

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

CASE # C15-2010-0094
ROW # 1046TSS
TP-0426551006

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: 12012 Bryony Dr

LEGAL DESCRIPTION: Subdivision -- Meridian

Lot(s) 13 Block H Outlot Division Sec C Pls I

I/We Gylnn & Patricia Wilson on behalf of
myself/ourselves as authorized agent for

David Ruiz affirm that on July 5
 , 2010

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

(check appropriate items below)

ERECT ATTACH COMPLETE REMODEL MAINTAIN

 A covered patio providing impervious coverage of 48%

in a PDD SF2 district.
(zoning district)

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.

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:
——which is at 44.68%

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HARDSHIP:

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

The builder build the home with the maximum square footage for the living area of the residence and not giving any additional attention to the outside living area of the home. The present patio is 121 sq ft not allowing a sufficient area for outdoor entertainment. At the present time the area only allows room for a small table and two chairs, the rest of the area only provide space for a few individual to stand and not sit. The householder has children with grandchildren, this addition will provide the extra space they need to provide a comfortable environment

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

There are other homes within the subdivision at the present time which have large outdoor area.

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:

It will not alter the drainage or character of the home other homes.
All materials to used will match existing materials and colors.

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:

N/A

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:

N/A

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

N/A

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

N/A

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 P.O. Box
1514545

City, State & Zip Austin Texas
78715

Printed David Ruiz Phone 512-282-4871 Date _____
07-16-2010

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 12012 Bryony
Dr.

City, State & Zip Austin Texas
78739

Printed Tricia Wilson Phone 512-501-0220
Date 07-16-2010

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

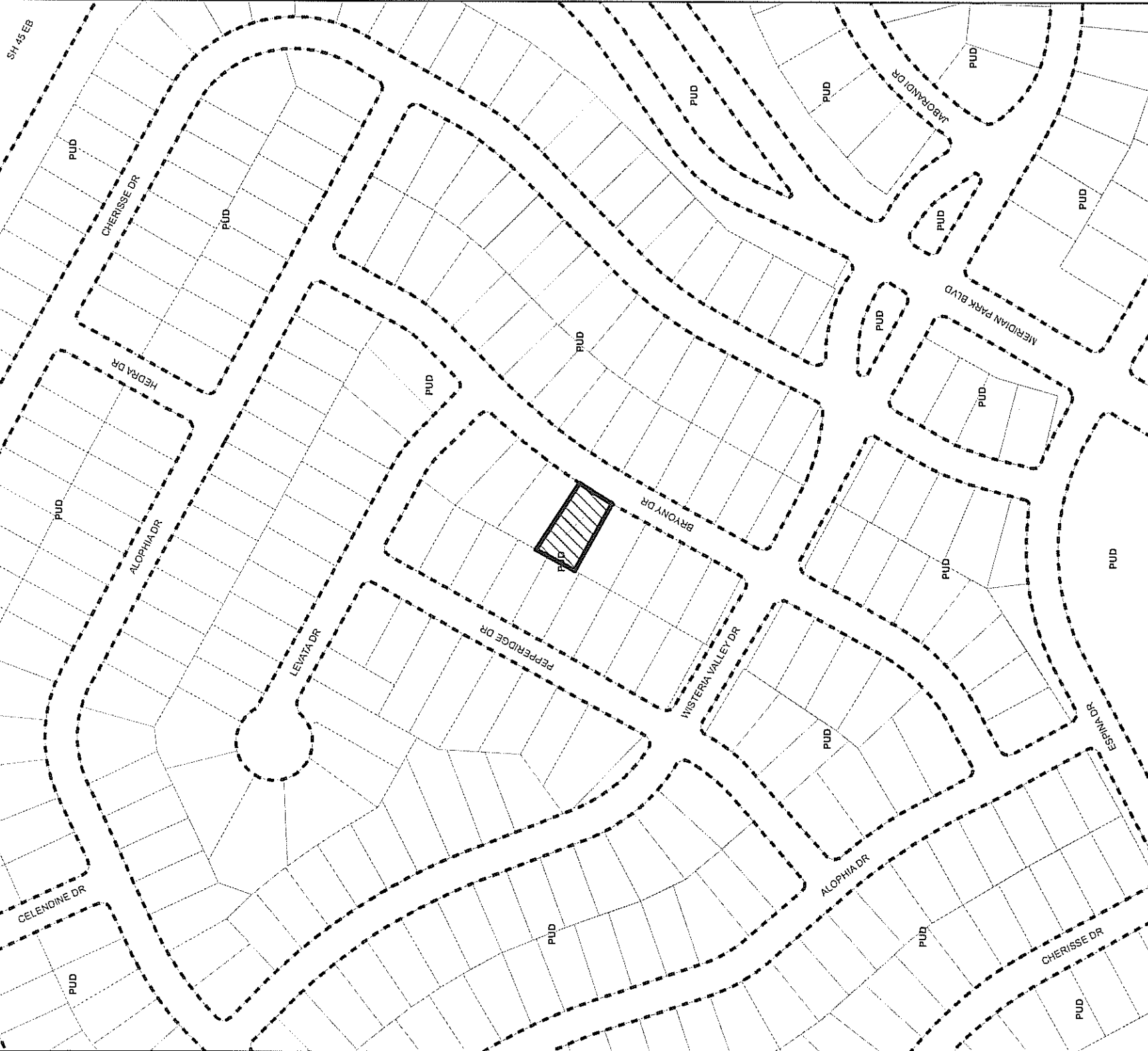
(The following is intended to provide assistance in explaining the variance process. These suggestions are not intended to be a complete or exhaustive guide in assisting you through this process.)

