

C15-2022-0082

2406 Sweetbrush Dr

Lot 13 Sweetbrush Section Two
Central West Austin NG

Speaker: Tim Cuppett, AIA

Also attending: Homeowner Joy Kerveillant-Hirsch

Applicant is requesting a variance from Land Development Code section 25-2-515 (Rear Yard of Through Lot) to **reduce the rear setback adjacent to Matthews Dr from 25 feet (required) to 10 feet (requested)**

ITEM5/2-PRESENTATION

Goals

- Variance requested prior to designing and submitting plans for permit review
- Construct garage/guest house: enclosed parking for 2 vehicles at basement level with living space above and/or addition to the existing home
- Preserve heritage trees, the existing residence & existing driveway on Sweetbrush Dr

Zoning & History

- City initially stated 15 ft street yard setback during Consultation in May, citing approved building permits
- City later revised to 25 ft through lot setback during subsequent PPR in June
- City indicated that a variance would be required to resolve rear setback conflict

Issues noted below are described more fully in the following slides and in the Advance Packet

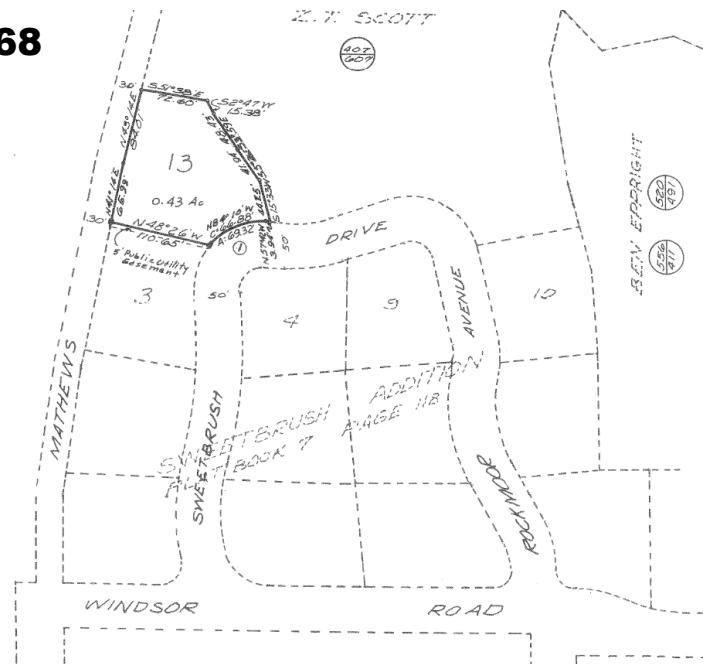
Site & Context

- Numerous **heritage & protected shade trees** within the **irregularly shaped lot**
- Existing residence location triggers a **72 foot front setback for garage**
- Neighborhood plan prohibits placing a garage in the front yard
- **Existing driveway** on Sweetbrush Dr to remain; City code prohibits 2nd curb cut on Matthews Dr and **topography** makes access from Matthews Dr impractical
- Sweetbrush Subdivision (1955) restrictions established a **10 foot rear setback from Matthews Dr** and required **residence to front on Sweetbrush Dr**
- Matthews Dr is substandard (30 ft ROW) and doesn't meet min. criteria for local access street
- Multiple properties along this segment of Matthews Dr contain structures within 25 feet
- Other properties on this block have a 10 foot rear setback

