

H02/1



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

## NOTIFICATIONS

CASE#: C15-2017-0068  
LOCATION: 1116 E 3rd 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.

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.

1" = 141'



## 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 # CL5-2017-0068 ROW # 11824461 Tax # 0204051809  
TCAD

### Section 1: Applicant Statement

Street Address: 1116 E. 3RD STREET

Subdivision Legal Description:

SUBDIVISION OF THE SOUTH HALF OF OUTLOT NO. 2, IN DIVISION "O" VOLUME Y, PAGE 640

Lot(s): LOTS 6-7

Block(s): 13

Outlot: 2

Division: O

Zoning District: SF3 - NP (East Cesar Chavez)

I/We JESSICA BRAUN

on behalf of myself/ourselves as

authorized agent for GARDEN VILLAS ROOTS, LP

affirm that on

Month November, Day 14, 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: RESIDENTIAL

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

We are seeking a variance from City Code Section 25-2-1406 - Ordinance Requirements (5) (d) 'a lot that is aggregated with other property to form a site may not be disaggregated to satisfy this subsection'.

Additionally, we believe a variance from 25-2-774 (B) is appropriate. 'For a two-family residential use, the minimum lot area is equivalent to a standard lot.'

## 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:

These lots were legally platted and we are seeking a reinstatement of the original plat. The lots' narrow width is reasonable because of their adjacency to downtown and to the rail line. The density implied by the original plat is appropriate to this area and would allow more housing closer to downtown, amenities and transit.

The aggregation of these lots was caused unintentionally by former owners building a house over the property line. While a single house built over two lots may have been best use in 1954, when the population of Austin was 18% of its current size, This is no longer the case in 2017. The current restriction on disaggregation has a negative impact on density and affordability in a growing city.

### Hardship

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

These lots were legally platted early in Austin's history. Had the house not been built over the property line, or had it been removed before 2007, or had the new building permit application been submitted before March 2016, the lots could have been developed with the entitlements the original plat provided.

The Plaza Saltillo TOD Plan boundary is notched around this portion of the north half of the 1100 block of E 3rd Street, making this property unique in its location between higher density development and single family residential neighbors.

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

There are very few of these narrow lots that are not already absorbed by the Plaza Saltillo TOD Plan. This unique set of conditions (immediate TOD adjacency + narrow legal lots) only appears in this portion of the north half of the 1100 block of E 3rd Street. The only other pair of lots ~~that have~~ aggregated similarly is part of a larger parcel owned and occupied by an active church.

**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 variance requested will adhere to area character, not disrupt it. The character of the area is mixed: residential, industrial, commercial and civic with buildings ranging from cottage to warehouse. This property is situated between a high density residential and commercial development (under construction) and single family homes. This variance will allow the property to match its immediate neighbors while mediating a drastic jump in density.

**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:

N/A

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:

N/A

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

N/A

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

N/A

**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: 11/14/17

Applicant Name (typed or printed): JESSICA BRAUN

Applicant Mailing Address: 641 TILLERY ST.

City: AUSTIN State: TX Zip: 78702

Phone (will be public information): 512-705-5897

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.

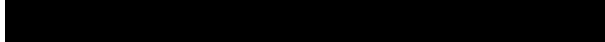
Owner Signature:  for Garden Villas Roots LP Date: 11/14/17

Owner Name (typed or printed): GARDEN VILLAS ROOTS, LP

Owner Mailing Address: 641 TILLERY ST.

City: AUSTIN State: TX Zip: 78702

Phone (will be public information): 512-705-5897

Email (optional – will be public information): 

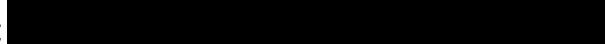
**Section 5: Agent Information**

Agent Name: JESSICA BRAUN

Agent Mailing Address: 641 TILLERY ST.

City: AUSTIN State: TX Zip: 78702

Phone (will be public information): 512-705-5897

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).

