

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

DATE: Monday June 8, 2020

CASE NUMBER: C15-2020-0020

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

APPLICANT: Jennifer Hanlen

OWNER: Durham Trading Partners XII, LLC

ADDRESS: 1401 3RD ST

VARIANCE REQUESTED: The applicant is requesting a variance(s) from Section 25-2-492 (Site Development Regulations) from setback requirements to decrease the minimum interior side setback from 5 feet (required) to 2.77 feet (requested) in order to complete a Single-Family residence in an "SF-3-NP", Single-Family Residence-Neighborhood Plan zoning district. (East Cesar Chavez Neighborhood Plan)

Note: currently under construction, layout error

**BOARD'S DECISION: BOA meeting April 13, 2020 CANCELLED MEETING; MAY 11 2020 The public hearing was closed by Chair Don Leighton-Burwell, Board Member Michael Von Ohlen motions to postpone to June 8, 2020, Board Member Rahm McDaniel seconds on a 10-1 vote (Board member Darryl Pruet nay, William Hodge abstained); POSTPONED TO JUNE 8, 2020. June 2020 The public hearing was closed by Chair Don Leighton-Burwell, Board Member Don Leighton-Burwell motions to Deny, Board Member Michael Von Ohlen seconds on a 10-1 vote (Board member Veronica Rivera nay and William Hodge abstained); DENIED.
RECONSIDERATION REQUEST: July 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

Don Leighton-Burwell
Chairman

From: Jeff Blatt
To: [Ramirez, Elaine](#)
Subject: Fwd: Scanned Document
Date: Monday, June 15, 2020 2:20:26 PM
Attachments: [doc20200615141210.pdf](#)

*** External Email - Exercise Caution ***

Elaine

Please find my request in attachment to reconsider appeal for Board of Adjustments for 1401 E 3rd St I am sending along with formal pdf request for reconsideration copies of the approved plans for a single family residence and copies of the revised plans that would have been part of the revised plans to provide better fire safety by adding sprinklers to the single family residence along with moving doors to the Navasota side and closing certain windows and doors along the East side of the property next to 1403 E 3rd St, Austin, Texas 78702.

I hope this helps with your decision to reconsider.

Thank you and appreciatively yours.

Jeffrey Blatt
Durham Trading Partners XII, LLC
512 554 3647

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

1401 E. 3rd St.
Case #C15-2020-0020
Reconsideration Hearing
July 13, 2020

1. Summary of project timeline

January 9, 2017	Original survey issued (see Exhibit “A”)
April 12, 2017	Original application for permit including affidavit (see Exhibit “B”)
December 7, 2017	Plan review approved—case #2017-043148 PR (see Exhibit “C”)
December 8, 2017	Permit issued—permit #2017-152673 PR
January 3, 2018	Form survey issued (see Exhibit “D”)
January 19, 2018	Layout inspection passed by City—inspection #101
January 24, 2019	Development Services Department informed by District 3 Planning Commissioner of potential discrepancy
March 1, 2018	Specific residential reviewers in charge of approval informed by District 3 Planning Commissioner of potential discrepancy
March 2, 2018	Residential review in charge of approval responded to Planning Commissioner
June 13, 2018	Post-permit revision approved (see Exhibit “E”)
February 3, 2020	New survey issued (see Exhibit “F”)
May 11, 2020	1 st hearing for variance request—postponed
May 21, 2020	New drawings issued showing proposed modifications (see Exhibit “G”)
June 8, 2020	2 nd hearing for variance request—denied
July 13, 2020	Reconsideration hearing

2. Rationales for reconsideration

- A. In the previous meeting, it was questioned whether the project was legally approved. The previous agent mistakenly called the project a duplex. A duplex is not allowed on a lot this small or this narrow. The project was intended to be a single-family residence with an attached accessory apartment, as allowed by the zoning code in section 25-2-901. This section of code does not state a minimum lot size or dimension:

§ 25-2-901 - ACCESSORY APARTMENTS.



- (A) An accessory apartment is a separate dwelling unit that is contained within the principal structure of a single-family residence, and that is occupied by at least one person who is 60 years of age or older or physically disabled.
- (B) If space within a principal structure is converted to an accessory apartment, the accessory apartment may not include:
 - (1) converted garage space; or
 - (2) a new entrance visible from a street.
- (C) The building official may not issue a building permit for construction or remodeling of an accessory apartment unless the applicant delivers to the building official an affidavit verifying that one of the proposed occupants of the accessory apartment is 60 years of age or older or physically disabled.

Source: Sections 13-2-1 and 13-2-251; Ord. 990225-70; Ord. 031120-44; Ord. 031211-11.

An affidavit was submitted stating that the owner (over the age of 60) intended to occupy the accessory apartment (Exhibit "B"):

01 March 2017

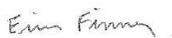
My name is Jeffrey Blatt and I hereby affirm the following:

- 1.) The entity "Durham Trading Partners XII, LLC" is an entity of which I am a managing member [director].
- 2.) The aforementioned entity owns the property at 1401 East 3rd Street in Austin, Texas.
- 3.) The approved agent of the aforementioned entity is submitting an application to construct a primary residence with an accessory-apartment use as permitted by the City of Austin's Land Development Code (reference section 25-2-901).
- 4.) I am over sixty (60) years of age.
- 5.) It is my intention to reside in the accessory apartment to be constructed on this property.

So affirmed,


Jeffrey T. Blatt

Signed and sworn before me this day, the 2 of March, 2017.

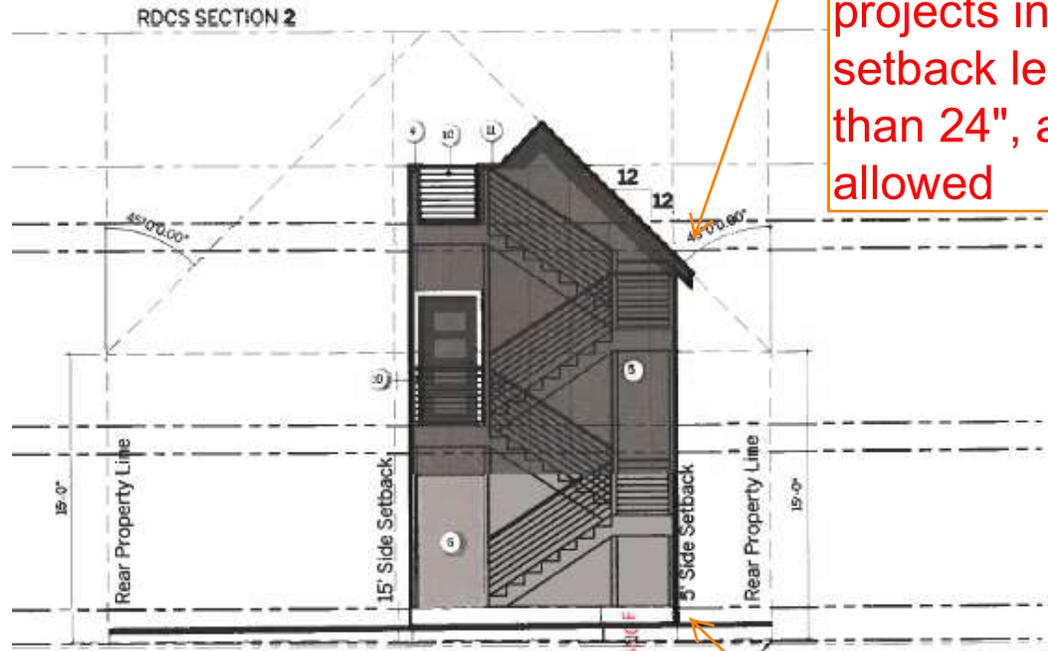


Notary Public
State of Texas



Exhibit "B" was not presented in the previous two hearings.

As well, the local Planning Commissioner questioned whether the project was legally approved due to the fact that he thought the building was too close to the east property line. The approved plans appeared to show that the building was too close to the east property line but it was only the eave, not the wall, that was approved to be within 5 feet of the east property line:



eave projects into setback less than 24", as allowed

exterior wall is on setback line, as allowed

2 Elevation, Bldg 1, Rear
Scale 1/8" = 1'-0" @ 11x17
Scale 1/4" = 1'-0" @ 24x36

DISCLAIMERS. This document is issued under the seal of WILLIAM LAWRENCE HODGE, Texas architect #00034. This document is not for regulatory approval, pricing or construction unless the seal and signature of the Architect are visible. This document is not approved for construction unless a seal of municipal approval is visible. No set of construction documents can contain all information required to construct a project. Interpretation by a contractor is required. All sheets are complementary. That which is shown in one sheet, applies to all sheets in this set by reference. The information in G001 through G007 (inclusive) apply to every sheet in this set and to every contractor and/or subcontractor that may perform work on this project. Unless this set contains the cover sheet and all sheets listed thereon, this set is incomplete and INVALID FOR CONSTRUCTION.	SEAL OF ARCHITECT. ISSUE DATE 14 Mar 2018. GRAPHIC SCALE (in feet)	SEAL OF MUNICIPAL APPROVAL. City of Austin REVIEWED FOR CODE COMPLIANCE	OCHON SINGLE-FAMILY RESIDENCE ACCESSORY APY AT 3401 E 3RD ST AUSTIN, TEXAS 78702 14 May SHEET TYPE Elevations, E A20
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- B. As was said in the previous two meetings, the reason that the structure as-built is only 2.80 feet from the east property line, is due to a surveying error. The original survey (Exhibit "A") indicated that the neighbor's fence was the eastern property line:

