CITY OF AUSTIN Board of Adjustment/Sign Review Board Decision Sheet (Reconsideration)

DATE: Monday, Aug 8, 2011	CASE NUMBER: C15-2011-006
Jeff Jack Michael Von Ohlen Nora Salinas Bryan King Leane Heldenfels, Chairman Clarke Hammond, Vice Chairman Heidi Goebel (abstained)	
Heldi Goebel (abstained)	

APPLICANT/OWNER: Lindsey Lane

ADDRESS: 2004 GOODRICH AVE

VARIANCE REQUESTED: The applicant has requested a variance to decrease the minimum side yard setback requirement of Section 25-2-492 (D) from 5 feet to 3 feet 9 ½ inches in order to maintain screened porch in order to change the use to create a two-family residential use in an "SF-3-NP", Family Residence – Neighborhood Plan zoning district. (Bouldin Neighborhood Plan) Denied

The applicant has requested a variance to decrease the minimum rear yard setback requirement of Section 25-2-492 (D) from 10 feet to 5 feet in order to maintain an attached accessory structure in order to change the use to create a two-family residential use in an "SF-3-NP", Family Residence – Neighborhood Plan zoning district. (Bouldin Neighborhood Plan) **Denied**

The applicant has requested a variance to increase the maximum allowable gross floor area of Section 25-2-774 (C) (7) (a) from 850 square feet to 1187 square feet in order to change the use of a building to create a two- family residential use in an "SF-3-NP", Family Residence – Neighborhood Plan zoning district. (Bouldin Neighborhood Plan) **Granted**

BOARD'S DECISION: June 13, 2011 The public hearing was closed on Board Member Clarke Hammond motion to Grant only the third variance, to allow for an increase in gross floor area that reflects the building as built without the porch and storage additions, the 1st and 2nd variance are Denied. Board Member Michael Von Ohlen second on a 7-0 vote (Heidi Goebel recused); GRANTED ONLY THE THIRD VARIANCE, TO ALLOW FOR AN INCREASE IN GROSS FLOOR AREA THAT REFLECTS THE BUILDING AS BUILT WITHOUT THE PORCH AND STORAGE ADDITIONS

BOARD'S DECISION: July 11, 2011 (Reconsideration request) Board member Michael Von Ohlen motion to reconsider request, Board member Leane Heldenfels second on a 4-2 vote (Board members Bryan King and Jeff Jack nay); RECONSIDERED; Postponed to August 8, 2011.

BOARD'S DECISION: Aug 8, 2011 POSTPONED TO SEPTEMBER 12, 2011 (Heidi Goebel abstained)

FINDING:

- 1. The Zoning regulations applicable to the property do not allow for a reasonable use because: lot is 10, 000 sf which is far exceeds the lot area requirements for 2 family use, except for the sq ft, the secondary dwelling unit meets all code provisions for 2 family use, secondary dwelling/2 family use is a common and ordinary use in SF-3 zoning districts
- 2. (a) The hardship for which the variance is requested is unique to the property in that: second dwelling unit was permitted before the 850sq limit for a secondary structure was adopted in May 2000, the project passed all inspections, attempted to get final but was instructed to wait until new code provisions were in place, followed all advice/guidance given by city staff, not impossible to reconfigure these 2 structure to create duplex use, shed would normally be allowed with a 5' rear yard setback if was freestanding, instead it is attached to the rear of the accessory structure, which was the most reasonable space available for it, the screen porch encroachment into the south side yard is minimal and there are no plans to enclose the screen porch
- (b) The hardship is not general to the area in which the property is located because: accessory building was permitted for this lot
 - 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 second dwelling unit has stood for almost 20 years in its present location and does not present a conflict with adjacent properties or uses, accessory buildings are common in my neighborhood, all of my adjacent neighbors support my variance request

Susan Walker

Executive Liaison

Leane Heldenfels

Chairman

CITY OF AUSTIN Board of Adjustment/Sign Review Board Decision Sheet (Reconsideration)

DATE: Monday, July 11, 2011	CASE NUMBER: C15-2011-0065
N Jeff Jack	
Y Michael Von Ohlen Y Nora Salinas	Motion to Reconsider
N Bryan King	
Y Leane Heldenfels, C Y Clarke Hammond, V	Chairman 2nd the motion ice Chairman
Heidi Goebel (recuse	d)

APPLICANT/OWNER: Lindsey Lane

ADDRESS: 2004 GOODRICH AVE

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BOARD'S DECISION: July 11, 2011 (Reconsideration request) Board member Michael Von Ohlen motion to reconsider request, Board member Leane Heldenfels second on a 4-2 vote (Board members Bryan King and Jeff Jack nay); RECONSIDERED; Postponed to August 8, 2011.

FINDING:

- 1. The Zoning regulations applicable to the property do not allow for a reasonable use because: lot is 10, 000 sf which is far exceeds the lot area requirements for 2 family use, except for the sq ft, the secondary dwelling unit meets all code provisions for 2 family use, secondary dwelling/2 family use is a common and ordinary use in SF-3 zoning districts
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Susan Walker

Executive Liaison

Leane Heidenfels

Chairman

Ramirez, Diana

From: steve_mcguire [steve_mcguire@yahoo.com]

Sent: Monday, July 18, 2011 9:32 AM

To: Walker, Susan; Ramirez, Diana

Cc: znaexcom@yahoogroups.com

Subject: BoA, 2004 Goodrich, Case# C15-2011-0065

We feel Ms. Lane has been less than candid with us. For example, she informed us that the back structure on her property violated the side setback, but failed to mention it was because she had at some later point added a screened porch to it. There are other instances as well. As a result, the Zilker Neighborhood Association Executive Committee wishes to revoke our neutral position and we now oppose Ms. Lane's requests for reconsideration of variances for her property at 2004 Goodrich, Case# C15-2011-0065.

Sincerely, Zilker NA Executive Committee

City of Austin-Planning & Development Review Department/ 1st Floor If you use this form to comment, it may be returned to: Comments: Daylime Telephone: 441 -03 Your address(es) affected by this application scheduled date of the public hearing; the Case Number; and the contact person Your Name (please print) listed on the notice. comments should include the name of the board or commission, or Council; the contact person listed on the notice) before or at a public hearing. Your Written comments must be submitted to the board or commission (or the Austin, TX 78767-1088 Susan Walker P. O. Box 1088 Public Hearing: Board of Adjustment, July 11th, 2011 1905 Hether Case Number: C15-2011-0065 - 2004 Goodrich Contact: Susan Walker, 512-974-2202 WRIKO STUDER Signature ☐ I object Tam in favor

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.

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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:

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 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
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Y Jeff Jack		
Y Michael Von Ohlen 2 nd the Motion		
Y Nora Salinas		
Y Bryan King		
Y Leane Heldenfels, Chairman		
Y Clarke Hammond, Vice Chairman Motio	on to Grant 3 rd variance only	
Heidi Goebel (RECUSED)	Tariance only	
YMelissa Hawthorne		

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FINDING:

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Súsan Walker

Executive Liaison

Leane Heldenfels

Chairman



Dear Members of the Board of Adjustment:

I am requesting that the Board of Adjustment reconsider certain variance requests made at the June 13th BOA hearing, Case # C15-2011-0065, concerning 2004 Goodrich Avenue. The requests were to decrease the minimum side yard and rear yard setbacks to accommodate a porch and a tool shed, respectively.

It is my contention the Board erred in its decision on these two variances because the quality of their photocopies made it impossible for the Board to see and understand where these structures are on the property and how they are situated in relation to the surrounding properties. I was unaware of how poorly my color photographs would reproduce for the Board's packets. If the Board had been able to see these specific areas of the property, they could see that they are not obtrusive. The Board would also understand that these simple structures contribute functionally to the "green energy" aspects of the house and to positive aesthetic values for my neighbors and the neighborhood. The Board would understand why my four contiguous neighbors supported my variance requests.

