

M05/1



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

NOTIFICATIONS

CASE#: C15-2017-0050

LOCATION: 4008 Avenue C



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" = 167'



CITY OF AUSTIN

Development Services Department

One Texas Center | Phone: 512.978.4000

505 Barton Springs Road, Austin, Texas 78704

M05/2

Board of Adjustment General/Parking Variance Application

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

This application is a fillable PDF that can be completed electronically. To ensure your information is saved, [click here to Save](#) the form to your computer, then open your copy and continue.

The Tab key may be used to navigate to each field; Shift + Tab moves to the previous field. The Enter key activates links, emails, and buttons. Use the Up & Down Arrow keys to scroll through drop-down lists and check boxes, and hit Enter to make a selection.

The application must be complete and accurate prior to submittal. ***If more space is required, please complete Section 6 as needed.*** All information is required (if applicable).

For Office Use Only

Case # C15-2017-0050 ROW # 11774556 Tax # 0219050910

Section 1: Applicant Statement

Street Address: 4008 Avenue C, Austin, TX, 78751

Subdivision Legal Description:

Lots 27 & 28, Blk 6; Hyde Park, Addition Two

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

Outlot: _____ Division: _____

Zoning District: MF-4-HD-NCCD-NP (Hyde Park)

I/We Margaret Saunders (Thoughtbarn LLC) on behalf of myself/ourselves as authorized agent for David Rudick (Emergence TR 4008 Avenue C, LLC) affirm that on Month August, Day 15, Year 2017, 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: a two-story 850sf Accessory Dwelling Unit on a 5964sf MF-4 zoned property.

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

See attached (1)

Section 2: Variance Findings

The Board must determine the existence of, sufficiency of, and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional supporting documents.

NOTE: The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.

I contend that my entitlement to the requested variance is based on the following findings:

Reasonable Use

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

See attached (2)

Hardship

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

See attached (3)

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

See attached (3)

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: Margaret Saunders Date: 8.15.17

Applicant Name (typed or printed): Margaret Saunders, Thoughtbarn LLC

Applicant Mailing Address: 4805 Red Bluff Road, Studio A

City: Austin State: TX Zip: 78702

Phone (will be public information): (512) 386-1579

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

Section 4: Owner Certificate

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

Owner Signature: see attached owner's authorization Date: _____

Owner Name (typed or printed): David Rudick, Emergence TR 4008 Avenue C, LLC

Owner Mailing Address: 1708 Willow St., Austin, TX 78702

City: _____ State: _____ Zip: _____

Phone (will be public information): 512.577.2147

Email (optional – will be public information): _____

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).

OWNER'S AUTHORIZATION LETTER FOR 4008 Avenue C, AUSTIN, TX, 78751

I/we hereby certify that I/we am/are the owner(s) of the above described property. I/we am/are respectfully requesting processing and approval of the above referenced permit(s) review. I/we hereby authorize the Applicant listed on this application to act on my/our behalf during the processing and presentation of this request. They shall be the principal contact with the City in processing this application.

Owner's Signature

Date

11/22/16

Emergency TR 4008 Ave C LLC
Owner's Printed Name

Sworn and subscribed before me this 22 day of 11, 20 16


Notary Public in and for the State of Texas NY

My commission expires on: 11-26-2016

Nathaniel T. Harris
Notary Public State of New York
NO. 01HA6272771
Qualified in New York County
Commission expires on November 26, 2016

4008 Avenue C / Variance Application**(1) Portion of the COA Land Development Code applicant is seeking a variance from:**

The applicant seeks to build an 850sf Accessory Dwelling Unit on a 5964sf MF-4 lot. The Hyde Park Neighborhood Conservation-Neighborhood Plan Combining District (NCCD-NP), Ordinance No. 20120112-86, Part 8(7) limits development of Accessory Dwelling Units (ADUs) in the District to lots that are greater than 7000sf. Therefore the applicant is seeking a variance to reduce the minimum lot limits for ADU development from 7000sf to 5964sf at this particular property.

(2) Reasonable Use

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

4008 Avenue C is a 5965sf lot in the Hyde Park Local Historic District, zoned MF-4-HD-NCCD-NP. The property has with an existing 1667sf house, which is designated as a historic 'contributing structure'. MF-4 zoning permits multi-family development up to 0.5 FAR and 60% impervious cover and is reviewed under Commercial Zoning.

An initial feasibility study by the applicant outlined a three-unit development for the property, combining a renovation of the existing historic house with a new attached two-unit two-story addition in the rear. However, the owner would prefer to do a less intensive two-unit development on the site, in part to lessen the impact of parking traffic in the alley and in part to preserve the existing historic house as a stand-alone residence.

A two-unit development consisting of a renovation to the existing house and a rear ADU would classify the project as single-family development. For this reason it would be reviewed under Residential Zoning, instead of under Commercial Zoning. However, in the Hyde Park NCCD Residential District, ADUs are only permitted on lots over 7000sf and therefore the owner is prevented from only developing two units on the lot.

