CITY OF AUSTIN Board of Adjustment Decision Sheet F-1

DATE	Monday March 14, 2022	CASE NUMBER: C15-2021-0097			
Y_	Thomas Ates				
Y_	Brooke Bailey				
Y_	Jessica Cohen				
Y_	Melissa Hawthorne				
	Barbara Mcarthur OUT				
	Rahm McDaniel OUT				
Y_	Darryl Pruett				
Y_	Agustina Rodriguez				
Y_	Richard Smith				
	Michael Von Ohlen OUT				
Y_	Nicholl Wade				
Y_	Kelly Blume (Alternate)				
	Carrie Waller (Alternate)				
Y_	Marcel Gutierrez-Garza (Alternate)				
APPLI	CANT: Nathan Hobbs				
OWNE	CR: Gary J. Hobbs				

VARIANCE REQUESTED: The applicant is requesting a variance(s) from the Land Development Code:

ADDRESS: 4315 AVENUE A

- a) Section 25-2-492 (Site Development Regulations) to decrease the minimum Lot Size requirements from 5,750 square feet (required) to 5,700 square feet (requested) and
- b) Section 25-2-947 (Nonconforming Use Regulation Groups) (B) (2) to increase the improvement value from 20% (allowed) to 60% (requested) in order to complete a remodel and addition of an existing home in a "SF-3-NCCD-NP", Single-Family-Neighborhood Conservation Combining District-Neighborhood Plan zoning district (Hyde Park Neighborhood Plan).

BOARD'S DECISION: BOA Meeting Oct 11, 2021-POSTPONED TO NOVEMBER 8, 2021 BY BOARD MEMBERS (Due to not enough Board Members present at the meeting); Nov 8, 2021 The public hearing was closed by Madam Chair Jessica Cohen, Board Member Melissa Hawthorne motions to postpone to December 13, 2021; Board Member Thomas Ates seconds on an 11-0 vote; POSTPONED TO DECEMBER 13, 2021; Dec 13, 2021 POSTPONED TO JANUARY 10, 2022 BY APPLICANT; Jan 10, 2022 BOA meeting

cancelled due to not having a quorum present at meeting, case will auto be scheduled and re-notified to February 14, 2021; POSTPONED TO MARCH 14, 2022 BY APPLICANT; March 14, 2022 APPLICANT NO SHOW -Board Member Melissa Hawthorne motions to postpone to June 13, 2022; Board Member Darryl Pruett seconds on a 10-0 vote; POSTPONED TO JUNE 13, 2022.

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 Madam Chair

CITY OF AUSTIN Board of Adjustment Decision Sheet F-1

DATE: Monday February 14, 2022	CASE NUMBER: C15-2021-0097
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)	
Marcel Gutierrez-Garza (Alternate)	

OWNER: Gary J. Hobbs

ADDRESS: 4315 AVENUE A

VARIANCE REQUESTED: The applicant is requesting a variance(s) from the Land Development Code:

- a) Section 25-2-492 (Site Development Regulations) to decrease the minimum Lot Size requirements from 5,750 square feet (required) to 5,700 square feet (requested) and
- b) Section 25-2-947 (Nonconforming Use Regulation Groups) (B) (2) to increase the improvement value from 20% (allowed) to 60% (requested) in order to complete a remodel and addition of an existing home in a "SF-3-NCCD-NP", Single-Family-Neighborhood Conservation Combining District-Neighborhood Plan zoning district (Hyde Park Neighborhood Plan).

BOARD'S DECISION: BOA Meeting Oct 11, 2021-POSTPONED TO NOVEMBER 8, 2021 BY BOARD MEMBERS (Due to not enough Board Members present at the meeting); Nov 8, 2021 The public hearing was closed by Madam Chair Jessica Cohen, Board Member Melissa Hawthorne motions to postpone to December 13, 2021; Board Member Thomas Ates seconds on an 11-0 vote; POSTPONED TO DECEMBER 13, 2021; Dec 13, 2021 POSTPONED TO JANUARY 10, 2022 BY APPLICANT; Jan 10, 2022 BOA meeting

cancelled due to not having a quorum present at meeting, case will auto be scheduled and re-notified to February 14, 2021; POSTPONED TO MARCH 14, 2022 BY APPLICANT

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:

Executive Liaison

Diana A. Ramirez

Madam Chair

From:

To:

Subject: RE: 4315 Avenue A Land Status Determination_C81-2022-0070

Date: Monday, March 7, 2022 12:00:02 PM

Attachments: image001.png

image002.png image003.png image005.png image007.png

My apologies, I misspoke earlier about a possible variance for minimum lot size. He won't need a variance for either a decrease in minimum lot width or lot size because he has an approved Land Status Determination.

Now that his property has legal lot status, Subdivision Review is no longer involved and it will be up to someone else to determine whether any other types of variances might be needed.

Best,

Joey de la Garza

Planner Senior, Land Use Review
City of Austin Development Services Department
6310 Wilhelmina Delco Dr, Austin, Texas 78752

Office: 512-974-2664



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: <u>City of Austin Ordinance 2016-0922-005</u> | <u>City Clerk's website</u> | <u>City Clerk's FAQ's</u>

From: Ramirez, Elaine

Sent: Monday, March 7, 2022 11:14 AM

To:



4315 Avenue A Land Status Determination C8I-2022-0070

Hi Adam.

I do not know this is something Residential Review will have to look at. It sounds like per Joey's email, Nathan will still need a variance for the lot width requirements (which he has on his variance request already)

Nathan is also requesting a variance from 25-2-947 (*Nonconforming Use Regulation Groups*) (*B*) (2) to increase the improvement value from 20% to 60%.

Nathan needs to know as well as I if he still needs a variance for this portion and if any additional variances are required for him to continue with his plan review?

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

Logo-for-email-signature.png

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From: Smith, Adam [DSD]

Sent: Monday, March 07, 2022 10:38 AM

To: de

Subject: RE: 4315 Avenue A Land Status Determination_C8I-2022-0070

Elaine,

Given Joey's comments, does the applicant need to file a new variance request or alter the existing request? What direction should I pass on to them?

From: de la Garza, Joey < Jo

Sent: Friday, March 4, 2022 4:28 PM

To: Ramirez, Elaine <

Subject: RE: 4315 Avenue A Land Status Determination_C8I-2022-0070

Hi, Elaine.

Nathan's property is subject to SF-3 zoning which requires a minimum lot size of 5,750 sqft and his property is 5,697.49 sqft in size. Additionally, his property doesn't have Small Lot Amnesty, so it would appear that he'll still need a BOA variance for a decrease in minimum lot size. As for the rest, I'll have to defer to Residential Review for their opinion.

Best,

Joey de la Garza

Planner Senior, Land Use Review
City of Austin Development Services Department

6310 Wilhelmina Delco Dr, Austin, Texas 78752

Office: 512-974-2664



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From: Ramirez, Elaine

Sent: Friday, March 4, 2022 3:55 PM

To: Smith, Adam [DSD] <



4315 Avenue A Land Status Determination_C8I-2022-0070

Will Nathan still need to obtain a BOA variance? Please let myself and Nathan know by EOB on Friday, March 11. He will need to know whether he needs to continue with the variance process and what exactly he needs a variance from or if he can Withdraw his variance request altogether.

He currently is requesting:

Variance Request(s): The applicant is requesting a variance(s) from the Land Development Code:

a) Section 25-2-492 (Site Development Regulations) to decrease the minimum Lot Size requirements from 5,750 square feet (required) to 5,700 square feet (requested)

and

b) Section 25-2-947 (Nonconforming Use Regulation Groups) (B) (2) to increase the improvement value from 20% (allowed) to 60% (requested) in order to complete a remodel and addition of an existing home in a "SF-3-NCCD-NP", Single-Family-Neighborhood Conservation Combining District-Neighborhood Plan zoning district (Hyde Park Neighborhood Plan).

