

**CITY OF AUSTIN
Board of Adjustment
Decision Sheet
E-3**

DATE: Monday NOVEMBER 9, 2020

CASE NUMBER: C15-2020-0057

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

APPLICANT: Lauren Jones

OWNER: Bryan E. Mayo

ADDRESS: 901 TERRELL HILL DR

VARIANCE REQUESTED: The applicant is requesting a variance(s) from the Land Development Code, Section 25-2-492 (Site Development Regulations)

a) from setback requirements to decrease the minimum front yard setback from 25 feet (required) to 15 feet (requested)
and

b) from Section 25-2 Subchapter F, Residential Design and Compatibility Standards, Article 3, 3.3 to increase the finished floor elevation of the first story from 3 feet (maximum allowed) to 8 feet (requested) above the "average elevation" in order to erect a Single Family Residence in a SF-3", Single-Family Residence zoning district.

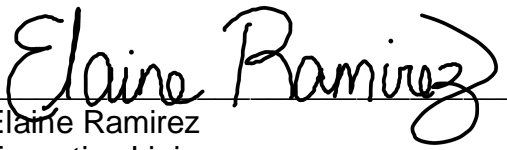
Note: Article 3, 3.3.3 (B) (2) Gross Floor Area states Porches, basements, and attics that meet the following requirements shall be excluded from the calculation of gross floor area: (B) 2. The finished floor of the first story is not more than three feet above the average elevation at the intersections of the minimum front yard setback line and the side property lines.

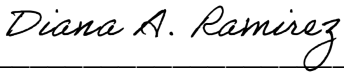
BOARD'S DECISION: BOA MEETING OCT 12, 2020 The public hearing was closed by Chair Don Leighton-Burwell, Board Member Michael Von Ohlen motions to Postpone to November 9, 2020, Board Member Rahm McDaniel seconds on a 10-1 vote (Board member Darryl Pruett nay); **POSTPONED TO NOVEMBER 9, 2020. Nov 9, 2020 POSTPONED TO JANUARY 11, 2021 AS PER APPLICANT'S REQUEST**

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

**CITY OF AUSTIN
Board of Adjustment
Decision Sheet
C-4**

DATE: Monday October 12, 2020

CASE NUMBER: C15-2020-0057

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

APPLICANT: Lauren Jones

OWNER: Bryan E. Mayo

ADDRESS: 901 TERRELL HILL DR

VARIANCE REQUESTED: The applicant is requesting a variance(s) from the Land Development Code, Section 25-2-492 (Site Development Regulations)

a) from setback requirements to decrease the minimum front yard setback from 25 feet (required) to 15 feet (requested)
and

b) from Section 25-2 Subchapter F, Residential Design and Compatibility Standards, Article 3, 3.3 to increase the finished floor elevation of the first story from 3 feet (maximum allowed) to 8 feet (requested) above the "average elevation" in order to erect a Single Family Residence in a SF-3", Single-Family Residence zoning district.

Note: Article 3, 3.3.3 (B) (2) Gross Floor Area states Porches, basements, and attics that meet the following requirements shall be excluded from the calculation of gross floor area: (B) 2. The finished floor of the first story is not more than three feet above the average elevation at the intersections of the minimum front yard setback line and the side property lines.

BOARD'S DECISION: BOA MEETING OCT 12, 2020 The public hearing was closed by Chair Don Leighton-Burwell, Board Member Michael Von Ohlen motions to Postpone to November 9, 2020, Board Member Rahm McDaniel seconds on a 10-1 vote (Board member Darryl Pruett nay); POSTPONED TO NOVEMBER 9, 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

**FOURTH WORKSHOP, LLC**

4304 Caswell Avenue

Austin, TX 78751

23 October 2020

Ms. Elaine Ramirez, et. al.
Board of Adjustment
Austin, TX

Re: 901 Terrell Hill Drive Request for Variance from the Land Development code, Section 25-2-492

Dear Members of the Board of Adjustment,

Thank you for the second opportunity to speak about the property located at 901 Terrell Hill Drive. We have chosen to focus our efforts on requesting a variance from the Land Development Code, Section 25-2-492 (Site Development Regulations), which reduces the minimum front yard setback requirement from 25'-0" to 15'-0". We no longer seek a variance that qualifies the garage, below the main level, as a basement.

As confirmed by members of The Board in the October hearing, the property suffers from two characteristics that qualify as hardships: (1) a pie shape and (2) a steep slope. The widest portion of the lot occurs at the front of the property; and additionally, the grade slopes ten feet across the width of the lot and twenty-one feet from the rear to the front.

The Owners purchased the property in 2014, with an intent to upgrade the existing house to suit their needs. After replacing appliances and cosmetically updating the interiors, the City informed them that the house, as it stood, was not code compliant. The roof structure, foundation, and wiring all needed to be brought up to code before a final CO could be given. As such, no permitted work could be pursued without a structural update and electrical service and wiring update which was not worth pursuing given the other limitations they were already working around and other quality issues they uncovered along the way.

Faced with the decision of whether to invest a significant sum toward renovation, or else allocate those funds toward new construction, the Owners chose to remove and donate all of the improvements to Austin Habitat for Humanity ReStore and then demolish the home and design a new one—tailored specifically to them. Seven years and ~\$700,000 dollars later, they are now requesting a variance that will deliver a quality design to the site, satisfy their immediate neighbor's requests, and deliver their usability requirements. The variance is not being requested to maximize size of structure, conditioned space, FAR exemptions or project costs.

As the fourth architectural outfit that the Owners have hired, we can speak to the myriad designs that fit on the site. *All of the designs*, to date, have proven to be cost-prohibitive, given the complex foundations required to negotiate the site (please reference exhibits).

In October, some board members raised this question: *At the time of purchase, were the Owners aware of the hardships they'd face with this property?* The Owners clarified that they were not. If they had understood the amount of time and money they'd spend into trying to make this property viable either via



FOURTH WORKSHOP, LLC

4304 Caswell Avenue

Austin, TX 78751

a remodel or new design, while satisfying their immediate neighbor's requests and code restrictions, they would not have purchased it.

The current design was informed by many factors, including the following:

- The neighbor to the east, at 805 Terrell Hill, has specifically requested that the Owners build a driveway off of Terrell Hill Drive and not access any structures from the easement. The neighbors would prefer they avoid a design that pulls vehicles or people access off of the alley easement between the two homes.
- The home bends slightly to follow the curve of the Right of Way, in an effort to prevent obscuring drivers' views along the street and as such does not maximize the use of the requested variance.
- In response to comments from the Board in October: the garage has shifted from directly below the home to east of the main level to reduce the amount of excavation. Leveraging the Board's feedback in this manner also eliminates our request for the basement exemption of ~450 sq/ft of non-conditioned space that would have been used for garage spaces under the house in the prior design.
- The home is positioned along the lowest site contours to avoid excessive excavation and allow the house to remain within the scale of adjacent homes in the neighborhood.
- The house will remain within the max allowable FAR (4116 SF), with 3,544 conditioned SF, and 940 SF for garage and ground floor porch (not including exemptions).
- The house will remain within the McMansion tents, with a height of 31'-9".
- The roof and materials are chosen in an effort to remain timeless and low maintenance, and with regard to the character of the neighborhood. We attempt to use natural materials as much as possible.
- The design is oriented with respect to the sun, along the widest point of the lot, capturing a backyard for the Owners and their dogs to enjoy with relative privacy.

We presented our design to the Galindo Neighborhood Association (GENA) on Monday, October 19th. While Galindo is required to take a neutral stance, in consideration of all neighbors, they've written to say that they do not oppose our variance request (please reference attached email correspondence from Monica Guerrero).

Lastly, we have discovered that the property three doors down (801 Terrell Hill Drive) is an almost exact mirror of the property in question and the only other pie lot we could find in the surrounding areas. According to GIS, this home benefits from a <15' setback. The exhibit is attached.

Thank you for your consideration.

Lauren Jones and Isabelle Bogan, FOURTH WORKSHOP, LLC

From: Monica Guerrero m [REDACTED]
 Subject: Re: 901 Terrell Hill Dr. - BOA variance request
 Date: October 21, 2020 at 11:25 AM
 To: Isabelle Bogan [REDACTED]
 Cc: Marshall Davis [REDACTED]

Hello Isabelle,

The GENA Executive Committee discussed 901 Terrell Hill last night. In these variance situations, the association usually takes a neutral position so as to be considerate of all neighbors in the area. While the association will not offer a letter of support, it will not actively oppose the property owners' variance request. We do suggest that you continue to work with the surrounding neighbors.

Best regards,
 Monica

[Texas law requires all real estate licensees to give the following information about brokerage services to prospective buyers, tenants, sellers, and landlords.](#)



512.944.0101 Direct | M [REDACTED]

On Tue, Oct 20, 2020 at 6:36 PM Monica Guerrero <m [REDACTED]> wrote:
 Received - thank you.

[Texas law requires all real estate licensees to give the following information about brokerage services to prospective buyers, tenants, sellers, and landlords.](#)



512.944.0101 Direct | [REDACTED]

On Tue, Oct 20, 2020 at 6:20 PM Isabelle Bogan <[REDACTED]> wrote:

Thank you so much, Monica. We totally understand. I've attached some quick renderings that are in progress of the current proposed design for your aid. We've had to shift a bit from what we originally proposed to the BOA due to the fact that we won't attempt to count the garage below the main floor as a basement... It is now the concrete volume on the West side, with the door facing the east.

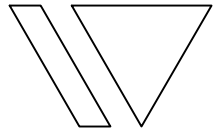
As discussed yesterday, a few bullet points are included here:

- We, Fourth Workshop, are representing the owners of 901 Terrell Hill as their architectural designers. After 4 previous attempts with various architects to design a home on the site, we have decided to apply for a variance to the 25' setback requirement in the code. We hope they will grant our request for a reduction to a 15' setback. We are asking for a letter of support from you, the neighborhood association, as we want to be sensitive to the character and value of the neighborhood.
- The house will have approximately 3600 SF in MLS area (not including garage and porch) on a property with 4116 max allowable FAR.
- The height will remain within the tent, with a wall plate height of 20' (10' ceiling heights on the main floor, and 8' ceiling heights in the second floor) and a gable roof above.
- We have attempted to take advantage of the hardship that is the slope of the property by tucking the garage below the level of the main floor, on the low end of the site. This is also in response to a specific request from the neighbor to the east who prefers that the owner use the street to access a garage rather than the easement between the two properties.
- Concerns about visibility on the street have been raised by the BOA, and we hope to communicate in the images (attached) that the house is shaped in an effort to follow the curve of the street, rather than obstruct the view.
- Our hope is that the home will sit well with both the traditional and contemporary homes in the area in form and material. We intend to select materials that are long-lasting in style and quality. Commonly, we work with natural materials such as thermally treated wood, concrete, and brick.
- Lastly, we have discovered that the property three doors down (801 Terrell Hill) is an almost exact mirror of the property in question. According to GIS, this home benefits from a 15' setback.