VARIANCE REQUIREMENTS:

General Requirements:

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

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



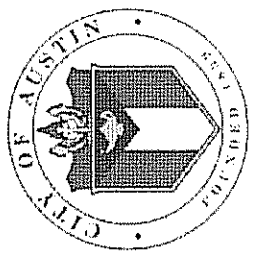
SUBJECT TRACT



ZONING BOUNDARY

BOARD OF ADJUSTMENTS

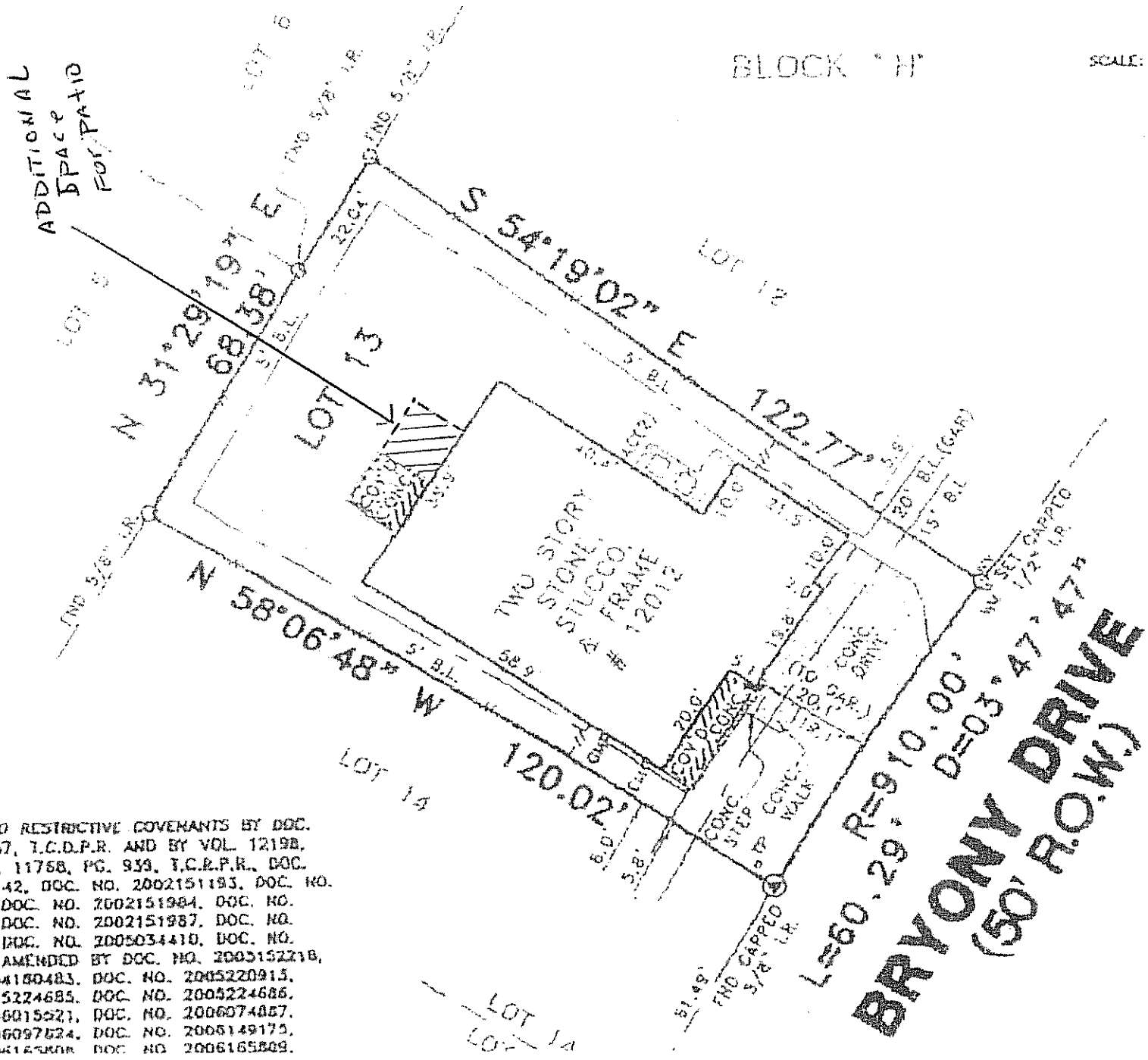
ZONING CASE#: C15-2010-0094
 LOCATION: 12012 BRYONY DR
 GRID: WZ15
 MANAGER: SUSAN WALKER



