

**BOA GENERAL REVIEW COVERSHEET****CASE:** C15-2019-0068**BOA DATE:** January 13<sup>th</sup>, 2020**ADDRESS:** 1213 Taylor St.**COUNCIL DISTRICT:** 3**OWNER:** Carl Frank**AGENT:** Rodney Bennett**ZONING:** SF-3-NP**LEGAL DESCRIPTION:** LOT 20 OLT 45 DIV O WENDLANDT & STAEHEL RESUB**VARIANCE REQUEST:** decrease rear yard setback from 25 ft. to 14 ft. 6 in.**SUMMARY:** erect a garage w/2<sup>nd</sup> FL studio/guest room**ISSUES:** heritage trees

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

**NEIGHBORHOOD ORGANIZATIONS:**

Austin Independent School District  
 Austin Lost and Found Pets  
 Austin Neighborhoods Council  
 Bike Austin  
 Del Valle Community Coalition  
 East Austin Conservancy  
 East Cesar Chavez Neighborhood Association  
 East Cesar Chavez Neighborhood Plan Contact Team  
 East Town Lake Citizens Neighborhood Association  
 El Concilio Mexican-American Neighborhoods  
 Friends of Austin Neighborhoods  
 Greater East Austin Neighborhood Association  
 Guadalupe Neighborhood Development Corporation  
 Homeless Neighborhood Association  
 Neighborhood Empowerment Foundation  
 Neighbors United for Progress  
 Preservation Austin  
 SELTexas  
 Sierra Club, Austin Regional Group  
 Tejano Town

# AE REPORT



January 2, 2020

Rodney Bennett  
1213 Taylor St  
Austin TX, 78702

Property Description: LOT 20 OLT 45 DIV O WENDLANDT & STAEHELY RESUB

**Re: C15-2019-0068**

Dear Rodney,

Austin Energy (AE) has reviewed your application for the above referenced property, requesting that the Board of Adjustment consider a variance(s) from the following section of the Land Development Code, Section 25-2-515 (Rear Yard of a Through Lot) - from setback requirements;

To decrease the minimum rear yard setback from 25 feet (required) to 14 feet 6 inches (requested);

In order to erect detached garage with a 2nd FL Studio/Guest Room (not to be a Two-Family Use) SF-3-NP", Single-Family Residence-Neighborhood Plan zoning district. (East Cesar Chavez Neighborhood Plan);

Austin Energy does not oppose requested variance, provided any proposed and existing improvements are following 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. It is noted the existing service drop is located on the neighbor's lot on 1215 Taylor Street. Please keep this in mind when considering the location of this new studio guest room, for it to meet electric safety clearances. – See below.

Please use this link to be advised of our clearance and safety requirements which are additional conditions of the above review action: <https://austinenergy.com/wcm/connect/8bb4699c-7691-4a74-98e7-56059e9be364/Design+Criteria+Manual+Oct+2015.pdf?MOD=AJPERES>  
(see - Page 92 - 1.10.0 Clearance and Safety Requirements.)

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

I-3/2



**NOTIFICATIONS**

CASE#: C15-2019-0068  
LOCATION: 1213 Taylor Street



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY



1" = 172'

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

### 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: 1213 Taylor

Subdivision Legal Description:

LOT 20 OLT, O WENDLANDT & STAEHELY RESUB

Lot(s): 20 Block(s): \_\_\_\_\_

Outlot: 45 Division: \_\_\_\_\_

Zoning District: \_\_\_\_\_

I/We RODNEY K. BENNETT on behalf of myself/ourselves as authorized agent for CARL FRANK affirm that on

Month November, Day 1, Year 2019, 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: GARAGE W/ 2CD FLR STUDIO/GUEST ROOM. NOT A 2 FAMILY USE

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

25-2-215 REAR YARD OF THROUGH LOT. TO DECREASE THE REAR YARD SET BACK FROM 25' TO 14'6".

**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:

OTHER HOMES IN THE AREA ARE LARGER AND HAVE GARAGES. THE GARAGE WOULD ELIMINATE CONGESTION OF THE NARROW STREET. THE 2CD FLOOR WOULD ALLOW FOR MORE LIVING SPACE. HOWEVER, REDEVELOPMENT IS DIFFICULT DUE TO THE SMALL LOT SIZE AND THE 4 HERITAGE TREES.

**Hardship**

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

THE SMALL AMOUNT OF BUILDABLE AREA IS DECREASED DUE TO THE FOUR HERITAGE TREES. THE DEVELOPABLE AREA IS SMALL AND ODDLY SHAPED DUE TO THE HERITAGE TREES. THE ONLY WAY TO ACCESS THE GARAGE WOULD BE FROM HOLLY ST.

