

4

**CASE NUMBER: C15-2013-0103**

\_\_\_\_\_ Jeff Jack  
\_\_\_\_\_ Michael Von Ohlen  
\_\_\_\_\_ Nora Salinas  
\_\_\_\_\_ Bryan King  
\_\_\_\_\_ Fred McGhee  
\_\_\_\_\_ Melissa Hawthorne  
\_\_\_\_\_ Sallie Burchett  
\_\_\_\_\_ Cathy French (SRB only)

**APPLICANT: Phil Moncada Consulting**

**OWNER:** Jessica Yates

**ADDRESS: 3315 BRIDLE PATH**

**VARIANCE REQUESTED:** The applicant has requested a variance to increase the maximum impervious coverage requirement of Section 25-2-492 (D) from 45% (50.71% existing) to 53.07% in order to rebuild an existing outdoor patio and partial cover on fireplace and seating area for a single family residence in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district.

**BOARD'S DECISION: POSTPONED TO DECEMBER 9, 2013 BY APPLICANT**

**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

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**Case Number:** C15-2013-0103 – 3315 Bridle Path

**Contact:** Susan Walker, 512-974-2202

**Public Hearing:** Board of Adjustment, November 14th, 2013

Your Name (please print)

LOREAN RALEY ~ DAN RALEY

☒ I am in favor  
☐ I object

Your address(es) affected by this application

3300 BONNIE RD AUSTIN 78703

Signature

Date

Daytime Telephone: 512-656-2869

Comments:

This is a lovely home & they are building beautiful stone work. The work will be an asset to the look of the neighborhood.

**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

**— LEGEND —**

● *Iron Rod Found*  
ipf ● *Iron Pipe Found*  
□ *Iron Rod Set with Plastic Cap Marked "Hott Carson, Inc."*  
■ *Nail Found as Noted*  
■ *Square Head Bolt Found*  
● *Calculated Point*  
○ *Drill Hole Set*  
— *Overhead Utility Line*  
— *Wood Fence*  
— *Brought Iron Fence*  
(*Record Bearing and/or Distance*)

SURVEY PLAT OF  
 LOT 8, BLOCK 2, TOBIN AND JOHNSON'S SUBDIVISION OF LOT 1 OF THE GILBERT SURVEY, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP PLAT THEREOF RECORDED IN VOLUME 1 PAGE 79 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, TOGETHER WITH THAT ADJACENT PORTION OF SCHULLE AVENUE WHICH WAS VACATED AS DESCRIBED IN VOLUME 2149 PAGE 68 OF THE TRAVIS COUNTY DEED RECORDS, LOCATED AT 3315 BRIDLE

LEGEND  
 © Iron Rod Found  
 Ip © Iron Pipe Found  
 Q Iron Rod Set with Plastic Cap Marked "Holt Carson, Inc."  
 Nail Found as Noted  
 Square Head Bolt Found  
 \* Calculated Point  
 o Drill Hole Set  
 — Overhead Utility Line  
 — Wood Fence  
 — Wrought Iron Fence  
 (Record Bearing and/or Distance)

SCALE: 1" = 40'

HOLT CARSON, INC.  
 1904 FORTVIEW ROAD  
 AUSTIN, TX 78704  
 (512) 442-0990

STATE OF TEXAS  
 COUNTY OF TRAVIS  
 The undersigned does hereby certify that this survey was this day made on the property legally described hereon and that there are no boundary encroachments, shortages in area or improvements, visible utility lines except as shown hereon, and said a dedicated road. This property (areas determined to be outside platt) according to Federal Energy Agency Flood Insurance Rate Map 0445 H, dated September 26, 200 THIS: the 1st day of DECEMBER, A

BY  
 Anna Trayer  
 Registered Professional Land Surveyor

STATE OF TEXAS  
COUNTY OF TRAVIS

The undersigned does hereby certify that a survey was this day made on the ground of the property legally described hereon and is correct and that there are no boundary line conflicts, encroachments, shortages in area, overlapping of improvements, visible utility lines, or roads in place except as shown hereon, and said property abuts a described road. The property lies within Zone X (areas determined to be outside the 100 year Flood plain) according to Federal Emergency Management Agency Flood Insurance Rate Map Panel No. 480524 0445 H, dated September 26, 2008.

