

CITY OF AUSTIN
Board of Adjustment/Sign Review Board
Decision Sheet
(Reconsideration)

DATE: Monday, July 11, 2011

CASE NUMBER: C15-2011-0065

 N Jeff Jack
 Y Michael Von Ohlen **Motion to Reconsider**
 Y Nora Salinas
 N Bryan King
 Y Leane Heldenfels, Chairman **2nd the motion**
 Y Clarke Hammond, Vice Chairman
 Heidi Goebel (**recused**)

APPLICANT/OWNER: Lindsey Lane

ADDRESS: 2004 GOODRICH AVE

VARIANCE REQUESTED: The applicant has requested a variance to decrease the minimum side yard setback requirement of Section 25-2-492 (D) from 5 feet to 3 feet 9 ½ inches in order to maintain screened porch in order to change the use to create a two-family residential use in an "SF-3-NP", Family Residence – Neighborhood Plan zoning district. (Bouldin Neighborhood Plan) **Denied**

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 maintain an attached accessory structure in order to change the use to create a two-family residential use in an "SF-3-NP", Family Residence – Neighborhood Plan zoning district. (Bouldin Neighborhood Plan) **Denied**

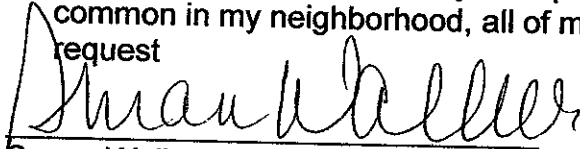
The applicant has requested a variance to increase the maximum allowable gross floor area of Section 25-2-774 (C) (7) (a) from 850 square feet to 1187 square feet in order to change the use of a building to create a two- family residential use in an "SF-3-NP", Family Residence – Neighborhood Plan zoning district. (Bouldin Neighborhood Plan) **Granted**

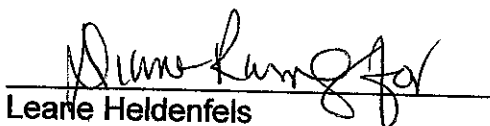
BOARD'S DECISION: June 13, 2011 The public hearing was closed on Board Member Clarke Hammond motion to Grant only the third variance, to allow for an increase in gross floor area that reflects the building as built without the porch and storage additions, the 1st and 2nd variance are Denied. Board Member Michael Von Ohlen second on a 7-0 vote (Heidi Goebel recused); **GRANTED ONLY THE THIRD VARIANCE, TO ALLOW FOR AN INCREASE IN GROSS FLOOR AREA THAT REFLECTS THE BUILDING AS BUILT WITHOUT THE PORCH AND STORAGE ADDITIONS**

BOARD'S DECISION: July 11, 2011 (Reconsideration request) Board member Michael Von Ohlen motion to reconsider request, Board member Leane Heldenfels second on a 4-2 vote (Board members Bryan King and Jeff Jack nay); **RECONSIDERED; Postponed to August 8, 2011.**

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: lot is 10, 000 sf which is far exceeds the lot area requirements for 2 family use, except for the sq ft, the secondary dwelling unit meets all code provisions for 2 family use, secondary dwelling/2 family use is a common and ordinary use in SF-3 zoning districts
2. (a) The hardship for which the variance is requested is unique to the property in that: second dwelling unit was permitted before the 850sq limit for a secondary structure was adopted in May 2000, the project passed all inspections, attempted to get final but was instructed to wait until new code provisions were in place, followed all advice/guidance given by city staff, not impossible to reconfigure these 2 structure to create duplex use, shed would normally be allowed with a 5' rear yard setback if was freestanding, instead it is attached to the rear of the accessory structure, which was the most reasonable space available for it, the screen porch encroachment into the south side yard is minimal and there are no plans to enclose the screen porch
- (b) The hardship is not general to the area in which the property is located because: accessory building was permitted for this lot
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 second dwelling unit has stood for almost 20 years in its present location and does not present a conflict with adjacent properties or uses, accessory buildings are common in my neighborhood, all of my adjacent neighbors support my variance request


Susan Walker
Executive Liaison


Leanne Heldenfels
Chairman

From: steve_mcguire [steve_mcguire@yahoo.com]
Sent: Monday, July 18, 2011 9:32 AM
To: Walker, Susan; Ramirez, Diana
Cc: znaexcom@yahoogroups.com
Subject: BoA, 2004 Goodrich, Case# C15-2011-0065

Dear Board,
We feel Ms. Lane has been less than candid with us. For example, she informed us that the back structure on her property violated the side setback, but failed to mention it was because she had at some later point added a screened porch to it. There are other instances as well. As a result, the Zilker Neighborhood Association Executive Committee wishes to revoke our neutral position and we now oppose Ms. Lane's requests for reconsideration of variances for her property at 2004 Goodrich, Case# C15-2011-0065.

Sincerely,
Zilker NA Executive Committee

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: C15-2011-0065 – 2004 Goodrich

Contact: Susan Walker, 512-974-2202

Public Hearing: Board of Adjustment, July 11th, 2011

YURIKO STUDEK
Your Name (please print)

☒ I am in favor
☐ I object

1905 Hethner St.
Your address(es) affected by this application

Yuriko Studer
Signature

7/3/11
Date

Daytime Telephone: 441-0200

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

PUBLIC HEARING INFORMATION

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- 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.

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Case Number: C15-2011-0065 - 2004 Goodrich

Contact: Susan Walker, 512-974-2202

Public Hearing: Board of Adjustment, July 11th, 2011

Jana & Eric Bear
Your Name (please print)

☒ I am in favor
☐ I object

2010 Goodrich

Your address(es) affected by this application

[Signature]
Signature

7/2/11
Date

Daytime Telephone: (512) 707-0721

Comments:

Mrs. Law's request is
reasonable and within our
understanding of neighborhood
guidelines

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Susan Walker
P. O. Box 1088
Austin, TX 78767-1088

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☐ Y ☐ Nora Salinas
☐ Y ☐ Bryan King
☐ Y ☐ Leane Heldenfels, Chairman
☐ Y ☐ Clarke Hammond, Vice Chairman **Motion to Grant 3rd variance only**
☐ - ☐ Heidi Goebel **(RECUSED)**
☐ Y ☐ Melissa Hawthorne

APPLICANT/OWNER: Lindsey Lane

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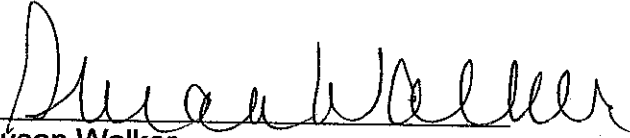
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Susan Walker
Executive Liaison


Leane Heldenfels
Chairman

June 23, 2011

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Dear Members of the Board of Adjustment:

I am requesting that the Board of Adjustment reconsider certain variance requests made at the June 13th BOA hearing, Case # C15-2011-0065, concerning 2004 Goodrich Avenue. The requests were to decrease the minimum side yard and rear yard setbacks to accommodate a porch and a tool shed, respectively.

It is my contention the Board erred in its decision on these two variances because the quality of their photocopies made it impossible for the Board to see and understand where these structures are on the property and how they are situated in relation to the surrounding properties. I was unaware of how poorly my color photographs would reproduce for the Board's packets. If the Board had been able to see these specific areas of the property, they could see that they are not obtrusive. The Board would also understand that these simple structures contribute functionally to the "green energy" aspects of the house and to positive aesthetic values for my neighbors and the neighborhood. The Board would understand why my four contiguous neighbors supported my variance requests.

Regarding the variance request to decrease the minimum side yard five-foot setback requirement by *fourteen inches* in order to maintain a screened porch:

- The absolute closest distance from my porch to my neighbor's house is 63 feet. According to Austin building codes, these structures could be within ten feet of each other (with a 5 foot setback on each side). In this case, my neighbors and I are more than 60 feet apart.
- According to Austin Energy, having a porch on the south side of the house is an energy savings feature. In this case, the porch roof and porch protects a south facing sliding glass door.
- I understand that, according to Austin building codes, rooflines may encroach on side yard and rear yard setbacks by up to 24 inches.
- It seems unreasonable and unnecessary to cut off 14 inches of a useful, and functional screened porch, which provides passive solar protection.
- According to Austin building codes, a front porch may encroach 10 feet into the 25-foot front yard setback requirement. On my side yard, I am more than sixty feet from my neighbors and I only encroach on the setback by 14 inches.

Regarding the variance request to decrease the minimum rear yard ten-foot setback requirement by four feet, six inches in order to maintain an attached storage shed:

- The shed is located in a very unobtrusive area of the property and is surrounded by privacy fencing. On one side are my neighbor's freestanding storage sheds and on the other side is my neighbors drive way.
- If the shed were freestanding, it could be within the ten-foot setback and be only five feet from the property line, closer than it is now. Such a shed would be much more intrusive and ugly than the current one. My neighbors, as stated, prefer things the way they are.

- D1
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- If I were to put a freestanding storage shed elsewhere on my property it would be unattractive to my neighbors, and disrupt the side-by-side living areas of this two family residential property.
 - There are no utility easements in this area of the property.

I am attaching newer and clearer pictures as well as more simplified site plan. I am also prepared to present a short PowerPoint presentation to illustrate these features so that you can make a better, more visually informed decision. I hope you will reconsider my request for these two variances.

