

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

**DATE: Monday, February 13, 2012**

**CASE NUMBER: C15-2012-0015**

\_\_\_\_\_ Jeff Jack  
\_\_\_\_\_ Michael Von Ohlen  
\_\_\_\_\_ Nora Salinas  
\_\_\_\_\_ Bryan King  
\_\_\_\_\_ Susan Morrison  
\_\_\_\_\_ Melissa Hawthorne  
\_\_\_\_\_ Heidi Goebel  
\_\_\_\_\_ Cathy French (SRB only)  
\_\_\_\_\_ Dan Graham (SRB only)

**APPLICANT: Mike, Brown**

**OWNER: Judith Anne, Kenney**

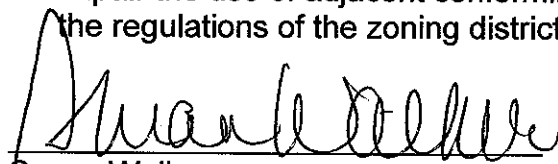
**ADDRESS: 1603 RALEIGH AVE**

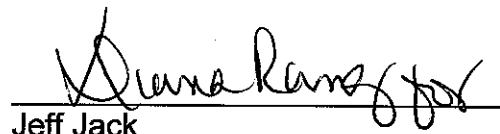
**VARIANCE REQUESTED:** The applicant has requested a variance to increase the maximum impervious coverage requirement of Section 25-2-492 (D) from 45% (69% existing) to 62% in order to remove portions of driveway and sidewalks and erect a carport for a single-family residence in an "SF-3-NP", Family Residence – Neighborhood Plan zoning district.

**BOARD'S DECISION: POSTPONED TO APRIL 9, 2012**

**FINDING:**

1. The Zoning regulations applicable to the property do not allow for a reasonable use because:
2. (a) The hardship for which the variance is requested is unique to the property in that:  
  
(b) The hardship is not general to the area in which the property is located because:
3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

  
\_\_\_\_\_  
Susan Walker  
Executive Liaison

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

## Walker, Susan

---

**From:** Blake Tollett [blake.tollett@earthlink.net]  
**Sent:** Thursday, February 09, 2012 12:04 PM  
**To:** Walker, Susan  
**Cc:** Judy Kenney; WANG ExCom  
**Subject:** C15-2012-0015: 1603 Raleigh Avenue

02-09-2012

RE: C15-2012-0015; 1603 Raleigh Avenue

TO: Susan Walker, Liaison, Board of Adjustment  
City of Austin

Dear Board:

The Board of Directors (BoD) of West Austin Neighborhood Group (WANG) at our regularly scheduled monthly meeting, and after discussion with the owner of the above property, voted to not oppose the requested variance from the Land Development Code. This non opposition is conditioned on our understanding of the owner's good faith effort to reduce the existing impervious coverage on the property by at least 7%.

Blake Tollett, Zoning Chair  
WANG  
3701 Bonnie Road 78703  
512-477-4028

**PUBLIC HEARING INFORMATION**

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

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A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact person listed on a notice*); or
- appearing and speaking for the record at the public hearing; and:

- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: [www.ci.austin.tx.us/development](http://www.ci.austin.tx.us/development).

Written comments must be submitted to the contact person listed on the notice before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice.

**Case Number: C15-2012-0015 - 1603 Raleigh Avenue**  
**Contact: Susan Walker, 512-974-2202**  
**Public Hearing: Board of Adjustment, February 13th, 2012**

Judy Coker  
 Your Name (please print)  I am in favor  
 I object

3611 Bridle Path  
 Your address (es) affected by this application

TWD Coker  
 Signature 2/8/12  
 Date

Daytime Telephone: 478-5167

Comments: I am in favor of the improve-  
 ment plan.

**If you use this form to comment, it may be returned to:**  
 City of Austin-Planning & Development Review Department/ 1st Floor

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

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Case Number: C15-2012-0015 - 1603 Raleigh Avenue  
 Contact: Susan Walker, 512-974-2202  
 Public Hearing: Board of Adjustment, February 13th, 2012

