

H02/1



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

NOTIFICATIONS

CASE#: C15-2018-0012
LOCATION: 1605 S 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" = 154'



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: _____

Subdivision Legal Description:

Lot(s): _____ Block(s): _____

Outlot: _____ Division: _____

Zoning District: _____

I/We _____ on behalf of myself/ourselves as
authorized agent for _____ affirm that on
Month _____, Day _____, Year _____, 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: _____

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

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:

Hardship

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

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

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:

Parking (additional criteria for parking variances only)

Request for a parking variance requires the Board to make additional findings. The Board may grant a variance to a regulation prescribed in the City of Austin Land Development Code Chapter 25-6, Appendix A with respect to the number of off-street parking spaces or loading facilities required if it makes findings of fact that the following additional circumstances also apply:

1. Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonably require strict or literal interpretation and enforcement of the specific regulation because:

2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

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

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

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: 3/9/2018

Applicant Name (typed or printed): William Mass & Nancy Hellman

Applicant Mailing Address: 4612 Lyons Road

City: Austin State: TX Zip: 78702

Phone (will be public information): 617 429-6416

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: William Mass Nancy Hellman Date: 3/9/2018

Owner Name (typed or printed): William Mass & Nancy Hellman

Owner Mailing Address: 4612 Lyons Road

City: Newton State: MA Zip: 02130

Phone (will be public information): 617 429-6416

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).

Section 2.1 Variance Findings.Hardship...1) Preserving existing tree (cont'd)

~~We are left with substantial critical root zone encroachments at the 13" pecan tree even with a 20 ft setback much less 25 ft. Decreasing our front yard setback allows us to largely steer clear of this critical root zone. This also allows the solar panels on the roof from being shaded by the existing~~

Additional Space (continued)

Lined area for writing, consisting of multiple horizontal blue lines.

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: _____

Applicant Name (typed or printed): _____

Applicant Mailing Address: _____

City: _____ State: _____ Zip: _____

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: _____

Owner Name (typed or printed): _____

Owner Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone (will be public information): _____

Email (optional – will be public information): _____

Section 5: Agent Information

Agent Name: DAVID WEBBER 

Agent Mailing Address: 1220 LAVALA ST.

City: AUSTIN State: TX Zip: 78701

Phone (will be public information): 512 - 236 - 1032

Email (optional – will be public information): _____

Section 6: Additional Space (if applicable)

