

# BOA CASE REVIEW SHEET

**CASE:** C15-2019-0004

**BOA DATE:** February 11, 2019

**ADDRESS:** 1604 Juliet

**COUNCIL DISTRICT AREA:** 5

**OWNER:** Douglas Oldmixon

**AGENT:** Thomas Conyers

**ZONING:** SF-3

**AREA:** Lot 9B Gravis Lucy Belle Subdivision

**VARIANCE REQUEST:** Section 25-2-492 (D), 10 foot rear yard

**SUMMARY:** New house with 2-story accessory structure with garage on first floor and dwelling unit on 2<sup>nd</sup> floor

**ISSUES:** Lot does not back to an alley so Section 2.4 of Subchapter F which allows 5' setback instead of 10' does not apply. Trees in front of lot do not allow for use of front setback averaging for the block.

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	SF-3	Residential
<i>North</i>	SF-3	Residential
<i>South</i>	SF-3	Residential
<i>East</i>	SF-3	Residential
<i>West</i>	SF-3	Residential

**NEIGHBORHOOD ORGANIZATIONS:** Austin Independent School District, Austin Neighborhoods Council; Bike Austin; Friends of Austin Neighborhoods; Friends of Zilker; Homeless Neighborhood Association; Neighborhood Empowerment Foundation; Perry Grid G14; Preservation Austin; SEL Texas; Sierra Club, Austin Regional Group; TNR BCP Travis County Natural Resources; Zilker Neighborhood Association

I-1/2



**NOTIFICATIONS**

CASE#: C15-2019-0004  
LOCATION: 1604 Juliet Street



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY



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.

1" = 159'

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.



# 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:

Four horizontal blue lines for text entry.

**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:

Seven horizontal blue lines for text entry.

**Hardship**

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

Five horizontal blue lines for text entry.

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

Five horizontal blue lines for text entry.

**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:

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**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:

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- 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:

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

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

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**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): [REDACTED] \_\_\_\_\_

**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: \_\_\_\_\_

Agent Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

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

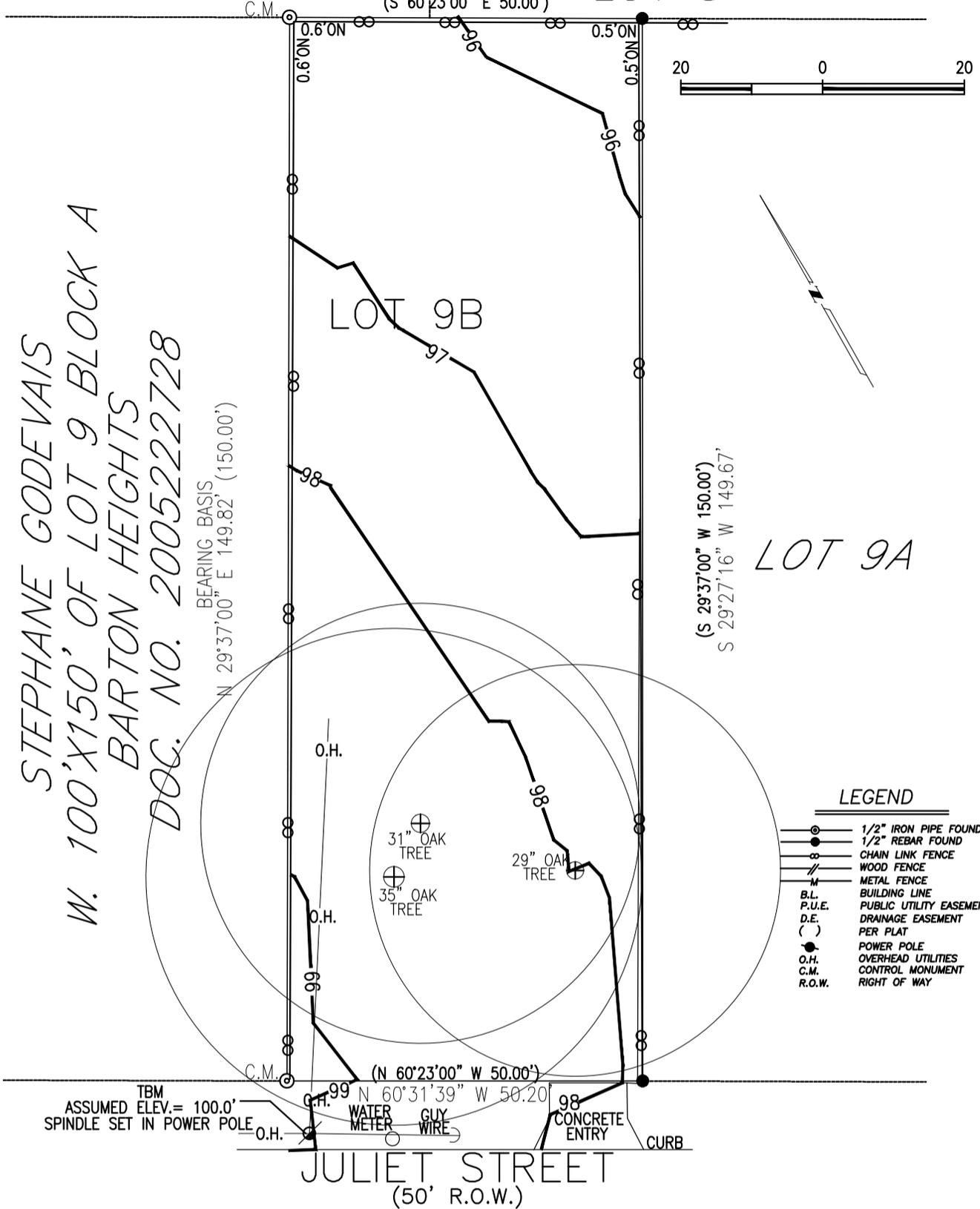
Email (optional – will be public information): \_\_\_\_\_

**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).

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

BARTON HEIGHTS  
BOOK 3, PAGE 201  
LOT 43 S 60°21'43" E 49.78' LOT 8  
(S 60°23'00" E 50.00')



