

April 19, 2011

*Reid
4-19-11
11:45am.*

City of Austin

Board of Adjustment

Susan Walker

RE: Reconsideration Case # C15-2011-0034

1605 Newfield Lane

Dear Board Members;

As agent on the above case I hereby request that the Board reconsider this case because of new evidence that was not discussed at the original hearing. One Board member discussed moving the entire garage structure closer to the house in order to achieve the 10 setback. The problem is that to position it closer to the residence creates a left turn radius problem in trying to enter the garage and becomes very difficult if not impossible to make the turn.

If the board does not deem this a hardship sufficient to grant the variance as proposed, then we will make a plan revision to locate the second story portion of the garage structure (split level) so that the second floor 15 ft. portion is 10 feet from the rear property line.

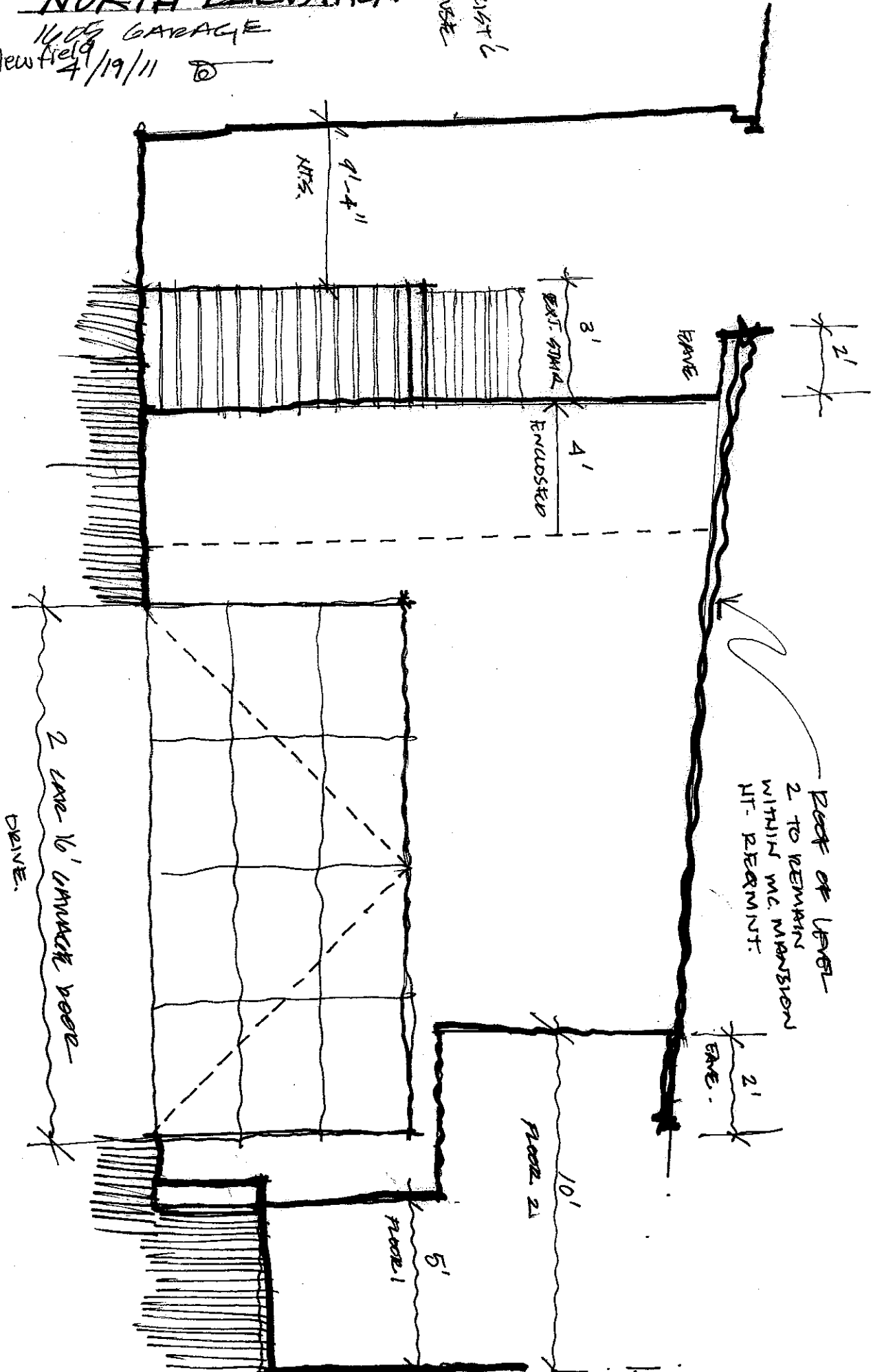
Thank you for your consideration of this case.

Jim Bennett

NORTH ELEVATION

1405 GARAGE
Newfield
4/19/11

EXIST'G
HOUSE



ROOF OF LEVEL
2 TO REMAIN
WITHIN M.C. MANISION
HT. PERMINT.

