

6/8/06

Items 64-67

**WAIVER APPLICATION W/ ENGINEER
LETTER**

**CITY OF AUSTIN
REQUEST TO WAIVE DEVELOPMENT REGULATIONS
UNDER ORDINANCE NUMBER 20060309-058**

STREET ADDRESS: 4705, 4707, 4709 and 4711 Caswell Ave
 LEGAL DESCRIPTION: Subdivision East Nelson Subdivision, Vol 38, Page 44
 Lot(s) 2, 3, 4, 5 Block Outlot Division
 Zoning District: SF. 3 Neighborhood Plan (if applicable): Hyde Park North NCD

Type of work to be done (Select appropriate option and provide description of the proposed project):

☒ New Construction: New Construction for 4705, 4709 & 4711 - New construction for 4707 BoA Variance is granted
☒ Addition: Addition for 4707 BoA Variance is not granted

Please select one of the following:

☒ 1. I request a waiver to the interim development regulations because the regulations impose an undue hardship as described: See attached

The granting of this waiver will not adversely affect the public health, safety and welfare.

Explain: see attached

Waiving the regulation will not have a substantially adverse impact on neighboring properties

Explain:

 2. The following development agreement permits the activity:

 3. I have acquired a right under Texas Local Government Chapter 245 (Issuance of Local Permits), or have a common law vested right that has been fully adjudicated by a court of competent jurisdiction. Please specify and provide supporting documentation:

ALL APPLICATIONS MUST BE ACCOMPANIED BY A RESIDENTIAL PERMIT APPLICATION

Signature of applicant/ owner: 

Note: The waiver application will be considered incomplete if the applicant fails to provide information requested in this application as well as requirements for residential building permit submittal. Please attach any additional information that will support your request, such as: photos, architectural drawings, letters of support from neighbors or additional documentation.

FOR STAFF USE

Date waiver application filed with City of Austin:

Date scheduled for City Council action:

Waiver Application 4705, 4707, 4709, 4711 Caswell

Hardship

Hardship is caused since the Project has been actively in the planning and design stage since October of 2005. The Project, as originally designed, and now as reduced will meet ALL SF-3 standards prior to adoption of "McMansion" ordinances. The Project also meets the recently implemented standards of the Hyde Park North NCCD as well.

The Project is not feasible under new McMansion ordinance due to the new requirements for FAR, which is limited to a maximum of .4. Altogether, these four lots comprise .91 acres of land. They have a relatively small street frontage for such a large area, which represents an opportunity for sensitive, yet appropriately dense development. The Owners proposed building 5 duplexes on the property. They have since limited their scope to 4 duplexes total, yet still need to waive the FAR limit on the two lots facing Caswell.

The Owner intends to implement an innovative site layout that will cluster the residences around a common drive, also known as a "Mews." This grouping of the residences will foster greater interconnectivity among residents, while maintaining greater privacy for adjacent neighbors. When taken together, the aggregate FAR for the entire property will be right at .4. However, the cluster or Mews concept does not provide appropriate FAR for the units facing Caswell, thereby making the Project infeasible.

Granting this waiver will not adversely affect the public health, safety and welfare because the proposed development is designed and scaled to be compatible with the existing neighborhood. The new four buildings replace existing duplexes that are in near derelict condition. Impervious cover will meet the 45% limit as per SF-3 zoning district. Since we are replacing existing impervious cover, there will be no adverse impact on drainage. Height of new buildings is below the 30 foot limit required for duplex construction.

On adjacent lots, there are single family structures and existing duplexes, several of which quite large. The large residence at the corner of Caswell and 47th street is larger and taller than proposed units. The intention to leave the flag portions of the lot undeveloped to preserve the green area along 47th Street.

Prossner and Associates, Inc.

