

C15-2014-0040
Row ID# 11101957
TAX Roll# 0180102
39

**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: 1610 Northwood Road

LEGAL DESCRIPTION: Subdivision – Edgemont

Lot(s) 27 & E. 25 ft. of 28 Block 6 Outlot Division

I Jim Bennett as authorized agent for Tim Smith

 affirm that on 2/4/14 hereby apply for a hearing before the Board of

Adjustment for consideration to:

ERECT – ATTACH – COMPLETE – REMODEL – MAINTAIN

An addition to an existing residence providing a reduced impervious cover of 56.6% .
60.5 % is existing.

 in a SF-3NP district. (Windsor Road)
(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

REASONABLE USE:

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

The site was developed under prior ordinances, before the impervious cover requirements.

HARDSHIP:

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

It was developed under the old ordinance and to comply with current regulation would require considerable removal of the improvements. The proposed addition will be constructed over existing impervious cover and the proposed reduction will be an overall improvements.

The hardship is not general to the area in which the property is located because:

The applicant will be reducing the 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:

The proposed addition is to the rear of the existing house and will not change the existing front façade of the structure. The adjoining property owners support the variance request. The proposed reduction will be an improvement to the area.

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:

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 512-282-3079 Date 2/4/14

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 Tim Smith Mail Address 1610 Northwood Rd.

City, State & Zip Austin, TX 78703

Printed Tim Smith Phone (512) 476-1245 Date 2/4/14

Jim:

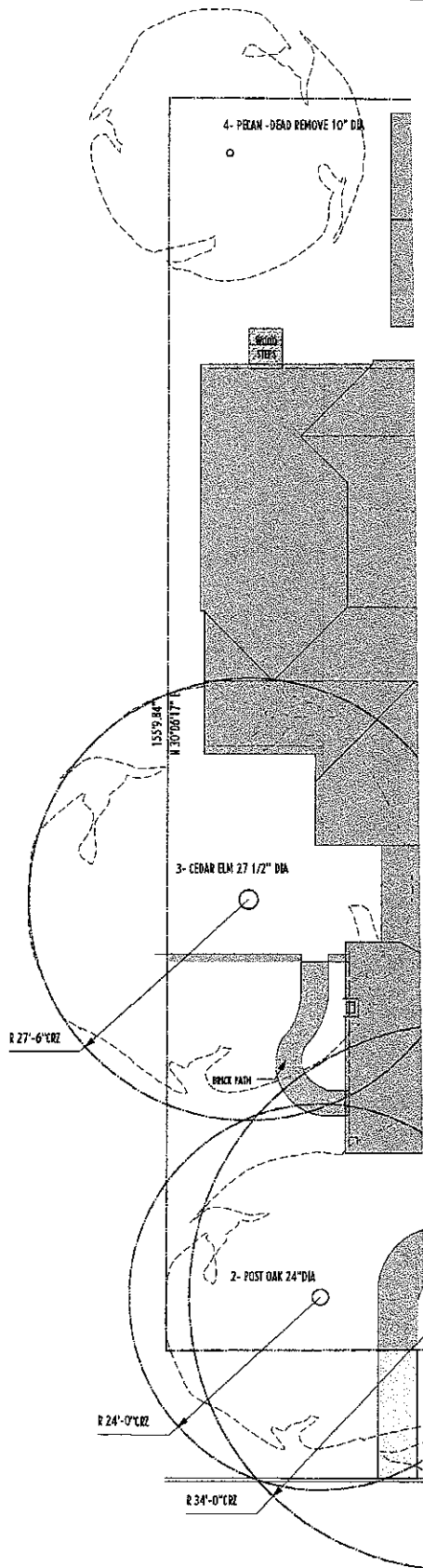
Attached is the plat showing "grandfathered" impervious cover and mitigation that will result if the renovation/remodel is approved (variance is granted). I have added a note on the 1992 version to indicate that the condition of the property when we bought in 1992 is the same as the condition at the critical date in 1984 to establish grandfathering. This is substantiated by the Sinclair Black letter. (We could not obtain a pre-1984 survey plat that would show this because the title company will not furnish it without consent of one of the parties to the purchase and sale. We cannot find those parties.)