THIS the 1st day of DECEMBER, A.D. 2010.

Anne Thayer  
Registered Professional Land Surveyor No. 5850

420114  
ref. 864134  
copyright 2010

015-203-0103  
3315 Bridle Path



C15-2013-0103

NOV 14 1968

Fee 225  
Tax 6245

ORDINANCE NO. 50

AN ORDINANCE PERPETUALLY VACATING AND CLOSING TWO SQUARE FEET OF SCHULLE AVENUE, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, ESTABLISH A DRAINAGE EASEMENT, IN THE CITY OF AUSTIN, FROM BONNIE ROAD TO BRIBLE FATHS AND SUSPENDING THE RULE REGARDING THE REASONS OF AN ORDINANCE ON THREE SEPARATE DATES.

WHEREAS, a strip of land thirty (30.00) feet in width was dedicated to the public for street purposes as shown on a map or plat of Tottin and Johnson's Subdivision of a portion of the Daniel J. Othert Survey, in the City of Austin, Travis County, Texas, of record in Book 1 of Page 19 of the Plat Records of Travis County, Texas, said strip of land so dedicated locally known as Schulle Avenue; and,

WHEREAS, said Schulle Avenue, extending from Euclid Road to Clearview Drive varies in width; and,

WHEREAS, the Department of Public Works and the owners of abutting property deem it to be to their and the public interests to have this portion of Schulle Avenue realigned; and have requested the City Council to vacate and perpetually close to public travel the hereinafter described portion of said street; and,

WHEREAS, the City Council deems it to be the best interest of the public to realign such street and to vacate the hereinafter described portion of said street, SAVE AND EXCEPT for a drainage easement to be retained from the north line of Bonnie Road to the south line of

TRAVIS COUNTY, TEXAS  
VOL 214 PAGE 68

**ORDERED THAT THE SAME, HOWEVER, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**SECTION 1:** The hereinafter described portion of Schmale Avenue be and the same is hereby perpetually vacated and closed to public travel, but specifically reserving a drainage easement from the north line of Bonnie Road to the south line of Bridge Path; said portion so vacated and closed to public travel being more particularly described as follows:

7670 Square feet of land same being out of and a part of that certain street in the City of Austin, Travis County, Texas, known as Schmale Avenue said 7670 square feet of land being out of and a part of that certain strip of land thirty (30.00) feet in width dedicated to the public for street purposes as shown on a map or plat of Tobin and Johnson's Subdivision of a portion of the Daniel J. Gilbert Survey in the City of Austin, Travis County, Texas of record in Book 1 at Page 79 of the Plat Records of Travis County, Texas. Said 7670 square feet of land being more particularly described by metes and bounds as follows:

**BEGINNING** at the northwest corner of Lot 8 Block 4 of said Tobin and Johnson's Subdivision same being the point of intersection of the present south line of Clearview Drive with the present east line of Schmale Avenue;

**THENCE**, with the present east line of Schmale Avenue same being the west line of Blocks 1, 2, 3 and 4 of said Tobin and Johnson's Subdivision in a southerly direction to the southeast corner of the herein described tract of land same being a point in the north line of Enfield Road, same being the southwest corner of Lot 9 Block 1 of said Tobin and Johnson's Subdivision.

**THENCE**, with the south line of the herein described tract of land, same being the westerly prolongation of the south line of said Lot 9 12.00 feet to the southwest corner of the herein described tract of land;

THENCE, with the west line of the herein described tract of land upon being a line sixty (60.00) feet east of and parallel to the east line of Blocks 1, 6, 7 and 11 of Walsh Place a subdivision of record in Book 2 at page 26 of the Plat Records of Travis County, Texas, said west line of the herein described tract of land being sixty (60.00) feet east of and parallel to the monumented base line of said Schulte Avenue as established by the Department of Public Works of the City of Austin in a northerly direction to a point in the westerly prolongation of the north line of said Lot 8 Block 4 of Tobin and Johnson's Sub-division;

