

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

CASE # C15-2013-0041
10926978
TP-01312102U

ROW

**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: 3207 Rivercrest Drive

LEGAL DESCRIPTION: Subdivision - Rivercrest Addition, Section 2

Lot(s) 23A Block D Outlot _____ Division _____

I/We Michael & LeAnn Gillette on behalf of myself/ourselves as authorized agent for

_____ affirm that on April 8, 2013

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

(check appropriate items below)

ERECT ATTACH COMPLETE REMODEL MAINTAIN
Construction of a backyard swimming pool

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:
The original 1964 subdivision plat allows an impervious cover limitation of 35%, but the city's reliance on a 1994 amended plat, the sole purpose of which was to move a utility easement, prevents me from building a pool or any other addition to the property, as the current limitation is 20%. The existing structure and driveway, constructed in 1994, constitute 26% impervious

HARDSHIP:

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

Reliance on the amended plat requires a stricter standard for me and the owner of 3200 Rivercrest than for every other homeowner in the subdivision. The hardship places unique limits on lots 22A and 23A that are not imposed on any other lots in the community and are inconsistent with the city's approval of the building permit for my residence in 1994.

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

No other lots in the subdivision, except the adjoining one on the east, are subject to limitation of 20% impervious cover.

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:

Backyard pools are common in Rivercrest Section II. The construction of a pool will not impair the neighbors' views or use of their property.

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:

NA

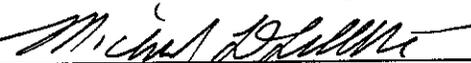
2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

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  Mail Address 3297 Rivercrest Drive

City, State & Zip Austin, TX 78746

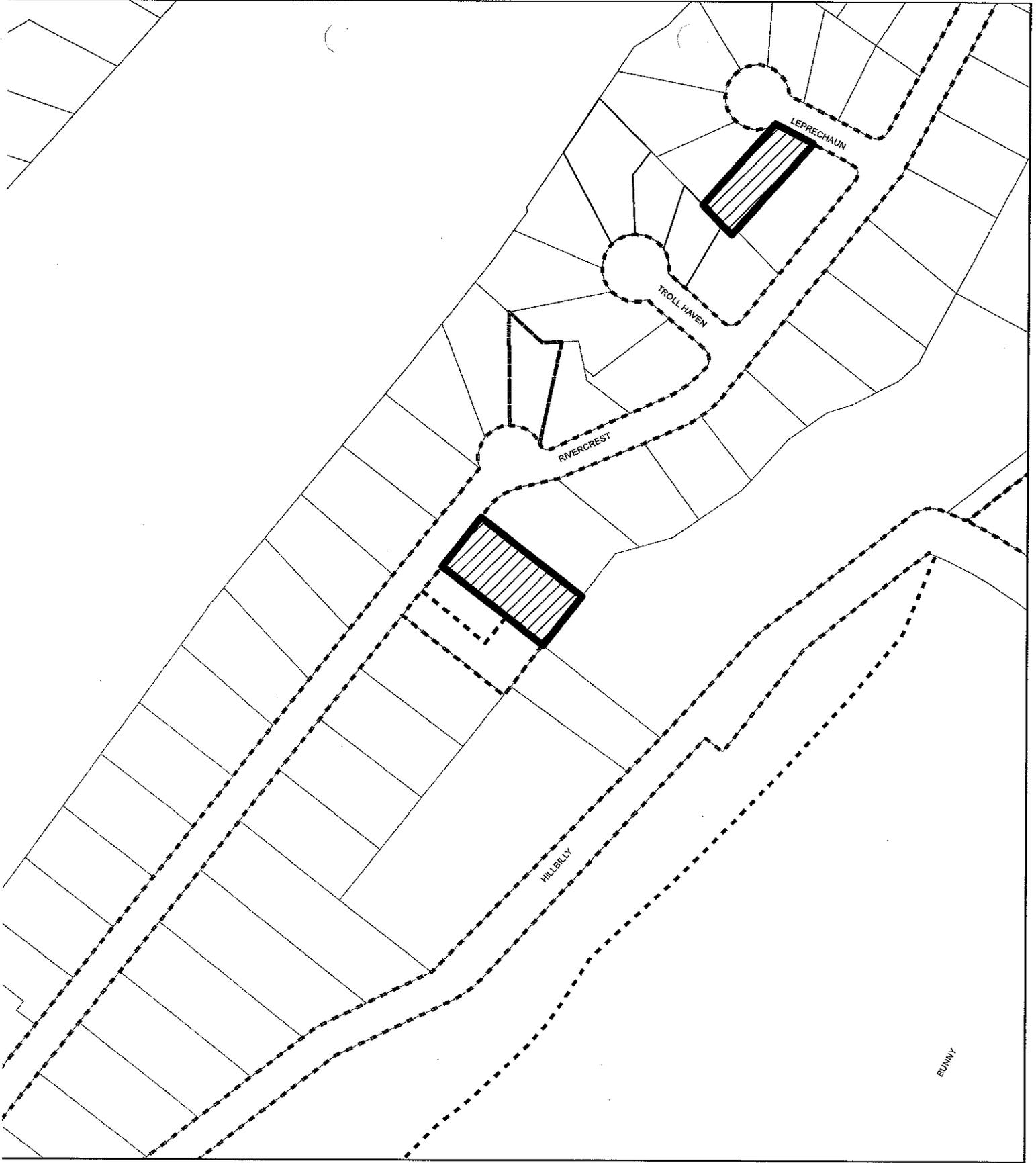
Printed Michael L. Gillette Phone 512-796-4020 Date 4-7-2013