The Pemberton Heights Neighborhood Association ("PHNA") does not wish to take a position on our remodel or variance application. I attach two versions of the email confirmation that I could get. Betty Trent is the architect on the PHNA Board. You can decide if either version does anything worthwhile if submitted in the variance process. If neither is useful, you may throw them away.

We anxiously await the outcome of the process.

Thanks for your help,

Tim and Lynn Smith



56.6% IMPERVI
FAR COMPLIANT- NO CHANGE IN
PROPOSED SITE

1

- LEGEND**
- EXISTING GRADE
 - NEW GRADE
 - PROPERTY LINE
 - BUILDING SETBACK LINE
 - EXISTING TREES PER TREE SURVEY
 - EXISTING TREES TO BE REMOVED
 - NEW TREES
 - NEW SHRUBS
 - IMPERVIOUS COVER
 - WOOD DECK IMPERVIOUS COVER 50%
 - TO BE REMOVED

NOT FOR CONSTRUCTION

JOHN MAYFIELD ARCHITECTS

3824 AVENUE F, AUSTIN TEXAS 78751PH:512.327.9707 FAX:512.870.9551

SMITH HOUSE

1610 NORTHWOOD ROAD
 AUSTIN, TEXAS 78703

SHEET NUMBER	T1.02	SITE PLAN	Project:	SMITH	RELEASE KEY:	
					DATE:	FOR
					02.11.14	REVIEW ONLY
					Drawn:	WJ

THIS PLAN AND ALL
 OTHERS ARE THE PROPERTY OF
 JOHN MAYFIELD ARCHITECTS
 AND SHALL BE KEPT IN THE
 OFFICE OF THE ARCHITECT
 FOR THE LIFE OF THE PROJECT

SURVEY PLAT

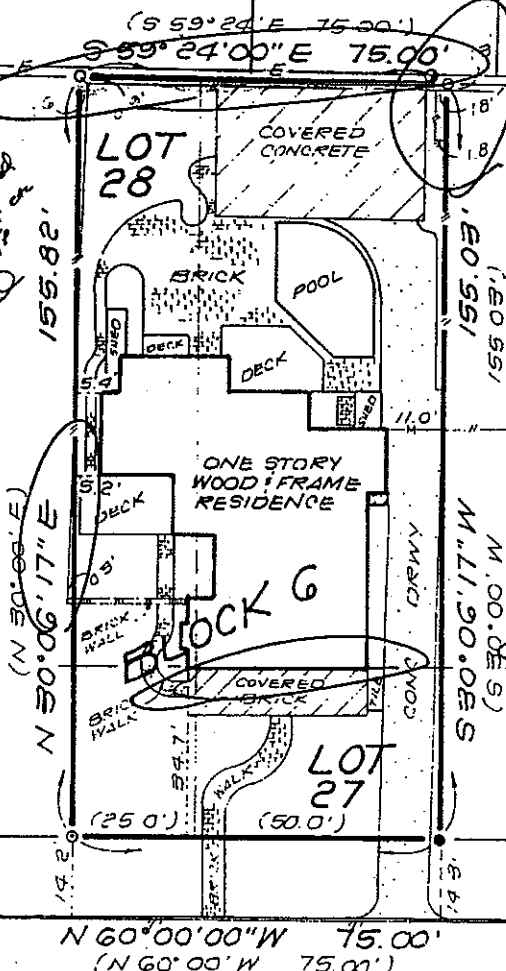
SUMMIT PLACE
BK. 3 PG. 23

SCALE: 1" = 30'

LEGEND

- IRON ROD FOUND
- IRON ROD SET
- △ PIPE FOUND
- ▲ NAIL FOUND
- //— WOOD FENCE
- X- WIRE FENCE
- OO- CHAIN LINK FENCE
- P.U.E. PUBLIC UTILITY ESMT.
- D.E. DRAINAGE ESMT.
- B.L. BUILDING LINE
- POWER POLE
- E- OVERHEAD ELEC. LINE
- D- DOWN GUY
- (BNC.-DIST.) RECORD CALL

12/11
HC 1500 Clay Mills
5.11. - Don't record on
to show recording on
on MTP
REMAINDER
LOT 28



