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

DATE: Monday, September 12, 2011 **CASE NUMBER: C15-2011-0065**

_____ Jeff Jack
_____ Michael Von Ohlen
_____ Nora Salinas
_____ Bryan King
_____ Susan Morrison
_____ Melissa Hawthorne
_____ Heidi Goebel **(abstained)**
_____ Cathy French (SRB only)

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.

BOARD'S DECISION: Aug 8, 2011 POSTPONED TO SEPTEMBER 12, 2011 (Heidi Goebel abstained)

BOARD'S DECISION: Sept 12, 2011 Postponed to October 10, 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

Jeff Jack
Chairman

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

DATE: Monday, Aug 8, 2011 **CASE NUMBER: C15-2011-0065**

_____ Jeff Jack
_____ Michael Von Ohlen
_____ Nora Salinas
_____ Bryan King
_____ Leane Heldenfels, Chairman
_____ Clarke Hammond, Vice Chairman
_____ Heidi Goebel **(abstained)**

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**

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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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Susan Walker
Executive Liaison

Leane Heldenfels
Chairman

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**

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FINDING:

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Susan Walker
Executive Liaison

Leane Heidenfels
Chairman

Ramirez, Diana

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 STUDER
Your Name (please print)

☑ **I am in favor**
☐ **I object**

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

Yuriko Studer — 7/3/11
Signature *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

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.

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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

Janna & Eric Bear
Your Name (please print)

☐ **I am in favor**
☐ **I object**

2010 Goodrich
Your address(es) affected by this application

Janna Bear — 7/2/11
Signature — *Date*

Daytime Telephone: (512) 707-0721

Comments: Ms. Lane's request is reasonable and within an understanding of neighborhood guidelines.

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

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

DATE: Monday, June 13, 2011 **CASE NUMBER: C15-2011-0065**

___Y___ Jeff Jack
___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 3rd variance only**
___-___ Heidi Goebel **(RECUSED)**
___Y___Melissa Hawthorne

APPLICANT/OWNER: Lindsey Lane

ADDRESS: 2004 GOODRICH AVE

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Susan Walker
Executive Liaison

Leane Heldenfels
Chairman

D1
1

June 23, 2011

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
2

- 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.

