

BOA GENERAL REVIEW COVERSHEET

CASE: C15-2020-0016

BOA DATE: April 13, 2020

ADDRESS: 4013 Clawson Rd

COUNCIL DISTRICT: 5

OWNER: Chris Paladino

AGENT: N/A

ZONING: SF-3

LEGAL DESCRIPTION: S50 FT OF N 1/2 OF LOT 25-27 BANISTER HEIGHTS

VARIANCE REQUEST: decrease minimum lot width from 50 ft. to 34.8 ft. (front lot) and decrease minimum lot width from 50 ft. to 49.82 ft. (rear lot)

SUMMARY: complete future residential

ISSUES: property is narrowest of its size in the vicinity

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

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District

Austin Lost and Found Pets

Austin Neighborhoods Council

Bike Austin

Friends of Austin Neighborhoods

Homeless Neighborhood Association

Neighborhood Empowerment Foundation

Perry Grid 614

Preservation Austin

SELTexas

Sierra Club, Austin Regional Group

South Central Coalition

South Lamar Neighborhood Assn.

TNR BCP – Travis County Natural Resources



May 5, 2020

Chris Palladino
4013 Clawson Rd
Austin TX, 78704

Property Description: S50 FT OF N 1/2 OF LOT 25-27 BANISTER HEIGHTS

Re: C15-2020-0016

Dear Chris,

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 25-2 492 (D) (*Site Development Regulations*) to decrease the minimum lot width from 50 feet (required) to 34.8 feet (requested) for front lot and 49.82 feet (requested) for rear lot;

In order to subdivide the current lot into 2 lots and build 2 new single family homes and 2 new second dwelling units on each lot in a "SF-3", Single-Family Residence zoning district.

Austin Energy does not oppose your application for the requested lot width variance, provided that all proposed and existing improvements are following Austin Energy clearance criteria requirements, the National Electric Safety Code and OSHA. Any removal or relocation of existing electric facilities will be at owners/applicants' expense.

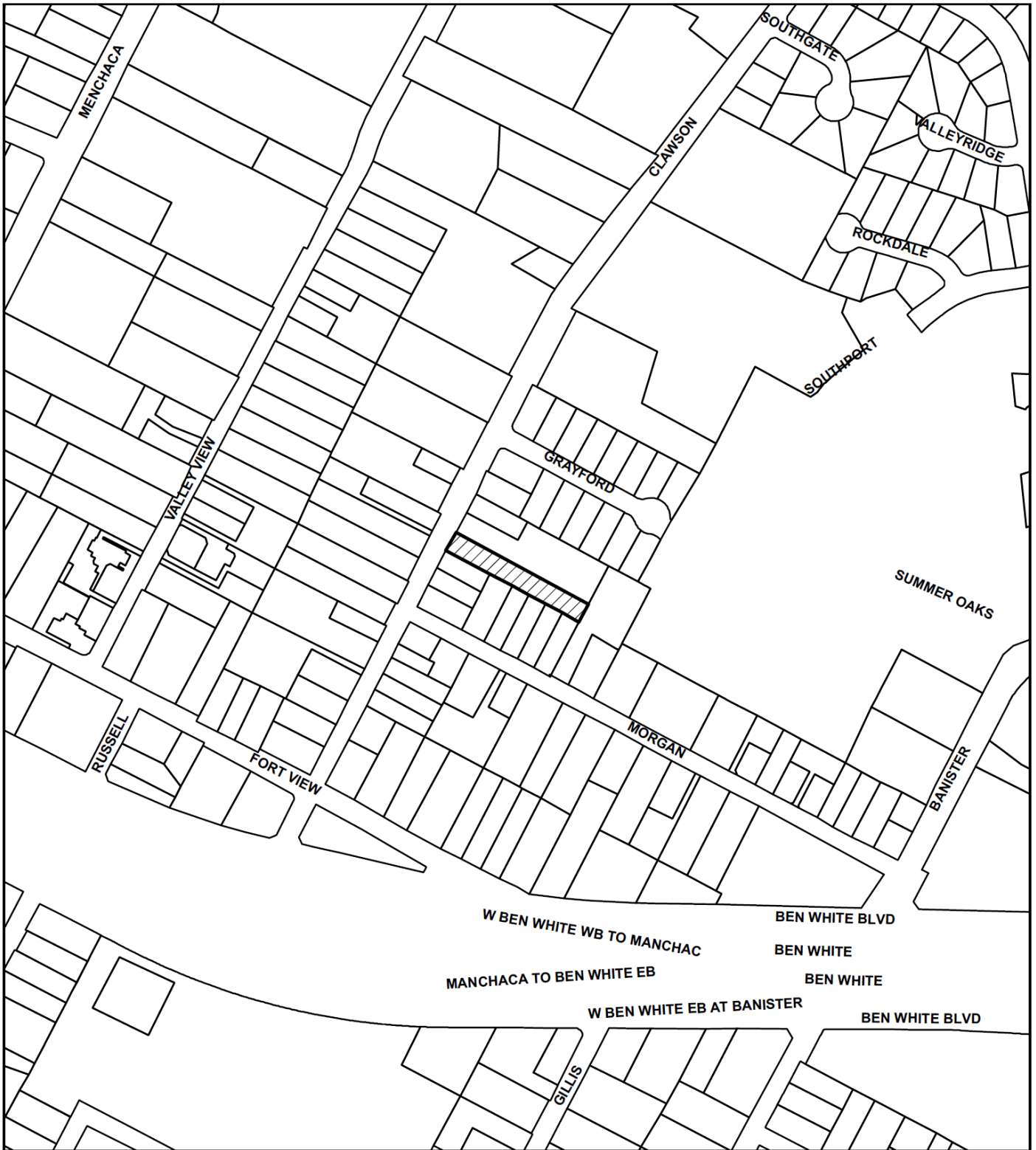
During the anticipated site plan/subdivision review process, I would encourage the owner/applicant to contact Jim Rowin, (James.Rowin@austinenergy.com or 512-505-7665) - Austin Energy Design Southwest Lead, to discuss permanent electric service and electric service design, to ensure AE facilities can safely provide electric services to your project.




