






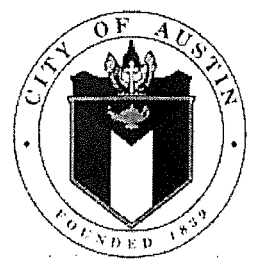
my
1



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

NOTIFICATIONS

CASE#: C15-2015-0166
LOCATION: 1102 W. Annie



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 " = 164 '



CITY OF AUSTIN

Development Services Department

One Texas Center | Phone: 512.978.4000

505 Barton Springs Road, Austin, Texas 78704

Revised
m6
CPTES 2
C15-2015-0166

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 # C15-2015-0166 ROW # _____ Tax # _____

Section 1: Applicant Statement

Street Address: 1102 W Annie

Subdivision Legal Description:

LOT 2 BLK 3 BOULDIN ADDN NORTH EXTENSION, Property ID 302240

Lot(s): 2 Block(s): 3

Outlot: _____ Division: _____

Zoning District: SF-2

I/We Bill Billington on behalf of myself/ourselves as
authorized agent for Lisa Kaselak and Lee Billington affirm that on
Month November, Day 9, Year 2015, 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: Single family residence

Revised
MP
3

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

We are seeking a variance to the rear setback in the distance of 5'9" at the west corner of the house and 1'4" in the east corner in order to accomodate a small expansion to the existing office addition (please see photos attached). The rear property line runs diagonal to the house which is why the setback varies from 5'9"-1'4".

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.

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:

The placement and protection of three heritage oak trees and one protected oak tree located in the front half of the property necessitates this variance. Much of the drip line for the large protected oak in our center courtyard is under the existing house and garage (both built in 1995), so we are seeking to maintain the maximum permeable area for this tree.

Hardship

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

The size, status and placement of the heritage and protected trees do not reasonably permit development to be done elsewhere on the property.

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

Heritage and protected trees - being unique to each property, separates the character of our property from our neighbors. Our property was built as far back as possible on the lot to accomodate the heritage and protected trees on the front half of the lot.

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:

This property backs to a drainage easement which is forested. There is an abnormally large distance between this lot and the next; our rear neighbor's fence is approximately 80' from our rear fence, thus they would not be affected visually or otherwise by the setback variance we are requesting.

Revised
m6
4

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:

This request does not affect traffic volume in any way.

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:

This request does not affect parking in any way.

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

This request does not affect access to any public right-of-way, thus it would not create a safety hazard.

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

We do not believe this variance would establish a precedent for rear setback variances in the area because all of our neighbor's houses and structures were built toward the front of their properties, allowing for plenty of rear development within the setback. Ours is a special case as noted because of the existence of the heritage trees.

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.

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: Lisa Kaselak

Digitally signed by Lisa Kaselak
DN: cn=Lisa Kaselak, o=frog design, ou,
email=lisa.kaselak@frogdesign.com, c=US
Date: 2015.11.24 16:39:08 +11'00'

Date: _____

Applicant Name (typed or printed): Bill Billington

Revised
mg
5

Applicant Mailing Address: 1102 W Annie
City: Austin State: TX Zip: 78704
Phone (will be public information): (512) 587-1335
Email (optional – will be public information): lkaselak@gmail.com

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: Lisa Kaselak Digitally signed by Lisa Kaselak
DN: cn=Lisa Kaselak, o=frog design, ou, email=lisa.kaselak@frogdesign.com, c=US
Date: 2015.11.09 20:29:29 +1100 Date: 11/09/2015

Owner Name (typed or printed): Lisa Kaselak and Lee Billington

Owner Mailing Address: 1102 W Annie

City: Austin State: TX Zip: 78704

Phone (will be public information): (512) 587-1335

Email (optional – will be public information): lkaselak@gmail.com

Section 5: Agent Information

Agent Name: Bill Billington

Agent Mailing Address: 1102 W Annie

City: Austin State: TX Zip: 78704

Phone (will be public information): _____

Email (optional – will be public information): _____

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).

We have met with our neighborhood association (BCNA) and have received their vote of
"unanimously not opposed" to this variance.

3123 shows the existing office addition, built in 1995. We would like to expand this small addition
the width of the wall it is adjacent to and further back by 3'.

3110 and 3111 show the trees. 3111 shows the scale of the tree in our center courtyard. 3113
shows the tree itself inside the courtyard.

Additional Space (continued)

Revised
m/c

Pictures looking towards the easement:

3120 shows the backyard space between the house and the fence looking east. 3122 shows the entrance to the easement from S. 5th St. On the left is the fenceline on our side of the easement and on the right you can see the fenceline for our neighbors side of the easement.

