

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

**DATE: Monday, September 12, 2011**

**CASE NUMBER: C15-2011-0097**

☐ Y ☐ Jeff Jack  
☐ Y ☐ Michael Von Ohlen  
☐ Y ☐ Nora Salinas  
☐ Y ☐ Bryan King 2<sup>nd</sup> the Motion  
☐ Y ☐ Susan Morrison  
☐ Y ☐ Melissa Hawthorne Postpone to Oct 10, 2011  
☐ Y ☐ Heidi Goebel  
☐ - ☐ Cathy French (SRB only)

**OWNER/APPLICANT: David Triche**

**ADDRESS: 3803 DUVAL ST**

**VARIANCE REQUESTED: The applicant has requested a variance to increase the maximum impervious coverage requirement of Section 25-2-492 (D) from 45% to 52% in order to add to an existing driveway in order to increase available parking area and add a turn around area for an existing single-family residence in an "SF-3-CO-NP", Family Residence – Conditional Overlay – Neighborhood Plan zoning district. (Hancock Neighborhood Plan)**

**The applicant has requested a variance to increase the maximum fence height requirement of Section 25-2-899 (D) from 6 feet to 8 feet in order to erect a portion of a solid fence for an existing single-family residence in an "SF-3-CO-NP", Family Residence – Conditional Overlay – Neighborhood Plan zoning district. (Hancock Neighborhood Plan)**

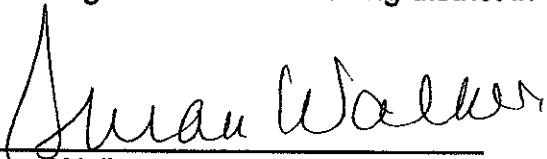
**The applicant has requested a variance to decrease the minimum side yard setback requirement of Section 25-2-492 (D) from 5 feet to 2 feet 4 inches along the south property line in order to maintain a detached accessory building for an existing single-family residence in an "SF-3-CO-NP", Family Residence – Conditional Overlay – Neighborhood Plan zoning district. (Hancock Neighborhood Plan)**


**The applicant has requested a variance to decrease the minimum side yard setback requirement of Section 25-2-492 (D) from 5 feet to 0 feet along the north property line in order to maintain a hot water heater closet and from 5 feet to 2.3 in order to maintain an existing single-family residence and deck in an "SF-3-CO-NP", Family Residence – Conditional Overlay – Neighborhood Plan zoning district. (Hancock Neighborhood Plan)**

**BOARD'S DECISION:** The public hearing was closed on Board Member Melissa Hawthorne motion to Postpone to October 10, 2011 , Board Member Bryan King second on a 7-0 vote; **POSTPONED TO OCTOBER 10, 2011 FOR ADDITIONAL INFORMATION DRAWING WITH MEASUREMENTS.**

**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

  
\_\_\_\_\_  
Jeff Jack  
Chairman

specialist in the Plan Review Division at 974-2580.

1

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

C15-2011-0097  
TP-0218060702  
KOW-10634192

CASE # \_\_\_\_\_  
ROW # \_\_\_\_\_

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: 3803 Duval ST. Austin TX 78751

LEGAL DESCRIPTION: Subdivision - Oaklawn Addn

Lot(s) 1-6 Block 1 Outlot 11 Division C

I/We David Triche on behalf of myself/ourselves as authorized agent  
for David Triche  
affirm that on 7/22, 2011, hereby apply for a hearing before the Board of Adjustment for  
consideration to:

(check appropriate items below)

X ERECT    ATTACH    COMPLETE    REMODEL X MAINTAIN

Add to an existing driveway to increase available parking spaces and add the ability to turn around before exiting the property to a home built circa 1925.

45% → 52%

To erect a 22' section of 8' fence between the new parking area and the house; the fence will run perpendicular to the side yard fence for less than half the property width and should have no impact on the neighbors on either side.

6' → 8'

A setback variance is requested for one interior side yard (from 5' to 2' 4") and rear yard (from 10' to 5' 4") for the existing accessory building.

A setback variance is requested for one interior side yard (from 5' to 0') for an existing exterior water heater closet.

in a SF-3 - CO - NP district.  
(zoning district)

Waucoch n.p.

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.

2

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 house and existing driveway take up a large percentage of the impervious cover allowed, without allowing for any parking that would not block entering or exiting for a second vehicle. The existing driveway runs for 74' between the house and property line before expanding into an area that could be used for parking a single car without space to turn around to exit in a forward direction. We are working with the Hancock Neighborhood Association to install a Green Space in partnership with Austin Public Works Neighborhood Connectivity division where we used to park; there is a letter of support for these changes from Hancock Neighborhood Association included here.

The variance for the 8' section of fence is requested in addition to the parking expansion as it would give separation/privacy between the rear facing bedroom of the home and the new parking area.

The accessory building was existing on purchase of the property in 2009, and the setback non-compliance should have been resolved with Austin permit #2008-069272BP; this variance is requested to bring this to a conforming state.

The water heater closet was existing, and has existed for at least 15 years based on the manufacture date of the water heater that is currently installed. The water heater closet is currently .1' over the property line; my intent is to rebuild the closet when the water heater is being replaced to bring it as far inside the property line as is possible.