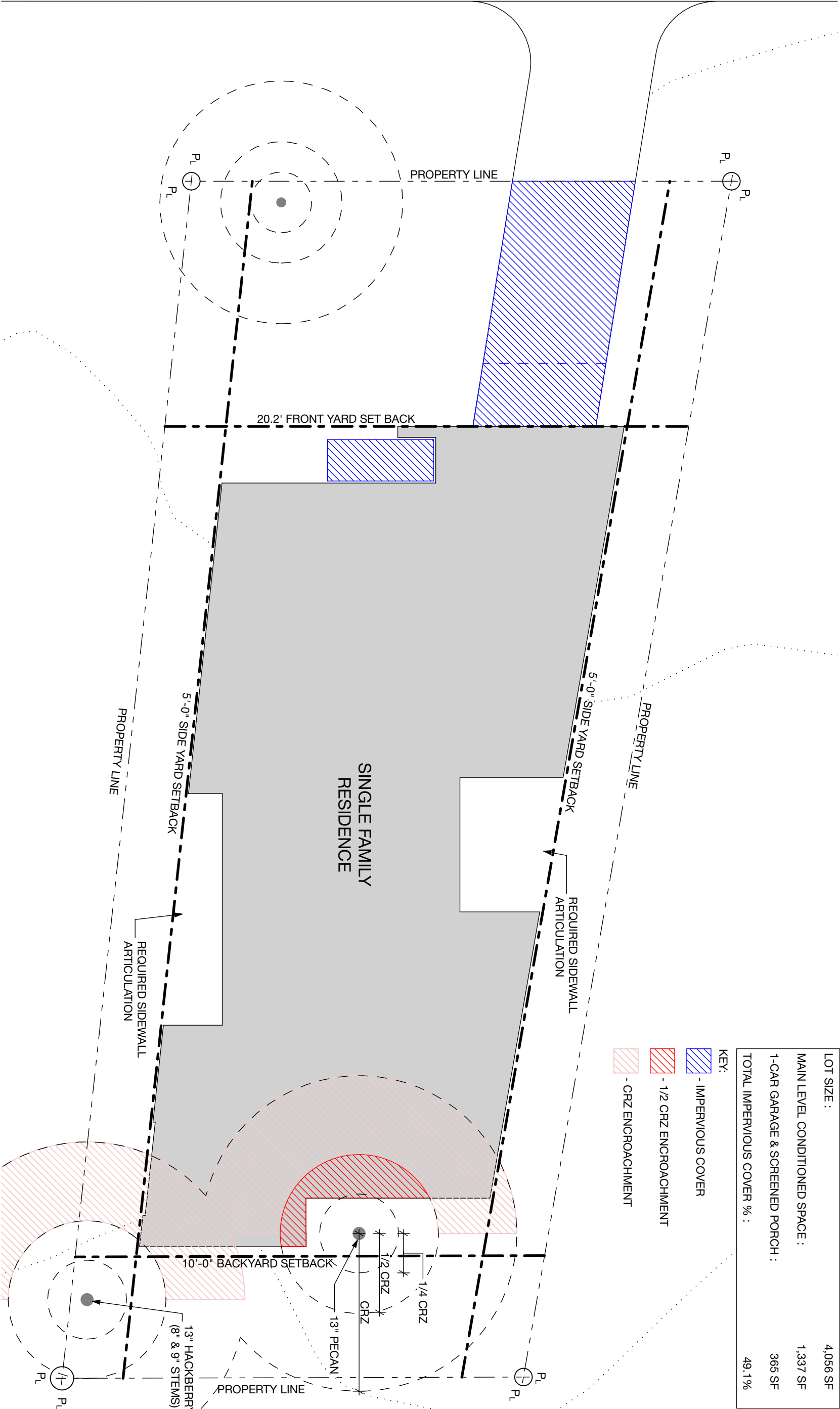
Please use the space below to provide additional information as needed. To ensure the information is referenced to the proper item, include the Section and Field names as well (continued on next page).

NOT FOR
REGULATORY
APPROVAL,
PERMITTING OR
CONSTRUCTION

LOT SIZE :	4,056 SF
MAIN LEVEL CONDITIONED SPACE :	1,337 SF
1-CAR GARAGE & SCREENED PORCH :	365 SF
TOTAL IMPERVIOUS COVER % :	49.1 %

KEY:

- IMPERVIOUS COVER
- 1/2 CRZ ENCROACHMENT
- CRZ ENCROACHMENT



SOU3
1605 SOUTH 3RD ST.
AUSTIN, TX 78704

ARCHITECTURE

Webber + Studio, Inc.

