

D-1/1-PRESENTATION



My client's intention is to construct a new single-family residence at 1305 West 42nd Street.

But the property is not a platted lot. As such, we need an exemption from platting to receive a building permit.

We cannot currently receive an exemption from platting because:

- (1) The property was first conveyed in its current configuration after the property became subject to the City of Austin's jurisdiction over the subdivision of land; and,**
- (2) The property does not meet the minimum lot width requirement for its zoning district (SF-3). (The property is not in a neighborhood planning area that has adopted Small Lot Amnesty; therefore, the minimum lot width requirement is 50'—but our property is only 48' wide.)**

Per LDC 25-4-2, D, (5), we can receive an exemption from platting if the Board of Adjustment grants a variance from minimum lot width requirements.

With such a variance, we can receive a building permit.

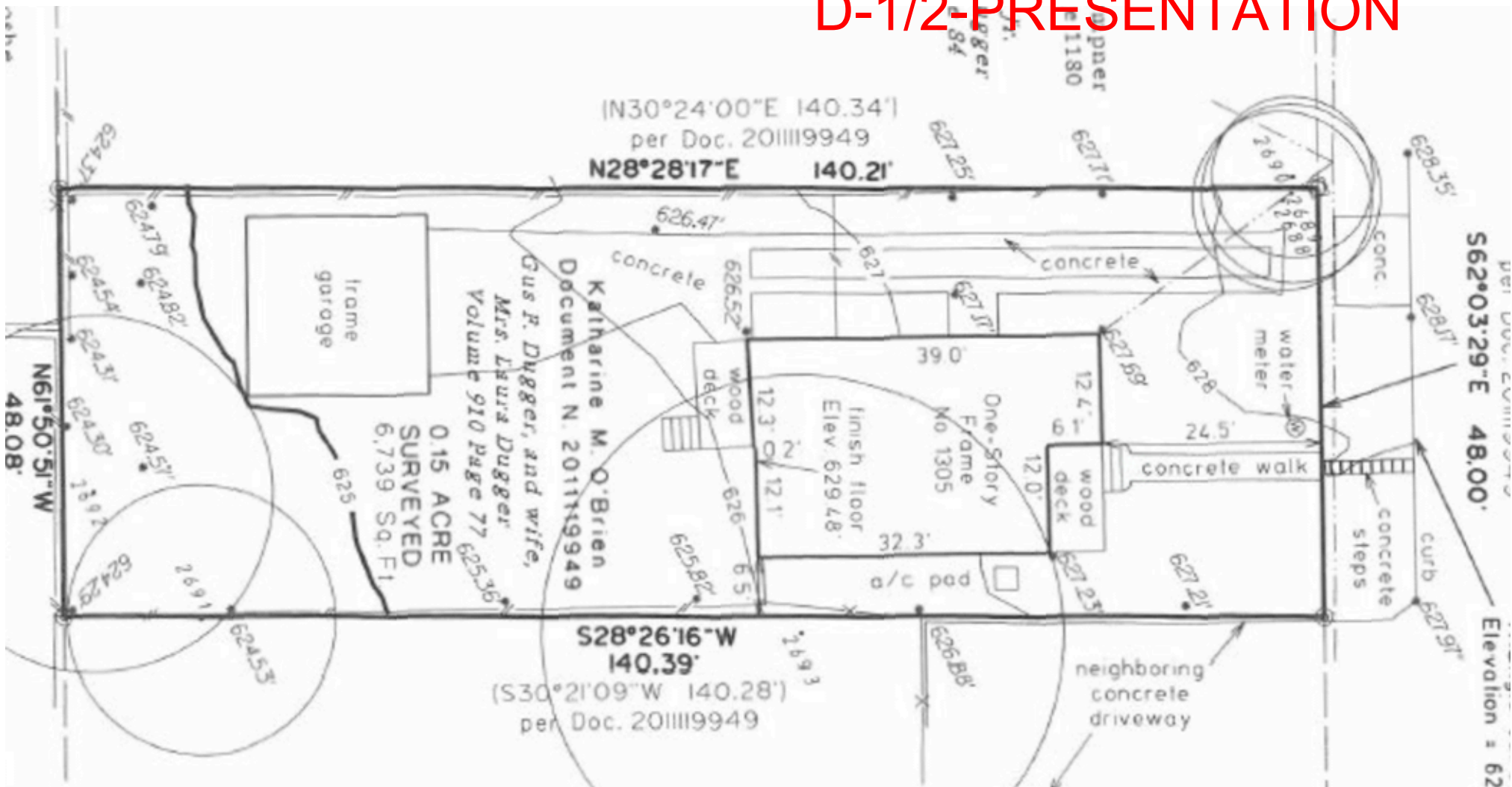
Without such a variance...this lot is unbuildable.

