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CASE # _____
PLAN REVIEW # _____

APPLICATION TO THE RESIDENTIAL DESIGN
AND COMPATIBILITY COMMISSION (RDCC)

GENERAL MODIFICATION WAIVER

APPLICANT: Ginny Catania

AUTHORIZED AGENT (if applicable): David Cancialosi

STREET ADDRESS: 903 Ethel St

LEGAL DESCRIPTION: Subdivision - Grizzard Resub

Lot(s) D Block _____ Outlot _____ Division _____

ZONING DISTRICT AND NEIGHBORHOOD PLAN: SF-3 NA Zilker

LAND STATUS DETERMINATION CASE NUMBER (if applicable) N/A

REQUEST: up to 25% increase in one or more of the following:

- ☒ Maximum Floor to area ratio .4 or gross floor area >2300 sq ft.
- ☐ Maximum Linear feet of Gables protruding from setback plane
- ☐ Maximum Linear feet of Dormers protruding from the setback plane

Waive or modify the side wall articulation requirement of Section 2.7.

- ☐ Side Wall Length Articulation

Please briefly and thoroughly

The prior owner/ builder permitted the site via BP-2013-042477 as new construction. The COA permit application described a carport on the scope of work page.

On the FAR page, a garage was described and the 450 SF FAR credit was calculated. COA staff approved the permit and passed inspections.

The prior owner / builder proceeded to build a carport per COA definitions by maintaining at least 80% of each wall (2 walls) open.

The carport is allowed a 200 SF FAR credit. When correctly calculated, the 250 SF overage equals 2,679 SF, or 44% FAR on-site.

Note: Certificate of Appropriateness: H (Historic) or HD (Historic Designation) – case goes to RDCC first. National Register Historical District (NRHD) Overlay: without H or HD - case goes to Historic Landmark Commission first.

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DESIGN GUIDELINE CONSIDERATIONS:

1. Are there any recommendations from the neighborhood plan team for this development?

Not to our knowledge. We are happy to discuss with Zilker NA and will engage them prior to the RDCC meeting.

2. Does the development:

- a. Comply with the neighborhood design guidelines, if any

Yes, there are no specific garage / carport guidelines in the Zilker NA plan.

- b. Provide consistency with the streetscape of the properties in the vicinity

Several homes on Ethel Street have front loading garages similar to the subject site's layout.

Throughout the neighborhood there is a mixture of carports, garages, and uncovered parking areas.

- c. Provide consistency with the massing, scale and proximity of structures located on either side of or behind the development

The current design is consistent with the adjacent properties. The size and scale is in keeping with sites that have been recently remodeled.

The house is compliant with all facets of zoning and Subchapter F regulations, with the exception of the COA oversight re: FAR calculations.

The house maintains a front 25' setback, 5' side setbacks and 10' rear setbacks. It has ribbon driveway access.

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d. Impact the privacy of adjacent rear yards

The current design does not impact any adjacent rear yards.

e. Impact the topography or lot shape

The current design does not impact the topography or the lot shape, however, since the house is built there is no practical solution to later it's FAR.

3. For a development of an entire block, will the development have a negative impact on the adjacent property?

This is not applicable.

**APPLICATION TO THE RESIDENTIAL DESIGN
AND COMPATIBILITY COMMISSION**

GENERAL MODIFICATION WAIVER

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

Mailing Address 105 W Riverside Dr #225
City, State Austin Texas Zip 78704
Phone 512-799-2401 Printed Name David Cancialosi
Signature [Signature] Date 5/2/14

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

Mailing Address 903 Ethel Street
City, State Austin Texas Zip 78704
Phone 512-636-0034 Printed Name Ginny Catania
Signature [Signature] Date 21/04/2014

**GENERAL INFORMATION FOR SUBMITTAL OF A MODIFICATION REQUEST TO
THE RESIDENTIAL DESIGN AND COMPATIBILITY COMMISSION**

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From the office of
PERMIT PARTNERS, LLC
105 W. Riverside Dr. Suite 225
Austin, Texas 78704
David C. Cancialosi
512.799.2401 c.
512.494.4561 f.
david@permit-partners.com

City of Austin Planning and Development Review
One Texas Center
505 Barton Springs Rd
Austin, Texas 78704
Attention: RDCC Staff Coordinator

RE: RDCC application for 903 Ethel St.