512.236.1032

1220 Lavaca Street
Austin, Texas 78701
Fax 512.236.1039

Friday, March 9, 2018

EXHIBIT A : 20.2' FRONT YARD SETBACK

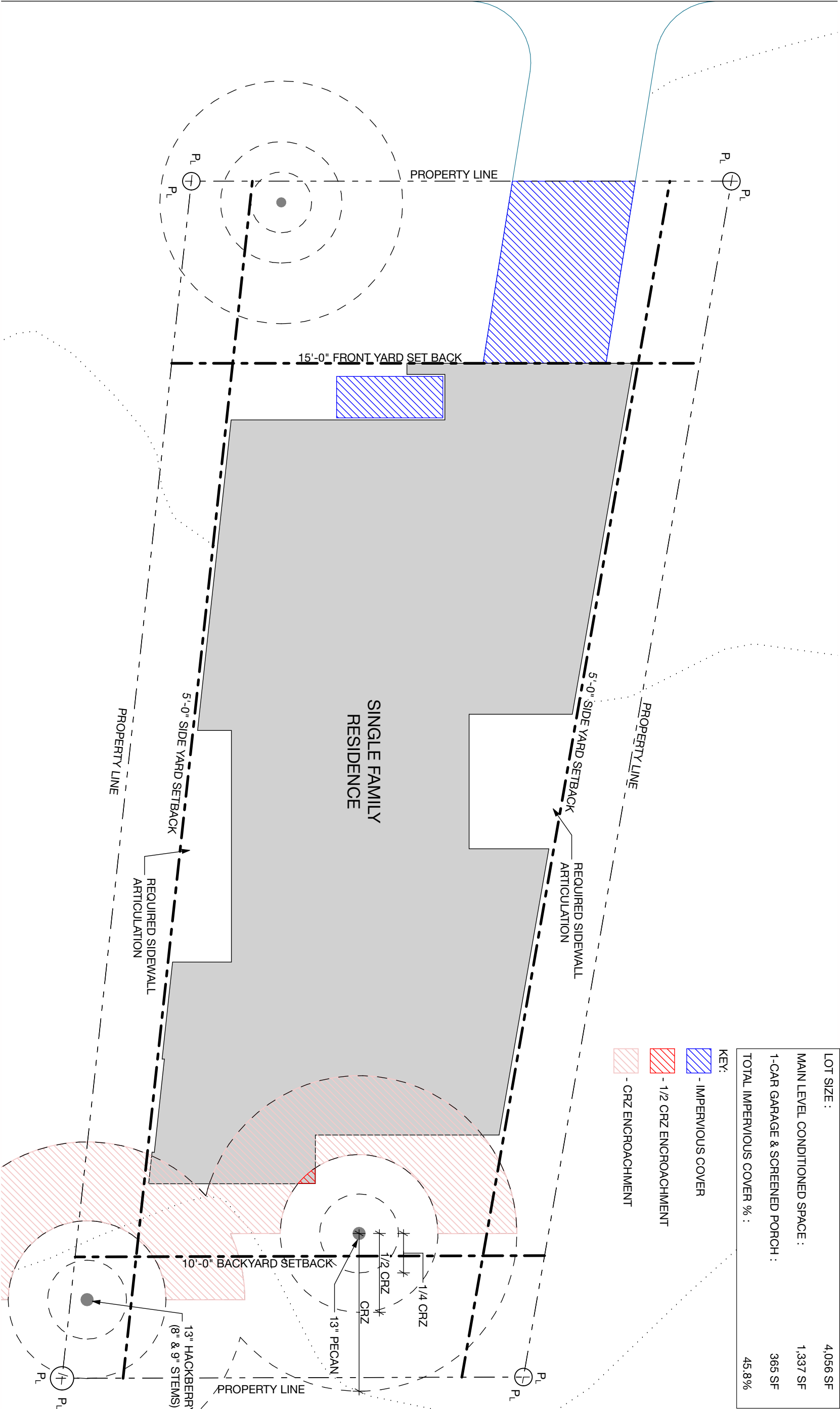
SCALE: 1/8" = 1'-0"

EXHIBIT A
20.2' FRONT YARD
SETBACK

NOT FOR
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APPROVAL,
PERMITTING OR
CONSTRUCTION

LOT SIZE :	4,056 SF
MAIN LEVEL CONDITIONED SPACE :	1,337 SF
1-CAR GARAGE & SCREENED PORCH :	365 SF
TOTAL IMPERVIOUS COVER % :	45.8%

- KEY:
- IMPERVIOUS COVER
 - 1/2 CRZ ENCROACHMENT
 - CRZ ENCROACHMENT



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1605 SOUTH 3RD ST.
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1220 Lavaca Street
Austin, Texas 78701
Fax 512.236.1039

512.236.1032

Friday, March 9, 2018

EXHIBIT B : 15'-0" FRONT YARD SETBACK

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

EXHIBIT B
15'-0" FRONT YARD
SETBACK

NOT FOR
REGULATORY
APPROVAL,
PERMITTING OR
CONSTRUCTION

KEY:
- USED IN AVERAGING
- NOT USED IN AVERAGING



SETBACK AVERAGING PER EXISTING INTERPRETATION 1



SOU3
1605 SOUTH 3RD ST.
AUSTIN, TX 78704

ARCHITECTURE
Webber + Studio, Inc.