THENCE, with the westerly prolongation of the said north line of Lot 8 in an easterly direction 9.17 feet to the point of beginning;

SAVE AND EXCEPT from the above described 7870 square feet of land those certain portions of said 7870 square feet of land which lie between the westerly prolongations of the following: the south line of Lot 8 Block 4 and the north line of Lot 9 Block 4; the south line of Lot 9 Block 4 and the north line of Lot 8 Block 3; the south line of Lot 9 Block 3 and the north line of Lot 8 Block 2; the south line of Lot 8 Block 2 and the north line of Lot 9 Block 2; the south line of Lot 9 Block 2 and the north line of Lot 8 Block 1; the south line of Lot 8 Block 1 and the north line of Lot 9 Block 1 all of the said Tobin and Johnson's Sub-division.

SECTION 2. The ordinance rule requiring the reading of an ordinance on three separate days is hereby suspended, and this Ordinance shall become effective as provided by the Charter of the City of Austin.

PASSED: February 15, 1960

APPROVED: February 15, 1960

APPROVED:

Mayer

City Attorney

ATTEST:

City Clerk

24 FEB 60  
DF:bb

THE STATE OF TEXAS ( )

COUNTY OF TRAVIS ( )

I, Elsie Woosley, City Clerk of the City of Austin, Texas,  
do hereby certify that the foregoing instrument is a true and  
correct copy of Ordinance No. 6002250 passed by the City Council  
of the City of Austin, Texas, at a regular meeting on the 25<sup>th</sup>  
day of February, 1960.

Elsie Woosley  
City Clerk, City of Austin, Texas

Filed Mar 16 1960 at 8 A M.  
Recorded Mar 18 1960 at 10 23 A M.

THE STATE OF TEXAS

County of Travis

I, MISS EMILIE LIMBERG, Clerk of the County Court

do hereby certify that the within and fore-  
going instrument of Writing, with its Certificate of Authentication, was filed for record in  
my office on the 16 day of Mar A.D. 1960 at 8  
o'clock A M., and duly recorded on the 18 day of Mar A.D. 1960 at  
10 35 o'clock A M. in the DEED Records of said  
County, in Book No. 2749. Pages 68 to 71 inclusive.  
WITNESS MY HAND and seal of the said County Court of said County, the date last above written.

By E. L. Lusk Deputy.

MISS EMILIE LIMBERG  
Clerk County Court, Travis Co., Tex.



## Walker, Susan

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**From:** Blake Tollett <[REDACTED]>  
**Sent:** Monday, November 11, 2013 4:32 PM  
**To:** Walker, Susan  
**Subject:** C15-2013-0103; 3315 Bridle Path

12 November 2013

Susan Walker, Liaison  
Board of Adjustment  
City of Austin

RE: C15-2013-0103  
3315 Bridle Path

Dear Board of Adjustment:

The Board of Directors (BoD) of West Austin Neighborhood Group (WANG) has voted electronically to oppose the impervious coverage variance request referenced above.

It is unclear from the documents submitted how the existing impervious coverage has been calculated. The survey included in the application is dated 2010 but there has been hardscape additions to the property just completed within the last month that do not appear to have been counted towards the existing impervious coverage.

Schulle Avenue is a City recognized drainage easement. A storm water drainage pipe cuts across the northwest corner of this property and then continues down Schulle Avenue, under Enfield Road, and then onto the Lions Municipal Golf Course where it becomes the Schulle Branch that empties directly into Lady Bird Lake. There are two storm drain curb inlets in front of this property and four more one-half block south where Schulle Avenue dead ends into Bonnie Road. Permitting excess impervious coverage would seem to run contra to this infrastructure redundancy.

A representative of the association will be in attendance at the hearing.