Regarding the variance request to decrease the minimum side yard five-foot setback requirement by *fourteen inches* in order to maintain a screened porch:

- The absolute closest distance from my porch to my neighbor's house is 63 feet. According to Austin building codes, these structures could be within ten feet of each other (with a 5 foot setback on each side). In this case, my neighbors and I are more than 60 feet apart.
- According to Austin Energy, having a porch on the south side of the house is an
 energy savings feature. In this case, the porch roof and porch protects a south
 facing sliding glass door.
- I understand that, according to Austin building codes, rooflines may encroach on side yard and rear yard setbacks by up to 24 inches.
- It seems unreasonable and unnecessary to cut off 14 inches of a useful, and functional screened porch, which provides passive solar protection.
- According to Austin building codes, a front porch may encroach 10 feet into the 25-foot front yard setback requirement. On my side yard, I am more than sixty feet from my neighbors and I only encroach on the setback by 14 inches.

Regarding the variance request to decrease the minimum rear yard ten-foot setback requirement by four feet, six inches in order to maintain an attached storage shed:

- The shed is located in a very unobtrusive area of the property and is surrounded by privacy fencing. On one side are my neighbor's freestanding storage sheds and on the other side is my neighbors drive way.
- If the shed were freestanding, it could be within the ten-foot setback and be only
 five feet from the property line, closer than it is now. Such a shed would be much
 more intrusive and ugly than the current one. My neighbors, as stated, prefer
 things the way they are.

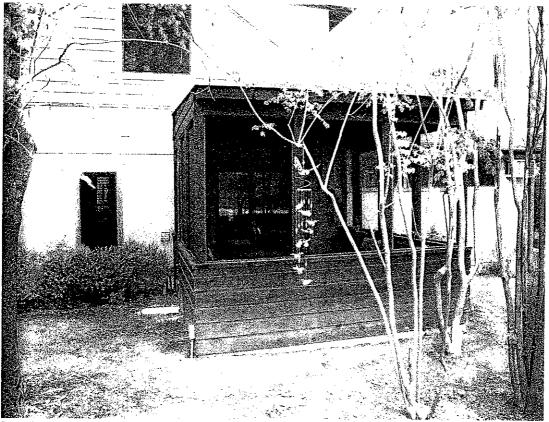
• If I were to put a freestanding storage shed elsewhere on my property it would be unattractive to my neighbors, and disrupt the side-by-side living areas of this two family residential property.

• There are no utility easements in this area of the property.

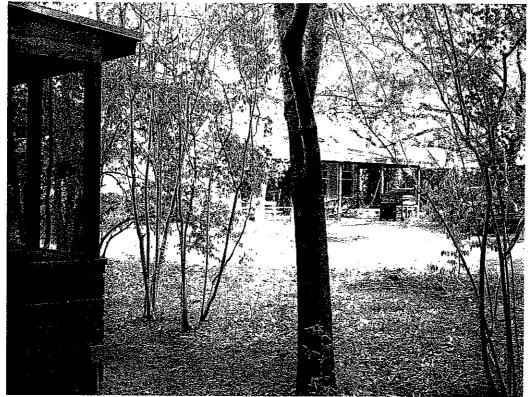
I am attaching newer and clearer pictures as well as more simplified site plan. I am also prepared to present a short PowerPoint presentation to illustrate these features so that you can make a better, more visually informed decision. I hope you will reconsider my request for these two variances.

Thank you for your time,

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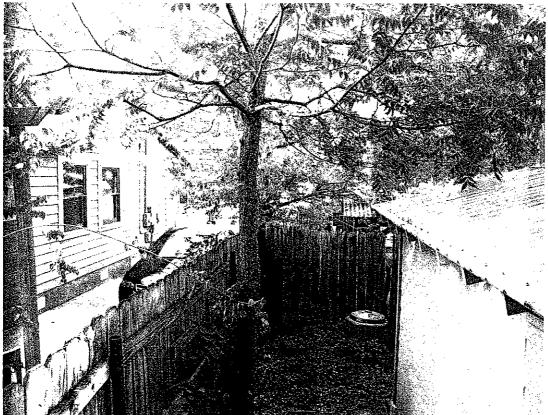
Porch on the southside



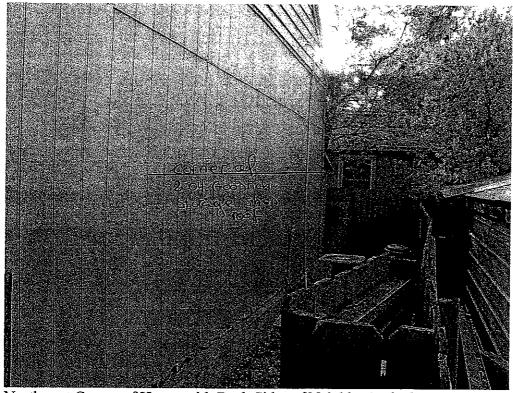
Porch-Looking south at Neighbor's house over 60 feet away



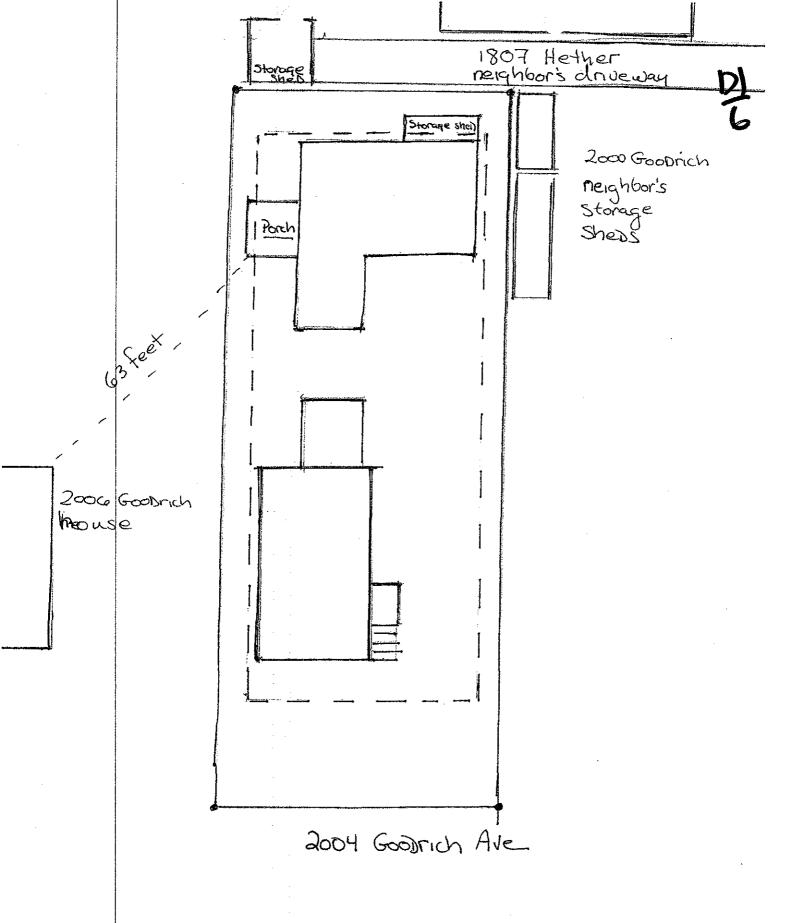
Back of House with Shed



Northwest corner of Lot and Storage Shed



Northwest Corner of House with Back Sides of Neighbor's sheds



AN

June 23, 2011

JUN 2 3 2011

Dear Members of the Board of Adjustment:

