

1308 West 9 ½ Street

C15-2021-0081

Board of Adjustment

September 13, 2021

Request - Chapter 25-2, Subchapter F, Article 2, § 2.1

Allow an increased **floor-to-area ratio from 0.4:1 to 0.45:1**. (An increase of 400 square feet.)

(Note, the request included in the application was an increased floor-to-area ratio from 0.4:1 to 0.46:1, an increase of 500 square feet.)

Site Location







BOA Guidebook - Findings

From the BOA Guidebook (pg. 7)

- *The regulation deprives the property of a “reasonable use” that is fundamental to its use and enjoyment and is allowed by zoning ordinance.*
 - The property is zoned SF-3 which is intended for use a single-family residential use. The regulations that exist do not allow for the existing family to continue to reside in the structure. A four-bedroom home is a reasonable single-family use.
- *A hardship that is unique to the property and not common to the area.*
 - The 156 square foot ADU is utilized as a on-call room. The area counts toward the FAR but is space that cannot be allocated toward a child’s bedroom.
 - The existing structure is designed in such a way that an additional bedroom cannot be remodeled into the space.
- *Granting the variance would not change the character of the neighborhood, impair the use of adjacent property, or impair the purpose of the regulations.*
 - With the proposed addition, the building footprint will not expand, and the addition is going on top of an existing flat roof, therefore there is no additional impervious cover or building coverage. The addition would also fully comply with the McMansion building envelope.