*Kim Starford*  
 Your Name (please print)  I am in favor  I object

*3509 Bridle Path*  
 Your address (es) affected by this application

*Kim Starford* *1.6.12*  
 Signature Date

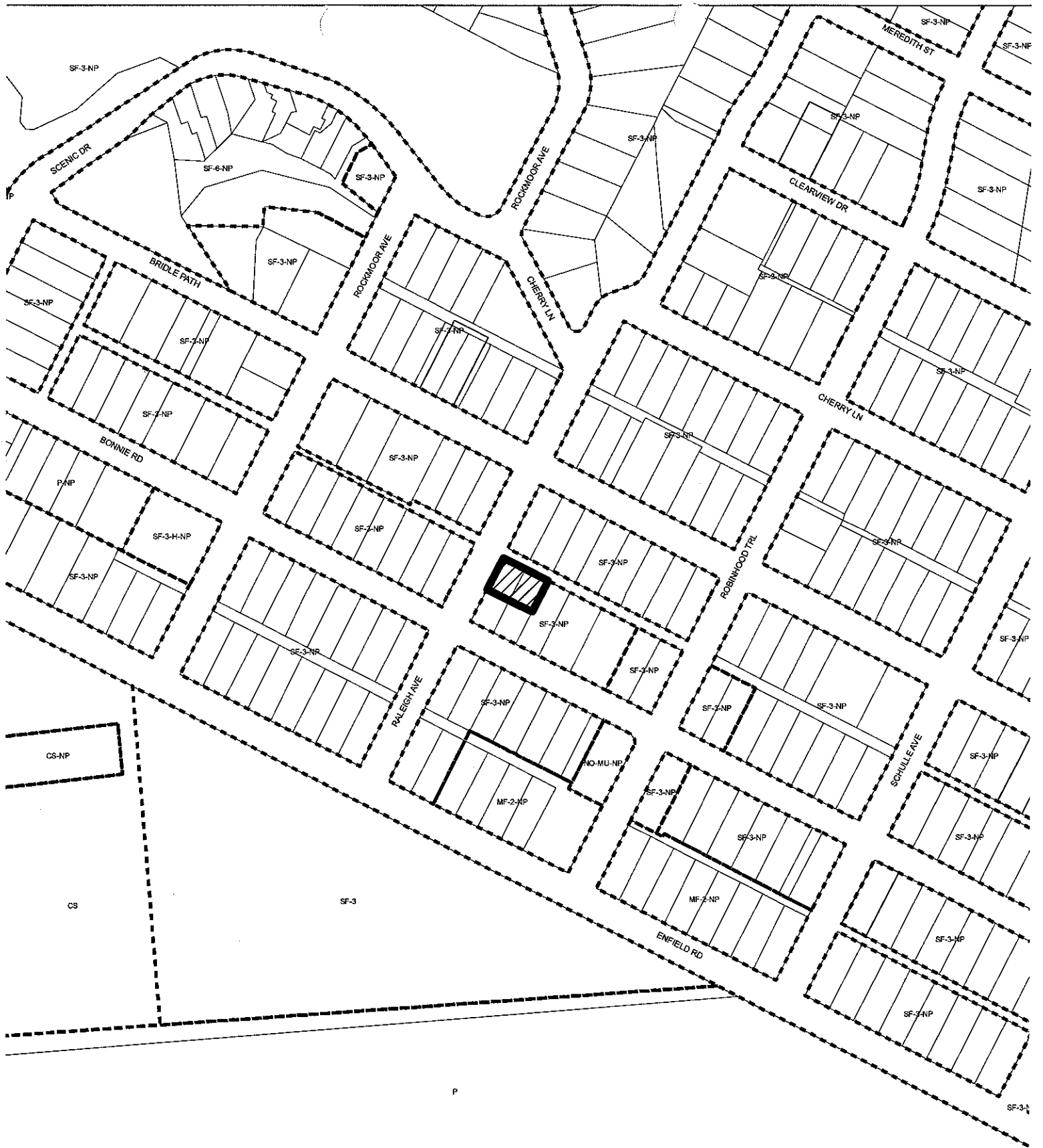
Daytime Telephone: *512-563-889*

Comments: *I am in favor of them*

*erecting a carport.*

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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



N



SUBJECT TRACT



ZONING BOUNDARY

CASE#: C15-2012-0015  
 LOCATION: 1603 Raleigh Avenue



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the proximate relative location of property boundaries.

This product has been produced by the Planning and Development Review Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

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**Case Number: C15-2012-0015 - 1603 Raleigh Avenue**  
**Contact: Susan Walker, 512-974-2202**  
**Public Hearing: Board of Adjustment, February 13th, 2012**

Your Name (please print)

Lyn Crowe

I am in favor  
 I object

Your address (es) affected by this application

3412 Bonnie Rd. (West Shulbrook)

Signature

Lyn Crowe

Date

2-5-12

Daytime Telephone:

512 478 3544

Comments:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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

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Case Number: C15-2012-0015 - 1603 Raleigh Avenue  
 Contact: Susan Walker, 512-974-2202  
 Public Hearing: Board of Adjustment, February 13th, 2012

THOMAS KOITZSCH  I am in favor  
 I object

3514 / 3512 ENFIELD RD.

