waving" at least 6"-7" along

their vertical axis, even with the additional bracing, which was due in large part to the compromised wall structure bending/hinging along the lap siding/sheathing. This undulation further compromised the walls to a point that our crews were able to provide some additional bracing, and to re-sink the existing stakes, but were not confident enough in the soundness of the walls that we were able to perform any additional work upon them without fear of collapse, or potential injury to our staff.

It is my understanding that the collapse occurred not long thereafter, and that the project engineer was able to safely inspect the structure and discovered that the bulk was indeed compromised, and of not practical reusable value or integrity.

All of this said, we really would like to continue to work towards the end goal of creating, or in this case, recreating, the original facade of the Lillie Scott Residence, and were already poised to repair and replace any compromised portions of the project with materials that would aesthetically match the original style, which also providing resistance to decay and the structural failures that plagued the original structure. One example was going to be the our use of hand cut/field cut fiber cement siding to match the original diamond cut shakes in the front gable, which were at the point of failure. Although challenging, I am confident that we can recreate the spirit of the original street facades while utilizing current materials so that we can ensure the spirit of the Lillie-Scott Residence can be rebuilt for decades of enjoyment by the owners and community.

We did not plan for, or hope for the unfortunate loss of those facades due to the circumstances that were well out of all of our control, however it does present us with an opportunity to bring the Lillie Scott Residence back in a manner aligned with its original timeless aesthetic, that will also ensure it's longevity.

I hope you find the information above helpful, and please do not hesitate to contact us with any questions or if you need clarification.

Jonathan W. White

Head of Operations, Hammerhead Framing, LLC

jonathan.hhf@gmail.com mbl: 252-207-6147

#### **EXHIBIT B**

#### Austin Wind Data from February and March 2016

#### Week of January 31 - Feb. 6

Winds hit nearly 30mph Feb. 1 and again Feb. 6.

#### Week of Feb. 7 - Feb. 13

Winds again unusually strong and hit nearly 30mph Feb. 8.

#### Week of Feb. 14 - Feb 20

Another week of unusually strong winds, including wind speeds nearing 30mph on Feb. 14 and again for two days in a row on Feb. 18 and 19.

#### Week of Feb. 21 - Feb. 27

Thunderstorms produced 1.33° of rain on Feb. 23 with wind gusts topping 37mph! Winds were close to 30mph the following day as well. This was the 48 hours that really damaged the facades—too much water, new damage on top of old damage, and steady high winds, especially after the unusually windy weeks preceding this.

#### Week of Feb. 28 - March 5

Unusually windy with gusts nearing 30mph 3 days in a row!

#### Week of March 6-12

3.17" of rain, including 2.18" on March 9

Wind gusts AVERAGED 21mph and hit 33, including 27mph they day we got over 2" of rain and 26mph the following day! This week of thunderstorms and high winds was just too much for the 110 year old facades to take!

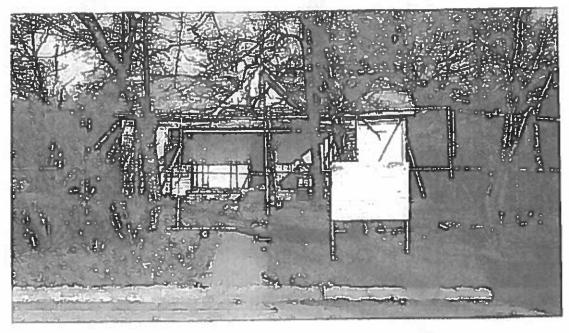
#### Week of March 13-19

Unusually windy with gusts nearing 30mph 2 days in a row TWICE this week!

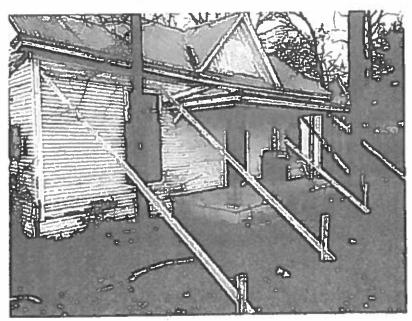
#### Week of March 20-26

Wind gusts again averaged 21mph and hit 31 on March 22 and then neared 30 for the next two days!



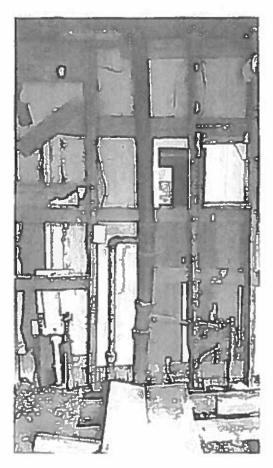


EXISTING EXTERIOR: Bracing was professionally installed under the guidance of the project engineer at the start of the permitted exploratory demolition process, and project sign illustrating design intent to maintain historic character BEFORE the two major weather events. Major sagging of the middle of the structure is already visible and, while hard to tell from this picture, the original foundation was improperly built right on grade, allowing for a decades of water damage, rot, and termite infestation.

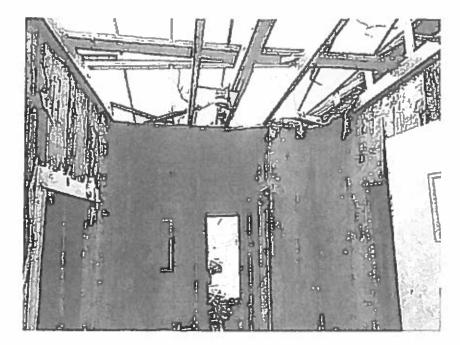


EXISTING EXTERIOR – more detailed picture of temporary bracing. The bottom started to bulge out where the façade and walls met the foundation since the foundation was totally rotten, improperly built on grade originally, and never properly tie to the structure.

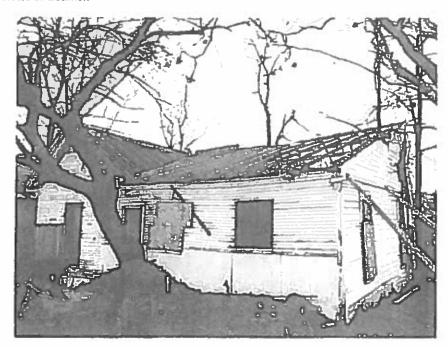




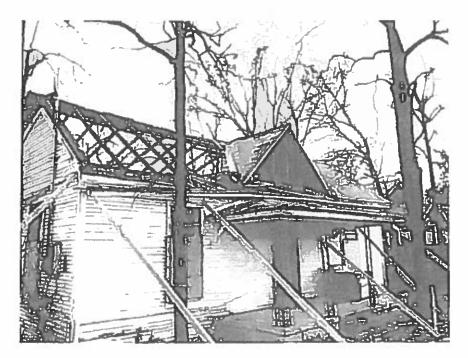
EXISTING INTERIOR during exploratory demolition: We knew all the plumbing and electric were obsolete and dangerous, but also found the home was Improperly constructed in the first place in terms of blocking, lateral support, water barriers between layers, etc. Note the cast iron plumbing itself is out of line from decades of the home twisting!



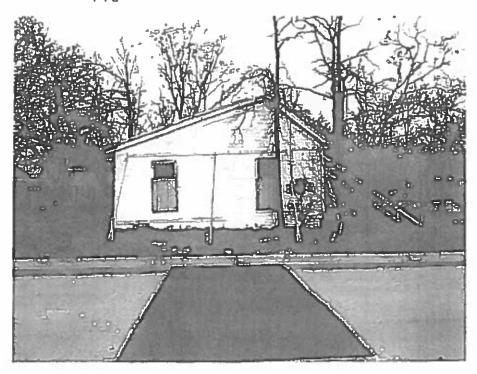
EXISTING INTERIOR during exploratory demolition: Walls were improperly tied to foundation and rafters, leading to instability from both the foundation sinking and uplift of the structure off its foundation. The structure had twisted in multiple directions over the decades, as well as bulged where not directly tied into the rafters or beams..



EXISTING EXTERIOR – rear during exploratory demolition: 8 racing was professionally installed and adjusted multiple times, but the façade crumbled due to rot, termite damage, and harsh weather in February and March, 2016. There was simply not enough solid wood to tie into with the braces or to support the structure itself. In some areas, entire sections of framing were missing and the home was being held up by the rotten deck and its exterior lap!



EXISTING EXTERIOR – front during exploratory demolition: the home got increasingly unstable and literally was crumbling by the day anywhere there was not bracing. Then even the braced areas gave out. Adjusting the bracing was akin to putting a finger in a dyke; wherever there was not immediate support the material simply game out!



EXISTING EXTERIOR – with temporary bracing on Alamo Street elevation: twisting and leaning are visible.

### **EXHIBIT C**



Martin & Wallin, LLC 13785 Research Blvd, Suite 125 Austin, Texas 78750 512-368-4088 (office) 12/20

March 29, 2016

Mr. Jamie Crawley, AlÅ, LEED AP 8D+C, NCARB Director of Architecture HA Architects 2401 E. 6th Street, Suite 2019 Austin, TX 78702

Re: Newcasile Homes

2100 E. 14th Street

Auslin, TX

The purpose of this letter is to confirm that during construction it was revealed that the existing exterior wall studs were significantly decayed and were not acceptable for the anticipated, code required service or construction loads. It was our recommendation that the stud walls be replaced with new wood studs to accommodate anticipated code design loads from a structural engineering standpoint. This work was necessary to conform to International Residential Code 2012 structural requirements.

We also understand the importance of maintaining the historic design intent, and believe this to be the least invasive solution. In addition, this solution appears to also address the contractors concern with respect to safety during the construction process.

Please contact this office if there are further questions regarding his matter.

Sincerely.

Paul H. Martin, P.E.

Principal



City of Austin
Founded by Congress, Republic of Texas, 1839
Historic Preservation Office
Planning and Zoning Department
One Texas Center, 505 Barton Springs Road
P.O. Box 1088, Austin, Texas 78767

June 27, 2018

City of Austin Board of Adjustment c/o Leane Heldenfels

Re: 2100 E. 14<sup>th</sup> Street

Dear Members of the Board of Adjustment

I am writing in support of the application of Newcastle Homes for the property at 2100 E. 14<sup>th</sup> Street. This case came to the Board of Adjustment last year for a variance to build a secondary unit behind a historic-age house facing the street. The variance was granted with the condition that the existing house be zoned historic.

Since the time of the granting of the variance, the existing house was demolished due to structural unsoundness and weather factors that collapsed the remaining walls of the house. It is now impossible to zone this site as a historic landmark, as there is no historic fabric left. The condition for the designation of the house as a historic landmark in the initial variance cannot be satisfied.

The Historic Preservation Office staff has worked closely with the applicant to reproduce the old house. The new construction will have the exact size, scale, and massing of the house that was demolished, and staff believes that this is the best solution given the circumstances. The Intent for this office's initial support of the variance to build the ADU on the site was to preserve the historic character of the street and neighborhood, not necessarily to zone the house as a historic landmark.

We need to have a process in place for allowing applicants to build ADU's in central neighborhoods without requiring a variance if the ADU exceeds the size of the primary structure on the lot AND without requiring that the existing house on the property be designated as a historic landmark. Our older neighborhoods are full of small houses that will be demolished because a property owner cannot build an ADU on the property if the small, historic age house is preserved. Many of these small houses will not qualify as individual historic landmarks, because designation requires a finding that the house has significance in at least two areas as set out in the Land Development Code - primarily architectural significance and historical associations. If the house does not qualify as a historic landmark, then the historic zoning process should not be used to ensure its preservation, when the real focus is the preservation of the character of the neighborhood through the retention of historic streetscapes. The house at 2100 E. 14th Street would not have qualified as a historic landmark on its own merits absent the condition for historic zoning placed on this variance, but its retention in the context of the neighborhood is important to maintaining the character of the streetscape and the historic-age neighborhood. The applicant is willing to reconstruct the house, which will serve the

12/22

desired purpose of preserving the scale and character of the neighborhood. We therefore support his application.

If you have further questions, please do not hesitate to call or e-mail me.

Sincerely,

Steve Sadowsky

Historic Preservation Officer

City of Austin, Texas

First of 15 local support letters, 10 of them coming from Chestnut residents, including 2 that live on the same block.

以药

Doug Marcis 2401 e14th ST Austin, TX 78702 512.577.3542 doug@30n.us

Board of Adjustments City of Austin

Re: 2100 East 14th Variance

Dear Roard Members:

I've been a resident of Chestnut and a member of Chestnut Neighborhood Association for over ten years.

I've also remodeled over thirty houses in central east austin.

I've been familiar with the dilapidated property at 2100 e14th St since I first moved here. I personally inspected the property when its future was being voted on by CANA. At that point the property had been suffering from severe neglect: extensive termite and water damage; bowing walls; sinking piers, etc. I was quite surprised to hear that there was going to be an attempted remodel on the project. I had a hard time imagining what of the existing house could be salvaged.

Needless to say, I was not surprised to hear that the façade fell apart during the remodel.

I understand that the developer is now seeking a variance which involves recreating the façade of the old building. This sounds like the best possible path forward at this point and I support granting the requested variance.

Sincerely.

Doug Marcis

Heberto Alanis 1900 Simond Ave Apt 4015 Austin, TX 78723

Board of Adjustments City of Austin

Re: 2100 East 14th Variance

Dear Honorable Board Members:

I recently moved to Austin and have been professionally and personally involved in East Austin since I moved here. Furthermore, I am familiar with the 2100 E 14<sup>th</sup> Street project as it has unfolded over the last 10+ months. I support this variance request since it serves and balances everyone's best interests fairly.

Despite best efforts, the Lillie Scott was beyond saving, so recreating it is the next best thing, and doing so would be excellent for Chestnut and its history. The point of this project has always been to save the Lillie Scott, and that is what will occur if the project is allowed to resume. Whether the site gets historical zoning is not important—what matters is recreating the Lillie Scott, and that will be done with the approved plans and the Certificate of Appropriateness the project already received from the Historical Landmark Commission.

Allowing an ADU of ~1400sf (instead of just 1100sf as code now allows) also makes sense since East Austin needs homes this size and the 2100 East 14th lot is very large and can easily accommodate both homes. Also note the ADU has an appealing design and both it and the Lillie Scott will not only fit in with the local scale and vernacular, it will improve Chestnut as whole.

Please allow the project to resume—not only is there no other truly viable option, but this variance is supported by many local residents and the City's Historical Preservation Officer. This project is good for Chestnut and Austin as a whole and also shows neighborhood groups, developers, and the City CAN cooperate and develop win-win-win scenarios!

Thank you for your attention, feel free to contact me should you need anything.

Syncerely,

Heberto Alanis

6/23/2016



Mark Wimmer 1600 Ulit Ave Austin, TX 78702

Board of Adjustments City of Austin

Re: Variance for 2100 E. 14th Street

#### Honorable Board Members:

My family and I live in the Chestnut neighborhood--very close to 2100 E. 14th St-- and I am writing in support of the variance request for this property.

Over the past few years I have become familiar with this property and the historic house located there. While the preservation of a historic house is a laudable goal, unfortunately the Lillie Scott house was in such poor condition that it could not be preserved. That is why I support allowing the project to continue with the goal of recreating the Lillie Scott house, which will benefit our neighborhood. I don't think it is important that the site get historical zoning because the goals of our neighborhood will be served by recreating the Lillie Scott house, which can be accomplished with the approved plans and the Certificate of Appropriateness the project has already received from the Historical Landmark Commission.

Furthermore, allowing a larger ADU of approximately 1400sf will also benefit our neighborhood and Austin by helping to address our city's housing shortage in general and the need for homes of this size in East Austin in particular. The design of the ADU will fit within the existing character of our neighborhood and its construction, as well as the recreation of the Lillie Scott house, will improve the Chestnut neighborhood as a whole by making it an even more desirable place to live.

Please allow the project to resume. This variance is supported by many local residents and the City's Historical Preservation Officer. This project is good for Chestnut and Austin and also shows how neighborhood groups, developers, and the city can work together to balance everyone's interests.

Sincerely,

Mark Wimmer

Alejandra Gutlerrez 1201 E 13th St Austin, TX 78702

Board of Adjustments City of Austin

Re: 2100 East 14th Variance

Dear Honorable Board Members:

I live very close to this property and am familiar with the project. I support this variance request.

I understand that despite best efforts the Lillie Scott was beyond saving, so recreating it is the next best thing, and doing so would be excellent for Chestnut and its history. The point of this project has been to save the Lillie Scott, and that is what will occur if the project is allowed to resume. Whether the site gets historical zoning is not important—what matters is recreating the Lillie Scott, and that will be done with the approved plans and the Certificate of Appropriateness the project already received from the Historical Landmark Commission.

Allowing an ADU of ~1400sf also makes sense - the lot is very large and can easily accommodate this. Also it has an appealing design and both it and the Lillie Scott will improve Chestnut as whole.

Please allow the project to resume—I understand that there is no other viable option and that this variance is supported by many local residents and the City's Historical Preservation Officer. This project is good for Chestnut and Austin as a whole.

Sincerely,

Alejandra Gutierrez

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Bill Corrigan 1903 E 17<sup>TH</sup> ST Unit A Austin. TX 78702

Board of Adjustments City of Austin

Re: 2100 East 14th Variance

Dear Honorable Board Members:

I support this variance request since it serves and balances everyone's best interests fairly. I have moved in to the area recently and have enjoyed walking around the neighborhood and seeing the diverse mix of new and old housing.

From what I could see as I walk by, the Lillie Scott was beyond saving, so recreating it would be excellent for the Chestnut neighborhood and its history. As I understand it, the point of this project was to save the Lillie Scott, and that is will occur if the project may continue. Recreating the house is what is important, and that will be done with the approved plans and the Certificate of Appropriateness the project already received from the Historical Landmark Commission.

East Austin needs homes in the range of 1400sf (instead of Just 1100sf as code now allows), so allowing an ADU of  $\sim$  also makes sense since and the 2100 East  $14^{th}$  lot is very large and can easily accommodate both homes. Also note the ADU has an appealing design and both it and the Lillie Scott will not only fit in with the local scale and vernacular, it will improve Chestnut as whole.

Please allow the project to resume—not only is there no other truly viable option, but this variance is supported by many local residents and the City's Historical Preservation Officer. This project is good for Chestnut and Austin as a whole and also shows neighborhood groups, developers, and the City CAN cooperate and develop win-win-win scenarios!

Thank you for your attention, feel free to contact me should you need anything.

Sincerely.

