

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

DATE: Monday, July 9, 2012

CASE NUMBER: C15-2012-0074

____ Jeff Jack
____ Michael Von Ohlen
____ Nora Salinas
____ Bryan King
____ Susan Morrison
____ Melissa Hawthorne *Absent - Will Schrier*
____ Heidi Goebel
____ Cathy French (SRB only)
____ Dan Graham (SRB only)

APPLICANT: Jim Bennett

OWNER: Mark Traeger

ADDRESS: 3400 BARRANCA CIR

VARIANCE REQUESTED: The applicant has requested a variance to decrease the minimum front street setback requirement of Section 25-2-492 (D) from 25 feet to 20 feet in order to maintain a swimming pool deck for a single-family residence in an "SF-3", Family Residence zoning district.

The applicant has requested a variance to decrease the minimum side street setback requirement of Section 25-2-492 (D) from 15 feet to 10 feet in order to maintain a swimming pool deck for a single-family residence in an "SF-3", Family Residence zoning district.

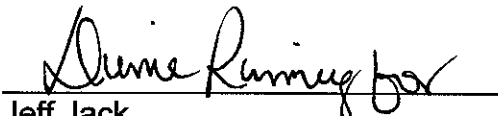
BOARD'S DECISION: POSTPONED TO AUG. 13, 2012

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

PUBLIC HEARING INFORMATION

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

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

A board or commissioner'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.

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: C15-2012-0074 - 3400 Barranca Circle
Contact: Susan Walker, 512-974-2202
Public Hearing: Board of Adjustment, July 9th, 2012

Garry ATTAL & Sheila ATTAL
 Your Name (please print)

3403 BARRANCA CIR.
 Your address(es) affected by this application

AM. ATTAL *S. WALKER*
 Signature

Daytime Telephone: 512-423-1946 Date 7/3/12

Comments: *We are in full support of Mr. & Mrs. Frazer's project and request that the variances relating thereto be granted.*
 7/3/12

I am in favor
 I object

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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Contact: Susan Walker, 512-974-2202
Public Hearing: Board of Adjustment, July 9th, 2012

JACK: SAUDIRA SAHADI I am in favor
 Your Name (please print) I object

3458 Mt. Bonnell Drive

Your address(es) affected by this application

Austin, Texas 78731 - 7-2-11

Signature: *Paul Hinkel* Date

Daytime Telephone: 361-533-1974

Comments:

We are in favor of the variance requested by Trish & Mark Traeger.

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

City of Austin-Planning & Development Review Department/ 1st F.
 Susan Walker
 P. O. Box 1088
 Austin, TX 78767-1088

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Case Number: C15-2012-0074 - 3400 Barranca Circle
Contact: Susan Walker, 512-974-2202
Public Hearing: Board of Adjustment, July 9th, 2012

BRUCE H. RICHARDSON
 Your Name (please print) I am in favor
 I object

3400 Mt Baker St Dallas TX 75201
 Your address(es) affected by this application

Susan Walker Signature *June 29, 2012* Date

Daytime Telephone: *512 453 1184*

Comments: _____

The property owners are doing a great job!

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

CASE # C15-2012-0074

ROW-1078176

TP-012606-07-19

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

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

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

STREET ADDRESS: 3400 Barranca Circle

LEGAL DESCRIPTION: Subdivision – Balcones Park Addition

Lot(s) 24 Block Y Outlot _____ Division _____

I Jim Bennett authorized agent for Mark Traeger affirm that on 4/30/2012,

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

ERECT – ATTACH – COMPLETE – REMODEL – MAINTAIN

a swimming pool deck providing a front street setback of 20 ft., and providing a side street setback of 10 ft.