Your address(es) affected by this application

Susan Walker Signature Date 2-13-12

Daytime Telephone: 512 389 9427

Comments: DUE TO DEMOCRATIC

TRANS TO TREAT ALL

TAR + EQUAL:

45% IS MAXIMUM ALLOWED

INDIVIDUALS COVER IN OUR

NEIGHBORHOOD, NOT 69%

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

CITY OF AUSTIN  
APPLICATION TO BOARD OF ADJUSTMENT  
GENERAL VARIANCE/PARKING VARIANCE

C15-2012-0015  
TP-0116090711  
ROW-10704711

**WARNING: Filing of this appeal stops all affected construction activity.**

**PLEASE: APPLICATION MUST BE TYPED WITH ALL REQUESTED INFORMATION COMPLETED.**

STREET ADDRESS: 1603 Raleigh Ave.  
LEGAL DESCRIPTION: Subdivision - Walsh Place  
Lot(s)portion of lots 7 & 8 Block 5 Outlot  
Division

I/We Mike Brown AIA on behalf of myself/ourselves as authorized agent for

Michael and Judy Kenney affirm that on Dec 21 \_\_\_\_\_  
\_\_\_\_\_, 2011 \_\_\_\_\_,

hereby apply for a hearing before the Board of Adjustment for consideration to:

(check appropriate items below)

ERECT  ATTACH  COMPLETE  REMODEL  MAINTAIN

Remove portions of existing driveway and paved sidewalks on the property. Add new driveway that is overlapping existing driveway and construct a new attached covered carport approx. 400 sf in floor area.

\_\_\_\_\_ a \_\_\_\_\_ zoning \_\_\_\_\_ district.  
(zoning district)

SF-3-NP

**NOTE:** The Board must determine the existence of, sufficiency of and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional support documents.

**VARIANCE FINDINGS: I contend that my entitlement to the requested variance is based on the following findings :**



**REASONABLE USE:**

1. The zoning regulations applicable to the property do not allow for a reasonable use because:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**HARDSHIP:**

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

The existing house does not have an existing carport or garage. The owner has lived in this location for approx. 10 years and has had 3 hail damage claims on there personal automobiles.

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

Vast majority of the homes in this neighborhood do have an existing garage or carport of some sort.

**AREA CHARACTER:**

3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

Current property use will remain the same. The new carport would be a design to compliment the existing house and neighborhood.

**PARKING:** (Additional criteria for parking variances only.)

Request for a parking variance requires the Board to make additional findings. The Board may grant a variance to a regulation prescribed Section 479 of Chapter 25-6 with respect to the number of off-street parking spaces or loading facilities required if it makes findings of fact that the following additional circumstances also apply:

1. Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonable require strict or literal interpretation and enforcement of the specific regulation because:
2. Volume of parking and traffic flow from site will remain the same



3. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

The new parking arrangement would allow for off street parking for 3 vehicles.

4. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

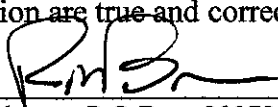
The property use will remain the same. The owner is removing the existing circular driveway. This would delete one existing driveway curb cut. One driveway access would remain.

5. The variance will run with the use or uses to which it pertains and shall not run with the site because:

Use of property does not change. By making these alterations on the site, the amount of total coverage on the lot is reduce by approx. 400 sf. Even though this does not meet the required 45% coverage requirement , this is more in line with the 45% impervious coverage requirements.

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

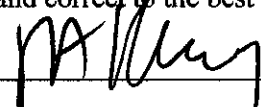
**APPLICANT CERTIFICATE** – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed   
Mail Address P.O.Box 200794

City, State & Zip   
Austin, Texas, 78720

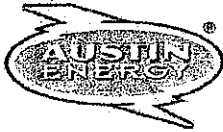
Printed Mike R. Brown AIA Phone 512-346-3851 Date Dec. 21, 2011

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

Signed  Mail Address 1603 Raleigh Ave.