Consulting Engineers

December 9, 2005

2601 Chitina Court
Cedar Park, Texas 78613
(512) 918-3343

Mr. Joe Guerrero, P.E.
Watershed Management Department, City of Austin
505 Barton Springs Road
Austin, Texas 78701

Re: Waiver for Detention for "Resubdivision of Lots 4 and 5, Eastin Nelson Subdivision"
4705 Caswell Avenue


Mr. Guerrero,

Enclosed please find information relative to a 0.59 acre tract of land located at 4705 Caswell Avenue in central Austin, Travis County, Texas. The Owner has submitted an application for a three (3) lot resubdivision to be known as the "Resubdivision of Lots 4 and 5, Eastin Nelson Subdivision" to allow construction of three (3) new duplex structures and is requesting a waiver from providing on site detention due to the size of the tract and the limited development proposed. The tract is presently developed with two existing duplexes and associated drives all of which will be removed. The waiver request is for the new development totaling 0.59 acres with a maximum impervious cover of 45% or 11,761 s.f. allowable. The existing impervious cover is 6,098 s.f. which will result in an impervious cover increase of approximately 5,663 s.f. over the amount currently on the site.

The tract drains naturally to the south and directly into East 47th Street. It proceeds southeast on 47th Street until it enters the existing storm sewer system in Red River Street. From Red River the runoff travels directly south and west until entering the main branch of Waller Creek near Hancock Recreation Center on East 41st Street.

I certify that I have personally conducted a topographic review and field investigation of the existing and proposed flow patterns for stormwater runoff from the subject subdivision to the main stem of Waller Creek. At build-out conditions allowable by zoning, the stormwater flows from the subject subdivision will not cause any increase in flooding conditions to the interior of existing building structures, including basement areas, for storms of magnitude up through the 100 year event. Should you require any additional information please contact our office.