Thank you so much for your time and consideration,

Isabelle Bogan
FOURTH WORKSHOP, LLC

[REDACTED]
[\[713\] 516.2999](tel:7135162999)



FOURTH
WORKSHOP

MAYO SCHOENING RESIDENCE

901 Terrell Hill Dr. Austin, TX 78704

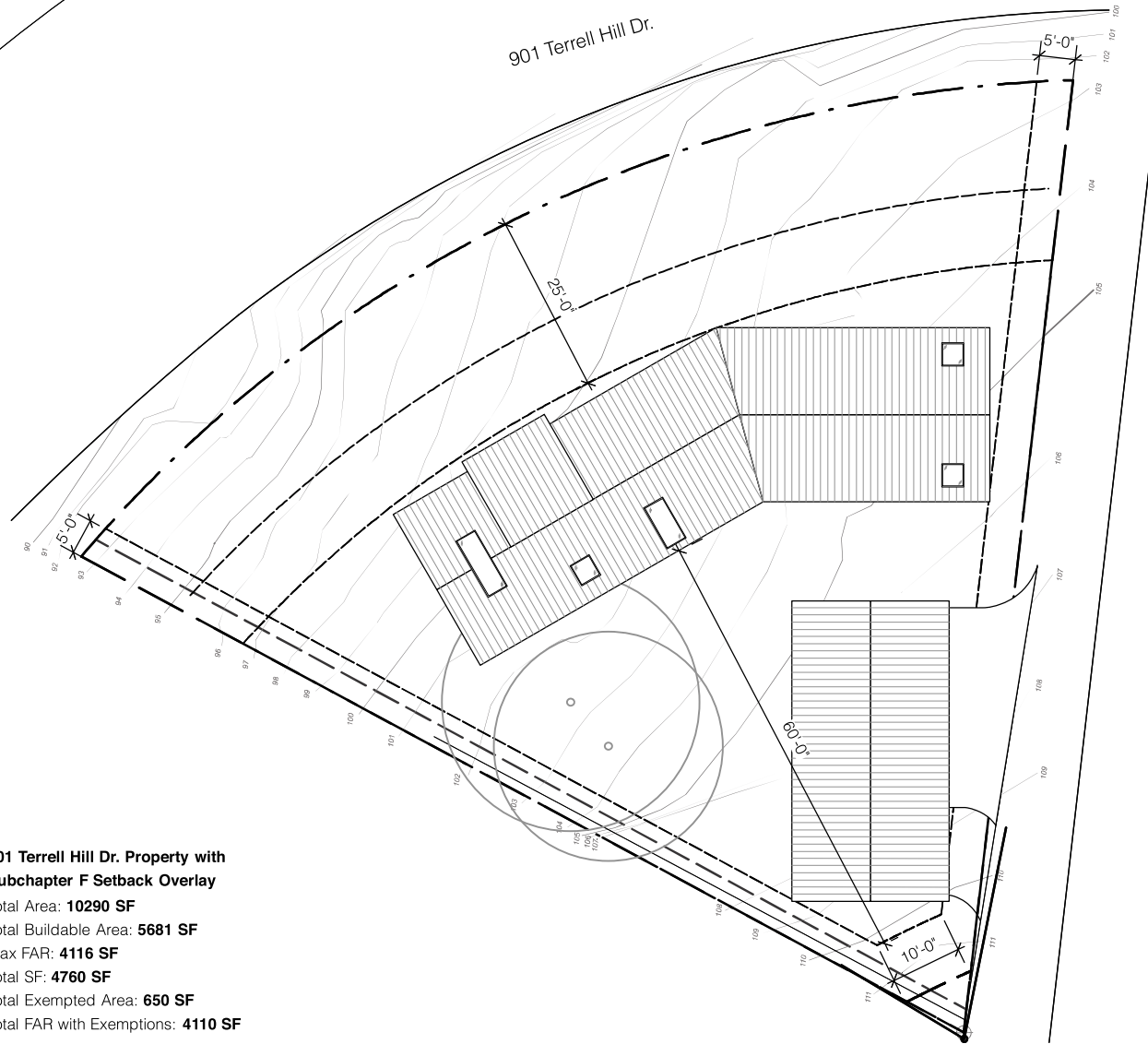
09.08.2020

Drawn by: IB
Checked by: LJ

Proposed Site Plan

E1.01

**901 Terrell Hill Dr. Property with
Subchapter F Setback Overlay**
Total Area: **10290 SF**
Total Buildable Area: **5681 SF**
Max FAR: **4116 SF**
Total SF: **4760 SF**
Total Exempted Area: **650 SF**
Total FAR with Exemptions: **4110 SF**



1 Future House with Current Setback
Scale: 1/16" = 1'-0"



MAYO SCHOENING RESIDENCE

901 Terrell Hill Dr. Austin, TX 78704

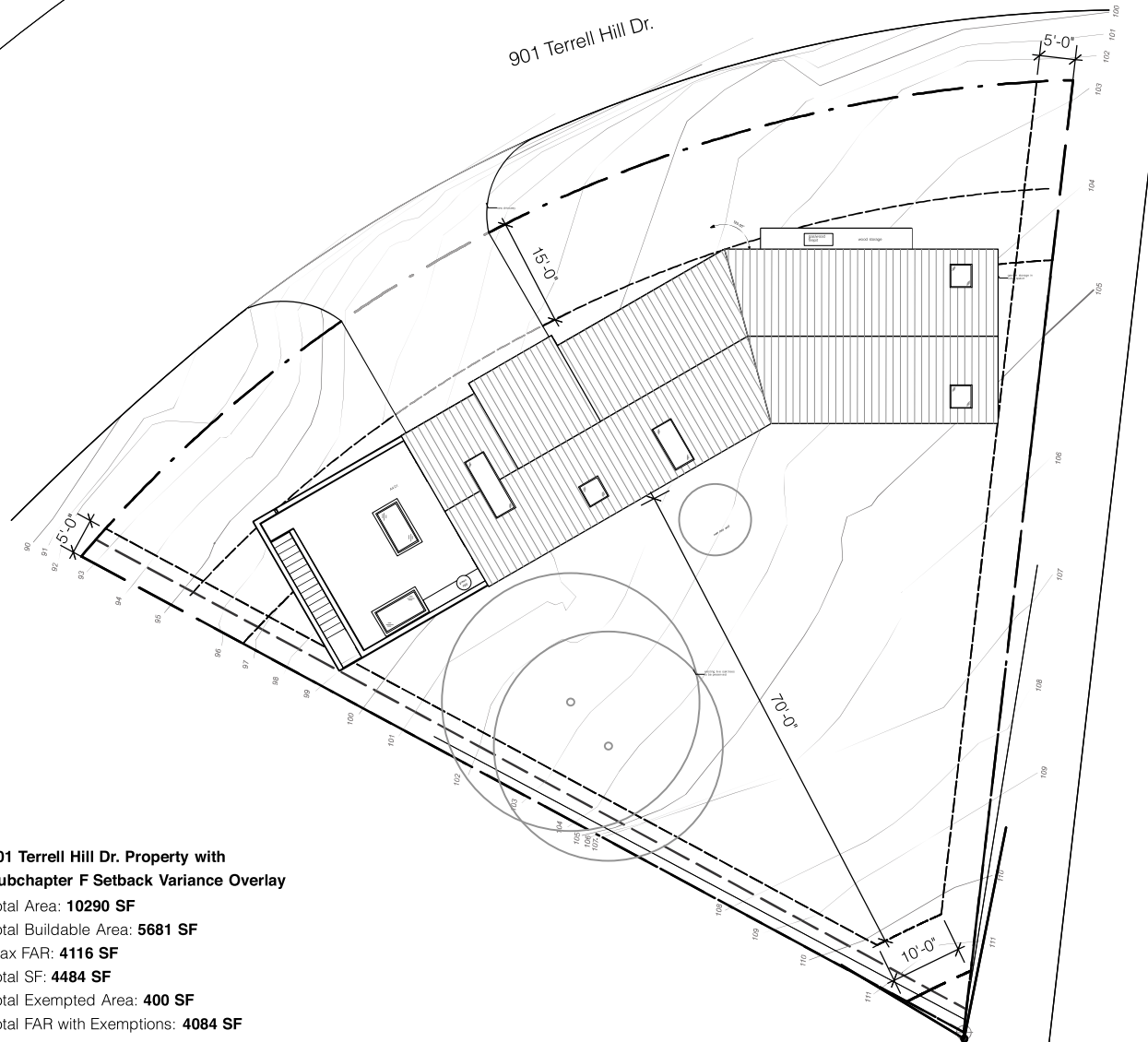
09.08.2020

Drawn by: IB
Checked by: LJ

Proposed Site Plan

E1.02

**901 Terrell Hill Dr. Property with
Subchapter F Setback Variance Overlay**
Total Area: **10290 SF**
Total Buildable Area: **5681 SF**
Max FAR: **4116 SF**
Total SF: **4484 SF**
Total Exempted Area: **400 SF**
Total FAR with Exemptions: **4084 SF**



1 Future House with Proposed Setback Variance
Scale: 1/16" = 1'-0"

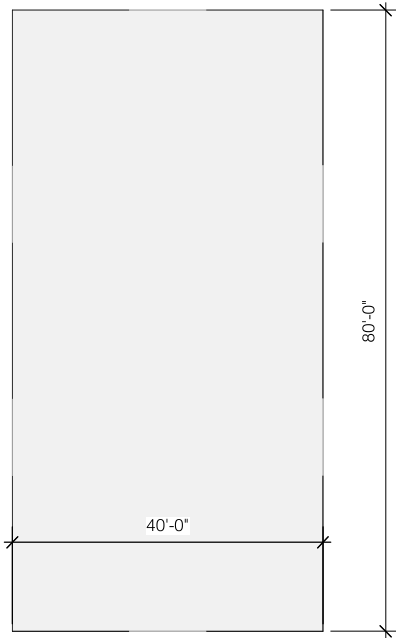
SF-3 Minimum Buildable Area Footprint

Re: Table 25-2-492

Minimum Buildable Area: **3200 SF**

Minimum Buildable Length: **80'-0"**

Minimum Buildable Width: **50'-0"**



901 Terrell Hill Dr. Property with SF-3 Minimum Lot Dimensions Overlay

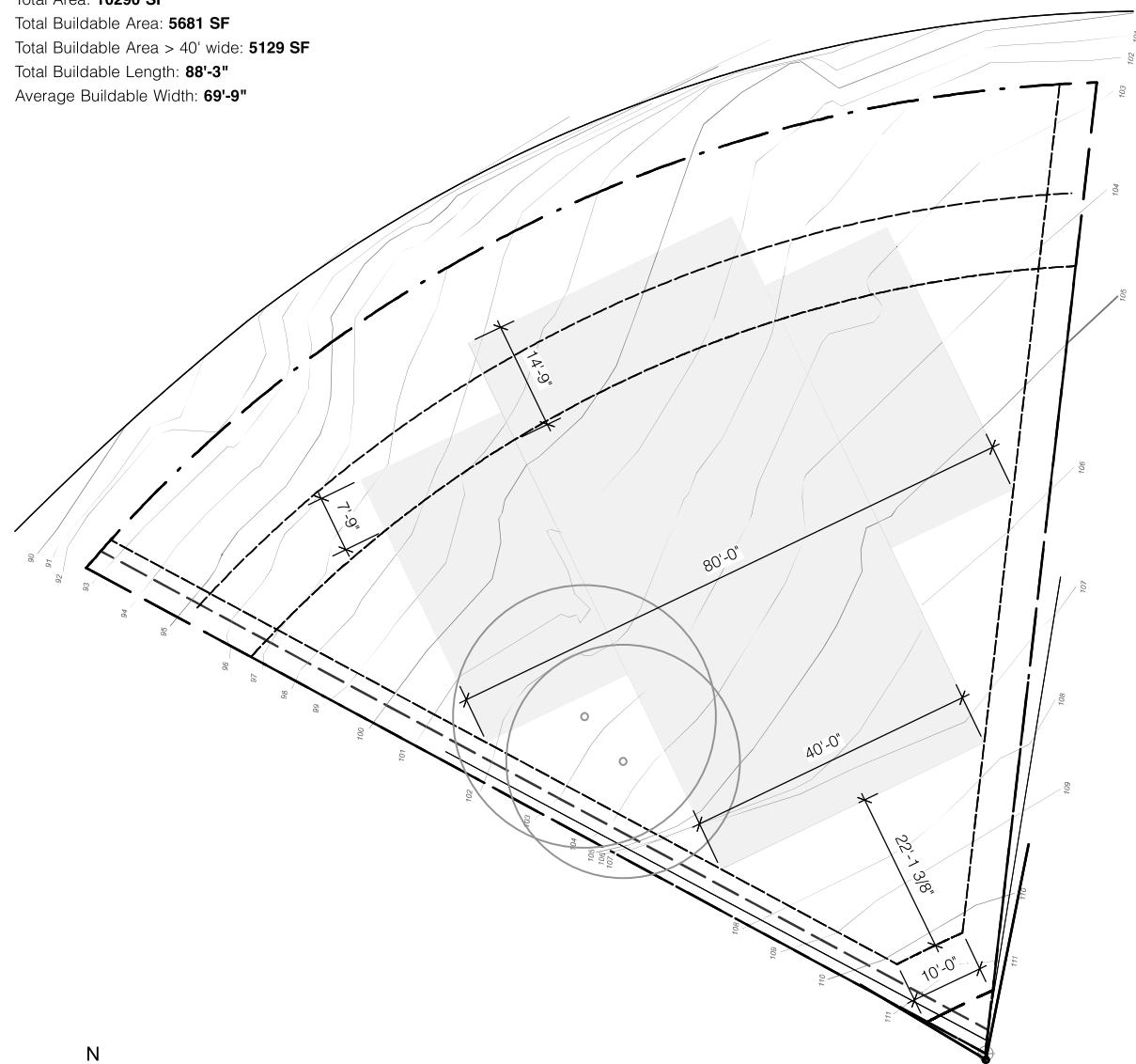
Total Area: **10290 SF**

Total Buildable Area: **5681 SF**

Total Buildable Area > 40' wide: **5129 SF**

Total Buildable Length: **88'-3"**

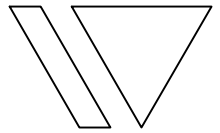
Average Buildable Width: **69'-9"**



1

Minimum Buildable Area Diagram

Scale: 1/16" = 1'-0"