fence =
property line
in this
survey

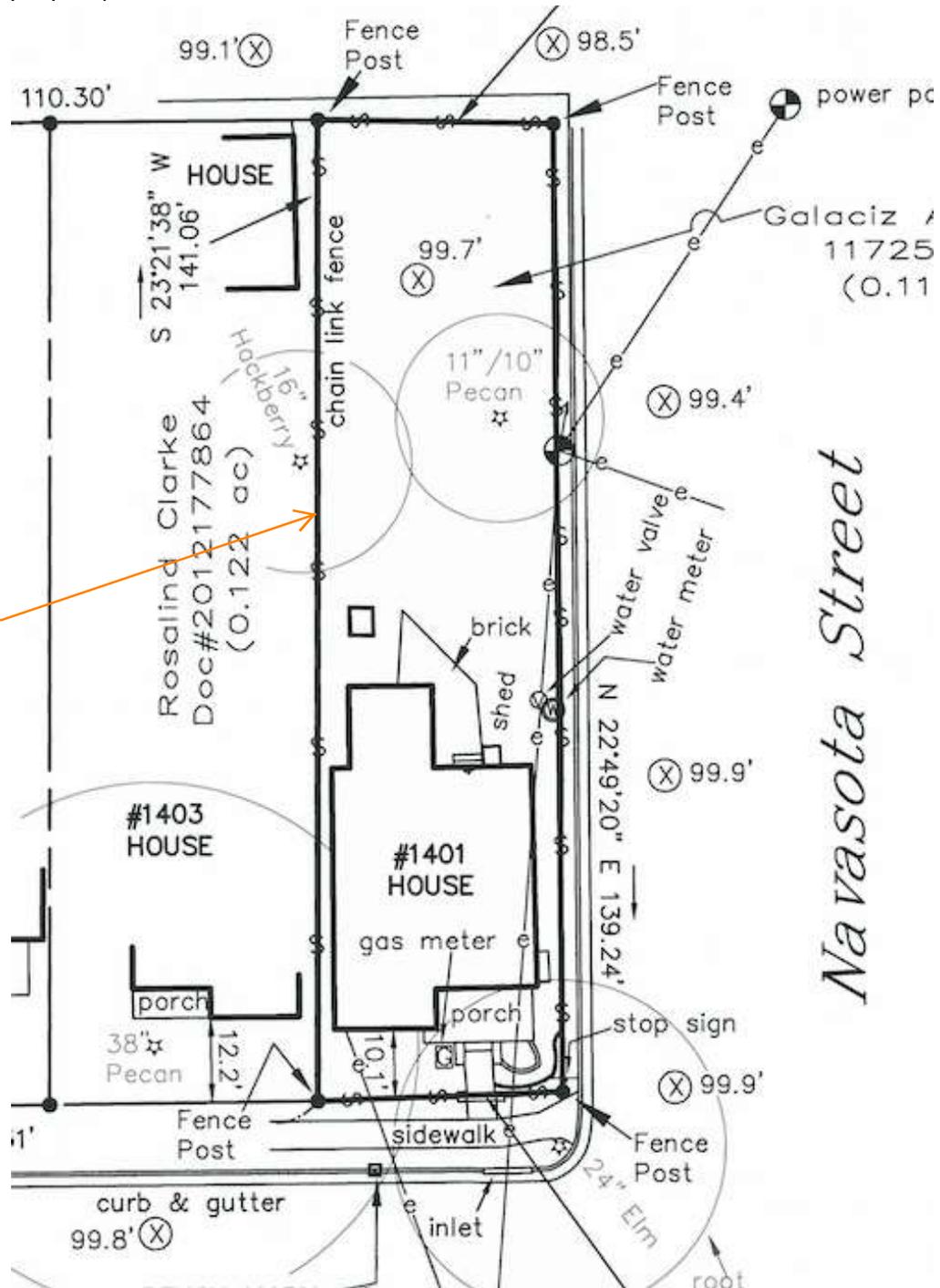
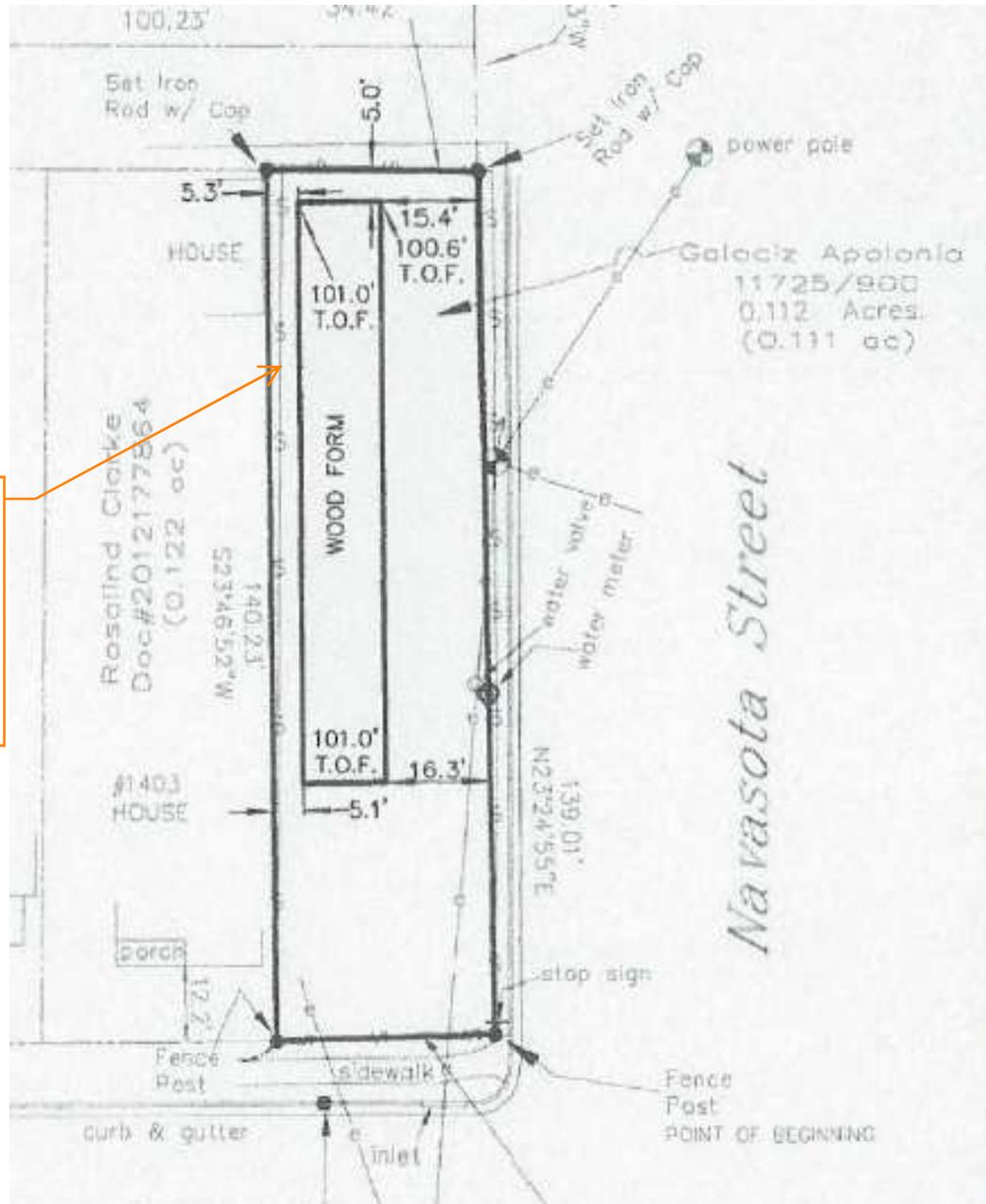


Exhibit "A" was not presented in the previous two hearings.

When the surveyor returned to do the form survey, they felt they had reason to believe that the original survey was incorrect, and that the neighbor's fence was actually *on* 1401's property (as shown on Exhibit "D"):

