

AGGRIEVED PARTY CERTIFICATE – We affirm that our statements contained in the complete application are true and correct to the best of our knowledge and belief.

Signed S. Lynn Hill

Printed: Sarah Lynn Hill

Signed John Deigh

Printed: John Deigh

Mailing Address: 3701 Mount Bonnell Road

City, State & Zip: Austin, TX 78731-5730

Phone: 512-371-1254

CITY OF AUSTIN
LETTER TO BOARD OF ADJUSTMENT
INTERPRETATIONS
AGGRIEVED PARTY'S STANDING TO APPEAL

STREET ADDRESS: 3704 Bonnell Drive, Austin, TX 78731
LEGAL DESCRIPTION: Subdivision – Mount Bonnell Terrace Section 3
Lot 1 Block E Outlot --- Division ---
ZONING DISTRICT: SF-3

WE Sarah Lynn Hill and John Deigh on behalf of ourselves are providing this letter to confirm our Standing to Appeal Status

We meet the requirements as an Interested Party as listed in Section 25-1-131(A) of the Land Development Code because we are the record owners of property within 500 feet of the site of the proposed development and occupy a primary residence on that property. Our property shares a back lot line with the property in the application.

Section 25-1-131(B) does not apply because we have not communicated an interest in a matter that is the subject of a public hearing.

We meet the requirements of Section 25-1-131(C) because we communicated an interest in the August 26, 2011 Planning and Development Review Department's Administrative Decision to "Approve for Permit" the building plans for the above property – by sending emails to Mr. John McDonald, Supervisor of the Department, on August 29 and 30, by meeting with him in person on August 29, and by emailing him a written Notice of Appeal, as required by Section 25-1-183, on August 31, 2011. We also had previously corresponded with Mr. McDonald about issues surrounding the Floor-to-Area Ratio calculations for this property in May, and June, and about building plans for this property in July and early August. This previous correspondence was conducted via email and telephone. All information required under 25-1-131(C) is included in the enclosed copy of the Notice of Appeal that we emailed to Mr. McDonald on August 31, 2011.

AGGRIEVED PARTY SIGNATURES

Signed S. Lynn Hill

Printed: Sarah Lynn Hill

Signed John Deigh

Printed: John Deigh

Mailing Address: 3701 Mount Bonnell Road

City, State & Zip: Austin, TX 78731-5730

Phone: 512-371-1254

CASE 2011-077075 PR; Address 3704 Bonnell Drive

Notice of Appeal of 8-26-2011 Administrative Decision by the Planning and Development Review Department to "Approve for Permit" the building plans for the above case

Submitted to Mr. John McDonald, Supervisor of the Planning and Development Review Department.

Submitted by Sarah Lynn Hill and John Deigh on August 31, 2011

Mr. McDonald advised us that our notice of appeal could be submitted by emailing the required information to him, and that no special form is required.

Required information:

1. Name, address, and telephone number of the appellants:

Sarah Lynn Hill and John Deigh
3701 Mount Bonnell Road
Austin, TX 78731-5730
512-371-1254 (home)

2. Name of the applicant: William Clark
3. Decision being appealed:
Planning and Development Review Department's Administrative Decision to "Approve for Permit" the building plans for 3704 Bonnell Drive (Case 2011-077075 PR)

4. The date of the decision: 8-26-2011

5. A description of the appellants' status as an interested party:
We are the record owners of property within 500 feet of the site of the proposed development and occupy a primary residence on that property. Our property shares a back lot line with the property in the application.

A history of our communication of interest in this matter with Mr. John McDonald, Supervisor of the Planning and Development Review Department (required to establish our status):

The applicant previously applied to the RDCC for a variance that would allow him to exceed the 40% F.A.R. limitation of Chapter 25-2, Subchapter F: Residential Design and Compatibility Standards of the Land Development Code, commonly known as the "McMansion" Ordinance (Case 2011-031138 PR) for a building at the same address as in the current case (2011-077075 PR). We objected to the previous application and spoke at three different RDCC hearings on the matter (May 4, June 1, and July 6). A part of the applicant's argument in that case was that he had a similar plan (that he did not want to build) that he thought satisfied the 40% F.A.R. limitation. The limitation was supposedly satisfied by treating a portion of the second floor --

including bedroom 5 and bathroom 4 – as exempt habitable attic space (attic space excluded from the F.A.R. calculation under Section 3.3.3.C of the Ordinance).

We initially communicated our concern about the F.A.R. calculations and the claim to have a habitable attic space exemption to Mr. McDonald via email on May 20. In that email we explained our concerns and our need to prepare for the June 1 RDCC hearing. We asked for a meeting with RDCC staff to go over the F.A.R. calculations in both of the applicant's plans. This email also included our name, mailing address, and phone number. Mr. McDonald reviewed the plans and spoke to us about them on May 31. The applicant revised his plans after the June 1 RDCC hearing and continued to claim a habitable attic exemption for plans he did not want to build. We emailed Mr. McDonald about these new plans on June 27, explaining our concerns and need to prepare for the July 6 RDCC hearing. He reviewed and discussed them with us on June 28. In both the May 31 and June 28 conversations he told us that in his opinion the habitable attic exemption did not apply because bedroom 5 and bathroom 4 were part of the second floor in all of the applicant's plans, not part of attic space, but he also cautioned us that the habitable attic space provisions were a controversial issue within his office. The RDCC denied the application in case 2011-031138 PR for the plan the applicant wanted to build (the one *without* the attic exemption) on July 6. We subsequently inquired about the status of the building plans on July 26, and on August 4 Mr. McDonald told us via email that the applicant had not appealed the decision and he understood them to be redesigning the plans to meet the 40% F.A.R. requirement.

Late on Friday, August 26, we checked the City's online permit database and found that the current case 2011-077075 PR had been submitted by the applicant and approved on that same day by Residential Zoning Reviewers (Mr. McDonald's staff). Early on August 29 (Monday) we sent an email to Mr. McDonald communicating our concerns that information in the database made it appear that a plan *larger* than the one denied by the RDCC had been approved. We met with Mr. McDonald that afternoon. At that meeting we found that the newly submitted plans were the plans the applicant had previously *not* wanted to build – the plans Mr. McDonald had reviewed, at our request, on June 28 (with minor changes – the addition of a small balcony and some windows – that did not affect the F.A.R.), but that Mr. McDonald had (after discussion with his supervisor), reversed his prior position and decided to grant the habitable attic exemption requested by the applicant. We discussed our reasons for thinking this decision was wrong and also pointed out that the exempted space had increased the mass of the structure – a further reason for not granting the habitable attic exemption. Mr. McDonald confirmed that the plan would exceed the 40% F.A.R. limitation if the exemption were not granted, then checked and told us that the applicant had not yet paid for the building permit. We informed him of our intention to appeal Residential Zoning's approval of 2011-077075 PR and he gave us a list of the information to be included in the notice of appeal and said we could file it by emailing the information to him. On August 30 Mr. McDonald provided us with a copy of the building plans for 2011-077075 PR and we sent him an email summarizing our August 29 meeting with him and confirming our intention to appeal.

6. Reasons the appellant believes the decision does not comply with the requirements of this title:

We believe that the F.A.R. of the plan submitted in Case 2011-077075 PR exceeds the 40% limitation of the McMansion Ordinance, and so it should not have been approved by Residential Zoning Review. We believe this because we believe that the habitable attic exemption of section 3.3.3.C should not have been granted, and, as noted above, in our meeting on Monday, August 29, Mr. McDonald confirmed that the plan exceeds the 40% limitation if the habitable attic exemption of section 3.3.3.C is not allowed.

First, we believe that bedroom 5 and bathroom 4 are part of the second floor, not part of an attic, and therefore not eligible for the habitable attic exemption. The applicant's designating bedroom 5 and bathroom 4 as the only finished portion of the second floor that is habitable attic space has no basis other than his interest in finding floor space that might be exempted from the F.A.R calculation. That there are interior walls separating these two rooms from the rest of the finished part of the second floor is not a basis for excluding other finished portions of the second floor, continuous with these rooms, from being habitable attic space, for an interior wall can exist within an attic. Roof coverage is also not a basis for excluding other finished portions of the second floor continuous with bedroom 5 and bathroom 4 from being habitable attic space, for a section of roof that covers a portion of these two rooms also covers portions of other finished rooms on the second floor. To be able to determine whether floor space is habitable attic space exempt from the F.A.R. calculation because it is habitable attic space fifty percent or more of which has a ceiling height of less than 7 feet, one has to be able to determine the boundaries of the habitable attic space for the purpose of doing the calculation. However, there is no way of determining these boundaries.

Second, even if these rooms were treated as attic space, it would not be true that the space could be ignored – for the space fails to meet one of the conditions in the Ordinance for ignoring habitable attic space. The condition it fails to meet is that the space “adds no additional mass to the structure.” (See section 3.3.3.C.5.) Adding this space, regardless of how it is treated, adds mass to the structure.

In the plan submitted to the RDCC under Case 2011-031138 PR, the mass required for these rooms was created by making a large rectangular bump-out in the middle of the roof of the south-facing section of the house, directly over the first-floor master bath. In that case, the rooms were treated as part of the second floor and their square footage was included in the F.A.R. calculation. The F.A.R. exceeded the 40% limitation of the Ordinance, and the RDCC denied the application for those plans on July 6.

In the plan for Case 2011-077075 PR just approved by Residential Zoning Review – the approval that we are appealing – the applicant took the plan denied by the RDCC and added additional mass to the structure by adding new triangular bump-outs on the east and west sides of bedroom 5 and bathroom 4, and raising portions of the roof on the south side of the house to

cover the new bump-outs. He claims that in the modified plan a portion of the second floor that includes bedroom 5, bathroom 4, and the area under the new roof is habitable attic space that qualifies for the exemption of the Ordinance (section 3.3.3.C) and can be ignored when calculating the F.A.R. We say that bedroom 5 and bathroom 4 continue to be part of the second floor, not attic space. However, even if they are treated as attic space, section 3.3.3.C.5 is not satisfied with regard to bedroom 5, bathroom 4 and the area under the new roof, because the modifications that create this new space add additional mass to the structure.

Pictures and/or drawings will help to illustrate our arguments. In the June 28, 2011 statement that we submitted to the RDCC for their July 6 hearing we explained that adding bedroom 5 to the structure, however it is treated, adds mass to the structure. To illustrate our argument our statement included photographs of the 4-bedroom and 5-bedroom versions of a David Weekley model home on which the applicant's plan is based. That statement can be found on the RDCC website in the backup material posted for the July 6 hearing. We can also provide copies of this statement and/or the photographs on request.

It is also instructive to compare the plans submitted in cases 2011-033138 PR and 2011-077075 PR. The layout of all first and second-floor rooms, and their square footages, are the same in both plans. And the exterior elevations are the same – with the exception of the area on the south section of the second-story that surrounds bedroom 5 and bathroom 4. It is easy to see – especially when viewing the south elevation (labeled “left” in the plans) – that the structure in 2011-077075 PR has more mass than the structure in 2011-033138 PR. Mr. McDonald's department should have copies of both sets of plans.

Finally, we believe that the terms of the Ordinance should be interpreted and applied with an understanding of the underlying purpose of the Ordinance. As explained in section 1.1 of the Ordinance, “The standards are designed to protect the character of Austin's older neighborhoods by ensuring that new construction and additions are compatible in scale and bulk with existing neighborhoods.”

The plan submitted in 2011-031138 PR exceeded the 40% F.A.R. limitation of the Ordinance, and so the RDCC was required to rule on the compatibility of the proposed plan. At its July 6 hearing the RDCC denied the application, determining that the plan was too massive in comparison with nearby properties, and with several members making strong statements about the incompatibility of that plan with the neighborhood. The new plan submitted in 2011-077075 PR is nearly identical to the plan that was denied – except that one section of the new plan is more massive than the old plan. It is obvious to us that the RDCC would not consider the new plan to be compatible with the neighborhood.

We do not believe that the habitable attic exemption was adopted in order to allow applicants to decrease the size of their F.A.R. by increasing the mass of their house.



SITE PLAN/
PLOT PLAN
SHOWING PRESENT
CONSTRUCTION (EMPTY
LOT AT 3704 BONNELL DRIVE)
AND LOCATION OF ADJACENT
PROPERTIES

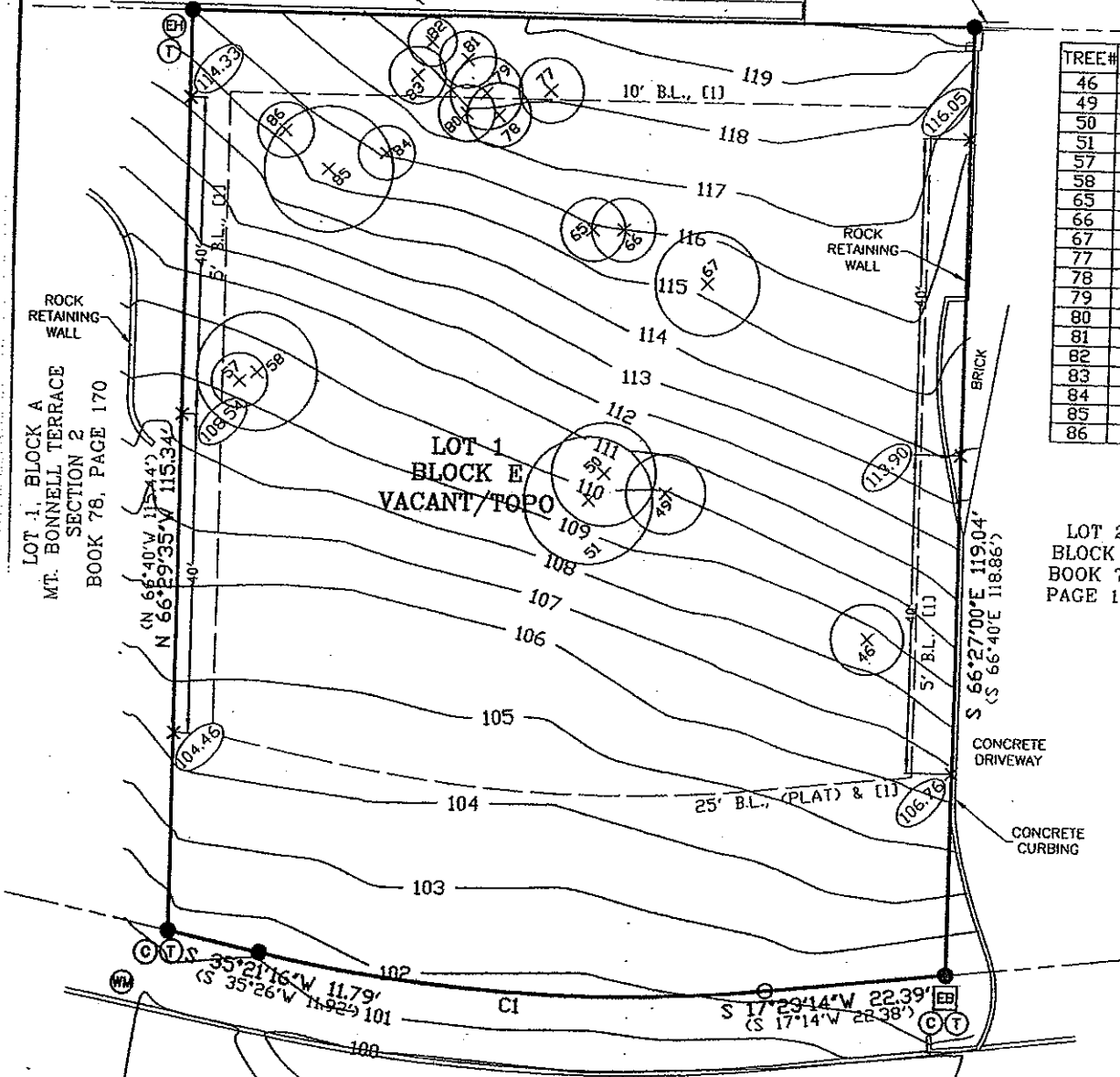
EXISTING & SITE PLAN

SCALE: 1"=20'

LOT 2, BLOCK E
MT. BONNELL TERRACE
SECTION 1
BOOK 31, PAGE 10

LOT 3, BLOCK E
MT. BONNELL TERRACE
SECTION 1
BOOK 31, PAGE 10

BEARING BASIS
(N 23°20'E 97.00')
N 23°20'00"E 97.04'



TREE#	SIZE/TYPE
46	9' MTN LAUREL
49	10' LIVE OAK
50	13' LIVE OAK
51	16' LIVE OAK
57	7' LIVE OAK
58	15' LIVE OAK
65	8' LIVE OAK
66	8' LIVE OAK
67	13' LIVE OAK
77	8' LIVE OAK
78	8' LIVE OAK
79	9' LIVE OAK
80	7' LIVE OAK
81	7' LIVE OAK
82	6' LIVE OAK
83	7' LIVE OAK
84	7' LIVE OAK
85	16' LIVE OAK
86	7' LIVE OAK

LOT 2
BLOCK E
BOOK 78,
PAGE 172

SURVEYOR'S NOTES

() DENOTES RECORD INFORMATION

[1] BUILDING LINE PER CITY OF AUSTIN
ZONING ORDINANCE.

EASEMENT RESEARCH PERFORMED BY ALL POINTS AND THE UNDERSIGNED SURVEYOR
WAS LIMITED TO INFORMATION SUPPLIED BY NATIONAL INVESTORS TITLE INSURANCE
COMPANY PER COMMITMENT G.F. #1101881-ARB, EFFECTIVE FEBRUARY 2, 2011;
SCHEDULE 8, PARAGRAPH 10.

LOT 1 IS SUBJECT TO RESTRICTIVE COVENANTS AS STATED IN:
BOOK 78, PAGE 172 PLAT RECORDS OF TRAVIS COUNTY, TEXAS; VOLUME 6661, PAGE
1502 AND VOLUME 12947, PAGE 502 DEED RECORDS OF TRAVIS COUNTY, TEXAS.

LOT 1 IS SUBJECT TO SANITARY SEWER EASEMENT RECORDED IN VOLUME 4647, PAGE
274 DEED RECORDS OF TRAVIS COUNTY, TEXAS AS STATED IN BOOK 78, PAGE 172 OF
THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS.

ALL POINTS DOES NOT MAKE OR WARRANT ANY FLOOD ZONE DETERMINATION.

LOT No. 1 BLOCK E
SECTION 3 PHASE
TRAVIS COUNTY, TEXAS
CITY AUSTIN

SUBDIVISION / ADDITION MT. BONNELL TERRACE
Book 78 Cabinet Slide
Volume 172 Page(s) 172 PLAT RECORDS
Document No. Reference:
WILLIAM D. CLARK AND CLAUDIA J. CLARK

TO THE LIENHOLDERS AND/OR OWNERS OF THE PREMISES AND/OR
NATIONAL INVESTORS TITLE INSURANCE COMPANY / PLAINSCAPITAL BANK

LEGEND

EB	ELEC. BOX
WM	WATER METER
T	TELE. PED.
C	C.A.T.V. PED.
EH	ELECT. MANHOLE
●	IRON ROD END.
○	1/2" IRON ROD W/ PLASTIC CAP STAMPED "ALL POINTS" SET
X	SPOT ELEVATION
B.L.	BUILDING LINE

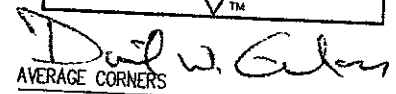
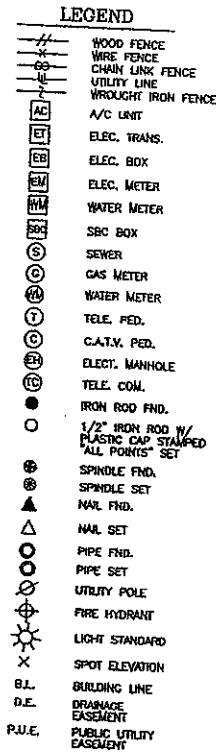
Curve	Radius	Length	Chord	Chord Bearing
C1	199.73'	63.50'	63.23'	S 26°33'39" W
(C1)	(199.73')	(63.44')	(63.18')	(S 26°20' W)

FIELD WORK	JA/AA	Date
DRAFTING	MDL	2/21/11

SURVEY DATE: 2/21/11
Job No. 02B15611
SCALE: 1"=20'



THE SEAL ON THIS PAGE PERTAINS
ONLY TO THE AFFIRMATION OF THE
COMPLIANCE OF THESE PLANS TO THE
RESIDENTIAL DESIGN AND COMPATIBILITY
STANDARDS FOR THE CITY OF AUSTIN


$$\frac{111.0' + 104.6'}{2} = 107.8'$$


Curve	Radius	Length	Chord	Chord Bearing
C1	199.73'	63.50'	63.23'	S 26°33'39" W
(C1)	(199.73')	(63.44')	(63.18')	(S 26°20' W)

scale: 1"=30'

NORTH	3688-B	PLT PLAN-3	LUNDY	BOY, ALSTIN
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Proj. No.: 2023	Lot: 1
Job No.: 1122	Blk: E
	Sect: 3

MM/CL3/AJ	Scale: 1"=30'
Date: 02/26/08	Rev.: 7/21/11

© Veckley Homes L.P. 2008
The measurements, dimensions, and other specifications, shown on this document, are guidelines for construction use only. The actual specifications of the finished structure may vary. This document may not be relied on as a representation of what the completed structure will look like.

EXHIBIT Ex0

Copy of the Application materials submitted to the Planning and Development Review Department for 3704 Bonnell Drive, including David Weekley Homes' calculation of the Gross Floor Area (GFA) and the Floor-to-Area Ratio (FAR), "approved for permit" by Greg Guernsey

CITY OF AUSTIN

RESIDENTIAL PERMIT APPLICATION "A"

BP Num^r 051150
 Building Permit No. 1111
 Plat No. 1111 Date 8-26-11
 Reviewer FR

PRIMARY PROJECT DATA

Service Address 3704 Bonnell Drive Tax Parcel No. 051150
 Legal Description Lot 1 Block E Subdivision Mount Bonnell Terrace Section 3 Phase
 If in a Planned Unit Development, provide Name and Case No. 2411-1111
 (attach final approved copies of subdivision and site plan)
 If this site is not a legally subdivided lot, you must contact the Development Assistance Center for a Land Status Determination.
 Description of Work
☒ New Residence Remodel (specify) 3/4 5/5
☐ Duplex 2411-1111
☒ Garage ☒ attached ☐ detached Other (specify) GAR
☐ Carport ☐ attached ☐ detached
☐ Pool
 Zoning (e.g. SF-1, SF-2...) GAR
 - Height of Principal building 25-6 1/2 ft. # of floors 2 Height of Other structure(s) N/A ft. # of floors N/A
 - Does this site currently have water and wastewater availability? ☐ Yes ☒ No. If no, please contact the Austin Water Utility at 512-972-0000 to apply for water and/or wastewater tap application, or a service extension request.
 - Does this site have a septic system? ☐ Yes ☒ No. If yes, for all sites requiring a septic field you must obtain an approved septic permit prior to a zoning review.
 Does this site have a Board of Adjustment ruling? ☐ Yes ☒ No If yes, attach the B.O.A. documentation
 Will this development require a cut and fill in excess of 4 feet? ☒ Yes ☐ No
 Does this site front a paved street? ☒ Yes ☐ No A paved alley? ☐ Yes ☒ No
 Is this property within the Residential Design and Compatibility Standards Ordinance Boundary Area? ☒ Yes ☐ No

VALUATIONS FOR REMODELS ONLY

Building \$
 Electrical \$
 Mechanical \$
 Plumbing \$
 Driveway/
 Sidewalk \$
 TOTAL \$
 (labor and materials)

VALUATIONS FOR NEW CONSTRUCTION OR ADDITIONS ONLY

Lot Size 11,683 sq. ft.
 Job Valuation - Principal Building \$ 602,625
 (Labor and materials)
 Job Valuation - Other Structure(s) \$ N/A
 (Labor and materials)

TOTAL JOB VALUATION
 (sum of remodels and additions)
 \$ 602,625
 (Labor and materials)

PERMIT FEES
(For office use only)

	NEW/ADDITIONS	REMODELS
Building	\$	\$
Electrical	\$	\$
Mechanical	\$	\$
Plumbing	\$	\$
Driveway & Sidewalk	\$	\$
TOTAL	\$	\$

OWNER / BUILDER INFORMATION

OWNER Name William D. & Claudia Clark Telephone (h) 512-750-8366
 BUILDER Company Name David Weekley Homes Telephone (w) 512-821-8816
 Contact/Applicant's Name Lisa Ahart - Project Coordinator Pager 512-372-8725
 DRIVEWAY/
 SIDEWALK Contractor Delta Concrete & Construction Telephone 512-666-0334
 CERTIFICATE OF OCCUPANCY Name William D. & Claudia Clark Telephone 512-750-8366
 Address 3704 Bonnell Drive City Austin ST TX ZIP 78731

If you would like to be notified when your application is approved, please select the method:
☐ telephone ☒ e-mail: lahart@dwhomes.com

You may check the status of this application at www.ci.austin.tx.us/development/pierivr.htm

CITY OF AUSTIN
RESIDENTIAL PERMIT APPLICATION "B"

CITY OF AUSTIN
RESIDENTIAL PERMIT APPLICATION

I understand that in accordance with Sections 25-1-411 and 25-11-66 of the Land Development Code (LDC), non-compliance with the LDC may be cause for the Building Official to suspend or revoke a permit and/or license. I understand that I am responsible for complying with any subdivision notes, deed restrictions, restrictive covenants and/or zoning conditional overlays prohibiting certain uses and/or requiring certain development restrictions (i.e., height, access, screening, etc.) on this property. If a conflict should result with any of these restrictions, it will be my responsibility to resolve it. I understand that, if requested, I must provide copies of all subdivision plat notes, deed restrictions, restrictive covenants, and/or zoning conditional overlay information that may apply to this property.

I acknowledge that this project qualifies for the Site Plan Exemption as listed in Section 25-5-2 of the LDC.

I understand that nothing may be built upon or over an easement. I further understand that no portion of any roof structure may overhang in any public utility or drainage easement.

I acknowledge that customer will bear the expense of any necessary relocation of existing utilities to clear this driveway location and/or the cost to repair any damage to existing utilities caused during construction.

I also understand that if there are any trees greater than 19 inches in diameter located on the property and immediately adjacent to the proposed construction, I am to schedule a Tree Ordinance review by contacting (512) 974-1876 and receive approval to proceed.

I agree that this application will expire on the 181st day after the date that the application is filed if the application is not approved and an extension is not granted. If the application expires, a new submittal will be required.

APPLICANT'S SIGNATURE

Lisa Ahart

DATE 8/17/11

HOME BUILDER'S STATE REGISTRATION NUMBER (required for all new construction)

Lisa Ahart - Project Coordinator - David Weekley Homes
1021

Rejection Notes/Additional Comments (for office use only):

(A)

(T)

(G)

- No Time. See Encl
- Artic. exempt. Permitted
by J.M. Dwyer

Service Address 3704 Bonnell Drive

Applicant's Signature *Lisa Ahart*

Lisa Ahart - David Weekley Homes

Date 8/17/11

RESIDENTIAL PERMIT APPLICATION "C" 5704 Bannell Drive

BUILDING COVERAGE

The area of a lot covered by buildings or roofed areas, but not including (i) incidental projecting eaves and similar features, or (ii) ground level paving, landscaping, or open recreational facilities.

	Existing		New / Addition	
a. 1 st floor conditioned area	sq.ft.	*	2667	sq.ft.
b. 2 nd floor conditioned area	sq.ft.	*	1853	sq.ft.
c. 3 rd floor conditioned area	sq.ft.		N/A	sq.ft.
d. Basement	sq.ft.		N/A	sq.ft.
e. Garage / Carport	sq.ft.	*	567	sq.ft.
<input checked="" type="checkbox"/> attached	sq.ft.		N/A	sq.ft.
detached	sq.ft.		N/A	sq.ft.
f. Wood decks [must be counted at 100%]	sq.ft.		N/A	sq.ft.
g. Breezeways	sq.ft.		N/A	sq.ft.
h. Covered patios	sq.ft.		N/A	sq.ft.
i. Covered porches	sq.ft.		N/A	sq.ft.
j. Balconies	sq.ft.	*	470	sq.ft.
k. Swimming pool(s) [pool surface area(s)]	sq.ft.		N/A	sq.ft.
l. Other building or covered area(s)	sq.ft.		N/A	sq.ft.
Specify <u>Masonry Ledge</u>	sq.ft.		139	sq.ft.

TOTAL BUILDING AREA (add a. through l.) N/A sq.ft. 5716 sq.ft.

TOTAL BUILDING COVERAGE ON LOT (subtract, if applicable, b., c., d., k. and l. if uncovered)

3863 sq.ft.
33.13 % of lot

IMPERVIOUS COVERAGE

Include building cover and sidewalks, driveways, uncovered patios, decks, air conditioning equipment pad, and other improvements in calculating impervious cover. Roof overhangs which do not exceed two feet or which are used for solar screening are not included in building coverage or impervious coverage. All water must drain away from buildings on this site and buildings on adjacent lots.

a. Total building coverage on lot (see above)	<u>* 3863</u> sq.ft.
b. Driveway area on private property	<u>* 1107</u> sq.ft.
c. Sidewalk / walkways on private property	<u>* 107</u> sq.ft.
d. Uncovered patios	<u>N/A</u> sq.ft.
e. Uncovered wood decks [may be counted at 50%]	<u>N/A</u> sq.ft.
f. Air conditioner pads	<u>* 32</u> sq.ft.
g. Concrete decks	<u>N/A</u> sq.ft.
h. Other (specify) <u>Door Landings</u>	<u>* 25</u> sq.ft.

TOTAL IMPERVIOUS COVERAGE (add a. through h.)

5134 sq.ft.
43.94 % of lot

RESIDENTIAL PERMIT APPLICATION "D"
FLOOR AREA RATIO INFORMATION

TO BE COMPLETED FOR ALL PROPERTIES LOCATED WITHIN THE RESIDENTIAL DESIGN AND COMPATIBILITY
STANDARDS ORDINANCE BOUNDARY AREA.

