






-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

NOTIFICATIONS

CASE#: C15-2016-0068
 LOCATION: 902 Wayside Dr.



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" = 167'



CITY OF AUSTIN
Development Services Department
One Texas Center | Phone: 512.978.4000
505 Barton Springs Road, Austin, Texas 78704

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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 # C15-2016-0068 ROW # 11530419 Tax # 0111070602

TCAD ✓

Section 1: Applicant Statement

Street Address: 902 Wayside Drive

Subdivision Legal Description:

Marlton Place, Section One

Lot(s): 34 Block(s): _____

Outlot: _____ Division: _____

Zoning District: SF-3-NP (West Austin Neighborhood Group)

I/We John R. Terwilliger on behalf of myself/ourselves as
authorized agent for _____ affirm that on
Month May, Day 5, 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: _____

Type of Structure: widening carport closer to property line

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

25-2-551, further encroachment into side setback from 4.2(plus overhang) feet to 0.8 feet

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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:

Widening carport and driveway into side setback will prevent further damage to front corner of home. The home and attached carport was built in 1953.

Widening of the carport and driveway straightening into the side setback will enable ease of backing in the driveway which is required due to obscured view by extensive trees and shrubbery at front of adjacent neighbor's property.

Hardship

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

Widening the carport provides the least potential impact to trees on this property and neighboring property due to minimal increase in pouring and addition to overhang. The current home site configuration is atypical and is at angle to the lot which presents a unique issue to this property.

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

Not all yards in the neighborhood have similar tree configurations. On this lot there is one heritage tree in the front yard and one heritage tree in the back yard. The home site being at an angle is atypical to this block/neighborhood and limits other potential driveway/carport locations.

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:

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This carport/driveway widening proposal utilizes the home's original design to help retain the character of the area more so than would removing the carport. Neighboring structure is 2 feet from shared property line where the proposed widening of the carport is near. Other structures/carports on this block and surrounding blocks are similarly situated and side setback encroachments are common to the area.

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:

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. M3
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Applicant Signature: John R. Terwilliger Date: 05/05/2016

Applicant Name (typed or printed): John R. Terwilliger

Applicant Mailing Address: 902 Wayside Drive

City: Austin State: TX Zip: 78703

Phone (will be public information): (512) 799-7750

Email (optional – will be public information): jrtjrt@aol.com

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: John R. Terwilliger Date: 05/05/2016

Owner Name (typed or printed): John R. Terwilliger

Owner Mailing Address: 902 Wayside Drive

City: Austin State: TX Zip: 78703

Phone (will be public information): (512) 799-7750

Email (optional – will be public information): jrtjrt@aol.com

Section 5: Agent Information

Agent Name: _____

Agent Mailing Address: _____

City: _____ State: _____ Zip: _____

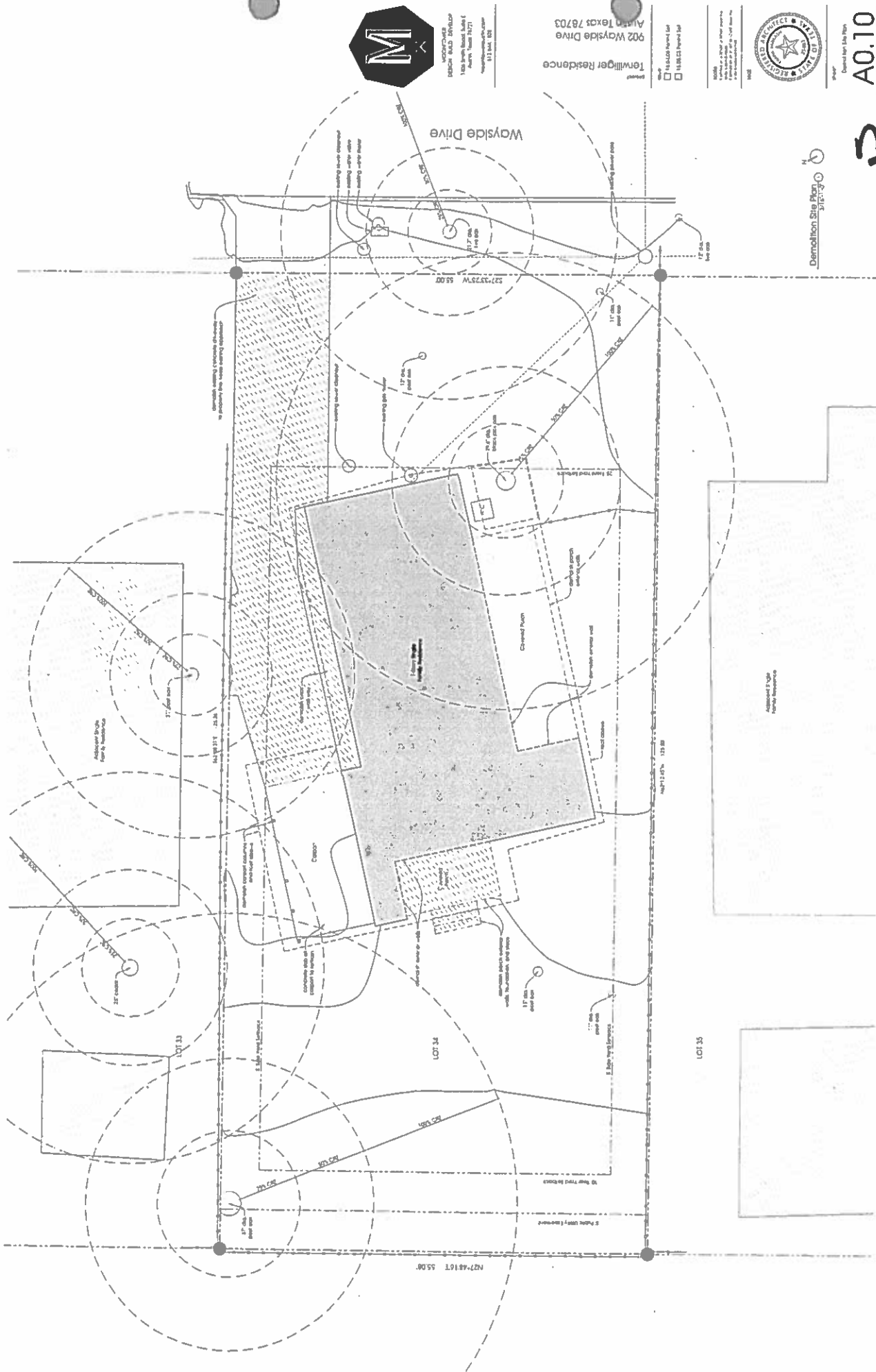
Phone (will be public information): _____

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).

