

**CITY OF AUSTIN
Board of Adjustment
Decision Sheet
F-1**

DATE: Monday October 11, 2021

CASE NUMBER: C15-2021-0056

____ Thomas Ates
____ Brooke Bailey
____ Jessica Cohen
____ Melissa Hawthorne
____ Barbara McArthur
____ Rahm McDaniel
____ Darryl Pruett
____ Agustina Rodriguez
____ Richard Smith
____ Michael Von Ohlen
____ Nicholl Wade
____ Kelly Blume (Alternate)
____ Carrie Waller (Alternate)
____ Vacant (Alternate)

APPLICANT: Andrea Hamilton

OWNER: Chase & Andrea Hamilton

ADDRESS: 3006 GLENVIEW AVE

VARIANCE REQUESTED: The applicant is requesting a variance(s) from the Land Development Code, Section 25-2-515 (*Rear Yard of a Through Lot*) from setback requirements to decrease the minimum rear yard setback from 25 feet (required) to 5 feet (requested) in order to erect a detached garage/office in an “SF-3-NP”, Single-Family Residence-Neighborhood Plan zoning district. (Windsor Road Neighborhood Plan)

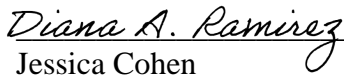
Note: Per LDC for a Through Lot, a rear yard must comply with the minimum requirements applicable to a front yard.

BOARD’S DECISION: BOA JULY 12, 2021 POSTPONED TO AUG 9, 2021 AE DENIAL; Aug 9, 2021 The public hearing was closed by Chair Jessica Cohen, Board Member Melissa Hawthorne motions to Postpone to October 11, 2021; Board Member Rahm McDaniel seconds on a 9-1 vote (Board Member Brooke Bailey nay); POSTPONED TO October 11, 2021; Oct 11, 2021-POSTPONED TO NOVEMBER 8, 2021 BY BOARD MEMBERS (Due to not enough Board Members present at the meeting)

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

 for
Jessica Cohen
Madam Chair

BOA GENERAL REVIEW COVERSHEET RE-NOTIFICATION

CASE: C15-2021-0056

BOA DATE: November 8th, 2021

ADDRESS: 3006 Glenview Ave

COUNCIL DISTRICT: 10

OWNER: Chase & Andrea Hamilton

AGENT: N/A

ZONING: SF-3-NP (Windsor Road NP)

LEGAL DESCRIPTION: N 55 FT OF LOT 3 BLK 7 BRYKERWOODS B

VARIANCE REQUEST: a) decrease the minimum rear yard setback from 25 feet to 5 feet & b) decrease minimum distance from principal structure from 10 feet to 5 feet.

SUMMARY: erect a detached garage/office

ISSUES: lot has frontage on two streets (front and rear)

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

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District
 Austin Lost and Found Pets
 Austin Neighborhoods Council
 Bryker Woods Neighborhood Association
 Central Austin Urbanists
 Central West Austin Neighborhood Plan Contact Team
 Friends of Austin Neighborhoods
 Homeless Neighborhood Association
 Neighborhood Empowerment Foundation
 Preservation Austin
 SELTexas
 Save Barton Creek Assn.
 Save Historic Mundy District
 Shoal Creek Conservancy
 Sierra Club, Austin Regional Group
 West Austin Neighborhood Group



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

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 # _____
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Section 1: Applicant Statement

Street Address: 3006 Glenview Avenue

Subdivision Legal Description:

Brykerwoods B

Lot(s): N 55 FT OF LOT 3 Block(s): 7

Outlot: _____ Division: _____

Zoning District: SF-3-NP (Windsor Road)

I/We Andrea Hamilton of Bunker Lee Residential, LLC on behalf of myself/ourselves as authorized agent for Andrea Hamilton and Chase Hamilton (ourselves) affirm that on Month October, Day 6, Year 2021, 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: Detached Garage/Office

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

For a through lot, a rear yard must comply with the minimum requirements applicable to a front yard. LDC 25-2-515 Rear Yard of a Through Lot for a Rear Yard Setback of 25 ft (required) to 10 feet.

LDC 25-2 Subchapter F 3.3.2.A.1 allowing for a 450 SF exemption requires a detached garage to be at least 10 feet from the primary requesting, requesting reducing to 5 feet.

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 proposed location is a consistent with the placement of other accessory structures on the street, and in the same location where a garage was previously situated.

Hardship

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

A non-compliant structure was removed from the property to accomodate parking requirements for a new single family structure that was built in 2015. The existing, developed contition of the site, including landscaping, trees, location of the existing house dictate the proper placement of the structue. The lot has frontage on two streets which limit garage placement.

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

This lot has frontage on two streets

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 proposed garage will be constructed in generally the same location where it was previously located as built in or around 1940 and will be of the same architectural style as the existing primary structure.

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: Andrea Hamilton Date: 6 October 2021

Applicant Name (typed or printed): Andrea Hamilton (Bunker Lee Residential)

Applicant Mailing Address: 3006 Glenview Avenue

City: Austin State: Texas Zip: 78703

Phone (will be public information): (512) 422-3562

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: Andrea Hamilton Date: 10/06/2021

Owner Name (typed or printed): Chase Hamilton / Andrea Hamilton

Owner Mailing Address: 3006 Glenview Avenue

City: Austin State: Texas Zip: 78703

Phone (will be public information): (512) 422-3562

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

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).

A variance was previously granted under similar circumstances at 3200 Glenview Avenue. We have met with the Brykerwoods Neighborhood Association and have been told that they will not contest our variance request.

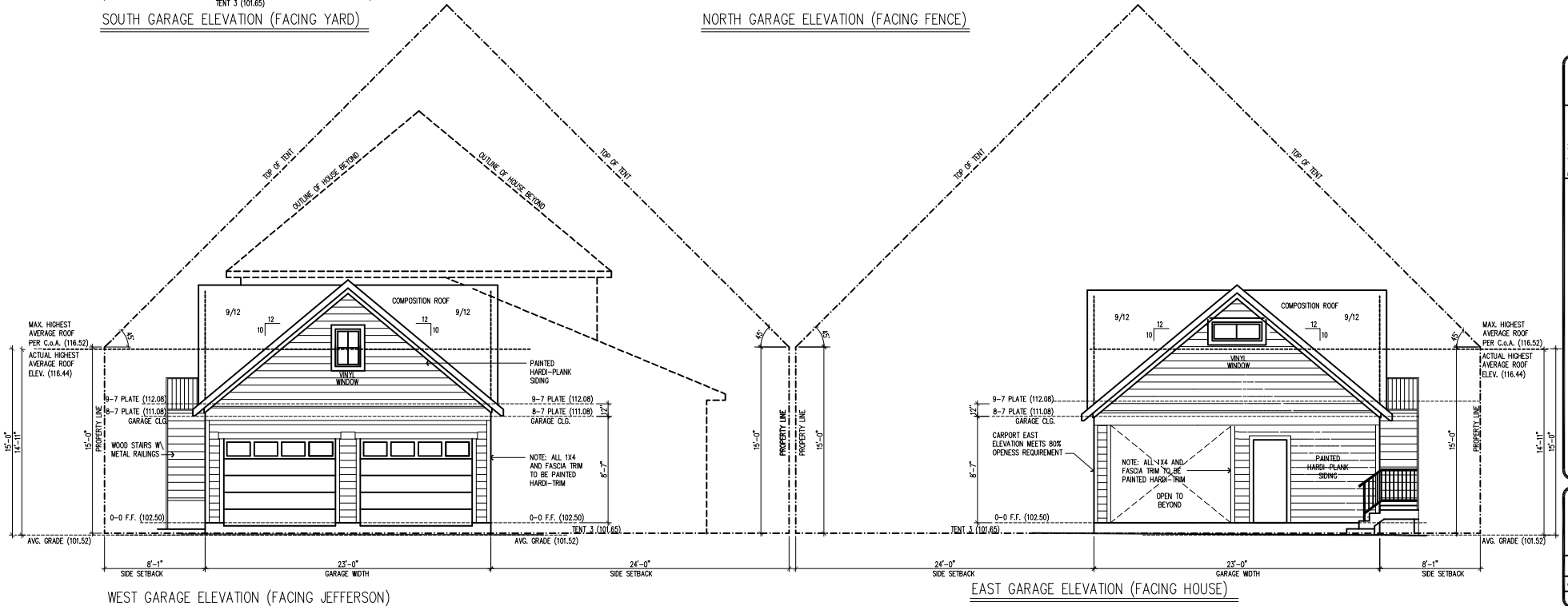
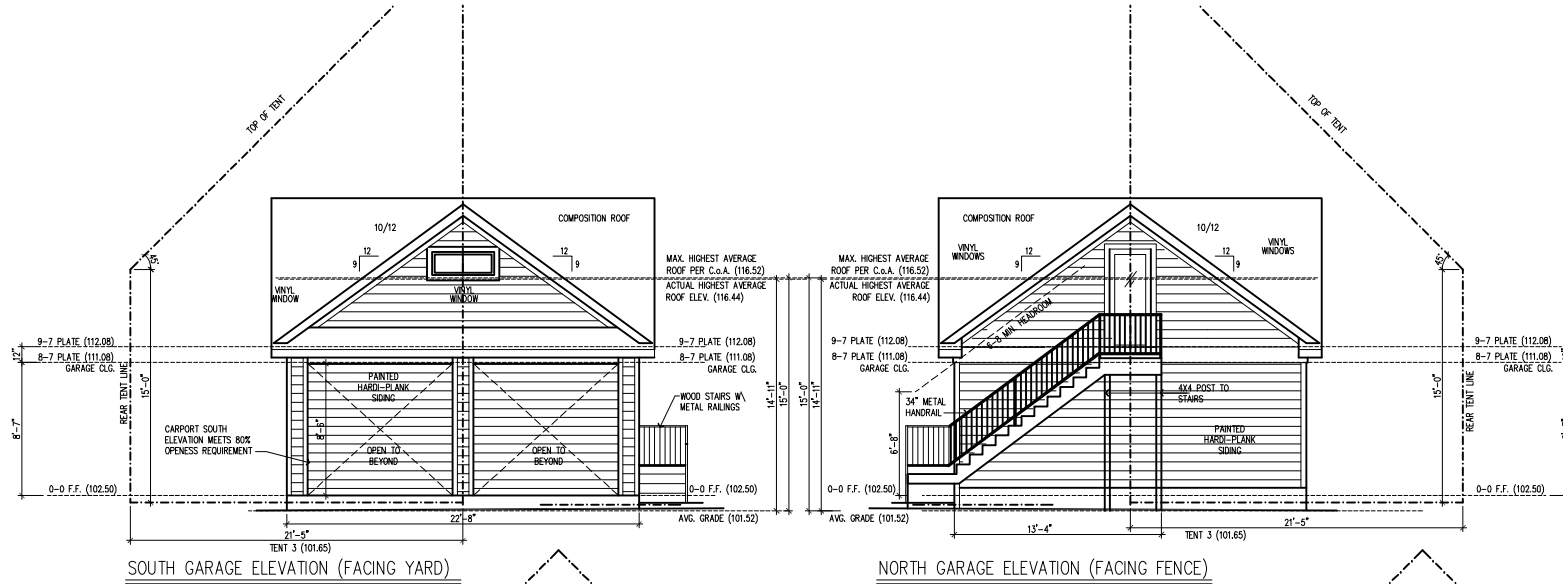
OBAMA 2021
The maximum dimensions, and other specifications, shown on this document, are guidelines for construction use only. Actual specifications shall be determined by structural engineer. This document shall not be relied on as a representation of what the completed structure will look like.

