

CITY OF AUSTIN  
Board of Adjustment  
Decision Sheet

DATE: Thursday November 07, 2019

CASE NUMBER: C15-2019-0064

- N Brooke Bailey
- Y Jessica Cohen
- Ada Corral
- Y Melissa Hawthorne
- A William Hodge (Abstained)
- Y Don Leighton-Burwell
- Rahm McDaniel
- N Darryl Pruet
- Y Veronica Rivera
- Y Yasmine Smith
- Y Michael Von Ohlen
- Y Kelly Blume (Alternate)
- N Martha Gonzalez (Alternate)
- Denisse Hudock (Alternate)

APPLICANT: April Clark

OWNER: Dr. Samir Patel

ADDRESS: 1415 10TH ST

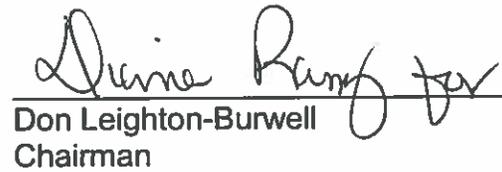
**VARIANCE REQUESTED:** The applicant is requesting a variance(s) from the LDC Subchapter F: Residential Design and Compatibility Standards, Article 3, Section 3.3.3 (Gross Floor Area – Porch, Basement and Attic Exemptions) (B) (2) in order to receive the basement exemption on a sloped site the applicant proposes to change the location of measurement from the average elevation at the intersections of the minimum front yard setback line and the side property line to the intersection of the front building line and the side property lines (this will not be closer than the front setback line nor will the building exceed the maximum tent height limitations) in order to erect a Single-Family Residence with a Guest House in a "SF-3-NP", Single-Family zoning district (Old West Austin Neighborhood Plan)

**BOARD'S DECISION:** BOA meeting Nov 7, 2019 The public hearing was closed by Chair Don Leighton-Burwell, Board Member Michael Von Ohlen motions to Postpone to January 13, 2020, Board Member Melissa Hawthorne seconds on a 7-3 vote (Board members Brooke Bailey, Darryl Pruet, Martha Gonzalez nay; William Hodge abstained); POSTPONED TO JANUARY 13, 2020.

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because:
2. (a) The hardship for which the variance is requested is unique to the property in that:  
  
(b) The hardship is not general to the area in which the property is located because:
3. 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:

  
Elaine Ramirez  
Executive Liaison

  
Don Leighton-Burwell  
Chairman

**From:** [REDACTED]  
**To:** [Ramirez, Elaine](#); [REDACTED]  
**Subject:** RE: REMINDER: C15-2019-0064 / 1415 W. 10th St. - POSTPONED case for Jan. 13, 2020 BOA mtg.  
**Date:** Wednesday, December 11, 2019 2:59:35 PM  
**Attachments:** [image001.png](#)

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\*\*\* External Email - Exercise Caution \*\*\*

Elaine,

My client would like to withdraw his request for Variance for his property at 1415 W. 10<sup>th</sup> St. Please advise on any further action needed to do this.

Thank you,

--

April Clark, AIA  
NARI, LEED AP BD + C  
Registered Architect (TX, NM, AZ)  
512-636-7653

Clark | Richardson Architects  
618 Lavaca St. Suite 7  
Austin, Texas 78701  
Web: [www.clarkrichardson.com](http://www.clarkrichardson.com)  
Blog: <http://clarkrichardson.wordpress.com/>  
Twitter: @CRArchitect

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**From:** Ramirez, Elaine [mailto:Elaine.Ramirez@austintexas.gov]  
**Sent:** Tuesday, December 10, 2019 7:31 AM  
**To:** [REDACTED]  
**Subject:** REMINDER: C15-2019-0064 / 1415 W. 10th St. - POSTPONED case for Jan. 13, 2020 BOA mtg.

Hi Ed,

**This is a friendly reminder:** You have until **Friday, December 13 before 3p.m.** to submit any maps, surveys, drawings, photos and any additional documentation (including the [Special Exception Inspection](#)

Report if you applied for a Special Exception, if REPORT not included this case will have to be Postponed) you want included as part of your Advanced Packet for your BOA variance case. This will need to be submitted to me via e-mail in PDF format.

**If** you would like the Board to follow along with you, you will need to present a presentation, bring it on a thumb drive and you will hand it to our City Technician . The Board **will not** have anything to view on the overhead other than the Advanced Packets they have in front of them on the dais that was given to them a week prior to the meeting.

**Please note:** Any late support that will be accepted after this deadline date of Dec. 13, 2019 will **only** be for Opposition and Support letters for this case.

**Respectfully,**

**Elaine Ramirez**

*Board of Adjustment Liaison*

*Planner Senior*

[City of Austin Development Services Department](#)

One Texas Center, 1<sup>st</sup> Floor

505 Barton Springs Rd

Office: 512-974-2202



Follow us on [Facebook](#), [Twitter](#) & [Instagram](#) @DevelopmentATX

***Scheduled Meeting Disclosure Information:***

*In accordance with City of Austin Ordinance 20160922-005, responsibility of written disclosure is required by visitors when attending a scheduled meeting with a City Official regarding a municipal question as defined within City Code 4-8-2 for compensation on behalf of another person.*

*Development Services Department has elected to implement an electronic survey as the methodology to provide the opportunity to record information as required of the department under Section 4-8-8 (E) of the City Code. Individuals scheduling or accepting a meeting invitation with a City Official are requested to provide responses to the questions included in the department survey available at the following link: [DSD Survey](#). Please note that all information provided is subject to public disclosure via DSD's open data portal.*

*For more information please visit: [City Clerk's website](#)*

**CAUTION:** This email was received at the City of Austin, from an EXTERNAL source.

Please use caution when clicking links or opening attachments. If you believe this to be a malicious and/or phishing email, please forward this email to [CSIRT@austintexas.gov](mailto:CSIRT@austintexas.gov).

**BOA GENERAL REVIEW COVERSHEET**

**CASE:** C15-2019-0064

**BOA DATE:** November 7, 2019

**ADDRESS:** 1415 W. 10<sup>th</sup> St

**COUNCIL DISTRICT:** 9

**OWNER:** Dr. Samir Patel

**AGENT:** April Clark, Clark Richardson LLC

**ZONING:** SF-3-NP

**LEGAL DESCRIPTION:** LOT 2 WEED SUBD

**VARIANCE REQUEST:** Basement Exemption

**SUMMARY:** erect a Single-Family residence

**ISSUES:** inclined natural grade, number of protected trees, and irregular shaped lot

|              | <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-H-HD-NP           | Single-Family               |
| <i>East</i>  | SF-3-NP                | Single-Family               |
| <i>West</i>  | SF-3-HD-NP; MF-4-HD-NP | Single-Family; Multi-Family |

**NEIGHBORHOOD ORGANIZATIONS:**

- Austin Independent School District
- Austin Lost and Found Pets
- Austin Neighborhoods Council
- Homeless Neighborhood Association
- Neighborhood Empowerment Foundation
- Old West Austin Neighborhood Assn.
- Old West Austin Neighborhood Plan Contact Team
- Preservation Austin
- SEL Texas
- Save Barton Creek Assn.
- Shoal Creek Conservancy
- Sierra Club, Austin Regional Group