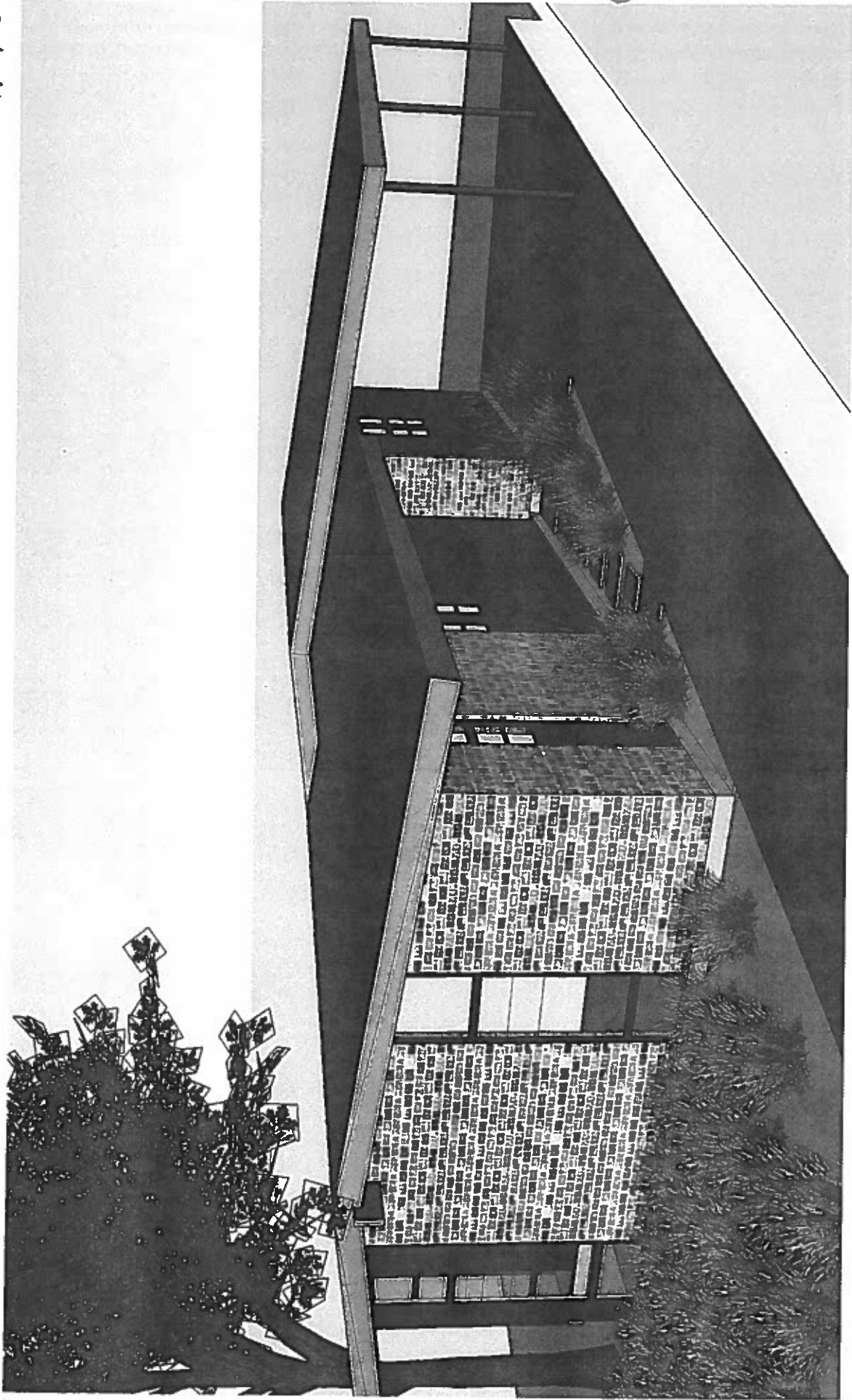
Current Site Plan



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Proposed Home and Carport Remodel Model

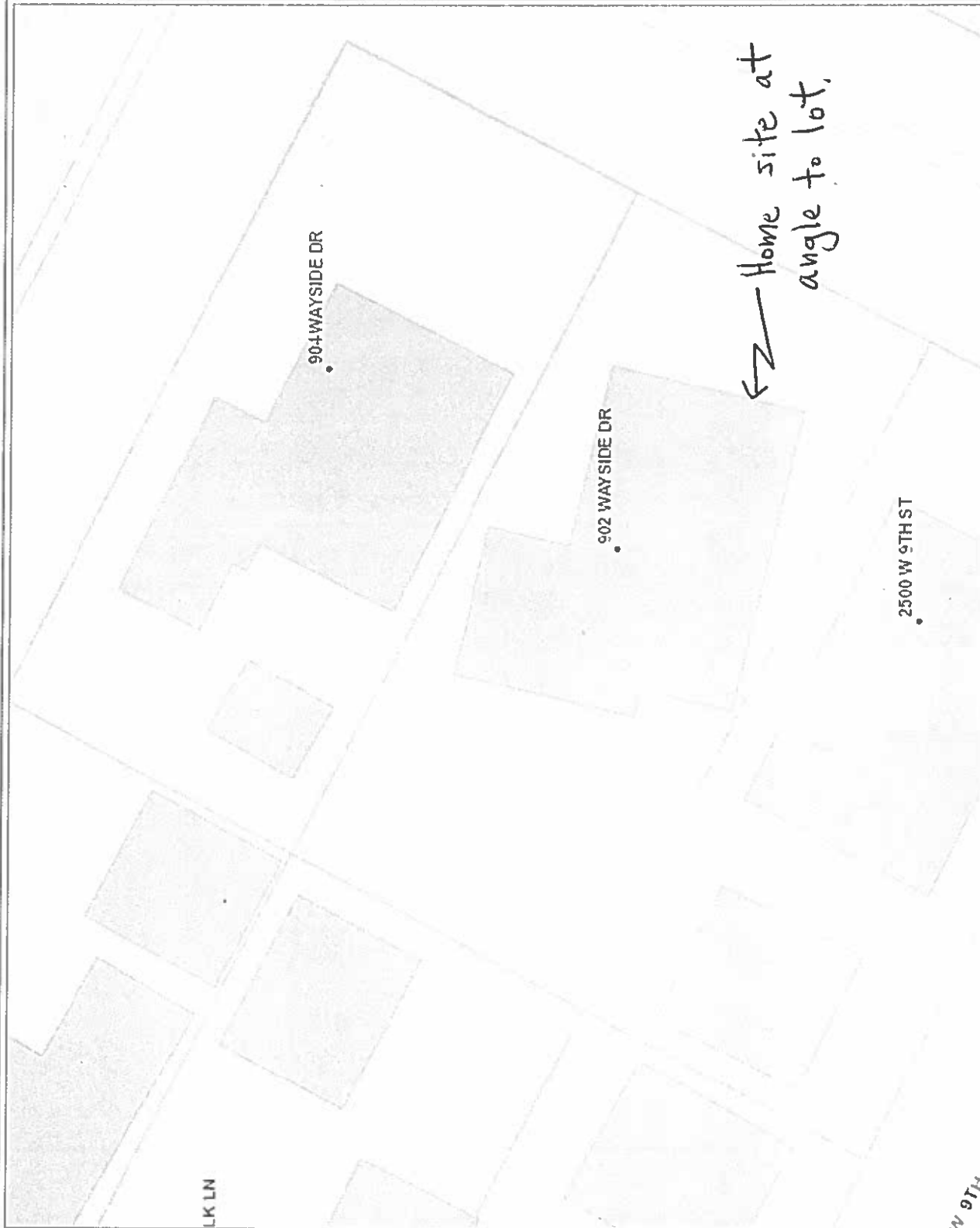
4/26/16



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Property Configuration CITY OF AUSTIN DEVELOPMENT WEB MAP



