

BOA GENERAL REVIEW COVERSHEET

CASE: C15-2020-0082

BOA DATE: December 14th, 2020

ADDRESS: 908 W. 18th St

COUNCIL DISTRICT: 9

OWNER: Doug & Jana Harker

AGENT: Micah King

ZONING: SF-3

LEGAL DESCRIPTION: LOT 6 CHESTNUT PLACE

VARIANCE REQUEST: increase IC from 45% to 53%, reduce interior side setback from 5 ft. to 4.4 ft.

SUMMARY: maintain shared driveway access, single-family residence and patio

ISSUES: 25 ft. wide access easement, depth and slope of lot

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

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District
 Austin Lost and Found Pets
 Austin Neighborhoods Council
 Bike Austin
 Central Austin Community Development Corporation
 Central Austin Urbanists
 City of Austin Downtown Commission
 Downtown Austin Alliance
 Downtown Austin Neighborhood Assn. (DANA)
 Friends of Austin Neighborhoods
 Historic Austin Neighborhood Association
 Homeless Neighborhood Association
 Judges Hill Neighborhood Association
 Neighborhood Empowerment Foundation
 Preservation Austin
 SELTexas
 Shoal Creek Conservancy
 Sierra Club, Austin Regional Group

D-5/2



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

NOTIFICATIONS

CASE#: C15-2020-0082

LOCATION: 908 W 18TH STREET



1" = 333'

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.

HUSCH BLACKWELL

Micah J. King
Attorney

111 Congress Avenue, Suite 1400
Austin, Texas 78701
Direct: 512.370.3468
[REDACTED]

November 6, 2020

Elaine Ramirez
Planner Senior
Board of Adjustment Liaison
City of Austin Development Services Department

Re: Request for Variance for Property Located at 908 W. 18th Street in Austin, Texas (the "Property") to Increase Maximum Impervious Cover and Reduce Site Setbacks

Dear Elaine:

I am writing on behalf of my client, the owners of the above-referenced Property. We are requesting a variance to increase the maximum impervious cover on the Property and reduce the side setback requirements in order to obtain a building permit and preserve an existing single-family residence with a covered patio and shared drive on an access easement. The owners, Doug and Jana Harker, purchased their home in 2014. At that time and unbeknownst to them, the impervious cover was already out of compliance. Then, due to the previous architect's miscalculation of the amount of existing impervious cover, they constructed an approximately 276 sq. ft. covered rear patio over the site of a former concrete patio. The contractor had been working with the City on a building permit for the patio prior to construction, but it was only after the City required a survey with an impervious cover calculation that anyone realized the problem. It seems that the confusion regarding the amount of impervious cover is due to the fact that the Property was once intended to be part of a neighboring condominium development, and the plans for the development showed the Property as larger than it exists today.

Another issue is that the most recent survey indicated that the house encroaches approximately 6.5 inches onto the side setback on the west side of the Property, and approximately 3.5 inches on the east side of the Property. However, a title survey we found from prior to when the home was purchased showed that the house was not encroaching upon the side setbacks. As such, we have ordered a new survey to remeasure the setbacks and will update you once it is completed.

The hardship is primarily due to the configuration of the lot, including a 25'-wide access easement for a shared brick drive that provides a key point of ingress and egress to several residential condominium units. The drive runs through the owner's rear yard and adds approximately 752 sq. ft. of impervious cover to the Property. We reached out to the condominium HOA but they would not agree to us removing the brick drive and replace it with 2'-wide concrete strips in order to reduce the amount of impervious cover. The previous developer of the condominiums and owner of the Harkers' property in the 1980s originally intended to be part of the condominium development until the Savings & Loan crisis, foreclosure sale, change in design, and exclusion of

Elaine Ramirez
November 6, 2020
Page 2 of 2

the Property from the development, which resulted in there being a drive going through the rear of single-family residential properties instead of being wholly contained within the condominium development.

In addition, the subdivision cannot reasonably be replatted to remove the access easement and demolish the shared drive, since this would eliminate one of the two points of ingress and egress to several of the condominium units. And, even if the HOA agreed to us replacing the bricks with concrete strips, it would not be a good design solution since due to the topography and curvature of the drive. The drive slopes up approximately 10% along the course of the driveway going from San Gabriel Street, through the rear of the Property, and uphill to the condominium units.