It is not reasonable that the strict application of City Code does not allow the owner to build *less* units (two units, rather than three) and square footage (0.4 FAR, rather than 0.5 FAR) than permitted by the base zoning entitlements.

(3) Hardship

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

The lot is one of very few properties in the Local Historic District (possibly the only) that combine multi-family zoning with an existing single-family "contributing structure". The majority of MF-4 zoned properties in the District have existing multi-family developments on the sites.

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

This hardship is not general to MF-4 properties in the Hyde Park Local Historic District as the overwhelming majority of them either have existing apartment complexes, or are empty lots that have been targeted for dense infill development. To the applicant's knowledge, there are no other MF-4 properties in the District that have a single-family contributing structure, the preservation of which is a driving factor in the possible development of the property. The hardship is distinct from SF-3 residential properties in the District that are smaller than 7000sf (and also restricted from the building of ADUs) due to the unique MF-4 zoning of the lot which allows multi-unit development. New MF-4 lots in the District must be a minimum of 8000sf and would therefore be able to develop two units if desired.

(4) Area Character

The variance will not alter the character of area adjacent to project because:

The variance will not negatively impact the character of the District as it will help to preserve the historic identity of the existing structure as a stand-alone single-family residence. In addition, the detached rear ADU will be designed with a style and massing that is compatible with the existing residence. Applications for rear additions by the applicant for the properties at 4004 and 4006 Avenue C, also zoned MF-4, were recently approved unanimously by the Historic Landmark Commission, with an 8-0 vote. The proposed ADU would follow the same design strategy.

The variance will not impair the use of the adjacent conforming property because:

The variance will have no impact on the use of adjacent conforming properties.

The variance will not impair the purpose of the regulations of the zoning district in which the property is located because:

The proposed ADU development is compatible with the purpose of the zoning district regulations to guide development in a way that respects and preserves the historic character of Hyde Park, with a mix of single and multi-family developments.

TREE LEGEND

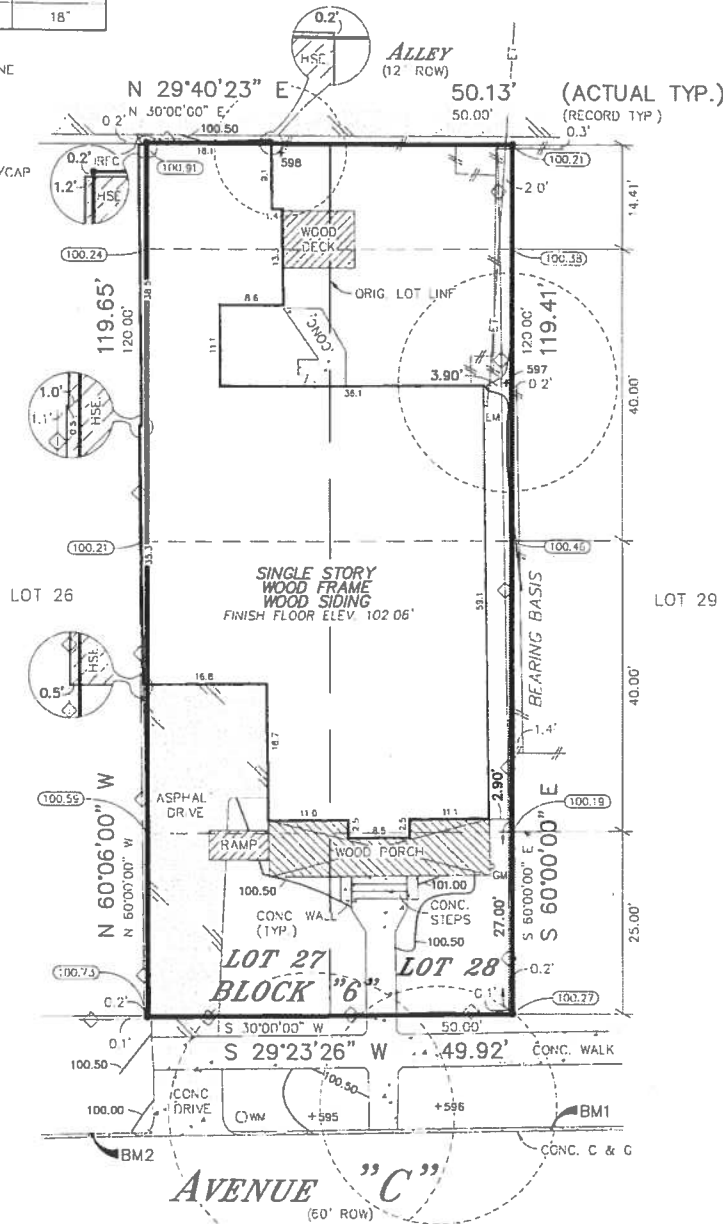
TAG #	TREE TYPE	TREE #	DIAMETER OF TREE/INCHES
595	GRAPE MYRTLE	CLUSTER	39"
596	GRAPE MYRTLE	CLUSTER	33"
597	POST OAK	1	30"
598	PECAN	1	18"