Service Address 3704 Bonnell Drive

Applicant's Signature Lisa Ahart - Lisa Ahart
Project Coordinator - David Weekley Homes

Date 8/17/11

GROSS FLOOR AREA AND FLOOR AREA RATIO as defined in the Austin Zoning Code.

	Existing	New / Addition
I. 1 st Floor Gross Area		
a. 1 st floor area (excluding covered or uncovered finished ground-floor porches)	sq. ft.	<u>2667</u> sq. ft.
b. 1 st floor area with ceiling height over 15 feet.	sq. ft.	<u>0</u> sq. ft.
c. TOTAL (add a and b above)	sq. ft.	<u>2667</u> sq. ft.
II. 2 nd Floor Gross Area See note ¹ below		
d. 2 nd floor area (including all areas covered by a roof i.e. porches, breezeways, mezzanine or loft)	sq. ft.	<u>1503</u> sq. ft.
e. 2 nd floor area with ceiling height > 15 feet.	sq. ft.	<u>0</u> sq. ft.
f. TOTAL (add d and e above)	sq. ft.	<u>1503</u> sq. ft.
III. 3 rd Floor Gross Area See note ¹ below		
g. 3 rd floor area (including all areas covered by a roof i.e. porches, breezeways, mezzanine or loft).	sq. ft.	<u>N/A</u> sq. ft.
h. 3 rd floor area with ceiling height > 15 feet	sq. ft.	<u>N/A</u> sq. ft.
i. TOTAL (add g and h above)	sq. ft.	<u>N/A</u> sq. ft.
IV. Basement Gross Area		
j. Floor area outside footprint of first floor or greater than 3 feet above grade at the average elevation at the intersections of the minimum front yard setback line and side property lines.	sq. ft.	<u>N/A</u> sq. ft.
V. Garage		
k. <input checked="" type="checkbox"/> attached (subtract 200 square feet if used to meet the minimum parking requirement)	sq. ft.	<u>367</u> sq. ft.
l. <input type="checkbox"/> detached (subtract 450 square feet if more than 10 feet from principal structure)	sq. ft.	<u>N/A</u> sq. ft.
VI. Carport (open on two or more sides without habitable space above it subtract 450 square feet)	sq. ft.	<u>N/A</u> sq. ft.
VII. TOTAL	sq. ft.	<u>4537</u> sq. ft.


TOTAL GROSS FLOOR AREA (add existing and new from VII above)	<u>4537</u> sq. ft.
GROSS AREA OF LOT	<u>11,683</u> sq. ft.
FLOOR AREA RATIO (gross floor area / gross area of lot)	<u>38.83 %</u>

If a second or third floor meets all of the following criteria it is considered to be attic space and is not calculated as part of the overall Gross Floor Area of the structure.

- a. It is fully contained within the roof structure and the roof has a slope of 3 to 12 or greater
- b. It only has one floor within the roof structure
- c. It does not extend beyond the foot print of the floors below
- d. It is the highest habitable portion of the building; and
- e. Fifty percent or more of the area has a ceiling height of seven feet or less.

REVISED SITE PLAN ATTACHED FROM
PREVIOUS AE APPROVAL

Kramer Service Center
2412 Kramer Lane, Bldg. "C"
Austin, Texas 78758
(512) 503-7206


Austin Energy
Electric Service Planning Application (ESPA)
(Please Print or Type)

St. Elmo Service Center
4411-B Meinertus Drive
Austin, Texas 78744
(512) 505-7500

For Residential or Small Commercial "SERVICE ONLY" under 350 amps 1Ø or 225 amps 3Ø

Customer Name Bill Clark Phone 512-750-8346
Address 3704 Bonnell Drive cell.
Legal Description Mt. Bonnell Terrace / Section 3
Lot 1 Block E Commercial/Residential? Residential

Service Main Size _____ (amps) Service Conductor _____ (type & size) ...
Service Length 75' (ft.) Number of Meters? 1 Multi-Fuel Y N
Overhead/Underground? Underground Voltage _____ ☐ Single-phase (1Ø) ☐ Three-phase (3Ø)
HVAC Total Square Footage 4170 # Total A/C Load _____ (# of units) _____ (Tons)
Largest A/C unit _____ (Tons) LRA of Largest A/C Unit _____ (amps)
Electric Heating N/A (kW) Other _____ (kW)

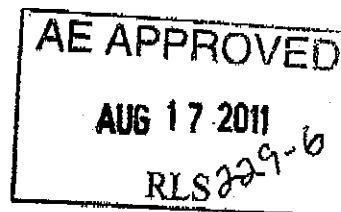
X Comments: _____

X Lisa Hart - Lisa Hart 8/15/11 512-821-8816
ESPA Completed by (Signature & Print name) Date Phone
Project Coordinator - David Weekley Homes

AE Representative _____ Date _____
Approved: ☒ Yes ☐ No (Remarks on back) Phone _____

Application expires 90 days after date of Approval

All structures etc. must maintain 7'5"
clearance from AE energized power
lines. Enforced by AE & NESC codes.



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Austin Water Utility
Water & Wastewater Service Plan Verification
(W & WW SPV)

(Please Print or Type)

Customer Name: William D. & Claudia Clark Phone: 512-750-8346 Alternate Phone: _____

Service Address: 3704 Bonnell Drive

Lot: 1 Block: E Subdivision/Land Status: Mount Bonnell Terrace Tax Parcel ID No.: _____

Existing Use: (vacant) single-family res. duplex garage apartment other _____
(Circle one)

Proposed Use: (single-family res.) duplex garage apartment other _____
(Circle one)

Number of existing bathrooms: N/A Number of proposed bathrooms: 5 (4 full & 2 one-half baths)

Water Main size: 8" Service stub size: 1 1/2" City of Austin Office Use
Service stub upgrade required? NO New stub size: _____

Existing Meter number: N/A Existing Meter size: 1 1/4" Upgrade required? - New size: 3/4"

WW Service: Septic System/On-Site Sewage Facility (OSSF) _____ or WW Collection System X WW Main size: 8"

If the site has an OSSF, please contact Utility Development Services (UDS) at 972-0210 or 972-0211, Waller Creek Center, 625 E. 10th Street, Suite 715 for consultation and approval.

W&WWSPV Completed by (Signature & Print name) Lisa Ahart Date 8/17/11 Phone 512-821-8816
Project Coordinator - David Weekley Homes

OSSF (if applicable) Approved by UDS (Signature & Print name) _____ Date 8/18/11 Phone 974-8734
AWU Representative _____ Date _____ Phone _____

Approved: ☐ Yes (see attached approved documents) ☐ No - need to purchase services.

NOTE: For residential plan review, this original stamped "approval" must be submitted with the stamped "original" floor plan.

Verification expires 180 days after date of Submittal

Instructions:

The intent of the "W&WWSPV" is to ensure that, prior to beginning a single-family residential project (includes duplex and garage apartment uses), adequate water/wastewater service can be provided to the site and is planned for as part of the overall project, and to ensure that the applicant is aware of the potential costs associated with the relocation, new service or upgrading of existing services to the site.

- A "W&WWSPV" is required, prior to submitting for residential permit, for the following project types:
- Construction of a new home, duplex, or garage apartment (except for projects identified as a "volume builder" project)
 - Remodeling/additions to an existing structure to increase the number of total bathrooms on the site to more than 3
 - Remodeling/additions that increase the number of units on the site (for example, converting a home to a duplex)
 - Remodeling/additions to an existing structure to increase the number of total bedrooms, total living square footage or change in surface improvement such as swimming pool, driveway, garage, etc. (for structure using OSSF)

If a "W&WWSPV" is required, complete the verification form above, and provide a copy of the "plot plan" for the site (provided by applicant) and other required planning material for OSSF. The "plot plan" should be to a standard scale and show all existing and proposed improvements. Submit the application and planning material to Austin Water Utility Taps Division (to UDS for OSSF) for approval, prior to submitting for a residential building permit, at one of the locations below.

Note: Applicant must contact AWU taps office at either location noted below, to submit an application (if required) for a meter upgrade or a new service before issuance of the building permit.

Austin Water Utility- Waller Creek

625 E 10th St, Austin, TX 78704

(512) 972-0000 - Suite 200 - TAPS CONSUMER SERVICES DIVISION

(512) 972-0207 - Suite 715 - UDS Division

**WATER & WASTEWATER UTILITY
CONSUMER SERVICES DIVISION**

Development Assistance Center- One Texas Center

505 Barton Springs, Austin, TX 78704

(512) 974-6370

RECEIVED
AUG 18 2011
WATER & WASTEWATER UTILITY
CONSUMER SERVICES DIVISION

RECEIVED
AUG 18 2011
WATER & WASTEWATER UTILITY
CONSUMER SERVICES DIVISION

Einhaus, Jim

From: Einhaus, Jim
Sent: Wednesday, June 15, 2011 2:48 PM
To: Einhaus, Jim
Subject: save to Clark file - no tree permit

Jim Einhaus
Senior Sales Consultant
David Weekley Homes
Build On Your Lot Program
512-784-7277
jeinhaus@dwhomes.com
fx 512-372-8725

From: Gobel, James [James.Gobel@ci.austin.tx.us]
Sent: Wednesday, June 15, 2011 2:34 PM
To: Einhaus, Jim
Cc: Ramirez, Elaine
Subject: RE: updated site plans

Elaine And Jim:

There are no trees large enough to warrant a tree permit for this site. The tree at the rear of the property will not be impacted by the proposed construction. According to Jim Einhaus, David weekly has hired an arborist to ensure no damage occurs to the rear lot's tree during the construction phase. Please do not hold up the review for tree permit requirements. No tree permit is required.

Thank you,

Jim Gobel

Development Review and Tree Inspection
City Arborist Program
Planning & Development Review Department City of Austin jim.gobel@ci.austin.tx.us

(512) 974-2639 office
(512) 974-3010 fax
www.ci.austin.tx.us/trees

-----Original Message-----

From: Einhaus, Jim [mailto:jeinhaus@dwhomes.com]
Sent: Wednesday, June 15, 2011 2:12 PM
To: Gobel, James
Subject: FW: updated site plans

Jim

I know your normally off on Wednesdays, so wanted to send you this reminder about sending me an email for my records, that upon your review, we will not need a tree permit for 3704 Bonnell Dr

Thanks,
Jim Einhaus
Senior Sales Consultant
David Weekley Homes
Build On Your Lot Program
512-784-7277
jeinhaus@dwhomes.com
fx 512-372-8725

SCALE: 1"=20'

LOT 2, BLOCK E
MT. BONNELL TERRACE
SECTION 1
BOOK 31, PAGE 10

LOT 3, BLOCK E
MT. BONNELL TERRACE
SECTION 1
BOOK 31, PAGE 10

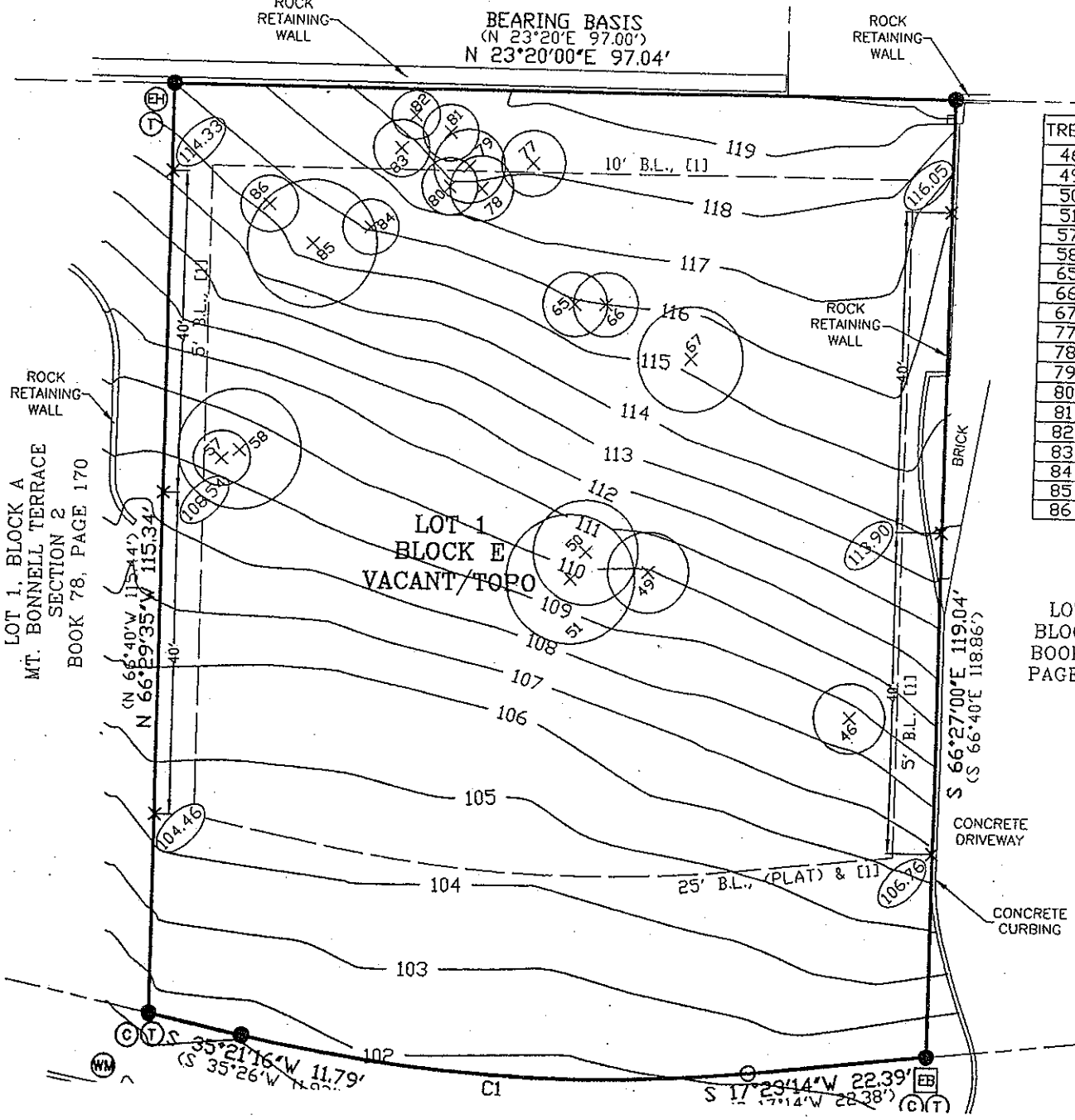
BEARING BASIS
(N 23°20'E 97.00')
N 23°20'00"E 97.04'

LOT 1, BLOCK A
MT. BONNELL TERRACE
SECTION 2
BOOK 78, PAGE 170

LOT 1
BLOCK E
VACANT/TOPO

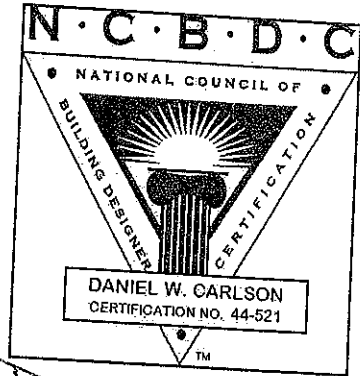
TREE#	SIZE/TYPE
46	9' MTN LAUREL
49	10' LIVE OAK
50	13' LIVE OAK
51	16' LIVE OAK
57	7' LIVE OAK
58	15' LIVE OAK
65	8' LIVE OAK
66	8' LIVE OAK
67	13' LIVE OAK
77	8' LIVE OAK
78	8' LIVE OAK
79	9' LIVE OAK
80	7' LIVE OAK
81	7' LIVE OAK
82	6' LIVE OAK
83	7' LIVE OAK
84	7' LIVE OAK
85	16' LIVE OAK
86	7' LIVE OAK

LOT 2
BLOCK E
BOOK 78,
PAGE 172



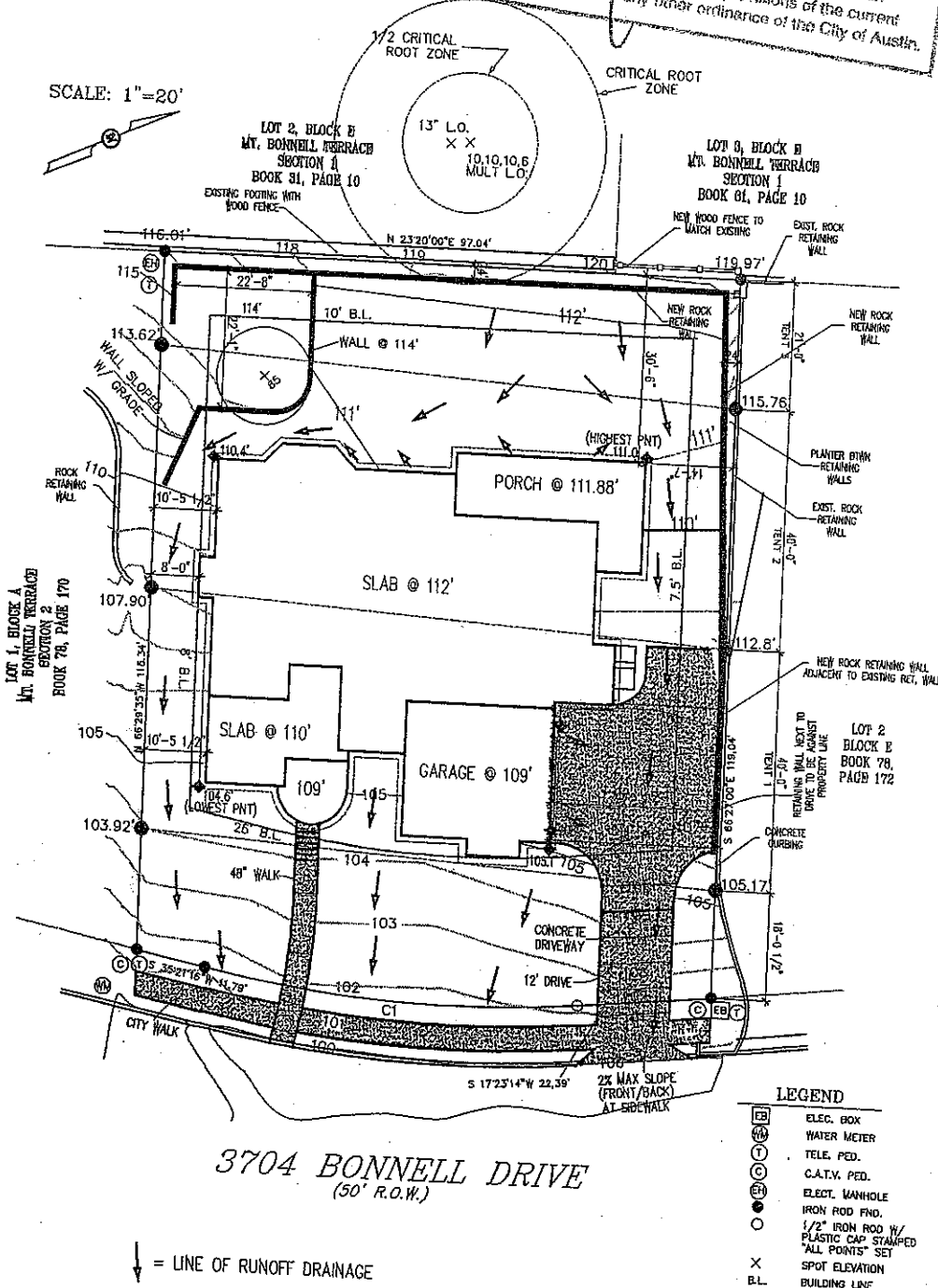
APPROVED FOR PERMIT
 By Greg Guernsey
 Planning and Development Review Department
 Date 8-26-11
 the granting of a permit for, or approval of, these plans and specifications shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of the current adopted building code or any other ordinance of the City of Austin.

THE SEAL ON THIS PAGE PERTAINS ONLY TO THE AFFIRMATION OF THE COMPLIANCE OF THESE PLANS TO THE RESIDENTIAL DESIGN AND COMPATIBILITY STANDARDS FOR THE CITY OF AUSTIN



Daniel W. Carlson
 AVERAGE CORNERS

111.0'
 104.6'
 $215.6' / 2 = 107.8'$



- LEGEND**
- EB ELEC. BOX
 - WM WATER METER
 - TE PED. TELE. PED.
 - CATV PED. C.A.T.V. PED.
 - EH ELEC. MANHOLE
 - IRF IRON ROD FND.
 - IRF 1/2" IRON ROD W/ PLASTIC CAP STAMPED "ALL POINTS" SET
 - X SPOT ELEVATION
 - B.L. BUILDING LINE

- LEGEND**
- WOOD FENCE
 - WIRE FENCE
 - CHAIN LINK FENCE
 - UTILITY LINE
 - WROUGHT IRON FENCE
 - A/C UNIT
 - ELEC. TRANS.
 - ELEC. BOX
 - ELEC. METER
 - WATER METER
 - SBC BOX
 - SEWER
 - GAS METER
 - WATER METER
 - TELE. PED.
 - C.A.T.V. PED.
 - ELECT. MANHOLE
 - TELE. COM.
 - IRON ROD FND.
 - 1/2" IRON ROD W/ PLASTIC CAP STAMPED "ALL POINTS" SET
 - SPINDLE FND.
 - SPINDLE SET
 - NAIL FND.
 - NAIL SET
 - PIPE FND.
 - PIPE SET
 - UTILITY POLE
 - FIRE HYDRANT
 - LIGHT STANDARD
 - SPOT ELEVATION
 - B.L. BUILDING LINE
 - D.E. DRAINAGE EASEMENT
 - P.U.E. PUBLIC UTILITY EASEMENT

Curve	Radius	Length	Chord	Chord Bearing
C1	199.73'	63.50'	63.23'	S 26°33'39" W
(C1)	(199.73')	(63.44')	(63.18')	(S 26°20' W)

SITE PLAN - FINAL GRADE
 scale: 1"=30'

3688-B
PLT PLAN 3

MOUNT BONNELL TERRACE
3704 Bonnell Drive
Austin, TX 78731

Proj No: **2023**
 Job No: **1122**

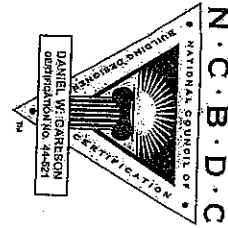
Lot: **1**
 Blk: **E**
 Sect: **3**

David Weekley Homes
MM/CL3/AJ
 Date: **02/26/08**

Scale: **1"=30'**
 Rev: **7/21/11**

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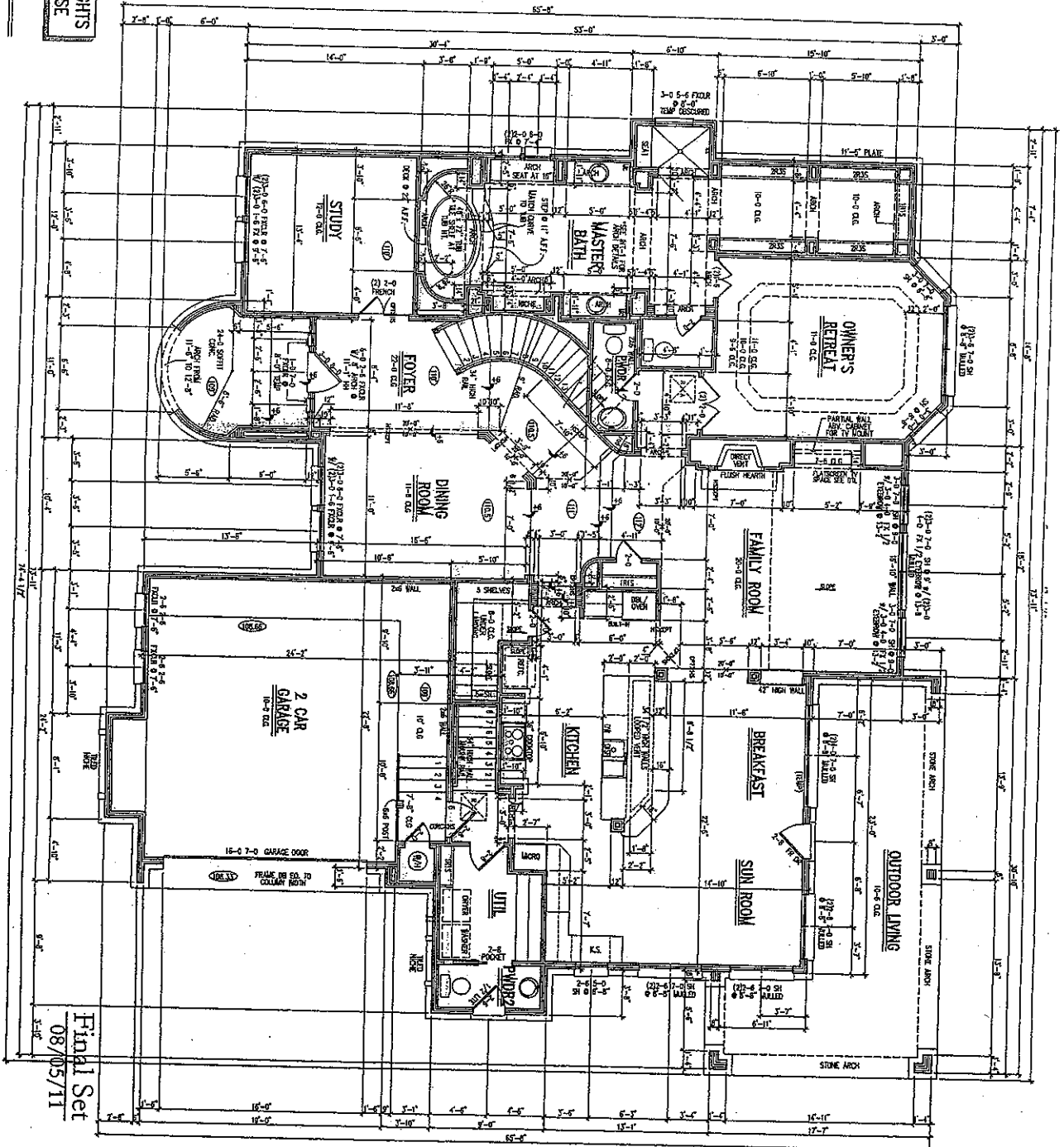


200.00

TYP. FRAMING: 2X6 EXTERIOR PERIMETER WALL
UNLESS NOTED OTHERWISE, 18" O.C.

NOTE: ALL 2ND FLR. CEILING HEIGHTS
10'-0" UNLESS NOTED OTHERWISE

FLOOR PLAN



Final Set
08/05/11

NORTH
3688-B
PLAN-1
LUNDY
BOY, AUSTIN

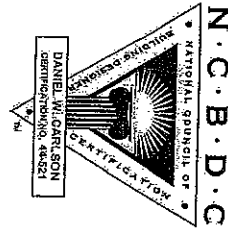
MOUNT BONNELL TERRACE
3704 Bonnell Drive
Austin, TX 78731

Proj. No.: 2023
Job No.: 1122
Lot: 1
Blk: E
Sect: 3

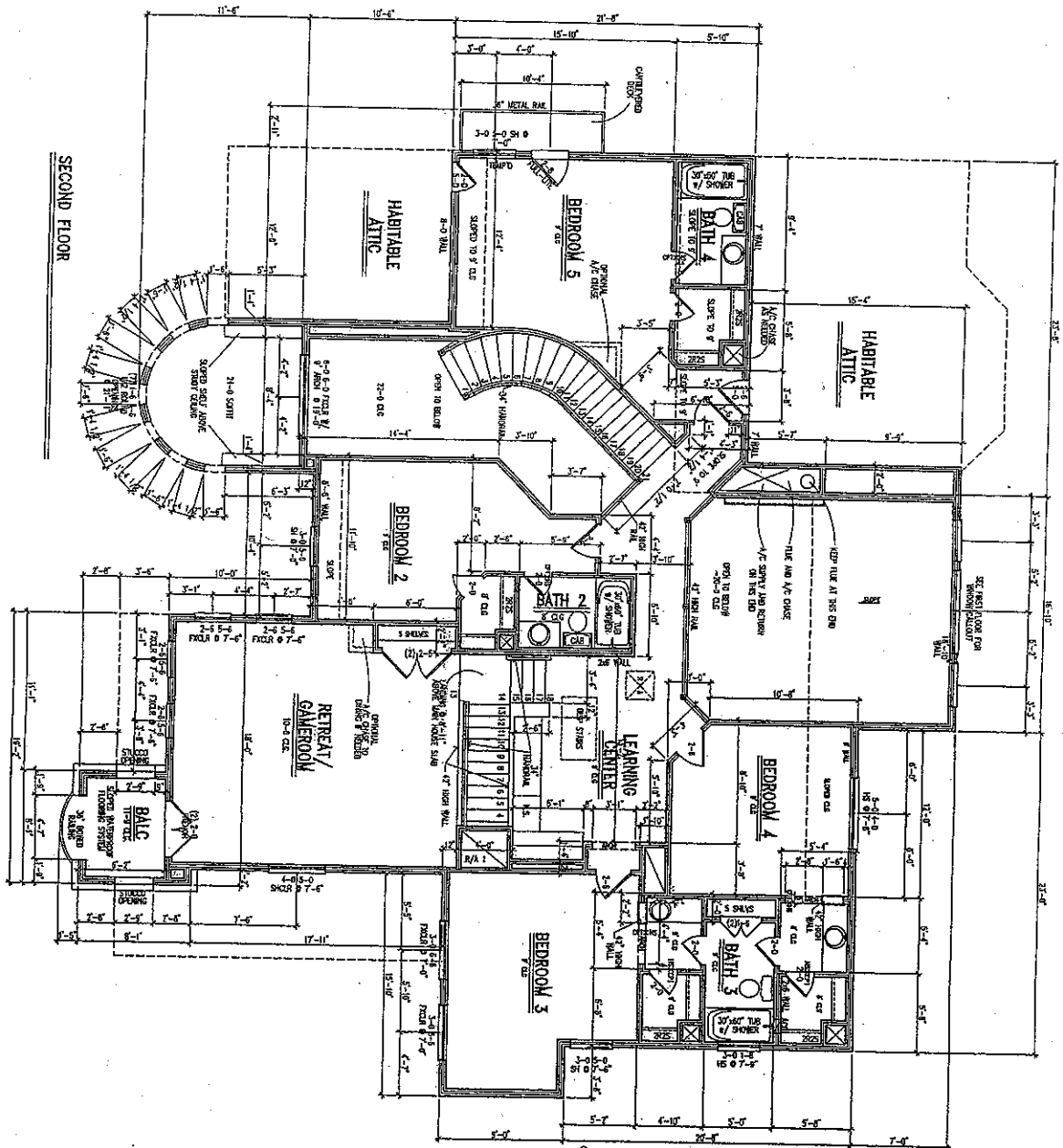
David Weekley Homes
MM/CL3/AJ
Date: 02/26/08
Scale: 1/8" = 1'-0"
Rev: 7/21/11

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D.J. Carson



NOTE: ALL 2ND FLR. CEILING HEIGHTS 9'-0" UNLESS NOTED OTHERWISE

TYP. FRAMING: 2X6 EXTERIOR PERIMETER WALL UNLESS NOTED OTHERWISE, 16" O.C.