SEE NEXT PAGE

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**Additional Space (continued)**Reasonable Use:

Two family use is reasonable on these lots. The lots are a standard length and are served by an alley which allows for the site separation, outdoor living space, parking and access that are necessary for successful two family residential use. The resulting mid-sized primary dwellings and smaller secondary dwellings on the alley side would provide a scale and type of housing that is most needed in Austin's recent development.

Hardship:

These lots are unique in both their immediate adjacency to higher density development and their proportions -- standard lot length but narrow width. These lots are similar to those on which two-family use is permitted, except in their width and smaller lot area. The factors of narrower width and smaller lot area do not negatively impact successful two family use.

Area Character:

Two family use is common in this neighborhood. The result of allowing two family use on these lots would be smaller primary and secondary dwelling units which is in keeping with the surrounding neighborhood.

These lots are located 2 blocks from I-35, between the Commercial Mixed Use corridor of Cesar Chavez and the Plaza Saltillo Development, and immediately adjacent to both TOD zoning, as well as a church, all of which make them particularly well-suited for higher density use.

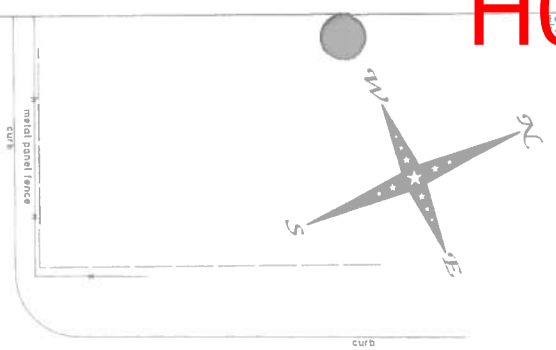


H02/7

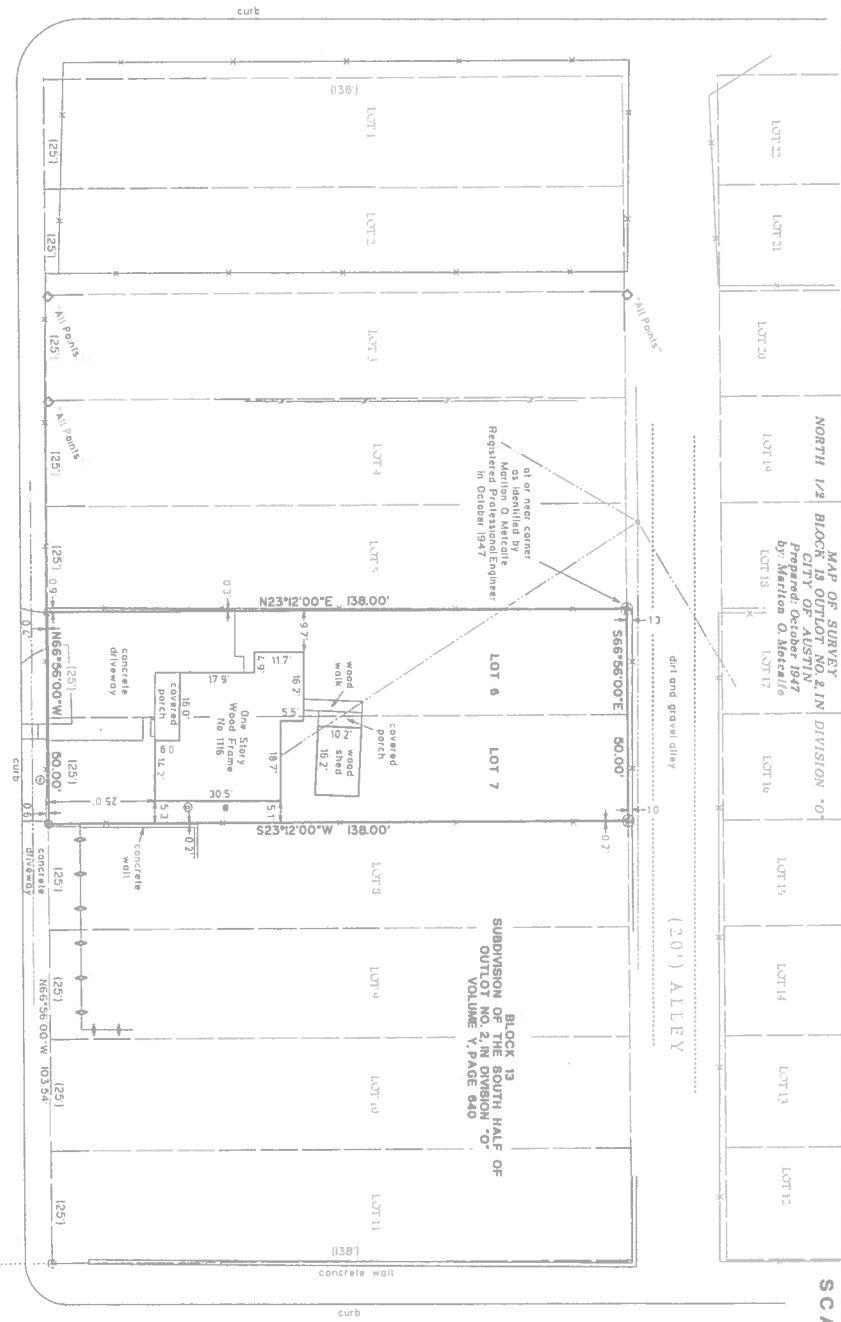
SCALE: 1" = 20'