HARDSHIP:

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

The existing space does not allow for any type of turnaround that would allow a vehicle to exit the property in a forward position and the driveway is only 47 feet from the intersection of 38<sup>th</sup> St. and Duval. Backing out would be exceptionally dangerous for both motorists as well as the numerous cyclists who use the bike lanes on Duval St.

The accessory building existed on purchase of the property and was believed to have been moved to comply with setbacks as per Austin permit #2008-069272BP. The fact that permit #2008-069272BP was withdrawn was unknown at the time of purchase, and it was understood from the broker and the seller that all compliance issues had been resolved prior to listing for sale. This leaves the property in a

non-conforming state and this variance request is an attempt to move the property to a conforming state.

Because of the layout of the house and lot, there is nowhere else that the water heater can be installed. The other side of the house is already a narrow driveway and anywhere it is placed on this side of the house will encroach on the 5' setback due to the proximity of the main structure to the property line.

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

This property does not have secondary access via an alley, a secondary entrance nor any accessible street parking; on-street parking as well as alley access is common to a large majority of homes in this area.

There is no indication that other non-complying properties had permits opened to move them to a compliant status which were subsequently withdrawn.

Many similar duplex properties in the area have significantly less house width relative to the lot size allowing AC pads and hot water heater closets that do not encroach on the 5' setback. This lot and home were not designed for such items and as such placement options are limited.

#### 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:

Parking as proposed would be completely behind the main structure with only a transit drive along the side of the structure; this is in keeping with the neighborhood desire to avoid front and side yard parking. The variance would not alter the character of the adjacent area because most homes in the area surrounding the property are rentals with significant parking space relative to the size of the lots. Numerous lots surrounding the subject property have 45'x45' or larger paved parking spaces (not counting driveways). The average size of these lots is 8047 sq ft.

The accessory building is existing, and will not encroach upon the use or character of the neighborhood green space that is to be created on the nearest lot, 3801 Duval St. We have met with the neighborhood parks committee to review the proposed site plan for 3801 Duval St., and confirmed that if this structure remains it will not inhibit the use of the green space. Once the green space is installed, this structure will be in a rear corner of the lot which will not be visible to the general public, and therefore should not alter the character of the neighborhood or neighboring lots.

The hot water heater closet is on a side of the house which is both very narrow and hidden from street view by a number of trees. In addition, this side of the house has no doors, decks or other structures that make it visible to the inhabitants or the general public. The structure next door, where no one has lived for years also has its decks and entries on the front or opposite side of the structure.

PARKING: (Additional criteria for parking variances only.)

**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:

**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 David Triche Mail Address 3308 Western Dr

City, State & Zip Austin, TX 78745-4620

Printed DAVID TRICHE Phone 512-827-7368 Date 7-22-2011

**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 David Triche Mail Address 3308 Western Dr

City, State & Zip Austin TX, 78745-4620

Printed DAVID TRICHE Phone 512-827-7368 Date 7/22/2011

1" = 20'

8-12-2011  
This configuration  
for parking is acceptable  
for transportation purposes.

DUVAL ST.

Agent Chris  
914 3428

3801

DRIVEWAY

PROP LINE

GRASS

GRASS

3803

HOUSE

GRASS

3805

HOUSE

ALLEY

DECK  
GRASS

PROP LINE

NATIVES

17'

8' fence

HOUSE

STORAGE

GRASS

DRIVEWAY

PROP LINE

HOUSE

HOUSE

38<sup>TH</sup> ST.

## Walker, Susan

---

**From:** David Triche [David@DavidTriche.com]  
**Sent:** Friday, August 12, 2011 2:37 PM  
**To:** Walker, Susan  
**Subject:** FW: Huffstickler green - groundcover idea  
**Attachments:** 4617\_001.pdf

Hello Susan - this is a signed approval from Amber Mitchell (there in the DAC with you I believe?) that she has reviewed my proposal and agrees that this is the best option I have to resolve the parking issue. Can you include this in my backup materials?

thanks and hope you have a great weekend!

David Triche  
512-827-7368

---

**From:** Mitchell, Amber [mailto:Amber.Mitchell@ci.austin.tx.us]  
**Sent:** Friday, August 12, 2011 2:08 PM  
**To:** David@DavidTriche.com  
**Subject:** RE: Huffstickler green - groundcover idea

David - Sorry for the late response. Attached is a signed copy of your proposed parking concept.

Amber Mitchell  
City of Austin - Development Assistance Center  
505 Barton Springs Rd, 1st Floor  
512-974-3428  
[amber.mitchell@ci.austin.tx.us](mailto:amber.mitchell@ci.austin.tx.us)

---

**From:** David Triche [mailto:David@DavidTriche.com]  
**Sent:** Monday, July 25, 2011 7:03 PM  
**To:** Mitchell, Amber  
**Subject:** RE: Huffstickler green - groundcover idea

Hello Amber - we met a couple of weeks ago about the property at 3803 Duval St (built in 1925) regarding a need to reconfigure parking due to the green space being created next door. Attached are final copies of the variance application as well as the existing and proposed lot layouts. This will take us from 42% IC to 52% IC, but we've reduced that from 56% IC by proposing removing concrete in one area that it currently exists but is not needed. I know I could cut this proposal down some and have just enough parking space to meet the requirements of the city, but that would leave zero space for even one visitor to park without completely blocking everyone else in. I've tried to do my best to balance the least IC with the most functional parking layout.