Final Set
08/05/11

3688-B
PLAN
NORTH
LUNDY
BOLL AUSTIN

MOUNT BONNELL TERRACE
3704 Bonnell Drive
Austin, TX 78731

Proj. No.:
2023
Job No.:
1122

Lot: 1
Blk: E
Sect: 3

David Weekley Homes

MM/CL3/AJ
Date: 02/26/08

Scale: 1/8" = 1'-0"
Rev: 7/21/11

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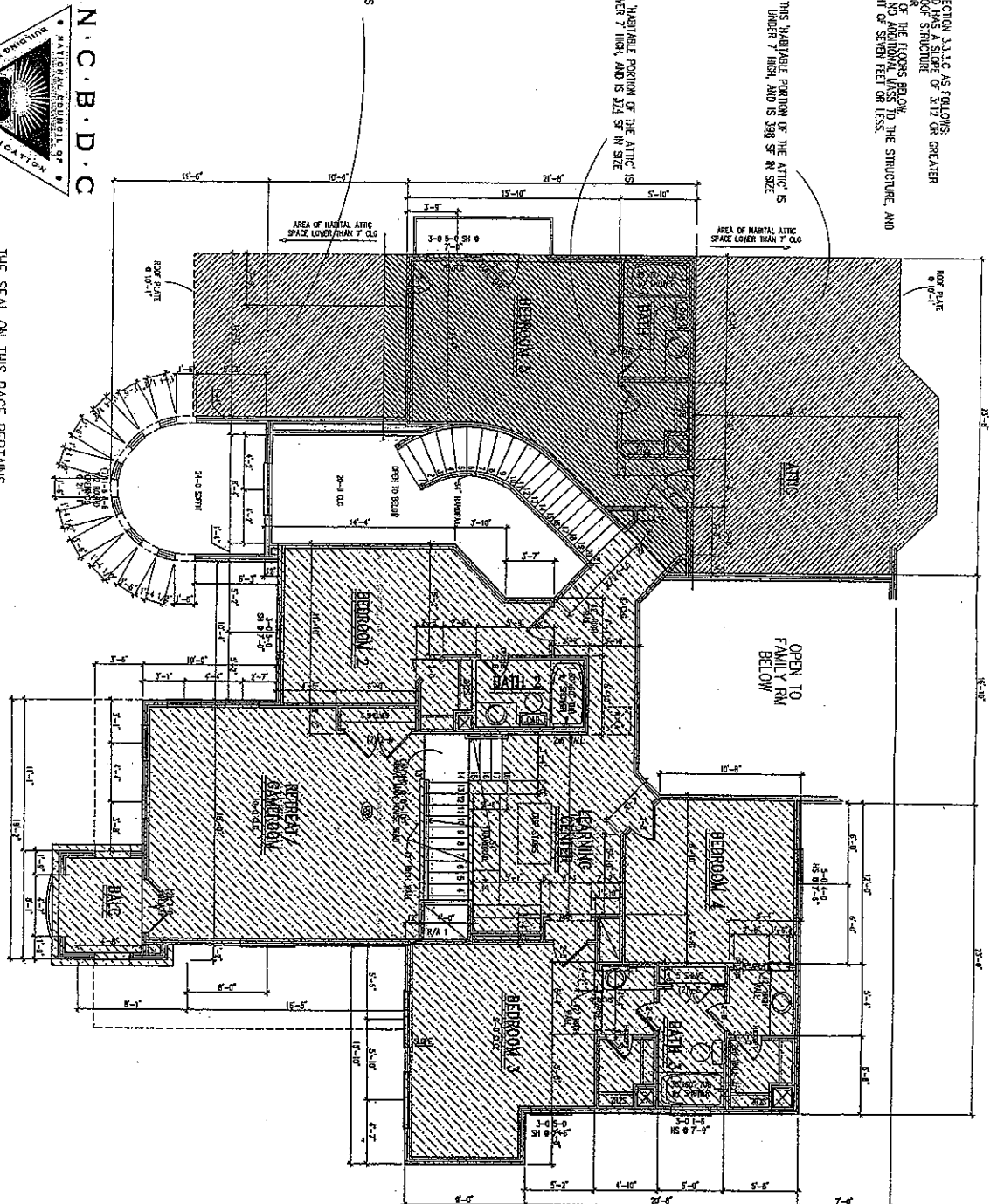
- NOTE: TO SATISFY THE REQUIREMENT THAT THIS AREA BE THE 'HIGHEST HABITABLE PORTION OF THE BUILDING', NO ATTIC ABOVE THIS FLOOR WILL BE HABITABLE. SUCH ATTIC SPACE WILL EITHER BE TRUSSES OR BE LESS THAN 5' IN HEIGHT.

FRONT ATTIC UNDER 7'-	172 SF
REAR ATTIC UNDER 7'-	398 SF
TOTAL AREA UNDER 7'-	570 SF
TOTAL AREA OVER 7'-	374 SF
TOTAL EXEMPT AREAS -	944 SF

TOTAL FLOOR 2 AREA COVERED BY ROOF- 2447 SF
TOTAL EXEMPT AREAS - -944 SF
FLOOR 2 F.A.R.- 1503 SF

THIS 'HABITABLE' PORTION OF THE ATTIC IS UNDER 7' HIGH, AND IS 122 SF IN SIZE.

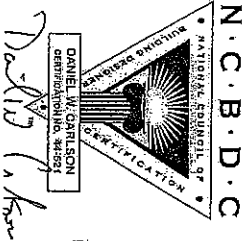
CITY OF AUSTIN CALCULATIONS	
F.A.R.	IMP. COVERAGE BLDG COVERAGE
4.0%	40.0%
FLOOR LIVING	2867.5'
BLDG FLOORS	2867.5'
TOTAL	2867.5'
F. ROOMS	1170.5'
BATHS	107.5'
KITCHENS	110.5'
CLOSET	128.5'
GARAGE	363.5'
SIDEWALKS	567.5'
DRIVEWAY	167.5'
A/C PADS	1107.5'
DOOR LANDINGS	32.5'
ASPHY LORGE	25.5'
TOTAL AREA	159.5'
LOT AREA	451.5'
70% ACRA	512.4'
	360.0'
	11,661.5'
	11,660.5'
	11,660.5'
	43,394'
	53.3M



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SECOND FLOOR F.A.R. AREAS

Final Set
08/05/11



FRAMING PLAN (TEXAS)

UNLESS OTHERWISE NOTED, ALL MEMBERS TO BE 2" X 12" OR 2" X 10" LUMBER, SPACED @ 24" O.C.

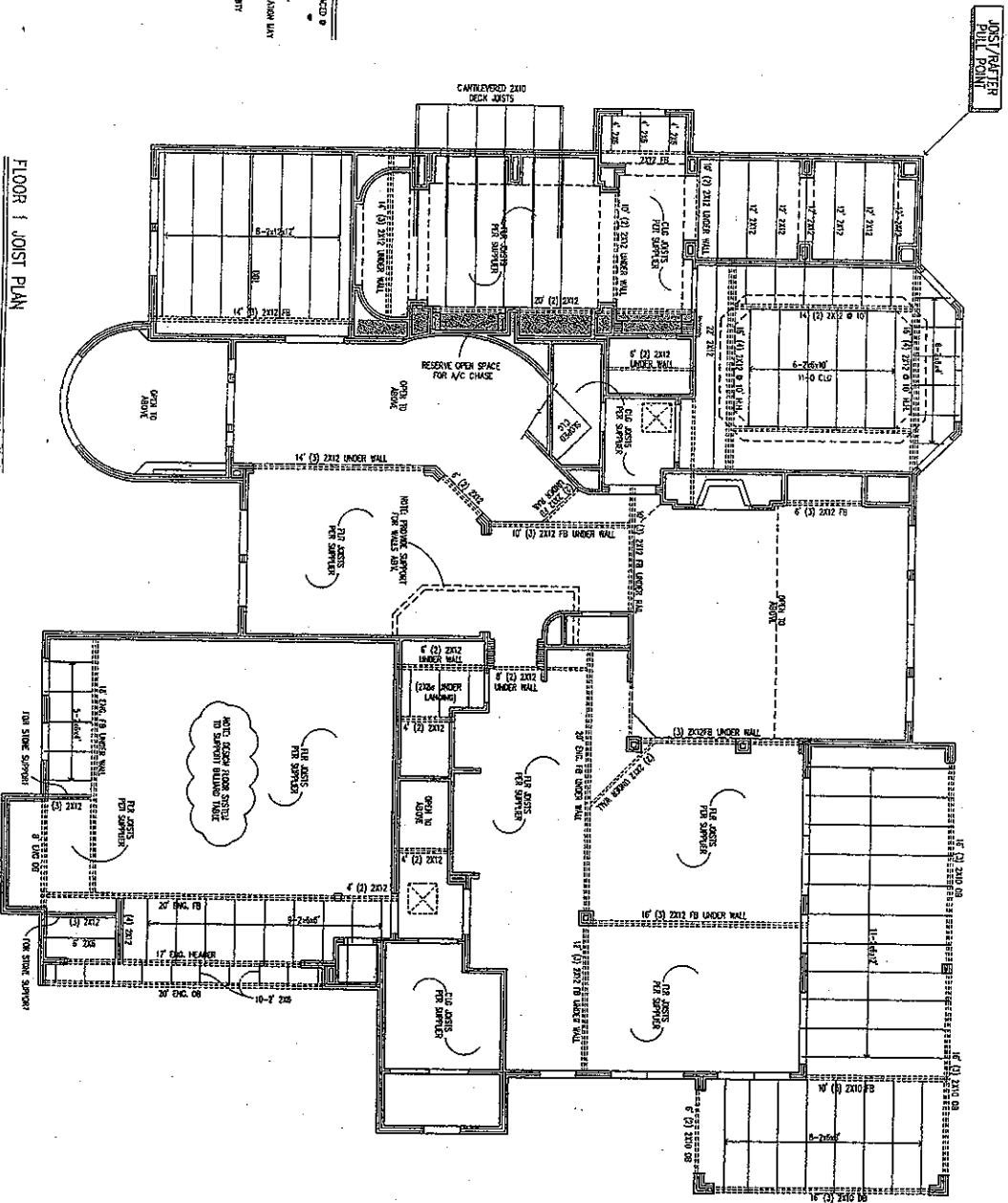
ALL BEAMS USED FOR FLOOR SUPPORT ARE TO BE FLOATED WHEN POSSIBLE.

WATER RESISTING BARRIER SHALL BE INSTALLED AS REQUIRED. WATER RESISTING BARRIER SHALL BE PROVIDED FOR DISCREPANCY AT THE STAKE/PER CONSTRUCTION REQUIREMENTS.

W/19 = 19" WIDE FOR ROOF BRACING.

W/19 = 19" WIDE FOR ALL PARTS AND JOISTS SPACING AS A "BAY".

ALL JOIST AND BEAMS TO BE SOUTHERN YELLOW PINE LUMBER.



FLOOR 1 JOIST PLAN

Final Set
08/05/11

NORTH
3688-B
FRM-1
LUNDY
BOVE, AUSTIN

MOUNT BONNELL TERRACE
3704 Bonnell Drive
Austin, TX 78731

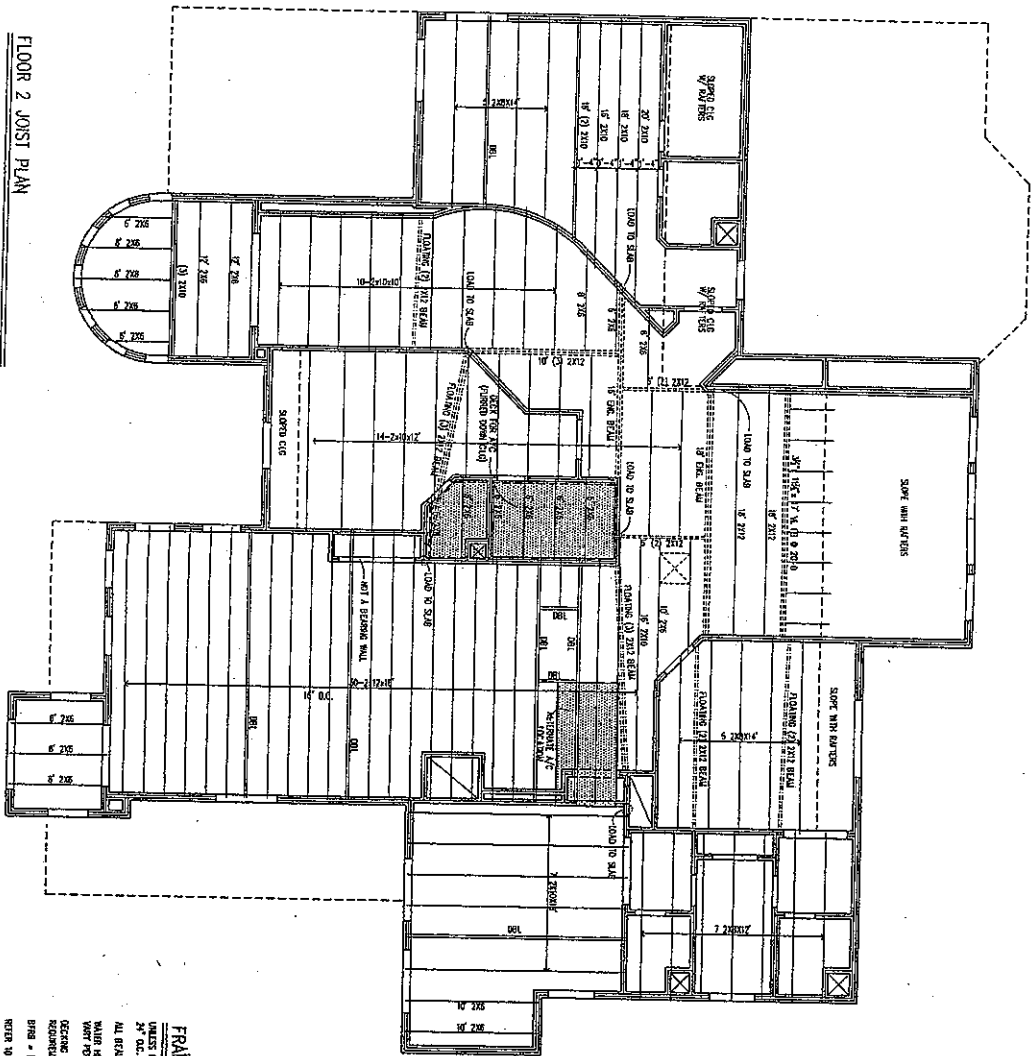
Proj. No.:
2023
Job No.:
1122

Lot: 1
Blk: E
Sect: 3

David Weekley Homes

MM/CL3/AJ
Date: 02/26/08
Scale: 1/8" = 1'-0"
Rev: 7/21/11

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FLOOR 2 JOIST PLAN

NOTE: ALL 2ND FLR. CEILING HEIGHTS
9'-0" UNLESS NOTED OTHERWISE

ADVANCED FRAMING: 2X6 EXTERIOR PERIMETER
WALL UNLESS NOTED OTHERWISE

FRAMING PLAN (TEXAS)

ALL BEAMS SHOWN MUST BE NOTED TO BE NO. 2 GRADE MATERIAL, SPICED &
34' L.
ALL BEAMS USED FOR FLOOR SUPPORT ARE TO BE PLANTED WHEN POSSIBLE.
WALLS, PARTS, FLOOR JOIST AND PLY AS REQUIRED. WOOD PLANT LOCATION MAY
VARY FOR ROAD CONDITION OR CITY REQUIREMENTS.
CEILING SHALL BE PROVIDED FOR EXISTING AT THE STRONG (PER CURRENT
RESPONSIBILITY).
BRIE - STAIN FOR ROOF BRIDGE.
ROOF TO BE CLIMBING FOR ALL PARTS AND JOISTS SHOWN AS 1" DIA.
ALL JOIST AND BEAMS TO BE SOUTHERN YELLOW PINE MATERIAL.

Final Set
08/05/11

NORTH
3688-B
FRM-2
LUNDY
BOUL AUSTRIN

MOUNT BONNELL TERRACE
3704 Bonnell Drive
Austin, TX 78731

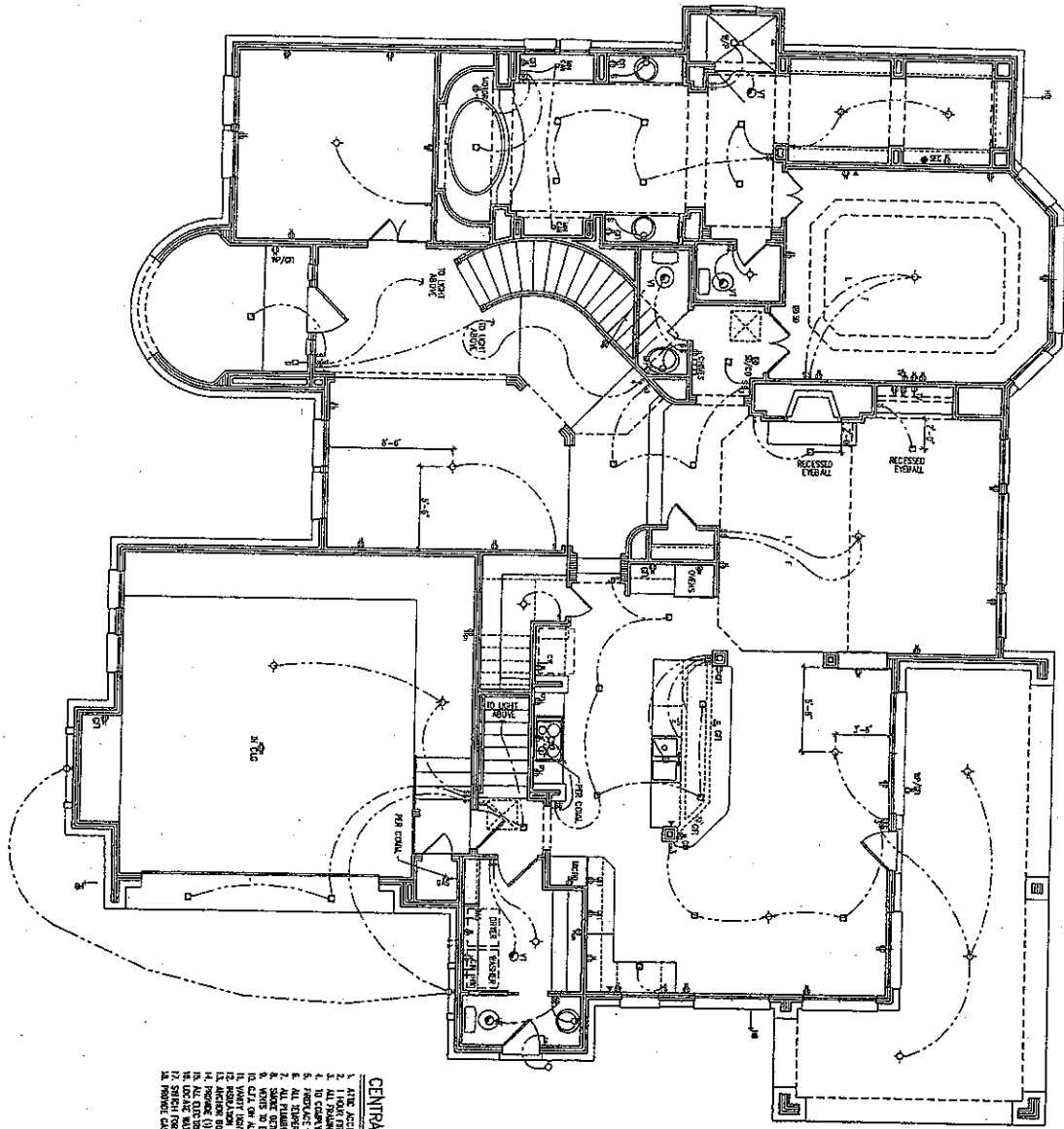
Proj. No.:
2023
Job No.:
1122

Lot: 1
Blk: E
Sect: 3

David Weekley Homes

MM/CL3/AJ
Date: 02/26/08
Scale: 1/8" = 1'-0"
Rev: 7/21/11

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specifications shown on this document
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The actual specifications of the finished
structure may vary. This document may
not be relied on as a representation of
what the completed structure will look like.



CENTRAL TEXAS General Notes

1. ALL ACCESS ROADS ARE 20' WIDE, 10' HIGH.
2. 1" MAX. FOR CONC. CURBS, WALLS, CHIMNEYS AND CEILING.
3. 1" MAX. FOR CONC. CURBS, WALLS, CHIMNEYS AND CEILING.
4. TO COMPLY WITH NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) CODE.
5. PROVIDE TO COMPLY WITH NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) CODE.
6. ALL EXTERIOR DOORS AND WINDOWS ARE TO BE 2" MIN. CLEARANCE.
7. ALL EXTERIOR DOORS AND WINDOWS ARE TO BE 2" MIN. CLEARANCE.
8. VENTS TO BE IN THE LIVING ROOMS & BATH ROOMS.
9. VENTS TO BE IN THE LIVING ROOMS & BATH ROOMS.
10. VENTS TO BE IN THE LIVING ROOMS & BATH ROOMS.
11. VENTS TO BE IN THE LIVING ROOMS & BATH ROOMS.
12. VENTS TO BE IN THE LIVING ROOMS & BATH ROOMS.
13. PROVIDE (1) 5" DIA. VENTS LOCATED AT ALL EXITS.
14. PROVIDE (1) 5" DIA. VENTS LOCATED AT ALL EXITS.
15. PROVIDE (1) 5" DIA. VENTS LOCATED AT ALL EXITS.
16. PROVIDE (1) 5" DIA. VENTS LOCATED AT ALL EXITS.
17. PROVIDE (1) 5" DIA. VENTS LOCATED AT ALL EXITS.
18. PROVIDE (1) 5" DIA. VENTS LOCATED AT ALL EXITS.
19. PROVIDE (1) 5" DIA. VENTS LOCATED AT ALL EXITS.
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22. PROVIDE (1) 5" DIA. VENTS LOCATED AT ALL EXITS.
23. PROVIDE (1) 5" DIA. VENTS LOCATED AT ALL EXITS.
24. PROVIDE (1) 5" DIA. VENTS LOCATED AT ALL EXITS.
25. PROVIDE (1) 5" DIA. VENTS LOCATED AT ALL EXITS.
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28. PROVIDE (1) 5" DIA. VENTS LOCATED AT ALL EXITS.
29. PROVIDE (1) 5" DIA. VENTS LOCATED AT ALL EXITS.
30. PROVIDE (1) 5" DIA. VENTS LOCATED AT ALL EXITS.
31. PROVIDE (1) 5" DIA. VENTS LOCATED AT ALL EXITS.
32. PROVIDE (1) 5" DIA. VENTS LOCATED AT ALL EXITS.
33. PROVIDE (1) 5" DIA. VENTS LOCATED AT ALL EXITS.
34. PROVIDE (1) 5" DIA. VENTS LOCATED AT ALL EXITS.
35. PROVIDE (1) 5" DIA. VENTS LOCATED AT ALL EXITS.
36. PROVIDE (1) 5" DIA. VENTS LOCATED AT ALL EXITS.
37. PROVIDE (1) 5" DIA. VENTS LOCATED AT ALL EXITS.
38. PROVIDE (1) 5" DIA. VENTS LOCATED AT ALL EXITS.
39. PROVIDE (1) 5" DIA. VENTS LOCATED AT ALL EXITS.
40. PROVIDE (1) 5" DIA. VENTS LOCATED AT ALL EXITS.
41. PROVIDE (1) 5" DIA. VENTS LOCATED AT ALL EXITS.
42. PROVIDE (1) 5" DIA. VENTS LOCATED AT ALL EXITS.
43. PROVIDE (1) 5" DIA. VENTS LOCATED AT ALL EXITS.
44. PROVIDE (1) 5" DIA. VENTS LOCATED AT ALL EXITS.
45. PROVIDE (1) 5" DIA. VENTS LOCATED AT ALL EXITS.
46. PROVIDE (1) 5" DIA. VENTS LOCATED AT ALL EXITS.
47. PROVIDE (1) 5" DIA. VENTS LOCATED AT ALL EXITS.
48. PROVIDE (1) 5" DIA. VENTS LOCATED AT ALL EXITS.
49. PROVIDE (1) 5" DIA. VENTS LOCATED AT ALL EXITS.
50. PROVIDE (1) 5" DIA. VENTS LOCATED AT ALL EXITS.
51. PROVIDE (1) 5" DIA. VENTS LOCATED AT ALL EXITS.
52. PROVIDE (1) 5" DIA. VENTS LOCATED AT ALL EXITS.
53. PROVIDE (1) 5" DIA. VENTS LOCATED AT ALL EXITS.
54. PROVIDE (1) 5" DIA. VENTS LOCATED AT ALL EXITS.
55. PROVIDE (1) 5" DIA. VENTS LOCATED AT ALL EXITS.
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Final Set
08/05/11

MOUNT BONNELL TERRACE
3704 Bonnell Drive
Austin, TX 78731

Proj. No.: 2023
Job No.: 1122

Lot: 1
Blk: E
Sect: 3

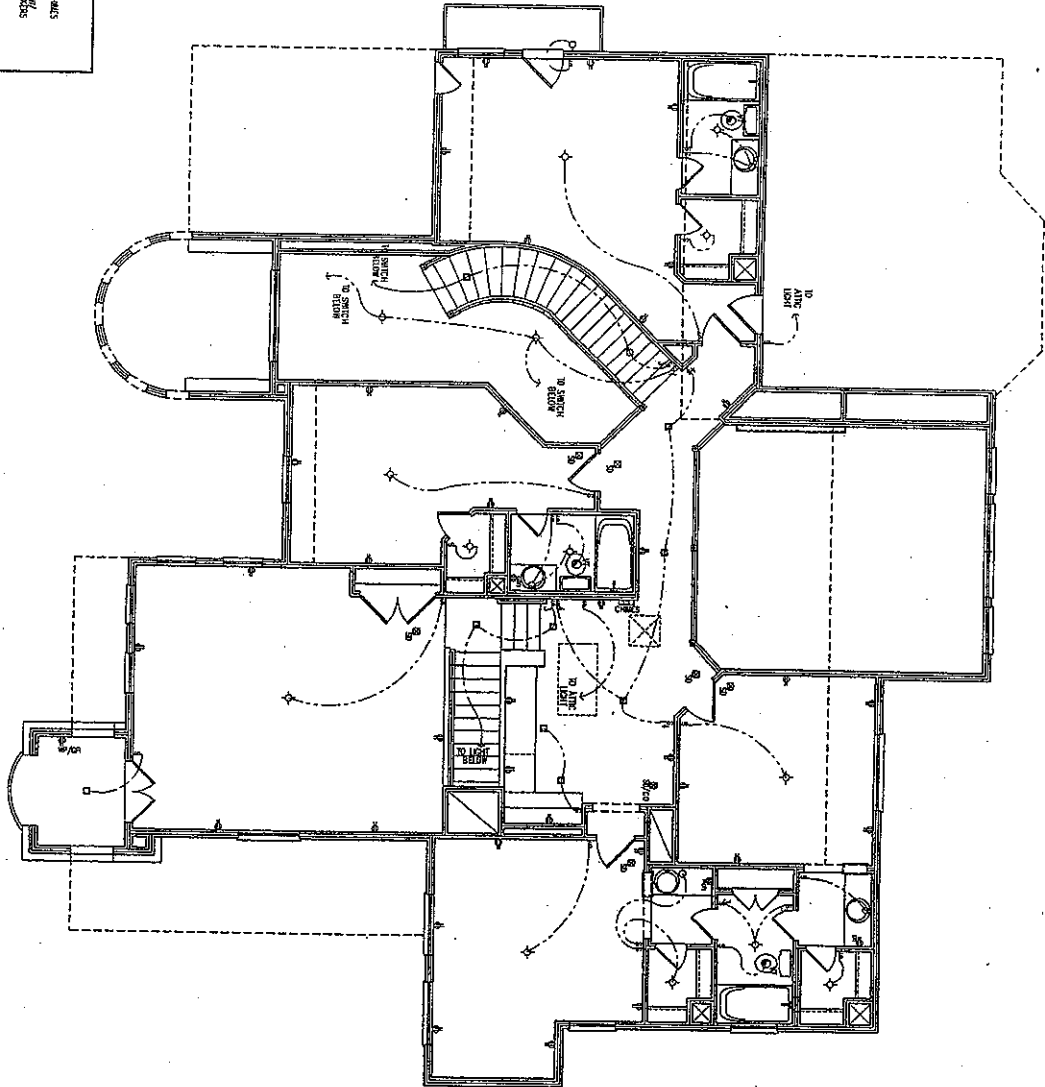
David Weekley Homes
MM/CL3/AJ
Date: 02/26/08

