

C9
1

**ZONING AND PLATTING COMMISSION SITE PLAN
ENVIRONMENTAL VARIANCE REVIEW SHEET**

CASE NUMBER: SP-2012-0157D **ZAP COMMISSION DATE:** 8-7-2012

ADDRESS: 4 Humboldt Lane

WATERSHED: Lake Austin Watershed (Water Supply Rural)

AREA: 8.386 Acre lot

EXISTING ZONING: N/A

PROJECT NAME: Humboldt Residence

PROPOSED USE: Retaining Wall System

AGENT/: Crocker Consultants
APPLICANT Sarah Crocker
4934 Highway W 290
Austin, TX 78746
(512) 529-2511

APPLICABLE WATERSHED ORDINANCE: Current/ Comprehensive watershed ordinance

EV VARIANCES REQUESTED: LDC Sections 25-8-301 , To allow construction on slopes for driveway construction and LDC Section 25-8-342, To allow fill in up to a maximum of 14 feet for driveway construction

SUMMARY STAFF RECOMMENDATION: Recommended.

EV BOARD RECOMMENDATION: Recommended with conditions

1. The retaining wall will be decoratively faced to match the aesthetic integrity of the existing SF home.
2. The retaining wall will be screened with drought-tolerant landscaping.

ZONING AND PLATTING COMMISSION ACTION: 8-7-2012

CASE MANAGER: Jennifer Back, 974-6361

ENVIRONMENTAL REVIEW: Brad Jackson. 974-3410

PROJECT INFORMATION: 8.386 Acre lot

NUMBER OF PROPOSED UNITS: 1 existing residence

EXIST. ZONING: N/A

MAX. BLDG. CVRG ALLOWED: N/A

MAX. IMPERV. CVRG.: N/A

MAX HEIGHT ALLOWED: N/A

REQUIRED PARKING: N/A

PROPOSED BLDG. CVRG: N/A

PROPOSED IMP. CVRG: N/A

PROPOSED HEIGHT: N/A

C9
2

SUMMARY COMMENTS ON SITE PLAN:

Land Use: The applicant is requesting an EV variance for retaining wall system.

Environmental: This site is located in the Lake Austin watershed, classified as Water Supply Rural, and is not located over the Edwards Aquifer Recharge Zone

C9
1/3



ENVIRONMENTAL BOARD MOTION 071812 3A

Date: July 18, 2012

Subject: Humboldt Residence SP-2012-0157D

Motioned By: James Schissler

Seconded By: Mary Ann Neely

Recommended Action

The Environmental Board recommends approval of variance request to allow construction on slopes for driveway and fill up to a maximum of 14 feet of driveway construction.

Staff Conditions:

1. The retaining wall will be decoratively faced to match the aesthetic integrity of the existing SF home.
2. The retaining wall will be screened with drought-tolerant landscaping.

Variances are necessary to clear the requirements that were overlooked by City of Austin staff.

Vote 5-0-0-2

For: Maxwell, Gary, Schissler, Neely and Perales

Against:

Absent Anderson and Walker

Approved By:

Mary Gay Maxwell
Environmental Board Chair



C9
4

ITEM FOR ENVIRONMENTAL BOARD AGENDA

BOARD MEETING

DATE REQUESTED: July 18, 2012

NAME & NUMBER OF PROJECT: Humboldt Residence (SP-2012-0157D)

NAME OF APPLICANT OR ORGANIZATION: Crocker Consultants
(Sarah Crocker, 512-529-2511)

LOCATION: 4 Humboldt Lane

PROJECT FILING DATE: May 8, 2012

PDR/ ENVIRONMENTAL STAFF: Brad Jackson, 974-3410
brad.jackson@ci.austin.tx.us

PDR/ CASE MANAGER: Jennifer Back, 974-6361
Jennifer.back@austintexas.gov

WATERSHEDS: Lake Austin Watershed, Water Supply Rural
Drinking Water Protection Zone

ORDINANCE: Comprehensive Watershed Ordinance (current Code)

REQUEST: Variance requests are as follows:

1. To allow construction on slopes for driveway construction. (LDC Section 25-8-301).
2. To allow fill up to a maximum of 14 feet for driveway construction. (LDC Section 25-8-342).

STAFF RECOMMENDATION: Recommended

REASONS FOR RECOMMENDATION: Findings-of-fact have not been met.
HOWEVER DUE TO SPECIAL CIRCUMSTANCE, (SEE MEMORANDUM) STAFF RECOMMENDS APPROVAL.



C9
5

MEMORANDUM

TO: Betty Baker, Chairperson
Members of the Zoning and Platting Commission

FROM: Brad Jackson, Senior Environmental Reviewer
Planning and Development Review Department

DATE: July 18, 2012

SUBJECT: Humboldt Residence (SP-2012-0157D)
4 Humboldt Lane

Variance Request: Variance from LDC 25-8-301 – To allow construction of a driveway on slopes over 15% in grade.
Variance from LDC 25-8-342 – To allow fill up to a maximum of 14 feet.

The applicant is proposing a variance for the previously constructed driveway to provide an alternative access to the garage on his existing single-family home. The applicant proposed and permitted these renovations with a Residential Application Permit "A" (Building Permit) through the City of Austin, identifying the fill over 4 feet in the application, and was allowed to proceed with the construction. The fill over 4 feet should have triggered the requirement for a site plan and associated variance request at the time of application for the building permit, but the building permit was processed by city staff with no fill over 4 feet denoted on the released building permit.

The fill was not discovered until the applicant attempted to process the permit for the retaining wall, at which time he was told he had to get a variance for the fill over 4 feet. The fill is requested to allow renovations to the existing layout of the house and reroute the driveway access from the front of the house to the side of the house. The fill between 8 and 14 feet will cover only about 394 square feet in area.

Description of Project Area

The majority of the 8.17 acre property is within the City of Austin ETJ and does not require a permit for construction that complies with all city codes. The rear of the property has a 500-ft Lake Austin Limited Purpose zoning designation. All of the improvements done to the residence are outside of this zoning area and within the ETJ. There is a 29.7 foot grade separation between the finished floor elevation of the house (888.70) and the driveway entrance on Humboldt Lane (859). The residence is a unique, one-story, V-shaped structure that was built around an interior courtyard/motor court that served as the primary entrance to the residence and provided the only vehicular access to the garage(s). The new owner (applicant) of the house sought to restore this area with vegetation to create a more

C9
6

pleasant courtyard entrance to the house and reroute the vehicular access away from this courtyard. This site does not have any impervious cover limitations due to its use as a single-family home on a lot that meets the density requirement of at least 2 acres.

Vegetation

According to the Soil Survey of Travis County, the site contains Brackett soils, rolling (BID) and Brackett soils and rock outcrop (BoF). Brackett soils are described as shallow and well drained soils that develop under a prairie of mid to tall grasses and some trees. The geology at this site is characterized by thin clay soils covering weathered limestone. The site lies within the Glen Rose formation that consists primarily of limestone, dolomite and marl. The site vegetation is has been significantly altered due to the sites use as a single-family residence. The remaining native vegetation consists of scrubby hill country species like ashe juniper, live oak, cedar elm, and Texas red oak.

Critical Environmental Features

There are no Critical Environmental Features on or within 150 feet of this site.

Water/Wastewater

The project will receive water service from Travis County WCID #10. Wastewater is handled through an on-site septic tank.

Variance Requests

The variance being requested by this project is as follows:

1. **Variance from LDC 25-8-301 – To allow construction of a driveway on slopes over 15% in grade.**
2. **Variance from LDC 25-8-342 – To allow fill up to a maximum of 14 feet.**

On May 7, 2012, the applicant requested the above variances.

Recommendations

Although the variance does not meet the findings of fact, staff recommends granting the variance request because the applicant made a good faith effort to comply with City code and processes. In addition, the structure is nearly complete. Please see pages 5-8 for findings of fact from staff.

Recommended Conditions of Variance Approval

The applicant has constructed the driveway and met many of our typical fill variance mitigation measures, including:

- Terracing
- Retaining walls
- Revegetation with native and adaptive, drought tolerant plants
- Minimize footprint, depth, IC

- Meet landscape ordinance (although this is a single-family home, landscape plan for retaining wall demonstrates compliance beyond city standards for landscaping of commercial streetyards)

C9
7

The following conditions are recommended for approval of this variance:

1. The retaining wall will be decoratively faced to match the aesthetic integrity of the existing SF home.
2. The retaining wall will be screened with drought-tolerant landscaping.

If you have any questions or need additional information, please feel free to contact me at 974-3410.

