

From:



Subject:

Comments on request for variance case number C15-2017-0050, 4008 Avenue C

Date:

Thursday, September 14, 2017 9:37:34 AM

Dear Leane,

We live across the street from the property making the variance request.

We are a family of 5, with small children. We are very concerned about the impact to traffic and noise from adding additional dwelling units on our street, beyond what is already planned. We are also concerned about the increase in impervious cover, which, as we can see from hurricane Harvey and its impact on Houston, is not to be trifled with.

We also really like the historic character of the houses on our street, and although we welcome the planned renovations of this group of properties, we would like to see their street view characteristics preserved as much as possible.

We objection to the variance request for case number C15-2017-0050, 4008 Avenue C to erect a new two-story accessory dwelling unit.

Regards,
Nick van Bavel
213 W41st St

From: [REDACTED]
Subject: Re: 4008 Ave C variance
Date: Thursday, September 14, 2017 6:29:54 AM

Ms. Heldenfels,

I wanted to submit my objection to the variance request for case number C15-2017-0050, 4008 Avenue C to erect a new two-story accessory dwelling unit.

There is no hardship in this case, and while I know my neighbors have submitted multiple reasons which suggest denying the variance is the correct choice, I wanted to also point out that we have struggled for 10 years with flooding in the alley behind the houses on this block. It was just paved as a final attempt to resolve the flooding issues.

I ask that you reject this variance for the reasons my neighbors and I have submitted.

Best,

Kelly Schaub
4005 Avenue B

From: [REDACTED]
Subject: FW: 4008 Avenue C
Date: Thursday, September 14, 2017 10:09:22 AM

From: [REDACTED]
Sent: Wednesday, September 13, 2017 5:31 PM
To: Heldenfels, Leane
Subject: Re: 4008 Avenue C

Leane,

Yes, please include the information for the board.

I understand that they are only seeking two units, but they are requesting it in a manner that makes it sound like they can already built 3 units by right without a variance. This is not true. I believe they are misleading neighbors in this way.

The plan indicates the 10' rear yard setback, but shows the ADU extending beyond it and then it indicates a 5' ADU setback. This is incorrect. The NCCD requires a 10' rear setback, but allows a 5' rear setback for an "accessory" building. An ADU is a dwelling and not an accessory building.

Thanks,

Karen McGraw AIA

On Sep 13, 2017, at 4:52 PM, Heldenfels, Leane
<Leane.Heldenfels@austintexas.gov> wrote:

Hi Karen – thanks for your email. But I think they are just proposing 2 units. See application info attached (this is also posted online at austintexas.gov, click on development tab, then click on Public Search (2nd paragraph), then enter case number or case address, click on the BA (Board of Adjustment) case, then scroll down to attachments to find the application materials there).

I will advise the applicant of the 10' rear setback.

Do you want below info entered in as a comment in the case for the Board's late back up?

Leane

From: [REDACTED]
Sent: Wednesday, September 13, 2017 4:22 PM
To: Heldenfels, Leane
Cc: Developmenthpna.com; SB
Subject: 4008 Avenue C

Leane,

I believe the information in the application is misleading as it claims that the applicant can have 3 units by right on this lot but two units requires the variance. In fact, per this communication with Chris Johnson, the construction of three units would require a variance from the 8000 SF minimum lot size requirement for multi-family use.

This file is posted as a variance from 6000 SF and it is actually a variance from 7000 SF.

Also, the Hyde Park NCCD requires a 10' rear setback.

Thank you,

Karen McGraw
4315 Avenue C
Austin, Texas 78751

Begin forwarded message:

From: "Johnson, Christopher [DSD]"
<Christopher.Johnson@austintexas.gov>
Subject: RE: 4004-4006 Avenue C

[REDACTED]

Hi Karen-

I agree—if the applicant is proposing three or more units (multi-family use) and the lot is under 8,000, then a lot size variance would be required. With the current substandard lot, the only development they can have by-right is single-family. We have received a BOA variance request for 4008 Avenue C, requesting a variance from the 7,000-sf minimum lot size in the NCCD, to construct a secondary dwelling unit.

Chris

Christopher Johnson

Development Services Division Manager

[City of Austin Development Services Department](#)

One Texas Center, 1st Floor

505 Barton Springs Road

Office: 512-974-2769

<image001.png>

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We want to hear from you! Please take a few minutes to complete our [online customer survey](#).