Scale: 1/8" = 1'-0"
Rev: 7/21/11

CENTRAL TEXAS General Notes

1. ALL ACCESS ROADS 27'-0" WIDE, 12" MIN. D.C.
2. ALL DRIVEWAYS 27'-0" WIDE, 12" MIN. D.C.
3. ALL DRIVEWAYS 27'-0" WIDE, 12" MIN. D.C.
4. TO COMPLY WITH NATIONAL CITY ELECTRICAL CODE.
5. TO COMPLY WITH NATIONAL CITY ELECTRICAL CODE.
6. TO COMPLY WITH NATIONAL CITY ELECTRICAL CODE.
7. ALL ELECTRICAL RINGS IN ALL ROOMS 2" OR EXTERIOR ROOMS.
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UTILITY LEGEND	
1. 10' CONCRETE	1. 10' CONCRETE
2. 12" A.C. (DUAL)	2. 12" A.C. (DUAL)
3. 12" A.C. (DUAL)	3. 12" A.C. (DUAL)
4. 12" A.C. (DUAL)	4. 12" A.C. (DUAL)
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Final Set
08/05/11

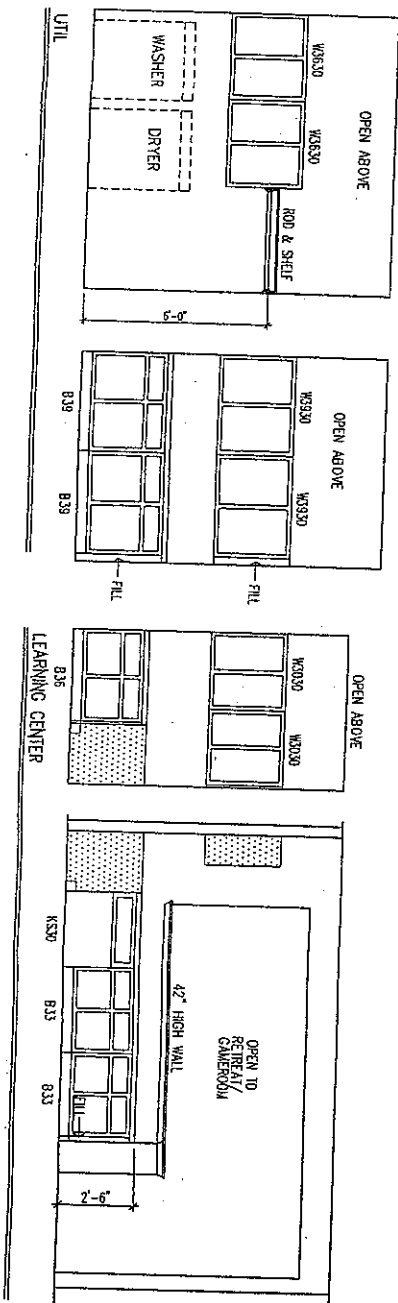
NORTH
3688-B
ELE-2
LUNDY
BOLE AUSTIN

MOUNT BONNELL TERRACE
3704 Bonnell Drive
Austin, TX 78731

Proj. No.: 2023
Job No.: 1122
Lot: 1
Blk: E
Sect: 3

David Weekley Homes
MM/CL3/AJ
Date: 02/26/08
Scale: 1/8" = 1'-0"
Rev: 7/21/11

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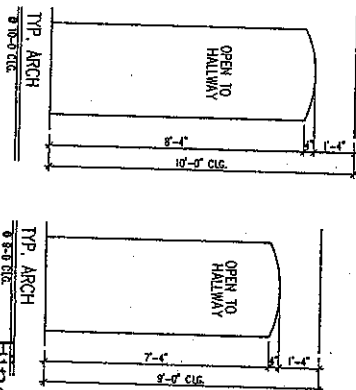
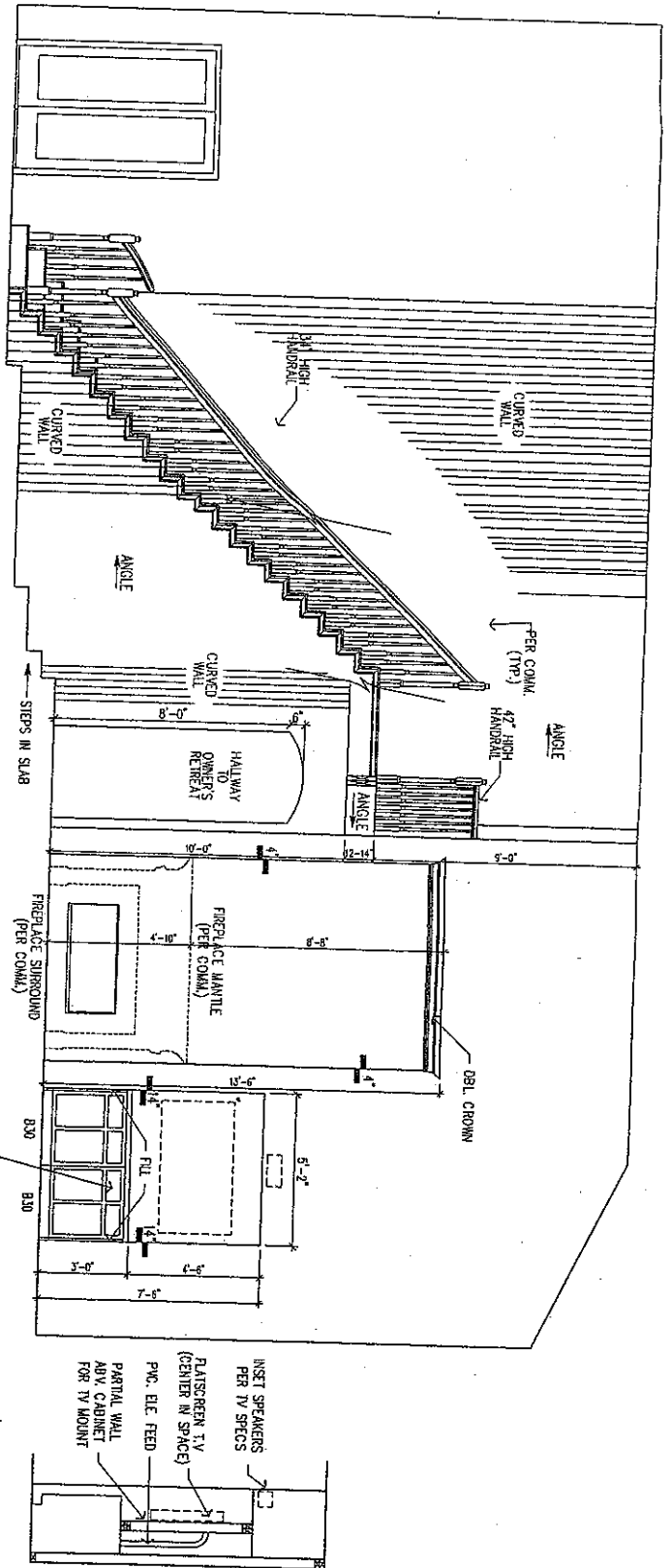


FOYER

STAIR SECTION

FAMILY ROOM

FLATSCREEN TV SECTION



Final Set
08/05/11

NORTH
3688-B
INT-2
LUNDY
BOLT AUSTIN

MOUNT BONNELL TERRACE
3704 Bonnell Drive
Austin, TX 78731

Proj. No.:
2023
Job No.:
1122

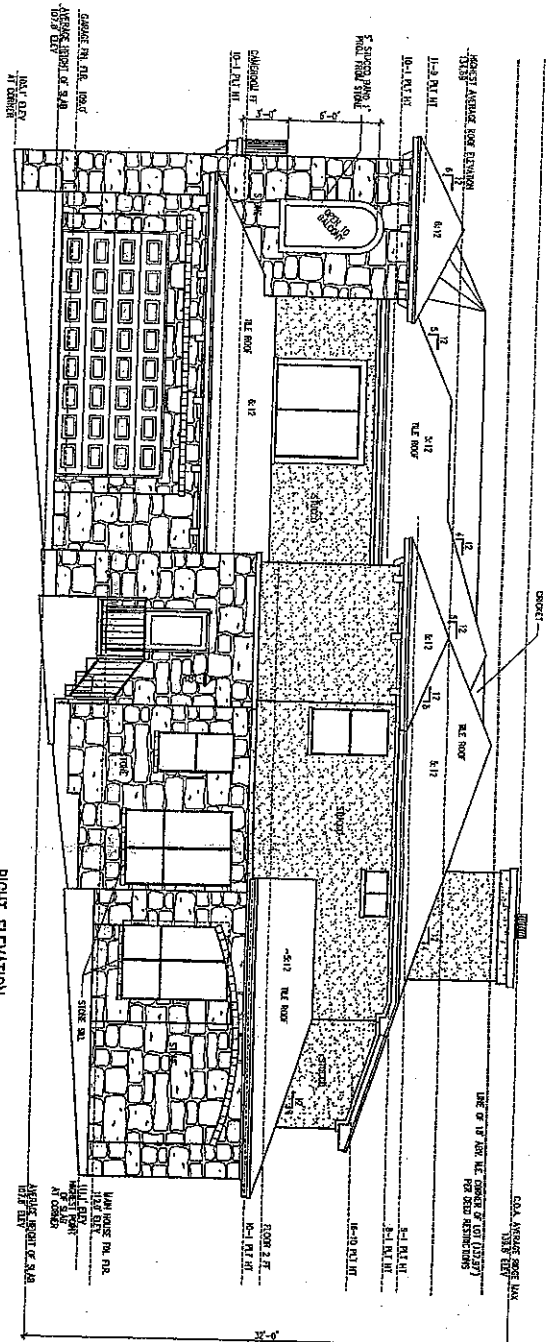
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Sect: 3

David Weekley Homes

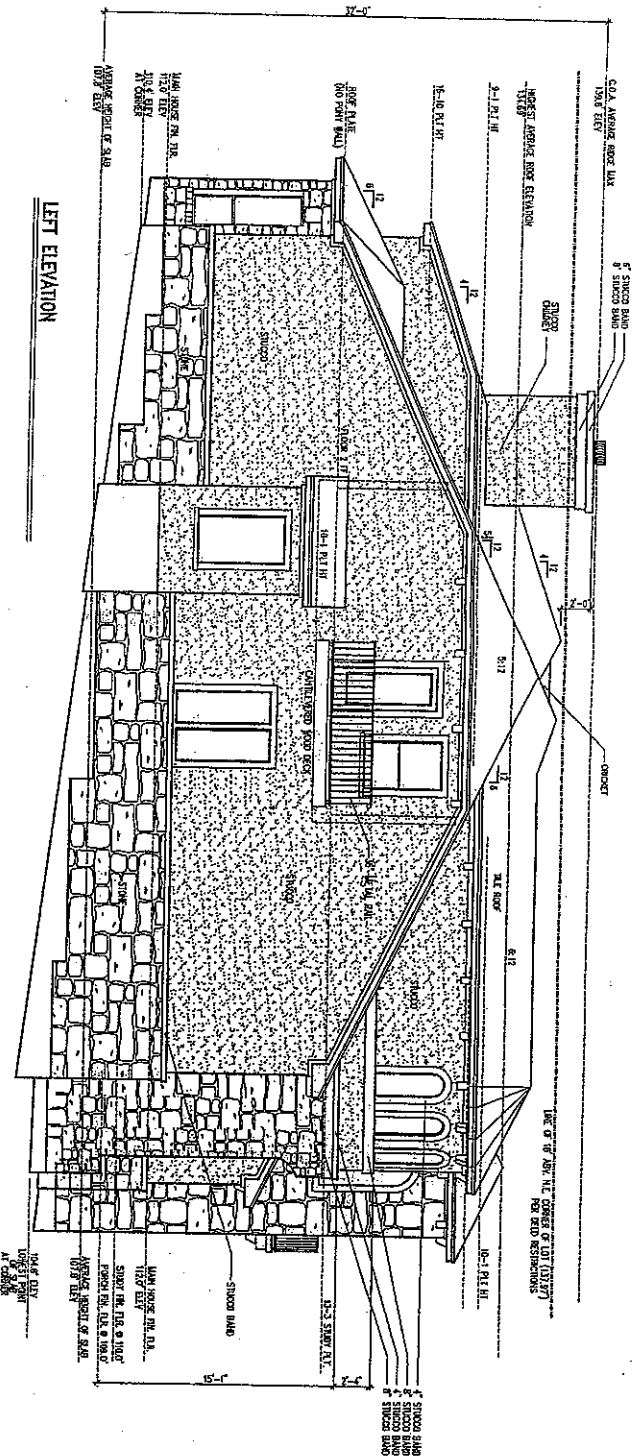
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Date: 02/26/08 Rev: 7/21/11

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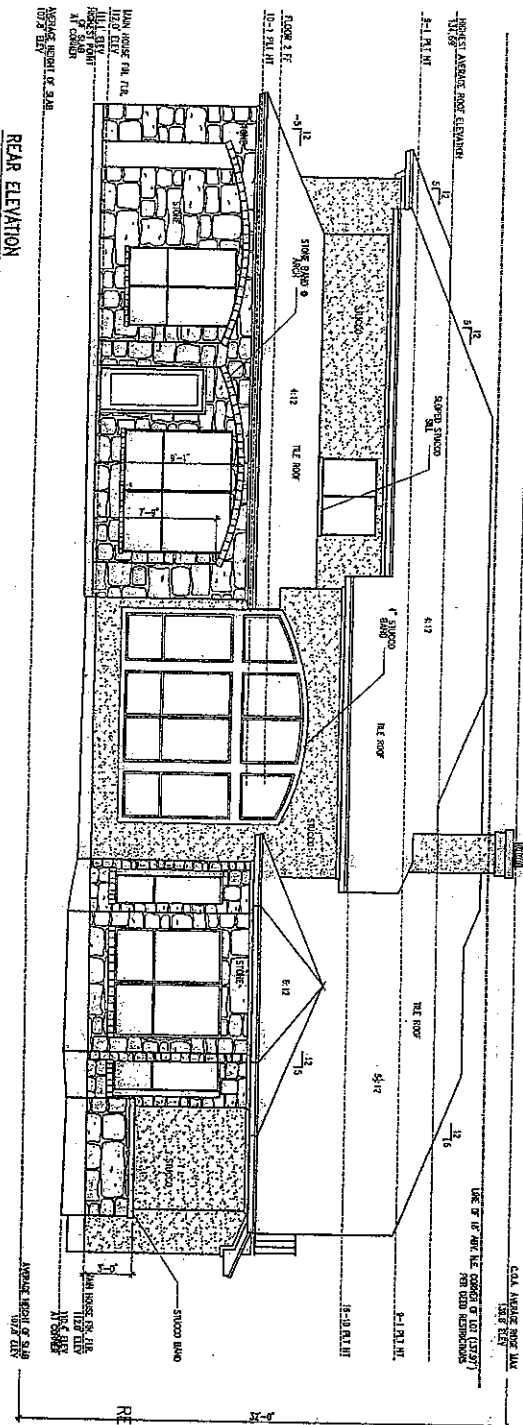
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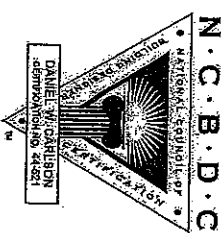


LEFT ELEVATION



REAR ELEVATION

D.W. - C.A.



THE SEAL ON THIS PAGE PERTAINS ONLY TO THE AFFIRMATION OF THE COMPLIANCE OF THESE PLANS TO THE RESIDENTIAL DESIGN AND COMPATIBILITY STANDARDS FOR THE CITY OF AUSTIN

Final Set
08/05/11

NORTH
LUNBY
3688-B
ELV-2
BOLE AUSTIN

MOUNT BONNELLE TERRACE
3704 Bonnell Terrace
Austin, TX 78731

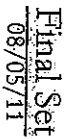
Proj. No.: 2023
Job No.: 1122
Lot: 1
Blk: E
Sect: 3

David Weekley Homes
MM/CL3/AJ
Date: 02/26/08
Scale: 1/8" = 1'-0"
Rev: 7/21/11

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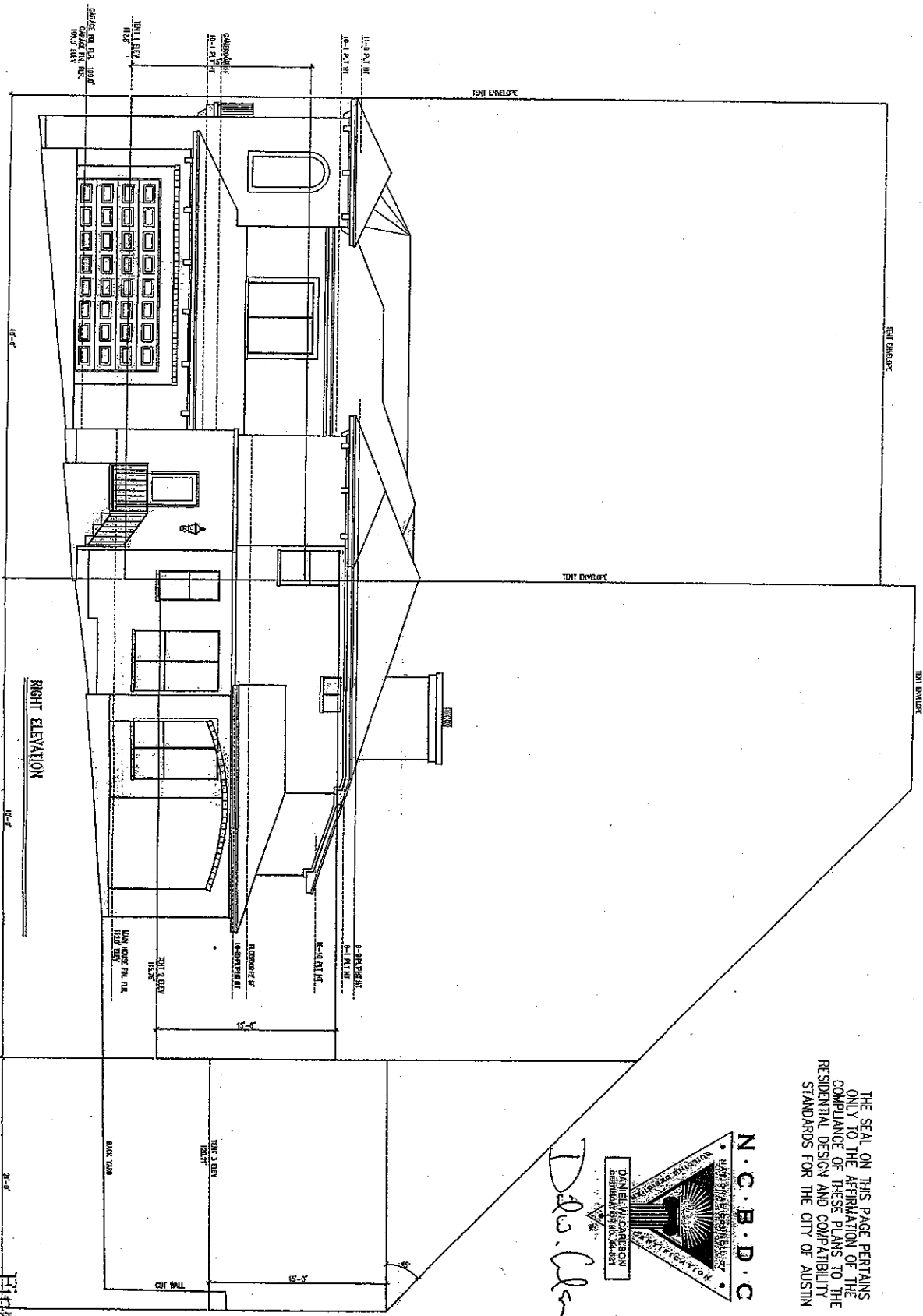


 DANIEL W. COLSON
 BERTHOUDS 44-281

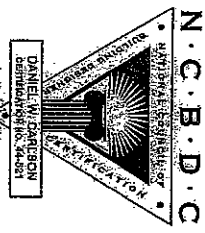


NORTH LUNEBY MCM DORT ALSTIN	MOUNT BONNELL DRIVE 3704 Bonnell Drive Austin, TX 78731	Proj. No.: 2023	Lot: 1	David Weekley Homes	©Weekley Homes LP, 2008 The measurements, dimensions and other specifications shown on this document are guidelines for construction use only. The actual specifications of the finished structure may vary. This document may not be relied on as a representation of what the completed structure will look like.
		Job No.: 1122	Blk: E Sect: 3		

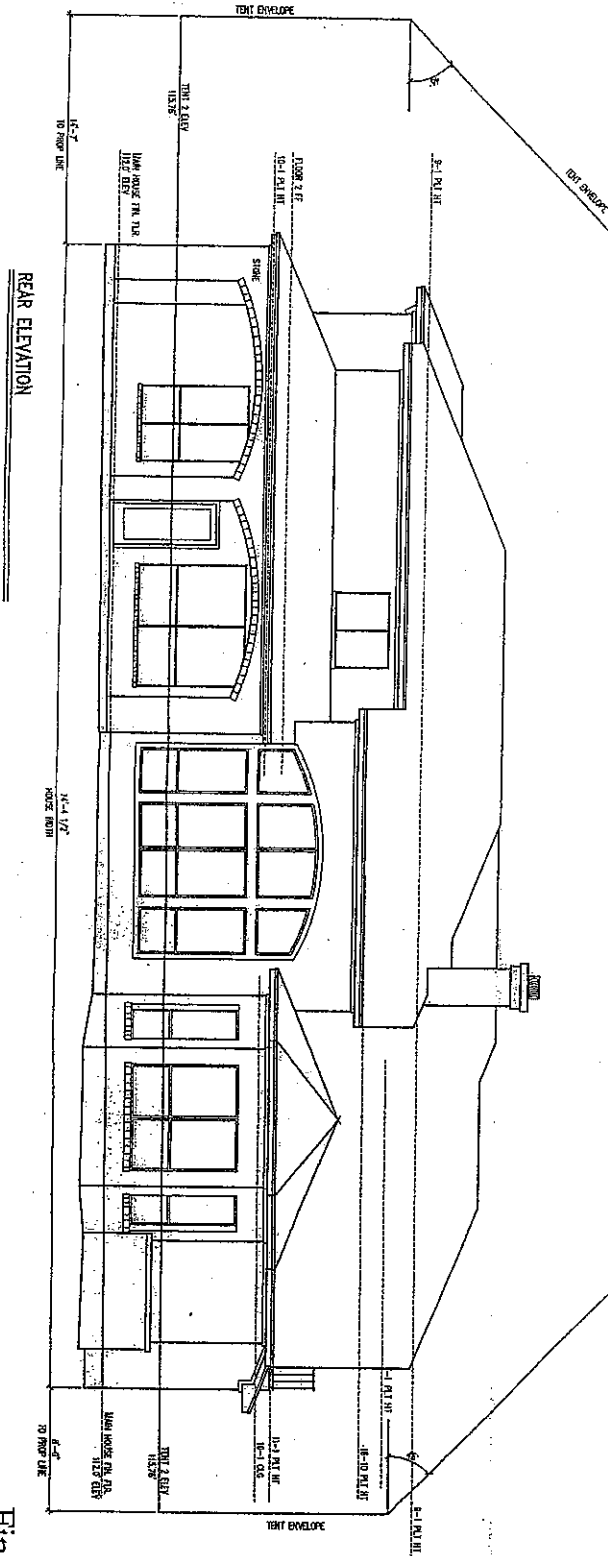
MM/CL3/AJ	Scale: 1/8" = 1'-0"
Date: 02/26/08	Rev: 7/21/11



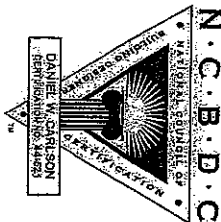
THE SEAL ON THIS PAGE PERTAINS ONLY TO THE AFFIRMATION OF THE COMPLIANCE OF THESE PLANS TO THE RESIDENTIAL DESIGN AND COMPATIBILITY STANDARDS FOR THE CITY OF AUSTIN



NORTH 3688-B MCM-2 LUNDY BOULDER, TEXAS	MOUNT BONNEL DRIVE 3704 Bonnell Drive Austin, TX 78731	Proj. No.: 2023 Job No.: 1122	Lot: 1 Blk: E Sect: 3	David Weekley Homes MM/CL3/AJ Date: 02/26/08	Scale: 1/8" = 1'-0" Rev: 7/21/11	© Weekley Homes LP, 2008 The measurements, dimensions, and other specifications shown on this document are guidelines for construction use only. The actual specifications of the finished structure may vary. This document may not be relied on as a representation of what the completed structure will look like.
		Final Set 08/05/11				



D.S. Chen

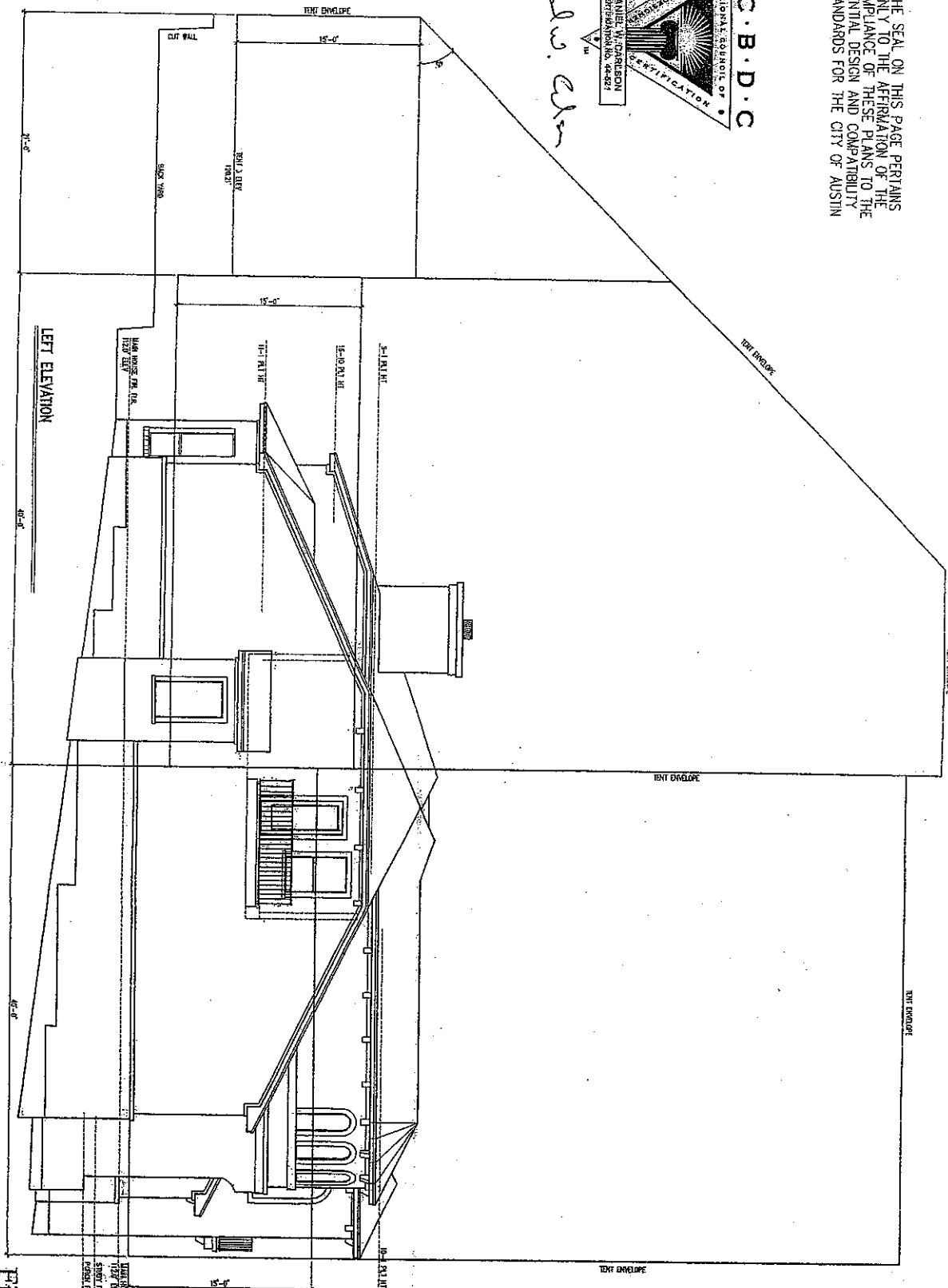


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Final Set
08/05/11

NORTH 3688-B MCM-3 LUNBY BOULDER, TEXAS	MOUNT BONNELL DRIVE 3704 Bonnell Drive Austin, TX 78731	Proj. No.: 2023 Job No.: 1122	Lot: 1 Blk: E Sect: 3	David Weekley Homes MM/CL3/AJ Date: 02/26/08	Scale: 1/8" = 1'-0" Rev: 7/21/11	© Weekley Homes L.P. 2008 The measurements, dimensions, and other specifications shown on this document are guidelines for construction use only. The actual specifications of the finished structure may vary. This document may not be relied on as a representation of what the completed structure will look like.