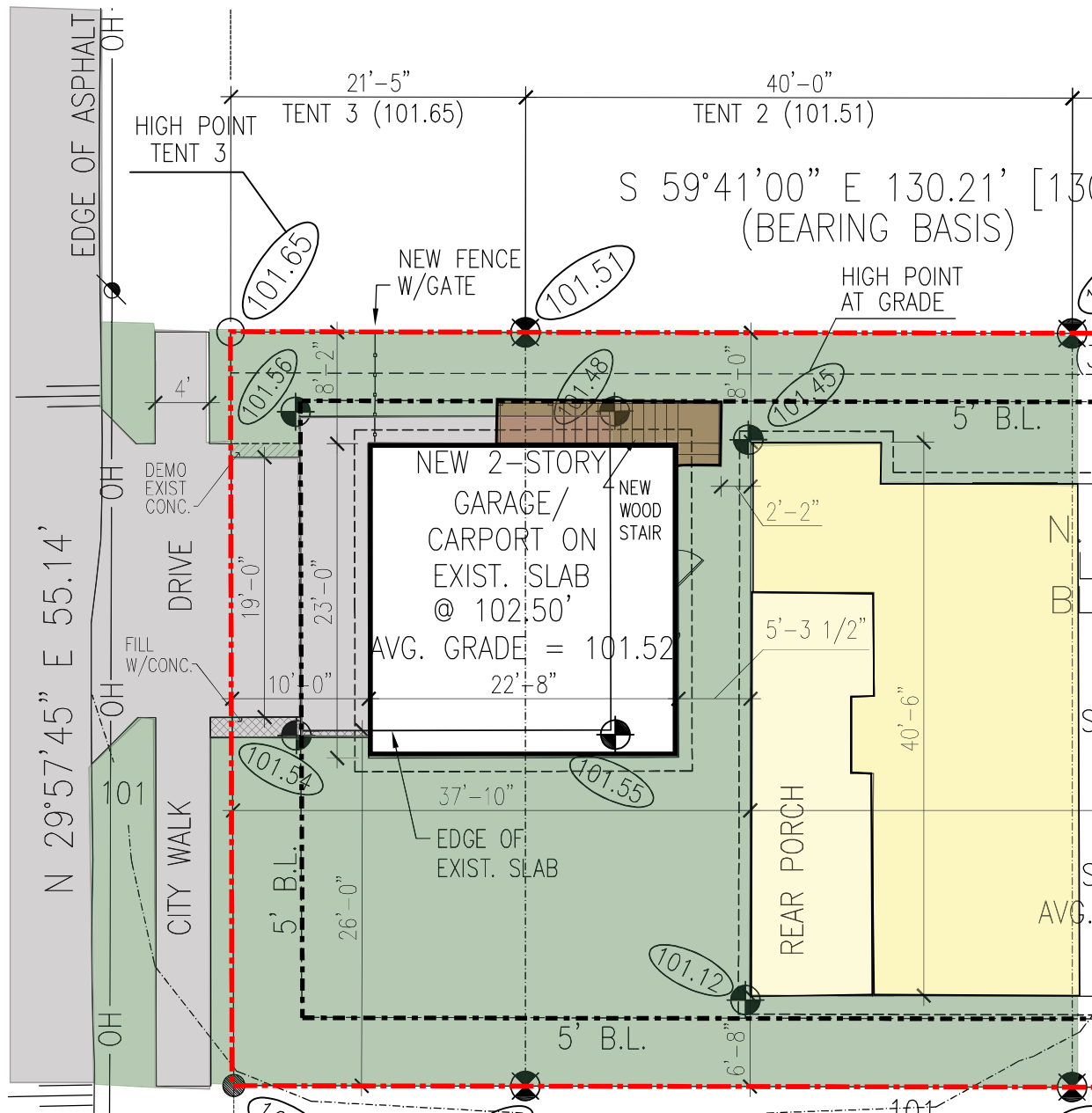
ELISA DENNIS
Architecture & Design
Scale: 1/8" = 1'-0"
Date: 09/22/2021

Proj. No.: 3
2101
Job No.: 7
Sect: B

GARAGE/CARPORT ADDITION
3006 GLENVIEW AVENUE
AUSTIN, TX 78703

EXTR. ELV-1
HAMILTON
CENTRAL LIVING





CITY OF AUSTIN CALCULATIONS				GROSS AREA
CITY OF AUSTIN MAX ALLOWED	F.A.R.	IMP. COVERAGE	BLDG COVERAGE	
FLOOR 1 LIVING	.40	45.0%	40.0%	1838
FLOOR 2 LIVING	1838	1838	1838	960
PARKING SLAB	960	521	0	2798
TOTAL	0			
2798				
ADDED	70*	150	520	520
GARAGE/CARPORT	0 **			360
OFFICE LOFT		20***		39
WOOD STEPS		4		4
CONC. DRIVE				
F. PORCH		181	181	181
UPPER PORCH				181
R. PORCHES		265	265	265
SIWALKS		133		133
DRIVEWAY		100		100
A/C PADS		16		16
TOTAL AREA	2868	3228	2805	
LOT AREA	7175	7175	7175	
FINAL CALCULATION	.3997	44.98%	39.08%	

* DETACHED REAR PARKING AREA OF 450 S.F. IS DEDUCTED FROM F.A.R. PER SECTION 3.3.2.A.1 OF THE COMPATIBILITY STANDARDS.

** LOFT AREA MEETS HABITABLE AREA EXEMPTION CRITERIA

ELISA DENNIS
Architecture & Design
Scale: 1/8" = 1'-0"
Date: 09/22/2021

Lot: 3
Blk: 7
Sect: B
Proj. No.: 2101
Job No.:
GARAGE/CARPORT ADDITION
3006 GLENVIEW AVENUE
AUSTIN, TX 78703

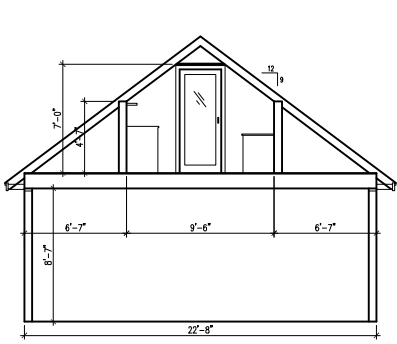
PLANS
PLN-1
HAMILTON
CENTRAL LIVING

DISCLAIMER
The measurements, dimensions, and other specifications shown on this document, including but not limited to, the actual specifications of the finished structure may vary. This document may not be relied on as a representation of what the complete structure will look like.

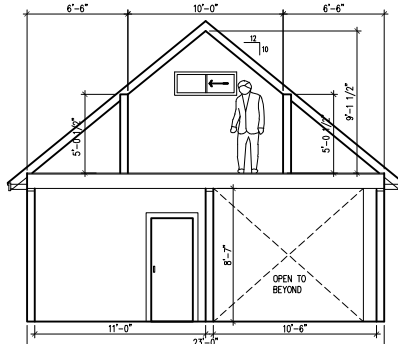
ELISA DENNIS
Architecture & Design
Scale: 1/8" = 1'-0"
Date: 09/22/2021

Garage/Carport Addition
3006 Glenview Avenue
Austin, TX 78703
Proj. No.: 2101
Job No.:
Lot: 3
Blk: 7
Sect: B

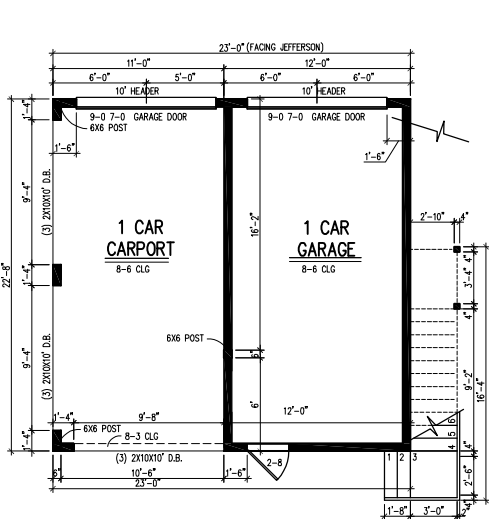
PLANS
PLN-1
HAMILTON
CENTRAL LIVING



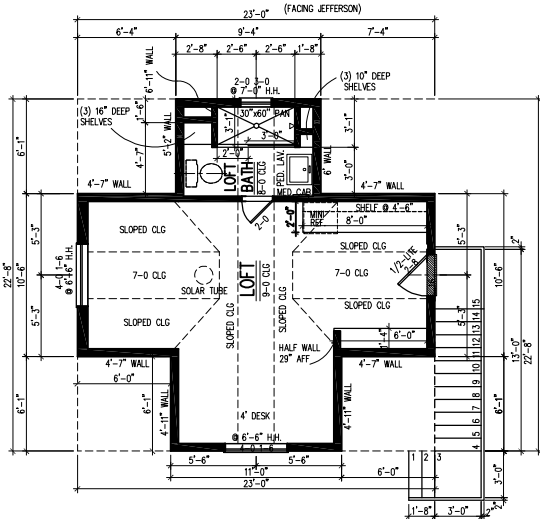
OFFICE LOFT SECTION: LOOKING NORTH



OFFICE LOFT SECTION: LOOKING EAST (TOWARD HOUSE)



GARAGE AND CARPORT PLAN



GARAGE LOFT: 9/22/2021

MINI-SPLIT HVAC SYSTEM TANKLESS WATER HEATER

© EDIAD 2021
The measurements, dimensions, and other specifications, shown on this document, are guidelines for construction use only. The actual specifications of the finished structure may vary. This document may not be relied on as a representation of what the completed structure will look like.

