

A U S T I N C I T Y C O U N C I L
AGENDA

Thursday, August 31, 2006

+ Back Print

**Watershed Protection and Development Review
RECOMMENDATION FOR COUNCIL ACTION****ITEM No. 29**

Subject: Approve an ordinance waiving the development regulations of Ordinance No. 20060309-058 to allow the construction of a single family residence at 4414 Lareina Drive Austin, TX.

Fiscal Note: There is no unanticipated fiscal impact. A fiscal note is not required.

Additional Backup Material

(click to open)

☐ [waiver application](#)☐ [staff report](#)

For More Information: Erica Eichert, 974-2720; Joi Harden, 974-3345

On March 9, 2006 the City Council adopted development regulations which provided development limits in subdivisions within the City limits for which the original plat was approved before March 7, 1974, or on a tract that may legally be developed without being platted. For a building permit to construct single-family, single family attached, two-family, secondary apartment, and duplex structures; for a building permit for a new structure on a lot where, before March 9, 2006, a structure has been or will be demolished or relocated, the new structure's size is limited to the greater of:

(a) 0.4 to 1 floor-to-area ratio; (b) 2,500 square feet; or (c) 20 percent more square feet than the existing or pre-existing structure.

This ordinance includes a provision which allows City Council to waive the development limitations if the Council determines that the development regulations impose an undue hardship on the applicant and the development proposed by the applicant will not adversely affect public health, safety, and welfare.

Applicants Mr. Christopher Hynes and Olivia Primanis are requesting a waiver from Ordinance No. 20060309-058 in order to construct a single family residence at 4414 Lareina Drive Austin, TX. The two story structure will have 2723 square feet of gross floor area. The proposed development complies with the floor to area ratio and square footage limitations under Ordinance No. 20060309-058. The proposed development would also comply with all other zoning regulations, including building and impervious cover limitations as well as height requirements.

Applicants are requesting a waiver from Ordinance No. 20060309-058 Part 4 (A) - An application for a demolition or relocation permit for a structure must be filed concurrently with an application for a permit described in Subsection (C) or (D).

Staff recommends approval of the waiver request based on the information that the applicant has provided that there is no adverse impact to the public health, safety, and welfare.

WAIVER APPLICATION

CITY OF AUSTIN
REQUEST TO WAIVE DEVELOPMENT REGULATIONS
UNDER ORDINANCE NUMBER 20060309-058

STREET ADDRESS: 4414 LANEINA DR. Austin TX 78745
 LEGAL DESCRIPTION: Subdivision LOT 6 LANEINA DRIVE ADDN.
 Lot(s) _____ Block _____ Outlot _____ Division _____
 Zoning District: _____ Neighborhood Plan (if applicable): _____

Type of work to be done (Select appropriate option and provide description of the proposed project):

____ New Construction: _____
 ____ Addition: _____

Please select one of the following:

- ☒ 1. I request a waiver to the interim development regulations because the regulations impose an undue hardship as described: See Attached

The granting of this waiver will not adversely affect the public health, safety and welfare.
 Explain: _____

Waiving the regulation will not have a substantially adverse impact on neighboring properties
 Explain: _____

- ____ 2. The following development agreement permits the activity: _____
- ____ 3. I have acquired a right under Texas Local Government Chapter 245 (Issuance of Local Permits), or have a common law vested right that has been fully adjudicated by a court of competent jurisdiction. Please specify and provide supporting documentation: _____

ALL APPLICATIONS MUST BE ACCOMPANIED BY A RESIDENTIAL PERMIT APPLICATION

Signature of applicant/ owner: _____

8/14/06

Note: The waiver application will be considered incomplete if the applicant fails to provide information requested in this application as well as requirements for residential building permit submittal. Please attach any additional information that will support your request, such as: photos, architectural drawings, letters of support from neighbors or additional documentation.

FOR STAFF USE

Date waiver application filed with City of Austin: _____

Date scheduled for City Council action: _____

CHRISTOPHER HYNES
5206 GUADALUPE
AUSTIN TX. 78751
512-371-1806
[REDACTED]
[REDACTED]

August 14, 2006

Your Honor and Members of the City Council:

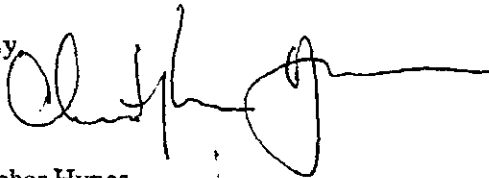
I apologize for my inadvertent oversight of the city ordinance No.: 20060309-058 and my consequent lack of compliance with procedures relating to building a new home at 4414 LAREINA DR. AUSTIN TX. 78745.

