CASE REVIEW SHEET

CASE: C15-2019-0001

BOA DATE: January 14, 2019

1-1/1

ADDRESS: 902 Herndon Lane

COUNCIL DISTRICT AREA: 3

OWNER: Susan Hays

AGENT: Same

ZONING: SF-3

AREA: La Perla Subdivision, a few blocks south of the South Austin Tennis Center

VARIANCE REQUEST: Section 25-2-492 (D) to decrease rear setback from 10' to 5'; and 25-2-774 to decrease the distance a 2^{nd} dwelling unit can be from the principal structure from 10' to the side or rear to 5'

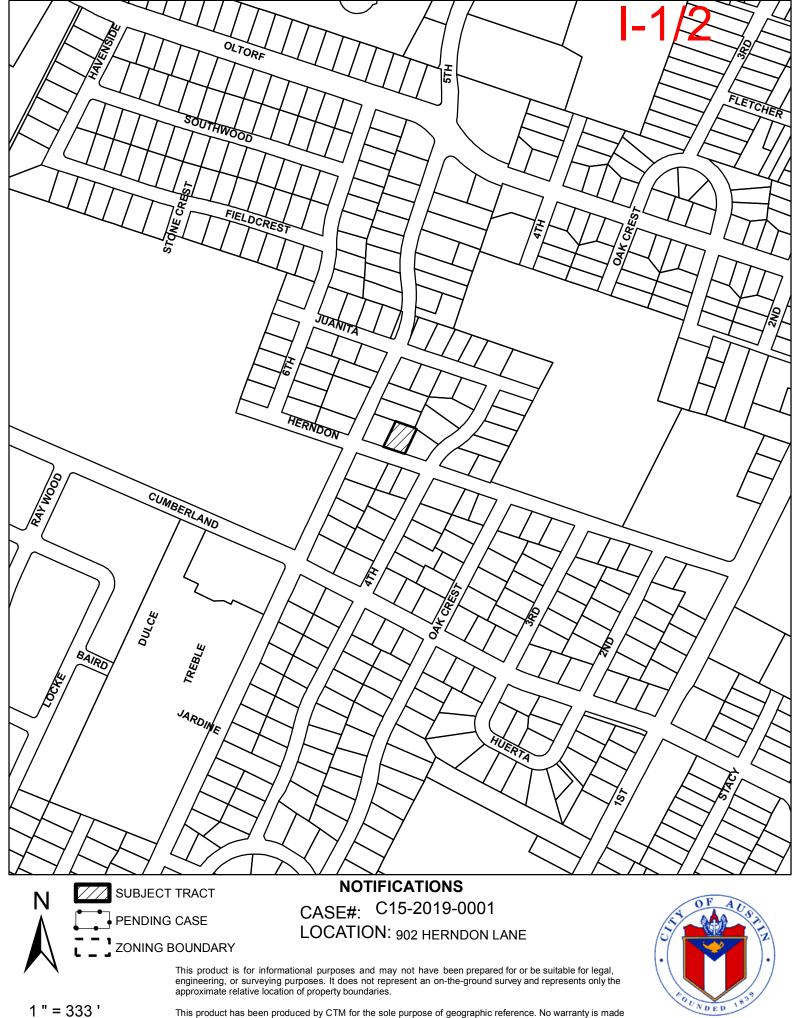
<u>SUMMARY</u>: Existing 892 sf house and existing 330 sf detached garage with storage; garage to be reconstructed with 2^{nd} story Additional Dwelling Unit added to 2^{nd} floor

ISSUES: Trees, location of existing principal structure on the lot

DEPARTMENT COMMENTS: Residential Design Standards apply

	ZONING	LAND USES
Site	SF-3	Residential
North	SF-3	Residential
South	SF-3	Residential
East	SF-3	Residential
West	SF-3	Residential

<u>NEIGHBORHOOD ORGANIZATIONS</u>: Austin Neighborhood Council; Bike Austin; Friends of Austin Neighborhoods; Galindo Area Patriotic People's Porch; Galindo Elementary Neighborhood Association; Homeless Neighborhood Association; Neighborhood Empowerment Foundation; Perry Grid G14; Preservation Austin; SEL Texas; Sierra Club, Austin Regional Group; South Central Coalition



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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, <u>click here to Save</u> 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 #	ŧ	
Section 1	: Applica	nt Stateme	nt				
Street Addres	S:						
Subdivision Le							
Lot(s):				Block(s):			
Outlot:				Division:			
Zoning District	t:						
I/We					_ on b	ehalf of mys	self/ourselves as
authorized	agent for						_ affirm that on
Month							earing before the
Board of A	djustment for	r consideration	to (select ap	propriate op	tion be	low):	
OErect	OAttach	○ Complete	ORemod	el 🔿 Ma	intain	Other:	
Type of Str	ructure:						

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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:

Hardship

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

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

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:

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:

 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:		Date:
Applicant Name (typed or printed):		
Applicant Mailing Address:		
City:	State:	Zip:
Phone (will be public information):		
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:		Date:
Owner Name (typed or printed):		
Owner Mailing Address:		
City:	State:	Zip:
Phone (will be public information):		
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).

Additional Space (continued)

Section 3: Applicant Certificate

I affirm that my statements contained in the complete a my knowledge and belief.	application are true and $\mathcal V$	correct to the best of
Dioftal	ly signed by Susan Hays 2018.12.11 13:23:55 -06'00'	Date: 12/11/2018
Applicant Name (typed or printed): Susan Hays		
Applicant Mailing Address: 902 Herndon Lane		
City: Austin	State: Texas	Zip: 78704
Phone (will be public information): (214) 557-4819		
Email (optional – will be public information):		
Section 4: Owner Certificate		
	signed by Susan Hays	
	018.12.11 13:24:06 -06'00'	Date: 12/11/2018
Owner Name (typed or printed): Susan Hays		
Owner Mailing Address: <u>902 Herndon Lane</u> City: Austin	Statas Tasaa	7: 70704
Phone (will be public information): (214) 557-4819	State: Texas	Zip: 78704
Email (optional – will be public information):		
Section 5: Agent Information		
Agent Name: N/A		
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 2 Reasonable Use. The property's washer and dryer are in the existing rotted garage and have no sewage connection. The small size of the house (892 sq ft) surrounded by trees leaves no space to expand the house to add a properly plumbed utility room or additional bathroom without having a negative impact on parking or other amienities.

City of Austin | Board of Adjustment General/Parking Variance Application

<u>CASE:</u> C15-2019-0001 **<u>ADDRESS:</u>** 902 Herndon Lane

To the Members of the Board of Adjustment,

I live in a live oak forest. There are 13 trees covering my approximately 7500 sq. ft. lot. Google Earth cannot see my house from the extensive tree canopy — a feature I love and wish to keep. This portion of the Galindo neighborhood was originally developed in the early 1950s. The original homes are very small (less than 1000 sq. ft.) and were often built with garages or back houses very close to the back-property line. My house is the original home, built in 1951, expanded twice over the years yet still is barely 900 sq. ft. with two bedrooms, one bathroom, and very little storage. The only utility space is an extension to the original 1950s garage which has a washer/dryer, but no sewage line and lots of spiders and dirt. The garage was built (or sank) below grade. When it rains, water pours into it resulting in extensive rotting.

The trees have grown up around the property over the last nearly seventy years and now surround the house tightly on three sides including two protected (19"+ diameter) trees, one six feet from the front door growing out of the porch at an angle (the "Front Porch Tree") and one, a 25" live oak, about a foot from the existing back stoop between the house and the garage (the "Back Porch Tree"). There are four other trees around the property with an 18" diameter (just under the threshold for protected status). Regardless of size, I wish to protect all the trees and accommodate both their root zones and canopies with any repairs and improvements to the property. I have consulted with the city arborist's office multiple times both before and after I bought the property on how to best accommodate the trees. The roots of the Front Porch Tree have cracked the front porch extensively and are leveraging on the house itself. Rather than remove the tree, I am replacing the concrete slab porch with a deck using "diamond piers" as recommended by the arborist.

The proposed garage renovation would replace the garage space with a utility room with proper plumbing, a second bathroom, and an additional living space. Because there is adequate space under the tree canopy to add a second story, the design includes one to serve as an office, with decking and stairs built around the Back Porch Tree like a tree house — incorporating the unique features of the lot. After my initial plans were drafted which overlapped the garage footprint exactly, a storm severely damaged a large (invasive) Parasol tree in the northwest corner of the property to the side of the garage. That and a cockroach nest in the tree's core worthy of a scene in an Indiana Jones movie required the removal of the tree. With that additional space opened up, my architect and I modified the floor plan to give the Back Porch Tree's ¹/₄ CRZ more room as well as allow more clearance for its trunk which tilts to the west.

To accomplish this goal of giving the tree more room, we moved the west wall of the structure 5' to the west, the east wall 3' to the west, and the south wall back 3' toward the north. Because there are two live oaks (14" and 15") within inches of the eastern most wall of the garage, we moved that wall back 6".

The structure's design takes into account privacy by placing windows on the north wall high on both floors so that it would be difficult to see into the neighbor's yard or into the structure from that yard. The design also orientates ingress/egress and large windows to the south and east to create a courtyard around the Back Porch Tree so that activity is not visible from the neighbors' houses. To give you a better idea of the site and what the proposed building would bring to the site I attach:

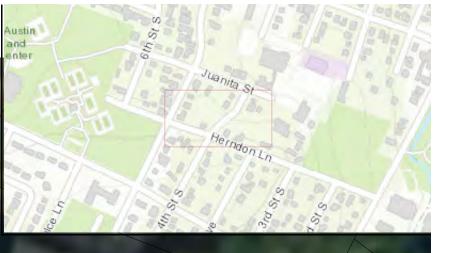
- GIS view of tree cover
- Photos of house, existing garage, and tree placement
- Rendering of proposed structure in relation to house
- Annotated Site Plans showing existing and proposed structure and CRZs for trees of protected size
- Complete Set of Construction Plans

Thank you for your time and attention. I look forward to answering any questions you may have.

Sinderely, Susan Hays

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-1/1 12/26/18, 5:08 PM



WELLS TRAVIS & MICHELLE

JONES RICHA

FOSTER THOMAS BRIAN &

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HAYS SUSAN L

SAENZ EDELMIRA TRUSTEE

ANTU MARY SUE & PAUL A RODRIGUEZ

SAEEDI ARASH

902 Herndon Lane



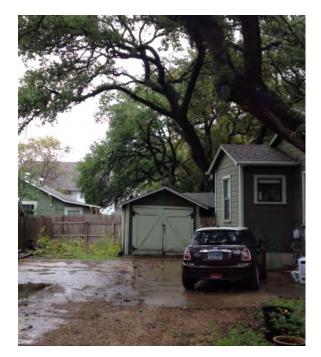
Driveway Tree (T3 on Survey)



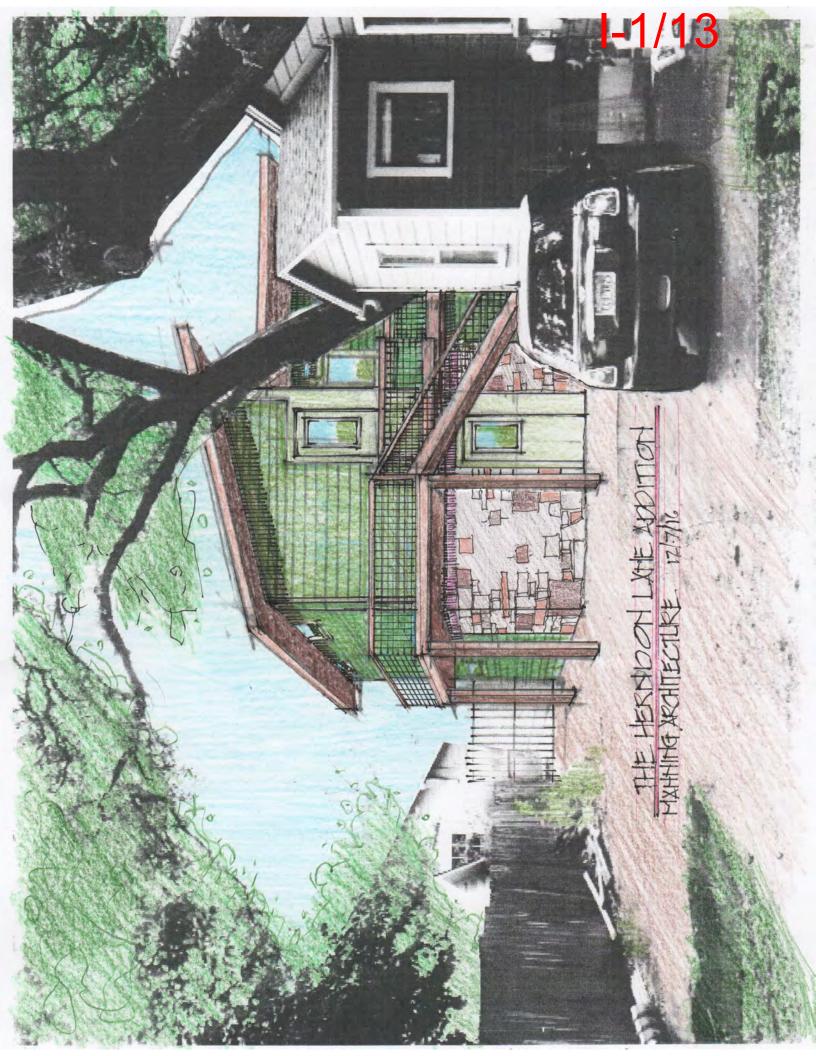
Front Porch Tree (T5 on Survey)