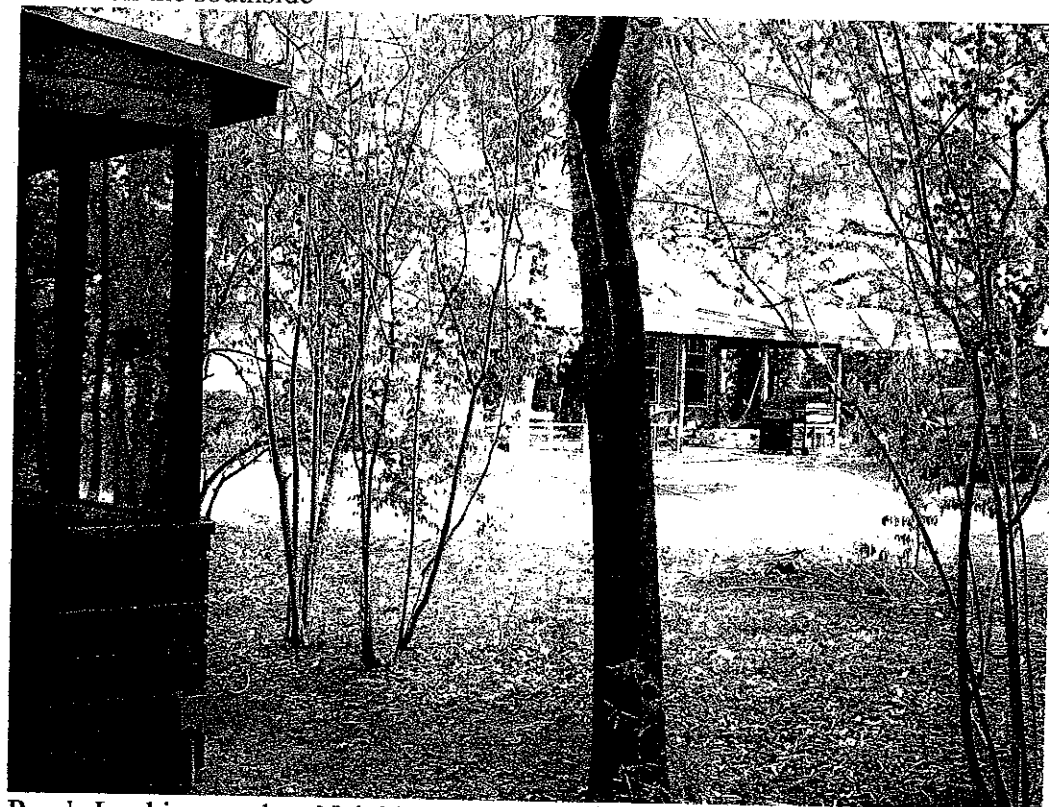
Thank you for your time,


Lindsey Lane

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Porch on the southside

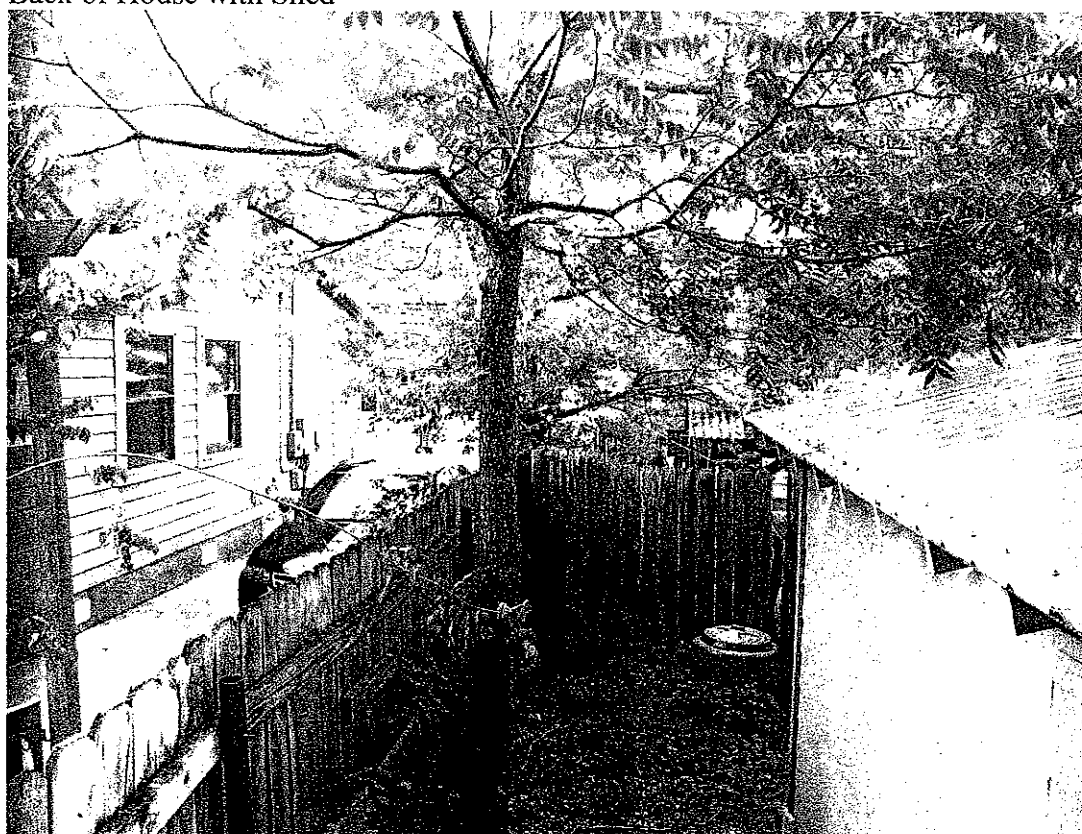


Porch-Looking south at Neighbor's house over 60 feet away

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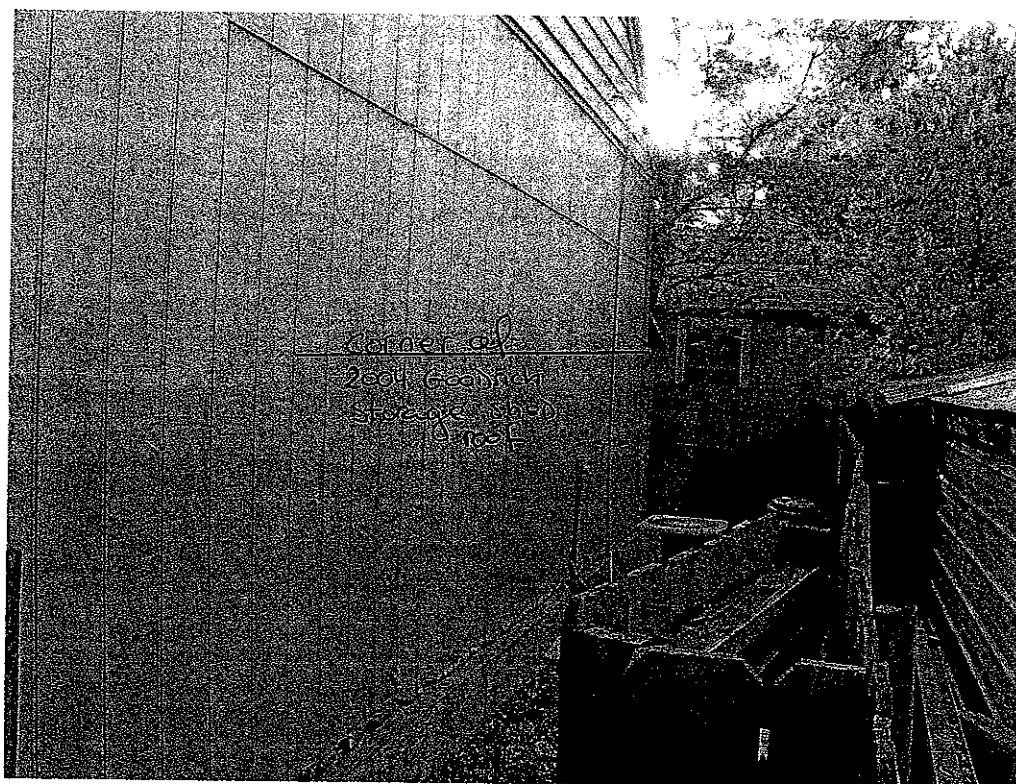


Back of House with Shed

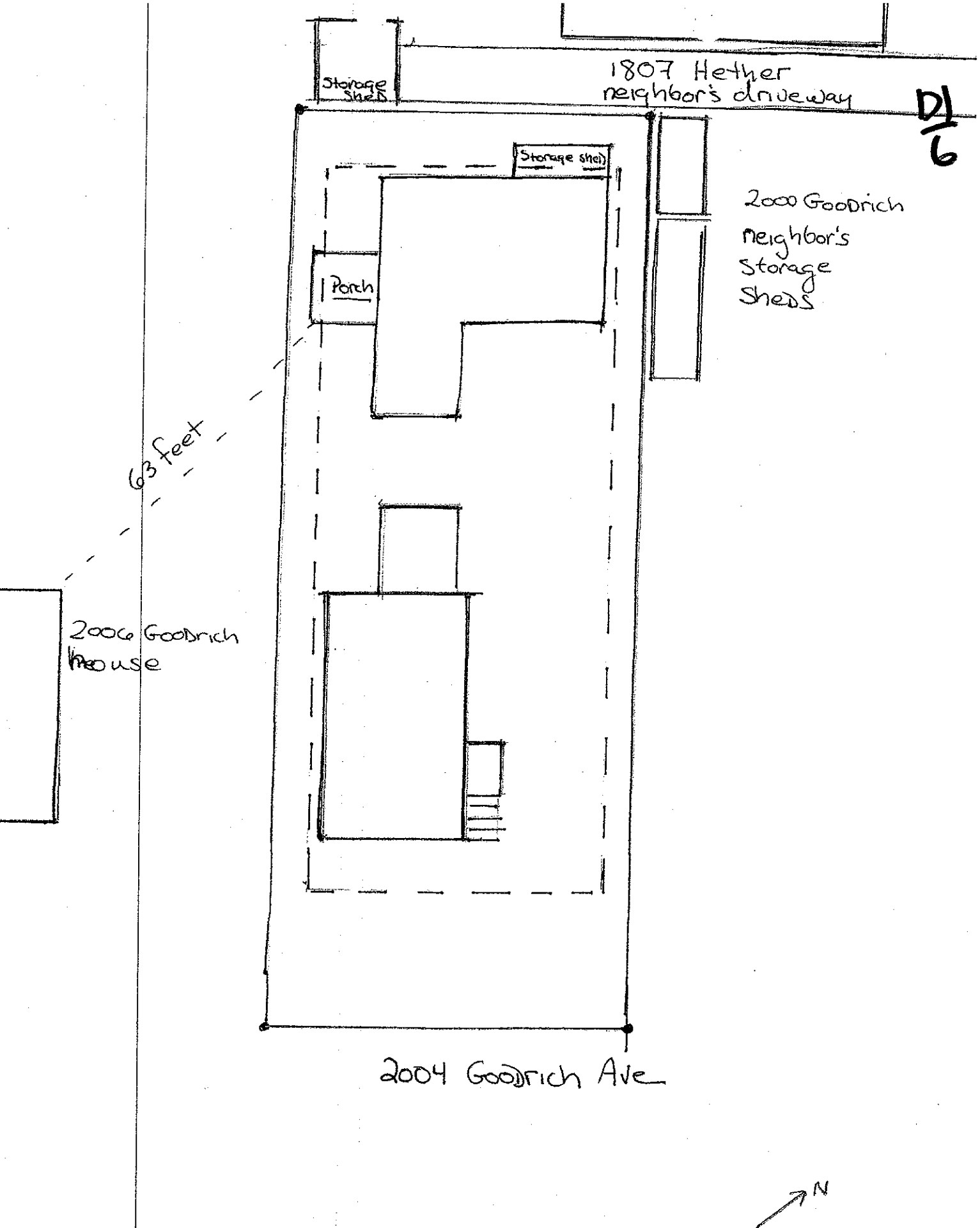


Northwest corner of Lot and Storage Shed

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Northwest Corner of House with Back Sides of Neighbor's sheds



