F2
1

N

SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

NOTIFICATIONS

CASE#: C15-2015-0167

LOCATION: 305 E 34TH ST.

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

1 " = 173 '

F-2/2

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

DATE: Monday, January 11, 2016 **CASE NUMBER: C15-2015-0167**

____Y___ Brooke Bailey **2nd the Motion**
____Y___ Michael Benaglio
____Y___ William Burkhardt
____N____Eric Goff
____Y___ Melissa Hawthorne **Motion to PP to Feb 8, 2016**
____Y___ Don Leighton-Burwell
____Y___ Melissa Neslund
____Y___ James Valadez
____-____Michael Von Ohlen
____-____Kelly Blume (Alternate)
____Y____Rahm McDaniel (Alternate)

APPELLANT: Leon Barish

ADDRESS: 305 34TH ST

VARIANCE REQUESTED: The appellant has requested the Board of Adjustment to interpret whether staff erred in approving a site plan (SP 2014-0169C) for The Steck House Apartments, 305 E. 34th Street because:
A. per Section 25-2-1052 (A)(2) and Ordinance 040826-58 (North University Neighborhood Conservation Combining District –Neighborhood Plan) Part 7, (6) the compatibility setback was not applied correctly; and because
B. per Section 25-6, Appendix A, the approved parking spaces were not calculated correctly
for proposed new multi-family structures in a "MF-3- H- NCCD-NP" Multi-Family Residence Medium Density – Historic – Neighborhood Conservation Combining District – Neighborhood Plan zoning district

BOARD'S DECISION: POSTPONED TO JANUARY 11, 2016 BY APPLICANT; Jan 11, 2016 Board Member Melissa Neslund motion to Deny appeal and uphold staff's decision on Item A, no action on Item B as it was withdrawn by the applicant, Board Member Eric Goff second – Motion Failed on a 6-3 vote (Board Members William Burkhardt, Melissa Hawthorne and Don Leighton-Burwell nay); the public hearing was closed on Board Member Melissa Hawthorne motion to Postpone to February 8, 2016, Board Member Brooke Bailey second on a 8-1 vote (Board member Eric Goff nay); POSTPONED TO FEBRAURY 8, 2016.

FINDING:
1. There is a reasonable doubt of difference of interpretation as to the specific intent of the regulations or map in that:

F2/3

2. An appeal of use provisions could clearly permit a use which is in character with the uses enumerated for the various zones and with the objectives of the zone in question because:
3. The interpretation will not grant a special privilege to one property inconsistent with other properties or uses similarly situated in that:

Leane Heldenfels
Executive Liaison

William Burkhardt
Chairman

F2/4

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

DATE: Monday, December 14, 2015 **CASE NUMBER: C15-2015-0167**

_____ Brooke Bailey
_____ Michael Benaglio
_____ William Burkhardt
_____Eric Goff
_____ Melissa Hawthorne
_____ Don Leighton-Burwell
_____ Melissa Neslund
_____ James Valadez
_____Michael Von Ohlen
_____Kelly Blume (Alternate)
_____Rahm McDaniel (Alternate)

APPELLANT: Leon Barish

ADDRESS: 305 34TH ST

VARIANCE REQUESTED: The appellant has requested the Board of Adjustment to interpret whether staff erred in approving a site plan (SP 2014-0169C) for The Steck House Apartments, 305 E. 34th Street because:
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for proposed new multi-family structures in a "MF-3- H- NCCD-NP" Multi-Family Residence Medium Density – Historic – Neighborhood Conservation Combining District – Neighborhood Plan zoning district

BOARD'S DECISION: POSTPONED TO JANUARY 11, 2016 BY APPLICANT

FINDING:
1. There is a reasonable doubt of difference of interpretation as to the specific intent of the regulations or map in that:
2. An appeal of use provisions could clearly permit a use which is in character with the uses enumerated for the various zones and with the objectives of the zone in question because:
3. The interpretation will not grant a special privilege to one property inconsistent with other properties or uses similarly situated in that:

Leane Heldenfels
Executive Liaison

William Burkhardt
Chairman

C15-2015-0167

Heldenfels, Leane

A/5

From: Leon Barish [redacted]
Sent: Thursday, December 10, 2015 8:50 AM
To: Heldenfels, Leane
Subject: Re: Monday 12/14 Board of Adjustment Meeting agenda, backup

I believe I would like to request a postponement then. Given the supermajority required to prevail, having a full board would be important. If anything else is required to request the postponement, please let me know.

Leon J. Barish
Attorney at Law-Mediator
Fee-Attorney for Chicago Title of Texas, LLC
1409 W. 6th St.
Austin, Texas 78703
(512) 477-9058
(512) 477-9061 (fax)
Email: [redacted]

On Wed, Dec 9, 2015 at 5:00 PM, Heldenfels, Leane <Leane.Heldenfels@austintexas.gov> wrote:

We have 2 alternate members appointed that can serve in the place of an absent member if we know in advance that someone will be missing.

But, right now we only have 9 of 11 potential members appointed, so some applicants have requested postponement to see if/when the Council appoints the full 11 for their case to be heard.

We also permit for a postponement if for some reason we have only 7 members present, which is the minimum number needed to take action, but because it requires unanimous agreement the rules allow for a postponement until a full board (currently 9 for us) is present.

So, in a way 3 options –

Leane

From: Leon Barish [mailto:[redacted]
Sent: Wednesday, December 09, 2015 4:21 PM
To: Heldenfels, Leane
Subject: Re: Monday 12/14 Board of Adjustment Meeting agenda, backup

Thanks for sending this. I have a question: In the event any members are missing the night of the hearing, will there be an opportunity to request a postponement at that time given the supermajority required to prevail on our application? Thanks

C15-2015-0167

Heldenfels, Leane

F3
6

From: Leon Barish [redacted]
Sent: Monday, December 14, 2015 10:07 AM
To: Heldenfels, Leane
Subject: Re: Tonight's Board of Adjustment Meeting - numbered backup and late back up

please note that I am withdrawing my request for postponement. Thanks

Leon J. Barish
Attorney at Law-Mediator
Fee Attorney for Chicago Title of Texas, LLC
1409 W. 6th St.
Austin, Texas 78703
(512) 477-9058
(512) 477-9061 (fax)
Email: [redacted]

On Mon, Dec 14, 2015 at 10:03 AM, Heldenfels, Leane <Leane.Heldenfels@austintexas.gov> wrote:

Greetings applicants:

See below link to numbered back up documents - you might want to print out or take note of these page numbers we've assigned to your evidence in case the Board refers to the page numbers at tonight's hearing.

Also, after 4pm today we'll have late back up posted here – it consists of everything we've received on your case since Mon 11/30 (mostly comments from the public notice mailing). We won't have a paper copy of them at the hearing tonight, so please take a look before heading to the hearing:

http://www.austintexas.gov/cityclerk/boards_commissions/meetings/15_1.htm

See you tonight -

Leane Heldenfels

Board of Adjustment Liaison

City of Austin

C15-2015-0167

E2
7

CITY OF AUSTIN
Development Services Department
One Texas Center | Phone: 512.978.4000
505 Barton Springs Road, Austin, Texas 78704

Board of Adjustment Interpretations Application
Appeal of an Administrative Decision

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 # _____ ROW # _____ Tax # _____

Section 1: Applicant Statement

Street Address: 305 E. 34th St

Subdivision Legal Description:

E. L. Steck Subdivision, Grooms Add., a subdivision in Travis County, Texas, according to the map or plat thereof, recorded in Vol 319, P 384 of the Deed Records of Travis County, Texas.

Lot(s): Lot (s): 3 and 4 Block(s): 18

Outlot: _____ Division: _____

Zoning District: MF-3 NCCD NP

I/We Leon J. Barish, on behalf of myself/ourselves as authorized agent for Robert Kaler affirm that on Month October, Day 13, Year2015, hereby apply for an interpretation hearing before the Board of Adjustment.

