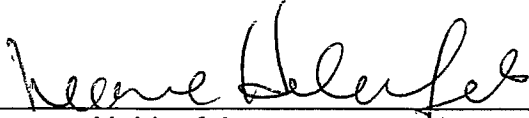



(b) The hardship is not general to the area in which the property is located because:

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:

  
\_\_\_\_\_  
Leane Heldenfels  
Executive Liaison

  
\_\_\_\_\_  
Jeff Jack  
Chairman

## ARTICLE 8. NONCOMPLYING STRUCTURES.

### § 25-2-961 NONCOMPLYING DEFINED.

NONCOMPLYING means a building, structure, or area, including off-street parking or loading areas, that does not comply with currently applicable site development regulations for the district in which it is located, but did comply with applicable regulations at the time it was constructed.

*Source: Section 13-2-331; Ord. 990225-70; Ord. 031211-11.*

### § 25-2-962 STRUCTURES COMPLYING ON MARCH 1, 1984.

(A) A structure that complied with the site development regulations in effect on March 1, 1984, is a complying structure notwithstanding the requirements of this chapter.

(B) A structure that complies with the site development regulations does not become a noncomplying structure as the result of a change in the use, zoning, or development of adjacent property.

*Source: Section 13-2-820; Ord. 990225-70; Ord. 031211-11.*

### § 25-2-963 MODIFICATION AND MAINTENANCE OF NONCOMPLYING STRUCTURES.

(A) Except as provided in Subsections (B), (C), and (D) of this section, a person may modify or maintain a noncomplying structure.

(B) The following requirements must be met in order to modify, maintain, or alter a non-complying residential structure:

(1) Demolition or removal of walls must comply with the following requirements:

(a) No more than fifty percent of exterior walls and supporting structural elements of the existing structure may be demolished or removed, including load bearing masonry walls, and in wood construction, studs, sole plate, and top plate. For purposes of this subsection, exterior walls and supporting structural elements are measured in linear feet and do not include the roof of the structure or interior or exterior finishes.

(b) Replacement or repair of structural elements, including framing, is permitted if required by the building official to meet minimum health and safety requirements.

(2) Replacement or alteration of an original foundation may not change the finished floor elevation by more than one foot vertically, in either direction.

(3) For any residential use other than a single-family use in an SF-3 or more restrictive zoning district, the following requirements must be met in order to add square footage or convert accessory space into conditioned or habitable space:

(a) If the lot is non-complying with current lot size or lot width requirements, the cost of improvements may not exceed 20 percent of the value of the structure before the improvements.

(b) Compliance with current parking and occupancy regulations is required.

(4) If a noncomplying portion of a structure is demolished, it loses its noncomplying status and may only be rebuilt in compliance with current code.

(C) Except as provided in Subsections (E) and (F), a person may not modify or maintain a noncomplying structure in a manner that increases the degree to which the structure violates a requirement that caused the structure to be noncomplying.

(D) The following requirements must be met in order to repair, reinforce, or maintain a non-complying dock, bulkhead, or shoreline access as defined in Section 25-2-1172 (*Definitions*), or to modify a noncomplying dock:

(1) Modification of a dock must comply with the following requirements:

(a) the dock must be an accessory to a single-family residence;

(b) the alteration must be confined within the existing footprint;

- (c) the total footprint of the dock must be reduced by 50%;
  - (d) the number of boat slips on the dock is reduced by 50%; and
  - (e) the alternation may not increase the degree to which the structure violates a requirement that caused the structure to be noncomplying.
- (2) Repair, reinforcing, or maintaining a noncomplying dock, bulkhead, or shoreline access must comply with the following requirements:
- (a) no more than 50 percent of existing piles, pilings, or sheet pile or no more than 50 percent of the length of the dock, bulkhead, or shoreline access may be removed or replaced; and
  - (b) the location, footprint, and degree of noncompliance of the structure is not altered;
- (3) Demolition is subject to the limitation in Subsection (B)(4) of this Section.
- (E) A person may increase the height of a building that is a noncomplying structure based on a height requirement of this title if:
- (1) the increase is made to a portion of the building that:
    - (a) does not exceed the existing maximum height of the building; and
    - (b) complies with the yard setback requirements of this title;
  - (2) the increase does not exceed 15 percent of the existing maximum height of the building; and
  - (3) after modification, the height of the modified portion of the building does not exceed the existing maximum height of the building.
- (F) A person may modify a building that is a noncomplying structure based on a yard setback requirement of this title if:
- (1) the modified portion of the building:
    - (a) does not extend further into the required yard setback than the existing noncomplying portion of the building, except for a vertical change in finished floor elevation allowed under **Subsection (B)(2) of this section;**
    - (b) **unless located in a street side yard,** is not greater in height than the existing noncomplying portion of the building, except for a vertical change in finished floor elevation allowed under Subsection (B)(2) of this section; and
    - (c) complies with the height requirements of this title; and
  - (2) the additional length of a modified portion of the building does not exceed the lesser of 50 percent of the length of the noncomplying portion of the building or 25 feet measured from the existing building and parallel to the lot line.
- (G) Subsection (F) applies to each yard setback requirement with which the existing building does not comply.
- (H) A person may modify a noncomplying building once under Subsection (E) and once under Subsection (F). This section does not prohibit a person from modifying a building along more than one yard setback as part of a single project.
- Source: Sections 13-2-820 and 13-2-823; Ord. 990225-70; Ord. 031211-11; Ord. 20060216-043; Ord. 20060309-058; Ord. 20060622-022; Ord. 20060928-022; Ord. 20100624-149; Ord. 20101209-075.*
- § 25-2-964 RESTORATION AND USE OF DAMAGED OR DESTROYED NONCOMPLYING STRUCTURES.**
- (A) A person may restore a noncomplying structure that is damaged or destroyed by fire, explosion, flood, tornado, riot, act of the public enemy, or accident of any kind if the restoration begins not later than 12 months after the date the damage or destruction occurs.
- (B) Except as provided in Section 25-2-963 (*Modification And Maintenance Of Noncomplying Structures*):

December 4, 2014

City of Austin Board of Adjustment  
c/o Leane Heldenfels  
Planning and Review Department  
1st Floor/Development Assistance Center  
P.O. Box 1088  
Austin, TX 78767

**VIA ELECTRONIC DELIVERY**

**Re: Postponement Request of the Old Enfield Homeowners Association of Items M-1 and K-1;  
2224 Parkway (C15-2014-0159).**

Dear Ms. Heldenfels,

The Old Enfield Homeowners Association ("OEHOA") respectfully requests a postponement of consideration of Items M-1 (variances) and K-1 (special exception) for 2224 Parkway. OEHOA is the designated neighborhood association for the Old Enfield neighborhood.

The applicant is requesting significant variances and a special exception, and has made no effort whatsoever to communicate with OEHOA regarding their development plans or these specific requests. The variances sought include effectively removing existing setbacks from 15' and 10' to 0' and 0', respectively, and a variance from maximum floor-to-area ratios contained within the Residential Design and Compatibility Standards of Code. We would ask that the Board of Adjustment take no action on either the variance requests or the special exception until such time as the applicant has engaged with OEHOA, immediate neighbors and interested parties.

Thank you for your consideration of this request.

Sincerely,

Marlene Romanczak  
President, OEHOA



## PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak **FOR** or **AGAINST** the proposed application. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice will be sent.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact person listed on a notice*); or
- appearing and speaking for the record at the public hearing; and:

- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: [www.austintexas.gov/development](http://www.austintexas.gov/development).

Written comments must be submitted to the contact person listed on the notice before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice. All comments returned will become part of the public record of this case.

**Case Number: C15-2014-0159, 2224 Parkway**

**Contact:** Leane Heldenfels, 512-974-2202, [leana.heldenfels@austintexas.gov](mailto:leana.heldenfels@austintexas.gov)

**Public Hearing: Board of Adjustment, December 8th, 2014**

*CHASTIN A CANTOS*

*Your Name (please print)*

*2213 E. WINDSOR RD*

*78703*

*Your address(es) affected by this application*

*Signature*

*Date*

*Daytime Telephone:*

*512 350 3175*

*"SPECIAL EXEMPTION"*

*Comments:*

*REMODEL & MAINTAIN*

*EXISTING ONLY*

*NO ADDITIONS*

*NO F.O.R. INCREASE*

*NO SECOND STORY*

*MUST MAINTAIN*

*PARKING REQUIREMENT*

Note: all comments received will become part of the public record of this case

**If you use this form to comment, it may be returned to:**

City of Austin-Planning & Development Review Department/ 1st Floor  
Leane Heldenfels

P. O. Box 1088

Austin, TX 78767-1088

Or fax to (512) 974-2934

Or scan and email to [leana.heldenfels@austintexas.gov](mailto:leana.heldenfels@austintexas.gov)

C15-2014-0159

**Heldenfels, Leane**

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**From:** liz purcell [mailto:purcell@cityofaustin.org]  
**Sent:** Monday, December 08, 2014 11:24 AM  
**To:** Heldenfels, Leane; Maile Roberts-Loring; Scott; Barr, Susan; leland551960  
**Subject:** Re: 2224 Parkway

I will postpone it all... its okay. I would rather anyway...better to have the neighborhood on my side even though they have known about this for months, never answered my e-mails until you forwarded it, and have a disconnected phone number as the contact. So I really need to be there for a postponement? I just guess if the deck is finished by the next hearing they wont postpone me on that next time

On Mon, Dec 8, 2014 at 11:19 AM, Heldenfels, Leane <[Leane.Heldenfels@austintexas.gov](mailto:Leane.Heldenfels@austintexas.gov)> wrote:

Ok – I can add that to the request, will have to send out new notices. Can you resubmit 1<sup>st</sup> page of application (whole application if you feel you want to change anything else) and show this addition – email is fine.

Thanks –

Leane

**From:** liz purcell [mailto:purcell@cityofaustin.org]  
**Sent:** Monday, December 08, 2014 10:01 AM  
**To:** Heldenfels, Leane  
**Cc:** Marlene Romanczak; Maile Roberts-Loring  
**Subject:** Re: 2224 Parkway

Okay we will postpone it all...I will be there. Leane due to the complexities of this project I am going to keep all of the issues at this hearing instead of scheduling another hearing upstairs regarding my FAR

On Mon, Dec 8, 2014 at 9:21 AM, Heldenfels, Leane <[Leane.Heldenfels@austintexas.gov](mailto:Leane.Heldenfels@austintexas.gov)> wrote:

I will announce postponement requests at the beginning of the meeting at 5:30. If you ( both neighborhood requesting postponement and applicant/agent) could be there to speak to the request it would be appreciated.

We can validate the parking below the City Hall building.

Take care,

Leane Heldenfels

ps – Liz, we haven't gotten the Life Safety report for the deck/carport yet, so probably should postpone that part of your request, too.

C15-2014-0159

**From:** liz purcell [mailto:~~purcell@lauraparcels.com~~]  
**Sent:** Sunday, December 07, 2014 8:42 PM  
**To:** Marlene Romanczak; Maile Roberts-Loring; Heldenfels, Leane  
**Subject:** Re: 2224 Parkway

I will talk with Leane in the morning and see what she thinks. At this point I am just trying to address the issues of the existing house as it sits. IE foundation repair, existing deck issue, and the portion of the house that is sitting in the utility easement. I don't mind postponing at all on the second floor addition issues, I had spoken with the client already about that probability before I even spoke with you.

If you look at my proposed new roof plan, it will be modified per historic recommendations slightly and the proposed second floor addition will be altered per recommendations by all concerned. But the deck has the only access my clients have to the front yard. And as you can see, if it is not approved for exception.... there is not much I can do but tear it down. The only access to a deck will lead to a 15' drop and the only other access to a new conforming deck would be through a bed room. If I don't get the exception for the deck, I will instruct the clients not to move forward with a second floor so we can keep the deck and then we wont need to have any more hearings. What good is a house that you cant sit on your deck and look at the park?

On Sun, Dec 7, 2014 at 5:19 PM, liz purcell <~~purcell@lauraparcels.com~~> wrote:

I don't have to have a variance on the deck. I have proven it is over 10 years old and Leane has already had us begin repairs. I really don't like my clients having to pay to repair something that will still be awaiting a hearing. That deck has no relationship to any thing else we are doing. It has been there forever and is not safe and has NOTHING to do with my proposal for a second floor.. We are requesting an exception on it, nothing more. We are repairing it and bringing it to life safety codes. Why does the neighborhood Association even have concerns over the deck?

Should I really inform my clients that the City requested they move forward with repairs on something that could possible be required to be torn down? TCAD shows that deck has been there since the 30's just like that house, but I cannot find proof of its existence prior to the oldest city of austin GIS website satellite images. If I hadn't applied to add a second floor the deck would not have any been an issue and I would have been allowed to pull express permits to repair it, just like I did. However, I just want to make sure it will be allowed to remain before construction gets any further along.

I would just like to put at least one of many issues to rest.

Yes I would love to meet...any time sounds good to me.

Elizabeth

C 15-2014-0159

512-436-5302

On Sun, Dec 7, 2014 at 2:48 PM, Marlene Romanczak <~~marlene.romanczak@gmail.com~~> wrote:

Elizabeth,

Thank you very much for responding. I certainly understand the complexities this project is presenting.

We feel strongly that since all these requests are all interrelated they should be heard at the same time. Therefore, we are still requesting a postponement for all items related to the BOA hearing regarding 2224 Parkway.

We very much would like to meet and discuss the entire project.

All my best,

Marlene Romanczak

Sent from my iPhone

On Dec 5, 2014, at 8:02 PM, liz purcell <~~liz.purcell@gmail.com~~> wrote:

I sent several e-mails at the beginning of the year when I began the project with no response. You were also notified of the historic hearing that we are approved with conditions weren't you? That was 2 months ago. The project has every hurdle that a project can have...I have been working with Steve Sadowsky with his recommendations. Most of our variance request is because of the existing deck that has been there forever. It is over the 25' setback. We are just trying to add a second floor but because of the shape of the lot...every thing is a problem, and mostly issues regarding the original house (historic house). I would gladly like a postponement but would request we proceed with the deck issues. It is only being repaired and brought up to life and safety codes. right now we are just leveling the house and that is a whole other nightmare. I am keeping all of the original house except the roof where I am going up. I would love to meet with the board.. just tell me when and where.

I will request a postponement also except for the deck

On Fri, Dec 5, 2014 at 7:39 PM, Marlene Romanczak <~~marlene.romanczak@oldenfieldhomeowners.org~~> wrote:

Elizabeth,

My name is Marlene Romanczak and I am the president of the Old Enfield Homeowners Association. Lisa Maxwell (a board officer) and Leane Heldenfels of the City, forwarded your e-mails from yesterday regarding your proposed project on Parkway.

The Association has formally requested a postponement of this case with the BOA because we have not had the opportunity to learn from you what your requests are and why you are making them. We simply do not have any information to make a decision. We will have Board members at the meeting Monday night to speak to our request for a postponement.