STEPHANE GODEVAIS  
W. 100' X 150' OF LOT 9 BLOCK A  
BARTON HEIGHTS  
DOC. NO. 2005222728

LOT 9A

LEGEND

- 1/2" IRON PIPE FOUND
- 1/2" REBAR FOUND
- ⊗ CHAIN LINK FENCE
- ⊘ WOOD FENCE
- ⊘ METAL FENCE
- B.L. BUILDING LINE
- P.U.E. PUBLIC UTILITY EASEMENT
- D.E. DRAINAGE EASEMENT
- ( ) PER PLAT
- POWER POLE
- O.H. OVERHEAD UTILITIES
- C.M. CONTROL MONUMENT
- R.O.W. RIGHT OF WAY

SUBDIVISION LUCY BELLE GRAVIS SUBDIVISION

LOT: 9B BLOCK: \_\_\_\_\_ VOLUME 54 PAGE 23 PLAT RECORDS

COUNTY: TRAVIS STATE OF TEXAS STREET ADDRESS 1604 JULIET STREET

CITY: AUSTIN REFERENCE NAME PAT OLDMIXON



B&G Surveying, Inc.  
Dewey H. Burris & Associates  
Surveyed by: B&G Surveying, Inc.

IMPORTANT NOTICE  
This Survey was prepared without the benefit of a title commitment. There may be additional setback lines, easements and interests which are relevant to this property and unknown to B&G SURVEYING INC., at the time of this survey.

1404 West North Loop Blvd.  
Austin, Texas 78756  
Office 512\*458-6969  
Fax 512\*458-9845

JOB # B0400311\_TA  
DATE 04/07/11  
SCALE 1" = 20'

TO THE LIENHOLDER AND / OR PRESENT OWNERS OF THE PREMISES SURVEYED

JEO_TBLK		
FIELD WORK	JESUS	04/07/11
CALCULATIONS	TONI	04/11/07
DRAFTING	JOSE	04/07/11
CORRECTIONS	JOSE	04/07/11
UP DATE		



THOMAS W. CONYERS, A.I.A.

PO BOX 341206 - AUSTIN - TEXAS 78734

970.369.0057 PHONE

RE: 1604 Juliet Street  
 Austin, Texas 78704  
 Request for Rear Yard Setback Variance

Dear Board of Adjustments,

We have currently submitted an application for a Rear Yard Setback Variance for review by the BOA on February 11, 2019. The property at 1604 Juliet Street has three existing protected trees occupying the front third of the lot and limits the development potential to the rear two-thirds of the lot. The average front yard setback requirements in Subsection 2.3 cannot be met due to the location of the trees. The location of the trees also dictates the location of the new structures and the placement of the driveway to maximize access to the rear structure while not disturbing the structure and dripline of the trees. Therefore, we are requesting a variance to Subsection 2.4 to allow a 5'-0" setback for a Secondary Dwelling Unit above the garage. This will place the garage 10'-0" from the Primary Residence and allow maximum development potential for the property.

The supporting documents and photos outline the existing conditions on the street. There are several new and existing developments along Juliet Street with Primary Residences and Secondary Dwelling Units above the garage. The front yard setbacks are consistent with Subsection 2.3 and the homes are designed to fit within the existing context and guidelines of the neighborhood. The aerial photograph and tree canopy survey clearly defines the issue we are facing with the existing trees in developing the property at 1604 Juliet. The location of the trees require the new Primary Residence to be set back several feet further than the other structures on the street, therefore, encroaching on the required 10' between the Primary Residence and the Secondary Dwelling Unit. With the variance to allow a 5'-0" rear yard setback, we will be able to design a home consistent with the newer developments on the street and work within the existing design constraints on the lot that are not general to this area.

Thank you,  
 Thomas W. Conyers  
 Architect

# L-1/9

Google Maps

1604 Juliet St

JULIET STREET  
EXISTING STRUCTURES

existing 2 story  
garage structures



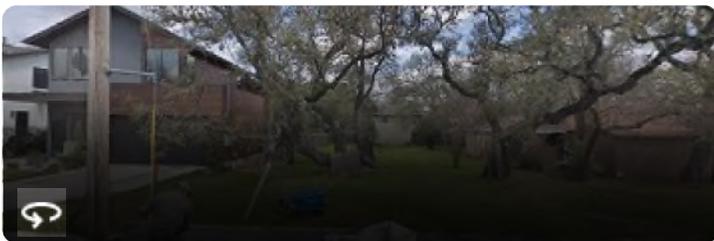
Imagery ©2018 Google, Map data ©2018 Google 20 ft

