

Ramirez, Diana

From: betty_e@msn.com
Sent: Tuesday, June 05, 2012 11:56 PM
To: Walker, Susan
Cc: Ramirez, Diana; Guernsey, Greg
Subject: Fw: 7600 Downridge Drive C15-2012-0071 2012-032828 BP / PR
2012-028461 PR
Attachments: 18-note underneath of deck-1.JPG; IMG_0272.JPG; Scan_Pic0014.jpg; ADDT'L APPEAL INFO.- 7600 Downridge- 4-25.1.pdf

Susan-

I noticed that there was some information missing in the backup information scanned online for this case that I included with the previously submitted PDR appeal (addt'l appeal info) I sent on April 26th to Mr. Barba. I am forwarding you the missing items from that email with this message. This correction was made with Greg Guernsey a few days ago when it was discovered that apparently the information had not been conveyed in it's entirety, but now I see that was not included here either. Will you please print out the following items along with the emails attached below and include them in the BOA information for this case.

Can you also please include these along with the rest of the information you have scanned into the backup already so that all previously submitted PDR appeal information and attachments will be included in the advance packet going to the BOARD? Can you please acknowledge receipt.

The **attached 5-page PDF scan titled 'ADDT'L APPEAL INFO.- 7600 Downridge Drive- 4-25.1.pdf'** which includes:

- 1-pg Notice of Appeal Information (cont) dated April 25 clarifications addendum
- Interpretation Memo CI2010-004 Leon Barba
- Downridge Site Plan dated 6/97
- Old Downridge Building Permit
- Pae from Deed Restrictions Vista West III

There were a total of 9 photos included and attached to the previously submitted appeal information. Of those, I see only 6 scanned and included in the backup for this case.

The **3 missing photos**, which I have attached again are:

- 18-note underneath of deck-1.JPG
- IMG_0272.JPG
- Scan_Pic0014

Thanks,

Btty Epstein

----- Original Message -----

From: betty_e@msn.com
To: Barba, Leon
Sent: Thursday, April 26, 2012 2:23 AM
Subject: 7600 Downridge Drive - 2012-032828 BP / PR 2012-028461 PR

Mr. Barba-

Please add these attachments with some clarifications, support material and photos to my appeal submitted 4/25/12. These were a few things I ran short on time to scan earlier. I will follow up if there is anything else.

- Included is an interpretation Memo regarding Dwelling Units
 - A clarification to the earlier sent Notice of Appeal information (with this clarification, the addendum is now 4 total pages)
 - A previous site plan noting the Covered Wooden Deck in the NE corner area outside the 2-story frame pool House
 - Old building permit noting a covered deck attached to the carport.
 - page from Deed Restrictions for Vista West-3.
-
- Note photos showing this covered DECK area (NOT a porch) as referenced in 10) & 11) in the Notice of APPEAL information addendum. Note this is the same deck/level as the other decks on the property being required to be modified to within the 10-ft rear setback to comply with code.
 - Note: This does not appear to be a one-story structure.
 - Note proximity to my property line and my home. 272 taken inside my kitchen. 184 inside back door.

Please acknowledge receipt of this message.

Thank You,

Betty Epstein

(512) 413-8803

----- Original Message -----

From: betty_e@msn.com

To: [Barba, Leon](#)

Sent: Wednesday, April 25, 2012 5:33 PM

Subject: Re: 7600 Downridge Drive - 2012-032828 BP / PR

Mr. Barba-

Thank you for acknowledging receipt of my appeal. Did you see my follow up that I noticed page 3 of the addendum with some appeal items on it did not make the scan? I did include the word document version with all 3 pages. The addendum should have been stated as 3-pages on the form rather than 2. Please print out both the PDF AND the word doc. so you will have all 3 pages.

I will likely follow up with additional information once I have a chance to review what I sent.

I will look for your response.