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

NOT ALL PROPERTIES IN THE AREA ARE IMPACTED BY THE AMOUNT(4) OF, OR SIZE OF (134 CALIPER INCHES) THE HERITAGE TREES AS DOES THIS PROPERTY.

**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:

DUE TO THE FACT THAT THE ADJACENT LOT AT 1211 TAYLOR HAS AN APPROVED BOA VARIANCE FOR 25-2-515 AND MANY OF THE OLDER HOMES IN THE AREA HAVE BUILDINGS IN THE SETBACK.

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

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: Rodney K. Bennett Date: 11-5-2019

Applicant Name (typed or printed): RODNEY K. BENNETT

Applicant Mailing Address: 529 EVENING STAR

City: KYLE State: TEXAS Zip: 78640

Phone (will be public information): 512-627-7227

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: Carl Frank Date: \_\_\_\_\_

Owner Name (typed or printed): Carl Frank

Owner Mailing Address: 106 Sugar Creek

City: Rockport State: TX Zip: 78382

Phone (will be public information): 512-775-1602

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

**Section 5: Agent Information**

Agent Name: SAME AS APPLICANT

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

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

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

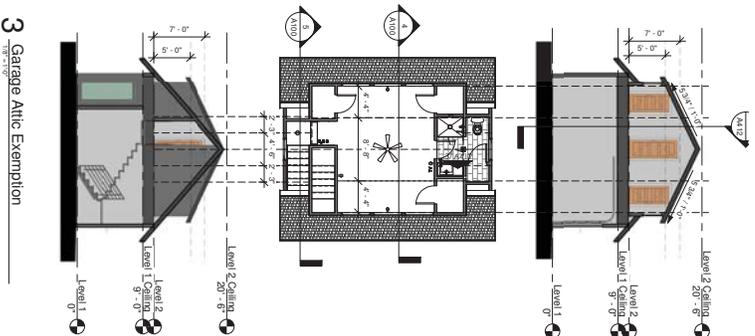
Email (optional – will be public information): \_\_\_\_\_

**Section 6: Additional Space (if applicable)**

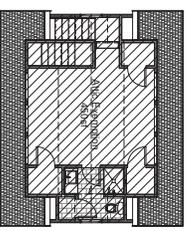
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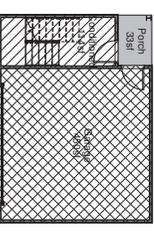




3 Garage Attic Exemption



2 Level 2 Area & Exemption Plan



1 Level 1 Area & Exemption Plan

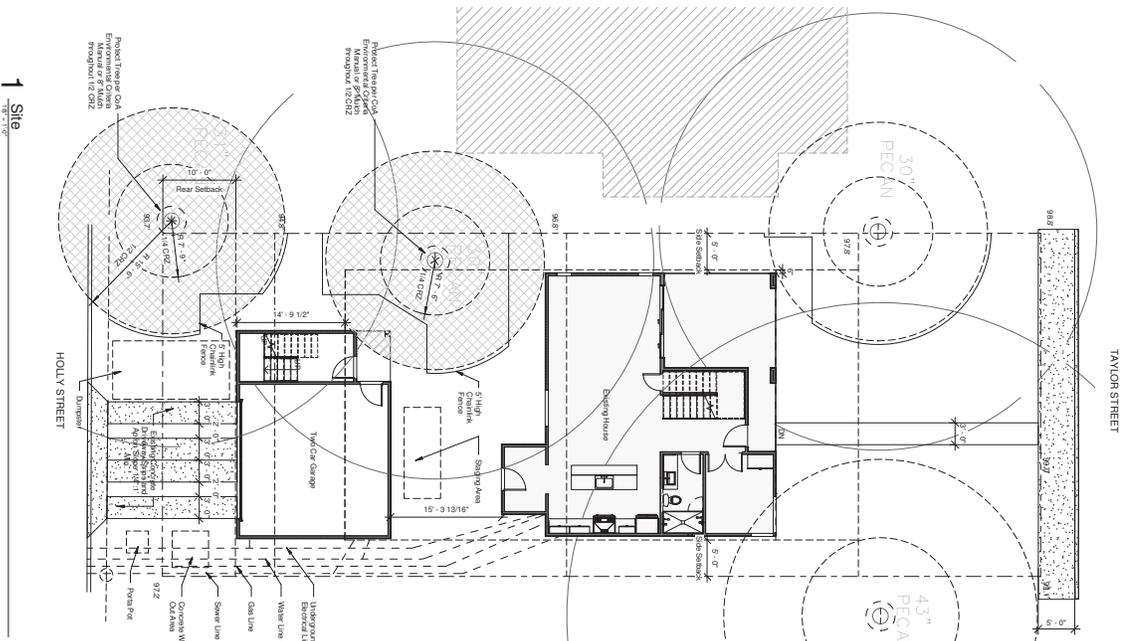
20124, Dunwoody Blvd #2  
 Contact: (409) 986-4666  
 P.012927.0111  
 0709@prattandparsons.com