Legend

Lot Lines

Streets

Building Footprints

Named Creeks

Lakes and Rivers

Parks

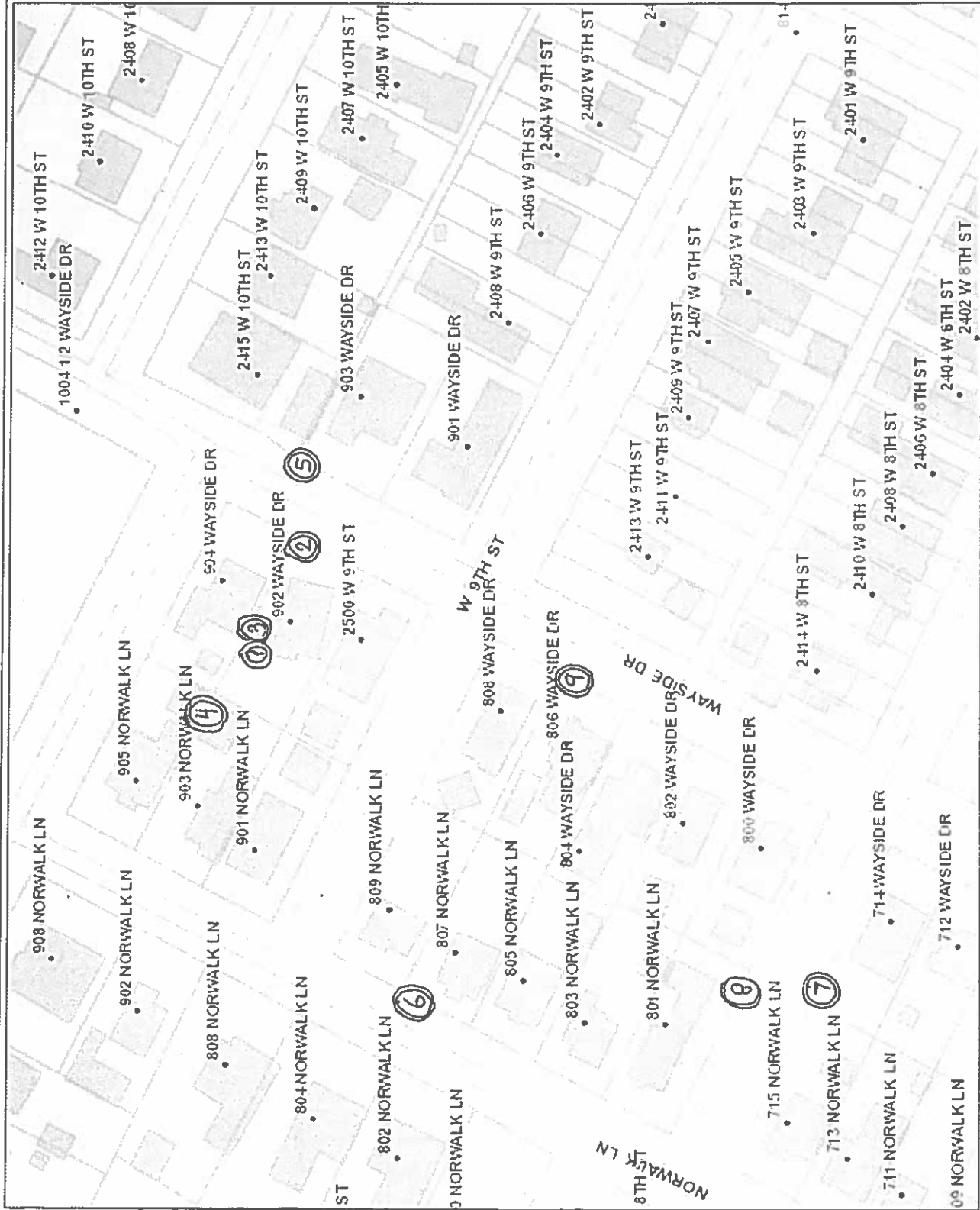
County

• Address Points

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.

Area Character Photos

CITY OF AUSTIN DEVELOPMENT WEB MAP



Legend

Lot Lines

Streets

Building Footprints

Named Creeks

Lakes and Rivers

Parks

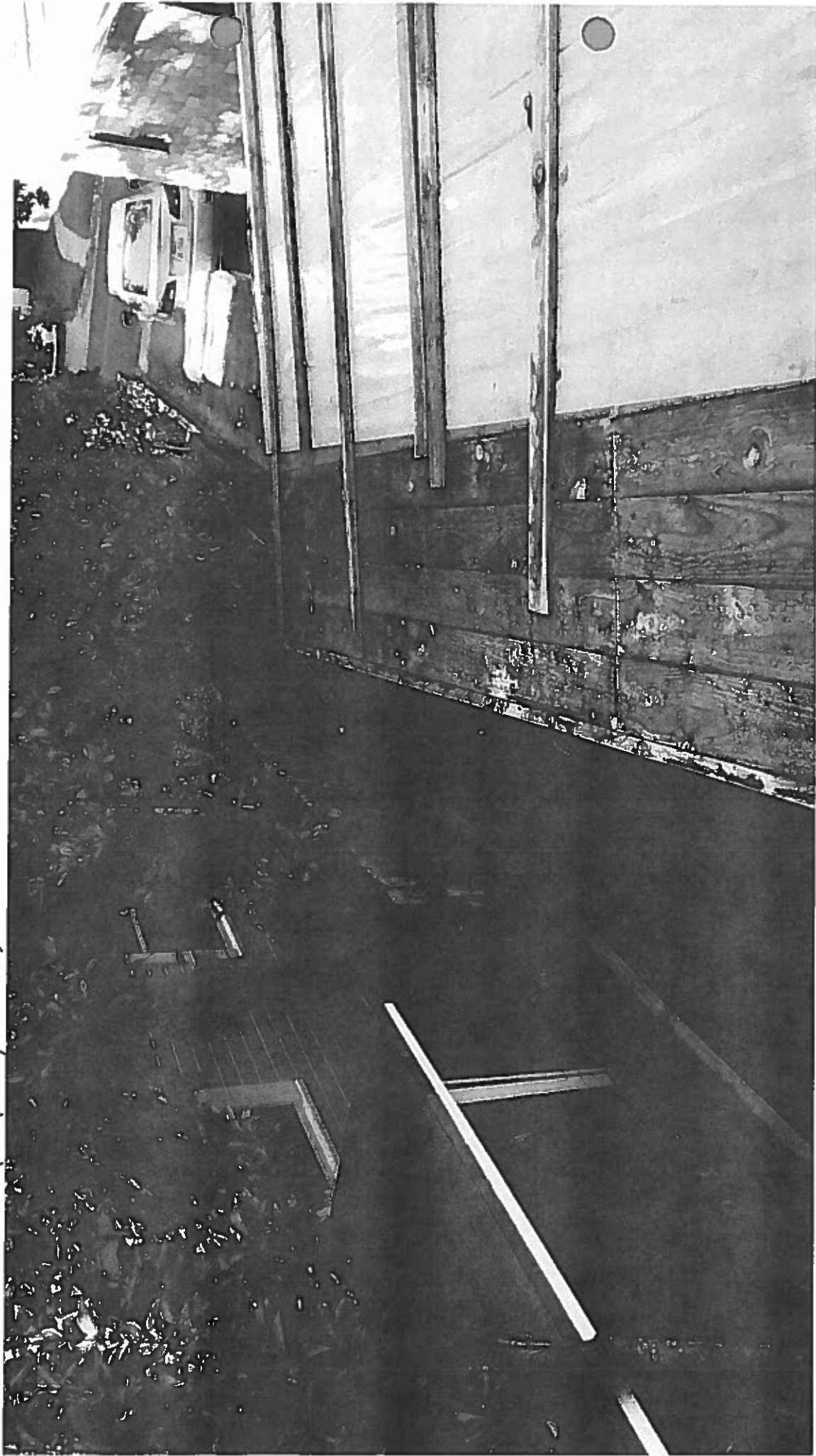
County

Address Points

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904 Wayside Drive and 902 Wayside Drive
(photo taken from 902 Wayside Dr. carport looking down
property line)