_____ in a SF-3 district.
(zoning district)

The Austin Electric Utility Department (Austin Energy) enforces electric easements and the setback requirements set forth in the Austin Utility Code, Electric Criteria Manual and National Electric Safety Code. The Board of Adjustment considers variance to the Land Development Code, and a variance granted by the Board of Adjustment does not waive the requirements enforced by Austin Energy. Please contact Christine Esparza with Austin Energy at 322-6112 before filing your application with the Board of Adjustment if your request is for a reduction in setbacks or height limits.

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

VARIANCE FINDINGS: I contend that my entitlement to the requested variance is based on the following findings (see page 5 of application for explanation of findings):

REASONABLE USE:

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

The structure is built and it would be an undue hardship to remove the deck. The deck allows for access to this area of the pool.

HARDSHIP:

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

The building permit was applied for and according to the notes on the permit the portion of the deck that is encroaching into the setbacks required a cover in order to be considered a porch. After the construction the inspector decided that something was not correct about the permit and setbacks. The area of encroachment are two small triangles.

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

This hardship of permit error is unique to this corner and not to other lots in the area.

AREA CHARACTER:

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

The amount of encroachment is minimal and is not adjacent to any adjoining property. It does not interfere with sight visibility.

PARKING: (Additional criteria for parking variances only.)

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

1. Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonable require strict or literal interpretation and enforcement of the specific regulation because:

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

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

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

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

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

Signed Jim Bennett Mail Address 11505 ridge Dr.

City, State & Zip Austin, TX. 78748

Printed Jim Bennett Phone 282-3079 Date 4/30/12

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 [Signature] Mail Address 3400 Barranca Cirche