Legend

- ① Calculated Point
- ② Cut "X" Seal
- ③ 1/2" Iron Rod Set with plastic cap -
- ④ Impressed with Holt Carson, Inc.
- ⑤ 1/2" Iron Pipe Found
- ⑥ Coped Iron Rod Found (as noted)
- ⑦ 1/2" Nail Found
- ⑧ Cotton Gas Spindle Found
- ⑨ Water Meter
- ⑩ Gas Meter
- ⑪ Sewerage
- ⑫ Sprinkler Line
- ⑬ Wood Board Fence
- ⑭ Wrought Iron Fence
- ⑮ Overhead Utility Line (Record Dimension)



MEDINA STREET (60' R.O.W.)  
pavement width 30



EAST 3rd STREET (54' R.O.W.)  
pavement width 40

WALLER STREET (60' R.O.W.)  
pavement width 60

STATE OF TEXAS  
COUNTY OF TRAVIS  
The undersigned does hereby certify that a survey was this day made on the ground of the property legally described hereon and is correct and that there are no boundary line conflicts, encroachments, shortages or areas overlapping or encroaching hereon, and that the same are in accordance with the laws of the State of Texas and said property abuts a dedicated road. This property lies within Zone X, as determined to be outside the 100 year flood plain according to Federal Emergency Management Agency Flood Insurance Rate Map (FIRM) 1305015 J, dated January 6, 2016, and the date of August 1, 2017.

