L01/1

CITY OF AUSTIN
Board of Adjustment
Decision Sheet

DATE: Monday, September 18, 2017 **CASE NUMBER: C15-2017-0037**

_____Brooke Bailey
_____William Burkhardt
_____Christopher Covo
_____Eric Goff
_____Melissa Hawthorne
_____Bryan King
_____Don Leighton-Burwell
_____Rahm McDaniel
_____Veronica Rivera
_____James Valadez
_____Michael Von Ohlen
_____Kelly Blume (Alternate)
_____Martha Gonzalez (Alternate)
_____Pim Mayo (Alternate)

APPLICANT: Henry Juarez

OWNER: Sal Martinez

ADDRESS: 3012, 3014 East 14TH HALF ST

VARIANCE REQUESTED: The applicant has requested variance(s) to Section 25-2-943 (D) (Substandard Lot) to permit a substandard lot that is aggregated with other property to form a site may not be disaggregated after August 6, 2007 to form a site that is smaller than the minimum lot area requirements (required) to be disaggregated (requested) in order to permit a new single family home on each lot and one additional dwelling unit on one lot in a "SF-3-NP", Family Residence – Neighborhood Plan zoning district. (Rosewood)

BOARD'S DECISION: July 10, 2017 POSTPONED TO AUGUST 14, 2017 BY APPLICANT; August 18, 2017 REQUESTING POSTPONEMENT TO SEPTEMBER 18, 2017 BY APPLICANT; Aug 14, 2017 POSTPONED TO SEPTEMBER 18, 2017 BY APPLICANT; Sept 18, 2017 POSTPONED TO OCTOBER 9, 2017 BY APPLICANT

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because:
2. (a) The hardship for which the variance is requested is unique to the property in that:
   (b) The hardship is not general to the area in which the property is located because:
3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

Leane Heldenfels
Executive Liaison

William Burkhardt
Chairman

L01/2

CITY OF AUSTIN
Board of Adjustment
Decision Sheet

DATE: Monday, August 14, 2017 **CASE NUMBER: C15-2017-0037**

_____Brooke Bailey
_____William Burkhardt
_____Christopher Covo
_____Eric Goff
_____Melissa Hawthorne
_____Bryan King
_____Don Leighton-Burwell
_____Rahm McDaniel
_____Veronica Rivera
_____James Valadez
_____Michael Von Ohlen
_____Kelly Blume (Alternate)
_____Martha Gonzalez (Alternate)
_____Pim Mayo (Alternate)

APPLICANT: Henry Juarez

OWNER: Sal Martinez

ADDRESS: 3012, 3014 East 14TH HALF ST

VARIANCE REQUESTED: The applicant has requested variance(s) to Section 25-2-943 (D) (Substandard Lot) to permit a substandard lot that is aggregated with other property to form a site may not be disaggregated after August 6, 2007 to form a site that is smaller than the minimum lot area requirements (required) to be disaggregated (requested) in order to permit a new single family home on each lot and one additional dwelling unit on one lot in a "SF-3-NP", Family Residence – Neighborhood Plan zoning district. (Rosewood)

BOARD'S DECISION: July 10, 2017 POSTPONED TO AUGUST 14, 2017 BY APPLICANT; August 18, 2017 REQUESTING POSTPONEMENT TO SEPTEMBER 18, 2017 BY APPLICANT; Aug 14, 2017 POSTPONED TO SEPTEMBER 18, 2017 BY APPLICANT

FINDING:

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Leane Heldenfels
Executive Liaison