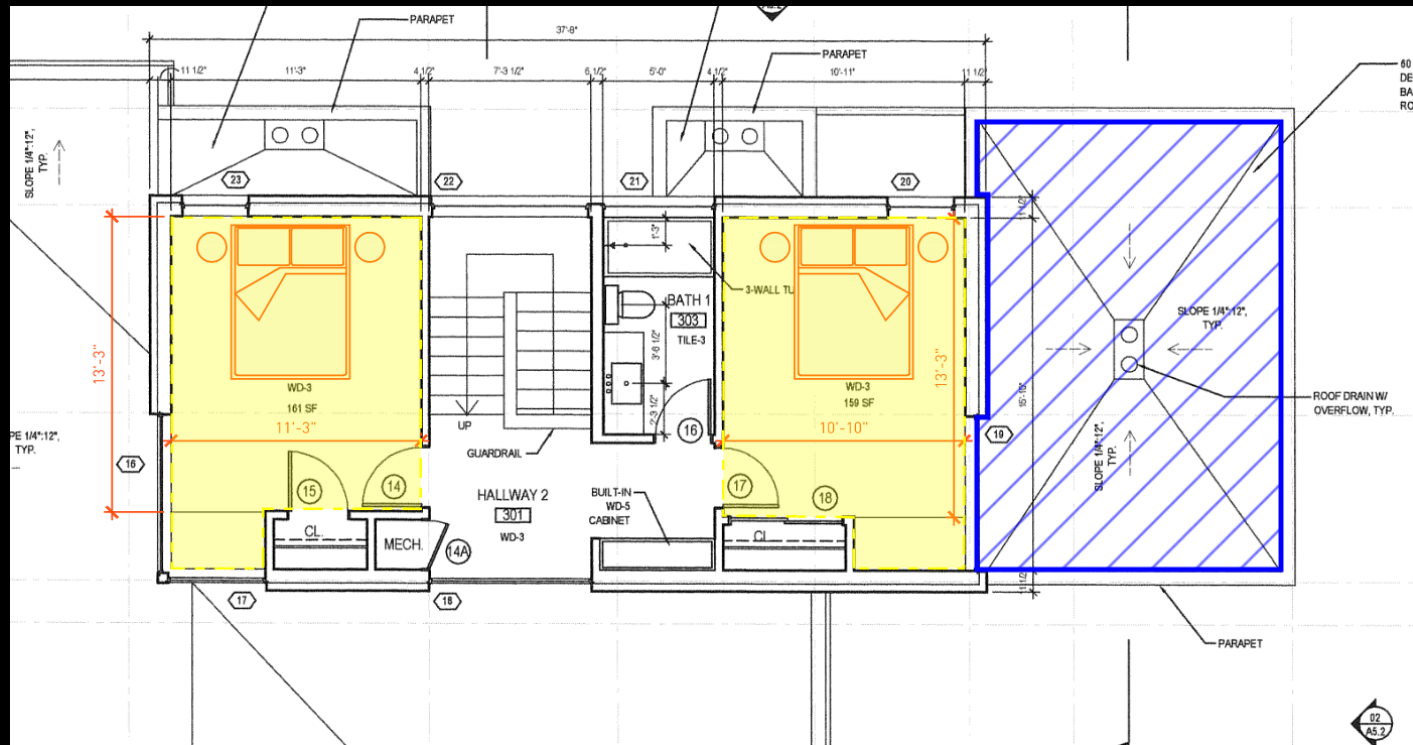
BOA Comments

- *Applicability of the cabana / options to remodel or demo the pool house?*
- This is not a cabana. This on-call room allows the doctor a place to sleep and not wake the entire household during very late night or very early morning shifts.



BOA Comments (cont.)

