

CASE# C15-2014-0172
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: 1504 & 1506 East LN Austin,
TX 78732**

LEGAL DESCRIPTION: Subdivision – Lake Austin Village

Lot(s) 26&27 Block _____ Out lot _____ Division _____

I/We Robert (Jeremy) Anderson on behalf of

myself/ourselves as authorized agent for _____ affirm that on 10-21-2014,

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)**

X ERECT ___ ATTACH ___ COMPLETE ___ REMODEL ___ MAINTAIN

**I am requesting the following setbacks for both 1504 & 1506 East LN so that I may build
2 single family Homes. SETBACKS: Front 15', side 5' and back 10'. I am building 1506 as
my primary residence.**

+ lot width 84.77' 384.78

in a Lot 26-SF-2 & Lot 27

**LA district. (zoning
district)**

**NOTE: The Board must determine the existence of, sufficiency of and weight of evidence
supporting the findings described below. Therefore, you must complete each of the applicable
Findings Statements as part of your application. Failure to do so may result in your application
being rejected as incomplete. Please attach any additional support documents.**

VARIANCE FINDINGS: I contend that my entitlement to the requested variance is based on the following findings (see page 5 of application for explanation of findings):

REASONABLE USE:

1. The zoning regulations applicable to the property do not allow for a reasonable use because:

Current variances were designed for larger sized lots and did not take into account how these lots were plotted/ designed in the original deed from 1964. Current zoning renders lot 27 unusable and lot 26 extremely restrictive given their depth.

HARDSHIP:

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

The two lots were laid out in the original 1964 plat with more width than depth. The original 15' setback specified in the deed make both lots more useable for a typical single family residence.

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

Lots 26 & 27 are on the inside of the small platted subdivision where the lots were designed more shallow (67') and wider (85'). The majority of the lots are on the outside and ends of the subdivision having a much greater depth (100' plus) making the front setbacks less of an issue. Additionally the power lines lean 2.5' into these lots creating an even greater hardship.

AREA CHARACTER:

2. 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:

Placing a residential structure on these two lots with a 15' setback will not alter the character of East LN. There is no standardization to the development in Lake Austin Village which currently has an average front setback of 15' front setbacks, 5' side setbacks and less than 10' backset backs. East LN is a short road with only 2 homes on it today and the limited potential to build only a few additional homes.

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:

NA

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:

NA

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

NA

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

NA

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 [Signature] Mail Address 1205 Merlene
Dr. _____

City, State & Zip Austin, TX 78732

Printed _____ Phone (512) 426-1770 Date 10-21-2014

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 [Signature] Mail Address 1205 Merlene
Dr. _____

City, State & Zip Austin, TX 78732

Printed _____ Phone (512) 426-1770 Date 10-21-2014

Variance Request for 1506 & 1504 East LN

To: City of Austin Board of Adjustments Members:

I am requesting a setback variance on 1506 & 1504 East LN in efforts of building two homes on East Lane on lots I purchased in early 2014. 1506 East LN is subject to LA zoning while 1504 is subject to SP-2 zoning. The plotted neighborhood is Lake Austin Village which is an isolated community from other homes in the non-conforming area. This is a small neighborhood with 8 homes present and very little potential to build additional homes. All homes run on septic systems which create additional restrictions on laying out a workable floor plan.

The neighborhood was plotted and designed with 15' a setback which suits the area due to the area home types, community isolation, and narrow road. The LA zoning that took effect in July essentially makes 1506 East LN unbuildable due to the extremely restrictive setbacks. For example, the lot is 77' deep. The LA 40' front setback and 20' back set back only leaves a home foot print of 17' deep. Even though 1504 East LN is zoned SP-2 it is still very restrictive subject to a 25' front setback and a 10' back setback which leaves this lot with a 32' deep foot print.

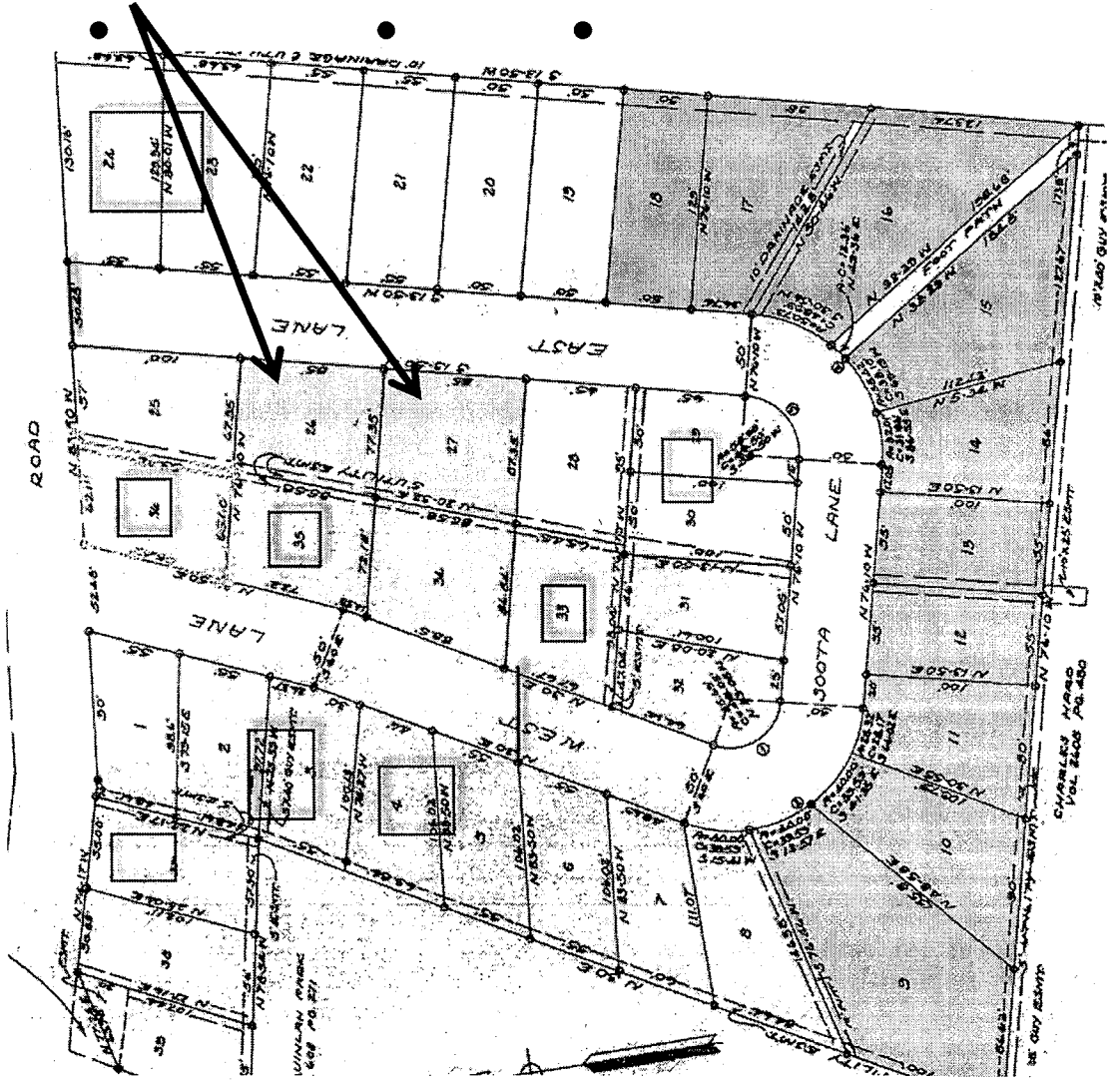
The variance requested for both 1506 & 1504 East LN is the original deeded 15' front yard, 5' interior side yard, and 10' rear yard setbacks. These setbacks provides adequate room for a conservative 3 bedroom 2 ½ bath home, conventional septic and impervious cover standards for each respective LA and SP-2 zoning rules.

Jeremy Anderson – Property owner

Lake Austin Village Plot Survey

Application required information

- Lots 26 & 27 are the lots requesting a variance
- Squares represent homes
- Lots in Gray are owned by Lake Austin Spa and used for impervious cover / privacy

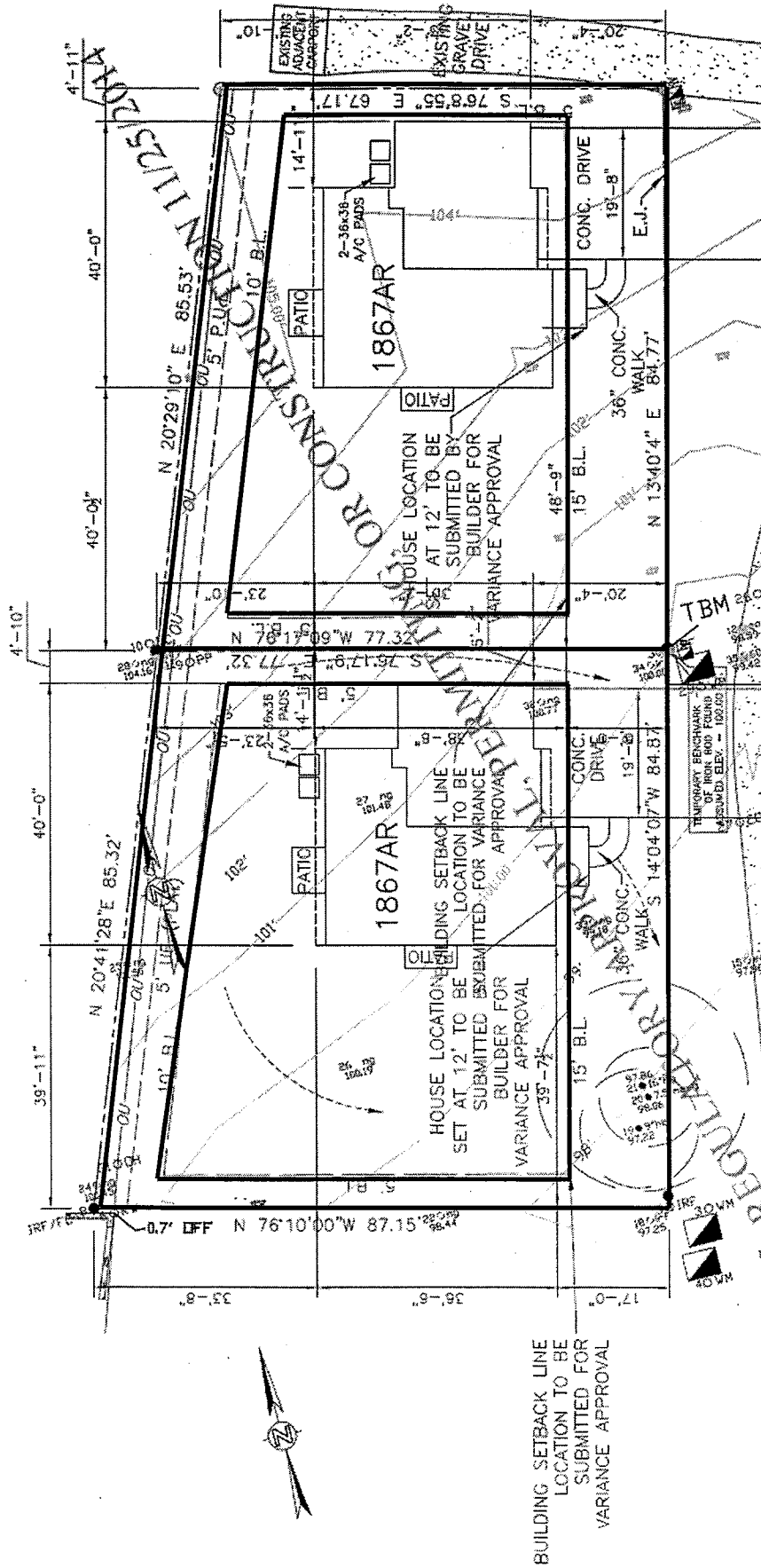


Application required information

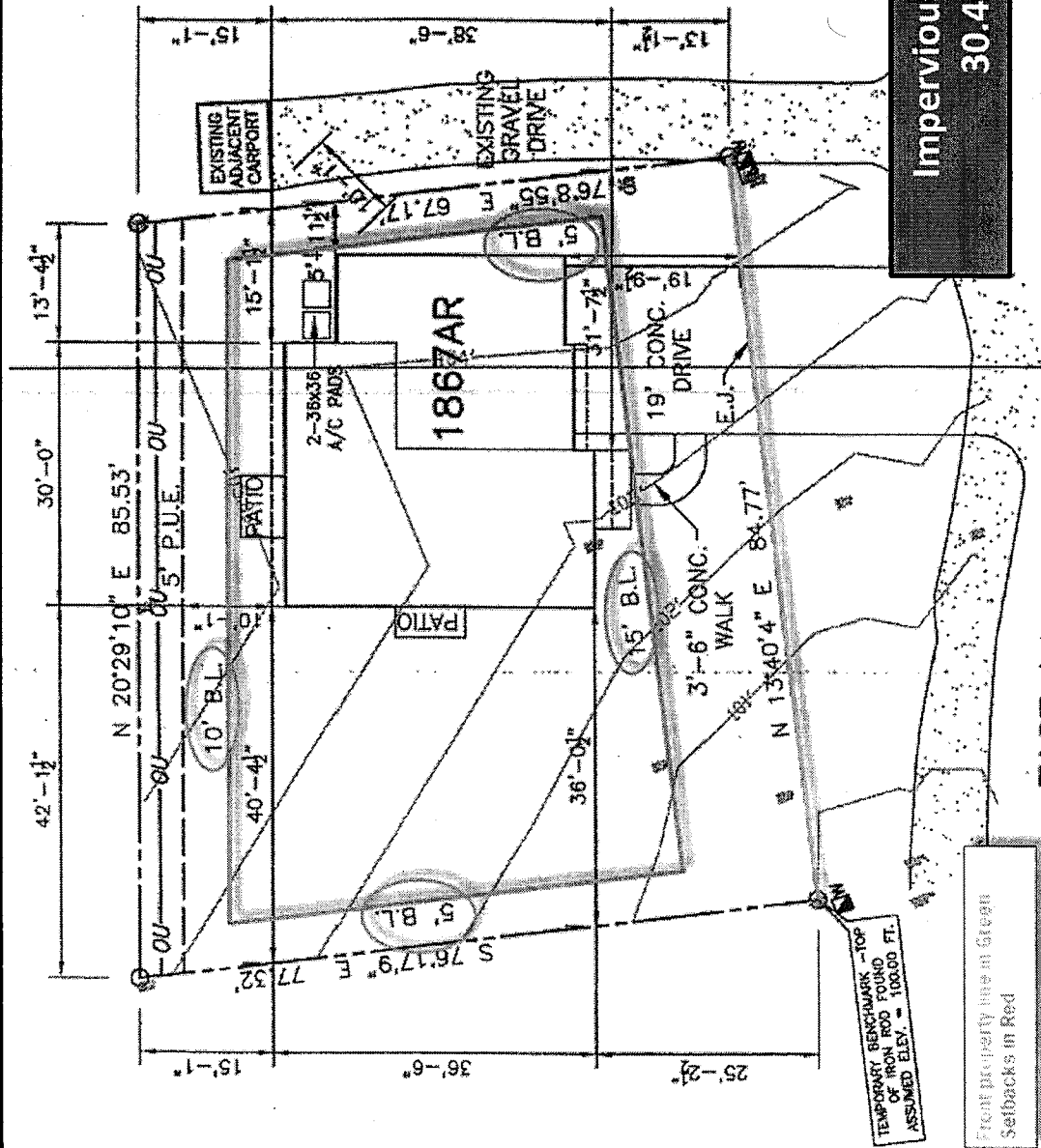


Plot Plan for both 1504 & 1506 East LN

Application required information



Application required information



Impervious Cover = 30.46%

Plot Plan for 1506 East LN

Application required information



Variance Requested

1504 and 1506 East LN are zoned differently, however I am asking for the same variance for both lots. My supporting statements apply the same reasoning for both lots. Below in green are the setbacks I am requesting.

