



## 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: 2800 Prado

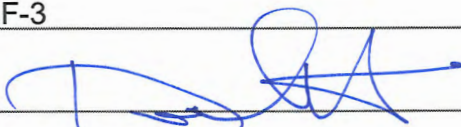
Subdivision Legal Description:

Lot 1 Blk 5 OLT 32-33 Div A Chenosky No. 12

Lot(s): \_\_\_\_\_ Block(s): \_\_\_\_\_

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

Zoning District: SF-3

I/We Tom Hatch  on behalf of myself/ourselves as  
authorized agent for Tom Hatch affirm that on

Month March ☐, Day 20 ☐, 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: single family residence

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

15' Street Sideyard Setback

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## Section 2: Variance Findings

The Board must determine the existence of, sufficiency of, and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional supporting documents.

**NOTE: The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.**

I contend that my entitlement to the requested variance is based on the following findings:

### Reasonable Use

The zoning regulations applicable to the property do not allow for a reasonable use because:

the existence and locations of protected trees, the location of a drainage channel easement, the required parking, the need for a drive to the rear accessible unit, and the surprise requirement for the 15' street sideyard (85' away from a side street at its closest) does not allow for a reasonable use

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### Hardship

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

the site restrictions noted above are clearly unique to this property preventing a reasonable use

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

there is no other lot in the area that has all of the constraints noted above

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## 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:

moving the primary house to the standard 5' sideyard setback creates a favorable relationship to the neighboring house to the east in that the primary house is further away. The 5' sideyard setback is standard for all SF lots that are not built next to a side street. Given the distance, 2800 Prado is not next to a side street. Allowing a 5' setback on the west of 2800 Prado will not impair the zoning regulations.

## 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:

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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:

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

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

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**Section 3: Applicant Certificate**

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

Applicant Signature:  Date: 03/14/2017

Applicant Name (typed or printed): Tom Hatch

Applicant Mailing Address: 1102 B East 8th Street

City: Austin State: Texas Zip: 78702

Phone (will be public information): (512) 431-7466

Email (optional – will be public information): tomhatch@huoarchitects.com

**Section 4: Owner Certificate**

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

Owner Signature:  Date: 03/14/2017

Owner Name (typed or printed): Tom Hatch

Owner Mailing Address: 1102 B East 8th Street

City: Austin State: Texas Zip: 78702

Phone (will be public information): (512) 431-7466

Email (optional – will be public information): tomhatch@huoarchitects.com

**Section 5: Agent Information**

Agent Name: Tom Hatch 

Agent Mailing Address: 1102 B East 8th Street

City: Austin State: Texas Zip: 78702

Phone (will be public information): (512) 431-7466

Email (optional – will be public information): tomhatch@huoarchitects.com

**Section 6: Additional Space (if applicable)**

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

The bases for 15' street sideyard setbacks include line of site issues for automobiles and to keep homes from crowding streets and adjacent sidewalks. In that Pleasant Valley Road is more than 75' away from 2800 Prado at its closest and the bulk of the lot is framed on the west by the adjacent drainage channel, the need for a 15' street sideyard setback makes the lot very difficult to

## Additional Space (continued)

develop and unnecessary. The land to the west of 2800 Prado is an undevelopable piece of property, seemingly owned by the City of Austin

**SAVE**

May 19, 2017

Board of Adjustment  
City of Austin Development Services Department  
One Texas Center, 1<sup>st</sup> Floor, Development Assistance Center  
505 Barton Springs Road  
Austin, Texas 78704

RE: Requested Street Side Yard Setback Variance for Two Single Family Residences at 2800 Prado

Dear Board,

We are presenting a board with this application in the hopes of receiving a variance for the current 15' street side yard setback at the site of 2800 Prado. Both proposed homes will have a 99-year affordability period and serve households with incomes at or below 50% of the median income for Austin.

