## CITY OF AUSTIN Board of Adjustment Decision Sheet

### DATE: Wednesday February 5, 2020

CASE NUMBER: C15-2020-0010

- \_\_\_\_\_Brooke Bailey OUT
- \_\_\_\_\_Jessica Cohen
- \_\_\_\_\_Ada Corral
- \_\_\_\_\_Melissa Hawthorne
- \_\_\_\_\_William Hodge
- \_\_\_\_\_Don Leighton-Burwell ABSTAINING
- \_\_\_\_\_Rahm McDaniel OUT
- Darryl Pruett
- \_\_\_\_\_Veronica Rivera
- \_\_\_\_\_Yasmine Smith OUT
- \_\_\_\_\_Michael Von Ohlen
- \_\_\_\_Kelly Blume (Alternate)
- \_\_\_\_\_Martha Gonzalez (Alternate) OUT
- \_\_\_\_\_Denisse Hudock (Alternate) OUT

APPLICANT: Travis Young

**OWNER: Daniel and Amy Coops** 

ADDRESS: 71 JULIUS ST

VARIANCE REQUESTEDThe applicant is requesting a variance(s) from Section 25-2-721 (Waterfront Overlay (WO) Combining District Regulations) to (C) (1) and (2) from secondary setback area to allow construction of a home and increase the maximum allowable impervious cover from 30% (allowed) to 36.8% (requested) in order to erect a single-family residence with a detached garage and guest house in a SF-3-NP", Single-Family Residence – Neighborhood Plan zoning district (Holly Neighborhood Plan).

Note: Per LDC 25-2-721Waterfront Overlay (WO) Combining District Regulations (C) In a secondary setback area:

(1) fountains, patios, terraces, outdoor restaurants, and similar uses are permitted; and

(2) impervious cover may not exceed 30 percent.

BOARD'S DECISION: BOA MEETING FEB 5, 2020 POSTPONED TO MARCH 9, 2020 BY APPLICANT DUE TO SHORTAGE OF BOARD MEMBERS (LEIGHTON-BURWELL ABSTAINING)

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:

Etaine Ramirez **Executive Liaison** 

eighton-Burwell Don L Chairman



January 27, 2020

Travis Young 71 Julius St Austin TX, 78702

Property Description: IMPS ONLY ON LOT 7-8 \*& 8FT ADJ ALLEY BLK 7 OLT 41-42&53 DIV O RILEYS SUBD

### Re: C15-2020-0010

Dear Travis,

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 25-2-721 (Waterfront Overlay (WO) Combining District Regulations) (C) (1) and (2) – a variance from secondary setback area to allow construction of a home and to increase the maximum allowable impervious cover from 30% (allowed) to 36.8% (requested); In order to erect a single-family residence with a detached garage and guest house in a SF-3-NP", Single-Family Residence – Neighborhood Plan zoning district (Holly Neighborhood Plan).

Austin Energy does not oppose request 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.

Please use this link to be advised of our clearance and safety requirements which are additional conditions of the above review action: <u>https://austinenergy.com/wcm/connect/8bb4699c-7691-4a74-98e7-</u> 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

## P-10/4 BOA GENERAL REVIEW COVERSHEET

**CASE:** C15-2020-0010

BOA DATE: February 5, 2020

ADDRESS: 71 Julius St OWNER: Daniel & Amy Coops **<u>COUNCIL DISTRICT</u>**: 3 <u>AGENT</u>: Travis G. Young

ZONING: SF-3-NP

### LEGAL DESCRIPTION: LOT 7-8 \*& 8FT ADJ ALLEY BLK 7 OLT 41-42&53 DIV O RILEYS SUBD

VARIANCE REQUEST: allow construction of a single-family residence and allow 36.8% impervious cover

**SUMMARY:** erect a single-family residence with a garage/guest house

**ISSUES:** Waterfront Overlay of Festival Beach requires a secondary setback that is within 100 ft. and 150 ft. from waters edge + three large heritage trees restrict current building envelope

	ZONING	LAND USES
Site	SF-3-NP	Single-Family
North	SF-3-NP	Single-Family
South	P-NP	Public
East	SF-3-NP	Single-Family
West	P-NP	Public

### **NEIGHBORHOOD ORGANIZATIONS:**

Austin Independent School District Austin Lost and Found Pets Austin Neighborhoods Council **Bike Austin** Del Valle Community Coalition East Austin Conservancy East Town Lake Citizens Neighborhood Association El Concillio 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



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

P-10/6

## **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 Order

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		ck No. 7 of outlot 53 -
	Block(s): 7	
Division: O		
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ops and Amy J. Rul	nl-Coops	affirm that on
13 , Year	2020 , hereby a	pply for a hearing before the
deration to (select a	ppropriate option be	low):
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mily residence with	garage/guest house	l <u>.</u>
	41, Division O, Riley olume 3, page 140 ops and Amy J. Rul 13 , Year deration to (select a omplete O Remo	41, Division O, Riley's subdivision of blo rolume 3, page 140 Block(s): 7 Division: O

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

LDC section 25-2-721, Section C, Part 1&2 Required impervious cover in setback is 30% Requested impervious cover in setback is 36.8%

**P-1(**)

## **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 Waterfront Overlay of Festival Beach, requires a secondary setback that is within 100' and 150' from the waters edge wherein no vertical structures can be built, and impervious cover must not exceed 30%. Three large heritage trees restrict the current building envelope to the area of the previously existing home, which was located within the secondary setback. We would like to build a single family home with detached garage/guest house that meets all criteria of the underlying SF-3 zoning, but protection of trees and conformance with secondary setback will not allow that reasonable use.