SURVEY REVIEWED
EXAMINER
DATE
APPROVED FOR SURVEY DELETION
SURVEY NOT ACCEPTABLE

SURVEY REVIEWED
EXAMINER
DATE
APPROVED FOR SURVEY DELETION
SURVEY NOT ACCEPTABLE

NORTHWOOD (60' R.O.W.) ROAD

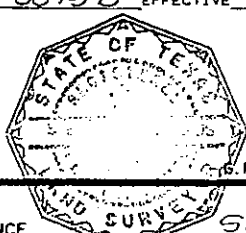
Notes:

1. This lot is subject to restrictive covenants and esmts. recorded in Vol. 472, Pg. 359, Deed Records of Travis County, Texas.
2. This lot is subject to a tel. line esmt. recorded in Vol. 445, Pg. 522, Deed Records of Travis County, Texas.

HERITAGE TITLE CO. &

TO THE OWNERS, LIENHOLDERS AND SECURITY UNION TITLE INSURANCE CO.

THE UNDERSIGNED DOES HEREBY CERTIFY THAT THIS SURVEY WAS THIS DAY MADE ON THE GROUND OF THE PROPERTY DESCRIBED HEREON AND IS CORRECT, AND THAT THERE ARE NO DISCREPANCIES, SHORTAGES IN AREA, BOUNDARY LINE CONFLICTS, ENCROACHMENTS, OVERLAPPING OF IMPROVEMENTS, VISIBLE UTILITY LINES OR ROADS IN PLACE, EXCEPT AS SHOWN HEREON, AND SAID PROPERTY HAS ACCESS TO AND FROM A DEDICATED ROADWAY, EXCEPT AS SHOWN HEREON. THE UNDERSIGNED DOES FURTHER CERTIFY THAT THE PROPERTY DESCRIBED HEREON IS LOCATED IN ZONE C AND IS NOT WITHIN A 100-YEAR FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL INSURANCE ADMINISTRATION FLOOD HAZARD BOUNDARY MAP, PANEL NO. 480624 0016 B EFFECTIVE 3-2-1981.



McANGUS SURVEY COMPANY

1101 CAPITOL OF TEXAS HIGHWAY, SOUTH
SUITE E-230
AUSTIN, TEXAS 78740
(512) 328 - 9302

REFERENCE
ADDRESS 1610 NORTHWOOD ROAD
LEGAL DESCRIPTION LOTS 27 & THE EAST 25' OF LOT 28, BLOCK 6, EDMONT VOL. 3, PG. 131, TRAVIS COUNTY PLAT RECORDS.
JOB NO. 92-224-004 FIELD BOOK 157A/G1

Legend

Lot Lines

Streets

Building Footprints

Named Creeks

Lakes and Rivers

Parks

County

Building Footprints Year

Zoning (Large Map Scale)



Tim Smith

Subject:

FW: 1610 Northwood Request

From: Betty Trent [mailto:betty@austinarchplus.com]

Sent: Thursday, February 06, 2014 5:02 PM

To: tim@drgainc.com

Subject: FW: 1610 Northwood Request

Tim,

Per the below, PHNA does not wish to comment on your request, so we have made a decision not to object.

Betty J Trent, AIA LEED AP

ARCHITECTURE PLUS

1907 N. Lamar Blvd # 260

Austin Texas 78705

V (512)478-0970

F (512) 478-0920

betty@austinarchplus.com



Tim Smith

From: Betty Trent <[REDACTED]>
Sent: Thursday, February 06, 2014 5:02 PM
To: tim@drgainc.com
Subject: FW: 1610 Northwood Request

Tim,
Per the below, PHNA does not wish to comment on your request, so we have made a decision not to object.

Betty J Trent, AIA LEED AP
ARCHITECTURE PLUS
1907 N. Lamar Blvd # 260
Austin Texas 78705
V (512)478-0970
F (512) 478-0920

betty@austinarchplus.com



From: Jane Hayman [mailto:janehayman@aol.com]
Sent: Tuesday, February 04, 2014 8:22 PM
To: carlah@gmail.com; betty@austinarchplus.com
Cc: ffrannkk@gmail.com; bjsm57@gmail.com; alexandraforman@hotmail.com; kimberlydcomstock@gmail.com
Subject: Re: 1610 Northwood Request

I agree with Carla regarding this request.