You had offered to "sign off" on the proposal as a "best we can do" for me to present to the BOA. Please review what I have here and make suggestions or let me know if you're comfortable with signing off on it as it is proposed.

I greatly appreciate your time and feedback the other morning - thank you.

8/26/2011



David Triche  
512-827-7368

---

**From:** Mitchell, Amber [<mailto:Amber.Mitchell@ci.austin.tx.us>]  
**Sent:** Thursday, June 30, 2011 3:59 PM  
**To:** [David@DavidTriche.com](mailto:David@DavidTriche.com)  
**Subject:** RE: Huffstickler green - groundcover idea

Hi David - I can work with you on your driveway configuration; I take walks-ins every day from 9 am to noon in the Development Assistance Center at 505 Barton Springs Rd. Any questions relating to the variance process should go to Susan Walker. She is also here in the Development Assistance Center; you can also contact her at 974-2202.

Amber Mitchell  
City of Austin - Development Assistance Center  
505 Barton Springs Rd, 1st Floor  
512-974-3428  
[amber.mitchell@ci.austin.tx.us](mailto:amber.mitchell@ci.austin.tx.us)

---

**From:** David Triche [<mailto:David@DavidTriche.com>]  
**Sent:** Wednesday, June 22, 2011 2:18 PM  
**To:** Mitchell, Amber  
**Subject:** FW: Huffstickler green - groundcover idea

Hello Amber - I called and got your email address from your voicemail. If you have a few minutes I'd like to talk to you about the process I need to follow to reconfigure the parking at my house and add some additional driveway coverage. There is a green space being put in on the lot next to us and we are actively working with with the Hancock Neighborhood Parks committee and some representatives of Austin Public Works/Neighborhood Connectivity Division to allow that to move forward.

We know that we will need to apply for a variance for impervious cover; I'm not sure how the variance/permit processes work together so I'm just hoping for some guidance if you don't mind.

Thanks -

David Triche  
512-827-7368

---

**From:** Krause, Sara [<mailto:Sara.Krause@ci.austin.tx.us>]  
**Sent:** Friday, June 17, 2011 2:41 PM  
**To:** [David@DavidTriche.com](mailto:David@DavidTriche.com); Eastman, John  
**Cc:** [HollyTriche@gmail.com](mailto:HollyTriche@gmail.com)  
**Subject:** RE: Huffstickler green - groundcover idea

Holly and David,  
It was a pleasure meeting you the other night! I think we're in good stead on this. I'll check on moving those rocks. Have you gotten any further along on your variance?

Sara Krause  
Program Coordinator

8/26/2011

City of Austin

Neighborhood Connectivity Division

Public Works Department

512-974-7182

---

**From:** David Triche [<mailto:David@DavidTriche.com>]  
**Sent:** Tuesday, June 14, 2011 10:05 AM  
**To:** Krause, Sara; Eastman, John  
**Cc:** [HollyTriche@gmail.com](mailto:HollyTriche@gmail.com)  
**Subject:** RE: Huffstickler green - groundcover idea

Hi Sara and John - wanted to take the opportunity while I was reading this to send Holly and my contact info to you.

David Triche - [david@davidtriche.com](mailto:david@davidtriche.com) 512-827-7368  
Holly Triche - [HollyTriche@gmail.com](mailto:HollyTriche@gmail.com) 512-507-6321

It was good meeting both of you the other night; we're looking forward to making progress on this project and getting everything resolved so everyone is better off in the end.

Thanks!

David & Holly

**From:** Lisa Harris [<mailto:ljharrisus@yahoo.com>]  
**Sent:** Sunday, June 12, 2011 8:00 PM  
**To:** SaraKrause; JohnEastman; Bart Whatley; Carol Moczygemba; Rafi Anuar; Michael Biechlin; [david@davidtriche.com](mailto:david@davidtriche.com); Carolyn PPalaima  
**Cc:** Bill Bednar  
**Subject:** Huffstickler green - groundcover idea

I keep a gardening log so I can look back at what I planted when so I can keep track of what I planted where and what does or does not thrive under my care. There is a groundcover that I planted on a part of our lot that is inconvenient to water. Looking in my log, it is called wedelia and I planted it early in 2007. I don't mow it or water it. The main maintenance I do is trim it when it grows onto the driveway and cut/pull down arms that grow up onto the side of our garage. This winter the hard freeze caused it to die back some but it bounced back just fine. I've seen some warnings that it can be invasive but I haven't observed that. It covers its area pretty well- I have to pull some weeds in its area but not a lot. It's in an area with some sun and some shade.

