

E-4/35



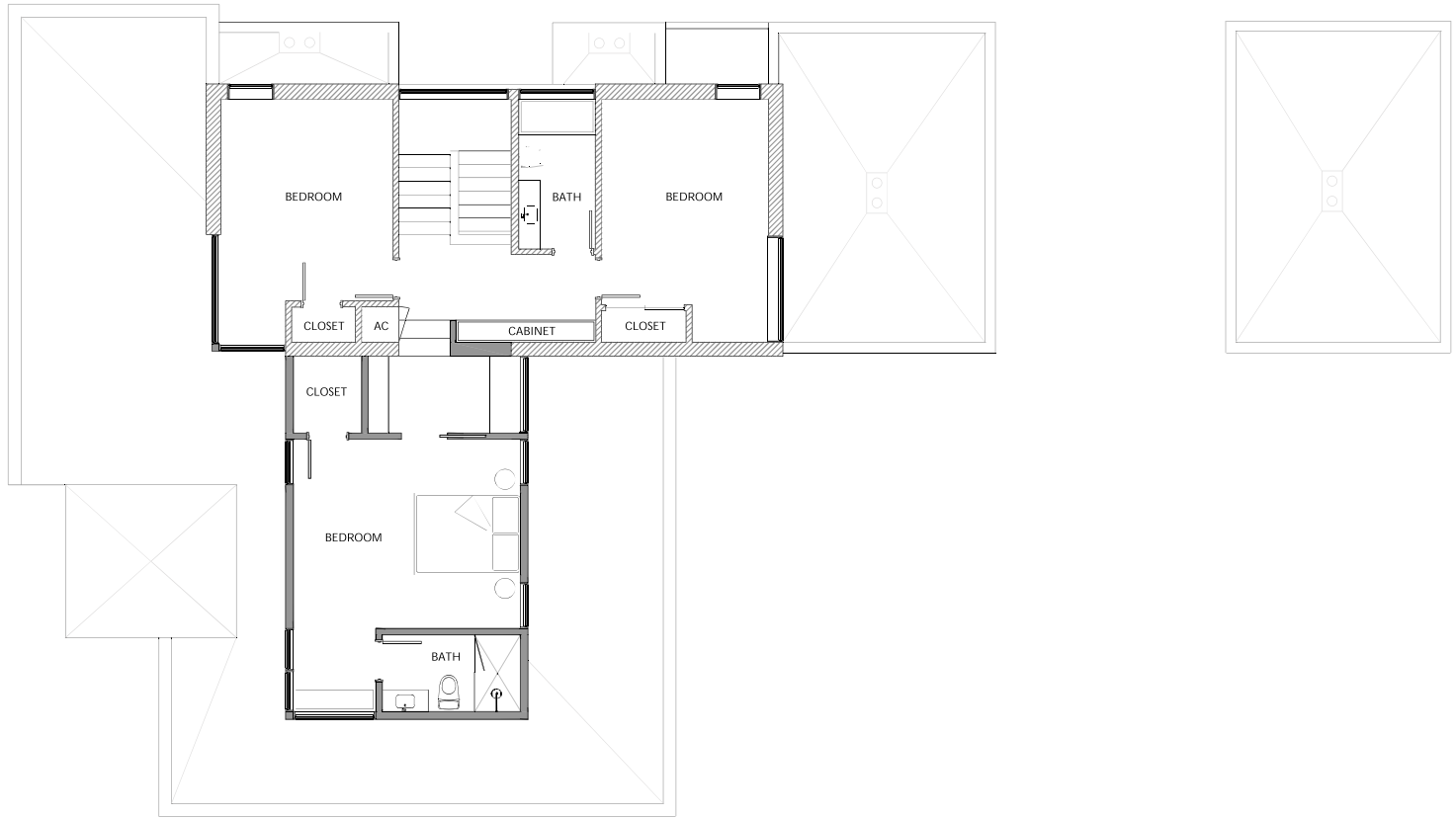
ADVANCED PACKET
C15-2021-0081

ARCHITECT'S DRAWINGS



Existing Second Floor Plan
Scale: 1/8" = 1'-0"
Clarksville Residence
July 17, 2021