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

BLOCK "H"

SCALE: 1" = 30'



- NOTES:
- 1) SUBJECT TO RESTRICTIVE COVENANTS BY DOC. NO. 200500137, T.C.D.P.R. AND BY VOL 1219B, PG. 789, VOL 1175B, PG. 939, T.C.R.P.R., DOC. NO. 2002151142, DOC. NO. 2002151193, DOC. NO. 2002151985, DOC. NO. 2002151984, DOC. NO. 2002151986, DOC. NO. 2002151987, DOC. NO. 2004240491, DOC. NO. 2005034410, DOC. NO. 2005151072, AMENDED BY DOC. NO. 2005152218, DOC. NO. 2004180483, DOC. NO. 2005220913, DOC. NO. 2005224685, DOC. NO. 2005224686, DOC. NO. 2006015621, DOC. NO. 2006074887, DOC. NO. 2006097624, DOC. NO. 2006149172, DOC. NO. 2006165809, DOC. NO. 2006165809.

STRATUS CREDIT BANK

CITY OF AUSTIN
RESIDENTIAL PERMIT APPLICATION

BP Number SP-010-6075R
Building Permit No. 0601744Z
Plat No. _____ Date 8/1/06
Reviewer JG & BEL

PRIMARY PROJECT DATA

Service Address 12012 Byron Section C1 Phase _____
Legal Description _____
Lot 13 Block H Subdivision Meridian

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
 Duplex
 Garage attached detached
 Carport attached detached
 Pool
Remodel (specify) _____
Addition (specify) _____
Other (specify) BATHS - 2.5

Zoning (e.g. SF-1, SF-2...) RWD-5X-2 Height of building 28 ft. # of floors 2
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 \$ _____
TOTAL \$ _____
(labor and materials)

DATA FOR NEW CONSTRUCTION OR ADDITIONS ONLY

Lot Size 7779 sq. ft.
Job Valuation \$ 198510
(Labor and materials)
Total Job Valuation (remodels and additions)
\$ _____
(Labor and materials)

PERMIT FEES

(For office use only)
NEW ADDITIONS REMODELS
Building \$ 370.00
Electrical \$ 230.00
Mechanical \$ 120.00
Plumbing \$ 125.00
Driveway & Sidewalk \$ _____
TOTAL \$ _____

OWNER / BUILDER INFORMATION

OWNER Name MERITAGE CORP DBA MERITAGE HOMES Telephone (h) 331-8863
(w) 331-8833
BUILDER Company Name MERITAGE HOMES Telephone 652-3049
Contact/Applicant's Name CINDI GILCHRIST Pager _____
FAX 652-0467
DRIVEWAY /SIDEWALK Contractor HARRELL ENTERPRISES Telephone 970-75773
CERTIFICATE OF OCCUPANCY Name MERITAGE CORP DBA MERITAGE HOMES Telephone 331-8863
Address 7718 WOOD HOLLOW DR #250 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: CINDI.GILCHRIST@MERITAGEHOMES.COM

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

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.

