

Exhibit
Ex 8

ORDINANCE NO. _____

1 AN ORDINANCE AMENDING CITY CODE SECTION 25-2-773 RELATING TO
2 DUPLEX HEIGHT REQUIREMENTS; AMENDING CITY CODE SECTION 25-
3 2-1051 RELATING TO DESIGN STANDARDS AND MIXED USE; AMENDING
4 CITY CODE SECTION 25-2-1406 RELATING TO NEIGHBORHOOD PLAN
5 COMBINING DISTRICTS; AND AMENDING CITY CODE CHAPTER 25-2,
6 SUBCHATER F RELATING TO RESIDENTIAL DESIGN AND
7 COMPATABILITY.
8

9 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

10
11 PART 1. Subsections (B) and (D) of City Code Section 25-2-773 (*Duplex Residential*
12 *Use*) are amended to read:
13

14 § 25-2-773 DUPLEX RESIDENTIAL USE.

15
16 (B) For a duplex residential use:

- 17
18 (1) minimum lot area is 7,000 square feet;
19
20 (2) minimum lot width is 50 feet;
21
22 (3) maximum building cover is 40 percent;
23
24 (4) maximum impervious cover is 45 percent; and
25
26 (5) maximum building height is the lesser of:

27
28 (a) 30 feet; or

29
30 (b) two stories, except that an attic or basement does not count as a story for
31 purposes of this subsection if it satisfies the requirements for an exemption from gross
32 floor area under Subsections 3.3.2 and 3.4.6 of Subchapter F (*Residential Design and*
33 *Compatibility Standards*).
34

35 (D) The two dwelling units are subject to the following requirements:

36 (1) The two units must have a common [wall or] floor and ceiling or a common
37 wall, which may be a common garage wall, that:

PART 14. Section 3.3 (*Gross Floor Area*) of City Code Chapter 25-2, Subchapter F is amended to amend Subsections 3.3.1 and 3.3.2, and to add new Subsections 3.3.3 and 3.3.4, to read:

3.3. GROSS FLOOR AREA

3.3.1. In this Subchapter, GROSS FLOOR AREA means all enclosed space, regardless of its dimensions, that is not exempted under subsections 3.3.2, 3.3.3, or 3.3.4. [has the meaning assigned by Section 25-1-21(Definitions), with the following modifications:

~~3.3.1. The following shall be included in the calculation of gross floor area:~~

~~A. The portion of a second or third story of a building that is covered by a roof, including a porch, portico, breezeway, passageway, or corridor;~~

~~B. A mezzanine or loft; and]~~

3.3.2. Subject to the limitations in paragraph C below, the following parking areas and structures are excluded from gross floor area for purposes of this Subchapter [C. The covered portion of a parking area, except for]:

A.[1.] Up to 450 square feet of:

1.[a.] A detached rear parking area that is separated from the principal structure by not less than 10 feet; [or]

2. A rear parking area that is 10 feet or more from the principal structure, provided that the parking area is either:

a. detached from the principal structure; or

b. attached by a covered breezeway that is completely open on all sides, with a walkway not exceeding 6 feet in width and a roof not exceeding 8 feet in width; or

3. [b.] A parking area that is open on two or more sides, if:

i. it does not have habitable space above it; and

- 1 ii. the open sides are clear and unobstructed for at least 80%
2 of the area measured below the top of the wall plate to
3 the finished floor of the carport.
4

5 B.~~[2.]~~ Up to 200 square feet of:
6

- 7 1. An [an] attached parking area if it used to meet the minimum parking
8 requirement; or [-]
9
10 2. A garage that is less than 10 feet from the rear of the principal
11 structure, provided that the garage is either:
12
13 a. detached from the principal structure; or
14
15 b. attached by a covered breezeway that is completely open on all
16 sides, with a walkway not exceeding 6 feet in width and a roof
17 not exceeding 8 feet in width.
18

19 C. An applicant may receive only one 450-square foot exemption per site under
20 paragraph A. An applicant who receives a 450-square foot exemption may
21 receive an additional 200-foot exemption for the same site under paragraph
22 B, but only for an attached parking area used to meet minimum parking
23 requirements.
24

25 3.3.3.~~[3.3.2.]~~Porches, basements, and attics that meet the [The] following
26 requirements shall be excluded from the calculation of gross floor area:
27

28 A. A ground floor porch, including a screened porch, provided that:
29

- 30 1. the porch is not accessible by automobile and is not connected to a
31 driveway; and
32
33 2. the exemption may not exceed 200 square feet if a porch has habitable
34 space or a balcony above it.
35

36 B. A habitable portion of a building that is below grade if:
37

- 38 1. The habitable portion [It] does not extend beyond the first-story
39 footprint[;] and is:
40
41 a. Below natural or finished grade, whichever is lower; and

b. Surrounded by natural grade for at least 50% of its perimeter wall area, if the habitable portion is required to be below natural grade under paragraph 1.a.

2. The finished floor of the first story is not more than three feet above the average elevation at the intersections of the minimum front yard setback line and the side property lines[; and].

C. A habitable portion of an attic, if:

1. The roof above it is not a flat or mansard roof and has a slope of 3 to 12 or greater;
2. It is fully contained within the roof structure;
3. It has only one floor;
4. It does not extend beyond the footprint of the floors below;
5. It is the highest habitable portion of the building, or a section of the building, and adds no additional mass to the structure; and
6. Fifty percent or more of the area has a ceiling height of seven feet or less.

3.3.4 An enclosed area shall be excluded from the calculation of gross floor area if it is five feet or less in height. For purposes of this subsection:

A. Area is measured on the outside surface of the exterior walls; and

B. Height is measured from the finished floor elevation, up to either:

1. the underside of the roof rafters; or
2. the bottom of the top chord of the roof truss, but not to collar ties, ceiling joists, or any type of furred-down ceiling.

PART 15. Section 3.4 (*Height*) of City Code Chapter 25-2, Subchapter F is amended to amend Subsection 3.4.1, and to add new a Subsection 3.4.6, to read:

1 **3.4. HEIGHT**

2
3 For purposes of this Subchapter, the HEIGHT of a building or setback plane shall be
4 measured as follows:

5
6 3.4.1. Height shall be measured vertically from the average of the highest and
7 lowest grades adjacent to the building to:

- 8
9 A. For a flat roof, the highest point of the coping;
10
11 B. For a mansard roof, the deck line;
12
13 C. For a pitched or hip roof, the gabled roof or dormer with the highest average
14 height [the average height of the highest gable]; or
15
16 D. For other roof styles, the highest point of the building.

17
18 3.4.6. The habitable portion of a basement that is below natural grade and the
19 habitable portion of an attic do not count toward the number of stories for
20 purposes of Section 25-2-773(B)(5) (Duplex Residential Use) if the area
21 satisfies the requirements for an exemption from gross floor area under
22 subsections 3.3.2.B-C of this Subchapter.
23

24 **PART 16.** This ordinance takes effect on _____, 2008.

25
26 **PASSED AND APPROVED**

27
28 §
29 §
30 _____, 2008 § _____
31 Will Wynn
32 Mayor
33

34
35 **APPROVED:** _____
36 David Allan Smith
37 City Attorney

ATTEST: _____
Shirley A. Gentry
City Clerk

**CITY OF AUSTIN
RESIDENTIAL PERMIT APPLICATION "D"
FLOOR AREA RATIO INFORMATION**

**Exhibit
Ex 9**

TO BE COMPLETED FOR ALL PROPERTIES LOCATED WITHIN THE RESIDENTIAL DESIGN AND COMPATIBILITY STANDARDS ORDINANCE BOUNDARY AREA.

Service Address _____

Applicant's Signature _____

Date _____

GROSS FLOOR AREA AND FLOOR AREA RATIO as defined in the Austin Zoning Code.

	<u>Existing</u>	<u>New / Addition</u>
I. 1st Floor Gross Area		
a. 1 st floor area (excluding covered or uncovered finished ground-floor porches)	_____ sq.ft.	_____ sq.ft.
b. 1 st floor area with ceiling height over 15 feet.	_____ sq.ft.	_____ sq.ft.
c. TOTAL (add a and b above)	_____ sq.ft.	_____ sq.ft.
II. 2nd Floor Gross Area See note ¹ below		
d. 2 nd floor area (including all areas covered by a roof i.e. porches, breezeways, mezzanine or loft)	_____ sq.ft.	_____ sq.ft.
e. 2 nd floor area with ceiling height > 15 feet.	_____ sq.ft.	_____ sq.ft.
f. TOTAL (add d and e above)	_____ sq.ft.	_____ sq.ft.
III. 3rd Floor Gross Area See note ¹ below		
g. 3 rd floor area (including all areas covered by a roof i.e. porches, breezeways, mezzanine or loft).	_____ sq.ft.	_____ sq.ft.
h. 3 rd floor area with ceiling height > 15 feet	_____ sq.ft.	_____ sq.ft.
i. TOTAL (add g and h above)	_____ sq.ft.	_____ sq.ft.
IV. Basement Gross Area		
j. Floor area outside footprint of first floor or greater than 3 feet above grade at the average elevation at the intersections of the minimum front yard setback line and side property lines.	_____ sq.ft.	_____ sq.ft.
V. Garage		
k. _____ attached (subtract 200 square feet if used to meet the minimum parking requirement)	_____ sq.ft.	_____ sq.ft.
l. _____ detached (subtract 450 square feet if more than 10 feet from principal structure)	_____ sq.ft.	_____ sq.ft.
VI. Carport (open on two or more sides without habitable space above it subtract 450 square feet)		
	_____ sq.ft.	_____ sq.ft.
VII. TOTAL		
	_____ sq.ft.	_____ sq.ft.

TOTAL GROSS FLOOR AREA (add existing and new from VII above)	_____ sq. ft.
GROSS AREA OF LOT	_____ sq. ft.
FLOOR AREA RATIO (gross floor area / gross area of lot)	_____ sq. ft.

¹ If a second or third floor meets all of the following criteria it is considered to be attic space and is not calculated as part of the overall Gross Floor Area of the structure.

- It is fully contained within the roof structure and the roof has a slope of 3 to 12 or greater
- It only has one floor within the roof structure
- It does not extend beyond the foot print of the floors below
- It is the highest habitable portion of the building; and
- Fifty percent or more of the area has a ceiling height of seven feet or less.

PRINTED 5/4/2011



Search

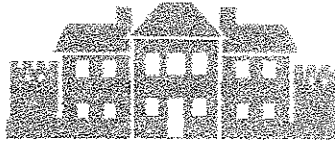
Find!

Options Select a service

Select a map

Directory | Departments | FAQ | Links | Site Map | Help | Contact Us

Development Regulations

Exhibit
EX10

:: Home :: Frequently Asked Questions :: FAR Calculator :: Task Force ::

RESIDENTIAL DESIGN AND COMPATIBILITY STANDARDS

Site development regulations for single-family, duplexes, and other non-multi-family residential development (the "McMansion Ordinance" and changes to the City's duplex regulations) went into effect on October 1, 2006 and additional revisions went into effect June 18, 2008.

WHERE DO THE REGULATIONS APPLY?

The McMansion Ordinance does not apply to every property within the City. It applies only within specific boundaries (generally, greater central Austin). The Mueller Planned Unit Development is exempt from the regulations. Properties zoned SF-4A are also exempt unless they are adjacent to properties zoned SF-1, SF-2 and SF-3.

However, the changes to the City's duplex regulations apply throughout the entire city and are not limited to a specific area.

Generally, the McMansion ordinance places additional regulations on single-family structures, two-family structures and duplex structures to limit bulk and volume of residential structures. Please see the rest of this website and the Frequently Asked Questions web page for further details.

WHAT RESIDENTIAL STRUCTURES ARE SUBJECT TO THE McMANSSION ORDINANCE?

- Single-family
- Small-lot single-family
- Single-family attached
- Duplex
- Two-family (a main residence and a secondary dwelling unit)
- Secondary apartment (neighborhood planning tool)
- Urban home (neighborhood planning tool)
- Cottage lot (neighborhood planning tool)

WHAT DOES THE McMANSSION ORDINANCE DO?

The McMansion Ordinance


> Limits the size of new and remodeled structures to the greater of

- 2,300 square feet or
- 0.4 to 1 Floor-to-Area-Ratio (FAR) (the limit applies to the combined square footage of all residential units on a lot)

To figure out what an 0.4 FAR means for your property, simply multiply your total lot size by 0.4. For example, an 0.4 FAR applied to a 10,000 square foot lot would yield an allowable 4,000 square feet of gross floor area)

> Adds provisions to the City's definition of gross floor area that explain how square footage must be calculated for

PRINTED 5/4/2011

- 
- Second and third story covered porches (included in your square footage)
 - Basements meeting certain criteria (excluded in your square footage)
 - Garages and other parking areas (included after a certain amount)
 - Areas with ceiling heights of greater than 15 feet (included by counting the square footage twice)
 - Mezzanines and lofts (included)
 - Habitable attic spaces meeting certain criteria (excluded)

Otherwise, gross floor area means the total enclosed area of all floors in a building with a clear height of more than five feet, measured to the outside surface of the exterior walls. The height of the finished floor is measured from the finished floor elevation to either the underside of the roof rafters or to the bottom of the top chord of the roof truss.

> Adds a building envelope requirement, created by side and rear setback planes, so that all structures on a site must fit within this envelope (there is an allowance for remodels; some building features are allowed to protrude through the setback planes)

> Adds a side wall articulation requirement, though the side wall articulation requirement does not apply to new construction or an addition or remodel that is less than 2,000 square feet in gross floor area and less than 32 feet in height

> Changes how height is measured for uses subject to the McMansion ordinance so that it is measured vertically from the average of the highest and lowest grades adjacent to the building

> Changes the maximum height

- From 35 feet to 32 feet for single-family, small-lot single-family, single-family attached, bed and breakfast (group 1 and group 2) residential structures
- From 30 feet to 32 feet for duplexes
- From 30 feet to 32 feet for two-family residential structures
- (The 35 foot height limit stays in effect for urban home and cottage lot special uses.)
- (The 30 foot height limit stays in effect for secondary apartment special uses.)

> Decreases the minimum rear yard setback from 10 feet to 5 feet for a secondary dwelling unit if the lot abuts an alley

> Establishes minimum front yard setbacks that are slightly different than the setbacks prescribed previously in the City's Land Development Code

> Allows neighborhoods within the 'McMansion boundary' modify the McMansion Ordinance

Other changes approved with the McMansion Ordinance that also went into effect on October 1, 2006

CITY OF AUSTIN

CASE # 2011-031158R

PLAN REVIEW # #~~01~~ 10574558

TP# 01-2507-0317

APPLICATION TO THE RESIDENTIAL DESIGN
AND COMPATIBILITY COMMISSION (RDCC)

GENERAL MODIFICATION WAIVER

STREET ADDRESS: 3704 BONNELL DRIVE AUSTIN TX 78731

LEGAL DESCRIPTION: Subdivision - Mt. BONNELL TERRACE

Lot(s) 1 Block E Outlot - Division SECTION 3

LAND STATUS DETERMINATION CASE NUMBER (if applicable) _____

I/We JIM ENHAUS on behalf of myself/ourselves as authorized agent for

DAVID WEELEY HOMES affirm that on 4/13, 2011

hereby apply for a hearing before the Residential Design and Compatibility Commission
for modification Section 2.8.1. of up to 25% increase in one or more of the following:

- ☒ Maximum Floor to area ratio .4 or Gross floor area 2300 sq ft.
☐ Maximum Linear feet of Gables protruding from setback plane
☐ Maximum Linear feet of Dormers protruding from the setback plane

Waive or modify the side wall articulation requirement of Section 2.7.

_____ Side Wall Length Articulation
(Please describe request. Please be brief but thorough).

★ THE PRELIMINARY PLAN (NOT INCLUDED) HAD A FLAT 15' CEILING IN THE LIVING ROOM AND HAD BEDROOM 5 TUCKED IN UNDER THE ROOF. HOWEVER, THE HOMEOWNER HAS ASKED US TO VAULT THE CEILING IN THE FAMILY ROOM, AND ADD A WINDOW TO THE FRONT OF BR 5, SO THEY CAN SEE THE DOWNTOWN SKYLINE. DOING THIS ADDS TO THE FAR. FROM THE ALLOWABLE 4673.2 (40%) TO 5442 (46.6%) FOR NEW CONSTRUCTION
in a SF3 zoning district.

Note: Certificate of Appropriateness: H (Historic) or HD (Historic Designation) -
case goes to RDCC first. National Register Historical District (NRHD) Overlay:
without H or HD - case goes to Historic Landmark Commission first.

B
1

**CITY OF AUSTIN
APPLICATION TO THE RESIDENTIAL DESIGN
AND COMPATIBILITY COMMISSION
GENERAL MODIFICATION WAIVER**

REASONABLE USE:

1. The Residential Design and Compatibility Standards Ordinance applicable to the property does not allow for a reasonable use because:

★ ANY VAULTED CEILING ADDS TO THE FAR, AND CONVERTING A HABITABLE ATTIC AREA TO A REGULAR FLOOR AREA ALSO ADDS TO THE FAR, EVEN THOUGH IT DOES NOT ADD TO THE LIVING SPACE, IMPERVIOUS COVERAGE, OR BUILDING COVERAGE.

REQUEST:

2. The request for the modification is unique to the property in that:

THERE ARE INCREDIBLE VIEWS FROM THE FRONT OF THIS HOME TO DOWNTOWN AUSTIN. ADDING A WINDOW ON THE FRONT OF THE HOME, WILL ALLOW THE HOMEOWNER TO ENJOY THESE VIEWS.

AREA CHARACTER:

3. The modification 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:

ALLOWING THE VAULTED CEILING IN THE FAMILY ROOM WILL NOT BE EVIDENT WHATSOEVER ON THE OUTSIDE, SINCE IT IS SIMPLY ADDING NON-HABITABLE ATTIC SPACE TO THE FAMILY ROOM. ALLOWING ANOTHER WINDOW TO BE ADDED TO THE FRONT OF THE HOUSE WILL NOT AFFECT ANY NEIGHBORS. THE UPPER ROOF LINES (ROOFS) ARE STILL THE SAME. ALL THIS WOULD DO IS CONVERT A 5:12 PITCHED ROOF INTO A WALL WITH A WINDOW.

PRINTED 5/23/2011



Search

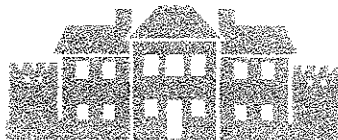
Find!

Options Select a service

Select a map

Directory | Departments | FAQ | Links | Site Map | Help | Contact Us

Development Regulations

Exhibit
Ex 12

:: Home :: Frequently Asked Questions :: FAR Calculator :: Task Force ::

RESIDENTIAL DESIGN AND COMPATIBILITY STANDARDS

Site development regulations for single-family, duplexes, and other non-multi-family residential development (the "McMansion Ordinance" and changes to the City's duplex regulations) went into effect on October 1, 2006 and additional revisions went into effect June 18, 2008.

WHERE DO THE REGULATIONS APPLY?

The McMansion Ordinance does not apply to every property within the City. It applies only within specific boundaries (generally, greater central Austin). The Mueller Planned Unit Development is exempt from the regulations. Properties zoned SF-4A are also exempt unless they are adjacent to properties zoned SF-1, SF-2 and SF-3.

However, the changes to the City's duplex regulations apply throughout the entire city and are not limited to a specific area.

Generally, the McMansion ordinance places additional regulations on single-family structures, two-family structures and duplex structures to limit bulk and volume of residential structures. Please see the rest of this website and the Frequently Asked Questions web page for further details.

WHAT RESIDENTIAL STRUCTURES ARE SUBJECT TO THE McMANSION ORDINANCE?

- Single-family
- Small-lot single-family
- Single-family attached
- Duplex
- Two-family (a main residence and a secondary dwelling unit)
- Secondary apartment (neighborhood planning tool)
- Urban home (neighborhood planning tool)
- Cottage lot (neighborhood planning tool)

WHAT DOES THE McMANSION ORDINANCE DO?