23. Δ



Final Set
08/05/11

NORTH
3688-B
MCM-4
LUNDBY
BOY, AUSTIN

MOUNT BONNELL DRIVE
3704 Bonnell Drive
Austin, TX 78731

Proj. No.:	2023
Job No.:	1122

Lot:	1
Blk:	E
Sect:	3

David Weekley Homes

MM/CL3/AJ
Date: 02/26/08

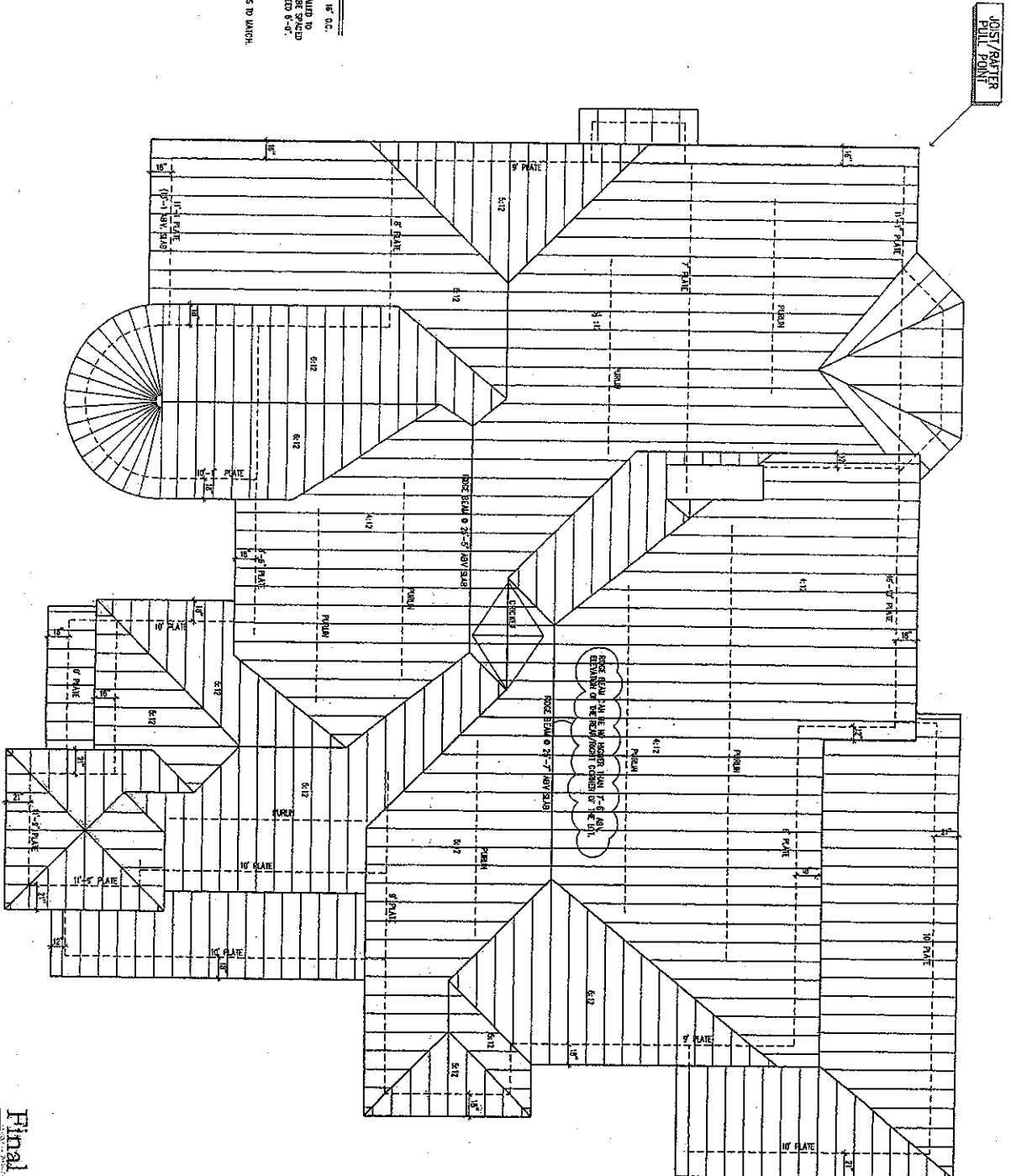
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Rev: 7/21/11

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RS: THE HIGHEST ROOF OF THIS ROOF
MORE THAN 17'-6" HIGHER THAN THE
FINISH OF THE LOT - MAKE SURE WHEN
ST ROOF THAT YOU CONFIRM THE HEIGHT
FOR OTHER ELEVATION-READING DEVICE.

CENTRAL TEXAS ROOF PLAN

UNLESS OTHERWISE NOTED: ALL ROOFS ARE TO BE 12" ON 12" PITCH. 6" ON 12" PITCH.
PITCHES TO BE SPECIFIED BY CHARTS (see notes) shall be 24" ON 12" PITCH. STRIPS SHALL BE SPACED
NOT MORE THAN 4'-0" O.C. AND THE UNBROKEN STRIP SHALL NOT EXCEED 8'-0".
PITCH SHALL NEVER BE SHALLOWER THAN SPECIFIED PITCH.
OVERLAP OF 6" ON 12" PITCH TO BE 12" FROM OUTSIDE FACE OF RAFTER. DROPS TO MATCH
OVERLAP OF 6" ON 12" PITCH TO BE 12" FROM OUTSIDE FACE OF RAFTER.
NOTE: REFER TO SLOPE CHANGING SECTION ON 100% SLOPE SHEET.
CHARTS ARE TO BE PROVIDED FOR ALL JOISTS PARALLEL TO RAFTERS.



Final Set
08/06/11

NORTH
3688-B
RFP-1
BOY AUSTIN

3704 Bonnell Drive
Austin, TX 78731

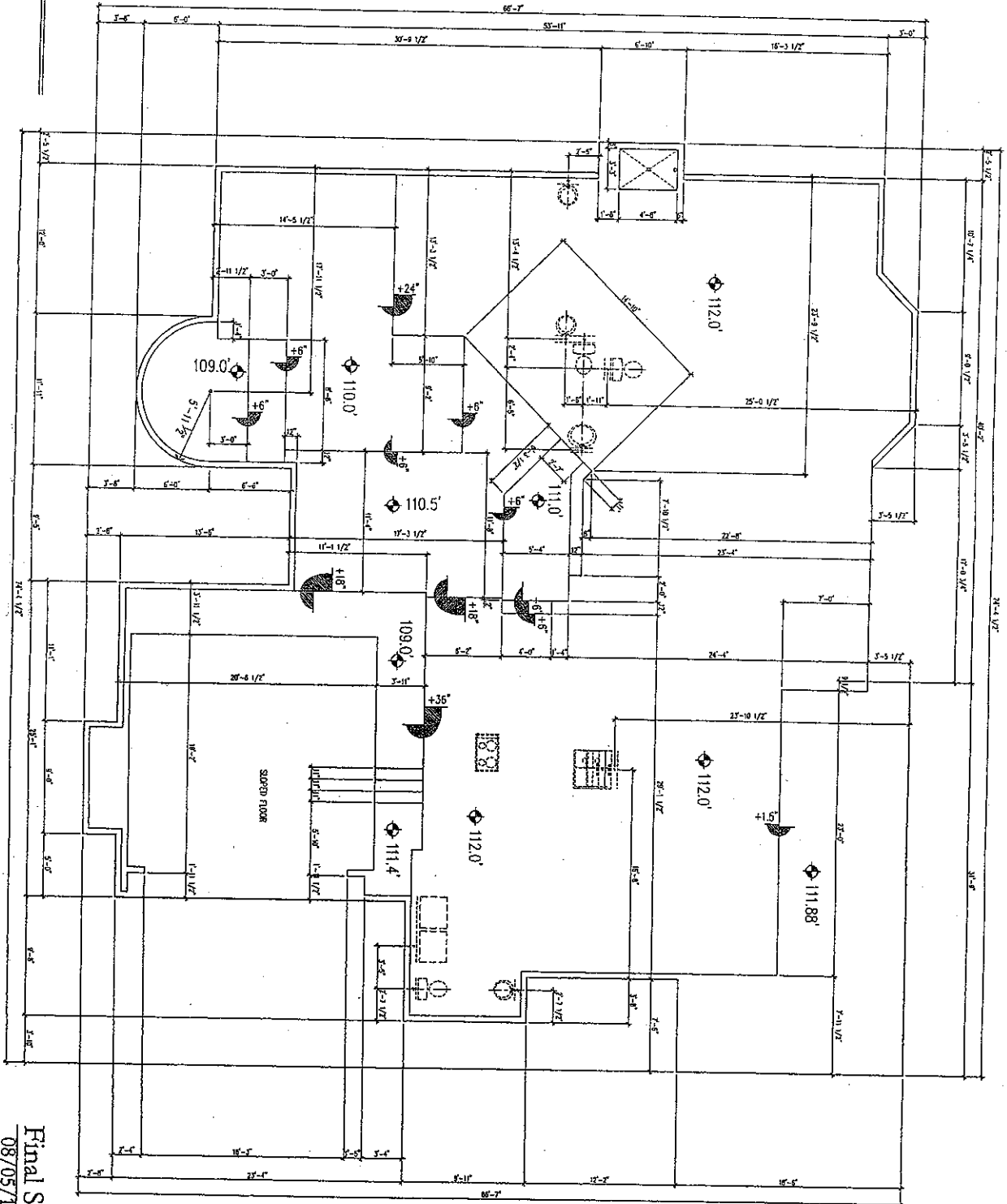
Proj. No.:
2023
Job No.:
1122
Lot: 1
Blk: E
Sect: 3

David Weekley Homes

MM/CL3/AJ
Date: 02/26/08
Scale: 1/8" = 1'-0"
Rev: 7/21

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The actual specifications of the finished
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FORM SET PLAN



Final Set
08/05/11

NORTH
3688-B
FS-1
LUNDY
BOY AUSTIN

MOUNT BONNELL TERRACE
3704 Bponnell Drive
Austin, TX 78731

Proj. No.: 2023
Job No.: 1122
Lot: 1
Bk: E
Sect: 3

David Weekley Homes
MM/CL3/AJ
Date: 02/26/08
Scale: 1/8" = 1'-0"
Rev: 7/21/11

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RESIDENTIAL PERMIT APPLICATION "D"
FLOOR AREA RATIO INFORMATION

EXHIBIT Ex 2

TO BE COMPLETED FOR ALL PROPERTIES LOCATED WITHIN THE RESIDENTIAL DESIGN AND COMPATIBILITY
STANDARDS ORDINANCE BOUNDARY AREA.

Service Address 3704 Bonnell Drive
Applicant's Signature [Signature] - Lisa Ahart Date 8/17/14
Project Coordinator - David Weekley Homes

GROSS FLOOR AREA AND FLOOR AREA RATIO as defined in the Austin Zoning Code.

	Existing	New / Addition
I. 1 st Floor Gross Area		
a. 1 st floor area (excluding covered or uncovered finished ground-floor porches)	sq.ft.	2667 ✓ sq.ft.
b. 1 st floor area with ceiling height over 15 feet.	sq.ft.	0 sq.ft.
c. TOTAL (add a and b above)	sq.ft.	2667 sq.ft.
II. 2 nd Floor Gross Area See note 1 below		
d. 2 nd floor area (including all areas covered by a roof i.e. porches, breezeways, mezzanine or loft)	sq.ft.	1503 sq.ft.
e. 2 nd floor area with ceiling height > 15 feet.	sq.ft.	0 sq.ft.
f. TOTAL (add d and e above)	sq.ft.	1503 sq.ft.
III. 3 rd Floor Gross Area See note 1 below		
g. 3 rd floor area (including all areas covered by a roof i.e. porches, breezeways, mezzanine or loft).	sq.ft.	N/A sq.ft.
h. 3 rd floor area with ceiling height > 15 feet	sq.ft.	N/A sq.ft.
i. TOTAL (add g and h above)	sq.ft.	N/A sq.ft.
IV. Basement Gross Area		
j. Floor area outside footprint of first floor or greater than 3 feet above grade at the average elevation at the intersections of the minimum front yard setback line and side property lines.	sq.ft.	N/A sq.ft.
V. Garage		
k. <input checked="" type="checkbox"/> attached (subtract 200 square feet if used to meet the minimum parking requirement)	sq.ft.	367 ✓ sq.ft.
l. <input type="checkbox"/> detached (subtract 450 square feet if more than 10 feet from principal structure)	sq.ft.	N/A sq.ft.
VI. Carport (open on two or more sides without habitable space above it subtract 450 square feet)	sq.ft.	N/A sq.ft.
VII. TOTAL	sq.ft.	4537 sq.ft.

TOTAL GROSS FLOOR AREA (add existing and new from VII above)	4537 sq. ft.
GROSS AREA OF LOT	11,683 sq. ft.
FLOOR AREA RATIO (gross floor area / gross area of lot)	38.83 %

If a second or third floor meets all of the following criteria it is considered to be attic space and is not calculated as part of the overall Gross Floor Area of the structure.

- a. It is fully contained within the roof structure and the roof has a slope of 3 to 12 or greater
- b. It only has one floor within the roof structure
- c. It does not extend beyond the foot print of the floors below
- d. It is the highest habitable portion of the building; and
- e. Fifty percent or more of the area has a ceiling height of seven feet or less.

ORDINANCE NO. 20060928-022

AN ORDINANCE AMENDING CHAPTER 2-1 OF THE CITY CODE TO ADD ARTICLE 53 RELATING TO THE RESIDENTIAL DESIGN AND COMPATIBILITY COMMISSION; AMENDING TITLE 25 OF THE CITY CODE RELATING TO THE CAPITOL VIEW CORRIDOR OVERLAY DISTRICT, DUPLEX RESIDENTIAL USES, RESIDENTIAL DESIGN AND COMPATIBILITY STANDARDS, NONCOMPLYING STRUCTURES, COMPATIBILITY HEIGHT LIMITATIONS, ORDINANCE REQUIREMENTS FOR NEIGHBORHOOD PLAN COMBINING DISTRICTS, BUILDING PERMITS, AND DEMOLITION PERMITS; PROVIDING FOR AN ORGANIZATIONAL MEETING OF THE RESIDENTIAL DESIGN AND COMPATIBILITY COMMISSION; REPEALING ORDINANCE NUMBERS 20060309-058 AND 20060622-022; AND PROVIDING FOR EMERGENCY PASSAGE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. Chapter 2-1 (*Boards And Commissions*) of the City Code is amended to add Article 53 to read:

ARTICLE 53. RESIDENTIAL DESIGN AND COMPATIBILITY COMMISSION.

§ 2-1-531 CREATION; MEMBERSHIP.

- (A) The Residential Design and Compatibility Commission is created and composed of nine members appointed by the city council.
- (B) To obtain a broad range of community viewpoints, the commission shall be appointed from a diverse group of persons having knowledge of massing, scale, and compatibility issues in residential neighborhoods, and shall include:
 - (1) five residential design professionals; and
 - (2) four citizens at large.

§ 2-1-532 TERMS.

- (A) Each commission member shall be appointed to serve a two-year term.
- (B) Five commission members shall be appointed to terms that expire on October 1 of even-numbered years and four commission members shall be appointed to terms that expire on October 1 of odd-numbered years.

§ 2-1-533 QUORUM.

Five members of the commission constitute a quorum for the conduct of business.

§ 2-1-534 DUTIES AND RESPONSIBILITIES.

The Residential Design and Compatibility Commission shall make determinations on requested modifications of certain residential design standards for specific developments, as prescribed by Chapter 25-2, Subchapter F (*Residential Design And Compatibility Standards*).

PART 2. Section 25-2-642 (*Capital View Corridor Overlay District Regulations*) is amended to amend Subsection (B) to read:

- (B) In a Capitol view corridor, a structure may not exceed the elevation [height] of the plane delineating the corridor. The height limitation exceptions of Section 25-2-531 (*Height Limitation Exceptions*) do not apply to this subsection.

PART 3. Section 25-2-773 (*Duplex Residential Use*) of the City Code is amended to add Subsection (D) to read:

(D) The two dwelling units:

- (1) must have a common wall or floor and ceiling, which may be a common garage wall, for at least 50 percent of the maximum depth of the building;
- (2) must have a common roof; and
- (3) may not be separated by a breezeway, carport, or other open building element.

PART 4. Chapter 25-2 of the City Code is amended to add Subchapter F as shown on Attachment "A".

PART 5. Section 25-2-963 (*Modification And Maintenance Of Noncomplying Structures*) of the City Code is amended to read:

§ 25-2-963 MODIFICATION AND MAINTENANCE OF NONCOMPLYING STRUCTURES.

- (A) Except as provided in Subsection (B) [~~of this section~~], a person may modify or maintain a noncomplying structure.
- (B) Except as provided in Subsections (C) and (D) [~~of this section~~], a person may not modify or maintain a noncomplying structure in a manner that increases

the degree to which the structure violates a requirement that caused the structure to be noncomplying.

(C) A person may increase the height of a building that is a noncomplying structure based on a height requirement of this title if:

(1) the increase is made to a portion of the building that:

(a) does not exceed the existing maximum height of the building; and

(b) complies with the yard setback requirements of this title;

(2) the increase does not exceed 15 percent of the existing maximum height of the building; and

(3) after modification, the height of the modified portion of the building does not exceed the existing maximum height of the building.

(D) A person may modify a building that is a noncomplying structure based on a yard setback requirement of this title if:

(1) the modified portion of the building:

(a) does not extend further into the required yard setback than the existing noncomplying portion of the building; [and]

(b) unless located in a street side yard, is not greater in height than the existing noncomplying portion of the building; and

(c) complies with the height requirements of this title; and

(2) the additional length of a modified portion of the building does not exceed the lesser of 50 percent of the length of the noncomplying portion of the building or 25 feet measured from the existing building and parallel to the lot line.

(E) Subsection (D) applies to each yard setback requirement with which the existing building does not comply.

(F) A person may modify a noncomplying building once under Subsection (C) and once under Subsection (D) [~~of this section~~]. This section does not prohibit a person from modifying a building along more than one yard setback as part of a single project.

PART 6. Section 25-2-964 (*Restoration And Use Of Damaged Or Destroyed Noncomplying Structures*) of the City Code is amended to read:

§ 25-2-964 RESTORATION AND USE OF DAMAGED OR DESTROYED NONCOMPLYING STRUCTURES.

- (A) A person may restore a noncomplying structure that is damaged or destroyed by fire, explosion, flood, tornado, riot, act of the public enemy, or accident of any kind if the restoration begins not later than 12 months after the date the damage or destruction occurs.
- (B) Except as provided in Section 25-2-963 (*Modification And Maintenance Of Noncomplying Structures*):
- (1) a structure restored under this section is limited to the same building footprint, gross floor area, and interior volume as the damaged or destroyed structure; and
 - (2) a noncomplying portion of the structure may be restored only in the same location and to the same degree of noncompliance as the damaged or destroyed structure.

~~[A person may restore a damaged or destroyed noncomplying structure if the restoration begins not later than 12 months after the date the damage or destruction occurs.]~~

PART 7. Section 25-2-1062(D) (*Height Limitations And Setbacks For Small Sites*) of the City Code is amended to read:

- (D) The height limitations for a structure are ~~[A person may not construct a structure that exceeds a height of]~~:
- (1) two stories and ~~[or]~~ 30 feet, if the structure is 50 feet or less from property:
 - (a) in an SF-5 or more restrictive zoning district; or
 - (b) on which a use permitted in an SF-5 or more restrictive zoning district is located; or
 - (2) three stories and ~~[or]~~ 40 feet, if the structure is more than 50 feet and not more than 100 feet from property:
 - (a) in an SF-5 or more restrictive zoning district; or
 - (b) on which a use permitted in an SF-5 or more restrictive zoning district is located;

- (3) for a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive; or
- (4) for a structure more than 300 feet but not more than 540 feet from property zoned SF-5 or more restrictive, 60 feet plus one foot for each four feet of distance in excess of 300 feet from the property zoned SF-5 or more restrictive.

PART 8. Section 25-2-1063(C) (*Height Limitations And Setbacks For Large Sites*) of the City Code is amended to read:

(C) The height limitations for a structure are ~~[A person may not construct a structure that exceeds a height of]~~:

- (1) two stories and ~~[or]~~ 30 feet, if the structure is 50 feet or less from property:
 - (a) in an SF-5 or more restrictive zoning district; or
 - (b) on which a use permitted in an SF-5 or more restrictive zoning district is located; or
- (2) three stories and ~~[or]~~ 40 feet, if the structure is more than 50 feet and not more than 100 feet from property:
 - (a) in an SF-5 or more restrictive zoning district; or
 - (b) on which a use permitted in an SF-5 or more restrictive zoning district is located;
- (3) for a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive; or
- (4) for a structure more than 300 feet but not more than 540 feet from property zoned SF-5 or more restrictive, 60 feet plus one foot for each four feet of distance in excess of 300 feet from the property zoned SF-5 or more restrictive.

PART 9. Section 25-2-1406 (*Ordinance Requirements*) of the City Code is amended to read:

§ 25-2-1406 ORDINANCE REQUIREMENTS.

An ordinance zoning or rezoning property as a NP combining district:

- (1) must prescribe the special uses described in Section 25-2-1403 (*Special Uses*) that are permitted in the district;
- (2) must describe the location of each residential infill special use, neighborhood urban center special use, or neighborhood mixed use building special use, if any;
- (3) may restrict the time of day during which a business in a neighborhood mixed use building special use may be open to the public;
- (4) may restrict a corner store special use, cottage special use, secondary apartment special use, or urban home special use, if any, to a designated portion of the district;
- (5) for a single-family residential use or a secondary apartment special use on an existing legal lot:
 - (a) may reduce the required minimum lot area to 2,500 square feet;
 - (b) may reduce the required minimum lot width to 25 feet; and
 - (c) for a lot with an area of 4,000 square feet or less, may increase the maximum impervious coverage to 65 percent;
- (6) may apply the requirements of Section 25-2-1602 (*Front Porch Setback*), Section 25-2-1603 (*Impervious Cover and Parking Placement Requirements*), or Section 25-2-1604 (*Garage Placement*) to the district or a designated portion of the district; ~~and~~
- (7) may restrict front yard parking by including all or a portion of the district in the restricted parking area map described in Section 12-5-29 (*Front or Side Yard Parking*); and
- (8) may modify the following requirements of Subchapter F (*Residential Design And Compatibility Standards*):
 - (a) the maximum floor-to-area ratio and maximum square footage of gross floor area prescribed by Subchapter F (*Residential Design And Compatibility Standards*);

(b) the maximum linear feet of gables or dormers protruding from the setback plane;

(d) the height of the side and rear setback planes; and

(e) the minimum front yard setback requirement.

PART 10. Section 25-11-32 (*Building Permit Requirement*) of the City Code is amended to read:

§ 25-11-32 BUILDING PERMIT REQUIREMENT.

(A) Unless a technical code exempts an activity from its permitting requirements, a person may not perform the following activities unless the person first obtains the appropriate permit from the building official:

- (1) an activity regulated by Chapter 25-12, Article 1 (*Uniform Building Code*), Article 4 (*Electrical Code*), Article 5 (*Uniform Mechanical Code*), or Article 6 (*Uniform Plumbing Code*);
- (2) constructing or structurally altering a pier or other structure in or along the shores of:
 - (a) Lake Austin below an elevation of 504.9 feet above mean sea level;
 - (b) Town Lake below an elevation of 435.0 feet above mean sea level; or
 - (c) Lake Walter E. Long;
- (3) altering the shoreline or bed of Lake Austin, Town Lake, or Lake Walter E. Long by filling or dredging;
- (4) constructing, altering, or repairing a sidewalk, curb, gutter, or driveway approach on property under a person's control or in public right-of-way adjoining property under a person's control;
- (5) erecting, moving, or structurally altering or repairing an outdoor sign; or
- (6) causing or permitting the activities described in this section to occur.

(B) A building permit does not authorize the demolition or removal of any part of a structure.

PART 11. Section 25-11-37 (*Demolition Permit Requirement*) of the City Code is amended to read:

§ 25-11-37 DEMOLITION PERMIT REQUIREMENT.

- (A) Except as provided in Subsection (B), a [A] person may not demolish all or part of a structure unless the person first obtains a demolition permit from the building official.
- (B) A demolition permit is not required to demolish all or part of an interior wall, floor, or ceiling.
- (C) ~~(B)~~ Except as provided in Article 4 (*Special Requirements For Historic Landmarks*), the building official may issue a permit to demolish all or part of a structure.

PART 12. The Residential Design and Compatibility Commission members shall conduct an organizational meeting as soon as practicable after their appointment. At the first meeting of the commission, the members shall draw lots to determine whose terms shall expire on October 1 of even-numbered years and whose terms shall expire on October 1 of odd-numbered years.

PART 13. Ordinance Number 20060309-058 is repealed, except that Part 6 (*Waiver*) is continued in effect and applies to a waiver application filed before October 1, 2006.

PART 14. Ordinance Number 20060622-022 is repealed.

PART 15. The Council finds that the need to provide continuity and improvement to the residential design and compatibility regulations constitutes an emergency. Because of this emergency, this ordinance takes effect on October 1, 2006 for the immediate preservation of the public peace, health, and safety.

PASSED AND APPROVED

_____, September 28, 2006

§
§
§



Will Wynn
Mayor

APPROVED: 

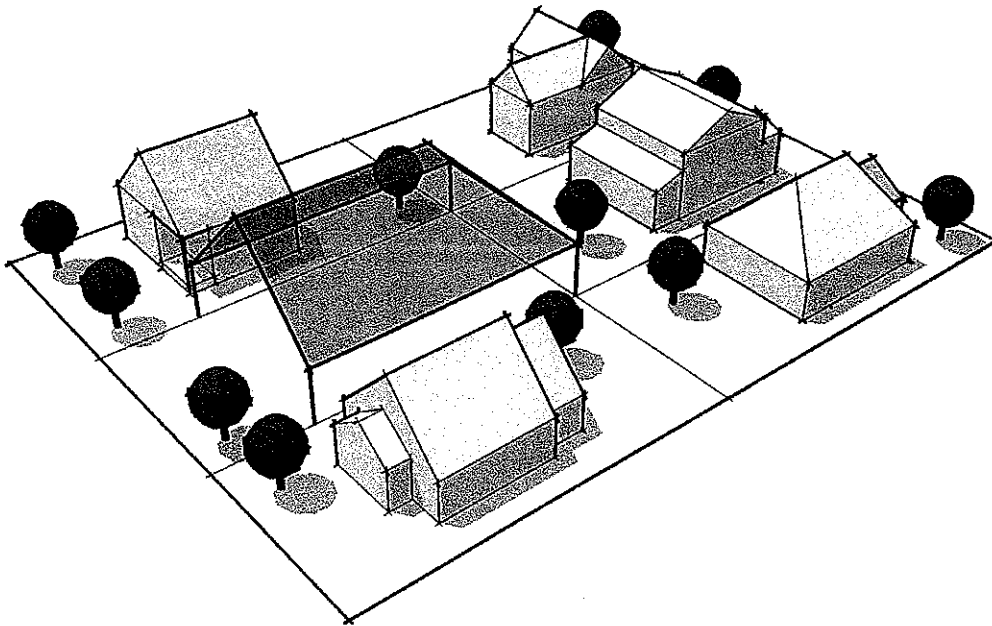
David Allan Smith
City Attorney

ATTEST: 

Shirley A. Gentry
City Clerk

SUBCHAPTER F: RESIDENTIAL DESIGN AND COMPATIBILITY STANDARDS

Austin, Texas



**APPROVED BY THE CITY COUNCIL
ON SEPTEMBER 28, 2006**

**BASED ON THE JUNE 22, 2006
CITY COUNCIL ORDINANCE AND
SUBSEQUENT AMENDMENTS**

SUBCHAPTER F: RESIDENTIAL DESIGN AND COMPATIBILITY STANDARDS

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ARTICLE 1: GENERAL PROVISIONS

1.1. INTENT

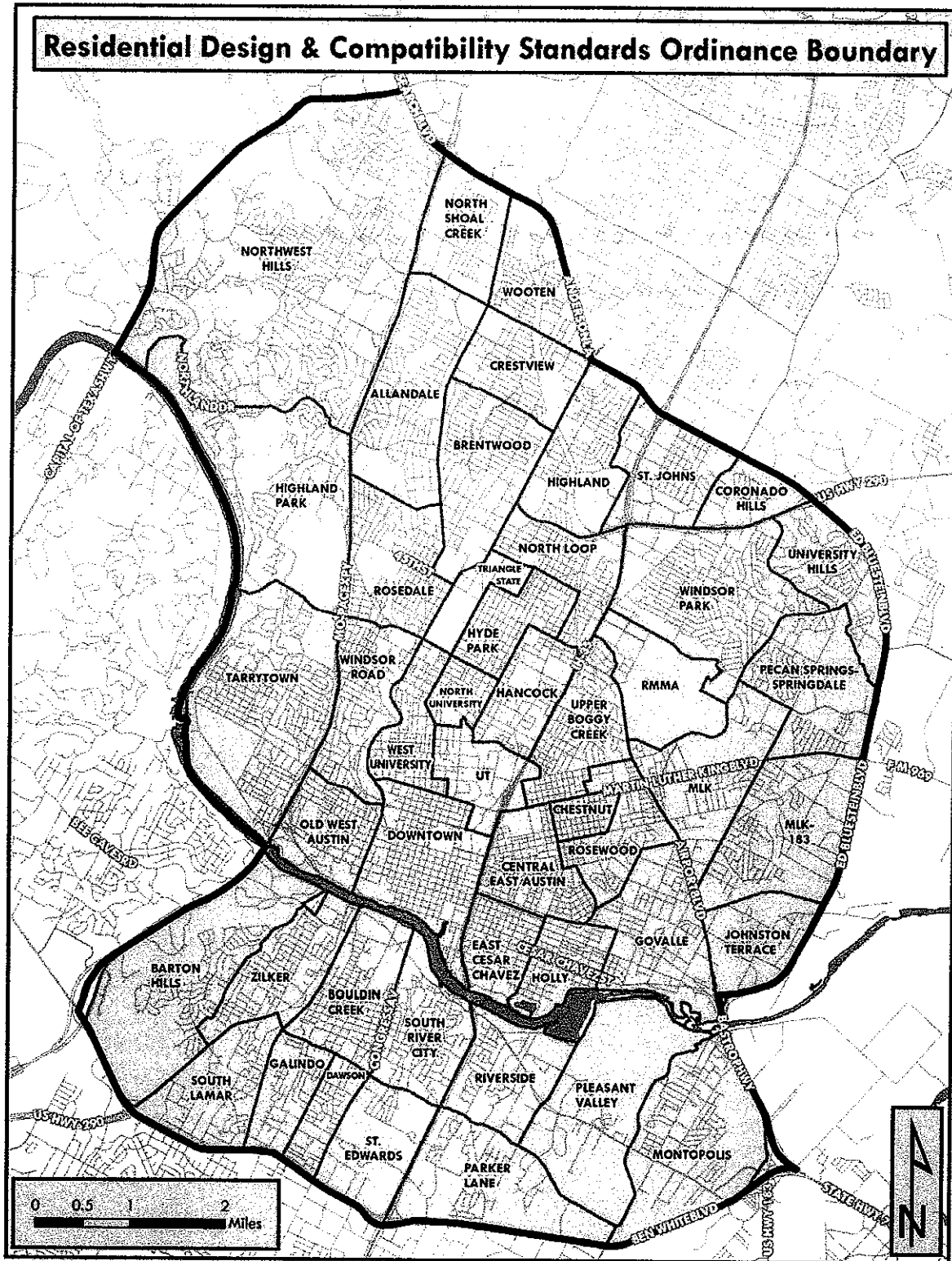
This Subchapter is intended to minimize the impact of new construction, remodeling, and additions to existing buildings on surrounding properties in residential neighborhoods by defining an acceptable buildable area for each lot within which new development may occur. The standards are designed to protect the character of Austin's older neighborhoods by ensuring that new construction and additions are compatible in scale and bulk with existing neighborhoods.

