

LS
1

CITY OF AUSTIN
Board of Adjustment/Sign Review Board
Decision Sheet

DATE: Monday, October 12, 2015

CASE NUMBER: C15-2015-0132

☐ Y ☐ Brooke Bailey
☐ Y ☐ Michael Benaglio
☐ Y ☐ William Burkhardt
☐ n/a ☐ Eric Goff
☐ Y ☐ Vincent Harding
☐ Y ☐ Melissa Hawthorne **Motion to PP to 11-9-15**
☐ Y ☐ Don Leighton-Burwell **2nd the Motion**
☐ Y ☐ Melissa Neslund
☐ Y ☐ James Valadez
☐ out ☐ Michael Von Ohlen

OWNER/APPLICANT: Richard Kooris

ADDRESS: 1211 TAYLOR ST

VARIANCE REQUESTED: The applicant has requested variance(s) to:

- A. Section 25-2-492 (D) (Site Development Regulations) to decrease the minimum front yard setback from 25 feet (required) to 20 feet (requested); and to
- B. Section 25-2-515 (Rear Yard of Through Lot) to decrease the rear yard requirements for a through lot from 25 feet (required) to 15 feet (requested); and to
- C. Section 25-2-774 (B) (Two Family Residential Use) to decrease the minimum lot size from 7,000 square feet (required) to 5,688 square feet (requested)
in order to construct a new single family home and secondary apartment in a "SF-3-NP", Family Residence - Neighborhood Plan zoning district. (East Cesar Chavez)

BOARD'S DECISION: POSTPONED TO October 12, 2015 AT THE APPLICANT'S REQUEST

RENOTIFICATION: The applicant has requested variance(s) to:

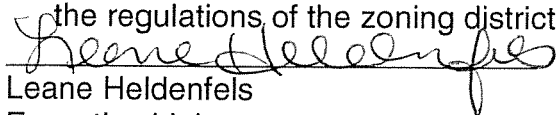
- A. Section 25-2-515 (Rear Yard of Through Lot) to decrease the rear yard requirements for a through lot from 25 feet (required) to 15 feet (requested); and to
- B. Section 25-2-774 (B) (Two Family Residential Use) to decrease the minimum lot size from 7,000 square feet (required) to 5,688 square feet (requested); and to
- C. Section 25-2 Subchapter F, Article 2 Development Standards, 2.1 (Maximum Development Permitted) to increase the maximum gross floor to area ratio from 0.4 to 1.0 (required) to 0.46 to 1.0 (requested)
in order to construct a new single family home and secondary apartment in a "SF-3-NP", Family Residence - Neighborhood Plan zoning district. (East Cesar Chavez)

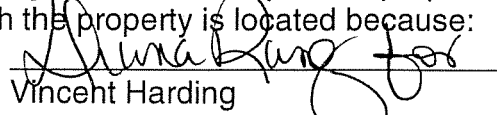
BOARD'S DECISION: ; OCT 12, 2015 The public hearing was closed on Board Member Melissa Hawthorne motion to Postpone to November 9, 2015, Board Member Don Leighton-Burwell second on a 8-0 vote; **POSTPONED TO NOVEMBER 9, 2015.**

L3
2

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:


Leane Heldenfels
Executive Liaison


Vincent Harding
Chairman

L8
/3

CITY OF AUSTIN
Board of Adjustment/Sign Review Board
Decision Sheet

DATE: Monday, September 14, 2015

CASE NUMBER: C15-2015-0132

____ Brooke Bailey
____ Michael Benaglio
____ William Burkhardt
____ n/a Eric Goff
____ Vincent Harding (Chair)
____ Melissa Hawthorne (Vice-Chair)
____ Don Leighton-Burwell
____ out Melissa Neslund
____ James Valadez
____ Michael Von Ohlen

OWNER/APPLICANT: Richard Kooris

ADDRESS: 1211 TAYLOR ST

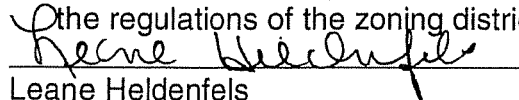
VARIANCE REQUESTED: The applicant has requested variance(s) to:

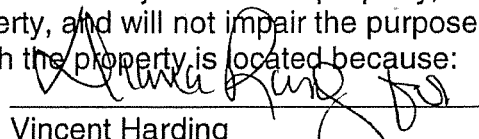
- A. Section 25-2-492 (D) (Site Development Regulations) to decrease the minimum front yard setback from 25 feet (required) to 20 feet (requested); and to
 - B. Section 25-2-515 (Rear Yard of Through Lot) to decrease the rear yard requirements for a through lot from 25 feet (required) to 15 feet (requested); and to
 - C. Section 25-2-774 (B) (Two Family Residential Use) to decrease the minimum lot size from 7,000 square feet (required) to 5,688 square feet (requested)
- in order to construct a new single family home and secondary apartment in a "SF-3-NP", Family Residence - Neighborhood Plan zoning district. (East Cesar Chavez)

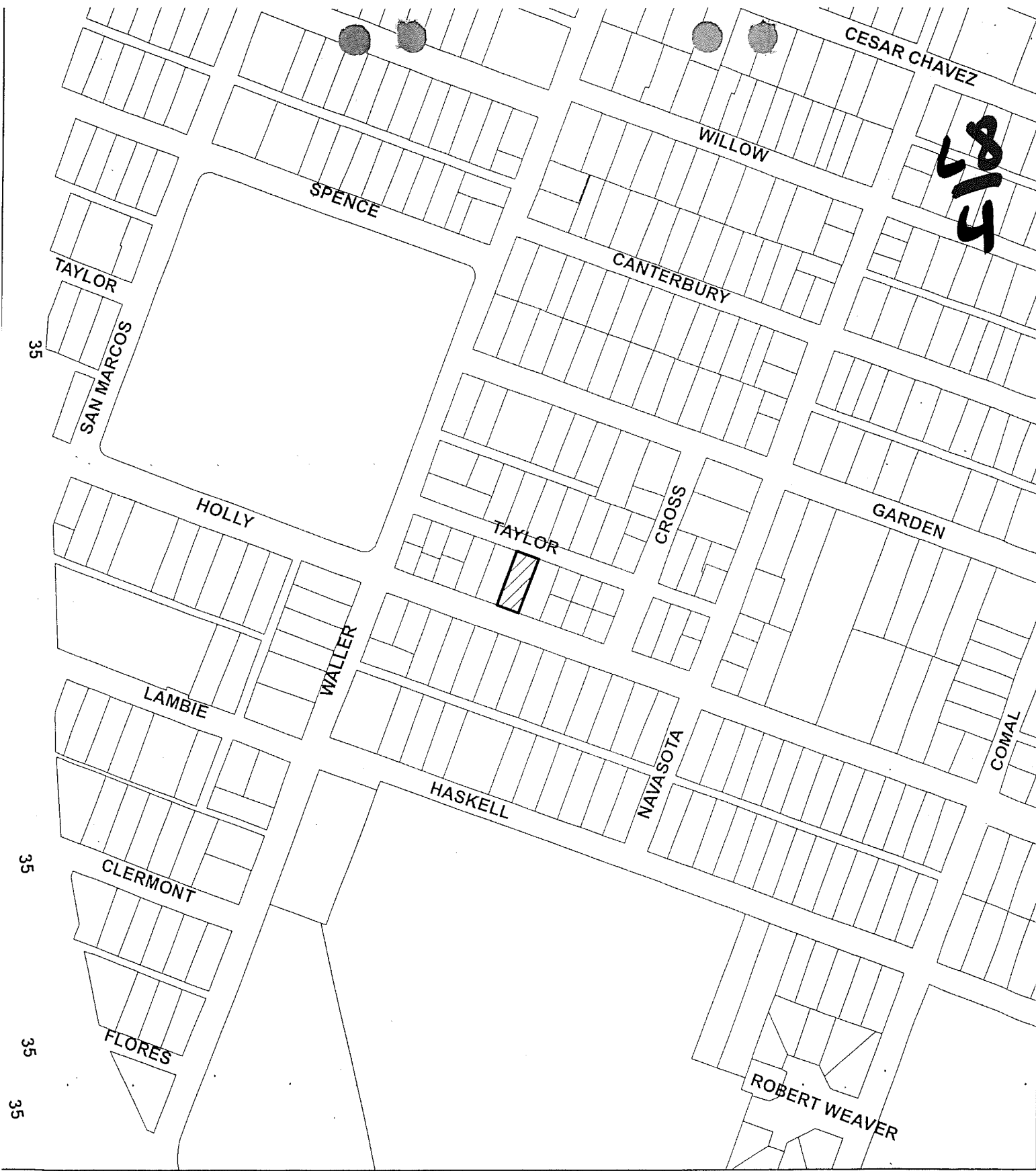
BOARD'S DECISION: POSTPONED TO October 12, 2015 AT THE APPLICANT'S REQUEST

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:

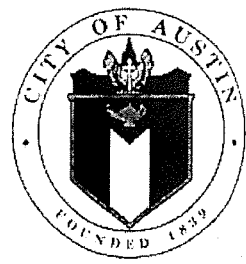

Leane Heldenfels
Executive Liaison


Vincent Harding
Chairman



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

NOTIFICATIONS
 CASE#: C15-2015-0132
 1211 TAYLOR STREET



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" = 267'

CASE# C15-2015-0132
ROW# 1139 9776
TAX# 2202050207

48
5/5

CITY OF AUSTIN
APPLICATION TO BOARD OF ADJUSTMENT
GENERAL VARIANCE/PARKING VARIANCE

WARNING: Filing of this appeal stops all affected construction activity.

PLEASE: APPLICATION MUST BE TYPED WITH ALL REQUESTED INFORMATION COMPLETED.

STREET ADDRESS: 1211 Taylor Street, Austin, Texas 78702

LEGAL DESCRIPTION: Subdivision – LOT 21 OLT 45 DIV 0 WENDLANDT & STAEHELY RESUB

Lot(s) 10 Block _____ Outlot _____ Division _____

I/We Matt Fajkus Architecture, LLC on behalf of myself/ourselves as authorized agent for

Richard Kooris and Mike Speciale affirm that on July 9, 2015,

hereby apply for a hearing before the Board of Adjustment for consideration to:

(check appropriate items below and state what portion of the Land Development Code you are seeking a variance from)

☒ ERECT ☐ ATTACH ☐ COMPLETE ☐ REMODEL ☐ MAINTAIN

Requesting variances from Chapter 25-2, Subchapter D, Article 4.1461 through 4.1463 and Chapter 25-2, Subchapter C, Articles 2.492 and 2.515. Seeking adjustments that would allow for the development of a Secondary Apartment in keeping with the goals of the East Cesar Chavez Neighborhood Plan. Seeking approval for non-compliance such that Secondary Apartment Special Use be allowed on a lot with an area less than 5750 sf due to a less than 1.5% deviance from this minimum. Seeking a reduction of the rear-yard setback and an increase in allowable GFA.

in a SF-3-NP district. (East Cesar Chavez)
(zoning district)

NOTE: 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 support documents.