October 30, 2019

April Clark  
for Dr. Samir Patel  
1415 W 10th St  
Austin TX, 78703

Property Description: LOT 2 WEED SUBD

**Re: C15-2019-0064**

Dear April,

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 from the Land Development Code;

Subchapter F: Residential Design and Compatibility Standards, Article 3, Section 3.3.3 (Gross Floor Area – Porch, Basement and Attic Exemptions) (B) (2)

In order to receive the basement exemption on a sloped site the applicant proposes to change the location of measurement from the average elevation at the intersections of the minimum front yard setback line and the side property line to the intersection of the front building line and the side property lines (this will not be closer than the front setback line nor will the building exceed the maximum tent height limitations) in order to erect a Single-Family Residence with a Guest House in a "SF-3-NP", Single-Family zoning district (Old West Austin Neighborhood Plan)

**Austin Energy does not oppose requested variance**, provided any 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](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#: C15-2019-0064  
LOCATION: 1415 W 10th 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.

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" = 134'



**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: 1415 W. 10th Street

Subdivision Legal Description:  
Lot 2, Weed Subdivision, A subdivision in Travis County, Texas

Lot(s): 2 Block(s): \_\_\_\_\_

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

Zoning District: SF-3 NP

I/We Clark Richardson LLP on behalf of myself/ourselves as authorized agent for Dr. Samir Patel affirm that on Month October, Day 8, 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: Single Family Residences

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

Subchapter F Section 3.3.3-B-2 Basement Exemption. "2. The finished floor of the first story is not more than three feet above the avg elevation at the intersections of the min. front yard setback line & the side prop lines." We request the finished floor of the first story is not more than three feet above the average elev. @ the inter. of front building line & side prop. lines.

## 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:

Due to an inclined natural grade, the number of protected Post Oak trees and irregular shape of the lot, we must position the house further back on the property and it will be roughly 7'-8' above the natural grade at the minimum front yard setback (per code) while being AT grade where we are building. This would in essence require us to sink the first floor of the home by 3'-4' in order to qualify for the basement exemption 3.3.3 B-2

### Hardship

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

1. Incline of the site sloping from the street up. If it sloped in the other direction like other properties on the street we would meet the requirements. 2. Significant number of protected Post Oaks on the site. If they were not there we could build closer to the the street. 3. Del Rio soils require the excavation of an equivelance to a basement, with this rariance we would just be able to use this already excavated area as a basement below the house.

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

This property specifcally has numerous Post Oak Trees which neighboring properties do not have. Additionally, this particular lot has significant slope (10' front to back), the other side of the street does not they are relatively flat nor do most adjacent properties. The opposite side of the street would meet this section of the code as would adjacent properties without this variance request.

## 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:

We will meet all other sections of exemption 3.3.3, the height of our structure will not extend beyond required Mc Mansion Tents. The intent of the code section is being met, this will not be a walk out basement. The adjacent properties will not see or be impacted by being allowed to have this basement as a non-FAR contributing element as would be the case if our property sloped in the opposite direction or if it was flat.

## 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

Additional Space (continued)

We would like to request to be put on the next Board of Adjustments meeting to request a variance and/or request a special exception. Our specific request is centered on the Subchapter F Basement exemption.

Subchapter F excerpt from section 3.3.3

B. A habitable portion of a building that is below grade if:

1. The habitable portion does not extend beyond the first-story footprint and is:

a. Below natural of finished grade, whichever is lower; and

b. Surrounded by natural grade for at least 50% of its perimeter wall area, if the habitable portion is required to be below natural grade under paragraph 1.a.

2. The finished floor of the first story is not more than three feet above the average elevation at the intersections of the minimum front yard setback line and the side property lines.

Our Geotech report for this particular property has Del Rio Clay which has a high percentage of shrinkage and expansion , typically the removal of roughly 6' of soil is recommended for a stable foundation. Our client would like to build a basement since the excavation is already required by the soils report. This would be directly below the 1st floor footprint, so we would qualify for the basement exemption above section 3.3.3 B-1.

Due to the inclined natural grade at this specific lot that slopes up from the street, the number of protected Post Oak trees and irregular shape of the lot, we must position the house further back on the property and it will be roughly 7'-8' above the natural grade at the front yard setback while being AT GRADE where we are building. To take advantage of this exemption we would in essence be required to sink the first floor of the home by 3-4 feet in order to qualify for the basement exemption item 2 above. We feel we are meeting the intent of the code as we will not be protruding above the grade, and from discussions with Emily Layton she agreed but did not have a mechanism for allowing it. We also feel this is a reasonable use of the property, ie having a below grade basement not exceeding the footprint of the building.

We are requesting that the elevation that determines the exemption be measured at the intersection of the front building line and the side property lines. Therefore the finished floor of the first story would not more than three feet above the avarage elevation at the intersections of the front building line and side property lines.



**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: 10/08/2019

Applicant Name (typed or printed): April Clark, Clark Richardson LLC

Applicant Mailing Address: 618 Lavaca St. Suite 7

City: Austin State: Texas Zip: 78701

Phone (will be public information): (512) 636-7653

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: 10/08/2019

Owner Name (typed or printed): Dr. Samir Patel

Owner Mailing Address: 1701 Chicon St

City: Austin State: Texas Zip: 78702

Phone (will be public information): (512) 636-7653

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

**Section 5: Agent Information**

Agent Name: April Clark

Agent Mailing Address: 618 Lavaca St. Suite 7

City: Austin State: Texas Zip: 78702

Phone (will be public information): (512) 636-7653

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

**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).

Please see following page for full description.

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

**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: 10/08/2019

Applicant Name (typed or printed): April Clark, Clark Richardson LLC

Applicant Mailing Address: 618 Lavaca St. Suite 7

City: Austin State: Texas Zip: 78701

Phone (will be public information): (512) 636-7653

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: 10/08/2019

Owner Name (typed or printed): Dr. Samir Patel

Owner Mailing Address: 1701 Chicon St

City: Austin State: Texas Zip: 78702

Phone (will be public information): (512) 636-7653

Email (optional – will be public information):

**Section 5: Agent Information**

Agent Name: April Clark

Agent Mailing Address: 618 Lavaca St. Suite 7

City: Austin State: Texas Zip: 78702

Phone (will be public information): (512) 636-7653

Email (optional – will be public information): 