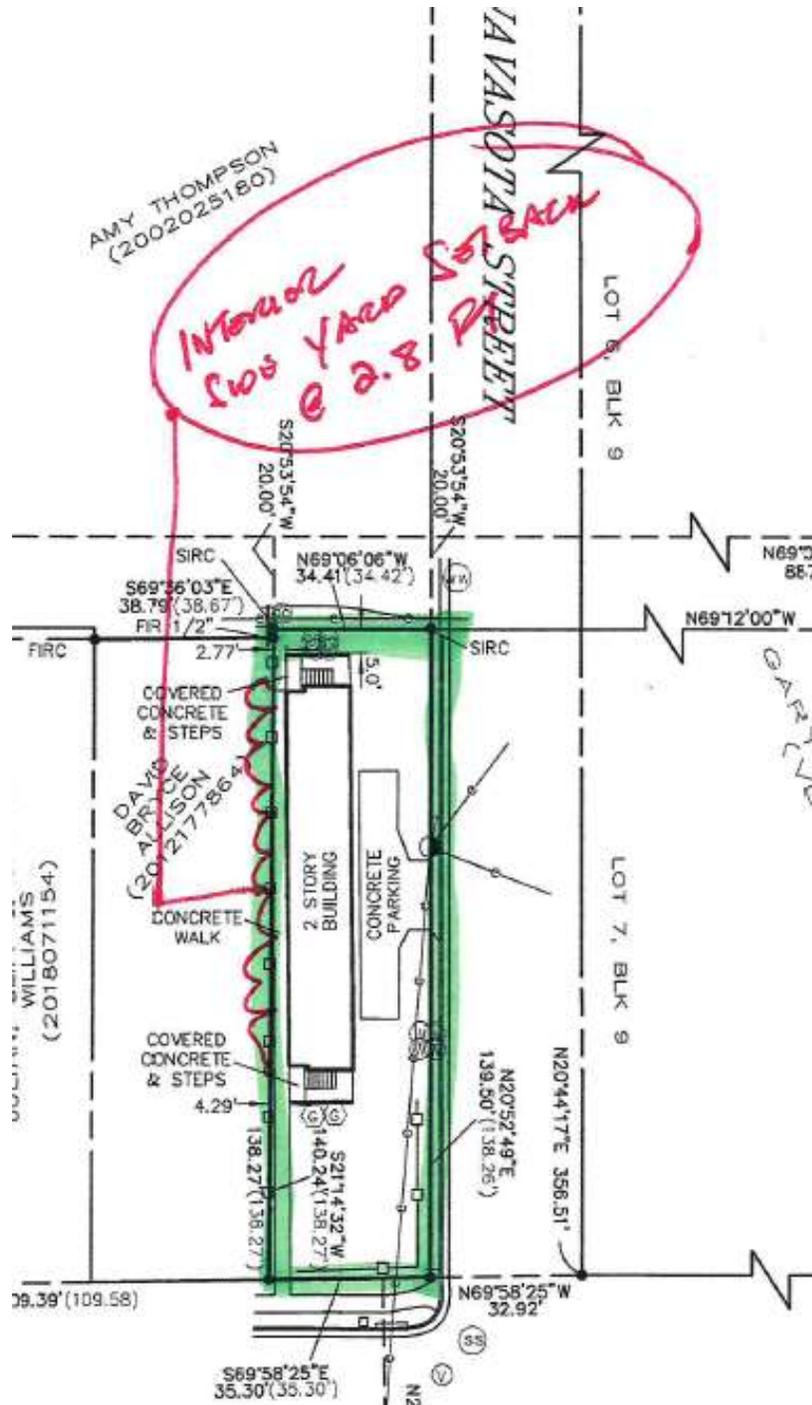


fence is west of property line in this survey

Exhibit "D" was not presented in the previous two hearings.

Thus the contractor, owner, and City inspectors all had reason to believe that the position of the building in relation to the east property line was correct, and thus the layout survey was approved, and thus construction continued.

It was only when the surveyor returned to the site to do the final survey, that they found that the structure is too close to the eastern property line (Exhibit "F"):



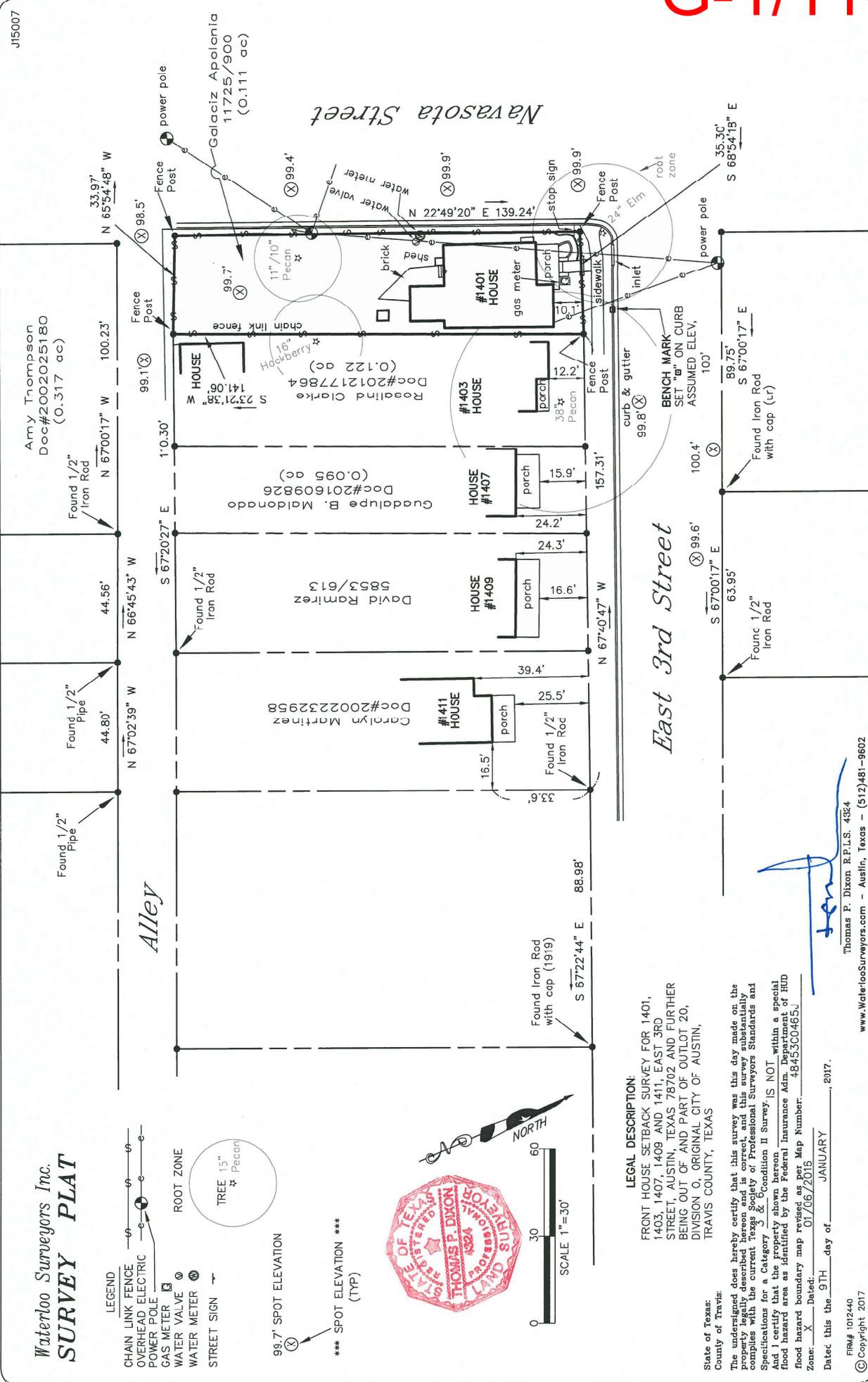
3. Proposed modifications to alleviate the neighbor's legitimate concerns about fire/life safety (not elaborated upon in 2nd hearing):
 - The entire building will be fire-sprinklered
 - Windows and doors will be removed from the portion of building that is less than 3 feet from east property line (as is required by the building code for walls less than 3 feet from property lines)
 - The portion of exterior wall that is less than 3 feet from east property line will be retrofitted to be 1-hour fire-rated from both inside and outside (as is required by the building code for walls less than 3 feet from property lines)
 - All of the above will be submitted to the Development Services Department for review and approval prior to any resumption of construction

4. Conclusion
 - A. This project was legally approved.

 - B. This variance request is not the result of negligence nor is it the result of intentional encroachment in a side setback. The general vicinity is known for discrepancies in surveying and the surveyor made an honest mistake. Because that mistake was made in the form survey stage, everyone involved in approving the location of the building understandably thought that the building had been laid out correctly, and construction continued. The surveying mistake was not discovered until the final survey was done. Again, it was an honest mistake.

 - C. Had the project been laid out according to the original survey, and had the project been built as approved, it would have had virtually the same visual and spatial relationship to the neighbor's property as it does now.

 - D. The proposed actions to alleviate the neighbor's legitimate concerns about fire/life safety will be complex and expensive but we understand that they are required by the building code and we are more than willing and able to take them.



[APPLICANT EXHIBIT "A"]

01 March 2017

My name is Jeffrey Blatt and I hereby affirm the following:

- 1.) The entity "Durham Trading Partners XII, LLC" is an entity of which I am a managing member [director].
- 2.) The aforementioned entity owns the property at 1401 East 3rd Street in Austin, Texas.
- 3.) The approved agent of the aforementioned entity is submitting an application to construct a primary residence with an accessory-apartment use as permitted by the City of Austin's Land Development Code (reference section 25-2-901).
- 4.) I am over sixty (60) years of age.
- 5.) It is my intention to reside in the accessory apartment to be constructed on this property.

