

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

DATE: Monday, March 14, 2011

CASE NUMBER: C15-2011-0019

Y Jeff Jack **2nd the motion**
 A Michael Von Ohlen **ABSENT**
 Y Nora Salinas
 N Bryan King
 A Leane Heldenfels, Chairman **ABSENT**
 Y Clarke Hammond, Vice Chairman
 Y Heidi Goebel **Motion to Grant**
 Y Melissa Hawthorne

APPLICANT: David C. Cancialosi

OWNER: Steven McLean

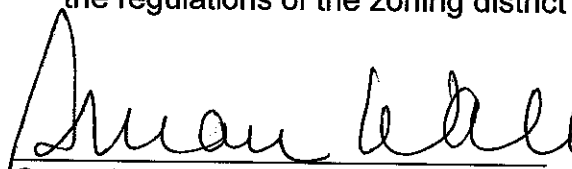
ADDRESS: 6105 YORK BRIDGE CIR

VARIANCE REQUESTED: The applicant has requested a variance to increase the maximum building coverage requirement of Section 25-2-492 (D) from 20% (existing 38.4%) to 42% in order to erect an addition to a single-family residence in an "I-RR", Interim Rural Residence zoning district.

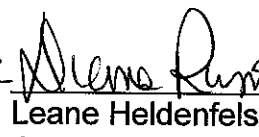
BOARD'S DECISION: The public hearing was closed on Board Member Heidi Goebel motion to Grant, Board Member Jeff Jack second on a 5-1 vote (Board member Bryan King nay); Automatic Postponement to April 11, 2011 due to vote 5-1.

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



Leane Heldenfels
Chairman

Please be advised that the Board only takes 16 new cases a month, therefore, first come, first served. Please be advised that a request for reconsideration must be filed within 7 days from the Board meeting.

A variance from the Building Code Board of Appeals may be required for variances from the Zoning Board of Adjustment (no Sign Review Board cases need to call). Please consult a code specialist in the Plan Review Division at 974-2580.

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 # C15-2011-0019
ROW # 10549410
TP-0420380101

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

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

WAR
NING

: Filing of this appeal stops all affected construction activity.

STREET ADDRESS: 6105 Yorkbridge Circle

LEGAL DESCRIPTION: Subdivision - LOT 30 BLK H CIRCLE C RANCH PHS C SEC 9

Lot(s) _____ Block _____ Outlot _____ Division _____

I/We David Cancialosi on behalf of myself/ourselves as authorized agent for

Steven McLean affirm that on Jan 25, 2011,

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

(check appropriate items below)

ERECT ATTACH COMPLETE REMODEL MAINTAIN

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.

(zoning district) ~~SP3~~ - I-RR
25-2-492(D) allow 42% Building Coverage

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:

The existing single story structure was built by the original builder @ 39% building coverage (BC). The rear yard slightly increases in grade as you approach the rear fence, creating consistent drainage issues in the yard. A rear 200 SF uncovered patio and roof gutter system was added to mitigate rainfall and drainage from the grass onto the original rear covered porch area. However, drainage and runoff from the grass and uncovered patio to the covered patio area cannot be prevented. This is causing interior flooding issues. The owner is proposing to erect a 200 SF porch enclosure over the existing concrete in order to mitigate problematic drainage and weatherization issues.

If approved, the subject site currently reflects and will maintain a total of 43.3% impervious coverage. The 200 SF patio cover will increase the BC to approximately 41.6%-42% BC. There are no residences to the rear of the property. The adjacent rear property is part of the HEB shopping center.

HARDSHIP:

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

Drainage from the rear yard into the patio area cannot be contained. To remove additional building coverage (in order to add the patio enclosure) will require partial demolition of the existing single story residence. No impervious cover can be removed to remedy the situation.

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

No other adjacent properties are known to have this issue. Two, 2 story adjacent properties located on either side of the subject site at 6101 and 6109 Yorkbridge Circle have 31% BC and 36% BC, respectively. Each lot is the same size as the subject site: 7200 SF.

