

H03/1

CAPITAL OF TEXAS

2222 TO CAP TX NB

N CAP TX NB TO 2222 EB

2222

LAKESIDE

SPRUCEWOOD

BLUERIDGE

BACKTRAIL

LEMONWOOD

GEBRO

MOUNTAIN PARK

GATO

SCOUT ISLAND



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

## NOTIFICATIONS

CASE#: C15-2018-0038

LOCATION: 6306 SPRUCEWOOD COVE



1" = 250'

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.



## CITY OF AUSTIN

### Development Services Department

One Texas Center | Phone: 512.978.4000

505 Barton Springs Road, Austin, Texas 78704

## 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 # \_\_\_\_\_ ROW # \_\_\_\_\_ Tax # \_\_\_\_\_

### Section 1: Applicant Statement

Street Address: 6306 Sprucewood Cove, Austin TX 78731

Subdivision Legal Description:

Parkhill (Lot 6 \*amending plat of lot 5-6 Blk A Parkhill

Lot(s): 6 Block(s): A

Outlot: \_\_\_\_\_ Division: \_\_\_\_\_

Zoning District: SF-2

I/We Dewey and Diane Poteet on behalf of myself/ourselves as  
authorized agent for ourselves affirm that on  
Month August, Day 10, Year 2018, 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: house architectural feature with hipped roof (instead of allowed flat "shed" roof,



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

Subchapter F, Section 2.6

A variance is requested to Subchapter F, Section 2.6, Setback Plane, to allow the use of a hipped roof on an architectural feature, instead of a shed roof as allowed in the Exceptions to Section 2.6 per Figure 14 thereof.

## 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:

Due to the pie-shaped lot, its orientation to the sun, and utility easements thereon, an architectural feature intended to let light into the front portion of the house cannot be located within the setback plane, and the allowable roof design cannot provide the shade needed to adequately block afternoon sun.

### Hardship

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

The area within which the house can be built is restricted on all sides by easements, including a 25' easement for the "cross town sewer" that cuts across the lot diagonally, thus restricting the useable portion of the lot to a smaller footprint as compared to other properties in the area. As a result, we have to build up rather than out in order to fit all needed features into the footprint of the house, and cannot locate the architectural feature in question within the setback plane nor orient it where the roof will allow more morning light and restricting harsh afternoon light from the west. The orientation of the property with respect to the sun exacerbates the hardship, in that the allowable shed roof will not adequately shade the windows in the tower from the afternoon sun, especially in the summer months.

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

The great majority of properties in the area are not so restricted by easements, and thus can have larger footprint and greater flexibility in the placement of architectural features. Other houses in the area are able to expand out rather than up, whereas the small available footprint for a structure on this property requires that one build up rather than out in order to reasonably accommodate needed features. In addition, most houses in the area do not have a similar orientation to the sun, and thus would not need to shade an architectural feature intended to let light into the front portion of the house.



## 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:

The requested variance will not alter the character of the area adjacent to the property, and in fact will be more consistent with the character of other houses in the area in that virtually all houses in the area have hipped roofs, not shed roofs. The use of adjacent conforming properties will not be impaired, as the requested variance will not result in a greater height of the structure, and in fact will result in a slightly shorter total height and slightly less encroachment on the protected zone than the design for which the city has indicated approval as within an allowed exception. The purpose of the regulations will not be impaired because the variance for a hipped roof will result in a shorter structure, not taller, and will encroach less on the protected zone than the allowed shed roof.

## 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.

Applicant Signature: Dewey Poteet Date: 8/13/2018

Applicant Name (typed or printed): Dewey Poteet

Applicant Mailing Address: 7007 Danwood Dr.

City: Austin State: TX Zip: 78759

Phone (will be public information): (512) 296-9060

Email (optional – will be public information): dpoteet@austin.rr.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: Dewey Poteet Date: 8/13/2018

Owner Name (typed or printed): Dewey Poteet

Owner Mailing Address: 7007 Danwood Dr.

City: Austin State: TX Zip: 78759

Phone (will be public information): (512) 296-9060

Email (optional – will be public information): dpoteet@austin.rr.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).