City, State & Zip   
Austin, Texas, 78703

Printed Judith Kenney Phone 512-480-0413 Date Dec. 21, 2011



**City of Austin**

Austin's Community-Owned Electric Utility

[www.austinenergy.com](http://www.austinenergy.com)

Town Lake Center • 721 Barton Springs Road • Austin, Texas • 78704

December 12, 2011

Judith A Kenney  
1603 Raleigh Avenue  
Austin, Texas 78703  
Via email to Mike Brown at: [mbrownarc@sbcglobal.net](mailto:mbrownarc@sbcglobal.net)

Re: 1603 Raleigh Avenue  
N64ft of Lots 7-8 Blk 5 Walsh Place

Dear Ms. Kenney,

Austin Energy (AE) has reviewed your application for the above referenced property requesting to reduce the south side property line in order to construct a carport. Austin Energy does not oppose this application as requested provided any existing or future improvements meet AE clearance criteria requirements as well as be in compliance with the National Electric Safety Code and OSHA. For questions regarding clearance criteria, please contact Ron Solbach at 505-7145.

Thank you for checking with us in advance. Should you have any questions, please feel free to contact me at 322-6587.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lena Lund".

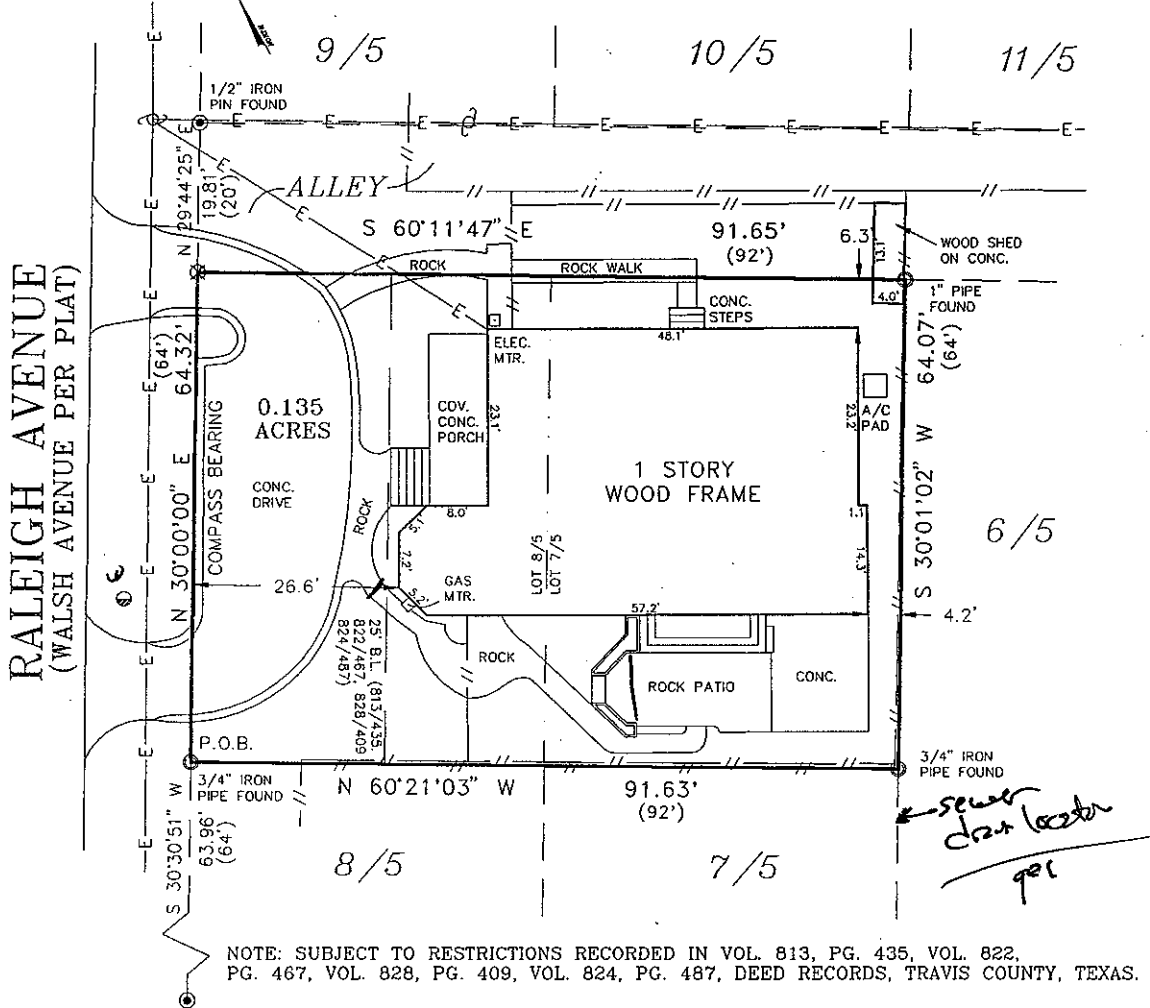
Lena Lund  
Public Involvement/Real Estate Services