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 proposed addition's exterior will be in keeping with the existing structure and surrounding neighborhood aesthetics. The enclosure will add no more impervious coverage to the lot. The enclosure must pass approval by the Circle C HOA. The enclosure will be no closer than the existing uncovered patio and will extend no further than rear facades of residences / additions visible from the subject site's rear yard.

PARKING: (Additional criteria for parking variances only.) ****N/A****

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

**APPLICANT
CERTIFICATE**

CATE – 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 PO BOX 153098 AUSTIN TX 78715/3098

Printed David Cancalosi

Phone 799 2401 Date 1/29/11

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

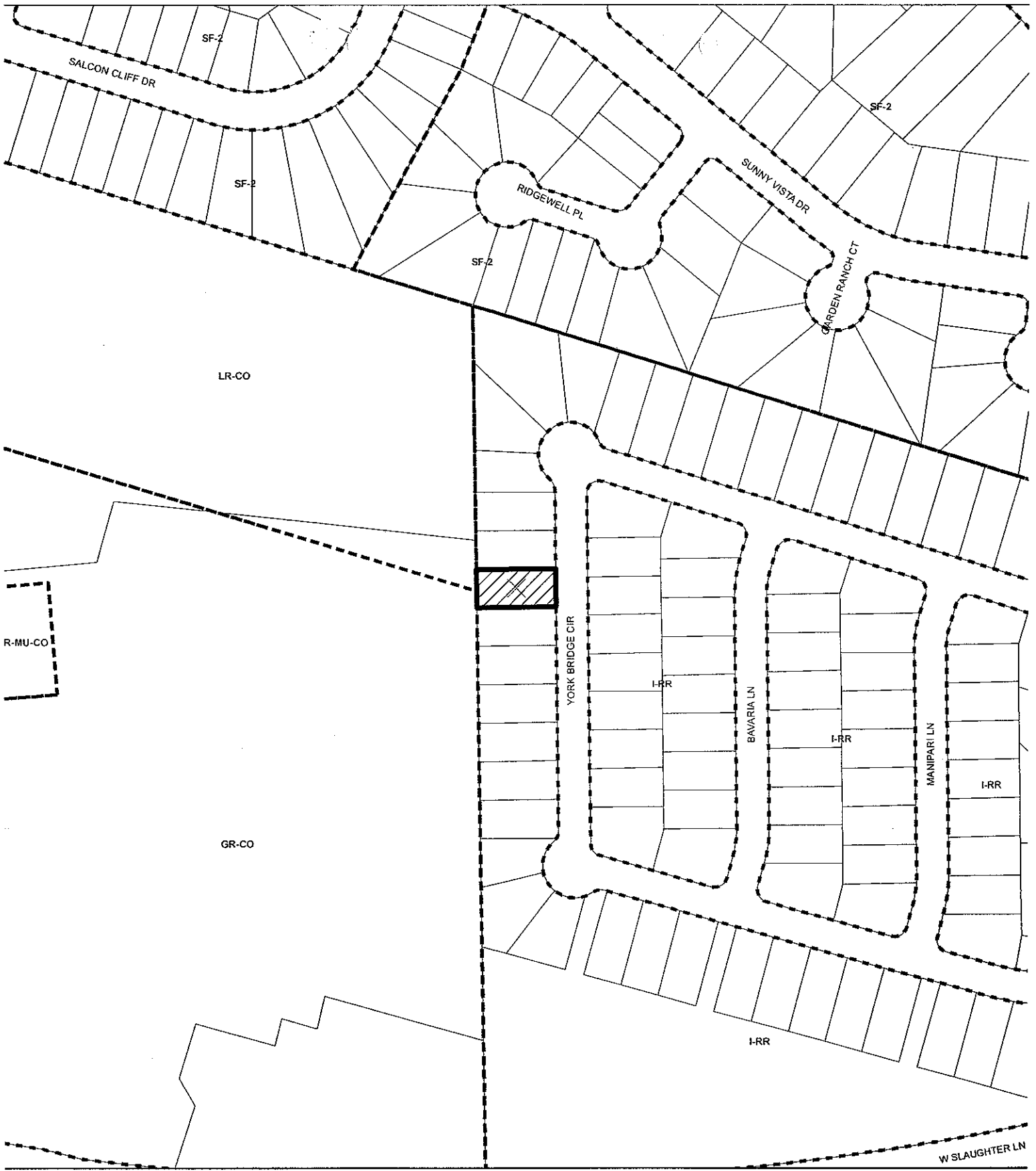
Signed 

Mail Address

Printed Steven A. McLean

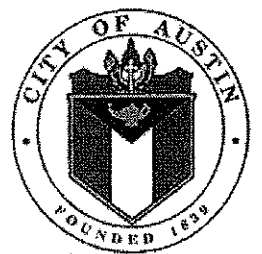
Phone Date

