




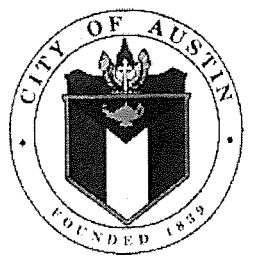
m3
1



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

NOTIFICATIONS

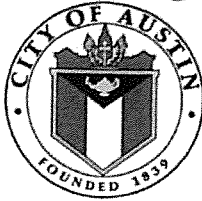
CASE#: C15-2016-0032
LOCATION: 1205 Richcreek Rd.



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.

1" = 141'



CITY OF AUSTIN

Development Services Department

One Texas Center | Phone: 512.978.4000

505 Barton Springs Road, Austin, Texas 78704

m3
2

Board of Adjustment General/Parking Variance Application

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

This application is a fillable PDF that can be completed electronically. To ensure your information is saved, [click here to Save](#) the form to your computer, then open your copy and continue.

The Tab key may be used to navigate to each field; Shift + Tab moves to the previous field. The Enter key activates links, emails, and buttons. Use the Up & Down Arrow keys to scroll through drop-down lists and check boxes, and hit Enter to make a selection.

The application must be complete and accurate prior to submittal. **If more space is required, please complete Section 6 as needed.** All information is required (if applicable).

For Office Use Only

Case # C15-2dl6-0032 ROW # 11500416 Tax # 0235081213
TCADL

Section 1: Applicant Statement

Street Address: 1205 Richcreek Rd. (1205B Accessory Structure)

Subdivision Legal Description:

Lot(s): 32

Block(s): L

Outlot:

Division: Crestview Addition Section 7

Zoning District: SF-3-NP

(Crestview)

I/We Maureen McCormack

on behalf of myself/ourselves as

authorized agent for

affirm that on

Month February

, Day 17

, Year 2016

, hereby apply for a hearing before the

Board of Adjustment for consideration to (select appropriate option below):

☐ Erect

☐ Attach

☐ Complete

☐ Remodel

☒ Maintain

☒ Other: Change of use

Type of Structure: existing accessory structure

Change of use + imperious cover

Portion of the City of Austin Land Development Code applicant is seeking a variance from:

m3/3

I request variances from Section 25-2-492 (D) to: 1) decrease the minimum rear yard setback from 10 feet (required) to 7 feet (existing); and to decrease the minimum side yard setback from 5 feet (required) to 4.9 feet (existing), in order to maintain an existing accessory structure in an SF-3-NP zoning district and to change its use to an Accessory Dwelling Unit. (GO TO SEC 6)

Section 2: Variance Findings

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 supporting documents.

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.

I contend that my entitlement to the requested variance is based on the following findings:

Reasonable Use

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

This property already had about 55% impervious cover when I bought it in 1986. The original 1952 home was expanded and a large detached garage, long driveway and porch were added in the 1960's. My additions of a small deck and unmortared brick walks had added about 3%. In 2008 I received variances to maintain the existing 58.2% impervious cover and to decrease the rear setback to 7 feet, in order to add a second story workroom to the garage. The second story was added and approved by the city. My lot is otherwise eligible for an ADU under city criteria, zoned SF-3-NP and has over 7000 sq. ft.

Hardship

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

The configuration of the lot, including the expanded house footprint, the rear garage location and long driveway, are unique to this property. The existing second floor garage workroom was built with variances and a permit in 2008, and is otherwise eligible to be converted to an ADU.

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

There is a lot of size and style variety in Crestview homes, both among the older original homes, and with all the new construction. Some houses have been enlarged, some have not. Many homes do not have detached garages located at the rear of the property.

M3
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Area Character

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:

These variances would maintain long standing setback and impervious cover property
conditions and would retain a style and scale common to the original construction of the
neighborhood. The change of use will allow a kitchen to be added to the INTERIOR of the
accessory structure. No exterior changes would be made. The lot is zoned SF-3-NP, which
allows for two family use.