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

Signed  Mail Address 3207 Rivercrest Drive

City, State & Zip Austin, TX 78746

Printed Michael & LeAnn Gillette Phone 512-328-4668 Date 4-7-2013



N

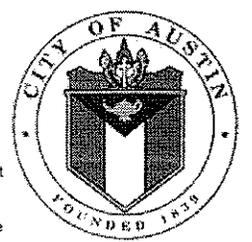


SUBJECT TRACT



ZONING BOUNDARY

CASE#: C15-2013-0041
 LOCATION: 3207 RIVERCREST DR



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

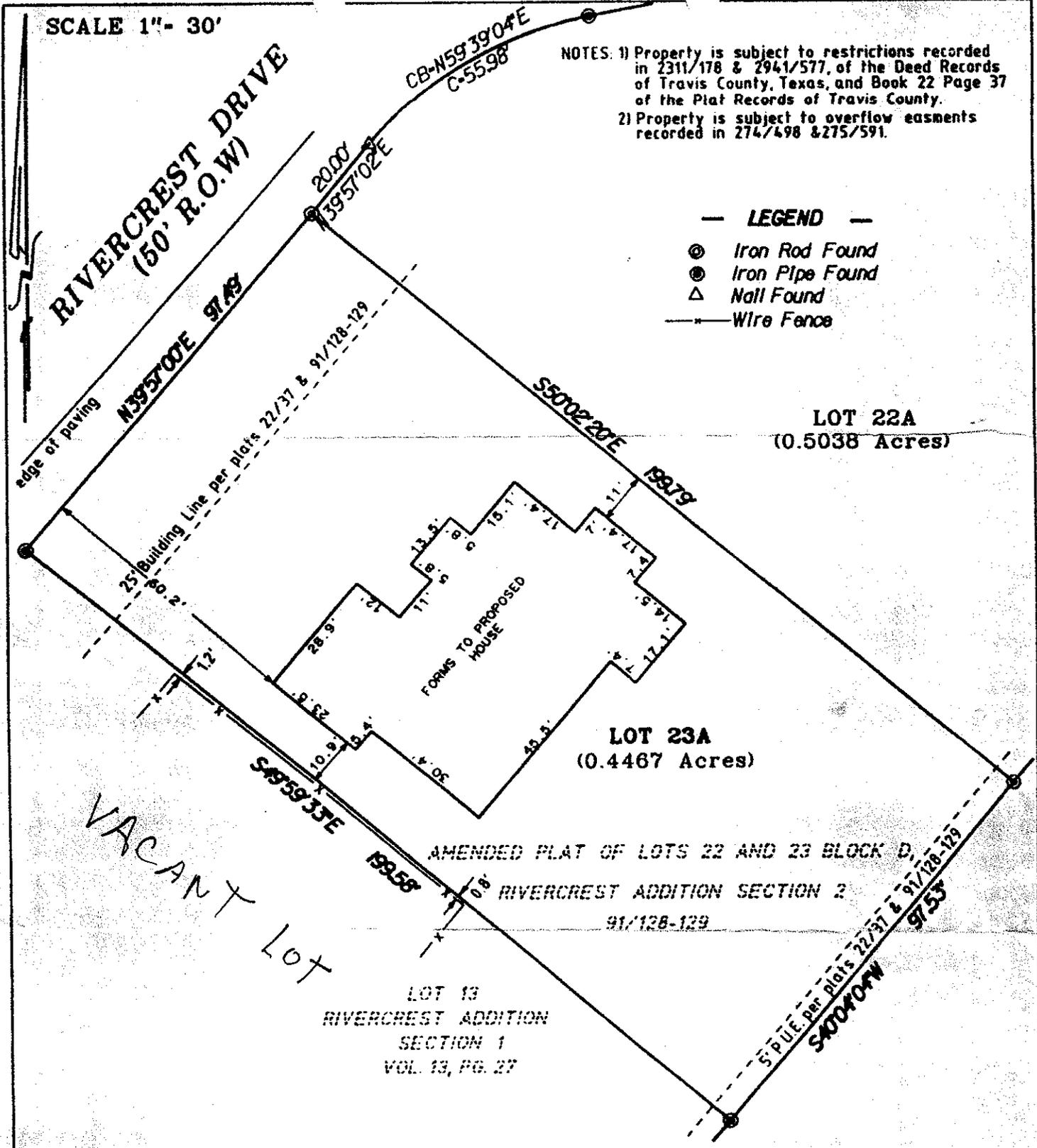
This product has been produced by the Planning and Development Review Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

SCALE 1" = 30'

NOTES: 1) Property is subject to restrictions recorded in 2311/178 & 2941/577, of the Deed Records of Travis County, Texas, and Book 22 Page 37 of the Plat Records of Travis County.
2) Property is subject to overflow easments recorded in 274/498 & 275/591.

— LEGEND —

- ⊙ Iron Rod Found
- Iron Pipe Found
- △ Nail Found
- x— Wire Fence



LOT 22A
(0.5038 Acres)

LOT 23A
(0.4467 Acres)

