

**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: Harmony Grogan Digitally signed by Harmony Grogan  
Date: 2020.08.06 13:54:29 -05'00' Date: 08/06/2020

Applicant Name (typed or printed): Harmony Grogan

Applicant Mailing Address: 1608 Treadwell Street

City: Austin State: TX Zip: 78704

Phone (will be public information): (512) 507-4096

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: Jessie Patton-Levine Digitally signed by Jessie Patton-Levine  
Date: 2020.08.06 13:20:54 -05'00' Date: 08/06/2020

Owner Name (typed or printed): Jessie Patton-Levine

Owner Mailing Address: 2202 W 49th St

City: Austin State: TX Zip: 78756

Phone (will be public information): (512) 736-9781

Email (optional – will be public information): [REDACTED]

**Section 5: Agent Information**

Agent Name: Same as Applicant

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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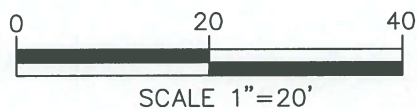
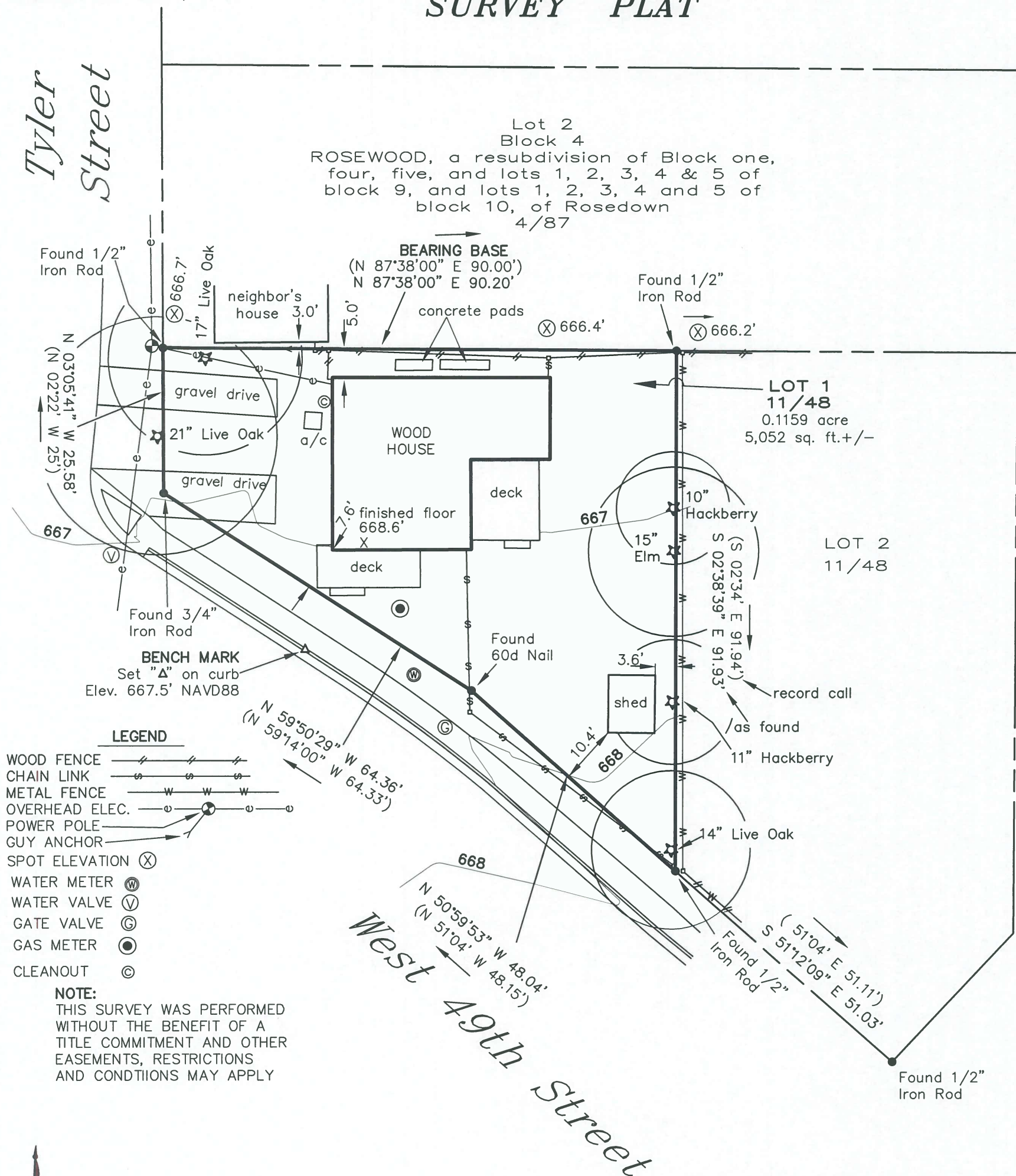
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ADDRESS:  
2202 West 49th Street, 78756