6105 York Bridge Cir.
Austin TX 78749-2250





BOARD OF ADJUSTMENTS

CASE#: C15-2011-0019
 LOCATION: 6105 YORK BRIDGE CIR
 GRID: B16, C16
 MANAGER: S. WALKER



N

 SUBJECT TRACT

 ZONING BOUNDARY

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.

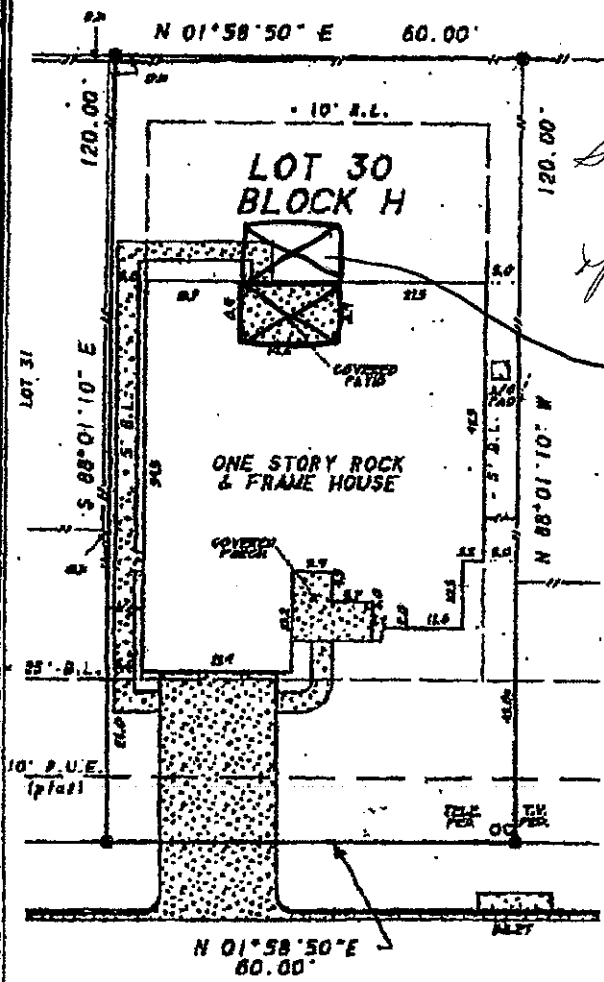
SURVEY PLAT OF: LEGAL ADDRESS: 8105 YORK BRIDGE CIRCLE REF: GUNNARSON
 LEGAL DESCRIPTION: LOT 30 BLOCK H CIRCLE C RANCH PHASE C, SECTION NINE
 A SUBDIVISION IN TRAVIS COUNTY, TEXAS, RECORDED IN DOCUMENT
 NO. 200200245 OFFICIAL PUBLIC RECORDS TRAVIS COUNTY, TEXAS.

NOT OR FORMERLY
 REMAINDER OF
 538.8947 ACRES
 CIRCLE C LAND CORP.
 VOL. 11826, PG. 1128
 P.C.B. #
 (plat)



Steve Brandt 8/31/04
David 8/31/04

Steve G. McLean by
Mindy J. McLean
Mindy J. McLean



PROPOSED PATIO ENCLOSURE
 OVER EXISTING SLAB

BUILDING LINES ARE DOCUMENT NO. 200200245
 RECORDED IN OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS, AND THE
 CITY OF AUSTIN ZONING ORDINANCE.

