ROW 11249440 TAX 010006002

Heldenfels, Leane

From:

David King & " - Queting

Sent:

Monday, October 20, 2014 3:16 PM

To:

Guernsey, Greg

Cc:

Camou, Juan; gardner sumner

Subject:

2015 Goodrich Avenue - Appeal Issuance of Building Permit - 2014-093888 PR

Attachments:

2015 Goodrich Avenue - Appeal.pdf; 2015 Goodrich appeal reasons.doc

Mr. Greg Guernsey, Director, Planning Development and Review Department,

Please find attached a completed Notice of Appeal for the issuance of the building permit for 2015 Goodrich Avenue, Austin, TX 78704, case # 2014-093888 PR. Gardner Sumner, President of the Zilker Neighborhood Association (ZNA), signed the Appeal. The ZNA Zoning Committee has identified the following problems with the building permit application.

The applicant has:

1. Failed to use the correct lot size,

2. Failed to measure McMansion FAR to the outside surface of the exterior walls,

3. Requested an attic exemption that does not comply with the requirements, and

4. Incorrectly calculated impervious cover. As a result, the house does not comply with the McMansion ordinance which requires that the FAR not exceed 40% nor with the impervious cover ordinance which requires that the impervious cover not exceed 45%.

Please acknowledge receipt of this appeal and let me know if you need any other information or have any questions.

Respectfully,

David King

Zilker Neighborhood Association VP 2

NOTICE OF APPEAL INFORMATION

Austin City Code ARTICLE 7. APPEALS, VARIANCES, SPECIAL EXCEPTIONS, AND ADJUSTMENTS.

Division 1. Appeals

(see page 2 of 2 for appeal process)



Planning and Development Review Department

		•	•		
Address of Property in Ques	tion		· · · · · · · · · · · · · · · · · · ·	Permit Number	
2015 Goodri				2014-0938	88 PR
Appellant Filing Appeal			Relationship to Property		
	rhood Ass	ociation	within the neig	subject propherood be	operty is
Appellant's status as Interes neighborhood		ion in w	hich subject pro	perty is lo	cated
Appellant Co	ntact Information		Permit Holde	er Contact Informati	on
^{Name} Gardner Sumner,	President	, ZNA	Name S.Austin Dev.Gr	oup LLC (Va	nce Cobb)
Street 1610 Tready	well Stree	t	Street 802 Josephine St	t	
City Austin	State T'X	Zip 78704	City Austin	State TX	Zip 78704
Telephone 512-468-62	200		Telephone (512)550-	2144	
E-Mail		-	E-Mail		
Date of Decision Being Appealed:	oct 2014		Date Appeal is Filed: 20 Oct	2014	
Decision being appealed: (us	se additional paper	as required)	·		
issuance of bu	ilding per	mit 2014	-093888 PR for 2	2015 Goodri	ch Ave
	•				
Reason the appellant believe	s the decision do	es not comply	with the requirements of the L	and Development (ode (Title 25)
The applicant has 1) f	ailed to use t	he correct 1	ot size, 2) failed to me	asure McMansion	FAR to the
outside surface of the	exterior wall:	s, 3) reques	ted an attic exemption t impervious cover. As a r	hat does not com	ply with
			ch requires that the FAR		
			he impervious cover not		
************************************	· · · · · · · · · · · · · · · · · · ·				
	Bi	LOW FOR	CITY USE ONLY		
Hearing Date:		Board or Co	mmlssion:	-	
					-
Action on Appeal:				Date of Action	
		. •	•		
		Form Bldg	101 Page 1 of 2		
			n before this application		
application y	vill not be proc	essed unles	s the applicant reads an	<u>d signs page 2 c</u>	<u>,f 2</u> .

Page 2 of 2

Appeal Process

You may appeal by following the Land Development Code requirements below. You must complete the form with all required information.

ARTICLE 7. APPEALS, VARIANCES, SPECIAL EXCEPTIONS, AND ADJUSTMENTS.

Division 1. Appeals.

§ 25-1-181 STANDING TO APPEAL.

- (A) A person has standing to appeal a decision if:
 - (1) the person is an interested party; and
 - (2) a provision of this title identifies the decision as one that may be appealed by that person.
- (B) A body holding a public hearing on an appeal shall determine whether a person has standing to appeal the decision.

Source: Section 13-1-250; Ord. 990225-70; Ord. 030828-65; Ord. 031211-11.

§ 25-1-182 INITIATING AN APPEAL.

An interested party may initiate an appeal by filing a notice of appeal with the responsible director or building official, as applicable, not later than:

- (1) the 14th day after the date of the decision of a board or commission; or
- (2) the 20th day after an administrative decision.

Source: Section 13-1-251(a); Ord. 990225-70; Ord. 031211-11.

§ 25-1-183 INFORMATION REQUIRED IN NOTICE OF APPEAL.

The notice of appeal must be on a form prescribed by the responsible director or building official and must include:

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- (2) the name of the applicant, if the appellant is not the applicant;
- (3) the decision being appealed;
- (4) the date of the decision;
- (5) a description of the appellant's status as an interested party; and
- (6) the reasons the appellant believes the decision does not comply with the requirements of this title.

Source: Section 13-1-251(a); Ord. 990225-70; Ord. 010329-18; Ord. 031211-11.

By signing this document, I attest to having read and understand my rights as granted by the Land Development Code for the process of appealing an administrative decision by the building official or the responsible director.

Date:	Printed Name:		Signature:
200ct. 14	& SUMNER	Blemner	· · · · · · · · · · · · · · · · · · ·

2015 Goodrich Ave (Permit Number 2014-093888 PR) Reasons the Decision Does Not Comply with the Requirements of the Land Development Code:

- The applicant is using a lot size of 6,325 sq ft to make impervious cover and McMansion FAR calculations. This is the lot size shown at the Travis County Appraisal District (TCAD). However, the applicant presented an actual survey conducted by All Points Surveying on 21 Jul 2014. The property lines shown on this survey calculate to 6,296.6 sf. The surveyed area should be used since the TCAD areas are notoriously inaccurate. This will result in a higher impervious cover and McMansion FAR percentage.
- The architectural plans of the first and second floor (Drawings A1.1 and A1.2) appear to be drawn to the outer edge of the wood framing and <u>not</u> to the "outside surface of the exterior walls" demonstrated by the fact that the first floor plan dimensions (Drawing A1.1) match the foundation plan dimensions (Drawing S-1). Normally, the edge of the framing is aligned with the foundation edge. When sheathing and siding is added, this dimension can increase by an inch or more on all sides. Since the criteria for calculating the McMansion FAR is measurement to the "outside surface of the exterior walls", the McMansion FAR is not calculated correctly. If one assumes a ½" sheathing and ¾" siding, the first floor area is increased to 1,301.6 sf and the second floor area is increased to 1285.3 sf. This is an additional 33.8 sf that must be added to the McMansion FAR calculation.
- 3) The attic exemption from McMansion FAR requested by the applicant is not allowable under the McMansion ordinance. The attic exemption is allowable only if it meets certain conditions:
 - "3.3.3. Porches, basements, and attics that meet the following requirements shall be excluded from the calculation of gross floor area:
 - C. A habitable portion of an attic, if:
 - The roof above it is not a flat or mansard roof and has a slope of 3 to 12 or greater;
 - 2. It is fully contained within the roof structure;
 - 3. It has only one floor;
 - 4. It does not extend beyond the footprint of the floors below;
 - 5. It is the highest habitable portion of the building, or a section of the building, and adds no additional mass to the structure; and
 - 6. Fifty percent or more of the area has a ceiling height of seven feet or less."

We believe that not all of these requirements have been met and that the attic exemption requirements were intended to prevent exactly what the applicant is trying to do. The proposed plan is inconsistent with the attic exception requirements for three reasons:

- 1. The dormers are not fully contained within the roof structure contrary to requirement #2. We believe the dormers are exactly what requirement #2 was specifically intended to prevent. It is hard to envision any other purpose of this provision. While there is a "dormer exception" from the setback plane as described in Section 2.6.E.4.b.ii of Subchapter F (Residential Design and Compatibility Standards), this exception is specifically related to the "Setback Planes" defined in Section 2.6, not to the "Gross Floor Area" defined in Section 3.3.
- 2. The dormers add additional mass to the structure contrary to requirement #5. In addition, the vertical wall with windows facing the side street which separates the two primary roof slopes also adds mass. If it weren't for that wall, the two slopes would meet at a peak much lower than the proposed peak, and the mass of the roof structure would be less.
- 3. The third floor deck (called a "roof deck" in the habitable attic plans) is accessible from the "habitable attic". While the deck itself would not be subject to McMansion FAR, the fact that it exists supports our contention that the habitable attic is actually a third floor rather than a fully contained attic.

The attic exemption should be disallowed and the applicant should recalculate the McMansion FAR as if this area is a third floor.

4) On page 2 of the application, the applicant has indicated that the impervious cover is 2,481 sf or 44.9%. However, 2,481 sf is 39.2% of their stated lot size of 6,325 sf, not 44.9%. We believe that they probably transposed numbers and that the impervious cover is probably 2,841 sf because 2,841 sf is 44.9%. However, it is not possible to tell because the applicant has not itemized or categorized the impervious cover. It is not clear whether the back deck stairs and landing are included in the impervious cover calculations because they are not shown on the site plan. Also, the A/C pads do not appear to have been included in the impervious cover calculations since they do not appear on the site plan. The applicant should be required to provide an itemized list of the impervious cover as do most applicants so the calculations and arithmetic can be checked. If the correct impervious cover is actually 2,841 sf rather than 2,481 sf, then the impervious cover percentage would be over the limit of 40% based on the correct lot square footage of 6,296.6 sf.

NOTICE OF APPEAL INFORMATION

Austin City Code ARTICLE 7. APPEALS, VARIANCES, SPECIAL EXCEPTIONS, AND ADJUSTMENTS.

Division 1. Appeals

(see page 2 of 2 for appeal process)



Plannin	g and Develop	oment Review Department
Address of Property in Question 2015 Goodrich Ave		Permit Number 2014-093888 PR
		o to Property subject property is the neighborhood boundaries
Appellant's status as Interested Party neighborhood associati	on in which su	bject property is located
Appellant Contact Information		Permit Holder Contact Information
Name Gardner Sumner, President		in Dev.Group LLC (Vance Cobb)
Street 1610 Treadwell Stree	002 00	sephine St
City State Austin TX	Zip City 78704 Aus	State Zip TX 78704
512-468-6200	Telephone	(512)550-2144
E-Mail	E-Mail Vancee	
Date of Decision Being Appealed: 14 Oct 2014	Date Appeal is	Filed: 20 Oct 2014
issuance of building per	mit 2014-093888	3 PR for 2015 Goodrich Ave
The applicant has 1) failed to use the outside surface of the exterior walls the requirements, and 4) incorrectly	e correct lot size, 2; , 3) requested an atti calculated impervious dinance which requires	that the FAR not exceed 40% nor with the
\	LOW FOR CITY US	
Hearing Date:	Board or Commission	:
Action on Appeal:		Date of Action
The applicant must compete page 2 application will not be proceed.	Form Bidg 101 Page 1 o of 2 and sign before the essed unless the appli	f2 nis application of appeal is complete. The cant reads and signs page 2 of 2.

Appeal Process

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- (1) the 14th day after the date of the decision of a board or commission; or
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- (6) the reasons the appellant believes the decision does not comply with the requirements of this title.

Source: Section 13-1-251(a); Ord. 990225-70; Ord. 010329-18; Ord. 031211-11.

By signing this document, I attest to having read and understand my rights as granted by the Land Development Code for the process of appealing an administrative decision by the building official or the responsible director.

Date:	Printed Name:	N. C.	Signature:
20 Oct. 14	& SUMNER	Hum	ner

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2015 Goodrich Ave (Permit Number 2014-093888 PR) Reasons the Decision Does Not Comply with the Requirements of the Land Development Code:

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 - 5. It is the highest habitable portion of the building, or a section of the building, and adds no additional mass to the structure; and
 - 6. Fifty percent or more of the area has a ceiling height of seven feet or less."

CITY OF AUSTIN APPLICATION TO BOARD OF ADJUSTMENT INTERPRETATIONS PART I: APPLICANT'S STATEMENT (Please type)

STREET ADDRESS	S: 2015 Goodrich Ave, A	ustin, TX 78704	
LEGAL DESCRIPT Fowler HTS	FION: Subdivision –		
Lot (s) 1	Block D	Outlot	Division
ZONING DISTRIC			
I/WE <u>Dave Piper</u> authorized		on b	pehalf of myself/ourselves as
Agent for Zilker Nei	ighborhood Association		affirm that on 19th
Day of November	, 20 <u>14</u> , hereby app	ly for an interpre	etation hearing before the Board of
Adjustment.		,	
Planning and Develo	opment Review Departme	ent interpretation	is: Re: 2014-093888 PR
PDRD interpretation is to McMansion Ordinance		Chapter 25-2 Sub	chapter F of the Land Development Cod
	odata instead of survey me	asurements.	
2. PDRD accepted FAR i	measurements to edge of fi	raming instead of	to edge of exterior walls.
3. PDRD accepted the a	ittic exemption that adds m	ass and is not con	itained within the roof structure.
1. PDRD accepted calcu neasurements.	ilations for impervious cove	r that didn't inclu	de A/C pad and accurate
I feel the correct inte	erpretation is:		
L. The application perm	nit does not contain the cor	rect lot size.	
2. The application perm the exterior walls.	nit contains McMansion FA	R measurements	that are NOT to the outside surface of

As a result of the 4 items listed above, the house does not comply with the McMansion Ordinance, which requires FAR not exceed 40% and impervious cover not exceed 45%.

Article 3,3.3.3. The habitable space adds mass and is not fully contained within the roof structure.

4. The application permit has incorrect calculations for impervious cover.

3. The application permit contains an attic exemption that does not meet the requirements of Subchapter F,

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.

- There is a reasonable doubt of difference of interpretation as to the specific intent of the
- The permit shows a lot size of 6,325 sq ft to make impervious cover and McMansion FAR calculations. This is the lot size shown at the Travis County Appraisal District (TCAD).

 However, the owner presented an actual survey conducted by All Points Surveying on 21 Jul 2014. The property lines shown on this survey calculate to 6,296.6 sf. The surveyed area should be used since the TCAD areas are notoriously inaccurate. This will result in a higher impervious cover and McMansion FAR percentage.
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We believe that all of these requirements have NOT been met and that the attic exemption requirements were intended to prevent exactly what the owner is trying to do. The proposed plan is inconsistent with the attic exception requirements for three reasons:

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 We believe the dormers are exactly what requirement #2 was specifically intended to prevent. It is hard to envision any other purpose of this provision. While there is a

"dormer exception" from the setback plane as described in Section 2.6.E.4.b.ii of Subchapter F (Residential Design and Compatibility Standards), this exception is specifically related to the "Setback Planes" defined in Section 2.6, <u>not</u> to the "Gross Floor Area" defined in Section 3.3.