SAVE

3110

C15-2015-0166

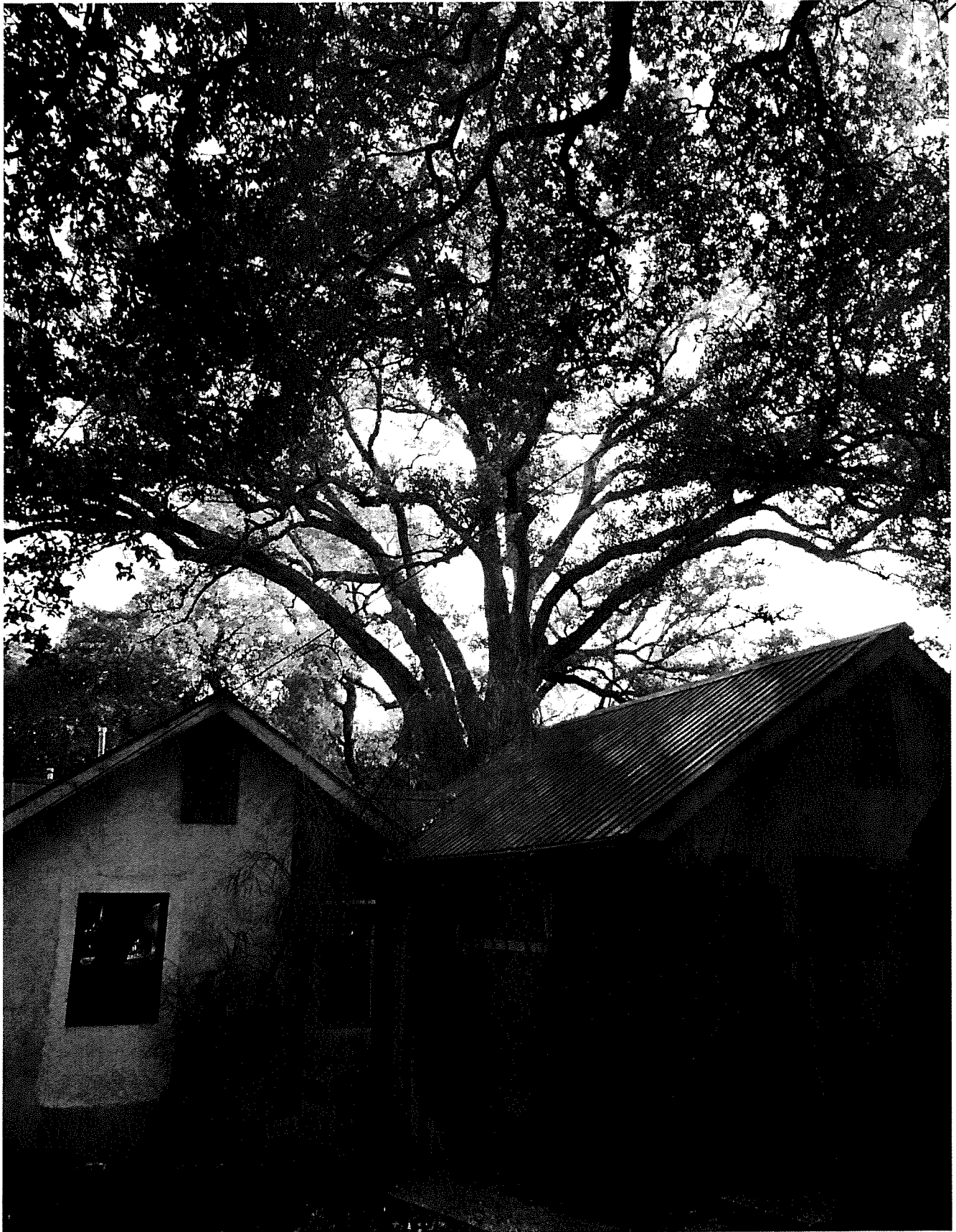
copies

7/3/6



3111

MP
8



3113

9/26



3120



10/36

3122

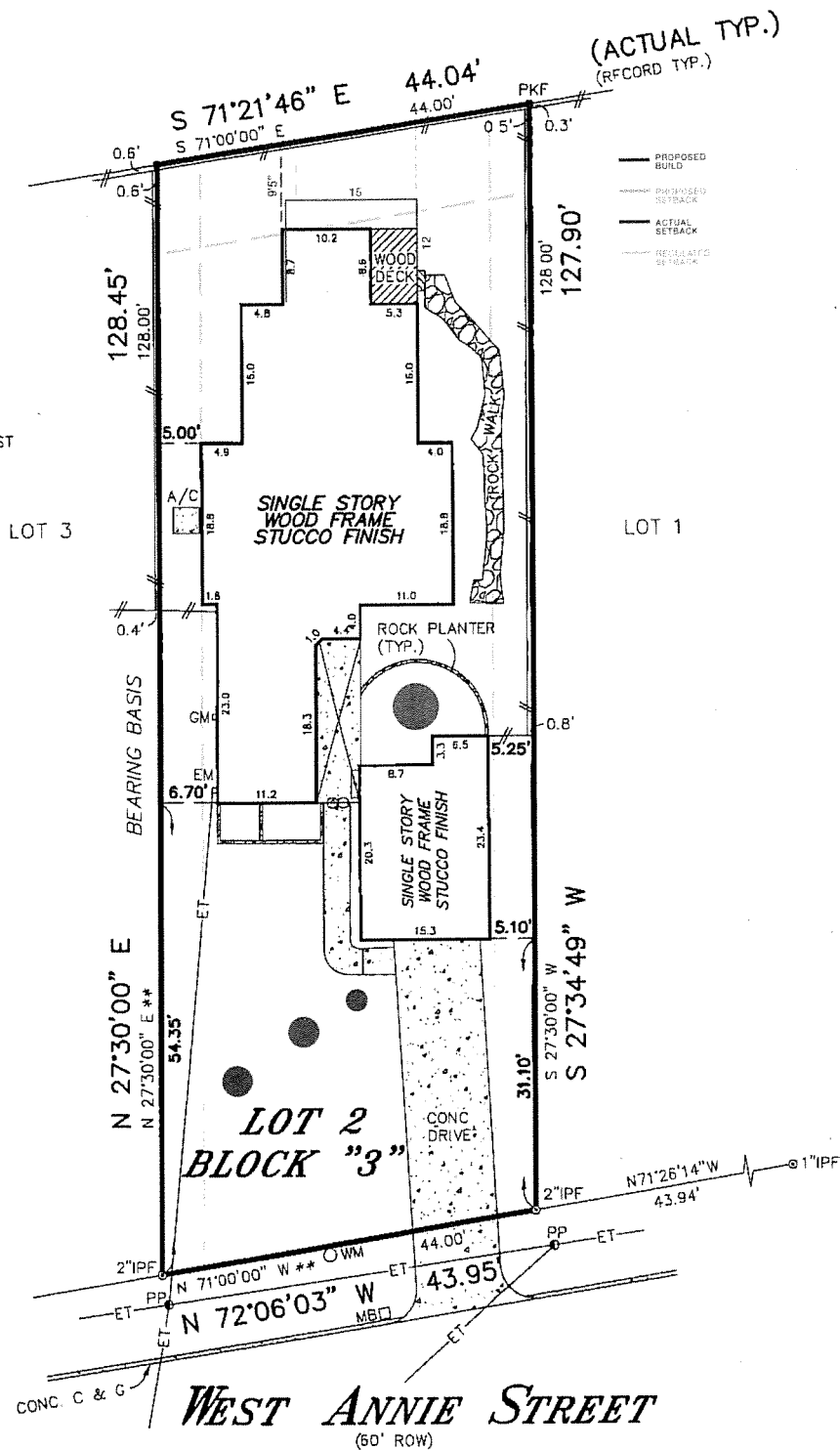


