

BOA GENERAL REVIEW COVERSHEET

CASE: C15-2023-0028

BOA DATE: July 10, 2023

ADDRESS: 900 W North Loop Blvd

COUNCIL DISTRICT: 7

OWNER: Terry Eaton & Robert Williams III

AGENT: Jeremy Siltala

ZONING: LO-MU-NP (Brentwood NP)

LEGAL DESCRIPTION: 64X148FT OF LOT 3 SKYLAND SUBD

VARIANCE REQUEST:

1. Section 25-2-1062 (Height Limitations and Setbacks for Smaller Sites) (C) from setback requirements to:
 - a. decrease the interior side setback from 17.5 feet (required) to 5 feet (requested) on the side property lines, and
 - b. decrease the rear setback from 17.5 feet (required) to 11 feet (requested) on north side for existing structure on the site that is 64 feet in width/street frontage.
 - c. decrease the interior side setback from 17.5 feet (required) to 0 feet (requested) on west property line for a proposed sidewalk.
2. Section 25-2-1067 (Design Regulations) (H) from setback requirements to decrease the interior side setback from 9 feet (required) to 5 feet (requested)

SUMMARY: maintain existing structure and parking lot

ISSUES: lot size, lot width, and configuration

	ZONING	LAND USES
<i>Site</i>	LO-MU-NP	Limited Office-Mixed Use
<i>North</i>	SF-3-NP	Single-Family
<i>South</i>	CS-MU-CO-NP	General Commercial Services-Mixed Use
<i>East</i>	CS-MU-CO-NP	General Commercial Services-Mixed Use
<i>West</i>	SF-3-NP	Single-Family

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District
 Austin Lost and Found Pets
 Austin Neighborhoods Council
 Brentwood Neighborhood Association
 Brentwood Neighborhood Plan Contact Team
 Central Austin Community Development Corporation
 Friends of Austin Neighborhoods
 Homeless Neighborhood Association
 Neighborhood Empowerment Foundation
 North Austin Neighborhood Alliance
 Preservation Austin
 SELTexas
 Shoal Creek Conservancy



CITY OF AUSTIN

Development Services Department

Permitting & Development Center

Phone: 512.978.4000

6310 Wilhelmina Delco Dr, Austin, Texas 78752

ITEM08/2

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, [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 # **C15-2023-0028** ROW # **13141630** Tax # **0226070510**

Section 1: Applicant Statement

Street Address: _____

Subdivision Legal Description:

Lot(s): _____ Block(s): _____

Outlot: _____ Division: _____

Zoning District: _____ **Council District: 7**

I/We _____ on behalf of myself/ourselves as
authorized agent for _____ affirm that on
Month _____, Day _____, Year _____, 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: _____

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

on the site that is 64 feet in width/ street frontage.

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:

Hardship

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:

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:

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: Jeremy Lauritz Siltala Digitally signed by Jeremy Lauritz Siltala
Date: 2023.05.11 17:51:49 -05'00' Date: 05/11/2023

Applicant Name (typed or printed): Jeremy Lauritz Siltala/ Land Strategies Inc.

Applicant Mailing Address: 1411 West 5th Street, Suite 100

City: Austin State: Texas Zip: 78703

Phone (will be public information): (512) 328-6050

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: Terry Eaton Robert Williams III Date: 05/12/2023

Owner Name (typed or printed): Terry Eaton and Robert Williams III

Owner Mailing Address: 952 Indian Hawthorne Dr.

City: Georgetown State: Texas Zip: 78628

Phone (will be public information): (512) 991-2850

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

Section 5: Agent Information

Agent Name: Jeremy Lauritz Siltala/ Land Strategies Inc.

Agent Mailing Address: 1411 West 5th Street, Suite 100

City: Austin State: Texas Zip: 78703

Phone (will be public information): (512) 328-6050

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

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).

Please see attached cover letter

Additional Space (continued)

This image shows a full page of blank, lined paper. It features approximately 28 horizontal blue lines spaced evenly across the page, typical of standard notebook paper. The lines are thin and light blue, set against a plain white background. There are no margins, text, or other markings on the page.