I am writing to ask for permission to continue a home building project that I began in April 2006. At that time, I was advised by my architect, with whom I was developing the plans for a new structure, and several building contractor friends that I should apply for the demolition permit for the existing structure, proceed with the completion of the architectural plans, and then submit those plans for a permit to build the new home. I, unfortunately, did not read the complete demolition application and missed ordinance number 20060309-058, which went into effect in February 2006. It stated that I should have gone to the second floor to be informed that I needed my building permit to be filed concurrently with my demolition permit.

I have researched the lot--- I confirmed with the City of Austin Watershed Protection Department that the lot is not in the flood plane. I spoke with neighbors who were all in agreement that the extent structure should be torn down. They are also looking forward to a new structure and my wife and myself as their neighbors. The new house that we intend to build will be a green building, with gutters and the landscaping will be xeriscape.

Again, I apologize for not complying with the ordinance and thank you for consideration and time.

Sincerely,



Christopher Hynes

RESIDENTIAL PERMIT APPLICATION

CITY OF AUSTIN
RESIDENTIAL PERMIT APPLICATION

BP Number BP-06-5907R
 Building Permit No. _____
 Plat No. _____ Date 8/8/06
 Reviewer MMH

PRIMARY PROJECT DATA

Service Address 4414 LAREINA Tax Parcel No. _____
 Legal Description
 Lot 6 Block _____ Subdivision LAREINA DRIVE ADDITION Section _____ Phase _____
 If in a Planned Unit Development, provide Name and Case No. _____
 (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) _____
☐ Duplex Addition (specify) _____
☐ Garage attached detached
☐ Carport attached detached
☐ Pool Other (specify) 2.5 baths
 Zoning (e.g. SF-1, SF-2...) SF-3-NP Height of building 21 ft. # of floors 1
 On lots with LA zoning, the approved septic permit must be submitted with the Residential Permit application for zoning approval.
 (LDC 25-2-551(B)(6))
 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 ☒

VALUATIONS FOR REMODELS ONLY

Building \$ _____
 Electrical \$ _____
 Mechanical \$ _____
 Plumbing \$ _____
 Driveway & Sidewalk \$ _____
 TOTALS \$ _____
 (labor and materials)

DATA FOR NEW CONSTRUCTION OR ADDITIONS ONLY

Lot Size 7,600 sq. ft.
 Job Valuation \$ 140,000
 (Labor and materials)
 Total Job Valuation (remodels and additions)
 \$ _____
 (Labor and materials)

PERMIT FEES (For office use only)

	NEW/ADDITIONS	REMODELS
Building	\$ <u>205</u>	\$ _____
Electrical	\$ <u>115</u>	\$ _____
Mechanical	\$ <u>72</u>	\$ _____
Plumbing	\$ <u>89</u>	\$ _____
Driveway & Sidewalk	\$ _____	\$ _____
TOTALS	\$ _____	\$ _____

OWNER / BUILDER INFORMATION

OWNER Name OLIVIA PRIMANIS / CHRISTOPHER HYNES Telephone (h) 293-4858
 (w) _____
 BUILDER Company Name OWNER Telephone _____
 Contact/Applicant's Name _____ Pager _____
 DRIVEWAY /SIDEWALK Contractor OWNER Telephone _____ FAX _____
 CERTIFICATE OF OCCUPANCY Name OLIVIA PRIMANIS / CHRISTOPHER HYNES Telephone 293-4858
 Address 4414 LAREINA City AUSTIN ST. TX ZIP 78745

If you would like to be notified when your application is approved, please select the method:

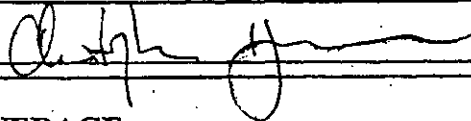
telephone ☒ e-mail: _____

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

Service Address

4414 LAREINA

Applicant's Signature



Date

6/9/06

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.	2293 sq.ft.
b. 2 nd floor conditioned area	sq.ft.	(420) sq.ft.
c. 3 rd floor conditioned area	sq.ft.	sq.ft.
d. Basement	sq.ft.	sq.ft.
e. Garage / Carport		
___ attached	sq.ft.	sq.ft.
___ detached	sq.ft.	sq.ft.
f. Wood decks [must be counted at 100%]	sq.ft.	20 sq.ft.
g. Breezeways	sq.ft.	sq.ft.
h. Covered patios	sq.ft.	15 sq.ft.
i. Covered porches	sq.ft.	sq.ft.
j. Balconies	sq.ft.	sq.ft.
k. Swimming pool(s) [pool surface area(s)]	sq.ft.	sq.ft.
l. Other building or covered area(s)	sq.ft.	sq.ft.
Specify _____		

TOTAL BUILDING AREA (add a. through l.)

sq.ft.

2730
~~2308~~

sq.ft.

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

2308

sq.ft.

32.9

% 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)	2308	sq.ft.
b. Driveway area on private property	495	sq.ft.
c. Sidewalk / walkways on private property	-	sq.ft.
d. Uncovered patios	-	sq.ft.
e. Uncovered wood decks [may be counted at 50%]	10 20	sq.ft. (20)
f. Air conditioner pads	6	sq.ft.
g. Concrete decks		sq.ft.
h. Other (specify) _____		sq.ft.

TOTAL IMPERVIOUS COVERAGE (add a. through h.)

2819 ~~2029~~

sq.ft.

40.3

% of lot

CITY OF AUSTIN
RESIDENTIAL PERMIT APPLICATION

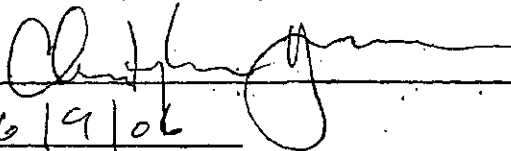
I understand that in accordance with Sections 25-1-411 and 25-11-66 of the Land Development Code (LDC), non-compliance with the LDC may be cause for the Building Official to suspend or revoke a permit and/or license. I understand that I am responsible for complying with any subdivision notes, deed restrictions, 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 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.

APPLICANT'S
SIGNATURE

DATE


6/9/06

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

NP - West Congress

Rejected - Post Feb. 9th, must file demolition
application concurrently with building permit

FAR = 2,800 (max gfa)

~~Max~~ total proposed = 2,308
2723

ONE STOP SHOP
505 Barton Springs

Austin, Texas 78701
(512) 974-2632 phone
(512) 974-9779 fax



Austin Energy

Electric Service Planning Application (ESPA)

(Please Print or Type)

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

Requestor's Name _____		Phone _____
Address <u>4414 LAREINA DR</u>		OR _____
Legal Description _____		
Lot _____	Block _____	Commercial/Residential? <u>R</u>
Who is your electrical service provider? <u>AE</u> or Other _____		

Service Main Size _____ (amps)		Service Conductor _____ (type & size)	
AE Service Length _____ (ft.)		Number of Meters? _____ Multi-Fuel Y N	
Overhead/Underground? <u>LF</u>		<input checked="" type="checkbox"/> Single-phase (1Ø) <input type="checkbox"/> Three-phase (3Ø)	
Total Square Footage _____		<u>New service</u> or upgrade	
Largest A/C unit _____ (Tons)		OR LRA of Largest A/C Unit _____ (amps)	
Electric Heating _____ (kW)		Other _____ (kW)	

Comments: New Service

ESPA Completed by (Signature & Print name) _____ Date _____ Phone _____

AE Representative
(Remarks on back)

Phone 974-2632

Date _____

Application expires 90 days after date of Approval

Revised by Austin Energy 3/1/06

AE APPROVED

JUN 09 2006

RLS 160-28

N 29°48'00" E
53.85'

TOTAL LOT AREA
7000.1 #

LIVING AREA ~~2340~~
2293 #

CONCRETE
DRIVE
495 #

PATIO
15 #

AC PADS
6 #

WOOD DECK
20 #

TOTAL
2829 #

(40% IMPERVIOUS
COVER)

LOT 6

NEW
RESIDENCE

DECOMP.
GRANITE
ENTRANCE

42" WALK
DECOMP.
GRANITE

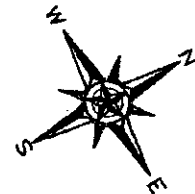
CONC.
DRIVE

EXIST.
APPROACH

LAREINA DRIVE

(50' R.O.W.)