11/3/6

3124

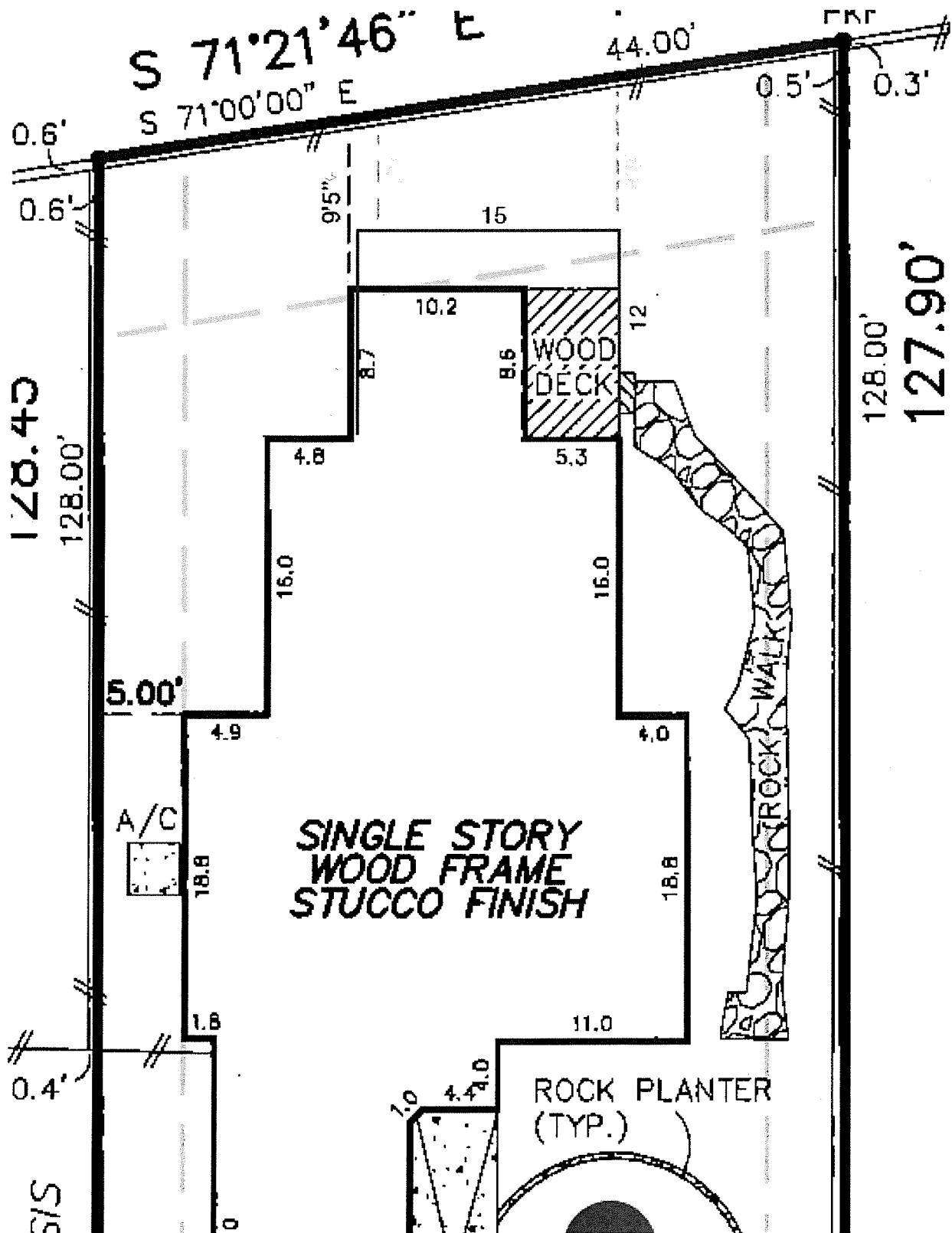


12/16

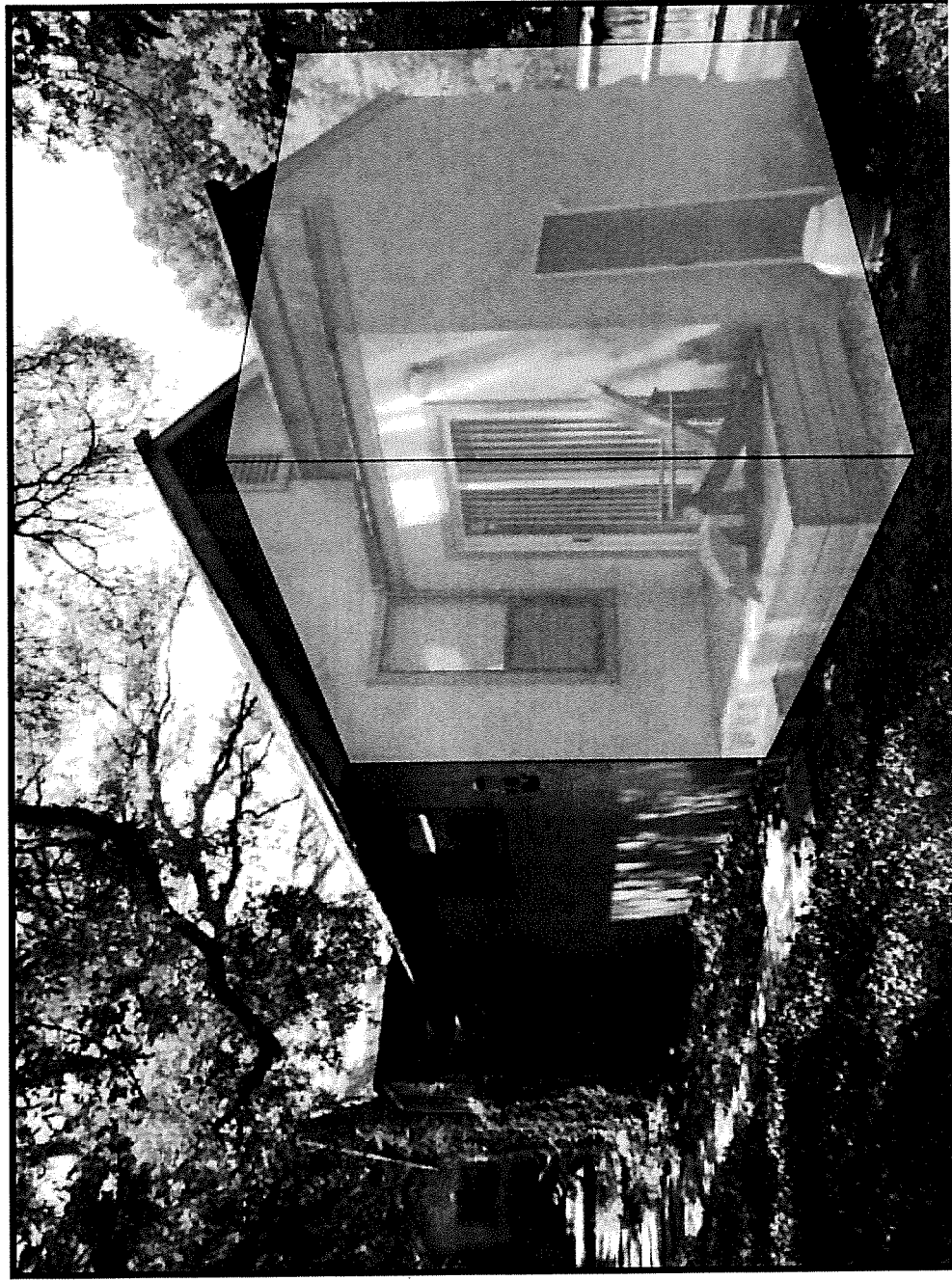
$$\frac{m6}{13}$$


Modified Survey (zoomed in)