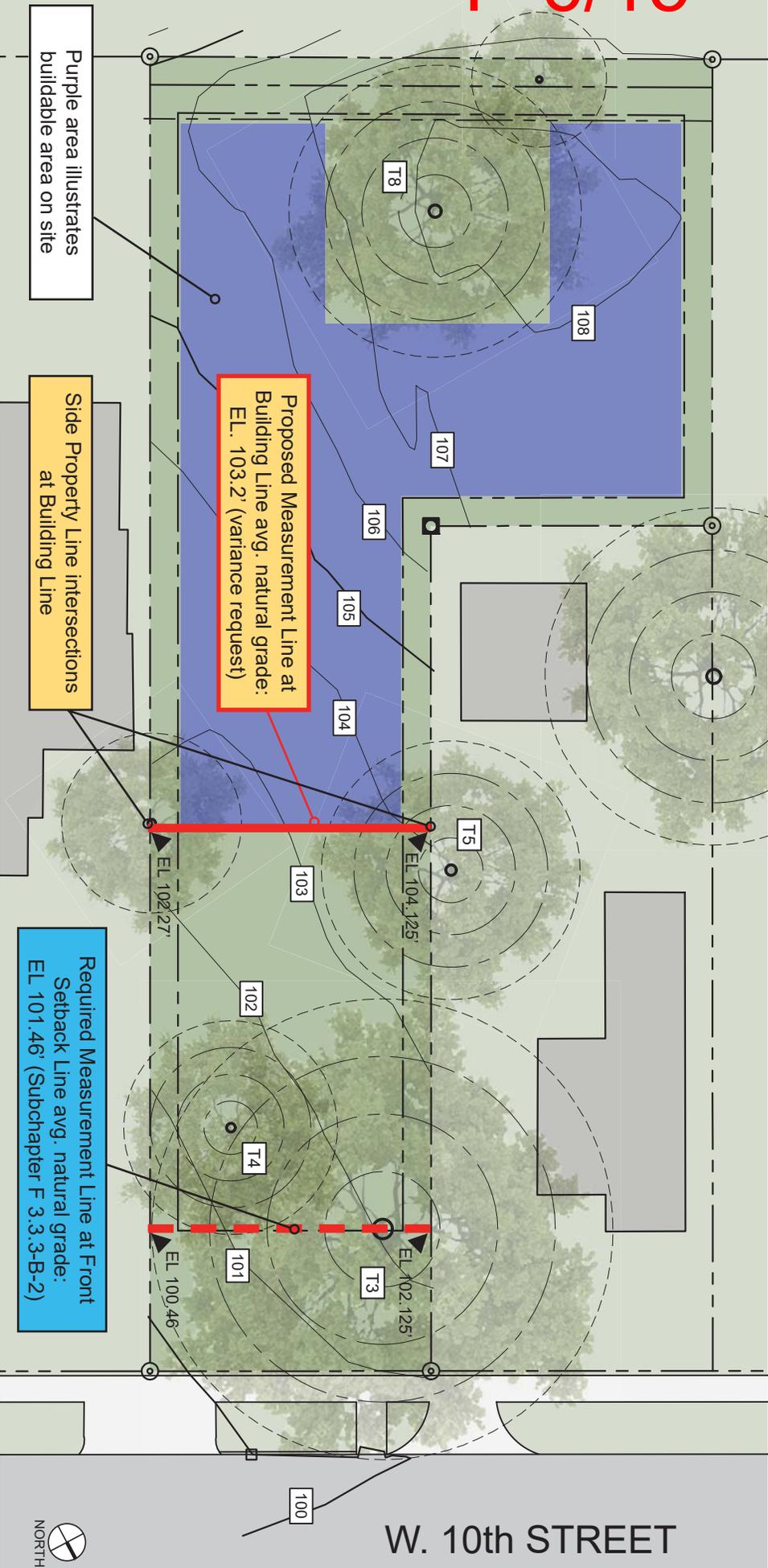
**Section 6: Additional Space (if applicable)**

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).

Please see following page for full description.

# VARIANCE REQUEST

# P-6/15



## **FOLLOWING SUBCHAPTER F - 3.3.3:** Porches, basements, and attics that meet the following requirements shall be excluded from the calculation of gross floor area:

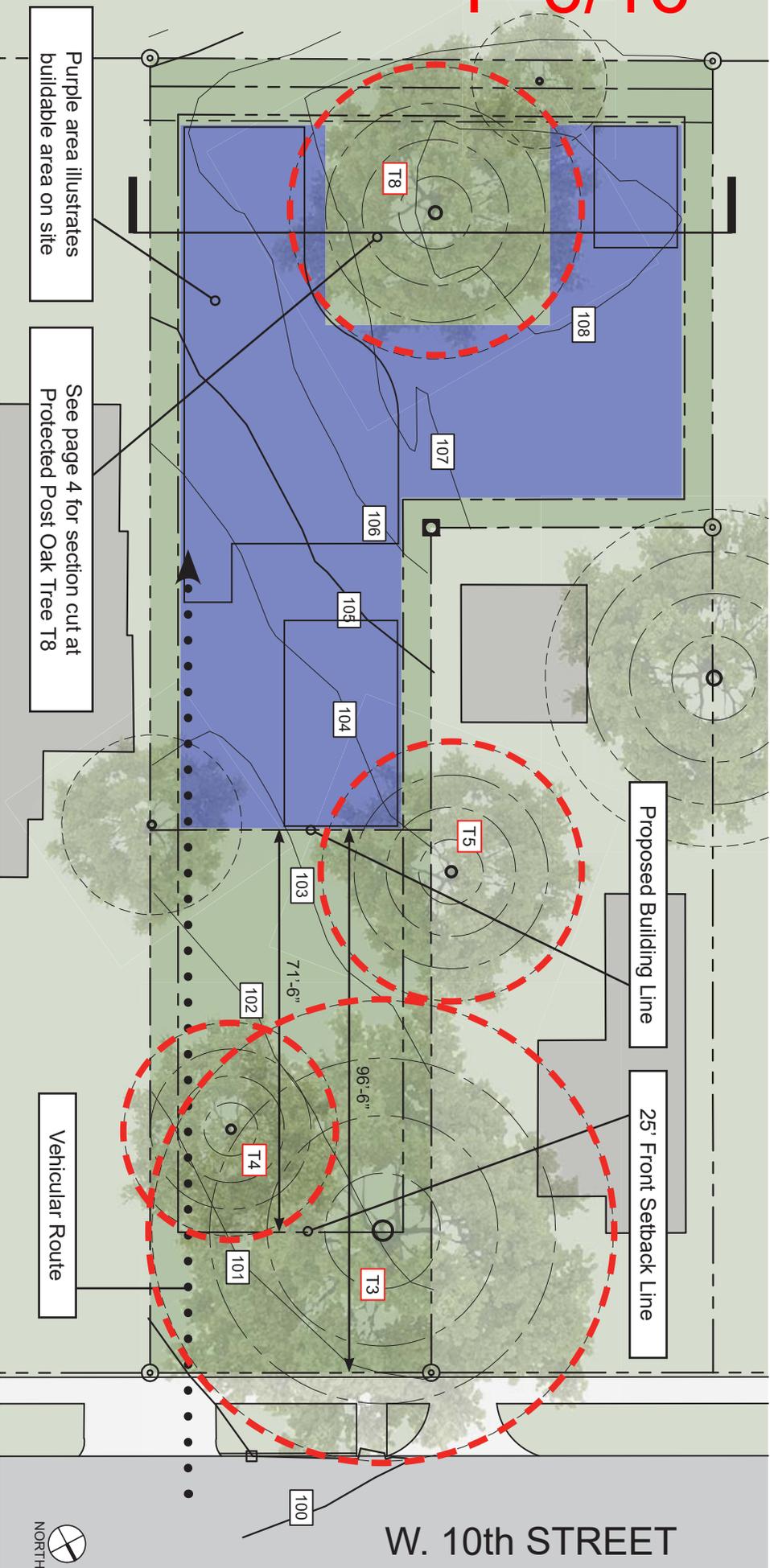
- B: A habitable portion of a building that is below grade if:
1. The habitable portion does not extend beyond the first-story footprint and is:
    - a. Below natural or finished grade, whichever is lower; and
    - b. Surrounded by natural grade for at least 50% of its perimeter wall area, if the habitable portion is required to be below natural grade under paragraph 1.a.
  2. The finished floor of the first story is not more than three feet above the average elevation at the intersections of the minimum front yard setback line and the side property lines.