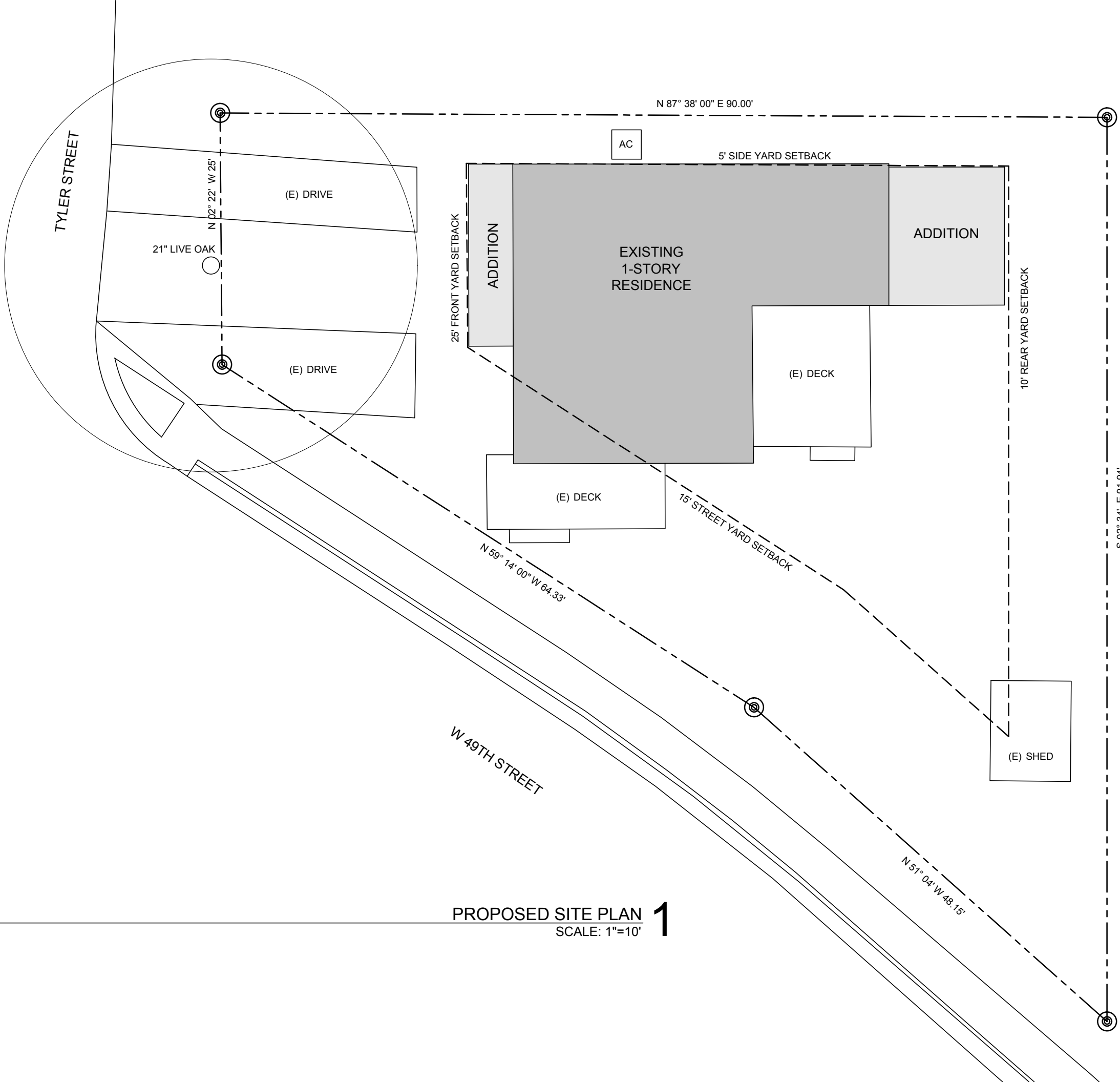
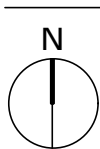
Waterloo Surveyors Inc.  
**SURVEY PLAT**