NO STORM SEWER INLETS
AFFECT THIS LOT



SCALE: 1" = 20'

ENVISIONS
ARCHITECTS
4515 MANCHACA RD. SUITE 205
AUSTIN TX 78745
(512) 443-6974

PRIMANIS/HYNES RESIDENCE

4414 LAREINA
AUSTIN, TEXAS

PROJECT NAME:
SITE PLAN

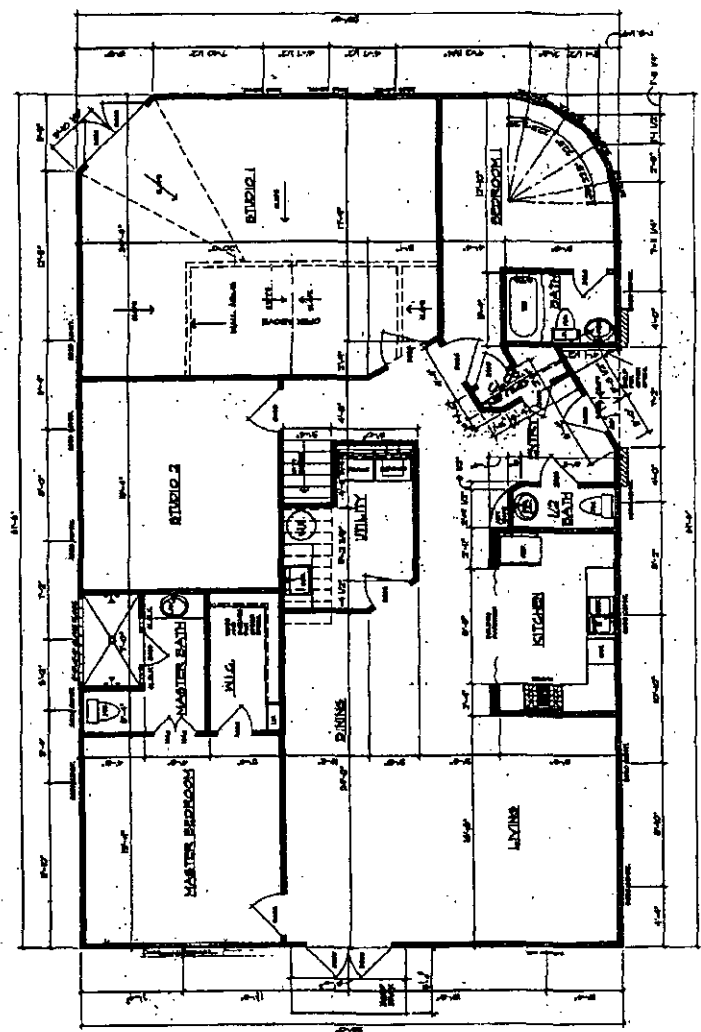
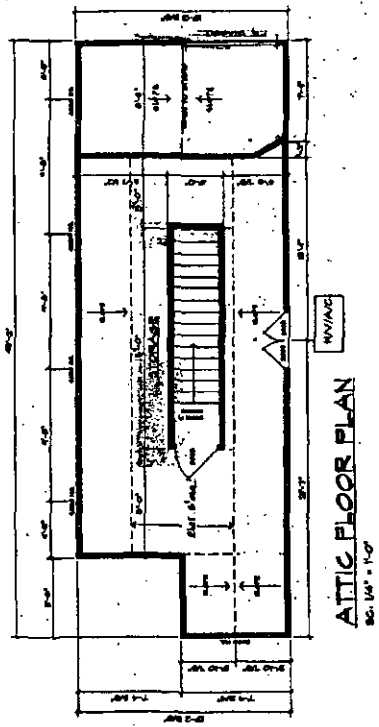
DATE: 05/07/06
DESIGN: G.E.
DRAWN: R.G.
CHECKED: G.E.
REVISED:

SHEET NO.