Sincerely,


Kurt M. Prossner, P.E.
President



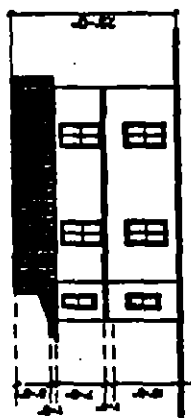
cc: Mr. Ben Heimsath

file:plats\heimsath\waiver_support_letter.doc

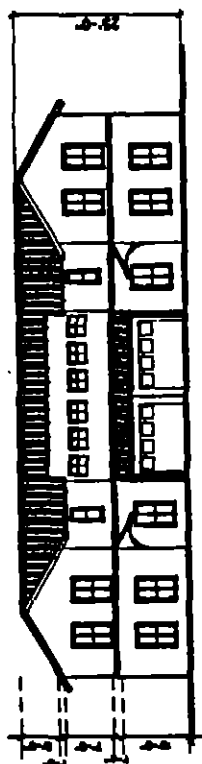
PLOT PLAN W / DRIVE ON 47TH STREET

**PLOT PLAN W / DRIVE ON CASWELL
(BOA)**

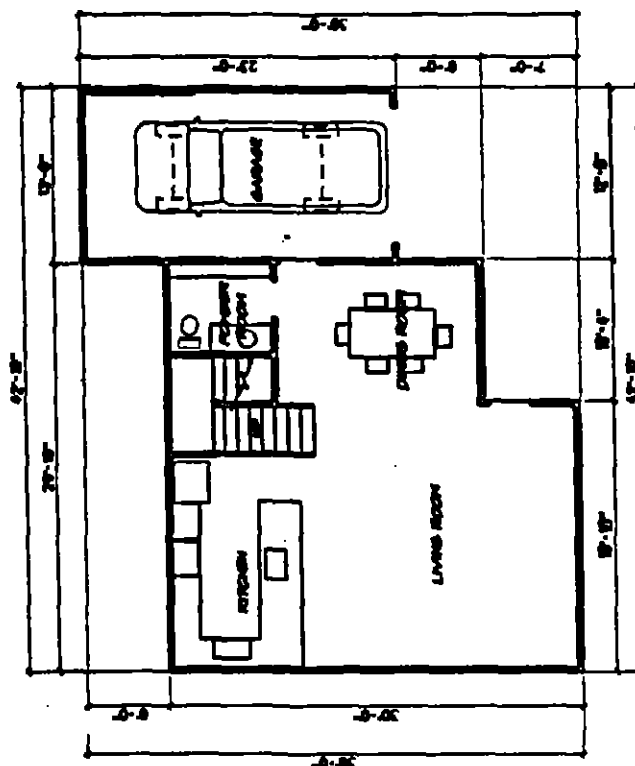
FLOOR PLANS / ELEVATIONS



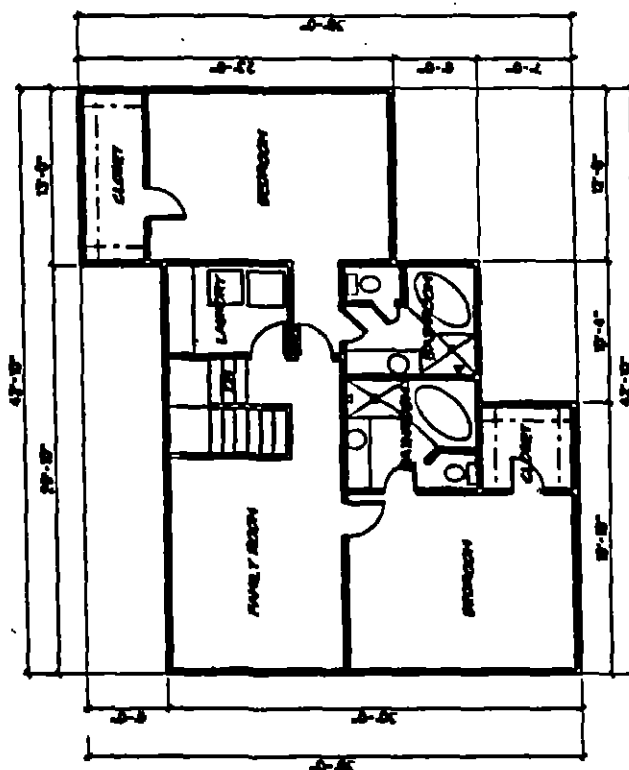
③ SCALE: 1/8" = 1'
SIDE ELEVATION



2 ENTRY ELEVATION
SCALE: 1/4" = 1'



4 FIRST FLOOR SCALE: 1/8" = 1'



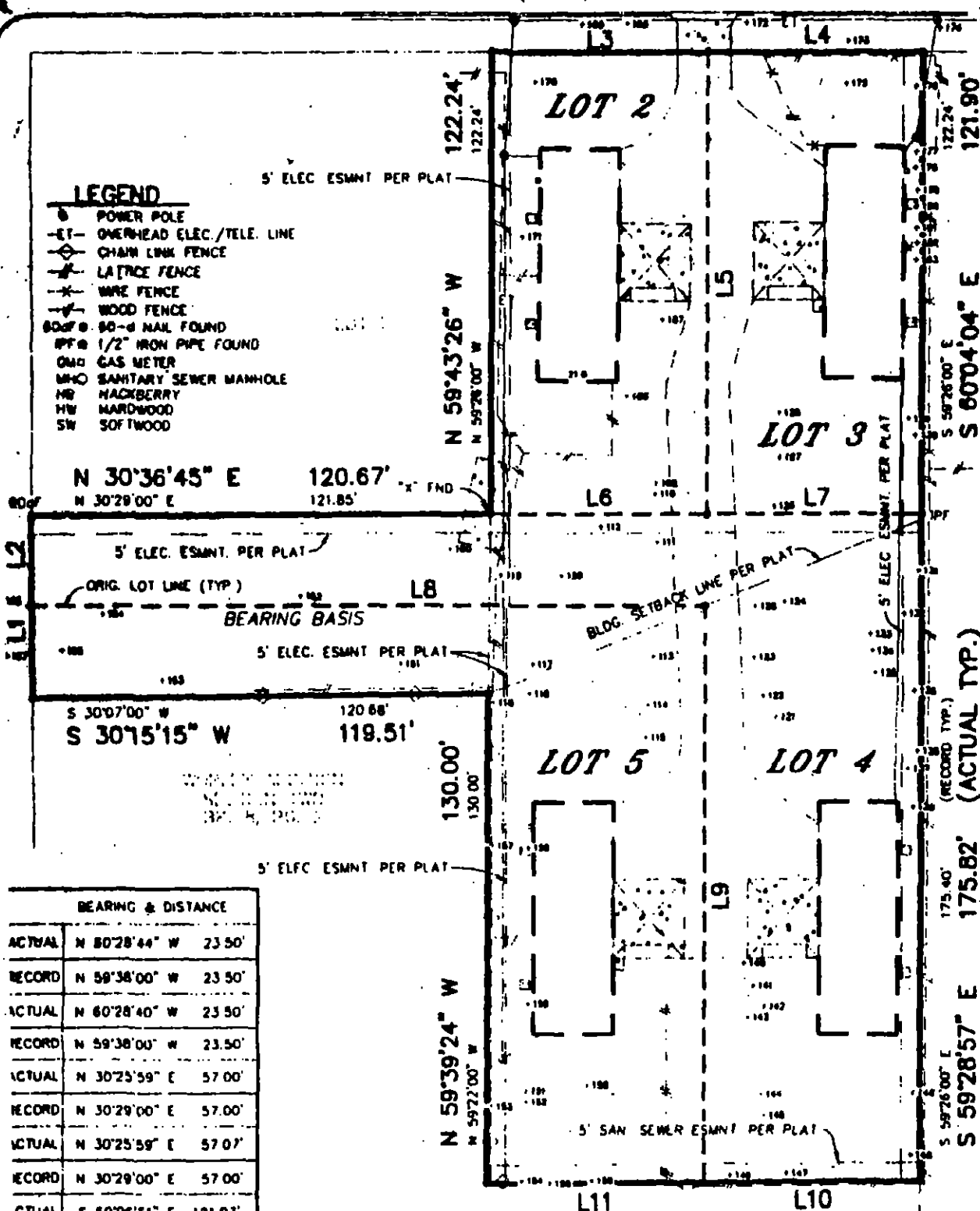
5 SECOND FLOOR
SCALE: 1/8" = 1'