	Front setback	Side Setback	Back Setback	Impervious Cover	Minimum Lot
Requested for 1504 (Zoned SF-2)	15	5	10	30%	6972
Requested for 1506 (Zoned LA)	15	5	10	27%	6130
Deeded	15	5	5		
SF-2	25	5	10	45%	5750
LA	40	10	20	35%	43560

Austin Energy variance approval

Application required information

Jeremy Anderson
1504 1506 East Lane
Austin TX, 78732

Lots 26 and 27
Lake Austin Village
Vol. 19, Pg. 88
Official Public Records of Travis County

October 23, 2014

Dear Jeremy,

Austin Energy (AE) has reviewed your application for the above referenced properties, requesting a variance from the required 25' foot front yard setback, in order to construct two structures one being a single family residence at 1504 East Lane and the other being a single family residence at 1506 East Lane. Austin Energy does not oppose this application for construction of these two single family homes at said addresses, having a 15 foot front yard setback, which is shown on the attached stamped sketches, provided any proposed and existing improvements are in compliance with Austin Energy clearance criteria requirements, the National Electric Safety Code and OSHA. When you obtain building permits, please speak with our Distribution Construction Leader, Joan Wilhite, at 512-505-7604, as she will provide you a proper locations for your service drops.

Thank you,

Eben Kellogg
Austin Energy
Public Involvement | Real Estate Services
2500 Montopolis Drive
Austin, TX 78741
512.322.6050

Existing Structures on adjacent Lots – View 2

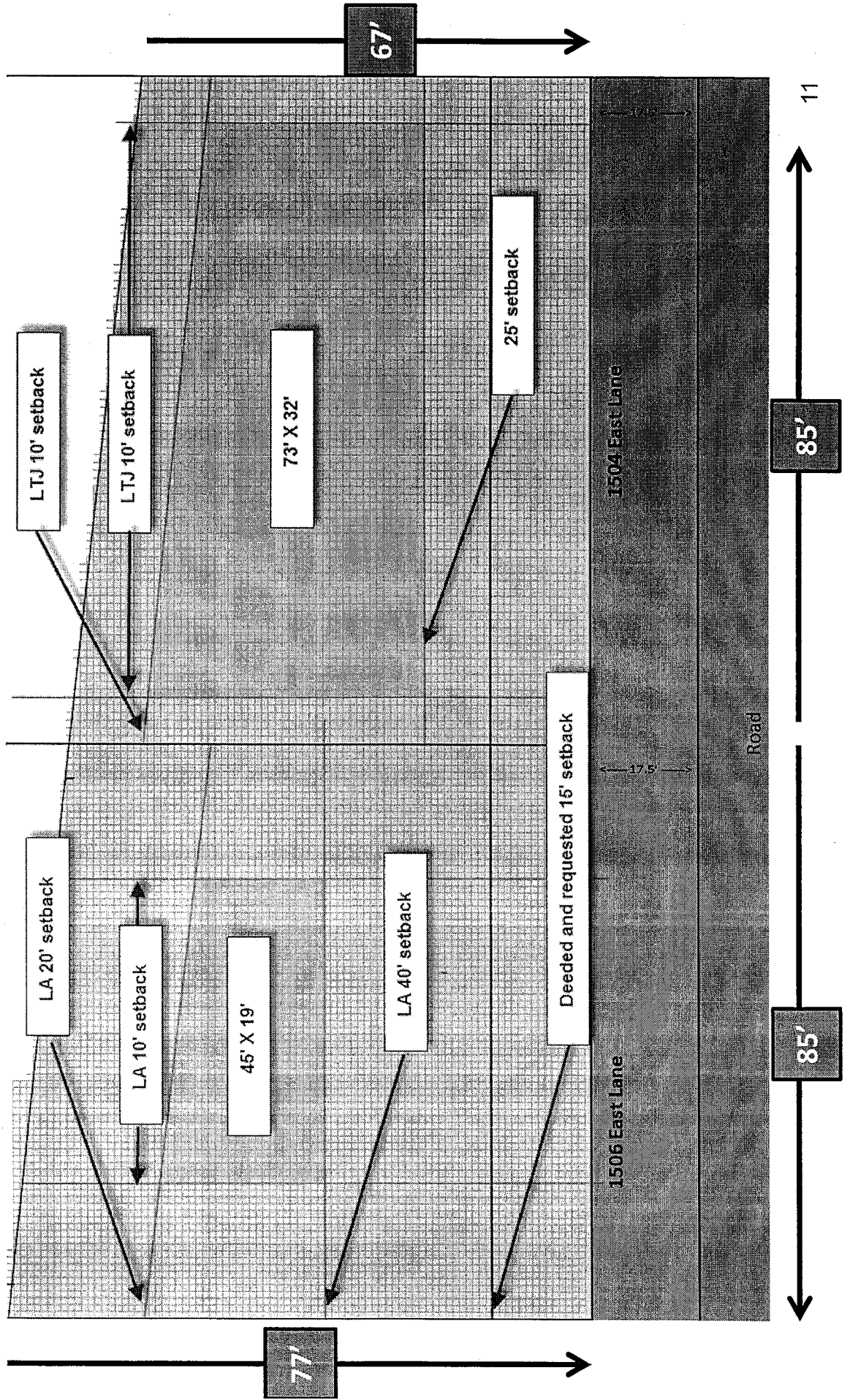
Application required information



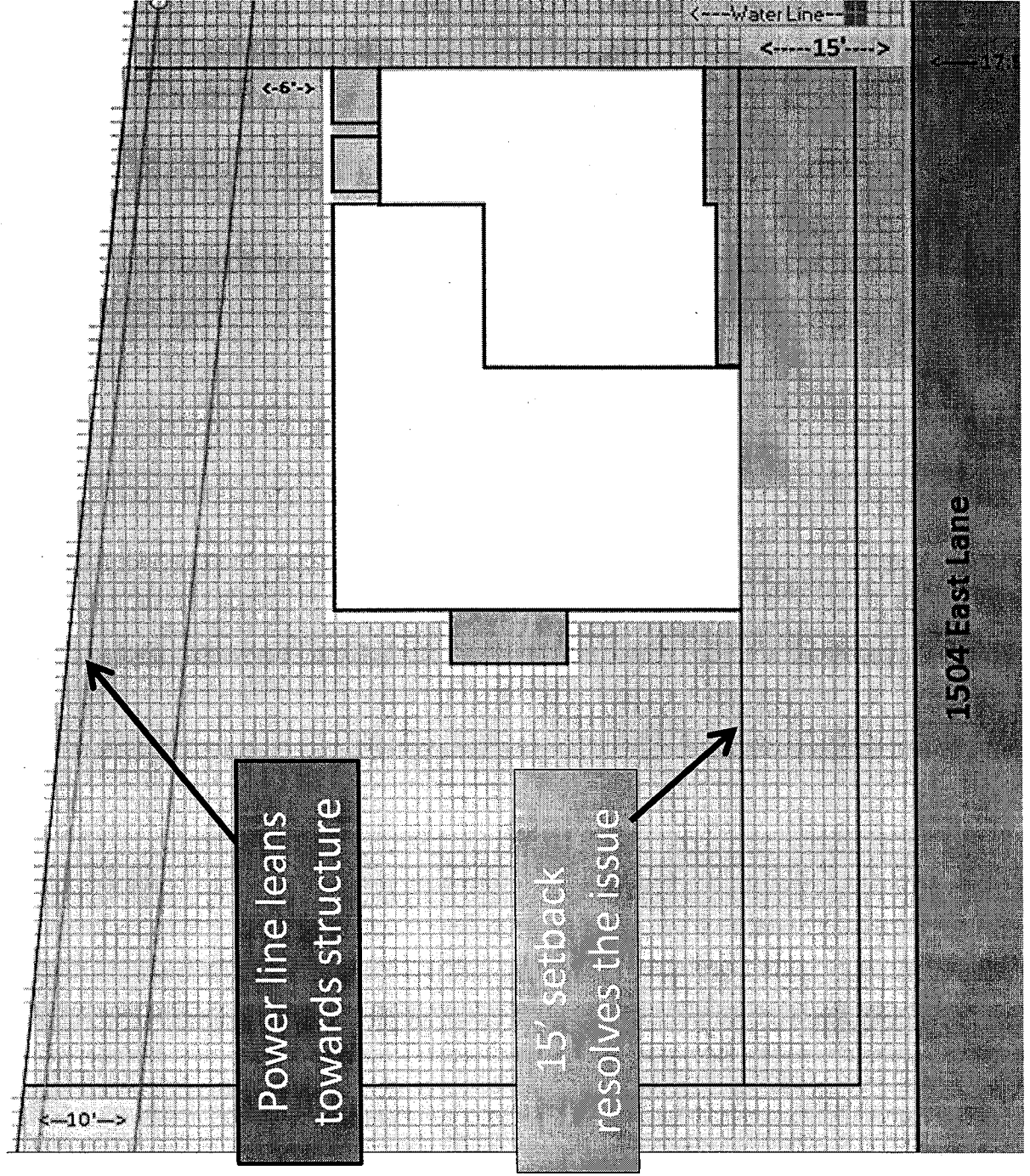
Variance Justification Summary

- Zoning created after lots 26 & 27 were plotted make it unrealistic to build a reasonable floor plan
- Power lines encroach back property line by 2.5' creating additional hardship
- The combination of the zoned setbacks, septic requirements and a shallow lot does not allow room for a home size consistent with the neighborhood
 - Convention Septic system (better for the environment) requires a setback variance
 - Interior lots including 26 & 27 were designed shallow and variance setback
- Neighborhood averaging justifies a 15' set back
- LA Zoning is arbitrary in this neighborhood
- Desired 25' distance is achieved as the road is ~ 30' from the property structure inclusive of a 15' setback.
- These lots were deeded with a 15' set back which is protected by House Bill 1704

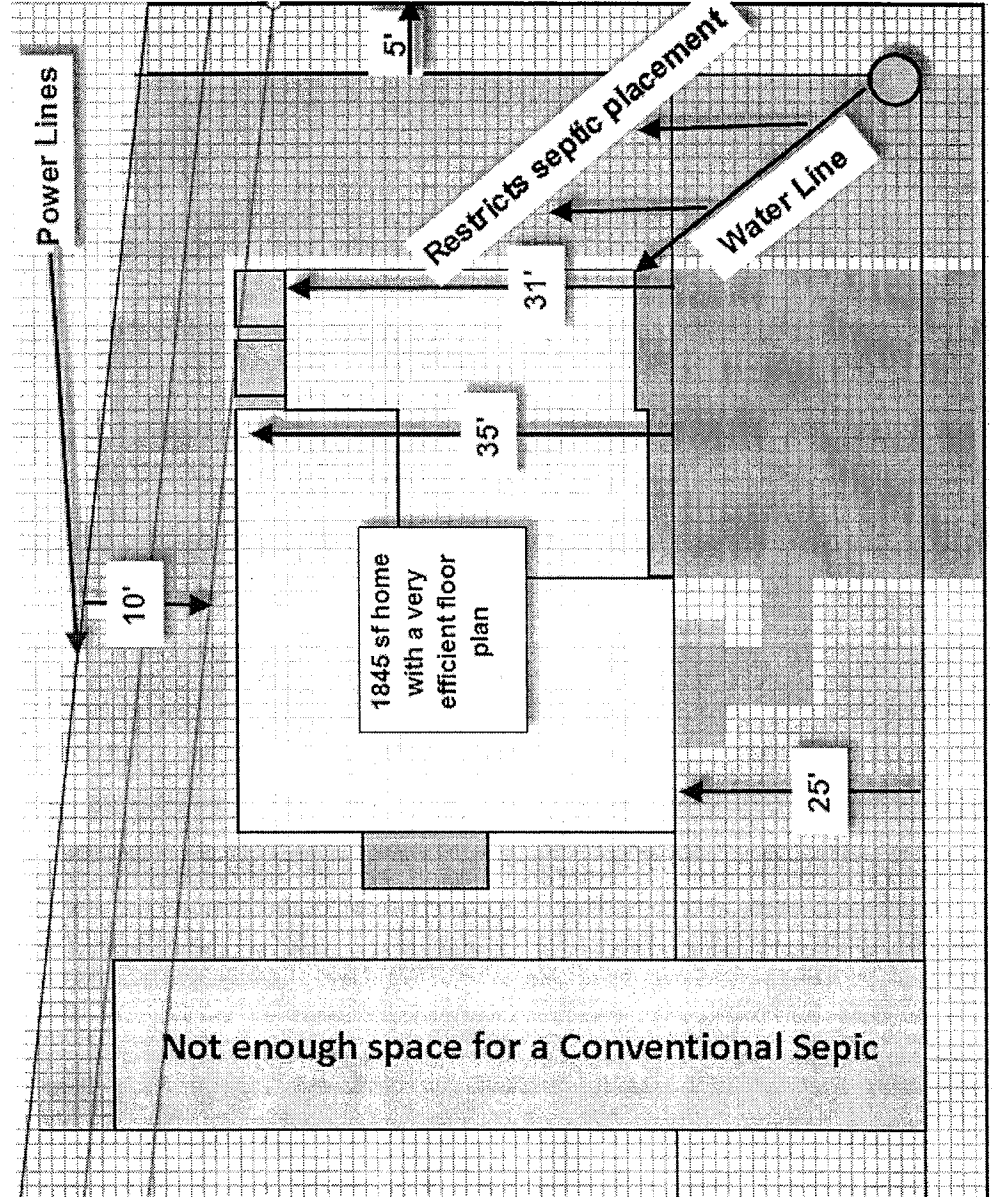
Zoning created after lots 26 & 27 were plotted
make it unrealistic to build a reasonable floor plan



Power lines encroach the property by 2.5' creating additional hardship



The combination of the zoned setbacks, septic requirements and a shallow lot does not allow room for a home size consistent with the neighborhood



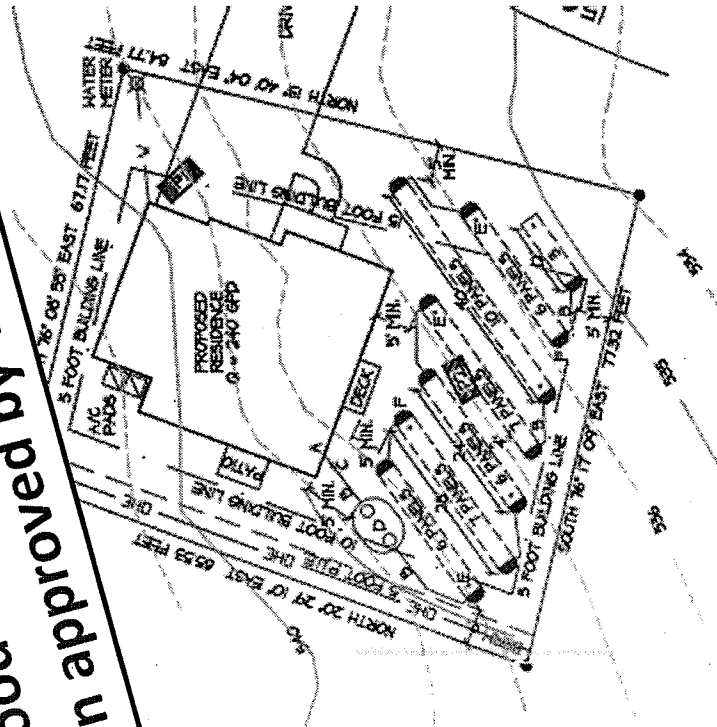
AVG size home in
Lake Austin
Village is 2015 sf

1503 East LN	4440
1600 EAST LN	2470
1501 West LN	1147
1601 WEST LN	1416
1506 West LN	1344
1502 West LN	2292
12711 River Bnd	2153
1503 WEST LN	863
AVG	2015.625

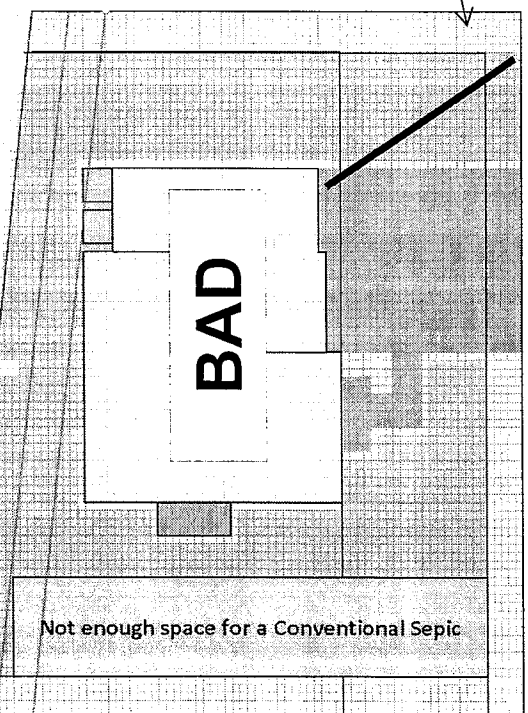
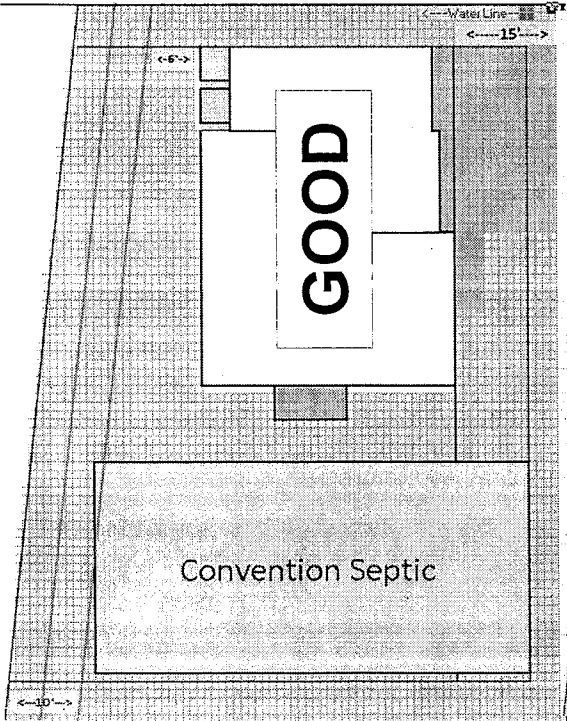
Proposed home
is only 1845sf