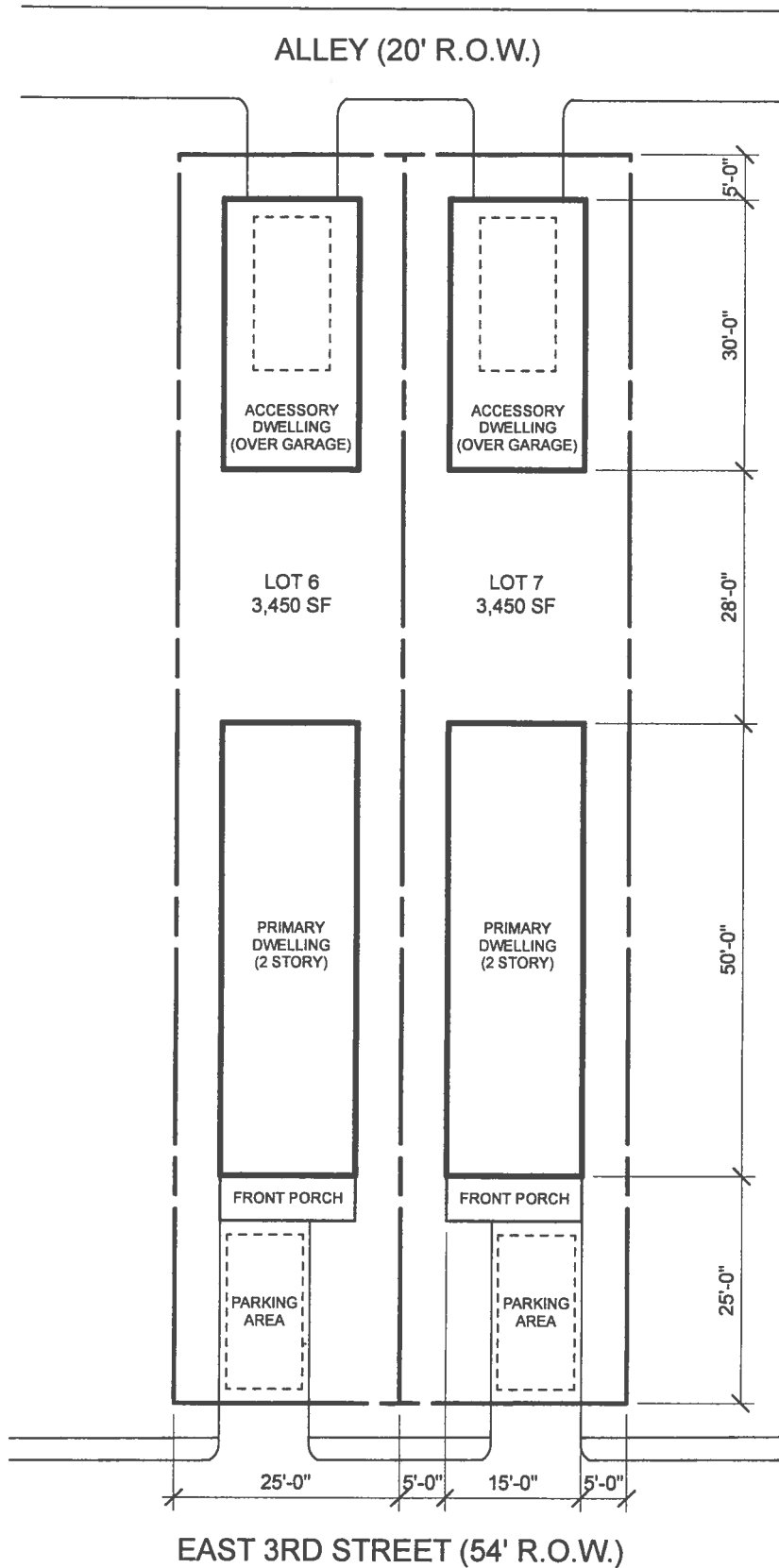
SURVEY PLAT OF

LOTS 6 AND 7, BLOCK 13, SUBDIVISION OF THE SOUTH HALF OF OUTLOT NO. 2, IN DIVISION "0", A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME Y, PAGE 640 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS.  
LOCATED AT 1116 EAST 3rd STREET.



BY  
Holt Carson  
Registered Professional Land Surveyor No. 5166

Reference 015066 dgm  
HOLT CARSON, INCORPORATED  
PROFESSIONAL LAND SURVEYORS  
1904 FORTVIEW ROAD  
AUSTIN, TX 78704  
Tel: 512.444.0970  
Fax: 512.444.0970  
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#### PROPOSED FLOOR AREA