From: [REDACTED]
To: Ramirez, Elaine; [REDACTED]
Subject: FW: FW: 3006 Glenview - Anticipated Variance Request
Date: Thursday, October 07, 2021 1:10:30 PM
Attachments: [3006 Glenview BOA Elevations 11X17 20210922.pdf](#)
[3006 Glenview BOA Enlarged Plot Plan 11X17 20210922.pdf](#)
[3006 Glenview BOA Plans Sections 11X17 20210922.pdf](#)
[3006 Glenview BOA Plot Plan 11X17 20210922.pdf](#)
[BOA GeneralParkingVarianceApplication Oct 21 copy.pdf](#)

*** External Email - Exercise Caution ***

Hello Elaine,

The Board of the Bryker Woods Neighborhood Association agrees with the revised variance request for the reduction of the rear yard setback from 25 to 10 ft which is in keeping with the precedent set by the Board of Adjustment in 2014, and with the additional variance request that the garage/carport/loft be moved 5 ft closer to the Hamilton's house.

We thank the Hamilton's for their work to find a solution that serves all parties.

Thank you for your service to our community,

Joyce Basciano, on behalf of the Bryker Woods Neighborhood Association Board

From: Andrea Rado Hamilton [REDACTED]
Sent: Wednesday, October 6, 2021 4:41 PM
To: Ramirez, Elaine <[REDACTED]>
Joyce Basciano [REDACTED]
Subject: Fwd: FW: 3006 Glenview - Anticipated Variance Request

Elaine, our revised application is attached and shows an additional variance request to move the building five feet closer to our primary residence. As you can see below, the neighborhood is in support of this course, hopefully the BOA will also.

I've also attached the new plans should they be needed at this stage. I know Joyce will appreciate seeing them also. No need to copy her on future correspondence regarding invoicing and such, I just wanted to keep her updated on the revised application status.

----- Forwarded message -----

From: [REDACTED]
Date: Sun, Oct 3, 2021 at 5:19 PM
Subject: FW: 3006 Glenview - Anticipated Variance Request
To: Andrea Rado Hamilton <[REDACTED]>

I suggest you email BOA liaison Elaine Ramirez as soon as possible. Remind her that at the August BOA hearing the BOA had asked the you and the neighborhood association work out an agreement. Ask her to pull your case from the Oct 11th BOA hearing agenda because you have reached an agreement with the neighborhood association, that is, you are requesting the rear yard setback be reduced from 25 to 10 ft, and with the additional variance that the building be moved 5 ft closer to your house. It is my understanding that you will not be charged for the additional variance but you will be charged for renotification – but you need to confirm that.

If you copy me on the email you send to Elaine, then I will email her (and copy you) to confirm the agreement.

Thank you so much.

From: [REDACTED] >
Sent: Friday, October 1, 2021 12:37 PM
To: 'Andrea Rado Hamilton' <[REDACTED]>
Subject: RE: 3006 Glenview - Anticipated Variance Request

Yes, that would be a solution.

From: Andrea Rado Hamilton [REDACTED] >
Sent: Friday, October 1, 2021 11:05 AM
To: Chase Hamilton <[REDACTED]>
Subject: Re: 3006 Glenview - Anticipated Variance Request

Yes, as I said in my previous email I was surprised about your opposition given that when we met you did not expressed concern about the structure. We have re-drawn the plan to move the building 5 feet closer to our house but that's going to require a second variance. I am hopeful that this effort on our part will be enough to satisfy your concerns.

On Fri, Oct 1, 2021 at 10:34 AM <[REDACTED]> wrote:

Hi Andrea,

The Board of Adjustment pushed back on both your variance request and our opposition to it. Have you thought of a recommendation that might satisfy them?

Joyce Basciano

From: Andrea Rado Hamilton <[REDACTED]>
Sent: Friday, July 16, 2021 11:28 AM
To: Chase Hamilton <[REDACTED]>
Cc: Joyce Basciano <[REDACTED]>
Subject: Re: 3006 Glenview - Anticipated Variance Request

Hi Joyce,

We met on this variance request a few years ago and thought you had not planned to oppose it but I noticed when we finally presented this week at BOA, you did sign up to speak in opposition. Would you like to speak to us about your new concerns?

Andrea & Chase Hamilton

On Thu, Oct 20, 2016 at 9:51 AM Chase Hamilton [REDACTED] wrote:

Thanks Joyce,

I just left messages on your home and cell phones. 8:00 tomorrow works great, thank you for being willing to meet us at our house. When you come by, our two cars are parked on the slab where we envision the garage/carport, so it should be easy to visualize.

I called to get a little more detail on your request for additional plans. You have all the plans that we have. If there is something else you want to see, give me a call and let's discuss. It was our understanding that what we sent you was the complete set of plans. Once I understand what exactly you are looking for, I may be able to get Dan Carlson to draw something additional that would answer your questions.

Chase

On Thu, Oct 20, 2016 at 9:18 AM Joyce Basciano <[REDACTED]> wrote:

Hi Chase,

I left a message on your cell phone. I'll meet with you 8 am tomorrow Friday, October 21st on the Jefferson side of your property. I would like to see the plans for the garage/carport roof and "second floor" (storage area?).

Joyce

[512-454-0207](tel:512-454-0207)

[512-809-8739](tel:512-809-8739) (cell—not always reliable).

From: Chase Hamilton [mailto:[REDACTED]]

Sent: Wednesday, October 19, 2016 11:06 AM

To: Joyce Basciano

Cc: Andrea Rado Hamilton

Subject: Re: 3006 Glenview - Anticipated Variance Request

Hi Joyce,

First thing in the morning can honestly be any time. Our daughter's day care starts at 8:30 on Tuesdays and Thursdays, so 9:00 would be ideal if we do it on one of those days. On M, W, or F we could be available as early as 8:00. We are also happy to do lunch time, but after work is tougher since that is usually dinner and bedtime.

I have attached the plans for the garage/carport. When we met with everyone for the house we brought them on 11x18 pages. We are happy to do that again this time if you think it would be helpful.

My cell phone is [512-294-6896](tel:512-294-6896), but it doesn't always work at my office. My office line is [512-391-8262](tel:512-391-8262). Feel free to call me at either number.

Thanks,
Chase

On Mon, Oct 17, 2016 at 5:31 PM Joyce Basciano <[\[REDACTED\]](#)> wrote:

Chase,
Thanks for reaching out to us. You will need a variance (according to the code).
What time is "the first thing in the morning"? (That could work for me and some of the committee members.)
Do you have (site) plans for the garage/carport that you can email me?
Do you have a phone number you can be reached at?

Joyce

From: Chase Hamilton [mailto:[\[REDACTED\]](#)]
Sent: Friday, October 14, 2016 10:56 AM
To: Joyce Basciano
Cc: Andrea Rado Hamilton
Subject: 3006 Glenview - Anticipated Variance Request

Dear Joyce,

Based on the BWNA website, you seem to be the association's contact for families seeking a variance. If I am headed in the wrong direction, please let me know and forward this email to the appropriate board member.

My wife Andrea and I live at 3006 Glenview Avenue, on one of the through-lots that backs up to Jefferson Avenue. In 2014, we built a new house to replace the 1941 cottage that I had been living in since 2009. During that process we worked with Derek, Anita, and Jim on the Historical Review Committee to ensure that the neighborhood had ample opportunity to review our plans and advise us. At the time, we still had the original dilapidated garage, but because it was a non-compliant structure, even remodeling it would have required a variance through the COA Planning Commission. My wife was then pregnant with our first daughter, and we did not have time or money to pursue a variance to restore our existing or build a new garage on Jefferson, meaning we had to put that portion of our plans on hold.

That background is to set up a conversation with you about our plans to complete our house. We have plans for a garage and carport with entry off Jefferson, and believe it would be prudent to discuss them with you before we move any further to pursue permits. Can you suggest a day/time that works for this meeting? First thing in the morning works well for us, but we can make anything work with enough notice.

Thank you,

| | | | Chase Hamilton

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, please forward this email to cybersecurity@austintexas.gov.

From: Andrea Rado Hamilton
To: [Ramirez, Elaine](#); [Chase Hamilton](#); [Joyce Basciano](#)
Subject: Fwd: FW: 3006 Glenview - Anticipated Variance Request
Date: Wednesday, October 06, 2021 4:41:45 PM
Attachments: [3006 Glenview BOA Elevations 11X17 20210922.pdf](#)
[3006 Glenview BOA Enlarged Plot Plan 11X17 20210922.pdf](#)
[3006 Glenview BOA Plans Sections 11X17 20210922.pdf](#)
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To: Joyce Basciano
Cc: Andrea Rado Hamilton
Subject: 3006 Glenview - Anticipated Variance Request

Dear Joyce,

Based on the BWNA website, you seem to be the association's contact for families seeking a variance. If I am headed in the wrong direction, please let me know and forward this email to the appropriate board member.

My wife Andrea and I live at 3006 Glenview Avenue, on one of the through-lots that backs up to Jefferson Avenue. In 2014, we built a new house to replace the 1941 cottage that I had been living in since 2009. During that process we worked with Derek, Anita, and Jim on the Historical Review Committee to ensure that the neighborhood had ample opportunity to review our plans and advise us. At the time, we still had the original dilapidated garage, but because it was a non-compliant structure, even remodeling it would have required a variance through the COA Planning Commission. My wife was then pregnant with our first daughter, and we did not have time or money to pursue a variance to restore our existing or build a new garage on Jefferson, meaning we had to put that portion of our plans on hold.

That background is to set up a conversation with you about our plans to complete our house. We have plans for a garage and carport with entry off Jefferson, and believe it would be prudent to discuss them with you before we move any further to pursue permits. Can you suggest a day/time that works for this meeting? First thing in the morning works well for us, but we can make anything work with enough notice.

Thank you,

Chase Hamilton

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, please forward this email to cybersecurity@austintexas.gov.