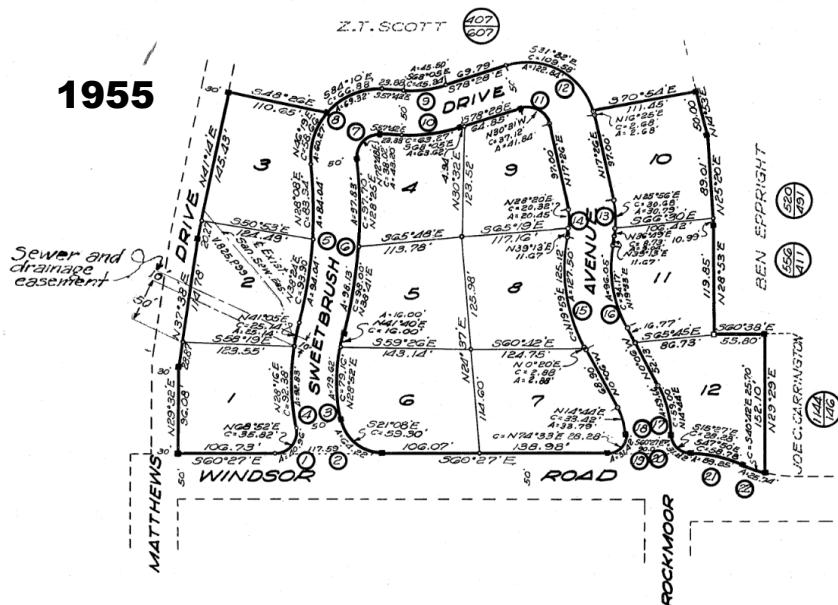
Variance

- 10 foot setback (standard for SF-3 zoning) in lieu of 25 foot setback required for “through lot”
- No increase to allowable impervious or building cover, FAR or building height
- Applied for variance prior to submitting architectural plans for building permit review
- Engaged neighborhood group and received strong support from surrounding neighbors

1968



1955



ITEM5/3-PRESENTATION

Property Records

Subdivision & Restrictive Covenant

- Residence must front Sweetbrush Dr
- 25 foot setback from Sweetbrush Dr
- 10 foot setback from Matthews Dr

C15-2022-0082
Exhibit B3

hb	8
R. MAX BROOKS, ET AL	RESTRICTIONS
TO	DATED NOVEMBER 28, 1955
THE PUBLIC	FILED DECEMBER 13, 1955
	RECORDED IN VOL. 1645 PAGES 376-380
	RECORDS OF TRAVIS COUNTY, TEXAS
<p>THE STATE OF TEXAS COUNTY OF TRAVIS</p> <p>KNOW ALL MEN BY THESE PRESENTS, That we, R. Max Brooks and wife, Marietta Moody Brooks, and Edgar H. Perry, III, and wife, Kathleen Miller Perry, and George Anne Perry Little and husband, Lewis N. Little, all of Travis County, Texas, being the owners of Sweetbrush, a subdivision out of the Daniel J. Gilbert Survey No. 8, in the City of Austin, Travis County, Texas, as shown by a map or plat thereof recorded at Book 7, Page 118, Plat Records of Travis County, Texas, do hereby impress upon the property contained in said subdivision the following restrictions, conditions and covenants:</p> <ol style="list-style-type: none"> 1. All lots shall be used for residential purposes only. No house shall be erected, altered, placed or permitted to remain on any lot or building plot other than a single family dwelling. 2. Only one residence shall be placed upon any lot or building plot. 	

-2-1645/376 hb	9
<p>"Building plot" shall mean any lot, lots or parts of lots having a contiguous street frontage and an average width of not less than 100 feet. No re-subdivision of existing lots may be made to create an additional plot, except as part of a building plot as hereinabove defined.</p> <ol style="list-style-type: none"> 3. No detached garage or detached living quarters may be built on any lot or building plot. Any garage and any living quarters shall be part of the main residence or attached thereto by a common wall or by a covered passageway. 4. All residences shall be so constructed as to front upon either Rockmoor Avenue or Sweetbrush Drive, but this provision shall not be construed as preventing the location of a house at an angle to the front street line. 5. No building shall be located nearer than 25 feet to Rockmoor Avenue or to Sweetbrush Drive except that this provision shall not be applied to the north lines of Lots 4 and 9. 6. No residence shall be erected on any lot or building plot unless the reasonable market value of the improvements upon completion is at least \$30,000.00. 7. Each residence shall be so constructed that its height above the highest elevation of the lot or building plot on which it is located shall not exceed one story. 8. No house or part thereof shall be located nearer than 10 feet to the west line of Lots 1, 2 and 3. 	

-3-1645/376 hb	10
<p>9. The set back requirement appearing on the plat of Sweetbrush, as recorded at Book 7, Page 118, Plat Records of Travis County, Texas, is amended insofar as it is inconsistent with these restrictions, conditions and covenants.</p> <ol style="list-style-type: none"> 10. These covenants are to run with the land and shall be binding on all lot owners and all persons claiming under them until January 1, 1976, at which time said covenants shall be automatically extended for successive periods of ten years unless changed of record by persons representing a majority of the lots or building plots at that time. Such changes may relate to all or any part of the said covenants. 	