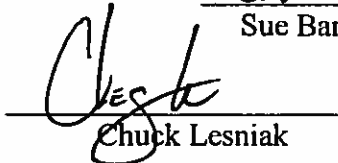


Brad Jackson, Senior Environmental Reviewer
Planning and Development Review

Environmental Program Coordinator:


Sue Barnett

Watershed Protection:


Chuck Lesniak

C9/8

Similar Cases

Judge's Overlook– SP-2011-0051D requested a variance from LDC 25-8-341/342 to allow cut up to 8 feet and fill up to 8 feet for the construction of an office building. The EV Board recommended approval on July 20, 2011 by a vote of 6-0-1-2, with the following conditions:

Conditions

1. Areas of cut and fill will be revegetated with no greater than a 3:1 slope or be structurally contained.
2. Landscaping will be provided to ensure all parking areas are buffered from Bee Caves Road and Canon Wren Drive.
3. At least one tree will be planted within 50 feet of each uncovered parking space.
4. Implementation of an Integrated Pest Management (IPM) plan.
5. A water quality biofiltration pond will be constructed to capture and treat all new impervious cover proposed in this site plan.

The Zoning and Platting Commission approved this variance on August 16, 2011.

Bulldog Storage– SP-2007-0673D requested a variance from LDC 25-8-341 to allow fill up to 12 feet for the construction of storage buildings. The EV Board recommended approval on September 17, 2008 by a vote of 4-0-0-2, with the following conditions:

Conditions

1. Only clean fill of soil, dirt, rock, sand or other natural man-made materials are to be used as fill on the site.
2. Submittal and City approval of a Pollution Attenuation Plan for the site must be obtained prior to site plan approval.
3. All trees over 8 caliper inches will be mitigated for and replaced with Class 1 native trees.
4. All fill over four feet will be structurally contained.

The Zoning and Platting Commission approved this variance on August 30, 2008.

The Estates at Commanders Point - C8J-2008-0231.0A requested a variance from the LDC 30-5-454(B)(2) to allow a residence on a lot with less than 2 acres net site area and a variance from the LDC 30-5-301 for construction of driveways on slopes over 15% in grade.

The Zoning and Platting Commission approved this variance on July 7, 2009.



C9
9

Planning & Development Review Department
Staff Recommendations Concerning Required Findings
Of Fact

Application Name:	Humboldt Residence
Application Case No:	SP-2012-0157D
Code Reference:	Land Development Code Section 25-8-301
Variance Request:	To allow construction on slopes with a gradient exceeding 15%.

A. Land Use Commission variance determinations from Chapter 25-8, Subchapter A – Water Quality of the City Code:

1. The requirement will deprive the applicant of a privilege or the safety of property given to owners of other similarly situated property with approximately contemporaneous development.
YES. *Other properties similarly situated, like Commander's Point, have requested variances to allow construction on slopes for driveway access to single family home sites.*
2. The variance:
 - a) Is not based on a condition caused by the method chosen by the applicant to develop the property, unless the development method provides greater overall environmental protection than is achievable without the variance;
NO. *The development is based on a condition caused by the method chosen by the applicant to develop the property. The house, garage and driveway were already existing and the house had access before the redevelopment of the new driveway.*
 - b) Is the minimum change necessary to avoid the deprivation of a privilege given to other property owners and to allow a reasonable use of the property;
NO. *The new driveway configuration was not necessary to provide access to the home.*
 - c) Does not create a significant probability of harmful environmental consequences; and
YES. *This variance does not directly create a significant probability of harmful environmental consequences. The slopes are stabilized with a terraced retaining wall and the construction is virtually complete, except landscape and decorative wall facing installation.*
3. Development with the variance will result in water quality that is at least equal to the water quality achievable without the variance.

C9
10

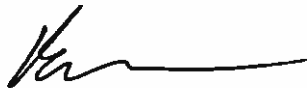
Yes. *The proposed project will result in water quality that is at least equal to the water quality achievable without the variance because the site has completed the fill activity behind the retaining wall without erosion problems and the site has maintained roughly the same amount of impervious cover after the renovations. The site has also removed impervious cover within the homes courtyard entrance and replaced with landscaping.*

B. Additional Land Use Commission variance determinations for a requirement of Section 25-8-393 (Water Quality Transition Zone), Section 25-8-423 (Water Quality Transition Zone), Section 25-8-453 (Water Quality Transition Zone), or Article 7, Division 1 (Critical Water Quality Zone Restrictions):

1. The above criteria for granting a variance are met;
N/A
2. The requirement for which a variance is requested prevents a reasonable, economic use of the entire property; and
N/A
3. The variance is the minimum change necessary to allow a reasonable, economic use of the entire property.
N/A

Reviewer Name: Brad Jackson

Reviewer Signature:



Date: July 11, 2012

Staff may recommend approval of a variance after answering all applicable determinations in the affirmative (YES).



C9
11

Planning & Development Review Department
Staff Recommendations Concerning Required Findings
Of Fact

Application Name:	Humboldt Residence
Application Case No:	SP-2012-0157D
Code Reference:	Land Development Code Section 25-8-342
Variance Request:	To allow fill up to 14 feet for the construction of a driveway.

A. Land Use Commission variance determinations from Chapter 25-8, Subchapter A – Water Quality of the City Code:

1. The requirement will deprive the applicant of a privilege or the safety of property given to owners of other similarly situated property with approximately contemporaneous development.
***YES.** Other properties similarly situated, like Bulldog Storage have requested variances to allow fill required to access their site on areas of slopes.*
2. The variance:
 - a) Is not based on a condition caused by the method chosen by the applicant to develop the property, unless the development method provides greater overall environmental protection than is achievable without the variance;
 - b) ***NO.** The development is based on a condition caused by the method chosen by the applicant to develop the property. The house, garage and driveway were already existing and the house had access before the redevelopment of the new driveway.*
 - c) Is the minimum change necessary to avoid the deprivation of a privilege given to other property owners and to allow a reasonable use of the property;
***NO.** The new driveway configuration was not necessary to provide access to the home.*
 - d) Does not create a significant probability of harmful environmental consequences; and
***YES.** This variance does not directly create a significant probability of harmful environmental consequences. The areas of fill are stabilized with a retaining wall and the construction is virtually complete except landscape and decorative facing installation.*
3. Development with the variance will result in water quality that is at least equal to the water quality achievable without the variance.

Yes. The proposed project will result in water quality that is at least equal to the water quality achievable without the variance because the site has completed the fill activity behind the retaining wall without erosion problems and the site has maintained roughly the same amount of impervious cover after the renovations. The site has also removed impervious cover within the homes courtyard entrance and replaced with landscaping.

C9
12

B. Additional Land Use Commission variance determinations for a requirement of Section 25-8-393 (Water Quality Transition Zone), Section 25-8-423 (Water Quality Transition Zone), Section 25-8-453 (Water Quality Transition Zone), or Article 7, Division 1 (Critical Water Quality Zone Restrictions):

1. The above criteria for granting a variance are met;
N/A
2. The requirement for which a variance is requested prevents a reasonable, economic use of the entire property; and
N/A
3. The variance is the minimum change necessary to allow a reasonable, economic use of the entire property.
N/A

Reviewer Name: Brad Jackson

Reviewer Signature:



Date: June 8, 2012

Staff may recommend approval of a variance after answering all applicable determinations in the affirmative (YES).

SARAH PUTNAM CROCKER CROCKER CONSULTANTS

C9
13

4934 W. HWY 290

Austin Texas 78735

May 2, 2012

Planning & Development Review Department
City of Austin
505 Barton Springs Road
Austin, Texas 78704

RE: Smith Residence
4 Humboldt
Lot 52 Block E Rob Roy Phase Two
SP-2011-0200D
Request for Variance 25-8-342 Fill in excess of 4 feet

To Whom It May Concern:

On behalf of the applicant I am requesting a variance for fill in excess of four (4) feet for an existing two-tiered retaining wall system on a single family lot. The retaining wall system was built in conjunction with the realignment of the driveway.

Attached you will find the justification and findings of fact to support this variance request. The City of Austin issued 2011-019801BP on March 20, 2011 for this scope of work. The architectural firm correctly noted that cut and fill would exceed four feet on the residential building permit application. Additionally, the applicant listed the zoning as SF-3.

A portion of this lot is zoned LA. However, all of the improvements on this lot are located in the 2-mile ETJ, not within the LA zoning boundaries; therefore a City of Austin building permit isn't required. Unfortunately, it wasn't until the new garage, driveway and retaining walls were complete that these errors were discovered.

While the variance from Section 35-8-342 would have been required regardless I want to be clear that the timing of this variance request is not the result of my client, or his authorized agent, failing to notify staff of their intent to fill a portion of this site in excess of four feet.

This tract is not located in the Edwards Aquifer Recharge zone. It is located in the Lake Austin Watershed which is classified as Water Supply Rural.

Should you have any questions or need anything further, please don't hesitate to contact me.