Lisa

8/26/2011



Search

Find: 
[Directory](#) | [Departments](#) | [FAQ](#) | [Links](#) | [Site Map](#) | [Help](#) | [Contact Us](#)

## PUBLIC INFORMATION

### Public Search

### Issued Permit Report

### REGISTERED USERS

### New Registration

### Update Registration

### My Permits/Cases

### My Licenses

### Request / Cancel / View Inspections

### My Escrow Accounts

### Reports

### Login

### HELP

### Web Help

## FOLDER DETAILS

Section 25-11.94 Expiration and extension of permit (Active Permits will expire 180 days at 11:59:59 pm after date of last inspection posted). If you allow this permit to expire you will be required to submit a new application & pay new fees.

Permit/Case	Reference File	Description	Sub Type	Work Type	Project Name	Status	Application Date	Issue Date	Expiration Date
2008-068690 BP	2008-068690 BP	Demolish a enclosed carport and attached storage shed in order to bring property back into compliance. See active code violations	2-649 Demolition All Other Bldgs Res	Demolition	5803 DUVAL ST	Final	Aug 29, 2008	Sep 1, 2008	Dec 17, 2008

Related Folders: [YES](#)

## FOLDER INFO

Information	Description	Value
Smart Housing	No	
Total Existing Building Square Footage	364	
Total Job Valuation	1800	
Building Inspection	Yes	
Environmental Inspection	No	
Landscaping Inspection	No	
Water Tap Inspection	No	
Sewer Tap Inspection	Yes	
Number of Floors	1	
Number of Units	1	
Code Type	International Residential Code	
Public or Private	Private	
Usage Category	649	

## PROPERTY DETAILS

### Email Us

Number	Pre.	Street	Street Type	Dtr	Suite Type	Suite Number	City	State	Zip	Legal Desc
3803	DUVAL	STREET					AUSTIN	TX	78751	Lot 2 Block 1 Subdivision OAK LAWN ADDITION

## PEOPLE DETAILS

Desc.	Organization Name	Address	City	State	Postal	Phone
Applicant	(Jim Kilgo)	3511 GUADALUPE ST	Austin	TX	78705	(512)848-0347
Billed To	Express Limousines, Inc DBA Groovy Automotive #1	4011 RED RIVER	Austin	TX	78741	(512)450-0951
General Contractor	(Frank Vasquez)		Austin	TX		(512)789-0279

## FOLDER FEE

Fee Description	Fee Amount	Balance
Demolition Permit Fee	\$44.00	\$0.00

## PROCESSES AND NOTES

Process Description	Status	Schedule Date	Start Date	End Date	Assigned Staff	# of Attempts
112 Final Building	Pass	Dec 17, 2008	Oct 22, 2008	Dec 17, 2008	John Puro (974-4671)	2
114 Continuance of work	Pass		Oct 22, 2008		John Speights	1
Deficiencies	Open				John Speights	0

[Back](#)


Austin City Connection - The Official Web site of the City of Austin

For permit questions please send email to (512) 974-4671

Legal Notices | Privacy Statement

© 2008 City of Austin, Texas. All Rights Reserved.  
P.O. Box 1088 Austin, TX 78768-1010 512 974 2090



Search

Find Options

[Directory](#) | [Departments](#) | [FAQ](#) | [Links](#) | [Site Map](#) | [Help](#) | [Contact Us](#)

## PUBLIC INFORMATION

### Public Search

### Issued Permit Report

## REGISTERED USERS

### New Registration

### Update Registration

### My Permits/Cases

### My Licenses

### Request / Cancel / View Inspections

### My Escrow Accounts

### Reports

### Login

## HELP

### Web Help

## FEEDBACK

### Email Us

## FOLDER DETAILS

Section 25-11-94 Expiration and extension of permit (Active Permits will expire 180 days at 11:59:59 pm after date of last inspection posted). If you allow this permit to expire you will be required to submit a new application & pay new fees.

Permit/Case	Reference File Name	Description	Sub Type	Work Type	Project Name	Status	Application Date	Issue Date	Expiration Date
2008-069272	BP	a permit is not required for the one story frame bldg that will remain on the site after the demolition of the legal non complying covered carport and frame storage (refer to 2008-068690). The remaining one story frame bldg is only 190 sq ft and will be used for storage only; a permit is not required for a storage bldg less than 200 sq ft, but must comply with all zoning requirements applicable per code. applicant will relocate to meet setbacks and can not encroach into any easements and must comply with bldg and impervious cover, and other restrictions for the site.	R-135	Remodel/Repair	3803	Withdrawn	Sep 1, 2008		

Related Folders: No

## FOLDER INFO

Information Description	Value
Smart Housing	No
TRCO registration required for Owner/GC?	No
Reason for Exempt TRCO	Job valuation less than \$10,000
Building Inspection	Yes
Electrical Inspection	No
Mechanical Inspection	No
Plumbing Inspection	No
Energy Inspection	No
Driveway Inspection	No
Sidewalks Inspection	No
Environmental Inspection	No
Landscaping Inspection	No
Tree Inspection	No
Water Tap Inspection	No
Sewer Tap Inspection	No
On Site Sewage Facility Inspection	No
Fire Inspection	No
Health Inspection	No
Current Zoning for Building	SE-3-CO-NP
Name of Neighborhood Plan	HANCOCK
Is this property in MUD?	No
Number of Floors	1
Number of Units	1
Proposed Use	off res and storage unit
Change of Use	Yes
Remodel/Repair Building Square Footage	0
Building Valuation Remodel	400
Electrical Valuation Remodel	0
Mechanical Valuation Remodel	0
Plumbing Valuation Remodel	0
Total Valuation Remodel	400
Certificate of Occupancy to be issued	No
Code Year	2006
Code Type	International Residential Code
Hazardous Pipeline Review Required	No
Public or Private	Private
Usage Category	435

