CITY OF AUSTIN
Board of Adjustment Decision Sheet

DATE: Wednesday February 5, 2020
CASE NUMBER: C15-2020-0006
$\qquad$ Brooke Bailey OUT
Jessica Cohen
Ada Corral
Melissa Hawthorne
William Hodge
Don Leighton-Burwell
Rahm McDaniel OUT
Darryl Pruett
Veronica Rivera
Yasmine Smith OUT
Michael Von Ohlen
Kelly Blume (Alternate)
Martha Gonzalez (Alternate) OUT
Denisse Hudock (Alternate) OUT

## APPLICANT: Ron Thrower

OWNER: Patrick Dunn
ADDRESS: 2309 and 2311 QUARRY RD
VARIANCE REQUESTED: The applicant is requesting a variance( $s$ ) from Section 25-2-515 (Rear Yard of a Through Lot) from setback requirements to decrease the minimum rear yard setback for each lot 2309 \& 2311 Quarry Rd. from 25 feet (required) to 10 feet (requested) in order to erect a single-family residence per lot in a SF-3", Single-Family Residence zoning district.

Note: Per LDC for a Through Lot, a rear yard must comply with the minimum requirements applicable to a front yard.
BOARD'S DECISION: BOA February 5, 2020 POSTPONED TO MARCH 9, 2020 BY APPLICANT DUE TO SHORTAGE OF BOARD MEMBERS

## 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:

## P-8/2

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:


January 17, 2020

Victoria Haase
2309 Quarry Rd
Austin TX, 78703
Property Description: W 110 FT OF LOT 6 *\& E 4 FT OF LOT 7 BLK 2 WESTFIELD A

## Re: C15-2020-0006

Dear Victoria,
Austin Energy (AE) has reviewed your application for the above referenced property, requesting that the Board of Adjustment consider a variance(s) from the following section of the Land Development Code;

Section 25-2-515 (Rear Yard of a Through Lot) setback requirements; to decrease the minimum rear yard setback for each lot 2309 \& 2311 Quarry Rd. from 25 feet (required) to 10 feet (requested); In order to erect a single-family residence per lot in a SF-3", Single-Family Residence zoning district.

Austin Energy does not oppose requested variance, provided any proposed and existing improvements follow Austin Energy clearance criteria requirements, the National Electric Safety Code and OSHA. Any removal or relocation of existing electric facilities will be at owners/applicants' expense.

Please use this link to be advised of our clearance and safety requirements.
https://austinenergy.com/wcm/connect/8bb4699c-7691-4a74-98e7-
56059e9be364/Design+Criteria+Manual+Oct+2015.pdf?MOD=AJPERES
see - Page 92-1.10.0 Clearance and Safety Requirements.
If you require further information or have any questions regarding the above comments, please contact our office. Thank you for contacting Austin Energy.

## Eben Kellogg, Property Agent

Austin Energy
Public Involvement | Real Estate Services
2500 Montopolis Drive
Austin, TX 78741
(512) 322-6050

## BOA GENERAL REVIEW COVERSHEET

CASE: C15-2020-0006
ADDRESS: 2309 \& 2311 Quarry Rd OWNER: Patrick N. Dunn

BOA DATE: February 5, 2020
COUNCIL DISTRICT: 10
AGENT: Ron Thrower

ZONING: SF-3-NP (WANG)

## LEGAL DESCRIPTION: W 110 FT OF LOT 6 *\& E 4 FT OF LOT 7 BLK 2 WESTFIELD A

VARIANCE REQUEST: reduce through lot setback requirement of 25 ft . to 10 ft .
SUMMARY: erect one single-family residence \& associated accessory structure
ISSUES: 9 protected trees, 3 of which are Heritage

|  | ZONING | LAND USES |
| :--- | :--- | :--- |
| Site | SF-3-NP | Single-Family |
| North | SF-3-NP | Single-Family |
| South | SF-3-NP | Single-Family |
| East | SF-3-NP | Single-Family |
| West | SF-3-NP | Single-Family |

## NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District
Austin Lost and Found Pets
Austin Neighborhoods Council
Bike Austin
Central West Austin Neighborhood Plan Contact Team
Friends of Austin Neighborhoods
Neighborhood Empowerment Foundation
Preservation Austin
SELTexas
Save Barton Creek Assn.
Sierra Club, Austin Regional Group
TNR BCP - Travis County Natural Resources
Tarrytown Alliance
Tarrytown Neighborhood Association
West Austin Neighborhood Group