A1.0

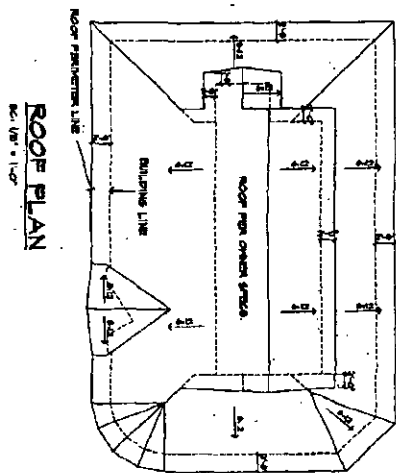
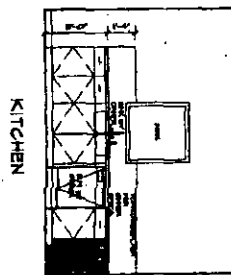
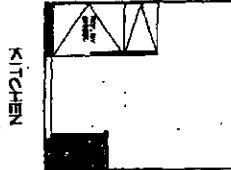
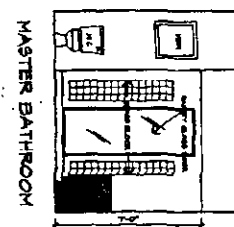
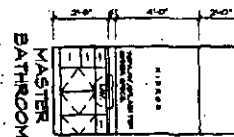
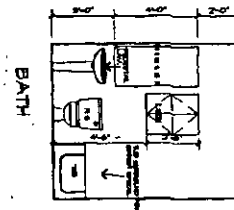
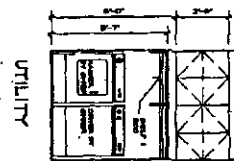
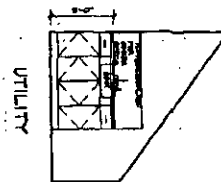
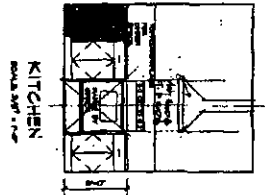
GENERAL NOTES:
1. ALL WORK TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL RESIDENTIAL CODE BOOK (IRC) AND THE LATEST EDITIONS OF THE INTERNATIONAL MECHANICAL, ELECTRICAL AND PLUMBING CODE BOOK (IMC/IPC/UPC).
2. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSURANCE.
3. THE OWNER SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES.
4. THE OWNER SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING LANDSCAPE AND PLANTING.
5. THE OWNER SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING ADJACENT PROPERTIES.
6. THE OWNER SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING NEIGHBORHOOD CHARACTERISTICS.
7. THE OWNER SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING HISTORIC FEATURES.
8. THE OWNER SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING CULTURAL RESOURCES.
9. THE OWNER SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING ENVIRONMENTAL FEATURES.
10. THE OWNER SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING SOCIAL AND ECONOMIC FEATURES.

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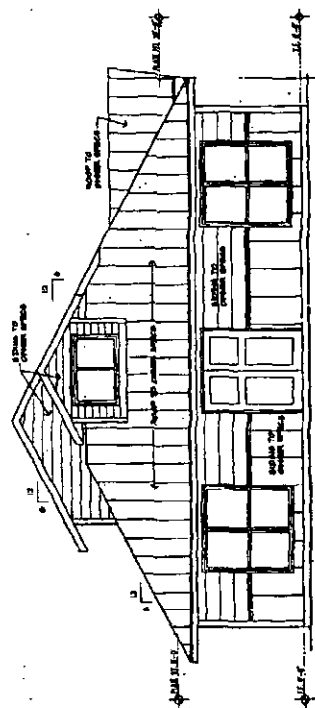


GROUND FLOOR PLAN
SCALE: 1/4" = 1'-0"

