

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

DATE: Monday, July 8, 2013

CASE NUMBER: C15-2013-0064

☒ Y _____ Jeff Jack
☒ Y _____ Michael Von Ohlen
☒ Y _____ Will Schnier - Nora Salinas-ABSENT
☒ Y _____ Bryan King
☒ Y _____ Fred McGhee
☒ Y _____ Melissa Hawthorne
☒ Y _____ Sallie Burchett
☐ - _____ Cathy French (SRB only)

APPLICANT: Timothy Cross

OWNER: Jack L. & Patsy W. Martin

ADDRESS: 3107 PLEASANT RUN PL

VARIANCE REQUESTED: The applicant has requested a variance to decrease the minimum front street setback requirement of Section 25-2-513 (G) from 20 feet to 17 feet in order to rebuild/enlarge an existing front porch for a single family residence in an "SF-3-NP", Family Residence – Neighborhood Plan zoning district. (West Austin Neighborhood Group)

The applicant has requested a variance to decrease the minimum rear yard setback requirement of Section 25-2-492 (D) from 10 feet to 5 feet in order to expand a covered porch for a single family residence in an "SF-3-NP", Family Residence – Neighborhood Plan zoning district. (West Austin Neighborhood Group)

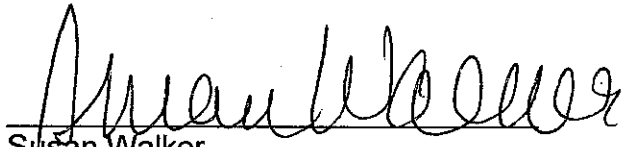
The applicant has requested a variance to increase the maximum impervious coverage requirement of Section 25-2-492 (D) from 45% (56.7% existing) to 55.25% in order to rebuild/enlarge and existing front porch and expand a covered rear porch for a single family residence in an "SF-3-NP", Family Residence – Neighborhood Plan zoning district.

BOARD'S DECISION: The public hearing was closed on Board Member Bryan King motion to Postpone to August 12, 2013, Board Member Michael Von Ohlen second on a -7-0 vote; POSTPONED TO AUGUST 12, 2013.


FINDING:

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

2. (a) The hardship for which the variance is requested is unique to the property in that:
 - (b) The hardship is not general to the area in which the property is located because:
3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:



Susan Walker
Executive Liaison



Jeff Jack
Chairman

PUBLIC HEARING INFORMATION

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

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

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

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

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

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

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

For additional information on the City of Austin's land development process, visit our web site: www.ci.austin.tx.us/development.

Written comments must be submitted to the contact person listed on the notice before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice.

Case Number: C15-2013-0064 – 3107 Pleasant Run Place
Contact: Susan Walker, 512-974-2202
Public Hearing: Board of Adjustment, July 8th, 2013

Kim K Waugh
Your Name (please print)

3003 Hillview Rd

Your address(es) affected by this application

Kim K Waugh

Signature

6/28/13

Date

Daytime Telephone: (512) 306-5240

Comments:

If you use this form to comment, it may be returned to:

City of Austin-Planning & Development Review Department/ 1st Floor
Susan Walker
P. O. Box 1088
Austin, TX 78767-1088

<input checked="checked" type="checkbox"/> I am in favor
<input type="checkbox"/> I object

Walker, Susan

From: Tim [REDACTED]
Sent: Tuesday, July 02, 2013 12:21 AM
To: Walker, Susan
Subject: Re: 3107 Pleasant run

C15-2013-004

Actually impervious is from existing 59% to an improved 57%- if we can do work we actually improve from existing condition- zoning is SF3 or 45%. If you subtract easement from calcs (like they did in 96 when house was built- it is actually close). Also the vast majority of the "impervious" is cobblestone on sand base which is not really impervious- unless it gets hard-packed by traffic- we call it impervious- but little or no water runs off it in storms.

And the rear setback is unnecessary- Daniel Word said we have 5' there already. I sent you an email about this last week- should have checked w you directly.

Got WANG ok at their meeting tonight!

Thanks for all your help!

Tim

Sent from my mobile email

On Jul 1, 2013, at 4:06 PM, "Walker, Susan" <Susan.Walker@austintexas.gov> wrote:

> Tim,
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> I notified for front porch setback from 20 feet to 17 feet, rear yard setback from 10 feet to 5 feet and from 45% to 55.25%.
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> Hope this is correct.

> Let me know. I will be out for the rest of the week.

> I will be checking my emails periodically.

> Thanks!

> Susan Walker
> Senior Planner
> Planning & Development Review Department
> Phone: 512-974-2202
> Fax: 512-974-6536

> -----Original Message-----

> From: Tim [REDACTED]
> Sent: Tuesday, June 25, 2013 2:12 PM
> To: Walker, Susan
> Subject: 3107 Pleasant run

> According to my chart the west austin neighborhood group adopted the impervious cover and garage placement tools but not the front porch tool. This means we need 2 variances- front porch placement and impervious.