Cc: Diana Ramirez and Susan Walker

Plat of survey of property at 1603 High Avenue  
 described as Lot     , Block     , of       
 a subdivision of record in Map or Plat  
 Volume/Book/Cabinet      at Page(s)/Slide(s)      of the Travis  
 County, Texas Plat Records. G.F. # 2003 DT 246225-X (00400) Dated: 1-23-03  
 Ref: William George Gurasich

SCALE: 1" = 20'

\*  
 SURVEY OF 0.135 ACRES, IN AUSTIN, TEXAS, BEING A  
 PORTION OF LOTS 7 & 8, BLOCK 5, "WALSH PLACE" A  
 SUBDIVISION RECORDED IN BOOK 3, PG. 26, PLAT RECORDS,  
 TRAVIS COUNTY, TEXAS, ALSO BEING THE SAME TRACT  
 RECORDED IN VOL. 6554, PG. 875, REAL PROPERTY  
 RECORDS, TRAVIS COUNTY, TEXAS.



NOTE: SUBJECT TO RESTRICTIONS RECORDED IN VOL. 813, PG. 435, VOL. 822,  
 PG. 467, VOL. 828, PG. 409, VOL. 824, PG. 487, DEED RECORDS, TRAVIS COUNTY, TEXAS.

To: COUNTRYWIDE HOME LOANS CORPORATION, LAWYERS TITLE INSURANCE CORPORATION  
ALETHES dba AMERINET MORTGAGE exclusively.

The undersigned does hereby certify that the plat shown represents the results  
 of a survey on the ground under my supervision and is true and correct and  
 that there are no discrepancies, conflicts, shortages in area, boundary line  
 conflicts, encroachments, overlapping of improvements, visible utility easements,  
 except as shown and the property has access to a dedicated roadway.  
 The property shown hereon is located in Zone "X": areas outside the 500 year floodplain

as shown on Community Panel Number 480624 0205 E  
 of the FLOOD INSURANCE RATE MAP prepared for City of Austin  
 by the Federal Insurance Administration Department, H.U.D.  
 Effective Date: June 16, 1993

**ROEDER SURVEYING**

3705 VINELAND DRIVE  
 AUSTIN, TEXAS  
 FAX & PHONE (512) 478-7673

- LEGEND**
- IRON PIN FOUND
  - IRON PIPE FOUND
  - ⊗ PUNCH FOUND ON CONC.
  - ⊕ POWER POLE
  - ⊕ GUY WIRE
  - ⊕ FIRE HYDRANT
  - ⊕ WATER METER
  - ⊕ PHONE PEDESTAL
  - ⊕ CONC. PAD WITH ELEC.
  - ⊕ C.A.T.V. PEDESTAL
  - WOODEN FENCE
  - CHAIN LINK FENCE
  - OVERHEAD ELECTRIC LINE
  - ( ) RECORD INFORMATION

