

M5/1 CRESTLAND

MARCELL

CROSLIN

ST JOHNS

O DELL




GUADALUPE

KAWNEE

NOTIFICATIONS

CASE#: C15-2017-0016
LOCATION: 608 W St. Johns Ave.



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

1" = 167'

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.





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).

For Office Use Only

Case # _____ ROW # _____ Tax # _____

Section 1: Applicant Statement

Street Address: 608 W St. Johns, LLC

Subdivision Legal Description:

LOT 8, BLOCK 13, SILVERTON HEIGHTS SECTION 2

Lot(s): 8 Block(s): 13

Outlot: _____ Division: _____

Zoning District: Live/Work, Lamar Blvd/Justin TOD

I/We Omer Bisen on behalf of myself/ourselves as
authorized agent for 608 W. St. Johns, LLC affirm that on
Month February, Day 9, Year 2017, hereby apply for a hearing before the
Board of Adjustment for consideration to (select appropriate option below):

☒ Erect ☐ Attach ☐ Complete ☐ Remodel ☐ Maintain ☐ Other: _____

Type of Structure: multifamily

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

1. Variance from side yard setbacks in 25-2-1062 (B).
2. Variance from height limitation in 25-2-1062 (C) and (D).

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:

Compatibility standards apply to all properties within the TOD District (TOD Regulating Plan 4.2.10). Compatibility standards for setbacks triggered by a property outside the TOD District shall not be waived (TOD Regulating Plan 4.3.2.B.3.b). The rear setback (affected by property outside the TOD) and front setback are in compliance. The applicant is seeking a compatibility waiver to the side yard setbacks and the height. Without a waiver, the only allowable use of the TOD Live/Work parcel is a single family residence or duplex. Live/Work has a minimum density requirement of 17 units/acre. This cannot be achieved due to compatibility restrictions.

Hardship

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

The TOD zoned all three properties -- the Subject Property and the two adjacent properties that trigger compatibility -- as Live/Work which allows 35 feet of height. If a compatibility variance is not provided, then the rezoning of these three tracts within the TOD to Live/Work will serve no purpose and the intended residential densities will be prohibited.

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

A number of nearby parcels are similar in shape, being narrow lots with Live/Work zoning. Those with adjacent residential uses will face similar restrictions. The hardship creates an endless loop for these properties in the TOD which are zoned Live/Work: without the variance none of these properties can achieve the use that was planned. In addition, St. John's Avenue has been designated as a Pedestrian Priority Street within the TOD Regulating Plan.

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 owners of the properties adjacent to the Subject Property do not live in these houses; there is no homestead exemption for them. They are rentals and will likely be sold for redevelopment. Moreover, this variance would actually meet the purpose of the regulations by allowing the property to be redeveloped according to the TOD Regulating Plan.

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:

No parking variance is being sought by the Applicant.

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:

No parking variance is being sought by the Applicant.

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

No parking variance is being sought by the Applicant.

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

No parking variance is being sought by the Applicant.

Section 3: Applicant Certificate

I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Applicant Signature:  Date: 08/10/2016

Applicant Name (typed or printed): Omer Bisen, Member, 608 W St. Johns, LLC

Applicant Mailing Address: 13740 Research Blvd, Ste M5

City: Austin State: Texas Zip: 78750

Phone (will be public information): _____

Email (optional – will be public information): _____

Section 4: Owner Certificate

I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Owner Signature:  Date: 2/27/2017