William Burkhardt
Chairman

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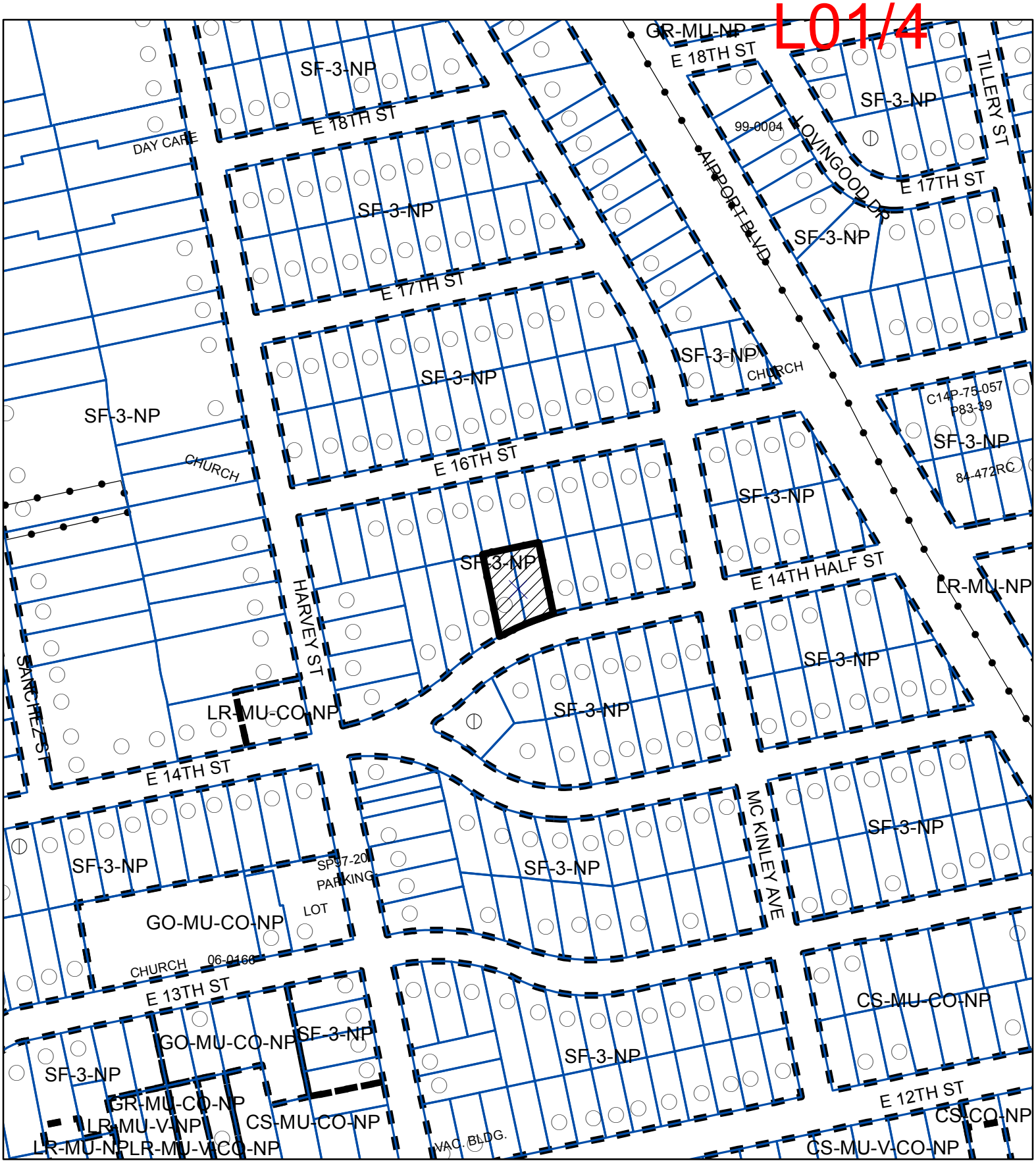
BOARD'S DECISION: POSTPONED TO AUGUST 14, 2017 BY APPLICANT

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because:
2. (a) The hardship for which the variance is requested is unique to the property in that:
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3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

Leane Heldenfels
Executive Liaison

William Burkhardt
Chairman



N

SUBJECT TRACT

ZONING BOUNDARY

1 " = 200 '

PUBLIC NOTIFICATIONS

CASE#: PN-2017-074967

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.

L01/5

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

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 # _____ ROW # _____ Tax # _____

Section 1: Applicant Statement

Street Address: 3012 & 3014 E 14th and Half

Subdivision Legal Description:

McKinley Heights

Lot(s): 19 & 20 Block(s): 8

Outlot: 26 Division: B

Zoning District: SF-3-NP

I/We Henry Juarez on behalf of myself/ourselves as authorized agent for MX3 Homes, LLC affirm that on Month June , Day 9 , 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: Single family residential homes

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

LDC 25-2-943 (D)

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:

The existing mobile home that allegedly tied both lots 19 and 20 together for aggregation was likely placed across both lots illegally, as the city's AMANDA system does not show any building permits. The previous land owner has relocated the mobile home to 212 Austin St in Buda, Texas under COA permit BP 2017-014069. Lots 19 and 20 were originally intended to be stand alone lots, as they were drawn individually in the recorded plat on March 19th, 1940 in Vol 4, pages 110 and 111. The surrounding neighborhood predominantly has a single family home on each individual lot, while each lot is substandard in size per today's COA lot requirements. Please see attached handout listing specific addresses and lot sizes according to Travis CAD.