- ④ STANDARD PLATE NUMBER - 7-2
 ⑤ STANDARD PLATE NUMBER - 1-4
 ⑥ STANDARD PLATE NUMBER - 10-2

EXISTING SURVEY

CASWELL AVENUE

(50' ROW)



TREE LEGEND

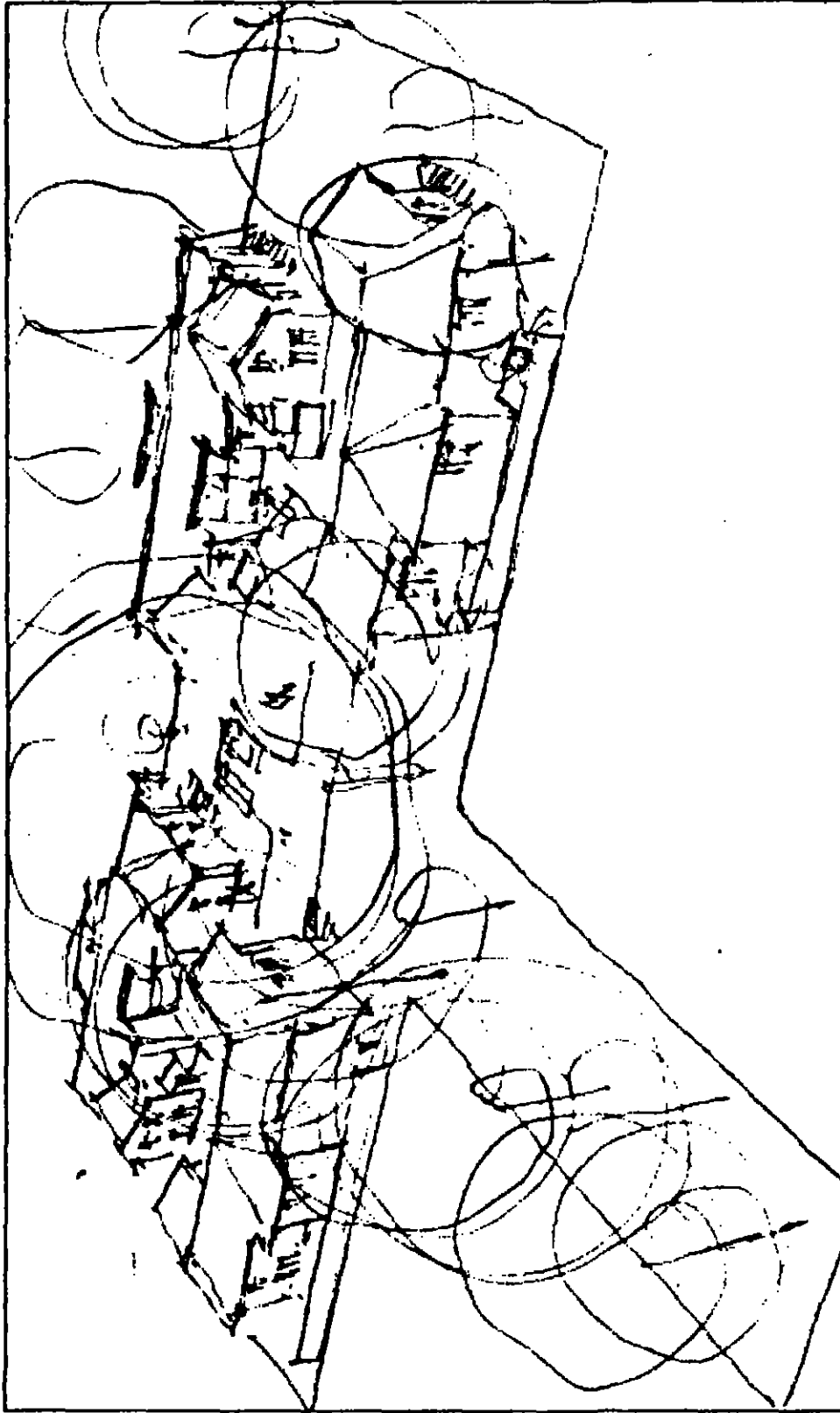
TAG # TREE TYPE TREE # DIAMETER OF

TREE LEGEND

TAG # TREE TYPE TREE # DIAMETER OF

PHOTO'S

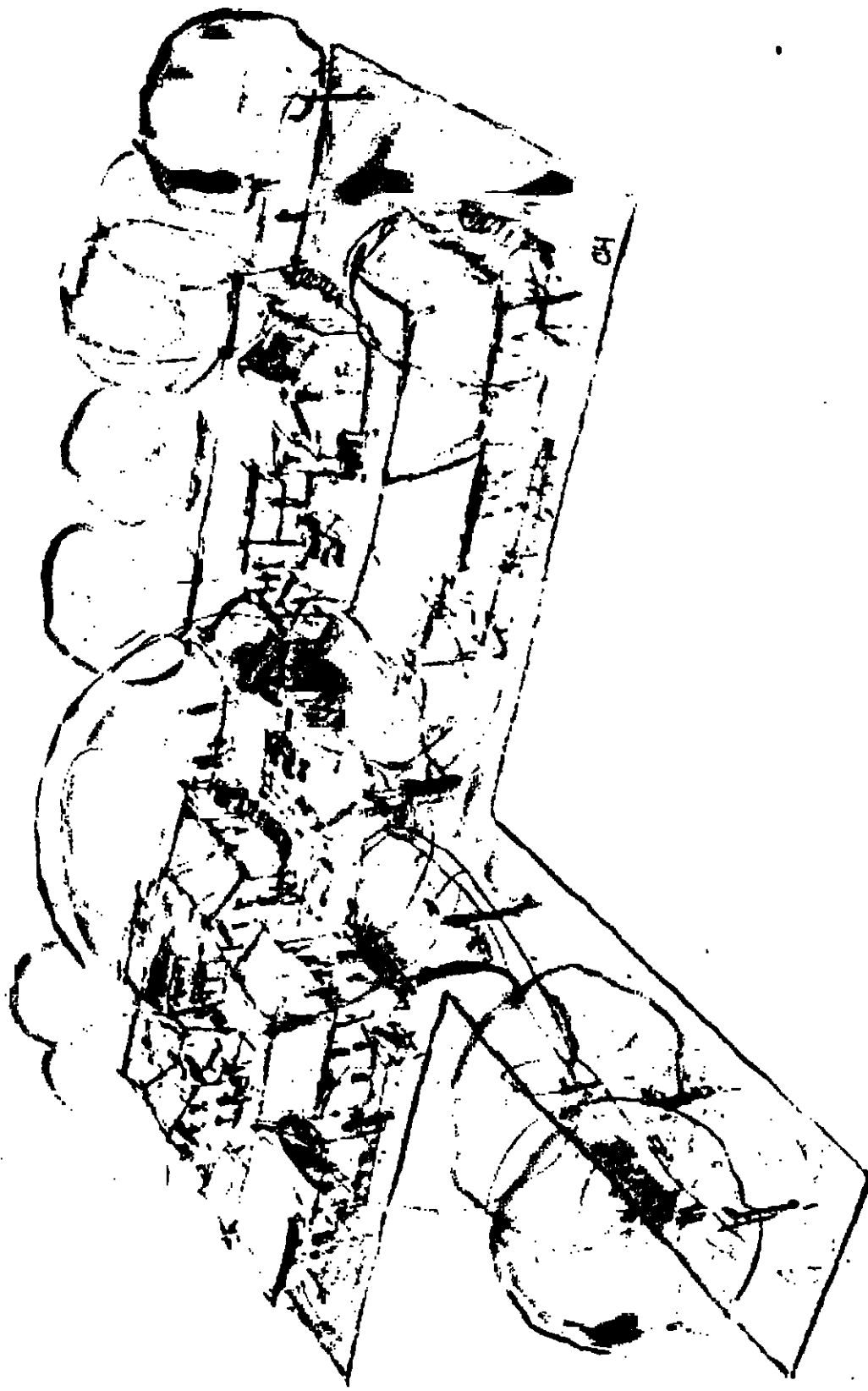
1



Caswell Avenue Sketch
4705 Caswell Avenue
AUSTIN, TX



HEIMSATTI ARCHITECTS
605 Brazos, Suite 100
Austin, Texas 78701
tel: (512) 478-1621