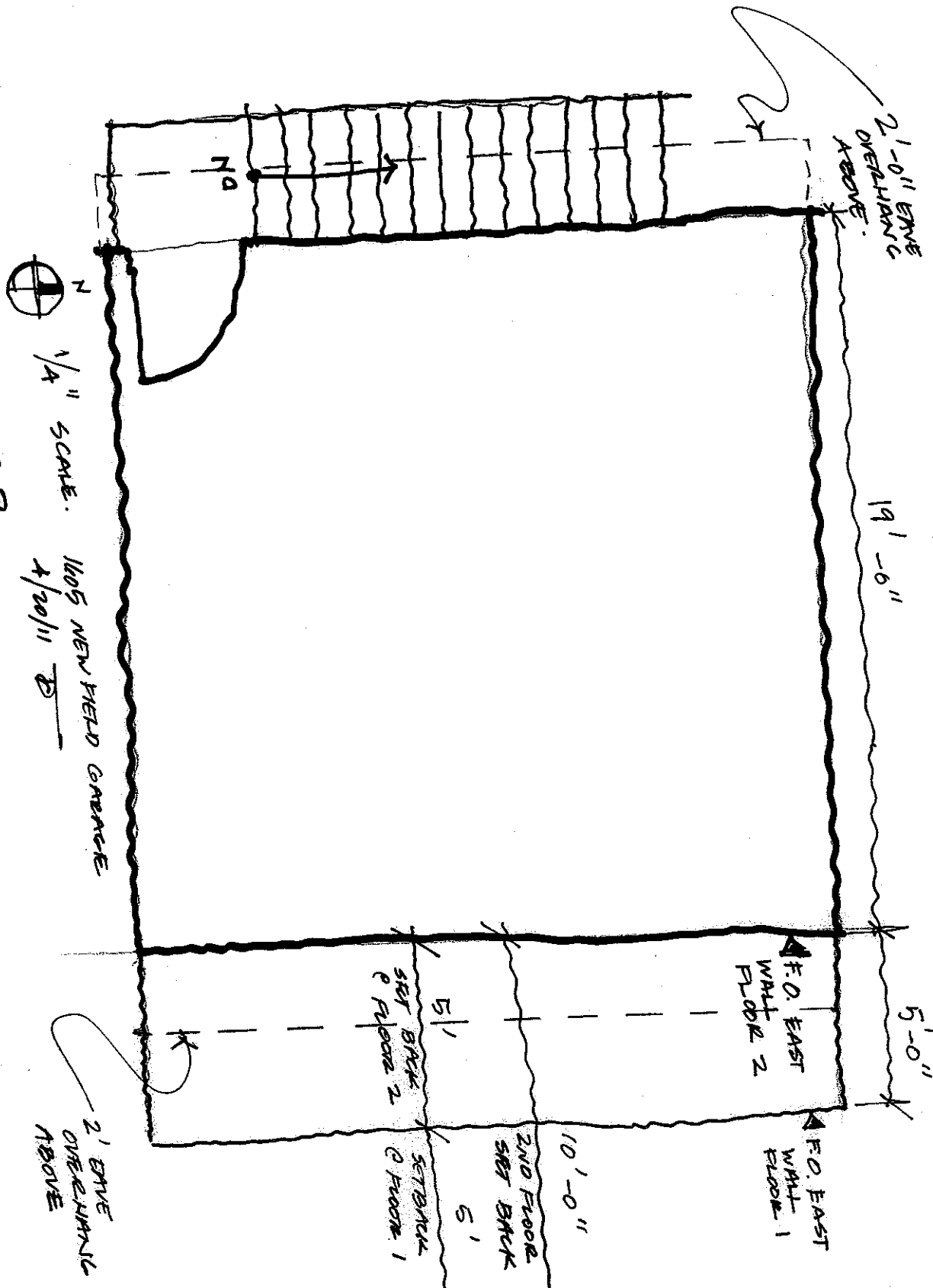
2 CAR 16' CONCRETE
DRIVE.

ROOM 21
10'

ROOM 1
5'

2'
GARAGE.

2'



FLOOR 2

1/4" SCALE.

1605 NEW FIELD GARAGE

4/20/11

2' ENVE OVERALL NET ABOVE

2'-0" ENVE OVERALL NET ABOVE.

19'-0"

5'-0"

10'-0"

2ND FLOOR SET BACK

5'

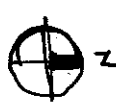
SET BACK 1 FLOOR 1

SET BACK 2 FLOOR 2

5'

F.O. EAST WALL FLOOR 2

F.O. EAST WALL FLOOR 1



CASE # C15-2011-0034
TP-0113040425
ROW-10562831

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 : 1605 Newfield Lane

LEGAL DESCRIPTION: Subdivision - Enfield G

Lot(s) 68 Block _____ Outlot _____ Division _____

I/We Jim Bennett as authorized agent for Thomas Taylor affirm

that on 3/7/11, hereby apply for a hearing before the Board of Adjustment for consideration to:

ERECT - ATTACH - COMPLETE - REMODEL - MAINTAIN

two story
An accessory building providing a rear yard setback of 5 ft.

in a SF-3 district.
(zoning district)

The Austin Electric Utility Department (Austin Energy) enforces electric easements and the setback requirements set forth in the Austin Utility Code, Electric Criteria Manual and National Electric Safety Code. The Board of Adjustment considers variance to the Land Development Code, and a variance granted by the Board of Adjustment does not waive the requirements enforced by Austin Energy. Please contact Christine Esparza with Austin Energy at 322-6112 before filing your application with the Board of Adjustment if your request is for a reduction in setbacks or height limits.

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:

The original garage that was removed had a 0 ft. setback from the side property line. To rebuild the garage required compliance with current setbacks which then required that the garage provide a side entry due to the location of the existing residence.

HARDSHIP:

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

The size and area of the lot prevent a reasonable opportunity to provide necessary and reasonable storage for a single family residence. By placing the second story on top of the garage prevents unnecessary impervious cover and allows for the required backup space and turning radius for the cars in the garage.

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

A lot of the garages in this area were built when the ordinance required a lesser setback. This replacement garage is required to comply with the current requirements.

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 garage is located to the rear of the lot and behind the residence. It would be difficult to see the structure from off site with the exception of the immediate neighbor of whom support this variance request.

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:

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.

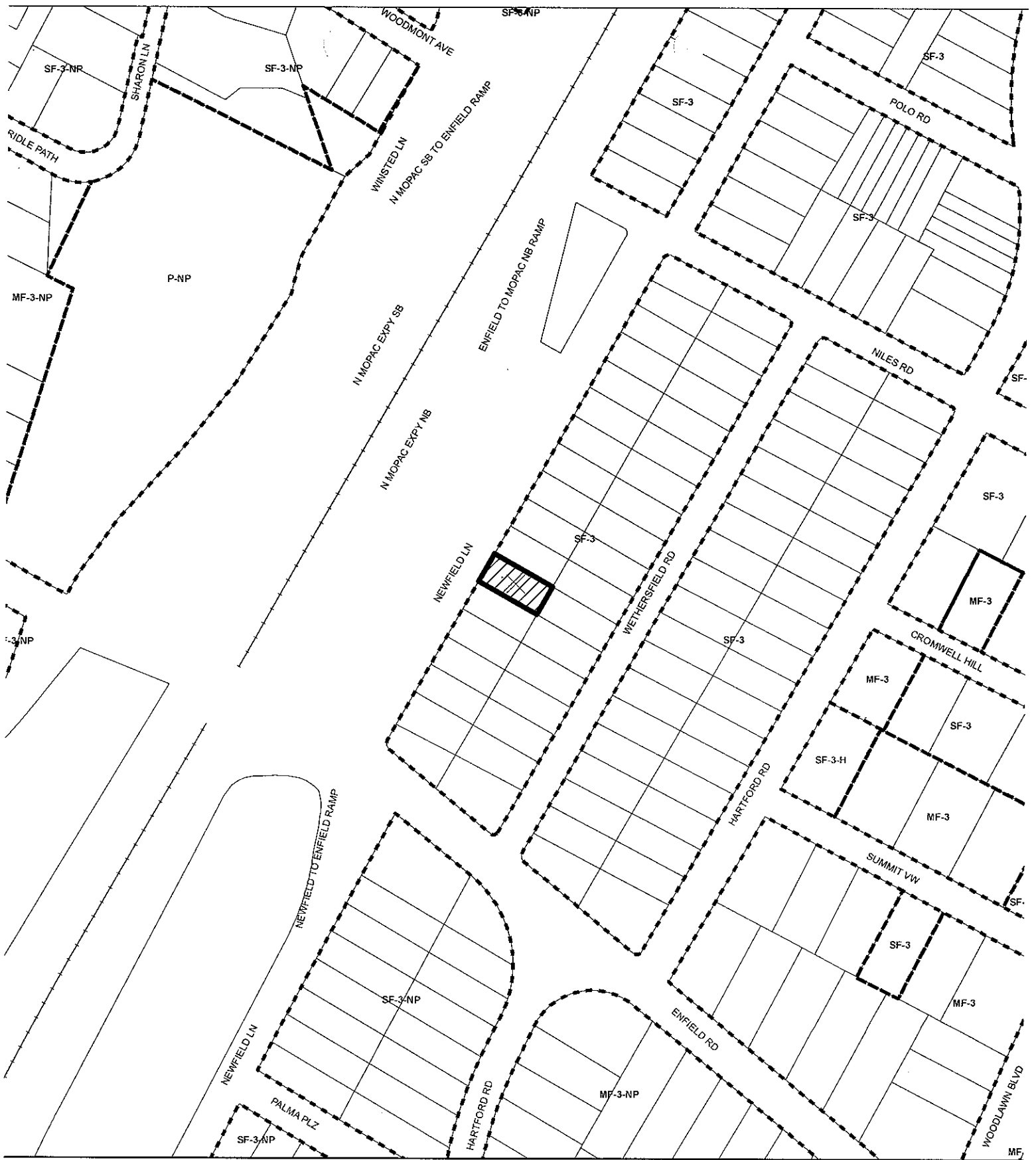
Signed Jim Bennett Mail Address 11505 Ridge Dr.
City, State & Zip Austin Tx. 78748