We recently hired a new architect to create design options to comply with the impervious cover limit without a variance, but we could not find any viable solution to accomplish this outcome. The modifications that we considered were replacing the paved front walkway leading up to the house with gravel, removing stepping stones on the side of the house, and replacing the parking area that is adjacent to the owner's garage with 2'-wide concrete strips (the owners already demolished some impervious cover – a former 60 sq. ft. shed), but even after implantation of these changes compliance would still require demolition of the patio or the drive.

Another unique characteristic of the Property is that the front property line of is set back especially far from the nearest curb of 18th Street. Whereas most lots have public utility easements in the front setbacks, in this case a large portion of the front yard that looks like the owners' yard is not actually part of the Property – instead, it is owned by the City. We spoke with the City about purchasing excess right-of-way and dedicating a public utility easement in order to increase the amount of allowed impervious cover, but that option was not realistic, as the City responded that they would probably not allow the owners to purchase the right-of-way, since this would make the City's right-of-way boundaries jagged on this block of 18th Street. And, if the City ever agreed to it, they said that they would probably require all the owners on both sides of this block of 18th Street to apply for and purchase right-of-way at the same time, with payment of an application fee of \$9,800 per lot, in addition to payment of fair market value for the right-of-way.

We have reached out to the neighbors, and everyone with whom we have spoken expressed support for the variances, and no one has stated any opposition or complained about the existing improvements on the Property.

Thank you for your assistance with this matter, and please let me know if you have any questions or require anything further.

Sincerely,

A handwritten signature in black ink, appearing to read "Micah King" with a stylized flourish at the end.

Micah King

Enclosures



Board of Adjustment General/Parking Variance Application

DevelopmentATX.com | Phone: 311 (or 512-974-2000 outside Austin)
For submittal and fee information, see austintexas.gov/digitaldevelopment

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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: 908 W. 18th Street, Austin, TX 78701

Subdivision Legal Description:

Lot 6 Chestnut Place

Lot(s): 6 Block(s): _____

Outlot: _____ Division: _____

Zoning District: SF-3

I/We Micah King on behalf of myself/ourselves as
authorized agent for Doug and Jana Harker affirm that on
Month November, Day 6, Year 2020, hereby apply for a hearing before the
Board of Adjustment for consideration to (select appropriate option below):

☐ Erect ☐ Attach ☐ Complete ☐ Remodel ☒ Maintain ☐ Other: _____

Type of Structure: Shared drive in access easement, single-family residence, and patio.

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

Land Development Code § 25-2-492 (Site Development Regulations) for a residential property zoned SF-3 to increase maximum impervious cover from 45% (required) to 53% (requested) and to reduce the minimum side setback requirement from 5 feet (required) to 4.4 feet (requested) to preserve existing impervious cover, patio, shared drive, and residential structure.

Section 2: Variance Findings

The Board must determine the existence of, sufficiency of, and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional supporting documents.

NOTE: The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.

I contend that my entitlement to the requested variance is based on the following findings:

Reasonable Use

The zoning regulations applicable to the property do not allow for a reasonable use because:

The regulations do not allow for a reasonable use of the property due to the configuration of the lot, which includes a shared drive in a 25'-wide access easement, which provides key access to an adjacent condominium development, and due to the sloping topography of the curved drive, which impacts the safety of replacing the drive with 2'-wide concrete strips. To preserve the drive without the variance, an existing patio must be demolished, the front walkway must be demolished and replaced by gravel, and the rear parking area must be demolished and replaced by 2'-wide concrete strips, and the house would have to be remodeled along the sides.

Hardship

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

The single-family residential property has a shared drive running through its backyard and is encumbered by a 25'-wide access easement, which is especially unique to the property due to the depth of the lot and the sloping, curving drive. Also, due to nearby residential structures, the drive cannot be relocated without removing a key point of ingress and egress to nearby residences, and most houses in the area are not just a few inches within the side setbacks.

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

Properties with single-family residences in the area do not generally have a shared driveway and 25'-wide access easement running through their back yards. There are a few lots in this area with an access easement running through them, but - with the exception of the adjacent lot to west - those lots have deeper lots than this property, and this is the only single-family lot of this depth that has a curving driveway with an approximate 10% slope traversing the rear yard.

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:

The existing improvements are typical of the area's character, including architectural style, use, and scale, and so the variances would not alter the character of the area. The existing impervious cover, home, and patio have existed for years and not caused any issues for the neighbors and have never resulted in any complaints. Approval of the variances would also not impair the purpose of the regulations, especially given the minimal variances required for compliance.

