

H02/1



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

NOTIFICATIONS

CASE#: C15-2018-0025
LOCATION: 1307 E 29th 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" = 139'



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: 1307 E 29th St Austin TX 78722

Subdivision Legal Description:

LOT 4 BLK F RESUB BLKS I, F&C DANCY ADDN

Lot(s): 4 Block(s): F

Outlot: RESUB BLKS I Division: F&C DANCY ADDN

Zoning District: Cherrywood

I/We Stella Offner & Len Sullivan on behalf of myself/ourselves as
authorized agent for _____ affirm that on
Month June, Day 11, Year 2018, 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: Front porch roof

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

Section 25-2-492 (D) and Art. 8-29-2-1602 front porch setback

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:

A portion of the front of the house (pre-existing) falls slightly in the 15 foot setback (by less than a foot). Constructing a three-sided porch within the 15-foot setback (a zoning allowance specific to the Cherrywood neighborhood) is not an option due to the house structure.

Hardship

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

Lack of a porch roof has caused improper water drainage and water exposure to the front of the house. This has produced damage to the front siding, street-facing French door and foundation. We attach pictures from a home inspection report as evidence.

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

Most houses have a front porch roof. A variance specific to the Cherrywood neighborhood allows for a 3-sided porch within the 15 foot setback. Due to the nature of the existing structure, the front porch of 1307 E 29th St is not 3-sided. (The porch and the proposed variance is not within the 15 foot setback, but a small part of the house is.)

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 we propose would allow us to add a roof over the porch. The resulting roof structure will be an architectural style common in the neighborhood. We attach pictures of nearby properties as evidence.

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:

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: 05/08/18

Applicant Name (typed or printed): Stella Offner & Len Sullivan

Applicant Mailing Address: 1307 E 29th St

City: Austin State: TX Zip: 78722

Phone (will be public information): 510-295-3133

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): Stella Offner & Len Sullivan

Owner Mailing Address: 1307 E 29th St

City: Austin State: TX Zip: 78722

Phone (will be public information): 510-295-3133

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).

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City: Austin State: TX Zip: 78722

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Email (optional – will be public information): _____

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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): Stella Offner & Len Sullivan

Owner Mailing Address: 1307 E 29th St

City: Austin State: TX Zip: 78722

Phone (will be public information): 510-295-3133

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).

1307 E 29th St. Index

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May 25 2018

To whom it may concern:

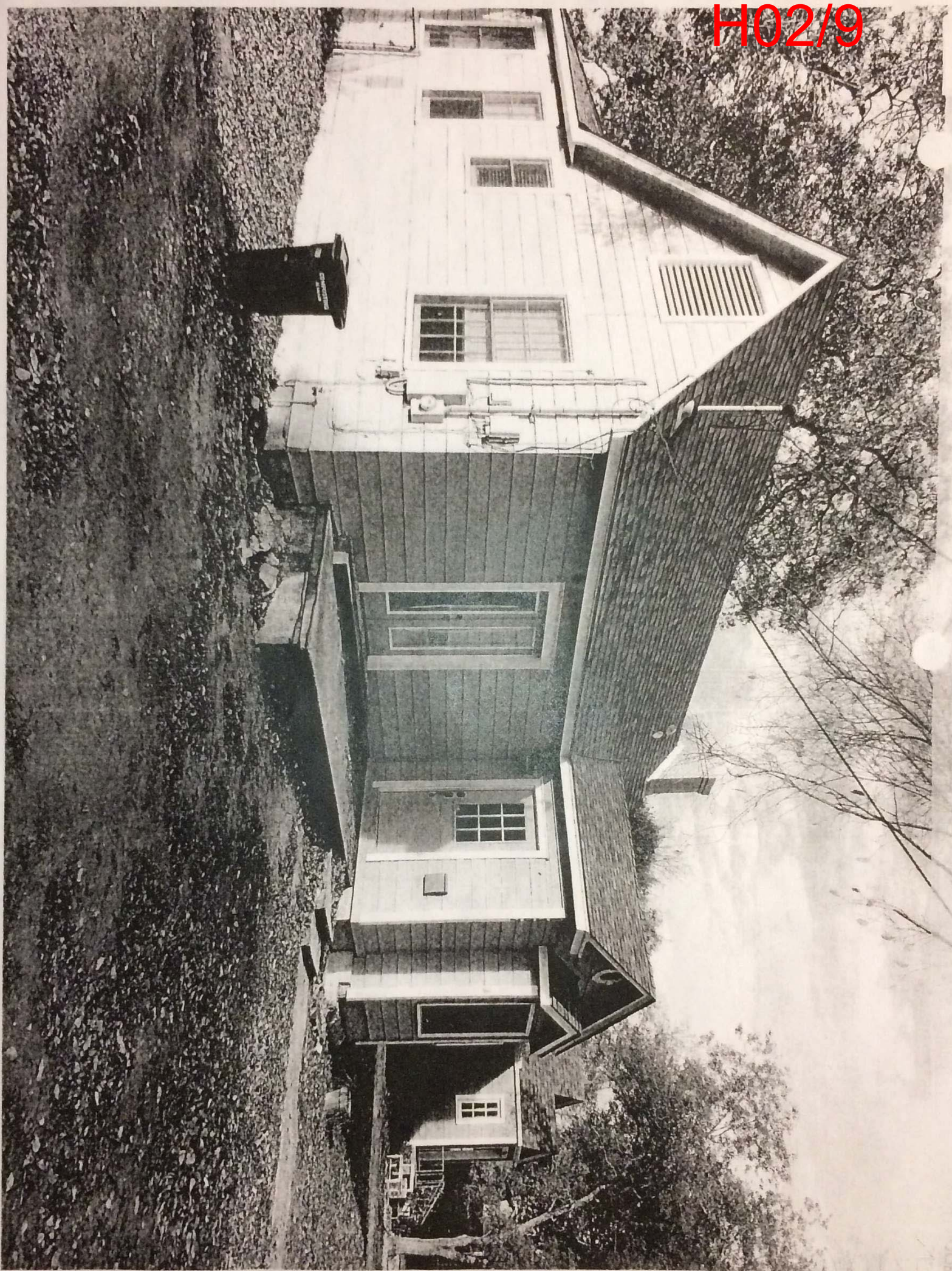
We seek a variance from the Board of Adjustment regarding Section 25-2-492 (D) and Art. 8-29-2-1602 front porch setback of the Land Development Code. The variance would allow us the ability to add a roof to the existing concrete front porch in the front setback at 1307 E 29th Street, such that the porch is covered. We apply on the grounds that:

- The current lack of roof has caused water damage to the French doors that open onto the concrete porch as well as to the foundation at the front of the house.
- The addition of a roof will improve the appearance of the house and make it architecturally more consistent with the area character.
- Many houses in our Cherrywood neighborhood have similar porches within the 15-25 foot setback.
- Three sided porches within the setback are an allowed variance for the Cherrywood neighborhood, but our porch must be two-sided due to the existing front structure of the house.