The application will explain why we believe that a typical 5' setback instead of a 15' setback would allow for reasonable use of the site because of hardships specific to this site. The lot for 2800 Prado is adjacent to Boggy Creek and Pleasant Valley Road, which has prompted a 15' street side yard setback. The usual purpose of a 15' street side yard setback is to prevent cars on the property from going off into street traffic, but this is unnecessary for this unique corner lot because it is already about 75' away from the side street. In addition to this, our design for the site has incorporated two very large protected trees, and an unnecessarily restrictive 15' setback would make it much more difficult to protect these trees.

Additional supporting information in this package includes street and aerial view photos of the site, existing tree canopy cover, a site plan with contours and tree locations, proposed floor plans and elevations, and letters of support from neighborhood organizations.

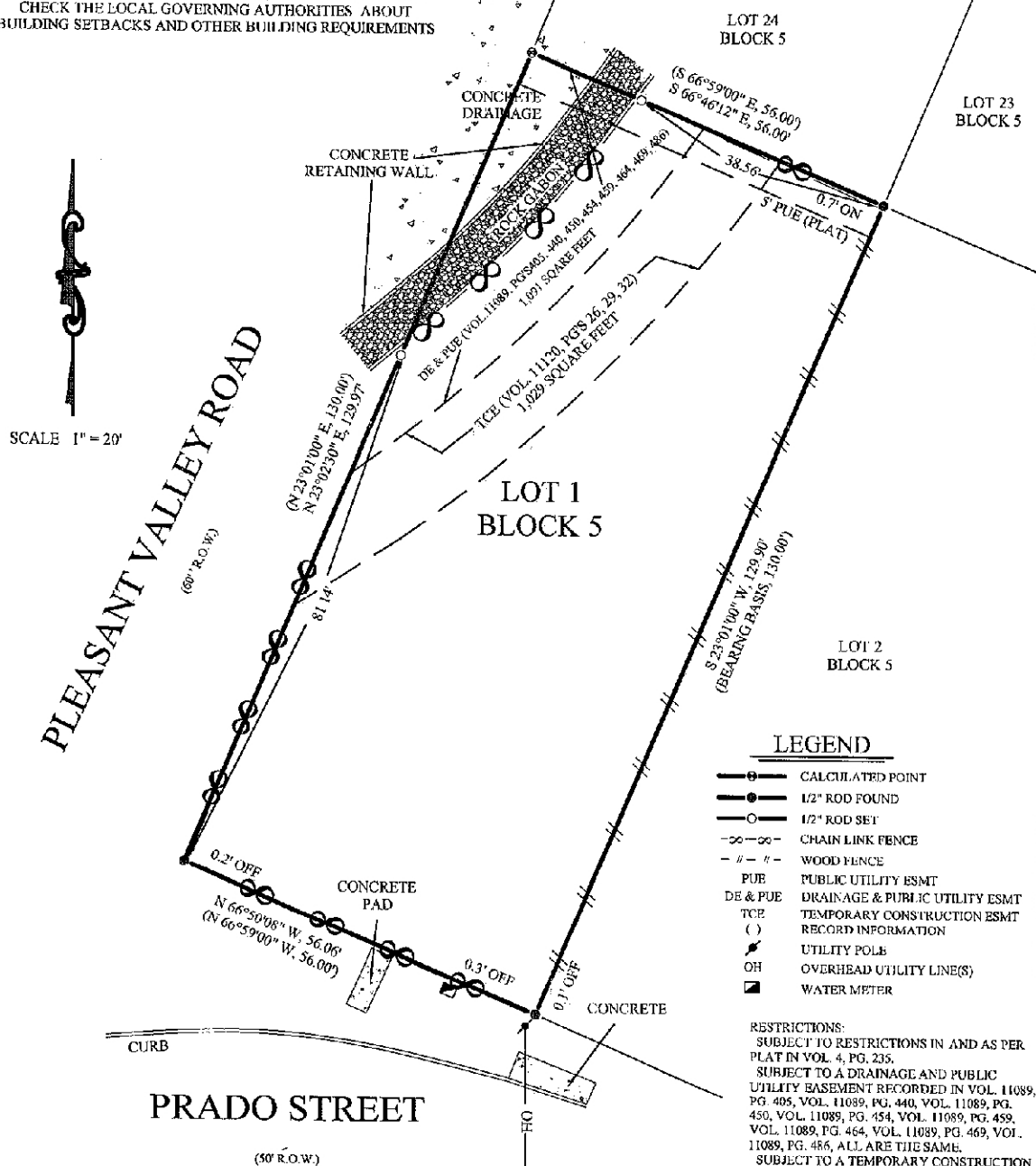
Thank for you hearing our case for this variance request.