Sincerely,

Sarah Crocker
Authorized Agent

C9
14

SARAH PUTNAM CROCKER CROCKER CONSULTANTS

C9
15

4934 W. HWY 290

Austin Texas 78735

Findings of Fact

Project: Smith Residence
4 Humboldt Lane
Lot 52 Block E
Rob Roy Phase Two
SP-2012-0157D

Ordinance Standard: **25-8-301(A) 7637.01 sf construction on slope in excess of 15%**

0-15%	3816.35 sf 50%
15-25%	2106.84 sf 27.6%
25-35%	964.69 sf 12.6%
35%+	749.13 sf 9.8%

Justification:

1. ***Are there special circumstances applicable to the property involved where strict application deprives such property owner of privileges or safety enjoyed by other similarly situated property with similarly timed development? YES***

There are only four (4) residences on Humboldt Lane, a 700' private street that terminates in a cul-de-sac. The building site for the residence at 4 Humboldt (built in 1984) is one of the highest elevations in this section of Rob Roy and although the 8.67 acre lot has 513.55 linear feet of frontage on Humboldt, the driveway location was limited because of site distance and the cliff-like slopes along the western property boundary. There is 37.7 feet of vertical separation between the FF elevation of the house (888.70) and the road at the western boundary and 27.7 feet where the driveway ties into Humboldt (861).

The only similarly situated property is the adjacent lot to the east which is at or near the roadway grade. Access for the residence and guest parking is provided via a circular drive off Humboldt.

2. ***Does the project demonstrate minimum departures from the terms of the ordinance necessary to avoid such deprivation of privileges enjoyed by such other property and to facilitate a reasonable use, and which will not create significant probabilities of harmful environmental consequences? YES***

CG
16

Due to the topography of the lot the original access for the residence and garage (s) was provided via a paved interior courtyard/motor court. A turnaround and overflow parking were located at the mid-point of the driveway. Humboldt Lane does not have curb and gutter or sidewalks. Off street parking is not available.

When my clients purchased the property they retained the services of Miro/Rivera Architect's to redesign the vehicular access in such a way that the interior motor court could be converted into green space and reorient garage access .

Due to topography and the need to create a walkway to the residence the new garage was added to the western side of the house. The 4580 sf of the existing driveway configuration was built on slope in excess of 15%. Due to the fact that the site is basically a steep hill it is virtually impossible to provide access without building on slope in excess of 15%. Additionally, the original plat was approved in 1979 prior to the adoption of this section of the Code.

3. ***The proposal does not provide special privileges not enjoyed by other similarly situated properties with similarly timed development, and is not based on a special or unique condition which was created as a result of the method by which a person voluntarily subdivided land. YES***

The surrounding lots are 100% built out and have existing driveways. There are a number of lots that have topography issues with regard to access but they are existing.

4. For a variance from the requirements for development within the Critical Water Quality Zone and/or Water Quality Transition Zone: Does the application of restrictions leave the property owner without any reasonable, economic use of the entire property? **N/A**

SARAH PUTNAM CROCKER CROCKER CONSULTANTS

C9
17

4934 W. HWY 290

Austin Texas 78735

Findings of Fact

Project: Smith Residence
4 Humboldt Lane
Lot 52 Block E
Rob Roy Phase Two
SP-2012-00xxD

Ordinance Standard: **25-8-342 1373.68 sf of Fill in excess of 8 feet**
4-8" 979.20 sf
8-12' 360.83 sf
12-14' 33.65 sf

Justification:

1. ***Are there special circumstances applicable to the property involved where strict application deprives such property owner of privileges or safety enjoyed by other similarly situated property with similarly timed development? YES***

There are only four (4) residences on Humboldt Lane, a 700' private street that terminates in a cul-de-sac. The building site for the residence at 4 Humboldt (built in 1984) is one of the highest elevations in this section of Rob Roy and although the 8.67 acre lot has 513.55 linear feet of frontage on Humboldt, the driveway location was limited because of site distance and the cliff-like slopes along the western property boundary. There is 37.7 feet of vertical separation between the FF elevation of the house (888.70) and the road at the western boundary and 27.7 feet where the driveway ties into Humboldt (861).

The only similarly situated property is the adjacent lot to the east which is at or near the roadway grade. Access for the residence and guest parking is provided via a circular drive off Humboldt.

2. ***Does the project demonstrate minimum departures from the terms of the ordinance necessary to avoid such deprivation of privileges enjoyed by such other property and to facilitate a reasonable use, and which will not create significant probabilities of harmful environmental consequences? YES***

C9
18

Due to the topography of the lot the original access for the residence and garage (s) was provided via a paved interior courtyard/motor court. A turnaround and overflow parking were located at the mid-point of the driveway. Humboldt Lane does not have curb and gutter or sidewalks. Off street parking is not available.

When my clients purchased the property they retained the services of Miro/Rivera Architect's to redesign the vehicular access in such a way that the interior motor court could be converted into green space and reorient garage access .

Due to topography and the need to create a walkway to the residence the new garage was added to the western side of the house. The retaining walls, which created the need for this variance, serve a two-fold purpose: they provide structural support for the driveway approach to the garage and the two-tiered system not only reduces overall mass but provides additional opportunities for landscaping. This scope of work (including the landscaping) was required to meet the Rob Roy Architectural Design Standards and has been approved by the Architectural Design Committee.

It is important to note that the amount of fill (in excess of four feet) that was required to build the garage addition is exempt from the limitations set forth in Section 25-8-342. But the fill required for the retaining walls to support the approach to the garage is not, even though the additional fill, in both circumstances, serves the same purpose. Finally, there is no increased run-off or harmful environmental consequence posed as result of this scope of work.

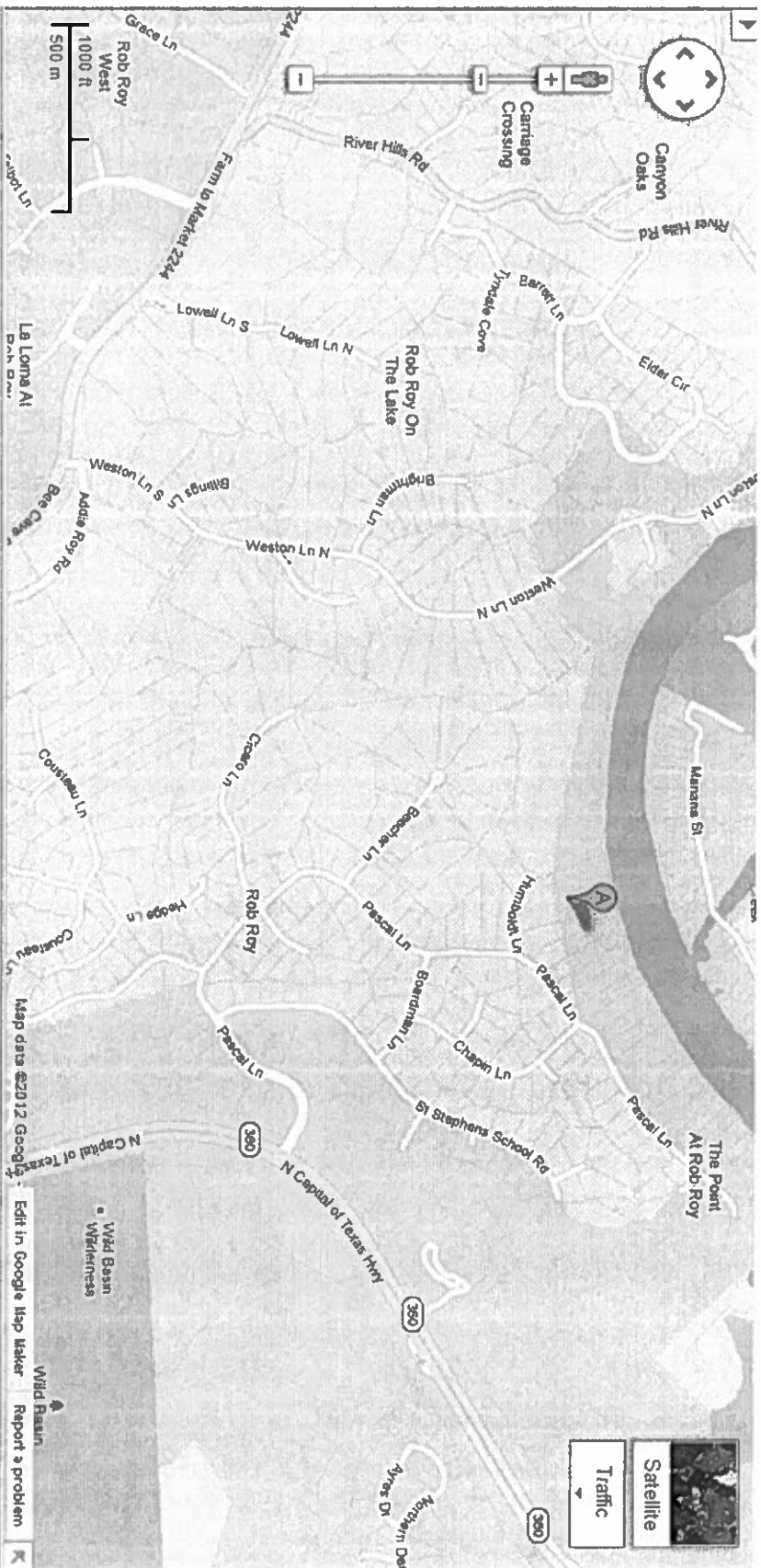
3. ***The proposal does not provide special privileges not enjoyed by other similarly situated properties with similarly timed development, and is not based on a special or unique condition which was created as a result of the method by which a person voluntarily subdivided land. YES***

The variance request was triggered by the need to build a structural retaining wall for the realignment of the driveway and .is not a result of the subdivision process.