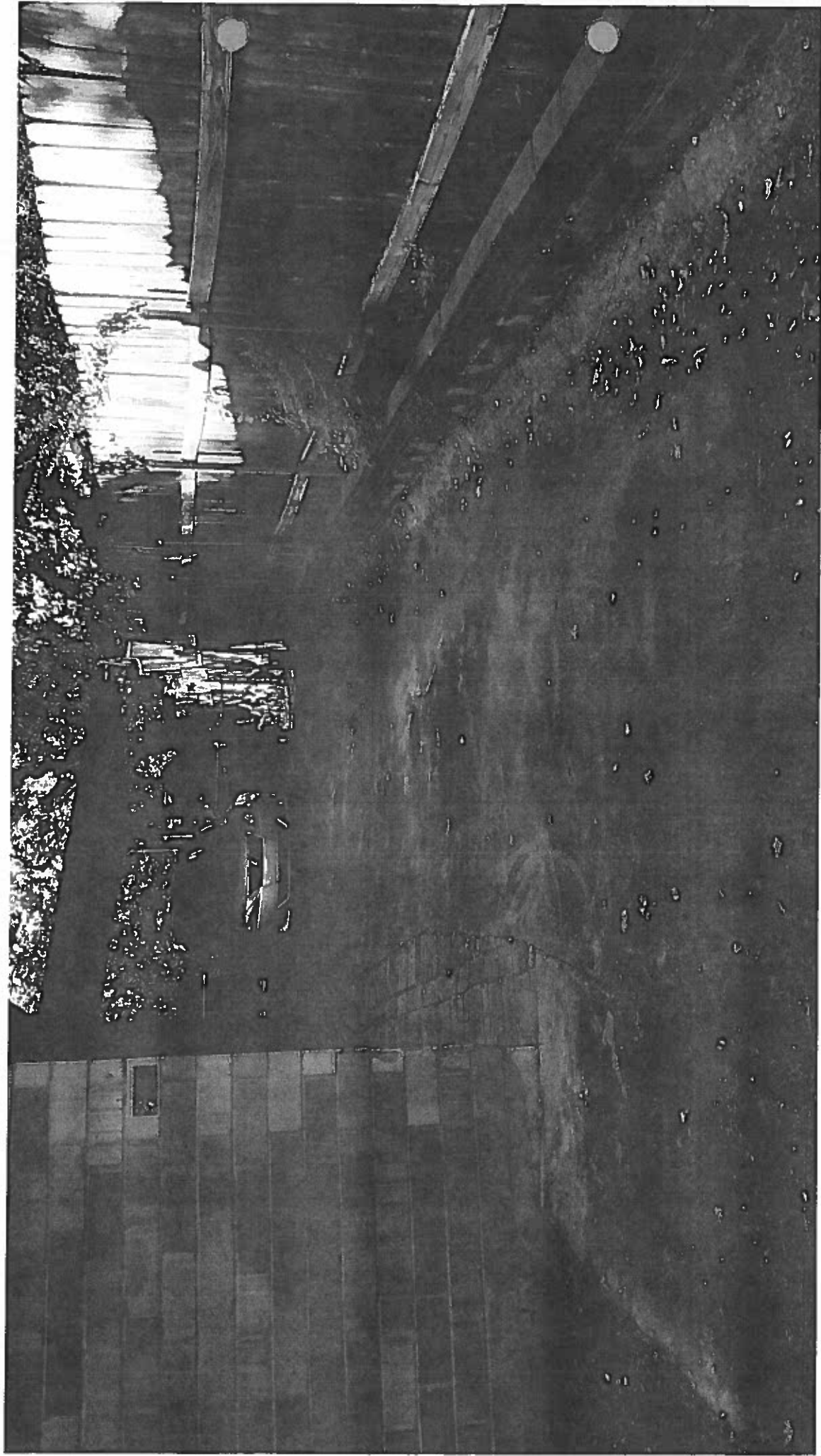


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902 Wayside Dr,

(driveway and Carport, showing corner of home damage)

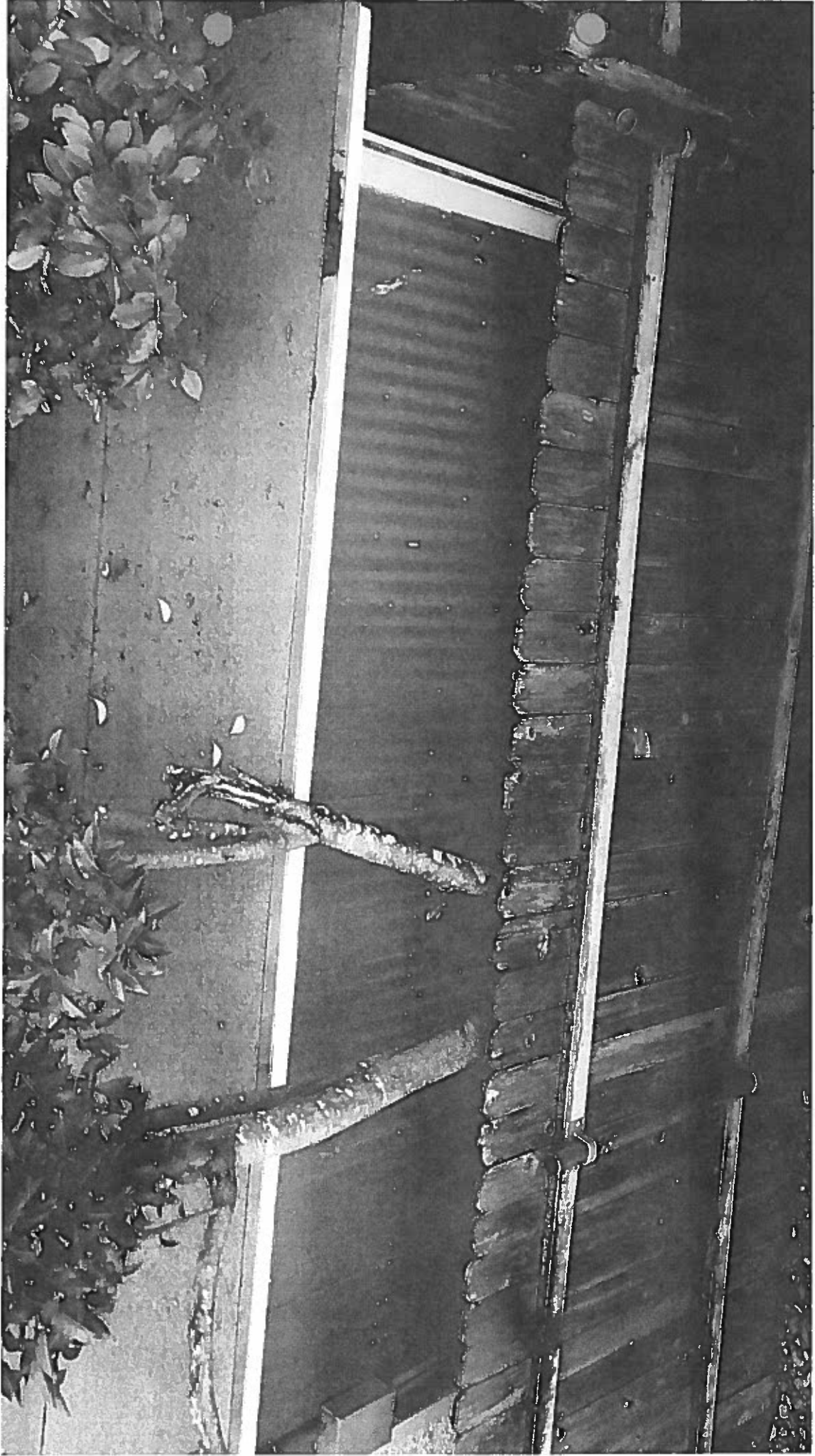
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③

Adjacent Property - 904 Wayside Dr. / 902 Wayside Dr.
(structure within side setback)