Parking (additional criteria for parking variances only)

Request for a parking variance requires the Board to make additional findings. The Board may grant a variance to a regulation prescribed in the City of Austin Land Development Code Chapter 25-6, Appendix A with respect to the number of off-street parking spaces or loading facilities required if it makes findings of fact that the following additional circumstances also apply:

1. Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonably require strict or literal interpretation and enforcement of the specific regulation because:

N/A

2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

N/A

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

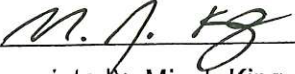
N/A

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

N/A

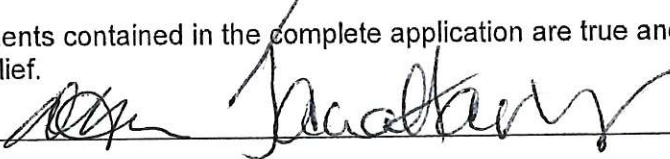
Section 3: Applicant Certificate

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

Applicant Signature:  Date: 11/05/2020
 Applicant Name (typed or printed): Micah King
 Applicant Mailing Address: Husch Blackwell LLP, 111 Congress Avenue, Suite 1400
 City: Austin State: TX Zip: 78701
 Phone (will be public information): (512) 370-3468
 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: 11/05/2020
 Owner Name (typed or printed): Doug and Jana Harker
 Owner Mailing Address: 909 W. 18th Street
 City: Austin State: TX Zip: 78701
 Phone (will be public information): (713) 705-7617
 Email (optional – will be public information):

Section 5: Agent Information

Agent Name: Micah King
 Agent Mailing Address: Husch Blackwell LLP, 111 Congress Avenue, Suite 1400
 City: Austin State: TX Zip: 78701
 Phone (will be public information): (512) 370-3468
 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).

Rebecca Bingham
1805 San Gabriel Street, Unit A
Austin, Texas 78701

November 3, 2020

The City of Austin Board of Adjustment
c/o Elaine Ramirez
Planner Senior and Board of Adjustment Liaison
City of Austin Development Services Department

Re: Letter of Support for Variance Application for Property at 908 W. 18th Street

Dear Board of Adjustment Members:

I am writing you to express my support for the variance application for Doug and Jana Harker's property at 908 W. 18th Street. I have lived in the Chestnut Place Condominiums building directly to the rear of the Harkers' residence for many years. I hope that their existing impervious cover, home, and patio and the shared driveway can be preserved as they currently exist, as they are not causing any issues and their design is appropriate for the area. I appreciate your consideration.

Sincerely,



Rebecca Bingham

Doug and Jana Harker
908 W. 18th Street
Austin, Texas 78701

AGENT DESIGNATION LETTER


October 30, 2020


The City of Austin
Development Services Department
6310 Wilhelmina Delco Drive
Austin, Texas 78752

Re: Letter appointing agent regarding a request for a City of Austin Board of Adjustment variance or special exception and related matters for property located at 908 W. 18th Street in Austin, Travis County, Texas 78701 (the "Property")

To Whom It May Concern:

The undersigned, as the owners of the above-referenced Property, hereby appoint Husch Blackwell LLP (Micah King) as agent in connection with a request for a City of Austin Board of Adjustment variance or special exception and related matters.



Doug Harker


Jana Harker

Tree #: Size" Type

T1: 12" 12" Hackberry

T2: 15" Live Oak

T3: 23" Cottonwood

T4: 27" Pecan

elev.=104.1'

D-5/11

SCALE
1"=20'

LEGEND

FINISHED FLOOR ELEV.
1/2" FOUND IRON ROD
1/2" SET IRON ROD

UTILITY POLE &
ELECTRIC LINE

ELECTRIC MANHOLE (E)
WOOD FENCE --//--//--
(RECORD)

BENCHMARK BM:

Square cut in concrete curb,
Assumed Elevation 100.00'

IMPERVIOUS COVER CALCULATIONS

HOUSE - 1899 SQ. FT.

OTHER (CONC. PORCHES, DRIVES, AC PAD,
WALKWAYS, MORTARED BRICK WALL/TRIM,
STONE WALL) - 1924 SQ. FT.

TOTAL IMPERVIOUS 3823 SQ. FT.

LOT AREA 7311 SQ. FT.