Bill Corrigan

Bill Corrigan

Houston Wanier Evan Aldrich 2705 Lyons Austin, TX 78702

Board of Adjustments City of Austin

Re: 2100 East 14th Variance

Dear Honorable Board Members:

We actively follow and participate in local development issues and neighborhood groups. We also live close this property and are intimately familiar with the project as it has unfolded over the last 2 years or so. We support this variance request since it serves and balances everyone's best interests fairly.

Despite best efforts, the Lillie Scott was beyond saving, so recreating it is the next best thing, and doing so would be excellent for Chestnut and its history. The point of this project has always been to save the Lillie Scott, and that is what will occur if the project is allowed to resume. Whether the site gets historical zoning is not important—what matters is recreating the Lillie Scott, and that will be done with the approved plans and the Certificate of Appropriateness the project already received from the Historical Landmark Commission.

Allowing an ADU of ~1400sf (instead of just 1100sf as code now allows) also makes sense since East Austin needs homes this size and the 2100 East 14th lot is very large and can easily accommodate both homes. Also note the ADU has an appealing design and both it and the Lillie Scott will not only fit in with the local scale and vernacular, it will improve Chestnut as whole.

Please allow the project to resume—not only is there no other truly viable option, but this variance is supported by many local residents and the City's Historical Preservation Officer. This project is good for Chestnut and Austin as a whole and also shows neighborhood groups, developers, and the City CAN cooperate and develop win-win-win scenarios!

Thank you for your attention, feel free to contact us should you need anything.

Sincerely,

Houston Wanier

Evan Aldrich

Myrna Garcia 1207 Cedar Ave. Austin. TX 78702

Board of Adjustments City of Austin

Re: 2100 East 14th Variance

Dear Honorable Board Members:

I live very close to this property and am intimately familiar with the project as it has unfolded over the last 2 years or so. As a residential Realtor and neighbor, I support this variance request since it serves and balances everyone's best interests fairly.

Despite best efforts, the Lillie Scott was beyond saving, so recreating it is the next best thing, and doing so would be excellent for Chestnut and its history. The point of this project has always been to save the Lillie Scott, and that is what will occur if the project is allowed to resume. Whether the site gets historical zoning is not important—what matters is recreating the Lillie Scott, and that will be done with the approved plans and the Certificate of Appropriateness the project already received from the Historical Landmark Commission.

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Please allow the project to resume—not only is there no other truly viable option, but this variance is supported by many local residents and the City's Historical Preservation Officer. This project is good for Chestnut and Austin as a whole and also shows neighborhood groups, developers, and the City CAN cooperate and develop win-win-win scenarios!

Thank you for your attention, feel free to contact me should you need anything.

Sincerely,

Myrna Garcia Myrna Garcia

Steve & Anne Teng 2509 E 16th St Austin, TX 78702

Board of Adjustments
City of Austin

Re: 2100 East 14th Variance

Dear Honorable Board Members:

I live very close this property and am intimately familiar with the project as it has unfolded over the last 2 years or so. I support this variance request since it serves and balances everyone's best interests fairly.

Despite best efforts, the Lillie Scott was beyond saving, so recreating it is the next best thing, and doing so would be excellent for Chestnut and its history. The point of this project has always been to save the Lillie Scott, and that is what will occur if the project is allowed to resume. Whether the site gets historical zoning is not important—what matters is recreating the Lillie Scott, and that will be done with the approved plans and the Certificate of Appropriateness the project already received from the Historical Landmark Commission.

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Please allow the project to resume—not only is there no other truly viable option, but this variance is supported by many local residents and the City's Historical Preservation Officer. This project is good for Chestnut and Austin as a whole and also shows neighborhood groups, developers, and the City CAN cooperate and develop win-win-win scenarios!

Thank you for your attention, feel free to contact me should you need anything.

Sincerely,

Steve & Anne Teng

Steve and Anne Teng

Keith Zeiler & Tim Andrews 2007 East 17th St Austin, TX 78702

Board of Adjustments City of Austin

Re: 2100 East 14th Variance

Dear Honorable Board Members:

We live just a few blocks from this property and have been watching what's been happening with it over the last couple of years. We understand that the builder has asked for a variance to get his project completed and we support his request. We think his plan for the property honors its heritage respects the wishes of the neighborhood.

That old house was falling down. We were shocked that it had to be preserved at all, since it was so termite-ridden and rotted. I think Newcastle Homes did everything they could to save it. Recreating it is the next best thing, and doing so would respect Chestnut and its history. We think the builder always intended to save the Lillie Scott, whether that was with the original structure or a modern, safe replacement. We understand that a Certificate of Appropriateness for his project already received from the Historical Landmark Commission.

Austin needs more affordable, dense housing. No one can argue with this. Allowing a 1400sf ADU makes sense since East Austin needs homes this size and the lot is very large and looks like it can accommodate both homes. We think Newcastle's design for the ADU is appealing and both it and the Lillie Scott replacement will fit in with the surrounding neighborhood.

Please let Newcastle finish their project— what is the alternative? Leave another empty lot to collect trash on? The builder's project is supported by many neighbors and the City's Historical Preservation Officer. It's good for our neighborhood and Austin as a whole; it shows neighborhood groups, respectful and responsible developers, and the City can work together to create attractive, affordable housing where we need it most—in our urban core neighborhoods.

Sincerely,

Keith Zeiler Tim Andrews Chestnut homeowners

Michael Madison 2103 E 14th St Austin, TX 78702

Board of Adjustments City of Austin

Re: 2100 East 14th Variance

Dear Honorable Board Members:

I live very close this property and am intimately familiar with the project as it has unfolded over the last 2 years. I support this variance request since it serves and balances everyone's best interests fairly.

Despite best efforts, the Lillie Scott was beyond saving, so recreating it is the next best thing, and doing so would be excellent for Chestnut and its history. In my opinion one of the worst things that's happening right now is the forced salvage of unsalvageable housing. I'm personally dealing with such an issue now as the siding that was "preserved" on our home is rotting and has potential termite damage. Coming as a homeowner perspective I'm rather angry that some of my property wasn't discarded because now the burden of cost is being passed on to the buyer rather than the builder being able to do it right from the outset.

I am in full support of recreating the Lillie Scott but with material that will actually hold up and not be a massive burden one or two years from now.

Additionally, I'm in support of the allowance of the 1,400 square foot second unit. I've seen the early build because it's directly across the street from me and also seen the plans. It's appealing, is not oversized for the lot which is a rather large lot, and in the end will be an improvement to Chestnut.

Why I also support this is because I trust Newcastle based on their prior history to build a home that is right for the neighborhood. Compare what Newcastle is doing at 2100 E 14th St versus the home being built at 2101 E 14th St. Both of the 2100 E 14th lot homes will fit in the neighborhood, add value and preserve the look and feel of the area history. At 2101, a 32-foot high, three-story home on a lot that is ONLY 2,840 total square feet is nearing completion. This house is an eyesore to the neighborhood, has no historical look and feel and is an obscene invasion of my property as the second and third floors look directly over our house, in to our backyard and even partially in to our bedroom.

Please allow the project to resume without further delay. I've been staring at a fenced lot across the street from me for months now and would love to instead be looking at the finished version of the house. From the outset I could clearly see there was no other viable option and it is a variance supported by myself and many other

direct neighbors. I've also been informed it has the support of the City's Historical Preservation Officer.

Thank you for your attention, feel free to contact me should you need anything.

Sincerely,

Michael Madison
Michael Madison

512.589.1310 mlchael.e.madison@gmail.com

Alykhan Mohamed 1907 E 13th Street Austin, TX 78702

Board of Adjustments Gity of Austin

Re: 2100 East 14th Variance

Dear Honorable Board Members:

I live very close this property and am familiar with the project as it has unfolded over the last 2 years or so. I support this variance request since it serves and balances everyone's best interests fairly.

Despite best efforts, the Lillie Scott was beyond saving, so recreating it is the next best thing, and doing so would be excellent for Chestnut and its history. The point of this project has always been to save the Lillie Scott, and that is what will occur if the project is allowed to resume. Whether the site gets historical zoning is not important—what matters is recreating the Lillie Scott, and that will be done with the approved plans and the Certificate of Appropriateness the project already received from the Historical Landmark Commission.

Allowing an ADU of ~1400sf (instead of just 1100sf as code now allows) also makes sense since East Austin needs homes this size and the 2100 East 144 lotts very large and can easily accommodate both homes. Also note the ADU has an appealing design and both it and the Lillie Scott will not only fit in with the local scale and vernacular, it will improve Chestnut as whole.

Please allow the project to resume—not only is there no other truly viable option, but this variance is supported by many local residents and the City's Historical Preservation Officer. This project is good for Chestmut and Austin as a whole and also shows neighborhood groups, developers, and the City CAN comparate and develop win-win-win scenarios!

Thank you for your attention, feel free to contact me should you need anything.

Alvkhal Mohamed

Sincer

Bill Goodpasture 2106 East 13th Street, Unit B Austin, TX 78702

Board of Adjustments
City of Austin

Re: 2100 East 14th Variance

Dear Honorable Board Members:

I live very close to this property and am intimately familiar with the project as it has unfolded over the last 2 years or so. I support this variance request since it serves and balances everyone's best interests fairly.

Despite best efforts, the Lillie Scott was beyond saving, so recreating it is the next best thing, and doing so would be excellent for Chestnut and its history. The point of this project has always been to save the Lillie Scott, and that is what will occur if the project is allowed to resume. Whether the site gets historical zoning is not important—what matters is recreating the Lillie Scott, and that will be done with the approved plans and the Certificate of Appropriateness the project already received from the Historical Landmark Commission.

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Please allow the project to resume—not only is there no other truly viable option, but this variance is supported by many local residents and the City's Historical Preservation Officer. This project is good for Chestnut and Austin as a whole and also shows neighborhood groups, developers, and the City CAN cooperate and develop win-win-scenarios!

Thank you for your attention, feel free to contact me should you need anything.

Sincerely,
Bill Goodpasture
Bill Goodpasture

Manny Cavazos 2106 F. 14th st, Austin, TX 78702

Board of Adjustments City of Austin

Re: 2100 East 14th Variance

Dear Honorable Board Members:

I live very close this property and am intimately familiar with the project as it has unfolded over the last 2 years or so. I support this variance request since it serves and balances everyone's best interests fairly.

Despite best efforts, the Lillie Scott was beyond saving, so recreating it is the next best thing, and doing so would be excellent for Chestnut and its history. The point of this project has always been to save the Lillie Scott, and that is what will occur if the project is allowed to resume. Whether the site gets historical zoning is not important—what matters is recreating the Lillie Scott, and that will be done with the approved plans and the Certificate of Appropriateness the project already received from the Historical Landmark Commission.

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Thank you for your attention, feel free to contact me should you need anything.

Sincerety.

Manny Gavazos

Manicotti88@hotmail.com

(832) 282-4175

Victor Tran 1601 Maple Ave Austin, TX 78702

Board of Adjustments City of Austin

Rc: 2100 East 14th Variance

Dear Honorable Board Members:

I live very close this property and am intimately familiar with the project as it has unfolded over the last 2 years or so. I support this variance request since it serves and balances everyone's hest interests fairly.

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Allowing an ADU of  $\sim$ 1400sf (instead of just 1100sf as code now allows) also makes sense since East Austin needs homes this size and the 2100 East 14th lot is very large and can easily accommodate both homes. Also note the ADU has an appealing design and both it and the Lillie Scott will not only fit in with the local scale and vernacular, it will improve Chestnut as whole.

Please allow the project to resume—not only is there no other truly viable option, but this variance is supported by many local residents and the City's Historical Preservation Officer. This project is good for Chestnut and Austin as a whole and also shows neighborhood groups, developers, and the City CAN cooperate and develop win-win-win scenarios!

Thank you for your attention, feel free to contact me should you need anything.

Sincerely,

Victor Tran



Kevin Smith 1004-A East 13th Street Austin, TX 78702

Board of Adjustments City of Austin

Re: 2100 East 14th Variance

Dear Honorable Board Members:

I live very close this property and am intimately familiar with the project as it has unfolded over the last 2 years or so. I support this variance request since it serves and balances everyone's best interests fairly.

Despite best efforts, the Lillie Scott was beyond saving, so recreating it is the next best thing, and doing so would be excellent for Chestnut and its history. The point of this project has always been to save the Lillie Scott, and that is what will occur if the project is allowed to resume. Whether the site gets historical zoning is not important—what matters is recreating the Lillie Scott, and that will be done with the approved plans and the Certificate of Appropriateness the project already received from the Historical Landmark Commission.

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Please allow the project to resume—not only is there no other truly viable option, but this variance is supported by many local residents and the City's Historical Preservation Officer. This project is good for Chestnut and Austin as a whole and also shows neighborhood groups, developers, and the City CAN cooperate and develop win-win-win scenarios!

Thank you for your attention, feel free to contact me should you need anything.

Regard

Kevin Smit

Board of Adjustments City of Austin

June 2, 2016

Re: 2100 East 14th, Austin, TX - "Lillie Scott" Residence

Honorable Board Members.

I am writing to share Newcastle Homes' commitment to preserving the Little Scott Residence at 2100 East 14th Street In East Austin, and to clarify some issues that have led the City to temporarily shut down the worksite for code compliance issues. I believe everyone is actually 'on the same page' as far as what they would like to see happen with this project, and our hope is that by clearly litustrating this, we will be able to proceed with work to recreate this significant residence.

The original plan, as specified in variance C15-2014-0108, was to preserve and rehabilitate the Lilie Scott residence and construct a new ADU up to 1500sf behind the original home provided we obtain Historical zoning and the site as a whole stays within .4 FAR. That plan involved preserving the home's exterior facades facing East 14h Street and Alamo Street, and incorporating them into the restoration and recreation of the house. During the exploratory demotition process, however, it was revealed that these walls were in substantially worse condition than was previously known due to rot, neglect, and termite damage. They were then professionally braced by our framer, working with all permits in place and under close City supervision. (See attached Exhibit A – tetter from Hammerhead Framing.)

Unfortunately, significant rain events in February and March, along with well-documented and unusually strong wind storms (see attached Exhibit B – weather notes from February and March, 2016), made the facades crumble even more than they already had, and they were deemed unusable and a hazard to the workers on site by the project engineer (see attached Exhibit C - March 29, 2016 letter from engineer, as well as Exhibit D – photos of structure/malerials from exploratory demo process and bracing). We had no choice but to remove them. Obviously, without the two facades, "preserving and rehabilitating" is not possible. However, we are committed to the spirit of the variance, which is to recreate the Little Scott and pay homage to its historical significance by precisely maintaining its original aesthetic, scale, and character.

We intend to do that by rebuilding the home to its original aesthetic and scale, and by featuring critical architectural elements that make it the Little Scott. We have conducted an extensive detailed analysis of the property and historic record, and have identified several features of the home that were updates from the 1950s or 1960s that were NOT historically accurate. We will remove those anachronous features and replace them with REAL elements from when the Little Scott was built circa 1906. This incudes replacing wrought iron posts with turned wood columns, restoring the original 'fish-scale' or 'lear drop' above the front porch, and more. These proposed changes have been planned and approved by the City of Austin Historic Preservation Officer, Mr. Steve Sadowsky, and the Historic Landmark Commission (HLC). The end result will be a historically accurate, 'improved' version of the house that contributes to the historic character of Chestnut and serves as an exemptary 'thread' in the historic fabric of the City of Austin.

Unfortunately, once we removed the crumbling structures for safety reasons, Code Enforcement realized that the property had not yet been zoned Historic and issued a stop work order that remains in effect at this lime since the variance called for Historic zoning to be in place. Obviously, there can be no progress towards accomplishing our mutual goal with this project given this status, which is the Impetus for this letter.

Our whole learn understands that it is easy to be suspicious of a builder, and Chestnut is especially sensitive to this. It is true that the variance was obtained so that we could also build an ADU up to 1500

square feet behind the original residence. We would like to point out that this entire project was presented to and discussed with the Historic Landmark Commission. This variance was applied for and approved under the guidance of the HLC and with its support as well. The Chestnut Neighborhood also was intimately involved with conceiving this project and supportive of obtaining the variance. With the assistance of Mr. Sadowsky, the project has from the outset intended to preserve the character of the Lillie Scott Residence in the splrit of the Secretary of Interior's Standards for Preservation of Historic Buildings. The HLC and Mr. Sadowsky guided the project development and approved the design to meet the intent of the HLC, and specifically issued a Certificate of Appropriateness, which was shared with the Board of Adjustments (BOA) when Mr. Sadowsky assisted in getting the variance. Moreover, before our involvement with the site, the Lillie Scott was in serious jeopardy of being lost for good due to the prior owner's neglect and the lack of realistic historic preservation efforts in Chestnut. The structure had been sitting completely dilapidated, unsafe, and non-code-compliant for decades.

Newcastle Homes prides itself on being a reputable, responsible, active member of the community in East Austin for over 15 years—we were working with East Austin residents and neighborhood associations long before the myriad players who are there today! And as Mr. Sadowsky has told us, we are lauded for our community activism, quality of work, and commitment to green building and sustainability. Our intent is the same as yours: to bring the Little Scott back to life as closely to its original design as can be done 110 years after its initial construction. While that was initially conceived as something that would be done using the tool of Historic Zoning, Mr. Sadowsky and the HLC now see reconstructing the Liftle Scott as per the Certificate of Appropriateness approved design as the best mechanism with which to accomplish this mission. 2100 East 14th has not been zoned Historic NOT because the builder has ignored this issue or is trying to manipulate any agreement or code provision, but simply because Mr. Sadowsky informs us this site can not get Historic zoning since the small portion of the house that was thought to be able to be preserved, reused, and incorporated into the home no longer can be.

In order to accomplish the mission of restoring the home and maintaining its essence, we need to resume work. Thus, we need to maintain the variance but with the permission for the ADU to be reworded so it is not based on the term "Historic zoning" but rather on the term "Certificate of Appropriateness approved plans."

We defer to Mr. Sadowsky, as the City's staff expert on all things historic. He played a pivotal role in negotiating the agreement and obtaining the variance. First, it should be noted that Mr. Sadowsky never thought that Historic zoning should have been a requirement for the variance. Instead, that requirement should have been that the Litie Scott be built as per plans approved by the Historic Landmark Commission (HLC) and its Certificate of Appropriateness Subcommittee. We have those plans and obtained that certificate, and those are still the plans we are following.

Shutting down the job site will not accomplish our collective mission—restoring the Lilie Scott to be a safe, sustainable, living, inhabited, shining example of the historic fabric from another era! Once complete, this project will prove to be an excellent example of 1. the City, neighborhoods, and builders cooperating to create realistic win-win scenarios, and 2. REAL historic preservation occurring without using up very limited historical zonling resources or other precious City resources, or negatively affecting the tax base.