1.2. APPLICABILITY

Except as provided in Section 1.3, this Subchapter applies to property that is:

1.2.1. Within the area bounded by:

- A.** Highway 183 from Loop 360 to Ben White Boulevard;
- B.** Ben White Boulevard from Highway 183 to Loop 360;
- C.** Loop 360 from Ben White Boulevard to Loop 1;
- D.** Loop 1 from Loop 360 to the Colorado River;
- E.** The Colorado River from Loop 1 to Loop 360; and
- F.** Loop 360 from the Colorado River to Highway 183; and



1.2.2. Used for a:

- A. Bed and breakfast (group 1) residential use;
- B. Bed and breakfast (group 2) residential use;
- C. Cottage special use;
- D. Duplex residential use;
- E. Secondary apartment special use;
- F. Single-family attached residential use;
- G. Single-family residential use;
- H. Small lot single-family residential use;
- I. Two-family residential use; or
- J. Urban home special use.

1.3. EXCEPTIONS

- 1.3.1. This Subchapter does not apply to a lot zoned as a single-family residence small lot (SF-4A) district unless the lot is adjacent to property zoned as a single-family residence standard lot (SF-2) district or family residence (SF-3) district.
- 1.3.2. This Subchapter does not apply to the approximately 698.7 acres of land known as the Mueller Planned Unit Development, which was zoned as a planned unit development (PUD) district by Ordinance Number 040826-61.
- 1.3.3. The side wall articulation requirement does not apply to new construction that is less than 2,000 square feet in gross floor area and that is less than 32 feet in height.

1.4. CONFLICTING PROVISIONS

- 1.4.1. To the extent of conflict, this Subchapter supersedes:
 - A. Section 25-2-492 (Site Development Regulations);
 - B. Section 25-2-555 (Family Residence (SF-3) District Regulations);
 - C. Section 25-2-773 (Duplex Residential Use);
 - D. Section 25-2-774 (Two-Family Residential Use);
 - E. Section 25-2-778 (Front Yard Setback for Certain Residential Uses);

- F.** Section 25-2-779 (Small Lot Single-Family Residential Uses); and
- G.** Section 25-4-232 (Small Lot Subdivisions).

1.4.2. To the extent of conflict, the following provisions supersede this Subchapter:

- A.** Section 25-2-1424 (Urban Home Regulations);
- B.** Section 25-2-1444 (Cottage Regulations);
- C.** Section 25-2-1463 (Secondary Apartment Regulations); or
- D.** The provisions of an ordinance designating property as a:
 - 1.** Neighborhood plan (NP) combining district;
 - 2.** Neighborhood conservation (NC) combining district; or
 - 3.** Historic area (HD) combining district.

ARTICLE 2: DEVELOPMENT STANDARDS

2.1. MAXIMUM DEVELOPMENT PERMITTED

The maximum amount of development permitted on a property subject to this Subchapter is limited to the greater of 0.4 to 1.0 floor-to-area ratio or 2,300 square feet of gross floor area, as defined in Section 3.3. Floor-to-area ratio shall be measured using gross floor area as defined in Section 3.3.

2.2. BUILDING HEIGHT

Except where these regulations are superseded, the maximum building height for development subject to this Subchapter is 32 feet. Section 25-2-531 (*Height Limit Exceptions*) does not apply to development subject to this Subchapter, except for a chimney, vent, antenna, or energy conservation or production equipment or feature not designed for occupancy. Building height shall be measured under the requirements defined in Section 3.4.

2.3. FRONT YARD SETBACK

A. Minimum Setback Required

The minimum front yard setback required for development subject to this Subchapter is the lesser of:

1. The minimum front yard setback prescribed by the other provisions of this Code; or
2. The average front yard setback, if an average may be determined as provided in subsection B. below.

B. Average Front Yard Setback

1. An average front yard setback is determined based on the setbacks of each principal residential structure that is built within 50 feet of its front lot line.
2. Except as provided in paragraph 3., the four structures that are closest to the subject property on the same side of the block shall be used in the calculation of average front yard setback. If there are less than four structures on the same side of the block, the lesser number of structures is used in the calculation.
3. If there are no structures on the same side of the block, the four structures that are closest to the subject property and across the street are used in the calculation. If there are less than four structures across the street, the lesser number is used in the calculation. See Figure 1.

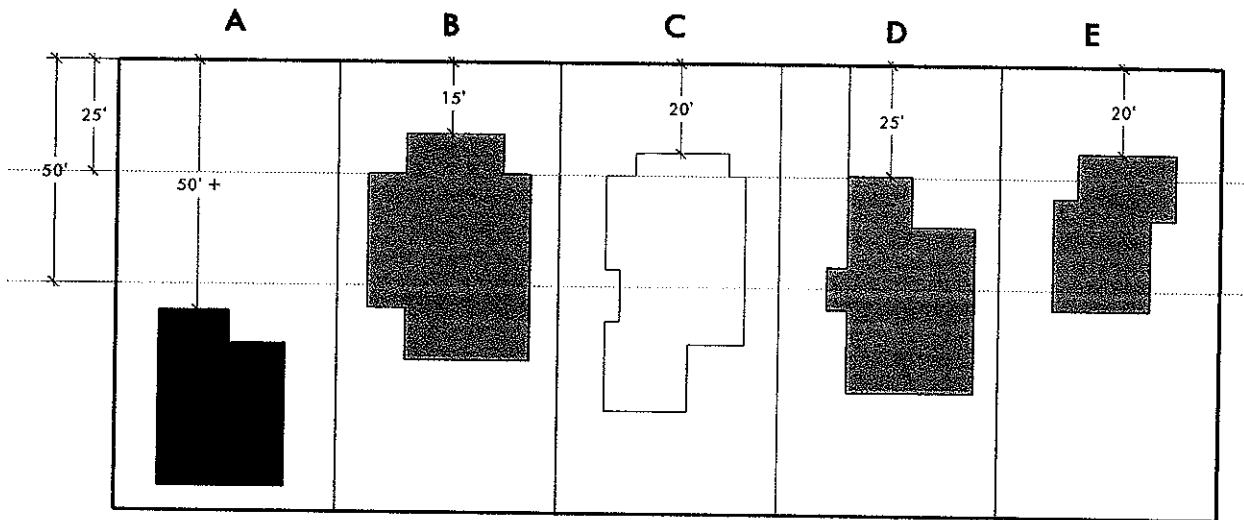


Figure 1: Average Front Yard Setback

In this example, the minimum required front setback in the underlying zoning district is 25 feet. However, because of the variety in existing setbacks of buildings on the same block face, new development on lot C may be located with a setback of only 20 feet, which is the average of the setbacks of lots B, D, and E. The building on lot A is not included in the average because it is located more than 50 feet from the property line.

2.4. REAR YARD SETBACK

The principal structure shall comply with the rear yard setback prescribed by other provisions of this Code. All other structures shall comply with the rear yard setback provisions of this Code, but the minimum rear yard setback may be reduced to five feet if the rear lot line is adjacent to an alley. See Figure 2.

2.5. SIDE YARD SETBACKS

All structures shall comply with the side yard setbacks prescribed by other provisions of this Code.

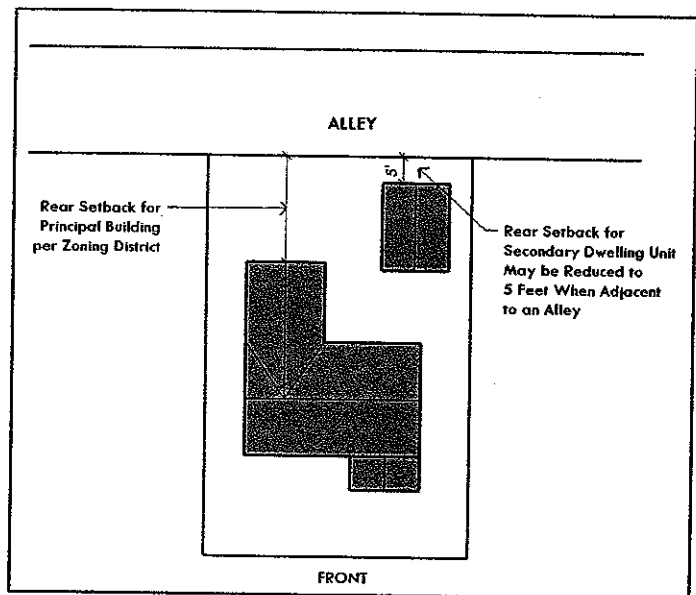


Figure 2: Rear Yard Setback

2.6. SETBACK PLANES

This subsection prescribes side and rear setback planes in order to minimize the impact of new development and rear development on adjacent properties. A structure may not extend beyond a setback plane except as authorized by subsection D. below. The height of a setback plane shall be measured under the requirements defined in Section 3.4.

A. Side Setback Plane

Except as provided in subsection B. below, an inwardly sloping 45-degree angle side setback plane begins at a horizontal line 15 feet directly above the side property line. The 15-foot height of the horizontal line is established for 40-foot deep portions of the lot beginning at the building line and extending to the rear of the lot, except that the last portion at the rear of the lot may be less than 40 feet deep. See Figures 3 through 5.

1. For the first portion, the 15-foot height of the horizontal line is measured at the highest of the elevations of the four intersections of the side lot lines, the building line, and a line 40 feet from and parallel to the building line.
2. For successive portions other than the last portion, the 15-foot height of the horizontal line is measured at the highest of the elevations of the four intersections of the side lot lines and the appropriate two lines that are 40 feet apart and parallel to the building line.
3. For the last portion, the 15-foot height of the horizontal line is measured at the highest of the elevations of the four intersections of the side lot lines, the appropriate line parallel to the building line, and the rear lot line.

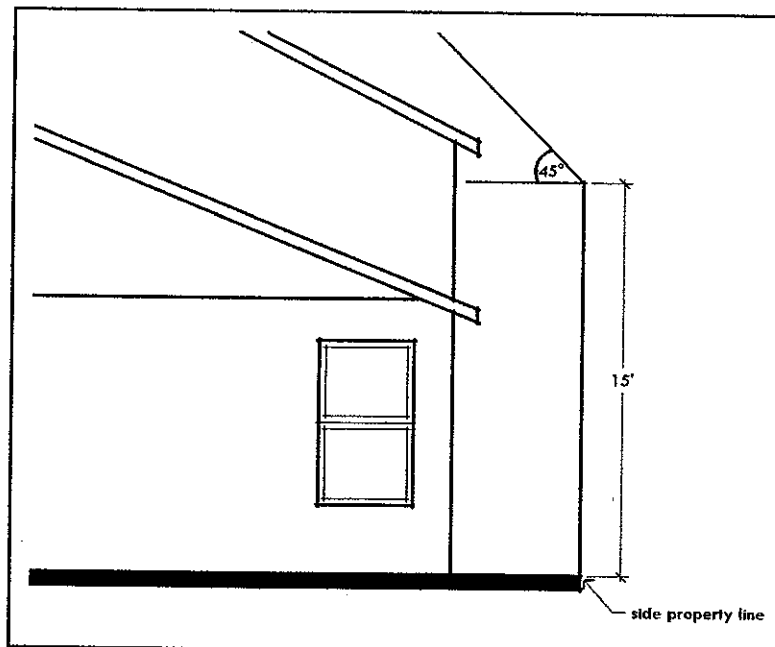


Figure 3: Side Setback Plane Measured From Side Property Line

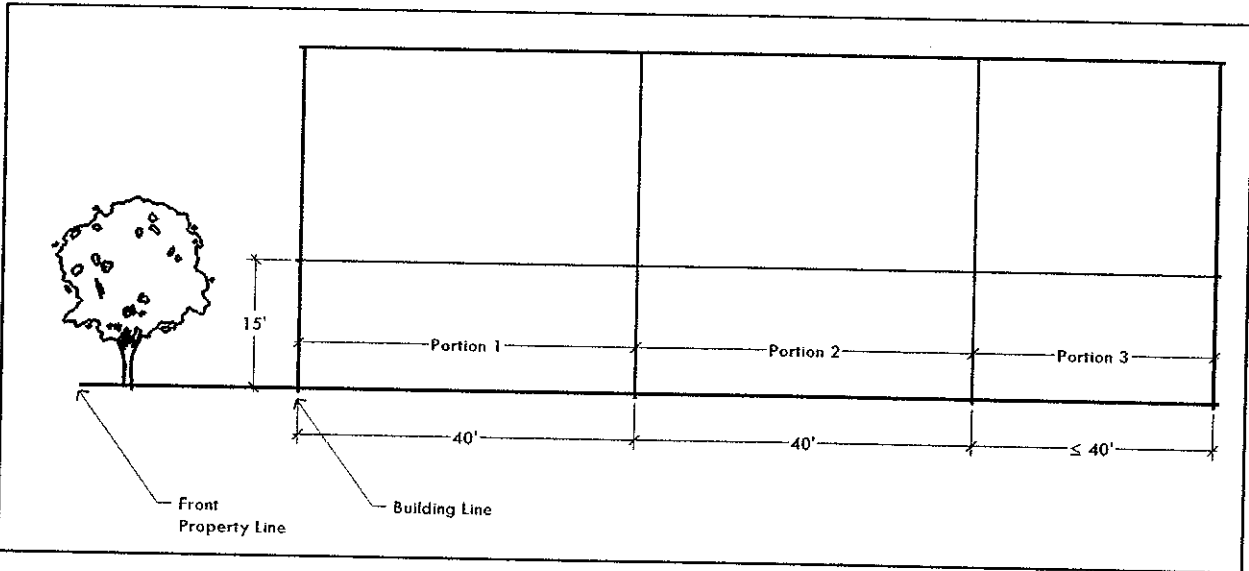


Figure 4: (Elevation View) Dividing Lot into 40-foot Portions to Create Side Setback Planes (Rear Setback Plane Not Shown)

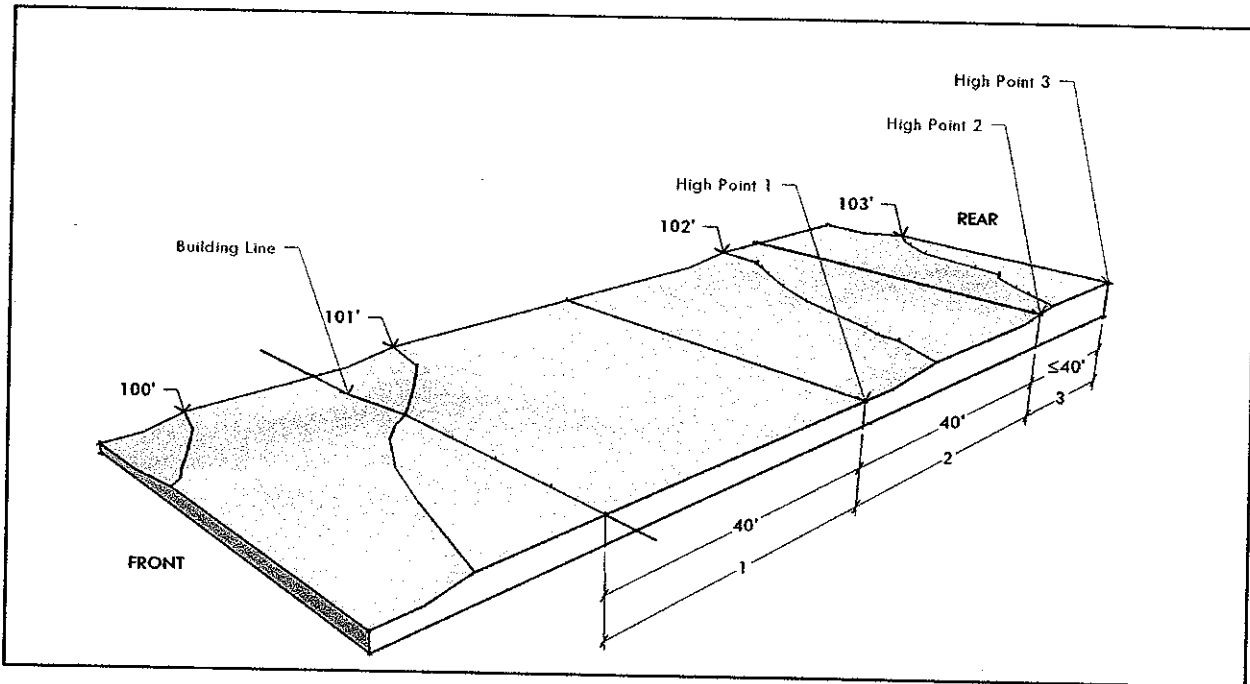


Figure 5: Determining High Points on a Sloping Lot

For each portion of the side setback plane, the 15-foot height of the horizontal line is measured starting from the highest point of the four intersections defining the portion. In this example, topography lines indicate that the lot is sloping downward from the rear to the front of the lot, and from the right to the left. The high points for Portions 1, 2, and 3 are indicated, along with the Building Line.

B. Rear Setback Plane

An inwardly sloping 45-degree angle rear setback plane begins at a horizontal line directly above the rear property line at the same elevation as the horizontal line for the last portion of the side setback plane established in paragraph A.3. See Figures 6 through 9.

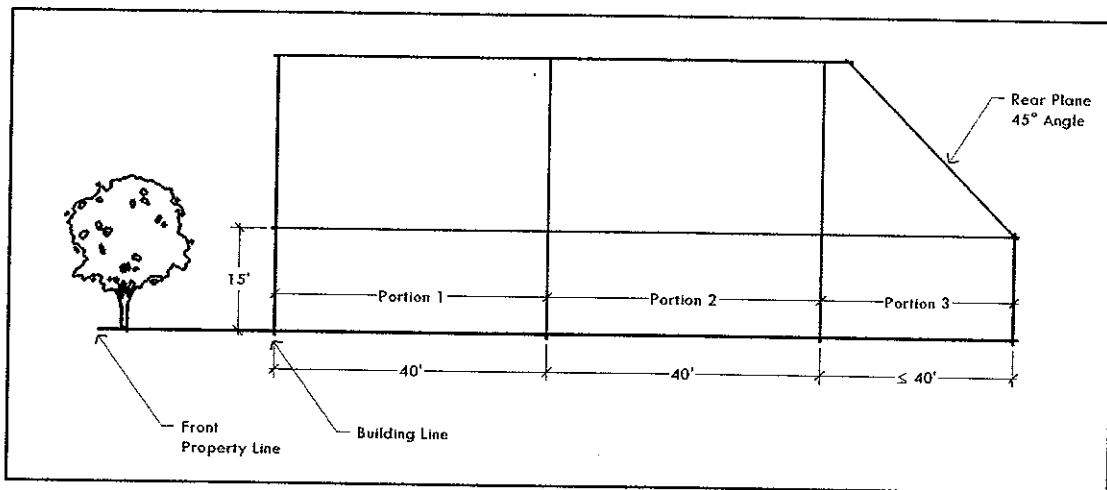


Figure 6: (Elevation View) Rear Setback Plane (Level Ground)

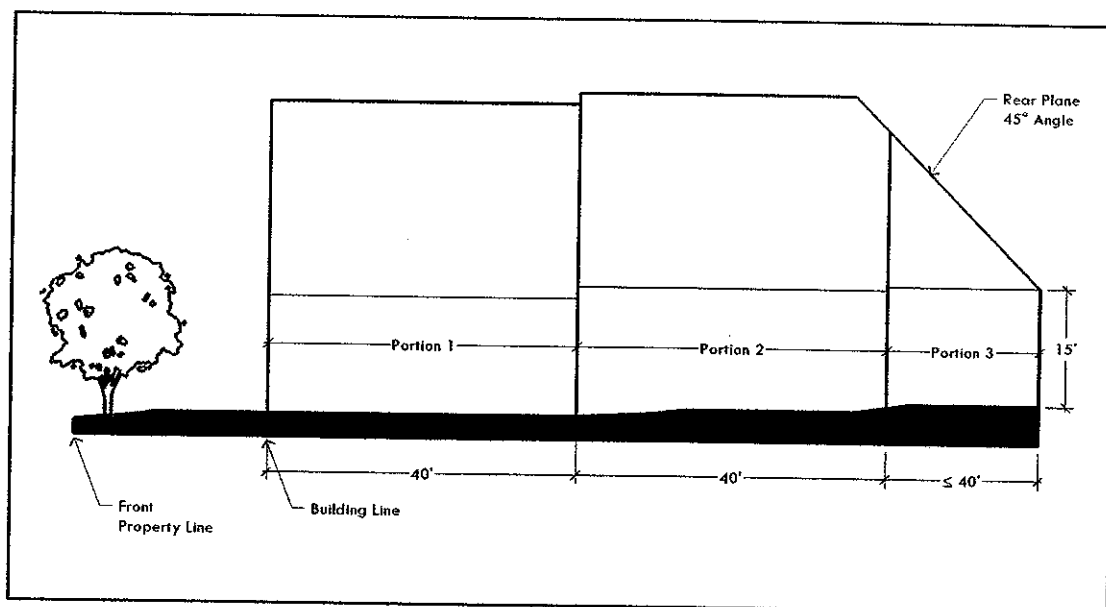


Figure 7: (Elevation View) Rear Setback Plane (Sloping Ground)

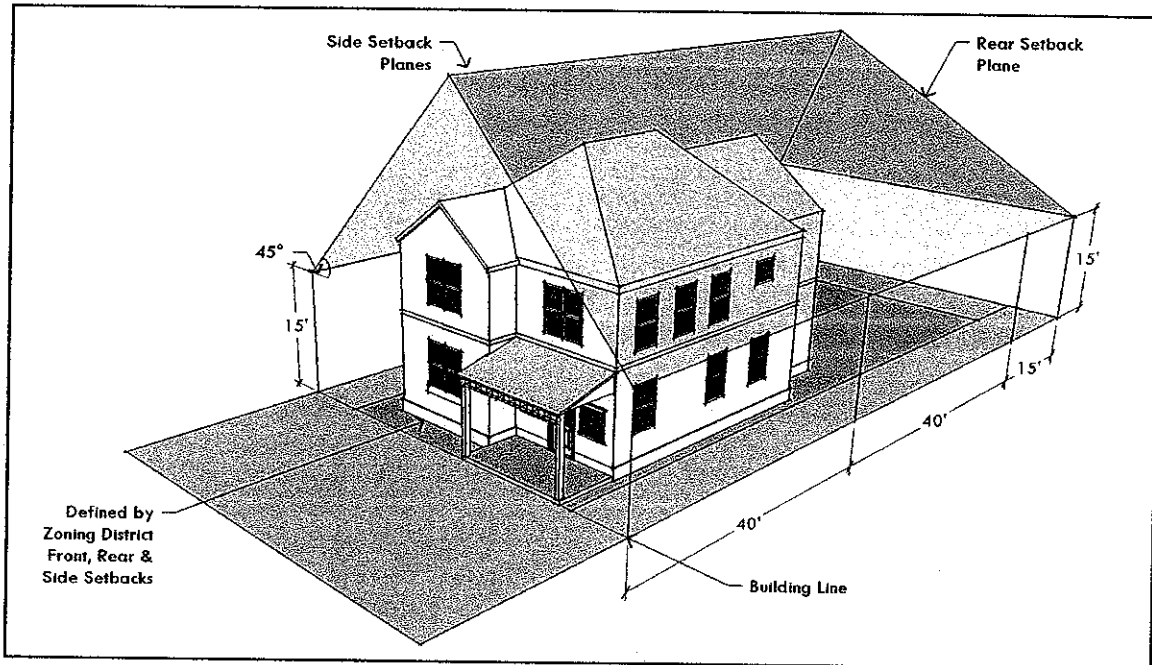


Figure 8: Side and Rear Setback Planes on Level Ground

The side and rear setback planes form a "tent" over the lot, rising from the property lines for 15 feet and then angling in at 45-degree angles from the side and rear. The required front, rear, and side yard setbacks are indicated by the darker shading on the ground.

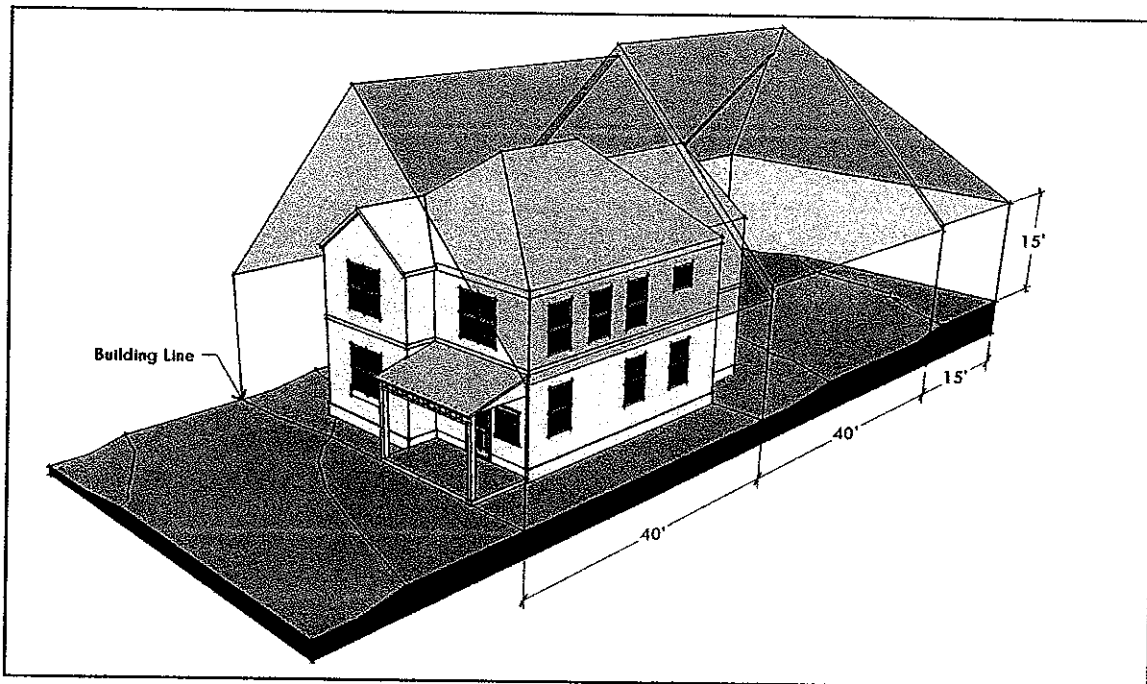


Figure 9: Side and Rear Setback Planes on Sloping Ground

C. Buildable Area

The buildable area, as defined in Section 3.3., consists of the smallest area within the front, side, and rear yard setbacks; maximum height limit; and the combined side and rear setback planes. See Figures 10 and 11.

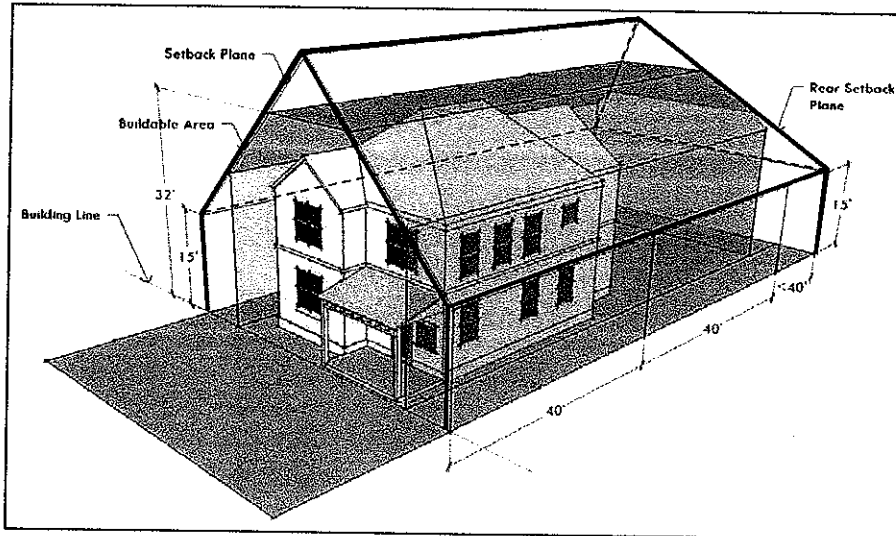


Figure 10: Buildable Area (Combination of Yard Setbacks, Maximum Height Limit, and Setback Planes)

The heavy blue line indicates the "tent" formed by the side and rear setback planes. The buildable area is the smallest area included within the front, side, and rear yard setbacks; maximum height limit; and the combined side and rear setback planes (shown here as the green area).