(

---



---



---



---

Dewey Poteet  
7007 Danwood Drive  
Austin TX 78759  
(512) 296-9060  
[dpoteet@austin.rr.com](mailto:dpoteet@austin.rr.com)

August 13, 2018

Board of Adjustment, City of Austin  
c/o Leane Heldenfels  
Development Services Department  
One Texas Center  
505 Barton Springs Road  
Austin, TX 78704

Re: Request for Variance - 6306 Sprucewood Cove

Dear Board Members:

Enclosed with this letter is our application for a variance and supporting documentation, which includes signatures in support of the requested variance from all owners of residential property within 300' of the property in question.

My wife and I have lived at 6306 Sprucewood Cove for more than 24 years, from November 1993 until January 28, 2018, when a fire due to electrical wiring caused such extensive damage that the house had to be torn down. We are now working with an architect, Linda Johnston of LS Johnston Architects, to design and build a new home in the same location. The location of the property and adjacent structures are shown in attachment A.

One feature of our new house will be an architectural feature, a tower of sorts, intended in part to let light into the front portion of the second story. The layout of the house and the placement of the tower in question are greatly complicated by the pie shape of the lot and the easements thereon, one of which is a 25' easement for the cross-town sewer which bisects the lot at an angle. Attachment B is a site plan showing the proposed house, tree survey, elevations, and with the referenced 25' easement highlighted in pink. The lot shape and easements restrict the usable portion of the lot to a smaller footprint, irregular in shape, as compared to other properties in the area. Due to the shape of the lot and the easements, we have to build up rather than out in order to accommodate needed features.

Variance is requested from Subchapter F, Section 2.6, Setback Plane, in order to allow the use of a hipped roof on the tower in question, rather than a "shed" roof as allowed in the exceptions to Section 2.6. The variance is necessary because the shed room allowed under Section 2.6 (see Section 2.6 Illustration 14, 18-foot Exception for Shed Roof, a copy of which is provided as attachment C) will not adequately shade the tower windows from the afternoon sun, especially in the summer. This is illustrated in attachment D, which shows the house with a shed roof as allowed under Section 2.6, and attachment E, which shows the house with the requested variance for a hipped roof on the tower. By comparing the shade across the upper window, one can see that the hipped roof provides much better protection from the afternoon sun. This is further shown in attachment F, which includes solar studies for each of the two roof designs.



As attachment F also shows, both the allowed design with a shed roof and the requested design with a hipped roof will penetrate the setback plane, but the hipped roof for which a variance is requested will be shorter than the allowed shed roof, and intrude less into the setback plane, all while mitigating the hardship by providing better shade from the afternoon sun.

The hardship is unique to this property because the shape of the lot and the easements thereon are not shared by neighboring properties. The lot shape and easements require that we build up rather than out in order to accommodate needed features, and the tower in question cannot be located within the setback plane. The orientation of the lot with respect to the sun further complicates our ability to adequately regulate light (a primary goal of the architectural feature), and the allowable design using a shed roof will cause a unique hardship in that it will not provide adequate shade from the west (nor allow as much morning light).

The hardship is not common to the area because other houses in the area are not similarly restricted by shape and easements, and thus have greater flexibility in the placement of architectural features, and are not similarly oriented with respect to the sun.

The requested variance will not alter the character of the area adjacent to the property, and in fact will result in the house being more in character with the area than would the allowed shed roof. No other houses on Sprucewood Cove (or nearby) have a shed roof; all have hipped roofs (see attachment G, showing all houses on Sprucewood Cove). The variance will not impede the use of adjacent conforming property, as the roof design for which a variance is requested will be shorter than a shed roof design, and will intrude less into the setback plane. Similarly, the purposes of the regulation from which a variance is sought will not be impaired, and in fact will be better served by the shorter and less intrusive hipped roof design.

I note that the requested variance is supported by all owners of residential property within 300 feet of the property (and by all owners within 500 feet of the property who could be contacted). See attachment H. All of the property owners expressed a strong preference for the hipped roof design in attachment E rather than the allowable shed roof in attachment D.

As a final comment, I note that because the hipped roof design will better shield the house from the hot afternoon summer sun, it will help to reduce the energy costs to us and future owners of the home. This is supported by a letter from our architect provided as attachment I.

Having lived at this location for more than 24 years, my wife and I are very familiar with the orientation of the property with respect to the sun, and feel strongly that the allowed shed roof design will not provide adequate shade from the hot summer afternoon sun, increasing utility costs. In contrast, the requested hipped roof will better shield against sun from the west, reducing energy bills while being more in character with other houses in the area. We request approval of a variance to allow use of a hipped roof design.

