

H03/1



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

### NOTIFICATIONS

CASE#: C15-2017-0066

2613 SOUTH 1ST STREET

1" = 250'

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.





## CITY OF AUSTIN

### 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: \_\_\_\_\_

Subdivision Legal Description:

\_\_\_\_\_  
\_\_\_\_\_

Lot(s): \_\_\_\_\_ Block(s): \_\_\_\_\_

Outlot: \_\_\_\_\_ Division: \_\_\_\_\_

Zoning District: \_\_\_\_\_

I/We \_\_\_\_\_ on behalf of myself/ourselves as  
authorized agent for \_\_\_\_\_ affirm that on  
Month \_\_\_\_\_, Day \_\_\_\_\_, Year \_\_\_\_\_, 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: \_\_\_\_\_

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

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## 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:

Shed building permit was applied for in good faith and inadvertently approved.  
Shed was built and fully inspected before non-compliance was realized.

### Hardship

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

Shed contains oxygen tanks and plumbing pipes for ventrinary surgery and cannot be moved without significant financial hardship.

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

Shed approval and existance is unique to this project and this site.

## 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:

Shed is in rear of property and screened by main building and rear fence.  
Residential properties adjacent to this site have similar sized sheds in similar proximity to property line. Property owner would be happy to add additional screening that the Board or neighbors would like to improve compatability with area character.

## 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:

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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:

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

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

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### 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): \_\_\_\_\_

Applicant Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone (will be public information): \_\_\_\_\_

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: \_\_\_\_\_ Date: \_\_\_\_\_

Owner Name (typed or printed): \_\_\_\_\_

Owner Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone (will be public information): \_\_\_\_\_

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).

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**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: 11/01/2017

Applicant Name (typed or printed): Ryan Lemmo

Applicant Mailing Address: 2832 E Martin Luther King Jr. Blvd, Studio 4

City: Austin State: Texas Zip: 78702

Phone (will be public information): (512) 380-1756

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: 11/01/2017

Owner Name (typed or printed): Nicholas Vaughan

Owner Mailing Address: 2613 South 1st Street

City: Austin State: Texas Zip: 78704

Phone (will be public information): (512) 326-8200

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).

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

November 21, 2017



Lemmo Architecture and Design

## **Board of Adjustments: Cover Letter**

**2613 South 1st St: Corner Vet**

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Dear members of the Board of Adjustment,

When Corner Vet decided to expand to a 2nd location after years serving the East Austin community they chose to develop a site on South 1st. During permitting for the new building a small shed to securely house medical gas canisters was approved in the back.

During construction the shed passed all inspections from building, mechanical, electrical and plumbing inspectors and a temporary certificate of occupancy was issued for the main building. During final inspection paperwork it was uncovered that this shed should not have been approved in the first place because it was sitting in the compatibility setback behind the main building.

All the medical gas for the state of the art veterinary surgery suite run through the shed and currently there isn't any location on the site that could house it without eliminating some other required component (like parking), or violating some other setback.

The shed is residential in scale and material (it's from Home Depot) and is consistent with similar structures on the residential neighbors property. Neighboring commercial structures were build before compatability setbacks and are built all the way up to adjacent residential properties.

Corner Vet has done all it can to be a good neighbor to the adjacent residential home owners. They have frosted windows when privacy concerns were raised, modified grading to minimize runoff and adjusted exterior lights when too much spilled onto a neighbor's back yard. All adjacent residential neighbors signed on in approving this application.

We respectfully ask that you grant us a waiver to keep our little medical gas shed in it's current location.