Caswell Mews
4705 Caswell Ave
Austin, Texas



HEIMSATH ARCHITECTS
2108 E.M. Franklin Ave.
Austin, Texas 78723
tel: (512) 478-1621. www.heimsath.com



46TH STREET (A)



46TH STREET (B)



47th STREET



47TH STREET



47TH STREET



707 A&B 47TH STREET



47TH STREET



47TH STREET (B)



47TH STREET (C)



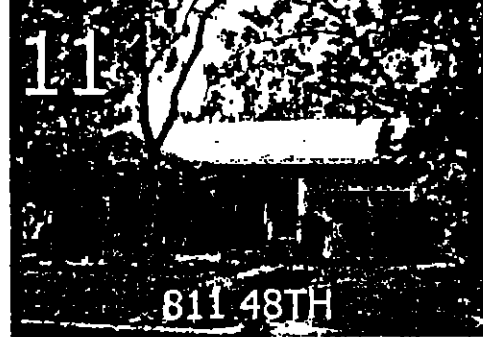
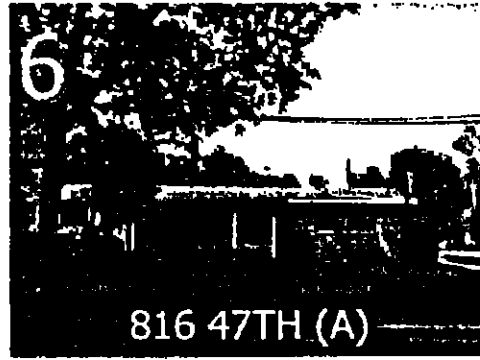
806 47TH (A)

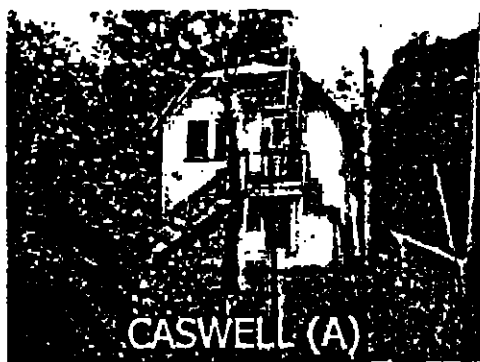


806 47TH (B)



