

BOA GENERAL REVIEW COVERSHEET

CASE: C15-2020-0067

BOA DATE: January 11th, 2021

ADDRESS: 1112 Harvard St

COUNCIL DISTRICT: 1

OWNER: Michael Abbink

AGENT: Linda Sullivan

ZONING: SF-3-NP (Central East Austin NP)

LEGAL DESCRIPTION: LOT 8 BLK 4 GRANDVIEW PLACE

VARIANCE REQUEST: reduce number of parking spaces from 2 to 0

SUMMARY: maintain no off-street parking

ISSUES: does not have reasonable access, no alternative access via Bryan St

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

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District
 Austin Lost and Found Pets
 Austin Neighborhoods Council
 Bike Austin
 Blackshear-Prospect Hill
 Del Valle Community Coalition
 East Austin Conservancy
 Friends of Austin Neighborhoods
 Homeless Neighborhood Association
 Neighborhood Empowerment Foundation
 Neighbors United for Progress
 Organization of Central East Austin Neighborhoods
 Preservation Austin
 SELTexas
 Sierra Club, Austin Regional Group



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: 1112 HARVARD ST (PROPERTY ID 195147)

Subdivision Legal Description:

GRANDVIEW PLACE

Lot(s): LOT 8 Block(s): 4

Outlot: N/A Division: N/A

Zoning District: SF-3-NP

I/We CLEANTAG PERMITS - LINDA SULLIVAN on behalf of myself/ourselves as
authorized agent for MICHAEL ABBINK & JEANETTE HODGE ABBINK affirm that on

Month December, Day 9, 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: NO OFF-STREET PARKING

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 25-6-471 - OFF-STREET PARKING FACILITY REQUIRED. Also see - 25-6 appendix A.- Site Development Regulations for a SF-3-NP residential property required to provide 2 parking spaces for a single-family residence in order to be permitted to construct a single-family residence with no off-street parking at 1112 Harvard St. We are concurrently seeking permits to construct a single-family residence on the adjacent lot at 2414 E. 11th St. and will provide four (4) off-street parking spaces on that lot in order to provide parking for both lots.

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 lot in question, 1112 Harvard St. does not have reasonable access in order to construct the required off-street parking.

Hardship

a) The hardship for which the variance is requested is unique to the property in that:
the topography adjacent to the only existing paved city access makes construction of off street parking extremely disruptive to the surrounding area. There is no alternative access via Bryan St.

b) The hardship is not general to the area in which the property is located because:
the topographical challenges presented by the lot in question are unique to this property in that the lot has drastic changes in slope and there is no street level access to the lot.

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 planned development is for a single-family residence on each lot (main residence on 11th and pool house on Harvard), however the parking needs will not increase as the two lots will be maintained as one single-family property and four spaces will be provided for the two lots satisfying the need for two spaces for each single-family dwelling unit.

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:

the sites will not increase the number of families or vehicles currently utilizing the properties.

The Harvard St. lot is currently a single-family dwelling unit with no off-street parking. With the planned development of the 11th St. lot and four (4) planned off-street spaces, the overall off-street parking needs will decrease.

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: there is currently no reasonable street parking along Harvard. The variance will allow for the development of the lots for single-family use and parking will be provided off-street to meet the needs of the new dwellings.
3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

no additional traffic or off-street parking will be caused by the proposed development plan.

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

the lot will be developed in order to provide a pool and an additional dwelling unit for the primary residence to be constructed at 2414 E. 11th St.

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: 10/9/20

Applicant Name (typed or printed): MICHAEL ABBINK & JEANETTE HODGE ABBINK

Applicant Mailing Address: 2301 S. 5TH #29

City: Austin

State: TX

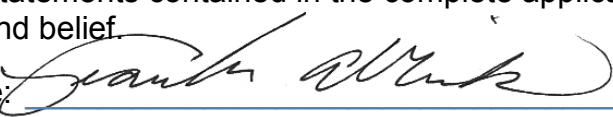
Zip: 78704

Phone (will be public information): 917-291-7532 / 917-291-7516

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: 10/9/20

Owner Name (typed or printed): MICHAEL ABBINK & JEANETTE HODGE ABBINK

Owner Mailing Address: 2301 S. 5TH #29

City: AUSTIN

State: TX

Zip: 78704

Phone (will be public information): 917-291-7532 / 917-291-7516

Email (optional – will be public information): [REDACTED]

Section 5: Agent Information

Agent Name: CLEANTAG PERMITS - LINDA SULLIVAN

Agent Mailing Address: 4804 MENCHACA RD UNIT B

City: AUSTIN

State: TX

Zip: 78745

Phone (will be public information): 512-826-4209

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).