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RECEIVED

JUN 23 2011

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CITY OF AUSTIN

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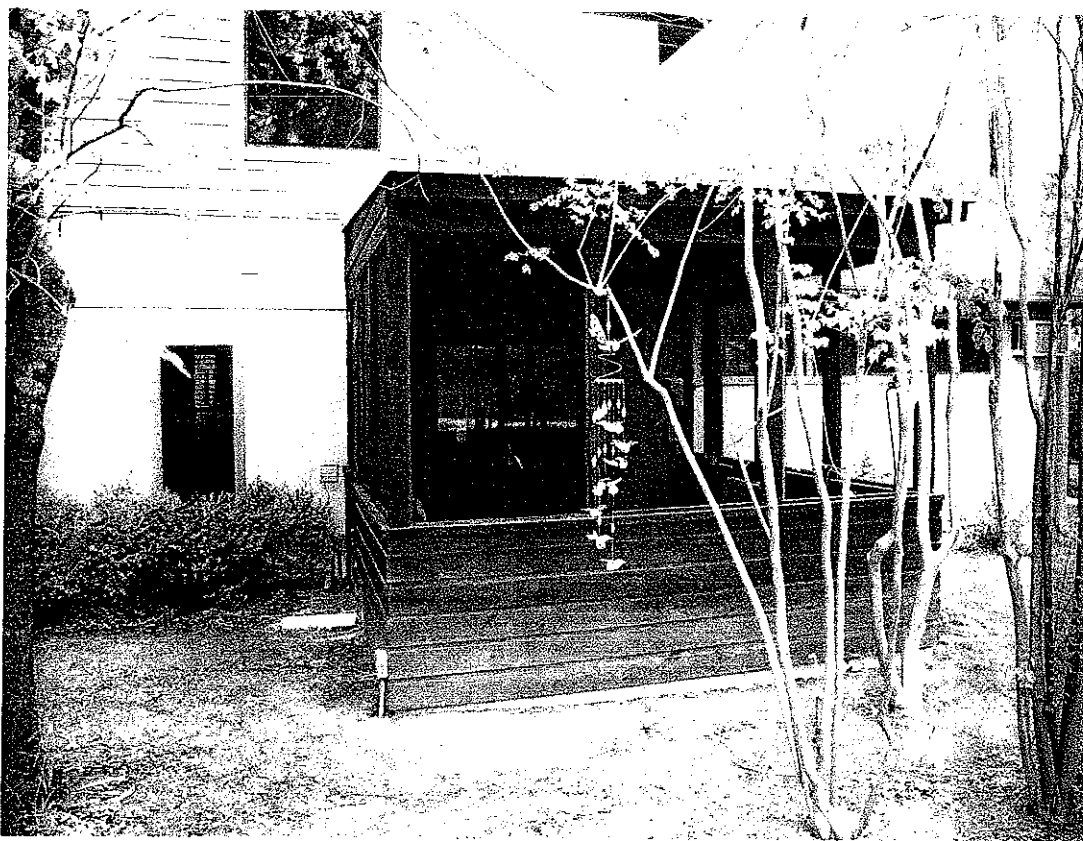
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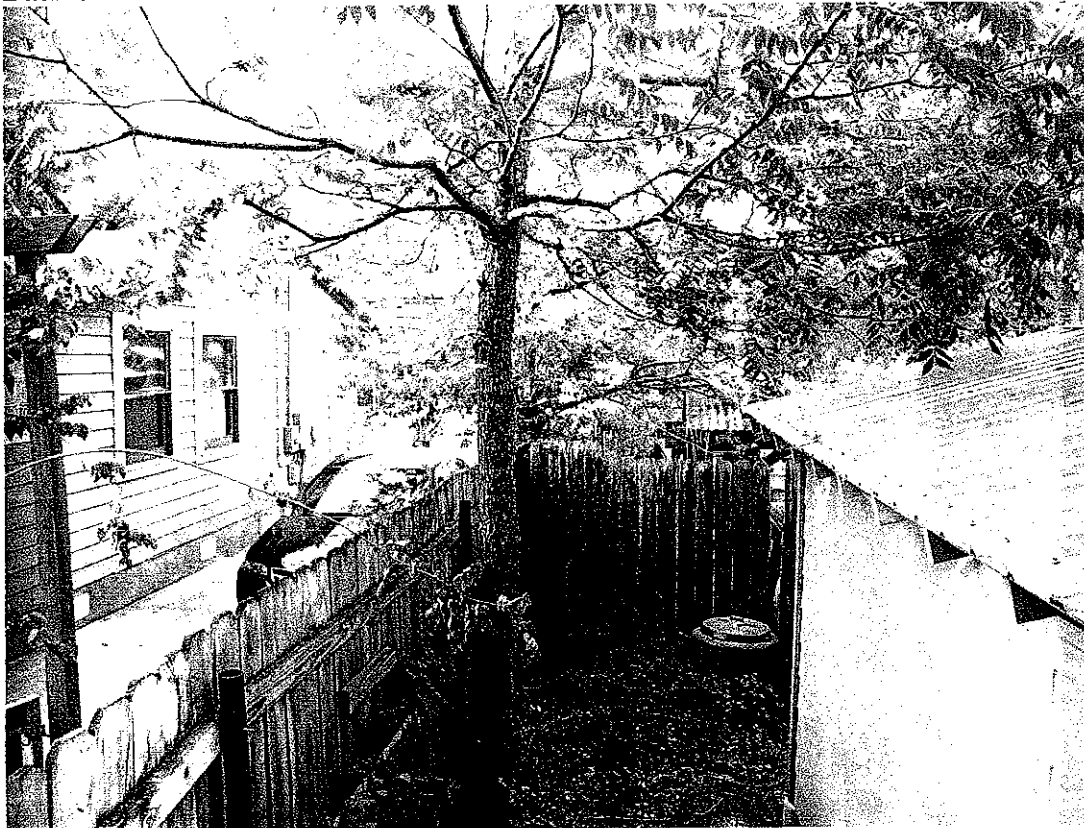
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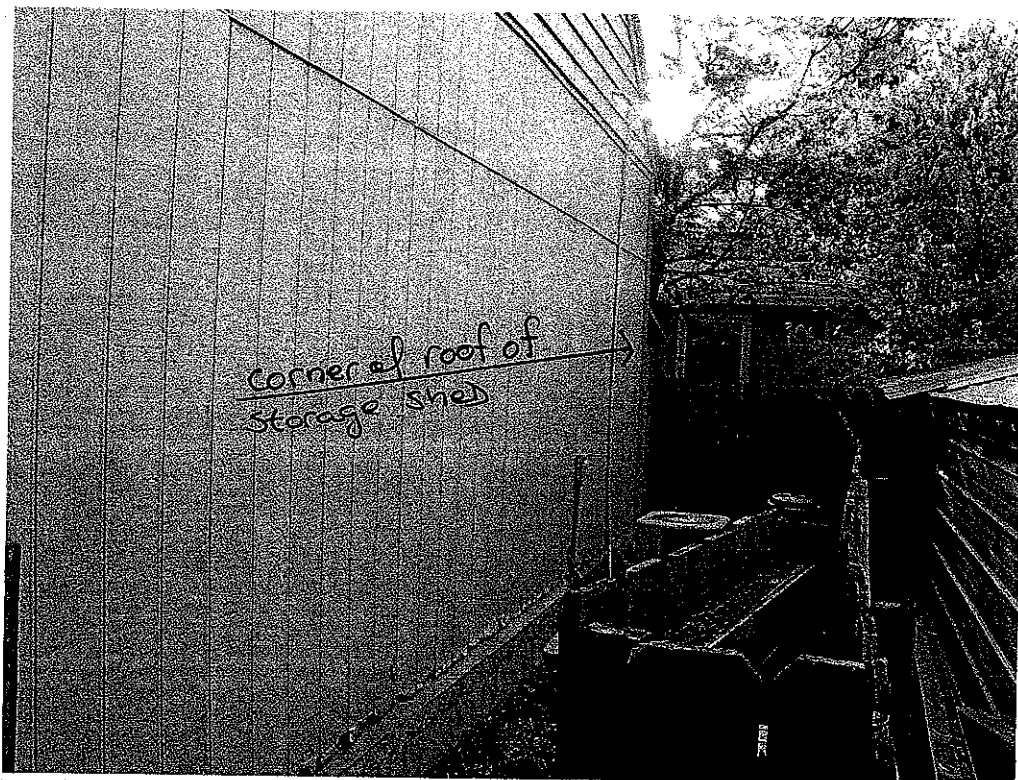
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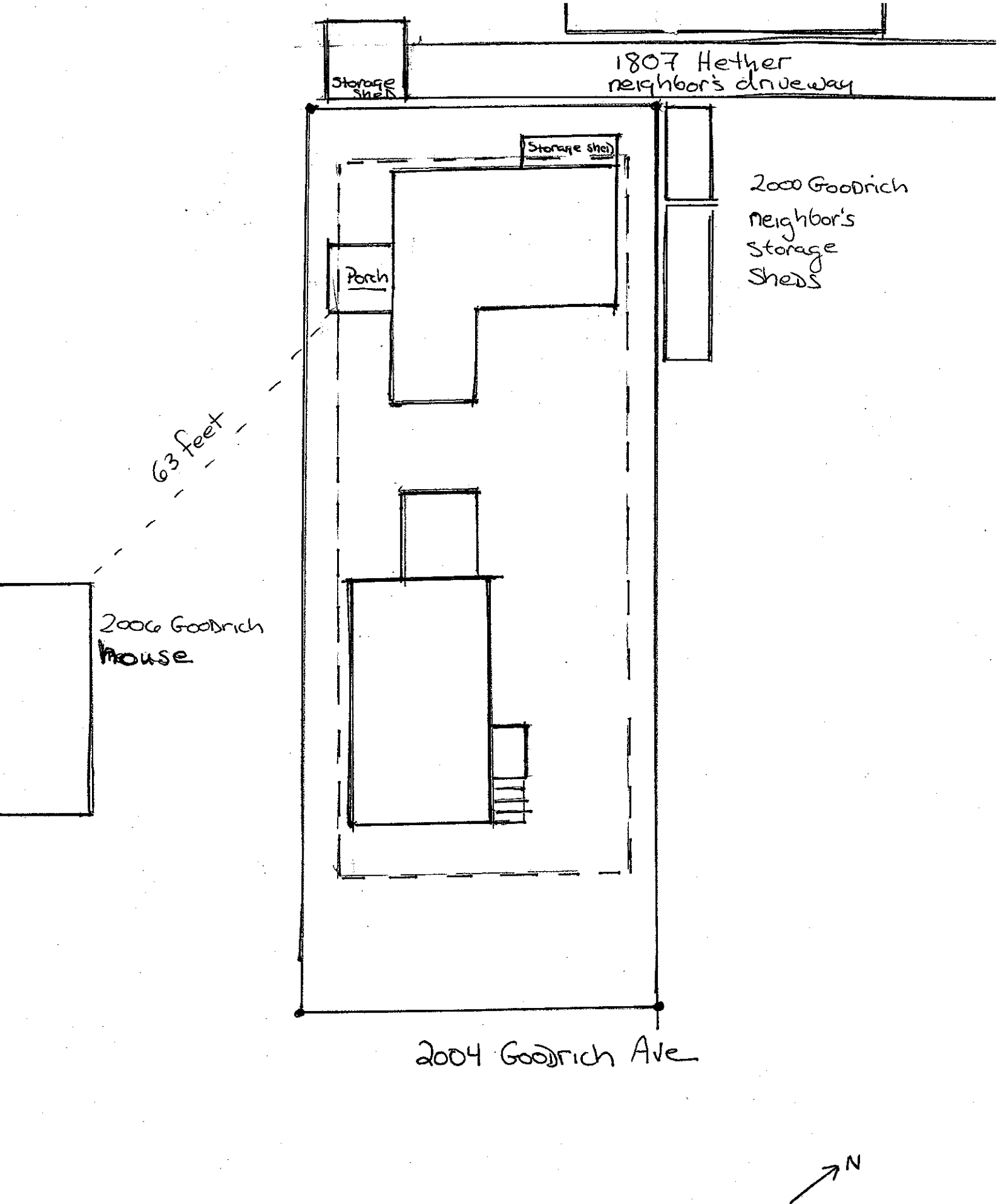
Back of House with Shed