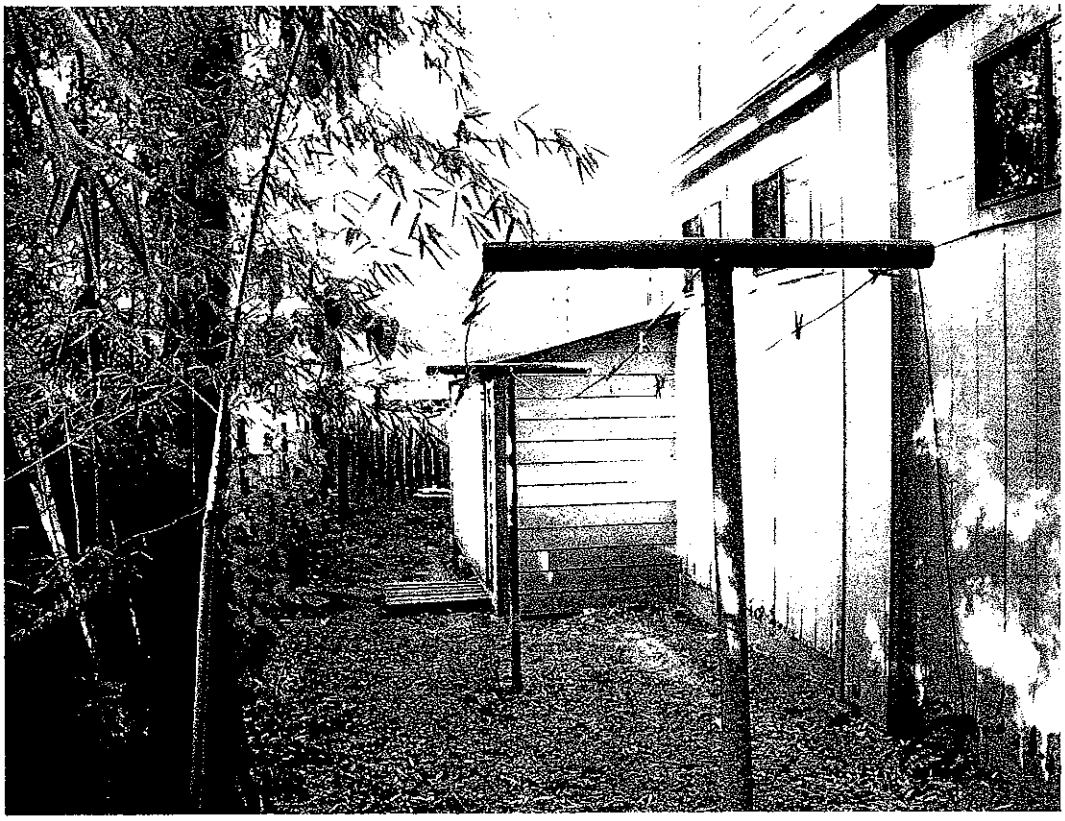
Thank you for your time,

Lindsey Lane

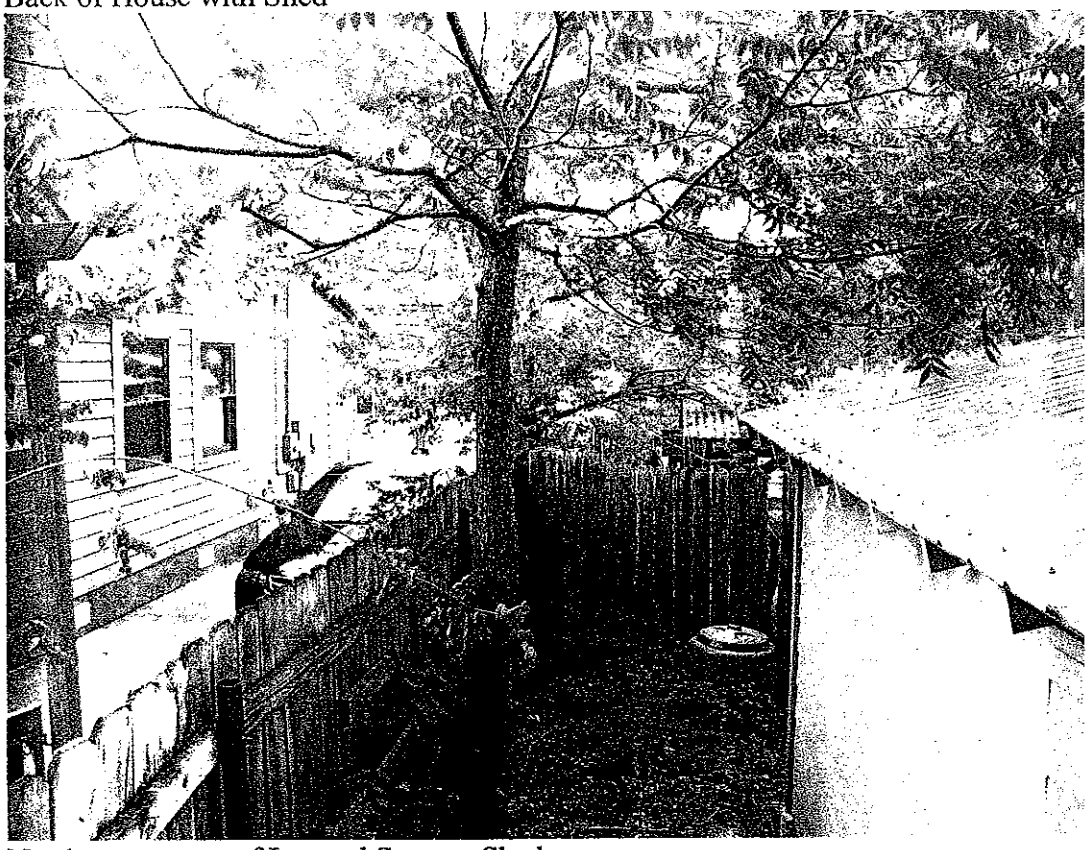
D1
3

Porch on the southside

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

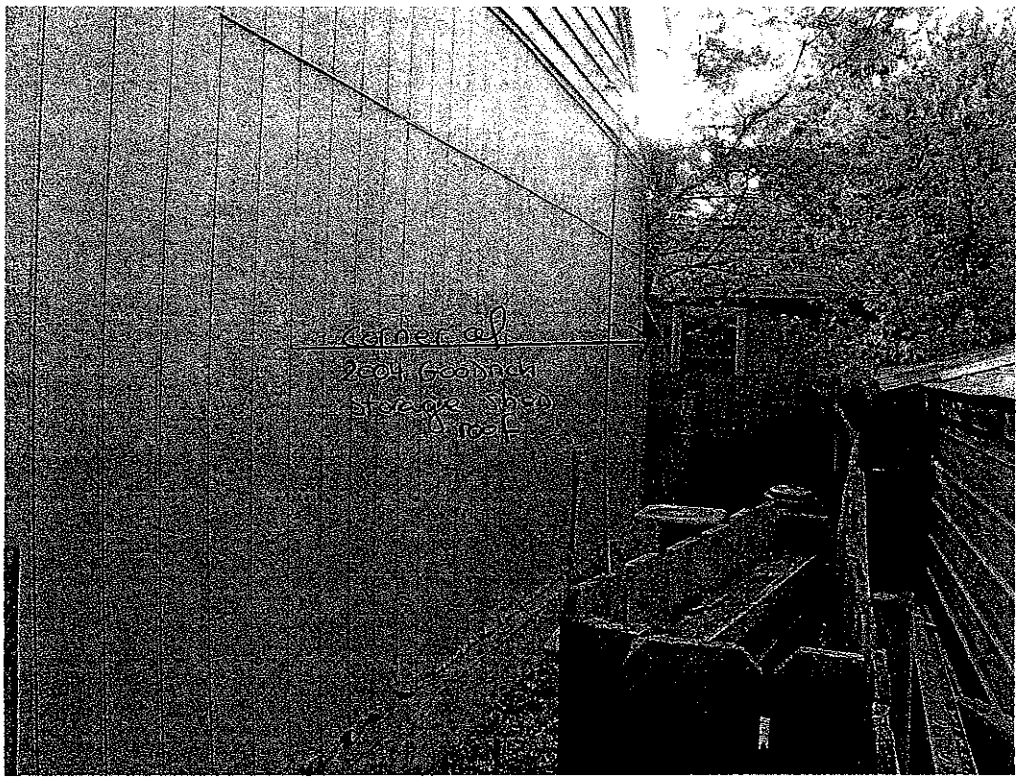


Back of House with Shed

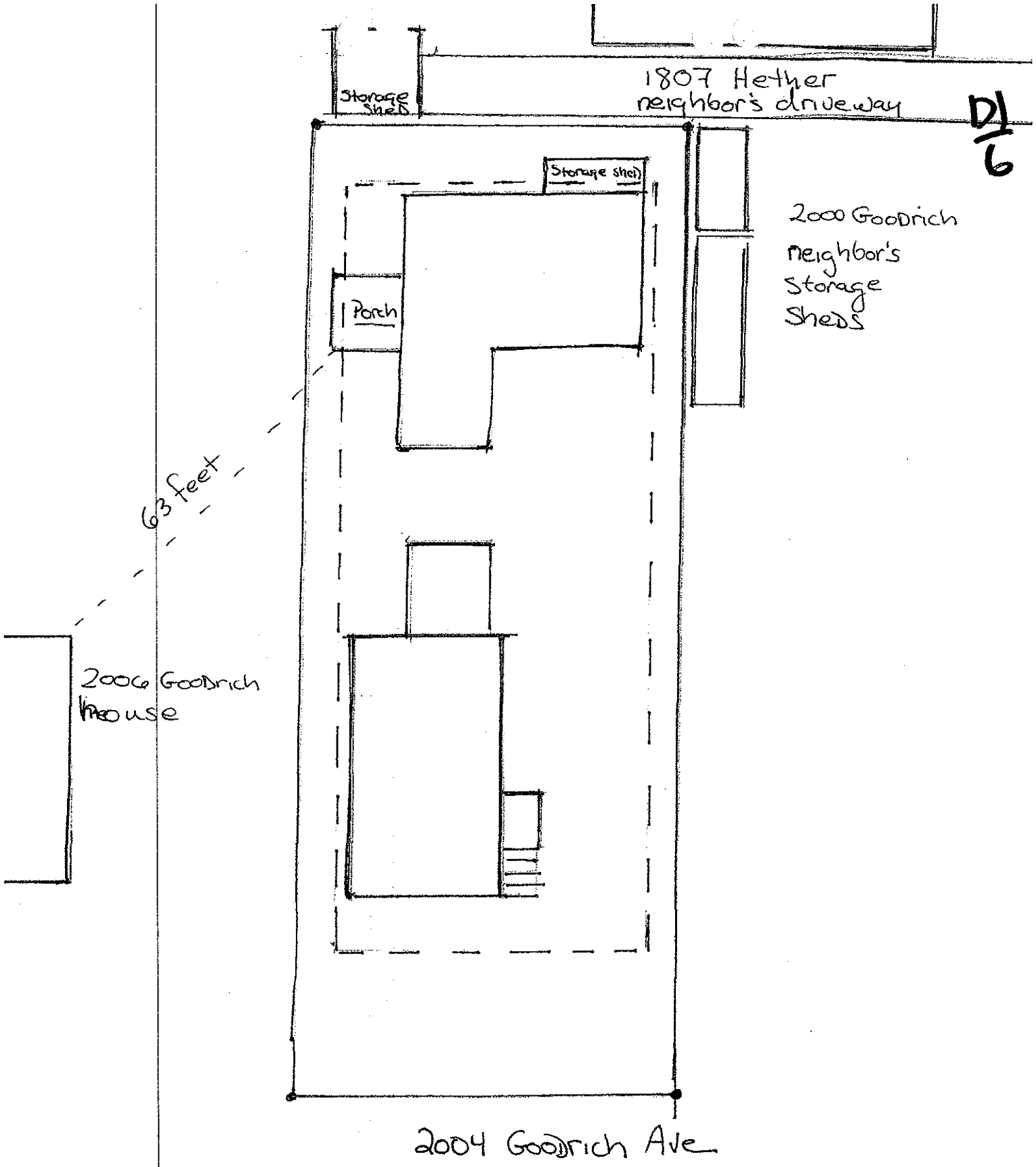


Northwest corner of Lot and Storage Shed

D15



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


Storage Shed
1807 Hether
neighbor's driveway
D1
6
Storage shed
Porch
2000 Goodrich
neighbor's
Storage
Sheds
63 feet
2006 Goodrich
house
2004 Goodrich Ave
N