Nos gustaría escuchar de usted. Por favor, tome un momento para [completar nuestra encuesta](#).

Sent: Wednesday, August 30, 2017 3:13 PM

To: Johnson, Christopher [DSD]

Cc: Chaffin, Heather

Subject: Re: 4004-4006 Avenue C

Chris,

Now the owner of these lots is requesting a variance to build a second dwelling on the lot at 4008 Avenue C that is also zoned MF4 but has one existing home and has never had additional units.

The lot is 5,964 SF and the requirement for 2 units in the HP NCCD is 7000 SF.

Their information appears to say that they are entitled to 3 units due to the MF4 zoning. However, since this home has never had additional units, it seems to me that adding two more units creating a multi-family use will also require a variance from the minimum lot size of 8000 SF to the 5964 but the owner doesn't mention this, making it seem like that work would be by right.

Wouldn't you agree that activating the MF use with two additional units would also trigger a lot size variance?

They have asked the neighborhood for support for their variance so it is important that we have the correct information.

Thanks,

Karen McGraw

<c15-2017-0050 application.pdf>

From: [REDACTED]
Subject: Objection to the request for variance case number C15-2017-0050, 4008 Avenue C
Date: Thursday, September 14, 2017 1:23:28 PM

Hello Leane,

Please find our objection to the request for variance below regarding case #C15-2017-0050, 4008 Avenue C. Thank you for considering this objection on our behalf.

Justin and Sarah Ford
Owners: 4005 Avenue C, Austin, Texas 78751.

We object to the variance request for case number C15-2017-0050, 4008 Avenue C to erect a new two-story accessory dwelling unit.

The NCCD clearly states that a secondary structure can not be built on a property less than 7000 square feet. The variance request is for more than a 1,000 square feet and should not be granted. Furthermore, the applicant has told us that if they are not granted this variance, they can build three units (on a multi-family use lot). This is misleading as they do not meet the 8,000 square foot requirement and is therefore not possible.

The applicant has no valid hardship and thus there is no reason for this variance to be granted.

The propose of the NCCD is “to preserve neighborhoods with distinctive architecture styles that were substantially built out at least 30 years ago.” Hyde Park has the largest number of historical homes in the city of Austin and has gone to great lengths to preserve the city and state’s history in the form of houses and structures. Allowing a variance such as this, which has no merit or reason, is a travesty as it allows developers (who are relatively new to Austin) to change our city’s landscape and history.

4008 Avenue C was built 100 years ago and is an example of a simple but classical box house. For the past 100 years, it has been used as a single family home. It is a Contributing Structure that adds value and historical significance to the historical neighborhood and the city. Allowing a secondary unit on the lot, changes the distinctive appearance and unique charm of the historical neighborhood. Put bluntly, a two-story unit will disfigure the 100 year home appearance.

Adding a two-story structure not only adds more people, likely more cars, noise and trash to our street and neighborhood, but it also diminishes the unique and distinctive architectural style to our historical neighborhood.

We ask that you reject this variance as it has no hardship or merit.

Sarah Ford



PUBLIC HEARING: Board of Adjustment, September 18, 2017

CONTACT: Leane Heldenfels

CASE: C15-2017-0050, 4008 Avenue C

FROM: Stefanie Bertram Gaboriau, 4002 Avenue C

We object to the variance request for case number C15-2017-0050, 4008 Avenue C to erect a new two-story accessory dwelling unit.

The applicant has no valid hardship and thus there is no reason for this variance to be granted.

The applicant is requesting to add a new two-story accessory dwelling unit onto a property size of 5,964 square feet. The NCCD states that the property must be at least 7,000 square feet for an additional unit. This variance request is for more than 1,000 square feet and is a very significant increase. The applicant believes that if they are not granted this variance, they can build three units. This is incorrect as they do not meet the 8,000 square foot requirement and thus this is not possible without an even greater variance.

4008 Avenue C is a 100 year old home (built in 1917). It has remained a single-family home for 100 years. It is a wonderful example of a classical box home and is a contributing structure. The propose of the NCCD is “to preserve neighborhoods with distinctive architecture styles that were substantially built out at least 30 years ago.” This house should remain a single-family home so that as our city continues to grow and to expand, we can protect its character and history.