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Tom Hatch, FAIA

hatch + ulland owen architects

\*\*\*NOTICE\*\*\*  
BEFORE DESIGN  
BEGINS ON THE SUBJECT PROPERTY, THE OWNER SHOULD  
CHECK THE LOCAL GOVERNING AUTHORITIES ABOUT  
BUILDING SETBACKS AND OTHER BUILDING REQUIREMENTS



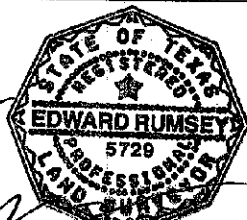
### LEGEND

- CALCULATED POINT
- 1/2" ROD FOUND
- 1/2" ROD SET
- ∞— CHAIN LINK FENCE
- ||— WOOD FENCE
- PUE PUBLIC UTILITY ESMT
- DE & PUE DRAINAGE & PUBLIC UTILITY ESMT
- TCE TEMPORARY CONSTRUCTION ESMT
- ( ) RECORD INFORMATION
- ⚡ UTILITY POLE
- OH OVERHEAD UTILITY LINE(S)
- WATER METER

RESTRICTIONS:  
SUBJECT TO RESTRICTIONS IN AND AS PER  
PLAT IN VOL. 4, PG. 235.  
SUBJECT TO A DRAINAGE AND PUBLIC  
UTILITY BASEMENT RECORDED IN VOL. 11089,  
PG. 405, VOL. 11089, PG. 440, VOL. 11089, PG.  
450, VOL. 11089, PG. 454, VOL. 11089, PG. 459,  
VOL. 11089, PG. 464, VOL. 11089, PG. 469, VOL.  
11089, PG. 486, ALL ARE THE SAME.  
SUBJECT TO A TEMPORARY CONSTRUCTION  
EASEMENT RECORDED IN VOL. 11120, PG. 26,  
VOL. 11120, PG. 29, VOL. 11120, PG. 32, ALL ARE  
THE SAME.

SUBDIVISION: CHERNOSKY SUBDIVISION NUMBER 12  
LOT: 1 BLOCK: 5 BOOK 4 PAGE 235 PLAT RECORDS  
COUNTY: TRAVIS STATE OF TEXAS STREET ADDRESS 2800 PRADO STREET  
CITY: AUSTIN REFERENCE NAME GUADALUPE NEIGHBORHOOD DEVELOPEMENT CORPORATION

SIGNED BY: \_\_\_\_\_  
\_\_\_\_\_



**ALLSTAR**  
Land surveying

9020 ANDERSON MILL RD  
AUSTIN, TEXAS 78729  
(512) 249-8149 PHONE  
(512) 331-5217 FAX  
WWW.ALLSTARLANDSURVEYING.COM

TO THE LIEK HOLDER AND / OR OWNERS OF THE PREMISES SURVEYED AND TO:

### CAPITAL TITLE OF TEXAS

I DO HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND  
UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE OF THE  
PROPERTY LEGALLY DESCRIBED HEREON AND THAT THERE ARE NO  
BOUNDARY LINE CONFLICTS, ENCROACHMENTS OVERLAPPING OF  
IMPROVEMENTS, OR ROADS IN PLACE, EXCEPT AS SHOWN HEREBON, AND  
CERTIFIES ONLY TO THE LEGAL DESCRIPTION AND EASEMENTS SHOWN ON  
THE REFERENCED TITLE COMMITMENT. THIS SURVEY WAS PERFORMED  
WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE.