The McMansion Ordinance

- Limits the size of new and remodeled structures to the greater of

PRINTED 5/23/2011

- o 2,300 square feet or
- o 0.4 to 1 Floor-to-Area-Ratio (FAR) (the limit applies to the combined square footage of all residential units on a lot)
- o To figure out what an 0.4 FAR means for your property, simply multiply your total lot size by 0.4. For example, an 0.4 FAR applied to a 10,000 square foot lot would yield an allowable 4,000 square feet of gross floor area)
- **Adds provisions to the City's definition of gross floor area that explain how square footage must be calculated for**
 - o Second and third story covered porches (included in your square footage)
 - o Basements meeting certain criteria (excluded in your square
 - o Garages and other parking areas (included after a certain amount)
 - o Mezzanines and lofts (included)
 - o Habitable attic spaces meeting certain criteria (excluded)
 - o Otherwise, gross floor area means the total enclosed area of all floors in a building with a clear height of more than five feet, measured to the outside surface of the exterior walls. The term includes loading docks and excludes atria airspace, parking facilities, driveways, and enclosed loading berths and off-street maneuvering areas. The height of the finished floor is measured from the finished floor elevation to either the underside of the roof rafters or to the bottom of the top chord of the roof truss.
- **Adds a building envelope requirement, created by side and rear setback planes**, so that all structures on a site must fit within this envelope (there is an allowance for remodels; some building features are allowed to protrude through the setback planes)
- **Adds a side wall articulation requirement**, though the the side wall articulation requirement does not apply to new construction or an addition or remodel that is less than 2,000 square feet in gross floor area and less than 32 feet in height
- Changes how height is measured for uses subject to the McMansion ordinance so that it is measured vertically from the average of the highest and lowest grades adjacent to the building
- Changes the maximum height
 - o From 35 feet to 32 feet for single-family, small-lot single-family, single-family attached, bed and breakfast (group 1 and group 2) residential structures
 - o From 30 feet to 32 feet for duplexes
 - o From 30 feet to 32 feet for two-family residential structures
- (The 35 foot height limit stays in effect for urban home and cottage lot special uses.)
- (The 30 foot height limit stays in effect for secondary apartment special uses.)
- Decreases the minimum rear yard setback from 10 feet to 5 feet for a secondary dwelling unit if the lot abuts an alley
- Establishes minimum front yard setbacks that are slightly different than the setbacks prescribed previously in the City's Land Development Code
- Allows neighborhoods within the 'McMansion boundary' modify the McMansion Ordinance

Language
about
ceilings
over 15
feet
deleted

New
Language

RESIDENTIAL PERMIT APPLICATION FLOOR AREA RATIO INFORMATION

"D"

Exhibit
EX13

TO BE COMPLETED FOR ALL PROPERTIES LOCATED WITHIN THE RESIDENTIAL DESIGN AND COMPATIBILITY STANDARDS ORDINANCE BOUNDARY AREA.

Address 3704 Russell Drive

Applicant's Signature [Signature]

Date 5/26/11

GROSS FLOOR AREA AND FLOOR AREA RATIO as defined in the Austin Zoning Code.

I. 1st Floor Gross Area

- a. 1st floor area (excluding covered or uncovered finished ground-floor porches)
- b. 1st floor area with ceiling height over 15 feet.
- c. TOTAL (add a and b above)

Existing

New / Addition

sq.ft.	<u>2667</u>	sq.ft.
sq.ft.		sq.ft.
sq.ft.	<u>2667</u>	sq.ft.

II. 2nd Floor Gross Area See note ¹ below

- d. 2nd floor area (including all areas covered by a roof i.e. porches, breezeways, mezzanine or loft)
- e. 2nd floor area with ceiling height > 15 feet.
- f. TOTAL (add d and e above)

sq.ft.	<u>1973</u>	sq.ft.
sq.ft.		sq.ft.
sq.ft.	<u>1973</u>	sq.ft.

III. 3rd Floor Gross Area See note ¹ below

- g. 3rd floor area (including all areas covered by a roof i.e. porches, breezeways, mezzanine or loft).
- h. 3rd floor area with ceiling height > 15 feet
- i. TOTAL (add g and h above)

sq.ft.	<u>n/a</u>	sq.ft.
sq.ft.		sq.ft.
sq.ft.		sq.ft.

IV. Basement Gross Area

- j. Floor area outside footprint of first floor or greater than 3 feet above grade at the average elevation at the intersections of the minimum front yard setback line and side property lines.

sq.ft.	<u>n/a</u>	sq.ft.
--------	------------	--------

V. Garage

- k. attached (subtract 200 square feet if used to meet the minimum parking requirement)
- l. detached (subtract 450 square feet if more than 10 feet from principal structure)

sq.ft.	<u>367</u>	sq.ft.
sq.ft.	<u>n/a</u>	sq.ft.

VI. Carport (open on two or more sides without habitable space above it subtract 450 square feet)

sq.ft.	<u>n/a</u>	sq.ft.
--------	------------	--------

VII. TOTAL

sq.ft.	<u>5007</u>	sq.ft.
--------	-------------	--------

Map 4673.2 zone by 334	TOTAL GROSS FLOOR AREA (add existing and new from VII above)	<u>5007</u> sq. ft.
	GROSS AREA OF LOT	<u>11,683</u> sq. ft.
	FLOOR AREA RATIO (gross floor area / gross area of lot)	<u>428</u> sq. ft.

- If a second or third floor meets all of the following criteria it is considered to be attic space and is not calculated as part of the overall Gross Floor Area of the structure.
- It is fully contained within the roof structure and the roof has a slope of 3 to 12 or greater
 - It only has one floor within the roof structure
 - It does not extend beyond the foot print of the floors below
 - It is the highest habitable portion of the building; and
 - Fifty percent or more of the area has a ceiling height of seven feet or less.

Revised CDDU

Exhibit
Ex 14

Tue, September 27, 2011 4:41:50 PM

RE: 3704 Bonnell Drive BoA Appeal

From: "Lloyd, Brent"

<Brent.Lloyd@austintexas.gov>

To: S Lynn Hill <s-lynn-hill@sbcglobal.net>

Hi Lynn –

I will definitely check with John, as you are entitled to request copies of any department memos addressing these issues. However, I am not aware of any such memos. More often than not, issues of code interpretation are addressed with individual reviewers or in informal staff meetings.

Thanks,

Brent D. Lloyd

Assistant City Attorney

(512) 974-2974

From: S Lynn Hill [mailto:s-lynn-hill@sbcglobal.net]

Sent: Tuesday, September 27, 2011 3:57 PM

To: Lloyd, Brent

Subject: Re: 3704 Bonnell Drive BoA Appeal

Hi Brent,

Thanks for this information. I have a couple of requests for more information:

(1) When we talked yesterday you told me that in late 2008 or early 2009 the requirement to double-count areas with ceiling heights over 15 feet was still being applied when John McDonald started to work in the PDRD. You said that the 2008 amendments made many changes to the McMansion Ordinance, and that different reviewers were doing different things, that there was a lot of confusion and inconsistencies for a while after the 2008 amendments were passed, but John looked into things and instructed the staff to stop applying the double-counting rule. Would you please send me a copy of the memo or instructions that John issued to PDRD staff about this?

(2) I understand that there is a lot of turnover of staff in the PDRD, so if they have a consistent interpretation of the condition "adds no additional mass to the structure" this interpretation must also be found in a memo or instructions to PDRD staff. Would you please send me a copy of that memo or those instructions?

Again, thanks very much,

Lynn Hill

3701 Mount Bonnell Road

371-1254 (home)

[Find!](#) [Options](#) [Select a service](#)[Select a map](#)[Directory](#) | [Departments](#) | [Links](#) | [FAQ](#) | [Site Map](#) | [Help](#) | [Contact Us](#)

E-mail successfully sent!

Exhibit
Ex 15

Thank you for your input. Your suggestions are an important part of the Austin City Connection. We will respond to your comment, question, or suggestion as soon as possible.

Here is your message:

Your Name: S Lynn Hill

Mailing Address: 3701 Mount Bonnell Road Austin, TX 78731-5730

Phone: 512-371-1254

Fax:

Your e-mail address: S-LYNN-HILL@SBCGLOBAL.NET

Subject: Request for Information from Planning and Development Review Department

I am requesting: Copies of the following Record(s)

Please state your document request below: We are requesting the following records from the City of Austin Planning and Development Review Department (PDRD): 1. Any and all memoranda, emails, and writings of any kind by City staff, including but not limited to those authorized by John McDonald (Planner Principal, PDRD) and Greg Guemsey (Director, PDRD) relating to the interpretation of or direction to the application of the provisions of Article 3 of the "McMansion" Ordinance from its enactment in 2006 to the present. 2. Copies of all completed City of Austin Residential Permit Applications "A" and "D", and all completed City of Austin Residential Design and Compatibility Commission Decision Sheets (if any) for each residential construction permit application submitted on or after June 29, 2008, where the construction is located within and applicable to the Residential Design and Compatibility Standards Ordinance Boundary, and where either Residential Permit Application "D" shows that there are one or more floor areas with ceiling heights over 15 feet, or the floor plans submitted with the application show that there are one or more areas with ceiling heights over 15 feet.

Comments:

[Return to the Austin City Connection](#)



Austin City Connection - The Official Web site of the City of Austin
Legal Notices | Privacy Statement
© 2011 City of Austin, Texas. All Rights Reserved.
P.O. Box 1088, Austin, TX 78767 (512) 974-2000

Exhibit
Ex 16

2nd floor balconies

Wednesday, September 09, 2009 3:40:01 PM

From: "McDonald, John" <John.McDonald@austintexas.gov>

To: "Lloyd, Brent" <Brent.Lloyd@ci.austin.tx.us>

Brent,

My staff has brought several cases to my attention that included second floor balconies. Staff has been counting the second floor balconies towards gross floor area, and they are being challenged on it by designers. It appears from the latest ordinance that second floor balconies do not count towards gross floor area, but they did in the previous McMansion ordinance. I attached the latest ordinance that has second floor areas covered by a roof struck through (See 3.3.1 (A & B)).

Also, our residential application was never changed to reflect this. See a pasted section of the residential application below.

II. 2nd Floor Gross Area See note [1] below

a. 2nd floor area *(including all areas covered by a roof i.e. porches, breezeways, mezzanine or loft)*

b. 2nd floor area with ceiling height > 15 feet.

c. **TOTAL** *(add d and e above)*

III. 3rd Floor Gross Area See note 1 below

d. 3rd floor area *(including all areas covered by a roof i.e. porches, breezeways, mezzanine or loft).*

e. 3rd floor area with ceiling height > 15 feet

f. **TOTAL** *(add g and h above)*

Since the written language of Subchapter F in the Land Development Code excludes these second and third floor areas it appears that these areas should no longer count towards gross floor area, regardless of what the residential application states. Let me know if this is correct.

JMM

Exhibit
Ex 17

Fri, October 14, 2011 9:27:52 AM

RE: PIR #10312

From: "McDonald, John" <John.McDonald@austintexas.gov>

To: S Lynn Hill <s-lynn-hill@sbcglobal.net>

Cc: "Carvell; Kyle" <Kyle.Carvell@austintexas.gov>; "Johnson; Carla" <Carla.Johnson@austintexas.gov>; "Guernsey; Greg" <Greg.Guernsey@austintexas.gov>; "Lloyd; Brent" <Brent.Lloyd@austintexas.gov>; "Benavidez, Sylvia" <Sylvia.Benavidez@austintexas.gov>

Ms. Hill,

All memorandums relating to Article 3 that I'm aware of have been submitted. I will forward the request for the March 3, 2010 and April 7, 2010 RDCC hearing to Sylvia Benavidez who facilitates that board and will have copies of any related documents. In addition, I will forward the request for the March 14, 2011 RDCC hearing as well. Possibly one if not all of the staff interpretations on the March and April 2010 meetings have been overturned by my department. No policy memorandum was written when these interpretations were overturned. I brief my staff accordingly in team meetings on such matters as I have already explained.

I can get you a copy of the application that is currently under a rules posting when I return on Tuesday, October 18th.

There is no response to provide for the September 9, 2009 email to Mr. Lloyd. I did not find any emails to Mr. Lloyd on ceiling heights greater than 15' are to be counted twice. More than likely these were verbal communications via telephone in and around September of 2009. Often times responses to emails are also verbal communications in person or via telephone. I do not document every verbal communication. In addition, Mr. Lloyd's responses to me can be "Attorney-Client Privileged" information which has to be screened before they can be released and the screening takes some time.

Respectfully,

John M. McDonald

Planner Principal

Residential Review/PDRD

974-2728 - Office

john.mcdonald@austintexas.gov

**Application Files Reviewed by Aggrieved Parties where
Areas with Ceiling Heights Greater than 15 Feet were Counted Twice**

Applicants Applied to RDCC for a Modification to Allow a FAR Increase

Street Address	Date of Residential Permit Application "D"	Ceiling Height Over 15 Feet	PDRD Approval
802 Cardinal Lane	12/11/2009 3/18/2010	72 sf 64 sf	N/A revised 3/18/2010
1801 Riverview*	12/4/2009 1/9/2011	580.7 sf N/A	N/A withdrawn 2/2010 1/21/2011
2846 San Gabriel	7/4/2010 1/6/2011	122 sf 122 sf	N/A revised 2/10/2011
2634 Deerfoot Trail**	2/12/2010 11/30/2010	130 sf 130 sf	N/A withdrawn 12/8/2010
504 East Annie	2/14/2011 4/25/2011	122 sf 52 sf	N/A revised 6/6/2011

*1801 Riverview: 12/4/2009 application would not have gone to RDCC if area with ceiling height greater than 15 feet had not been counted twice. Application withdrawn, revised to eliminate areas with ceiling heights greater than 15 feet, and new plan submitted 1/9/2011 did not go to RDCC.

**2634 Deerfoot Trail: Actual applications not attached to online permit database or RDCC meeting site. Data taken from RDCC meeting minutes and online permit database.

Applicants Did Not Apply to RDCC for a Modification to Allow a FAR Increase***

Street Address	Date of Residential Permit Application "D"	Ceiling Height Over 15 Feet	PDRD Approval
4206 Cat Mountain ****	2/4/2011	69 sf	3/25/2011
7213 Lamplight Lane	7/17/2011	55 sf	8/18/2011

*** These applications were found by searching the City's online permit database for R-101 single family residential construction in zip code 78731 with application dates in 2011

****4206 Cat Mountain: Reviewer corrected Gross Floor Area of garage; did not change Gross Floor Area with ceiling height over 15 feet.

Above data is public information available on the City of Austin website to anyone with an internet connection.

**Application Files Reviewed by Aggrieved Parties with
No Areas with Ceiling Heights Over 15 Feet per
Residential Permit Application "D", Floor Plans or Elevations**

Applicants Applied to RDCC for a Modification to Allow a FAR Increase

Street Address	Date of Application
3311 Clearview Drive	11/16/2009
1403 Wathen Ave	1/7/2010
3503 Winsome Court	6/11/2010
2318 West 8 th St #B	2/22/2010
700 Landon Lane	9/15/2010
3002 Kerbey Lane	12/27/2010
2822 Wooldridge Drive	11/5/2011
2102 East 13 th Street	1/6/2011
1512 Hardouin Street	2/7/2011

Applicants Did Not Apply to RDCC for a Modification to Allow a FAR Increase*

Street Address	Date of Application
7630 Parkview Circle	4/8/2011
4605 Greystone Drive	5/6/2011
2710 W 49 th Street	7/7/2011
4305 Edgemont Drive	8/19/2011
5010 N Fresco Drive	8/22/2011
2802 W 44 th Street	9/29/2011
3928 Balcones Drive	1/14/2011
7709 Mesa Drive	1/14/2011
1903 W 38 th Street	9/15/2011
3903 Balcones Drive	1/31/2011
4401 Deepwoods Drive	7/12/2011
4305 Edgemont Drive	7/14/2011

*These applications were found by searching the City's online permit database for R-101 single family residential construction in zip code 78731 with application dates in 2011

Above data is public information available on the City of Austin website to anyone with an internet connection.

**Application Files Reviewed by Aggrieved Parties where
Areas with Ceiling Heights Greater than 15 Feet were NOT Counted Twice**

Street Address	Date of Residential Permit Application "D"	Ceiling Height Over 15 Feet	PDRD Approval
3704 Bonnell Drive	4/13/2011 <i>See Exhibit Ex 11</i>	shown on floor plan and included in applicant's GFA calculation	N/A GFA calculation revised by PDRD in May
3704 Bonnell Drive	5/26/2011 <i>See Exhibit Ex 13</i>	shown on floor plan not included in PDRD GFA calculation	N/A withdrawn
3704 Bonnell Drive	8/26/2011 <i>See Exhibit Ex 2</i>	shown on floor plan not included in PDRD GFA calculation	8/26/2011

The applicants counted twice the areas with ceiling heights over 15 feet in their original 4/13/2011 Gross Floor Area calculation, but the PDRD revised the calculation on 5/26/2011 to count these areas only once. This property and the PDRD calculation are the subject of this BoA appeal.

CITY OF AUSTIN
RESIDENTIAL PERMIT APPLICATION "D"
FLOOR AREA RATIO INFORMATION

TO BE COMPLETED FOR ALL PROPERTIES LOCATED WITHIN THE RESIDENTIAL DESIGN AND COMPATIBILITY
STANDARDS ORDINANCE BOUNDARY AREA.

Service Address 802 CARDINAL CIRCLE AUSTIN TX 78704

Applicant's Signature [Signature]

Date 2011-12-11

GROSS FLOOR AREA AND FLOOR AREA RATIO as defined in the Austin Zoning Code.

	Existing	New / Addition
I. 1 st Floor Gross Area		
a. 1 st floor area (excluding covered or uncovered finished ground-floor porches)	sq.ft.	1890 sq.ft.
b. 1 st floor area with ceiling height over 15 feet.	sq.ft.	72 sq.ft.
c. TOTAL (add a and b above)	sq.ft.	1962 sq.ft.
II. 2 nd Floor Gross Area See note ¹ below		
d. 2 nd floor area (including all areas covered by a roof i.e. porches, breezeways, mezzanine or loft)	sq.ft.	2408 sq.ft.
e. 2 nd floor area with ceiling height > 15 feet.	sq.ft.	0 sq.ft.
f. TOTAL (add d and e above)	sq.ft.	2408 sq.ft.
III. 3 rd Floor Gross Area See note ¹ below		
g. 3 rd floor area (including all areas covered by a roof i.e. porches, breezeways, mezzanine or loft).	sq.ft.	0 sq.ft.
h. 3 rd floor area with ceiling height > 15 feet	sq.ft.	0 sq.ft.
i. TOTAL (add g and h above)	sq.ft.	0 sq.ft.
IV. Basement Gross Area		
j. Floor area outside footprint of first floor or greater than 3 feet above grade at the average elevation at the intersections of the minimum front yard setback line and side property lines.	sq.ft.	0 sq.ft.
V. Garage		
k. <input checked="" type="checkbox"/> attached (subtract 200 square feet if used to meet the minimum parking requirement)	sq.ft.	388 sq.ft.
l. <input type="checkbox"/> detached (subtract 450 square feet if more than 10 feet from principal structure)	sq.ft.	— sq.ft.
VI. Carport (open on two or more sides without habitable space above it subtract 450 square feet)	sq.ft.	0 sq.ft.
VII. TOTAL	sq.ft.	4758 sq.ft.

Net 3835 #	TOTAL GROSS FLOOR AREA (add existing and new from VII above)	4758 sq. ft.
	GROSS AREA OF LOT	9587 sq. ft.
	FLOOR AREA RATIO (gross floor area / gross area of lot)	0.50 sq. ft.

OVER 923 #

¹ If a second or third floor meets all of the following criteria it is considered to be attic space and is not calculated as part of the overall Gross Floor Area of the structure.

- It is fully contained within the roof structure and the roof has a slope of 3 to 12 or greater
- It only has one floor within the roof structure
- It does not extend beyond the foot print of the floors below
- It is the highest habitable portion of the building; and
- Fifty percent or more of the area has a ceiling height of seven feet or less.

Jul. 20, 2010 (Revised)

**CITY OF AUSTIN
RESIDENTIAL PERMIT APPLICATION "D"
FLOOR AREA RATIO INFORMATION**

TO BE COMPLETED FOR ALL PROPERTIES LOCATED WITHIN THE RESIDENTIAL DESIGN AND COMPATIBILITY
STANDARDS ORDINANCE BOUNDARY AREA.