Currently, Avenue C already has a lot of apartments and rentals. (The applicant has the two lots south of 4008 and has plans to increase and max out the units.) Single-family homes are valuable and keep the integrity, uniqueness and character of one of Austin’s historical neighborhoods. Allowing a variance such as this, which has no merit or reason, would be a travesty as it allows investors to change our city’s landscape and history.

Finally, the applicant is an investor and does not live in Hyde Park. We, and the families around us, are raising families and creating a home. This is where we live and are creating memories. We ask that you reject this variance, as it does not have a hardship or merit.

From: [REDACTED]
Subject: Objection - Case No. C15-2017-0050, 4008 Avenue C
Date: Thursday, September 14, 2017 5:51:44 PM

I am the owner/resident of 311 w 41st street which is across the alley from 4008. I strongly object to the variance being requested.

I was a Board of Adjustment member for 6 years and well remember the variety of cases that came before us. Like many heard over the years, this one does not meet the criteria for granting a variance because the findings do not relate to the lot itself. It is a flat, rectangular 5964 sq ft lot which has had a single family house on it for 100 years. As a contributing structure, the house will remain.

Over the past months we have seen this developer (who also owns the 2 lots to the south of 4008) try various attempts to end run the current Historic District, NCCD and city zoning regulations for these lots. (There are valid reasons why the current regulations exist and they should be observed.) Most recently the developer was granted an addition to the existing house at 4008 where there was no mention that there was also to be an additional structure attempted. I'm not sure if this proposed addition is still in the mix with this most recent request for variance or if the total square footage shown for the house includes it or not.

There is a duplex to the north of this house which has parking and storage sheds that run the width of the alley lot line, the 2 lots to the south of 4008 (owned by the same developer) are to have new multi story additions to the rear of those houses with parking again off the alley. (With a garbage can, recycle can and yard waste can for each residence). This is an area where students are your most common renters and they come and go regularly every semester. This is a lot of turnover and it means that long term residents are constantly having to 'train' the temporary renters how to deal with garbage cans, parking in the alley, etc. It also results in fences like mine along the alley being rammed and damaged repeatedly. Permitting an additional structure on 4008 as proposed will mean more cars driving down the alley, more parking off the alley and additional trash cans to be moved out of the alley each week.

Reasonable use -

The lot has no large trees in the way, no curve along one side, no cliff or gully running through it. It is a flat residential lot with a single family house on it for the past 100 years. That is a reasonable use throughout the neighborhood.

Hardship unique to property -

This lot is similar in size and current use to any other lot nearby. The owner knew how the lot was used when they purchased it. Granting this variance will create a hardship for the neighboring properties.

Hardship not general to the area -

Any lot with the same characteristics as this one in Hyde Park is treated the same. The owner knew how the lot was used when they purchased it. Should this variance be granted it would make it the 'unusual' exception.

Area Character -

How can covering the back yard of a single family residence 'preserve' the single family use? It is a contributing structure and as such must remain. It is owned by developers and will continue to be used as rental property, because of its location probably by students with a high turn over rate. It will most certainly change the character of the alley part of the lot with increased traffic, a two story structure, and more trash; all of which neighbors will have to deal with. Regarding the 'style' of the new structures being proposed by the developer, they do not enhance the look of the existing structures and this will just mean that 3 instead of 2 lots in a row will have a 2 story wall along the alley.

The current owner has owned these 3 properties for several years and there has been no attempt to enhance or do maintenance to either the structures or the landscaping during that time.

Wanda Penn
512 452 3103

Karen McGraw AIA

4315 Avenue C
Austin, Texas 78751
512-459-2261 512-917-1761
[REDACTED]

September 14, 2017

To: City of Austin, Board of Adjustment

Re: C15-2017-0050 - Variance request for two-family use at 4008 Avenue C

Board Members,

This case requests a variance to construct a two-family use by adding a dwelling unit to the home at 4008 Avenue C.

The lot is 5,964 square feet. 7,000 square feet is required for two-family use per the Hyde Park NCCD.

This lot contains a home that was built 100 years ago in 1917 (according to TCAD). It is a contributing structure in the Hyde Park Local Historic District.

Background regarding the MF4 zoning.

The applicant notes that there are no other lots in the neighborhood that contain a single family home and are zoned MF4. The reason is that during the planning work in 1998-2000 for the city adopted Hyde Park Neighborhood Plan, the entire area was surveyed, and all lots that had single family development but were zoned for multi-family were rolled back to SF3. It is likely that this house was considered to be multi-family as it had extensive rear additions and was owned by the owners of 4004 and 4006 that had been converted to MF use with attached multi-family units on the rear. The home at 4008 was the homestead of the owners of all three properties.