Owner Name (typed or printed): Omer Bisen, Member, 608 W St. Johns, LLC

Owner Mailing Address: 13740 Research Blvd, Ste M5

City: Austin State: Texas Zip: 78750

Phone (will be public information): _____

Email (optional – will be public information): _____

Section 5: Agent Information

Agent Name: _____

Agent Mailing Address: _____

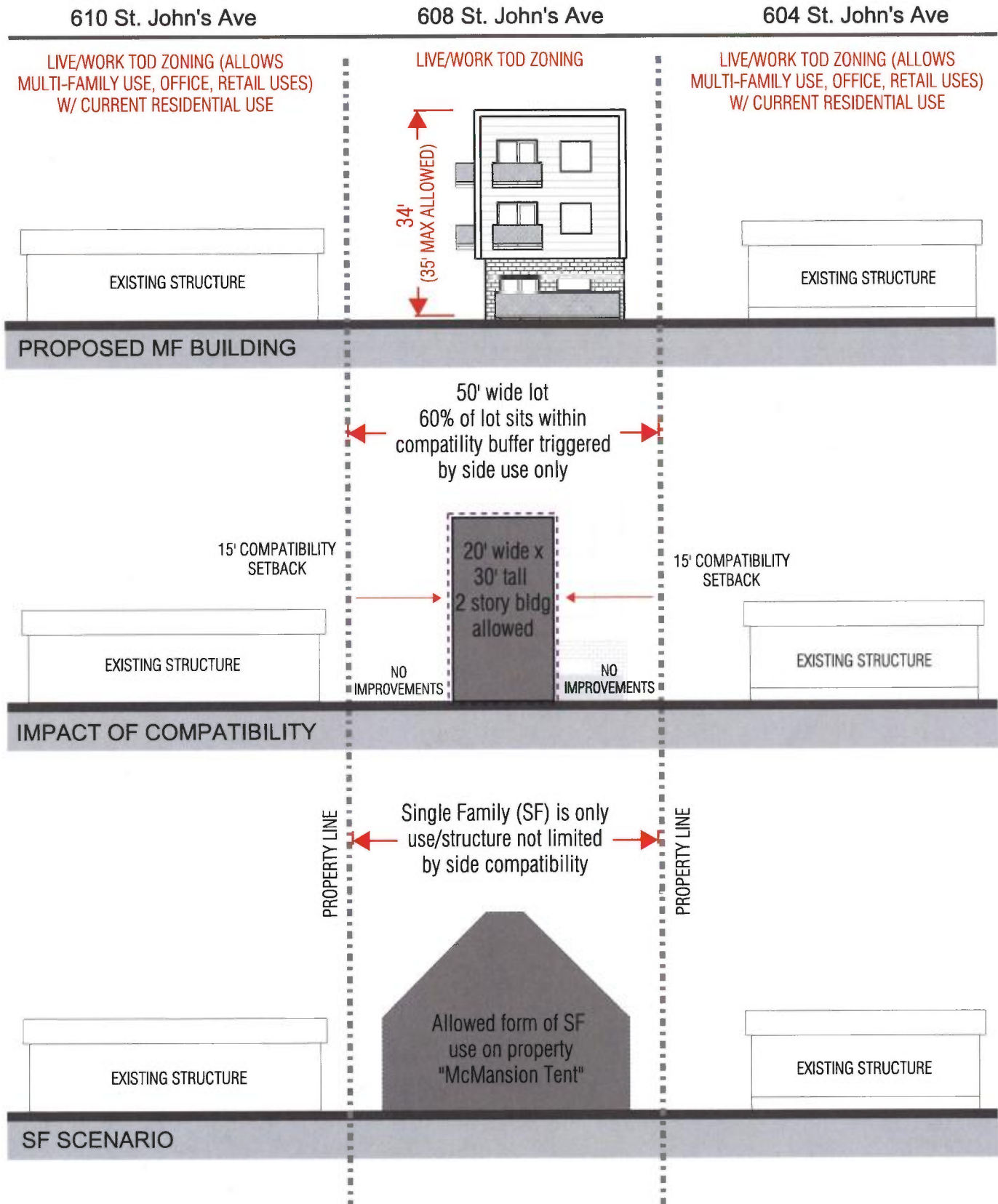
City: _____ State: _____ Zip: _____

Phone (will be public information): _____

Email (optional – will be public information): _____

Section 6: Additional Space (if applicable)

Please use the space below to provide additional information as needed. To ensure the information is referenced to the proper item, include the Section and Field names as well (continued on next page).



COMPATIBILITY STUDY OF ST. JOHN'S LIVE/WORK PROPERTIES



TRV

2016091537

2 PGS

General Warranty Deed

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 and interest in real property before it is filed for record in the public records: you Social Security number or driver's license number.

Date: June 10, 2016

Grantor(s): Mustafa Okandan

Concur Investments, LLC

Grantor's Mailing Address: 13740 Research Blvd. Ste:M5 Austin, TX 78750

Grantee: 608 W St. Johns, LLC

Grantee's Mailing Address: 13740 Research Blvd. Ste:M5 Austin, TX 78750

Consideration: Ten Dollars (\$10.00) and other valuable consideration to the undersigned paid by the Grantee herein named, the receipt of which is hereby acknowledged.

Property (including any improvements):

Legal Description: **LOT 8 BLK 13 SILVERTON HEIGHTS SEC 2**

Property ID: 235197

Address: 608 W. St. Johns Avenue Austin, TX 78752

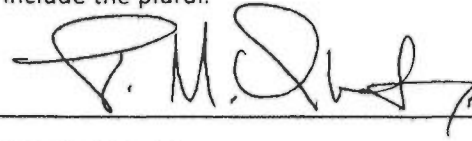
Reservations from Conveyance: None.

Exceptions to Conveyance and Warranty: Liens described as part of the Consideration and any other liens described in this deed is being either assumed or subject to which title is taken; validly existing easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded and validly existing instruments, other than conveyances of the surface fee estate that affects the property.

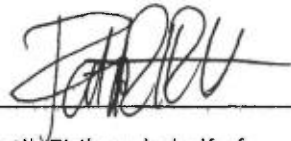
Grantors, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to the Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

RETURN
JOHN ZIRIH
13740 RESEARCH BLVD STE M5
AUSTIN TX 78750

When the context requires, singular nouns and pronouns include the plural.



Mustafa Okandan



John Fatih Zirih on behalf of
ConcurInvestments, LLC

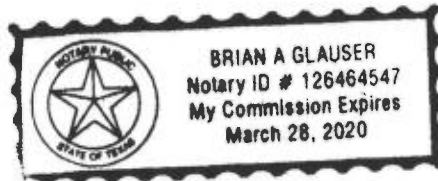
ACKNOWLEDGEMENT

STATE OF TEXAS §

§

COUNTY OF Williamson §

This instrument was acknowledged before me on the 10 day of June, 2016 by Mustafa Okandan and John Fatih Zirih.

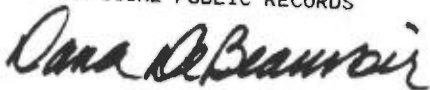



Notary Public, State of Texas

Recorders Memorandum-At the time of recordation this instrument was found to be inadequate for the best reproduction, because of illegibility, carbon or photocopy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS



Jun 10, 2016 04:30 PM

2016091537

RODRIGUEZA: \$30.00

Dana DeBeauvoir, County Clerk

Travis County TEXAS



TRV
2 PGS

2016091537

M5/9

General Warranty Deed

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 and interest in real property before it is filed for record in the public records: you Social Security number or driver's license number.

Date: June 10, 2016

Grantor(s): Mustafa Okandan

Concur Investments, LLC

Grantor's Mailing Address: 13740 Research Blvd. Ste:M5 Austin, TX 78750

Grantee: 608 W St. Johns, LLC

Grantee's Mailing Address: 13740 Research Blvd. Ste:M5 Austin, TX 78750

Consideration: Ten Dollars (\$10.00) and other valuable consideration to the undersigned paid by the Grantee herein named, the receipt of which is hereby acknowledged.

Property (including any improvements):

Legal Description: **LOT 8 BLK 13 SILVERTON HEIGHTS SEC 2**

Property ID: 235197

Address: 608 W. St. Johns Avenue Austin, TX 78752

Reservations from Conveyance: None.

Exceptions to Conveyance and Warranty: Liens described as part of the Consideration and any other liens described in this deed is being either assumed or subject to which title is taken; validly existing easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded and validly existing instruments, other than conveyances of the surface fee estate that affects the property.

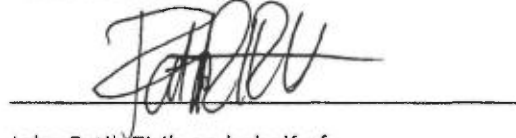
Grantors, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to the Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

RETURN
JOHN ZIRIH
13740 RESEARCH BLVD STE M5
AUSTIN TX 78750

When the context requires, singular nouns and pronouns include the plural.