Service Address 202 CALDWELL AVE

Date 2010-01-20

Applicant's Signature [Signature]

GROSS FLOOR AREA AND FLOOR AREA RATIO as defined in the Austin Zoning Code.

	Existing	New / Addition
I. 1st Floor Gross Area		
a. 1 st floor area (excluding covered or uncovered finished ground-floor porches) <u>Porch with habitable space or balcony</u>	sq.ft.	1902 sq.ft.
b. 1 st floor area with ceiling height over 15 feet. <u>Above is →</u>	sq.ft.	64 sq.ft.
c. TOTAL (add a and b above)		1966 sq.ft.
II. 2nd Floor Gross Area See note ¹ below		
d. 2 nd floor area (including all areas covered by a roof i.e. porches, breezeways, mezzanine or loft)	sq.ft.	22x8 sq.ft.
e. 2 nd floor area with ceiling height > 15 feet.	sq.ft.	0 sq.ft.
f. TOTAL (add d and e above)		22x8 sq.ft.
III. 3rd Floor Gross Area See note ¹ below		
g. 3 rd floor area (including all areas covered by a roof i.e. porches, breezeways, mezzanine or loft).	sq.ft.	sq.ft.
h. 3 rd floor area with ceiling height > 15 feet	sq.ft.	sq.ft.
i. TOTAL (add g and h above)		sq.ft.
IV. Basement Gross Area		
j. Floor area outside footprint of first floor or greater than 3 feet above grade at the average elevation at the intersections of the minimum front yard setback line and side property lines.	sq.ft.	sq.ft.
V. Garage		
k. <input checked="" type="checkbox"/> attached (subtract 200 square feet if used to meet the minimum parking requirement)	sq.ft.	388 sq.ft.
l. <input type="checkbox"/> detached (subtract 450 square feet if more than 10 feet from principal structure)	sq.ft.	sq.ft.
VI. Carport (open on two or more sides without habitable space above it subtract 450 square feet)	sq.ft.	sq.ft.
VII. TOTAL		4662 sq.ft.

<u>max 3835</u>	TOTAL GROSS FLOOR AREA (add existing and new from VII above)	4662 sq. ft.
	GROSS AREA OF LOT	4587 sq. ft.
<u>OVER 827 *</u>	FLOOR AREA RATIO (gross floor area / gross area of lot)	0.49 sq. ft.

* RDCC waiver request - Feb. 3, 2010

- ¹ If a second or third floor meets all of the following criteria it is considered to be attic space and is not calculated as part of the overall Gross Floor Area of the structure.
- It is fully contained within the roof structure and the roof has a slope of 3 to 12 or greater
 - It only has one floor within the roof structure
 - It does not extend beyond the foot print of the floors below
 - It is the highest habitable portion of the building; and
 - Fifty percent or more of the area has a ceiling height of seven feet or less.

* the exemption may not exceed 200 sq. ft. if a porch has habitable space or a balcony above it. (3.3.3(2))



Don't

Cardinal Court
802 Cardinal Lane
Koson, Texas

These findings are the product of a study that was not designed to address the question of whether the observed effects were due to the specific intervention or to the broader context of the intervention. The study was designed to address the question of whether the intervention was effective in reducing the risk of violence against women. The study was not designed to address the question of whether the intervention was effective in reducing the risk of violence against women in the context of the intervention. The study was not designed to address the question of whether the intervention was effective in reducing the risk of violence against women in the context of the intervention.

Source:

Development Permit
March 22 2010

Year	Spa Plan
------	----------

Appendix 2

A1.0

Sheet Index

ASOCIACIÓN	Sta Plan	A.10	Elavinda
	Phy 100	A2.1	Brenda
	Second	A2.2	
	High Pass	A2.4	
		A4.1	
		A4.2	

Phone: (254) 715-2922
 E-mail: lynn@gru.com
 Editor: Larry Goss

Contacts

Address:	Phone:	Website:	Comments:
1100 West 42nd Ave Aurora, IL 60007 Aurk, 78.3316	Phone: (714) 212-6344	A15 4811 Hwy 400 East, Suite 220 West Lake Hills, TX 78146 Web: www.a15.com	Contract: 2006-09-01 Contract: 2006-09-01
1100 West 42nd Ave Aurora, IL 60007 Aurk, 78.3316	Phone: (714) 212-6344	Duffy Engineering 10000 Fogg Court Aurora, IL 60007 Aurk, 78.3316	Contract: 2006-09-01 Contract: 2006-09-01
1100 West 42nd Ave Aurora, IL 60007 Aurk, 78.3316	Phone: (714) 212-6344	1100 West 42nd Ave Aurora, IL 60007 Aurk, 78.3316	Contract: 2006-09-01 Contract: 2006-09-01

Treatment list

[illegible]

Legal Description

Col E. Kene Wright Redacted in a Portion of Vol
 2, Block 1, Freeman Accident Victims 12, Page 87,
 Fee Records of Tarrant County, Texas
 Address: Zachary 85-3
 992 Cardinal Lane
 Austin, TX 78704

Tree Removal List

6150	Hickberry 2
6500	Malberry 3-10
6151	Hickberry 14
6174	Malberry 2
6175	Hickberry 64
6176	Hickberry 8

FAR-Sibchanter F

[illegible]

SS Calculations - E

4th Floor Total Conditioned Space	447.5F	
4th Floor Mechanical Plant	564.6F	
4th Floor Mechanical Plant	17.3F	
Ground Floor Plant	69.5F	
Storage	33.5F	
1st Floor Total Unconditioned Space	319.3F	
2nd Floor Total Conditioned Space	1144.5F	
2nd Floor Mechanical Plant	0.5F	
2nd Floor Total Unconditioned Space		2001.5F
Total Conditioned Space		514.5F
Total Unconditioned Space		514.5F

Building/ Impervious Cover

2nd Floor Corridor/Lobby Area	2000 SF
Garage (unusable)	774 SF
Onions Beer Poles	159 SF
Total Building Area:	4022 SF
Total Building Coverage on L&C:	
Driveway Area	742
Service Highway	36
AVC Poles	22,850
Other Retained Landscape (Walls)	12,180
Total Impervious Coverage:	4022 SF / 42% / 30% / 5%
1 of 2 SHE	

Site Area | covered

Straighten My Hair

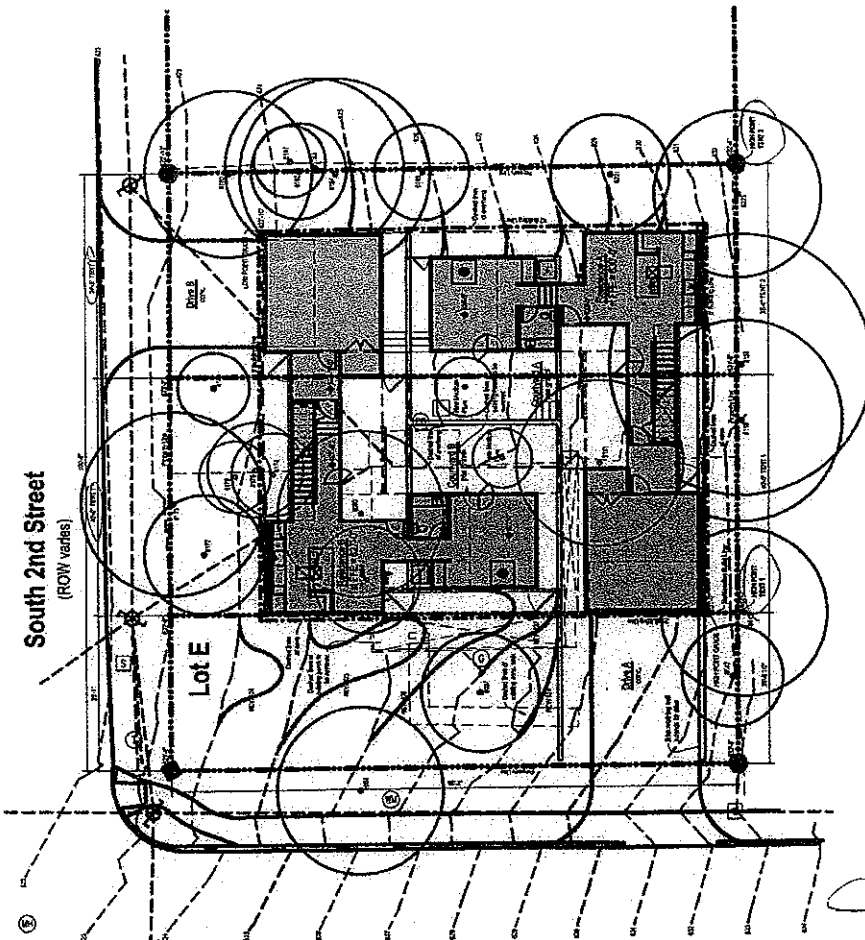
Bra Conquer All

New Cornrows

Get It Hair

Electric Nerve

Pinkie Extension



Site Plan
1" = 30' = 0"

REVIEWED FOR ZONING ONLY

CITY OF AUSTIN
APPROVED FOR PERMIT
Greg Guernsey

Planning and Development Review Department
By [Signature] Date 3/18/2010
The granting of a permit for or approval of these plans and specifications shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of the current adopted building code or any other ordinance of the City of Austin.

Cardinal Lane

802
Cardinal Lane

CITY OF AUSTIN
RESIDENTIAL PERMIT APPLICATION "D"
FLOOR AREA RATIO INFORMATION

TO BE COMPLETED FOR ALL PROPERTIES LOCATED WITHIN THE RESIDENTIAL DESIGN AND COMPATIBILITY STANDARDS ORDINANCE BOUNDARY AREA.

Service Address 1801 Riverview St

Applicant's Signature [Signature]

Date 12-4-09

GROSS FLOOR AREA AND FLOOR AREA RATIO as defined in the Austin Zoning Code.

	<u>Existing</u>	<u>New / Addition</u>
I. 1st Floor Gross Area		
a. 1 st floor area (excluding covered or uncovered finished ground-floor porches)	_____ sq.ft.	<u>1155.2</u> sq.ft.
b. 1 st floor area with ceiling height over 15 feet	_____ sq.ft.	<u>533.2</u> sq.ft.
c. TOTAL (add a and b above)	_____ sq.ft.	<u>1,688.4</u> sq.ft.
II. 2nd Floor Gross Area See note ¹ below		
d. 2 nd floor area (including all areas covered by a roof i.e. porches, breezeways, mezzanine or loft)	_____ sq.ft.	<u>491.6</u> sq.ft.
e. 2 nd floor area with ceiling height > 15 feet	_____ sq.ft.	<u>47.5</u> sq.ft.
f. TOTAL (add d and e above)	_____ sq.ft.	<u>539.1</u> sq.ft.
III. 3rd Floor Gross Area See note ¹ below		
g. 3 rd floor area (including all areas covered by a roof i.e. porches, breezeways, mezzanine or loft)	_____ sq.ft.	<u>696.5</u> sq.ft.
h. 3 rd floor area with ceiling height > 15 feet	_____ sq.ft.	<u>0</u> sq.ft.
i. TOTAL (add g and h above)	_____ sq.ft.	<u>696.5</u> sq.ft.
IV. Basement Gross Area		
j. Floor area outside footprint of first floor or greater than 3 feet above grade at the average elevation at the intersections of the minimum front yard setback line and side property lines.	_____ sq.ft.	<u>0</u> sq.ft.
V. Garage		
k. <u> </u> attached (subtract 200 square feet if used to meet the minimum parking requirement)	_____ sq.ft.	<u>0</u> sq.ft.
l. <u> </u> detached (subtract 450 square feet if more than 10 feet from principal structure)	_____ sq.ft.	<u>0</u> sq.ft.
VI. Carport (open on two or more sides without habitable space above it subtract 450 square feet)	_____ sq.ft.	<u>0</u> sq.ft.
VII. TOTAL	_____ sq.ft.	<u>2,924</u> sq.ft.

max 2352 **TOTAL GROSS FLOOR AREA (add existing and new from VII above)**

GROSS AREA OF LOT

FLOOR AREA RATIO (gross floor area / gross area of lot)

2924 sq. ft.
5880 sq. ft.
49.7 sq. ft.

Increase of 572 sq. ft. (ceiling height over 15')

If a second or third floor meets all of the following criteria it is considered to be attic space and is not calculated as part of the overall Gross Floor Area of the structure.

- It is fully contained within the roof structure and the roof has a slope of 3 to 12 or greater
- It only has one floor within the roof structure
- It does not extend beyond the foot print of the floors below
- It is the highest habitable portion of the building; and
- Fifty percent or more of the area has a ceiling height of seven feet or less.

CITY OF AUSTIN
RESIDENTIAL PERMIT APPLICATION "D"
FLOOR AREA RATIO INFORMATION

21
1

TO BE COMPLETED FOR ALL PROPERTIES LOCATED WITHIN THE RESIDENTIAL DESIGN AND COMPATIBILITY
STANDARDS ORDINANCE BOUNDARY AREA.

Service Address 1801 RIVERVIEW *

Applicant's Signature [Signature]

Date 1/19/2011

GROSS FLOOR AREA AND FLOOR AREA RATIO as defined in the Austin Zoning Code.

	Existing	New / Addition
I. 1 st Floor Gross Area		
a. 1 st floor area (excluding covered or uncovered finished ground-floor porches)	sq.ft.	<u>557.7</u> sq.ft.
b. 1 st floor area with ceiling height over 15 feet. *	sq.ft.	<u>0</u> sq.ft.
c. TOTAL (add a and b above)	sq.ft.	<u>557.7</u> sq.ft.
II. 2 nd Floor Gross Area See note 1 below		
d. 2 nd floor area (including all areas covered by a roof i.e. porches, breezeways, mezzanine or loft)	sq.ft.	<u>891.5</u> sq.ft.
e. 2 nd floor area with ceiling height > 15 feet. *	sq.ft.	<u>0</u> sq.ft.
f. TOTAL (add d and e above)	sq.ft.	<u>891.5</u> sq.ft.
III. 3 rd Floor Gross Area See note 1 below		
g. 3 rd floor area (including all areas covered by a roof i.e. porches, breezeways, mezzanine or loft)	sq.ft.	<u>891.5</u> sq.ft.
h. 3 rd floor area with ceiling height > 15 feet	sq.ft.	<u>0</u> sq.ft.
i. TOTAL (add g and h above)	sq.ft.	<u>891.5</u> sq.ft.
IV. Basement Gross Area		
j. Floor area outside footprint of first floor or greater than 3 feet above grade at the average elevation at the intersections of the minimum front yard setback line and side property lines.	sq.ft.	<u>-</u> sq.ft.
V. Garage		
k. attached (subtract 200 square feet if used to meet the minimum parking requirement)	sq.ft.	<u>-</u> sq.ft.
l. detached (subtract 450 square feet if more than 10 feet from principal structure)	sq.ft.	<u>-</u> sq.ft.
VI. Carport (open on two or more sides without habitable space above it subtract 450 square feet)	sq.ft.	<u>-</u> sq.ft.
VII. TOTAL	sq.ft.	<u>2,340.7</u> sq.ft.

TOTAL GROSS FLOOR AREA (add existing and new from VII above)

2,340.7 sq. ft.

GROSS AREA OF LOT

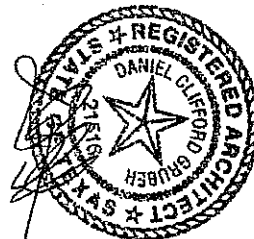
5,880.4 sq. ft.

FLOOR AREA RATIO (gross floor area / gross area of lot) 39.8% sq. ft.

*Plans completely revised from 12/4/2009 application. No ceiling height over 15 feet per revised layouts and elevations.

If a second or third floor meets all of the following criteria it is considered to be attic space and is not calculated as part of the overall Gross Floor Area of the structure.

- It is fully contained within the roof structure and the roof has a slope of 3 to 12 or greater
- It only has one floor within the roof structure
- It does not extend beyond the foot print of the floors below
- It is the highest habitable portion of the building; and
- Fifty percent or more of the area has a ceiling height of 8 feet or greater



Legend:

EM	ELECTRIC METER
PP	POWER POLE
—	BURIED POWER LINE
—	PUBLIC UTILITY EASEMENT
+	ELEVATION MARKER
—	EXISTING STRUCTURES TO BE REMOVED
—	ROOF LINE
—	SETBACK LINES

Floor to Area Ratio:

Floor	Area	Ratio
First Floor	657.7 sq. ft.	891.5 sq. ft.
Second Floor	891.5 sq. ft.	891.5 sq. ft.
Third Floor	891.5 sq. ft.	891.5 sq. ft.
Total Area	2,440.7 sq. ft.	2,674.5 sq. ft.

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

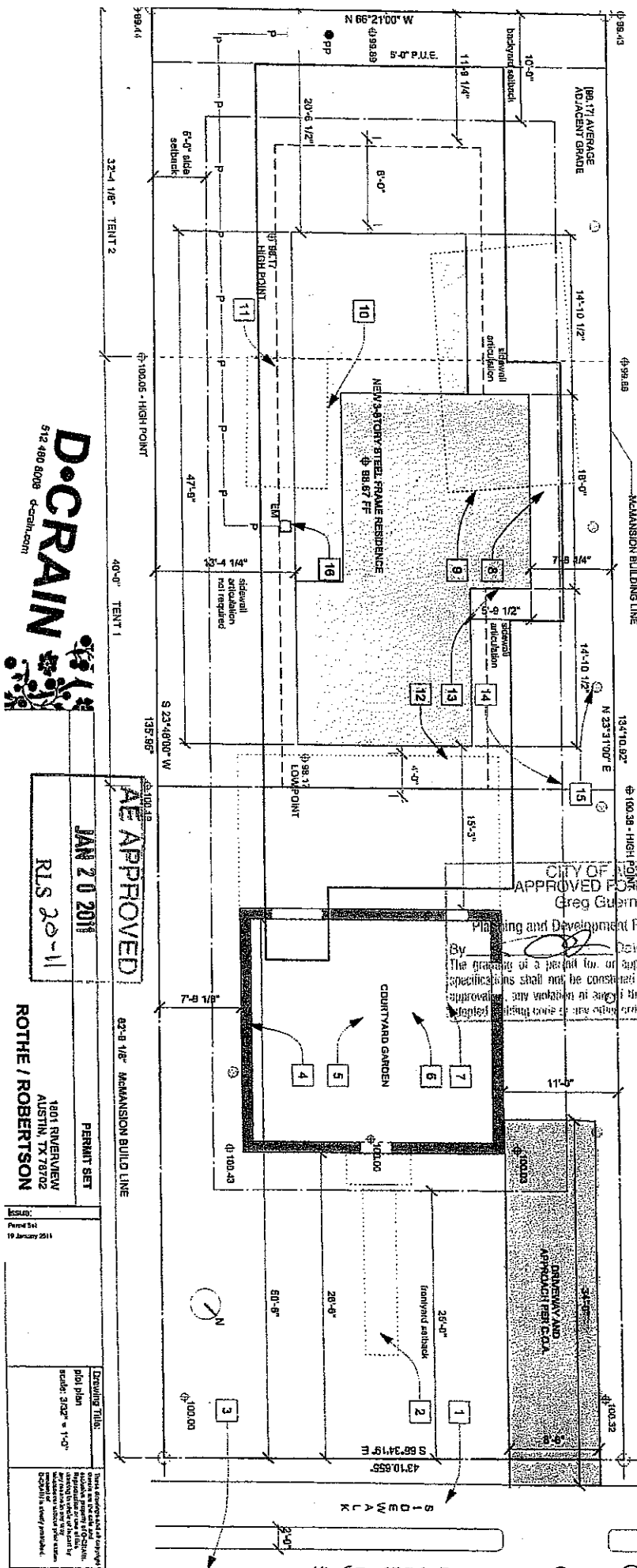
Building Coverage and Impervious Cover:

Building	Coverage on Lot	Total Impervious	Total Impervious
First Floor	657.7 sq. ft.	891.5 sq. ft.	891.5 sq. ft.
Second Floor	891.5 sq. ft.	891.5 sq. ft.	891.5 sq. ft.
Third Floor	891.5 sq. ft.	891.5 sq. ft.	891.5 sq. ft.
Total	2,440.7 sq. ft.	2,674.5 sq. ft.	2,674.5 sq. ft.

