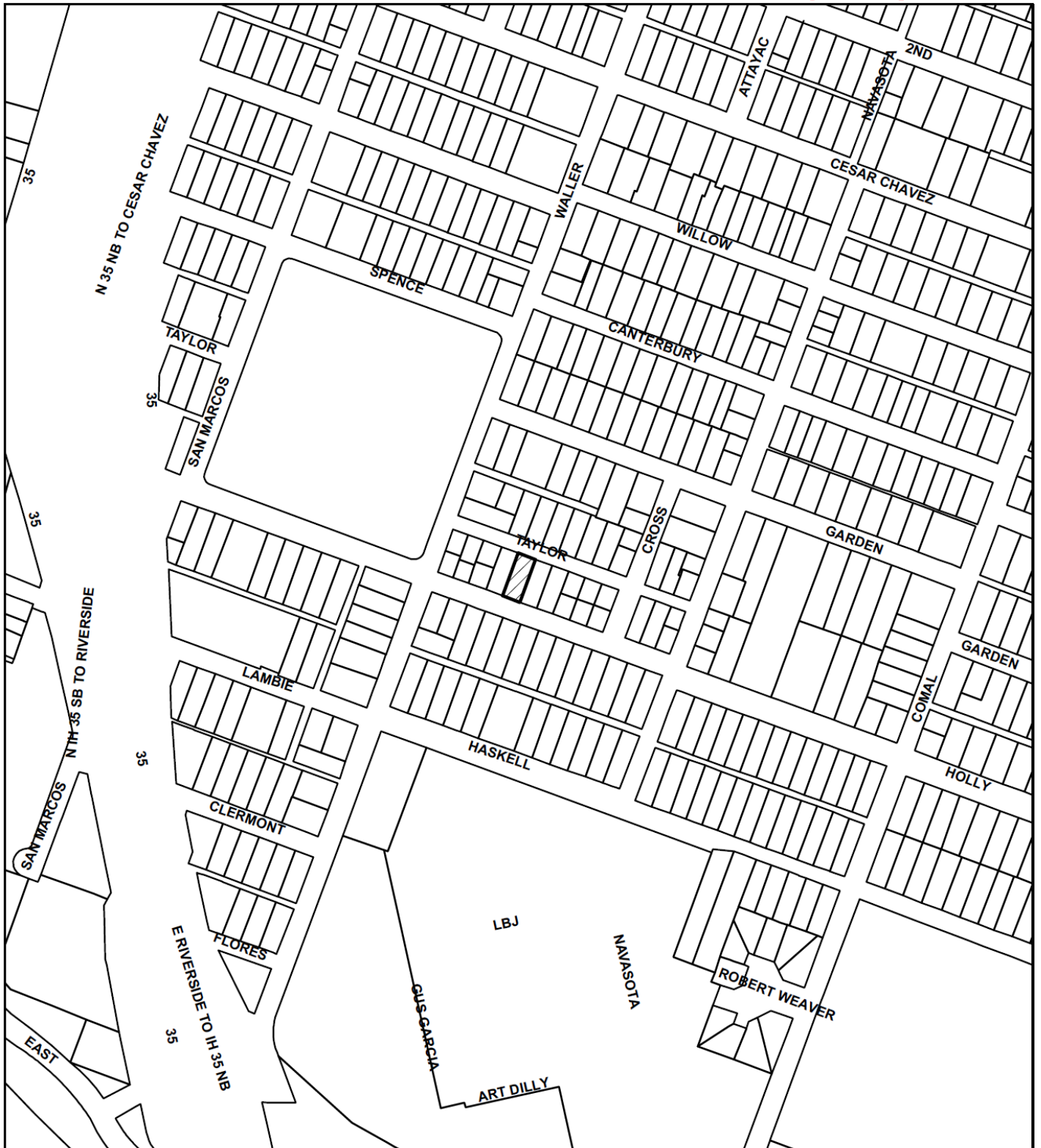





**BOA SIGN REVIEW COVERSHEET****CASE:** C15-2020-0044**BOA DATE:** September 14<sup>th</sup>, 2020**ADDRESS:** 1209 Taylor St**COUNCIL DISTRICT:** 3**OWNER:** Scott McElwain**AGENT:** Eduardo Ponce**ZONING:** SF-3-NP (East Cesar Chavez NP)**LEGAL DESCRIPTION:** LOT 22 OLT 45 DIV O WENDLANDT & STAEHEL RESUB**VARIANCE REQUEST:** Lot size**SUMMARY:** erect a new Residential Primary Structure**ISSUES:** Through Lot and lot less than minimum required

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	SF-3-NP	Single-Family
<i>North</i>	SF-3-NP	Single-Family
<i>South</i>	SF-3-NP	Single-Family
<i>East</i>	SF-3-NP	Single-Family
<i>West</i>	SF-3-NP	Single-Family

**NEIGHBORHOOD ORGANIZATIONS:**

Austin Independent School District  
 Austin Lost and Found Pets  
 Austin Neighborhoods Council  
 Bike Austin  
 Del Valle Community Coalition  
 East Austin Conservancy  
 East Cesar Chavez Neighborhood Association  
 East Cesar Chavez Neighborhood Plan Contact Team  
 East Town Lake Citizens Neighborhood Association  
 El Concilio Mexican-American Neighborhoods  
 Friends of Austin Neighborhoods  
 Greater East Austin Neighborhood Association  
 Guadalupe Neighborhood Development Corporation  
 Homeless Neighborhood Association  
 Neighborhood Empowerment Foundation  
 Neighbors United For Progress  
 Preservation Austin  
 SELTexas  
 Sierra Club, Austin Regional Group  
 Tejano Town



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

1" = 333'

**NOTIFICATIONS**  
**CASE#:**C15-2020-0044  
**LOCATION:**1209 Taylor Street

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.





# Board of Adjustment General/Parking Variance Application

DevelopmentATX.com | Phone: 311 (or 512-974-2000 outside Austin)  
For submittal and fee information, see [austintexas.gov/digitaldevelopment](http://austintexas.gov/digitaldevelopment)

## 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 # _____
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## Section 1: Applicant Statement

Street Address: 1209 TAYLOR ST, AUSTIN TX 78702

Subdivision Legal Description:

LOT 22 OLT 45 DIV O WENDLANDT & STAEHELY RESUB

Lot(s): 22 Block(s): \_\_\_\_\_

Outlot: 33 & 45 Division: O

Zoning District: SF-3-NP

I/We Eduardo Ponce | Forsite Studio on behalf of myself/ourselves as

authorized agent for Scott McElwain affirm that on

Month August, Day 8, Year 2020, 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: New primary residential structure

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

I am requesting a variance from the Land Development Code Section 25-2-774 (B) Site Development regulation for a SF-3-NP residential property for a Minimum Lot size of 5,750 sq. ft. (required) to 5,647 sq.ft.(requested)

## 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:

East Cesar Chavez NP outlined objectives include, preserving home ownership and physical features of the neighborhood. Maintain and increase the number of homeowners in the neighborhood. Minimum lot requirement of 5,750 sf restricts the increase of homeowners in the area. Existing lot size is 5,647 sf just short by 103sf of meeting minium requirement.

### Hardship

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

SF-3 Lot size less than lot minimum required for 2 Family residential. This prevents the lot from meeting some of the objectives of the East Cesar Chavez NP

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

Majority of the lots in the area not through lots. This lot presents a unique oportunity for homes with street frontage.

## 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:

Proposed new construction is within the original intentions of the neighborhood plan and  
existing residential structures on adjacent lots.