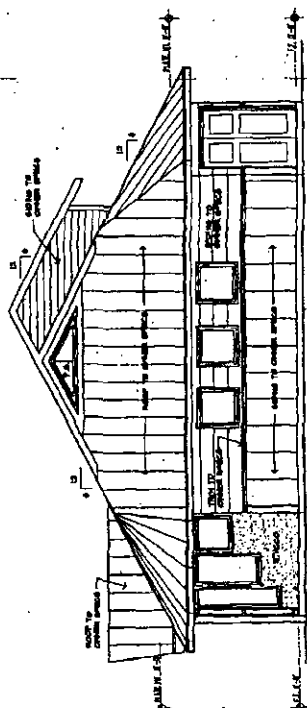
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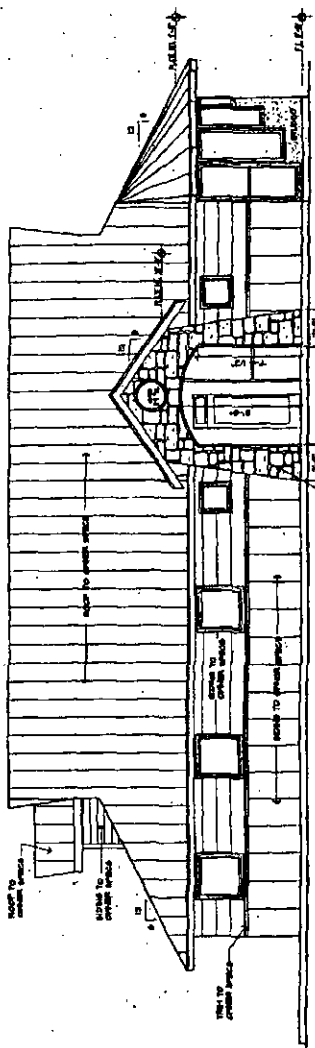
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www.envisions.com