806 47TH (C)

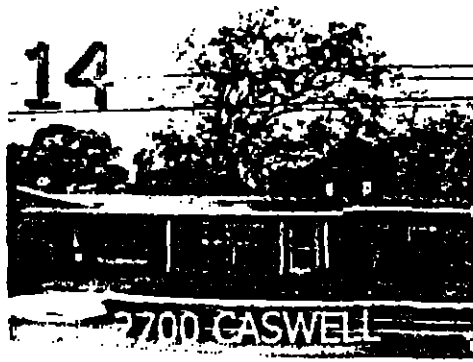




CASWELL (A)



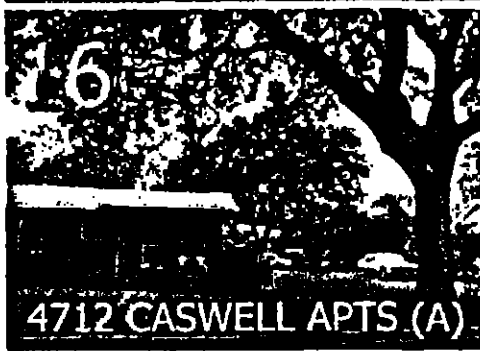
CASWELL (B)



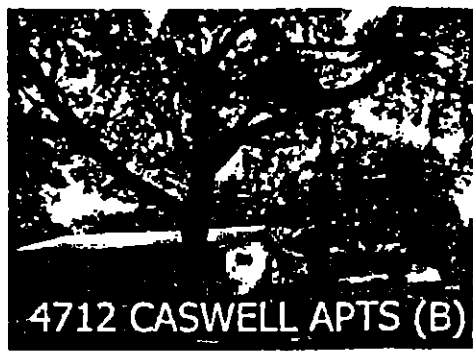
2700 CASWELL



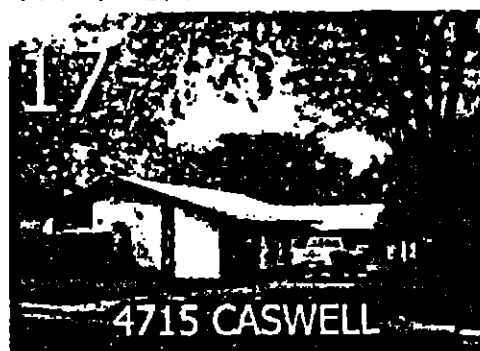
4615 CASWELL



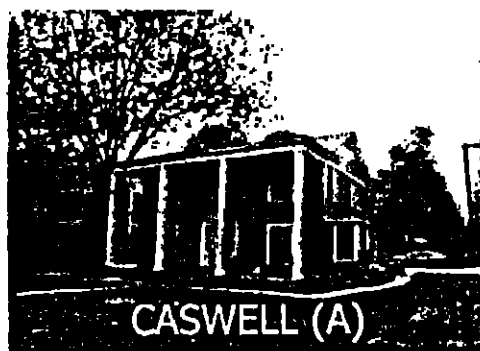
4712 CASWELL APTS (A)



4712 CASWELL APTS (B)



4715 CASWELL



CASWELL (A)



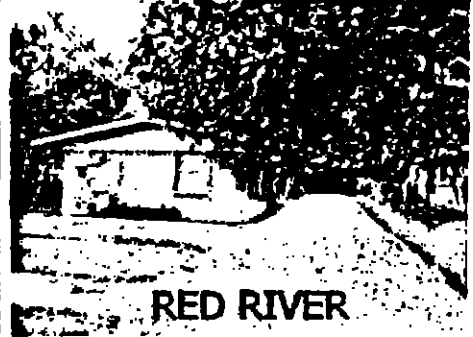
CASWELL (B)



48TH & CASWELL



RED RIVER & 48TH



RED RIVER