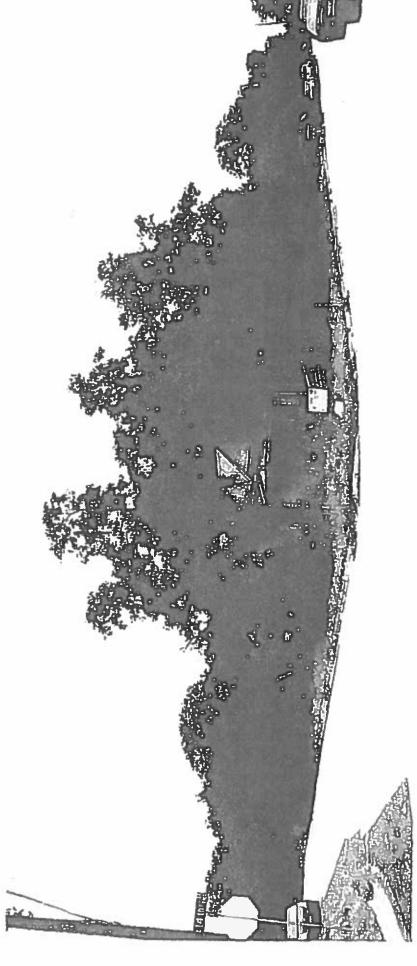
Thank you for your prompt and cooperative attention to this matter—please contact us if you have any questions or concerns, or need anything, including the plans or architectural detail, clarified.

Sincerely.

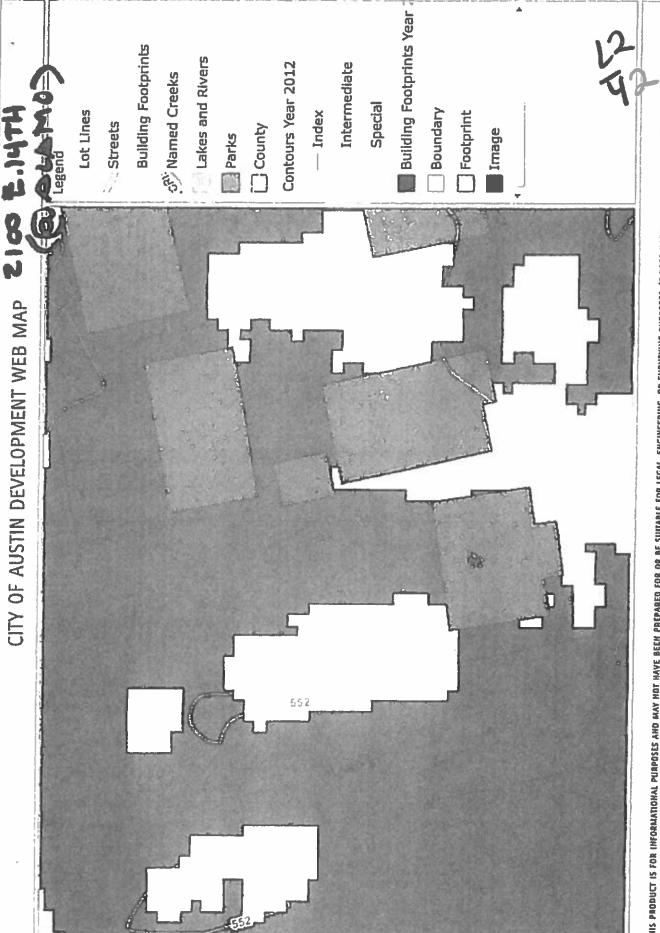
Judith Juakun

Fresident, Newcastle Homes

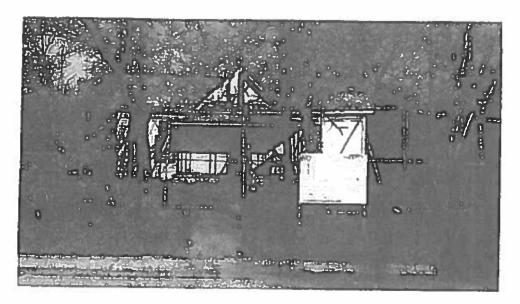
CORNER OF 12TH + ALAMO LOOKING
LILLIE SCOTT KESTOCKE (2014)



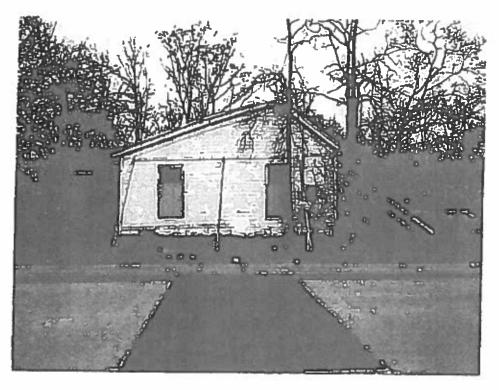
C15-2016-008 2



THIS PRODUCT IS FOR INFORMATIONAL PURPOSES AND MAY NOT NAVE 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 PROPERENCE. NO WARRANTY IS MADE BY THE CITY OF AUSTIN REGARDING SPECIFIC ACCURACY OR COMPLETERESS.



EXISTING EXTERIOR — with temporary bracing and project sign illustrating design intent to maintain historic character.

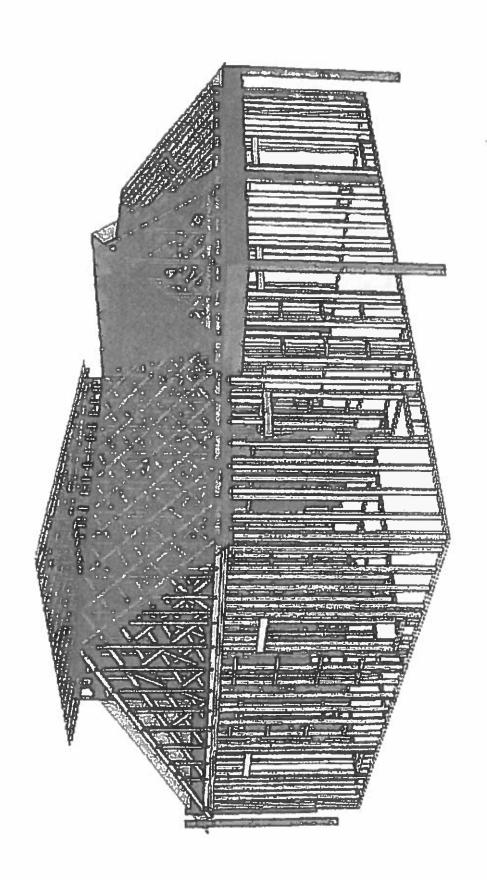


EXISTING EXTERIOR — with temporary bracing

EXHIBIT - INCLUDES START OF TEMPORARY
BRACING AND JOBSITE SIGN
WY RENDERING OF DESIGN INTENT.
SEE ENLARGED IN THIS PACKET.

PRAMING MOJEZ - REFERENCE TO FILE
LETTER FROM CONTRACTOR'S MITEIRAL

LETTER FROM CONTRACTOR'S MITEIRAL







MiTek USA, Inc.

7777 Greenback Lene Suite 109 Clirus Helghis, CA, 95610 Telephone 916/676-1900 Fax 916/676-1909

Re: 15-055488\_Main\_House Main House2100 E14th St

The truss drawing(s) referenced below have been prepared by MiTek USA, Inc. under my direct supervision based on the parameters provided by BMC West-New Braunfels, TX.

Pages or sheets covered by this seal: R47020357 thru R47020372

My license renewal date for the state of Texas is December 31, 2016.

Texas COA: F-12513

Lumber design values are in accordance with ANSI/TPI 1 section 6.3 These truss designs rely on lumber values established by others.

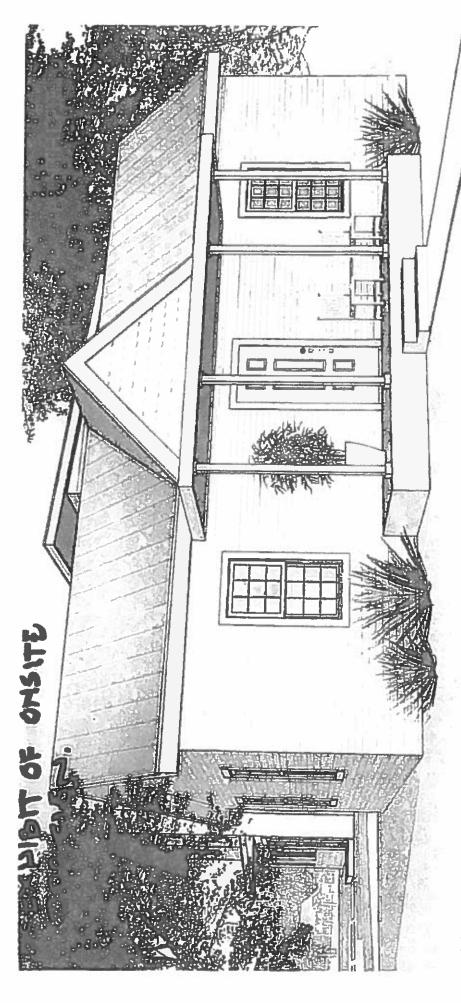
COR F-12513

MARCOS A. HERNANDE

April 8,2016

Hernandez, Marcos

The seal on these drawings indicate acceptance of professional engineering responsibility solely for the truss components shown. The suitability and use of this component for any particular building is the responsibility of the building designer, per ANSI/TPI 1.



"With the assistance of the City Of Austin Historic Landmark Commission and the Chestnut Addition Neighborhood Association we are proud to help preserve this property and add to the sense of place and community?"

## JNIQUE URBAN HOMES SINCE 2001 512.454.4600 LAND | DESIGN





FINANCE | CONSTRUCTION











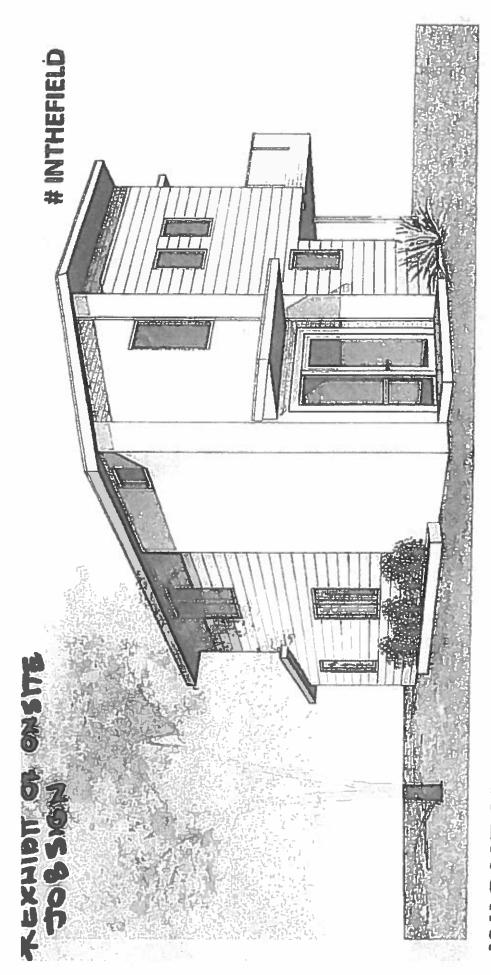
ED 512.251.4279

W HA-ARCHITECTURE.COM

M HA.ARCHITECTURE

B @HA\_ARCHITECTUR

HA\_ARCHITECTURE



# JNIQUE URBAN HOMES SINCE 2001 512,454,4600





FINANCE | CONSTRUCTION

LAND | DESIGN



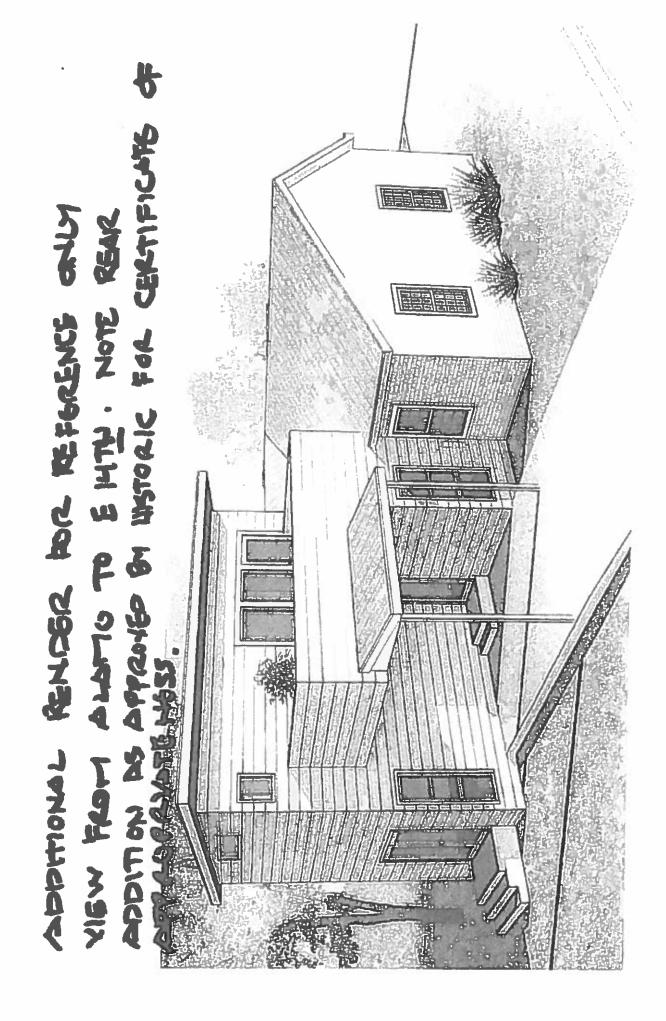








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### Ryan Campbell

From:

Jamie Crawley

Sent:

Monday, June 27, 2016 1:07 PM

To:

Ryan Campbell

Subject:

Please HOLD to print -- email and exhibits /// FW: follow up w/ attachments /// RE:

question - 2100 14th

Attachments:

2100 14TH - SK-0.pdf; 2100 14TH - SK-1.pdf; 2100 14TH - SK-2.pdf; 2100 14TH -

SK-3.pdf

Importance:

High

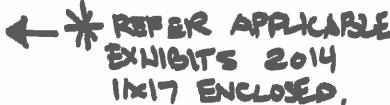
From: Jamie Crawley

Sent: Wednesday, September 3, 2014 8:53 AM

To: 'Sadowsky, Steve'

Subject: question - 2100 14th

Importance: High



Steve – we are still in the process of working with Lex on finalizing the design for the property. I wanted to inquire about prep for the committee meeting Monday next week. If we were to provide the following exhibits in advance of the meeting for the packet (if necessary/advisable) and then supplement in person at the conference room table with additional detailed elevations for discussion would that work?

Thanks in advance for ALL the assistance you have provided on this one.

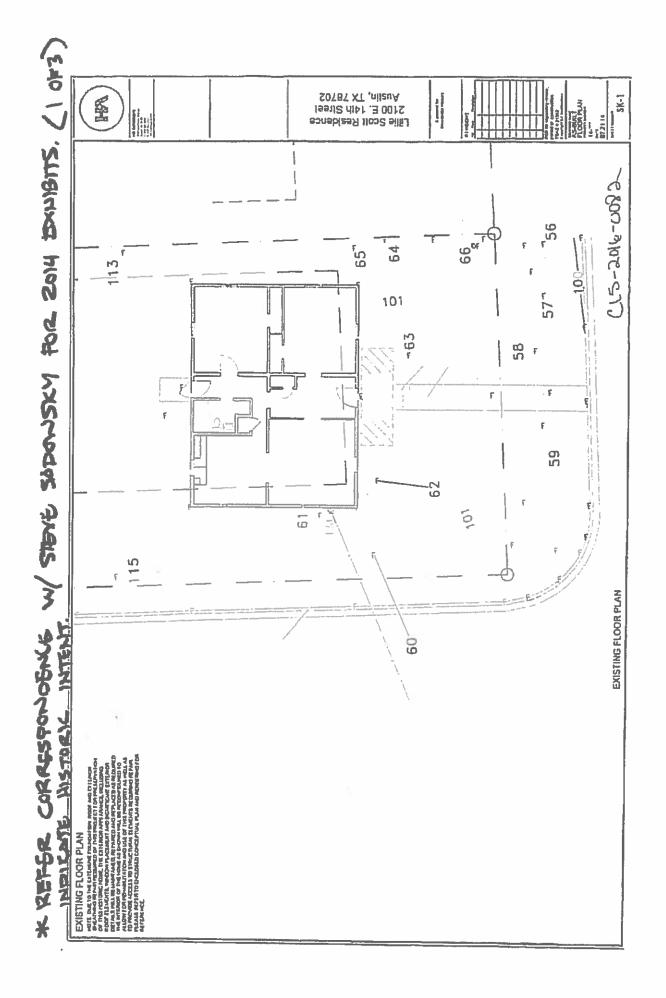
Jamie Crawley, AIA, LEED AP BD+C, NCARB Director of Architecture

||I-|||///\\\ Architecture

2125 E. Cesar Chavez Austin, TX 78702

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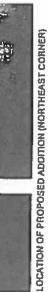




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Lillie Scotl Residence 2100 E. 14th Street Austin, TX 78702