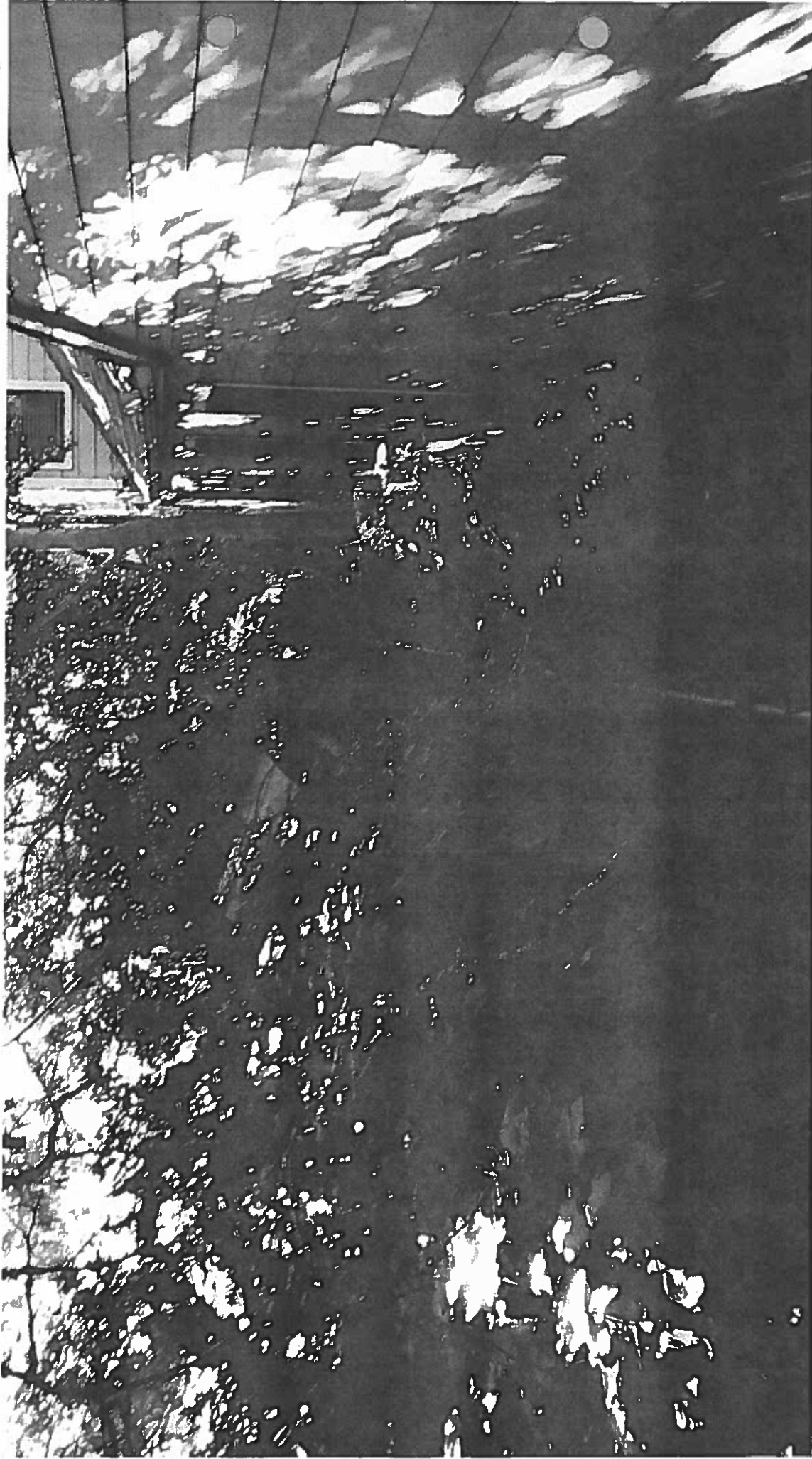


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④

903 Norwalk Lane and 905 Norwalk Lane
(903 Norwalk Ln. structure in side setback)

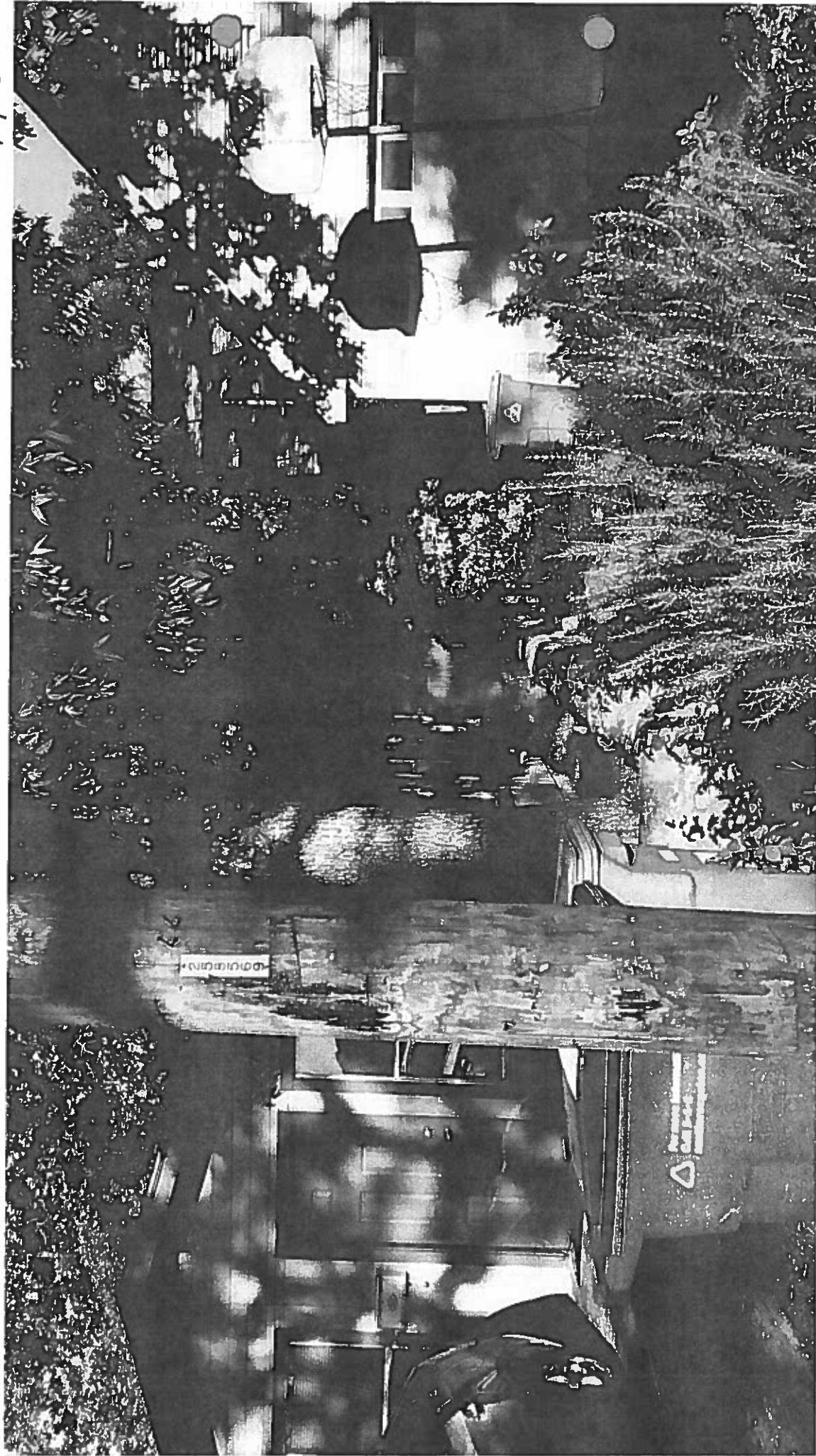
5/4/16



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2415 W 10th st
(home in side setback)