Convention Septic system (better for the environment) requires a setback variance

The "Good" design below has already been approved by Travis County



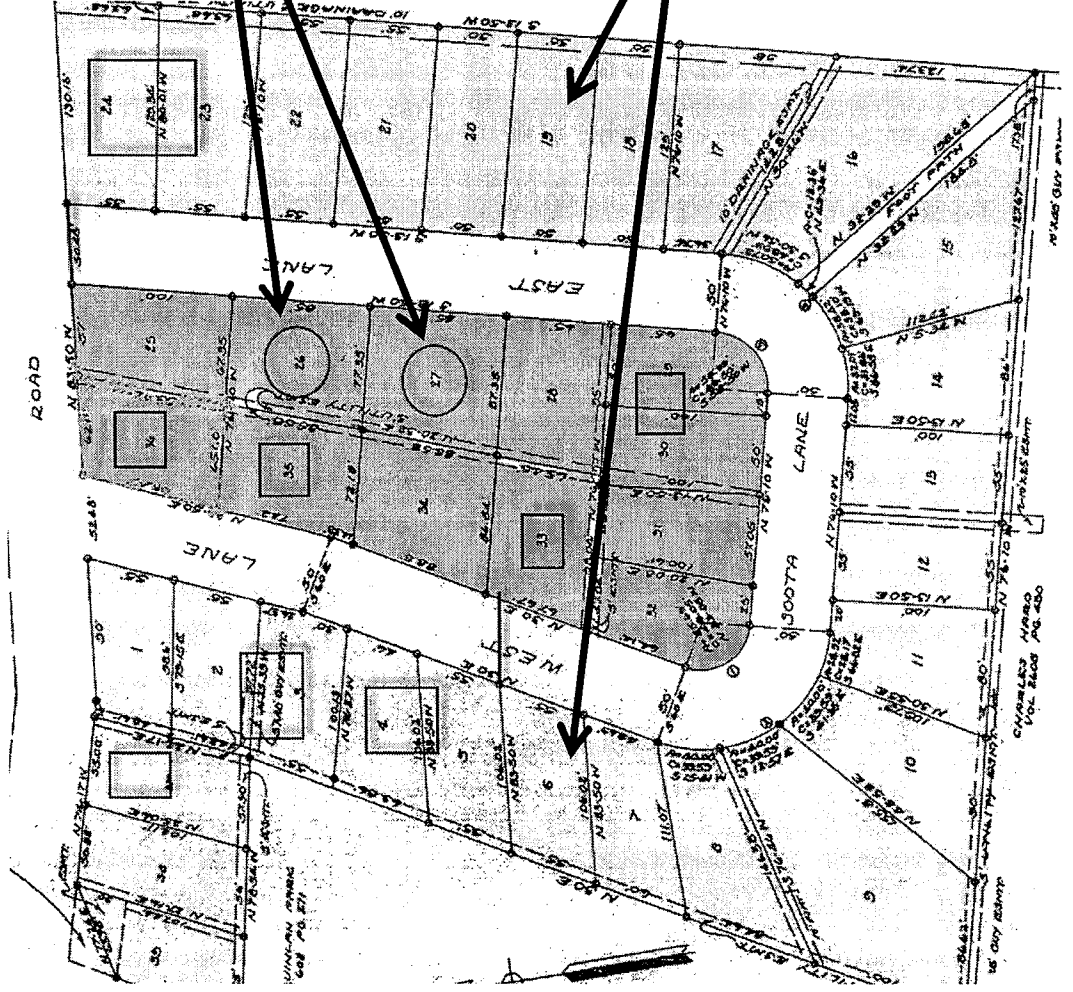
Septic must be 10 foot from waterlines
variance allows structure to shift right



Interior lots including 26 & 27 were designed shallow and variance setback

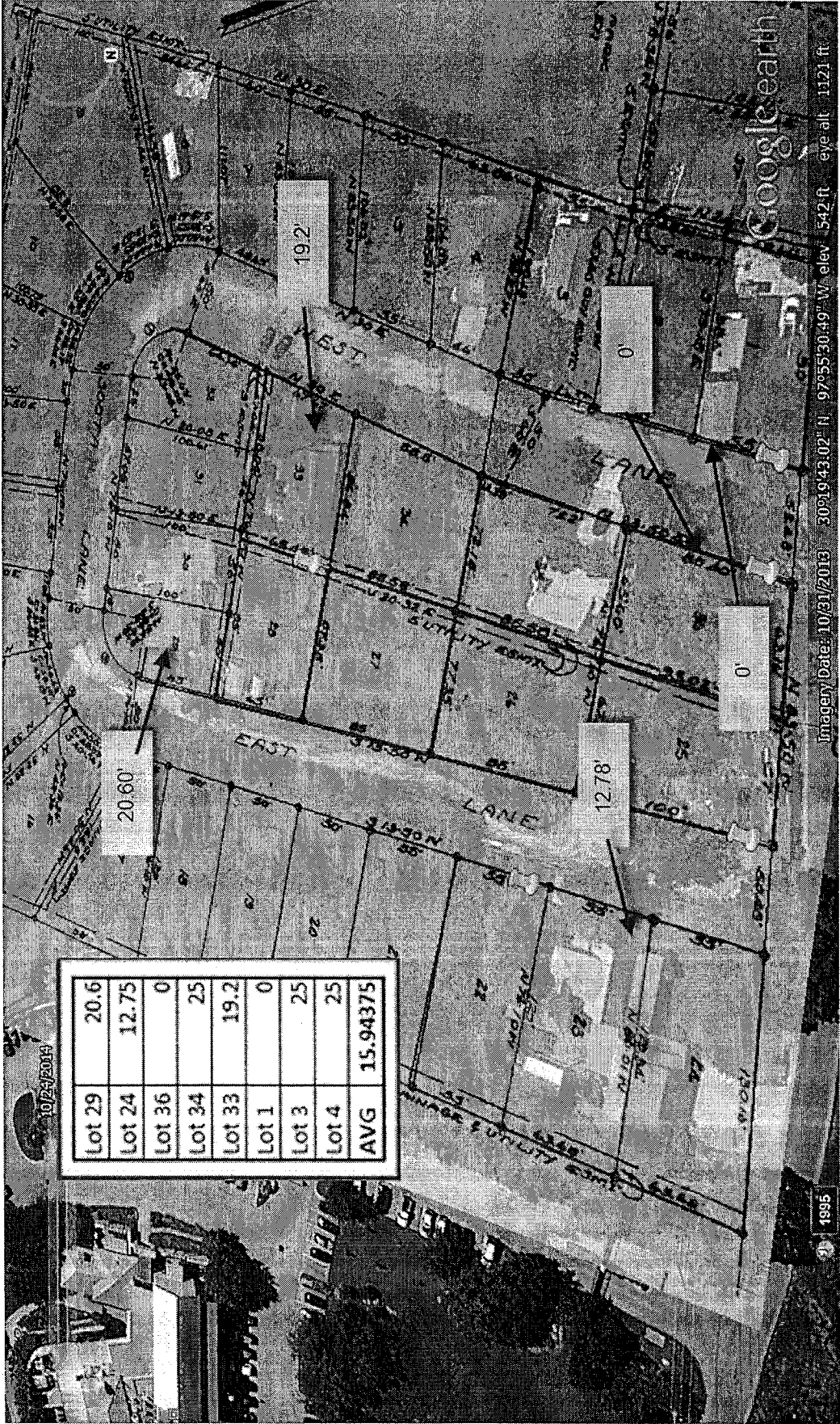
Lots 26 and 27 are 67' and 77' deep

Exterior lots in yellow are all 100' + deep



Neighborhood averaging justifies a variance

Average setback is 15.94'

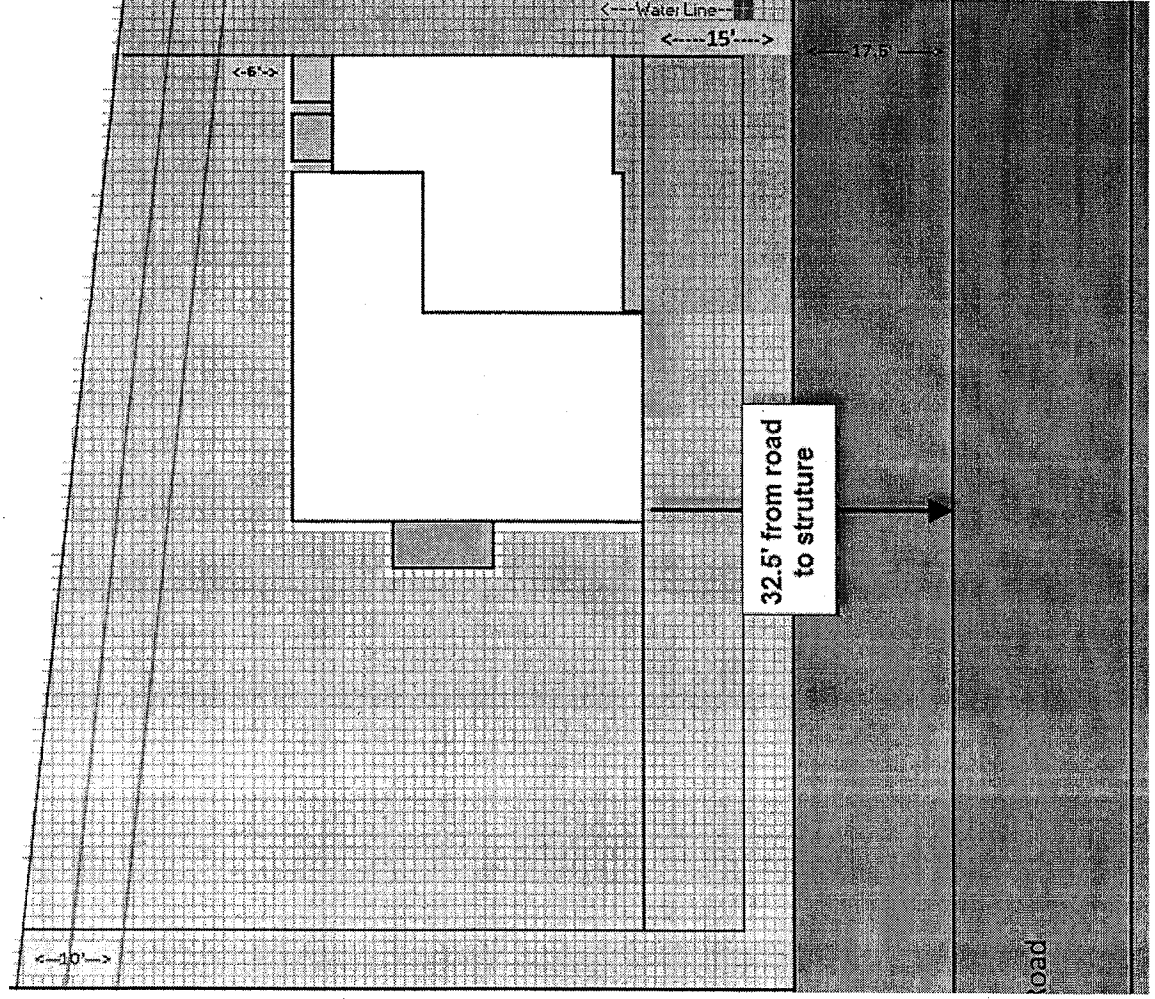


Example of 0' setback



Desired 25' distance is achieved with a 15' setback

The road is ~ 30' from the property structure w/ 15' setback



The setback according to the deed on file

7. Minimum setback lines shall be as follows: No residential structure shall be located nearer the front line than 15 ft., or nearer the side street line than 10 ft., nor nearer the side or rear lot line than 5 ft. Detached garages, carports, and storage buildings may be located within 3 ft. of side lot line and within 5 ft. of rear lot line. The exception being lot 36, on which there is an existing structure. Construction must be completed within one year after starting.

House Bill 1704 protects the 15' front, 5' side and 5' back setbacks provided in the Deed

Thank you

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.

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

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Case Number: C15-2014-0172, 1504 and 1506 East Lane
Contact: Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov
Public Hearing: Board of Adjustment, December 8th, 2014

Greg Millard
 Your Name (please print)

☒ I am in favor
☐ I object

1604 West Lane, Austin, TX
 Your address(es) affected by this application

Greg Millard
 Signature

12-3-14
 Date

Daytime Telephone: 512-848-8231

Comments:

I am in full support of
the improvements proposed by
Mr. Anderson for the above listed
addresses.

Note: any 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 leane.heldenfels@austintexas.gov

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Contact: Leane Heldenfels, 512-974-2202, leana.heldenfels@austintexas.gov

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

Your Name (please print) GARY ATTAL

☒ I am in favor
☐ I object

Lot 31-33

1601 West Ln + Lot 34 West Ln.

Your address(es) affected by this application

Can. Attal

Signature

Date

Daytime Telephone: 512 452 3322

Comments:

We are in full support
of Mr. and Mrs. Heldenfels's
proposed project and granting
the requested variances.

Note: any 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

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Contact: Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov
Public Hearing: Board of Adjustment, December 8th, 2014

Your Name (please print) Gary Cotal Gary Arndt ☒ I am in favor ☐ I object

1601 West Ln. (lots 31-33) + lot 34 West Ln
 Your address(es) affected by this application

Cam Arndt

Signature

Date

Daytime Telephone: 512-752-3322

Comments: We are in full support of granting the requested variances.

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

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 Leane Heldenfels
 P. O. Box 1088
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Contact: Leane Heldenfels, 512-974-2202, leana.heldenfels@austintexas.gov

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

KIRK YOUNG

Your Name (please print)

☐ I am in favor
☒ I object

12703 MIXSON AUSTIN TX 78734

Your address(es) affected by this application

12-1-14

Date

512-974-9594

Daytime Telephone:

Comments:

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P. O. Box 1088

Austin, TX 78767-1088

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Case Number: C15-2014-~~0177~~ 0177, 1504 East (Lot 35) and 1506
Contact: Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov
Public Hearing: Board of Adjustment, December 8th, 2014

John Cumming
Your Name (please print)

☐ I am in favor
☒ I object

1503 West Lane (lot 35)
Your address(es) affected by this application

John Cumming 11/30/14
Signature Date

Daytime Telephone: 512. 263. 3377

Comments: Requested setbacks would yield a strip about 42' to 52' that is 75' wide on lot 26---about 3550 sq. ft. Jeremy told me he had planned for two 1200 sq two story houses, with 600 sq footprints on lots 26 and 27. Allowing for septic, if requests are granted, he may build a two story house three times that size 16' from my property, degrading privacy and property value. I hope Jeremy is granted only sufficient relief for his original plan.

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 Leane Heldenfels
 P. O. Box 1088
 Austin, TX 78767-1088
 Or fax to (512) 974-2934
 Or scan and email to leane.heldenfels@austintexas.gov

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

ROW

CASE # C15-2014-0172
1124910137 11249119
TAX # 0127580503, 0127580513
(CAD 0127580503)
0127580513

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

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STREET ADDRESS: 1504 & 1506 East Lane, Austin, Texas 78732

LEGAL DESCRIPTION: Subdivision – Lot 26 & 27 Lake Austin Village

Lot(s) 26 & 27 Block _____ Outlot _____ Division _____

I/We Jeremy Anderson on behalf of myself/ourselves as authorized agent for
Jeremy Anderson affirm that on 10-21-2014,

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

(check appropriate items below)

☒ ERECT ☐ ATTACH ☐ COMPLETE ☐ REMODEL ☐ MAINTAIN

I am requesting a front setback reduction from 25' to 15' in order to construct two single homes on these two legal building lots.

in a 26-SF2, 27-LA district.
(zoning district)

NOTE: The Board must determine the existence of, sufficiency of and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional support documents.