Sincerely;

Blake Tollett, Zoning  
WANG  
3701 Bonnie Road 78793  
512-477-4028

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Case Number: C15-2013-0103 - 3315 Bridle Path

Contact: Susan Walker, 512-974-2202

Public Hearing: Board of Adjustment, November 14th, 2013

*Patricia B. Jobe*  
Your Name (please print)

☐ I am in favor  
☒ I object

*3403 Bonnie Rd.*  
Your address(es) affected by this application

*Patricia B. Jobe*  
Signature

*11/4/2013*  
Date

Daytime Telephone: *512-478-6693*

Comments: *I oppose this variance because 1) the impervious cover limitations are in place to conserve our groundwater and, as such, are reasonable 2) the applicant could achieve the species outdoor living space by using previous solutions.*

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, November 14th, 2013

RICHARD POWELL  
Your Name (please print)

☒ I am in favor  
☐ I object

3305 Bridle Path  
Your address(es) affected by this application

Richard Powell  
Signature

11/4/13  
Date

Daytime Telephone: 512-473-2015

Comments:

**If you use this form to comment, it may be returned to:**  
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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, November 14th, 2013

Your Name (please print)

Mary Helen Wheelock

☒ I am in favor  
☐ I object

Your address(es) affected by this application

3222 Bonnie Road

Mary Helen Wheelock

Signature

11/4/13

Date

Daytime Telephone: 512-695-3500

Comments:

It's fine with me!

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

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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, November 14th, 2013

Your Name (please print)

KATE E. CLARK

☐ I am in favor  
☒ I object

Your address(es) affected by this application

3306 Bonnie Road

Daytime Telephone:

512.478.7127

Signature

Date

Kate E. Clark 11/4/13

Comments:

Improvements over  
regulations should be  
enforced. If the variance  
is approved, all around  
be approved. They have  
regulations governing if the  
rules are loose?

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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, November 14th, 2013**

*Jaqueline L. Cantrell*  
Your Name (please print)

☐ I am in favor  
☐ I object

*1210 Windsor Rd Apt #121 Austin, TX 78703*  
Your address(es) affected by this application

*Jaqueline Cantrell* *Nov 15/2013*  
Signature Date

Daytime Telephone: *472-835-2826*

Comments:

*I moved away from Bridle Path before and by this was known. My move did not have any effect on my move.*

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**Susan Walker**  
**P. O. Box 1088**  
**Austin, TX 78767-1088**

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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:** C15-2013-0103 – 3315 Bridle Path  
**Contact:** Susan Walker, 512-974-2202  
**Public Hearing:** Board of Adjustment, November 14th, 2013

Celleen Theriot  
 Your Name (please print) ☐ I am in favor  
☒ I object

3404 Cherry Ln. / 78703  
 Your address(es) affected by this application

Celleen Theriot 11/9/13  
 Signature Date

Daytime Telephone: 512-476-4903

Comments: I object to variances unless  
extraordinary hardship is evident.  
This is a lot spot in the neighborhood  
that would be particularly affected  
by increases in impervious cover.

**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

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

CASE # C15-2013-0103  
ROW # ~~133,283~~ 11012946

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

TP-011608-10-17

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

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

STREET ADDRESS: 3315 Bridle Path

LEGAL DESCRIPTION: Subdivision – Tobin and Johnson's

Lot(s) 8 Block 2 Outlot N/A Division N/A

I/We Phil Moncada on behalf of myself/ourselves as authorized agent for  
Jessica Yates affirm that on August 30th, 2013

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

(check appropriate items below)

    ERECT     ATTACH     COMPLETE X REMODEL     MAINTAIN

Rebuild an existing outdoor patio and partial cover on fireplace and seating area.

IC 90 - 53.87% (50.71% existing)

in a SF-3-NP 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:

A portion of the existing impervious cover is associated with providing access

to an adjacent property via a dedicated dead end alley.

**HARDSHIP:**

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

The residential lot is located at a corner and improvements are existing.

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

Based on existing easements the house was constructed around them

10' SSE V1542 P.359

**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:

Outdoor patio is existing and owner wants to improve and add cover/shade for

outdoor use.