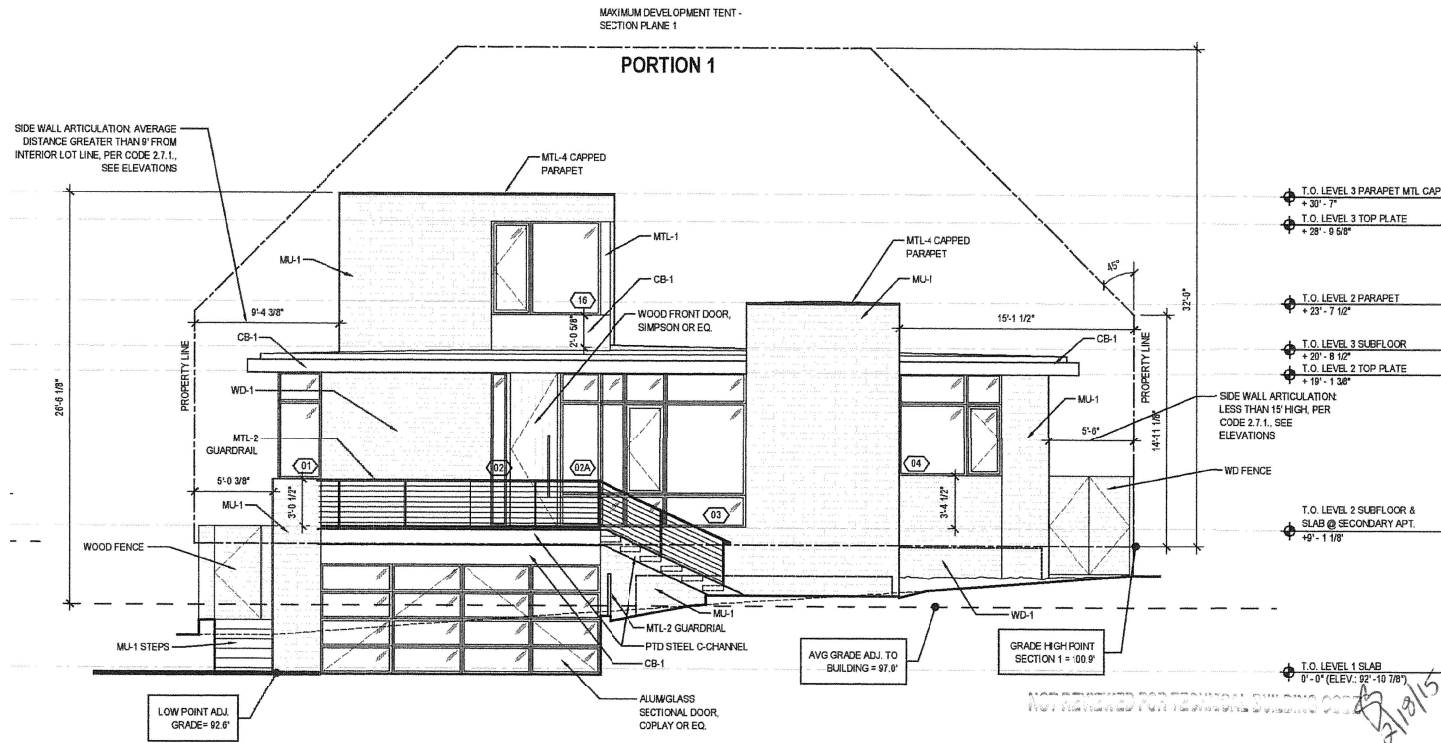
2021-000067-BA / C15-2021-0081



Proposed Second Floor Plan - 420sf Addition

Scale: 1/8" = 1'-0"
Clarksville Residence
July 17, 2021