THIS PROPERTY DOES LIE WITHIN THE 100  
YEAR FLOOD, AND HAS A ZONE "X" RATING  
AS SHOWN ON THE FLOOD INSURANCE RATE  
MAPS  
F.I.R.M. MAP NO.: 48453C0465H  
PANEL: 0465H  
DATED: 9-26-2008  
THIS CERTIFICATION IS FOR INSURANCE  
PURPOSES ONLY AND IS NOT A GUARANTEE  
THAT THIS PROPERTY WILL OR WILL NOT  
FLOOD. CONTACT YOUR LOCAL FLOOD  
ADMINISTRATOR FOR THE CURRENT STATUS  
OF THIS TRACT.

|             |                          |
|-------------|--------------------------|
| SURVEY DATE | NOVEMBER 14, 2011        |
| TITLE CO.   | CAPITAL TITLE OF TEXAS   |
| G.F. NO.    | 11-125660-AM             |
| JOB NO.     | A1103411                 |
| FIELD BY    | REX NOWLIN 11-10-2011    |
| CALC. BY    | CHRIS ZOTTER 11-11-2011  |
| DRAWN BY    | CHRIS ZOTTER 11-11-2011  |
| RPLS CHECK  | EDWARD RUMSEY 11-14-2011 |

BUILDING COVERAGE

| LOT SIZE: 7,188 S.F.                               | UNIT A     | UNIT B   |
|--|------------|----------|
| a. 1st Floor Conditioned Area                      | 581 S.F.   | 611 S.F. |
| b. 2nd Floor Conditioned Area                      | 821 S.F.   | N/A      |
| c. 3rd Floor Conditioned Area                      | N/A        | N/A      |
| d. Basement  | N/A        | N/A      |
| e. Garage (Carport)                                | N/A        | N/A      |
| f. Attached Garage                                 | 288 S.F.   | N/A      |
| g. Wood Decks (limited to 100%)                    | N/A        | N/A      |
| h. Stairs  | N/A        | N/A      |
| i. Covered Porches                                 | 75 S.F.    | 81 S.F.  |
| j. Balconies                                       | N/A        | N/A      |
| k. Screening Pool (see also area)                  | N/A        | N/A      |
| l. Other Building or Covered Areas (if applicable) | N/A        | N/A      |
| Specify:   |            |          |
| TOTAL BUILDING AREA (add a through l)              | 1,765 S.F. | 692 S.F. |

|   |                           |
|---|---------------------------|
| TOTAL BUILDING COVERAGE ON LOT<br>(Subtract, if applicable, b., c., d., k. and l. if uncovered) | 1,636 S.F.<br>228% OF LOT |
|---|---------------------------|

IMPERVIOUS COVERAGE

|   |            |
|---|------------|
| a. Total Building Coverage on Lot (see above)   | 1,636 S.F. |
| b. Driveway Area on Private Property            | 1,225 S.F. |
| c. Sidewalk / Walkways on Private Property      | 142 S.F.   |
| d. Uncovered Patios                             | N/A        |
| e. Uncovered Wood Decks (may be counted at 50%) | N/A        |
| f. Air Conditioner Pads                         | 18 S.F.    |
| g. Concrete Decks                               | N/A        |
| h. Other: Second Floor Overhang                 | 62 S.F.    |

