

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

ROW

CASE # C15-2014-0099
1179858

CITY OF AUSTIN ROLL # 0104070501
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: 2400 SPRING CREEK DRIVE, AUSTIN, TEXAS 78704

LEGAL DESCRIPTION: Subdivision – RESUB BLK 3-4 BARTON TERRACE

Lot(s) 11A Block 3 Outlot _____ Division _____

I/We Christy Seals, AIA on behalf of myself/ourselves as authorized agent for

Seth Randle and Amy Gray affirm that on April 30th, 2014,

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

(check appropriate items below)

 ERECT X ATTACH COMPLETE REMODEL MAINTAIN

An addition to an existing one-story single family residence above and in line with the
side street facing existing garage, where the existing garage encroaches into the 15' _____
street side yard setback. _____

in a SF3 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:
See attached document
-
-

HARDSHIP:

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

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

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:
See attached document
-
-

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  Digitally signed by Lisa C. Seals
DN: cn=Lisa C. Seals, o=Loop Design,
ou, email=seals@loop-d.net, c=US
DATE: 2014.04.30 17:29:28 -0500 Mail Address 1401 E. 7th Street
City, State & Zip Austin, Texas 78702

Printed Lisa C. Seals (Christy), AIA Phone 512-217-9056 Date 4/30/14

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  Mail Address 2400 Spring Creek Drive
City, State & Zip Austin, Texas 78704

Printed J Seth Randle Phone 512-912-8993 Date 4/30/14


Amy Gray

4/30/2014

VARIANCE FINDINGS – 2400 Spring Creek Drive

REASONABLE USE

1. The zoning regulations applicable to the property do not allow for a reasonable use because:
The existing house was built in 1963 with a 10' street side building line by deed (see attached survey), prior to 15' street side yard setbacks by zoning. Most of the existing side elevation is non-compliant by current setbacks, which, coupled with the large tree canopy on the non-built portion of the lot, effectively limits any new addition to the house. The size of the existing house and lot would allow a 931 square foot increase to the existing gross floor area.

HARDSHIP

2. (a) The hardship for which the variance is requested is unique to the property in that:
The lot is a corner lot with a unique side setback / house relationship and a unique topographical condition (dropping approximately 17' from front to back of property), combined with an atypical number of protected and heritage size multi-trunk trees. Out of seven total trees, three are heritage size and three are protected size.

(b) The hardship is not general to the area in which the property is located because:
The existing house's relationship with the side setback, site topography and number of protected and heritage size trees is unique to this property.

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 will not alter the character of the area adjacent to the property, because it allows the house to maintain a single story presence allowing the house to continue from the front. This is in keeping with the scale of the immediately adjacent neighbors, as well as most of the historical context of the area.

The proposed addition would have the least impact on the canopy and root zone of protected and heritage size trees, allowing all adjacent properties to benefit from their continued health.

The existing footprint was compliant at the time of its construction, and this project would not increase the non-compliant footprint, being wholly contained above and within existing conditions, thusly not impairing the use of adjacent conforming property.

The proposed addition will not impair the purpose of the regulations of the zoning district in which the property is located because it will maintain its current side yard setback, which has

been in existence since the property was permitted and constructed in 1963, and which is still greater, due to its position on a street corner, than an interior lot setback.

2/17/2014

Google Maps



STREET VIEW

2401 Spring Creek Dr
Austin, TX 78704 - approximate address



FRONT STREET ELEVATION -
SPRING CREEK DRIVE

<https://www.google.com/maps/@30.259034,-97.77558,3a,75y,42.27h,86.51t/data=!3m4!1e1!3m2!1spOnLv7BAcKhv2HbOOOmKQ!2e0>

STREET VIEW

1400-1498 Cliffside Dr
Austin, TX 78704 - approximate address



SIDE STREET ELEVATION -
CLIFFSIDE DRIVE

S40°28'00"E 65.86'

FND
3/8" I.R.
1.1'

5' P.U.E.

LOT 11A

STONE
WALL

POND

N40°28'00"W 60.90'

SPRING CREEK DRIVE
(50' R.O.W.)



NANTS VOL

NOT FOR
CONSTRUCTION

4.04'

SET CAPPED
1/2" I.R.

19.3' 6.1' 0.7' 0.3' 6.1'

10' B.L.

GA 1.1'

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arrangements are the property of Loop Design, Inc. and shall remain the property of Loop Design, Inc. No part thereof shall be copied,
reproduced, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written consent of Loop Design, Inc. Voided contract with these drawings and specifications. Constitutive evidence of acceptance of these specifications.