4. For a variance from the requirements for development within the Critical Water Quality Zone and/or Water Quality Transition Zone: Does the application of restrictions leave the property owner without any reasonable, economic use of the entire property? **N/A**

CG/19

4 Humboldt Lane



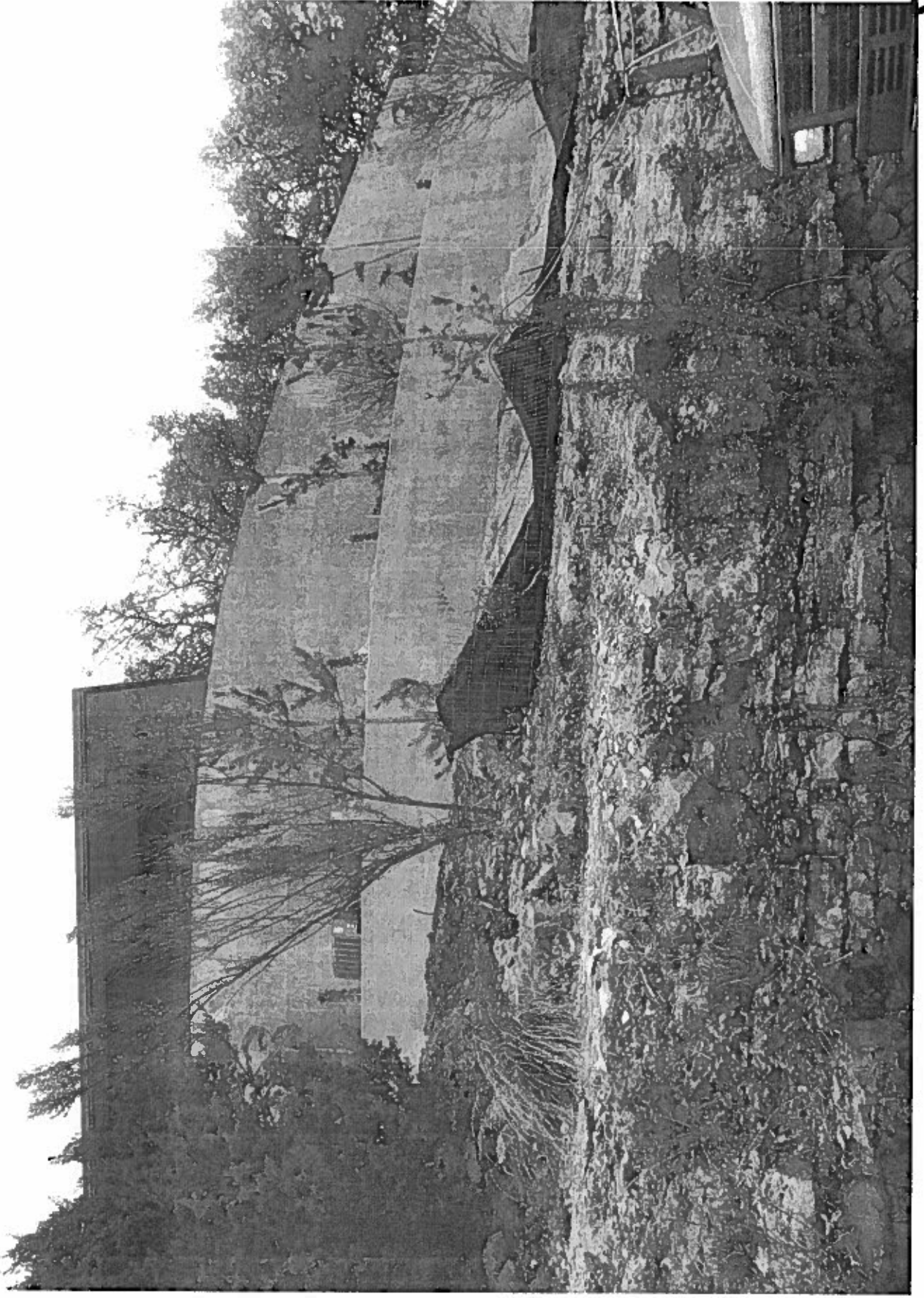
C9
20

Driving Directions to 4 Humboldt Lane (Humboldt Residence)

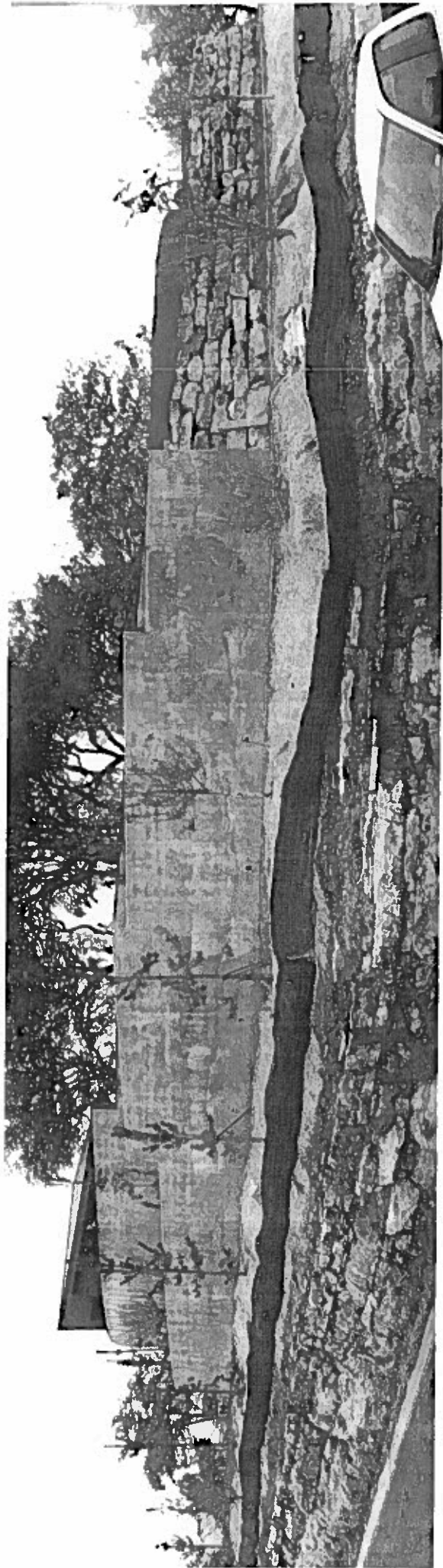
From One Texas Center, take Barton Springs Road west towards Mopac (Loop One). Barton Springs Road will curve left under Mopac and join the Mopac access road. From the Mopac access road, take Bee Caves Road (2244) west towards Loop 360 (Capital of Texas Highway), turn right onto 360 heading north. Turn left onto Pascal Lane, Humboldt Lane is the 4th left turn about ½ a mile down Pascal Lane.



C952



C9
23



C9
24

C9
/25

**Rob Roy
Homeowners Association
Architectural Control Committee**

April 17, 2012

Robert F. and Suzanne McFadyen-Smith
4 Humboldt Ln
Austin, TX 78746

Dear Robert and Suzanne,

Once executed by your below, this letter will serve as formal approval by the Rob Roy HOA ACC of your proposal to clad and hide the two retaining/planter walls facing Humboldt Street and which support the newly relocated driveway on your property at 4 Humboldt Lane. This ACC's approval is contingent upon your completion of the project in strict compliance with the plans presented to the ACC on March 19, 2012 (the "Approved Plans") by Miguel Rivera and Sarah Crocker.