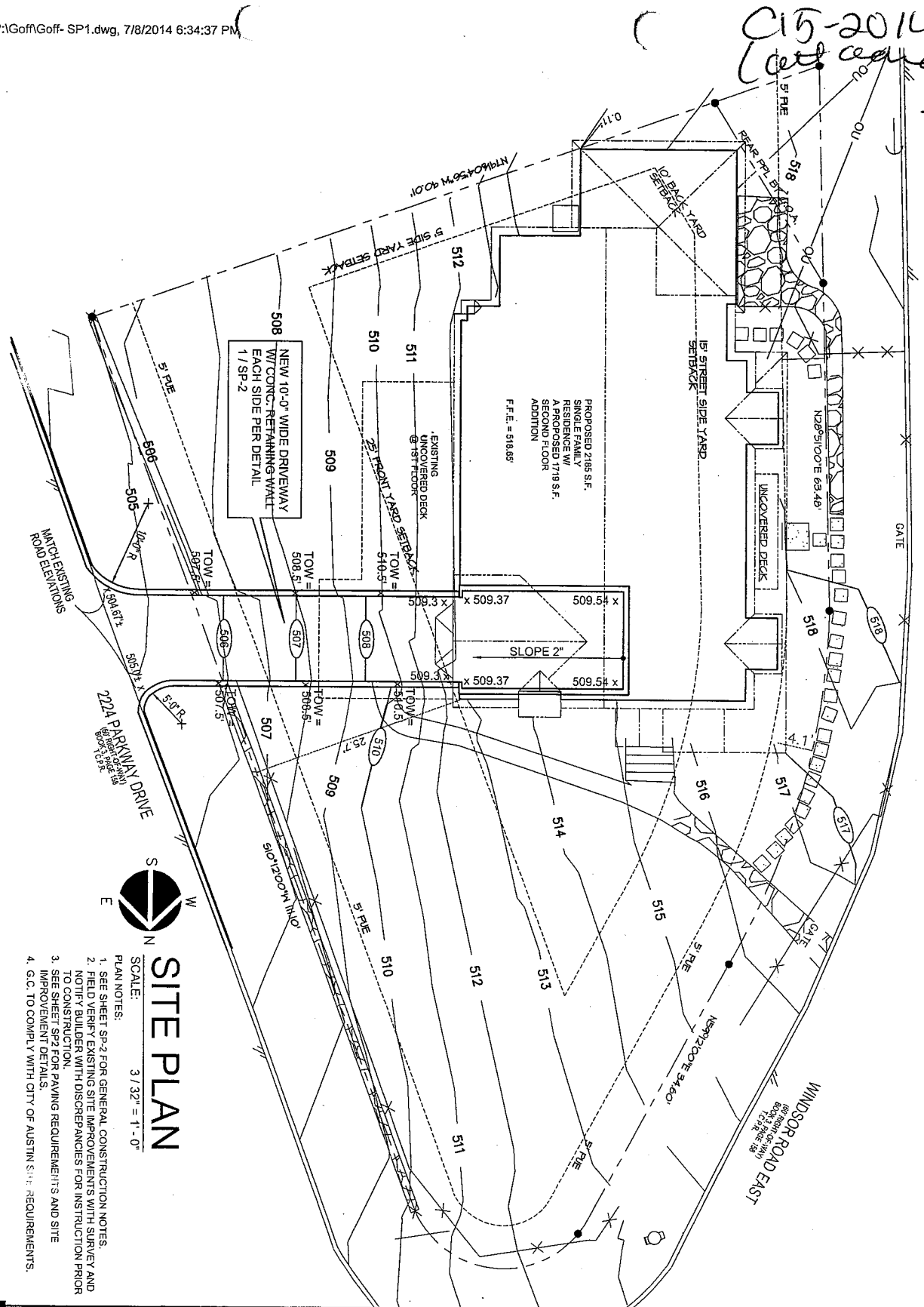
I am not sure why you were unable to contact us. We have a full website for the Old Enfield Homeowners Association that has all our contact information, had a fully advertised Annual meeting in September and fully advertised annual picnic in May. Plus, City staff has our contact information. We find ourselves in the 11th hour and you were now able to make contact with us.

I'm requesting that you also request a postponement so we can all come together and discuss your project. The Association Board is eager to meet with you.

I look forward to hearing from you.

all my best,  
Marlene Romanczak

C15-2014-0159  
(att. email to email)



**SITE PLAN**

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

PLAN NOTES:

1. SEE SHEET SP-2 FOR GENERAL CONSTRUCTION NOTES.
2. FIELD VERIFY EXISTING SITE IMPROVEMENTS WITH SURVEY AND NOTIFY BUILDER WITH DISCREPANCIES FOR INSTRUCTION PRIOR TO CONSTRUCTION.
3. SEE SHEET SP-2 FOR PAVING REQUIREMENTS AND SITE IMPROVEMENT DETAILS.
4. G.C. TO COMPLY WITH CITY OF AUSTIN S.U.P. REQUIREMENTS.

<p><b>SP-1</b></p> <p>OF 2</p>	<p>DRAWN BY: PRD</p> <p>CHECKED BY: TO</p> <p>REVISIONS:</p>	<p><b>GOFF RESIDENCE REMODEL</b></p> <p>2224 PARKWAY</p> <p>AUSTIN TEXAS</p>	<p><b>SUSAN GOFF</b></p> <p>2224 PARKWAY</p> <p>AUSTIN TEXAS</p>	<p><b>LOC</b> consultants</p> <p>Civil, Structural and Environmental Engineers</p> <p>Texas Registered Engineering Firm F-7356</p> <p>1001 E. CHASE COURT, SUITE 100, AUSTIN, TEXAS 78702</p> <p>PH: (512) 495-0088 FAX: (512) 495-0089</p>	<p>S14007</p> <p>LOC CONSULTANTS LLP</p> <p>100% REVIEW SET</p> <p>DATE: 7-9-14</p> <p>NOT FOR CONSTRUCTION</p> <p>7-9-14</p>
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C15-2014-0159

**Heldenfels, Leane**

**From:** Richard Hamner <[REDACTED]>  
**Sent:** Monday, December 08, 2014 9:54 AM  
**To:** Heldenfels, Leane  
**Subject:** Fwd: 2224 parkway

This is the first of two e-mail exchanges I would like to have placed in the back up material for the BOA application for a variance submitted for 2224 Parkway. The material is relevant only to the item related to the side yard setback.

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

**From:** McAfee, Douglas <[REDACTED]>  
**To:** Barr, Susan <Susan.Barr@austintexas.gov>; liz purcell <[REDACTED]>; Sadowsky, Steve <Steve.Sadowsky@austintexas.gov>; Scott <[REDACTED]>; Terry <[REDACTED]>; ADMIN-LOC <[REDACTED]>  
**Cc:** Richard Hamner (rhamner@[REDACTED]) <[REDACTED]>; Jdonisi <[REDACTED]>; Stilwell, Kelly <[REDACTED]>  
**Sent:** Tue, Nov 18, 2014 12:50 pm  
**Subject:** RE: 2224 parkway

I visited the site, and the floor is actually 4" lower and was built that way, leveling the foundation did not cause the 4" difference in elevation, also, code requires a min of 7' ceiling height. If you want to raise the floor and ceiling you would need to get the appropriate permit to reflect it. The active permits for the site are for a foundation repair and an express permit to replace sheetrock, and a permit to add a 2nd floor which has been rejected, any work outside that scope will need to be permitted to reflect this.

Douglas McAfee  
Lead Residential Inspector  
Pgr 512.802.3617  
Email [\[REDACTED\]](mailto:[REDACTED])

Helpful Links  
[Austin Muni Code Library](#)  
[Inspection Flow Charts](#)

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**From:** Barr, Susan  
**Sent:** Tuesday, November 04, 2014 2:40 PM  
**To:** liz purcell; Sadowsky, Steve; Scott; Terry; ADMIN-LOC  
**Cc:** McAfee, Douglas; Richard Hamner (rhamner@[REDACTED]); [REDACTED]  
**Subject:** RE: 2224 parkway

Elizabeth,

Please work with your building inspector to review the issues that have come up with the project as they relate to LDC section 25-2 -963.

Best Regards,

Susan



**From:** liz purcell [mailto:~~liz.purcell@purcelldesigns@gmail.com~~]  
**Sent:** Tuesday, November 04, 2014 1:59 PM  
**To:** Sadowsky, Steve; Barr, Susan; Scott; Terry; ADMIN -LOC  
**Subject:** 2224 parkway

We occurred a problem in leveling this portion of the house that i had no intention of modifying. This portion of the house was probably a garage, and during leveling it ended up with a slope of approximately 4" from west to east. It also has 7' ceilings that i was planning of just vaulting to get adequate ceiling height.

(F) A person may modify a building that is a noncomplying structure based on a yard setback requirement of this title if:

(1)

the modified portion of the building:

(a)

does not extend further into the required yard setback than the existing noncomplying portion of the building, except for a vertical change in finished floor elevation allowed under Subsection (B)(2) of this section;

(b)

unless located in a street side yard, is not greater in height than the existing noncomplying portion of the building, except for a vertical change in finished floor elevation allowed under Subsection (B)(2) of this section; and

(c)

complies with the height requirements of this title; and

(2)

the additional length of a modified portion of the building does not exceed the lesser of 50 percent of the length of the noncomplying portion of the building or 25 feet measured from the existing building and parallel to the lot line.

(b)(2) Replacement or alteration of an original foundation may not change the finished floor elevation by more than one foot vertically, in either direction.

In order to level this area of the house it will crack all of the walls and provide un -usable ceiling heights.

I also am required to comply with:

(a) No more than fifty percent of exterior walls and supporting structural elements of the existing structure may be demolished or removed, including load bearing masonry walls, and in wood construction, studs, sole plate, and top plate. For purposes of this subsection, exterior walls and supporting structural elements are measured in linear feet and do not include the roof of the structure or interior or exterior finishes.

(b)

Replacement or repair of structural elements, including framing, is permitted if required by the building official to meet minimum health and safety requirements.

will this cause a new Historical review Steve?

and will the replacement of the roof structure and raising the walls count towards my 50% if it is necessary Susan?

**Heldenfels, Leane**

---

**From:** Marlene Romanczak <mromanczak@gmail.com>  
**Sent:** Friday, December 05, 2014 7:39 PM  
**To:** purcelldesigns@gmail.com  
**Cc:** Lisa Maxwell; Heldenfels, Leane  
**Subject:** 2224 Parkway

Elizabeth,

My name is Marlene Romanczak and I am the president of the Old Enfield Homeowners Association. Lisa Maxwell (a board officer) and Leane Heldenfels of the City, forwarded your e-mails from yesterday regarding your proposed project on Parkway.

The Association has formally requested a postponement of this case with the BOA because we have not had the opportunity to learn from you what your requests are and why you are making them. We simply do not have any information to make a decision. We will have Board members at the meeting Monday night to speak to our request for a postponement.

I am not sure why you were unable to contact us. We have a full website for the Old Enfield Homeowners Association that has all our contact information, had a fully advertised Annual meeting in September and fully advertised annual picnic in May. Plus, City staff has our contact information. We find ourselves in the 11th hour and you were now able to make contact with us.

I'm requesting that you also request a postponement so we can all come together and discuss your project. The Association Board is eager to meet with you.

I look forward to hearing from you.

all my best,  
Marlene Romanczak

**Heldenfels, Leane**

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**From:** liz purcell <[REDACTED]>  
**Sent:** Friday, December 05, 2014 8:17 PM  
**To:** Maile Roberts-Loring; Heldenfels, Leane; Scott; leland551960; Barr, Susan  
**Subject:** The neighborhood association wants a postponement

I am in agreement with this due to the little (major error) the residential reviewers made on 4 separate occasions regarding our 15' setback. I am requesting the hearing for the deck move forward...But postpone the rest. We want to make the neighborhood association happy. They haven't had time to review our case. Even though they were notified about our project when we had our historic hearing several months back....So don't plan on coming Monday, I will still attend and move forward with the deck.

FYI.. The phone number on the City of Austin website for your neighborhood association is disconnected. I sent them several e-mails way back when to try and reach someone. I finally gave up! I even asked Maile if she could put me in contact with someone. Leane at the City had to help me finally contact them. They knew about our historical hearing and they were a no show. They were notified about that hearing and this hearing, just like we were.

C15-2014-0159

**Heldenfels, Leane**

---

**From:** liz purcell <[REDACTED]>  
**Sent:** Sunday, December 07, 2014 5:20 PM  
**To:** Marlene Romanczak; Maile Roberts-Loring; Heldenfels, Leane  
**Subject:** Re: 2224 Parkway

I don't have to have a variance on the deck. I have proven it is over 10 years old and Leane has already had us begin repairs. I really don't like my clients having to pay to repair something that will still be awaiting a hearing. That deck has no relationship to any thing else we are doing. It has been there forever and is not safe and has NOTHING to do with my proposal for a second floor.. We are requesting an exception on it, nothing more. We are repairing it and bringing it to life safety codes. Why does the neighborhood Association even have concerns over the deck?

Should I really inform my clients that the City requested they move forward with repairs on something that could possibly be required to be torn down? TCAD shows that deck has been there since the 30's just like that house, but I cannot find proof of its existence prior to the oldest city of austin GIS website satellite images. If I hadn't applied to add a second floor the deck would not have any been an issue and I would have been allowed to pull express permits to repair it, just like I did. However, I just want to make sure it will be allowed to remain before construction gets any further along.

I would just like to put at least one of many issues to rest.

Yes I would love to meet...any time sounds good to me.

Elizabeth

512-436-5302

On Sun, Dec 7, 2014 at 2:48 PM, Marlene Romanczak <[REDACTED]> wrote:  
Elizabeth,

Thank you very much for responding. I certainly understand the complexities this project is presenting.

We feel strongly that since all these requests are all interrelated they should be heard at the same time. Therefore, we are still requesting a postponement for all items related to the BOA hearing regarding 2224 Parkway.

We very much would like to meet and discuss the entire project.

All my best,  
Marlene Romanczak

Sent from my iPhone

On Dec 5, 2014, at 8:02 PM, liz purcell <[purcelldesigns@gmail.com](mailto:purcelldesigns@gmail.com)> wrote:

019-2014-0197

I sent several e-mails at the beginning of the year when I began the project with no response. You were also notified of the historic hearing that we are approved with conditions weren't you? That was 2 months ago. The project has every hurdle that a project can have...I have been working with Steve Sadowsky with his recommendations. Most of our variance request is because of the existing deck that has been there forever. It is over the 25' setback. We are just trying to add a second floor but because of the shape of the lot...every thing is a problem, and mostly issues regarding the original house (historic house). I would gladly like a postponement but would request we proceed with the deck issues. It is only being repaired and brought up to life and safety codes. right now we are just leveling the house and that is a whole other nightmare. I am keeping all of the original house except the roof where I am going up. I would love to meet with the board.. just tell me when and where.

I will request a postponement also except for the deck

On Fri, Dec 5, 2014 at 7:39 PM, Marlene Romanczak <~~marlene.romanczak@comcast.net~~> wrote:  
Elizabeth,

My name is Marlene Romanczak and I am the president of the Old Enfield Homeowners Association. Lisa Maxwell (a board officer) and Leane Heldenfels of the City, forwarded your e-mails from yesterday regarding your proposed project on Parkway.

The Association has formally requested a postponement of this case with the BOA because we have not had the opportunity to learn from you what your requests are and why you are making them. We simply do not have any information to make a decision. We will have Board members at the meeting Monday night to speak to our request for a postponement.

I am not sure why you were unable to contact us. We have a full website for the Old Enfield Homeowners Association that has all our contact information, had a fully advertised Annual meeting in September and fully advertised annual picnic in May. Plus, City staff has our contact information. We find ourselves in the 11th hour and you were now able to make contact with us.

I'm requesting that you also request a postponement so we can all come together and discuss your project. The Association Board is eager to meet with you.

I look forward to hearing from you.

all my best,  
Marlene Romanczak

**Heldenfels, Leane**

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**From:** susan philips <~~sphilips@jthompkins.net~~>  
**Sent:** Sunday, December 07, 2014 6:29 PM  
**To:** Heldenfels, Leane  
**Cc:** jason@jthompkins.net  
**Subject:** Case # C15-2014-0170

Ms. Heldenfels -

You and I spoke the other day about this case. I was under the impression that the hearing had been postponed until January because of an incorrect address and an incorrect subject tract designation on the Notice. I see that it is listed on the Agenda for tomorrow, December 8. Could you please let me know the status of this case?

I have copied Jason Thompkins on this email as President of the West 31st Street Creekside Neighborhood Association.