5/4/16



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⑥

807 Norwalk Lane
(carport)

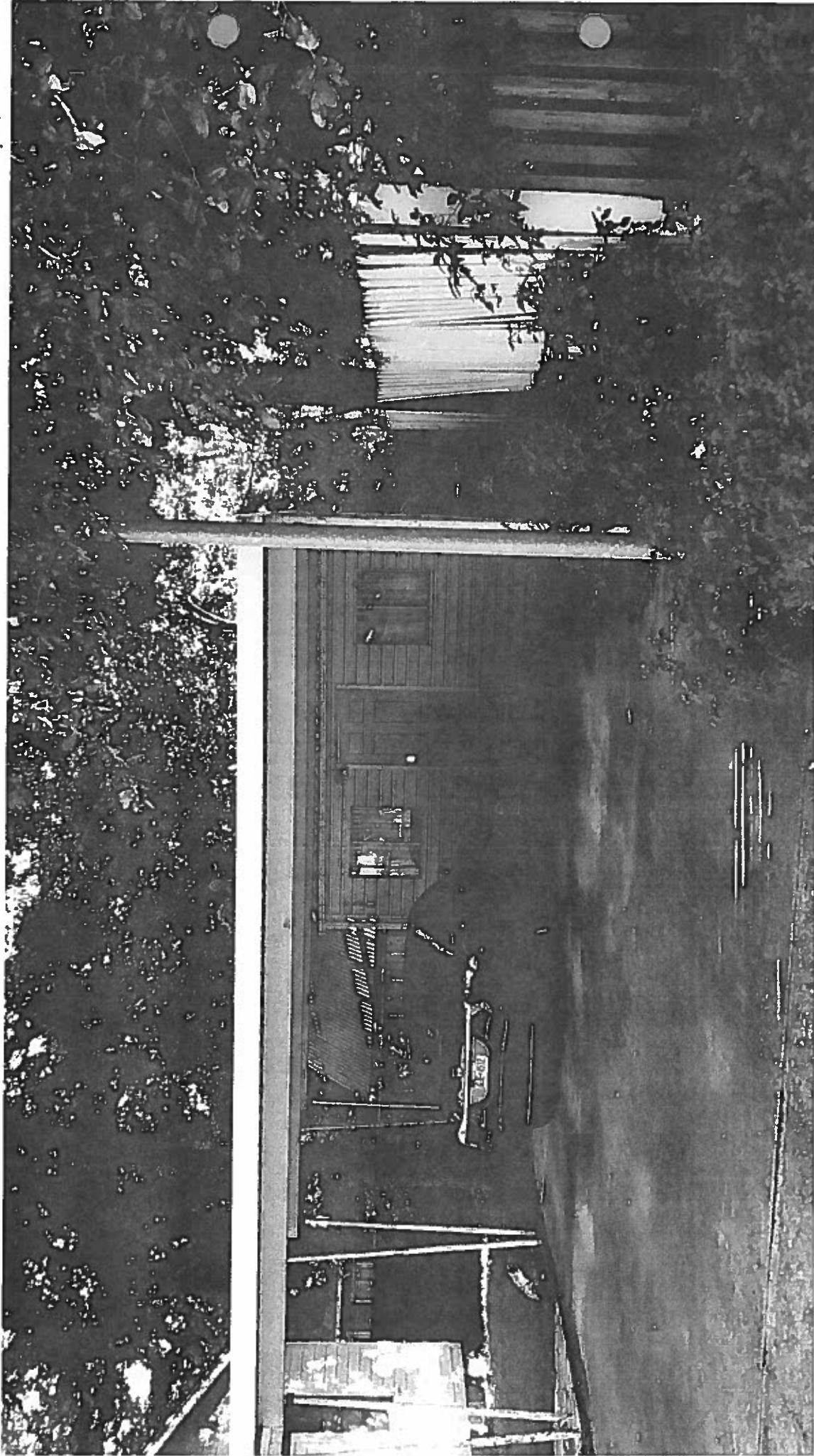
5/4/16



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714 Wayside Drive
(carport in side setback)

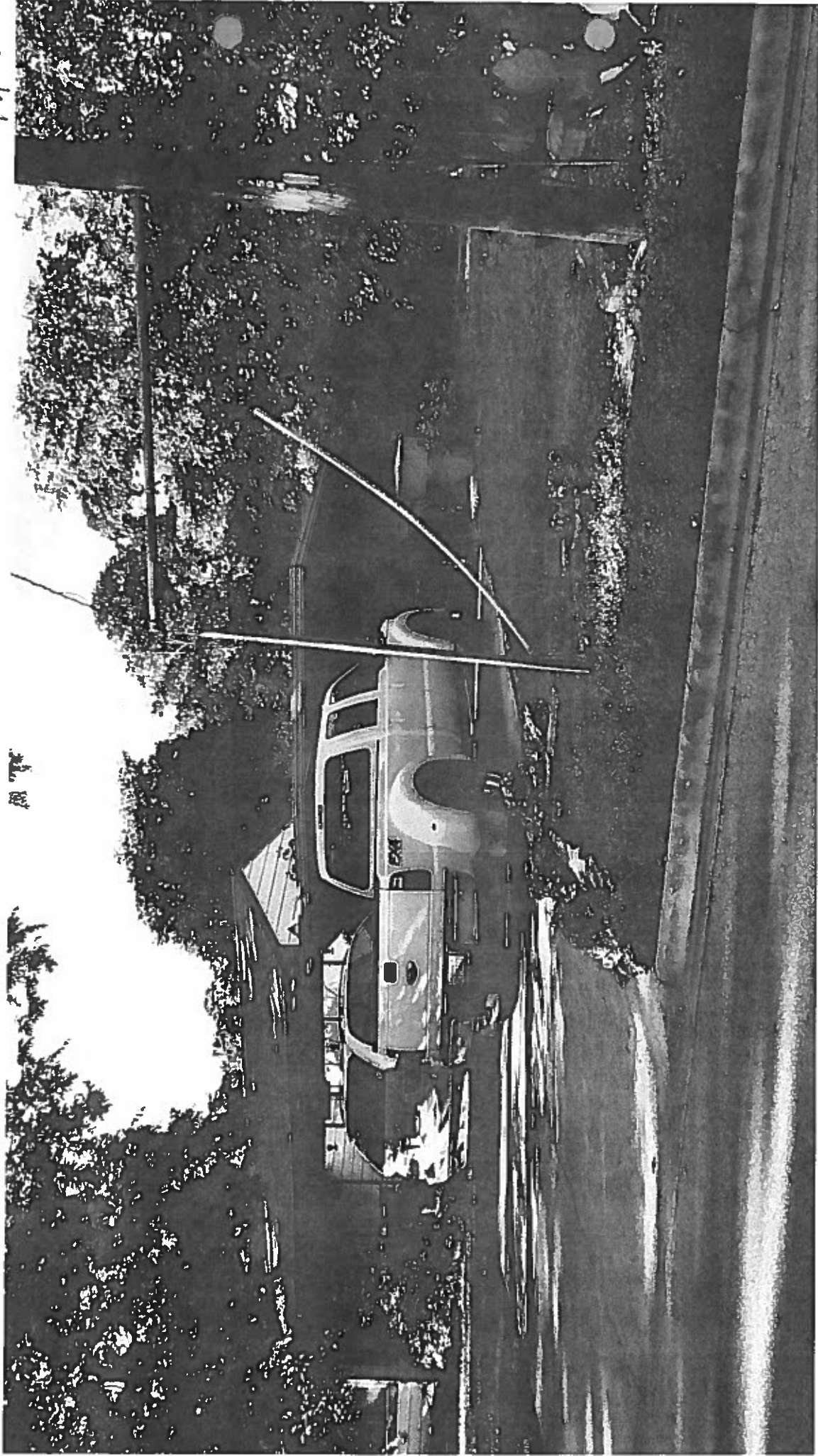
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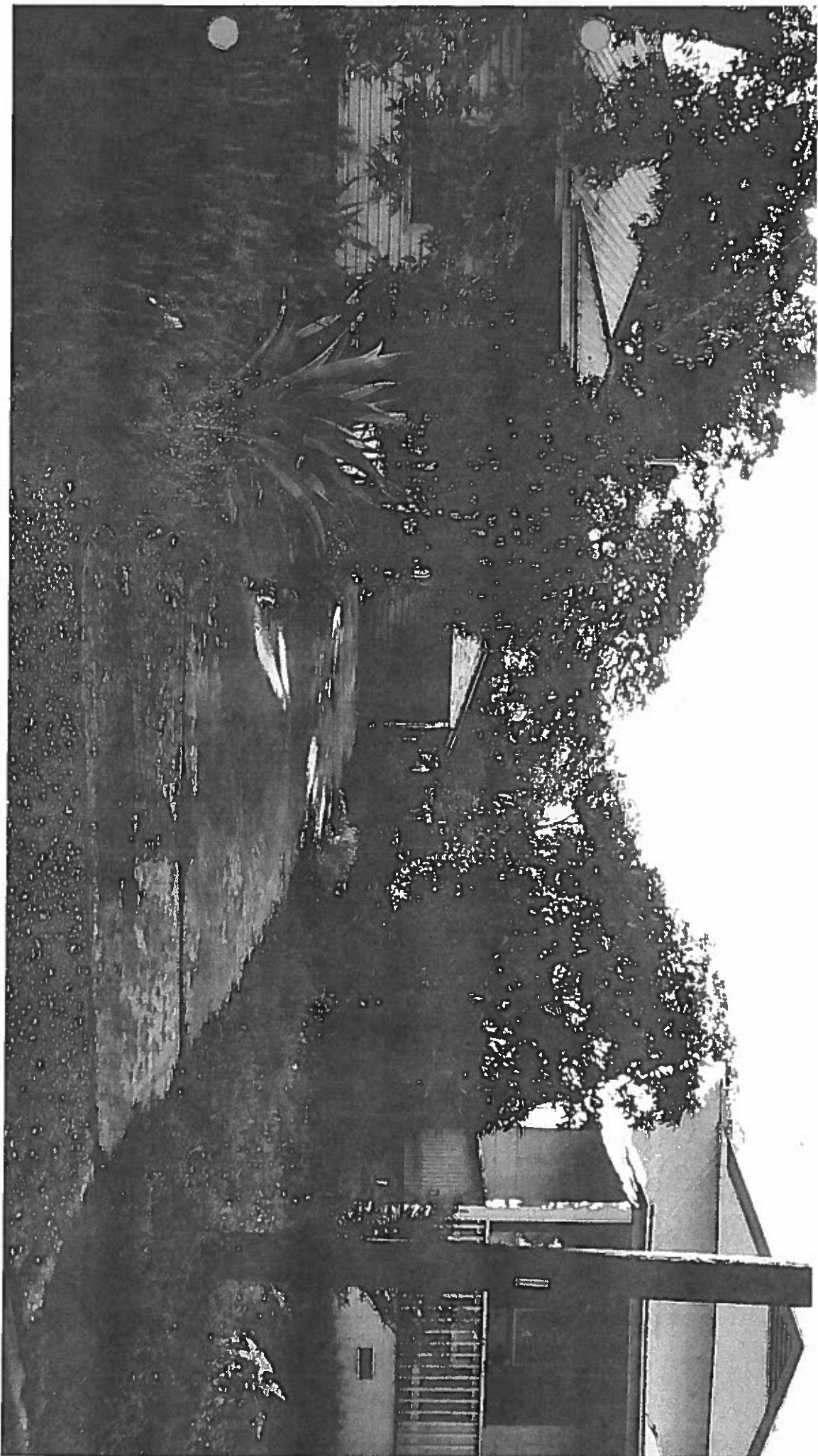
801 Norwalk Lane
(carport attached to home)