City, State & Zip Austin, TX 78731

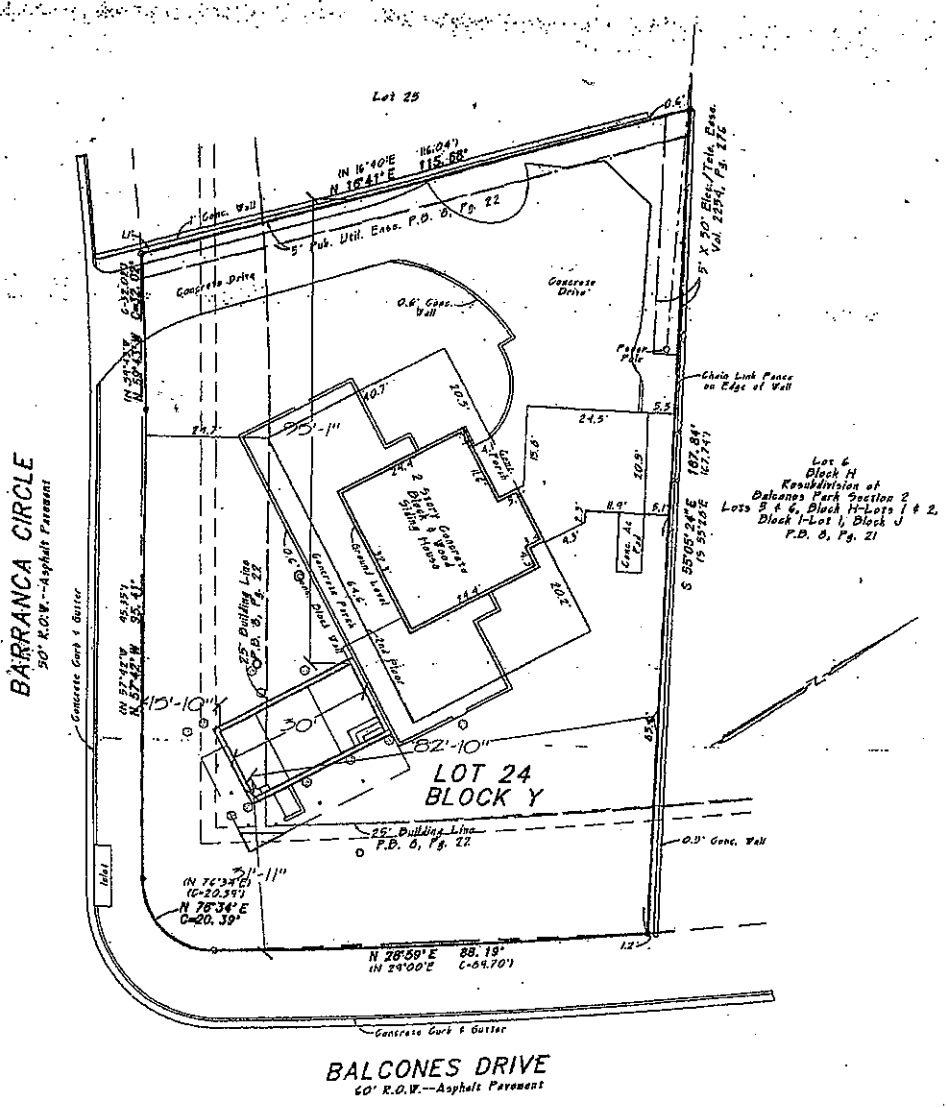
Printed _____ Phone _____ Date _____

512.419.1012 5/2/2012

CITY OF AUSTIN
 APPROVED FOR PERMIT
 Greg Guemsey
 Planning and Development Review Department

By [Signature] Date 6/16/11

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.



**SURVEY OF
 LOT 24, BLOCK Y,
 BALCONES PARK ADDITION
 SECTION EIGHT,
 RECORDED IN**

NOTE:
 This lot is subject to additional building setback requirements as set out in Volume 1755, Page 293, Deed Records, Travis County, Texas.

LOCAL ADDRESS: 3400 BARF CA CIRCLE

LEGAL DESCRIPTION: LOT 24, BLOCK Y, BALCONES PARK ADDITION SECTION 8,

BOOK 8, PAGE 22 OF THE TRAVIS COUNTY PLAT RECORDS.

LEGEND

- 1/2" STEEL PIN FOUND
- 1/2" STEEL PIN SET WITH CAP
- B.L. BUILDING SETBACK LINE
- D.E. DRAINAGE EASEMENT
- U.E. PUBLIC UTILITY EASEMENT
- X- FENCE
- () RECORD INFORMATION