FOURTH
WORKSHOP

MAYO SCHOENING RESIDENCE

901 Terrell Hill Dr. Austin, TX 78704

09.08.2020

Drawn by: IB

Checked by: LJ

Zoning Regulations

E1.03



MAYO SCHOENING RESIDENCE

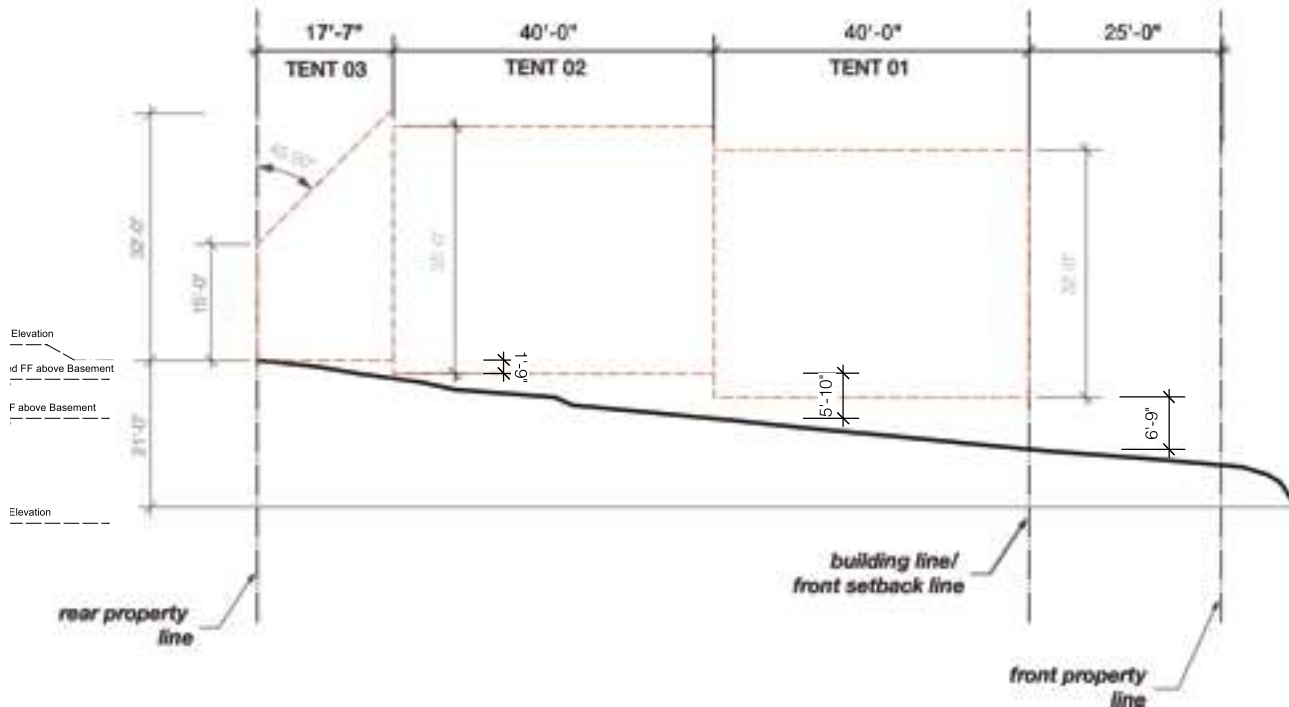
901 Terrell Hill Dr. Austin, TX 78704

09.08.2020

Drawn by: Drawn By
Checked by: CS

Site Grade + Tent

E1.04

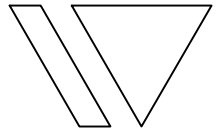


1

Site Section with Tent
Scale: 1/16" = 1'-0"



Property Profile



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MAYO SCHOENING RESIDENCE

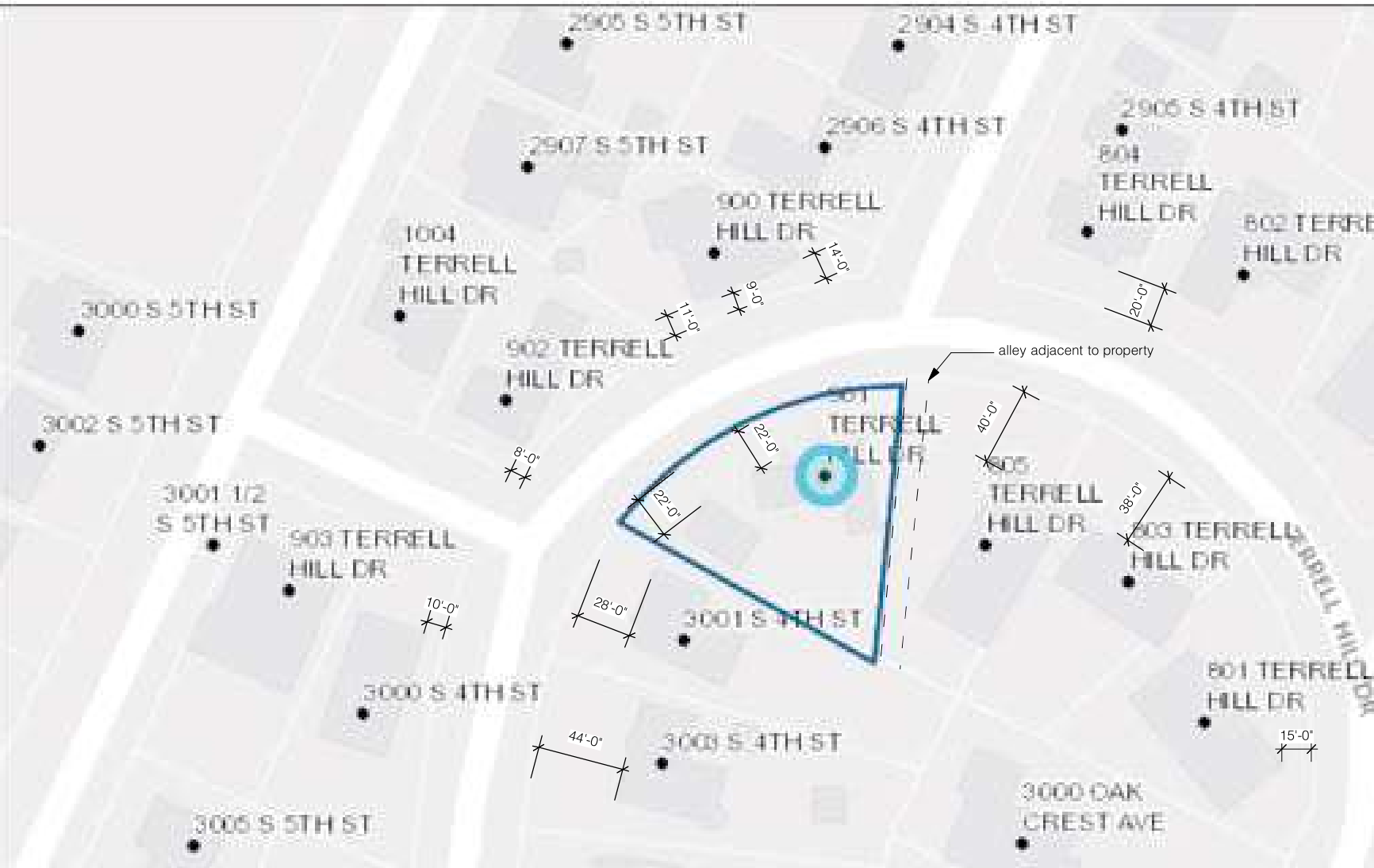
901 Terrell Hill Dr. Austin, TX 78704

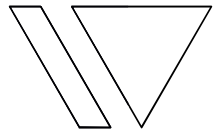
09.08.2020

Drawn by: IB
Checked by: LJ

Adjacent Setbacks

E1.05





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WORKSHOP

MAYO SCHOENING RESIDENCE

901 Terrell Hill Dr. Austin, TX 78704

09.08.2020

Drawn by: IB
Checked by: LJ

Neighbor Streetfronts

E1.06

approx. 40' setback



805 Terrell Hill Dr.

approx. 9' min. setback



901 Terrell Hill Dr.

approx. 28' setback



3001 S. 4th St.

approx. 8' min. setback



902 Terrell Hill Dr.

approx. 9' min. setback



900 Terrell Hill Dr.

approx. 9' min. setback



900 Terrell Hill Dr.

approx. 10' min. setback



3000 S. 4th St.

approx. 10' min. setback

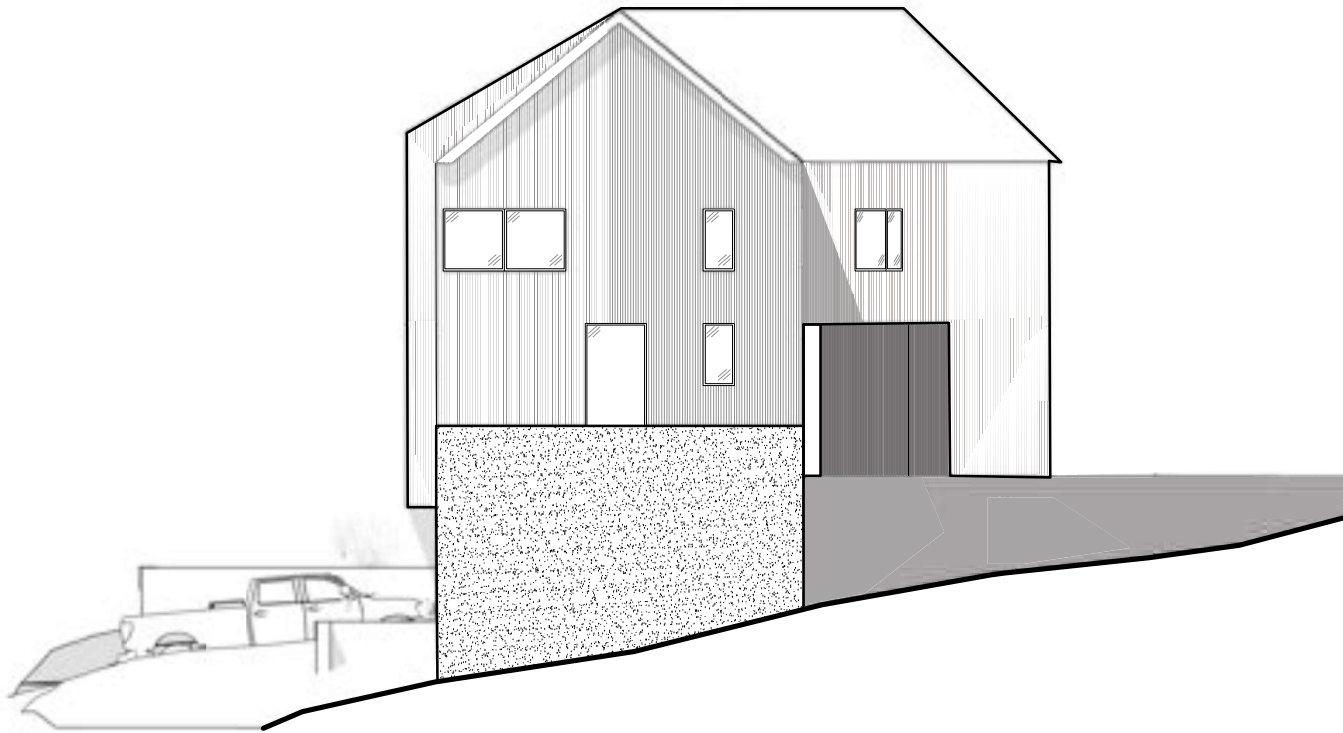


3000 S. 4th St.

approx. 10' min. setback



3000 S. 4th St.



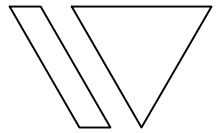
T.O. Ridge
135'-0"