PRIMARY 1ST FLOOR	750
PRIMARY 2ND FLOOR	750
ACCESSORY 1ST FLR.	150
ACCESSORY 2ND FLR.	350
GARAGE	300

**TOTAL:** 2,300

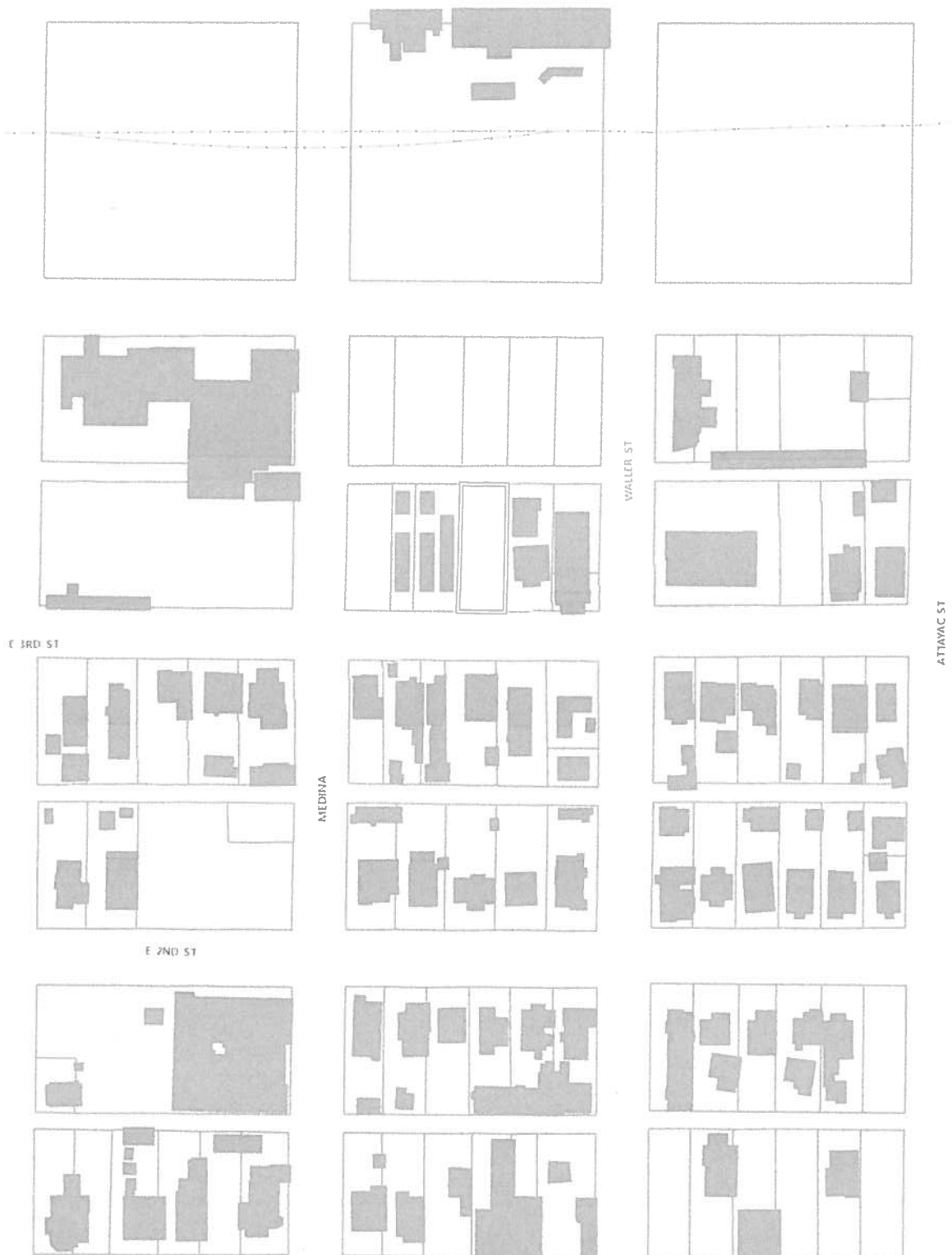
#### PROPOSED IMPERVIOUS

PRIMARY 1ST FLOOR	750
PORCH	75
DRIVEWAY	200
ACCESSORY 1ST FLR.	150
GARAGE	300
DRIVEWAY	50

**TOTAL:** 1,525

**1116 EAST 3RD STREET / AUSTIN TX 78702**  
**PROPOSED SITE PLAN**





**1116 EAST 3RD STREET / AUSTIN TX 78702**  
**SURROUNDING STRUCTURES**



DEVELOPMENT STANDARDS COMPARISON					
	SF-3	Small Lot Amnesty	TOD - Low Density	TOD - Live/Work	1116 E. 3rd Proposed
Min. Lot Size	5,750 sf	2,500 sf	2,500 sf	2,500 sf	3,450 sf
Min. Lot Width	50 feet	25 feet	20 feet	20 feet	25 feet
Max. Dwelling Units per lot	2	1 or 2 (per NP)	2	3	2
Max. Floor Area	40%	2,300 sf	200%	200%	2,300 sf
Max. Impervious	45%	65%	85%	95%	42%
Building Height	32 feet	32 feet	40 feet	40 feet	25 feet
Front Setback	25 feet	25 feet	—	—	25 feet
Side Setback	5 feet	5 feet	—	—	5 feet
Alley Setback	5 feet	5 feet	—	—	5 feet
Required Parking Spots	2	2	0	0	2

