

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:

Any improvements will be within setbacks and will additionally conform to all impervious coverage and FAR limitations. The proposed remodel and 270 SF one story addition will match the existing character of the home and neighborhood in size and proportion. The structure will remain a single family residence.

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:

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): _____

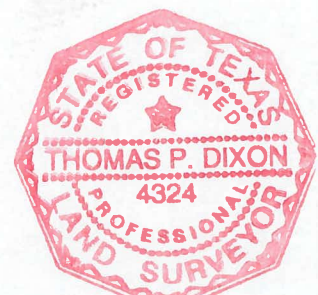
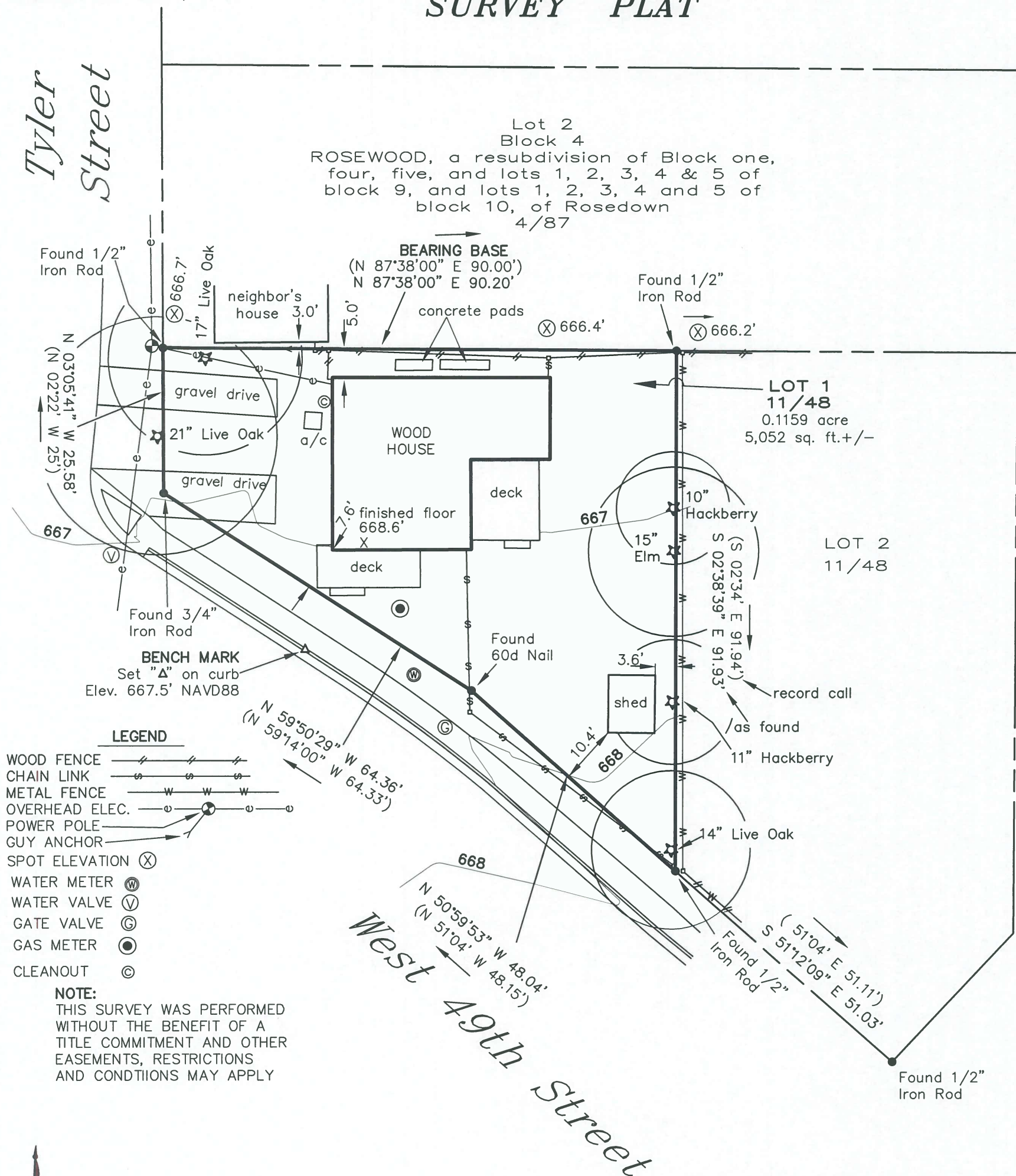
Section 6: Additional Space (if applicable)

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).

