

CASE # not provided

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

C15-2013-0100
TP-0 16234-0438
ROW-11002085

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

STREET ADDRESS: 8016 Tahoe Parke Circle, Austin Texas 78726

LEGAL DESCRIPTION: Subdivision - The Parke Section 5
Lot(s) 35 Block A Outlot _____ Division: _____

Edvarado Nunez
I, James Keough, on behalf of myself/ourselves as authorized agent for Nathan New affirm that on June 26, 2013, hereby apply for a hearing before the Board of Adjustment for consideration to ATTACH a COVERED PATIO to the home at the address above in SF-1 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:

REASONABLE USE:

1. The zoning regulations applicable to the property do not allow for a reasonable use because:
 - **The zoning, SF-1, of this property is not in question**

HARDSHIP:

2. (a) The hardship for which the variance is requested is unique to the property because:
 - **This is a corner lot and the lot itself is smaller than the neighboring lots in the neighborhood. Due to the lack of property square footage, similar improvements that have been made by neighbors exceed the building coverage and impervious coverage amounts allotted by the City on this property.**
- (b) The hardship is not general to the area in which the property is located because:
 - **This corner lot is smaller than other neighboring lots**

AREA CHARACTER:

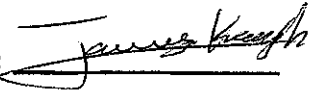
3. The variance will not alter the character of the area adjacent to the property, will not impair the use of the adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:
 - a. **The covered patio contemplated will be constructed of material consistent with the existing structure and neighboring homes. Furthermore, the project, as presented to this Board, has been approved by The Parks Home Owners Association as evidenced by the attached notice and congratulations.**
 - b. **The amount of the variance is relatively minor and the plans allow for ample backyard, grass and landscaping consistent with the neighboring homes. Furthermore, the project does not require other variances from other restrictions such as setbacks or easements.**
 - c. **This improvement would greatly reduce the heat gain currently experienced in the mostly glass wall area due to the lack of any existing cover/overhang and the exposure to direct sunlight to the area.**
 - d. **This improvement would not impede drainage on the property nor adjacent lots**

Parking:

4. The proposed project will not alter the parking on the property nor the neighboring property because:
 - **This improvement is located in the back yard where there is no parking.**

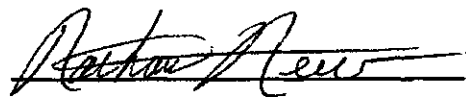
Note: The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated. (Noted)

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: james@pccidea.com
City, State, & ZIP 131 Tonkawa Ridge, Hutto, TX 78634

Printed Name: James Keogh Phone: 512-244-7799

OWNER 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: 8016 Tahoe Parke Circle
City, State, & ZIP Austin, Texas 78726

Printed Name: Nathan New Phone: 817 291 3292 (Cell Phone)

TPH-Parke HOA
c/o Goodwin Management
11149 Research, Suite 100
Austin TX 78759-5227
Voice (512) 852-7927 fax 512-346-4873
james.browder@goodwintx.com

Date: Jun 14, 2013

Project Ref: [39621428] 8016 Tahoe Parke Cir

Nathan New
8016 Tahoe Parke Cir
Austin TX 78726

Dear Nathan New,

I am pleased to inform you that the TPH-Parke HOA Arc Committee has approved your application for the following project item(s):

Patio Extension & Patio Cover Extension

The approval is contingent upon compliance with the specifications set forth in the approved application. If your change or addition requires a county, city or state permit, it must be obtained before construction.

We feel this improvement will make a fine addition to our community and look forward to its completion. If you have any questions, please feel free to contact our office at (512) 852-7927 or via email james.browder@goodwintx.com.

Sincerely,

Architectural Control Committee

Walker, Susan

From: Eduardo Nunez [REDACTED]
Sent: Friday, August 30, 2013 1:10 PM
To: Walker, Susan
Cc: Ed Fisher
Subject: 8016 Tahoe Park Circle

Dear Ms. Walker,

Thanks for calling me back today in regard Mr. Nathan New's 19' X 24' patio Cover project on 8016 Tahoe Park Circle.

As per Karen Palacios' Residential Plan Review Report dated 6/17/13 states that to to proceed with the project, we would need to go through your BOA to get approval as per the following:

	Code.	Actual
Impervious coverage	40. %	43.6
Building coverage	35. %	37.8

As you can see, we are just over the limits set by the city by less than 10% and we have requested a variance based on this and also in the fact that we are in a corner lot and other houses in the neighborhood are in the same situation.

I appreciate you looking into this request and please feel free to call me or send me an email with any questions or comments.