Printed Jim Bennett Phone 282-3079 Date 2/28/11

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 Thomas Edward Taylor Mail Address 1605 Newfield Lane
City, State & Zip Austin Texas 78763

Printed Thomas Edward Taylor Phone 512 480 0683 Date 2/7/2011

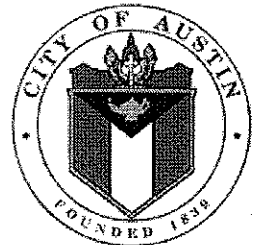


BOARD OF ADJUSTMENTS

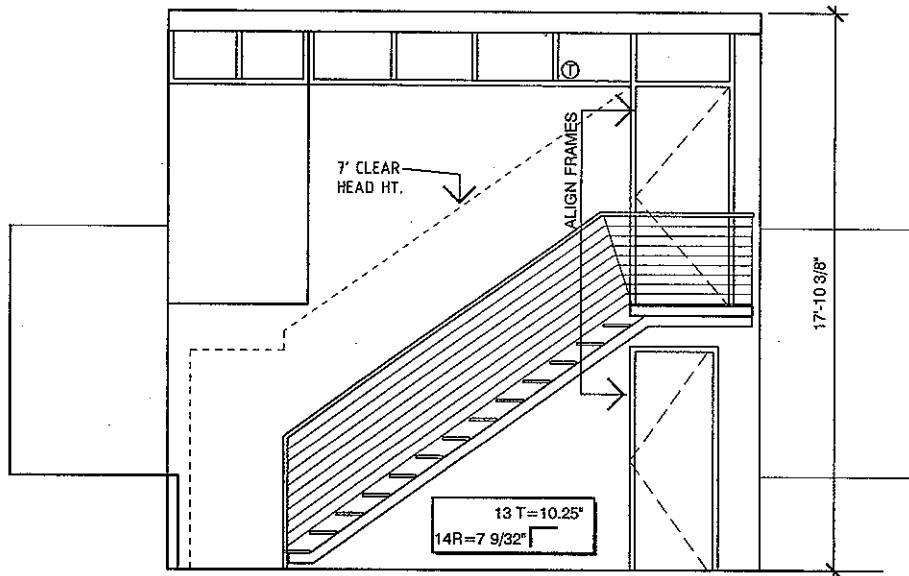


-  SUBJECT TRACT
-  ZONING BOUNDARY

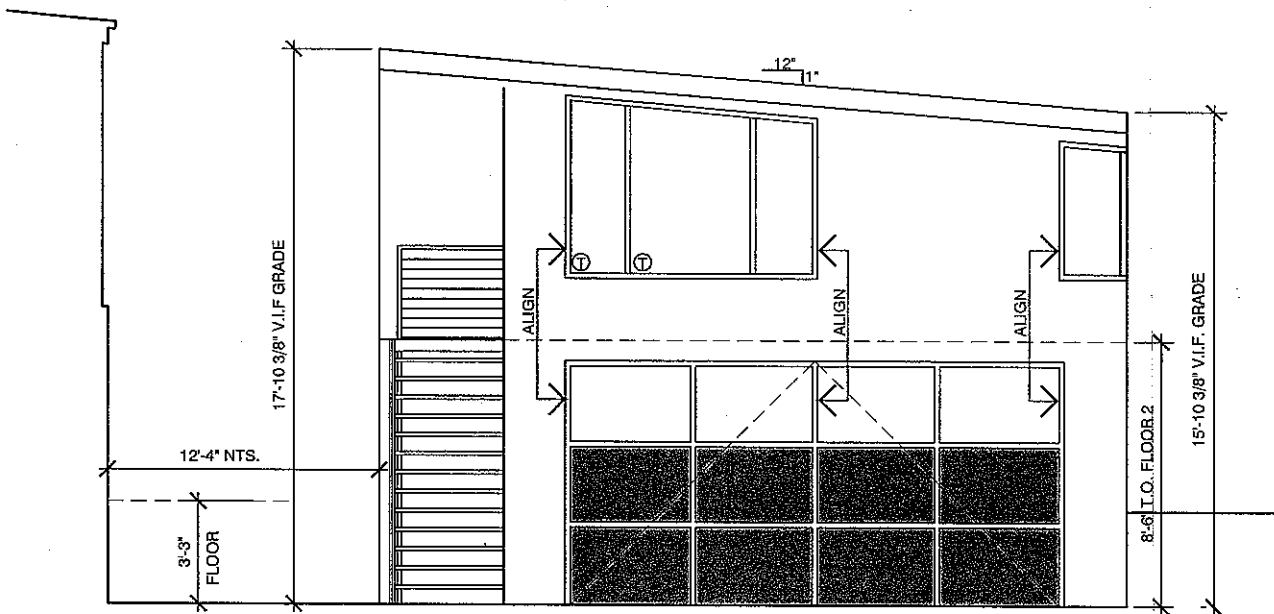
CASE#: C15-2011-0034
 LOCATION: 1605 NEWFIELD LN.
 GRID: H24
 MANAGER: S. WALKER



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.