5/4/16



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⑨ 806 Wayside Drive
5/5/16 (carport)



5/4/16

Tree Ordinance Review - Jim Gobel - jim.gobel@austintexas.gov

TOR#1:

- A. The plot plan for the new work depicts 3 separate Post Oaks at the front left corner of the building. This is one tree with three stems and measures to be a heritage size of 29.6" in diameter. The ROW tree at the front of the lot is not a 23" tree but is in fact 21.7" in diameter. Given the errors on the plot plan for the proposed development as they relate to the diameters and types of trees, we need an accurate tree survey, preferably from a certified arborist, who can correctly measure the trees on property, identify their species, and help the architect depict the quarter, half and full crz's of all protected and heritage trees located on property, in the right of way and on the neighboring properties if any proposed construction activity will be impacting their full crz's.
- B. Please provide dumpster, portable toilet and material staging area on plot plan

Residential Zoning Review - Renee Johns - (512)974-6444

1. Proposed new carport encroaching into side yard setback. Please fix. LDC 25-2-513

Heldenfels, Leane

From: Mars, Keith
Sent: Friday, May 27, 2016 11:33 AM
To: [REDACTED]
Cc: [REDACTED]; Gobel, James [Jim]; Heldenfels, Leane;
[REDACTED]
Subject: RE: 902 Wayside Drive Side Setback Variance Application - Board of Adjustment Hearing 6/13/16

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Thank you. The plans meet the intent of the tree preservation requirements. You can use this e-mail as part of your commission material.

Keith Mars
City Arborist & Urban Forest Conservation Program Manager
Urban Forest Protection Division
Development Services Department
505 Barton Springs Road, 4th Floor
Austin, TX 78704
Phone: (512) 974-2755
<http://austintexas.gov/departments/city-arborist>

From: [REDACTED] [mailto:[REDACTED]]
Sent: Thursday, May 26, 2016 10:28 AM
To: Mars, Keith
Cc: amber@moontoweraustin.com; Gobel, James [Jim]; Heldenfels, Leane; frank@moontoweraustin.com
Subject: Re: 902 Wayside Drive Side Setback Variance Application - Board of Adjustment Hearing 6/13/16

Keith,

Please find attached a revised site plan with tree detail that meets your requested CRZ requirements. Part of the driveway will be gravel which yields a pervious coverage in the CRZ of greater than 50%.

Thank you,
John R. Terwilliger

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

From: jrtjr [mailto:[REDACTED]]
To: Keith.Mars <Keith.Mars@austintexas.gov>
Cc: amber [REDACTED]; James.Gobel <James.Gobel@austintexas.gov>; Leane.Heldenfels <Leane.Heldenfels@austintexas.gov>; frank [REDACTED]
Sent: Wed, May 25, 2016 9:03 pm
Subject: Re: 902 Wayside Drive Side Setback Variance Application - Board of Adjustment Hearing 6/13/16

Keith,

Thanks for the helpful points and clarifying what I need to do. I see that just placing gravel for the driveway from about the front of the house where the CRZ starts back to the carport will open up the CRZ to more than 50% pervious cover. This will satisfy all your requirements listed below. I'll have the designer work up this plan first thing in the morning and I will send it over as soon as I get it.