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>

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



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

1" = 333'

NOTIFICATIONS

CASE#: C15-2020-0016

LOCATION: 4013 CLAWSON ROAD

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: 4013 Clawson Rd, Austin, TX 78704

Subdivision Legal Description:

Being 0.45 of an acre of land out of lots 25, 26 and 27, Bannister Heights Subdivision According to the Map or Plat Thereof Recorded in Vol 3, Page 256 ... Doc # 2016071699

Lot(s): _____ Block(s): _____

Outlot: _____ Division: Bannister Heights

Zoning District: _____

I/We Chris Paladino on behalf of myself/ourselves as
authorized agent for 4013 Clawson Road LLC affirm that on
Month March, Day 5, Year 2020, 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: future residential (repeat of previously approved C15-2017-0065)

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

25-2-492, minimum width requirement of 50' for SF-3 lot. Applicant requests permission to
subdivide previously-unplatted property into two lots: a "front" lot with a minimum 34.8' width (at
rear of new lot) and a "rear" lot that will remain minimum 49.82' wide as currently set. The "rear"
lot will be accessible to Clawson Road via a 15'-wide "flag".

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:

SF-3 zoning contemplates a density of eight primary residences and eight secondary
residences per acre. Subject property is 19,602 sf / 0.45 acres in size, over three times the
minimum SF-3 lot size required by the LDC. Thus, a reasonable use for this property is
subdivision into at least two lots. However, subject property line at the street is 50.03' wide at
the front proerty line and 49.82' wide at the rear property line. Therefore, without a variance,
subject property can only contain one primary residence and one secondary residence on a half
acre, a density that is 1/4 of what is permitted and contemplated by the LDC.

Hardship

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

Subject property is the narrowest property of its size in the vicinity. Similarly-sized properties
across the street are, in general, 65' wide, which could be (and have been) subdivided in the
manner that the Applicant proposes for the subject property.

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

Subject property is the narrowest property of its size in the vicinity. Similarly-sized properties
across the street are, in general, 65' wide, which could be (and have been) subdivided in the
manner that the Applicant proposes for the subject 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:

Only one of the proposed four housing units that could be built (two primary and two secondary) will front Clawson Road, thus maintaining the "single family" character of the streetscape. The remainder of the housing units will be accessible via a common driveway. LDC-compliant parking will be provided onsite for each housing unit, and will follow whatever LDC rules are in place at the time a lot owner applies for a building permit. The units will also comply with all applicable provisions of the Residential Design and Criteria Manual at the time of permit.