## **VARIANCE REQUEST TO ALLOW REASONABLE USE OF PROPERTY:**

We request that the finished floor of the first story is not more than three feet above the average elevation at the intersections of the Front Building Line and Side Property Lines.

# SITE HARDSHIP: TREES

P-6/16



Purple area illustrates buildable area on site

See page 4 for section cut at Protected Post Oak Tree T8

Proposed Building Line

25' Front Setback Line

Vehicular Route

W. 10th STREET



## SITE HARDSHIP: Protected trees limit buildable area and site access.

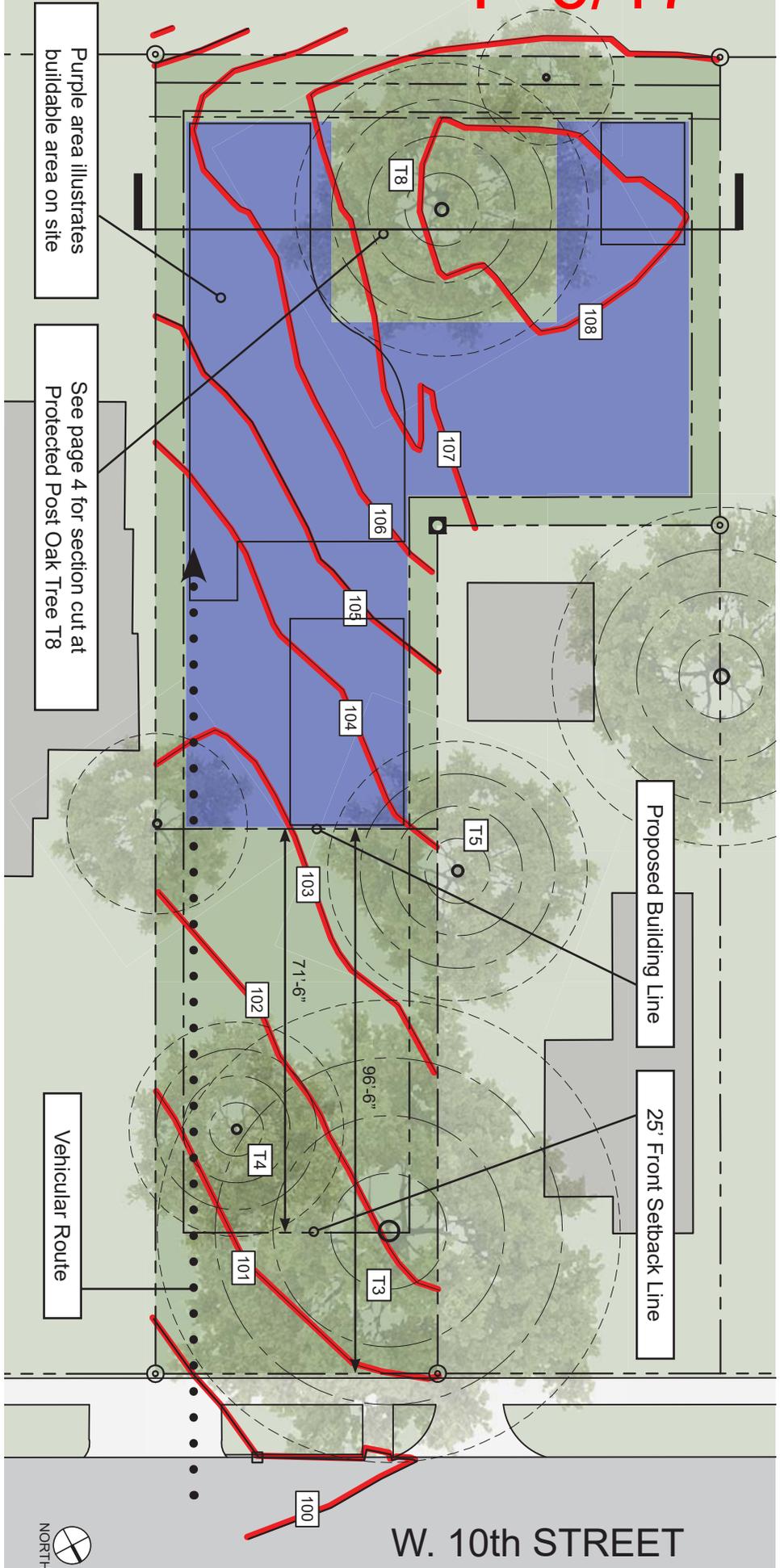
- |          |                         |                |
|----------|-------------------------|----------------|
| Tree T3: | 41" Multi-Stem Post Oak | Heritage Tree  |
| Tree T4: | 19" Post Oak            | Protected Tree |
| Tree T5: | 23" Post Oak            | Protected Tree |
| Tree T8: | 26" Post Oak            | Heritage Tree  |

Because of the protected tree arrangement, site vehicular access from W. 10th is restricted to an existing shared drive throat.

The buildable area of the site is restricted by multiple heritage or protected size trees, especially at the front of the site.