Jane

Jane Hayman
(415) 516 1296

www.anzusinvestor.com

-----Original Message-----

From: Carla Hatler <[REDACTED]>
To: Betty Trent <[REDACTED]>
Cc: Craig A. Duewall <CDuewall@chamengrass.com>; Frank Hartmann <[REDACTED]>; Beverly Jewell Sutton <bjsm57@gmail.com>; Alexandra Kirk <alexandraforman@hotmail.com>; Kimberly Comstock <kimberlydcomstock@gmail.com>; Jane <janehayman@aol.com>
Sent: Tue, Feb 4, 2014 7:38 pm
Subject: Re: 1610 Northwood Request

Betty,

Our response to these requests has always been that "the PHNA does not comment on renovation projects at this time".

If we decide we want to start commenting on these types of plans we will need to discuss in our next board meeting.

Thanks,
Carla

Sent from my iPhone

On Feb 4, 2014, at 7:08 PM, "Betty Trent" <[REDACTED]> wrote:

Hi All,
This neighbor will be going before the BOA in the next months.
His renovation plans are attached.
He would like to know if the board would be ok with having "no objection" to his plans.
Let me know.

Betty J Trent, AIA LEED AP
ARCHITECTURE PLUS
1907 N. Lamar Blvd # 260
Austin Texas 78705
V (512)478-0970
F (512) 478-0920

<[REDACTED]>
<Image001.jpg>

From: Tim Smith <[REDACTED]>
Sent: Monday, January 27, 2014 11:56 AM
To: [REDACTED]
Cc: [REDACTED]
Subject: 1610 Northwood

Hi Betty. Thank you for putting the "no-objection" or "no position" question before the PHNA Board. I am attaching the drawing that we wish to submit to the Board of Adjustment, and draft letters no-objection and no-position letters if the PHNAB would be inclined to sign one.

The gray shade is intended to show impervious cover, or 50% impervious cover, so that I could verify the calculations made by the architect. The right-most display reflects the property configuration in late 1970's, which shows the grandfathered impervious cover. We acquired the property in that configuration in 1992. You can see that we have a large (compared to McMansion) impervious cover grandfathering. With the remodel, we plan to reduce the impervious cover, but we cannot get to 45%. We are advised that the proposed plan is FAR compliant (even with the old pool pavilion) and there will be no front elevation change resulting from the project. Our permit advisor suggested that we seek approval, or no-objection statements from neighbors and PHNA, if possible.