So affirmed,

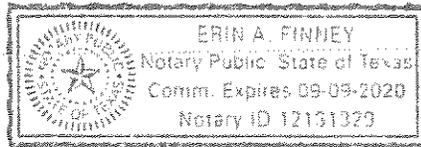


Jeffrey T. Blatt

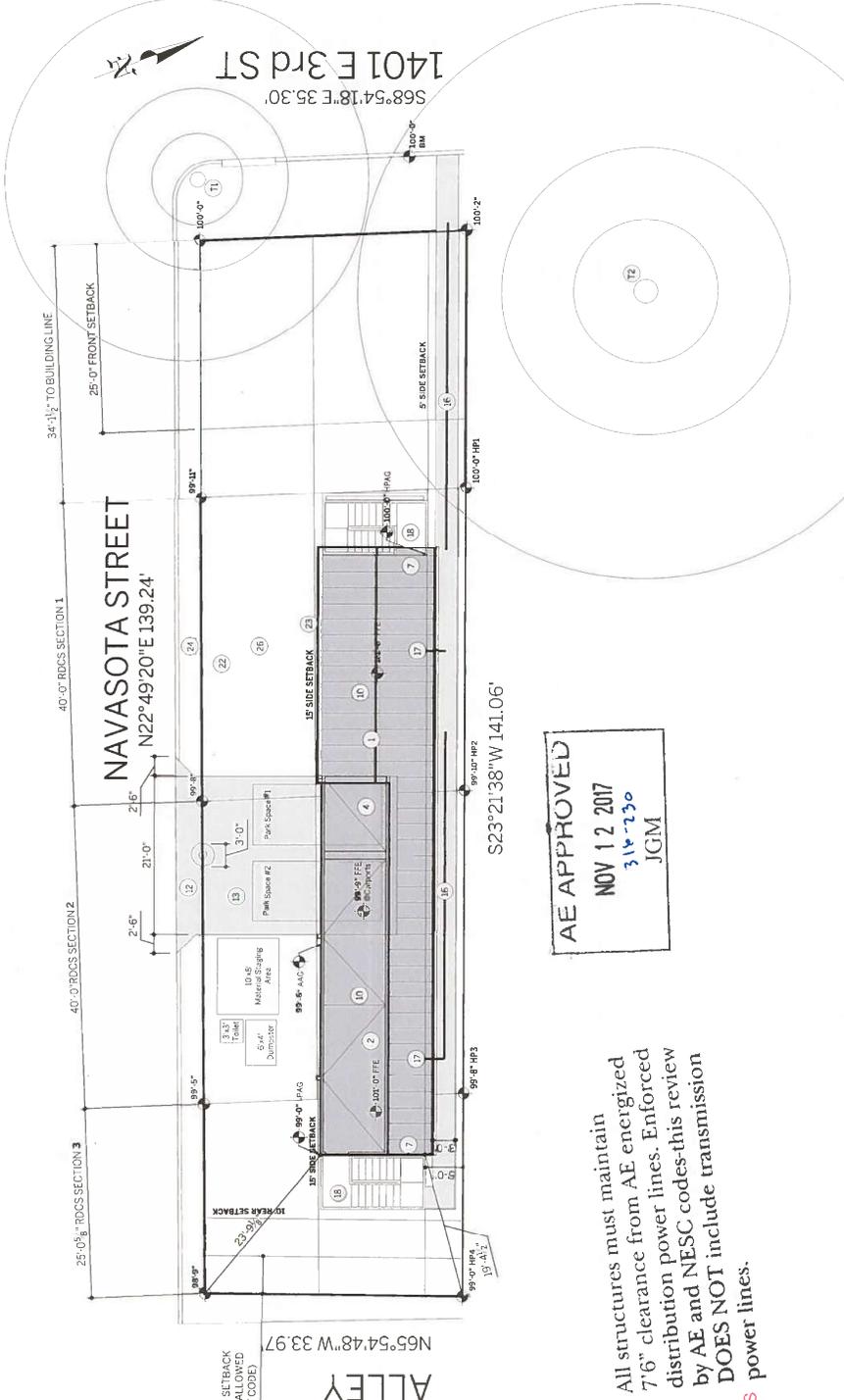
Signed and sworn before me this day, the 2 of March, 2017.

Erin Finney

Notary Public
State of Texas



[APPLICANT EXHIBIT "C"]



AE APPROVED
 NOV 12 2017
 3:14-7:30
 JGM

REVIEWED
 NOV 13 2017

All structures must maintain 7'6" clearance from AE energized distribution power lines. Enforced by AE and NESC codes this review DOES NOT include transmission power lines.

AUSTIN WATER UTILITY
 CONSUMER SERVICE DIVISION - TAPS

CITY OF AUSTIN
APPROVED FOR PERMIT
 J. Rodney Gonzales
 Development Services Department
 By: _____ Date: 12.7.17
 The granting of a permit for, or approval of, these plans and specifications shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of the current adopted building code or any other ordinance of the City of Austin.

REFER TO SHEET A001 FOR PROJECT INFORMATION AND AREA CALCULATIONS

1 Site Plan
 Scale 1/8" = 1'-0" (1x17)
 Scale 1/16" = 1'-0" (2x436)

OCHONA
 SINGLE-FAMILY RESIDENCE W/
 ACCESSORY APART
 2401 3RD ST
 AUSTIN, TEXAS 78702

ISSUE DATE: 02 Nov 2017
 SHEET TYPE: 07 - CIV 20
A000

DISCLAIMERS:
 This document is issued under the seal of WILLIAM LAWRENCE HODGE. These services are provided for the project and are not to be used for any other project. The architect is not responsible for construction unless for the design of the project. The architect is not responsible for construction unless for the design of the project. The architect is not responsible for construction unless for the design of the project. The architect is not responsible for construction unless for the design of the project.

SEAL OF ARCHITECT:

SEAL OF MUNICIPAL APPROVAL:

REVIEWED FOR CODE COMPLIANCE
 City of Austin

KEYED NOTES (NOT ALL NOTES MAY PERTAIN TO THIS SPECIFIC PROJECT):

01	New primary residence.
02	New secondary residence.
03	New attached garage.
04	New detached garage.
05	New detached garage.
06	New detached garage.
07	New detached porch w/ deck or habitable space above deck or habitable space above deck.
08	New uncovered deck.
09	New uncovered roof deck.
10	New uncovered roof deck.
11	New spiral stair to roof deck.
12	New Type I driveway approach per City of Austin standards.
13	New concrete driveway.
14	New concrete driveway.
15	New sidewalk in right-of-way per City of Austin standards.
16	New walkable route from driveway to front porch. Minimum width 5'-0".
17	New wood deck, uncovered.
18	New wood deck, uncovered.
19	New concrete patio.
20	New concrete patio.
21	New concrete patio.
22	Existing overhead electric service.
23	New electrical meter (s) for primary residence and secondary residence or meter (s) as applicable.
24	Location of existing water meter.
25	Location(s) of new water meter(s) as applicable.
26	Location of new water supply to primary residence.
27	Location of new water supply to secondary residence or additional unit, as applicable.

CRITICAL ROOT ZONES AT PROTECTED TREES:

24x TRUNK Ø	LIST OF PROTECTED TREES	TRUNK Ø	SPECIES
6x TRUNK Ø	OUTER CRITICAL ROOT ZONE	T1 24"	CEDAR ELM
	MIDDLE (1/2) CRITICAL ROOT ZONE	T2 38"	PECAN
	INNER (1/4) CRITICAL ROOT ZONE		

[APPLICANT EXHIBIT "C"]

LOC TITLE 25, CHAPTER 25-2, SUBCHAPTER F, ARTICLE 2.6, 3.4,
E, 4, 5, (6).

A structure may not extend beyond a setback plane, except for gables or a shed roof, with a total horizontal length of not more than 18 feet on each side of the building, measured along the intersection with the setback plane.

HEIGHT SHALL BE MEASURED VERTICALLY FROM THE AVERAGE OF THE HIGHEST AND LOWEST SIDES ADJACENT TO THE BUILDING TO...OR A PITCHED OR HIP ROOF, THE GABLED ROOF OR DORMER WITH THE HIGHEST AVERAGE HEIGHT.

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



1 Elevation, Bldg 1, Front

Scale 1/8" = 1'-0" @ 11x17
Scale 1/4" = 1'-0" @ 24x36

KEYED NOTES (NOT ALL NOTES MAY PERTAIN TO THIS SPECIFIC PROJECT).

01	New standing seam metal roof.	06	New 3-coat Portland-cement stucco on metal lath. 3rd coat elastomeric.	11	New parapet at exterior porch or deck. Minimum height 36" above finish floor.
02	New 20-year composition shingle roof.	07	New 3.5" thick stone masonry veneer on exterior walls.		
03	New cement-board siding.	08	New brick masonry veneer on common bond.		
04	New horizontally-oriented cement-board siding.	09	New metal coping. Exposure 6".		
05	New vertically-oriented cement-board panning. Exposure 24" w/ 1x2 battens.	10	New metal sill at exterior porch or deck. Minimum height 36" above finish floor.		

2 Elevation, Bldg 1, Rear

Scale 1/8" = 1'-0" @ 11x17
Scale 1/4" = 1'-0" @ 24x36

DISCLAIMERS: This document is issued under the seal of WILLIAM LAWRENCE HOODE, Texas architect and signature of the architect in visible. This is not a contract. It is a representation of the information required to construct a project. Information by a contractor is required. All information applies to all sheets in this set. This set contains the cover sheet and all sheets. It is the responsibility of the contractor to verify the accuracy of the information and to ensure that the information is complete and valid for construction.

SEAL OF ARCHITECT: [Seal of William Lawrence Hoode, State of Texas]

ISSUE DATE: 02 Nov 2017

GRAPHIC SCALE (in feet): 0 1 2 4 8

City of Austin
REVIEWED FOR CODE COMPLIANCE

SEAL OF MUNICIPAL APPROVAL: [Seal of City of Austin]