VARIANCE FINDINGS: I contend that my entitlement to the requested variance is based on the following findings (see page 5 of application for explanation of findings):

LS
C

REASONABLE USE:

1. The zoning regulations applicable to the property do not allow for a reasonable use because:

The East Cesar Chavez Neighborhood Plan demonstrates a clear preference for residential development that includes a Secondary Apartment. This lot is designated SF-3-NP, which does allow for the Secondary Apartment Special Use, but having an area of just 5688 sf prevents it from meeting the 5750 sf minimum area necessary for this special use. The high concentration of heritage trees along Taylor St restricts development on the front of the lot, making the 25' rear yard setback for through-lots overly constraining in this instance. Being a smaller lot, the allowable GFA is also insufficient for achieving the desired secondary unit.

HARDSHIP:

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

The lot at 1211 Taylor St has 6 protected and heritage trees that need to be preserved. Restrictions on building in these trees' critical root zones add up to nearly 420 sf of the lot, or 33% of the proposed first floor area, un-buildable on the Taylor St side.

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

Other lots in the area do not contain the same number of heritage trees or are of older construction which allows infringement on critical root zones, therefore making the through-lot setbacks less restrictive. Through-lots on adjacent blocks also meet the 5750 sf minimum, qualifying them for Secondary Apartment Special Use. On the other side of Holly St, through-lots have total areas approaching 7500sf, allowing for the construction of two units and providing a GFA more than generous enough to accommodate both.

AREA CHARACTER:

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:

The proposed new construction is in keeping with the intentions of the Neighborhood Plan and existing construction on adjacent lots. Of the ten possible through lots on this same block, six are subdivided into two lots with two structures - one on Taylor St and one on Holly St. The proposed construction of two dwellings on one through lot, is effectively the same as the existing massing and density on the block. The reduction in the rear setback is also consistent with existing conditions, as several of the previously referenced dwellings on Holly St do not maintain a 25' setback. Different from these essentially double lots, the proposed construction aligns more with neighborhood goals for affordability. Rather than splitting the lot for the construction of two single-family homes, the proposed project would allow for a substantial main house of approximately 2000 sf that supports a much more modest secondary unit of approximately 800sf. The increase in allowable GFA similarly supports this goal, but does not represent a significant difference from the GFA that can be potentially developed on the adjacent lots. The proposed construction will also use shed and gable roofs in keeping with the typical character of the neighborhood, including both adjacent lots to the east and west.

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 Section 479 of Chapter 25-6 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 reasonable require strict or literal interpretation and enforcement of the specific regulation because:

N/A

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:

N/A

3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

N/A

4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

N/A

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.

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

Signed Richard Kooris Mail Address 501 N I-35

City, State & Zip Austin, TX 78702

Printed Richard Kooris Phone 512-485-3000 Date 07/09/2015

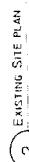
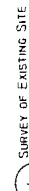
OWNERS CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed Richard Kooris Mail Address 501 N I-35

City, State & Zip Austin, TX 78702

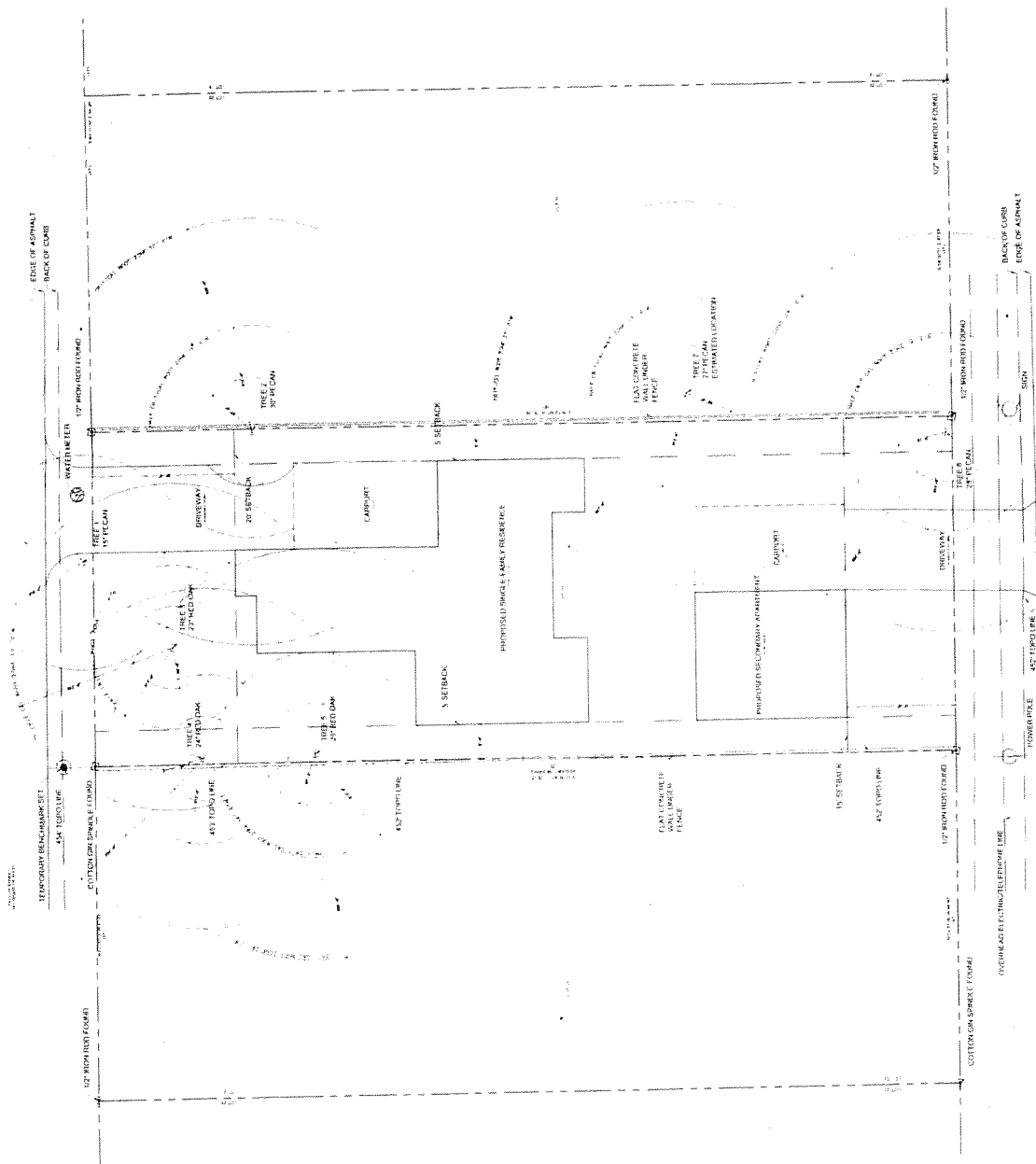
Printed Richard Kooris Phone 512-485-3000 Date 07/09/2015

487

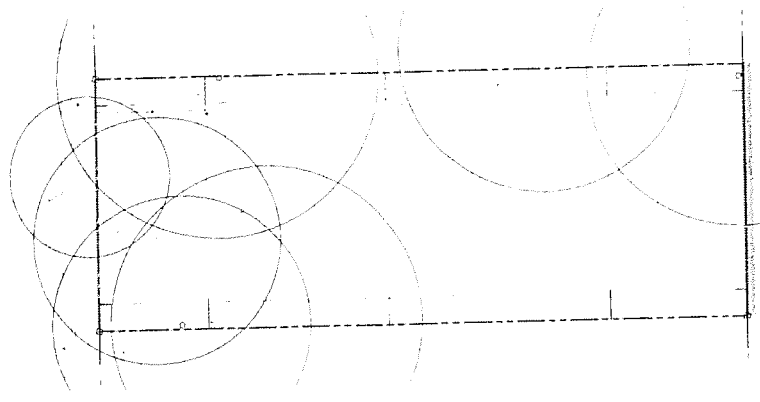
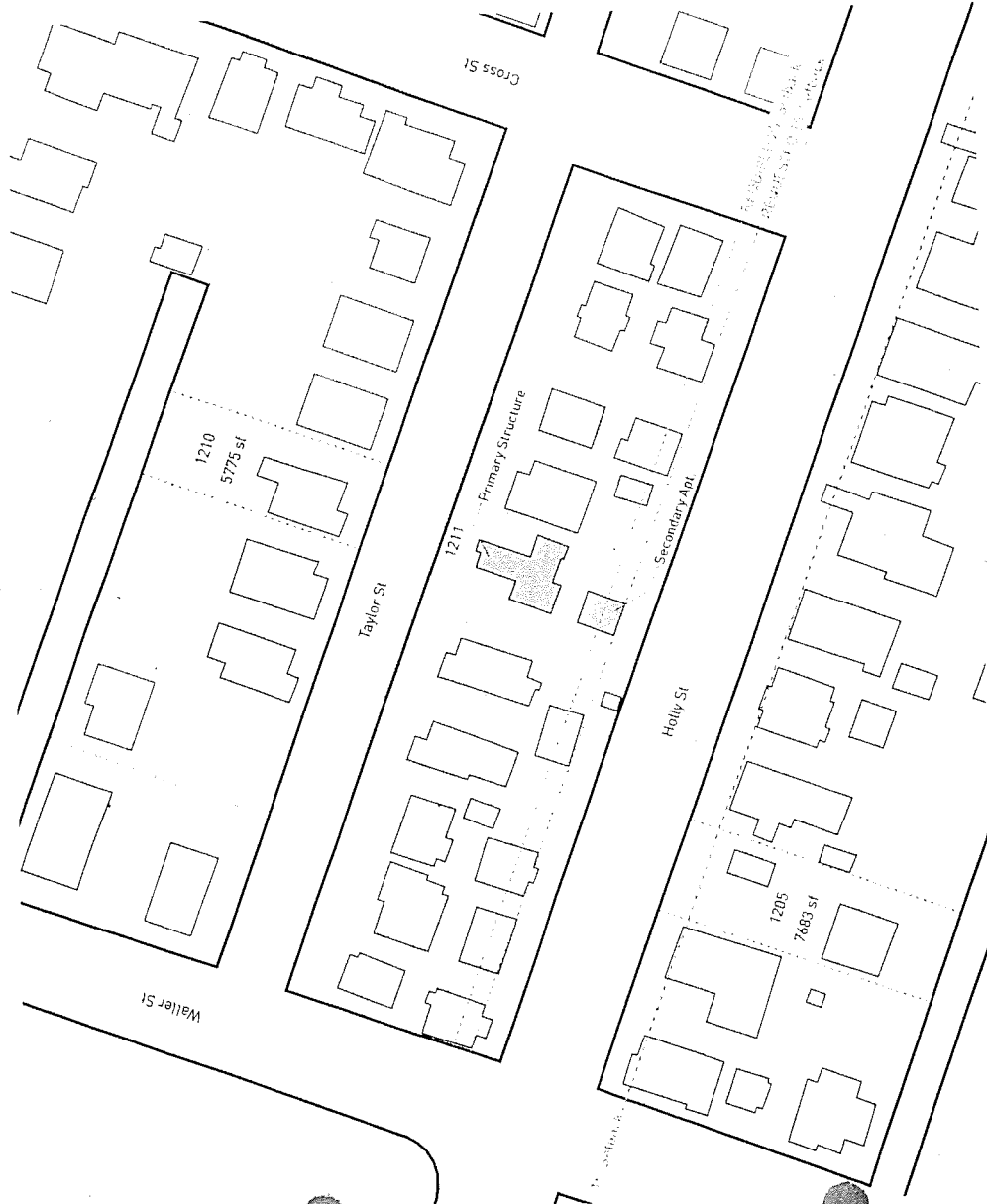


488

18/9



1 PROPOSED SITE PLAN

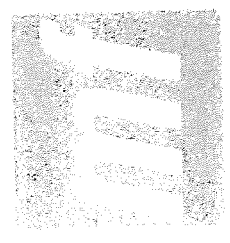


Existing Lot Total Area: 5688 sf
 NOT eligible for Secondary Apartment
 Special Use

Additional square footage that would make
 lot eligible for Secondary Apartment
 Special Use: 62 sf

SITE HARDSHIP
 Setbacks + Special Use

Scale: 1" = 60'-0"



THROUGH-LOT SETBACK

A rear yard setback of 15', rather than 25', would be in keeping with the setbacks on the adjacent lots and the lots on the opposite side of Holly St.