Sincerely,



Dewey Poteet



H03/8



30m  
1mm

6306 Sprucewood Cove





DRAWING INDEX

A-0	SITE PLAN SHEET INDEX
A-1	GROUND FLOOR PLAN
A-2	SECOND FLOOR PLAN
A-3	ATTIC PLAN & SCHEDULES
A-4	ROOF PLAN
A-5	VISIBILITY PLAN
A-6	TREE PROTECTION PLAN
A-7	SITE ELEVATIONS
A-8	SITE ELEVATIONS
A-9	SITE ELEVATIONS
A-10	EAST BUILDING ELEVATION
A-11	NORTH BUILDING ELEVATION
A-12	SOUTH BUILDING ELEVATION
A-13	WEST BUILDING ELEVATION
A-14	ENLARGED PLANS & INTERIOR ELEVATIONS
A-15	INTERIOR ELEVATIONS
A-16	INTERIOR ELEVATIONS
A-17	INTERIOR ELEVATIONS
A-18	REFLECTED CEILING PLANS
A-20	BUILDING SECTIONS
A-24	BUILDING SECTIONS
A-25	BUILDING SECTIONS
A-26	BUILDING SECTION & DETAILS
A-27	DETAILS & LADDER SECTION
A-28	PERSPECTIVE
A-30	HOT TUB DECK PLANS & ELEVATIONS
A-31	HOT TUB DECK ELEVATIONS & SECTION

PROVIDE CITY OF AUSTIN VISIBILITY REQUIREMENTS AS FOLLOWS:

A. ONE OF THE FIRST FLOOR BATHROOM OR HALF BATH SHALL HAVE THE FOLLOWING:

1. MINIMUM CLEAR OPENING OF 30"
2. LATERAL 26" OR LARGER BLOCKING INSTALLED FLUSH WITH THE STUD EDGES OF ALL THE BATHROOM WALLS. CENTERLINE OF BLOCKING MUST BE 34" A.F.F., EXCEPT FOR THE PORTION OF THE WALL LOCATED DIRECTLY BEHIND THE LAVATORY

B. ALL FIRST FLOOR LIGHT SWITCHES AND ENVIRONMENTAL CONTROLS MUST BE NO HIGHER THAN 48" A.F.F.

C. ALL FIRST FLOOR OUTLETS AND RECEPTACLES MUST BE A MINIMUM OF 15" A.F.F., EXCEPT FOR FLOOR OUTLETS AND RECEPTACLES.

D. THE VISIBLE BATHROOM MUST BE ACCESSIBLE BY A ROUTE WITH MINIMUM CLEAR OPENINGS OF 32" THAT CONNECTS THE VISIBLE ENTRANCE, LIVING ROOM, DINING ROOM, AND KITCHEN AND BE LEVEL WITH RAMPED OR BEVELED CHANGES AT DOOR THRESHOLDS

E. THE VISIBLE ENTRANCE MUST BE A NO STEP ENTRANCE WITH A BEVELED THRESHOLD OF 1/2" MAX. AND HAVE A MINIMUM CLEAR OPENING WIDTH OF 32" THE THRESHOLD AND MAY BE LOCATED AT THE FRONT, REAR, SIDE, OR IN THE GARAGE / CARPORT

D. THERE MUST BE A VISIBLE ROUTE FROM THE VISIBLE ENTRANCE TO THE GARAGE, DRIVEWAY, PUBLIC STREET, OR PUBLIC SIDEWALK. THE VISIBLE ROUTE MUST BE A MINIMUM CLEAR OPENING WIDTH OF 32" AND BE BEVELED THRESHOLD OF 1/2" MAX. EXCEPT FOR RAMPS THAT COMPLY WITH THE RESIDENTIAL CODE.