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

	Printed
Mailing Address 607 Jessie St	
City, State & Zip Austin, TX 78704	Phone 512-916-9636
OWNER'S CERTIFICATE – I affirm that my statement are true and correct to the best of my knowledge and believed.	1 11
(Applicant is not the owner.)	
Signed	Printed
Mailing Address	
City, State & Zip	Phone_

REQUESTS FOR INTERPRETATION (Appeal of an Administrative Decision)

REQUIRED ITEMS FOR A COMPLETE APPLICATION:

The following items are <u>required</u> in order to file an application for interpretation to the Board of Adjustment.

A completed application with all information provided. Additional information may be provided as an addendum to the application.
Standing to Appeal Status: A letter stating that the appellant meets the requirements as an Interested Party as listed in Section 25-1-131(A) and (B) of the Land Development Code. The letter must also include all information required under 25-1-132(C).
Site Plan/Plot Plan drawn to scale, showing present and proposed construction and location of existing structures on adjacent lots.
Payment of application fee for residential zoning or for commercial zoning. See Current Fee Schedule (http://www.austintexas.gov/department/fees) for Applicable Fees. Checks should be made payable to the City of Austin.

An appeal of an administrative decision must be filed by the 20th day after the decision is made (Section 25-1-182). Applications which do not include all the required items listed above will not be accepted for filing.

If you have questions on this process contact Leane Heldenfels at

512-974-2202 or leane.heldenfels@austintexas.gov.

To access the Land Development Code, go to http://www.austintexas.gov/department/online-tools-resources Dave Piper Zilker Neighborhood Association 607 Jessie St Austin, TX, 78704

To: Board of Adjustment, Austin TX

November 19, 2014

Re:2014-093888 PR (2015 Goodrich Ave)

Dear BoA:

I, as a Vice President of the Zilker Neighborhood Association, meet the requirements as an Interested Party as listed in Section 25-1-131(A) and (B) of the Land Development Code.

Sincerely, Dave Piper

City of Austin Residential Permit Application Residential Review, 2nd floor, One Texas Center 505 Barton Springs, Austin, TX 78704 (512) 978-4000

		PROBLEM STOCK CONTRACTOR OF THE STOCK CONTRACTOR OF TH			
	Alegania (Constitution of Constitution of Constitution of Constitution of Constitution of Constitution of Cons		Pro Pro	ject Informa	tion
Project Address: 2015 Goodnich Ave Austin T.	X 78704	Tax Parcel ID:	100468		***************************************
Legal Description: Lot 1 Fow	ler Heights				
Zoning District or PUD: 5F3		Lot Size (square feet)	6325		
Neighborhood Plan Area (if applicable):		Historic District (if	applicable):		
Is this site within the Residential Design and Note: Boundaries are defined under Title 25-2 Subcha			Area?	N N	
Does this site currently have water availabili	ty? J Y N	wastewater avai	lability?	Δλ □μ	
If no, contact Austin Water Utility to apply for water/Does this site have or will it have an auxiliar	y water source? Y N	If yes, submit appr	oved auxiliary and	potable plumbing	plans
(Auxiliary water supplies are wells, rainwater harvesting	g, river water, lake water, reclaim	ed water, etc.)			···
Does this site have a septic system?	Y N	If yes, submit a c	opy of approved septic p	permit to construct	
Does this site require a cut or fill in excess of					
If yes, contact the Development Assistance Center for Does this site front a paved street?	a Site Pian Exemption	Is this site adjacent	to a payed alley?		
Does this site from a paved street? Does this site have a Board of Adjustment (E	BOA) variance? Y VN	Case #	to a paved ancy:	(if annlicable)	
Does this site have a Residential Design and	Compatibility Commission			(if applicable)	
If yes, provide a copy of decision sheet. Note: A peri			variance from BOA.		
Does the project impact a tree protected by o	rdinance? This includes ca			o nearby trees.	
Note: If yes, application for a tree permit with the				LJ	
Is this site within one hundred-fifty (150) fee	t of the one hundred (100)	year floodplain?		□Y ☑M	
Note: Proximity to a floodplain may require addition	al review time.		<u> </u>		
	3.0		Desc	ription of W	nek
Existing Use: vacant single-family r	esidential duplex resid	lential two-fam		ther To Be Demoli	
Proposed Use vacant single-family re		<u> </u>		her	
	addition addition/remo				
# of existing bedrooms: # of bedro	ome upon 11	of existing baths:	# of bath	La	
completion	1: 4 "	or existing caus.			j
Will all or part of an existing exterior wall be	n: / / / / / / / / / / / / / / / / / / /		complet	ion: J	
Will all or part of an existing exterior wall be Note: Removal of all or part of a structure requires a	n: removed as part of the production permit.	oject? Y I	complete Je		
Will all or part of an existing exterior wall be Note: Removal of all or part of a structure requires a Project Description: (Note: Please provide thorough Capter 1 denotion house and	n: removed as part of the production permit. description of project. Attach a	oject? Y 1	complete Je Complete Je Eway, Build	enolition	/A
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Lot -632558. ft.

		Building and	Site Area
Area Description Note: Provide a separate calculation for each distinct area. Attach additional sheets as necessary. Measurements are to the outside surface of the exterior wall.	Existing Sq Ft	New/Added Sq Ft	Total Sq Ft
a) 1 st floor conditioned area		1285	1285
b) 2 nd floor conditioned area		1243	1243
c) 3rd floor conditioned area Nabitable aftic 5 P4 fall tyrester		649	649
d) Basement			
e) Covered Parking (garage or carport)		448	448
f) Covered Patio, Deck or Porch 57 part + 152 Cideck		207	207
g) Balcony roof deck		159	159
h) Other Exterior steps		24	24
i) Uncovered Wood Deck		4 	
Total Gross Building Area (total A through I)		4015	4015
j) Pool			
k) Spa	1		

Site Development Information				
Building Coverage Information Note: Building Coverage means the area of a lot covered by buildings or roofed areas, but excludes ground level paving, landscaping, open recreational facilities, incidental projecting eaves, balconies, and similar features. Pools, ponds, and fountains are not included in this measurement. (LDC 25-1-21) Total Building Coverage (sq ft):				
Impervious Cover Information Note: Impervious cover is the total horizontal area of covered spaces, paved areas, walkways, and driveways. The term excludes pools, ponds, fountains, and areas with gravel placed over pervious surfaces that are used only for landscaping or by pedestrians. For an uncovered wood deck that has drainage spaces between the deck boards and that is located over a pervious surface, 50 percent of the horizontal area of the deck is included in the measurement of impervious cover. (LDC 25-1-23) Total Impervious Cover (sq ft): 2841 % of lot size: 44.9				
Setbacks Are any existing structures on this site a non-compliant structure based on a yard setback requirement? [Y] N (LDC 25-2-513)				
Does any structure (or an element of a structure) extend over or beyond a required yard? [LDC 25-2-513]				
Is front yard setback averaging being utilized on this property? (LDC 25-2, Subchapter F, Sec. 2.3)				
Height Information (LDC 25-1-21 or 25-2 Subchapter F, Section 3.4) Building Height: 30.49 ft Number of Floors: 2 floors + habitable chic				
Right-of-Way Information Is a sidewalk required for the proposed construction? (LDC-6-353) *Sidewalks are to be installed on any new construction of a single family, two-family or duplex residential structure and any addition to an existing building that increases the building's gross floor area by 50 % or more.				
Will a Type I driveway approach be installed, relocated, removed or repaired as part of this project?				
Width of approach (measured at property line): 12 ft Distance from intersection (for corner lots only):ft				
Are storm sewer inlets located along the property or within ten (10) feet of the boundaries of the property? Y				

Callander D (MAMALAN)

Gross Floor Area This section is only required for projects located within Subchapter F of the Land Development Code. The Gr with ceiling height over 15 feet are counted twice.	n the Residential Dooss Floor Area of e	esign and Compatib ach floor is measure	lity Standards Ord d as the area contai	inance Boundaries	as defined and illustrated in Title 25-2 tside edge of the exterior walls. Areas
	Existing	New	Exemption	Total	
1 st Floor		1285		1285	
2 nd Floor		1243		1243	•
3 rd Floor	·				
Basement					
Attic		649	649	E P (D)	
Garage (attached)		111100	21100		
(detached)		448_	448		
Carport (attached)				·····	• •
(detached)					
Accessory building(s) (detached)					
Ceilings over 15 ft					
	TOTA	AL GROSS FLO	OOR AREA	2528	
(Total Gros	s Floor Area /lo	ot size) = 39.9	7_Floor-To	o-Area Ratio (FAR)
Is this project claiming a "parking area" exemption as described under Article 3? Is this project claiming a "ground floor porch" exemption as described under Article 3? Is this project claiming a "basement" exemption as described under Article 3? Is this project claiming a "habitable attic" exemption as described under Article 3? Is a sidewall articulation required for this project? Does any portion of the structure extend beyond a setback plane? Are any ceilings over 15 feet in height?					
Parking Area exemption: Up to 450 square feet of a not less than 10 feet; or attached by a covered breezew					

Parking Area exemption: Up to 450 square feet of a parking area may be deducted if it is a detached rear parking area that is separated from the principal structure by not less than 10 feet; or attached by a covered breezeway that is completely open on all sides, with a walkway not exceeding 6 feet in width and a roof not exceeding 8 feet in width; or a parking area that is open on two or more sides, if: it does not have habitable space above it; and 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. Up to 200 square feet may be deducted if it is an attached parking area used to meet the minimum patking requirement; or a garage that is less than 10 feet from the rear of the principal structure, provided that the garage is either detached from the principal structure; or attached by a covered breezeway that is completely open on all sides, with a walkway not exceeding 6 feet in width and a roof not exceeding 8 feet in width. An applicant may receive only one 450-square foot exemption per site under Article 3. An applicant who receives a 450-square foot exemption may receive an additional 200-foot exemption for the same site under Article 3, but only for an attached parking area used to meet minimum parking requirements.

Ground Floor Porch exemption: A ground floor porch, including a screened porch, may be exempted, provided that the porch is not accessible by automobile and is not connected to a driveway; and the exemption may not exceed 200 square feet if a porch has habitable space or a balcony above it.

Basement exemption: A habitable portion of a building that is below grade may be exempted if the habitable portion does not extend beyond the first-story footprint and is below natural or finished grade, whichever is lower; and it is surrounded by natural grade for at least 50% of its perimeter wall area and the finished floor of the first story is not more than three feet above the average elevation at the intersections of the minimum front yard setback line and the side property lines.

Habitable Attic exemption: A habitable portion of an attic may be exempted if: 1. The roof above it is not a flat or mansard roof and has a slope of 3 to 12 or greater, 2. It is fully contained within the roof structure; 3. It has only one floor; 4. It does not extend beyond the footprint of the floors below; 5. It is the highest habitable portion of the building, or a section of the building, and adds no additional mass to the structure; and 6. Fifty percent or more of the area has a ceiling height of seven feet or less.

ļ			Contact Information	
Owner	South Austin Development Group UC	Applicant or Agent	Owner	
Mailing Address	South Austin Development Group LCC 1600 B Valleyridge Dr Austin TX 78704	Mailing Address		
Phone	512,550,2144	Phone		
Email	Valent Head	Email		
Fax	7	Fax		
General Contractor	Owner	Design Professional	Jeff Overman Overman Coston Dosign 11512 Trivily Hill br. Auster 78753	
Mailing Address		Mailing Address		
Phone		Phone	512, 472, 0975	
Email		Email		
Fax		Fax	<u> </u>	
			Acknowledgments	
Is this site reg	gistered as the owner's homestead for the current t	ax year with the ap	opraisal district? Y N	
LDC may be	that in accordance with Sections 25-1-411 and 25 cause for the Building Official to suspend or revo	-11-66 of the Land ke a permit and/or	Development Code (LDC), non-compliance with the license.	
I understand prohibiting co	that I am responsible for complying with any sub ertain uses and/or requiring certain development re	odivision notes, res estrictions (i.e., hei	strictive covenants and/or zoning conditional overlays ight, access, screening, etc.) on this property.	
If a conflict should result with any of these restrictions, it will be my responsibility to resolve it. I understand that, if requested, I must provide copies of all subdivision plat notes, restrictive covenants, and/or zoning conditional overlay information that may apply to this property.				
I acknowledge that this project qualifies for the Site Plan Exemption as listed in Section 25-5-2 of the LDC. I understand that nothing may be built upon or over an easement.				
customer wil	erstand that no portion of any roof structure may a bear the expense of any necessary relocation of o existing utilities caused during construction.	overhang in any pu existing utilities to	ablic utility or drainage easement. I acknowledge that o clear this driveway location and/or the cost to repair	
I agree that this application will expire on the 181st day after the date that the application is filed if the application is not approved and an extension is not granted. If the application expires, a new submittal will be required and compliance with current code may be required.				
I hereby certi	fy that to the best of my knowledge and ability, th	e information prov	rided in this application is complete and accurate.	
I further acknowledge that, should any information contained herein prove incorrect, the building official may suspend or revoke any resulting permit and/or license.				
I also understand that if there are any trees greater than 19 inches in diameter located on the property and immediately adjacent to the site, I am required to complete a Tree Ordinance Review Application by contacting (512) 974-1876 or cityarborist@austintexas.gov. This initiates the tree permitting requirement needed to proceed with the development review process.				
Erosion and Sedimentation Controls are required per Section 25-8-181.				
I acknowledg	te that a sidewalk will be required on any new coion to an existing building that increases the build	onstruction of a sin ling's gross floor a	ngle family, two-family or duplex residential structure rea by 50 % or more.	
	e if my plans are subject to a technical review it vovisions of the current adopted building codes or a		ed to be a permit for, or an approval of any violation of of the City of Austin.	
Applicant's s	ignature: VMV //	···	Date: 8/28/14	
Design Professional's signature: MALL MALL Date: 8-28-14				



Austin Water Utility

Water & Wastewater Service Plan Verification (WWWSPV)

Service Address: 2015 Godrich Ace	Austin TX 787	04				
Lot: Block: Subdivision: Fa	. / 0 .					
- DOMO	7,67					
Existing Use: Vacant Single-Family Res Duplex	Garage Apt. Other					
Proposed Use: 2 nd Structure (Single-Family Res.) Duplex	Garage Apt. Other					
Existing # Baths Additional # Baths Total	al number of bathrooms the me	eter will feed 3,5				
Vance LBB	8/29/14	512-550-2144				
Applicant's Name & Title	Date .	Phone				
City of Austin Office Use						
Water main size Service stub size カケッ	Service stub upgrade rec	uired: Yes (No)				
Existing meter #/33718 Existing meter size 48" Up		meter size 3/4"				
Existing water service line/meter location 35' L	1R					
WW main size WW Service line/clean-out location_	15' S/N	4.4.				
AWU Pipeline Engineering approval required: Was E W	EÒ					
Comments:						
Same audwar, AUG 29 2014						
AUSTIN WATER UTILITY CONSUMER SERVICE DIVISION	V-TAPS					
	· · · · · ·	•				
AWU Engineer Representative	Date 8-29-14	Phone (977, 1907)				
AMILITAGE Pagracentative	Date	Phone				

Water meters & wastewater clean-outs are not permitted in sidewalks or driveways.