CITY OF AUSTIN

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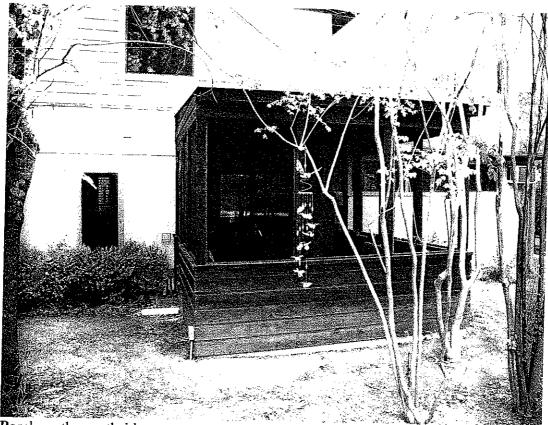
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Thank you for your time,

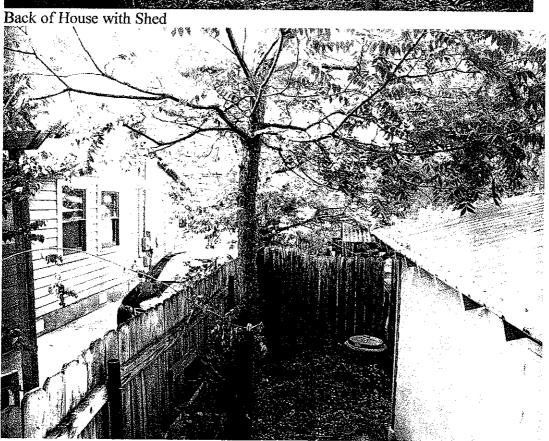


Porch on the southside

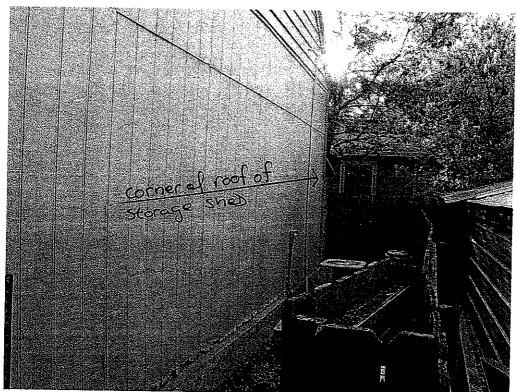


Porch-Looking south at Neighbor's house over 60 feet away

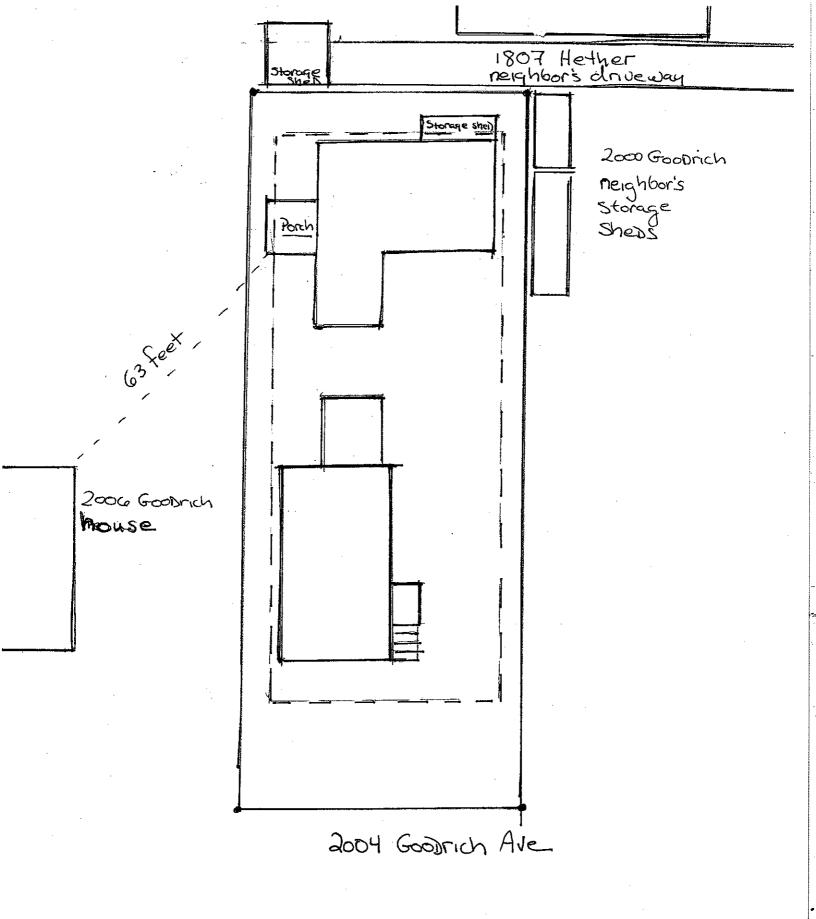




Northwest corner of Lot and Storage Shed



Northwest Corner of House with Back Sides of Neighbor's sheds



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BOARD'S DECISION: The public hearing was closed on Board Member Clarke Hammond motion to Grant with friendly amendments to downsize screen porch to meet 5' setback and remove shed to another location to meet setback requirements, Board Member Michael Von Ohlen second on a 7-0 vote (Heidi Goebel recused); GRANTED WITH FRIENDLY AMENDMENTS TO DOWNSIZE SCREEN PORCH TO MEET 5' SETBACK AND REMOVE SHED TO ANOTHER LOCATION TO MEET SETBACK REQUIREMENTS.

FINDING:

- 1. The Zoning regulations applicable to the property do not allow for a reasonable use because: lot is 10, 000 sf which is far exceeds the lot area requirements for 2 family use, except for the sq ft, the secondary dwelling unit meets all code provisions for 2 family use, secondary dwelling/2 family use is a common and ordinary use in SF-3 zoning districts
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Executive Liaison

Leane Heldenfels

Chairman

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- 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.

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Case Number: C15-2011-0065 – 2004 Goodrich Contact: Susan Walker, 512-974-2202 Public Hearing: Board of Adjustment, June 13th, 2011
KIMM CHEMICAL Your Name (please print) 1804 HETHER HUSTING Your paddress(es) affected by this application
(CMM () [at the Signature 6-7-11 Daytime Telephone: 416-0217
Comments: SETBACKS are Setbacks for a reason-Idon't want any re on to of me. When built had
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ent, it mz

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Austin, TX 78767-1088

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. 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.

Susan Walker P. O. Box 1088
If you use this form to comment, it may be returned to: City of Austin-Planning & Development Review Department/ 1st Floor
Comments:
Daytime/Telephone: (5/4-445-6/6/
Signature Date
Harm Comba
1904 GOONICH VT HUSLIN IX 18704
Your Name (please print) Your Name (please print) Tam in favor
Public Hearing: Board of Adjustment, June 13th, 2011
Case Number: C15-2011-0065 – 2004 Goodrich Contact: Susan Walker, 512-974-2202

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 amounces a specific date and time for a postponement or continuation that is not later than 60 days from the amouncement, 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.ci.austin.tx.us/development.