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

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: 03/05/2020

Applicant Name (typed or printed): Chris Paladino

Applicant Mailing Address: 2506 Willow St

City: Austin State: TX Zip: 78702

Phone (will be public information): (512) 720-8654

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: 03/05/2020

Owner Name (typed or printed): Chris Paladino, manager for 4013 Clawson Road LLC

Owner Mailing Address: 2506 Willow St

City: Austin State: TX Zip: 78702

Phone (will be public information): (512) 720-8654

Email (optional – will be public information): 

Section 5: Agent Information

Agent Name: NONE

Agent Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone (will be public information): _____

Email (optional – will be public information): _____

Section 6: Additional Space (if applicable)

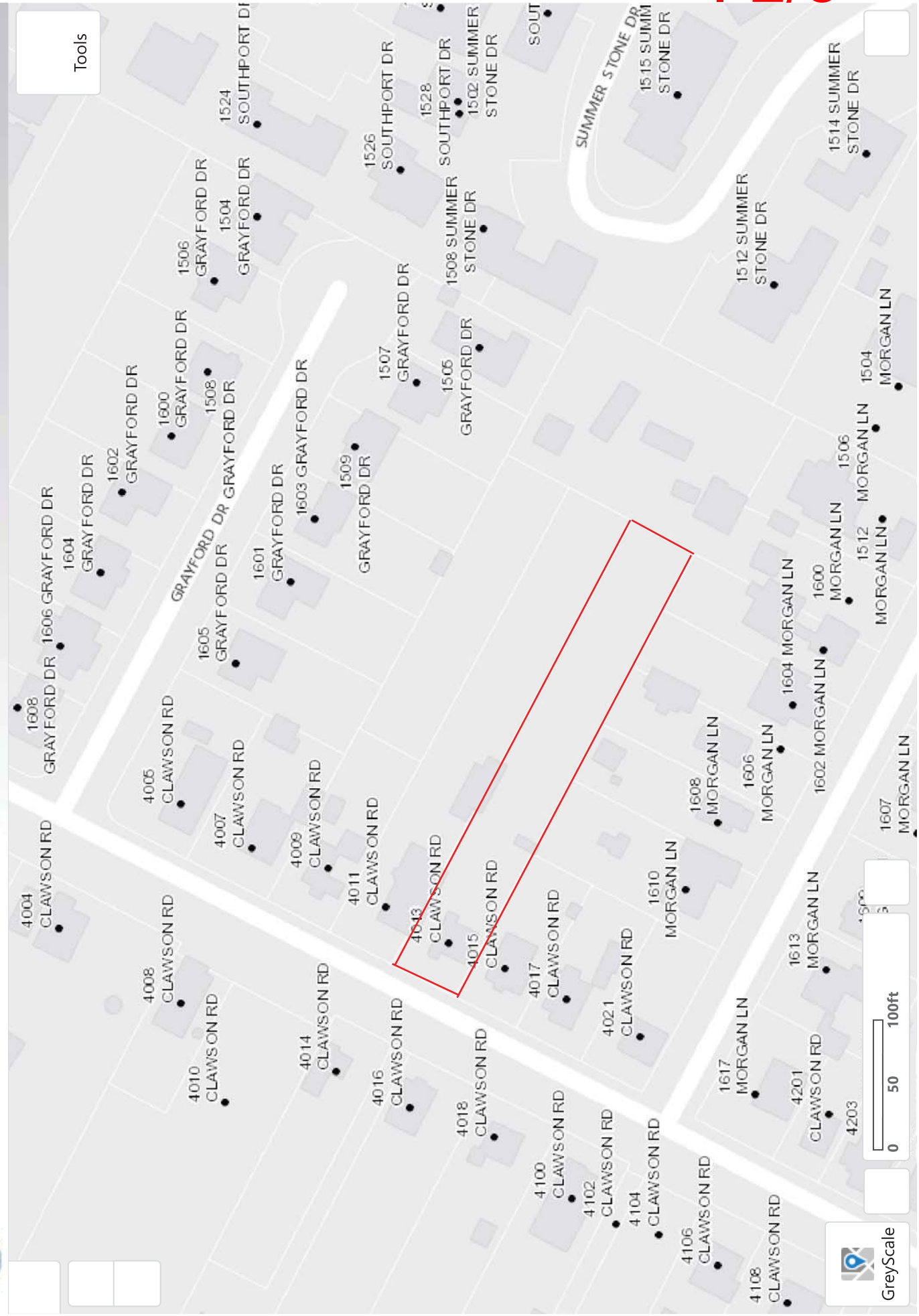
Please use the space below to provide additional information as needed. To ensure the information is referenced to the proper item, include the Section and Field names as well (continued on next page).

This is a new application to renew an expired approval (C15-2017-0065). I acquired that approval at no fee, with the support of more than 80% of my neighbors. My engineer had difficulty getting feedback on our subdivision application, and it expired. I now need a new variance since it expired as well. This application is a duplicate of the previous submittal except that garages were removed.