Hardship

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

A mobile home was placed traversing both lots 19 and 20. There are no records via AMANDA of the mobile home being permitted to be placed on both lots. Lots 19 and 20 were both platted and recorded as individual lots on March 19th, 1940. In this current and recorded plat configuration, Lot 19 is 5,377 sq ft and Lot 20 is 5,857 sq ft. The Rosewood Neighborhood allows for Small Lot Amnesty.

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

The neighborhood has a general characteristic of having a single family home on an individual lot. There are are approximately 4 other instances that show a single family home traversing 2 individual lots, but they are all located on corner lots (via COA GIS map). Nearly the entire neighborhood has substandard lot sizes by today's COA lot regulations. Please see attached handout listing addresses and lot sizes.

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:

We are proposing to separate 2 existing legal lots and building a single family home on each lot and a secondary apartment on the full size lot, as allowed by the Rosewood Neighborhood Plan.

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:

Not applicable

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:

Not Applicable

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

Not Applicable

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

Not Applicable

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: _____ Date: _____

Applicant Name (typed or printed): Henry Juarez

Applicant Mailing Address: 2610 Manor Rd

City: Austin State: TX Zip: 78722

Phone (will be public information): (512) 270-2900

Email (optional – will be public information): _____

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: _____ Date: _____

Owner Name (typed or printed): Sal Martinez

Owner Mailing Address: 2610 Manor Rd

City: Austin State: TX Zip: 78722

Phone (will be public information): (512) 270-2900

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).

Review Cases
Stormwater Infras
Transportation
Natural Features
Property Informat
Address Points
Lot / Block / Pa
Easement

E 17TH ST
E 16TH ST
E 14TH HALF ST
HARVEY ST
E 14TH ST

3000 E 17TH ST
3002 E 17TH ST
3004 E 17TH ST
3006 E 17TH ST
3008 E 17TH ST
1700 HARVEY ST
1612 HARVEY ST
1610 HARVEY ST
1606 HARVEY ST
1602 HARVEY ST
1600 HARVEY ST
1416 HARVEY ST
3001 E 17TH ST
3003 E 17TH ST
3005 E 17TH ST
3007 E 17TH ST
3011 E 17TH ST
3015 E 17TH ST
3017 E 17TH ST
3019 E 17TH ST
3021 E 17TH ST
1607 MC KINLEY AVE
1605 MC KINLEY AVE
1603 MC KINLEY AVE
1600 1/2 AIRPORT BLVD
3100 E 16TH ST
3102 E 16TH ST
3104 E 16TH ST
3024 E 16TH ST
3022 E 16TH ST
3020 E 16TH ST
3016 E 16TH ST
3014 E 16TH ST
3010 E 16TH ST
3004 E 16TH ST
3006 E 16TH ST
3000 E 16TH ST
3001 E 16TH ST
3005 E 16TH ST
3007 E 16TH ST
3009 E 16TH ST
3013 E 16TH ST
3015 E 16TH ST
3019 E 16TH ST
3021 E 16TH ST
3105 E 16TH ST
3101 E 16TH ST
3107 E 16TH ST
3200 E 14TH HALF ST
3202 E 14TH HALF ST
3206 E
3204 E
3104 E 14TH HALF ST
3102 E 14TH HALF ST
3100 E 14TH HALF ST
3106 E 14TH HALF ST
3024 E 14TH HALF ST
3022 E 14TH HALF ST
3020 E 14TH HALF ST
3016 E 14TH HALF ST
3014 E 14TH HALF ST
3012 E 14TH HALF ST
3010 E 14TH HALF ST
3008 E 14TH HALF ST
3006 E 14TH HALF ST
3111 E 14TH HALF ST
3107 E 14TH HALF ST
3103 E 14TH HALF ST
3101 E 14TH HALF ST
3021 E 14TH HALF ST
3017 E 14TH HALF ST
3019 E 14TH HALF ST
3013 E 14TH HALF ST
3011 E 14TH HALF ST
3009 E 14TH HALF ST
1404 MC KINLEY AVE
3110 E 14TH ST
3114 E 14TH ST
3106 E 14TH ST
3102 E 14TH ST
3104 E 14TH ST
3100 E 14TH ST
3007 E 14TH HALF ST
3006 E 14TH ST
3014 E 14TH ST
3012 E 14TH ST
3010 E 14TH ST
3016 E 14TH ST
1414 HARVEY ST
1412 HARVEY ST
1407 HARVEY ST
1408 HARVEY ST
1405 HARVEY ST
1404 HARVEY ST
1403 HARVEY ST
1402 HARVEY ST
1401 HARVEY ST
1400 HARVEY ST
1410 HARVEY ST
1311 HARVEY ST
2942 E 14TH ST
2940 E 14TH ST
2938 E 14TH ST
2936 E 14TH ST
2951 E 14TH ST
2949 E 14TH ST
2945 E 14TH ST
3005 E 14TH ST
3111 E 14TH ST
3113 E 14TH ST
3107 E 14TH ST
3105 E 14TH ST
3103 E 14TH ST
1307 MC KINLEY AVE
3115 E 14