VARIANCE APPLICATION PREP

DRAWING TITLE:
PLATTED SIDE SETBACK

SCALE:
3/32" = 1'-0"
DATE:
04.29.14
SHEET NUMBER: S1

RANDLE RESIDENCE

2400 SPRING CREEK DRIVE
AUSTIN, TEXAS 78704

LOOP DESIGN

1401 East 7th Street
Austin, Texas 78702

PHONE 512.217.9056
www.loop-d.net

Randle
2400 Spring Creek Drive
Austin, TX 78704

15 July 2014

Dear City of Austin Board of Adjustments,

Our names are Seth and Amy Randle. We live at 2400 Spring Creek Drive.

This is our first home. We bought this home before starting a family over eleven years ago. We love and value the community we share with the friends and family who are our Barton Hills neighbors. We have no desire to move. However, we would like to have a little more space and we are limited in where we can add the space.

We have a large number of heritage oaks on our lot. We love these trees. Our kids climb them and play from them. We love the shade they give our home and yard. We cannot expand our house into our backyard or front yard because it would negatively hurt the root zones of these trees. Expanding upwards with a second story on the main part of our house would negatively impact the trees' canopy and would also reduce the amount of energy-conserving shade our trees provide. The area for an addition of least impact to any portion of our oaks is over our existing garage.

Additionally one of the things we love about our neighborhood is the character of the low ranch-style homes. By building on top of our garage, which is detached and down slope for our house, we can maintain a single story for our home and help preserve the character of the neighborhood.

Our lot is not square and only a portion of our garage does not meet the current setback requirements. We are seeking a variance in order to build on top of the existing garage so that we can preserve our trees and keep our home a single story. We hope you will grant it.

Thank you,

Amy Gray-Randle & Seth Randle

Amy Gray Randle
/s/ Seth Randle



TO: Jeff Jack, Chair
Board of Adjustment Members

FROM: Michael Embesi, City Arborist *ME*
City Arborist Program
Planning & Development Review Department

DATE: June 9, 2014

SUBJECT: Heritage Trees at 2400 Spring Creek Drive

At the request of the applicant, I have assessed the trees and potential development at 2400 Spring Creek Drive. The purpose of my involvement is to perform a basic assessment of tree health and structural condition and determine allowable development impacts. There are six Live Oaks (*Quercus fusiformis*), with diameters of 50", 42", 35", 26", 26", and 25" that are recognized as heritage trees per the Land Development Code. A ground-based visual assessment suggests that the trees are biologically and structurally sound. The conceptual plans are compliant with critical root zone guidelines for all regulated trees but would impact the canopy of a 25-inch Live Oak tree more than the 25% canopy removal guideline. They understand from meeting with me that development influences to tree longevity is most commonly associated with root zone impacts and that canopy impacts are typically not fatal to a tree.

The owners, Amy and Seth Randle, have informed me of the following information. They have lived in this house since 2003. They have explained that the large oak trees and the low-slung mid-century building character of the Barton Hills neighborhood is a primary reason they want to continue to live there as their family grows. They would like to add on to their house in the most tree sensitive way. Building over top of their existing garage represents the one site with the least canopy impact to the trees.

Due to these reasons they have respectfully requested the support of the City Arborist for their variance request to the Board of Adjustment. If the variance is approved, conditions will be added to the tree permit to protect and care for the trees during construction. If you have questions or need further details, please contact me at (512) 974-1876 or michael.embesi@austintexas.gov.

Subject: Re: Request for Support for Variance
From: Tom Nuckols (tnuckols@austin.rr.com)
To: a_gray@sbcglobal.net;
Date: Sunday, July 20, 2014 10:28 PM

Amy,

I discussed this with the BHNA officers today. There weren't enough votes for us to take any formal action one way or the other. We agreed that yours is a case that is truly between you and your neighbors, rather than being a policy matter affecting the whole neighborhood. Officers who've served longer than me say BHNA's practice is not to take a position on such matters because doing otherwise would result in BHNA having to constantly take sides between different neighbors. Please feel free to share this e-mail with the City.

Regards,
Tom Nuckols
President
Barton Hills Neighborhood Association

21 July 2014

Note to City of Austin Board of Adjustments-

We presented our situation to the Barton Hills Neighborhood Association (BHNA) at the April 2014 meeting in hopes of getting a letter of support. The neighborhood has not been approached in this manner before. Above is their resolution.

MAP OF LETTERS OF SUPPORT FROM ADJACENT NEIGHBORS

- 1 - 2308 Spring Creek Drive - Michael Kuhn
- 2 - 2401 Spring Creek Drive - Ken and Rosalie Russell
- 3 - 2402 Spring Creek Drive - Lisa and Michael Urbanski
- 4 - 2403 Spring Creek Drive - Cindy and Dan Bogard
- 5 - 2404 Spring Creek Drive - Kathy Volk



July 19, 2014


Dear City of Austin Board of Adjustments,

My name is Michael Kuhn. I live at 2308 Spring Creek Drive, across the street from the Randle residence. I have been a neighbor of the Randles since they moved in about 10 years ago. I purchased my home on Spring Creek Drive in 1994.