- *Don't understand how splitting a bedroom is infeasible.*
- See attached drawings showing a full-sized bed, and how it is not possible to split either room, add a doorway, or provide additional closet-space.



BOA Comments

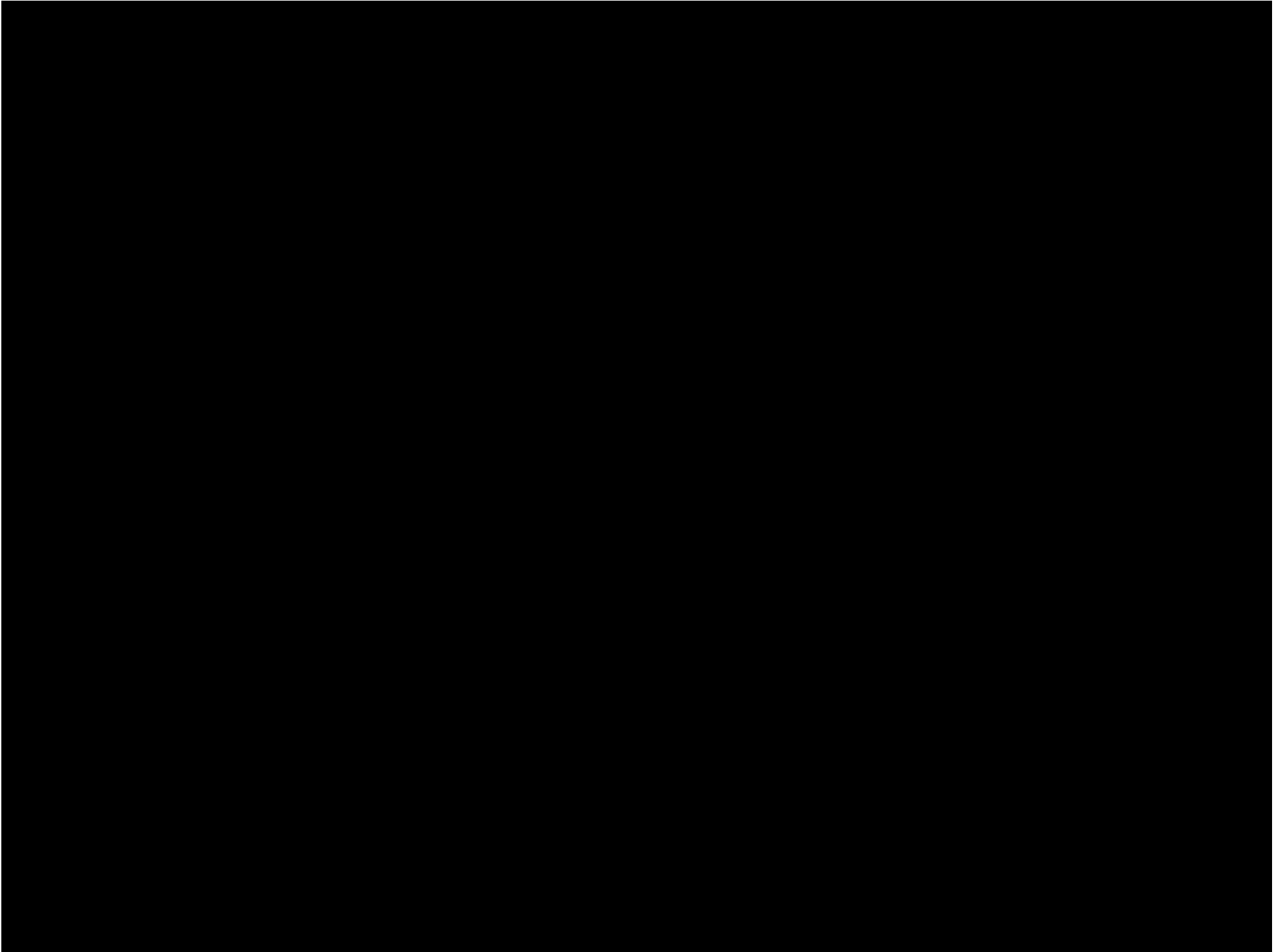
- *When was home purchased?* 2019, prior to the pandemic.
- *How many kids?* One, pre-teen and one on the way.