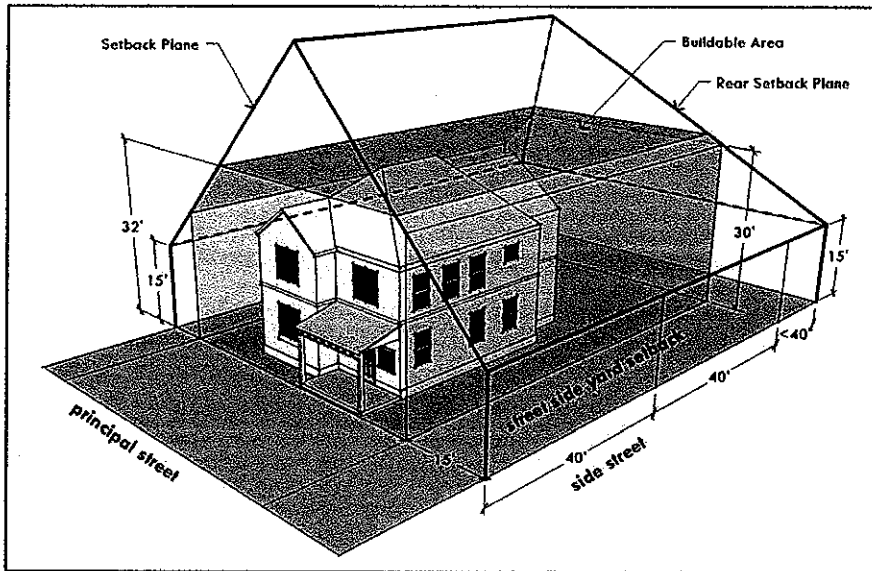


Figure 11: Buildable Area on Corner Lot

This figure shows the same concept illustrated in Figure 10 but for a corner lot that has a greater street side yard setback requirement. In this example, the minimum required street side yard setback in the underlying zoning district is 15 feet. Because the side setback plane is measured from the side property line, the height of the setback plane is 30 feet at the 15-foot street side yard setback line.

D. Side Setback Plane Exception for Existing One-Story Buildings

This subsection applies to a one-story building that was originally constructed or received a building permit for the original construction before October 1, 2006, and that is remodeled to add a second story.

1. For the portion of the construction that is within the footprint of the building that was originally constructed or received a building permit before October 1, 2006, the inwardly sloping 45-degree angle side setback plane begins at a horizontal line directly above the outermost side wall at a height that is equal to the height of the first floor wall plate that was originally constructed or received a building permit before October 1, 2006, plus ten feet. See Figure 12.
2. For the portion of the construction that is outside the footprint of the building that was originally constructed or received a building permit before October 1, 2006, the side setback plane prescribed by subsection A. above applies.

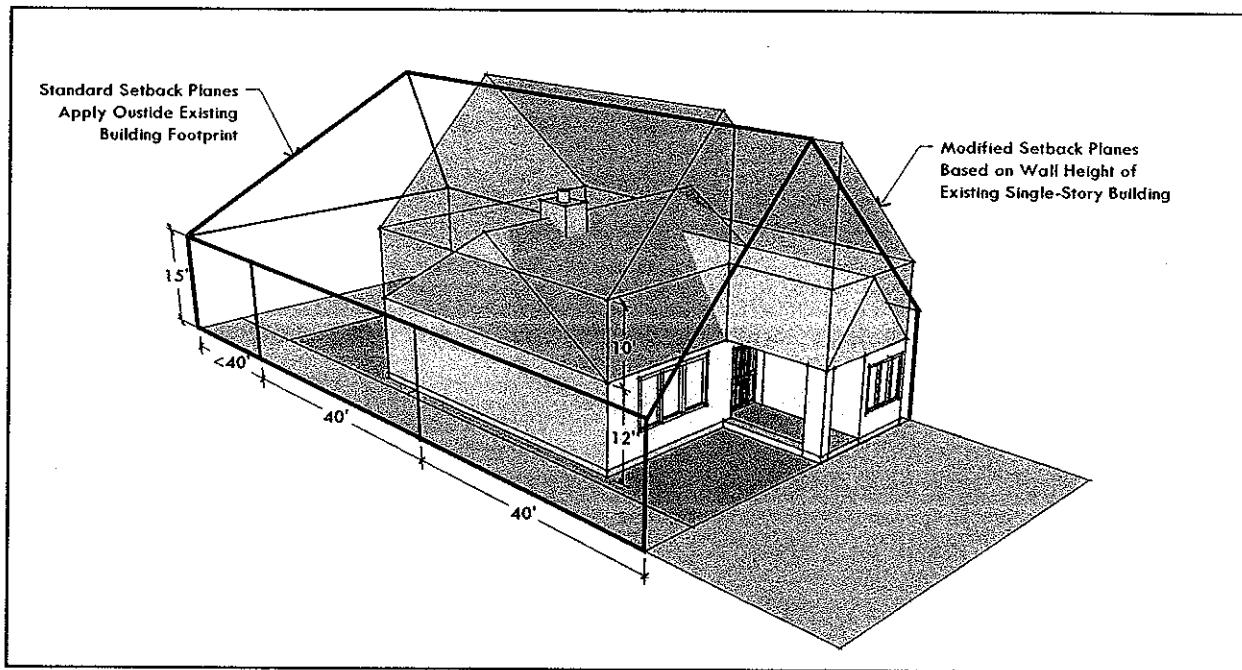


Figure 12: Side Setback Plane Exception for Existing Single-Story Buildings

The side setback planes for an existing single-story building are determined based on the height of the sidewall. In this example, the horizontal line that forms the base of the setback plane is placed ten feet above the sidewall height (12 feet). The revised plane rises above the standard setback plane within the area of the building footprint. The standard setback planes created in sections 2.6.A. and B. apply outside of the existing footprint.

E. Exceptions

A structure may not extend beyond a setback plane, except for:

1. A structure authorized by the Residential Design and Compatibility Commission in accordance with Section 2.8. below;
2. A roof overhang or eave, up to two feet beyond the setback plane;
3. A chimney, vent, antenna, or energy conservation or production equipment or feature not designed for occupancy; and
4. Either:

a. 30-Foot Side-Gabled Roof Exception

A side-gabled roof structure on each side of the building, with a total horizontal length of not more than 30 feet, measured from the building line along the intersection with the side setback plane (See Figure 13.); or

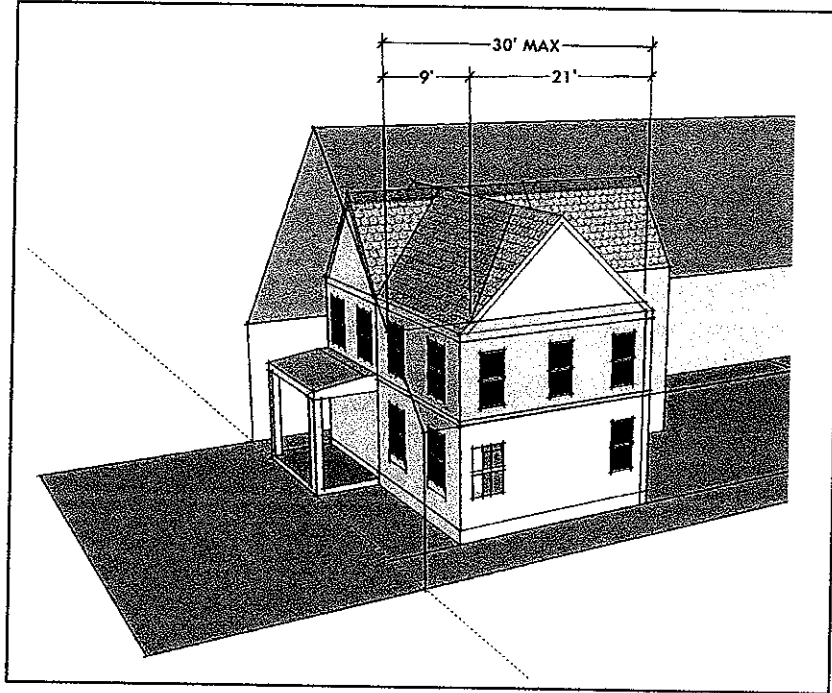


Figure 13: Side-Gabled Roof Exception

A side-gabled roof may project through the side setback plane for a horizontal distance of up to a maximum of 30 feet, measured from the building line. In this example, the gable intrudes into the setback plane beginning 9 feet behind the building line. Therefore, the maximum length of the gable intrusion would be 21 feet.

b. Gables Plus Dormers Exception

- (i) Gables or a shed roof, with a total horizontal length of not more than 18 feet on each side of the building, measured along the intersection with the setback plane (See Figures 14 and 17.); and
- (ii) Dormers, with a total horizontal length of not more than 15 feet on each side of the building, measured along the intersection with the setback plane. (See Figures 15 and 16.)

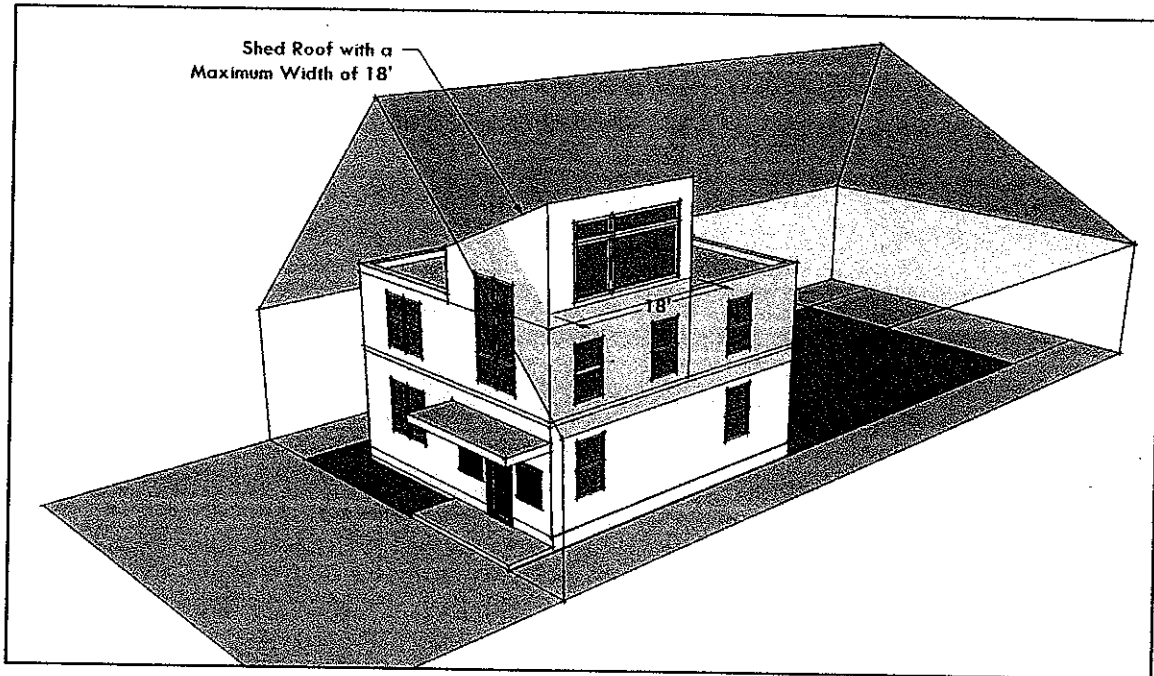


Figure 14: 18-foot Exception for Shed Roof

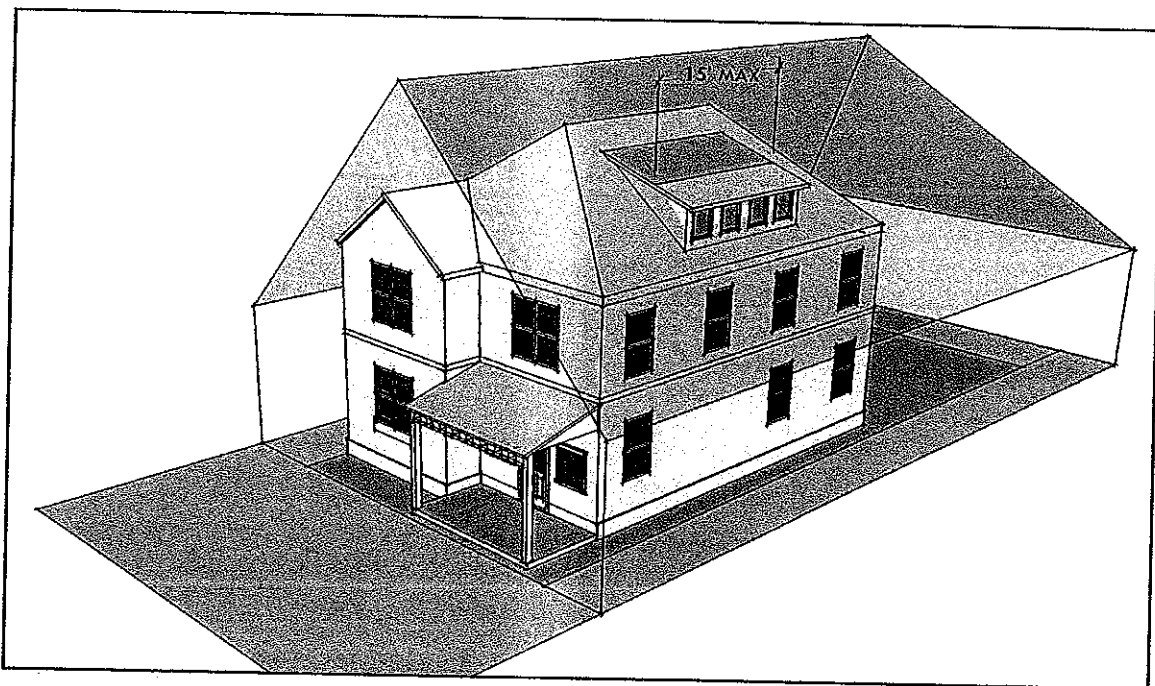
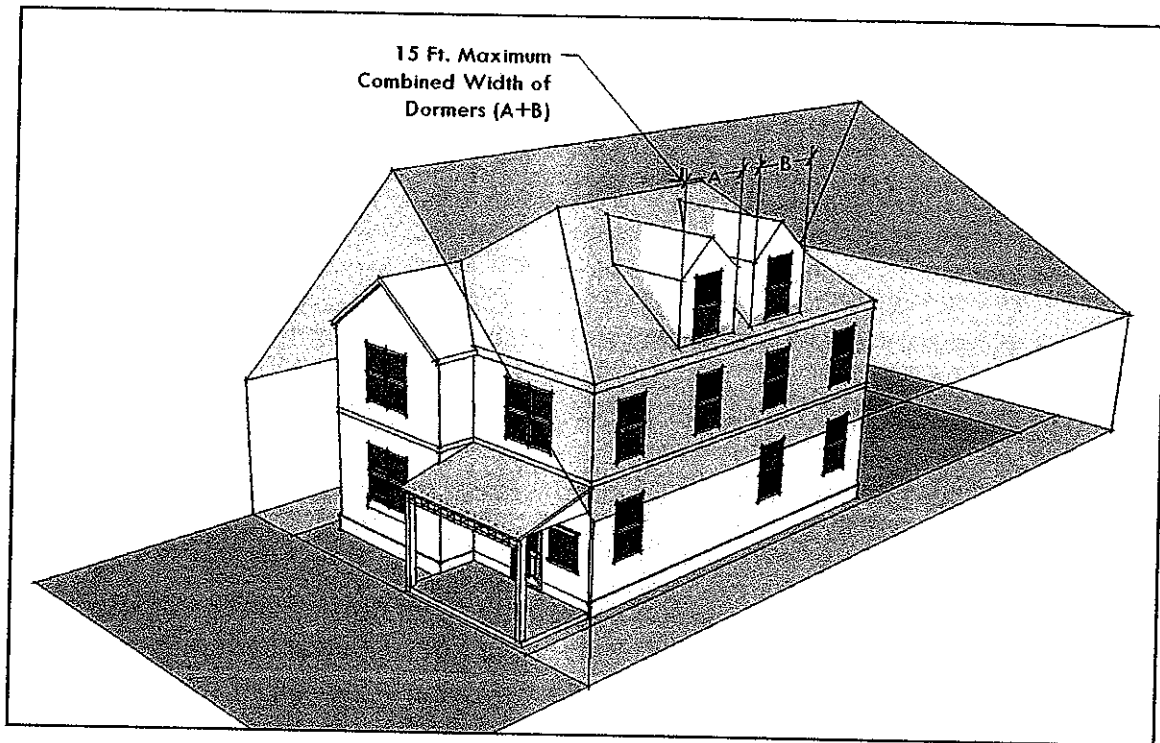


Figure 15 & 16: Dormer Exception (Gable or Shed)

One or more dormers with a combined width of 15 feet or less on each side of the roof may extend beyond the setback plane. The width of the dormer is measured at the point that it intersects the setback plane.

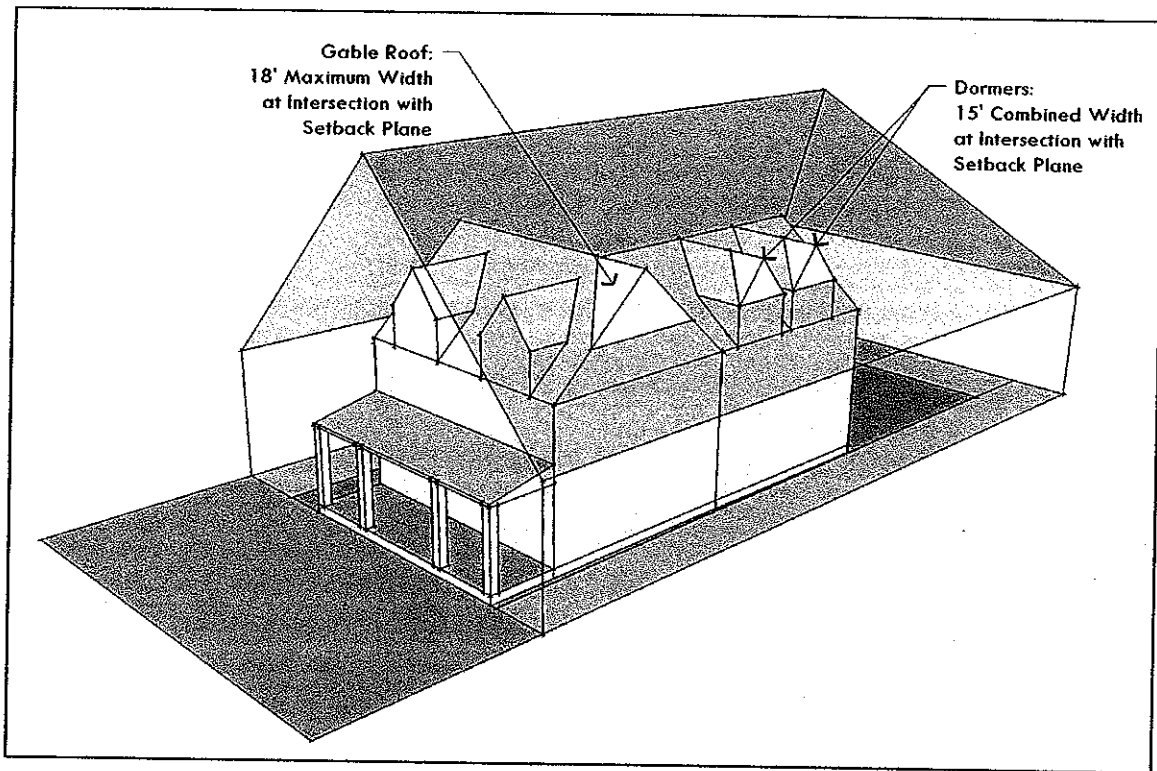


Figure 17: Combination of Roof and Dormer Exceptions

2.7. SIDE WALL ARTICULATION

A side wall of a building that is more than 15 feet high and is an average distance of 15 feet or less from an interior lot line may not extend in an unbroken plane for more than 32 feet along a side lot line. To break the plane, a perpendicular wall articulation of not less than four feet, for a distance along the side property line of not less than 10 feet, is required. See Figures 18 through 20.

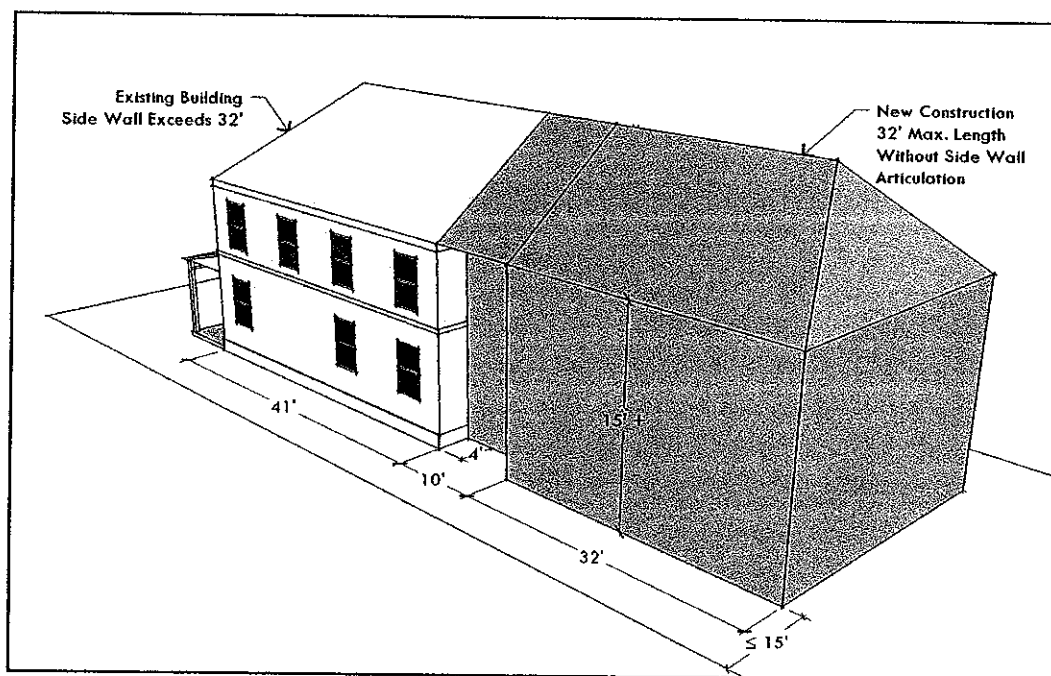


Figure 18: Side Wall Articulation (Existing Side Wall Exceeds 32 Feet)

Articulation is required for side walls on additions or new construction that are 15 feet or taller and located within 15 feet of the side lot line. No wall may extend for more than 32 feet without a projection or recession of at least 4 feet in depth and 10 feet in length.

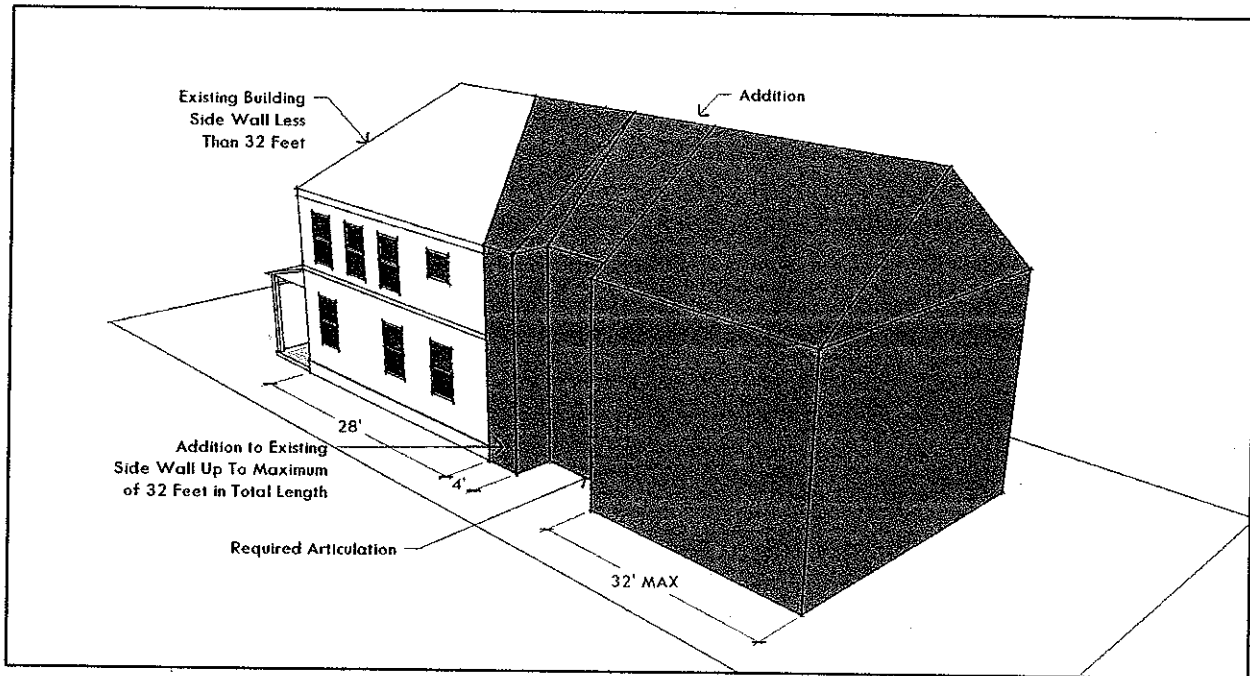


Figure 19: Side Wall Articulation (Existing Side Wall Less Than or Equal to 32 Feet)

An addition to an existing building may extend a side wall up to a maximum of 32' in total length without articulation.

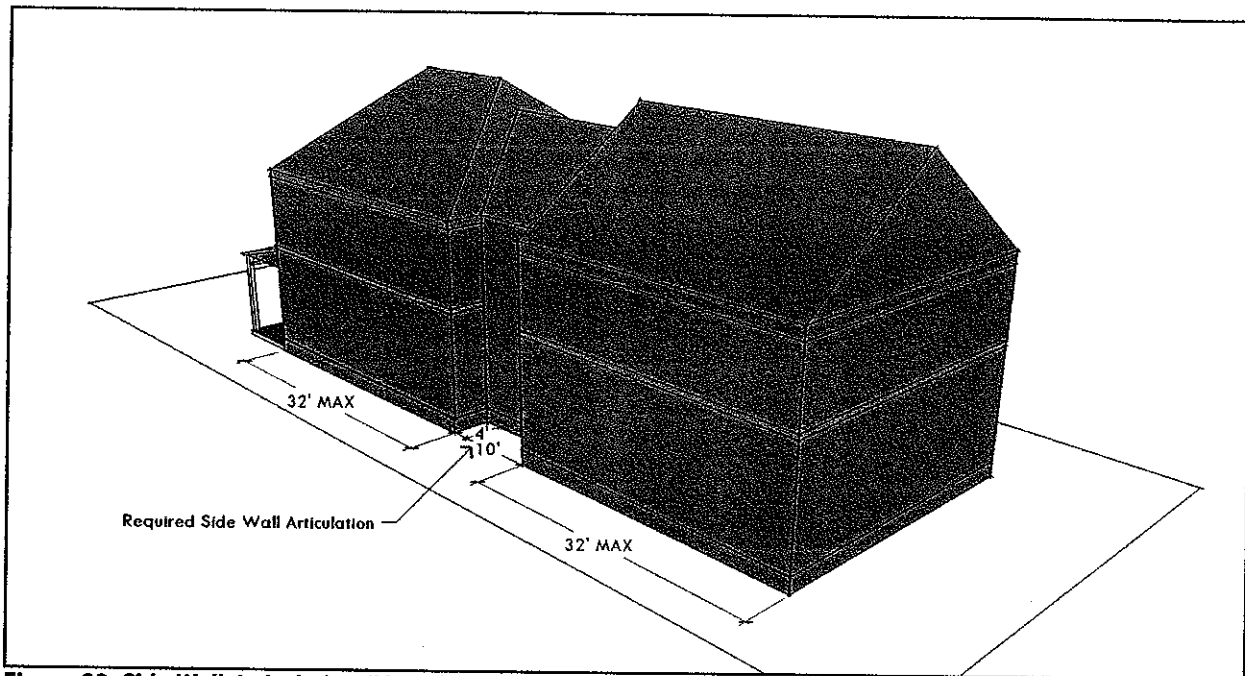


Figure 20: Side Wall Articulation (New Construction)

All new construction must meet the sidewall articulation standards.

2.8. MODIFICATIONS BY THE RESIDENTIAL DESIGN AND COMPATIBILITY COMMISSION

This section provides for modification by the Residential Design and Compatibility Commission of certain requirements of this Subchapter for a proposed development.

2.8.1. Modifications that May be Approved

The Residential Design and Compatibility Commission may approve:

- A.** An increase of up to 25 percent in the:
 - 1. Maximum floor-to-area ratio or maximum square footage of gross floor area;
 - 2. Maximum linear feet of gables or dormers protruding from the setback plane;
 - 3. Maximum side wall length before articulation is required; or
 - 4. Maximum height of the side or rear setback plane; or
- B.** A decrease of up to 25 percent in the minimum depth or length of a required wall articulation.

2.8.2. Modification Procedures

A. Application and Notice

- 1. A person may request a modification listed in subsection 2.8.1. above by filing an application with the Director on a form provided by the Director.
- 2. Not later than the 14th day after an application is filed, the Director shall:
 - a.** Mail notice of the application to:
 - (i) Each notice owner of property immediately adjacent to the subject property;
 - (ii) The appropriate neighborhood association, if any; and,
 - (iii) The neighborhood plan team, if any; and
 - b.** Post notice of the application in accordance with Section 25-1-135 (*Posting of Signs*).

B. Approval Criteria

The Residential Design and Compatibility Commission may, after a public hearing, approve a modification if it determines that the proposed development is compatible in scale and bulk with the structures in the vicinity of the development. In making this determination, the commission shall consider:

- 1. The recommendation of the neighborhood plan team, if any;
- 2. The development's:

- a. Compliance with neighborhood design guidelines, if any;
 - b. Consistency with the streetscape of the properties in the vicinity;
 - c. Consistency with the massing, scale, and proximity of structures located on either side of or behind the development;
 - d. Impact on privacy of adjacent rear yards; and
 - e. Topography and lot shape; and
3. For a development of an entire block, whether the development will have a negative impact on adjacent property.

C. Additional Criteria for Historic Properties

The Residential Design and Compatibility Commission may not approve a modification for:

1. A local, state, or national historic landmark, if the modification would adversely impact the landmark's historic status;
2. A "contributing structure," as defined in Section 25-2-351 (*Contributing Structure Defined*), or a contributing structure in a National Register historic district, if the modification would adversely impact its status as a contributing structure; or
3. A property listed as Priority 1 or Priority 2 on the City's most current survey of historic assets, if the modification would adversely impact the property's architectural integrity or change its priority rating.