VACANT LOT

AMENDED PLAT OF LOTS 22 AND 23 BLOCK D,
RIVERCREST ADDITION SECTION 2
91/128-129

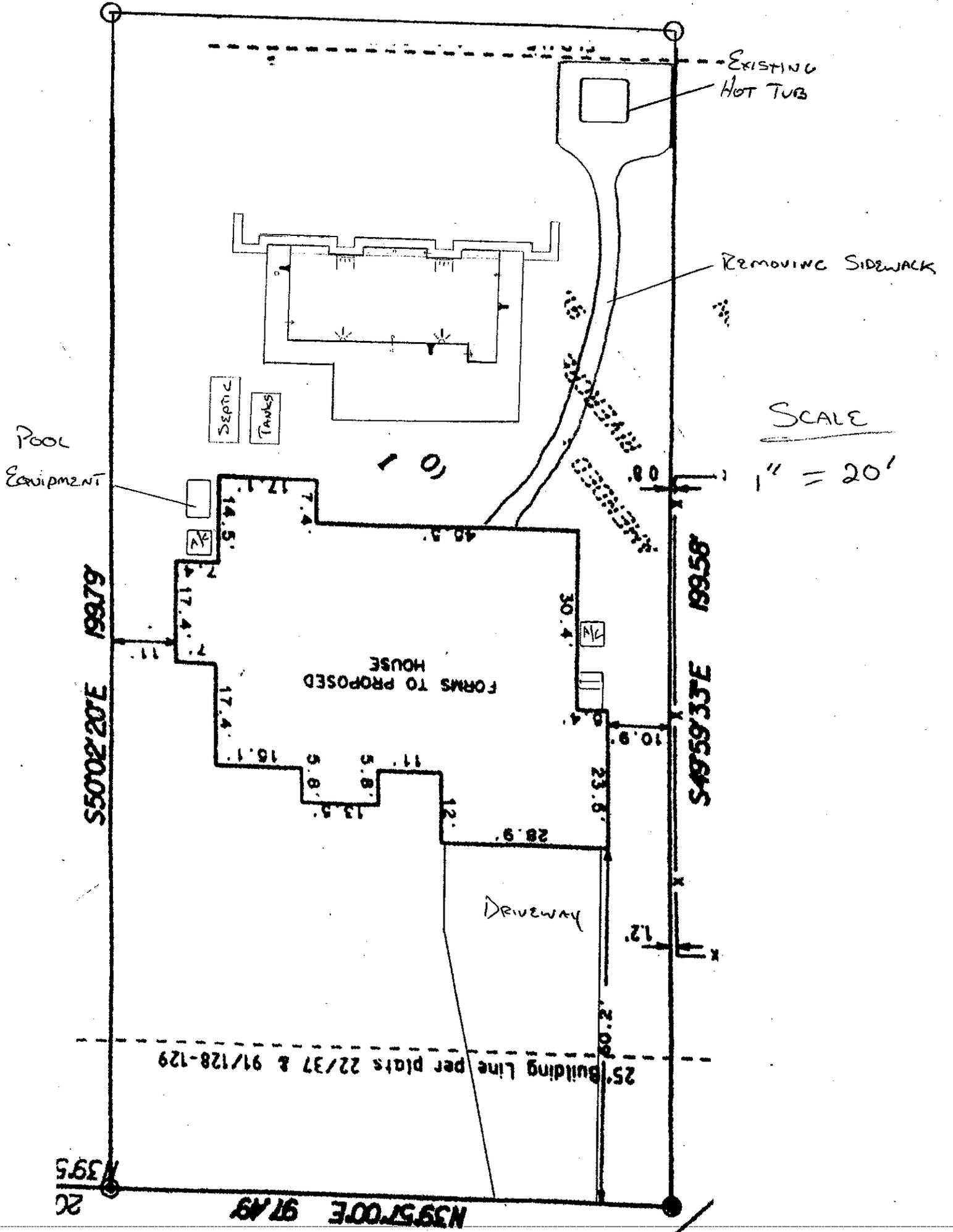
LOT 13
RIVERCREST ADDITION
SECTION 1
VOL. 13, PG. 27

SURVEY MAP OF:

LOT 23A, OF THE AMENDED PLAT OF LOTS 22 AND 23, BLOCK D, OF RIVERCREST ADDITION SECTION TWO, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN BOOK 91 PAGE 128-129, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS. LOCATED ON RIVERCREST DRIVE.

G.F. No. 93-5673 BW/CGJ
 THE STATE OF TEXAS x TO: Timothy J. Wendel & Brenda Wendel
 COUNTY OF TRAVIS x Austin Title Co.
 Alamo Title Insurance of Texas

The undersigned does hereby certify that a survey was this day made on



Building Coverage Information

Note: Building Coverage means the area of a lot covered by buildings or roofed areas, but excludes ground level paving, landscaping, open recreational facilities, incidental projecting eaves, balconies, and similar features. Pools, ponds, and fountains are not included in this measurement. (LDC 25-1-21)

Existing Building Coverage (sq ft): 3400 % of lot size: 17
 Proposed Building Coverage (sq ft): 3400 % of lot size: 17

Impervious Cover Information

Note: Impervious cover is the total horizontal area of covered spaces, paved areas, walkways, and driveways. The term excludes pools, ponds, fountains, and areas with gravel placed over pervious surfaces that are used only for landscaping or by pedestrians. (LDC 25-1-23)

Existing Impervious Cover (sq ft): 5444 % of lot size: 28
 Proposed Impervious Cover (sq ft): 6234 % of lot size: 32