2021-000067-BA / C15-2021-0081



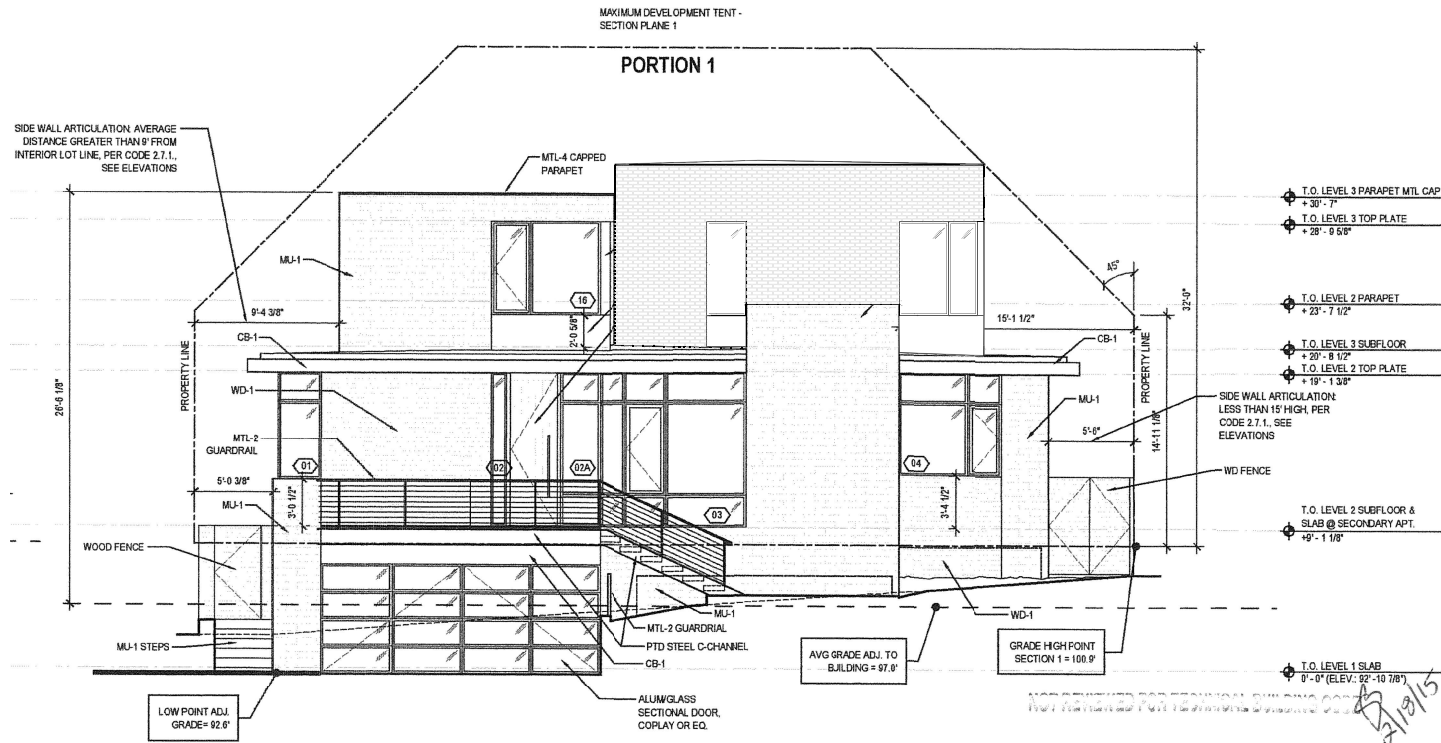
2021-000067-BA / C15-2021-0081

Existing South Elevation - 9 1/2 Street Elevation

Scale: 1/8" = 1'-0"