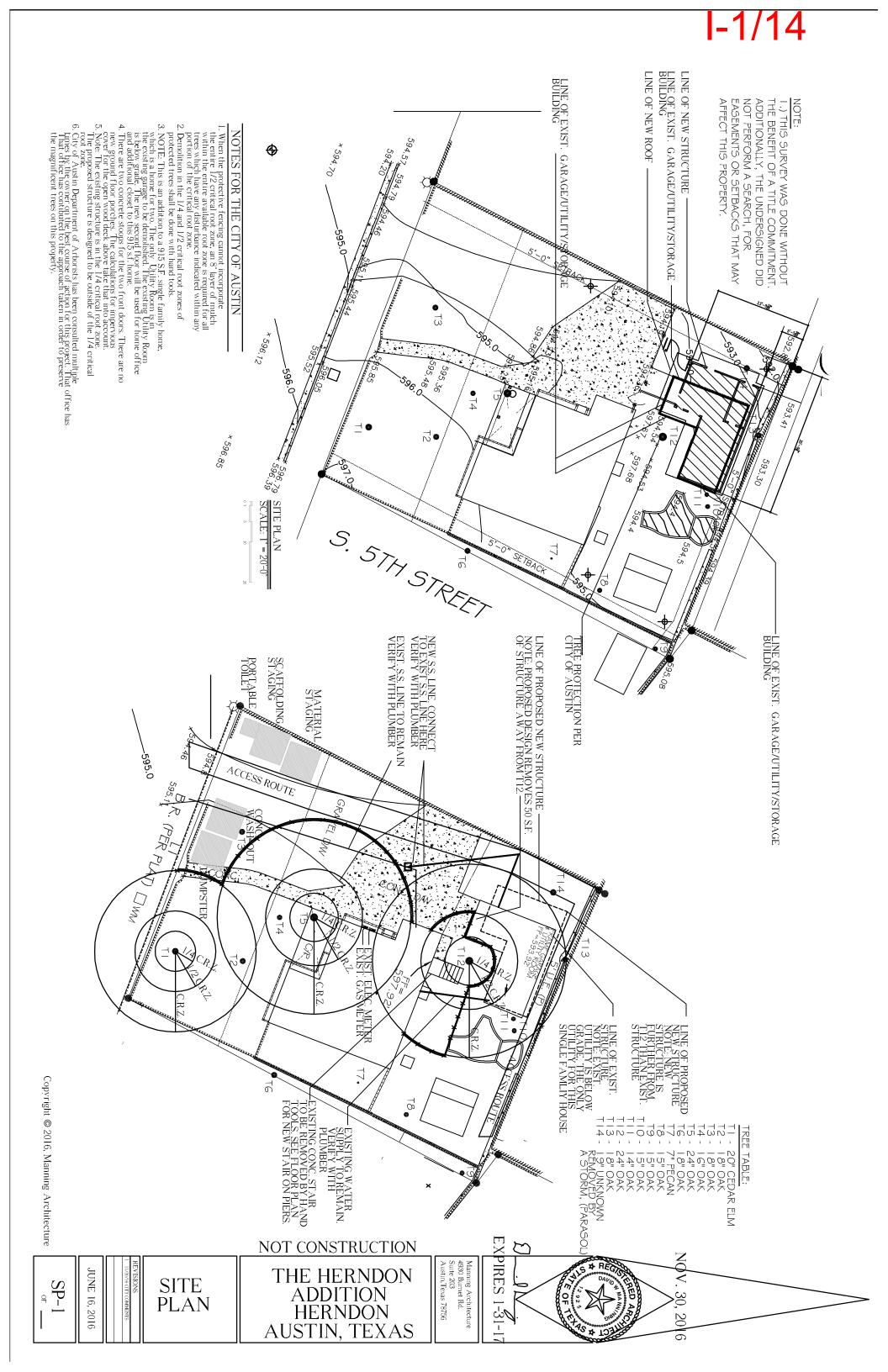


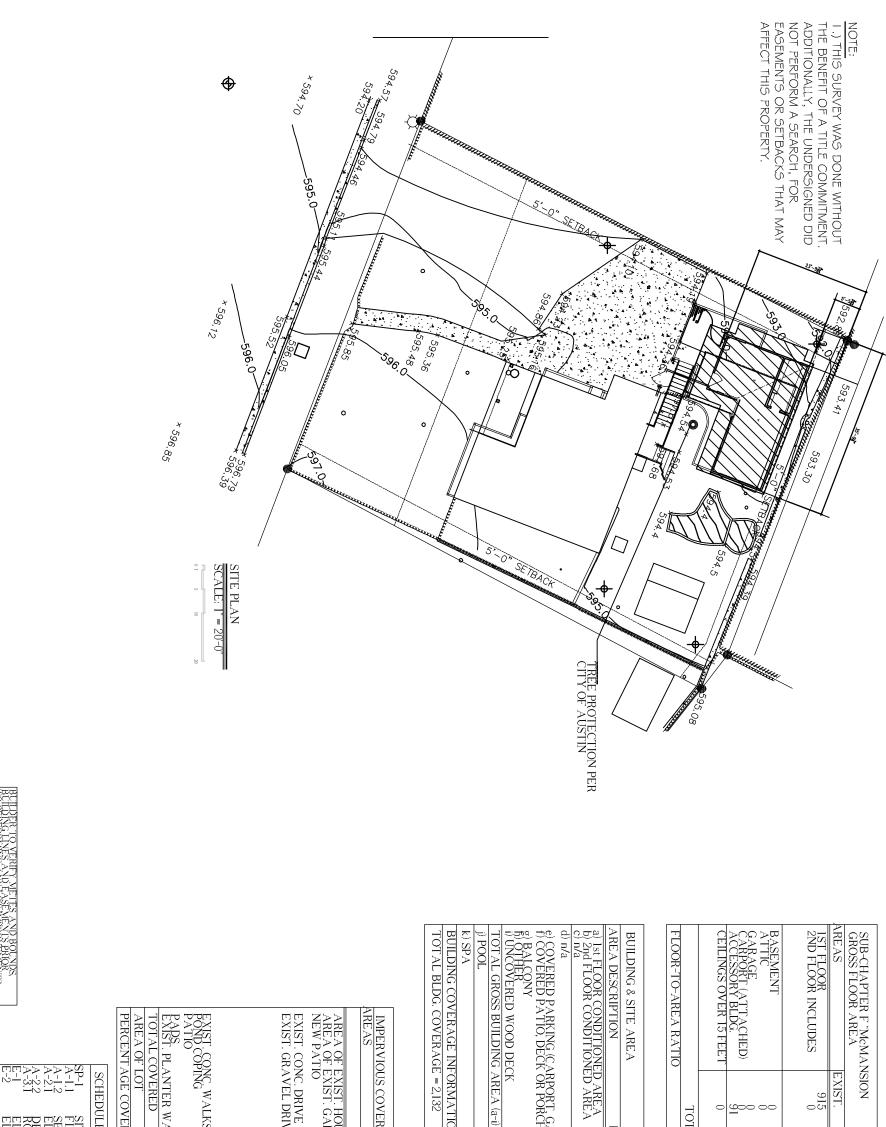
Garage (to be demolished) with Back Porch Tree (T12 on Survey) visible over fence