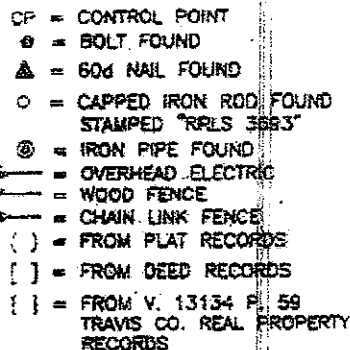
## PROPERTY DETAILS

Number	Pre.	Street	Street Type	Dtr	Suite Type	Suite Number	City	State	Zip	Legal Desc
3923		DUVAL	STREET				AUSTIN	TX	78751	Lot 2 Block 1 Subdivision: OAK LAWN ADDITION

Lot 2 Block 1 Subdivision: OAK LAWN ADDITION

4360 E. CONGRESS AVENUE  
SUITE 100  
AUSTIN, TEXAS 76743

BEARING BASIS SCALED FROM TAX WA



LEGAL DESCRIPTION:  
THE CENTER 48.78 FEET OF LOTS 1, 2, 3, 4, 5, AND 6, BLOCK 1, OAK LAWN ADDITION, A SUBDIVISION IN TRAVIS COUNTY,  
TEXAS, AS THE SAME ARE OR HAVE BEEN RECORDED IN VOLUME 3, PAGE 52, OF THE PLAT RECORDS OF TRAVIS COUNTY.

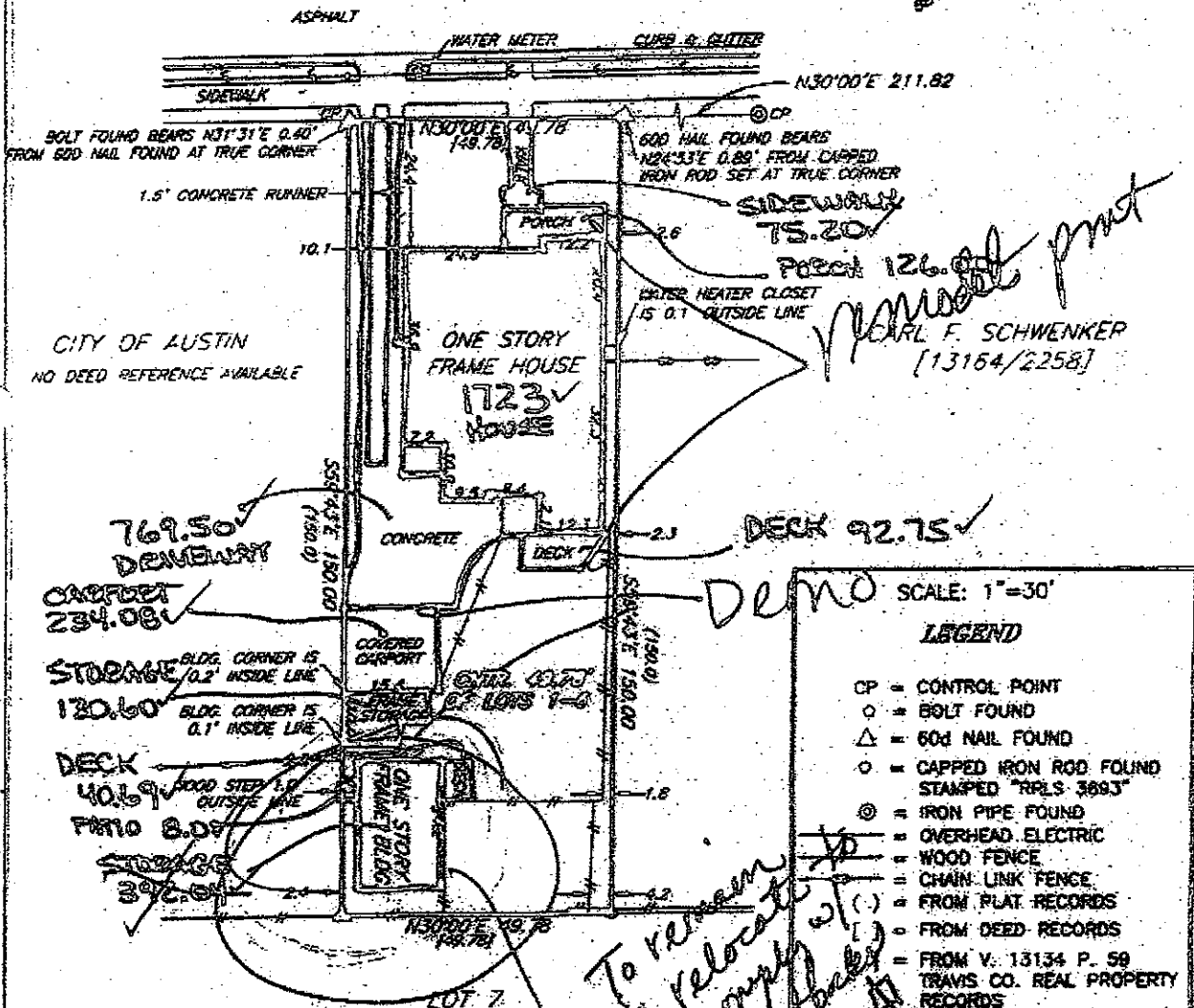
SAMFORD & ASSOCIATES  
LAND SURVEYING  
TEL: 441-5601 FAX: 441-5603