# SITE HARDSHIP: TOPOGRAPHY

# P-6/17



Purple area illustrates buildable area on site

See page 4 for section cut at Protected Post Oak Tree T8

Vehicular Route

Proposed Building Line

25' Front Setback Line

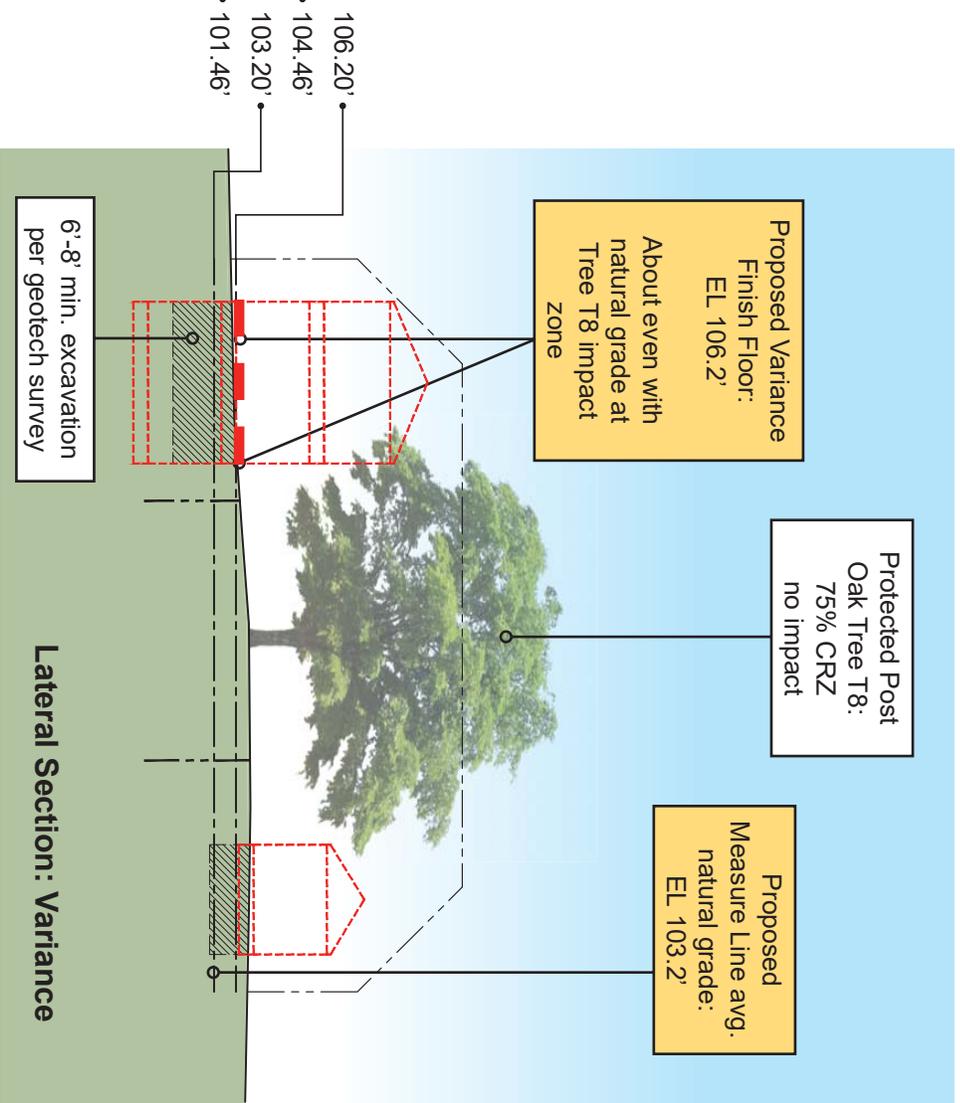
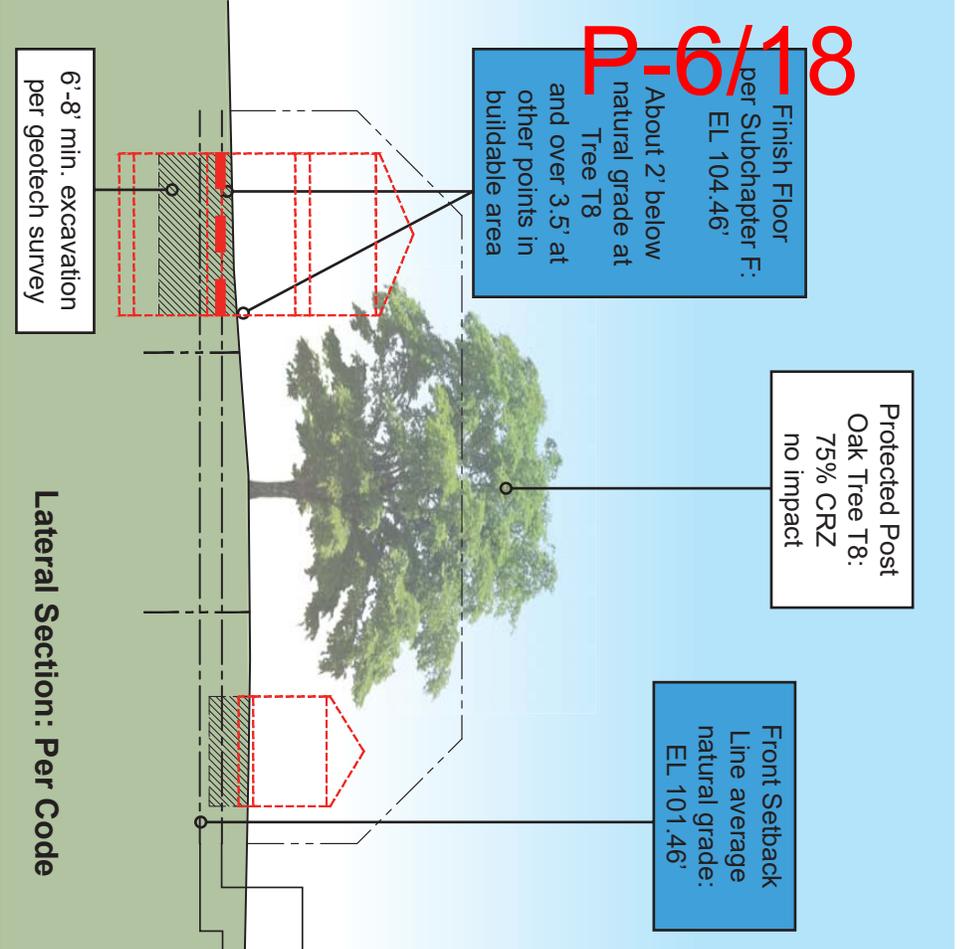
## SITE HARDSHIP: Contour rise from the front of the site to the back of site.

There is over 8' of contour rise on the site from the front property line to the crest at the back of the site, and over 5'-6" of contour rise within the buildable area.

Protected Post Oak Trees T3, T4, & T5 at the front of the site limit vehicular route and impact, requiring a ramped entry to access the building roughly 4' up-slope at natural grade from the front property line.

Protected Post Oak Tree T8 at the back of the site limits natural grade changes and construction impacts at the main buildable area.

# VARIANCE REQUEST



Geotech review recommends 6'-8' of soil excavation at all structural slab locations due to soil conditions. This volume can be utilized towards a full basement while remaining true to the spirit of the Subchapter F 3.3.3-B-2 basement requirements. All other sections of exemption 3.3.3 will be met - there will be no walk-out basement - and the height of the structure will comply with the McMansion Tent. Adjacent properties will not be impacted by allowing a full basement as a non-FAR contributing element.

