

**Tom Hall Construction
407 East Seventh Street
P.O. Box 684278
Austin, Texas 78768-4278**

C15-2015-0030

March 31, 2015

Board of Adjustment
City of Austin.
Variance Request for Craig Residence
3132 Honey Tree Lane
Austin, Texas 78746

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407 EAST SEVENTH STREET
P.O. BOX 684278
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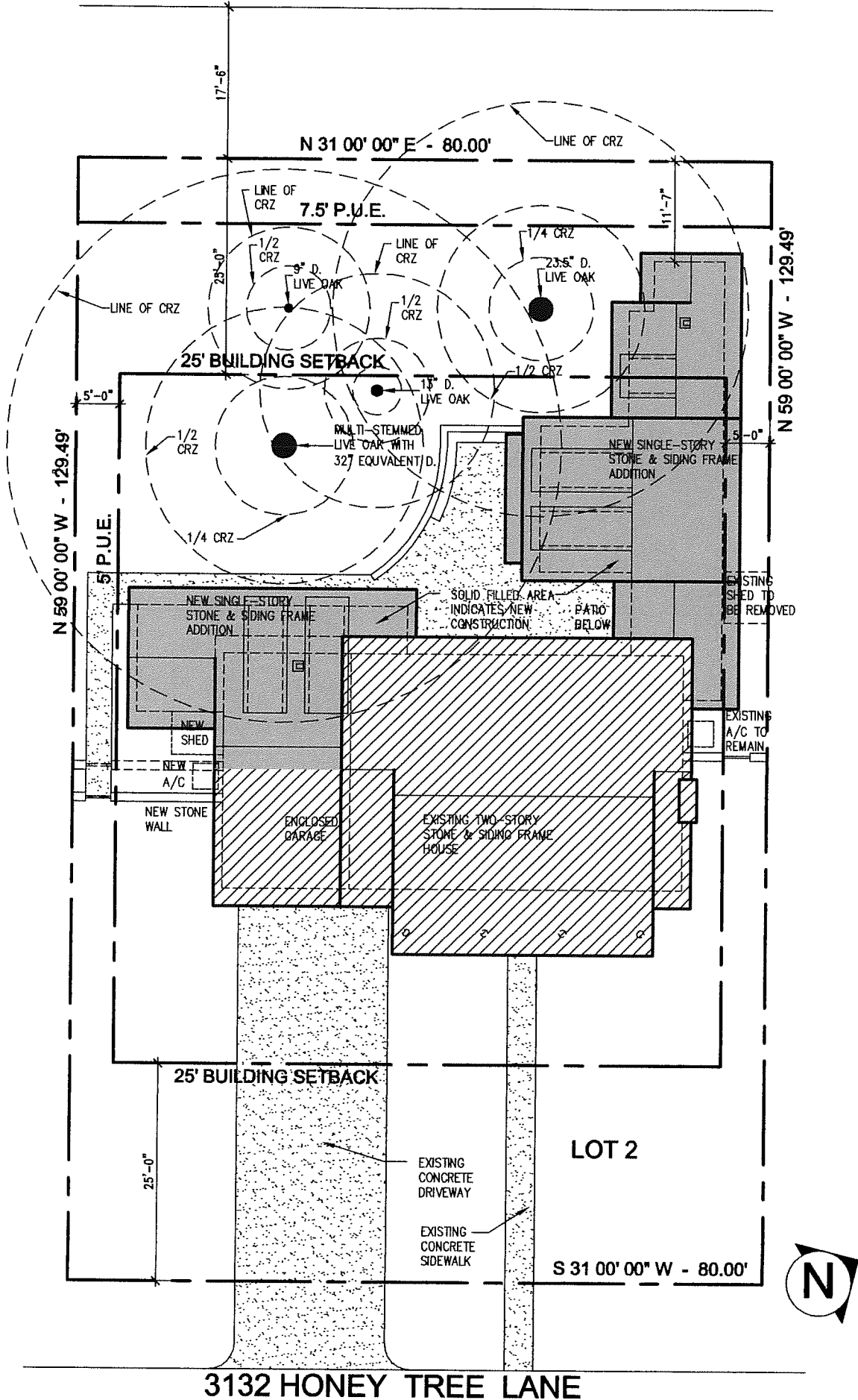
CITY OF AUSTIN
BOARD OF ADJUSTMENT

