

If you need assistance completing this application (general inquires only) please contact Susan Walker, 974-2202; 505 Barton Springs Road, 2nd Floor (One Texas Center).

CASE # C15-2013-0026
ROW # 10911831

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

TP-0131190123

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

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

STREET ADDRESS: 6703 Leprechaun Dr.

LEGAL DESCRIPTION: Subdivision - _____

Lot(s) _____ Block _____ Outlot _____ Division _____

I/We Bryan Enneking on behalf of myself/ourselves as authorized agent for
Allison L. Sallee affirm that on _____, _____,

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

(check appropriate items below)

☒ ERECT ___ ATTACH ___ COMPLETE ___ REMODEL ___ MAINTAIN
a pool with an inc. % of 40.2%

in a LA district.
(zoning district)

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:

WHEN THE CURRENT RESIDENTS MOVED INTO THE PROPERTY

THERE WAS AN EXISTING (UNCOVERED) WOOD DECK THAT WAS NOT PERMITTED. THIS WOOD DECK CURRENTLY PUTS THE PROPERTY

HARDSHIP: SLIGHTLY OVER THE IMPERVIOUS COVER ALLOWANCE OF 35%.

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

THERE IS A SIGNIFICANT DROP OFF FROM THE REAR (GLASS DOOR)

EXIT TO ZERO GRADE OF PROPERTY. WITHOUT THE EXISTING WOOD DECK, ACCESS TO BACKYARD WOULD BE LIMITED. (SEE PHOTOS)

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

MOST PROPERTIES LOCATED IN THIS AREA HAVE EXITS TO BACKYARD FOR

MORE LEVEL WITH THE GROUND. IF THIS WOOD DECK IN QUESTION WAS NOT ABSOLUTELY NECESSARY, IT WOULD BE REMOVED AND THEREFORE

AREA CHARACTER: ALLOWING THE PROPOSED SWIMMING POOL TO FALL WITHIN THE IMPERVIOUS COVERAGE ALLOWANCE.

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 SWIMMING POOL COPING IS 80 FT (NO CONCRETE DECKING). THIS

ONLY TAKES UP .006% OF THE LOT COVERAGE. WITHOUT THE EXISTING WOOD DECK, THE SWIMMING POOL WOULD BE WELL WITHIN

PARKING: (Additional criteria for parking variances only.) THE IMPERVIOUS COVERAGE ALLOWANCE.

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.

CONTRACTOR Signed [Signature] Mail Address 12345 Hymedown Dr. #3E

City, State & Zip Austin, TX 78750

Printed BRYAN ENNENGA Phone 512-508-8955 Date 2-28-13

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 6703 Leprechaun Dr.

City, State & Zip Austin, TX 78750

Printed ALLISON L. SALLIE Phone 512-468-2422 Date 2-28-13









Location
of proposed
Pool





City of Austin BUILDING PERMIT

PERMIT NO: 2012-011179-BP
6703 LEPRECHAUN DR

Type: RESIDENTIAL Status: Final
Issue Date: 02/06/2012 **EXPIRY DATE: 01/16/2013**

LEGAL DESCRIPTION				SITE APPROVAL		ZONING LA	
PROPOSED OCCUPANCY:		WORK PERMITTED: Addition and Remodel		ISSUED BY: Diana Cortinas			
<p>**Partial demolition of exterior walls and roof structure to accomodate new 2nd stroy addition of game room and unconditioned attic space; condition existing covered patio; no new impervious coverage being added; remodel of existing to upgrade entire residence; new plumbing, electrical and HVAC throughout; new windows and doors; repair foundation as needed; interior demolition as needed; new framing interior; total demolition of unpermitted wood decks around perimeter of residence (Demo permit to serve both partial and total demos)</p>							
TOTAL SQFT New/Addn: 1,238	VALUATION Tot Val Rem: \$300,000.00 Tot Job Val: \$300,000.00	TYPE CONST.	USE CAT. 434	GROUP	FLOORS 2	UNITS 1	# OF PKG SPACES 2
TOTAL BLDG. COVERAGE 3498	% COVERAGE 28.3	TOTAL IMPERVIOUS COVERAGE 4569	% COVERAGE 36.98	# OF BATHROOMS 3.5	METER SIZE 3/4		