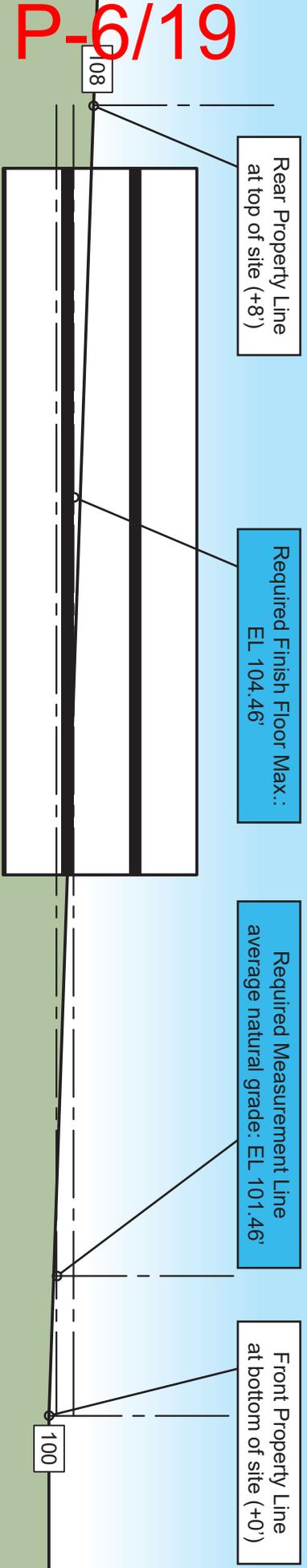
## **FOLLOWING SUBCHAPTER F - 3.3.3:**

The Subchapter F requirement would place the maximum finish floor height at elevation 104.46'. The main floor of the house would therefore be 3.5' below the contour elevation at the top of the site (EL 108') to take advantage of the exemption. Protected Post Oak Tree T8 prevents adjustments to grade within the 75% CRZ.

## **VARIANCE REQUEST:**

By measuring the elevation that determines the exemption at the intersection of the front of the building line and the side property lines, the proposed first story finish floor height would be at elevation 106.2', close to level with the natural grade at the 100% CRZ at Protected Post Oak Tree T8.

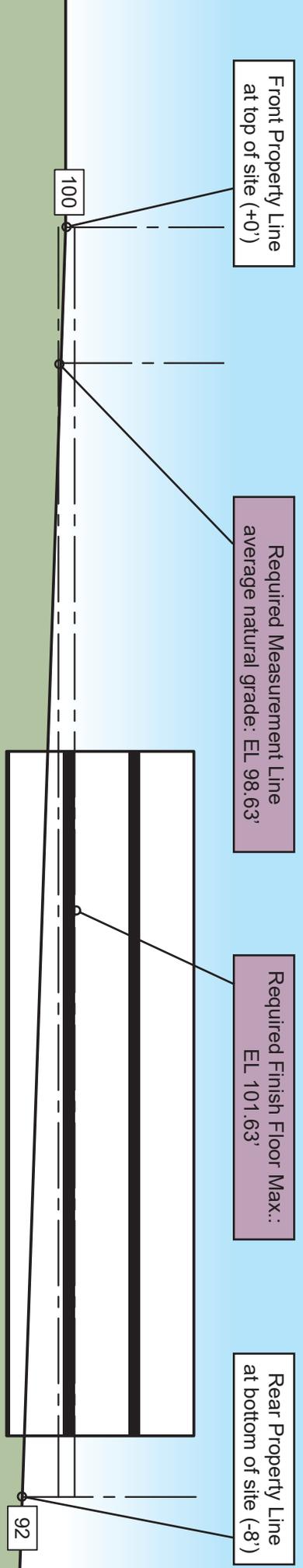
# RESTRICTIONS UNIQUE TO PROPERTY



P-6/19

1415 W. 10th BUILDING SECTION AS REQUIRED BY SUBCHAPTER F 3.3.3-B-2

Longitudinal Section: Subject Property



INVERSE SLOPE BUILDING SECTION AS REQUIRED BY SUBCHAPTER F 3.3.3-B-2

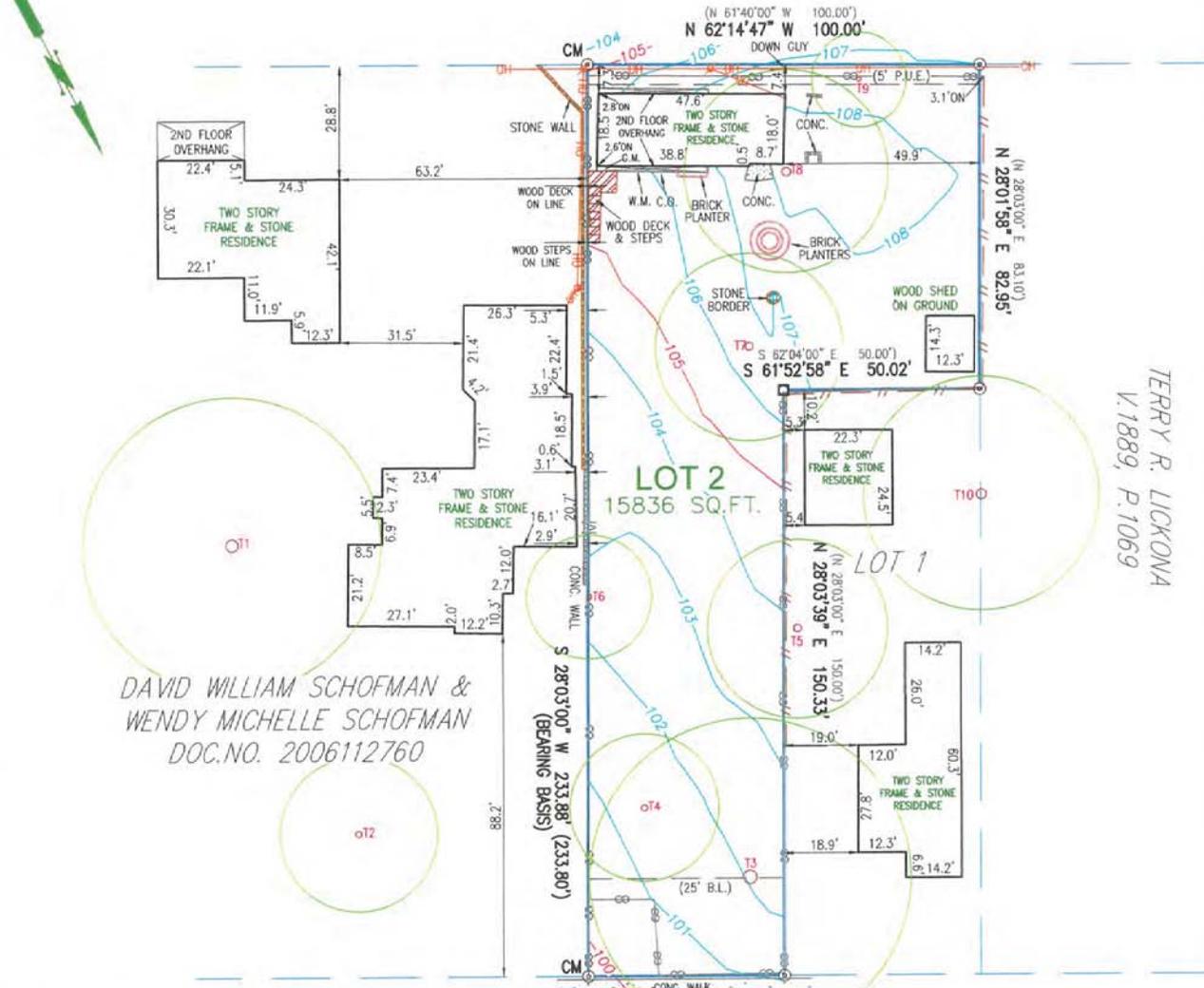
Longitudinal Section: Inverse Slope Example

**RESTRICTIONS UNIQUE TO PROPERTY:** If the contours were inverse, there would be no need for variance.

In addition to the high quantity of protected Post Oak trees, the direction of grading sets up restrictions unique to the property.

