

**CITY OF AUSTIN
Board of Adjustment
Decision Sheet**

DATE: Monday, March 9, 2020

**CASE NUMBER: C15-2020-0003
Item # P-5**

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

APPLICANT: Jennifer Hanlen

OWNER: Addison Thom


ADDRESS: 3409 NEAL ST

VARIANCE REQUESTED: The applicant is requesting a variance(s) from Section 25-2-492 (Site Development Regulations) from lot width requirements to decrease the minimum lot width from 50 feet (required) to 49.09 feet (requested) in order to SF-3-NP", Single-Family Residence - Neighborhood Plan zoning district. (Govalle Neighborhood Plan)

BOARD'S DECISION: BOA meeting Feb 5, 2020 **POSTPONED TO MARCH 9, 2020 BY APPLICANT (RENOTICE); MAR 9, 2020 The public hearing was closed by Chair Don Leighton-Burwell, Board Member Brooke Bailey motions to Postpone to April 13, 2020, Board Member Melissa Hawthorne seconds on an 11-0 vote; POSTPONED TO APRIL 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

Diana Ramirez for

Don Leighton-Burwell
Chairman

BOA GENERAL REVIEW COVERSHEET RE-NOTIFICATION

CASE: C15-2020-0003

BOA DATE: Mon. March 9, 2020

ADDRESS: 3409 Neal St

COUNCIL DISTRICT: 3

OWNER: Addison Thom

AGENT: David Cancialosi

ZONING: SF-3-NP (Govalle)

LEGAL DESCRIPTION: E 64.1 FT LOT 3 BLK A OLT 41-42 DIV A CHERICO SUBD NO 1

VARIANCE REQUEST (updated): reduce minimum lot width from 50 ft. to 33.59 ft.

SUMMARY: subdivision of a lot

ISSUES: Austin Water Utility requiring a specific water line improvement inside the flag lot's pole

| | ZONING | LAND USES |
|--------------|---------------|------------------|
| <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
 El Concilio Mexican-American Neighborhoods
 Friends of Austin Neighborhoods
 Govalle Neighborhood Association
 Govalle/Johnston Terrace Neighborhood Plan Contact Team
 Guadalupe Neighborhood Development Corporation
 Homeless Neighborhood Association
 Neighborhood Empowerment Foundation
 Neighbors United for Progress
 Preservation Austin
 SELTexas
 Sierra, Club Austin Regional Group

**CITY OF AUSTIN
Board of Adjustment
Decision Sheet**

DATE: Wednesday February 5, 2020

CASE NUMBER: C15-2020-0003

_____ Brooke Bailey OUT
 _____ Jessica Cohen
 _____ Ada Corral
 _____ Melissa Hawthorne
 _____ William Hodge
 _____ Don Leighton-Burwell
 _____ 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: Jennifer Hanlen

OWNER: Addison Thom

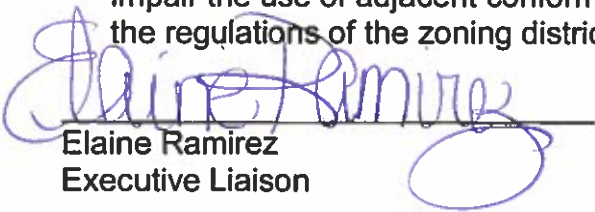
ADDRESS: 3409 NEAL ST

VARIANCE REQUESTED: The applicant is requesting a variance(s) from Section 25-2-492 (Site Development Regulations) from lot width requirements to decrease the minimum lot width from 50 feet (required) to 49.09 feet (requested) in order to SF-3-NP", Single-Family Residence - Neighborhood Plan zoning district. (Govalle Neighborhood Plan)

BOARD'S DECISION: BOA meeting Feb 5, 2020 **POSTPONED TO MARCH 9, 2020 BY APPLICANT (RENOTICE)**

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

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

LOT WIDTH REDUCTION - Variance from LDC 25-2-492 to allow 33.59' wide lot 3A in SF-3 zoning

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:

SEE COVER LETTER

Hardship

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

SEE COVER LETTER

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

SEE COVER LETTER

From the office of:

PERMIT PARTNERS, LLC
105 W. Riverside Dr. Suite 225
Austin, Texas 78704
David C. Cancialosi
512.593.5368 c.
512.494.4561 f.
david@permit-partners.com

February 10, 2020

City of Austin c/o Elaine Ramirez
 Board of Adjustment
 One Texas Center
 505 Barton Springs
 Austin, Texas 78704

RE: Request to reduce lot width requirement for SF-3 zoned property

Dear Board of Adjustment Commissioners,

My client is seeking a variance to reduce the lot width from 50' to 33.59' at 3409 Neal Street, Austin TX 78702. The property is zoned SF-3 and requires 50' of road frontage per LDC 25-2-492. It is legally known as Lot 3 Cherico Subdivision. Lot 3 of block A Cherico Subdivision was originally platted on May 3rd, 1937. The original lot had 128' of frontage at the right-of-way along Cherico Street. Although it is not known for sure how or when, it appears an illegal subdivision occurred after the 1937 plat date. This resulted in the current configuration of 64.09 linear feet of front lot width at the right-of-way.

The owner proposes to increase the density in the urban core by creating a two lot subdivision. An application for a two lot subdivision is currently on file with the City of Austin as case #C8-2018-0211.0A. All substantive comments are cleared save the lot width issue. The proposed subdivision would result in lot 3A being 33.59' wide and the flag lot pole, lot 3B, being an unusual 46' wide. The pole width is unusually wide due to a water line easement, which must be located on lot 3B per Austin Water Utility site plan requirements. Thus, the remainder lot frontage on lot 3A is ~17' shy of the 50' lot width requirement. This requirement was not known at the time of subdivision application.

Reasonable Use

Lot 3 A is proposed as 9,233 SF. A single-family residential use with associated accessory uses on a SF-3 zoned lot of this size is very reasonable. A lot less than 50' in width is not uncommon and should not prevent a single-family use from occurring in the highest and best manner.

Hardship

The original plat date of 1937 contemplated single-family residential use on this lot. It is not uncommon for lots in the urban core, especially among those located in east Austin, to have been illegally subdivided at some point via metes and bounds or other methods. The City of Austin Water Utility is requiring a specific water line improvement inside the flag lot's pole, creating an additional 15.5' bump out from the 15' pole frontage at the right-of-way. In turn, this creates an approximate 34' remainder length for the adjacent subject lot.

If the additional and highly unusual 15.5' bump out was not required by the Austin Water Utility, then lot 3A would be 49.01' wide. This would be less than 1' shy of the required 50' width outlined in the SF-3 performance standards. The existing 64' lot width is a function of an illegal subdivision of the 128' lot 3 Cherico Subdivision. Denying this variance request would result in less density in the Urban Core, where density is very much needed. Conversely, approving this variance would allow the subdivision to be approved and the proposed lots built to their highest and best use.

Not General to the Area

There are no known lots in the immediate area attempting to resolve an illegal subdivision via two lot subdivision application.

Area of Character

The lot in question is compliant with minimum lot size requirements. Approving a variance for lot width reduction has zero adverse impact on adjacent lots. East Austin is full of numerous odd shaped and odd sized lots. Most of the lots in east Austin were not part of any master planned community, and, over time, were split from their original configuration. This is the case with the original 1937 Lot 3 Cherico Subdivision. The currently proposed two lot subdivision encourages adaptive reuse of the lot, it will share one driveway between lots 3A and 3B only, and it proposes no uses which pose any impacts to surrounding properties.

In sum I ask the Board approve this lot width reduction so the property can be utilized in an efficient manner consistent with current and future needs of the immediate area.

Sincerely,



David C. Cancialosi, Agent for Owner

3409 NEAL STREET
RESUBDIVISION OF EAST ONE-HALF OF LOT 3, BLOCK A,
CHERICO SUBDIVISION

THE STATE OF TEXAS)(KNOW ALL MEN BY THESE PRESENTS:
THE COUNTY OF TRAVIS)(

WHEREAS, UNA KERENSA, BEING THE OWNER OF THE EAST ONE-HALF (1/2) OF LOT 3, BLOCK A, OF
CHERICO SUBDIVISION, A SUDIVISION ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN
VOLUME 4, PAGE 2, PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AND SAID SUBDIVISION HAVING BEEN
APPROVED FOR RESUBDIVISION PURUSANT TO PUBLIC NOTIFICATION AND HEARING PROVISIONS
PURSUANT TO SECTION 212.014 AND 212.015 LOCAL GOVERNMENT CODE AND DO HEREBY
RESUBDIVIDE THE EAST ONE-HALF (1/2) OF LOT 3, BLOCK A, OF CHERICO SUBDIVISION IN
ACCORDANCE WITH THE MAP OR PLAT ATTACHED HERETO, TO BE KNOWN AS:

3409 NEAL STREET, RESUBDIVISION OF EAST ONE-HALF OF LOT 3, BLOCK A, CHERICO SUBDIVISION

AND DO HEREBY DEDICATE TO THE PUBLIC USE OF ALL STREETS AND EASEMENTS SHOWN HEREON,
SUBJECT TO ANY AND ALL EASEMENTS OR RESTRICTIONS HERETOFORE GRANTED AND NOT RELEASE.