Thank you for your consideration.

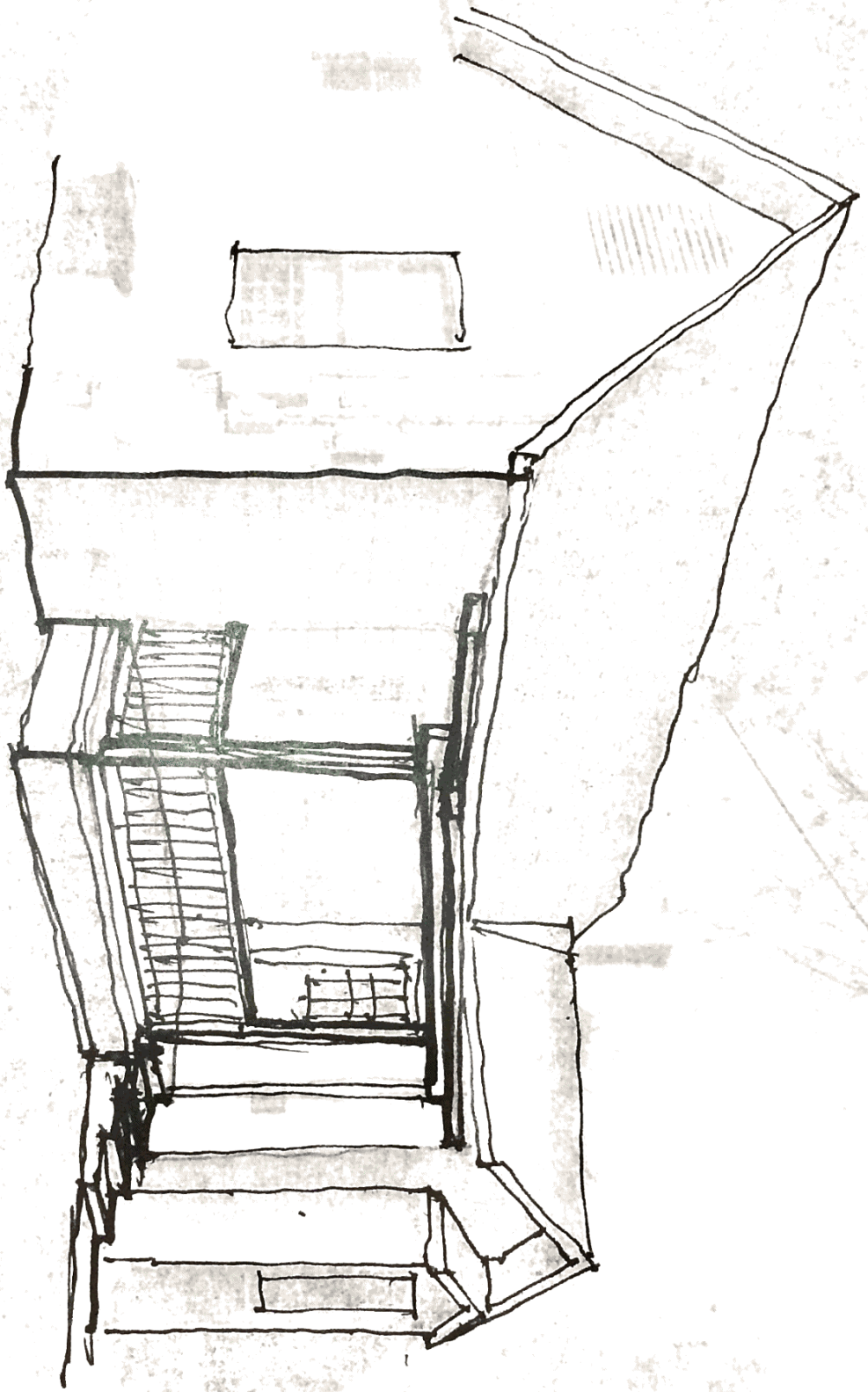
Stella Offner & Len Sullivan

H02/9



H02/10

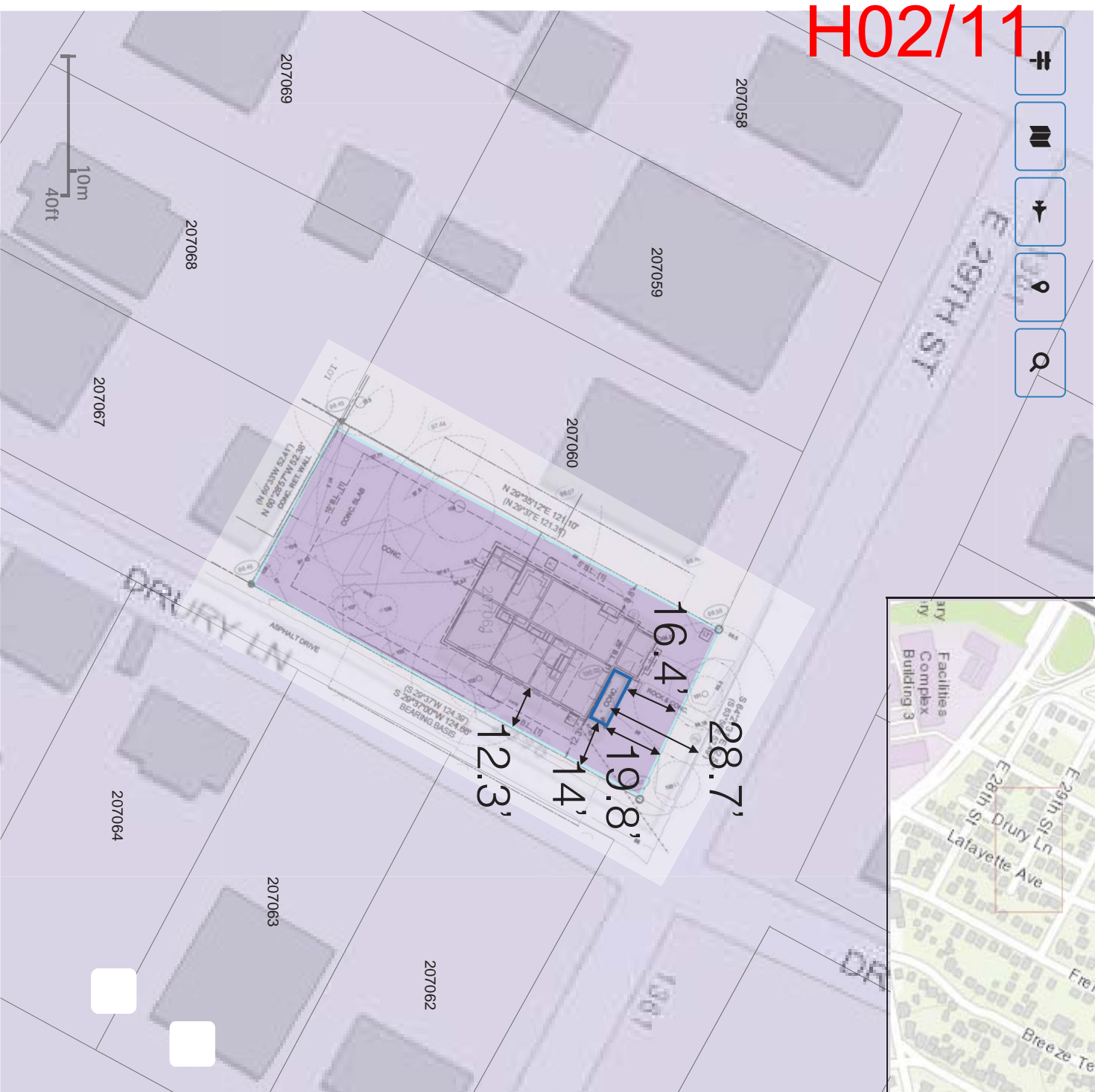
KOH-I-NOOR



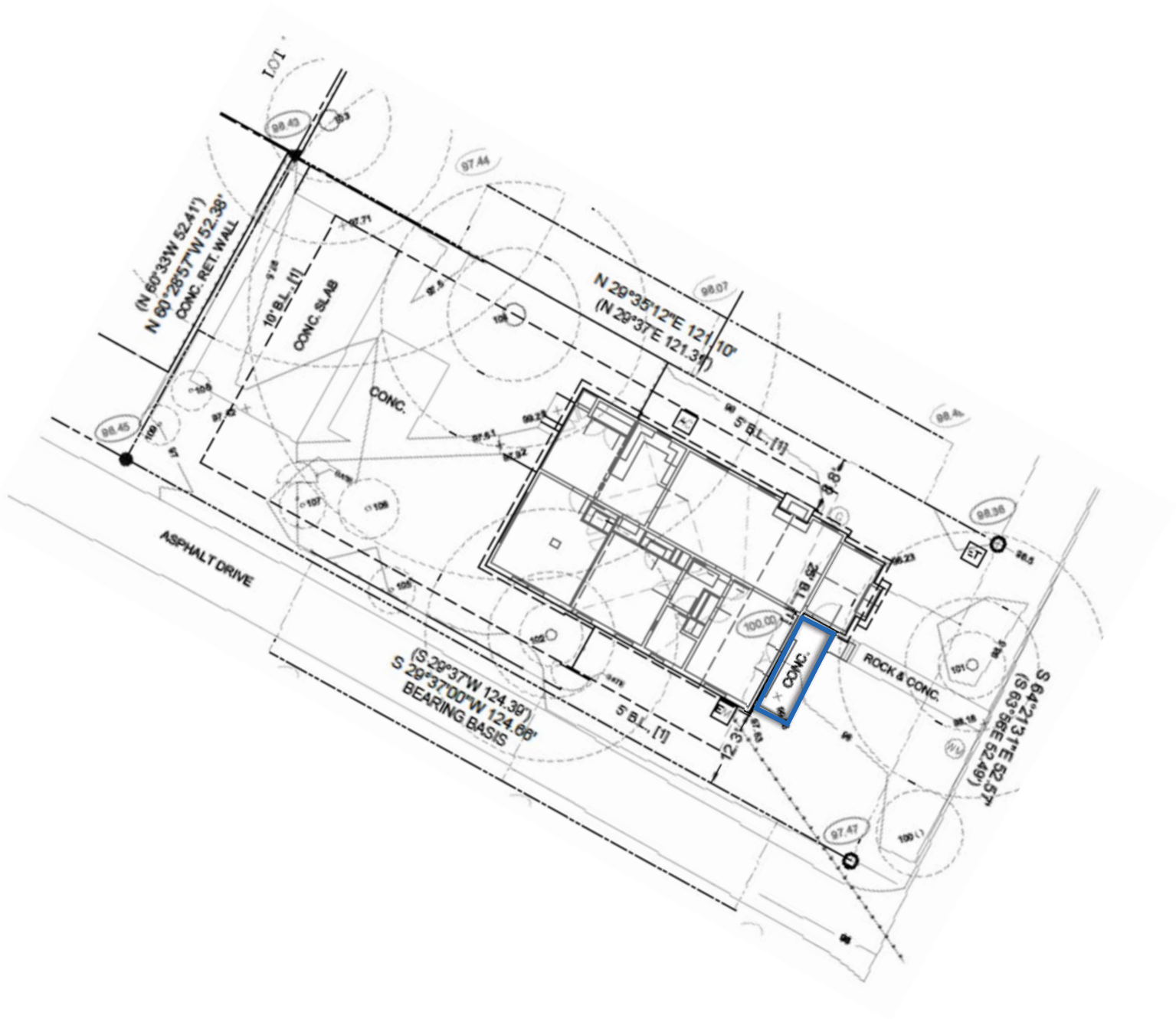
KOH-I-NOOR

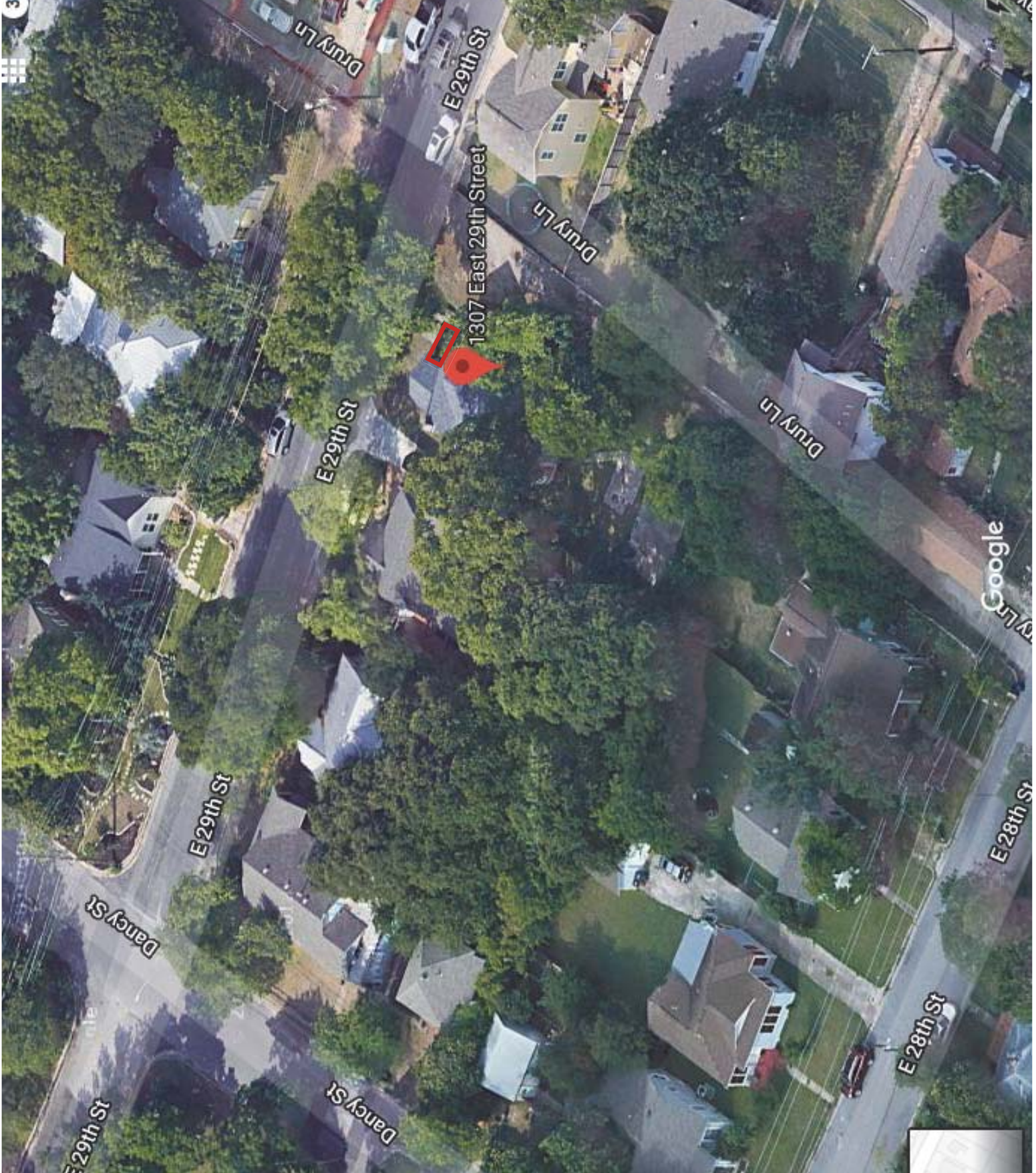
KOH-I-NOOR

H02/11



Proposed roof





Roof
Location

H02/13

25 May 2018

1307 E. 29th Street

BRIEF SUMMARY; HISTORY OF FRONT PORCH

- The original house, built in 1939 (prior to when the front porch got closed in and became habitable space), always has infringed a few feet into what became a 25 foot front setback.
- When, long ago, the front porch became habitable space, that caused the house to infringe even farther into the front setback (all aerial photos and records indicate that this enclosed entry has been in this configuration from a time not long after the construction of the original house).
- The uncovered front concrete "porch" or patio, which has also existed there from long ago, and onto which there is an existing double door, does not infringe into the 15 foot setback allowed in the Cherrywood Subdistrict of UBC for open, covered, front porches.