Thank you. Susan Philips

**Heldenfels, Leane**

---

**From:** liz purcell <purcelldesigns@gmail.com>  
**Sent:** Sunday, December 07, 2014 8:42 PM  
**To:** Marlene Romanczak; Maile Roberts-Loring; Heldenfels, Leane  
**Subject:** Re: 2224 Parkway  
**Attachments:** Goff- SP1-terry.pdf; SP1.0.pdf

I will talk with Leane in the morning and see what she thinks. At this point I am just trying to address the issues of the existing house as it sits. IE foundation repair, existing deck issue, and the portion of the house that is sitting in the utility easement. I don't mind postponing at all on the second floor addition issues, I had spoken with the client already about that probability before I even spoke with you.

If you look at my proposed new roof plan, it will be modified per historic recommendations slightly and the proposed second floor addition will be altered per recommendations by all concerned. But the deck has the only access my clients have to the front yard. And as you can see, if it is not approved for exception.... there is not much I can do but tear it down. The only access to a deck will lead to a 15' drop and the only other access to a new conforming deck would be through a bed room. If I don't get the exception for the deck, I will instruct the clients not to move forward with a second floor so we can keep the deck and then we wont need to have any more hearings. What good is a house that you cant sit on your deck and look at the park?

On Sun, Dec 7, 2014 at 5:19 PM, liz purcell <purcelldesigns@gmail.com> wrote:

I don't have to have a variance on the deck. I have proven it is over 10 years old and Leane has already had us begin repairs. I really don't like my clients having to pay to repair something that will still be awaiting a hearing. That deck has no relationship to any thing else we are doing. It has been there forever and is not safe and has NOTHING to do with my proposal for a second floor.. We are requesting an exception on it, nothing more. We are repairing it and bringing it to life safety codes. Why does the neighborhood Association even have concerns over the deck?

Should I really inform my clients that the City requested they move forward with repairs on something that could possible be required to be torn down? TCAD shows that deck has been there since the 30's just like that house, but I cannot find proof of its existence prior to the oldest city of austin GIS website satellite images. If I hadn't applied to add a second floor the deck would not have any been an issue and I would have been allowed to pull express permits to repair it, just like I did. However, I just want to make sure it will be allowed to remain before construction gets any further along.

I would just like to put at least one of many issues to rest.

Yes I would love to meet...any time sounds good to me.

Elizabeth

512-436-5302

On Sun, Dec 7, 2014 at 2:48 PM, Marlene Romanczak <marlenaromanczak@gmail.com> wrote:  
 Elizabeth,

Thank you very much for responding. I certainly understand the complexities this project is presenting.



We feel strongly that since all these requests are all interrelated they should be heard at the same time. Therefore, we are still requesting a postponement for all items related to the BOA hearing regarding 2224 Parkway.

We very much would like to meet and discuss the entire project.

All my best,  
Marlene Romanczak

Sent from my iPhone

On Dec 5, 2014, at 8:02 PM, liz purcell <[REDACTED]> wrote:

I sent several e-mails at the beginning of the year when I began the project with no response. You were also notified of the historic hearing that we are approved with conditions weren't you? That was 2 months ago. The project has every hurdle that a project can have...I have been working with Steve Sadowsky with his recommendations. Most of our variance request is because of the existing deck that has been there forever. It is over the 25' setback. We are just trying to add a second floor but because of the shape of the lot...every thing is a problem, and mostly issues regarding the original house (historic house). I would gladly like a postponement but would request we proceed with the deck issues. It is only being repaired and brought up to life and safety codes. right now we are just leveling the house and that is a whole other nightmare. I am keeping all of the original house except the roof where I am going up. I would love to meet with the board.. just tell me when and where.

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I look forward to hearing from you.

all my best.

Alan G. Armstrong

**Heldenfels, Leane**

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**From:** Richard Hamner <redhammer@aol.com>  
**Sent:** Monday, December 08, 2014 9:50 AM  
**To:** Heldenfels, Leane  
**Subject:** 2224 Parkway Items for inclusion in BOA member files for 12/8 Meeting

I copied you on an e-mail exchange with Douglas McAfee and an e-mail sent by my son, Nick Hamner to Tony Hernandez who requested photos of 2224 Parkway. I would like these two e-mails included in the back up material for the Board of Adjustment on both BOA agenda items pertaining to 2224 Parkway for today's meeting.

I will also forward to you two e-mail exchanges which took place earlier between myself and Susan Purcell and Susan Purcell and City of Austin Officials when construction was taking place on the foundation. This is pertinent to the variance being sought as the second agenda item for 2224 Parkway, most particularly the second variance requested for the side yard setback. In the photos sent to Tony Hernandez, the fourth and fifth photo show the room for which the side yard variance is being sought and its proximity to, if not incursion across, the property line and to my house. Please include these two e-mails which will follow in the back up material.

Please contact me at 512-983-6708 or by e-mail to indicate receipt of this and the two follow up e-mails.

**Heldenfels, Leane**

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**From:** Richard Hamner <redhamner@austintexas.gov>  
**Sent:** Monday, December 08, 2014 9:02 AM  
**To:** McAfee, Douglas  
**Cc:** Hernandez, Tony [PDRD]; Barr, Susan; Heldenfels, Leane; Word, Daniel  
**Subject:** Re: 2224 Parkway

I appreciate your effort. It is my understanding from your original response to my inquiry on December 3 that this construction on the deck is being performed without an appropriate permit.  
 Is that correct?

As I was writing this I got a call from Tony Hernandez asking me to take pictures of this construction. He said there is a permit to repair the deck. I have not located it anywhere in the file.

I will forward this exchange to Mr. Hernandez, Susan Barr, Daniel Word, and Leane Hedenfels.

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

**From:** McAfee, Douglas <Douglas.McAfee@austintexas.gov>  
**To:** Richard Hamner <redhamner@austintexas.gov>  
**Sent:** Mon, Dec 8, 2014 8:34 am  
**Subject:** RE: 2224 Parkway

I will go by there again today and look. I took pictures last week and sent them to the appropriate people (Tony Hernandez with Special Inspections).

Douglas McAfee  
 Lead Residential Inspector  
 Pgr 512.802.3617  
 Email [douglas.mcafee@austintexas.gov](mailto:douglas.mcafee@austintexas.gov)

Helpful Links  
[Austin Muni Code Library](#)  
[Inspection Flow Charts](#)

---

**From:** Richard Hamner <redhamner@austintexas.gov>  
**Sent:** Monday, December 08, 2014 8:29 AM  
**To:** McAfee, Douglas  
**Subject:** Re: 2224 Parkway

As of today I have not heard back from you. The piers of the deck have been replaced with new beams placed on new concrete footings.

There is a Board of Adjustment hearing scheduled tonight with two items on the agenda related to this address, one of which is the Special Exception being sought for the deck. I am curious why this construction is taking place prior to the BOA meeting.

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

**From:** McAfee, Douglas <Douglas.McAfee@austintexas.gov>  
**To:** Richard Hamner <redhamner@austintexas.gov>  
**Sent:** Thu, Dec 4, 2014 6:13 am  
**Subject:** RE: 2224 Parkway

no, nothing is allowed to be removed or rebuilt without approval from the BOA, I will go by today to look at it.

Douglas McAfee  
Lead Residential Inspector  
Pgr 512.802.3617  
Email [douglas.mcafee@austintexas.gov](mailto:douglas.mcafee@austintexas.gov)

Helpful Links  
[Austin Muni Code Library](#)  
[Inspection Flow Charts](#)

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**From:** Richard Hamner [REDACTED]  
**Sent:** Wednesday, December 03, 2014 5:20 PM  
**To:** McAfee, Douglas  
**Subject:** 2224 Parkway

Is there a permit allowing the reconstruction of the deck in front of this house? I thought the deck permit was subject to a Board of Adjustment meeting December 8th.

I can be reached at 512-983-6708 and I have put in a call to your pager.

Richard Hamner  
2222 Parkway

C15-2014-0159

**Heldenfels, Leane**

---

**From:** Richard Hamner, ~~richard.hamner@cityofaustin.com~~  
**Sent:** Thursday, December 04, 2014 4:36 PM  
**To:** Heldenfels, Leane  
**Cc:** jdonisi@drennergroupp.com  
**Subject:** 2224 Parkway

I attempted to reach you by phone before noon today regarding this home which has multiple applications for permits pending with the City of Austin.

As best I can tell applications are pending for a variance for a deck and for setback requirements. The owner's construction contractor began dismantling the existing deck yesterday even though the Board of Adjustment meeting on it is not scheduled until December 8, 2014. I contacted the City Inspector about this yesterday. He indicated there was no permit and he would check by the site today, but as I write construction continues and I have heard nothing from him.

What is the status of construction on this house and permits pending before the Board of Adjustment? When will the agenda information for that meeting be posted and available for my review?

Was this house the subject of a RDCC meeting on December 3, 2014, as a memo in the applicant's file written by you in late November indicated might happen? There is no indication on the RDCC website this was an agenda item.

Thank you for a prompt response.

Richard Hamner  
2222 Parkway  
512-983-6708







## PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak **FOR** or **AGAINST** the proposed application. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice will be sent.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact person listed on a notice*); or
- appearing and speaking for the record at the public hearing; and:

- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: [www.austintexas.gov/development](http://www.austintexas.gov/development).

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**Case Number: C15-2014-0159, 2224 Parkway**

**Contact:** Leane Heldenfels, 512-974-2202, [leana.heldenfels@austintexas.gov](mailto:leana.heldenfels@austintexas.gov)

**Public Hearing: Board of Adjustment, December 8th, 2014**

*CH/13/17/14 CEN/1708*

Your Name (please print)

*2213 E WINDSOR RD 78703*

Your address(es) affected by this application

*[Signature]* *12/3/2014*

Signature Date

Daytime Telephone:

*512 350 3175*

Comments:

*"LAND DEVELOPMENT CODE*

*VARIANCE"*

*MAINTRIN & REMODEL CITY*

*ONLY*

*NO ADDITION*

*NO F.A.R. IMPROVE*

*NO SECOND STORY*

*MUST MAINTAIN PKG REQ'MT*

Note: all comments received will become part of the public record of this case

**If you use this form to comment, it may be returned to:**

City of Austin-Planning & Development Review Department/ 1st Floor

Leane Heldenfels

P. O. Box 1088

Austin, TX 78767-1088

Or fax to (512) 974-2934

Or scan and email to [leana.heldenfels@austintexas.gov](mailto:leana.heldenfels@austintexas.gov)

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**Contact:** Leane Heldenfels, 512-974-2202, [leana.heldenfels@austintexas.gov](mailto:leana.heldenfels@austintexas.gov)

**Public Hearing: Board of Adjustment, December 8th, 2014**

Mary J. Baker

*Your Name (please print)*

2301 Windsor Rd, 78703

*Your address(es) affected by this application*

Mary J. Baker

*Signature*

Nov. 30, 2014

*Date*

Daytime Telephone: (512) 476-9725

Comments:

Note: all comments received will become part of the public record of this case

**If you use this form to comment, it may be returned to:**

City of Austin-Planning & Development Review Department/ 1st Floor

Leane Heldenfels

P. O. Box 1088

Austin, TX 78767-1088

Or fax to (512) 974-2934

Or scan and email to [leana.heldenfels@austintexas.gov](mailto:leana.heldenfels@austintexas.gov)

C15 - 2014 - 0157  
For File

**Heldenfels, Leane**

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**From:** liz purcell <[REDACTED]>  
**Sent:** Monday, December 08, 2014 12:08 PM  
**To:** Heldenfels, Leane; Barr, Susan; Ieland551960; Maile Roberts-Loring; Roel Bazan; Terry; Marlene Romanczak; Scott  
**Subject:** Re: 2224 Parkway

the FAR request is on the application but now I have to justify the 15' setback that I was misinformed on four separate occasions and Susan Barr will be back in town from vacation tomorrow so I am scheduling a meeting with her and Jaun Camou to find out why they approved something so wrong!

18. Sheet A4.2

- a. dimension string height to be revised per section 3.4 of subchapter F. Elevation from which dimension is based is to be provided.
- b. Second floor addition encroaching into the street side yard property line to be noted as allowed per LDC section 25-2-963 (F)(1)(b).
- c. Roof section over south property line to be pulled back to the southern property line per comment 15.b. above.
- d. West street side property line to be provided.

This is from my rejection comments from Susan Barr from my first submittal!!!!!!!!!!!!!!!!!!!!!!...Please see comment 18 B.

Can someone at the City make this very HUGE MISTAKE RIGHT? Without my clients having to pay for it? Our design was based on this information. Being a tiny bit over on our FAR 6% with 25% allowable is nothing. BUT this? My client has paid for structural and architectural services with the wrong information.

Susan, I think it would be appropriate for you and Jaun to be at our hearing to testify to your error.  
1/12/15 5:30 Or is it the Variance department that has it incorrect?

Some supervisors at the COA need to get together and figure out how to interpret this section of code and make it consistent between the departments

On Mon, Dec 8, 2014 at 11:39 AM, Heldenfels, Leane <[Leane.Heldenfels@austintexas.gov](mailto:Leane.Heldenfels@austintexas.gov)> wrote:

Next hearing will be 1/12/15.

Liz, if you could get me your amended application including/adding the FAR request by end of this week it would be appreciate as I'm starting work on notices for the 1/12/15 meeting now due to the holidays.

Thanks -

Leane Heldenfels

Board of Adjustment Liaison

City of Austin

On Mon, Dec 8, 2014 at 9:21 AM, Heldenfels, Leane <[Leane.Heldenfels@austintexas.gov](mailto:Leane.Heldenfels@austintexas.gov)> wrote:

I will announce postponement requests at the beginning of the meeting at 5:30. If you ( both neighborhood requesting postponement and applicant/agent) could be there to speak to the request it would be appreciated.

We can validate the parking below the City Hall building.

Take care,

Leane Heldenfels

ps – Liz, we haven't gotten the Life Safety report for the deck/carport yet, so probably should postpone that part of your request, too.

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**Sent:** Sunday, December 07, 2014 8:42 PM

**To:** Marlene Romanczak; Maile Roberts-Loring; Heldenfels, Leane

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I look forward to hearing from you.

all my best,  
Marlene Romanczak

CASE# C15-2014-0159  
ROW# 11247969  
TAX# 043010401  
(TCAD ✓)

CITY OF AUSTIN  
APPLICATION TO BOARD OF ADJUSTMENT  
GENERAL VARIANCE/PARKING VARIANCE

WARNING: Filing of this appeal stops all affected construction activity.

PLEASE: APPLICATION MUST BE TYPED WITH ALL REQUESTED  
INFORMATION COMPLETED.

STREET ADDRESS: 2224 Parkway

LEGAL DESCRIPTION: Subdivision – \_\_\_\_\_

Lot(s) 24 Block \_\_\_\_\_ Outlot \_\_\_\_\_ Division \_\_\_\_\_

I/We Elizabeth Purcell on behalf of myself/ourselves as authorized agent for

Susan Goff affirm that on Oct 27, 2014

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

(check appropriate items below and state what portion of the Land Development  
Code you are seeking a variance from)

Please  
see  
my  
Comments  
Typed  
on  
Following  
sheets

☐ ERECT ☐ ATTACH ☐ COMPLETE ☒ REMODEL ☒ MAINTAIN  
ITEM 1) WE have an exist. DECK. ACCORDING TO TCAD HAS BEEN  
IN EXISTANCE SINCE 1935  
2) APPROVAL of an EXCESS OF THE FAR BY 6% FOR THE  
Addition of a SECOND FLOOR. I HAVE ALREADY BEEN  
given the approval BY STEVE Sadowsky  
FOR my design  
in a SF-3 district.  
(zoning district)  
3) Rear property line encroachment

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.