CITY OF AUSTIN
Board of Adjustment
Decision Sheet
E-3

DATE: Monday August 9, 2021

CASE NUMBER: C15-2021-0056

☐ Y ☐ Thomas Ates
☐ N ☐ Brooke Bailey
☐ Y ☐ Jessica Cohen
☐ Y ☐ Melissa Hawthorne
☐ Y ☐ Barbara McArthur
☐ Y ☐ Rahm McDaniel
☐ - ☐ Darryl Pruett (out- no show)
☐ Y ☐ Agustina Rodriguez
☐ Y ☐ Richard Smith
☐ - ☐ Michael Von Ohlen (out)
☐ Y ☐ Nicholl Wade
☐ Y ☐ Kelly Blume (Alternate)
☐ - ☐ Carrie Waller (Alternate)
☐ Vacant (Alternate)

APPLICANT: Andrea Hamilton

OWNER: Chase & Andrea Hamilton

ADDRESS: 3006 GLENVIEW AVE

VARIANCE REQUESTED: The applicant is requesting a variance(s) from the Land Development Code, Section 25-2-515 (*Rear Yard of a Through Lot*) from setback requirements to decrease the minimum rear yard setback from 25 feet (required) to 5 feet (requested) in order to erect a detached garage/office in an “SF-3-NP”, Single-Family Residence-Neighborhood Plan zoning district. (Windsor Road Neighborhood Plan)

Note: Per LDC for a Through Lot, a rear yard must comply with the minimum requirements applicable to a front yard.

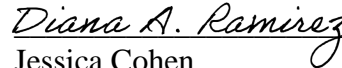
BOARD’S DECISION: BOA JULY 12, 2021 POSTPONED TO AUG 9, 2021 AE DENIAL; Aug 9, 2021 The public hearing was closed by Chair Jessica Cohen, Board Member Melissa Hawthorne motions to Postpone to October 11, 2021; Board Member Rahm McDaniel seconds on a 9-1 vote (Board Member Brooke Bailey nay); POSTPONED TO October 11, 2021.

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

 for
Jessica Cohen
Chair

CITY OF AUSTIN
Board of Adjustment
Decision Sheet
D-2

DATE: Monday July 12, 2021

CASE NUMBER: C15-2021-0056

____ Thomas Ates
 ____ Brooke Bailey
 ____ Jessica Cohen
 ____ Melissa Hawthorne
 ____ Barbara McArthur
 ____ Rahm McDaniel (OUT)
 ____ Darryl Pruett
 ____ Agustina Rodriguez
 ____ Richard Smith (OUT)
 ____ Michael Von Ohlen
 ____ Nicholl Wade
 ____ Kelly Blume (Alternate)
 ____ Carrie Waller (Alternate)
 ____ Vacant (Alternate)

APPLICANT: Andrea Hamilton

OWNER: Chase & Andrea Hamilton

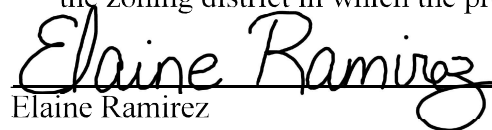
ADDRESS: 3006 GLENVIEW AVE

VARIANCE REQUESTED: The applicant is requesting a variance(s) from the Land Development Code, Section 25-2-515 (*Rear Yard of a Through Lot*) from setback requirements to decrease the minimum rear yard setback from 25 feet (required) to 5 feet (requested) in order to erect a detached garage/office in an "SF-3-NP", Single-Family Residence-Neighborhood Plan zoning district. (Windsor Road Neighborhood Plan)

Note: Per LDC for a Through Lot, a rear yard must comply with the minimum requirements applicable to a front yard.

BOARD'S DECISION: BOA JULY 12, 2021 POSTPONED TO AUG 9, 2021 AE DENIAL 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:

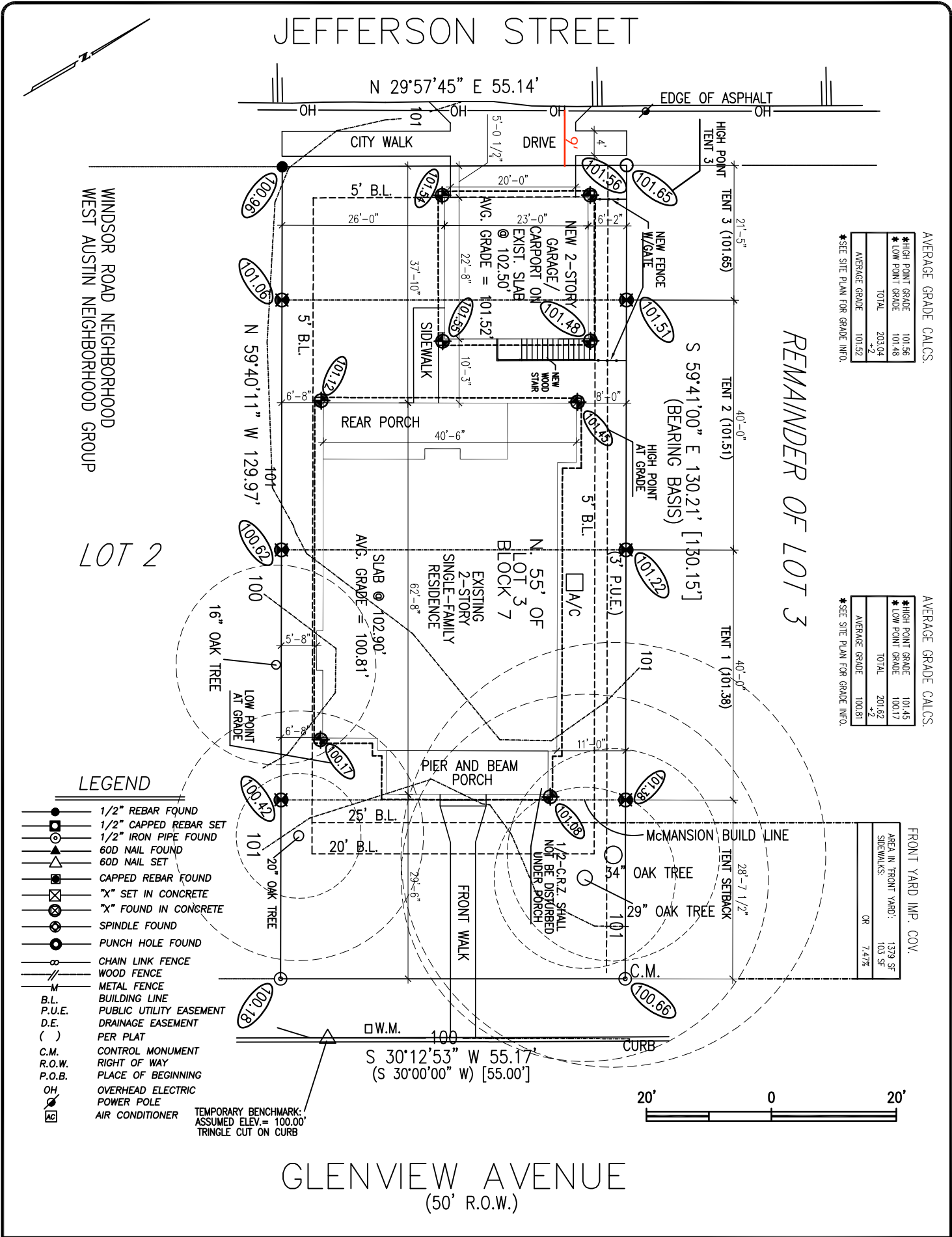

 Elaine Ramirez

Executive Liaison

Diana Ramirez for

 Jessica Cohen
 Chair

Distance from the Center OH Line to the build line is 9'. Distance from BL to the structure is 5'0.5". Utility Pole has a cross beam 8' wide making the closest line approximately 5' from the BL. Therefore, distance from structure to the closest OH line is approximately 9.5'.



IMPORTANT NOTICE
This Survey was prepared without the benefit of a title commitment. There may be additional setback lines, easements and interests which are relevant to this property and unknown to DEWEY H. BURRIS AND ASSOCIATES INC.

THIS AREA IS NOT DEPICTED AS BEING IN A SPECIAL FLOOD HAZARD AREA PER FEMA'S FLOOD INSURANCE RATE MAP 0445 H, DATED 09/26/08. IT IS REPRESENTED AS IN ZONE "X". HOWEVER, AT THE PRESENT TIME, NO ELEVATIONS, DRAINAGE, OR FLOOD STUDIES HAVE BEEN PERFORMED BY THIS FIRM AND INFORMATION IS BASED SOLELY UPON SAID MAP. THE SURVEYOR DOES NOT ASSUME RESPONSIBILITY AS TO ANY INFORMATION PROVIDED BY SAID MAP AND DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE OF FLOOD DAMAGE. FOR FURTHER INFORMATION CONTACT YOUR FLOOD PLAIN ADMINISTRATOR.

STREET ADDRESS: 3006 GLENVIEW AVENUE CITY: AUSTIN COUNTY: TRAVIS STATE OF TEXAS
LOT: NORTH 55' OF LOT 3 BLOCK: 7 SUBDIVISION: BRYKERWOODS ADDITION "B" VOL/CAB 4 PG/SLD 12 PLAT RECORDS
REFERENCE NAME: ANDREA HAMILTON

B & G SURVEYING, INC.
DEWEY H. BURRIS & ASSOCIATES, INC.
Surveyed by: Dewey H. Burris & Assoc., Inc.

JOB #: R0804313_TA
DATE: 08/19/13
SCALE: 1"= 20'

FIELD WORK BY	CHRIS	08/14/13
CALC'D BY	TONI	08/15/13
DRAFTED BY	ROGER	08/19/13
CHECKED BY	V.G.	08/19/13

WWW.BANDGSURVEY.COM
1404 West North Loop Blvd. Austin, Texas 78756
Office 512*458-6969, Fax 512*458-9845

GARAGE/ CARPORT ADDITION
3006 GLENVIEW AVENUE
AUSTIN, TX 78703

Proj. No.: 2101
Job No.:
Lot: 3
Blk: 7
Sect: B



ELISA DENNIS
Architecture & Design
Scale: 1"=20'
Date: 05/14/2021

© EDA&D 2021
The measurements, dimensions, and other specifications, shown on this document, are guidelines for construction use only. The actual specifications of the finished structure may vary. This document may not be relied on as a representation of what the completed structure will look like.

PLT PLAN
HAMILTON
CENTRAL LIVING



July 9, 2021

Andrea Hamilton
3006 Glenview Ave
Austin TX, 78703

Property Description: N 55 FT OF LOT 3 BLK 7 BRYKERWOODS B

Re: C15-2021-0056

Dear Andrea,

Austin Energy (AE) has reviewed your application for the above referenced property, requesting that the Board of Adjustment consider a variance(s) from Land Development Code Section 25-2-515 (Rear Yard Through Lot) in order to reduce the required rear setback from 25' to 5'. Austin Energy **opposes** approving this request until further detail regarding clearances can be provided.