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## 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: Eduardo Ponce Digitally signed by Eduardo Ponce  
Date: 2020.07.31 15:13:20 -05'00' Date: 07/31/2020

Applicant Name (typed or printed): Eduardo Ponce | Forsite Studio

Applicant Mailing Address: 1205 E Cesar Chavez

City: Austin State: TX Zip: 78702

Phone (will be public information): (512) 436-1901

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: Scott McElwain Digitally signed by Scott McElwain  
Date: 2020.08.07 13:26:22 -05'00' Date: 08/07/2020

Owner Name (typed or printed): Scott McElwain

Owner Mailing Address: 1209 Taylor St

City: Austin State: TX Zip: 78702

Phone (will be public information): (972) 998-6929

Email (optional – will be public information): \_\_\_\_\_

**Section 5: Agent Information**

Agent Name: Forsite Studio

Agent Mailing Address: 1205 E Cesar Chavez

City: Austin State: TX Zip: 78702

Phone (will be public information): (512) 436-1901

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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## STANDARD LAND, TOPOGRAPHIC &amp; TREE SURVEY

Address 1209 TAYLOR STREET, Reference DAVID MICHAEL BIVENLot 22 WENDLANDT & STAEHEL RESUBDIVISION IN OUTLOT Nos. 33 & 45 IN DIVISION "O"a subdivision in TRAVIS County, Texas, Book 3 Page 88, Plat Records of TRAVIS County, Texas**ON SITE TEMPORARY BENCH MARK**

SET TRIANGLE CUT ON TOP OF CURB ON THE SOUTH SIDE OF TAYLOR STREET BETWEEN ADDRESSES #1211 & #1209, APPROXIMATELY 240' EAST OF THE INTERSECTION OF WALLER STREET & TAYLOR STREET, APPROXIMATELY 4.0' NORTH OF A CHAINLINK FENCE, AND APPROXIMATELY 20.0' SOUTH OF THE CENTERLINE OF TAYLOR STREET. ELEVATION = 454.13' (ON SITE, SEE DRAWING)

**BASIS OF VERTICAL DATUM**

MONUMENT NO. J-21-2002 AS PUBLISHED BY THE C.O.A. WAS USED AS THE CONTROLLING MONUMENT FOR THIS SURVEY. 4" BRASS DISK FOUND ON SIDEWALK AT THE SOUTHEAST CORNER OF WALLER STREET AND WILLOW STREET. C.O.A. GRID COORDINATES N=10,067,505.38 E=3,117,443.54 ELEVATION=466.21' (OFF SITE)

**FLOOD PLAIN NOTE**

THE PROPERTY DESCRIBED HEREON IS CONTAINED WITHIN ZONE "X" SHADED AS SCALED FROM FIRM MAP NUMBER 48453C0465J, DATED JANUARY 6, 2016, AS PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, THE PURPOSE OF WHICH IS FOR FLOOD INSURANCE ONLY.

**BUILDING SETBACK LINES**

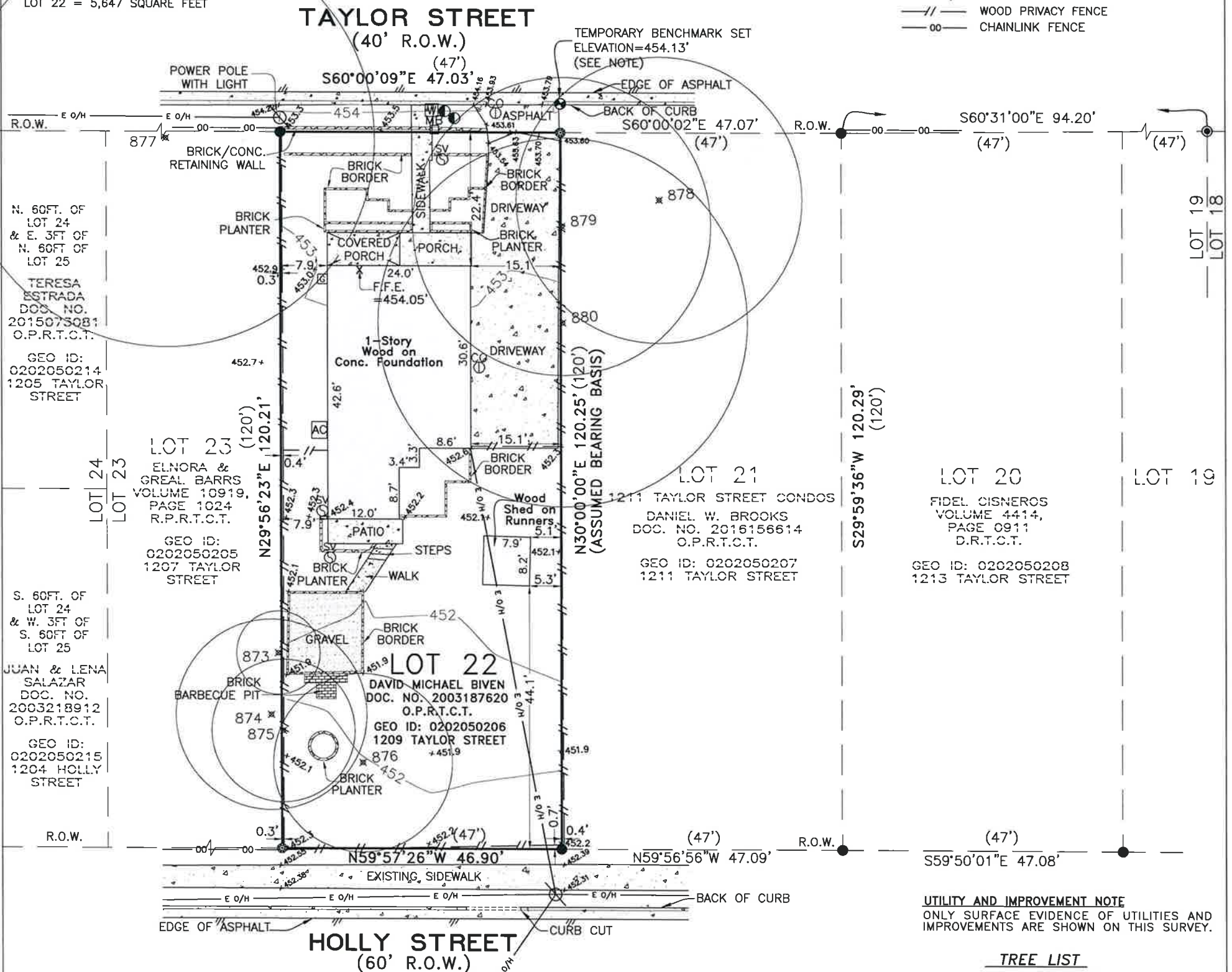
1. ADDITIONAL BUILDING SETBACK LINES AND EASEMENTS THAT MAY AFFECT THIS LOT ARE NOT SHOWN HEREON.  
2. ADDITIONAL BUILDING SETBACK LINES THAT MAY ALSO BE AFFECTED BY LOCAL ZONING ORDINANCE REQUIREMENTS AND RESTRICTIVE COVENANTS ARE NOT SHOWN HEREON.

**LEGEND**

- TEMPORARY BENCHMARK SET
- COTTON GIN SPINDLE FOUND
- 1/2" IRON ROD FOUND WITH NO CAP
- 1/2" IRON PIPE FOUND WITH NO CAP
- (AS PER PLAT) BOOK 3, PAGE 88 (P.R.T.C.T.)
- P.R.T.C.T. PLAT RECORDS, TRAVIS COUNTY, TEXAS
- O.P.R.T.C.T. OFFICIAL PUBLIC RECORDS TRAVIS COUNTY, TEXAS
- R.P.R.T.C.T. REAL PROPERTY RECORDS TRAVIS COUNTY, TEXAS
- D.R.T.C.T. DEED RECORDS TRAVIS COUNTY, TEXAS
- R.O.W. RIGHT-OF-WAY
- F.F.E. FINISHED FLOOR ELEVATION
- AC AIR CONDITIONER PAD
- CONCRETE IMPROVEMENTS
- BRICK IMPROVEMENTS
- DIRT & GRAVEL
- W WATER METER
- WATER VALVE
- WASTEWATER CLEAN OUT
- STREET SIGN
- MB MAILBOX
- G GAS METER
- SV SPRINKLER CONTROL VALVE
- OVERHEAD ELECTRIC/TELEPHONE LINE WITH POWER POLE
- BREAK ON LINE (NOT TO SCALE)
- WOOD PRIVACY FENCE
- CHAINLINK FENCE

SCALE 1"=20'

**LOT SQUARE FOOTAGE**  
LOT 22 = 5,647 SQUARE FEET

**RESTRICTIVE COVENANTS AND EASEMENTS**

RESTRICTIVE COVENANTS AND EASEMENTS AS RECORDED IN BOOK 3, PAGE 88, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS DO AFFECT THE SUBJECT LOT.