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Case Number: C15-2011-0065 - 2004 Goodrich Contact: Susan Walker, 512-974-2202 Public Hearing: Board of Adiustment. June 13th, 2011
Your Name (please print) 1804 Hether Hostu >8704
Your address(es) affected by this application Cur (Lara
Signature Date
Comments: No variance sholf le
granked for new construction.
serm's and only then regu
out. There no Isympathy bot
Then extract borgiveness.
If you use this form to comment, it may be returned to: City of Austin-Planning & Development Review Department/ 1st Floor
Austin, TX 78767-1088

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City of Austin-Planning & Development Review Department/ 1st Floor

Austin, TX 78767-1088

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Daytime Telephone: 512-827-7854 scheduled date of the public hearing; the Case Number; and the contact person listed on the notice. Your address(es) affected by this application

M & / O 16 Your Name (please print) home misproportioned to the land it sits on. As a neighbour Comments:__ work within the letter and spirit of the ordinance. reightourhood I live in. for myself here, I found it a creative challenge to place to preserve the look and character of the To not have done so would have resulted in a I would like the estletic of my surrounding homes preserve Public Hearing: Board of Adjustment, June 13th, 2011 Contact: Susan Walker, 512-974-2202 Case Number: C15-2011-0065 - 2004 Goodrich 1811 Hether st Vichael Baird I believe the existing ordinaces are in Signature Having recently built a house 6-6-201 X I object ☐ I am in favor

Walker, Susan

From: Andy Elder [waepoint@yahoo.com]

Sent: Friday, June 10, 2011 4:27 PM

To: Walker, Susan

Cc: ZNAExCom@yahoogroups.com

Subject: 2004 Goodrich (Case C15-2011-0065)

Dear Ms. Walker,

The executive committee of the Zilker Neighborhood Association has considered the variances requested at 2004 Goodrich (Case C15-2011-0065). ZNA strongly supports the definition of hardship and other criteria for variances required by the Board of Adjustment, and we expect that any request that fails to meet that standard will not be granted. While we respect the property owner's need to seek resolution, we do not currently see a basis for the property meeting all variance findings in this case.

We are aware of other properties within the neighborhood where structures have been built without permits, or permitted as accessory structures, and the owners are now trying to convert them to standalone uses. ZNA does not currently have enough information to form a consistent position in these cases, other than to suggest that the Board of Adjustment is probably not the appropriate venue for resolving this type of issue.

Please add this communication to the Board of Adjustment's file on this property. Thank you for your attention.

Regards,

Andy Elder

ZNA President

CASE # CLS-2011-0065
ROW # 10589994

CITY OF AUSTIN / / C APPLICATION TO BOARD OF ADJUSTMENT GENERAL VARIANCE/PARKING VARIANCE

WARNING: Filing of this appeal stops all affected construction activity.

PLEASE: APPLICATION MUST BE TYPED WITH ALL REQUESTED INFORMATION COMPLETED.
STREET ADDRESS: 2004 Goodrich Avenue
LEGAL DESCRIPTION: .2218 acre tract of land in the Isaac Decker League, being a portion of Block 36, L.M. Bradley's Subdivision of Lot 4 of Goodrich Subdivision (unrecorded) AND a 2.11 foot strip of land in the Isaac Decker League, being a portion of Block 36, L.M. Bradley's Subdivision of Lot 4 of Goodrich Subdivision.
I, Lindsey Lane affirm that on,
I hereby apply for a hearing before the Board of Adjustment for consideration to: (check appropriate items below)
ERECT ATTACH COMPLETE REMODEL X MAINTAIN
An existing 1,187 s.f. Second Dwelling Unit / 2-family use with the following
required yard encroachments:
18" into south sideyard 3" 1/2" from (Journ fill)
required yard encroachments: 18" into south sideyard 5'-0" into west rearyard 3' 9'/z" From Julan West P. 1.
in a SF-3-NP [Bouldin NP] district. 850th -> 1187th
NOTE: 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 support described as incomplete.

VARIANCE FINDINGS: I contend that my entitlement to the requested variance is based on the following findings (see page 5 of application for explanation of findings):

REASONABLE USE:

1. The zoning regulations applicable to the property do not allow for a reasonable use because:

My lot is 10,000 s.f., which far exceeds the lot area requirements for 2-family use. Except for the square footage, the secondary dwelling unit meets all code provisions for 2-family use.

A Secondary Dwelling / 2-family use is a common and ordinary use in SF-3 zoning districts..

HARDSHIP:

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

[see also attached timeline]

The Second Dwelling Unit was permitted before the 850 s.f. limit for a secondary structure was adopted in May 2000.

The project passed all inspections.

I attempted to get my final, but was instructed to wait until new code provisions were in place. I followed all advice / guidance given to me by city staff.

It is not possible to reconfigure these 2 structures to create a duplex use.

The shed would normally be allowed with a 5' rear yard setback if was freestanding. Instead, it is attached to the rear of the accessory structure, which was the most reasonable space available for it.

The screen porch encroachment into the south side yard is minimal and there are no plans to enclose the screen porch.

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

The Accessory Building was permitted for this lot.

AREA CHARACTER:

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 Second Dwelling Unit has stood for almost 20 years in its present location and does not present a conflict with adjacent properties or uses.

Accessory Buildings are common in my neighborhood.

All of my adjacent neighbors support my variance request.

PARKING: (Additional criteria for parking variances only.)

Request for a parking variance requires the Board to make additional findings. Th Board may grant a variance to a regulation prescribed Section 479 of Chapter 25-6 wit respect to the number of off-street parking spaces or loading facilities required if it make findings of fact that the following additional circumstances also apply: 1. Neither present nor anticipated future traffic volumes generated by the use of the sit or the uses of sites in the vicinity reasonable 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:

OTE: 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.

APPLICANT CERTIFICATE - I affirm that my statements contained in the complete
application are true and correct to the best of my knowledge and belief.
Signed Mail Address 2004 Good Ave.
City, State & Zip Austin Tx 78704
Printed LINDSRY C LAVE Phone 5/2-2936040 pate 4/27/11
OWNERS CERTIFICATE - I affirm that my statements contained in the complete application
are true and correct to the best of my knowledge and belief.
Signed Mail Address 2004 Good Ave
City, State & Zip Austra Tx 78764
Printed Livisey Clave Phone 512.293 Date 4.27.1)
6046

GENERAL INFORMATION FOR SUBMITTAL OF A VARIANCE REQUEST TO THE BOARD OF ADJUSTMENT

(The following is intended to provide assistance in explaining the variance process. These suggestions are not intended to be a complete or exhaustive guide in assisting you through this process.)

VARIANCE REQUIREMENTS:

General Requirements:

- A. A variance may be granted if, because of special circumstances of a property, the strict application of the Land Development Code regulations deprives the property owner of privileges that are enjoyed by another person who owns property in the area that has the same zoning designation as the property for which the variance is requested.
- B. A variance to a regulation may not grant special privileges that are inconsistent with the limitations on other properties in the area or in the district in which the property is located.

SUBMITTAL REQUIREMENTS: (Failure to complete the application or to submit all the required materials will result in non-acceptance of the application.)