Relocation of services necessary to remove them from proposed sidewalks or driveways shall be performed at the applicant's expense.

If the existing water meter was pulled for demolition, apply for a new building permit or contact Customer Care at 512-494-9400 to have the same size meter reinstalled within 120 days of meter removal to avoid city connect charges being applied.

Verification expires 180 days after date of submittal

One Stop Shop 505 Barton Springs Rd (512) 974-2632 – phone (512) 974-9112 – phone (512) 974-9109 – fax (512) 974-9779 – fax



Austin Energy Building Service Planning Application (BSPA)

This form to be used for review of Building Permit only For use in One Stop Shop Only

Responsible Person for Service Request /ance Cobb				
Brail Vancecells Qg nqi), com Fax Phone 512-550-2144				
Residential Commercial New Construction Remodeling				
Project Address 2015 Goodnich Ave Austin 78 78704 OR				
Legal Description Fowler Heyhts Lot / Block				
Who is your electrical provider?				
Overhead Service Underground Service Single-phase (10) Three-phase (30)				
Location of meter				
Number of existing meters on gutter (show all existing meters on riser diagram)				
Expired permit #				
Comments				
All structures etc. must maintain 7'5"				
clearance from AE energized power lines. Enforced by AE & NESC codes.				
BSPA Completed by (Signature & Print Name) Date Phone				
Approved [] Yes [] No				
AE Representative Date Phone				

Application expires 180 days after the date of approval (Any change to the above information requires a new BSPA)

AE APPROVED

AUG 2 9 2014

241-313

DRB

1-21-14 07817214 1-21-14

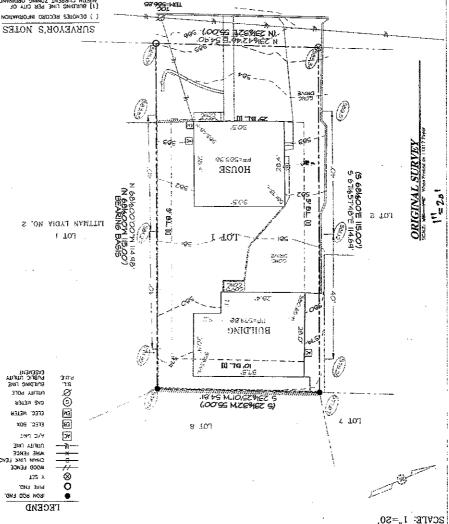
1714 FORTVIEW ROAD - SUITE 200 TELE. (512) 440-0071 - PAX. (512) 440-0199 TELE. (512) 440-0071 - PAX. (512) 440-0199

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* IMPORTANT NOTICE *

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Official Public Records of County, Texas	Document No.	COUNTY, TEXAS	ZIVARI	-
Poge(s) - Slide - PLAT RECORDS	Young	= 354Hq		SECTION
ADDITION FOWLER HEICHTS	/ NOISINGBOS	Brock		LOT No.

(20, 80 M) SOIR COODBICH VAENAE

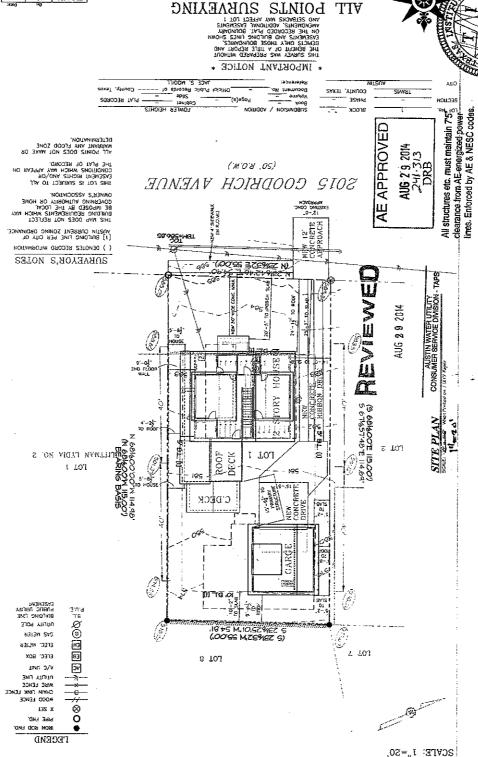


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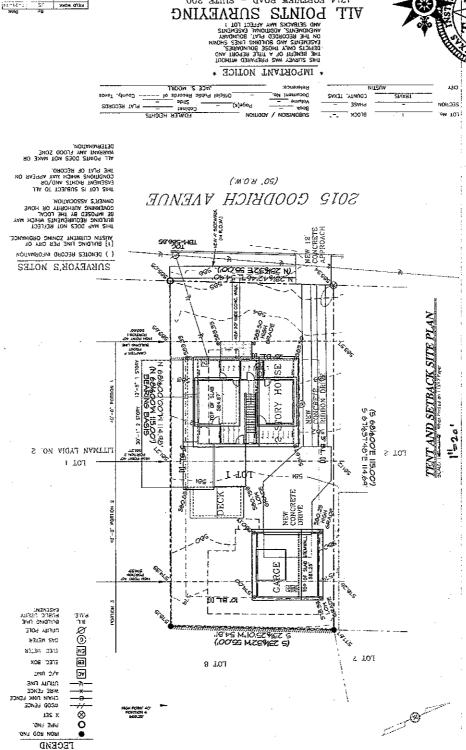
Proposition communication of the communication of t

| LETE: (215) 400-0031 - EVX: (815) 410-0133 | LETE: (215) 440-0031 - EVX: (815) 440-0133 | LETE: (215) 440-0133 | LE





TELE: (512) 440-0071 - PAX: (512) 440-0199 SCALE: 1920 ON do. 1931 SURVEY DATE: 7-21-14 ₽0787 XT MITZUA 1714 FORTVIEW ROAD - SUITE 200



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#0282 X.L 'NILSAY TOIR COODINCH VARIALE

mon. Com Design. Com

Aug. 28, 2014

28 10. 406-1123-2950 2014 Jeffry B. Owread Rights Reserved

Carlotte States

BUILDER: OWNERS

15T FLOOR ELECTRICAL PLANS (HOUSE AND GARAGE) 2ND FLOOR AND HABITABLE ATTIC ELECTRICAL PLANS

VISITABILITY INFORMATION STAIR NOTES INTERIOR STAIR DETAILS EXTERIOR STAIR DETAILS

A5.

HOUSE ROOF PLAN and ATTIC EXEMPTION PLAN

HOUSE - FRONT and REAR ELEVATIONS HOUSE - LETT ELEVATION HOUSE - RIGHT ELEVATION HOUSE - BUILDING SECTIONS A-B-C

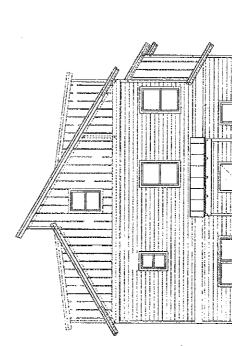
AGI, I GARAGE FLOOR PLAN, ROOF PLAN AND ELEVATIONS

DESIGNER:
JEFF OVERMAN
OVERMAN CLUSTOM DESIGN
TEXAS INSTITUTE OF BUILDING DESIGN SEAL #452
1 1 5 12 TRINITY HILL DRIVE
AUGTIN: TX 74553
5 12-627-0746

MECHANICAL CONTRACTOR: TO BE DETERMINED ELECTRICAL CONTRACTOR: TO BE DETERMINED PLUMBING CONTRACTOR: TO BE DETERMINED ENGINEER: TO BE DETERMINED







2015 GOODRICH AVENUE **AUSTIN, TX 78704** PROJECT:

LOT INFORMATION ZONING: 5F3 PROPERTYTAX ID: 100468 LOT AREA (TCAD): 6325 50,FT.

HOUSE - 15T FLOOR PLAN HOUSE - 2ND FLOOR 2nd HABITABLE (EXEMPT) ATTIC PLANS

- S. F.

COVER SHEET SITE PLAN - PROPOSED TENT AND SETBACK SITE PLAN SHEET NUMBERING GUIDE

2 <u>2 2 2</u> 6 – 4i

OWNERS:

Court Austin Developement Group, ILC
David Jones
David Jones
10.13 Collect Street
Collect Street
Austin, TX, 78704
469-396-6409
512-550-2144

2CALE: 7=20° 30RVEY DATE: 7=20° 5URVEY DATE: 7=20° 10 1-12 St

1714 FORTVIEW ROAD - SUITE SOO AUSTIN TX. 78704 TELE: (512) HAO-0071 - FAX: (512) 440-0199 HAD - FAX: (512) 440-0199 HAD - FAX: (512) 440-0199 HAD - FAX: (512) 440-0199

THE SURVEY WE PREPARED WITHOUT THE REPORT AND DEPICES BOUNDARIES, DOPPICES ONLY THOSE BOUNDARIES, SAESMENTS AND BURIONIC EINES STREMENTS

* IMPORTANT NOTICE *

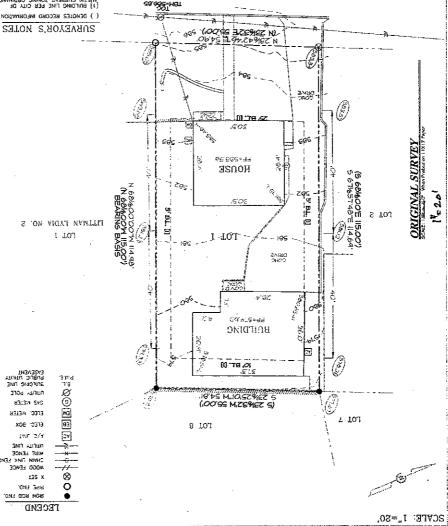




NORIGOV / NOISINGROS

(1) ВИГДИКС ГИЕ БЕВ СЦА ОБЛИМ

(20, BOM) SOIR COODSICH VAEANE





9910-000 (S13) :XAT - 1700-000 (S13) ::3JET 1714 FORTVIEW ROAD - SUITE 200

VIT BOBLAILER BOYD — RITLE SOO

WHO SELECTED THE SECONDED BY T

(20, 8'0'M)

* IMPORTANT NOTICE * -- (a)ago9

SOIZ COODBICH VAENNE (1) BULLDING LINE PER CITY OF BUILDING LINE (1) () DENOIES RECORD INFORMATION

SURVEYOR'S NOTES (100 de eseres ni 5 TOJ S .0% AIGYJ WAMTTUE ROOF rol i C.DECK

00'95 M, 10,97%EZ 9 19'75 M, 10,97%EZ 9 100'95 M, 29%97)