We hereby request a variance.

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D-1/2-PRESENTATION



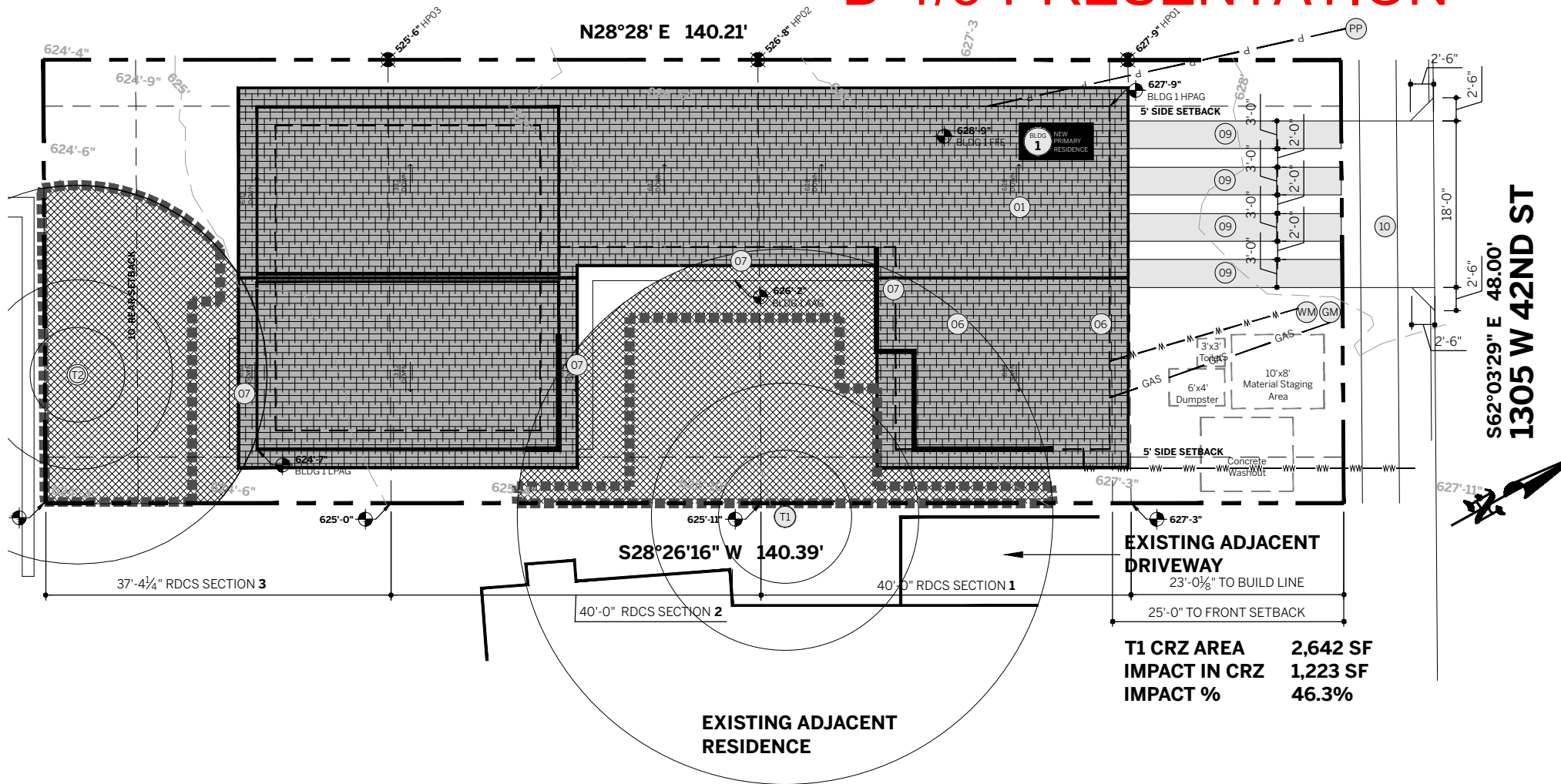
In 1948 a single-family residence and detached garage were constructed on this property and were connected to utilities. When my client bought the property the garage was in substandard condition and the house, while repairable, was not repairable without significant damage to the eastern neighbor's protected 29" pecan tree. In 2020 the garage was demolished and the residence was donated to charity and relocated from the site.