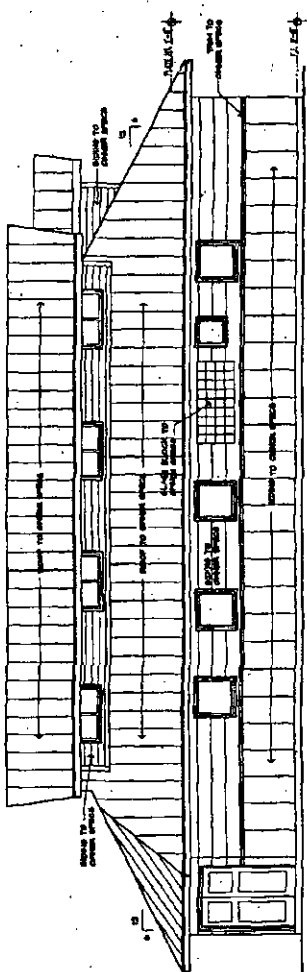
REAR ELEVATION



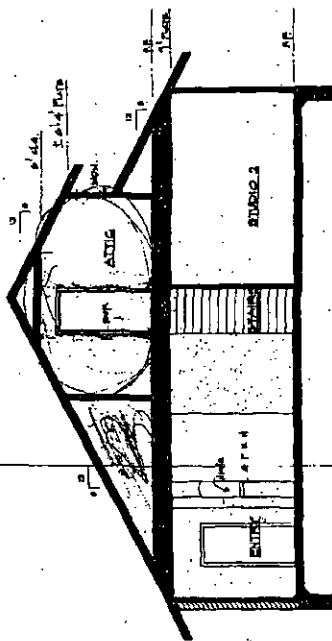
FRONT ELEVATION



LEFT ELEVATION

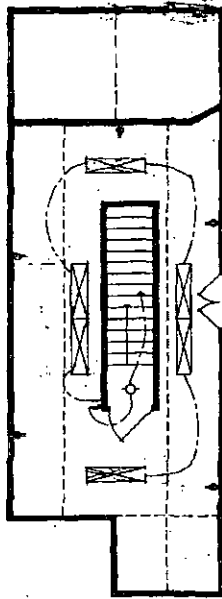


RIGHT ELEVATION



BUILDING SECTION

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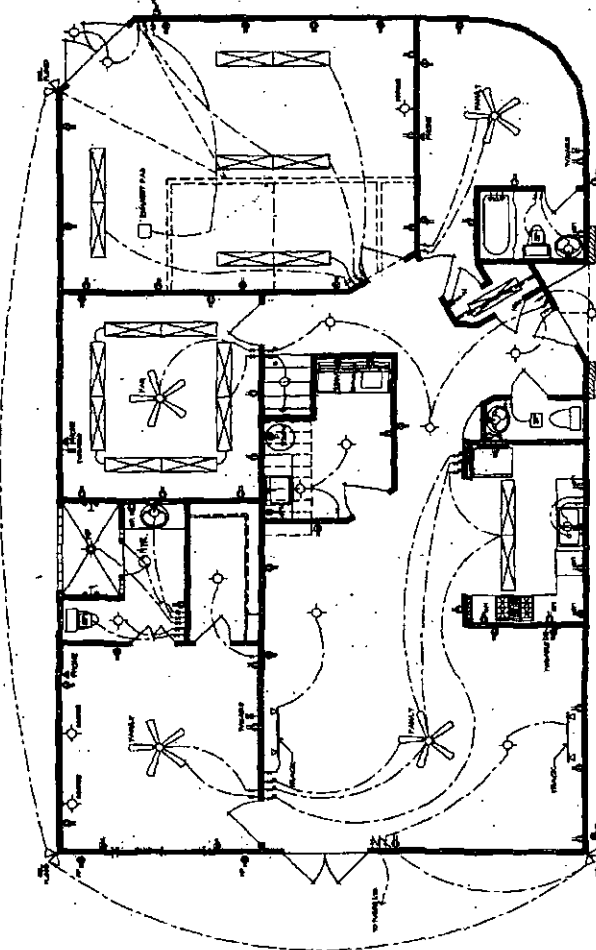


ATTIC ELECTRICAL PLAN

SCALE: 1/4" = 1'-0"

ELECTRICAL SYMBOLS

ROOFING PLAN	1
ROOFING SPECIAL SYMBOLS	2
ROOFING PLAN - WATER	3
ROOFING PLAN - VENTILATION	4
ROOFING PLAN - VENTILATION	5
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ROOFING PLAN - VENTILATION	100



GROUND FLOOR ELECTRICAL PLAN

SCALE: 1/4" = 1'-0"

263947

1411412

612

TERRACE UNCOVERD

263947

3125895

SO

Sketch Only

Land Information

Land ID

Type Code

SPTB Code

Homesite

307874

LAND

A1

F

Certified Value History

Year

Jur

Entity Name

2005

2005

0A

TRAVIS CENTRAL APP DIST

2005

01

AUSTIN ISD

2005

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CITY OF AUSTIN

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TRAVIS COUNTY

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TRAVIS CO HOSPITAL DIST

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AUSTIN COMM COLL DIST

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** CITY OF AUSTIN GIS QUERY REPORT
**-----
** Tue Aug 15 14:54:47 2006

AREA:
6988.07 square feet

JURISDICTION:
141--FULL PURPOSE

LAND STATUS:
ID -- 29022 , CaseNum -- N/A , OrdNum -- N/A , Acres--27974.1
Description--AUSTIN CITY LIMITS,
Type--FULL, Date--nil
ID -- 29519 , CaseNum -- , OrdNum -- , Acres--7932.82
Description--FULL PURPOSE ON OR BEFORE 12/31/1951,
Type--FULL, Date--19511231

WATERSHED:
21--WILLIAMSON CREEK

FLOOD PLAIN:
2891--

MUDS:

BCWO:
Ddz--DEVELOP

WATER REGULATION:
ID--4, Water Type--REG, Water Name--SUBURBAN

NEIGHBORHOOD ASSOCIATION:
26--Far South Austin Community Assn.
300--Terrell Lane Interceptor Assn.
428--Barton Springs/ Edwards Aquifer Conservation Dist.
511--Austin Neighborhoods Council
627--Onion Creek Homeowners Assoc.
742--Austin Independent School District

ZONING:
2.60014e+006--SF-6-CO-NP
2.60017e+006--SF-3-NP

ZONING OVERLAYS:

OVERLAY NAME -- SUB NAME

NEIGHBORHOOD PLANNING AREAS--WEST CONGRESS

NEIGHBORHOOD PLANNING AREAS--WEST CONGRESS

DEVELOPMENT AGREEMENTS:

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Watershed Protection & Development Review,
City of Austin