- Site Plan Notes:**
1. Existing sidewalk to remain.
 2. Existing concrete walkway to be removed.
 3. Riverway Street is 20'-0" wide.
 4. Existing stone wall remains as garden wall.
 5. Driveway existing roof and floor. Express grade and repavement.
 6. Road line shown, desired.
 7. Building footprint.
 8. 1'-0" below grade.
 9. Existing shed to be removed.
 10. Existing concrete pad to be removed.
 11. 40'-0" rear section intervals.
 12. Existing addition to original house to be removed.
 13. Sidewalk articulation 5'-5".
 14. Setback.
 15. Trees to remain (over 15' diameter) TYP.
 16. Utility meter.

- Site Plan General Notes:**
1. This structure on this site is based on the basis of right of way. All dimensions are to face of finish surfaces. All dimensions are to face of finish, and edge of covering, or centerline of support.
 2. No storm sewer exists or manholes are present within 10' of property boundaries.
 3. There is less than 1'-0" of grade change across the length and width of property.
 4. Shaded area indicates air conditioned space.

Legal Description:
 LOT 3, Q17 67 DW O TOWNE LAKE ADDITION, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 12, PAGE 31, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS.



D. CRAIN
 512 480 8008 dcrain.com

AE APPROVED
 JAN 20 2011
 RLS 20-11

PERMIT SET
 1801 RIVERVIEW
 AUSTIN, TX 78702
 ROTHE / ROBERTSON

Drawing Title:
 Plot plan
 Scale: 3/32" = 1'-0"
 19 January 2011

1801 Riverview

CITY OF AUSTIN
RESIDENTIAL PERMIT APPLICATION "D"
FLOOR AREA RATIO INFORMATION

TO BE COMPLETED FOR ALL PROPERTIES LOCATED WITHIN THE RESIDENTIAL DESIGN AND COMPATIBILITY STANDARDS ORDINANCE BOUNDARY AREA.

Service Address 2846 San Gabriel

Applicant's Signature [Signature] Date 7-14-10

GROSS FLOOR AREA AND FLOOR AREA RATIO as defined in the Austin Zoning Code.

	Existing	New / Addition
I. 1st Floor Gross Area		
a. 1 st floor area (excluding covered or uncovered finished ground-floor porches)	_____ sq. ft.	<u>1179</u> sq. ft.
b. 1 st floor area with ceiling height over 15 feet.	_____ sq. ft.	_____ sq. ft.
c. TOTAL (add a and b above)	_____ sq. ft.	_____ sq. ft.
II. 2nd Floor Gross Area See note ¹ below		
d. 2 nd floor area (including all areas covered by a roof i.e. porches, breezeways, mezzanine or loft) <u>Stairwell & Light Shaft</u>	<u>550</u> sq. ft.	<u>1182</u> sq. ft.
e. 2 nd floor area with ceiling height > 15 feet.	_____ sq. ft.	<u>122</u> sq. ft.
f. TOTAL (add d and e above)	_____ sq. ft.	<u>1304</u> sq. ft.
III. 3rd Floor Gross Area See note ¹ below		
g. 3 rd floor area (including all areas covered by a roof i.e. porches, breezeways, mezzanine or loft).	_____ sq. ft.	_____ sq. ft.
h. 3 rd floor area with ceiling height > 15 feet	_____ sq. ft.	_____ sq. ft.
i. TOTAL (add g and h above)	_____ sq. ft.	_____ sq. ft.
IV. Basement Gross Area		
j. Floor area outside footprint of first floor or greater than 3 feet above grade at the average elevation at the intersections of the minimum front yard setback line and side property lines.	_____ sq. ft.	_____ sq. ft.
V. Garage		
k. <input type="checkbox"/> attached (subtract 200 square feet if used to meet the minimum parking requirement)	_____ sq. ft.	_____ sq. ft.
l. <input checked="" type="checkbox"/> detached (subtract 450 square feet if more than 10 feet from principal structure) <u>654 - 204 (Detmo) = 450 #</u>	<u>0</u> sq. ft.	_____ sq. ft.
VI. Carport (open on two or more sides without habitable space above it subtract 450 square feet)	_____ sq. ft.	_____ sq. ft.
VII. TOTAL	<u>550</u> sq. ft.	<u>2483</u> sq. ft.

<u>may allowed</u>	TOTAL GROSS FLOOR AREA (add existing and new from VII above)	<u>3033</u> sq. ft.
	GROSS AREA OF LOT	<u>6500</u> sq. ft.
<u>2600 #</u>	FLOOR AREA RATIO (gross floor area / gross area of lot)	<u>46.7</u> %

Over FAR - 433 #

If a second or third floor meets all of the following criteria it is considered to be attic space and is not calculated as part of the overall Gross Floor Area of the structure.

- It is fully contained within the roof structure and the roof has a slope of 3 to 12 or greater
- It only has one floor within the roof structure
- It does not extend beyond the foot print of the floors below

TY OF AUSTIN

RESIDENTIAL PERMIT APPLICATION "D"

FLOOR AREA RATIO INFORMATION

TO BE COMPLETED FOR ALL PROPERTIES LOCATED WITHIN THE RESIDENTIAL DESIGN AND COMPATIBILITY STANDARDS ORDINANCE BOUNDARY AREA.

Property Address 2846 San Gabriel, Austin, TX 78705

Applicant's Signature [Signature]

Date 1-6-12

GROSS FLOOR AREA AND FLOOR AREA RATIO as defined in the Austin Zoning Code.

	Existing	New / Addition
I. 1st Floor Gross Area		
a. 1 st floor area (excluding covered or uncovered finished ground-floor porches)		
b. 1 st floor area with ceiling height over 15 feet.		1179 sq.ft.
c. TOTAL (add a and b above)		
II. 2nd Floor Gross Area See note 1 below		
d. 2 nd floor area (including all areas covered by a roof i.e. porches, breezeways, mezzanine or loft)	550 sq.ft.	1182 sq.ft.
e. 2 nd floor area with ceiling height > 15 feet.		122 sq.ft.
f. TOTAL (add d and e above)		1304 sq.ft.
III. 3rd Floor Gross Area See note 1 below		
g. 3 rd floor area (including all areas covered by a roof i.e. porches, breezeways, mezzanine or loft).		
h. 3 rd floor area with ceiling height > 15 feet		
i. TOTAL (add g and h above)		
IV. Basement Gross Area		
j. Floor area outside footprint of first floor or greater than 3 feet above grade at the average elevation at the intersections of the minimum front yard setback line and side property lines.		
V. Garage		
k. attached (subtract 200 square feet if used to meet the minimum parking requirement)		
l. <input checked="" type="checkbox"/> detached (subtract 450 square feet if more than 10 feet from principal structure)	0 sq.ft.	
VI. Carport (open on two or more sides without habitable space above it subtract 450 square feet)		
VII. TOTAL	550 sq.ft.	2483 sq.ft.

TOTAL GROSS FLOOR AREA (add existing and new from VII above)

GROSS AREA OF LOT

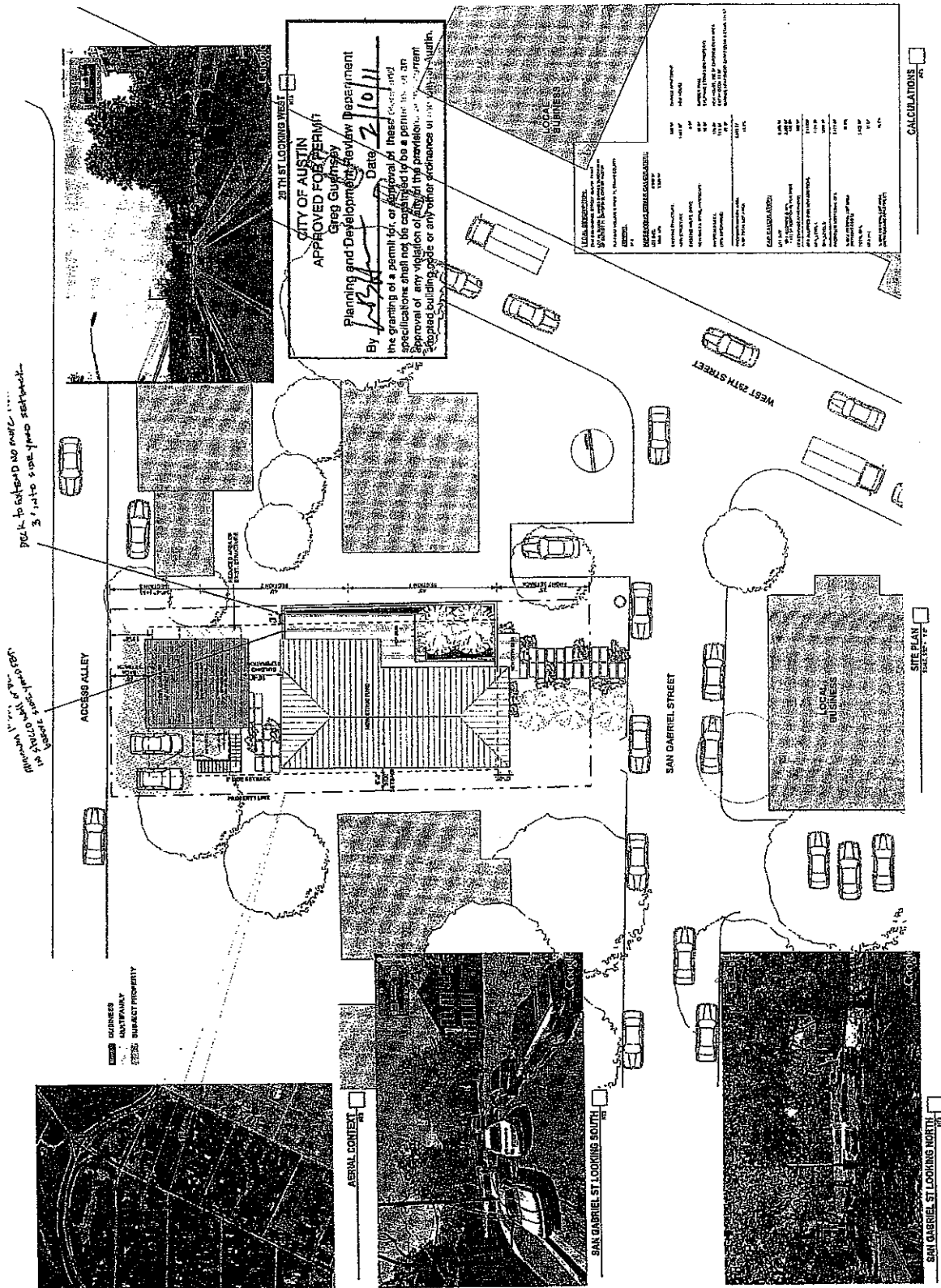
FLOOR AREA RATIO (gross floor area / gross area of lot)

3033 sq. ft.

6500 sq. ft.

46.7% sq.ft.

- a second or third floor meets all of the following criteria it is considered to be attic space and is not calculated as part of the overall Gross Floor Area of the structure.
- It is fully contained within the roof structure and the roof has a slope of 3 to 12 or greater
 - It only has one floor within the roof structure
 - It does not extend beyond the foot print of the floors below
 - It is the highest habitable portion of the building; and
 - Fifty percent or more of the area has a ceiling height of seven feet or less



2846 San Gabriel



2634 DEER FOOT TRAIL

 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

Permit/Case File Name	Reference	Description	Sub Type	Work Type	Project Name	Status	Application Date	Issue Date	Expiration Date
2010-102071 PR	2010-102071 PR	Partially-demolish section of rear wall, to accommodate new 2-story addition. Remodel: Complete interior remodel of 1st floor, remodel of master bedroom and bath on 2nd floor. Addition: 1st-floor - family room (relocate walls) expand breakfast room and add covered porch and screened porch. 2nd-floor - add new master closet area, and new air-conditioned storage area.	R-434 Addition & Alterations	Addition and Remodel	2634 DEERFOOT TRL	Approved	Nov 30, 2010	Dec 8, 2010	May 29, 2011

Related Folders: Yes

FOLDER INFO

Value

Information Description

Smart Housing	No
Building Valuation Remodel	36000
Electrical Valuation Remodel	7000
Will Addition have Electrical Work ?	Yes
Mechanical Valuation Remodel	5200
Will Addition have Mechanical Work ?	Yes
Plumbing Valuation Remodel	3600
Will Addition have Plumbing Work ?	Yes
Total Valuation Remodel	51800
Total Job Valuation	90700
Is this property in MUD ?	No
Current Zoning for Building	SF-3
Name of Neighborhood Plan	BARTON HILLS
Subdistrict	NONE
Status	PLANNING UNDERWAY/APPROVED TO BEGIN
Is Historical Review Required?	No
1704 Flag?	No
Is this a Legal Lot ?	Yes
Is there a Cut & Fill in excess of 4 ft	No
Building Height (in feet)	23

2634 DEERFOOT TRAIL

one has a septic system.

Subject to RD&C Requirements

Maximum FAR allowed

Floor Area Ratio (FAR)

RESIDENTIAL DESIGN STANDARDS

0.4

39876284104716668507677013144813873854

Existing 1 Fl Area

1192

Existing 1 Fl Area-Ceiling Ht over 15'

130

Existing 1 Fl Area-Ceiling Ht 15' or less

1192

Existing Total 1 Fl Gross Area

1322

Existing 2 Fl Area

1369

Existing 2 Fl Area-Ceiling Ht over 15'

0

Existing 2 Fl Area-Ceiling Ht 15' or less

1369

Existing Total 2 Fl Gross Area

130

Existing 3rd Fl Area

0

Existing 3 Fl Area-Ceiling Ht over 15'

0

Existing 3 Fl Area-Ceiling Ht 15' or less

0

Existing Total 3rd Fl Gross Area

0

Existing Basement Gross Area

0

Existing Garage attached

512

Existing Garage detached

0

Existing Carport

0

Existing Total Sq Ft

1964

New/Addn 1 Fl Area

398

New/Addn 1 Fl Area-Ceiling Ht over 15'

0

New/Addn 1 Fl Area-Ceiling Ht 15' or less

398

New/Addn Total 1 Fl Gross Area

398

New/Addn 2 Fl Area

209

New/Addn 2 Fl Area-Ceiling Ht over 15'

0

New/Addn 2 Fl Area-Ceiling Ht 15' or less

209

New/Addn Total 2 Fl Gross Area

209

New/Addn 3 Fl Area

0

New/Addn 3 Fl Area-Ceiling Ht over 15'

0

New/Addn 3 Fl Area-Ceiling Ht 15' or less

0

New/Addn Total 3 Fl Gross Area

0

New/Addition Basement Gross Area

0

New/Addition Garage attached

0

New/Addition Garage detached

0

New/Addition Carport

0

New/Addition Total Sq Ft

607

Total Gross Floor Area

3610

1192 Floor 1

+130 > 15' Floor 1

+1369 Floor 2

+512 Garage

-200 garage exemption

+398 new Floor 1

+209 new Floor 2

3,610 Total GFA

÷ 9,053 lotsize

= 39,876284% FAR

*

2634 DEERFOOT TRAIL

Gross Site Area of Lot
 Total Number of Driveways
 Driveway Width 1
 Driveway Width 2
 Total Number of Sidewalks
 Certificate of Occupancy to be Issued
 Code Year
 Code Type

9053 ✓
 1
 27
 0
 1
 Yes
 2006
 International Residential Code

PROPERTY DETAILS

Number	Pre.	Street	Street Type	Dir.	Suite Type	Suite Number	City	State	Zip	Legal Desc
2634		DEERFOOT	TRAIL				AUSTIN	TX	78704	Lot: 9 Block: A Subdivision: THE OAKS OF BARTON

Lot: 9 Block: A Subdivision: THE OAKS OF BARTON

PEOPLE DETAILS

Desc.	Organization Name	Address	City	State	Postal	Phone1
Applicant	Bill Stone & Associates LLC (Bill Stone)	4866 TRAVIS OAKS DR	Marble Falls	TX	78654-3347	(512)784-6375
Homeowner	(Dylan & Marissa Hester)	2634 DEERFOOT TRL	AUSTIN	TX	78704	(512)

PROCESSES AND NOTES

Process Description	Status	Schedule Date	Start Date	End Date	Assigned Staff	# of Attempts
Plan Review Administration	Open				Residential Zoning Reviewers	0
Tree Ordinance Review	Open				Michael Embesi (974-1876)	0
Residential Revision After Issuance	Open	Dec 8, 2010				0
Residential Zoning Review	Approved	Dec 8, 2010	Nov 30, 2010	Dec 8, 2010	Brent Hendricks (974-2413)	4

Back

CITY OF AUSTIN
RESIDENTIAL PERMIT APPLICATION "A"

Br Number 2011-010926 R
Building Permit No. _____
Plat No. _____ Date 2-14-2011
Reviewer Edward Vigil

PRIMARY PROJECT DATA

Service Address 504 East Annie St. Tax Parcel No. 785584
Legal Description
Lot 8 Block _____ Subdivision Roy C Archer Section _____ Phase _____
If in a Planned Unit Development, provide Name and Case No. _____
(attach final approved copies of subdivision and site plan)
If this site is not a legally subdivided lot, you must contact the Development Assistance Center for a Land Status Determination.
Description of Work _____ Remodel (specify) _____
☒ New Residence _____
_____ Duplex _____ Addition (specify) _____
_____ Garage _____ attached _____ detached _____
☒ Carport ☒ attached _____ detached _____
_____ Pool _____ Other (specify) _____
Zoning (e.g. SF-1, SF-2...) SF3
- Height of Principal building 30 ft. # of floors 2 Height of Other structure(s) N/A ft. # of floors _____
- Does this site currently have water and wastewater availability? ☒ Yes _____ No. If no, please contact the
Austin Water Utility at 512-972-0000 to apply for water and/or wastewater tap application, or a service extension request.
- Does this site have a septic system? _____ Yes ☒ No. If yes, for all sites requiring a septic field you must obtain an approved septic
permit prior to a zoning review.
Does this site have a Board of Adjustment ruling? _____ Yes ☒ No If yes, attach the B.O.A. documentation
Will this development require a cut and fill in excess of 4 feet? _____ Yes ☒ No
Does this site front a paved street? ☒ Yes _____ No A paved alley? _____ Yes ☒ No
Is this property within the Residential Design and Compatibility Standards Ordinance Boundary Area? ☒ Yes _____ No

**VALUATIONS FOR
REMODELS ONLY**

Building \$ _____
Electrical \$ _____
Mechanical \$ _____
Plumbing \$ _____
Driveway/
Sidewalk \$ _____
TOTAL \$ _____
(labor and materials)

**VALUATIONS FOR NEW CONSTRUCTION
OR ADDITIONS ONLY**

Lot Size 6,000 sq.ft.
Job Valuation - Principal Building \$ 410,000
(Labor and materials)
Job Valuation - Other Structure(s) \$ N/A
(Labor and materials)
TOTAL JOB VALUATION
(sum of remodels and additions)
\$ 410,000
(Labor and materials)

**PERMIT FEES
(For office use only)**

	NEW/ADDITIONS	REMODELS
Building	\$ _____	\$ _____
Electrical	\$ _____	\$ _____
Mechanical	\$ _____	\$ _____
Plumbing	\$ _____	\$ _____
Driveway & Sidewalk	\$ _____	\$ _____
TOTAL	\$ _____	\$ _____

OWNER / BUILDER INFORMATION

OWNER	Name <u>JON LUDWIG</u>	Telephone (h) <u>303 522-7983</u> (w) <u>303 522-7983</u>
BUILDER	Company Name <u>CLAYTON LITTLE</u>	Telephone <u>477 1727</u>
	Contact/Applicant's Name <u>PAUL CLAYTON</u>	Pager _____ FAX <u>477 1729</u>
DRIVEWAY/ SIDEWALK	Contractor <u>PCW CONSTRUCTION, CONTACT ROLONDO</u>	Telephone <u>(512) 233-6161</u>
CERTIFICATE OF OCCUPANCY	Name <u>JON LUDWIG</u>	Telephone <u>303 522 7983</u>
	Address <u>5406 Avenue H</u> City <u>AUSTIN</u> ST <u>TX</u> ZIP _____	

If you would like to be notified when your application is approved, please select the method:

**CITY OF AUSTIN
RESIDENTIAL PERMIT APPLICATION "D"
FLOOR AREA RATIO INFORMATION**

TO BE COMPLETED FOR ALL PROPERTIES LOCATED WITHIN THE RESIDENTIAL DESIGN AND COMPATIBILITY
STANDARDS ORDINANCE BOUNDARY AREA.