J16169TT



FIRM# 10124400  
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PROPOSED SITE PLAN  
SCALE: 1"=10'

1

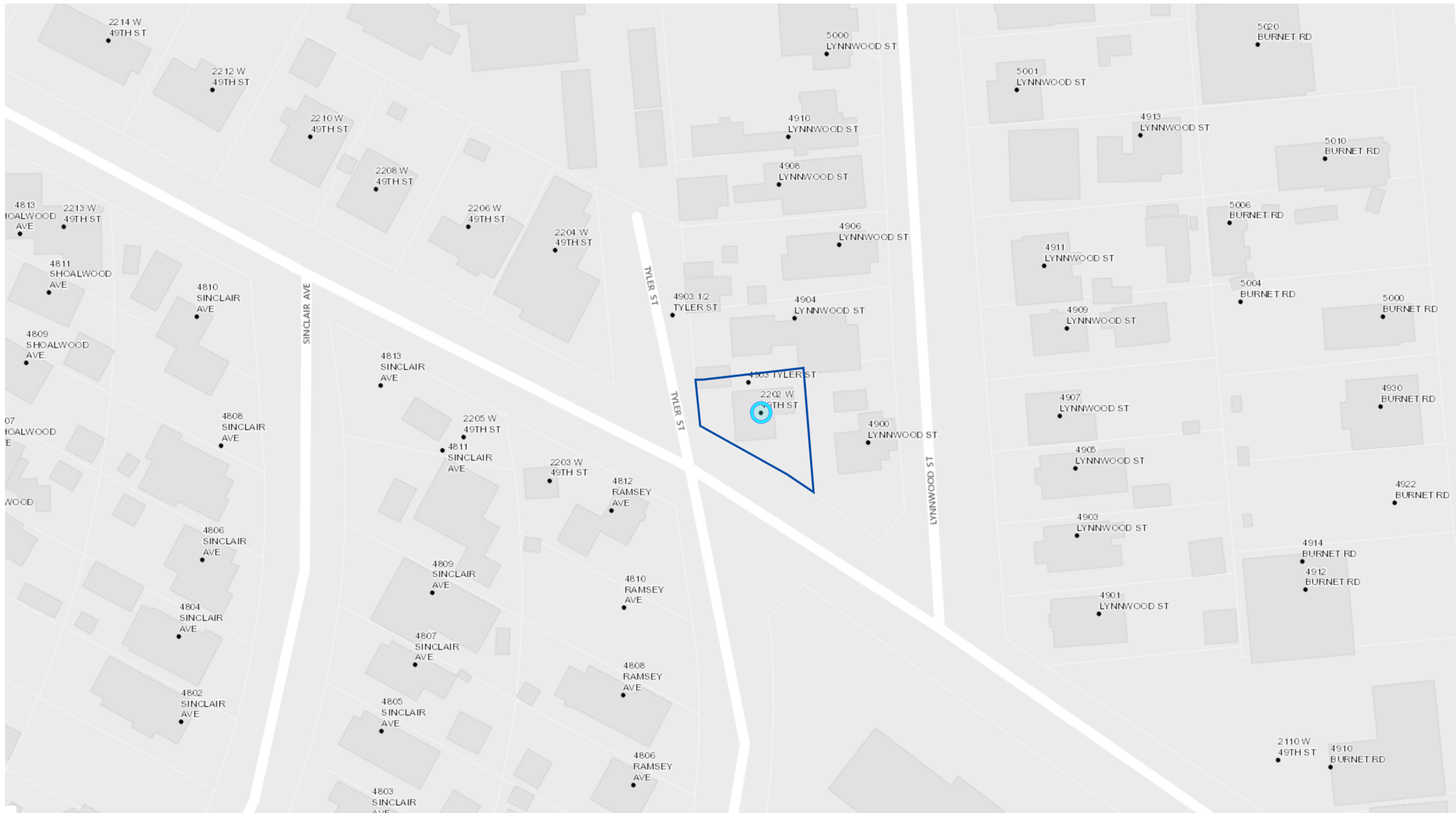


PLUCK ARCHITECTURE  
HARMONY GROGAN, AIA  
1608 TREADWELL STREET  
AUSTIN, TX 78704  
512-507-4096

NOT TO BE USED  
FOR REGULATORY  
APPROVAL,  
PERMITTING, OR  
CONSTRUCTION

PROJECT:  
2202 W 49TH STREET  
AUSTIN, TX 78756

DATE:  
AUGUST 5, 2020





August 27, 2020

Dear City of Austin Board of Adjustments,

I recently collaborated with Jessie Patton-Levine and Brian Diggs to review potential improvements to their home located at 2202 W 49<sup>th</sup> Street. Their single-story home was built in approximately 1947, is 947 SF, and sits on a 5,025 SF corner lot.

Per the Land Development Code, the residence is a nonconforming use because the lot is less than 5,750 square feet *and* because it was subdivided after 1946. Per LDC 25-2-947(8)(2), because the lot was subdivided in 1960, Patton-Levine/Diggs can only improve their home up to 20% of the structure's current value. TCAD lists the value of the structure at \$69,983, limiting any improvement costs beyond minimum health and safety measures to \$13,996. This limitation makes all but the smallest renovations or improvements impossible.

We are therefore seeking a variance from the LDC 25-2-947(8)(2) Nonconforming Use for a SF-3 residential property and asking to improve the structure with an interior remodel and addition of 270 SF, valued at up to \$150,000.

The property's small size is a unique hardship as surrounding SF-3 lots are larger and above the minimum lot size of 5,750 SF. The average size of neighboring lots within 500 feet of 2202 W 49<sup>th</sup> Street is 6,911 SF. The allowable square footage on neighboring lots is approximately 2,764 SF.