Mustafa Okandan



John Fatih Zirih on behalf of
ConcurInvestments, LLC


ACKNOWLEDGEMENT

STATE OF TEXAS §

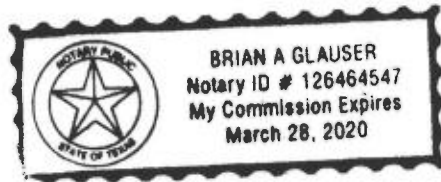
§

COUNTY OF Williamson §

This instrument was acknowledged before me on the 10 day of June, 2016 by Mustafa Okandan and John Fatih Zirih.



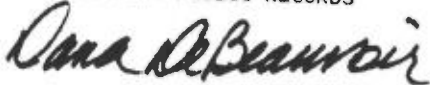
Notary Public, State of Texas



Recorders Memorandum-At the time of recordation this instrument was found to be inadequate for the best reproduction, because of illegibility, carbon or photocopy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS



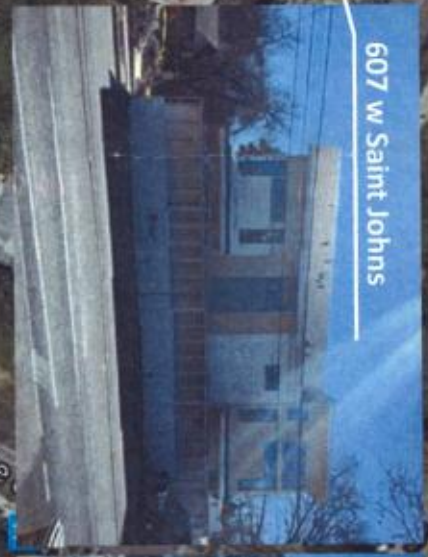
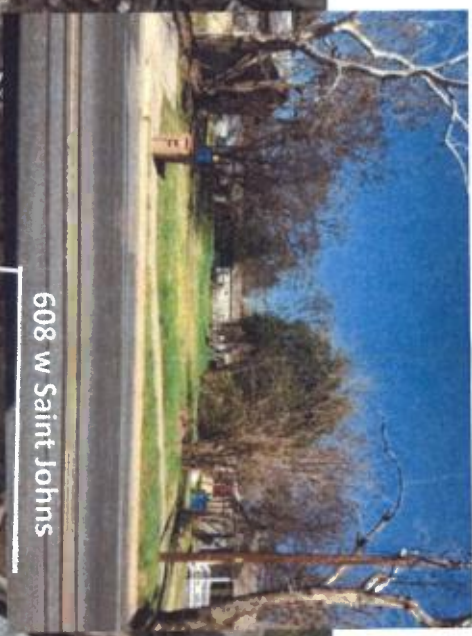
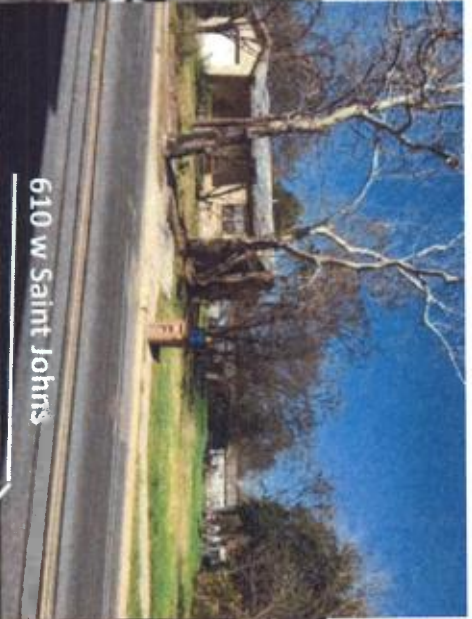
Jun 10, 2016 04:30 PM

2016091537

RODRIGUEZA: \$30.00

Dana DeBeauvoir, County Clerk

Travis County TEXAS





City of Austin
Zoning Map

This project is for informational purposes only and does not constitute a final decision. The City of Austin reserves the right to change the zoning map at any time without notice. The zoning map is subject to change without notice. The zoning map is subject to change without notice. The zoning map is subject to change without notice.