Property Profile



Tools



GreyScale





RESTRICTIONS

-RESTRICTIONS:
THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT AND THIS SURVEYOR DID NOT RESEARCH THE DEED RECORDS FOR PREVIOUS CONFLICTS IN TITLE, EASEMENTS AND/OR BOUNDARY LINE AGREEMENTS, THEREFORE, CERTAIN EASEMENTS MAY HAVE BEEN GRANTED WHICH ARE NOT REFLECTED HEREON. ONLY THOSE SETBACK LINES, EASEMENTS, BOUNDARY LINES AND INTERESTS WHICH ARE REPRESENTED ON THE PARENT SUBDIVISION PLAT, WHICH IS REFERENCED HEREON, ARE PLOTTED ON THIS SURVEY. NO DOCUMENTS OTHER THAN THOSE CITED ON THIS SURVEY HAVE BEEN EXAMINED.

LEGAL DESCRIPTION

BEING 0.45 OF AN ACRE OF LAND OUT OF LOTS 25, 26 AND 27, BANISTER HEIGHTS SUBDIVISION ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 3, PAGE 256, AND BEING ALL OF THAT CERTAIN CLAWSON ROAD, LLC, TRACT OF LAND RECORDED IN DOCUMENT NUMBER 2016071699, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS.

TREE LIST	
18" TALLOW (M)	25
12.5" LIVE OAK	26
15.25" LIVE OAK	27
11.25" LIVE OAK	28
15.25" CEDAR ELM	29
6.75" LIVE OAK	30
12" TALLOW	31
14.5" CEDAR ELM	32
7.5" LIGUSTRUM	33
10" HACKBERRY	34
11" HACKBERRY	35
9.5" HACKBERRY	36
9.25" ELM	37
8.5" ELM	38
12.5" ELM	39
21" ELM (P)	40
14.5" ELM	41
16.75" HACKBERRY	42
12.5" TALLOW	43
25" LIVE OAK	44
19.5" LIVE OAK (P)	45

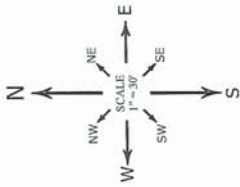
NOTICE

BEFORE DESIGN BEGINS ON THIS SUBJECT PROPERTY THE OWNER SHOULD CHECK THE LOCAL GOVERNING AUTHORITIES ABOUT BUILDING SETBACKS AND OTHER BUILDING REQUIREMENTS.

BEARING BASIS:
BEARINGS ARE BASED TO THE TEXAS COORDINATE SYSTEM CENTRAL, TEXAS ZONE NAD83 HARN HORIZONTAL CONTROL AND ARE IN SURFACE WITH A COMBINED SCALE FACTOR OF 0.999988

LEGEND

- 1/2" ROD FOUND
- RECORD INFORMATION
- MULTISTEM TREE
- PROTECTED TREE
- AIR CONDITIONER
- WATER METER
- CABLE RISER
- UTILITY POLE
- OVERHEAD UTILITY LINES
- GAS METER
- WIRE FENCE
- CHAIN LINK FENCE
- WOOD FENCE
- MAG NAIL SET FOR TBM



TEMPORARY BENCHMARK (TBM)
IS TOP OF MAG NAIL SET ON TREE ROOT
ELEVATION = 688.35'

CLAWSON ROAD

SINGLE STORY
WOOD/FRAME
RESIDENCE

CEDARVIEW PROPERTIES
DOC. 2013018269

CONCRETE
DRAIN

CONCRETE
WALK

WOOD
DECK

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0.45 ACRES
19,879 SQ. FT.
4013 CLAWSON
ROAD LLC.
(DOC. 2016071699)

ZANE MORGAN
(VOL. 10008, PG. 681)

MICHAEL D. SANSON
(VOL. 11597, PG. 973)

ANDREW DEBAUE
(DOC. 2014077645)

BLUEARC PROPERTIES, LLC
(DOC. NO. 2013172539)

JOYCE MCCART
(DOC. NO. 2004095136)

LOT A, RESUB OF LOT 24
BANISTER HEIGHTS
(VOL. 77, PG. 204)



TO THE LIEN HOLDER AND/OR OWNERS OF THE PREMISES SURVEYED
I DO HEREBY CERTIFY THAT THIS SURVEY WAS THIS DAY MADE ON THE
GROUND UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE
OF THE PROPERTY LEGALLY DESCRIBED HEREON. I HAVE NOT BEEN AWARE OF
BUILDING SETBACKS AND OTHER BUILDING REQUIREMENTS. THIS SURVEY WAS
PERFORMED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE.