Northwest corner of Lot and Storage Shed



Northwest Corner of House with Back Sides of Neighbor's sheds



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☐ Y ☐ Michael Von Ohlen 2nd the Motion
☐ Y ☐ Nora Salinas
☐ Y ☐ Bryan King
☐ Y ☐ Leane Heldenfels, Chairman
☐ Y ☐ Clarke Hammond, Vice Chairman **Motion to Grant**
☐ - ☐ Heidi Goebel (**RECUSED**)
☐ Y ☐ Melissa Hawthorne

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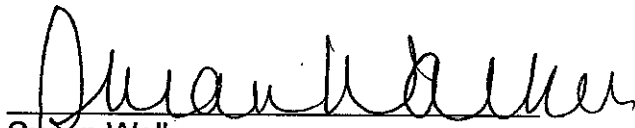
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BOARD'S DECISION: The public hearing was closed on Board Member Clarke Hammond motion to Grant with friendly amendments to downsize screen porch to meet 5' setback and remove shed to another location to meet setback requirements, Board Member Michael Von Ohlen second on a 7-0 vote (Heidi Goebel recused); **GRANTED WITH FRIENDLY AMENDMENTS TO DOWNSIZE SCREEN PORCH TO MEET 5' SETBACK AND REMOVE SHED TO ANOTHER LOCATION TO MEET SETBACK REQUIREMENTS.**

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: lot is 10, 000 sf which is far exceeds the lot area requirements for 2 family use, except for the sq ft, the secondary dwelling unit meets all code provisions for 2 family use, secondary dwelling/2 family use is a common and ordinary use in SF-3 zoning districts
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Case Number: C15-2011-0065 – 2004 Goodrich

Contact: Susan Walker, 512-974-2202

Public Hearing: Board of Adjustment, June 13th, 2011

KIM GEMERY

Your Name (please print)

1804 HETHER AUSTIN 78704

Your address(es) affected by this application

Kim Gemery 6-7-11

Signature

Date

Daytime Telephone: 416-10217

Comments:

SETBACKS are setbacks for a reason - I don't want anyone on top of me. When I built my house I had to abide by all setbacks plus what about imperious corners? I see no reason to allow this. They can build within the current guidelines.

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Susan Walker

P. O. Box 1088

Austin, TX 78767-1088

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Contact: Susan Walker, 512-974-2202

Public Hearing: Board of Adjustment, June 13th, 2011

Susan Walker
Your Name (please print)

1904 Goodrich St Austin TX 78704
Your address(es) affected by this application

Susan Walker Signature *6-13-11* Date

Daytime Telephone: *512-443-6167*

Comments:

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

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

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: C15-2011-0065 – 2004 Goodrich

Contact: Susan Walker, 512-974-2202

Public Hearing: Board of Adjustment, June 13th, 2011

KIM REARY

Your Name (please print)

1804 Hether Austin 78704

Your address(es) affected by this application

Kim Reary

Signature

Date

Daytime Telephone:

Comments:

No variances should be granted for new construction. And, if they did this without a permit and only then requested a variance they must hear it out. I have no sympathy for people who knowingly skirt the rules then expect forgiveness.

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Susan Walker

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- 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;
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Case Number: C15-2011-0065 – 2004 Goodrich

Contact: Susan Walker, 512-974-2202

Public Hearing: Board of Adjustment, June 13th, 2011

Michael Baird

Your Name (please print)

1811 Hether st

Your address(es) affected by the application

Michael Baird

Signature

6-6-2011

Date

Daytime Telephone: 512-827-7854

Comments: I believe the existing ordinances are in

place to preserve the look and character of the

neighborhood I live in. Having recently built a house

for myself here, I found it a creative challenge to

work within the letter and spirit of the ordinance.

To not have done so would have resulted in a

home misproportioned to the land it sits on. As a neighbor

I would like the aesthetic of my surrounding homes preserved.

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

Walker, Susan

From: Andy Elder [waepoint@yahoo.com]
Sent: Friday, June 10, 2011 4:27 PM
To: Walker, Susan
Cc: ZNAExCom@yahoogroups.com
Subject: 2004 Goodrich (Case C15-2011-0065)

Dear Ms. Walker,

The executive committee of the Zilker Neighborhood Association has considered the variances requested at 2004 Goodrich (Case C15-2011-0065). ZNA strongly supports the definition of hardship and other criteria for variances required by the Board of Adjustment, and we expect that any request that fails to meet that standard will not be granted. While we respect the property owner's need to seek resolution, we do not currently see a basis for the property meeting all variance findings in this case.

We are aware of other properties within the neighborhood where structures have been built without permits, or permitted as accessory structures, and the owners are now trying to convert them to standalone uses. ZNA does not currently have enough information to form a consistent position in these cases, other than to suggest that the Board of Adjustment is probably not the appropriate venue for resolving this type of issue.

Please add this communication to the Board of Adjustment's file on this property. Thank you for your attention.

Regards,

Andy Elder

ZNA President

6/13/2011

CASE # C15-2011-0065
ROW # 10589994
TP-0100060117

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: 2004 Goodrich Avenue

LEGAL DESCRIPTION:

.2218 acre tract of land in the Isaac Decker League, being a portion of Block 36, L.M. Bradley's Subdivision of Lot 4 of Goodrich Subdivision (unrecorded) AND a 2.11 foot strip of land in the Isaac Decker League, being a portion of Block 36, L.M. Bradley's Subdivision of Lot 4 of Goodrich Subdivision.

I, Lindsey Lane affirm that on _____,

I hereby apply for a hearing before the Board of Adjustment for consideration to:
(check appropriate items below)

___ ERECT ___ ATTACH ___ COMPLETE ___ REMODEL X MAINTAIN

An existing 1,187 s.f. Second Dwelling Unit / 2-family use with the following required yard encroachments:

18" into south sideyard
5'-0" into west rearyard

in a SF-3-NP [Bouldin NP] district.

3' 9 1/2" from South p.l.
5' from rear West p.l.
850# → 1187#

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:

My lot is 10,000 s.f., which far exceeds the lot area requirements for 2-family use. Except for the square footage, the secondary dwelling unit meets all code provisions for 2-family use.
A Secondary Dwelling / 2-family use is a common and ordinary use in SF-3 zoning districts..

HARDSHIP:

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

[see also attached timeline]

The Second Dwelling Unit was permitted before the 850 s.f. limit for a secondary structure was adopted in May 2000.

The project passed all inspections.

I attempted to get my final, but was instructed to wait until new code provisions were in place. I followed all advice / guidance given to me by city staff.

It is not possible to reconfigure these 2 structures to create a duplex use.

The shed would normally be allowed with a 5' rear yard setback if was freestanding. Instead, it is attached to the rear of the accessory structure, which was the most reasonable space available for it.

The screen porch encroachment into the south side yard is minimal and there are no plans to enclose the screen porch.

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

The Accessory Building was permitted for this lot.

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 Second Dwelling Unit has stood for almost 20 years in its present location and does not present a conflict with adjacent properties or uses.

Accessory Buildings are common in my neighborhood.

All of my adjacent neighbors support my 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:

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:

<p>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.</p>

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 [Signature] Mail Address 2004 Goodrich Ave.

City, State & Zip Austin, Tx 78704

Printed Lindsey C Lane Phone 512-293-6046 Date 4/27/11

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 [Signature] Mail Address 2004 Goodrich Ave