IN WITNESS WHEREOF, UNA KERENSA, HAS CAUSED THESE PRESENTS TO BE EXECUTED THIS
____ DAY OF _____, 2020, A.D.

BY: UNA KERENSA
4233 CAMACHO STREET
AUSTIN, TEXAS 78723

THE STATE OF TEXAS)(KNOW ALL MEN BY THESE PRESENTS:
THE COUNTY OF TRAVIS)(

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED STAN MILLER,
KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT
AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS
THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE ____ DAY OF _____, 2020,
A.D.

NOTARY PUBLIC IN AND FOR THE
STATE OF TEXAS

PRINTED NAME OF NOTARY _____ MY COMMISSION EXPIRES ON: _____

PRINTED ADDRESS OF NOTARY _____

THIS SUBDIVISION PLAT IS LOCATED WITHIN THE FULL PURPOSE CITY LIMITS OF CITY OF
AUSTIN ON THIS THE ____ DAY OF _____ 20__.

PLANNING COMMISSION APPROVAL:

ACCEPTED AND AUTHORIZED FOR RECORD BY THE PLANNING COMMISSION OF THE CITY OF
AUSTIN, TEXAS, THIS ____ DAY OF _____ 20__.

JAMES SHIEH, CHAIR _____ PATRICIA R. SEEGER, SECRETARY _____

ADMINISTRATIVE APPROVAL:

APPROVED, ACCEPTED AND AUTHORIZED FOR RECORD BY THE DIRECTOR, DEVELOPMENT
SERVICES DEPARTMENT, CITY OF AUSTIN, TEXAS, THIS ____ DAY OF _____
20__.

STEVE HOPKINS, FOR:
DENISE LUCAS, ACTING DIRECTOR
DEVELOPMENT SERVICES DEPARTMENT

STATE OF TEXAS)(KNOW ALL MEN BY THESE PRESENTS)(
COUNTY OF TRAVIS)(

I, DANA DEBEAUVOIR, CLERK OF TRAVIS COUNTY, TEXAS HEREBY CERTIFY THAT THE FOREGOING
INSTRUMENT OF WRITING WITH ITS CERTIFICATE OF OF AUTHENTICATION WAS FILED FOR RECORD IN
MY OFFICE ON THE

____ DAY OF _____ 2020, A.D. AT ____ O'CLOCK __M., AND DULY RECORDED ON
THE

____ DAY OF _____ 2020, A.D. AT ____ O'CLOCK __M., OF SAID COUNTY

AND STATE IN DOCUMENT NO. _____, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY,
TEXAS.

WITNESS MY HAND AND SEAL OF OFFICE OF THE COUNTY CLERK, THIS ____ DAY OF
_____, 2020, A.D.

DANA DEBEAUVOIR, COUNTY CLERK, TRAVIS COUNTY, TEXAS.

DEPUTY

SURVEYOR'S STATEMENT:

I, TERRY L. ROWE, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT I AM
AUTHORIZED TO PRACTICE THE PROFESSION OF LAND SURVEYING IN THE STATE OF TEXAS; THAT I
PREPARED THE PLAT SUBMITTED HERewith; THAT ALL INFORMATION SHOWN HEREON IS ACCURATE
AND CORRECT TO THE BEST OF MY KNOWLEDGE AS RELATED TO THE SURVEYING PORTIONS THEREOF;
AND THAT SAID PLAT COMPLIES WITH TITLE 25 OF THE LAND DEVELOPMENT CODE, WAS PREPARED
FROM A SURVEY MADE ON THE GROUND, UNDER MY DIRECTION AND SUPERVISION, AND IS TRUE AND
CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

TERRY L. ROWE _____ DATE _____
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 5493-STATE OF TEXAS
BOWMAN CONSULTING GROUP
1120 SOUTH CAPITAL OF TEXAS HWY, SUITE 220
AUSTIN, TEXAS 78746

ENGINEER'S STATEMENT:

I, MIA M. PARTON, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE
PROFESSION OF ENGINEERING, AND HEREBY CERTIFY THAT THIS PLAT IS FEASIBLE FROM AN
ENGINEERING STANDPOINT AND COMPLIES WITH THE ENGINEERING RELATED PORTIONS OF TITLE 25 OF
THE CITY OF AUSTIN LAND DEVELOPMENT CODE, AND IS TRUE AND CORRECT TO THE BEST OF MY
KNOWLEDGE.

MIA M. PARTON _____ DATE _____
REGISTERED PROFESSIONAL ENGINEER
NO. 111369-STATE OF TEXAS.
AEPARMIA ENGINEERING, PLLC
9101 BURNET ROAD, SUITE 209
AUSTIN, TEXAS 78758



VICINITY MAP
SCALE: 1"=1000'

NOTES:

1. BEARING BASIS IS TEXAS COORDINATE SYSTEM, CENTRAL ZONE, NAD83, GRID.
2. BUILDING SETBACK LINES SHALL CONFORM TO THE CITY OF AUSTIN ZONING ORDINANCE REQUIREMENTS.
3. THE PROPERTY AS SHOWN HEREON LIES IN ZONE "X" (UN-SHADED)(AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AS SHOWN ON FEMA FLOOD INSURANCE RATE MAP FOR TRAVIS COUNTY, TEXAS, COMMUNITY PANEL NUMBER 48453C0465J, MAP REVISED JANUARY 6, 2016.
4. ALL RESTRICTIONS AND NOTES FROM THE PREVIOUS EXISTING SUBDIVISION, CHERICO SUBDIVISION, RECORDED IN VOLUME 4, PAGE 2 OF THE PLAT RECORDS OF TRAVIS COUNTY, SHALL APPLY TO THIS RESUBDIVISION PLAT.
5. ALL ADDRESSES FOR RESIDENTIAL LOTS UTILIZING A FLAG LOT DESIGN MUST BE DISPLAYED AT THEIR CLOSEST POINT OF ACCESS TO A PUBLIC STREET.
6. DEVELOPMENT OF THESE LOTS SHALL COMPLY WITH REQUIREMENTS OF THE AIRPORT HAZARD AND COMPATIBLE LAND USE REGULATIONS (CHAPTER 25-13) AS AMENDED.
7. THE OWNER OF THIS SUBDIVISION AND THE OWNER'S SUCCESSORS AND ASSIGNS ARE RESPONSIBLE FOR CONSTRUCTION OF SUBDIVISION IMPROVEMENTS THAT COMPLY WITH CITY OF AUSTIN AND TRAVIS COUNTY REGULATIONS. THE OWNER UNDERSTANDS THAT PLAT VACATION OR REPLATING MAY BE REQUIRED, AT THE OWNER'S EXPENSE, IF PLANS TO CONSTRUCT THIS SUBDIVISION DO NOT COMPLY WITH THE REGULATIONS.
8. ALL VEHICULAR ACCESS TO AND FROM NEAL STREET FOR LOTS 3A AND 3B SHALL BE THROUGH THE JOINT USE ACCESS EASEMENT.
9. PUBLIC SIDEWALKS, BUILT TO CITY OF AUSTIN STANDARDS, ARE REQUIRED ALONG THE FOLLOWING STREETS AND AS SHOWN BY A DOTTED LINE ON THE FACE OF THE PLAT: NEAL STREET. THESE SIDEWALKS SHALL BE IN PLACE PRIOR TO THE LOT BEING OCCUPIED. FAILURE TO CONSTRUCT THE REQUIRED SIDEWALKS MAY RESULT IN THE WITHHOLDING OF CERTIFICATES OF OCCUPANCY, BUILDING PERMITS, OR UTILITY CONNECTIONS BY THE GOVERNING BODY OR UTILITY COMPANY.
10. A FEE-IN-LIEU OF PARKLAND DEDICATION AND PARK DEVELOPMENT HAS BEEN PAID FOR 1 RESIDENCE. NO FEE WAS CHARGED FOR THE EXISTING RESIDENCE.
11. WATER METERS AND CLEANOUTS SHALL NOT BE LOCATED IN DRIVEWAYS OR SIDEWALKS.
12. EACH LOT SHALL HAVE INDEPENDENT WATER METERS AND CLEANOUTS AND PRIVATE PLUMBING SHALL NOT CROSS LOT LINES. PRIVATE LINE MAY CROSS PERPENDICULARLY BUT OTHERWISE SHALL NOT BE LOCATED WITHIN A PUBLIC UTILITY EASEMENT.
13. THE OWNER OF THIS SUBDIVISION, AND HIS OR HER SUCCESSORS AND ASSIGNS, ASSUMES RESPONSIBILITY FOR PLANS FOR CONSTRUCTION OF SUBDIVISION IMPROVEMENTS WHICH COMPLY WITH APPLICABLE CODES AND REQUIREMENTS OF THE CITY OF AUSTIN. THE OWNER UNDERSTANDS AND ACKNOWLEDGES THAT PLAT VACATION OR REPLATING MAY BE REQUIRED, AT THE OWNER'S SOLE EXPENSE, IF PLANS TO CONSTRUCT THE SUBDIVISION DO NOT COMPLY WITH SUCH CODES AND REQUIREMENTS.
14. THE WATER AND WASTEWATER UTILITY SYSTEM SERVING THIS SUBDIVISION MUST BE IN ACCORDANCE WITH THE CITY OF AUSTIN UTILITY DESIGN CRITERIA. THE WATER AND WASTEWATER UTILITY PLAN MUST BE REVIEWED AND APPROVED BY AUSTIN WATER. ALL WATER AND WASTEWATER CONSTRUCTION MUST BE INSPECTED BY THE CITY OF AUSTIN. THE LANDOWNER MUST PAY THE CITY INSPECTION FEE WITH THE UTILITY CONSTRUCTION.
15. NO LOT SHALL BE OCCUPIED UNTIL THE STRUCTURE IS CONNECTED TO THE CITY OF AUSTIN WATER AND WASTEWATER UTILITY SYSTEM.
16. A VARIANCE TO SECTION 25-4-175, OF THE LAND DEVELOPMENT CODE, WAS GRANTED BY THE PLANNING COMMISSION ON _____.
17. BY APPROVING THIS PLAT, THE CITY OF AUSTIN ASSUMES NO OBLIGATION TO CONSTRUCT ANY INFRASTRUCTURE IN CONNECTION WITH THIS SUBDIVISION. ANY SUBDIVISION INFRASTRUCTURE REQUIRED FOR THE DEVELOPMENT OF THE LOTS IN THIS SUBDIVISION IS THE RESPONSIBILITY OF THE DEVELOPER AND/OR THE OWNERS OF THE LOTS. FAILURE TO CONSTRUCT ANY REQUIRED INFRASTRUCTURE TO CITY STANDARDS MAY BE JUST CAUSE FOR THE CITY TO DENY APPLICATIONS FOR CERTAIN DEVELOPMENT PERMITS INCLUDING BUILDING PERMITS, SITE PLAN APPROVALS, AND/OR CERTIFICATES OF OCCUPANCY.
18. DWELLINGS ON LOTS 3A AND 3B SHALL CONTAIN RESIDENTIAL SPRINKLER SYSTEMS THAT COMPLY WITH THE APPLICABLE FIRE CODE OR RESIDENTIAL CODE.
19. ALL UTILITY LINES PROPOSED WITHIN THE 1/2 AND 1/4 CRZ'S OF THE HERITAGE PECAN (T27) MUST BE BORED AT LEAST 4' UNDER THE EXISTING GRADE TO AVOID SEVERING ROOTS 1/5 INCHES DIAMETER AND GREATER.

SHEET 1 OF 2

FILE: P:\090402-3409 Neal Street\090402-01-001\Survey\Working\
Plat\90402_3409 Neal Street_Final Plat.dwg

| | | |
|---|-----------------------|--------------|
| DATE: 10-18-18 | DRAWN BY: DZ | CREW: MK, BE |
| SCALE: NA | CHECKED BY: JB | FB #: 429 |
| JOB #: 90402-01-001 | DRAWING #: FINAL PLAT | PLAN #: 1216 |
| 1 ADDRESS COMMENTS | D.Z. | 5-6-19 |
| 2 ADDRESS COMMENTS | D.Z. | 8-12-19 |
| 3 REVISED NOTE 18, SURVEYOR'S STMT NAME | J.S. | 02-04-20 |
| NO. | REVISION | BY DATE |

Bowman
CONSULTING

Bowman Consulting Group, Ltd.
1120 South Capital of Texas Hwy, Bldg 3, Suite 220, Austin, Texas 78746
Phone: (512) 327-1180 Fax: (512) 327-4062
www.bowmanconsulting.com © Bowman Consulting Group, Ltd.

TBPE Firm No. F-14309 | TBPLS Firm No. 101206-00

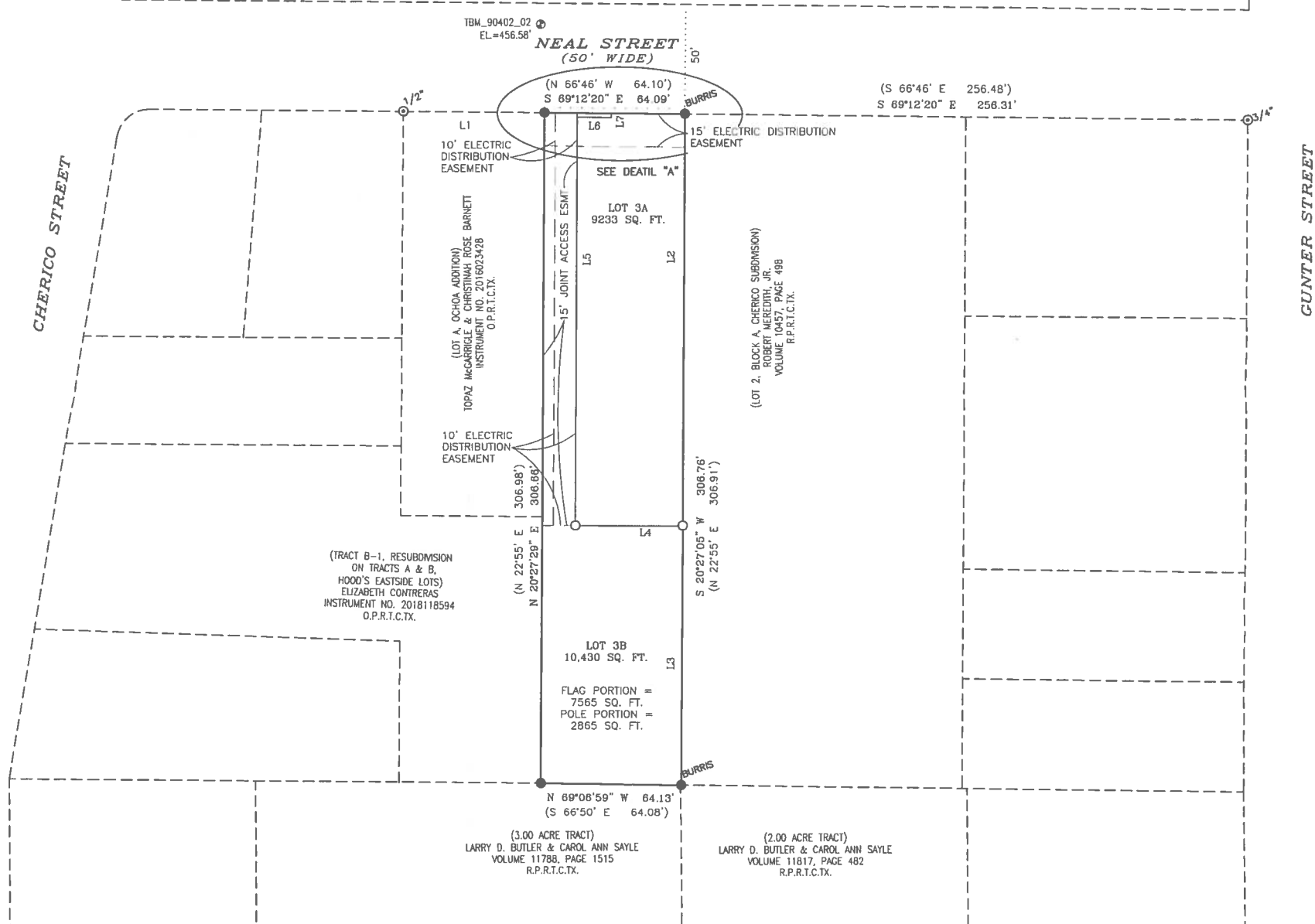
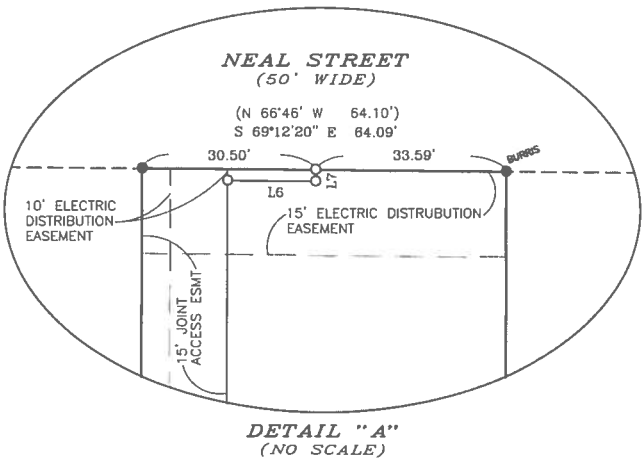
3409 NEAL STREET
RESUBDIVISION OF EAST ONE-HALF
OF LOT 3, BLOCK A, CHERICO SUBDIVISION
TRAVIS COUNTY, TEXAS