# 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: 2309 \& 2311 Quarry Road
Subdivision Legal Description:
2309: East 60 feet of the West 110 feet of Lot 6, Block 2, Westfield A Subdivision
2311: West 50 feet of Lot 6 and East 4 feet of Lot 7, Block 2, Westfield A Subdivision

Lot(s): $\qquad$ Block(s):
Outlot: $\qquad$ Division:
$\qquad$

Zoning District: SF-3-NP

I/We A. Ron Thrower
on behalf of myself/ourselves as
authorized agent for Centex Urban Ventures, LLC (Patrick Dunn) affirm that on

Month November , Day 6 , Year 2019 , hereby apply for a hearing before the Board of Adjustment for consideration to (select appropriate option below):

- Erect
-Attach
OComplete
○Remodel
- Maintain
O Other:
$\qquad$
Type of Structure: 1- single-family residential home \& associated accessory structure PER LOT

Portion of the City of Austin Land Development Code applicant is seeking a variance from: 25-2-515 - REAR YARD OF THROUGH LOT - to decrease the rear yard setback from 25 ft . (required) to 10 ft . (requested) PER LOT. BOTH of the lots (2309 \& 2311) are seeking a reduction in the rear setback from 25 ft . to 10 ft .

## 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 requirement of a 25 ft . no-build setback from both the front and rear lot-line reduces the area the can be developed. Those areas outside of the setback are populated with 9 protected trees, 3 of which are Heritage. The property cannot be reasonably developed when abiding by both the setback requirement and tree protections.

## Hardship

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

There are several protected and heritage trees on the properties that require greater flexilility for building placement in order to preserve the trees.
b) The hardship is not general to the area in which the property is located because: Most structures on this block were built in the 1940's; before the implementation of the Tree Preservation Ordinance.

## P-8/8

## 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:

The variance will not alter the character of the area as it will preserve the trees and will have development that is consistent with the other 15 lots along this block that use Quarry Rd as the front Iot-line and W 12th Street as the rear lot line where garages are placed. Two properties have received the same variance to work new development among the mature trees.

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:
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:
3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:
4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

## P-8/9

## 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: <br> A. Ron Thrower |  | Date: 11/06/2019 |
| :---: | :---: | :---: |
| Applicant Name (typed or printed): A. Ron Thrower |  |  |
| Applicant Mailing Address: P.O. Box 41957 |  |  |
| City: Austin | State: TX | Zip: 78704 |
| Phone (will be public information): (512) 476-4456 |  |  |
| 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: 11/06/2019
Owner Name (typed or printed): _Patrick N. Dunn
Owner Mailing Address: 10318 Lake Road, A103
City: Houston
Phone (will be public information): _ 281-370-6687
Email (optional - will be public information):
State: $\qquad$ Zip: 77070

## Section 5: Agent Information

Agent Name: Thrower Design (A. Ron Thrower and Victoria Haase)
Agent Mailing Address: P.O. Box 41957
City: Austin State: TX Zip: 78704

Phone (will be public information): (512) 476-4456
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).
The subject properties (2309 \& 2311) are two legal lots according to C8I-00-2179 \& C8I-00-2180. The lots will be developed independently so that each lot will have a single-family house and an accessory structure (garage). Total development between both lots will yield 2 single-family homes and 2 accessory units (garage); One house and one garage per lot.


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## P-8/11

Areas in red is where development cannot happen due to LDC requirements and/or active deed restrictions.








160 vexstima ters robera




## P-8/12


P-8/13


based on a bearing
S60
points $A$ and $B$ labeled hereon.

PREPARED: December 11, 2019


Anne Thayer
Registered Professional
Land Surveyor No. 5850

EXHIBIT MAP OF THE WEST 110 FEET OF LOT AND THE EAST 4 FEET OF LOT 7,BLOCK 2 . WESTFIELD "A", A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 3 PAGE 107 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS. page 1 of 3
(©) $1 / 2$ I Iron Rod Found
pf() $1 / 2^{\prime \prime}$ Iron Pipe Found

- Fence Corner Post Found
$\otimes$ Chiseled "X" Found
$\otimes$ Calculated Point
(Record Bearing and Angle) per Plat


WEST 12TH STREET (ROWVARIES)



EXHIBIT MAP OF THE WEST 110 FEET OF LOT 6 AND THE EAST 4 FEET OF LOT 7,BLOCK 2, WESTFIELD "A", A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 3 PAGE 107 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS PAGE 2 OF 3