line of setback  
along street

line of front yard  
setback due to  
existing trees

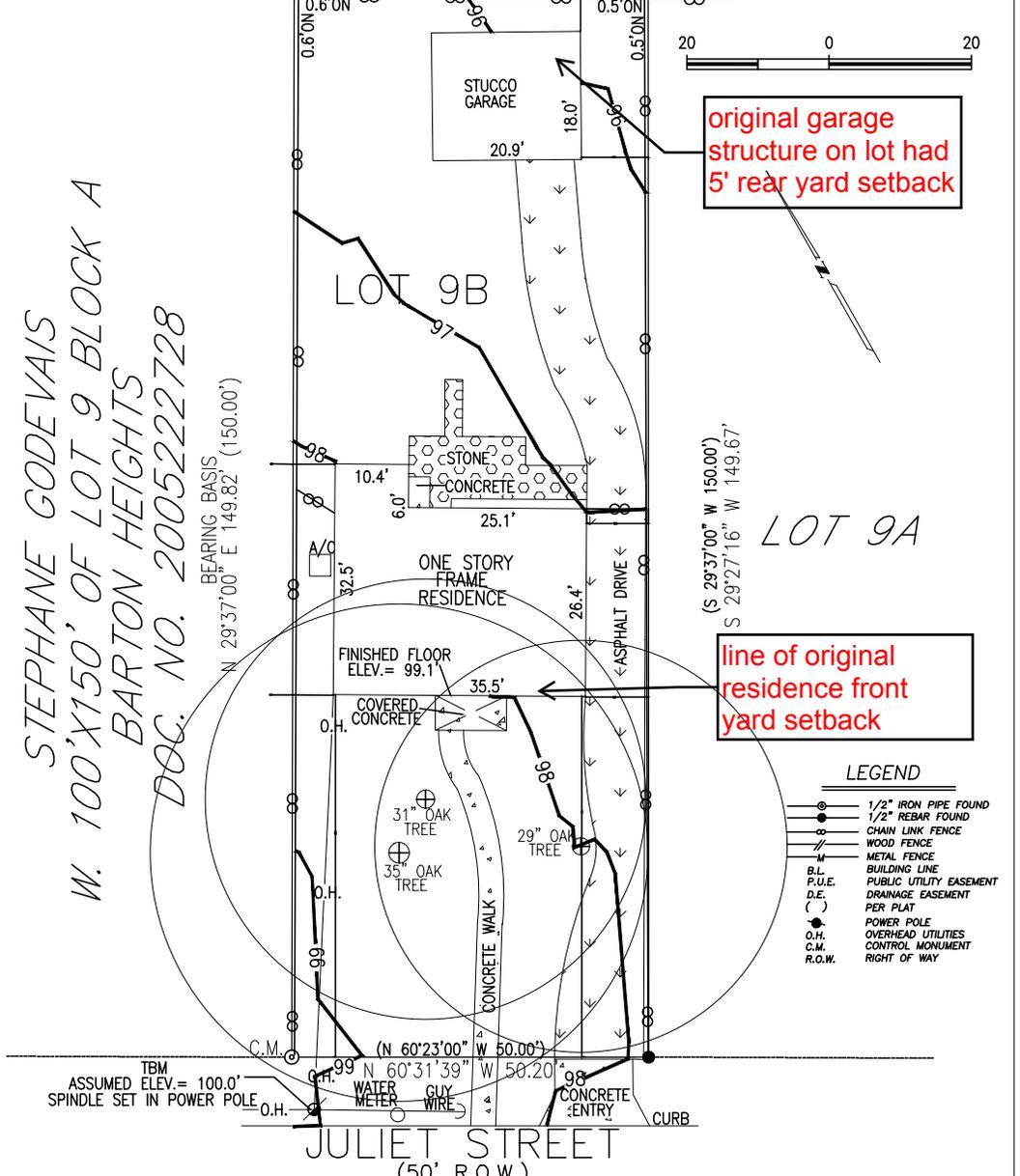


1604 Juliet St  
Austin, TX 78704



**SURVEY BRIDGE TO  
DEMOLITION OF  
EXISTING  
STRUCTURES**

BARTON HEIGHTS  
BOOK 3, PAGE 201  
LOT 43 S 60°21'43" E 49.78'  
(S 60°23'00" E 50.00') LOT 8



STEPHANE GODEVAIS  
W. 100' X 150' OF LOT 9 BLOCK A  
BARTON HEIGHTS  
DOC. NO. 2005222728

original garage structure on lot had 5' rear yard setback

line of original residence front yard setback

- LEGEND**
- 1/2" IRON PIPE FOUND
  - 1/2" REBAR FOUND
  - CHAIN LINK FENCE
  - - - WOOD FENCE
  - - - METAL FENCE
  - - - BUILDING LINE
  - - - P.U.E. PUBLIC UTILITY EASEMENT
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  - R.O.W. RIGHT OF WAY

SUBDIVISION LUCY BELLE GRAVIS SUBDIVISION

LOT: 9B BLOCK: \_\_\_\_\_ VOLUME 54 PAGE 23 PLAT RECORDS

COUNTY: TRAVIS STATE OF TEXAS STREET ADDRESS 1604 JULIET STREET

CITY: AUSTIN REFERENCE NAME PAT OLDMIXON

**B&G** B&G Surveying, Inc.  
Dewey H. Burris & Associates  
Surveyed by: B&G Surveying, Inc.

**IMPORTANT NOTICE**  
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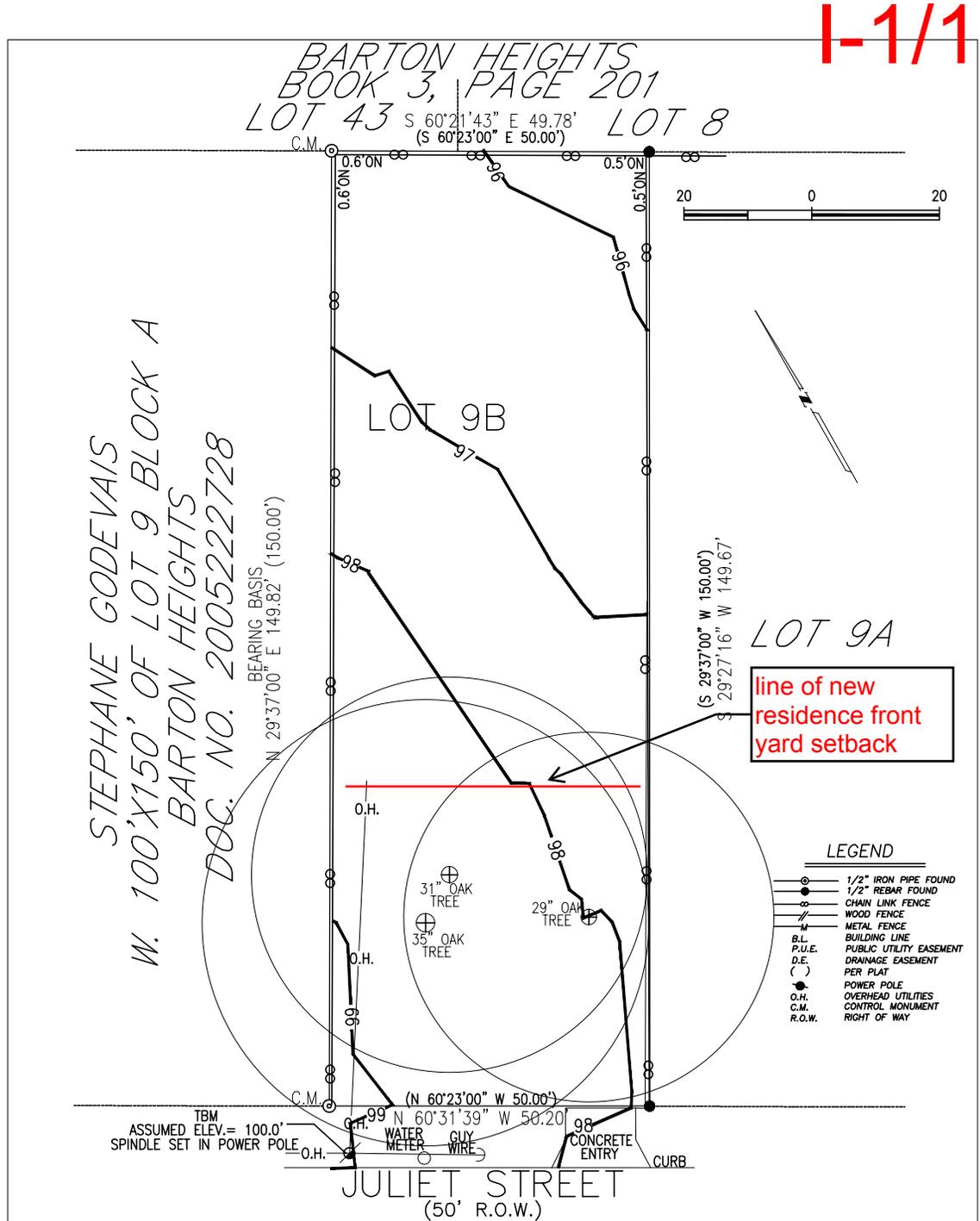
1404 West North Loop Blvd.  
Austin, Texas 78756  
Office 512\*458-6969  
Fax 512\*458-9845