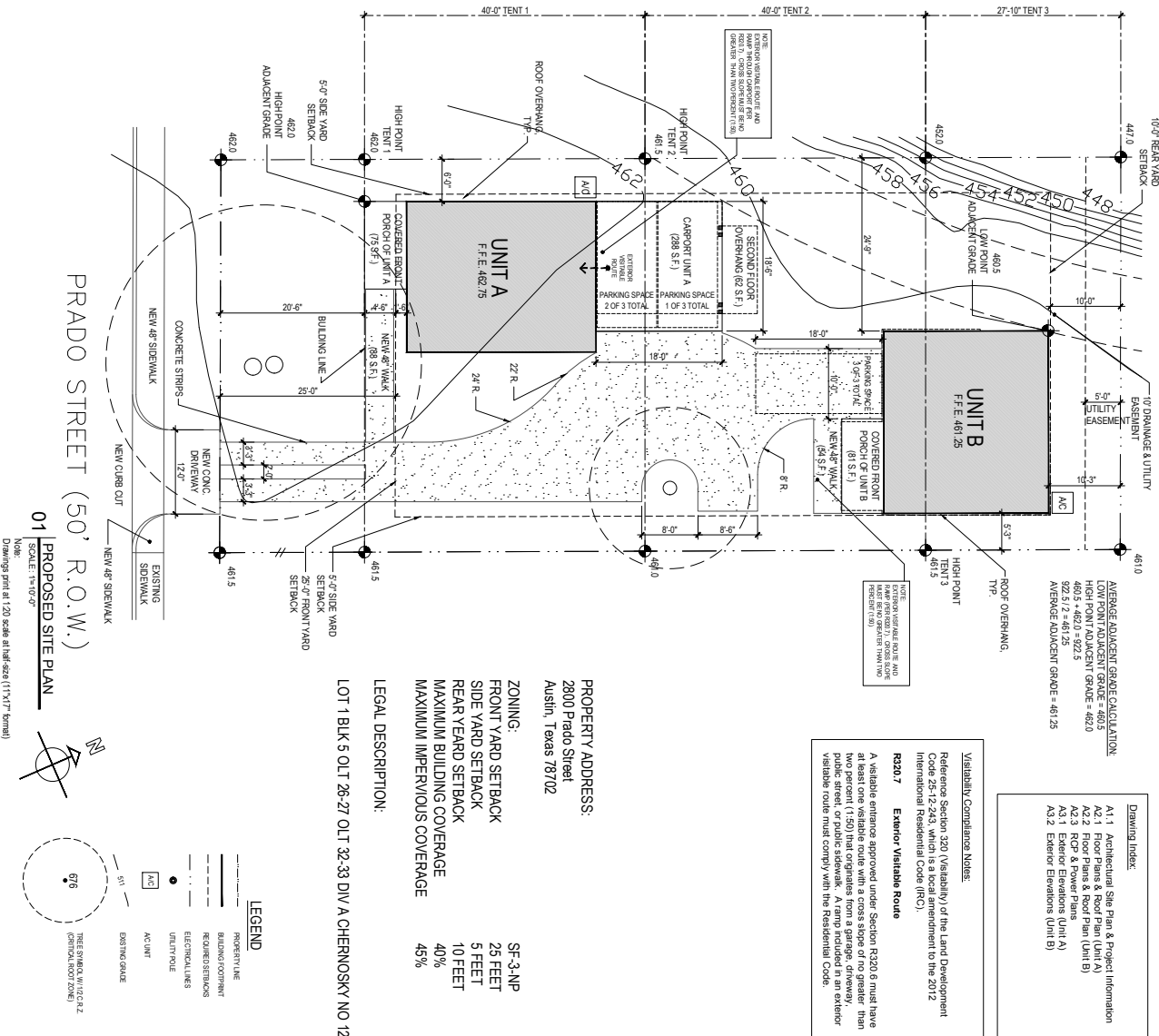
|  |                           |
|--|---------------------------|
| TOTAL IMPERVIOUS COVERAGE<br>(add a through h) | 3,083 S.F.<br>429% of lot |
|--|---------------------------|