03-28

DATE: 1-24-03

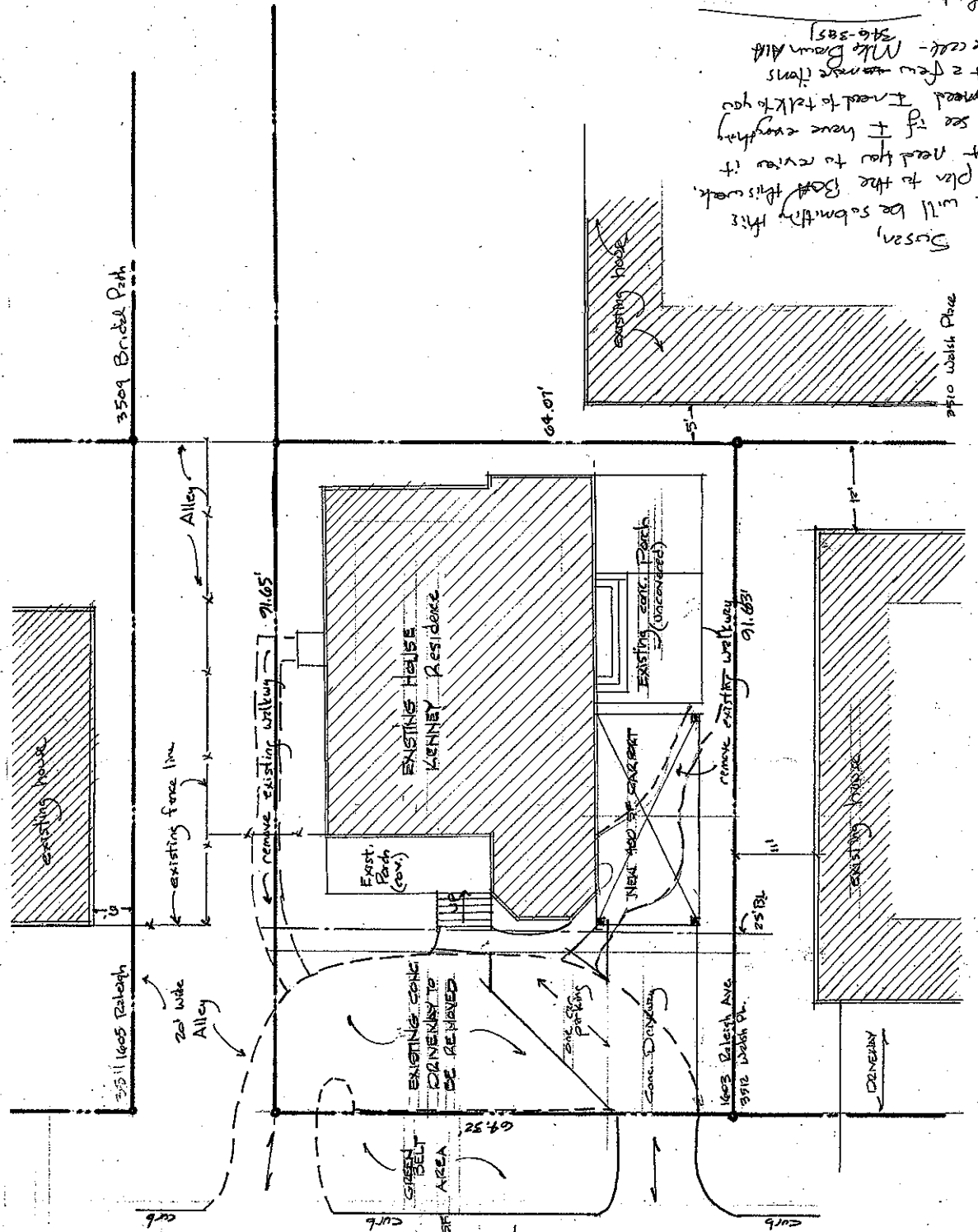
TEAD 3514 Cross Park

MICHAEL & JUDY KENNEY Res.  
 1603 RALEIGH AVE.  
 AUSTIN, TX.

MIKE BROWN Architect/ANAs  
 size: 346-3881 Dec. 16, 11

EXISTING IMPERVIOUS  
 Lot Size: .135 Acres = 5880 SF  
 HOUSE 1984 SF  
 PORCHES 649 SF  
 WALKS & DRIVE 133 SF  
 Total 4066 SF

NEW IMPERVIOUS CONCS  
 NEW GARAGE & DRIVE 1934 SF  
 HOUSE 649 SF  
 GARAGE 400 SF  
 WALKS & DRIVE 644 SF  
 TOTAL 3627 SF



I will be submitting this  
 to plan to the BOA this week  
 but need you to review it  
 id see if I have everything  
 or need I need to talk to you  
 out a few more items  
 here call - Mike Brown All  
 346-3881  
 Susan

MICHAEL & TUDY KENNEY RES.  
 08 RALEIGH AVE.  
 AUSTIN, TX.

