CITY OF AUSTIN Board of Adjustment/Sign Review Board Decision Sheet

DATE: Monday, April 14, 2014 Y Jeff Jack Y Stuart Hampton Y Ricardo De Camps Y Bryan King Motion to PP to Y Fred McGhee 2 nd the Motion Y Melissa Hawthorne Y Sallie Burchett	CASE NUMBER: C15-2014-0040 May 12, 2014
APPLICANT: Jim Bennett	
OWNER: Tim Smith	
ADDRESS: 1610 NORTHWOOD RD	
of the Site Development Regulations to increa to 56.6% (60.5% existing); and to decrease the	as requested a variance from Section 25-2-492 (D) se the maximum impervious cover limit from 45% he rear yard setback requirement from 10 feet to 0 residence and retain a covered concrete patio in an Plan zoning district. (Windsor Road)
BOARD'S DECISION: The public hearing motion to Postpone to May 12, 2014, Board POSTPONED TO MAY 12, 2014.	was closed on Board Member Bryan King Member Fred McGhee second on a 7-0 vote;
FINDING:	
The Zoning regulations applicable to the because:	e property do not allow for a reasonable use
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 a	rea in which the property is located because:
	r of the area adjacent to the property, will not property, and will not impair the purpose of which the property is located because: Jeff Jack Chairman







SUBJECT TRACT

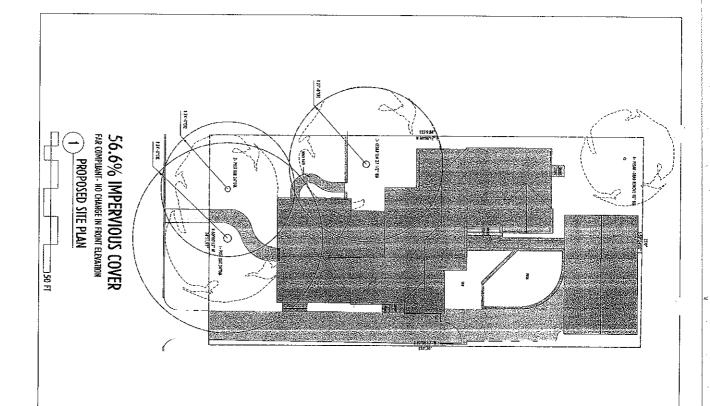
ZONING BOUNDARY

CASE#: C15-2014-0040 LOCATION: 1610 NORTHWOOD ROAD

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.

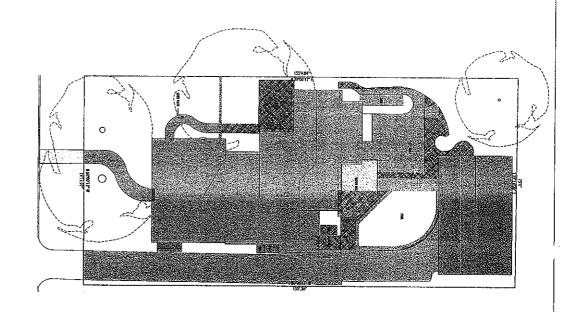
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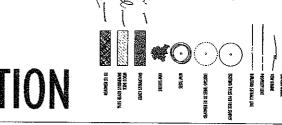


50.5% IMPERVIOUS COVER
SAME AS PRE-1984 CONDITION

2 1992 SITE PLAN



NOT FOR CONSTRUCTION



SRET RUMBE T1.02

SITE PLAN

| No. | No.

SMITH HOUSE

AVSE ROOMETSON OLD EDSECTION OF THE LANGUAGE JOHN MAYFIELD ARCHITECTS

3924 AVENUE F. AUSTIN TRULY 78751 NK517 327 9703 FBZ-517 870 9651

215-2014-0040 ROW 10# 11101957 TAX ROII# 0180102

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 – <u>Edgemont</u>
Lot(s) 27 & E. 25 ft. of 28 Block 6 Outlot Division
I Jim Bennett as authorized agent forTim 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. (Windfor 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:
N	OTE: 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.
app	PLICANT CERTIFICATE – I affirm that my statements contained in the complete olication are true and correct to the best of my knowledge and belief. Mail Address 11505 Cidge DR
Cit _: Pri:	Mail Address 11505 Ridge DR. y, State & Zip Austur X 78768 The Bewelt Phone 512-282-3079 Date 2/4/14
OV	NERS CERTIFICATE – I affirm that my statements contained in the complete application true and correct to the best of my knowledge and belief.
	y, State & Zip AUSTIN, TX 78703
rrin	ted Ting 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.)