1116 EAST 3RD STREET / AUSTIN TX 78702  
DEVELOPMENT STANDARDS

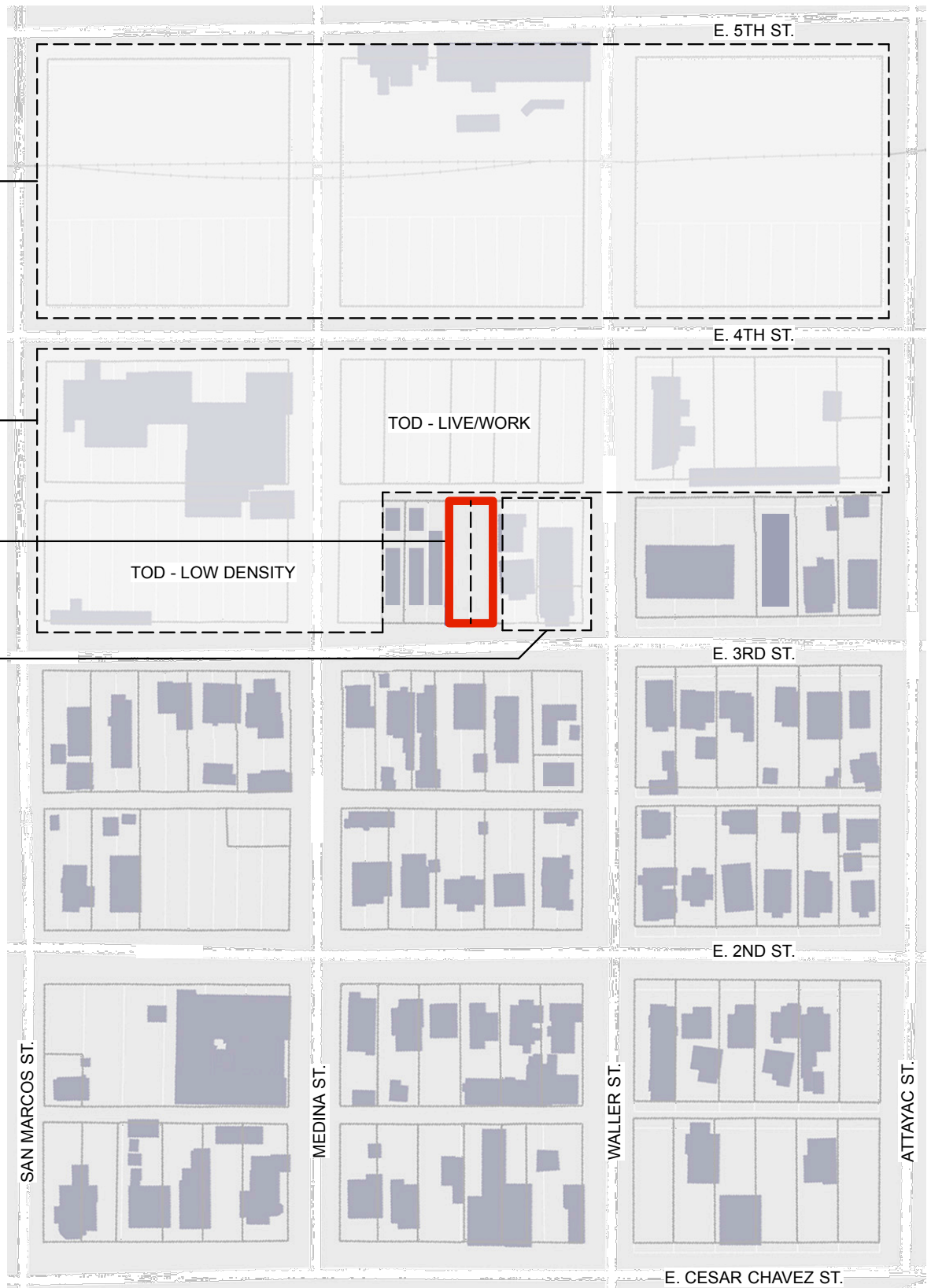


PLAZA SALTILLO  
DEVELOPMENT

SCRAP METAL  
YARD

SUBJECT  