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 in the City of Austin Land Development Code Chapter 25-6, Appendix A 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 reasonably require strict or literal interpretation and enforcement of the specific regulation because:

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:

m3
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Section 3: Applicant Certificate

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

Applicant Signature: Maureen McCormack Date: 02/17/2016

Applicant Name (typed or printed): Maureen McCormack

Applicant Mailing Address: 1205 Richcreek Rd.

City: Austin State: TX Zip: 78757

Phone (will be public information): (512) 467-8172

Email (optional – will be public information): _____

Section 4: Owner Certificate

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

Owner Signature: Maureen McCormack Date: 02/17/2016

Owner Name (typed or printed): Maureen McCormack

Owner Mailing Address: 1205 Richcreek Rd.

City: Austin State: TX Zip: 78757

Phone (will be public information): (512) 467-8172

Email (optional – will be public information): _____

Section 5: Agent Information

Agent Name: _____

Agent Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone (will be public information): _____

Email (optional – will be public information): _____

Section 6: Additional Space (if applicable)

Please use the space below to provide additional information as needed. To ensure the information is referenced to the proper item, include the Section and Field names as well (continued on next page).

Section 1: Applicant Statement CONTINUED I also request a variance from Section 25-2-492 and Section 25-2-774 (Two Family Residential Use) to increase maximum impervious cover from 45% to existing 58%. Variances were received for the same rear setback and impervious cover issues in 2008 to add a second story workroom to the existing accessory structure. The side setback

Additional Space (continued)

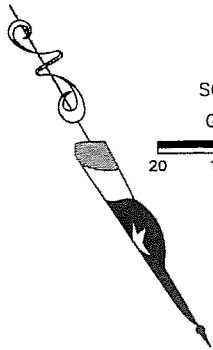
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problem (only 4.9 feet) was only discovered with the recent 2015 survey.

SAVE

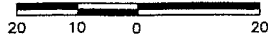
Waterloo Surveyors Inc.
SURVEY PLAT
AS-BUILT SURVEY

J14640



SCALE: 1" = 20'

GRAPHIC SCALE



LOT 14
BLOCK L
CRESTVIEW ADDITION
SECTION 6
(5/117)

LOT 13
BLOCK L
CRESTVIEW ADDITION
SECTION 6
(5/117)

OWNER:
MAUREEN P. MCCORMACK

ADDRESS:
1205 RICHCREEK RD
AUSTIN, TEXAS 78757

LEGAL DESCRIPTION:

0.1706 OF ONE ACRE (APPROX. 7431 SQ. FT.) BEING ALL OF LOT 32, BLOCK L, CRESTVIEW ADDITION SECTION 7, A SUBDIVISION OF RECORD IN VOLUME 5, PAGE 117 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS

LEGEND

- FIR 1/2" IRON ROD FOUND
- ⊠ BENCHMARK LOCATION
- ⊙ WATER METER
- ⊙ WATER VALVE
- ⊙ IRRIGATION CONTROL VALVE
- ⊙ UTILITY POLE
- GUY WIRE
- ou- OVERHEAD UTILITIES
- ⊠ AC PAD
- ⊙ CLEANOUT
- CHAIN LINK FENCE
- R.O.W. RIGHT-OF-WAY
- B.L. BUILDING SETBACK LINE
- P.U.E. PUBLIC UTILITY EASEMENT
- () RECORD INFORMATION
- (X/XXX) RECORDING INFORMATION (VOLUME/PAGE)
PLAT RECORDS OF TRAVIS COUNTY, TEXAS

BUILDING NOTE:

SQUARE FOOTAGE OF BUILDINGS, IF SHOWN, IS BASED ON THE OUTSIDE, GROUND FLOOR FOOTPRINT. UNLESS NOTED OTHERWISE, THE SURVEYOR HAS NOT ACCESSED THE INSIDE OF THE BUILDING FOR MEASUREMENT PURPOSES.