If he needs additional variances he will have to update the BOA application to include the updated requests and pay a re-notification fee.

Thank you!

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



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From: Smith, Adam [DSD]

Sent: Friday, March 04, 2022 11:29 AM

To: de la Garza, Joey <

4315 Avenue A Land Status Determination_C8I-2022-0070

Perfect. Thanks



From: de la Garza, Joey

Sent: Friday, March 4, 2022 11:27 AM

To: Smith, Adam [

Subject: RE: 4315 Avenue A Land Status Determination_C8I-2022-0070

My pleasure, Adam. Since we approved a Land Status Determination for this property our work here is done, so I think it should go back to Residential Review.

Joey de la Garza

Planner Senior, Land Use Review
City of Austin Development Services Department
6310 Wilhelmina Delco Dr, Austin, Texas 78752

Office: 512-974-2664



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From: Smith, Adam [DSD]

Sent: Friday, March 4, 2022 10:51 AM

To: Ramirez, Elaine

Subject: FW: 4315 Avenue A Land Status Determination_C8I-2022-0070

Ok everyone,

First let me start by thanking each of you for your assistance with this project. You're the best. I am trying to get this project pushed through and need to be sure where we go next.

Are we ready to send this back to review, or are there other steps that need to happen in your respective areas?

From: Nathan Hobbs

Subject: FW: 4315 Avenue A Land Status Determination_C8I-2022-0070

*** External Email - Exercise Caution ***

See attached. Is this what I need to not have to get a variance? I will work on getting you guys the structural drawings asap. Who should I be sending the documents to now that Jhermaine is no longer my point of contact?

Also, thank you so much for your help with this!

Thank you,

Nathan Hobbs

From: de la Garza, Joey <<u>Jo</u>

Sent: Thursday, March 3, 2022 2:55 PM

To: Nathan Hobbs < n

Subject: 4315 Avenue A Land Status Determination_C8I-2022-0070

Hi, Nathan. Please see the attached and have a good afternoon.

Joey de la Garza

Planner Senior, Land Use Review
City of Austin Development Services Department
6310 Wilhelmina Delco Dr, Austin, Texas 78752

Office: 512-974-2664



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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-1

DATE: Monday December 13, 2021	CASE NUMBER: C15-2021-0097			
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: Nathan Hobbs				
OWNER: Gary J. Hobbs				
ADDRESS: 4315 AVENUE A				

VARIANCE REQUESTED: The applicant is requesting a variance(s) from the Land Development Code:

- a) Section 25-2-492 (Site Development Regulations) to decrease the minimum Lot Size requirements from 5,750 square feet (required) to 5,700 square feet (requested) and
- b) Section 25-2-947 (Nonconforming Use Regulation Groups) (B) (2) to increase the improvement value from 20% (allowed) to 60% (requested) in order to complete a remodel and addition of an existing home in a "SF-3-NCCD-NP", Single-Family-Neighborhood Conservation Combining District-Neighborhood Plan zoning district (Hyde Park Neighborhood Plan).

BOARD'S DECISION: BOA Meeting Oct 11, 2021-POSTPONED TO NOVEMBER 8, 2021 BY BOARD MEMBERS (Due to not enough Board Members present at the meeting); Nov 8, 2021 The public hearing was closed by Madam Chair Jessica Cohen, Board Member Melissa Hawthorne motions to postpone to December 13, 2021; Board Member Thomas

Ates seconds on an 11-0 vote; POSTPONED TO DECEMBER 13, 2021; Dec 13, 2021 POSTPONED TO JANUARY 10, 2022 BY APPLICANT

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:

Executive Liaison

Diana A. Ramirez for Madam Chair

CITY OF AUSTIN Board of Adjustment Decision Sheet E-6

DATE	E: Monday November 8, 2021	CASE NUMBER: C15-2021-0097			
Y_	Thomas Ates				
Y_	Brooke Bailey				
Y_	Jessica Cohen				
Y_	Melissa Hawthorne				
Y_	Barbara Mcarthur				
Y_	Rahm McDaniel				
Y_	Darryl Pruett				
Y_	Agustina Rodriguez				
Y_	Richard Smith				
	Michael Von Ohlen (out)				
	Nicholl Wade (out)				
Y_	Kelly Blume (Alternate)				
Y_	Carrie Waller (Alternate)				
	Vacant (Alternate)				

APPLICANT: Nathan Hobbs

OWNER: Gary J. Hobbs

ADDRESS: 4315 AVENUE A

VARIANCE REQUESTED: The applicant is requesting a variance(s) from the Land Development Code:

- a) Section 25-2-492 (Site Development Regulations) to decrease the minimum Lot Size requirements from 5,750 square feet (required) to 5,700 square feet (requested) and
 - b) Section 25-2-947 (Nonconforming Use Regulation Groups) (B) (2) to increase the improvement value from 20% (allowed) to 60% (requested) in order to complete a remodel and addition of an existing home in a "SF-3-NCCD-NP", Single-Family-Neighborhood Conservation Combining District-Neighborhood Plan zoning district (Hyde Park Neighborhood Plan).

BOARD'S DECISION: BOA Meeting Oct 11, 2021-POSTPONED TO NOVEMBER 8, 2021 BY BOARD MEMBERS (Due to not enough Board Members present at the meeting); Nov 8, 2021 The public hearing was closed by Madam Chair Jessica Cohen, Board Member Melissa Hawthorne motions to postpone to December 13, 2021; Board Member Thomas Ates seconds on an 11-0 vote; POSTPONED TO DECEMBER 13, 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:

Executive Liaison

Diana A. Ramirez

Madam Chair

From: Ramirez, Elaine
To:
Cc: Ramirez, Diana

Subject: RE: REMINDER: Mon. Dec. 13, 2021 BOA Advanced Packet deadline

Date: Friday, November 19, 2021 8:06:00 AM

Attachments: <u>image001.png</u>

image002.png

Thanks for the e-mail Nathan, I have postponement request for C15-2021-0097 / 4315 Avenue A to the Jan. 10, 2022 BOA mtg.

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



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From: Nathan Hobbs

Sent: Thursday, November 18, 2021 2:13 PM

To: Ramirez, Elaine < Elaine.Ramirez@austintexas.gov>

Subject: Re: REMINDER: Mon. Dec. 13, 2021 BOA Advanced Packet deadline

Lets postpone, I did not have enough te to get the land status.

Sent from my Verizon, Samsung Galaxy smartphone

Get Outlook for Android

From: Ramirez, Elaine < <u>Elaine.Ramirez@austintexas.gov</u>>

Sent: Thursday, November 18, 2021 10:33:32 AM

To: Nathan Hobbs <

Subject: RE: REMINDER: Mon. Dec. 13, 2021 BOA Advanced Packet deadline

Hi Nathan,

You stated in your e-mail that you are requesting Postponement. Are you requesting a Postponement or are you wanting to Withdraw your case? Either way a refund will not be issued as this has already been worked on by all City Depts. involved, Notices sent out and gone before the BOA Board.

There 3 different terms for variances:

"Pulled" – This is when a case has been submitted but Notices <u>have not</u> yet been sent out (no addtl. fee involved with this one), meaning you can remove the case from a BOA mtg. date as many times as you want to a future BOA mtg. date without a fee charge. You can also modify the application as many times as you want without a fee charge as long as the Notice has not been sent out.