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

ROW

CASE # C15-2014-0172
1124910137 ~~0127580503~~
TAX # CTAD 0127580503 3
0127580513

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: 1504 & 1506 East Lane, Austin, Texas 78732

LEGAL DESCRIPTION: Subdivision – Lot 26 & 27 Lake Austin Village

Lot(s) 26 & 27 Block _____ Outlot _____ Division _____

I/We Jeremy Anderson on behalf of myself/ourselves as authorized agent for

Jeremy Anderson affirm that on 10-21-2014,

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

(check appropriate items below)

☒ ERECT ☐ ATTACH ☐ COMPLETE ☐ REMODEL ☐ MAINTAIN

and 40'
I am requesting a front setback reduction from 25' to 15' in order to construct two single
homes on these two legal building lots.

in a 26-SF2, 27-LA district.
(zoning district)

NOTE: The Board must determine the existence of, sufficiency of and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional support documents.

VARIANCE FINDINGS: I contend that my entitlement to the requested variance is based on the following findings (see page 5 of application for explanation of findings):

REASONABLE USE:

1. The zoning regulations applicable to the property do not allow for a reasonable use because:

The two lots are currently subject to a 25' front setback. The original deed from 1964 specified a 15' front setback (Exhibit A). The two lots are interior lots and were laid out with more width than depth. The original 15' setback makes the placement of a single family residence more in line with the shape of the lots.

HARDSHIP:

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

The two lots were laid out in the original 1964 plat with more width than depth. The original 15' setback specified in the deed make both lots more useable for a typical single family residence. In addition these lots also require a septic drain field to fit in the lot.

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

The two lots are on the inside of the platted subdivision. A majority of the lots that were on the outside and ends of the subdivision had a much greater depth making the front setback less of an issue.

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:

Placing a residential structure on these two lots with a 15' setback will not alter the character of East Lane. There is no standardization to the development in Lake Austin Village. Currently there are no houses that face East Lane. Two houses currently have sides that face East Lane.

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:

NA

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:

NA

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

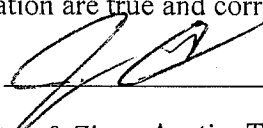
NA

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

NA

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.

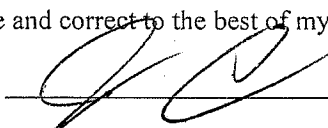
APPLICANT CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed  Mail Address 1205 Merlene
Dr.

City, State & Zip Austin, Texas 78732

Printed Jeremy Anderson Phone 512-426-1770 Date 10-21-2014

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 1205 Merlene Dr.

City, State & Zip Austin, Texas 78732

Printed Jeremy Anderson Phone 512-426-1770 Date 10-21-2014

ATTACHMENT A

THE STATE OF TEXAS
COUNTY OF TRAVIS

KNOW ALL MEN BY THESE PRESENTS, that we, Charles G. Hard and wife, Loretta L. Hard, of the County of Travis, State of Texas, hereinafter referred to as GRANTORS, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration paid by A. C. Brodnax of Harris County, Texas, hereinafter referred to as GRANTEE, the receipt of which is hereby acknowledged and for the payment of which no lien, either express or implied, is retained, have SOLD, GRANTED, and CONVEYED, and by these presents do SELL, GRANT, and CONVEY unto A. C. Brodnax, all of the following described property being situated in Travis County, Texas, to-wit:

Lot Number Twenty-Three (23) of Lake Austin Village Subdivision, in Travis County, Texas, according to the map or plat thereof of record in Book 19, Page 88, of the Plat Records of Travis County, Texas.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in any wise belonging unto the said Grantee, his heirs and assigns forever. And we do hereby bind ourselves, our heirs, executors and administrators to WARRANT AND FOREVER DEFEND, all and singular, the said premises unto the said GRANTEE, his heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

This conveyance, however, is made subject to all valid easements affecting the use of said property as this date reflected by the records of Travis County, Texas, and is subject to the following restrictions affecting the use of the property herein conveyed, to-wit:

1. No-building shall be erected or maintained on any lot in said sub-division other than a private residence and a private garage for the sole use of the owner or occupant.
2. No old, used, existing building or structure of any kind nor any part of an old, used, existing building or structure shall be moved on, placed on, or permitted to remain on any lot. All construction shall be of new material.
3. No house trailers shall be placed on any lot, either temporarily or permanently. No temporary sheds or structures will be placed on any lot.

DEED RECORDS
Travis County, Texas

v.2853 p. 5

4. Any residence placed on lots 1 through 7; lots 33 through 36; lots 25 through 28, and lots 18 through 24, shall have a minimum of 650 sq.ft. of floor area exclusive of porches, stoops, balconies, open or closed carports, patios or garages. Any residence placed on lots 8 through 17; and lots 29 through 32 shall have a minimum of 800 sq.ft. of floor area exclusive of porches, stoops, balconies, open or closed carports, patios, or garages.
5. No building shall be erected, placed, or altered on any lot until the construction plans and specifications are approved by the Architectural Control Committee. This approval will be in writing and one copy of the plans and specifications will remain on file.
6. The Architectural Control Committee is composed of 3 members appointed by Charles G. Hard.
7. Minimum setback lines shall be as follows: No residential structure shall be located nearer the front line than 15 ft., or nearer the side street line than 10 ft., nor nearer the side or rear lot line than 5 ft. Detached garages, carports, and storage buildings may be located within 3 ft. of side lot line and within 5 ft. of rear lot line. The exception being lot 36, on which there is an existing structure. Construction must be completed within one year after starting.
8. No fence shall be permitted to extend nearer to any street than the setback lines indicated above.
9. No animals or birds, other than household pets shall be kept on any lot.
10. No noxious or offensive trade or any other activity shall be permitted on any lot that may be or become an annoyance to the neighborhood.
11. No structures, wires, poles, or other obstructions shall be located in violation of any such easements indicated on the plat.
12. No sign of any kind shall be displayed to the public view on any lot other than one sign of not more than 5 sq. ft. Advertising the property for sale or rent, or signs used by the builder to advertise the property during construction and sales periods.
13. No outside toilet or privy shall be erected or maintained in the subdivision. All sanitary plumbing shall conform with the minimum requirements of the Health Department of Travis County and the State of Texas.
14. No lot in this subdivision shall be sold to, or resided upon, other than members of the Caucasian race.

Said restrictions are to run with the land and are to be binding upon and observed by GRANTEE, his heirs and assigns, and may be enforced by any person owning an interest in any of the property situated in Lake Austin Village Subdivision. If any person or persons shall violate or attempt to violate these restrictions, it shall be lawful for any person owning any interest in Lake Austin Village Subdivision

to prosecute proceedings at law or in equity against the person or persons violating or attempting to violate said restrictions, or any of them, either to prevent him or them from so doing or to correct such violations and to recover damages or other relief for such violation or violations.

Witness our hands at Austin, Texas, this 31st day of August, 1964.

2/1/69

ALL INT. REV. RIGHTS CANCELLED

Charles G. Hard
Charles G. Hard

Loretta L. Hard
Loretta L. Hard

THE STATE OF TEXAS

COUNTY OF TRAVIS

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Charles G. Hard and Loretta L. Hard, his wife, both known to me to be the person whose names are subscribed to the foregoing instrument, and acknowledged to me that they each executed the same for the purposes and consideration therein expressed, and the said Loretta L. Hard, wife of the said Charles G. Hard, having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said Loretta L. Hard, acknowledged such instrument to be her act and deed, and she declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS the 31st day of August, 1964.

(NOTARY SEAL)

Frederick H. Haymess
Frederick H. Haymess
Notary Public in and for
Travis County, Texas

FILED
Paul F. Hay
COUNTY CLERK
TRAVIS COUNTY, TEXAS

SEP 1 10 43 AM 1964

DEED RECORDS
Travis County, Texas

2833 REC 7 (Sub)

Map - 60 PC CH A 6058 # 4.50

LOTS NOS. 37, 38 AND 39 ARE DEDICATED AS COMMERCIAL LOTS.

ALL LAND IN JOHN JACKSON SURVEY No. 50

TOTAL AREA 7.25 ACRES
AREA IN ROADS 1.24
NET AREA 6.01 ACRES

STATE OF TEXAS:

COUNTY OF TRAVIS: KNOW ALL

THAT I, CHARLES G. HARG, OWN JACKSON SURVEY NO. 50, IN TRAV COEDED IN VOL. 2605, PAGE 490, OF TRAVIS COUNTY, TEXAS, JOINED OF AUSTIN, LEIN HOLTER, A CON- TED STATES OF AMERICA, AS TIME DO HEREBY ADOPT THIS AS OUR AU KNOWS A

LAKE AUSTIN

AND WE DO HEREBY DEDICATE TO T HERECOM,

WITNESS OUR HANDS ON THIS T

Charles G. Harg
CHARLES G. HARG

STATE OF TEXAS:

COUNTY OF TRAVIS:

BEFORE ME, T ALLY APPEARED CHARLES G. HARG, I SIGNED TO THE FOREGOING AND HE POSE AND CONSIDERATION THEREIN REAS, VICE-PRESIDENT OF THE FI KNOWN TO ME TO BE THE PERSON AL LORED TO ME THAT HE HAD SIGNED TION.

GIVEN UNDER MY HAND AND SEA

Carie A. D. 1964.

NOT

FILED FOR RECORD *30* 0' CLO

DAY OF *May*

EMILIE LINBERG, CLERK OF THE CO COUNTY, TEXAS, *P. Layd*

APR

I HEREBY CERTIFY THAT I HAVE S T BY SHOWN HERECOM AND SUBDIVIDED RECOGNIZED ENGINEERING MY HODS. *Dead* DORA HAINZ

NO MOURE IN THIS SUBDIVISION W HADICATION UNTIL IT IS CONNECTE ARE DISPOSAL UNIT APPROVED BY T JURISDICTION.

THE APPROVAL OF THIS PLAY BY T TEXAS, IN NO WISE OBLIGATES THE STREET, ROAD, OULVERT, BRIDGE O OF PUBLIC UTILITIES, BRIDGES, S STRUCTED BY THE OWNER OF THE SU ALL PUBLIC CONSTRUCTION MUST BE BY THE COMMISSIONER'S COURT OF AND ONLY HAVING JURISDICTION. BY THE GOVERNMENT UNIT HAVING JI

STATE OF TEXAS:

COUNTY OF TRAVIS:

I, EMILIE LIN T, DO HEREBY CERTIFY THAT THE I PASSED AN ORDER AUTHORIZING THE DAY OF *May* A. D. 19

THE MINUTES OF SAID COURT IN BOI

WITNESS MY HAND AND THE SEAL

DAY OF *May* A.

EMILIE LINBERG, CLERK OF THE

BY *P. Layd*

STATE OF TEXAS:

COUNTY OF TRAVIS:

I, EMILIE LINB COUNTY, DO HEREBY CERTIFY THAT I THE CERTIFICATE OF AUTHENTICATION

THE *4th* DAY OF *May*

U., AND ONLY RECORDED ON THE *4* *35*

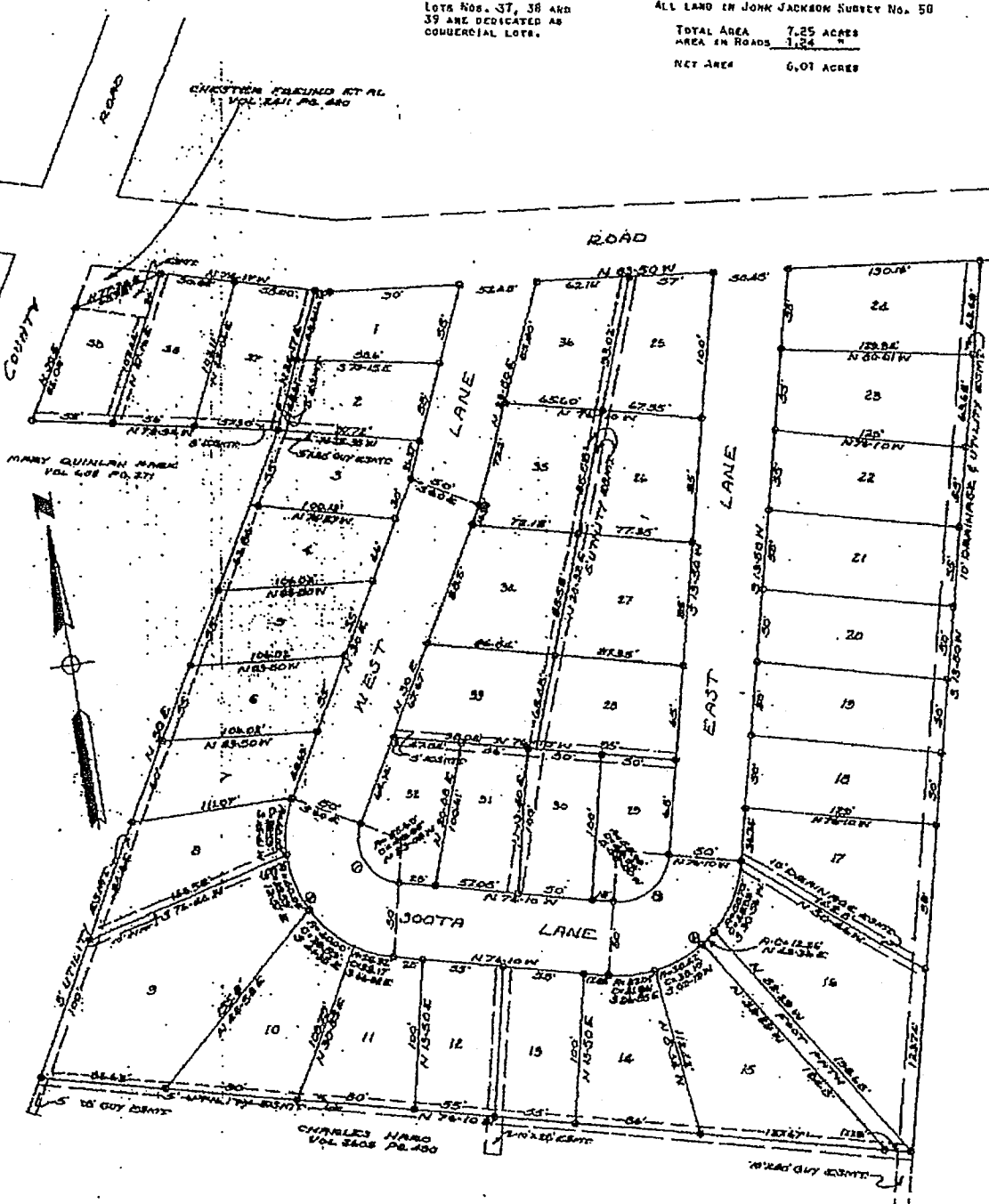
AT *10* 0'CLOCK, A. M., IN T

PAGE 88

WITNESS MY HAND AND THE SEAL OF

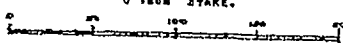
ABOVE. EMILIE LINBERG, *Seal*

BY *P. Layd*



LAKE AUSTIN VILLAGE

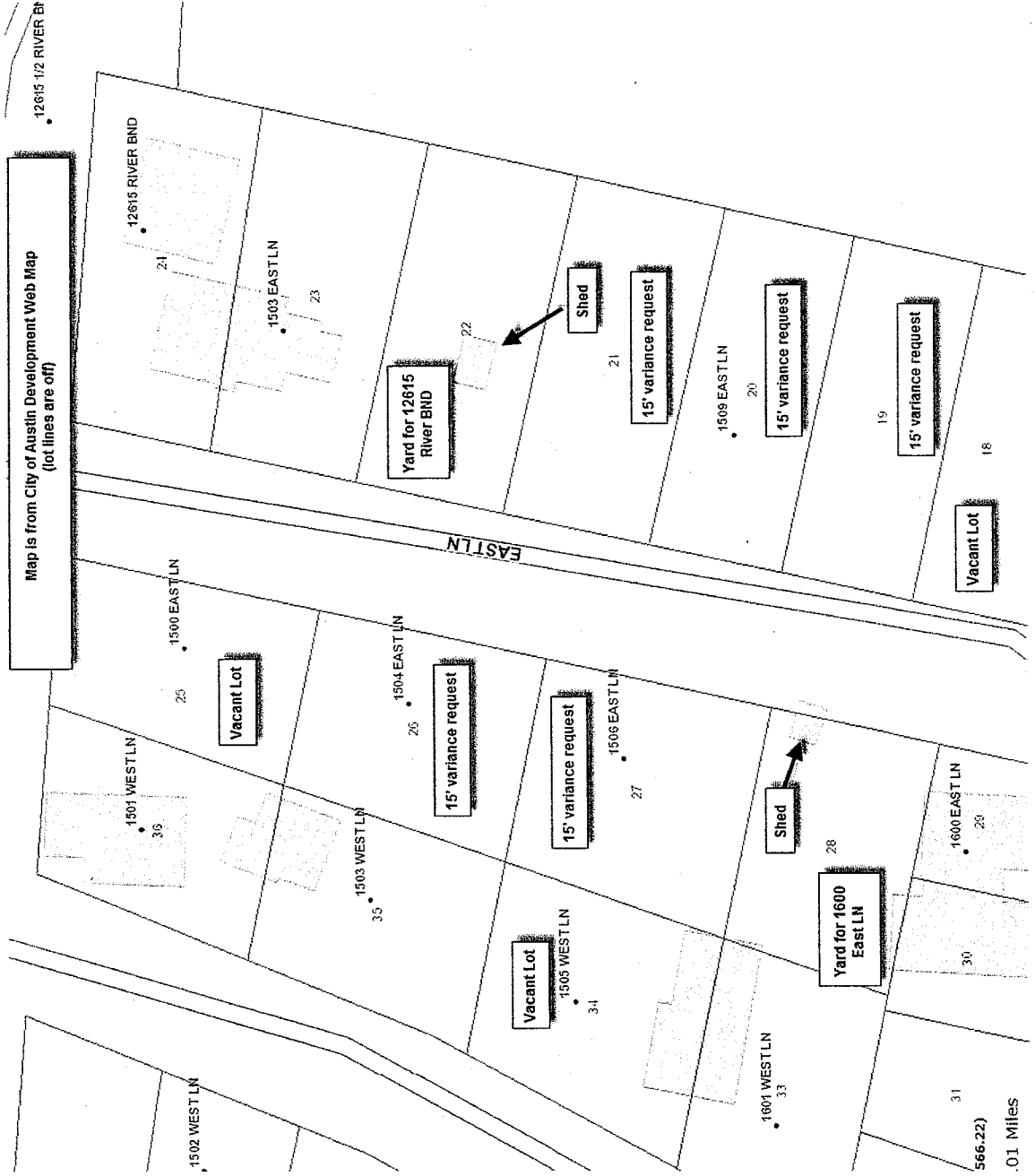
SCALE 1" = 50'



CURVE DATA

	1	2	3	4
I	106° 10'	106° 10'	90° 00'	90° 00'
R	38.05	86.65	35.00	85.00
T	40.00	166.55	35.00	85.00
C	48.65	128.00	49.50	120.21
A	55.68	140.32	57.97	133.51

Existing Structures on adjacent Lots

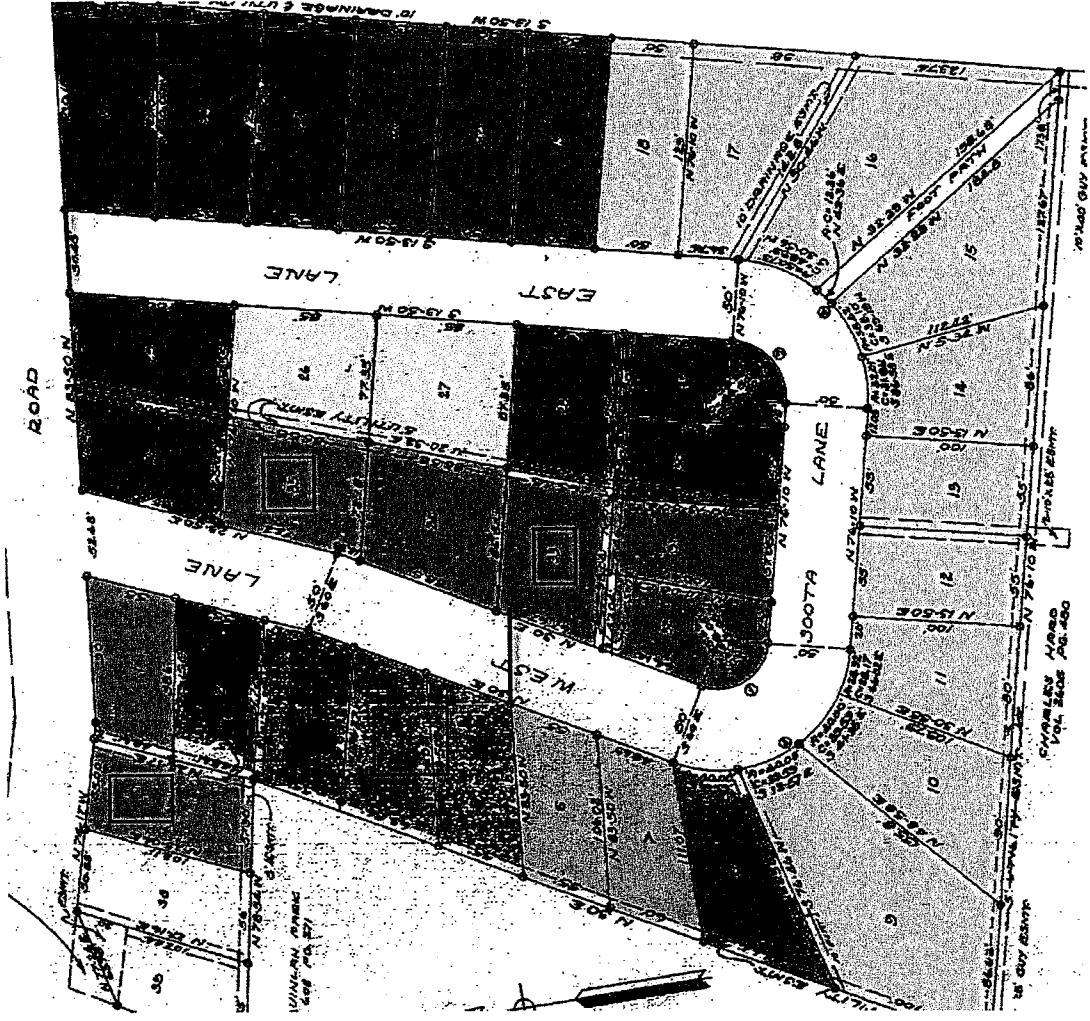


Existing Structures on adjacent Lots

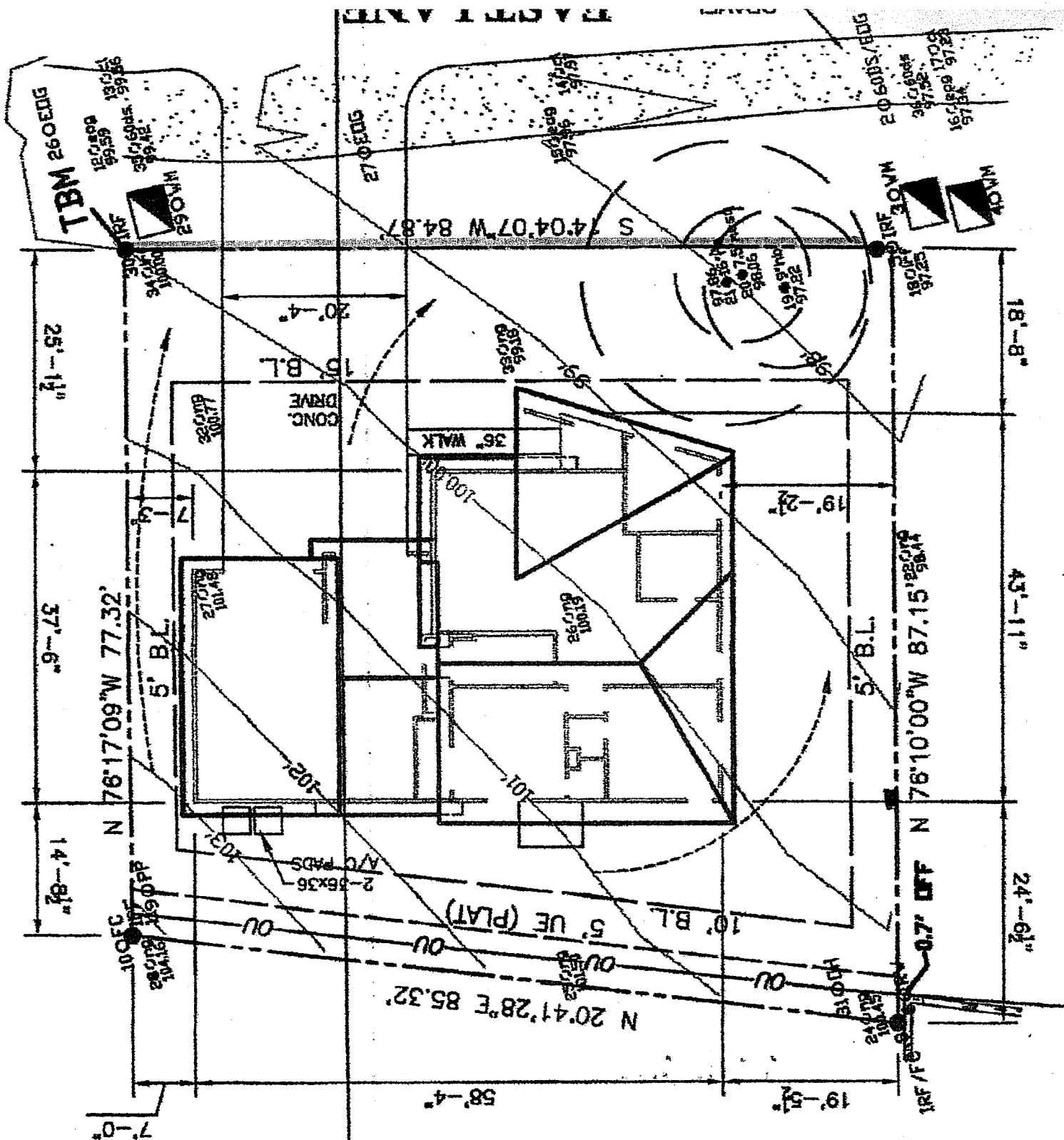


Presentation Identifier Goes Here

Lake Austin Village Plot Survey



- Each Color represents a different owner
- Squares represent homes
- Lots in Gray are owned by Lake Austin Spa and used for impervious cover / privacy



1506 East Ln
Lot 27

SETBACK REQUIREMENTS:

INSTALLER SHALL ACHIEVE ALL MINIMUM REQUIRED SEPARATION DISTANCES AS SET FORTH BY THE TCEQ IN TITLE 30, TAC CHAPTER 285, EFFECTIVE DECEMBER 2012, AND ANY ADDITIONAL LOCAL REQUIREMENTS.

MINIMUM SEPARATION FROM TANKS: 5 FEET TO FOUNDATIONS, SWIMMING POOLS, AND PROPERTY LINES, ONE FOOT TO EASEMENTS, 5 FEET TO DRAINAGE EASEMENTS AND GRADE BREAKS, 10 FEET TO WATER LINES, 50 FEET TO EXISTING OR PROPOSED WATER WELLS.

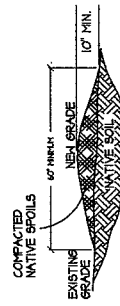
MINIMUM SEPARATION FROM DRAINFIELD: ONE FOOT FROM FOUNDATIONS AND EASEMENTS, 5 FEET FROM PROPERTY LINES AND SWIMMING POOLS, 25 FEET FROM GRADE BREAKS, 10 FEET FROM WATER LINES, 100 FEET FROM EXISTING OR PROPOSED WATER WELLS.

NO PORTION OF THIS PROPERTY LIES WITHIN A 100-YEAR FLOOD PLAIN PER F.I.R.M. RATE MAPS

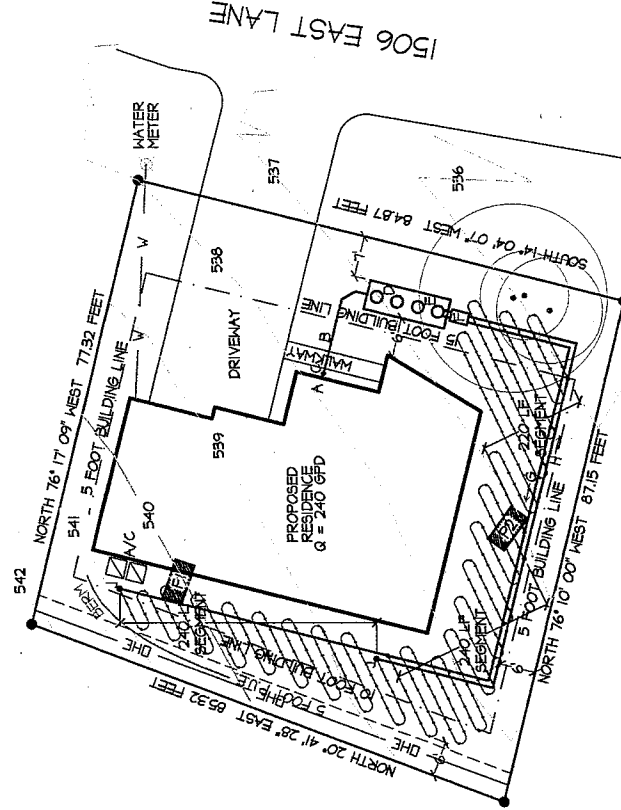
LEGEND:

- A. SEWAGE STUB-OUT
- B. 4" SCHEDULE 40 PVC SINKER PIPE
- C. TWO-WAY CLEAN-OUT
- D. AEROBIC TREATMENT UNIT
- E. PUMP CHAMBER
- F. FIELD BOX
- G. 1" PVC SUPPLY LINE
- H. 1" PVC RETURN LINE
- J. VACUUM BREAKER VALVES

DRAINFIELD SHALL CONSIST OF A TOTAL OF 700 LINEAR FEET OF EMITTER TUBING CONTAINING 350 EMITTERS DEVELOPING 1400 SQUARE FEET OF APPLICATION AREA.



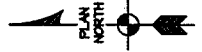
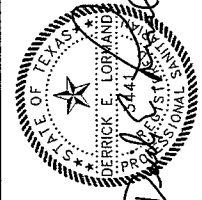
RAINWATER RUN-OFF DIVERSION BERM
NOT TO SCALE



SHEET 1 - SITE PLAN



ENVIRONMENTAL SYSTEMS, L.L.C.
12713 MAJESTIC OAKS DRIVE
AUSTIN, TEXAS 78732
(512) 583-1997



CLIENT:	THE ANDERSON RESIDENCE
STREET:	1506 EAST LANE, AUSTIN, TEXAS 78732
LOT, SUBDIVISION:	LOT 27, LAKE AUSTIN VILLAGE
PERMIT AUTHORITY:	THE CITY OF AUSTIN
DRAWN BY:	D. E. LORMAND, R.S.
DATE:	08/19/2014
SCALE:	1" = 20'

A



1504 East Ln.
Lot 26

SETBACK REQUIREMENTS:

INSTALLER SHALL ACHIEVE ALL MINIMUM REQUIRED SEPARATION DISTANCES AS SET FORTH BY THE TCEQ IN TITLE 30, TAC CHAPTER 285, EFFECTIVE DECEMBER 2012, AND ANY ADDITIONAL LOCAL REQUIREMENTS.

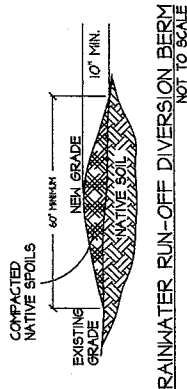
MINIMUM SEPARATION FROM TANK: 5 FEET TO FOUNDATIONS, SWIMMING POOLS AND PROPERTY LINES, ONE FOOT TO EASEMENTS, 5 FEET TO DRAINAGE EASEMENTS AND GRADE BREAKS, 10 FEET TO WATER LINES, 50 FEET TO EXISTING OR PROPOSED WATER WELLS.

MINIMUM SEPARATION FROM DRAINFIELD: ONE FOOT FROM FOUNDATIONS AND EASEMENTS, 5 FEET FROM PROPERTY LINES AND SWIMMING POOLS, 25 FEET FROM GRADE BREAKS, 10 FEET FROM WATER LINES, 100 FEET FROM EXISTING OR PROPOSED WATER WELLS.