LEGEND

-ET- OVERHEAD ELEC / TELE LINE
 -◇- CHAIN LINK FENCE
 -#- WOOD FENCE
 EM □ ELECTRIC METER
 GM □ GAS METER
 WM □ WATER METER
 IRFC • 1/2" IRON ROD FOUND W/CAP
 STAMPED "B & G"
 XXX + TREE TAG NUMBER

BM1: "X" SET ON TOP OF CURB ± 16.7 FT. FROM NORTHEAST PROPERTY CORNER. ELEV. - 100.00' (ASSUMED)

BM2: "X" SET ON TOP OF CURB ± 17.6 FT. FROM SOUTHEAST PROPERTY CORNER. ELEV. - 100.24'



* SCALED FROM TAX MAP

PROPERTY SUBJECT TO RESTRICTIVE COVENANTS AND EASEMENT RIGHTS RECORDED IN VOL. 180, PG. 299, VOL. 287, PG. 224, VOL. 741, PG. 359 AND VOL. 828, PG. 567, DEED RECORDS.

PLAT OF SURVEY

Survey No. 16476

SCALE: 1" = 20'

GF 01247-46217

Said lot is in Zone X as identified by the
 Federal Emergency Management Agency on
 Community Panel No. 48453C 0465J
 Dated: JAN. 06, 2016

All corners are 1/2 inch iron rod found unless
 otherwise noted. To the lien holders and/or
 the owners of the premises surveyed

LOT NOS. 27 & 28 BLOCK NO. "6"

ADDITION OR SUBDIVISION HYDE PARK ADDITION NUMBER TWO, VOLUME 1, PAGE 75, PLAT RECORDS

STREET ADDRESS 4008 AVENUE C CITY AUSTIN COUNTY TRAVIS

SURVEY FOR THOUGHT BARN, LLC REFERENCE DAVID RUDICK

TO: GRACY TITLE COMPANY & STEWART TITLE GUARANTY COMPANY

STATE OF TEXAS, COUNTY OF TRAVIS

I HEREBY CERTIFY THAT THE ABOVE SURVEY WAS MADE THIS DAY ON THE GROUND AND IS TRUE AND CORRECT, AND THAT THERE ARE NO DISCREPANCIES, CONFLICTS, SHORTAGES IN AREA, ENCRoACHMENTS, VISIBLE UTILITY LINES OR ROADS IN PLACE EXCEPT AS SHOWN HEREON AND SAID PROPERTY HAS ACCESS TO A DEDICATED ROADWAY, EXCEPT AS SHOWN HEREON

SNS ENGINEERING, INC.