"Postpone" – This is when a case has been submitted, Notices sent out (fee will incur, if Notice has to be re-sent and/or if postponed for more than 60 days out), an applicant can **ONLY** request one postponement. (Paid fee is non-refundable)

"Withdraw" – This is when an applicant, agent, and/or owner decides they want to completely remove the case and no longer proceed with the variance request thru the Board. (Paid fee is non-refundable unless withdrawn within a day or two from original application submittal deadline)

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



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From: Nathan Hobbs

Sent: Thursday, November 18, 2021 10:11 AM

To: Ramirez, Elaine < <u>Elaine.Ramirez@austintexas.gov</u>>

Subject: Re: REMINDER: Mon. Dec. 13, 2021 BOA Advanced Packet deadline

I am very confused. Eric, said if I get the land status I will not need a variance. Which I would request a refund. Not really sure what to do here?

Sent from my Verizon, Samsung Galaxy smartphone Get Outlook for Android

From: Ramirez, Elaine < <u>Elaine.Ramirez@austintexas.gov</u>>

Sent: Thursday, November 18, 2021 8:46:51 AM

To: Nathan Hobbs <

Subject: RE: REMINDER: Mon. Dec. 13, 2021 BOA Advanced Packet deadline

Hi Nathan,

Will you be postponing to the Jan. 10 BOA mtg? If you will be postponing the case for more than 60 days then a fee of \$302.64 will incur. If you wish to pull to a future date, please let me know which date from the BOA mtg. schedule below?

BOA Mtg. Schedule 2022

(BOA meets on the 2nd Monday of the Month)

(DOA Inects on the	2.2 Worlday of the World)
Jan. 10	City Hall – 301 W. 2 nd St - Council Chambers / Rm. 1001
Feb. 14	City Hall – 301 W. 2 nd St - Council Chambers / Rm. 1001
Mar. 14	Permitting and Development Center -6310 Wilhelmina Delco Dr - Event Center
/ Rm. 1405	
Apr. 11	Permitting and Development Center – 6310 Wilhelmina Delco Dr - Event Center /
Rm. 1405	
May 9	Permitting and Development Center – 6310 Wilhelmina Delco Dr - Event Center /
Rm. 1405	
Jun. 13	Permitting and Development Center -6310 Wilhelmina Delco Dr - Event Center / Rm.
1405	
Jul. 11	Permitting and Development Center — 6310 Wilhelmina Delco Dr - Event Center
/ Rm. 1405	D D C
Aug. 8	Permitting and Development Center – 6310 Wilhelmina Delco Dr - Event Center /
Rm. 1405 Sept. 12	Permitting and Development Center - 6310 Wilhelmina Delco Dr - Event Center /
Rm. 1405	Fermitting and Development Center — 0310 Willieminia Delco Di - Event Center /
Oct. 10	Permitting and Development Center - 6310 Wilhelmina Delco Dr - Event Center /
Rm. 1405	Termitting and Development Center 0510 Wilhelminta Deleto Di Livent Center /
Nov. 14	Permitting and Development Center - 6310 Wilhelmina Delco Dr - Event Center /
Rm. 1405	2 containing and 2 crossponent containing 2 cross 21 2 cross containing
Dec. 12	Permitting and Development Center - 6310 Wilhelmina Delco Dr - Event Center /
Rm. 1405	

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



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From: Nathan Hobbs

Sent: Wednesday, November 17, 2021 4:04 PM

To: Ramirez, Elaine < <u>Elaine.Ramirez@austintexas.gov</u>> **Cc:** Ramirez, Diana < <u>Diana.Ramirez@austintexas.gov</u>>

Subject: RE: REMINDER: Mon. Dec. 13, 2021 BOA Advanced Packet deadline

*** External Email - Exercise Caution ***

Elaine, after speaking with Eric I believe I need to postpone until I receive the land status determination?

Thank you,

Nathan Hobbs

From: Ramirez, Elaine < <u>Elaine.Ramirez@austintexas.gov</u>>

Sent: Wednesday, November 17, 2021 7:25 AM

Cc: Ramirez, Diana < <u>Diana.Ramirez@austintexas.gov</u>>

Subject: REMINDER: Mon. Dec. 13, 2021 BOA Advanced Packet deadline

Importance: High

Good morning Applicants on the Mon. December 13th, 2021 BOA mtg. Agenda,

Please read this entire e-mail





The deadline to submit information for the Advanced Packet (must be submitted in PDF format) is Friday, November 19th, before 3p.m.

Advanced Packet: You have until Friday, November 19th, before 3p.m. to submit any maps, surveys, drawings, photos and any additional documentation, (including the Special Exception Inspection Report if you applied for a Special Exception, if REPORT not included this case will have to be Postponed) you want included as part of your Advanced Packet for your BOA variance case [do not include already submitted application + survey], this is not your Presentation. The Advanced Packet will need to be submitted to me via e-mail in PDF format.

CITY OF AUSTIN Board of Adjustment Decision Sheet E-3

DATE: Monday October 11, 2021	CASE NUMBER: C15-2021-0097			
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: Nathan Hobbs				
OWNER: Gary J. Hobbs				
ADDRESS: 4315 AVENUE A				

VARIANCE REQUESTED: The applicant is requesting a variance(s) from the Land Development Code:

- a) Section 25-2-492 (Site Development Regulations) to decrease the minimum Lot Size requirements from 5,750 square feet (required) to 5,700 square feet (requested) and
 - b) Section 25-2-947 (Nonconforming Use Regulation Groups) (B) (2) to increase the improvement value from 20% (allowed) to 60% (requested) in order to complete a remodel and addition of an existing home in a "SF-3-NCCD-NP", Single-Family-Neighborhood Conservation Combining District-Neighborhood Plan zoning district (Hyde Park Neighborhood Plan).

BOARD'S DECISION: BOA Meeting 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:

Executive Liaison

Madam Chair



October 5, 2021

Nathan Hobbs 4315 Avenue A Austin TX, 78751

Property Description: W 76FT OF LOT 1-3 BLK 11 HYDE PARK ADDN NO 1

Re: C15-2021-0097

Dear Nathan,

Austin Energy (AE) has reviewed your application for the above referenced property, requesting that the Board of Adjustment consider a variance(s) from LDC 25-2-947 & 25-2-942 in order to build an addition onto single-family home.

Austin Energy does not oppose the request, provided that any proposed or existing improvements follow Austin Energy's Clearance & Safety Criteria, the National Electric Safety Code, and OSHA requirements. Any removal or relocation of existing facilities will be at the owner's/applicant's expense.

Please use this link to be advised of our clearance and safety requirements which are additional conditions of the above review action:

https://library.municode.com/tx/austin/codes/utilities_criteria_manual?nodeId=S1AUENDECR_1_.10.0CLSARE

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

Joseph Beeler, Planner II

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

BOA GENERAL REVIEW COVERSHEET

CASE: C15-2021-0097 **BOA DATE**: October 11th, 2021

ADDRESS: 4315 Avenue A
OWNER: Gary J. Hobbs

COUNCIL DISTRICT: 9
AGENT: Nathan Hobbs

ZONING: SF-3-NCCD-NP (Hyde Park NCCD)

LEGAL DESCRIPTION: W 76FT OF LOT 1-3 BLK 11 HYDE PARK ADDN NO 1

<u>VARIANCE REQUEST</u>: decrease the minimum Lot Size requirements from 5,750 square feet (required) to 5,700 square feet (requested) **and** increase the improvement value from 20% (allowed) to 60% (requested)

SUMMARY: complete a remodel and addition

ISSUES: lot configuration, location of heritage trees, unhabitable home

	ZONING	LAND USES
Site	SF-3-NCCD-NP	Single-Family
North	SF-3-NCCD-NP; MF-3-	Single-Family; Multi-Family
	NCCD-NP	
South	SF-3-NCCD-NP; MF-4-	Single-Family; Multi-Family
	NCCD-NP	
East	MF-4-NCCD-NP	Multi-Family
West	MF-4-NCCD-NP	Multi-Family

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District

Austin Lost and Found Pets

Austin Neighborhoods Council

Central Austin Community Development Corporation

Friends of Austin Neighborhoods

Friends of Hyde Park

Homeless Neighborhood Association

Hyde Park Neighborhood Assn.