PLAN 1216

PLOT DATE: Feb 04,2020-9:08am

CASE NO. C8-2018-0211.0A

3409 NEAL STREET
RESUBDIVISION OF EAST ONE-HALF OF LOT 3, BLOCK A,
CHERICO SUBDIVISION



| LINE TABLE | | |
|------------|---------------|----------|
| LINE # | BEARING | DISTANCE |
| L1 | N 69°09'09" W | 64.05' |
| (L1) | (S 66°46' E) | (64.10') |
| L2 | S 20°27'05" W | 188.46' |
| L3 | S 20°27'05" W | 118.30' |
| L4 | N 69°41'18" W | 49.11' |
| L5 | N 20°27'29" E | 186.87' |
| L6 | S 69°12'20" E | 15.50' |
| L7 | N 20°27'29" E | 2.00' |

LEGEND

- 1/2" IRON ROD FOUND UNLESS OTHERWISE NOTED
- ⊙ IRON PIPE FOUND, SIZE NOTED
- BURRIS 1/2" IRON ROD W/ PLASTIC CAP STAMPED "BURRIS & ASSOC." FOUND
- 1/2" IRON ROD W/ PLASTIC CAP STAMPED "BCG" SET
- () RECORD INFORMATION
- P.R.T.C.TX. PLAT RECORDS OF TRAVIS COUNTY, TEXAS
- R.P.R.T.C.TX. REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS
- O.P.R.T.C.TX. OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS
- PROPOSED PUBLIC SIDEWALK

OCTOBER, 2018
CITY OF AUSTIN
TRAVIS COUNTY, TEXAS

40 0 40
SCALE: 1"=40'

SHEET 2 OF 2

BENCHMARK LIST: - DATUM - NAVD 88 (GEOID12B) PER RESULT OF THE NATIONAL GEODETIC SURVEY ON-LINE POSITIONING USER SERVICE (OPUS) AND VERIFIED THROUGH SMARTNET NORTH AMERICA.

TBM_90402_02:
MAG NAIL SET IN CURB
ELEVATION = 456.58 FEET.

FILE: P:\090402-3409 Neal Street\090402-01-001\Survey\Working\ Plat\90402_3409 Neal Street_Final Plat.dwg

DATE: 12-05-19 DRAWN BY: DZ CREW: MK, BE
SCALE: NA CHECKED BY: JB FB #: 429
JOB #: 90402-01-001 DRAWING #: FINAL PLAT PLAN #: 1216

| NO. | REVISION | BY | DATE |
|-----|----------|----|------|
| | | | |
| | | | |
| | | | |

Bowman
CONSULTING

Bowman Consulting Group, Ltd.
1120 South Capital of Texas Hwy, Bldg 3, Suite 220, Austin, Texas 78746
Phone: (512) 327-1180 Fax: (512) 327-4062
www.bowmanconsulting.com © Bowman Consulting Group, Ltd.
TBPE Firm No. F-14309 | TBPLS Firm No. 101206-00

3409 NEAL STREET
SUBDIVISION OF EAST ONE-HALF OF LOT 3,
BLOCK A, CHERICO SUBDIVISION
TRAVIS COUNTY, TEXAS

PLAN 1216

PLOT DATE: Feb 04,2020-9.10am

CASE NO. C8-2018-0211.0A



January 27, 2020

Jennifer Hanlen
3409 Neal St
Austin TX, 78702

Property Description: E 64.1 FT LOT 3 BLK A OLT 41-42 DIV A CHERICO SUBD NO 1

Re: C15-2020-0003

Dear Jennifer,

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 LDC - Section 25-2-492 (Site Development Regulations) ; lot width requirements - to decrease the minimum lot width from 50 feet (required) to 49.09 feet (requested);
In order to SF-3-NP", Single-Family Residence - Neighborhood Plan zoning district.
(Govalle Neighborhood Plan)

Austin Energy does not oppose variance requested, 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: <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

BOA GENERAL REVIEW COVERSHEET

CASE: C15-2020-0003

BOA DATE: February 5, 2020

ADDRESS: 3409 Neal St

COUNCIL DISTRICT: 3

OWNER: Addison Thom

AGENT: Jennifer Hanlen

ZONING: SF-3-NP (Govalle)

LEGAL DESCRIPTION: E 64.1 FT LOT 3 BLK A OLT 41-42 DIV A CHERICO SUBD NO 1

VARIANCE REQUEST: reduce minimum lot width from 50 ft. to 49.09 ft.

SUMMARY: subdivision of lot

ISSUES: current design is at 49.09 ft. due to a flag lot design on adjacent proposed lot

| | ZONING | LAND USES |
|--------------|---------------|------------------|
| <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
 El Concilio Mexican-American Neighborhoods
 Friends of Austin Neighborhoods
 Govalle Neighborhood Association
 Govalle/Johnston Terrace Neighborhood Plan Contact Team
 Guadalupe Neighborhood Development Corporation
 Homeless Neighborhood Association
 Neighborhood Empowerment Foundation
 Neighbors United for Progress
 Preservation Austin
 SELTexas
 Sierra Club, Austin Regional Group



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

NOTIFICATIONS

CASE#: C15-2020-0003

LOCATION: 3409 NEAL STREET



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" = 333'



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: 3409 NEAL STREET, AUSTIN TEXAS

Subdivision Legal Description:

E 64.1 FT LOT 3 BLK A OLT 41-42 DIV A CHERICO SUBD NO 1

Lot(s): 3 Block(s): A OLT 41-42

Outlot: _____ Division: CHERICO SUBDIVISION NO 1

Zoning District: SF3

I/We JENNIFER HANLEN on behalf of myself/ourselves as
authorized agent for PERMIT PARTNERS affirm that on

Month December, Day 4, 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: SUBDIVISION OF LOT

Type of Structure: N/A

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

Land code 25-2-492 (D) which requires 50 feet of frontage. The current design is at 49.09 feet.

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:

COA LAND DEVELOPMENT CODE 25-2-492 (D) REQUIRES A MIN OF 50 FEET OF FRONTAGE. THE CURRENT DESIGN IS AT 49.09

FEET DUE TO A FLAG LOT DESIGN ISSUE ON THE ADJACENT PROPOSED LOT.

Hardship

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

SEE COVER LETTER

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

SEE COVER LETTER

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:

SEE COVER LETTER

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:

SEE COVER LETTER

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:

SEE COVER LETTER

3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

SEE COVER LETTER

4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

SEE COVER LETTER

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: 12/6/2019

Applicant Name (typed or printed): JENNIFER HANLEN

Applicant Mailing Address: 105 WEST RIVERSIDE, SUITE 225

City: AUSTIN State: TEXAS Zip: 78704

Phone (will be public information): 512 212 7632

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: _____

Owner Name (typed or printed): ADDISON THOM

Owner Mailing Address: 803 CAMPBELL AVE

City: CHICAGO State: IL Zip: 60622

Phone (will be public information): 702 672 8043

Email (optional – will be public information): N/A

Section 5: Agent Information

Agent Name: JENNIFER HANLEN - PERMIT PARTNERS

Agent Mailing Address: 105 WEST RIVERSIDE, SUITE 225

City: AUSTIN State: TEXAS Zip: 78704

Phone (will be public information): 512 212 7632

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).

N/A

From the office of:

PERMIT PARTNERS, LLC
105 W. Riverside Dr. Suite 225
Austin, Texas 78704
David C. Cancialosi
512.593.5368 c.
512.494.4561 f.