② East Elevation



① North Elevation

1605 Taylor Garage & Studio
SCALE: 1/4" = 1'-0"

Project Number: 1100.03
Date Issue: 03/07/2011

Drawn By: JW

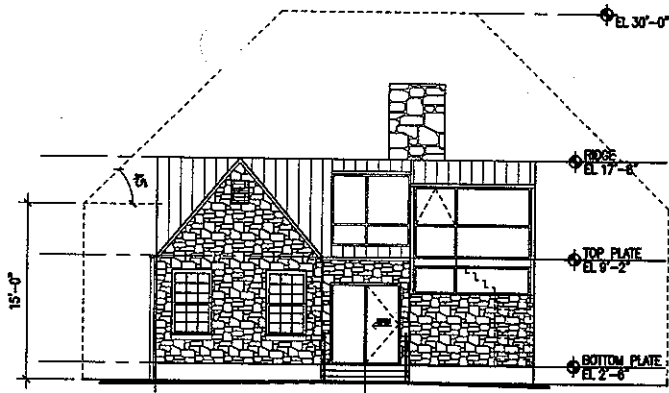
1605 newfield garage/studio
BUNKHA DESIGN

ELEVATIONS

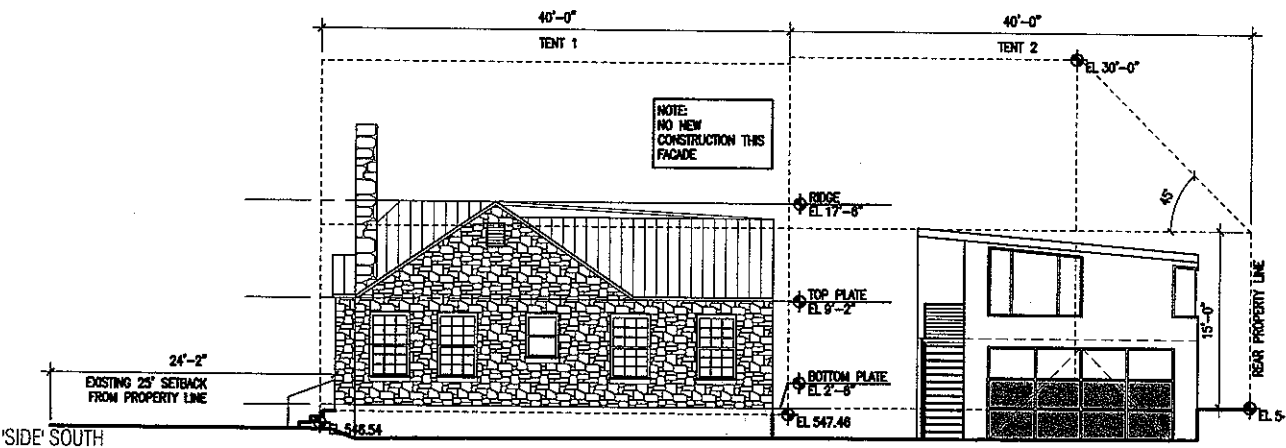
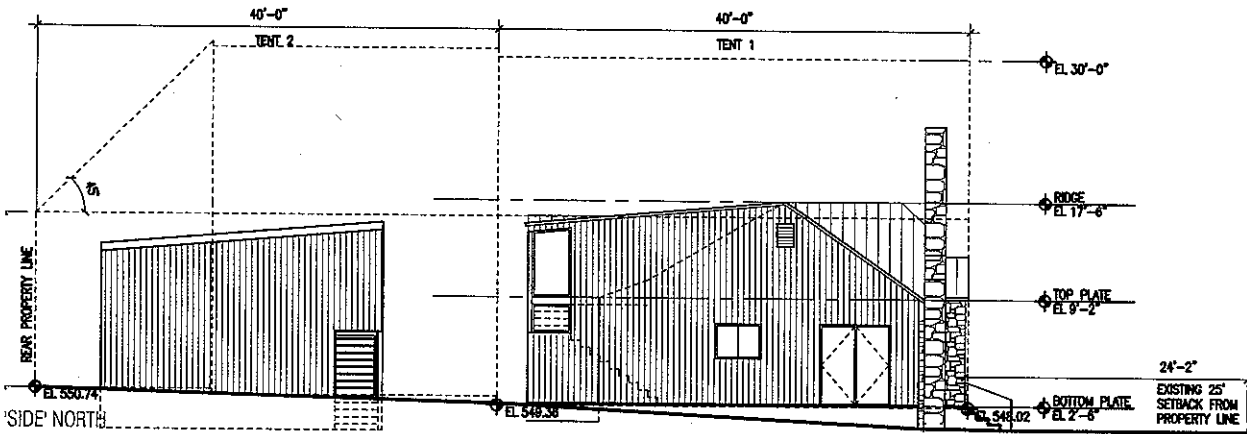
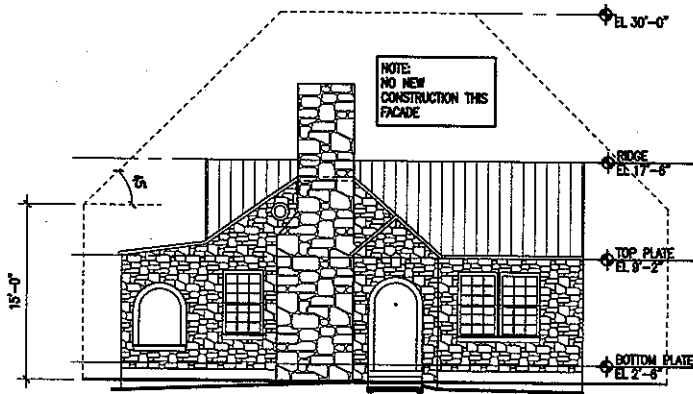
Jeremy Wahlberg
1712 W 11th Street
Austin, TX 78703
phone 512.797.4718
jeremy.wahlberg@gmail.com

A201

'REAR' EAST



'FRONT' WEST



1605 Taylor Residence Remodel
SCALE: 3/32" = 1'-0"

Project Number: 1000.05
Date issue: 03/09/2011
Reference Sheet: TENT DIAGRAMS
Drawn By: JW

1605 newfield residence
BUNKHA DESIGN

Jeremy Wahlberg
1603 newfield lane
Austin, TX 78703
phone 512.791.4718
jeremy.wahlberg@gmail.com

TENT DIAGRAMS



City of Austin BUILDING PERMIT

PERMIT NO: 2010-066640-BP

Type: RESIDENTIAL

Status: Active

1605 NEWFIELD LN

Issue Date: 08/04/2010

EXPIRY DATE: 06/12/2011

LEGAL DESCRIPTION Lot: 68 Block: Subdivision: ENFIELD F	SITE APPROVAL	ZONING SF-3
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PROPOSED OCCUPANCY:	WORK PERMITTED: New	ISSUED BY: Diana Cortinas
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new detached garage with attic space for storage with use pull down stairs not more than one story or 15' feet in height (LDC-25-2-555(B). Add hand wash sink and stub out.