12885 US Highway 183 North, Suite 101-B

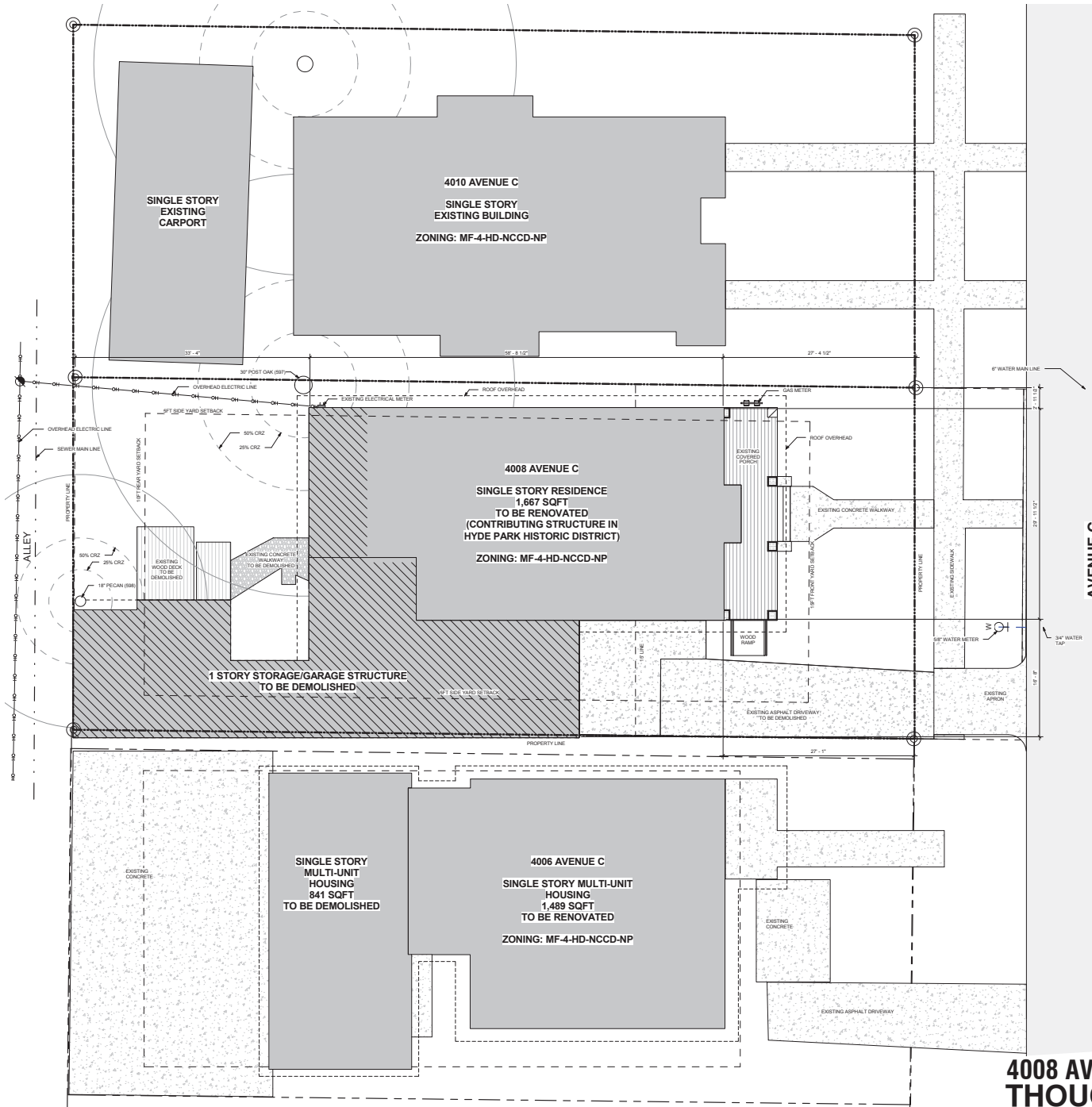
Austin, Texas 78750

(512) 335-3944 * (512) 250-8685 (Fax) JM 666/75, 678/25, DC Date: 01-05-2017

4008 Avenue C Variance Package



EXISTING SITE PLAN



M05/11

EXISTING CONDITIONS

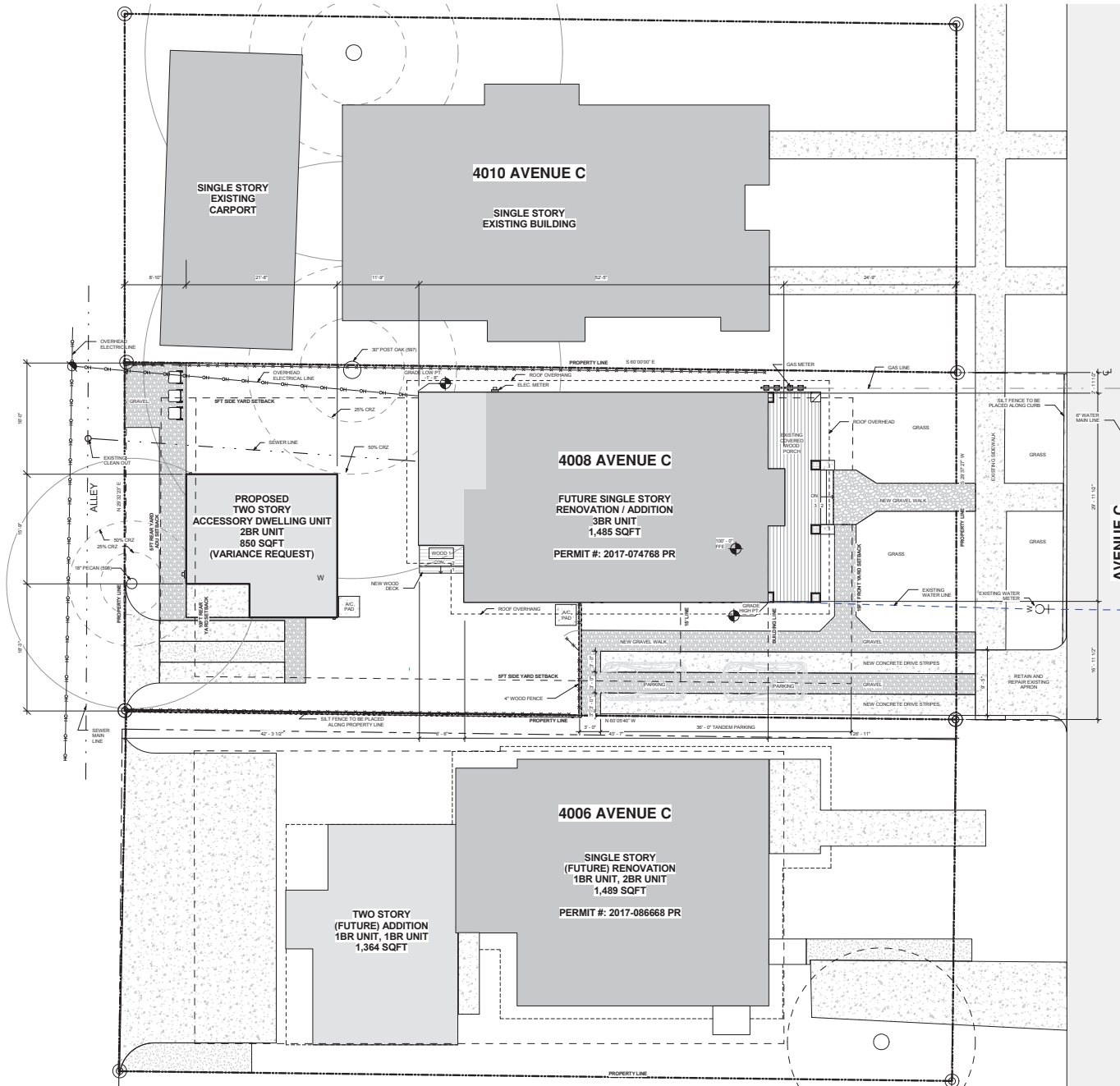


4008 AVENUE C 09.18.17 | BOARD OF ADJUSTMENTS
THOUGHTBARN | [DELINEATE STUDIO](#)

EXISTING CONDITIONS



PROPOSED SITE PLAN



PROJECT DESCRIPTION	
A PROPOSED ACCESSORY DWELLING UNIT DEVELOPMENT	

LEGAL DESCRIPTION	
LOTS 27 & 28, BLK. 6, HYDE PARK, ADDITION TWO	

ZONING	
ZONING	MF-4-HD-NCCD-NP
LAND USE	SINGLE-FAMILY RESIDENTIAL