June 23, 2011

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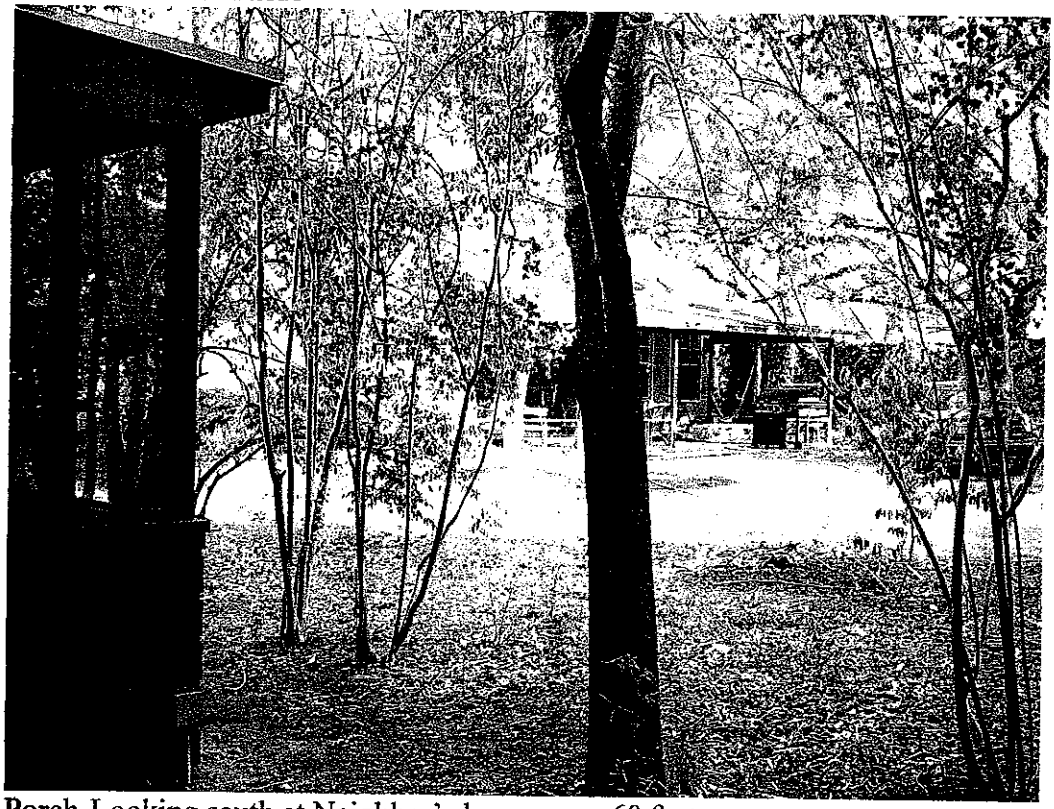
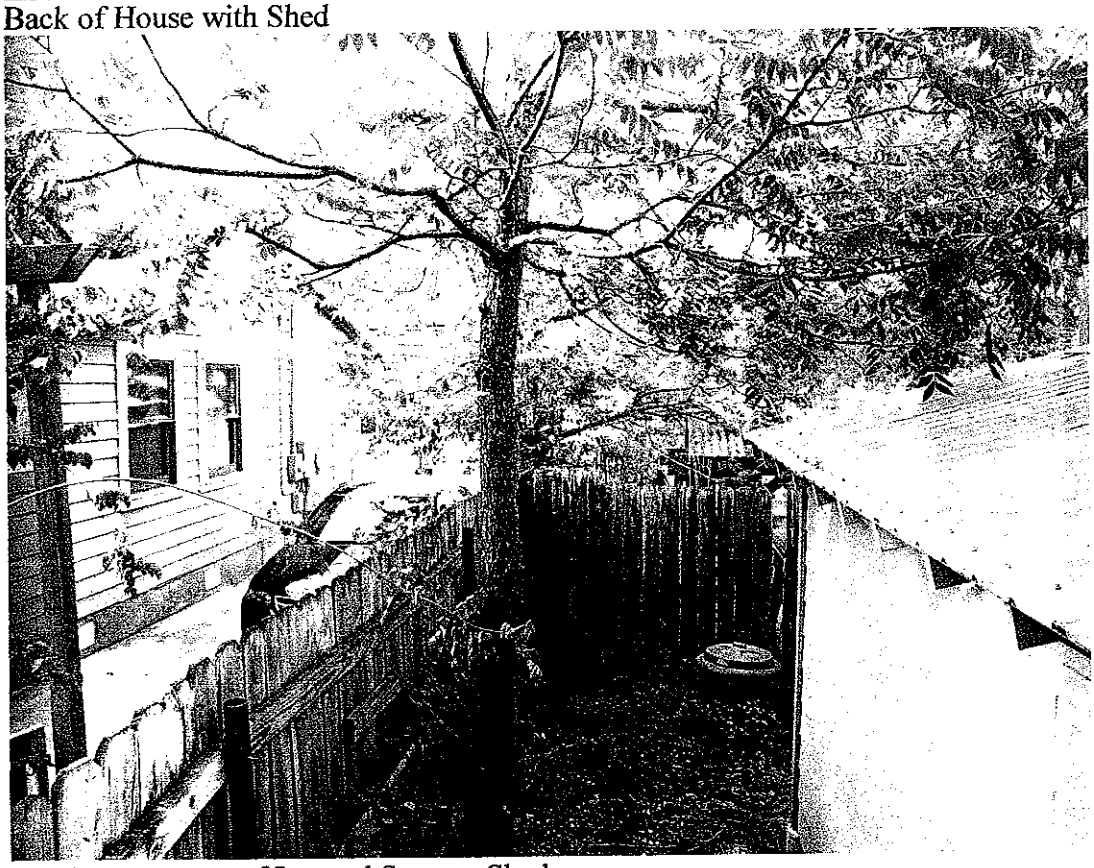
Porch on the southside