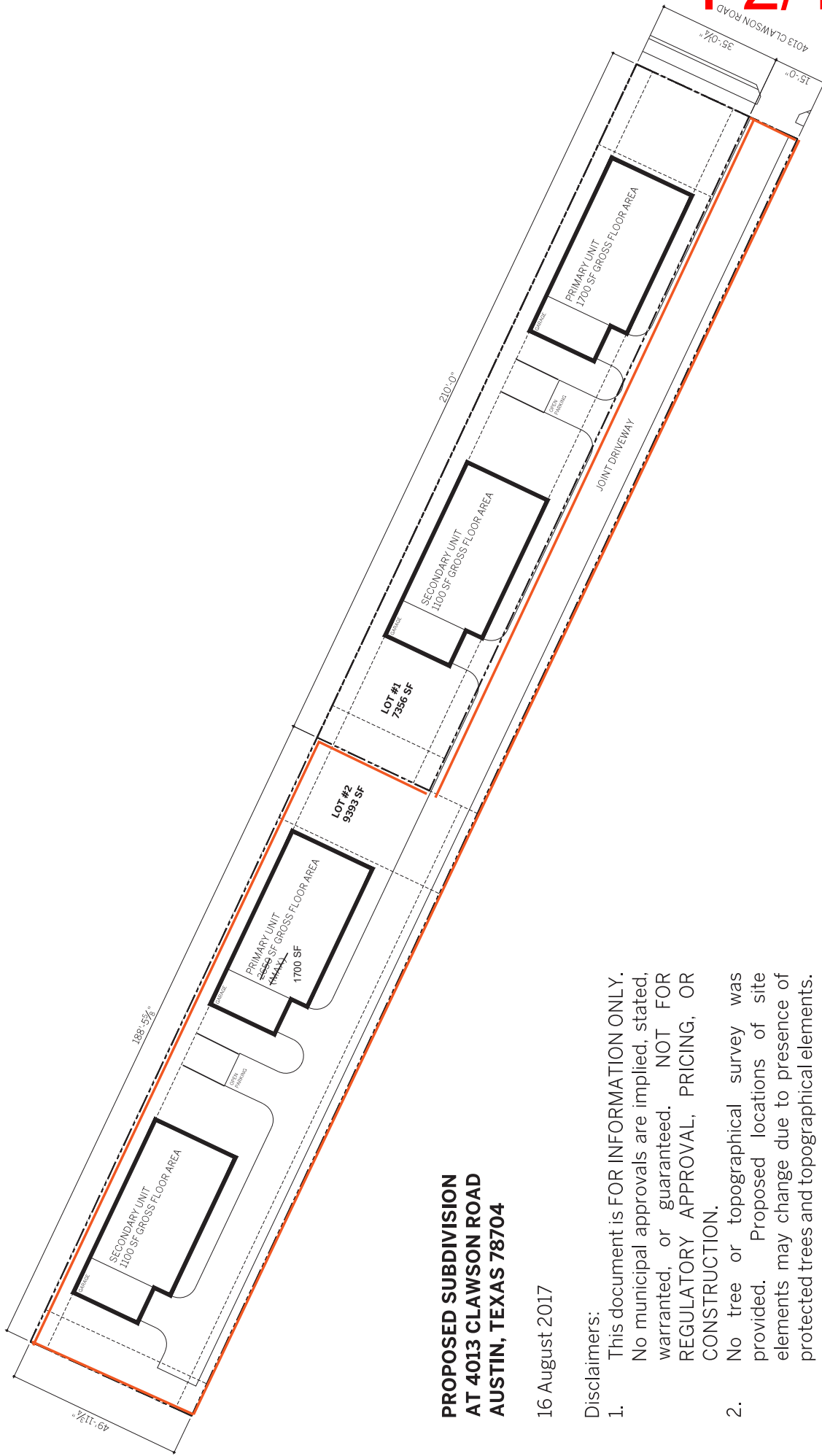
FLR.M. MAP INFORMATION

THIS PROPERTY DOES NOT LIE
WITHIN THE 100 YEAR FLOOD
PLAIN AS SHOWN ON THE
FLOOD INSURANCE RATE MAPS
PANEL: 0585H
DATED: 09/26/2008
THIS CERTIFICATION IS FOR
THE PROPERTY AND NOT FOR THE
PROPERTY WILL OR WILL NOT FLOOD
PROPERTY WILL OR WILL NOT FLOOD
ADMINISTRATOR FOR THE CURRENT
STATUS OF THIS TRACT.