Re: 3132 HONEY TREE LANE THROUGH-LOT SETBACK VARIANCE REQUEST

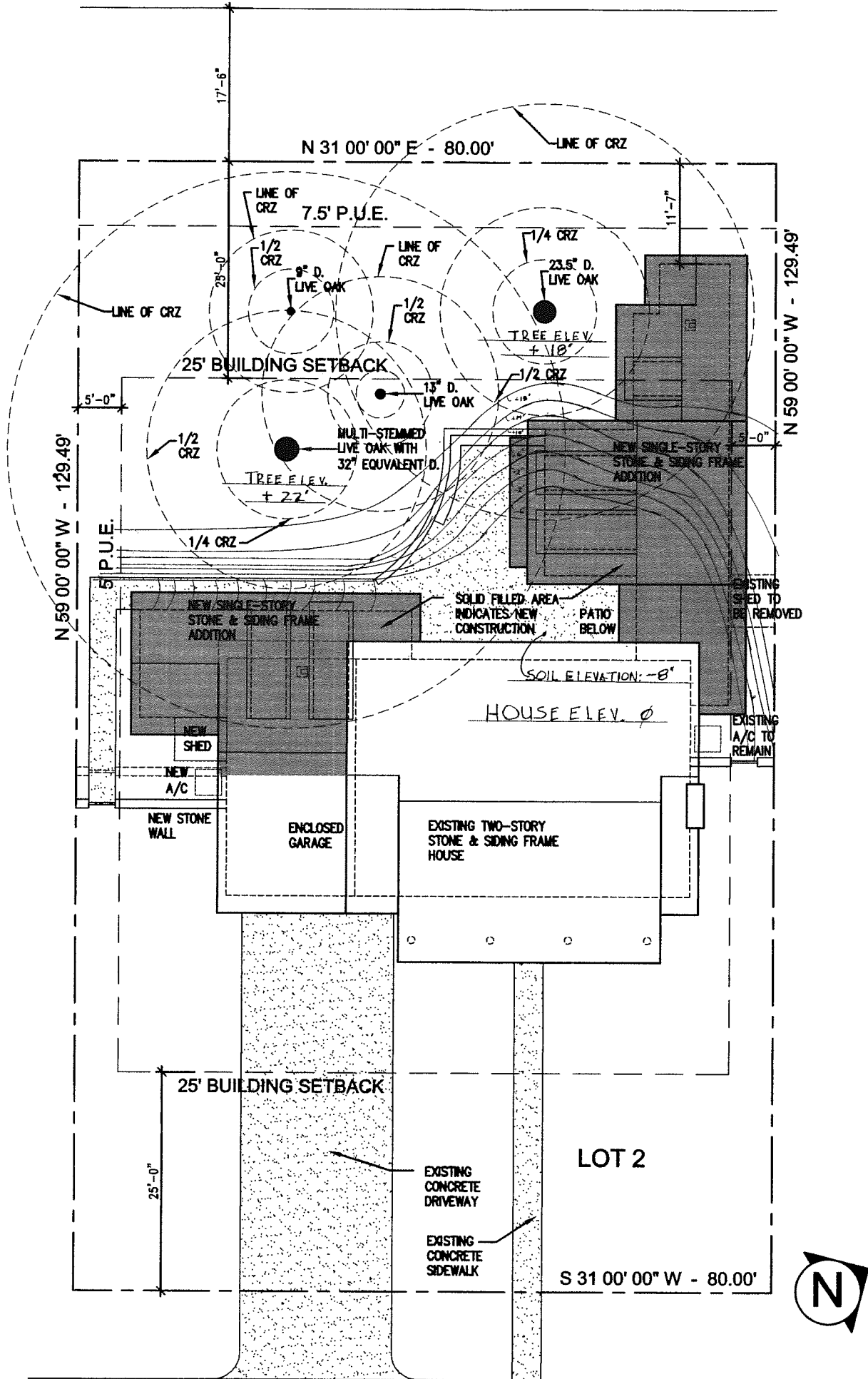
OVERVIEW

1. We are requesting that the 25' setback requirement automatically attached to through-lots be waived in this instance.
2. The owners have lived in their home for 34 years and hope to continue living there for the foreseeable future. They feel that in order to do this, they will need first-floor living quarters.
3. The existence of protected trees and the topography of the lot combine to severely limit possible locations for construction of the first-floor living quarters. The location of the proposed construction has been approved by the City Arborist and a tree permit has been issued.
4. While the lots that face Honey Tree and back up to Old Walsh Tarleton fall within the definition of through-lots, none functions as a through-lot.
5. Instead of the normal 10', the distance from the pavement on Old Walsh Tarleton to the Owner's property line is 17'.
6. Old Walsh Tarleton has no curb-and-gutter and no stormwater collection structures, and is lightly traveled. Redevelopment of the roadway is unlikely.
7. Neighbors have constructed recreational structures in their back yards, indicating an intent not to treat their property as through-lots. .
8. The portion of the proposed construction which will fall into the statutory setback is very small. The portion closest to Old Walsh Tarleton is 7' wide. The impact of the construction will be minimal.
9. Neighborhood response has been largely positive.
10. While the protection of the trees and the construction of first-floor living facilities benefit the City, the enforcement of the automatic 25' through-lot setback requirement in this instance does not. We ask that you grant our request for a variance.

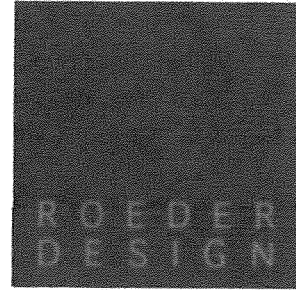
OLD WALSH TARLTON



OLD WALSH FARLTON



HONEY TREE LANE



5903 Carleen Drive
Austin, TX 78757
P: 512.452.7940

Dear City of Austin, Board of Adjustment,

I was tasked with the design of a first floor master bedroom addition to a two-story home with no existing first floor bedrooms. The new lower location of the master bedroom will allow the owners to age in place in the home where they have lived for thirty-four years. In considering the location for this addition, several factors were considered. First, there are two large protected live oaks that have been nurtured by the owners, so impact should be minimized. One of these large oaks lies closer to the home and was very difficult to avoid in an addition to the south side of the yard. Locating the addition on the north side of the yard will best avoid the critical root zones of the large trees.