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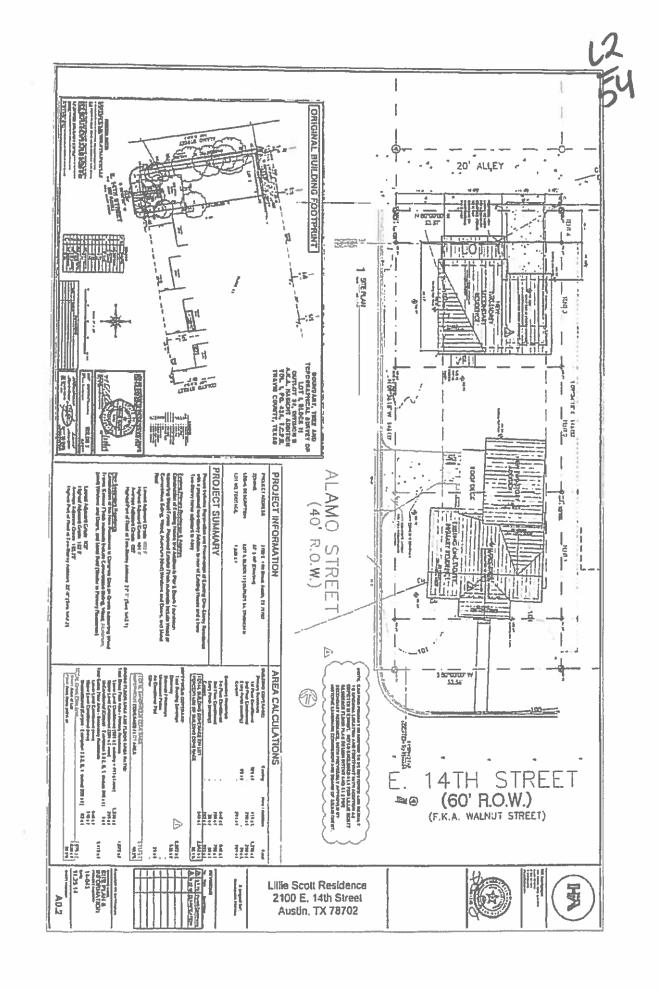
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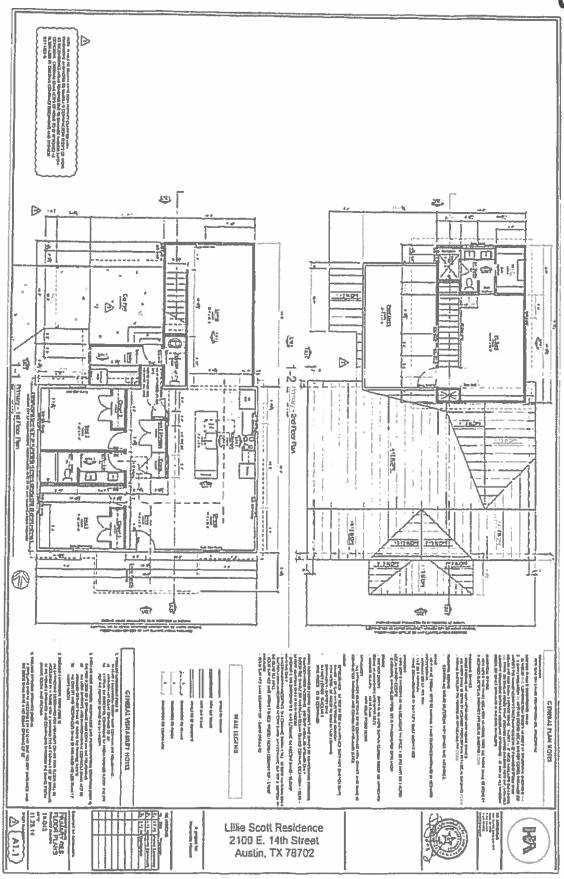
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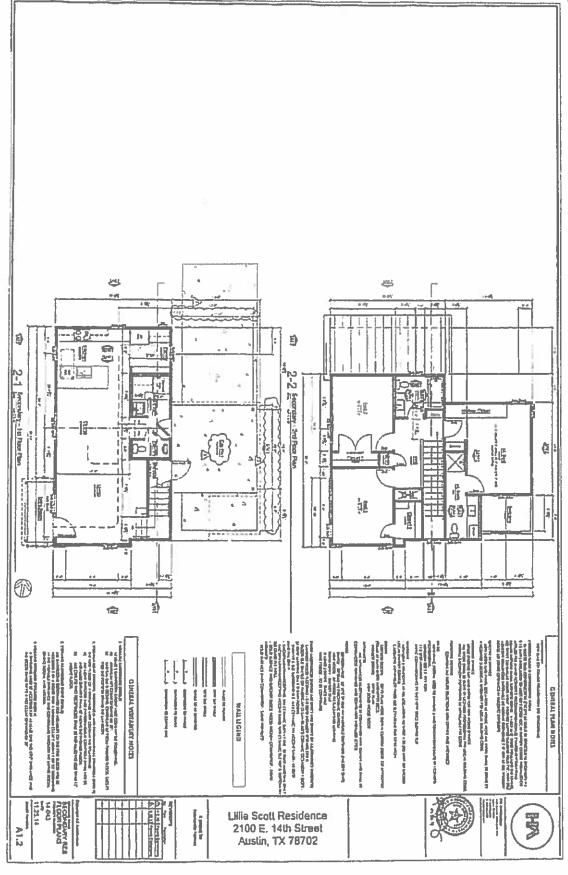
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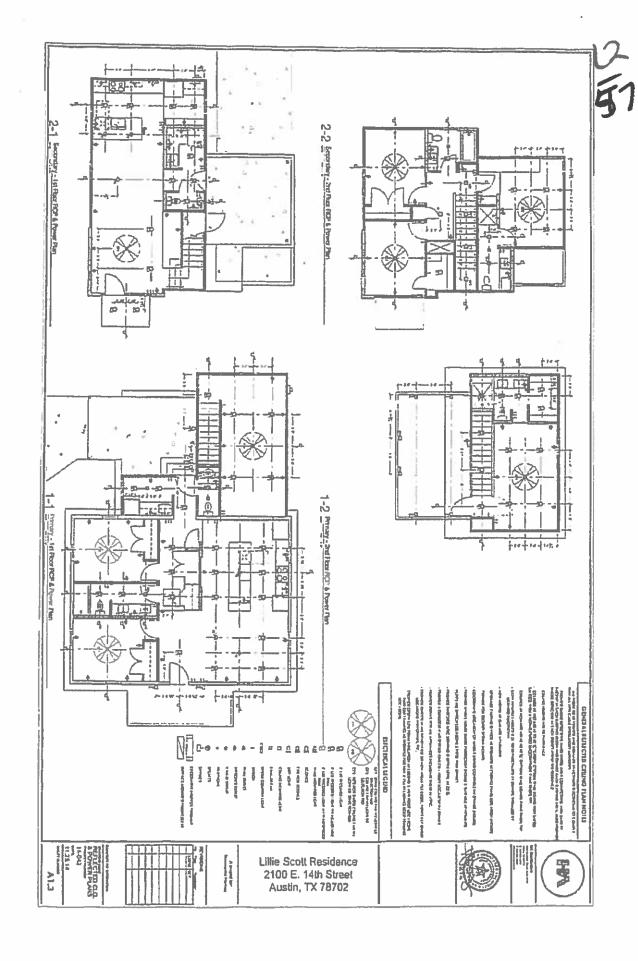
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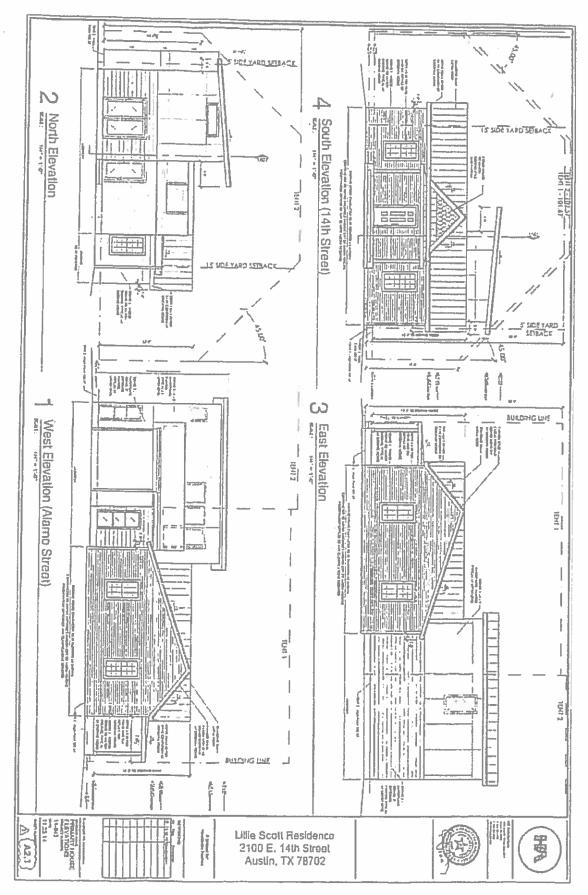
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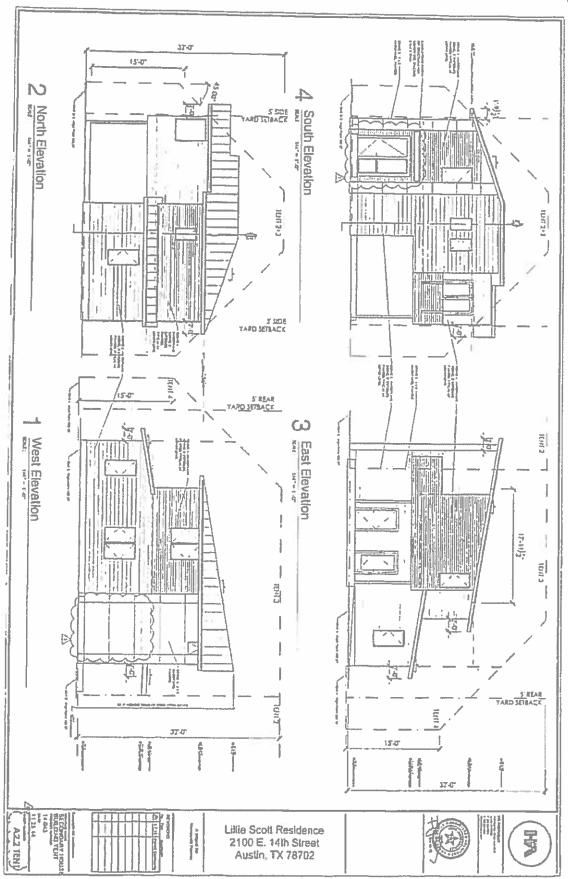


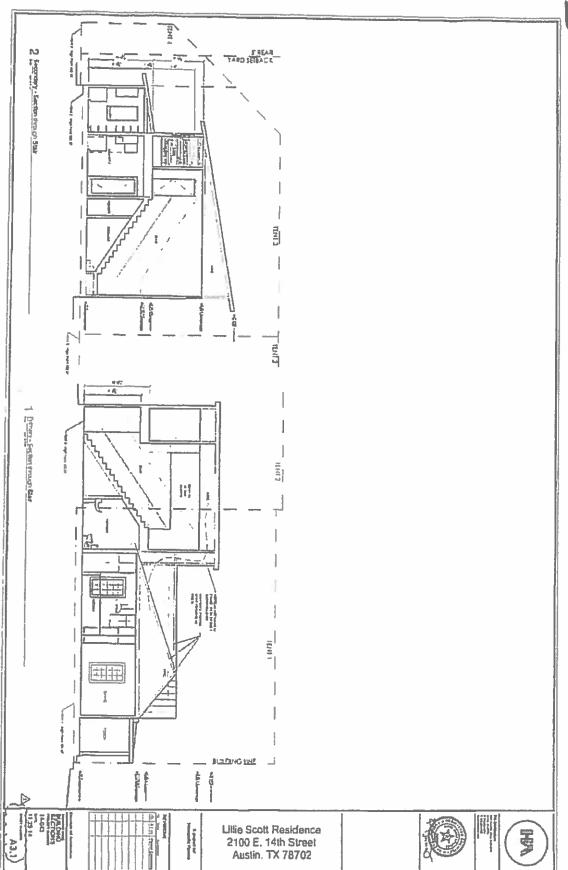








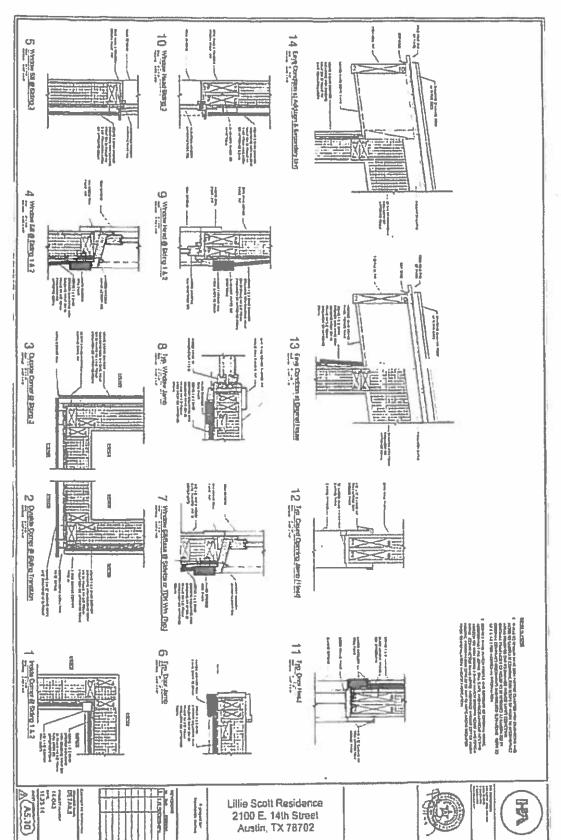




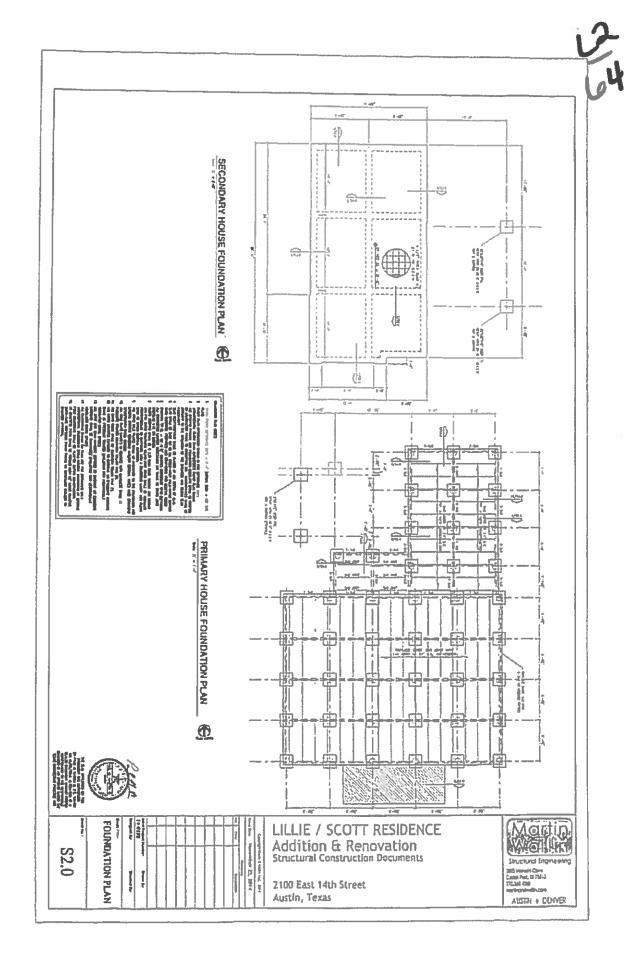
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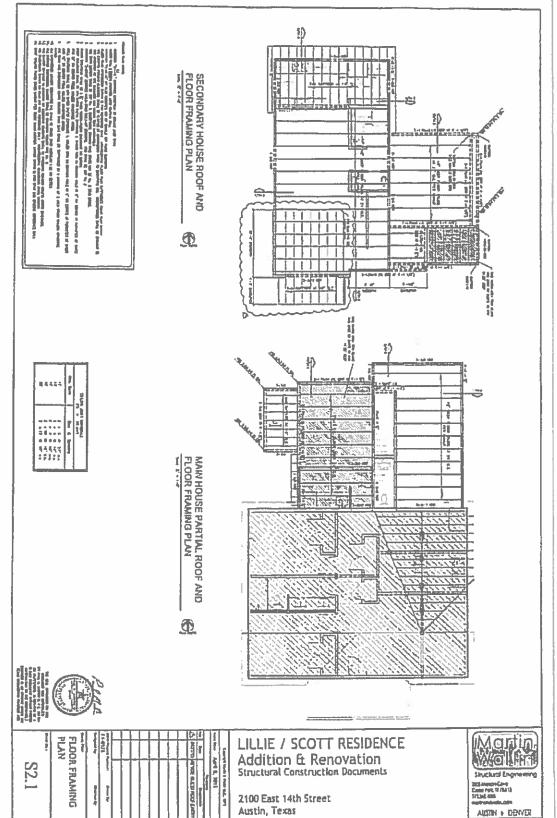
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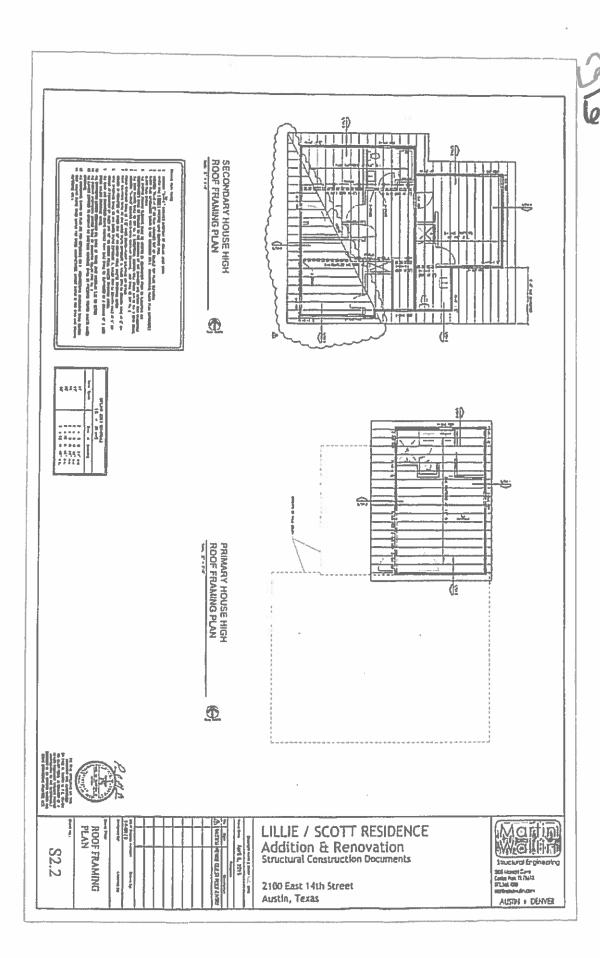
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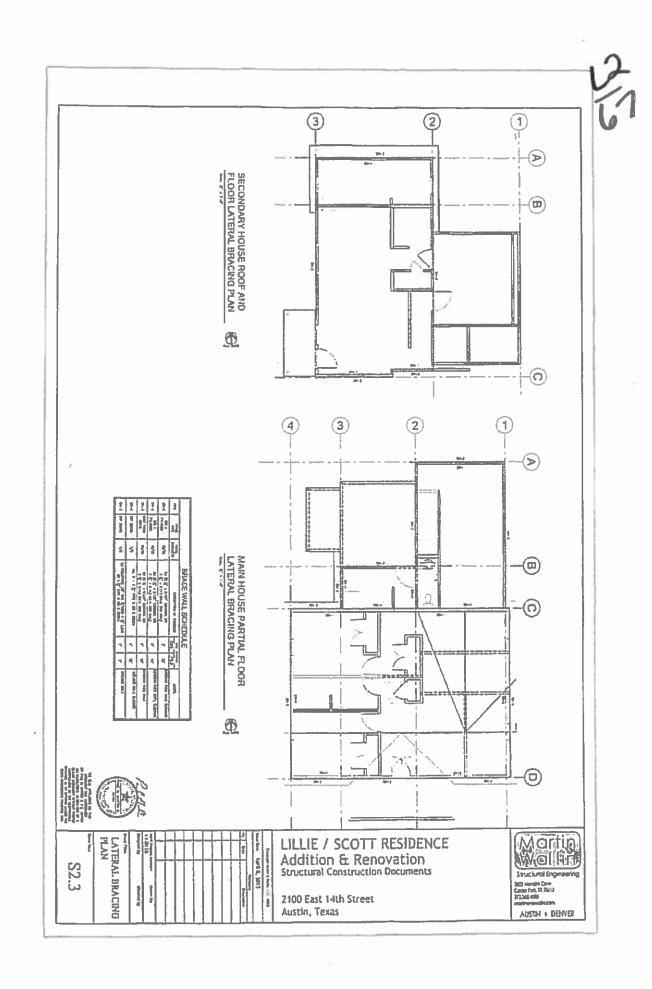