TOTAL SQFT New/Addn: 400	VALUATION Tot Job Val: \$17,500.00	TYPE CONST.	USE CAT. 330	GROUP	FLOORS 1	UNITS 1	# OF PKG SPACES 2
TOTAL BLDG. COVERAGE 1457	% COVERAGE 27.6	TOTAL IMPERVIOUS COVERAGE 2207	% COVERAGE 42	# OF BATHROOMS 2	METER SIZE 5/8		

Contact Applicant, Ray Flores, Austin Energy General Contractor, Ed Austin Construction	Phone ()- (512) 784-4820	Contact Homeowner, Thomas E Taylor	Phone (512) 480-0683
--	---------------------------------------	--	--------------------------------

Fee Desc	Amount	Date	Fee Desc	Amount	Date	Fee Desc	Amount	Date
Building Permit Fee	33.00	8/4/2010	Electrical Permit Fee	34.00	11/23/2010	Plumbing Permit Fee	34.00	11/17/2010
Fees Total:	101.00							

Inspection Requirements
Building Inspection Electric Inspection

All Buildings, Fences, Landscaping, Patios, Flatwork And Other Uses Or Obstructions Of A Drainage Easement Are Prohibited, Unless Expressly Permitted By A License Agreement Approved By COA Authorizing Use Of The Easement.
City Code Chapter 25-12, Article 13: A permit expires on the 181st day if the project has not scheduled nor received an inspection. A "Cancelled" and/or "Failed/No Work Performed" inspection result does not extend the expiration date.

The following permits are required as a separate permit: See Mechanical, Electrical, Plumbing permits for Related Fees and Inspections.

Comments		
SF3 zoning McMansion Plan Team Meeting review required-approved Ryan Mikutenka NRHD - Historical Review required- approved Susan Kirby Capital View Corridor overlay No trees located near 1st floor addn		
Residential Zoning Review	Date 08/03/2010	Reviewer Residential Zoning Reviewers

By Accepting Or Paying For This Permit You are Declaring That You Are The Owner Or Authorized By The Owner That The Data Submitted At The Time Of Application Was True Facts And That The Work Will Conform To The Plans And Specification Submitted Herewith.



City of Austin BUILDING PERMIT

PERMIT NO: 2010-066640-BP

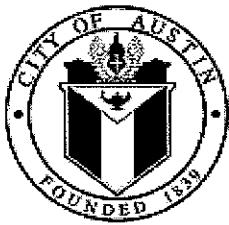
Type: RESIDENTIAL Status: Active

1605 NEWFIELD LN

Issue Date: 08/04/2010 **EXPIRY DATE: 06/12/2011**

LEGAL DESCRIPTION Lot: 68 Block: Subdivision: ENFIELD F						SITE APPROVAL		ZONING SF-3	
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<u>Type</u>	<u>Date</u>	<u>Status</u>	<u>Comments</u>	<u>Inspector</u>
101 Building Layout	11/19/2010	Pass		Douglas Mcafee
102 Foundation	12/14/2010	Pass		Douglas Mcafee
103 Framing		Open		Douglas Mcafee
104 Insulation		Open		Douglas Mcafee
105 Wallboard		Open		Douglas Mcafee
109 TCO Occupancy		Open		Douglas Mcafee
111 Energy Final		Open		Douglas Mcafee
112 Final Building		Open		Douglas Mcafee
114 Continuance of work		Open		Douglas Mcafee
Deficiencies		Open		Douglas Mcafee



City of Austin

P.O. Box 1088, Austin, Texas 78767

RECEIPT

Receipt 5506868
No.:

Payment 03/23/2011
Date:

Invoice 5514549
No.:

Payer Information

Company/Facility Name:

Payment Made By: Thomas E Taylor

1605 NEWFIELD LN AUSTIN TX 78703

Phone No.: (512) 480-0683

Payment Method: Check

Payment Received: \$360.00

Amount Applied: \$360.00

Cash Returned: \$0.00

Comments:

CHK# 888

Additional Information

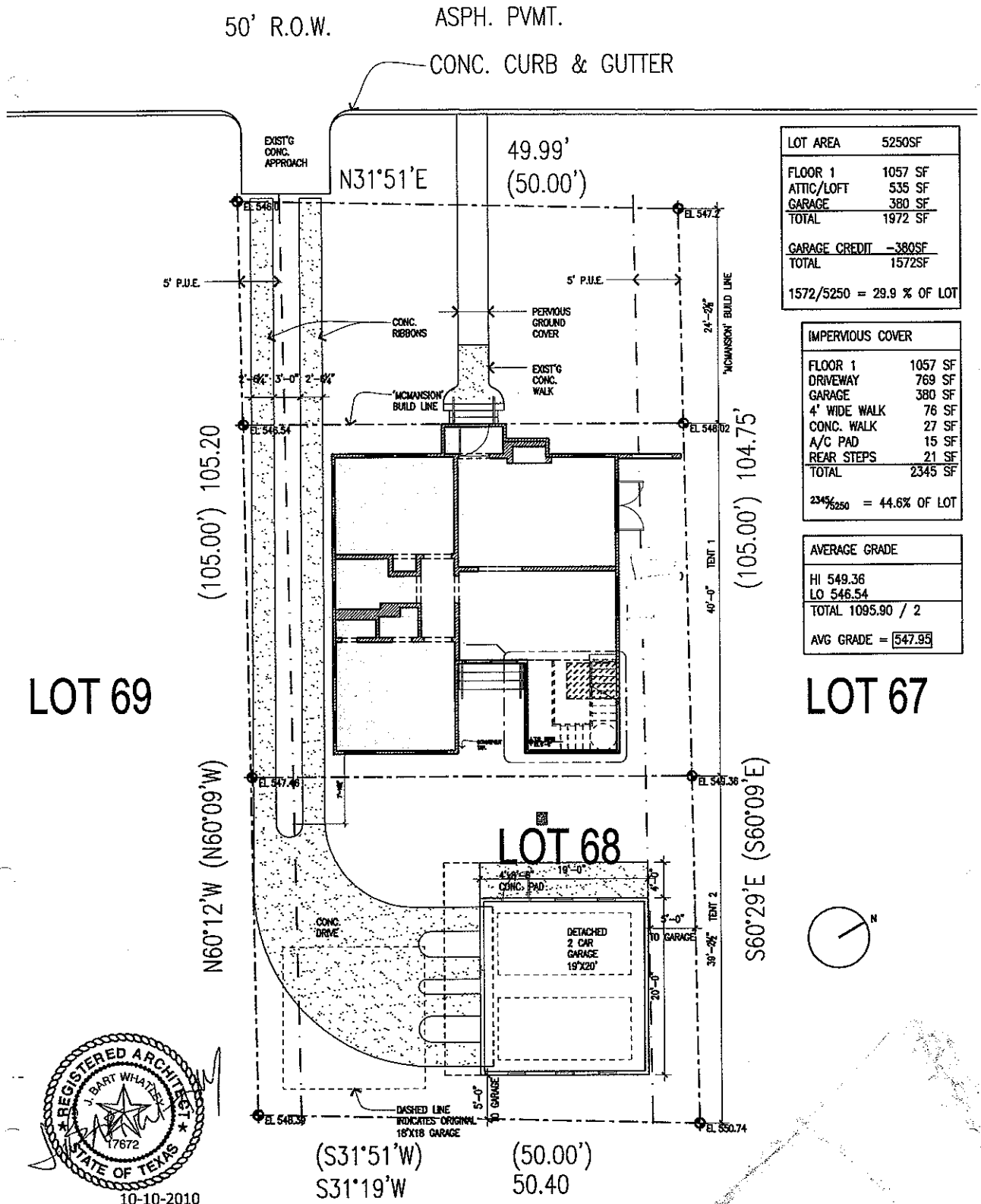
Department Name: Planning and Development Review