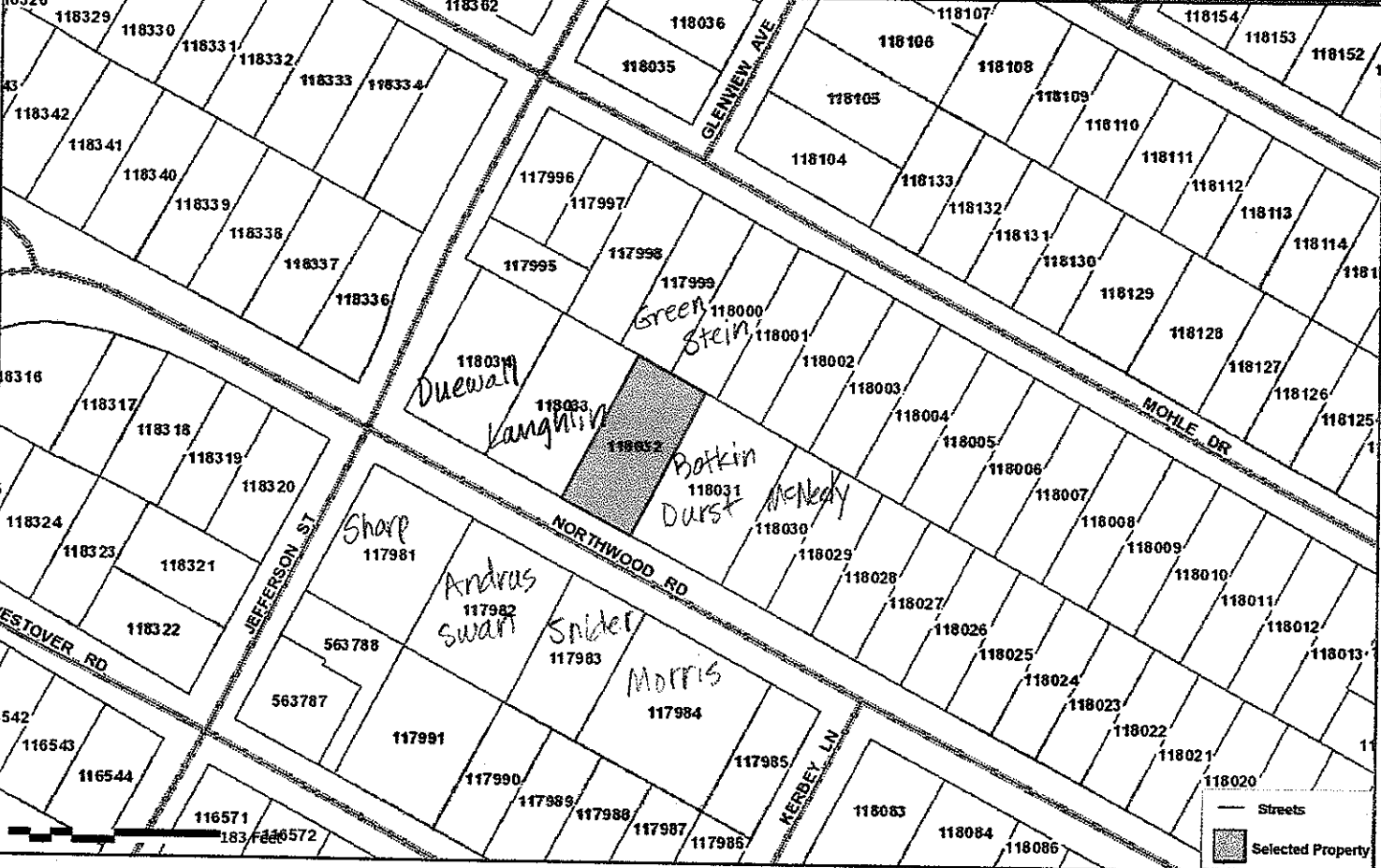
I look forward to hearing the response from the PHNA Board.

Regards,
Tim Smith

DON RAY GEORGE & ASSOCIATES, INC.
S. Tim Smith, P.E.
Principal

1604 Rio Grande
Austin, Texas 78701

Travis CAD - Map of Property ID 118032 for Year 2013



Property Details

ACCOUNT Document ID: 448888

Geo ID: 0118010239

Type: Real

Legal Description: LOT 27 *& E 25 FT OF LOT 28 BLK 6 EDMONT

Location	Site	Altitude	Latitude	Longitude
1	1	1	1	1
2	2	2	2	2
3	3	3	3	3
4	4	4	4	4
5	5	5	5	5
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87	87	87	87	87</

Neighborhood: PEMBERTON HEIGHTS (SFR)

MapSCO: 554Z

Jurisdictions: 0A, 01, 02, 03, 2J, 68

Owner Name: SMITH TRUST

Mailing Address: , 1610 NORTHWOOD RD, , AUSTIN, TX 78703-1946

Mailing Address: , 1610 NORTHWOOD RD, , AUSTIN, TX 78703-1946

Appraised Value: \$744,873.00

Appraised Value: \$744,873.00

<http://propaccess.traviscad.org/Map/View/Map/1/118032/2013>

Map Disclaimer: This tax map was compiled solely for the use of TCAD. Areas depicted by these digital products are approximate, and are not necessarily accurate to mapping, surveying or engineering standards. Conclusions drawn from this information are the responsibility of the user. The TCAD makes no claims, promises or guarantees about the accuracy, completeness or adequacy of this information and expressly disclaims liability for any errors and omissions. The mapped data does not constitute a legal document.