BOARD OF ADJUSTMENTS

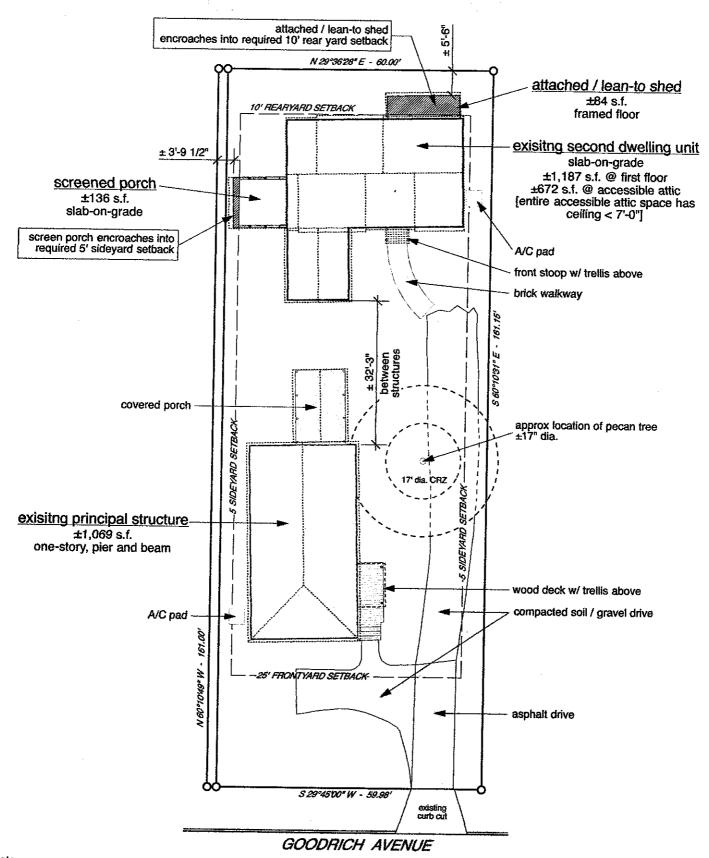
CASE#: C15-2011-0065 LOCATION: 2004 Goodrich Ave

GRID: G21

MANAGER: Susan Walker



This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



note: information on this page is taken from owner's survey dated 02/18/2011 and field measurements by architect

site plan / scale: 1" = 20'-0" / issue for B.O.A. variances

variances required

NOTE: NO NEW CONSTRUCTION IS BEING PROPOSED - ALL STRUCTURES ARE EXISTING

[SOUTH] SIDEYARD SETBACK: reduce setback from 5'-0" to 3'-6"

for existing screened porch at accessory structure

[WEST] REARYARD SETBACK: reduce setback from 10'-0" to 5'-0"

for existing attached / lean-to shed at accessory structur

ACCESSORY STRUCTURE: increse allowable square footage from 850 s.f. to 1,190 s.f.

for existing accessory structure to remain as-is

site information

address: 2004 Goodrich Avenue Austin, Texas 78704

zoning: SF-3-NP [Bouldin]

legal description: 0.2218 AC. out of Block 36 of L.M. Bradley's

Subdivision of Lot 4, Goodrich Subdivision

Vol. 4, Page 268 - plat record of Travis County, Texas

NOTE: A Land Status Determination 1995 Rule Platting Exception has been

issued for this lot - 10.27.2010

± 10,000 SF - per survey dated 02.18.2011

building coverage

40% allowable

principal structure

house footprint: 1,069

covered porch footprint:

189

secondary dwelling unit:

house footprint:

1,187

screen porch footprint: 135

attached shed footprint: 84

> total: 2,664 (26.64%)

Impervious cover

45% allowable

building coverage:

2,664

1,154

265

uncovered wood deck footprint:

[counted at 50%] 51

packed dirt / gravel driveway:

asphit driveway:

walks / paving:

94

AC pads:

25

total: 4,253 (42.53%)

floor-to-area ratio

.40 allowable

principal structure 1st floor:

1.069 [covered porch exempted from calculation per subchapter F 3.3.3.A]

accessory structure 1st floor:

1,187 [screen porch exempted from calculation per subchapter F 3.3.3.A]

secondary dwelling unit 1st floor > 15'-0" tall:

50

secondary dwelling unit attached shed:

84

secondary dwelling unit accessible attic:

[672 s.f. exempted per subchapter F 3.3.3.C

entire accessible attic has <7'-0" ceiling height

total: 2,390 (0,24)

2004 Goodrich Avenue

site calculations



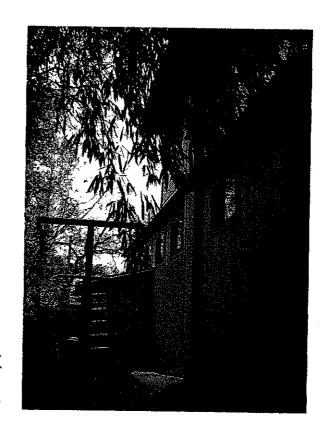
VIEW OF SECONDARY DWELLING UNIT LOOKING WEST



VIEW OF PROPERTY LOOKING WEST



VIEW OF SETBACK ENCROACHMENT AT SOUTH PROPERTY LINE



VIEW OF SETBACK ENCROACHMENT AT REAR PROPERTY LINE

ACCESSORY STRUCTURE 2004 GOODRICH



PRINCIPAL STRUCTURE 2004 GOODRICH

note: information on this page is taken from Google maps

2004 Goodrich Avenue

aerial view showing adjacent lots / structures

p.5

From: steve_mcguire <steve_mcguire@yahoo.com>

Subject: Re: [ZNAExCom] FW: [Zliker Neighborhood Association] Variance request

Date: April 7, 2011 1:21:39 PM CDT
To: ms/indsey/ane@gmail.com
Cc: znaexcom@yahoogroups.com

Hi Lindsey,

ZNA excom voted to take a neutral position on your case, but will send a letter to the BoA stating something close to this:

"We do not have the research or expertise to take a position on this case of hardship, but we do support the definition and criteria of hardship as outlined by the Board of Adjustments, and expect that any request that fails to meet that standard will not be granted."

Sorry it has taken me a while to respond to your last email. I was on vacation and did not attend the 4/4 excom meeting. I can send you the exact wording of the letter once it is written.

Please let me know if you have questions.

Steve

Steve

--- On Fri, 4/1/11, lindsey lane <mslindseylane@gmail.com> wrote:

From: lindsey lane <mslindseylane@gmail.com>

Subject: Re: [ZNAExCom] FW: [Zilker Neighborhood Association] Variance request

To: "steve_mcguire" <steve_mcguire@yahoo.com>

Date: Friday, April 1, 2011, 5:05 PM

Steve,

I have talked to my four contiguous neighbors and they have signed a letter saying that support my variances.

I will now fill out my BoA application. Before I submit it, I will check in again to see if the ZNA executive committee has agreed with the zoning committee's neutral recommendation.

Best, Lindsey

Website: http://www.lindseylane.net Blog: http://www.lindseylane.net/blog/

On Mar 22, 2011, at 9:05 AM, steve_mcguire wrote:

Hi Lindsey

Matt and I submitted a neutral recommendation to the ZNA executive committee concerning your property and potential case before the BoA. Matt's email is:

mattditlow@realtyaustin.com

Regards, Steve

--- On Mon, 3/7/11, lindsey lane <<u>mslindseylane@gmail.com</u>> wrote:

From: lindsey lane < mslindseylane@gmail.com>

Subject: Re: [ZNAExCom] FW: [Zilker Neighborhood Association] Variance request

To: "steve_mcguire" < steve_mcguire@yahoo.com>

Date: Monday, March 7, 2011, 5:09 PM

Thanks, Steve.

Did the letter make sense?

Website: http://www.lindseylane.net Blog: http://www.lindseylane.net/blog/

On Mar 7, 2011, at 3:40 PM, steve_mcguire wrote:

Dear Friends and Neighbors:

Last fall I had the bright idea to upgrade the utilities on my property by separating the electric service so the front house can have its own meter. While working on it, I discovered that there is an outstanding unfinaled permit on the property which I must resolve before I can upgrade the utilities.

Unfortunately, this permit problem opened up a whole 'nother can of South Austin worms. In order to get a final permit, I have to request three variances from the Board of Adjustment. My porch and shed are closer to the property line than they should be and my house is a few hundred square feet bigger than the current code allows.

I want to be very clear: I AM NOT BUILDING ANYTHING. THE VARIANCES WILL SIMPLY ALLOW ME TO KEEP MY HOME AS IT IS.

I have made the Zilker Neighborhood Association aware if this issue. The zoning folks are submitting a neutral recommendation to the Executive Committee.

Finally I am attaching a petition to this letter, which asks for your support in my variance request. I hope you will consider signing it.