LOT AREA	5,964.8 SQFT

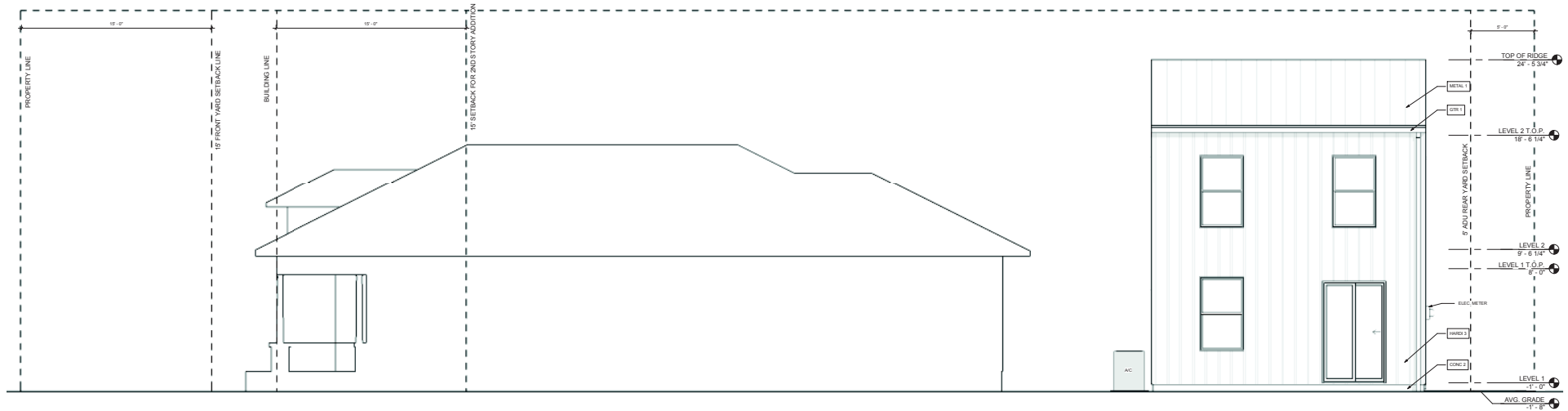
TYPE OF CONSTRUCTION	
TYPE V-B	

BUILDING AREA	EXISTING (SQFT)	PROPOSED (SQFT)	ALLOWED (SQFT)
FIRST FLOOR CONDITIONED (FRONT HOUSE)	1,667	1,485	
FIRST FLOOR CONDITIONED (ADU)	0	403	
SECOND FLOOR CONDITIONED (ADU)	0	447	
TOTAL ZONING SQ FT (GROSS FLOOR AREA)	1,667 (0.28:1)	2,335 (0.39:1)	2,386 (0.4:1)
COVERED PARKING (GARAGE OR CARPORT)	497	0	
COVERED PATIO, DECK OR PORCH (EXIST.)	228	228	
COVERED PATIO, DECK OR PORCH (ADU)	758	43	
COVERED BALCONY	0	0	
BUILDING SQ FT (FLOOR AREA)	3,150	2,606	
# OF BLDG FLOORS	1	2	
# OF UNITS	1	2	
# PARKING SPACES	2	3	