IMPERVIOUS % = 52

Lot 5

stone wall

(N19°00'00"E)
N18°55'09"E

121.80'

conc. steps

FF=105.4'
(garage)

Two Story
Wood House

Lot 6

0.1678 AC

FF=107.2'

cov'd conc. porch

planter

mortared
brick trim

T3

FIR

elev.=100.2'

N70°35'00"W 59.87'
bearing base (60.00')

conc. steps
w/ hand rails

T1

conc. curb & gutter

(S19°00'00"W)(122.36')
S18°55'09"W 122.44'

Lot 7

25' Building
Line 83/74B

FIR

elev.=106.8'

W. 18th Street

State of Texas:

County of Travis:

The undersigned does hereby certify that this survey was this day made on the property legally described hereon and is correct, and this survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 1B Condition II Survey.

I certify that the property shown hereon is not within a special flood hazard area as identified by the Federal Insurance Adm. Department of HUD Flood hazard boundary map revised as per Map Number: 48453C0465H


Zone: X Dated: 9/26/2008

Dated this the 20TH day of MAY, 2015.



HUSCH BLACKWELL

Micah J. King
Attorney

111 Congress Avenue, Suite 1400
Austin, Texas 78701
Direct: 512.370.3468


November 6, 2020

Elaine Ramirez
Planner Senior
Board of Adjustment Liaison
City of Austin Development Services Department

Re: Request for Variance for Property Located at 908 W. 18th Street in Austin, Texas (the "Property") to Increase Maximum Impervious Cover and Reduce Site Setbacks

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Another issue is that the most recent survey indicated that the house encroaches approximately 6.5 inches onto the side setback on the west side of the Property, and approximately 3.5 inches on the east side of the Property. However, a title survey we found from prior to when the home was purchased showed that the house was not encroaching upon the side setbacks. As such, we have ordered a new survey to remeasure the setbacks and will update you once it is completed.

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Elaine Ramirez
November 6, 2020
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We have reached out to the neighbors, and everyone with whom we have spoken expressed support for the variances, and no one has stated any opposition or complained about the existing improvements on the Property.

Thank you for your assistance with this matter, and please let me know if you have any questions or require anything further.

Sincerely,

A handwritten signature in black ink, appearing to read "Micah King" with a stylized flourish at the end.

Micah King

Enclosures

Amended Variance Request (Changes Shown in Red)



Development CITY OF AUSTIN
SERVICES DEPARTMENT

Building a Better and Safer Austin Together

Board of Adjustment General/Parking Variance Application

DevelopmentATX.com | Phone: 311 (or 512-974-2000 outside Austin)
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Case # _____ ROW # _____ Tax # _____

Section 1: Applicant Statement

Street Address: 908 W. 18th Street, Austin, TX 78701

Subdivision Legal Description:

Lot 6 Chestnut Place

Lot(s): 6 Block(s): _____

Outlot: _____ Division: _____

Zoning District: SF-3

I/We Micah King on behalf of myself/ourselves as
authorized agent for Doug and Jana Harker affirm that on
Month November, Day 6, Year 2020, hereby apply for a hearing before the
Board of Adjustment for consideration to (select appropriate option below):

☐ Erect ☐ Attach ☐ Complete ☐ Remodel ☒ Maintain ☐ Other: _____

Type of Structure: Shared drive in access easement, single-family residence, and patio.

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

Land Development Code § 25-2-492 (Site Development Regulations) for a residential property zoned SF-3 to increase maximum impervious cover from 45% (required) to 52.2% (requested) and to reduce the minimum side setback requirement from 5 feet (required) to 4.5 feet (requested) to preserve existing impervious cover, patio, shared drive, and residential structure.

Section 2: Variance Findings

The Board must determine the existence of, sufficiency of, and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional supporting documents.

NOTE: The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.

I contend that my entitlement to the requested variance is based on the following findings:

Reasonable Use

The zoning regulations applicable to the property do not allow for a reasonable use because:

The regulations do not allow for a reasonable use of the property due to the configuration of the lot, which includes a shared drive in a 25'-wide access easement, which provides key access to an adjacent condominium development, and due to the sloping topography of the curved drive, which impacts the safety of replacing the drive with 2'-wide concrete strips. To preserve the drive without the variance, an existing patio must be demolished, the front walkway must be demolished and replaced by gravel, and the rear parking area must be demolished and replaced by 2'-wide concrete strips, and the house would have to be remodeled along the sides.

Hardship

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

The single-family residential property has a shared drive running through its backyard and is encumbered by a 25'-wide access easement, which is especially unique to the property due to the depth of the lot and the sloping, curving drive. Also, due to nearby residential structures, the drive cannot be relocated without removing a key point of ingress and egress to nearby residences, and most houses in the area are not just a few inches within the side setbacks.