View up driveway with house on right







Copyright © 2016, Manning Architecture

SEE SURVEY FOR ADDITIONAL INFORMATION

BUILDER TO

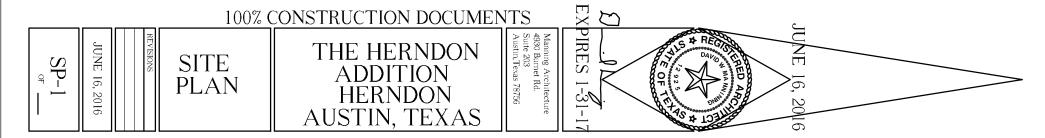
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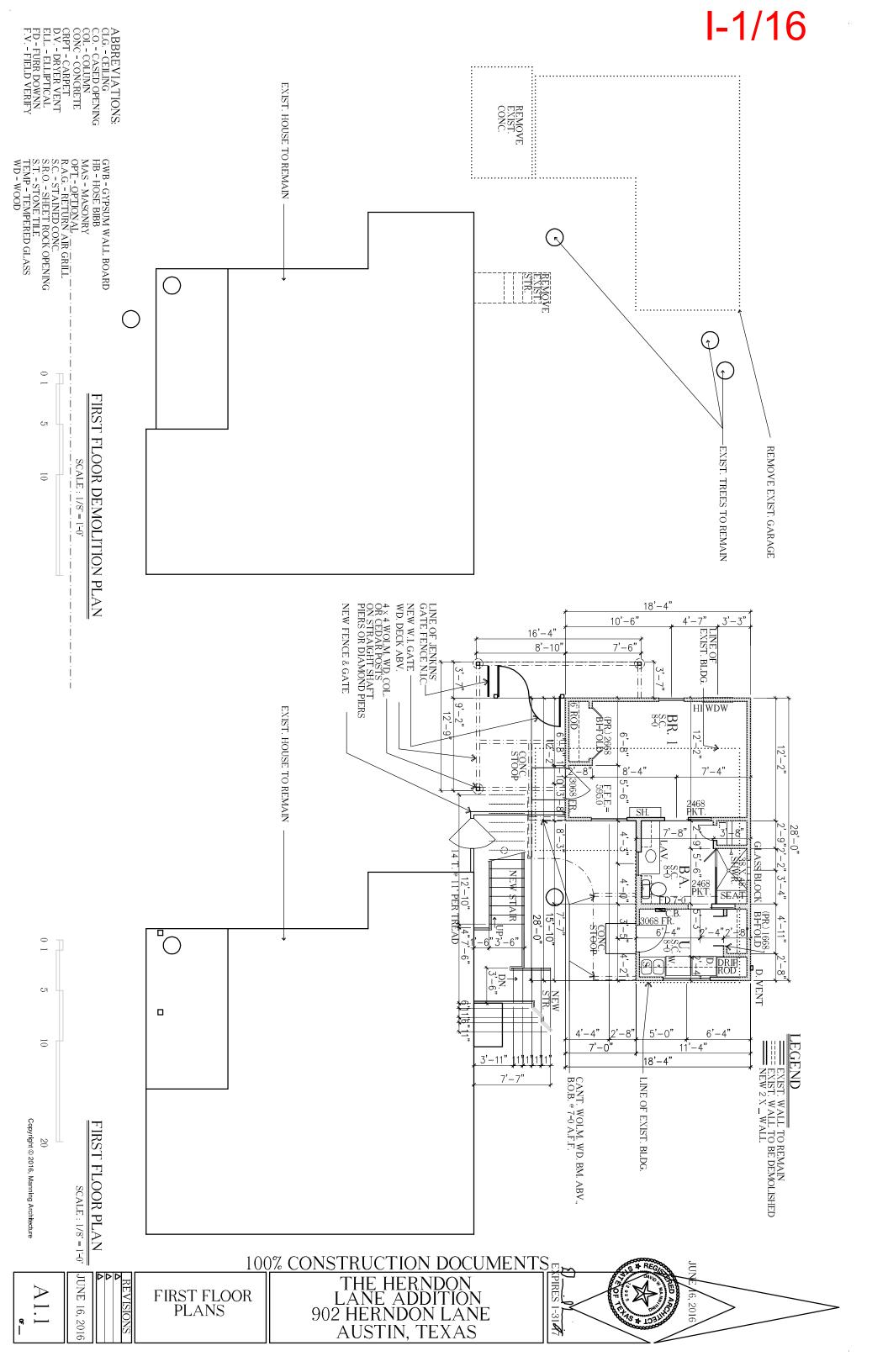
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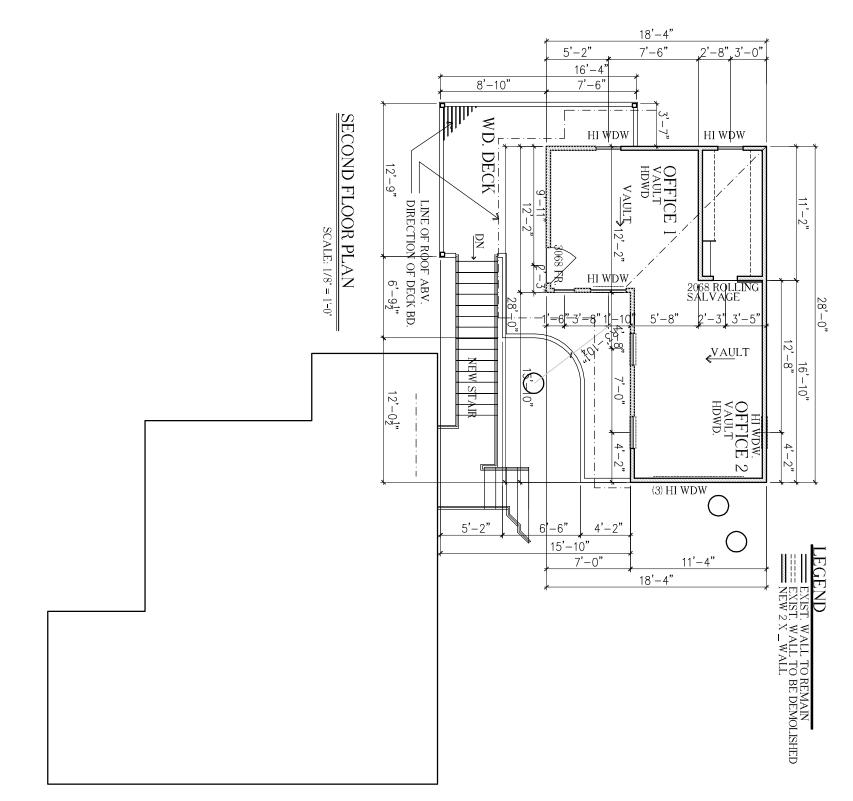
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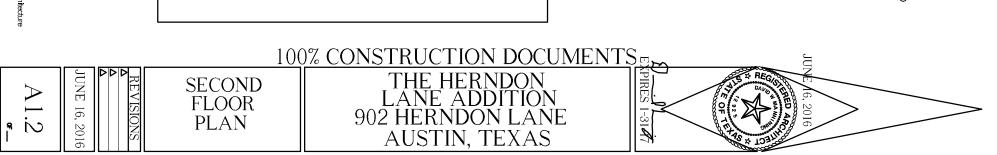
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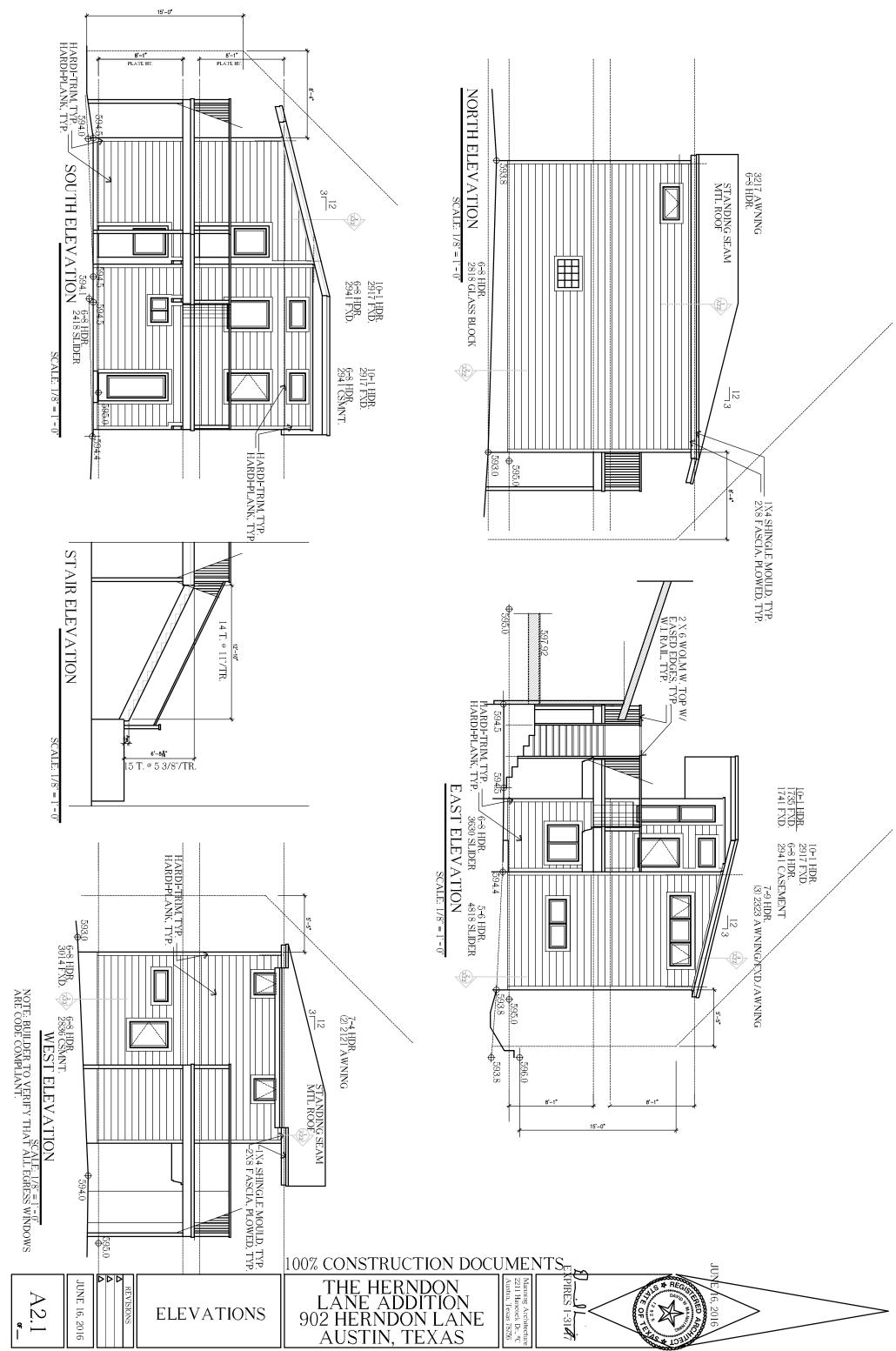
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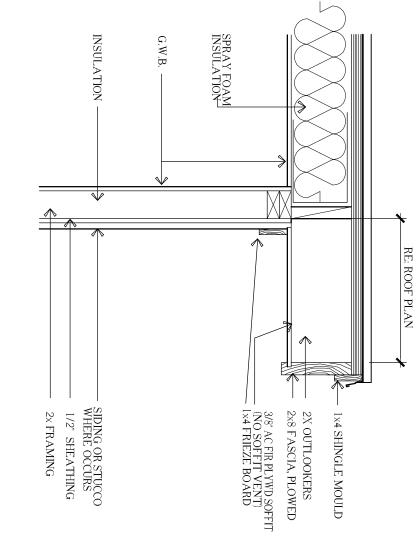






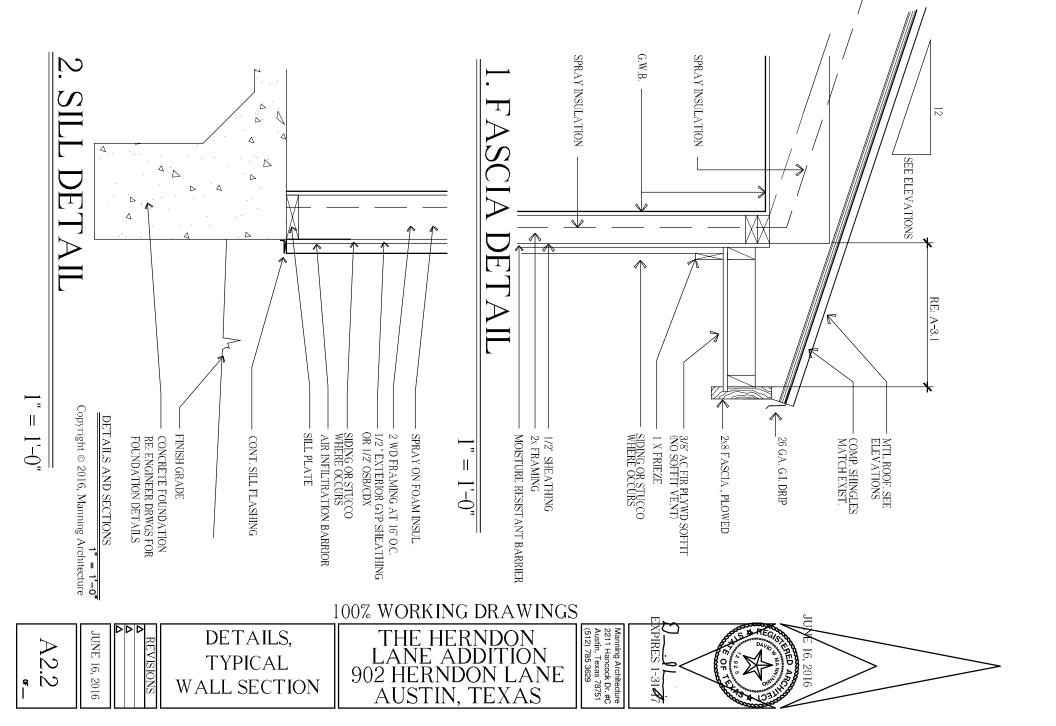




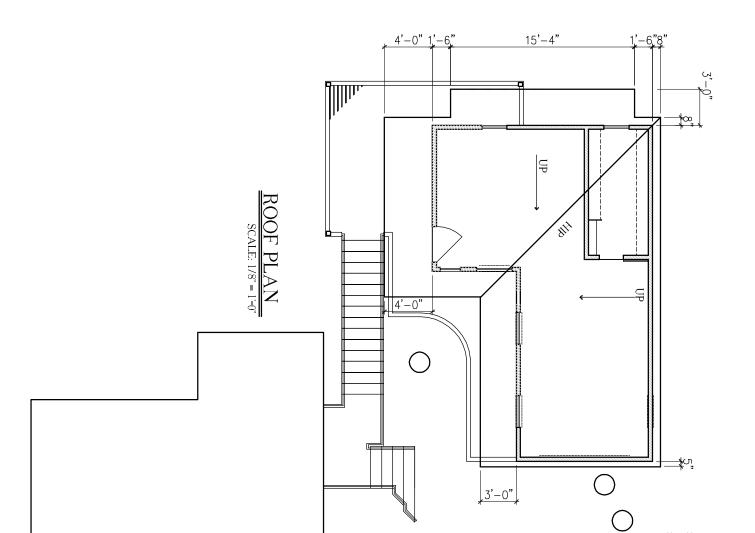


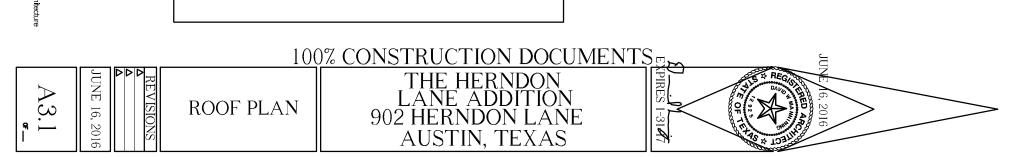


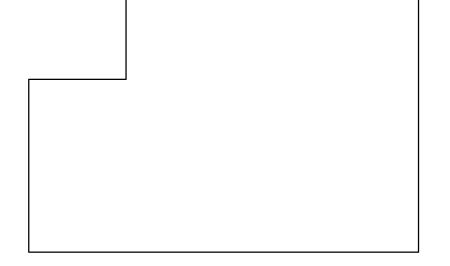
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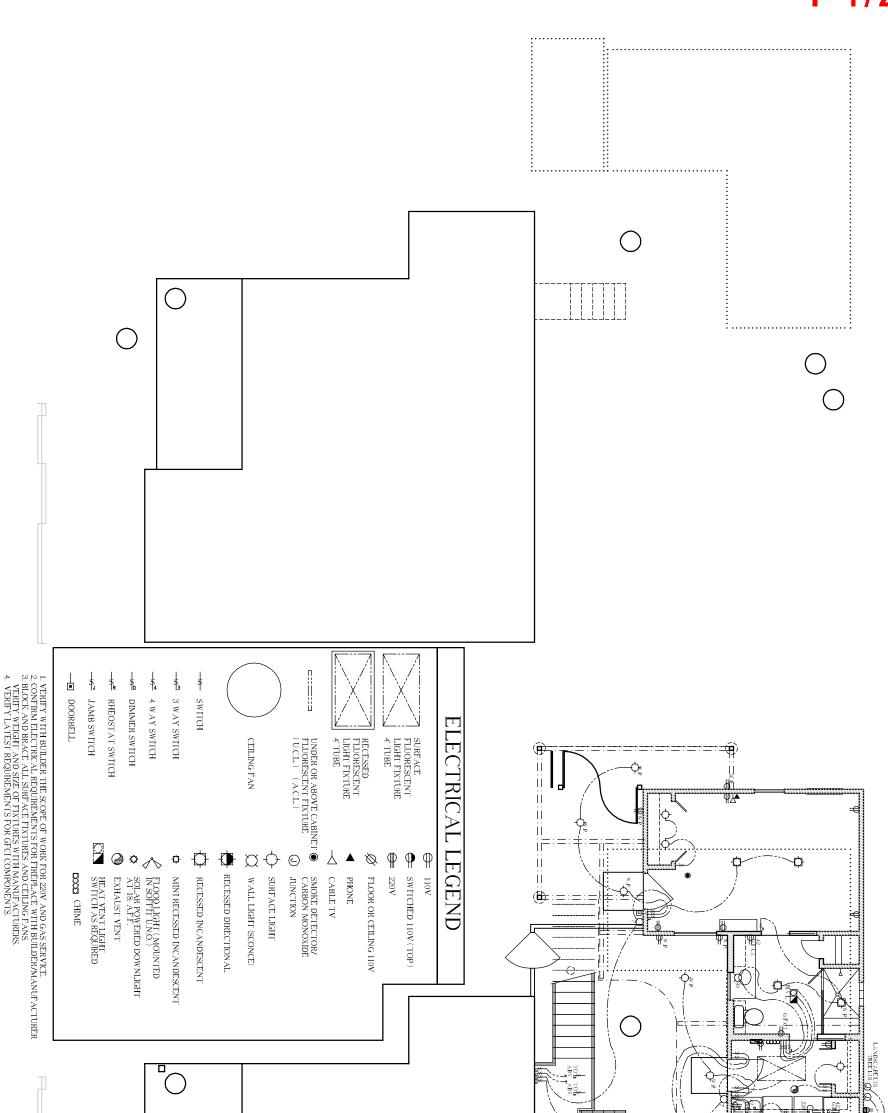