ALLSTAR
Land surveying

9020 ANDERSON MILL RD
AUSTIN, TEXAS 78729
(512) 249-8149 PHONE
(512) 331-5217 FAX
TBLR FRN NO. 1013500

ADDRESS	
4013 CLAWSON ROAD, LLC, 4013 CLAWSON ROAD AUSTIN, TRAVIS COUNTY, TEXAS.	
SURVEY DATE	NOVEMBER 13, 2017
FIELD BY:	DERICK SOLOMON
CALC. BY:	CHRIS ZOTTER
DRAWN BY:	ADRIEL LOPEZ
REPLS CHECK:	EDWARD RUMSEY
JOB NO.:	A1109917



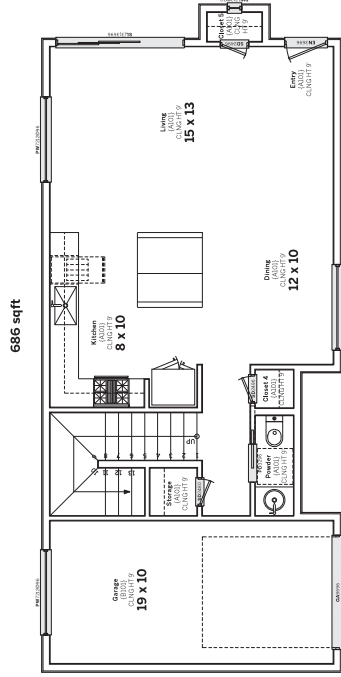
**PROPOSED SUBDIVISION
AT 4013 CLAWSON ROAD
AUSTIN, TEXAS 78704**

16 August 2017

Disclaimers:

1. This document is FOR INFORMATION ONLY. No municipal approvals are implied, stated, warranted, or guaranteed. NOT FOR REGULATORY APPROVAL, PRICING, OR CONSTRUCTION.
2. No tree or topographical survey was provided. Proposed locations of site elements may change due to presence of protected trees and topographical elements.

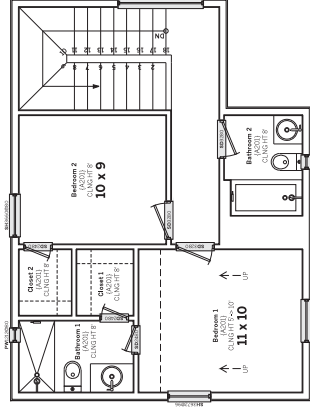
I-2/12



① Floor Plan, Bldg 01, Level 01

[illegible]

I-2/13



The floor plan shows a rectangular layout. On the left is a large bedroom labeled 'Bedroom 1' with dimensions '14 x 10'. It has two windows on the left wall and two doors on the right wall, one of which is labeled 'UP'. Below this bedroom is a staircase labeled 'DOWN' with an arrow pointing down. To the right of the staircase is a second bedroom labeled 'Bedroom 2' with dimensions '10 x 10'. It has one window on the right wall and two doors on the left wall, one of which is labeled 'UP'. To the right of Bedroom 2 is a bathroom labeled 'Bathroom 1' with dimensions '5 x 7'. It contains a toilet, a sink, and a bathtub. There are two doors on the left wall of the bathroom, one labeled 'UP' and the other 'DOWN'. A small closet labeled 'CLO' is located between the two bedrooms. A dashed line runs along the bottom edge of the plan, and a small 'CLO' is located near the bottom center.

The floor plan shows a three-story residential building with the following layout:

- Bedroom 1 (14 x 13):** Located on the top floor, featuring a bed, wardrobe, and a small desk.
- Bedroom 2 (14 x 10):** Located on the bottom floor, featuring a bed, wardrobe, and a small desk.
- Bedroom 3 (10 x 10):** Located on the middle floor, featuring a bed, wardrobe, and a small desk.
- Bathroom 1:** Located on the top floor, featuring a bathtub, toilet, and sink.
- Bathroom 2:** Located on the bottom floor, featuring a bathtub, toilet, and sink.
- Bathroom 3:** Located on the middle floor, featuring a bathtub, toilet, and sink.
- Kitchen:** Located on the bottom floor, featuring a stove, sink, and refrigerator.
- Living Area:** Located on the bottom floor, featuring a sofa, coffee table, and fireplace.
- Dining Area:** Located on the bottom floor, featuring a dining table and chairs.
- Terrace:** Located on the bottom floor, featuring a small table and chairs.
- Parking Area:** Located on the bottom floor, featuring a parking space for one car.

The plan includes dimensions, room names, and furniture placement. The building has a central staircase and is surrounded by a fence.