Service Address 504 EAST ANNIE

Applicant's Signature _____

Date with 2-14-11 Application A

GROSS FLOOR AREA AND FLOOR AREA RATIO as defined in the Austin Zoning Code.

	<u>Existing</u>	<u>New / Addition</u>
I. 1st Floor Gross Area		
a. 1 st floor area (excluding covered or uncovered finished ground-floor porches)	sq.ft.	1,796 sq.ft.
b. 1 st floor area with ceiling height over 15 feet.	sq.ft.	122 sq.ft.
c. TOTAL (add a and b above)	sq.ft.	1,918 sq.ft.
II. 2nd Floor Gross Area See note ¹ below		
d. 2 nd floor area (including all areas covered by a roof i.e. porches, breezeways, mezzanine or loft)	sq.ft.	852 sq.ft.
e. 2 nd floor area with ceiling height > 15 feet.	sq.ft.	N/A sq.ft.
f. TOTAL (add d and e above)	sq.ft.	852 sq.ft.
III. 3rd Floor Gross Area See note ¹ below		
g. 3 rd floor area (including all areas covered by a roof i.e. porches, breezeways, mezzanine or loft).	sq.ft.	N/A sq.ft.
h. 3 rd floor area with ceiling height > 15 feet	sq.ft.	sq.ft.
i. TOTAL (add g and h above)	sq.ft.	sq.ft.
IV. Basement Gross Area		
j. Floor area outside footprint of first floor or greater than 3 feet above grade at the average elevation at the intersections of the minimum front yard setback line and side property lines.	sq.ft.	N/A sq.ft.
V. Garage		
k. attached (subtract 200 square feet if used to meet the minimum parking requirement)	sq.ft.	N/A sq.ft.
l. detached (subtract 450 square feet if more than 10 feet from principal structure)	sq.ft.	sq.ft.
VI. Carport (open on two or more sides without habitable space above it subtract 450 square feet)	sq.ft.	sq.ft.
VII. TOTAL	sq.ft.	2,770 sq.ft.

TOTAL GROSS FLOOR AREA (add existing and new from VII above)	<u>2,770</u> sq. ft.
GROSS AREA OF LOT	<u>6,000</u> sq. ft.
FLOOR AREA RATIO (gross floor area / gross area of lot)	<u>.4616</u> sq.

¹ If a second or third floor meets all of the following criteria it is considered to be attic space and is not calculated as part of the overall Gross Floor Area of the structure.

- It is fully contained within the roof structure and the roof has a slope of 3 to 12 or greater
- It only has one floor within the roof structure
- It does not extend beyond the foot print of the floors below
- It is the highest habitable portion of the building; and
- Fifty percent or more of the area has a ceiling height of seven feet or less.

**CITY OF AUSTIN
RESIDENTIAL PERMIT APPLICATION "D"
FLOOR AREA RATIO INFORMATION**

TO BE COMPLETED FOR ALL PROPERTIES LOCATED WITHIN THE RESIDENTIAL DESIGN AND COMPATIBILITY
STANDARDS ORDINANCE BOUNDARY AREA.

Service Address 504 E. ANNIE ST. AUSTIN, TX 78704

Applicant's Signature Tom Hurt (Tom Hurt)

Date 4-25-2011

GROSS FLOOR AREA AND FLOOR AREA RATIO as defined in the Austin Zoning Code.

	Existing	New / Addition
I. 1st Floor Gross Area		
a. 1 st floor area (excluding covered or uncovered finished ground-floor porches)	0 sq.ft.	1711 sq.ft.
b. 1 st floor area with ceiling height over 15 feet.	sq.ft.	26 sq.ft.
c. TOTAL (add a and b above)	sq.ft.	1737 sq.ft.
II. 2nd Floor Gross Area See note ¹ below		
d. 2 nd floor area (including all areas covered by a roof i.e. porches, breezeways, mezzanine or loft)	sq.ft.	841 sq.ft.
e. 2 nd floor area with ceiling height > 15 feet.	sq.ft.	26 sq.ft.
f. TOTAL (add d and e above)	sq.ft.	867 sq.ft.
III. 3rd Floor Gross Area See note ¹ below		
g. 3 rd floor area (including all areas covered by a roof i.e. porches, breezeways, mezzanine or loft).	sq.ft.	142 sq.ft.
h. 3 rd floor area with ceiling height > 15 feet	sq.ft.	- sq.ft.
i. TOTAL (add g and h above)	sq.ft.	142 sq.ft.
IV. Basement Gross Area		
j. Floor area outside footprint of first floor or greater than 3 feet above grade at the average elevation at the intersections of the minimum front yard setback line and side property lines.	sq.ft.	- sq.ft.
V. Garage		
k. attached (subtract 200 square feet if used to meet the minimum parking requirement)	sq.ft.	- sq.ft.
l. detached (subtract 450 square feet if more than 10 feet from principal structure)	sq.ft.	- sq.ft.
VI. Carport (open on two or more sides without habitable space above it subtract 450 square feet)	sq.ft.	- sq.ft.
VII. TOTAL	sq.ft.	2746 sq.ft.

TOTAL GROSS FLOOR AREA (add existing and new from VII above)

2746 sq. ft.

GROSS AREA OF LOT

6,000 sq. ft.

FLOOR AREA RATIO (gross floor area / gross area of lot)

.458 sq. ft.

¹ If a second or third floor meets all of the following criteria it is considered to be attic space and is not calculated as part of the overall Gross Floor Area of the structure.

- It is fully contained within the roof structure and the roof has a slope of 3 to 12 or greater
- It only has one floor within the roof structure
- It does not extend beyond the foot print of the floors below
- It is the highest habitable portion of the building; and
- Fifty percent or more of the area has a ceiling height of seven feet or less.

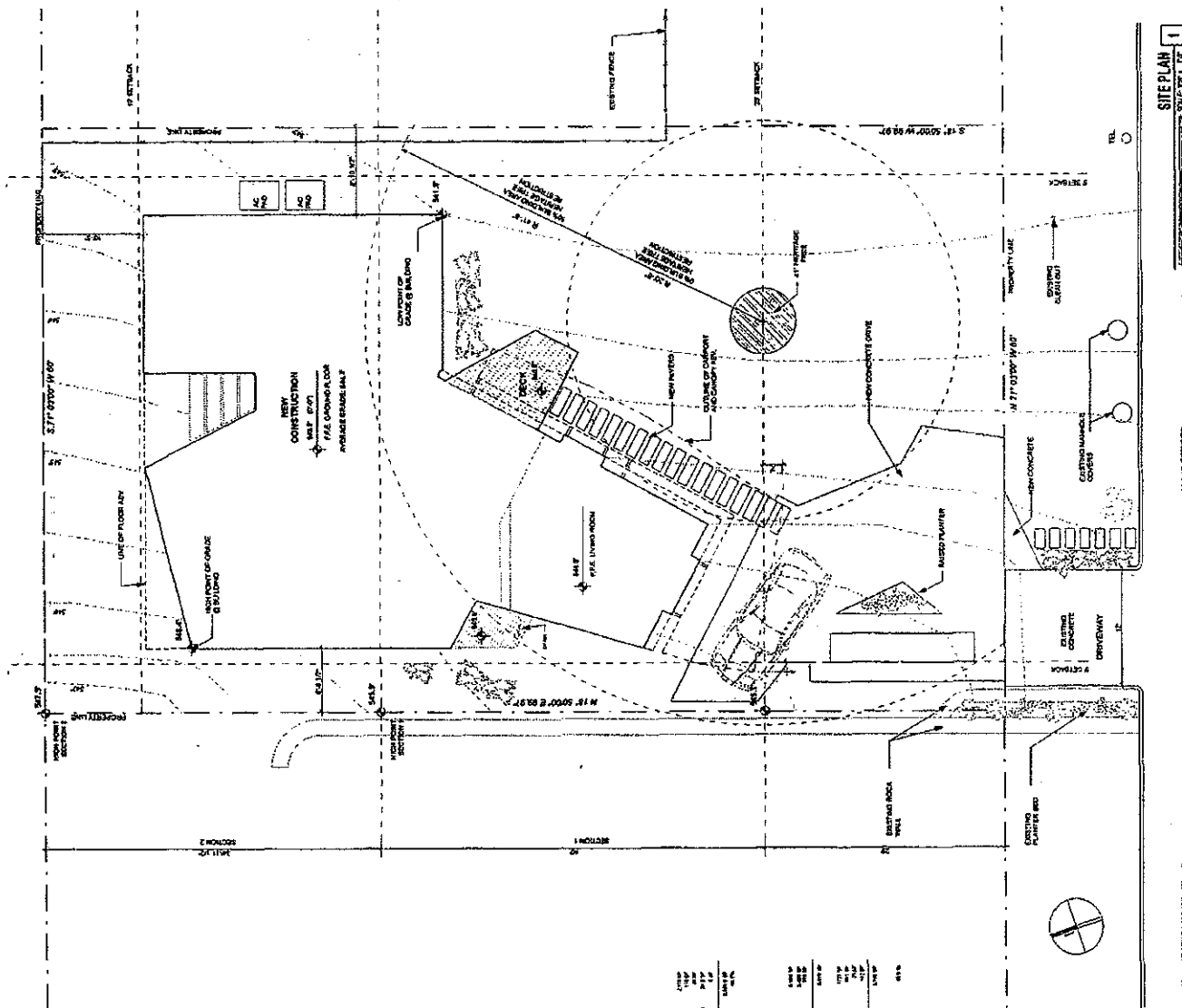
1 : 512.473.0123
P: 512.473.0139
www.audubon.org

LUDWIG
RESIDENCE
10000 N. 10th Ave., Suite 100
Denver, CO 80231
Tel: 773-444-4444
Fax: 773-444-4444
E-mail: ludwig@residence.com

[illegible][illegible]

A 1.02

11



504 EAST ANNE

CITY OF AUSTIN
APPROVED FOR PERMIT
Greg Guernsey
Planning and Development Review Department
By WJS/ku Date 6/9/11
The granting of a permit for, or approval of these plans and specifications shall not be construed to be a permit for or an approval of any violation of any of the provisions of the current adopted building code or any other ordinance of the City of Austin.

CITY OF AUSTIN
RESIDENTIAL PERMIT APPLICATION "D"
FLOOR AREA RATIO INFORMATION

TO BE COMPLETED FOR ALL PROPERTIES LOCATED WITHIN THE RESIDENTIAL DESIGN AND COMPATIBILITY STANDARDS ORDINANCE BOUNDARY AREA.

Service Address 4206 Cat Mountain Drive

Applicant's Signature _____

Date 04 Feb 2011

GROSS FLOOR AREA AND FLOOR AREA RATIO as defined in the Austin Zoning Code.

	<u>Existing</u>	<u>New / Addition</u>
I. 1st Floor Gross Area		
a. 1 st floor area (excluding covered or uncovered finished ground-floor porches)	sq.ft. <u>3357</u>	sq.ft.
b. 1 st floor area with ceiling height over 15 feet.	sq.ft. <u>69</u>	sq.ft.
c. TOTAL (add a and b above)	sq.ft. <u>3426</u>	sq.ft.
II. 2nd Floor Gross Area See note ¹ below		
d. 2 nd floor area (including all areas covered by a roof i.e. porches, breezeways, mezzanine or loft)	sq.ft. <u>766</u>	sq.ft.
e. 2 nd floor area with ceiling height > 15 feet.	sq.ft. <u>0</u>	sq.ft.
f. TOTAL (add d and e above)	sq.ft. <u>766</u>	sq.ft.
III. 3rd Floor Gross Area See note ¹ below		
g. 3 rd floor area (including all areas covered by a roof i.e. porches, breezeways, mezzanine or loft).	sq.ft. <u>0</u>	sq.ft.
h. 3 rd floor area with ceiling height > 15 feet	sq.ft. <u>0</u>	sq.ft.
i. TOTAL (add g and h above)	sq.ft. <u>0</u>	sq.ft.
IV. Basement Gross Area		
j. Floor area outside footprint of first floor or greater than 3 feet above grade at the average elevation at the intersections of the minimum front yard setback line and side property lines.	sq.ft. <u>0</u>	sq.ft.
V. Garage		
k. <u>X</u> attached (subtract 200 square feet if used to meet the minimum parking requirement)	sq.ft. <u>721</u>	sq.ft. <u>521</u>
l. <u> </u> detached (subtract 450 square feet if more than 10 feet from principal structure)	sq.ft. <u>0</u>	sq.ft.
VI. Carport (open on two or more sides without habitable space above it subtract 450 square feet)	sq.ft. <u>0</u>	sq.ft.
VII. TOTAL	sq.ft. <u>4913</u>	sq.ft.

TOTAL GROSS FLOOR AREA (add existing and new from VII above)	<u>4913</u> <u>4713</u> sq. ft.
GROSS AREA OF LOT	<u>12,284</u> sq. ft.
FLOOR AREA RATIO (gross floor area / gross area of lot)	<u>39.999%</u> sq. ft.

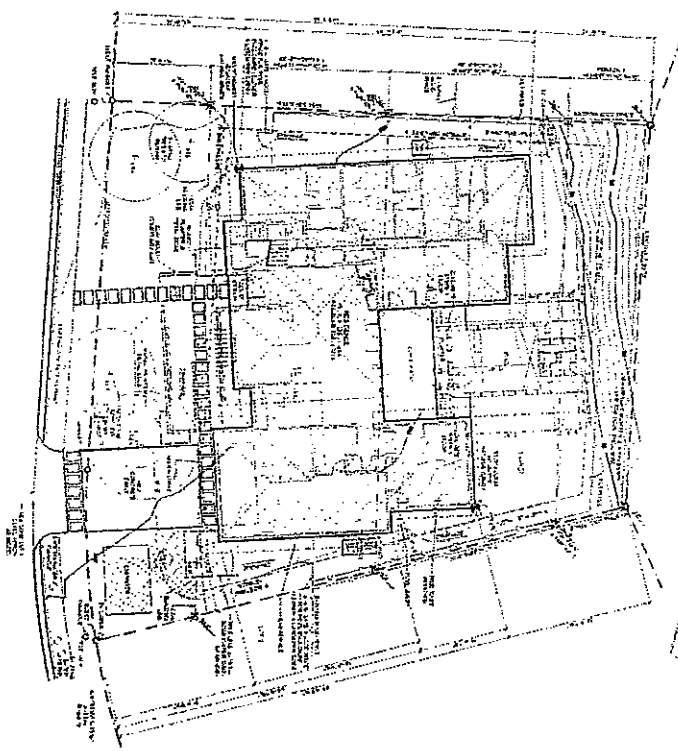
38.37

¹ If a second or third floor meets all of the following criteria it is considered to be attic space and is not calculated as part of the overall Gross Floor Area of the structure.

- It is fully contained within the roof structure and the roof has a slope of 3 to 12 or greater
- It only has one floor within the roof structure
- It does not extend beyond the foot print of the floors below
- It is the highest habitable portion of the building; and
- Fifty percent or more of the area has a ceiling height of seven feet or less.

4206 CAT MOUNTAIN

CAT MOUNTAIN DRIVE



CITY OF AUSTIN
APPROVED FOR PERMIT
By Greg Guernsey
Planning and Development Review Department
The granting of a permit for, or approval of these plans and specifications shall not be construed to be a permit for, or an approval of any violation of any of the provisions of the current zoning ordinance or any other ordinance of the City of Austin.

SITE PLAN



SCALE: 1" = 20'

A. NEIGHBORLY STREET PLACES
HOURS BEHIND ALTERED PER CITY
OF AUSTIN CODES - 3007

CITY OF AUSTIN - PLANNING DEPARTMENT
APPROVED FOR PERMIT
DATE: 10/1/01
BY: GREG GUERNSEY

CITY OF AUSTIN - PLANNING DEPARTMENT
APPROVED FOR PERMIT
DATE: 10/1/01
BY: GREG GUERNSEY

NO.	DESCRIPTION	DATE	BY
1	PRELIMINARY	10/1/01	GREG GUERNSEY
2	REVISED	10/1/01	GREG GUERNSEY
3	REVISED	10/1/01	GREG GUERNSEY
4	REVISED	10/1/01	GREG GUERNSEY
5	REVISED	10/1/01	GREG GUERNSEY
6	REVISED	10/1/01	GREG GUERNSEY
7	REVISED	10/1/01	GREG GUERNSEY
8	REVISED	10/1/01	GREG GUERNSEY
9	REVISED	10/1/01	GREG GUERNSEY
10	REVISED	10/1/01	GREG GUERNSEY


 CITY OF AUSTIN
 PLANNING DEPARTMENT
 10/1/01
 A-1
 1 of 11

A CUSTOM RESIDENCE FOR:
 LEE & GLYNIS WOOD
 4206 CAT MOUNTAIN DRIVE
 AUSTIN, TEXAS

CGAPARTNERS
 CORNERSTONE GROUP ARCHITECTS
 2200 GULFVIEW AVENUE, SUITE 200
 AUSTIN, TEXAS 78704
 TEL: 512.476.1234 FAX: 512.476.1235 WWW.CGAPARTNERS.COM

CITY OF AUSTIN
RESIDENTIAL PERMIT APPLICATION "D"
FLOOR AREA RATIO INFORMATION

TO BE COMPLETED FOR ALL PROPERTIES LOCATED WITHIN THE RESIDENTIAL DESIGN AND COMPATIBILITY STANDARDS ORDINANCE BOUNDARY AREA.

Service Address 7213 Lamplight Lane Austin 78731

Applicant's Signature [Signature]

Date 7/17/14

GROSS FLOOR AREA AND FLOOR AREA RATIO as defined in the Austin Zoning Code.

	Existing	New Addition
I. 1st Floor Gross Area		
a. 1 st floor area (excluding covered or uncovered finished ground-floor porches)	sq.ft.	2347 sq.ft.
b. 1 st floor area with ceiling height over 15 feet.	sq.ft.	55 sq.ft.
c. TOTAL (add a and b above)	sq.ft.	2402 sq.ft.
II. 2nd Floor Gross Area See note ¹ below		
d. 2 nd floor area (including all areas covered by a roof i.e. porches, breezeways, mezzanine or loft)	sq.ft.	1091 sq.ft.
e. 2 nd floor area with ceiling height > 15 feet.	sq.ft.	sq.ft.
f. TOTAL (add d and e above)	sq.ft.	sq.ft.
III. 3rd Floor Gross Area See note ¹ below		
g. 3 rd floor area (including all areas covered by a roof i.e. porches, breezeways, mezzanine or loft).	sq.ft.	sq.ft.
h. 3 rd floor area with ceiling height > 15 feet	sq.ft.	sq.ft.
i. TOTAL (add g and h above)	sq.ft.	sq.ft.
IV. Basement Gross Area		
j. Floor area outside footprint of first floor or greater than 3 feet above grade at the average elevation at the intersections of the minimum front yard setback line and side property lines.	sq.ft.	sq.ft.
V. Garage 415-200 = 215		
k. <input checked="" type="checkbox"/> attached (subtract 200 square feet if used to meet the minimum parking requirement)	sq.ft.	215 sq.ft.
l. <input type="checkbox"/> detached (subtract 450 square feet if more than 10 feet from principal structure)	sq.ft.	sq.ft.
VI. Carport (open on two or more sides without habitable space above it subtract 450 square feet)	sq.ft.	sq.ft.
VII. TOTAL	sq.ft.	3708 sq.ft.

TOTAL GROSS FLOOR AREA (add existing and new from VII above)

3708 sq. ft.

GROSS AREA OF LOT

10200 sq. ft.

FLOOR AREA RATIO (gross floor area / gross area of lot)

36.3% sq. ft.