The Approved Plans specifically require:

- a. That the upper wall shall be clad in stucco (to match the house) with STO mix #238, color to match Benjamin Moore Gray 2121-10;
- b. That the lower retaining wall shall be clad in 'Texas Mix' applied veneer stone;
- c. The planter wells comprising the lower wall will be planted in Japanese Black pine trees along with Hacienda Creeper and Evergreen Clematis vines. There are also 2 peach trees at the stairwell end of said planters.

Please be advised that the list set forth above is not meant to limit your requirement to strictly comply with the Approved Plans. In addition, we require that above referenced plant materials must be kept alive and watered in spite of current and future watering restrictions. Should they fail to thrive because of excessive heat or other causes, the plant material must be replaced in a timely manner.

The ACC will consider your lighting proposal upon receipt.

It is also agreed that should the current or future owners of the Property breach this agreement, then the ACC or the Rob Roy Homeowners' Association acting through its Board (collectively, "the Rob Roy HOA") will be entitled to injunctive relief against such breaching owner. The Rob Roy HOA may also seek any other remedies for failure to comply with the Approved Plans or the requirements of this agreement. Should the Rob Roy HOA be successful in obtaining an injunction or other relief, then the Rob Roy HOA shall also be entitled to recover reasonable and necessary attorneys' fees and expenses incurred in enforcing this agreement.

C9
/ 26

Rob Roy
Homeowners Association
Architectural Control Committee

Page 2 of 3

This agreement runs with the land and is binding upon current and future owners of the Property. Before the current owners sell the Property they shall make the future owner aware of this agreement. Future owners of the Property shall also advise future purchasers of the Property of this agreement. The owners of the property agree that the ACC may file this agreement as a matter of public record. However, this agreement is enforceable whether or not it is filed as a matter of public record

Thank you for working with the Architectural Control Committee of Rob Roy.

Signed: The ROB ROY HOMEOWNERS ASSOCIATION ARCHITECTURAL CONTROL COMMITTEE, by:



Karen B. Peters
Chair, Rob Roy HOA ACC

Cc: Miguel Rivera, Miro Rivera Architects

AGREED:

Robert F. and Suzanne McFadyen-Smith

BY:


Robert F. Smith

BY:


Suzanne McFadyen-Smith

MIRO RIVERA ARCHITECTS

By: Miguel Rivera

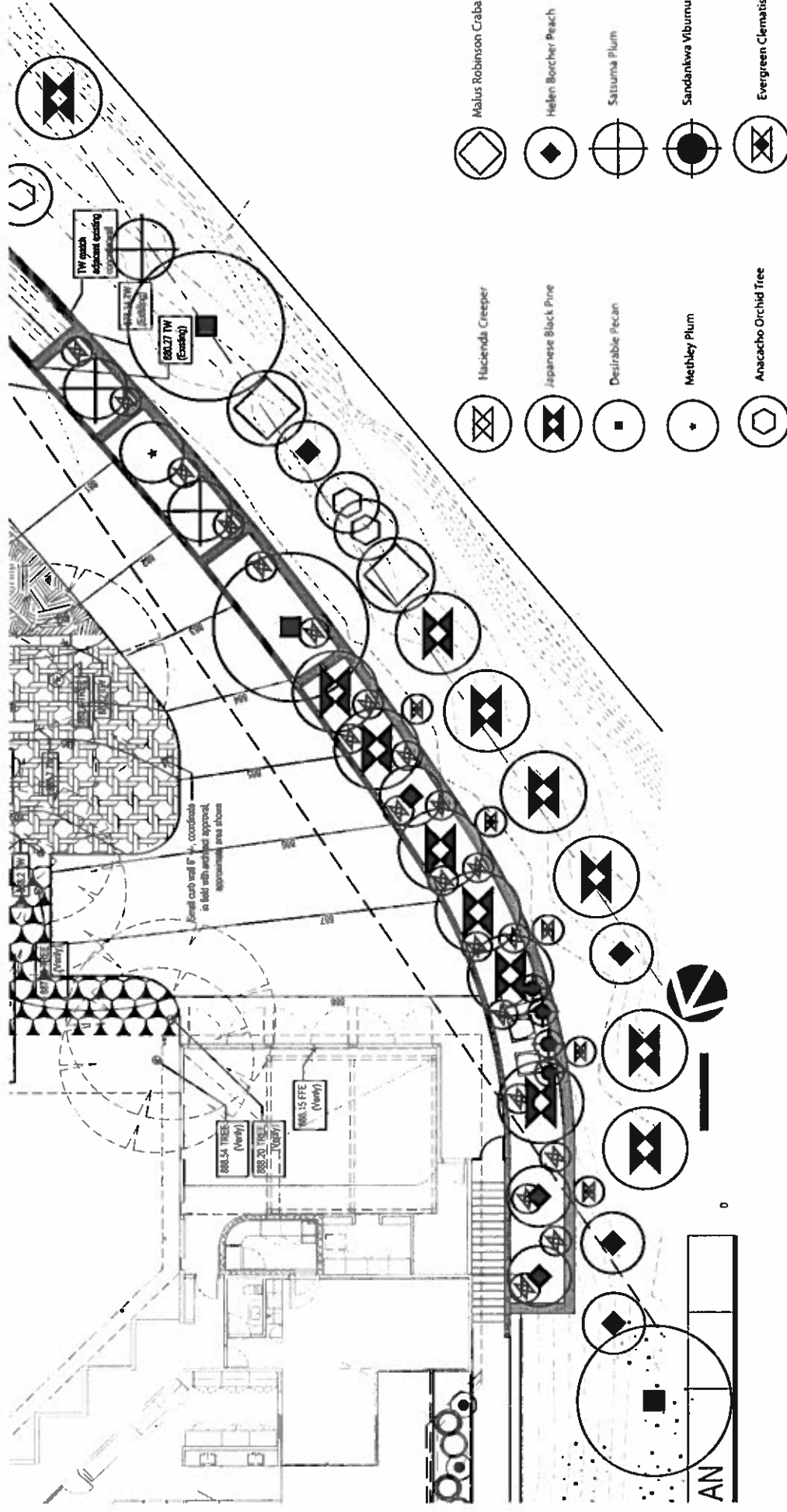
Rob Roy
Homeowners Association
Architectural Control Committee

Page 3 of 3

NOTICE: The ACC functions under the authority provided by the Rob Roy HOA Bylaws and CC&R's, in accordance with the ACC Guidelines and policies adopted by the Rob Roy HOA Board of Directors. No actions or communications of the ACC should be construed to constitute advice, interpretation, or enforcement of any such issues concerning compliance with county, state, or federal ordinances, regulations, or laws. Each property owner is responsible for his or her compliance with any such ordinances, regulations, or laws. In addition, the ACC does not warrant, guarantee, endorse, or ratify the safety of any planned projects or accuracy or completeness of any information submitted to it in the performance of its duties, including but not limited to plans, surveys, plats, maps, property descriptions, and/or representations regarding property line locations. Furthermore, ACC approval does not constitute approval of any other entity, including, but not limited to other property owners, holders of any right or interest in any property (e.g., easement or restrictive covenant), and/or regulatory or governmental agencies. Each property owner is responsible for obtaining any necessary approvals from the appropriate entities.