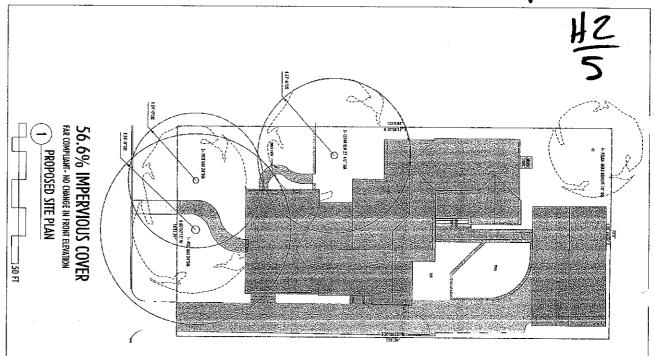
The Pemberton Heights Neighborhood Association ("PHNA") does not wish to take a position on our remodel or variance application. I attach two versions of the email confirmation that I could get. Betty Trent is the architect on the PHNA Board. You can decide if either version does anything worthwhile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

We anxiously await the outcome of the process.

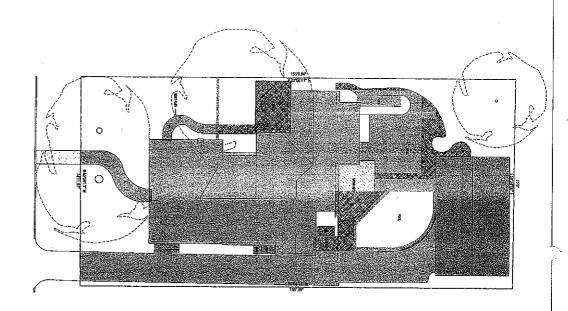
Thanks for your help,

Tim and Lynn Smith

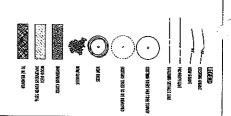
C15-2014-0040







NOT FOR CONSTRUCTION

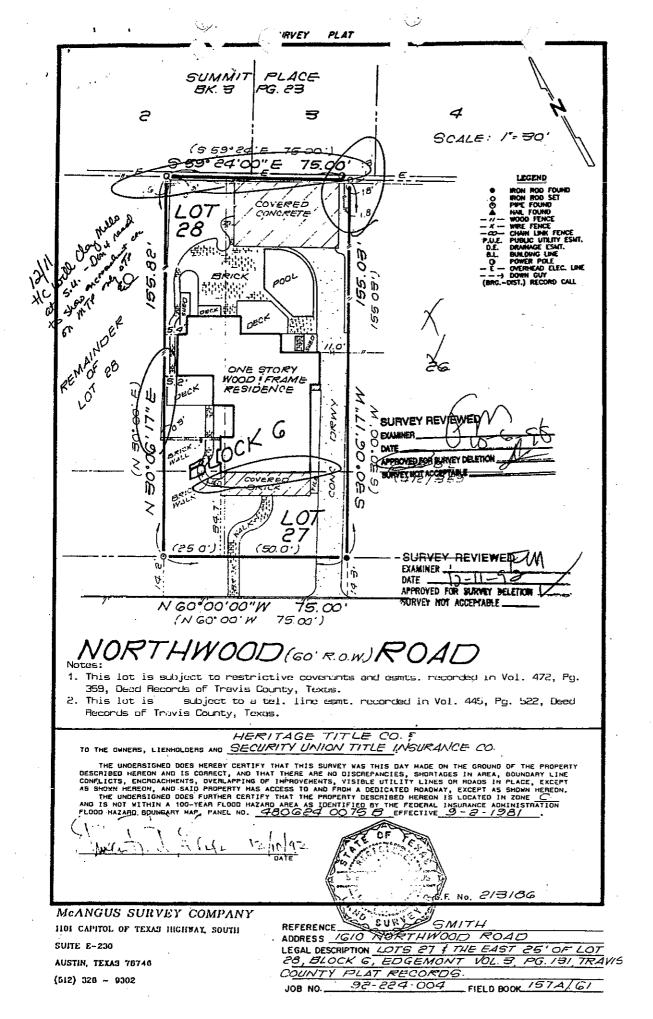


SETE MANUSE T1.02 SITE PLAN

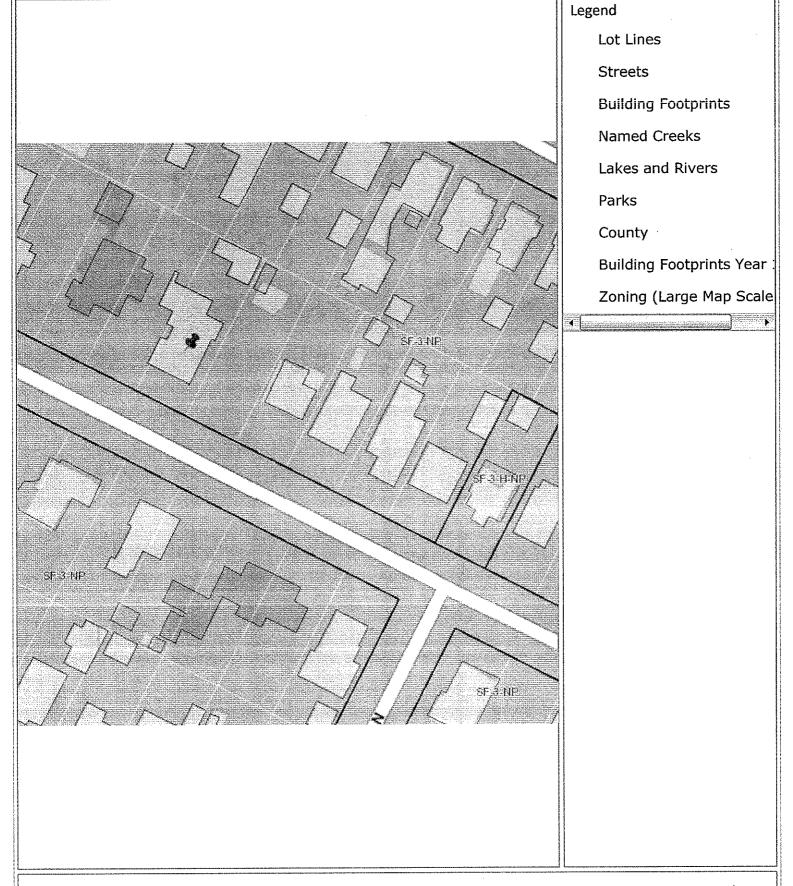
| Consumer Control of Cont

SMITH HOUSE

JOHN MAYFIELD ARCHITECTS



CITY OF AUSTIN DEVELOPMENT WLD MAP 1987 Aerial



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Tim Smith

Subject:

FW: 1610 Northwood Request

From: Betty Trent [mailtoning Language Industrial Plans Sent: Thursday, February 06, 2014 5:02 PM

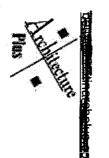
To: tim@drgainc.com

Subject: FW: 1610 Northwood Request

Tim,

er 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



Tim Smith

From:

Betty Trent-tell, waste m>

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: ffrrannkk@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 Sanding mail.com>
To: Betty Trent Sanding Shallon Som>

Cc: Craig A. Duewall < CDuewell@ehannengraeey.com >; Frank Hartmann >; Beverly Jewell Sutton

< bism57@gmail.com>; Alexandra Kirk alexandra Kirk

> Jane is shayman a room

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" words:

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

<u>detyceausunarolimiue.eem</u> <lmage001.jpg>

From: Tim Smith [ulante: mesrgame.com]
Sent: Monday, January 27, 2014 11:56 AM

Te materiples.com