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Notice of No-Objection

Smith Family Renovation Project
1610 Northwood Road, 78703

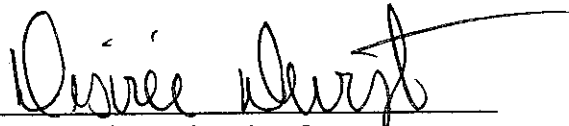
Date: January 26, 2014

To: City of Austin, Board of Adjustment

From: Ryan Botkin and Desiree Durst
1606 Northwood Road

Re: Application for Variance
1610 Northwood Road

We live due East of the Smith residence at 1610 Northwood. We have reviewed the Smiths remodeling plan prepared by Architect John Mayfield. We have no objection to the project as planned.

A handwritten signature in black ink, appearing to read "Desiree Durst", is written over a horizontal line. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

For Ryan Botkin and Desiree Durst
1606 Northwood Road

Notice of No-Objection

Smith Family Renovation Project
1610 Northwood Road, 78703

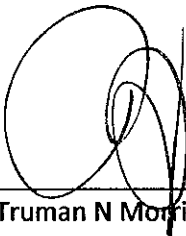
Date: January 26, 2014

To: City of Austin, Board of Adjustment

From: Truman N Morris and Molly B Morris
1605 Northwood Road

Re: Application for Variance
1610 Northwood Road

We live on Northwood near the Smith residence at 1610 Northwood. We have reviewed the Smiths remodeling plan prepared by Architect John Mayfield. We have no objection to the project as planned.

A handwritten signature in black ink, consisting of a large, stylized 'M' or 'T' shape with a vertical line extending downwards from the center.

For Truman N Morris and Molly B Morris
1605 Northwood Road

Notice of No-Objection

Smith Family Renovation Project
1610 Northwood Road, 78703

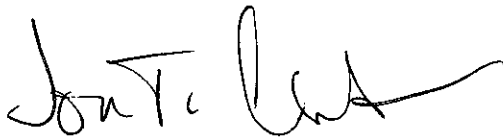
Date: January 26, 2014

To: City of Austin, Board of Adjustment

From: Jon T Andrus and Laurie Swan
1611 Northwood Road

Re: Application for Variance
1610 Northwood Road

We are one of the two houses directly across the street from the Smith residence at 1610 Northwood. We have reviewed the Smiths remodeling plan prepared by Architect John Mayfield. We have no objection to the project as planned.

A handwritten signature in black ink, appearing to read "Jon T Andrus" followed by a flourish, positioned above a horizontal line.

For Jon T Andrus and Laurie Swan
1611 Northwood Road

Notice of No-Objection

Smith Family Renovation Project
1610 Northwood Road, 78703

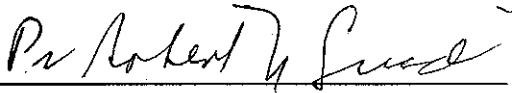
Date: January 26, 2014

To: City of Austin, Board of Adjustment

From: Dr. Robert N Snider
1609 Northwood Road

Re: Application for Variance
1610 Northwood Road

We are one of the two houses directly across the street from the Smith residence at 1610 Northwood. We have reviewed the Smiths remodeling plan prepared by Architect John Mayfield. We have no objection to the project as planned.



For Dr. Robert N. Snider
1609 Northwood Road

Notice of No-Objection

Smith Family Renovation Project
1610 Northwood Road, 78703

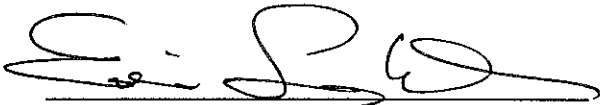
Date: January 26, 2014

To: City of Austin, Board of Adjustment

From: Erica Laughlin and Derek Brooks
1614 Northwood Road

Re: Application for Variance
1610 Northwood Road

We live due West of the Smith residence at 1610 Northwood. We have reviewed the Smiths remodeling plan prepared by Architect John Mayfield. We have no objection to the project as planned.

A handwritten signature in black ink, appearing to be "Erica Laughlin and Derek Brooks", written over a horizontal line.

For Erica Laughlin and Derek Brooks
1614 Northwood Road

Notice of No-Objection

Smith Family Renovation Project
1610 Northwood Road, 78703

Date: January 26, 2014

To: City of Austin, Board of Adjustment

From: Lance D and Laura Bellegie Sharp
1617 Northwood Road

Re: Application for Variance
1610 Northwood Road

We live on Northwood near the Smith residence at 1610 Northwood. We have reviewed the Smiths remodeling plan prepared by Architect John Mayfield. We have no objection to the project as planned.