F2/8

Development Services Department interpretation is:

see original application filed October 13, 2015.

I feel the correct interpretation is:

see original application filed October 13, 2015.

Section 2: 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.

1. There is a reasonable doubt of difference of interpretation as to the specific intent of the regulations or map in that:

   see original application filed October 13, 2015.

2. An appeal of use provisions could clearly permit a use which is in character with the uses enumerated for the various zones and with the objectives of the zone in question because:

   see original application filed October 13, 2015.

3. The interpretation will not grant a special privilege to one property inconsistent with other properties or uses similarly situated in that:

   see original application filed October 13, 2015.

F2/9

Section 3: Applicant/Aggrieved Party 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: Leon J. Barish Date: 10/13/2015

Applicant Name (typed or printed): Leon J. Barish

Applicant Mailing Address: 310 E. 34th St

City: Austin State: TX Zip: 78705

Phone (will be public information):

Email (optional – will be public information):

Section 4: Owner Information

Owner Name:

Owner Mailing Address:

City: State: Zip:

Section 5: Agent Information

Agent Name:

Agent Mailing Address:

City: State: Zip:

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).

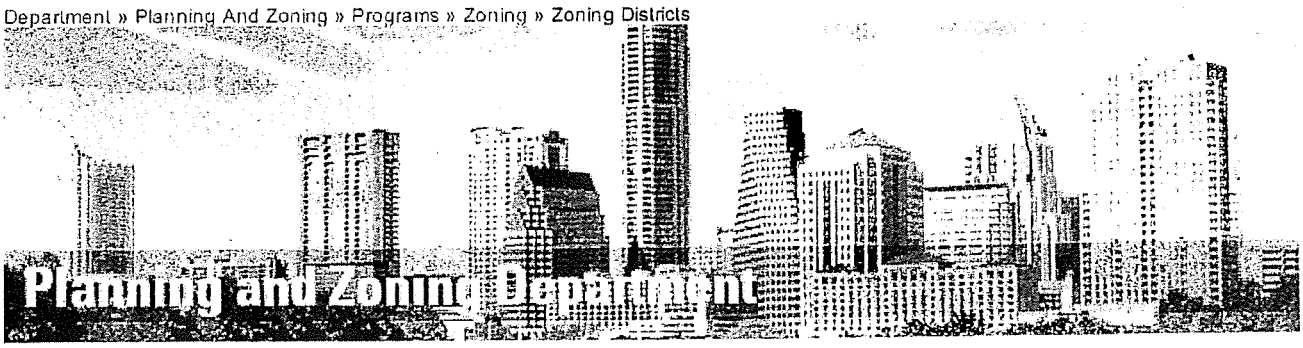
F2 TO

Explore your city...

Advanced Search

austintexas.gov
the official website of the City of Austin

Department » Planning And Zoning » Programs » Zoning » Zoning Districts



ZONING DISTRICTS

The City of Austin has 16 residential zoning districts and 13 commercial zoning districts, 4 industrial, and 5 special purpose base districts. In addition, up to 13 combining districts may also relate to a particular zoning case; these combining districts act as overlays to provide site or use specific conditions for an identified area or project. The zoning section also reviews demolition/relocation permits for historic buildings and districts for consideration by the Historic Landmark Commission, sign permits and alcoholic and beverage permits.

Cases involving historic structures or National Register Districts have specific requirements in addition to the zoning process.

Base Zoning Districts

A listing of Austin's base zoning districts can be found in Chapter 25-2 of the City's Land Development Code. To see the descriptions of each of each zoning district, please view the definitions of the below acronyms at this link. To find out what uses are allowed in a given base zoning district, please see the Permitted Use Chart.

LA Lake Austin Residence	**RR** Rural Residence	**SF-1** Single Family Residence - Large Lot
SF-2 Single Family Residence - Standard Lot	**SF-3** Family Residence	**SF-4A** Single Family Residence - Small Lot
SF-4B Single Family Residence - Condominium	**SF-5** Urban Family Residence	**SF-6** Townhouse & Condominium Residence
MF-1 Multi-Family Residence - Limited Density	**MF-2** Multi-Family Residence - Low Density	**MF-3** Multi-Family Residence - Medium Density
MF-4 Multi-Family Residence - Moderate-High Density	**MF-5** Multi-Family Residence - High Density	**MF-6** Multi-Family Residence - Highest Density
MH Mobile Home Residence	**NO** Neighborhood Office	**LO** Limited Office

E2
11

GO General Office	**CR** Commercial Recreation	**LR** Neighborhood Commercial
GR Community Commercial	**L** Lake Commercial	**CBD** Central Business District
DMU Downtown Mixed Use	**W/LO** Warehouse Limited Office	**CS** General Commercial Services
CS-1 Commercial-Liquor Sales	**CH** Commercial Highway	**IP** Industrial Park
MI Major Industry	**LI** Limited Industrial Services	**R&D** Research and Development
DR Development Reserve	**AV** Aviation Services	**AG** Agricultural
PUD Planned Unit Development	**P** Public	**TOD** Transit-Oriented Development
NBG North Burnet/Gateway District	**ERC** East Riverside Corridor	**TND** Traditional Neighborhood District

Combining Zoning Districts

The following are special districts that, when combined with a base zoning district, may alter permitted site development characteristics and uses permitted on a site. Combining and overlay districts are designed to achieve special goals such as downtown design, economic redevelopment and parkland protection.

Conditional Overlay (CO) - Modifies and restricts the use and site development regulations authorized in the base districts. All requirements are in addition to and supplement land development code requirements. Examples include prohibiting permitted uses authorized in a base district, increasing minimum lot sizes, decreasing FAR etc.

Neighborhood Conservation Combining District (NCCD) - Preserves and protects older neighborhoods by allowing modifications to applicable development regulations in accordance with a neighborhood plan, which for NCCDs is intended to protect neighborhoods that were substantially built out over 30 years ago.

Capitol View Corridor Combining District (CVC) - Are applied in combination with the various base districts to limit the height of structures within selected corridors which represent the remaining significant, publicly accessible views of the State Capitol Building of Texas, so that those views may be preserved and protected.

Planned Development Area Combining District (PDA) - Is intended for combination with selected commercial and industrial base districts, in order to modify base district provisions as necessary to allow for appropriate industrial and commercial uses or to reflect the terms of the PDA agreement following annexation of properties subject to the agreement.

Waterfront Overlay Combining District (WO) - Reflects the goals and policies set forth in the Town Lake Corridor Study adopted by the City Council on October 24, 1985. The District is designed and intended to provide a more harmonious interaction and transition between urban development and the park land and shoreline of Town Lake and the Colorado River. There are 15 different subdistricts within the Waterfront.

Mixed Use Combining District (MU) - Is intended to combine with selected base districts, to permit any combination of office, retail, commercial, and residential uses within a single development. The MU combining district is intended for use in combination with the NO base district only when its use will further the purposes and intent of the NO base district. Other acceptable districts are Limited Office (LO), General Office (GO), Limited Retail (LR), Community Commercial (GR), General Commercial Services (CS), Commercial Liquor Sales (CS-1).

Central Urban Redevelopment (CURE) - Is a zoning district for the downtown area and several commercial corridors east of IH 35. The purpose of this recently added zoning district is to provide flexibility and incentives for development within the designated boundaries, including changes to site development standards and waivers from development fees with one application.

Downtown Overlay Combining District - Is intended for combination with the CBD and DMU base districts in order to protect and enhance identified unique features of downtown Austin and peripheral areas.

F2/12

Capitol Dominance Combining District (CDZ) - Is intended for combination with selected base districts in order to protect the visual and symbolic significance of the State Capitol by keeping buildings in close proximity of the Capitol from dominating the structure. This district includes all land within a one-fourth mile radius of the State Capitol dome.