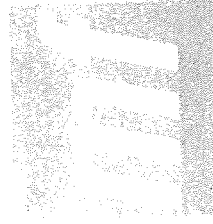
SECONDARY APARTMENT SPECIAL USE

Through lots on the other side of Taylor St have total areas of at least 5750 sf, qualifying them for the Secondary Apartment Special Use.

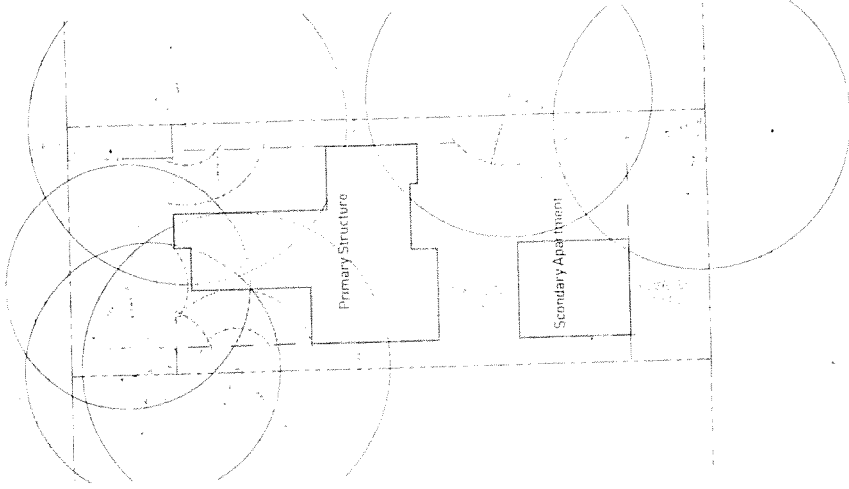
Through lots on the other side of Holly St have total areas of over 7500sf, qualifying them for the Special Use, and having an allowable GFA of over 3000sf.

48/10

SITE HARDSHIP
Critical Root Zones
Scale: NTS

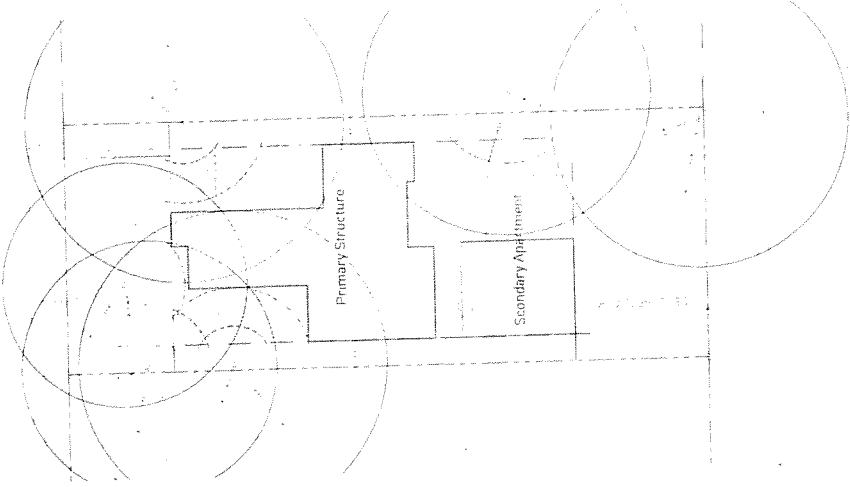


48
11



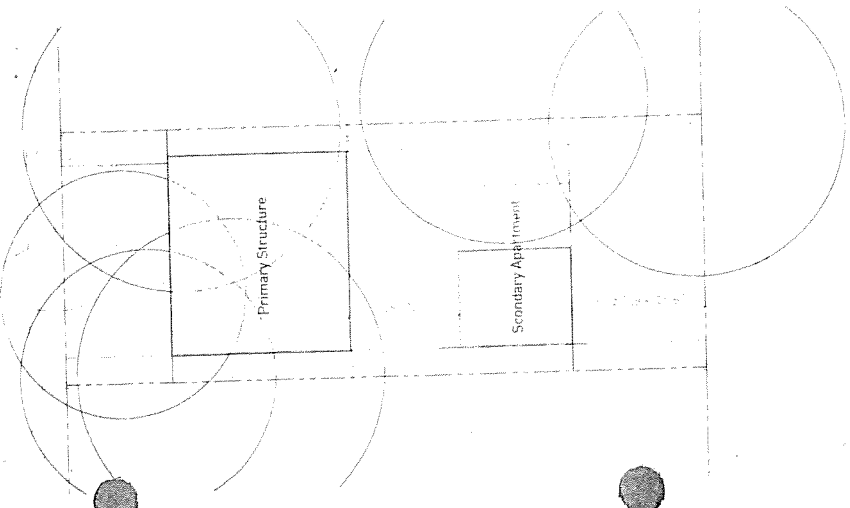
CRITICAL ROOT ZONES + 15' SETBACK

With a decreased rear yard setback, the required 15' of separation between primary house and secondary apartment can be maintained.



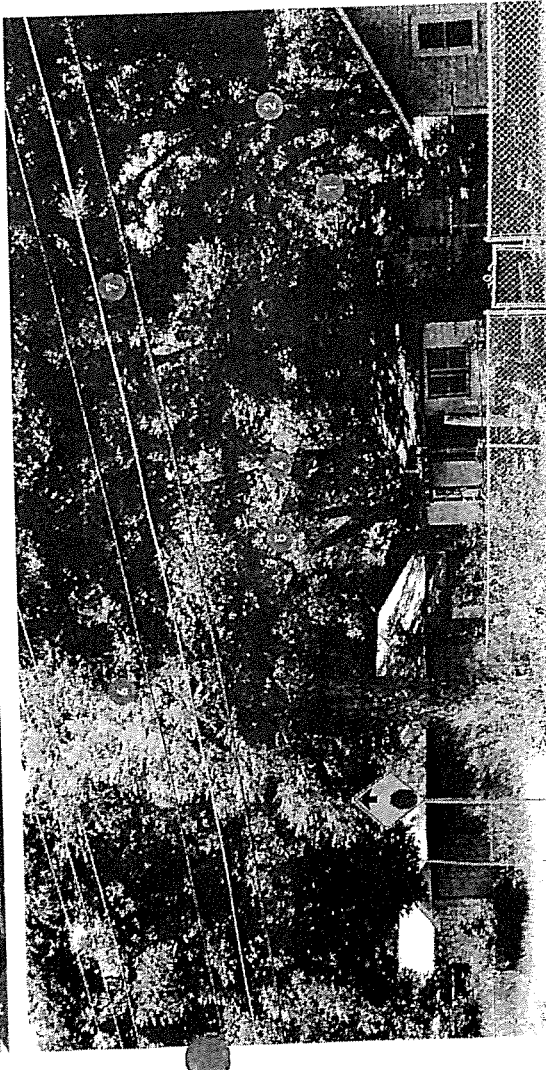
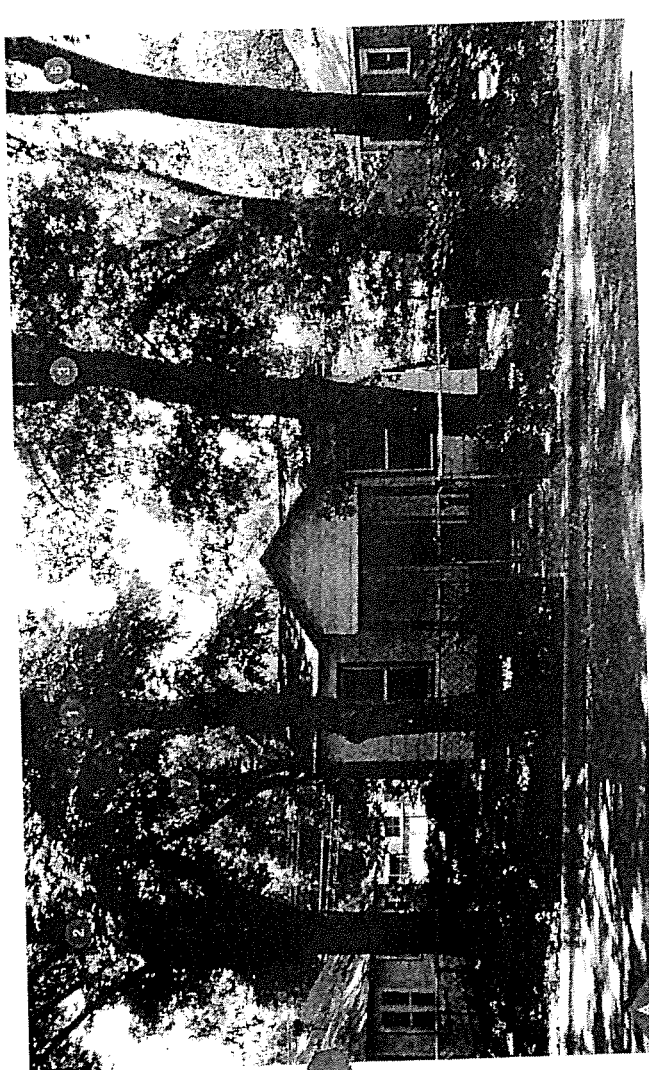
CRITICAL ROOT ZONES + 25' SETBACK

With critical root zones preventing construction at the front of the lot, the 25' setback locates the secondary apartment too close to the primary house.