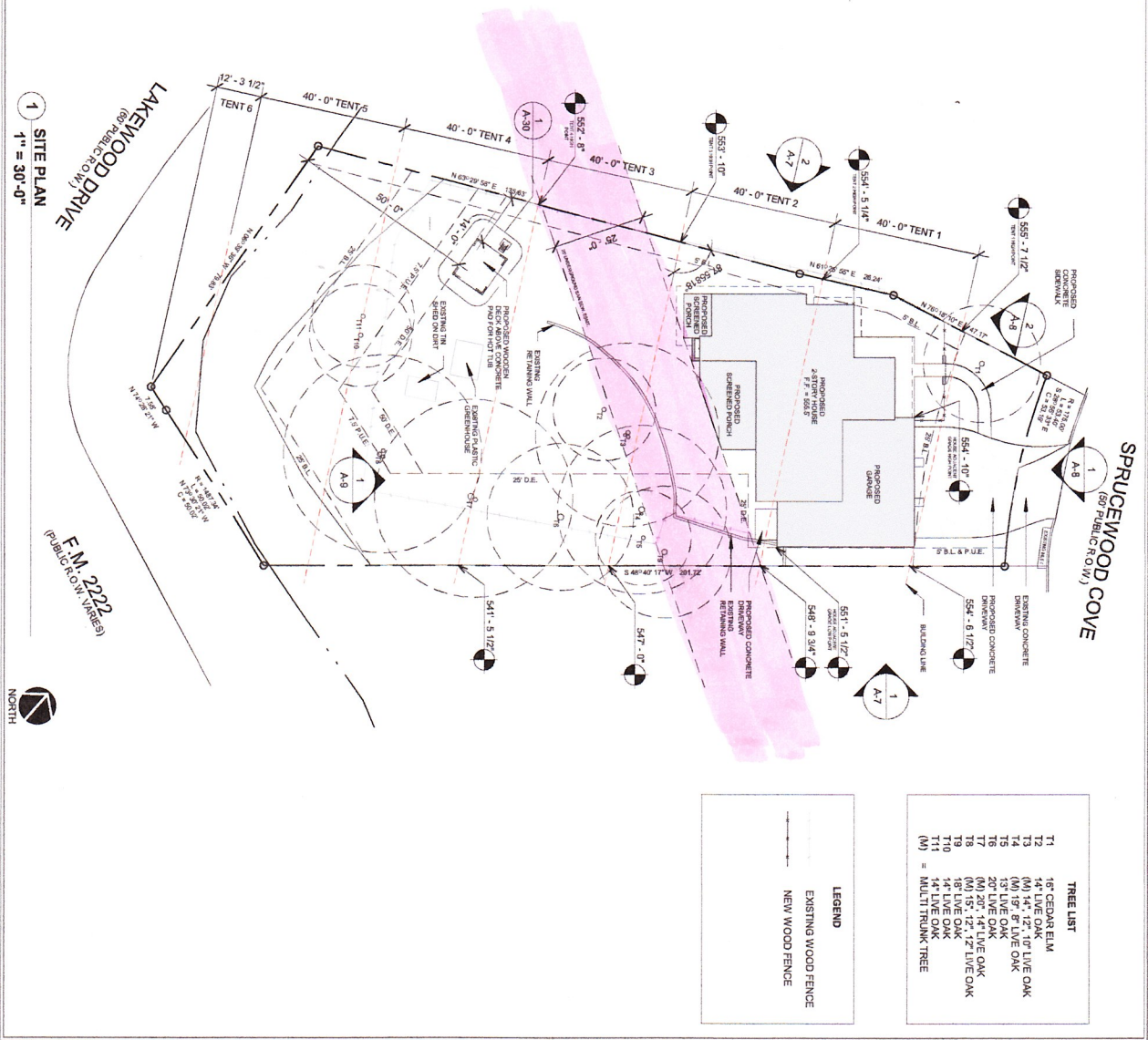


Figure 13: Side-Gabled Roof Exception

*A side-gabled roof may project through the side setback plane for a horizontal distance of up to a maximum of 30 feet, measured from the building line. In this example, the gable intrudes into the setback plane beginning 9 feet behind the building line. Therefore, the maximum length of the gable intrusion would be 21 feet.*