Congress Avenue Combining District (CAZ) - Is intended for combination with the CBD and DMU base districts in order to protect the historic character and symbolic significance of Congress Avenue and to enhance the pedestrian environment along this unique downtown corridor.

Sixth/Pecan Street Combining District (PSZ) - Is intended for combination with the CBD and DMU base districts in order to protect the historic character of East Sixth/Pecan Street and to enhance the pedestrian orientation of this unique urban area.

Downtown Parks Combining District (DPZ) - Is intended for combination with the CBD and DMU base districts, in order to enhance the pedestrian use and vitality of downtown parks and to establish a unique urban design identity associated with these public open spaces. The DP combining district includes all land within 60 feet of the public right-of-way surrounding Brush Square.

Downtown Creeks Combining District (DCZ) - Is intended for combination with the CBD and DMU base districts in order to promote public accessibility and pedestrian use along downtown creeks, and to protect and enhance the scenic character of these creek corridors.

Convention Center Combining District - Is intended to protect and enhance the health, safety, and welfare of the public, to promote pedestrian activity and vitality in the Convention Center area, and to protect the existing character of the area.

Share

E2
13.

From: "Dutton, Greg" <Greg.Dutton@austintexas.gov>
Date: December 10, 2015 11:18:45 AM CST
To: "mary ingle ([redacted]
Subject: NCCDs

Hi Mary,

After looking at the land development code and talking to other planners, we weren't able to find any specific code language regarding NCCDs superseding the LDC. However, NCCDs have always been interpreted and understood to supersede the LDC where any conflicts occur.

Cheers,

Greg

Greg Dutton
Planner, City of Austin
Planning and Zoning Department
505 Barton Springs Road, Austin, TX 78704
(512) 974-3509
Greg.Dutton@austintexas.gov

Please consider the environment before printing this email.

F2/14

From: "Guernsey, Greg" <Greg.Guernsey@austintexas.gov>
Date: December 14, 2015 at 7:08:36 PM CST
To: "[redacted] <[redacted]>
Cc: "Sandoval, Marie" <[redacted]>, "Han
Joi" <[redacted]rden@austintexas.gov>, "McDonald, John"
<John.McDonald@austintexas.gov>
Subject: RE: explanation needed!

Hi Mary:

Marie Sandoval asked me if I could assist you with your questi
regarding the 2004 NUNA neighborhood plan rezoning case (C
040826-58). It appears the original tract RDE 810 was original
comprised of two addresses: 309 E 34th and 311 E 34th. This i
evident by previous Council backup earlier in the year. By the
the case came up for final (Third) ordinance reading the prope
was split into two tracks numbered Tract # 810 (309 E 34th) a
Tract 810A (311 E 34th). The reference to 309 E 34 Street (Tra
RDE-810-part) on page 27 of 46 in the final ordinance does no
match ordinance versions presented to Council earlier in the y
that do not reference the word "...-part." My guess is that the
reference to "...-part" was to reflect that tract 810 was split int
two tracts (810 and 810A) as found in the final ordinance (see
Exhibit "A" on page 3 of 7) and page 3 of 46 of the approved
ordinance.

I don't know the context of your question, but I hope a found
probable reason why the reference to "...part" exists.

Greg

C15-2015-0167
ROW 11443967
ROLL 0217060203

F2/15

Leon J. Barish

310 E. 34th St.
Austin, Texas 78705
512/477-9058
Fax: 512/477-9061

October 12, 2015

Board of Adjustment
City of Austin
P.O Box 1088
Austin, Texas 78767-1088

Re: Application To Appeal Department Interpretation
Street Address: 305 E. 34th St

Dear Sir/Madam:

Attached is the referenced application. All required items are attached except that the site plan may not be the most recent version. Despite my best efforts, no copy of the current site plan could be found online at the City website or from any other source.

I certainly appreciate your cooperation in this matter. Please let me know if you have any questions.

Sincerely,

Leon J. Barish

LJB:es
Enc.

ORIGINAL F2/16

CITY OF AUSTIN APPLICATION TO BOARD OF ADJUSTMENT INTERPRETATIONS
PART I: APPLICANT'S STATEMENT (Please type)

STREET ADDRESS: 305 E. 34th St

LEGAL DESCRIPTION: Lot (s): 3 and 4 of the E. L. Steck Subdivision, Block 18 Grooms Addition, a subdivision in Travis County, Texas, according to the map or plat thereof, recorded in Volume 319, Page 384 of the Deed Records of Travis County, Texas.

ZONING DISTRICT: MF-3 NCCD NP

I, Leon J. Barish, on behalf of myself and as authorized agent for Robert Kaler, affirm that on October 13, 2015, we hereby apply for an interpretation hearing before the Board of Adjustment.

(1) Planning and Development Review Department interpretation is: The Department has determined that Compatibility Standards for height and setback do not apply along the entire north/south property line between the subject property at 305 E. 34th (also known as the Steck House) and its neighbor, 309 E. 34th, which has a single family home located on that property. This decision allows construction of new structures on the subject property within the 25 feet setback for the entire length of the property line between the subject property and 309 E. 34th. The basis for this decision is an interpretation of LDC 25-2-1052(A)(2) which says that Compatibility Standards do not apply to "(2) property in a historic landmark (H) or historic area (HD) combining district." The basis for this interpretation is Ordinance 860206-K, adopted by the City Council in 1986, which states in pertinent part: "no provision of these Compatibility Standards shall be applied to ...(ii) property which is zoned historic..." This provision of the code was restated by the City Council in Ordinance 041202-16, dealing with changes to the City's Historic Landmark program, and adopted by the City Council on December 2, 2004. This interpretation was made by the Department despite the application of the North University Neighborhood Association ("NUNA") NCCD, adopted as an ordinance by the Austin City Council in August of 2004, and which states: Compatibility Standards for height and setbacks do not apply to the **rear 70 feet** of the common property line between 305 East 34th Street (Tract RDE 809) and 309 E. 34th Street (Tract RDE 810-part).

The staff interpretation for the property at 305 E 34th St in the NUNA NCCD is a degradation our neighborhood character. This interpretation would allow more density on the property than should be allowed according to the specific language in the NUNA NCCD. Since we have other Historic zoned properties in the neighborhood, the cited language in the NCCD (p. 27, 6.: Compatibility standards for height and setbacks do not apply to the rear 70 feet of the common property line between 305 East 34th Street (Tract RDE 809) and 309 E. 34th Street (Tract RDE 810-part)), was tailored to apply specifically to the shared property line between the two properties. (This provision was added to the NCCD after the Historic zoning for 305 E. 34th St was granted in April of 2004.)

The staff interpretation would act as a precedent for other Historic zoned properties in NUNA and elsewhere in the city, and affect the adjacent properties negatively. Since both properties

here have the same zoning (MF-3), the home (built in 1925) located in the front 100 feet at 309 E 34th St, is entitled to the same protection that other properties have within our NCCD boundaries. Compatibility Standards should apply to any new buildings added to the front 100 feet of the property at 305 E 34th St, with a 25 feet setback from the existing home at 309 E 34th St, and thus would meet the intent and the inherent protections of the NUNA NCCD Ordinance for these two specific properties.

(2) The Department has also allowed the applicant to show on the site plan for the subject property "studies" with closets. The applicant has stated publicly that these "studies" will be used as bedrooms. The applicant has publicly acknowledged that these rooms are shown as "studies" instead of bedrooms in order to avoid an increase in the number of parking spaces required on the site plan. The staff has failed to require the property number of parking spaces based on the applicant's admitted used of the "studies" as bedrooms.