**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:

N/A

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:

N/A

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

N/A

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

N/A

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 Phil Moncada Mail Address P.O. Box 684594

City, State & Zip Austin, TX 78768

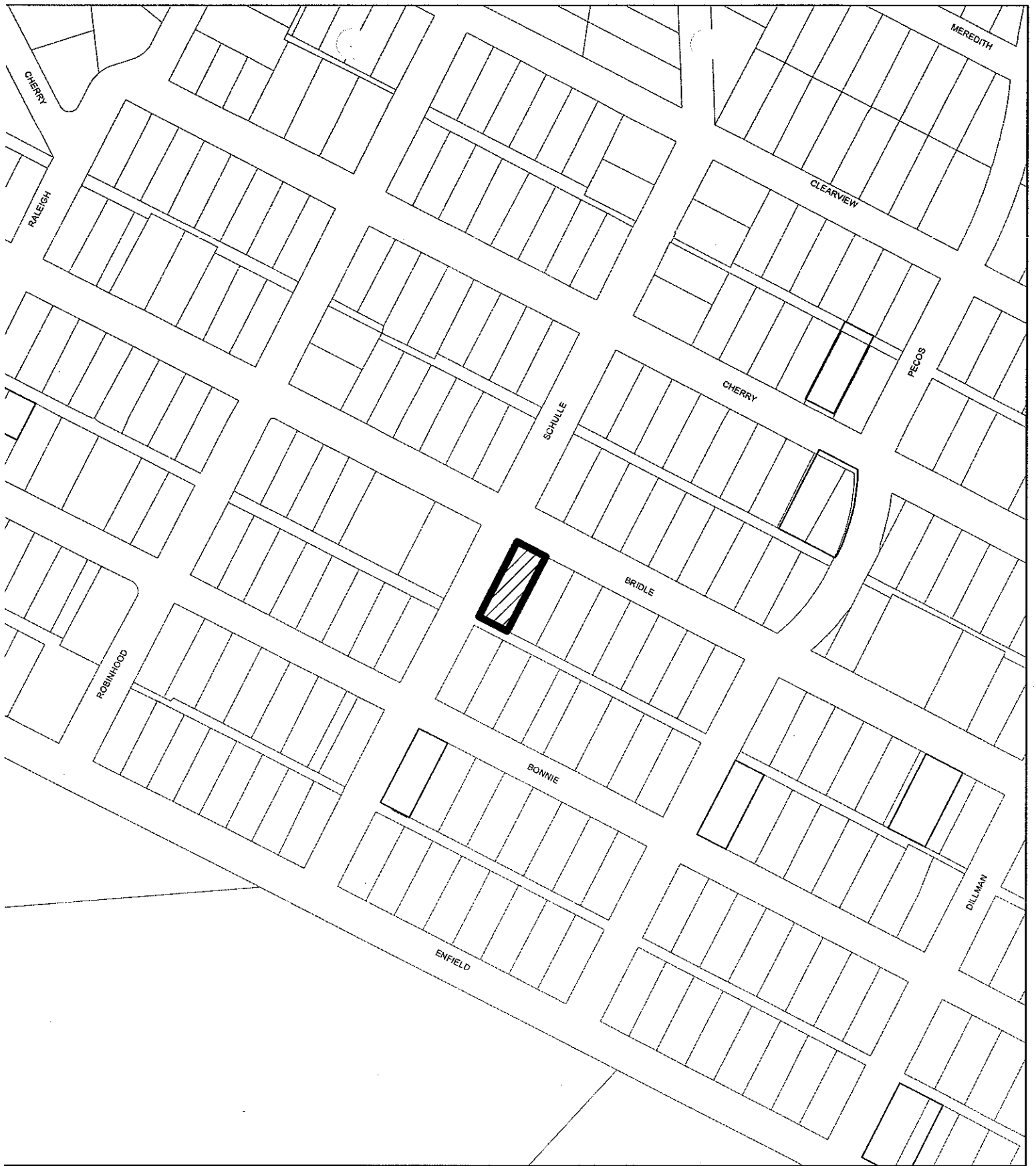
Printed Phil Moncada Phone 512-627-8815 Date 8/30/13

**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 Jessica Jordan Yates Mail Address 3315 Bridle Path

City, State & Zip Austin, TX 78703

Printed Jessica Yates Phone 512-961-9106 Date 8/30/13



N



SUBJECT TRACT



ZONING BOUNDARY

CASE#: C15-2013-0103  
LOCATION: 3315 Bridle Path

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.