LOT 25

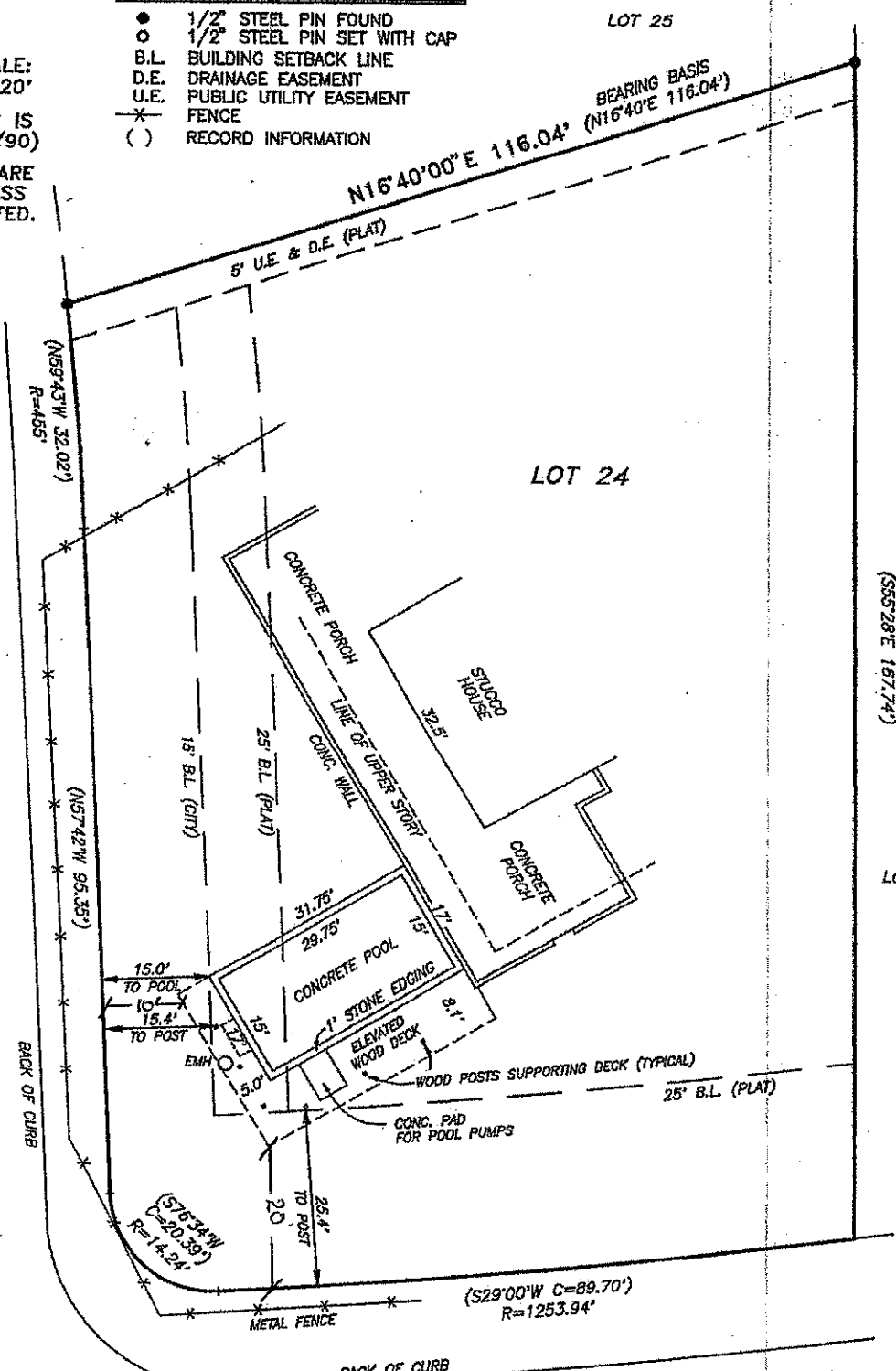


SCALE:
1"=20'

BEARING BASIS IS FROM PLAT (8/90)

ALL COURSES ARE RECORD, UNLESS OTHERWISE NOTED.

BARRANCA CIRCLE



FOR RESTRICTIONS ON THIS LOT SEE PLAT (8/22) AND ANY RESTRICTIVE COVENANTS.

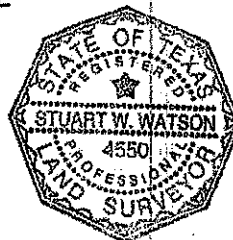
BALCONES DRIVE

NOTE: THIS SURVEY WAS PERFORMED FOR THE PRIMARY PURPOSE OF LOCATING A SWIMMING POOL AND RELATED IMPROVEMENTS, AND WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE POLICY REPORT, BUT IS SUBJECT TO THE FINDINGS OF SUCH A REPORT. THIS SURVEY SHOWS ONLY THOSE EASEMENTS FROM THE RECORDED SUBDIVISION PLAT.

Stuart Watson

STUART W. WATSON, REGISTERED PROFESSIONAL LAND SURVEYOR, TEXAS LICENSE NUMBER 4550

DATED THIS 10 DAY OF NOVEMBER, 2011:





WESTBROOK ENGINEERING, LLC

11888 STARCREST, SUITE 111 SAN ANTONIO, TEXAS 78247 (210) 490-9691 FAX (210) 490-9685

www.westbrookengr.com

TBPE Reg. No. F-6091

November 16, 2011

To
The City of Austin
Planning & Development Services Department
One Texas Center, 505 Barton Springs Rd.,
Austin, TX 78704

RE: Structural Engineer's Framing Inspection of Elevated Deck

Subj.: 3400 Barranca Circle, Austin, TX 78731

Project No. ST 652-11

To Whom It May Concern:

Upon receiving a specific verbal request from Mr. Stephen J. Gilbert with Liquid Assets Custom Pools and Landscape, an authorized representative of this firm performed an on-site review of the structural framing for the above referenced structure on Thursday, November 10, 2011. The purpose of the review was to determine construction conformance with the applicable building codes and specifications, as approved by City of Austin, plan checking department.