We feel the correct interpretation is: (1) The Department's interpretation of LDC 25-2-1052(A)(2) and the NUNA NCCD renders the language cited above ("Compatibility Standards for height and setbacks do not apply to the rear 70 feet of the common property line between 305 East 34th Street (Tract RDE 809) and 309 E. 34th Street (Tract RDE 810-part)") meaningless. The Department's interpretation effectively means that Compatibility Standards for height and setbacks do not apply to the entire length of the 170 feet property line between the subject property and 309 E. 34th St., allowing for construction within the 25 feet setback that would apply under the Compatibility Standards. The Department's interpretation defeats the purpose of the NUNA NCCD which was to make Compatibility Standards for height and setbacks apply to the front 100 feet of the common property line between 305 East 34th Street and 309 E. 34th Street. The NUNA NCCD was adopted as an ordinance by the City Council. If the City Council wanted to deny the application of Compatibility Standards for the entire 170 feet of the common property line between the subject property and 309 E. 34th St, it could have chosen to do so. It chose not to. The Department has no authority to deny administratively the application of Compatibility Standards to the front 100 feet of the common property line between the subject property and 309 E. 34th St when the City Council has elected to do so by ordinance.

The Steck House on the subject property was zoned Historic by the City Council in April of 2004. The NUNA NCCD was adopted by the City Council in August of 2004. When Ordinance 041202-16 was adopted which restated the code provision in question (not applying Compatibility Standards to property with historic (H) zoning), the City Council also amended the city code relative to historic landmarks by adopting the following language: "The purpose of historic <u>landmark</u> (H) combining district is to protect, enhance, and preserve <u>individual</u> structures ...that are of architectural, historical, archaeological, or cultural significance" The underlined words were added by the 2004 ordinance. The ordinance also states that Historic Landmark means a "structure or site designated as historic landmark (H) combining district." The (H) zoning applicable to the subject property is to protect the Steck House and not the "site" which has no historic significance. In support of this interpretation, we attach the affidavit of Laurie Limbacher who served on the Austin Historic Landmark Commission for eighteen years and whose knowledge in these matter is unparalleled. The City Council was clearly aware of the Historic zoning of the Steck House on the subject property at the time it

F2/18

adopted the NUNA NCCD. The City Council could have elected to deny the application of Compatibility Standards for the entire 170 feet of the common property line between the subject property and 309 E. 34th St, but instead it elected to do so only with respect to the rear 70 feet of the common property line. While there is no apparent explanation for this decision, it appears it was done because the both the Steck House and the single family home located at 309 E. 34th St are located in the front 100 feet. Applying Compatibility Standards in this area would protect both the Steck House and the single family home at 309 E. 34th St from the type of incursions the Compatibility Standards are designed to protect.

The Department's interpretation that Compatibility Standards for height and setbacks do not apply to historic zoned properties predates the historic zoning of the Steck House on the subject property and the City Council's adoption of the NUNA NCCD. Ordinances adopted after 1986 by the City Council which concern the same subject matter would amend Ordinance 860206-K where applicable. Therefore, the adoption of the NUNA NCCD effectively amended the 1986 ordinance regarding applicability of Compatibility Standards as between the subject property and 309 E. 34th St. The adoption of Ordinance 041202-16 in December of 2004 following adoption of the NUNA NCCD in August of 2004 had no affect on the exception to the rule about application of Compatibility Standards because Ordinance 041202-16 did not amend the NUNA NCCD as clearly stated in its preamble. Furthermore, the purpose of the general rule of not making Compatibility Standards applicable to historic zoned properties is to protect the individual structure from onerous requirements in the event of need to make repairs or a reconstruction following a casualty. Reference is again made to the affidavit of Laurie Limbacher attached hereto. Making the rule applicable to the entire property when the purpose of the (H) zoning is to protect the individual structure makes no practical sense and furthers no stated goal regarding historic zoning or Compatibility Standards.

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.

F2/19

1. **There is a reasonable doubt of difference of interpretation as to the specific intent of the regulations or map in that:** The Department has routinely since 1986 interpreted Ordinance 860206-K in the matter stated in this appeal. It is not clear whether or not the Department has ever been faced with making this interpretation where there is an NCCD that is also applicable to the subject property. With this case, however, the application of the NUNA NCCD to the subject property puts the Department's interpretation in serious doubt. For the reasons stated above, the Department's interpretation must yield to the NUNA NCCD. Otherwise, the provision of the NUNA NCCD cited above would have no meaning. In construing an ordinance and its intent, the BOA must look to the words of the ordinance and apply their usual and ordinary meaning. The City Council is presumed to act intentionally and purposely with its chosen language. These are very basic rules of statutory construction. Therefore, when the City Council says Compatibility Standards do not apply to the rear 70 feet of the common property line between the subject property and 309 E. 34th St, by implication the City Council means that the Compatibility Standards **DO** apply to the front 100 feet. Otherwise, there would have been no reason to include the language.

2. An appeal of use provisions could clearly permit a use which is in character with the uses enumerated for the various zones and with the objectives of the zone in question because: We don't believe this is applicable since we are not appealing a use issue. We do wish to point out, however, that the single family use of the property located at 309 E. 34th St adjacent to the subject property trumps the zoning of the property and triggers application of Compatibility Standards at 305 E. 34th St.

3. The interpretation will not grant a special privilege to one property inconsistent with other properties or uses similarly situated in that: The challenge to the Department's interpretation relates only to its application to the subject property in context with the NUNA NCCD. The Department's interpretation does result in a special privilege to the subject property because it makes the subject property exempt from application of the NUNA NCCD which is otherwise applicable to all property located within the boundaries of the NUNA NCCD. The interpretation sought by this appeal seeks a uniform application of all provisions of the NUNA NCCD to all properties located within the boundaries of the NUNA NCCD.

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

Signed: _____

Printed: Leon J. Barish

Mailing Address: 310 E. 34th St, Austin, Texas 78705; Phone: 512-477-9058

OWNER'S CERTIFICATE – I affirm that my statements contained in the complete

F2
20

application are true and correct to the best of my knowledge and belief.

Signed not required Printed Cater (Mark) Joseph

Mailing Address 2805 Windsor Rd.

City, State & Zip Austin, TX 78703 Phone 512-450-8091

E2
21

City of Austin

Founded by Congress, Republic of Texas, 1839
Development Services Department
505 Barton Springs Road
P.O. Box 1088, Austin, Texas 78767

September 28, 2015

Dear Citizen:

Because of your expressed interest in the site plan **Steck House Apartments** site plan Case No. **SP-2014-0169C**, this is to advise you that the site plan was approved administratively and the site development permit was issued **September 24, 2015**. The current development process provides that projects submitted for administrative review shall be approved if all the requirements of the Land Development Code (LDC) are met. City staff determined that the site plan complies with the Land Development Code, and the applicant has paid all required fees and met all fiscal requirements.

According to the Land Development Code, Section 25-5-111 and 25-5-112, an applicant has a standing to appeal an administrative decision for denial. There is no legal standing for anyone other than the applicant to file an appeal of the grant or denial of administrative site plans.