Thank you,

Betty Epstein

----- Original Message -----

From: Barba, Leon

To: betty_e@msn.com

Sent: Wednesday, April 25, 2012 5:07 PM

Subject: RE: 7600 Downridge Drive - 2012-032828 BP / PR

Ms. Epstein, we have received your appeal. Staff will need to review your appeal and provide a response.
Leon

From: betty_e@msn.com [mailto:betty_e@msn.com]

Sent: Wednesday, April 25, 2012 4:59 PM

To: Barba, Leon

Subject: Re: 7600 Downridge Drive - 2012-032828 BP / PR

Mr. Barba-

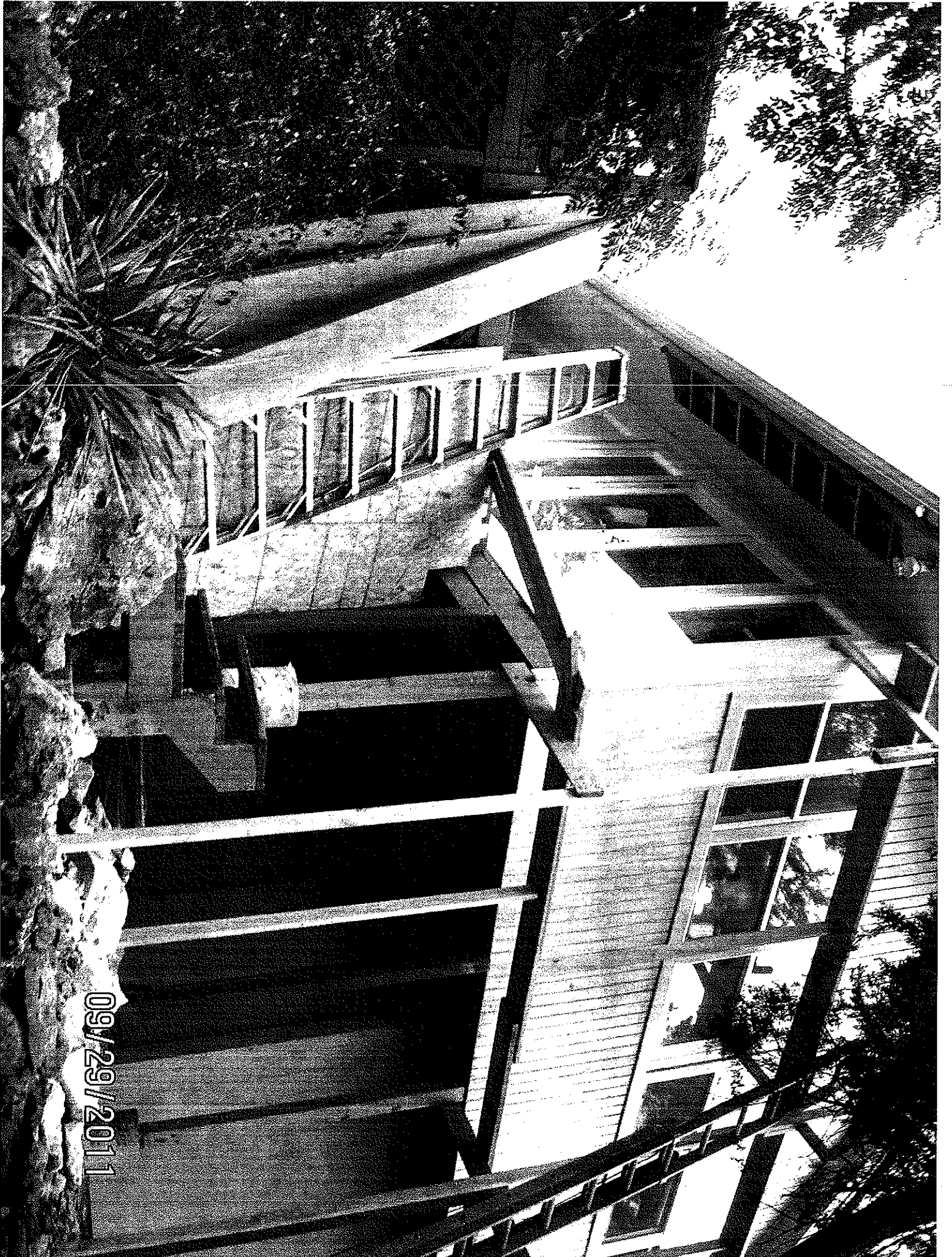
Please find enclosed my appeal for Administrative decision regarding 7600 Downridge Drive 2012-028461 PR / 2012-032828 BP.

I will likely be following up with additional information but want to get this to you before you leave today.

Please note, page 3 of the addendum did not scan. I have included the full document separately with all 3 pages.

Please acknowledge receipt of this message and attachments.