Amy & Seth Randle have discussed with me their plans for an addition over their garage and their need for a variance in order to do this remodel as desired.

I have reviewed their plans and I fully support their request for the variance. I hope you will grant it. Seth and Amy have been great neighbors and I am pleased that they choose to remain in the neighborhood. If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Michael Kuhn". The signature is written in a cursive, slightly slanted style.

Michael Kuhn
2308 Spring Creek Dr.
Austin, TX 78704-2036
512.657.6986

June 15, 2014

Dear City of Austin Board of Adjustments;

Our names are Ken and Rosalie Russell. We live at 2401 Spring Creek Drive, across the street from the Randle residence. We have been neighbors with the Randles for about 10 years. Amy & Seth Randle have discussed their plans for an addition over the garage and their need for a variance in order to do this remodel as desired. After looking at their plans and discussing it with the Randles, we support their request for the variance, and hope you will grant it.

Sincerely,

Ken & Rosalie Russell

A handwritten signature in cursive script, appearing to read "Rosalie Russell". The ink is dark and the signature is fluid, with the first name being more prominent than the last.

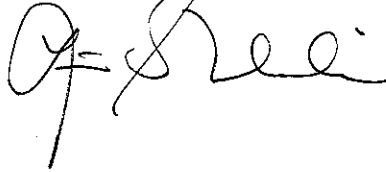
June 15, 2014

Dear City of Austin Board of Adjustments,

Our names are Lisa & Michael Urbanski. We live at 2402 Spring Creek Drive, next door to the Randle residence. We have been neighbors with the Randles for about 10 years. Amy & Seth Randle have discussed their plans for an addition over the garage and their need for a variance in order to do this remodel as desired. After looking at their plans and discussing it with the Randles, we support their request for the variance, and hope you will grant it.

Sincerely,

Lisa & Michael Urbanski

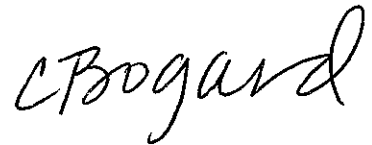
A handwritten signature in black ink, appearing to read "Lisa & Michael Urbanski", written over the printed name.

June 15, 2014

Dear City of Austin Board of Adjustments;

Our names are Cindy and Dan Bogard. We live at 2403 Spring Creek Drive, diagonally across the street from the Randle residence. We have been neighbors with the Randles for about 10 years. Amy & Seth Randle have discussed their plans for an addition over the garage and their need for a variance in order to do this remodel as desired. After looking at their plans and discussing it with the Randles, we support their request for the variance, and hope you will grant it.

Sincerely,

A handwritten signature in cursive script, appearing to read "CBogard".