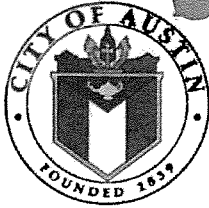
MC
14



3123



15/6
m6



CITY OF AUSTIN

Development Services Department

One Texas Center | Phone: 512.978.4000
505 Barton Springs Road, Austin, Texas 78704

see revised
m4
16

Board of Adjustment General/Parking Variance Application

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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 TCAD✓

Case # C15-2015-066 ROW # 11443668 Tax # 0400041006

Section 1: Applicant Statement

Street Address: 1102 W Annie

Subdivision Legal Description:

LOT 2 BLK 3 BOULDIN ADDN NORTH EXTENSION, Property ID 302240

Lot(s): 2

Block(s): 3

Outlot: _____

Division: _____

Zoning District: ~~SE-2~~ SF-3-NP (Bouldin Creek)

I/We Bill Billington on behalf of myself/ourselves as
authorized agent for Lisa Kaselak and Lee Billington affirm that on
Month November, Day 9, Year 2015, 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: Single family residence

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

We are seeking a variance to the rear setback in the distance of 3.3' at the west corner of the house and 1.4' in the east corner in order to accomodate a small expansion to the existing office addition (please see photos attached). The rear property line runs diagonal to the house.

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.

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:

The placement and protection of three heritage oak trees and one protected oak tree located in the front half of the property necessitates this variance. Much of the drip line for the large protected oak in our center courtyard is under the existing house and garage (both built in 1995), so we are seeking to maintain the maximum permeable area for this tree.

Hardship

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

The size, status and placement of the heritage and protected trees do not reasonably permit development to be done elsewhere on the property.

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

Heritage and protected trees - being unique to each property, separates the character of our property from our neighbors. We are not aware of other such trees on our block. Our property was built as far back as possible on the lot to accomodate the heritage and protected trees on the front of the lot.

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:

This property backs to a drainage easement which is forested. There is an abnormally large distance between this lot and the next; our rear neighbor's fence is approximately 80' from our rear fence, thus they would not be affected visually or otherwise by the 3' setback variance we are requesting.

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:

mk
18

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:

This request does not affect traffic volume in any way.

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:

This request does not affect parking in any way.

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

This request does not affect access to any public right-of-way, thus it would not create a safety hazard.

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

We do not believe this variance would establish a precedent for rear setback variances in the area because all of our neighbor's houses and structures were built toward the front of their properties, allowing for plenty of rear development within the setback. Ours is a special case as noted because of the existence of the heritage trees.

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.

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: Bill Billington

Date: 11-9-15

Applicant Name (typed or printed): Bill Billington

Applicant Mailing Address: 1102 W Annie

City: Austin

State: TX

Zip: 78704

Phone (will be public information): (512) 587-1335

Email (optional – will be public information): lkaselak@gmail.com

my
19

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: Lisa Kaselak

Digitally signed by Lisa Kaselak
DN: cn=Lisa Kaselak, o=frog design, ou, email=lisa.kaselak@frogdesign.com, c=US
Date: 2015.11.06 20:59:20 +1100

Date: 11/09/2015

Owner Name (typed or printed): Lisa Kaselak and Lee Billington

Owner Mailing Address: 1102 W Annie

City: Austin

State: TX

Zip: 78704

Phone (will be public information): (512) 587-1335

Email (optional – will be public information): lkaselak@gmail.com

Section 5: Agent Information

Agent Name: Bill Billington

Agent Mailing Address: 1102 W Annie

City: Austin

State: TX

Zip: 78704

Phone (will be public information): _____

Email (optional – will be public information): _____

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).

We have met with our neighborhood association (BCNA) and have received their vote of "unanimously not opposed" to this variance.

~~3123 shows the existing office addition, built in 1995. We would like to expand this small addition the width of the wall it is adjacent to and further back by 3'.~~

~~3110 and 3111 show the trees. 3111 shows the scale of the tree in our center courtyard. 3113 shows the tree itself inside the courtyard.~~

Additional Space (continued)

m6
20

Pictures looking towards the easement:

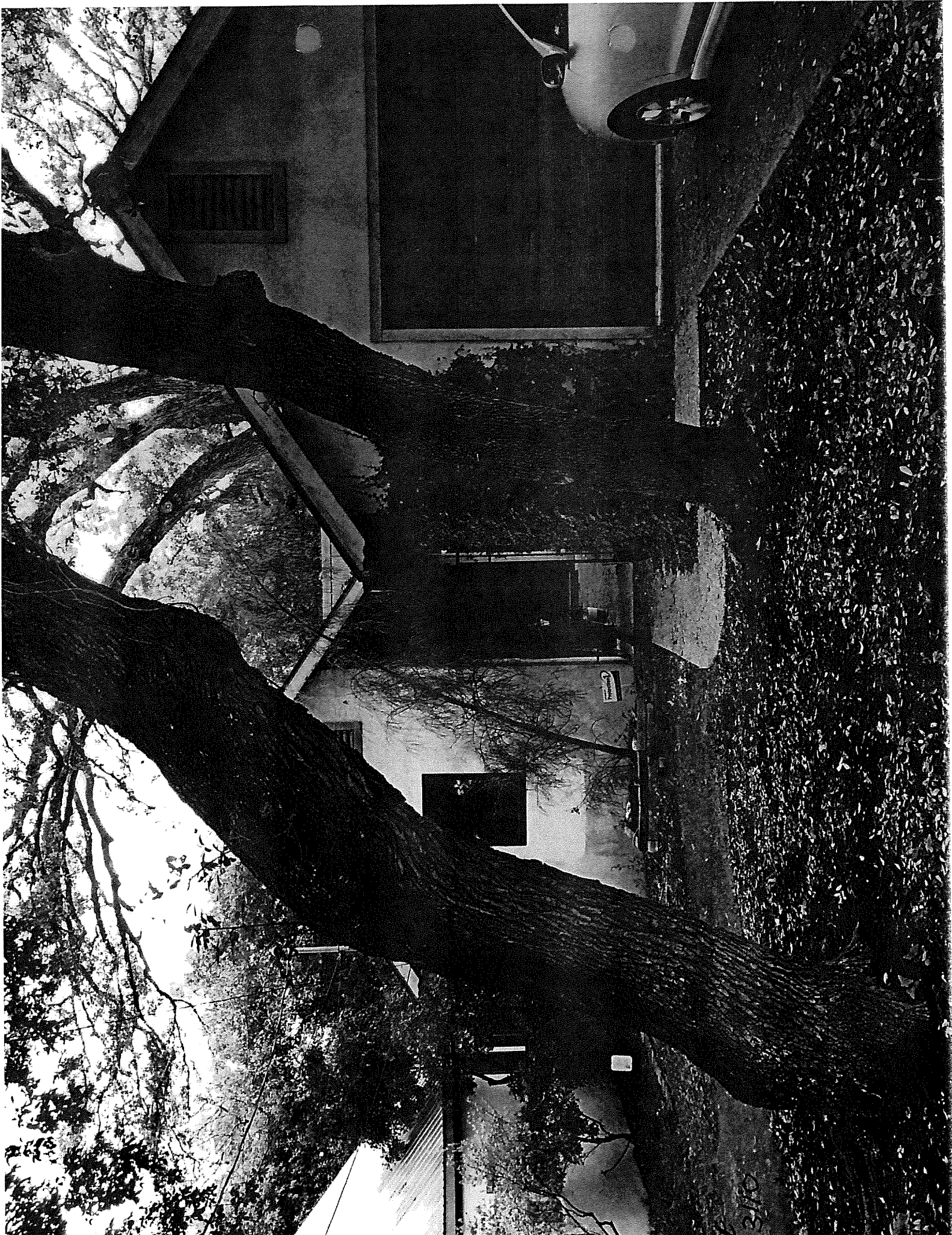
3120 shows the backyard space between the house and the fence looking east. 3122 shows the entrance to the easement from S. 5th St. On the left is the fenceline on our side of the easement and on the right you can see the fenceline for our neighbors side of the easement.