① Floor Plan, Bldg 01, Level 02

[illegible]

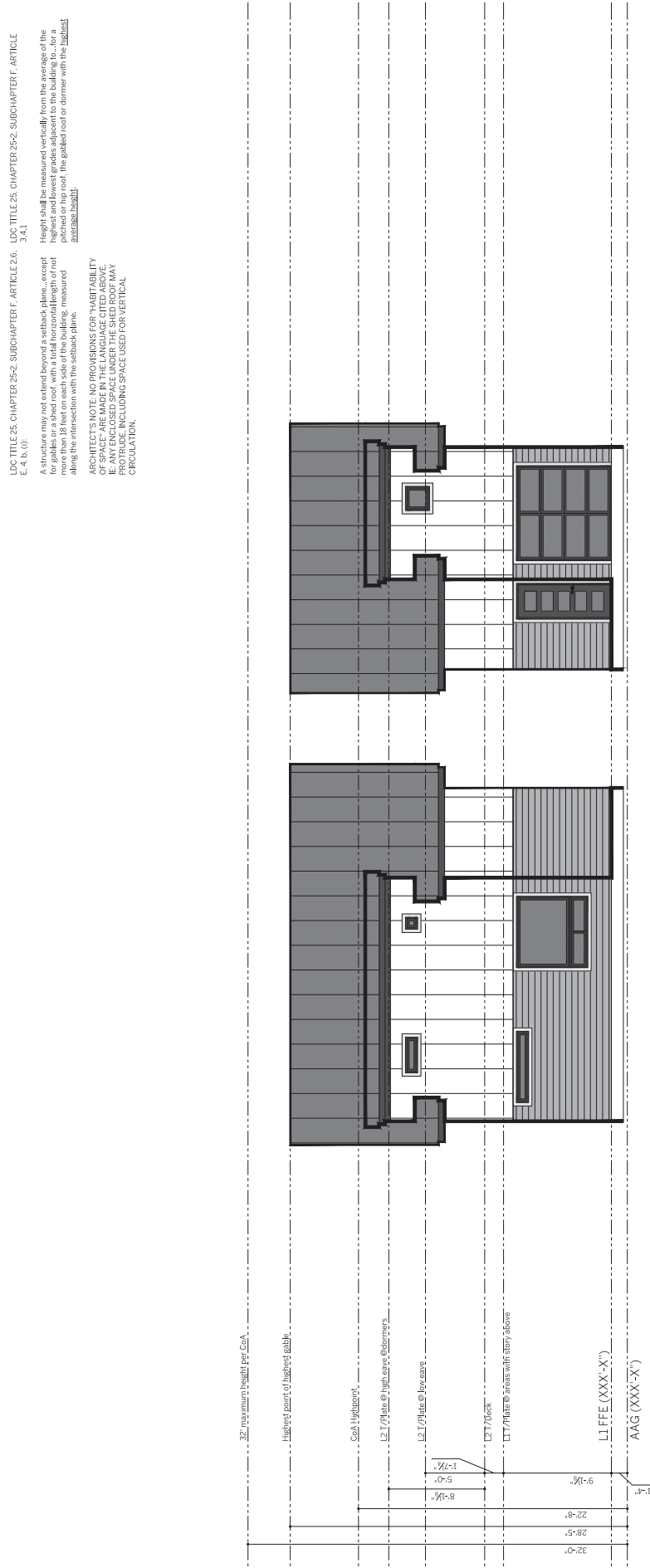
I-2/15

ARCHITECT'S NOTE: NO PROVISIONS FOR "HABITABILITY OF SPACE" ARE MADE IN THE LANGUAGE CITED ABOVE. I.E. ANY ENCLOSED SPACE UNDER THE SHED ROOF MAY PROTRUDE, INCLUDING SPACE USED FOR VERTICAL CIRCULATION



KEYED NOTES (AND ALL NOTES MAY PERTAIN TO THIS SPECIFIC PROJECT)		SEAL OF ARCHITECT	SEAL OF MUNICIPAL APPROVAL
01	New standing-seam metal roof.		
02	New 30-year composition shingle roof.		
03	New 3.5-inch-thick stone masonry veneer.		
04	New 3.5-inch-thick stone masonry veneer.		
05	New 3.5-inch-thick stone masonry veneer.		
06	New 3.5-inch-thick stone masonry veneer.		
07	New 3.5-inch-thick stone masonry veneer.		
08	New 3.5-inch-thick stone masonry veneer.		
09	New 3.5-inch-thick stone masonry veneer.		
10	New 3.5-inch-thick stone masonry veneer.		