Locating the addition to the north of the lot also enables us to build at the high point of the yard which is conducive to the natural flow of water runoff on the site. The low point of the yard lies to the south; if we build a sizable addition at the south side of the yard, the natural flow of water will be stopped. We would essentially create a dam for the runoff, causing flooding problems for the yard and home. Both the topography of the land and the location of the trees directed us to an addition at the north end of the yard.

The decision to locate the master bedroom addition at the north end of the home, however, did have one barrier; the home's living room is located at the north end of the home. Constructing directly behind the existing living room would block the view toward the backyard and the natural sunlight that enters there. Therefore, the inclusion of a gallery space was planned. With the gallery, the view of the grand trees is maintained, as well as the natural light in the living room. This gallery space permits a natural flow from the living room to the master bedroom while also providing significant privacy as well as a noise buffer between the more public and private spaces.

For these reasons, we believe the best location of the master bedroom addition is the north side of the yard. We also believe that allowing the owners to remain in the home longer without the limitation of a second story bedroom is good stewardship of this home. We hope that the Board agrees.

Sincerely,

Stacey V. Roeder
Principal, Roeder Design
3/30/2015

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.

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. Any comments received will become part of the public record of the case.

Case Number: C15-2015-0030, 3132 Honey Tree Lane

Contact: Leanne Heldenfels, 512-974-2202, leanne.heldenfels@austintexas.gov

Public Hearing: Board of Adjustment, March 9th, 2015

Leanne Heldenfels
Your Name (please print)

☒ I am in favor
☐ I object

3132 Honey Tree Lane
Your address(es) affected by this application

Leanne Heldenfels 3/8/15
Signature Date

Daytime Telephone: 512-694-0581

Comments:

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

Leanne Heldenfels

P. O. Box 1088

Austin, TX 78767-1088

Or fax to (512) 974-6305

Or scan and email to leanne.heldenfels@austintexas.gov



I, Mike Riggs am applying for a variance from the Board of Adjustment regarding Section 25-2-515 of the Land Development Code. The variance would allow me the ability to BUILD A MASTER BEDROOM AND

BATHROOM ADDITION (GROUND LEVEL) TO THE EXISTING RESIDENCE.

By signing this form, I understand that I am declaring my support for the variance being requested.