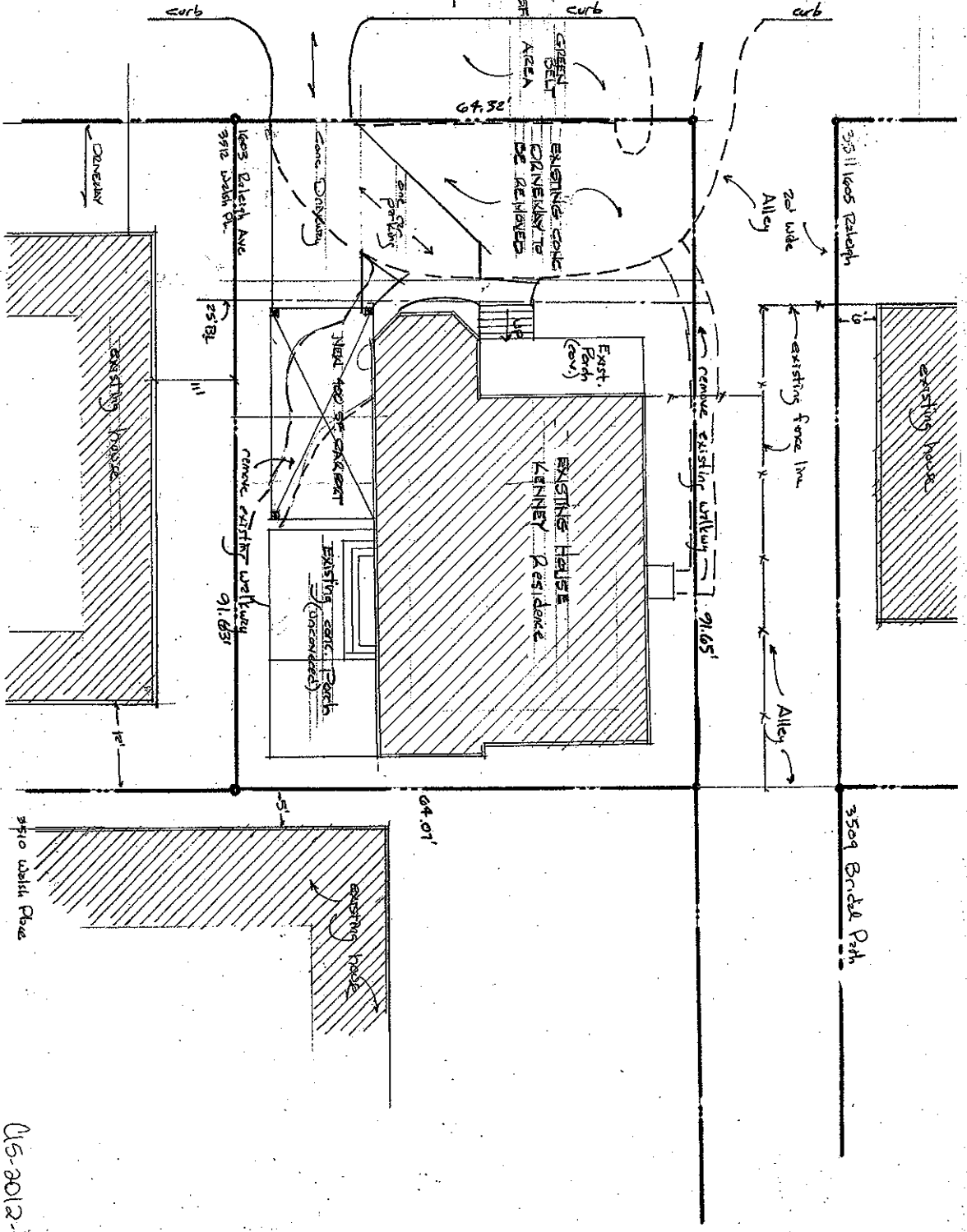
MIKE BROWN ARCHITECT/PA:  
 512-516-8981 Dec 16, 11

NEW INTERIORS ON: 08

17 NEW CARPET FLOOR	
Walls	1784 SF
ROCKS	649 SF
CARPET	480 SF
WALLS FLOOR	644 SF
TOTAL	3627 SF

EXISTING INTERIORS

Lot Size - 1.15 Acres = 50000 SF	
House	1249 SF
PORCHES	649 SF
WALLS & DRIVE	1455 SF
Total	4036 SF