To Whom It May Concern:

Attached is an application for a waiver to subchapter F section 2.1, *Maximum Development Permitted*, in order to maintain 44% FAR on the aforementioned property. The current owner requests this waiver in order to continue utilizing the existing covered parking area that appears to be approved via city of Austin permit, but in conflict with applicable subchapter F regulations.

The request is necessary to correct an issue created by a prior owner who was also the contractor. The finished project is over the allowable 40% FAR due to a covered parking area.

In May 2013, the city approved permit application 2013-042477. This application proposed a single-family home with a covered parking area. The covered parking area is accessed via concrete ribbon strips. There is no formal parking area on these strips. The only parking area on site is within the as-built covered parking structure.

In this application, the applicant references both a garage and carport at various times. The FAR calculations page describes a *garage* while the scope of work on the application's first page lists a *carport*. The FAR calculation sheet continues to count the parking area as a *garage* and proposes the 450 ft.² FAR credit in keeping with subchapter F 3.3.2 which allows FAR credits for various components of the home.

Although designed as a carport (per approved plans), it appears the builder was attempting to capture the 450 ft.² FAR credit associated with section 3.3.2(a) that states (paraphrased):

"A 450 square-foot FAR credit... is allowed... for a parking structure that is open on two sides if... the open sides are clear and unobstructed for at least 80% of the area measured below the top of the wall plate to the finished floor of the carport."

The builder built the parking area with an open face garage entry; the north facing wall to the left is at least 80% open. The opposite walls are fully enclosed, and the east facing wall is attached to the home providing interior entry into the home. Please attached pictures.

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Shortly after purchasing the property the current owner added a retractable overhead garage door to the main covered parking entry. At some point after installation of this nonstructural garage door system, the owner was contacted by the city code compliance department. Code Inspector Barbara Boswell stated that the site exceeds the allowable FAR as a result of enclosing the parking area with a retractable overhead door. The owner was also notified that a building permit is required for installation of this type of overhead door. It should be noted that no structural modification to the building has been made to accommodate the garage door installation.

After review of the specific code sections, we agree that a building permit is required and that the addition of a retractable garage door does increase the FAR when the specific letter of the law is applied. However, the full intent is not compromised by adding a retractable garage door as there is no increased massing.

However there appears to be a conflict regarding the allowable credit for *parking areas* as described in subchapter F. If the parking area is utilized as the required parking area, then section 3.3.2(b)(1) appears to conflict with the code section 3.3.2(a). Section 3.3.2(b)(1) speaks to the 200 ft.² credit used to meet the minimum parking requirements:

"... the following parking areas and structures are excluded from Gross floor area... B: up to 200 ft.²... an attached parking area if it is used to meet the minimum parking requirement..."

By enclosing the parking area, the 450 ft.² FAR credit is reduced to a 200 ft.² FAR credit. Thus the original calculation provided on the approved building permit application is not a keeping with the literal application of subchapter F.

The correct calculation should have allocated only a 200 ft.² credit towards the overall allowable FAR. This leaves a remaining 250 ft.² that needs to be applied to the overall site FAR.

When correctly calculated this increases the total FAR from 2429 ft.² to 2679 ft.², or 44% FAR.

Is our position that the aforementioned code sections do not provide clear guidance in cases where one attempts to gain a 450 ft.² FAR credit for a parking structure open on two sides, but the same area is used to meet the required off-street parking requirements.

The overhead garage door was installed to continue using the covered parking as a typical garage by storing and protecting her vehicle, mopeds, children's toys, and other garage related items. If the waiver is approved, the owner's intent is to continue utilizing the retractable, nonstructural overhead garage door and enclose the north facing wall (currently open 80%) for additional security. This will result in a 100% enclosed covered parking area. This will not add massing or scale to the existing structure.

Given the current building was approved by permitting staff then by field inspection staff at 40% FAR, there is no practical way to comply with the required FAR allowance. This represents a substantial hardship as the owner would need to remove some portion of the existing residence in order to comply.

We have reviewed the possibility of utilizing a 100% concrete driveway, but that is not possible. The driveway is not long enough to support two off-street parking spaces. Additionally, if it were long enough, it would result in exceeding the allowable maximum impervious coverage allowance, creating an additional issue.