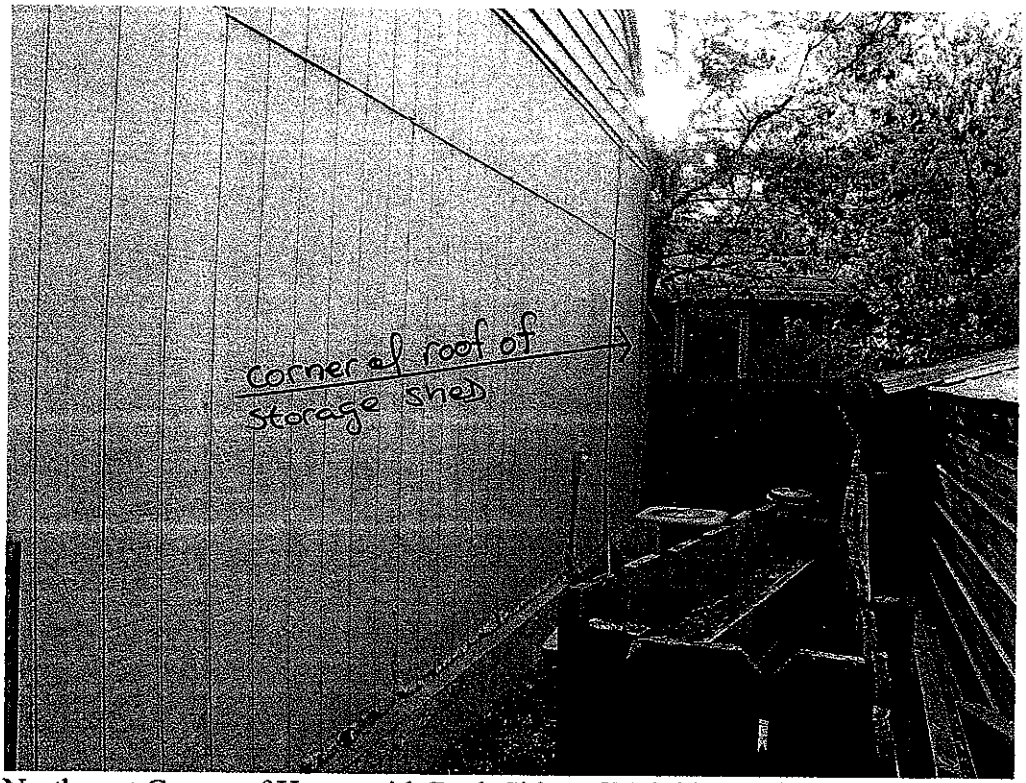


Porch-Looking south at Neighbor's house over 60 feet away

Back of House with Shed



Northwest corner of Lot and Storage Shed



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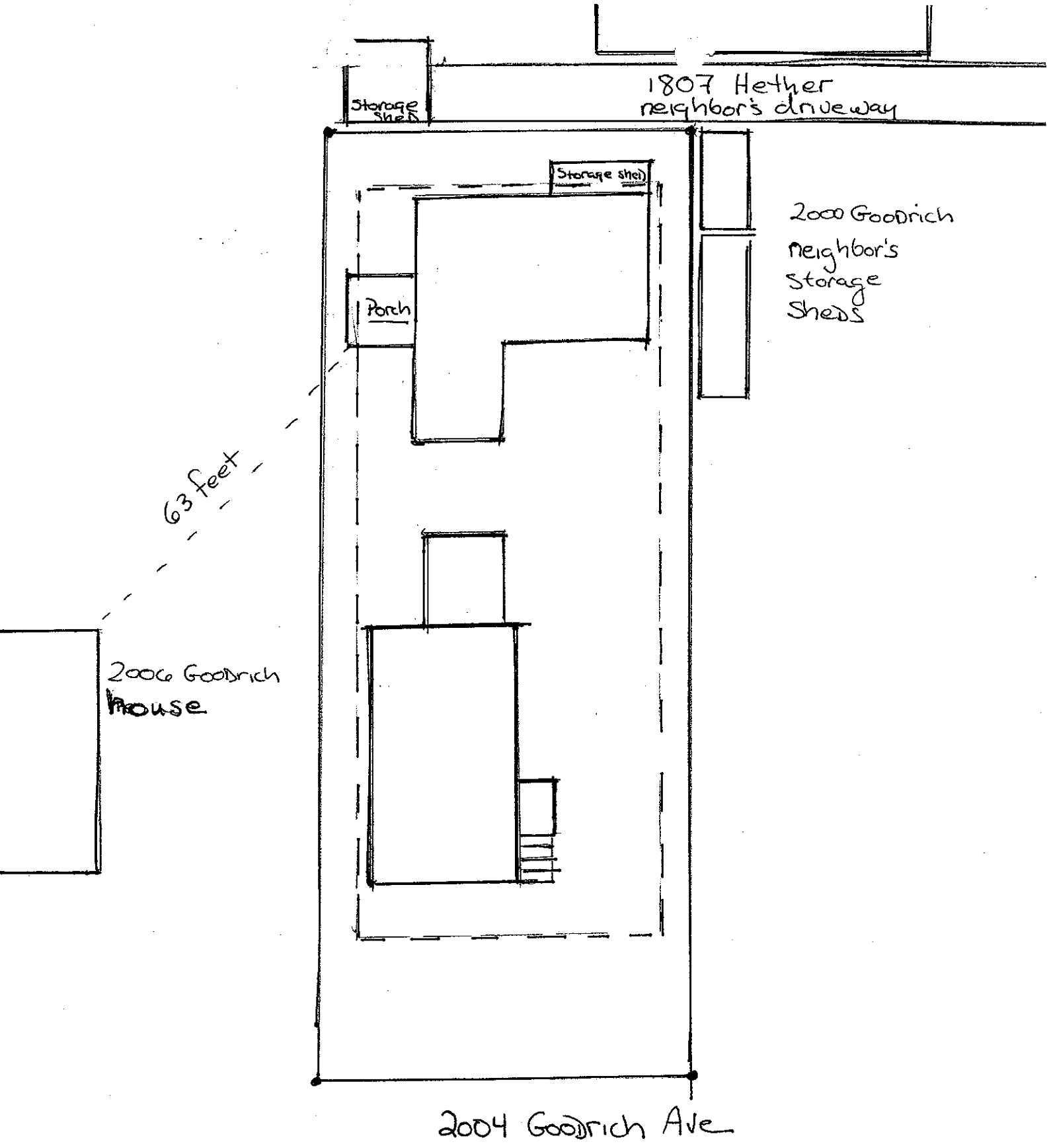
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CITY OF AUSTIN
Board of Adjustment/Sign Review Board
Decision Sheet

DATE: Monday, June 13, 2011 **CASE NUMBER: C15-2011-0065**

___Y___ Jeff Jack
___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

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 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)

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 a 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)

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)

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
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

Leane Heldenfels
Chairman

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.

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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.

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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 GEARY
Your Name (please print)

☐ I am in favor
☒ I object

1804 HETHER AUSTIN 78704
Your address(es) affected by this application

Kim Geary 6-7-11
Signature *Date*

Daytime Telephone: 416-0217

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 impervious cover I see no reason to allow this they can build within the current guidelines –

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

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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

Karyn Combs
Your Name (please print)

☒ **I am in favor**
☐ **I object**

1904 Goodrich #7 Austin TX 78704
Your address(es) affected by this application

Karyn Combs — 6-13-11
Signature — *Date*

Daytime Telephone: 512-443-6167

Comments:

If you use this form to comment, it may be returned to:
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Susan Walker
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Austin, TX 78767-1088

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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 Geary
Your Name (please print)

☐ I am in favor
☒ I object

1804 Hether Austin 78704
Your address(es) affected by this application

Kim Geary
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 bear it out. I have no sympathy for people who knowingly skirt the rules then expect forgiveness.

If you use this form to comment, it may be returned to:
City of Austin-Planning & Development Review Department/ 1st Floor
Susan Walker
P. O. Box 1088
Austin, TX 78767-1088

PUBLIC HEARING INFORMATION

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Case Number: C15-2011-0065 – 2004 Goodrich
Contact: Susan Walker, 512-974-2202
Public Hearing: Board of Adjustment, June 13th, 2011

Michael Baird
Your Name (please print)

☐ **I am in favor**
☒ **I object**

1811 Hether st
Your address(es) affected by this application

Signature

6-6-2011
Date

Daytime Telephone: 512-827-7859

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 esthetic 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

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 3' 9 1/2" from South p.l. (side)
5'-0" into west rearyard 5' from rear West p.l.

in a SF-3-NP [Bouldin NP] district. 850 ft² → 1187 ft²

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:

_____

_____

NOTE: The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.

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

Signed _____ Mail Address 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 _____ 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.)**

N

SUBJECT TRACT

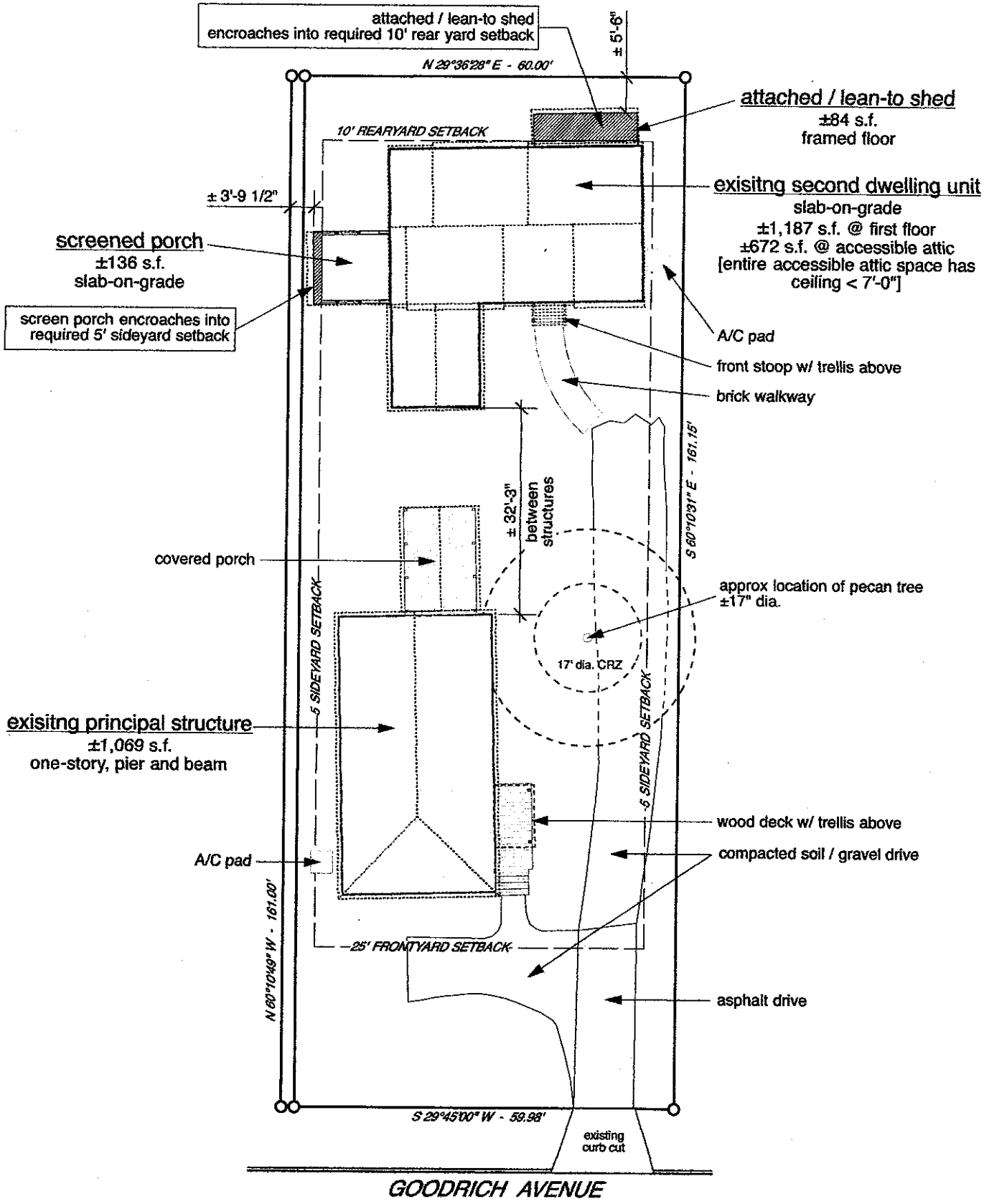
ZONING BOUNDARY

BOARD OF ADJUSTMENTS

CASE#: C15-2011-0065
LOCATION: 2004 Goodrich Ave
GRID: G21
MANAGER: Susan Walker

CITY OF AUSTIN FOUNDED 1839

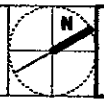
This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