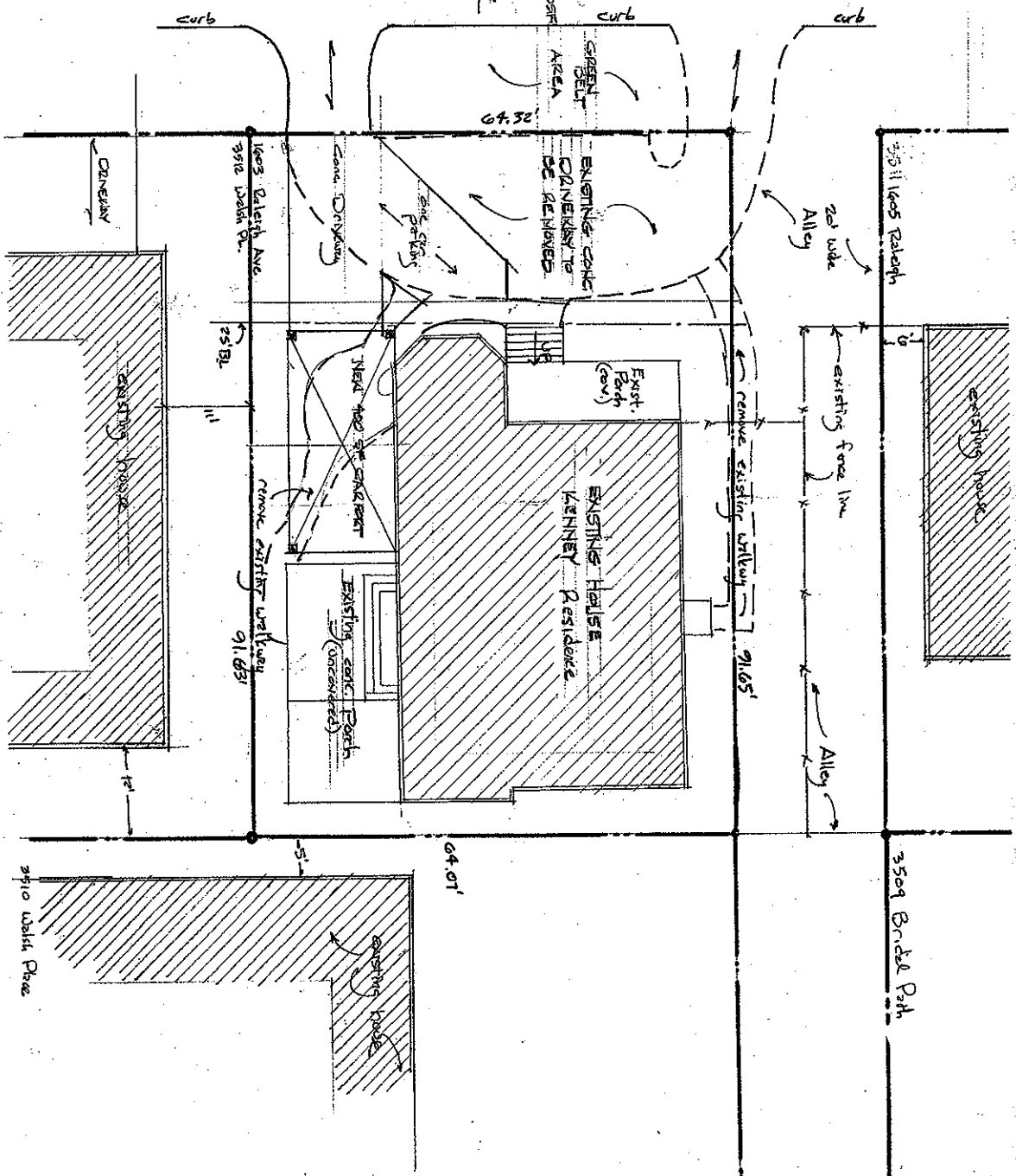
U.S. 2012-0015  
 1003 Raleigh Ave

MICHAEL & JUDY KENNEY RES.  
 03 RALEIGH AVE.  
 AUSTIN, TX.

MIKE BRANN Architect-AIA  
 512-316-8881 Dec 16/11

NEW INTERIORS CONCS	
BY NEW CHARACTER DRIVE	
HOUSE	1934 SF
POORCHES	649 SF
CARPORT	480 SF
WALKWAY DRIVE	644 SF
TOTAL	3607 SF

EXISTING INTERIORS	
LOT SIZE - 1.35 ACRES = 58280 SF	
HOUSE	1934 SF
POORCHES	649 SF
WALKWAY DRIVE	1355 SF
TOTAL	4038 SF



C15-2012-005  
 1003 Raleigh Ave

**Walker, Susan**

---

**From:** Mike Brown [mbrownarc@sbcglobal.net]  
**Sent:** Tuesday, January 31, 2012 2:47 PM  
**To:** Walker, Susan  
**Subject:** Re: 1603 Raleigh Ave.

Hello Susan,

The existing impervious coverage is 4038 sf. Broken down as 1934 sf house  
649 sf porches  
1455 sf walks and circular driveway

The existing area of the lot is 5888 sf. or .135 acres  
The existing impervious area on this lot is 69%

The new proposed impervious coverage with the circular driveway removed and a carport added is 3627 sf. Broken down as follows 1934 sf house

649 sf porchs

400 sf carport(new)

644 sf walks&driveway

The new proposed impervious area is 62%

Mike

**Mike Brown AIA**  
512-346-3851  
[www.rmbrown.com](http://www.rmbrown.com)  
[mbrownarc@sbcglobal.net](mailto:mbrownarc@sbcglobal.net)



---

**From:** "Walker, Susan" <Susan.Walker@austintexas.gov>  
**To:** Mike Brown <mbrownarc@sbcglobal.net>  
**Sent:** Tue, January 31, 2012 2:32:45 PM