

**CITY OF AUSTIN**  
**Board of Adjustment**  
**Decision Sheet**  
**D-5**

**DATE: Monday December 14, 2020**

**CASE NUMBER: C15-2020-0082**

Y  Brooke Bailey  
 Y  Jessica Cohen  
 Y  Ada Corral  
 Y  Melissa Hawthorne  
 -  VACANT  
 Y  Don Leighton-Burwell  
 -  Rahm McDaniel -OUT  
 Y  Darryl Pruett  
 Y  Veronica Rivera  
 Y  Yasmine Smith  
 Y  Michael Von Ohlen  
 Y  Kelly Blume (Alternate)  
 -  Martha Gonzalez (Alternate)  
 -  Donny Hamilton (Alternate)

**APPLICANT: Micah King**

**OWNER: Doug and Jana Harker**

**ADDRESS: 908 W18TH STREET**

**VARIANCE REQUESTED: The applicant is requesting a variance(s) from the Land Development Code:**


- a) **Section 25-2-492 (Site Development Regulations) from setback requirements to decrease the minimum side yard setback from 5 feet (required) to 4.4 feet (requested)**
- b) **Section 25-2-492 (Site Development Regulations) to increase the impervious cover from 45% (maximum allowed) to 53% (requested) in order to maintain Single Family Residence, shared drive and patio in an "SF-3", Single-Family Residence zoning district.**

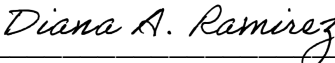
**BOARD'S DECISION: BOA MEETING DEC 14,2020 The public hearing was closed by Chair Don Leighton-Burwell, Board Member Michael Von Ohlen motions to Grant with conditions to add rainwater collection to capture additional impervious cover (as per Rain Harvesting worksheet) as per D-5/24 tied to existing structure, will not apply if demolished, remodeled, etc., and Board Member Brooke Bailey seconds on a 10-0 vote; GRANTED WITH CONDITIONS TO ADD RAINWATER COLLECTION TO CAPTURE ADDITIONAL IMPERVIOUS COVER (AS PER RAIN HARVESTING WORKSHEET)**

**AS PER D-5/24 TIED TO EXISTING STRUCTURE, WILL NOT APPLY IF DEMOLISHED, REMODELED, ETC.**

**FINDING:**

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: the regulations do not allow for a reasonable use of the property due to the configuration of the lot, which includes a shared drive in a 25' wide access easement, which provides key access to an adjacent condominium development
2. (a) The hardship for which the variance is requested is unique to the property in that: the single family residential property has a shared drive running through its backyard and is encumbered by a 25' wide access easement  
  
(b) The hardship is not general to the area in which the property is located because: properties with single family residences in the area do not generally have a shared driveway and 25'-wide access easement running through their back yards
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: the existing improvements are typical of the area's character including architectural style use and scale

  
\_\_\_\_\_  
Elaine Ramirez  
Executive Liaison

  
\_\_\_\_\_  
Don Leighton-Burwell  
Chairman

# Waterloo Surveyors Inc.

## SURVEY PLAT

As-built Update & Impervious Cover

OWNER:  
DOUG & JANA HARKER

ADDRESS:  
908 WEST 18th STREET  
AUSTIN, TEXAS 78701

D-5/24 J14220E

SCALE  
1" = 20'

LEGAL DESCRIPTION:  
LOT 6, CHESTNUT PLACE, A SUBDIVISION IN TRAVIS COUNTY, TEXAS,  
ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 83,  
PAGE 74B, PLAT RECORDS OF TRAVIS COUNTY, TEXAS.

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.