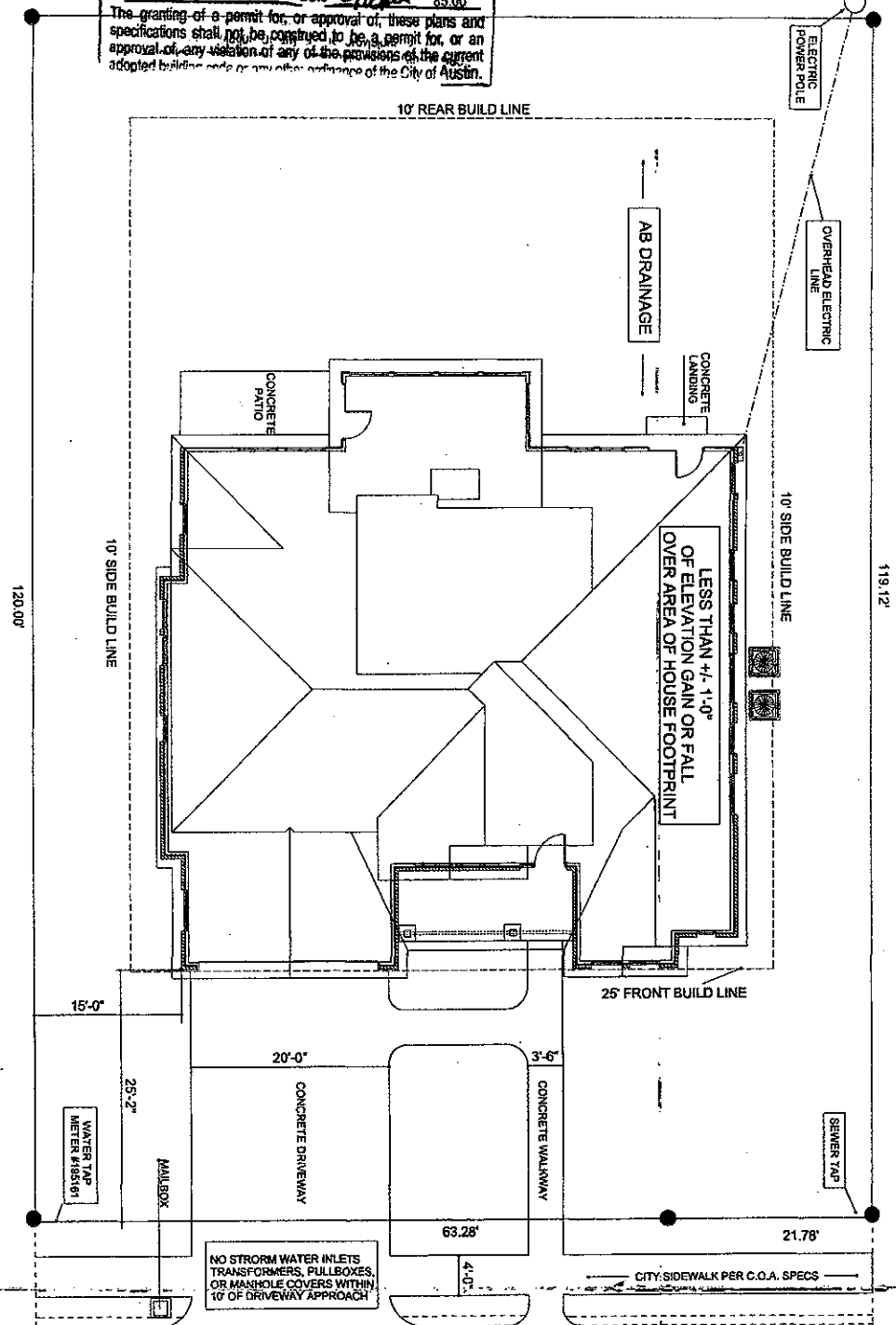
Lot Size = 10,200 sq. ft. x 0.40 = 4,080 Max GFA Allowed

¹ If a second or third floor meets all of the following criteria it is considered to be attic space and is not calculated as part of the overall Gross Floor Area of the structure.

- It is fully contained within the roof structure and the roof has a slope of 3 to 12 or greater
- It only has one floor within the roof structure
- It does not extend beyond the foot print of the floors below
- It is the highest habitable portion of the building; and
- Fifty percent or more of the area has a ceiling height of seven feet or less.

CITY OF AUSTIN
 APPROVED FOR PERMIT
 Greg Guemsey
 Planning and Development Review Department
 By GA Date 8/16/2011 85.00'
 The granting of a permit for, or approval of, these plans and specifications shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of the current adopted building code or any other ordinance of the City of Austin.

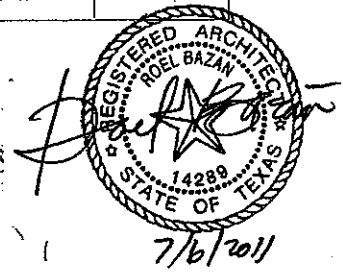
REVIEWED FOR ZONING ONLY
 8/16/2011



Page 10	SITEPLAN	Wagner Residence 7213 Lamplight Lane Austin TX 78731	Version	Date	DawsonLupul Builders 5829 Balcones Drive Austin TX 78731 512-452-4228	Architectural Seal
	SCALE: 1"=15'		Review Set	8-29-11		
	Lamplight Project		Permit Set	7-6-11		

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

AE APPROVED
 JUL 07 2011
 RLS 188-13



7213 LAMPLIGHT LANE

7/6/2011

Exhibit
Ex 19

CHAPTER 25-1. GENERAL REQUIREMENTS AND PROCEDURES.

ARTICLE 2. DEFINITIONS; MEASUREMENTS.

§ 25-1-21 DEFINITIONS.

Unless a different definition is expressly provided, in this title:

[Definitions relevant to our Board of Adjustment Interpretation Appeal are shown.]

(37) **ENCLOSED** means a roofed or covered space fully surrounded by walls, including windows, doors, and similar openings or architectural features, or an open space of less than 100 square feet fully surrounded by a building or walls exceeding eight feet in height.

(39) **FLOOR AREA RATIO** means the ratio of gross floor area to gross site area.

(43) **GROSS FLOOR AREA** means the total enclosed area of all floors in a building with a clear height of more than six feet, measured to the outside surface of the exterior walls. The term includes loading docks and excludes atria airspace, parking facilities, driveways, and enclosed loading berths and off-street maneuvering areas.

[Section 3.3 of the McMansion Ordinance in attached Exhibit Ex4 modifies the above definition of Gross Floor when it is used for purposes of that Ordinance.]

(44) **GROSS SITE AREA** means the total site area.

Source: Sections 13-1-22, 13-2-1, 13-2-401, 13-2-435, and 13-5-61; Ord. 990225-70; Ord. 990805-46; Ord. 000309-39; Ord. 000406-85; Ord. 010329-18; Ord. 010607-8; Ord. 031211-11; Ord. 041202-16.

VERSIONS OF THE LUNDY IN ROUND ROCK

Exhibit
Ex20



MODEL 1 2104 PARK PLACE CIRCLE 4-Bedroom



MODEL 2 2124 PARK PLACE CIRCLE 5-Bedroom
PHOTOGRAPHS

© 2023 David Weekley Homes
 The information on this drawing is for informational purposes only. It is not to be used for construction or other purposes without the express written consent of David Weekley Homes. The information on this drawing is not to be used for any other purpose without the express written consent of David Weekley Homes.

David Weekley Homes
 Scale 1/8" = 1'-0"
 Rev: 7/21/17

Lot 1
 E
 Set 3
 1-22

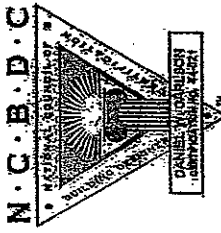
MOUNT BONNEL TERRACE
 3704 Bonnell Terrace
 Austin, TX 78731

36888
 LUNBY
 08/05/11

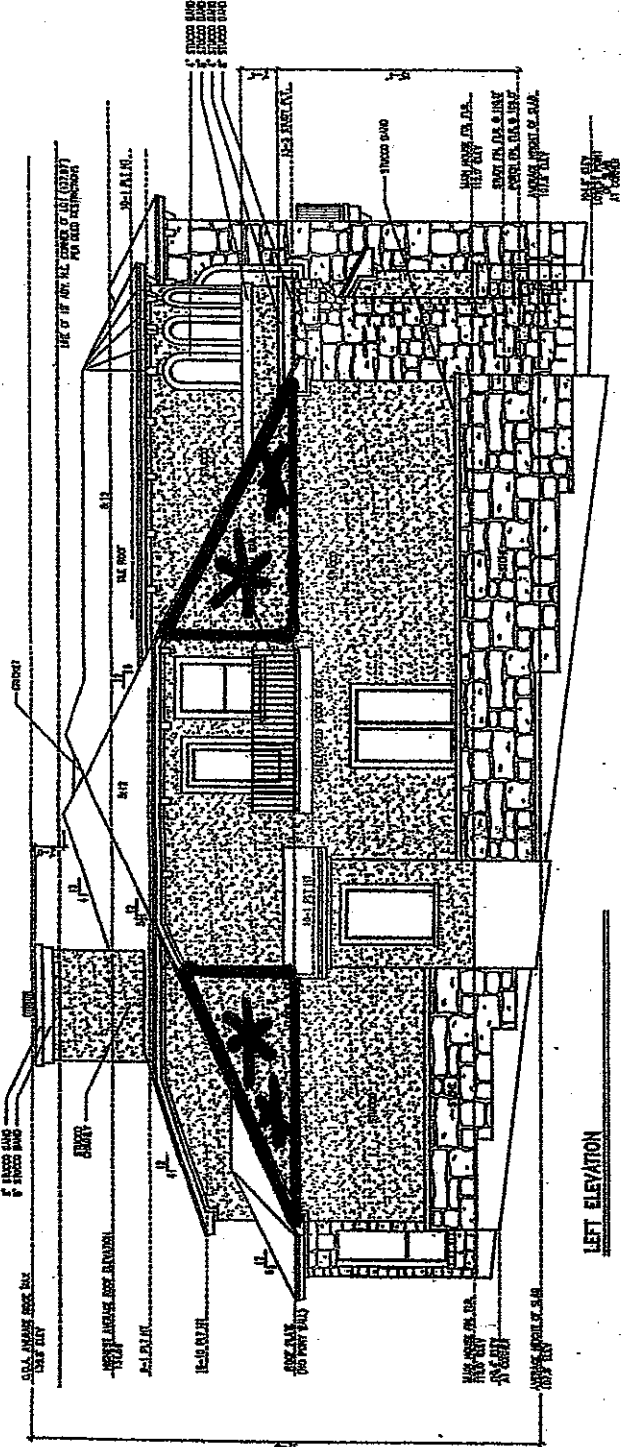
Exhibit
 Ex 21

Final Set
 08/05/11

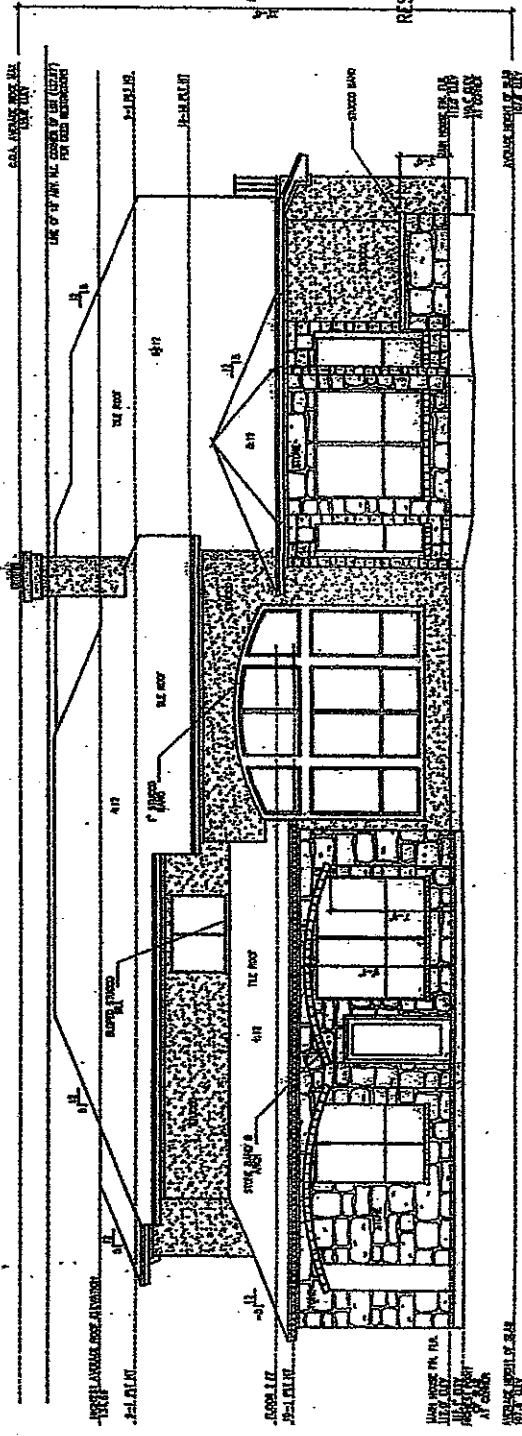
THE SEAL ON THIS PAGE PERTAINS ONLY TO THE AFFIRMATION OF THE COMPLIANCE OF THESE PLANS TO THE RESIDENTIAL DESIGN AND COMPATIBILITY STANDARDS FOR THE CITY OF AUSTIN



D. J. Bonnell



LEFT ELEVATION



REAR ELEVATION

*
 ADDITIONAL
 MASS
 ADDED

PROPOSED STRUCTURE WITH LEFT ELEVATION MARKED
 TO SHOW ADDITIONAL MASS ADDED IN AN ATTEMPT TO
 QUALIFY FOR HABITABLE ATTIC EXEMPTION
 COMPARED TO MODEL 2

© 2003 David Weekly Homes

THESE PLANS ARE THE PROPERTY OF DAVID WEEKLEY HOMES. ANY REPRODUCTION OR DISTRIBUTION OF THESE PLANS WITHOUT THE WRITTEN PERMISSION OF DAVID WEEKLEY HOMES IS STRICTLY PROHIBITED.

DATE: 07/26/08

SCALE: 1/8" = 1'-0"

REVISION: 7/21/11

PROJECT: 36888 ELVY

LOT: 1

BLK: E

SHT: 3

DATE: 07/26/08

SCALE: 1/8" = 1'-0"

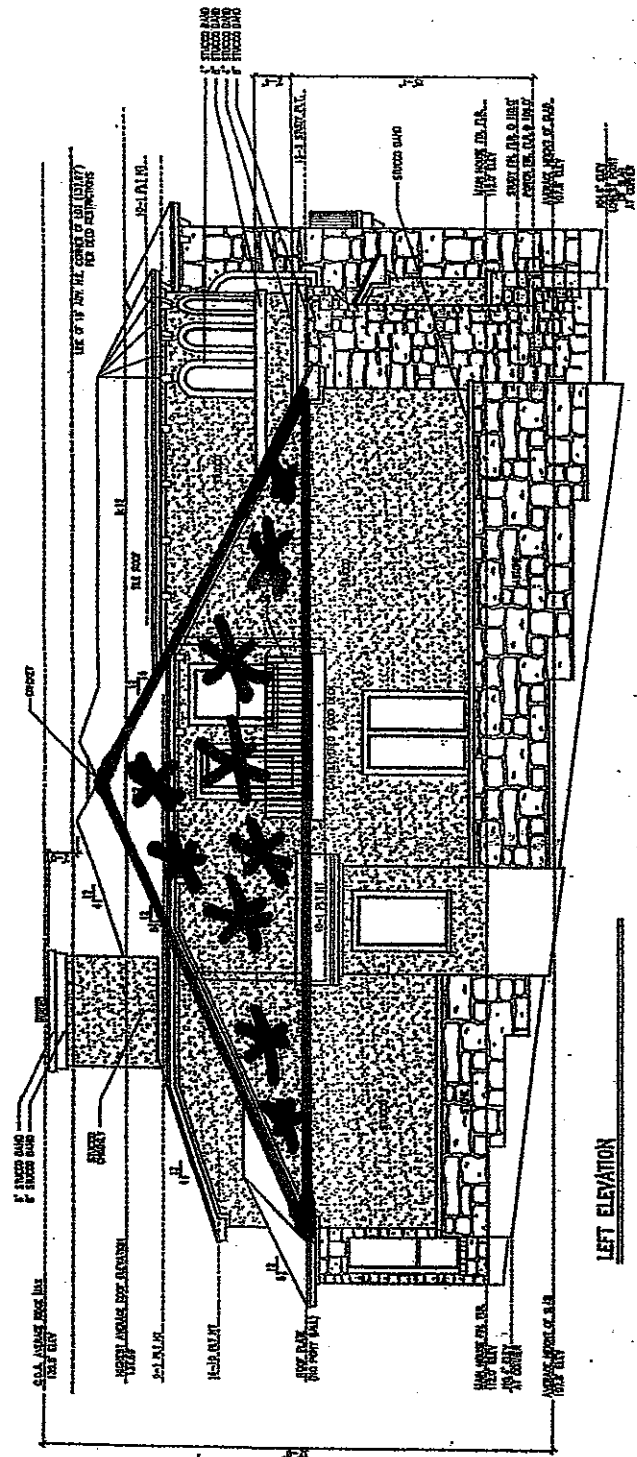
REVISION: 7/21/11

PROJECT: 36888 ELVY

LOT: 1

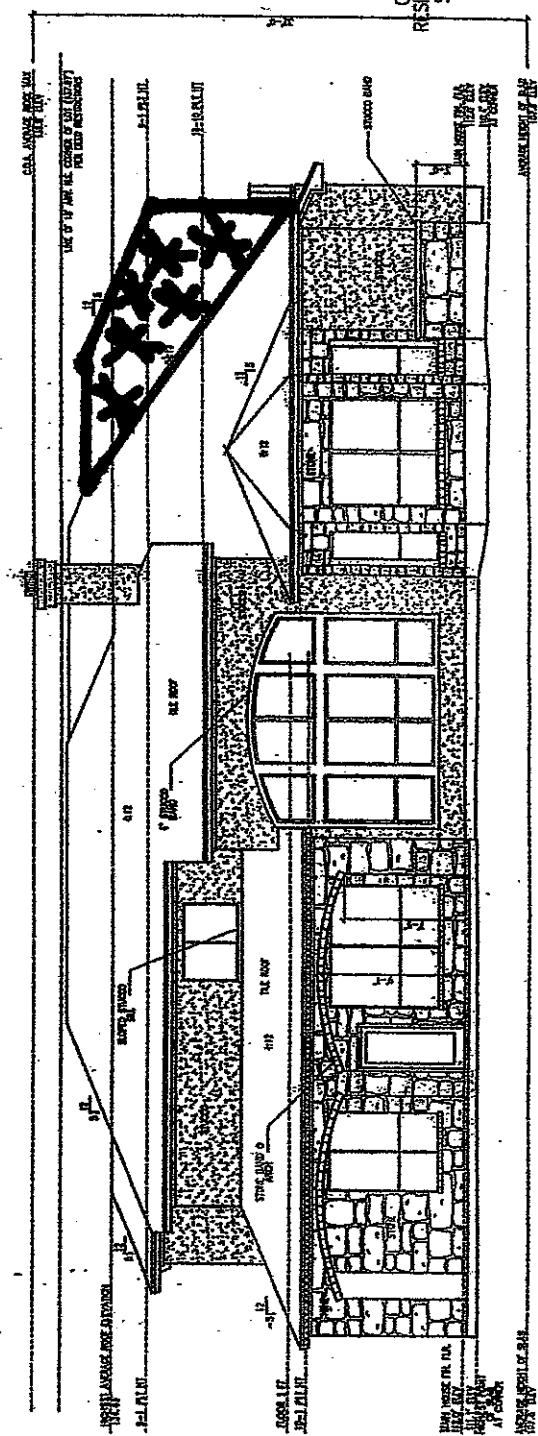
BLK: E

SHT: 3



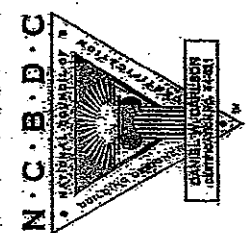
*
ADDITIONAL
MASS
ADDED

LEFT ELEVATION



REAR ELEVATION

PROPOSED STRUCTURE WITH LEFT AND REAR ELEVATIONS
MARKED TO SHOW ADDITIONAL MASS ADDED IN AN ATTEMPT
TO QUALIFY FOR HABITABLE ATTIC EXEMPTION
COMPARED TO MODEL 1