# SURVEY PLAT

4380 S. CONGRESS AVENUE  
SUITE 100  
AUSTIN, TEXAS 78746

**DUVAL STREET**  
(PLATTED AS GROOMS AVENUE) 60' ROW

BEARING BASIS SCALED FROM TAX MAP



NOTE: THE BEARING BASIS FOR THE SURVEY WAS SCALED FROM TAX MAP NO. 02-1806 AND ROTATED BETWEEN IRON MONUMENTS SHOWN HEREIN, LABELED CP (CONTROL POINT)

ADDRESS: 3803 DUVAL STREET, AUSTIN TEXAS, 78751

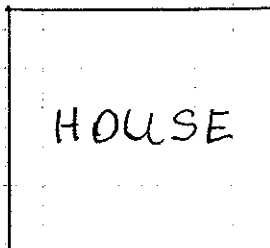
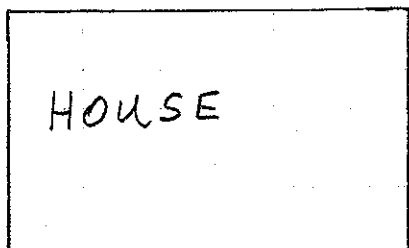
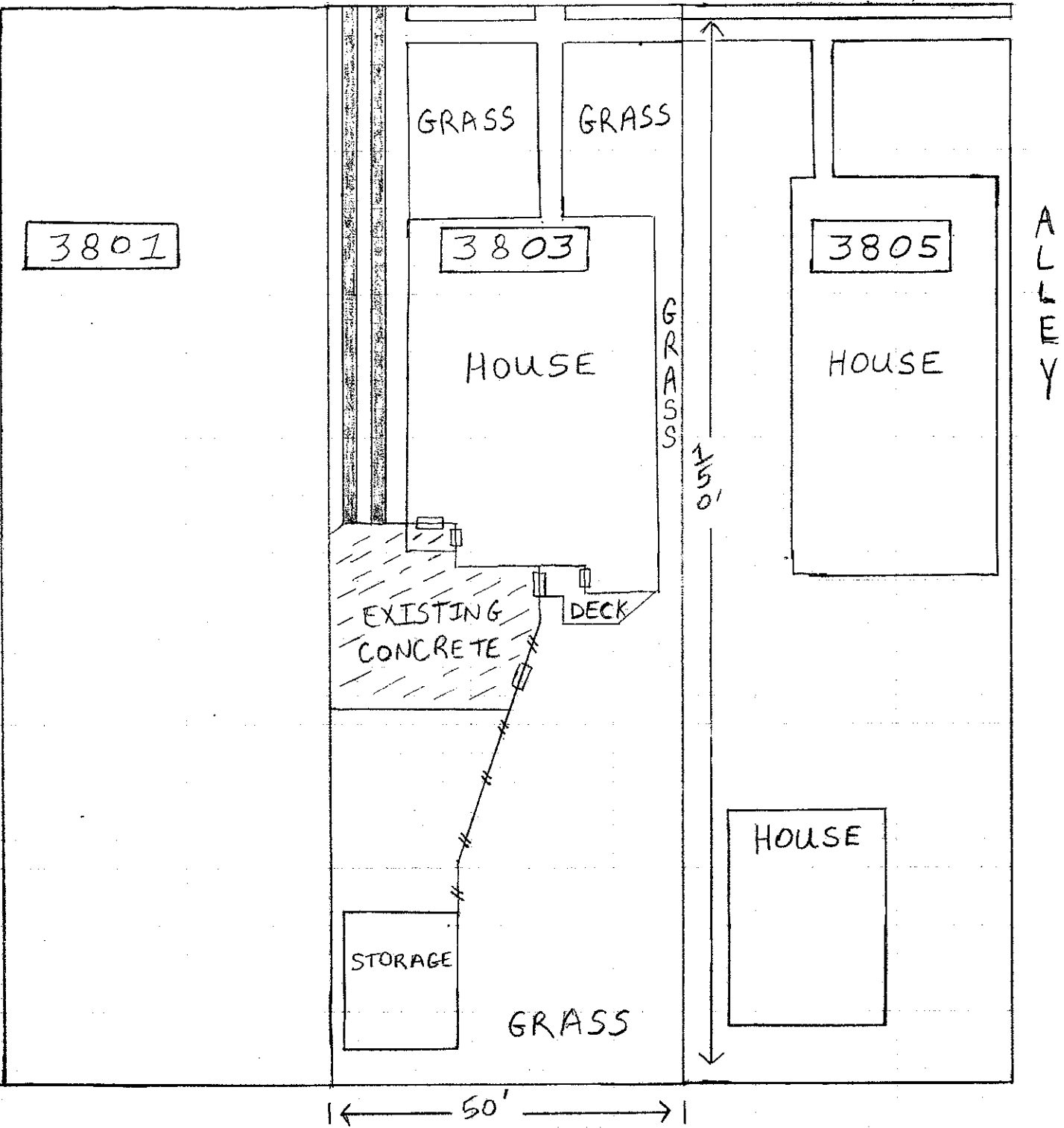
## LEGAL DESCRIPTION:

THE CENTER 49.78 FEET OF LOTS 1, 2, 3, 4, 5, AND 6, BLOCK 1, OAK LAWN ADDITION, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, AS SHOWN ON PLAT RECORDED IN VOLUME 3, PAGE 62, OF THE PLAT RECORDS OF TRAVIS COUNTY.

1" = 20'

DUVAL ST.

EXISTING

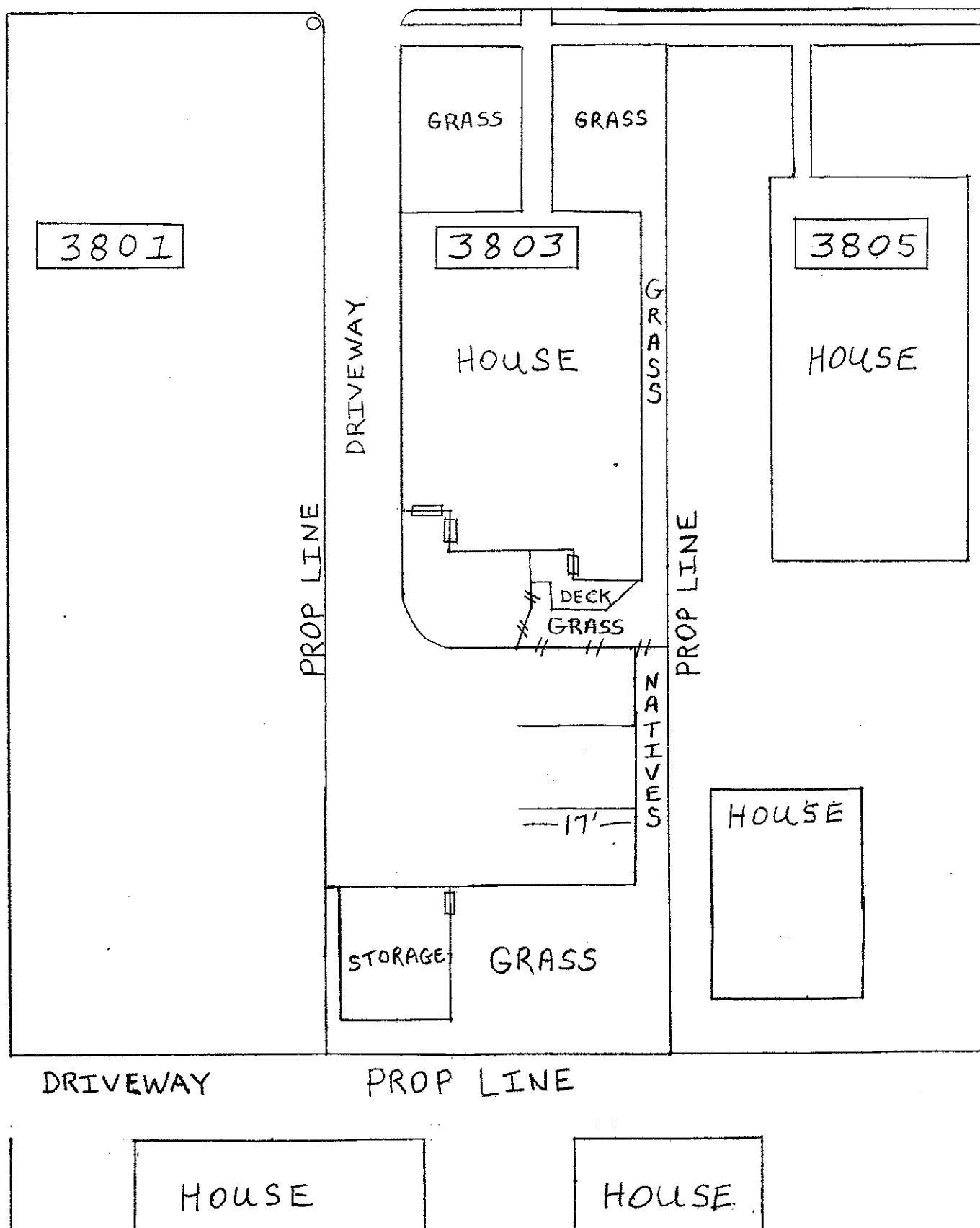


1" = 20'

PROPOSED

DUVAL ST.

38<sup>TH</sup> ST.