ITEM5/4-PRESENTATION

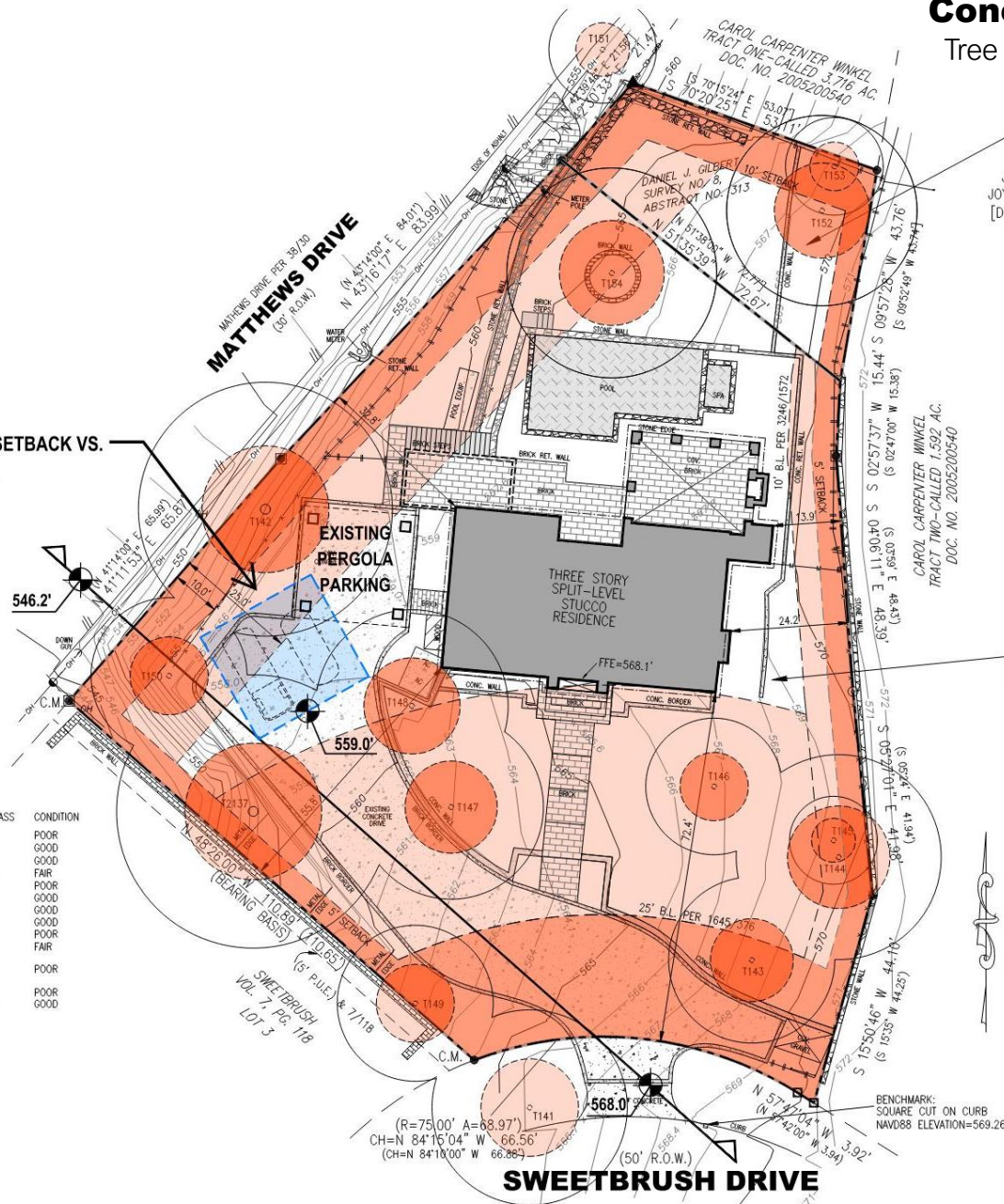
Conceptual Site Diagram

Tree Critical Root Zones & Setbacks

25 FT THROUGH-LOT SETBACK VS.
10 FT REAR SETBACK

TREE LIST			
TAG #	DESCRIPTION	CLASS	CONDITION
T141	20.0" LIVE OAK	P	POOR
T142	26.0" LIVE OAK	H	GOOD
T143	17.0" LIVE OAK		GOOD
T144	21.0" M.S. C. ELM	P	FAIR
T145	9.0" CEDAR ELM		POOR
T146	14.0" ELM		GOOD
T147	18.9" LIVE OAK	P	GOOD