Betty Epstein



09/29/2011



11/18/2011



April 25th, 2012

Notice of APPEAL INFORMATION (continued)

Re: 7600 Downridge Drive. 2012-028461 PR / 2012-032828 BP

Please note a few clarifications to this addendum submitted earlier today.

Clarifications:

Please note: I noticed Page 3 of the 'Notice of APPEAL INFORMATION (cont) addendum which included appeal items did not make the PDF scan with Appeal info I sent you earlier at 4:59. So I also attached the full 3-page addendum as a word doc. file to that same message along with the other appeal information. Please print both out to be sure all appeal items are included. Also this same Notice of APPEAL INFORMATION addendum was incorrectly noted on the form as a 2-page addendum. It is a 3-page addendum.

- 13) Clarify: additional examples: Easement detail sketch and survey site plan dated 11/11/11 scanned into this BP as backup shows a 2-story frame and stone garage and cabana for existing conditions. Additionally, the 2nd story Cabana is denoted with first story below. The same 2nd/1st floor delineation can be seen on the revised 3/20/12 site plan, but the 2nd story notation has been eliminated and the 2-story frame/stone cabana relabeled as a 1-story. BOA backup for this address shows a different version of this same site plan with the garage/cabana labeled as 2-story. Building height report dated 11-2-11 states the accessory building to be a 2-story frame/stone cabana with detail showing the 2nd story a/c unit. Boundary and impervious cover survey dated 11-2-11 also shows a 2 story frame/stone cabana. These examples also apply to 18) on the addendum.
- 19) Clarify: Applicant failed to include all areas in the required demolition permit for removal of previously constructed exterior walls. Exterior bathroom wall is now an interior wall. Photos were not provided for several areas proposed for demolition as required by the application.
- 22) add: The proposed development cannot cause additional flooding on other property as per the signed BP application.
- 24) TYPO: should have read: This structure, especially this proposed deck area enclosure with walls of glass and most certainly as living quarters, is not compatible in scale or bulk and greatly impacts my quality of life and privacy. Factoring the severe slope between our properties, the finished floor of their structure towers over my kitchen, master and office windows by 20 feet. Because of their higher elevation, the impact of this building is equivalent to a 3-story structure approximately 18 feet from my back door staring down into areas of my home I use most on a daily basis.
- 25) Typo: The cumulative impact of their addition and modifications to this structure has impaired the use of my adjacent property in terms of privacy, drainage, erosion, resale value, exterior lighting glare, air conditioning systems placement and noise.



City of Austin
Planning & Development Review Department

To: Building Contractors
From: Leon Barba, P.E., Planning & Development Review Department - Building Official
Date: January 11, 2011
File: Code Interpretation Manual

INTERPRETATION NUMBER: CI2010 -0004

TITLE: Dwelling Unit
CODE EDITION: 2006 International Residential Code
SECTIONS: Chapter 2 Definitions

PURPOSE: Is an "accessory structure" that includes provisions for living including components for sleeping, eating, cooking and sanitation (water closet, lavatory and a tub and/or shower) allowable?

No. A structure where provisions exist that include sleeping, eating-cooking or food preparation and sanitation (water closet, lavatory, and a tub and/or shower) exist, the structure effectively becomes a 2nd "dwelling unit" and would require a permit as a 2nd dwelling unit.

A. 2006 IRC - ACCESSORY STRUCTURE. A structure not greater than 3,000 square feet (279 m2) in floor area, and not over two stories in height, the use of which is customarily accessory to and incidental to that of the dwelling(s) and which is located on the same lot.

B. 2006 IRC - DWELLING UNIT. A single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

C. 2006 IRC - HABITABLE SPACE. A space in a building for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces and similar areas are not considered habitable spaces.

When plumbing fixtures are provided, a structure is an "accessory structure" if the structure includes only one the following:

- A. A water closet and a lavatory located in the immediate area of the water closet used for the purposes of hand washing, and/or a kitchen sink, or a service sink used for the purpose of food preparation and/or sanitation of dishware;
- or
- B. A bathroom that includes a shower and/or tub, lavatory and water closet.

For the purposes of this interpretation, an accessory structure shall not be a habitable space.