**COMMITMENT NOTE**

A TITLE COMMITMENT WAS NOT AVAILABLE AT THE TIME OF THIS SURVEY. ALL EASEMENTS OF WHICH I HAVE KNOWLEDGE ARE SHOWN OR DEPICTED HEREON. OTHER THAN VISIBLE EASEMENTS, NO UNRECORDED OR UNWRITTEN EASEMENTS WHICH MAY EXIST ARE SHOWN HEREON. NO ADDITIONAL RESEARCH OF EASEMENTS WAS PERFORMED BY LANDMARK SURVEYING, LP FOR THIS SURVEY.

I HEREBY STATE THAT A SURVEY WAS MADE ON THE GROUND OF THE PROPERTY SHOWN HEREON; THAT THERE ARE NO VISIBLE DISCREPANCIES, CONFLICTS, SHORTAGES IN AREA, BOUNDARY LINE CONFLICTS, OVERLAPPING OF IMPROVEMENTS, EASEMENTS OR RIGHT-OF-WAY, EXCEPT AS SHOWN; THAT SAID PROPERTY ADJOINS A PUBLIC ROADWAY; AND THAT THIS PLAT IS AN ACCURATE REPRESENTATION OF THE PROPERTY TO THE BEST OF MY KNOWLEDGE.

AS SURVEYED BY:  
LANDMARK SURVEYING, LP  
TEXAS FIRM REGISTRATION NO. 100727-00

*Jackie Lee Crow*  
JACKIE LEE CROW  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5209  
STATE OF TEXAS  
SURVEYED: JANUARY 23, 2017

THIS SKETCH IS VALID ONLY IF IT BEARS THE ORIGINAL SIGNATURE OF THE ABOVE SURVEYOR.

CLIENT: MIKE SPECIALE  
DATE: JANUARY 25, 2017  
OFFICE: M.BOUADI  
CREW: J.LEE, K.DUNN  
F.B.: 1529/03  
JOB #: 1197-11-01  
DISK: T:\Mike Speciale also Chroma and 606 and Sett Studio\1209 Taylor Street\Landmark Drawings\Grid Staff\1209 TaylorStreet-Title-Final.dwg



**UTILITY AND IMPROVEMENT NOTE**  
ONLY SURFACE EVIDENCE OF UTILITIES AND IMPROVEMENTS ARE SHOWN ON THIS SURVEY.

**TREE LIST**

HB = HACKBERRY  
CRITICAL ROOT ZONE  
TAG NUMBER & TRUNK DIAMETER

TREE TAG NO.	DESCRIPTION
873	7" HB
874	16" HB
875	12" HB
876	15" DATE PALM
877	35" PECAN
878	24" RED OAK
879	25" RED OAK
880	31" RED OAK

REPRODUCTION OF THIS SURVEY  
IS EXPRESSLY FORBIDDEN.  
COPIES WITHOUT ORIGINAL  
SIGNATURES ARE VOID.

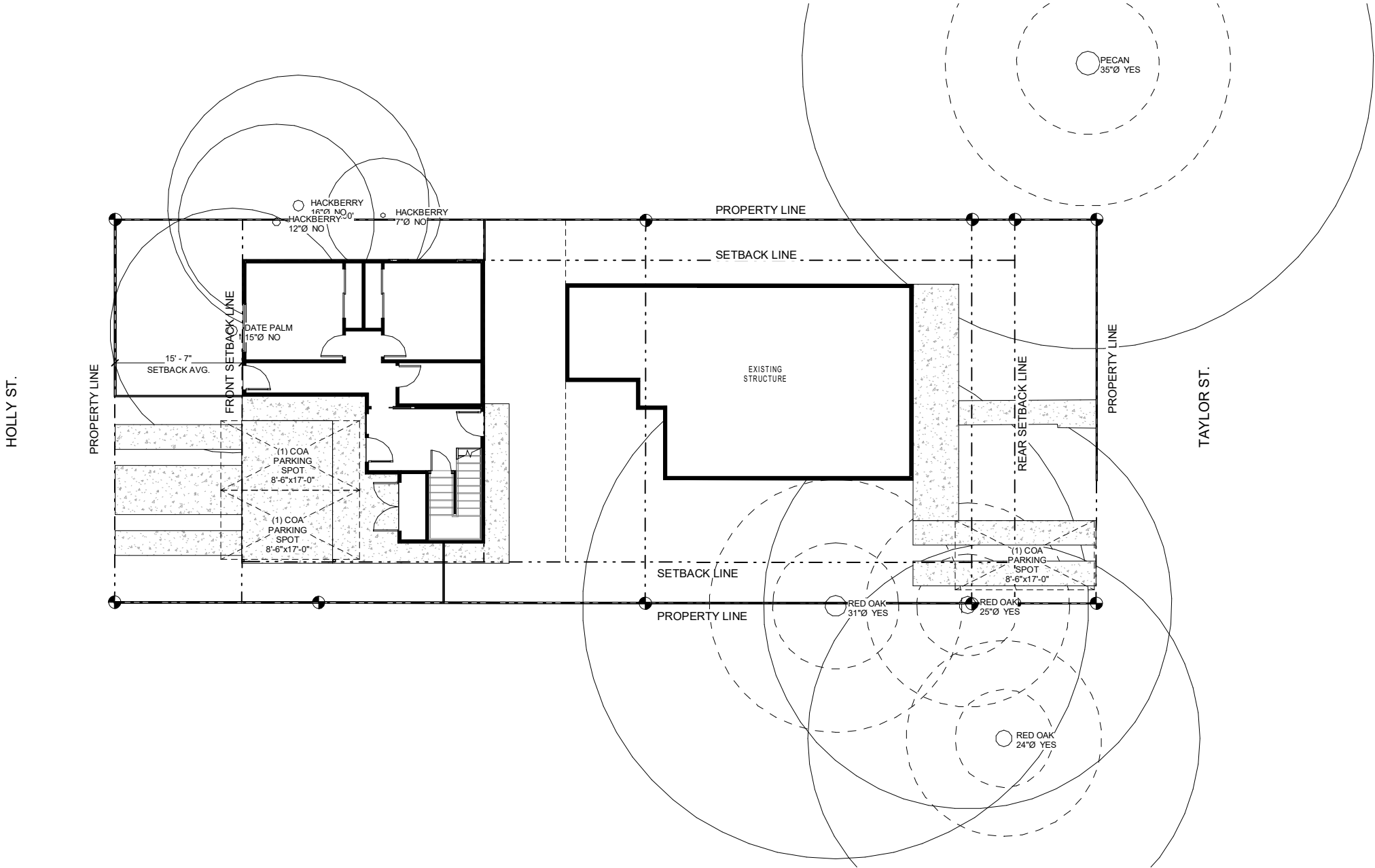
**Landmark**  
SURVEYING, LP  
TEXAS FIRM REGISTRATION NO. 100727-00  
2205 E. 5TH STREET  
AUSTIN, TEXAS 78702  
PH: (512)328-7411 FAX: (512)328-7413

1209 TAYLOR ST, AUSTIN, TX 78702

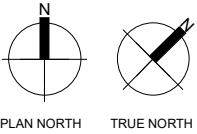
C-4/8

IMPERVIOUS COVER = 44.7%	
SITE	
LOT	5,647 SF
	5,647 SF
IMPERVIOUS COVER	
BUILDING A	808 SF
BUILDING B	878 SF
FLATWORK	281 SF
FLATWORK	12 SF
FLATWORK	67 SF
FLATWORK	479 SF
	2,524 SF

FLOOR-TO-AREA RATIO = 39.98%	
SITE	
LOT	5,647 SF
	5,647 SF
FLOOR AREA - B	
EXISTING HOUSE	864 SF
	864 SF
EXEMPT FLOOR AREA	
ATTIC	750 SF
CARPORT	194 SF
PORCH	250 SF
	1,194 SF
FIRST FLOOR	
	714 SF
SECOND FLOOR	
	681 SF
	1,395 SF