City, State & Zip Austin, Tx 78704

Printed Lindsey C Lane Phone 512-293-6046 Date 4.27.11

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

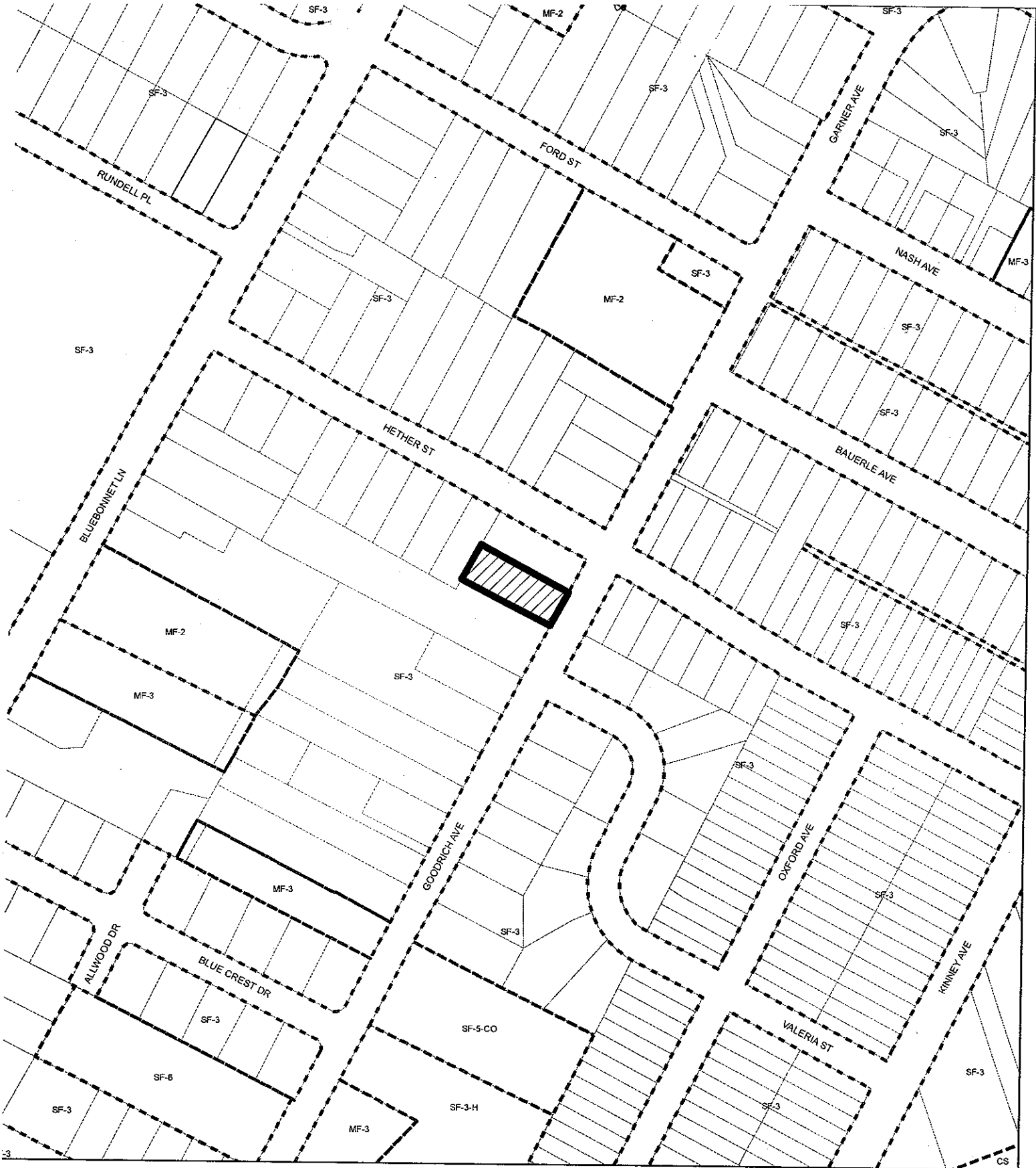
(The following is intended to provide assistance in explaining the variance process. These suggestions are not intended to be a complete or exhaustive guide in assisting you through this process.)

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.)



BOARD OF ADJUSTMENTS



SUBJECT TRACT

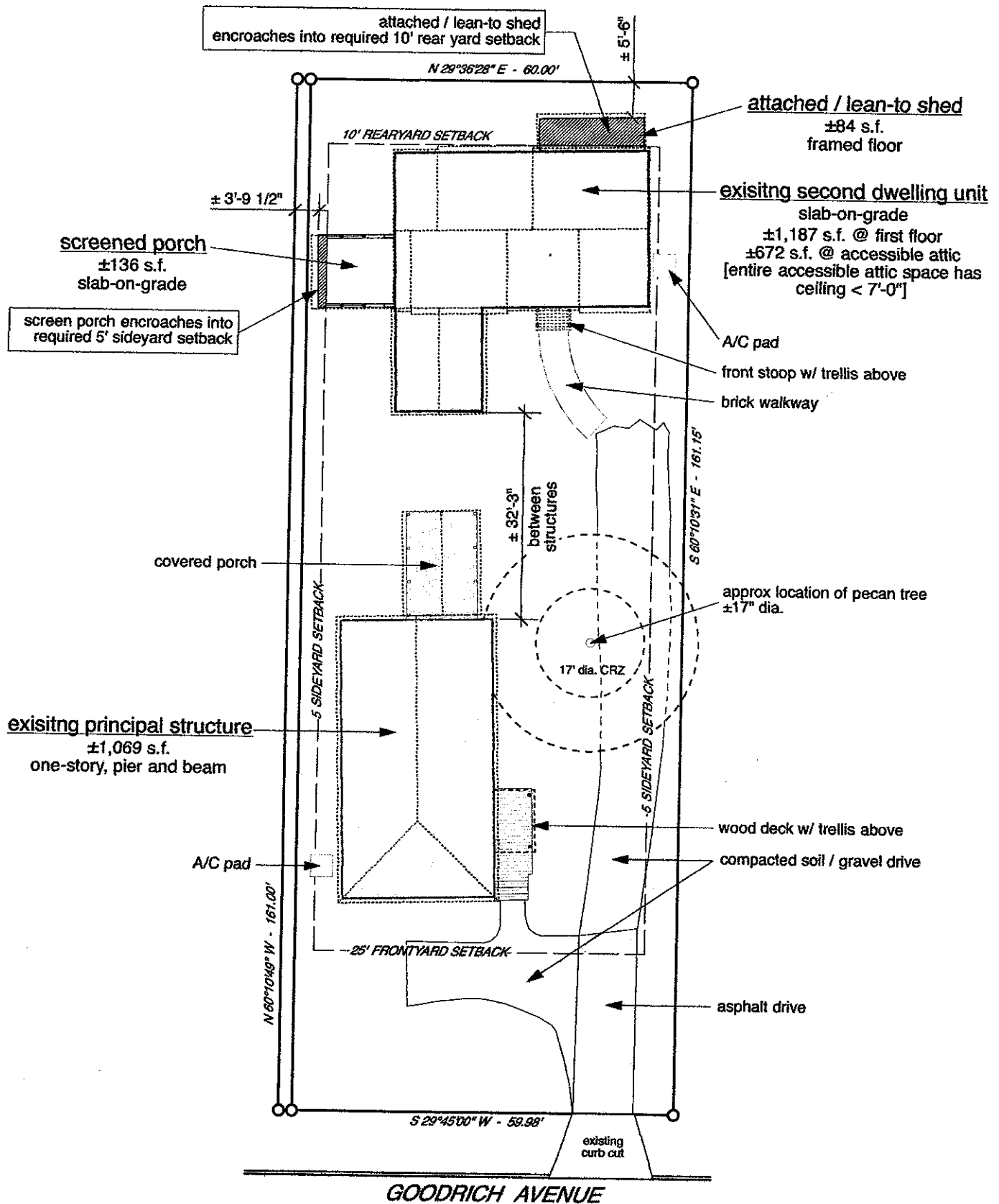


ZONING BOUNDARY

CASE#: C15-2011-0065
 LOCATION: 2004 Goodrich Ave
 GRID: G21
 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.



note:
information on this page is taken from owner's survey dated 02/18/2011 and
field measurements by architect

2004 Goodrich Avenue

site plan / scale: 1" = 20'-0" / issue for B.O.A. variances



p.1

variances required

NOTE: NO NEW CONSTRUCTION IS BEING PROPOSED - ALL STRUCTURES ARE EXISTING

[SOUTH] SIDEYARD SETBACK: reduce setback from 5'-0" to 3'-6"
for existing screened porch at accessory structure

[WEST] REARYARD SETBACK: reduce setback from 10'-0" to 5'-0"
for existing attached / lean-to shed at accessory structure

ACCESSORY STRUCTURE: increase allowable square footage from 850 s.f. to 1,190 s.f.
for existing accessory structure to remain as-is

site information

address: 2004 Goodrich Avenue Austin, Texas 78704

zoning: SF-3-NP [Bouldin]

legal description: 0.2218 AC. out of Block 36 of L.M. Bradley's
Subdivision of Lot 4, Goodrich Subdivision
Vol. 4, Page 268 - plat record of Travis County, Texas
NOTE: A Land Status Determination 1995 Rule Platting Exception has been
issued for this lot - 10.27.2010

lot size: ± 10,000 SF - per survey dated 02.18.2011

building coverage

40% allowable

principal structure

house footprint: 1,069

covered porch footprint: 189

secondary dwelling unit:

house footprint: 1,187

screen porch footprint: 135

attached shed footprint: 84

total: 2,664 (26.64%)

impervious cover

45% allowable

building coverage: 2,664

uncovered wood deck footprint: 51 [counted at 50%]

packed dirt / gravel driveway: 1,154

asphalt driveway: 265

walks / paving: 94

AC pads: 25

total: 4,253 (42.53%)

floor-to-area ratio

.40 allowable

principal structure 1st floor: 1,069 [covered porch exempted from calculation per subchapter F 3.3.3.A]

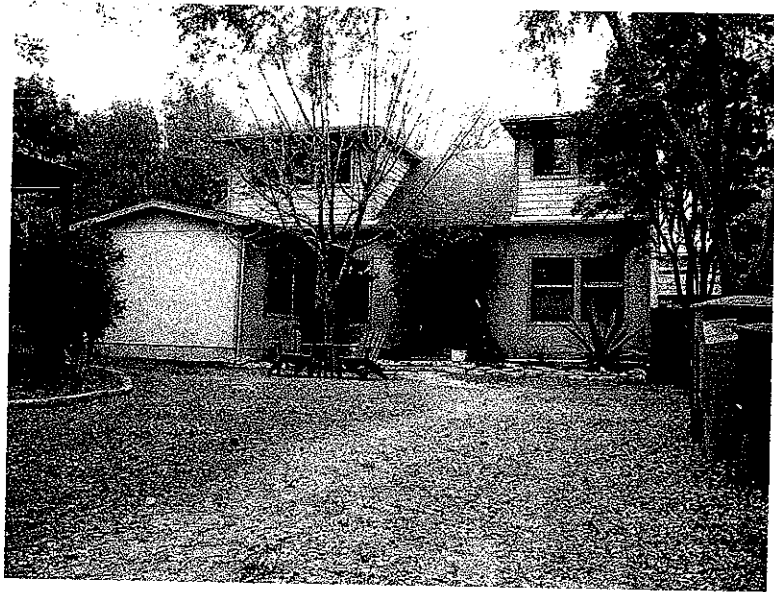
accessory structure 1st floor: 1,187 [screen porch exempted from calculation per subchapter F 3.3.3.A]

secondary dwelling unit 1st floor > 15'-0" tall: 50

secondary dwelling unit attached shed: 84

secondary dwelling unit accessible attic: 0 [672 s.f. exempted per subchapter F 3.3.3.C
entire accessible attic has <7'-0" ceiling height]

total: 2,390 (0.24)