The property owners initially pursued a Unified Development Agreement (UDA) in order to develop the properties without the need of a variance, however the properties cannot have a UDA created because of the intervening alley ROW between the two lots. The alley is not maintained as a public ROW but seeking a release or vacation of the alley has been discussed with city various city

Additional Space (continued)

departments and it has been determined that a variance is the best possible path forward in order to address the parking issue.

The planned structure for 1112 Harvard is to be built to conform to code requirements for a principal dwelling, but it will be 900sf micro house that contains a home office, and guest bedroom, while serving as a pool house.

City of Austin limits on cut and fill would make creating off-street parking for 1112 Harvard St. an impossibility.

SAVE

1046122

**Comments AGAINST proposed variance from the
Land Development Code
at 2111 Harvard St, Austin, Tx 78702**

Case Number: C15-2020-0067

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

Public Hearing: Board of Adjustment; January 11, 2021

**We object to the proposed variance from Land
Development Code**

Martha and Roger Zornes

2409 Bryan St, Austin, Tx 78702

The applicant has requested a variance from the Land Development Code at 1112 Harvard St, Austin, Tx 78702; Lot 8 Blk 4 Grandview Place. The request is to reduce the required parking spaces from 2 to 0 for a single-family residence.

We object for the following reasons:

1. Harvard street is narrow. While there is some room in front of the wall fronting the property for parking, it is limited. Parking on the street is likely to obstruct safe travel on this street. There are no other cars parking on this section of this street for this reason. Therefore, the planned development will prevent the free flow of traffic. Parking in front of the wall will narrow the street further and can create safety hazards for walkers, joggers, and bicycle riders on the street.
2. The wall fronting the property is old and leans toward the street. The structural soundness of the wall should be confirmed before any construction can be started. If the

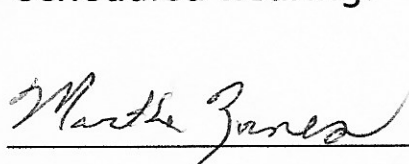
wall is not structurally sound, any new wall could incorporate space for a driveway.

3. A good architect should be able to design a single-family structure that incorporates a driveway and even a garage into the topography of the lot as has been done in many other lots in the area that have buildings placed on a hill. A section of the wall could be removed at one end or the other of the property to construct off-street parking. Therefore, there could be reasonable access to construct the required off-street parking for a single-family residence.
4. In general, east Austin streets are narrow and many are clogged with cars parking on the street to the extent that it is difficult to drive down those streets. This variance would only encourage more street parking which is not a good use of community streets, especially in east Austin neighborhoods.

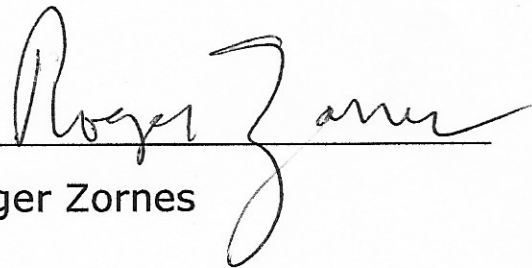
As homeowners living within 500 feet of the proposed development, we ask that the variance request be denied.

As an alternative to denial of the request at this time, we ask that the Board of Adjustment postpone the hearing until the request can be reviewed by the Blackshear Prospect Hill Neighborhood Association. The requested variance affects more than just the few structures surrounding the lot because it affects traffic flow in the neighborhood. As such, the BPHNA should have an opportunity to have input into the decision of the Board of Adjustment. The next meeting of the BPHNA occurs after the currently scheduled hearing.

Signed:



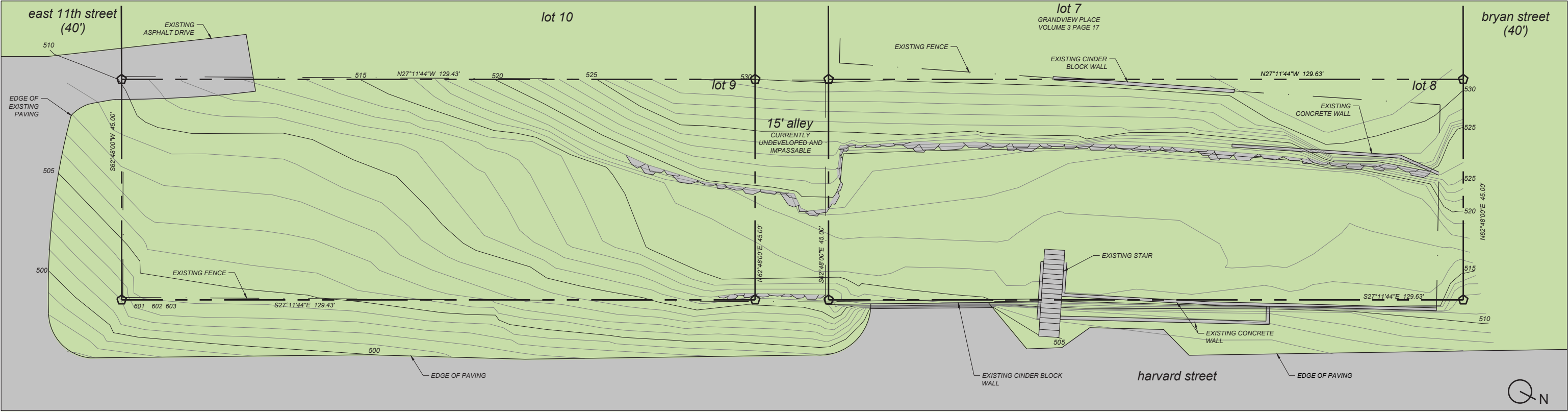
Martha Zornes



Roger Zornes



Key Plan with GIS Contour Data
Harvard & 11th Street Development



Site Plan
Scale: 1" = 20'