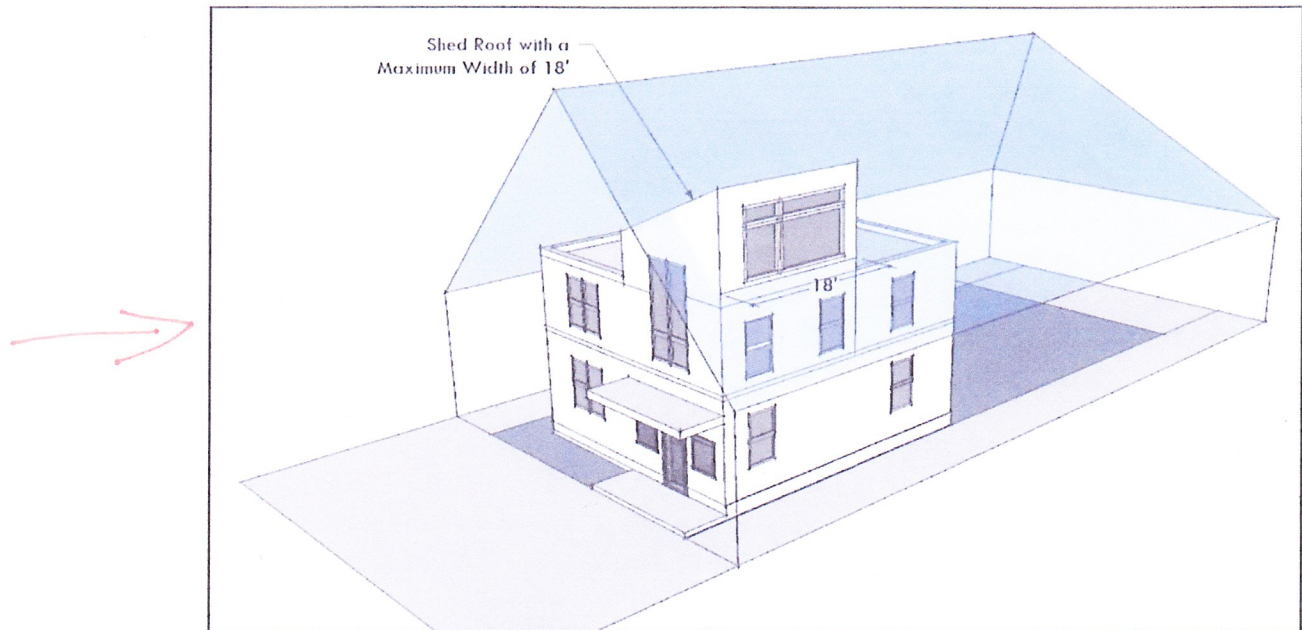


Figure 14: 18-foot Exception for Shed Roof

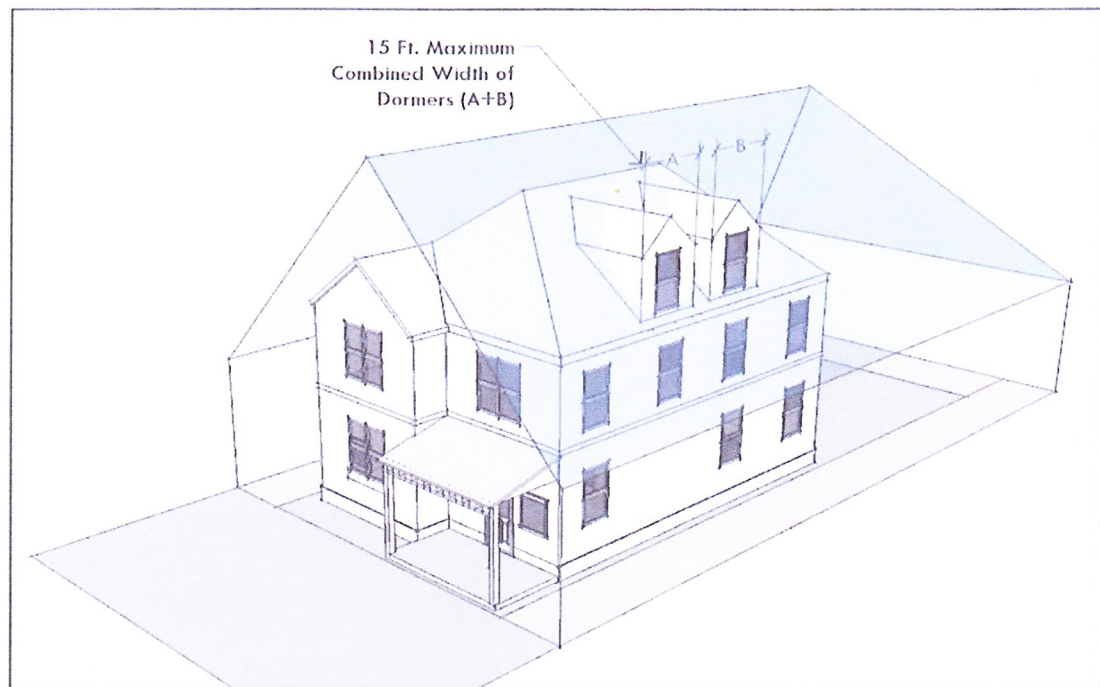


Figure 15: Dormer Exception (Gable or Shed)