Top Plate
128'-6"

FF Second Floor
120'-6"

B.O. CLG
118'-6"

F.F. First Floor
108'-6"



FOURTH
WORKSHOP

MAYO SCHOENING RESIDENCE

901 Terrell Hill Dr. Austin, TX 78704

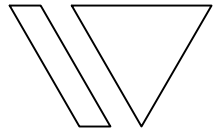
09.08.2020

Drawn by: IB
Checked by: LJ

Variance Request

E1.07

1 West Elevation
Scale: 1/8" = 1'-0"



FOURTH
WORKSHOP

MAYO SCHOENING RESIDENCE

901 Terrell Hill Dr. Austin, TX 78704

09.08.2020

Drawn by: IB
Checked by: LJ

Variance Request

E1.08



T.O. Ridge
135'-0"

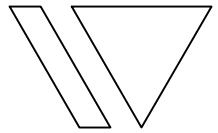
Top Plate
128'-6"

FF Second Floor
120'-6"

B.O. CLG
118'-6"

F.F. First Floor
108'-6"

1 Front Elevation
Scale: 1/8" = 1'-0"



FOURTH
WORKSHOP

MAYO SCHOENING RESIDENCE

901 Terrell Hill Dr. Austin, TX 78704

09.08.2020

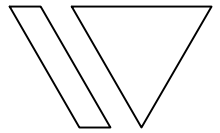
Drawn by: IB
Checked by: LJ

Variance Request

E1.09

1 Northwest Perspective
Scale: Actual Size





FOURTH
WORKSHOP

MAYO SCHOENING RESIDENCE

901 Terrell Hill Dr. Austin, TX 78704

09.08.2020

Drawn by: IB
Checked by: LJ

Variance Request

E1.10

1 Northeast Perspective
Scale: Actual Size

901 Terrell Hill

Owner packet and clarifications



AUSTIN RESIDENT FOR 22 YEARS, PURCHASED 901 TERRELL HILL IN 2014

Owner Points Clarified



Setbacks & Tent

Owner did NOT know McMansion codes, tent limits imposed by this lot shape and slope when purchasing or prior to tearing down previous structure. Would any non-architect without AutoCAD skills and city code study be able to fully understand impact of lot's shape and topography? (2/4 prior architects made significant FAR and tent mistakes during design that the city had to correct. Professionals struggled to apply city code to this site.)



East Neighbor

Alley easement of 15' across east neighbor's lot is allowed by deed. However, **neighbor is strongly opposed to us leveraging easement** in our design for house, garage, or guest house access because of car noise, lights, and general privacy loss to their home. Our lot's most buildable, flat area, with best views is orientated along easement. (More details in appendix)



FAR exemptions

Our design only leverages **200 sq/ft parking** and **200 sq/ft patio** FAR exemptions for a 10,000 sq/ft lot. Homes all around have entire 3rd story levels exempt along with 400-800 sq/ft of garage and patio exemptions on smaller lots applied.

OVER 7 YEARS

4 Prior Designs

\$100K in original remodel costs

\$300K in design/city fees

\$250K in mortgage costs

\$65K in property taxes

DAYS RENTED/OCCUPIED

0 Days

4 Prior Designs

F.Gomes

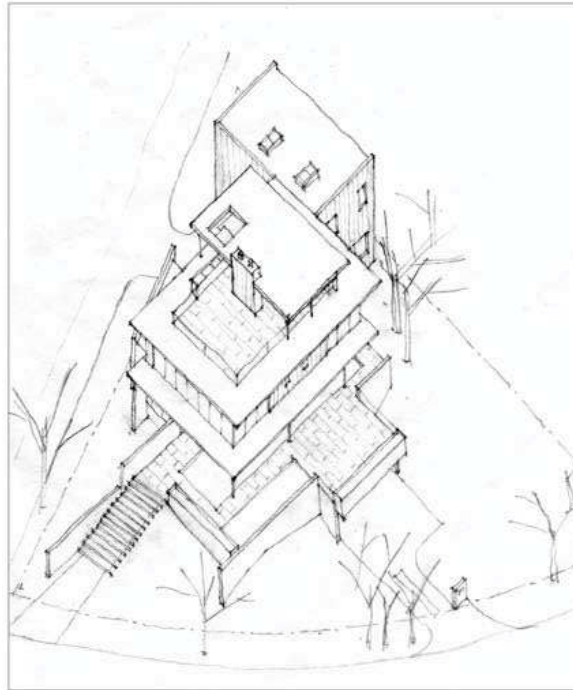
Alter Studio

D.Harris

Fourth Design 1

Fourth Design 2a

Fourth Design 2b



	D1	D2	D3	D4	D5	D6
East Neighbor Concerns Addressed	No					
Non-protected oak trees NOT removed	Yes					
Cost to Build (structure and hardscaping)	\$600 sq/ft					
Multi-gen, Live-in care	No					

4 Prior Designs

F.Gomes

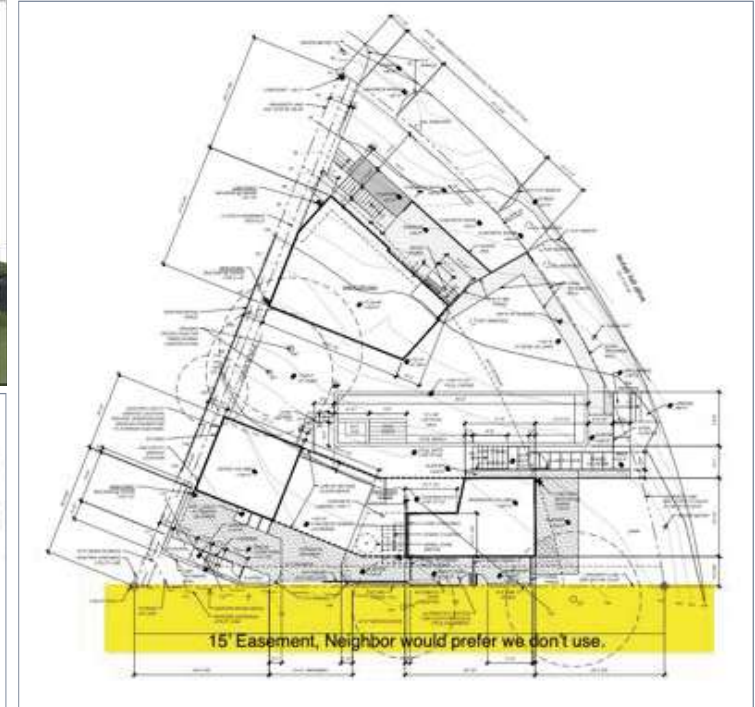
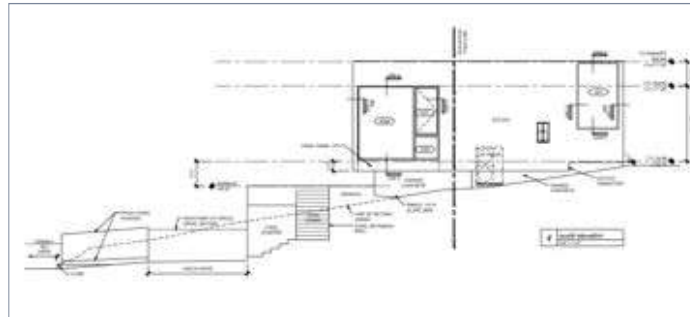
Alter Studio

D.Harris

Fourth Design 1

Fourth Design 2a

Fourth Design 2b



	D1	D2	D3	D4	D5	D6
East Neighbor Concerns Addressed	No	No				
Non-protected oak trees NOT removed	Yes	Yes				
Cost to Build (structure and hardscaping)	\$600 sq/ft	\$800 sq/ft				
Multi-gen, Live-in care	No	Yes				

4 Prior Designs

F.Gomes

Alter Studio

D.Harris

Fourth Design 1

Fourth Design 2a

Fourth Design 2b



	D1	D2	D3	D4	D5	D6
East Neighbor Concerns Addressed	No	No	No			
Non-protected oak trees NOT removed	Yes	Yes	Yes			
Cost to Build (structure and hardscaping)	\$600 sq/ft	\$800 sq/ft	\$300 sq/ft			
Multi-gen, Live-in care	No	Yes	Yes			

4 Prior Designs

F.Gomes

Alter Studio

D.Harris

Fourth Design 1

Fourth Design 2a

Fourth Design 2b



	D1	D2	D3	D4	D5	D6
East Neighbor Concerns Addressed	No	No	No	No		
Non-protected oak trees NOT removed	Yes	Yes	Yes	No		
Cost to Build (structure and hardscaping)	\$600 sq/ft	\$800 sq/ft	\$300 sq/ft	\$600 sq/ft		
Multi-gen, Live-in care	No	Yes	Yes	Yes		

4 Prior Designs

F.Gomes

Alter Studio

D.Harris

Fourth Design 1

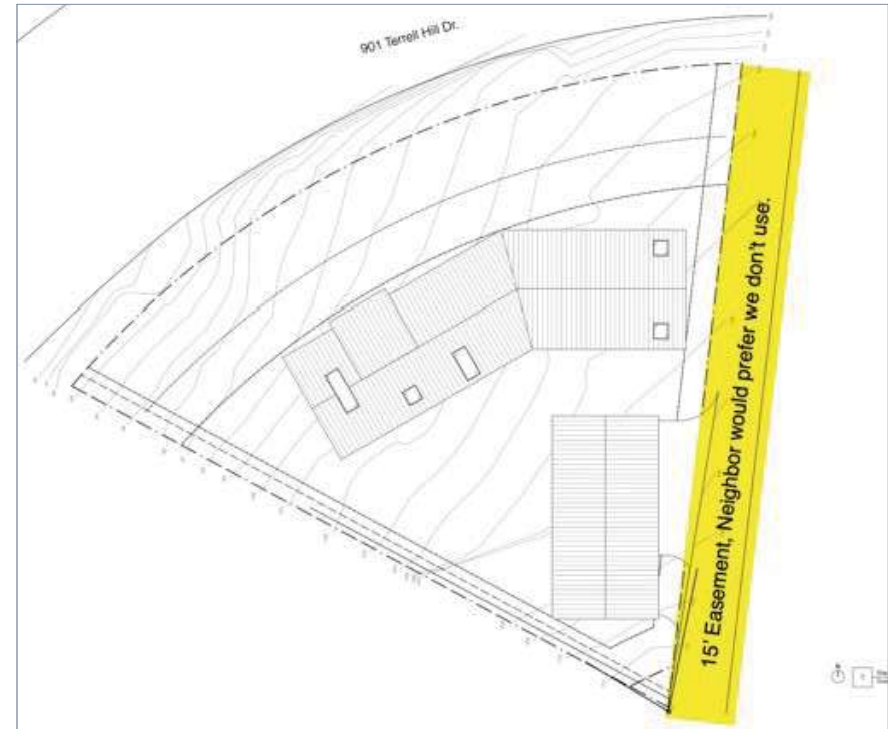
Fourth Design 2a

Fourth Design 2b



No variance needed for this design, but east neighbor not happy and non-protected oak trees removed for structure, garden or pool.

This design provides ~650 sq/ft more conditioned FAR exemption as attic over the back unit garage and ADU and 450 sq/ft more non-conditioned parking FAR exemption space than "Design 2b" with a 15' setback.