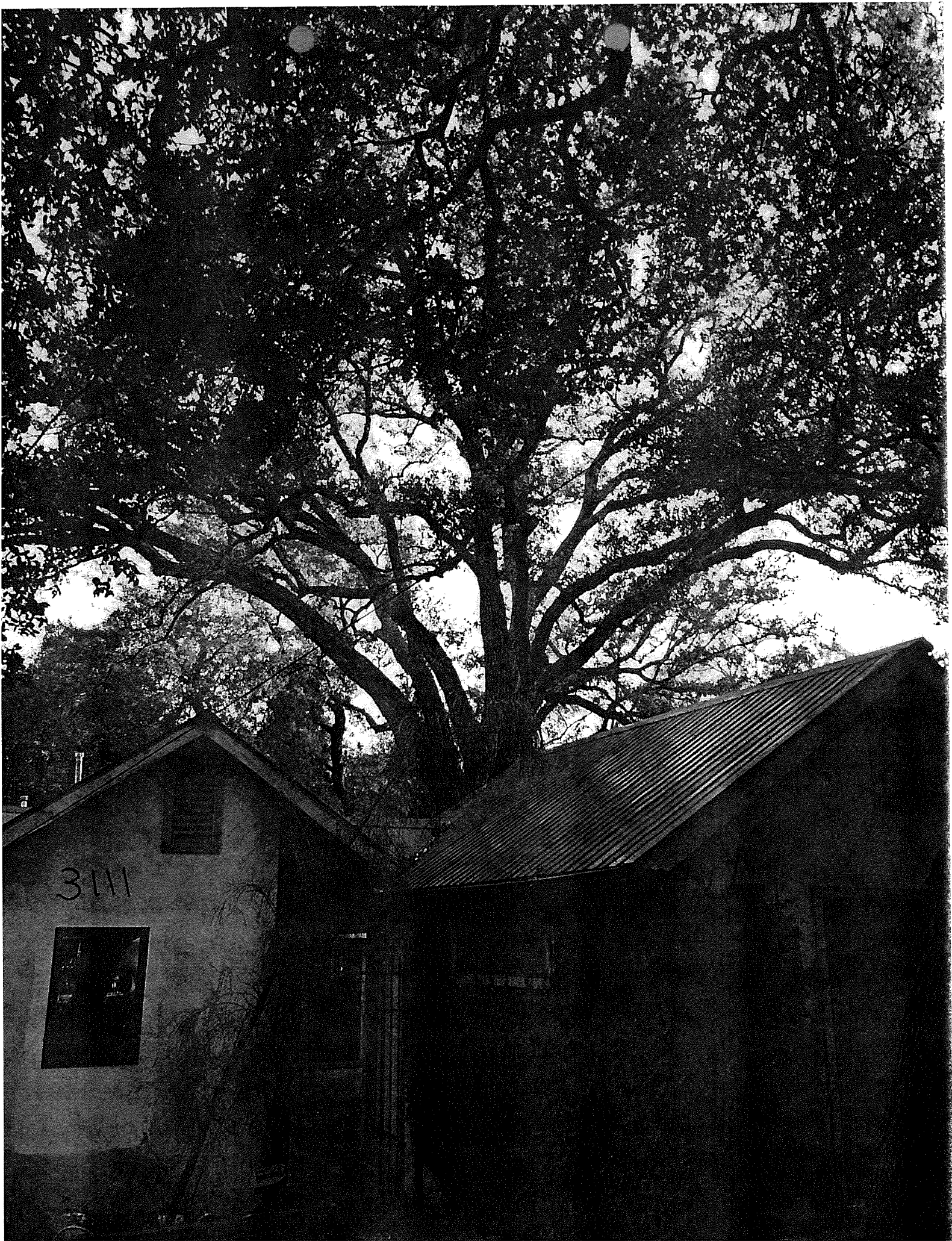
SAVE



3123

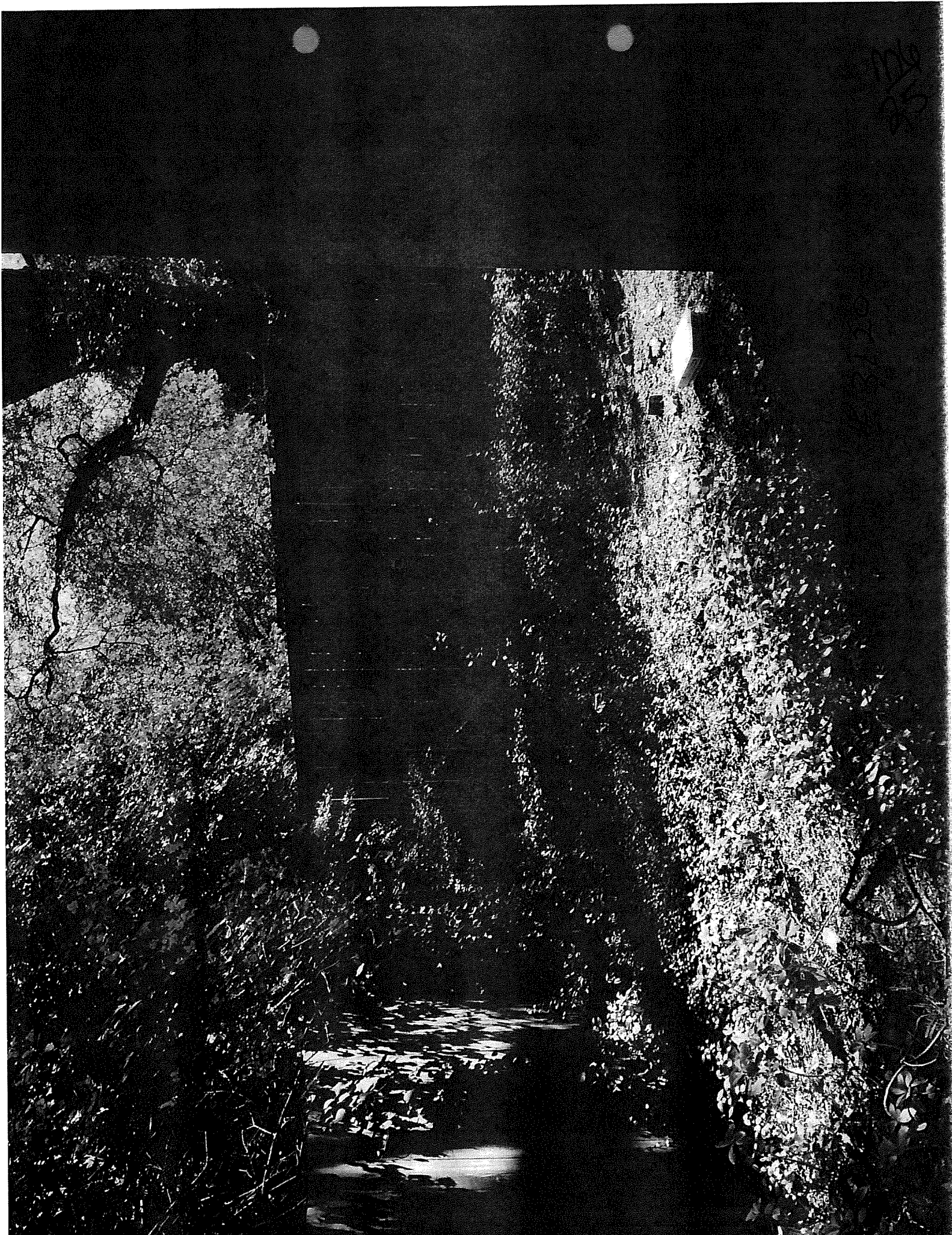
mk
21

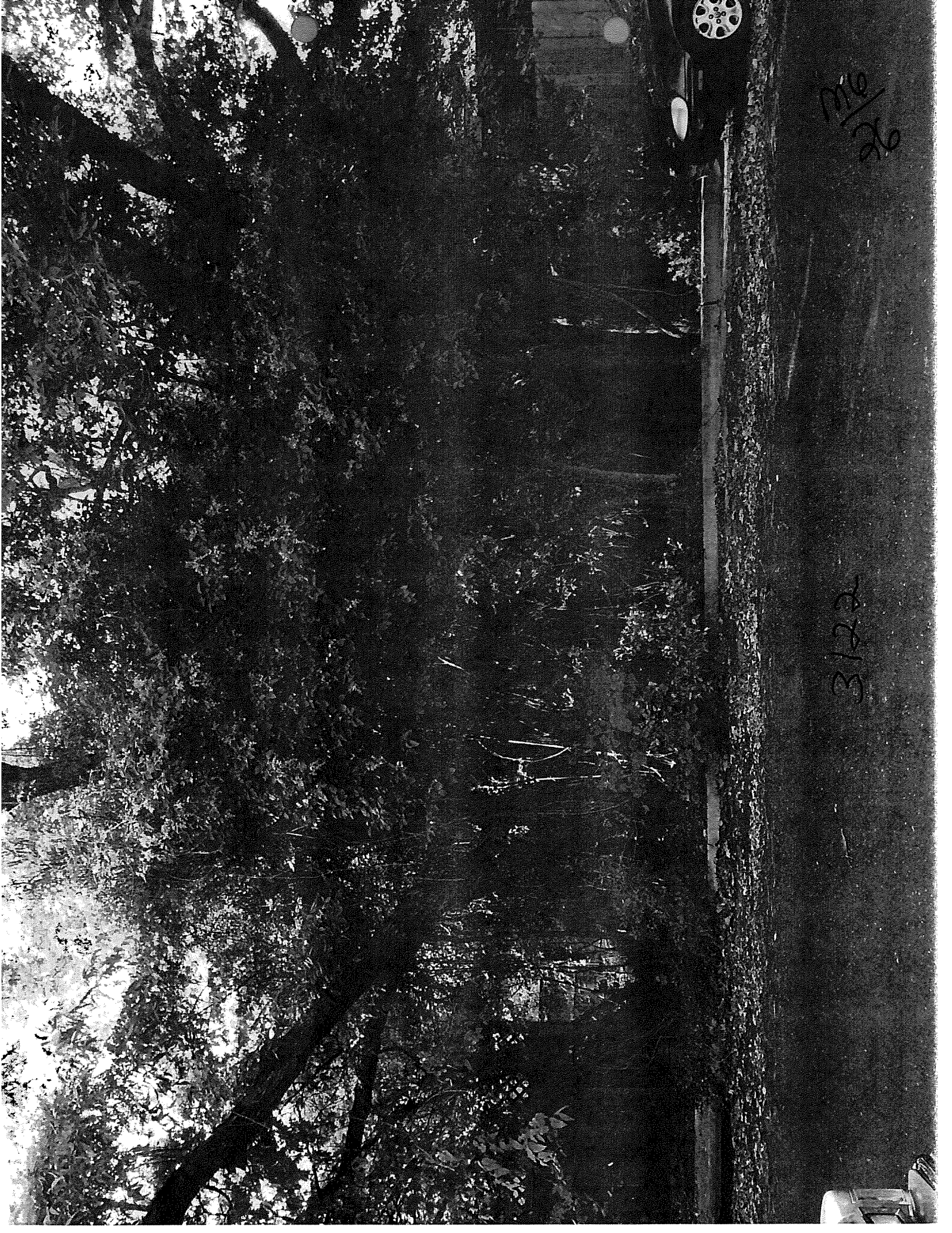