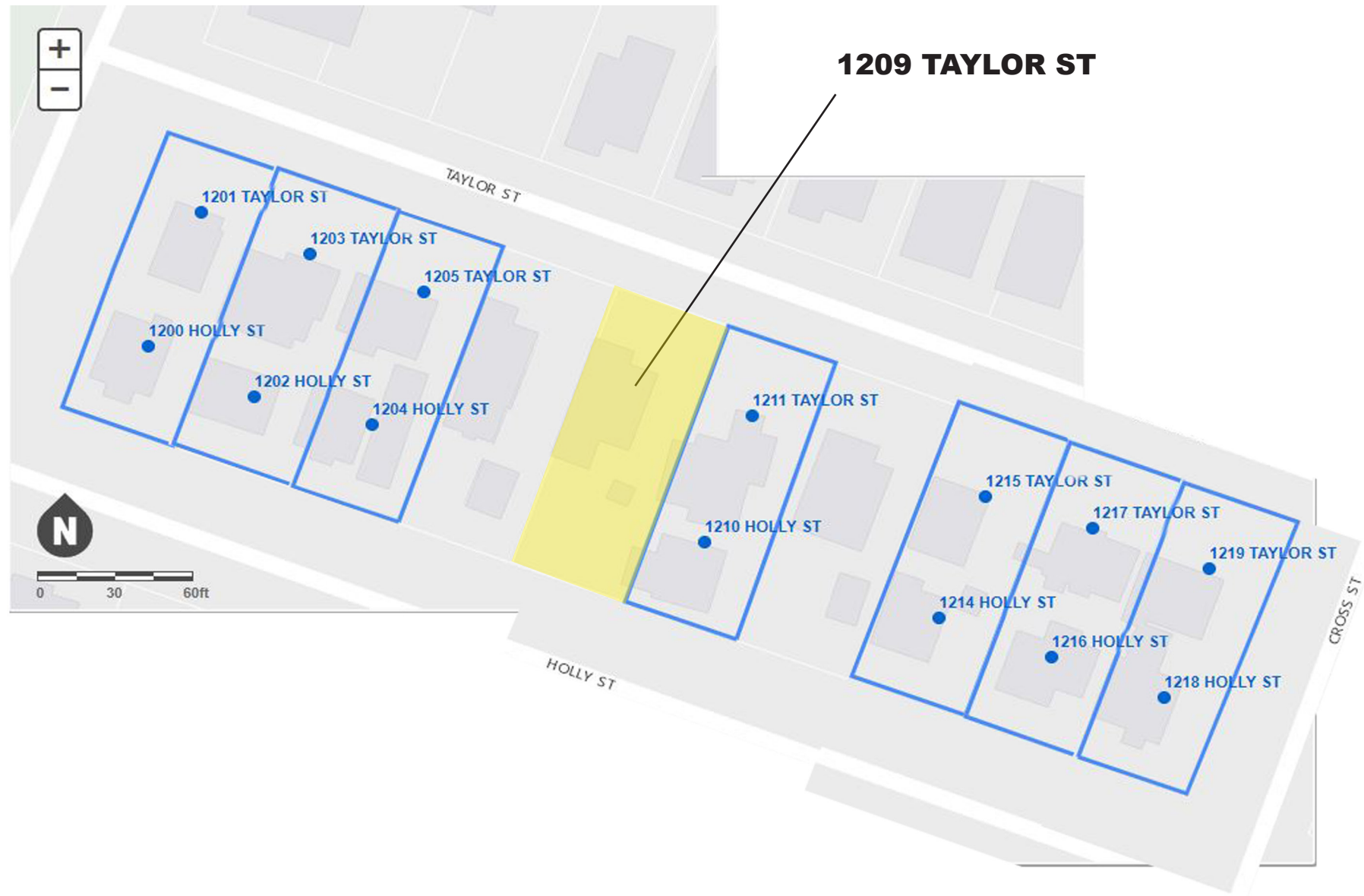


SITE PLAN



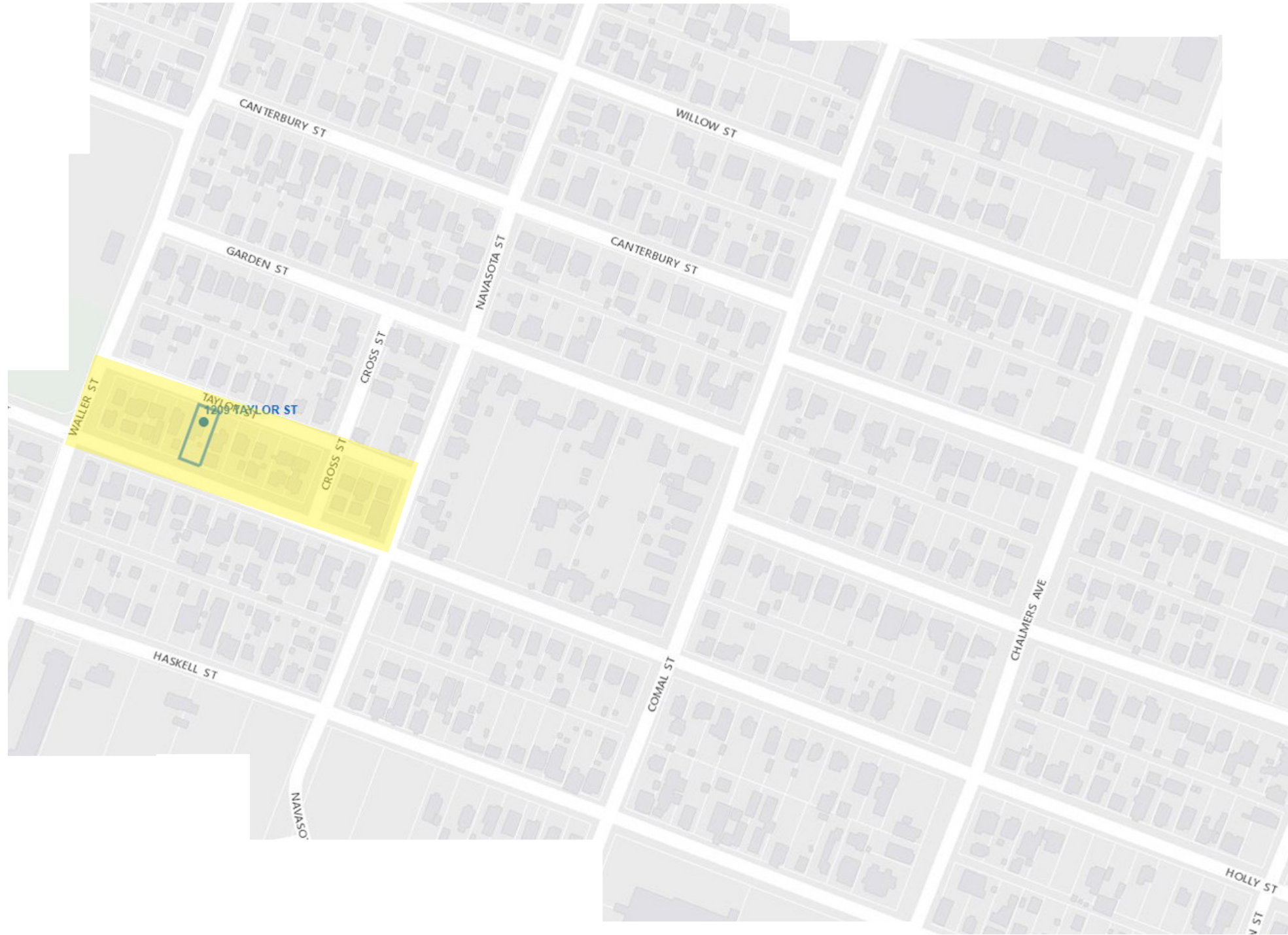
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austin, tx 78702  
p 512.436.1901  
www.forsitestudio.com





## HARDSHIP:

- Minimum lot requirement of 5,750 SF restricts the increase of homeowners in the area. Existing lot size is 5,647 SF.
- Majority of lots in this block have a street facing dwelling unit.