Sincerely,

Eduardo Nunez

SURVEY PLAT

Address 8018 Tahoe Parke Circle Reference STEWART
 Lot 35 Block A The Parke Section 5
 a Subdivision in Travis County, Texas of record in
 Book 82 Page(s) 219-220 of the Plat Records of Travis County, Texas
 The Parke Section 5
 Volume 82, Pages 219-220

NOT AE POWER
PEC

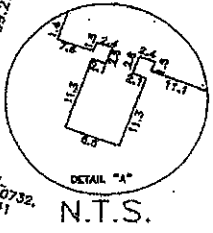
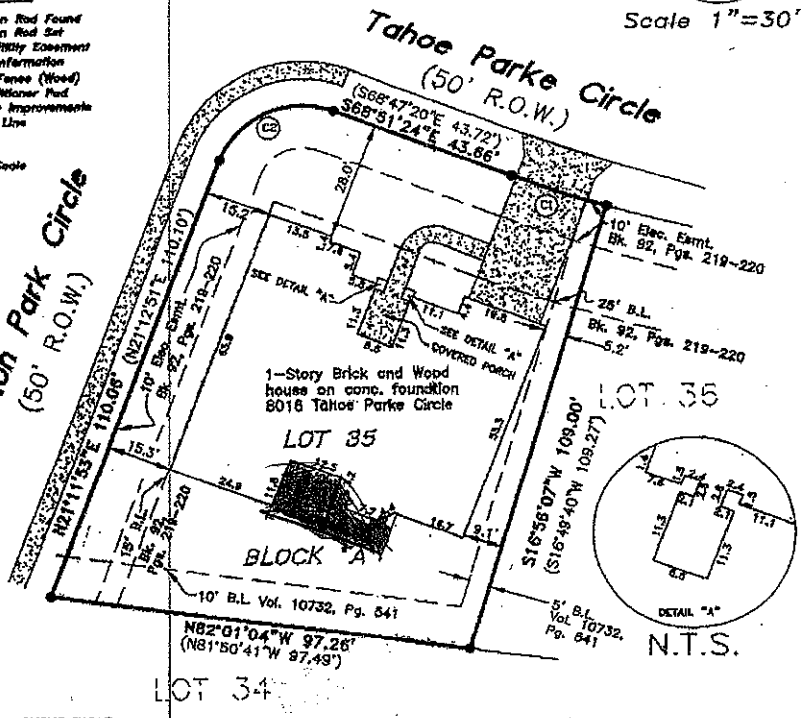


Scale 1"=30'

- LEGEND**
- ⊙ 1/2" Iron Rod Found
 - 1/2" Iron Rod Set
 - P.U.E. Public Utility Easement
 - () Record Information
 - - - Privacy Fence (Wood)
 - AC Air Conditioner Pad
 - Concrete Improvements
 - B.L. Building Line
 - Vol. Volume
 - Pg. Page
 - N.T.S. Not To Scale

AE APPROVED
 JUN 12 2013
 /63-24/
 JGM

Waterton Park Circle
 (50' R.O.W.)



CURVE TABLE

CHORD BEARING	CHORD DISTANCE	ARC LENGTH	RADIUS
N72°55'19\"/>			

The Bearing N82°01'04\"/>

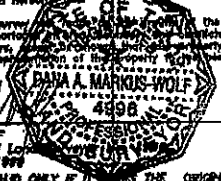
The property described herein is contained within Flood Zone X as identified on F.I.R.M. Community Panel No. 451026-02406, dated June 16, 1993 as published by the Federal Emergency Management Agency, the purpose of which is for flood insurance only.

- RESTRICTIVE COVENANT AND EASEMENT NOTE:**
1. Restrictive covenants and easements as recorded in Book 82, Pages 219-220, Plat Records of Travis County, Texas and those set out in Volume 10678, Page 270, Volume 10728, Page 541, Volume 10684, Page 16-2, Volume 12157, Page 338, Volume 12061, Page 54 and in Volume 12582, Page 1191, all in the Real Property Records of Travis County, Texas DOES AFFECT the subject lot.
 2. A 20-foot wide telephone and communication lines easement, together with all rights granted therein, conveyed to Southwestern Bell Telephone Company as described in Volume 2301, Page 444, Deed Records of Travis County, Texas DOES AFFECT the subject property. However, the location of said easement can not be located from the description in the above referenced instrument.
 3. A 10-foot wide electric easement with blanket ingress-egress rights to Padernale Electric Cooperative as recorded in Volume 15365, Page 1091 of the Real Property Records of Travis County, Texas MAY AFFECT the Subject Lot, however the location of said easement can not be defined from the description in the above referenced instrument.

All easements of which I have knowledge and those recorded easements furnished by Longhorn Title Company, Inc. according to Comptrolment No. 883241-02, are shown hereon. Other than visible easements, no unrecorded or unnoted easements which may later be shown hereon.

I HEREBY CERTIFY that a survey was made in accordance with the property shown hereon; that there are no visible discrepancies, conflicts, shortages, encroachments, overlapping of improvements, easements or right-of-way, or other matters which the surveyor has access to and from a public roadway; and that this plat is an accurate representation of the property surveyed.

LANDMARK SURVEYING, INC.
DANA A. MARKUS-WOLF
 Registered Professional Land Surveyor
 Date: September 9, 1999
 THIS SURVEY PLAT IS VALID ONLY IF IT BEAR THE ORIGINAL SIGNATURE AND SEAL OF THE ABOVE SURVEYOR.



Stewart
 Susan M Stewart

Landmark SURVEYING, INC.
 1301 S. CAPITAL OF TEXAS HWY.
 BUILDING A, SUITE 231
 AUSTIN, TEXAS 78748
 PH (512)538-7411 FAX (512)538-7413

Client: J.L. Horton
 Date: September 9, 1999
 Office: FRANKS
 CITY: FRANKS
 F.S.: 384-05
 Date: 09/09/99
 Dept: Plat (8/19/99) and plat