

BOA REVIEW COVERSHEET**CASE:** C15-2019-0044**BOA DATE:** August 12, 2019**ADDRESS:** 4302 & 4304 Avenue D**COUNCIL DISTRICT:** 9**OWNER:** Tyson Tuttle**AGENT:** Hector Avila**ZONING:** SF-3-HD-NCCD-NP (Hyde Park)**LEGAL DESCRIPTION:** E 78FT OF LOT 20 *& E 78FT OF N5.4FT OF LOT 19 *& E 78FT OF S 8.55' LOT 21 BLK 13 HYDE PARK ADDN NO 1; E 78FT LOT 22 & E 78FT OF N16.45' LOT 21 BLK 13 HYDE PARK ADDN NO 1**VARIANCE REQUEST:** decrease setback requirements**SUMMARY:** remodel single-family residential use**ISSUES:** house erected in 1935; zoning established in 1946

	ZONING	LAND USES
<i>Site</i>	SF-3-HD-NCCD-NP	Single-Family
<i>North</i>	SF-3-HD-NCCD-NP	Single-Family
<i>South</i>	SF-3-HD-NCCD-NP	Single-Family
<i>East</i>	SF-3-HD-NCCD-NP	Single-Family
<i>West</i>	SF-3-HD-NCCD-NP	Single-Family

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District
 Austin Lost and Found Pets
 Austin Neighborhoods Council
 Bike Austin
 Central Austin Community Development Corporation
 Friends of Austin Neighborhoods
 Hill Country Conservancy
 Homeless Neighborhood Association
 Hyde Park Neighborhood Assn.
 Hyde Park Neighborhood Plan Contact Team
 Neighborhood Empowerment Foundation
 North Austin Neighborhood Alliance
 Preservation Austin
 SEL Texas
 Sierra Club, Austin Regional Group



August 2, 2019

Hector Avila
4302 Avenue D
Austin TX, 78751

Property Description: E 78FT OF LOT 20 * & E 78FT OF N5.4FT OF LOT 19 * & E 78FT OF S 8.55' LOT 21
BLK 13 HYDE PARK ADDN NO 1

Re: C15-2019-0044

Dear Hector,

Austin Energy (AE) has reviewed your application for the above referenced property, requesting that the Board of Adjustment consider a variance(s) from Section 25-2-492 (D) (Site Development Regulations) from setback requirements:

4302 Avenue D

- to decrease the minimum front yard setback from 25 feet (required) to 16 feet 3 inches (requested), and to decrease the minimum interior side yard setback from 5 feet (required) to 3 feet 1 inch (requested)

4304 Avenue D

- to decrease the minimum front yard setback from 25 feet (required) to 16 feet 7 inches (requested) and to decrease the minimum rear yard setback from 10 feet (Required) to 1 feet 3 inches (requested)

In order to remodel a single family residential use in a "SF-3-HD-NCCD-NP", Single Family Residence zoning district. (Hyde Park Combined Neighborhood Plan, Historic District)

Austin Energy does not oppose requested variances for both of the above addresses, provided all proposed and existing improvements are in compliance with AE clearance criteria requirements, the National Electric Safety Code and OSHA. Any removal or relocation of existing electric facilities will be at owners/applicants expense. Please use this link to be advised of our clearance and safety requirements which are additional conditions of the above review action:

https://library.municode.com/tx/austin/codes/utilities_criteria_manual?nodeId=S1AUENDECR_1.10.0CLSA RE

If you require further information or have any questions regarding the above comments, please contact our office. Thank you for contacting Austin Energy.

Eben Kellogg, Property Agent

Austin Energy
Public Involvement | Real Estate Services
2500 Montopolis Drive
Austin, TX 78741
(512) 322-6050



NOTIFICATIONS

CASE#: C15-2019-0044
4302 & 4304 AVENUE D



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY



1" = 200'

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.



CITY OF AUSTIN

Development Services Department

One Texas Center | Phone: 512.978.4000
505 Barton Springs Road, Austin, Texas 78704

I-1/4

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 # _____
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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:

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: _____

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: _____

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 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: [Handwritten Signature] Date: 7-8-19

Applicant Name (typed or printed): Hector Avila

Applicant Mailing Address: 1008 South Center St

City: Austin State: TX Zip: 78704

Phone (will be public information): 512 791-0517

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: [Handwritten Signature] Date: 07/08/2019

Owner Name (typed or printed): Tyson Tuttle

Owner Mailing Address: 608 Baylor Street

City: Austin State: TX Zip: 78703

Phone (will be public information): 512-698-0310

Email (optional – will be public information): [Redacted]

Section 5: Agent Information

Agent Name: Same as Applicant

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).

I-1/10



I-1/11



I-1/12



I-1/13



I-1/14



I-1/15



I-1/16