JOB # B0400311\_TA  
DATE 04/07/11  
SCALE 1" = 20'

TO THE LIENHOLDER AND / OR PRESENT OWNERS OF THE PREMISES SURVEYED

JEO_TBLK		
FIELD WORK	JESUS	04/07/11
CALCULATIONS	TONI	04/11/07
DRAFTING	JOSE	04/07/11
CORRECTIONS	JOSE	04/07/11
UP DATE		

BARTON HEIGHTS  
 BOOK 3, PAGE 201  
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 (S 60°23'00" E 50.00') LOT 8



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CORRECTIONS	JOSE	04/07/11
UP DATE		

Drawing & Measurement    Printing & Reporting    Help     Tool

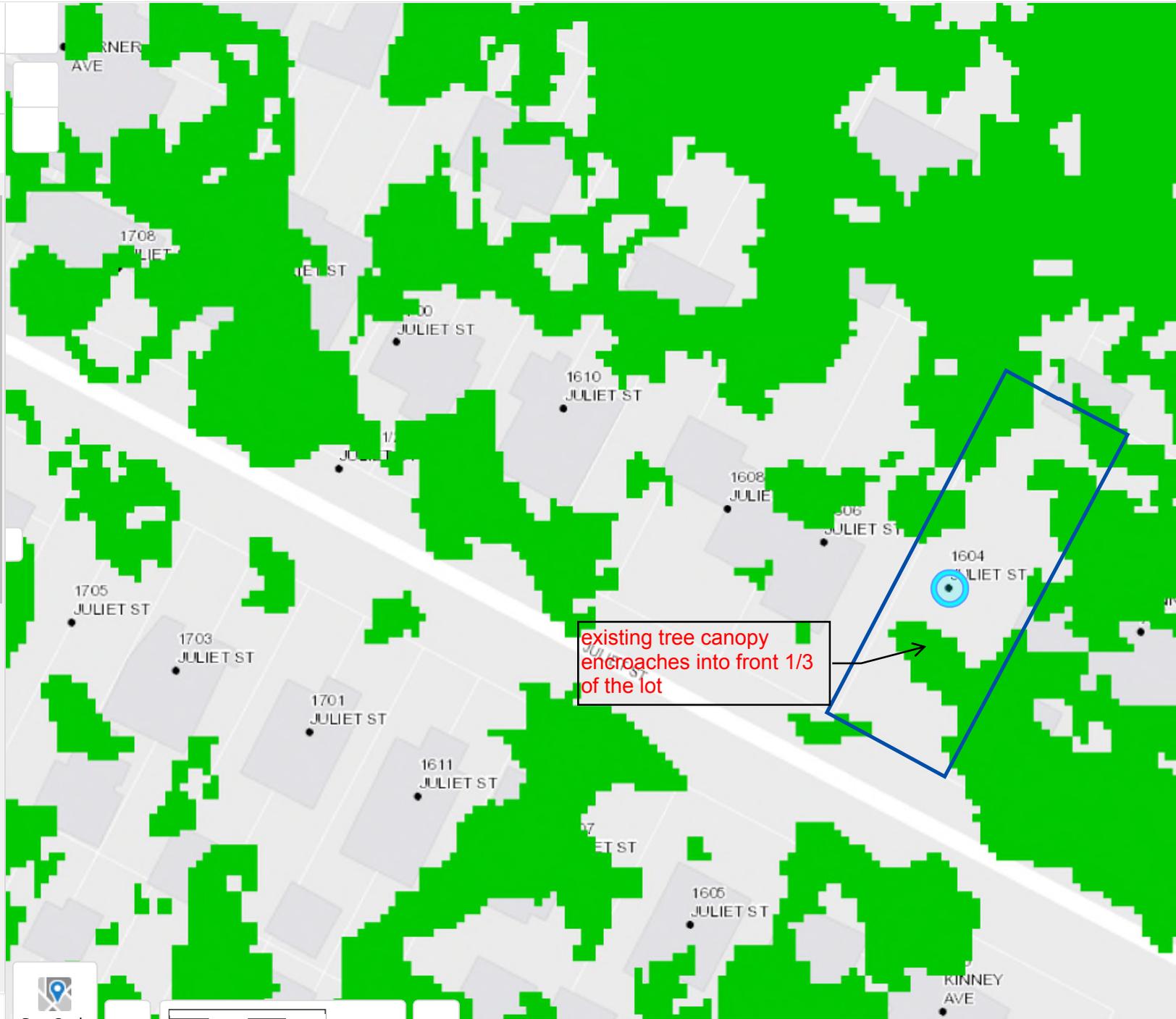
Search By Address

Change visible map layers    Historic Layers

Find Layers

Point    Query    Filter

Identify & Find Data



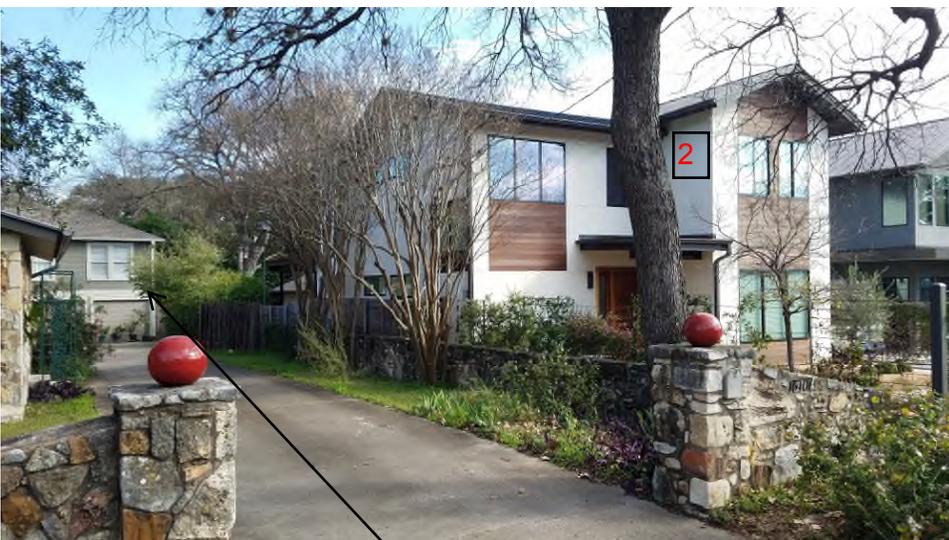
existing tree canopy encroaches into front 1/3 of the lot

GreyScale    0    30    60ft





2 STORY  
GARAGE  
STRUCTURE



2 STORY GARAGE  
STRUCTURE



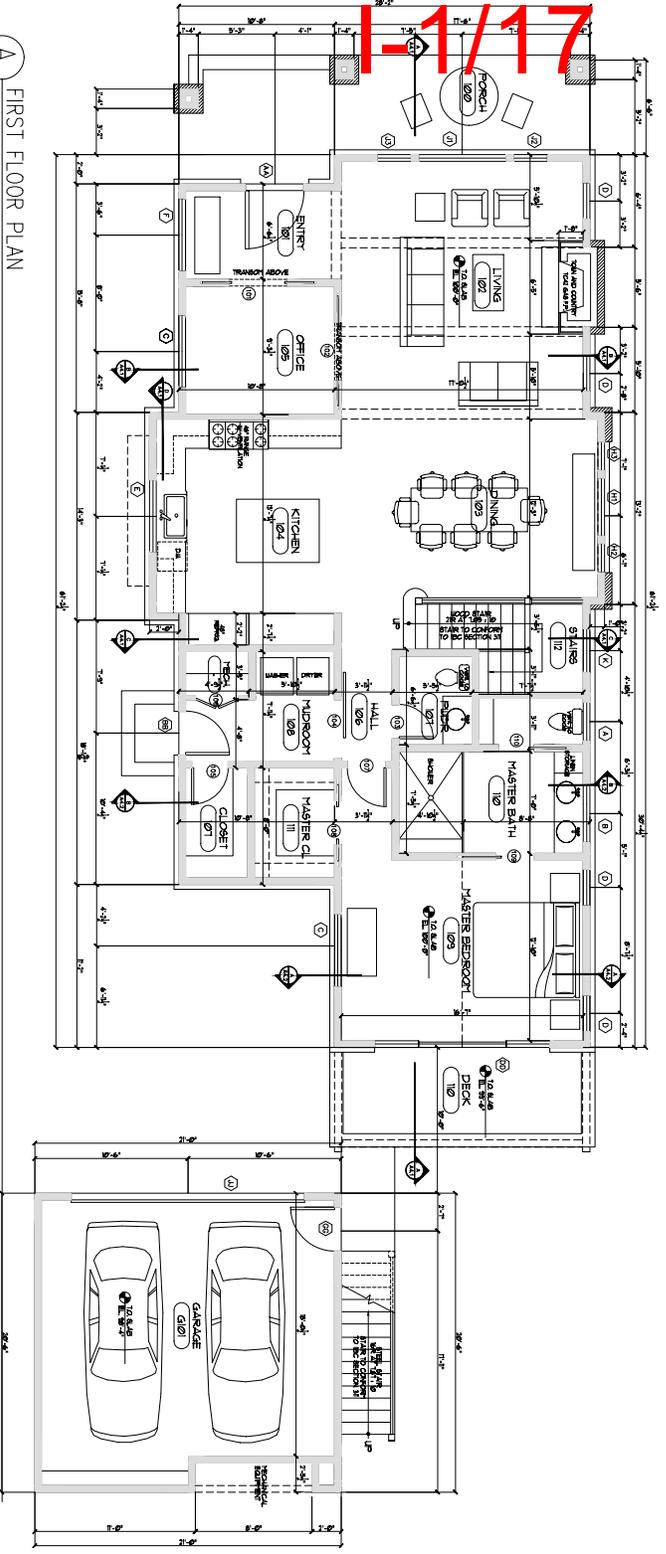
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STRUCTURE