EXHIBIT MAP OF THE WEST 110 FEET OF LOT 6 AND THE EAST 4 FEET OF LOT 7, BLOCK 2, WESTFIELD "A", A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 3 PAGE 107 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS.PAGE 2 OF 3

> (a) Arnold Church and Eva Church I west 50 of Lot 6 and the East four feet of Lot 71 Volume 6817 Page 2283

$$
\begin{aligned}
& \text { Adrienne C. Curil and Ross E. Milloy } \\
& \text { least 52.5' of west 105' of Lot 5) } \\
& \text { Volume } 7782 \text { Page } 231 \\
& \text { e) } \\
& \text { EDUCM. INC. } \\
& \text { (west 52.5' of Lot } 51 \\
& \text { Document No. 2019136233 } \\
& \text { ff } \\
& \text { David W. Brown and Kristin A. Brown } \\
& \text { Document No. } 2015093133
\end{aligned}
$$

> (b) Timothy J. Herman and Mary G. Cameron least 60 of the west 110 of Lot 6 ) Volume 6505 Page 485
(c)

Olwyn Davies Anderson Document No. 200508733

## ——— LEGEND <br> $\qquad$

(-) $1 / 2^{\prime \prime}$ Iron Rod Found
ipf © $1 / 2^{\prime \prime}$ Iron Pipe Found

- Fence Corier Post Found
$\otimes$ Chiseled "X" Found
Record Bearing and Distance)
JLB 1975= survey by J.Leroy Bush, RPLS 1828 April 30,1975 $C F B=1954$ survey by Cloude F.Bush RPLS 202 April 8,1958 CFB 1954 = survey by Claude F.Bush RPLS 202 November 6, 1954

PREPARED: December 11, 2019


Anne Thayer
Registered Professional
and Surveyor No 5850





## 2309 \& 2311 Quarry Road - C15-2020-0006



## P-8/20

November , 2019

## City of Austin

## Board of Adjustment

Re: Building setback variance for 2309 and 2311 Quarry Lane; (25-2-515 of LDC)

Board Members -

I write to communicate my support of the property owner's request for a 10 foot building setback from W. $12^{\text {th }}$ Street (rear lot line).

Please feel free to contact me if you have questions.

Thank you,
Lizzie Clarke

Name CLARKE
Address 2306 QUARRY RD
Phone number $713-478.7544$

## P-8/21

November 13, 2019

## City of Austin

## Board of Adjustment

Re: Building setback variance for 2309 and 2311 Quarry Lane; (25-2-515 of LDC)

Board Members -

I write to communicate my support of the property owner's request for a 10 foot building setback from W. $12^{\text {th }}$ Street (rear lot line).

Please feel free to contact me if you have questions.

Thank you, 16

Name BROWN, DAVID = Kelt
Address 2315 QuarRy RP.
Phone number $512-773-1210$

## P-8/22

November 14,2019

## City of Austin

## Board of Adjustment

Re: Building setback variance for 2309 and 2311 Quarry Lane; (25-2-515 of LDC)

Board Members -

I write to communicate my support of the property owner's request for a 10 foot building setback from W. $12^{\text {th }}$ Street (rear lot line).

Please feel free to contact me if you have questions.

Thank you,


Name
PETE UNSSDVR
Address $230 \leq$ QUARRY RD.
Phone number $(512) 914-1312$

## P-8/23

November $/ 4,2019$

## City of Austin

## Board of Adjustment

Re: Building setback variance for 2309 and 2311 Quarry Lane; (25-2-515 of LDC)

Board Members -

I write to communicate my support of the property owner's request for a 10 foot building setback from W. $12^{\text {th }}$ Street (rear lot line).

Please feel free to contact me if you have questions.

Thank you,

GAMBLE, Phil Nasik

Address $2305 \omega, 12^{+b}=51$.
Phone number $(572) 632-5049$

## P-8/24

November 12, 2019

## City of Austin

Board of Adjustment

Re: Building setback variance for 2309 and 2311 Quarry Lane; (25-2-515 of LDC)

Board Members -

I write to communicate my support of the property owner's request for a 10 foot building setback from W. $12^{\text {th }}$ Street (rear lot line).

Please feel free to contact me if you have questions.