The history explaining why these homes deep in the Hyde Park residential area were zoned MF, goes back to a city effort in the 1960s to rezone all of Hyde Park for apartments. The homeowners in the neighborhood at that time opposed that sweeping change, however, for the next 10 years, the city entertained MF zoning for anyone who was interested and a number of sites were rezoned, houses razed and apartments built, often mid-block, throughout Hyde Park. (as told to me by City of Austin planner). Almost all of these sites were developed with apartment buildings, but in this case the Boatrights continued to occupy their single family home at 4008 while adding units to the rear of the adjacent houses at 4004 and 4006.

This explains the strange situation where this home might have been a candidate for a rollback to SF3 but was not caught in the survey work. The same is apparently true of the duplex at 4010 that is noted as MF4.

The properties at 4004-4006 are now being redeveloped by this new owner by removing the (condemnable) rear units and adding back additional units to the existing 2-unit homes. While I questioned staff regarding the right to add back the MF units once they were demolished, I was told that even though the buildings would be essentially duplexes after demolition, that the use would continue to be multi-family for these two lots.

Now the this present owner desires to add more units to 4008 which for 100 years has served as a family home. This addition will make it more like a speculative rental project adding to the excessive units on this block. During 2014-2015 the present owner used 4006 as a Type 3 Short Term Rental.

Background regarding the 7000 SF lot size requirement in the Hyde Park NCCD.

The neighborhood began working to create a Neighborhood Conservation Combining District back in 1986. This tool, with the purpose of preserving the character of neighborhoods that are at least 30 years old, was not actually offered by the city as a tool for neighborhood planning, but was in the LDC and the Hyde Park neighbors had initiated the work and survey themselves. In 1998, the City Council selected Hyde Park to be provided with a neighborhood plan and directed staff to assist neighbors in completing the NCCD overlay. This was years before Austin finally began to allow historic districts which would protect the neighborhood character and stem demolition of historic homes and buildings. I chaired the neighborhood planning effort during these years.

The survey work indicated that the most predominant lot size in the neighborhood was 6000 - 6500 SF being a set of two 25' wide lots. All lots were 25' wide but sold in groups by the original developer (1891). By the mid-1990's there were some second dwellings (mostly garage apartments) that were generally located on larger lots that were 7000 SF or larger - in many cases made up of 3-25' lots and being at least 9000 SF.

On a given block, there might be about 16 single family homes, but only about 2-4 second dwellings along the rear 12' wide alley. This was the pattern of Hyde Park development which established the character to be protected. At the time, the city's minimum lot size for second dwellings was 7000 SF. This seemed appropriate to the conservation of Hyde Park's pattern for two family development so it was not changed in the NCCD except in selected areas but not in the core of the neighborhood.

Survey work indicated that in the core of the neighborhood, the pattern of requiring at least 7000 SF would still allow for at least 100 new units, while not burdening every block with excessive second dwellings lining the narrow 12' alleys that do not provide for easy auto access.

That pattern has held today and most of Hyde Park's homes are available to families. Additions have been made to many homes, but only a handful of additional units have been added. The Local Historic District was finally established in 2010 through the efforts of the Hyde Park Neighborhood Association. Maintaining the majority of contributing buildings is important and allowing many new structures could jeopardize this balance, and thus the eligibility of the area as an LHD.

The home at 4008 has served as a family home for 100 years, and there is no hardship to support adding additional units to make it into a speculative rental.

Additionally, even though there is much discussion of how Austin needs more dwellings, currently, two weeks after UT fall session has begun, there are numerous vacant small homes and apartments in Hyde Park available for rent. This is very unusual and points to a softening in the market for the smaller units. The struggle the city faces now is to provide family housing in the central city to support families who need to live here to work at UT, the State, downtown and the hospitals. Rationalizing a hardship when there is none to accommodate speculative housing against the existence of a single family home, not only violates the NCCD and neighborhood patterns, but jeopardizes the continued eligibility of the LHD.

This home is a good candidate to house a family who may wish to add square footage to this classical box home, rather than to live in 1200 square feet, sharing square footage entitlements with renters in a second dwelling. The most sought after housing in Hyde Park today is historic homes and larger homes for families.