### Hardship

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

Very few residential properties are affected by the secondary setback, and these two lots are the only lots affected on this existing block of homes. The addition of three heritage trees furthers this unique condition.

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

Very few residential lots are affected by the waterfront overlay setbacks.

City of Austin | Board of Adjustment General/Parking Variance Application

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#### 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:

1. The location for the proposed house is within the same location of the previousl yexisting house that had existed since 1972.

2. The proposed new house is 2 story, and conforms with all SF-3 Regulations including all regulations imposed by Subchapter F of section 25-2 of the City of Austin LDC.

3. The purpose of the WO was provide for ample natural vegetation at waters edge encourage residential uses, and allow public access to the water. This project is an appropriate example.

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:

- 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:
- 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:

City of Austin | Board of Adjustment General/Parking Variance Application

09/11/2015 | Page 6 of 8

Section 3: Applicant Certificate		
affirm that my statements contained in the comp my knowledge and belief.	lete application are true an	nd correct to the best of
Applicant Signature:		Date: 01/13/2020
Applicant Name (typed or printed): TravisG. You	ng	
Applicant Mailing Address: 1415 Justin Lane		
City: Austin	State: TX	Zip: <u>78757</u>
Phone (will be public information): (512) 452-796	1	
Email (optional – will be public information):		
Section 4: Owner Certificate		

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I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Owner Signature:	S. Comp	1/13/2020
Owner Name (typed or printed): Any J. Ruh-Co	sos & Dome S. Conf	<u>5</u>
Owner Mailing Address: 3001 Espanza G	DSSIN #4064	
City: Austin	State: Tx	Zip: 78758
Phone (will be public information):	50 512-653-2039	
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)

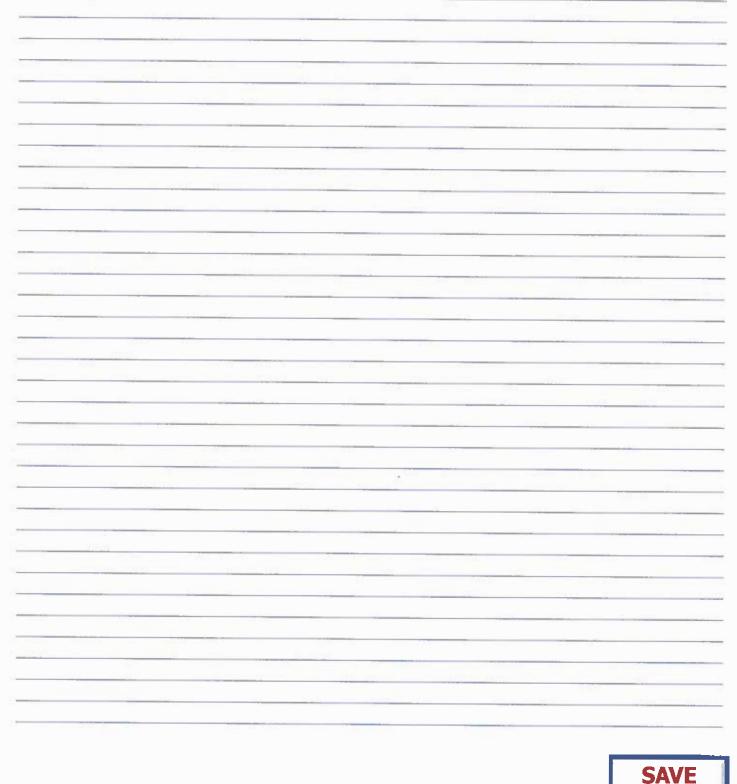
Please use the space below to provide additional information as needed. To ensure the information is referenced to the proper item, include the Section and Field names as well (continued on next page).

Attached to this application are the City of Austin GIS, showing the waterfront overlay and it's specificity to this site. Also attached are photos of the heritage trees in question, as well as the existing natural area that will not be disturbed by this development. Included is an existing condition site plan showing previously existing houses, as well as the setback created by a license

### **Additional Space (continued)**

surveyor. Also included is a proposed site plan to scale, showing waters edge. Proposed elevations showing conformance with All subchapter F requirements. The project can also conform with the Festival Beach Water Front Overlay restriction of 40% impervious cover for all lots within the overlay, but outside of the setbacks.