Cindy & Dan Bogard

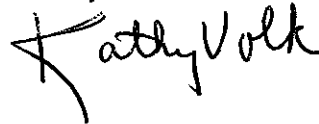
June 15, 2014

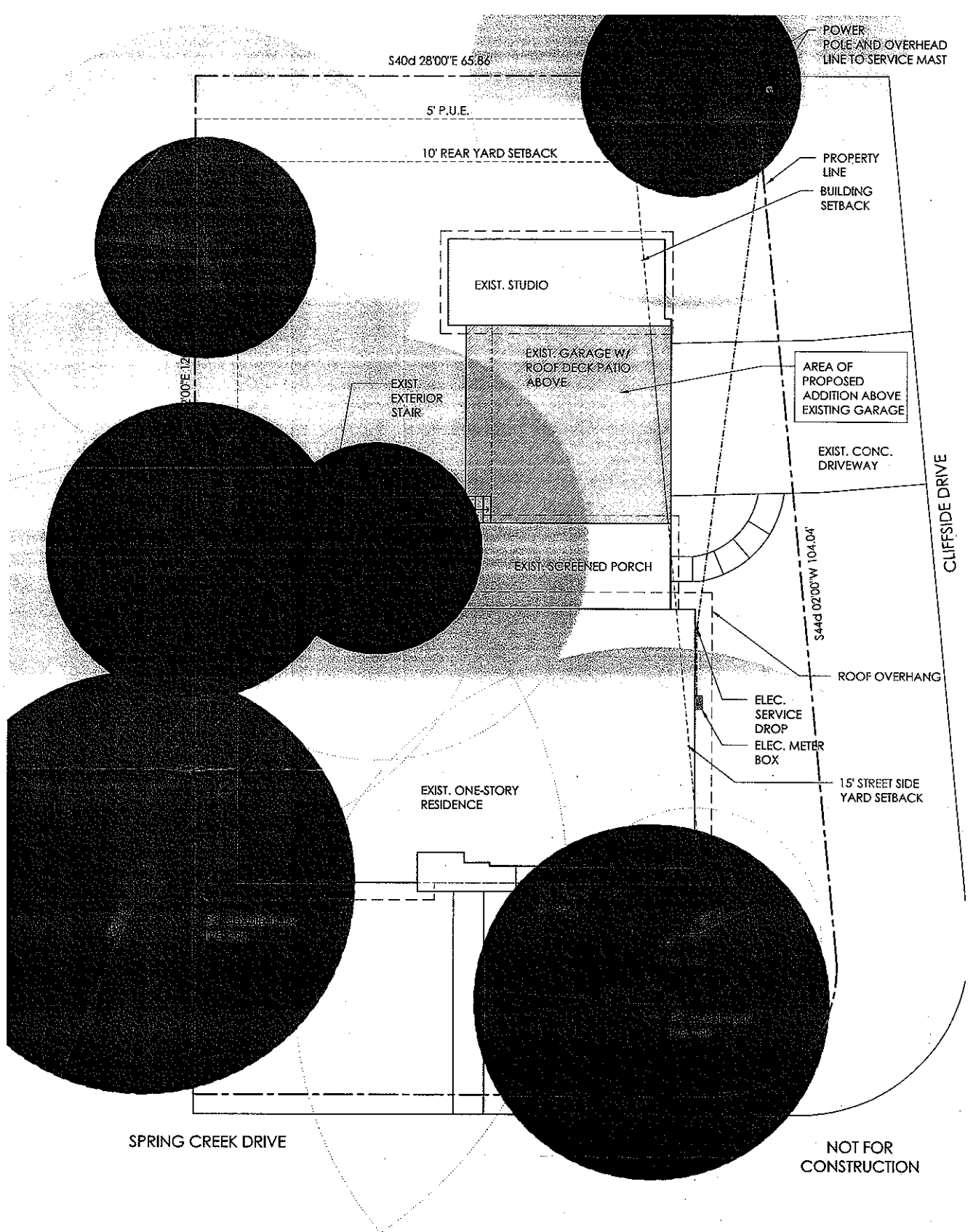
Dear City of Austin Board of Adjustments;

My name is Kathy Volk. I live at 2404 Spring Creek Drive, near the Randle residence. I have been neighbors with the Randles for about 10 years. Amy & Seth Randle have discussed their plans for an addition over the garage and their need for a variance in order to do this remodel as desired. After looking at their plans and discussing it with the Randles, I support their request for the variance, and hope you will grant it.

Sincerely,

Kathy Volk

A handwritten signature in black ink that reads "Kathy Volk". The signature is written in a cursive style, with the first letter "K" being large and stylized, and the last name "Volk" written in a more standard cursive script.



LOT SIZE: 8,400 SF (TCAD)