Thank you,
John R. Terwilliger

22/2/22

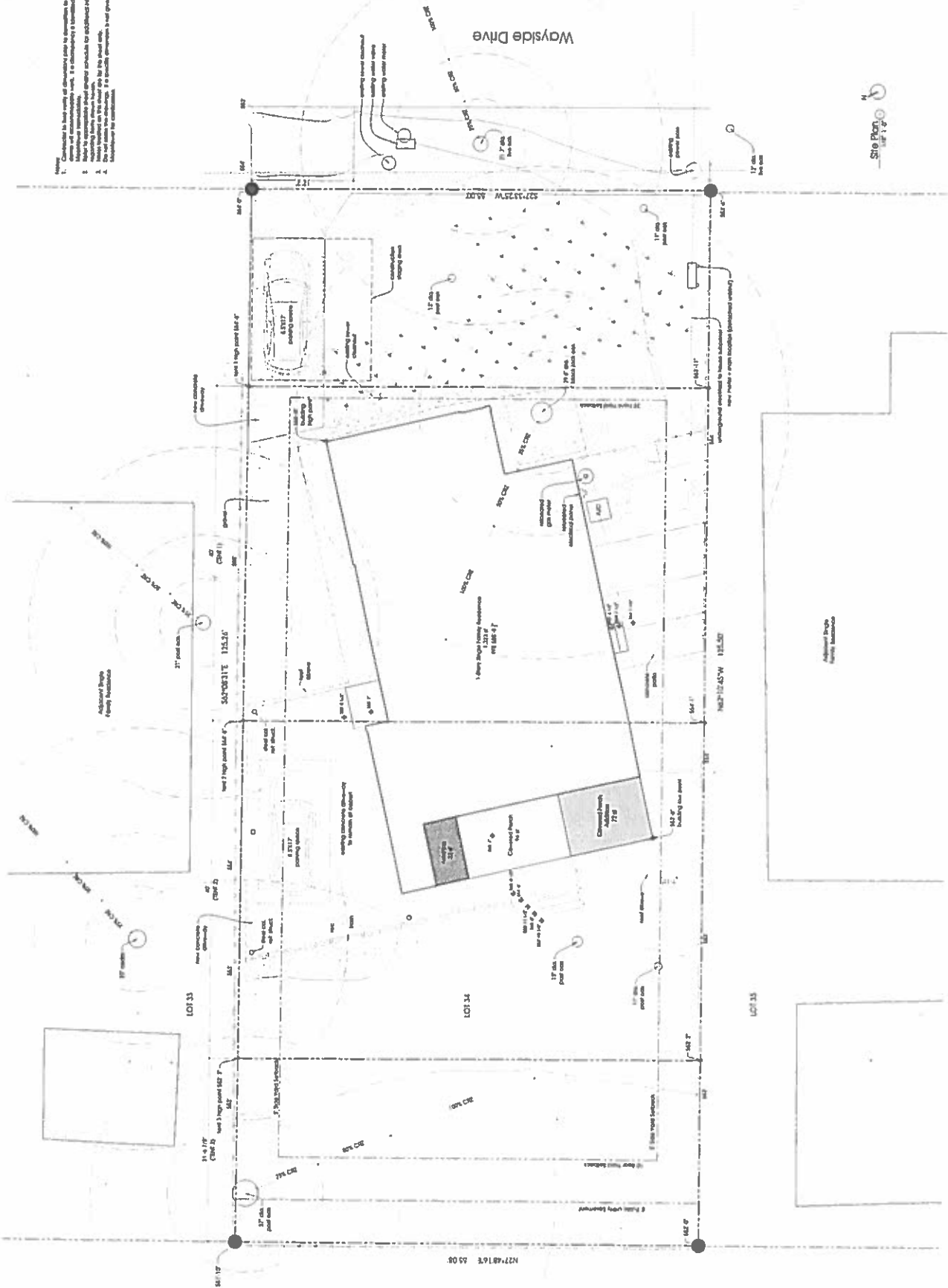
A0.11



Terrelliger Residence
902 Wayside Drive
Austin Texas 78703



- Notes:
1. Consultant to have ready all dimensions prior to submission to verify correct of all dimensions and locations.
 2. All dimensions are to be taken from the existing ground surface.
 3. All dimensions are to be taken from the existing ground surface.
 4. All dimensions are to be taken from the existing ground surface.
 5. All dimensions are to be taken from the existing ground surface.
 6. All dimensions are to be taken from the existing ground surface.
 7. All dimensions are to be taken from the existing ground surface.
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 9. All dimensions are to be taken from the existing ground surface.
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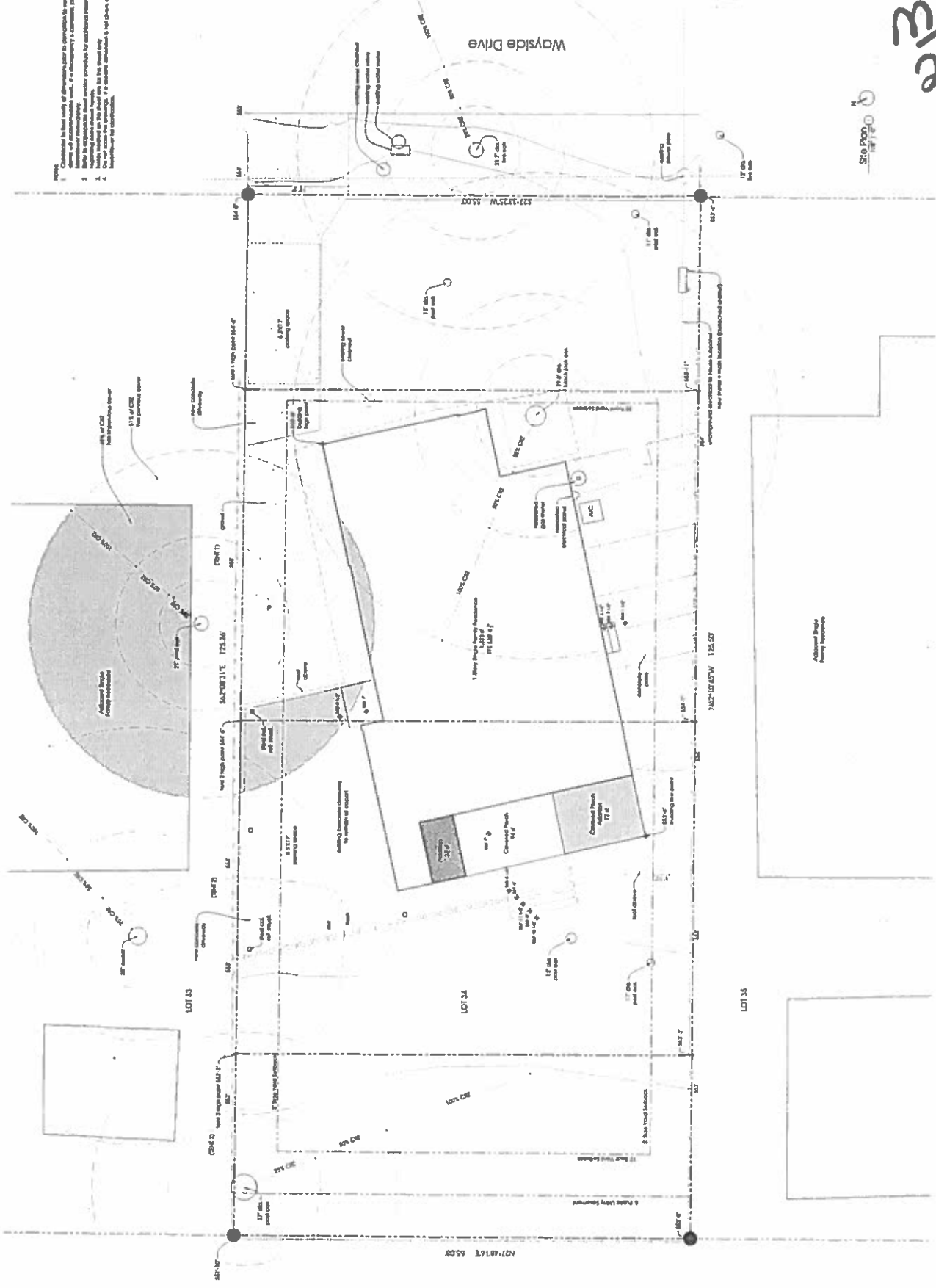


Terwilliger Residence
902 Wayside Drive
Austin Texas 78703

MICROLOGICS
BUSINESS MAP DEVELOP
1000 South Street Suite B
Aurora, Illinois 60007
800-942-6666 ext. 200
(312) 944-1224



1. Consider a fast variety of alternative plant to develop to really extend the range of microclimate work, if a microclimate is identified, please notify appropriate membership.
 2. Refer to appropriate other similar projects for additional information(s).
1. Investigate some of the most recent work on the ground and
 2. Do not waste the opportunity to provide information to the group, contact membership for distribution.



John R. Terwilliger, Owner
902 Wayside Drive
Austin, TX 78703



4/27/16

I, John R. Terwilliger, am applying for a variance from the Board of Adjustment regarding Section 25-2-492(0) of the Land Development Code. The variance would allow me the ability to decrease the minimum side yard setback from 5 feet (required) to 0.7 feet (requested) as per the attached site plan.

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

Property Owner Name (Printed)	Address	Signature
SARA Crowell	901 Norwalk Ln	<i>[Signature]</i>
Mary Wilson	903 Norwalk Ln	<i>[Signature]</i>
GRAEME REIN	905 Norwalk Lane	<i>[Signature]</i>
<i>[Signature]</i> Sharon Taylor	904 Wayside Dr	<i>[Signature]</i>
CLAY BOTKIN	904 Wayside Dr	<i>[Signature]</i>
Laurie Bell	2500 West 9th St	<i>[Signature]</i>
Steve Ross	2500 W 9th St.	<i>[Signature]</i>
Lynn Tellechea	901 Wayside Dr.	<i>[Signature]</i>
GABRIEL TELLECHEA	903 Wayside Dr.	<i>[Signature]</i>
	902 Wayside Dr.	<i>[Signature]</i>

2/33

May 1, 2016

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Leane Heldenfels
Development Services Department
One Texas Center
505 Barton Springs Road
Austin, Tx 78704

Re: Remodel Project at 902 Wayside Drive (proposed side setback variance)

Dear Board Members:

I have lived in the neighborhood for 24 years. I have visited with my neighbor John Terwilliger and have reviewed his remodel project. I approve the side setback variance he is seeking for this project. I believe the proposed carport design retains the original character of this property.

I am the home owner at 903 Wayside Drive; My property is directly across the street from the remodel project. The property at 902 Wayside Drive has had renters living in it for the last 24 years so, I am happy to see a permanent neighbor. I am also happy to see that John will be keeping the existing structure which really fits this neighborhood.

Sincerely,



Lynn Tellechea

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904 Wayside Drive
Austin, Texas 78703
April 23, 2016

City of Austin-Development Services Department/ 1st Floor
Leane Heldenfels
P.O. Box 1088
Austin, TX 78767-1088

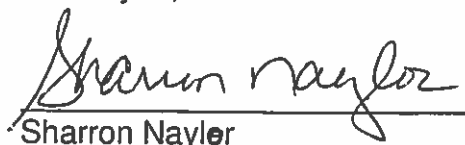
Re: Proposed side setback variance
902 Wayside Drive
Austin, TX 78703

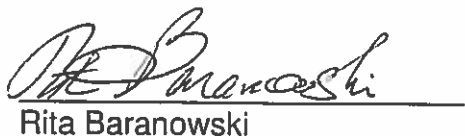
Dear Board Members,

We Sharron Naylor and Rita Baranowski are the owners of the adjacent neighboring property, 904 Wayside Drive, which is directly affected by the above referenced variance. We have reviewed the remodel site plans that were submitted to the City of Austin on April 8, 2016, with a remodel permit application by the owner of 902 Wayside Drive.

We are in favor of the proposed remodel site plan and side setback variance sought for in order to grant the remodel permit application approved. Should you have any questions we may be reach via the contact information below.

Thank you,


Sharron Naylor


Rita Baranowski

(512) 469-7444
snaylor54@gmail.com