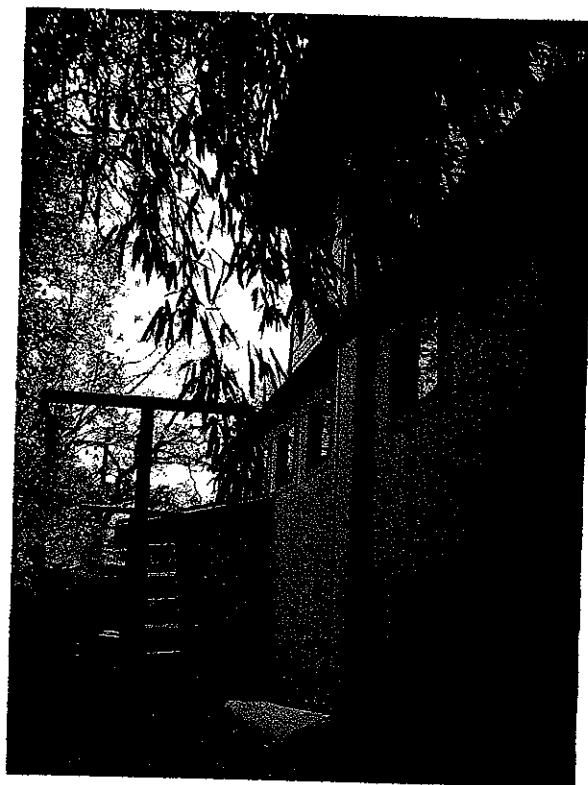
VIEW OF SECONDARY
DWELLING UNIT
LOOKING WEST



VIEW OF PROPERTY
LOOKING WEST



VIEW OF SETBACK
ENCROACHMENT AT SOUTH
PROPERTY LINE



VIEW OF SETBACK
ENCROACHMENT AT REAR
PROPERTY LINE

ACCESSORY
STRUCTURE
2004 GOODRICH



PRINCIPAL STRUCTURE
2004 GOODRICH

note:
information on this page is taken from Google maps

2004 Goodrich Avenue

aerial view showing adjacent lots / structures

p.5

From: steve_mcguire <steve_mcguire@yahoo.com>
Subject: Re: [ZNAExCom] FW: [Zilker Neighborhood Association] Variance request
Date: April 7, 2011 1:21:39 PM CDT
To: mslindseylane@gmail.com
Cc: znaexcom@yahogroups.com

Hi Lindsey,

ZNA excom voted to take a neutral position on your case, but will send a letter to the BoA stating something close to this:

"We do not have the research or expertise to take a position on this case of hardship, but we do support the definition and criteria of hardship as outlined by the Board of Adjustments, and expect that any request that fails to meet that standard will not be granted."

Sorry it has taken me a while to respond to your last email. I was on vacation and did not attend the 4/4 excom meeting. I can send you the exact wording of the letter once it is written.

Please let me know if you have questions.

Steve

Steve

--- On Fri, 4/1/11, lindsey lane <mslindseylane@gmail.com> wrote:

From: lindsey lane <mslindseylane@gmail.com>
Subject: Re: [ZNAExCom] FW: [Zilker Neighborhood Association] Variance request
To: "steve_mcguire" <steve_mcguire@yahoo.com>
Date: Friday, April 1, 2011, 5:05 PM

Steve,

I have talked to my four contiguous neighbors and they have signed a letter saying that support my variances. I will now fill out my BoA application. Before I submit it, I will check in again to see if the ZNA executive committee has agreed with the zoning committee's neutral recommendation.

Best,
Lindsey

Website: <http://www.lindseylane.net>
Blog: <http://www.lindseylane.net/blog/>

On Mar 22, 2011, at 9:05 AM, steve_mcguire wrote:

Hi Lindsey,

Matt and I submitted a neutral recommendation to the ZNA executive committee concerning your property and potential case before the BoA. Matt's email is:

mattditlow@realtyaustin.com

Regards,
Steve

--- On Mon, 3/7/11, lindsey lane <mslindseylane@gmail.com> wrote:

From: lindsey lane <mslindseylane@gmail.com>
Subject: Re: [ZNAExCom] FW: [Zilker Neighborhood Association] Variance request
To: "steve_mcguire" <steve_mcguire@yahoo.com>
Date: Monday, March 7, 2011, 5:09 PM

Thanks, Steve.
Did the letter make sense?

Website: <http://www.lindseylane.net>
Blog: <http://www.lindseylane.net/blog/>

On Mar 7, 2011, at 3:40 PM, steve_mcguire wrote:

Dear Friends and Neighbors:

Last fall I had the bright idea to upgrade the utilities on my property by separating the electric service so the front house can have its own meter. While working on it, I discovered that there is an outstanding unfinalized permit on the property which I must resolve before I can upgrade the utilities.

Unfortunately, this permit problem opened up a whole 'nother can of South Austin worms. In order to get a final permit, I have to request three variances from the Board of Adjustment. My porch and shed are closer to the property line than they should be and my house is a few hundred square feet bigger than the current code allows.

I want to be very clear: I AM NOT BUILDING ANYTHING. THE VARIANCES WILL SIMPLY ALLOW ME TO KEEP MY HOME AS IT IS.

I have made the Zilker Neighborhood Association aware of this issue. The zoning folks are submitting a neutral recommendation to the Executive Committee.

Finally I am attaching a petition to this letter, which asks for your support in my variance request. I hope you will consider signing it.

If you have any questions, please feel free to call me (293-6046).

Sincerely,

Lindsey Lane

If you have no objections, I would appreciate your signing the attached petition, which I can present to the Board of Adjustment.

I support Lindsey Lane's variance request at 2004 Goodrich Ave.

Name	Address	Signature
SUSAN BRIGGS	2001 Goodrich	SBriggs
Sarah Powers	1807 Hether St.	Sarah Powers
CLAIRE BRUND	2006 Goodrich	Claire Brund
KAREN HARTER	2000 Goodrich Ave	Karen Harter



**City of Austin
Planning and Development Review
Land Status Determination
1995 Rule Platting Exception**

October 27, 2010

File Number: **C8I-2010-0277**

Address: **2004 GOODRICH AVE**

Tax Parcel I.D. # **0100060117**

Tax Map Date: **01/05/2010**

The Watershed Protections & Development Review has determined that this parcel, as described in the attached description and map, **IS EXCEPTED FROM THE REQUIREMENT TO PLAT** in accordance with the Land Development Code, Section 25-4-2(C), and is eligible to receive utility service.

The parcel of land consists of five acres or less, and is described as being **.2218 acre tract of land in the Isaac Decker League, being a portion of Block 36, L.M. Bradley's Subdivision of Lot 4 of Goodrich Subdivision (unrecorded) AND a 2.11 foot strip of land in the Isaac Decker League, being a portion of Block 36, L.M. Bradley's Subdivision of Lot 4 of Goodrich Subdivision** in the current deed, recorded on **Aug 12, 1993, in Volume 11998, Page 705, Travis County Deed Records**. This parcel existed in its current configuration on January 1, 1995, as evidenced by a deed recorded on **Aug 12, 1993, in Volume 11998, Page 705, Travis County Deed Records**. The parcel was lawfully receiving utility service, as defined in Section 212.012 of the Texas Local Government Code, on January 1, 1995, as evidenced by **water service on Mar 05, 1946**. The parcel meets the requirements of the Land Development Code for roadway frontage and is located on an existing street.

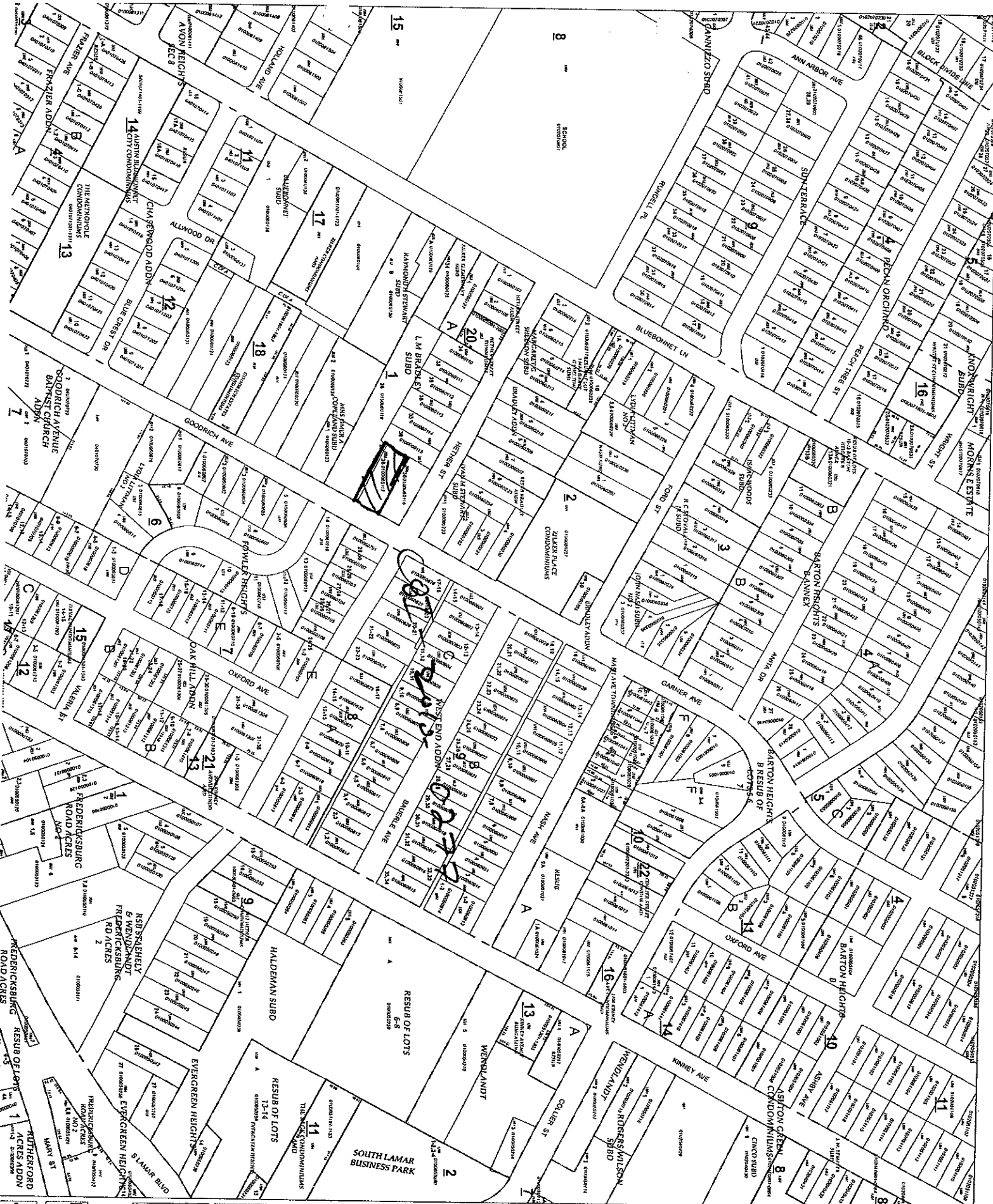
Additional Notes/Conditions:

NONE

This determination of the status of the property is based on the application of Chapter 212, Municipal Regulation of Subdivisions and Property Development, Texas Local Government Code; and the City of Austin Land Development Code, Chapter 25-4, Subdivision. Recognition hereby does not imply approval of any other portion of the City Code or any other regulation.