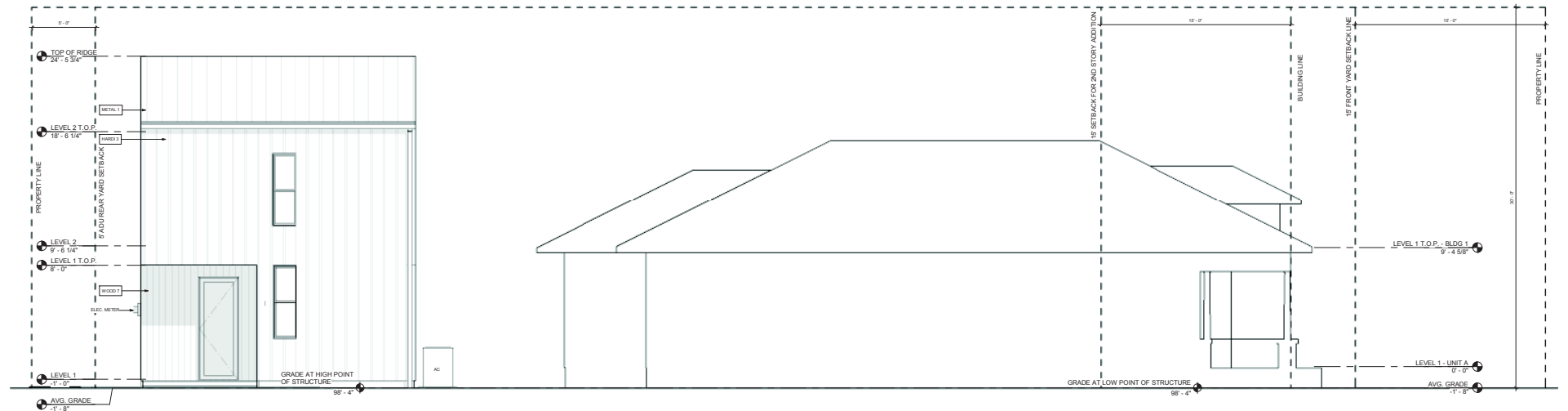
SITE AREA	EXISTING (SQFT)	PROPOSED (SQFT)	ALLOWED (SQFT)
EXISTING HOUSE TO BE RENOVATED	-	1,298	
NEW ADDITION TO FRONT HOUSE	-	187	
NEW ACCESSORY DWELLING UNIT	-	403	
EXISTING COVERED AREA TO REMAIN	-	228	
NEW COVERED AREA	-	43	
BUILDING COVER SQ FT	-	2,159	
PARKING (FRONT HOUSE)	598	306	
PARKING (ADU)	150	157	
PAVED WALKWAYS	0	0	
UNCOVERED PATIOS	0	0	
UNCOVERED WOOD DECKS (50%)	75	13	
AC PADS	0	15	
TOTAL IMPERVIOUS COVER	3,971 (67%)	2,653 (44%)	2,694 (45%)

KEY	
	PROPERTY LINE
	4' WOOD FENCE
	6' WOOD FENCE
	UTILITY: OVERHEAD ELECTRIC
	UTILITY: SEWER/WASTEWATER
	UTILITY: WATER
	UTILITY: GAS
	UTILITY POLE
	WATER METER