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09/11/2015 | Page 8 of 8

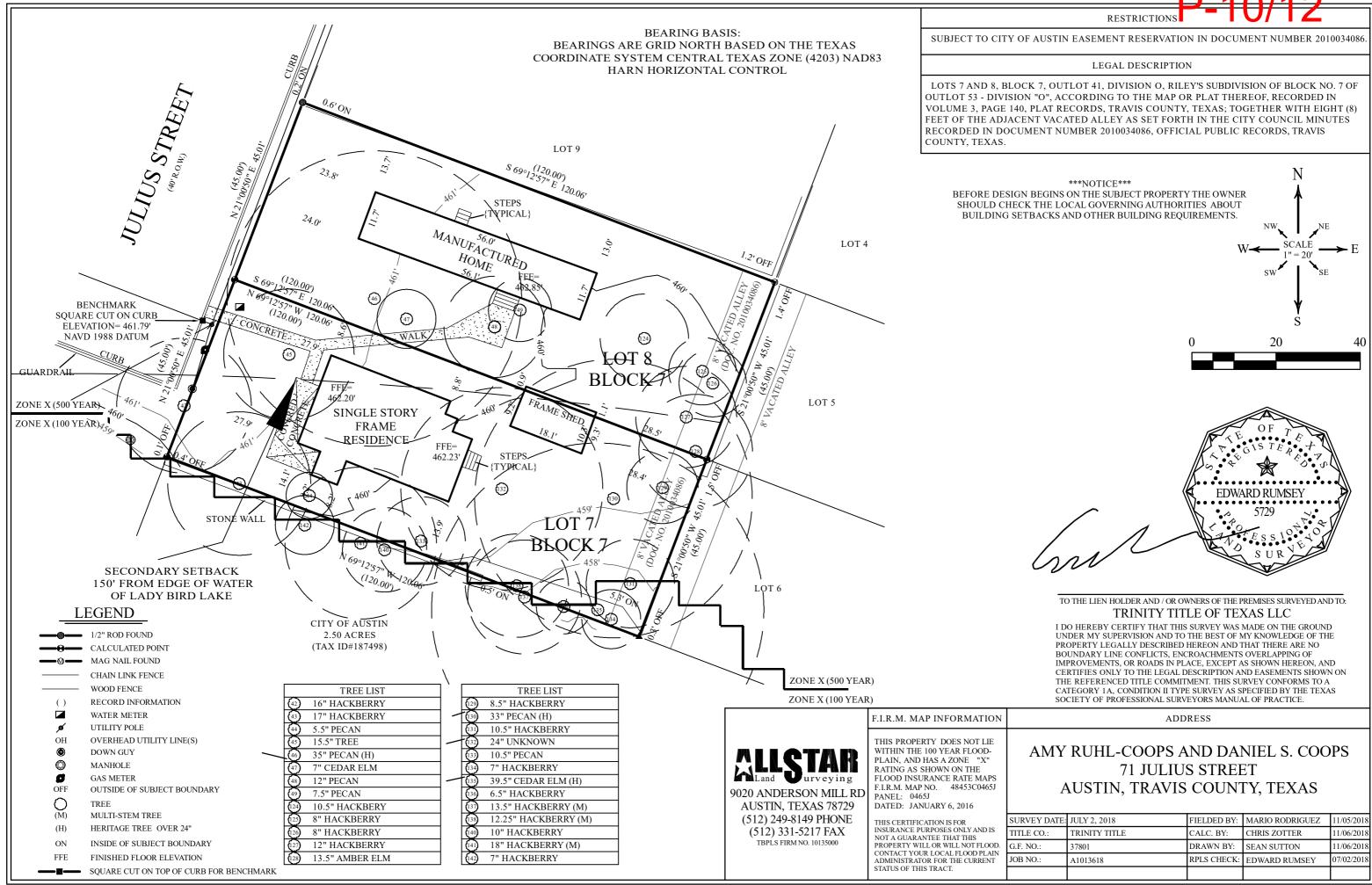
#### 23-3C-10140 Waterfront Overlay

#### (A) Purpose.

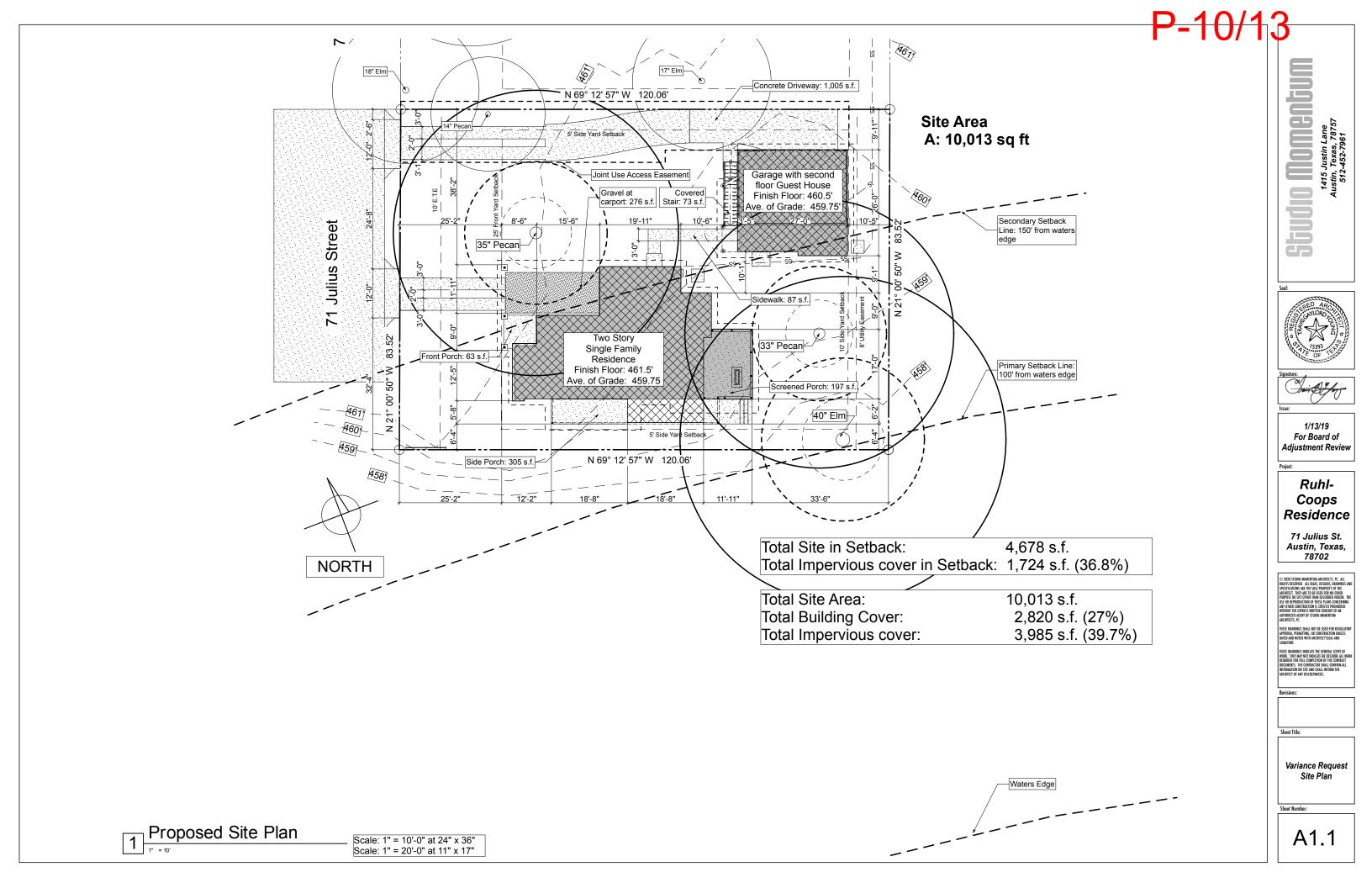
- (1) The purpose of the Waterfront Overlay (WO) is to promote the harmonious interaction and transition between urban development and the park land and shoreline of Lady Bird Lake and the Colorado River. A reference to Town Lake equates to Lady Bird Lake.
- (2) The director and City board's decisions regarding implementation of this section shall be guided at all stages by the goals and policies of the Town Lake Corridor Study, including, but not limited to, the following:
  - (a) Ensure that zoning decisions in the Colorado River Corridor achieve the highest degree of land use compatibility by:
    - (i) Eliminating industrial uses from the confluence of Longhorn Dam;
    - (ii) Phasing out resource extraction; and
    - (iii) Providing the public visual and physical access to the Colorado River.
  - (b) Protect, enhance, and interpret natural values and environmentally sensitive areas of the Colorado River Corridor through:
    - Appropriate mitigation for new development affecting identified landforms; and
    - (ii) Maintenance of natural shorelines and bluffs along the waterfront, except where otherwise required by subdistrict s or for necessary stabilization.
  - (c) Recognize the potential of the waterfront as an open space connector, formshaper of urban development, and focal point for lively pedestrian-oriented mixed-uses as defined by the subdistrict goals of the Town Lake Corridor Study.