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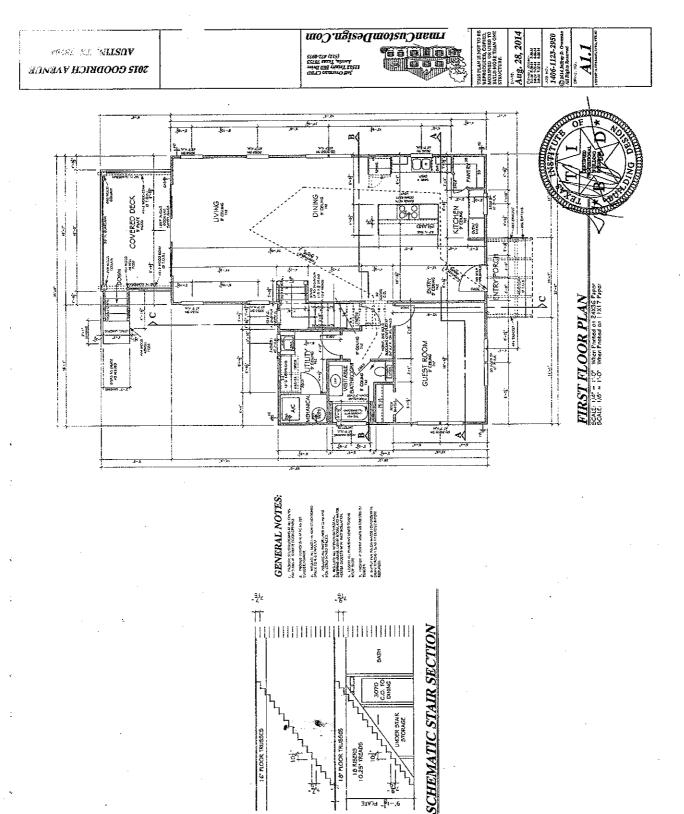
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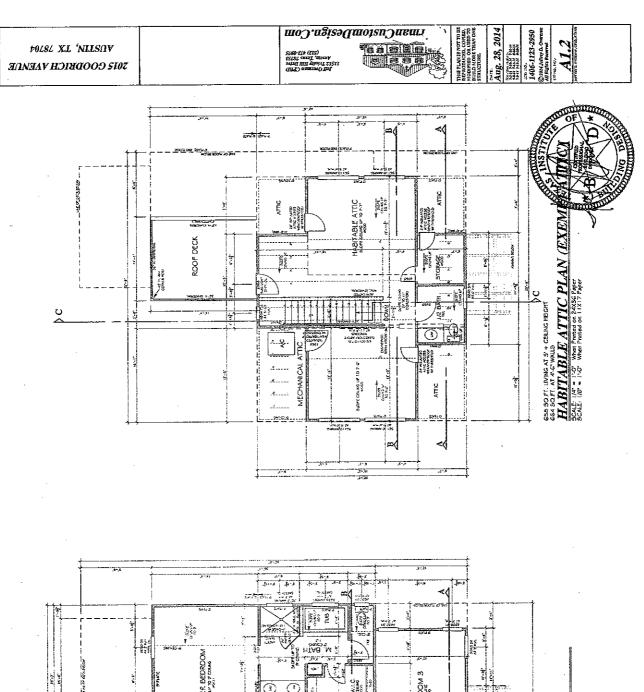
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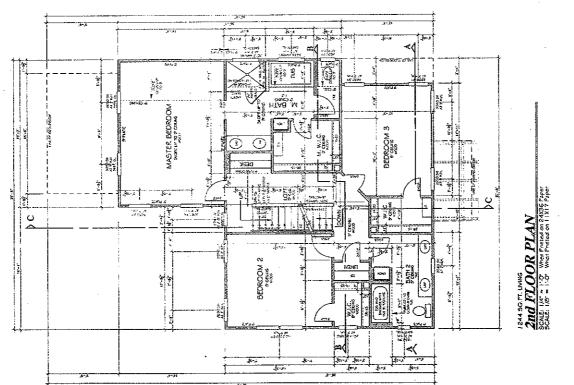
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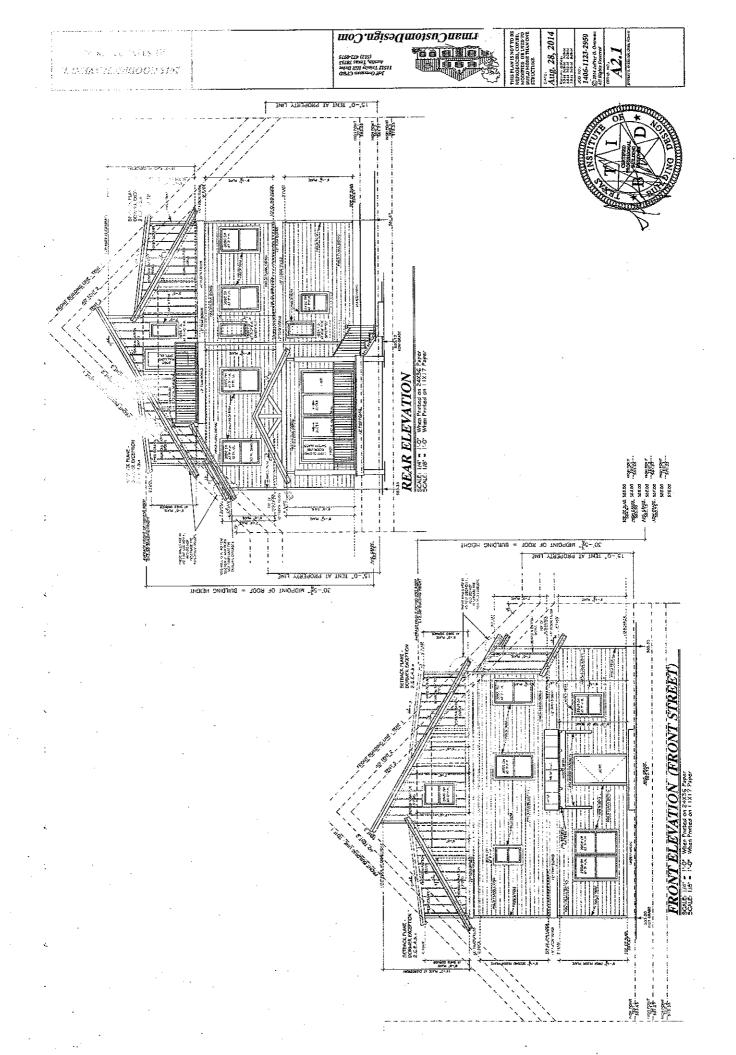
* IMPORTANT NOTICE * COUNTY, TEXAS all points does not make marrant any flood zone determination, (20, 8'0'M) SOIR COODBICH VAENOE AUSTIN CURRENT ZONING ORDINANCE () DEHOLES BECORD INFORMATION SURVEYOR'S NOTES COO'SS BOOKS N 0 (S 68%00'E 115.00') 5 67%57'48'E 114.69' LITTMAN LYDIA NO, 2 I TOT FP QOE BR 1879250,M 229(CC S) 187925,M 229(CC S) 7 TO. x08 :0313 FOL B TING DA WOOD TENCE CHAIN LINK FENCE UTILITY LINE 135 X BON BOD END

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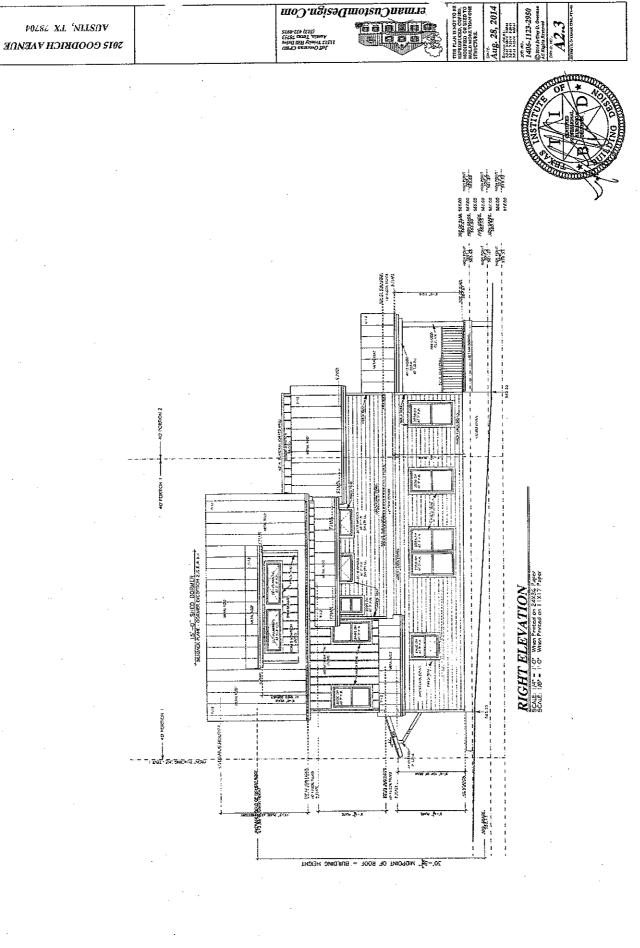


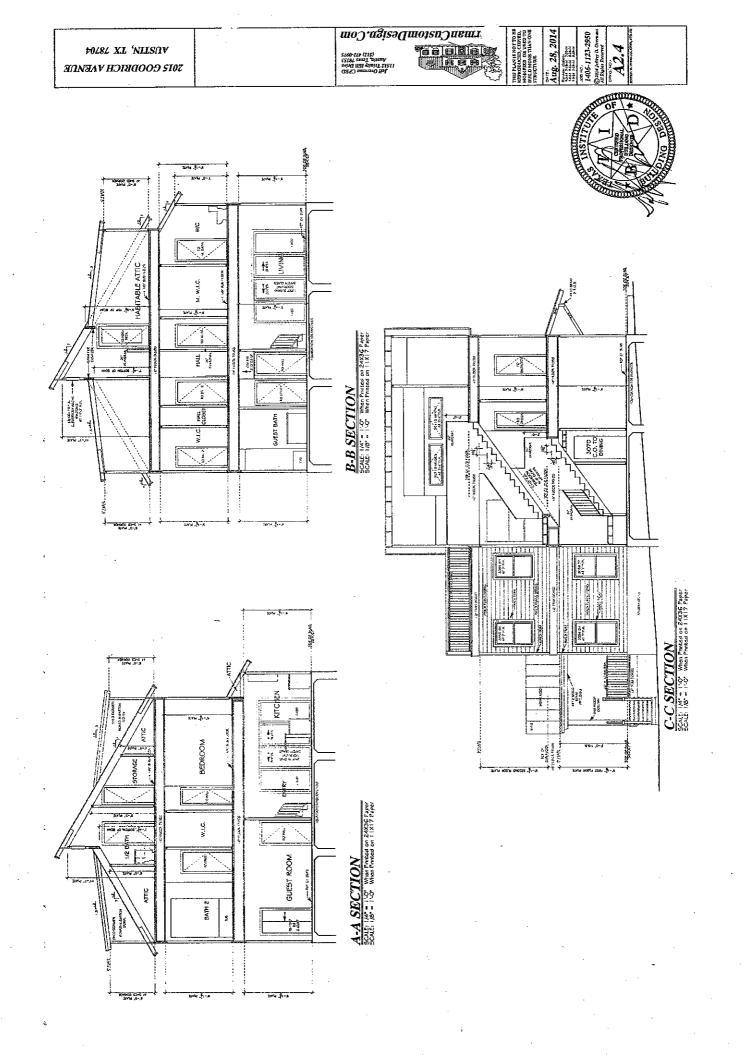




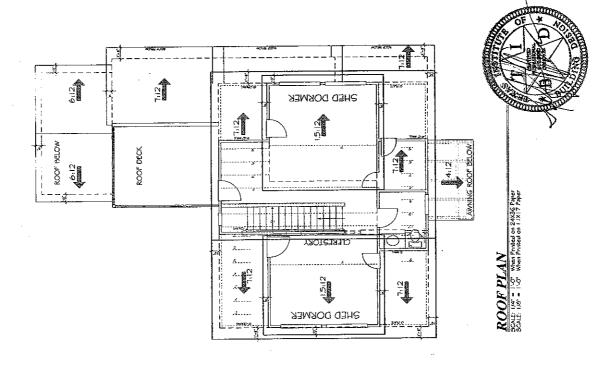
Aug. 28, 2014 manCustomDesign.Com ZAKARTILMMGOOD SIOZ 15'-D" SHED DORMER
SETBACK FLAVE - DORMER EXCEPTION 2: 6.6.4.5.11

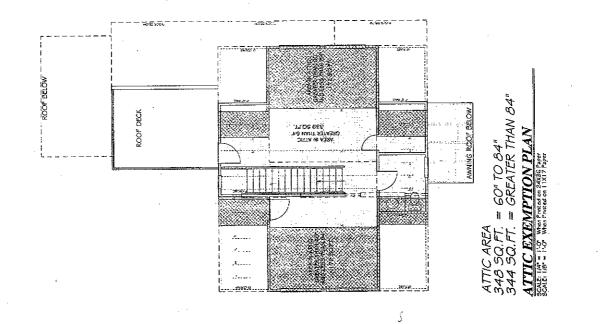
LEFT ELEVATION (SIDE STREET)
SOME 10" : 10" When Printed on 20036 Paper
SCALE 10" : 10" When Printed on 11177 Paper





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TOIR COODSICE VARIAN

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THIS PLAN IS NOT TO E REPRODUCED, COPIED MODISIED OR USED TO BUILD MORE THAN ON STRUCTURE.

Services Services

armanCustomDesign.Com

Aug. 28, 2014

1406-1123-2950 © 1014 July D. Omrose All Righer Riserred

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8) I. S. CONTRUIT. SERVEN STORE EXCENSE ON MATERIAL FOR THE TRUIT OF THE BANK! TO THE BANK! TOWER SOLD SHALL RES STRIKED ON SHALL TOWART IN STRIKE TOOTS ON BANK! TERMAND, THE GEORGE ON MATERIAL TO A NOAL SHALL SHALL SHALL SHALL THE PASS AND THE INTRAMES.

SECTION R312 GUARDS AND WINDOW PALL PROTECTION,

(312.) GUARDS. SIAROD SHALI RE PROVIDED IN ACCORDANCE WITH SECTIONS PST2.1.) THIGAKH RST2.1.4.

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21 | 7.10 SPECIAL STARWAYS. SPIRE, DYNORAS AND BUSISHED BELGGARE STARWAYS SHALL COMPT WITH ALL REQUIREMENTS OF SECTION R311.7 BERET AS SPECIATO BELDY. CS 11.7.9 ILLUMINATION. AL STARS SHALL DE PROYODED WITH ILLUMINATION IN ACCORDANCE WITH SECTION 15903-6.

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2012 INTERNATIONAL RESIDENTIAL CODE STAIRS - RAMPS - GUARDS - WINDOW SILLS

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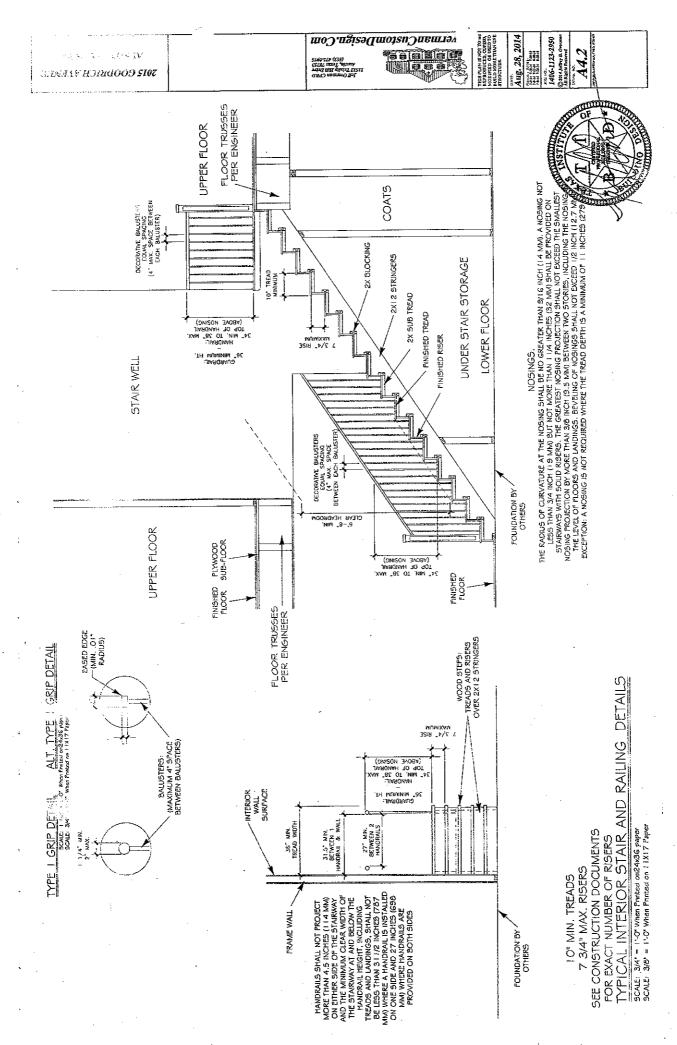
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WOOD DECK EASED EDGE MIN., OI" RADIUS) THE RADIUS OF CURVATURE AT THE NOSING SHALL BE NO GREATER THAN 9/16 INCH (14 MM). A NOSING NOT LESS THAN 3/4 INCH (19 MM) BUT NOT MORE THAN 1/4 INCHES (32 MM) SHALL BE PROVIDED ON STARWAYS WITH SOLID RISERS. THE GREATEST NOSING PROJECTION SHALL NOT BYCKED THE SMALLEST NOSING PROJECTION SHALL NOT BYCKED THE SMALLEST THE MACH THAN 3/4 INCH (9.5 MM) BETWEEN TWO STORIES, INCLUDING THE NOSING AT THE LIVEL OF FLOORS AND LANDINGS. BEVERING OF NOSINGS SHALL NOT BYCKED 1/2 INCH (1.2.7 MM), EXCEPTION: A NOSING IS NOT REQUIRED WHERE THE TREAD DEPTH (8.4 MINIMUM OF 1.1 INCHES (2.79 MM). SEE ENGINEERING FOR INFORMATION AND CONNECTION DETAIL STRUCTURAL DECORATIVE BALUSTERS EQUAL SPACING (4" MAX. SPACE BETWEEN EACH BALUSTER) 2X12 TREATED PINE STRINGERS NOSINGS. 3.5" X 3.5" NEWELL POST (TYP) DECORATIVE BALUSTERS
EQUAL SPACING
(4" MAX. SPACE
BETWEEN EACH BALUSTER) 10" TREAD MINIMUM EASED EDGE -- (MIN. .O.I" RADIUS) CONCRETE PAD BY ENGINEER. TYPE | GRIP DETAIL ALT. TYPE | GRIP DETAIL