Walker, Susan

From: Tim Cross [REDACTED]
Sent: Tuesday, July 02, 2013 9:15 AM
To: Walker, Susan
Subject: Re: 3107 Pleasant run

C15-2013-0064

Footnote-

I assume I can just explain the changes at the presentation. In the past that was usually ok. The drawing and hardship have not changed. Just requesting 2 variances instead of 3. And a more accurate tabulation of existing impervious. We will be improving the situation by removing a net of about 200-250 sq feet of impervious- that will be clearly shown. I will put together a Power point this week and tighten the numbers even more.

FIRST RESPONSE-

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Walker, Susan

From: Tim [REDACTED]
Sent: Wednesday, July 03, 2013 3:17 PM
To: Walker, Susan
Subject: Re: 3107 Pleasant run

C 15-2013-0064

Susan-

If there can be any credit given for the existing porous brick drive paving (like Grasscrete used to get 25%)- then we will be way below 56.7%. If we can get full credit for the porous pavers on the front walk and the garage walk then that alone also brings impervious down enough to not have to change anything.

Tim

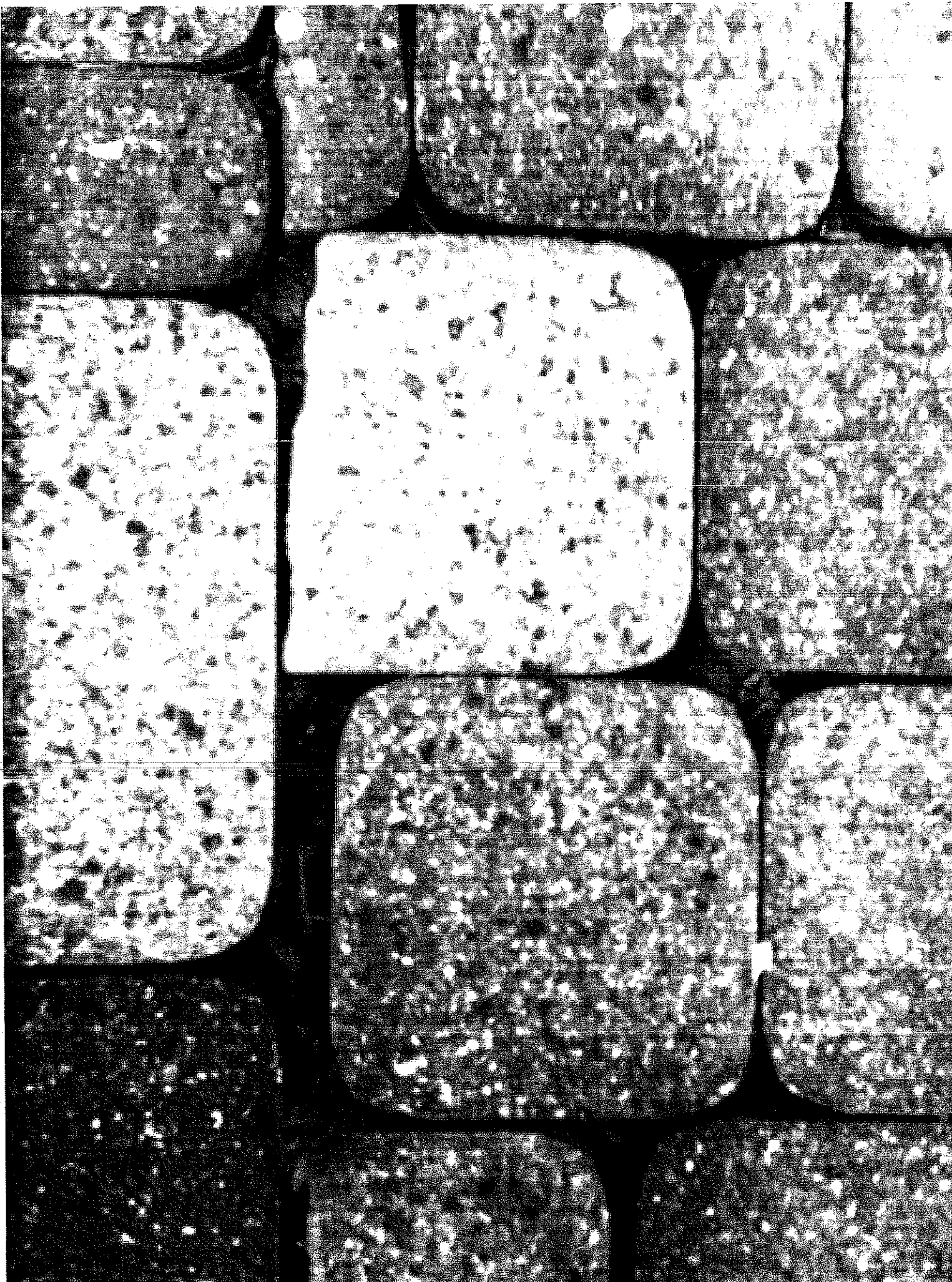
Sent from my mobile email

On Jul 3, 2013, at 12:16 AM, "Walker, Susan" <Susan.Walker@austintexas.gov> wrote:

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Walker, Susan

From: Tim [REDACTED]
Sent: Thursday, July 04, 2013 5:54 PM
To: Walker, Susan
Subject: Re: 3107 Pleasant run

C15-2013-0064

3rd reply-

When I read the city definition of impervious- 1.8.0 of Environmental Criteria Manual - They exclude water quality controls and features and the retaining wall is specifically used to contain water so it stays on property and run it through a very large french drain system built into it (12 inch diameter I believe- very substantial drain). Therefore it should not be included in calcs anyway- so my original numbers are still good. It was my discovery of this drain and wall behind the fence and trees that caused me to revise up my numbers.

Also-With approval the city gives a 20% credit for interlocking pavers- often on road base- but ours are not interlocking and on sand-designed specifically to bring water and air to the trees- they are fully porous and if either we can have a 20% credit for all pavers or the walking paths are excluded- then our number even drops further than what was advertised. We probably should apply for this credit just for the future.

Tim

Sent from my mobile email

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If you need assistance completing this application (general inquiries only) please contact Susan Walker, 974-2202; 505 Barton Springs Road, 2nd Floor (One Texas Center).

ROW

CASE #

C15-2013-0064
ROW # 10963037

TP-0121050342

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

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

PLEASE: APPLICATION MUST BE TYPED WITH ALL REQUESTED INFORMATION COMPLETED.

STREET ADDRESS: **3107 PLEASANT RUN PLACE**

LEGAL DESCRIPTION: Subdivision - **WOODS KNOLL**

Lot(s) **2A** Block **A** Outlot _____ Division _____

I/We **TIMOTHY P. CROSS** on behalf of myself/ourselves as authorized agent for

JACK AND PATSY WOODS-MARTIN affirm that on **5/7**, **2013**

hereby apply for a hearing before the Board of Adjustment for consideration to:

(check appropriate items below)

☐ ERECT ☐ ATTACH ☐ COMPLETE ☒ REMODEL ☐ MAINTAIN

EXPAND REAR PORCH, ENLARGE FRONT PORCH AND REBUILD GARDEN WALL AND THE EXISTING IMPERVIOUS IS ALREADY

ABOVE THE ALLOWED AMOUNT, BUT THE LOT HAS SPECIAL CIRCUMSTANCES WHICH IMPACT THE IMPERVIOUS.

ALSO THE FRONT PORCH MUST EXTEND 3' FURTHER INTO FRONT SETBACK THAN ALLOWED, IF EXISTING FOUNDATION IS USED.

in a **SF-3NP** district.
(zoning district)

existing - 56.7%
proposed - 55.25%

NOTE: The Board must determine the existence of, sufficiency of and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional support documents.

West Austin
covered front porch - 20' → 17'
expand rear covered porch 10' → 5'

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

REASONABLE USE:

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

IMPERVIOUS WAS OVER LIMIT BECAUSE OF PAVED COMMUNITY EASEMENT THAT UNFAIRLY PENALIZES THIS PARTICULAR LOT. ALSO PAVING

IS PARTIALLY PERVIOUS. ALSO WE WILL BE REDUCING IMPERVIOUS. HOUSE SLANT TO "FRONT" MAKES UNUSUAL FRONT SETBACK.

HARDSHIP:

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

COMMUNITY EASEMENT IMPACTS THIS LOT IN A DISPROPORTIONATE MANNER. THE IMPERVIOUS SITUATION WAS UNKNOWN TO MARTINS AT

TIME OF PURCHASE. ALSO PAVING IS ACTUALLY PARTIALLY PERVIOUS AND SUBDIVISION WAS DEVELOPED AS A WHOLE-SIMILAR TO A PUD.

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

THIS IS A VERY UNIQUE AND INDIVIDUAL SITE SITUATION. THERE ARE LIKELY FEW SIMILAR SITES IN AUSTIN

AREA CHARACTER:

3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

THE SMALL TASTEFUL ADDITIONS WILL NOT IMPACT THE LOOK OF THE HOME OR THE NEIGHBORHOOD.

WE WILL ACTUALLY BE REDUCING THE EXISTING IMPERVIOUS BY 200-400 SQUARE FEET

PARKING: (Additional criteria for parking variances only.)