Findings

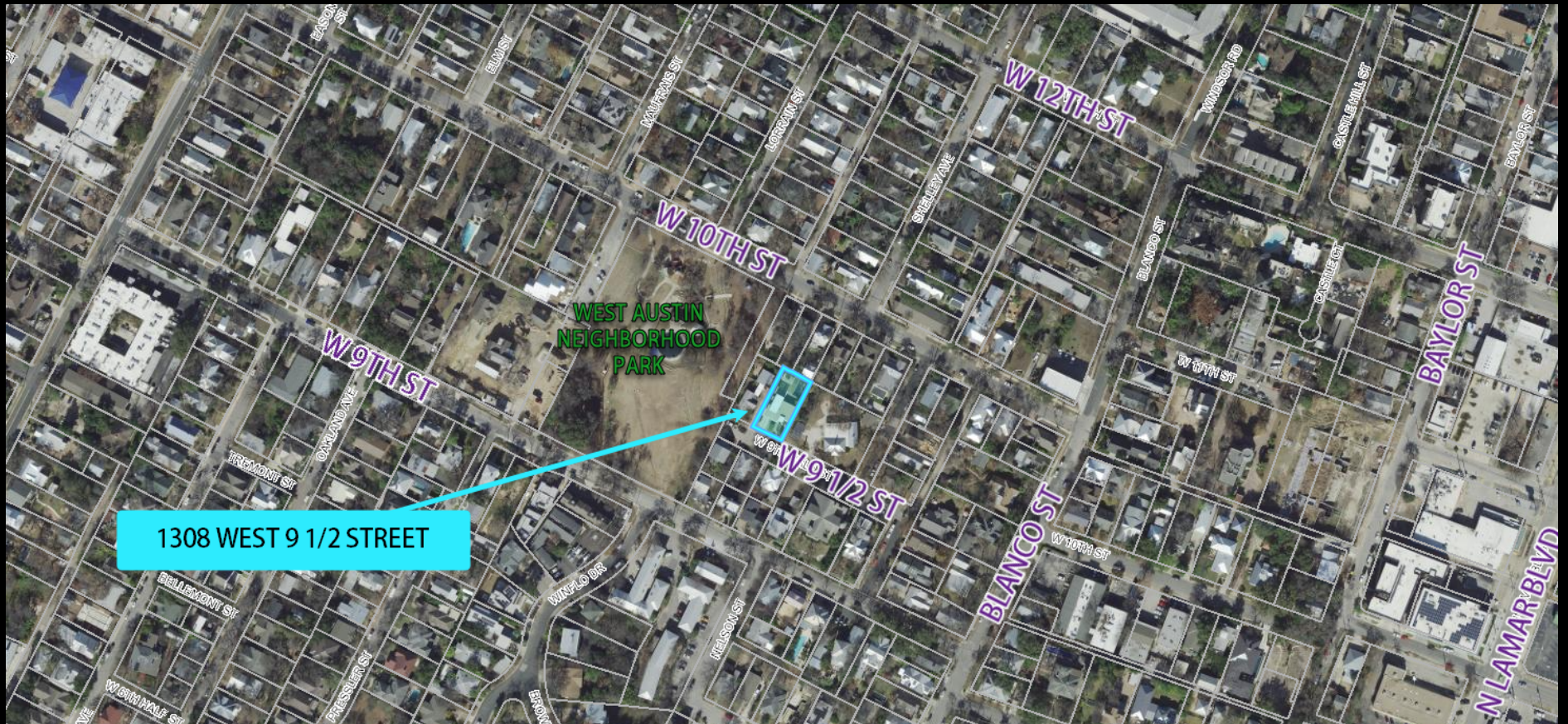
- A four-bedroom home is a **reasonable** single-family **use**.
- The **hardship** is the existing bedrooms cannot structurally be divided to allow for an additional bedroom. In addition, the separate on-call room is being included in the FAR calculation, thereby limiting space in the family living space.
- The **variance will not alter the character of the area** and **will not impair the purpose of regulations** because the proposed addition will not expand the building footprint, impervious cover, or building coverage. The variance is the smallest extent feasible (and we have reduced from original request).
- There will be **no adverse impact**: We have support from adjacent neighbors.