THIS LOT IS SUBJECT TO THE EASEMENT
 DESCRIBED IN DOCUMENT NO. 200200245
 RECORDED IN OFFICIAL PUBLIC RECORDS,
 TRAVIS COUNTY, TEXAS, AND THE
 CITY OF AUSTIN ZONING ORDINANCE.

THIS LOT IS SUBJECT TO THE EASEMENT
 DESCRIBED IN DOCUMENT NO. 200200245
 RECORDED IN OFFICIAL PUBLIC RECORDS,
 TRAVIS COUNTY, TEXAS, AND THE
 CITY OF AUSTIN ZONING ORDINANCE.

THIS LOT IS SUBJECT TO A CHUTE EASEMENT
 DESCRIBED IN DOCUMENT NO. 200200245
 RECORDED IN OFFICIAL PUBLIC RECORDS,
 TRAVIS COUNTY, TEXAS.

YORK BRIDGE CIRCLE
 50' R.O.W. - ASPH. PVMT.

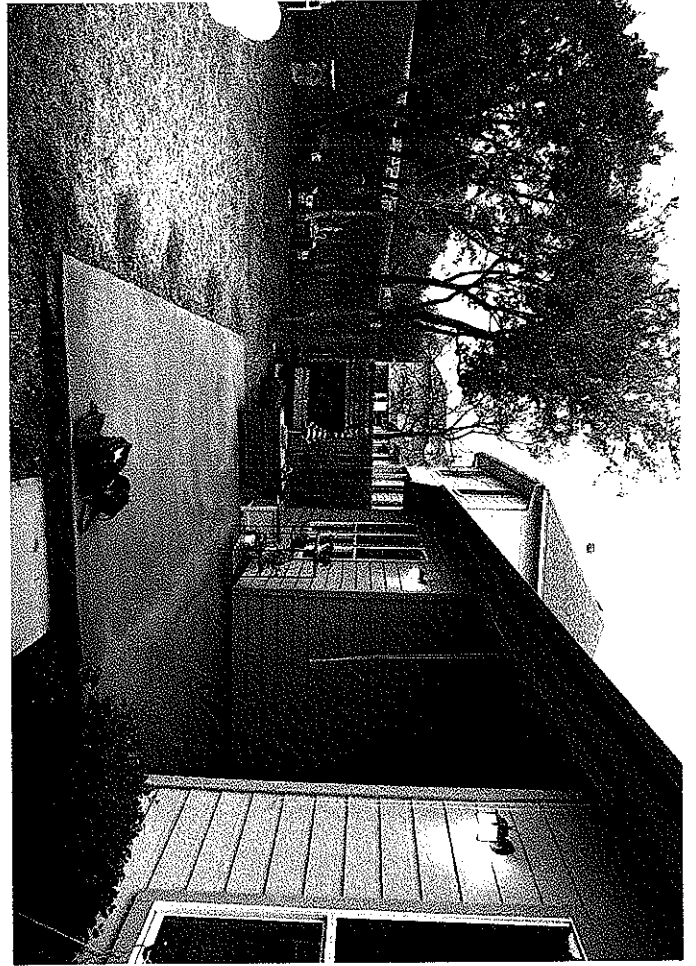
DATE: 08-20-04
 SCALE: 1" = 20'
 LEGEND
 ● iron rod found
 ○ iron rod set
 ⊙ iron pipe found
 △ soil found
 — wooden fence
 — metal fence
 ▭ concrete
 — power line
 | | board walls

TO THE LIENHOLDERS AND/OR THE OBJECTS OF THE PROMISED SURVEYED AND
 TO FIDELITY NATIONAL TITLE INSURANCE CO.,
 THE UNDERSIGNED DOES HEREBY CERTIFY THAT THIS SURVEY WAS MADE BY
 ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A LICENSED
 SURVEYOR IN THE STATE OF TEXAS AND THAT I AM NOT PROVIDING THIS
 SURVEY AS A PUBLIC SERVICE. I CERTIFY AS
 ABOVE FROM TRAVIS COUNTY, TEXAS.