EXISTING FAR: 2,447 SF
ALLOWABLE: 3,360 SF
DIFFERENCE: 913 SF

EXISTING IMPERVIOUS COVERAGE: 3,372 SF = 40.1%

RANDLE RESIDENCE

2400 SPRING CREEK DRIVE
AUSTIN, TEXAS 78704

LEGAL DESCRIPTION LOT 11A BLK 3 *RESUB BLK 3-4
BARTON TERRACE SEC 1

7 TREES ON LOT
6 ARE HERITAGE TREES



LOOP DESIGN

1401 East 7th Street
Austin, Texas 78702

PHONE 512.217.9056
www.loop-d.net

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VARIANCE APPLICATION PREP

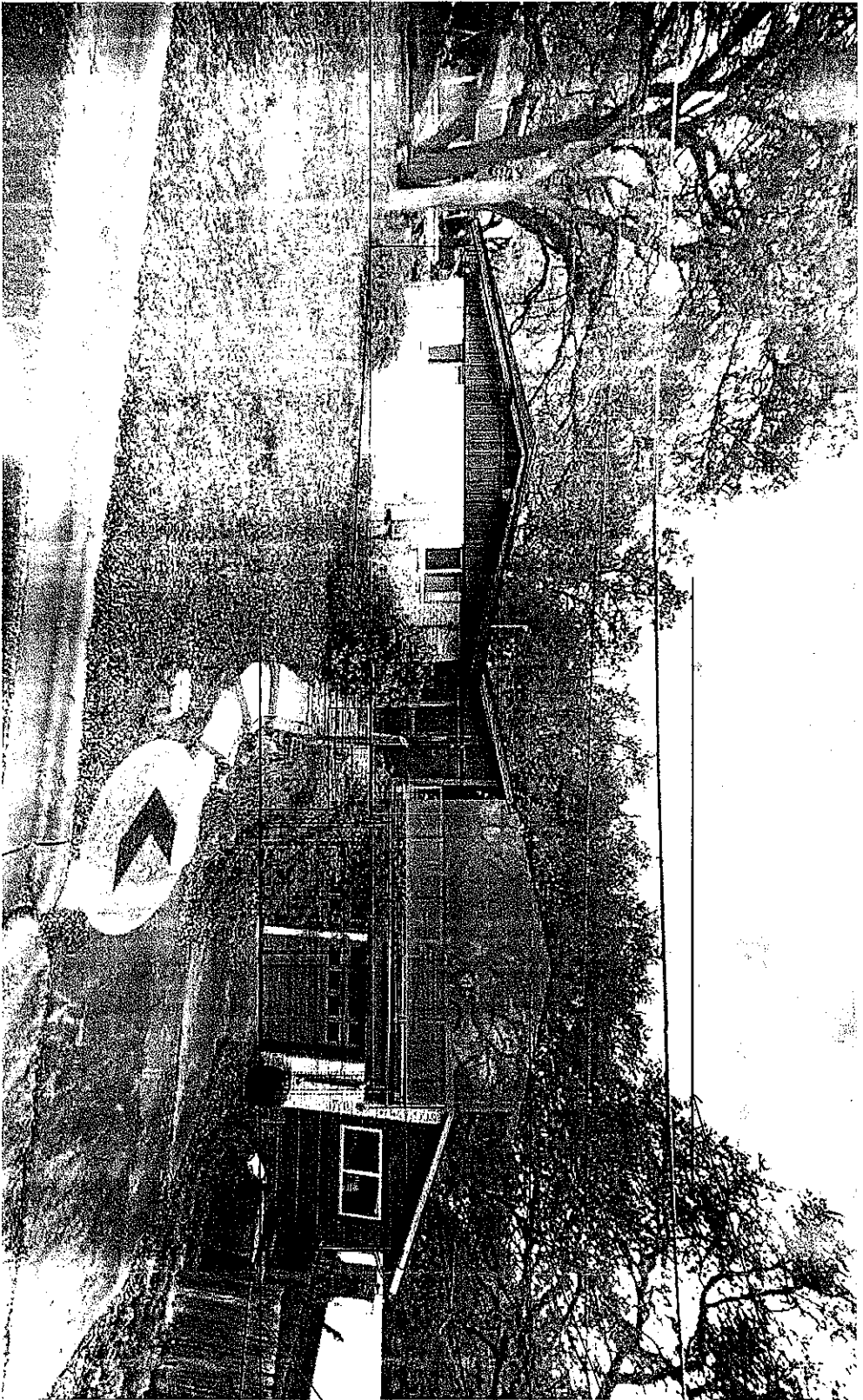
DRAWING TITLE:
PLOT PLAN W/
TREE LOCATIONS

SCALE:
3/32" = 1'-0"