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 WILLIAM HODGE AIA ARCHITECT <small>4801 S CONGRESS AVE #N3 AUSTIN, TX 78745 512.746.1024 HODGEARCHITECT.COM</small>	<small>NEW PROJECT AT 1305 W 42ND ST AUSTIN, TX 78756</small>	
	<small>ISSUE DATE</small>	09 August 2021
	Presentation for BOA.	

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D-1/3-PRESENTATION



In its place my client wishes to construct a single-family residence with four bedrooms, an office or studio (NOT FOR SHORT-TERM RENTAL), and a two-car garage. While the proposed new house would contain more gross floor area and would require more impervious cover than the previous residence, it would result in less impact on the eastern neighbor's protected 29" pecan tree. All required parking would be contained within the two-car garage onsite, and there would be two additional parking spaces provided in the driveway.

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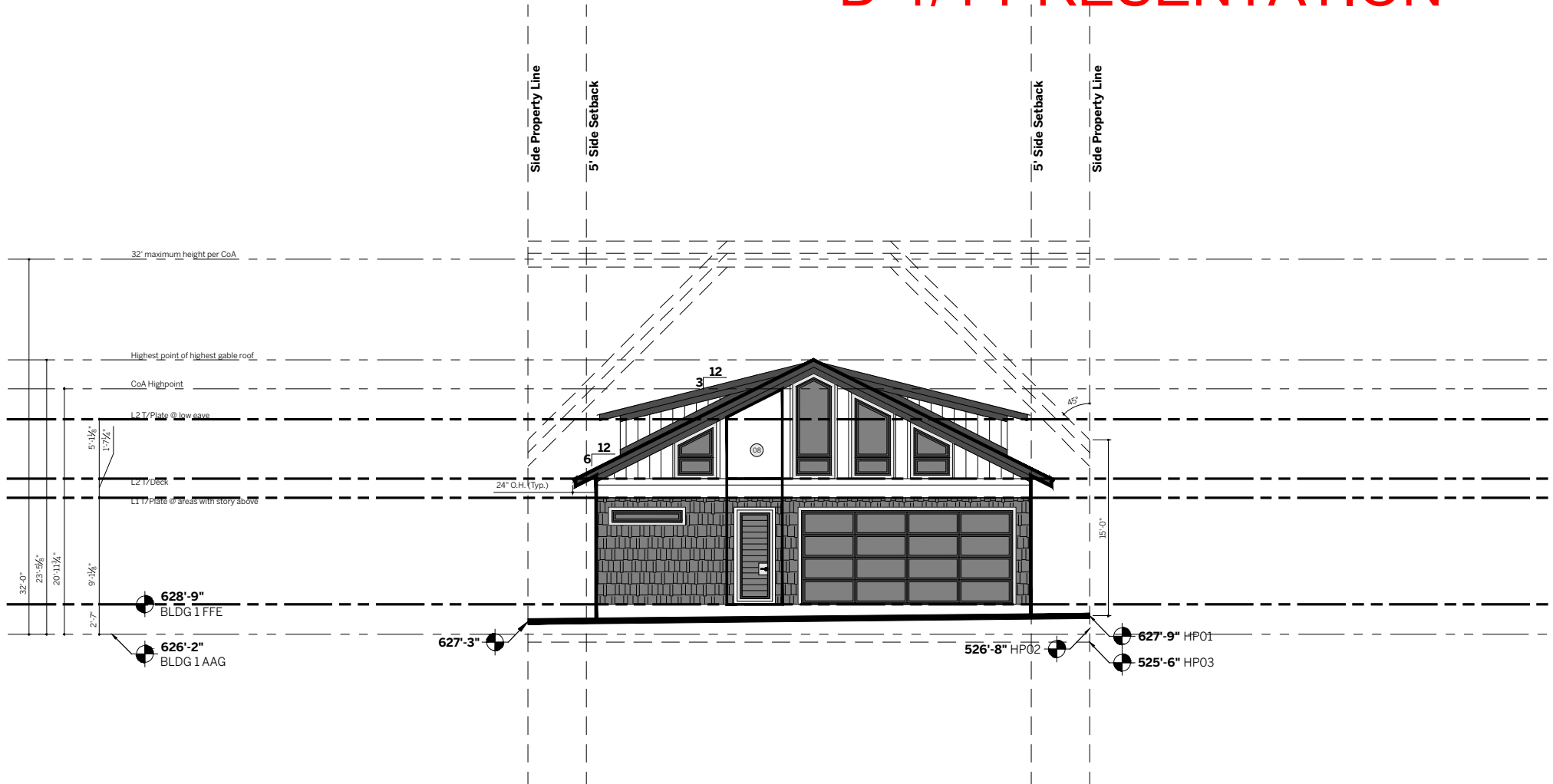
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NEW PROJECT AT 1305 W 42ND ST
 AUSTIN, TX 78756

ISSUE DATE: 09 August 2021
 Presentation for BOA.