- The original reviewer initially thought this would mean that we would NOT have to go to BOA to place a roof over that concrete slab.
- His supervisor, however, explained that because the front porch would be open only on TWO sides (the west side being adjacent the previously enclosed front porch; i.e. the current Entry), that the provision that allows open front porches to infringe to within 15 feet of the front property line only allows them when the porch is open on 3 open sides. To my knowledge, the ONLY restriction that prevents us from covering that porch is that it will only be open on TWO sides, not the required THREE sides.

Summary provided by Kinney & Associates, Architect

The following are taken from a Home Inspection Report prepared by Four Points Inspection Service on Oct 27, 2017. The full report is available on request.

“There is water damage to the center beam along the front left corner of the house from the front door to the left side of the house. There are damaged floor joists along this area. A repair to the beam has been made in this area.”



“There is water damage to the door frame at the front left bedroom exterior door.”



Evidence: Nearby Houses in the setback

Neighboring Houses Infringing in the Setback

Yellow house on corner of LaFayette & E29th Street; this house is directly across the Drury Lane Alley, i.e. due east of 1307 E. 29th. The side of the house on this corner lot **infringes about 3 feet into the 15' side street setback.**

It has covered exterior areas facing 1307 E. 29th providing a precedent for porch treatments along the south side of the street.



2 houses neighboring houses:

Far left is the subject 1307 address. Center house (dark grey with white trim) is 1309, immediately west of the subject address. This house has a closed in porch; i.e. not open on 3 sides.

Far right is two houses to the west (light green). This house has a front porch, open on two sides, flanked by the house entry very similar to the configuration proposed at 1307. **Both porches are not 3 sided and are within the 25 ft setback.**

Evidence: Nearby Houses in the setback



The following homes are nearby 1307 E 29th St and have roofs similar to the one we propose to add.