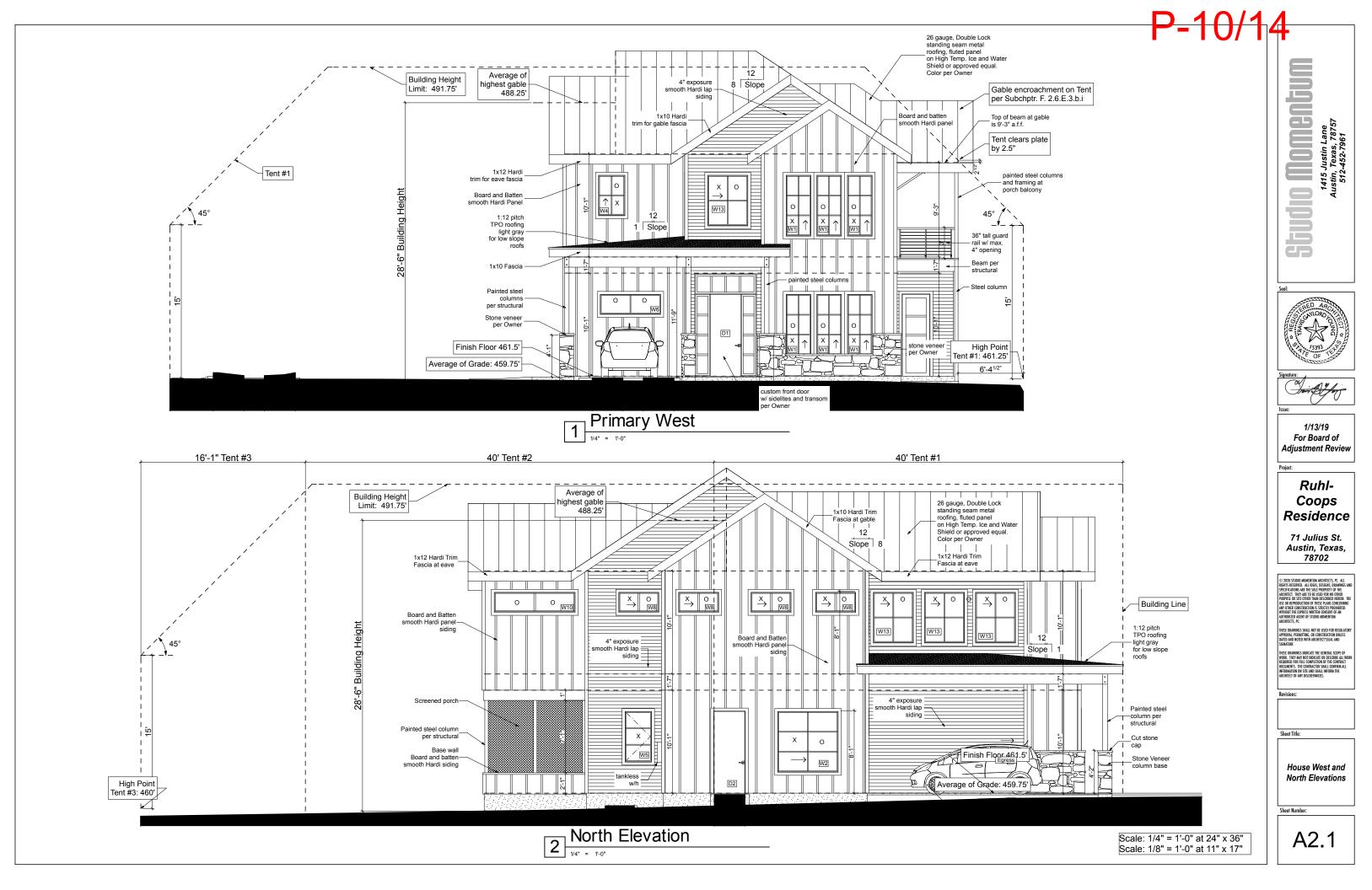
#### (B) Applicability.