C9
27

4 Humboldt - Retaining Wall Plan



JOHN GARRETT DESIGN

LANDSCAPE DESIGN & INSTALLATION

512.921.7154

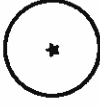
Monday, March 19th, 2012 - ACC Meeting

C9/28

4 Humboldt - Retaining Wall Plant List



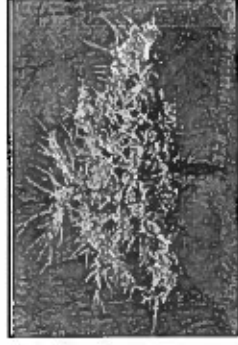
Japanese Black Pine



Methley Plum



Desirable Pecan



Satsuma Plum



Malus Robinson Crabapple



Sandankwa Viburnum

JOHN GARRETT DESIGN

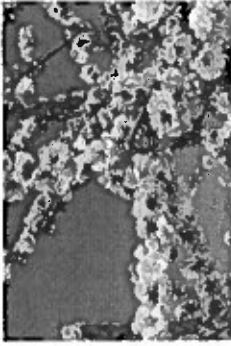
LANDSCAPE DESIGN & INSTALLATION

512.921.7154

Monday, March 19th, 2012 - ACC Meeting

C9
29

4 Humboldt - Retaining Wall Plant List



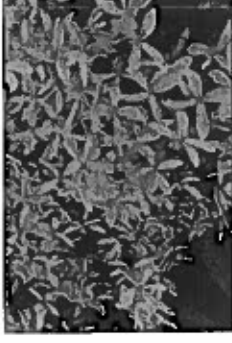
Helen Borchers Peach



Hacienda Creeper



Anacacho Orchid Tree



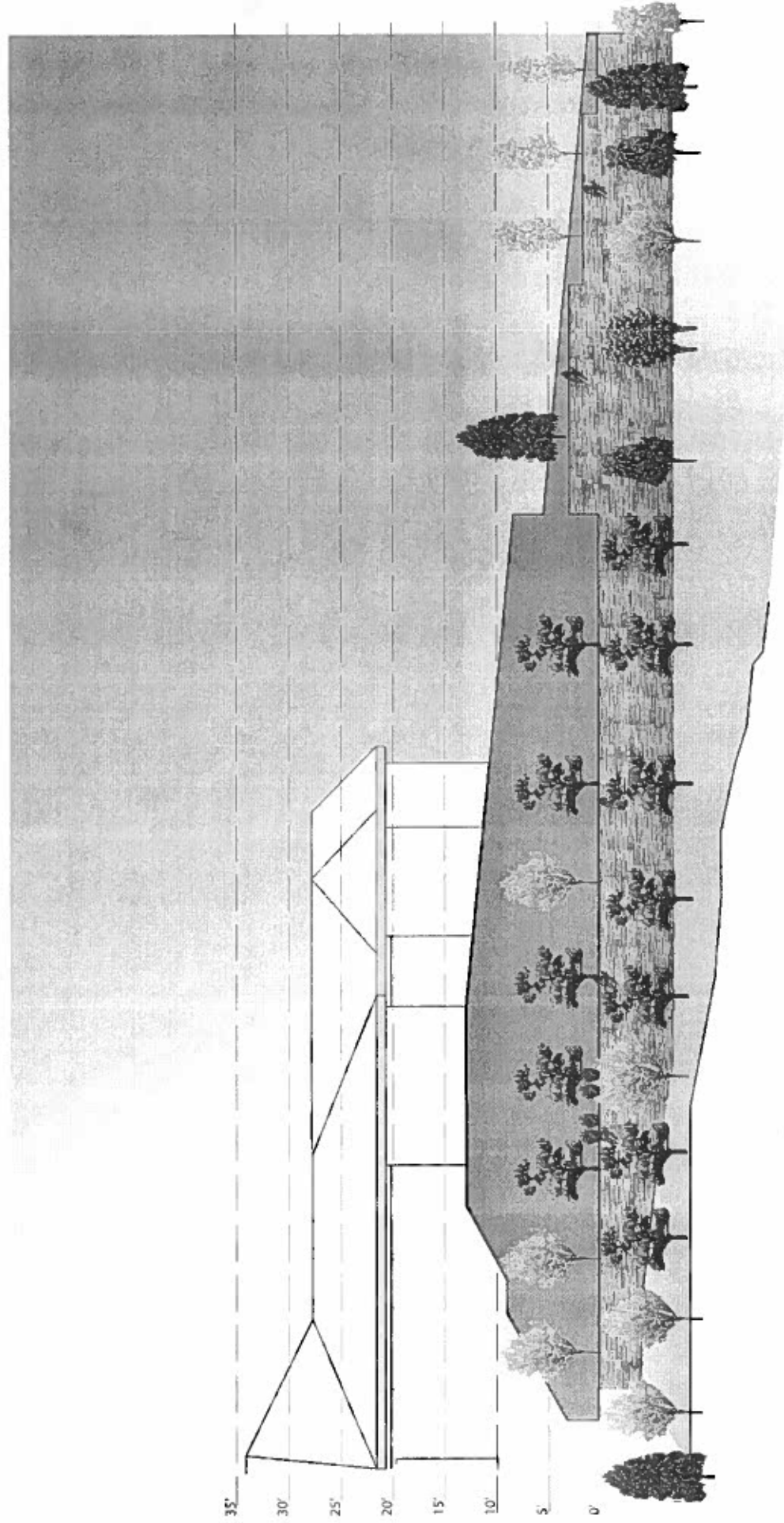
Evergreen Clematis

JOHN GARRETT DESIGN
LANDSCAPE DESIGN & INSTALLATION

512.921.7154

Monday, March 19th, 2012 - ACC Meeting

C9
30



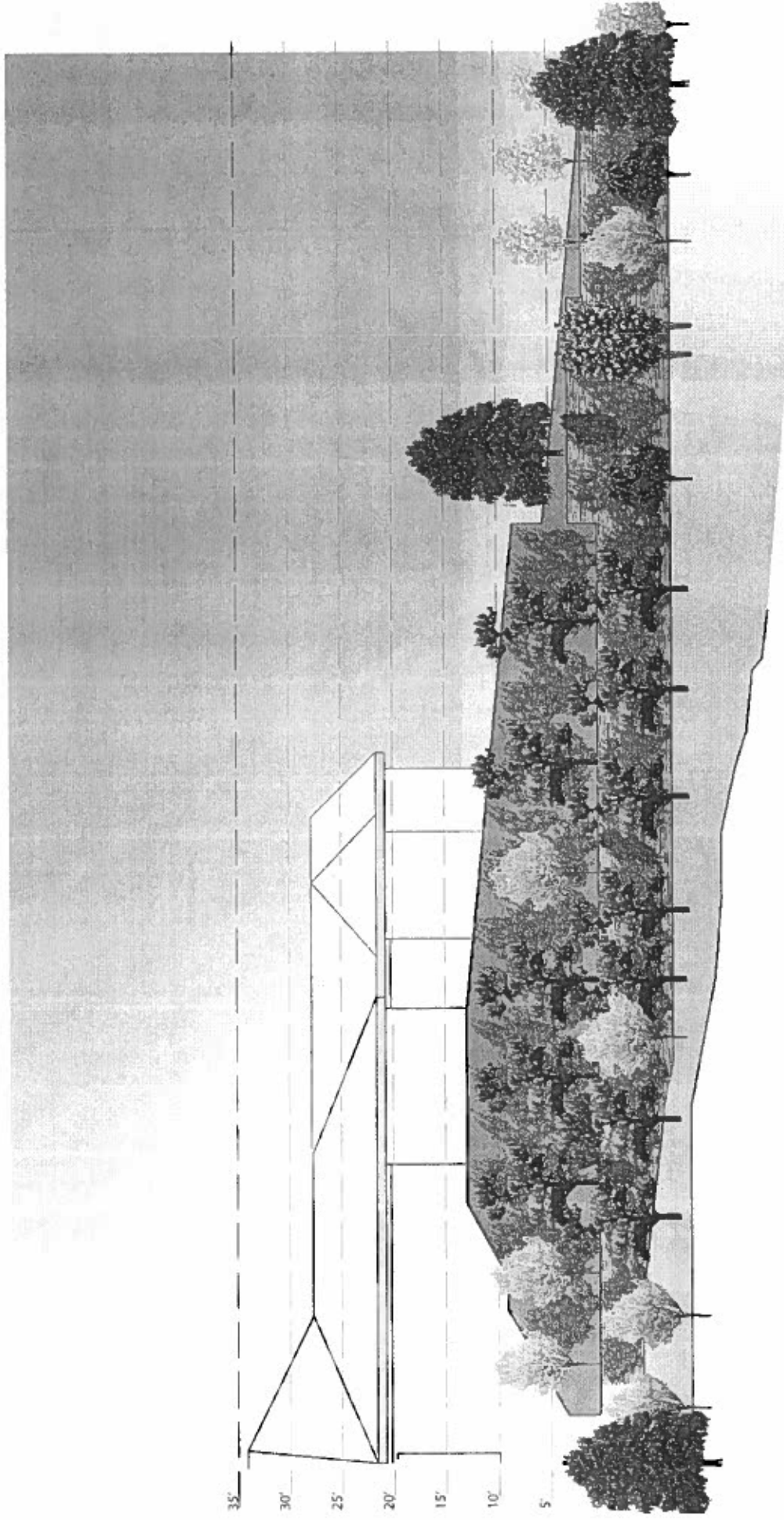
JOHN GARRETT DESIGN
LANDSCAPE DESIGN & INSTALLATION