Hyde Park Neighborhood Plan Contact Team

My Guadalupe

Neighborhood Empowerment Foundation

North Austin Neighborhood Alliance

Preservation Austin

SELTexas

Sierra Club, Austin Regional Group





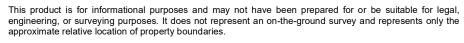
/// SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

NOTIFICATIONS

CASE#: C15-2021-0097 LOCATION:4315 AVENUE A





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, <u>click here to Save</u> 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 #	<u> </u>
Section 1: Appli	icant Stateme	nt		
Street Address: 4315				
Subdivision Legal Desc				
The West 76 ft of L	•	ock 11. Hvde Parl	Additition	
		· ·		
Lot(s): <u>1,2,3</u>				
Zoning District:				
I/We Nathan Hobbs			on b	ehalf of myself/ourselves as
authorized agent for	r			affirm that on
Month October	▼ , Day 11	year 2021	, hereby a	pply for a hearing before the
Board of Adjustmen	t for consideration	to (select approp	riate option be	low):
○ Erect ○ Attac	h OComplete	Remodel	○ Maintain	Other:
Type of Structure:	Single family resid	ence.		

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

LDC 25-2-947 A person may improve, enlarge, or structurally alter a structure if the cost does not exceed 20 percent of the value of the structure before the improvement. Cost to make safe is around 60%

LDC 25-2-942 have an area of not less than 5,750 SF. Lot is 5,700 SF

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:

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The zoning regulations applicable to the property do not allow for a reasonable use because:
I am unable to remodel existing unhibabable structure, nor able to expand use of structure to a
true single family home - one which is livable and safe for my two children.
Hardship
a) The hardship for which the variance is requested is unique to the property in that:
With the combination of the current lot configuration, mixed with current location of
uninhabitable domicile and the location of heritage trees make it impossible to create an
inhabitable home for my family.
b) The handship is not reposal to the even in which the property is leasted because.
b) The hardship is not general to the area in which the property is located because:
The combination of lot size, domicile location and heritage trees create a unique hardship for
this property. In current state the structure is uninhabitable and unsuitable for a single family
residence.

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 renovation and expansion of the property will not alter the character of the unit as current plans utlize as much of the existing structure as allowed with environmental and safety considerations. The plans seek to maximize the lots use of living and personal yard space with impaire the use of adjacent properties nor will it limit the purposes of the regulations as it will be utlized as a single family home while maintaining the character and charm of the neighborhood.

Parking (additional criteria for parking variances only)

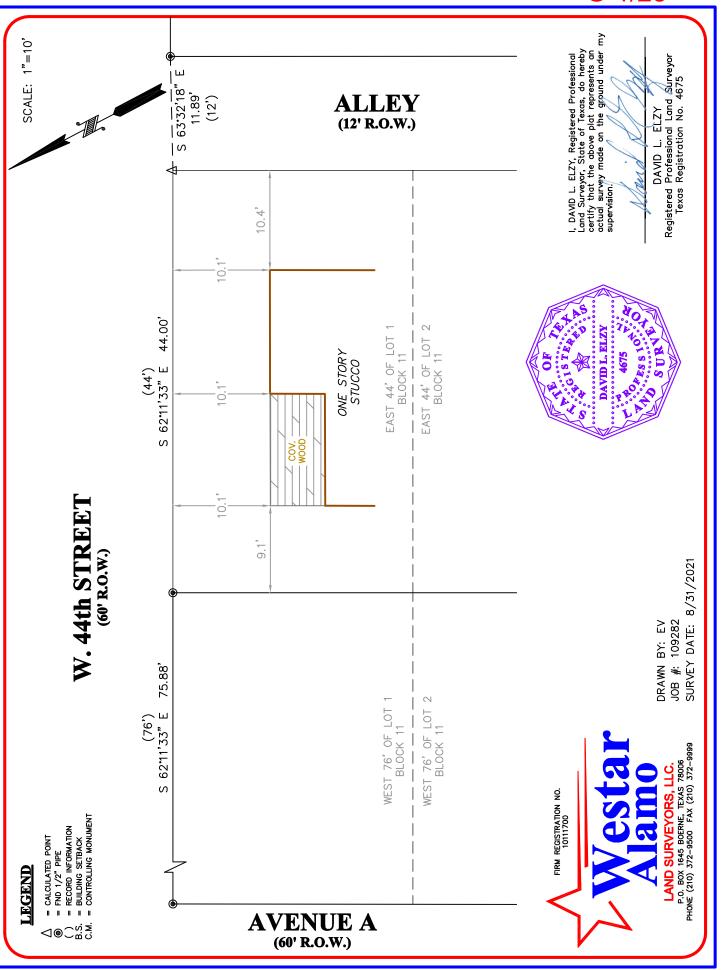
Request for a parking variance requires the Board to make additional findings. The Board may grant a variance to a regulation prescribed in the City of Austin Land Development Code Chapter 25-6, Appendix A with respect to the number of off-street parking spaces or loading facilities required if it makes findings of fact that the following additional circumstances also apply:

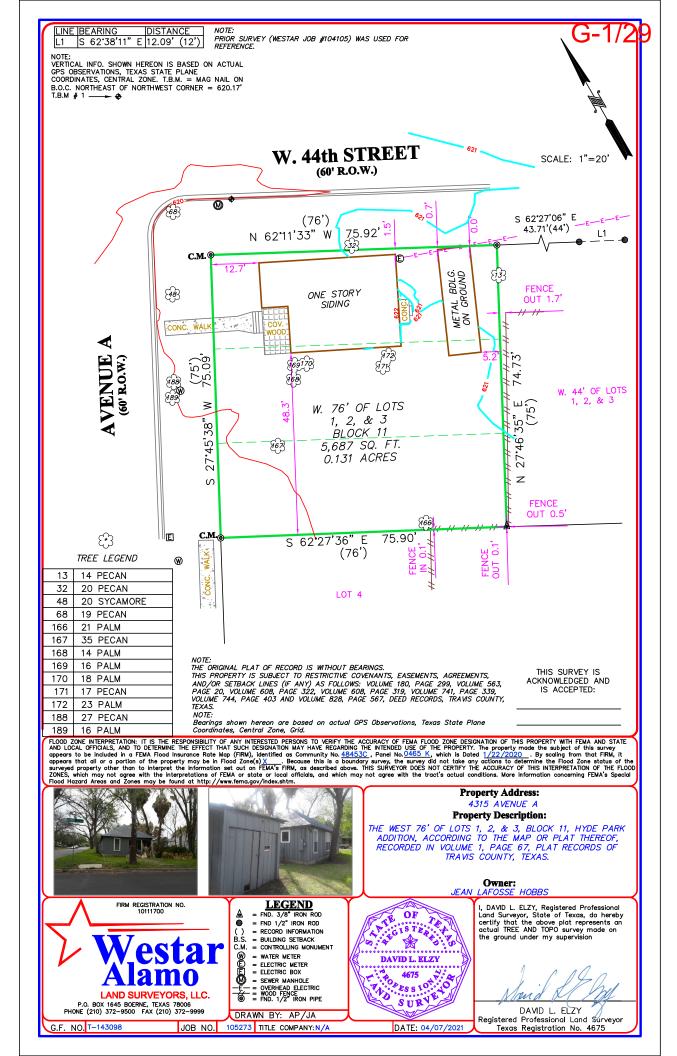
1.	Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonably require strict or literal interpretation and enforcement of the specific regulation because:
_	
2.	The granting of this variance will not result in the parking or 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 inconsisten 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:

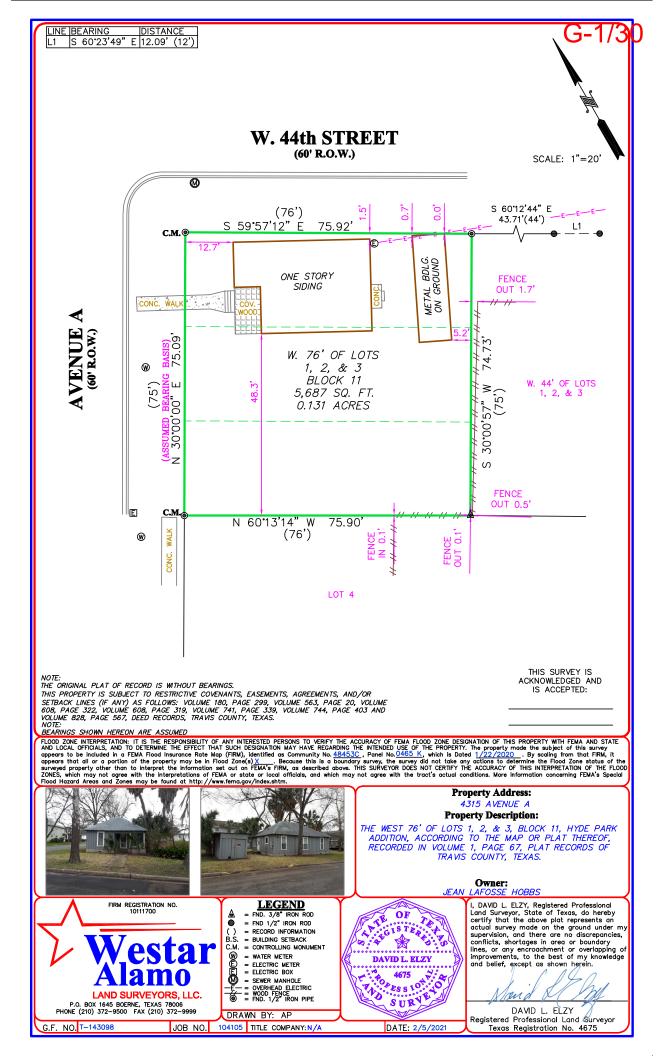
Section 3: Applicant Certificate

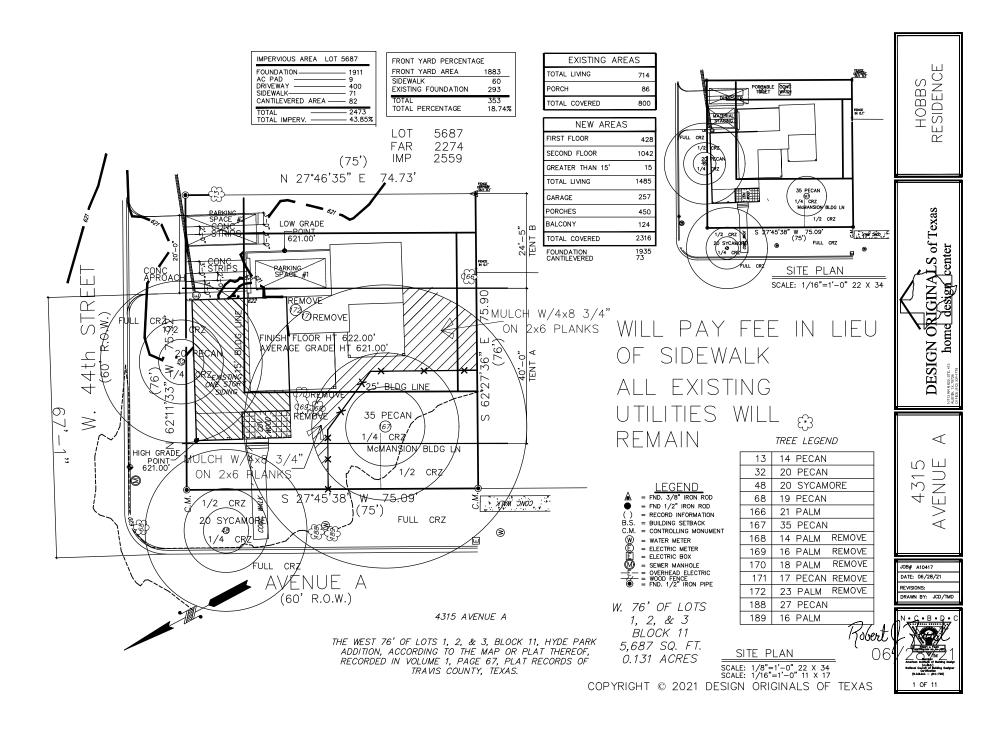
I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Applicant Signature: Nathan Hobbs Digitally signed by Nath Div. CN-Nathan Hobbs Digitally signed by Nath Digitally signe	nan Hobbs , E=Nathan.hobbs@mitchelltimeandparking.com rr of this document	Date: <u>09/10/2021</u>
Applicant Name (typed or printed): Nathan Hobbs		
Applicant Mailing Address: 4315 Avenue A		
City: Austin	State: <u>Texas</u>	Zip: 7 <u>8751</u>
Phone (will be public information): (512) 801-5023		
Email (optional – will be public information):		
Section 4: Owner Certificate		
I affirm that my statements contained in the complete app my knowledge and belief.		d correct to the best of
Owner Signature: Gary J Hobbs Carlot	i Hobbs, E=gary.hobbs@mitchelltimeandparking.com current	Date: <u>09/10/2021</u>
Owner Name (typed or printed): Came Habba		
Owner Mailing Address: 20214 Hodde In		
City: Pflugerville	State: <u>Texas</u>	Zip: 7 <u>8660</u>
Phone (will be public information): (512) 801-5600		
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	e)	
Please use the space below to provide additional informate referenced to the proper item, include the Section and Fig.	eld names as well (c	continued on next page).