## HARDSHIP:

- Through lot condition is not common in East Cesar Chavez Neighborhood.
- Through lots offer unique condition to increase the number of home owners on a single lot while offering street frontage for both dwelling unit.
- Neighborhood character can be maintained by keeping original dwelling unit facing Taylor St. side.

## EAST CESAR CHAVEZ Neighborhood Plan Goals

1- Provide zoning for a mix of business and residential land uses in commercial areas.

**2- Ensure that new structures, renovations and businesses are compatible with the neighborhood.**

**3- Create and preserve physical features and activities to reinforce our neighborhood's cultural identity and history.**

4- Improve vehicle, bicycle and pedestrian traffic safety on neighborhood streets.

5- Make better use of the Forth-Fifth Street rail corridor.

6- Improve and promote mass transit service in the neighborhood.

7- Establish a housing education and outreach program to preserve and rehabilitate existing housing.

**8- Preserve and increase the number of homeowners in the neighborhood.**

9- Preserve and enhance neighborhood trees, green spaces, trails, gardens, existing parks and recreational facilities.

10- Reduce trash in our neighborhood.

11- Educate neighbors about environmental issues.

12- Attract or develop businesses that serve essential neighborhood needs.

13- Reduce crime, arson and violence in our neighborhood by increasing programs.

14- Coordinate and promote health and human services programs in the neighborhood.

15- Provide quality, equitable and attainable educational opportunities for youth and adults in the neighborhood.

16- Provide opportunities for cultural arts, recreation and leisure activities.

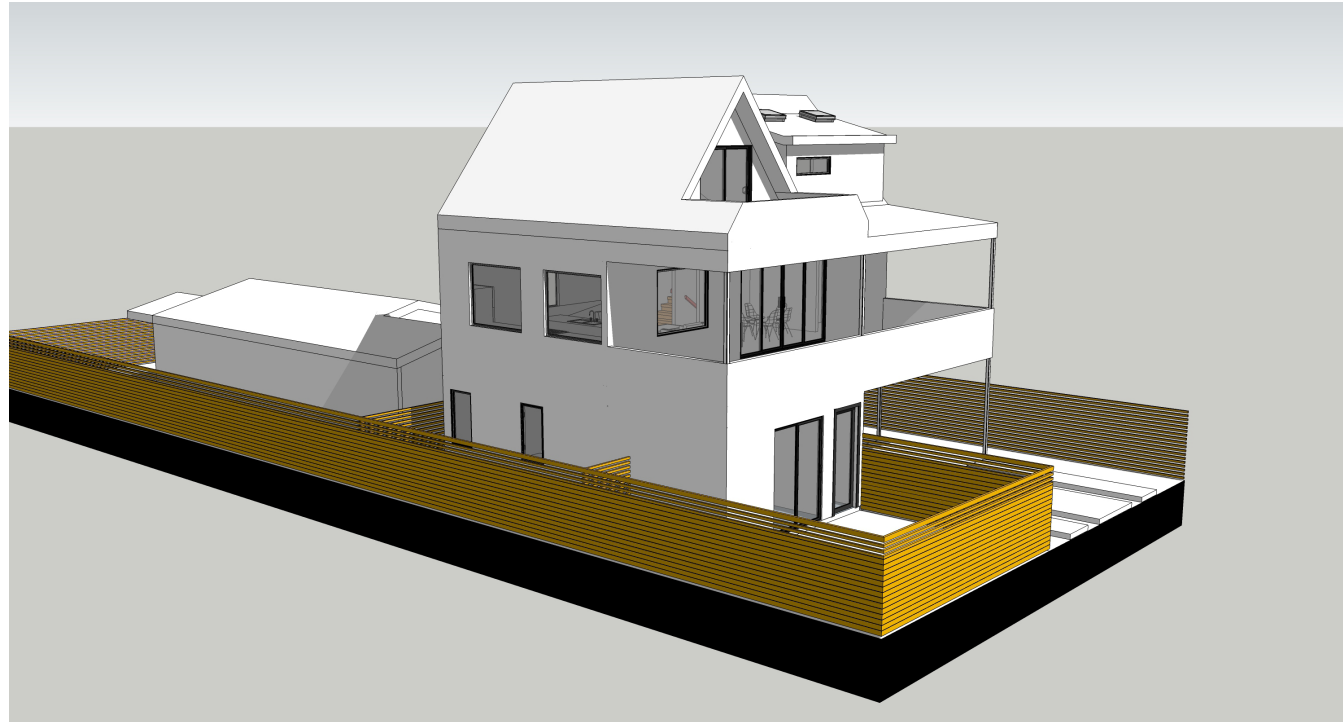


## **PROPOSED MASSING:**

- 3 levels, habitable attic
- Holly St side parking
- Gable and dormer roof combination
- Second and third floor balconies
- Through lot, primary residence facing Holly st.