Clarksville Residence


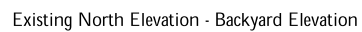
July 17, 2021



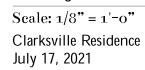
2021-000067-BA / C15-2021-0081

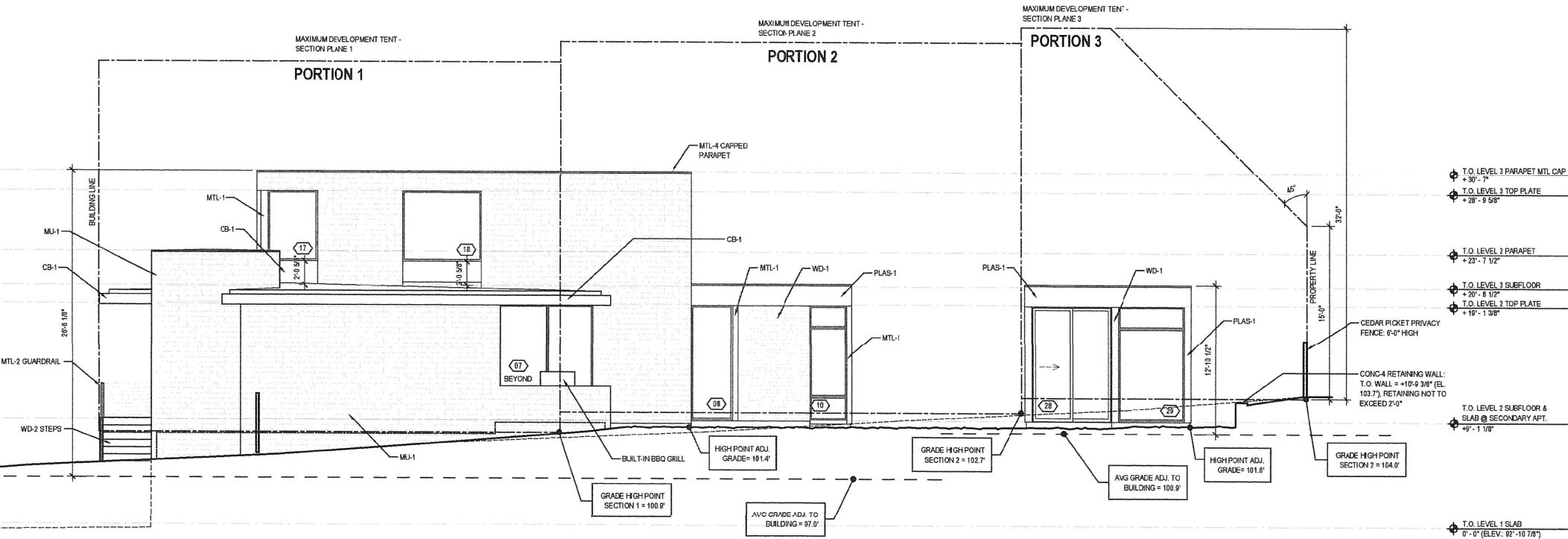
Proposed South Elevation - 9 1/2 Street Elevation