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 Carol D. Schmitt DATE 6/16/06

HOME BUILDER'S STATE REGISTRATION NUMBER (required for all new construction) 3763

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

[Blank area for rejection notes and additional comments]

Service Address 12912 Bryony
 Applicant's Signature Chris Schmidt

R15726

Date 6/16/06

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. _____	sq.ft. <u>1893</u>
b. 2 nd floor conditioned area	sq.ft. _____	sq.ft. <u>1218</u>
c. 3 rd floor conditioned area	sq.ft. _____	sq.ft. _____
d. Basement	sq.ft. _____	sq.ft. _____
e. Garage / Carport	sq.ft. _____	sq.ft. _____
<input checked="" type="checkbox"/> attached	sq.ft. _____	sq.ft. <u>157</u>
___ detached	sq.ft. _____	sq.ft. _____
f. Wood decks [must be counted at 100%]	sq.ft. _____	sq.ft. _____
g. Breezeways	sq.ft. _____	sq.ft. _____
h. Covered patios	sq.ft. _____	sq.ft. _____
i. Covered porches	sq.ft. _____	sq.ft. <u>109</u>
j. Balconies	sq.ft. _____	sq.ft. <u>121</u>
k. Swimming pool(s) [pool surface area(s)]	sq.ft. _____	sq.ft. _____
l. Other building or covered area(s)	sq.ft. _____	sq.ft. _____

TOTAL BUILDING AREA (add a. through l.) sq.ft. 4084

TOTAL BUILDING COVERAGE ON LOT (subtract b., c., d., and k. if applicable) sq.ft. 2871
 % of lot 36.9

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)	sq.ft. <u>2871</u>
b. Driveway area on private property	sq.ft. <u>505</u>
c. Sidewalk / walkways on private property	sq.ft. <u>27</u>
d. Uncovered patios	sq.ft. _____
e. Uncovered wood decks [may be counted at 50%]	sq.ft. _____
f. Air conditioner pads	sq.ft. <u>16</u>
g. Concrete decks	sq.ft. _____
h. Other (specify) _____	sq.ft. _____

TOTAL IMPERVIOUS COVERAGE (add a. through h.) sq.ft. 3476
 % of lot 44.68

24.73 sq. ft remaining of 10



To: City of Austin Permit Reviewer
From: CINDI GILCHRIEST
Fax: 512-652-0467
Re: 12012 BRYONY

The Building Permit fee for this address is paid via Stratus Credit Bank. Please fax a copy of the first page of our application with the building permit cost information to the fax number listed above. Should you have any questions please call me at 512/652-3049.

Thanks so much for your help expediting this application.

Sincerely,

CINDI GILCHRIEST

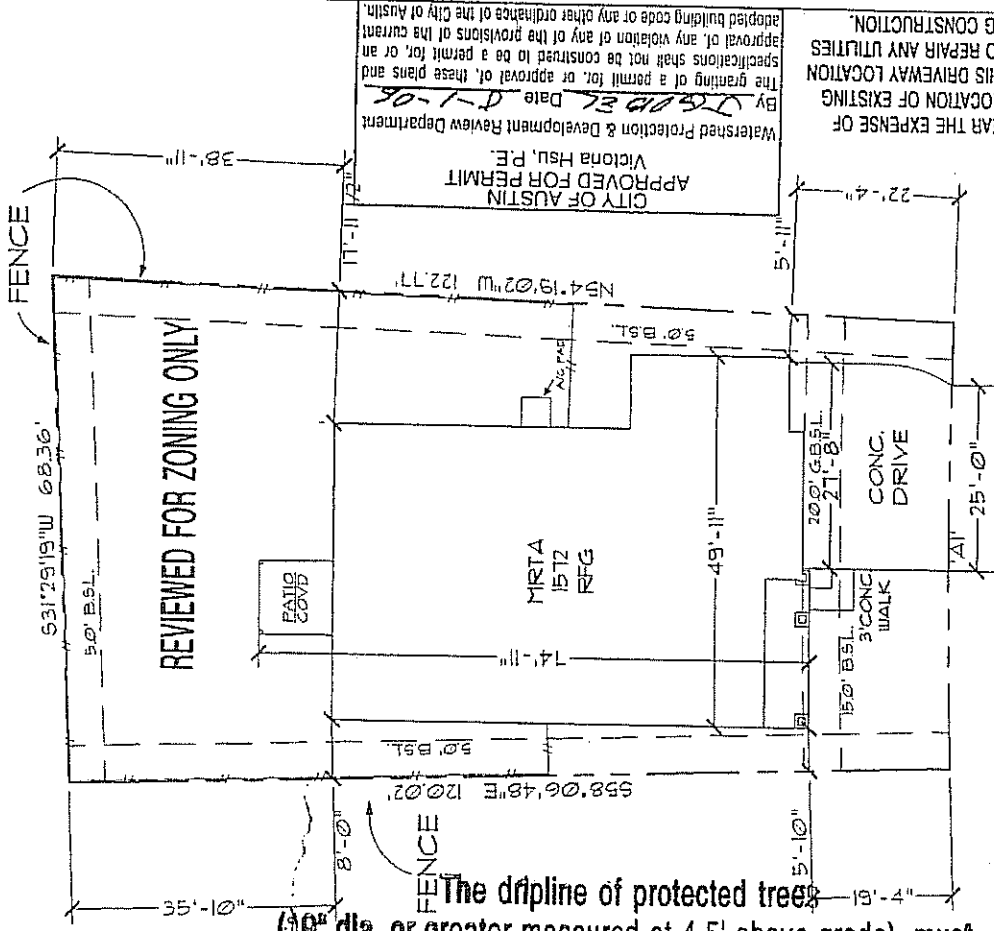
SURVEYORS TO VERIFY ALL LOT DATA.