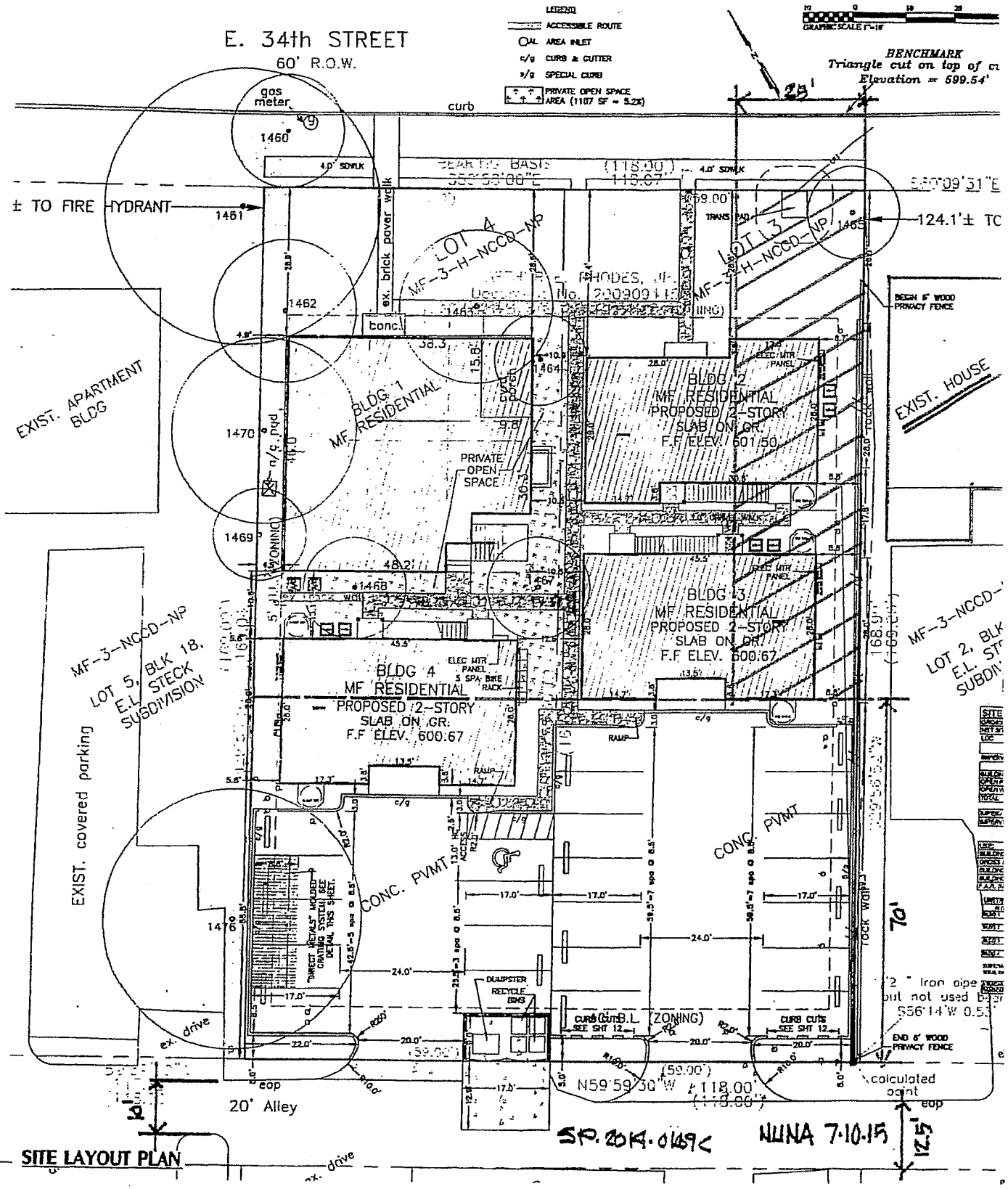
You may also find additional information about this case on the City's web site at https://www.ci.austin.tx.us/devreview/index.jsp, where you may enter the case number to view information about the site plan.

If you need any additional information, please call me at (512) 974-3410.

Sincerely,

Brad Jackson,
Case Manager
Development Services Department

E2/22


E. 34th STREET
60' R.O.W.
LEGEND
ACCESSIBLE ROUTE
AREA INLET
CURB & GUTTER
SPECIAL CURB
PRIVATE OPEN SPACE AREA (1107 SF = 5.2%)
GRAPHIC SCALE 1"=10'
BENCHMARK
Triangle cut on top of
Elevation = 599.54'
gas meter
curb
± TO FIRE HYDRANT
124.1'± TO
EXIST. APARTMENT BLDG
EXIST. HOUSE
LOT 4
MF-3-H-NCCD-NP
LOT 13
BLDG 1
MF RESIDENTIAL
BLDG 2
MF RESIDENTIAL
PROPOSED 2-STORY
SLAB ON GR.
F.F ELEV. 601.50
PRIVATE OPEN SPACE
BLDG 3
MF RESIDENTIAL
PROPOSED 2-STORY
SLAB ON GR.
F.F ELEV. 600.67
BLDG 4
MF RESIDENTIAL
PROPOSED 2-STORY
SLAB ON GR.
F.F ELEV. 600.67
MF-3-NCCD-NP
LOT 5, BLK 18,
E.L. STECK
SUBDIVISION
EXIST. covered parking
CONC. PVMT
DUMPSTER RECYCLE BINS
CURB CUTS SEE SHT 12
B.L. (ZONING)
END 6' WOOD PRIVACY FENCE
BEGIN 6' WOOD PRIVACY FENCE
20' Alley
N59°59'30"W 118.00'
calculated point
SITE LAYOUT PLAN
SP. 2014-0169C
NUNA 7-10-15

E2/23

AFFIDAVIT

THE STATE OF TEXAS §
COUNTY OF TRAVIS §

BEFORE ME, the undersigned authority, on this day personally appeared Laurie Limbacher, who, being by me first duly sworn, upon her oath deposes and says:

My name is Laurie Limbacher. I am over eighteen years of age and my business address is 2124 E 6th St, Suite 102, Austin, Texas 78702. I have never been convicted of a crime, and I am fully competent to make this affidavit. I have personal knowledge of the facts stated herein, and they are all true and correct.

I am a registered architect in the State of Texas. I am a founding partner of Limbacher & Godfrey Architects, an architecture, planning and historic preservation firm created by myself and Alfred Godfrey, who together bring over 65 years of experience to our projects. I was a member of the Austin Historic Landmark Commission for eighteen years, ending my service earlier this year.

In 2004, changes were made in the City's historic landmark program. Included in the ordinance adopting these changes was a re-statement of a previously adopted provision of the land development code which states that "no provision of these Compatibility Standards shall be applied to ...(ii) property which is zoned historic..." My recollection is that the purpose of this provision of the land development code was to prevent the imposition of restrictions on a historic structure in need of restoration or rehabilitation following a loss of some kind, such as a fire or other casualty. The application of Compatibility Standards to a historic structure might make it more difficult for that structure to be rehabilitated. This provision of the land development code was never intended to my knowledge to make it easier for an owner of a historic structure to add non-historic buildings or additions to the property on which the historic building is located.

WITNESS MY HAND this the 12th day of October, 2015.

Laurie Limbacher

Laurie Limbacher

THE STATE OF TEXAS §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on the 12th day of October, 2015, by Laurie Limbacher.

Notary Public, State of Texas

EVONNE ANGELICA SINGH
Notary Public, State of Texas
My Commission Expires
October 10, 2019

C15-2015-0167

E2
24

DEVELOPMENT SERVICES DEPARTMENT

STAFF RESPONSE TO APPEAL LANGUAGE FOR 305 E. 34th STREET:

BOA case number C15-2015-0167

Street Address: 305 E. 34th Street

Site Plan Case: SP-2014-0169C

The appeal submitted by Mr. Leon Barish challenging the compatibility interpretation of code language is regarding approval of an administratively approved site plan, SP-2014-0169C, located at 305 E. 34th Street. The site plan approved the construction of 3 multifamily buildings on a .458 acre lot, which is zoned MF3-**H**-NCCD-NP. The issue is the appellant's contention that compatibility did in fact apply to the project.

Staff follows the Land Development Code language as written when the language is clear and unambiguous. Compatibility standards specifically state in LDC 25-2-1052 (A) (, Exceptions, that "This article does not apply to :...(2) property in a historic landmark (H) or historic area (HD) combining district..."

This project is located in H zoning and compatibility standards do not apply to this project, by merits of its H zoning. The non-applicability of compatibility standards to this project is not an interpretation by staff and represents application of clear and unambiguous language in the LDC.