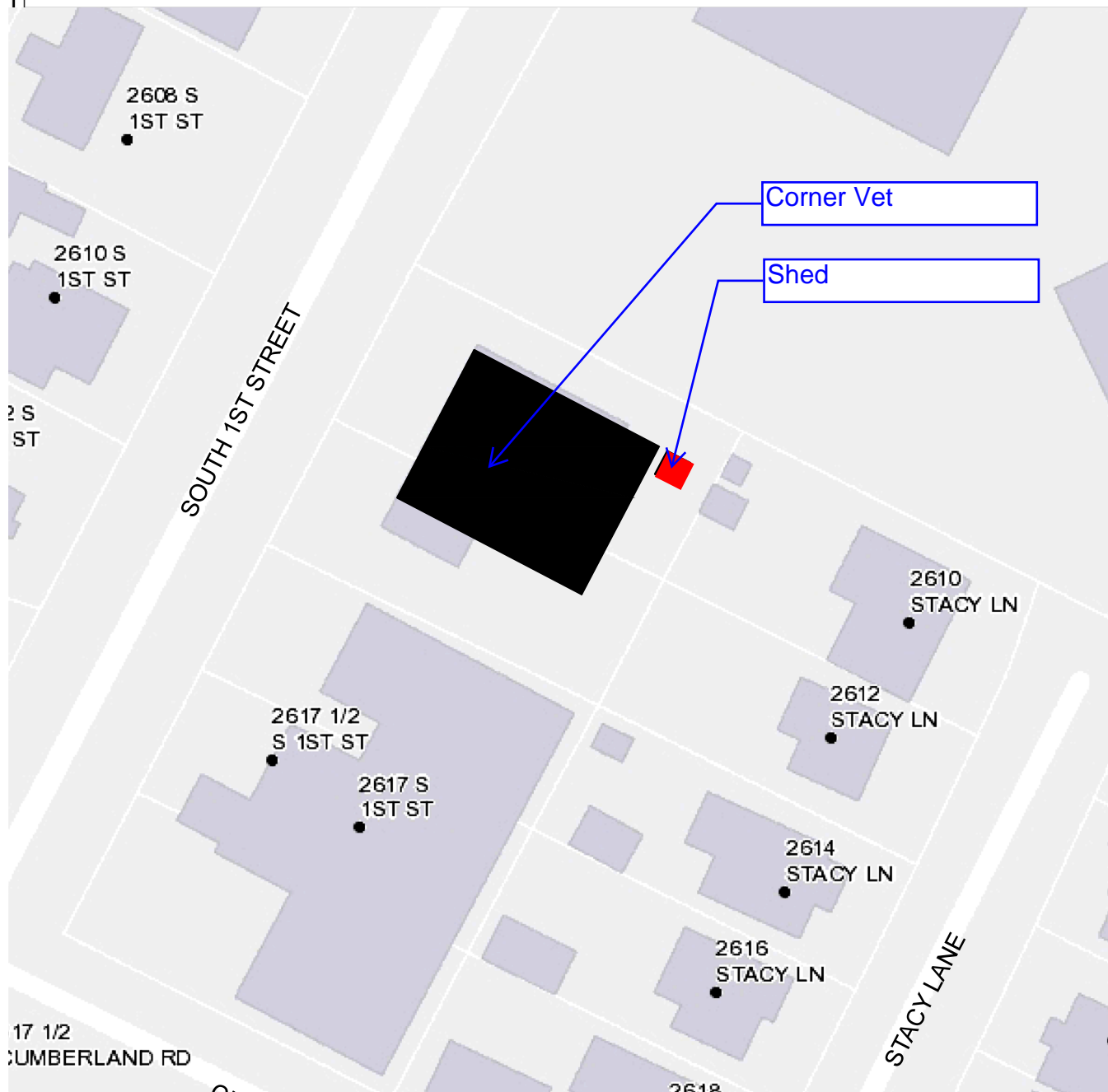
Thank you for your consideration,

Sincerely,

Ryan Lemmo, AIA  
TX Lic. #24231



# Property Profile



0.0 0.01 0.0 Miles

NAD\_1983\_StatePlane\_Texas\_Central\_FIPS\_4203\_Feet

Date Printed:

## BOARD OF ADJUSTMENTS REVIEW

CORNER VET  
2613 SOUTH 1ST STREET  
AUSTIN, TEXAS 78703

DRAWING TITLE:

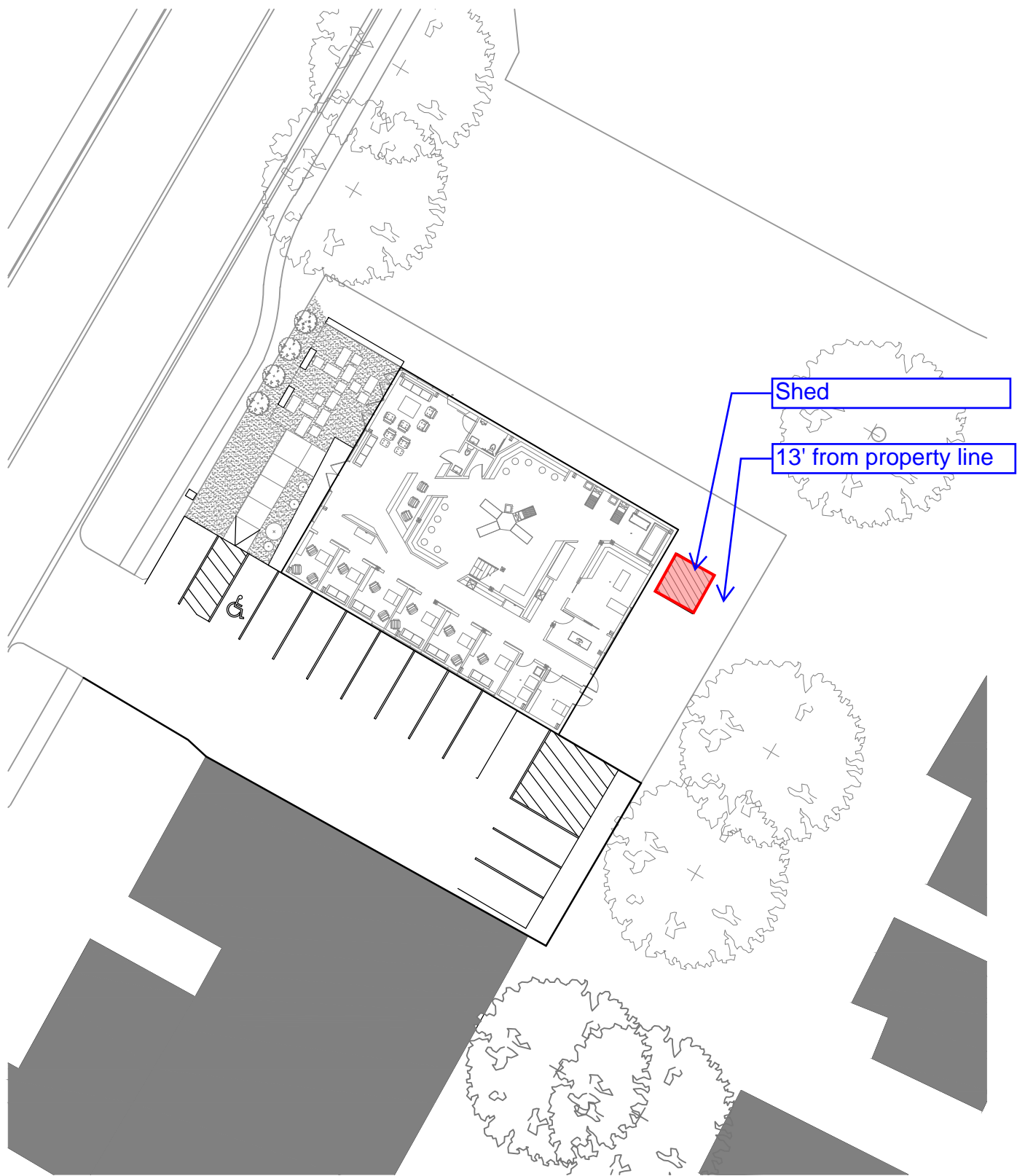
AREA MAP

SCALE: NTS

DATE: 11/1/17

PROJECT NUMBER: 1603





**BOARD OF ADJUSTMENTS REVIEW**

CORNER VET  
2613 SOUTH 1ST STREET  
AUSTIN, TEXAS 78703

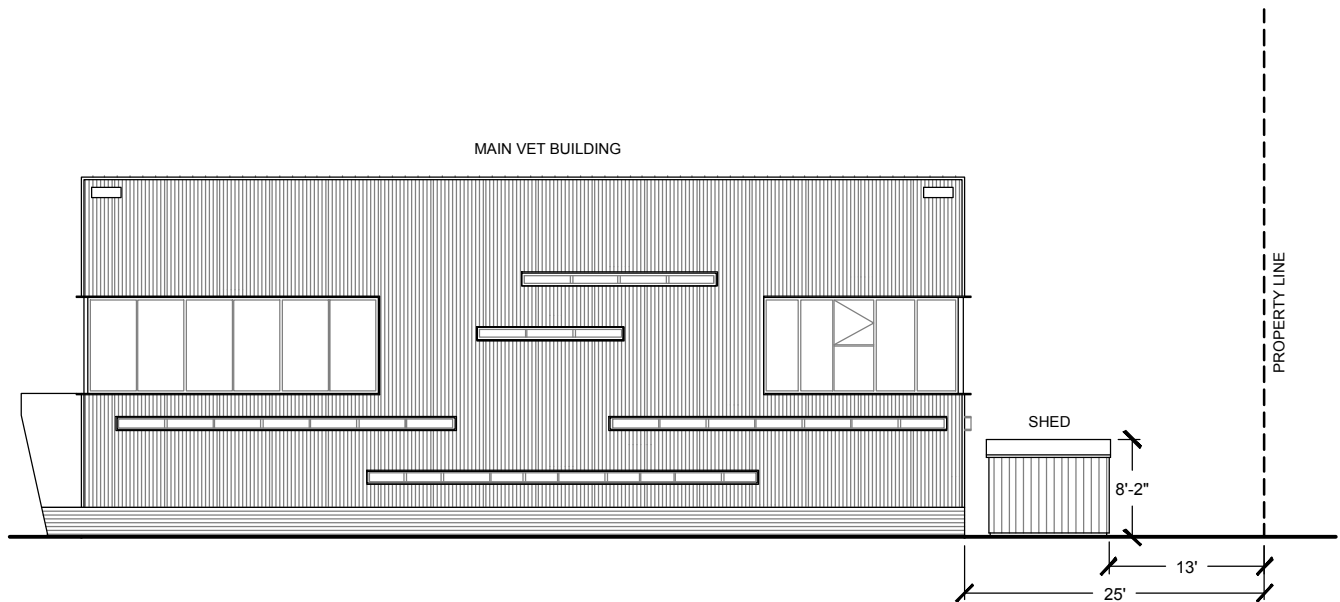
DRAWING TITLE:

PLAN

SCALE: 1/32" = 1'

DATE: 11/1/17

PROJECT NUMBER: 1603



## BOARD OF ADJUSTMENTS REVIEW

**CORNER VET**  
2613 SOUTH 1ST STREET  
AUSTIN, TEXAS 78703

DRAWING TITLE:

**ELEVATION**

SCALE: 1/16" = 1'

DATE: 11/1/17

PROJECT NUMBER: 1603

SHED



VIEW OF SHED FROM SOUTH 1ST

Corner Vet: Board of Adjustment

DRAWING TITLE:

Photos

SCALE: NA

DATE: 11.21.17

PROJECT NUMBER: 1603





SHED CLOSE UP

Corner Vet: Board of Adjustment

DRAWING TITLE:

Photos

SCALE: NA

DATE: 11.21.17

PROJECT NUMBER: 1603



SHED FROM PARKING LOT

Corner Vet: Board of Adjustment

DRAWING TITLE:

Photos

SCALE: NA

DATE: 11.21.17

PROJECT NUMBER: 1603

November 20, 2017

Andrew Luna  
Paz Veterinary  
2613 S. 1<sup>st</sup> St. Austin TX

Dear Andrew,

I am responding to your appeal to the neighborhood for support. Paz Veterinary is a valuable and respected business in Dawson Neighborhood. We're very glad you chose to make your home here! Your remodeling and landscaping have improved the appearance of the community and I enjoy the sight as I pass by on evening walks.

It is my understanding that Paz has a back yard storage shed which was built in good faith, with City permits, but Paz has since been ordered to make expensive changes or even demolish it.

As the shed is completely out of sight from the street, presents no imaginable hazard or nuisance, and you have the informed support of your surrounding neighbors, I cannot imagine opposing it! I urge the City of Austin to grant you a variance and approve the structure which you have built with their design approval.

Please don't hesitate to reach out to me if I can be of further support.

Chad Vanderlinden  
3811 Wadford Street  
Dawson Neighborhood Organization  
[REDACTED]  
512-850-6075







I, Paz Veterinary, as a applying for a variance from the Board of Adjustment regarding Section § 25-2-1063 (B) of the Land Development Code. The variance would allow me the ability to Keep the shed in the back of our building.

By signing this form, I understand that I am declaring my support for the variance being requested.

Property Owner Name (Printed)	Address	Signature
Jason Callahan	2612 Stacy Ln, Austin, TX	<i>Jason Callahan</i>
Michael Moody	2614 Stacy Ln, Austin, TX	<i>Michael Moody</i>
Chris Harper	2610 Stacy Ln, Austin, TX	<i>Chris Harper</i>
<i>Pamy Soskin</i>	<i>2617 <del>2600</del> SOUTH 1ST AUSTIN TX</i>	<i>Pamy Soskin</i>
<i>MAK LINDSAY</i>	<i>2607 S. 1ST ST. AUSTIN</i>	<i>Made Lindsay</i>



I, Paz Veterinary, as applying for a variance from the Board of Adjustment regarding Section § 25-2-1063 (B) of the Land Development Code. The variance would allow me the ability to Keep the shed in the back of our building.

By signing this form, I understand that I am declaring my support for the variance being requested.

Property Owner Name (Printed)	Address	Signature
<u>Wm Smith</u>	<u>2417 S. First St.</u>	<u>[Signature]</u>
<u>Wm A. Ruess</u>	<u>2409 S. 2nd St.</u>	<u>[Signature]</u>