	D1	D2	D3	D4	D5	D6
East Neighbor Concerns Addressed	No	No	No	No	No	
Non-protected oak trees NOT removed	Yes	Yes	Yes	No	No	
Cost to Build (structure and hardscaping)	\$600 sq/ft	\$800 sq/ft	\$350 sq/ft	\$550 sq/ft	\$500 sq/ft	
Multi-gen, Live-in care	No	Yes	Yes	Yes	Yes	

4 Prior Designs

F.Gomes

Alter Studio

D.Harris

Fourth Design 1

Fourth Design 2a

Fourth Design 2b



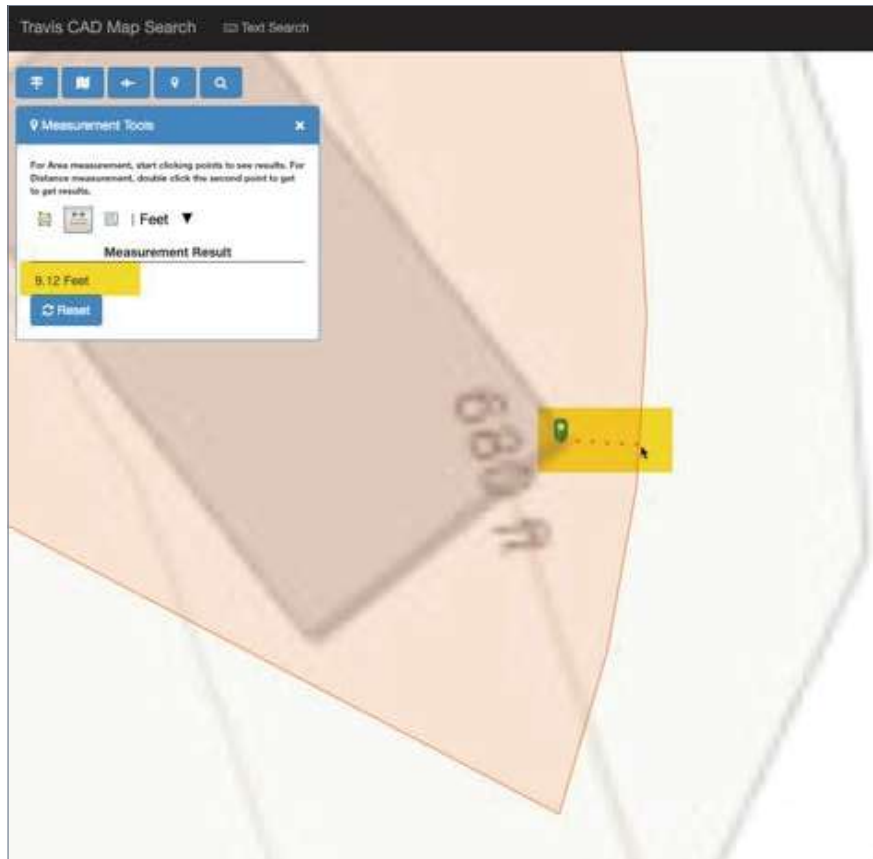
	D1	D2	D3	D4	D5	D6
East Neighbor Concerns Addressed	No	No	No	No	No	Yes
Non-protected oak trees NOT removed	Yes	Yes	Yes	No	No	Yes
Cost to Build (structure and hardscaping)	\$600 sq/ft	\$800 sq/ft	\$350 sq/ft	\$550 sq/ft	\$500 sq/ft	\$400 sq/ft
Multi-gen, Live-in care	No	Yes	Yes	Yes	Yes	Yes

Hardship based on irregular shape

Shape irregular compared to others in area, only 1 other “pie” in area. 801 Terrell Hill “pie” lot has a front setback of 9ft-16ft as measured online and onsite.



801 Terrell Hill (other area “pie”) front setback 9-16ft



15' Front Setback Variance Request

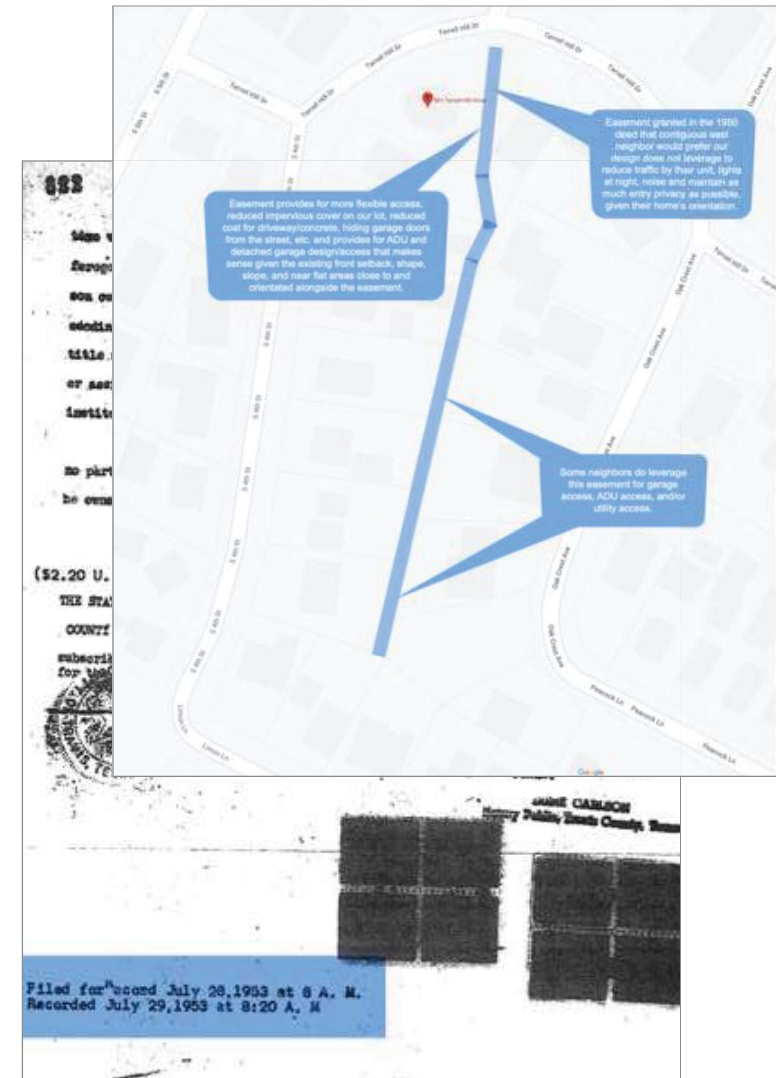
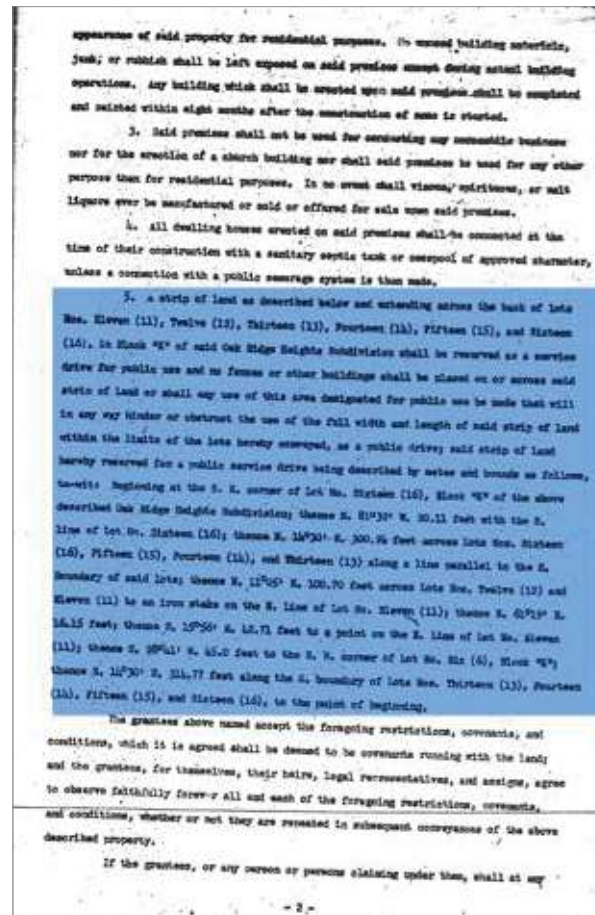
If granted our design can meet the requests of our east neighbor, align with the only other “pie” lot front setback, meet our desired livability features;

- Neighborhood association discussed and not opposing request
- Immediate neighbor prefers variance vs alley easement access
- Aligns with only other “pie” lot setback in the area (<15ft setback)
- Non-protected oak trees will remain onsite

**Thank you for your
consideration**

Appendix

East Neighbor Easement Views



Easement on East Neighbor's Lot and Entries

Neighborhood deed allows access via 15' alley across neighbor's lot which simplifies and maximizes possible designs. They would prefer a design that does not leverage this easement since our lots are directly connected and they want to maintain as much privacy and reduced traffic and noise as possible.



BOA GENERAL REVIEW COVERSHEET

CASE: C15-2020-0057

BOA DATE: October, 12th, 2020

ADDRESS: 901 Terrell Hill Dr.

COUNCIL DISTRICT: 3

OWNER: Bryan E. Mayo

AGENT: Lauren Jones

ZONING: SF-3-NP

LEGAL DESCRIPTION: LOT 10 BLK K OAK RIDGE HEIGHTS SEC 3

VARIANCE REQUEST: decrease Front Setback from 25 feet to 15 feet.

SUMMARY: erect a Single-Family residence

ISSUES: pie-shaped lot and grade change

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

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District

Austin Lost and Found Pets

Austin Neighborhoods Council

Bike Austin

Friends of Austin Neighborhoods

Galindo Area Patriotic People's Porch

Galindo Elementary Neighborhood Assn.

Homeless Neighborhood Association

Neighborhood Empowerment Foundation

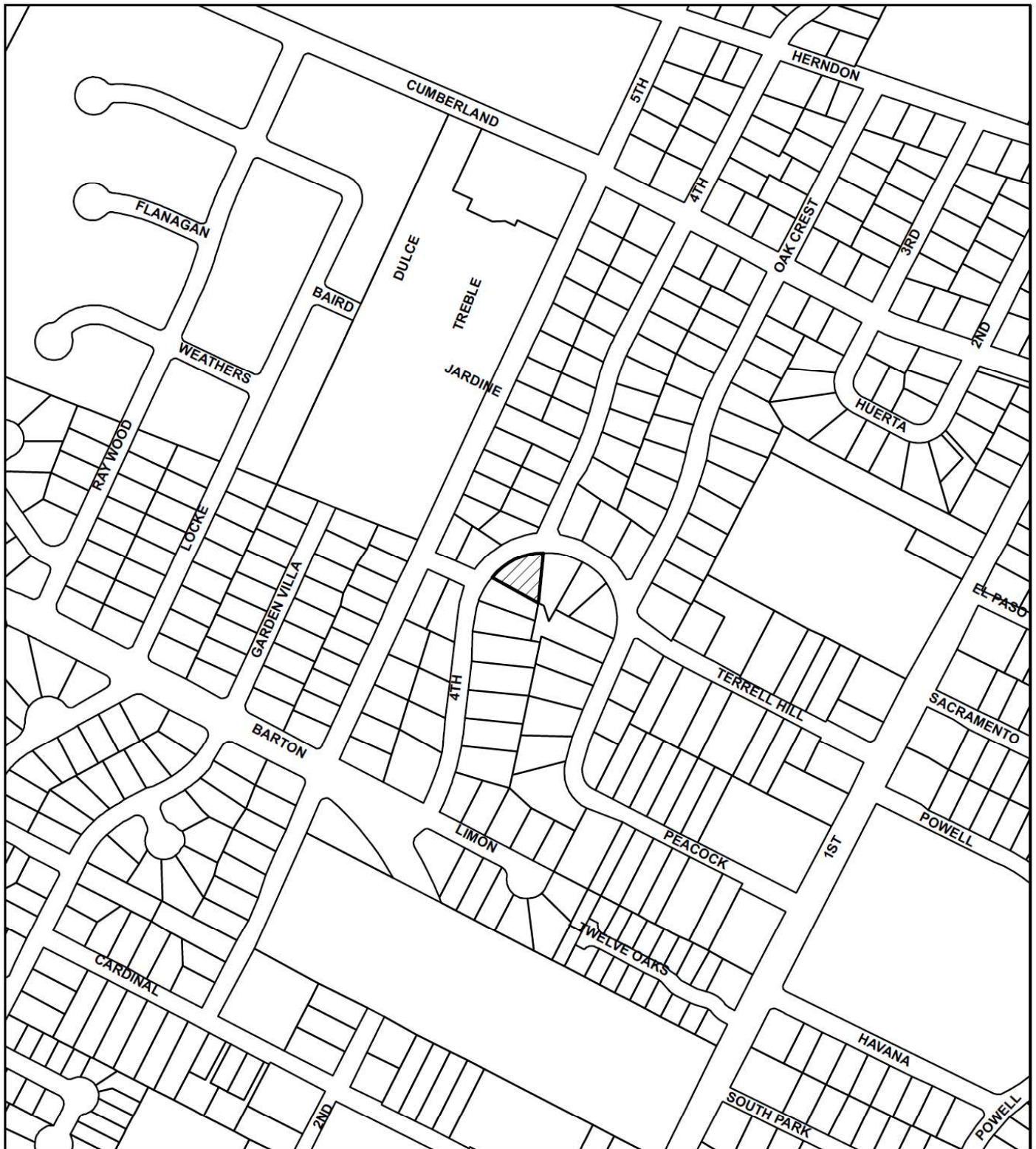
Perry Grid 614

Preservation Austin

SELTexas

Sierra Club, Austin Regional Group

South Central Coalition



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

NOTIFICATIONS

CASE#: C15-2020-0057

LOCATION: 901 Terrell Hill Dr

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.