PROJECT: SINGLE-FAMILY RESIDENCE W/ ACCESSORY APART AT 1401 E 3RD ST AUSTIN, TEXAS 78702

SHEET TYPE: Elevation Bldg 1

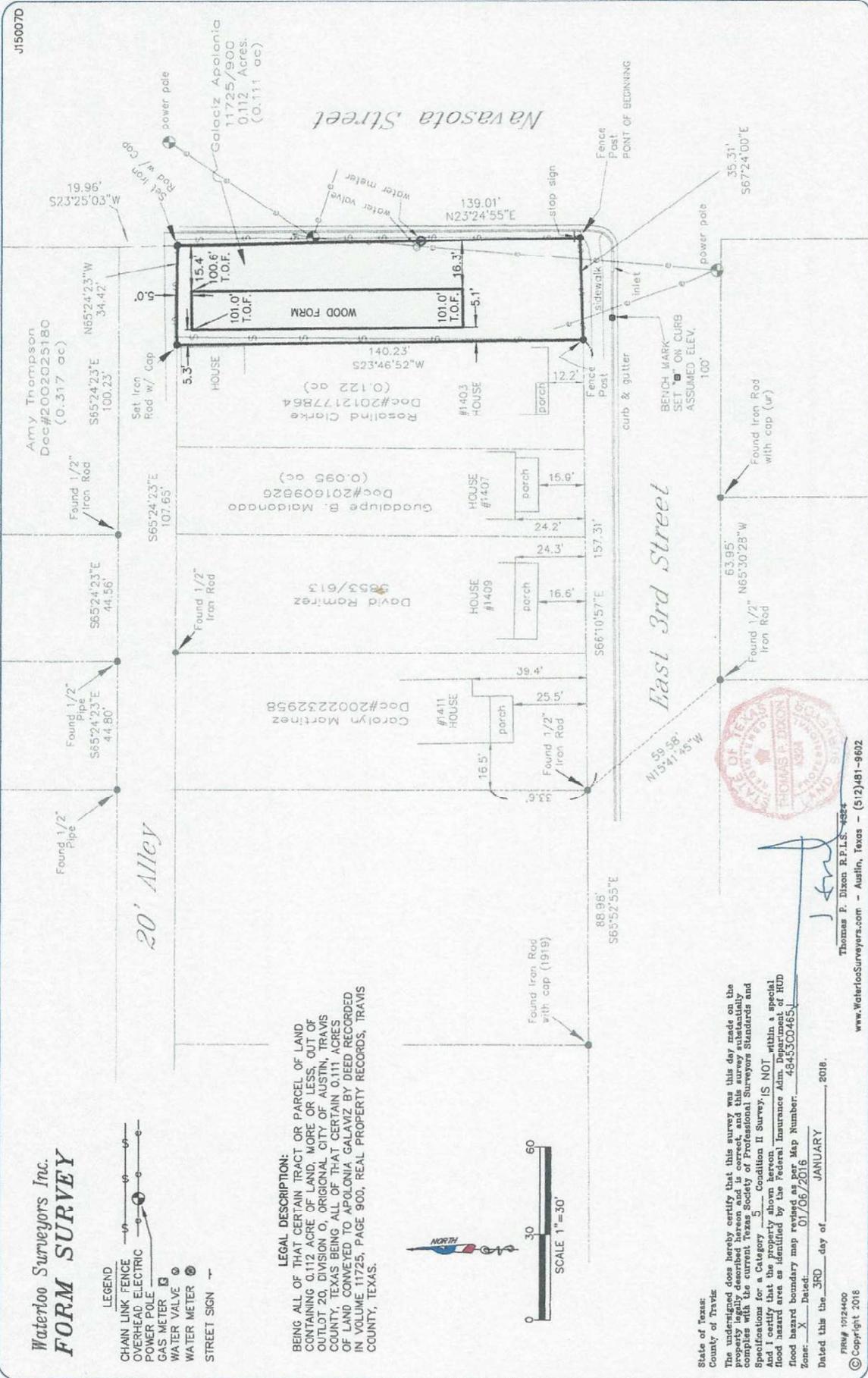
SHEET DATE: 02/17

SHEET NO: 021

PROJECT NO: A201

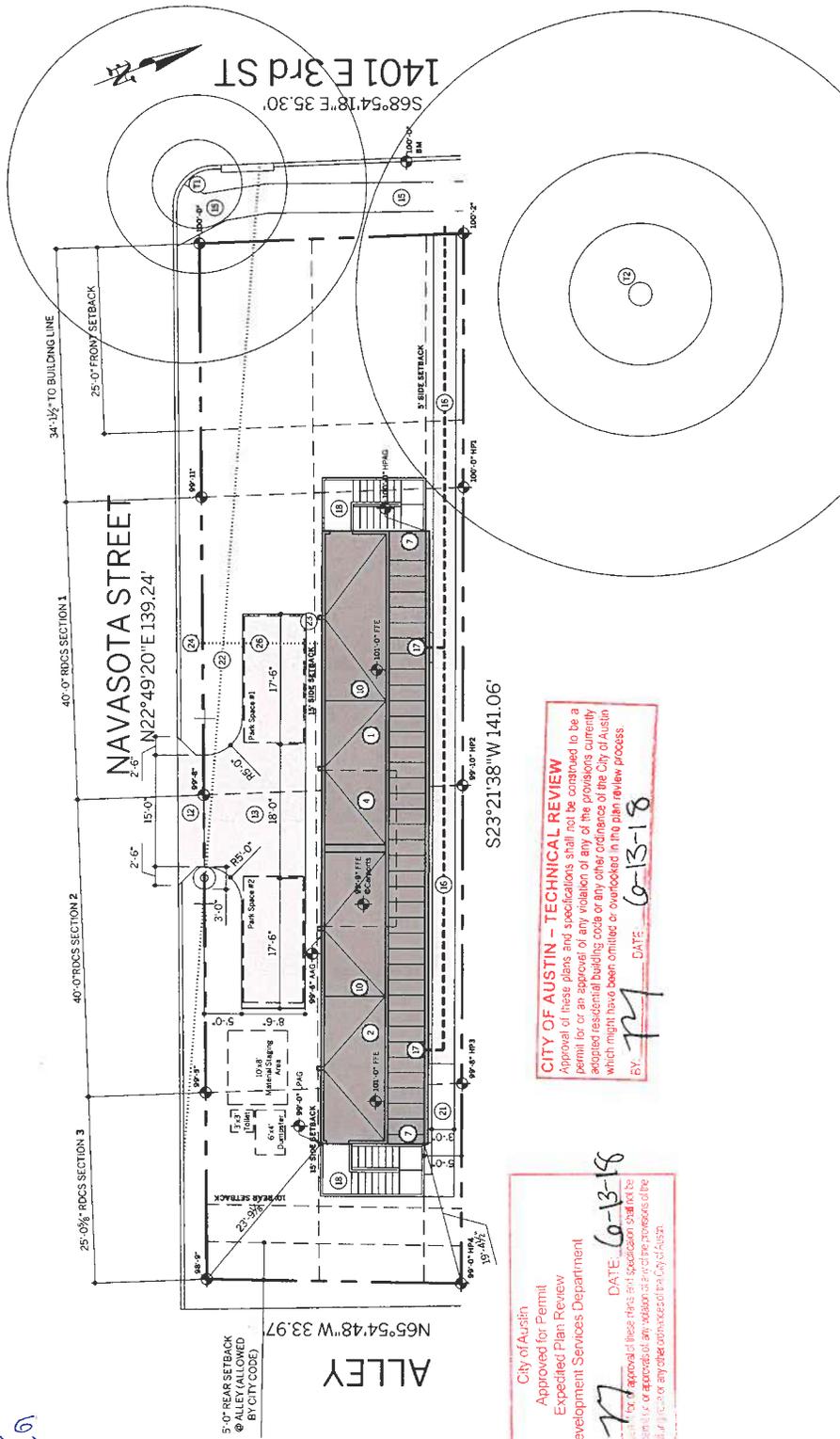


[APPLICANT EXHIBIT "D"]



[APPLICANT EXHIBIT "E"]

6-11-2018
 Parking configuration
 is acceptable.
 Architect, DAC.



CITY OF AUSTIN - TECHNICAL REVIEW
 Approval of these plans and specifications shall not be construed to be a permit for or an approval of any violation of any of the provisions currently adopted residential building code or any other ordinance of the City of Austin which might have been omitted or overlooked in the plan review process.
 BY: *MM* DATE: 6-13-18

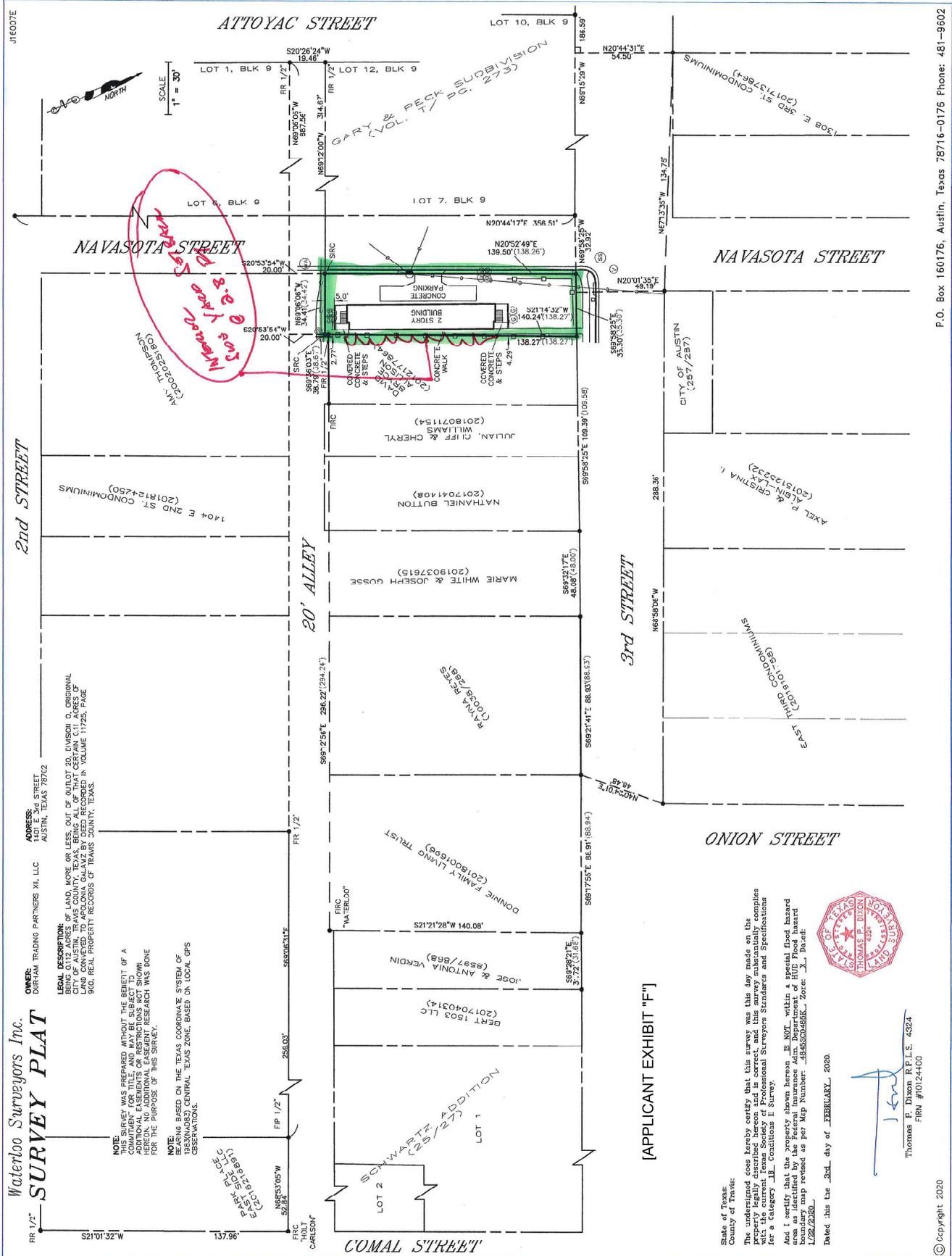
City of Austin
 Approved for Permit
 Expedited Plan Review
 Development Services Department
 DATE: 6-13-18
 Approval of these plans and specifications shall not be construed to be a permit for or an approval of any violation of any of the provisions of the residential building code or any other ordinance of the City of Austin.