The North University Neighborhood Association NCCD recognized the Historic zoning in 2004, when the NCCD overlay was added, when the property was rezoned from MF-3-H to MF-3-H-NCCD-NP. The only addition that was made to the zoning was to ensure that compatibility standards were not to be triggered by **either** property along "the rear 70' of the common property line between305 E. 34th Street (Tract RDE 809) and 309 E. 34th Street (Tract RDE 810- **part**)". (Ordinance # 040826-58, page 27, note 6)

The provision did not add any compatibility compliance on the part of 305 E. 34th Street, which was already not subject to compatibility, but it did serve to exempt the read 70' of 309 E. 34th Street from any compatibility requirements, as shown by the notation "part", when calling out the tract number on the ordinance.

Staff must review and enforce the written code, which does not state that compatibility must be enforced along the remainder of the common property line. The code only states that compatibility does NOT apply to the rear 70' of the common property line. The base code requirements had already exempted the entirety of 305 E. 34th street from compatibility requirements, and no change was made to that regulation.

F2/25

The number of bedrooms in a property controls the number of required parking spaces, so it is imperative for staff to correctly analyze what is and what isn't a bedroom. In this case, staff used a BOA interpretation from 10-29-2011 (Case C15-2012-0126) to define whether a study was actually a bedroom

From BOA C15-2012-0126, 10-29-2011

Text of interpretation:

(1) A room shown on the floor plan of a residential project, though not designated as a bedroom on the plan, is a "bedroom" for the purposes of determining the number of bedrooms allowed under section 25-2-555(D) of the Land Development Code if:

(A) The room has a minimum of 70 square feet in area and is not a kitchen, utility room, common living area or common circulation space (halls or stairs);

(B) The room has the minimum exit area for fire egress by means of windows or doors as required by the International Residential Code as adopted by the City of Austin;

(C) The room is configured so that it is or capable of being a private space separated from all other areas of the building by permanent door or doors; and

(D) The room has access to bathrooms only through shared common living or circulation areas also accessible from the designated bedrooms on the floor plans and no designated bedrooms shown on the plans has direct access to any of the bathrooms except through common living area or common circulation space.

(E) The room has access to multiple bathrooms through common living areas or common circulation spaces and all these bathrooms contain full bath fixtures including a tub or shower, toilet and multiple lavatories.

(2) This interpretation supersedes any conflicting interpretation previously issued by staff for the subject permit.

In the case at hand, the study did not have direct access to a bathroom, and an occupant of that study would have to go through one of the bedrooms in order to access a bathroom, so it was determined that is was NOT a bedroom and would not trigger a requirement of additional parking.

C15-2015-0167

F2
24

From: "Guernsey, Greg" <Greg.Guernsey@austintexas.gov>
Date: December 14, 2015 at 7:08:36 PM CST
To: "casamia25@att.net" [redacted]
Cc: "Sandoval, Marie" <[redacted], "Harden, Joi" <Joi.Harden@austintexas.gov>, "McDonald, John" <John.McDonald@austintexas.gov>
Subject: RE: explanation needed!

Hi Mary:

Marie Sandoval asked me if I could assist you with your question regarding the 2004 NUNA neighborhood plan rezoning case (Ord. # 040826-58). It appears the original tract RDE 810 was originally comprised of two addresses: 309 E 34th and 311 E 34th. This is evident by previous Council backup earlier in the year. By the time the case came up for final (Third) ordinance reading the property was split into two tracks numbered Tract # 810 (309 E 34th) and Tract 810A (311 E 34th). The reference to 309 E 34 Street (Tract RDE-810-part) on page 27 of 46 in the final ordinance does not match ordinance versions presented to Council earlier in the year that do not reference the word "…-part." My guess is that the reference to "…-part" was to reflect that tract 810 was split into two tracts (810 and 810A) as found in the final ordinance (see Exhibit "A" on page 3 of 7) and page 3 of 46 of the approved ordinance.

I don't know the context of your question, but I hope a found the probable reason why the reference to "…part" exists.

Greg

E2
27

Item G-1 C15-2015-0167

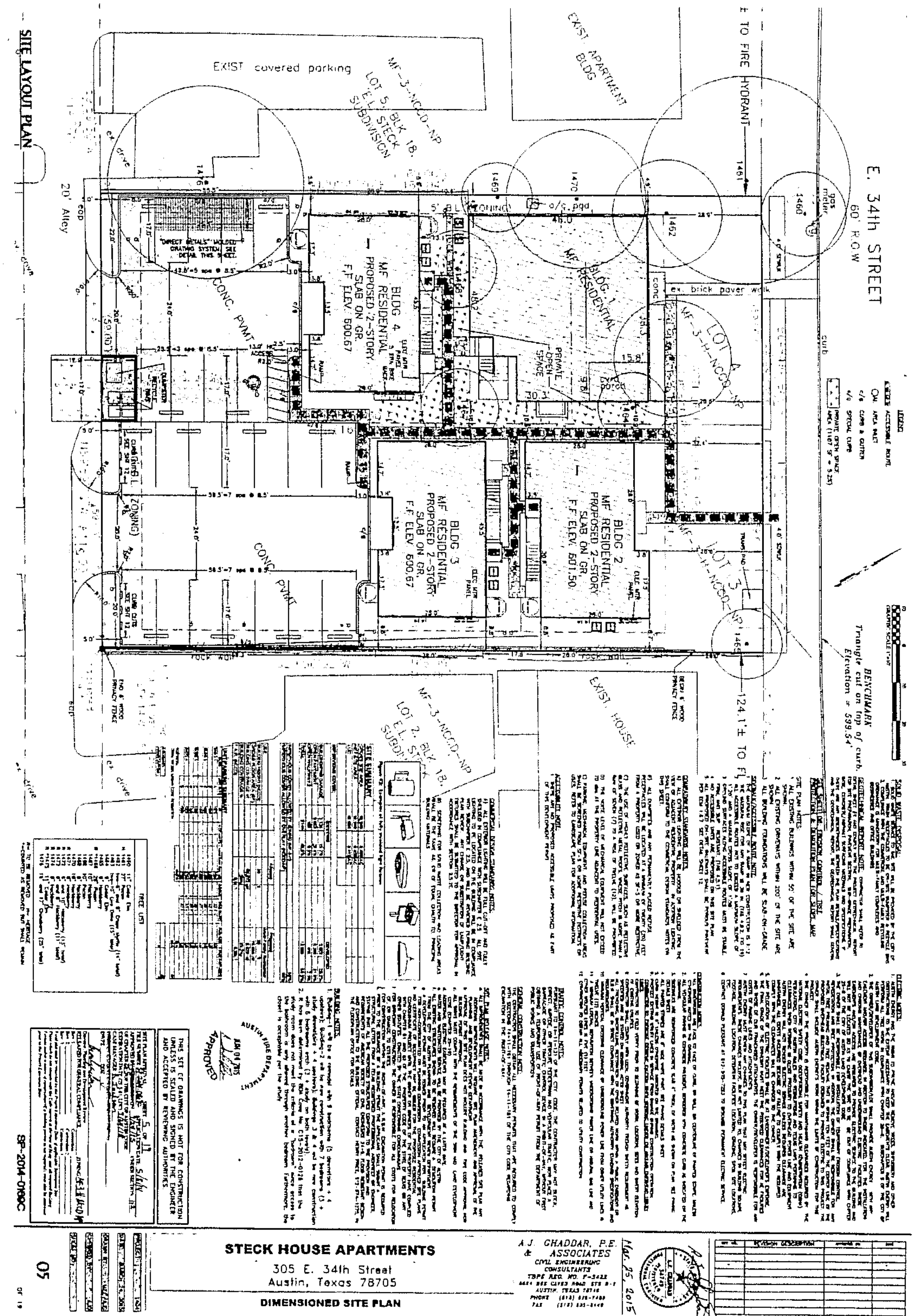
Steck House Apartments Site Plan

SP-2014-0169C

305 East 34th Street

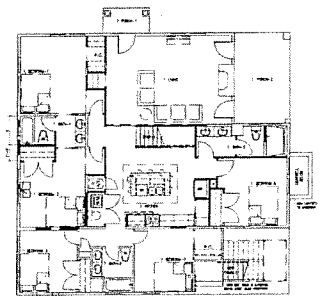
Staff Presenter: Brad Jackson, Senior Planner