October 6, 2020

Lauren Jones
901 Terrell Hill Dr
Austin TX, 78704

Property Description: LOT 10 BLK K OAK RIDGE HEIGHTS SEC 3

Re: C15-2020-0057

Dear Lauren,

Austin Energy (AE) has reviewed your application for the above referenced property, requesting that the Board of Adjustment consider variance(s) from the following sections of the City of Austin's Land Development Code;

§ 25-2-492 (*Site Development Regulations*)

- a) from setback requirements to decrease the minimum front yard setback from 25 feet (required) to 15 feet (requested) and;

§ Section 25-2 Subchapter F, Residential Design and Compatibility Standards,

- b) Article 3, 3.3 to increase the finished floor elevation of the first story from 3 feet (maximum allowed) to 8 feet (requested) above the "average elevation".

In order to erect a Single-Family Residence in a SF-3", Single-Family Residence zoning district.

Austin Energy does not oppose the above variance request provided any proposed and existing improvements follow Austin Energy's 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>

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



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: 901 Terrell Hill Dr. Austin, TX 78704

Subdivision Legal Description:

LOT 10 BLK K OAK RIDGE HEIGHTS SEC 3

Lot(s): 10

Block(s): K

Outlot: OAK RIDGE HEIGHTS

Division: SEC 3

Zoning District: SF3

I/We LAUREN JONES on behalf of myself/ourselves as
authorized agent for BRYAN E MAYO affirm that on
Month September, Day 11, 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: RESIDENCE

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

We are requesting a variance from the Land Development Code section 25-2-492 Site Development Regulations for a SF-3-NP residential property for a Front Yard setback of 25 ft. (required) to 15 ft.

We are requesting a variance from the Land Development Code section 25-2-2-3.3.2 Site Development Regulations for a SF-3-NP residential property for a basement requiring the finished floor of the first story is not more than three feet above the average elevation at the intersections of the minimum front yard setback line and the side property lines, to eight feet above the average elevation of the front and side setback line intersections.

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 zoning regulations require a 25' setback along the front property line. Due to this, over 35% of the property is claimed as a front, street-facing yard at the widest point of the property. Additionally, the regulations require the finished floor of the first story is not more than three feet above the average elevation at the intersections of the minimum front yard setback line and the side property lines in order to qualify as a basement, which prevents a space that is below natural grade and surrounded 50% of its perimeter from being a basement due to the topography of the site, which exceeds a 20' grade change.

Hardship

a) The hardship for which the variance is requested is unique to the property in that: The shape of the lot is "pie-shaped" with the "crust" along the street-facing side. This monopolizes over 35% of the property for the required front yard setback. The rear portion of the lot is rendered unsuable due to its shape, which makes the front property valuable for building. The lot also has a significant grade change of over 20' from the back corner to the front corner. The basement that is below natural grade and surrounded along 50% of its perimeter will not qualify due to the steep slope.

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

The shape and grade change is unique to the property due to its location on a slope on the curve of a street. At its the widest point, the lot has 158 linear feet at the front property line, narrowing to a single point at the back.

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 reduction of the front setback will remain within the character of the surrounding homes. The existing house was setback less than 25' prior to its demolition. Additionally, the homes across the street are set back significantly less than 25 feet from their front property lines. Due to the shape of the street and the location of the property, the pie-shaped lot relates to these properties across the street moreso than those on either side.

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:

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:

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

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

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: 9/11/20

Applicant Name (typed or printed): Lauren Jones

Applicant Mailing Address: 4304 Caswell Ave

City: Austin State: TX Zip: 78751

Phone (will be public information): 512-695-8931

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): Bryan E. Mayo

Owner Mailing Address: 202 Brewster St.

City: Austin State: TX Zip: 78704

Phone (will be public information): 5124221816

Email (optional – will be public information): _____

Section 5: Agent Information

Agent Name: _____

Agent Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone (will be public information): _____

Email (optional – will be public information): _____

Section 6: Additional Space (if applicable)

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

Section 3: Applicant Certificate

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Applicant Name (typed or printed): Lauren Jones

Applicant Mailing Address: 4304 Caswell Ave

City: Austin State: TX Zip: 78751

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Email (optional – will be public information): 

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Owner Signature:  Date: 9/11/2020

Owner Name (typed or printed): Bryan E. Mayo

Owner Mailing Address: 202 Brewster St.

City: Austin State: TX Zip: 78704

Phone (will be public information): 5124221816

Email (optional – will be public information): 

Section 5: Agent Information

Agent Name: Same as Applicant, above

Agent Mailing Address:

City: State: Zip:

Phone (will be public information):

Email (optional – will be public information):

Section 6: Additional Space (if applicable)

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

Cont'd pg. 5: and from the Land Development Code section 25-2-2-3.3.2 Site Development Regulations for a SF-3-NP residential property for a basement requiring the finished floor of the first story is not more than three feet above the average elevation at the intersections of the minimum front yard setback line and the side property lines, to eight feet above the average elevation of the

+



901 Terrell Hill Dr. Austin, TX 78704

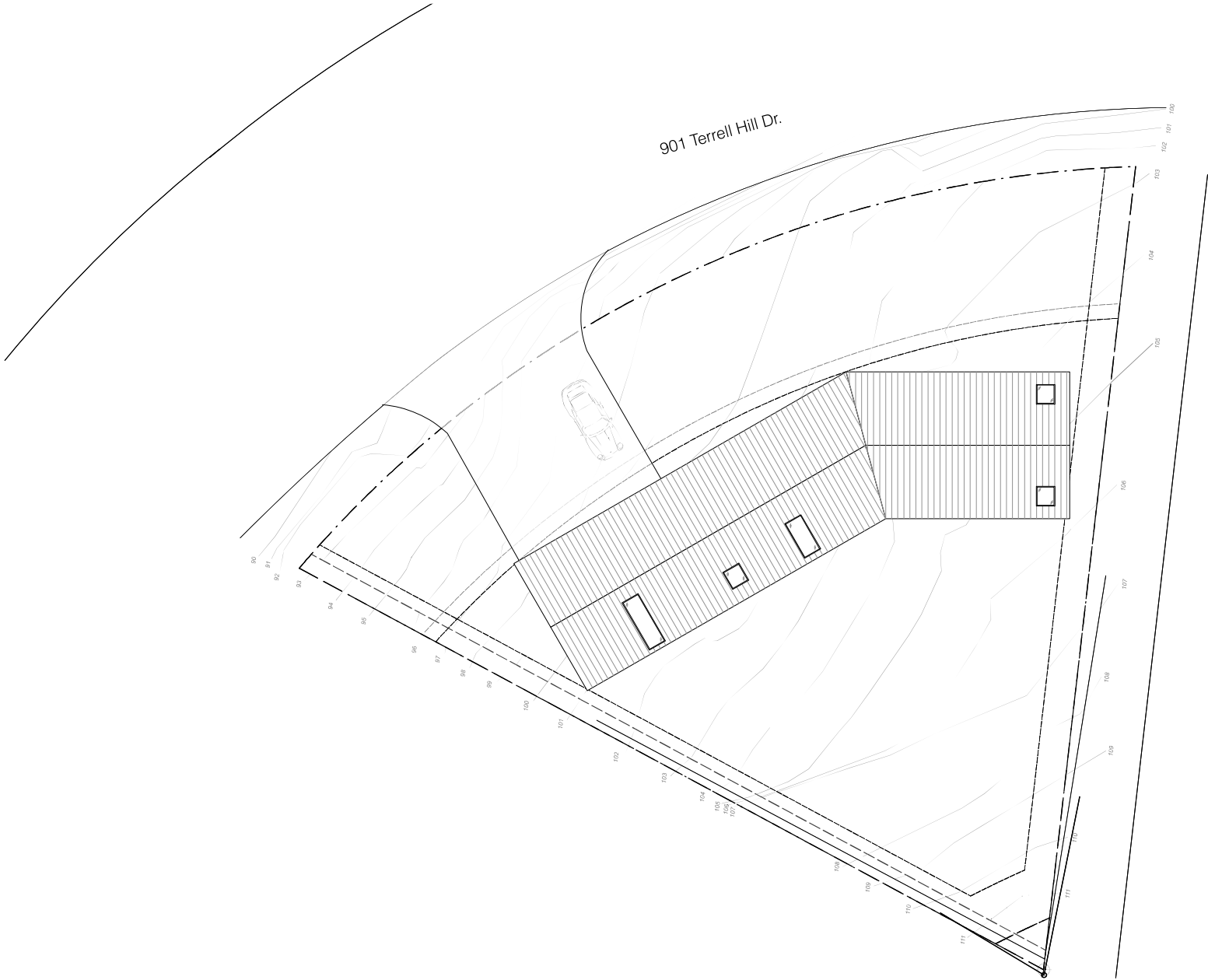
Drawn by: Drawn By
Checked by: CS
09.08.2020



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architect and may not be reproduced,
distributed, published, or used in any way
without written consent of the architect.