D.W. - C.A.
THE SEAL ON THIS PAGE PERTAINS
ONLY TO THE AFFIRMATION OF THE
COMPLIANCE OF THESE PLANS TO THE
RESIDENTIAL DESIGN AND COMPATIBILITY
STANDARDS FOR THE CITY OF AUSTIN

Final Set
08/05/11

Exhibit
Ex 22

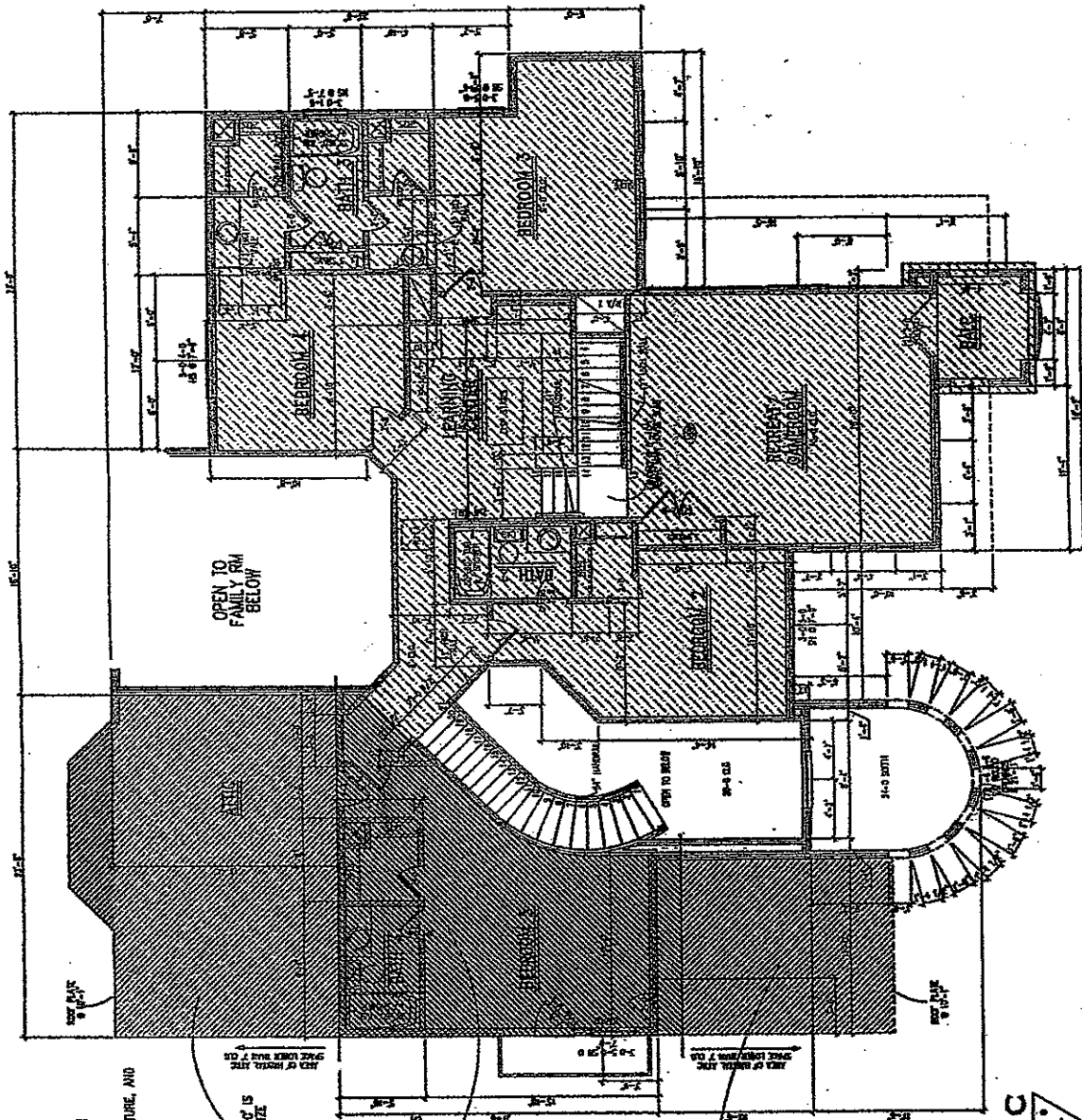
THIS DOCUMENT IS THE PROPERTY OF DAVID WEEKLEY HOMES. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF DAVID WEEKLEY HOMES. THE USER OF THIS DOCUMENT AGREES TO HOLD DAVID WEEKLEY HOMES HARMLESS FROM AND AGAINST ALL CLAIMS, DAMAGES, LOSSES, AND EXPENSES, INCLUDING REASONABLE ATTORNEY'S FEES, THAT MAY BE ASSERTED AGAINST OR INCURRED BY DAVID WEEKLEY HOMES AS A RESULT OF THE USER'S USE OF THIS DOCUMENT.

David Weekley Homes
Scale: 1/8" = 1'-0"
Rev: 7/21/11
MM/C13/AJ

Lot: 1
Blk: E
Sect: 3
Proj No: 2023
Sub No: 1122

MOUNT BONNELL TERRACE
3704 Bonnell Drive
Stem, TX 78731

3688-B
PLN-3
LUNDY
TOTAL AREA



Final Set
08/05/11
SECOND FLOOR F.A.R. AREAS

EXHIBIT
Ex 23

NOTE: THIS AREA SHALL MEET ALL REQUIREMENTS OF SECTION 11.03.01.01 OF THE CITY OF AUSTIN ORDINANCE 11.03.01.01. THE ROOF ABOVE 2'-11" IS FULLY HABITABLE AND SHALL BE INCLUDED IN THE CALCULATION OF THE GROSS FLOOR AREA. IF IT IS THE HIGHEST HABITABLE PORTION OF THE STRUCTURE, AND IF 50% OR MORE OF THE AREA HAS A CEILING HEIGHT OF SEVEN FEET OR LESS.

NOTE: TO SATISFY THE REQUIREMENT THAT THIS AREA BE THE "HIGHEST HABITABLE PORTION OF THE BUILDING," NO ATTIC ABOVE THIS FLOOR WILL BE HABITABLE. SUCH ATTIC SPACE WILL EITHER BE TRUSSES OR BE LESS THAN 5' IN HEIGHT.

CALCULATIONS:

FRONT ATTIC UNDER 7'- 172 SF
REAR ATTIC UNDER 7'- 388 SF
TOTAL AREA UNDER 7'- 560 SF
TOTAL AREA OVER 7'- 374 SF
TOTAL EXEMPT AREAS - 944 SF

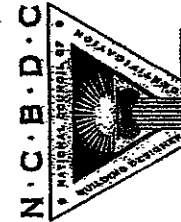
TOTAL FLOOR 2 AREA COVERED BY ROOF - 2447 SF
TOTAL EXEMPT AREAS - 944 SF
FLOOR 2 F.A.R. - 1503 SF

THIS VARIABLE PORTION OF THE ATTIC IS UNDER 7' HIGH, AND IS 122 SF IN SIZE.

THIS VARIABLE PORTION OF THE ATTIC IS OVER 7' HIGH, AND IS 252 SF IN SIZE.

THIS VARIABLE PORTION OF THE ATTIC IS UNDER 7' HIGH, AND IS 288 SF IN SIZE.

CITY OF AUSTIN CALCULATIONS			
	F.A.R.	MAX. COVERAGE	MAX. COVERAGE
FLOOR 1 UNDER	172 SF	172 SF	172 SF
FLOOR 2 UNDER	388 SF	388 SF	388 SF
TOTAL	560 SF	560 SF	560 SF
F. FLOOR	374 SF	374 SF	374 SF
G. FLOOR	172 SF	172 SF	172 SF
ROOF AREA	2447 SF	2447 SF	2447 SF
DOOR LATHINGS	172 SF	172 SF	172 SF
LOBBY LATHINGS	172 SF	172 SF	172 SF
LOT AREA	11,883 SF	11,883 SF	11,883 SF
TOTAL CALCULATION	2661	2661	2661



DANIEL W. CARLSON
ARCHITECT
NO. 10419
STATE OF TEXAS

Daniel W. Carlson

THE SEAL ON THIS PAGE PERTAINS ONLY TO THE AFFIRMATION OF THE COMPLIANCE OF THESE PLANS TO THE RESIDENTIAL DESIGN AND COMPATIBILITY STANDARDS FOR THE CITY OF AUSTIN

* Habitable Attic Area Exempted from Gross Floor Area and FAR calculation is on the left side of second floor shaded dark gray.

FRONT ROOF PLAN
 3704 BOWWELL DRIVE
 SLOPES FROM RIDGES TO FRONT EAVES
 BR2 + GAMEROOM = 4:12
 GAMEROOM + LEARNING CENTER + BR3 = 5:12
 HABITABLE ATTIC = 6:12

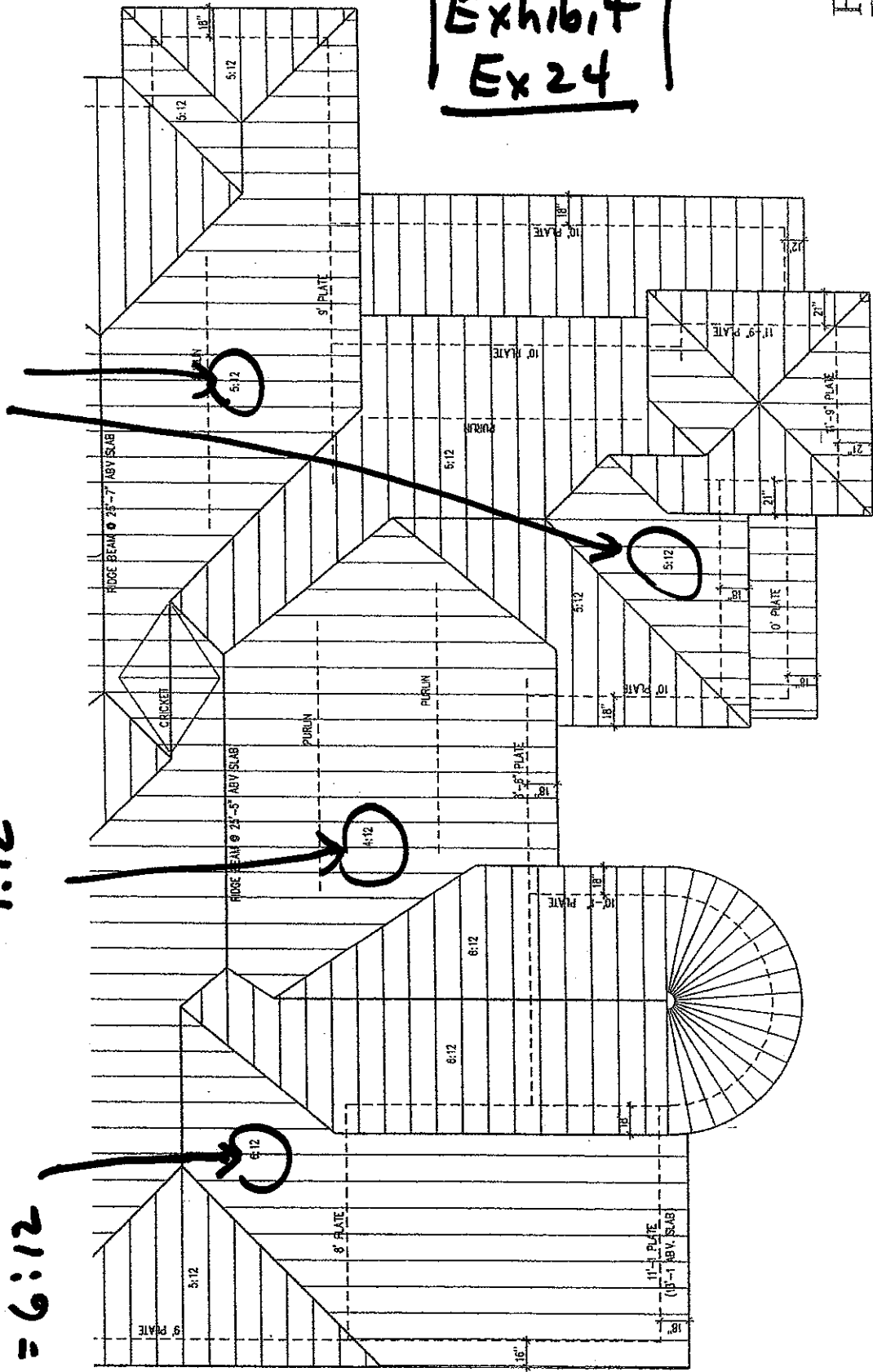


Exhibit
 Ex 24

Final
 08/05/

EXHIBIT Ex26

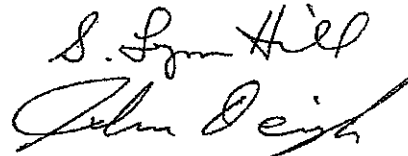
Copies of letters from neighbors and HPWBANA objecting to earlier plans for 3704 Bonnell Drive when the plans were being reviewed by the RDCC.

Case Number: 2011-031138R
Address: 3704 Bonnell Drive
Contact: Sylvia Benavidez
Public Hearing: July 6, 2011
Residential Design & Compatibility Commission

We object.

Date: June 28, 2011

Sarah Lynn Hill and John Deigh
3701 Mount Bonnell Road



We own and reside at 3701 Mount Bonnell Road, and we share a back lot line with the property in the application. We oppose the variance because, as indicated by its F.A.R. of 43%, the proposed house is too large for the size of the lot, as well as in comparison to other nearby homes, and we are concerned about preserving the integrity of the neighborhood.

Lynn spoke in opposition to the application at the May 4 hearing and again at the June 1 hearing. On June 1 the hearing was again postponed, to July 6. On June 20 our neighborhood association (HPWBANA) had a board meeting at which the applicants distributed copies of a revised plan, and John and the applicants discussed their respective viewpoints before the board.

Since the May 4 hearing we have made a good faith effort to understand the original proposed and preliminary plans, the revised proposed plan and the new "non-variance" plan, as well as the information in the application for variance. Our neighbor Tom Shelton has joined us in this effort.

Based on Travis County tax records, the size of the empty lot is 11,586 square feet. A new home of 4,634 square feet (40% of the lot size) could be built there without a variance, but the owner wants a two-story 5,007 square foot house, which would have a F.A.R. of 43%. Also, based on the proposed plan, two rooms on the first floor, with about 450 square feet of floor space, have a ceiling height of 20 feet. So the true "volume" or "mass" of the proposed house appears to be comparable to a two-story 5,400+ square foot house (a house with a F.A.R. exceeding 46.5%).

The applicants prepared F.A.R. calculations for 15 homes within a 300 foot radius of the empty lot, and their calculations show that all 15 homes have a F.A.R. of 38% or less. In fact, 12 of the homes have a F.A.R. of less than 30%, two have a F.A.R. of 33%, and one has a F.A.R. of 38%. For a visual illustration of this we color-coded a plat map from the Travis Central Appraisal District, which shows the location of the different properties in relation to the empty lot. We also created a chart that compares the size of the empty lot, and the square footage of the proposed house, to the lot and home sizes of each of the 15 nearby properties. (See attached map and chart.) We believe the map and chart show that the proposed house would not be "compatible in scale and bulk" with the existing homes in the neighborhood.

We think that if the applicants believed the proposed home to be compatible in scale and bulk with the Bonnell Drive streetscape they could easily have provided a model or artist's rendering to show how the home would look on the lot, between the existing homes on either side. They have not done so. Instead they have provided photographs of neighboring homes along with a photograph of the empty lot. Also, Lynn has asked Jim Einhaus more than once about the height of the homes on either side of the lot, and his answer was that he did not know. If he does not know this he cannot know if the proposed home is compatible with those existing homes.

The empty lot is rectangular in shape, and the application shows the owner is leveling the land before building begins, so the shape and slope of the land are not causing construction issues that require a variance. Also, the variance is not about changing the placement of the house to preserve trees. The sole issue seems to simply be one of volume and square footage of the house. Despite repeated meetings, the owner doesn't seem interested in changing the plans to comply with the city's standard.

The applicants in their applications, at the hearings, and at the HPWBANA board meeting have argued that they have preliminary or "non-variance" plans (that they do not want to use) that have a F.A.R. no greater than 40%. As we understand it, their current argument is that one

change to the non-variance plan (adding a window to the front of bedroom 5) increases the F.A.R. to an unacceptable percentage. But they say this change does not affect neighbors so the homeowners should be allowed to build the proposed plan in the current application.

However, the premise of this argument is false. Their "non-variance" plan does *not* have an acceptable F.A.R.

On May 31 we discussed the applicants' preliminary plan materials and their methodology for calculating the F.A.R. with John McDonald, Supervisor in the Watershed Protection and Development Review Department. Mr. McDonald explained that the applicants understated the F.A.R. of their preliminary plan, in part because they incorrectly treated bedroom 5 as attic space. Today, John discussed their new "non-variance" plan with him, and he told John that in this plan as well they are incorrectly treating bedroom 5 as attic space. According to Mr. McDonald, Bedroom 5 is part of the second floor in all of the applicants' plans, and as such its square footage cannot be ignored in any of them.

For the July 6 hearing the applicants claim their "non-variance" plan has a F.A.R. of less than 40%. They claim that in this plan the area under the eaves surrounding bedroom 5 plus the area of bedroom 5 can be ignored because it is habitable attic space that meets all of the requirements of section 3.3.3.C of the Ordinance.

But this argument is incorrect because – as confirmed by Mr. McDonald – bedroom 5 is part of the second floor, not part of an attic, so the F.A.R. is at least as much as the proposed plan.

However, even if bedroom 5 were treated as attic space, it would not be true that the space could be ignored – for it fails to meet one of the conditions in the Ordinance for ignoring habitable attic space. The condition it fails to meet is that the space "adds no additional mass to the structure." (See section 3.3.3.C.5.) Adding this space, regardless of how it is treated, adds mass to the structure. (See attached photographs.)

The applicants' proposed and "non-variance" plans are versions of a Weekley model called the Lundy. The attached photographs, which we took at the model home site in Round Rock where we met with the applicants, show a 4-bedroom version of the Lundy (Model 1) and a version of the Lundy in which a fifth bedroom has been added on the second floor over the master bath (Model 2). Model 2 matches, in its placement of the fifth bedroom, the version in the applicants' plans. As inspection of these photographs shows, adding this fifth bedroom to the second floor adds mass to the structure.

A version of the Lundy that has been expanded to include a fifth bedroom on the second floor is obviously more massive than the 4-bedroom version and so it cannot satisfy the requirement of section 3.3.3.C.5. This means the square footage of bedroom 5 cannot be ignored. As a consequence, the "non-variance" version has a F.A.R. that is at least as great as the F.A.R. of the proposed plan.