NO CRITICAL ROOT ZONES

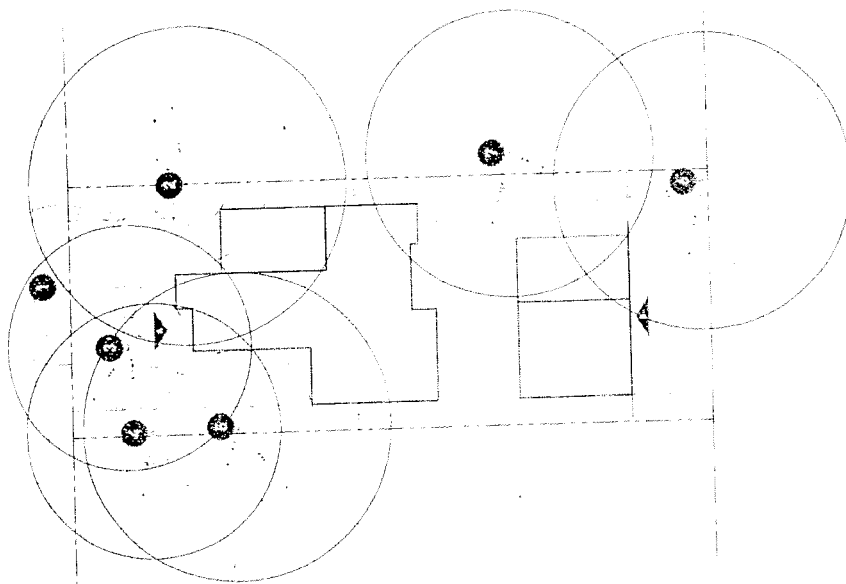
Without the presence of heritage trees, typical lot setbacks would not restrict the proposed construction.



B

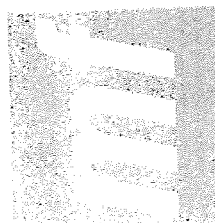
CRITICAL ROOT ZONES

View of existing site from Taylor St showing several heritage trees located on the front of the lot

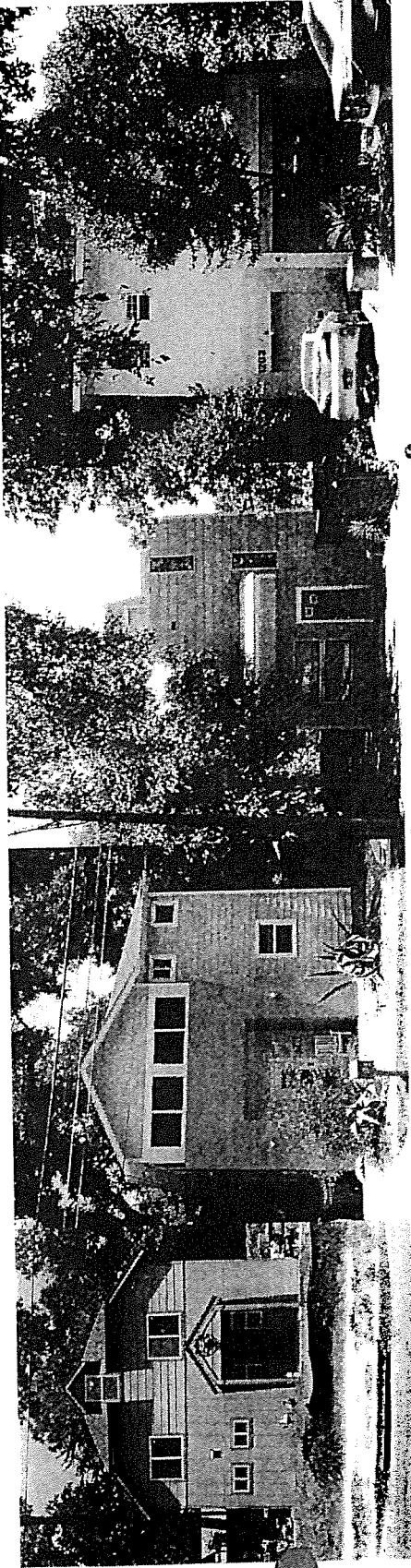


SITE HARDSHIP
Critical Root Zones

Scale: NTS



12/18

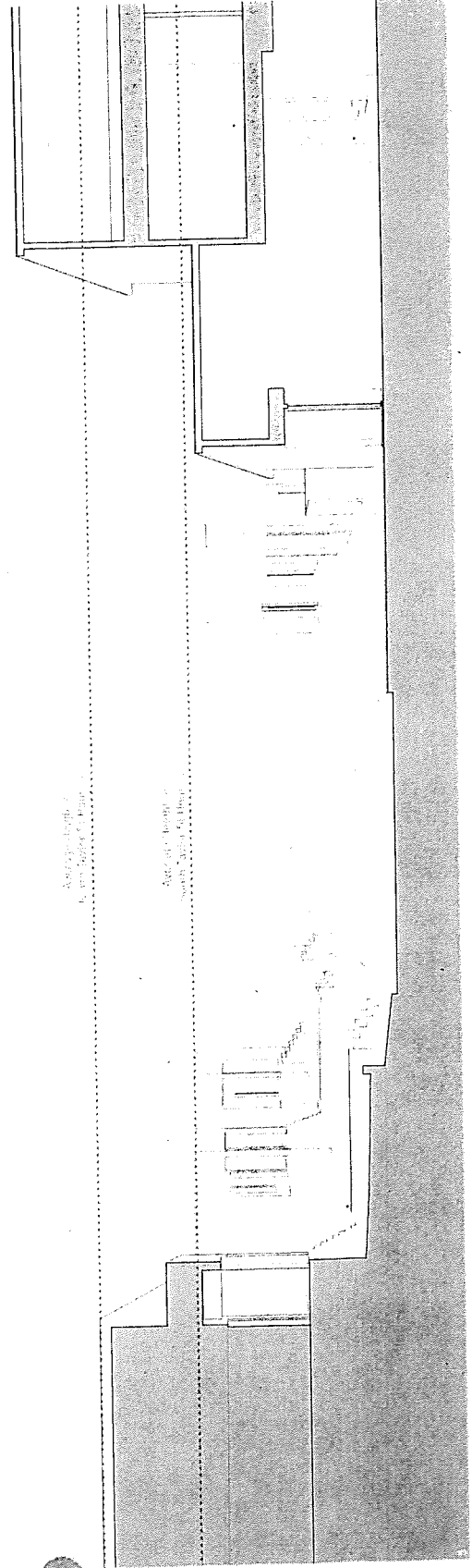
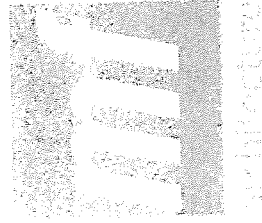
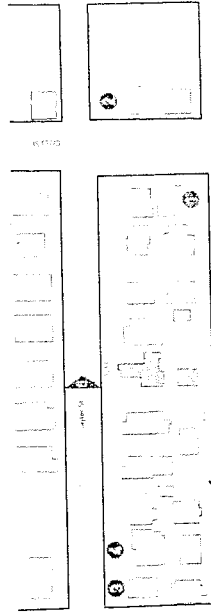


AREA CHARACTER
Two-Story Houses

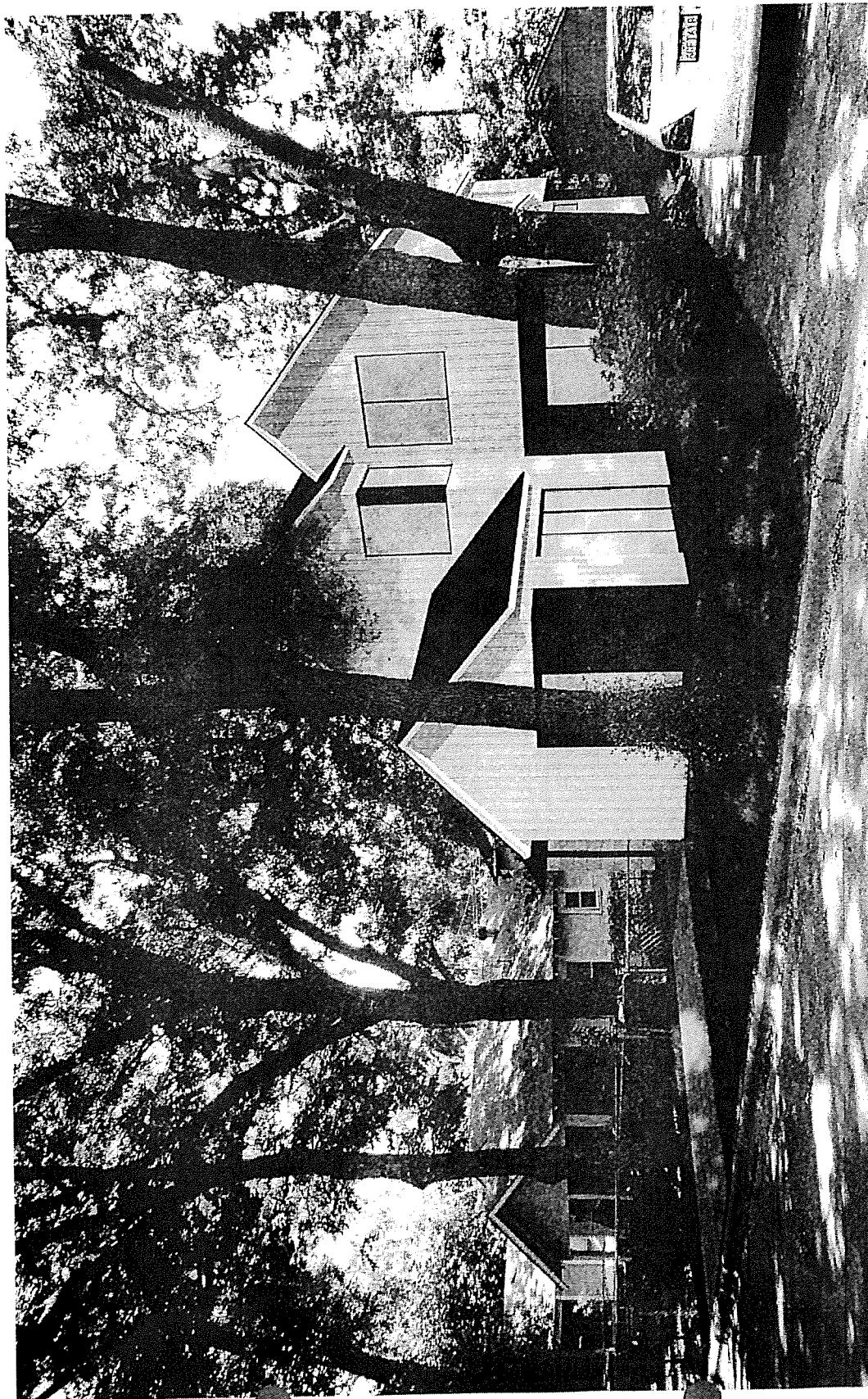
Scale: NTS

MAINTAINING THE CHARACTER OF THE NEIGHBORHOOD

The stepped back massing allows the proposed construction to relate to both its single-story neighbors and the houses across Taylor St., which are significantly taller due to raised topography. The use of gable roof forms, in addition to this massing strategy, makes the proposed house similar to surrounding houses in proportion and scale, allowing it to match the character of the neighborhood masses rather than other nearby two-story residences.