Address Matches
3012 E 14TH HALF ST, AUSTIN, TX, Score: 100 Address
3100 E 14TH HALF ST, AUSTIN, TX, Score: 68 Address
3101 E 14TH HALF ST, AUSTIN, TX, Score: 68 Address
3102 E 14TH HALF ST, AUSTIN, TX, Score: 68 Address
3019 E 14TH HALF ST, AUSTIN, TX, Score: 68 Address
3024 E 14TH HALF ST, AUSTIN, TX, Score: 68 Address
3021 E 14TH HALF ST, AUSTIN, TX, Score: 68 Address
3103 E 14TH HALF ST, AUSTIN, TX, Score: 68 Address
3107 E 14TH HALF ST, AUSTIN, TX, Score: 68 Address
3109 E 14TH HALF ST, AUSTIN, TX, Score: 68 Address
L01/10
Review Case
Stormwater Infrastructu
Transportation
Natural Features
Property Information
Address Points
Lot / Block / Parcels
Easement
E 14TH HALF ST
E 14TH ST
MC KINLEY AVE
1405 HARVEY ST
1403 HARVEY ST
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1401 HARVEY ST
1400 HARVEY ST
1311 HARVEY ST
1307 HARVEY ST
1305 HARVEY ST
1303 HARVEY ST
3012 E 14TH HALF ST
3010 E 14TH HALF ST
3008 E 14TH HALF ST
3006 E 14TH HALF ST
3021 E 14TH HALF ST
3017 E 14TH HALF ST
3015 E 14TH HALF ST
3013 E 14TH HALF ST
3011 E 14TH HALF ST
3009 E 14TH HALF ST
3007 E 14TH HALF ST
1404 MC KINLEY AVE
3100 E 14TH ST
3102 E 14TH ST
3104 E 14TH ST
3020 E 14TH ST
3016 E 14TH ST
3014 E 14TH ST
3012 E 14TH ST
3010 E 14TH ST
3006 E 14TH ST
2951 E 14TH ST
2949 E 14TH ST
2947 E 14TH ST
3005 E 14TH ST
3009 E 14TH ST
3011 E 14TH ST
3013 E 14TH ST
3015 E 14TH ST
3017 E 14TH ST
3019 E 14TH ST
3021 E 14TH ST
1306 MC KINLEY AVE
1307 MC KINLEY AVE
3103 E 14TH ST
3105 E 14TH ST
,126,087.32, 10,074,943.92)
0.01 Miles
LEGAL DISCLAIMER

3012 E 14th Half Surrounding Lot Information

Address Point	Street	Use	Lot Size (TCAD) sq ft	TCAD Prop ID
3000	E 16th	Single Family	5,256	200894
3001	E 16th	Single Family, 2 lots	10,684	200850
3002	E 16th	Single Family	5,221	200893
3004	E 16th	Single Family	5,221	200892
3005	E 16th	Single Family	5,312	200851
3006	E 16th	Single Family	5,221	200891
3007	E 16th	Single Family	5,303	200852
3008	E 16th	Single Family	5,221	200890
3009	E 16th	Single Family	5,303	200853
3010	E 16th	Single Family	5,221	200889
3011	E 16th	Single Family	5,298	200854
3012	E 16th	Single Family	5,221	200888
3013	E 16th	Single Family	5,298	200855
3014	E 16th	Single Family	5,221	200887
3015	E 16th	Single Family	5,394	200856
3016	E 16th	Single Family	5,221	200886
3017	E 16th	Single Family	5,289	200857
3018	E 16th	Single Family	5,221	200885
3019	E 16th	Single Family	5,284	200858
3020	E 16th	Single Family	5,221	200884
3021	E 16th	Single Family, 2 lots	10,569	200869
3022	E 16th	Single Family	5,221	200883
3024	E 16th	Single Family	4,594	200882
3101	E 16th	Single Family	5,282	200962
3102	E 16th	Single Family	5,223	200926
3103	E 16th	Single Family	5,296	200963
3104	E 16th	Single Family	5,060	200925
3105	E 16th	Single Family	5,314	200964
3107	E 16th	Single Family	6,329	200965
3006	E 14th Half	Single Family	8,444	200868
3007	E 14th Half	Single Family	8,415	200844
3008	E 14th Half	Single Family	No TCAD Profile	No TCAD Profile
3009	E 14th Half	Single Family	5,673	200845
3010	E 14th Half	Single Family	6,514	200866
3011	E 14th Half	Single Family	4,949	200832
3012	E 14th Half	Mobile Home, 2 lots	11,350	200865
3013	E 14th Half	Single Family	5,175	200833
3015	E 14th Half	Single Family	5,221	200834
3016	E 14th Half	Single Family	5,266	200864
3017	E 14th Half	Single Family	5,221	200835
3018	E 14th Half	Single Family	5,221	200863
3019	E 14th Half	Single Family	5,221	200836
3020	E 14th Half	Single Family	5,221	200862
3021	E 14th Half	Single Family	5,221	200837
3022	E 14th Half	Single Family	5,221	200861
3024	E 14th Half	Single Family	5,221	200860
3100	E 14th Half	Single Family	5,221	200969
3101	E 14th Half	Single Family	5,221	200979
3102	E 14th Half	Parking/Church	5,221	200968
3103	E 14th Half	Single Family	5,221	200980
3104	E 14th Half	Parking/Church	5,221	200967

