



J Square Architecture
Wednesday, April 17, 2019

**2800 Rivercrest
Austin, TX 78746**

BOA Variance application cover letter

Dear Board Members,

The application before you is seeking a variance from section 25-2-551 (C)(3)(a) of the Land Development Code that regulates impervious cover in LA zoning, Although there are other sections of the code that could be requested to achieve the same goal, this section seems to be the most straight forward.

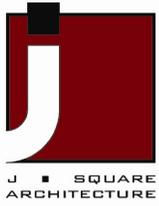
The applicant is requesting this variance to make modifications, alterations and additions to the existing home and property. The Owners are retiring and are preparing the home so that they may age in place. Bedrooms, bathrooms and public spaces are being altered to allow for ease of accessibility and an elevator is being added.

The current status of the home, "legal noncomplying" is specific to impervious cover, and lot size only. The status is due to development constructed under a variance that was granted in 2004, because the variance expires after 1 year or the project is completed. This variance was to increase the impervious cover to 42% to allow for construction of a new 2 story home after a 1 story home had been demolished. The home was completed in 2005, and a calculation based on the as-built survey shows that the resulting impervious cover from the development is 41%. This status limits what alterations and improvements can be done per section 25-2-963. The governing section of the code allows for certain modifications, alterations and additions, but does not address a situation like this one where we are affectively, re-arranging impervious cover at the as built percentage under the previous variance. The house and proposed additions comply with all other base zoning requirements. The proposed alterations will not make the home or property more noncomplying than what was allowed under this variance.

With the rules governing this type of proposed remodel under 25-2-963, the hardships stated in the application, previous granting of a variance to construct at 42%, and neighbors who have received similar entitlements, the applicant feels this request is reasonable. The end result will maintain the percentage of the original impervious cover built and allowed under the 2004 variance, and still be 1% less than the previous impervious cover granted in the 2004 variance.

Yours in service,

Jay Dupont, Architect
Principal



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