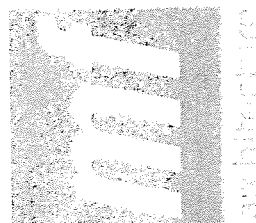


13/8

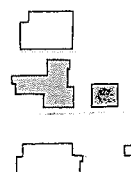


AREA CHARACTER

Scale: NTS



View of proposed house from Taylor St



MAINTAINING THE CHARACTER OF THE NEIGHBORHOOD

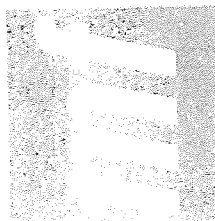
The proposed construction utilizes gable roof forms and layered volumes, much like the existing houses shown.

3/5



AREA CHARACTER
Neighborhood Plan

Scale: NTS



15/48

3. Housing

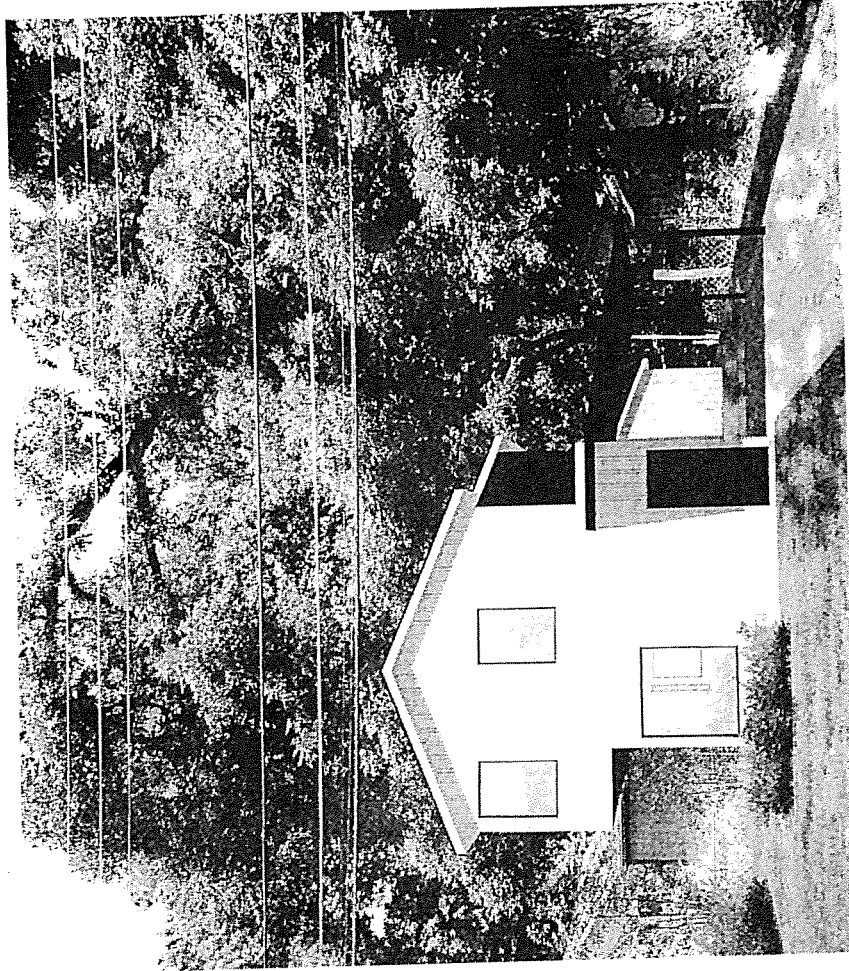
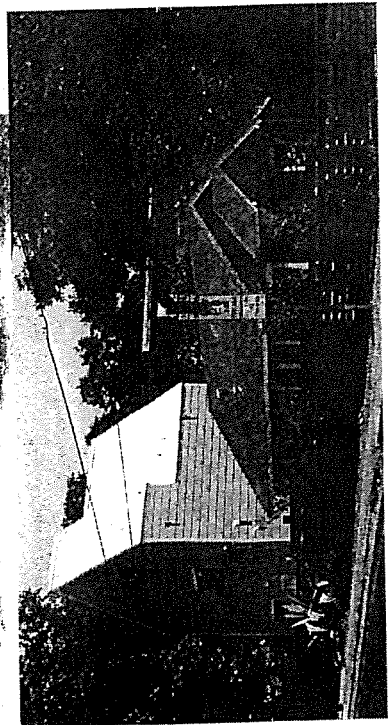
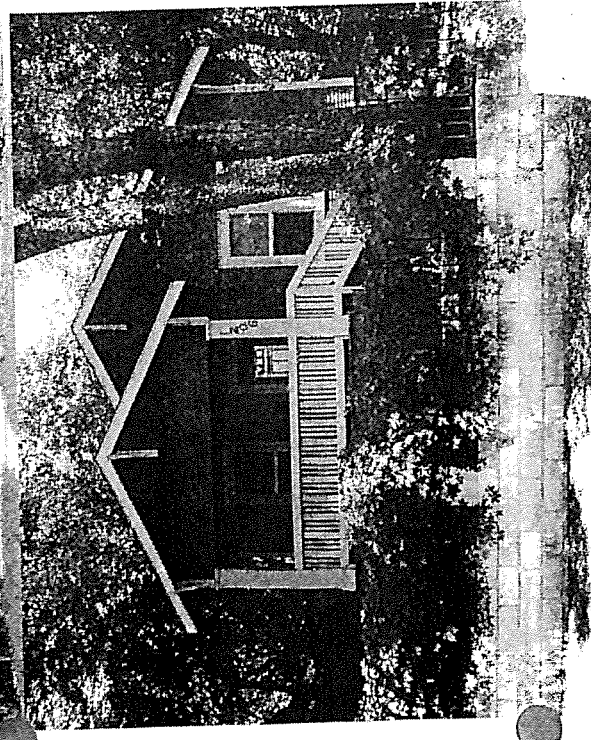
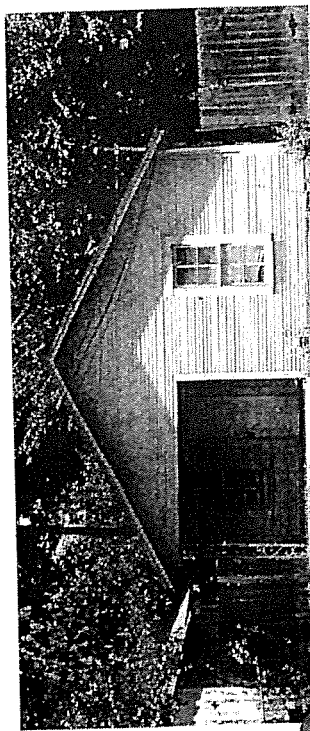
Neighborhood Vision: The neighborhood needs more housing for its families, especially its elderly and young families. The neighborhood is willing to absorb some increase in density to accommodate these needs, as long as the neighborhood character is maintained. An array of housing options that are safe, accessible and affordable should be available. Providing more opportunities for existing residents to own their homes is a priority.

Objective 3: Provide additional opportunities to increase housing opportunities in the neighborhood.

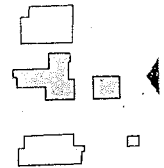
Action 98: Create an ordinance that permits in all residential zoning districts within the planning area, a single accessory "granny flat" unit constructed on the same lot as the primary residential unit attached to the garage or to the existing residence for ground floor access. **Primary implementers:** PECSD, DRID

EAST CESAR CHAVEZ NEIGHBORHOOD PLAN

The East Cesar Chavez Neighborhood Plan expresses a desire for an increase in density of smaller, more affordable housing, including "granny flats." Site and zoning restraints make compliance with this request difficult on the small, through-lot at 1211 Taylor St. The requested 700-sf increase in GFA would allow for the addition of a Secondary Apartment, as requested in the neighborhood plan.