While the request is similar to others approved in the area, for complete assurance, Austin Energy requests that the owner/applicant provide elevations of the proposed new structure, showing the building is able to meet the minimum horizontal clearance of 7 feet 5 inches from the outmost conductor, as required by Austin Energy's Design Criteria Section 1.10.0 (clearance & safety requirements). Below is a link to Austin Energy's Design Criteria, as well as a diagram depicting the horizontal and OSHA clearances required.

If you require further information or have any questions regarding the above comments, please contact our office. Thank you for contacting Austin Energy.

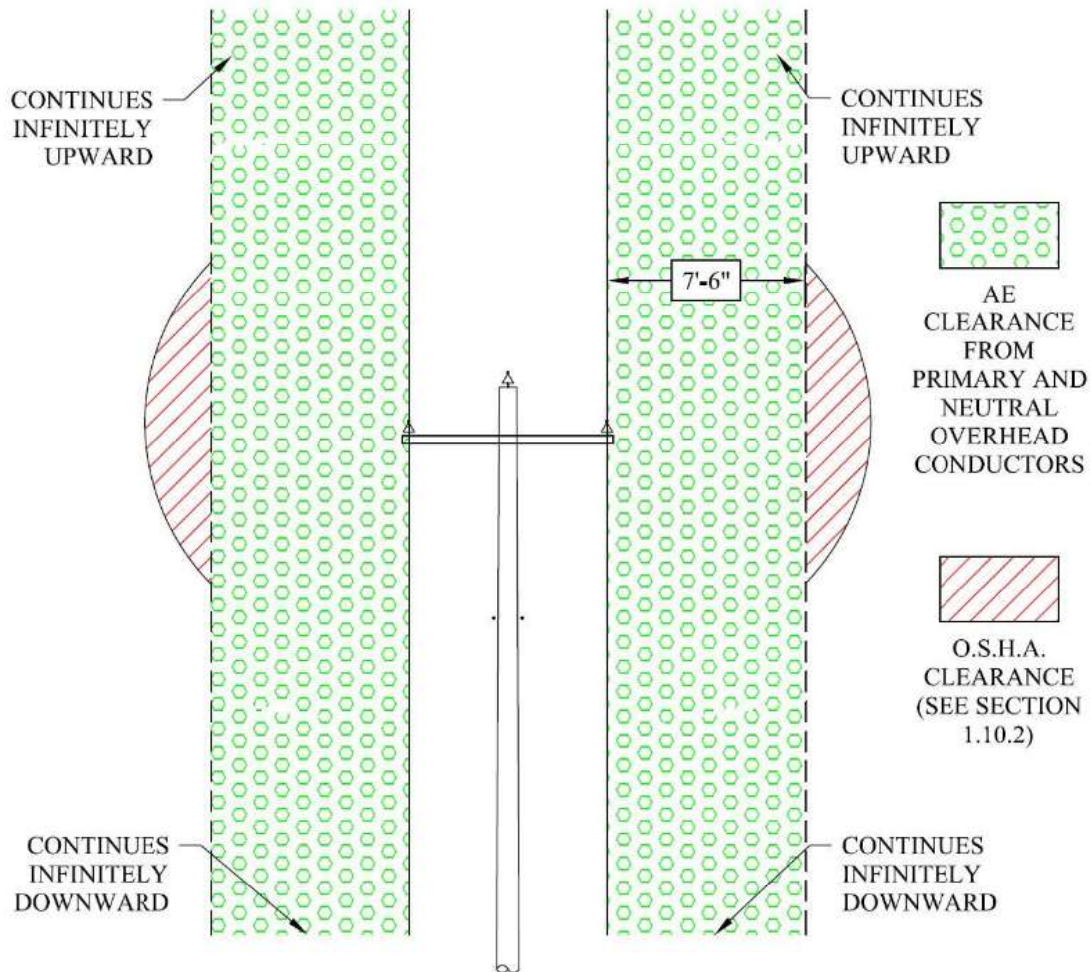
Thank you,

Joseph Beeler, Planner I
Austin Energy
Public Involvement | Real Estate Services
2500 Montopolis Drive
Austin, TX 78741
(512) 322-6602



Austin Energy Design Criteria 1.10.0 - Clearance & Safety Requirements:

https://library.municode.com/tx/austin/codes/utilities_criteria_manual?nodeId=S1AUENDECR_1.10.0CLSARE



BOA GENERAL REVIEW COVERSHEET

CASE: C15-2021-0056

BOA DATE: July 12th, 2021

ADDRESS: 3006 Glenview Ave

COUNCIL DISTRICT: 10

OWNER: Chase & Andrea Hamilton

AGENT: N/A

ZONING: SF-3-NP (Windsor Road NP)

LEGAL DESCRIPTION: N 55 FT OF LOT 3 BLK 7 BRYKERWOODS B

VARIANCE REQUEST: decrease the minimum rear yard setback from 25 feet to 5 feet

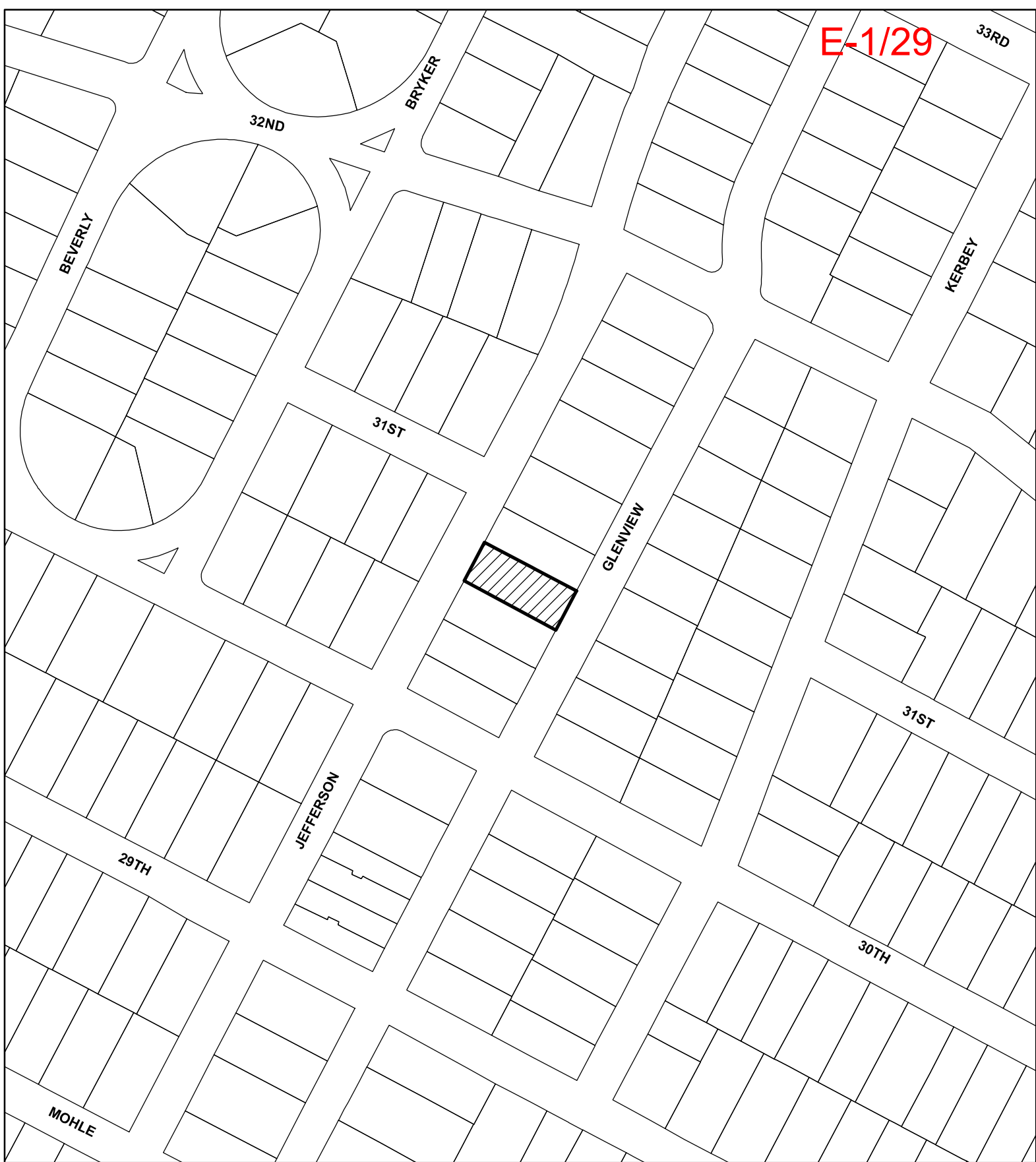
SUMMARY: erect a detached garage/office

ISSUES: lot has frontage on two streets (front and rear)

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

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District
 Austin Lost and Found Pets
 Austin Neighborhoods Council
 Bryker Woods Neighborhood Association
 Central Austin Urbanists
 Central West Austin Neighborhood Plan Contact Team
 Friends of Austin Neighborhoods
 Homeless Neighborhood Association
 Neighborhood Empowerment Foundation
 Preservation Austin
 SELTexas
 Save Barton Creek Assn.
 Save Historic Mundy District
 Shoal Creek Conservancy
 Sierra Club, Austin Regional Group
 West Austin Neighborhood Group



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

NOTIFICATIONS

CASE#: C15-2021-0056
LOCATION: 3006 GLENVIEW AVE



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.

1" = 159'



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

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: 3006 Glenview Avenue

Subdivision Legal Description:

Brykerwoods B

Lot(s): N 55 FT OF LOT 3 Block(s): 7

Outlot: _____ Division: _____

Zoning District: SF-3-NP (Windsor Road)

I/We Andrea Hamilton of Bunker Lee Residential, LLC on behalf of myself/ourselves as authorized agent for Andrea Hamilton and Chase Hamilton (ourselves) affirm that on Month May, Day 20, Year 2021, 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: Detached Garage/Office

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

For a through lot, a rear yard must comply with the minimum requirements applicable to a front yard.

LDC 25-2-515 **Rear Yard of a Through Lot** for a Rear Yard setback of 25 ft. (required) to 5 ft

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 proposed location is a consistent with the placement of other accessory structures on the street, and in the same location where a garage was previously situated.

Hardship

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

A non-compliant structure was removed from the property to accomodate parking requirements for a new single family structure that was built in 2015. The existing, developed contition of the site, including landscaping, trees, location of the existing house dictate the proper placement of the structue. The lot has frontage on two streets which limit garage placement.

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

This lot has frontage on two streets

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 proposed garage will be constructed in the same location where it was previously located as built in or around 1940 and will be of the same architectural style as the existing primary structure.

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.