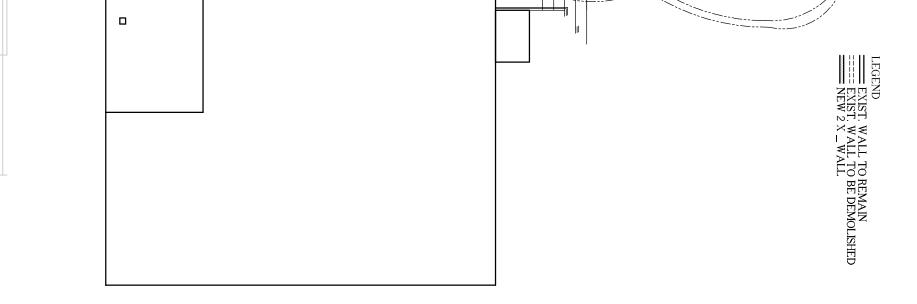


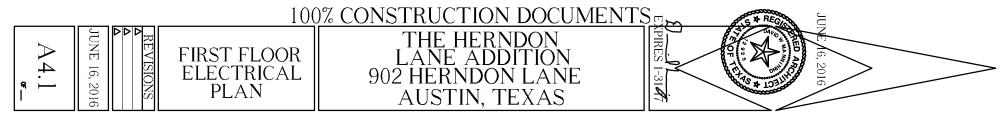


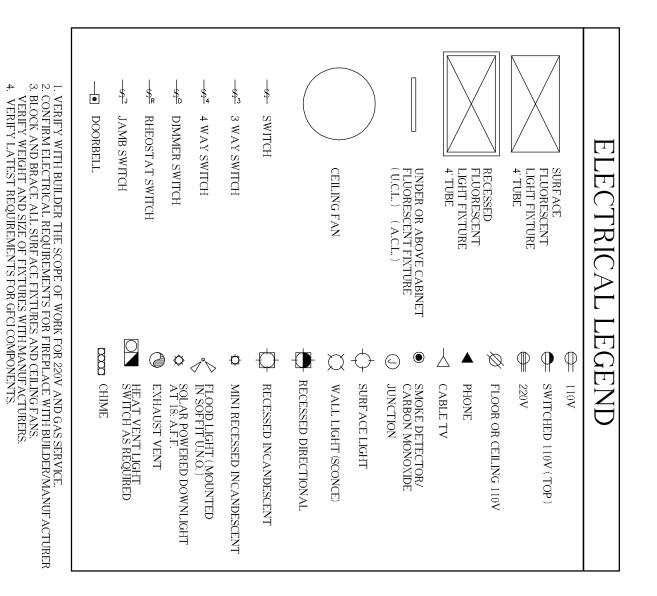
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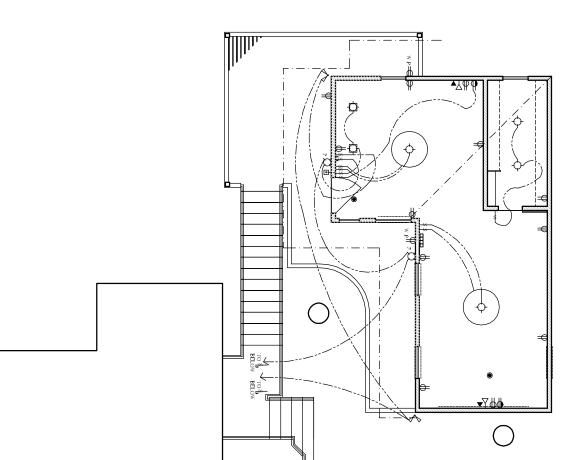
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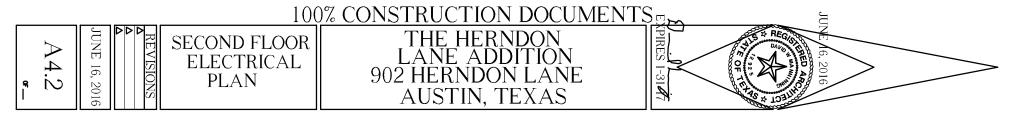


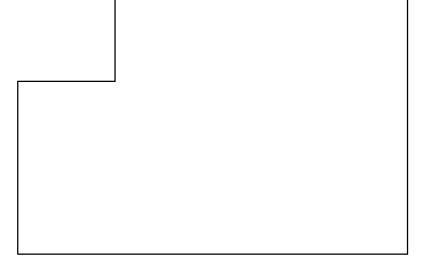






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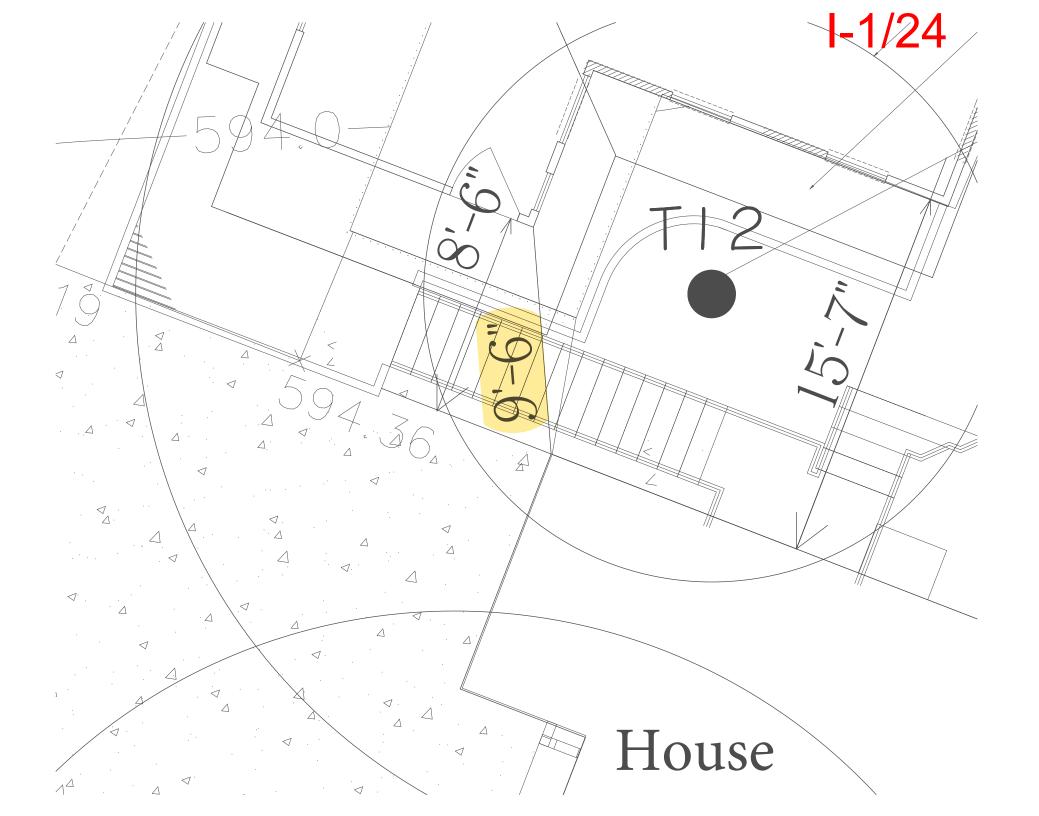
<u>CASE:</u> C15-2019-0001 **<u>ADDRESS:</u>** 902 Herndon Lane

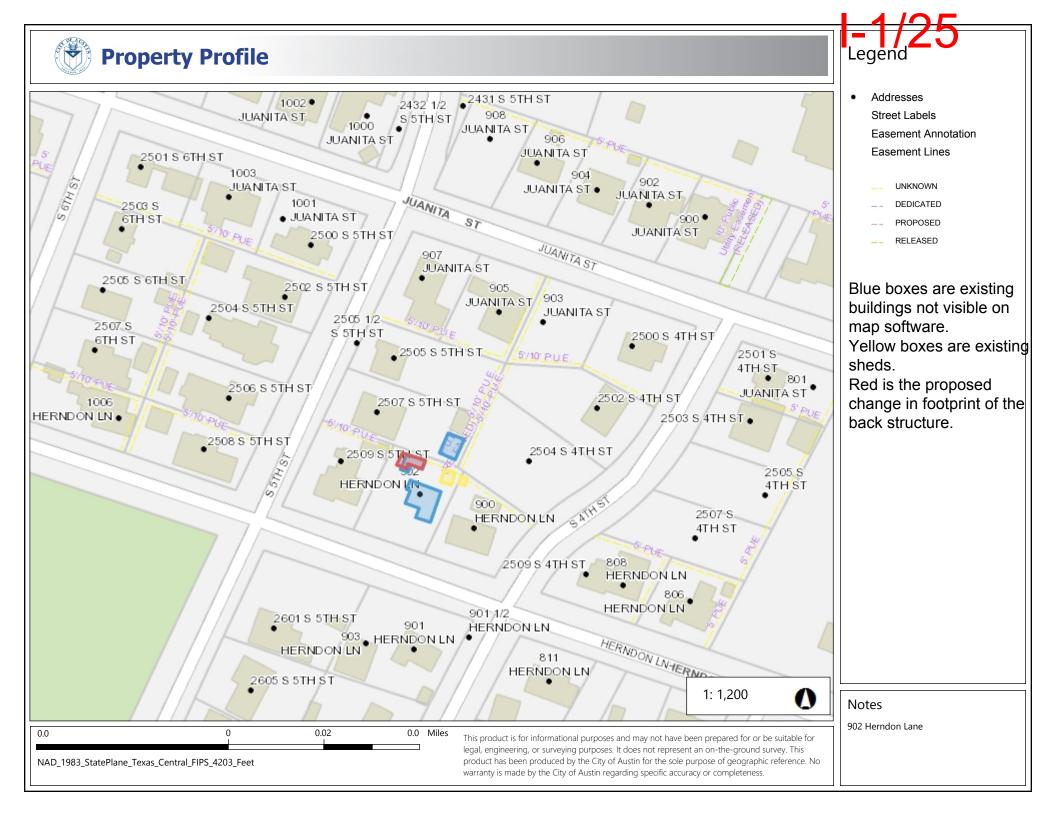
Addendum re: distance between the structures

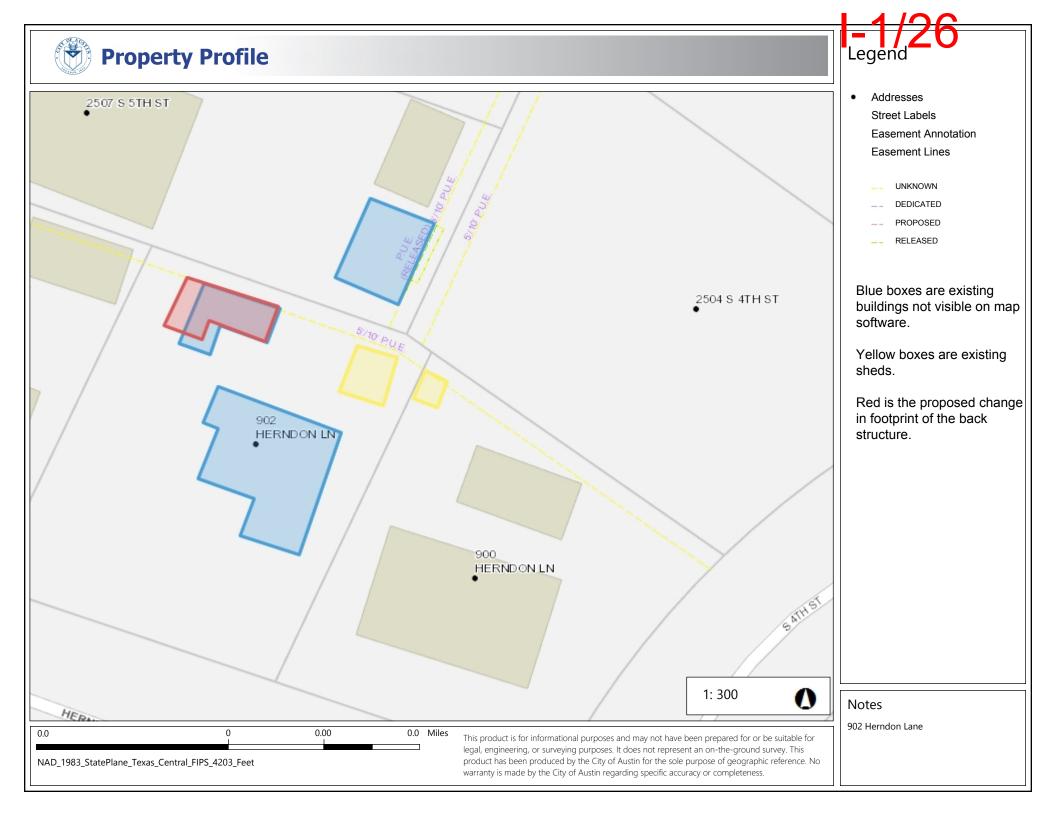
Given the small size of the structure and the scale of the plans, it is difficult to see the difference in the space between the current garage and the main house and the proposed structure and the main house.