Request for a parking variance requires the Board to make additional findings. The Board may grant a variance to a regulation prescribed Section 479 of Chapter 25-6 with respect to the number of off-street parking spaces or loading facilities required if it makes findings of fact that the following additional circumstances also apply:

1. Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonable require strict or literal interpretation and enforcement of the specific regulation because:

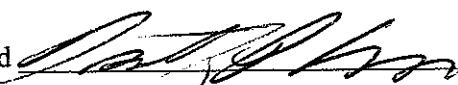
2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

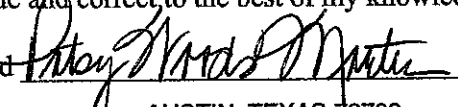
NOTE: The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.

APPLICANT CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed  Mail Address 3409 RIVERSIDE FARMS RD.
City, State & Zip AUSTIN, TEXAS 78741

Printed TIMOTHY P. CROSS Phone 512-444-8880 Date 5/7/13

OWNERS CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed  Mail Address 3107 PLEASANT RUN PLACE
City, State & Zip AUSTIN, TEXAS 78703

Printed PATSY WOODS-MARTIN Phone 512-327-4851 Date 5/8/13



SUBJECT TRACT



ZONING BOUNDARY

CASE#: C15-2013-0064
LOCATION: 3107 Pleasant Run Place



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by the Planning and Development Review Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

Google

To see all the details that are visible on the screen, use the "Print" link next to the map.



Walker, Susan

From: Tim Cross <timcross@cityofsanfrancisco.gov>
Sent: Wednesday, May 08, 2013 1:47 PM
To: Walker, Susan
Subject: 3107 Pleasant Run Variance

Susan-

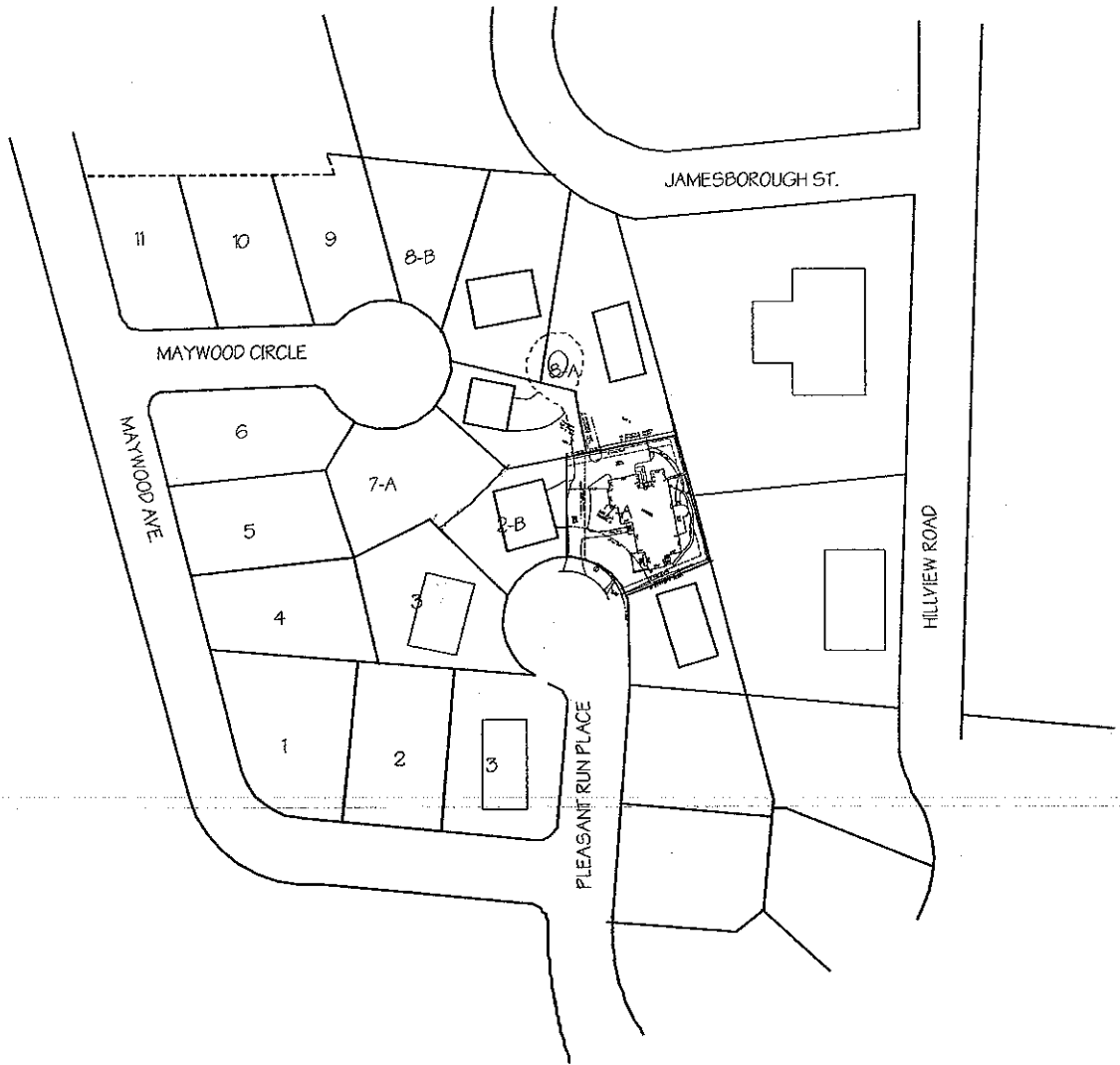
The front porch ordinance I found with the 15' setback is 25-2-1602 which only applies to NP combining districts- I have no idea if that applies to this neighborhood- probably not. If this is the case I should add that to the variance. There is also the need to determine the official "rear" yard on this 5 sided property to determine the setback. The other possible rear yard is set back over 30'.