Overlay Districts

Pending Zoning Cases

0 470

Feet

940

1,410

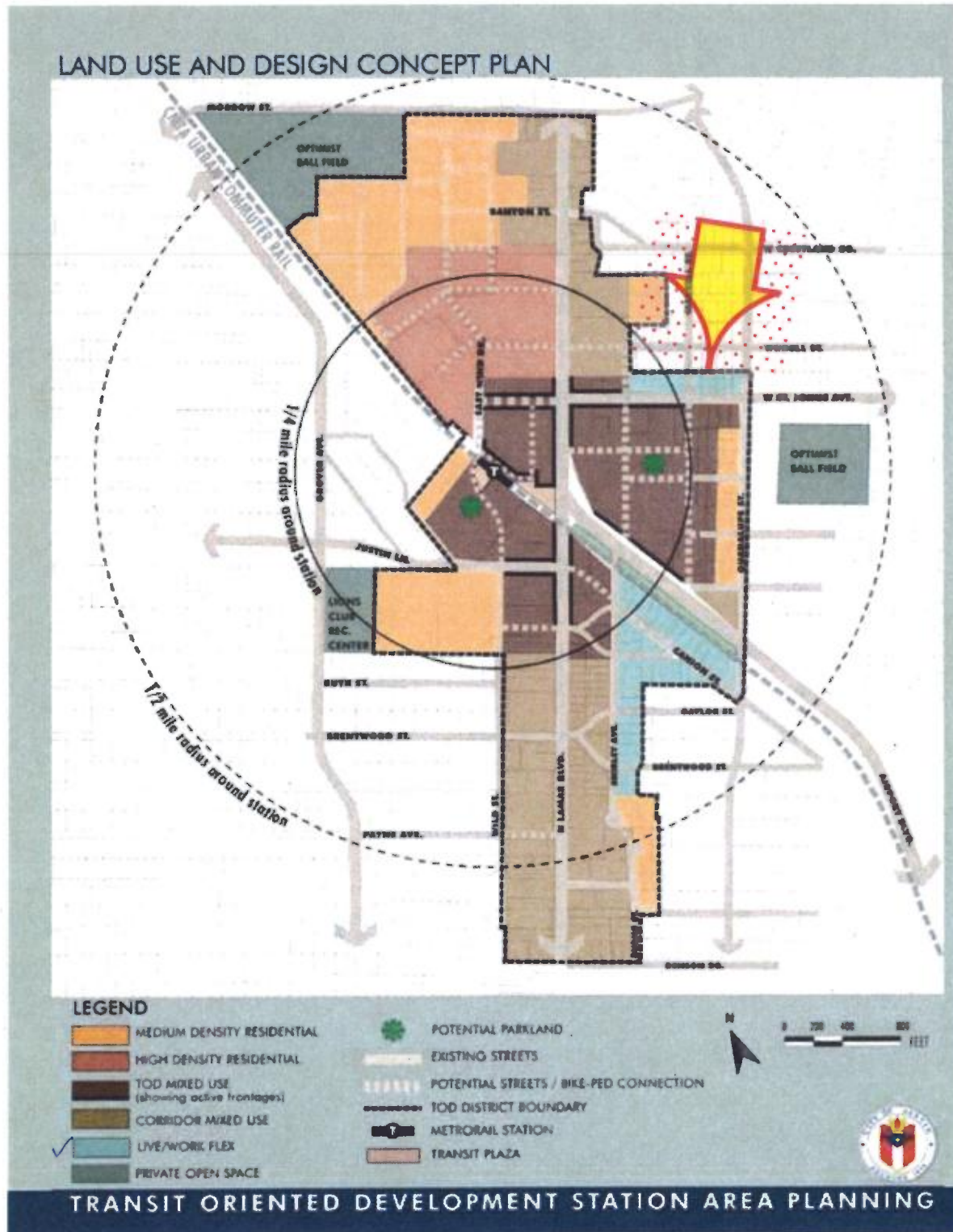


K28
Date: 5/29/2015



Article 2: Land Use and Building Density
 Section 2.3. Transit-Oriented Development Subdistricts
 Subsection 2.3.9. Land Use Summary Table

Figure 2-1: Lamar/Justin Station Area Plan TOD Subdistricts



608 W St Johns

Write a description for your map.

Legend

608 W St Johns Ave

Marcell St

W St Johns Ave

Guadalupe St

Kawnee Dr

M5/14

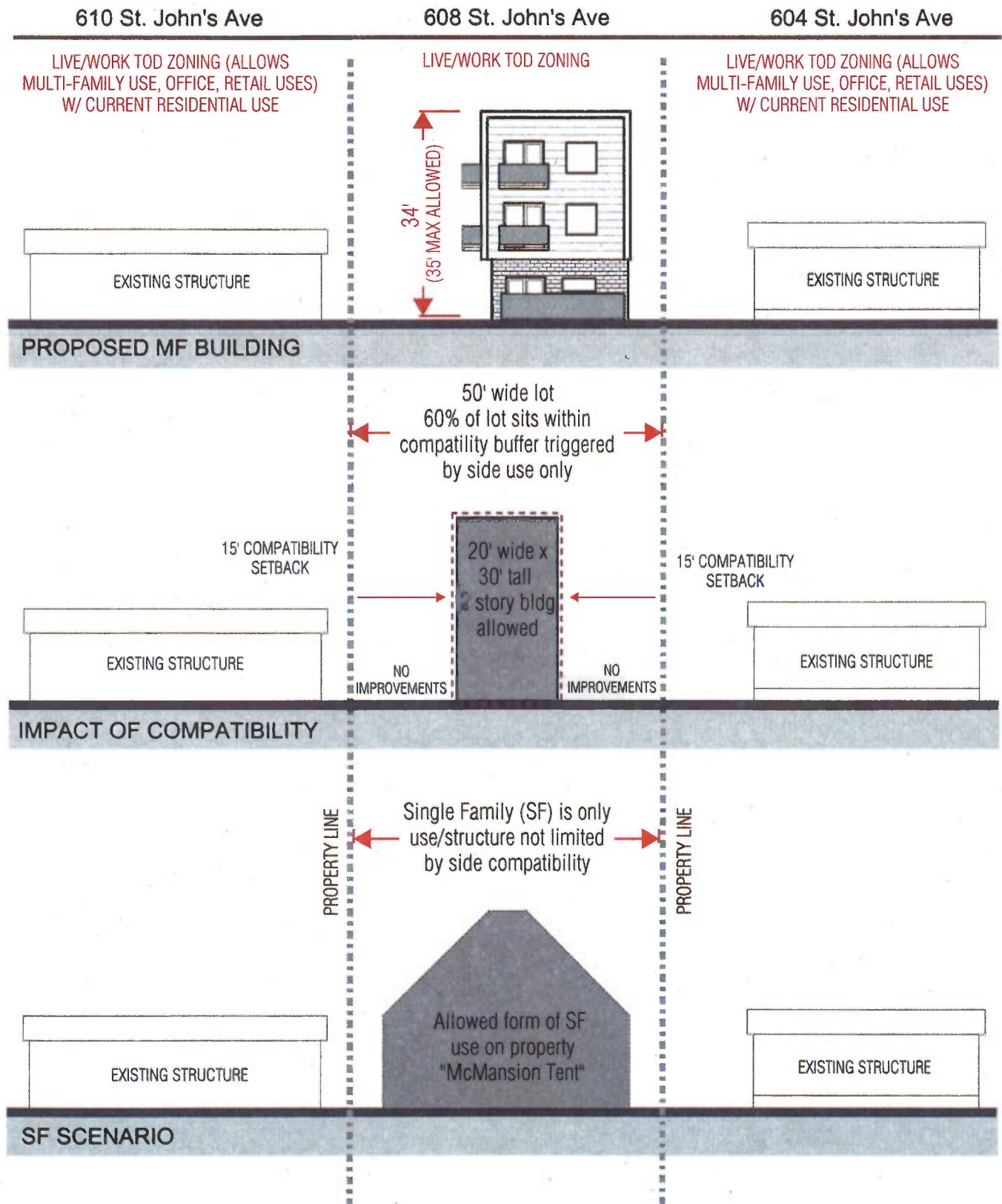


400 ft

Google earth

© 2016 Google

© SPOT IMAGE



COMPATIBILITY STUDY OF ST. JOHN'S LIVE/WORK PROPERTIES

TAX CERTIFICATE
Bruce Elfant
Travis County Tax Assessor-Collector
P.O. Box 1748
Austin, Texas 78767
(512) 854-9473