Scale: 1/8" = 1'-0"
Clarksville Residence
July 17, 2021



Planning Agency



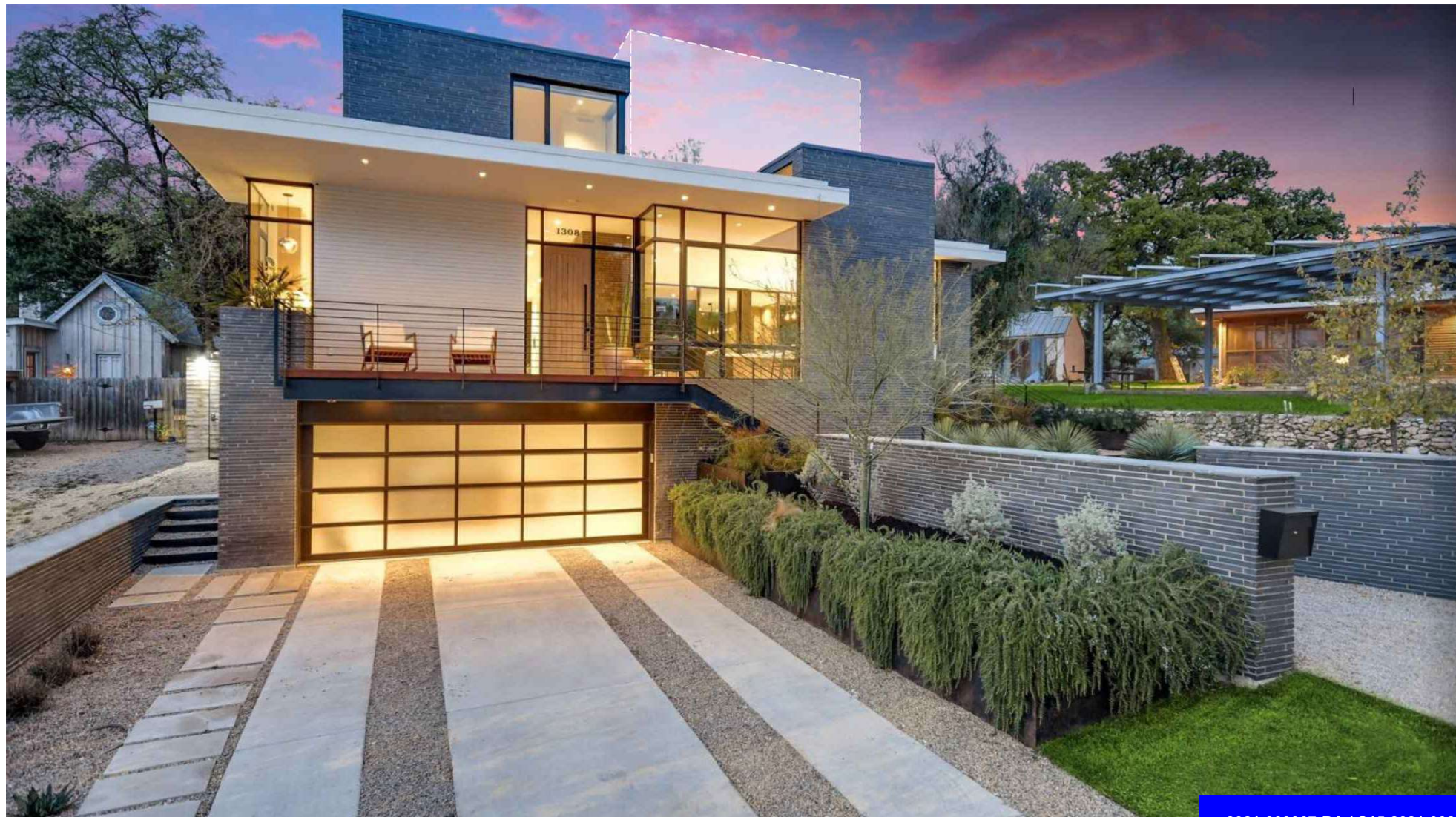


2021-000067-BA / C15-2021-0081

Existing East Elevation

7 G E P I " 3 ! 3

Clarksville Residence
July 17, 2021



2021-00067-BA / C15-2021-0081

Proposed Massing

Scale: 1/8" = 1'-0"
Clarksville Residence
July 17, 2021

**BOARD OF
ADJUSTMENT CASE
C15-2012-0147 (608
Blanco St)**

CITY OF AUSTIN
Board of Adjustment/Sign Review Board
Decision Sheet

DATE: Monday, April 8, 2013

CASE NUMBER: C15-2012-0147

<input type="checkbox"/> Y	Jeff Jack	
<input type="checkbox"/> Y	Michael Von Ohlen	Motion to Grant
<input type="checkbox"/> Y	Nora Salinas	
<input type="checkbox"/> Y	Bryan King	
<input type="checkbox"/> Y	Fred McGhee	2nd the Motion 2nd the Motion
<input type="checkbox"/> Y	Melissa Hawthorne	
<input type="checkbox"/> Y	Sallie Burchett	
<input type="checkbox"/> -	Cathy French (SRB only)	

APPLICANT: Jim Bennett

OWNER: Jan Currier

ADDRESS: 608 BLANCO ST

VARIANCE REQUESTED: The applicant has requested a variance to increase the maximum floor to area ratio of Subchapter F; Article 2; Subsection 2.1 from .4 to 1.0 to .48.2 to 1.0 in order to erect an addition to an existing multi-family residence (3 units) in an "MF-4-HD-NP", Multi-Family Residence – Historic District – Neighborhood Plan zoning district.

BOARD'S DECISION: POSTPONED TO JANUARY 14, 2013 BY APPLICANT

January 14, 2013 MEETING CANCELLED DUE TO NOTIFICATION ERROR

POSTING OF AGENDA; SCHEDULED FOR FEB 11, 2013

FEB 11, 2013 POSTPONED TO MARCH 11, 2013 PER APPLICANT

March 11, 2013 The public hearing was closed on Board Member Michael Von Ohlen motion to Postpone to April 8, 2013, Board Member Fred McGhee second on a 7-0 vote; POSTPONED TO APRIL 8, 2013.