So we are probably asking for 1. Impervious, 2. Front porch setback and possibly 3 rear porch setback. What will the fee be? I remember a \$350 number- is that x 2 or 3 if we need all 3? Hope not!

Thanks- always nice dealing with your sanely managed office-cant say that for other depts!

Tim Cross Arch.

Sent from my mobile email



HOUSES SURROUNDING 3107 PLEASANT RUN

SCALE 1"=100'

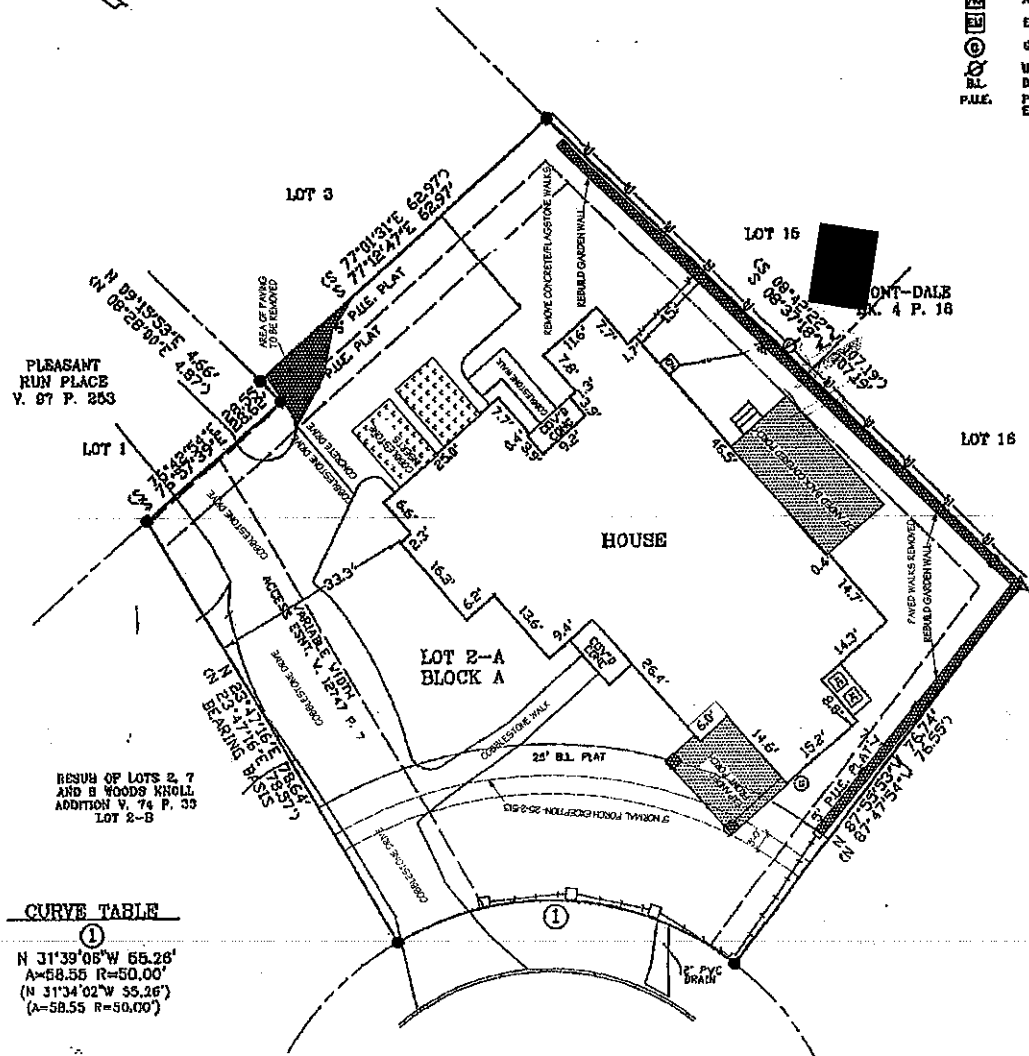
MARTIN REMODEL

PLEASANT RUN PLACE AUSTIN, TEXAS 78703



REVISIONS
 MAY 1, 2015
 SHEET 1 OF 1

- LEGEND**
- IRON ROD FND. HAIL SET
 - WOOD FENCE
 - UTILITY LINE
 - BROUGHT FROM FENCE
 - A/C UNIT
 - ELED. METER
 - GAS METER
 - UTILITY POLE
 - BUILDING LINE
 - PUBLIC UTILITY EASEMENT