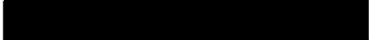
Applicant Signature:  Date: 05/19/2021

Applicant Name (typed or printed): Andrea Hamilton (Bunker Lee Residential)

Applicant Mailing Address: 3006 Glenview Avenue


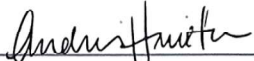
City: Austin State: Texas Zip: 78703

Phone (will be public information): (512) 422-3562

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.

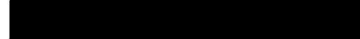
Owner Signature:   Date: 05/19/2021

Owner Name (typed or printed): Chase Hamilton / Andrea Hamilton

Owner Mailing Address: 3006 Glenview Avenue

City: Austin State: Texas Zip: 78703

Phone (will be public information): (512) 422-3562

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).

A variance was previously granted under similar circumstances at 3200 Glenview Avenue. We have met with the Brykerwoods Neighborhood Association and have been told that they will not contest our variance request.

[illegible]

THIS AREA IS NOT DEPICTED AS BEING IN A SPECIFIC FLOOD HAZARD AREA PER FEMA'S FLOOD INSURANCE RATE MAP #80624 0205 E DATED 6-16-93. IT IS REPRESENTED AS IN ZONE "X". HOWEVER AT PRESENT TIME, NO ELEVATIONS, DRAINAGE, OR FLOOD STUDIES HAVE BEEN PERFORMED AND INFORMATION IS BASED SOLELY UPON SAID MAP. THE SURVEYOR DOES NOT ASSUME RESPONSIBILITY AS TO ANY INFORMATION PROVIDED BY SAID MAP AND DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE OF FLOOD DAMAGE. FOR FURTHER INFORMATION CONTACT YOUR FLOOD PLAIN ADMINISTRATOR.

Proj. No.: 2101	Lot: 3
Job No.:	Blk: 7



© EDIAD 2021
The measurements, dimensions, and other specifications, shown on this document, are guidelines for construction use only. The actual specifications of the finished structure may vary. This document may not be relied on as a representation of what the completed structure will look like.

GENERAL NOTES

- 1. 1 HOUR FIRE CODE COMMON WALL, GARAGE AND CEILING.
- 2. ALL FRAMING MEMBERS TO COMPLY WITH I.R.C.
- 3. TO COMPLY WITH NATIONAL/CITY ELECTRICAL CODE.
- 4. ALL TEMPERED GLASS ON SHOWERS AND GLASS WITHIN 24" OF EXTERIOR DOORS
- 5. ALL PLUMBING TO COMPLY WITH I.R.C. / CITY PLUMBING CODE.
- 6. SMOKE DETECTORS IN ALL BEDROOMS AND ONE IN HALLWAY I.R.C. AND AMENDMENTS.
- 7. VENTS TO BE IN ALL LAUNDRY ROOMS & BATH ROOMS
- 8. G.F.I. ON ALL BATHS & EXTERIOR PLUGS & ON PLUGS WITHIN 6' OF KITCHEN SINK.
- 9. INSULATION R-13 WALLS R-30 CEILING, I.R.C.
- 10. ANCHOR BOLTS PER I.R.C.
- 11. PROVIDE (1) 8"x16" GARAGE VENT LOCATED 6" A.F.F. I.R.C.
- 12. ALL ELECTRICAL PLUGS TO BE 9" TO TOP FLOOR IN ROOMS WITH WALL MOUNDINGS.

CITY OF AUSTIN CALCULATIONS

	F.A.R.	IMP. COVERAGE	BLDG COVERAGE	GROSS AREA
CITY OF AUSTIN MAX ALLOWED	40	45.0%	40.0%	
FLOOR 1 LIVING	1838	1838	1838	1838
FLOOR 2 LIVING	960			960
TOTAL	2798			2798
ADDED GARAGE/CARPORT OFFICE LOFT	71*	521		521
	0 **			360
F. PORCH		181	181	181
UPPER PORCH				181
R. PORCHES		265	265	265
SEWALKS		207		207
WOOD STEPS		207		207
DRIVEWAY		101		101
A/C PADS		16		16
TOTAL AREA	2798	3129	2284	
LOT AREA	7175	7175	7175	
FINAL CALCULATION	.3899	43.61%	31.83%	

* DETACHED REAR PARKING AREA OF 450 S.F. IS DEDUCTED FROM F.A.R. PER SECTION 3.3.2.A.1 OF THE COMPATIBILITY STANDARDS.
** LOFT AREA MEETS HABITABLE AREA EXEMPTION CRITERIA

NOTES:
THIS LOFT SHALL USE A TANKLESS WATER HEATER SYSTEM AND A MINI-SPLIT HVAC SYSTEM
2X6 WALLS AT EXTERIOR PERIMETER WALLS AND ALL INSULATED WALLS UNLESS NOTED OTHERWISE

UTILITY LEGEND

- 110V OUTLET
- 12" A.F.F. (U.N.O.)
- GROUND FAULT INTERRUPTOR (WEATHER PROOF AS NOTED)
- 220V OUTLET (3" A.F.F. @ UTILITY)
- PHONE LINE
- CABLE TELEVISION
- STANDARD SWITCH (3 OR 4 WAY AS NOTED)
- SURFACE MOUNTED LIGHT
- WALL MOUNTED LIGHT
- RECESS CAN LIGHT (EYEBALL AS NOTED)
- EXHAUST VENT
- SMOKE DETECTOR (CARBON MONOXIDE AS NOTED)
- ELEC. PANELBOARD W/ CIRCUIT BREAKERS
- HOSE BIB
- GAS TAP
- COLD/HOT WATER SUPPLY

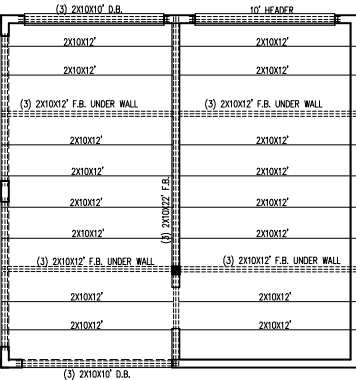
OBAMA 2008
The most accurate dimensions, and other specifications shown on this document, are guidelines for construction use only. The actual specifications for construction shall be based on the actual construction of the structure. This document is not to be relied on as a representation of what the completed structure will look like.

ELISA DENNIS
Architecture & Design
Scale: 1/8" = 1'-0"
Date: 05/14/2021

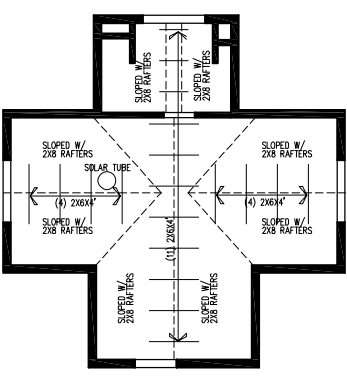


Lot: 3
Bk: 7
Sect: B
Proj. No.: 2101
Job No.:
GARAGE/CARPORT ADDITION
3006 GLENVIEW AVENUE
AUSTIN, TX 78703

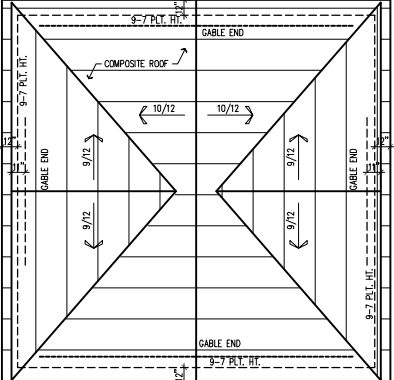
PLANS
PLAN-1
HAMILTON
CENTRAL LIVING



GARAGE AND CARPORT FRAMING PLAN

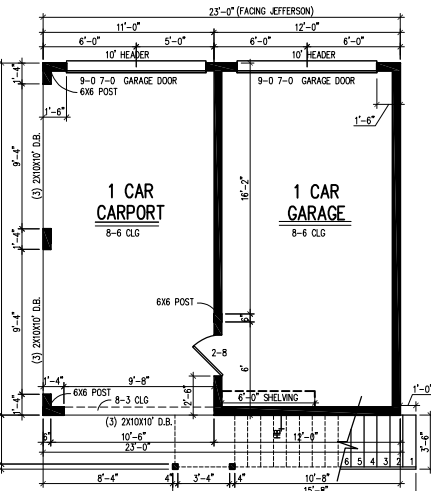


UPPER GARAGE FRAMING PLAN

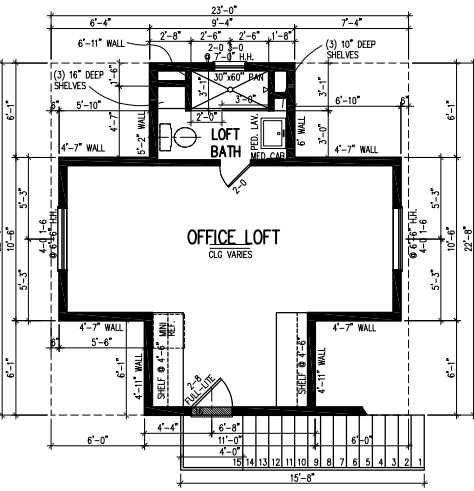


GARAGE ROOF PLAN

NOTE: ALL RAFTERS TO BE 2X8, 24" O.C.