512.236.1032
1220 Lavaca Street
Austin, Texas 78701
Fax 512.236.1039

Friday, March 9, 2018



AVG. = 16.6 FT

SETBACK AVERAGING PER SOUGHT INTERPRETATION 2



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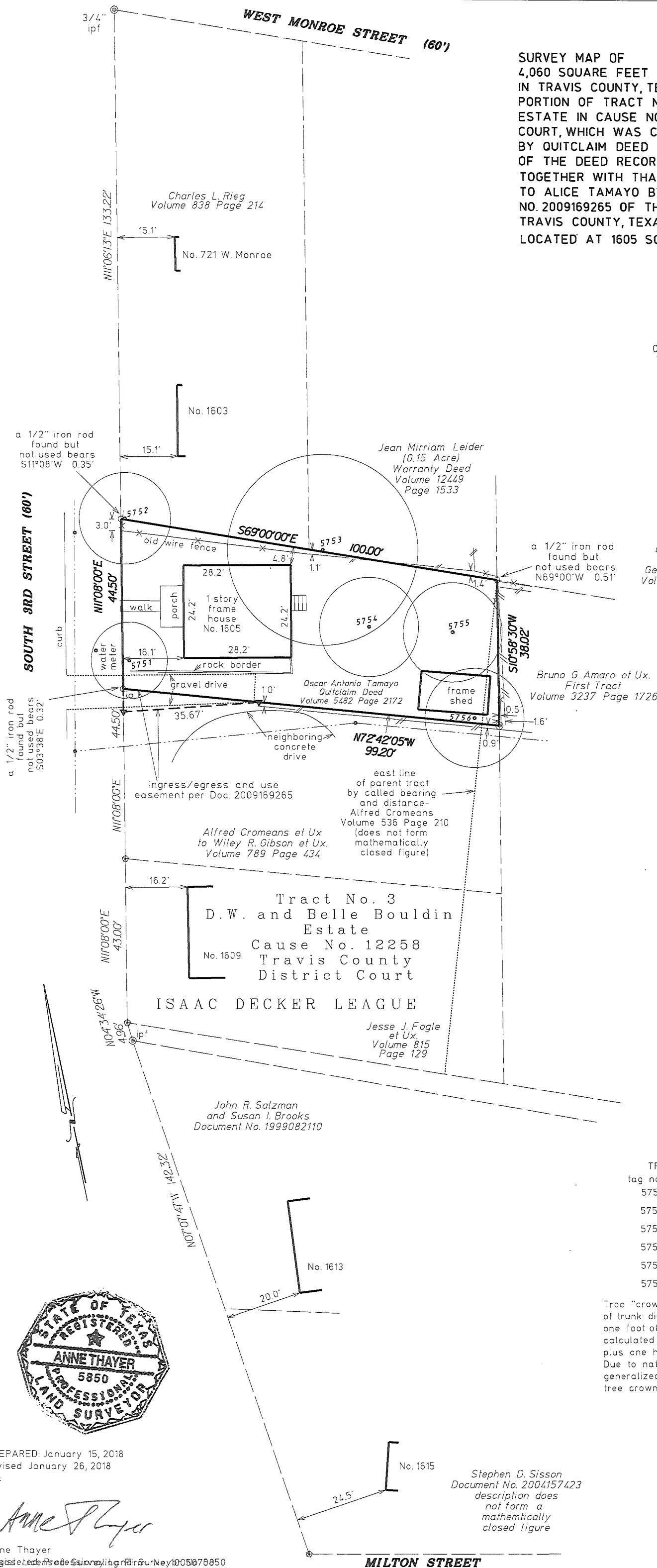
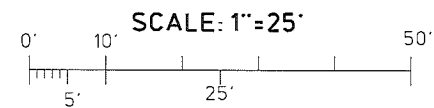
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SURVEY MAP OF
4,060 SQUARE FEET OF LAND OUT OF THE ISAAC DECKER LEAGUE
IN TRAVIS COUNTY, TEXAS, AND BEING ALL OF THAT CERTAIN
PORTION OF TRACT NO.3 OF THE D.W.AND BELLE BOULDIN
ESTATE IN CAUSE NO.12258 OF THE TRAVIS COUNTY DISTRICT
COURT, WHICH WAS CONVEYED TO OSCAR ANTONIO TAMAYO
BY QUITCLAIM DEED RECORDED IN VOLUME 5482 PAGE 2172
OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS.
TOGETHER WITH THAT EXCLUSIVE USE EASEMENT GRANTED
TO ALICE TAMAYO BY DEED RECORDED IN DOCUMENT
NO.2009169265 OF THE OFFICIAL PUBLIC RECORDS OF
TRAVIS COUNTY, TEXAS.