PROPOSED ELEVATIONS

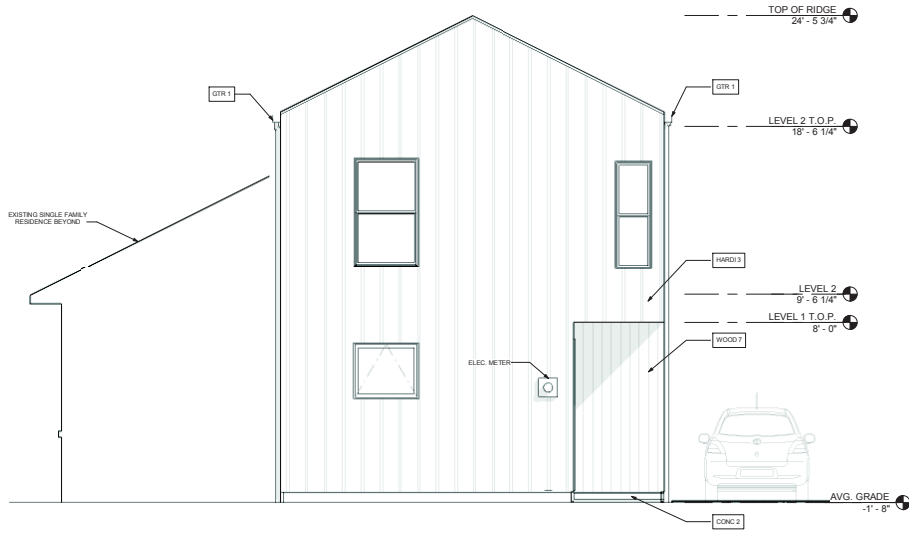


2 NORTH ELEVATION
Scale: 1/4" = 1'-0"

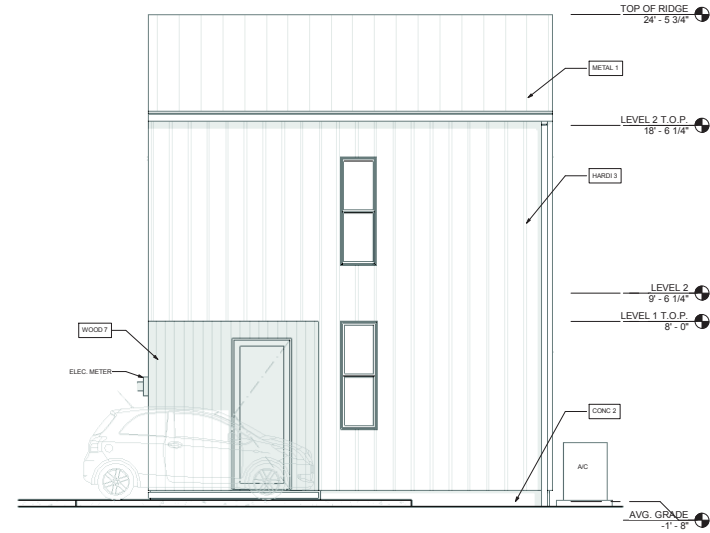


1 SOUTH ELEVATION
Scale: 1/4" = 1'-0"

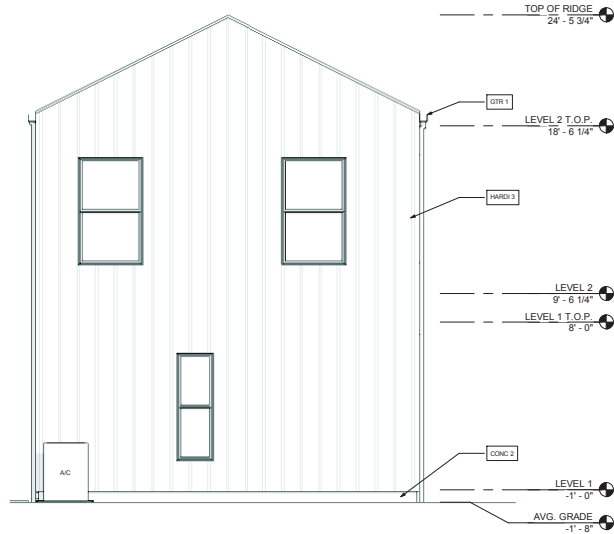
PROPOSED ELEVATIONS



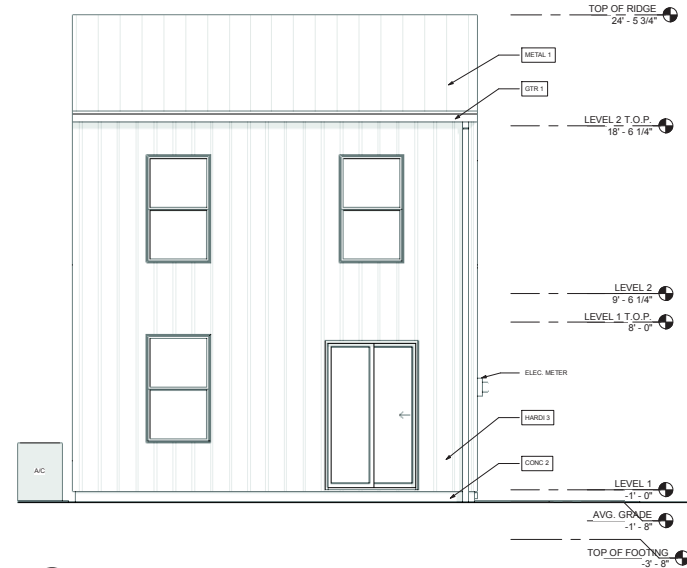
4 ADU - WEST ELEVATION
Scale: 1/4" = 1'-0"