Setbacks

Are any existing structures on this site a non-compliant structure based on a yard setback requirement? (LDC 25-2-513) Y N
 Does any structure (or an element of a structure) extend over or beyond a required yard? (LDC 25-2-513) Y N
 Is front yard setback averaging being utilized on this property? (LDC 25-2, Subchapter F, Sec. 2.3) Y N

Height Information (LDC 25-1-21 or 25-2 Subchapter F, Section 3.4)

Building Height: _____ ft Number of Floors: 2

Parking (LDC 25-6 Appendix A & 25-6-478)

of spaces required: _____ # of spaces provided: _____

Right-of-Way Information

Is a sidewalk required for the proposed construction? (LDC-6-353) Y N
 *Sidewalks are to be installed on any new construction of a single family, two-family or duplex residential structure and any addition to an existing building that increases the building's gross floor area by 50 % or more.
 Will a Type I driveway approach be installed, relocated, removed or repaired as part of this project? Y N
 Width of approach (measured at property line): _____ ft Distance from intersection (for corner lots only): _____ ft
 Are storm sewer inlets located along the property or within ten (10) feet of the boundaries of the property? Y N

Building and Site Area

Area Description	Existing Sq Ft	New/Added Sq Ft	Total Sq Ft
Note: Provide a separate calculation for each distinct area. Attach additional sheets as necessary. Measurements are to the outside surface of the exterior wall.			
1 st floor conditioned area	2254		2254
2 nd floor conditioned area	936		936
3 rd floor conditioned area			
Basement			
Covered Parking (garage or carport)	890		890
Covered Patio, Deck or Porch	256		256
Balcony			
Other			
Driveway	1456		1456
Sidewalks			
Uncovered Patio	556	657	783
Uncovered Wood Deck (counts at 50%)			
AC pads	32	21	
Other (Pool Coping, Retaining Walls)		112	112
Pool		624	624
Spa			