1300 E 29th St:



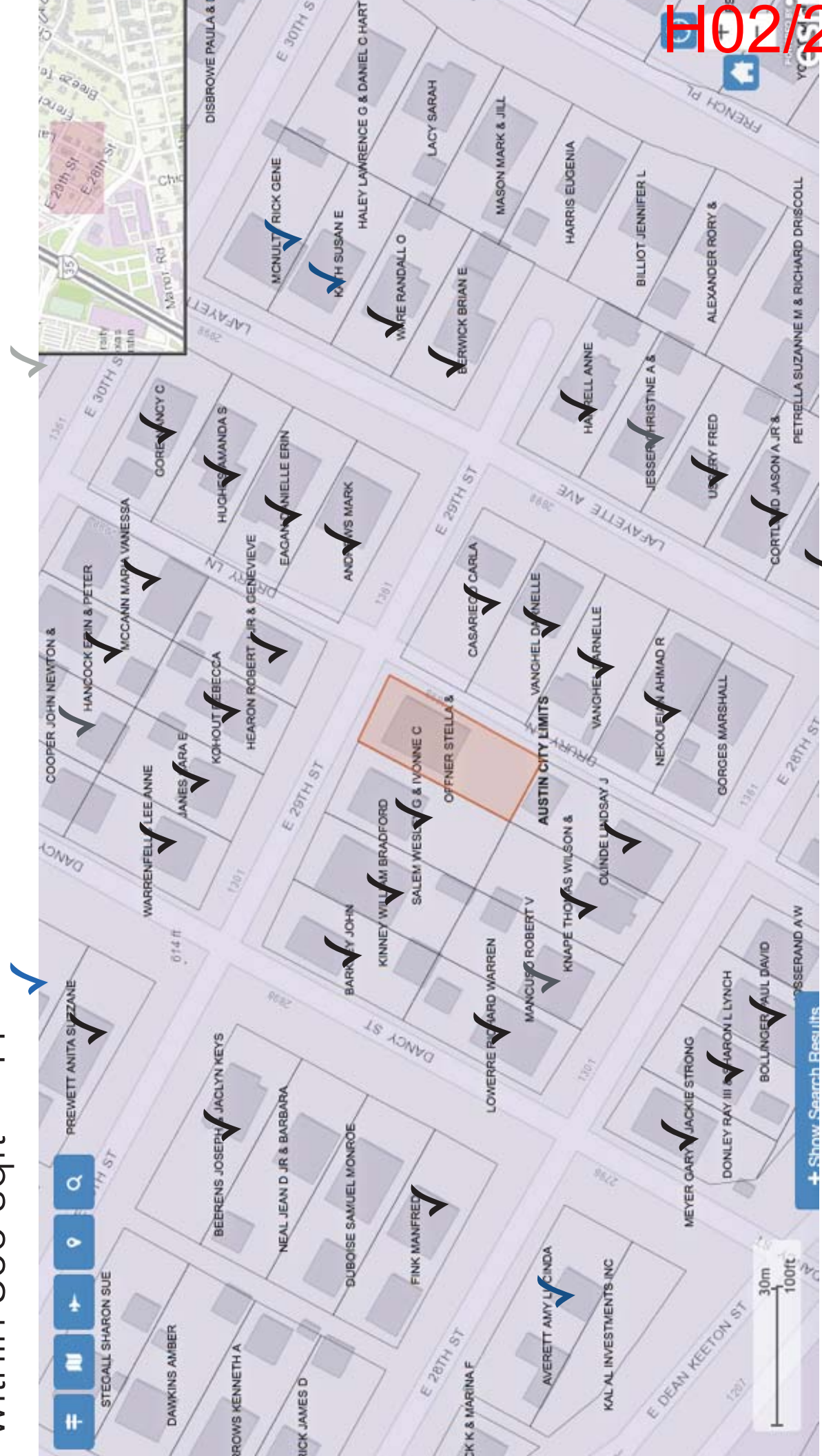
Layfette St:



Lafayette St:



Owners by area
within 300 sqft = 41



H02/20

✓ = within 300ft (35=85%) ✓ = owner within 500ft radius (8)

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

Property Owner Name (Printed)	Address	Signature
Rachel Graham	2802 Lafayette	R. Linn
Mark Swanholm	2808 Lafayette	Mark Swanholm
Ivonne Salem	1305 E. 29th St	Ivonne C. Salem
Edward Warren	1300 E. 29th St.	Edward Warren
Joe Bebbins	2806 Dancy St	Joe Bebbins
Sara Jones	1302 E. 29th St.	Sara Jones
Mark Andrews	2900 Lafayette Ave	Mark Andrews
Rebecca Kohout	1304 E. 29th St.	Rebecca Kohout
W. BRADFORD KINNEY	1303 E. 29th St	W. Bradford Kinney
Amy Averett	2706 Dancy St.	Amy Averett
Jackie Strong	1301 E 28th St	Jackie Strong
RAY DONLEY	1303 E. 28th	RAY DONLEY
Lindsay Olinde	1306 E. 28th	Lindsay Olinde




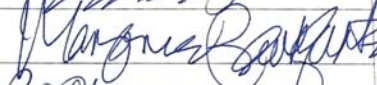


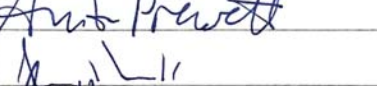
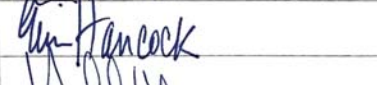







We, Stella Offner & Len Sullivan, are applying for a variance from the Board of Adjustment regarding Section 25-2-492 (D) and Art. 8-29-2-1602 front porch setback of the Land Development Code. The variance would allow us the ability to add a roof to the existing concrete front porch in the front setback at 1307 E 29th Street, such that the porch is covered.

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

Property Owner Name (Printed)	Address	Signature
Brian Berwick	2901 LAFAYETTE AVE	Brian Berwick
RANDALL WARD	2903 LAFAYETTE AVE	Randall Ward
Susan Bannister	2805 Lafayette	Susan Bannister
CRISTIAN MONSALVES	2807 Lafayette Ave	Cristian Monsalves
RANDALL MORRIS	2805 Lafayette Ave	Randall Morris
JASON CORTLUND	2803 LAFAYETTE AVE	Jason Cortlund
Jardin Telling	2800 Lafayette Ave.	Jardin Telling

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

Property Owner Name (Printed)	Address	Signature
Ann Marie Gordon	2809 B Lafayette	
Amanda Hughes	2904 Lafayette Ave	
Nana Gane	2906 Lafayette Ave.	
Pick McNulty	2907 Lafayette	
Carla Gasariego	2808 Lafayette Ave	
Margaret Anderson	1304 E. 30th St	
Rebecca Schwarz	2906 Dancy St	
Gabriela Ellis	2904 Dancy St	
Felipe Ulloa	2902 Dancy St	
Anita Prewett	2900 Dancy St	
Ann HARRILL	2809 LAFAYETTE A.	
ERIN HANCOCK	1305 E 30th ST.	
Hollis Chacona	1303 E. 30th St.	