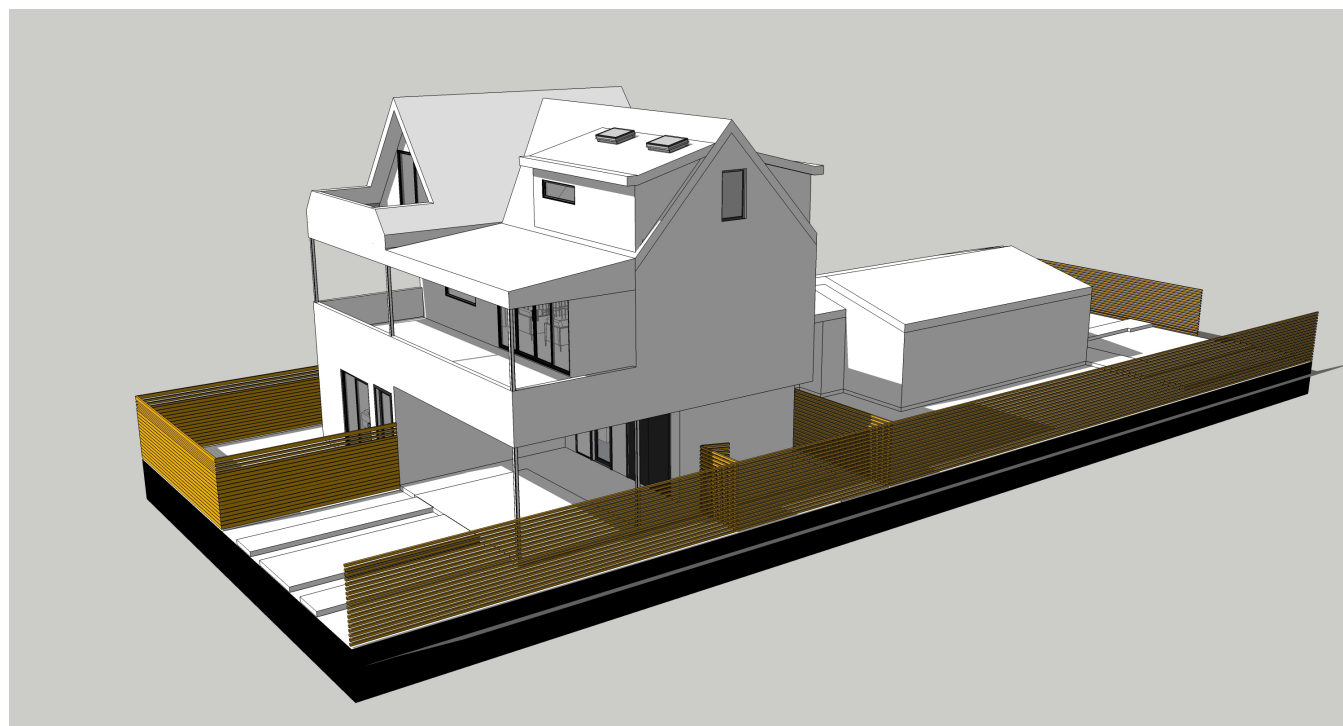




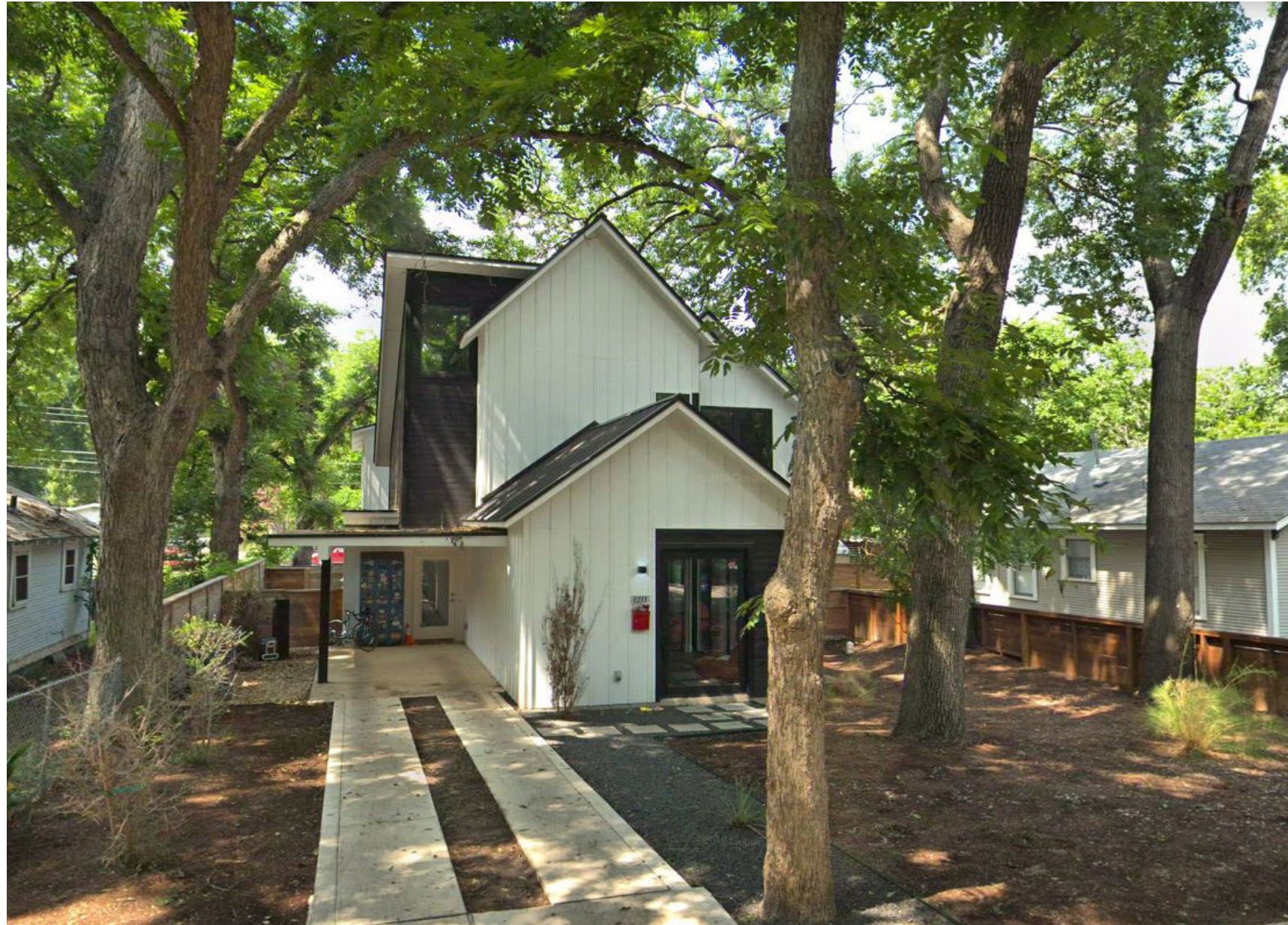


**PROPOSED MASSING:**

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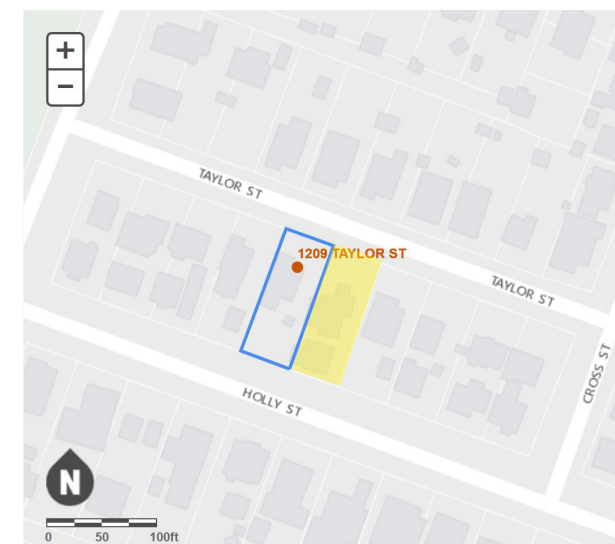




## AREA CHARACTER:

### 1211 Taylor st.

- 3 levels, habitable attic.
- Through lot with 2 dwelling units. 1211 Taylor and 1210 Holly
- Gable roof
- Second floor balcony facing Holly st.



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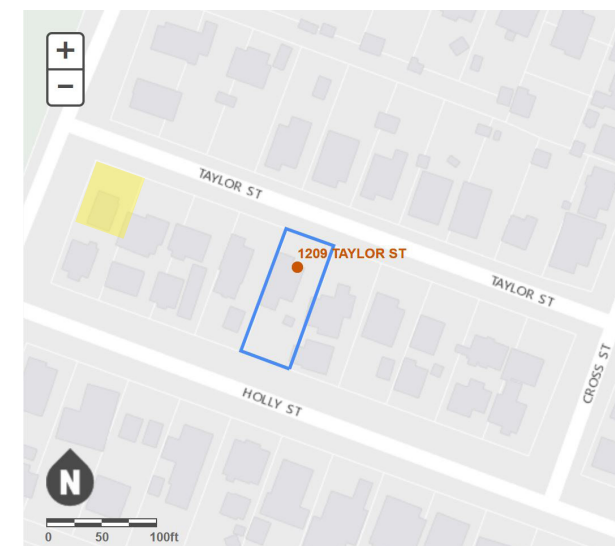
**C-4/15**



## **AREA CHARACTER:**

### **1201 Taylor st.**

- 3 levels, habitable attic.
- Gable roof
- Third floor balcony facing Taylor



**FS**  
**FORSITE STUDIO**  
ARCHITECTURE / CONSTRUCTION

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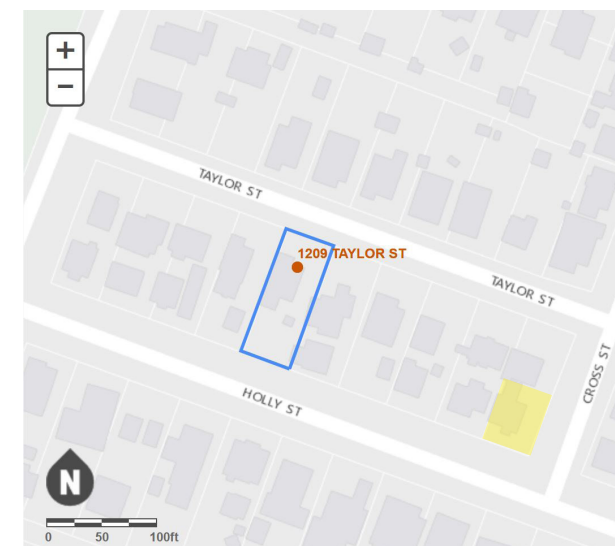
**C-4/16**



## **AREA CHARACTER:**

**1218 Holly st.**

- 3 levels, habitable attic.