Detached Garage w/  
 Attic Exemption  
 1213 Taylor Street  
 Aulish, TX 79702

No.	Description	Date

Date Issued: \_\_\_\_\_ Issue Date: \_\_\_\_\_  
 Revisions: \_\_\_\_\_  
 Project Number: \_\_\_\_\_  
 Project Name: \_\_\_\_\_  
 Scale: 1/8" = 1'-0"  
 Title: \_\_\_\_\_  
 Designer: \_\_\_\_\_  
 Checker: \_\_\_\_\_  
 DWG No. \_\_\_\_\_

**A100**  
 Exemption Plan



1 Site

### Impervious Cover in Critical Root Zone

Item	Impervious Cover	%CICRZ
307 Pecan Tree (Front)	815sf	38%
with 100% CIRZ	815sf	38%
with 50% CIRZ	408sf	19%
with 25% CIRZ	204sf	9%
TOTAL	815sf	38%
307 Pecan Tree (Rear)	815sf	38%
with 100% CIRZ	815sf	38%
with 50% CIRZ	408sf	19%
with 25% CIRZ	204sf	9%
TOTAL	815sf	38%
47 Pecan Tree	1,105sf	27%
with 100% CIRZ	1,105sf	27%
with 50% CIRZ	553sf	13%
with 25% CIRZ	276sf	7%
TOTAL	1,381sf	22%
317 Pecan Tree	320sf	14%
with 100% CIRZ	320sf	14%
with 50% CIRZ	160sf	7%
with 25% CIRZ	80sf	3%
TOTAL	320sf	11%