SCALE 11/2 - 1:0 Weather and a contract of the con XAM "85 GT JUN, "45 JUNEANH TO POT (DHIZOM EVOEIN) STEPPING BALUSTERS: (MAXIMUM 4" SPACE BETWEEN BALUSTERS) 2X TREATED WOOD TREADS AND RISERS OVER 2X12 TREATED PINE STRINGERS EXACT NUMBER OF RISERS TO WOOD STEPS: THE WALKING SURFACE OF TREADS AND LANDINGS OF STARWAYS SHALL BE SLOFED THAN ONE LITT VERTICAL IN 48 INCHES HORIZONTAL (2- PERCENT SLOFE). 12" TREADS TYP. (10" MIN.) 7" RISERS TYP. (7 3/4" MAX.) BE DETERMINED ON SITE FINISH GRADE STEPS TO GRADE 1 1/4" MIN. 2" MAX. CONCRETE PAD BY ENGINEER LIIARGNAH AM "82 DT JUM "1 JUARGNAH TO SOT (ONJSON BYOSK) WALL SURFACE CUARDRAND 20 EVTERIOR 31.5" MIN. BETWEEN 1. HANDRAIL & WALL 36" MIN.' TREAD WISTH SEE ENGINEERING FOR 27" MIN. BETWEEN 2 HANDRAILS CONNECTION DETAIL INFORMATION AND STRUCTURAL HANDRAILS SHALL NOT PROJECT
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MA) WHERE HANDRAIL IS INSTALLED
ON ONE SIDE AND 27 INCHES (G9B
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PROVIDED ON BOTH SIDES

FOUNDATION BY OTHERS

FRAME WALL

EXTERIOR LANDINGS, DECKS, BALCONIES, STAIRS AND SHAILAR FACILITIES SHALL BE POSITIVELY ANCHORED TO THE FRANKAY STRUCTURE TO RESEST BOTH VERTICAL AND LATEAL FORCES OR SHALL BE DESIGNED TO BE SELF-SUPPORTING, ATTACHMEN'S SHALL NOT BE ACCOMPLISHED BY USE OF TOENAILS OR NAILS SUBJECT TO WITHDRAWAL.

EXTERIOR STEP AND RAILING DETAILS TYPICAL

OPEN RISERS ARE PERMITTED PROVIDED THAT THE OPENING BETWEN TREADS DOES NOT PERMIT THE PASSAGE OF A HINCH-DIAMETER (102 MM) SPHERE.

SCALE: 3/4" = 1-0" When Printed on24x36 paper SCALE: 3/6" = 1-0" When Printed on 11X17 Paper





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CITY OF AUSTIN NO STEP THRESHOLD

CODE: 5-1-141 TITLE 5 CHAPTER 5-1-: R320,6 VISITABLE DWELLING ENTRANCE

CODE REQUIREMENTS:

BUILDING ENTRANCE (C) OF THE AUSTIN CITY CODE REQUIRES A BUILDING ENTRANCE THAT INCLUDES A WO-STEP ENTRANCE TO HAVE A MANANUM DISTANCE BETWEEN THE INTERIOR FLOOR LEVEL OF THE BUILDING ENTRANCE AND THE ADJACENT WALKING BURFACE LEVEL TO BE NO GREATER THAN ONE-HALF INCH.

CODE INTERPRETATION: THRESHOLD AND TRANSITION STRIP DESCRIPTION: • CHANGE IN LEVELS ARE REQUIRED TO BE BEVELED, WITH A MAXIMUM VERTICAL RISE OF 1/2 INCH.

* HEIGHT FROM THE EXTERIOR SIDE OF THE WALKING SURFACE TO THE TOP OF THE THRESHOLD SHALL BE: 1/2 INCH MAXIMUM.

HEIGHT FROM THE TOP OF THE THRESHOLD TO THE TOP OF THE DOOR SEAL SHALL BE 1/2 INCH MAXIMUM.

THE MAXIMUM THRESHOLD, INCLUDING THE DOOR SEAL, SHALL BE 1 3/8 INCHES,

. HEIGHT FROM THE TOP OF "THE TRANSITION STRIP TO THE TOP OF THE DOOR SEAL SHALL BE 1/2" MAXIMUM, WHEN ABUTTED TO THRESHOLD.

THE SHAL BE NO PINISHED STEP CREATER THAN 1/2" MAXOMAIN TO PERMICIO SEOPE SINEL DE 6.13% (F. F.2) EXTERIOR FIN, FLOOR IS LOWER THAN INTERIOR FIN. FLOOR. **OPTION A** TOP OF

MANNAUM TRRESTACIO SLOPE SHAVE DE 8.33% (Trl 2) OPTION B

THRESHOLD DETAILS SCALE 3" = 1'-O" When Printed on 11X17 Paper

FIN, FLOORS ARE ALIGNED INTERIOR AND EXTERIOR

CITY OF AUSTIN CODE SECTION R320 VISITABILITY

R320.3 VISITABLE BATHROOM;

CODE REQUIREMENTS:

each visitable dwelling must be designed and constructed with at least one Bathroom group or Halp bath on the first floor that meets the following regustrabints:

I. A MINIMUM CLEAR OPENING OF 30INCHES IS REGUIRED.

2. LATERAL 2XG (OR LARGER) NOMINAL WOOD BLOCKING MUST BE INSTALLED PLUSH WITH STUD EDGES OF BATHROOM WALLS, AND

3. THE CENTERLINE OF THE BLOCKING MUST BE 34 * FROM AND PARALLEL TO THE INTERIOR FLOOR LEVEL, EXCEPT FOR THE PORTION OF THE WALL LOCATED DIRECTLY BEHIND THE LAVATORY.

CODE REQUIREMENTS: THE ENTIRE FIRST FLOOR OF A VISITABLE DWELLING MUST MEET THE FOLLOWING REQUIREMENTS:

R320.4 VISITABLE LIGHT SWITCHES, RECEPTICALS, AND ENVIRONMENTAL CONTROLS;

I. IGHT SWITCHES AND ENVIRONMENTAL CONTROLS MUST BE NO HIGHER THAN 48 INCHES ABOVE THE INTERIOR FLORE LOVE (WHEN MAKSURED FROM THE ROUGH FLOOR TO THE JUNCTION BOX); AND

2. OUTLETS AND RECEPTACLES MUST BE A MINIMUM OF 15 INCHES ABOVE THE INTERIOR FLOOR LEVEL, EXCEPT FOR FLOOR OF THE BOTTOM OF THE JUNCTION BOX),

R320.5 VISITABLE BATHROOM ROUTE;

A BATTEROOM GROUP OR HALF BATH DESIGNATED FOR VISTABILITY UNDER SECTION R320.3 MUST BE ACCESSIBLE PA A ROLFF WITH A MINIMUM CLERK OPENING AND ROLFF WOTH BEGINNING AT THE VISITABLE ENTRANCE POSSIBLE UNDER SECTION 320.6 AND CONTINUING THROUGH THE LYNING ROOM, DINING ROOM, AND KITCHEN, AND BE LIVER, RAMPED ON BEVELED CHARGES AT BOOK THRESPOURS. CODE REQUIREMENTS:

EXCEPTION:

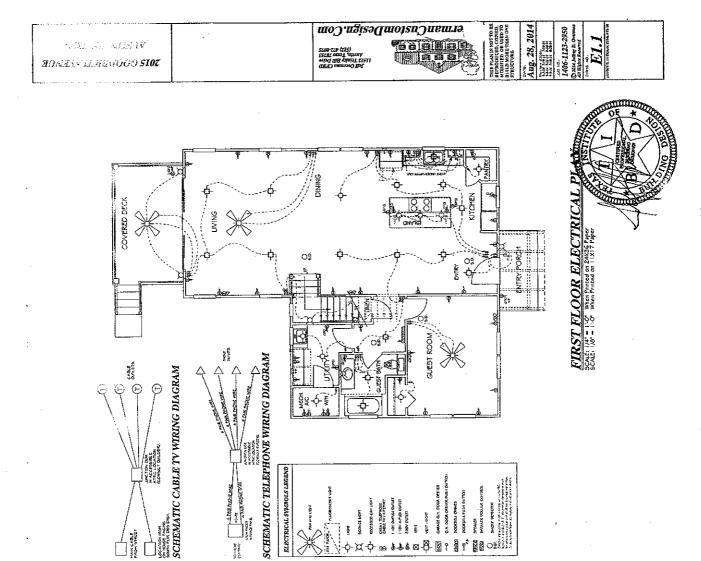
A VIBITABLE KOUTE 15 NOT REQUIRED THROUGH AN AREA LOCATED ON A SPLIT LEVEL OR SUNKEN FLOOR, PROVIDED AN ALTERNATIVE ROUTE (TO THE VIBITABLE BATHROOM) 15 AVAILABLE.

R320.6 VISITABLE DWELLING ENTRANCE;

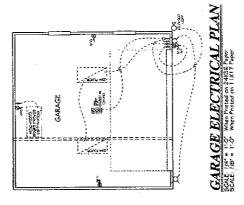
CODE REQUIREMENTS:

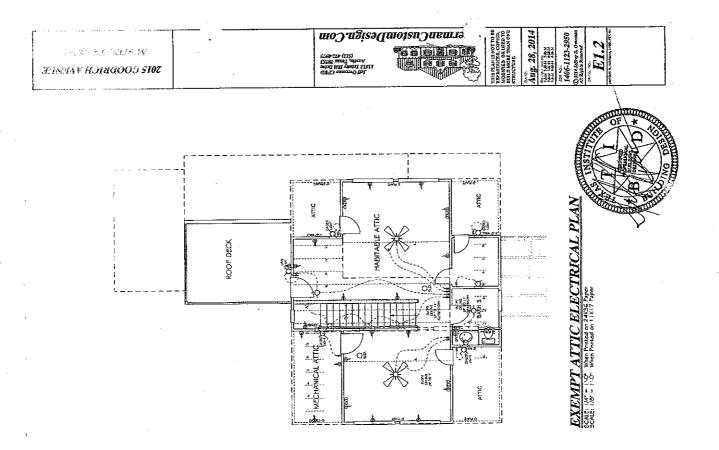
ALL DWELLINGS AND ALL HABITABLE BUILDINGS INHERE A HABITABLE SPACE 15 ON A GROUND FLOOR), MUST BE ACCESSIBLE BY AT LEAST ONE NO.5TE FERTRANCE WITH A BEVELLED TRESHOLD OF ONE HALF INCH OR LESS AND A DOOR WITH A CLEAR OPERING WITH OF AT LEAST 32 INCHES, THE BUTRANCE MAY BE LOCATED AT HE FROM! FRAR, OR SIDE, OR IN THE GRAAGE OF CARPORT, OF THE DWELLING(S) AND HABITABLE BUILDING(S).

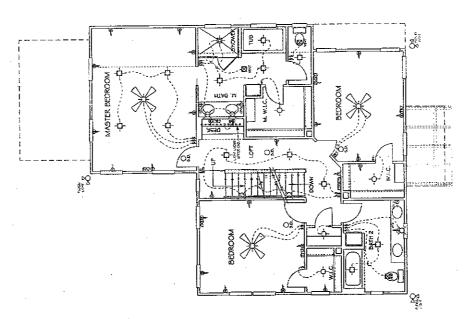




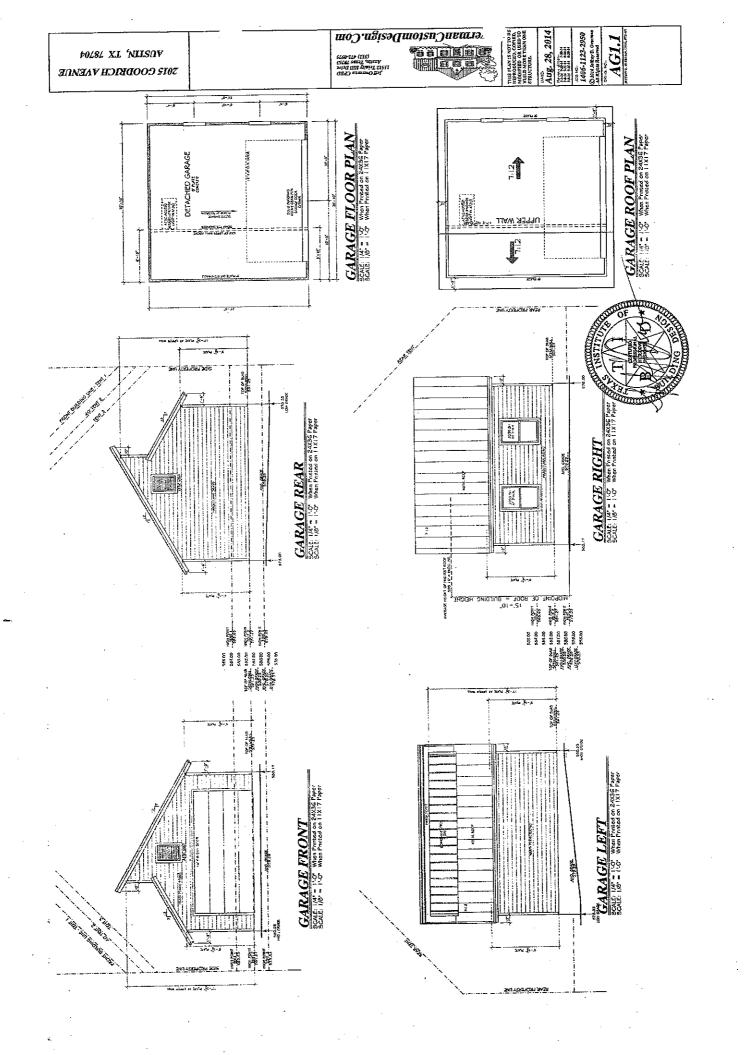
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2nd FLOOR ELECTRICAL PLAN





MEMORANDUM

TO:

Board of Adjustment.