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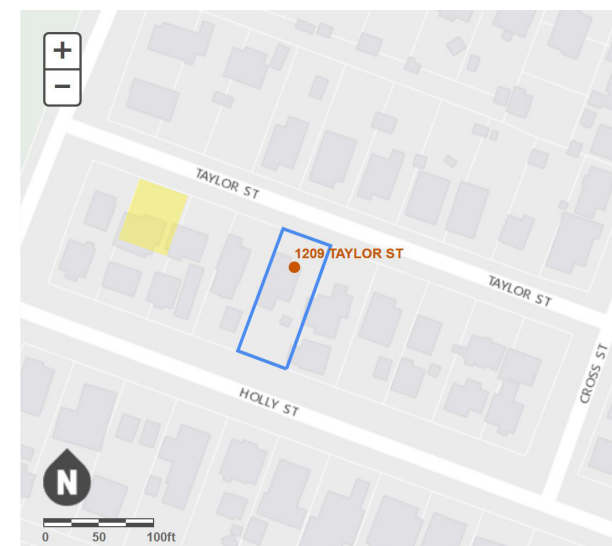
**C-4/17**



## **AREA CHARACTER:**

### **1203 Taylor st.**

- 3 levels
- Second floor balcony facing Taylor st
- Third floor deck, S side



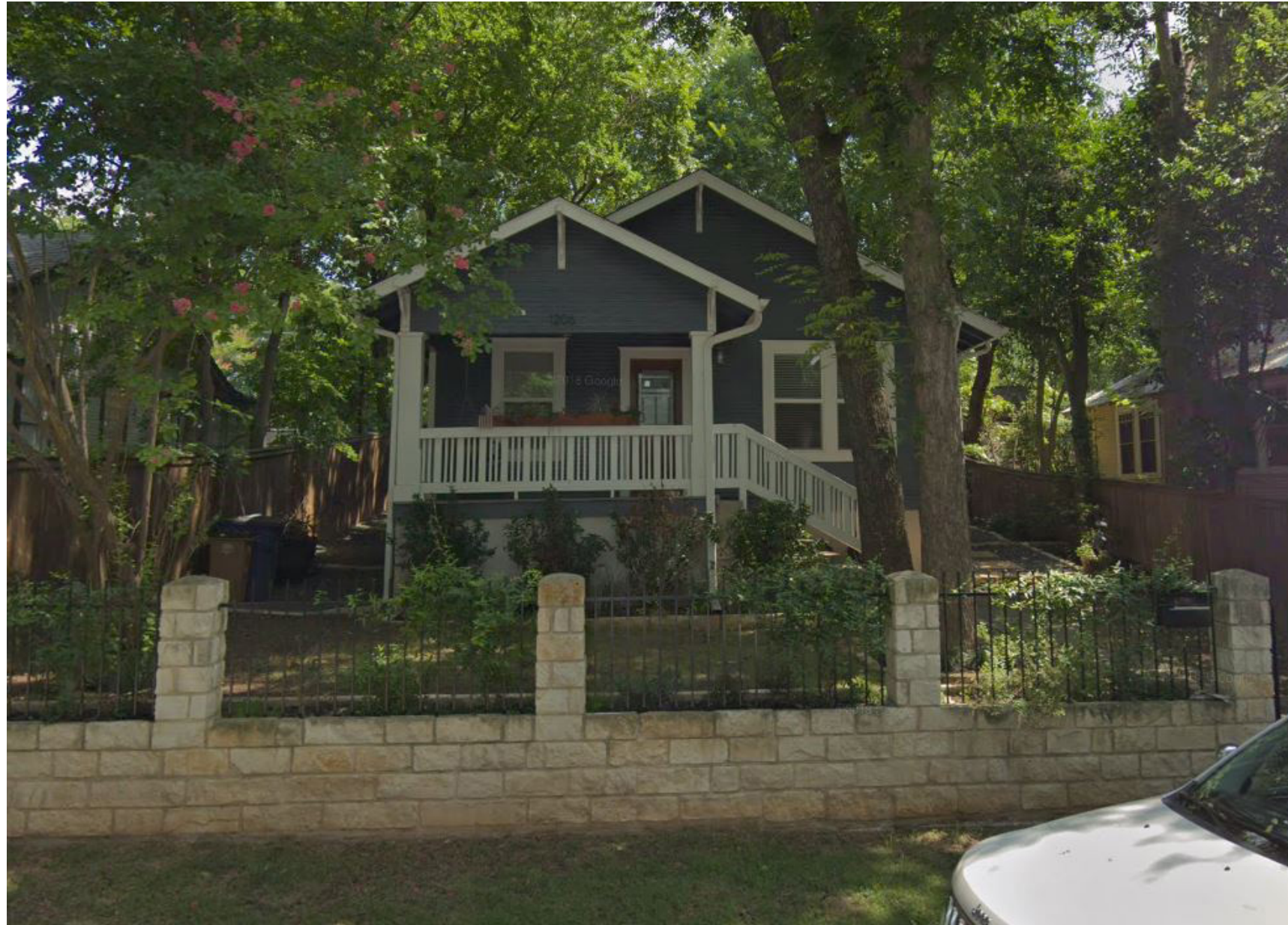
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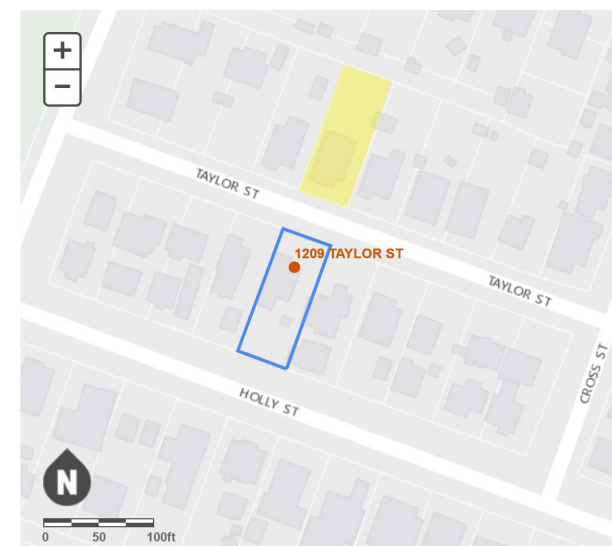
**C-4/18**