Permit Application  
2014-078928 PR

**PURCELL DESIGNS LLC.  
ELIZABETH STUART PURCELL**

ARCHITECTURAL INTERN, DESIGN CONSULTANT, PROJECT MANAGEMENT

1611 EVA ST.  
AUSTIN, TX. 78704  
(512) 436-5302  
purcell\_designs@hotmail.com

**APPLICATION TO BOARD OF ADJUSTMENT GENERAL VARIANCE**

**Property: 2224 Parkway  
Austin, TX 78703**

**Date: October 26, 2014**

**Client: Susan J. Goff**

**Permit App. No. 2014-078928 PR**

**We are requesting a hearing regarding <sup>3</sup>2 variances that we are required to acquire.**

**The first is an existing deck that according to TCAD dates in the late 30's that sits over a 25' easement that was deeded at the time of construction of this residence.**

**And the second is for my FAR on my proposed second floor addition.**

**REASONABLE USE:**

**DECK:** If I could have proved the deck is over 10 years old I could have applied for a Special Exception for this deck that has obviously been a part of this neighborhood and community for years. Please refer to **Attachment "A"** This deck encroaches into the 25' front yard setback. The house does not encroach, but the existing deck does. The portion of the deck that extends to the East provides a carport for the existing driveway, which we are bringing into code compliance.

**FAR:** This residence has many challenges. It is in a Historical Neighborhood. The existing kitchen wall from the original construction in the 30's and existing roof along the west wall are sitting over the P.U.E. so I am applying for an easement release on that. The deck, as mentioned above is over the 25' easement. The residence is considered non-compliant. There exists no real rear property line ( I had to pay to meet with Jaun Camou, City of Austin, on Feb. 4<sup>th</sup>, 2004 to have the Residential Review make up a fictitious rear property line

for me to use. In fact, the C.O.A. had to determine where all of my property lines and setbacks begin and end, because of the unusual shape of the lot. Please Ref: **Attachment A and B**. **Attachment B** shows the property lines and setbacks as determined by the C.O.A. The residence is also 1" away from the neighbors property on the South side.

### HARDSHIP:

#### **DECK:**

There is no proof anywhere how old this deck is. All of the documentation on this property varies. I have yet to find one single piece of older documentation that completely matches the others. The lot is an odd shape. We have already pulled the permit for the life and safety inspection. We have already filed for review and all of our drawings are on file at the City Of Austin to scale. The engineering address's all life and safety issues to bring the deck to current code. **Attachment "C"**. Our only modifications to the deck will be replacing the decking and a new guardrail.

#### **FAR:**

Because the house is non-compliant, I am not allowed to remove more than 50% of exterior walls and structural members. I based my design on only removing the roof structure. 25-2-963 MODIFICATION AND MAINTENANCE OF NONCOMPLYING STRUCTURES. I had to find a cleaver way of creating a second floor addition without modifying the downstairs except in a few areas of the house that I am raising the ceiling to 9'-0" because they are 7'-6" in height now and my clients would like to have all of their ceilings the same height. Ref: **Attachment "D" and "E"**. I instructed my contractor and Structural Engineer of my intent to keep original ceiling framing and work new framing into the existing to reduce the amount of demolition to the ceiling framing, which is measured in linear feet. This made the upstairs design become very tricky. I had to match, as best as possible the structural walls below. Please Ref: **Attachment "E" and "E" new proposed** New "E" proposed are the modifications to meet the Historical recommendations. I have so many hearings and variances on this project left to attend that I am not making all of my modifications, or having my Structural Engineer make modifications to our drawings until the hearing process is finished. Ref: **Attachment "F" p.1 and p.2**. I am 6% over on my FAR and request a variance due to the complexity of ALL of the zoning issues and historical issues that this project must comply to for permitting the addition of a second floor.

#### **HARDSHIP AND NEIGHBORHOOD:**

The modifications are not general to the area. Our hardships are based on the shape of our lot and the violations of the placement of our building in the 1930's that violated our setbacks and P.U.E. We only have a neighbor on one side, to the south. I am not proposing any modifications that will in anyway impact the only neighbor adjacent to the property.

### AREA CHARACTER:

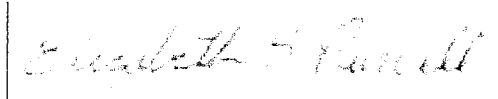
Neither our proposed second floor addition or our existing (age undetermined) deck will alter the area adjacent to the property. Three sides of the house are the woods with no neighbors. Most of the houses in the area are two story and there is even one that the garage doors are on the sidewalk because of its non-compliance. Our proposed modifications to our structure adds to the neighborhood. It has the thumbs up from historical. The minor overage on the FAR or the variance on the deck effect no one. I am removing the little portion of roof



that overhangs the neighbors property and fire rating that corner, that is the S.E. corner of the residence that I am not making any modifications to.

**Please contact me if you have any questions.**

**Respectfully Submitted,**



**October 26, 2014**

---

**Elizabeth S. Purcell**

---

**Date**

**PURCELL DESIGNS LLC.**

**1611 EVA ST.**

**AUSTIN, TX. 78704**

**(512) 436-5302**

**purcell\_designs@hotmail.com**

2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

---

---

3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

---

---

4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

---

---

**NOTE:** The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.

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

Signed Elizabeth Purcell Mail Address [REDACTED]

City, State & Zip Austin, Tx. 78704

Printed Elizabeth Purcell Phone 512-436-5300 Date Oct. 27th, 2014

**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 \_\_\_\_\_

City, State & Zip \_\_\_\_\_

Printed \_\_\_\_\_ Phone \_\_\_\_\_ Date \_\_\_\_\_

See signed LETTER  
OF Authorization that  
is attached

25-2-476 SPECIAL EXCEPTIONS.

(A) The Board of Adjustment shall grant a special exception for an existing residential structure, or portion of an existing structure, that violates a setback required under Chapter 25-2 (Zoning) if the board finds that the special exception meets the requirements of this section.

(B) The Board shall grant a special exception under Subsection (A) of this section if:

(1) the residential use for which the special exception is sought is allowed in an SF-3 or more restrictive zoning district;

(2) the building official performs an inspection and determines that the violation does not pose a hazard to life, health, or public safety; and

(3) the Board finds that:

(a) the violation has existed for:

(i) at least 25 years; or

(ii) at least 10 years, if the application for a special exception is submitted on or before June 6, 2016;

(b) the use is a permitted use or a nonconforming use;

(c) the structure does not share a lot with more than one other primary residence; and

(d) granting a special exception would not:

(i) alter the character of the area;

(ii) impair the use of adjacent property that is developed in compliance with city code;

or

(iii) grant a special privilege that is inconsistent with other properties in the area or in the district in which the property is located.

(C) A special exception granted under this section:

(1) applies only to the structure, or portion of a structure, for which the special exception was granted and does not run with the land;

(2) may not authorize an increase in the degree of noncompliance or excuse compliance with minimum health and safety requirements; and

(3) may not authorize a remodel or addition to the existing structure, except to the extent required by the building official to meet minimum life and safety requirements.








(D) A structure granted a special exception under this section shall be treated as a non-complying structure under Chapter 25-2, Article 8 (Noncomplying Structures).

Source: Ord. 20110526-098; Ord. 20121108-091; Ord. 20130822-126.

CITY OF AUSTIN DEVELOPMENT WEB MAP 2003 *Aerial*



Legend

-  Lot Lines
-  Streets
-  Building Footprints
-  Named Creeks
-  Lakes and Rivers
-  Parks
-  County

THIS PRODUCT IS FOR INFORMATIONAL PURPOSES AND MAY NOT HAVE BEEN PREPARED FOR OR BE SUITABLE FOR LEGAL, ENGINEERING, OR SURVEYING PURPOSES. IT DOES NOT REPRESENT AN ON-THE-GROUND SURVEY AND REPRESENTS ONLY THE APPROXIMATE RELATIVE LOCATION OF PROPERTY BOUNDARIES. THIS PRODUCT HAS BEEN PRODUCED BY THE CITY OF AUSTIN FOR THE SOLE PURPOSE OF GEOGRAPHIC REFERENCE. NO WARRANTY IS MADE BY THE CITY OF AUSTIN REGARDING SPECIFIC ACCURACY OR COMPLETENESS.



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

CASE#: C15-2014-0159  
Address: 2224 PARKWAY



1" = 200'

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

## Heldenfels, Leane

---

**From:** liz purcell [REDACTED]  
**Sent:** Monday, November 17, 2014 5:45 PM  
**To:** Maile Roberts-Loring; leland551960; Scott; Heldenfels, Leane; Sadowsky, Steve; Barr, Susan  
**Subject:** Fwd: Heads up, potential RDCC case application coming in for your 12/3 meeting (2224 Parkway)  
**Attachments:** status.pdf

I think that I may have one additional item I would like to possibly go for a variance on. I need to see. I have a little room to the west of the house, probably the original garage. During the leveling of the house, the floor has a slope from the west side to the east. As all of you are aware, the house has every issue possible at the COA. The ceiling height in this part of the house is only 7'. And I have my "Invented by the COA" rear setback right in the middle of that room. We have already basically gotten approval from historical, but that was based on me not touching that little room. And on top of that the South East corner of the room is 1" away from the property line so I have to fire rate that corner anyway. We need to go up in that setback to get a livable ceiling height in that room. My clients are all very tall. Can I include that in one of my hearings? Could you guys all pick a day and give me all of my hearings at once? Anyway...can I combine a hearing for raising the ceiling in that little room by a foot where it is croches on the setbacks..except the street side yard of course?

Steve, what will this do to my historic review? will I have to do another?

----- Forwarded message -----

**From:** Heldenfels, Leane <Leane.Heldenfels@austintexas.gov>  
**Date:** Mon, Nov 17, 2014 at 3:50 PM  
**Subject:** Heads up, potential RDCC case application coming in for your 12/3 meeting (2224 Parkway)  
**To:** "Word, Daniel" <Daniel.Word@austintexas.gov>  
**Cc:** "Ramirez, Elaine" <Elaine.Ramirez@austintexas.gov>, liz purcell <[REDACTED]>

This case was first applied for as a BOA setback for existing deck up to property line in 25' front setback and 6% FAR variance, but now we have aerial evidence that deck has been in existence for 10 years and can take the setback part of the request forward as a Special Exception.

So I recommended to applicant to take the FAR request to RDCC since Board will most likely ask if she first attempted that and then postpone her anyway since her request is for only 6% FAR increase, not over 25%.

She/applicant (Liz Purcell) wanted to keep on BOA in case she was denied at RDCC, but I told her it would cost her the fee of \$388 since notices will have to go out soon for the agenda, so now instead she will go to the 1/12 BOA if denied at RDCC in December.

Let me know if questions – she said she would come in ASAP w/ the RDCC application.

Thanks –

Leane

WINDSOR ROAD EAST

(60' RIGHT-OF-WAY)  
BOOK 3, PAGE 158  
T.C.P.R.

REAR PROPERTY LINE  
JUAN CAMOU CITY OF AUSTIN  
MEETING DATED FEB. 4, 2014

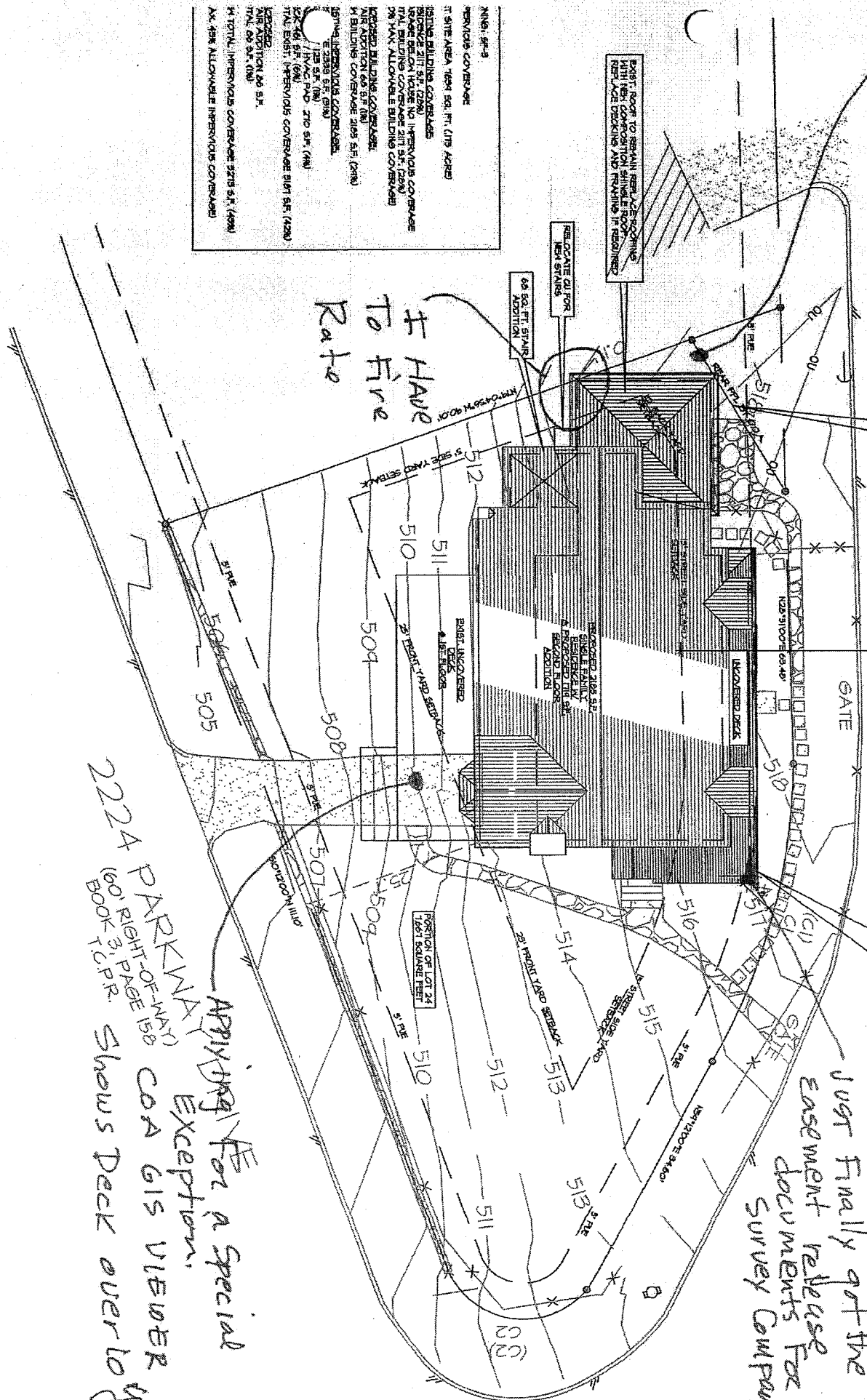
ALLOWABLE SECOND STORY ADDITION  
PER JIAN CAMOU CITY OF AUSTIN  
MEETING DATED FEB. 4, 2014

CONTRACTOR TO PROVIDE GRADING AS REQUIRED AFTER LEVELING OF FOUNDATION, TO SLOPE AWAY FROM STRUCTURE. LANDSCAPING BY OWNER.