Property Owner Name (Printed)	Address	Signature
Jane Flieller	3129 Honey Tree Ln	Jane Flieller
DAVID PEROSE	3134 Honey Tree Ln	
Claude Hempel	3133 Honey Tree Ln	Claude Hempel
Duane Beissell	3131 Honey Tree Ln	Duane Beissell
Dawn Miley Dacy	3135 Honey Tree Ln	

Craig Residence
3132 Honey Tree Lane

Expansion of Overview With Reference To Photographs

1. We are asking for a variance from the automatic 25' through-lot rear setback requirement. The location of the proposed construction, the location of the trees, the property lines and setbacks are shown on the attached site plan. A second copy of the site plan shows the elevated grade of the area in which the trees are located.
2. Mike and Deb Craig have lived in their home since they had it built 34 years ago, and want to remain in it for the rest of their lives. Constructing living quarters on the first floor is one thing they can do to help achieve that goal. This option is encouraged by the City of Austin, which has established first-floor living quarters as one of their preferred design criteria. As you can see from Photograph 1, they care about and care for their home.
3. The presence of protected trees severely limits the possible locations for a Master Bedroom wing. Michael Embesi, the City of Austin Arborist, was consulted at the outset of the design process, and he determined the option he could best support was to locate the structure where it is shown on the documentation and on photograph 9. The locations and Critical Root Zones of the trees are shown on the site plan. The trees themselves appear in photos 9a and 9b and in other photos. Photograph #9 and the topographic plan also show the raised back yard. Rainwater runoff drains from north to south and from the trees eastward towards an existing swale adjacent to the southwest corner of the house. Any significant construction in this area would serve to block the drainageway and create a potential for flooding of the house.
4. The City's definition of a through lot is very broad. It says any lot which abuts two streets and is not a corner lot automatically is a through lot, and thus the setback from the rear lot line automatically becomes 25', regardless of any other consideration. The purpose of this setback is to insure uniformity in the instance that a street has some through-lots and some standard lots facing it. Old Walsh Tarleton has neither. There are no homes facing Old Walsh Tarleton, and none of the residential lots abutting Old Walsh Tarleton has a driveway off of Old Walsh Tarleton. No driveways off of Old Walsh Tarleton are allowed by the City Transportation Department, since only one driveway is allowed per residence, and all of the affected residences have driveways off of other streets. So, rather than serving as an access to individual homes, Old Walsh Tarleton functions only as a quiet country lane. (see photographs 3 and 4)
5. The distance from the street to the Owner's property line is 17', and the impact, if any, on traffic on the roadway is further reduced. (see photo #10) The structure will be 28.5 feet from the roadway.
6. Old Walsh Tarleton has no curb-and-gutter and no stormwater collection structures, and is lightly traveled (two cars per minute between 7:45 AM and 8:00AM on Monday morning, March 30 including both northbound and southbound vehicles). A more recent development on the west side of Old Walsh Tarleton did not trigger improvement of the road. The residential end of the road is fully developed, and improvement of the roadway and increased communication between Old Walsh Tarleton and the homes on either side is unlikely.
7. The neighbors have treated their back yards as back yards and not as potential front yards. Over the years, play structures, landscape features, swimming pools, and room additions, some of which encroach on the 25' setback, have been constructed. See photographs 5,6,and 7. We see this as an indication of intent by the owners of those properties to not treat their lots as through-lots, and as a further indication that the application of the through-lot setback requirement in this situation is inappropriate
8. The impact of our proposed structure is very small. (see photograph 8). The portion closest to

Old Walsh Tarleton is only 7' wide and the widest part of the encroaching structure is 11' wide. This small size means the rise of the roof is very small. In addition, the foundation of the encroaching portion of the structure is recessed below grade, further reducing any visual impact. The view of the structure from the first-floor point of view of the neighbor to the north will be largely blocked by their SportCourt backstop. From their second story, they will see the roof of the structure. The neighbors to the south will be able to see the full structure, but the distance is substantial and largely obscured by the protected trees. (see photograph 9) All of the homes on the east side of Old Walsh Tarleton have 6' cedar fences at their rear lot lines, so the visual impact from the street is largely blocked as well. (See, again, photographs 4 and 8)

9. Neighborhood response has been largely positive. Of the two letters in opposition, one mostly addresses impervious cover. The proposed construction has been fully reviewed by the City (indeed, a permit for construction has been issued) and the project has been found to comply with City of Austin impervious cover requirements. The other letter in opposition addresses the appearance of the proposed construction. The portion of the proposed construction in the setback is very small, the finishes will match those of the very attractive existing home, and photographs attached will show that except for the few months during which the trees have no leaves, the construction will be largely hidden by either the Owner's or the opposer's foliage. See photographs 11a,b,c, and d.
10. The goals of the owners and the goals of the City are very much in alignment here. The owners want to stay in their home and the City encourages the proposed construction. The owners want to save their trees and the City encourages and, in fact, requires it. All of the Craigs' neighbors would agree that the Craigs have been exemplary stewards of their home and their protected trees. The only thing standing in the way of this project is a broadly written definition, which, in this instance, serves no function. We ask you to grant our variance request.