CONCEPTUAL PLAN



① Elevation, Bldg 2, Left

② Elevation, Bldg 2 (Garage), Left

<p>KEYED NOTES (NOT ALL NOTES MAY PERTAIN TO THIS SPECIFIC PROJECT)</p> <p>01 1/2" standing-seam metal roof.</p> <p>02 New 30-year composition shingle roof.</p> <p>03 1/2" thick stone masonry veneer.</p> <p>04 New 3.5"-thick stone masonry veneer.</p> <p>05 New brick masonry veneer.</p> <p>06 New metal coping. Exposure common bond.</p> <p>07 New metal coping. Exposure common bond.</p> <p>08 New metal coping. Exposure common bond.</p> <p>09 New metal coping. Exposure common bond.</p> <p>10 New metal coping. Exposure common bond.</p>		<p>01 New parapet at exterior porch or deck. Minimum height 36" above finish floor.</p>	<p>DISCLAIMERS.</p> <p>THIS DOCUMENT IS THE PROPERTY OF WILLIAM LAWRENCE HOODE. THIS ARCHITECT'S FIRM AND ITS EMPLOYEES SHALL NOT BE RESPONSIBLE FOR ANY AND ALL CONSTRUCTION VIOLATIONS OR ANY OTHER VIOLATIONS OF ANY CITY, STATE, OR FEDERAL LAWS, ORDINANCES, OR REGULATIONS. THE ARCHITECT'S FIRM AND ITS EMPLOYEES SHALL NOT BE RESPONSIBLE FOR ANY AND ALL CONSTRUCTION VIOLATIONS OR ANY OTHER VIOLATIONS OF ANY CITY, STATE, OR FEDERAL LAWS, ORDINANCES, OR REGULATIONS. THE ARCHITECT'S FIRM AND ITS EMPLOYEES SHALL NOT BE RESPONSIBLE FOR ANY AND ALL CONSTRUCTION VIOLATIONS OR ANY OTHER VIOLATIONS OF ANY CITY, STATE, OR FEDERAL LAWS, ORDINANCES, OR REGULATIONS.</p>			<p>SEAL OF ARCHITECT.</p>	<p>SEAL OF MUNICIPAL APPROVAL.</p>
<p>01 1/2" standing-seam metal roof.</p> <p>02 New 30-year composition shingle roof.</p> <p>03 1/2" thick stone masonry veneer.</p> <p>04 New 3.5"-thick stone masonry veneer.</p> <p>05 New brick masonry veneer.</p> <p>06 New metal coping. Exposure common bond.</p> <p>07 New metal coping. Exposure common bond.</p> <p>08 New metal coping. Exposure common bond.</p> <p>09 New metal coping. Exposure common bond.</p> <p>10 New metal coping. Exposure common bond.</p>		<p>01 New parapet at exterior porch or deck. Minimum height 36" above finish floor.</p>	<p>DISCLAIMERS.</p> <p>THIS DOCUMENT IS THE PROPERTY OF WILLIAM LAWRENCE HOODE. THIS ARCHITECT'S FIRM AND ITS EMPLOYEES SHALL NOT BE RESPONSIBLE FOR ANY AND ALL CONSTRUCTION VIOLATIONS OR ANY OTHER VIOLATIONS OF ANY CITY, STATE, OR FEDERAL LAWS, ORDINANCES, OR REGULATIONS. THE ARCHITECT'S FIRM AND ITS EMPLOYEES SHALL NOT BE RESPONSIBLE FOR ANY AND ALL CONSTRUCTION VIOLATIONS OR ANY OTHER VIOLATIONS OF ANY CITY, STATE, OR FEDERAL LAWS, ORDINANCES, OR REGULATIONS. THE ARCHITECT'S FIRM AND ITS EMPLOYEES SHALL NOT BE RESPONSIBLE FOR ANY AND ALL CONSTRUCTION VIOLATIONS OR ANY OTHER VIOLATIONS OF ANY CITY, STATE, OR FEDERAL LAWS, ORDINANCES, OR REGULATIONS.</p>			<p>SEAL OF ARCHITECT.</p>	<p>SEAL OF MUNICIPAL APPROVAL.</p>

Subject Property view from street

4013 Clawson Rd



Views of Clawson Road with subject property at left of photo



Similar layout (4 houses built along deep lot) across the street from subject property, towards Southwest, approximately 500' from subject.



New construction at corner



Two properties across the street from subject



I-2/22

Rear portions of subject property (page 1 of 2)



Rear portions of subject property (page 2 of 2)