11/14/20





176
26

3122

REVIEWED

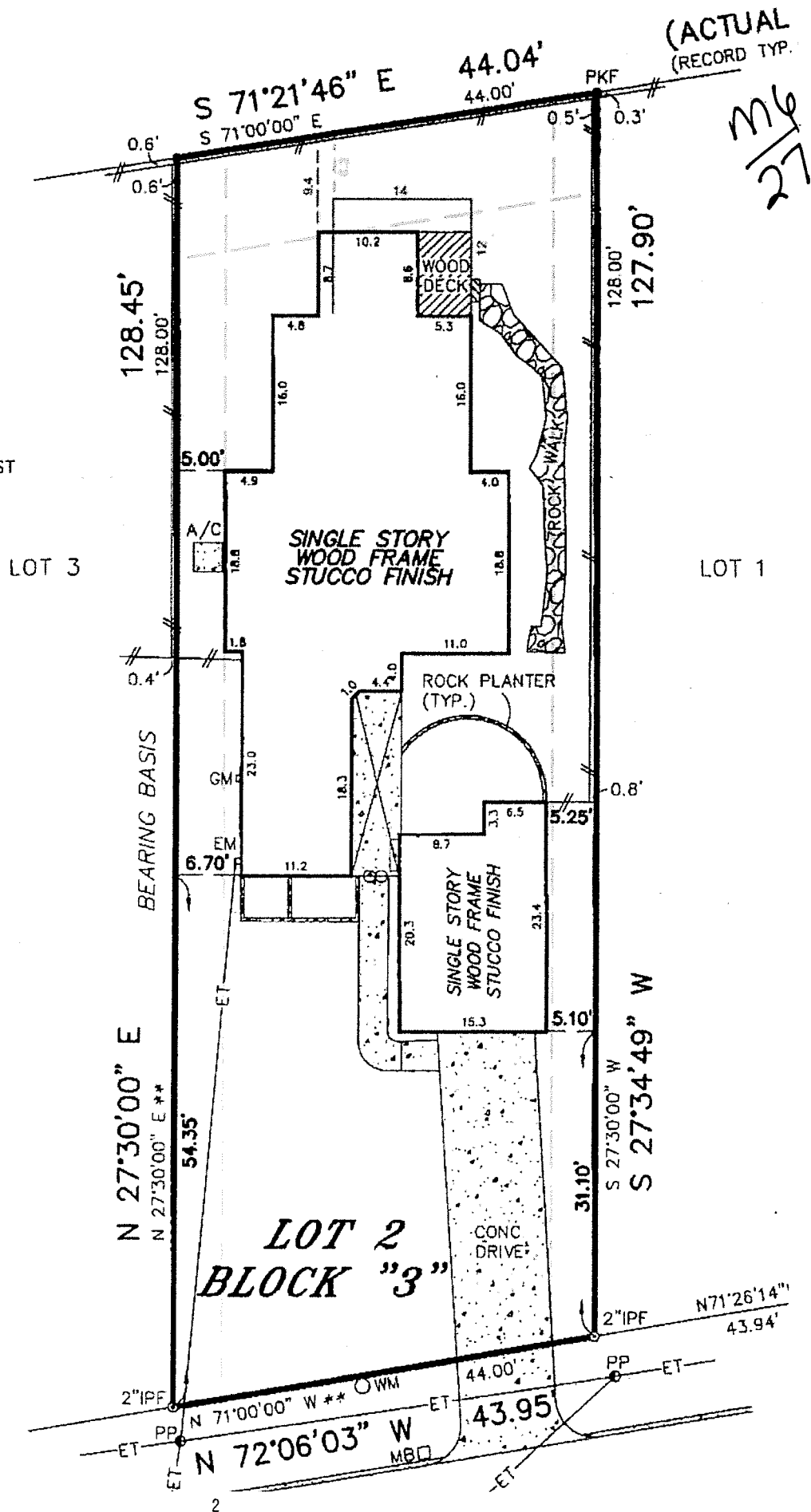
By Eben Kellogg at 11:18 am, Nov 09, 2015