Receipt Issued By: Gilbert Alvarez

Receipt Details

FAO Codes	Fee Description	Internal Ref. No.	Address	Permit/Case No.	Amount
1000 6800 9770 4120	BOA/SRB Fee	10562831	1605 NEWFIELD LN	2011-000038-BA	\$360.00
				Total	\$360.00

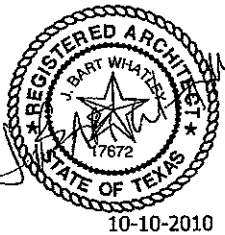
NEW FIELD LANE



LOT AREA	5250SF
FLOOR 1	1057 SF
ATTIC/LOFT	535 SF
GARAGE	380 SF
TOTAL	1972 SF
GARAGE CREDIT	-380SF
TOTAL	1572SF
1572/5250 = 29.9 % OF LOT	

IMPERVIOUS COVER	
FLOOR 1	1057 SF
DRIVEWAY	769 SF
GARAGE	380 SF
4' WIDE WALK	76 SF
CONC. WALK	27 SF
A/C PAD	15 SF
REAR STEPS	21 SF
TOTAL	2345 SF
2345/5250 = 44.6% OF LOT	

AVERAGE GRADE	
HI	549.36
LO	546.54
TOTAL	1095.90 / 2
AVG GRADE	= 547.95



1605 Taylor Residence Remodel
SCALE: 3/32" = 1'-0"

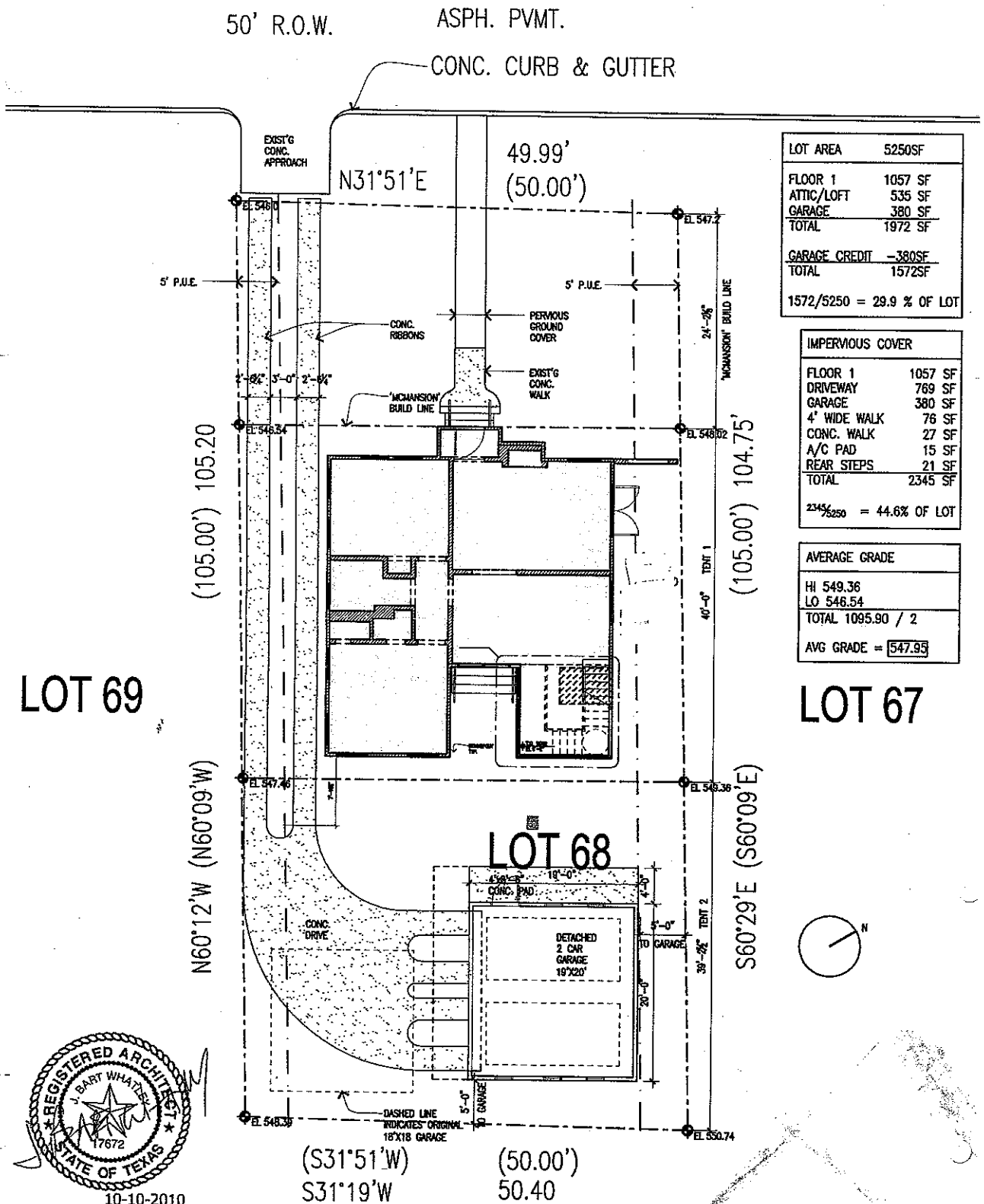
Project Number: 1000.01
Date Issue: 11/09/2010
Reference Sheet: MC MANSION SURVEY
Drawn By: JW

1605 newfield residence
BUNKHA DESIGN

BUILDABLE AREA
'MC MANSION' SURVEY

Jeremy Weirberg
1803 Newfield Lane
Austin, TX 78713
phone 512.797.4718
jeremy.weirberg@gmail.com