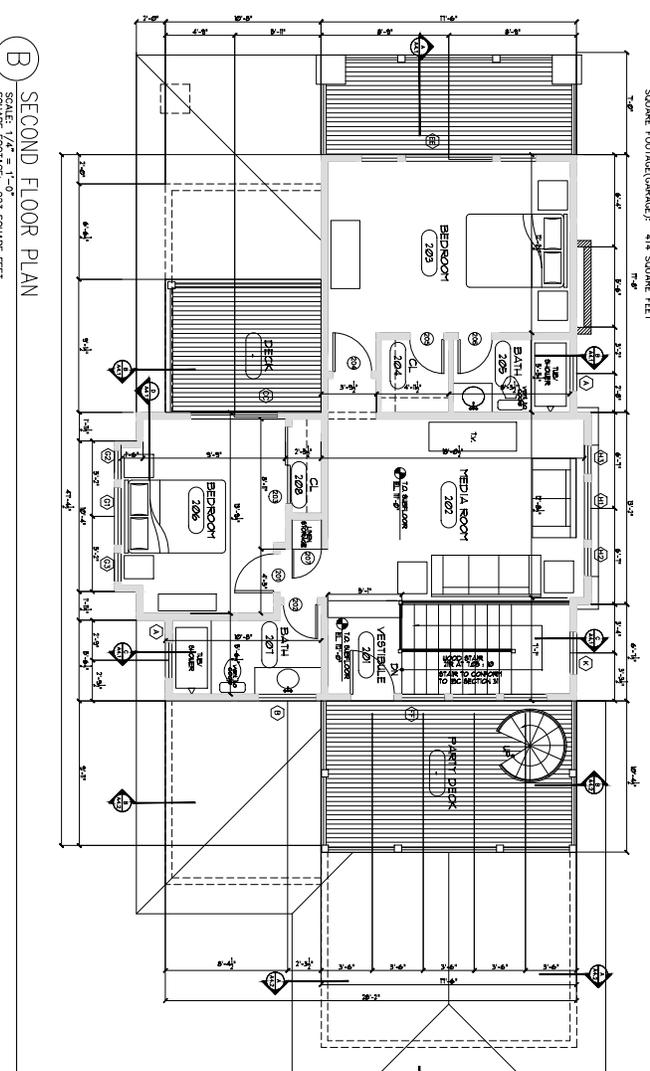
new structure

2 STORY GARAGE  
STRUCTURE  
ACROSS STREET

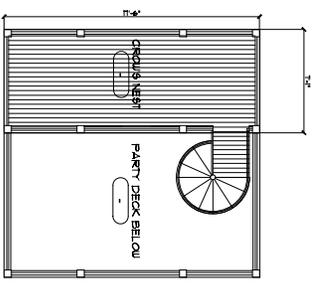




**A** FIRST FLOOR PLAN  
 SCALE: 1/4" = 1'-0"  
 SQUARE FOOTAGE: 1625 SQUARE FEET  
 SQUARE FOOTAGE (GARAGE): 418 SQUARE FEET



**B** SECOND FLOOR PLAN  
 SCALE: 1/4" = 1'-0"  
 SQUARE FOOTAGE: 452 SQUARE FEET  
 SQUARE FOOTAGE (BEST QUARTERS): 452 SQUARE FEET



**C** THIRD FLOOR TERRACE  
 SCALE: 1/4" = 1'-0"

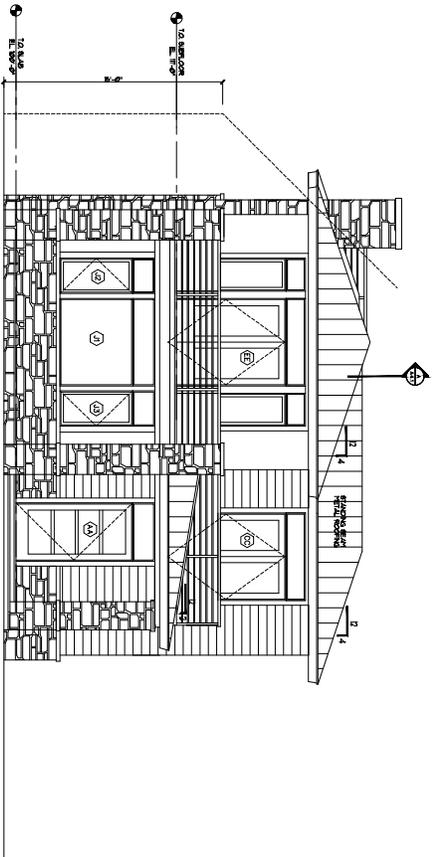
REVISIONS

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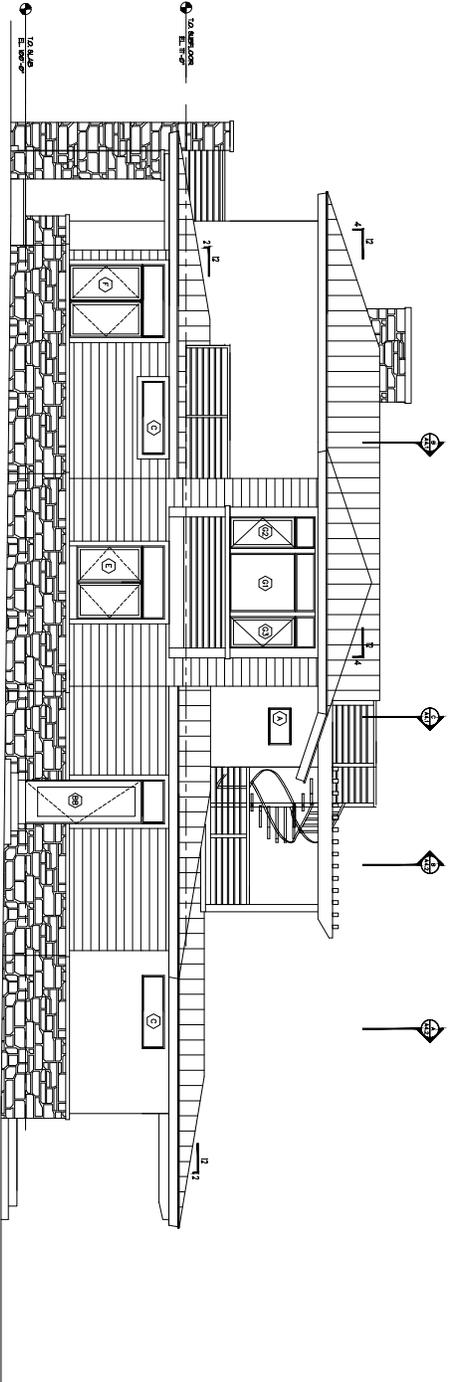
**CONYERS STUDIO**  
 ARCHITECTS & CONSULTANTS  
 70 BENSON MIXON  
 AUSTIN, TEXAS 78704  
 512.459.4021

**BENSON-OLDMIXON RESIDENCE**  
**1604 JULIET STREET**  
 AUSTIN, TEXAS

**FLOOR PLAN**  
 A2.1



A SOUTH ELEVATION  
SCALE 1/4" = 1'-0"



B EAST ELEVATION  
SCALE 1/4" = 1'-0"