ACCORDING TO THE DECLARATION PLACED ON THE RECORDED PLAT
 NO. 200200245, THE LEGAL ADDRESS OF THIS PLAT IS 8105 YORK
 BRIDGE CIRCLE, TRAVIS COUNTY, TEXAS, DATED 8-12-04 FOR TRAVIS
 COUNTY, TEXAS.



BRANDT SURVEYING COMPANY, PROFESSIONAL CORPORATION
 5524 BEE CAVE ROAD, SUITE F-1 AUSTIN, TEXAS 78746 (512) 328-0621





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

Tamara Sikorski

DATE

9/9/03

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

No pipeline review req'd

~~★~~ ESCROW ~~★~~
31as

CITY OF AUSTIN
RESIDENTIAL PERMIT APPLICATION

BP Number BP-04-24662
 Building Permit No. 040047152
 Plat No. 888 Date 4/1/04
 Reviewer SLB

PRIMARY PROJECT DATA

Service Address 6105 York Bridge Circle Tax Parcel No. _____
 Legal Description
 Lot 30 Block H Subdivision Circle C Ranch Section 9 Phase C
 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 _____ Remodel (specify) _____
 New Residence _____
 Duplex _____
 Garage attached detached _____ Addition (specify) _____
 Carport attached detached _____ Other (specify) _____
 Pool _____

Zoning (e.g. SF-1, SF-2...) TRP Height of building 20 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	\$ _____
TOTAL \$	_____
(labor and materials)	

DATA FOR NEW CONSTRUCTION OR ADDITIONS ONLY

Lot Size	<u>7200</u> sq.ft.
Job Valuation \$	<u>99133</u>
(Labor and materials)	
Total Job Valuation (remodels and additions)	\$ _____
(Labor and materials)	

PERMIT FEES (For office use only)

	NEW/ADDITIONS	REMODELS
Building	\$ <u>245</u>	\$ _____
Electrical	\$ <u>140</u>	\$ _____
Mechanical	\$ <u>74</u>	\$ _____
Plumbing	\$ <u>95</u>	\$ _____
Driveway & Sidewalk	\$ <u>22</u>	\$ _____
TOTAL \$	_____	\$ _____

OWNER / BUILDER INFORMATION

OWNER Name Capital Pacific Homes Telephone (h) _____

Service Address

6105 York Bridge Circle

Applicant's Signature

Tamp Sikarodi

Date

9/9/03

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.	2045 sq.ft.
b. 2 nd floor conditioned area	_____ sq.ft.	_____ sq.ft.
c. 3 rd floor conditioned area	_____ sq.ft.	_____ sq.ft.
d. Basement	_____ sq.ft.	_____ sq.ft.
e. Garage / Carport		
<input checked="" type="checkbox"/> attached	_____ sq.ft.	487 sq.ft.
<input type="checkbox"/> 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.	135 sq.ft.
i. Covered porches	_____ sq.ft.	98 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. 2765 sq.ft.

TOTAL BUILDING COVERAGE ON LOT (subtract b., c., d., and k. if applicable)	2765 sq.ft.
	38.4 % 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) 2765 sq.ft.
- b. Driveway area on private property 445 sq.ft.