CURVE TABLE

Stationing	Angle	Radius	Chord	Offset
1	N 31°39'06"W 65.26'	A=58.55 R=50.00'		
2	(N 31°34'02"W 55.36')	(A=58.55 R=50.00')		

3107 PLEASANT RUN PLACE
 (50' R.O.W.)

SURVEYOR'S NOTES

() DENOTES RECORD INFORMATION
 EASEMENT RESEARCH PERFORMED BY ALL POINTS AND THE UNDERSIGNED SURVEYOR WAS LIMITED TO INFORMATION SUPPLIED BY HERITAGE TITLE COMPANY PER COMMITMENT O.F. #201203177, EFFECTIVE JANUARY 30, 2013 SCHEDULE B, PARAGRAPH 10.
 LOT 2-A IS SUBJECT TO RESTRICTIVE COVENANTS AS STATED IN V. 3382, P. 1652, V. 12708 P. 2065, V. 12747 P. 7, 000, 200800000.
 THIS LOT IS SUBJECT TO ALL EASEMENT RIGHTS AND/OR CONDITIONS WHICH MAY APPEAR ON THE PLAT OF RECORD.
 ALL POINTS DOES NOT MAKE OR WARRANT ANY FLOOD ZONE DETERMINATION.

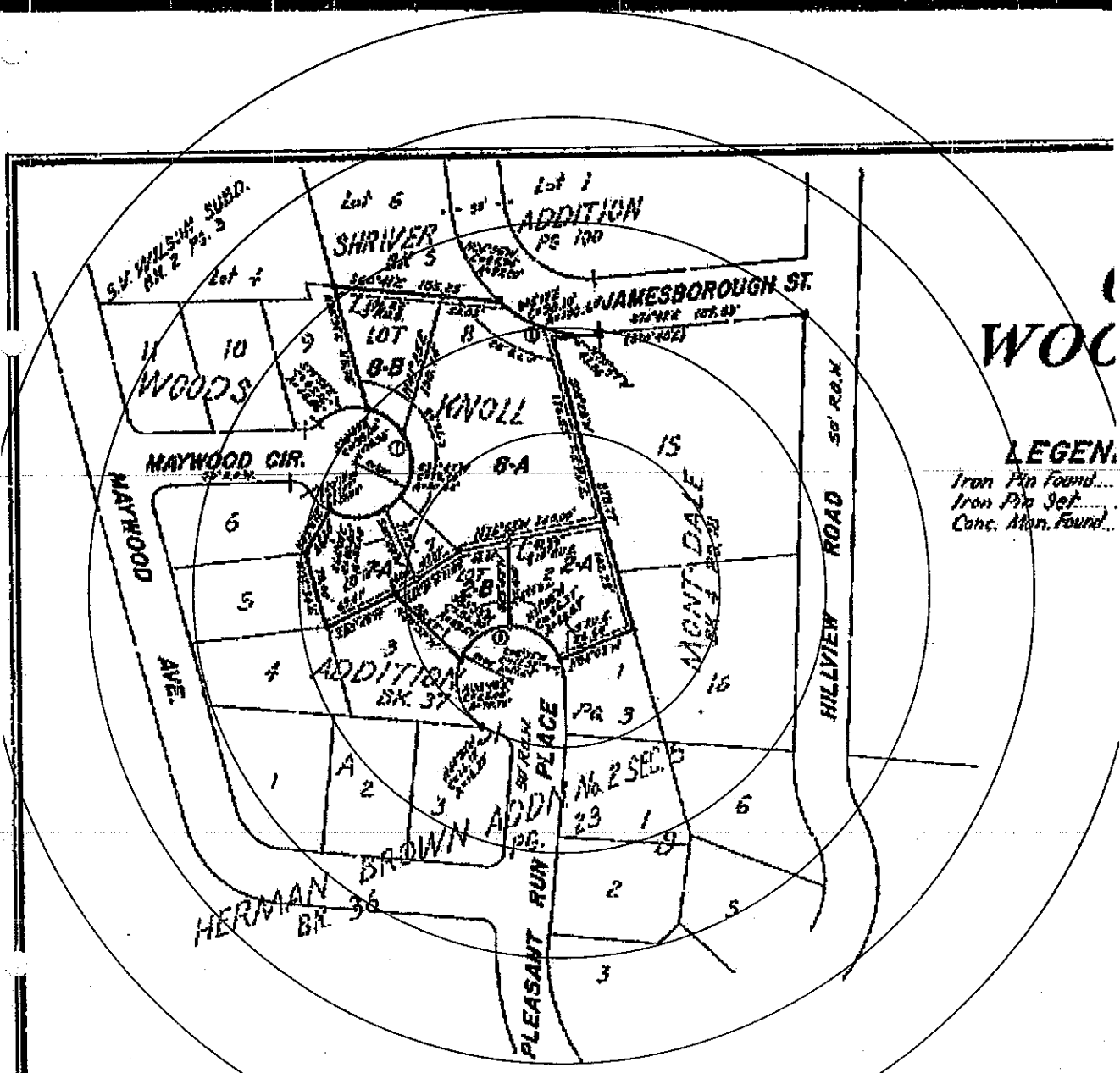
LOT No. 2-A BLOCK A
 SECTION 1 PHASE 1
 CITY THAMES COUNTY, TEXAS
 SUBDIVISION / ADDITION PLEASANT RUN PLACE AND LOT 2-A
 Book 3382 Page(s) 1652 Original 1 PLAT RECORDS
 Volume 12708 Sheet 7 County, Texas
 Document No. 200800000 Official Public Records of 1 County, Texas
 Reference JACK L. MARTIN AND PATSY W. HARTON