DATE:
04.29.14

SHEET NUMBER: P1

US-781102-SN



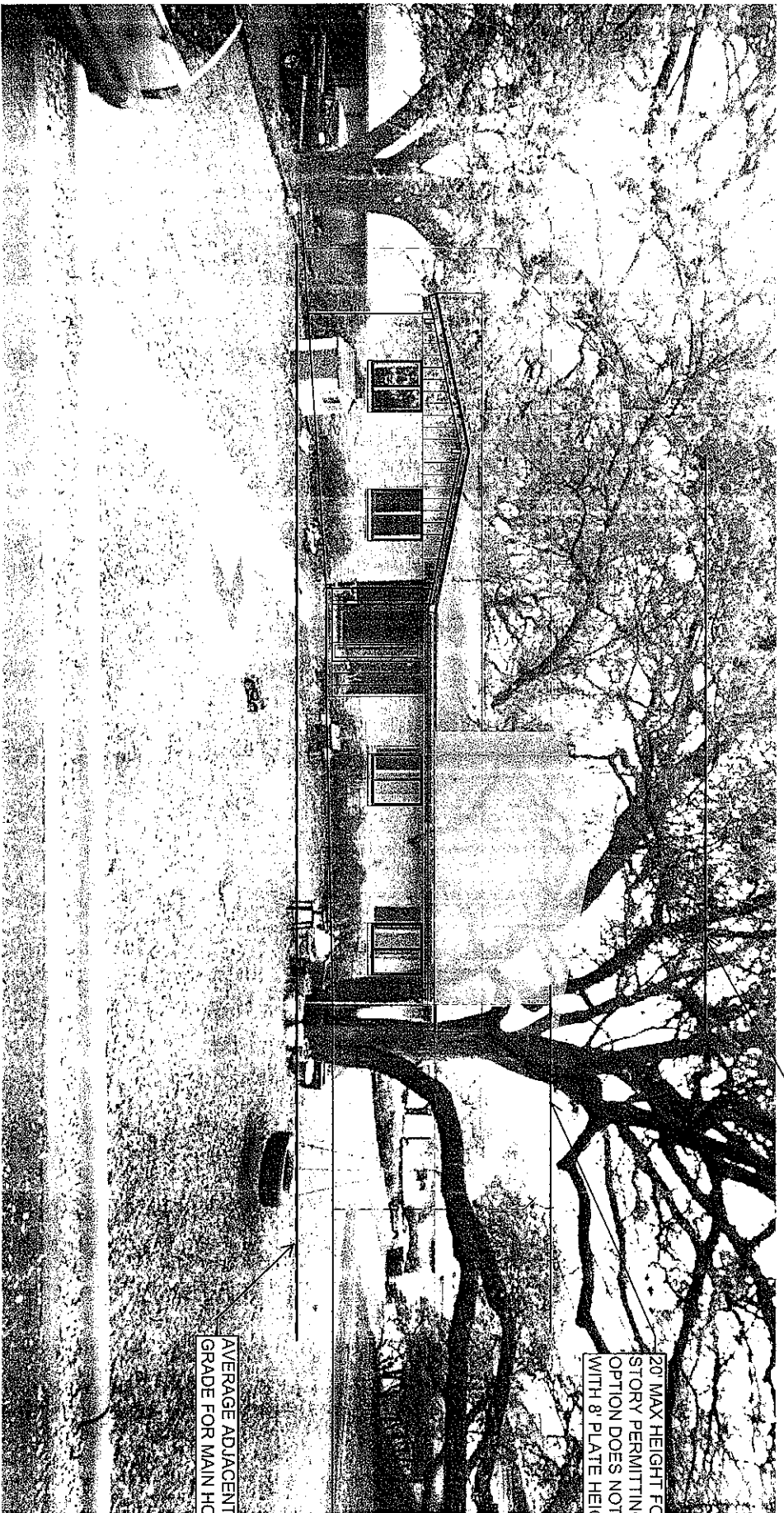
32' MAX BUILDING HEIGHT

20' MAX HEIGHT FOR 1-STORY PERMITTING - THIS OPTION MAY FALL UNDER THIS

AVERAGE ADJACENT GRADE FOR GARAGE

ADDITION OPTION "A"

DOES REQUIRE BOA VARIANCE
SMALLER SCALE, MAY FALL UNDER 20' MAX HEIGHT FOR ONE-STORY PERMITTING
LESS TREE CANOPY IMPACT, MORE IN CHARACTER WITH SCALE OF EXISTING
HOUSE / ADJACENT NEIGHBORS



32' MAX BUILDING HEIGHT

20' MAX HEIGHT FOR 1-STORY PERMITTING - THIS OPTION DOES NOT MEET WITH 8' PLATE HEIGHTS

AVERAGE ADJACENT GRADE FOR MAIN HOUSE

ADDITION OPTION "B"

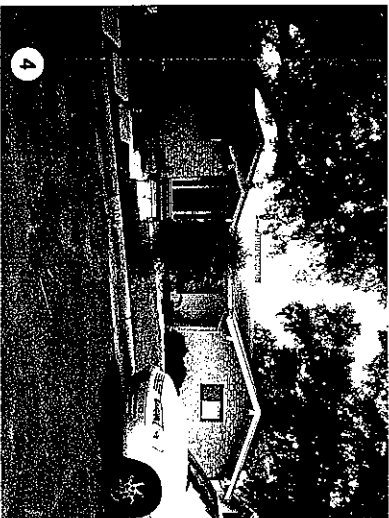
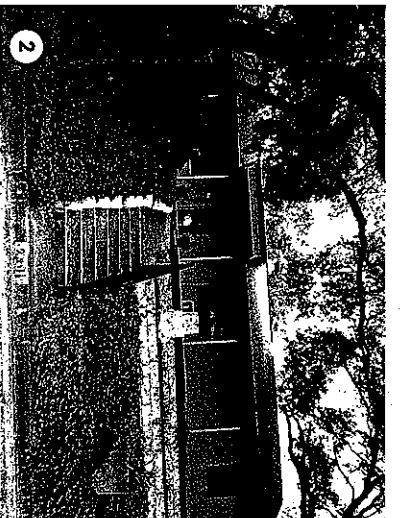
DOESN'T REQUIRE BOA VARIANCE
LARGER SCALE. MCMANSION TENT APPLIES. PERMITTED AS 2-STORY
MORE TREE CANOPY IMPACT. MORE OUT OF CHARACTER WITH EXISTING
HOUSE / ADJACENT NEIGHBORS