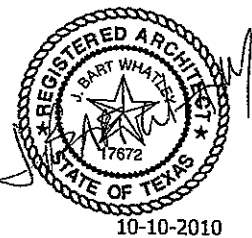
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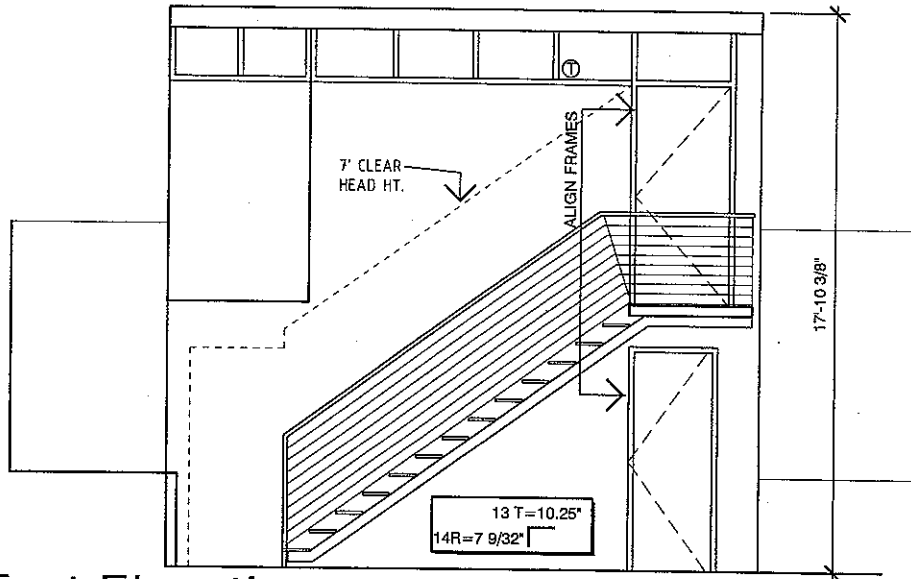
1605 Taylor Residence Remodel
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Project Number: 1000.01
Date Issue: 11/09/2010
Reference Sheet: MC MANSION SURVEY
Drawn By: JW

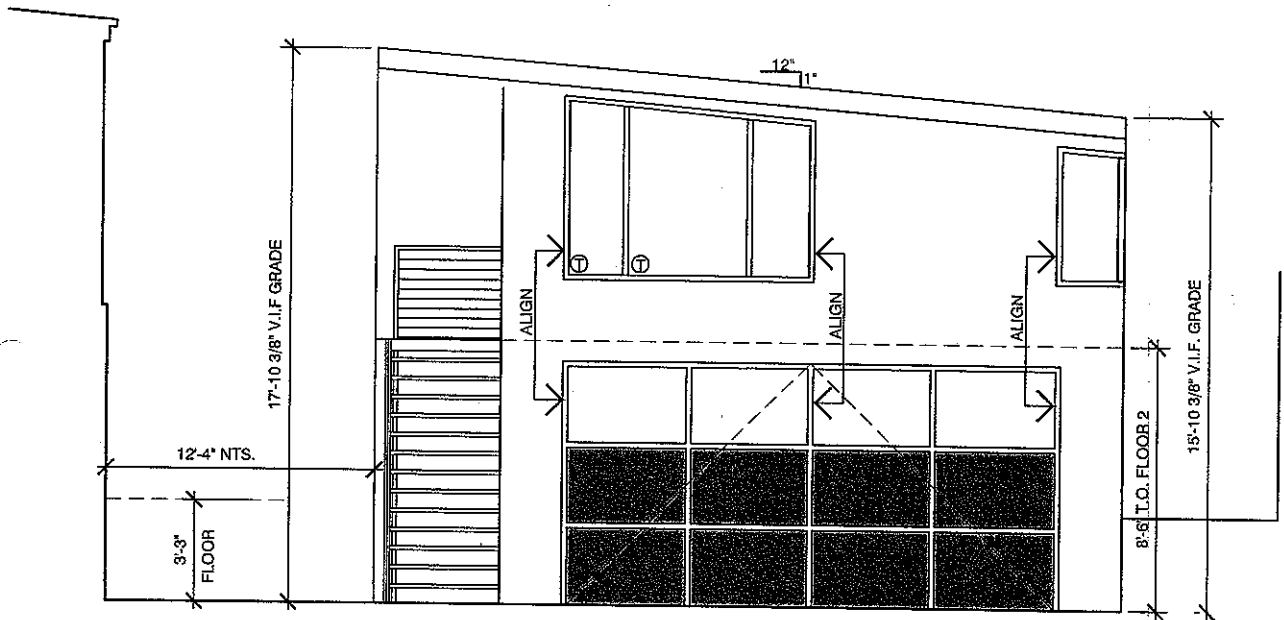
1605 newfield residence
BUNKHA DESIGN

BUILDABLE AREA
'MC MANSION' SURVEY

Jeremy Whitberg
1603 newfield lane
Austin, TX 78703
phone 512.797.4718
jeremy.whitberg@gmail.com