D. Appeals

An interested party may appeal the Residential Design and Compatibility Commission's decision to the City Council.

E. Board of Adjustment May Grant Variances

This subsection does not prohibit the Board of Adjustment from granting a variance from a requirement of this Subchapter under 25-2-473 (*Variance Requirements*).

2.9. MODIFICATIONS WITHIN NEIGHBORHOOD PLAN (NP) COMBINING DISTRICTS

Under Section 25-2-1406 of the Code, an ordinance zoning or rezoning property as a neighborhood plan (NP) combining district may modify certain development standards of this subchapter.

ARTICLE 3: DEFINITIONS AND MEASUREMENT

3.1. BUILDABLE AREA

In this Subchapter, BUILDABLE AREA means the area in which development subject to this Subchapter may occur, and which is defined by the side and rear setback planes required by this Subchapter, together with the area defined by the front, side, and rear yard setbacks and the maximum height limit.

3.2. BUILDING LINE

In this Subchapter, BUILDING LINE means a line that is parallel to the front lot line and that intersects the principal residential structure at the point where the structure is closest to the front lot line, including any allowed projections into the front yard setback. See Figure 21.

3.3. GROSS FLOOR AREA

In this Subchapter, GROSS FLOOR AREA has the meaning assigned by Section 25-1-21(Definitions), with the following modifications:

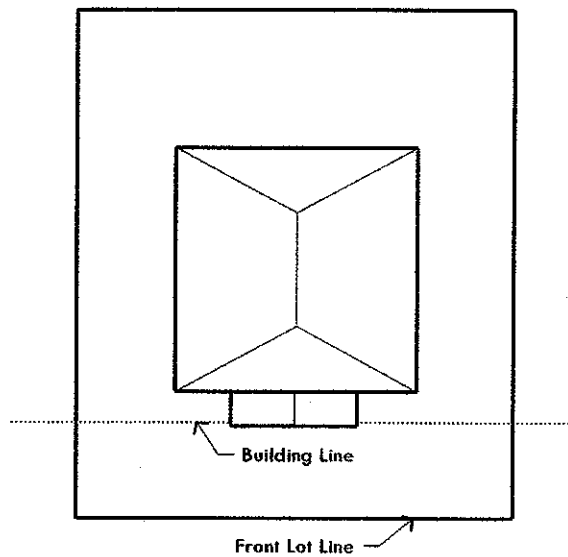


Figure 21: Building Line

3.3.1. The following shall be included in the calculation of gross floor area:

- A. The portion of a second or third story of a building that is covered by a roof, including a porch, portico, breezeway, passageway, or corridor;
- B. A mezzanine or loft; and
- C. The covered portion of a parking area, except for:
 - 1. Up to 450 square feet of:
 - a. A detached rear parking area that is separated from the principal structure by not less than 10 feet; or
 - b. A parking area that is open on two or more sides, if it does not have habitable space above it; and
 - 2. Up to 200 square feet of an attached parking area if it used to meet the minimum parking requirement.

3.3.2. The following shall be excluded from the calculation of gross floor area:

- A. A ground floor porch, including a screened porch;
- B. A habitable portion of a building that is below grade if:
 - 1. It does not extend beyond the first-story footprint; and
 - 2. The finished floor of the first story is not more than three feet above the average elevation at the intersections of the minimum front yard setback line and the side property lines; and
- C. A habitable portion of an attic, if:
 - 1. The roof above it is not a flat or mansard roof and has a slope of 3 to 12 or greater;
 - 2. It is fully contained within the roof structure;
 - 3. It has only one floor;
 - 4. It does not extend beyond the footprint of the floors below;
 - 5. It is the highest habitable portion of the building; and
 - 6. Fifty percent or more of the area has a ceiling height of seven feet or less.

3.3.3. An area with a ceiling height greater than 15 feet is counted twice.

3.4. HEIGHT

For purposes of this Subchapter, the HEIGHT of a building or setback plane shall be measured as follows:

3.4.1. Height shall be measured vertically from the average of the highest and lowest grades adjacent to the building to:

- A. For a flat roof, the highest point of the coping;
- B. For a mansard roof, the deck line;
- C. For a pitched or hip roof, the average height of the highest gable; or
- D. For other roof styles, the highest point of the building.

3.4.2. The grade used in the measurement of height for a building or setback plane shall be the lower of natural grade or finished grade, except height shall be measured from finished grade if:

- A. The site's grade is modified to elevate it out of the 100-year floodplain; or
- B. The site is located on the approximately 698.7 acres of land known as the Mueller Planned Unit Development, which was zoned as a planned unit development (PUD) district by Ordinance Number 040826-61.

3.4.3. For a stepped or terraced building, the height of each segment is determined individually.

- 3.4.4.** The height of a structure other than a building is measured vertically from the ground level immediately under the structure to the top of the structure. The height of a fence on top of a retaining wall is measured from the bottom of the retaining wall.
- 3.4.5.** A maximum height is limited by both number of feet and number of stores if both measurements are prescribed, regardless of whether the measurements are conjoined with "or" or "and."

3.5. NATURAL GRADE

3.5.1. In this Subchapter, NATURAL GRADE is:

- A.** The grade of a site before it is modified by moving earth, adding or removing fill, or installing a berm, retaining wall, or architectural or landscape feature; or
- B.** For a site with a grade that was legally modified before October 1, 2006, the grade that existed on October 1, 2006.

3.5.2. Natural grade is determined by reference to an on-ground survey, City-approved topographic map, or other information approved by the director. The director may require an applicant to provide a third-party report that shows the natural grade of a site.

EXHIBIT Ex4

SUBCHAPTER F: RESIDENTIAL DESIGN AND COMPATIBILITY STANDARDS.

ARTICLE 1: GENERAL PROVISIONS.

§ 1.1. INTENT.

This Subchapter is intended to minimize the impact of new construction, remodeling, and additions to existing buildings on surrounding properties in residential neighborhoods by defining an acceptable buildable area for each lot within which new development may occur. The standards are designed to protect the character of Austin's older neighborhoods by ensuring that new construction and additions are compatible in scale and bulk with existing neighborhoods.

Source: Ord. 20060216-043; Ord. 20060309-058; Ord. 20060622-022; Ord. 20060928-022.

§ 1.2. APPLICABILITY.

Except as provided in Section 1.3, this Subchapter applies to property that is:

1.2.1. Within the area bounded by:

- A. Highway 183 from Loop 360 to Ben White Boulevard;
- B. Ben White Boulevard from Highway 183 to South Interstate Highway 35;
- C. South Interstate Highway 35 from Ben White Boulevard to William Cannon Drive;
- D. William Cannon Drive from South Interstate Highway 35 to Manchaca Road;
- E. Manchaca Road from William Cannon Drive to Ben White Boulevard;
- F. Ben White Boulevard from Manchaca Road to Loop 360;
- G. Loop 360 from Ben White Boulevard to Loop 1;
- H. Loop 1 from Loop 360 to the Colorado River;
- I. The Colorado River from Loop 1 to Loop 360; and
- J. Loop 360 from the Colorado River to Highway 183; and

[[Click here to view Map](#)]

1.2.2. Used for a:

- A. Bed and breakfast (group 1) residential use;
- B. Bed and breakfast (group 2) residential use;
- C. Cottage special use;
- D. Duplex residential use;
- E. Secondary apartment special use;
- F. Single-family attached residential use;
- G. Single-family residential use;
- H. Small lot single-family residential use;
- I. Two-family residential use;
- J. Urban home special use;
- K. Club or lodge;
- L. Daycare services (general and limited);
- M. Family homes;
- N. Group homes (general and limited);
- O. Condo residential;
- P. Retirement housing (small and large site); or
- Q. Townhouse residential.

Source: Ord. 20060216-043; Ord. 20060309-058; Ord. 20060622-022; Ord. 20060928-022; Ord. 20080618-093; Ord. 20100805-051.

§ 1.3. EXCEPTIONS.

1.3.1. This Subchapter does not apply to a lot zoned as a single-family residence small lot (SF-4A) district unless the lot is adjacent to property zoned as a single-family residence standard lot (SF-1), single-family residence standard lot (SF-2) district, or family residence (SF-3) district.

1.3.2. This Subchapter does not apply to the approximately 698.7 acres of land known as the Mueller Planned Unit Development, which was zoned as a planned unit development (PUD) district by Ordinance Number 040826-61.

1.3.3. This Subchapter does not apply to uses listed in subsections 1.2.2(K)-(Q) of Section 1.2 if an applicant has agreed, in a manner prescribed by the director, to comply with the requirements of Chapter 25-2, Article 10 (*Compatibility Standards*).

Source: Ord. 20060216-043; Ord. 20060309-058; Ord. 20060622-022; Ord. 20060928-022; Ord. 20080618-093.

§ 1.4. CONFLICTING PROVISIONS.

1.4.1. To the extent of conflict, this Subchapter supersedes:

- A. Section 25-1-21 (*Definitions*);
- B. Section 25-2-492 (*Site Development Regulations*);
- C. Section 25-2-555 (*Family Residence (SF-3) District Regulations*);
- D. Section 25-2-773 (*Duplex Residential Use*);
- E. Section 25-2-774 (*Two-Family Residential Use*);
- F. Section 25-2-778 (*Front Yard Setback for Certain Residential Uses*);
- G. Section 25-2-779 (*Small Lot Single-Family Residential Uses*); and
- H. Section 25-4-232 (*Small Lot Subdivisions*).

1.4.2. To the extent of conflict, the following provisions supersede this Subchapter:

- A. Section 25-2-1424 (*Urban Home Regulations*);
- B. Section 25-2-1444 (*Cottage Regulations*);
- C. Section 25-2-1463 (*Secondary Apartment Regulations*); or
- D. The provisions of an ordinance designating property as a:
 - 1. Neighborhood plan (NP) combining district;
 - 2. Neighborhood conservation (NC) combining district; or
 - 3. Historic area (HD) combining district.

Source: Ord. 20060216-043; Ord. 20060309-058; Ord. 20060622-022; Ord. 20060928-022; Ord. 20080618-093.

ARTICLE 2: DEVELOPMENT STANDARDS.

§ 2.1. MAXIMUM DEVELOPMENT PERMITTED.

The maximum amount of development permitted on a property subject to this Subchapter is limited to the greater of 0.4 to 1.0 floor-to-area ratio or 2,300 square feet of gross floor area, as defined in Section 3.3. Floor-to-area ratio shall be measured using gross floor area as defined in Section 3.3, except that the lot area of a flag lot is calculated consistent with the requirements of Section 25-1-22 (*Measurements*).

Source: Ord. 20060216-043; Ord. 20060309-058; Ord. 20060622-022; Ord. 20060928-022; Ord. 20080618-093.

§ 2.2. BUILDING HEIGHT.

Except where these regulations are superseded, the maximum building height for development subject to this Subchapter is 32 feet. Section 25-2-531 (*Height Limit Exceptions*) does not apply to development subject to this Subchapter, except for a chimney, vent, antenna, or energy conservation or production equipment or feature not designed for occupancy. Building height shall be measured under the requirements defined in Section 3.4.

Source: Ord. 20060216-043; Ord. 20060309-058; Ord. 20060622-022; Ord. 20060928-022.

§ 2.3. FRONT YARD SETBACK.

A. Minimum Setback Required. The minimum front yard setback required for development subject to this Subchapter is the lesser of:

1. The minimum front yard setback prescribed by the other provisions of this Code; or
2. The average front yard setback, if an average may be determined as provided in subsection B. below.

B. Average Front Yard Setback. The following rules apply for purposes of the setback calculation required by paragraph A.2:

1. A front yard setback is the distance between the front lot line and the closest front exterior wall or building façade of the principal residential structure located on the lot.
2. Except as provided in paragraph 3, average front yard setback is determined using the front yard setback of the four principal residential structures that are: (a) built within fifty feet of the front lot line; and (b) closest to, and on the same side of the block, as the property subject to the setback required by this section.

3. If less than four structures satisfy the criteria in paragraph B.2, average front yard setback is calculated using the number of existing residential structures on the same side of the street block as the property subject to the setback required by this section. If there are no structures on the same side of the block, average front yard setback is calculated using the front yard setbacks of the four structures on the opposite side of the block that are closest to the property subject to the setback required by this section. If there are less than four structures on the opposite side of the block, the lesser number of structures is used in the calculation. See Figure 1.

Click here for Figure 1: Average Front Yard Setback

In this example, the minimum required front setback in the underlying zoning district is 25 feet. However, because of the variety in existing setbacks of buildings on the same block face, new development on lot C may be located with a setback of only 20 feet, which is the average of the setbacks of lots B, D, and E. The building on lot A is not included in the average because it is located more than 50 feet from the property line.

Source: Ord. 20060216-043; Ord. 20060309-058; Ord. 20060622-022; Ord. 20060928-022; Ord. 20080618-093.

§ 2.4. REAR YARD SETBACK.

The principal structure shall comply with the rear yard setback prescribed by other provisions of this Code. All other structures shall comply with the rear yard setback provisions of this Code, but the minimum rear yard setback of a second dwelling unit may be reduced to five feet if the rear lot line is adjacent to an alley. See Figure 2.

Click here for Figure 2: Rear Yard Setback

Source: Ord. 20060216-043; Ord. 20060309-058; Ord. 20060622-022; Ord. 20060928-022; Ord. 20080618-093.

§ 2.5. SIDE YARD SETBACKS.

All structures shall comply with the side yard setbacks prescribed by other provisions of this Code.

Source: Ord. 20060216-043; Ord. 20060309-058; Ord. 20060622-022; Ord. 20060928-022.

§ 2.6. SETBACK PLANES.

This subsection prescribes side and rear setback planes in order to minimize the impact of new development and rear development on adjacent properties. A structure may not extend beyond a setback plane except as authorized by subsection D. below. The height of a setback plane shall be measured under the requirements defined in Section 3.4.

A. Side Setback Plane. Except as provided in subsection B. below, an inwardly sloping 45-degree angle side setback plane begins at a horizontal line 15 feet directly above the side

property line. The 15-foot height of the horizontal line is established for 40-foot deep portions of the lot beginning at the building line and extending to the rear of the lot, except that the last portion at the rear of the lot may be less than 40 feet deep. See Figures 3 through 5.

1. For the first portion, the 15-foot height of the horizontal line is measured at the highest of the elevations of the four intersections of the side lot lines, the building line, and a line 40 feet from and parallel to the building line.
2. For successive portions other than the last portion, the 15-foot height of the horizontal line is measured at the highest of the elevations of the four intersections of the side lot lines and the appropriate two lines that are 40 feet apart and parallel to the building line.
3. For the last portion, the 15-foot height of the horizontal line is measured at the highest of the elevations of the four intersections of the side lot lines, the appropriate line parallel to the building line, and the rear lot line.

Click here for Figure 3: Side Setback Plane Measured From Side Property Line

Click here for Figure 4: (Elevation View) Dividing Lot into 40-foot Portions to Create Side Setback Planes (Rear Setback Plane Not Shown)

Click here for Figure 5: Determining High Points on a Sloping Lot

For each portion of the side setback plane, the 15-foot height of the horizontal line is measured starting from the highest point of the four intersections defining the portion. In this example, topography lines indicate that the lot is sloping downward from the rear to the front of the lot, and from the right to the left. The high points for Portions 1, 2, and 3 are indicated, along with the Building Line.

B. Rear Setback Plane. Except as provided in subsection D., an inwardly sloping 45-degree angle rear setback plane begins at a horizontal line directly above the rear property line at the same elevation as the horizontal line for the last portion of the side setback plane established in paragraph A.3. See Figures 6 through 9.

Click here for Figure 6: (Elevation View) Rear Setback Plane (Level Ground)

Click here for Figure 7: (Elevation View) Rear Setback Plane (Sloping Ground)

Click here for Figure 8: Side and Rear Setback Planes on Level Ground

The side and rear setback planes form a "tent" over the lot, rising from the property lines for 15 feet and then angling in at 45-degree angles from the side and rear. The required front, rear, and side yard setbacks are indicated by the darker shading on the ground.

Click here for Figure 9: Side and Rear Setback Planes on Sloping Ground

C. Buildable Area. The buildable area, as defined in Section 3.3., consists of the smallest area within the front, side, and rear yard setbacks; maximum height limit; and the combined side and rear setback planes. See Figures 10 and 11.

Click here for Figure 10: Buildable Area (Combination of Yard Setbacks, Maximum Height Limit, and Setback Planes)

The heavy blue line indicates the "tent" formed by the side and rear setback planes. The buildable area is the smallest area included within the front, side, and rear yard setbacks; maximum height limit; and the combined side and rear setback planes (shown here as the green area).

Click here for Figure 11: Buildable Area on Corner Lot

This figure shows the same concept illustrated in Figure 10 but for a corner lot that has a greater street side yard setback requirement. In this example, the minimum required street side yard setback in the underlying zoning district is 15 feet. Because the side setback plane is measured from the side property line, the height of the setback plane is 30 feet at the 15-foot street side yard setback line.

D. Side and Rear Setback Plane Exceptions for Existing One-Story Buildings.

1. Except as provided in paragraph 3 below, an applicant proposing to add a second story to a one-story building may choose either of the following side setback planes for the portion of the project that is within the building footprint originally constructed, or permitted for original construction, before October 1, 2006:

a. The side setback plane required under subsection A.

b. The inwardly sloping 45-degree angle side setback plane that begins at a horizontal line directly above the outermost side wall at a height equal to the height of the first floor wall plate that was originally constructed or received a building permit before October 1, 2006, plus 10 and one-half feet. See Figure 12. The wall plate is the lowest point of the existing first floor ceiling framing that intersects the exterior wall.

2. Except as provided in paragraph 3 below, an applicant proposing to add a second story to a one-story building may choose either of the following rear setback planes for the portion of the project that is within the building footprint originally constructed, or permitted for original construction, before October 1, 2006:

a. The rear setback plane required under subsection B.

b. An inwardly sloping 45-degree angle rear setback plane that begins at a horizontal line directly above the rear property line at a height equal to the height of the first floor wall plate that was originally constructed or received a building permit before October 1, 2006, plus 10 and one-half feet.

3. The side setback plane required under subsection A, and the rear setback plane required under subsection B, apply to:

- a. any portion of the proposed construction that is outside of the building footprint originally constructed, or permitted for original construction, before October 1, 2006; and
- b. the entire project, if any portion of the proposed construction requires the removal or demolition of exterior walls.

Click here for Figure 12: Side Setback Plane Exception for Existing Single-Story Buildings

The side setback planes for an existing single-story building are determined based on the height of the sidewall. In this example, the horizontal line that forms the base of the setback plane is placed ten feet and six inches above the sidewall height (12 feet). The revised plane rises above the standard setback plane within the area of the building footprint. The standard setback planes created in Sections 2.6. A. and B. apply outside of the existing footprint.

E. Exceptions. A structure may not extend beyond a setback plane, except for:

- 1. A structure authorized by the Residential Design and Compatibility Commission in accordance with Section 2.8. below;
- 2. A roof overhang or eave, up to two feet beyond the setback plane;
- 3. A chimney, vent, antenna, or energy conservation or production equipment or feature not designed for occupancy; and
- 4. Either:
 - a. **30-Foot Side-Gabled Roof Exception.** A side-gabled roof structure on each side of the building, with a total horizontal length of not more than 30 feet, measured from the building line along the intersection with the side setback plane (See Figure 13.); or
 - b. **Gables Plus Dormers Exception.**
 - (i) Gables or a shed roof, with a total horizontal length of not more than 18 feet on each side of the building, measured along the intersection with the setback plane (See Figures 14 and 17.); and
 - (ii) Dormers, with a total horizontal length of not more than 15 feet on each side of the building, measured along the intersection with the setback plane. (See Figures 15 and 16.)

Click here for Figure 13: Side-Gabled Roof Exception

A side-gabled roof may project through the side setback plane for a horizontal distance of up to a maximum of 30 feet, measured from the building line. In this example, the gable intrudes into

the setback plane beginning 9 feet behind the building line. Therefore, the maximum length of the gable intrusion would be 21 feet.

Click here for Figure 14: 18-foot Exception for Shed Roof

Click here for Figure 15: Dormer Exception (Gable or Shed)

One or more dormers with a combined width of 15 feet or less on each side of the roof may extend beyond the setback plane. The width of the dormer is measured at the point that it intersects the setback plane.

Click here for Figure 16: Dormer Exception (Gable or Shed)

One or more dormers with a combined width of 15 feet or less on each side of the roof may extend beyond the setback plane. The width of the dormer is measured at the point that it intersects the setback plane.

Click here for Figure 17: Combination of Roof and Dormer Exceptions

Source: Ord. 20060216-043; Ord. 20060309-058; Ord. 20060622-022; Ord. 20060928-022; Ord. 20080618-093.

§ 2.7. SIDE WALL ARTICULATION.

2.7.1. Except as provided in subsection 2.7.2, if a side wall of a building is more than 15 feet high and is an average distance of less than nine feet from an interior lot line, the sidewall may not extend in an unbroken plane for more than 36 feet along a side lot line without a sidewall articulation that meets the requirements of this section.

A. To break the plane, a sidewall articulation must:

1. be perpendicular to the side property line, at least four feet deep, and extend along the side property line for at least 10 feet, as shown in Figures 18 through 20;
2. extend the entire height of the first floor of an addition to, or remodel of, an existing one-story building;
3. extend the entire height of the second story of an addition to, or remodel of, a two or more story building;
4. extend to the height of the top floor of a newly constructed building; and
5. extend evenly upward for its entire height.

B. A sidewall articulation cannot:

1. create patios or decks or be screened from view; or

2. serve as an eave or gutter.

C. Sidewall articulation required under this section may be satisfied by horizontal articulation, such that each story above the first story is setback further from the property line by at least nine feet and extends along the side property line for at least 10 feet.

D. For purposes of subsection 2.7.1, wall height:

1. excludes side gables; and

2. is measured from the lower of natural or finished grade adjacent to the structure up to the first floor wall plate, which is the lowest point of the existing first floor ceiling framing that intersects the exterior wall.

2.7.2. The requirements of this section do not apply to:

A. Any side of a structure that is adjacent to a commercial use, unless the commercial use is occupying a residential structure.

B. An addition to or remodel of an existing principal structure, or the construction of a new principal structure, provided that the resulting structure is less than 2,000 square feet in net building coverage and less than or equal to 32 feet in height.

C. An addition to or remodel of an existing second structure, or the construction of a new second structure, provided that the principal structure is exempt under subsection 2.7.2.B and the resulting second structure:

1. does not exceed 550 square feet;

2. does not exceed the maximum height allowed in the base zoning district; and

3. is either detached from the principal structure or connected by a covered breezeway that is open on all sides, with a walkway of no more than six (6) feet in width that is covered by a roof of no more than eight (8) feet in width.

D. The addition of a second story to an existing one-story structure if the addition is directly above a portion of the existing one-story structure that was originally constructed, or received a permit for construction, before October 1, 2006.

E. An extension of the second floor of an existing two-story structure, provided that the building footprint of the structure is not increased.

Click here for Figure 18: Side Wall Articulation (Existing Side Wall Exceeds 36 Feet)

Articulation is required for side walls on additions or new construction that are 15 feet or taller and located within 9 feet of the side lot line. No wall may extend for more than 36 feet without a projection or recession of at least 4 feet in depth and 10 feet in length.

Click here for Figure 19: Side Wall Articulation (Existing Side Wall Less Than or Equal to 36 Feet)

An addition to an existing building may extend a side wall up to a maximum of 36' in total length without articulation.

Click here for Figure 20: Side Wall Articulation (New Construction)

All new construction must meet the sidewall articulation standards.

Source: Ord. 20060216-043; Ord. 20060309-058; Ord. 20060622-022; Ord. 20060928-022; Ord. 20080618-093.

§ 2.8. MODIFICATIONS BY THE RESIDENTIAL DESIGN AND COMPATIBILITY COMMISSION.

This section provides for modification by the Residential Design and Compatibility Commission of certain requirements of this Subchapter for a proposed development.

2.8.1. Modifications that May be Approved. The Residential Design and Compatibility Commission may:

A. Approve an increase of up to 25 percent in the:

1. Maximum floor-to-area ratio or maximum square footage of gross floor area;
2. Maximum linear feet of gables or dormers protruding from the setback plane; or

B. Waive or modify the side wall articulation requirement of Section 2.7. (*Side Wall Articulation*).

C. In addition to modifications or waivers under subsections A and B of this section, the Residential Design and Compatibility Commission may waive the requirements of Section 2.6 (*Setback Planes*) for subdivisions that meet the S.M.A.R.T. Housing requirement in Section 25-1-703 (*Program Requirements*) if:

1. The subdivision includes a minimum of 12 lots on at least one acre; and
2. At least 40% of the units are reasonably priced, as provided in Section 25-1-703(C)-(D).

2.8.2. Modification Procedures.

A. Application and Notice.

1. A person may request a modification listed in subsection 2.8.1. above by filing an application with the Director on a form provided by the Director.

2. Not later than the 14th day after an application is filed, the Director shall:

a. Mail notice of the application to:

(i) Each notice owner of property immediately adjacent to the subject property;

(ii) The appropriate neighborhood association, if any; and,

(iii) The neighborhood plan team, if any; and

b. Post notice of the application in accordance with Section 25-1-135 (*Posting of Signs*).

B. Approval Criteria. The Residential Design and Compatibility Commission may, after a public hearing, approve a modification if it determines that the proposed development is compatible in scale and bulk with the structures in the vicinity of the development. In making this determination, the commission shall consider:

1. The recommendation of the neighborhood plan team, if any;

2. The development's:

a. Compliance with neighborhood design guidelines, if any;

b. Consistency with the streetscape of the properties in the vicinity;

c. Consistency with the massing, scale, and proximity of structures located on either side of or behind the development;

d. Impact on privacy of adjacent rear yards; and

e. Topography and lot shape; and

3. For a development of an entire block, whether the development will have a negative impact on adjacent property.

C. Additional Procedures for Historic Properties.

1. If the proposed development of a local historic landmark or a "contributing structure", as defined in Section 25-3-351 (*Contributing Structure*), would require both a modification from the requirements of this Subchapter and a certificate of appropriateness under Section 25-11-241, the applicant must request a modification under this section prior to seeking a certificate of appropriateness. If the Residential Design and Compatibility Commission determines that the request is consistent with the approval criteria in subsection B of this section, it shall

conditionally approve the modification contingent upon subsequent issuance of a certificate of appropriateness by the Historic Landmark Commission under Section 25-11-243. The applicant must include a copy of the approved modification with the application for a certificate of appropriateness.

2. If both a modification from the requirements of this Subchapter and a non-binding recommendation from the Historic Landmark Commission are sought, the Residential Design and Compatibility Commission may not approve a modification for a structure located in the National Register Historic District before the Historic Landmark Commission issues its recommendation.

D. Appeals. An interested party may appeal the Residential Design and Compatibility Commission's decision to the City Council.

E. Board of Adjustment May Grant Variances. This subsection does not prohibit the Board of Adjustment from granting a variance from a requirement of this Subchapter under Section 25-2-473 (*Variance Requirements*).

Source: Ord. 20060216-043; Ord. 20060309-058; Ord. 20060622-022; Ord. 20060928-022; Ord. 20070830-089; Ord. 20080618-093.

§ 2.9. MODIFICATIONS WITHIN NEIGHBORHOOD PLAN (NP) COMBINING DISTRICTS.

Under Section 25-2-1406 of the Code, an ordinance zoning or rezoning property as a neighborhood plan (NP) combining district may modify certain development standards of this Subchapter.

Source: Ord. 20060216-043; Ord. 20060309-058; Ord. 20060622-022; Ord. 20060928-022.

ARTICLE 3: DEFINITIONS AND MEASUREMENT.

§ 3.1. BUILDABLE AREA.

In this Subchapter, BUILDABLE AREA means the area in which development subject to this Subchapter may occur, and which is defined by the side and rear setback planes required by this Subchapter, together with the area defined by the front, side, and rear yard setbacks and the maximum height limit.

Source: Ord. 20060216-043; Ord. 20060309-058; Ord. 20060622-022; Ord. 20060928-022.

§ 3.2. BUILDING LINE.

In this Subchapter, BUILDING LINE means a line that is parallel to the front lot line and that intersects the principal residential structure at the point where the structure is closest to the front lot line, including any allowed projections into the front yard setback. See Figure 21.

Click here for Figure 21: Building Line

Source: Ord. 20060216-043; Ord. 20060309-058; Ord. 20060622-022; Ord. 20060928-022.

§ 3.3. GROSS FLOOR AREA.

In this Subchapter, GROSS FLOOR AREA has the meaning assigned by Section 25-1-21 (*Definitions*), with the following modifications:

3.3.1. In this Subchapter, GROSS FLOOR AREA means all enclosed space, regardless of its dimensions, that is not exempted under subsections 3.3.2, 3.3.3, or 3.3.4.

3.3.2. Subject to the limitations in paragraph C below, the following parking areas and structures are excluded from gross floor area for purposes of this Subchapter:

A. Up to 450 square feet of:

1. A detached rear parking area that is separated from the principal structure by not less than 10 feet;

2. A rear parking area that is 10 feet or more from the principal structure, provided that the parking area is either:

a. detached from the principal structure; or

b. attached by a covered breezeway that is completely open on all sides, with a walkway not exceeding 6 feet in width and a roof not exceeding 8 feet in width; or

3. A parking area that is open on two or more sides, if:

i. it does not have habitable space above it; and

ii. the open sides are clear and unobstructed for at least 80% of the area measured below the top of the wall plate to the finished floor of the carport.

B. Up to 200 square feet of:

1. An attached parking area if it used to meet the minimum parking requirement; or

2. A garage that is less than 10 feet from the rear of the principal structure, provided that the garage is either:

a. detached from the principal structure; or

b. attached by a covered breezeway that is completely open on all sides, with a walkway not exceeding 6 feet in width and a roof not exceeding 8 feet in width.