PROPERTY

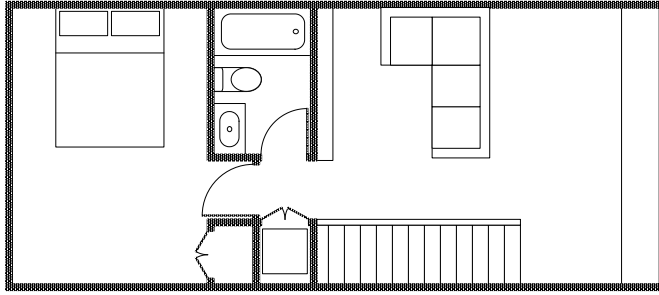
CHURCH



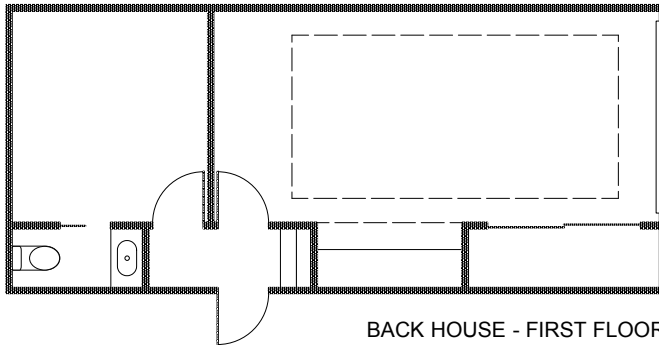
**1116 EAST 3RD STREET / AUSTIN TX 78702**  
**SURROUNDING STRUCTURES**