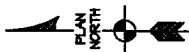
NO PORTION OF THIS PROPERTY LIES WITHIN A 100-YEAR FLOOD PLAIN PER F.I.R.M. RATE MAPS

LEGEND:

- A. SEWAGE STUB-OUT
- B. 4" SCHEDULE 40 PVC
- C. TWO-WAY CLEAN-OUT
- D. SEPTIC TANK
- E. INSPECTION PORTS WITH CAPS
- F. MULTI-PORT END PLATE



SHEET 1 - SITE PLAN



DELCON		ENVIRONMENTAL SYSTEMS, L.L.C.	
12715 MAJESTIC OAKS DRIVE		AUSTIN, TEXAS 78752	
(512) 593-1997			
CLIENT:	PECAN VALLEY CUSTOM HOMES	STREET:	1504 EAST LANE, AUSTIN, TEXAS 78752
LOT SUBDIVISION:	LOT 26, LAKE AUSTIN VILLAGE	PERMIT AUTHORITY:	TRAVIS COUNTY TIR
DRAWN BY:	D. E. LORMAND, R.S.	DATE:	08/18/2014
		SCALE:	1" = 20'

DESIGN BASIS:

THREE-BEDROOM SINGLE-FAMILY RESIDENCE WITH LESS THAN 2500 SF OF CONDITIONED LIVING SPACE = 240 GALLONS PER DAY WASTEWATER FLOW RATE (Q).

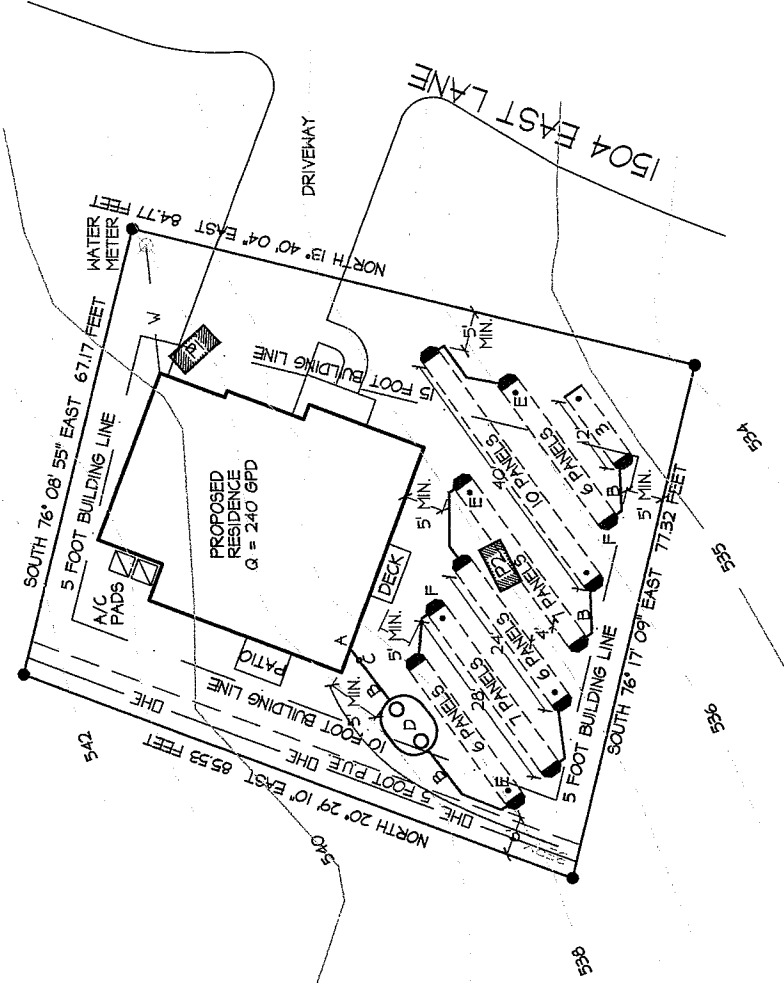
SOIL APPLICATION RATE = 0.20 GALLONS PER SQUARE FOOT PER DAY.

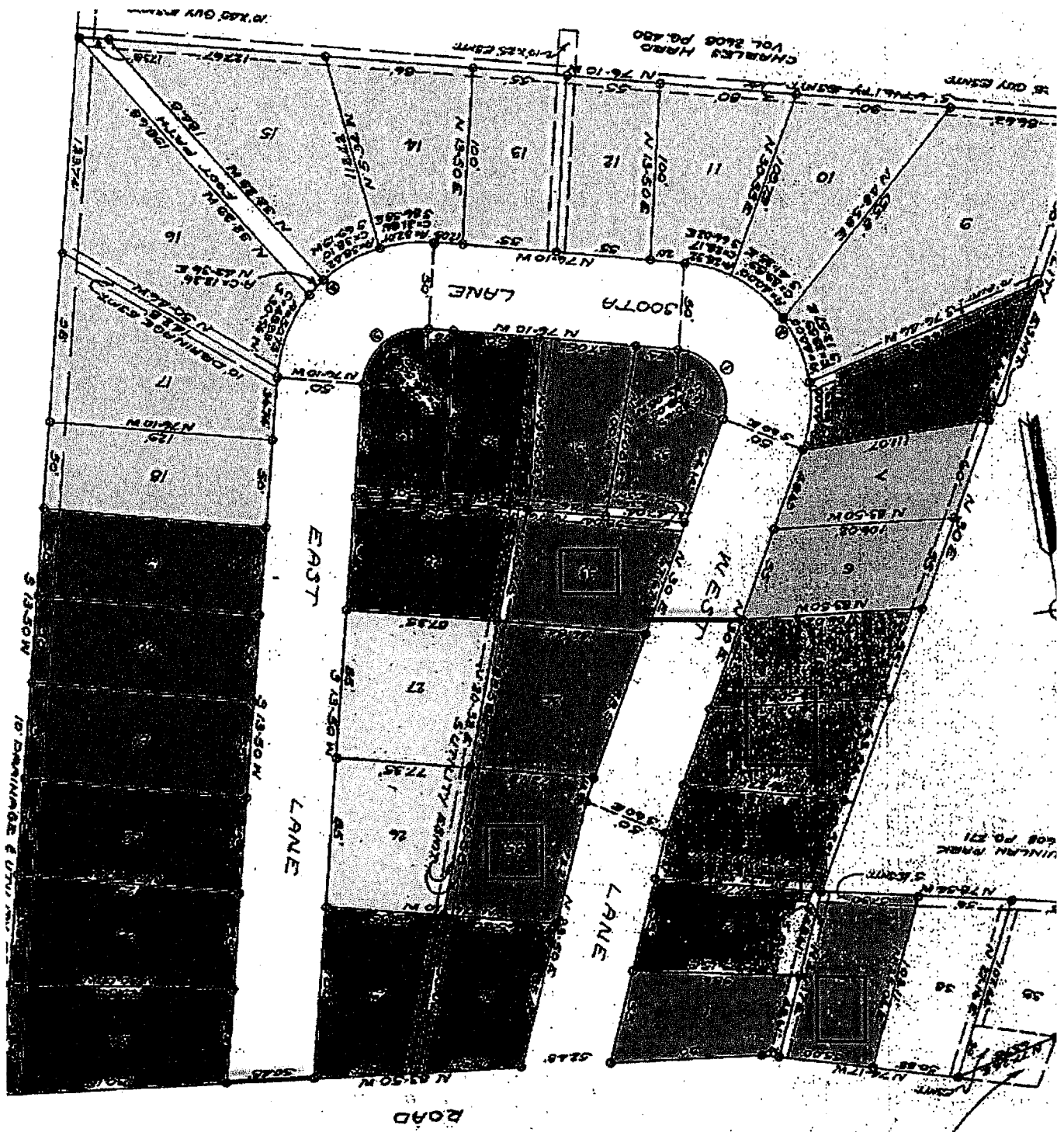
REQUIRED APPLICATION AREA = $240 / 0.20 = 1200$ SQUARE FEET

LEACHING CHAMBER "PANELS" ALLOW FOR 25% REDUCTION.

$1200 \times 0.75 = 900$ SQUARE FEET OF APPLICATION AREA

45 "QUICK 4" STANDARD CAPACITY PANELS ARE REQUIRED. SYSTEM IS DESIGNED WITH 45 PANELS DEVELOPING 900 SQUARE FEET.





From: Millard, Gregory M. [mailto:Gregory.M.Millard@usdoj.gov]
Sent: Monday, November 17, 2014 4:20 PM
To: Heldenfels, Leane
Subject: 1604 West lane proposal (Dec 8th) [REDACTED]

Leane,

I know you are busy. I never heard back from you last week and was just wondering if I need to amend my application to ask for SF-2 setbacks. I am preparing all my other documentation as we speak. I am hoping to have preliminary site plan and possibly a rendering in the next week or two. Let me know what you need from me. What is my deadline for getting you all the supporting documentation?

Gregory Millard
Group Supervisor, D69
Drug Enforcement Administration
Austin Resident Office
Ofc. 512-344-4931
Cell. 512-848-8231
Fax 512-344-4906

From: Millard, Gregory M.
Sent: Wednesday, November 12, 2014 3:11 PM
To: Heldenfels, Leane
Subject: RE: 1509 East lane proposal (Dec 8th) [REDACTED]

Leane,

The lot was platted in 1964. I have been told by City of Austin planning personnel that it is zoned LA but subject to SF2 setbacks because of the small size of the lot. I think a lot has to meet the minimum square footage listed below (43,560 sq. ft.) to be subject to LA setbacks. Let me know your thoughts. Thanks for all your continued help.

Greg

"Heldenfels, Leane" <Leane.Heldenfels@austintexas.gov> wrote:

One thing I noticed is that the zoning for this new lot is LA, not SF-2 and LA like the other ones and like your partners, so front setback is 40' not 25' for both cases on the lots that are LA zoned.

Impervious cover is different depending on the date the subdivision plat was filed – see below, could be 20% or could be 35%. Do you think you may need to also ask for variance to that?

Do you have that plat date info?

Our Subdivision reviewer down here in Development Assistance Center is out today, but I will ck w/ her tomm if you're unsure of plat date – might be in your deed record for this property.

Let me know if you either of you think you also need impervious cover variance.

Also, see side -10' and rear 20' and advise if you'll need a variance for these requirements. On both cases they'll like to see a footprint of what you're proposing, elevation if you have it.

Thanks –

Leane

- 25-2-492 - SITE DEVELOPMENT REGULATIONS.

Variance Request for 1506 & 1504 East LN

To: City of Austin Board of Adjustments Members:

I am requesting a setback variance on 1506 & 1504 East LN in efforts of building two homes on East Lane on lots I purchased in early 2014. 1506 East LN is subject to LA zoning while 1504 is subject to SP-2 zoning. The plotted neighborhood is Lake Austin Village which is an isolated community from other homes in the non-conforming area. This is a small neighborhood with 8 homes present and very little potential to build additional homes. All homes run on septic systems which create additional restrictions on laying out a workable floor plan.

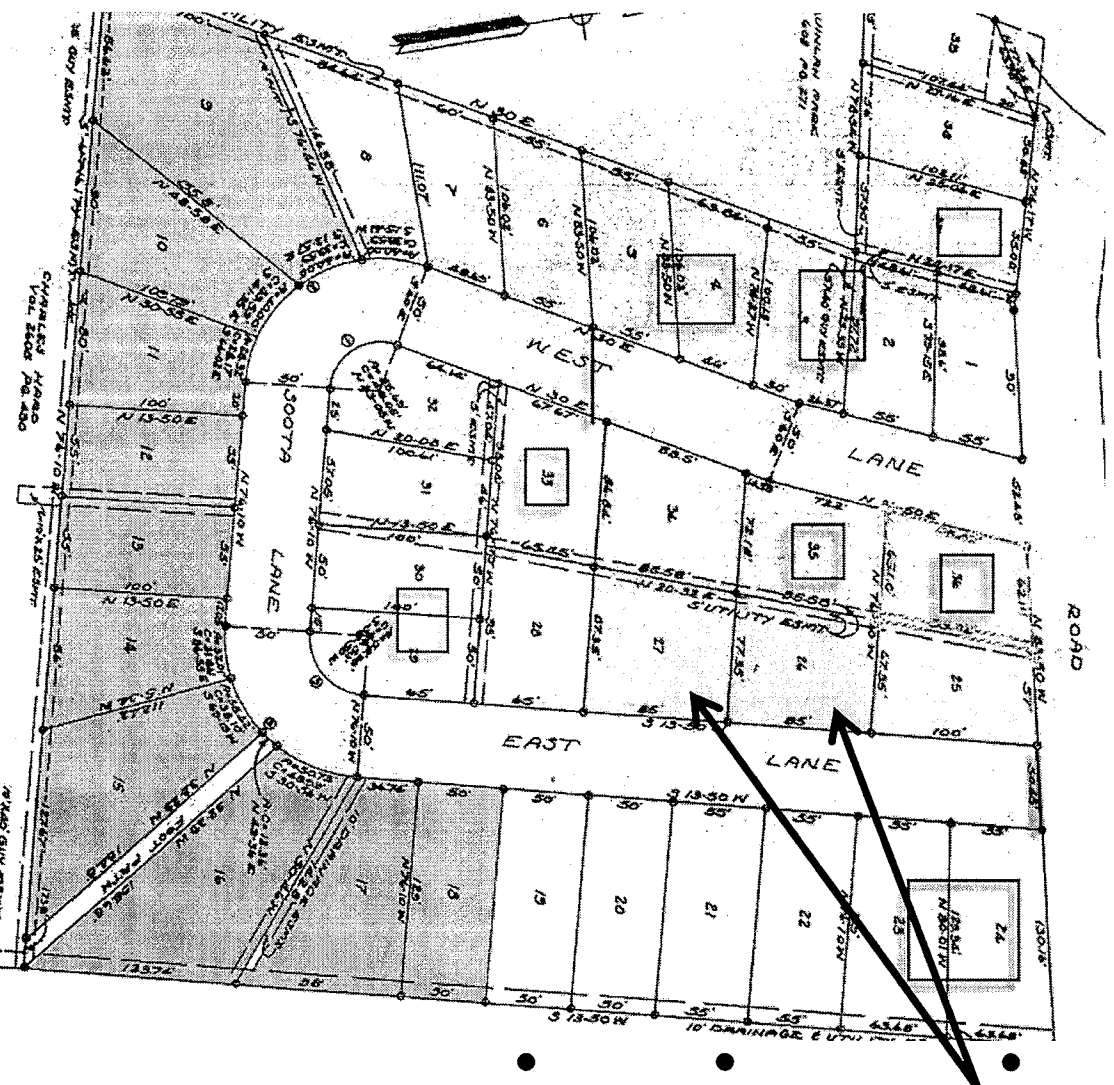
The neighborhood was plotted and designed with 15' a setback which suits the area due to the area home types, community isolation, and narrow road. The LA zoning that took effect in July essentially makes 1506 East LN unbuildable due to the extremely restrictive setbacks. For example, the lot is 77' deep. The LA 40' front setback and 20' back set back only leaves a home foot print of 17' deep. Even though 1504 East LN is zoned SP-2 it is still very restrictive subject to a 25' front setback and a 10' back setback which leaves this lot with a 32' deep foot print.

The variance requested for both 1506 & 1504 East LN is the original deeded 15' front yard, 5' interior side yard, and 10' rear yard setbacks. These setbacks provides adequate room for a conservative 3 bedroom 2 ½ bath home, conventional septic and impervious cover standards for each respective LA and SP-2 zoning rules.