3 ADU - SOUTH ELEVATION
Scale: 1/4" = 1'-0"



2 ADU - EAST ELEVATION
Scale: 1/4" = 1'-0"



1 ADU - NORTH ELEVATION
Scale: 1/4" = 1'-0"

3 UNIT MULTI-FAMILY SITE PLAN STUDY (for reference only)

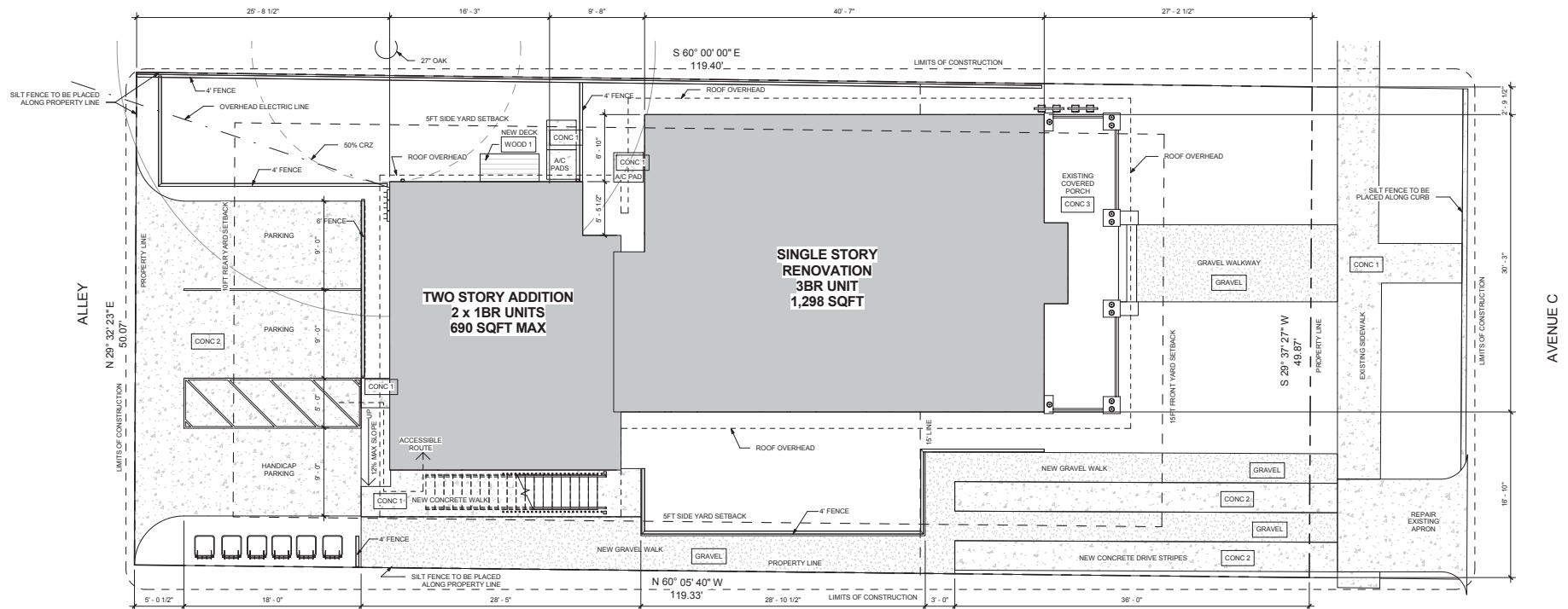
LEGAL DESCRIPTION	
LOTS 27 & 28, BLK. 6, HYDE PARK, ADDITION TWO	
ZONING	
ZONING	MF-4-HD-NCCD-NP
LAND USE	CURRENT: SINGLE FAMILY PROPOSED: MULTI-FAMILY RESIDENTIAL
LOT AREA	5,964.8 SQFT

TYPE OF CONSTRUCTION	
TYPE V-B	

BUILDING AREA	EXISTING (SQFT)	PROPOSED (SQFT)	ALLOWED (SQFT)
FIRST FLOOR CONDITIONED	1,667	1,950	
SECOND FLOOR CONDITIONED	0	755	
TOTAL ZONING SQ FT (GROSS FLOOR AREA)	1,667	2,705	2,824
	(0.28:1)	(0.45:1)	(0.5:1)
COVERED PARKING (GARAGE OR CARPORT)	703	0	
COVERED PATIO, DECK OR PORCH	230	340	
COVERED BALCONY	0	5	
BUILDING SQ FT (FLOOR AREA)	2,600	3,280	7,000
# OF BLDG FLOORS	1	2	
# OF UNITS	5	4	
# PARKING SPACES	4	5	

SITE AREA	EXISTING (SQFT)	PROPOSED (SQFT)	ALLOWED (SQFT)
BUILDING SQ FT (FLOOR AREA)	2,600	3,280	
PARKING	598	963	
PAVED WALKWAYS	150	63	
UNCOVERED PATIOS	0	0	
UNCOVERED WOOD DECKS (50%)	74.5	8.5	
AC PADS	9	27	
TOTAL IMPERVIOUS COVER	3,432	3,577	3,579
	(57.5%)	(60%)	(60%)

PARKING SUMMARY	
PARKING RATIO REQ'D PER UNIT	1.5 SPACES
- 1 BR	1.5 SPACES + 0.5 SPACES PER +BR
- 2+ BR	
# SPACES	5 SPACES
20% URBAN CORE REDUCTION	1 SPACE
ADA SPACES REQUIRED	1 SPACE
TOTAL REQUIRED (NORMAL + ADA)	4 SPACES
TOTAL PROVIDED	5 SPACES



3 UNIT MULTI-FAMILY ELEVATION STUDY (for reference only)



3 UNIT MULTI-FAMILY ELEVATION STUDY (for reference only)