LOCATED AT 1605 SOUTH 3RD STREET. PAGE 2 OF 2

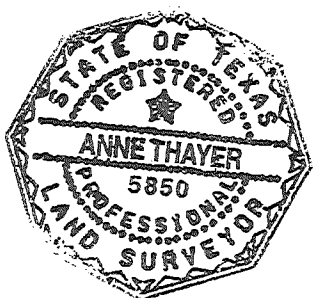


LEGEND

ipf ⊙ ½" Iron Rod Found
⊙ ½" Iron Pipe Found
○ ½" Iron Rod Set with Plastic Cap
Marked "Holt Carson, Inc."
⊗ Calculated Point
▼ 60 D Nail Set
——"——— Wood Fence
——"—x—— Wire or Chain Link Fence
——"—●——— Overhead Utility Line

TREE LIST	
tag no.	description
5751	10" Pecan
5752	12" Pecan
5753	25" Chinaberry (15" and two 10" stems)
5754	13" Pecan
5755	13" Pecan
5756	13" Hackberry (8" and 9" stems)

Tree "crowns" shown hereon are drawn as a function of trunk diameter. One inch of trunk diameter equals one foot of crown radius. Multi-trunk trees are drawn calculated on the full diameter of the largest stem plus one half of the diameter of each additional stem. Due to natural variations in tree growth, these generalized depictions may not correlate to actual tree crowns or root zones.



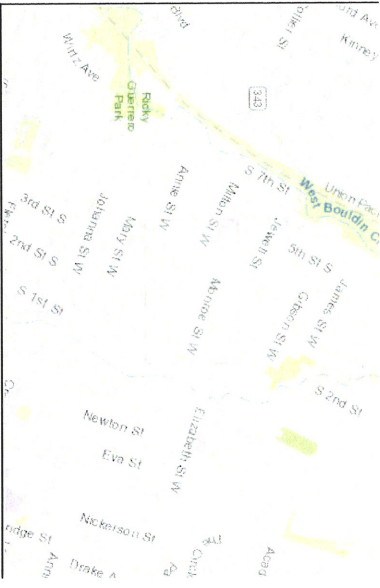
PREPARED: January 15, 2018
revised January 26, 2018
BY:

Anne Thayer
Registered Professional Fire Surveyor No. 005078850

Stephen D. Sisson
Document No. 2004157423
description does
not form a
mathematically
closed figure

HOLT CARSON, INC.
1904 FORTVIEW ROAD
AUSTIN, TX 78704
146 (512) 442-0990

1013146 (512) 442-0990





We, William Mass and Nancy Hellman as the homeowners of 1605 S 3rd Street, are applying for a variance from the Board of Adjustment regarding Section 5-2-492 the zoning district site development regulation of the Land Development Code which requires 25 minimum front yard setback. The variance would allow us the ability to build our house with a setback of 15 feet.

By signing this form, I understand that I am declaring my support for the variance being requested.

Property Owner Name (Printed)	Address	Signature
Edward Horne	711 W. Monroe	E. Horne
Susan Anderson	706 W. Monroe	W. Anderson
Jodie Eckert	1513 S. 3rd	Jodie Eckert
Chris Steiner	705 W. Monroe	Chris Steiner
MAEY MURKILL	707 W. MONROE	Mae Murkilla
JON SNEDEN (tenant)	710 W. MONROE	Jon Sneden
Jeff Bilinski	800 W. Monroe	Jeff Bilinski
Gabriella Jeffords (tenant)	1613 Bouldin	Gabriella Jeffords
Hayes Glander	1615 S. 3rd St.	Hayes Glander

1606
16



1606
1604
1602
1602

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Property Owner Name (Printed)	Address	Signature
RANDY THOMPSON	1607 S 3rd St, 4	[Signature]
GEORGE DAVEN	1609 South 7 th 7 th 1000 St	[Signature]
Anita Stoll	1604 S. 3 rd Street	[Signature]
John Salzman	1613 S. 3 rd Street	[Signature]
The Furst	1606 S 3rd Street	[Signature]
Michael D	1610 S 3 rd St	[Signature]
John Miller for Jerry Fredeneger	711 W. MILTON ST.	[Signature]
Jennifer Hengel	708 W. MILTON ST.	[Signature]
Chance Morris	1602 South 3 rd Street	[Signature]