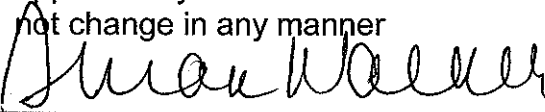
APRIL 8 The public hearing was closed on Board Member Michael Von Ohlen motion to Grant with condition to increase the floor to area ratio .42, Board Member Fred McGhee second on a 7-0 vote; **GRANTED WITH CONDITION TO INCREASE THE FLOOR TO AREA RATIO .42**

FINDING:

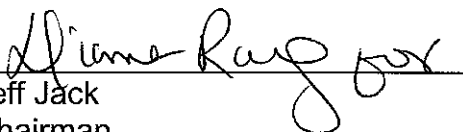
1. The Zoning regulations applicable to the property do not allow for a reasonable use because: this property is zoned Multi-family Historic District and is a three unit apartment and a conversion to a single family residence requires compliance with the single family requirements
2. (a) The hardship for which the variance is requested is unique to the property in that: this structure is an older home that has been converted to three units and to restore

and modernize the building to convert it back to a single family requires compliance with current requirements for single family use and proposed changes in conversion to 3 units to 1 unit will also include in compliance with the McMansion requirement and will allow the structure to be up graded to current acceptable living standards (b) The hardship is not general to the area in which the property is located because: not many of the structures in the area are reducing density and impervious cover in order to restore older building to original uses and maintain the appeal of the original construction while converting 3 units to one.

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: the restoration and change in the number of units and the reduction of impervious cover will be an enhancement and will not change the character of this diverse neighborhood, a certificate of appropriateness, approving these changes has been approved by the Historic Landmark Commission and front portion of this building will not change in any manner



Susan Walker
Executive Liaison



Jeff Jack
Chairman

From: [REDACTED]
To: [Ramirez, Elaine](#)
Subject: RE: C15-2021-0081
Date: Saturday, August 07, 2021 7:06:33 PM

*** External Email - Exercise Caution ***

August 7, 2021

RE: C15-2021-0081

Dear Board of Adjustment Commissioners,

I live in the neighborhood and have property within 500 feet of the proposed addition at 1308 West 9½ Street, Austin, TX, 78703. I am not in support of the request by Maryelaine Sotos and Bill Schurtz to increase the FAR for this property and the maximum square footage from 3,146 to 3,646.

I strongly oppose this request, for these reasons:

- I see absolutely no hardship in this case. According to the city of Austin building permits, the single-family homes' total new/addition building square footage is 3,618 sf and the ADU is 312 sf. The lot is 7,877 sf.
- This home is fairly new having been built in 2017. It seems that the original owners built close to the maximum FAR. The current owners purchased the house two years ago. The time to research if the FAR would allow for expansion is before buying the property.
- The point of FAR is to limit the size of the dwelling in relation to lot size. This lot is bigger than most in our neighborhood.
- I believe the proposal would set a bad precedent, by dramatically expanding the existing, generous FAR for this SF3 zoning.
- Granting this variance would open the door for other property owners who could use this action as precedent to build additional dense projects throughout this congested neighborhood by simply saying they need another bedroom. This precedent would then have an impact on the whole neighborhood. This could also lead to projects that need to have more impervious cover. The neighborhood and West Austin Park already have significant flooding issues.
- One cannot compare the multi-family (MF-4 zoned) properties in the neighborhood to single-family residences. Obviously, any MF-4 structure houses a large number of people and families, so must, by definition, have a higher FAR.

Respectfully,

A handwritten signature in black ink, appearing to read "Mike Banghart". The signature is fluid and cursive, with a long horizontal stroke extending from the end.

Mike Banghart

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Andrew McCalla
1300 W. 9 ½ St.
Austin, TX 78703

8 July, 2021

Jessica Cohen, Chair
COA Board of Adjustment

Greetings,

I live adjacent to 1308 W. 9 ½ St., and do not oppose the floor-to-area variance request which has been made by Maryelaine Sotos and Bill Schurtz, and which would allow the increase of their 3,146 square feet to 3,646.