From an aesthetic perspective, many homes in the neighborhood have front facing garages, carports and parking areas. The existing design is in keeping with the neighborhood aesthetics and poses no issue to respective properties. Enclosing the two walls does not add massing nor increased scale to the existing structure. Further, the existing site is fully compliant with all other bases zoning development and subchapter F regulations.

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For the aforementioned reasons, the owner respectfully request the commission grant the waiver to allow 44% FAR in order to maintain the existing residence in it's current condition as approved by the city of Austin.

We respectfully request to be added to the next city of Austin Residential Design and Compatibility Commission agenda.

Please find all required application materials attached to this cover letter. Should the city have any questions please contact me directly.

Sincerely,

David C. Cancialosi, Agent for owner

Cc: Ginny Catania

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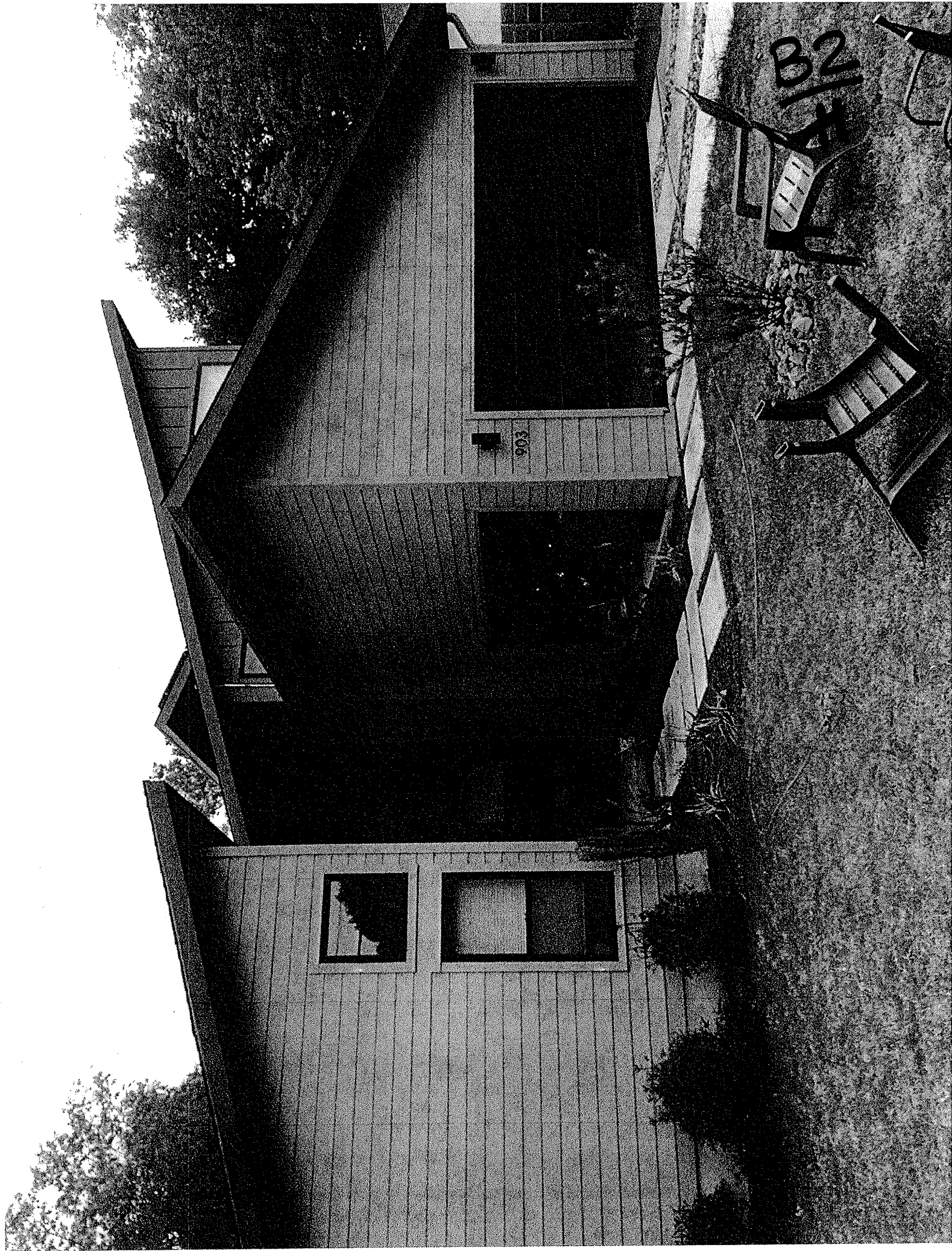
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Property Search Results > 103227 CATANIA GINNY for Year 2014