REFERENCE SP-1 AND SP-2  
FOR SITE PLAN NOTES

EXIST. ROOF TO REMAIN REPLACE ROOFING  
WITH NEW COMPOSITION SHINGLE ROOF.  
REPLACE DECKING AND FRAMING IF REQUIRED

Just Finally got the  
Easement release  
documents for  
Survey Company

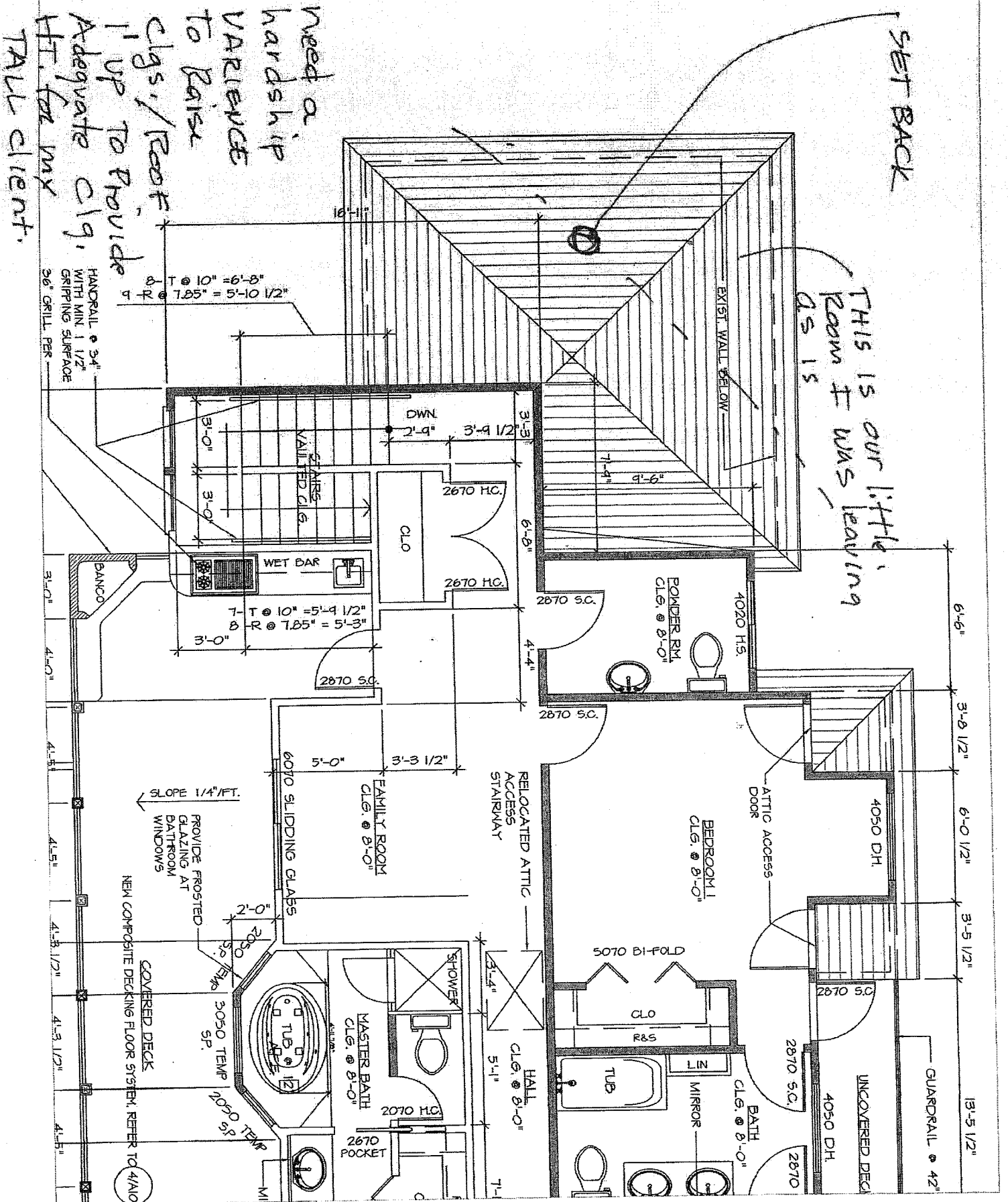


4 HAVE  
TO LIVE  
R<sub>2</sub> to

2224 PARKWAY  
(60) RIGHT-OF-WAY  
BOOK 3, P. 150  
Shows Deck over to  
APPLYING For a Special  
Exception.  
COA GIS VIEWER  
4 yrs



THIS IS OUR little  
Room I was leaving  
as is

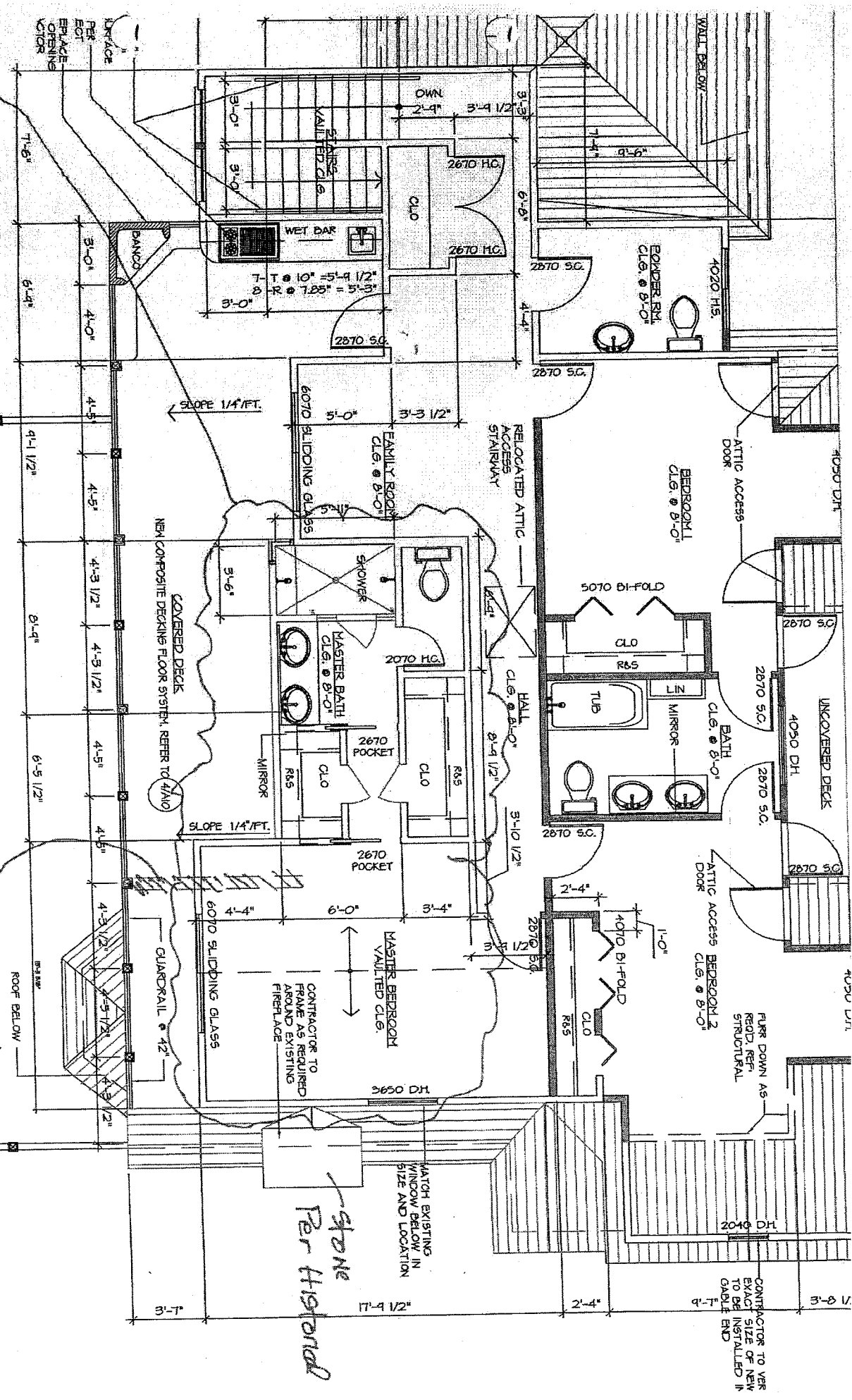


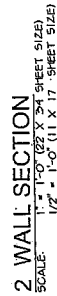


I shifted this whole area to the south 2' for historical Recommendations

A wall below that is to be removed on our proposed rejected plans on file

stone Per historical





**ESP DESIGN CONSULTANTS  
ELIZABETH STUART PURCELL**

ARCHITECTURAL INTERN, DESIGN CONSULTANT, PROJECT MANAGEMENT

1611 EVA ST.  
AUSTIN, TX. 78704  
(512) 436-5302

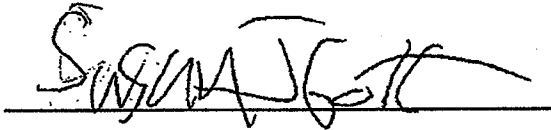
Date: April 27, 2014

**LETTER OF AUTHORIZATION TO ACT AS OWNERS AGENT:**

**Property: 2224 Parkway  
Austin, TX 78703**

**Client: Susan Goff**

This is to authorize Elizabeth S. Purcell to act as my agent in regards to the property at 2224 Parkway, Austin, TX for building plan submittal, Historical Review, Foundation repair and all other permits required by the City of Austin.



4-28-14

Date

Purcell Designs, LLC  
Elizabeth S. Purcell

Austin, Texas 78704  
(512) 436-5302

~~Purcell\_designs@hotmail.com~~

TAX CERTIFICATE  
Bruce Elfant  
Travis County Tax Assessor-Collector  
P.O. Box 1748  
Austin, Texas 78767  
(512) 854-9473

NO 2242087

ACCOUNT NUMBER: 01-1301-0401-0000

PROPERTY OWNER:

GOFF SUSAN JANELLE  
3101 ABOVE STRATFORD PL  
AUSTIN, TX 78746-4600

PROPERTY DESCRIPTION:

N 111.1 FT APPROX LOT 24 ENFIELD D

ACRES .1787 MIN% .000000000000 TYPE

SITUS INFORMATION: 2224 PARKWAY

This is to certify that after a careful check of tax records of this office, the following taxes, delinquent taxes, penalties and interests are due on the described property of the following tax unit(s):

YEAR	ENTITY	TOTAL
2013	AUSTIN ISD	*ALL PAID*
	CITY OF AUSTIN (TRAV)	*ALL PAID*
	TRAVIS COUNTY	*ALL PAID*
	TRAVIS CENTRAL HEALTH	*ALL PAID*
	ACC (TRAVIS)	*ALL PAID*
TOTAL SEQUENCE 0		*ALL PAID*
TOTAL TAX:		*ALL PAID*
UNPAID FEES:		* NONE *
INTEREST ON FEES:		* NONE *
COMMISSION:		* NONE *
TOTAL DUE ==>		*ALL PAID*

TAXES PAID FOR YEAR 2013 \$4,018.46

ALL TAXES PAID IN FULL PRIOR TO AND INCLUDING THE YEAR 2013 EXCEPT FOR UNPAID YEARS LISTED ABOVE.

The above described property may be subject to special valuation based on its use, and additional rollback taxes may become due. (Section 23.55, State Property Tax Code).

Pursuant to Section 31.08 of the State Property Tax Code, there is a fee of \$10.00 for all Tax Certificates.

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS DATE OF 05/08/2014

Fee Paid: \$10.00

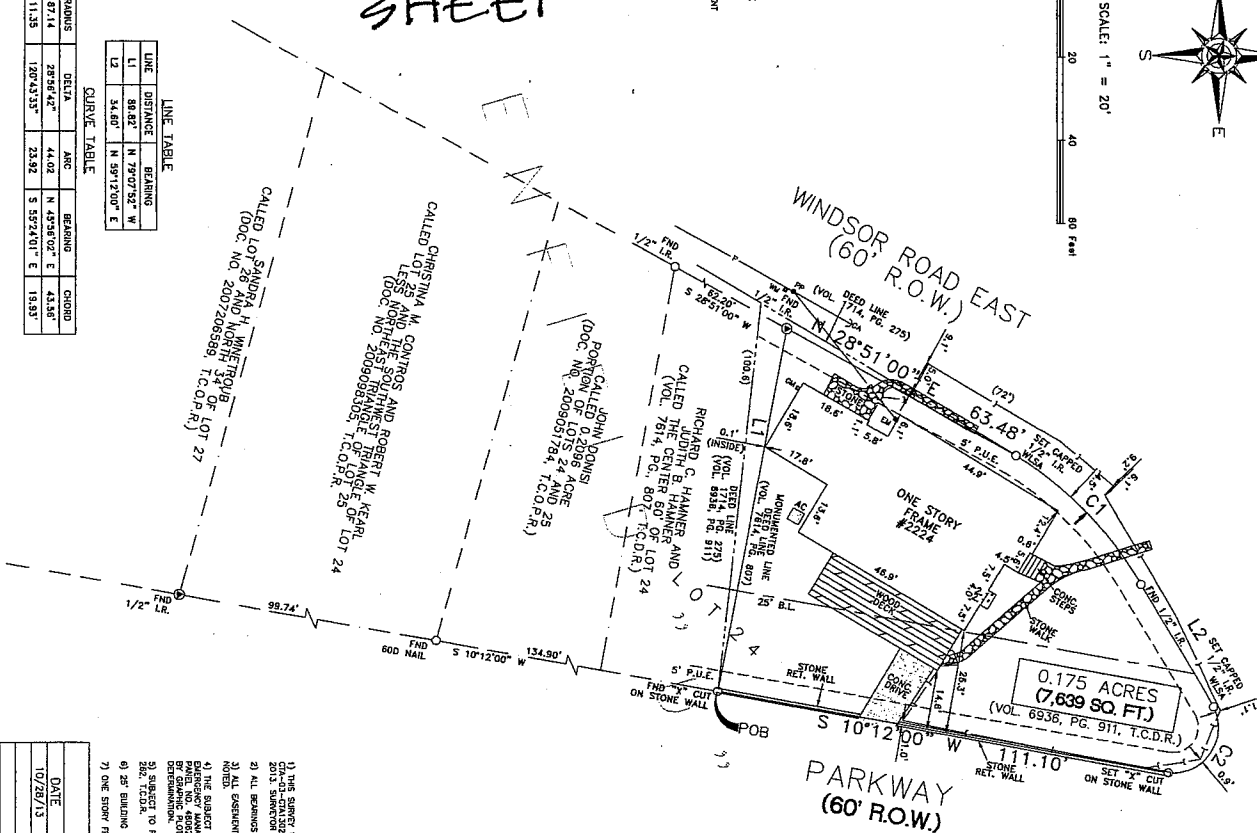
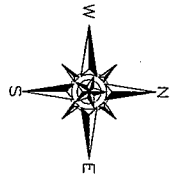
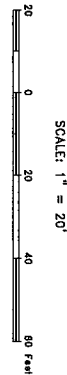
Bruce Elfant  
Tax Assessor-Collector

By: 

NOT EXIST  
DECK SEE  
NEXT  
SHEET

LINE TABLE		
LINE	DISTANCE	BEARING
L1	89.82'	N 79°07'52" W
L2	34.60'	N 59°12'00" E

CURVE TABLE



## GENERAL NOTES

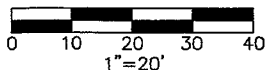
- [illegible]

[illegible]

## GENERAL NOTES

SURVEY OF  
0.175 ACRE (7,639 SQ. FT.)  
BRING THE NORTH PART OF LOT 24  
ENFIELD D  
VOL. 3, PG. 158, T.C.P.R.  
TRAVIS COUNTY, TEXAS

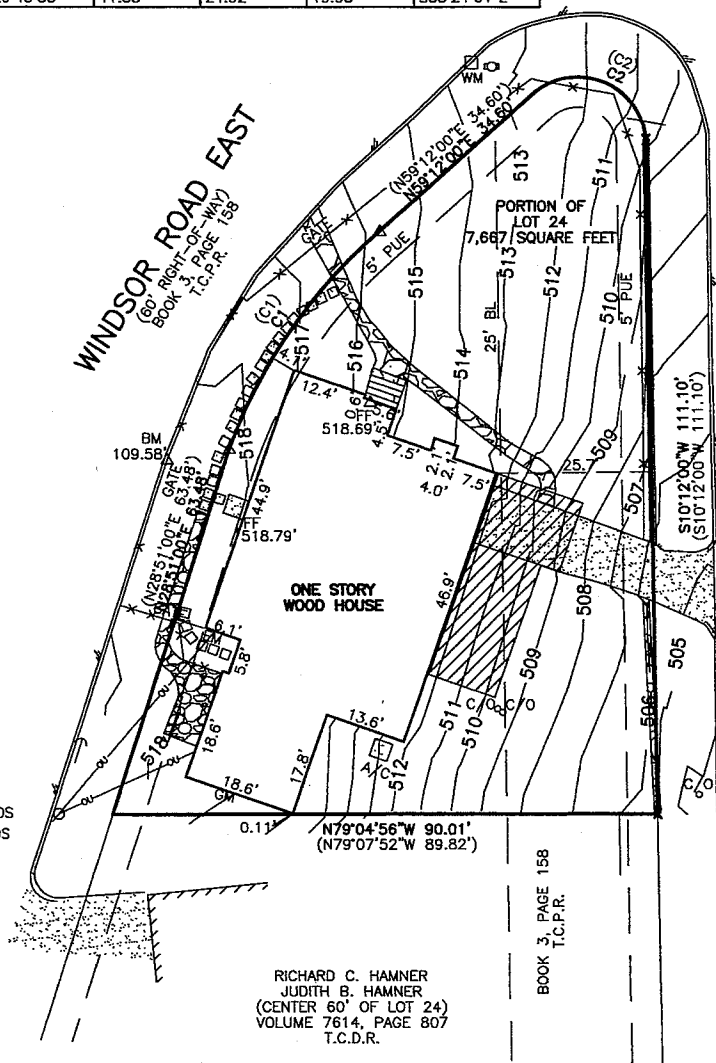
[illegible][illegible][illegible]