Jeremy Anderson – Property owner

Lake Austin Village Plot Survey

Application required information



- Lots 26 & 27 are the lots requesting a variance
- Squares represent homes
- Lots in Gray are owned by Lake Austin Spa and used for impervious cover / privacy

Application required information



Existing Structures on adjacent Lots – View 2

Application required information

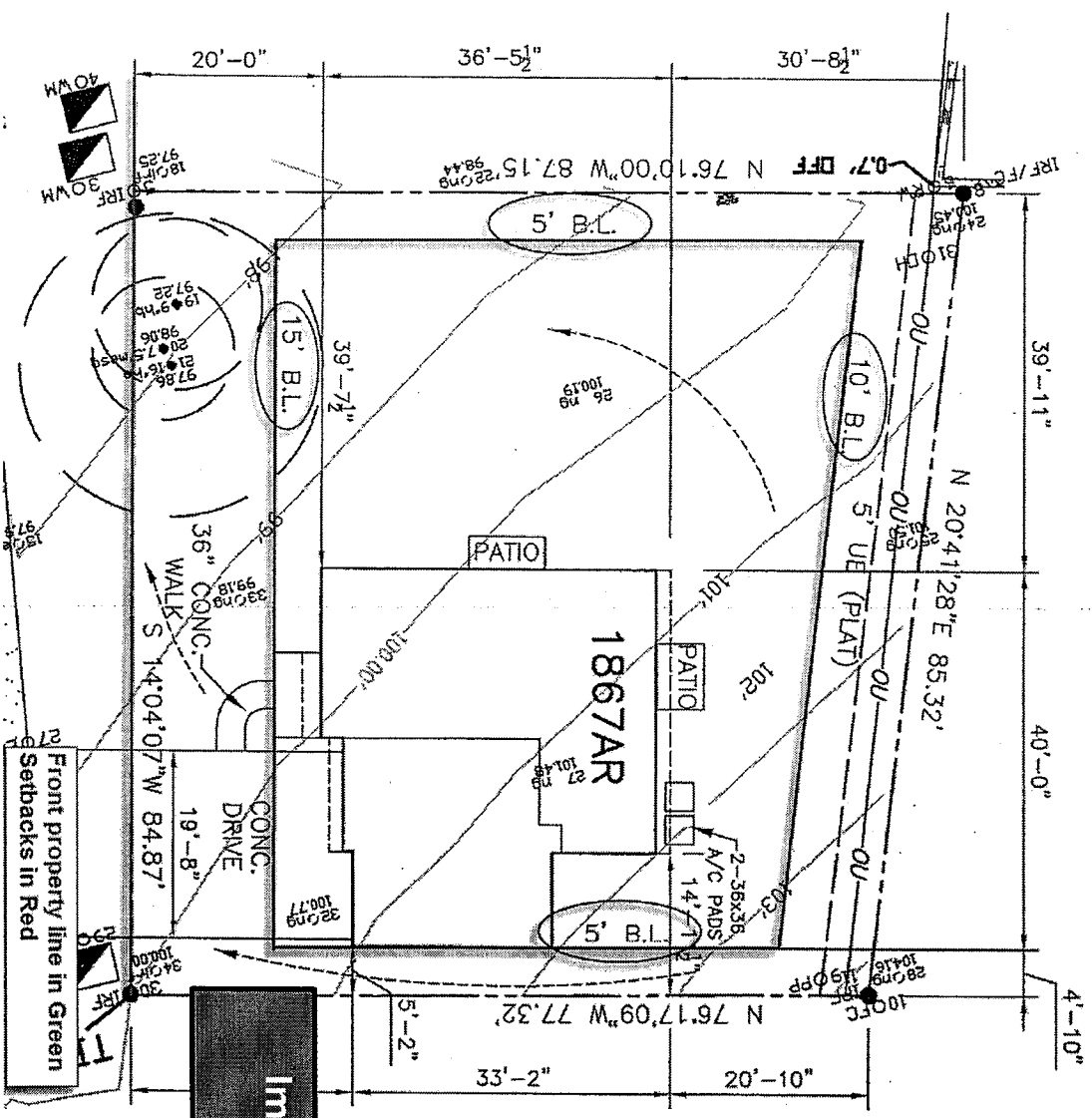


Application required information



Plot Plan for 1506 East LN

Application required information



Austin Energy variance approval

Application required information

Jeremy Anderson
1504 1506 East Lane
Austin TX, 78732

Lots 26 and 27
Lake Austin Village
Vol. 19, Pg. 88
Official Public Records of Travis County

Dear Jeremy,

October 23, 2014

Austin Energy (AE) has reviewed your application for the above referenced properties, requesting a variance from the required 25' foot front yard setback, in order to construct two structures one being a single family residence at 1504 East Lane and the other being a single family residence at 1506 East Lane. Austin Energy does not oppose this application for construction of these two single family homes at said addresses, having a 15 foot front yard setback, which is shown on the attached stamped sketches, provided any proposed and existing improvements are in compliance with Austin Energy clearance criteria requirements, the National Electric Safety Code and OSHA. When you obtain building permits, please speak with our Distribution Construction Leader, Joan Wilhite, at 512-505-7604, as she will provide you a proper locations for your service drops.

Thank you,

Eben Kellogg
Austin Energy
Public Involvement | Real Estate Services
2500 Montopore Drive
Austin, TX 78741
512.322.6050

Variance Requested

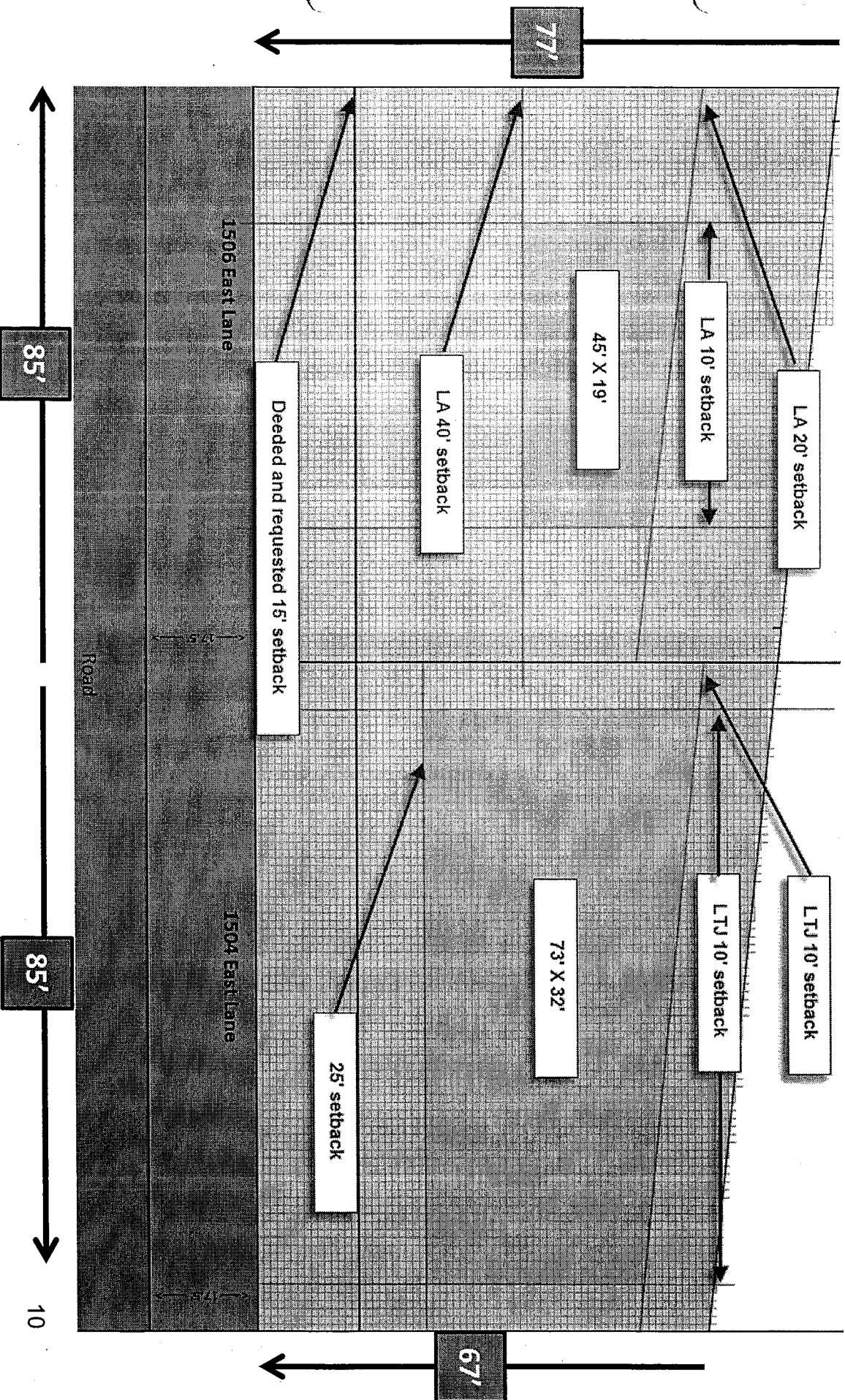
1504 and 1506 East LN are zoned differently, however I am asking for the same variance for both lots. My supporting statements apply the same reasoning for both lots. Below in green are the setbacks I am requesting.

	Front setback	Side Setback	Back Setback	Impervious Cover	Minimum Lot
Requested for 1504 (Zoned SF-2)	15	5	10	30%	6972
Requested for 1506 (Zoned LA)	15	5	10	27%	6130
Deeded	15	5	5		
SF-2	25	5	10	45%	5750
LA	40	10	20	35%	43560

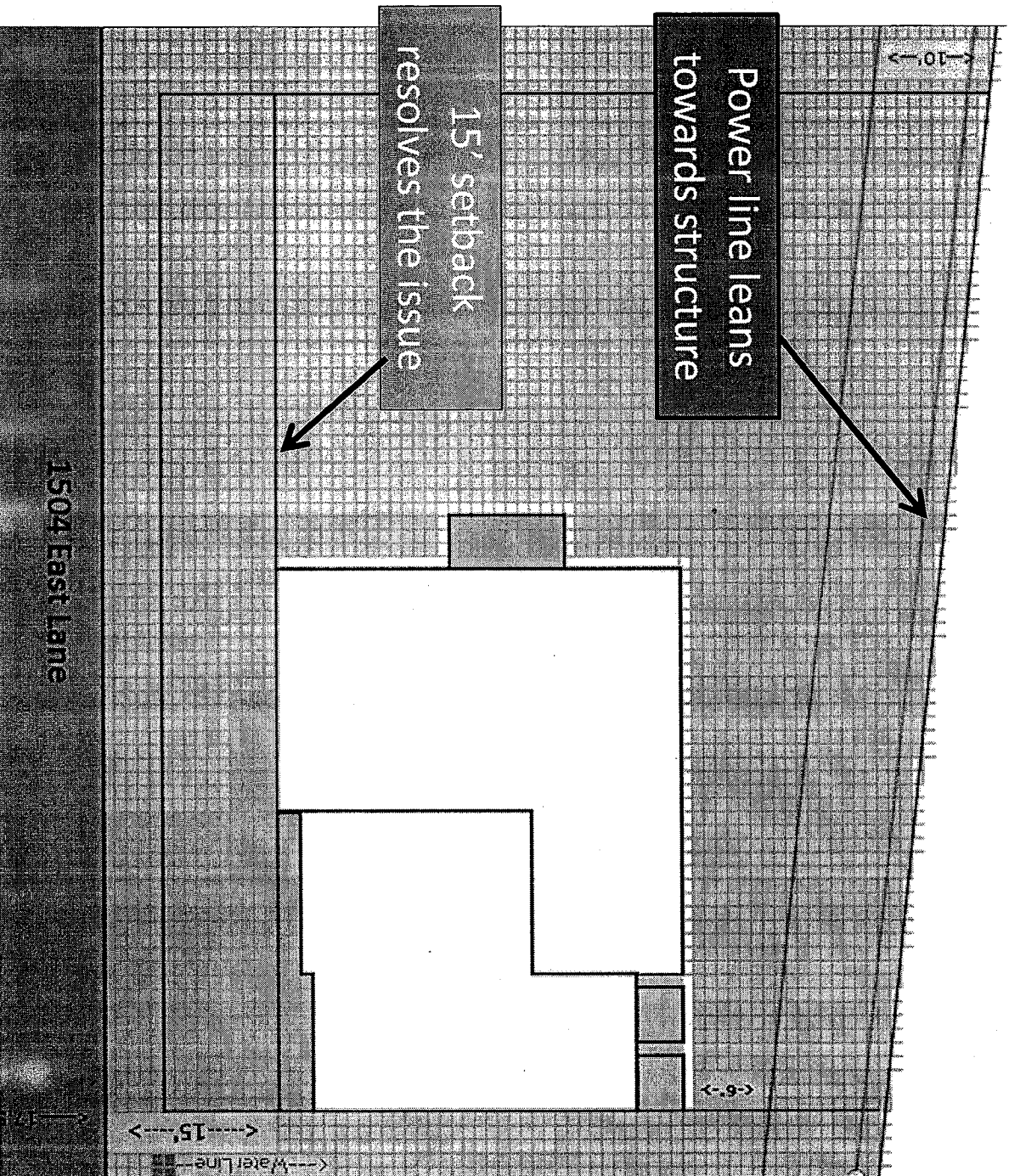
Variance Justification Summary

- Zoning created after lots 26 & 27 were plotted make it unrealistic to build a reasonable floor plan
- Power lines encroach back property line by 2.5' creating additional hardship
- The combination of the zoned setbacks, septic requirements and a shallow lot does not allow room for a home size consistent with the neighborhood
 - Convention Septic system (better for the environment) requires a setback variance
 - Interior lots including 26 & 27 were designed shallow and variance setback
- Neighborhood averaging justifies a 15' set back
- LA Zoning is arbitrary in this neighborhood
- Desired 25' distance is achieved as the road is ~ 30' from the property structure inclusive of a 15' setback.
- These lots were deeded with a 15' set back which is protected by House Bill 1704

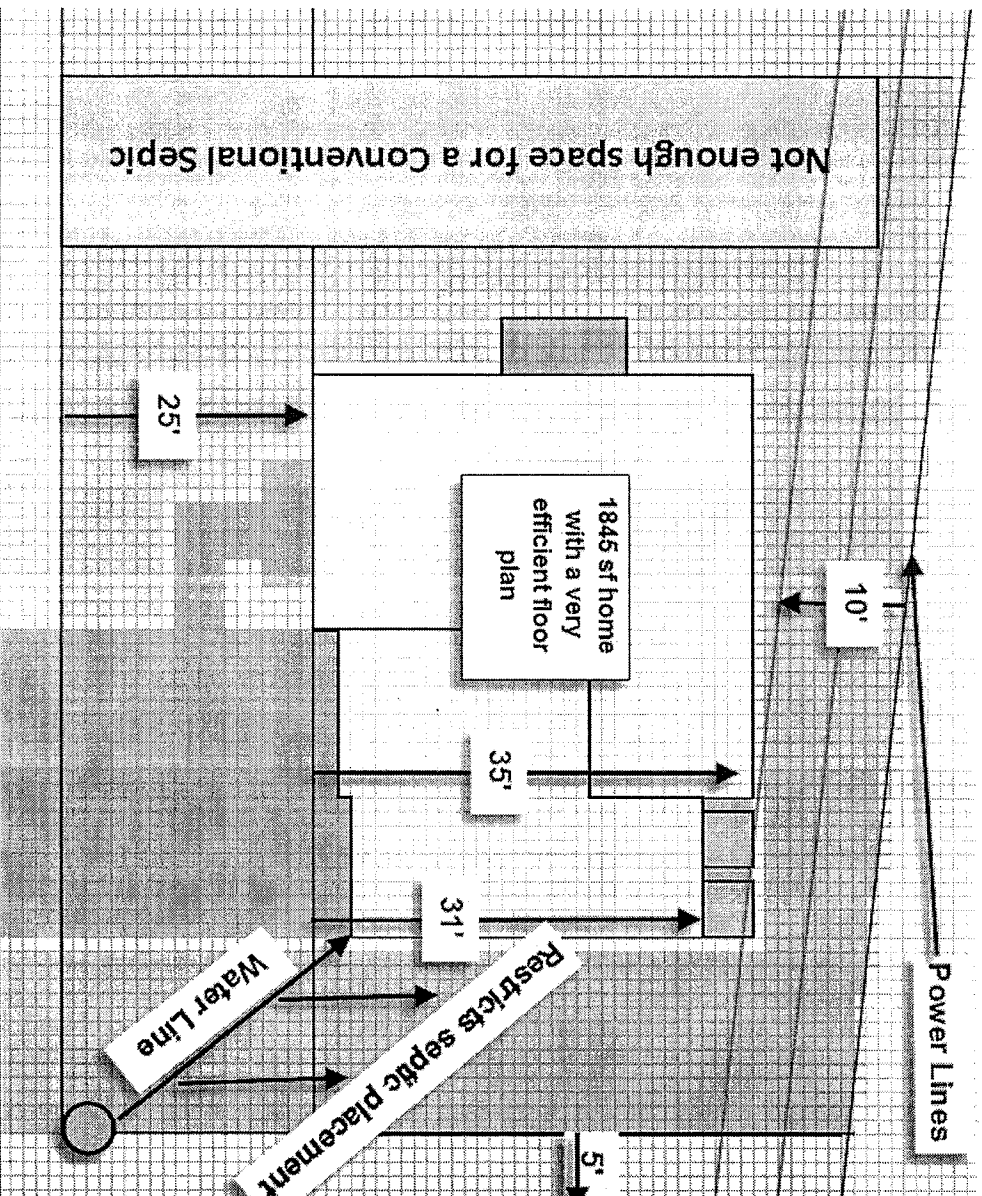
**Zoning created after lots 26 & 27 were plotted
make it unrealistic to build a reasonable floor plan**