We have reviewed the as built drawings provided by Mr. Stephen Gilbert and verified the installation of various structural components including the connections.

After completion of this on-site, limited, visual review, based on the available information and to the best of our knowledge and belief it is the opinion of this Engineer that the above referenced structure will be structurally adequate for the given loading condition(s), as of the date of this inspection.

Please contact this office if there are further questions or comments regarding this project that we may address.

Respectfully,
Westbrook Engineering, LLC

James E. Westbrook, P.E.

JEW/RC


Reddy Chittamuru, M.S.C.E

p:\reports\2011\3400 Barranca Circle-steel frame insp.-st 652-11.doc



City of Austin BUILDING PERMIT

PERMIT NO: 2011-052770-BP

Type: RESIDENTIAL Status: Active

3400 BARRANCA CIR

Issue Date: 06/16/2011 **EXPIRY DATE: 12/13/2011**

LEGAL DESCRIPTION Lot: 24 Block: Subdivision:	SITE APPROVAL	ZONING SF-3
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PROPOSED OCCUPANCY: WORK PERMITTED: New ISSUED BY: Gabriel Guerrero Jr
 New 450 S.F. Swimming Pool and 500 S.F. of wood decking. Requires an Enclosure Device for all Single-Family residences. The fence must be at least 4' in height, with a maximum gate opening of 4', as well. The gate must be equipped with both self-closing and self-locking mechanisms. Shade Structure to be installed over portion of Decking that encroaches into front yard setback area. The Shade structure to satisfy requirements under city code 25-2-513 (G).

TOTAL SQFT New/Addn: 980	VALUATION Tot Job Val: \$35,000.00	TYPE CONST.	USE CAT. 329	GROUP	FLOORS 2	UNITS 1	# OF PKG SPACES 2
TOTAL BLDG. COVERAGE 2528	% COVERAGE 15	TOTAL IMPERVIOUS COVERAGE 5328	% COVERAGE 32	# OF BATHROOMS 3	METER SIZE 5/8		

Contact Applicant, Liquid Assets Custom Pools General Contractor, Liquid Assets Custom Pools	Phone (512) 444-5444	Contact Homeowner, P. Mark Traeger	Phone (512) 419-1012
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Fee Desc	Amount	Date	Fee Desc	Amount	Date	Fee Desc	Amount	Date
Building Permit Fee	82.00	6/16/2011	Initial Residential Review Fee	100.00	6/16/2011			
Fees Total:	182.00							

City Code Chapter 25-12, Article 13: A permit expires on the 181st day if the project has not scheduled nor received an inspection. A "Cancelled" and/or "Failed/No Work Performed" inspection result does not extend the expiration date.

Permits/Approved plans must be posted on Jobsite. A layout inspection/Pre-con must be made prior to beginning construction.

Inspection Requirements
Building Inspection Electric Inspection Plumbing Inspection Tree Inspection

All Buildings, Fences, Landscaping, Patios, Flatwork And Other Uses Or Obstructions Of A Drainage Easement Are Prohibited, Unless Expressly Permitted By A License Agreement Approved By COA Authorizing Use Of The Easement.
 City Code Chapter 25-12, Article 13: A permit expires on the 181st day if the project has not scheduled nor received an inspection. A "Cancelled" and/or "Failed/No Work Performed" inspection result does not extend the expiration date.

The following permits are required as a separate permit: See Mechanical, Electrical, Plumbing permits for Related Fees and Inspections.