December 6, 2019

City of Austin c/o Elaine Ramirez
Board of Adjustment
One Texas Center
505 Barton Springs
Austin, Texas 78704

RE: Request to reduce lot width requirement for SF-3 zoned property

Dear Board of Adjustment Commissioners,

My client is seeking a variance to reduce the lot width requirement from the 50 feet requirement to 49.09 (NO – it's being reduced to approximately 34' due to the additional 15.5' bump out required by AWU) of the proposed lot 3A at 3409 Neal Street, Austin TX 78702. The property is 64.09 SF in size and zoned SF-3. It's legally known as Lot 3 Cherico Subdivision. It is currently has 128 feet of frontage at the right-of-way along Cherico Street. Lot 3 of block A Cherico Subdivision and was originally platted on May 3rd, 1937. The original lots lines created the 128.20 lot width. Although it not known for sure how or when, it appears an illegal subdivision occurred. This resulted in the current configuration of 64.09 linear feet of front lot width at the right-of-way.

The owner proposes to increase the density in the urban core by creating a two lot subdivision. An application for a two lot subdivision is currently on file with the City of Austin as case #C8-2018-0211.0A. All substantive comments are cleared with the exception of the lot width issue. The proposed subdivision would result in lot 3A being 49.09 feet wide and the flag lot poles frontage being 15 feet wide. The pole width is unusually wide due to a water line easement which must be located on lot 3B per Austin Water Utility site plan requirements. Thus, the remainder lot frontage on lot 3A is 49.09 feet.

Reasonable Use

A single family residential use in a SF-3 zoned lot is reasonable. A lot less than 50' in width is not uncommon and should not prevent the proposed use from occurring in the highest and best manner.

Hardship

The original plat date of 1937 contemplated single family residential use on this lot. It is not uncommon for lots in the urban core, especially among those located in east Austin, to have been illegally subdivided at some point via metes and bounds or other methods. The City of Austin Water Utility is requiring a specific water line placement which located said line on the proposed flag lot's pole, creating an addition 15.5' bump out fro the 15' pole frontage at the right-of-way. In turn, this creates an approximate 34' (Verify this measurement) remainder length for the adjacent, proposed lot shown as lot 3A. If the additional 15.5' was not required by the City of Austin lot 3A would be 49.01' wide, less than 1' shy of the required 50' width outlined in the SF'3 performance standards. Denying this variance request would result in less density in the Urban Core, where density is very much needed. The existing 64' lot width is a function of an illegal subdivision of the 128' wide lot 3 Cherico Subdivision. Approving this variance would allow the subdivision application to be approved and the proposed lots built to their highest and best use.

Not General to the Area

There are no known lots in the immediate area attempting to resolve an illegal subdivision via 2 lot subdivision.

Area of Character

Approving a variance for lot width reduction has zero adverse impact on adjacent lots. The lot in question, lot 3A, is 64.09 SF and compliant with minimum lot size requirements. East Austin is full of numerous odd shaped and sized residential lots. None of these were part of any master planned community, and over time were split from their original configuration such as the original 1937 Lot 3 Cherico Subdivision lot. The proposed 2 lot subdivision encourages adaptive reuse of the lot, will share a driveway between lots 3A and 3B, and proposes no uses which pose any impact to existing surrounding improvements or uses.

In summation, I ask the Board approve this lot width reduction so the property can be utilized in an efficient manner consistent with current and future needs of the immediate area.

Sincerely,



David C. Cancialosi, Agent for Owner

Cc: Addison Thom

3409 NEAL STREET
RESUBDIVISION OF EAST ONE-HALF OF LOT 3, BLOCK A,
CHERICO SUBDIVISION

THE STATE OF TEXAS)(KNOW ALL MEN BY THESE PRESENTS:
THE COUNTY OF TRAVIS)(

WHEREAS, UNA KERENSA, BEING THE OWNER OF THE EAST ONE-HALF (1/2) OF LOT 3, BLOCK A, OF
CHERICO SUBDIVISION, A SUDIVISION ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN
VOLUME 4, PAGE 2, PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AND SAID SUBDIVISION HAVING BEEN
APPROVED FOR RESUBDIVISION PURUSANT TO PUBLIC NOTIFICATION AND HEARING PROVISIONS
PURSUANT TO SECTION 212.014 AND 212.015 LOCAL GOVERNMENT CODE AND DO HEREBY
RESUBDIVIDE THE EAST ONE-HALF (1/2) OF LOT 3, BLOCK A, OF CHERICO SUBDIVISION IN
ACCORDANCE WITH THE MAP OR PLAT ATTACHED HERETO, TO BE KNOWN AS:

3409 NEAL STREET, RESUBDIVISION OF EAST ONE-HALF OF LOT 3, BLOCK A, CHERICO SUBDIVISION

AND DO HEREBY DEDICATE TO THE PUBLIC USE OF ALL STREETS AND EASEMENTS SHOWN HEREON,
SUBJECT TO ANY AND ALL EASEMENTS OR RESTRICTIONS HERETOFORE GRANTED AND NOT RELEASE.

IN WITNESS WHEREOF, UNA KERENSA, HAS CAUSED THESE PRESENTS TO BE EXECUTED THIS

_____ DAY OF _____, 2019, A.D.

BY: UNA KERENSA
4233 CAMACHO STREET
AUSTIN, TEXAS 78723

THE STATE OF TEXAS)(KNOW ALL MEN BY THESE PRESENTS:
THE COUNTY OF TRAVIS)(

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED STAN MILLER,
KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT
AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS
THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE _____ DAY OF _____, 2019,
A.D.

NOTARY PUBLIC IN AND FOR THE
STATE OF TEXAS

PRINTED NAME OF NOTARY MY COMMISSION EXPIRES ON: _____

PRINTED ADDRESS OF NOTARY _____

THIS SUBDIVISION PLAT IS LOCATED WITHIN THE FULL PURPOSE CITY LIMITS OF CITY OF
AUSTIN ON THIS THE _____ DAY OF _____ 20__.

PLANNING COMMISSION APPROVAL:

ACCEPTED AND AUTHORIZED FOR RECORD BY THE PLANNING COMMISSION OF THE CITY OF
AUSTIN, TEXAS, THIS _____ DAY OF _____ 20__.

JAMES SHIEH, CHAIR PATRICIA R. SEEGER, SECRETARY

ADMINISTRATIVE APPROVAL:

APPROVED, ACCEPTED AND AUTHORIZED FOR RECORD BY THE DIRECTOR, DEVELOPMENT
SERVICES DEPARTMENT, CITY OF AUSTIN, TEXAS, THIS _____ DAY OF _____
20__.

STEVE HOPKINS, FOR:
DENISE LUCAS, ACTING DIRECTOR
DEVELOPMENT SERVICES DEPARTMENT

STATE OF TEXAS)(KNOW ALL MEN BY THESE PRESENTS)(
COUNTY OF TRAVIS)(

I, DANA DEBEAUVOIR, CLERK OF TRAVIS COUNTY, TEXAS HEREBY CERTIFY THAT THE FOREGOING
INSTRUMENT OF WRITING WITH ITS CERTIFICATE OF OF AUTHENTICATION WAS FILED FOR RECORD IN
MY OFFICE ON THE

_____ DAY OF _____ 2018, A.D. AT _____ O'CLOCK ____M., AND DULY RECORDED ON
THE

_____ DAY OF _____ 2018, A.D. AT _____ O'CLOCK ____M., OF SAID COUNTY

AND STATE IN DOCUMENT NO. _____, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY,
TEXAS.

WITNESS MY HAND AND SEAL OF OFFICE OF THE COUNTY CLERK, THIS _____ DAY OF
_____, 2019, A.D.

DANA DEBEAUVOIR, COUNTY CLERK, TRAVIS COUNTY, TEXAS.