**Camyers Studio**  
Architectural & Construction  
P.O. BOX 23390  
AUSTIN, TEXAS 78724  
512.259.4852

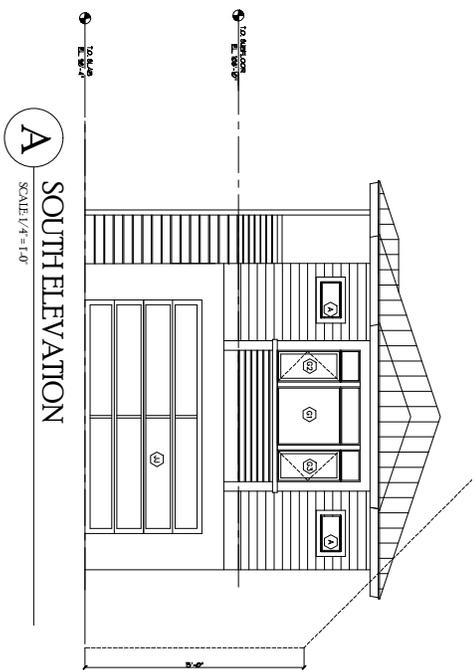
**BENSON-OLDMIXON RESIDENCE**  
**1604 JULIET STREET**  
AUSTIN, TEXAS 78704

NO.	DATE	DESCRIPTION

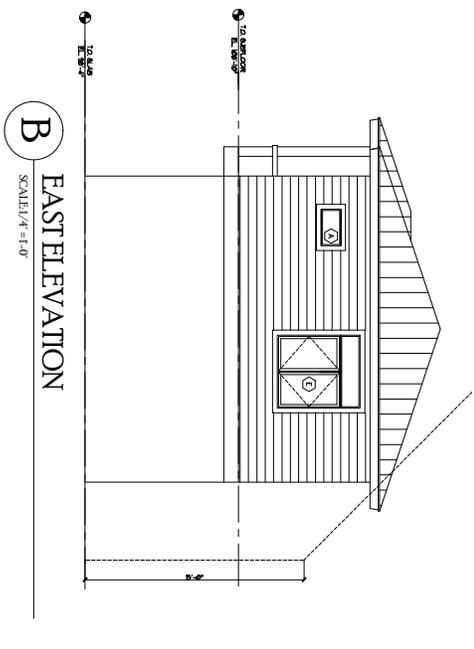
ELEVATIONS  
Scale: 1/4" = 1'-0"

A3.1

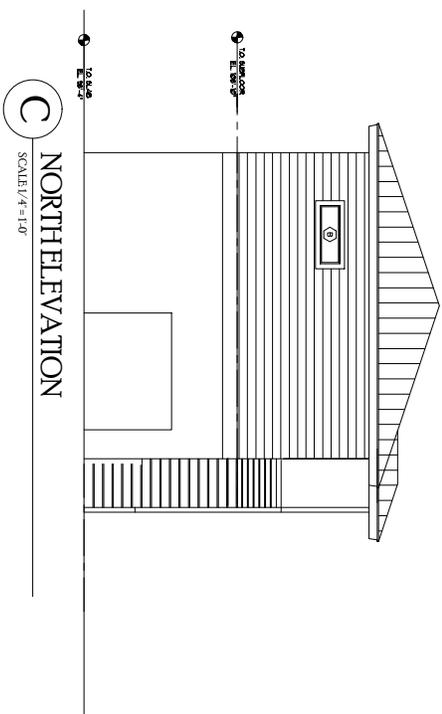




**A**  
SOUTH ELEVATION  
SCALE: 1/4" = 1'-0"



**B**  
EAST ELEVATION  
SCALE: 1/4" = 1'-0"



**C**  
NORTH ELEVATION  
SCALE: 1/4" = 1'-0"



**D**  
WEST ELEVATION  
SCALE: 1/4" = 1'-0"



**Camyers Studio**  
Architectural & Construction

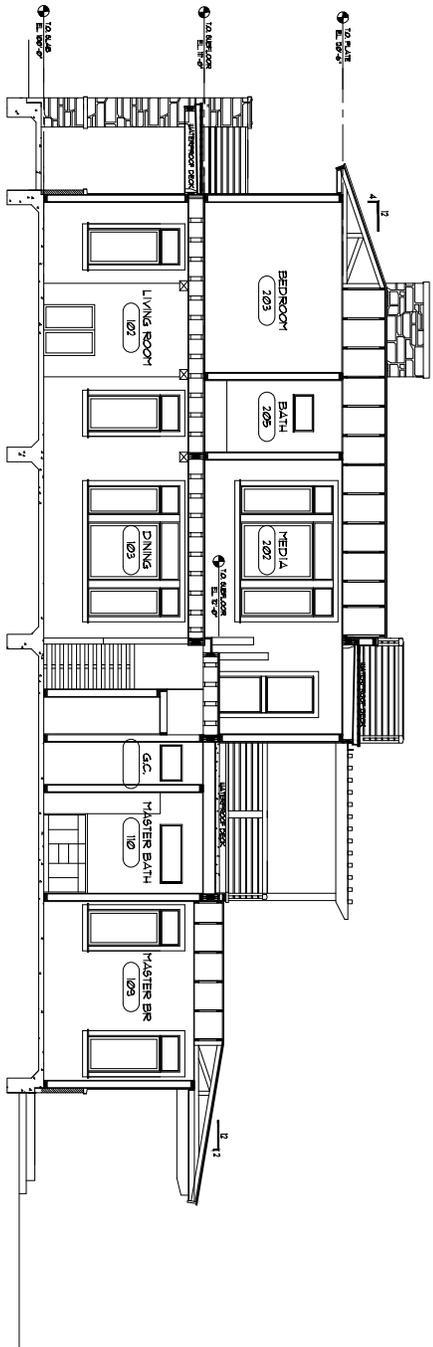
P.O. BOX 23390  
AUSTIN, TEXAS 78724  
512.299.4502