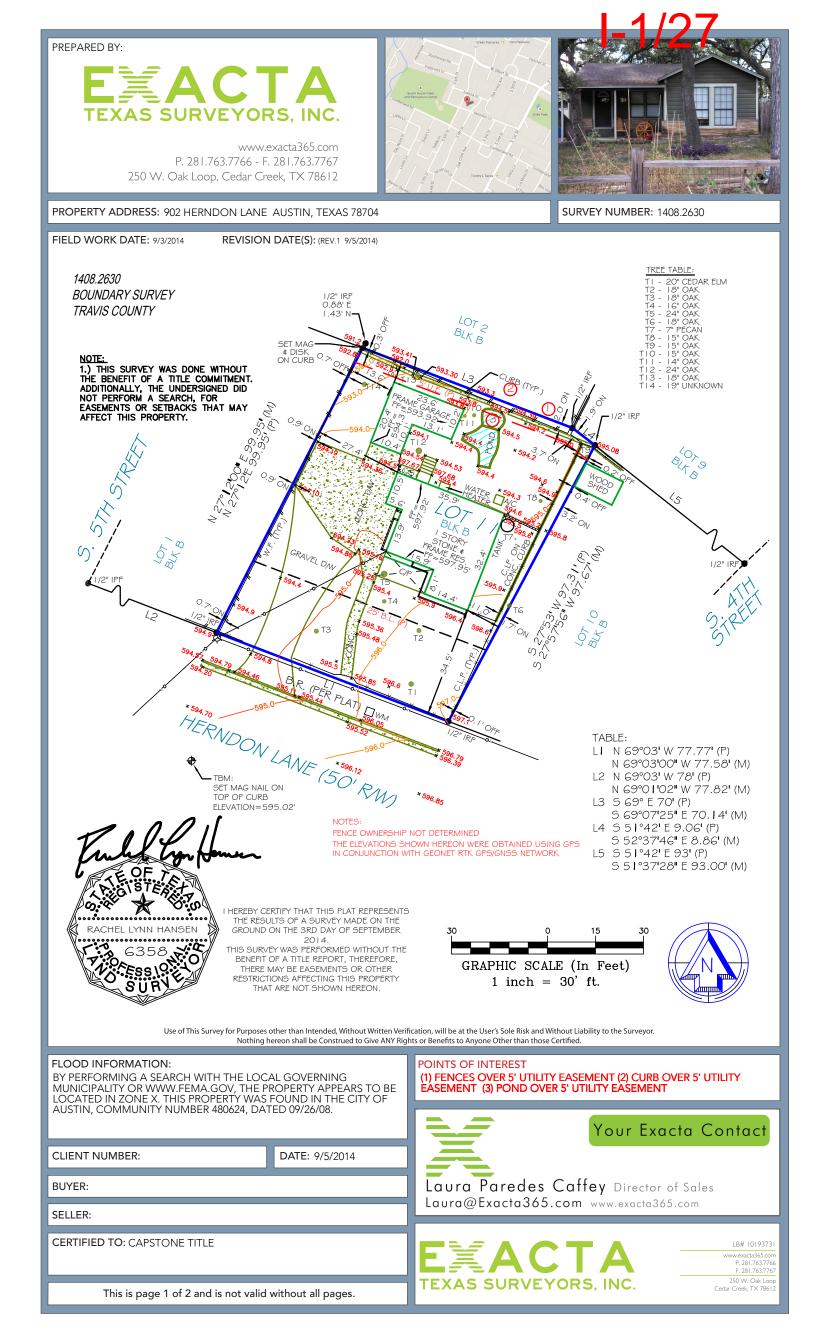
As the NOTE in Section 6 of my Application explains, while it is unclear whether the proposed structure is an Accessory Dwelling Unit (ADU) as it has no provisions for eating and cooking, out of caution the Application also asks for a variance for the 10' distance requirement under Section 25-2-774.

Attached is a blow up of the portion of the site plan illustrating the current footprint and that of the proposed second structure noting that it will be 9'6" from the main house (as opposed to the current approximately 5' distance between the existing garage and the main house.)









		1/22
REPORT OF SURVEY	1408.2630	This is page 2 of 2 and is not valid without all pages.
LEGAL DESCRIPTION: LOT 11, BLOCK B, LA PERLA, A SUBDIVISION IN TRAVIS COUNTY, TEXAS 273, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS.	, ACCORDING TO	THE MAP OR PLAT RECORDED IN VOLUME 4, PAGE
JOB SPECIFIC SURVEYOR NOTES: THE BEARING REFERENCE OF NORTH 69 DEGREES 03 MINUTES 00 SEC 11, BLOCK B, LA PERLA, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, AC OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS.		
 GENERAL SURVEYOR NOTES: The Legal description used to perform this survey was supplied by others. This su Due to varying construction standards, house dimensions are approximate. This survey is exclusively for the use of the parties to whom it is certified. It is not This property subject to any and all recorded and unrecorded easements. Survey of record, encumbrances, restrictive covenants or ownership title evidence. Surveying services performed by the Austin branch of Exacta Texas Surveyors, Inc If there is a septic tank, well or drain field on this survey, the location of such item Any additions or deletions of this 2 page survey document are strictly prohibited without written authorization of the signing surveyor is prohibited. Any FEMA flood zone data contained on this survey if for informational purposes www.fema.gov Dimensions are in feet and decimals thereof. All pins marked as set are 1/2 diameter, 18" iron rebar. This survey only shows improvements found above ground. Underground footin The information contained on this survey has been performed exclusively, and is references to third party firms are for informational purposes only. Points of Interest (POI's) are selected above- ground improvements which may be as defined by the parameters of this survey. There may be additional POI's which unknown to the surveyor . These POI's may not represent all items of interest to t House measurements should not be used for new construction or planning. Mean 	transferable to additio or has made no investi : ., 250 W. Oak Loop, Ce s was showed to us by Use of this survey bey only. Research to obta gs, utilities and encroa the sole responsibility, e in conflict with boun- are not shown, not cal ne viewer.	nal institutions or subsequent owners. gation or independent search for easements edar Creek, TX 78612 others and are not verified. ond the purpose of the transfer of title in such data was performed at chments are not located on this survey map. of Exacta Surveyors. Additional logos or dary, building setbacks or easement lines, led-out as POI's, or which are otherwise
LEGEND:		

LINETYPES: (1	INLESS OTHERWISE NOTED	A/C	AIR CONDITIONING	ID.	IDENTIFICATION	SEC.	SECTION
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SURVEY T	IE LINE	C.L.F.	CHAIN LINK FENCE	OFF	OUTSIDE OF SUBJECT PARCEL	TWP.	TOWNSHIP
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онининии		CONC.	CONCRETE	OHL	OVERHEAD LINES	TYP.	TYPICAL
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		C/L	CENTER LINE	O/A	OVERALL	W.F.	WOODEN FENCE
SURFACE TYP	ES: (UNLESS OTHERWISE NOTED)	C/P	COVERED PORCH	0/5	OFFSET	WM	WATER METER/VALVE BOX
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	COVERED	D.F.	DRAIN FIELD	P.C.	POINT OF CURVATURE		
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SYMBOLS: (1	UNLESS OTHERWISE NOTED)	ENT.	ENTRANCE	PG.	PAGE	C.M.E.	CANAL MAINTENANCE ESMT,
•	BENCH MARK	EM	ELECTRIC METER	P.I.	POINT OF INTERSECTION	C.U.E.	COUNTY UTILITY ESMT.
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ę	CENTERLINE	E.O.W.	EDGE OF WATER	PLT	PLANTER	D.U.E.	DRAINAGE AND UTILITY ESMT.
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\mathcal{A}	COMMON OWNERSHIP	(F)	FIELD	P.O.C.	POINT OF COMMENCEMENT	I.E./E.E.	INGRESS/EGRESS ESMT.
<u>ن</u>	CONTROL POINT	FCM	FND. CONCRETE MONUMENT	P.P.	PINCHED PIPE	IRR.E.	IRRIGATION EASEMENT
	CONCRETE MONUMENT	F/DH	FOUND DRILL HOLE	P.R.C.	POINT OF REVERSE CURVATURE	L.A.E.	LIMITED ACCESS ESMT.
A [CATCH BASIN	F.F.	FINISHED FLOOR	P.R.M.	PERMANENT REFERENCE MONUMENT	L.B.E.	LANDSCAPE BUFFER ESMT.
	ELEVATION	FIP	FOUND IRON PIPE	PSM	PROFESSIONAL SURVEYOR	L.E.	LANDSCAPE ESMT.
d d	FIRE HYDRANT	FIPC	FOUND IRON PIPE & CAP		AND MAPPER	L.M.E.	LAKE OR LANDSCAPE
		FIR	FOUND IRON ROD	P.T.	POINT OF TANGENCY		MAINTENANCE EASEMENT
•	FND OR SET MONUMENT	FIRC	FOUND IRON ROD & CAP FOUND NAIL	R	RADIUS or RADIAL	M.E.	MAINTENENCE EASEMENT
\leftarrow	GUYWIRE OR ANCHOR	FN FN#D	FOUND NAIL & DISC	(R)	RECORD	P.U.E.	PUBLIC UTILITY EASEMENT
۵	MANHOLE			RGE.	RANGE	R.O.E.	ROOF OVERHANG ESMT.
8	TREE	FND. FPKN	Found Found Parker-Kalon Nail	res. Rw	RESIDENCE RIGHT OF WAY	S.W.E.	SIDEWALK EASEMENT
8) \$	UTILITY OR LIGHT POLE		FOUND PARALA-NALON NAIL	K/W (5)		S.W.M.E.	STORM WATER
ŵ	WELL		FOUND RAILROAD SPIKE	5.B.L.	SURVEY SETBACK LINE		MANAGEMENT ESMT.
•	***	GAR.	GARAGE	5.C.L.	SURVEY CLOSURE LINE	T.U.E.	TECHNOLOGICAL UTILITY ESMT.
		GM	GAS METER	SCR.	SCREEN	U.E.	UTILITY EASEMENT

SURVEYOR'S LEGEND

ELECTRONIC SIGNATURE:

In order to "Electronically Sign" all of the PDFs sent by STARS, you must use a hash calculator. A free online hash calculator is available at http://www.fileformat.info/tool/md5sum.htm. To Electronically Sign any survey PDF: 1. Save the PDF onto your computer. 2. Use the online tool at http://www.fileformat.info/tool/md5sum.htm to browse for the saved PDF on your computer. 3. Select the Hash Method as SHA. 4. Click Submit. Your PDF is electronically signed if all of the characters in the SHA-1 code submitted by STARS matches the code which is produced by the hash calculator. If they match exactly, your PDF is electronically signed. If the codes do not match exactly, your PDF is not authentic.

PRINTING INSTRUCTIONS:

- 1. While viewing the survey in Adobe Reader, select the
- "Print" button under the "File" tab.
- 2. Select a printer with legal sized paper.
- 3. Under "Print Range", click select the "All" toggle.
- Under the "Page Handling" section, select the number of copies that you would like to print.
- Under the "Page Scaling" selection drop down menu, select "None."
- 6. Uncheck the "Auto Rotate and Center" checkbox.
- 7. Check the "Choose Paper size by PDF" checkbox.
- 8. Click OK to print.