DEPUTY _____

SURVEYOR'S STATEMENT:

I, JOHN D. BARNARD, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT I AM
AUTHORIZED TO PRACTICE THE PROFESSION OF LAND SURVEYING IN THE STATE OF TEXAS; THAT I
PREPARED THE PLAT SUBMITTED HERewith; THAT ALL INFORMATION SHOWN HEREON IS ACCURATE
AND CORRECT TO THE BEST OF MY KNOWLEDGE AS RELATED TO THE SURVEYING PORTIONS THEREOF;
AND THAT SAID PLAT COMPLIES WITH TITLE 25 OF THE LAND DEVELOPMENT CODE, WAS PREPARED
FROM A SURVEY MADE ON THE GROUND, UNDER MY DIRECTION AND SUPERVISION, AND IS TRUE AND
CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

JOHN D. BARNARD
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 5749-STATE OF TEXAS
BOWMAN CONSULTING GROUP
1120 SOUTH CAPITAL OF TEXAS HWY, SUITE 220
AUSTIN, TEXAS 78746

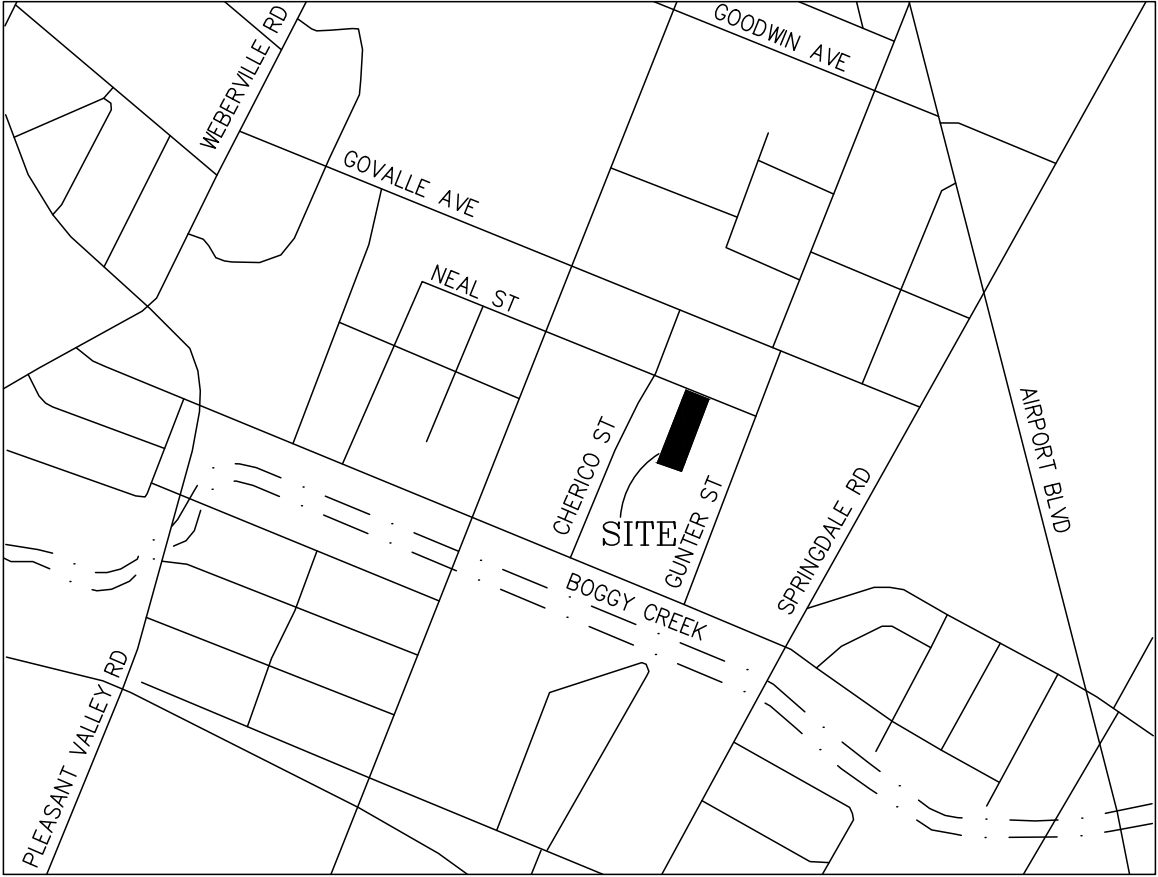
DATE _____

ENGINEER'S STATEMENT:

I, MIA M. PARTON, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE
PROFESSION OF ENGINEERING, AND HEREBY CERTIFY THAT THIS PLAT IS FEASIBLE FROM AN
ENGINEERING STANDPOINT AND COMPLIES WITH THE ENGINEERING RELATED PORTIONS OF TITLE 25 OF
THE CITY OF AUSTIN LAND DEVELOPMENT CODE, AND IS TRUE AND CORRECT TO THE BEST OF MY
KNOWLEDGE.

MIA M. PARTON
REGISTERED PROFESSIONAL ENGINEER
NO. 111369-STATE OF TEXAS,
AEPARMIA ENGINEERING, PLLC
9101 BURNET ROAD, SUITE 209
AUSTIN, TEXAS 78758

DATE _____



VICINITY MAP
SCALE: 1"=1000'

NOTES:

1. BEARING BASIS IS TEXAS COORDINATE SYSTEM, CENTRAL ZONE, NAD83, GRID.
2. BUILDING SETBACK LINES SHALL CONFORM TO THE CITY OF AUSTIN ZONING ORDINANCE REQUIREMENTS.
3. THE PROPERTY AS SHOWN HEREON LIES IN ZONE "X" (UN-SHADED)(AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AS SHOWN ON FEMA FLOOD INSURANCE RATE MAP FOR TRAVIS COUNTY, TEXAS, COMMUNITY PANEL NUMBER 48453C0465J, MAP REVISED JANUARY 6, 2016.
4. ALL RESTRICTIONS AND NOTES FROM THE PREVIOUS EXISTING SUBDIVISION, CHERICO SUBDIVISION, RECORDED IN VOLUME 4, PAGE 2 OF THE PLAT RECORDS OF TRAVIS COUNTY, SHALL APPLY TO THIS RESUBDIVISION PLAT.
5. ALL ADDRESSES FOR RESIDENTIAL LOTS UTILIZING A FLAG LOT DESIGN MUST BE DISPLAYED AT THEIR CLOSEST POINT OF ACCESS TO A PUBLIC STREET.
6. DEVELOPMENT OF THESE LOTS SHALL COMPLY WITH REQUIREMENTS OF THE AIRPORT HAZARD AND COMPATIBLE LAND USE REGULATIONS (CHAPTER 25-13) AS AMENDED.
7. THE OWNER OF THIS SUBDIVISION AND THE OWNER'S SUCCESSORS AND ASSIGNS ARE RESPONSIBLE FOR CONSTRUCTION OF SUBDIVISION IMPROVEMENTS THAT COMPLY WITH CITY OF AUSTIN AND TRAVIS COUNTY REGULATIONS. THE OWNER UNDERSTANDS THAT PLAT VACATION OR REPLATTING MAY BE REQUIRED, AT THE OWNER'S EXPENSE, IF PLANS TO CONSTRUCT THIS SUBDIVISION DO NOT COMPLY WITH THE REGULATIONS.
8. ALL VEHICULAR ACCESS TO AND FROM NEAL STREET FOR LOTS 3A AND 3B SHALL BE THROUGH THE JOINT USE ACCESS EASEMENT.
9. PUBLIC SIDEWALKS, BUILT TO CITY OF AUSTIN STANDARDS, ARE REQUIRED ALONG THE FOLLOWING STREETS AND AS SHOWN BY A DOTTED LINE ON THE FACE OF THE PLAT: NEAL STREET. THESE SIDEWALKS SHALL BE IN PLACE PRIOR TO THE LOT BEING OCCUPIED. FAILURE TO CONSTRUCT THE REQUIRED SIDEWALKS MAY RESULT IN THE WITHHOLDING OF CERTIFICATES OF OCCUPANCY, BUILDING PERMITS, OR UTILITY CONNECTIONS BY THE GOVERNING BODY OR UTILITY COMPANY.
10. A FEE-IN-LIEU OF PARKLAND DEDICATION AND PARK DEVELOPMENT HAS BEEN PAID FOR 1 RESIDENCE. NO FEE WAS CHARGED FOR THE EXISTING RESIDENCE.
11. WATER METERS AND CLEANOUTS SHALL NOT BE LOCATED IN DRIVEWAYS OR SIDEWALKS.
12. EACH LOT SHALL HAVE INDEPENDENT WATER METERS AND CLEANOUTS AND PRIVATE PLUMBING SHALL NOT CROSS LOT LINES. PRIVATE LINE MAY CROSS PERPENDICULARLY BUT OTHERWISE SHALL NOT BE LOCATED WITHIN A PUBLIC UTILITY EASEMENT.
13. THE OWNER OF THIS SUBDIVISION, AND HIS OR HER SUCCESSORS AND ASSIGNS, ASSUMES RESPONSIBILITY FOR PLANS FOR CONSTRUCTION OF SUBDIVISION IMPROVEMENTS WHICH COMPLY WITH APPLICABLE CODES AND REQUIREMENTS OF THE CITY OF AUSTIN. THE OWNER UNDERSTANDS AND ACKNOWLEDGES THAT PLAT VACATION OR REPLATTING MAY BE REQUIRED. AT THE OWNER'S SOLE EXPENSE, IF PLANS TO CONSTRUCT THE SUBDIVISION DO NOT COMPLY WITH SUCH CODES AND REQUIREMENTS.
14. THE WATER AND WASTEWATER UTILITY SYSTEM SERVING THIS SUBDIVISION MUST BE IN ACCORDANCE WITH THE CITY OF AUSTIN UTILITY DESIGN CRITERIA. THE WATER AND WASTEWATER UTILITY PLAN MUST BE REVIEWED AND APPROVED BY AUSTIN WATER. ALL WATER AND WASTEWATER CONSTRUCTION MUST BE INSPECTED BY THE CITY OF AUSTIN. THE LANDOWNER MUST PAY THE CITY INSPECTION FEE WITH THE UTILITY CONSTRUCTION.
15. NO LOT SHALL BE OCCUPIED UNTIL THE STRUCTURE IS CONNECTED TO THE CITY OF AUSTIN WATER AND WASTEWATER UTILITY SYSTEM.
16. A VARIANCE TO SECTION 25-4-175, OF THE LAND DEVELOPMENT CODE, WAS GRANTED BY THE PLANNING COMMISSION ON _____.