ADDRESS:
2202 West 49th Street, 78756

Waterloo Surveyors Inc.
SURVEY PLAT

J16169TT



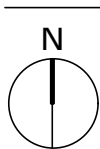
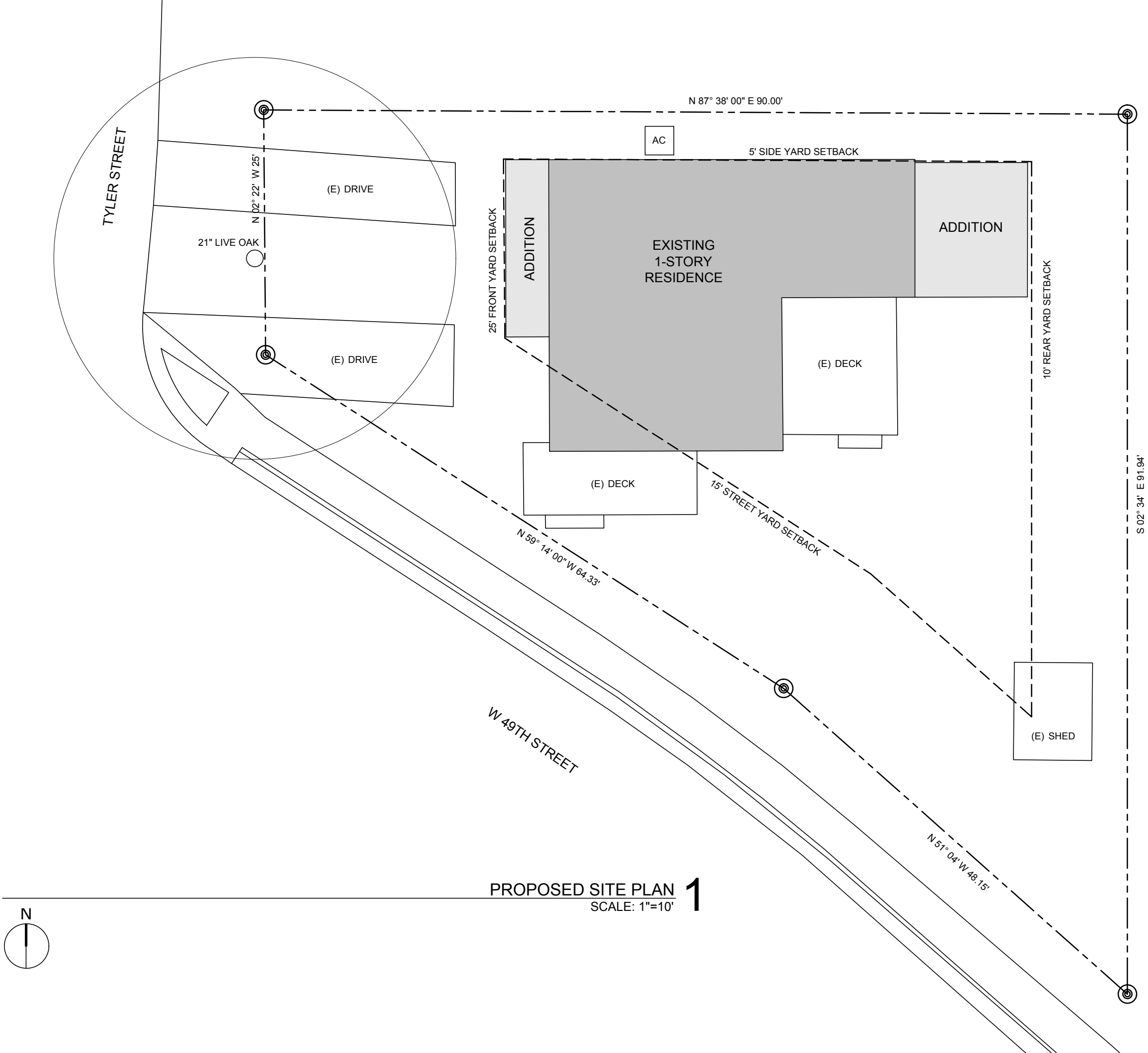