I believe that this request is in keeping with the character of the neighborhood, does not cause adverse impact, will allow the family to stay in their home, and that the resultant FAR would still be far less than many of the MF-4 properties in the neighborhood.

Regards,

A handwritten signature in black ink, appearing to be 'AM' followed by a long horizontal stroke.

Andrew McCalla


June 28, 2021

Dear Board Chair Jessica Cohen,

We live at 1309 West 9th ½ street and are in support of the request by Maryelaine Sotos and Bill Schurtz to increase the floor-to-area ratio (FAR) going from 3,146 to 3,646 sqft for the property located at 1308 West 9 ½ Street, Austin, Texas 78703. We believe this proposal is in line with the character of the neighborhood, does not cause an adverse impact, allows the existing family to stay in their home, and is significantly less dense than the comparable MF-4-zoned properties in the area.

Thank you.

Anthony J. Bender
Lynne and Tony Bender 

From: **Bill Schurtz** b [REDACTED] 
Subject: Fwd: Your remodeling project
Date: July 21, 2021 at 6:21 PM
To: [REDACTED]

BS

Sent from my iPhone

Begin forwarded message:

From: bob frederick <[REDACTED]>
Date: July 21, 2021 at 5:19:06 PM CDT
To: Bill Schurtz [REDACTED]
Subject: Your remodeling project

I'm in support of your project but am out of town and unable to sign the attached letter. But you can include the letter and this email to show my support.

[Sent from Bob Frederick](#)

Dear Board Chair Jessica Cohen,

I own 1311 West 9th ½ street, and I am in support of the request by Maryelaine Sotos and Bill Schurtz to increase the floor-to-area ratio (FAR) for their property located at 1308 West 9 ½ Street, Austin, Texas 78703. I believe this proposal is in line with the character of the neighborhood, does not cause an adverse impact, allows the existing family to stay in their home, and is significantly less dense than the comparable MF-4-zoned properties in the area.

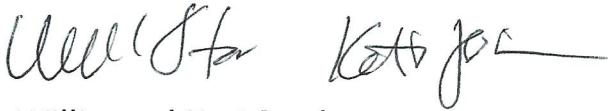
Thank you.

Bob Frederick

Dear Board Chair Jessica Cohen,

We live at 909 Shelly street, and we are in support of the request by Maryelaine Sotos and Bill Schurtz to increase the floor-to-area ratio (FAR) going from 3,146 to 3,646 sqft for the property located at 1308 West 9 ½ Street, Austin, Texas 78703. We believe this proposal is in line with the character of the neighborhood, does not cause an adverse impact, allows the existing family to stay in their home, and is significantly less dense than the comparable MF-4-zoned properties in the area.

Thank you.

Handwritten signatures of Willie Stark and Kati Stark. Willie's signature is on the left, and Kati's is on the right, followed by a horizontal line.

Willie and Kati Stark

PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, **you are not required to attend**. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact person listed on a notice*); or
- appearing and speaking for the record at the public hearing;

and:

- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: www.austintexas.gov/devservices.

E-4/56

Written comments must be submitted to the contact person listed on the notice before 9 a.m. the day of the public hearing to be added to the Late Back-up and viewed by the Board the night of the meeting. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice. All comments received will become part of the public record of this case.

Case Number: C15-2021-0081

Contact: Elaine Ramirez; elaine.ramirez@austintexas.gov

Public Hearing: Board of Adjustment; August 9th, 2021

911 Shelley Ave ↗

Your Name (please print)

Debra Flanagan

Your address(es) affected by this application

Debra Flanagan

Signature

☒ I am in favor
☐ I object

8/8/21

Date

Daytime Telephone: 512 705 8781

Comments: _____

If you use this form to comment, it must currently be returned via e-mail to:

City of Austin-Development Services Department

Elaine Ramirez

Scan & Email to: elaine.ramirez@austintexas.gov

Dear Board Chair Jessica Cohen,

I own 1311 West 9th ½ street, and I am in support of the request by Maryelaine Sotos and Bill Schurtz to increase the floor-to-area ratio (FAR) for their property located at 1308 West 9 ½ Street, Austin, Texas 78703. I believe this proposal does not cause an adverse environmental or infrastructure impact, allows the existing family to stay in their home, and is significantly less dense than the comparable MF-4-zoned properties in the area.