View of proposed secondary apartment from Holly St



AREA CHARACTER

Scale: NTS

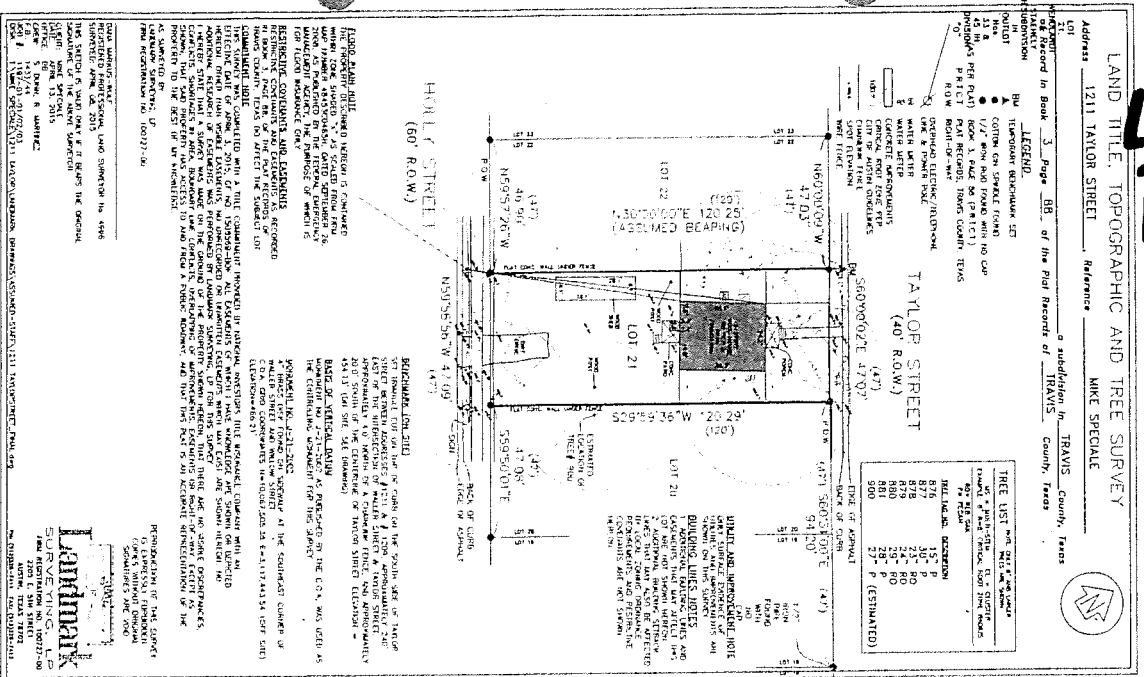


MAINTAINING THE CHARACTER OF THE NEIGHBORHOOD

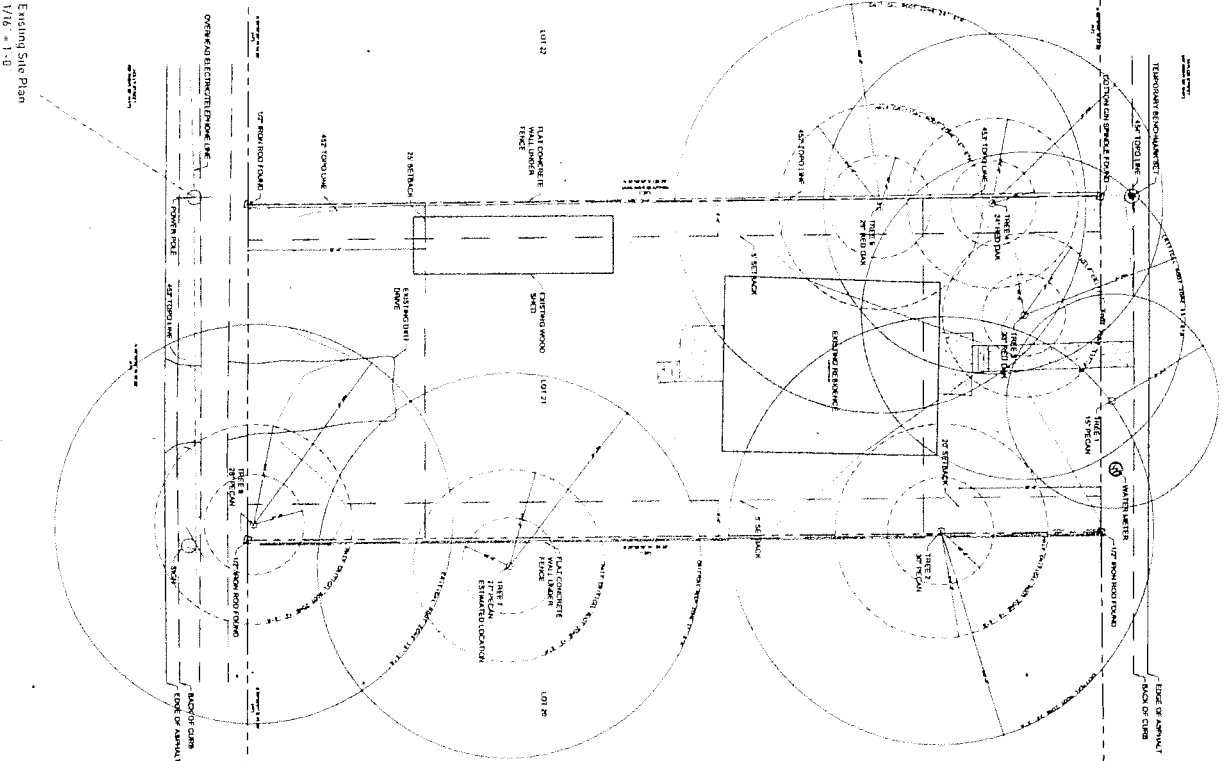
The proposed construction utilizes gable roof forms and layered volumes, much like the existing houses shown.

48
12

8715



Site Survey
 1" = 45'-0"



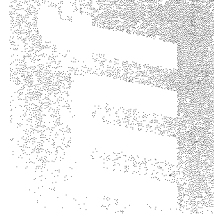
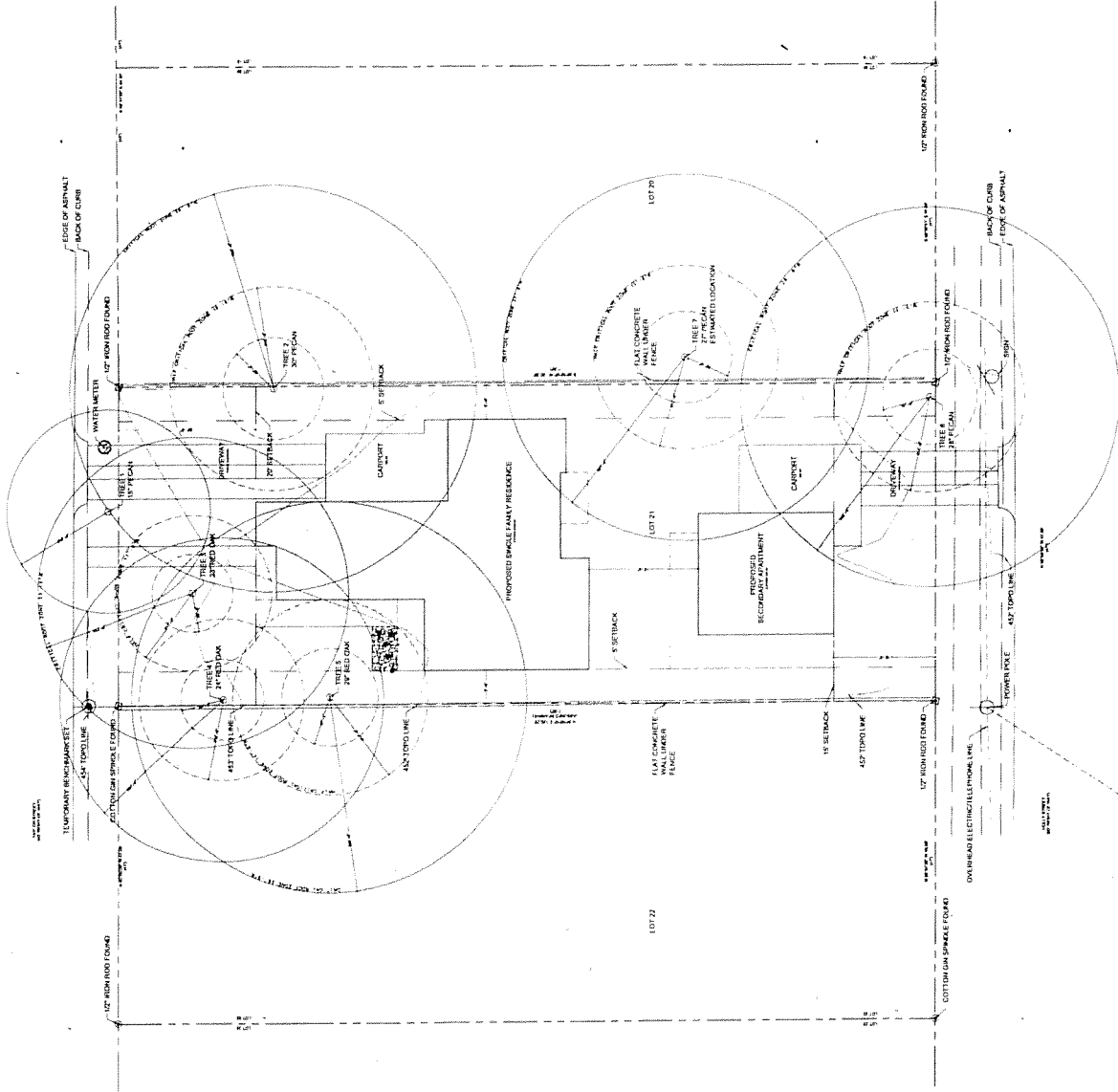
EXISTING CONDITIONS
 Survey and Site plan

LOT SIZE
 5688.63 square feet
ALLOWABLE IMPERVIOUS COVER AREA
 2559.88 (0.45:1.00)
PROPOSED IMPERVIOUS COVER AREA
 2556.00 (0.45:1.00)
ALLOWABLE GROSS FLOOR AREA
 2275.45 (F.A.R. 0.40:1.00)
PROPOSED GROSS FLOOR AREA
 2950.00 (F.A.R. 0.52:1.00)

The proposed construction seeks a 12% increase to the allowable GFA in order to accommodate the neighborhood plan's request for secondary apartments.

SITE PLAN Proposed Construction

Scale: 1/16" = 1'-0"



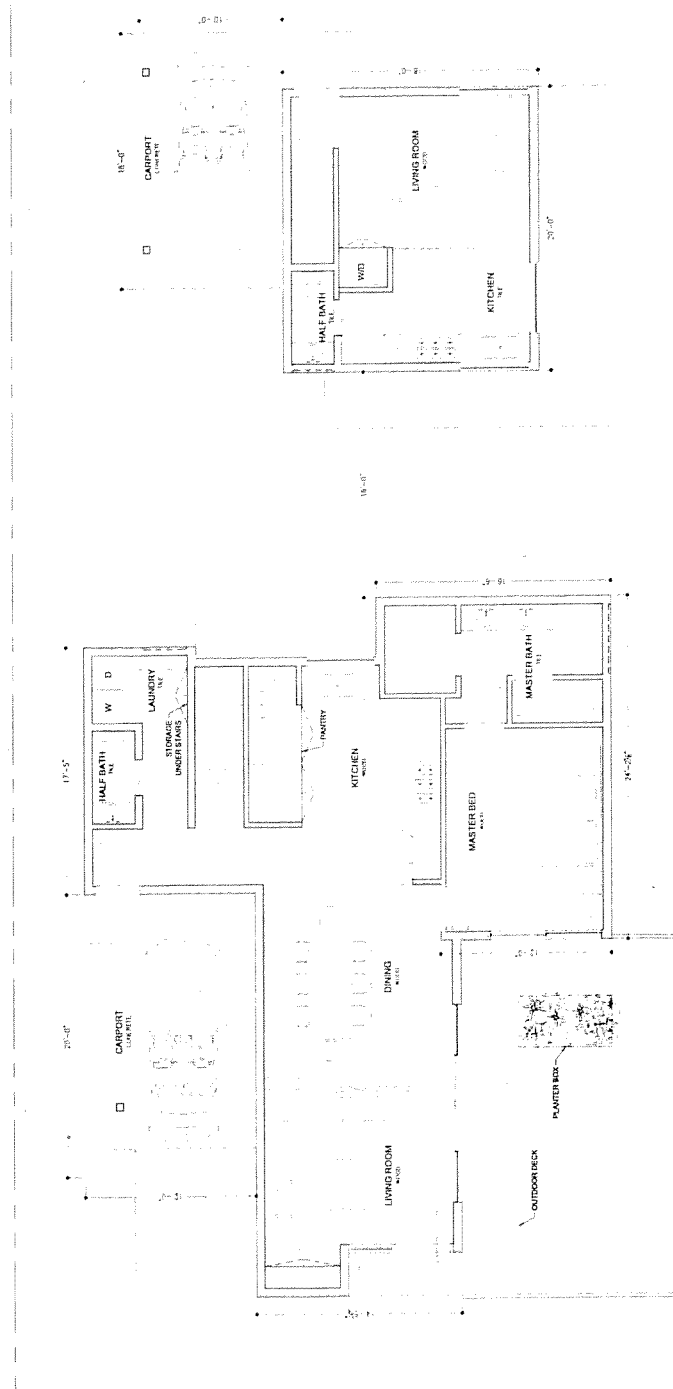
1868

FIRST FLOOR PLAN
Proposed Construction

Scale: 1/8" = 1'-0"