By: _____

**Daniel Word, Representative of the Director
Planning and Development Review**



1 0006

Revision Date
1/05/2010

NAD_1983_StatePlane
Texas_Central_FIPS_4203_Feet
Projection: Lambert_Conformal_Conic

0 120 Feet

Scale: 1 inch = 120 feet

Map Date: 1/05/2010

Map By: [illegible]

Map For: [illegible]

This tax map was compiled solely for the use of TCAD. Areas depicted by these digital products are approximate, and are not necessarily accurate to mapping, surveying or engineering standards. Conclusions drawn from this information are the responsibility of the user. The TCAD makes no claims, promises or guarantees about the accuracy, completeness or adequacy of this information and expressly disclaims liability for any errors and omissions. The mapped data does not constitute a legal document.

Travis Central Appraisal District

8314 Cross Park Drive
Austin, Texas 78754

Internet Address: www.traviscentral.org

Main Telephone Number (512) 834-9317
Appraisal Information (512) 834-9318
TDD (512) 836-3328



2.1545 ACRE
23980, T.C.O.P.R.)

POWERS

S 36° 28' E
0.00'

S 60° 00' E
170.00'

S 60° 00' E
170.00'

S 60° 00' E
170.00'

FID. LINE CORNER POST

TRAIL

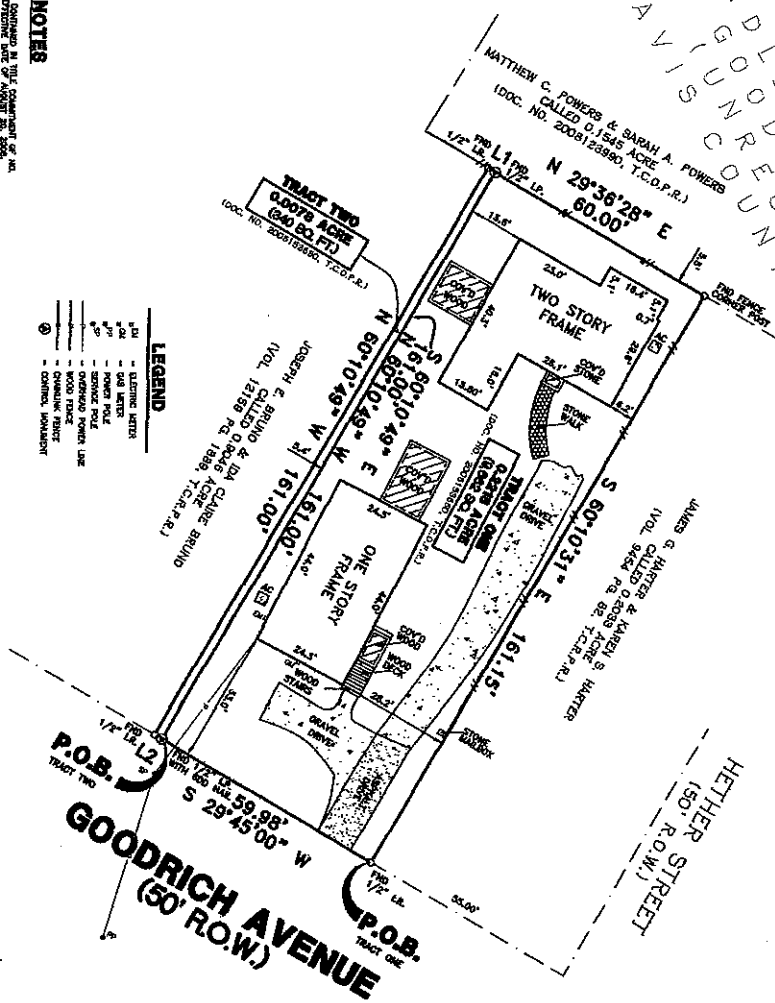
ROAD

20' 0 20 40 60 Feet

SCALE: 1" = 20'

N

SURVEY OF TRACT ONE,
 0.2218 OF AN ACRE (9,662 SQ. FT.)
 OUT OF LOT 36
 SURVEY OF TRACT TWO,
 0.0078 OF AN ACRE (340 SQ. FT.)
 OUT OF LOT 36
 L.M. BRADLEY'S SUBDIVISION OF LOT 4
 GOODRICH SUBDIVISION (UNRECORDED)
 SITUATED IN THE ISAAC DECKER LEAGUE
 DOCUMENT NO. 2006153680, T.C.O.P.R.
 DESCRIBED BY DOCUMENT NO. 2003156714,
 T.C.O.P.R., TRAVIS COUNTY, TEXAS



GENERAL NOTES

- [illegible]

LINE	DISTANCE	BEARING
L1	2.11'	N 29°58'28" E
L2	2.11'	S 29°49'00" W

[illegible][illegible]

Windrose Land Services Australia

4130 Commercial Center Dr.
Suite 500
Dallas, Texas 75244



Telephone (812) 384-1100
Fax (812) 384-2700
cablemail 4011 windrose LAND

**2004 Goodrich Avenue
Facts re: Ownership and Zoning**

- August 1993—I purchased the property at 2004 Goodrich Avenue from Edwin and Maureen Walston. At the time the property included a two bedroom, two-bath house at the front of the property and a detached accessory building at the back of the property. The property was zoned SF-3. I purchased the property with the intention of finishing out the detached accessory building as my home and renting out the 2-2 home. To accomplish this goal, Walston deeded me an extra two feet on the southern lot of line of the property (he owned the adjoining property) to increase the square footage to 10,000 square feet which would allow me, he said, to have a detached home on the property. I didn't want to duplex the houses as they are 48 feet apart and I believe that duplex would change the character of the property so much it would no longer fit with the neighborhood.
- September 1993—Walston began the detached accessory building remodel. Three weeks later I had to fire him because he stopped showing up to work after receiving a \$5000 draw. I hired a carpenter and electrician to take over the work while I got up to speed regarding the various plumbing, electrical and mechanical codes.
- In 1994, when it came time to pass my final inspection on my house (I passed all the inspections on my renovation and was never told that there were problems with the project), I was told by the inspector that I could not get a Certificate of Occupancy (CO) because I could not have two unattached houses on the property. The houses either needed to be joined by a 48x24 foot roof or the second house needed to be a guesthouse with no stove. It was at this time I learned that the creation of the 10,000 square foot property was for a guesthouse, not a fully functioning house.
- I needed the income of the rental unit to make a mortgage payment, so creating a guesthouse scenario was not going to work. Without a CO, I couldn't sell the house. I tried to create a landscape plan that would join the two houses to look like a duplex without all the impervious cover.
- In 1995, I presented this design to JR Kugel in the zoning and permitting dept. He looked at the plans and asked me if I was going to sell the property anytime soon. I said no. He said that the SF and MF zoning was being reviewed and, if I could wait, he thought the new definitions of SF 3 would be able to incorporate the configuration of my property.
- I called in 1996 to see if there was any progress. There wasn't. Later that year, I became a mother and didn't call again until 2001.
- By 2001, SF3 zoning had been amended and two unattached buildings could co-exist on a 7000 sq foot lot IF the second building did not exceed 850 sq feet.

PERMIT NO.
9302540STATUS
FINALEDTYPE
RADDRESS
2004 GOODRICH AVENUE A 00000DATE
08-MAR-93

SUBDIVISION BRADLEY ADDITION BLOCK: LOT: 60' X 161' OF LOT 36						PERMIT CLERK VOLPE, M			
PLAT 107	BLOCK	LOT 60' X 161' OF LOT 36				GRID			
ZONE SF3	HT. & AREA	REQD.	PARKING PROVD.	PROPOSED OCCUPANCY ADD BEDROOM & BATHROOM TO RESIDENCE					
SPECIAL PERMIT NO.		TOTAL SQ. FT. 595	VALUATION \$620,000	TYPE CONST.	USE. CAT. R4-0	GROUP	FLOORS	BLDGS 1	UNITS 1
WORK PERMITTED ADDITION			BASEMENT	BUILDING DIMENSIONS 23' X 24'				MIN. STD.	ONR

C O N T R A C T O R S	OWNER/CONTR.	MAUREEN WALSTON	PHONE 447-8803	FEE	PAID DATE	REQUIRED INSPECTIONS BUILDING MECHANICAL ELECTRIC PLUMBING WATER SEWER
	BUILDING	OWNER		\$78	03/08/1993	
	ELECTRICAL	OWNER		\$43	03/15/1993	
	MECHANICAL	OWNER		\$37	03/15/1993	
	PLUMBING	OWNER		\$37	03/15/1993	
	SIDEWALK/DRIVE					
	SIGN					
	ROOF / SIDE					
	ELEC SERVICE FEE					
	PLAN CHECK FEE					
			ETJ FEE	TOTAL FEE \$195	TOTAL PAID \$195	

C.O. MAILING ADDRESS

REMARKS:

BY TAKING AND/OR PAYING FOR THIS PERMIT APPLICATION, YOU ARE DECLARING YOU ARE THE OWNER OR HAVE BEEN AUTHORIZED BY THE OWNER OR OWNERS TO SUBMIT THIS APPLICATION, THAT THE GIVEN DATA ARE TRUE FACTS AND THAT THE WORK WILL CONFORM TO THE PLANS AND SPECIFICATIONS SUBMITTED HERewith:

THIS IS A RECEIPT OF PAYMENT FOR FEE OR FEES AS MARKED PAID.

TO SCHEDULE AN INSPECTION, CALL 480-0623.