#### LEGEND

- 1/2" IRON ROD FOUND
- △ CALCULATED POINT
- ( ) RECORD INFORMATION
- CONCRETE
- ▨ WOOD DECK
- ⊠ ROCK
- WM WATER METER
- C/O CLEANOUT
- EM ELECTRIC METER
- GM GAS METER
- FIRE HYDRANT
- ASPHALT
- X—X— WIRE FENCE
- ⊙ POWER POLE
- GUY WIRE
- O—O— OVERHEAD UTILITY
- 5' PUE 5' PUBLIC UTILITY EASEMENT  
BOOK 3, PAGE 158 T.C.P.R.
- 25' BL 25' BUILDING LINE SETBACK  
BOOK 3, PAGE 158 T.C.P.R.
- T.C.D.R. TRAVIS COUNTY DEED RECORDS
- T.C.P.R. TRAVIS COUNTY PLAT RECORDS

CURVE TABLE				
No.	Radius	Arc Length	Chord Length	Chord Bearing
C1	28°56'54"	87.14'	44.03'	N45°56'02"E
(C1)	28°56'42"	87.14'	44.02'	N45°56'02"E
C2	122°47'52"	11.35'	24.33'	S55°24'01"E
(C2)	120°43'33"	11.35'	24.92'	S55°24'01"E



2224 PARKWAY DRIVE

(60' RIGHT-OF-WAY)  
BOOK 3, PAGE 158  
T.C.P.R.

Attachment "A"  
with DECK AS  
IS

#### NOTES:

1. BOUNDARY, EASEMENTS AND BUILDING LINES AS PER PLAT AND SURVEY DATED 10/15/2013 BY WINDROSE LAND SERVICES. NO ADDITIONAL RESEARCH WAS DONE BY LIVE OAK SURVEYING FOR ANY EASEMENTS, RESTRICTIONS, OR CONDITIONS OF RECORD WHICH MAY AFFECT THIS PROPERTY.

TO: ELIZABETH PURCELL

THE UNDERSIGNED DOES HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND OF THE PROPERTY SHOWN HEREON AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

DEAN A. WOODLEY  
REGISTERED PROFESSIONAL  
LAND SURVEYOR NO. 5086

DATE:


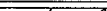
CLIENT: ELIZABETH PURCELL  
FIELD BOOK: , PAGE:  
DRAWN BY: P.M.W.  
PROJECT NO.: 1074-01-14  
DATE: APRIL 30, 2014  
FILE: 10740114.DWG

**SURVEY**  
OF 0.175 ACRES OF THE NORTH PART OF LOT 24  
ENFIELD "D"  
AS RECORDED IN BOOK 3, PAGE 158  
TRAVIS COUNTY, TEXAS

© COPYRIGHT DEAN WOODLEY, 2014  
ALL RIGHTS RESERVED



**LIVE OAK  
SURVEYING**  
12421 WYCLIFF LANE  
AUSTIN, TX 78727-5220  
(512) 837-1018

<b>ASP</b> OF 17	SUSAN GOFF RESIDENTIAL REMODEL 2224 PARKWAY AUSTIN TX		1811 EVA STREET AUSTIN, TEXAS 78704 TEL: (512) 436-5302 FAX: (512) 436-5303 E-MAIL: PURCELL_DESIGNS@HOTMAIL.COM		<b>DESIGN CONSULTANTS</b> 1811 EVA STREET AUSTIN, TEXAS 78704 PH: (512) 436-5302 E-MAIL: PURCELL_DESIGNS@HOTMAIL.COM
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# ATTACHMENT "C"



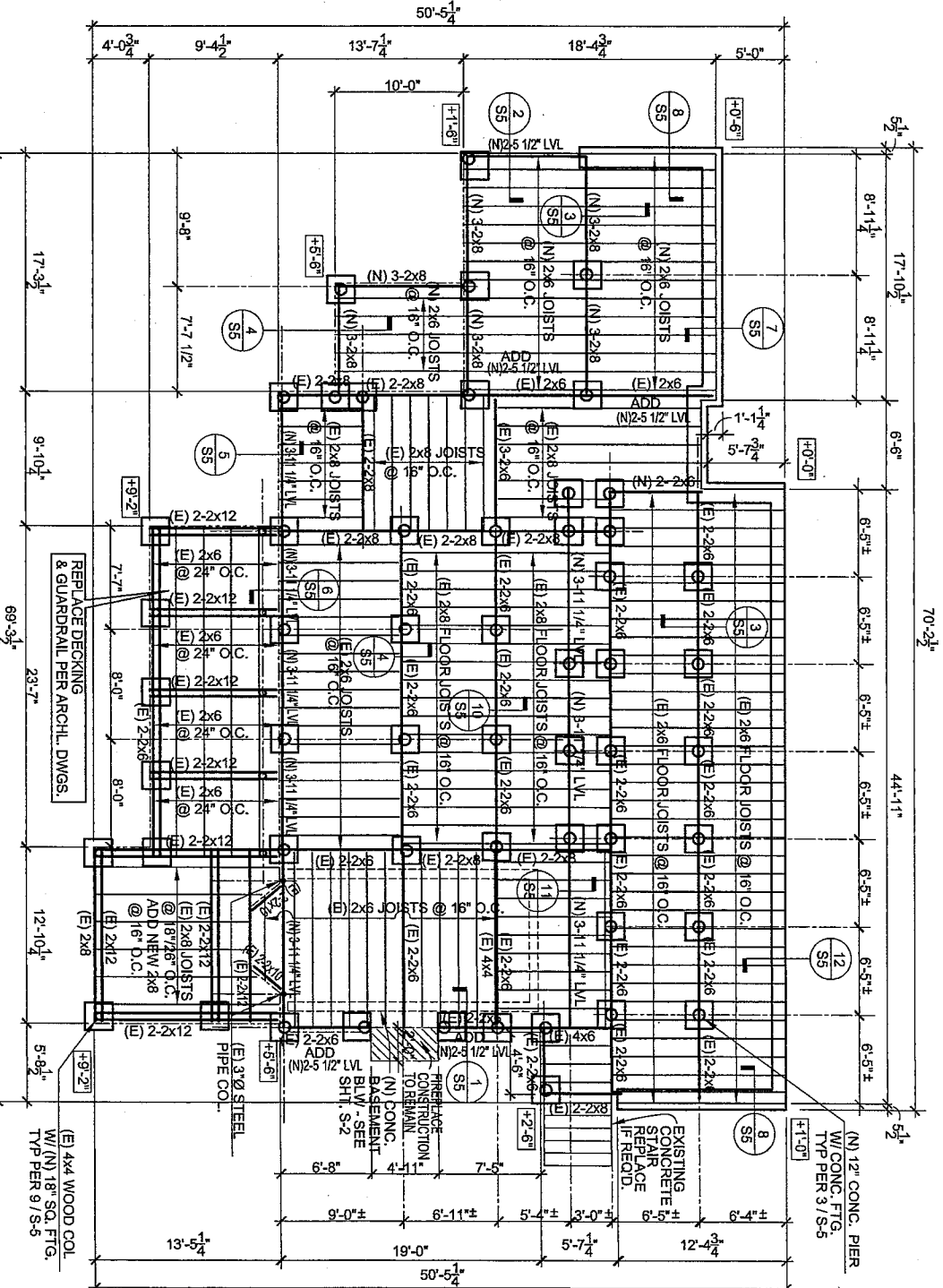
NORTH

## FOUNDATION PLAN

SCALE: 1/8"=1'-0"

- PLAN NOTES:
- G.C. SHALL PROVIDE POSITIVE SITE DRAINAGE PER IRC REQUIREMENTS.
  - SEE SHEET S7 FOR STRUCTURAL NOTES.
  - (E) INDICATES EXISTING CONSTRUCTION, (N) INDICATES NEW CONSTRUCTION.
  - VERIFY THAT THE EXISTING SILL BEAM JOISTS BREAK AT PROPOSED EXISTING PIERS AND ADD SUPPLEMENTAL 2x6 BEAM REINFORCEMENT AS REQUIRED TO ACHIEVE THIS CONDITION.
  - (E) INDICATES APPROXIMATE FINISH FLOOR ELEVATION ABOVE ADJACENT EXISTING GRADES.

- G.C. SHALL FIELD VERIFY ALL EXISTING CONSTRUCTION INCLUDING DIMENSIONS VS. SITE CONDITIONS AND NOTIFY ARCHITECT/ENGINEER OF DISCREPANCIES PRIOR TO CONSTRUCTION.
- THE CONTRACTOR SHALL REPLACE ANY EXISTING DAMAGED, DETEIORATED OR BUCKLED WOOD FLOOR JOISTS, BEAMS, DECKING & WOOD COILS AS REQD. OF THE FOUNDATION UPGRADE.
- SEE ARCH. FOR DEMOLITION REQUIREMENTS.
- THE ALL BEAMS TO PIERS WITH SIMPSON PLATE OR EQUIVALENT.
- THE G.C. SHALL INSTALL AND REMOVE SHORING AS REQUIRED FOR THE EXECUTION OF THE WORK. CONSULT WITH THE STRUCTURAL ENGINEER IF REQUIRED FOR ASSISTANCE.
- USE TREATED MATERIAL FOR SILL BEAMS LESS THAN 12" ABOVE FINISH GRADE AND FLOOR JOISTS LESS THAN 18" ABOVE FINISH GRADE.
- USE 3000 PSI CONCRETE AND ASTM A36 STEEL.
- NOTIFY LOC WITHIN 24 HOURS FOR FOOTING & FRAMING INSPECTIONS. FAILURE TO NOTIFY LOC FOR REBAR INSPECTION SHALL NEGATE ANY LIABILITY FOR THE PERFORMANCE OF THE FRAMING DESIGN.



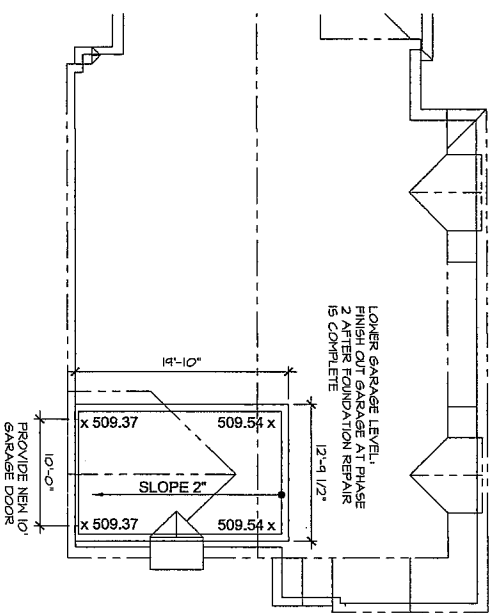
<p><b>S-1</b></p> <p>OF 8</p>	<p>DRAWN BY: PRD</p> <p>CHECKED BY: TO</p> <p>REVISIONS:</p>	<p><b>GOFF RESIDENCE REMODEL</b></p> <p>2224 PARKWAY</p> <p>AUSTIN TEXAS</p> <p><b>SUSAN GOFF</b></p> <p>2224 PARKWAY</p> <p>AUSTIN TEXAS</p>	<p><b>LOC Consultants</b></p> <p>Civil, Structural and Environmental Engineers</p> <p>1000 E. CEMEX COURT, SUITE 100</p> <p>AUSTIN TEXAS 78702-0208</p> <p>TEL: (512) 498-5858</p> <p>FAX: (512) 498-5859</p>	<p>STATE OF TEXAS</p> <p>REGISTERED PROFESSIONAL ENGINEER</p> <p>66204</p> <p>5-28-14</p>
	<p>S14007</p>			



# ATTACHMENT "D"



**2 FIRST LEVEL GARAGE PLAN**  
SCALE: 1/32" = 1'-0" (11" X 17" STREET SIZE)

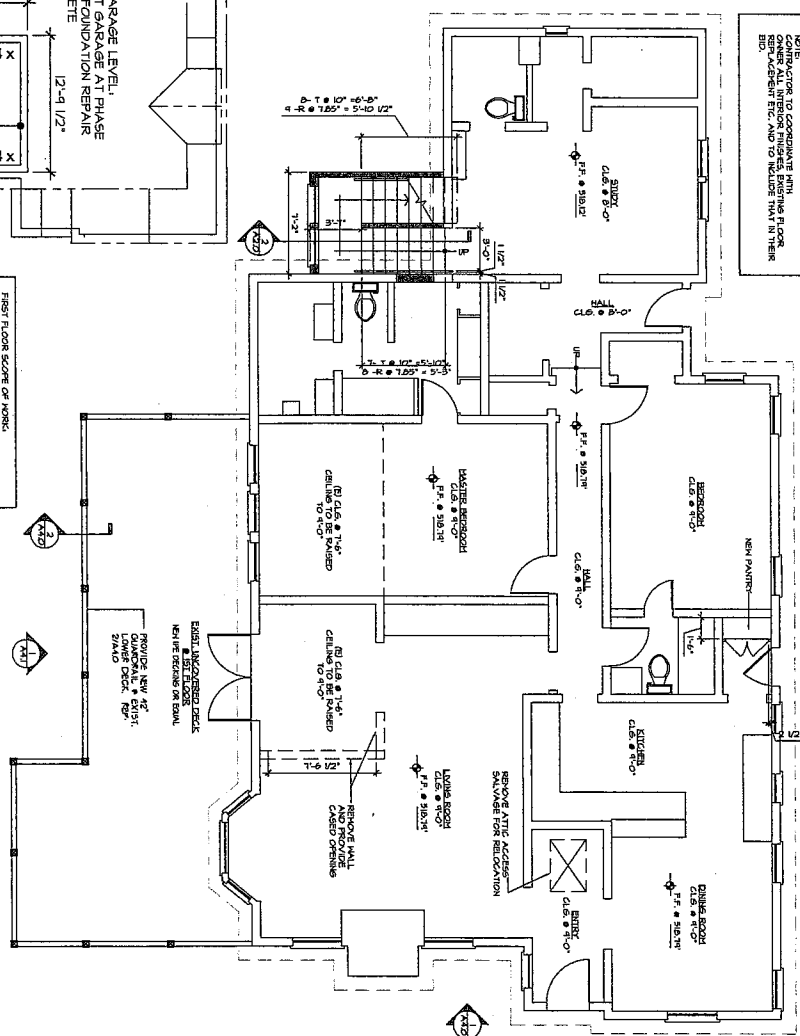


LOWER GARAGE LEVEL,  
FINISH OUT GARAGE AT PHASE  
2 AFTER FOUNDATION REPAIR  
IS COMPLETE

- FIRST FLOOR SCOPE OF WORK:
1. INTERIOR FINISH BY OWNER
  2. NEW PAINT AT KITCHEN
  3. NEW PAINT AT BATH
  4. CEILING SQUARE IN ROOMS
  5. REPAIR OF STROUBING AS REQUIRED
  6. REMOVAL OF 2 WALLS IN LIVING ROOM



**1 FIRST FLOOR PLAN**  
SCALE: 1/8" = 1'-0" (22" X 34" STREET SIZE)



NOTE:  
CONTRACTOR TO COORDINATE WITH  
FOUNDATION REPAIRS AND  
REINFORCEMENT ETC. AND TO INSURE THAT IN THEIR  
BED.