W



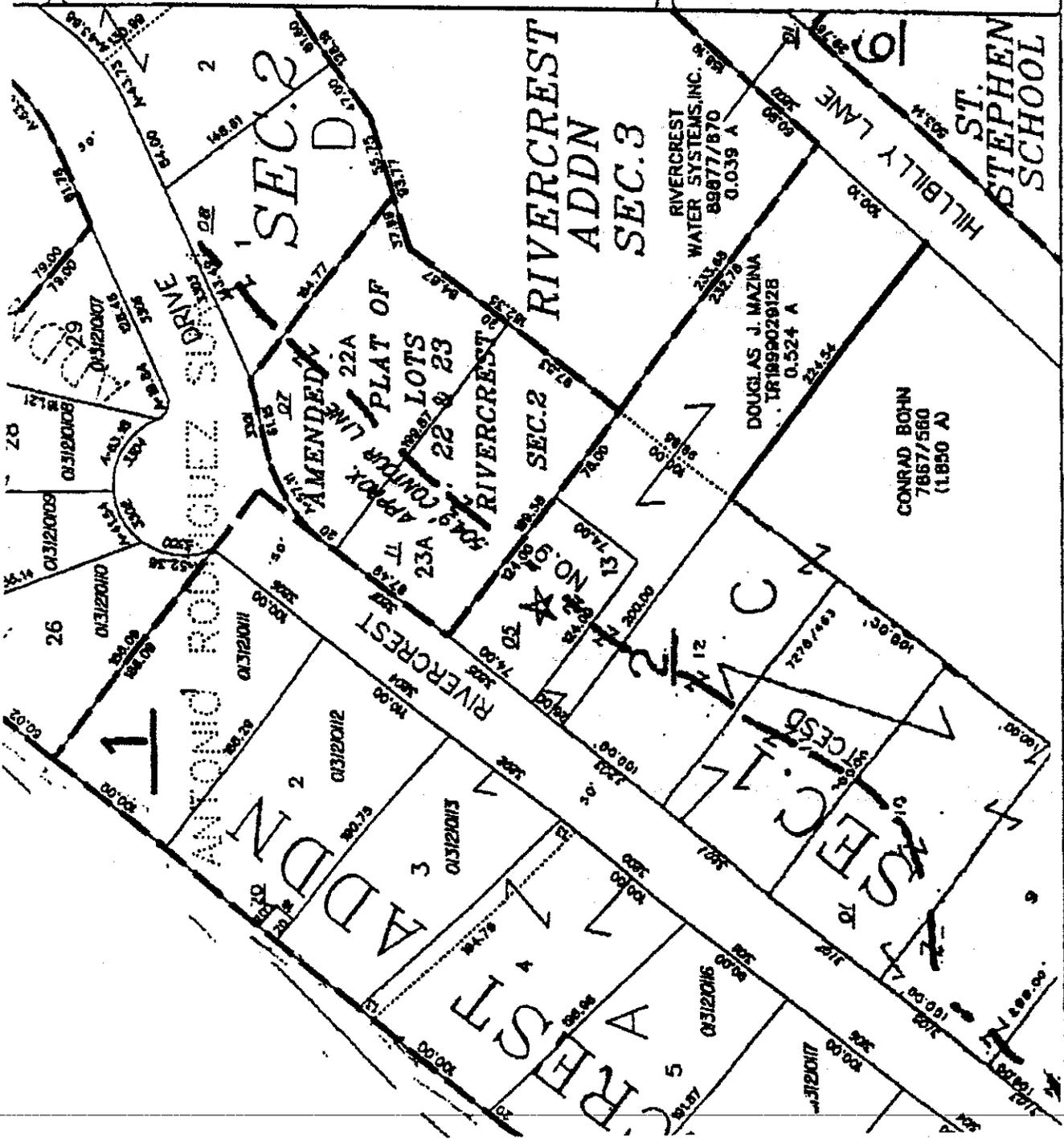
0' 100' SCALE

MAP NO.

13121

13323	13321	13319
13123		13119
12923	12921	

1" = 400' MAP REFERENCE 12627



AUSTIN CUSTOM POOLS

NAME: CILBERTZ, MICHAEL K LEANN
 JOB ADDRESS: SPD 7 RUMBEREST CITY: 78746 ZIP
 KEY MAP: _____ COUNTY: _____ JOB No.: _____
 PHONE RES: _____ OFFICE: _____