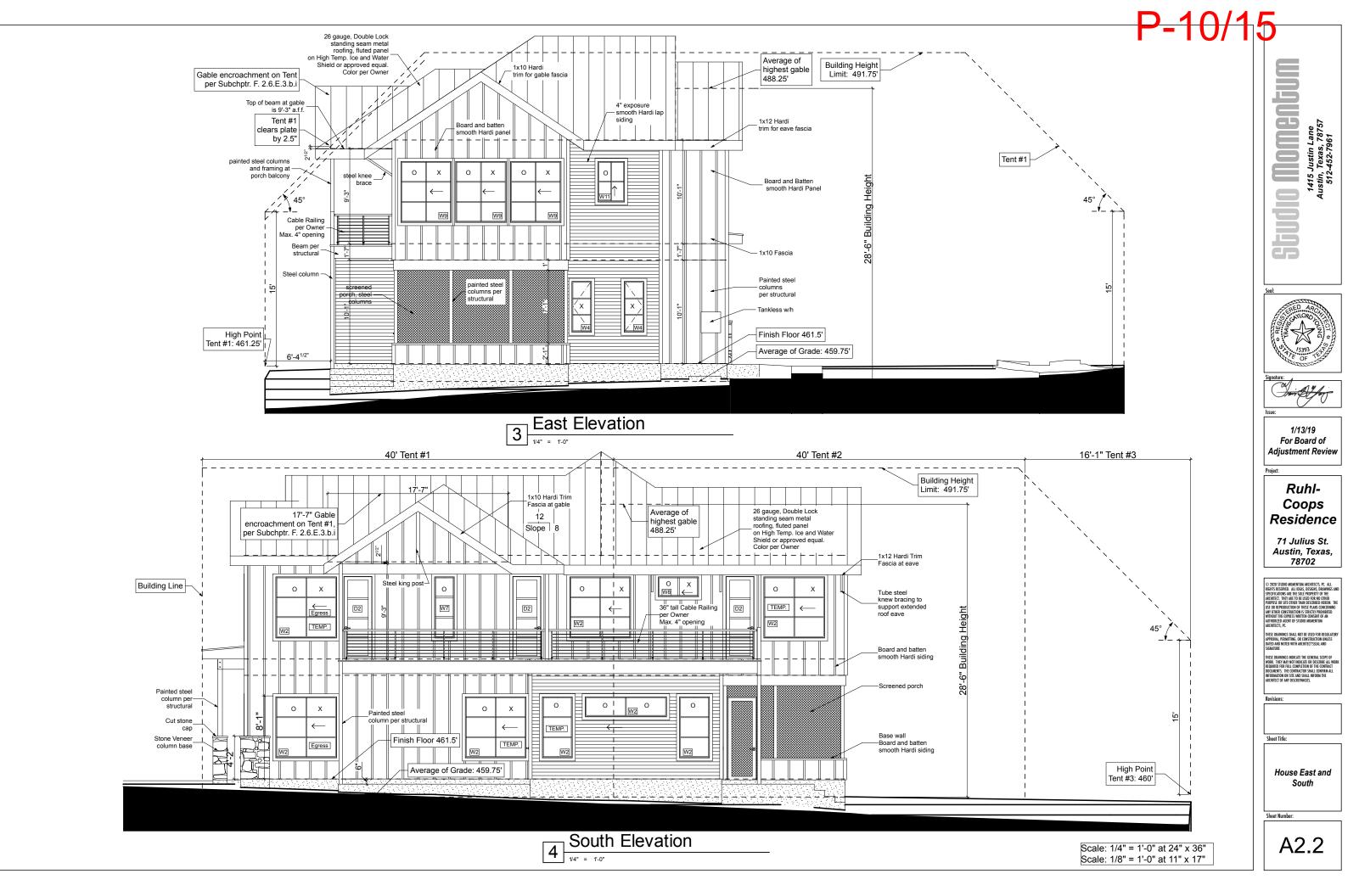
- (1) This section applies to property in the WO, as defined in Section 23-3C-10150 (Overlay Boundaries Described).
- (2) The requirements of this section do not apply to:
  - (a) A single-family, duplex, or accessory dwelling unit use;
  - (b) A community event use; or