REFER TO SHEET A001 FOR PROJECT INFORMATION AND AREA CALCULATIONS

KEYED NOTES (NOT ALL NOTES MAY PERTAIN TO THIS SPECIFIC PROJECT)	CRITICAL ROOT ZONES AT PROTECTED TREES	LIST OF PROTECTED TREES	DISCLAIMERS	SEAL OF ARCHITECT	SEAL OF MUNICIPAL APPROVAL
01 New primary residence. 02 New accessory residence. 03 New attached garage. 04 New detached garage. 05 New detached carport. 06 New detached carport. 07 New covered porch w/ deck or habitable space above. 08 New covered porch w/o deck or habitable space above. 09 New uncovered deck. 10 New uncovered roof deck. 11 New spiral stair to roof deck. 12 New "Type I" driveway approach per City of Austin standards. 13 New concrete driveway. 14 New concrete driveway ribbon. 15 New concrete driveway on right-of-way. 16 New visible route from public way to residence. 17 New wood deck, uncovered. 18 New wood deck, uncovered. 19 New wood deck, uncovered. 20 New wood deck, uncovered. 21 New wood deck, uncovered. 22 Existing overhead electric service. 23 New electrical meter(s) for primary residence and secondary residence or additional unit, as applicable. 24 Location of existing water meter(s), as applicable. 25 Location of new water supply and waste water line to primary residence. 26 Location of new water supply and waste water line to secondary residence, as applicable. 27 Location of new water supply and waste water line to additional unit, as applicable.	24x TRUNK Ø 15x TRUNK Ø 6x TRUNK Ø	# TRUNK Ø SPECIES T1 24" CEDAR ELM T2 38" PECAN	This document is issued under the seal of WILLIAM LAWRENCE ROGGE, Texas architect and signature of the architect are valid. This document is not a permit for construction unless the seal and signature of the architect are valid. No seal or construction documents can be used as evidence of approval of any ordinance of the City of Austin unless a seal of municipal approval is visible. All information in this document is based on the information provided by the contractor and to every contractor and/or subcontractor who may perform work on this project. Please refer to the drawings for construction details.	SEAL OF ARCHITECT	SEAL OF MUNICIPAL APPROVAL
	OUTER CRITICAL ROOT ZONE MIDDLE (1/2) CRITICAL ROOT ZONE INNER (1/4) CRITICAL ROOT ZONE			ISSUE DATE: 08 Jun 2018 SHEET TYPE: SH	OCHON SINGLE FAMILY RESIDENCE ACCESSORY GARAGE AT 1401 E 3RD ST AUSTIN, TEXAS 78702 A001 SHEET TYPE: SH

1 Site Plan
 Scale 1/8" = 1'-0"
 Scale 1/8" = 1'-0"

REVIEWED FOR CODE COMPLIANCE
 City of Austin



Waterloo Surveyors Inc.
SURVEY PLAT

OWNER: DUREAN TRADING PARTNERS XI, LLC
ADDRESS: 254 STREET AUSTIN, TEXAS 78702

LEGAL DESCRIPTION: BEING 0.112 ACRES OF LAND, MORE OR LESS, OUT OF OUTLOT 20, DIVISION O, ORIGINAL CITY OF AUSTIN, TEXAS, BEING ALL OF THAT CERTAIN CITY ACRES OF LAND DESCRIBED IN VOLUME 11725, PAGE 940, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS.

NOTE: THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A FIELD SURVEY. THE SURVEYOR HAS CONDUCTED VISUAL OBSERVATIONS AND RESEARCH TO VERIFY THE ACCURACY OF THE PROPERTY LINES AND EASEMENTS SHOWN HEREON. NO ADDITIONAL EASEMENT RESEARCH WAS DONE FOR THE PURPOSE OF THIS SURVEY.

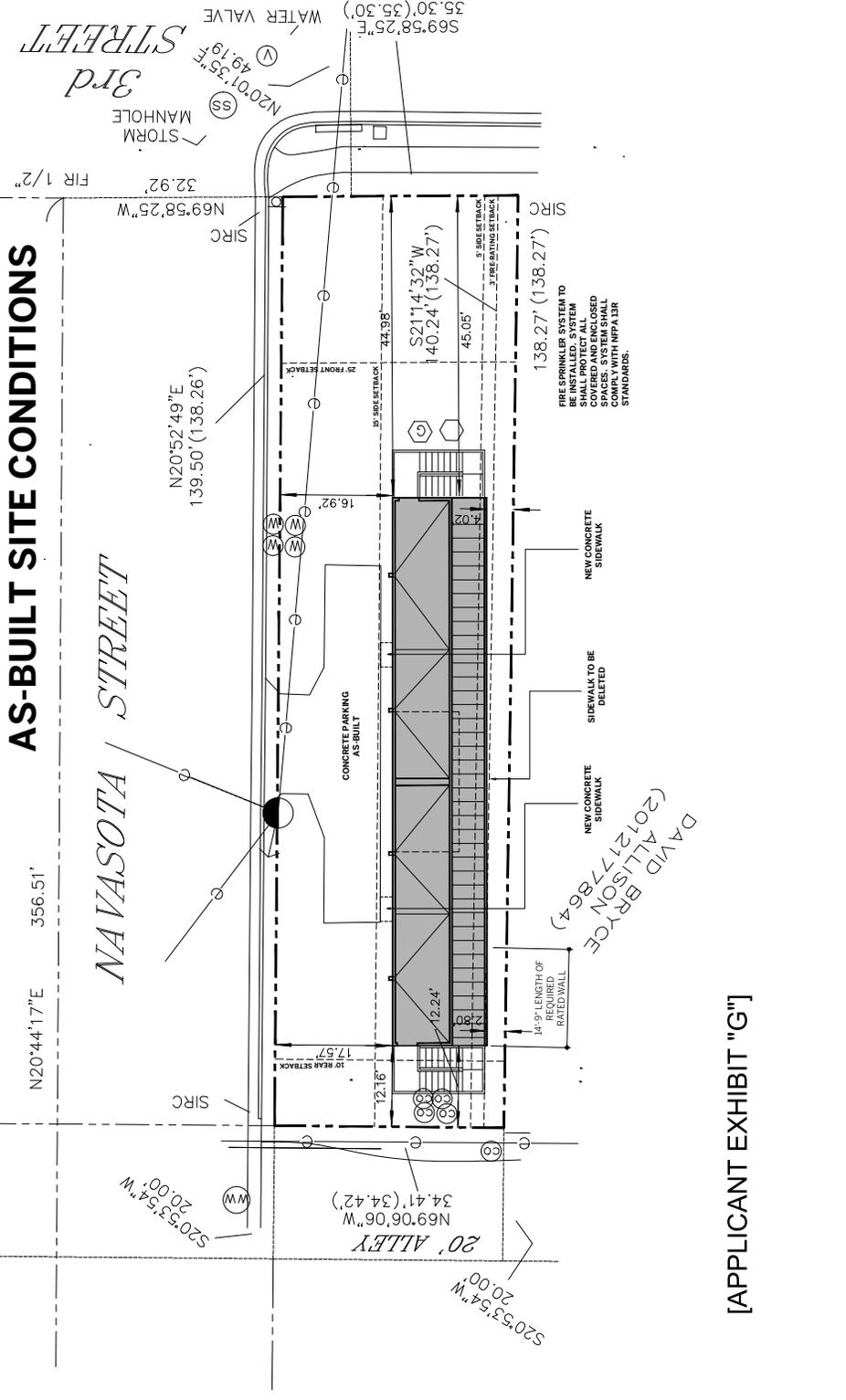
NOTE: BEARING BASED ON THE TEXAS COORDINATE SYSTEM OF 1983 (NAD 83) WITH THE CENTRAL TEXAS ZONE. BASED ON LOCAL GPS OBSERVATIONS.

[APPLICANT EXHIBIT "F"]

Scale of Texas: County of Travis:
 The undersigned does hereby certify that this survey was this day made on the property legally described hereon and that this survey substantially complies with the provisions of the Texas Surveyors Standards and Specifications for a category II Conditions II Survey.
 And I certify that the property shown hereon IS NOT within a special flood hazard area as identified by the Federal Insurance Administration of HUD Flood hazard boundary map revised as per Map Number: 484650446K, Zone: X, based on L282/2820.



Dated this the 3rd day of FEBRUARY, 2020.
 Thomas F. Dixon R.F.L.S. 4324
 FIRM #10124400



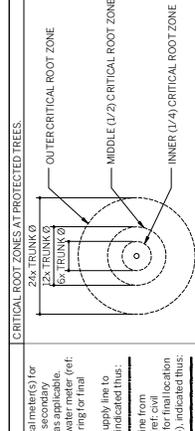
AS-BUILT SITE CONDITIONS

REFER TO SHEET G001 FOR PROJECT INFORMATION AND AREA CALCULATIONS. CONDITIONS DERIVED FROM CAD FILE OF SURVEY PROVIDED TO ARCHITECT.