ARC TABLE

ARC LEN.	RAD.	CHRD. BRG.
1'AI	6023'	91000'
		N/A

SCALE: 1" = 20'

NO ROOF OVERHANGS ARE ALLOWED IN PUBLIC UTILITY EASEMENTS OR DRAINAGE EASEMENTS



The dripline of protected trees (19" dia. or greater measured at 4.5' above grade), must be enclosed with protective fencing before and throughout construction. No tree measuring 19" in diameter (or greater) may be removed without a **TREE ORDINANCE REVIEW** from the City of Austin. Call the Development Assistance Center for review: 974-6370.

Impervious Chart:	Sqft.
Front/Sides Sod:	2255.13
Rear Sod:	2302.95
Total Flatwork*:	205.40
House:	2000.42
Patio:	0.00
Sidewalk:	24.94
Drive:	565.06
A/C Pad:	16.00
Total:	3494.42
Imperv. Cover:	44.92%

*Total Flatwork includes City Walk, Drive, Conc. Walk, A/C Pad, and Patio

This plot plan is the determining factor in the City of Austin's residential zoning review process. Any encroachments not identified on this plot plan are the sole responsibility of the builder.

Carrie Johnson
Builder signature and date
6/15/06

12012 BRYONY DRIVE

NO INLET LOCATED ON LOT

BUILDERS REPRESENTATIVE TO VERIFY ALL LOT DATA, LOCATION OF MANHOLES, STORM SEWERS, EASEMENTS, AND OTHER INFRASTRUCTURE LOCATED ON LOT. KIPP FLORES ARCHITECTS MAKES NO REPRESENTATION AS TO THE EXISTENCE OF MANHOLES, STORM SEWERS, EASEMENTS, AND OTHER INFRASTRUCTURE LOCATED ON LOT.

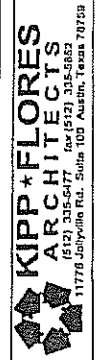
Watershed Protection & Development Review Department
CITY OF AUSTIN
APPROVED FOR PERMIT
Victoria Hsu, P.E.
By *TSMB/EL* Date *6-1-06*
The granting of a permit for, or approval of, these plans and specifications shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of the current adopted building code or any other ordinance of the City of Austin.

CUSTOMER WILL BEAR THE EXPENSE OF ANY NECESSARY RELOCATION OF EXISTING UTILITIES TO CLEAR THIS DRIVEWAY LOCATION AND / OR THE COST TO REPAIR ANY UTILITIES DAMAGED DURING CONSTRUCTION.

LOT AREA: 1179.392 SQ.FT. SIDEWALK PER CITY OR SUBD. REG. INFRASTRUCTURE LOCATED ON LOT.

I certify that the plans and specifications are in substantial conformance with HUD's HUD-105 for proposed construction as set forth in HUD 49003 Minimum Property Standards for One, Two Family Dwellings and any applicable Local Acceptable Standards, Use of Material Bulletin, Materials Release, and Area Letters of Acceptance.

Carrie Kipp or Sobas Flores
I do hereby certify that this drawing was prepared in accordance with all local code requirements and all relevant state and federal requirements.



11776 Jollyville Rd., Suite 100 Austin, Texas 78759

ADDRESS: 12012 BRYONY DRIVE

LOT: 13 BLK: H CITY, STATE: AUSTIN, TX

SUBDIVISION: MERIDIAN SEC. 1C

BUILDER: MRTA DATE: 6/6/2006