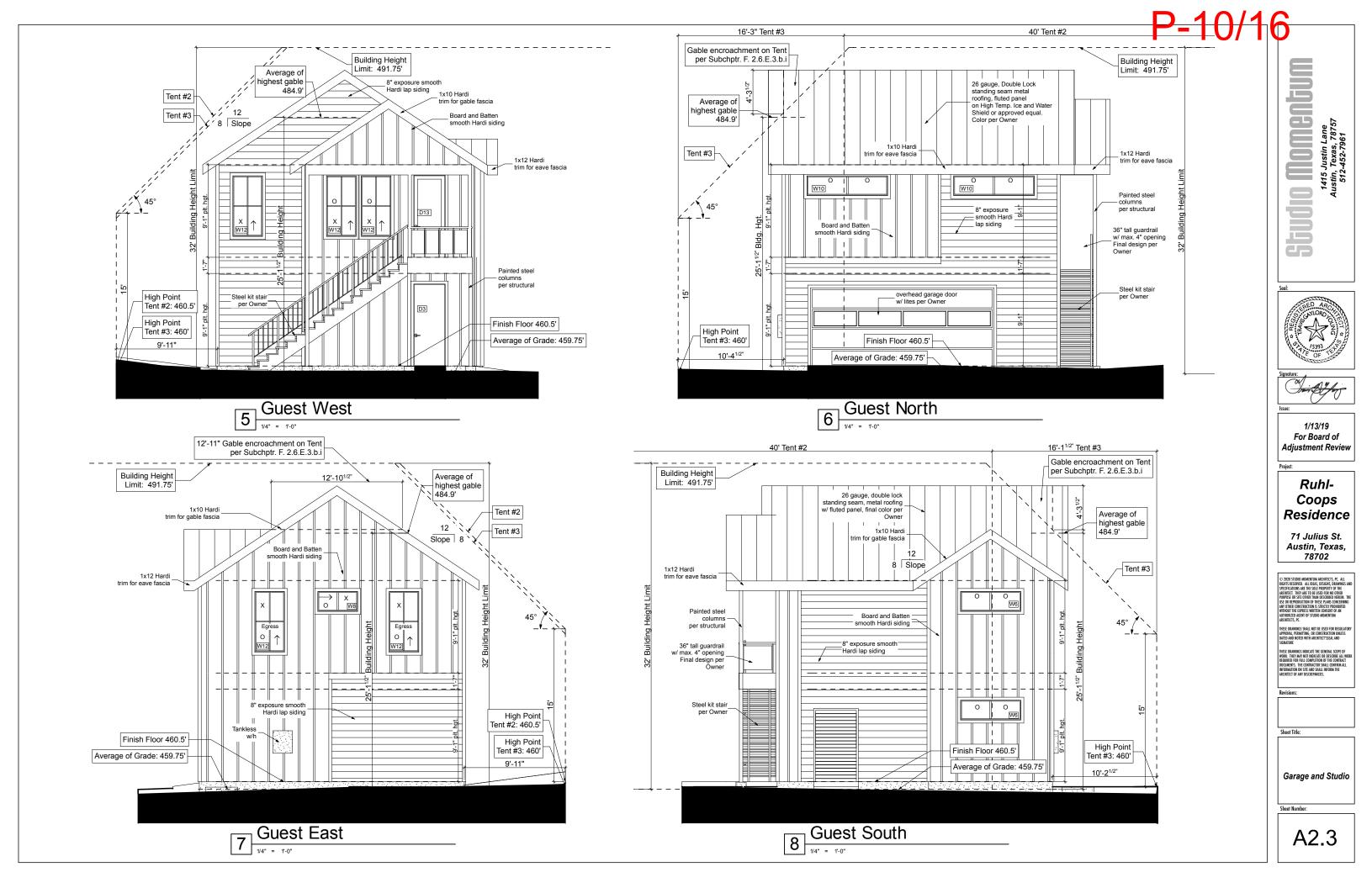


VEY DATE:	JULY 2, 2018	FIELDED BY:	MARIO RODRIGUEZ	11/05/2018
E CO.:	TRINITY TITLE	CALC. BY:	CHRIS ZOTTER	11/06/2018
NO.:	37801	DRAWN BY:	SEAN SUTTON	11/06/2018
NO.:	A1013618	RPLS CHECK:	EDWARD RUMSEY	07/02/2018



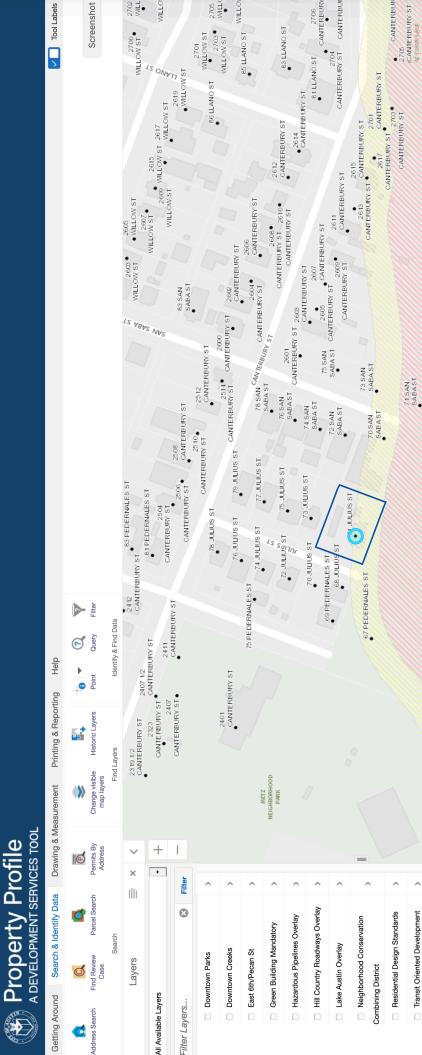








P-10/17 1415 Justin Lane Austin, Texas, 78757 512-452-7961 Studio I Seal 1/13/19 For Board of Adjustment Review Project: Ruhl-Coops Residence 71 Julius St. Austin, Texas, 78702 Revisio Sheet Title: Three Dimensional Views Sheet Number: A6.2



