

THE VILLAGE OF SAN LEANNA
AGENDA
PUBLIC HEARING OF THE ZONING COMMITTEE
Thursday, August 20, 2020
6:15 pm – Video Conference Call

MEETING PARTICIPATION DETAILS:

Topic: Public Hearing – Zoning Committee– August 2020
Time: August 20, 2020 6:15 PM Central Time

<https://zoom.us/join>

Meeting number (access code): 569 550 2741

Meeting password: 082020

Dial in by phone: 1-346-248-7799

Meeting number (access code): 569 550 2741

Meeting password: 082020

A. MEETING CALLED TO ORDER

Roll call

B. PUBLIC HEARING

1. Presentation of information concerning request for a variance to Zoning Ordinance No. 13-001 allowing concessions to south (front) setback requirements for a new single-family dwelling at 732 and 736 River Oaks Dr.
2. Presentation of information concerning request for a variance to Zoning Ordinance No. 13-001 allowing the construction of an observation deck prior to the construction of the main residence at 732 and 736 River Oaks Dr.
3. Citizen comments

C. VOTE ON RECOMMENDATION

D. ADJOURNMENT

Posted _____ Monday, August 17, 2020

Rebecca Howe
Village Administrator

17 August, 2020

San Leanna Village Zoning Commission,

First of all, hello! It sounds like I may be the newest addition to San Leanna Village and I'm excited about joining the community. I can already see there are quite a few things that make this a unique neighborhood and I look forward to being a member!

I recently purchased two adjacent lots on River Oaks Drive in the northwest corner of the village. I'm working to create an appealing space that suits the topography and overcomes the other challenges I'm sure to face.

With that said, I'm applying for two variances to help make that process easier. Thank you for your consideration,

J. Cooper Rounds
512.740.9472

This variance concerns Zoning Ordinance No. 13-001 Section 7(B)(1) which discusses setbacks from property lines. It requires “not less than thirty (30) feet from the front of the lot line to the single-family dwelling foundation.” I can’t be certain, but I assume this is intended to be a minimum setback from the village roads. Because of what I have been told is a right-of-way for the village water main, the front lot lines on 732 and 736 River Oaks Drive are already set back from the street about 22 feet on the southeast front corner of 732 and about 34 feet on the southwest front corner of 736. 736 River Oaks Drive, for example, is only 43.5 feet deep from the southwest front corner to the bluff. If adhering to the 30 foot setback ordinance, there is only 13.5 feet of buildable footage and it would be extremely unlikely to construct anything.

I have attached two screenshots from the City of Austin Property Profile tool, one for each lot, which show the lot lines (blue) on an aerial map. I edited them to show the front lot line distance (red) to the road (yellow). Hopefully that clearly demonstrates the issue at hand.

I am seeking a variance to allow a structure(s) to be built within the confines of the lot lines, and with a minimum setback of 30 feet from the road (as opposed to a minimum setback of 30 feet from the front lot line.) This prevents unnecessary hardship, provides more usable space when designing a site plan and structures, and keeps the minimum distance from the base of the structure foundation to the road.

This variance from the requirements of the Zoning Ordinance adheres to all three items in Section 19(3) which are:

- (a) will not be contrary to the public interest; and
- (b) due to special conditions, literal enforcement of requirements of this Ordinance will result in unnecessary hardship; and
- (c) the spirit of this Ordinance shall be observed and substantial justice done



Property Profile



1: 600



0.0 0 0.01 0.0 Miles

NAD_1983_StatePlane_Texas_Central_FIPS_4203_Feet

Date Printed:

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. 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.

Legend

- Addresses
- Jurisdiction
 - FULL PURPOSE
 - LIMITED PURPOSE
 - EXTRATERRITORIAL JURISDICTION
 - 2 MILE ETJ AGRICULTURAL AGREEMENT
 - OTHER CITY LIMITS
 - OTHER CITIES ETJ

Notes



Date Printed:

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Notes

Letter to Neighbors (Setback)

I/We J. Cooper Reynolds have
informed our neighbors regarding a request for a
variance to San Leanna's Zoning Ordinances.

Name	Address	Response
Elizabeth Hinson	11403 Chapel Ln	seems okay to us
Biff Fox	11402 CHAPEL LN	
Andrea L. L.	733 River Oaks Dr	

This variance concerns Zoning Ordinance No. 13-001 Sections 10, 11, and 12 which discuss the definition and requirements of accessory structures. Section 10(A)(2) states that an accessory structure “is not authorized unless there is a main residence.”