**BENSON-OLDMIXON RESIDENCE**  
**1604 JULIET STREET**  
AUSTIN, TEXAS 78704

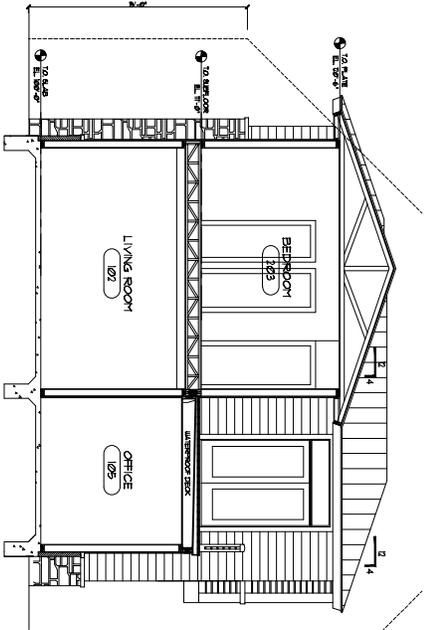
NO.	DATE	DESCRIPTION

ELEVATIONS  
Drawn: JRM  
Checked: JRM

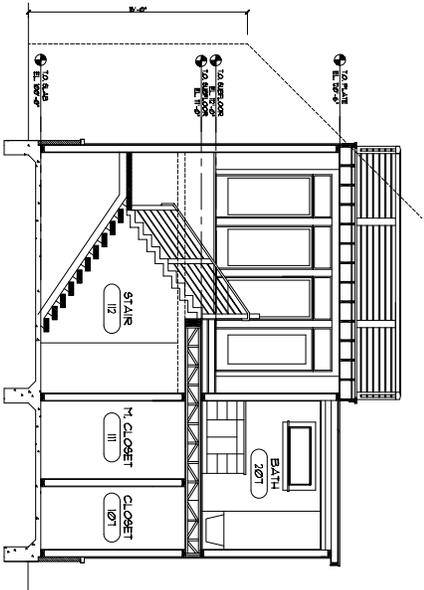
**A3.3**



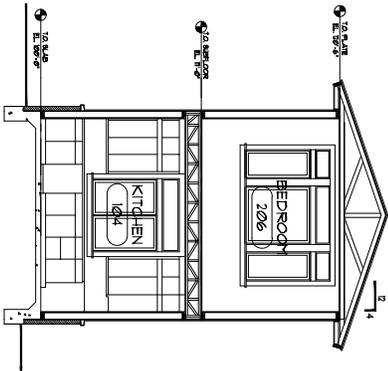
**A**  
BUILDING SECTION  
SCALE: 1/4" = 1'-0"



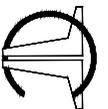
**B**  
BUILDING SECTION  
SCALE: 1/4" = 1'-0"



**C**  
BUILDING SECTION  
SCALE: 1/4" = 1'-0"



**D**  
BUILDING SECTION  
SCALE: 1/4" = 1'-0"



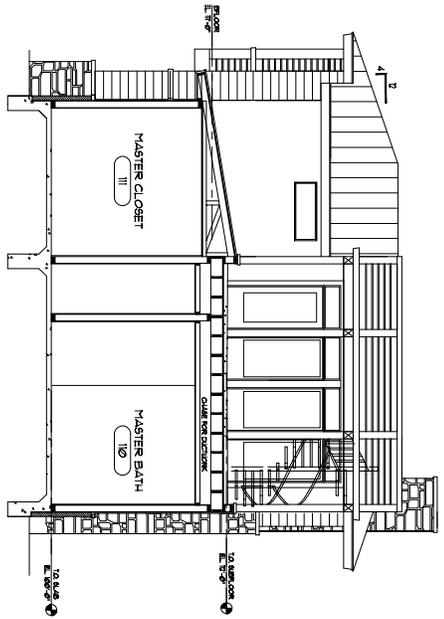
**Conyers Studio**  
Architectural & Construction  
P.O. BOX 23390  
AUSTIN, TEXAS 78724  
512.459.4012

**BENSON-OLDMIXON RESIDENCE**  
**1604 JULIET STREET**  
AUSTIN, TEXAS 78704

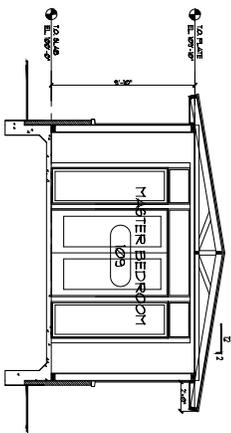
OWNER	OWNER
DATE	DATE
DESCRIPTION	DATE

BUILDING SECTION  
Scale: 1/4" = 1'-0"

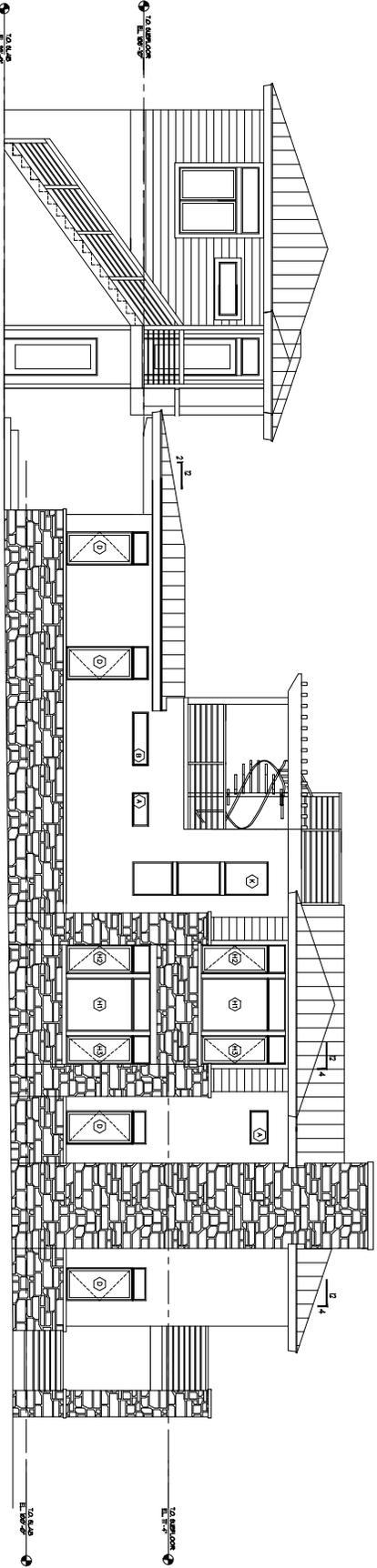
**A4.1**



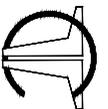
**B** BUILDING SECTION  
SCALE: 1/4" = 1'-0"



**A** BUILDING SECTION  
SCALE: 1/4" = 1'-0"



**C** WEST ELEVATION-COMBINED  
SCALE: 3/8" = 1'-0"



**Conyers Studio**  
Architectural & Construction  
P.O. BOX 23390  
AUSTIN, TEXAS 78724  
512.259.4552

**BENSON-OLDMIXON RESIDENCE**  
**1604 JULIET STREET**  
AUSTIN, TEXAS 78704

OWNER	OWNER
ARCHITECT	DATE
DESCRIPTION	SCALE

**BUILDING SECTION**  
A4.2



Imagery ©2018 Google, Map data ©2018 Google 20 ft



1604 Juliet St  
Austin, TX 78704