PLUCK ARCHITECTURE
HARMONY GROGAN, AIA
1608 TREADWELL STREET
AUSTIN, TX 78704
512-507-4096

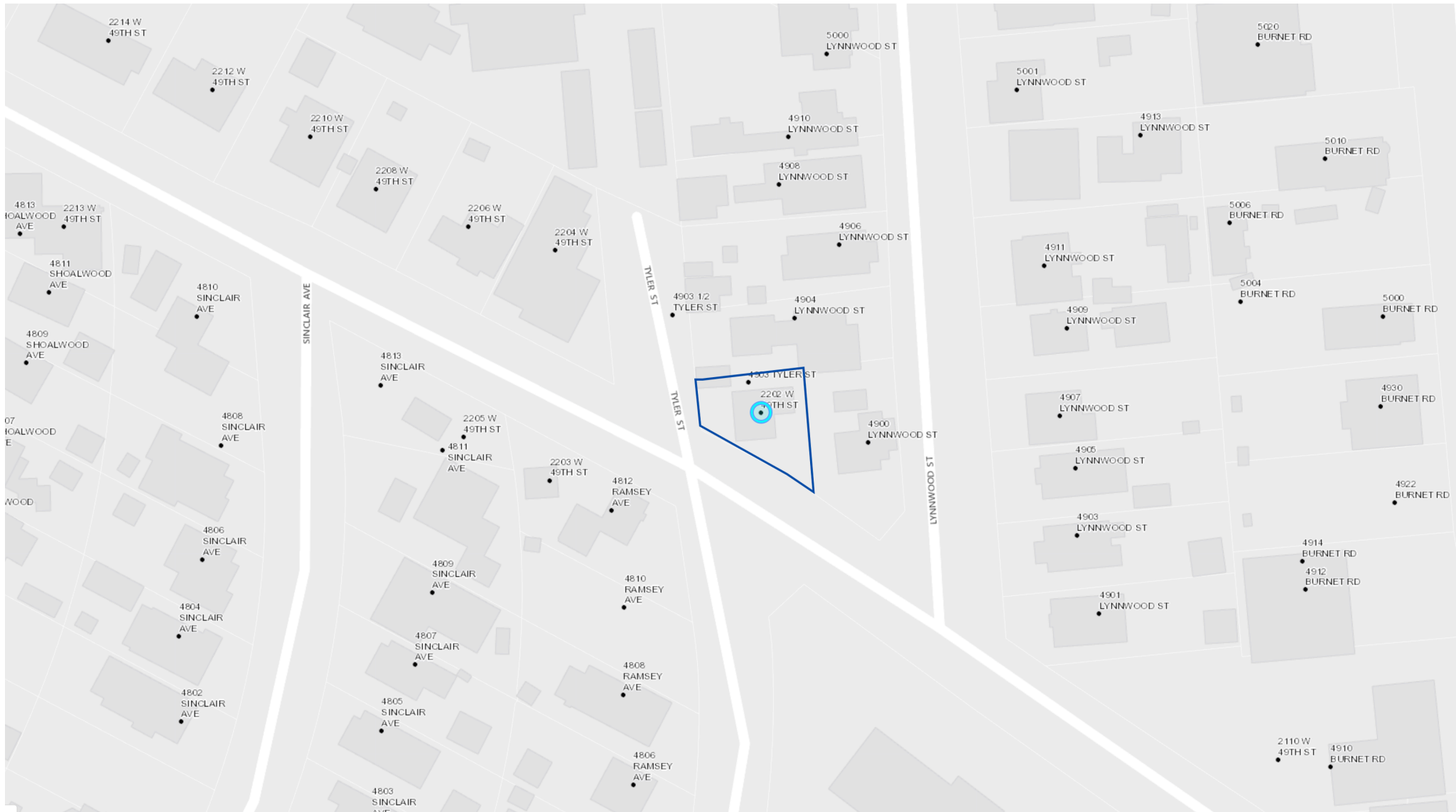
NOT TO BE USED
FOR REGULATORY
APPROVAL,
PERMITTING, OR
CONSTRUCTION

PROJECT:
2202 W 49TH STREET
AUSTIN, TX 78756

DATE:
AUGUST 5, 2020



PROPOSED SITE PLAN
SCALE: 1"=10'



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 49th 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.

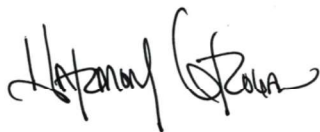
The property's small size is a unique hardship as surrounding SF-3 lots are larger and above the minimum lot size of 5,750 SF. The average size of neighboring lots within 500 feet of 2202 W 49th Street is 6,911 SF. The allowable square footage on neighboring lots is approximately 2,764 SF.

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

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)