Patton-Levine/Diggs' existing residence needs renovation and is only 942 SF, which is far less than the allowable square footage on neighboring lots. All proposed improvements will be within setbacks and will additionally conform to all impervious coverage and FAR limitations. The proposed modest remodel and 270 SF one-story addition will match the existing character of the home and neighborhood in size and proportion. I have attached a couple illustrations for your reference. The only impediment to this minimal renovation and addition is the seemingly arbitrary dollar limitations imposed by LDC 25-2-947(8)(2), which was only triggered by the lot being subdivided 60 years ago, instead of 74 years ago.

Without a variance, Patton-Levine/Diggs are barred from doing any renovation over \$13,996, which in my experience prohibits any improvements to their home.

Thank you for your consideration.

Sincerely,



Harmony Grogan, AIA  
Principal, Pluck Architecture

C-2/11

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**Subject:** Re: Follow-up on 2202 W 49th St renovation plans  
**Date:** Thursday, August 27, 2020 at 11:17:12 AM Central Daylight Time  
**From:** T Holmes  
**To:** Brian Diggs  
**CC:** Harmony Grogan, JPL, Jeff Archer, Carl Reynolds

*Good Morning Brian and Harmony,*

*Sorry for the delay. Things have been quite hectic lately.*

*The RNA does not oppose your request for a variance. The RNA does not usually take a position on variance requests of this type whose effect is limited to a small part of the neighborhood. If we are contacted by the neighbors after the city provides notice, we will let you know and see if we can work toward a solution. The city staff and Board of Adjustment generally understand that a NA is not in a position to take sides on a small issue like a setback. We are understanding of your dilemma. You are of course welcome to state that you have consulted the RNA and that we have elected to remain neutral/unopposed at this time. That is generally a good thing with the city.*

*Enjoy your day!*

*Teresa Holmes & Jeff Archer (RNA Co-President)*

*cc Carl Reynolds (RNA Co-President)*