June 14, 2023

Board of Adjustment Commissioners,

Land Strategies Inc. (LSI) is representing the owner of the subject property located at 900 West North Loop Boulevard, legally described as 0.21 acres out of Lot 3 (64x148 feet) of the Skyland Subdivision. The current zoning is Limited Office-Mixed-Use-Neighborhood Plan (LO-MU-NP) with a future land use designation of Limited Office (LO).

We are requesting a variance from Compatibility Standards in Article 10, §25-2-1067 (H) to reduce the setback from 9 feet to 5 feet for parking and §25- 2-1062 (C) to reduce the side setback from 17.5 feet to 5 feet on the west property line, and to reduce the rear building setback from 17.5 to 11 on the north property line for the existing and proposed improvements on the site that is 64 feet in width/ street frontage. Although sidewalks are not mentioned in Article 10, staff interpretation of the word 'structure' includes sidewalks and necessitates these variances be heard by the Board of Adjustment instead of the Planning Commission due to the requested setback being less than 5 feet.

A site plan is currently in review for the subject property to pave existing parking area, add the required sidewalk and landscape improvements in accordance with commercial site standards. The single-family residential compatibility setback would prohibit the placement of the required parking, ADA parking, and ADA sidewalk in the only area it can be placed along the western property boundary. Due to width of the lot and existing Austin Energy infrastructure on the eastern side of the property, the required parking, sidewalk, and landscape improvements cannot be placed elsewhere on the site in strict compliance with the single-family residential compatibility setbacks. Note that no changes are proposed to the existing structure through the site plan currently in review. As part of the site plan approval, 40 feet of lot frontage will be dedicated to the City through a street deed for the potential expansion of West North Loop Boulevard in accordance with the Austin Strategic Mobility Plan.

This variance request is in keeping with the area's development pattern and neighborhood character. If approved, the existing structure will be used as an office building to serve neighborhood and community needs in accordance with the Limited Office zoning.

Sincerely,

Jasper Lauritz Siltala
Studio Director, Planning



City of Austin
Watershed Protections & Development Review

LAND STATUS DETERMINATION
1987 RULE PLATTING EXCEPTION

12/01/2006

File Number: C8I-06-0534

Address: 900 W NORTH LOOP BLVD

Tax Parcel ID: 0226070510

Map Date: 09/17/2003

The Watershed Protections & Development Review has determined that this parcel, as described in the attached description and map, **IS EXCEPTED FROM THE REQUIREMENT TO PLAT** in accordance with the Land Development Code, Section 25-4-2(C), and is eligible to receive utility service.

The parcel of land consists of five acres or less, and is described as being 64 feet by 148 feet of Lot 3, Skyland Subdivision in the current deed, recorded on 10/17/2006, in Document #2006202905, Travis County Deed Records. This parcel existed in its current configuration on August 31, 1987, as evidenced by a deed recorded on 10/31/1986, in Volume 9954, Page 840, Travis County Deed Records. The parcel was lawfully receiving utility service, as defined in Section 212.012 of the Texas Local Government Code, on August 31, 1987, as evidenced by water service on 12/16/1957. The parcel meets the requirements of the Land Development Code for roadway frontage and is located on an existing street.

Additional Notes/Conditions:
NONE

This determination of the status of the property is based on the application of Chapter 212, Municipal Regulation of Subdivisions and Property Development, Texas Local Government Code; and the City of Austin Land Development Code, Chapter 25-4, Subdivision. Recognition hereby does not imply approval of any other portion of the City Code or any other regulation.

By:

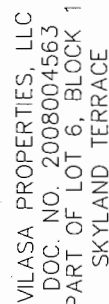

SARA GROVES

Director (or representative)