EXAMPLE OF PARKING COVERAGE ACROSS THE STREET



REPAIRING AREA CHARACTER:

3807 Duane St →

REGARDING AREA CHARACTER:

EXAMPLE OF PARKING COVERAGE ACROSS THE STREET.





Showing proximity of driveway  
to intersection of Duane St  
+ 38th St



## David Triche

---

**From:** David Triche <David@DavidTriche.com>  
**Sent:** Friday, July 29, 2011 1:33 PM  
**To:** 'lena.lund@austinenergy.com'  
**Subject:** Emailing: Board of Adjustment variance request - NewVer.odt, Duval\_existing\_small.pdf, Duval\_proposed\_small.pdf  
**Attachments:** Board of Adjustment variance request - NewVer.pdf; Duval\_existing\_small.pdf; Duval\_proposed\_small.pdf

Hello Lena - Robert Long gave me your name as the person to request a setback variance approval from. A copy of my variance application, as well as current and proposed plots drawn to scale are included as attachments.

In summary, this setback variance is to continue the existing side yard edge of the driveway (it is paved to 2' from the side yard property line) to provide additional parking space. The edge in question is shown between lots 3803 & 3801 Duval St in the attached drawings. The opposite side of the parking space (near where I have noted that I'm planting "Native" plants) will be outside of the 5' setback. The existing driveway has been there for decades (the house is circa 1925) and there is nowhere else on the property that a driveway can be installed.

Feel free to call if you have any questions or concerns, I'd be happy to discuss anything you would like.

David Triche  
512-827-7368

Susan - I emailed + called Christine Esparza as the app requested, but got her out of office until Aug. 5<sup>th</sup>. Was referred to Robert Long w/AE; he called + said new person handling this is Lena Lund. My email to her is here, NOT SURE how long they take to reply?

I wanted to get this turned in so I don't miss the Sept. meeting if possible. As soon as I hear from her I will forward the email or drop off a copy.

Thanks!

1  
512-827-7368

David Triche

8-29-2011

Hancock Neighborhood Association Park Committee Position Statement

Regarding: 3803 Duval variance request

Hancock Parks Committee Members: Carolyn Palaima, Rafi Anua, Bart Whatley, Carol Moczygemba

3803 Duval (TCAD Parcel 0218060702) is requesting a variance to allow a total impervious cover of 52%. This property is adjacent to and just north of Huffstickler Green (TCAD Parcel 0218060701), which is an Austin Neighborhood Partnering Program project that Hancock, North University and Hyde Park neighborhood associations are developing with the City of Austin Public Works Department.

The city owned site of the Green has and is being used as parking for 3803 Duval. 3803 Duval was purchased by the current owner in 2009. Since the purchase a third dwelling unit was reduced to storage space and a forth dwelling unit was removed. The property is currently a duplex. There is not enough paved area for resident parking on site, and parking on Duval is not feasible due to traffic and the bike lane. The owner of 3803 Duval has been very supportive of the adjacent City of Austin site being developed as a green space and desires neighborhood support in their effort to provide parking on their own site. Developing on-site parking for 4 cars will require an impervious cover area of 52%. Code limits impervious cover to 45%. A development plan issued to Hancock NA for support is attached.

Due to the unique conditions in this case, the Hancock Parks Committee recommends that the Hancock Neighborhood Association support a variance request for 3803 Duval for 52% total impervious cover.

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: C15-2011-0097 - 3803 Duval Street

Contact: Susan Walker, 512-974-2202

Public Hearing: Board of Adjustment, September 12th, 2011

Dr. Thomas Ewing Costner, III  
ur Name (please print)

☒ I am in favor  
☐ I object

505 Tetter Avenue

Your address(es) affected by this application

DR. THOMAS EWING COSTNER, III 9-5-11

Signature

Date

Daytime Telephone: 472-4740

Comments:

I am glad he is leaving  
the house by area. It is a good  
hole in the area. It will improve  
the property value.

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](http://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: C15-2011-0097 – 3803 Duval Street**

**Contact: Susan Walker, 512-974-2202**

**Public Hearing: Board of Adjustment, September 12th, 2011**

*Carol Moczynska*

Your Name (please print)

☒ I am in favor  
☐ I object

*600 Texas Ave. Austin 78705*

Your address(es) affected by this application

*Carol Moczynska*

Signature

*Sept. 3, 2011*

Date

Daytime Telephone: *512 486 6243*

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

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](http://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:** C15-2011-0097 – 3803 Duval Street

**Contact:** Susan Walker, 512-974-2202

**Public Hearing:** Board of Adjustment, September 12th, 2011

LEE OWENS

☒ I am in favor  
☐ I object

Your Name (please print)

3805 AVE H 78751

Your address(es) affected by this application

Lee Owens

Signature

Date

Daytime Telephone: 512-452-1726

Comments: I SEE NO PROBLEM.

**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](http://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: C15-2011-0097 – 3803 Duval Street**  
**Contact: Susan Walker, 512-974-2202**

**Public Hearing: Board of Adjustment, September 12th, 2011**

*Ann Beck*

*Your Name (please print)*

*3819 Duval*

*Your address(es) affected by this application*

*Ann Beck*

*Signature*

*Date*

*Daytime Telephone: 346 641 7490*

*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