### Detached Garage w/ Attic Exemption

1213 Taylor Street  
Austin, TX 78702

Date Issued	Revisions	Drawn

Project Name: **A111 Site Plan**

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

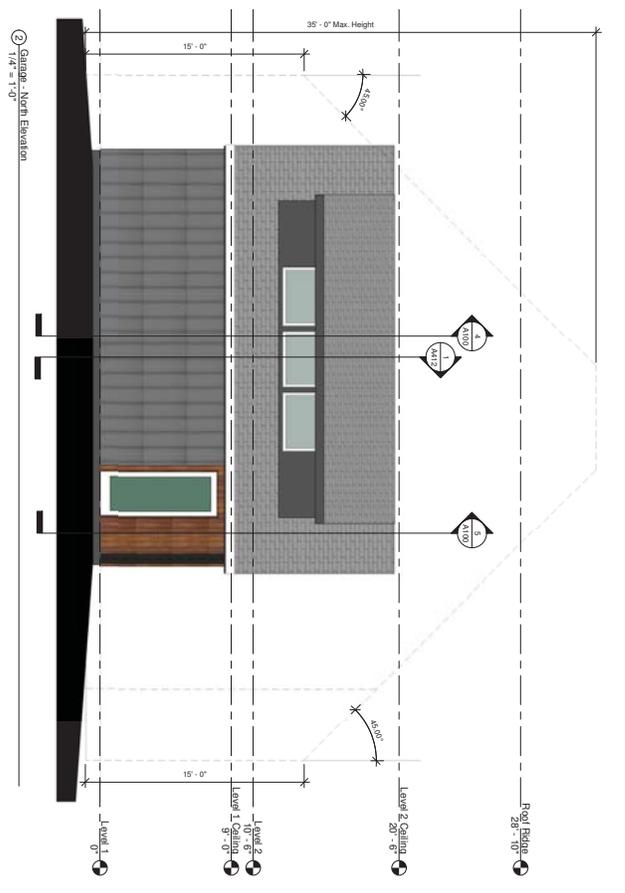
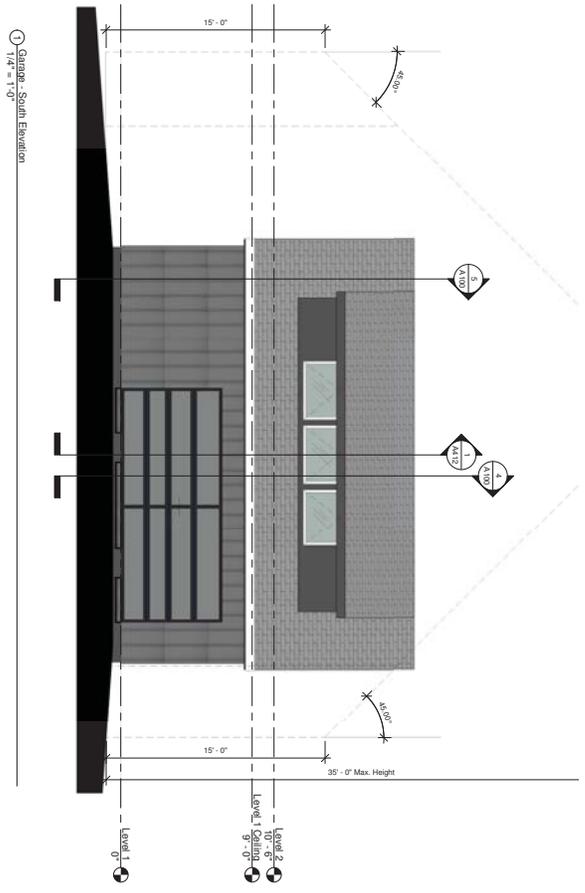
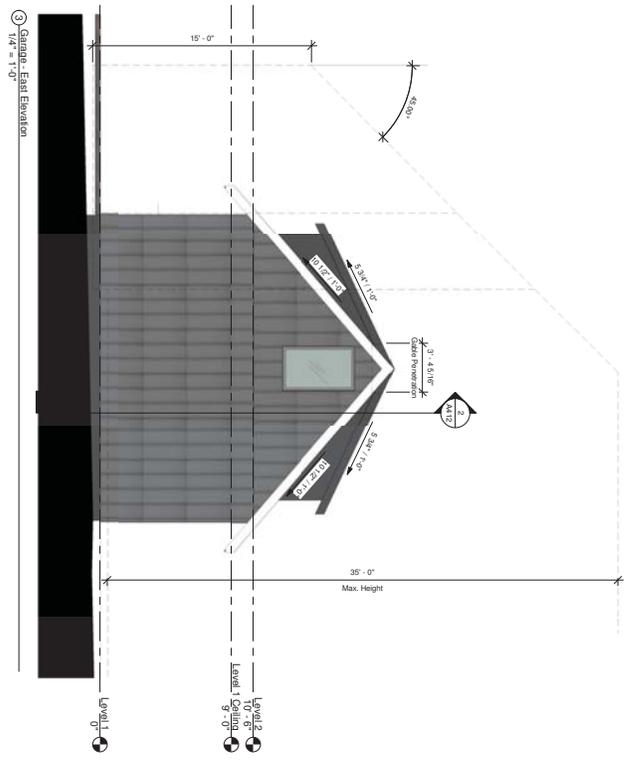
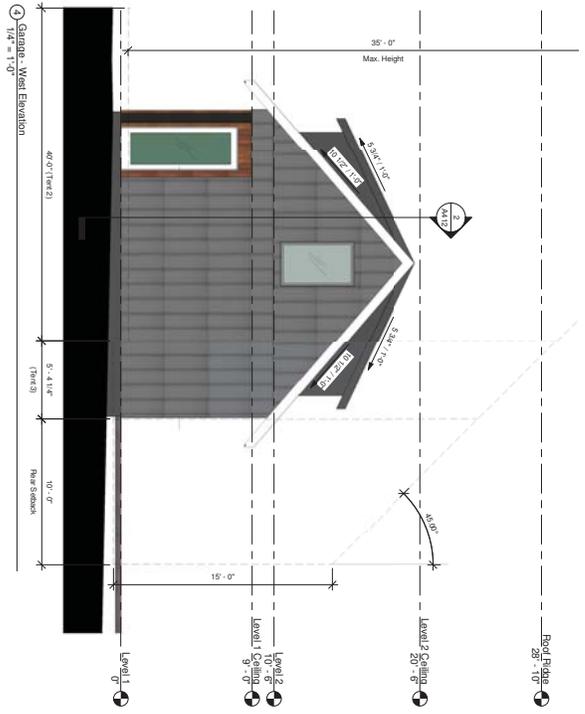
Drawn By: [Signature]

Checked By: [Signature]

Drawn No.:

20124, University Blvd #2  
Austin, TX 78705  
P: 512.297.7011  
O: 512.297.7011  
info@prattandparsons.com



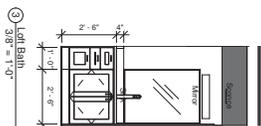


20124, University Blvd #2  
 Austin, TX 78702  
 P. 512.297.7011  
 O. 512.297.7011  
 D. 512.297.7011