G1.00





MAYO SCHOENING RESIDENCE
901 Terrell Hill Dr. Austin, TX 78704

Revisions:

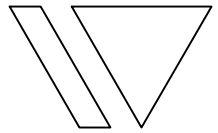
Drawn by:	Drawn By
Checked by:	CS
09.08.2020	

PROGRESS PRINT

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APPROVAL, PERMIT, OR
CONSTRUCTION

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Proposed Site Plan
G1.01



FOURTH
WORKSHOP

MAYO SCHOENING RESIDENCE

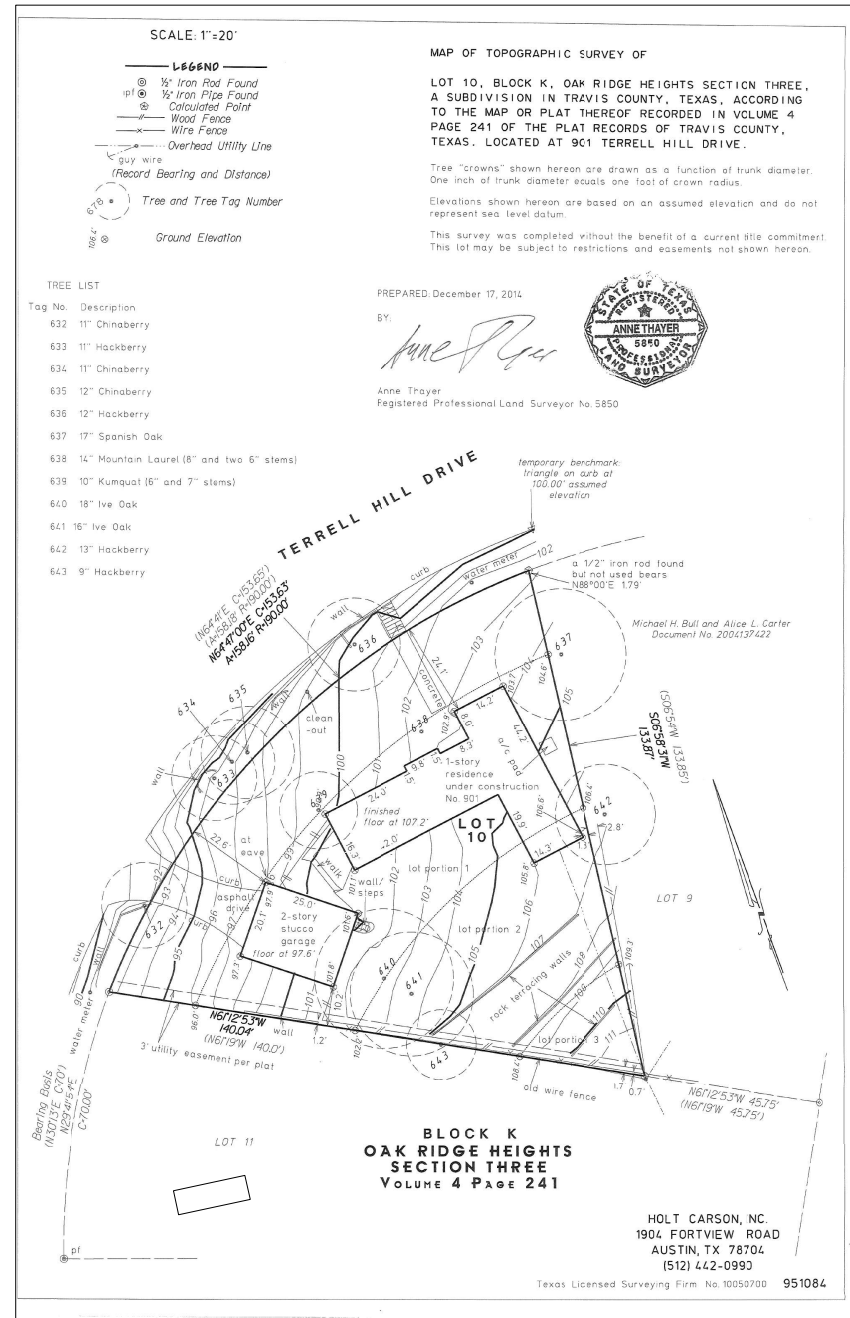
901 Terrell Hill Dr. Austin, TX 78704

09.08.2020

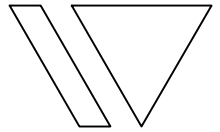
Drawn by: IB
Checked by: LJ

Plot Plan

E0.00



1 Plot Plan
Scale: 1/32" = 1'-0"



FOURTH
WORKSHOP

MAYO SCHOENING RESIDENCE

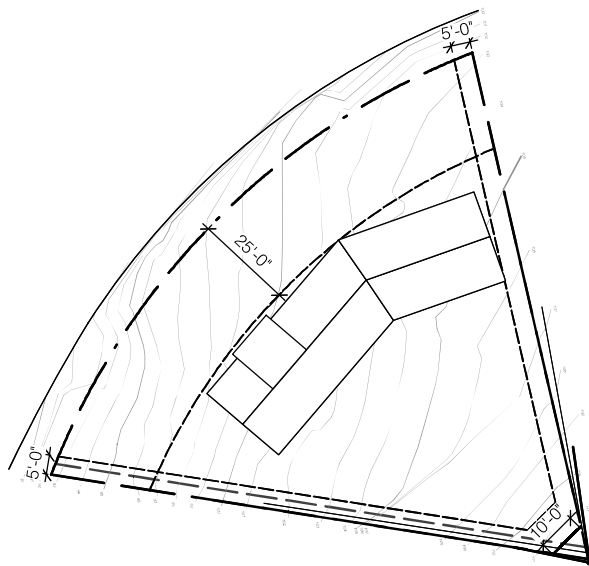
901 Terrell Hill Dr. Austin, TX 78704

09.08.2020

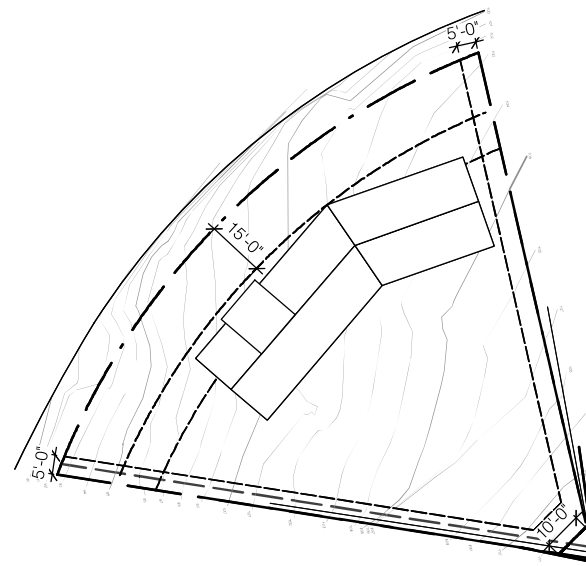
Drawn by: IB
Checked by: LJ

Proposed Site Plan

E0.01



2 Future House with Current Setback
Scale: 1/32" = 1'-0"



1 Future House with Proposed Setback Variance
Scale: 1/32" = 1'-0"

SF-3 Minimum Lot Dimensions

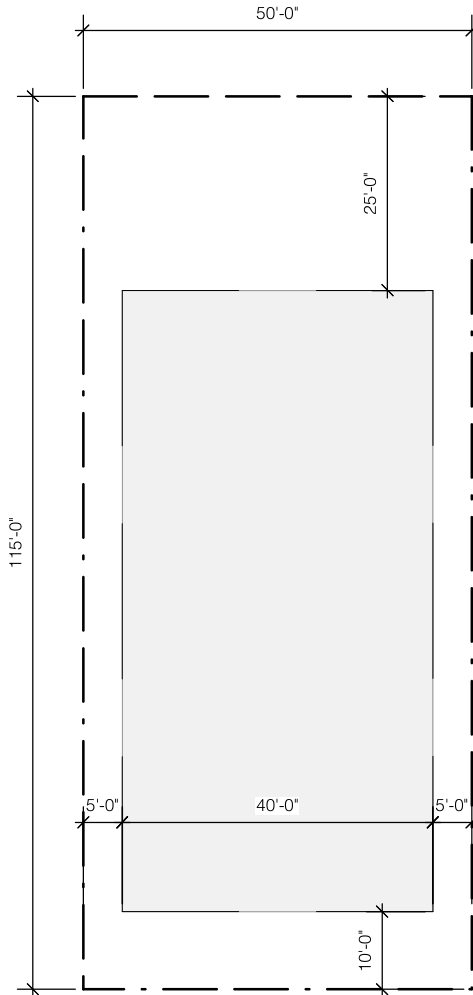
Re: Table 25-2-492

Minimum Area: **5750 SF**

Minimum Buildable Area: **3200 SF**

Minimum Buildable Length: **80'-0"**

Minimum Buildable Width: **50'-0"**



901 Terrell Hill Dr. Property with SF-3 Minimum Lot Dimensions Overlay

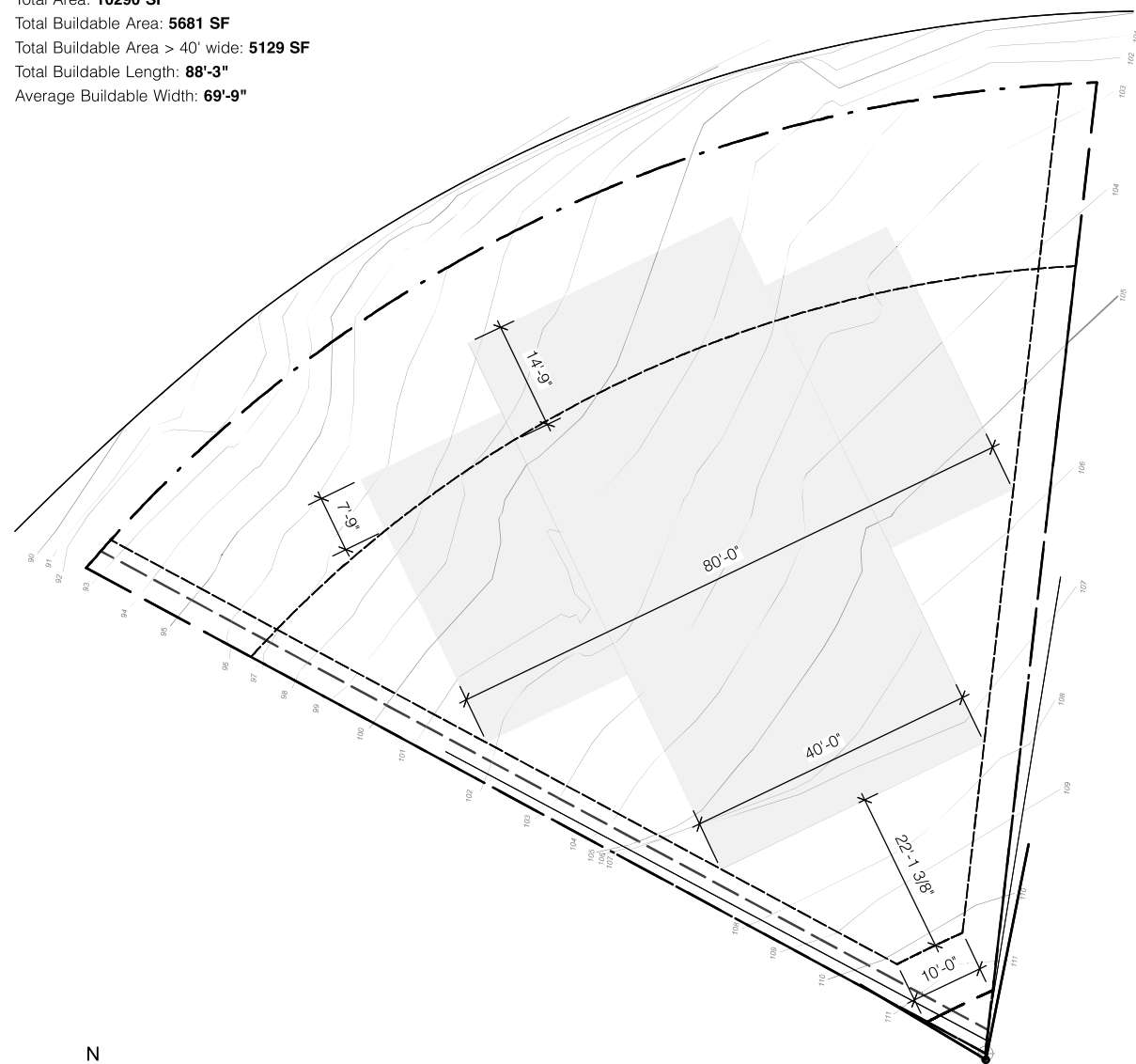
Total Area: **10290 SF**

Total Buildable Area: **5681 SF**

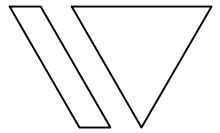
Total Buildable Area > 40' wide: **5129 SF**