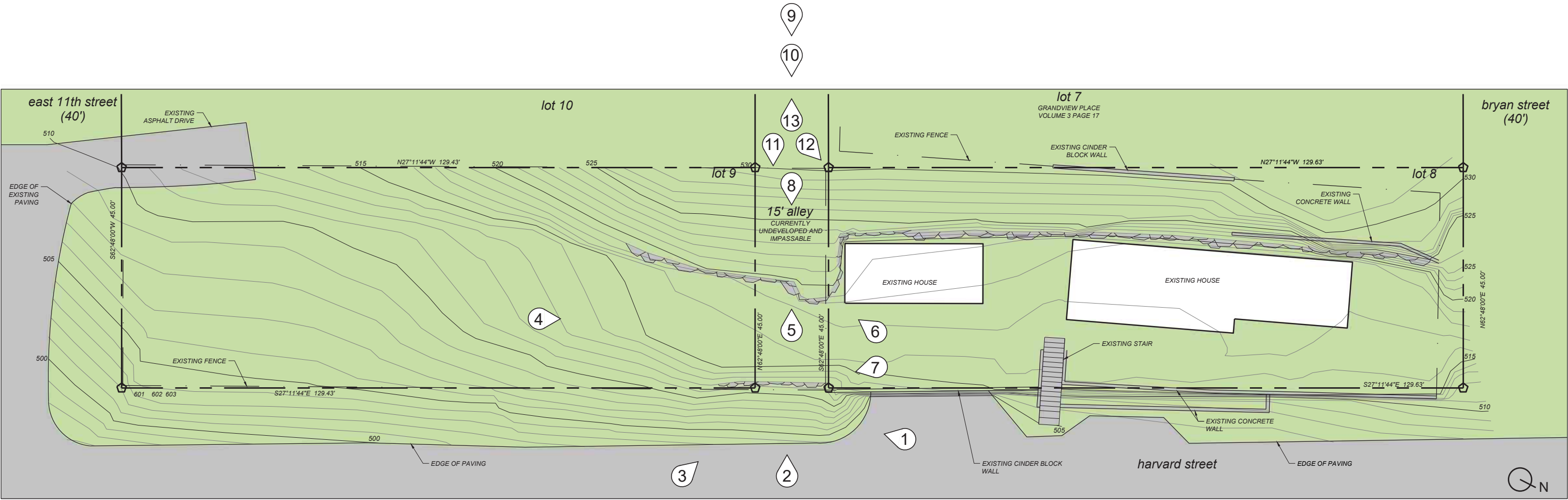
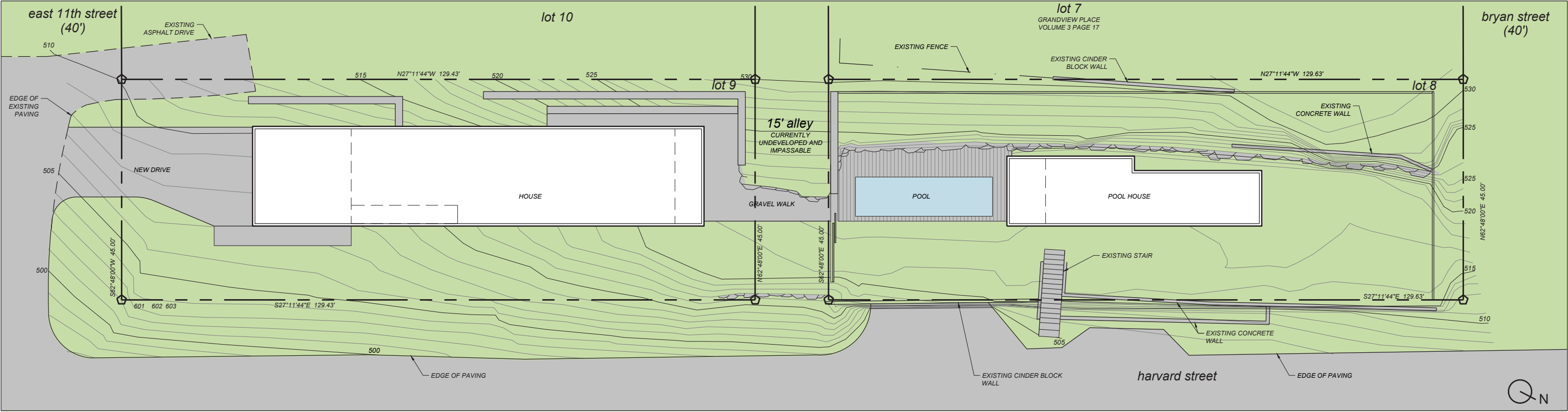
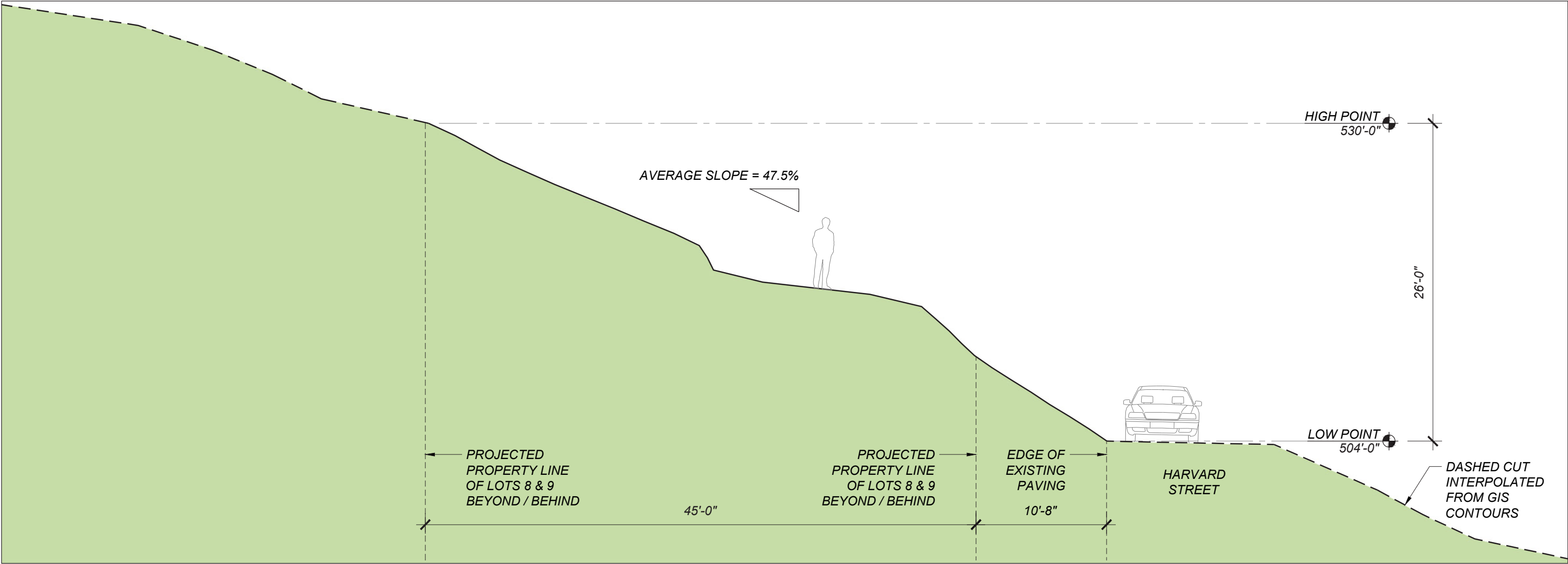


Photo Legend 

Site Plan with Existing Buildings
Scale: 1" = 20'



Site Plan with Proposed Improvements
Scale: 1" = 20'





1. Alley at Harvard Street, from North



2. Alley from Harvard Street, looking West



3. Alley at Harvard Street, from South



4. View of alley from Lot 9, looking North



5. View from alley at rock wall, looking West



6. View of alley from Lot 8, looking Southwest



7. View of alley from Lot 8, looking Southeast



8. View from alley at western corners of Lots 8 & 9, looking East



9. Alley development termination west of property



10. Alley development termination west of property



11. Silt fence at undeveloped alley portion



12. View of alley and Lots 8 & 9 from West



13. View from silt fence at alley, looking West



14. Termination of Bryan street west of Harvard Street



15. View from Bryan Street, looking Northeast



16. View from Bryan Street, looking Southeast