PERMIT NO.
9302540STATUS
FINALEDTYPE
RADDRESS
2004 GOODRICH AVENUE A 00000DATE
08-MAR-93

SUBDIVISION BRADLEY ADDITION BLOCK: LOT: 60' X 161' OF LOT 36						PERMIT CLERK VOLPE, M											
PLAT 107		BLOCK		LOT 60' X 161' OF LOT 36		GRID											
ZONE SF3		HT. & AREA		PARKING PROVD.		PROPOSED OCCUPANCY ADD BEDROOM & BATHROOM TO RESIDENCE											
SPECIAL PERMIT NO.		TOTAL SQ. FT. 595		VALUATION \$620,000		TYPE CONST.		USE. CAT. R4-0		GROUP		FLOORS		BLDGS 1		UNITS 1	
WORK PERMITTED ADDITION				BASEMENT		BUILDING DIMENSIONS 23' X 24'						MIN. STD.		ONR			

TYPE	DATE	STATUS	FAILURES	INSPECTOR	CODE
Layout	03/24/1993	PASS		CROFT	101
Plumbing Rough					501
Plumbing Sewer	09/09/1993	PASS	1		505
Plumbing Copper					502
Plumbing Gas					504
Foundation	03/24/1993	PASS		CROFT	102
Framing	10/01/1993	PASS	2		103
Insulation/Energy	06/04/1993	PASS	1	CROFT	601
Plumbing Top Out	10/01/1993	PASS	2		503
Mechanical Rough	10/01/1993	PASS			401
Mechanical Vent					402
Electrical Slab					301
Electric Rough	07/06/1993	PASS	1		302
Wallboard	10/06/1993	PASS			104
Sidewalk Prepour					201
Driveway Prepour					202
* Final Building	09/06/1994	PASS	1		706
* Final Electric	07/05/1994	PASS		FREEMAN	701
* Final Mechanical	09/06/1994	PASS			703
* Final Plumbing	09/06/1994	PASS	1		702
* Final Energy	09/06/1994	PASS			704
F Final Concrete					705
I Final Sign					707
A Landscaping					
L Engineering					
* Water	25-JUN-93				
* Sewer	25-JUN-93				
* Fire					
* Health					

Admin Holds: NONE

Review Date

Remarks: IS SET

FINAL DATE

09/06/1994

TO SCHEDULE AN INSPECTION, CALL 480-0623.

PERMIT NO.
9212166STATUS
ACTIVETYPE
RADDRESS
2004 GOODRICH AVENUE A .00000DATE
07-OCT-92

SUBDIVISION L.M. BRADLEY BLOCK: LOT: 36						PERMIT CLERK SMITH, R			
PLAT 107	BLOCK 36	LOT				GRID			
ZONE SF3	HT. & AREA	REQD.	PARKING PROVD.	PROPOSED OCCUPANCY DETACHED ACCESSORY BUILDING					
SPECIAL PERMIT NO.		TOTAL SQ. FT. 960	VALUATION \$600,000	TYPE CONST.	USE. CAT. B3-3	GROUP	FLOORS 1	BLDGS 1	UNITS 1
WORK PERMITTED ADDITION			BASEMENT	BUILDING DIMENSIONS 24 X 40				MIN. STD.	ONR

C O N T R A C T O R S	OWNER/CONTR.	MAUREEN & EDWIN WALSTON	PHONE	FEE	PAID DATE	REQUIRED INSPECTIONS BUILDING MECHANICAL PLUMBING
	BUILDING	OWNER	447-8803	\$78	10/07/1992	
	ELECTRICAL	OWNER		\$43	03/15/1993	
	MECHANICAL					
	PLUMBING	OWNER	\$37	08/06/1993		
	SIDEWALK/DRIVE					
	SIGN					
ROOF / SIDE						
ELEC SERVICE FEE						
PLAN CHECK FEE						
			ETJ FEE	TOTAL FEE \$158	TOTAL PAID \$158	

C.O. MAILING ADDRESS

REMARKS: BLDG & ELEC INVEST 10-1-92 DISREGARD INVEST
FEE/HOMEOWNER PERMIT***

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PERMIT NO.
9212166STATUS
ACTIVETYPE
RADDRESS
2004 GOODRICH AVENUE A .00000DATE
07-OCT-92

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PLAT 107		BLOCK 36		LOT				GRID					
ZONE SF3	HT. & AREA	REQD.	PARKING PROVD.	PROPOSED OCCUPANCY DETACHED ACCESSORY BUILDING									
SPECIAL PERMIT NO.		TOTAL SQ. FT. 960		VALUATION \$600,000		TYPE CONST.		USE. CAT. B3-3		GROUP	FLOORS 1	BLDGs 1	UNITS 1
WORK PERMITTED ADDITION			BASEMENT		BUILDING DIMENSIONS 24 X 40						MIN. STD.	ONR	

TYPE	DATE	STATUS	FAILURES	INSPECTOR	CODE
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Mechanical Vent					402
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Sidewalk Prepour					201
Driveway Prepour					202
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* Final Mechanical					703
* Final Plumbing					702
* Final Energy					704
F Final Concrete					705
I Final Sign					707
A Landscaping					
L Engineering					
* Water					
* Sewer					
* Fire					
* Health					
Admin Holds: NONE			Review Date		
Remarks:					

FINAL DATE

TO SCHEDULE AN INSPECTION, CALL 480-0623.

ONE STOP SHOP
505 Barton Springs
Austin, Texas 78701
(512) 974-2632 phone
(512) 974-9112 phone
(512) 974-9779 fax
(512) 974-9109 fax



Austin Energy
Electric Service Planning Application (ESPA)
For Residential and Commercial "SERVICE ONLY"
Under 350 amps 1 ϕ or 225 amps 3 ϕ

☒ Check this box if
this is for a
building permit
only.

(Please print or type. Fields left blank will be considered Not Applicable.)

Responsible Person for Service Request _____ Phone _____
Email _____ Fax _____
Project Name _____ ☐ New Construction ☐ Remodeling
Project Address 2004 Goodrich Ave OR
Legal Description _____ Lot _____ Block _____
Requested Service Duration: ☐ Permanent Service ☐ Construction Power/Temp Service
(Usually less than 24 months)
Who is your electrical service provider? ☒ AE ☐ Other _____

☒ Overhead or ☐ Underground Voltage LF ☒ Single-phase (1 ϕ) or ☐ Three-phase (3 ϕ)
Service Main Size(s) _____ (amps) Number of Meters? _____
AE Service Length _____ (ft.) Conductor _____ (type & size)
SqFt Per Unit _____ #Units _____ ☐ All Electric ☐ Gas & Electric ☐ Other _____
Total AC Load _____ (Tons) Largest AC unit _____ (Tons)
LRA (Locked Rotor Amps) of Largest AC Unit _____ (Amps)
Electric Heating _____ (kW) Other _____ (kW)

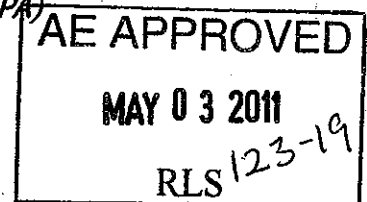
Comments: Addition on existing detached dwelling/ lean to shed
and screened porch

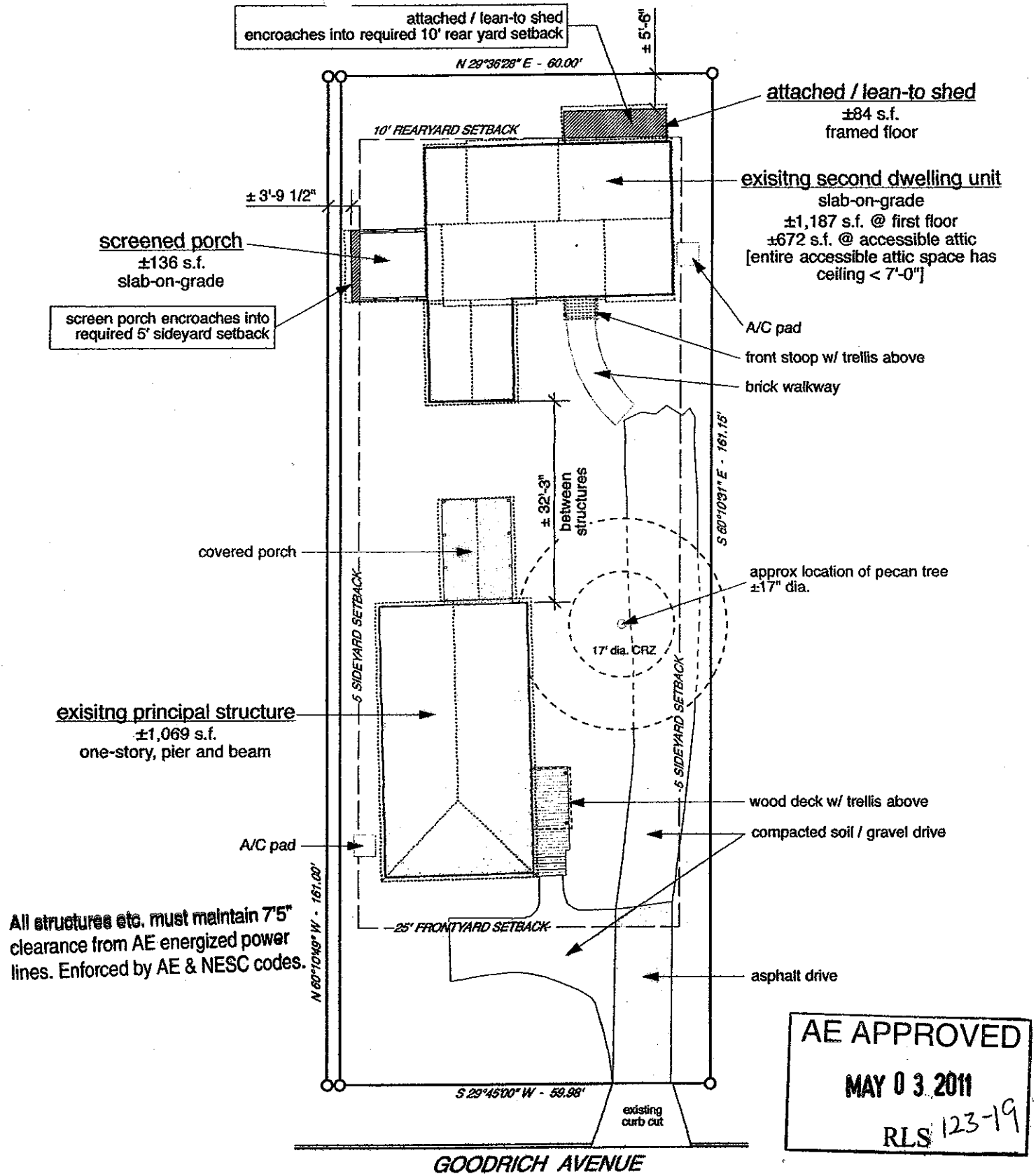
ESPA Completed by (Signature & Print name) _____ Date _____ Phone _____
Approved: ☒ Yes ☐ No (Remarks on back) _____
AE Representative _____ Date _____ Phone _____

Application expires 180 days after date of Approval
(Any change to the above information requires a new ESPA)

Version 1.1.0.0

All structures etc. must maintain 7'5"
clearance from AE energized power
lines. Enforced by AE & NESC codes.





note:
information on this page is taken from owner's survey dated 02/18/2011 and
field measurements by architect

2004 Goodrich Avenue

site plan / scale: 1" = 20'-0" / issue for B.O.A. variances



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