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GreyScale

🏠 Home 📚 Layers 🔃 Address

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Overlay

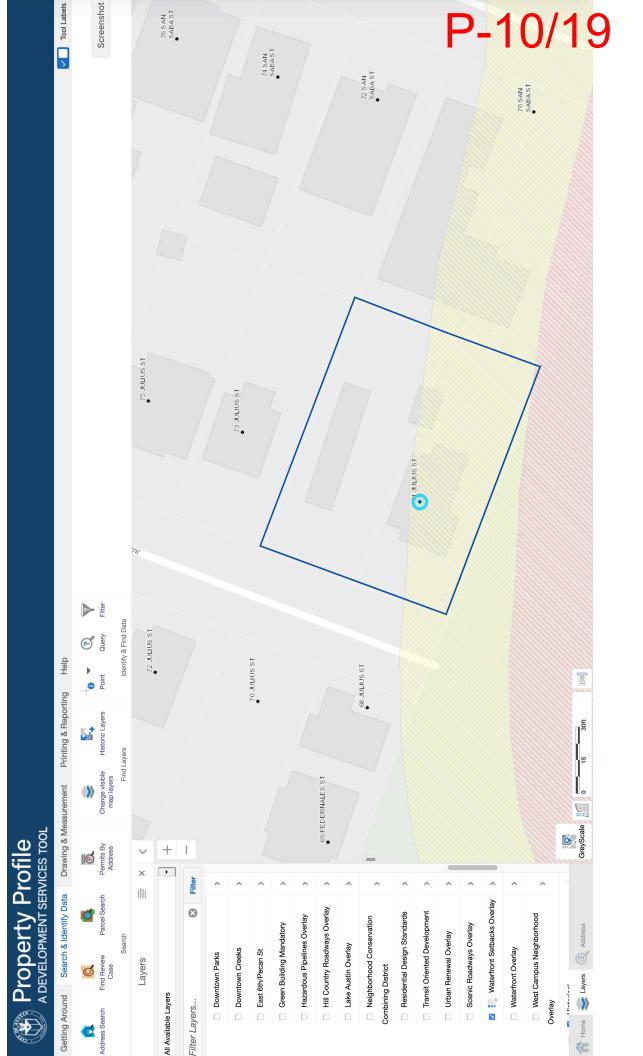
🗾 👯 Waterfront Setbacks Overlay

Scenic Roadways Overlay Urban Renewal Overlay

West Campus Neighborhood

Waterfront Overlay

Transit Oriented Development



View of House site looking East from Julius

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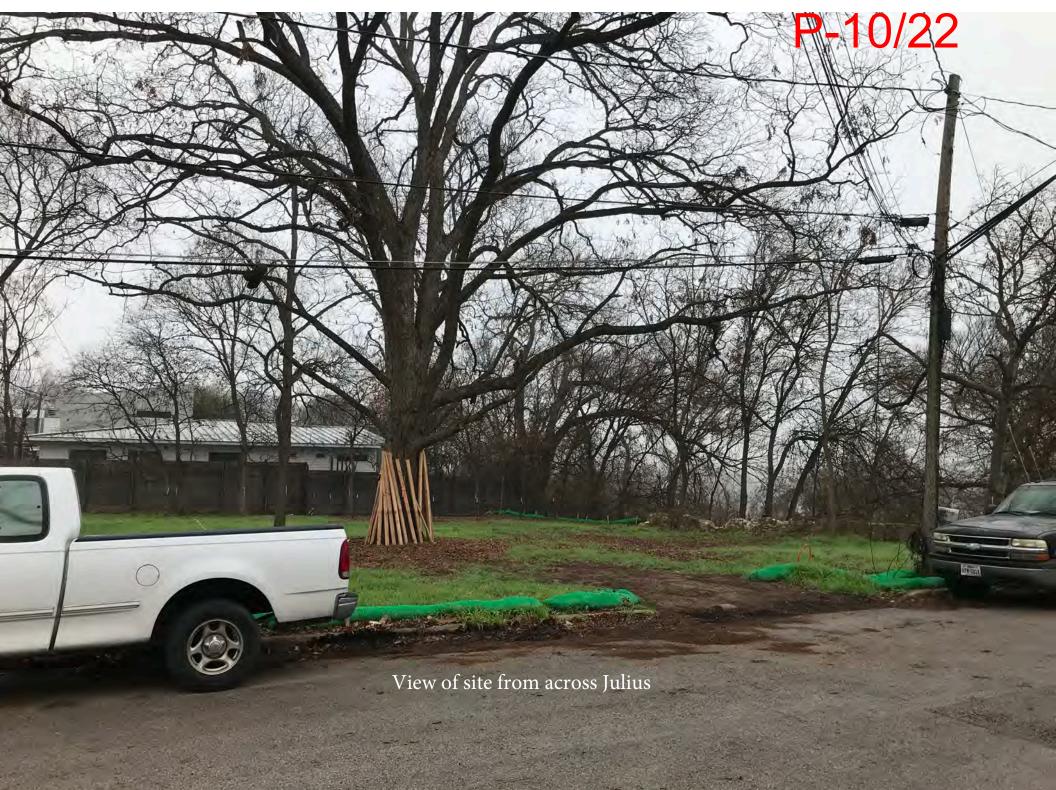
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View East along South Property Line

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Sister?