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



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 structur
ACCESSORY STRUCTURE:	increse 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	
asphlt driveway:	265	
walks / paving:	94	
AC pads:	25	
total:	**4,253**	**(42.53%)**

floor-to-area ratio

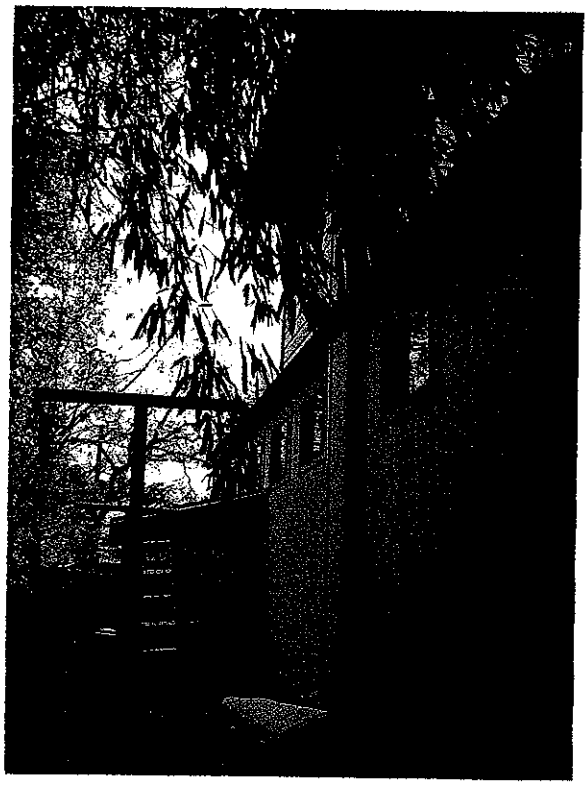
.40 allowable

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

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@yahoogroups.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 unfinaled 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.

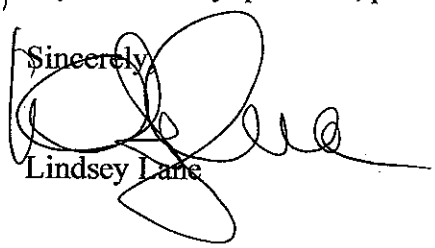
I want to be very clear: I AM NOT BUILDING ANYTHING. THE VARIANCES WILL SIMPLY ALLOW ME TO KEEP MY HOME AS IT IS.

I have made the Zilker Neighborhood Association aware if 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 BRUNO	2006 GOODRICH	Claire Bruno
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**

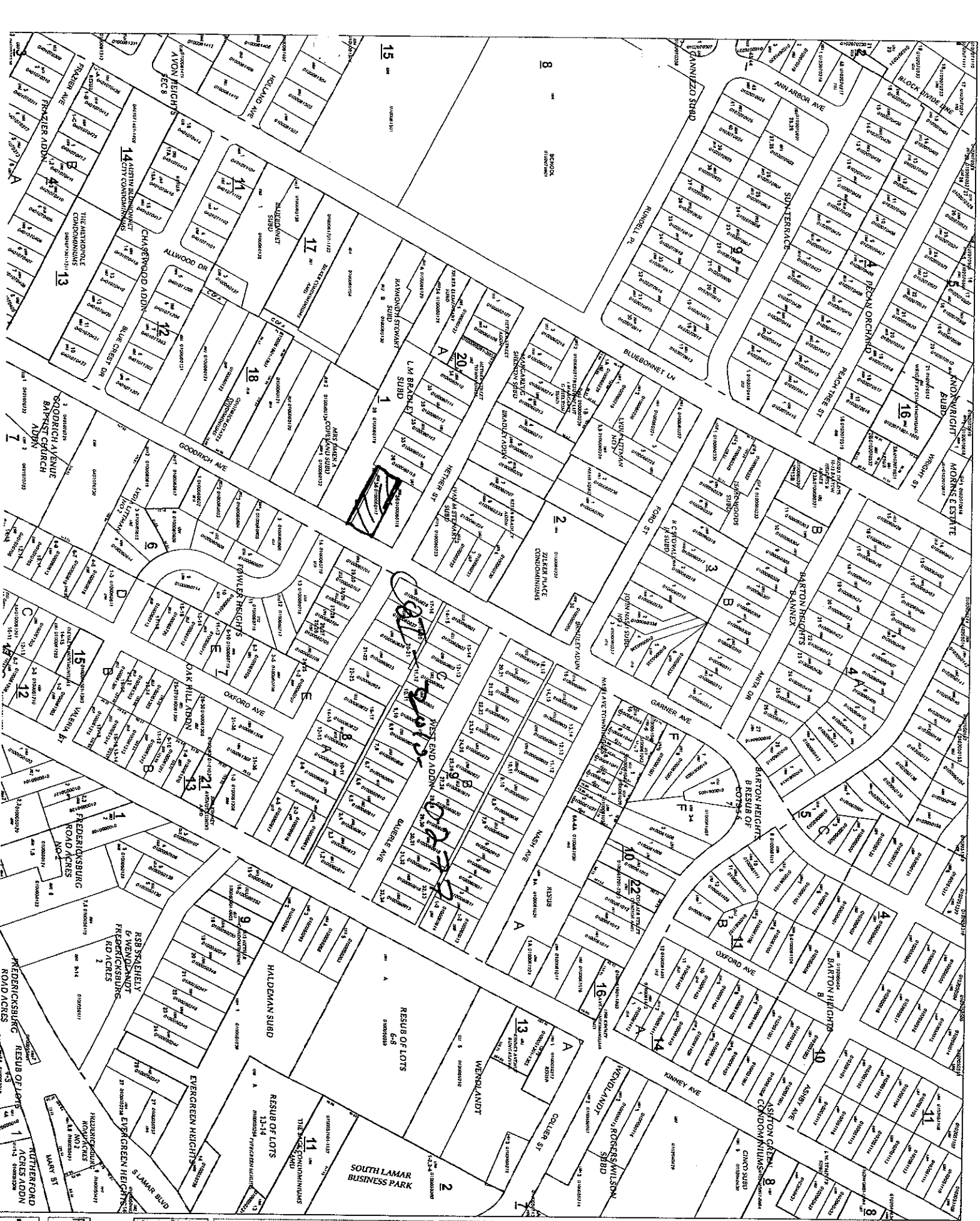
The Watershed Protections & Development Review has determined that this parcel, as described in the attached description and map, **IS EXCEPTED FROM THE REQUIREMENT TO PLAT** in accordance with the Land Development Code, Section 25-4-2(C), and is eligible to receive utility service.