TITLE COMMITMENT NOTE:

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A COMMITMENT FOR TITLE, AND MAY BE SUBJECT TO ADDITIONAL EASEMENTS OR RESTRICTIONS NOT SHOWN HEREON. NO ADDITIONAL EASEMENT RESEARCH WAS DONE FOR THE PURPOSE OF THIS SURVEY.

State of Texas:

County of Travis:

The undersigned does hereby certify that this survey was this day made on the property legally described hereon and is correct, and this survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 5 Condition II Survey.

I certify that the property shown hereon IS NOT within a special flood hazard area as identified by the Federal Insurance Adm. Department of HUD

Flood hazard boundary map revised as per Map Number: 48453C0455H

Zone: X Dated: September 26, 2008

Date of survey, this the 4th day of December, 2015.

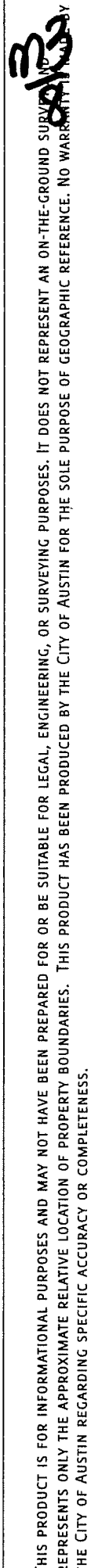
Thomas P. Dixon R.P.L.S. 4324



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Waterloo Surveyors, Inc.
P.O. Box 160176, Austin, TX 78716 *TBPLS Firm#10124400
Phone: 512-481-9602 Fax: 512-330-1621 www.WaterlooSurveyors.com

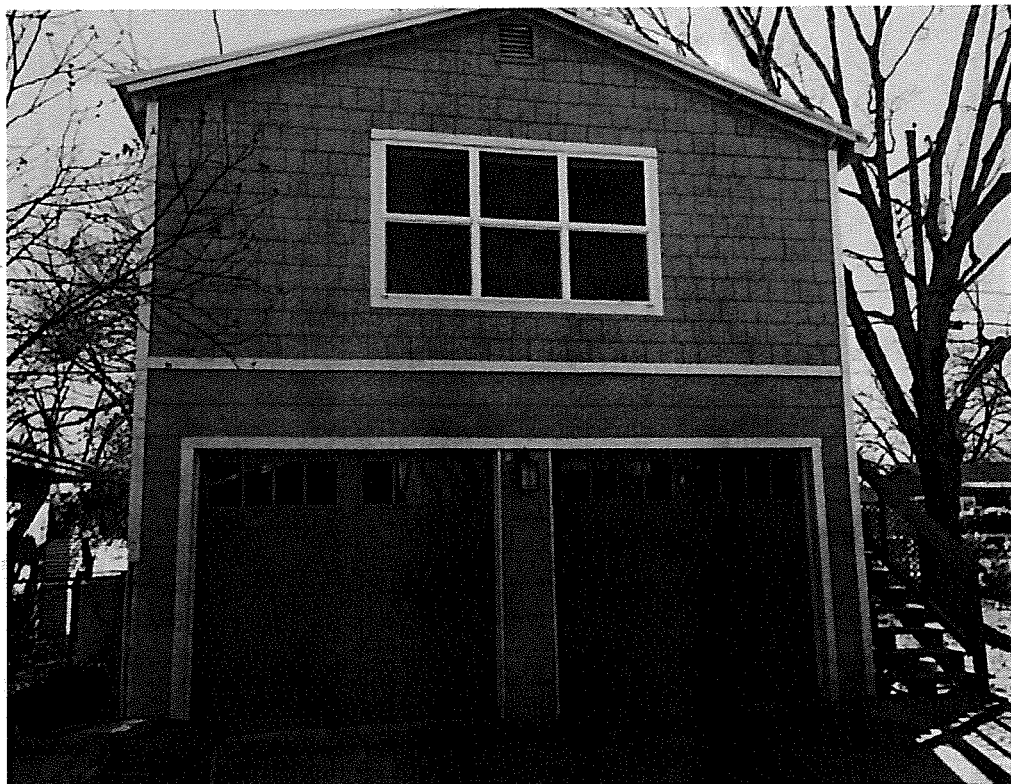
Building Footprints 2012



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1205 Richcreek Rd.