Total Buildable Length: **88'-3"**

Average Buildable Width: **69'-9"**



1 Minimum Lot Dimensions
Scale: 1/16" = 1'-0"



FOURTH
WORKSHOP

MAYO SCHOENING RESIDENCE

901 Terrell Hill Dr. Austin, TX 78704

09.08.2020

Drawn by: IB

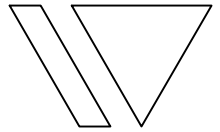
Checked by: LJ

Zoning Regulations

E1.01



Property Profile



FOURTH
WORKSHOP

MAYO SCHOENING RESIDENCE

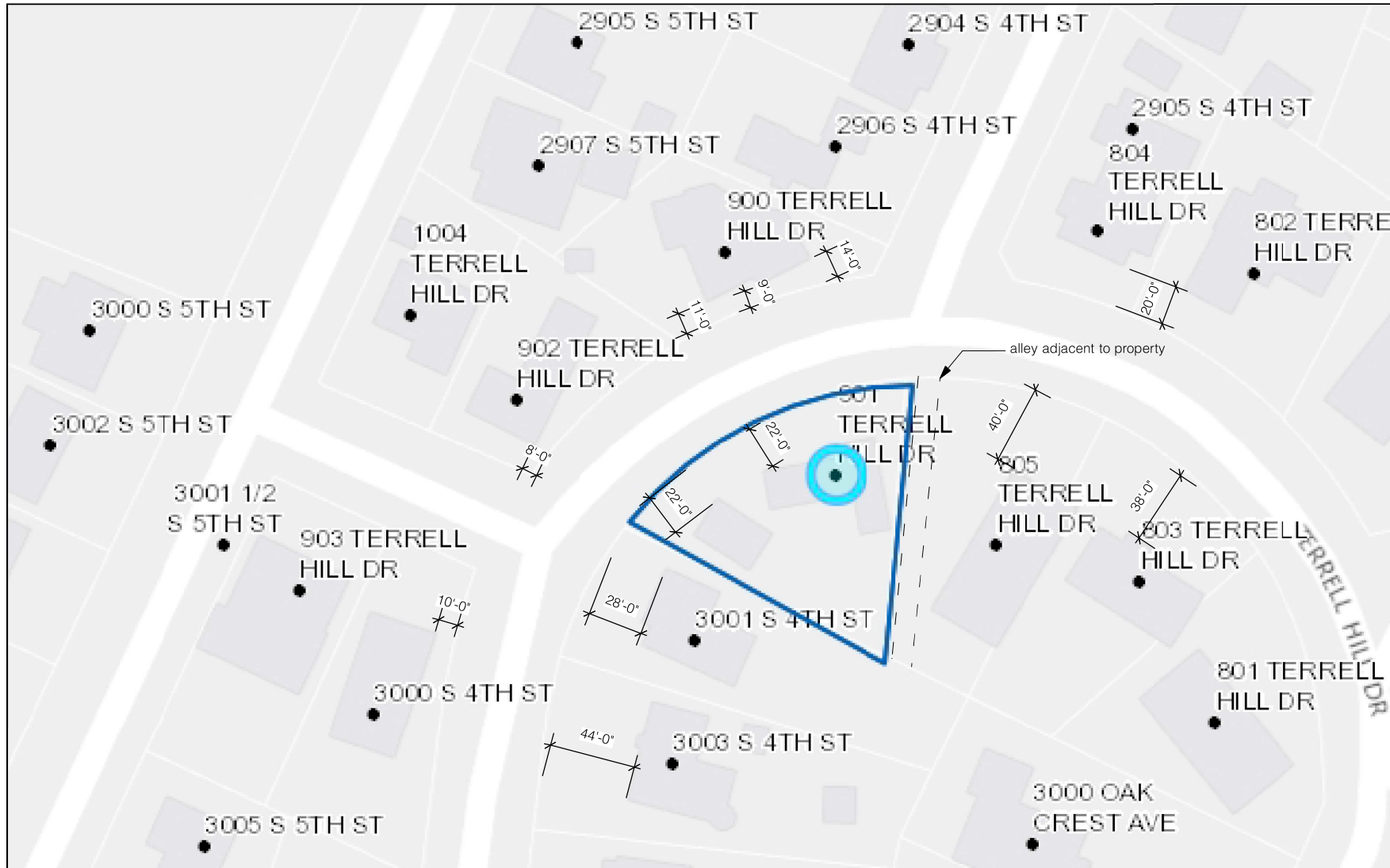
901 Terrell Hill Dr. Austin, TX 78704

09.08.2020

Drawn by: IB
Checked by: LJ

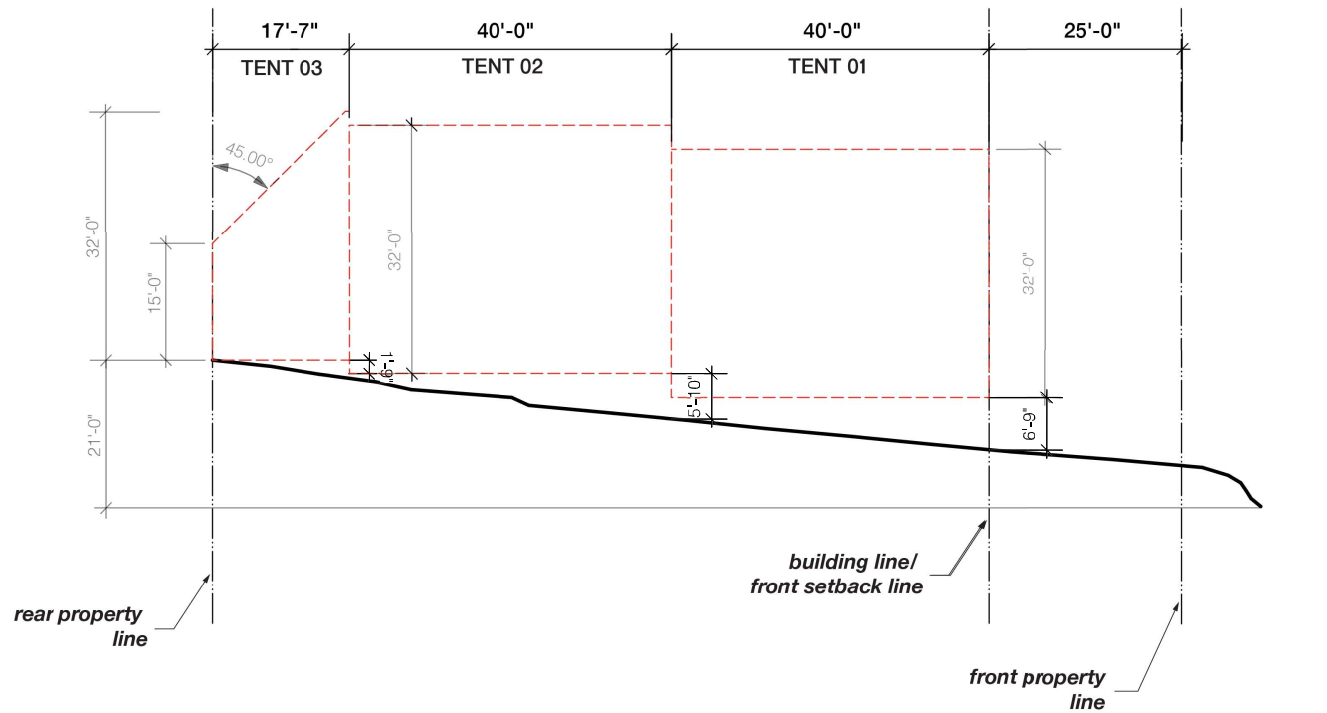
Adjacent Setbacks

E1.02



1

Terrell Hill GIS Map
Scale: 1" = 50'-0"



1 Site Section with Tent
Scale: 1/16" = 1'-0"

MAYO SCHOENING RESIDENCE

901 Terrell Hill Dr. Austin, TX 78704

09.08.2020

Drawn by: Drawn By
Checked by: CS

Site Grade + Tent

E2.00

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: C15-2020-0057

Contact: Elaine Ramirez; elaine.ramirez@austintexas.gov

Public Hearing: Board of Adjustment; October 12th, 2020

Carrie Boden

Your Name (please print)

902 Terrell Hill Drive

☐ I am in favor
☒ I object

Your address(es) affected by this application

Carrie J Boden

Signature

10/12/20

Date

Daytime Telephone:

501-416-5012

Comments:

I am concerned that the set back variance will reduce the amount of pervious cover and cause flooding on my property. I would like a French drain installed to move water down the hill. Likewise, I am concerned the additional height will block the light view from my house.

If you use this form to comment, it must currently be returned via e-mail (as we do not have access to our mail due to social distancing):

Elaine Ramirez

Scan & Email to: elaine.ramirez@austintexas.gov

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: C15-2020-0057

Contact: Elaine Ramirez; elaine.ramirez@austintexas.gov

Public Hearing: Board of Adjustment; October 12th, 2020

Your Name (please print)

H. H. Hestonitz

☐ I am in favor
☒ I object

Your address(es) affected by this application

3012 S. 4th St. Austin, TX 78704

Signature

Date

Daytime Telephone:

Comments:

The hope with this project is to build a new or existing business. As well as, adding a block of property. The land and the soil should be used to continue the growth of the area. From the character of smaller homes - down to 15 mph or less.

If you use this form to comment, it must currently be returned via e-mail (as we do not have access to our mail due to social distancing):

Elaine Ramirez

Scan & Email to: elaine.ramirez@austintexas.gov

From: Bryan Mayo gmail
To: [Ramirez, Elaine](#)
Cc: [REDACTED]
Subject: Re: REMINDER: Mon. Nov 9, 2020 BOA mtg. Speaker Registration Deadline
Date: Thursday, November 05, 2020 8:48:30 AM
Importance: High

*** External Email - Exercise Caution ***

Elaine,

On call for work. Please push us to the next meeting in Jan, it looks like we will not have all of the additional information ready for you. Sincere thanks.

On Nov 4, 2020, at 2:05 PM, Ramirez, Elaine <Elaine.Ramirez@austintexas.gov> wrote:

Good afternoon Applicants on the Mon. Nov. 9th, 2020 BOA mtg. Agenda,

If you are receiving this e-mail it is because I still have not received the information requested below from you. **I need this information from you today before 3p.m., if I do not receive it Staff will have to Postpone your case until the Jan. BOA mtg.** I will need the information below for all speakers wanting to register. I will need the Primary Speaker listed as such and additional speakers listed to include who they are.

<image001.png>

The deadline to submit the Speaker List / Registration (person who will be presenting case, if addtl. person(s) signed up please keep in mind they may or may not be called on) is **Wednesday, November 4, before 3p.m.** Please provide the information requested...see below

The deadline for Opposition and Support letters is **Mon. November 9 before 9:00a.m.**

<image001.png>

Please read this entire e-mail

<image004.png>

Speakers: If you will be speaking/giving presentation or be on the list for the Board to possibly call on you for questions I will need the following information:

No late Speakers will be accepted after 3p.m. on Wed. Nov. 4.

1. Name of speaker to give presentation on BOA Case, are you the applicant, Homeowner, Land Surveyor, Architect, etc.
2. Address of BOA Case
3. Case #
4. A good phone number, if you have a landline this will be the best phone number to provide? It has to be the phone number that the Speaker will be calling from on Monday, November 9, 2020 to speak at the meeting (it cannot be a different number, your call will not be accepted). Once you send me the number it cannot be changed, it is sent to City Clerk's office to accept the calls
5. E-mail Address, it will need to be an e-mail address that the Speaker will be able to easily access his/her e-mails?

Please note: Any late support that will be accepted after this deadline date of October 23rd, 2020 will **only** be for Opposition and Support letters for this case. Support and Opposition Letters can be received up to Monday, November 9th **before 9a.m.**, in order for the Board to have access to them during the meeting.

Also per our IT Dept. please know that using a headset with a microphone will give you the best meeting experience. If meeting participants are calling (using a phone) in to the meeting, and using video from an iPad or computer, they will need to mute the microphone on the other device, and mute the audio from the other device. They are either calling in for audio, or they are using their PC or iPad for audio...they cannot use both, it causes major issues with audio feedback.

Respectfully,

Elaine Ramirez

Planner Senior / Board of Adjustment Liaison

City of Austin Development Services Department

6310 Wilhelmina Delco Dr, Austin, Texas 78752

Office: 512-974-2202

<image005.png>

PER CITY ORDINANCE: All individuals scheduling or accepting a meeting invitation with a City Official are requested to provide responses to the questions at the following link: [DSD Visitor Log](#).

Please note that all information provided is subject to public disclosure via DSD's open data portal. For more information please visit: [City of Austin Ordinance 2016-0922-005](#) | [City Clerk's website](#) | [City Clerk's FAQ's](#)

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,