




H03/1



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

### NOTIFICATIONS

CASE#: C15-2018-0045

LOCATION: 1511 EVA ST



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" = 333'

H03/2

**HUSCH BLACKWELL**

111 Congress Avenue  
Suite 1400  
Austin, Texas 78701-4093  
512.472.5456 main

STACEY L. MILAZZO  
PARALEGAL  
512.370.3441 direct  
[REDACTED]

September 11, 2018

**Via Hand Delivery**

Ms. Leane Heldenfels, Senior Planner  
Board of Adjustment Liaison  
City of Austin Development Services Dept.  
One Texas Center, 1<sup>st</sup> Floor  
505 Barton Springs Road  
Austin, Texas 78704

Re: 1511 Eva Street; BOA Variance Application

Dear Leane:

Enclosed for your review is a variance application for a side setback at the residence located at 1511 Eva Street.

We will provide additional back up within the next couple of weeks.

Thank you for your assistance.

Very truly yours,



Stacey L. Milazzo,  
Paralegal

Enclosures

AUS-6594850-1



## 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: 1511 Eva Street, Austin, TX 78704

Subdivision Legal Description:

Lot 8, Block 19, Swisher Addition, a Subdivision in Travis County, Texas, according to the map or plat recorded in Volume 1, Page 2, Plat Records of Travis County, Texas.

Lot(s): 8 Block(s): 19

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

Zoning District: SF-3

I/We Alex Jashinsky / Husch Blackwell LLP on behalf of myself/ourselves as authorized agent for Stephen Greenberg affirm that on Month July, Day 18, 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: a 205-square-foot addition to the rear northeast side of property.



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

25-2-492 (D) (Site Development Regulations) to decrease the side yard setback from 5 feet (required) to 4.5 feet (requested, existing) in order to maintain a 205-square-foot addition to the rear northeast side of residence in a SF-3 Family Residence zoning district.

## Section 2: Variance Findings

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

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

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

### Reasonable Use

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

The structure has been in its current location for approximately 7 years (prior to owner acquiring title to the property), and owner would be forced to remove it without this variance.  
This is an old home from 1930, and it is much smaller than the surrounding homes. The addition was added to add additional kitchen space, a second bathroom and a laundry room to the existing 128 sq. ft. kitchen - which was necessary to meet the needs of modern living.

### Hardship

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

The location of the addition was constrained by (i) the existing layout of the home, and (ii) a very large heritage tree that looms over the home. Additionally, the size of the addition (including the pitch and length of the roof) was constrained by the need to keep the addition cohesive and compatible with the style of the existing house.

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

Nearby properties are smaller, have newer homes on them, and do not have an extremely large heritage tree right next to their homes.



## 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:

All of the structures across the alley to the east of the subject property are built to the lot line. Other homes adjacent to and surrounding the subject property have side setbacks of approximately 4' 5". For example, see 1506, 1507 and 1508 Eva Street.

## 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: 09/11/2018

Applicant Name (typed or printed): Alex Jashinsky

Applicant Mailing Address: Husch Blackwell LLP, 111 Congress Avenue, Suite 1400

City: Austin State: TX Zip: 78701

Phone (will be public information): (512) 472-5456

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: 09/11/2018

Owner Name (typed or printed): Stephen Greenberg

Owner Mailing Address: 1522 S. Congress Avenue

City: Austin State: TX Zip: 78704

Phone (will be public information): \_\_\_\_\_

Email (optional – will be public information): \_\_\_\_\_

**Section 5: Agent Information**

Agent Name: Alex Jashinsky

Agent Mailing Address: Husch Blackwell LLP, 111 Congress Avenue, Suite 1400

City: Austin State: Texas Zip: 78701

Phone (will be public information): (512) 472-5456

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).