Leon Barba, P.E., Building Official
City of Austin, Planning & Development Review Department

Address: 7600 Downridge Dr. Permit: 168862 (# 195205) Plat: 886
 Lot: 24 Block J Subdivision: Vista West III
 Outlot

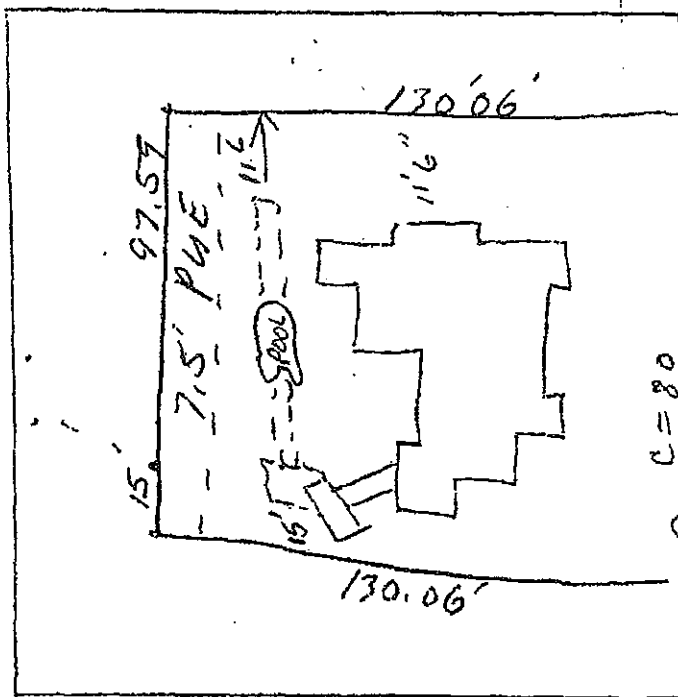
Fire Zone: 3 Use Dist. A1st Occupancy: 2 story ADD'D TO RES & DOCK DETACHED GAR

11-22-77	Layout	Framing	4-18-78	Final	Commercial
Foundation	5	Floor joist size & o.c.	Bldg. Conn.	✓	Parking
Front setback	25'	ceiling joist size & o.c.	Room Vent.	✓	Exits
Total & Min. side yard		stud size & o.c.	Stairs	✓	Exit lights
Side St. Yard			Rails	✓	Fences
Type Const.	II	W. Insulation	Attic Vent.	✓	Corridors
Spec. Permit #		Sheetrock	Insulation	✓	
88A		Commercial Sheetrock	Hood Vent.	✓	
House only		Occup. Sep. Thru out	Glass	✓	
			Deadbolts	✓	
			Fireplaces	✓	

Owner: Turner & Halanes Contractor: DAVID OF HIGGS

65' X 42.8 - 730# (max. James Evans) 2046#
 35.4 X 34.2 - 118# = DAN ROSS 1086#
 GAR 21 X 30 + 6 X 6 = 666#
 BID 2005 JUNE 77 3798# F2 N 4/28/80
 City of Austin Clerk P Date 11-17-77

Address: 7600



Downridge Dr.

Released by [Signature]
 4-19-78

- 4/28/80
- (1) Fence Required
 - (2) Dressing Room, Covered Deck (ATTN TO CARPORT)
 - (3) Deck Between Carport & pool
 - (4) Deck off pool

Inspector: [Signature]

II.

COVENANTS, CONDITIONS, RESTRICTIONS,
RESERVATIONS, AND CHARGES

The property described in Section I hereof is encumbered by the covenants, conditions, restrictions, reservations, and charges hereinafter set forth to insure the best and highest use and the most appropriate development and improvement of each lot for residential purposes within said subdivision; to protect owners of lots against improper use of surrounding lots; to preserve so far as practicable, the natural beauty of said property; to guard against the erection of poorly designed or proportioned structures of improper or unsuitable materials; to encourage and secure the erection of attractive improvements on each lot with appropriate locations; to prevent haphazard and inharmonious improvement of lots; to secure and maintain proper setbacks from streets and adequate free space; and in general to provide for development of the highest quality to enhance the value of investments made by owners.

A. Land Use and Building Types. No lot shall be used except for residential purposes. No building shall be erected, altered, placed, or permitted to remain on any lot other than one single-family dwelling not to exceed two and one-half stories in height with attached garage for not less than two nor more than four cars. No building shall remain uncompleted for more than one year after construction has been commenced.

B. Dwelling Size.

1. Lots 17 through 20, Block "A," -