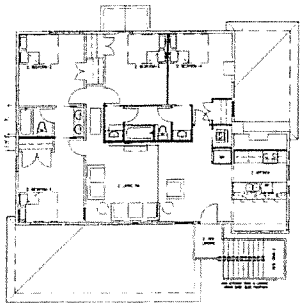
E2/28



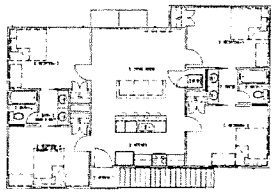
SITE LAYOUT PLAN
E. 34th STREET
60' R.O.W
TO FIRE HYDRANT
EXIST covered parking
EXIST. APARTMENT BLDG
MF-3-NCCD-NP
LOT 5, BLK 18, E.L. STECK SUBDIVISION
20' Alley
CONC. PVMT
BLDG 4
MF RESIDENTIAL
PROPOSED 2-STORY
SLAB ON GR.
F.F ELEV. 600.67
BLDG 1
MF RESIDENTIAL
PRIVATE OPEN SPACE
LOT 4
MF-3-H-NCCD-NP
ex. brick paver walk
BLDG 3
MF RESIDENTIAL
PROPOSED 2-STORY
SLAB ON GR.
F.F ELEV. 600.67
BLDG 2
MF RESIDENTIAL
PROPOSED 2-STORY
SLAB ON GR.
F.F ELEV. 601.50
LOT 3
MF-3-H-NCCD-NP
EXIST. HOUSE
LOT 2, BLK 18, E.L. STECK SUBDIVISION
124.1'± TO FH
BENCHMARK
Triangle cut on top of curb.
Elevation = 599.54'
"DIRECT METALS" MOLDED GRATING SYSTEM. SEE DETAIL THIS SHEET.
TREE LIST
AUSTIN FIRE DEPARTMENT
APPROVED
THIS SET OF DRAWINGS IS NOT FOR CONSTRUCTION UNLESS IS SEALED AND SIGNED BY THE ENGINEER AND ACCEPTED BY REVIEWING AUTHORITIES
SP-2014-0169C
STECK HOUSE APARTMENTS
305 E. 34th Street
Austin, Texas 78705
DIMENSIONED SITE PLAN
A.J. GHADDAR, P.E. & ASSOCIATES
CIVIL ENGINEERING CONSULTANTS
05
OF 19

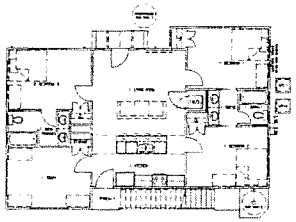
F2/29



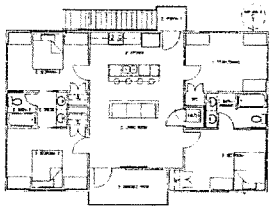


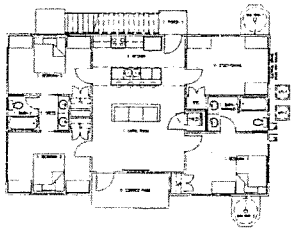
BLDG 1: 1ST FLOOR & 2ND FLOOR
SCALE: 1"=8'





BLDG 2: 1ST FLOOR & 2ND FLOOR
SCALE: 1"=8'





BLDG 3 & 4: 1ST FLOOR & 2ND FLOOR
SCALE: 1"=8'

THIS SET OF DRAWINGS IS NOT FOR CONSTRUCTION UNLESS IS SEALED AND SIGNED BY THE ENGINEER AND ACCEPTED BY REVIEWING AUTHORITIES

SITE PLAN APPROVAL SHEET 18 OF 19
FILE NUMBER SP-2014-0169C APPLICATION DATE 5/8/14
APPROVED PROFESSIONAL ENGINEER 9/14/15 PROJECT DESIGN 12
OR CHARTER 25 OF THE CITY OF AUSTIN CODE
EXPIRATION DATE 12/14/15 EXP. 9/14/15
CASE MANAGER D. Zaldana
DATE DAY
Director, Planning and Development Review
RELEASED FOR GENERAL CONSULTANTS
Rev 1 Correction 1
Rev 2 Correction 2
Rev 3 Correction 3

SP-2014-0169C

NO.	REVISION DESCRIPTION	DATE

A.J. CHADDAR
34749
REGISTERED ARCHITECT
May 01, 2015

A.J. CHADDAR, P.E.
& ASSOCIATES
CIVIL ENGINEERING
CONSULTANTS
FORM REG. NO. F-2422
1524 BEE CAVES ROAD, STE B-2
AUSTIN, TEXAS 78746
PHONE (512) 535-7449
FAX (512) 535-8449

STECK HOUSE APARTMENTS
305 E. 34th Street
Austin, Texas 78705
ARCHITECTURAL PLANS

18
OF 19

C15-2015-0167

F2/30

APPLICANT RESPONSE TO APPEAL LANGUAGE FOR 305 E. 34TH STREET:

Street Address: 305 E. 34th Street

Site Plan Case: SP-2014-0169C

The appeal submitted by Mr. Leon Barish challenges two items that were administratively approved by The City of Austin staff. It is important to note that these items were previously challenged during the review process and at that time the interpretation that is being questioned was made by the COA legal department.

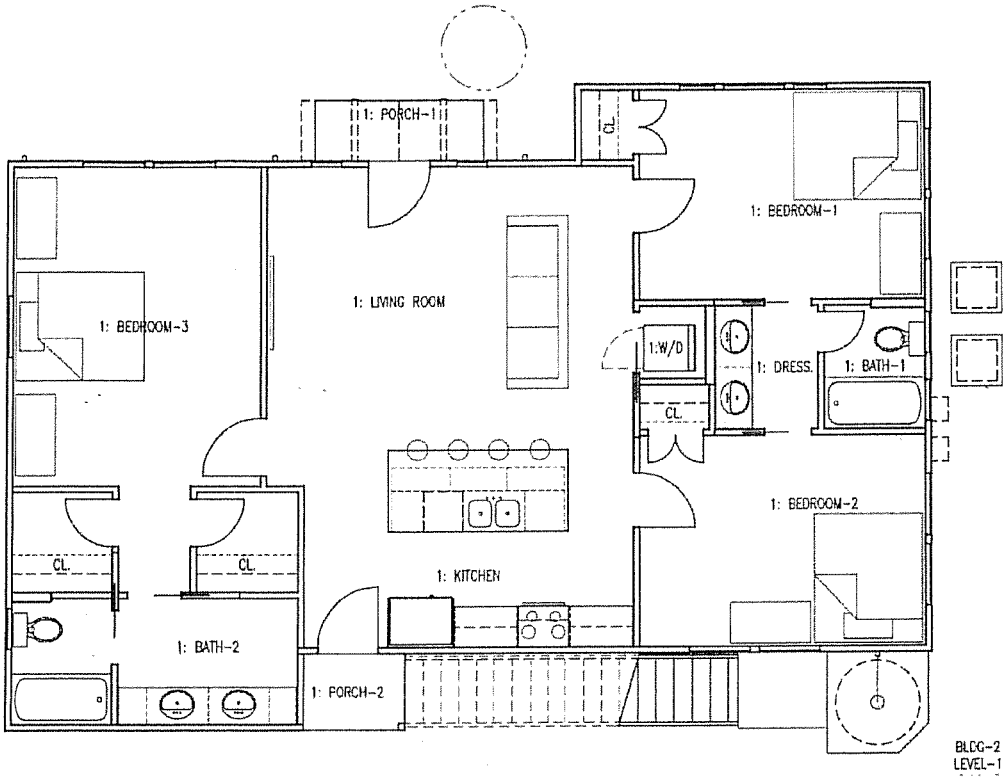
Item 1: Compatibility
The City of Austin Land Development code (LDC 25-2-1052 (A)) clearly states that compatibility setbacks do not apply to property within a historic landmark (H) or historic area (HD) combining district. The North University Neighborhood Association (NUNA) is a very active, educated, and experienced neighborhood group in regards to city code & development. If they did not want LDC 25-2-1052 (A) to apply to their neighborhood, they should have specifically addressed it through their Neighborhood Conservation Combining District (NCCD) overlay. An example of a neighborhood who did not agree with LDC 25-2-1052 and took proper action is Castle Hill. They explicitly addressed LDC 25-2-1052 in the Castle Hill Local Historic District Preservation Plan.