3105	E 14th Half	Single Family	5,221	200981
3106	E 14th Half	Parking/Church	10,695	200966
3107	E 14th Half	Single Family	5,221	200982
3109	E 14th Half	Single Family	5,221	200983
3111	E 14th Half	Single Family	6,785	200984
3005	E 14th	Single Family	7,244	200815
3006	E 14th	Single Family	7,905	200843
3009	E 14th	Single Family	5,575	200816
3010	E 14th	Single Family	5,221	200842
3011	E 14th	Single Family	5,337	200817
3012	E 14th	Single Family	5,221	200841
3013	E 14th	Single Family	5,243	200818
3014	E 14th	Single Family	5,221	200840
3015	E 14th	Single Family	5,295	200819
3016	E 14th	Single Family	5,221	200839
3017	E 14th	Single Family	5,246	200820
3019	E 14th	Single Family	5,221	200821
3020	E 14th	Single Family, 2 lots	10,442	200838
3021	E 14th	Single Family	5,221	200822
3100	E 14th	Single Family	5,221	200992
3102	E 14th	Single Family	5,221	200991


L01/13


L01/14

L01/15

From: [redacted]
[redacted]
Subject: Re: 3012 E 14th and Half Postponement Request Board of Adjustment Meeting
Date: Friday, August 04, 2017 8:37:27 AM
Attachments: image001.png

Good Morning Leane,

We have finally got a meeting set with the neighborhood on August 15th...a day after the BOA meeting. Hahaha, sorry to request (again) but i would like to postpone our case to the next meeting in Sept so we could have ample time to obtain the letter from the neighborhood contact team.

Thanks

Henry Juarez
Development Manager

512-270-2900 (office)
512-576-4399 (cell)
512-373-8900 (fax)
mx3homes.com

MX3 HOMES

On Mon, Jul 10, 2017 at 9:35 AM, Heldenfels, Leane [redacted] wrote:

> Hi Henry – I will request postponement to the 8/14 Board hearing. Thanks for letting me know before 10 am.
>
> Take care,
>
> **Leane Heldenfels, Planner Senior**
>
> *Board of Adjustment Liaison*
>
> City of Austin Development Services Department
>
> One Texas Center, 1st Floor, Development Assistance Center
>
> 505 Barton Springs Road
>
> Office: 512-974-2202

L01/16

From: [redacted]
Sent: Sunday, July 09, 2017 7:12 PM
To: Heldenfels, Leane
Subject: 3012 E 14th and Half Postponement Request Board of Adjustment Meeting

Good Afternoon Leane,

We have finally heard back from the neighborhood contact team and they will place us on their agenda. I would like to postpone our BOA request until the August 14th meeting in hopes of obtaining neighborhood support for our request. Please let me know if you have any questions or would like to discuss further.

Thank you!

Henry Juarez
Development Manager

L01/17

From: [redacted]
To: [redacted]
[redacted] [redacted] agenda, back up
Date: Friday, September 15, 2017 3:40:45 PM
Attachments: image001.png

Hey Leane,

Sorry but need to post pone...still don't have the promised letter from neighborhood.

Thanks

Henry Juarez
Development Manager

512-270-2900 (office)
512-576-4399 (cell)
512-373-8900 (fax)
mx3homes.com