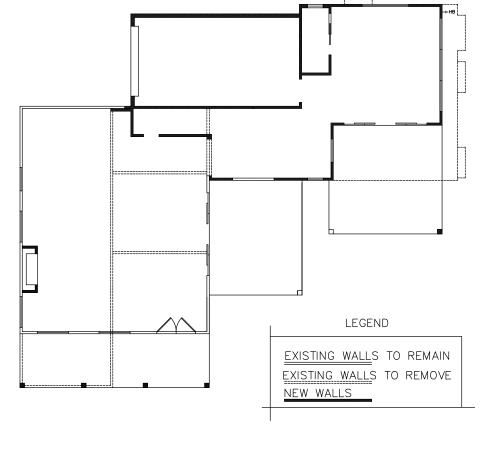
DESIGN ORIGINALS of Texas

4315 Avenue

DATE: 06/28/21

2 OF 11





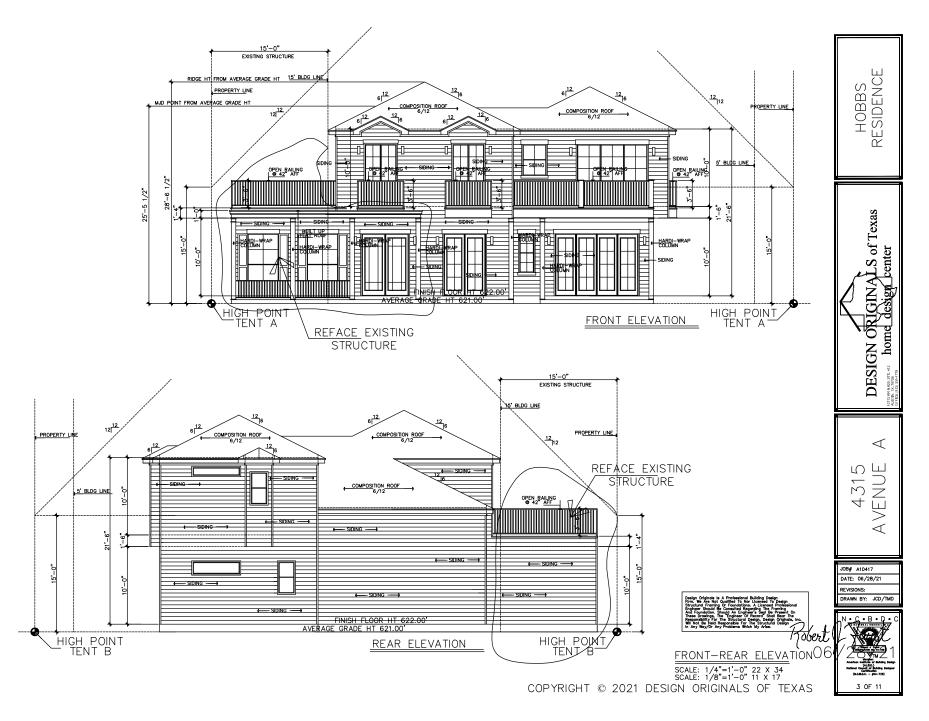
EXISTING	AREAS
TOTAL LIVING	714
PORCH	86
TOTAL COVERED	800

	NEW AREAS	
	FIRST FLOOR	42
ı	SECOND FLOOR	104
ı	GREATER THAN 15'	1
	TOTAL LIVING	148
	GARAGE	25
	PORCHES	450
	UNCOVERED BALCONY	451
	TOTAL COVERED	231
	FOUNDATION CANTILEVERED	193: 73

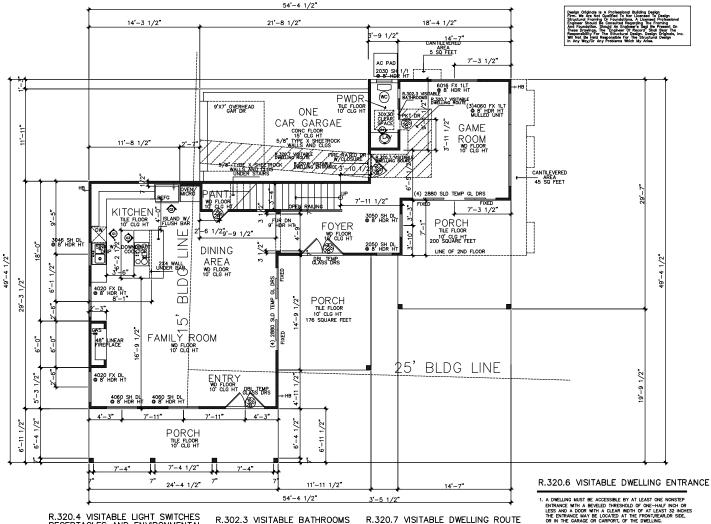
DEMO PLAN

SCALE: 1/4"=1'-0" 22 X 34
SCALE: 1/8"=1'-0" 11 X 17

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R.320.4 VISITABLE LIGHT SWITCHES RECEPTACLES AND ENVIRONMENTAL CONTROLS

- LIGHT SWITCHES AND ENVIRONMENTAL CONTROLS MUST BE NO HIGHER THAN 48" INCHES ABOVE THE INTERIOR FLOOR AND
- 2. OUTLETS AND RECEPTACLES MUST BE A MININUM OF 15 INCHES ABOVE THE INTERIOR FLOOR, EXCEPT FOR FLOOR OUTLETS AND RECEPTACLES

R.302.3 VISITABLE BATHROOMS

- A MINIMUM CLEAR OPENING OF 30 INCHES IS REQUIRED
 2. LATERAL TWO-NICH BY SIX INCH OR LARGER NOWINAL
 MODE BLOCKING MUST BE INSTALLED FLUSH WITH STUD
 3. THE CENTERINE OF THE BLOCKING MUST BE 34 INCHES
 FROM THE PRAFILE. TO THE INTERIOR FLOOR LEVEL,
 EXCEPT FOR THE PROFITON OF THE WALL LOCATED
 DIRECTLY BEHIND HE LANGTORY

R.320.7 VISITABLE DWELLING ROUTE

A MISTABLE ENTRANCE APPROVED UNDER SECTION R320.6
MUST HAVE AT LEAST ONE MISTABLE ROUTE WITH A CROSS SLOPE
OF NO GREATER THAN TWO PERCENT (1:50) THAT DRIGMANTES FROM
A GARAGE, DRIVEWAY, PUBLIC STREET, OR FUBLIC SIDEWALK. A RAMP
INCLUDED IN AN EXTERIOR MISTABLE ROUTE MUST COMPILY WITH

THRESHOLD DETAIL

N.T.S. 1/2" MAXIMIUM REFER TO CODE INTERPRETATION C12013-0002 ADDITIONAL INFORMATION 1/2" MAXIMIUM 3/8" MAXIMIUM T 1/2" MAXIMIUM

SYMBOL LEGEND

HOSE BIB SHOWER HEAD @ 80" AFF

GAS/PROPANE VALVE

FIRST FLOOR

SCALE: 1/4"=1'-0" 22 X 34 SCALE: 1/8"=1'-0" 11 X 17

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GENERAL NOTES:

- Design Originals assumes no responsibility for any changes or modifications made to these plans by others.
- These plans and specifications are intended to meet all applicable codes and ordinances. Contractor to comply with all local codes, ordinances and deed restrictions.
- restrictions.

 Any discrepancies in plans to be brought to the attention of the designer prior to beginning construction. Contractors shall assume responsibility for errors that are not reported.
- Contractor shall insure compatibility of the building with all site requirements.
- Contractor to consult with a structural engineer for design of all solid framing, columns, beams, and othe structural members.
- All wood, concrete and steel structural members shall be of a good quality and meet all applicable national, state and local building codes.
- All angles shown on plans are 45° unless noted otherwise
- 8.0 All dimensions should be read or calculated and never scaled
- All window sizes are nominal rough opening, verify sizes with manufacturers details & specs.
- 10.0 All windows will be dimensioned to center of rough openings unless otherwise noted.
- 11.0 Weather strip attic access door(s). 12.0 Contractor to provide a 3/4" plywood catwalk from attic access to HVAC units (if applicable). Units to be located within 20'-0" of access
- All vents to rear of residence. 14.0 Provide 1 s.f. net free area of attic ventilation per 150 s.f. of total covered roof area as per code.
- 15.0 Floor truss area to be draft stopped where trusses open to attic space
- 16.0 Divide floor truss area into equal areas of less than 1000 s.f. each for fire stops
- 18.0 Pull down attice access to be standard 30"x54" R.O. all ceilings 11'-1 1/8" or higher require 30"x60" R.O.
- 19.0 Provide stude at all 4 corners of tub.
- 20.0 Provide 5/8" type "X" gypsum board on common walls and cellings.
- 22.0 Attach tops, sides and bottoms, of windows and doors shingle style.
- 23.0 Apply 2 ply ALTM building paper shingle style over all exterior sheating prior to installing metal roof.
- 24.0 Stucco veneer must comply with 2015 IRC and the ASTM requirements.
- 25.0 Provide weep screen properly installed.
- 26.0 Provide expansion/contraction control joints to divide up stucco into 100 sq. ft. total sq. ft. area. Provide casing bead where stucco terminates arounc perimeter of windows, doors or dissimilar materials. Stop casing bead at least {" to \" away from window and door frames.