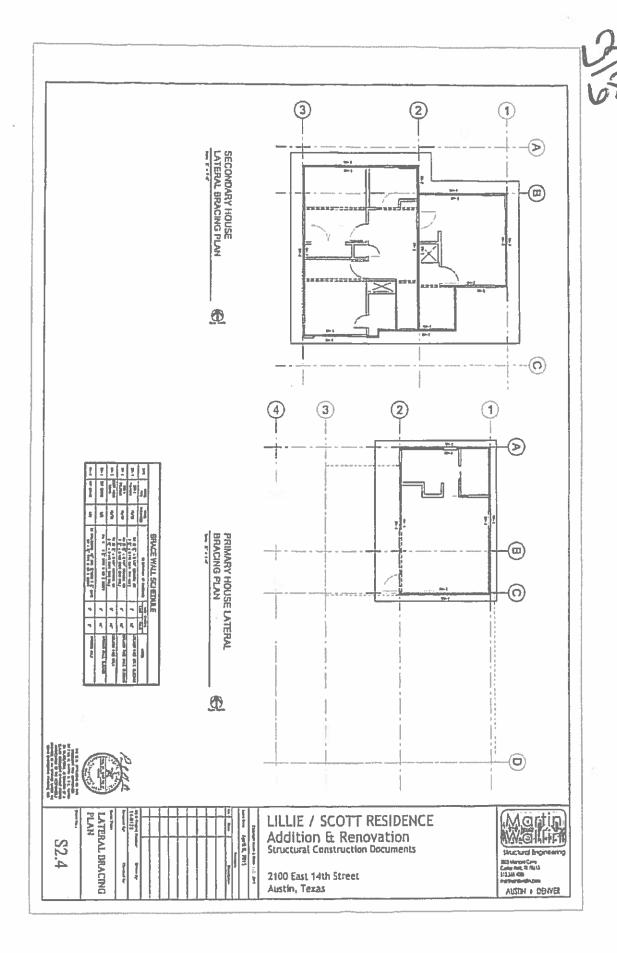
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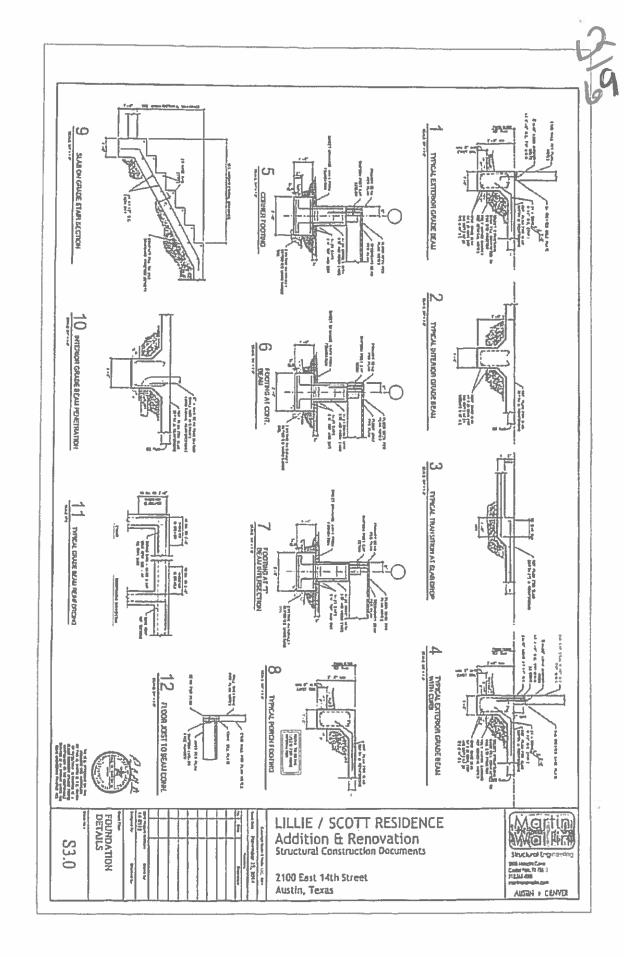


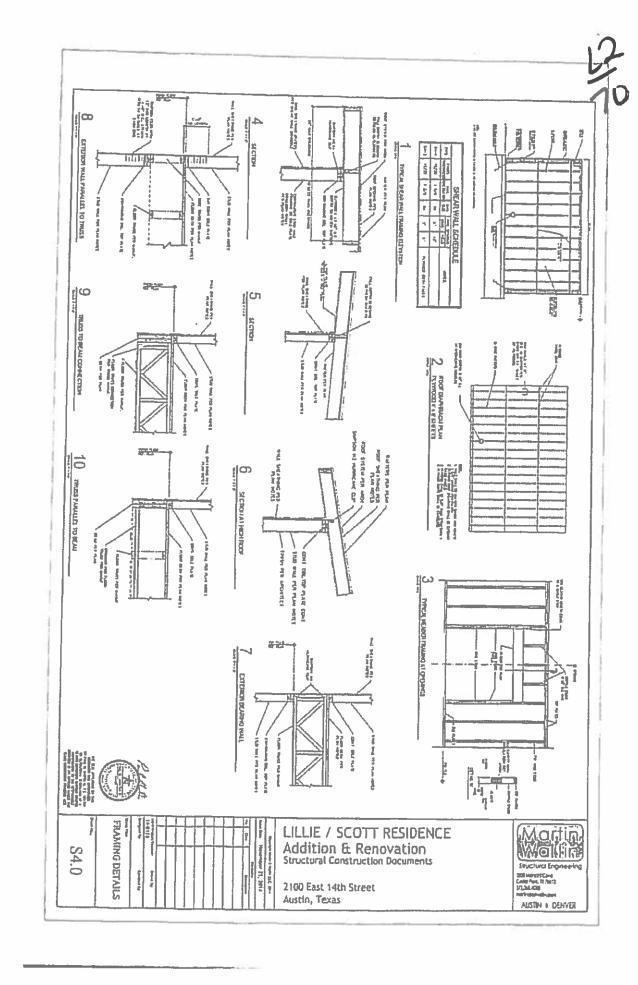












C15-2016-008217

### Heldenfels, Leane

From:

Cavan Merski

Sent:

Monday, July 11, 2016 11:20 AM

To:

Heldenfels, Leane

Subject:

2100 E. 14th St. Variance

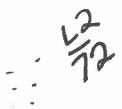
### Hey Leane -

The NPCT had an email conversation and a vote over the weekend. The team voted to ask for postponement of this case to the 8/8 BOA hearing to discuss with Newcastle more and if the case is heard tonight the team has voted to oppose the granting of the variance.

I will draft a letter with this information now and send it before noon for inclusion in the case packet.

Thanks, Cavan Chestnut NPCT Chairman 814-397-9649

July 11, 2016



### Board of Adjustment -

The Chestnut Neighborhood and Plan and Contact Team has discussed the latest variance request at 2100 E. 14<sup>th</sup> St. and the team has voted to ask for a postponement of this case to the 8/8 BOA meeting. If the postponement is not granted the Chestnut NPCT has voted to oppose the granting of this variance. Over forty households in the neighborhood established the majority opinion in this vote with one vote given to each household.

The Chestnut NPCT asks for a postponement to discuss this case further with the builder at a regularly scheduled NPCT meeting before the 8/8 BOA hearing. The team does not think there has been adequate communication or explanation of the transgressions at the building site to support this variance at this time.

The Chestnut NPCT was a major participant in the negotiations that established the original agreement for the preservation of the home on this property. The CNPCT also supported the original variance granted for this property in September 2014. An excerpt from our original letter of support reads:

"Since there are not many homes left that embody the original nature of the neighborhood the way this home does, we have a number of conditions that we would like to place on the support of this variance.

We would like to see the following:

- Preservation of both street facades, in terms of materials, details and scale.
- Details and materials carried through to the new construction, including any additions. Especially the teardrop siding that is so indicative of our neighborhood.
- The existing structure to remain one story. This helps to support the structure as well as reduces the amount of structural renovation or addition that may be needed to support an additional story.
- We will not support ony future variances for the site in terms of site development, i.e. an increase to the FAR or Impervious Cover.
- Preservation of the persimmon trees in the front of the house.
- We would like the front facade of the rear structure to face Alamo so as to create a feeling on the site of two separate structures since the rear house could potentially be as large as the front house."

Both street facades are gone and to our knowledge no details or materials have been saved for new construction. The Chestnut NPCT received no communication or forewarning before the two street facades were taken down due to safety concerns,

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despite this being an explicitly stated condition of our support (and via historic zoning a binding condition of the building permit).

For these reasons we ask you to postpone this case for more discussion between the builder and the CNPCT. If the case is not postponed, we ask that you deny this variance request.

Thank You, Cavan Merski Chestnut NPCT Chairman 814-397-9649

July 17, 2014



### Board of Adjustment:

I am the vice-chair of the Chestnul NPCT. We have a very active and vocal group who is in direct communication with our neighborhood as a whole as well as the other organizations operating in our neighborhood. After much discussion within the GNPCT and with the neighborhood at large we have voted to support this variance on the condition of preserving the existing, historic structure.

We have previously voted to oppose the demolition of the existing structure and after much negotiating and debate with the developer we have found a solution that works for all of us. The solution to increase the allowable 850 s.f. of the secondary living unit will help the developer meet the site potential he needs to make the purchase lucrative. The preservation of the existing home contributes to the historic fabric of our community and the human scale of the streetscape while the visibility of the neighbors from the porch helps to contribute to the safety of our neighborhood and the overall scale creates a sense of place.

Since there are not many homes left that embody the original nature of the neighborhood the way this home does, we have a number of conditions that we would like to place on the support of this variance.

### We would like to see the following:

- Preservation of both street facades, in terms of materials, details and scale.
- Details and materials carried through to the new construction, including any additions. Especially the tear drop siding that is so indicative of our neighborhood.
- The existing structure to remain one story. This helps to support the streetscape and human scale of the structure as well as reduces the amount of structural renovation or addition that may be needed to support an additional story.
- We will not support any future variances for the site in terms of site development, i.e. an increase to the FAR or Impervious Cover.
- Preservation of the persimmon trees in the front of the house.
- We would like the front lacade of the rear structure to face Alamo so as to create a feeling on the site of two separate structures since the rear house could potentially be as large as the front house.

We also believe that our neighborhood plan has adopted the secondary infill tool as a way to help developers build on their land without sacrificing the historic homes in our neighborhood. We will support NewCastle in renovating the home, maintaining the exterior street facades and scale, and building a secondary home on the property.

In conclusion we are in support of the variance to increase the allowable secondary structure maximum square footage on the conditions of preservation outlined above.

Sincerely,

Trinity E. White Vice-chair GNPCT

### Heldenfels, Leane

45

From:

Angela

Sent:

Monday, July 25, 2016 3:50 PM

To:

Heldenfels, Leane

Subject:

2100 East 14th St./ Case Number C15-2016-0082

Attachments:

CANA letter2100 East 14th St.pdT

Hi Leane,

I am submitting a formal letter from the Chestnut Addition Neighborhood Association in opposition to the variance request.

Thank youl

Best regards,

Angela White-Tragus

### Chestnut Addition Neighborhood Association

"A Community of Sharing and Caring"

12/16

July 25, 2016

City of Austin Board of Adjustment c/o Leane Heldenfels

Re: Case Number C15-2016-0082, 2100 East 14th Street

Dear Members of the Board of Adjustment,

After discussions from the July 16, 2016 neighborhood monthly meeting, Chestnut Addition Neighborhood Association (CANA) voted to OPPOSE the granting of this variance request to Newcastle Homes.

### Variance requested:

"The applicant has requested variance(s) from Section 25-2-774 (C) (5) (a) (Two-Family Residential Use) to increase the maximum size of a second dwelling unit from 1,110 square feet (required/permitted) to 1,356 square feet (requested) in order to add a second dwelling unit behind a new primary home that is a recreation of the original primary home, identical on the exterior per plans approved by the Historic Land Commission, in a "SF-3-NP, Family Residence- Neighborhood Plan zoning district. (Chestnut).

Note: A variance with a condition that historic zoning be obtained for the primary house was approved 9/8/2014. During remodel/expansion of the existing house, the remaining 2 walls of the house collapsed. Therefore, retaining the historic zoning condition of the variance was no longer possible."

During the discussion, residents shared input that granting a variance for oversized ADU sets a precedent for other developers to do the same and Newcastle Homes had lost integrity with our neighborhood by not complying with the original variance.

A motion was set and the Chestnut Addition Neighborhood Association resolved, the variance request for 2100 East 14th should be denied by the City of Austin Board of Adjustment. (7 supporting votes and 1 abstaining)

We appreciate your time and attention to this issue. Please feel free to contact me if you have any questions or concerns regarding CANA's opposition to the variance request.

Respectfully,
Angela White-Tragus
CANA Secretary
On behalf of the Chestnut Addition Neighborhood Association

C15-2016-0082

### Heldenfels, Leane

From:

Kathy Taylor <

Sent:

Monday, July 25, 2016 3:36 PM

To:

Heldenfels, Leane

Subject:

CASE C15-2016-0082 2100 E 14th Street

Attachments: 2100 E 14th Timeline of

2100\_E\_14th\_Timeline\_of\_Events\_references.pdf; 1\_Original CNPCT Support Letter July\_2014.pdf; 2\_HPO\_letter\_of\_support\_2014.pdf; 3.HLC\_Certificate\_of\_Appropriateness.pdf;

4.Permit\_List.pdf; 5.lillie\_scott\_building\_permit.png; 6.warranty\_deed\_page1.png;

7.march23-demolished\_walls.jpg; 8 newcastle\_facebook\_post\_20160324

\_walls\_down\_comment.png; 9.hold\_tag\_photos\_attached\_to\_

2015-056457BP\_annotated.docx

Hi Leane.

Please find the following documents that I am hoping can be attached to case C15-2016-0082 2100 E 14th Street, and be included in the packet provided to the Board prior to the hearing scheduled for July 8th.

"2100 E 14th Timeline of Events references" - a pdf file detailing some of the key events that have transpired to date pertaining to this property. This timeline also contains references to the following documents -

"I\_Original CNPCT Support Letter July 2014" a pdf file with the original letter of support for the variance heard/granted in 2014 that lists conditions for support of an approved variance.

"2\_HPO\_letter\_of\_support\_2014" - a pdf file with the original letter of support from Steve Sadowsky, where he states the support of the larger secondary dwelling unit in order to fund the costs of preserving and restoring the ca. 1906 home.

"3\_HLC\_Certificate\_of\_Appropriateness" - a pdf of the HLC's approval for the certificate of appropriateness, with the understanding that the applicant (Newcastle Homes) is not seeking historical zoning. This was just 2 weeks following the BOA's granting of the variance with the condition that historical zoning be obtained.

"4.Permit\_List" - pdf showing the various permits for the 2100 E 14th Street as well as the secondary dwelling unit that has somehow been given a new address of 1405 Alamo.

"5.lillie\_scott\_building\_permit" - screenshot of the current progress status of the Addition & Remodel building permit 2015-056457 BP.

"6.warranty\_deed\_page!" - screenshot of the warranty deed available online with the Travis County Clerk website, showing the consideration (cash and note) for the sale of the 2100 E 14th property by Newcastle Homes to 2100 E 14TH VENTURES LLC (current owner).

"7.march23-demolished\_walls" - one of the photographs taken by a Chestnut neighbor on March 23rd, and which was also sent to Steve Sadowsky that afternoon when he was alerted that the walls had been demolished.

"8.newcastle\_facebook\_post\_20160324\_walls\_down\_comment - screenshot of the March 24th posting on social media where Newcastle makes a claim that the city and the engineer had asked them to take down the walls.

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"9.hold\_tag\_photos\_attached\_to\_2015-056457BP\_annotated - document of photos taken by the code enforcement when the Stop Work Order was placed on the site. These show the extent of work performed by Newcastle on both the primary structure (piers, joists, sub-floor decking) and the secondary dwelling unit (mostly dried end) in the one month period between March 24th and April 27th (between the walls being demolished and the stop work order).

I acknowledge that there are a lot of documents, but I believe them to be concrete evidence of the behavior of Newcastle Homes, their lack of abiding by the conditions of the BOA for obtaining the historical zoning, and disregard of their agreements with both the Chestnut NPCT and the Historic Landmark Commission. I think the board members should have an opportunity to have this level of insight into what all has transpired to date, as they consider the Case C15-2016-0082 on August 8th.

Personally, I do not see how Newcastle Homes can prove hardship now for a new variance. I also am concerned as to the advantage this might give them over that which the code permits to homeowners and other developers/builders. And my biggest fear is that this opens the door to other such behavior by Newcastle Homes again or by other builders who have watched this case and events evolve.

Muny thanks for the opportunity to provide this information for board consideration and to voice my own concerns on the matter.