68/19

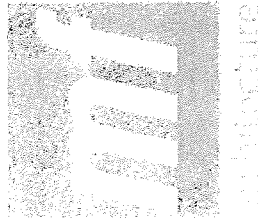


FIRST FLOOR
Secondary Apartment

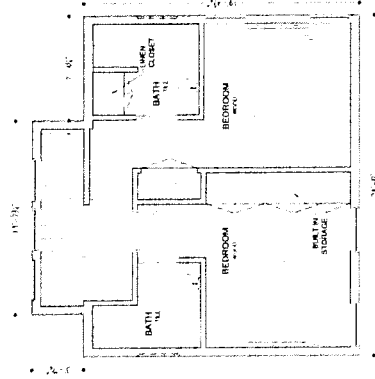
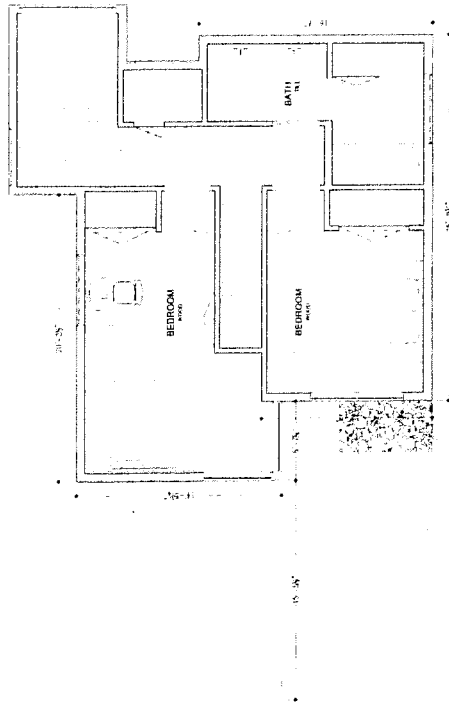
FIRST FLOOR
Primary Structure

SECOND FLOOR PLAN
Proposed Construction

Scale: 1/8" = 1'-0"

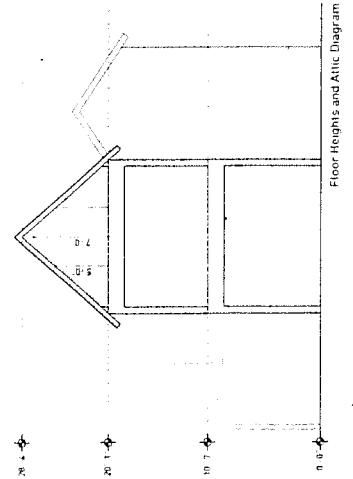


LS
20



SECOND FLOOR
Primary Structure

SECOND FLOOR
Secondary Apartment





October 21, 2015

Board of Adjustment
City of Austin
Austin, TX

RE: 1211 Taylor Street, Case No. C15-2015-0132

Dear Members of the Board of Adjustment,

The East César Chavez Neighborhood Planning Team is writing in regard to variance to a residential lot requested by developer Richard Kooris at 1211 Taylor Street.

The Team heard the applicants at our Sept. 16, 2015 meeting and voted to endorse-

- (1) "Decrease rear yard requirements for through lot from 25 ft (required) to 15 ft (requested)."
- (2) "Decrease minimum lot size for two-family residential use from 7000 sqft (required) to 5688 sqft (requested)."

The East César Chavez Neighborhood Planning Team does NOT endorse the F.A.R., only the allowable 2300 sqft.

The Team also requests that the Board of Adjustments re-issue the Public Notification to include ALL items requested by the applicant if the applicant pursues the increase to F.A.R. We hope that the Board of Adjustments agrees with and votes along with the East Cesar Chavez Neighborhood Planning Team on this request.

Sincerely yours,

Alberto Martinez
Chair, ECCNPT



LS
22

October 12, 2015

Board of Adjustments
City of Austin

RE: 1211 Taylor, Case No. C15-2015-0132

Dear Board Members,

The East Cesar Chavez Neighborhood Planning Team is writing in regards to variances requested by developer Richard Kooris at 1211 Taylor.

The Team heard the applicants at the Sept. 16, 2015 meeting and voted to endorse the front and rear yard setback variances, but we do not support the FAR, only the allowable 2300 sq. ft. The Team also requests that the Board of Adjustments re-issue the Public Notification to include ALL items requested by the applicant if they pursue the increase.

We hope that the Board of Adjustments agrees with and votes along with the East Cesar Chavez Neighborhood Planning Team on this request.

Sincerely yours,

Alberto Martinez

Chair, ECCNPT

PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak **FOR** or **AGAINST** the proposed application. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice will be sent.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact person listed on a notice*); or
- appearing and speaking for the record at the public hearing; and:
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: www.austintexas.gov/devservices.

Written comments must be submitted to the contact person listed on the notice before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice. All comments received will become part of the public record of this case.

Case Number: C15-2015-0132, 1211 Taylor St.

Contact: Leane Heldenfels, 512-974-2202, leana_heldenfels@austintexas.gov

Public Hearing: Board of Adjustment, October 12th, 2015

Antunja Dovel

Your Name (please print)

1211 Gaiden St.

Your address(es) affected by this application

Antunja Dovel

Signature

10/6/15

Date

Daytime Telephone: *512-470-3923*

Comments:

This structure(s) if allowed to proceed, will overwhelm the smaller homes on either side of 1211 Taylor. We do not need more over-priced homes in this area. We do not need more unaffordable density on Taylor St.

Note: all comments received will become part of the public record of this case. If you use this form to comment, it may be returned up until noon the day of the hearing to (those received after noon may not be seen by the Board at this hearing):

City of Austin-Development Services Department/ 1st Floor

Leane Heldenfels

P. O. Box 1088

Austin, TX 78767-1088

Fax: (512) 974-6305

Scan & Email to: leana.heldenfels@austintexas.gov

423

C15-2015-0132

Heldenfels, Leane

From: Autumn Deuel ~~autumn@chicago.gov~~
Sent: Tuesday, October 06, 2015 1:42 PM
To: Heldenfels, Leane
Subject: Variance requests for 1211 Taylor Street
Attachments: 1211 Taylor Street.opposition to variance requests.pdf

18
24

Dear Ms. Heldenfels,

I live at 1211 Garden Street and can often hear noise from Taylor Street properties.

I attach my opposition to Mr. Kooris' variance requests.

I do not believe that he is wanting to build 2 homes on 1 lot for any other reason than personal profits.

Thank you for your attention to this matter.

Yours truly,
Autumn Deuel

PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, **you are not required to attend**. However, if you do attend, you have the opportunity to speak **FOR** or **AGAINST** the proposed application. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice will be sent.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact person listed on a notice*); or
- appearing and speaking for the record at the public hearing; and:
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: www.austintexas.gov/devservices.

Written comments must be submitted to the contact person listed on the notice before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice. All comments received will become part of the public record of this case.

Case Number: C15-2015-0132, 1211 Taylor St.

Contact: Leane Heldenfels, 512-974-2202, leana_heldenfels@austintexas.gov

Public Hearing: Board of Adjustment, October 12th, 2015

Dr. Delia Bara
Your Name (please print)

☒ I am in favor
☐ I object

1208 Garded
Your address(es) affected by this application

Dr. Delia Bara 10-6-15
Signature Date

Daytime Telephone: _____

Comments: _____

Note: all comments received will become part of the public record of this case
If you use this form to comment, it may be returned up until noon the day of the hearing to (those received after noon may not be seen by the Board at this hearing):

City of Austin-Development Services Department/ 1st Floor

Leane Heldenfels

P. O. Box 1088

Austin, TX 78767-1088

Fax: (512) 974-6305

Scan & Email to: leana_heldenfels@austintexas.gov

48
25

PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, **you are not required to attend**. However, if you do attend, you have the opportunity to speak **FOR** or **AGAINST** the proposed application. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice will be sent.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact person listed on a notice*); or
- appearing and speaking for the record at the public hearing; and:
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: www.austintexas.gov/devservices.

Written comments must be submitted to the contact person listed on the notice before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice. All comments received will become part of the public record of this case.

Case Number: C15-2015-0132, 1211 Taylor St.

Contact: Leane Heldenfels, 512-974-2202, leana_heldenfels@austintexas.gov

Public Hearing: Board of Adjustment, October 12th, 2015

Jonathan J. McMahon

Your Name (please print)

1217 Taylor

Your address(es) affected by this application

Jonathan McMahon

Signature

Date

Daytime Telephone: *512 789-3978*

Comments:

Note: all comments received will become part of the public record of this case
If you use this form to comment, it may be returned up until noon the day of the hearing to (those received after noon may not be seen by the Board at this hearing):

City of Austin-Development Services Department/ 1st Floor

Leane Heldenfels

P. O. Box 1088

Austin, TX 78767-1088

Fax: (512) 974-6305

Scan & Email to: leana.heldenfels@austintexas.gov

24/58

Heldenfels, Leane

From: Hisham Besheer [REDACTED]
Sent: Monday, September 14, 2015 2:19 PM
To: Heldenfels, Leane
Subject: Fwd: Opposition to Variance Requests Case #C15-2015-0132

18
21

Hi Leane,

I sent this earlier, but it bounced. Looks like the email address was misspelled. Please see below.

Thanks,

H

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

From: Hisham Besheer [REDACTED]
Date: Mon, Sep 14, 2015 at 11:46 AM
Subject: Opposition to Variance Requests Case #C15-2015-0132
To: Leane.heldenfelds@austintexas.gov

1211 Taylor St.

Dear Leane,

With regards to Variance Requests Case #C15-2015-0132 at 1211 Taylor Street, I would like to express my family's opposition to these requests. We live at 1203 Taylor Street, directly adjacent to a known problem Type-2 STR house, 1201 Taylor Street. Our 10 year old daughter stands in front of the window every Thursday evening asking "where are the party boys?" When they show up, she starts counting them, and it's always more than 15 individuals (usually college age young men) in a 1400 sq ft house. Throughout the weekend, the renters cause us nothing but trouble. The profanity, noise, drinking, overflowing garbage every night until 4am, and the occasional smell of marijuana, is what we have to deal with because there is no control over these STRs.

The plans for 1211 Taylor, which is just 4 houses down from us, also on our side of the block, appears to be designed exclusively to be a short term rental. The proposed design maximizes the use of land to build the largest structures possible in what used to be a quiet neighborhood street. As a family of 3, this design does not appeal to us. We are not the type of buyer this proposed property would attract.

The current structure on the land is a small cottage style home which appears to be no more than 500 sq ft. I don't see how in keeping with the character of the neighborhood, a 2250 sq ft house with an 800 sq ft secondary structure for a total of 5 bedrooms would replace the current structure. What the developer is proposing is an STR-2 investor's dream. We live in a 2-bedroom 2200 sq ft. house ourselves, and when the owner of 1201 Taylor Street once saw the inside of our home, he told me "I bet I could fit 25 people in here". I wonder how many people he could fit in a total of 3050 sq ft complex. One problem house on the block is more than enough for us.