If you have any questions, please feel free to call me (293-6046).

Lindsey

If you have no objections, I would appreciate your signing the attached petition, which I can present to the Board of Adjustment.

I support Lindsey Lane's variance request at 2004 Goodrich Ave.

Name

Address

Signature

SNEAN BALLES 201 GODORUCH

Savah Powers 1807 Hether St. Larah Powers

CLAIRE BRUND 2006 GODORICH

KAREN HAMTER 2000 Godrich Ave Karen thaten



City of Austin Planning and Development Review Land Status Determination 1995 Rule Platting Exception

October 27, 2010

File Number: C8I-2010-0277

Address:

2004 GOODRICH AVE

Tax Parcel I.D. # 0100060117

Tax Map Date: 01/05/2010

The Watershed Protections & Development Review has determined that this parcel, as described in the attached description and map, **IS EXCEPTED FROM THE REQUIREMENT TO PLAT** in accordance with the Land Development Code, Section 25-4-2(C), and is eligible to receive utility service.

The parcel of land consists of five acres or less, and is described as being .2218 acre tract of land in the Isaac Decker League, being a portion of Block 36, L.M. Bradley's Subdivision of Lot 4 of Goodrich Subdivision (unrecorded) AND a 2.11 feet strip of land in the Isaac Decker League, being a portion of Block 36, L.M. Bradley's Subdivision of Lot 4 of Goodrich Subdivision in the current deed, recorded on Aug 12, 1993, in Volume 11998, Page 705, Travis County Deed Records. This parcel existed in its current configuration on January 1, 1995, as evidenced by a deed recorded on Aug 12, 1993, in Volume 11998, Page 705, Travis County Deed Records. The parcel was lawfully receiving utility service, as defined in Section 212.012 of the Texas Local Government Code, on January 1, 1995, as evidenced by water service on Mar 05, 1946. The parcel meets the requirements of the Land Development Code for roadway frontage and is located on an existing street.

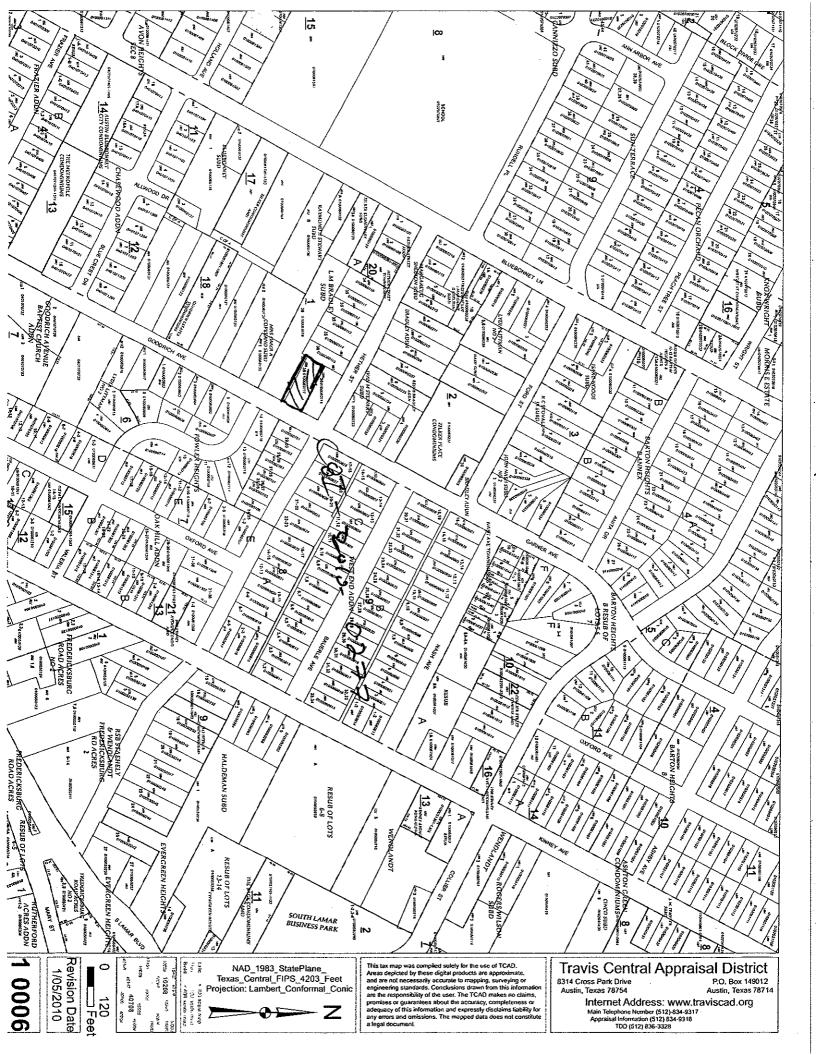
Additional Notes/Conditions: NONE

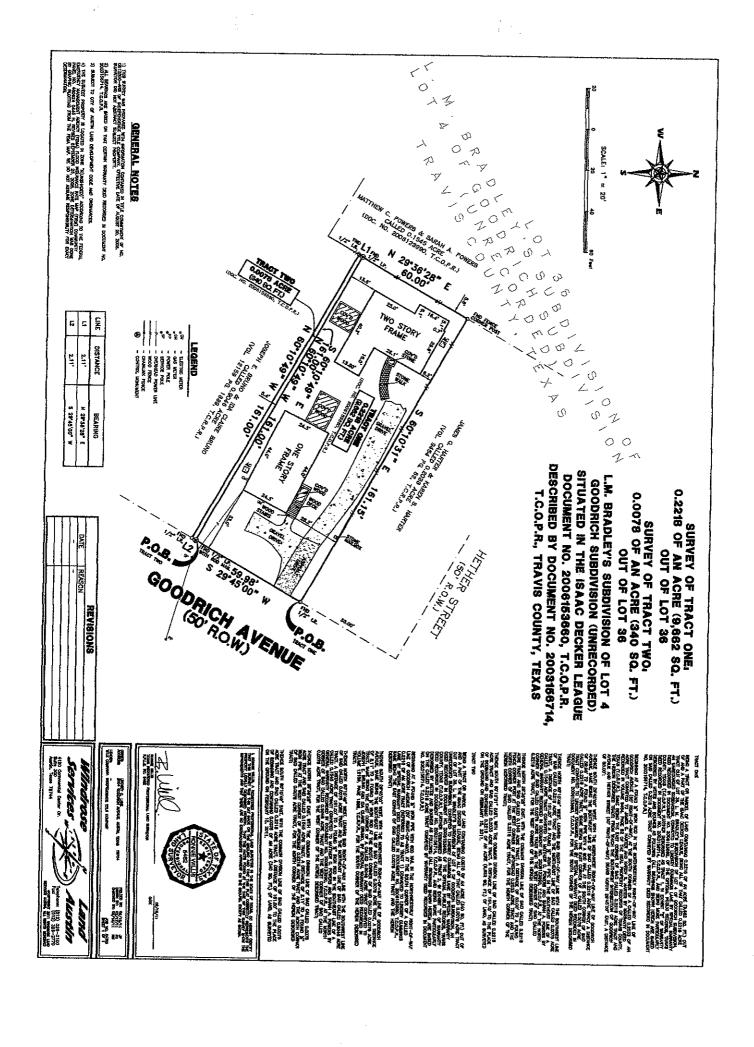
This determination of the status of the property is based on the application of Chapter 212, Municipal Regulation of Subdivisions and Property Development, Texas Local Government Code; and the City of Austin Land Development Code, Chapter 25-4, Subdivision. Recognition hereby does not imply approval of any other portion of the City Code or any other regulation.