512.921.7154

Monday, March 19th, 2012 - ACC Meeting

C9/31

4 Humboldt - Year 1 Planting / Wall Finish



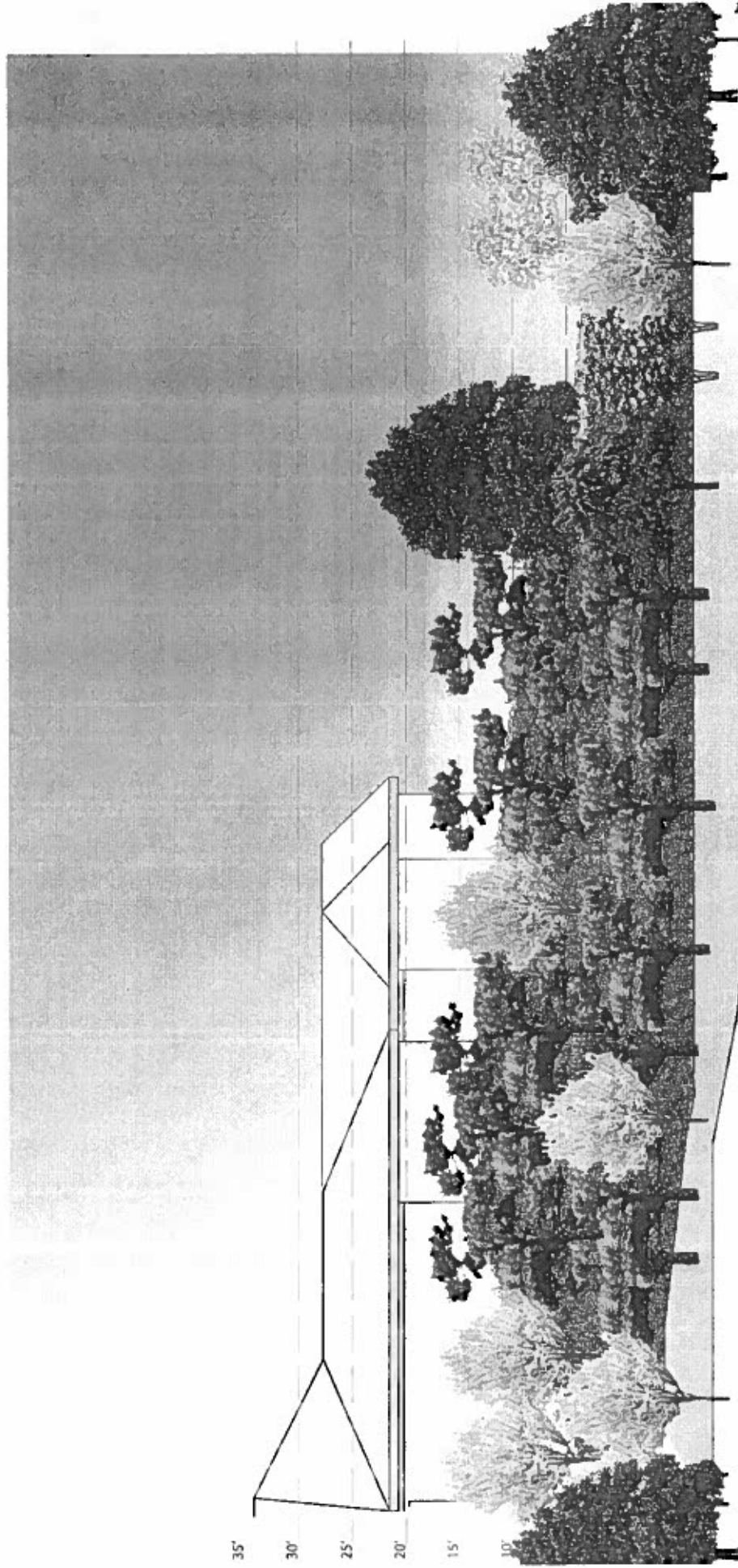
JOHN GARRETT DESIGN
LANDSCAPE DESIGN & INSTALLATION

512.921.7154

Monday, March 19th, 2012 - ACC Meeting

C9
32

4 Humboldt - Year 5 Planting / Wall Finish




JOHN GARRETT DESIGN
LANDSCAPE DESIGN & INSTALLATION

512.921.7154

Monday, March 19th, 2012 - ACC Meeting

C9
33

CITY OF AUSTIN
RESIDENTIAL PERMIT APPLICATION "A"

BP Number	11-019001
Building Permit No.	
Plat No.	Date 3-16-11
Reviewer	

PRIMARY PROJECT DATA

Service Address: 4 Humboldt Ln, Austin TX 78746 Tax Parcel No. 122700 C9/34

Legal Description
Lot: 52 Block: E Subdivision: Rob Roy Section Phase: 2

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

<input type="checkbox"/> New Residence <input type="checkbox"/> Duplex <input type="checkbox"/> Garage <input type="checkbox"/> attached <input type="checkbox"/> detached <input type="checkbox"/> Carport <input type="checkbox"/> attached <input type="checkbox"/> detached <input type="checkbox"/> Pool	<input checked="" type="checkbox"/> Remodel (specify): Interior Remodel <input checked="" type="checkbox"/> Addition (specify): Adding laundry room; extending garage and play room <input type="checkbox"/> Other (specify):
---	---

Zoning (e.g. SF-1, SF-2...) SF-3

- Height of Principal building: 24ft. # of floors: 1 Height of Other structure(s) 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	\$60,000
Electrical	\$18,000
Mechanical	\$10,000
Plumbing	\$12,000
Driveway/ Sidewalk	\$25,000
TOTAL	\$125,000 (labor and materials)

**VALUATIONS FOR NEW CONSTRUCTION
OR ADDITIONS ONLY**

Lot Size 135,193 sq. ft.
Job Valuation - Principal Building \$115,000 (Labor and materials)
Job Valuation - Other Structure(s) \$ N/A (Labor and materials)

TOTAL JOB VALUATION
(sum of remodels and additions)

\$ 240,000
(Labor and materials)

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

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

OWNER / BUILDER INFORMATION

OWNER	Name: Mr. Robert Smith	Telephone (h) 415.425.3843 (w)
BUILDER	Company Name: Dalgleish Construction Company	Telephone: 512.346.8554
	Contact/Applicant's Name: Miguel Rivera/Miró Rivera Architects	Mobil: 512.743.7070 FAX: 512.346.8667
DRIVEWAY/ SIDEWALK	Contractor	Telephone
CERTIFICATE OF OCCUPANCY	Name: Robert Smith	Telephone: 415.425.3843
	Address: 4 Humboldt Lane	City: Austin ST: TX ZIP: 78746

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

☐ telephone ☒ e-mail: Miguel@mirorivera.com

You may check the status of this application at www.ci.austin.tx.us/development/pierivr.htm



Search

Find!

Options

[Directory](#) | [Departments](#) | [FAQ](#) | [Links](#) | [Site Map](#) | [Help](#) | [Contact Us](#)
C⁹/₃₅

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	Reference File Name	Description	Sub Type	Work Type	Project Name	Status	Application Date	Issue Date	Expiration Date
2011-019801 PR	2011-019801-PR	**Partial demolition of existing garage exterior walls and roof structures to accomodate new addition of laundry room, extension of garage, new wood deck; remodel of existing to replace electrical, plumbing, HVAC and sheetrock and insulation as needed	R- 434 Addition & Alterations	Addition and Remodel	4 HUMBOLDT LN	Approved	Mar 11, 2011	Mar 23, 2011	Sep 7, 2011

Related Folders: Yes

FOLDER INFO

Information	Description	Value
Smart Housing		No
Building Valuation Remodel		60000
Electrical Valuation Remodel		18000
Will Addition have Electrical Work ?		Yes
Mechanical Valuation Remodel		10000
Will Addition have Mechanical Work ?		Yes
Plumbing Valuation Remodel		12000
Will Addition have Plumbing Work ?		Yes
Total Valuation Remodel		100000
Total Job Valuation		240000
Is this property in MUD ?		No
Current Zoning for Building		SF-3
Name of Neighborhood Plan		na
Is Historical Review Required?		No
1704 Flag?		No
Is there a Cut & Fill in excess of 4 ft		No
Building Height (in feet)		19
Parking Spaces Required		2
Number of Bathrooms		4
Front Set Back		25
Rear Set Back		10
Side Set Back		5
Does property access a paved alley?		No
Does property access a paved street?		Yes
Current Use		sf res
Proposed Use		sf res
Change of Use		No
Square Footage of Lot		135193
Trees greater than 19'		No
Existing 1st Flr Area Sq. Ft		6903
Existing 2nd Flr Area Sq. Ft		0
Existing 3rd Flr Area Sq. Ft		0
Existing Basement Sq. Ft		0
Existing Attached Garage/Carport Sq. Ft		738
Existing Detached Garage/Carport Sq. Ft		0
Existing Wood Decks Sq. Ft		0
Existing Breezeways Sq. Ft		0
Existing Covered Patios Sq. Ft		0
Existing Covered Porches Sq. Ft		0
Existing Balconies Sq. Ft		0
Existing Swimming Pool(s) Sq. Ft		1201
Existing Othr Bldg/Covered Areas Sq. Ft		2779
Total Existing Building Square Footage		11621
New/Addn 1st Flr Area Sq. Ft		574
New/Addn 2nd Flr Area Sq. Ft		0
New/Addn 3rd Flr Area Sq. Ft		0
New/Addn Basement Sq. Ft		0
New/Addn Attached Garage/Carport Sq. Ft		301
New/Addn Detached Garage/Carport Sq. Ft		0
New/Addn Wood Decks Sq. Ft		816
New/Addn Breezeways Sq. Ft		0
New/Addn Covered Patios Sq. Ft		0
New/Addn Covered Porches Sq. Ft		0
New/Addn Balconies Sq. Ft		0
New/Addn Swimming Pool(s) Sq. Ft		0
New/Addn Spa Sq. Ft		0
New/Addn Other Bldg/Covered Areas Sq. Ft		381
Total New/Addition Bldg Square Footage		2072
Total Building Coverage Percent, of Lot		8.6

