

**CITY OF AUSTIN
Board of Adjustment
Decision Sheet**

DATE: Monday, May 11, 2020

CASE NUMBER: C15-2020-0006
Item #

_____**Brooke Bailey**
_____**Jessica Cohen**
_____**Ada Corral**
_____**Melissa Hawthorne**
_____**William Hodge**
_____**Don Leighton-Burwell**
_____**Rahm McDaniel**
_____**Darryl Pruet**
_____**Veronica Rivera**
_____**Yasmine Smith**
_____**Michael Von Ohlen**
_____**Kelly Blume (Alternate)**
_____**Martha Gonzalez (Alternate)**

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; MARCH 9, 2020** The public hearing was closed by Chair Don Leighton-Burwell, Board Member Melissa Hawthorne motions to Postpone to April 13, 2020, Board Member William Hodge seconds on an 11-0 vote; **POSTPONED TO APRIL 13, 2020.** April 13, 2020 Due to the on-going need for social-distancing while continuing our efforts as a community to address the health concerns around COVID-19 , Chair of BOA Chair, Don Leighton-Burwell has postponed our April 13, 2020 Board of Adjustment meeting until the next scheduled date on May 11, 2020. This will include all previously postponed cases slated to be heard at the April 13th meeting; those will now be heard at the May 11, 2020 meeting.

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:

Elaine Ramirez
Executive Liaison

Don Leighton-Burwell
Chairman

Thrower Design

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(512) 476-4456

April 24, 2020

Board of Adjustment Members
City of Austin

RE: C15-2020-0006 – 2309 & 2311 Quarry Road

Dear Board Members,

We hope all are well and safe during this time and we thank you for your continued service through one of the major events of the century!

We presented our request to the Board to decrease the rear-lot setback from 25 feet to 10 feet for the two subject properties on March 9th. The Board postponed the case giving direction to provide additional information to better inform a decision at the next hearing. We have researched the questions and have answers provided below. Should the Board find it fair and reasonable to approve a 15 foot setback, as established by precedent on this street, we are amenable to that decision.

Inquiry #1: What is the setback average for properties along the south side of W. 12th Street?

The setback average of the properties across the street at 2309 and 2307 W 12th Street, is 27.19 feet. Looking at the entire block face, the south side of W. 12th, the average is 29.54 feet. However, it is misleading to use the front setback of a group of properties to determine the rear setback of a another set of properties. It makes more sense to compare rear setback averages. The rear-setback average for the properties that flank the subject tracts, 2315 and 2307 Quarry Rd, is 20.79 feet. **Exhibit A** shows a side by side comparison of the setback distance for each lot on the north and south sides of W. 12th. The measurement is from the TCAD parcel line to the nearest structure which could be an accessory unit (garage or shed) or the primary structure/house. Looking further down the street at all the properties along the north side of W 12th, the setback average is 20.71 feet. The shortest setback is 1.16 feet and the largest is 68.95 ft. Looking down W. 12th on the south side of the street, the average is 26.14 feet with the largest setback at 72.45 feet and the shortest at 0 feet, where there GIS data shows structures

beyond the property line, into the right-of-way. **Please note that all measurements are based on the accuracy of the City's data. There is little permit history requiring site plan or surveys in this general area.

Inquiry #2: W. 12th Street views

Images of the street view with a birds-eye location map have been provided as **Exhibit B**. To summarize the scenery, most houses on the south side of W. 12th Street look across the street at fences and greenery on the north side of W. 12th Street. There is one property, 2116 & 2112 that fronts on the north side of W. 12th Street and therefore mirrors house orientation of the south side of W. 12th Street.

Inquiry #3: Request to see the floor plan of the home to be built at 2311 Quarry Road.

Floor plans for the structure to be built at 2311 Quarry Road are included as **Exhibit C**. Additionally, the architect prepared modified floor plans and elevations (**Exhibit D**) for both properties considering a 15 foot rear setback, consistent with the two properties that achieved a rear-setback variance from the Board of Adjustment in 2002 and 2017.