EXISTING	AREAS
TOTAL LIVING	714
PORCH	86
TOTAL COVERED	800

NEW AREAS	
FIRST FLOOR	428
SECOND FLOOR	1042
GREATER THAN 15'	15
TOTAL LIVING	1485
GARAGE	257
PORCHES	450
BALCONY	124
TOTAL COVERED	2316
FOUND ATION	107E

FOUNDATION CANTILE VERED

Robert

1935 73



 \triangleleft 4315 Avenue



5 OF 11



2'-0"

42'-1"

5'-9 1/2"

DESK '80
KNEE |
BPACE

-8 1/2**"**

5'-5 1/2"

3046 DH DL 3046 DH DL 8' HOR HT ILE FLOOR 10' CLG HT

3'-7" 1'-9 1/2"

MAST

7'-3 1/2"

18'-0 1/2"

11'-0"

7'-8 1/2"

MASTER SUITE

WRAP DROP-

3'-3 1/2

TEMP/ GLASS

3016 FX 1LT

OPEN RAILING

OPEN RAILING 42" AFF

15-3 1/2

7'-10 1/2"

21'-8 1/2"

13'-7 1/2"

deen Rahukig

BATH TILE FLOOR 10' CLG HT

BEDRM #2

OPEN RAILING 42" AFF

WD FLOOR 10' CLG HT BUILDER LOCATE ATTIC ACCESS ON SITE

BEDRM #3

OPEN RAILING

11'-3 1/2"

3'-3 1/2

42'-11"

OPEN RAILING

SLOPE FLOOR

SUNDECK TILE FLOOR BUILT UP FLAT ROOF 327

OPEN RAILING 42" AFF

13'-5 1/2"

24'-3 1/2"

DBL TEMP GLASS DRS

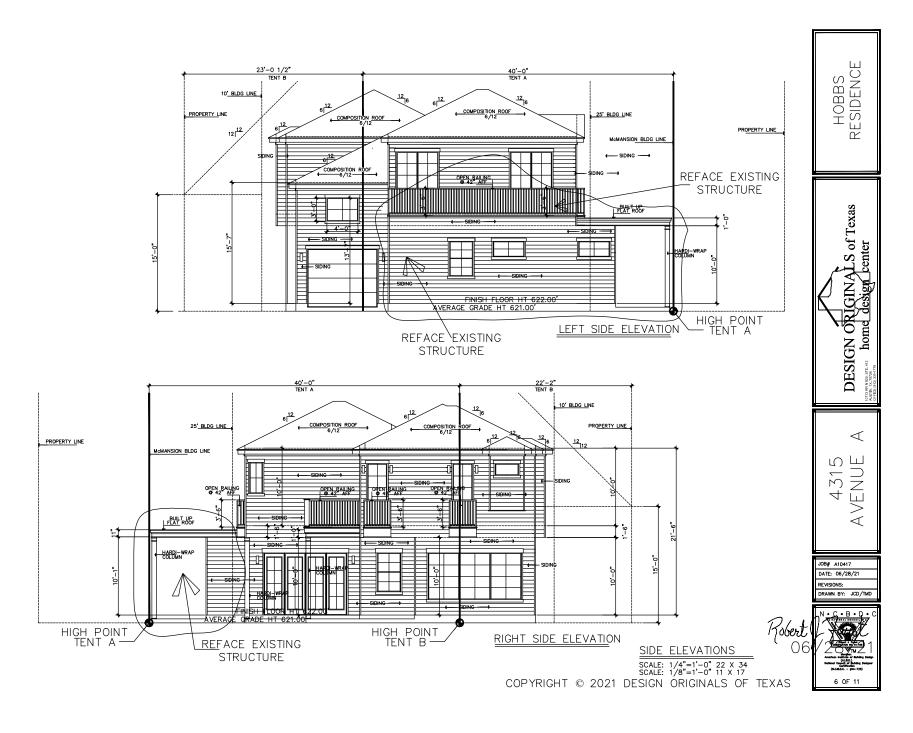
SECOND FLOOR

SCALE: 1/4"=1'-0" 22 X 34 SCALE: 1/8"=1'-0" 11 X 17

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HOBBS RESIDENCE







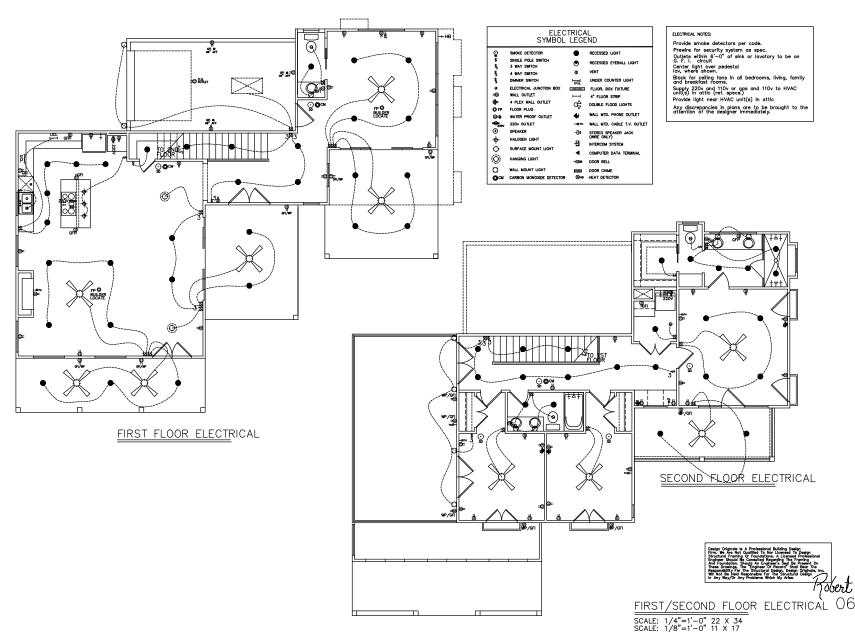
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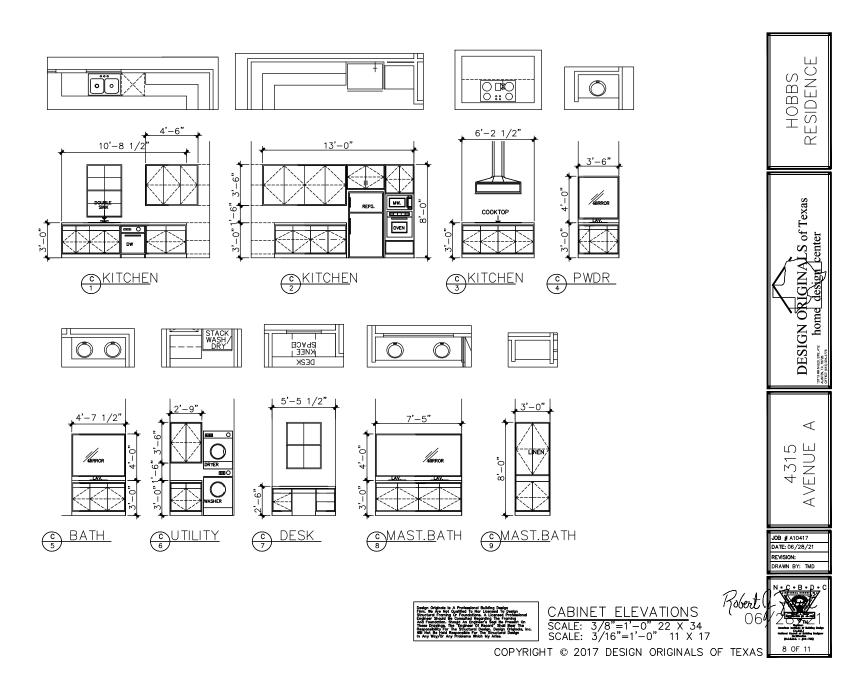
4315 AVENUE A