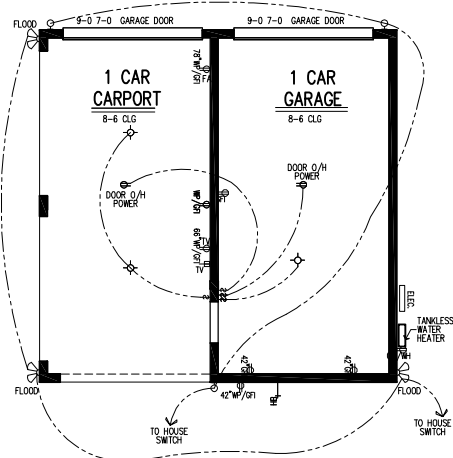


GARAGE AND CARPORT PLAN

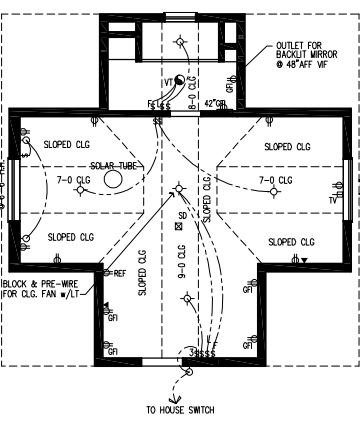


GARAGE OFFICE LOFT PLAN

MINI-SPLIT HVAC SYSTEM, TANKLESS WATER HEATER

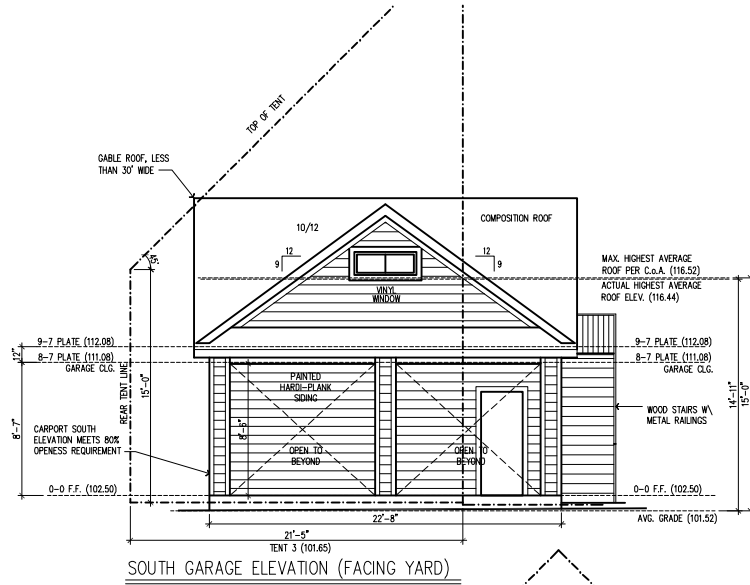


GARAGE AND CARPORT RCP & ELECTRICAL

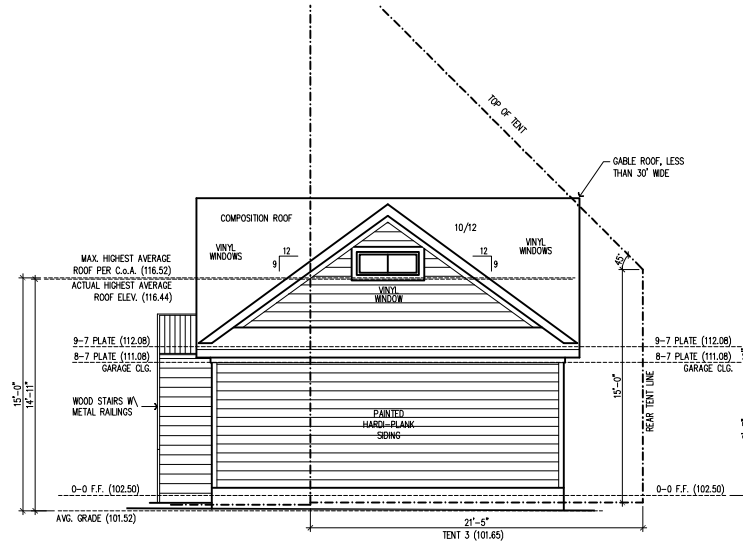


GARAGE OFFICE LOFT RCP & ELECTRICAL

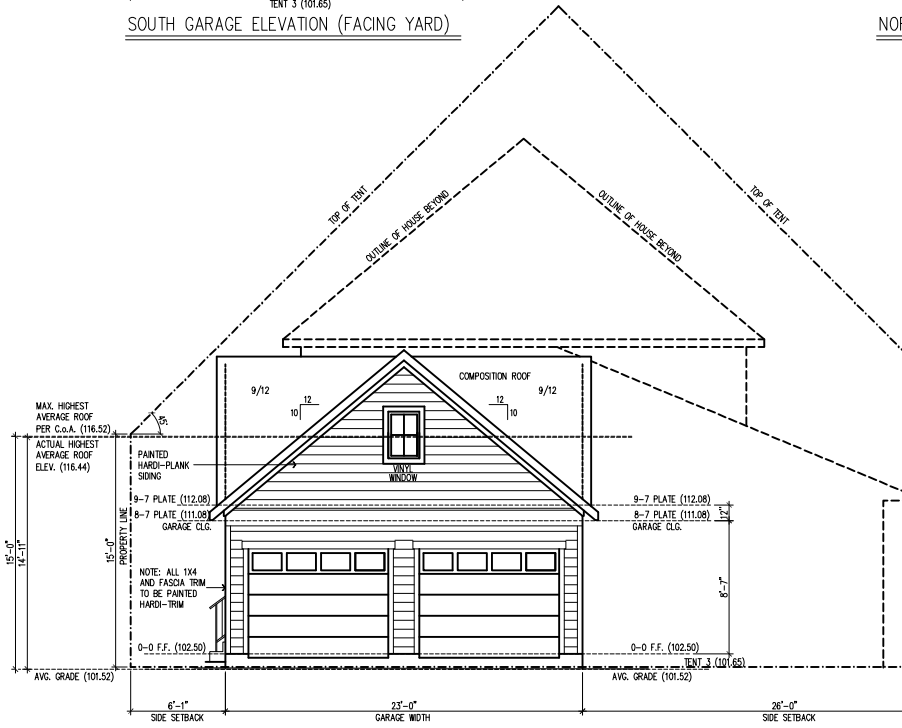
MINI-SPLIT HVAC SYSTEM, TANKLESS WATER HEATER



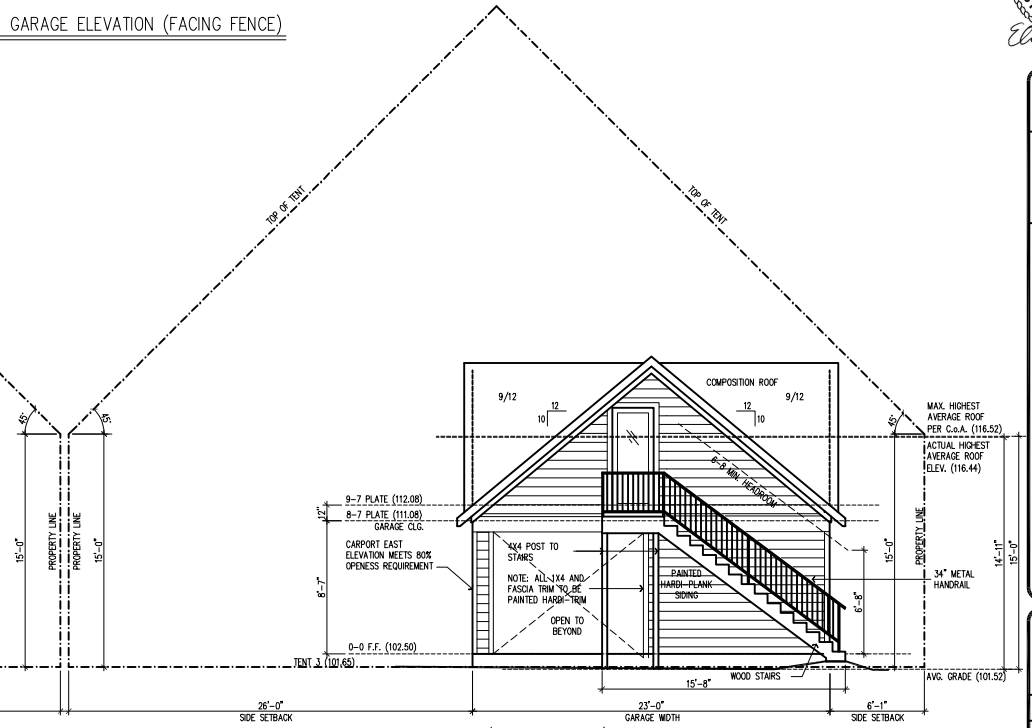
SOUTH GARAGE ELEVATION (FACING YARD)



NORTH GARAGE ELEVATION (FACING FENCE)



WEST GARAGE ELEVATION (FACING JEFFERSON)



EAST GARAGE ELEVATION (FACING HOUSE)

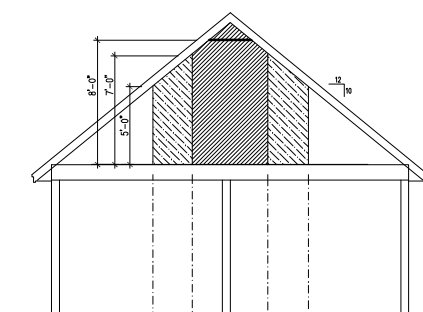
CREATING 3D
The model dimensions, and other specifications shown on this document are guidelines for construction use only. Actual specifications shall be determined by the manufacturer. This document shall not be relied on as a representation of what the completed structure will look like.

ELISA DENNIS
Architecture & Design
Scale: 1/8" = 1'-0"
Date: 05/14/2021



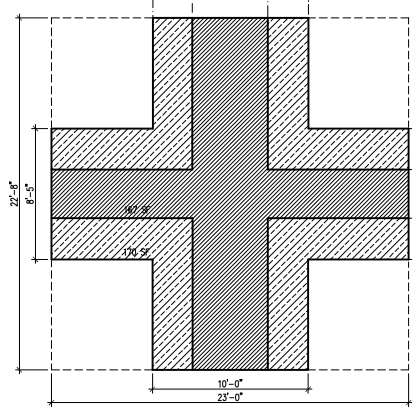
Lot: 3
Blk: 7
Sect: B
Proj. No.: 2101
Job No.:
GARAGE/CARPORT ADDITION
3006 GLENVIEW AVENUE
AUSTIN, TX 78703

EXTR. ELV-1
HAMILTON
CENTRAL LIVING

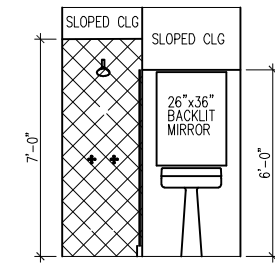
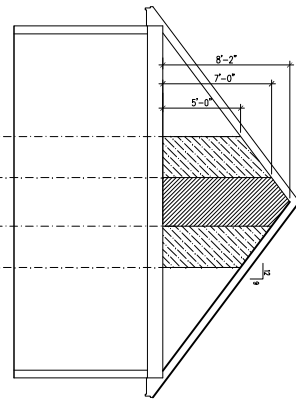


= AREA BETWEEN 5' AND 7'
 = AREA ABOVE 7'

- The habitable portion of this attic space meets the following:
1. The roof above it is not a flat or mansard roof and has a slope of 3 to 12 or greater;
 2. It is fully contained within the roof structure;
 3. It has only one floor;
 4. It does not extend beyond the footprint of the floors below;
 5. It is the highest habitable portion of the building, or a section of the building, and adds no additional mass to the structure; and
 6. Fifty percent or more of the area has a ceiling height of seven feet or less.