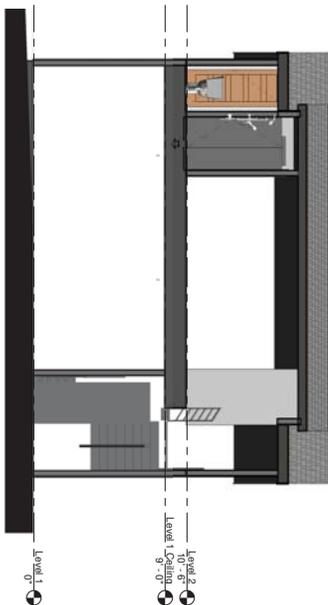
Detached Garage w/  
 Attic Exemption  
 Austin, TX 78702

No.	Description	Date

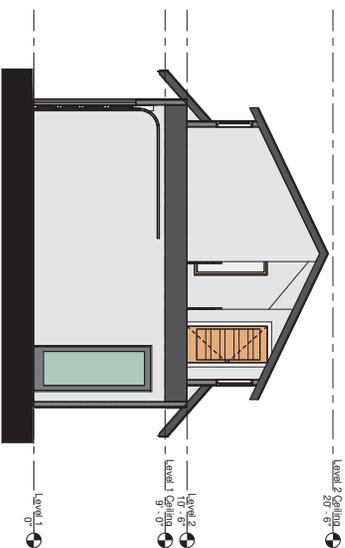
Project Name:   
 Project Number:   
 Scale: 1/4" = 1'-0"  
 Drawn By:   
 Checked By:   
 Title:   
 Date:   
**A411**  
 Garage  
 Elevations



② Garage Section 2  
1/4" = 1'-0"



① Garage Section  
1/4" = 1'-0"



20124, University Blvd #2  
 Austin, TX 78702  
 P: 512.297.7013  
 O: 512.297.7013  
 E: info@practicing.com



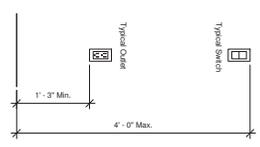
Detached Garage w/  
 Attic Exemption  
 Austin, TX 78702

Date Issued	Issue Date
Revisions	
No.	Description
	Date

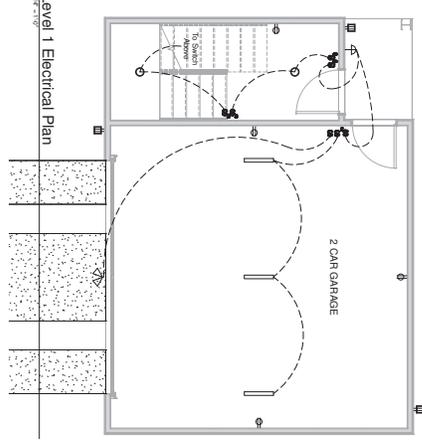
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Project Number	
Scale	As Indicated
Drawn By	Checked By
Author	Consultant
Drawn No.	

**A412**  
 Building Sections

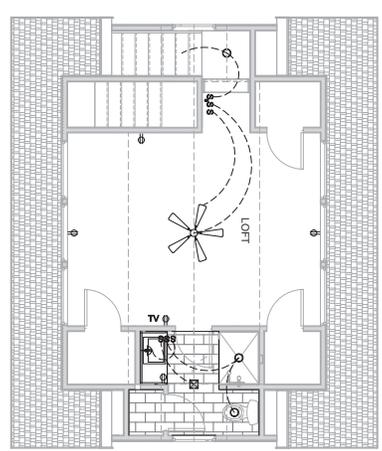
- 1. Telephone
- 2. Intercom Unit/Phone
- 3. Alarm System
- 4. Fire Alarm
- 5. Fire Alarm Control Panel
- 6. Fire Alarm Control Panel
- 7. Fire Alarm Control Panel
- 8. Fire Alarm Control Panel
- 9. Fire Alarm Control Panel
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- 100. Fire Alarm Control Panel



### 1 Electrical Mounting Height



### 2 Level 1 Electrical Plan



### 3 Level 2 Electrical Plan

Detached Garage w/  
Attic Exemption  
Austin, TX 78702

Date Issued	Revision	Issue Date

Project Number: \_\_\_\_\_  
 Scale: As Indicated  
 Drawn By: \_\_\_\_\_  
 Checked By: \_\_\_\_\_  
 Title: E211 Electrical Plans



20124, 104324, 104324, 104324  
 Travis A. Smith  
 P.E. License No. 104324  
 State of Texas  
 07/01/2014