NO 2258005
M5/16

ACCOUNT NUMBER: 02-3310-0711-0000

PROPERTY OWNER:

608 W ST JOHNS LLC
13740 RESEARCH BLVD STE M5
AUSTIN, TX 78750-1834

PROPERTY DESCRIPTION:

LOT 8 BLK 13 SILVERTON HEIGHTS SEC
2

ACRES

.1644 MIN%

.000000000000 TYPE

SITUS INFORMATION: 608 W ST JOHNS AVE

This is to certify that after a careful check of tax records of this office, the following taxes, delinquent taxes, penalties and interests are due on the described property of the following tax unit(s):

YEAR	ENTITY	TOTAL
2016	AUSTIN ISD	*ALL PAID*
	CITY OF AUSTIN (TRAV)	*ALL PAID*
	TRAVIS COUNTY	*ALL PAID*
	TRAVIS CENTRAL HEALTH	*ALL PAID*
	ACC (TRAVIS)	*ALL PAID*
TOTAL SEQUENCE 0		*ALL PAID*
TOTAL TAX:		*ALL PAID*
UNPAID FEES:		* NONE *
INTEREST ON FEES:		* NONE *
COMMISSION:		* NONE *
TOTAL DUE ==>		*ALL PAID*

TAXES PAID FOR YEAR 2016 \$5,124.93

ALL TAXES PAID IN FULL PRIOR TO AND INCLUDING THE YEAR 2016 EXCEPT FOR UNPAID YEARS LISTED ABOVE.

The above described property may be subject to special valuation based on its use, and additional rollback taxes may become due. (Section 23.55, State Property Tax Code).

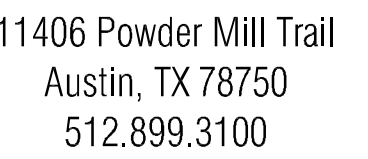
Pursuant to Section 31.08 of the State Property Tax Code, there is a fee of \$10.00 for all Tax Certificates.

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS DATE OF 02/01/2017

Fee Paid: \$10.00

Bruce Elfant
Tax Assessor-Collector

By: 



www.designopa.com

Multi-family Housing
608 St. Johns Avenue, Austin, Texas

NOT FOR
CONSTRUCTION

© 2017 OPA Design Studio, Inc. All Rights Reserved. These designs / drawings are the sole property of the Architect, OPA Design Studio, Inc. They may not be reproduced in any form, by any method, for any purpose without previous written permission from the Architect.

OB NO.:	201616
PHASE:	CD REVIEW
DRAWN:	LE
CHECKED:	djg
DATE:	03/27/2017

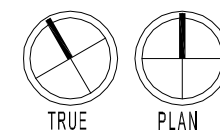
A100

SITE PLAN



1 | SITE PLAN

SCALE : 1/8" = 1'-0"



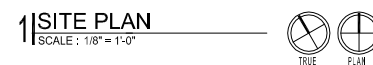
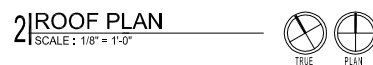
www.designopa.com

608 St. Johns Avenue, Austin, Texas

2016 OPA Design Studio, Inc. All Rights Reserved. These designs / drawings are the sole property of the Architect, OPA Design Studio, Inc. They may not be reproduced in any form, by any method, for any purpose without previous written permission from the Architect.

A100

SITE PLAN



PARKING			
UNIT TYPE	SPACE(S)/ UNIT	# UNITS	SPACES REQD
Live/Work	1	1	1
One Bedroom	1.5	5	7.5
Two Bedrooms	2	1	2
			11
60% Reduction			6
Reduce 1 space for lockable bicycle parking			5
ZONING INFO			
Acres			0.1644
Minimum # units per acre			17.0
FAR			2:1
Maximum Height (in feet)			35
Front Setback (in feet)			0
Side Setback (in feet)			
Rear Setback (in feet)			25
Maximum Impervious Cover			95%