TO THE LIENHOLDERS AND/OR OWNERS OF THE PREMISES AND/OR
 HERITAGE TITLE COMPANY/HERITAGE TITLE INSURANCE COMPANY

The undersigned certifies that this survey was this day made by me or under my supervision on the ground of the real property shown on this survey and after the exercise of reasonable care and in reliance on record searches by the title company that this survey is correct to the best of the undersigned's knowledge and belief and that the property has come to and from a roadway, except as shown herein. There are no visible discrepancies, conflicts, shortages or overlapping of improvements or encroachments except as shown herein.

Roger L. Way





WOC

LEGEND.
 Iron Pin Found...
 Iron Pin Set...
 Conc. Attn. Found...

STATE OF TEXAS
 COUNTY OF TRAVIS

KNOW ALL MEN BY THESE PRESENTS

THAT WE, RANDOLPH G. MUELLER AND WIFE, BARBARA T. MUELLER, OWNERS OF LOTS 2, 7 AND 8 OF WOODS TRAVIS COUNTY, TEXAS, AS RECORDED IN BOOK 37, PAGE 3 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEX, PAGE 331 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, DO HEREBY RESUBDIVIDE SAID LOTS ACCORDING TO RESTRICTIONS HERETOFORE GRANTED TO BE KNOWN AS RESUBDIVISION OF LOTS 2, 7 AND 8 WOODS KNOLL OF THE STREETS AND EASEMENTS AS SHOWN HEREON.

WITNESS OUR HANDS THIS THE 6th DAY OF February, 1975, A.D.

Randolph G. Mueller
 RANDOLPH G. MUELLER

Barbara T. Mueller
 BARBARA T. MUI

STATE OF TEXAS
 COUNTY OF TRAVIS

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED RANDOLPH G. MUELLER AND I