Variance Request

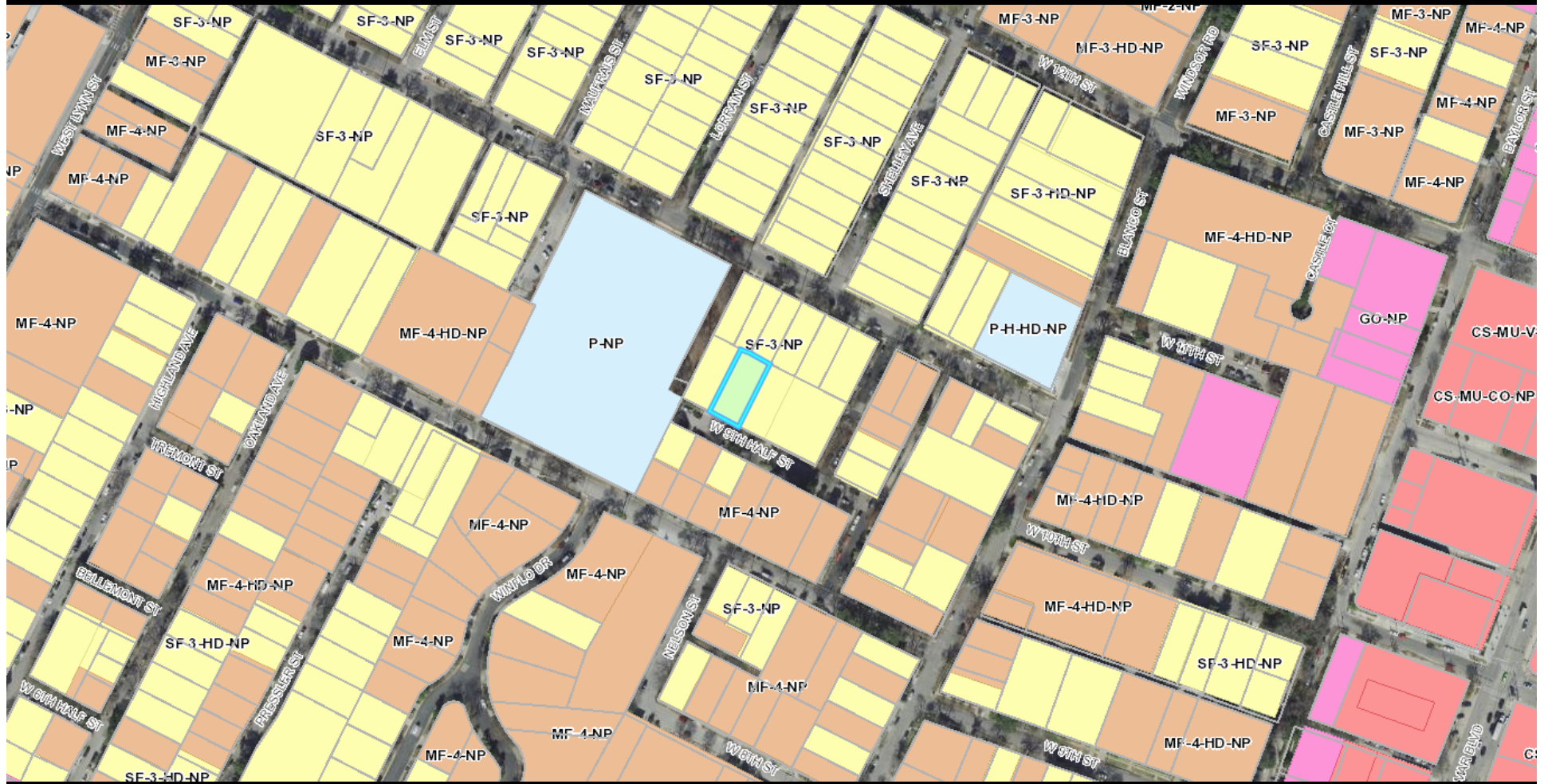
We respectfully request that you grant a variance to increase the floor-to-area ratio to 0.45 to 1.0.