If the same site layout were located on the opposite side of the street, so that the front of the site was at the top contour level, no variance would be required. Any basement area would be easily accommodated and even day-lit on most sides.

Our understanding of the intent of Subchapter F - 3.3.3-B-2 is to prevent walk-out basements. With the variance request, our design will meet the intent of the code; there will not be a walk-out basement.



DAVID WILLIAM SCHOFMAN &  
WENDY MICHELLE SCHOFMAN  
DOC. NO. 2006112760

TERRY R. LICKONA  
V.1889, P.1069

| TAG NO. | TREE DESCRIPTION    |
|---------|---------------------|
| 1       | 38" ASH TREE        |
| 2       | 20" M.S. PECAN TREE |
| 3       | 41" M.S. POST OAK   |
| 4       | 19" POST OAK TREE   |
| 5       | 23" POST OAK TREE   |
| 6       | 16" ELM TREE        |
| 7       | 23.9" ELM TREE*     |
| 8       | 26" POST OAK TREE   |
| 9       | 12" ELM TREE        |
| 10      | 30" POST OAK TREE   |

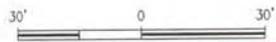
M.S. = MULTI-STEM

This tree location survey certifies the size and location of the trees depicted hereon. B&G Surveying, LLC, nor the undersigned, certify the Species/Genus of these trees. For exact Species/Genus contact a Certified Arborist.

TEMPORARY BENCHMARK: SQUARE CHISELED ON CURB,  
ASSUMED ELEVATION = 100.00'  
S 61°54'43" W 49.98'  
(S 62°04'00" E 50.00')

**WEST 10TH STREET**  
(60' R.O.W.)

**\*\*SPECIAL NOTE:**  
Tree T7 was measured by Mark Mann, Certified Arborist, of Davey Tree Service on August 2, 2019, at 23.9" diameter below the irregular swelling.



| LEGEND |                                |
|--------|--------------------------------|
|        | 1/2" REBAR FOUND               |
|        | 1/2" CAPPED REBAR SET          |
|        | 1/2" IRON PIPE FOUND           |
|        | 600 NAIL FOUND                 |
|        | 600 NAIL SET                   |
|        | CAPPED REBAR FOUND             |
|        | "X" SET IN CONCRETE            |
|        | "X" FOUND IN CONCRETE          |
|        | CHAIN LINK FENCE               |
|        | WOOD FENCE                     |
|        | METAL FENCE                    |
|        | B.L. BUILDING LINE             |
|        | P.U.E. PUBLIC UTILITY EASEMENT |
|        | D.E. DRAINAGE EASEMENT         |
|        | C.O. CLEAN OUT                 |
|        | G.M. GAS METER                 |
|        | W.M. WATER METER               |
|        | ( ) PER PLAT                   |
|        | C.M. CONTROL MONUMENT          |
|        | R.O.W. RIGHT OF WAY            |
|        | P.O.B. PLACE OF BEGINNING      |
|        | OH OVERHEAD UTILITY LINE       |
|        | AP AIR CONDITIONER             |

*Stewart Title Guaranty Company*  
TO THE LIENHOLDER AND/OR PRESENT OWNERS OF THE PREMISES SURVEYED AND TO  
**STEWART TITLE GUARANTY COMPANY**

I DO HEREBY CERTIFY TO THOSE LISTED HEREON THAT THIS SURVEY WAS THIS DAY MADE ON THE GROUND, UNDER MY SUPERVISION OF THE PROPERTY LEGALLY DESCRIBED HEREON, IS PREPARED IN ACCORDANCE WITH THE TITLE COMMITMENT REFERENCED HEREON, AND THAT THERE ARE NO VISIBLE BOUNDARY LINE CONFLICTS, ENCROACHMENTS, OVERLAPPING OF IMPROVEMENTS, OR ROADS IN PLACE, EXCEPT AS SHOWN HEREON. BUILDING DIMENSIONS ARE APPROXIMATE.



Notes:  
1) Subject to restrictions and easement rights as stated in Book 75, Page 284, Plat Records.