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 feet 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

0 120 Feet

NAD_1983_StatePlane_Texas_Central_FIPS_4203_Feet
Projection: Lambert_Conformal_Conic

N

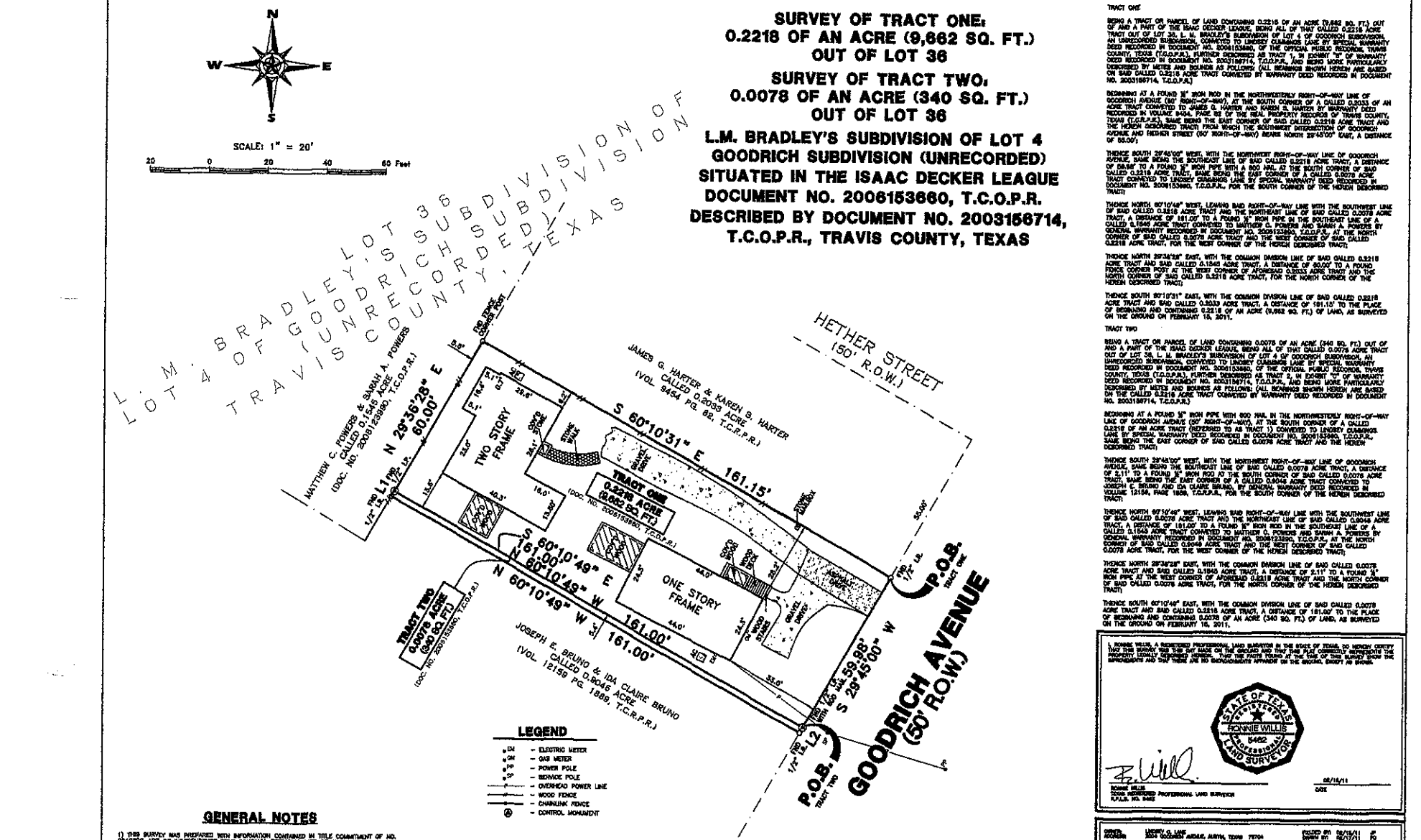
This tax map was compiled solely for the use of TCAD. Areas depicted by these digital products are approximate, and are not necessarily accurate to mapping, surveying or engineering standards. Conclusions drawn from this information are the responsibility of the user. The TCAD makes no claims, promises 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
P.O. Box 149012
Austin, Texas 78714
Internet Address: www.traviscad.org
Main Telephone Number (512)-834-9317
Appraisal Information (512) 834-9318
TDD (512) 836-3328

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. 2006153660, T.C.O.P.R. DESCRIBED BY DOCUMENT NO. 2003156714, T.C.O.P.R., TRAVIS COUNTY, TEXAS



GENERAL NOTES

1) THIS SURVEY WAS PREPARED WITH INFORMATION CONTAINED IN TITLE COMMITMENT OF NO. 0612350—ARE OF INDEPENDENCE TITLE COMPANY, EFFECTIVE DATE OF AUGUST 20, 2006. SURVEYOR DID NOT ABSTRACT SUBJECT PROPERTY.

2) ALL BEARINGS ARE BASED ON THAT CERTAIN WARRANTY DEED RECORDED IN DOCUMENT NO. 2003156714, T.C.O.P.R.

3) SUBJECT TO CITY OF AUSTIN LAND DEVELOPMENT CODE AND ORDINANCES.

4) THIS SUBJECT PROPERTY IS LOCATED IN ZONE "X(UNSHADED)" ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY PANEL NO. 480624 0448 H, REVISED SEPTEMBER 26, 2008. ZONE DETERMINATION WAS DONE BY GRAPHIC PLOTTING FROM THE FEMA MAP. WE DO NOT ASSUME RESPONSIBILITY FOR EXACT DETERMINATION.

LINE	DISTANCE	BEARING
L1	2.11'	N 29°38'28" E
L2	2.11'	S 29°45'00" W

TRACT ONE

BEING A TRACT OR PARCEL OF LAND CONTAINING 0.2218 OF AN ACRE (9,662 SQ. FT.) OUT OF AND A PART OF THE ISAAC DECKER LEAGUE, BEING ALL OF THAT CALLED 0.2218 ACRE TRACT OUT OF LOT 36, L. M. BRADLEY'S SUBDIVISION OF LOT 4 OF GOODRICH SUBDIVISION, AN UNRECORDED SUBDIVISION, CONVEYED TO LINDSEY CUMMINGS LANE BY SPECIAL WARRANTY DEED RECORDED IN DOCUMENT NO. 2006153660, OF THE OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS (T.C.O.P.R.), FURTHER DESCRIBED AS TRACT 1, IN EXHIBIT "B" OF WARRANTY DEED RECORDED IN DOCUMENT NO. 2003156714, T.C.O.P.R., AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: (ALL BEARINGS SHOWN HEREIN ARE BASED ON SAID CALLED 0.2218 ACRE TRACT CONVEYED BY WARRANTY DEED RECORDED IN DOCUMENT NO. 2003156714, T.C.O.P.R.)

BEGINNING AT A FOUND ½" IRON ROD IN THE NORTHWESTERLY RIGHT-OF-WAY LINE OF GOODRICH AVENUE (50' RIGHT-OF-WAY), AT THE SOUTH CORNER OF A CALLED 0.2033 OF AN ACRE TRACT CONVEYED TO JAMES G. HARTER AND KAREN S. HARTER BY WARRANTY DEED RECORDED IN VOLUME 9454, PAGE 82 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS (T.C.R.P.R.), SAME BEING THE EAST CORNER OF SAID CALLED 0.2218 ACRE TRACT AND THE HEREIN DESCRIBED TRACT FROM WHICH THE SOUTHWEST INTERSECTION OF GOODRICH AVENUE AND HETHER STREET (50' RIGHT-OF-WAY) BEARS NORTH 29°45'00" EAST, A DISTANCE OF 59.98';

THENCE SOUTH 29°45'00" WEST, WITH THE NORTHWEST RIGHT-OF-WAY LINE OF GOODRICH AVENUE, SAME BEING THE SOUTHEAST LINE OF SAID CALLED 0.2218 ACRE TRACT, A DISTANCE OF 59.98' TO A FOUND ½" IRON PIPE WITH A BIG NAIL AT THE SOUTH CORNER OF SAID CALLED 0.2218 ACRE TRACT, SAME BEING THE EAST CORNER OF A CALLED 0.0078 ACRE TRACT CONVEYED TO LINDSEY CUMMINGS LANE BY SPECIAL WARRANTY DEED RECORDED IN DOCUMENT NO. 2006153660, T.C.O.P.R., FOR THE SOUTH CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE NORTH 60°10'49" WEST, LEAVING SAID RIGHT-OF-WAY LINE WITH THE SOUTHWEST LINE OF SAID CALLED 0.2218 ACRE TRACT AND THE NORTHEAST LINE OF SAID CALLED 0.0078 ACRE TRACT, A DISTANCE OF 161.00' TO A FOUND ½" IRON PIPE IN THE SOUTHEAST LINE OF A CALLED 0.1545 ACRE TRACT CONVEYED TO MATTHEW C. POWERS AND SARAH A. POWERS BY GENERAL WARRANTY RECORDED IN DOCUMENT NO. 2006123960, T.C.O.P.R., AT THE NORTH CORNER OF SAID CALLED 0.0078 ACRE TRACT AND THE WEST CORNER OF SAID CALLED 0.2218 ACRE TRACT, FOR THE WEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE NORTH 29°38'28" EAST, WITH THE COMMON DIVISION LINE OF SAID CALLED 0.2218 ACRE TRACT AND SAID CALLED 0.1545 ACRE TRACT, A DISTANCE OF 60.00' TO A FOUND FENCE CORNER POST AT THE WEST CORNER OF AFORESAID 0.2033 ACRE TRACT AND THE NORTH CORNER OF SAID CALLED 0.2218 ACRE TRACT, FOR THE NORTH CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE SOUTH 60°10'31" EAST, WITH THE COMMON DIVISION LINE OF SAID CALLED 0.2218 ACRE TRACT AND SAID CALLED 0.2033 ACRE TRACT, A DISTANCE OF 161.15' TO THE PLACE OF BEGINNING AND CONTAINING 0.2218 OF AN ACRE (9,662 SQ. FT.) OF LAND, AS SURVEYED ON THE GROUND ON FEBRUARY 15, 2011.