www.designopa.com

Multi-family Housing
608 St. Johns Avenue, Austin, Texas

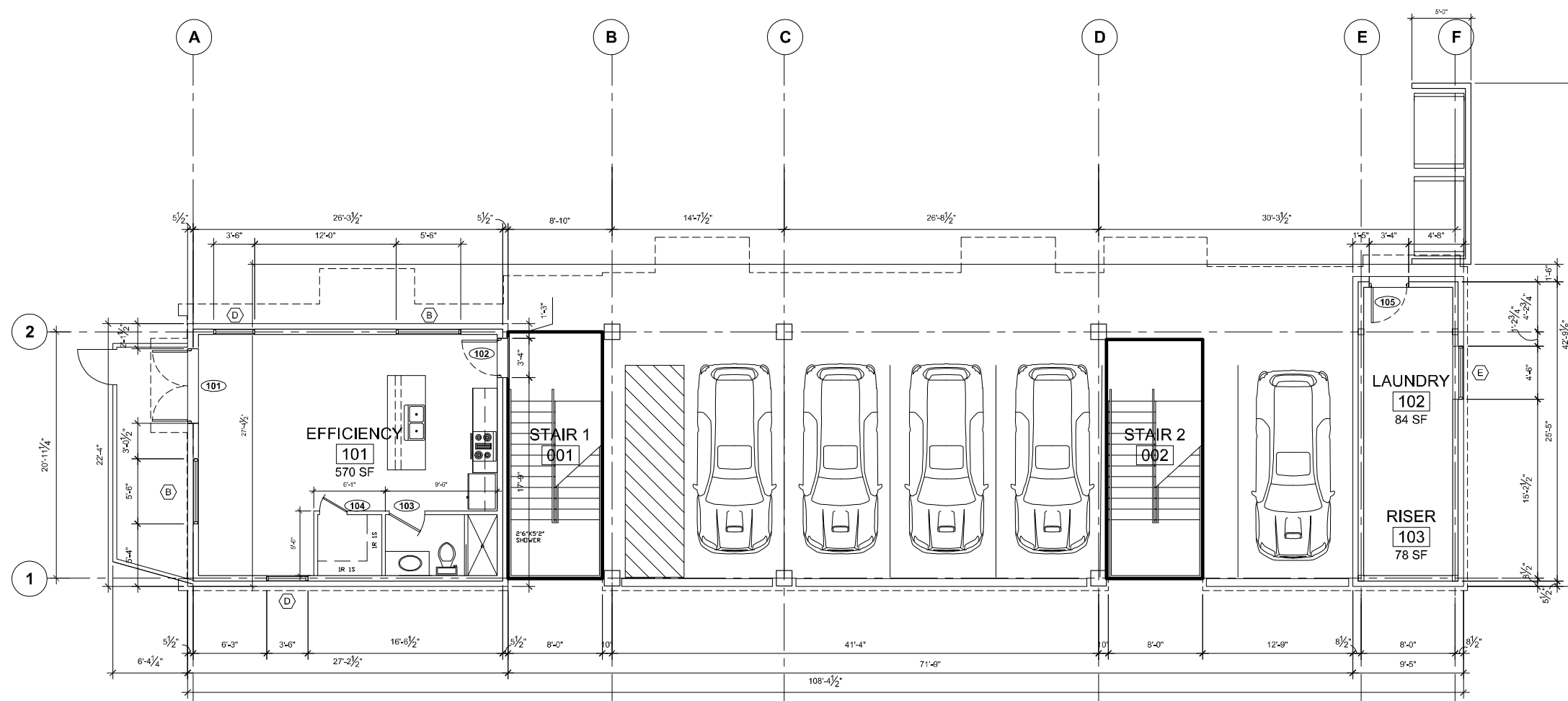
NOT FOR
CONSTRUCTION

2015 OPA Design Studio, Inc. All Rights Reserved. These designs / drawings are the property of the Architect, OPA Design Studio, Inc. They may not be reproduced in any form, by any method, for any purpose without previous written permission from the Architect.

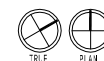
JOB NO.:	201616
PHASE:	CD REVIEW
DRAWN:	LE
CHECKED:	djg
DATE:	11/15/2016

A101

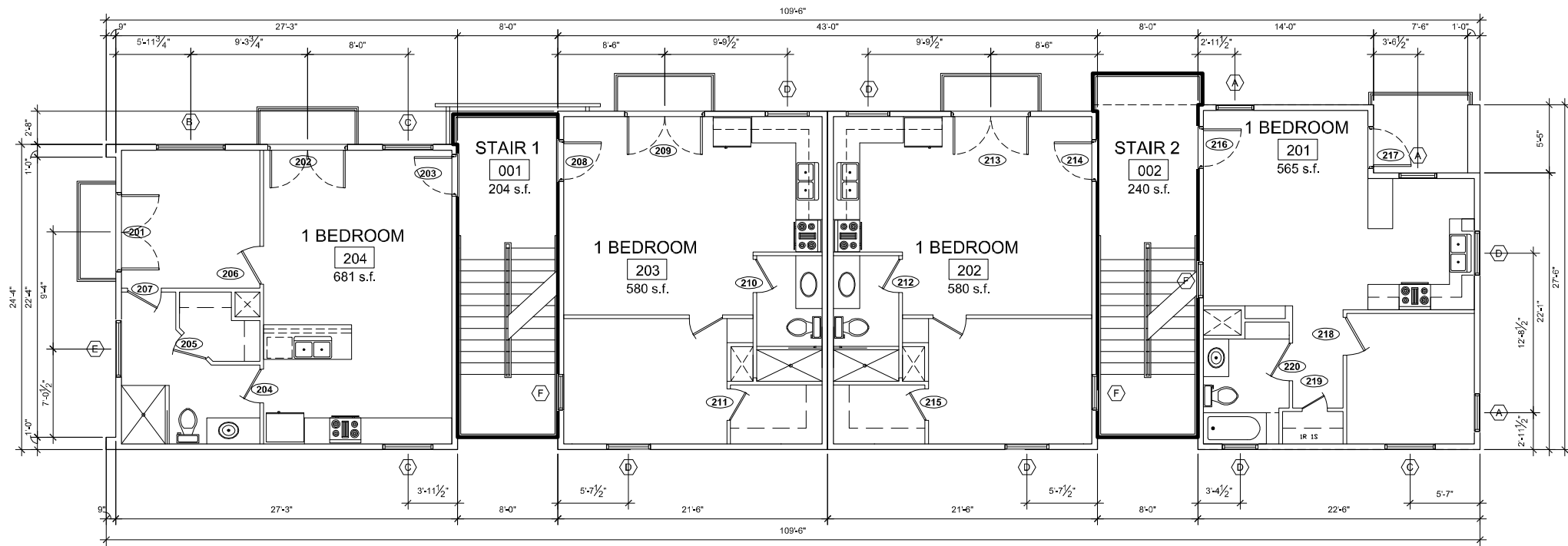
FIRST FLOOR PLAN & RCF



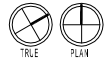
1 | FIRST FLOOR PLAN
SCALE : 3/16" = 1'-0"



File Name: 201616_A101.dwg
File Path: Z:\OIPA ARCHITECTURE\2016\201616_608StJohnsCAD1
Plotted: November 15, 2016 - 12:17pm