The developer's "hardship" of having too many heritage trees on the lot is invalid. This is not what these variances are meant to address. They are meant to address true financial hardships to help the residents and owners, not to ruin neighborhoods and bring in unwanted visitors who have no respect for our neighborhoods or their residents.

Heldenfels, Leane

C15-2015-0132

From: Tracy Smith
Sent: Monday, September 14, 2015 2:08 PM
To: Heldenfels, Leane
Subject: I oppose this as well

L8
Z8

Good Afternoon,

I am right there with Kristen. This is not acceptable and I my ask is the same.

Please deny this variance request at 1211 Taylor, 78702

Tracy Smith

Tracy Smith

1300Garden St.

Austin, TX 78702

September 14, 2015

City of Austin Board Adjustment

Dear Board Adjustment Members:

I am writing in opposition to the 1211 Taylor St. lot variance requests submitted by Richard Kooris. The lot owner's desire to build two houses on this lot simply reflects his **desire for more profit and does not constitute a true Hardship.** As you know, a variance request is supposed to be a homeowner's answer to a true Hardship, and **financial concerns do not constitute a Hardship.**

Moreover, Mr. Kooris' variance requests are not aligned with the ECC Neighborhood Master Plan, as described at: <http://eastcesarchavez.org/policies-process/neighborhood-plan/>, though he cites the Plan in his argument for the requested variance, taking it completely out of context and twisting it to suit his own desires. In truth, Richard Kooris' financial concerns and related variance requests at 1211 Taylor do not align with the ECC Neighborhood master plan. Please note that Mr. Kooris' variance requests for the 1211 Taylor property are in direct conflict with the following Neighborhood Plan Goals:

Heldenfels, Leane

From: Kristen Hotopp [REDACTED]
Sent: Monday, September 14, 2015 10:37 AM
To: Heldenfels, Leane
Cc: Gwen O'Barr; Somerville Shawn; Alberto Martinez; Kristen Hotopp; Edie Cassell
Subject: Opposed to Variance Requests Case #C15-2015-0132: Richard Kooris Variance Request at 1211 Taylor St.

18
29

Kristen Hotopp

1213 Garden St.

Austin, TX 78702

September 14, 2015

City of Austin Board Adjustment

Dear Board Adjustment Members:

I am writing in opposition to the 1211 Taylor St. lot variance requests submitted by Richard Kooris. The lot owner's desire to build two houses on this lot simply reflects his desire for more profit and does not constitute a true Hardship. As you know, a variance request is supposed to be a homeowner's answer to a true Hardship, and financial concerns do not constitute a Hardship.

Moreover, Mr. Kooris' variance requests are not aligned with the ECC Neighborhood Master Plan, as described at: <http://eastcesarchavez.org/policies-process/neighborhood-plan/>, though he cites the Plan in his argument for the requested variance, taking it completely out of context and twisting it to suit his own desires. In truth, Richard Kooris' financial concerns and related variance requests at 1211 Taylor do not align with the ECC Neighborhood master plan. **Please note that Mr. Kooris' variance requests for the 1211 Taylor property are in direct conflict with the following Neighborhood Plan Goals:**

- • Ensure that new structures, renovations and businesses are compatible with the neighborhood.
- • Create and preserve physical features and activities to reinforce our neighborhood's cultural identity and history.

The neighborhood has dealt with this particular developer before, and he has not been "above board" in his dealings and development initiatives here in ECC. Case in point, **Mr. Kooris and his architect were well**

aware they first needed to first request these variances through the East Cesar Chavez Neighborhood Planning Team (ECCNPT) prior to filing the variance request with the Board of Adjustments. However, Mr. Kooris showed a disregard for the process in attempting to skip this step and push his variance requests through the Board with minimal public/neighbor knowledge and/or opportunity for input. This is not the type of developer we need to be granting special favors and exceptions to in our residential neighborhood; his actions demonstrate that he does not have neighbors' or the community's best interest in mind.

My family and I live just a block away from the 1211 Taylor St. property site that Richard Kooris hopes to overbuild. I have personal experience with this kind of property development, in that I live across the street from a similar set up built by MX3 developers in 2014. MX3 built an oversized single-family residence up front and an oversized secondary apartment in rear. The large 3/2 home up front became a commercial type 2 STR that no one lives in, but that is instead rented to large groups of tenants every weekend (mostly large groups of young men in their 20's here to party). The units are monstrous and pack in the STR tenants, a couple who lives and runs an STR1 in the secondary unit in the back, and all of their friends and visitors. Traffic, large groups of visitors, lack of parking, and overflowing trash have become a problem on our street as a result of this overbuilt design- it is NOT good for our neighborhood. And, because the front house is strictly used as an STR2, the oversized buildings negate any attempts to densify the city core, or provide more housing options for Austin families.

The proposed variance requests Mr. Kooris has submitted are good for him, but not for our families, our residents, or our neighborhood. Mr. Kooris asks you to decrease the minimum front yard setback, decrease the rear yard requirements, and decrease the minimum lot size in order to construct new single family home and secondary apartment McMansions that are incompatible with our neighborhood, and that do not reinforce our SFR neighborhood's cultural identity.

I urge the Board of Adjustments to deny Mr. Kooris' requests in support of our neighborhood, our residents, and our families, instead of voting for a developer who simply wants to expand the lot size for his own personal profit, without regard for the ramifications and consequences to those of us who live here.

Sincerely,

Kristen Hotopp

1213 Garden St.

Austin, TX, 78702

20 Year ECC Resident

PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak **FOR** or **AGAINST** the proposed application. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice will be sent.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact person listed on a notice*); or
- appearing and speaking for the record at the public hearing; and:
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: www.austintexas.gov/devservices.

Written comments must be submitted to the contact person listed on the notice before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice. All comments received will become part of the public record of this case.

Case Number: C15-2015-0132, 1211 Taylor St.

Contact: Leane Heldenfels, 512-974-2202, leana.heldenfels@austintexas.gov

Public Hearing: Board of Adjustment, September 14th, 2015

William BREAUx

Your Name (please print)

1304 GARDEN ST.

Your address(es) affected by this application

Leane Heldenfels

Signature

9-11-15

Date

Daytime Telephone: (512) 482-9423

Comments: OBJECT TO ATTEMPTS TO PUT TWO DWELLINGS ON A LOT THIS SIZE. THIS PLAN WILL CRITICALLY AFFECT THE PRIMARY ROOT ZONE OF THE HERITAGE TREES ON THE LOT. THE DEVELOPER SHOULD BUILD WITHIN LEGAL LIMITS.

If you use this form to comment, it may be returned by noon the day of the hearing to (comments received after noon may not be seen by the Board at this hearing):

City of Austin-Development Services Department/ 1st Floor

Leane Heldenfels

P. O. Box 1088

Austin, TX 78767-1088

Fax: (512) 974-6305

Scan & Email to: leana.heldenfels@austintexas.gov

3/58

PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, **you are not required to attend**. However, if you do attend, you have the opportunity to speak **FOR** or **AGAINST** the proposed application. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice will be sent.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact person listed on a notice*); or
- appearing and speaking for the record at the public hearing; and:
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: www.austintexas.gov/devservices.

Written comments must be submitted to the contact person listed on the notice before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice. All comments received will become part of the public record of this case.

Case Number: C15-2015-0132, 1211 Taylor St.

Contact: Leane Heldenfels, 512-974-2202, leana.heldenfels@austintexas.gov

Public Hearing: Board of Adjustment, September 14th, 2015

Janine Bergin

Your Name (please print)

1304 Garden Street

Your address(es) affected by this application

[Signature]

Signature

9-11-15

Date

Daytime Telephone: (512) 968-5313 or 529-9617

Comments: I oppose this variance because I feel that the lot is being over-built. The lot is not suitable for two structures of the size and mass planned. Also, building both a primary and secondary dwelling will put unnecessary pressure on the large heritage trees on the lot, by pushing the primary dwelling against the critical root zone.

If you use this form to comment, it may be returned by noon the day of the hearing to (comments received after noon may not be seen by the Board at this hearing):

City of Austin-Development Services Department/ 1st Floor

Leane Heldenfels

P. O. Box 1088

Austin, TX 78767-1088

Fax: (512) 974-6305

Scan & Email to: leana.heldenfels@austintexas.gov

326X

Heldenfels, Leane

From: Gwen O'Barr [REDACTED]
Sent: Thursday, September 10, 2015 3:39 PM
To: Heldenfels, Leane
Cc: Lyon Gegenheimer; Shawn Somerville; Sara Strother; Leslie Thompson; Alberto; J V
Subject: C15-2015-0132/1211 TAYLOR ST

LS
53

Leane,

Per our phone conversation we want this hearing postponed, as the applicant has not been before the East Cesar Chavez Neighborhood Plan. They are on our agenda for our September 16, 2015. They have also sent you a request for postponement in order to meet with us first.

Thanks,
Gwen O'Barr
Co-Chair

Lyon Gegenheimer
Co-Chair

Land Use Committee

East Cesar Chavez Neighborhood
Planning Team

18
34

C15 - 2015 - 0132

Heldenfels, Leane

From: Anna Katsios [REDACTED]
Sent: Thursday, September 10, 2015 3:05 PM
To: Heldenfels, Leane
Cc: Matt Fajkus
Subject: 1211 Taylor Street - Postpone for October

L8
55

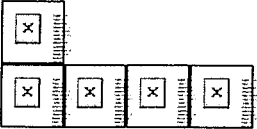
Hi Leane,

It has come to our attention that the East Cesar Chavez Neighborhood Planning Team was never presented with the plans for the Taylor Street project. Since it is their policy to object any plans that have not been passed through them first, we were wondering if it is possible to postpone our BOA hearing until next month in order to coordinate with the ECCNPT and avoid having any objections at our presentation.

Thanks,
Anna



512.432.5137
marchitecture.com



PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, **you are not required to attend**. However, if you do attend, you have the opportunity to speak **FOR** or **AGAINST** the proposed application. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice will be sent.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact person listed on a notice*); or
- appearing and speaking for the record at the public hearing; and:
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: www.austintexas.gov/devservices.

Written comments must be submitted to the contact person listed on the notice before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice. All comments received will become part of the public record of this case.

Case Number: C15-2015-0132, 1211 Taylor St.

Contact: Leane Heldenfels, 512-974-2202, leana.heldenfels@austintexas.gov

Public Hearing: Board of Adjustment, September 14th, 2015

Alex Guerra

Your Name (please print)

1219 Taylor

Your address(es) affected by this application

9-5-15

Date

Signature

Daytime Telephone: (512) 442-0751

Comments: I do not support this code variance as applicant would construct a larger home which is not consistent with neighborhood homes (2) would increase property taxes and (3) would increase gentrification and a single-family home is preferred over an apartment.

If you use this form to comment, it may be returned by noon the day of the hearing to (comments received after noon may not be seen by the Board at this hearing):

City of Austin-Development Services Department/ 1st Floor

Leane Heldenfels

P. O. Box 1088

Austin, TX 78767-1088

Fax: (512) 974-6305

Scan & Email to: leana.heldenfels@austintexas.gov

3/1/15