② East Elevation



① North Elevation

1605 Taylor Garage & Studio
SCALE: 1/4" = 1'-0"

Project Number: 1100.03
Date Issue: 03/07/2011

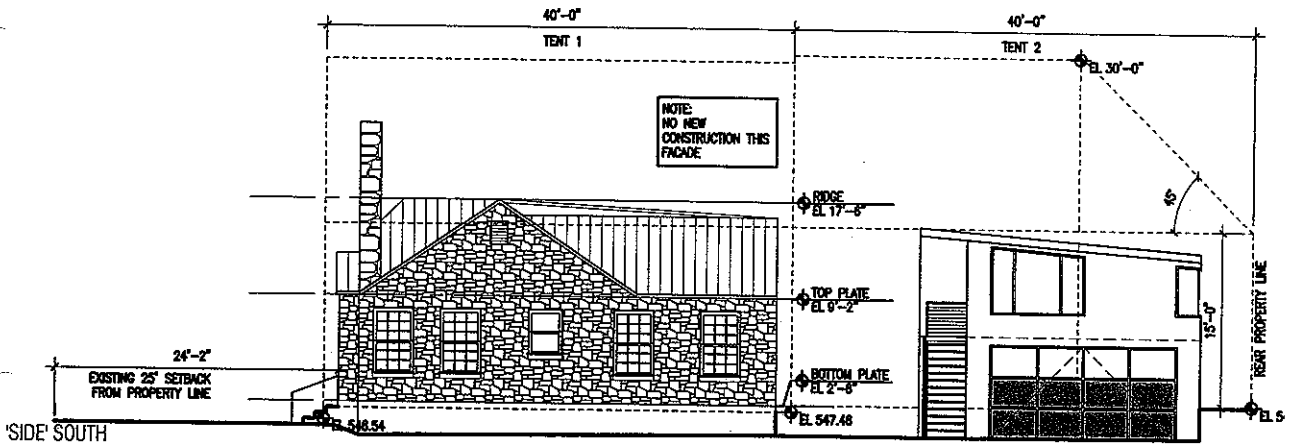
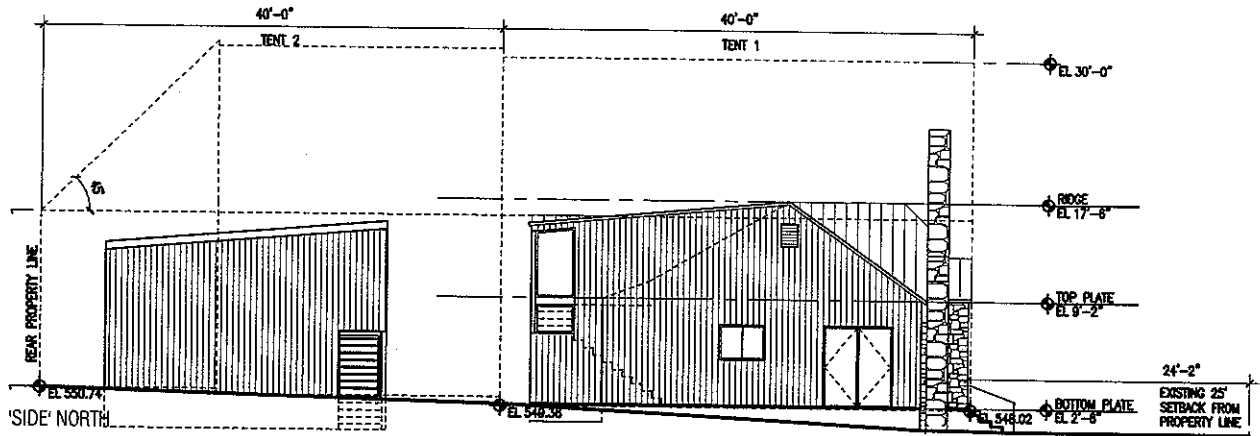
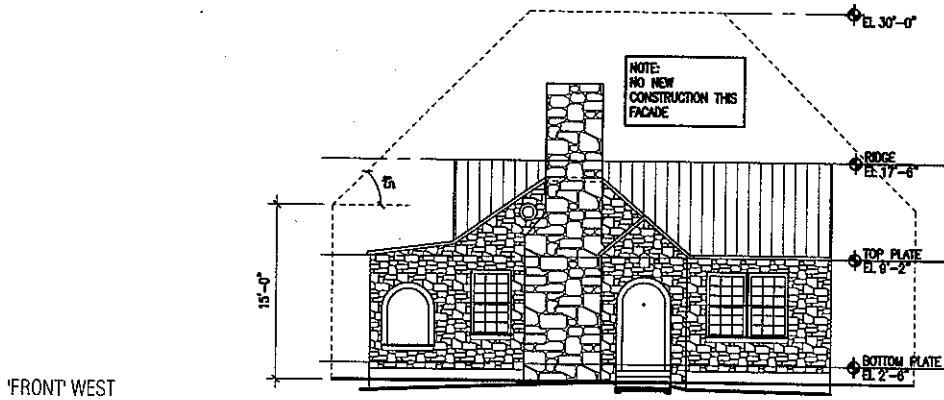
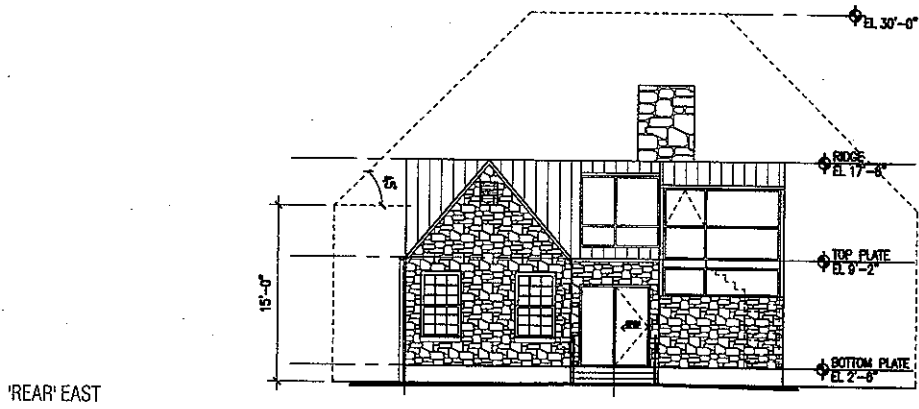
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1605 newfield garage/studio
BUNKHA DESIGN

ELEVATIONS

Jeremy Wahlberg
1712 W 11th Street
Austin, TX 78703
phone 512.757.4718
jeremy.wahlberg@gmail.com

A201



1605 Taylor Residence Remodel
SCALE: 3/32" = 1'-0"

Project Number: 1000.05
Date Issue: 03/09/2011
Reference Sheet: TENT DIAGRAMS
Drawn By: JW

1605 newfield residence
BUNKHA DESIGN

TENT DIAGRAMS

Jeremy Wahlberg
1603 newfield lane
Austin, TX 78703
phone 512.797.4718
jeremy.wahlberg@gmail.com

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 board or commission (or 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: C15-2011-0034 - 1605 Newfield Lane
 Contact: Susan Walker, 512-974-2202
 Public Hearing: Board of Adjustment, April 11th, 2011

D.M. Jasek

Your Name (please print)

I am in favor
 I object

1611 Newfield Lane

Your address(es) affected by this application

[Handwritten Signature]

Signature

4/4/2011

Date

Daytime Telephone: (512) 475-1581

Comments: *I am not sure of the plan- would need to drawings and layout of proposed expansion. We are loosing the integrity of the small neighborhoods with all the adoms that cover the lots. What about the recommended trees and grass cover? Will they also pull new dogs for bathroom? - will this turn into a dogday?*

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

PUBLIC HEARING INFORMATION

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Case Number: C15-2011-0034 - 1605 Newfield Lane
 Contact: Susan Walker, 512-974-2202
 Public Hearing: Board of Adjustment, April 11th, 2011

KEST T. MILLER

Your Name (please print)

I am in favor
 I object

1609 NEWFIELD LANE

Your address(es) affected by this application

[Handwritten Signature]

Signature

APRIL 4, 2011

Date

Daytime Telephone: (512) 750-9981

Comments:

PLEASE REFER TO 1 PAGE ATTACHMENT.

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

A "standard-sized" lot in the City of Austin has been determined to be 5,750 square foot in area. All lots along this portion of Newfield Lane are sub-standard sized and are approximately 5,200 square foot in area. The only two-story structure along Newfield was constructed several years ago at 2109. It has never been occupied. It serves as a prime example for what resulted in the McMansion Ordinance.

I feel that to issue a variance for construction of a two-story structure in an existing setback at 1605 Newfield sets an inappropriate precedence that will adversely affect all properties along Newfield.

Historical note: In 2007 the Planning Commission voted unanimously to support a proposal by the Organization of Central East Austin Neighborhoods to tighten the rules for development of sub-standard sized lots located in their neighborhoods.