TO PRINT IN BLACK + WHITE:

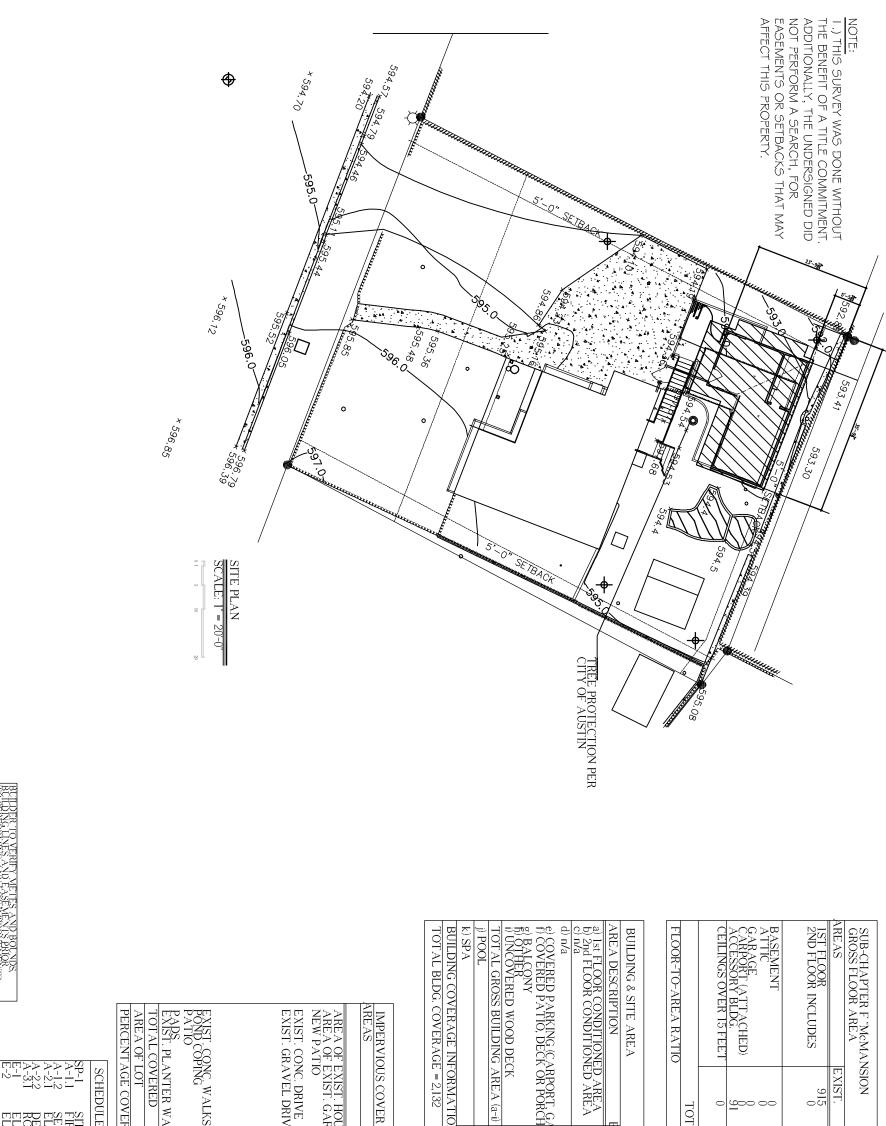
- 1. In the main print screen, choose "Properties".
- 2. Choose "Quality" from the options.
- 3. Change from "Auto Color" or "Full Color" to
- "Gray Scale".

OFFER VALID ONLY FOR:



250 W. Oak Loop Cedar Creek, TX 78612

Exacta Texas Surveyors, Inc.



JYEN		OVERAC	Έ	
	EXIST.	NEW		
: HOUSE : GARAGE	915 339 0	401 0	1,316 0	
RIVE DRIVE 701/2	777 351	00	777 351	
ALKS	163 26 321	000	163 26 321	
R WALLS	7 18	0	7 18	
D	3,784	0	3,969	
OVERED	36.47		38.27	
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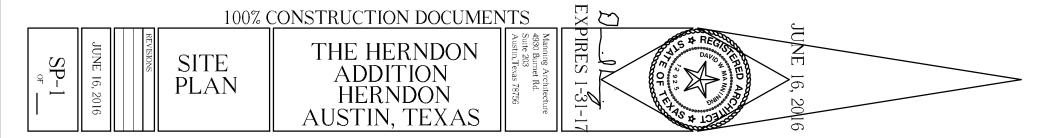
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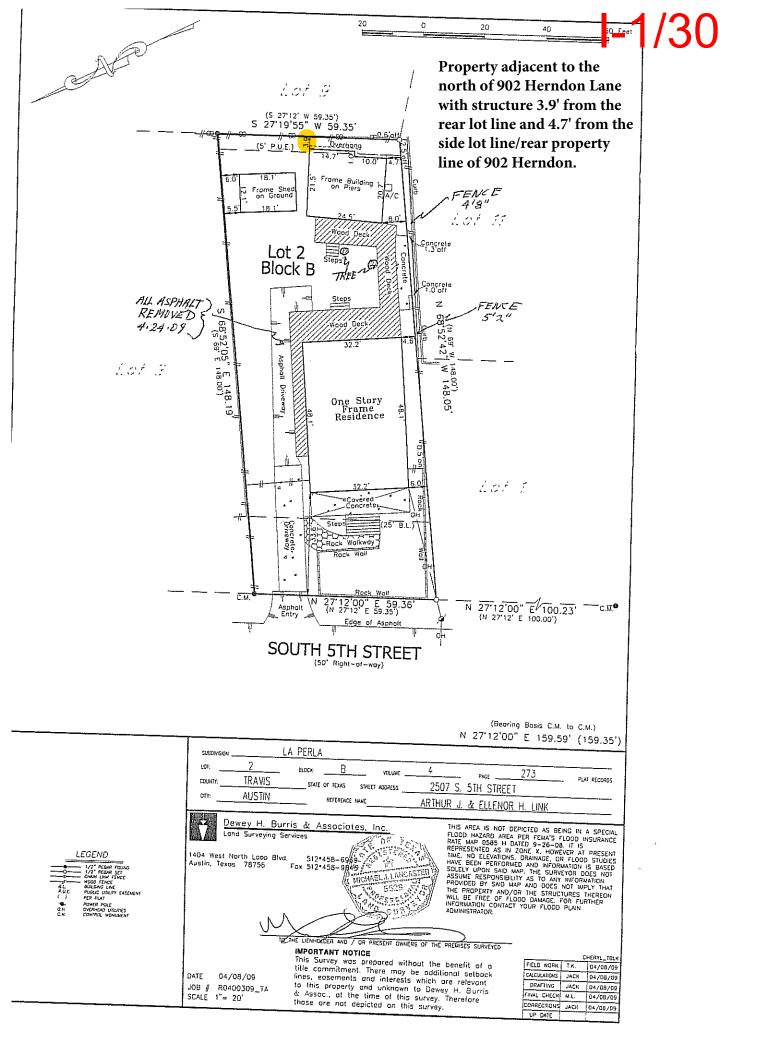
SEE SURVEY FOR ADDITIONAL INFORMATION

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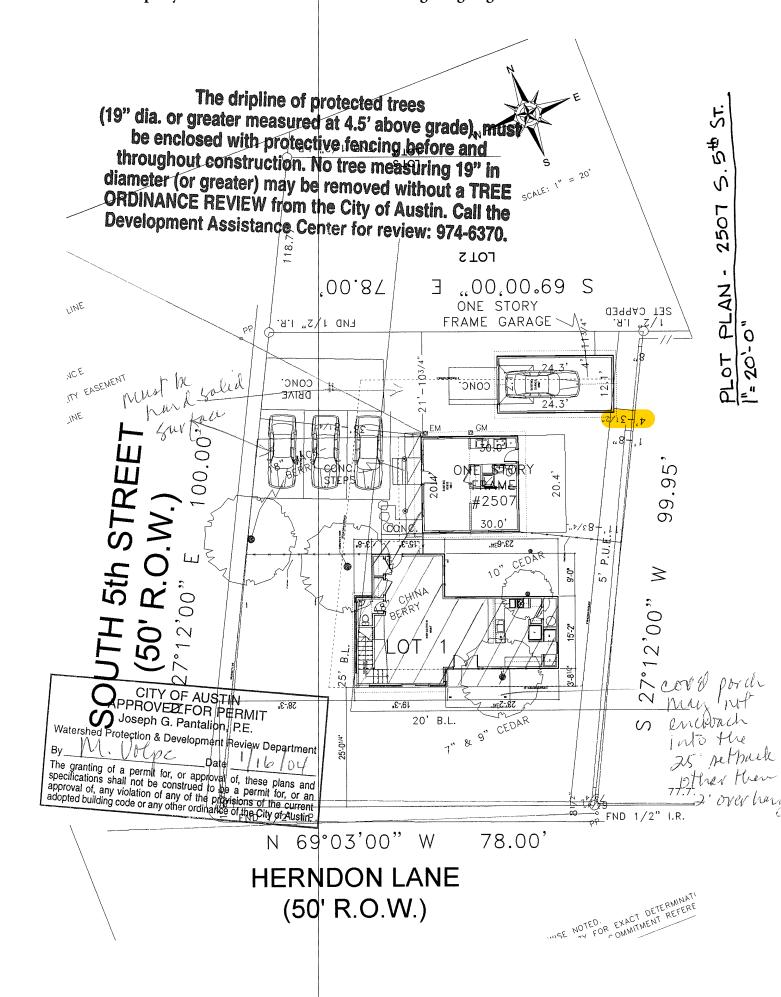
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SIZE=27.47	3			2,132	0 214 88	1,316 401	TOTAL S.F.

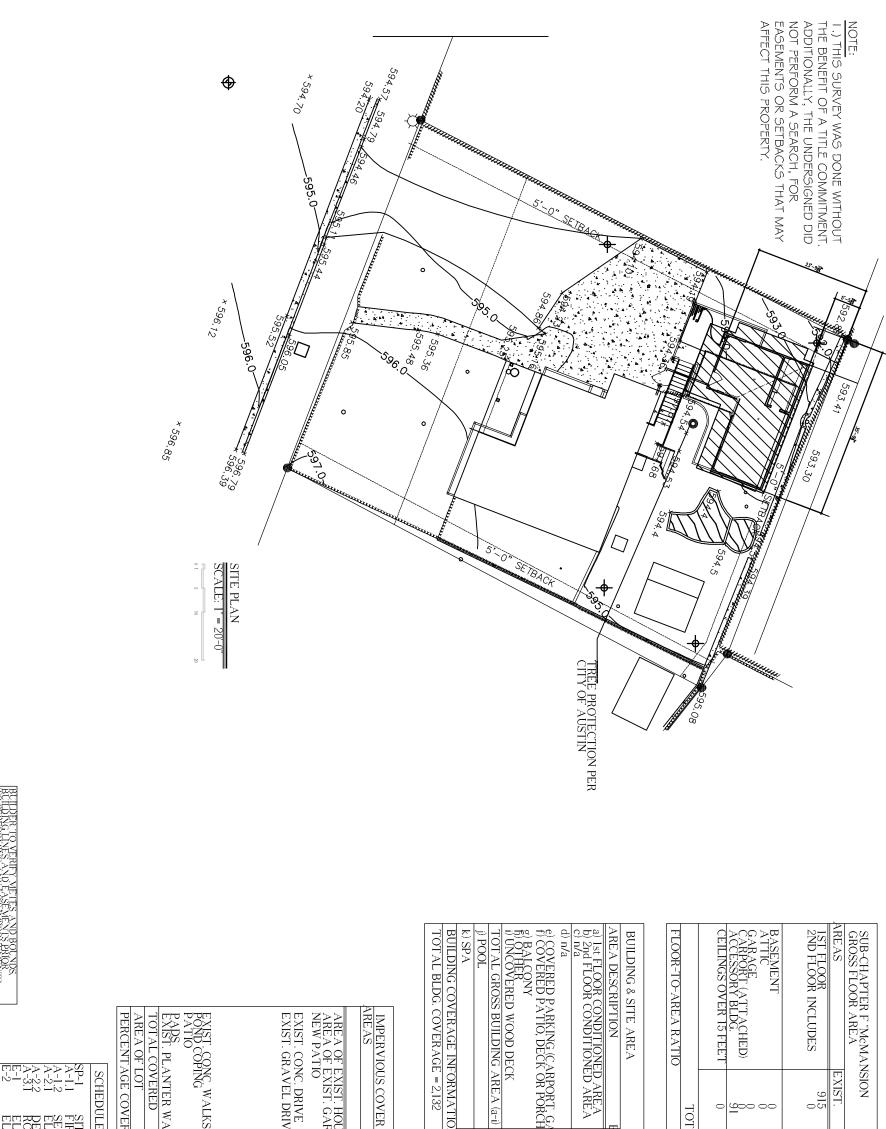
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2,	TOTAL GROSS FLOOR AREA	0		401 401		
2,708/7,768=	OR AREA	0	0		EXEMPTION	
34.97	2,708	0	9 0 0 0	1,316 ,401	TOTAL	





Property to the west of 902 Herndon with original garage 4' 3 1/2" from its rear lot line.