Take care,

Kathy Taylor 2012 E 16th Street Austin, TX 78702

Date	LNEAS	
04/11/2014	Newcastle Homes (NC) purchases the 2100 E. 14th property (for \$170,000 per warranty deed #2014052295 field with Travis County Clerk) and evicts tennants within several months.	A T T T T T T T T T T T T T T T T T T T
05/29/2014	Chestnut NPCT voted to oppose the total demolition of the existing home at the Historic Land Commission (HLC) hearing.	
07/17/2014	Chestrut NPCT, after many weeks and much negotiations/discussions with NC, submits letter of support of the variance to increase the allowable 850 sq ft secondary living unit with the following conditions:  - Preservation of both street facades, in terms of materials, details and scale  - Details and materials carried through to the new construction, including any additions. Especially the tear drop siding that is so indicative of our neighborhood  - The existing structure to remain one story.  - We will not support any future variances for the site in terms of site development, i.e. an increase to the FAR or Impervious Cover.  - Preservation of the persimmon trees in the front of the house.  - We would like the front facade of the rear structure to face Alamo so as to create a feeling on the site of two separate structures since the rear house could potentially be as large as the front house.	Attachment 1_Original CNPCT Support Letter July_2014.pdf
09/03/2014	Steve Sadowsky, Historic Preservation Officer, submits letter of support of the variance stating his understanding that "Newcastle Homes has agreed to preserve the house and to develop the lot behind the house rather than demolish or relocate 2, the historic house." He goes on to state, in the same letter, 'Developing the lot with a secondary structure will enable or Newcastle Homes to fund the restoration of the existing ca. 1906 house and help preserve the historic and architectural character of the neighborhood.	Attachment 2_HPO_tetter_of_s upport_2014.pdf
09/08/2014	Board of Adjustment grants variance for 1,500 sq foot secondary dwelling unit with conditions to maintain .4 FAR on lot AND obtain historical zoning. (Case C15-2014-0108)	
09/22/2014	HLC approves Newcastle's application for a Certificate of Appropriateness, where included in the proposal was the preservation Attachment and rehabilitation of the existing house and explicity stated that "The applicant is not seeking historic zoning for this of_Appropri property."  of_Appropri	Attachment 3.HLC_Certificate_ of_Appropriateness -pdf
10/22/2014	Newcastle submits an express application for an exploratory permit to remove interior walls to determine framing, foundation, condition/repair needs.	
02/02/2015	Newcastle submits a combined Residential Permit Application for a new construction of a 1,500 sq ft secondary living unit per BOA approved variance, and a partial demolition and remodel/addition of the existing home. (2015-011895 PR - Residential Permit Application)	
05/12/2015	Residential Permit Application is approved.	



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07/45/2016		KEFEKENCE
07/15/2015	Two (2) Building Permits issued -  2015-056457 BP for a 2-story Addition and Remodel of 2100 E 14th (existing house), along with partial demo Per 2010 Austin remodel ordicnate (Land Development Code 25-2-963);  No more than 50% of exterior walls and supporting structural elements of existing structure may be demolished/removed  Replacement or alteration of original foundation may not change the finished floor elevation by +/- one foot vertically  If a noncomplying portion of a structure is demolished, it loses its noncomplying status and may only be rebuilt in compliance with current code  2015-056458 BP for a New Contruction for detached secondary dwelling unit at 1405 Alamo Street (not a previously existing address, no evidence of subdivision)	Attachment 4.Permit_List.pdf
12/18/2015	1st inspection attempt for the '100 Building Layout' for 2015-056457 BP (existing house) - did not pass 1st inspection attempt for the '101 Building Layout' for 2015-056458 BP (secondary dwelling unit) - did not pass	Attachment 5.lillie_scott_buildi ng_permit.png
01/22/2016	Newcastle Homes sells property to '2100 E 14TH VENTURES LLC', for \$10 cash and a note for principal amount of \$661,690 (per warranty deed #2016011987 filed with Travis County Clerk)	Attachment 6.warranty_deed_p age1.png
03/16/2016	2nd inspection attempt for the '100 Bldg Pre-Construction' for 2015-056457 BP (existing house) - passed	
03/23/2016	Several Chestnut neighbors witness the demolition of the 2 façade walls; - phone call and email with photos sent to Steve Sadowsky - phone call to Code and to the building inspector listed on the permit	Attachment 7.march23- demolished_walls.j
03/24/2016	Newcastle post on Facebook: "if anyone noticed those walls came down, please note the city and the engineer deemed them unsafe and asked we take them down."  No evidence that the city requested the walls come down, nor was any permit application submitted by NC for a complete/total demoiltion  3/29/2016 dated letter from Paul H Martin P.E. does not state that he or anyone with his company issued a directive for the walls to be taken down, but his letter does state "that during construction it was revealed that the exterior walls were significantly decayed" and "our recommendation that the stud walls be replaced with new wood studs".  Newcastle does not stop work on the site	Attachment B.newcastle_faceb ook_post_20160324 _walls_down_com ment.png



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Mone	EVENI	REFERENCE
04/01/2016	1st inspection attempt for the '300 Electric Slab' for 2015-056458 BP (electric permit/secondary dwelling unit) - passed	
04/04/2016	4th inspection attempt for the '101 Building Layout' for 2015-056458 BP - passed, along with other pre-Foundation inspections: 500 Plumbing Rough 3rd inspection attempt - passed 501 Plumbing Copper 2nd inspection attempt - passed 505 Sewer Yard Line 1st inspection attempt - passed 506 Water Yard Line 1st inspection attempt - passed 510 Sewer Tap 1st inspection attempt - passed	
04/06/2016	Concrete pouring for slab (secondary dwelling unit, 1405 Alamo) and piers for the front structure (2100 E 14th)	
04/12/2016	Newcastle post on Facebook with photos: "carefully poured the piers as we recreate the tillie scott"  Note - The required pre-foundation inspection '101 Building Layout' has never been scheduled for 2015-056457 BP  Note - The required '102 Foundation' inspection has never been scheduled for 2015-056457 BP	
04/14/2016	1611 Water Tap' inspection for 2015-056458 BP (secondary dwelling unit, 1405 Alamo) - passed	
04/15/2016	Neighbor who was one of those witnessing the façade wall demolition sent email to Susan Barr (Residential Inspection Supervisor) stating concerns about the complete demolition of the former house.	
04/27/2016	City of Austin issued a Stop Work Order (Red Tag Hold)  Photographs of construction site were taken by city code enforcement and are attached to the permit folder for 2015-056457  BP, showing piers/floor joists/sub-floor decking on the primary structure at 2100 E 14th, and the dried-in state of the secondary dwelling unit. Both Building Permits (primary and secondary dwelling unit) are related to the same Residential  Application, both Building Permits and all related electrical/mechanical/plumbing are also flagged with a Red Tag Hold.	Attachment 9.hold_tag_photos _attached_to_2015- 0564578P_annotat ed.docx
06/14/2016	Newcastle, as authorized agent of 2100 E 14th Ventures LLC, files a new variance request. Case # C15-2016-0082 (This application and supporting documentation was not available to the public online until late afternoon on 6/29/2016.)	
06/29/2016	Newcastle attends regular scheduled Chestnut NPCT meeting, but indicated that they were not seeking the CNPCT support for the new variance, as they "have all the support we need".	
06/30/2016	City post-marks the variance request notification mailer	
07/10/2016	Chestnut NPCT held a 48+ hours online vote that closed at midnight; results were majority for Requesting a Postponement of the case from the BOA's July 11th meeting in order to have more time to discuss and meet with NC, and in the event the BOA did not grant the postponement then the majority voted to oppose the new variance request.	
07/11/2016	Newcastle opposed the Chestnut NPCTs request for a postponement. The BOA voted to go forward with the case hearing that night, and at the conclusion of that hearing voted to postpone to their next meeting on August 8th (10-1 vote on the postponement motion).	



July 17, 2014



### Board of Adjustment:

I am the vice-chair of the Chestnut NPCT. We have a very active and vocal group who is in direct communication with our neighborhood as a whole as well as the other organizations operating in our neighborhood. After much discussion within the CNPCT and with the neighborhood at large we have voted to support this variance on the condition of preserving the existing, historic structure.

We have previously voted to oppose the demolition of the existing structure and after much negotiating and debate with the developer we have found a solution that works for all of us. The solution to increase the allowable 850 s.f. of the secondary living unit will help the developer meet the site potential he needs to make the purchase lucrative. The preservation of the existing home contributes to the historic fabric of our community and the human scale of the streetscape while the visibility of the neighbors from the porch helps to contribute to the safety of our neighborhood and the overall scale creates a sense of place.

Since there are not many homes left that embody the original nature of the neighborhood the way this home does, we have a number of conditions that we would like to place on the support of this variance.

### We would like to see the following:

- Preservation of both street facades, in terms of materials, details and scale.
- Details and materials carried through to the new construction, including any additions. Especially the tear drop siding that is so indicative of our neighborhood.
- The existing structure to remain one story. This helps to support the streetscape and human scale of the structure as well as reduces the amount of structural renovation or addition that may be needed to support an additional story.
- We will not support any future variances for the site in terms of site development, i.e. an increase to the FAR or Impervious Cover.
- Preservation of the persimmon trees in the front of the house.
- We would like the front facade of the rear structure to face Alamo so as to create a feeling on the site of two separate structures since the rear house could potentially be as large as the front house

We also believe that our neighborhood plan has adopted the secondary infilt tool as a way to help developers build on their land without sacrificing the historic homes in our neighborhood. We will support NewCastle in renovating the home, maintaining the exterior street facades and scale, and building a secondary home on the property.

In conclusion we are in support of the variance to increase the allowable secondary structure maximum square footage on the conditions of preservation outlined above.

Sincerely,

Trinity E. White Vice-chair CNPCT

C15-2014-0108 12



City of Austin
Founded by Congress, Republic of Texas, 1839
Historic Preservation Office
Planning and Development Review Department
One Texas Center, 505 Barton Springs Road
P.O. Box 1088, Austin, Texas 78767

September 3, 2014

Board of Adjustment, City of Austin P.O. Box 1088 Austin, Texas 78767

Re: Variance requested for 2100 E.14th Street: Newcastle Homes

Dear Commissioners:

I am writing to provide you with information on the request for a variance filed by Newcastle Homes at the above-referenced address.

The existing structure is a ca. 1906 vernacular frame house that typifies residential architecture in the Chestnut neighborhood at the turn of the 20th century. The house has significant architectural and historical significance to both the neighborhood and the City, representing an intact example of a vanishing architectural type, and with significant historical ties to the city's African-American community. It is very important to take all possible and appropriate steps to encourage the preservation of this house, especially as the Chestnut Neighborhood is exploring the possibility of establishing a local historic district, to which this house would certainly be contributing.

Newcastle Homes agreed to preserve the house and to develop the lot behind the house rather than demolish or relocate the historic house. The proposed new structure will be located behind the existing house, and will not compete with the historic character of the existing house or the neighborhood, because the proposed new house will face Alamo Street rather than 14th Street. Developing the lot with a secondary structure will enable Newcastle Homes to fund the restoration of the existing ca. 1906 house and help preserve the historic and architectural character of the neighborhood. The requested variance serves the interests of historic preservation in retaining and restoring the existing house, which has suffered a great deal of deterioration over the years as a result of long periods of rental tenancy and intermittent vacancy. The house would ordinarily be considered a tear-down, but Newcastle Homes has agreed to preserve the house so long as they can also develop the with a secondary dwelling unit. Many other purchasers of this property would never have entertained the notion of preservation and restoration, nor would they have worked with the neighborhood and the City Historic Preservation Office so closely to develop a win-win proposal for this house and this neighborhood.

The intact, historic appearance of this house is very important to the maintaining the integrity of the Chestnut Neighborhood, which completed a historic structure survey several years ago. Neighborhood leaders are currently working on a nomination for a locally designated historic district that will include E. 14th Street. It is extremely important to

C15-2014-0108

maintain the historic character of the street and the streetscape in this potential historic district and to encourage any new development to be behind the historic house

While this house may never be designated as a historic landmark, that should not affect a decision regarding its historical and architectural importance to the neighborhood and the applicant's request for a variance to construct a secondary dwelling unit that will make this preservation project possible. The important consideration here is to preserve a 100+ year-old house with significant ties to the history of the neighborhood; the situation is unique because of the proposal to preserve and restore the historic house, and the house also represents the hardship to the owner. He would not need a variance if he were to demolish the house.

Please let me know if you have any questions, or if we can assist in any other way.

Sincerely,

Steve Sadowsky

Historic Preservation Officer

## 12/85

### HISTORIC LANDMARK COMMISSION SEPTEMBER 22, 2014 APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS HDP-2014-0339 2100 E. 14th Street

### PROPOSAL

Construct an addition to the rear of the house; construct a secondary dwelling unit at the rear of the lot.

### PROJECT SPECIFICATIONS

The applicant proposes the construction of an addition to the rear of the house and the construction of a secondary dwelling unit at the rear of the lot. The case was originally filed under an application for a demolition permit and is pending before the Commission, necessitating a Certificate of Appropriateness for new work on the site. The applicant is proposing to preserve and rehabilitate the existing house.

The proposed addition to the rear of the house will be two stories, and located to the rear of the house, and only on the east side of the back of the house with a carport extending from the addition behind the house to Alamo Street. The addition will have hardi-plank siding, a rectangular plan, metal-framed glazing, and a sloped flat roof. Only the top of the roof will be visible from the front of the house. The proposed secondary dwelling unit will also be two stories, with hardi-plank siding, metal-framed glazing, and a sloped flat roof. The secondary dwelling unit will face onto Alamo Street; parking for the unit will be off the alley behind the new structure.

The applicant is not seeking historic zoning for this property.

### STANDARDS FOR REVIEW

The Commission's Standards for Review of applications for Certificates of Appropriateness include:

- Do not destroy the distinguishing original qualities or character of a building, structure, or site and its environment. Avoid the removal or alteration of any historic material or distinctive architectural features.
- Recognize all buildings, structures, and sites as products of their own time. Do not
  construct alterations which have no historical basis and which seek to create an
  earlier appearance.
- Contemporary design for alterations and additions to existing properties are
  appropriate when such alterations and additions do not destroy significant historic,
  architectural, or cultural material and such design is compatible with the size, scale,
  color, material, and character of the property, neighborhood, or environment.
- Construct new additions or alterations to structures in such a manner that if such
  addition or alteration were to be removed in the future, the essential form and
  integrity of the structure will be unimpaired.

### COMMITTEE RECOMMENDATIONS

The Committee recommended approval as proposed, with the understanding that the applicant is not seeking historic zoning for this property.

### STAFF RECOMMENDATION

2

B.7 - 2

Approve as proposed. The applicant is not seeking historic zoning for this house, but because the case is pending on the original application for demolition, the applicant is seeking review of his plans to preserve and rehabilitate the original house along with the addition and secondary dwelling unit. The important factor here is the applicant's desire to preserve the existing house.



ca. 1906





OCCUPANCY HISTORY 2100 E. 14<sup>th</sup> Street

City Directory Research, Austin History Center By City Historic Preservation Office



May, 2014	B.7	٠ 4
1992	Chester B. Crenshaw, renter No occupation listed NOTE: The directory indicates that Chester B. Crenshaw was a new resident at this address.	al
1985-86	Bobby and Mollie Reese, renters Maintenance man, University of Texas	
1981	Ira S. and Helen Marshall, renters Employed by White Swan Institutional Foods (not listed in the directory)	
1977	Ira S. and Helen Marshall, renters Employed by White Swan Institutional Foods (not listed in the directory)	
1973	Ira S. Marshall, renter Stores clerk, University of Texas	
1968	James W. and Mabel L. Clemons, owners Stores clerk, University of Texas	
1962	James W. and Mabel L. Clemons, owners Clerk, University of Texas	
1959	James W. and Mabel L. Clemons, owners Laborer NOTE: The 1958 city directory shows James W. and Mabel Clemons at 1607 Alamo Street; he was a laborer for the University of Texas.	
1955	Lillie Scott, owner No occupation listed	
1952	Lillie Scott, owner No occupation listed	
1949	Lillie Scott, owner No occupation listed	
1947	Lillie Scott, owner No occupation listed	
1944-45	Lillie Scott, owner No occupation listed	
1941	Lillie Scott, owner No occupation listed	
1939	Lillie Scott, owner No occupation listed	

1937

Lillie Scott, owner No occupation listed



1935	Lillie Scott (not listed as owner) No occupation listed
1932-33	Lillie Scott, renter No occupation listed
1930-31	Lillie Scott (colored), renter Cook, Shilds and Corinne Norwood, 604½ W. 19 <sup>th</sup> Street. NOTE: Shilds Norwood was an advertising agent.
1929	Lillie Scott (colored), renter No occupation listed
1927	Lillie Scott (colored), renter Maid
1924	Lillie Scott (colored), owner Cook
1922	Lillie Scott (colored), owner No occupation listed
1920	Lillie Scott (colored), owner Laundress
1918	Lillie Scott (colored), owner Seamstress
1916	Lillie Scott (colored), owner Laundress NOTE: John Scott is not listed in the directory.
1914	John Scott (colored) Driver, Merchants Transfer, 400 Colorado Street. NOTE: Lillie Scott is not listed in the directory.
1912-13	John Scott (colored) Driver, Merchants Transfer, 400 Colorado Street. NOTE: Lillie Washington does not appear in the directory.
1910-11	Lillie Washington (colored) No occupation listed NOTE: John Scott is listed as a driver for Merchants Transfer, he had no residential address listed.
1909-10	Walter Smith (colored) Hostler, George Miller, livery, boarding, and sale stable, 210 E. 5th Street NOTE: Lillie Washington does not appear in the directory.
1906-07	John Washington (colored) Employed by William Tears (colored), undertaker, 614 E. 6th Street, NOTE: The house is listed as 2008 E. 14th Street. NOTE: Walter Smith does not appear in the directory.



1905 The address is not listed in the directory.

NOTE: There are two listings for John Washington in the directory – a porter on E. 3<sup>rd</sup> Street and a vardboy with no residential listing.

### **BIOGRAPHICAL NOTES**

Lillie Scott (ca. 1911 - ca. 1958)

Lillie Scott appears in the 1940 U.S. Census as the owner of this house, which was worth \$600. Lillie Scott was then a 56-year old Texas-born widow with no occupation listed. She had 2 lodgers: Mozelle and Ruby Steward. Mozelle Steward was 43, had been born in Texas, and was a stone mason for house construction. Ruby Steward was 37, had been born in Texas, and was a cook for a fraternity house. The 1930 U.S. Census shows Lillie Scott as a cook and maid living in the home of Shields and Corinne Norwood at 604 W. 19<sup>th</sup> Street in Austin. She is shown as being a 40 year old widow.

The 1920 U.S. Census shows Lillie Scott as the owner of this house. She is listed as a 36-year old widow who was a laundress at home.