1 SECOND FLOOR PLAN
SCALE : 3/16" = 1'-0"



M5/20

REVISIONS		NO.	DATE	DESCRIPTION	BY

11406 Powder Mill Trail
Austin, TX 78750
512.899.3100
www.designopa.com

Multi-family Housing
608 St. Johns Avenue, Austin, Texas

NOT FOR
CONSTRUCTION

JOB NO.:	201616
PHASE:	CD REVIEW
DRAWN:	LE
CHECKED:	dg
DATE:	11/15/2016

A102
SECOND FLOOR PLAN & RCP

www.designopa.com

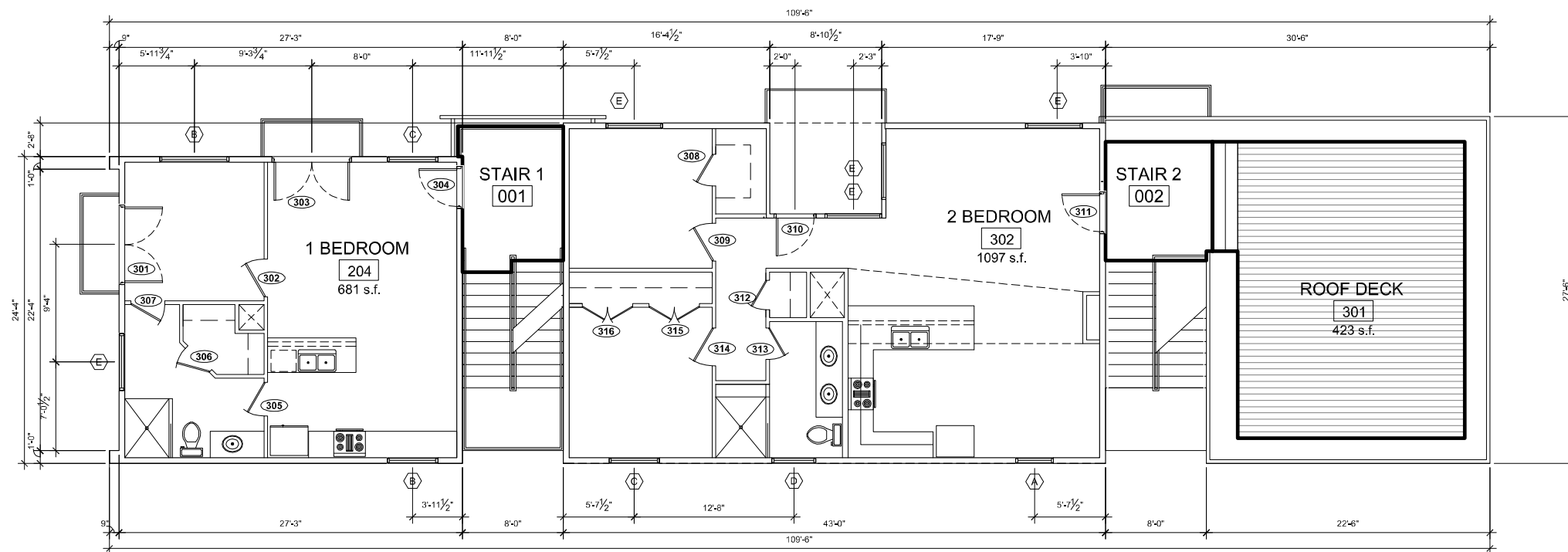
Multi-family Housing

NOT FOR
CONSTRUCTION

2016 CPA Design Studio, Inc. All Rights Reserved. These designs / drawings are the sole property of the Architect, CPA Design Studio, Inc. They may not be reproduced in any form, by any method, for any purpose without previous written permission from the Architect.

JOB NO.:	201616
PHASE:	CD REVIEW
DRAWN:	LE
CHECKED:	djs
DATE:	11/15/2016

THIRD FLOOR PLAN & RCP

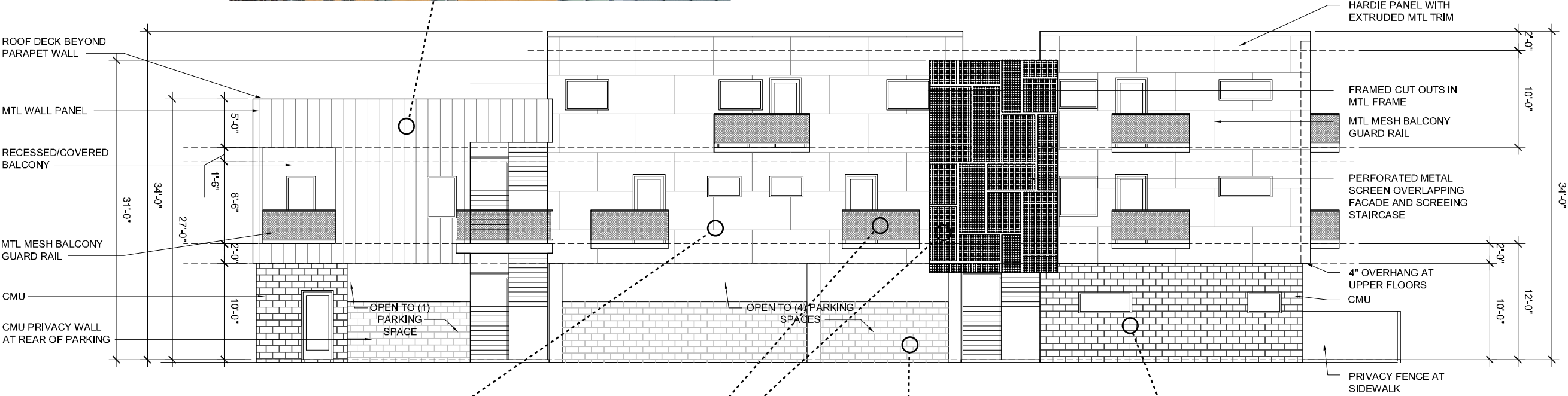


1 | THIRD FLOOR PLAN
SCALE : 3/16" = 1'-0"