The language being questioned in the NCCD states; "Compatibility standards for height and setbacks do not apply to the rear 70 feet of the common property line between 305 East 34th Street (Trace RDE 809) and 309 E. 34th Street (Tract RDE 810-part)." Nowhere in this language does it say anything regarding overruling LDC 25-2-1052 (A) and that compatibility setbacks do in fact apply to the front 99' of 305 E. 34th Street. If NUNA wished for compatibility to not apply to the front 99', then that should have been clearly spelled out in the NCCD. As it is written, the language only provides relief of compatibility standards to the rear 70' of 309 E. 34th Street. With the absence of the proper language, it cannot be assumed that compatibility does apply to 305 E. 34th Street. If such measures were taken when making administrative approvals, the City of Austin code would be riddled with error and there would be a lack of clarity and consistency when applying the code.

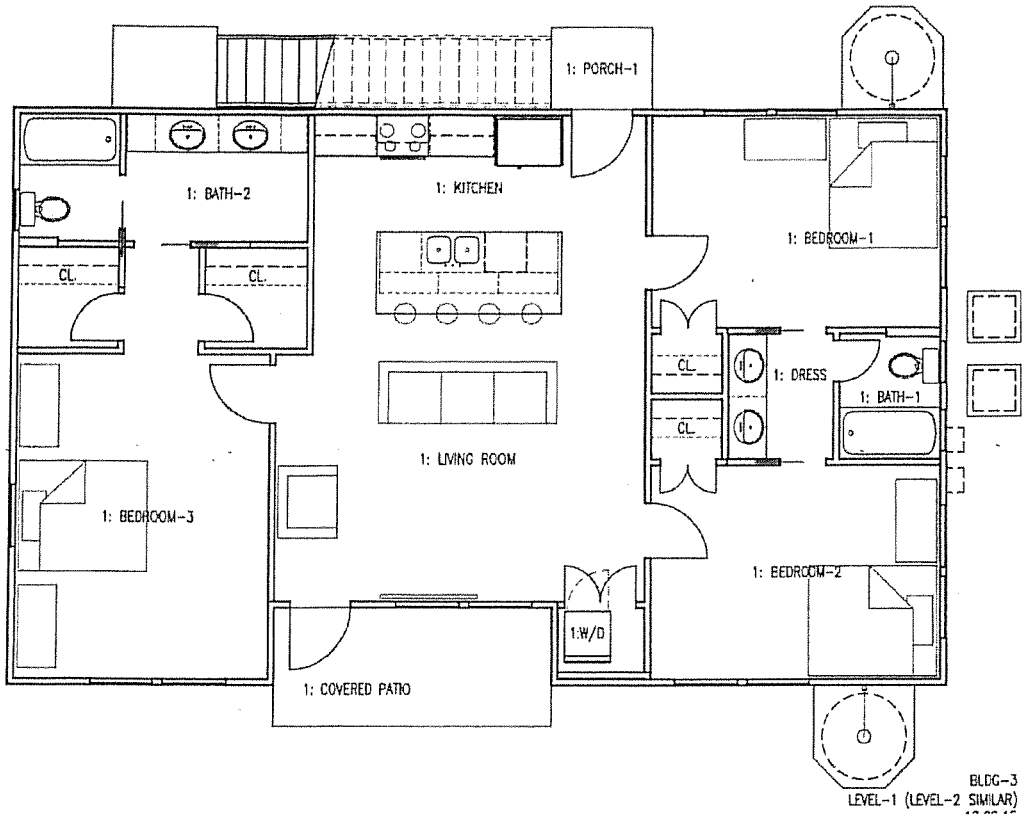
Item 2: Studies
The studies do not meet the BOA interpretation of a bedroom (Case C15-2012-0126) (10/29/2011). However, as the project has evolved, we have decided to eliminate the studies from the (5) units that they were present in. The additional space has been used to create a larger living room and allow for a true master bedroom.

Attached please find the newly designed floor plan drafts. The site plan will be updated to include the revised floor plans and the building permits will be revised too.

E2
31



Building 2 / level 1 (draft floor plan)



Building 3 & 4 (draft floor plan)

F2/33

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: C15-2015-0167, 305 E. 34th Street
Contact: Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov
Public Hearing: Board of Adjustment, December 14th, 2015

Geoffrey Journey-Kaler

Your Name (please print)

☐ I am in favor
☑ I object

207 East 34th St.

Your address(es) affected by this application

Signature

12/10/15

Date

Daytime Telephone: 512-658-7653

Comments: This project does not fit the Character of the neighborhood nor NUNA's guidelines for new developme

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 (comments received after noon may not be seen by the Board at this hearing):

F2/34

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: C15-2015-0167, 305 E. 34th Street
Contact: Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov
Public Hearing: Board of Adjustment, December 14th, 2015

ROBERT KALER
Your Name (please print)

☐ I am in favor
☑ I object

247 E 34th ST AUSTIN, TX
Your address(es) affected by this application

[signature] 12.9.15
Signature Date

Daytime Telephone: 512-799-8014

Comments: ① THE MULTI-FAMILY STRUCTURES VIOLATE THE NCCD NEIGHBORHOOD PLAN. COMPATIBILITY SETBACK IS IGNORED ② BED ROOMS ARE CALLED STUDIES TO AVOID REQUIRED PARKING ③ THE LANDMARK COM. APPROVED 305 E. 34 DUE TO FAT-IGUE, NOT ON IT'S MERITS, IF CONSTRUCTED IT WILL DESTROY THE HISTORIC VALUE OF THE STEEL HOME.

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 (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

F2/35

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: C15-2015-0167, 305 E. 34th Street
Contact: Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov
Public Hearing: Board of Adjustment, December 14th, 2015

Carol Journeay
Your Name (please print)

☐ I am in favor
☒ I object

207 E 34th St Austin TX
Your address(es) affected by this application

Carol Journeay
Signature

12/9/15
Date

Daytime Telephone: 512 478 8614

Comments: New additions to this property do not follow NUNA's NCCD regarding compatibility. The unique character and environment of this property is being destroyed. Additions to the property are not appropriate. The historic environment of the property will be destroyed. Planned additions are not at all compatible with the size, scale and character of the neighborhood, including the house at 305 E 34th. The historic house will be overwhelmed.

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 (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: leane.heldenfels@austintexas.gov

F2
36

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: C15-2015-0167, 305 E. 34th Street
Contact: Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov
Public Hearing: Board of Adjustment, December 14th, 2015

Cindy Wilkinson
Your Name (please print)

☐ I am in favor
☑ I object

200 East 34th Street
Your address(es) affected by this application

Cindy Wilkinson — 12/08/15
Signature — *Date*

Daytime Telephone: (512) 482-8024

Comments: The city is not following NCCD ordinance as per compatibility with house to the east of the Steck property - no development allowed less than twenty feet from property line. Character and environment of a landmarked property will be destroyed and has already been changed. Additions to property will destroy significant historic, architectural and cultural material and is not compatible with size, scale, character, neighborhood or environment.

Note: all comments received will become part of the public record of this case
What is the purpose of the Landmark Commission?

If you use this form to comment, it may be returned up until 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: leane.heldenfels@austintexas.gov