Please maintain the character of Hyde Park and deny this variance, for which there is no hardship.

Thank you,

Karen McGraw



008 Ave C



4008 Ave C rear



004 Ave C



4004-4006 Ave C



006 Ave C



4006 Ave C



006 Ave C rear



4004 Ave C rear

From: [REDACTED]
Subject: Case Number C15-2017-0050, 4008 Avenue C
Date: Friday, September 15, 2017 1:58:38 PM

I am opposed to granting this variance since there is no hardship associated with this request which is from a developer who has no particular commitment to the neighborhood other than profiting from whatever he can manage to build. This individual owns three lots in row on this block. Once he has built as much as he can build with whatever story he pitches to City staff as to why standard rules ought not to apply in this case he intends rent out the property, leaving the neighborhood to deal with the consequences of his profit maximization while he goes elsewhere to attack another block with new claims of hardship, that, in his view, ought to grant him special privileges not available to rule compliant citizens.

Thank you.

Gary Penn
405 W. 41st St
Austin, TX 78751

512 826 0654

From: [REDACTED]
Subject: 4008 Avenue C: we object to the variance request
Date: Sunday, September 17, 2017 11:20:35 AM

Dear Ms. Heldenfels:

We live at 4012 Avenue C, and we strongly object to the 4008 Avenue C variance request to add an additional 2-story accessory dwelling unit. Our neighborhood NCCD says an additional structure cannot be built on a property of this size. This is a residential street in a historic district. Already the scope of the proposed work by the builders is potentially disruptive to the residential feel of the block as they are developing three contiguous lots, which creates the strong possibility of adding a multi-family feel. There is no reason for adding additional pressure (and additional possibilities for flooding). Please do not grant the variance.

Paul Moomaw
Carol Kim
4012 Avenue C
Austin TX 78751

(512) 451-3391

PUBLIC HEARING INFORMATION

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

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

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

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

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

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

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

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

Case Number: C15-2017-0050, 4008 Avenue C

Contact: Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov

Public Hearing: Board of Adjustment, September 18, 2017

VIRGINIA FRANK

Your Name (please print)

4102 AVE. D

Your address(es) affected by this application

Leanne M. Franke

Signature

Date

Daytime Telephone: _____

Comments: _____

Comments must be returned by 10am the day of the hearing to be seen by the Board at this hearing. They may be sent via:

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

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

Fax: (512) 974-6305

Email: leane.heldenfels@austintexas.gov

M05/37

PUBLIC HEARING INFORMATION

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- is the record owner of property within 500 feet of the subject property or proposed development; or
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Case Number: C15-2017-0050, 4008 Avenue C

Contact: Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov

Public Hearing: Board of Adjustment, September 18, 2017

MERLE S. FRANK

Your Name (please print)

4102 AVE. D

Your address(es) affected by this application

Merle S. Franke

Signature

9/13/17

Date

Daytime Telephone: _____

Comments: _____

Comments must be returned by 10am the day of the hearing to be seen by the Board at this hearing. They may be sent via:

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

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

Fax: (512) 974-6305

Email: leane.heldenfels@austintexas.gov

M05/38

From: [Matt Desloge](#)
 To: [Leane Heldenfels](#)
 Subject: C15-2017-0050
 Date: Wednesday, September 13, 2017 10:05:47 AM

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

Case Number: C15-2017-0050, 4008 Avenue C
Contact: Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov
Public Hearing: Board of Adjustment, September 18, 2017

☒ I am in favor
☐ I object

MATT DESLOGE
 Your Name (please print)

Friends of Hyde Park
 Your address(es) affected by this application

9/12/17
 Date

[Signature]
 Signature

Daytime Telephone: **512 422 4637**

Comments:

Comments must be returned by 10am the day of the hearing to be seen by the Board at this hearing. They may be sent via:

Mail: City of Austin-Development Services Department/ 1st Floor
 Leane Heldenfels
 P. O. Box 1088
 Austin, TX 78767-1088
 (Note: mailed comments must be postmarked by the Wed prior to the hearing to be received timely)
Fax: (512) 974-6305
Email: leane.heldenfels@austintexas.gov

From: [REDACTED]
Subject: C15-2017-0050 4008 Avenue C
Date: Sunday, September 17, 2017 4:45:38 PM

Regarding item C15-2017-0050 4008 Avenue C:

Dear Ms Heldenfels,

This item is on the agenda for the Board of Adjustment on Monday 9/18/17.