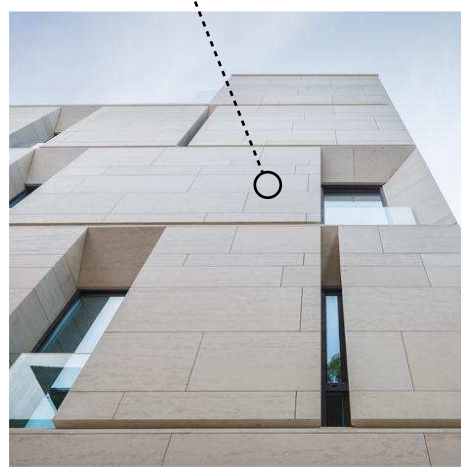
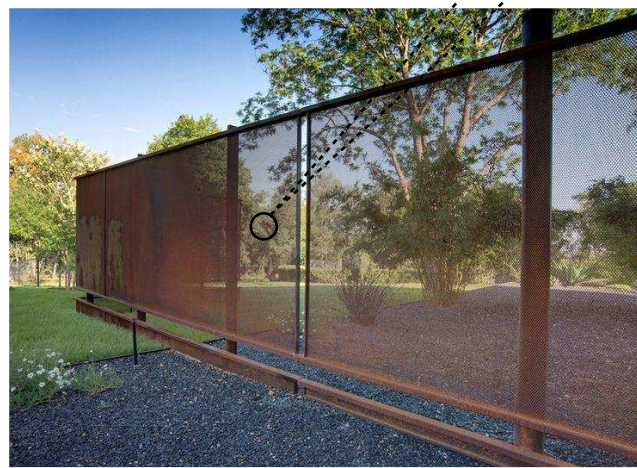
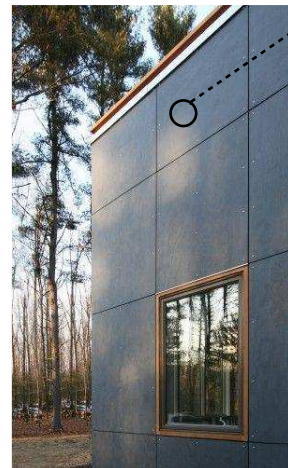


TRUE PLA

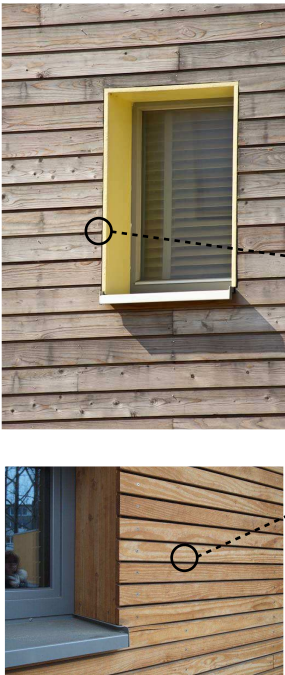
608 St. Johns | MATERIALS CONCEPT BOARD



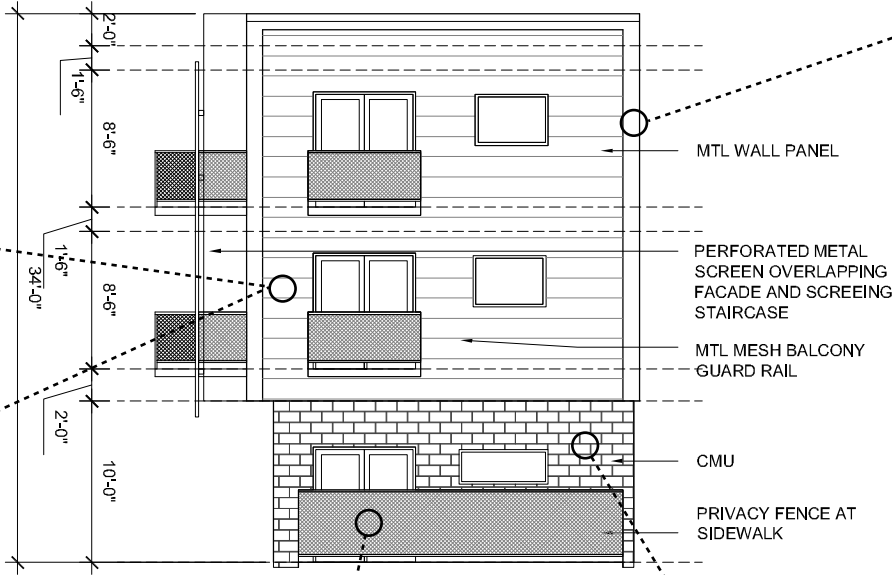
1 | WEST ELEVATION
SCALE: 1/8" = 1'-0"



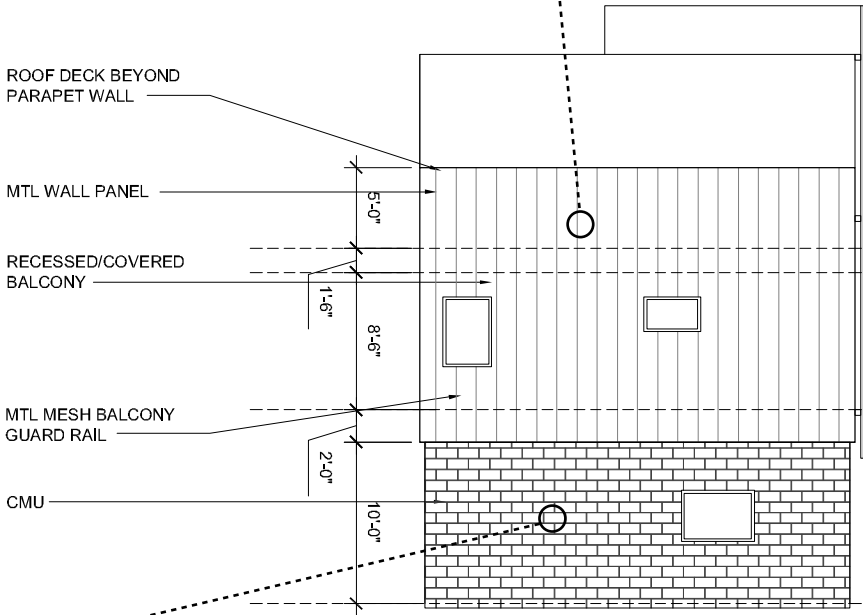
608 St. Johns | MATERIALS CONCEPT BOARD



2 | SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



3 | NORTH ELEVATION
SCALE: 1/8" = 1'-0"



608 St. Johns | MATERIALS CONCEPT BOARD