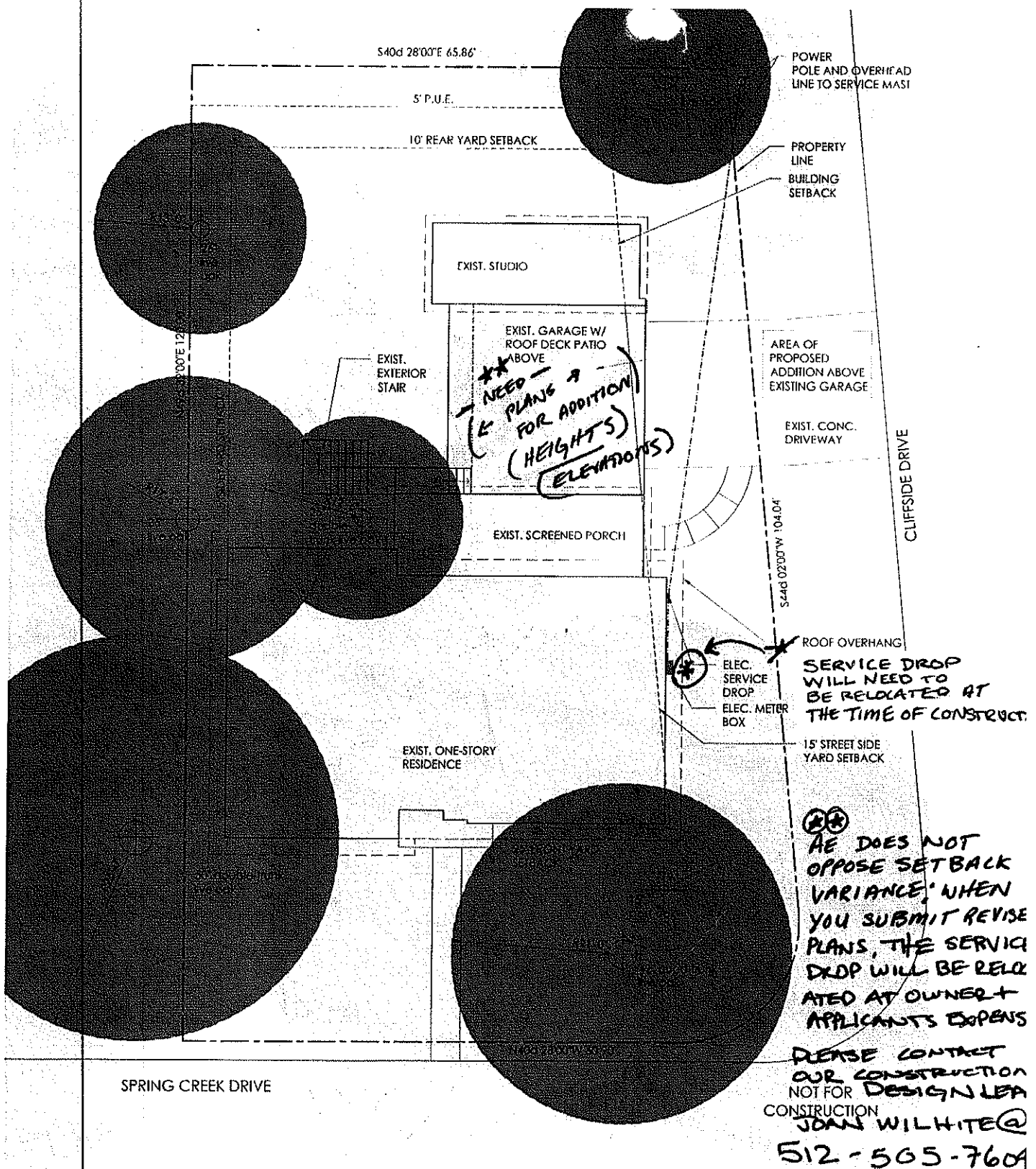
ADJACENT NEIGHBORS - CONTEXT / SCALE

1-5 REPRESENT TYPICAL HISTORICAL CONTEXT

6 IS OUT OF SCALE WITH CONTEXT - EXAMPLE OF WHAT NOT TO DO

AERIAL IS ALSO A GOOD IMAGE OF UNIQUE CANOPY CONDITION





LOT SIZE: 8,400 SF (T.C.A.D.)
 8,536 (SURVEY DIMENSIONS)
 EXISTING BUILDING COVERAGE: 2,820 SF = 33.6%
 EXISTING IMPERVIOUS COVERAGE: 3,372 SF = 40.1%