TRACT TWO

BEING A TRACT OR PARCEL OF LAND CONTAINING 0.0078 OF AN ACRE (340 SQ. FT.) OUT OF AND A PART OF THE ISAAC DECKER LEAGUE, BEING ALL OF THAT CALLED 0.0078 ACRE TRACT OUT OF LOT 36, L. M. BRADLEY'S SUBDIVISION OF LOT 4 OF GOODRICH SUBDIVISION, AN UNRECORDED SUBDIVISION, CONVEYED TO LINDSEY CUMMINGS LANE BY SPECIAL WARRANTY DEED RECORDED IN DOCUMENT NO. 2006153660, OF THE OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS (T.C.O.P.R.), FURTHER DESCRIBED AS TRACT 2, IN EXHIBIT "B" OF WARRANTY DEED RECORDED IN DOCUMENT NO. 2003156714, T.C.O.P.R., AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: (ALL BEARINGS SHOWN HEREIN ARE BASED ON THE CALLED 0.2218 ACRE TRACT CONVEYED BY WARRANTY DEED RECORDED IN DOCUMENT NO. 2003156714, T.C.O.P.R.)

BEGINNING AT A FOUND ½" IRON PIPE WITH 600 NAIL IN THE NORTHWESTERLY RIGHT-OF-WAY LINE OF GOODRICH AVENUE (50' RIGHT-OF-WAY), AT THE SOUTH CORNER OF A CALLED 0.2218 OF AN ACRE TRACT (REFERRED TO AS TRACT 1) CONVEYED TO LINDSEY CUMMINGS LANE BY SPECIAL WARRANTY DEED RECORDED IN DOCUMENT NO. 2006153660, T.C.O.P.R., SAME BEING THE EAST CORNER OF SAID CALLED 0.0078 ACRE TRACT AND THE HEREIN DESCRIBED TRACT;

THENCE SOUTH 29°45'00" WEST, WITH THE NORTHWEST RIGHT-OF-WAY LINE OF GOODRICH AVENUE, SAME BEING THE SOUTHEAST LINE OF SAID CALLED 0.0078 ACRE TRACT, A DISTANCE OF 2.11' TO A FOUND ½" IRON ROD AT THE SOUTH CORNER OF SAID CALLED 0.0078 ACRE TRACT, SAME BEING THE EAST CORNER OF A CALLED 0.6045 ACRE TRACT CONVEYED TO JOSEPH E. BRUNO AND IDA CLAIRE BRUNO, BY GENERAL WARRANTY DEED RECORDED IN VOLUME 12159, PAGE 1889, T.C.O.P.R., FOR THE SOUTH CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE NORTH 60°10'49" WEST, LEAVING SAID RIGHT-OF-WAY LINE WITH THE SOUTHWEST LINE OF SAID CALLED 0.0078 ACRE TRACT AND THE NORTHEAST LINE OF SAID CALLED 0.6045 ACRE TRACT, A DISTANCE OF 161.00' TO A FOUND ½" IRON ROD IN THE SOUTHEAST LINE OF A CALLED 0.1545 ACRE TRACT CONVEYED TO MATTHEW C. POWERS AND SARAH A. POWERS BY GENERAL WARRANTY RECORDED IN DOCUMENT NO. 2006123960, T.C.O.P.R., AT THE NORTH CORNER OF SAID CALLED 0.6045 ACRE TRACT AND THE WEST CORNER OF SAID CALLED 0.0078 ACRE TRACT, FOR THE WEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE NORTH 29°38'28" EAST, WITH THE COMMON DIVISION LINE OF SAID CALLED 0.0078 ACRE TRACT AND SAID CALLED 0.1545 ACRE TRACT, A DISTANCE OF 2.11' TO A FOUND ½" IRON PIPE AT THE WEST CORNER OF THE AFORESAID 0.2218 ACRE TRACT AND THE NORTH CORNER OF SAID CALLED 0.0078 ACRE TRACT, FOR THE NORTH CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE SOUTH 60°10'49" EAST, WITH THE COMMON DIVISION LINE OF SAID CALLED 0.0078 ACRE TRACT AND SAID CALLED 0.2218 ACRE TRACT, A DISTANCE OF 161.00' TO THE PLACE OF BEGINNING AND CONTAINING 0.0078 OF AN ACRE (340 SQ. FT.) OF LAND, AS SURVEYED ON THE GROUND ON FEBRUARY 15, 2011.

I, RONNIE WILLIS, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND AND THAT THE PLAT CORRECTLY REPRESENTS THE PROPERTY, LEGALLY DESCRIBED HEREON, AS SURVEYED AT THE TIME OF THIS SURVEY UNDER THE SUPERVISION AND THAT THERE ARE NO ENCROACHMENTS APPARENT ON THE GROUND, EXCEPT AS SHOWN.

STATE OF TEXAS REGISTERED RONNIE WILLIS 5462 PROFESSIONAL LAND SURVEYOR

RONNIE WILLIS
TEXAS REGISTERED PROFESSIONAL LAND SURVEYOR
R.P.L.S. NO. 5462

05/16/11
DATE

OWNER: LINDSEY G. LANE
ADDRESS: 3001 GOODRICH AVENUE, AUSTIN, TEXAS 78704

LENDER: -
TITLE COMPANY: INDEPENDENCE TITLE COMPANY

FIELD BY: 02/15/11 JP
DRAWN BY: 05/13/11 FQ
CHECKED BY: 05/16/11 RW

JOB NO. 51709
SHEET 1 OF 1

REVISIONS	
DATE	REASON
-	-

Windrose Land Services
4120 Commercial Center Dr.
Suite 200
Austin, Texas 78744
Telephone (512) 326-2100
Fax (512) 326-2270

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 believes 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 week 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 building could co-exist on a 7000 sq foot lot IF the second building did not exceed 850 sq feet.

CITY OF AUSTIN - PROJECT PERMIT

Printed: 12 June 2001

PERMIT NO.	STATUS	TYPE	ADDRESS	DATE
9302540	FINALED	R	2004 GOODRICH AVENUE A 00000	08-MAR-93

SUBDIVISION	PERMIT CLERK
BRADLEY ADDITION BLOCK: LOT: 60' X 161' OF LOT 36	VOLPE, M

PLAT	BLOCK	LOT	GRID
107		60' X 161' OF LOT 36	

ZONE	HT. & AREA	REQD.	PARKING PROVD.	PROPOSED OCCUPANCY
SF3				ADD BEDROOM & BATHROOM TO RESIDENCE

SPECIAL PERMIT NO.	TOTAL SQ. FT.	VALUATION	TYPE CONST.	USE. CAT.	GROUP	FLOORS	BLDGS	UNITS
	595	$620,000		R4-0			1	1

WORK PERMITTED	BASEMENT	BUILDING DIMENSIONS	MIN. STD.	ONR
ADDITION		23' X 24'		

CONTRACTORS		PHONE	FEE	PAID DATE
OWNER/CONTR.	MAUREEN WALSTON	447-8803		
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	TOTAL PAID
			$195	$195

REQUIRED INSPECTIONS

BUILDING
MECHANICAL
ELECTRIC
PLUMBING
WATER
SEWER

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.