Thank you,

Name Anderson d
Address 2307 OQUARAXY RD.
Phone number
${ }^{\prime}$ WIN $\leq G A N$ ANYTHING BUTI wont oppose it."
be available from the responsible department. department no later than 10 days after the decision. An appeal form may
 the subject property or proposed development. has an interest in or whose declared boundaries are within 500 feet of is an officer of an environmental or neighborhood organization that or proposed development; or
is the record owner of property within 500 feet of the subject property property or proposed development;

- occupies a primary residence that is within 500 feet of the subject


## appearing and speaking for the record at the public hearing;

長。 notice); or during the public hearing that generally identifies the issues of - delivering a written statement to the board or commission before or board or commission by: owner of the subject property, or who communicates an interest to a An interested party is defined as a person who is the applicant or record
will determine whether a person has standing to appeal the decision. can appeal the decision. The body holding a public hearing on an appeal standing to appeal, or an interested party that is identified as a person who A board or commission's decision may be appealed by a person with than 60 days from the announcement, no further notice is required. specific date and time for a postponement or continuation that is not later or denial of the application. If the board or commission announces a continue an application's hearing to a later date, or recommend approval During a public hearing, the board or commission may postpone or application affecting your neighborhood. environmental organization that has expressed an interest in an development or change. You may also contact a neighborhood or




Scan \& Email to: elaine.ramirez@austintexas.gov
 Austin, TX 78767-1088 8801 XOG ${ }^{\circ}{ }^{\circ} \mathrm{d}$ Elaine Ramirez City of Austin-Development Services Department/ 1st Floor
Elaine Ramirez If you use this form to comment, it may be returned to:


| GEEG PETERS | I am in favor Z I object |
| :---: | :---: |
| Your Name (please print) |  |
| $Z Z O O ~ Q U A R R Y ~$ |  |


|  |  |
| :---: | :---: |
|  |  |
|  |  | received will become part of the public record of this case. Case Number; and the contact person listed on the notice. All comments board or commission, or Council; the scheduled date of the public hearing; the before or at a public hearing. Your comments should include the name of the Written comments must be submitted to the contact person listed on the notice department no later than 10 days after the decision. An appeal form may

 the subject property or proposed development. has an interest in or whose declared boundaries are within 500 feet of

- is an officer of an environmental or neighborhood organization that - is the record owner of property within 500 feet of the subject property
or proposed development; or property or proposed development;
- occupies a primary residence that is within 500 feet of the subject兑 appearing and speaking for the record at the public hearing; ло ! (аэ! concern (it may be delivered to the contact person listed on a delivering a written statement to the board or commission before or
during the public hearing that generally identifies the issues of board or commission by: owner of the subject property, or who communicates an interest to a An interested party is defined as a person who is the applicant or record
will determine whether a person has standing to appeal the decision. can appeal the decision. The body holding a public hearing on an appeal standing to appeal, or an interested party that is identified as a person who A board or commission's decision may be appealed by a person with than 60 days from the announcement, no further notice is required. specific date and time for a postponement or continuation that is not later or denial of the application. If the board or commission announces a continue an application's hearing to a later date, or recommend approval During a public hearing, the board or commission may postpone or application affecting your neighborhood. environmental organization that has expressed an interest in an
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 A notice of appeal must be filed with the director of the responsible has an interest in or whose declared boundaries are within 500 feet of
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or proposed development; or and: 10 ! (כ?! $10 и$ concern (it may be delivered to the contact person listed on a during the public hearing that generally identifies the issues of - delivering a written statement to the board or commission before or owner of the subject property, or who communicates an interest to a
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 have the opportunity to speak FOR or AGAINST the proposed hearing, you are not required to attend. However, if you do attend, you Although applicants and/or their agent(s) are expected to attend a public


## 


If you use this form to comment, it may be returned to:
Your addressyes) affected by this application
Daytime Telephone: $\frac{512-751-9333}{\text { Signature }}-\frac{1 / 26 / 20}{\text { Date }}$
Comments: $\frac{1 \text { object to any cude vericuces. }}{\text { They should lave heen obterned }}$
priur to purchasing the lot.
Case Number: C15-2020-0006
Contact: Elaine Ramirez, 512-974-2202
Public Hearing: Board of Adjustment; February $5^{\mathrm{th}}, 2020$
CREG PETERS
Your Name (please print)
1306 MERIDEN LANE
received will become part of the public record of this case. 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 before or at a public hearing. Your comments should include the name of Written comments must be submitted to the contact person listed on the notice