Property

Account

Property ID: 103227 Legal Description: LOT D GRIZZARD WH RESUB
 Geographic ID: 0103030203 Agent Code:
 Type: Real
 Property Use Code:
 Property Use Description:

SUBJECT PROPERTY

Location

Address: 903 ETHEL ST Mapsco: 614C
 TX 78704
 Neighborhood: ZILKER Map ID: 010208
 Neighborhood CD: L2000

Owner

Name: CATANIA GINNY Owner ID: 1597949
 Mailing Address: 903 ETHEL ST % Ownership: 100.0000000000%
 AUSTIN, TX 78704

Exemptions:

Values

(+) Improvement Homesite Value:	+	\$164,426	
(+) Improvement Non-Homesite Value:	+	\$0	
(+) Land Homesite Value:	+	\$285,000	
(+) Land Non-Homesite Value:	+	\$0	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	\$0	\$0
(+) Timber Market Valuation:	+	\$0	\$0
<hr/>			
(=) Market Value:	=	\$449,426	
(-) Ag or Timber Use Value Reduction:	-	\$0	
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(=) Appraised Value:	=	\$449,426	
(-) HS Cap:	-	\$0	
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(=) Assessed Value:	=	\$449,426	

Taxing Jurisdiction

Owner: CATANIA GINNY
 % Ownership: 100.0000000000%
 Total Value: \$449,426

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
01	AUSTIN ISD	1.242000	\$449,426	\$449,426	\$5,581.87
02	CITY OF AUSTIN	0.502700	\$449,426	\$449,426	\$2,259.27
03	TRAVIS COUNTY	0.494600	\$449,426	\$449,426	\$2,222.86
0A	TRAVIS CENTRAL APP DIST	0.000000	\$449,426	\$449,426	\$0.00
2J	TRAVIS COUNTY HEALTHCARE DISTRICT	0.129000	\$449,426	\$449,426	\$579.76
68	AUSTIN COMM COLL DIST	0.094900	\$449,426	\$449,426	\$426.50
Total Tax Rate:		2.463200			
Taxes w/Current Exemptions:					\$11,070.26
Taxes w/o Exemptions:					\$11,070.26

Improvement / Building

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w/ garage
extemp.
2619

2819

Improvement #1: 1 FAM DWELLING State Code: A1 Living Area: 2322.0 sqft Value: \$164,426

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
1ST	1st Floor	WS - 5		2013	1768.0
2ND	2nd Floor	WS - 5		2013	554.0
011	PORCH OPEN 1ST F	* - 5		2013	70.0
011	PORCH OPEN 1ST F	* - 5		2013	112.0
251	BATHROOM	* - *		2013	3.0
252	BEDROOMS	* - *		2013	3.0
061	CARPORT ATT 1ST	* - 5		2013	414.0
095	HVAC RESIDENTIAL	* - *		2013	2322.0
581	STORAGE ATT	WS - 5		2013	83.0

Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	LAND	Land	0.1415	6162.18	58.00	105.71	\$285,000	\$0

Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2014	\$164,426	\$285,000	0	449,426	\$0	\$449,426
2013	\$34,948	\$285,000	0	319,948	\$0	\$319,948
2012	\$20,000	\$206,173	0	226,173	\$0	\$226,173
2011	\$3,331	\$235,000	0	238,331	\$0	\$238,331
2010	\$4,400	\$235,000	0	239,400	\$0	\$239,400
2009	\$4,400	\$235,000	0	239,400	\$0	\$239,400

Deed History - (Last 3 Deed Transactions)

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Deed Number
1	2/10/2014	WD	WARRANTY DEED	MOAZAMI ENDEAVORS LLC	CATANIA GINNY			2014020368TR
2	3/20/2013	WD	WARRANTY DEED	TOLAND HOLLY BELL	MOAZAMI ENDEAVORS LLC			2013052349TR
3	3/16/1988	WD	WARRANTY DEED	TOLAND HOLLY BELL	TOLAND HOLLY BELL	10624	00554	

Questions Please Call (512) 834-9317

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