## **AREA CHARACTER:**

### **1206 Taylor st.**

- Street facing porch
- Gable roof
- Craftsman bungalow style



**FS**  
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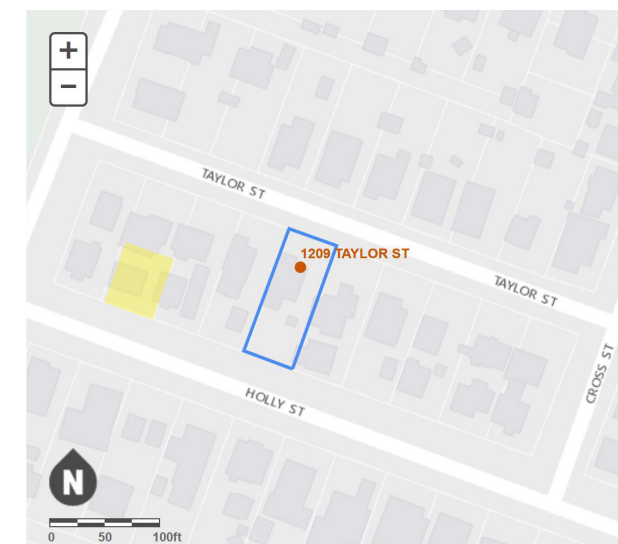
**C-4/19**



## **AREA CHARACTER:**

### **1202 Holly st.**

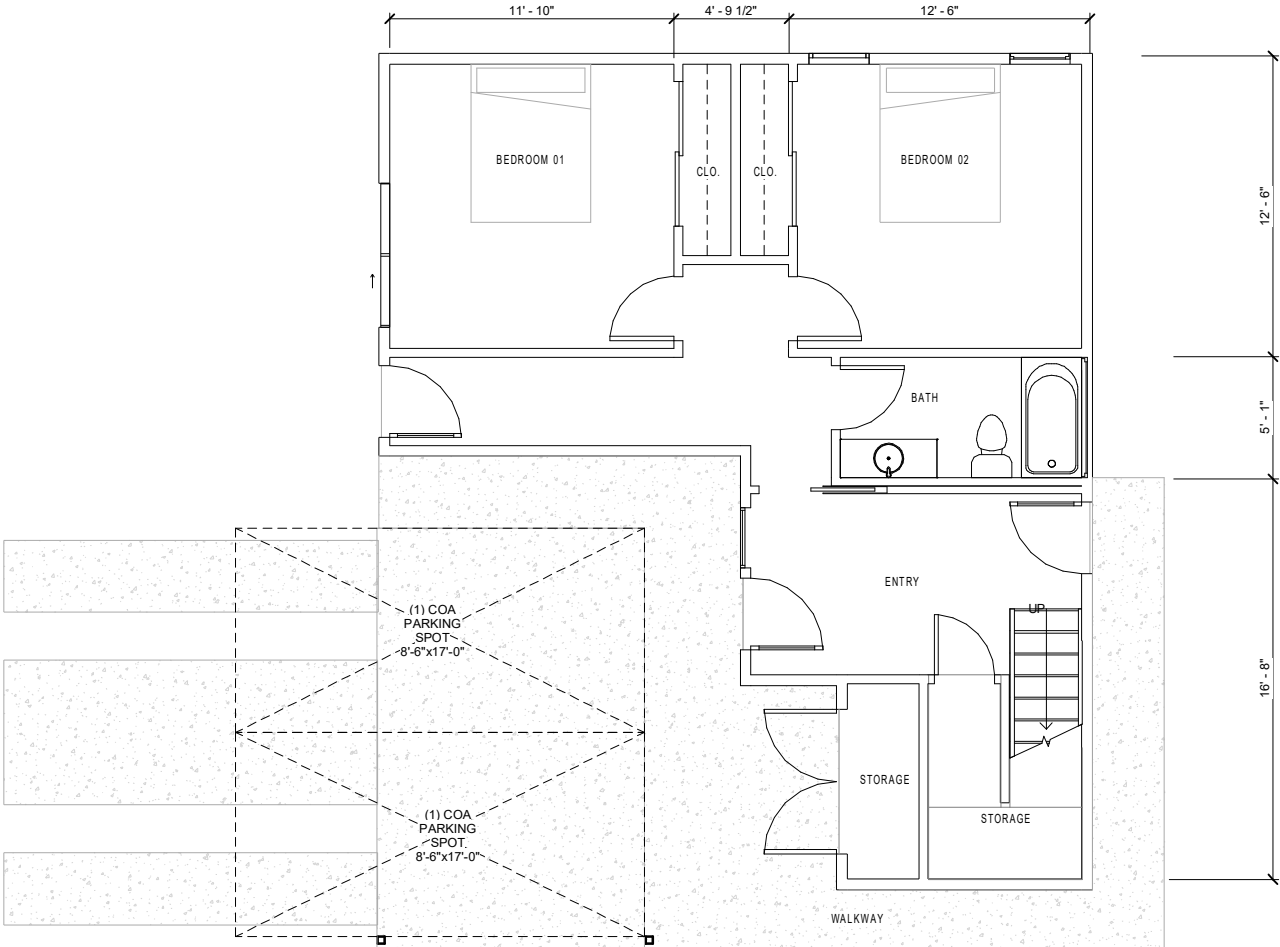
- Holly St side parking
- Gable roof, E to W orientation
- Large S facing windows.



**FS**  
**FORSITE STUDIO**  
ARCHITECTURE / CONSTRUCTION

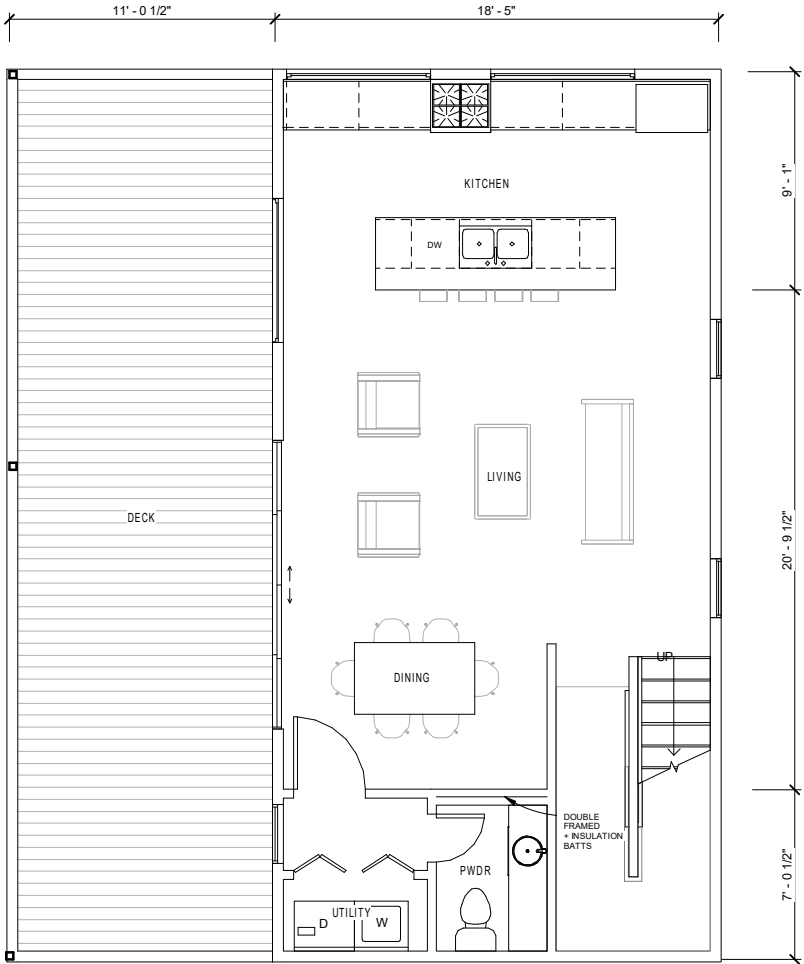
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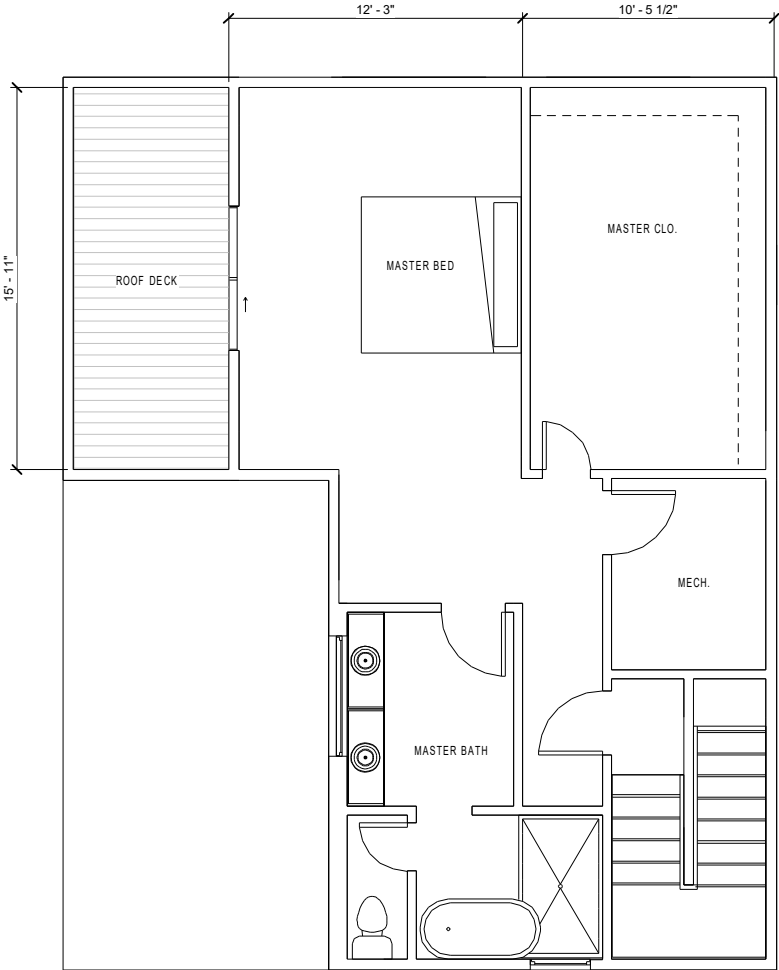


FIRST FLOOR





SECOND FLOOR



ATTIC