Power lines encroach the property by 2.5' creating additional hardship



The combination of the zoned setbacks, septic requirements and a shallow lot does not allow room for a home size consistent with the neighborhood

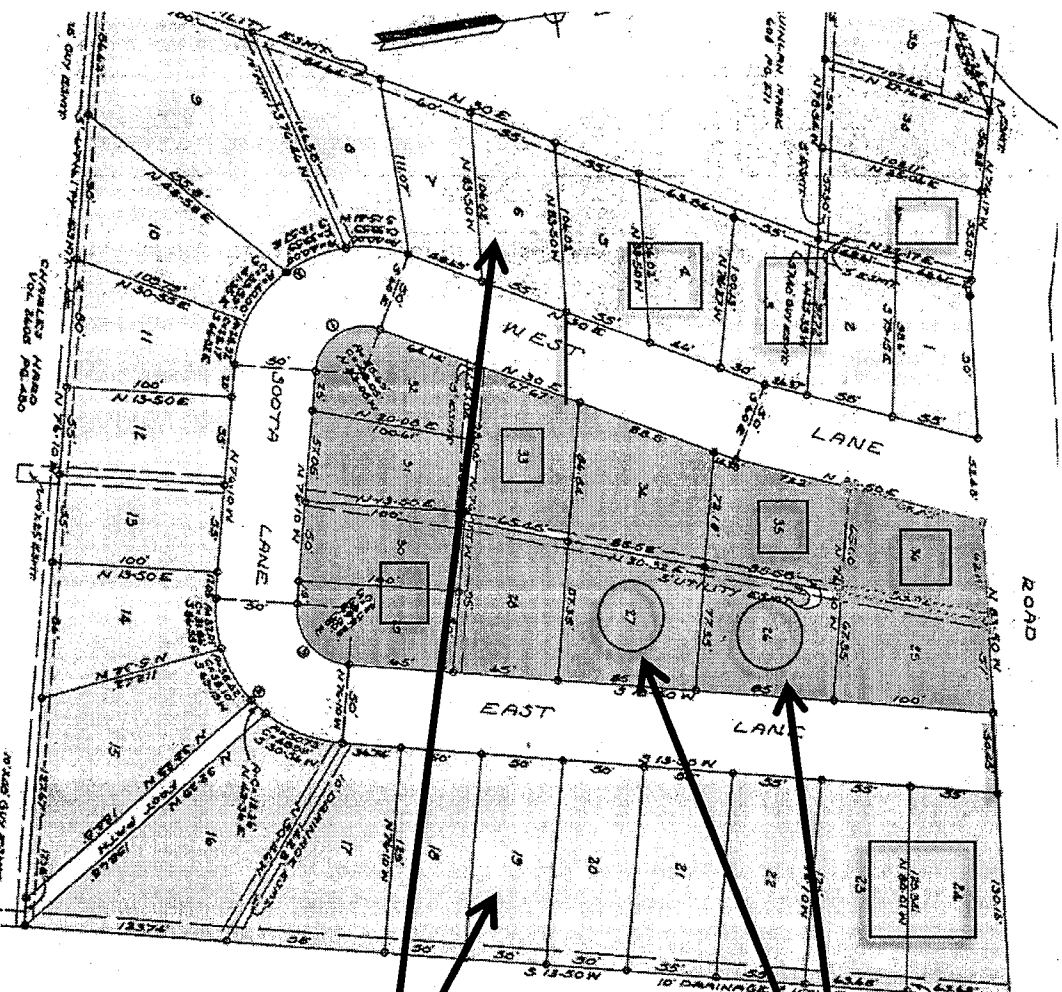


**AVG size home in
Lake Austin
Village is 2015 sf**

1503 East LN	4440
1600 EAST LN	2470
1501 West LN	1147
1601 WEST LN	1416
1506 West LN	1344
1502 West LN	2292
12711 River Bnd	2153
1503 WEST LN	863
AVG	2015.625

**Proposed home
is only 1845sf**

**Interior lots including 26 & 27 were designed
shallow and variance setback**

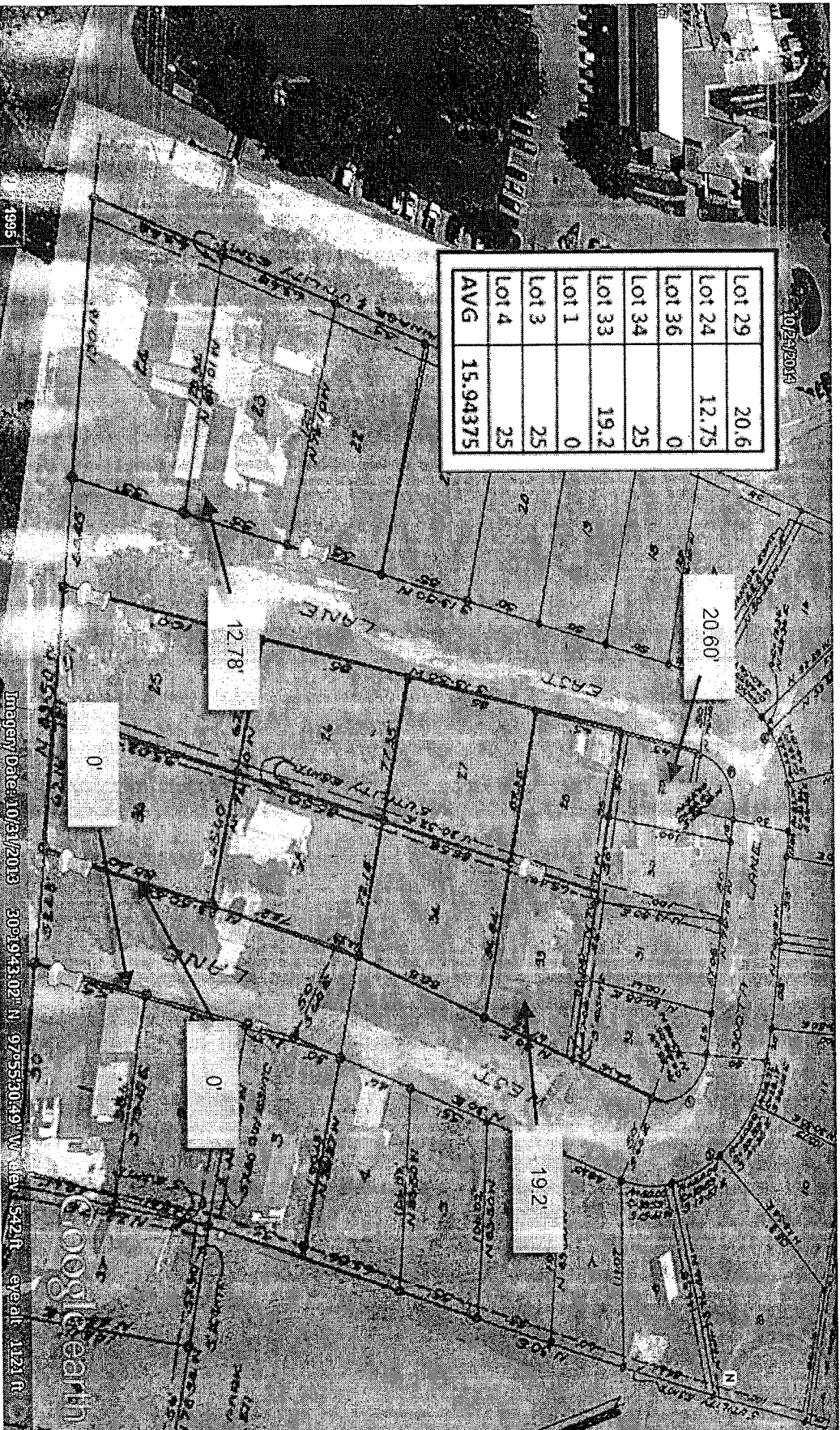


**Lots 26 and 27 are 67'
and 77' deep**

**Exterior lots in yellow
are all 100' + deep**

Neighborhood averaging justifies a variance

Average setback is 15.94'

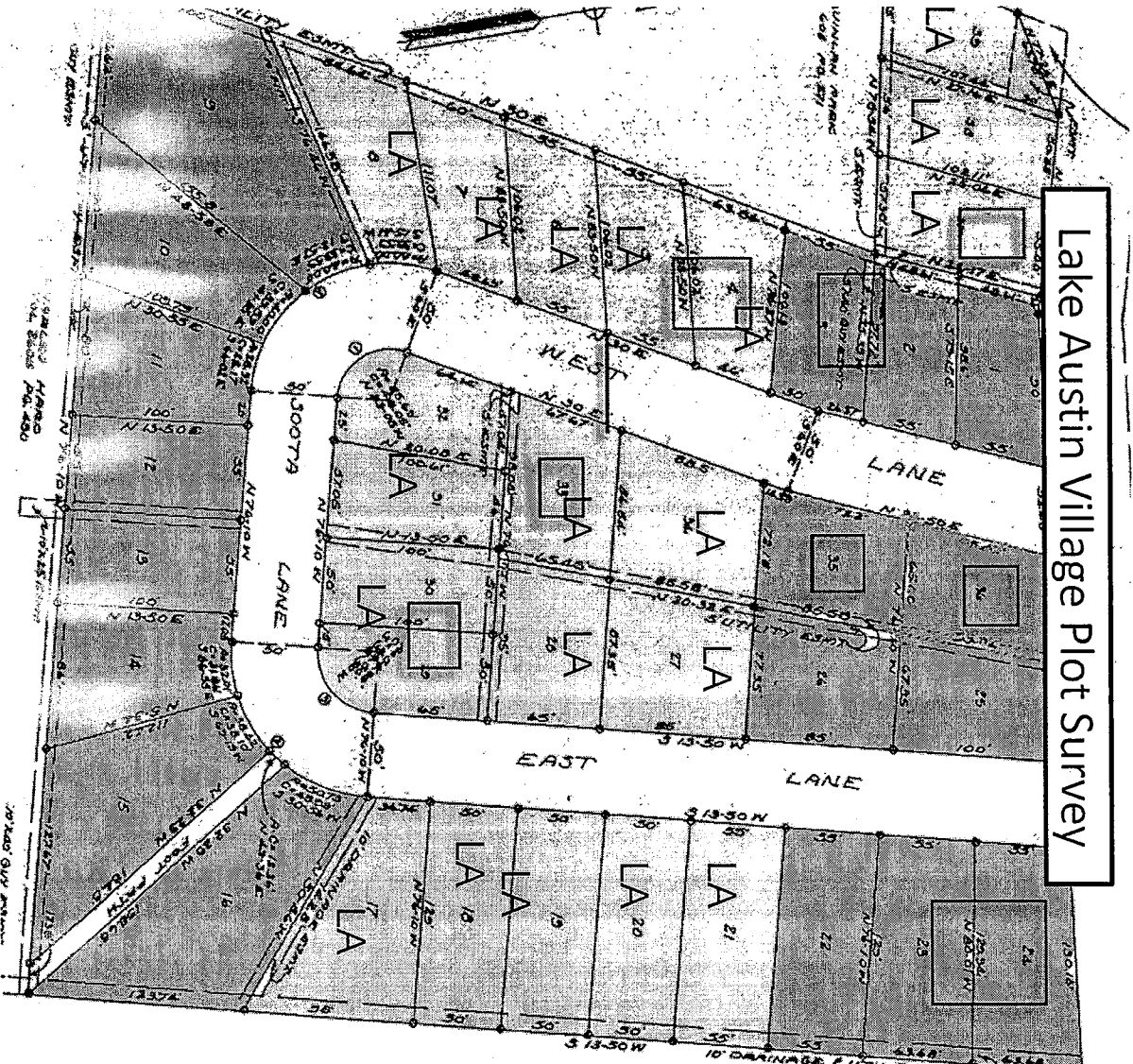


Example of 0' setback



LA Zoning is arbitrary in this neighborhood

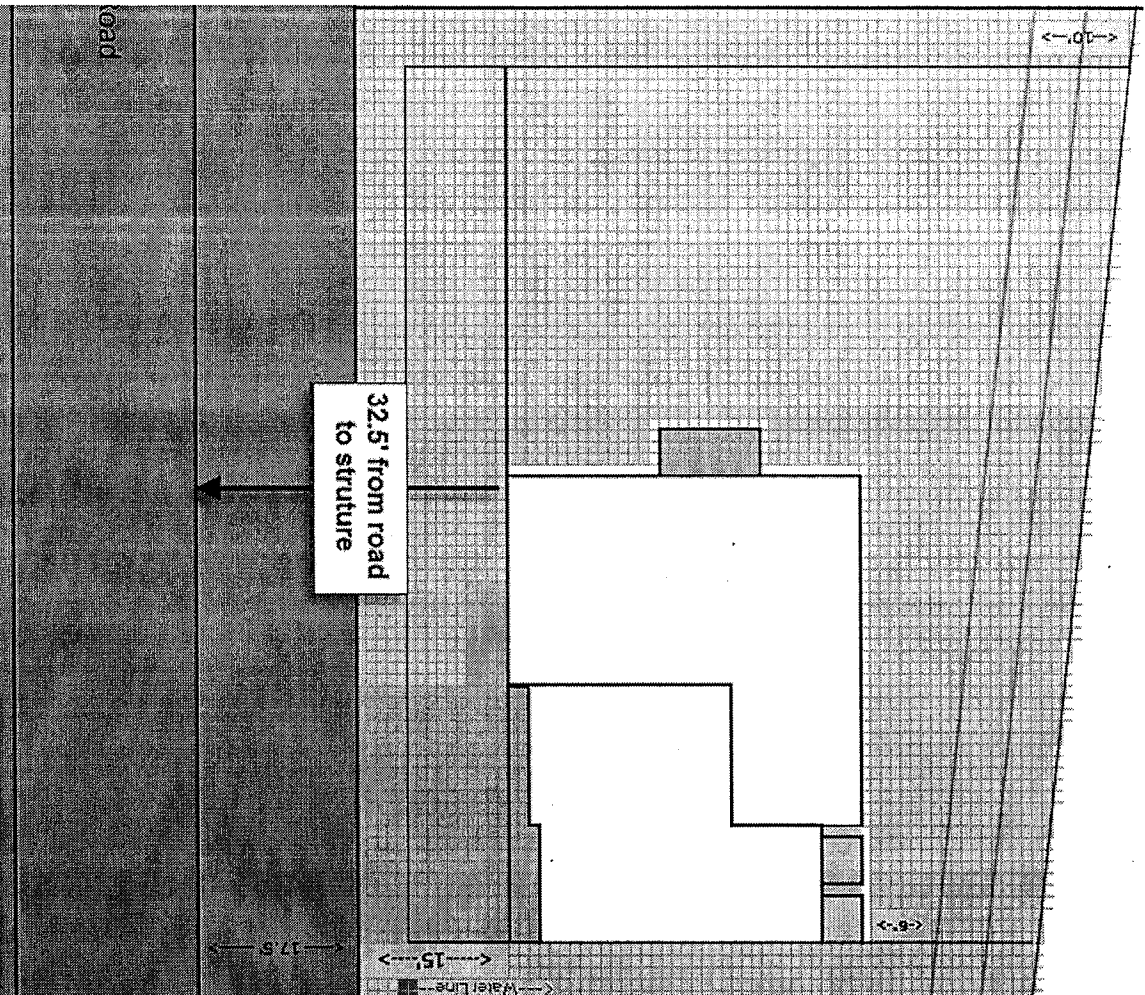
Lake Austin Village Plot Survey



- Lots in yellow are zoned LA
- Lots in green are zoned SF-2

Desired 25' distance is achieved with a 15' setback

The road is ~ 30' from the property structure w/ 15' setback



The setback according to the deed on file

7. Minimum setback lines shall be as follows: No residential structure shall be located nearer the front line than 15 ft., or nearer the side street line than 10 ft., nor nearer the side or rear lot line than 5 ft. Detached garages, carports, and storage buildings may be located within 3 ft. of side lot line and within 5 ft. of rear lot line. The exception being lot 36, on which there is an existing structure. Construction must be completed within one year after filing.

House Bill 1704 protects the 15' front, 5' side and 5' back setbacks provided in the Deed

Thank you