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	EXIST.	NEW		
: HOUSE : GARAGE	915 339 0	401 0	1,316 0	
RIVE DRIVE 701/2	, 777 351	00 (777 351	
ALKS	163 26 321	000	163 26 321	
R WALLS	7 18	0	7 18	
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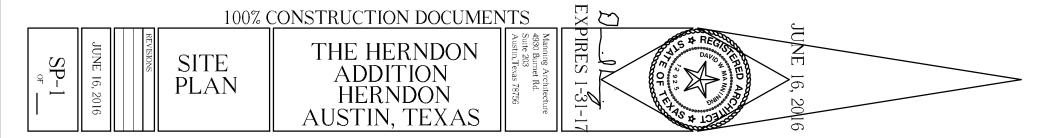
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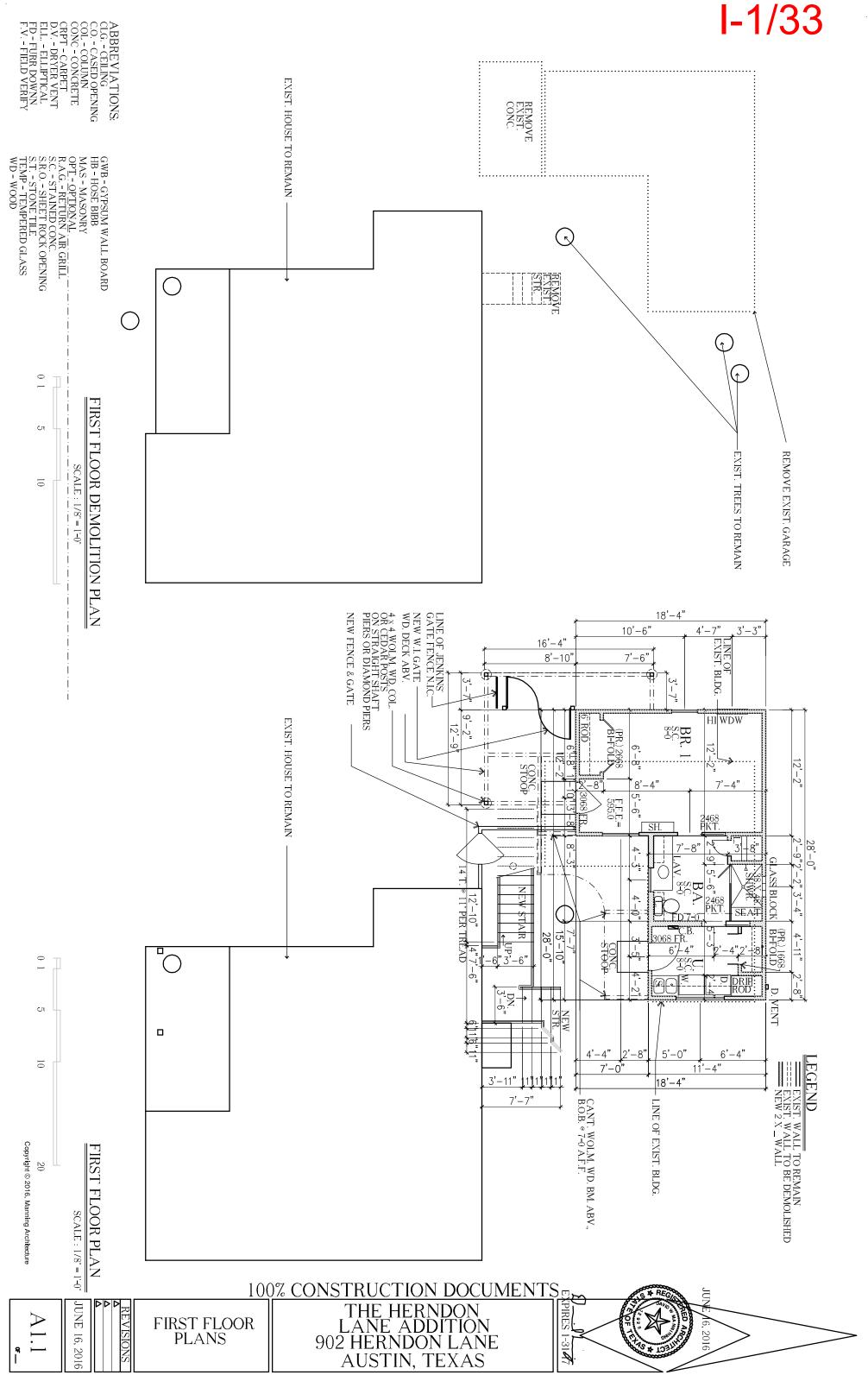
SEE SURVEY FOR ADDITIONAL INFORMATION

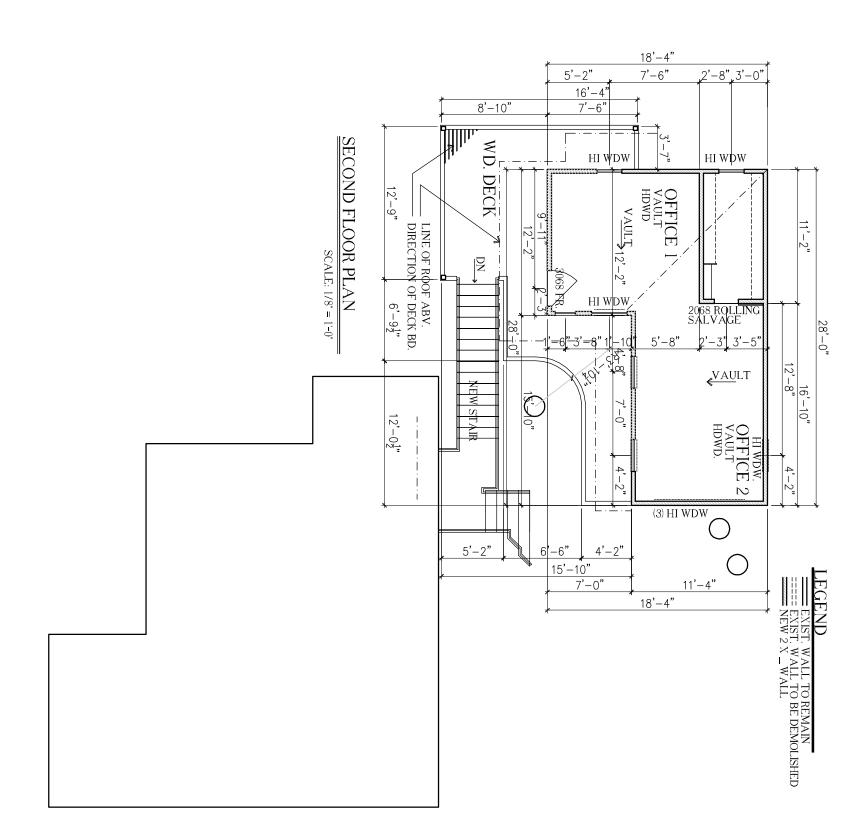
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SIZE=27.47	3			2,132	0 214 88	1,316 401	TOTAL S.F.

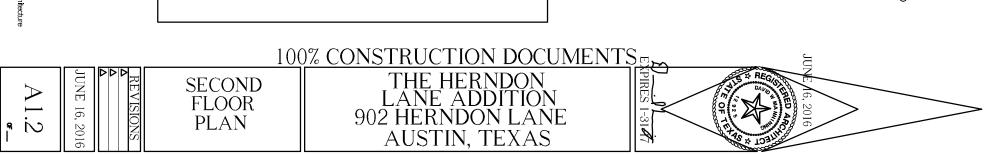
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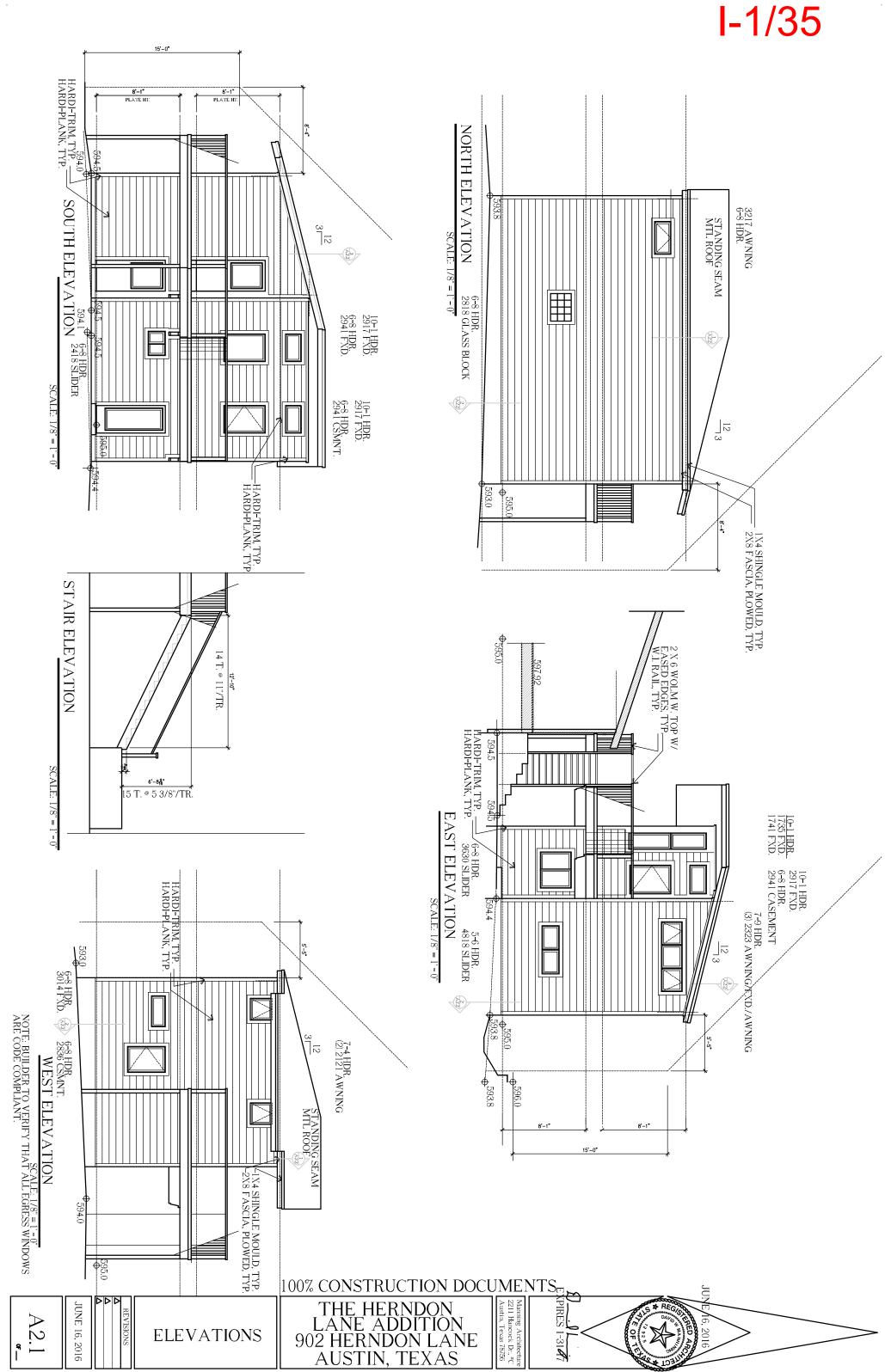


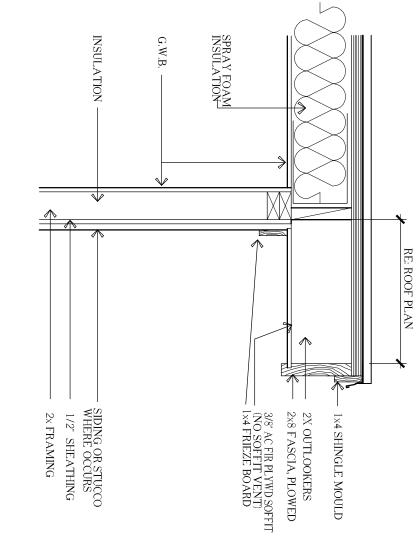




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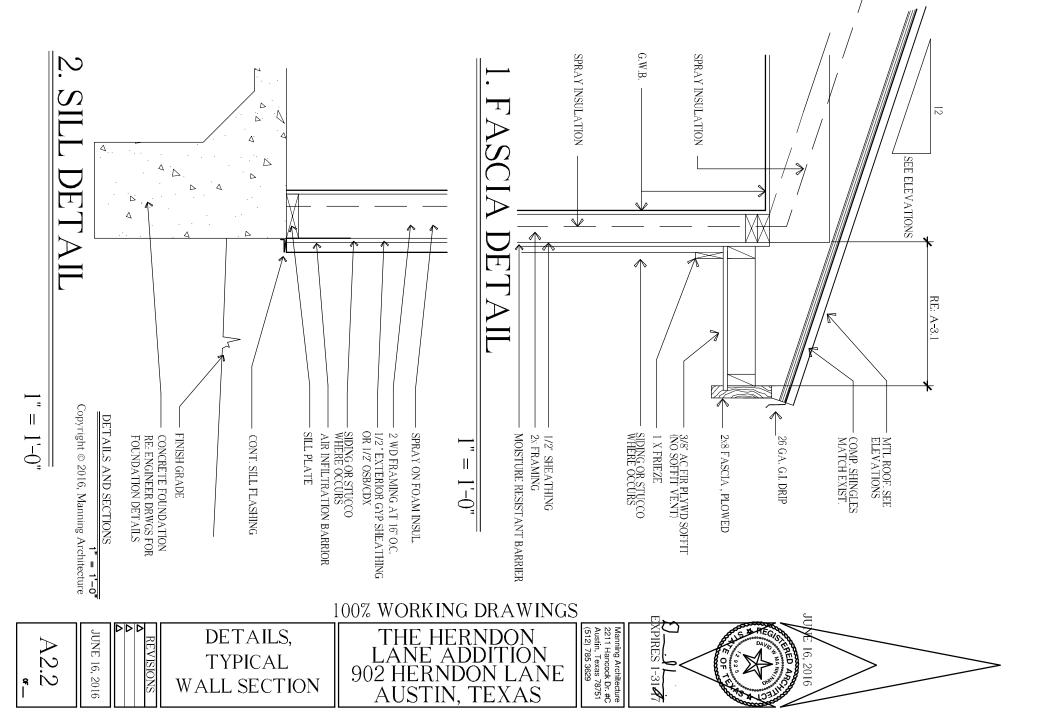