Driveway area on Private Property	7652
Sidewalk/Walkways on Private Property	1365
Uncovered Patios	3055
Uncovered Wood Decks	324.5
AC Pads	0
Concrete Decks	0
Other	5116
Total Impervious Coverage Square Footage	17512.5
Total Impervious Coverage Percent of Lot	19.2
Max. Bldg. Cov. Sq. Ft. Allowed	4
Max. Impervious Coverage Sq Ft Allowed	.45
Building Inspection	Yes
Electric Inspection	Yes
Mechanical Inspection	Yes
Plumbing Inspection	Yes
Energy Inspection	No
Driveway Inspection	No
Sidewalks Inspection	No
Environmental Inspection	No
Landscaping Inspection	No
Tree Inspection	No
Water Tap Inspection	No
Sewer Tap Inspection	No
On Site Sewage Facility Inspection	No
Fire Inspection	No
Health Inspection	No
Usage Category	434
Hazardous Pipeline Review Required	No
Electric Service Planning Application?	Yes
ESPA Application Number	82-20
ESPA Approval Date	Mar 23, 2011
Site has Water availability?	Yes
Site has Waste Water availability?	Yes
Site has a septic system?	No
Total Number of Driveways	1
Driveway Width 1	11
Total Number of Sidewalks	0
Certificate of Occupancy to be Issued	No
Code Year	2006
Code Type	International Residential Code

C9/36

PROPERTY DETAILS

Number	Pre.	Street	Street Type	Dir	Suite Type	Suite Number	City	State	Zip	Legal Desc
4		HUMBOLDT	LANE				AUSTIN	TX	78746	Lot: 52 Block: E Subdivision: ROB ROY PHASE 2
Lot: 52 Block: E Subdivision: ROB ROY PHASE 2										

PEOPLE DETAILS

Desc.	Organization Name	Address	City	State	Postal	Phone1
Applicant	Miro Rivera Architects	505 POWELL STREET	Austin	TX	78703	(512)477-7016

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	Mar 23, 2011				0
Residential Zoning Review	Approved	Mar 23, 2011	Mar 11, 2011	Mar 23, 2011	Darren Cain (974-9113)	4

FOLDER ATTACHMENT

Description	Detail
-------------	--------

[View Attachment](#)[Back](#)



AUSTIN WATER UTILITY
Utility Development Services Division
625 East 10th Street
Austin, Texas 78701
(512) 972-0207 fax: (512) 972-0251



LICENSE TO OPERATE AN ON-SITE SEWAGE FACILITY

DATE: April 25, 2012

UNIQUE #: 23825639

SITE ADDRESS: 4 Humboldt Lane, Austin, Texas 78746

LEGAL DESCRIPTION: Lot 52, Block E, Rob Roy, Phase 2

OWNER'S NAME: Robert Smith

LAKE PROPERTY (Yes/No): Yes

WATER SOURCE: WCID #10

TYPE OF STRUCTURE: Single Family Residence

SIZE: 5 bedrooms/ 7,861 sq. ft. / 540 gpd

FACILITY SPECIFICATIONS

1. One existing Barnard 1,250-gallon single compartment pre-cast concrete primary septic tank with a Zabel A100 effluent filter.
2. One existing Barnard 1,250-gallon single compartment pre-cast concrete septic recirculation tank.
3. Two existing Barnard 1,000-gallon double compartment pre-cast concrete sand filter bed containment tanks with 6 Bete Fog Nozzle TF16 spray heads for each tank.
4. One existing Barnard 1,500-gallon single compartment pre-cast concrete filter bed dosing tank with a Gould 3885-WE0712H 0.75 HP submersible pump (capable to deliver 48 gallons per minute (gpm) at a total dynamic head of 31 feet).
5. One existing Barnard 1,500-gallon single compartment pre-cast concrete effluent holding tank with a Sta-Rite Step 20 0.5 HP submersible effluent pump (capable to deliver 3.8 gpm at a total dynamic head of 95 feet).
6. One drip irrigation drainfield with 5,500 square feet of absorption area (approximate total 2,530 linear feet of Wasteflow Classic WF16-4-24 Geoflow drip irrigation lines).

INITIAL TWO-YEAR CONTINUOUS SERVICE POLICY REQUIRED (Yes/No): Yes

DESIGNER: David Venhuizen, P.E.

INSTALLER: Douglas Wheatley, OSSF Installer II, No. OS0027662

The above referenced on-site sewage facility has been inspected by the Austin Water Utility for compliance with the City of Austin Ordinance No. 990211-E, and, based on information provided in the application, has been found to comply with the requirements of that Ordinance. This License is transferable upon change of ownership.

Any change or addition to the original approved planning material may void the License to Operate. Any change or addition to the existing site requires pre-approval from Austin Water Utility. No sprinkler systems will be allowed over the drainfield.

Note: This certification does not extend to the materials, workmanship or fabrication of the on-site sewage facility so as to express or imply to the owner or installer of the facility any warranty by or rights against the City of Austin or any of its agencies, as to the quality or durability of the facility nor compliance with the owner's individual specifications and requirements but solely relates to the facility meeting the requirements of the City of Austin in effect as of this date.

APPROVED: _____

James D. [Signature], P.E.

DATE: _____

4/25/2012

SMITH ROB. I

MAKE CHECK PAYABLE TO: TRAVIS COUNTY WCID 10 PO BOX 4901 HOUSTON TX 77210	SERVICE ADDRESS		ACCOUNT NUMBER
	4 HUMBOLDT LN		70615-0630434001
SERVICE PERIOD	FROM	TO	BILLING DATE
	02/21/12	03/20/12	03/20/12
READ DATE(W) METER NUM. PRES. READ PREV. READ TOTAL GALLONS	03/09/12 634630 756.1 623.5 132.6	*** USAGE HISTORY *** ----- WATER GALLONS 02/09/12 99.5 01/11/12 2.0 12/10/11 14.4 11/09/11 42.6 10/11/11 146.1 09/09/11 154.1 08/09/11 64.8 07/09/11 50.8 06/09/11 12.8 05/04/11 10.9 04/05/11 4.4 03/09/11 20.2	DESCRIPTION AMOUNT BALANCE FORWARD 586.16 PAYMENT 03/14 586.16CR WATER 887.25 TCEQ 4.44 THIS MONTH 891.69 TOTAL NOW DUE 891.69 PENALTY AMOUNT 44.36 PAY THIS AMOUNT AFTER 04/20/2012 936.05
Received	04/05		
GI No.			

2750 Payment Due 04/13

Job No.

Job Code No

Approved

MESSAGES

Pay your bill at www.crossroadsus.com

TRAVIS COUNTY WCID #10
 2601 FOREST CREEK DRIVE
 ROUND ROCK, TX 78665-1232
 WWW.CROSSROADSUS.COM
 512-246-1400

For billing inquiries, please call Mon-Fri
 8am to 5pm 512-246-1400.
 For water emergencies 24/7,
 call 512-246-1400.

Stage 2 water restrictions are still in effect.
MANDATORY ONE DAY WATERING ONLY.
 Residential odd addresses - Saturday
 Residential even addresses - Sunday
 Commercial, Multifamily odd - Tuesday
 Commercial, Multifamily even - Friday

350

AVR, Inc.

TRAVIS COUNTY WCID 10

2601 FOREST CREEK DRIVE
 ROUND ROCK, TEXAS 78665
 512-246-1400



IF YOUR MAILING ADDRESS HAS CHANGED PLEASE CORRECT
 PLEASE RETURN WITH PAYMENT

Account Number 70615-0630434001
 Service Address 4 HUMBOLDT LN
 Electronic Box# 4901

891.69	04/20/12	936.05
ON OR BEFORE DUE DATE	DUE DATE	AFTER DUE DATE

☐ If you are interested in Electronic Funds (EFT),
 or Credit Card Payment, check the box and
 see reverse side for authorization

AMOUNT PAID

PRE SORT-AUTO

SMITH ROBERT

C/O DALGLEISH CONSTRUCTION

4019 SPICEWOOD SPRINGS RD

AUSTIN TX 78759-8764

|||||

TRAVIS COUNTY WCID 10

PO BOX 4901

HOUSTON TX 77210-4901

|||||

70615063043400100009360500008916900008916909