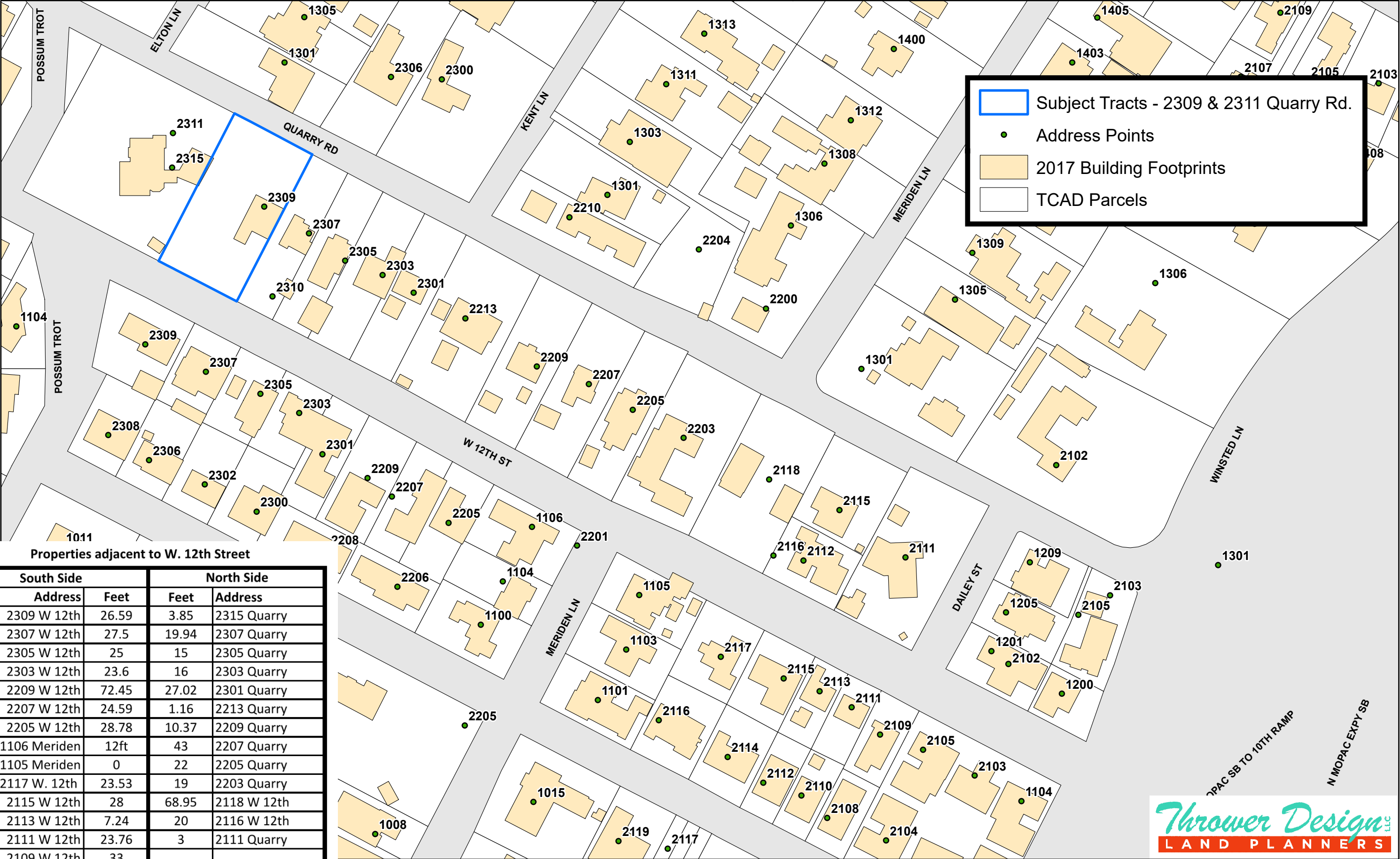
Inquiry #4: What size of home is considered "reasonable use"?

This question is challenging to answer and is largely subjective. Attempting to bring some objectivity to this matter, I researched the size of homes in the surrounding area as shown in **Exhibit E**. The average home size is 2,790 sq. ft. with the minimum home size as 768 sq. ft. and the maximum as 7,453 sq. ft. The difference in home size achieved with the 10 ft. setback variance and a 15ft. setback variance is 477 sq. ft. for the proposed structure at 2309 Quarry Road and 385 sq. ft. for the proposed structure at 2311 Quarry Road. As mentioned earlier in this letter, our client does not object to a 15ft. setback variance if the Board finds this is more reasonable, fair and consistent.

With this additional information, we respectfully request the Boards approval for a setback variance to 15ft. for the rear setback of these two properties.