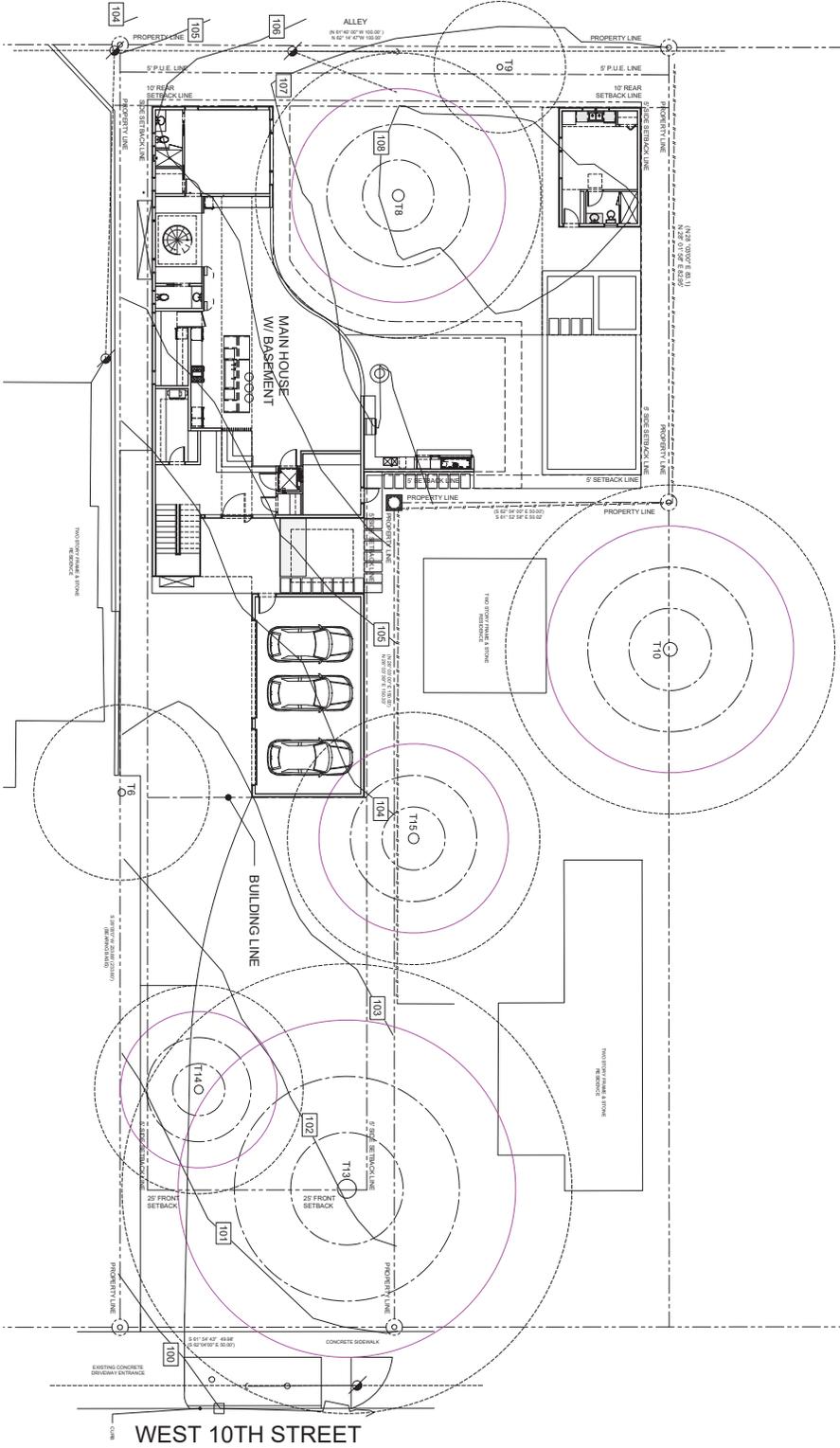
or TREE LIST UPDATED: 08/20/19

STREET ADDRESS: **1410 WEST 10TH STREET** CITY: **AUSTIN** COUNTY: **TRAVIS** STATE OF TEXAS  
 LOT: **2** SUBDIVISION: **WEED SUBDIVISION** VOL/CAB: **75** PG/SLD: **284** PLAT RECORDS  
 REFERENCE NAME: **SAMIR PATEL** G.F. #: **1109747**

**B & G SURVEYING, LLC**  
FIRM REGISTRATION NO. 100363-00  
WWW.BANDGSURVEYING.COM  
1404 West North Loop Blvd.  
Austin, Texas 78756 - Office 512-458-6969

JOB #: **B0725119\_TA**  
DATE: **08/12/19**  
SCALE: **1" = 30'**

| FIELD WORK BY | DATE     |
|---------------|----------|
| CM            | 08/05/19 |
| VC            | 08/07/19 |
| AW3           | 08/09/19 |
| VC            | 08/12/19 |



SITE PLAN  
 22'x24' SCALE: 3/32" = 1'-0"  
 11'x17' SCALE: 3/64" = 1'-0"



|   |  |                            |
|---|--|----------------------------|
| <h1>A1.00</h1>  | <p><b>CLARK   RICHARDSON</b><br/>                 ARCHITECTS</p>   |                            |
|   | <p>PROJECT:<br/>                 PATEL RESIDENCE<br/>                 NEW CONSTRUCTION<br/>                 AUSTIN, TX 78703</p> |                            |
| <p>ARCHITECT:<br/>                 CLARK RICHARDSON LLC<br/>                 6181 LAVACA, SUITE #7<br/>                 AUSTIN, TX 78701<br/>                 CONTACT: CLARK RICHARDSON<br/>                 512.252.3047<br/>                 cr@clarkrichardson.com</p>         |  | <p>GENERAL CONTRACTOR:</p> |
| <p>STRUCTURAL:</p>  |  | <p>ARCHITECT'S SEAL:</p>   |
| <p>APRIL CLARK - Texas Architect<br/>                 This document is for informational purposes only and does not constitute an offer of architectural services. The architect's seal is not to be used for any other project without the written consent of the architect.</p> |  |                            |
| <p>SCALE:<br/>                 22'x24' 3/32" = 1'-0"<br/>                 11'x17' 3/64" = 1'-0"</p>   | <p>DATE:<br/>                 10.03.2019</p>   | <p>SITE PLAN</p>           |

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**Subject:** C15-2019-0064

\*\*\* External Email - Exercise Caution \*\*\*

Dear Ms. Ramirez,

As the owner of the property at 1405 W. 10th Street, I wish to express my support for variance C15-2019-0064, requested by the owner of 1415 W. 10th Street. My documentation of support is attached.

Best Regards,  
Teresa O'Connell  
1405 W. 10th Street

Written comments must be submitted to the contact person listed on the notice before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice. All comments received will become part of the public record of this case.

Case Number: C15-2019-0064  
Contact: Elaine Ramirez, 512-974-2202  
Public Hearing: Board of Adjustment, November 7<sup>th</sup>, 2019

I am in favor  
 I object

Teresa O'Connell  
Your Name (please print)

1405 W. 10<sup>th</sup> Street  
Your address(es) affected by this application

Teresa O'Connell  
Signature

Daytime Telephone: 512-751-1374

Date: 11/3/19  
Comments: I favor this variance in order to protect the beautiful oak trees on the lot, & allow the building to be set back from these trees.

If you use this form to comment, it may be returned to:  
City of Austin-Development Services Department/ 1st Floor  
Elaine Ramirez  
P. O. Box 1088  
Austin, TX 78767-1088  
Fax: (512) 974-6305  
Scan & Email to: [elaine.ramirez@austintexas.gov](mailto:elaine.ramirez@austintexas.gov)

**CAUTION:** This email was received at the City of Austin, from an EXTERNAL source. Please use caution when clicking links or opening attachments. If you believe this to be a malicious and/or phishing email, please forward this email to [CSIRT@austintexas.gov](mailto:CSIRT@austintexas.gov).

**PUBLIC HEARING INFORMATION**

Although applicants and/or their agent(s) are expected to attend a public hearing, **you are not required to attend.** However, if you do attend, you have the opportunity to speak **FOR** or **AGAINST** the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact person listed on a notice*); or
- appearing and speaking for the record at the public hearing; and:
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: [www.austintexas.gov/devservices](http://www.austintexas.gov/devservices).

Written comments must be submitted to the contact person listed on the notice before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice. All comments received will become part of the public record of this case.

Case Number: C15-2019-0064

Contact: Elaine Ramirez, 512-974-2202

Public Hearing: Board of Adjustment, November 7<sup>th</sup>, 2019

*Terry Lickona*  
Your Name (please print)

1503 W. 10<sup>th</sup> St. Unit 2, Austin 78703  
Your address(es) affected by this application

*T. Lickona*  
Signature

11/7/19  
Date

Daytime Telephone: (512) 422-8480

Comments: *I am opposed to granting this variance.*

I am in favor  
 I object

**If you use this form to comment, it may be returned to:**  
City of Austin-Development Services Department/ 1st Floor  
Elaine Ramirez

P. O. Box 1088

Austin, TX 78767-1088

Fax: (512) 974-6305

Scan & Email to: [elaine.ramirez@austintexas.gov](mailto:elaine.ramirez@austintexas.gov)