 LOT: _____ BLOCK: _____ SUBDIVISION: _____

GENERAL SPECIFICATIONS

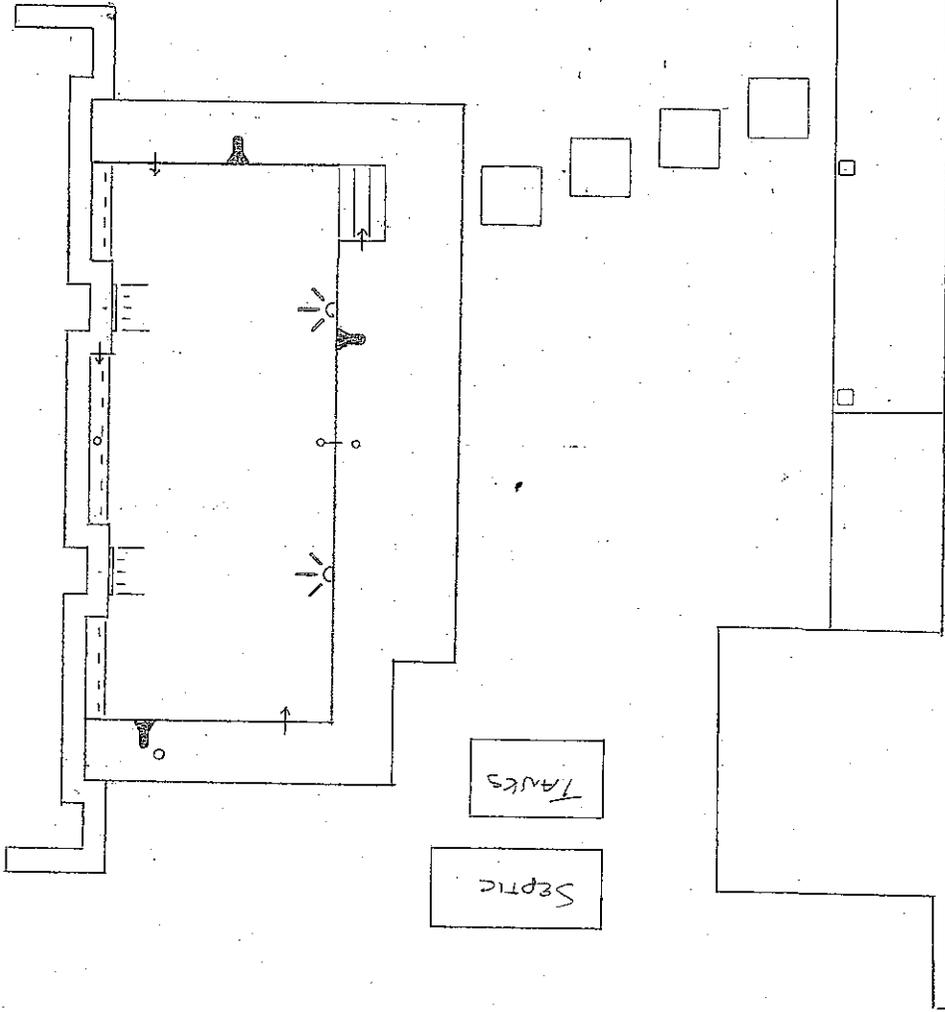
1-1/2" FOR CLEANER: LF (-40) = ADD'L LF
 1-1/2" FOR BACKWASH: LF (-40) = ADD'L LF
 2" FOR SKIMMER: LF (-40) = ADD'L LF
 1-1/2" FOR RETURNS: LF (-40) = ADD'L LF
 2" FOR SPA SUCTION: LF (-40) = ADD'L LF
 1-1/2" FOR SPA RETURN: LF (-40) = ADD'L LF