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

Property Owner Name (Printed)	Address	Signature
Rachel Graham	2802 Lafayette	R. Linn
Mark Swanholm	2808 Lafayette	Mark Swanholm
Ivonne Salem	1305 E. 29th St	Ivonne C. Salem
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RAY DONLEY	1303 E. 28th	RAY DONLEY
Lindsay Olinde	1306 E. 28th	Lindsay Olinde

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Property Owner Name
(Printed)

PAUL DAVID BOLLINGER

Address

1305 E. 88th St Apt 4

Signature

Paul David Bollinger



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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
THOMAS KNAPE	1304 EAST 28 th ST.	<i>Thomas Knappe</i>

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

Property Owner Name (Printed)	Address	Signature
Maria V McCann	1307 E. 30th St. 78122	Maria V McCann
Karen W. Bennett	3000 LaFayette Ave 78122	Karen W Bennett

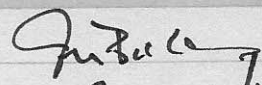


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By signing this form, I understand that I am declaring my support for the variance being requested.

Property Owner Name (Printed)	Address	Signature
Emily Ussery	2805 Lafayette 78722	<i>Emily Ussery</i>

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

Property Owner Name (Printed)	Address	Signature
John Barkley Managing General Partner for	1301 E. 29th	 Enio Property Ltd



Stella Offner <offner@gmail.com>

Porch Variance for 1307 E 29th St

4 messages

Stella Offner <offner@gmail.com>
To: grilldude@gmail.com
Bcc: len burgmyer <antsdmb@gmail.com>

Sun, Apr 22, 2018 at 9:23 AM

Hi Robert,

Your neighbor Lindsay gave me your email address, since you said you'd be willing to sign our petition for a variance. (I just reached out to you on Facebook - at least I'm pretty sure its you).

I apologize in advance for bothering you - my husband and I are trying to collect signatures from 80% of our neighbors to build a porch roof. Tracking down the rental owners has been very difficult. (We already got every single owner-occupant within 300ft to sign - but that's only about 70%.)

Anyway, the pre-existing concrete porch is not actually over the 15 foot setback. However, the very front of our house is about a foot over, and so for some nonsensical reason this requires a variance to add a roof to the existing concrete porch structure. I have attached before/after pictures of what we propose and the variance form. An e-signature is ok.

Thank you very much for your time!
Stella

 **1307e29_Variance_request+pictures_Board-of- Adjustment.pdf**
1243K

Robert Mancuso <grilldude@gmail.com>
To: Stella Offner <offner@gmail.com>

Sun, Apr 22, 2018 at 10:33 AM

Stella. I an attempting to say YES to your variance with little luck. I cannot seem to type anything in the required boxes. Perhaps you could just forward this e mail stating, that I Robert V. Mancuso agree. If this doesn't do, please let me know. I have NO PROBLEM as the owner of the property at 1302 e. 28th with your variance. Hope this will do.
Robert V. Mancuso.

[Quoted text hidden]

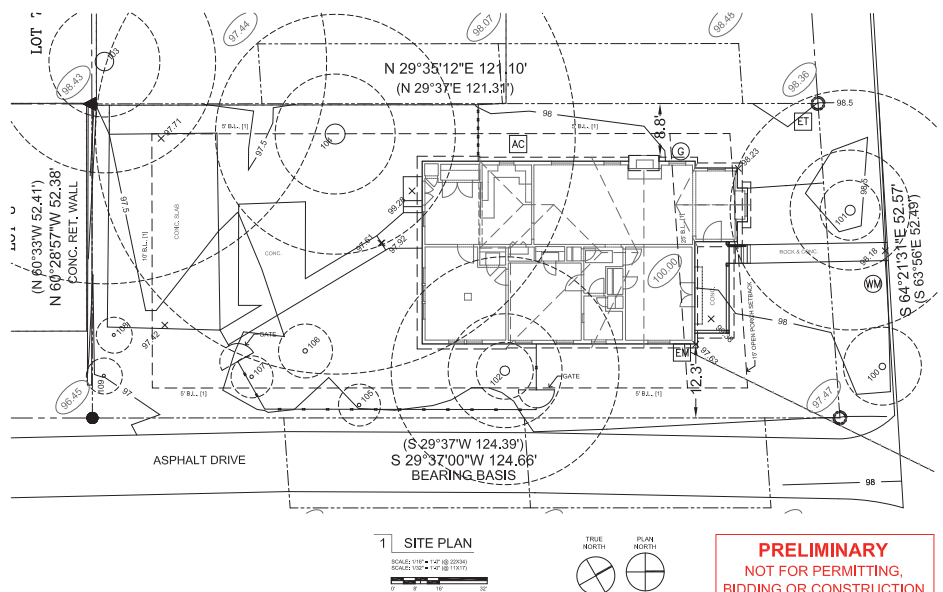
Stella Offner <offner@gmail.com>
To: Robert Mancuso <grilldude@gmail.com>

Sun, Apr 22, 2018 at 10:43 AM

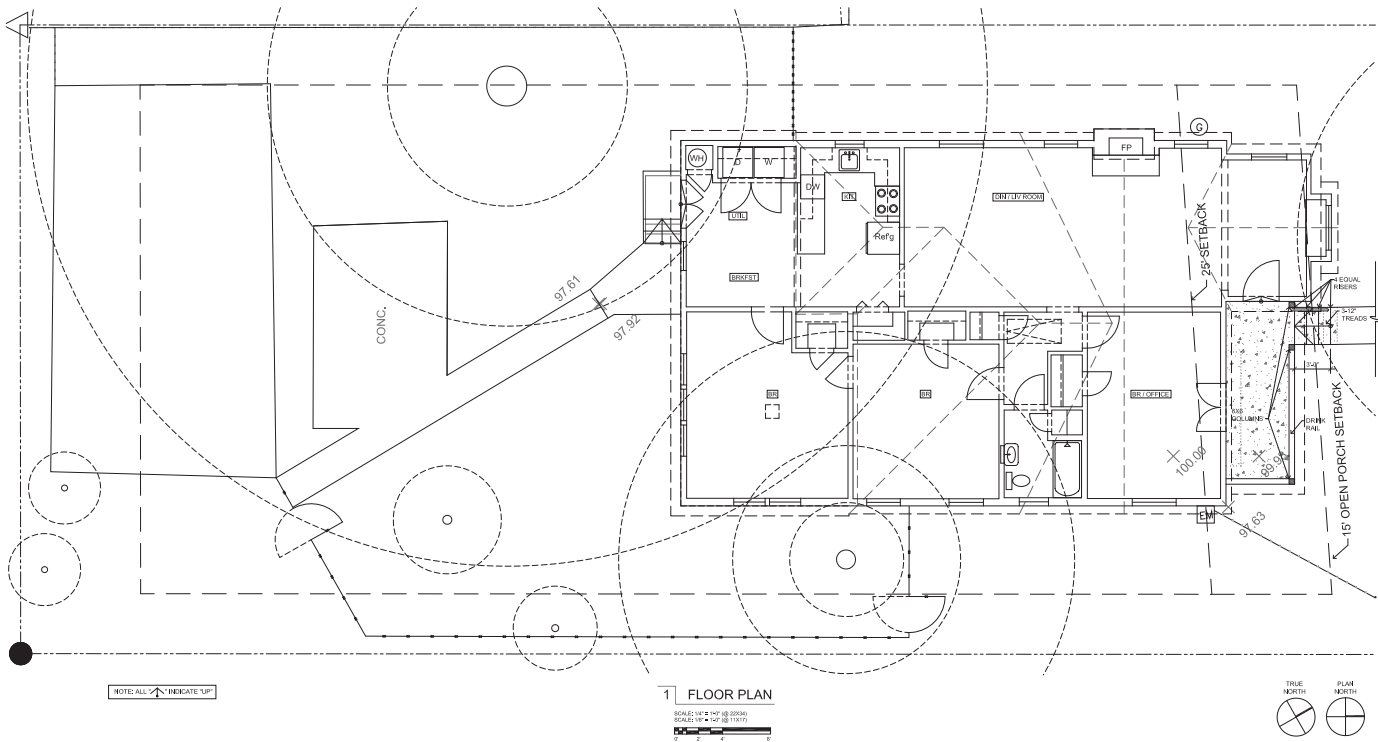
Thanks, Robert! Apologies for the difficulty! I'm not sure if the email will work, but I can try.