A1.0  
OF 17

SUSAN GOFF RESIDENTIAL REMODEL  
2224 PARKWAY  
AUSTIN TX

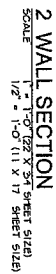


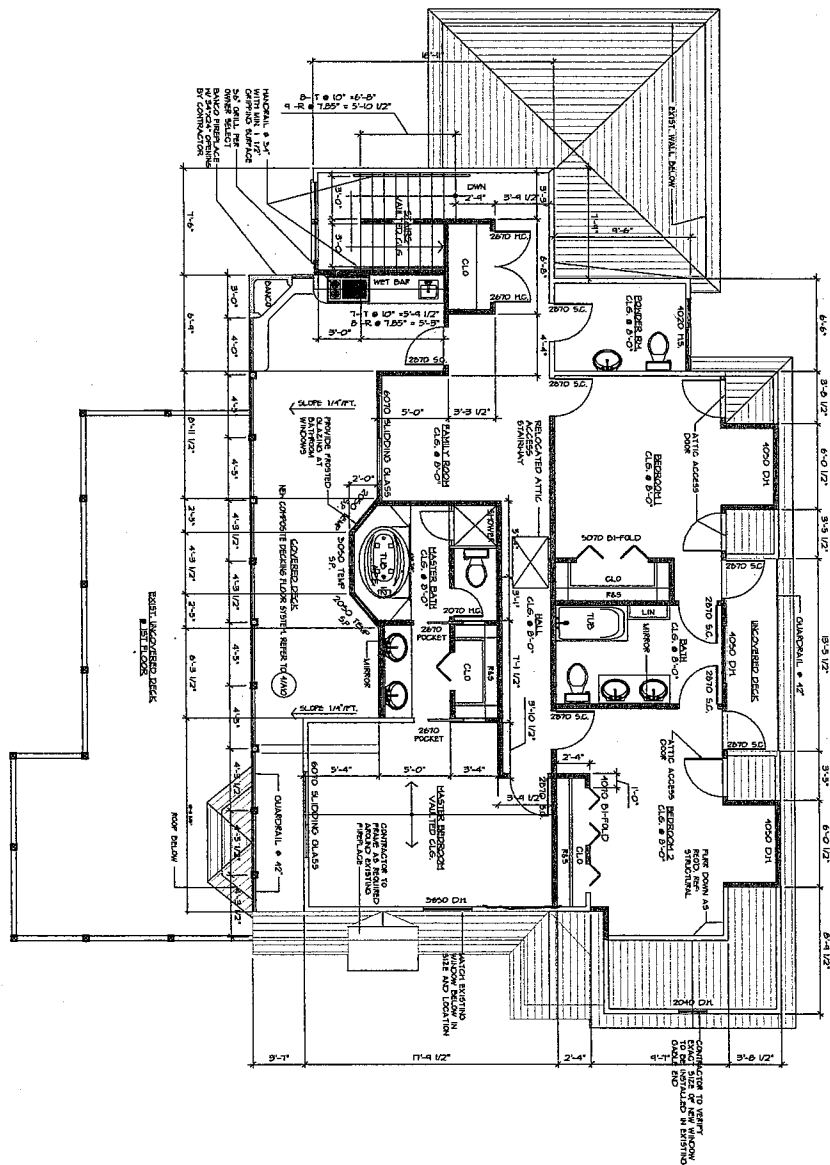
RESIDENTIAL ARCHITECT  
AND LANDSCAPE ARCHITECT  
1000 N. MOORE  
AUSTIN, TEXAS 78701  
TEL: 512.452.1234  
FAX: 512.452.1235  
WWW.RBARCHITECT.COM



DESIGN CONSULTANTS  
1611 EVA STREET  
AUSTIN, TEXAS 78704  
PH: (512) 436-5302  
E-MAIL: PURCELL\_DESIGN@HOTMAIL.COM

SEE  
ATT. E-R





# ATTACHMENT "F" F.1

Building and Site Area			
Area Description	Existing Sq Ft	New/Added Sq Ft	Total Sq Ft
Note: Provide a separate calculation for each distinct area. Attach additional sheets as necessary. Measurements are to the outside surface of the exterior wall.			
a) 1 <sup>st</sup> floor conditioned area	2112	67	2179
b) 2 <sup>nd</sup> floor conditioned area		1387	1387
c) 3 <sup>rd</sup> floor conditioned area	=	=	=
d) Basement	=	=	=
e) Covered Parking (garage or carport)	253		253
f) Covered Patio, Deck or Porch		344	344
g) Balcony		50	50
h) Other	=	=	=
i) Uncovered Wood Deck	489	=	489
Total Gross Building Area (total A through I)	2854	1848	4702
j) Pool	=	=	=
k) Spa	=	=	=

Site Development Information	
<b>Building Coverage Information</b> 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): <u>2374</u> % of lot size: <u>31%</u> lot = 7,639      3055.6 max	
<b>Impervious Cover Information</b> 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): <u>3273</u> % of lot size: <u>43%</u> lot = 7,639      3437.55 max	
<b>Setbacks</b> Are any existing structures on this site a non-compliant structure based on a yard setback requirement? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N (LDC 25-2-513)  Does any structure (or an element of a structure) extend over or beyond a required yard? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N (LDC 25-2-513)  Is front yard setback averaging being utilized on this property? (LDC 25-2, Subchapter F, Sec. 2.3) <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	
<b>Height Information</b> (LDC 25-1-21 or 25-2 Subchapter F, Section 3.4) <b>Parking</b> (LDC 25-6 Appendix A & 25-6-478)	
Building Height: <u>30.5</u> ft      Number of Floors: <u>2</u> # of spaces required: <u>2</u> # of spaces provided: <u>2</u>	
<b>Right-of-Way Information</b> Is a sidewalk required for the proposed construction? (LDC-6-353) <input type="checkbox"/> Y <input type="checkbox"/> N <b>*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.</b>  Will a Type I driveway approach be installed, relocated, removed or repaired as part of this project? <input type="checkbox"/> Y <input type="checkbox"/> N  Width of approach (measured at property line): _____ 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? <input type="checkbox"/> Y <input type="checkbox"/> N	

# ATTACHMENT "F" P. 2

## Subchapter F - 'McMansion'

### Gross Floor Area

This section is only required for projects located within the Residential Design and Compatibility Standards Ordinance Boundaries as defined and illustrated in Title 25-2 Subchapter F of the Land Development Code. The Gross Floor Area of each floor is measured as the area contained within the outside edge of the exterior walls. Areas with ceiling height over 15 feet are counted twice.

	Existing	New	Exemption	Total
1 <sup>st</sup> Floor	<u>2112</u>	<u>67</u>		<u>2179</u>
2 <sup>nd</sup> Floor		<u>1342</u>		<u>1342</u>
3 <sup>rd</sup> Floor				
Basement				
Attic	<u>77</u>		<u>77</u>	<u>0</u>
Garage (attached)	<u>296</u>		<u>200</u>	<u>16</u>
(detached)				
Carport (attached)				
(detached)				
Accessory building(s)				
(detached)				
Ceilings over 15 ft				
<b>TOTAL GROSS FLOOR AREA</b>				<u>3537</u>

(Total Gross Floor Area / lot size) = .46 Floor-To-Area Ratio (FAR)

- Is this project claiming a "parking area" exemption as described under Article 3? ☒ Y ☐ N
- Is this project claiming a "ground floor porch" exemption as described under Article 3? ☐ Y ☒ N
- Is this project claiming a "basement" exemption as described under Article 3? ☐ Y ☒ N
- Is this project claiming a "habitable attic" exemption as described under Article 3? ☒ Y ☐ N
- Is a sidewall articulation required for this project? ☐ Y ☒ N
- Does any portion of the structure extend beyond a setback plane? ☒ Y ☐ N
- Are any ceilings over 15 feet in height? ☐ Y ☒ N

**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 parking 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.



**City of Austin  
Planning and Development Review  
Land Status Determination  
1995 Rule Platting Exception**

**March 11, 2014**

File Number: **C8I-2014-0069**

Address: **2224 PARKWAY**

Tax Parcel I.D. #**0113010401**

Tax Map Date: **08/08/2013**

The Planning & Development Review Department has determined that this parcel, as described in the attached description and map, **IS EXCEPTED FROM THE REQUIREMENT TO PLAT** in accordance with the Land Development Code, Section 25-4-2(C), and is eligible to receive utility service.

The parcel of land consists of five acres or less, and is described as being a tract or parcel of land containing 0.175 acres (7,639 sq ft) out of and a part of lot 24, Enfield D and being all of that tract of land called the "north part of lot 24" in the current deed, recorded on Nov 12, 2013, in Document #2013203682, Travis County Deed Records. This parcel existed in its current configuration on January 1, 1995, as evidenced by a deed recorded on Mar 31, 1980, in Volume 6936, Page 911, Travis County Deed Records. The parcel was lawfully receiving utility service, as defined in Section 212.012 of the Texas Local Government Code, on January 1, 1995, as evidenced by water service on Mar 31, 1975. The parcel meets the requirements of the Land Development Code for roadway frontage and is located on an existing street.

Additional Notes/Conditions:  
NONE

This determination of the status of the property is based on the application of Chapter 212, Municipal Regulation of Subdivisions and Property Development, Texas Local Government Code; and the City of Austin Land Development Code, Chapter 25-4, Subdivision. Recognition hereby does not imply approval of any other portion of the City Code or any other regulation.

By: Michelle Casillas  
**Michelle Casillas, Representative of the Director  
Planning and Development Review Department**



**PURCELL DESIGNS LLC.  
ELIZABETH STUART PURCELL**

**ARCHITECTURAL INTERN, DESIGN CONSULTANT, PROJECT MANAGEMENT**

**1611 EVA ST.  
AUSTIN, TX. 78704  
(512) 436-5302**

~~**purcell\_designs@hotmail.com**~~

**2<sup>ND</sup> FLOOR ADDITION**

**Property: 2224 Parkway  
Austin, TX 78703**

**Date: July 25, 2014**

**Client: Susan J. Goff**

**SCOPE OF PROJECT:**

The scope of work is to raise the ceilings in areas of the existing residence and add a second floor as indicated on the plans. We are only adding a stairwell to the existing footprint of the structure to gain access to the new second floor. We are a non-compliant structure but according to the code I am allowed to go up within the 15' street side yard setback as I have indicated on my plans. I have had numerous meetings with reviewers at the COA to verify everything I have done is in compliance.

The site is a "boomerang" site and I had no rear setback according to all of the legal surveys. I met with Juan Camou on Feb. 4, 2014 in a paid consultation to verify my setbacks, my non compliance issues and the exceeding of the FAR requirement and was informed that the COA made up a rear setback for the site for me to comply to and that if I exceeded the FAR that would just require sidewalks and a driveway. We are prepared to pay the fee to waiver the sidewalks and are providing a driveway with a Type 1 apron. Not only did Juan advise me on the FAR but I also had 2 other reviewers confirm that this would require sidewalks.



To see all the details that are visible on the screen, use the "Print" link next to the maps.

Google

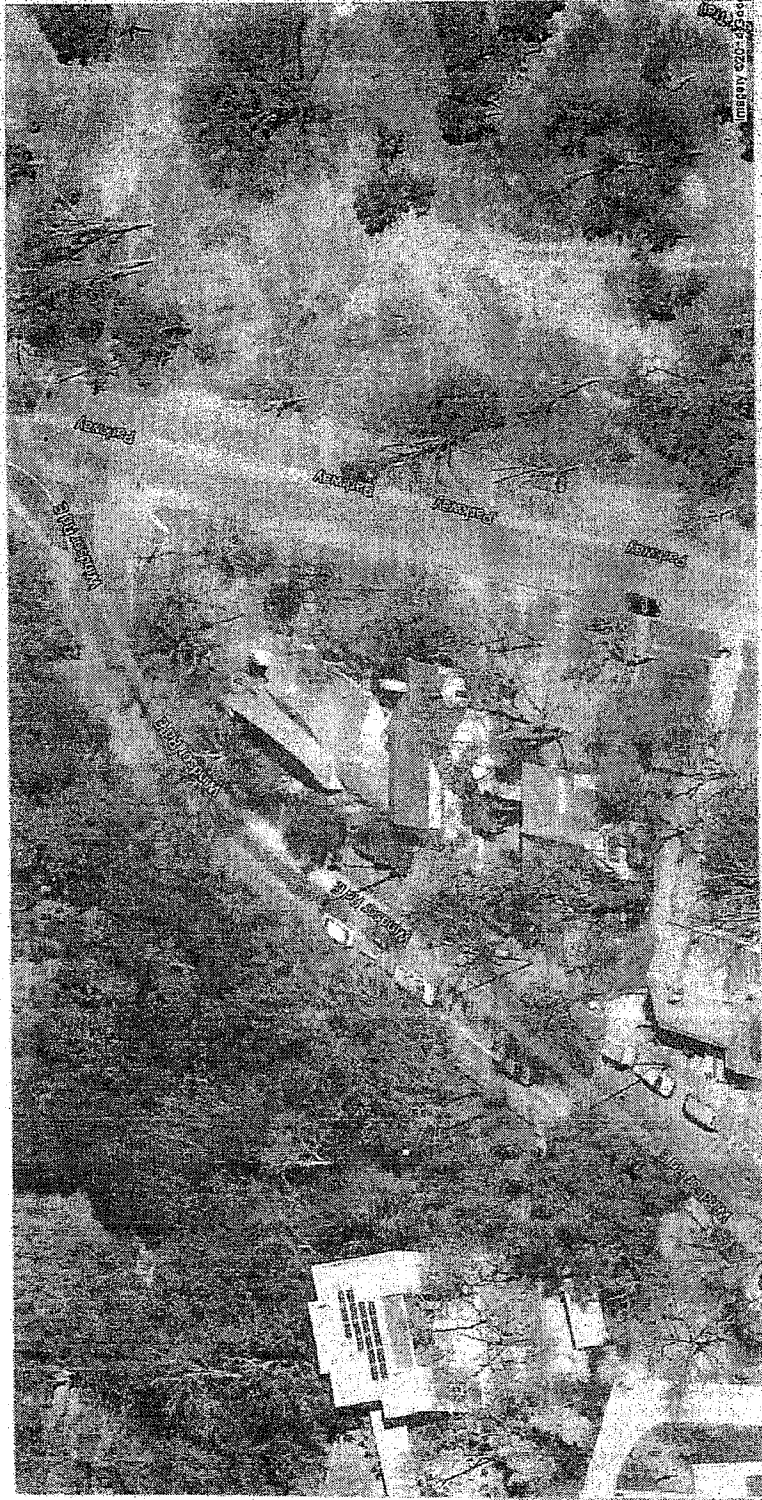


Image ©2005 Google, Map data ©2004 Google

CASE# \_\_\_\_\_  
ROW# \_\_\_\_\_  
TAX# \_\_\_\_\_

**CITY OF AUSTIN  
APPLICATION TO BOARD OF ADJUSTMENT  
GENERAL VARIANCE/PARKING VARIANCE**

**WARNING:** Filing of this appeal stops all affected construction activity.

**PLEASE: APPLICATION MUST BE TYPED WITH ALL REQUESTED  
INFORMATION COMPLETED.**

STREET ADDRESS: 2224 Parkway

LEGAL DESCRIPTION: Subdivision - TRACT OF land Containing 0.175 acres

Lot(s) 24 Block \_\_\_\_\_ Outlot \_\_\_\_\_ Division I/

We Elizabeth Purcell on behalf of myself/ourselves as authorized agent for

Susan Goff affirm that on 10 15 , 2004

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

(check appropriate items below and state what portion of the Zoning Code you are seeking a variance from)

ERECT ATTACH COMPLETE REMODEL MAINTAIN

To maintain an EXIST. 489 Sq. ft. Deck built  
IN 1938. (TCAD has the wrong Sq. ft) a no 184.0  
Sq. ft. Deck was ever built. Engineering Drawings  
Have already been submitted to Bring the Deck up to  
in a \_\_\_\_\_ district. current Codes.