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CITY OF AUSTIN
Board of Adjustment/Sign Review Board
Decision Sheet

DATE: Monday, January 28, 2008

CASE NUMBER: C15-2008-0001

☒ Y Greg Smith
☒ Y Michael Von Ohlen (2nd)
☒ Y Barbara Aybar
☒ Y Bryan King
☒ Y Leane Heldenfels, Vice-Chairman (Motion to GRANT)
☒ Y Frank Fuentes, Chairman
☒ Y Dorothy Richter

APPLICANT: MAUREEN, MC CORMACK

ADDRESS: 1205 RICHCREEK RD

VARIANCE REQUESTED: The applicant has requested a variance to decrease the minimum rear setback requirement of Section 25-2-492 (D) from 10 feet to 7 feet in order to maintain an existing accessory structure and add a second story for a work area in an "SF-3-NP", Family Residence - Neighborhood Plan zoning District. (Crestview Neighborhood Plan)


The applicant has requested a variance to increase the maximum impervious coverage requirement of Section 25-2-492 (D) from 45% (58.2% existing) to 58.2% in order to maintain an existing accessory structure and add a second story with an uncovered open stairway for a work area in an "SF-3-NP", Family Residence - Neighborhood Plan zoning District. (Crestview Neighborhood Plan)

BOARD'S DECISION: GRANTED 7-0

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: current impervious cover 58.2% because short front and back paver walkways and an uncovered wood deck was added.
2. (a) The hardship for which the variance is requested is unique to the property in that: configuration of lot, including existing coverage and the rear location of garage.
(b) The hardship is not general to the area in which the property is located because: lot of variety in the neighborhood, some have been enlarged, some have detached garages, some have converted enclosed garages to rooms.
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: variance would maintain long term property conditions (58.2% impervious cover and 7' rear property construction set back).


Bobby Ray
Executive Secretary


Frank Fuentes
Chairman

City of Austin
Board of Adjustment Members
Re: Case Number: C15-2016-0032

m3
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March 25, 2016

Dear Members,

I am applying for variances in order to change the use of my existing accessory structure to a Second Dwelling Unit. I have owned my home in the Crestview neighborhood since 1986. In 2008, my former husband and I received rear setback and impervious cover variances to add a second story workroom to the existing detached garage. These were based on longstanding property conditions.

- The house was built in 1952. In the early 1960's the attached garage was converted to a bedroom, a large family room and porch were added in the back, and the detached garage was built.
- The second story was built in 2008.
- In 2015 the workroom was upgraded to a studio. I was unable to pursue a secondary dwelling unit permit at that time because the Austin Water policy requiring a new water line and meter was cost prohibitive. That policy was changed in August 2015.

I am requesting the same variances again, because the 2008 variances do not apply to the change of use from accessory studio to second dwelling unit, plus a new one for a recently discovered side setback issue. This will allow an interior remodel only. No structure will be added or demolished, and no impervious cover will be added.

Neighbor Support. I have discussed these changes with many neighbors and have received a lot of support and no objections. I have attached the description of the project I shared with them, a list of their signatures indicating they do not object to this request, and a map of their locations.

I also contacted the *Crestview Neighborhood Plan Contact Team*. They determined that it was not in their purview to approve or disapprove this kind of application, since it did not involve a change to the neighborhood plan. I provided a project description (attached) and was able to discuss it with a few members for information purposes only.

Thank you for your consideration.

Maureen McCormack

Maureen McCormack

Owner

2010 CITY OF AUSTIN DEVELOPMENT WEB MAP • = DO NOT OBJECT




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.