I attached a new pdf version with your name and address filled in. If you have acrobat on your computer, you can open the pdf with that then click 'Tools' then 'Sign and Certify' You can do 'place signature' or apply 'ink signature' which lets you write on the document.

[Quoted text hidden]



PRELIMINARY
NOT FOR PERMITTING,
BIDDING OR CONSTRUCTION



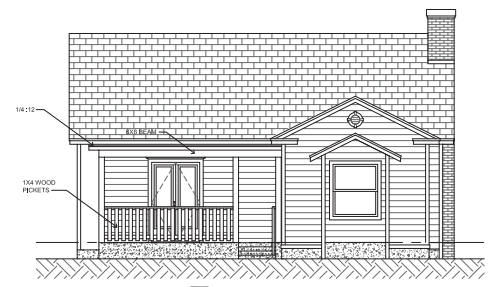
<div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;">  </div> <div style="text-align: center;"> <p>OFFNER-SULLIVAN RESIDENCE 1307 E 29TH ST FLOOR PLAN</p> </div> <div style="text-align: center;">  </div> </div>	
<p>PROJECT ANALYSIS PROJECT PROGRAMMING ARCHITECTURE</p>	
<p>1000 E 4TH ST SUITE C PENTHOUSE AUSTIN, TX 7870606 312.472.6272 j.kinney@kpausa.com</p>	
<p>DATE: _____</p>	
<p>SCALE: _____</p>	
<p>1" = 1'-0"</p>	
<p>BOA.2</p>	

PRELIMINARY
NOT FOR PERMITTING,
BIDDING OR CONSTRUCTION



2 EAST ELEVATION

SCALE: 1/4" = 1'-0" (8' 00")
SCALE: 1/4" = 1'-0" (8' 00")



1 NORTH ELEVATION

SCALE: 1/4" = 1'-0" (8' 00")
SCALE: 1/4" = 1'-0" (8' 00")

PROJECT ANALYSIS
PROJECT PROGRAMMING
PLANNING
ARCHITECTURE
1307 E 29TH ST, SUITE C-1700
ANN ARBOR, MI 48106
313-763-2572
james@kinneyassociates.com

KINNEY & ASSOCIATES

OFFNER-SULLIVAN RESIDENCE
1307 E 29TH ST
ELEVATIONS

REVISIONS

NO.	DESCRIPTION	DATE
1	11 JAN 18	
2	15 JAN 18	
3	22 JAN 18	
4	02 APR 18	
5	03 APR 18	

NOTES

1756

BOA.1

BOA.3

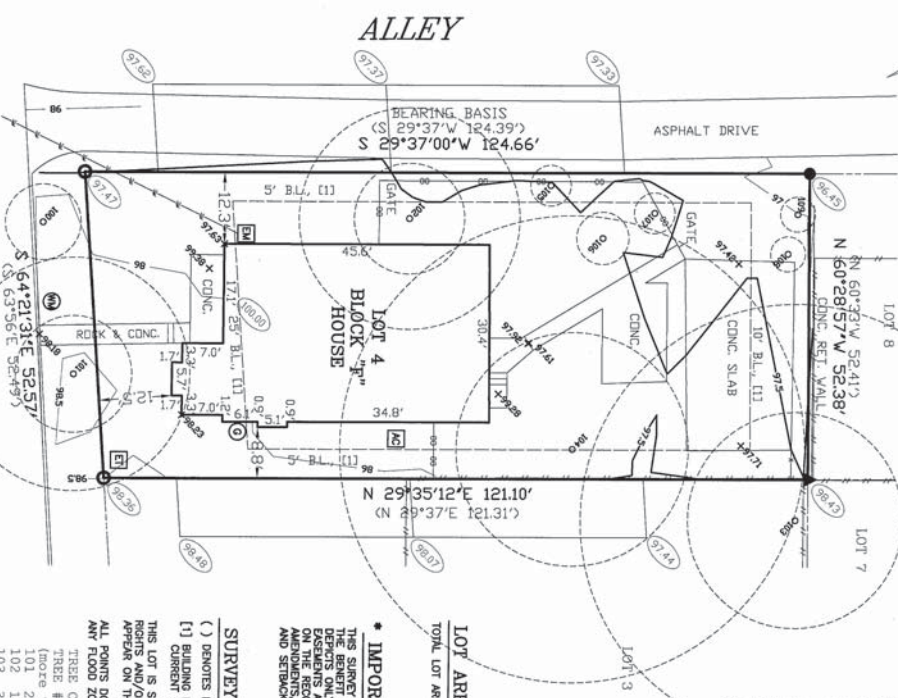
3

BOA.3

H02/38



SCALE: 1"=20'



LEGEND

- WOOD FENCE
- CHAIN LINK FENCE
- WIRE FENCE
- UTILITY LINE
- A/C UNIT
- ELEC. TRUNK
- ELEC. METER
- GAS METER
- WATER METER
- IRON ROD FND.
- WAL. FND.
- PPE FND.
- BUILDING LINE
- DRAINAGE
- PERMANENT UTILITY
- ESSENTIAL

LOT AREA SUMMARY

TOTAL LOT AREA: 6440 SQ. FT.