Corrected Survey

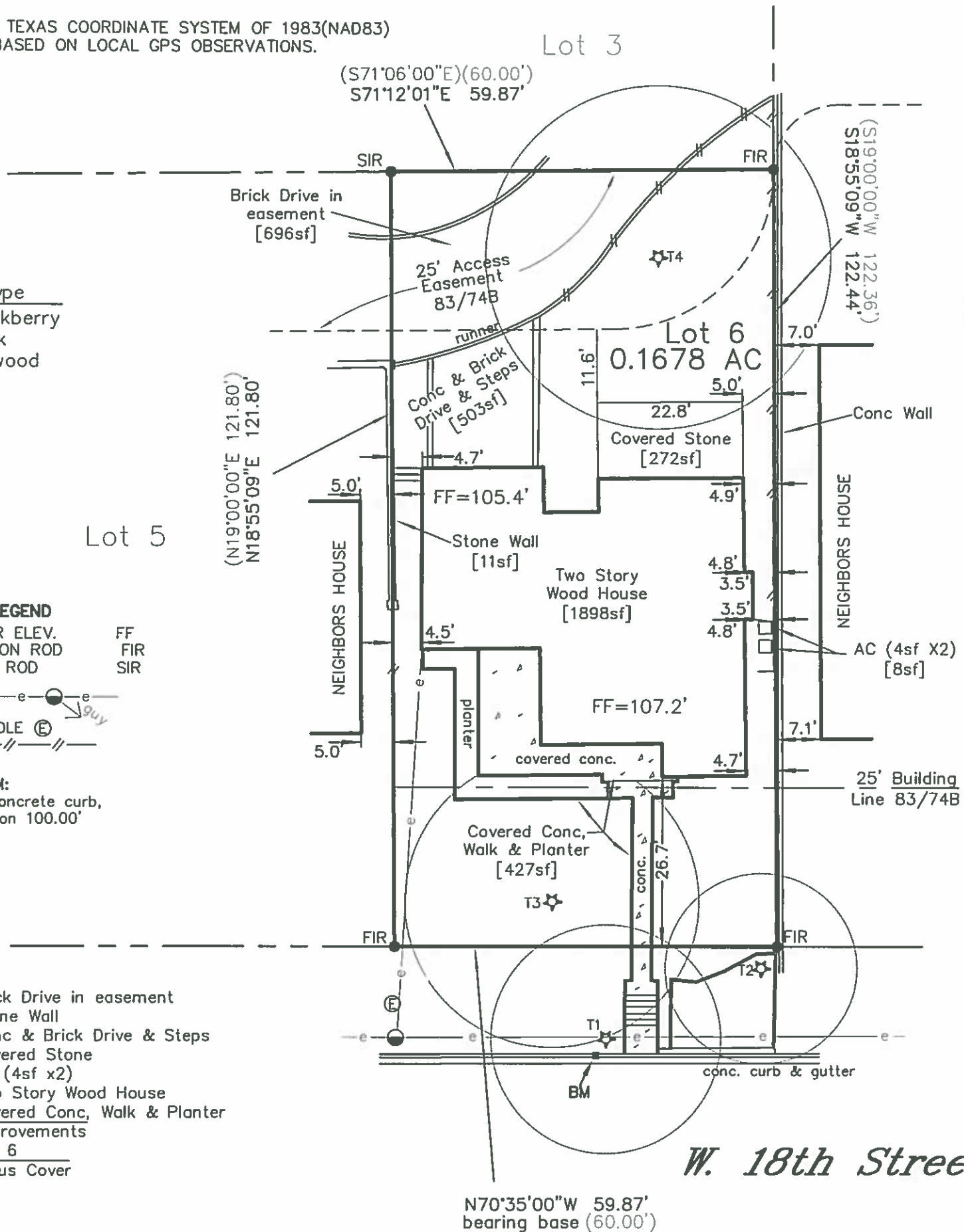
NOTE:  
BEARING BASED ON THE TEXAS COORDINATE SYSTEM OF 1983(NAD83)  
CENTRAL TEXAS ZONE, BASED ON LOCAL GPS OBSERVATIONS.

Tree #:	Size"	Type
T1:	12"	Hackberry
T2:	15"	Live Oak
T3:	23"	Cottonwood
T4:	27"	Pecan

### LEGEND

FINISHED FLOOR ELEV. FF  
1/2" FOUND IRON ROD FIR  
1/2" SET IRON ROD SIR  
UTILITY POLE & ELECTRIC LINE  
ELECTRIC MANHOLE (E)  
WOOD FENCE (RECORD)  
BENCHMARK BM:  
Square cut in concrete curb,  
Assumed Elevation 100.00'

696 Sq.ft. Brick Drive in easement  
11 Sq.ft. Stone Wall  
503 Sq.ft. Conc & Brick Drive & Steps  
272 Sq.ft. Covered Stone  
8 Sq.ft. AC (4sf x2)  
1898 Sq.ft. Two Story Wood House  
427 Sq.ft. Covered Conc, Walk & Planter  
3815 Sq.ft. Improvements  
7311 Sq.ft. Lot 6  
52.2% Impervious Cover




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 1B Conditions II Survey.

And 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: 48453C0465K, Zone: X, Dated: 1/22/2020.

Dated this the 11th day of NOVEMBER, 2020.

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



**Rainwater Harvesting Compensation for excess impervious cover (IC)**

Required:

1. Rain tank 2.6 times greater in gallons than number of square feet in excess of IC limit

This formula calculates the number of gallons required to provide flood mitigation plus a factor of safety

Example: 5,000 sq.ft. lot with 45% IC limit permitted by Code is granted a variance to build 46% IC

Therefore:  $5,000 \times 0.45 = 2,250$  sq.ft. (Code) vs.  $5,000 \times 46\% = 2,300$  sq.ft. (allowed by variance)

Therefore:  $2,300 - 2,250 = 50$  sq.ft. over Code limit

Therefore:  $50$  sq.ft. over limit  $\times 2.6 = 130$  gallon rain tank required (minimum)

Result: Applicant installs a 150-gallon rain tank or two 75-gallon rain barrels

2. Guttering installed on an area of roof in square feet at least as large as the number of gallons of the rain tank

Example: Applicant ensures that roof area draining at least 150 sq.ft. drains via gutters to the 150-gallon tank

Or two separate areas draining at least 75 sq.ft. each drain to rain gutters to the two rain barrels.

3. Outflow from tank directed to a safe drainage conveyance where won't adversely impact neighboring properties

**Calculation Table**

Impervious Cover sq.ft. overage	Minimum Gallons of Rain Tank Volume Required
50	130
100	260
200	520
300	780
400	1,040
500	1,300
600	1,560
700	1,820
800	2,080
900	2,340
1,000	2,600
2,000	5,200
3,000	7,800
4,000	10,400
5,000	13,000