TaxNetUSA: Travis County Property Information

Prop

Owner's Name **PRIMANIS OLIVIA &**

Mailing Address **CHRISTOPHER HYNES
5206 GUADALUPE ST
AUSTIN, TX 78751-1807**

Location **4414 LAREINA DR 78745**

Legal **LOT 6 LAREINA DRIVE ADDN**

Property Details

Deed Date
Deed Volume
Deed Page
Exemptions
Freeze Exempt
ARB Protest
Agent Code
Land Acres
Block
Tract or Lot
Docket No.
Abstract Code
Neighborhood Code

Value Information

2006 Certified

Land Value 40,500.00
Improvement Value 46,588.00
AG Value 0.00
AG Productivity Value 0.00
Timber Value 0.00
Timber Productivity Value 0.00
Assessed Value 87,088.00
10% Cap Value 0.00
Total Value 87,088.00

D

☒ AGRICULTURAL (1-D-1) ☒ APPOINTMENT OF AGENT FORM ☒ FREEPORT EXEMPTION
☒ PRINTER FRIENDLY REPORT ☒ PROTEST FORM ☒ RELIGIOUS EXEMPTION FORM (TIFF) ☒ PLAT MAP

Value By Jurisdiction

Entity Code	Entity Name	2005 Tax Rate	Assessed Value
0A	TRAVIS CENTRAL APP DIST	0.000000	87,088.00
01	AUSTIN ISD	1.623000	87,088.00
02	CITY OF AUSTIN	0.443000	87,088.00
03	TRAVIS COUNTY	0.499300	87,088.00
2J	TRAVIS CO HEALTHCARE DIST	0.077900	87,088.00
68	AUSTIN COMM COLL DIST	0.099100	87,088.00

Improvement Information

Improvement ID
263947

State Category
A1

Segment Information

Imp ID	Seg ID	Type Code	Description
263947	308440	1ST	1st Floor
263947	1411409	011	PORCH OPEN 1ST F
263947	1411410	061	CARPORT ATT 1ST
263947	1411411	251	BATHROOM

WAIVER REQUEST STAFF REPORT

PERMIT NUMBER: BP-06-5907R

COUNCIL DATE: August 31, 2006

APPLICATION DATE: June 9, 2006

OWNER: Christopher Hynes and Olivia Primanis **ADDRESS:** 4414 Lareina Drive

BACKGROUND

- On April 11, 2006 an application was submitted for demolition of a single family residence
- On June 9, 2006 an application was submitted for building a new single family residence
- The applications for demolition and building were not filed concurrently per Ordinance 20060309-058

REQUEST

Applicant requests a waiver from Part 4 (A) of Ordinance 20060309-058 which states an application for a demolition or relocation permit for a structure must be filed concurrently with an application for a permit described in Subsection (C) or (D).

PROPOSED DEVELOPMENT

Applicant proposes the following construction:

- Construct a new two story with 2723 s.f. of gross floor area at 4414 Lareina Dr. Austin, TX 78745
- Demolish existing single family residence of 768 s.f. of gross floor area (demolition permit has been approved, but was not been filed concurrently with building application)

Applicant proposes additional construction:

- 495 s.f. of new driveway
- 20 s.f. of uncovered wood deck
- 15 s.f. of covered porch

SETBACKS

The applicant will meet the front yard setback prescribed by Title 25 (Land Development) of the City Code

DEVELOPMENT REGULATIONS

The proposed development complies with the floor to area ratio and square footage limitations under Ordinance No. 20060309-058. The proposed development would also comply with all other zoning regulations, including building and impervious cover limitations as well as height requirements.

ZONING

- This lot is currently zoned Single Family Residential (SF-3-NP – West Congress Neighborhood Plan).
- It lies within the Far South Austin Community Assn., Terrell Lane Interceptor Assn., Barton Springs/Edwards Aquifer Conservation District, Austin Neighborhoods Council, and Onion Creek Home Owners Assoc.

WAIVER

The applicant requests the waiver under Part 4 (A) on the following grounds:

- The regulations imposes undue hardship on the applicant, the development proposed by the applicant will not adversely affect the public health , safety and welfare and waiving the regulation will not have a substantially adverse impact on neighboring properties.

STAFF ASSESSMENT

The information submitted with the applicant's waiver application can be summarized as follows:

- Letter from the applicant stating that the demolition permit was inadvertently filed prior to building permit.

STAFF RECOMMENDATION: APPROVAL

Staff recommends approval of the waiver request based on the information that the applicant has submitted.