, View of Other Heritage Trees on the Site

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View of Large Existing House at 70 San Saba, East of property

13 to



Natural Vegetation south of property

Land South of the property between water edge and property line

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View South from end of Julius Street

View West from Property



### C15-2019-0010 Travis Young for Daniel & Amy Coops 71 Julius Street

BOA Request for variance(s) from Section 25-2-721 (Waterfront Overlay (WO) Combining District Regulations) to (C) (1) and (2) from secondary setback area to allow construction of a home and increase the maximum allowable impervious cover from 30% (allowed) to 36.8% (requested) in order to erect a single-family residence with a detached garage and guest house in a SF-3-NP", Single-Family Residence – Neighborhood Plan zoning district (Holly Neighborhood Plan).

Letters of support from the neighbor surrounding 71 Julius St.

Jorge Stergiou 70 Julius Street Austin, TX 78702

Board of Adjustment City of Austin

Re: 71 Julius Street

Board members,

This past year I built a home at 70 Julius St. I've met Dan and Amy a few times over the past couple years and we've exchanged experiences about building in the neighborhood. They have worked to clear the lot and have talked about their plans to build their home here.

Recently, they have shown me their plans to their home at 71 Julius. I think the home is a good fit for the neighborhood and will not impact the view or use of the waterfront and I support their design plan.

Sincerely,

Jorge Stergiou

M

Tannen Campbell 77 Julius Street Austin, TX 78702

Board of Adjustment City of Austin

Re: 71 Julius Street

Board members,

I've met Dan and Amy a couple times over the past couple years. They have been good neighbors in letting me know when the trucks were coming to relocate the 71 Julius home and before they started any noisy work. As they have worked to clear the lot they have talked about their plans to build their home in our neighborhood.

Recently, they have shown me their plans to build their home at 71 Julius. I think the home is a good fit for the neighborhood and will not impact the view or use of the waterfront and I fully support their design plan.

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Tannen Campbell

Marcel Meyer 70 San Saba Street Austin, TX 78702

Board of Adjustment City of Austin

Re: 71 Julius Steet

Board members,

I own and live in the "waterfront" property on San Saba Street immediately behind 71 Julius.

Recently, they have shown me their plans to their home at 71 Julius. I think the home is a good fit for the neighborhood and will not impact the view or use of the waterfront and I support their design plan.

Marcel Meyer May 1 Van



Christina and Joe McCafferty 72 San Saba Street Austin, TX 78702

Board of Adjustment City of Austin

Re: 71 Julius Street

Board members,

We've met Dan and Amy a couple times over the past few years. They have been good neighbors in letting us know when the trucks were coming to relocate the 71 Julius home and before they started any noisy work. As they have worked to clear the lot they have talked about their plans to build their home in our neighborhood.

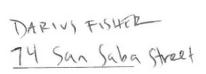
Recently, they have shown us their plans to their home at 71 Julius. We think the home is a good fit for the neighborhood and will not impact the view or use of the waterfront and we support their design plan.

Sincerely,

Christina and Joe McCafferty

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Austin, TX 78702

Board of Adjustment City of Austin

Re: 71 Julius Street

Board members,

I've met Dan and Amy, the owners of the property at 71 Julius which is currently a vacant lot. Recently, they have shown me their plans to build their home at 71 Julius. I think the home is a good fit for the neighborhood and will not impact the view or use of the waterfront and I fully support their design plan.

Austin, TX 78702

Board of Adjustment City of Austin

Re: 71 Julius Street

Board members,

I've met Dan and Amy own a the property of 71 Julius that is currently a vacant lot. Recently, they have shown me their plans to build their home at 71 Julius. I think the home is a good fit for the neighborhood and will not impact the view or use of the waterfront and I fully support their design plan.

2506 Canterley St. Austri, TX 78702





Austin, TX 78702 512-947-7426

Board of Adjustment City of Austin

Re: 71 Julius Street

Board members,

I've met Dan and Amy, the owners of the property at 71 Julius which is currently a vacant lot. Recently, they have shown me their plans to build their home at 71 Julius. I think the home is a good fit for the neighborhood and will not impact the view or use of the waterfront and I fully support their design plan.

Via

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<ul> <li>has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.</li> <li>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.</li> <li>For additional information on the City of Austin's land development process, visit our web site: www.austintexas.gov/devservices.</li> </ul>	<ul> <li>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.</li> <li>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: <ul> <li>delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (<i>it may be delivered to the contact person listed on a notice</i>); or <ul> <li>appearing and speaking for the record at the public hearing; and:</li> <li>occupies a primary residence that is within 500 feet of the subject property or proposed development; or</li> <li>is the record owner of property within 500 feet of the subject property or proposed development; or</li> </ul> </li> </ul></li></ul>	<b>PUBLIC HEARING INFORMATION</b> Although applicants and/or their agent(s) are expected to attend a public hearing, <u>you are not required to attend</u> . 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. 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.
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	<b>70 San Saba St, Austin, TX 78702</b> Your address(es) affected by this application         Image: Signature       Image: Signature         Daytime Telephone:       512-689-4455 cell         Comments:       I am in favor of the variance being sought. I have no objections.	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: C15-2020-0010         Contact: Elaine Ramirez, 512-974-2202         Public Hearing: Board of Adjustment; February 5 <sup>th</sup> , 2020         MARCEL MEYER         Your Name (please print)

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Sonia Martinez 7**g**San Saba Street Austin, TX 78702

Board of Adjustment City of Austin

Re: 71 Julius Steet

7 Board members,

I grew up on Julius Street and have seen a lot here over the years. I've met Dan and Amy several times over the past couple years.

As they have worked to clear the lot they have talked about their plans to build their home in our neighborhood.

Recently, they have shown us their plans to their home at 71 Julius. We think the home is a good fit for the neighborhood and will not impact the view or use of the waterfront and we support their design plan.

Sincerely,

Sonia Martinez

Sonia Martz