T148	19.7" CEDAR ELM	P	GOOD
T149	16.0" CEDAR ELM		POOR
T150	16.0" MAGNOLIA		FAIR
T151	11.0" HACKBERRY	P	POOR
T152	19.5" CEDAR ELM		GOOD
T153	10.0" CEDAR ELM		POOR
T154	21.5" M.S. LIVE OAK	P	POOR
T2137	28.0" M.S. LIVE OAK	H	GOOD
M.S.=MULTI-STEM			

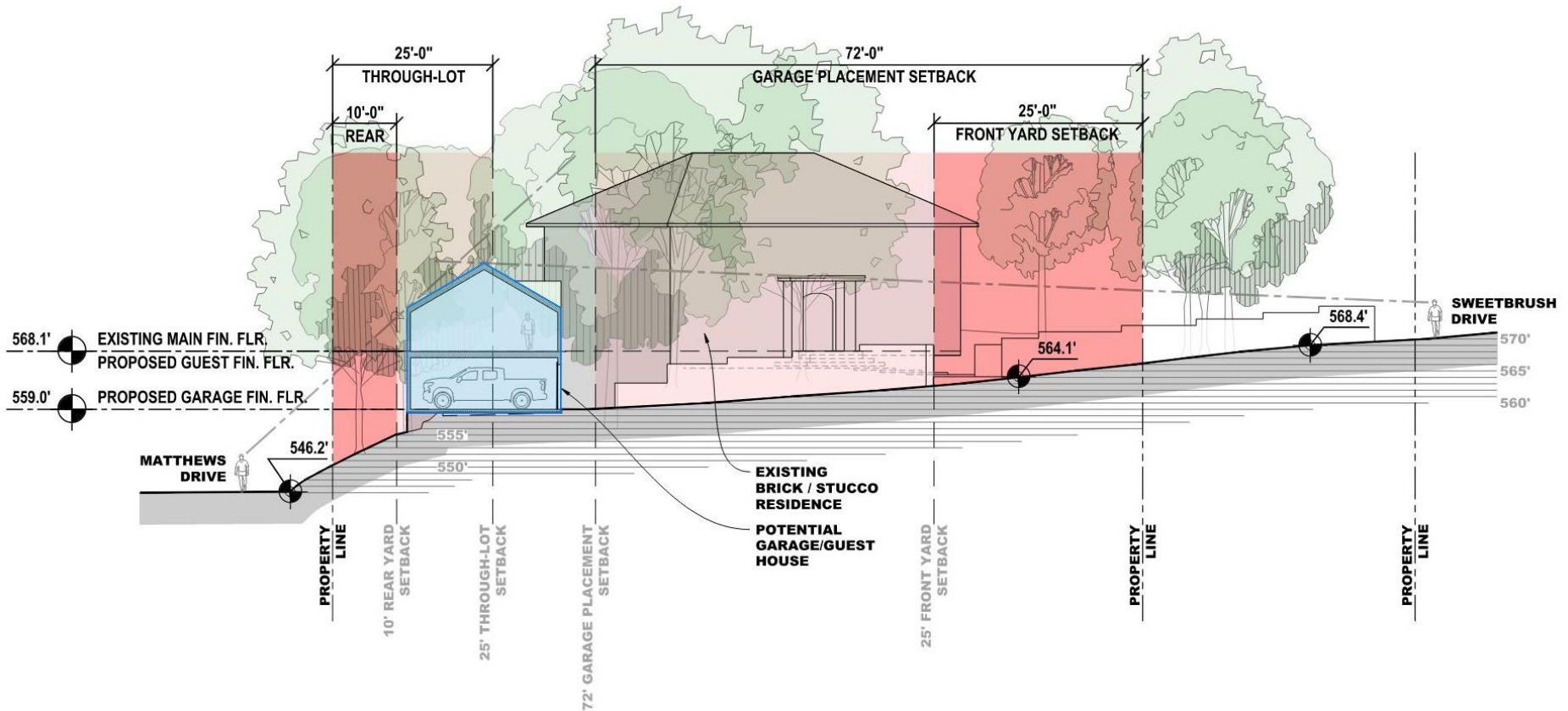
*Tree list per Tree Condition
Report prepared by certified
arborist
Vincent Debrock
BCMA TX-1336B