---

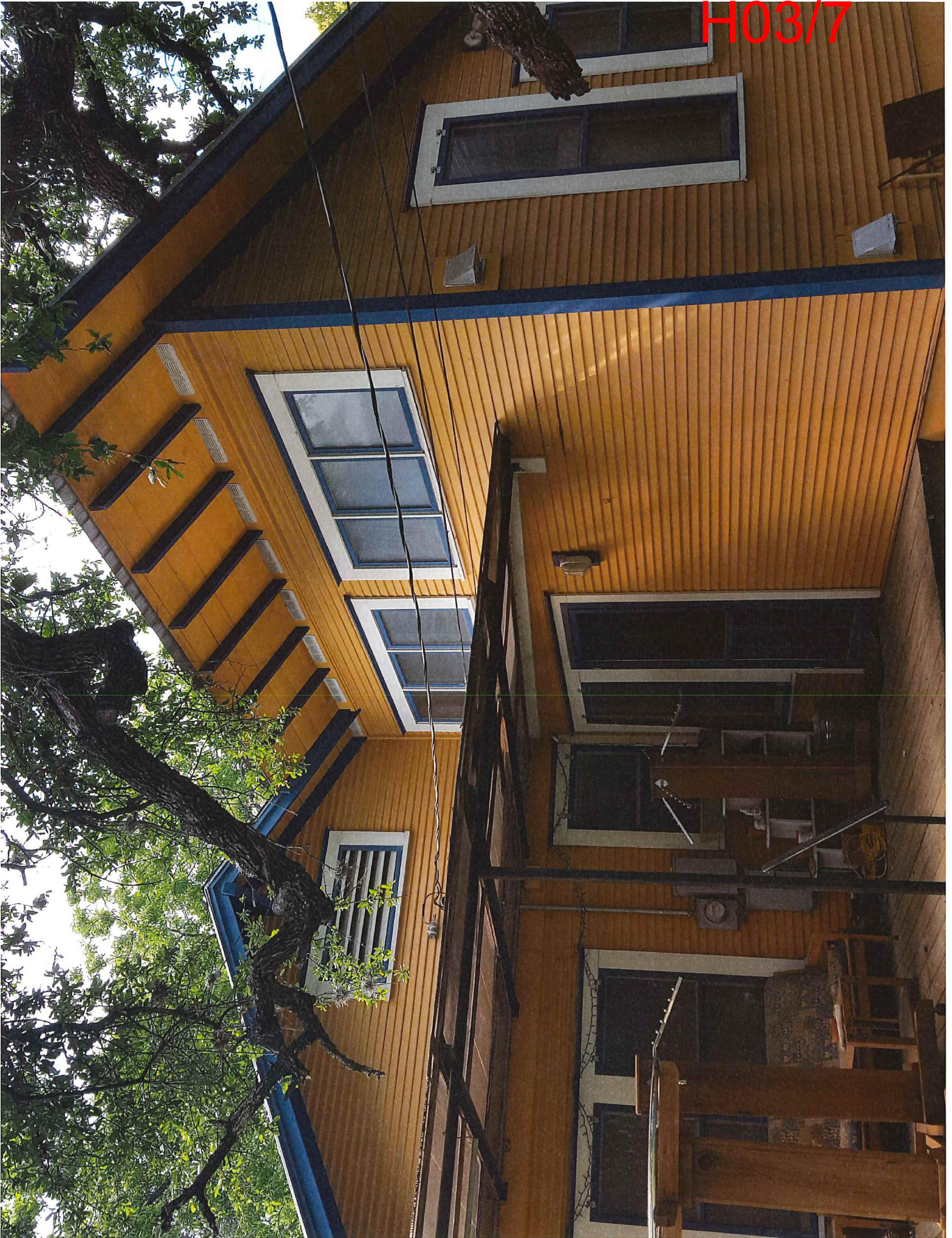
---

---

---

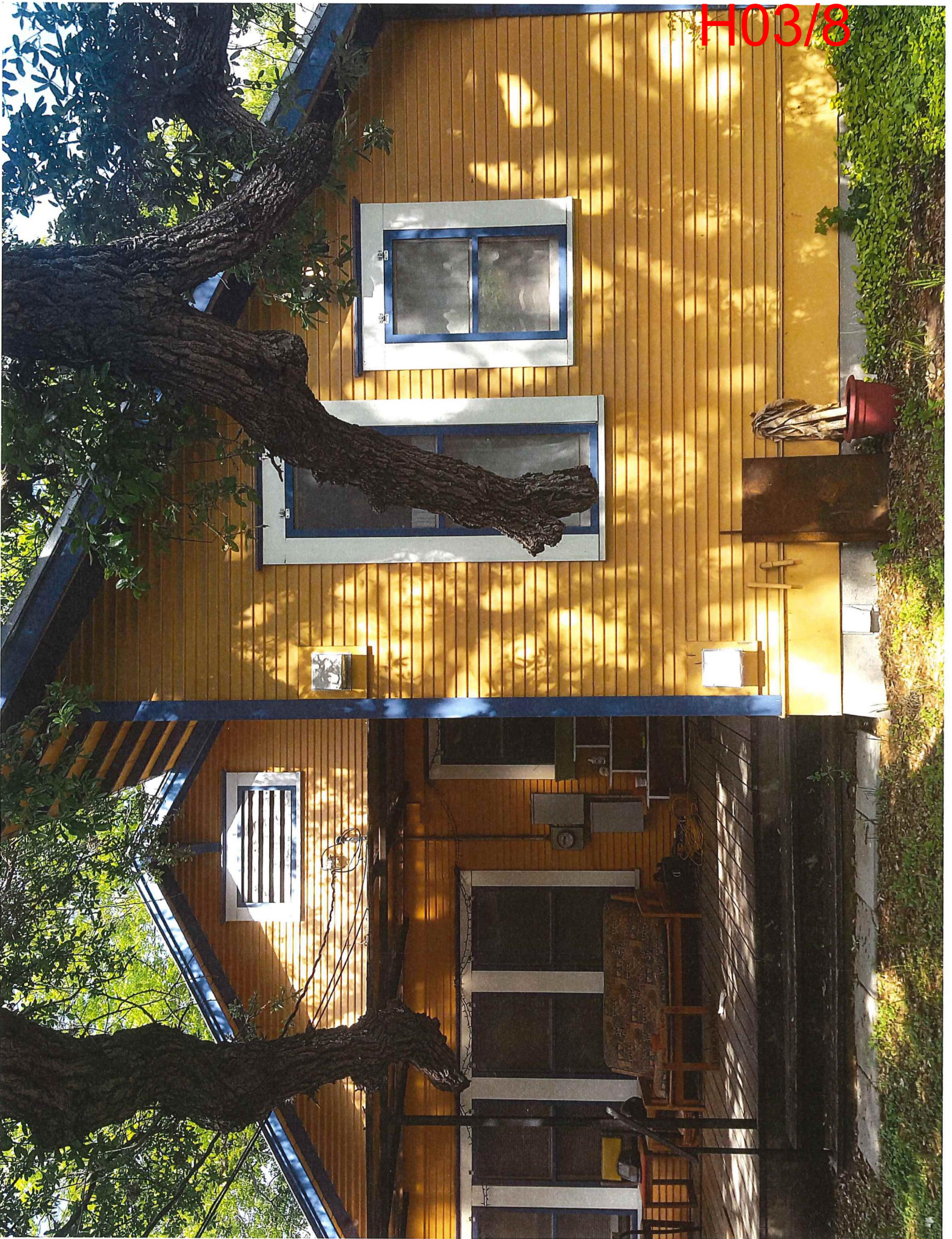