REVISIONS

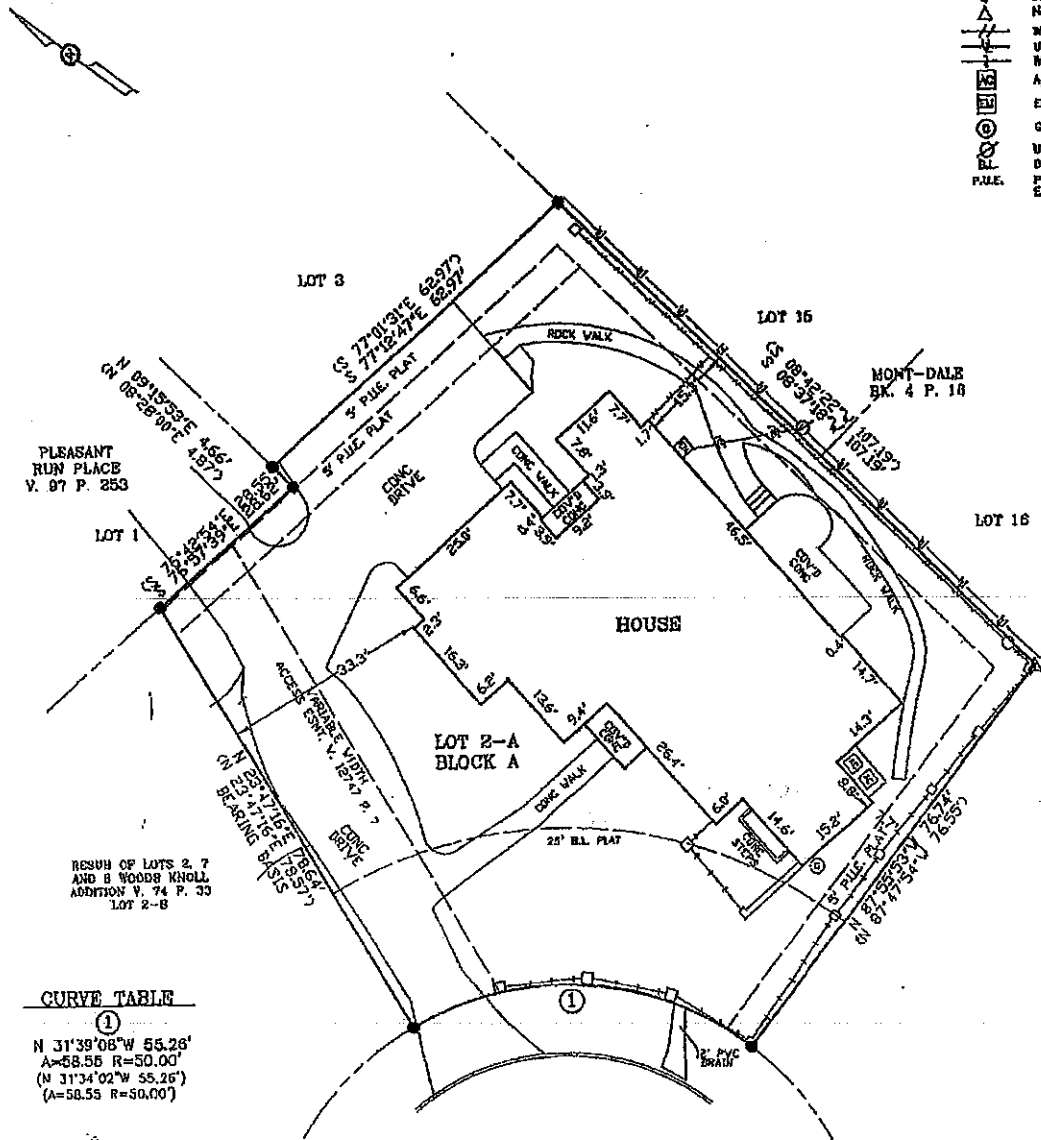
DATE

SHEET

OF

LEGEND

- IRON ROD PND. N.B. SET
- WOOD FENCE
- UTILITY LINE
- WARRANTY BORN FENCE
- A/C UNIT
- ELED. METER
- GAS METER
- UTILITY POLE
- BUILDING LINE
- PUBLIC UTILITY EASEMENT



EXISTING SITE PLAN

SCALE 1"=20'

CURVE TABLE

- ① N 31°39'08"W 55.26'
 A=58.55 R=50.00'
 (N 31°34'02"W 55.26')
 (A=58.55 R=50.00')

3107 PLEASANT RUN PLACE
 (50' R.O.W.)

SURVEYOR'S NOTES

() DENOTES RECORD INFORMATION
 EASEMENT RESEARCH PERFORMED BY ALL POINTS AND THE UNDERSIGNED SURVEYOR WAS LIMITED TO INFORMATION SUPPLIED BY HERITAGE TITLE COMPANY PER COMMITMENT G.F. #201203177, EFFECTIVE JANUARY 30, 2013, SCHEDULE B, PARAGRAPH 10.
 LOT 2-A IS SUBJECT TO RESTRICTIVE COVENANTS AS SHOWN BE V. 3302 P. 1652, V. 12708 P. 2005, V. 12747 P. 7, DOC. 200800008.
 THIS LOT IS SUBJECT TO ALL EASEMENT RIGHTS AND/OR CONDITIONS WHICH MAY APPEAR ON THE PLAT OF RECORD.
 ALL POINTS DOES NOT MAKE OR WARRANT ANY FLOOD ZONE DETERMINATION.

AMENDED PLAT OF LOT 3, BLOCK A OF PLEASANT RUN PLACE AND LOT 2-A RESUBDIVISION OF LOTS 2, 7 AND 8 WOODS KNOLL ADDITION

LOT No. 2-A	BLOCK A	SUBDIVISION / ADDITION	Book	Page(s)	Cubical	PLAT RECORDS
SECTION	PHASE	Volume	Slits	County, Texas	Document No. 2008000008	Official Public Records of
CITY	TOWNS	COUNTY, TEXAS	Reference	JACK L. MARTIN AND PATSY W. MARGO		

TO THE LEASOLDERS AND/OR OWNERS OF THE PREMISES AND/OR HERITAGE TITLE COMPANY/FIRST AMERICAN TITLE INSURANCE COMPANY

The undersigned certifies that this survey was this day made by me or under my supervision on the ground of the real property shown on the survey and after the exercise of reasonable care and in reliance on record as shown by the title company that this survey is correct to the best of the undersigned's knowledge and belief and that the property has come to me from a roadway except as shown hereon. There are no visible discrepancies, conflicts, shortages or overlapping of improvements or encroachments except as shown hereon.

Roger L. Way