Ce: 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.

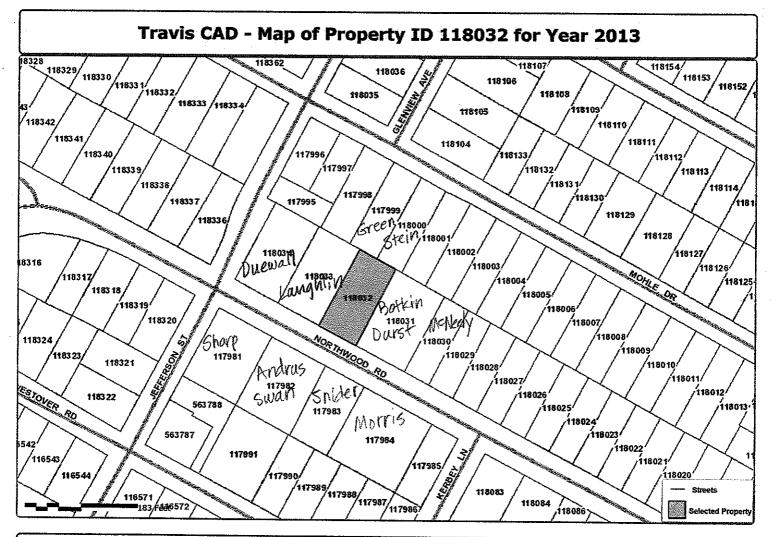
I look forward to hearing the response from the PHNA Board.

Regards, Tim Smith

DON RAY GEORGE & ASSOCIATES, INC.

S. Tim Smith, P.E. Principal

1604 Rio Grande Austin, Texas 78701



Property Details

Account

Property ID: 118032 Geo ID: 0118010239

Type: Real

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

Location

Situs Address: 1610 NORTHWOOD RD TX 78703 Neighborhood: PEMBERTON HEIGHTS (SFR)

Mapsco: 554Z

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

Owner

Owner Name: SMITH TRUST

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

Property

Appraised Value: \$744,873.00

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

PropertyACCESS

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 does not constitute a legal document.

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.

For Ryan Botkin and Desiree Durst

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.

For Truman N Morris and Molly B Morris

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.

For Jon T Andrus and Laurie Swan

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

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.

For Erica Laughlin and Derek Brooks

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

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.

For Rodney M Green 1613 Mohle Drive

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.

For Russell and Jennifer Stein

1611 Mohle Drive

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

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.

For Craig Duewall and Nicky L Schroeder

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, Einclaw Black

Sinclair@black, F.A.I.A. Sinclair@blackvernooy.com

512-474-1632

SINCLAIR BLACK, FAIA

D. ANDREW VERNOOY, AIA