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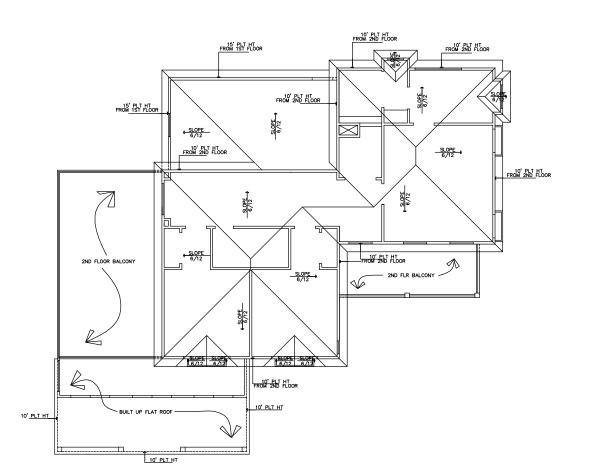
4315 AVENUE A

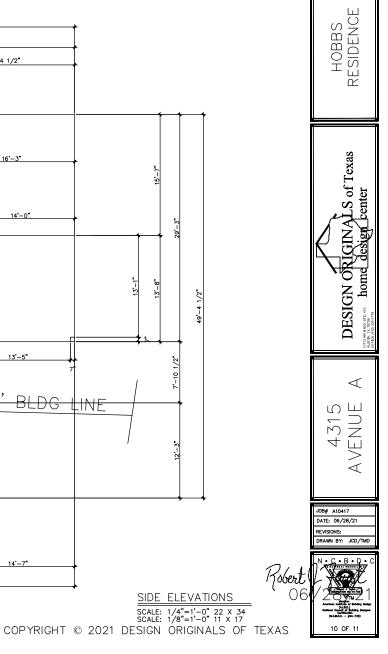
JOB# A10417 DATE: 06/28/21 REVISIONS: DRAWN BY: JCD/TMD

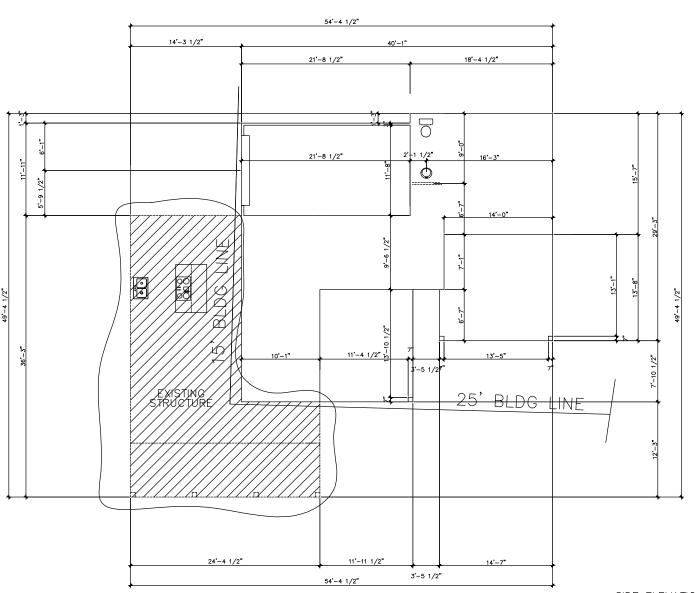




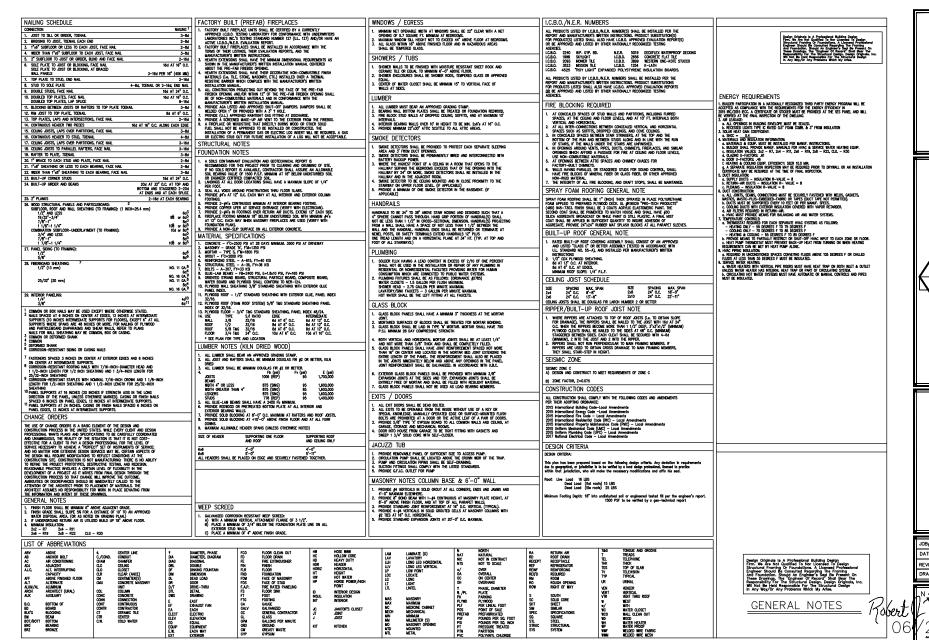
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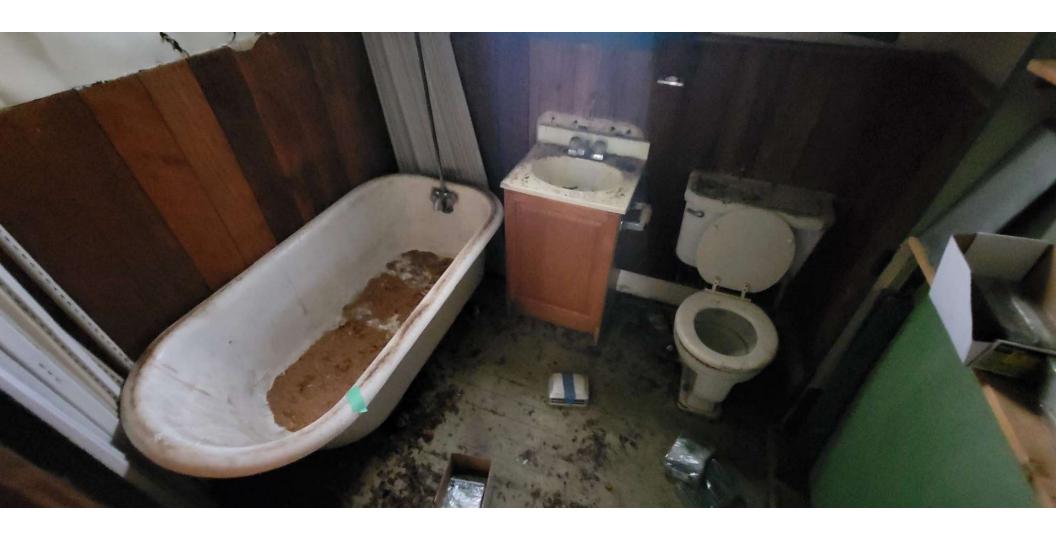




















From: Baldick, Ross
To: Ramirez, Elaine

Subject: Objection to Case Number C15-2021-0097

Date: Sunday, February 06, 2022 4:38:48 PM

*** External Email - Exercise Caution ***

Dear Ms. Ramirez,

I own and live in the property at 4211 Avenue A, and own and rent out the property at 4209 Avenue A. Both of these properties have had their crawl spaces inundated with water during severe rain in past years. Therefore, the issue of increased impervious cover and implications for future flooding is of utmost importance to me. The subject property, at 4315 Avenue A, is "upstream" from my properties. Increasing impervious cover at 4315 Avenue A, as implied by the variance request, will tend to worsen the flooding that my properties experience.

For these reasons, I request that the Board of Adjustment deny the variance request.

Thank you, Ross Baldick

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