Watershed Protections & Development Review



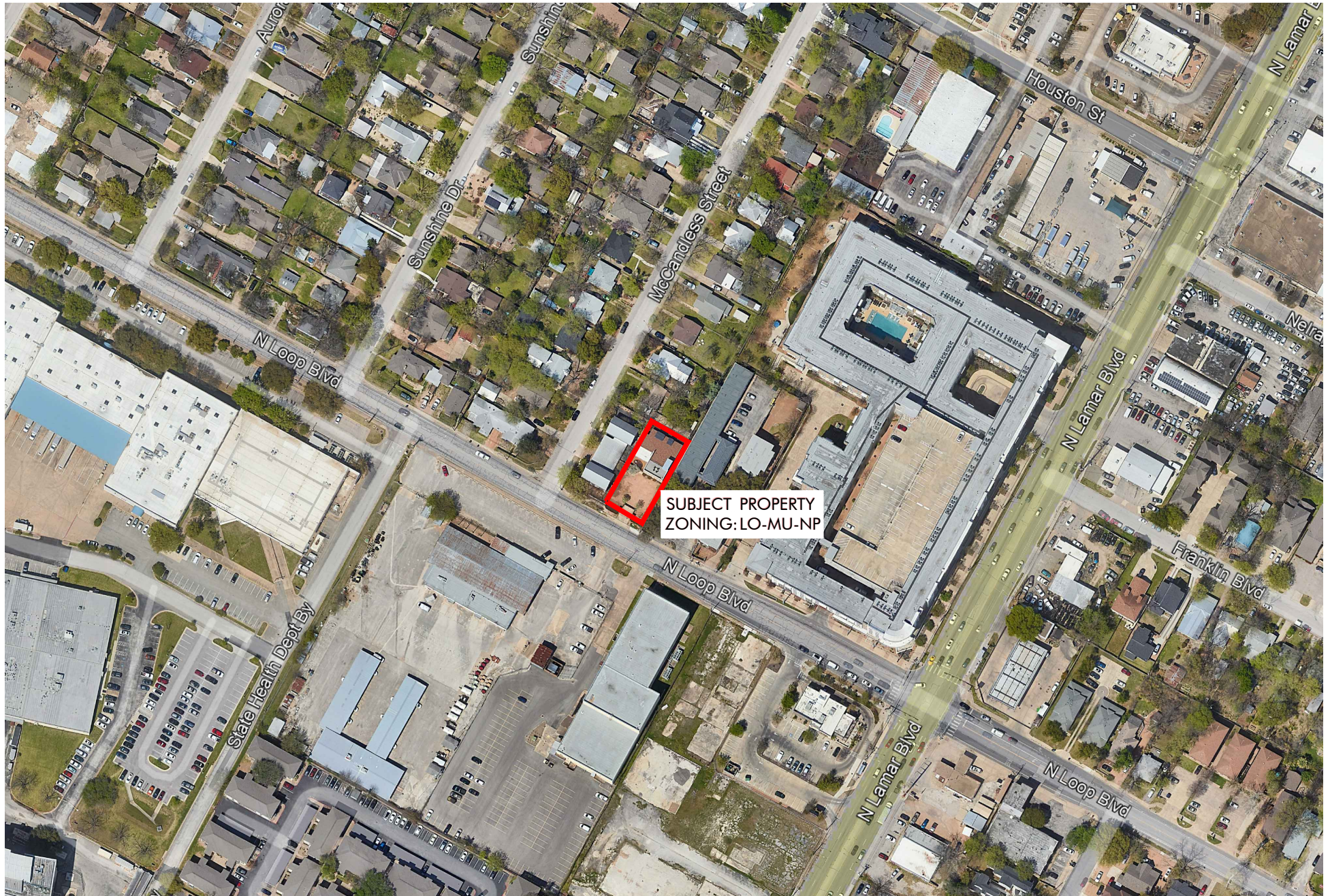
PP \square POWER POLE
 -ET- OVERHEAD ELEC./TELE. LINE
 → GUY WIRE
 MP • METAL POST
 - ∞ IRON GATE
 // WOOD FENCE
 EM \square ELECTRIC METER
 GM \square GAS METER
 WM \bigcirc WATER METER
 KP ■ KEY PAD
 MB ■ MAILBOX
 [UT] UNDERGROUND VAULT
 CO \circ CLEANOUT
 IRFC • 1/2" IRON ROD FOUND W/CAP
 STAMPED "LENZ & ASSOC"



* 0.217 ACRE OF LAND, MORE OR LESS OUT OF LOT 3 (FIELD NOTES ATTACHED)

GF 00073423

Date: 04-19-2023



NOT TO SCALED

 SUBJECT PROPERTY



NOT TO SCALE

— SUBJECT PROPERTY