ITEM5/5-PRESENTATION

Conceptual Site Section Diagram

Tree Critical Root Zones & Setbacks
Potential Massing Study



ITEM5/6-PRESENTATION

Photos

Existing Conditions, Trees, & Topography

- 2 Heritage trees with >24" trunk diameter
- 5 Protected trees with >19" trunk diameter
- Steep topography adjacent to Matthews Dr



ITEM5/7-PRESENTATION

Photos

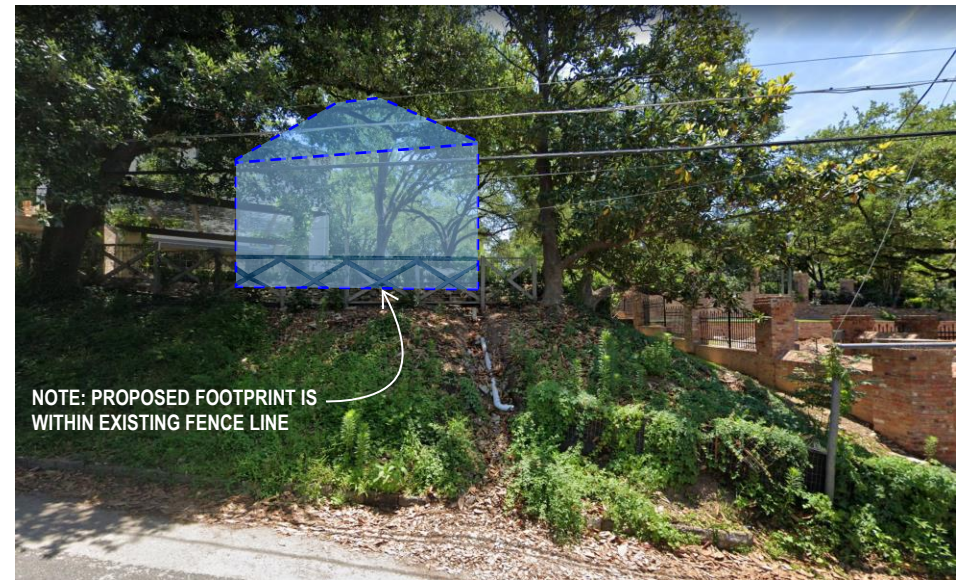
Views from Matthews Dr

Legend



Potential garage/guest house site

*±12 ft of elevation change from building site to Matthews Dr



ITEM5/8-PRESENTATION

Neighborhood Context

- Properties with structures nearer than 25 feet to Matthews Dr
- Indicates City approved building permit history reflecting 10 foot rear setback





ITEM 5/9-PRESENTATION

LAKE AUSTIN

SUBJECT
PROPERTY

2500 MATTHEWS

2406
SWEETBRUSH

2408
SWEETBRUSH

2400
MATTHEWS

2404
SWEETBRUSH

2405
SWEETBRUSH

2409
SWEETBRUSH

2405
ROCKMOOR

2216
MATTHEWS

2400
SWEETBRUSH

2403
SWEETBRUSH

2402
ROCKMOOR

2401
SWEETBRUSH

2403
ROCKMOOR

2401
ROCKMOOR

3715
WINDSOR

3711
WINDSOR

3705
WINDSOR

2204
ROCKMOOR

3625
WINDSOR

Neighbor Support

Map of neighbors who provided written support of the variance request

*Note: West Austin Neighborhood Group voted to not oppose this variance request

ITEM 5/10-PRESENTATION

- TRACT II**
0.044 AC.

JUSTIN P. HIRSCH &
JOY KERVEILLANT-HIRSCH
[DOC. NO. 2020193084]
(0.044 AC.)

**TRACT I
- LOT 13
0.447 AC.**