I am Teresa Griffin, owner of the property at 4009 Avenue B, directly west of 4008 Avenue C and just across the alley. I am writing to **support** the request by the owner of 4008 Avenue B for a variance to allow one 850 sq. ft. ADU with 2 bedrooms.

Currently the property has a single family dwelling with parking on Avenue C, and there is currently no car access in the alley that we share. The proposal for a single ADU with one parking space on the alley is reasonable. I realize that there will be some additional traffic in the alley, but this design is preferable to the alternate design proposed by the owners: the alternate design had 2 units in the accessory building and 3 parking places in the alley. I support the new proposal that preserves the historic main house as a freestanding structure and has fewer parking spaces on the alley.

I support this variance because I am excited that the owners plan to renovate the property which is seriously run down and has had a revolving door of tenants. I support this design that is going to the Board of adjustment that allows for a new residence while renovating the main house that is a contributing structure to the historic district. I also believe that the city of Austin will benefit by having additional opportunities for people to live in the core of our city.

Feel free to contact me if you wish to discuss my position.

Sincerely,
Teresa Griffin
4009 Avenue B
512-423-2967

From:



Subject:

Objection to the request for variance case number C15-2017-0050, 4008 Avenue C

Date:

Wednesday, September 13, 2017 8:57:42 PM

Dear Leane,

Please find below out objection to the request for variance re: case number C15-2017-0050; 4008 Avenue C. Thank you for your consideration of our objection to this request

Seema Agarwala and Nace Golding
Owners: 4001 Avenue C, Austin TX 78751.

We object to the variance request for case number C15-2017-0050, 4008 Avenue C to erect a new two-story accessory dwelling unit.

The NCCD clearly states that a secondary structure can not be built on a property less than 7000 square feet. The variance request is for more than a 1,000 square feet and should not be granted. Furthermore, the applicant has told us that if they are not granted this variance, they can build three units (on a multi-family use lot). This is misleading as they do not meet the 8,000 square foot requirement and is therefore not possible.

The applicant has no valid hardship and thus there is no reason for this variance to be granted.

The propose of the NCCD is “to preserve neighborhoods with distinctive architecture styles that were substantially built out at least 30 years ago.” Hyde Park has the largest number of historical homes in the city of Austin and has gone to great lengths to preserve the city and state’s history in the form of houses and structures. Allowing a variance such as this, which has no merit or reason, is a travesty as it allows developers (who are relatively new to Austin) to change our city’s landscape and history.

4008 Avenue C was built 100 years ago and is an example of a simple but classical box house. For the past 100 years, it has been used as a single family home. It is a Contributing Structure that adds value and historical significance to the historical neighborhood and the city. Allowing a secondary unit on the lot, changes the distinctive appearance and unique charm of the historical neighborhood. Put bluntly, a two-story unit will disfigure the 100 year home appearance.

Adding a two-story structure not only adds more people, likely more cars, noise and trash to our street and neighborhood, but it also diminishes the unique and

distinctive architectural style to our historical neighborhood.

We ask that you reject this variance as it has no hardship or merit.

EMAIL FROM 4008 ARCHITECT:

I want to reach out to you and your neighbors surrounding 4008 Avenue C to let you now that we are applying for a variance on the 4008 Avenue C project. We are on the Sept. 18 BOA agenda, so there will be a notification mailed out next week. We'd be happy to share our packet with you in the hope of earning a letter of support.

Here's a brief description of the variance:

As you know, we are in the midst of the permit process for remodeling 4008 as a single family home with a small 187sqft addition, which was approved by the HLC. In addition to that, the owner would like to build an ADU behind the existing home. We are seeking a variance to reduce the minimum lot limits for ADU development from 7000 sqft to 5964 sqft (the size of our lot). This lot is zoned MF-4, so it can be developed as either multi-family or single-family *use*. The former would be reviewed under commercial code and the latter under residential code. Because of this, the property falls into this strange condition where we can build a 3-unit multi-family project under commercial code, but not a 2-unit project under residential code due to the NCCD. The owner would prefer to build the 2-unit version, which would reduce the impervious cover and preserve the existing historic house as a stand-alone residence.

The design of the ADU will be similar to the additions on 4004 and 4006 Avenue C, and if the variance is approved, it will go before the HLC for review before permitting.