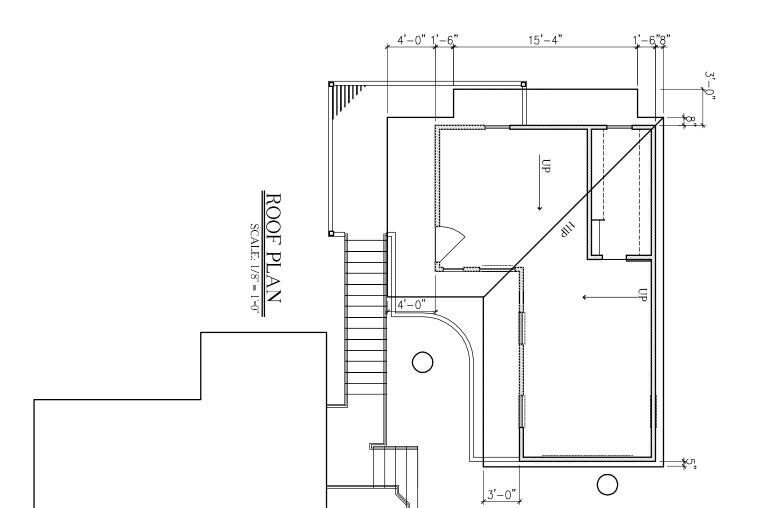


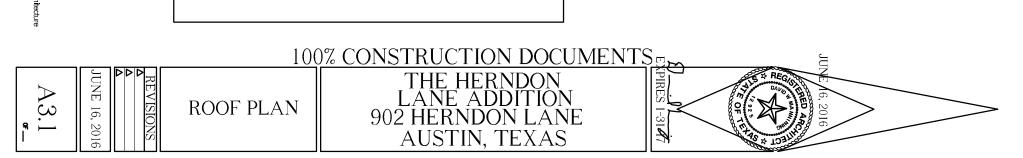
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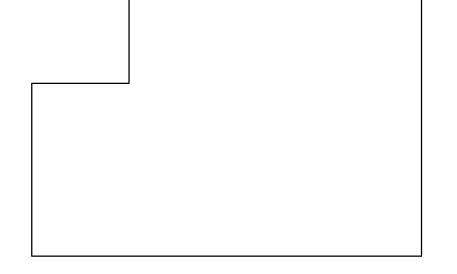


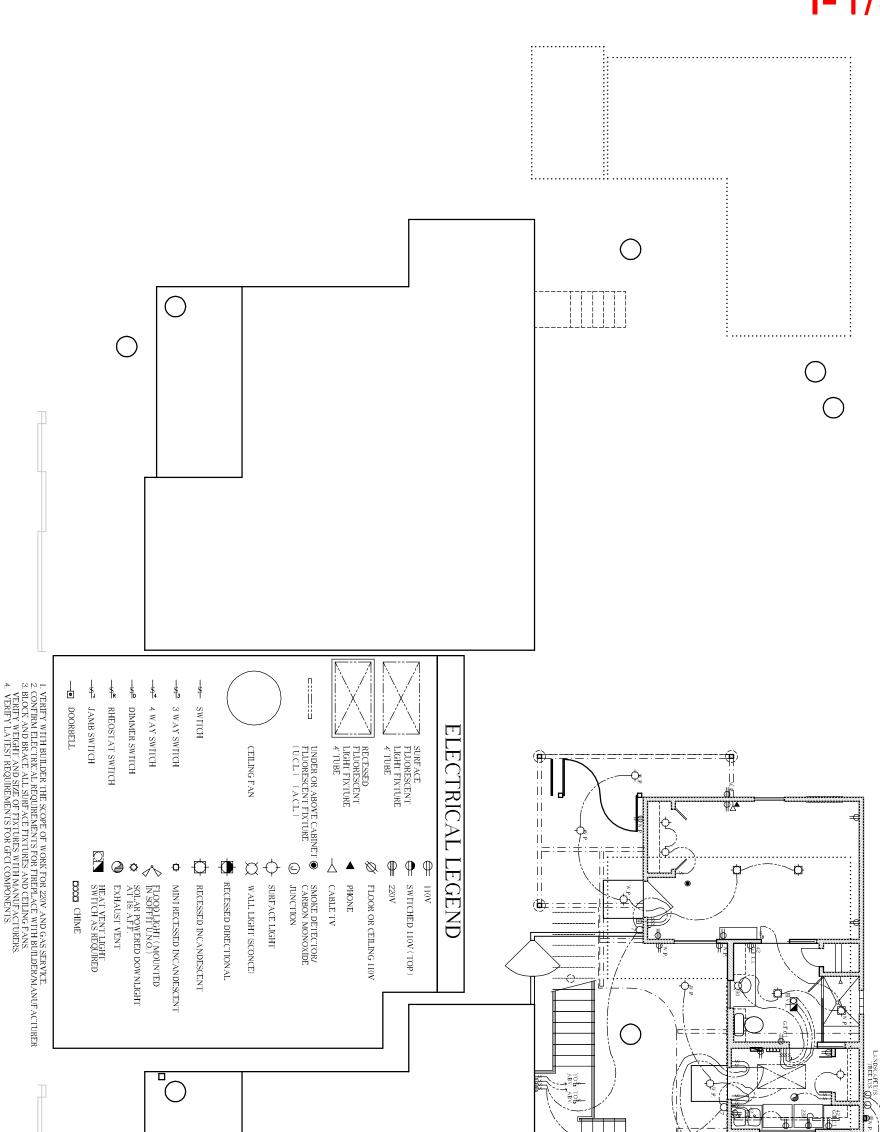


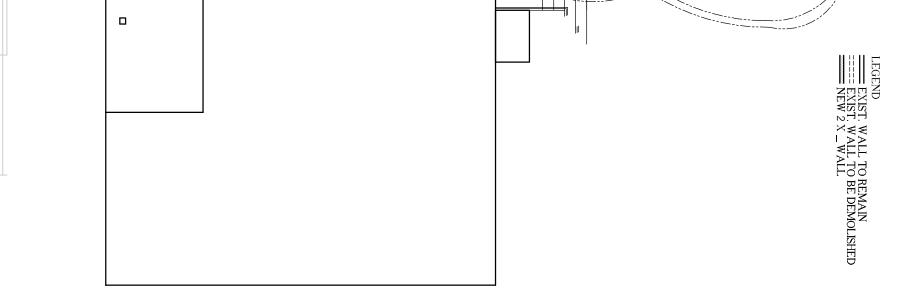
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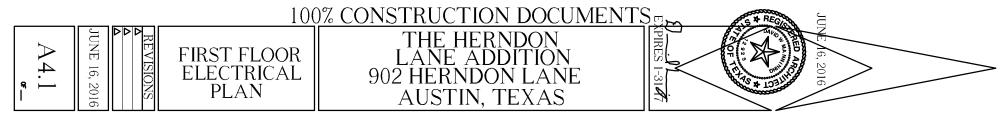




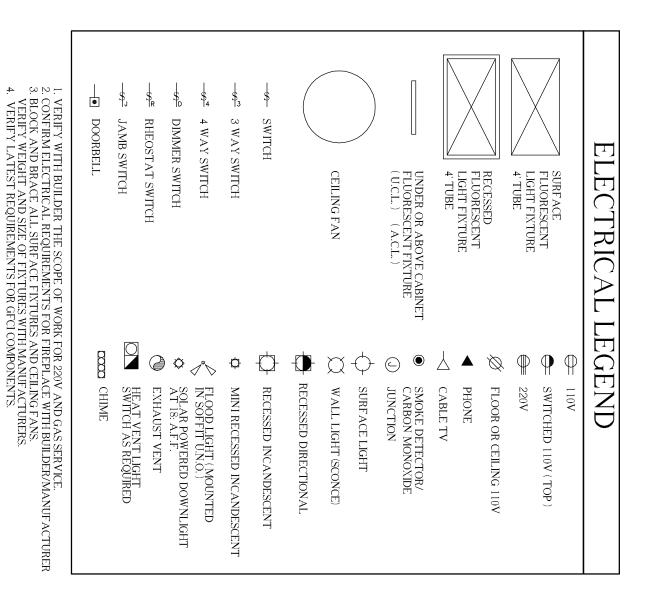


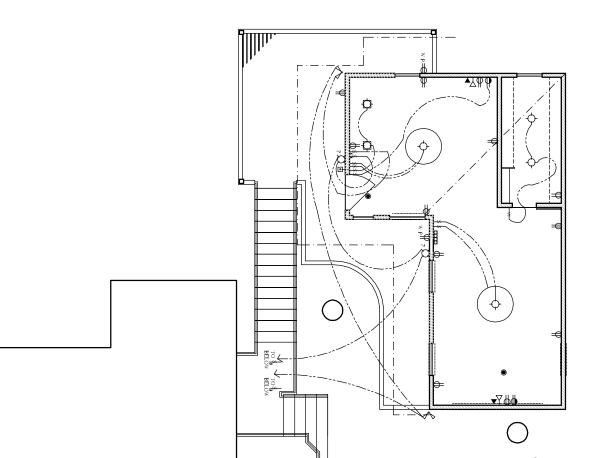


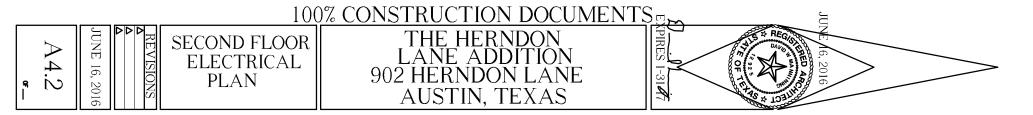


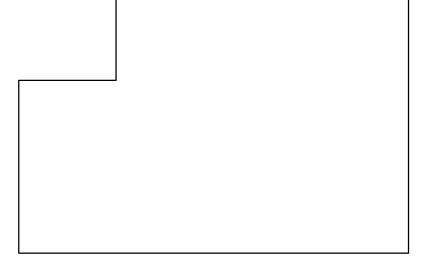


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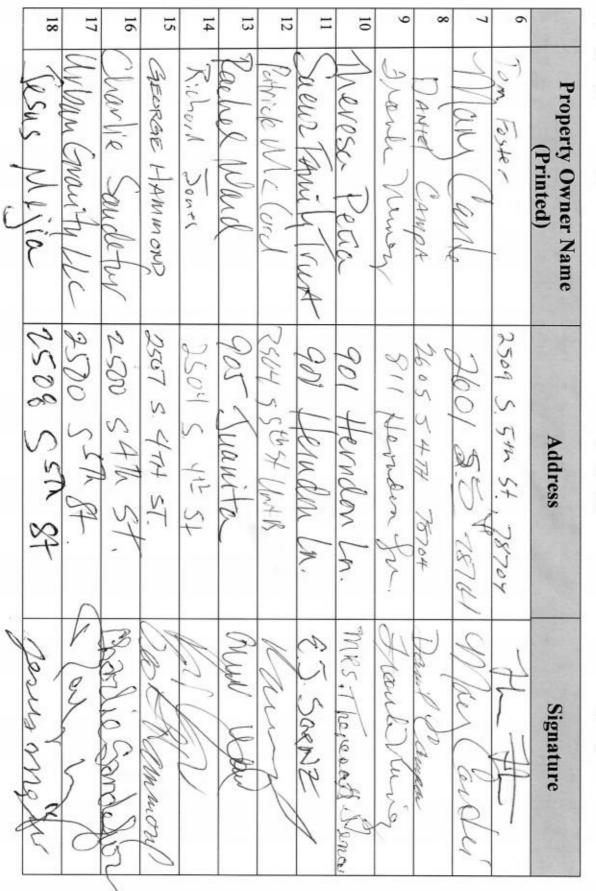




approximate footprint of the existing garage (modified to better accommodate trees) with a 5' set back from the rear property line rather than a 10' set back. Development Code, and any other relevant sections. The variance would allow me the ability to build a two-story structure on the I, Susan Hays, am applying for a variance from the Board of Adjustment regarding Sections 25-2-492, 25-2-774 of the Land

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

Property Owner Name (Printed)AddressARASH SAFEEDI903 HERMON LNARASH SAFEEDI903 HERMON LNChris Ruit2507 S. 6M StChris Ruit2504-4 S5MChris Ruit2506-4 S5MChris Ruit2506-8 S5M
Address 903 HERMANN LN 2507-7 S. 5M St 2506-7 SSM St 2506-7 SSM



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

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

27 22 31 30 29 28 25 24 23 21 19 26 20 Blory X San 3 **Property Owner Name** Arroyos ew Kios (Printed) レーキーをすい ren MCIntra 2503 S. 474 87 903 JUNITY ST 808 3100 Jarden Ville Ln ALOL PULS TO TO STA 1204 Freld creet Herndon Address andren 2. fear the starter + EWAL Signature A think , GUERNA and

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rather than a 10' set back. approximate footprint of the existing garage (modified to better accommodate trees) with a 5' set back from the rear property line I, Susan Hays, am applying for a variance from the Board of Adjustment regarding Sections 25-2-492, 25-2-774 of the Land Development Code, and any other relevant sections. The variance would allow me the ability to build a two-story structure on the

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w N S 4 Erin Condron **Property Owner Name** hevin (Printed) NDE Ucrodin 8 1001 2005 250 227 2502 Š ISTIN TY 78704 1con in Willout B Address KAX 7874 ALEGY -0ts 6 londur. 3 Signature 5

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Property Owner Name	le Address	Signature
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	S	4	S	2	1		
		5			Clark TCichards	Property Owner Name (Printed)	
1					2505 S. 4mh Street	Address	
					Cll.	Signature	



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S	4	ω	2	1	
			GREG THOMPSON	VERYAN THOMPSON	Property Owner Name (Printed)
			2606 S-4ª 87	2606 S. 4 " &.	Address
		0	Grow Thompson	Veryon Thorpson	Signature

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