Thank you.

Debra Flanagan

A handwritten signature in black ink, appearing to read "Debra Flanagan", with a long horizontal flourish extending to the right.

Dear Board Chair Jessica Cohen,

I own the property directly to the west of 1308 west 9th 1/2 Street., and do not oppose the floor- to- area variance request which has been made by Maryelaine Sotos and Bill Schurtz, and which would allow the increase of their 3,156 square feet to 3,646. I believe this request is in keeping with the character of the neighborhood, does not cause adverse impact, will allow the family to stay in their home, and that the resultant FAR would still be far less than many of the MF-4 properties in the neighborhood.

Respectfully,

Ed Remaley

DocuSigned by:

Edward J. Remaley III

9616A09EE6E64F6...

From: Ellen Justice
To: [Ramirez, Elaine](#)
Subject: Board of Adjustment C15-2021-0081, 1308 West 9 1/2 Street, Austin, 78703
Date: Sunday, August 08, 2021 8:51:14 PM

*** External Email - Exercise Caution ***

Dear BOA Commissioners,

Please mark us as opposed to the granting of a variance in this case, 1308 West 9 1/2 Street. There is already a very large house on this lot, in addition to an ADU. We understand that the impervious coverage of this lot will not be increased. However, granting this variance will be a bad precedent for our neighborhood in that it will encourage future builders and current homeowners to construct even larger structures on existing lots, probably covering more of their lots.

There is a very bad flooding problem at the West Austin Park, which is just down the hill from this property. There are flooding problems in other parts of our neighborhood also. Additions to existing properties or too-large new constructions will only worsen this situation all over our neighborhood.

Thank you for your help.

Ellen Justice and Eric Leibrock
802 Winflo Drive
Austin 78703

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Tracy Claros
1313 West 9th ½ Street
Austin, TX, 78703

08/09/2021

Case Number – C15-2021-0081 1308 West 9 ½ Street.

Board of Adjustment Hearing 08/09/2021 –

To whom it may concern,

I would like to register an objection to the property – 1308 West 9 ½ Street being granted a variance to increase the Floor Area Ratio and build an addition to this property.

My property is directly across the street from the house in question and I have concerns about an addition to this property which is proposed to be built onto the flat roof.

Our street is a very small dead end street with houses of traditional Clarksville size and style. This property is already out of character, all be it an attractive property currently. This street and area has been blighted by several out of proportion sized properties that are not within city guidelines and are detrimental to the area and to the current residents.

The house has used the maximum allowable area per city guidelines and at this time is in proportion and scale to the lot. Any increase would negate this and cause it to be outside permitted scale and mass and out of scale to the surrounding properties.

I understand that a “hardship” needs to exist to get a variance from the city code. I am not aware of an existing hardship. The property has adequate area and it is unfortunate the area was used for air conditioned garage and pool guest house.

I would appreciate if we could stay within the city guidelines and deny the variance for this property.

Sincerely

Tracy Claros
1313 West 9th ½ Street

Tel: 512 484 9787

From: Ellen Justice
To: [Ramirez, Elaine](#)
Subject: Board of Adjustment, C15-2021-0081 1308 West 9 1/2 Street
Date: Tuesday, August 17, 2021 4:56:48 PM

*** External Email - Exercise Caution ***

Dear Commissioners,

I am writing again to register our opposition to the variance requested by these property owners. The recent first BOA hearing on this matter perfectly illustrates the negative consequence of allowing an increase of FAR in this case, which is the very bad precedent it will set.

The petitioners rely upon a variance granted to 608 Blanco - but this property, although originally a single-family residence, was used as a triplex by 2012, when the variance was granted. This shows how the wrongful granting of a variance for 1308 West 9 1/2 Street would be relied upon by other property owners seeking to expand.

Even though the impervious cover of this lot will not be affected, it will nonetheless have a bad effect on our neighborhood since other property owners will doubtlessly try to expand their buildings - and likely decrease their pervious coverage. Flooding is a big problem in our neighborhood.

This address already has a three-bedroom house, AND AN ADU. Where is the hardship?

Best wishes,

— Ellen Justice and Eric Leibrock, 802 Winflo Drive

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