THIS SHEET IS FOR DEPICTION OF AS-BUILT SITE CONDITIONS ONLY. REFER TO SHEETS A101 AND A102 FOR EXTENTS OF RATED EXTERIOR WALLS.

REVISIONS (NOT ALL NOTES MAY PERTAIN TO THIS SPECIFIC PROJECT)

01	New electrical meter(s) for primary and secondary residences, as applicable.
02	New concrete patio.
03	New concrete driveway.
04	New concrete driveway ribbon.
05	New concrete sidewalk (approach) per City of Austin.
06	New concrete driveway ribbon.
07	New concrete sidewalk (approach) per City of Austin.
08	New concrete porch w/o deck or hhabble space above.
09	New concrete porch w/o deck.
10	New uncovered roof deck.
11	New spiral stair to roof deck.
12	New covered.
13	New concrete patio.
14	New concrete driveway.
15	New concrete driveway ribbon.
16	New concrete sidewalk (approach) per City of Austin.
17	New Tynes driveway (approach) per City of Austin.
18	New sidewalk in right-of-way per City of Austin standards.
19	New overhead electric service, indicated thus: _____
20	New electrical meter(s) for primary and secondary residences, as applicable.
21	Location of water meter (ref: _____) meaning of final location.
22	New water supply line to residences, indicated thus: _____
23	New sewer line from residences (ref: civil engineering for final location of sewer tap), indicated thus: _____



TREE PROTECTION LEGEND

[Symbol]	Trunk
[Symbol]	Protection fence, 8' layer outside
[Symbol]	Tree protection fencing (ref: 0007 and notes on this sheet)

LIST OF PROTECTED TREES

#	TRUNK @	SPECIES

DISCLAIMERS: I warrant under the seal of the State of Texas that I am a duly licensed professional architect in the State of Texas. I warrant that the information contained in this drawing was prepared by me or under my direct supervision and that I am a duly licensed professional architect in the State of Texas. I warrant that the information contained in this drawing was prepared by me or under my direct supervision and that I am a duly licensed professional architect in the State of Texas. I warrant that the information contained in this drawing was prepared by me or under my direct supervision and that I am a duly licensed professional architect in the State of Texas.



SEAL OF ARCHITECT
SEAL OF MUNICIPAL APPROVAL

1 Site Plan
 Scale 1/8" = 1'-0" @ 10x17
 Scale 1/8" = 1'-0" @ 24x36

WILLIAM WOODS ARCHITECT
 2117 S. RIVERSIDE
 AUSTIN, TEXAS 78704
 TEL: 512.476.1111
 WWW.WOODSARCHITECT.COM

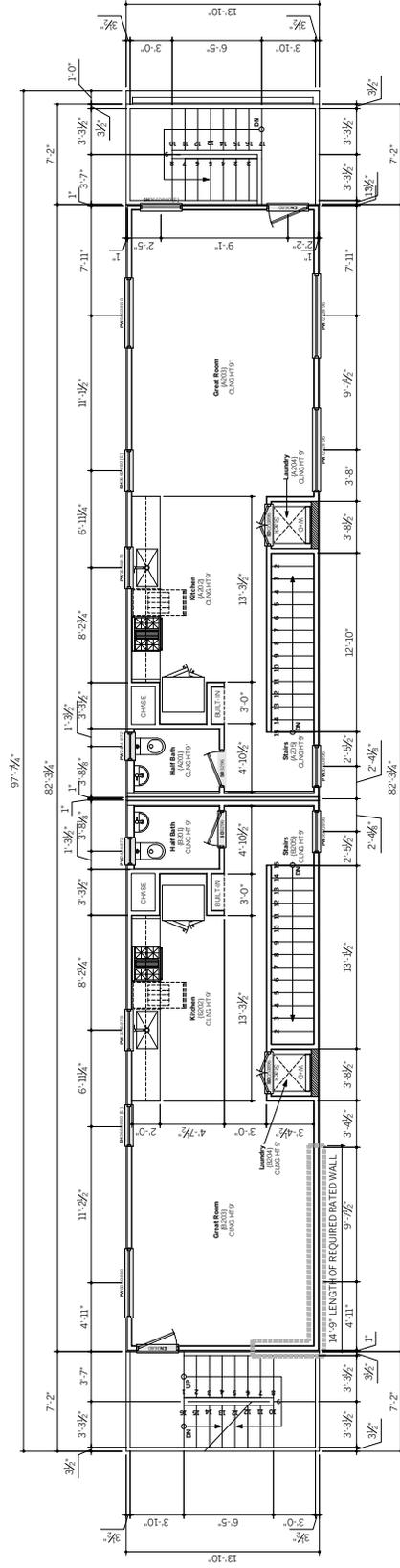
NEW PROJECT AT 1001 BRISTOL
 ISSUE DATE: 21 May 2020
 SHEET TYPE: As-Built Site Plan

A0019

[APPLICANT EXHIBIT "G"]

G-1/19

[APPLICANT EXHIBIT "G"]



G-1/21

1 Floor Plan, Bldg 1, Level 02

Scale 1/8" = 1'-0" @ 11.17'

WILLIAM
HODGE
ARCHITECT

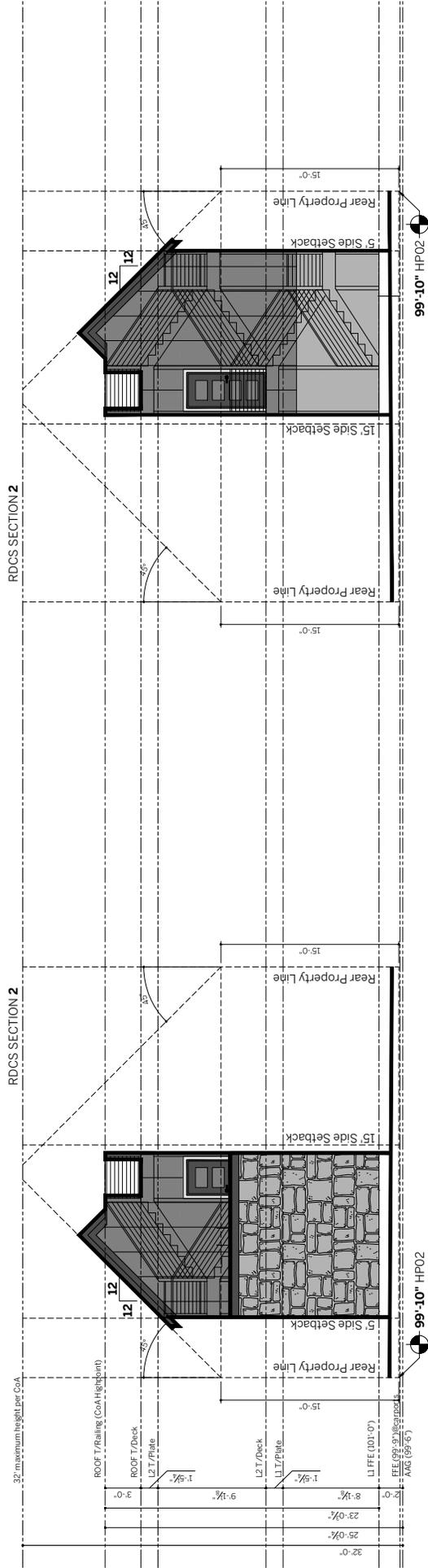
200 S. GARDNER AVENUE
ANN ARBOR, MI 48106-1229
734.769.2272
www.williamhodge.com

NEW PROJECT AT 1001 3RD ST
ISSUE DATE: 21 May 2020
SHEET NAME: Floor Plans, Level 02

A102

REVISED NOTES (NOT ALL NOTES MAY PERTAIN TO THIS SPECIFIC PROJECT)	NOTES ON FRAMING	DISCLAIMERS	SEAL OF ARCHITECT
<p>01 New exterior framing wall between duplex units. Construction to comply with UL U373. PROVIDE: XX-XX</p> <p>02 New exterior framing wall between duplex units. Construction to comply with UL U373. PROVIDE: XX-XX</p> <p>03a NEW OR RETROFIT 1 HR RATED EXTERIOR WALL COMPLIANT WITH UL U365. For porch or deck. Minimum height 36" above finish floor. Maximum opening 3.5'.</p> <p>04 New exterior framing wall between duplex units. Construction to comply with UL U373. PROVIDE: XX-XX</p> <p>05 Ceiling break for Pantry (Cabinetry).</p> <p>06 Access barrier to AC.</p>	<p>1. The first floor shall receive an entry door with minimum 30" clear opening.</p> <p>2. Bathrooms on the first floor shall receive 2x6 wood blocking parallel with floor (except directly behind lavatories). Blocking shall be installed with floor joists.</p> <p>3. Switches and thermostats on all floors shall be located no greater than 45" (0' junction box centerline) above finish floor level.</p> <p>4. Power receptacles and data ports on all floors shall be located no less than 18" above finish floor level.</p> <p>5. At least one entrance to the first floor of the dwelling shall have a "no-step" entrance with a beveled threshold at 1/2" or less.</p> <p>6. A visible route shall be provided from public way to the no-step entrance. The route shall have a maximum cross-slope of 1:50.</p>	<p>DISCLAIMERS: I warrant under the seal of the State of Michigan that I am a duly licensed architect under the laws of the State of Michigan. I warrant that the design and construction documents prepared by me or under my direct supervision and control contain all information required to construct a building in accordance with the applicable laws and regulations of the State of Michigan. I warrant that the design and construction documents prepared by me or under my direct supervision and control are complete and accurate and SHALL BE USED FOR THE INTENDED PURPOSE ONLY. I warrant that the design and construction documents prepared by me or under my direct supervision and control shall be used in accordance with the applicable laws and regulations of the State of Michigan.</p>	 <p>WILLIAM HODGE ARCHITECT 21 May 2020</p>
<p>FRAMING AND ROOFING LEGEND:</p> <ul style="list-style-type: none"> Composition shingle roofing 2x4 wood framing 2x6 wood framing 2-hour rated firewall (per C005) COMPLIANT WITH UL ASSEMBLY U373 Standing seam metal roofing 		<p>SEAL OF MUNICIPAL APPROVAL</p>	