By:

Daniel Word, Representative of the Director

Planning and Development Review





2004 Goodrich Avenue Facts re: Ownership and Zoning

- August 1993—I purchased the property at 2004 Goodrich Avenue from Edwin and Maureen Walston. At the time the property included a two bedroom, two-bath house at the front of the property and a detached accessory building at the back of the property. The property was zoned SF-3. I purchased the property with the intention of finishing out the detached accessory building as my home and renting out the 2-2 home. To accomplish this goal, Walston deeded me an extra two feet on the southern lot of line of the property (he owned the adjoining property) to increase the square footage to 10,000 square feet which would allow me, he said, to have a detached home on the property. I didn't want to duplex the houses as they are 48 feet apart and I believes that duplex would change the character of the property so much it would no longer fit with the neighborhood.
- September 1993—Walston began the detached accessory building remodel. Three
 week later I had to fire him because he stopped showing up to work after
 receiving a \$5000 draw. I hired a carpenter and electrician to take over the work
 while I got up to speed regarding the various plumbing, electrical and mechanical
 codes.
- In 1994, when it came time to pass my final inspection on my house (I passed all the inspections on my renovation and was never told that there were problems with the project), I was told by the inspector that I could not get a Certificate of Occupancy (CO) because I could not have two unattached houses on the property. The houses either needed to be joined by a 48x24 foot roof or the second house needed to be a guesthouse with no stove. It was at this time I learned that the creation of the 10,000 square foot property was for a guesthouse, not a fully functioning house.
- I needed the income of the rental unit to make a mortgage payment, so creating a
 guesthouse scenario was not going to work. Without a CO, I couldn't sell the
 house. I tried to create a landscape plan that would join the two houses to look
 like a duplex without all the impervious cover.
- In 1995, I presented this design to JR Kugel in the zoning and permitting dept. He looked at the plans and asked me if I was going to sell the property anytime soon. I said no. He said that the SF and MF zoning was being reviewed and, if I could wait, he thought the new definitions of SF 3 would be able to incorporate the configuration of my property.
- I called in 1996 to see if there was any progress. There wasn't. Later that year, I became a mother and didn't call again until 2001.
- By 2001, SF3 zoning had been amended and two unattached building could coexist on a 7000 sq foot lot IF the second building did not exceed 850 sq feet.

CITY OF AUSTIN - PROJECT PEPMIT

Printed: 12 June 2001

PERMIT NO. 9302540		STATUS FINALED	TYPE R		ADDRESS 2004 GOODRICH AVENUE A 00000					DATE 0 08-MAR-93			
В	RADLEY ADD	ITION BLOCI	K: LOT: 60	SUBDIVISION X 161' O						PERMIT CLERK			
									VOLPE, M				
	PLAT	BLOCK LOT							GRID				
	107	60' X 161' OF LOT 36											
	SF3	REQD.	PARKII PROVI		ADD BEDRO	OOM & B	ATHR	PROPOSED OCCI OOM TO RE	JPANCY SIDENCE)			
SPECIAL PER		AIT NO.	TOTAL SQ. I	-T .	VALUATION	TYPE CONST.		. USE. CAT.	GROUP	FLOORS BLDGS		UNITS	
			595		\$620,000			R4-0			1 -	1	
		WORK PERMITTED		BASEMENT	1		BUILDING DIMENSIONS				MIN. STD.	ONR	
A	DDITION				23' X 2	23' X 24'							
						PHO	ONE	FEE	PAID DATE	 F	REQUIRE	⊥/ :D	
C O					447-8803					INSPECTIONS			
Ν	I BUILDING OWNER							\$78	03/08/1993	BU	ILDING	i	
T R	ELECTRICAL	OWNER	₹		\$43 0			03/15/1993	MECHANICAL				
A C	MECHANICAL	OWNER	₹					\$37	03/15/1993		ECTRIC UMBINO		
T O	PLUMBING	OWNER	3					\$37	03/15/1993	WA	ATER		
R S	SIDEWALK/DRI			ŀ	Ψ0,	00/10/1000	SE	WER					
	SIGN												
	ROOF / SIDE												
	ELEC SERVICE	FEE					:						
	PLAN CHECK FE	ΞE											
						ETJI	FEE	TOTAL FEE	TOTAL PAID				
								\$195	\$195		•		

C.O. MAILING ADDRESS

REMARKS:

BY TAKING AND/OR PAYING FOR THIS PERMIT APPLICATION, YOU ARE DECLARING YOU ARE THE OWNER OR HAVE BEEN AUTHORIZED BY THE OWNER OR OWNERS TO SUBMIT THIS APPLICATION, THAT THE GIVEN DATA ARE TRUE FACTS AND THAT THE WORK WILL CONFORM TO THE PLANS AND SPECIFICATIONS SUBMITTED HEREWITH:

THIS IS A RECEIPT OF PAYMENT FOR FEE OR FEES AS MARKED PAID.

OUT OF AUGUST - FROMEOUTE

TYPE

Printed:

12 June 2001

DATE

9302540 **FINALED** R 2004 GOODRICH AVENUE A 00000 08-MAR-93 SUBDIVISION PERMIT CLERK BRADLEY ADDITION BLOCK: LOT: 60' X 161' OF LOT 36 VOLPE, M PLAT BLOCK GRID 107 60' X 161' OF LOT 36 PROPOSED OCCUPANCY
ADD BEDROOM & BATHROOM TO RESIDENCE ZONE HT. & AREA PARKING PROVD. REQD. SF3 SPECIAL PERMIT NO. TOTAL SQ. FT. VALUATION USE, CAT. FLOORS TYPE CONST. GROUP BLDGS UNITS 595 \$620,000 R4-0 1 1 WORK PERMITTED BUILDING DIMENSIONS BASEMENT ONR MIN. STD. ADDITION 23' X 24' TYPE DATE STATUS FAILURES INSPECTOR CODE Layout 03/24/1993 **PASS CROFT** 101 Plumbing Rough 501 Plumbing Sewer 09/09/1993 **PASS** 1 505 Plumbing Copper 502 Plumbing Gas 504 Foundation 03/24/1993 **PASS** CROFT 102 2 Framing 10/01/1993 **PASS** 103 1 Insulation/Energy 06/04/1993 **PASS CROFT** 601 Plumbing Top Out 2 10/01/1993 **PASS** 503 Mechanical Rough 10/01/1993 **PASS** 401 Mechanical Vent 402 Electrical Slab 301 Electric Rough 07/06/1993 **PASS** 1 302 Wallboard 10/06/1993 **PASS** 104 Sidewalk Prepour 201 **Driveway Prepour** 202 Final Building 09/06/1994 **PASS** 706 1 Final Electric 07/05/1994 **PASS FREEMAN** 701 Final Mechanical **PASS** 09/06/1994 703 Final Plumbing 09/06/1994 **PASS** 702 1 Final Energy 09/06/1994 **PASS** 704 **Final Concrete** 705 Final Sign 707 Landscaping Admin Holds: NONE **Review Date** Engineering Water 25-JUN-93 Remarks: IS SET Sewer 25-JUN-93 Fire

ADDRESS

FINAL DATE

Health

U.

PERMIT NO.