H03/7



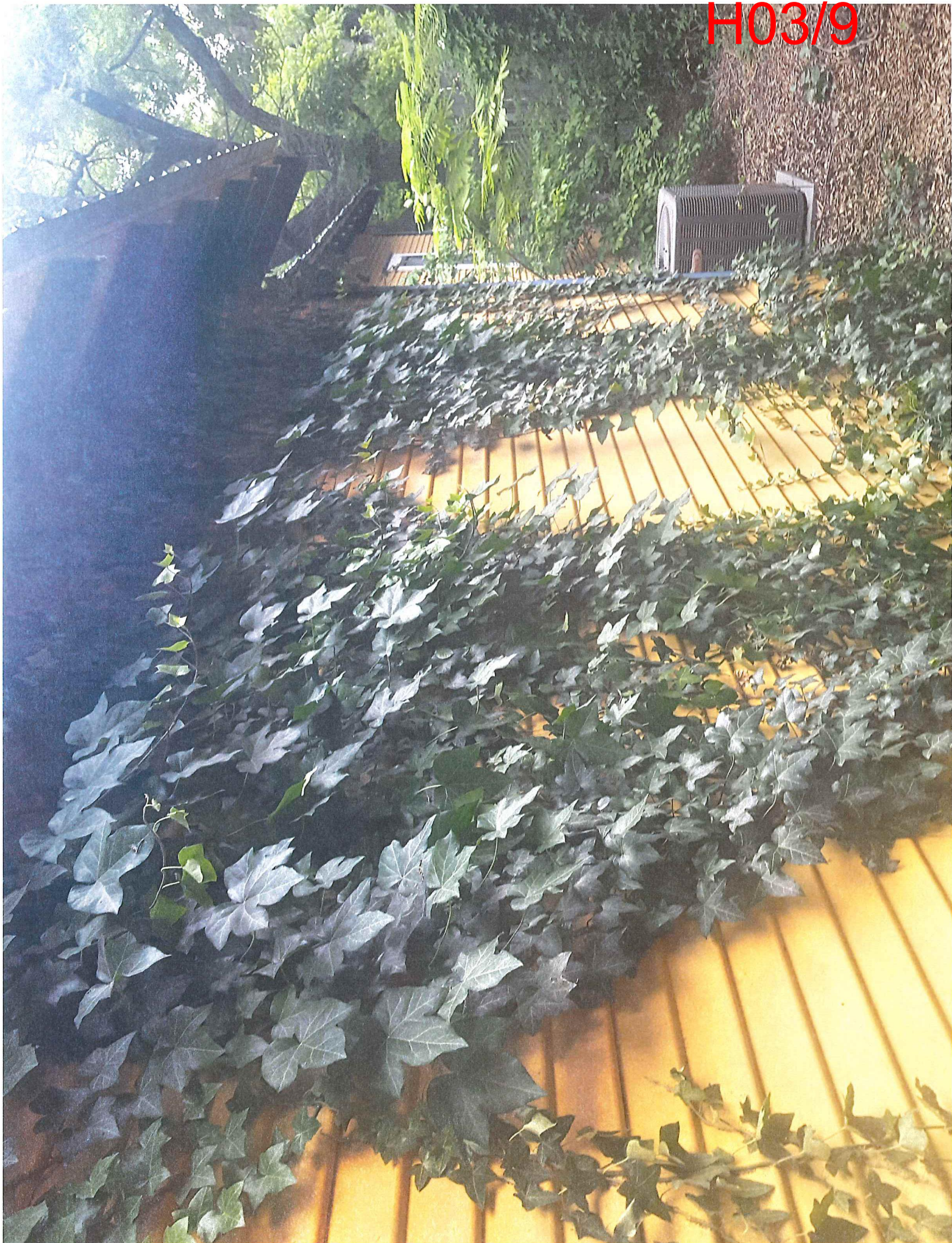


H03/8





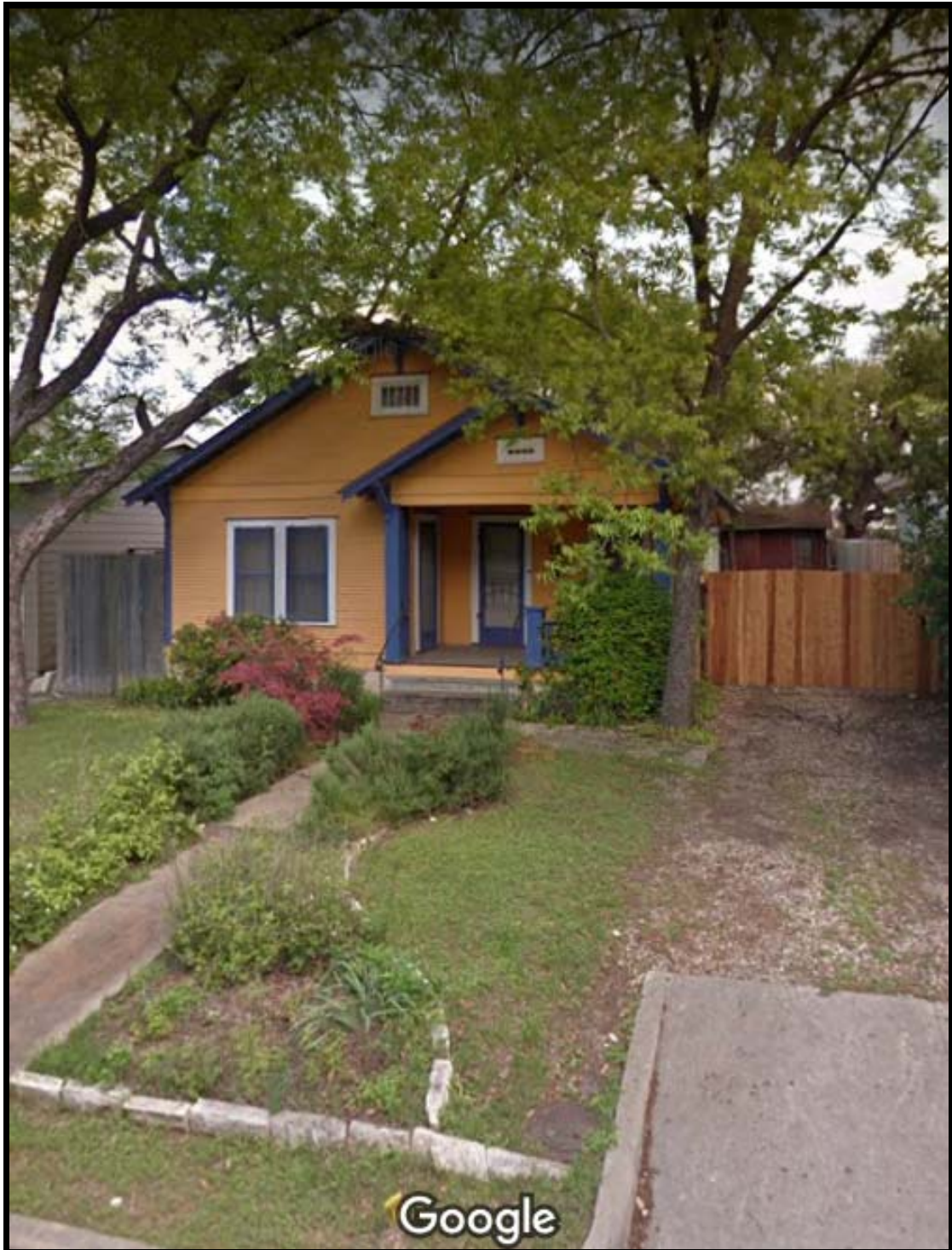
H03/9





H03/10

Front View





H03/11

Rear View





**Rear View of Interior Side Yard**