Tom Hall
Tom Hall Construction

Craig Residence
3132 Honey Tree Lane

Index of Photographs

Photo 1. Front of residence

Photo 2 Rear of residence

Photos 3a and 3B Old Walsh Tarleton, looking south

Photo 4 Old Walsh Tarleton, looking north, from just south of subject property.

Photo 5 Neighbor's gazebo in setback

Photo 6 Neighbor's playhouse in setback

Photo 7 Neighbor's addition

Photo 8a Roof line of proposed structure viewed from Old Walsh Tarleton

Photo 8b. Roof line of proposed structure with trees in leaf.

Photo 8c Roof line of proposed structure with trees in leaf from just north of property

Photo 9a Roof line of proposed structure viewed from south fence. Note raised elevation of yard in the area of the trees. Note protected trees.

Photo 9b Roof line of proposed structure viewed from pavement on OWT showing trees.

Photo 10 Easement between roadway and property line

Photos 11a, 11b, 11c, 11d. Looking west from fence immediately adjacent to proposed construction



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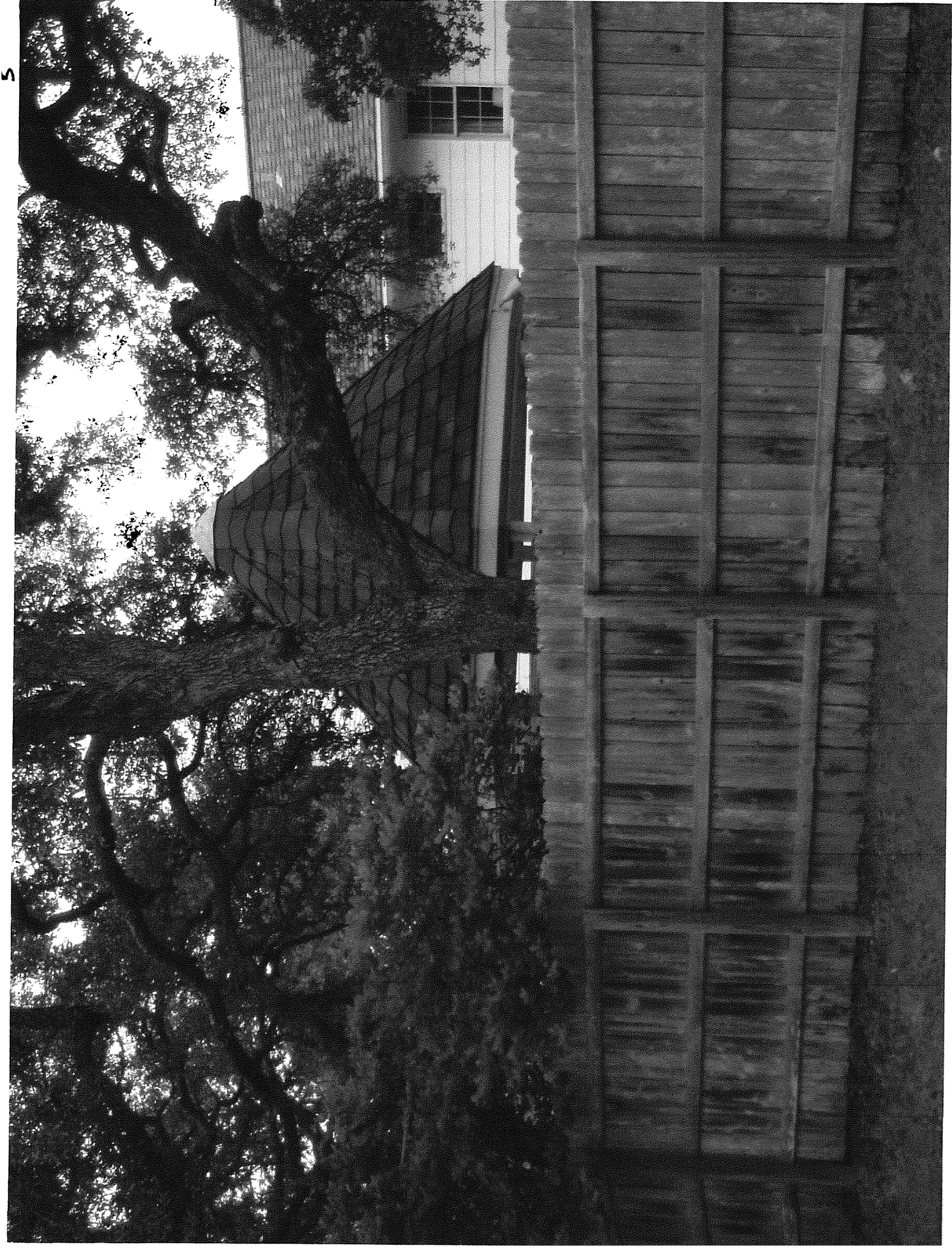
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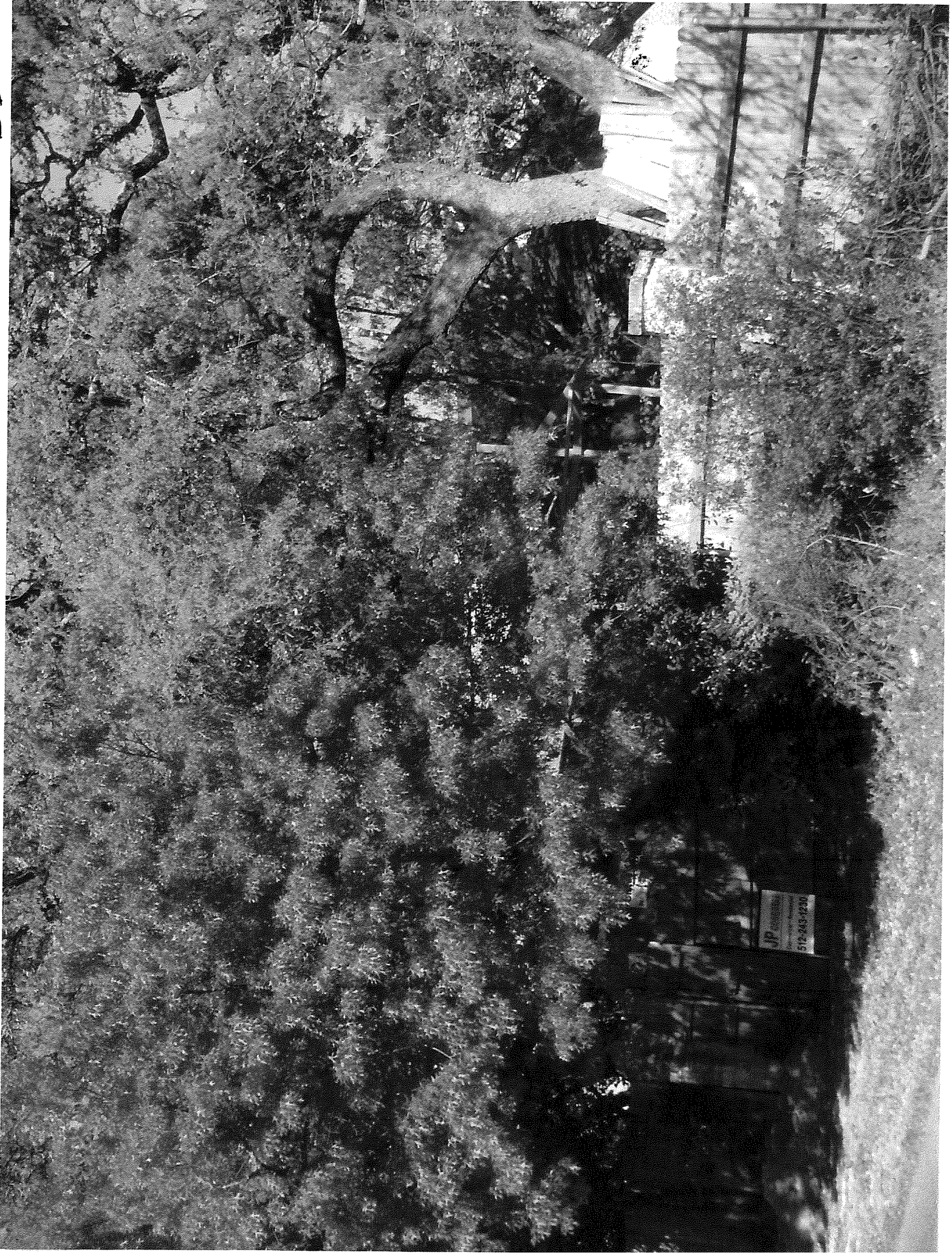






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11a