[APPLICANT EXHIBIT "G"]



1 Elevation, Bldg 1, Front

Scale 1/8" = 1'-0" @ 11x17
Scale 1/4" = 1'-0" @ 24x36

REVISIONS	CODE REFERENCES (City of Austin, RDOS, with City)	DISCLAIMERS	SEAL OF ARCHITECT	SEAL OF MUNICIPAL APPROVAL
01 New metal coping Exposure	LDC TITLE 25, CHAPTER 25-2, SUBCHAPTER 25-2.6, E & H (1)	DISCLAIMERS: I warrant under the seal of WILLIAM LAWRENCE HODGE, Texas architect, that this drawing was prepared in accordance with the standards of professional practice and that I am a duly licensed architect in the State of Texas. I warrant that this drawing was prepared in accordance with the standards of professional practice and that I am a duly licensed architect in the State of Texas. I warrant that this drawing was prepared in accordance with the standards of professional practice and that I am a duly licensed architect in the State of Texas.	WILLIAM LAWRENCE HODGE ARCHITECT 2117 S. RIVERSIDE DRIVE AUSTIN, TEXAS 78741 ISSUE DATE: 21 May 2020 SHEET TYPE: Elevations	NEW PROJECT AT 1001 3RD ST ISSUE DATE: 21 May 2020 SHEET TYPE: Elevations
02 New metal flashing Exposure	LDC TITLE 25, CHAPTER 25-2, SUBCHAPTER 25-2.6, E & H (1)	DISCLAIMERS: I warrant under the seal of WILLIAM LAWRENCE HODGE, Texas architect, that this drawing was prepared in accordance with the standards of professional practice and that I am a duly licensed architect in the State of Texas. I warrant that this drawing was prepared in accordance with the standards of professional practice and that I am a duly licensed architect in the State of Texas. I warrant that this drawing was prepared in accordance with the standards of professional practice and that I am a duly licensed architect in the State of Texas.	WILLIAM LAWRENCE HODGE ARCHITECT 2117 S. RIVERSIDE DRIVE AUSTIN, TEXAS 78741 ISSUE DATE: 21 May 2020 SHEET TYPE: Elevations	NEW PROJECT AT 1001 3RD ST ISSUE DATE: 21 May 2020 SHEET TYPE: Elevations
03 6" minimum, 18" maximum height porch deck. Minimum height 36" above finish floor.	LDC TITLE 25, CHAPTER 25-2, SUBCHAPTER 25-2.6, E & H (1)	DISCLAIMERS: I warrant under the seal of WILLIAM LAWRENCE HODGE, Texas architect, that this drawing was prepared in accordance with the standards of professional practice and that I am a duly licensed architect in the State of Texas. I warrant that this drawing was prepared in accordance with the standards of professional practice and that I am a duly licensed architect in the State of Texas. I warrant that this drawing was prepared in accordance with the standards of professional practice and that I am a duly licensed architect in the State of Texas.	WILLIAM LAWRENCE HODGE ARCHITECT 2117 S. RIVERSIDE DRIVE AUSTIN, TEXAS 78741 ISSUE DATE: 21 May 2020 SHEET TYPE: Elevations	NEW PROJECT AT 1001 3RD ST ISSUE DATE: 21 May 2020 SHEET TYPE: Elevations
04 Maximum opening 3.5'. New parapet at exterior porch minimum 36" above finish floor.	LDC TITLE 25, CHAPTER 25-2, SUBCHAPTER 25-2.6, E & H (1)	DISCLAIMERS: I warrant under the seal of WILLIAM LAWRENCE HODGE, Texas architect, that this drawing was prepared in accordance with the standards of professional practice and that I am a duly licensed architect in the State of Texas. I warrant that this drawing was prepared in accordance with the standards of professional practice and that I am a duly licensed architect in the State of Texas. I warrant that this drawing was prepared in accordance with the standards of professional practice and that I am a duly licensed architect in the State of Texas.	WILLIAM LAWRENCE HODGE ARCHITECT 2117 S. RIVERSIDE DRIVE AUSTIN, TEXAS 78741 ISSUE DATE: 21 May 2020 SHEET TYPE: Elevations	NEW PROJECT AT 1001 3RD ST ISSUE DATE: 21 May 2020 SHEET TYPE: Elevations
05 New metal downspout.	LDC TITLE 25, CHAPTER 25-2, SUBCHAPTER 25-2.6, E & H (1)	DISCLAIMERS: I warrant under the seal of WILLIAM LAWRENCE HODGE, Texas architect, that this drawing was prepared in accordance with the standards of professional practice and that I am a duly licensed architect in the State of Texas. I warrant that this drawing was prepared in accordance with the standards of professional practice and that I am a duly licensed architect in the State of Texas. I warrant that this drawing was prepared in accordance with the standards of professional practice and that I am a duly licensed architect in the State of Texas.	WILLIAM LAWRENCE HODGE ARCHITECT 2117 S. RIVERSIDE DRIVE AUSTIN, TEXAS 78741 ISSUE DATE: 21 May 2020 SHEET TYPE: Elevations	NEW PROJECT AT 1001 3RD ST ISSUE DATE: 21 May 2020 SHEET TYPE: Elevations
07 Steel column (not structural).	LDC TITLE 25, CHAPTER 25-2, SUBCHAPTER 25-2.6, E & H (1)	DISCLAIMERS: I warrant under the seal of WILLIAM LAWRENCE HODGE, Texas architect, that this drawing was prepared in accordance with the standards of professional practice and that I am a duly licensed architect in the State of Texas. I warrant that this drawing was prepared in accordance with the standards of professional practice and that I am a duly licensed architect in the State of Texas. I warrant that this drawing was prepared in accordance with the standards of professional practice and that I am a duly licensed architect in the State of Texas.	WILLIAM LAWRENCE HODGE ARCHITECT 2117 S. RIVERSIDE DRIVE AUSTIN, TEXAS 78741 ISSUE DATE: 21 May 2020 SHEET TYPE: Elevations	NEW PROJECT AT 1001 3RD ST ISSUE DATE: 21 May 2020 SHEET TYPE: Elevations

MATERIALS LEGEND

Standing seam metal roofing	Composition shingle roofing
Cement-board or RealTrim fascia	Cement-board trim or RealTrim
6" horizontal cement board	24" vertical cement board
6" horizontal stained wood	Stone veneer (ashlar bond)

REVISIONS	CODE REFERENCES (City of Austin, RDOS, with City)
01 New metal coping Exposure	LDC TITLE 25, CHAPTER 25-2, SUBCHAPTER 25-2.6, E & H (1)
02 New metal flashing Exposure	LDC TITLE 25, CHAPTER 25-2, SUBCHAPTER 25-2.6, E & H (1)
03 6" minimum, 18" maximum height porch deck. Minimum height 36" above finish floor.	LDC TITLE 25, CHAPTER 25-2, SUBCHAPTER 25-2.6, E & H (1)
04 Maximum opening 3.5'. New parapet at exterior porch minimum 36" above finish floor.	LDC TITLE 25, CHAPTER 25-2, SUBCHAPTER 25-2.6, E & H (1)
05 New metal downspout.	LDC TITLE 25, CHAPTER 25-2, SUBCHAPTER 25-2.6, E & H (1)
07 Steel column (not structural).	LDC TITLE 25, CHAPTER 25-2, SUBCHAPTER 25-2.6, E & H (1)

G-1/22

Jeffrey Blatt

Durham Trading Partners XII, LLC

920 E Dean Keeton St

Austin, Texas 78705

512 554 3647

Dear Ms. Ramirez

I am the sole owner of Durham Trading Partners XII, LLC, the entity that owns the property at 1401 E 3rd St in Austin, Texas. 1401 E 3rd Street was the subject of variance request /case#C15 2020 0020, a request that was denied by the Board of Adjustment on June 8, 2020. I contend that the Board's decision was based in part on the suspicion that the project as originally permitted was permitted incorrectly. It was indeed permitted correctly and, as such, I request that the Board reconsider the case.

(Please note: I am revoking my authorization for Jennifer Hanlen and David Cancialosi to serve as my agents regarding this case. I shall be serving as my own agent and applicant for any reconsideration.)

Due to incorrect information provided by my forger agents, the Board was led to believe that the project (as originally permitted) was improperly permitted as a duplex (as defined by LDC 25-2-773), The subject property does not meet the size and dimensional requirements for a duplex and it was never my intention that the project be permitted as such.

It has always been my intention to construct on the subject property a single-family residence with an attached accessory apartment (as defined) by LDC 25-2-901). Because I received a land status determination that the subject property is exempt from platting, the property qualifies for construction; because the East Cesar Chavez neighborhood plan adopted small-lot amnesty, the subject property qualifies for use as a single family residence with an attached accessory apartment use. On June 13,2018, I received a post-permit approval to revise the project by omitting the originally permitted carports. The record set of the project (as revised and approved) is attached to this letter.

Jeffrey Blatt

Durham Trading Partners XII, LLC

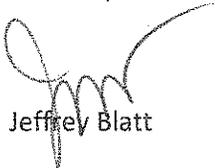
920 E Dean Keeton St

Austin, Texas 78705

512 554 3647

I believe that the evidence above, had it been presented to the Board in the June 8th hearing, might have caused the Board to act differently than it did. I understand that this letter is not the proper means by which to re litigate my case; the time and place for that, is a reconsideration hearing. As such, I ask that the Board reconsider my case.

Sincerely,



Jeffrey Blatt

6/15/20

Durham Trading Partners XII, LLC

512 554 3647