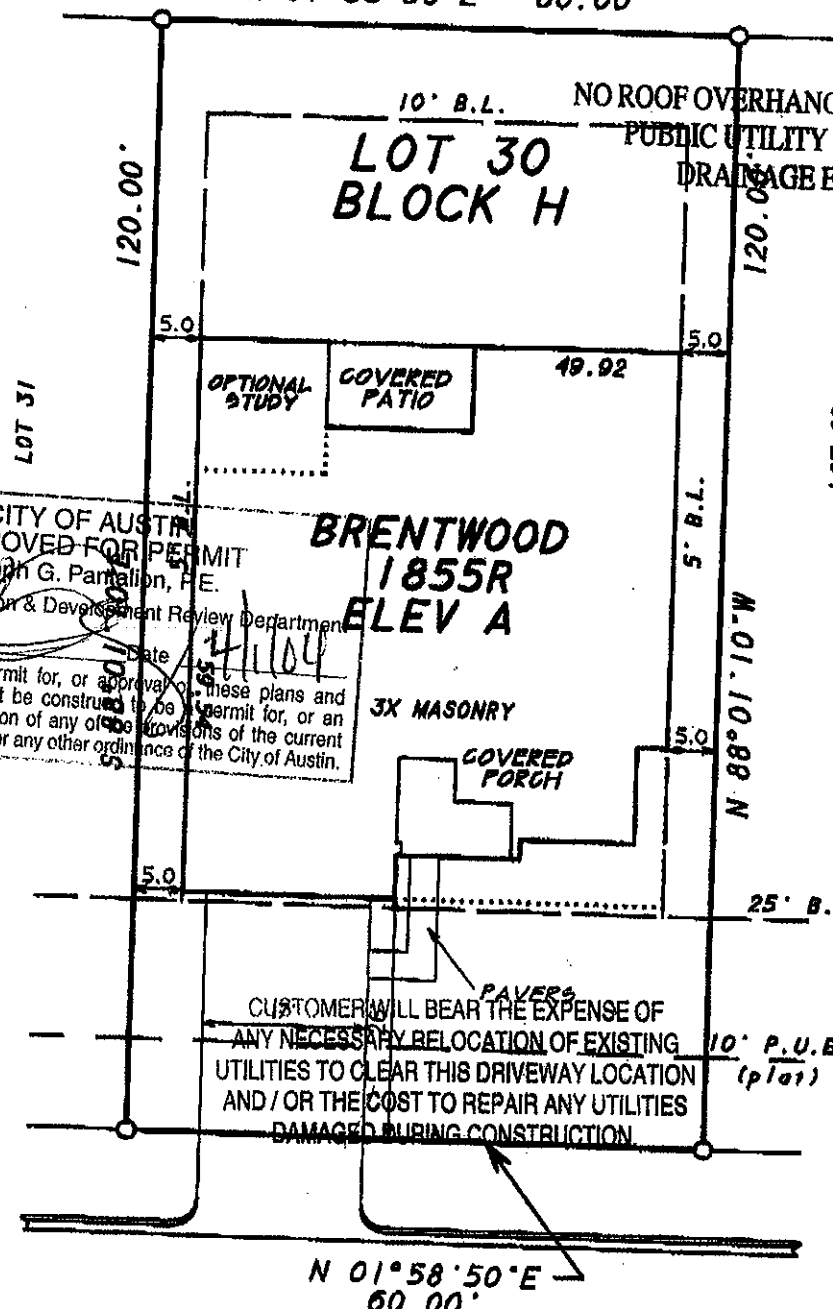
M. WOOD, 09-09-03, 669-30-HSD (SY9,3)
REVISE TO BRENTWOOD A 03-03-04

SCALE: 1" = 20'



NOW OR FORMERLY
REMAINDER OF
538.5087 ACRES
CIRCLE C LAND CORP.
VOL. 11620, PG. 1126
T.C.D.R.
(plat)

N 01°58'50"E 60.00'



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

LOT 30
BLOCK H

OPTIONAL
STUDY

COVERED
PATIO

49.92

LOT 31

CITY OF AUSTIN
APPROVED FOR PERMIT
Joseph G. Parralton, P.E.
Watershed Protection & Development Review Department
By *[Signature]* Date *3/18/04*
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 other provisions of the current adopted building code or any other ordinance of the City of Austin.

BRENTWOOD
1855R
ELEV A

3X MASONRY

COVERED
PORCH

REVIEWED FOR ZONING ONLY

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.
[Signature] 3/18/04
Builder signature and date

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.

6105 YORK BRIDGE CIRCLE
50' R.O.W. / ASPH. PVMT.
LOT 30 BLOCK "H"

of protected trees
sured at 4.5' above grade; must
effective fencing before and
on. No tree measuring 10" in
V to remove without a tree
with a diameter of 4 inches.