FILTER: W/D F PUMP: 1.5 HP SKIMMER: 3 REOD
 CHLOR: SALT DIRECTIONAL INLETS: 3 REOD
 HEATER: NO B.T.U. NATURAL / PROPANE
 SPA: YES/NO: _____ NATURAL / PROPANE
 GAS LINE: NO LF (-10) = ADD'L LF AIR BLOWER: YES/NO: _____ WATT
 FENCE: REMOVE BY ACP REPLACEMENT: ACP
 CONCRETE: _____
 REMOVED BY: _____
 BY: _____ OWNER: _____ YES/NO: _____
 SEWER REROUTE: _____ OWNER: _____ COLOR: _____
 BY: _____ OWNER: _____
 ELECTRIC REROUTE: _____
 VACUUM: HOSE 25' Pool Cleaner Type: POOLAIDS 280
 TILE COLOR: TBD TRIM TILE:
 Coping Type: CANTILEVER PLASTER COLOR: WHITE
 ELECTRICAL RUN: LF (-100) = ADD'L LF
 LIGHT: 2-CLED WATT _____ REOD VOLLEYBALL SLEEVES:
 DECKS: TYPE WHT CONCRETE STAMPED SF. _____
 DRAINS: AHEAD/DECK: AS NEEDED LF. _____

NOTES: TO BE NUMBERED & REFERRED
 OUTLINE IN NOTE COLUMN THIS
 1. 75' X 18' RAISED RETAINING WALL ON
BACK SIDE OF POOL. FACES W/ TILE
 2. 2' 3" STEEL DESCENTS