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

Properties with single-family residences in the area do not generally have a shared driveway and 25'-wide access easement running through their back yards. There are a few lots in this area with an access easement running through them, but - with the exception of the adjacent lot to west - those lots have deeper lots than this property, and this is the only single-family lot of this depth that has a curving driveway with an approximate 10% slope traversing the rear yard.

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:

The existing improvements are typical of the area's character, including architectural style, use, and scale, and so the variances would not alter the character of the area. The existing impervious cover, home, and patio have existed for years and not caused any issues for the neighbors and have never resulted in any complaints. Approval of the variances would also not impair the purpose of the regulations, especially given the minimal variances required for compliance.

Parking (additional criteria for parking variances only)

Request for a parking variance requires the Board to make additional findings. The Board may grant a variance to a regulation prescribed in the City of Austin Land Development Code Chapter 25-6, Appendix A with respect to the number of off-street parking spaces or loading facilities required if it makes findings of fact that the following additional circumstances also apply:

1. Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonably require strict or literal interpretation and enforcement of the specific regulation because:

N/A

2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

N/A

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

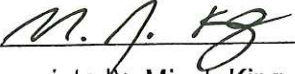
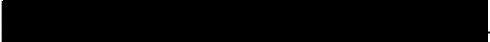
N/A

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

N/A

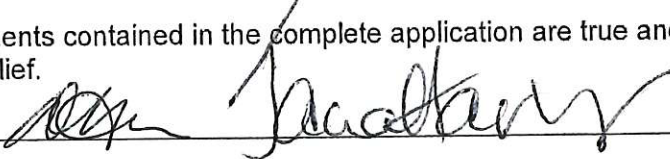
Section 3: Applicant Certificate

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


Applicant Signature:  Date: 11/05/2020
 Applicant Name (typed or printed): Micah King
 Applicant Mailing Address: Husch Blackwell LLP, 111 Congress Avenue, Suite 1400
 City: Austin State: TX Zip: 78701
 Phone (will be public information): (512) 370-3468
 Email (optional – will be public information): 

Section 4: Owner Certificate

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

Owner Signature:  Date: 11/05/2020
 Owner Name (typed or printed): Doug and Jana Harker
 Owner Mailing Address: 909 W. 18th Street
 City: Austin State: TX Zip: 78701
 Phone (will be public information): (713) 705-7617
 Email (optional – will be public information): _____

Section 5: Agent Information

Agent Name: Micah King
 Agent Mailing Address: Husch Blackwell LLP, 111 Congress Avenue, Suite 1400
 City: Austin State: TX Zip: 78701
 Phone (will be public information): (512) 370-3468
 Email (optional – will be public information): 

Section 6: Additional Space (if applicable)

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

Rebecca Bingham
1805 San Gabriel Street, Unit A
Austin, Texas 78701

November 3, 2020

The City of Austin Board of Adjustment
c/o Elaine Ramirez
Planner Senior and Board of Adjustment Liaison
City of Austin Development Services Department

Re: Letter of Support for Variance Application for Property at 908 W. 18th Street

Dear Board of Adjustment Members:

I am writing you to express my support for the variance application for Doug and Jana Harker's property at 908 W. 18th Street. I have lived in the Chestnut Place Condominiums building directly to the rear of the Harkers' residence for many years. I hope that their existing impervious cover, home, and patio and the shared driveway can be preserved as they currently exist, as they are not causing any issues and their design is appropriate for the area. I appreciate your consideration.

Sincerely,



Rebecca Bingham

Doug and Jana Harker
908 W. 18th Street
Austin, Texas 78701

AGENT DESIGNATION LETTER


October 30, 2020


The City of Austin
Development Services Department
6310 Wilhelmina Delco Drive
Austin, Texas 78752

Re: Letter appointing agent regarding a request for a City of Austin Board of Adjustment variance or special exception and related matters for property located at 908 W. 18th Street in Austin, Travis County, Texas 78701 (the "Property")

To Whom It May Concern:

The undersigned, as the owners of the above-referenced Property, hereby appoint Husch Blackwell LLP (Micah King) as agent in connection with a request for a City of Austin Board of Adjustment variance or special exception and related matters.