17. BY APPROVING THIS PLAT, THE CITY OF AUSTIN ASSUMES NO OBLIGATION TO CONSTRUCT ANY INFRASTRUCTURE IN CONNECTION WITH THIS SUBDIVISION. ANY SUBDIVISION INFRASTRUCTURE REQUIRED FOR THE DEVELOPMENT OF THE LOTS IN THIS SUBDIVISION IS THE RESPONSIBILITY OF THE DEVELOPER AND/OR THE OWNERS OF THE LOTS. FAILURE TO CONSTRUCT ANY REQUIRED INFRASTRUCTURE TO CITY STANDARDS MAY BE JUST CAUSE FOR THE CITY TO DENY APPLICATIONS FOR CERTAIN DEVELOPMENT PERMITS INCLUDING BUILDING PERMITS, SITE PLAN APPROVALS, AND/OR CERTIFICATES OF OCCUPANCY.

18. A FULL RESIDENTIAL SPRINKLER SYSTEM DESIGNED, INSTALLED AND TESTED IN ACCORDANCE WITH THE NFPA 13D OR THE 2015 IRC P2904 STANDARDS WILL BE INSTALLED IN THIS PROPERTY. THE PLANS FOR THE SPRINKLER SYSTEM MUST BE DESIGNED AND INSTALLED BY A TEXAS LICENSED SPRINKLER CONTRACTOR FOR NFPA 13D SYSTEMS OR A TEXAS LICENSED PLUMBER WITH THE IRC P2904 ENDORSEMENT ON THE LICENSE. THE SPRINKLER PLANS MUST BE SUBMITTED, REVIEWED, APPROVED, TESTED AND INSPECTED BY AFD PRIOR TO COVERING THE WALLS AND CEILINGS.

19. LOT 3A AND LOT 3B WILL HAVE A RESIDENTIAL SPRINKLER SYSTEM.

20. ALL UTILITY LINES PROPOSED WITHIN THE 1/2 AND 1/4 CRZ'S OF THE HERITAGE PECAN (T27) MUST BE BORED AT LEAST 4' UNDER THE EXISTING GRADE TO AVOID SEVERING ROOTS 1/5 INCHES DIAMETER AND GREATER.

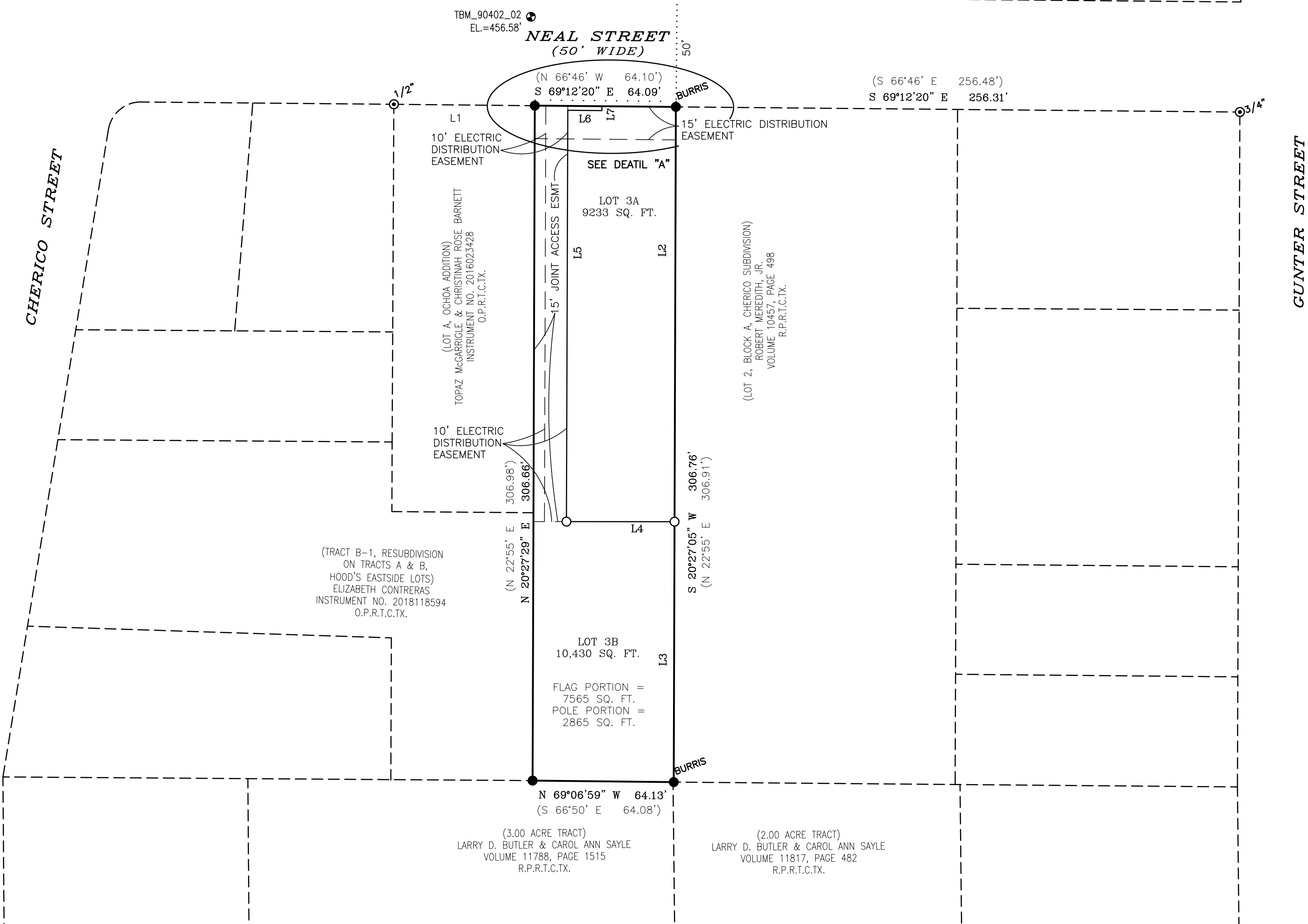
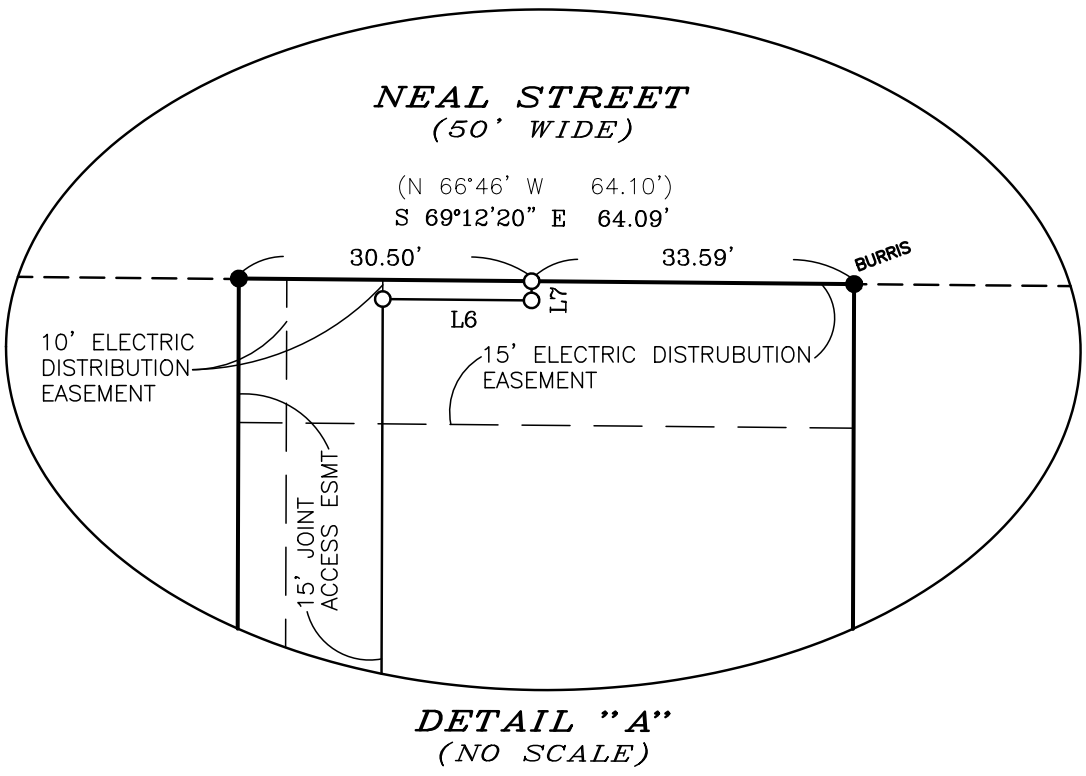
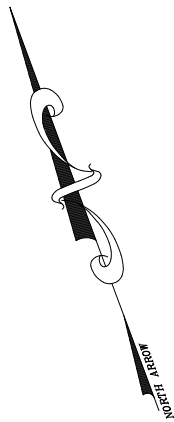
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| SCALE: NA | CHECKED BY: JB | FB #: 429 | |
| JOB #: 90402-01-001 | DRAWING #: FINAL PLAT | PLAN #: 1216 | |
| 1 | ADDRESS COMMENTS | D.Z. | 5-6-19 |
| 2 | ADDRESS COMMENTS | D.Z. | 8-12-19 |
| | | | |
| NO. | REVISION | BY | DATE |