Comments
 Requires an Enclosure Device for all Single-Family residences. The fence must be at least 4' in height, with a maximum gate opening of 4', as well. The gate must be equipped with both self-closing and self-locking mechanisms.

Per City Code 25-2-513 OPENNESS OF REQUIRED YARDS.
 (A) Except as otherwise provided in this section, a required yard must be open and unobstructed from finished grade to the sky. This restriction does not apply to a yard or part of a yard that is not required by this article.
 (B) A window sill, belt course, cornice, flue, chimney, eave, box window, or cantilevered bay window may project two feet into a required yard. The two foot limitation does not apply to a feature required for a passive energy design.
 (C) Uncovered steps or a porch or stoop that is not more than three feet above ground level may project three feet into a required yard.
 (D) A parking area may be located in a required yard, unless prohibited by Article 16 (Compatibility Standards).
 (E) In a townhouse and condominium residence (SF-6) or more restrictive district, a pool, including a swimming pool, reflecting pool, or fountain, may be located in a



Tree Ordinance Review Application

Planning and Development Review Department
One Texas Center, 505 Barton Springs Road, 4th floor, Austin, TX 78704
Phone: (512) 974-1876 Fax: (512) 974-3010
Email: Michael.Embets@ci.austin.tx.us Website: www.ci.austin.tx.us/trees

ROWLD. 10603580
Mapco Page 5546

Application request* (specify all that apply):

- Tree removal
- Development exceeding allowable standards for encroachment in the tree's critical root zone;
- Removal of more than 30% of a tree's crown.

* Refer to Land Development Code 25-8 (B)(1) and Environmental Criteria Manual (Section 3, App. F). Applicant understands that all impacts may threaten the health of the tree and that approval of this application does not guarantee favorable tree results.

Address and zip code of property: 3400 barranca circle 78731

Name of owner or authorized agent: mark traeger (owner)

Building permit number (if applicable): _____

Telephone #: 512.419.1012 Fax #: _____ E-mail: _____

Tree Species: live oak Tree location on lot: front yard

Trunk size (in inches) at 4 1/2 feet above ground: circumference (around) 58.5 or diameter (across) 18.6

General tree condition: Good / Fair / Poor / Dead

Reason for request: we are planning a pool and want to make sure our trees won't be permanently damaged

[Signature] 6/8/11
Owner/ Authorized Agent Signature Date

- o Proposed development projects should include an aerial drawing that includes the location of the tree and planned improvements (e.g. structure, driveway, utility and irrigation lines).
- o This application is reviewed for tree impacts only; not for zoning or other applicable regulations. Payment (\$25 check to the City of Austin) must be made prior to City personnel completing this application. No fee is required for dead or diseased trees.

Application Determination – To be completed by City Arborist Program Personnel

- Approved
- *Approved With Conditions
- Denied
- Statutory Denial (more information required)

Comments: Attached plans & location are required

Heritage Tree(s) A heritage tree variance is required Administrative / Land Use Commission

Conditions of Approval: None or As described within Arborist Comments (see above); and

- Applicant agrees to plant _____ caliper inches of container grown City of Austin Appendix F trees on the lot prior to obtaining a final inspection (if applicable). Trees are to have a minimum 2-inch trunk diameter. Examples include Oaks, Cedar Elm, Bald Cypress, Dessert Willow, Mountain Laurel, Texas Persimmon, Mexican Plum, etc.
- Prior to development, applicant agrees to supply an 8-inch root zone mulch layer and maintain tree protection fencing (chain-link, five-foot in height) throughout the project duration.
- Provide a receipt for remedial tree care and / or any required pruning as performed by a certified arborist.
- No impacts are permitted within the tree 1/2 Critical Root Zone (ECM 3.5.2), including trenching for utilities.

Applicant Signature Date
[Signature] 6/15/11
City Arborist Signature Date

Post this document on site while any proposed work is in progress.
Conditions for approval of this application must be met within 1 year of the effective date.