CUSTOMER: _____ SALESMAN: _____

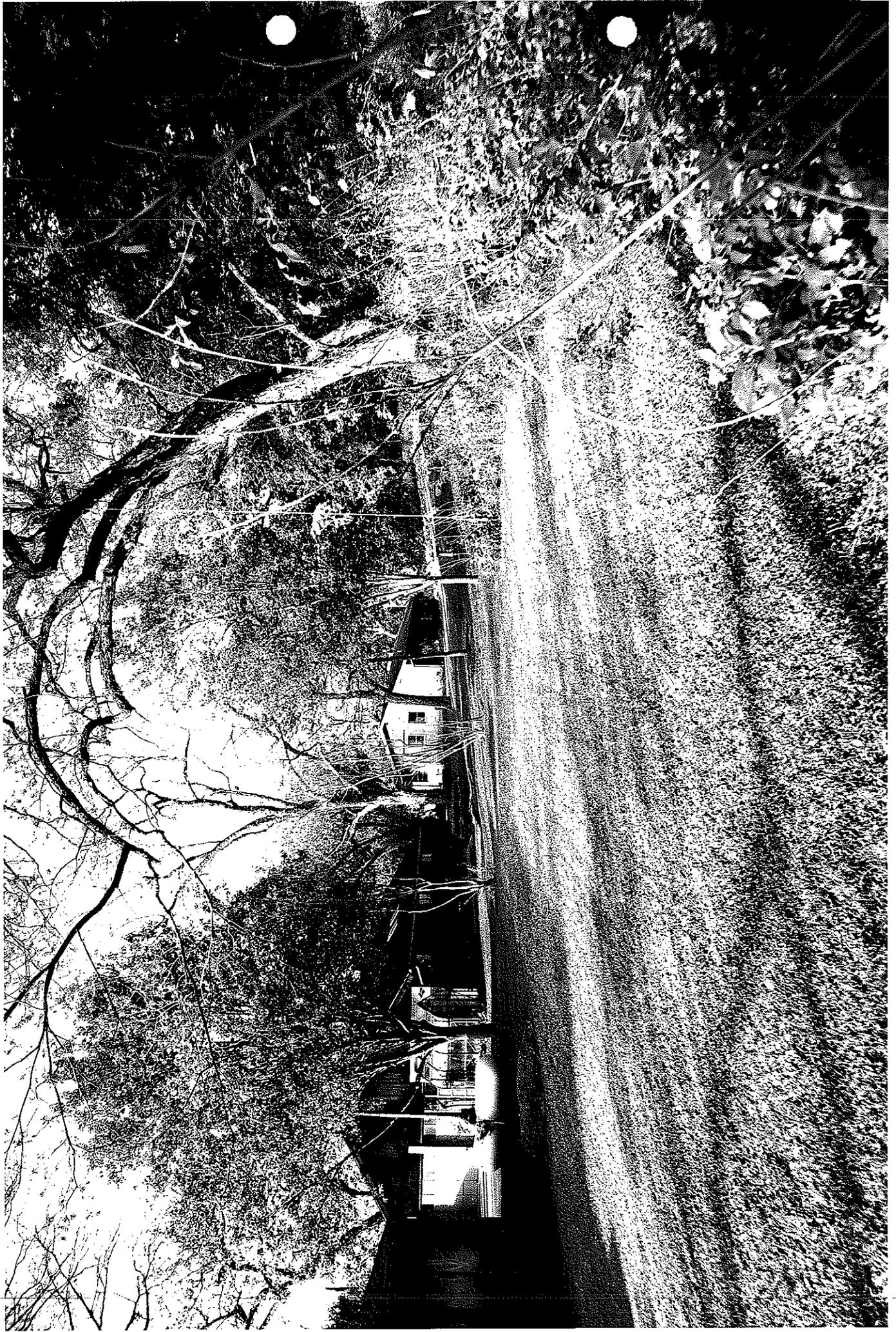
DRAWING SHOWN IS FOR ILLUSTRATION ONLY. CUSTOMERS ARE TO
 RECEIVE _____ SQ. FT. OF DECKING AS PER CONTRACT.
 BUYER: POOL AREA TO BE FENCED PER COUNTY OR CITY ORDINANCE.
 GATES TO BE SELF CLOSING AND SELF LATCHING BY BUYER.



POOL SIZE 36' X 16' DEPTH 104" PERIMETER 104' POOL AREA 576 SPA AREA 576 CAPACITY 15,500 TURNOVER 4 HRS.



Buckyard of 3207 Rivercrest Dr



Backyards of 3207, 3201 - 3303 Avercrest Dr.

(23A) (22A)



Back yard of 3807 Rivercrest



Vacant Lot behind 3207 Rivercrest



3205 Rivercrest (Vacant Lot West of 3207 Rivercrest, Dr.)