GROSS FLOOR AREA AND FLOOR AREA RATIO

|  | UNIT A     | UNIT B   |
|--|------------|----------|
| I. 1st Floor Gross Area  |            |          |
| a. 1st Floor Area (excluding covered or uncovered finished ground-floor patches) | 581 S.F.   | 611 S.F. |
| b. 1st Floor Area with Ceiling Height Over 15 Feet                               | N/A        | N/A      |
| c. TOTAL (add a and b above)   | 581 S.F.   | 611 S.F. |
| II. 2nd Floor Gross Area   |            |          |
| d. 2nd Floor Area (including all areas covered by a roof)                        | 821 S.F.   | N/A      |
| e. 2nd Floor Area with Ceiling Height Over 15 Feet                               | N/A        | N/A      |
| f. TOTAL (add d and e above)   | 821 S.F.   | N/A      |
| III. 3rd Floor Gross Area  |            |          |
| g. 3rd Floor Area (including all areas covered by a roof)                        | N/A        | N/A      |
| h. 3rd Floor Area with Ceiling Height Over 15 Feet                               | N/A        | N/A      |
| i. TOTAL (add g and h above)   | N/A        | N/A      |
| IV. Basement Gross Area  |            |          |
| j. Floor area outside footprint of first floor                                   | N/A        | N/A      |
| V. Garage  |            |          |
| k. Attached  | N/A        | N/A      |
| l. Detached  | N/A        | N/A      |
| Carport  | 288 S.F.   | N/A      |
| VI. TOTAL  | 1,402 S.F. | 611 S.F. |

|   |                           |
|---|---------------------------|
| TOTAL GROSS FLOOR AREA<br>GROSS AREA OF LOT | 2,013 S.F.<br>281% of lot |
|---|---------------------------|

|   |                         |
|---|-------------------------|
| FLOOR AREA RATIO (gross floor area gross area of lot) | 28.0%<br>or 0.28 to 1.0 |
|---|-------------------------|



| Drawing Index                                      |
|--|
| A1.1 Architectural Site Plan & Project Information |
| A2.1 Floor Plans & Roof Plan (Unit A)              |
| A2.2 Floor Plans & Roof Plan (Unit B)              |
| A3.1 Exterior Elevations (Unit A)                  |
| A3.2 Exterior Elevations (Unit B)                  |

**Variability Compliance Notes:**

Reference: Section 320 (Variability) of the Land Development Code 25-12-245, which is a local amendment to the 2012 International Residential Code (IRC).

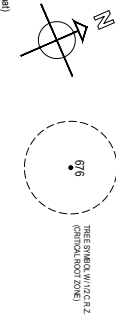
**R320.7 Exterior Variable Route**

A variable route approved under Section R320.6 must have at least one variable route with a cross slope of no greater than two percent (1:50) that originates from a garage, driveway, public street, or public sidewalk. A ramp included in an exterior variable route must comply with the Residential Code.

**PROPERTY ADDRESS:**  
2800 Prado Street  
Austin, Texas 78702

**ZONING:**  
FRONT YARD SETBACK 25 FEET  
SIDE YARD SETBACK 5 FEET  
REAR YARD SETBACK 10 FEET  
MAXIMUM BUILDING COVERAGE 40%  
MAXIMUM IMPERVIOUS COVERAGE 45%

**LEGAL DESCRIPTION:**  
LOT 1 BLK 5 OLT 26-27 OLT 32-33 DIV A CHERNOSKY NO 12



hutch + uland davis  
o f c h i t e c t s  
Austin, Texas 78702  
P: 512.474.8460  
www.hutchulanddavis.com

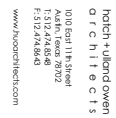
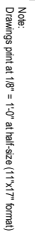
2800 PRADO STREET  
2800 PRADO STREET, AUSTIN, TEXAS 78702

ARCHITECTURAL SITE  
PLAN & PROJECT INFO

A1.1



**Note:**  
Drawings print at 1/8" = 1'-0" at half-size (11"x17" format)



2800 PRADO STREET, AUSTIN, TEXAS 78702

[illegible]

FLOOR PLANS &  
ROOF PLAN  
(UNIT A)

## A2.1