Site Location



Zoning

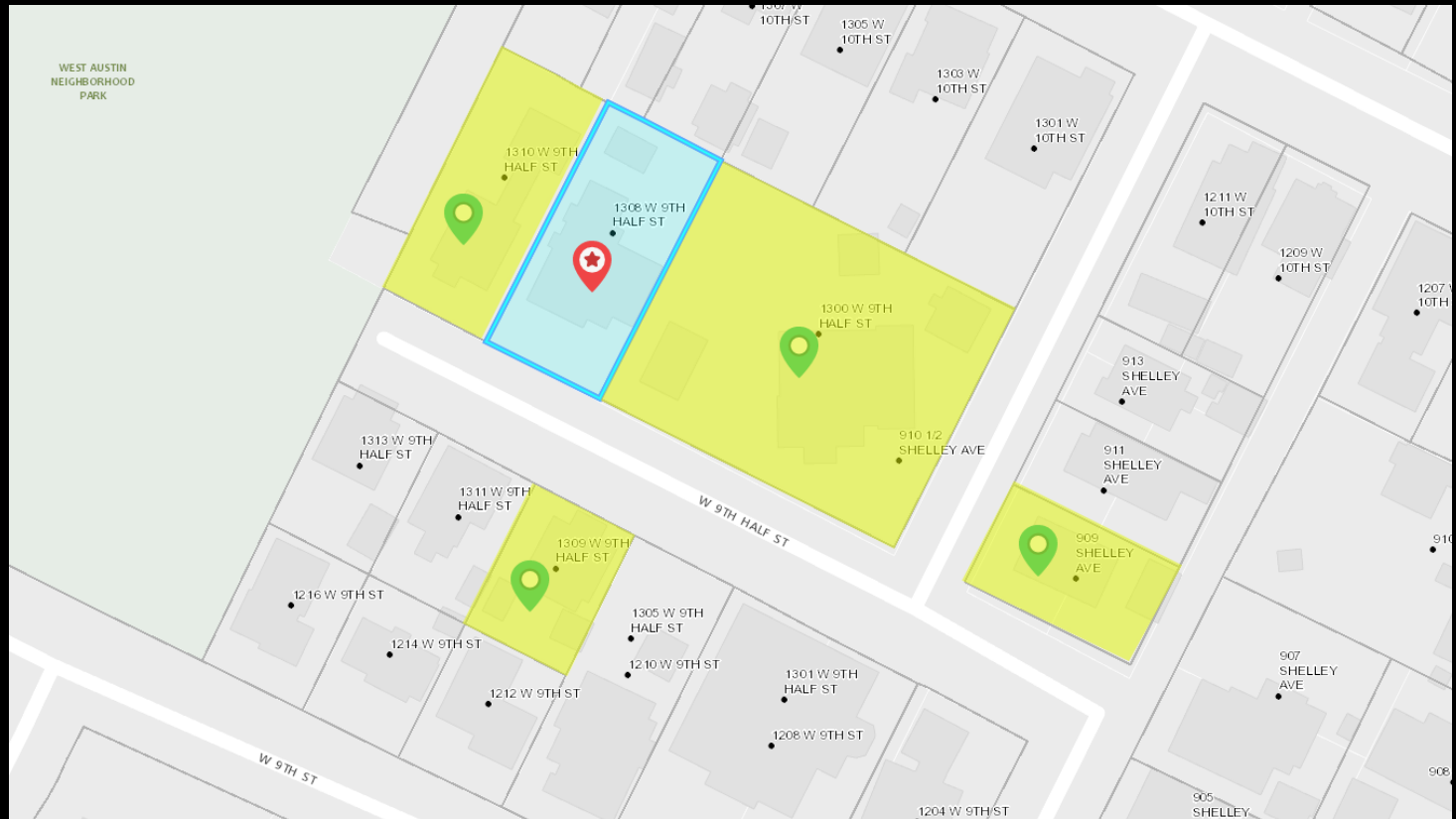


Site Details

- SF-3-NP:
 - Family Residence – Neighborhood Plan
- 0.1806 acres / 7,865.6 square feet
 - Single-Family Use
- Old West Austin Neighborhood Plan
 - No FLUM exists for this NP

Outreach

- Outreach to nearby property owners.
- Four letters of support received for the variance request.



Andrew McCalla
1300 W. 9 ½ St.
Austin, TX 78703

8 July, 2021

Jessica Cohen, Chair
COA Board of Adjustment

Greetings,

I live adjacent to 1308 W. 9 ½ St., and do not oppose the floor-to-area variance request which has been made by Maryelaine Sotos and Bill Schurtz, and which would allow the increase of their 3,146 square feet to 3,646.

I believe that this request is in keeping with the character of the neighborhood, does not cause adverse impact, will allow the family to stay in their home, and that the resultant FAR would still be far less than many of the MF-4 properties in the neighborhood.

Regards,

A handwritten signature in black ink, appearing to be 'AM' followed by a long horizontal stroke.


Andrew McCalla

Dear Board Chair Jessica Cohen,

I own the property directly to the west of 1308 west 9th 1/2 Street., and do not oppose the floor- to- area variance request which has been made by Maryelaine Sotos and Bill Schurtz, and which would allow the increase of their 3,156 square feet to 3,646. I believe this request is in keeping with the character of the neighborhood, does not cause adverse impact, will allow the family to stay in their home, and that the resultant FAR would still be far less than many of the MF-4 properties in the neighborhood.

Respectfully,

Ed Remaley

DocuSigned by:

9616A09EE6E64F6...

June 28, 2021

Dear Board Chair Jessica Cohen,

We live at 1309 West 9th ½ street and are in support of the request by Maryelaine Sotos and Bill Schurtz to increase the floor-to-area ratio (FAR) going from 3,146 to 3,646 sqft for the property located at 1308 West 9 ½ Street, Austin, Texas 78703. We believe this proposal is in line with the character of the neighborhood, does not cause an adverse impact, allows the existing family to stay in their home, and is significantly less dense than the comparable MF-4-zoned properties in the area.

Thank you.