**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:

SPECIAL EXCEPTION

**HARDSHIP:**

SEE SPECIAL EXCEPTION ATTACHMENT.

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

This Deck is also an historical feature of the house.

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

N/A

**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:

N/A

**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 Elizabeth Purcell Mail Address 1611 EVA ST.

City, State & Zip AUSTIN, TX. 78704

Printed Elizabeth Purcell Phone 512-436-5302 Date 10-15-2014

**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 \_\_\_\_\_

City, State & Zip \_\_\_\_\_

Printed \_\_\_\_\_ Phone \_\_\_\_\_ Date \_\_\_\_\_

See  
Attachment I  
have the owners  
notorized authorization

WE ARE APPLYING FOR A SPECIAL EXCEPTION  
Please see all the \* that Apply to our  
Situation.

25-2-476 SPECIAL EXCEPTIONS.

(A) The Board of Adjustment shall grant a special exception for an existing residential structure, or portion of an existing structure, that violates a setback required under Chapter 25-2 (Zoning) if the board finds that the special exception meets the requirements of this section.

(B) The Board shall grant a special exception under Subsection (A) of this section if:

- \* yes (1) the residential use for which the special exception is sought is allowed in an SF-3 or more restrictive zoning district;
- \* (2) the building official performs an inspection and determines that the violation does not pose a hazard to life, health, or public safety; and *Engineering Dwg. on submitted For Bringing Deck to current Code*
- (3) the Board finds that:
  - (a) the violation has existed for:
    - \* (i) at least 25 years; or *SEE T CAD ATTACHMENT*
    - (ii) at least 10 years, if the application for a special exception is submitted on or before June 6, 2016;
  - \* (b) the use is a permitted use or a nonconforming use; *The house is already non-conform*
  - \* (c) the structure does not share a lot with more than one other primary residence; and *NO*
  - (d) granting a special exception would not:
    - \* (i) alter the character of the area; *ITS BEEN THERE SINCE 1930*
    - \* (ii) impair the use of adjacent property that is developed in compliance with city code; *IT DOES NOT*
- or (iii) grant a special privilege that is inconsistent with other properties in the area or in the district in which the property is located.
- (C) A special exception granted under this section:
  - (1) applies only to the structure, or portion of a structure, for which the special exception was granted and does not run with the land;
  - (2) may not authorize an increase in the degree of noncompliance or excuse compliance with minimum health and safety requirements; and
  - (3) may not authorize a remodel or addition to the existing structure, except to the extent required by the building official to meet minimum life and safety requirements.
- (D) A structure granted a special exception under this section shall be treated as a non-complying structure under Chapter 25-2, Article 8 (Noncomplying Structures).

Source: Ord. 20110526-098; Ord. 20121108-091; Ord. 20130822-126.

\* WE ARE calling For the inspection This week

THIS DECK IS HISTORICAL  
Attached are the structural and architectural  
Dwgs. which are already submitted and  
on file with the City. The only modifications  
we are proposing are replacing the Decking  
&

**ESP DESIGN CONSULTANTS  
ELIZABETH STUART PURCELL**

**ARCHITECTURAL INTERN, DESIGN CONSULTANT, PROJECT MANAGEMENT**

1611 EVA ST.  
AUSTIN, TX. 78704  
(512) 436-5302

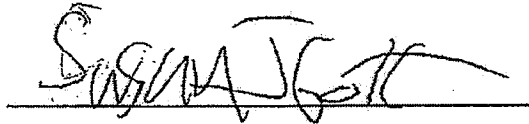
Date: April 27, 2014

**LETTER OF AUTHORIZATION TO ACT AS OWNERS AGENT:**

**Property: 2224 Parkway  
Austin, TX 78703**

**Client: Susan Goff**

**This is to authorize Elizabeth S. Purcell to act as my agent in regards to the property at 2224 Parkway, Austin, TX for building plan submittal, Historical Review, Foundation repair and all other permits required by the City of Austin.**



4-28-14

Date

**Purcell Designs, LLC  
Elizabeth S. Purcell**

**Austin, Texas 78704  
(512) 436-5302**



Travis CAD

Property Search

Map Search

New Search

Property Search Results > 112615 GOFF SUSAN JANELLE for Year 2014

Details

Map

Click on a title bar to expand or collapse the information.

Property

Account

Property ID: 112615 Legal Description: 0.1754 AC OF LOT 24 ENFIELD D.  
Geographic ID: 0113010401 Agent Code:  
Type: Real  
Property Use Code:  
Property Use Description:

Location

Address: 2224 PARKWAY TX 78703 Mapsco: 584H  
Neighborhood: OLD ENFIELD (SFR) Map ID: 011008  
Neighborhood CD: Z31000

Owner

Name: GOFF SUSAN JANELLE Owner ID: 1596018  
Mailing Address: 3101 ABOVE STRATFORD AUSTIN, TX 78746 % Ownership: 100.0000000000%

Exemptions:

Values

Taxing Jurisdiction

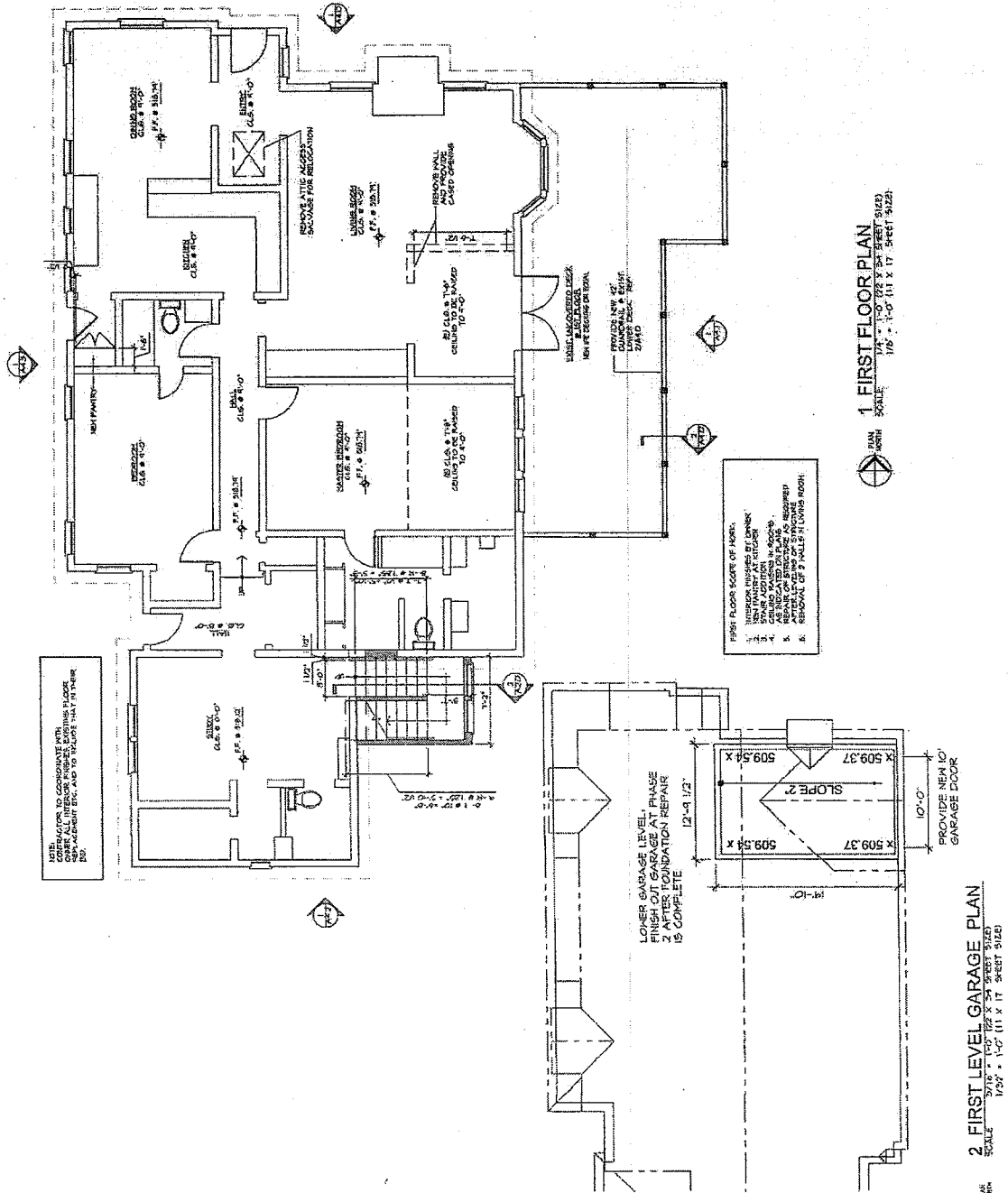
Improvement / Building

Improvement #1:	1 FAM DWELLING	State Code:	A1	Living Area:	1944.0 sqft	Value:	\$215,762
Type	Description	Class CD	Exterior Wall	Year Built	SQFT		
1ST	1st Floor	WW - 4+		1938	1944.0		
033	GARAGE DET BASMT	WW - 4+		1938	160.0		
061	CARPORT ATT 1ST	* - 4+		1938	184.0		
095	HVAC RESIDENTIAL	* - *		1938	1944.0		
251	BATHROOM	* - *		1938	2.0		
312	DECK UNCOVERED	* - 4+		1938	584.0		
322	FIREPLACE	* - 4+		1938	1.0		
312	DECK UNCOVERED	WW - 4+		2004	184.0		

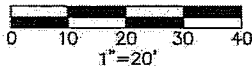
- This is 489 S.F.  
not here







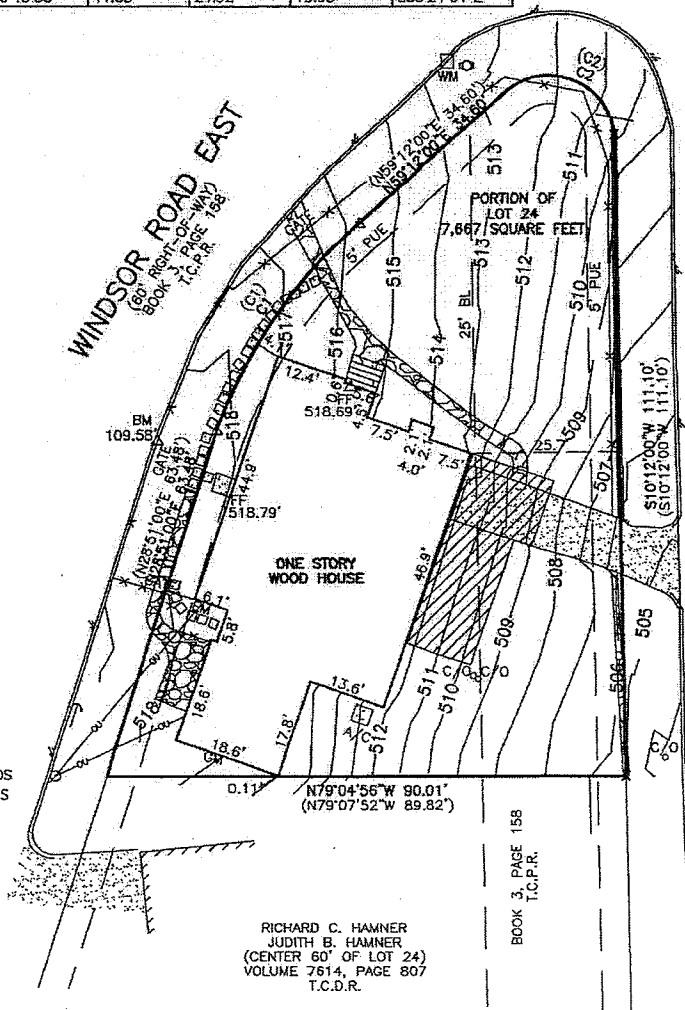




### LEGEND

- 1/2" IRON ROD FOUND
- △ CALCULATED POINT
- (.) RECORD INFORMATION
- CONCRETE
- ▨ WOOD DECK
- ▩ ROCK
- WM WATER METER
- C/O CLEANOUT
- EM ELECTRIC METER
- GM GAS METER
- FIRE HYDRANT
- ASPHALT
- WIRE FENCE
- POWER POLE
- GUY WIRE
- OVERHEAD UTILITY
- 5' PUE 5' PUBLIC UTILITY EASEMENT  
BOOK 3, PAGE 158 T.C.P.R.
- 25' BL 25' BUILDING LINE SETBACK  
BOOK 3, PAGE 158 T.C.P.R.
- T.C.D.R. TRAVIS COUNTY DEED RECORDS
- T.C.P.R. TRAVIS COUNTY PLAT RECORDS

CURVE TABLE					
No.	Delta	Radius	Arc Length	Chord Length	Chord Bearing
C1	28°56'54"	87.14'	44.03'	43.56'	N45°56'02"E
(C1)	28°56'42"	87.14'	44.02'	43.56'	N45°56'02"E
C2	122°47'52"	11.35'	24.33'	19.93'	S55°24'01"E
(C2)	120°43'33"	11.35'	24.92'	19.93'	S55°24'01"E



2224 PARKWAY DRIVE  
(60' RIGHT-OF-WAY)  
BOOK 3, PAGE 158  
T.C.P.R.

### NOTES:

1. BOUNDARY, EASEMENTS AND BUILDING LINES AS PER PLAT AND SURVEY DATED 10/15/2013 BY WINDROSE LAND SERVICES. NO ADDITIONAL RESEARCH WAS DONE BY LIVE OAK SURVEYING FOR ANY EASEMENTS, RESTRICTIONS, OR CONDITIONS OF RECORD WHICH MAY AFFECT THIS PROPERTY.

TO: ELIZABETH PURCELL

THE UNDERSIGNED DOES HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND OF THE PROPERTY SHOWN HEREON AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

DEAN A. WOODLEY  
REGISTERED PROFESSIONAL  
LAND SURVEYOR NO. 5086

DATE:

CLIENT: ELIZABETH PURCELL  
FIELD BOOK: , PAGE:  
DRAWN BY: P.M.W.  
PROJECT NO.: 1074-01-14  
DATE: APRIL 30, 2014  
FILE: 10740114.DWG

**SURVEY**  
OF 0.175 ACRES OF THE NORTH PART OF LOT 24  
ENFIELD "D"  
AS RECORDED IN BOOK 3, PAGE 158  
TRAVIS COUNTY, TEXAS

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ALL RIGHTS RESERVED



**LIVE OAK  
SURVEYING**  
12421 WYCLIFF LANE  
AUSTIN, TX 78727-5220  
(512) 837-1018

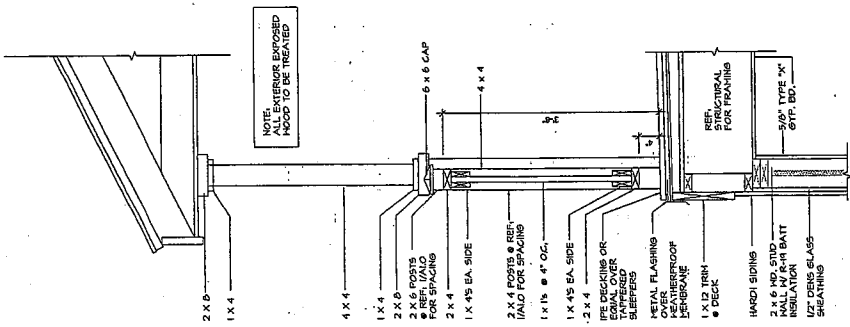


Google

To see all the details that are visible on the screen, use the "Print" link next to the map.



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2 WALL SECTION