FROM:

Daniel Word, Planner Principal, Residential Review

DATE:

December 1, 2014

SUBJECT:

Appeal of Building Permit Approval at 2015 Goodrich Avenue

Timeline.

An application was submitted to Residential Review on September 3, 2014 proposing to construct a new two-story single-family residence with a one-story detached garage. The construction plans (Attachment A) related to the permit application were approved on October 14, 2014 and the subsequent building permit was activated on October 16, 2014.

An appeal (Attachment B) of the building official's administrative decision to approve the permit request was received on October 20, 2014. A "meeting to resolve issues" was conducted on November 17, 2014 with representatives of the applicant, appellant and city staff present.

Arguments

The appeal raises four issues. However, the "meeting to resolve differences" was able to resolve three of the four issues. The remaining issue (identified as item #3 in the appeal) involves the application of the "attic exemption" outlined in Article 3.3.3.C of Title 25-2 Subchapter F (Attachment C), commonly known as the "McMansion" ordinance.

The "McMansion" ordinance allows for habitable attic spaces meeting the six criteria shown below to exempt the square footage from the floor-to-area ratio established by Subchapter F. The appeal focuses on the second and fifth criteria.

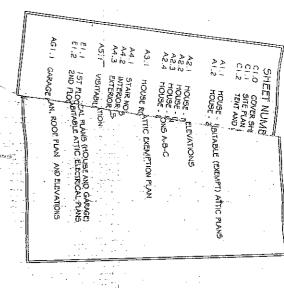
- C. A habitable portion of an attic, if:
- 1. The roof above it is not a flat or mansard roof and has a slope of 3 to 12 or greater;

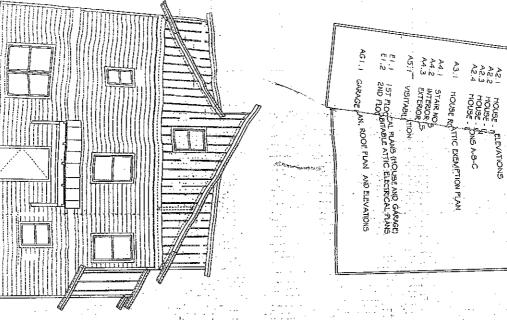
 It is fully contained within the roof structure;
- 3. It has only one floor;
- 4. It does not extend beyond the footprint of the floors below;

 15. It is the highest habitable portion of the building, or a section of the building, and adds no additional mass to the structure; and
- 6. Fifty percent or more of the area has a ceiling height of seven feet or less.

The Board of Adjustment has previously heard an interpretation case (C15-2011-0110) regarding this section of the code (Attachment D). The final result of the case overturned the building official's approval and provided language that established which areas within an attic should be included in the calculation of the attic area and supported a staff memorandum (Attachment E) detailing the staff

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2015 GOODRICH AVENUE PROJECT: **AUSTIN, TX 78704**

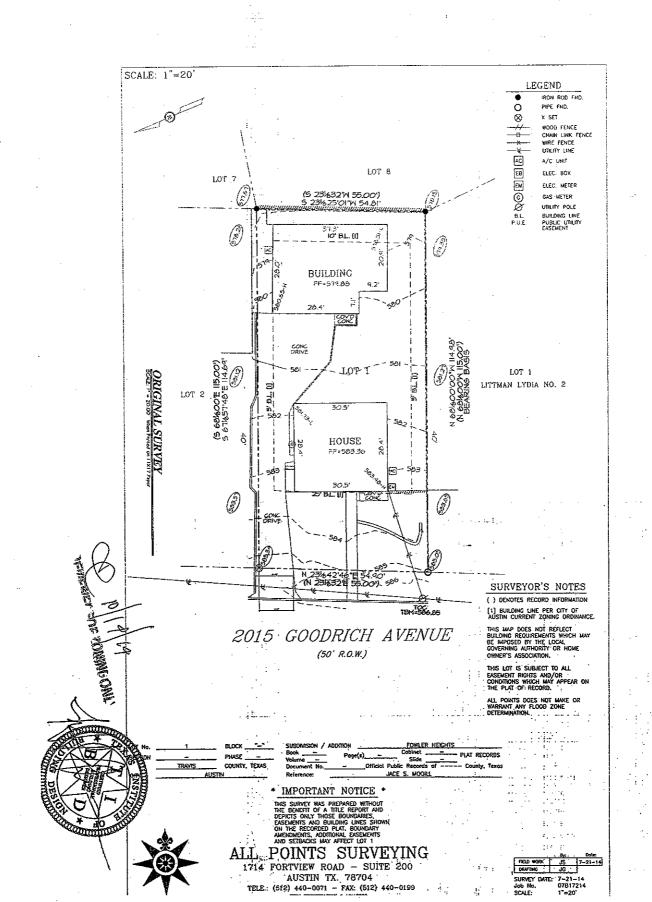
LOT INFORMATION
ZONING: 5F3
PROPERTY TAX ID: 100468
LOT AREA (TCAD): 6325 90.FT

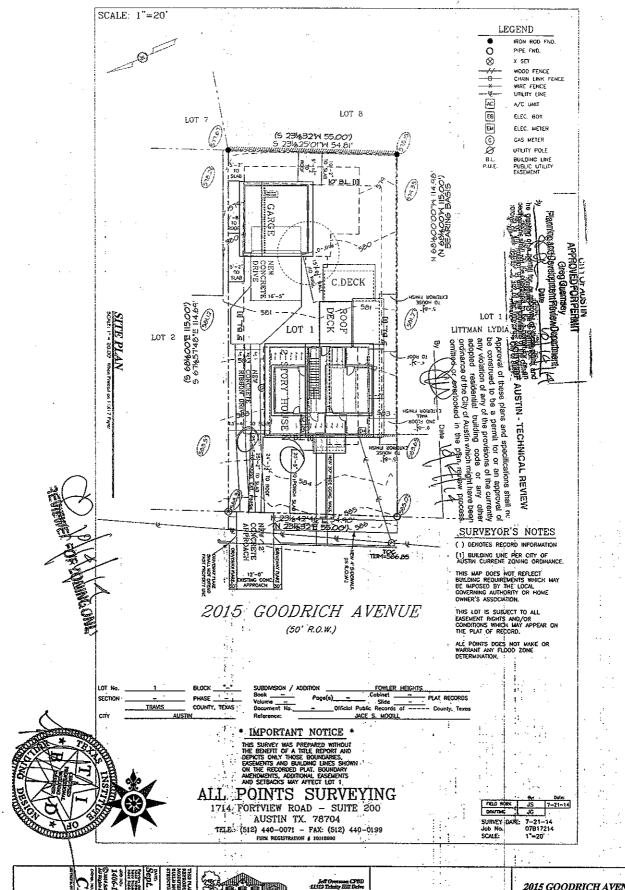
South Austin Developement Group, LLC
David Jones
1813 Collier Street
Austin, TX. 78704
469-396-6409
512-550-21

BUILDER:

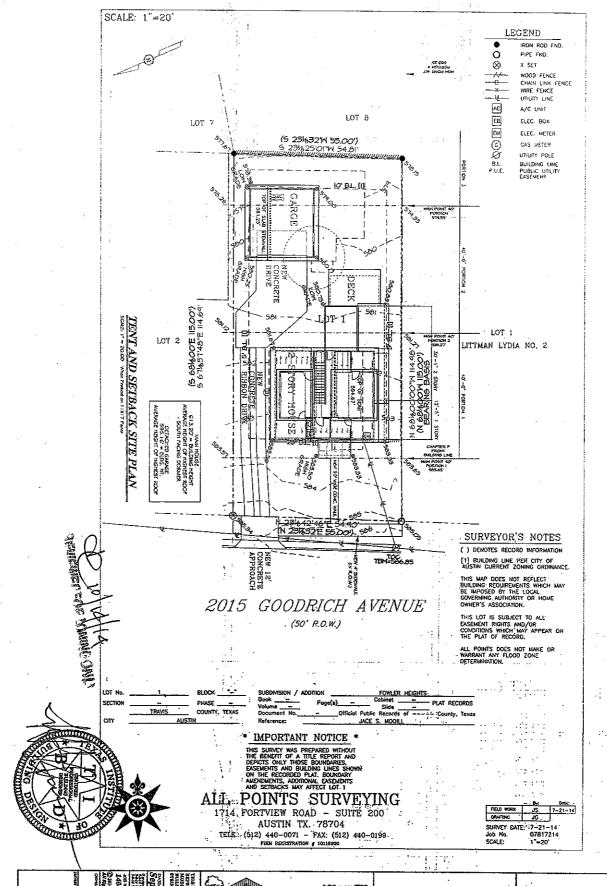
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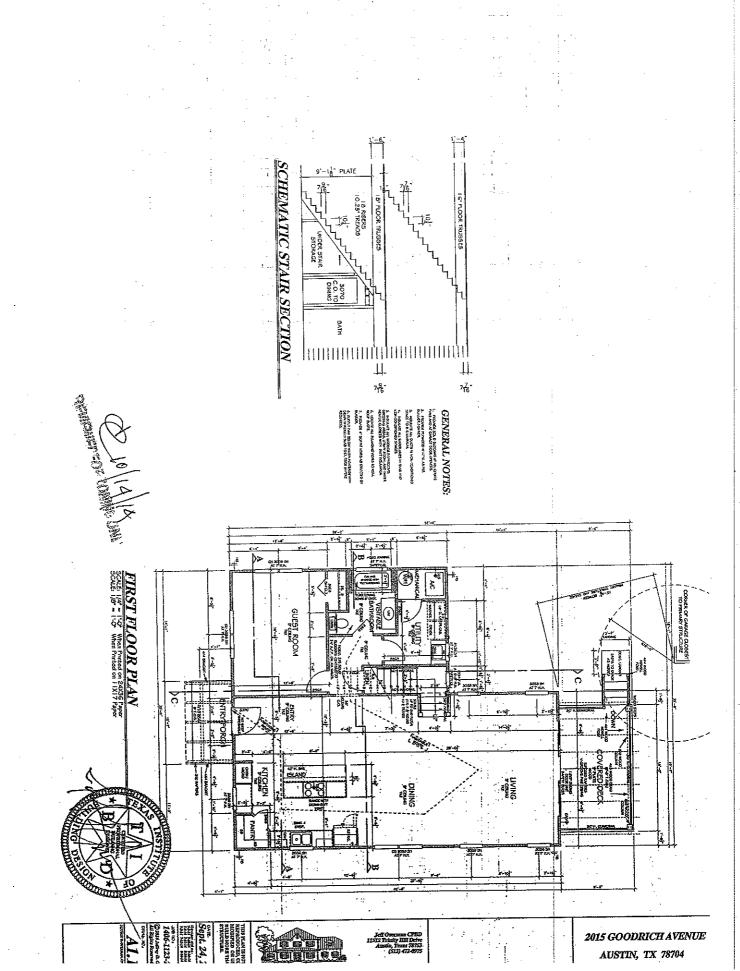