FAR CALCULATIONS FOR HOUSES WITHIN 300' OF SUBJECT LOT

FAR ≤ 30%

FAR 31% - 35%

FAR 36% - 40%

FAR > 40%



1 2507	Revision Date 8/24/2005	0 100 Feet	NAD_1983_StatePlane_Texas_Central_FIPS_4203_Feet Projection: Lambert_Conformal_Conic		Travis Central Appraisal District 8314 Cross Park Drive Austin, Texas 78754 Internet Address: www.traviscad.org Main Telephone Number (512) 834-8317 TDD (512) 836-3328
			3		

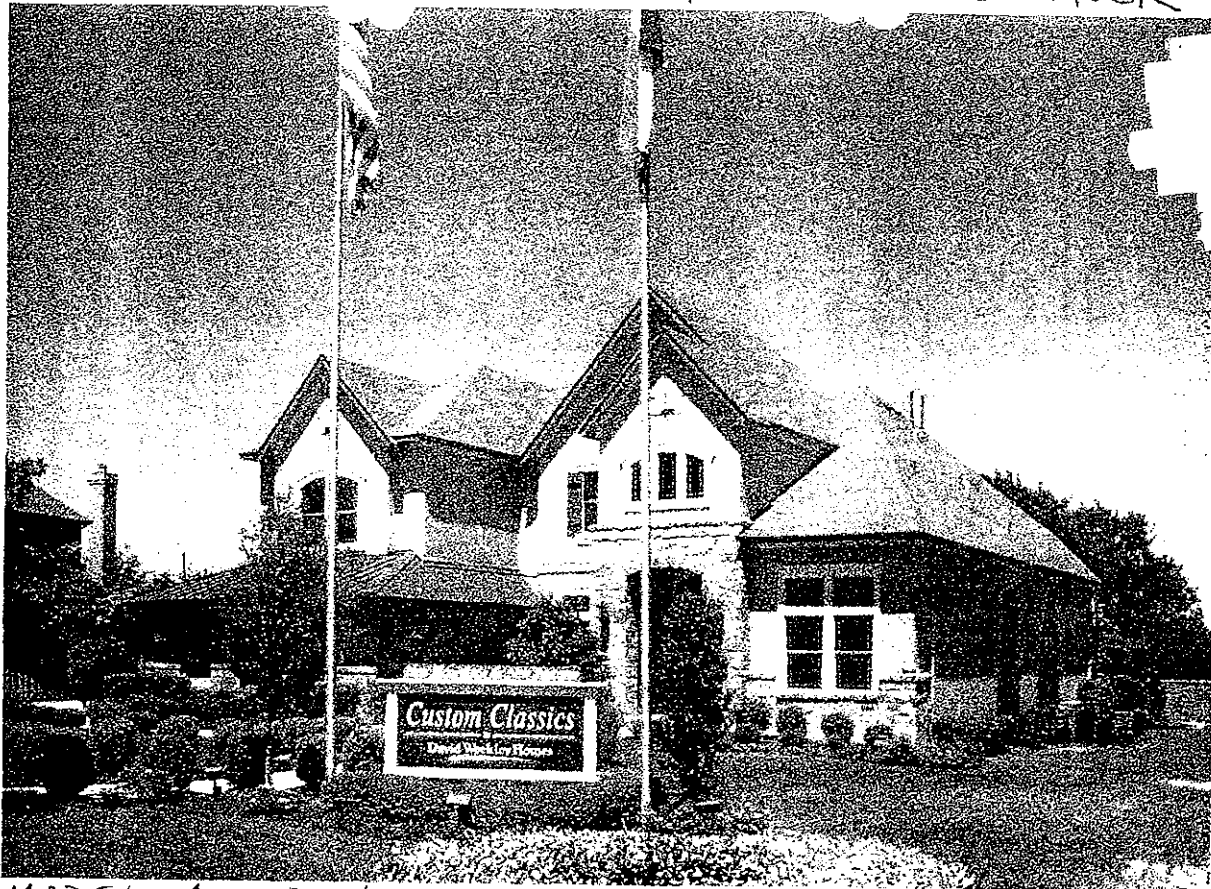
MAP

Property	Address	Lot Area in square feet	F.A.R. Square Feet	F.A.R.	Lot area of empty lot compared to other lots	Home size of proposed home compared to other homes
1	3609 Fall Trail	12,999	4,301	33%	11% smaller	16% bigger
2	3704 Bonnell Dr	11,586	5,007	43%		
3	3710 Bonnell Dr	9,830	2,735	28%	18% bigger	83% bigger
4	3708 Bonnell Dr	13,944	4,066	29%	17% smaller	23% bigger
5	3802 Bonnell Dr	12,468	3,414	27%	7% smaller	47% bigger
6	* 3703 Bonnell Dr	45,943	7,675	17%	75% smaller	34% smaller
7	3705 Bonnell Dr	19,578	3,418	17%	41% smaller	46% bigger
8	3503 Bonnell Ct	13,168	3,510	27%	12% smaller	43% bigger
9	3501 Bonnell Ct	17,300	3,987	23%	33% smaller	26% bigger
10	3606 Fall Trail	24,099	4,735	20%	52% smaller	6% bigger
11	3603 Mt Bonnell Rd	15,549	4,245	27%	25% smaller	18% bigger
12	3605 Mt Bonnell Rd	15,932	5,207	33%	27% smaller	4% smaller
13	3701 Mt Bonnell Rd	15,577	2,685	17%	26% smaller	86% bigger
14	3703 Mt Bonnell Rd	16,263	3,343	21%	29% smaller	50% bigger
15	3803 Mt Bonnell Rd	16,392	6,278	38%	29% smaller	20% smaller
16	3603 Alta Ct	18,331	3,773	21%	37% smaller	33% bigger

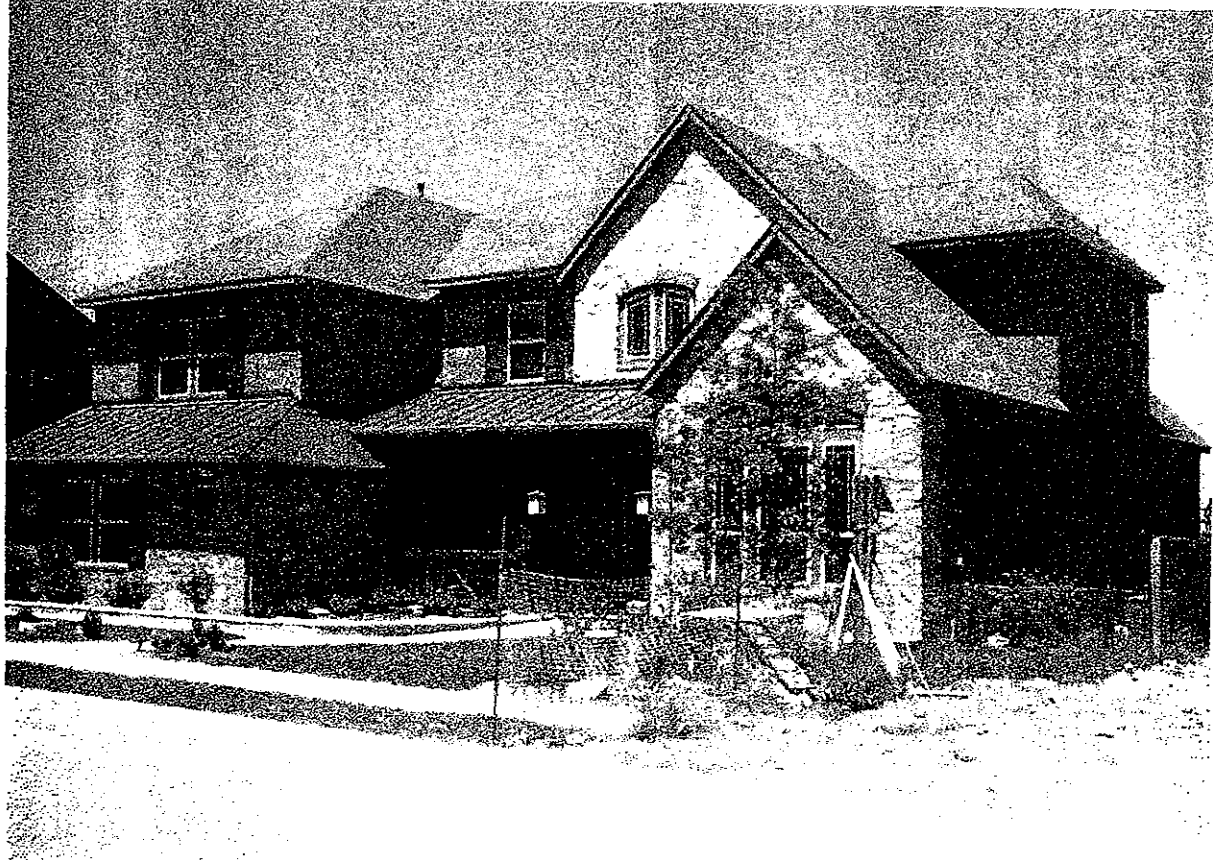
This is empty lot

*Lot 6 is on a double-lot with 45,943 square feet. The applicant calculated a FAR of 29% for this property based on the size of one of the lots. Otherwise, the Lot Areas, F.A.R. Square Feet and F.A.R. percentages are taken from page C1/46 of the application submitted for the June 1 RDCC hearing. Using this information, Lynn Hill calculated the comparisons of the lot areas and home sizes that are shown above.

VERSIONS THE LUNDY IN - UND ROCK



MODEL 1 2104 PARK PLACE CIRCLE



MODEL 2 2124 PARK PLACE CIRCLE

PHOTOGRAPHS



June 29, 2011

Sylvia Benavidez
Austin Residential Zoning Review
505 Barton Springs Road
Austin, TX 78704

Re: 3704 Bonnell Drive (Case 2011-031138 PR)

Ms. Benavidez,

Please pass along to the RDCC that the Highland Park West Balcones Area Neighborhood Association (HPWBANA) has voted 6 to 3 to oppose the variance request at 3704 Bonnell Drive (Case 2011-031138 PR).

We appreciated the opportunity to include the landowner and a neighbor at our recent meeting on Monday, June 20 to better understand the issues surrounding this request. We also appreciated the surrounding neighbors sending us their opinions via letter and email.

Ultimately, the NA believes that the lot owner has other viable options for the property. We feel the project could be completed with the landowner's desires in mind while staying within the limits of the ordinance. In addition, widespread opposition by the neighbors was an important factor in our decision. In general, the neighbors expressed concern about the size of the project. Most of the surrounding homes are under 4,000 sq.ft. In addition, the proposed FAR of the proposed project is much greater than those of the surrounding homes.

One point brought up at the meeting was that a home of similar size could be built within the ordinance and without requiring a variance. While we acknowledge that this may be the case, the majority of the board felt that it was offset by the precedent that would result if the variance were granted.

We respectfully ask the Commission to deny the variance request.

A representative from HPWBANA will attend the Commission's meeting on July 6, 2011. A copy of this letter will be sent to those who attended our neighborhood meeting.

Sincerely,

Andrea Torres, HPWBANA President
4601 Highland Terrace 78731
512-302-4294
andreatorres11@yahoo.com

Highland Park West Balcones Area NA ~ P. O. Box 26101 ~ Austin, TX 78755

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 board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: 2011-031138R

ADDRESS 3704 Bonnell Drive

Contact: Sylvia Benavidez, 974-2522

Public Hearing: May 4, 2011

Residential Design and Compatibility Commission

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

Holton Burns

Your Name (please print)

3710 Bonnell DR 78731

Your address(es) affected by this application

[Signature]

Signature

5-20-11

Date

Comments: There is a reason for the
McMansion Law -
putting a huge house to the very
edge of a small lot decreases
the integrity of the neighborhood

If you use this form to comment, it may be returned to:

City of Austin

Sylvia Benavidez

P.O. Box 1088

Austin, TX 78767-8810

Number: 2011-031138R: Address: 3704 Bonnell Drive
Contact: Sylvia Benavidez

Public Hearing: July 6, 2011 : Residential Design & Compatibility Commission

I Object: Holton Burns (Homeowner 3710 Bonnell Drive)

Holton Burns: My Address: Homeowner 3710 Bonnell Drive, Austin, Texas 787831

Holton L. Burns JUNE, 2011

Send to:

City of Austin
Sylvia Benavidez
P.O. Box 1088
Austin, Texas 78767-8810

Dear Silvia,

1. I, Holton Burns am the record owner of the property (3710 Bonnell Drive in Austin, Texas) and have a vested financial interest to maintain my property's intrinsic value. Building a Mc Mansion next door to my home will deteriorate that "value" whether it is due to lost view, feeling cramped, stuck with a high imposing structure next door or a combination of such as a result of a builder being granted a variance to city code.
2. The neighborhood is not a Mc Mansion area, each property is suited to the homes built on it, come and see for yourself if you have any doubt.
3. The city has passed ordinances to protect properties from development which aggravates the feel and relationship of one structures set back vs. another structures setback in order to prevent opposition to development and leave shadows imposed upon a neighbors home among other qualified reasons of the ordinance.
4. I am asking the city to carefully review the plans of 3704 Bonnell Drive and then conclude that the home exceeds and impacts current regulations and the neighbors who border to subject tract.
5. As a north neighbor of subject tract with the city to the South and East portions of my lot will no longer be afforded a city view, nor be granted direct sunlight in the middle morning.
6. I will likely end up looking at a drawn curtain rather than down the Balcones Valley out towards downtown Austin which was "the" reason why I bought the home I currently own.
7. I share a side property with 3704 Bonnell Drive and hope the city will pay increased attention to that fact. I am not someone on the other side of the public street or around the corner I am next door to this petition for variance.
8. In particular the proposed house would be incompatible in size with the other properties in the neighborhood and it will dwarf my own home.

Holton Burns

- 2.
9. 3704's design as proposed is 83% larger than mine and we share roughly the same size lot!
 10. The disparity in size between the homes which wrap around and share the border of this lot will be striking particularly when compared with mine.

AKH

JUNE, 2011

3704 BONNELL DRIVE - VARIANCE

ROBERT BONE
3503 Bonnell Court, Austin, TX 78731
512-374-9550 . rbone@law.utexas.edu

June 16, 2011

City of Austin
Sylvia Benavidez
PO Box 1088
Austin, TX 78767

RE: Case Number 2011-031138PR - 3704 Bonnell Drive
Sylvania Benavidez, Contact (512-974-2522)
Public Hearing July 6, 2011
Residential Design and Compatibility Commission

Dear Sir/Madam:

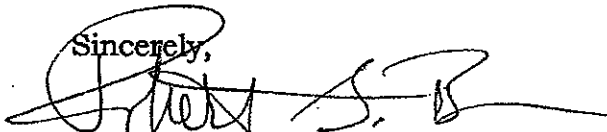
I am writing in opposition to the request for a variance for the above-listed property. The lot in question is diagonally across from the house my wife and I own, at 3503 Bonnell Court. My wife Elizabeth Schultz submitted a separate letter comprehensively reviewing the reasons for our opposition. I write separately to make clear that I too oppose the request and to add some thoughts of my own.

Elizabeth's letter describes the impact that granting the application will have on the neighborhood. The proposed home is simply out of proportion to the lot, and its FAR makes clear just how poorly it fits the Bonnell Drive neighborhood.

Most important, the applicants have offered no sufficient reason to grant the variance. At the previous hearings, they cited the view of the UT Tower and a desire for rooms for a growing family and visiting relatives. If that's enough to qualify for a variance, then the FAR requirement is meaningless. Everyone who wants to build a large home on a small lot could offer comparable reasons, and the McMansion ordinance would be rendered ineffectual. This can't be what the City of Austin intended.

I urge you to deny the application.

Sincerely,



Robert G. Bone

cc: HPWBANA

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 board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: 2011-031138R
ADDRESS 3704 Bonnell Drive
Contact: Sylvia Benavidez, 974-2522
Public Hearing: May 4, 2011
Residential Design and Compatibility Commission

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

Robert Radebaugh
Your Name (please print)

3500 Bonnell Ct
Your address(es) affected by this application

Robert Radebaugh 6/4/2011
Signature Date

Comments: The proposed improvements are of
a size inconsistent with other homes in the
neighborhood. This is exacerbated by the small lot
on which this will be constructed. There will
have way too much impervious cover leaving no
yard. All other homes in the neighborhood have
good size yards

If you use this form to comment, it may be returned to:
City of Austin
Sylvia Benavidez
P.O. Box 1088
Austin, TX 78767-8810

ELIZABETH SCHULTZ
3503 Bonnell Court, Austin, TX 78731
512-374-9550 . easdirect@gmail.com

City of Austin
Sylvia Benavidez
PO Box 1088
Austin, TX 78767

RE: Case Number 2011-031138PR
3704 Bonnell Drive
Sylvania Benavidez, Contact (512-974-2522)
Public Hearing July 6, 2011
Residential Design and Compatibility Commission

Dear Sir/Madam:

I am writing in opposition to the request for variance for the above-listed property pending before the Residential Design and Compatibility Commission. The lot in question is diagonally across from the house my husband and I own, at 3503 Bonnell Court. The neighborhood is characterized by pleasant homes and spacious, treed yards. The hillside setting provides a sense of spaciousness, and also affords privacy. The houses are typically sited with sensitivity to the land.

My husband and I moved to our Bonnell Court home a year-and-a-half ago when we relocated from Boston, Massachusetts. When we were house-hunting, people told us, with pride in their city, that Austin's "McMansion" ordinance restricted the construction of oversized homes on undersized lots. This sounded to me like a sensible restriction – one that would preserve Austin's neighborhoods, and maintain consistent and appropriate size and scope in residential construction.

Since buying our house, we have learned that restrictions also apply to cutting and trimming trees. This also makes sense to me, both esthetically and ecologically. The restrictions also seem consistent with the "McMansion" ordinance – preserving Austin's greenscape for current and future generations to enjoy.

The lot in question is under-sized for the neighborhood. Frequently, people who visit us or with whom we have conversations on the street comment to the effect that the lot is really too small to build much of a house on.

In fact, we now find that only one lot among the fifteen cited in the application for variance is smaller. On the other hand, if the variance is granted, only three houses would be larger. To me, this would seem to be the essence of "oversized house on undersized lot."

The lot itself is pleasantly treed and sloping. It's my understanding that in order to construct the house, extensive excavation would basically chop a chunk out of the lot. Retaining walls would be required on one, if not all three sides. The house would be constructed on the newly-leveled lot. This scoop-and-plunk approach is inconsistent with a neighborhood in which the houses generally make creative use of their hillside sites.

I have attended both meetings of the Residential Design and Compatibility Commission that dealt with this matter. During neither did I hear the owner or the builder present any compelling reason for the committee to grant the variance.

What the owners have said is that they love the views of the city which the lot affords, and they love the very large house they want to build there.

Most people who've bought or built a house understand this. When my husband and I were house-hunting, there were several other properties we might have considered, but our bank-account was several hundred-thousand dollars too small. These owners want to build a huge house, but their lot is several thousand square feet too small.

Surprisingly, the owners don't seem concerned that by building such a large house on such a small lot, they will be altering for the worse the grace and spaciousness that typify Bonnell Drive.


As for their claim that unless they get the variance, they'll be denied maximum enjoyment of the view the lot affords, I imagine that every one of the neighbors could tell a story about having a better view of the city and the UT Tower if only they could cut down a tree or two, or extend their deck, or add an additional story to their house. But we live in a community, and by upholding the community's values, we all benefit.

The owners purchased the lot several months ago. The language on their deed has not changed since then, and the city regulations stipulating the ratio of house-to-lot have not become more restrictive. In buying a too-small lot for their too-big house, they assumed the risk that they would not be able to build. The neighborhood doesn't owe them their "dream house" any more than the city of Austin does.

Schultz - 3

Upholding the letter and spirit of the McMansion ordinance and the ordinances protecting greenery seems good for Austin. Certainly in this case, it would be good for preserving the character and aesthetics of a neighborhood. So far, the owners have shown little interest in compromise. I urge you to deny their application for variance.

Sincerely,

A handwritten signature in dark ink, appearing to read "Elizabeth A. Schultz", with a stylized flourish at the end.

Elizabeth A. Schultz

CC: HPWBANA

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 board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: 2011-031138R

ADDRESS 3704 Bonnell Drive

Contact: Sylvia Benavidez, 974-2522

Public Hearing: ~~May 4, 2011~~ July 6, 2011

Residential Design and Compatibility Commission

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

WAYNE EDWARDS

Your Name (please print)

3501 Bonnell Ct, Austin TX 78731 (within 300 ft of site)

Your address(es) affected by this application

Wayne Edwards

Signature

6/8/11

Date

Comments:

The (Floor-to-Ace) is approximately 43% more than the 40% limitation
and for above the average of roughly 35% in the area.

Also it is questionable on whether the height meets deed restrictions

The mass of the house appears to be comparable with a 5400
sq.ft. house which would not be compatible with homes on
either side. Thank you for considering my comments

If you use this form to comment, it may be returned to:

City of Austin

Sylvia Benavidez

P.O. Box 1088

Austin, TX 78767-8810