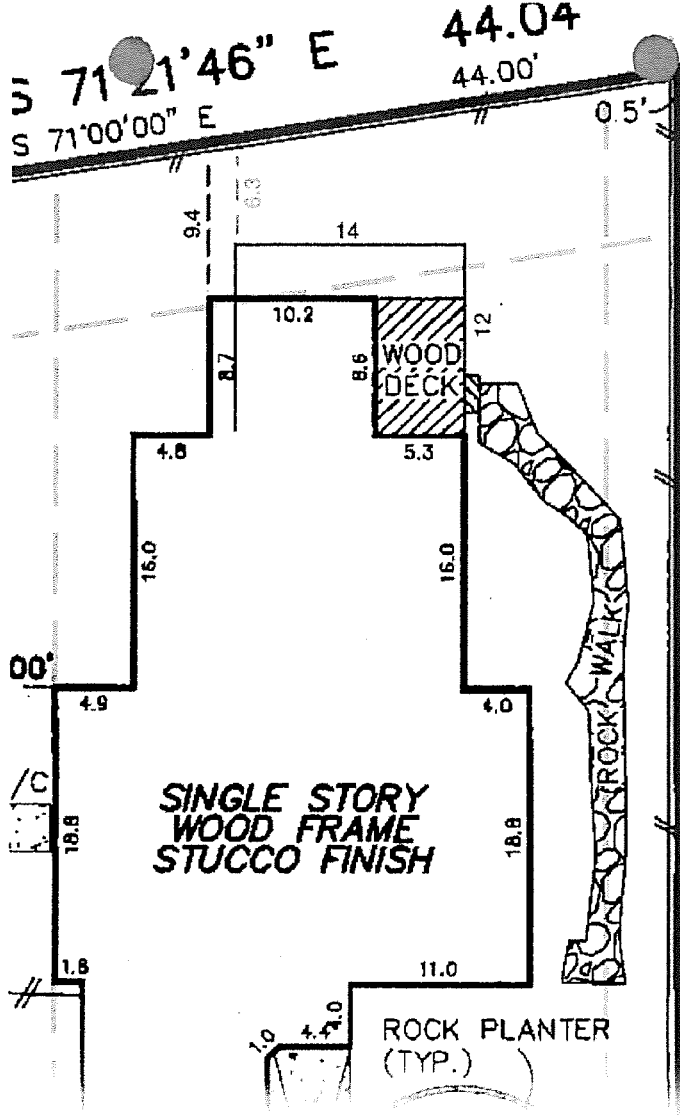
APPROVED BY
AUSTIN ENERGY
FOR BOA

DATE:

LEGEND

- PP● POWER POLE
 -ET- OVERHEAD ELEC./TELE. LINE
 ○-○ IRON FENCE
 // WOOD FENCE
 MB□ MAILBOX
 WM○ WATER METER
 GM□ GAS METER
 EM□ ELECTRIC METER
 1"IPF● 1" IRON PIPE FOUND
 2"IPF● 2" IRON PIPE FOUND
 PKF● PK NAIL FOUND IN FENCE POST





- PROF BUILD
- PROF SETB
- ACTU SETB
- REGU SETB

36
28

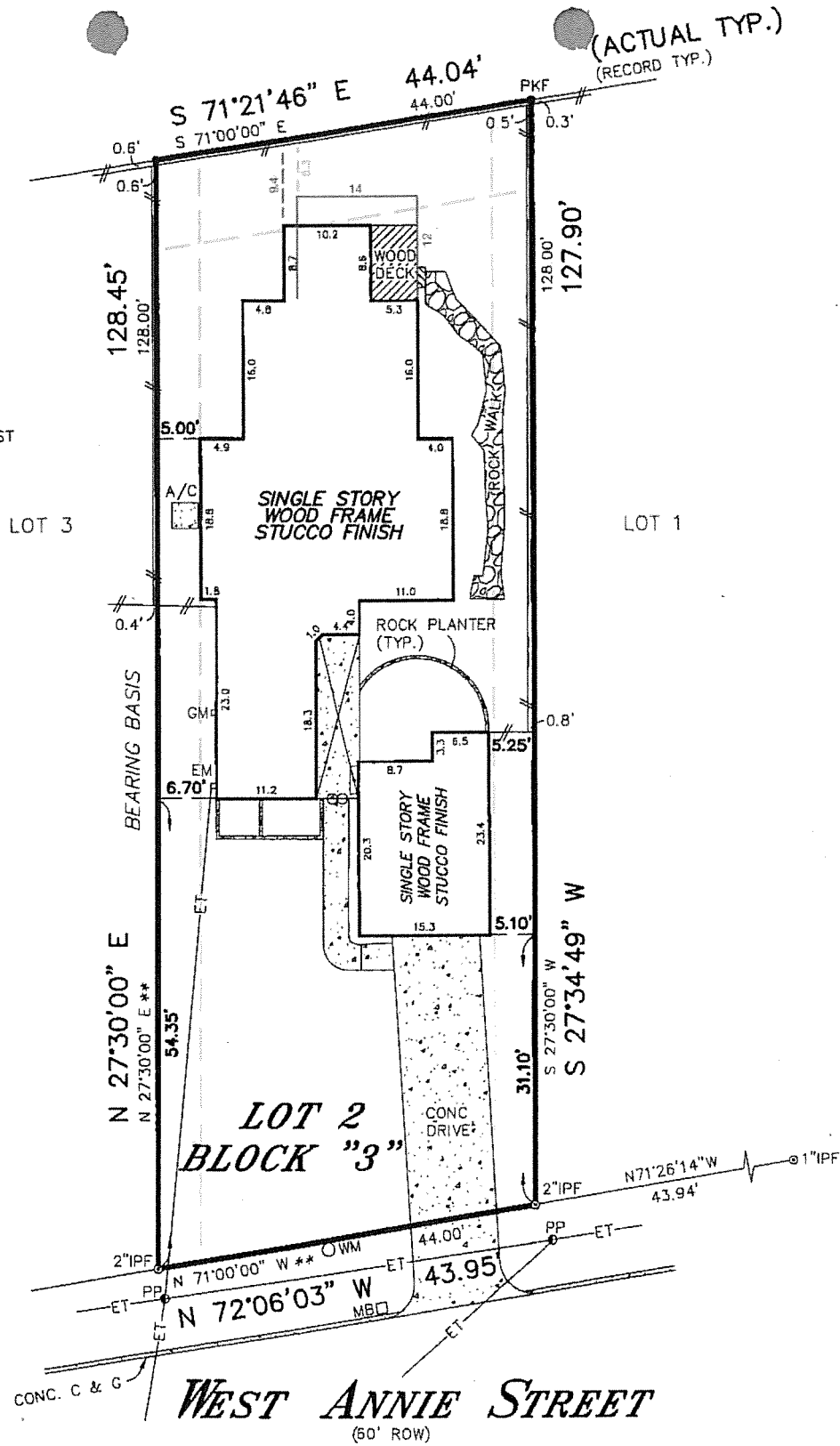
250 YEAR OLD TREE

(ACTUAL TYP.)
(RECORD TYP.)

76
29

LEGEND

- PP POWER POLE
- ET OVERHEAD ELEC./TELE. LINE
- IRON FENCE
- WOOD FENCE
- MB MAILBOX
- WM WATER METER
- GM GAS METER
- EM ELECTRIC METER
- 1"IPF 1" IRON PIPE FOUND
- 2"IPF 2" IRON PIPE FOUND
- PKF PK NAIL FOUND IN FENCE POST



I wanted to let you know that the Zoning Committee voted unanimously on a position of "not opposed" to your variance request. What happens next is that our recommendation will be passed on to the General Association for final consideration at the December meeting (which I think is on 12/8). You'll probably want to mark your calendar for that (...and make sure you are registered to vote)

ML
30

Let me know if you have any questions, or if there is anything else that I can help with.

John Bodek

BCNA Zoning Committee Chair

Cc: Paul Strange (BCNA Zoning Committee Vice Chair)

Kevin Lewis (BCNA President)