The 1910 U.S. Census shows Lillie Washington as the owner of this house. She was a 32-year old Texas-born mulatto, who had been married for 10 years, although her husband is not listed in the census report. She was a washer-woman for a private family. She had a daughter, Leary, 9, who was also listed as a mulatto.

According to her 1958 death certificate, Lillie Scott was 73 when she died, was the daughter of Silas and Mollie Smith, and was a housekeeper.

There is a John Washington listed in the 1910 U.S. Census; he lived with Columbus Washington and George B. Brooks at 300 E. 6th Street in Austin. He was 19 years old, had been born in Texas, and was a porter in a hotel. Columbus Washington was a hotel waiter; George B. Brooks was a band leader. This may be the John Washington listed in the city directories; Lillie Scott's death certificate notes that the person who had given the information for the death certificate was James Brooks, Jr., who may have been a relative of George B. Brooks.

Iula Arnold 2100 East 14th. St. 39 34 11 1

Box add'n. to a residence

26987 - 4/18/45 \$73.00

Geo. Banton

1

Building permit to Lula Arnold for an addition (1945)

12

B.7 - 7

RTAS 5-16-84

Joel Manning

2100 East 14th St.

39

1

11

Re sub of O.L. 34

Rehabilitate Residence

68613

3/5/58

1000.00

Owner

Remodel interior to create bhath install interior partitions sheet rock papaint interior & exterior & install kitchen sink repair roof.

Building permit to Joel Manning to remodel the interior and rehabilitate the house (1958)

12

Retated Level m PV m m m 0 Approved On Hold Stalus 2100 E 14TH ST 2100 E 14TH ST 1405 ALAMO ST 2100 E 14TH ST 2100 E 14 TH ST 1105 ALAMO ST 2100 E 14TH ST 1105 ALAMO ST 1105 ALAMO ST 2100 E 14TH ST Project Name LEST MINISTER | AND THE TRANSPORT CONTRACTOR | Addition and Remodel Addison and Remodel Addition and Addition and Addition and Remodel Work Type Remodel Remodel New New New New R- 434 Addition & Alterations R-434 Addition R-434 Addition & Allerations R: 434 Addition & Alletations R-434 Addibon & Alterations & Alterations R- 102 Secondary Apartment R-102 Secondary Aparlment R-102 Secondary Secondary Sub Type Apartment Apartment R- 102 Back family residence for a Z-story addition and remodel of existing Partial demo of existing single family residence for a 2-slory addition and remodel of existing family residence for a 2-story addition and remodel of existing family residence for a 2-story addition and remodel of existing Partial demo of existing shigle family residence for a 2-story addition and remodel of existing addition and remodel of existing apartment per BOA variance at 1405 Alamo SL New 1500 SF secondary apartment per BOA variance at New 1500 SF secondary apartment per GOA variance at 1405 Alamo St. apartment per BOA variance at secondary apartment per 80A Partial demo of existing single Pamal demo of extsing single family residence for a 2-story Partial demo of existing single Portial demo of existing single Back variance at 1405 Alamo St. residence New 1500 SF New 1500 SF secondary Now 1500 SF secondary Description 1405 Alamo St. 1405 Alamo SL residence residence residence residence . . 2015 056458 PP 2015-05645B BP 2015-056457 BP 2015-056458 2015-056-457 Case Number 2015-011895 ᇤ 띺 2015-056457 EP Permit/Complaint 2015-056456 PP 2015-056458 EP 2015-056458 MP 2015-056457 DP 2015-056458 BP Z015-056457 PP PERMITS/CASES 2015-011895 PR 2015-056457 IAP 2015-056457 DS AUSTRACE. 9 74 NO. ø 8 a N 7 Request/ Cancel / View Inspections Issued Construction Permits PUBLIC INFORMATION Perrnii Assign and Pay REGISTERED USERS My Escran Accounts Update Registration My Pormits/Cases New Registration Public Search Contact PDR My Ucenses FEEDBACK Wab Help Roports Login HELP

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total Building Coverage on for 5416 Lang 5927 Total Building Coverage Percent, of Let Total Impervious Coverage Square Footage Total Impervious Coverage Percent of 40 3 Lot Certificate of Occupancy to be issued. Yes 2012 Code Year Code Type International Residential Code Hattardous Pipeline Review Required | He |
Public or Private | Pri Private Usage Calegory 434 Humber of Bathrooms 25 Size of Water Maler (2) 5/8

PROPERTY CERUS

E 14TH

Number Pre. Street

Suite Suite Type Number City

Legal Desc State Zip

Street Type STREET

AUSTIN

74702 Let 1 Block, 11 Subdivision HABICHTS SUBDIVISION TX

Let 1 Substitute HABICHTS SUBOMISION

PEOPLE DEPAILS

2100

City State Postal Phone 1 Augm TX 78751 (\$12)454-4600 Organization Name Desc. Applicant Organization trame
Austin Nerveardle Homes EP HOYGARD E SMITH 5188 AVEILUE G Austin TA
Housind E Smith
1214 SPEARSON EN AUSTINU

1214 SPEARSON EN AU 78745

Baed To (Housind E Smath) 1214 SPEARSON General Contractor Austin Newcostle Homes LP (HOW/ARD E SMITH) \$108 AVENUE G 78751 15121454-4600 KT ratesA

FOLDERFEE

PROCESSES AND MITTES

Fee Amount Balance Fee Description Building Permit Fee \$539 00 50 60 Demokton Permit Fee 558.00 50.00 Development Services Surcharge 526.28 50 00

Process Description	Status	TOD	Schedule Date	Start Date	End Date	Assigned Staff	a of Attempts
100 Bldg Pre-Constru	ction Pass		Mar 16 2916	Oec 18 2015	Mar 15 2016	DeeAnn Afra (512-) 151 26311	2
Administrative Hold Permit Refund	Open Open						D D
Red Tag Hold	thold			Apr 37 2015		Tony Hernande2 512 264-4842	1
III Energy Final	Open					DeeAnn Afra (512- 351-2631)	Đ
611 Water Tap	Open					Auser Valer Utily .5 (2:972 0013)	a
610 AW Temp Utages	Open					Austin Vister Ubity (512-972-0013)	0
■ I&I Budzing Layout	Среп					Dee Ann Atta (512- 151-2631)	0
102 Foundation	Open					DeeAnn Afra (512- 351-2631)	C
(6) Framing	Open					DeeAnn Afra (\$12- 151-2631)	0
104 loadation	Open					DeeAnn Afra (512- 151-2531)	0
185 Notboard	Open					DecAnn Alta (512- 351-2631)	0
109 TCO Occupancy	Open					DeeAsn Afra (512- 351-2631)	0
112 Final Bulding	Open					Dec Ann Afra (512- 351-2631)	Q
114 Continuance of v	oth Open					DecArn Ana (512- 351-2631)	۵
Delicencies	Open					DeeAnn Afra (\$12- 351-2631)	0
BP Perinting Red Tag Hold	Open Open						0



### **ELECTRONICALLY RECORDED**

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**PGS** 



NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

### WARRANTY DEED WITH VENDOR'S LIEN

DATE:

January 22 , 2016

GRANTOR (whether one or more):

AUSTIN NEWCASTLE HOMES, LTD

GRANTOR'S MAILING ADDRESS

5108 Avenue O Austin, Texas 78751

GRANTEE (whether one or more)-

2 00 E 14TH VENTURES LLC

GRANTEES MAILING ADDRESS-54 Rainey Street, Str. 503 Austin, Texas 78701

### CONSIDERATION:

TEN DOLLARS (\$10.00) and a note of even date that is in the principal amount of SIX HUNDRED SIXTY ONE THOUSAND SIX HUNDRED NINETY AND NO/100 DOLLARS (\$661,690.00), and is executed by Grantee, payable to the order of ANTHEM BANK & TRUST. The note is secured by a vendor's lien retained to the extent of \$126,308.00 in this deed in favor of ANTHEM BANK & TRUST, and by a deed of trust of even date from Grantee to CLENT PARSLEY, Trustee.

### PROPERTY (including any improvements)

Lot 1, Block 11, in a Subdivision of Outlet No. Thurty-Four (34), in Division "B", in the City of Austin, Travis County, Texas, according to the Map or Plut thereof of record in Book 1, Page 42A, Plut Records of Travis County, Texas.

### RESERVATIONS FROM AND EXCEPTIONS TO CONVEYANCE AND WARRANTY:

Easements and rights-of-way of record, ad valurem taxes for 2016, all presently recorded restrictions, reservations, covenants, conditions, and mineral severances, that affect the property.

Granter, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee,



2/95

contact us for details, plans, and pricing-this home is available as always, realtors welcome but not required

BIG thanks to the CHESTNUT ADDITION NEIGHBORHOOD ASSOCIATION, the CHESTNUT NEIGHBORHOOD PLANNING CONTACT TEAM, the CITY OF AUSTIN, ANTHEM BANK, and Midtown Independence Title!





d Like

Comment.

Share

07

Top Comments \*

3 shares



Newcastle Homes if anyone noticed those walls came down, please note the city and the engineer deemed them unsafe and asked we take them down, the plans to rebuild this home have not changed, just the order of operations thanks.

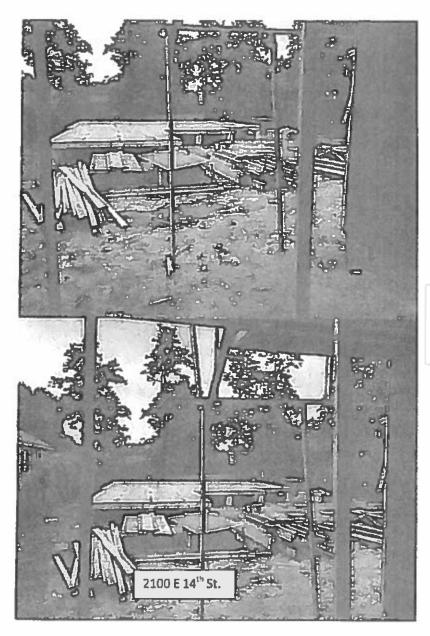
Like Reply - March 24 at 1:27pm





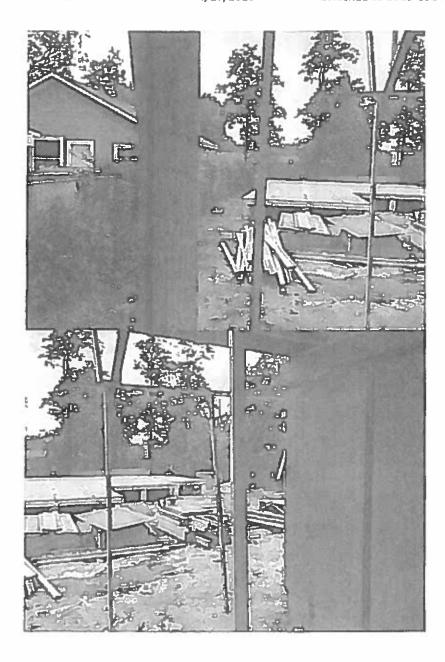
Secondary dwelling unit at rear of property, now having an address of 1405 Alamo St





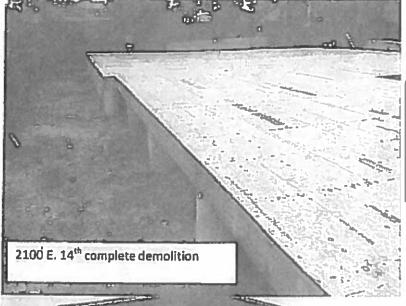
Views of front structure from secondary dwellin unit



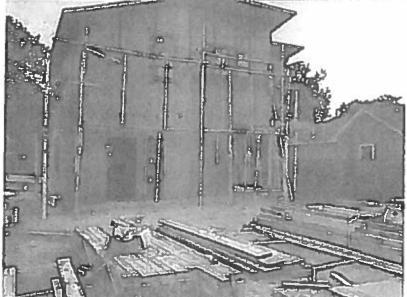


Views of front structure from secondary dwelling unit





Front/primary – piers, joists and decking: original lacades demolished and materials removed



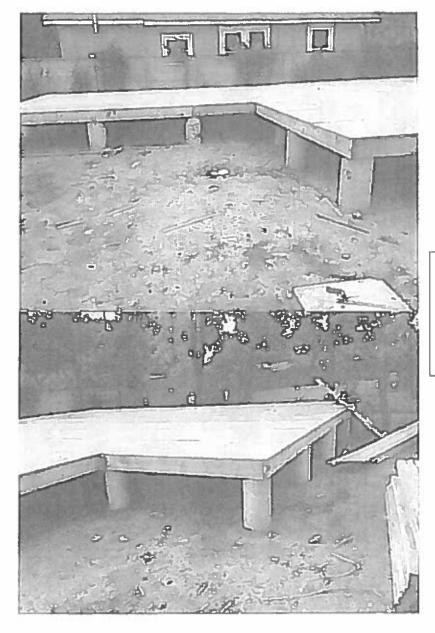
Secondary dwelling unit at rear of property, now having an address of

1405 Alamo St

(uncertain how new address was obtained)

1405 Alamo St. 1500 sq. ft.





2100 E 14<sup>th</sup>.

IronUprimary structure

piers, joists and decking; original lacades demolished and materials removed Total Buiding Coverage Percent of Lot Total Impervious Coverage Square Footage

Total Impervious Coverage Percent of Lot Total Impervious Coverage Percent of Lot Cartificate of Occupancy to be Issued Code Vest 2012
Code Vest 2012
Code Type International Residential Code Hazardous Pipeline Review Required Private Usage Category 433

12/2

### Humber of Bathrooms Size of Vitter Lieler PROPERTY IX DUES

Number Pre. Street

Street Or Sulla Suita City Type Number City

State Zip Legal Desc

E 14TH STREET

25

(2) 5/8

AUSTIN TX 78702 Lot 1 Block 11 Subdivision HARICHTS SUBDIVISION

Lat 1 Back 11 Subdivision HABICHTS SUBDIVISION

### PEDRETERALS

2100

Desc. Organization Name Address City State Postal Phone 1
Applicant Austin Newcastle Homes EP (HOWARD & SMITH) 5108 AVENUE G Austin TTX 78751 (512)454-4600
Beneral Contractor Austin Newcastle Homes EP (HOWARD & SMITH) 5108 AVENUE G Austin TX 78751 (512)454-4600

### HOLDER FEE

Fee Description Fee Amount Balance Building Permit Fee \$599.00 \$0.00 Demoktion Permit Fee \$58.00 \$0.00 Development Services Surcharge \$35.28 \$0.00

	A444411	O NOTES
44	44.6	

	The second second	April 1999				Name and Address of the Owner, where the Owner, which is the Owner, where the Owner, which is the Owner, whic	The second second
Frocess Description	Status	TOO	Schedule Date	Start Date	End Date	Assigned Staff	# of Attempts
160 Bidg Pre-Construction	Pass		Mar 16 2016	Dec 18 2015	Mar 16 2016	DeeAnn Afra (513- 351-2631)	2
Administrative Hold Perma Refund	Open Open					, , , , ,	0
Red Tag Hota	Hold			Apr 27, 2016		Tony Hernandez (\$12,26-4,4842)	1
III Energy Fatal	Open					QenAnn Afra (512- 351-2631)	0
611 Water Top	Open					Austin Violet Utility    512-972-0013	0
610 AY Temp Utilities	Open					Austri VAler Utáty (512-972-9013)	0
101 Building Layout	Open					DecAnn Afra (512- 351-2631)	0
102 Foundation	Ореп					Oceann Afra (512- 351-2631)	0
t03 Framing	Open					DecAnn Aha (512- 351-2631)	G
104 (nautation	Ореп					DecArn Atta (517- 351-2631)	0
105 VAlbourd	Open					DeeAnn Aba (512- 351-2631)	0
109 TCO Occupancy	Open					DeeAnn Aba (512- 351-2631)	0
112 Final Euloing	Open					DesAnn Aña (512- 351-2631)	0
114 Continuance of work	Open					DecAtn Afra (512) 351-3631)	0
Deferences	Open					DeeAnn Aha (513- 351-2631)	0
BP Permeting Red Tog Hold	Open Open						0

### Heldenfels, Leane



From:

Michael Madison

Sent:

Tuesday, July 12, 2016 2:50 PM

To: Subject: Heldenfels, Leane C15-2016-0082

Attachments:

Gmail - 2100 E. 14th St. Variance Vote Results.pdf; C15-2016-0082.pdf; nextdoor.png

Hi Leane,

I live at 2103 E 14th St. Currently I have a home being built directly next to me (2101 E 14th) and across the street (2100 E 14th), so I'm sure you can understand my desire for the work to get completed.

I wrote a letter in support of the BOA granting a variance for 2100 E 14th. It was unfortunate to hear there's a delay of at least another month. In the email provided by the CNPCT regarding the vote, I noticed some details were left off and others made the water quite murky.

While a majority allegedly did vote to ask for a postponement, a majority did not oppose the variance. Only a plurality voted to oppose while the others got split in to two - supporting and abstaining. In addition, Mr. Merski noted that over 40 households in the neighborhood established the majority opinion. I'm struggling with that math because 18 does not equal 21.

It's not my desire to question the integrity of results that were sent mostly because I would imagine it's too late to change what happened last night. However, it needs to be clarified that there are math discrepancies as well as a majority voting to support/abstain from commenting on the variance request. The reason for the verified vs unverified below (and attached) is because we had a few people in the neighborhood thinking that everyone could vote and so the link was posted on Nextdoor.com without the clarification.

- 1. a) Ask the Board of Adjustments to postpone this case to their 8/8 meeting so the CNPCT can discuss and vote on this case at a regularly scheduled NPCT meeting 18 (verified)
- b) Do not request a postponement of this case 14 (unverified)
- 2. a) Support the variance request 11 (unverified)
  - b) Oppose the variance request 15 (verified)
  - c) Abstain from commenting on the variance request 8 (unverified)

Thanks, Michael Madison 512.589.1310 Owner/Resident, 2103 E 14th St



**M** Gmail

Michael Madison <michael.e.madison@gmail.com>

Mon, Jul 11, 2016 at 1:35 PM

# 2100 E. 14th St. Variance Vote Results 1 message

Cavan Merski
To: amenity applewhite 
Bcc: race

Hey CNPCT are below and the letter I sent to the BOA is attached. I will be at the meeting to speak on behalf of it tonight at City Hall (1st Floor) at 5:30. Due to the high number of votes and short timeframe I manually verified the eligibility of only enough votes to establish a majority on the questions. The learn voted to seek postponement of the case at tonight's BOA hearing and to oppose the variance if that postponement is not granted. The voting results

NPCT meeling - 18 (verified) 1. a) Ask the Board of Adjustments to postpone this case to their 8/B meeting so the CNPCT can discuss and vote on this case at a regularly scheduled

- b) Do not request a postponement of this case 14 (unverified)
- 2. a) Support the variance request 11 (unverified)
- b) Oppose the variance request 15 (verified)
- c) Abslain from commenting on the variance request 8 (unverified)

Please let me know if you have any questions.