For Lance D and Laura Bellegie Sharp
1617 Northwood Road

Notice of No-Objection

Smith Family Renovation Project
1610 Northwood Road, 78703

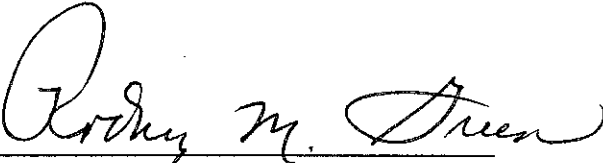
Date: January 26, 2014

To: City of Austin, Board of Adjustment

From: Rodney M Green
1613 Mohle Drive

Re: Application for Variance
1610 Northwood Road

We are one of two neighbors whose property is immediately behind the Smith residence at 1610 Northwood. We have reviewed the Smiths remodeling plan prepared by Architect John Mayfield. We have no objection to the project as planned.

A handwritten signature in cursive script, reading "Rodney M. Green". The signature is written in dark ink and is positioned above a horizontal line.

For Rodney M Green
1613 Mohle Drive

Notice of No-Objection

Smith Family Renovation Project
1610 Northwood Road, 78703

Date: January 26, 2014

To: City of Austin, Board of Adjustment

From: Russell and Jennifer Stein
1611 Mohle Drive

Re: Application for Variance
1610 Northwood Road

We are one of two neighbors whose property is immediately behind the Smith residence at 1610 Northwood. We have reviewed the Smiths remodeling plan prepared by Architect John Mayfield. We have no objection to the project as planned.

A handwritten signature in cursive script, appearing to read "Russell Stein", written over a horizontal line.

For Russell and Jennifer Stein
1611 Mohle Drive

Notice of No-Objection

Smith Family Renovation Project
1610 Northwood Road, 78703

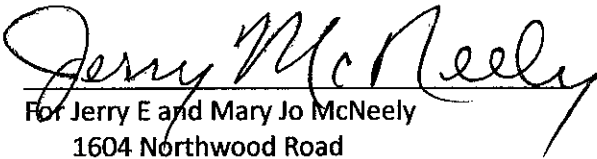
Date: January 26, 2014

To: City of Austin, Board of Adjustment

From: Jerry E and Mary Jo McNeely
1604 Northwood Road

Re: Application for Variance
1610 Northwood Road

We live two houses East of the Smith residence at 1610 Northwood. We have reviewed the Smiths remodeling plan prepared by Architect John Mayfield. We have no objection to the project as planned.


For Jerry E and Mary Jo McNeely
1604 Northwood Road

Notice of No-Objection

Smith Family Renovation Project
1610 Northwood Road, 78703

Date: January 26, 2014

To: City of Austin, Board of Adjustment

From: Craig Duewall and Nicky L Schroeder
1616 Northwood Road

Re: Application for Variance
1610 Northwood Road

We have a home under renovation two houses west of the Smith residence at 1610 Northwood. We have reviewed the Smiths remodeling plan prepared by Architect John Mayfield. We have no objection to the project as planned.

A handwritten signature in black ink, appearing to be 'C Duewall' followed by 'N L Schroeder', written over a horizontal line.

For Craig Duewall and Nicky L Schroeder
1616 Northwood Road

SINCLAIR BLACK & ANDREW VERNOOY, AIA

December 12, 2013

Mr. Tim Smith
1610 Northwood Road
Austin, TX 78703

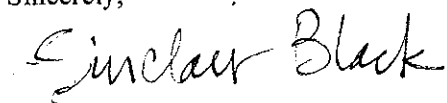
Dear Mr. Smith:

My name is Sinclair Black. I purchased the house at 1610 Northwood Road in 1973. I remodeled the home and added several rooms to it and later sold it in 1976.

The subsequent buyer, Mr. Stephen Pyle, hired me to design a four car shelter for cars, extend the driveway, and create a small pool with surrounding terraces in 1977/1978.

Please contact me if you have any questions and/or need additional information.

Sincerely,



Sinclair Black, F.A.I.A.
Sinclair@blackvernooy.com
512-474-1632

SINCLAIR BLACK, FAIA

D. ANDREW VERNOOY, AIA