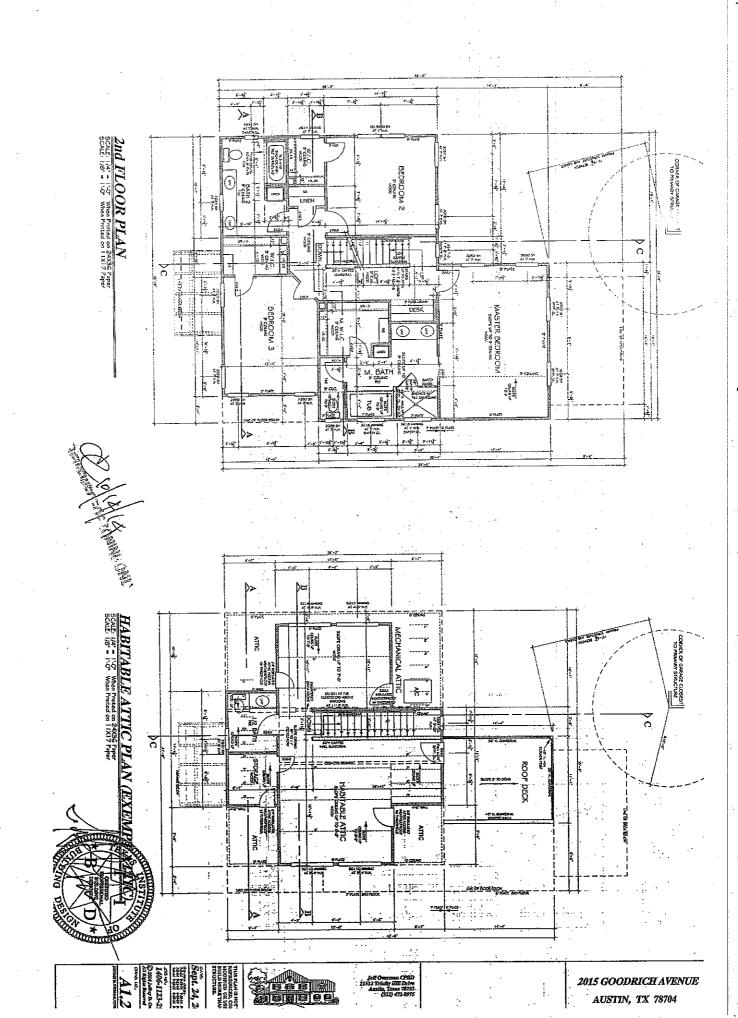


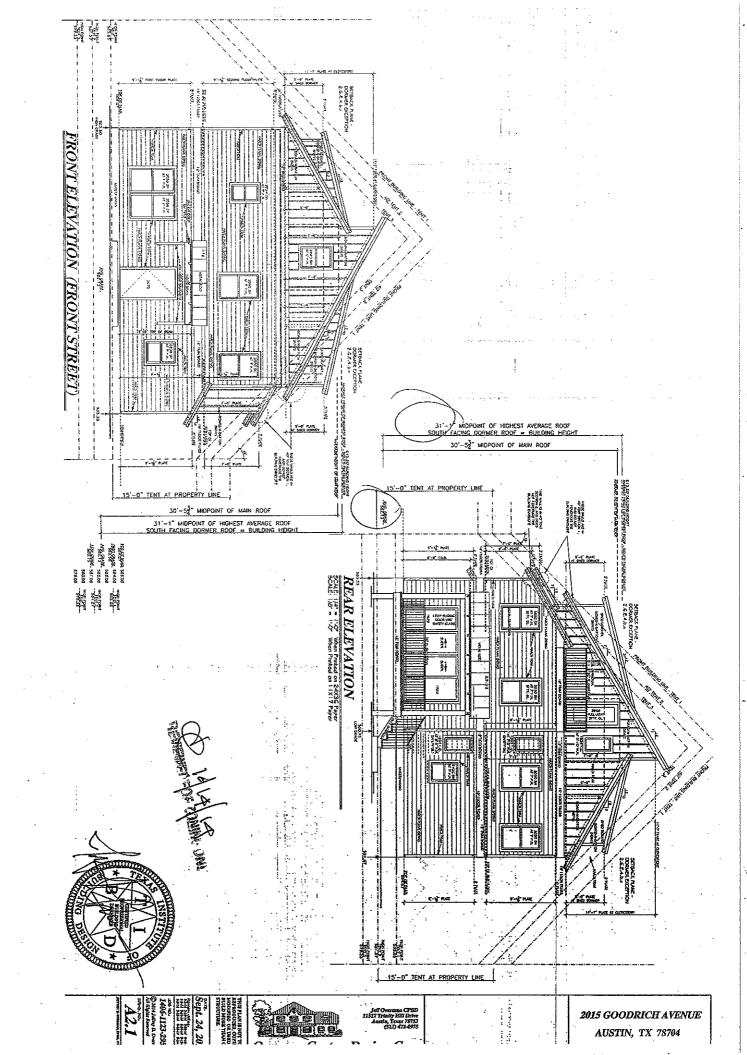


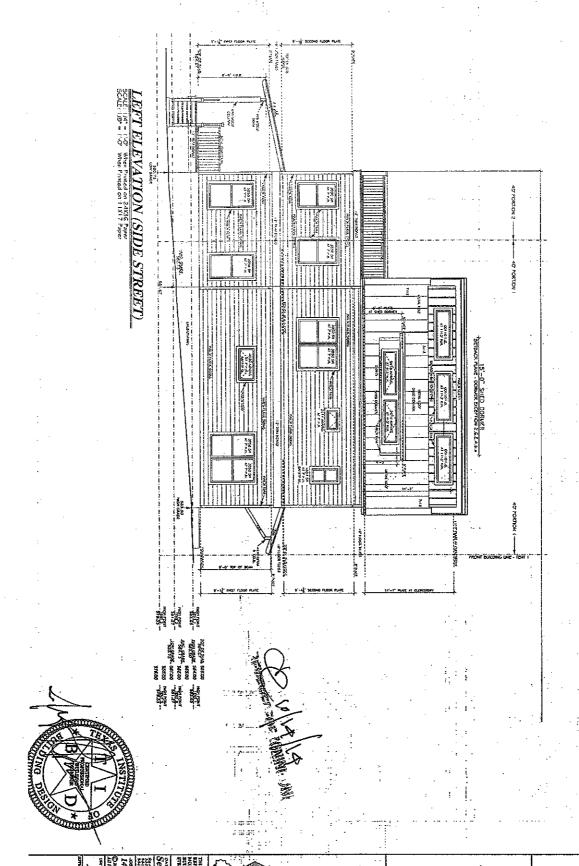






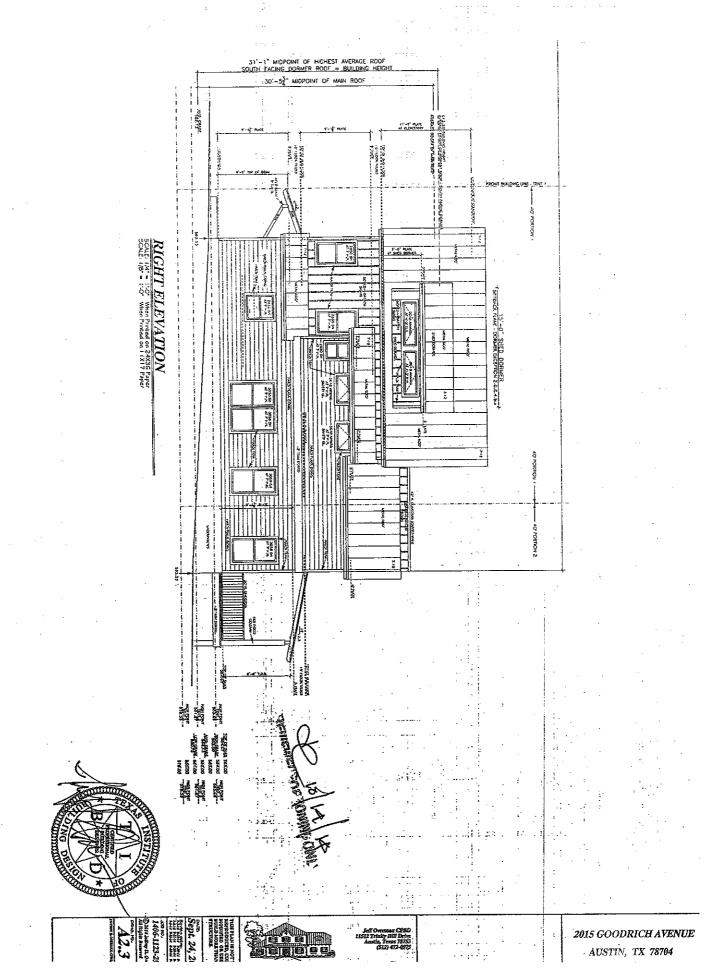


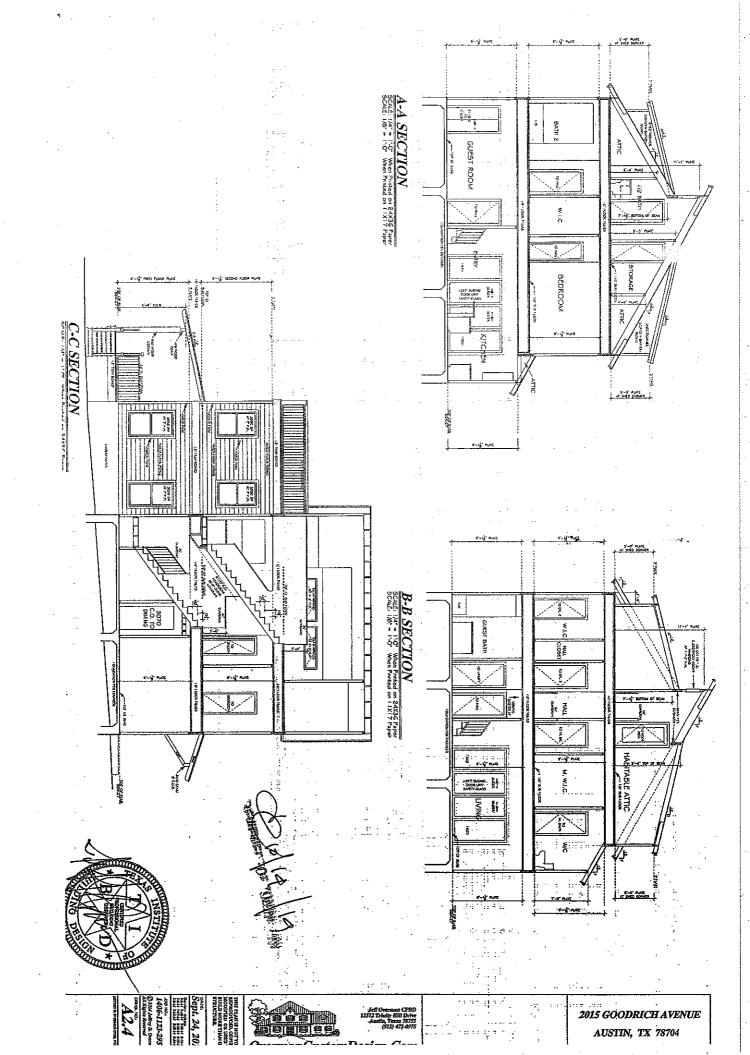


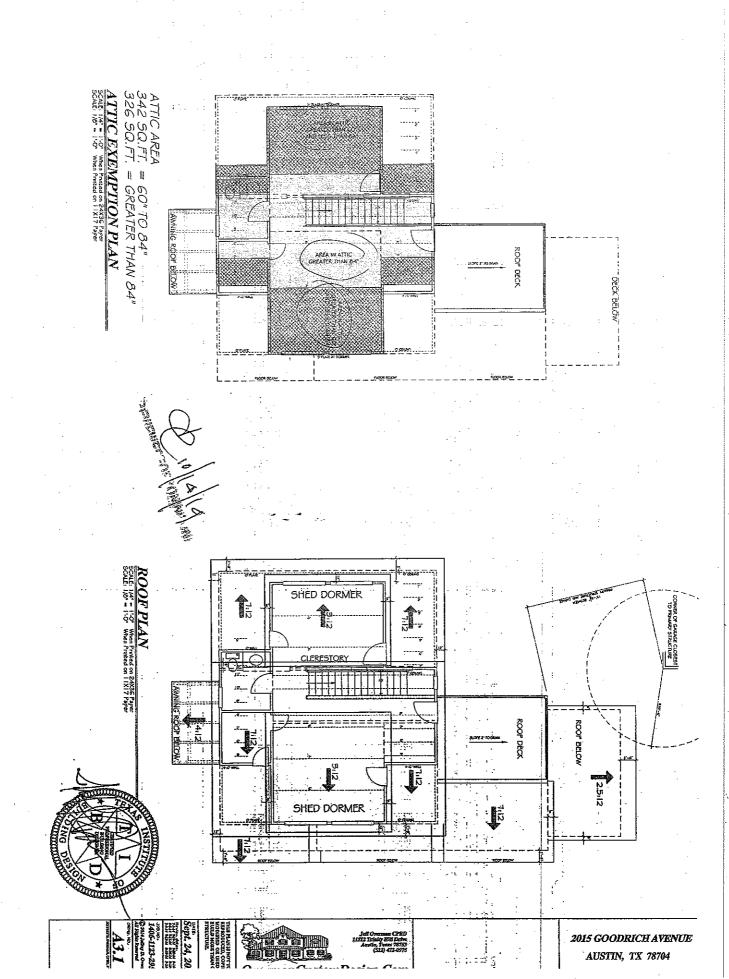


2015 GOODRICH AVENUE

AUSTIN, TX 78704







Attachment B"

NOTICE OF APPEAL INFORMATION

Austin City Code ARTICLE 7. APPEALS, VARIANCES, SPECIAL EXCEPTIONS, AND ADJUSTMENTS.

Division 1. Appeals

(see page 2 of 2 for appeal process)



Planning and Development Review Department

4.14 CD 4.1-0 C	Permit Number
Address of Property in Question 2015 Goodrich Ave	2014-093888 PR
Appellant Filing Appeal	Relationship to Property subject property is
Zilker Neighborhood Asso	ociation within the neighborhood boundaries
Appellant's status as Interested Party neighborhood associati	on in which subject property is located
Appellant Contact Information	Permit Holder Contact Information
_{Name} Gardner Sumner, President	, ZNA S.Austin Dev.Group LLC (Vance Cobb)
Street 1610 Treadwell Stree	OUL GODOPHINO DO
City State Austin TX	Zip City State Zip 78704 Austin TX 78704
Telephone 512-468-6200	Telephone (512)550-2144
E-Mail zoltan2@outlook.com	E-Mail vancecobb@gmail.com
Date of Decision Being Appealed: 14 Oct 2014	Date Appeal is Filed: 20 Oct 2014
Decision being appealed: (use additional paper	as required)
Decision being appealed: (use additional paper	
Decision being appealed: (use additional paper	as required)
Decision being appealed: (use additional paper	as required)
Decision being appealed: (use additional paper	as required)
Decision being appealed: (use additional paper issuance of building per Reason the appellant believes the decision do The applicant has 1) failed to use the outside surface of the exterior walls the requirements, and 4) incorrectly does not comply with the McMansion of	as required)
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Decision being appealed: (use additional paper issuance of building per issuance of building per Reason the appellant believes the decision do The applicant has 1) failed to use the outside surface of the exterior walls the requirements, and 4) incorrectly does not comply with the McMansion of impervious cover ordinance which requise attached details.	es not comply with the requirements of the Land Development Code (Title 25) ne correct lot size, 2) failed to measure McMansion FAR to the s; 3) requested an attic exemption that does not comply with calculated impervious cover. As a result, the house codinance which requires that the FAR not exceed 40% nor with the nires that the impervious cover not exceed 45%.

Appeal Process

You may appeal by following the Land Development Code requirements below. You must complete the form with all required information.

ARTICLE 7. APPEALS, VARIANCES, SPECIAL EXCEPTIONS, AND ADJUSTMENTS.

Division 1. Appeals.

§ 25-1-181 STANDING TO APPEAL.

- (A) A person has standing to appeal a decision if:
 - (1) the person is an interested party; and
 - (2) a provision of this title identifies the decision as one that may be appealed by that person.
- (B) A body holding a public hearing on an appeal shall determine whether a person has standing to appeal the decision.

Source: Section 13-1-250; Ord. 990225-70; Ord. 030828-65; Ord. 031211-11.

§ 25-1-182 INITIATING AN APPEAL

An interested party may initiate an appeal by filing a notice of appeal with the responsible director or building official, as applicable, not later than:

- (1) the 14th day after the date of the decision of a board or commission; or
- (2) the 20th day after an administrative decision.

Source: Section 13-1-251(a); Ord. 990225-70; Ord. 031211-11.

§ 25-1-183 INFORMATION REQUIRED IN NOTICE OF APPEAL.

The notice of appeal must be on a form prescribed by the responsible director or building official and must include:

- (1) the name, address, and telephone number of the appellant;
- (2) the name of the applicant, if the appellant is not the applicant;
- (3) the decision being appealed;
- (4) the date of the decision:
- (5) a description of the appellant's status as an interested party; and
- (6) the reasons the appellant believes the decision does not comply with the requirements of this title.

Source: Section 13-1-251(a); Ord. 990225-70; Ord. 010329-18; Ord. 031211-11.

By signing this document, I attest to having read and understand my rights as granted by the Land Development Code for the process of appealing an administrative decision by the building official or the responsible director.