Thanks, Cavan

ChesnutNPCT\_Postpone:Opposition\_Letter.pdf 49K

101

C15-2016-0082 105

### Heldenfels, Leane

From:

Cavan Merski

Sent

Monday, July 11, 2016 11:20 AM

To:

Heldenfels, Leane

Subject:

2100 E. 14th St. Variance

Hey Leane -

The NPCT had an email conversation and a vote over the weekend. The team voted to ask for postponement of this case to the 8/8 BOA hearing to discuss with Newcastle more and if the case is heard tonight the team has voted to oppose the granting of the variance.

I will draft a letter with this information now and send it before noon for inclusion in the case packet.

Thanks, Cavan Chestnut NPCT Chairman 814-397-9649

July 11, 2016

### Board of Adjustment -

The Chestnut Neighborhood and Plan and Contact Team has discussed the latest variance request at 2100 E. 14<sup>th</sup> St. and the team has voted to ask for a postponement of this case to the 8/8 BOA meeting. If the postponement is not granted the Chestnut NPCT has voted to oppose the granting of this variance. Over forty households in the neighborhood established the majority opinion in this vote with one vote given to each household.

The Chestnut NPCT asks for a postponement to discuss this case further with the builder at a regularly scheduled NPCT meeting before the 8/8 BOA hearing. The team does not think there has been adequate communication or explanation of the transgressions at the building site to support this variance at this time.

The Chestnut NPCT was a major participant in the negotiations that established the original agreement for the preservation of the home on this property. The CNPCT also supported the original variance granted for this property in September 2014. An excerpt from our original letter of support reads:

"Since there are not many homes left that embody the original nature of the nelghborhood the way this home does, we have a number of conditions that we would like to place on the support of this variance.

We would like to see the following:

- Preservation of both street facades, in terms of materials, details and scale.
- Details and materials carried through to the new construction, including any additions. Especially the teardrop siding that is so indicative of our neighborhood.
- The existing structure to remain one story. This helps to support the streetscape and human scale of the structure as well as reduces the amount of structural renovation or addition that may be needed to support an additional story.
- We will not support any future variances for the site in terms of site development, i.e. an increase to the FAR or Impervious Cover.
- Preservation of the persimmon trees in the front of the house.
- We would like the front facade of the rear structure to face Alamo so as to create a feeling on the site of two separate structures since the rear house could potentially be as large as the front house."

Both street facades are gone and to our knowledge no details or materials have been saved for new construction. The Chestnut NPCT received no communication or forewarning before the two street facades were taken down due to safety concerns,



despite this being an explicitly stated condition of our support (and via historic zoning a binding condition of the building permit).

For these reasons we ask you to postpone this case for more discussion between the builder and the CNPCT. If the case is not postponed, we ask that you deny this variance request.

Thank You, Cavan Merski Chestnut NPCT Chairman 814-397-9649

July 17, 2014

### Board of Adjustment:

I am the vice-chair of the Chestnut NPCT. We have a very active and vocal group who is in direct communication with our neighborhood as a whole as well as the other organizations operating in our neighborhood. After much discussion within the CNPCT and with the neighborhood at targe we have voted to support this variance on the condition of preserving the existing, historic structure.

We have previously voted to oppose the demolition of the existing structure and after much regoliating and debate with the developer we have found a solution that works for all of us. The solution to increase the allowable 850 s.f. of the secondary living unit will help the developer meet the site potential he needs to make the purchase lucrative. The preservation of the existing home contributes to the historic fabric of our community and the human scale of the streetscape while the visibility of the neighbors from the porch helps to contribute to the safety of our neighborhood and the overall scale creates a sense of place.

Since there are not many homes left that embody the original nature of the neighborhood the way this home does, we have a number of conditions that we would like to place on the support of this variance.

### We would like to see the following:

- Preservation of both street facades, in terms of materials, details and scale.
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- · Preservation of the persimmon trees in the front of the house.
- We would like the front lacade of the rear structure to face Alamo so as to create a feeling on the site of two separate structures since the rear house could potentially be as large as the front house.

We also believe that our neighborhood plan has adopted the secondary infill tool as a way to help developers build on their land without sacrificing the historic homes in our neighborhood. We will support NewCastle In renovating the home, maintaining the exterior street facades and scale, and building a secondary home on the property.

in conclusion we are in support of the variance to increase the allowable secondary structure maximum square footage on the conditions of preservation outlined above.

Sincerely.

Trinity E. White Vice-chair CNPCT

### Heldenfels, Leane

12

From:

Angela Monday, July 11, 2016 12:19 AM

Sent:

Heldenfels, Leane

Subject:

Re: Case number C15-2016-0082, 2100 East 14th St.

Hi Leane,

First, I want to thank you for looking into this whole situation when I emailed you back in May.

Secondly, I want to object to the variance request from Newcastle Homes. I live a couple of houses down from 2100 East 14th. My husband and I actually witnessed the front porch demolished with a skid-steer on March 23 and the remaining walls demolished on March 24. Not that it matters at this point, not one piece of the house is left, but the walls did not collapse as the variance notice indicates. I will also add, the piers were poured to a higher elevation than the original house which makes it obvious their intent was not to keep the original walls and demo the house from day one.

I am very frustrated with this situation and that it has come this far to have us vote on another variance because Newcastle did not hold up their end of this deal. When we began looking at this home a couple of years ago, the CNPCT and neighbors spent many hours working with Alex Zwamn of Newcastle Homes and reached a "win, win, win" for all parties, as he called it. All parties involved seemed content with the agreement. The historic home definitely needed work but there are many examples of quality remodels throughout our neighborhood. The home was still standing for over a hundred years and many of the newer homes in the neighborhood will never last that long or are already falling apart.

Based on the public hearing notice, I do not support the variance. Newcastle has not been forthcoming and honest with everyone involved. There are many documented discrepancies. The original variance request Newcastle received was to increase square footage of a secondary home so they could offset the cost of the historic remodel (see below the BOA the video testimonies). Since the home no longer exists, they should not need the variance to finance the project. We've lost the home and Newcastle loses integrity.

https://austintx.swagit.com/play/08122014-993

item M8

https://austintx.swagit.com/play/08122014-993

item L11

If we allow Newcastle to manipulate the system, then this creates a path for other developers to follow.

Thank you for your time.

Best Regards,

Angela White-Tagus 2104 East 14th St. Austin, TX 78702 512-694-0825

12/10

BOA testimony.

http://www.austintexas.gov/edims/document.cfm?id=214499 http://www.austintexas.gov/edims/document.cfm?id=216323

Board of Adjustment testimony https://austintx.swagit.com/play/08/122014-993 (Item M8) https://austintx.swagit.com/play/08/122014-993 (Item LT1)

The reason I am writing you is, the developer intentionally demolished the entire historic home a few weeks ago. Several neighbors felt that something like this would happen and it did. Alex Zwarun told us, when confronted, that the house fell down on itaeths own. I live 2 houses from this property and watched the entire demo of the concrete purch one day and the the demo of the two walls left the next day. I work in the construction field and after looking at his permits, I felt he needed to confront what he has done with the cityaeths permit office and change things from a partial demo and remodel to a complete new build. I have emails that state he had planned to demo in the first place. There is nothing more our neighborhood can do since the entire home was destroyed and nothing was salvaged. I contacted the building inspector and she said big developers have found loop holes to get away with things like this. I called code and filed a report but the case was close d. I contacted Susan Barr in the permit office and she put a hold on the permit for any construction because of the variance. Steve Sadowsky with the Historic Landmark Commission is working with Alex Zwarun to come up with a way to remedy the situation.

I am writing you because I just want his name and company to be known for this shady building practice when they come before you and ask for variances in the future. He clearly lied to the BOA, the CANA neighborhood, the COA permit office and the HLC. I am sure this is not the first time it has happened and I don't expect it to be the last. I don't know if the variance can be taken away, seeing that the building with the variance is already framed and sheathed. I just want them to follow the rules like everyone else and stand behind their word. Again, I just want you to be aware of the situation. I know you are very busy but I appreciate your time reading this.

Best Regards, Angela White-Tragus awhigus@gmail.com 512-694-0825

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

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has an interest in or whose declared houndaries we within 500 feet of

the subject property or proposed development.

Comment must be received by noon the day of the hearing to be seen

by the Board at this hearing. They may be returned by:

City of Austin-Development Services Department/ 1st Floor

(Note: mailed comments postmarked after the Wed prior to the hearing with

Austin, TX 78767-1088

Leane Heldenfels

Mail:

P. O. Box 1088

not be received nuely)

(512) 974-6305

Fox:

Email: Jeune.heldenfels@ausuntexas.gov

A notice of uppeal 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

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To: July 11, 2016

Board of Adjustments Attn: Leane Heldenfels PO 80x 1088 Austin TX 78767-1088

RE: Case # E15-2016-0082 2100 E, 14th Street (Austin TX 78702)

I strongly object to this variance request, for an increase in the maximum size of a second dwelling unit that would exceed the 1,100 square feet permitted by current code.

In the original variance request for this ADU in August/September of 2014, the developer/builder testified to the BOA that the oversized ADU was necessary in order to offset the costs of preserving and restoring the existing — at that point in time—original primary home that was over 100 years old. As of March 24 2016, there is no piece of the original structure remaining. The developer/builder did not sufficiently protect and brace the two facades of the original structure that was left after the near-complete demolition of the home months earlier, where all the interior walls, the roof, the floor and all but two exterior walls were demolished.

Rather than stop all work on the site following the collapse/removal of those two façade walls in March (which they very well knew were the last basis for meeting the conditions of the original variance granted by the BOA and necessary for the city building permits), the builder/developer and their contractors continued to furiously work to pour piers and a slab, construct the subfloor/decking, perform framing and other building activities until the Code Enforcement "realized that the property had not yet been zoned Historic and Issued a stop work order that remains in effect at this time since the variance called for Historic Zoning to be in place." (per the letter from Judith Zwarun, President of Newcastle Homes, that is attached to this new variance request).

That stop work order was issued on April 27<sup>th</sup>, more than one month after the two last-standing façade walls were removed. Newcastle Homes was very aware that the Historic Zoning was not in place, yet continued to build on the property in blatant disregard of the conditions stated by the BOA in their approval of the variance and the permit requirements.

The original testimony given by Lex Zwarun in the BOA hearings in August and September 2014 (I listened and watched the recorded hearings available online), was that the over-sized secondary dwelling unit was necessary to offset the costs of preserving and restoring the existing primary home. Not one lots of that primary home exists today, and therefore there is no hardship basis for granting the variance again other than the desire for additional space than what code permits. Desire for additional space does not prove a hardship worthy of a variance.

Granting this variance will open the door to other builders/developers to construct ADUs that exceed the 1,100 square foot that is permitted today simply for the desire of additional space. Granting this variance will also give Newcastle Homes and the owner of this property more development opportunity than what is available to neighbors, other home owners and builders.

Respectfully submitted,

Kathy Taylor 2012 E. 16<sup>th</sup> Street, Austin TX 78702



### Heldenfels, Leane

Fram:

Rachael Shannon

Sent:

Sunday, July 10, 2016 10.19 PM

To:

Heldenfels, Leane

Subject:

Objection to Variance Request C15-2016-0082

Attachments:

Variance\_Request\_Protest\_Letter\_C15-2016-0028.jpeg: Variance\_Request\_form\_C15-2016-0028\_R\_Shannon.jpeg

Hello Leane Heldenfels,

Please find attached two documents relating to my objection to a variance request for 2100 E 14th St, Austin TX, 78702.

The hearing is tomorrow, July 11.

Please let me know if you have any questions re: these documents.

Best.

Rachael Shannon

Rachael Shannon Operations Manager // Access Art www.accessartmd.org

#MFA in Community Arts #Maryland Institute College of Art

//www.rachaelshannon.com



Abliquigh applicants and/or their agent(s) are expected to attend a public hanring, von are not required to affend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the propused have You may also cuntact a neighborhoud or environmental organization that has expressed an inversit in an application officing your neighborhood. application.

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For additional information on the City of Austin's land development process, visit our web site; www.mustlniexas.gov/devzervices

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Rachael Shannon Columbia (20 1 am in favor 1 am fin
2101 E 16th ST, Austin TX 78702
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Dayline Teladum: 512.743.3385
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Mail: City of Austin-Development Services Department 1st Floor
I. O. Box 1088
Austin, TX 78767-1088 Most print to the hearing will above and print to the hearing will
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July 10, 2016

Attn: Leane Heldenfels

PO Box 1088 Austin TX 78767

Case #: C15-2016-0082, 2100 E 14th St.

Re: Public Hearing, Board of Adjustment, July 11, 2016

I want to be clear that I strongly oppose this variance request. From my perspective, this project & it's developers have done nothing to show respect for & compliance with the initial agreements made. This developer and it's associates have proven their already ill reputation of neglecting basic agreements and trying to twist and manipulate contracts. Their credibility amongst the immediate neighbors is basically non-existent. I know their claims of being helpless to the facades falling to be false, and have no interest in pretending that this situation is otherwise. I also have no interest in the varying and inconsistent reports of why the walls came down or not. I know and trust my neighbors who were witnesses to this process, and who care deeply about community and the agreements made.

There is no need or basis for a variance as there is no historical preservation occurring, and plenty of profits have already been accumulated by the various parties involved in this project to allow them to complete a project within the confines already established by the city.

If this builder is not capable of being able to manage the simple construction request of maintaining the facades and therefore the agreements regarding the historical value, why would we trust them with being able to build any other worthy structure there? However, the incompetence is not the leading concern here, rather the blatant disrespect, lying, and misrepresentation of the project. It is insulting to everyone who has been involved in this negotiation, and to the legal processes by which we conduct agreements, and participate in community and place-making.

Sincerely,

Rachael Shannon, Owner

2101 E 16<sup>th</sup> St Austin TX 78702

512.743.3385

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

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

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

Email: leune.heldenfels@nusuntexas.gov

bound or commission, or Council; the scheduled date of the public hearing; the before or at a public hearing. Your comments should include the name of the Comment must be received by noon the day of the hearing to be seen 7-80-4 Sol object Written comments must be submitted to the contact person listed on the non Confact: Leane Heldenfels, 512-974-2202, leane.heldenfels@austinicxas.guv (Note: malled comments pastmarked after the Wed prior to the Agarins will Case Number; and the contact person listed on the notice. All comments City of Austin-Development Services Department/ 1st Floor Public Hearing: Board of Adjustment, July 11th, 2016 received will become part of the public record of this case. by the Board at this hearing. They may be returned by: Case Number: C15-2016.0082, 2100 E. 14th St. my and Your address(es) affected by this application 300 PORTO Signature 坦 Austin, TX 78767-1088 F. 16 E 2 10 not be received timely) Your Name (please print) Leane Heldenfels P. O. Box 1088 (512) 974-6305 Daytime Telephone: 0117 2006 Comments: Fax:



### Heldenfels, Leane

From:

Stephanie Amack

Sent:

Tuesday, July 05, 2016 9:24 PM

Ta:

Heldenfels, Leane

Subject:

C15-2016-0082, 2100 E. 14th St.

Hi,

I am writing about Case Number C15-2016-0082 located at 2100 E 14th St. I object to the variance request. Living right down the street, I pass by the property daily and it seems that most of the exterior of the second dwelling (was a variance needed for that? If so, I do not think I received a notice) is already built. Unfortunately, I think this a common practice developers use: build the house first and ask for permission later.

I would appreciate a follow-up in this matter.

Thank you, Stephanie Amack 2201 E. 14th St.



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Comment must be received by noon the day of the hearing to be seen by the Bourd at this hearing. They may be returned by:

City of Austin-Development Services Department/ 1st Floor Leane Heldenfels Mail:

P. O. Box 1088

Austin, TX 78767-1088

(Note: utalled comments postmarked after the Wed prior in the hearing will nos be received timely)

(512) 974-6305 Fax:

Email: Icane.heldenfels@austintexas.gov

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Leane Heldenfels

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(512) 974-6305

Fax:

Email: leane.heldenfels@austintexas.gov

City of Austin-Development Services Department/ 1st Floor

by the Board of this hearing. They may be returned by:



### PLEASE VOTE!!

Sharon Shuppert from Chestnut

https://www.surveymonkey.com/r/YYXP3KB

Please help stop Newcastle Homes from building not one, but two monster, multi-family buildings on the property at 2100 E 14th St. They have disregarded their agreement to preserve the 1906 home which was located on the property (they put up a covered fence and proceeded to buildoze the historic home WITHOUT A PERMIT, and proceed to construct the foundation for a huge new, two story building.

In addition, they have proceeded with the construction of the second building on the same lot at 2100 E 14th St, bypassing required inspections (primarily the foundation inspection).

They have taken advantage of our compromise allowing them to build a second, large, two story structure in order to offset their cost of preserving and restoring the historic 100 year old + home in our neighborhood. They literally buildozed their way into getting what they wanted.

You may also be interested to know that they, Newcastle Homes, purchased the property at 2100 E 14th St. for \$160K and flipped it for over \$600,000. We do not know the stance of the new owner on the agreed upon preservation of historic home. I am hopeful that they understand that the building permits were given to Newcastle on the condition of preserving the historic home.

Please cast your vote to postpone the decision on the requested variance in order that the Chestnut Neighborhood committee can meet and discuss the case on B/B. Also, please vote to oppose the variance request. It only takes a minute and is anonymous.

https://www.surveymonkey.com/r/YYXP3KB

# ONLY ONE PERSON PER HOUSEHOLD MAY VOTE.

2100 E. 14th BOA Vanance - Chestnut NPCT Vote... Web survey powered by SurveyMonkey.com. Create your o...



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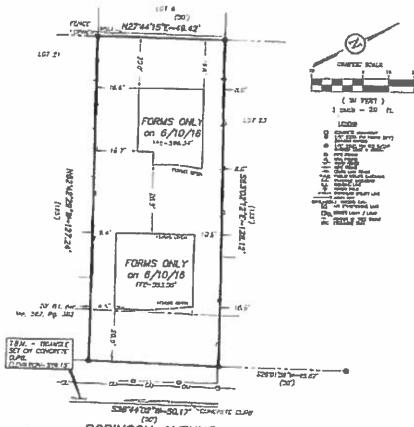
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DATE OF SURVEY, JUNE 10, 2016





LENZ & ASSOCIATES, INC.

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