Anthony J. Bender
Lynne and Tony Bender 

Dear Board Chair Jessica Cohen,

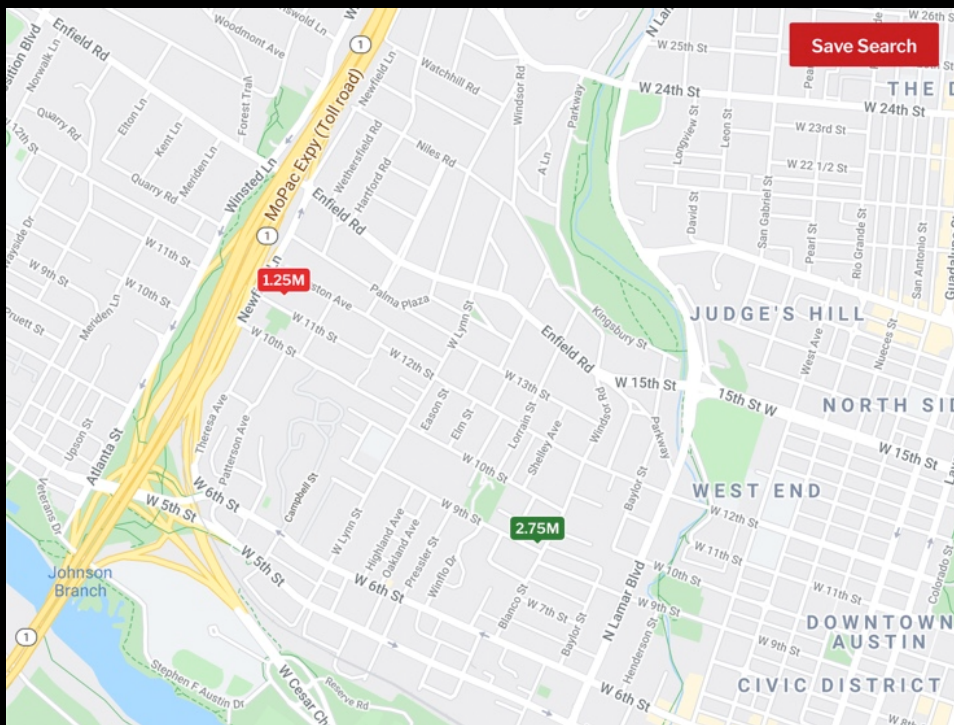
We live at 909 Shelly street, and we are in support of the request by Maryelaine Sotos and Bill Schurtz to increase the floor-to-area ratio (FAR) going from 3,146 to 3,646 sqft for the property located at 1308 West 9 ½ Street, Austin, Texas 78703. We believe this proposal is in line with the character of the neighborhood, does not cause an adverse impact, allows the existing family to stay in their home, and is significantly less dense than the comparable MF-4-zoned properties in the area.

Thank you.

Handwritten signatures of Willie Stark and Kati Stark. Willie's signature is on the left, and Kati's is on the right.

Willie and Kati Stark

No Similar Homes Nearby



Austin Homes for Sale

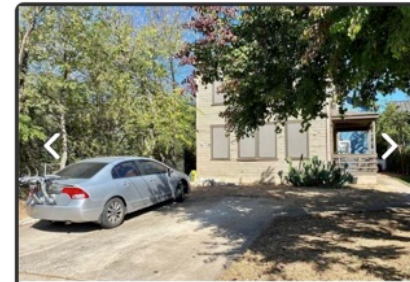
[See Market Insights](#)

Price to

[More Filters](#) (3)

Showing 2 Homes · 4+ beds, 2+ baths, house · Sort

[Photos](#) [Table](#)



\$1,250,000

7 Beds 3.5 Baths 2,736 Sq. Ft.
1816 W 11th St Unit A & B, Austin, TX 78703



\$2,750,000

9 Beds 7 Baths 4,462 Sq. Ft.
900 Blanco St, Austin, TX 78703



Proposed Addition