STATUS

09/06/1994

CITY OF AUSTIN - PROJECT PERMIT

Printed: 12 June 2001

PERMIT NO. 9212166

STATUS ACTIVE TYPE R

SUBDIVISION

ADDRESS 2004 GOODRICH AVENUE A .00000

DATE 07-OCT-92

PERMIT CLERK

L.M. BRADLEY BLOCK: LOT: 36									SMITH, R				
PLAT BLOCK			BLOCK	T T	GRID								
	107	7		36			· 						
ZONE HT. & AREA SF3			PARKING REQD. PROVD.			DETACHED	UPANCY		<i>-</i>				
	SI	PECIAL PERMIT N	IO. TOTAL SQ. F		FT. VALUATION		TYP	TYPE CONST. USE. CA		GROUP	FLOORS	BLDGS	UNITS
				960		\$600,000		:			1	1	1
	.	WORK PI	ERMITTED	1	BASEMENT	T		<u> </u>	MIN. STD.	ONR			
A	ADDITION					24 X 40							
CO	OWNER/CONTR. MAUREEN & EDWIN WAL					TON	PHONE FEE			PAID DATE	REQUIRED INSPECTIONS		
N	BUILD	ING	OWNE	R			447-8803		\$78	10/07/1992	BU	i	
T R	ELEC	TRICAL	OWNE	R				\$43		03/15/1993	MECHANIC PLUMBING		
A C	MECH	IANICAL									"	OMBIN	3
T O	PLUM	BING	OWNE	R					\$37	08/06/1993	Ì		
R S	SIDEV	WALK/DRIVE							:				
	SIGN												
	ROOF / SIDE					<u> </u>		-					
	ELEC SERVICE FEE								:				
	PLAN CHECK FEE									4			
							EIJ	FEE	TOTAL FEE \$158	TOTAL PAID \$158			

C.O. MAILING ADDRESS

REMARKS: BLDG & ELEC INVEST 10-1-92 DISREGARD INVEST FEE/HOMEOWNER PERMIT***

BY TAKING AND/OR PAYING FOR THIS PERMIT APPLICATION, YOU ARE DECLARING YOU ARE THE OWNER/OR HAVE BEEN AUTHORIZED BY THE OWNER OR OWNERS TO SUBMIT THIS APPLICATION, THAT THE GIVEN DATA ARE TRUE FACTS AND THAT THE WORK WILL CONFORM TO THE PLANS AND SPECIFICATIONS SUBMITTED HEREWITH:

THIS IS A RECEIPT OF PAYMENT FOR FEE OR FEES AS MARKED PAID.

12 June 2001

UNITS

1

ONR

1

Printed: DATE PERMIT NO. **STATUS TYPE ADDRESS** 9212166 **ACTIVE** R 2004 GOODRICH AVENUE A .00000 07-OCT-92 SUBDIVISION PERMIT CLERK L.M. BRADLEY BLOCK: LOT: 36 SMITH, R PLAT BLOCK LOT GRID 107 36 ZONE HT. & AREA PARKING PROVD. DETACHED ACCESSORY BUILDING REQD. SF3 SPECIAL PERMIT NO. TOTAL SQ. FT. VALUATION USE, CAT. TYPE CONST. GROUP FLOORS BLDGS 960 \$600,000 B3-3 1 BUILDING DIMENSIONS WORK PERMITTED BASEMENT MIN. STD. ADDITION 24 X 40 TYPE DATE STATUS FAILURES INSPECTOR CODE 10/09/1992 Layout **CROFT PASS** 101 Plumbing Rough 501 505 Plumbing Sewer **Plumbing Copper** 502 504 Plumbing Gas Foundation 102 Framing 10/09/1992 FAIL **CROFT** 103 Insulation/Energy 601 503 Plumbing Top Out Mechanical Rough 401 402 Mechanical Vent 301 **Electrical Slab** 302 Electric Rough 09/30/1993 **TEMP** 2 104 Wallboard Sidewalk Prepour 201 202 **Driveway Prepour** Final Building 706 701 Final Electric

FINAL DATE

Final Mechanical **Final Plumbing**

Final Energy **Final Concrete**

Final Sign

Landscaping

Engineering

Water

Sewer Fire Health Admin Holds: NONE

Remarks:

703

702 704

705 707

Review Date

ONE STOP SHOP 505 Barton Springs Austin, Texas 78701

(512) 974-2632 phone (512) 974-9112 phone (512) 974-9779 fax (512) 974-9109 fax

Austin Energy Electric Service Planning Application (ESPA) For Residential and Commercial "SERVICE ONLY" Under 350 amps 16 or 225 amps 36

this is for a building permit only.

MAY 0 3 2011

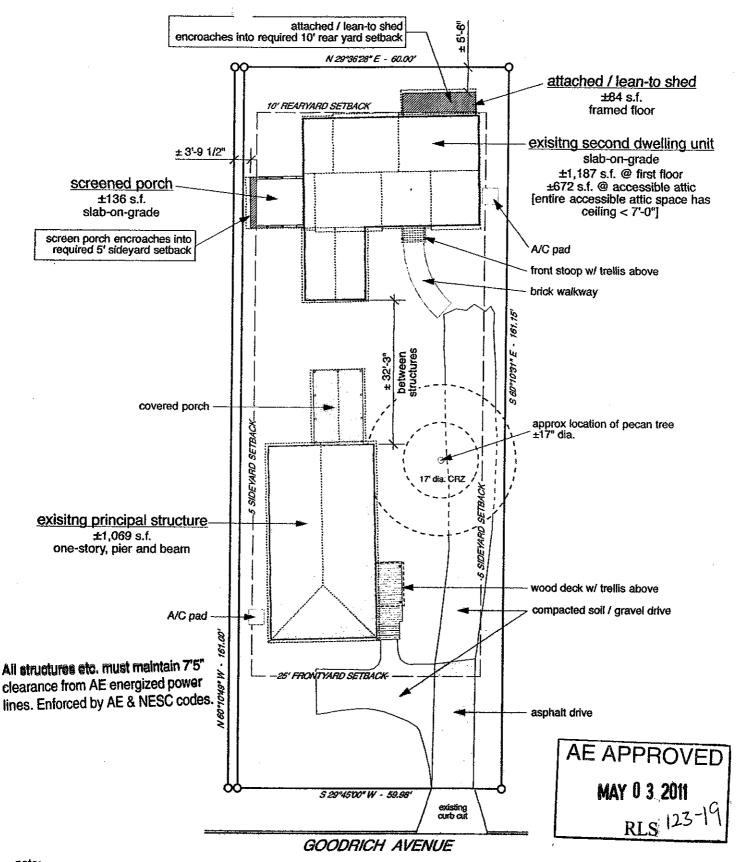
RLS 123-19

(Please print or type. Fields left blank will be considered Not Applicable.) Responsible Person for Service Request ______ Phone _____ Email _____ Fax _____ Project Name _____ New Construction Remodeling Project Address 2004 Goodrich Ave OR Legal Description _____ Lot ____ Block ____ Requested Service Duration: Permanent Service Construction Power/Temp Service (Usually less than 24 months) Who is your electrical service provider? XAE Other Doverhead or □ Underground Voltage ☐ Single-phase (1φ) or □ Three-phase (3φ) Service Main Size(s) _____(amps) Number of Meters? _____ AE Service Length _____ (ft.) Conductor _____ (type & size) SqFt Per Unit _____ #Units ____ All Electric Gas & Electric Other ____ Total AC Load _____ (Tons) Largest AC unit _____ (Tons) LRA (Locked Rotor Amps) of Largest AC Unit _____ (Amps) Electric Heating ______(kW) Other ______(kW) comments: Addition on existing detached dewelling/ lean to shed Screened parch ESPA Completed by (Signature & Print name) Phone Approved: Yes \(\) No (Remarks on back) _ **AE Representative** Date Phone Application expires 180 days after date of Approval (Any change to the above information requires a new ESPA)

AE APPROVED Version 1.1.0.0 All structures etc. must maintain 7'5"

clearance from AE energized power

lines. Enforced by AE & NESC codes.



information on this page is taken from owner's survey dated 02/18/2011 and field measurements by architect

2004 Goodrich Avenue

site plan / scale: 1" = 20'-0" / issue for B.O.A. variances