Bowman
CONSULTING

Bowman Consulting Group, Ltd.
1120 South Capital of Texas Hwy, Bldg 3, Suite 220, Austin, Texas 78746
Phone: (512) 327-1180 Fax: (512) 327-4062
www.bowmanconsulting.com © Bowman Consulting Group, Ltd.
TBPE Firm No. F-14309 | TBPLS Firm No. 101206-00

3409 NEAL STREET
RESUBDIVISION OF EAST ONE-HALF
OF LOT 3, BLOCK A, CHERICO SUBDIVISION
TRAVIS COUNTY, TEXAS

3409 NEAL STREET
RESUBDIVISION OF EAST ONE-HALF OF LOT 3, BLOCK A,
CHERICO SUBDIVISION



BENCHMARK LIST: - DATUM - NAVD 88 (GEOID12B) PER RESULT OF THE NATIONAL GEODETIC SURVEY ON-LINE POSITIONING USER SERVICE (OPUS) AND VERIFIED THROUGH SMARTNET NORTH AMERICA.

TBM_90402_02:
MAG NAIL SET IN CURB
ELEVATION = 456.58 FEET.

| LINE TABLE | | |
|------------|---------------|----------|
| LINE # | BEARING | DISTANCE |
| L1 | N 69°09'09" W | 64.05' |
| (L1) | (S 66°46' E) | (64.10') |
| L2 | S 20°27'05" W | 188.46' |
| L3 | S 20°27'05" W | 118.30' |
| L4 | N 69°41'18" W | 49.11' |
| L5 | N 20°27'29" E | 186.87' |
| L6 | S 69°12'20" E | 15.50' |
| L7 | N 20°27'29" E | 2.00' |

LEGEND

- 1/2" IRON ROD FOUND
UNLESS OTHERWISE NOTED
- ⊙ IRON PIPE FOUND, SIZE NOTED
- BURRIS 1/2" IRON ROD W/ PLASTIC CAP
STAMPED "BURRIS & ASSOC." FOUND
- 1/2" IRON ROD W/ PLASTIC CAP
STAMPED "BCG" SET
- () RECORD INFORMATION
- P.R.T.C.TX. PLAT RECORDS OF
TRAVIS COUNTY, TEXAS
- R.P.R.T.C.TX. REAL PROPERTY RECORDS OF
TRAVIS COUNTY, TEXAS
- O.P.R.T.C.TX. OFFICIAL PUBLIC RECORDS OF
TRAVIS COUNTY, TEXAS
- PROPOSED PUBLIC SIDEWALK

OCTOBER, 2018
CITY OF AUSTIN
TRAVIS COUNTY, TEXAS

40 0 40
SCALE: 1"=40'

SHEET 2 OF 2

| | | | |
|--|-----------------------|--------------|------|
| FILE: P:\090402-3409 Neal Street\090402-01-001\Survey\Working\ | | | |
| Plat\90402_3409 Neal Street_Final Plat.dwg | | | |
| DATE: 12-05-19 | DRAWN BY: DZ | CREW: MK, BE | |
| SCALE: NA | CHECKED BY: JB | FB #: 429 | |
| JOB #: 90402-01-001 | DRAWING #: FINAL PLAT | PLAN #: 1216 | |
| | | | |
| | | | |
| | | | |
| NO. | REVISION | BY | DATE |

Bowman
CONSULTING

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Phone: (512) 327-1180 Fax: (512) 327-4062
www.bowmanconsulting.com © Bowman Consulting Group, Ltd.
TBPE Firm No. F-14309 | TBPLS Firm No. 101206-00

3409 NEAL STREET
SUBDIVISION OF EAST ONE-HALF OF LOT 3,
BLOCK A, CHERICO SUBDIVISION
TRAVIS COUNTY, TEXAS

PLAN 1216

CASE NO. C8-2018-0211.0A

3409 NEAL STREET – BOA MEETING – ADDTL NOTES

Addendum to submittal regarding easement and reasoning per Karen Palacios comments on MCR for the sub case:

EL2. Provide a large sheet (24X36) of the driveway plan and profile plan. AW and AE do not share trenching. Provide utility assignments showing the electrical service to the back lot with a 10 ft. electrical easement and AW will need their own easement and provide AW's approval of separation from AE trenching. Plans are not readable.

UPDATE: Austin Energy service point at the ROW needs to be called out showing the meter location near the service point on private property. The shown UE needs to be clearly labeled as private electrical service. Be advised Austin Energy disconnect is located along the ROW. It's the applicant's responsibility for their private line extension. Comments stand.

UPDATE2: AE easement along the ROW cannot share with AW easement. The disconnect for the rear lot will be within the 15 ft. electrical easement along the ROW.

UPDATE3: On a phone call the applicant was to verify their disconnect will be along the ROW for the flag lot with their MEP. Electrical Easement within the development is shown for the flag lot and private W/WW are shown within it. Not allowed.

PERMIT PARTNERS/AERPARMIA RESPONSE: SEE ATTACHED REVISED PLAT AND UTILITY PLAN. PLEASE EMAIL EITHER MIA OR I DIRECT IF THERE ARE STILL CHANGES NEEDED ON THIS PLAN – MPARTON@AEPARMIA.COM OR JENNIFER@PERMIT-PARTNERS.COM

REASONING BEHIND ADDING THIS EASEMENT & IN ORDER TO CLEAR EL2 COMMENT:

Per Bowman - according to her images, Karen thought the private w/ww lines were in the AE easement because of how the plat was drawn up. Editing it to show the 5' gap between the fence and the easement shows the lines are fine.

Aeparmia's drawings have shown AE's easement 5' offset from the property line. That gave the w/ww 5' of space to reach Lot B and not be in the AE easement. But since Karen was looking at the plat which showed the easement incorrectly along the property line, she assumed w/ww would be too close.

Bowman updating the plat shows now that that isn't the case, AE has their own easement where their distribution line will be by itself all the way to the back and there's still space for private w/ww lines to also reach Lot B as well.

MARCH 9th

P-3/22

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.

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: C15-2020-0003

Contact: Elaine Ramirez, 512-974-2202

Public Hearing: Board of Adjustment; February 5th, 2020

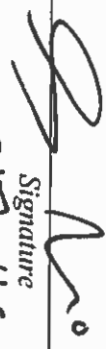
TOPAZ MC BARBIE

Your Name (please print)

☐ I am in favor
☒ Object

3407 Neal St. Austin TX 78702

Your address(es) affected by this application



Signature

Date

Daytime Telephone: 977-450-1708

Comments: This sets a bad precedent for a neighborhood that is quickly becoming developed. There are multiple heritage trees on this lot & I feel it would negatively affect the trees. The applicant won't respond to my call's asking why they want the various parking & traffic on this block are an issue due to Cavell Elementary.

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