IMPORTANT NOTICE

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND DOES NOT REPRESENT THE SURVEYOR'S OPINION AS TO THE VALIDITY OF THE RECORDS OR THE RIGHTS AND CONDITIONS WHICH MAY APPEAR ON THE PLAT OF RECORD. ALL POINTS DOES NOT HAVE OR WARRANT ANY FLOOD ZONE DETERMINATION.

SURVEYOR'S NOTES

() DENOTES RECORD INFORMATION
[] BUILDING LINE PER CITY OF AUSTIN
CURRENT ZONING ORDINANCE.
THIS LOT IS SUBJECT TO ALL EASEMENT RIGHTS AND/OR CONDITIONS WHICH MAY APPEAR ON THE PLAT OF RECORD.
ALL POINTS DOES NOT HAVE OR WARRANT ANY FLOOD ZONE DETERMINATION.

TREE CHART

- 101 20" ELM
- 102 19" PECAN
- 103 37" 2/T SPANISH OAK
- 104 40" 2/T SPANISH OAK
- (less than 19")
- 100 13" ELM
- 106 9" HACKBERRY
- 107 7" HACKBERRY
- 108 6" DINKHOORN
- 109 6" CHINA

RESUBDIVISION OF BLOCK 4, F & C OF THE DANCY ADDITION

LOT No. 4 BLOCK 4 PHASE 1
SECTION 4 TRANS COUNTY, TEXAS
CITY AUSTIN
SUBDIVISION / ADDITION Book 239 Page 432
Volume 3 Official Public Records of County, Texas
Reference: LAR SULLIVAN AND STELLA GUTNER

1307 EAST 29th STREET
(60' R.O.W.)



ALL POINTS SURVEYING
1714 FORVIEW ROAD - SUITE 200
AUSTIN TX 78704
TEL: (512) 440-0071 - FAX: (512) 440-0199
FIRM REGISTRATION # 1010900

Surveyed by Roger D. C. Sullivan
DATE: 01-14-18
SCALE: 1"=20'

H02/40



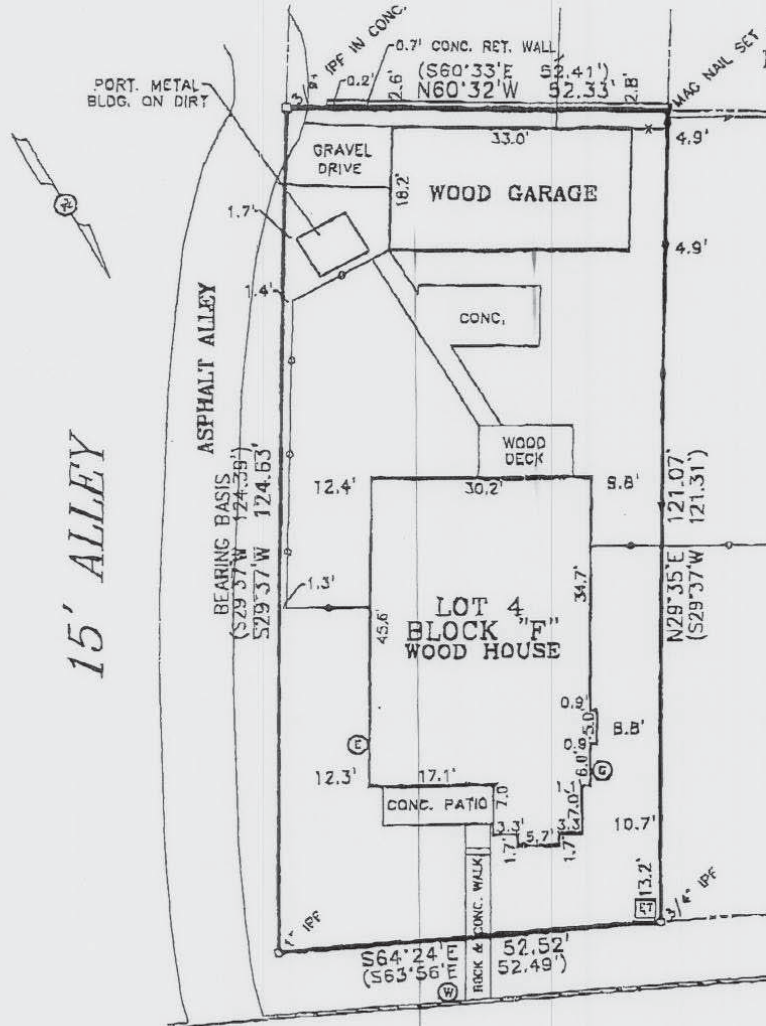
NOTE:
LANDATA DOES NOT MAKE
OR WARRANT ANY FLOOD
ZONE DETERMINATION.

LOT 8
VOL. 3
PG. 239

LOT 7
VOL. 3
PG. 239

LOT 3
VOL. 3
PG. 239

- LEGEND**
- WOOD FENCE
 - CHAIN LINK
 - WIRE FENCE
 - AC A/C UNIT
 - ET ELEC. TRANS.
 - C GAS METER
 - W WATER METER
 - V TELE. PED.
 - G C.A.T.V. PED.
 - E ELEC. METER



SURVEYOR'S NOTES

() DENOTES RECORD INFORMATION
LOT 4 IS SUBJECT TO THE ESM,
RIGHTS AS STATED IN V. 369,
P. 583.

RECEIVED
OCT 16 2002

1307 EAST 29TH STREET (60' R.O.W.)

RESUBDIVISION OF BLOCKS I, F & G,
OF THE DANCY ADDITION

LOT No. 4 SECTION 28

PHASE --

CITY TRAVIS

SUBDIVISION / ADDITION

Block 239

Volume 3

Street Address: 1307 EAST 29TH STREET

Reference: PAUL REDDAM

TO THE LIENHOLDERS AND/OR OWNERS OF THE PREMISES AND/OR
ALAND TITLE COMPANY

FIELD WORK	By	Date
DRAWING	W.W.	10-24-00
FINAL CHECK	SCW	10-25-00
CORRECTIONS		
UP DATE		

DATE 10-25-00
TITLE CO. ALAND
C.F. No. 00-7302250
JOB No. 1081A200
SCALE: 1"=20'

LANDATA
INC. AUSTIN DIVISION
(512) 440-0071 FAX: 440-0199
511 South Congress Avenue
Austin, Texas 78704



Paul Reddam