2/23


2012 CITY OF AUSTIN DEVELOPMENT WEB MAP





Legend


 Lot Lines


 Streets


 Building Footprints


 Named Creeks


 Lakes and Rivers


 Parks


 County


 Lot ID

 Block ID

 Lot Line

 Zoning Text

 Zoning (Large Map Scale)

 Building Footprints Year

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13/33

DESCRIPTION PRESENTED TO NEIGHBORS

Board of Adjustment Application 2016

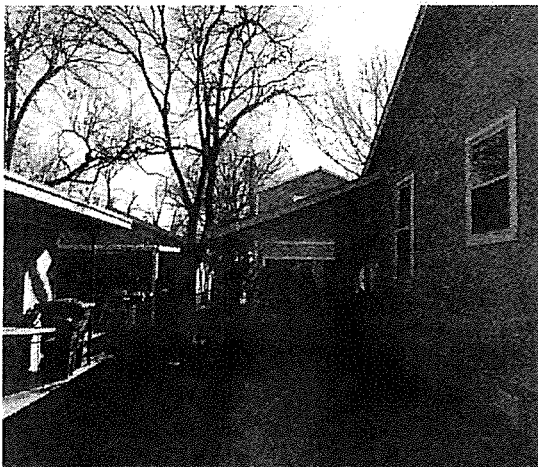
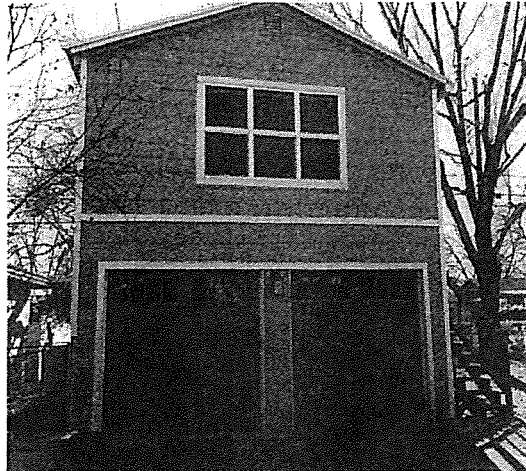
Maureen McCormack, the owner of 1205 Richcreek Rd., has discussed with me her plan to request variances from Section 25-2-492 and Section 25-2-744 of the Land Development Code in order to change the use of an existing accessory structure to an Accessory Dwelling Unit. No structure will be added or demolished, and no impervious cover will be added. Similar variances were approved in 2008 to allow for the addition of a second story workroom over the garage.

A variance from Section 25-2-492 will decrease the minimum rear setback requirement from 10 feet to 7 feet and the minimum side setback from 5 feet to 4.9 feet for the existing accessory structure built in the 1960's, and decrease the minimum side setback for the existing carport roof, over 10 years old, from 5 feet to 1.33 feet.

A variance from Section 25-2-492 (and Section 25-2-744 Two Family Residential Use) will increase the maximum impervious coverage requirement from 45% to 58.2% to maintain the existing impervious cover (about 55% covered prior to purchase in 1986).

I do not object to this request.

SIGNATURES
ATTACHED



NOTE: The carport was separated into a Special Exception setback variance application.

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No Quorum, Shared for Information Only.

CNPCT Meeting 2/16/2016

Application to Board of Adjustment for 1205 Richcreek Rd.

Maureen McCormack, Crestview Homeowner and resident since 1986.

The City of Austin Board of Adjustment recommends that applicants contact their neighborhood association contact team and neighbors about their plans to seek variances from the Land Development Code.

I plan to request variances to be able to maintain longstanding property conditions to "**change the use**" of my existing garage studio to a garage apartment. My adjacent neighbors support my request.

I am NOT asking for a zoning change or to add or tear down any building or add any impervious cover. This project will only require an interior remodel. My lot is zoned SF-3-NP and is over 7400 square feet.