RANDLE RESIDENCE

2400 SPRING CREEK DRIVE
 AUSTIN, TEXAS 78704

LEGAL DESCRIPTION LOT 1-A BLK 3 "RESUB BLK 3-4
 BASTON TERRACE SEC 1

APPROVED BY
 AUSTIN ENERGY
 FOR BOA OOP DESIGN

DATE: APRIL 1st, 2014

1401 East 7th Street
 Austin, Texas 78702

Phone 512.217.9056
 www.austenergy.net

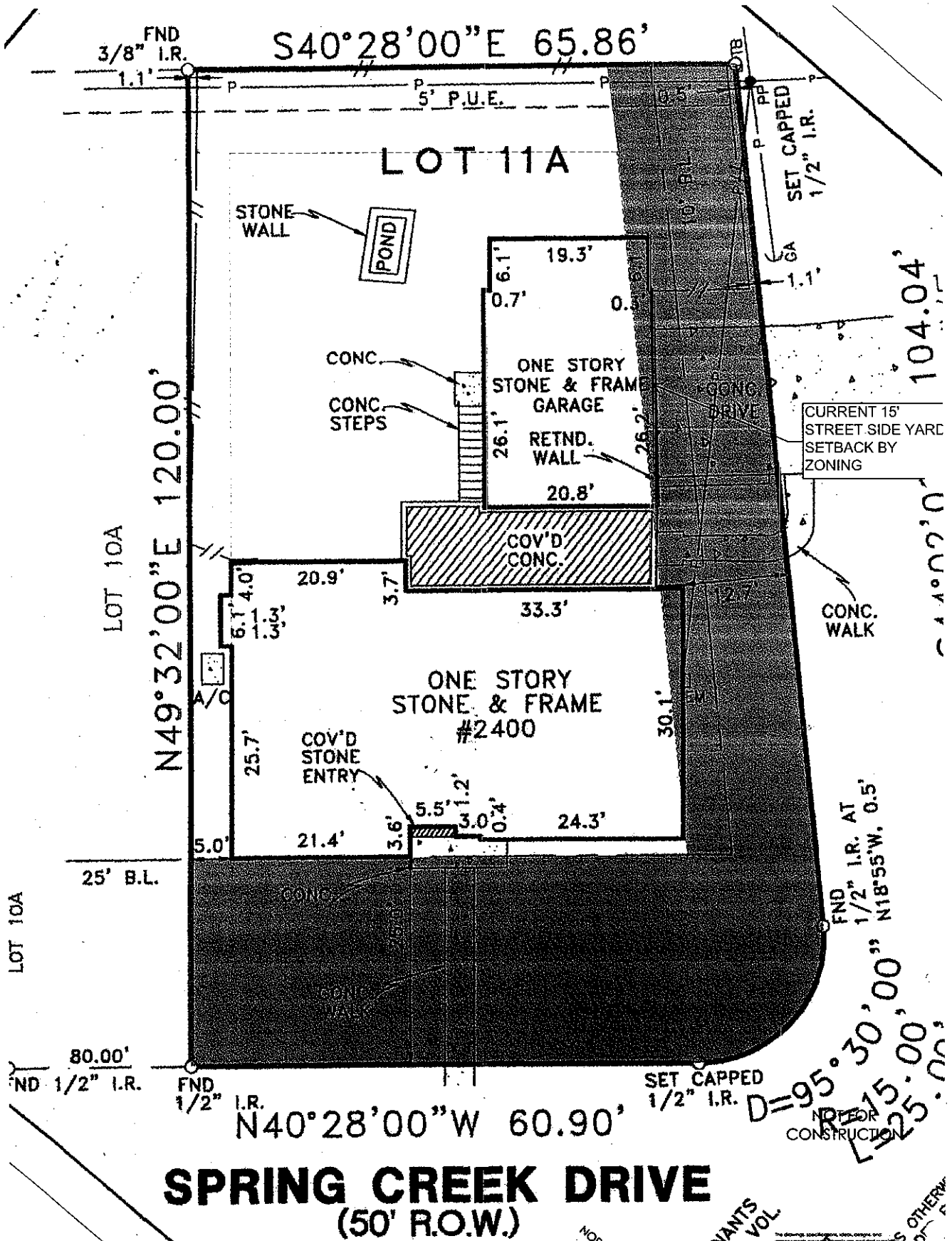
VARIANCE APPLICATION PREP

DRAWING TITLE:
 PLOT PLAN W/
 TREE LOCATIONS

SCALE:
 3/32" = 1'-0"

DATE
 03.31.14

SHEET NUMBER: P1



RANDLE RESIDENCE

2400 SPRING CREEK DRIVE
AUSTIN, TEXAS 78704

LOOP DESIGN

1401 East 7th Street
Austin, Texas 78702
PHONE 512.217.9056
www.loop-d.net

VARIANCE APPLICATION PREP

DRAWING TITLE:
ZONING SIDE SETBACK

SCALE:
3/32" = 1'-0"

DATE:
04.29.14

SHEET NUMBER: S2