CITY OF AUSTIN - PROJECT PERMIT

Printed: 12 June 2001

PERMIT NO.	STATUS	TYPE	ADDRESS	DATE
9302540	FINALED	R	2004 GOODRICH AVENUE A 00000	08-MAR-93

SUBDIVISION	PERMIT CLERK
BRADLEY ADDITION BLOCK: LOT: 60' X 161' OF LOT 36	VOLPE, M

PLAT	BLOCK	LOT	GRID
107		60' X 161' OF LOT 36	

ZONE	HT. & AREA	PARKING REQD.	PARKING PROVD.	PROPOSED OCCUPANCY
SF3				ADD BEDROOM & BATHROOM TO RESIDENCE

SPECIAL PERMIT NO.	TOTAL SQ. FT.	VALUATION	TYPE CONST.	USE. CAT.	GROUP	FLOORS	BLDGS	UNITS
	595	$620,000		R4-0			1	1

WORK PERMITTED	BASEMENT	BUILDING DIMENSIONS			MIN. STD.	ONR
ADDITION		23' X 24'				

	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
N						
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.

CITY OF AUSTIN - PROJECT PERMIT

Printed: 12 June 2001

PERMIT NO.	STATUS	TYPE	ADDRESS	DATE
9212166	ACTIVE	R	2004 GOODRICH AVENUE A .00000	07-OCT-92

SUBDIVISION	PERMIT CLERK
L.M. BRADLEY BLOCK: LOT: 36	SMITH, R

PLAT	BLOCK	LOT	GRID
107		36	

ZONE	HT. & AREA	REQD.	PARKING PROVD.	PROPOSED OCCUPANCY
SF3				DETACHED ACCESSORY BUILDING

SPECIAL PERMIT NO.	TOTAL SQ. FT.	VALUATION	TYPE CONST.	USE. CAT.	GROUP	FLOORS	BLDGS	UNITS
	960	$600,000		B3-3		1	1	1

WORK PERMITTED	BASEMENT	BUILDING DIMENSIONS	MIN. STD.	ONR
ADDITION		24 X 40		

CONTRACTORS		PHONE	FEE	PAID DATE
OWNER/CONTR.	MAUREEN & EDWIN WALSTON			
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	TOTAL PAID
			$158	$158

REQUIRED INSPECTIONS

BUILDING
MECHANICAL
PLUMBING

C.O. MAILING ADDRESS

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

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.

CITY OF AUSTIN - PROJECT PERMIT

Printed: 12 June 2001

PERMIT NO.	STATUS	TYPE	ADDRESS	DATE
9212166	ACTIVE	R	2004 GOODRICH AVENUE A .00000	07-OCT-92

SUBDIVISION	PERMIT CLERK
L.M. BRADLEY BLOCK: LOT: 36	SMITH, R

PLAT	BLOCK	LOT	GRID
107		36	

ZONE	HT. & AREA	PARKING REQD.	PARKING PROVD.	PROPOSED OCCUPANCY
SF3				DETACHED ACCESSORY BUILDING

SPECIAL PERMIT NO.	TOTAL SQ. FT.	VALUATION	TYPE CONST.	USE. CAT.	GROUP	FLOORS	BLDGS	UNITS
	960	$600,000		B3-3		1	1	1

WORK PERMITTED	BASEMENT	BUILDING DIMENSIONS			MIN. STD.	ONR
ADDITION		24 X 40				

	TYPE	DATE	STATUS	FAILURES	INSPECTOR	CODE
	Layout	10/09/1992	PASS		CROFT	101
	Plumbing Rough					501
	Plumbing Sewer					505
	Plumbing Copper					502
	Plumbing Gas					504
	Foundation					102
	Framing	10/09/1992	FAIL	1	CROFT	103
	Insulation/Energy					601
	Plumbing Top Out					503
	Mechanical Rough					401
	Mechanical Vent					402
	Electrical Slab					301
	Electric Rough	09/30/1993	TEMP	2		302
	Wallboard					104
	Sidewalk Prepour					201
	Driveway Prepour					202
*	Final Building					706
*	Final Electric					701
*	Final Mechanical					703
*	Final Plumbing					702
*	Final Energy					704
F	Final Concrete					705
I	Final Sign					707
N						
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 1ϕ or 225 amps 3ϕ

☒ **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 (1ϕ) or ☐ Three-phase (3ϕ)

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

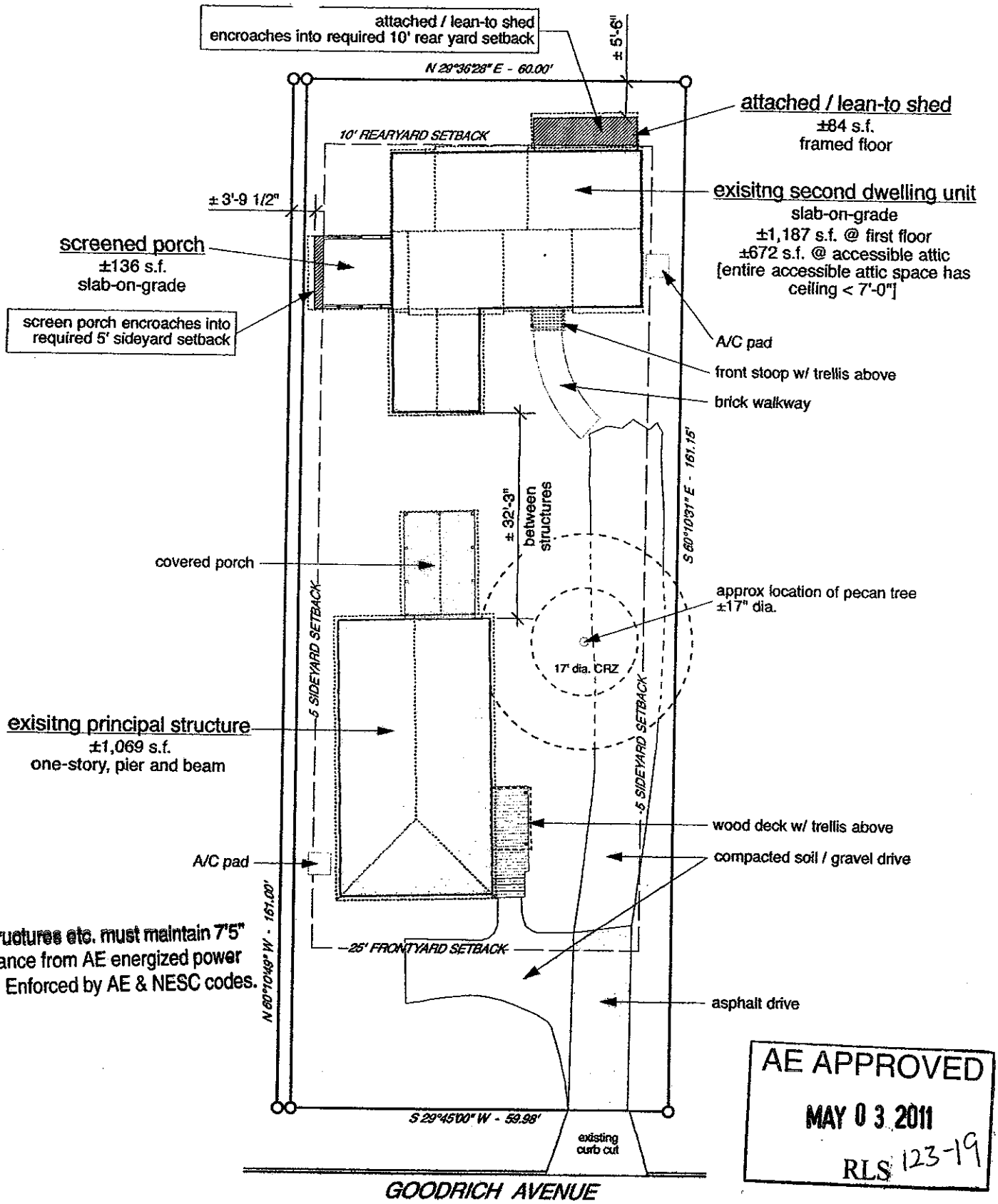
AE Representative Approved: ☒ Yes ☐ No (Remarks on back) Date Phone

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.

AE APPROVED
MAY 0 3 2011
RLS 123-19



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

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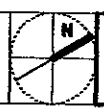
note:
information on this page is taken from owner's survey dated 02/18/2011 and field measurements by architect

2004 Goodrich Avenue
site plan / scale: 1" = 20'-0" / issue for B.O.A. variances



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