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Property Owner Name (Printed)	Address	Signature
Merick Unger	1607 S. 3rd St Unit B	Merick Unger
Wesley Basse	705 W. Monroe St	Wesley Basse
Martha Bryan		
Martha Bryan (tenant)	1611 Bouldin	Martha Bryan
Brent Hunter	1700 S. 3rd St., 78704	Brent Hunter
Brent Hunter	1702 S. 3rd St., 78704	Brent Hunter
Brent Hunter	1612 S. 3rd St Unit A,	Brent Hunter
Nancy Hellman	717 W. Monroe St.	Nancy Hellman
Jeff Day (tenant)	1604 S 2nd St	Jeff Day



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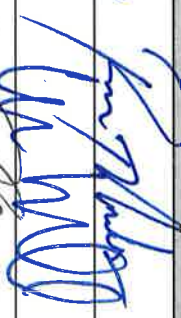






By signing this form, I understand that I am declaring my support for the variance being requested.

Property Owner Name (Printed)	Address	Signature
KATHIN miles	1600 S 3rd St	<i>[Signature]</i>
Sale Wallace	1603 Boudin Ave.	<i>[Signature]</i>



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By signing this form, I understand that I am declaring my support for the variance being requested.

Property Owner Name (Printed)	Address	Signature
RON MEXES + LESLIE BONNELL	1608 S. 3RD ST AUSTIN TX 78704	
Steve Smother / Billy tenant -	1601 Bouldin Ave 78704	
Shane Kisman (Tenant)	1607 Bouldin Ave	
Greg W. Aiken	1701 Bouldin Ave	
Ricardo Martinez	712 W. Menlow St	
Beth Isabella	708 W. Mansuet St	
Terry Redeneyers	711-4 W. Milton	

Neighbors within 300 Ft of 1605 S 3rd Street in support of 15 ft setback Waiver				
Owner	#	Street	Owner/Tenant	Signed
Eckart, Leslie	1513	S 3rd St	Owner	1
Miles, James & Caitlan	1600	S 3rd St	Owner	1
Morris, Thomas Jefferson (Chance)	1602	S 3rd St	Owner	1
ATX Immobiliare (construction)	1603	S 3rd St	Owner	
Stoll, Anita	1604	S 3rd St	Owner	1
Faust, Tye	1606	S 3rd St	Owner	1
Thompson, Brad	1607A	S 3rd St	Owner	1
Ungar, Merrick	1607B	S 3rd St	Owner	1
Marks, Ron & Leslie Bonnel	1608	S 3rd St	Owner	1
Dahmen, George	1609	S 3rd St	Owner	1
Do, Michael	1610	S 3rd St	Owner	1
Hunter, Brent	1612	S 3rd St	Owner	1
Salzman, John	1613	S 3rd St	Owner	1
Elander, Haley	1615	S 3rd St	Owner	1
Hunter, Brent	1700	S 3rd St	Owner	1
Hunter, Brent	1702	S 3rd St	Owner	1
Tredemeyer, Jerry & K Heller	711	Milton	Owner	1
Harpel, Jennifer	708	Milton	Owner	1
Milton, Dallas & Elene Horton	706	Milton	Owner	
Steiner, Chris	705	W Monroe	Owner	1
Murillo, Mary	707	W Monroe	Owner	1
Brause, Alison	709	W Monroe	Owner	1
Snedden, Jon	710	W Monroe	Tenant	1
Horne, Edward	711	W Monroe	Owner	1
Johnson, Della	715	W Monroe	Owner	1
Denison, Barbara	717	W Monroe	Owner	1
719 West Monroe LLC (construction)	719	W Monroe	Owner	
Anderson, Susan	706	W Monroe	Owner	1
Esparza, Bertha	708	W Monroe	Owner	1
Martinez, Ricardo	712	W Monroe	Owner	1
Bilinski, Jeff	800	W Monroe	Owner	1
Sweitzer, Steve & Polly	1601	Bouldin	Tenant	1
Wallace, Jack	1603	Bouldin	Owner	1
Zisman, Shane	1607	Bouldin	Tenant	1
Court, Martha Suzanne	1611	Bouldin	Tenant	1
Jeffords, Gabriella	1613	Bouldin	Tenant	1
Walton, Cory	1701	Bouldin	Owner	
Day, Jeff	1604	S 2nd St	Tenant	1
Freeman, Murray (construction)	1608	S 2nd St	Owner	
			Total	34
			Total (%)	87%