In 2008 I received two variances to be able to add a second story workroom to an existing detached garage at the back of my lot:

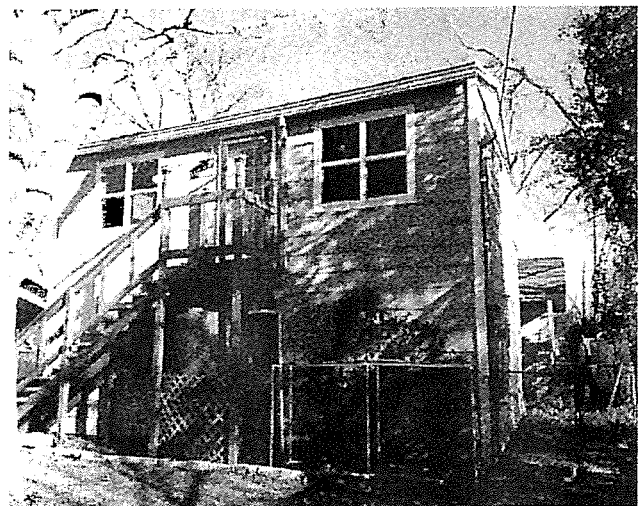
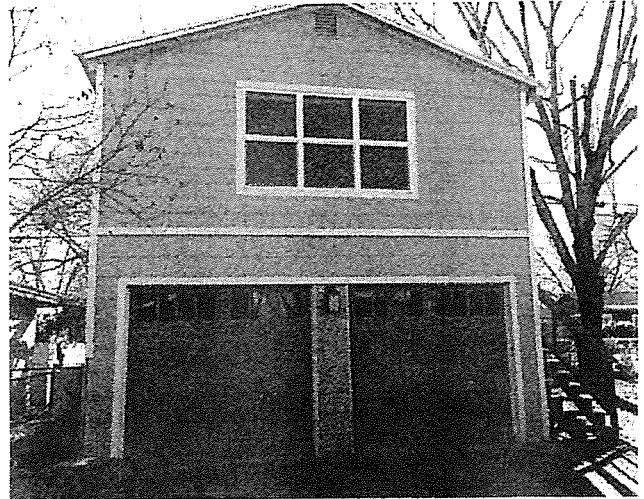
- To decrease the minimum rear setback from 10 feet to seven feet to maintain the existing structure and add the second floor; and
- To increase the maximum impervious cover from 45% to 58.2% to maintain the existing impervious cover, about 55% of which had been there since the 1960's when the house was expanded and the porch and garage were built.

The second story workroom was built in 2008, and upgraded in 2015. The "**change of use**" requires new variances for the same issues covered in 2008:

- To decrease the minimum rear setback from 10 feet to seven feet to maintain the existing structure and change its use to a garage apartment; and
- To increase the maximum impervious cover from 45% to 58.2% to maintain the existing impervious cover, about 55% of which had been there since the 1960's.

In addition, my recent survey indicated I also need to ask:

- To decrease the minimum side setback from 5 feet to 4.9 feet to maintain the existing structure.



3/3
15

m3
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NAME

ADDRESS

John Eschberger

1202 Richcreek Rd
78757

Lillie Mae Williams

1203 Richcreek Rd

Cory A

1201 Richcreek Rd

Kat Stubb

1300 PASADENA DR

Lisa Thomas

1211 Richcreek Rd

Dud J rums

1211 Richcreek Rd.

Came R. Piper

1209 Richcreek

Jane S Fleming

1204 Richcreek Rd.

Dula Cox

1207 Richcreek Rd.

Robert L. J.

1207 RICH CREEK RD.

Kyl D. Hays

1212 Richcreek Rd

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-1/3

NAME

ADDRESS

Edward Selig (2.11.16)	1212 Pasadena
Sally Brannon	1208 Pasadena
Jim Nym	1206 Pasadena
Lisa Ruchel	1301 Richcreek
Rick Pearson	7410 Groves
Mal B	1210 RICHCREEK RD.
Tyler Nott	1206 Richcreek
WESTON VANDY W	1202 PASADENA
Patti Fry	1215 Richcreek RD
Anne-Charlotte Patterson	1305 Richcreek

3 of 3
Approved by phone:

m3
18

NAME

ADDRESS

Martha Vorheier

1214 Pasadena

John Wepryk

1200 Richcreek

Christy/Helen Hoy

1208 Richcreek