Doug Harker


Jana Harker

HUSCH BLACKWELL

Micah J. King
Attorney

111 Congress Avenue, Suite 1400
Austin, Texas 78701
Direct: 512.370.3468


November 20, 2020

The Board of Adjustment
c/o Elaine Ramirez, Planner Senior
Board of Adjustment Liaison

Re: Update Regarding Request for Variance at 908 W. 18th Street (the "Property")
Case. No. C15-2020-0082

Dear Board Members:

This is to provide you with new information regarding this variance request.

Based on our new survey, we have reduced our request for maximum impervious cover from 53% to 52.2% (45% required), and we have reduced our request for the minimum side setback from 4.4' (6.5-inch encroachment) to 4.5' (6-inch encroachment) (5' required).

We also have additional letters of support. In addition to the letter from the neighbor to the rear of the Property, we also now have letters of support from the adjacent neighbors on both sides of the Property, as well as from the Judges Hill Neighborhood Association.

Thank you for your consideration, and I look forward to meeting with you soon.

Sincerely,



Micah King

Enclosures

Judges Hill Neighborhood Association
Jim Montgomery, President
900 San Gabriel Street, Unit A
Austin, Texas 78701

November 5, 2020

The Board of Adjustment
c/o Elaine Ramirez
Planner Senior and Board of Adjustment Liaison
City of Austin Development Services Department

Re: Letter of Support for Variance Request for Residential Property at 908 W. 18th Street

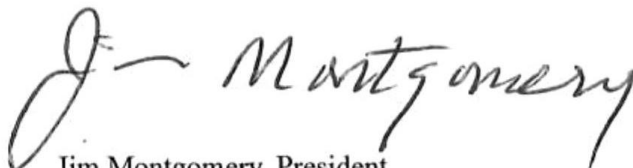
Dear Board Members:

I am writing you as President of the Judges Hill Neighborhood Association. The Association's Executive Committee has reviewed the variance request for our neighbors, Doug and Jana Harker, and we support the variance request for their property at 908 W. 18th Street, which is located within our Association's boundaries.

As you know, the request is meant to preserve the state of the Harkers' property as-is and comply with the city's impervious cover and side setback requirements. The shared drive going through the Harkers' property counts against their impervious cover limit, and the house appears to have been constructed approximately six inches beyond the side setbacks, which was prior to when they purchased the property. We have never heard any complaints about the property, and the shared drive provides important access for the residents of the Chestnut Place Condominiums, which is also located in our neighborhood. As such, we support the preservation of the shared drive, home, and patio, and respectfully request your approval of the variance request.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Jim Montgomery". The signature is written in a cursive, flowing style.

Jim Montgomery, President
Judges Hill Neighborhood Association

Blake Dollahite
906 W. 18th Street
Austin, Texas 78701

The Board of Adjustment
c/o Elaine Ramirez
Planner Senior and Board of Adjustment Liaison
City of Austin Development Services Department

Re: Letter of Support for Variance Request for Adjacent Property at 908 W. 18th Street

Dear Board Members:

I own the residential property adjacent to the east of Doug and Jana Harker's property and support the requested variances to preserve their existing impervious cover, home, and patio. The property makes sense for our neighborhood as-is and we do not want them to be required to do any demolition. I hope that you approve the variances and appreciate your consideration.

Sincerely,

A handwritten signature in black ink that reads "Blake Dollahite". The signature is written in a cursive, flowing style.

Blake Dollahite

Lisa Kaindl
910 W. 18th Street
Austin, Texas 78701

The Board of Adjustment
c/o Elaine Ramirez
Planner Senior and Board of Adjustment Liaison
City of Austin Development Services Department

Re: Letter of Support for Variance Request for Adjacent Property at 908 W. 18th Street

Dear Board Members:

I own and reside at the residential property adjacent to the west of Doug and Jana Harker's property and support the variances to preserve their existing impervious cover, home, and patio, as well as the shared drive. Their property is consistent with the area's character and should be allowed stay as-is without any demolition work.

I also prefer it be left so as the direct neighbor we are not subjected to the noise and structural damage of the jackhammering that would be required to remove it. The street repair for my water main & the demo of the house 3 doors down caused significant vibration and cracking of sheetrock. Please do not subject us to unnecessary demolitions.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lisa Kaindl', with a stylized flourish at the end.

Lisa Kaindl

© Copyright 2020

908 W. 18th Street
C15-2020-0082

Photo of Porch



Photo of Shared Drive



Photo of Shared Drive



Photo of Shared Drive



Photo of Front of Residence



Photo of Side Setback on West Side of Property