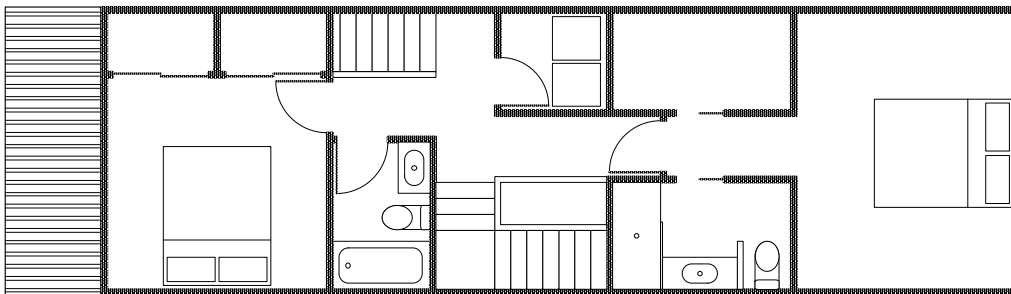




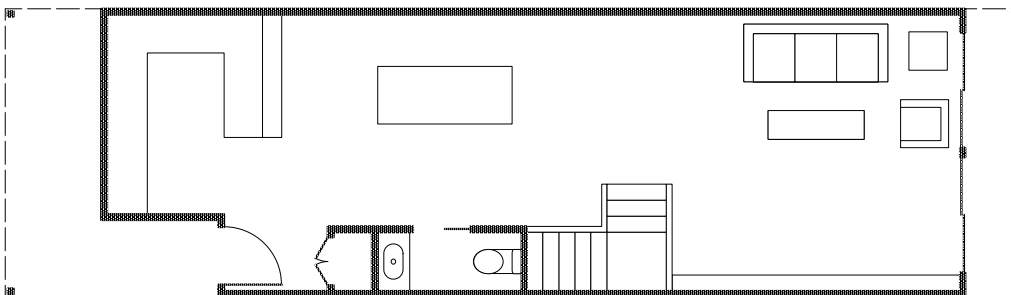
BACK HOUSE - SECOND FLOOR



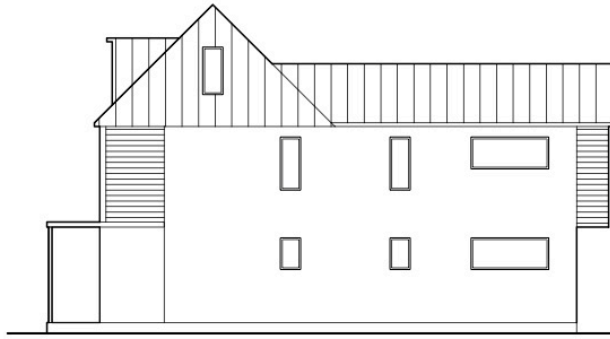
BACK HOUSE - FIRST FLOOR



FRONT HOUSE - SECOND FLOOR



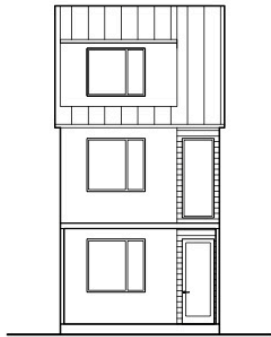
FRONTY HOUSE - FIRST FLOOR



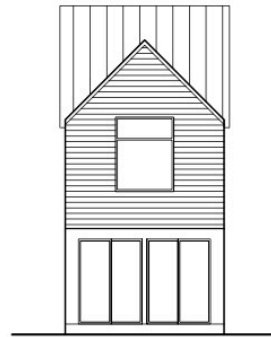
PRIMARY DWELLING - SIDE ELEVATION



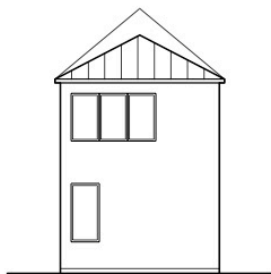
ACCESSORY DWELLING - SIDE ELEVATION



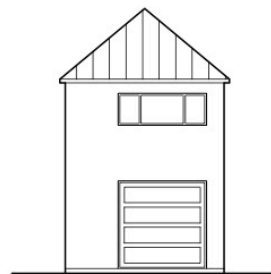
PRIMARY DWELLING - FRONT ELEVATION



PRIMARY DWELLING - REAR ELEVATION



ACCESSORY DWELLING - REAR ELEVATION



ACCESSORY DWELLING - FRONT ELEVATION



*Schematic Rendering - Front Elevation*

**1116 EAST 3RD STREET / AUSTIN, TX 78702**  
**SCHEMATIC RENDERING**