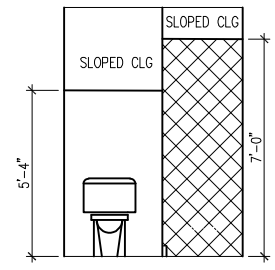


OFFICE LOFT HABITABLE SPACE STUDY



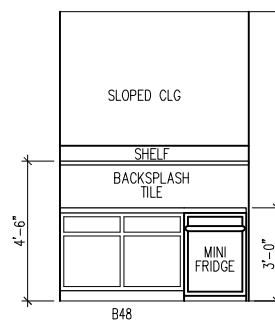
LOFT BATH SINK ELEV.

$\frac{1}{4}'' = 1'-0''$



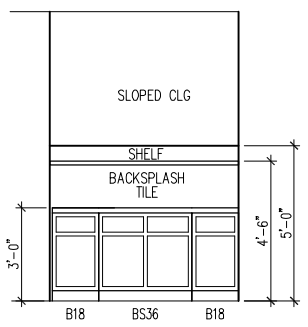
LOFT BATH TOILET ELEV.

$\frac{1}{4}'' = 1'-0''$



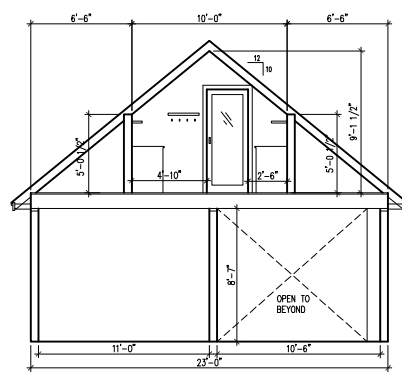
OFFICE LOFT ENTRY ELEV. SOUTH

$\frac{1}{4}'' = 1'-0''$

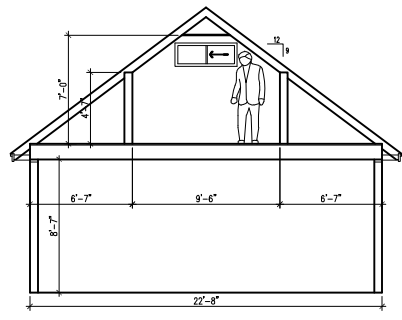


OFFICE LOFT ENTRY ELEV. NORTH

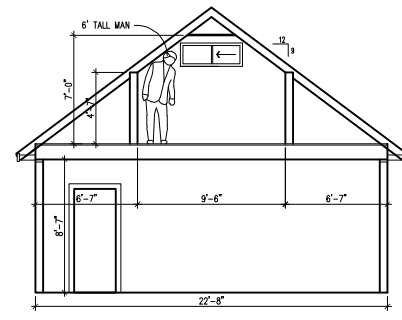
$\frac{1}{4}'' = 1'-0''$



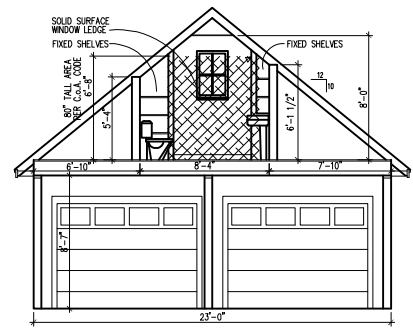
OFFICE LOFT ENTRY SECTION



OFFICE LOFT SECTION: LOOKING NORTH



OFFICE LOFT SECTION: LOOKING SOUTH



OFFICE LOFT BATHROOM SECTION

OBAMA 2011
 The minimum dimensions, and other specifications shown on this document, are guidelines for construction use only. The actual specifications for the finished structure will be determined by the structural engineer. This document shall not be relied on as a representation of what the completed structure will look like.

ELISA DENNIS
 Architecture & Design
 Scale: 1/8" = 1'-0"
 Date: 05/14/2021



Lot: 3
 Blk: 7
 Sect: B
 Proj. No.: 2101
 Job No.:
 GARAGE/ CARPORT ADDITION
 3006 GLENVIEW AVENUE
 AUSTIN, TX 78703

INTR.
ELV-2
 HAMILTON
 CENTRAL LIVING



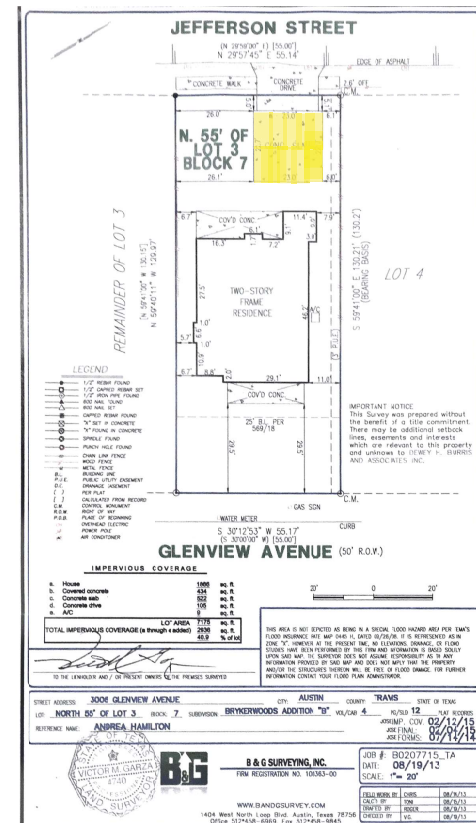
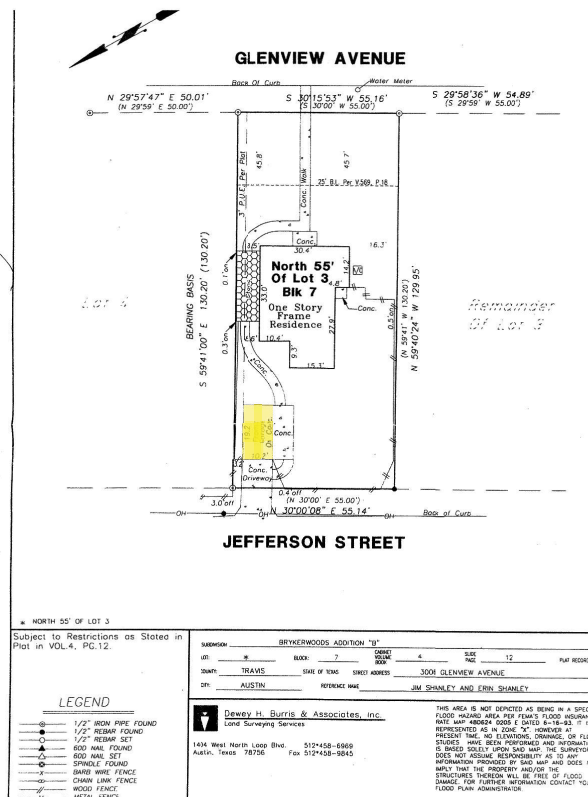
3006 Glenview Avenue

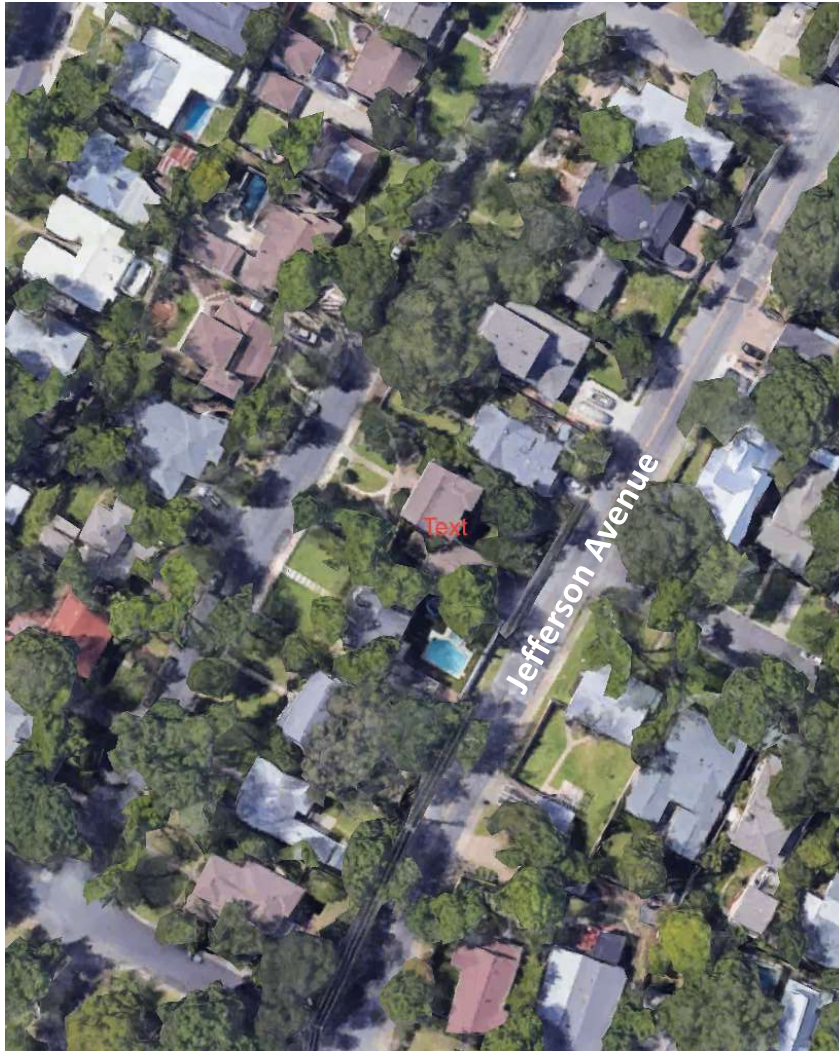
Variance Request (LDC 25-2-515 Re: Rear Yard of a Through Lot)

History & Background Details

The current home was constructed in 2015 with surface parking in the rear. The subject property is located on Glenview Avenue in Brykerwoods. This street is unusual, in that homes on the east side of the street have curb cuts and driveway access from the front of the homes, while all homes on the west side of the street do not. Homes have historically treated Jefferson Avenue as an alley and all off-street parking for these homes on the west side of Glenview access their parking via rear entry.

A side-by-side comparison of the previous and current survey shows that a non-complaint garage structure was removed in order to make room for two off-street parking spaces as required by city code.





Aerial views by Google Maps show driveways along Jefferson Avenue with varying distances from the ROW. Some have been updated and some have not (photos to follow). Most range from 19' to 23' from the asphalt.