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D-1/4-PRESENTATION



The two-story house is designed to approximate the scale and proportion of a single-story residence, to be in character with the previous residence and older residences on the block.

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William Hodge


Re: [RNA presidents] Regarding a variance request at 1305 W 42nd St

1 message

Carl Reynolds  Mon, Jul 12, 2021 at 4:25 PM
To: William Hodge 
Cc: p 

Hi William. I think it is unlikely we will have a meeting before the BOA hearing. We'll share your note among the steering committee, see if questions or concerns are raised, and let you know.

Thanks -
Carl Reynolds


On Jul 12, 2021, at 3:53 PM, William Hodge <

Dear Officers and Steering Committee of the Rosedale Neighborhood Association,

My name is William Hodge and on behalf of my client Martha-Cary Sadler I am requesting a variance from the Board of Adjustment for her property at 1305 W 42nd St. The summary of our case: we need to obtain a variance from minimum-lot-width requirements in order to build a new single-family residence (the LDC requires 50' lot width, but we have only 47'). I've attached the application we submitted to the Board so that you can get more details about the case. Case details can also be found at this link: https://abc.austintexas.gov/public-search-other?t_detail=1&t_selected_folderrsn=12732537&t_selected_propertyrsn=711482

Our case (2021-000064 BA) is slated to be heard at the August 9th meeting of the Board of Adjustment. In advance of that date I'd like to attend your next RNA meeting so as to present our case to the association and answer any questions. I'd certainly like the RNA's support as well, but I understand that the association will have questions that will need to be answered beforehand.

When and where will your next meeting be? Will it be in-person or virtual? I would be happy to attend either way.

Thank you for your time and I look forward to meeting you.

wh.

William Hodge AIA
Architect
3410 Dalton St
Austin, TX 78745
512.786.9298


D-1/5-PRESENTATION



William

Re: [RNAsteeringCommittee] [RNA presidents] Regarding a variance request at 1305 W 42nd St

1 message

William Hodge <

Hi, Teresa.

I have spoken to the neighbor to the east, but do not know her position on the variance request. I will be walking the block in the next few days to gather feedback and address concerns.

Regarding the trees affecting the property, specifically the pecan tree on the lot to the east: a City arborist visited the site, took measurements, and assessed our proposed construction. He said that our proposed construction would not impact this tree to a greater extent than allowed by ordinance. The original house on that site actually impacted the neighbor's pecan more to a greater extent than will our proposed construction.

wh.

William Hodge AIA
Architect
3410 Dalton St
Austin, TX 78745
512.786.9298


To schedule a meeting with me, please click here: <https://calendly.com/hodgearchitect>.

On Mon, Jul 12, 2021 at 4:39 PM T Holmes  wrote:

Hello William,
I noticed the house was gone the other day as I walked to the park.
- Have the adjoining neighbors been notified and do that have any issue with this request?
- Has a tree study been conducted by an arborist yet?

Thanks,
Teresa

On Mon, Jul 12, 2021, 4:26 PM Carl Reynolds via groups.io <

Hi William. I think it is unlikely we will have a meeting before the BOA hearing. We'll share your note among the steering committee, see if questions or concerns are raised, and let you know.

Thanks -
Carl Reynolds
512.925.4827

I have reached out to the Rosedale Neighborhood Association and have been going door-to-door to elicit feedback regarding our request. While the RNA was not able to address our request in a meeting, I did receive some questions from RNA members, which I attempted to address. Outreach to neighbors has been completed, and results have been submitted to the City.

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In conclusion:

- (1) The zoning regulations pertaining to this property do not allow for a reasonable use of the property because:

The property does not meet minimum lot width requirements; the property is not an officially substandard lot; and, the property was conveyed after the City assumed jurisdiction over subdivision requirements, thus rendering the property ineligible for an exemption from platting—and thus rendering the property incapable of receiving any use whatsoever—without a variance.

- (2) The hardship is unique to the property because:

The property is the only property in its vicinity that has been denied an exemption from platting due to noncompliance with minimum lot width requirements, and the property is the only property that has been denied approval for construction due to a lack of an exemption from platting.

- (3) The hardship is not general to the area for the same reasons as listed in (2).

- (4) The construction for which the requested variance is needed will consist of the same use as what previously existed on the site; it will result in a reduced impact on the neighbor's protected pecan tree; and it will not impose nor encourage off-site parking because all required parking (and additional parking) will be provided onsite.

We respectfully request that the Board grants our variance.

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