20 Oct. 14 & SUMNER Humar

Date: Printed Name: Signature:

2015 Goodrich Ave (Permit Number 2014-093888 PR)
Reasons the Decision Does Not Comply with the Requirements of the Land Development Code:

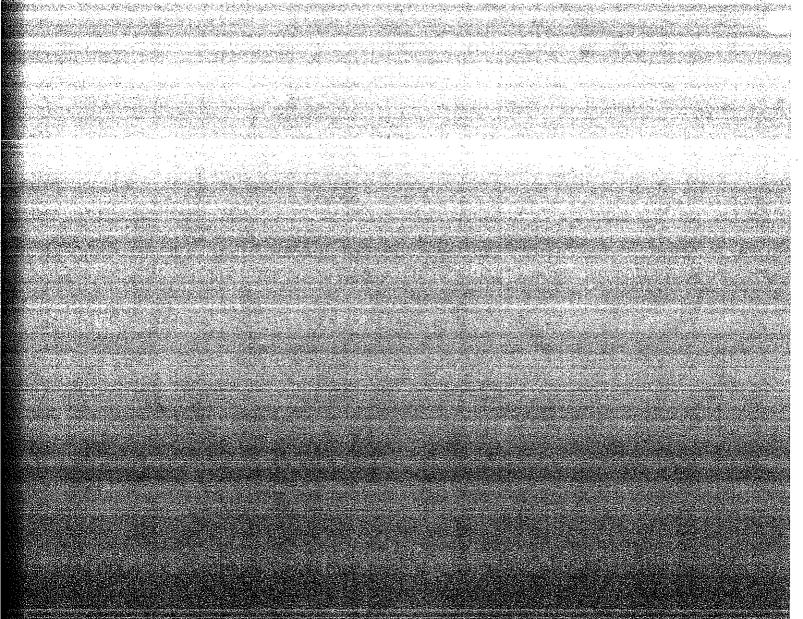
- The applicant is using a lot size of 6,325 sq ft to make impervious cover and McMansion FAR calculations. This is the lot size shown at the Travis County Appraisal District (TCAD). However, the applicant presented an actual survey conducted by All Points Surveying on 21 Jul 2014. The property lines shown on this survey calculate to 6,296.6 sf. The surveyed area should be used since the TCAD areas are notoriously inaccurate. This will result in a higher impervious cover and McMansion FAR percentage.
- The architectural plans of the first and second floor (Drawings A1.1 and A1.2) appear to be drawn to the outer edge of the wood framing and <u>not</u> to the "outside surface of the exterior walls" demonstrated by the fact that the first floor plan dimensions (Drawing A1.1) match the foundation plan dimensions (Drawing S-1). Normally, the edge of the framing is aligned with the foundation edge. When sheathing and siding is added, this dimension can increase by an inch or more on all sides. Since the criteria for calculating the McMansion FAR is measurement to the "outside surface of the exterior walls", the McMansion FAR is not calculated correctly. If one assumes a ½" sheathing and ¾" siding, the first floor area is increased to 1,301.6 sf and the second floor area is increased to 1285.3 sf. This is an additional 33.8 sf that must be added to the McMansion FAR calculation.
- 3) The attic exemption from McMansion FAR requested by the applicant is not allowable under the McMansion ordinance. The attic exemption is allowable only if it meets certain conditions:
 - "3.3.3. Porches, basements, and attics that meet the following requirements shall be excluded from the calculation of gross floor area:
 - C. A habitable portion of an attic, if:
 - The roof above it is not a flat or mansard roof and has a slope of 3 to 12 or greater;
 - 2. It is fully contained within the roof structure;
 - 3. It has only one floor;
 - 4. It does not extend beyond the footprint of the floors below;
 - It is the highest habitable portion of the building, or a section of the building, and adds no additional mass to the structure; and
 - Fifty percent or more of the area has a ceiling height of seven feet or less."

We believe that not all of these requirements have been met and that the attic exemption requirements were intended to prevent exactly what the applicant is trying to do. The proposed plan is inconsistent with the attic exception requirements for three reasons:

- 1. The dormers are not fully contained within the roof structure contrary to requirement #2. We believe the dormers are exactly what requirement #2 was specifically intended to prevent. It is hard to envision any other purpose of this provision. While there is a "dormer exception" from the setback plane as described in Section 2.6.E.4.b.ii of Subchapter F (Residential Design and Compatibility Standards), this exception is specifically related to the "Setback Planes" defined in Section 2.6, not to the "Gross Floor Area" defined in Section 3.3.
- 2. The dormers add additional mass to the structure contrary to requirement #5. In addition, the vertical wall with windows facing the side street which separates the two primary roof slopes also adds mass. If it weren't for that wall, the two slopes would meet at a peak much lower than the proposed peak, and the mass of the roof structure would be less.
- 3. The third floor deck (called a "roof deck" in the habitable attic plans) is accessible from the "habitable attic". While the deck itself would not be subject to McMansion FAR, the fact that it exists supports our contention that the habitable attic is actually a third floor rather than a fully contained attic.

The attic exemption should be disallowed and the applicant should recalculate the McMansion FAR as if this area is a third floor.

4) On page 2 of the application, the applicant has indicated that the impervious cover is 2,481 sf.or. 44.9%. However, 2,481 sf is 39.2% of their stated lot size of 6,325 sf, not 44.9%. We believe that they probably transposed numbers and that the impervious cover is probably 2,841 sf because 2,841 sf is 44.9%. However, it is not possible to tell because the applicant has not itemized or categorized the impervious cover. It is not clear whether the back deck stairs and landing are included in the impervious cover calculations because they are not shown on the site plan. Also, the A/C pads do not appear to have been included in the impervious cover calculations since they do not appear on the site plan. The applicant should be required to provide an itemized list of the impervious cover as do most applicants so the calculations and arithmetic can be checked. If the correct impervious cover is actually 2,841 sf rather than 2,481 sf, then the impervious cover percentage would be over the limit of 40% based on the correct lot square footage of 6,296.6 sf.

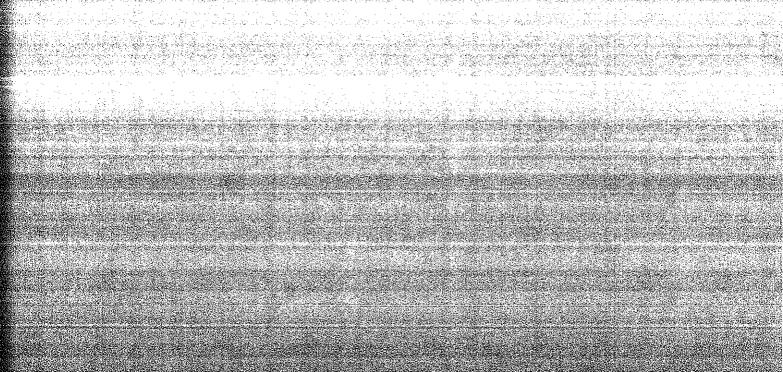


Attachment C

3.3.3.	
Porches, basements, and attics that meet the following requirements shall be excluded calculation of gross floor area:	ded from the
A.	
A ground floor porch, including a screened porch, provided that: 1.	
the porch is not accessible by automobile and is not connected to a driveway; and 2.	
the exemption may not exceed 200 square feet if a porch has habitable space or a l B.	palcony above i
A habitable portion of a building that is below grade if:	**
1. The habitable portion does not extend beyond the first-story footprint and is:	
a.	
Below patural or finished grade, whichever is lower; and	* .
b	
Surrounded by natural grade for at least 50% of its perimeter wall area, if the habit required to be below natural grade under paragraph 1.a. 2.	able portion is
The finished floor of the first story is not more than three feet above the average el	
·	levation at the
intersections of the minimum front yard setback line and the side property lines. C.	levation at the
intersections of the minimum front yard setback line and the side property lines. C.	levation at the
intersections of the minimum front yard setback line and the side property lines.	levation at the
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6. _____ Fifty percent or more of the area has a ceiling height of seven feet or less.

mass to the structure; and



Attachment D"

Board of Adjustment Motion Sheet

January 9, 2012 BOA Meeting

Case No. C15-2011-0110 Sarah Lynn Hill and John Deigh, 3704 Bonnell Drive

Boardmember's Motion:

"I move to reverse the Director's interpretation of the 'habitable attic' exemption under the McMansion ordinance, as reflected by staff's approval of the permit at 3704 Mount Bonnell Drive, and to replace it with the following interpretation. Staff should prepare a memo including this interpretation and make it available to reviewers and the public."

Text of Interpretation:

- (1) To qualify for the "attic exemption" from Gross Floor Area under Section 3.3.3.C of Subchapter F, a habitable portion of an attic must meet each of the following requirements:
 - (A) As measured in accordance with Subsection 3.3.4, fifty-percent (50%) or more of the exempted portion of the attic must have a height of less than 7 feet, but more than 5 feet.
 - (B) The exempted portion of an attic must be limited to rooms used for human occupation, including but not limited to spaces used for living, (sleeping, eating, or cooking and all bathrooms, toilet rooms, circulation spaces and laundry rooms), working (home office, studio), and recreation (entertainment, exercise).
 - (C) Consistent with the staff memo by Daniel Word, dated July 29, 2008, the exempted portion of the attic must be fully contained within the roof structure and cannot extend beyond the footprint of the floor below.
- (2) This interpretation supersedes any conflicting interpretation previously issued by staff, including but not limited to the memo of Erica Eichert dated April 4, 2007.

Findings:

After the Board concludes its deliberations and any amendments have been clearly noted, a boardmember should make the following findings before calling for a vote:

- (1) There is reasonable doubt or difference of interpretation as to the specific intent of the habitable attic exemption under the McMansion ordinance; and
- (2) The resulting interpretation approved by the Board will not grant a special privilege to one property inconsistent with other properties or uses similarly situated.

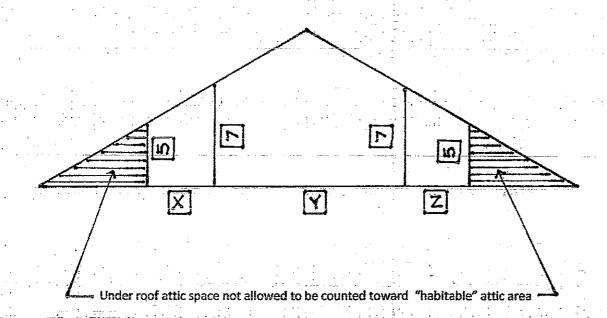
Board of Adjustment

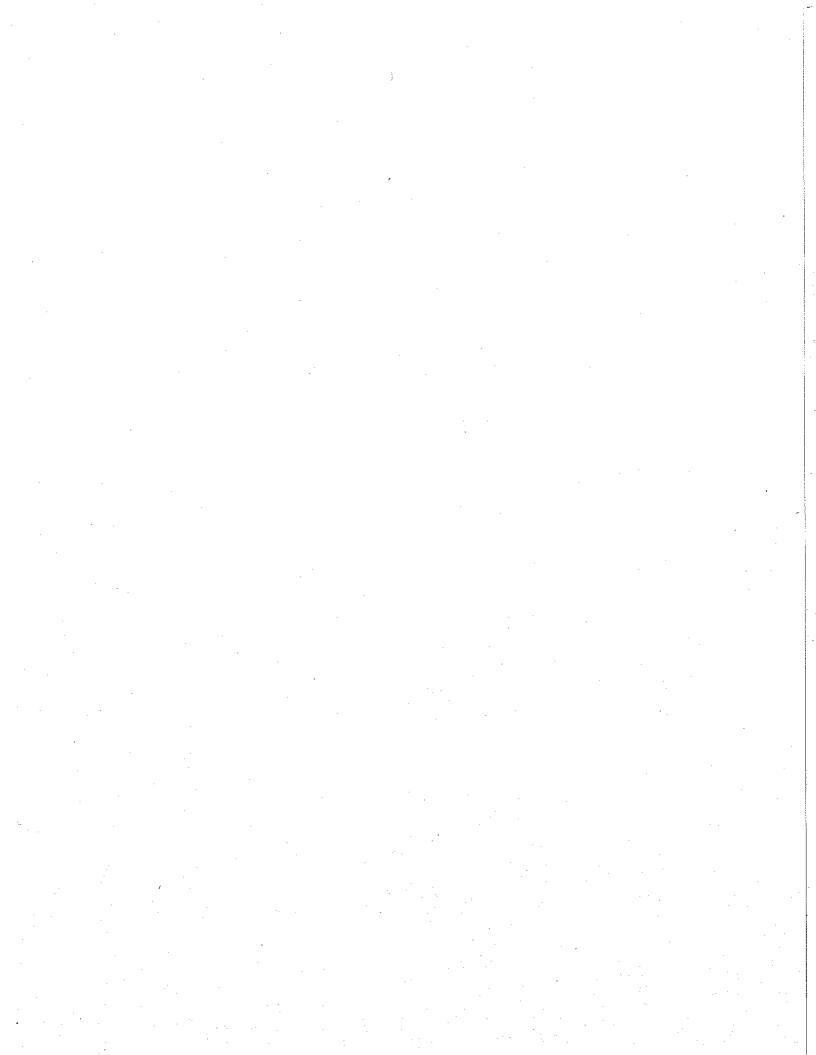
January 9, 2012 Board Meeting

Case D-1 #C15-2011-0110 Sarah Lynn Hill and John Deigh, 3704 Bonnell Drive

Exhibit "A"

Modification of the diagram included in the memo of Erica Eichert, dated April 4, 2007







MEMORANDUM

TO:

American Institute of Architects- Austin

THRU:

Residential Review Planners and Residential Inspectors

FROM:

Daniel Word, Planner II, Residential Review Division

Watershed Protection and Development Review Department

DATE:

July 29, 2008

SUBJECT:

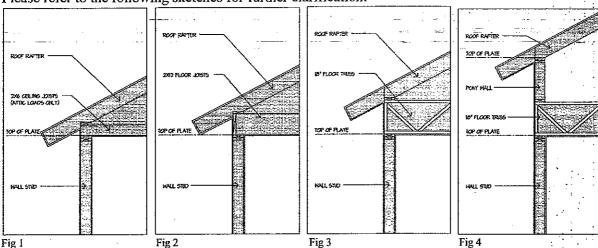
Habitable Attics and Gross Floor Area

Section 3.3.3 (C) of Subchapter F, commonly referred to as the "McMansion" ordinance, allows for the exclusion of a habitable portion of an attic from the gross floor area measurement prescribed in the Land Development Code if:

- 1. The roof above is not a flat or mansard roof and has a slope of 3 to 12 or greater;
- 2. It is fully contained within the roof structure;
- 3. It has only one floor;
- 4. It does not extend beyond the footprint of the floors below;
- 5. It is the highest habitable portion of the building, or a section of the building, and adds no additional mass to the structure; and
- 6. Fifty percent or more of the area has a ceiling height of seven feet or less.

Under the second provision, the space must be "fully contained within the roof structure." For the purposes of implementing Subchapter F of the Land Development Code, this is interpreted to mean that the attic space is contained between the underside of the roof rafters and the top of the ceiling joists, floor joists, or floor truss, provided that the finished floor of the attic space does not drop below the height of the ceiling joists, floor joists, or floor truss at the intersection with the exterior walls. This is to prevent the floor surface within the attic space to be artificially lowered in order to gain additional ceiling height that would not otherwise be present.

Please refer to the following sketches for further clarification:



Figures 1, 2, and 3 are examples of acceptable construction methods that would qualify as being "fully contained within the roof structure." Figure 4 is a sketch of an unacceptable construction method for the purpose of qualifying as being "fully contained within the roof structure." This attic area would not qualify for exclusion from the calculation of gross floor area.