Respectfully submitted,

Victoria Haase



Properties adjacent to W. 12th Street

South Side		North Side	
Address	Feet	Feet	Address
2309 W 12th	26.59	3.85	2315 Quarry
2307 W 12th	27.5	19.94	2307 Quarry
2305 W 12th	25	15	2305 Quarry
2303 W 12th	23.6	16	2303 Quarry
2209 W 12th	72.45	27.02	2301 Quarry
2207 W 12th	24.59	1.16	2213 Quarry
2205 W 12th	28.78	10.37	2209 Quarry
1106 Meriden	12ft	43	2207 Quarry
1105 Meriden	0	22	2205 Quarry
2117 W. 12th	23.53	19	2203 Quarry
2115 W 12th	28	68.95	2118 W 12th
2113 W 12th	7.24	20	2116 W 12th
2111 W 12th	23.76	3	2111 Quarry
2109 W 12th	33		
2105 W 12th	22		

Average: 26.14571 20.71462

C15-2020-0006 – 2309 & 2311 Quarry Lane

West 12th Street looking east at the intersection with Possum Trot

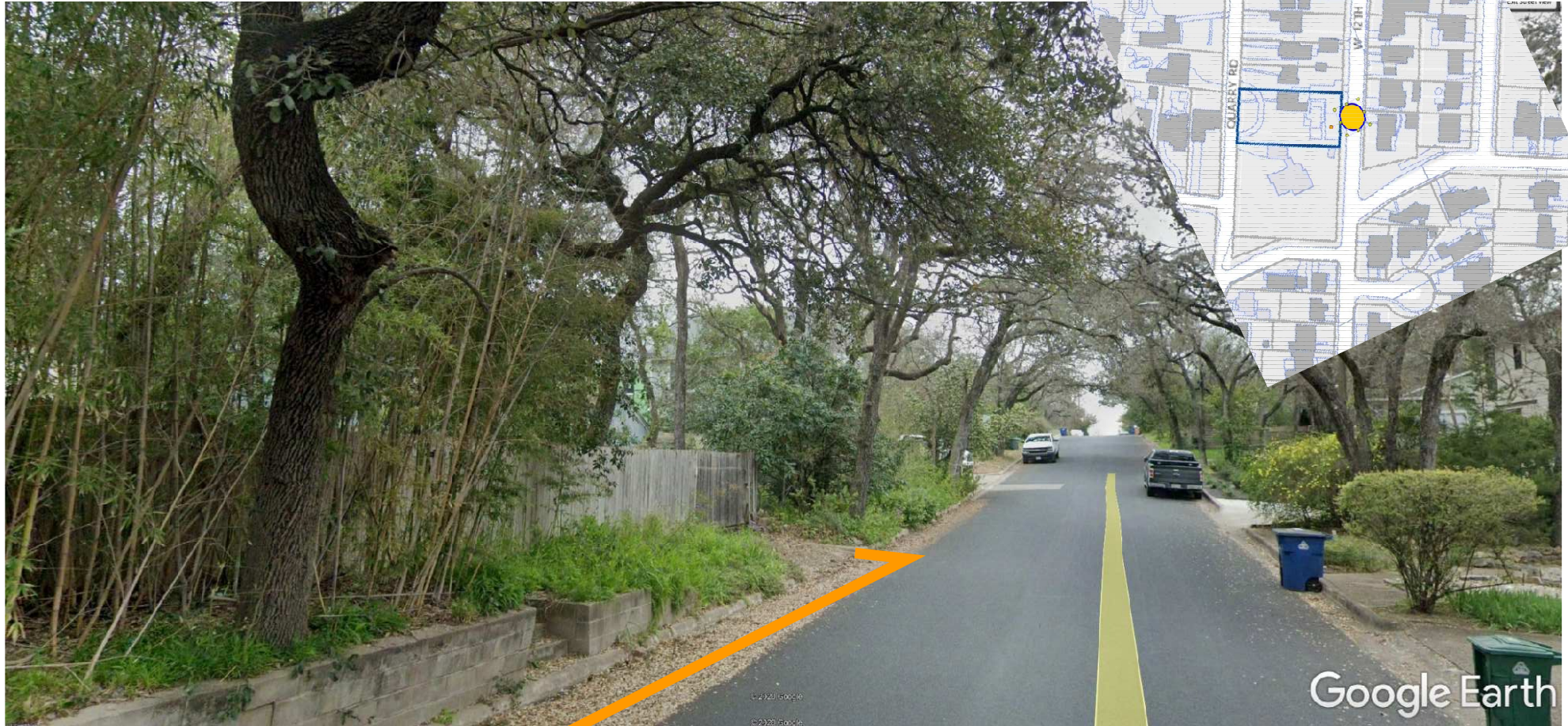
Tree/playhouse @
8.5ft. setback



Subject
Properties

You are here

West 12th Street looking east



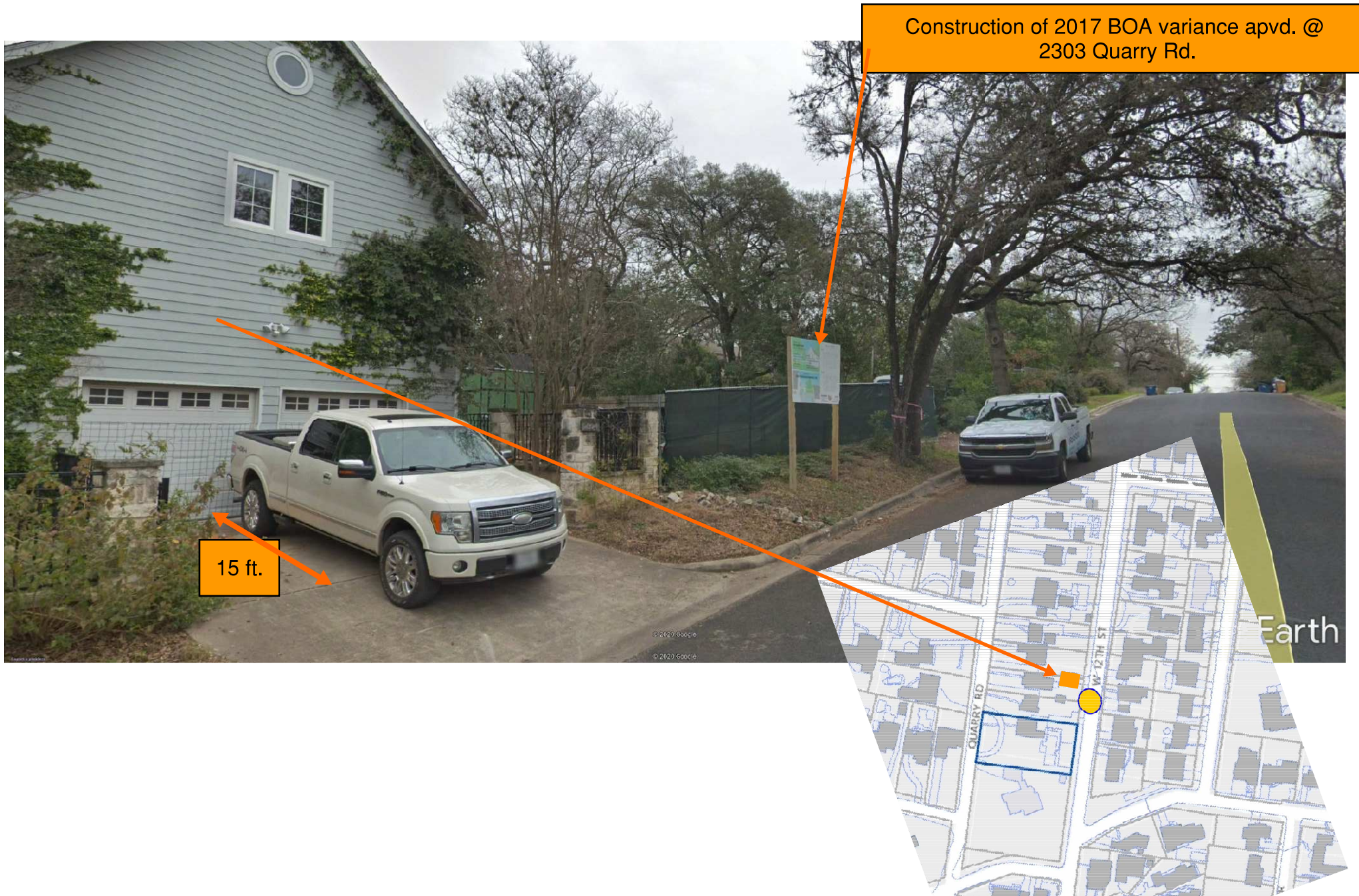
Rear of subject
properties

W. 12th Street **looking west** – showing front setback of houses along the south side of W. 12th Street

Rear of subject properties



W. 12th Street, **looking east** – showing the rear setback of properties along the north side of the street. The structure shown is a ADU/garage constructed in 2002 after receiving a BOA variance to reduce the rear setback to 15 feet.



W. 12th Street **looking west** – showing the front yard setback of houses along the southern side of the street.