Contact	Phone	Contact	Phone
Applicant, Dusty Waldrop, Aspen Creek Homes, LLC	(512) 342-9500	General Contractor, Dusty Waldrop, Aspen Creek Homes, LLC	(512) 342-9500

Fee Desc	Amount	Date	Fee Desc	Amount	Date	Fee Desc	Amount	Date
Building Permit Fee	1,835.00	2/8/2012	Demolition Permit Fee	44.00	2/8/2012	Electrical Permit Fee	134.00	2/24/2012
Initial Residential Review Fee	100.00	2/8/2012	Mechanical Permit Fee	114.00	5/11/2012	Plumbing Permit Fee	86.00	5/31/2012
Re-Inspection Fee	65.00	1/3/2013	Re-Inspection Fee	65.00	1/3/2013	Re-Inspection Fee	65.00	1/3/2013
Re-Inspection Fee	65.00	1/15/2013	Re-Inspection Fee	65.00	1/15/2013			
Fees Total:	2,638.00							

Inspection Requirements

Building Inspection	Electric Inspection	Mechanical Inspection	On Site Sewage Facility 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

- **Applicant proposes adding zero net new IC to site. All improvemenst are being done over existing concrete
- **Existing legal non-compliant structure (Over allowable IC); Subdivision platted prior to 4-22-1982 allows 35% IC allowed, SF-2 setbacks in place
- **Unpermitted wood decks must be demolished in order to keep legal non-compliant status - wood decks were added after original constuction date
- **Applicant assures, and architect notes on plans that no more than 50% of exterior walls to be demolished; if so, then new construction permit will be needed
- **Withdrawl permit #2011-106382 PR (New Construction)

	Date	Reviewer
Residential Zoning Review	02/03/2012	Darren Cain

By Accepting Or Paying For This Permit You are Declaring That You Are The Owner Or Authorized By The Owner That The Data Submitted At The Time Of Application Was True Facts And That The Work Will Conform To The Plans And Specification Submitted Herewith.

Walker, Susan

From: Bryan Ennenga
Sent: Friday, March 01, 2013 1:25 PM
To: Walker, Susan
Subject: 6703 Leperchaun Way
Attachments: engineer scaled survey with pool.pdf

Hello Susan,

The impervious cover % that we need to apply for is 40.2%. That includes 50% of a 650 SF wood deck that is not covered. I was a little confused as to why the home alone is 2% over the 35% and why at some point the City of Austin ok'd it. If you are able to share with me any info on this circumstance, it would be appreciated. Attached is the survey of the residence. Thank you for help today Susan, let me know if there is anything else you need.

BRYAN ENNENGA

DESIGNER
POOLS & OUTDOOR LIVING
SALES MANAGER
512-568-8955
Bryan@DesignerPoolsTX.com

ORDERED BY:

Gracy Title
a Stewart company
partnerships built on trust

POWERED BY
STARS
SURVEY TRACKING
AND
RETRIEVAL SYSTEM
www.surveystars.com

PROPERTY ADDRESS: 6703 LEPRECHAUN DRIVE AUSTIN, TEXAS 78746

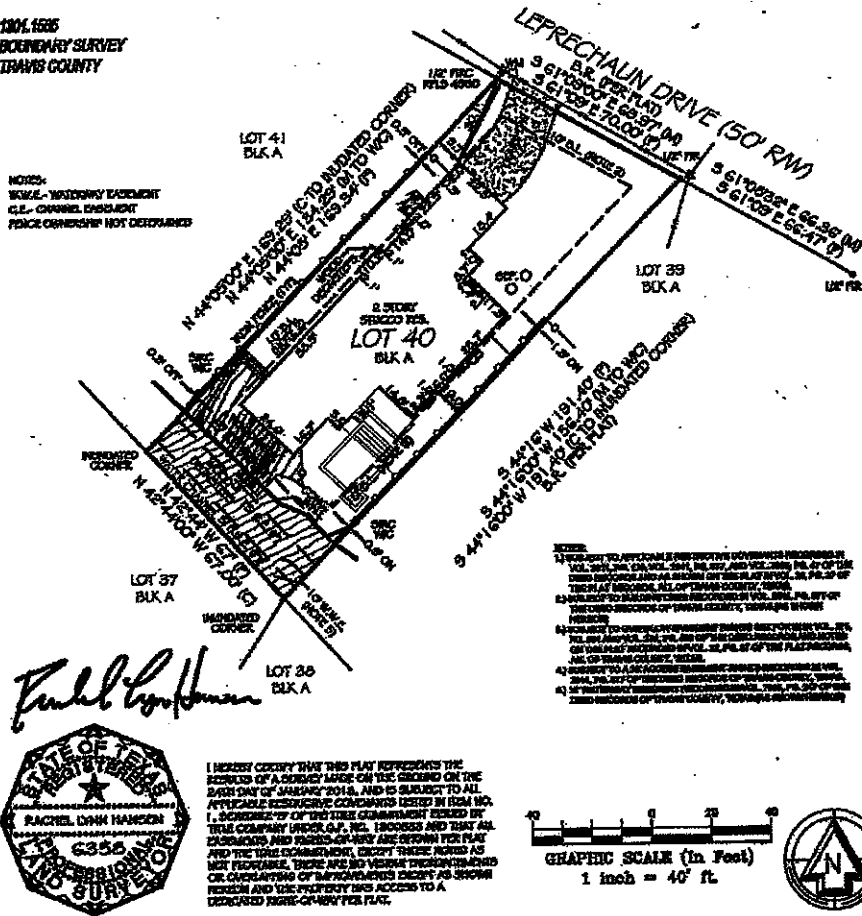
SURVEY NUMBER: 1307.1365

FIELD WORK DATE: 1/24/2013

REVISION DATES: NONE 1/24/2013

1307.1365
BOUNDARY SURVEY
TRAVIS COUNTY

NOTES:
WELL- WATERSHED EASEMENT
C.L. CHANNEL EASEMENT
P.O. CHANGES NOT DEPICTED



Use of this Survey for purposes other than intended, without written verification, shall be at the User's Risk and without liability to the Surveyor. Nothing herein shall be construed to create any duty or liability to anyone other than those listed.

FLOOD INFORMATION:

BY PERFORMING A SEARCH WITH THE LOCAL GOVERNING MUNICIPALITY OR WWW.FEMA.GOV, THE PROPERTY APPEARS TO BE LOCATED IN ZONE X SHADED. THIS PROPERTY WAS FOUND IN THE CITY OF AUSTIN, COMMUNITY NUMBER 460824, DATED 09/24/08.

CLIENT NUMBER: 130333

DATE: 1/24/2013

BUYER: KIRIAN J PURCELL AND ALLISON L SALLIE

SELLER: KIRIAN J PURCELL AND ALLISON L SALLIE

CERTIFIED TO: KIRIAN J PURCELL AND ALLISON L SALLIE, STEWART TITLE GUARANTEE COMPANY, HOME TRUST MORTGAGE COMPANY

This is page 1 of 2 and is not valid without all pages.

POINTS OF INTEREST
NONE VISIBLE

STEVE BULTA MLS #211887
712-450-1234
WWW.STEVEBULTA.COM
STEB@STEVEBULTA.COM

EXACTA
Texas Surveyors, Inc.
P (512) 260-9300 • F (512) 260-9300
200 West Gold Loop Center Drive, Austin, TX 78753