

From: mb@gte.net
To: [Ramirez, Elaine](#)
Subject: FW: C15-2021-0081 1308 W 9 1/2 Street - Opposition Letter
Date: Friday, September 10, 2021 3:58:16 PM

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September 10, 2021

RE: C15-2021-0081

Dear Board of Adjustment Commissioners,

I still strongly oppose this variance request, for these additional reasons:

The variance for 1308 W 9 ½ Street sites the property has an unusual hardship because it is zoned SF-3. This hardship states that 608 Blanco, zoned MF-4, which was granted a variance: *“was allowed by the Board of Adjustment an increased floor-area-ratio, despite having to comply with single-family requirements”* in 2012.

While the original use of 608 Blanco was single family, it was converted to 3 apartments by the time it was purchased in 2012. (See property details listed in [Realtor.com](#) below.)

The 2012 variance also states:

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

this structure is an older home that has been converted to three units and to restore

and modernize the building to convert it back to a single family requires compliance with current requirements for

single family use and proposed changes in conversion to 3 units to 1 unit will also include in compliance with the

McMansion requirement and will allow the structure to be up graded to current acceptable living standards.

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

not many of the structures in the area are reducing density and impervious cover in order to restore older building to original uses and maintain the appeal of the original construction while converting

3 units to one.”

In addition, MF-4 properties over 8000 SF are entitled to FAR OF .75:1 and the variance request in 2012 only asked for an increase of .48.2:1.

In 2015, the City of Austin Plan Review approved change of use to a triplex for 608 Blanco.

Comparing a single family home zoned SF-3 to a 3 unit apartment zoned MF-4 is not a reasonable argument. 608 Blanco is also in close proximity to W 6th Street and 1308 W 9 ½ Street is in the heart of the OWANA neighborhood. While the OWANA neighborhood does have properties with multi-family use, there are many single family homes. Thus allowing the request for increased FAR for 1308 W 9 ½ Street, would set a precedent for the many single family residences that have maxed out their FAR to ask for an increase in FAR because they want another room and have no hardship.

The home at 1308 W 9½ Street with a maxed FAR finished construction in 2017 and was sold in 2019. A luxury , modern home with 3 bedrooms, 2.5 bathrooms, a pool and a cabana with another bathroom, and a 2 car, air conditioned garage is not a hardship. While there are homes with a two car garage in the neighborhood, many homes do not have garages. Homes in this historic neighborhood may have a carport, driveway only, and some that park in the street. Quite a few homes do not have a garage because they converted their garage into an extra bedroom, office, etcetera.

Granting the variance for increased FAR for a single family home zoned SF-3 without a hardship would set a precedent that would change the character of the OWANA neighborhood. Please deny this request.

Respectfully,

Mike Banghart

From 1308 W 9 ½ Street Property Application:

Reason zoning prevents reasonable use	This property is zoned SF-3 which allows for a single family to occupy and inhabit a single lot. The existing structure was built in 2015, however it only contains two bedrooms (and one master) in the main structure. The request is to allow for an additional bedroom and bath which will add 500 square feet to the existing home. This addition will also be located over an existing portion of flat roof, therefore building coverage and impervious cover would remain the same.
Structure Type	Single-Family Home
Unique Property Hardship	The existing structure utilized the maximum FAR allowed under 25-2,F,2.1, however floor-area-ratio requirements of this section limit development far less than what is allowed by nearby MF-4-zoned properties. The existing lot size is 7,877 square feet which limits the allowable square footage on this site to a smaller footprint than properties in the area zoned SF. The home is entirely covered in flat roofs, and the proposal would not increase impervious cover. This request is to allow an increased floor-to-area ratio from 0.40:1 to 0.46:1.0.
Unusual Property Hardship for area	The zoning map provided in the additional space (see Section 6 of application) indicates the mix of zoning between SF-3 and MF-4. The property located at 608 Blanco Street which is zoned MF-4 was allowed by the Board of Adjustment an increased floor-area-ratio, despite having to comply with single-family requirements. This is documented in case number C15-2012-0147.
Variance effect on adjacent property?	The approval of this variance will not impact the area character. The property will continue to be utilized and occupied by the property owners as a single-family home. Today, there is an existing second story on a portion of the home, this addition would occupy an additional portion of the second story and will still fit within the building envelope requirements of section 25-2,F,2.6. With the proposed addition, the building footprint is not expanding and the addition is going on top of an existing flat roof, therefore there is no additional impervious cover or building coverage. (See Additional Space for continuation.)

608 Blanco St Property:

Permit/Case: 2015-001605 PR

Reference File Name: 2015-001605 PR

Description: Change of Use and Interior Remodel from Duplex to Triplex, Patio Cover and Addition In Rear (Structure will be fully Sprinkled)

Sub Type: C- 437 Addn, Alter, Convn-NonRes

Work Type: Addition and Remodel
Project Name: 608 BLANCO ST
Status: Approved
Application Date: Jan 7, 2015
Issued: Jan 8, 2015

Property Overview - BOM Buyer's loan fell through. Classic 1915 Home in Heart of West Austin/Clarksville. Wonderful home with historic details needs loving restoration. Longleaf pine floors, 12 ft ceilings downstairs, fretwork at front porch, leaded glass side panels at front door. Originally 2 story, currently divided into 3 units; all rented mon-to-mo. Walk to Whole Foods, galleries, restaurants. Perfect urban location w/yard & relaxing covered front veranda! By appt only. Please do not disturb tenants.

This property overview is from the previous listing when the home was listed for sale in Jun 30, 2011.

https://www.realtor.com/realestateandhomes-detail/608-Blanco-St_Austin_TX_78703_M86622-83077

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