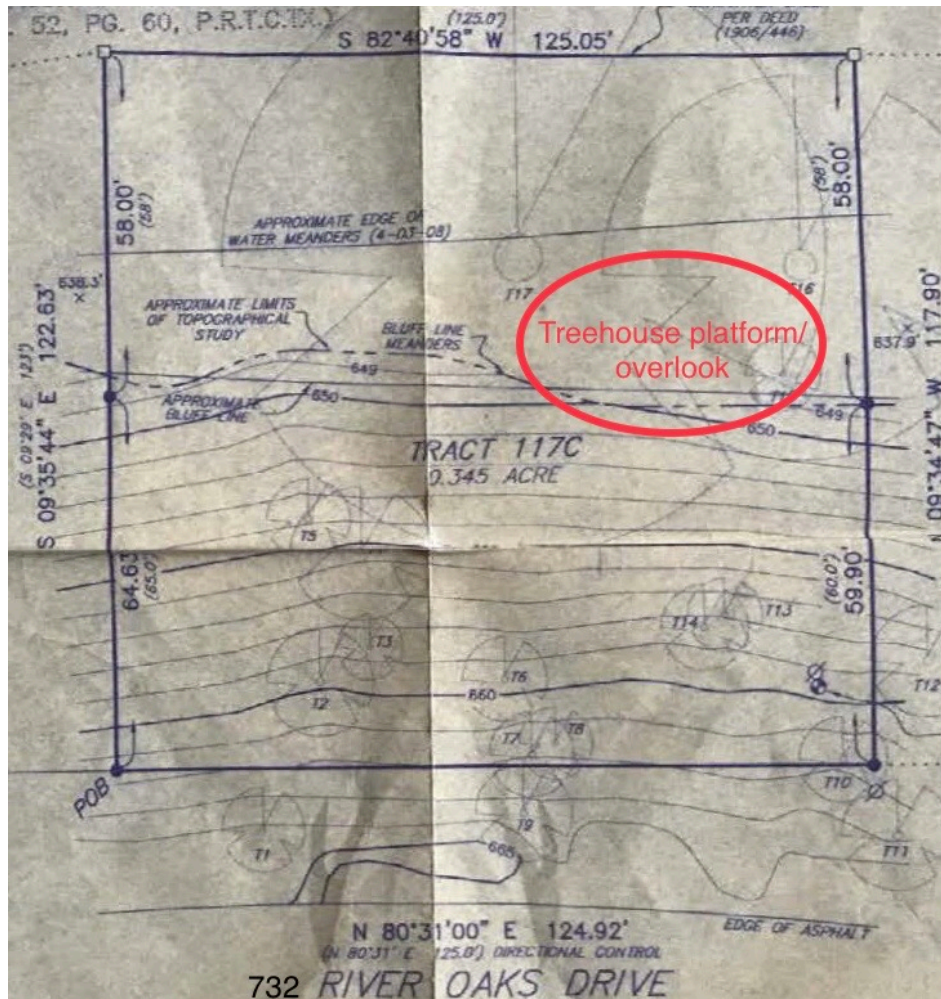
I plan to build a single-family dwelling (main residence) on a combination of 732 and 736 River Oaks Drive. It can be assumed there will be challenges based on the topography, lot size, ordinance setbacks, Travis County Health Department O.S.S.F. (On Site Sewage Facility also known as septic system) permit approval, etc. These take time and resources to address and overcome, now even more so with the Covid-19 Pandemic affecting us for the foreseeable future.

Regarding the challenges on 732 and 736, I have been advised to identify the simplest and most effective location for the septic system first, then create a site plan based on that location. I have already removed much of the overgrowth from both lots in order to allow access to the necessary surveyors, engineers, and contractors. Accounting for delays with Travis County permitting and any required engineering and other work, the design and approval process could take several months or likely much longer.

I am seeking a variance to allow an accessory structure(s) to be built before a main residence is constructed. The accessory structure I plan to build is a treehouse platform/overlook near or on the bluff. It would be toward the rear of the properties, within the lot lines, and abiding by the minimum required setback of 10 feet from the side and rear lot lines. An approximate location (not to scale) is shown in red on the attached survey. It would essentially be very similar to building a dock in Slaughter Creek, which may be at or elevated above the waterline, be supported partially or wholly by the trees, and be directly or indirectly anchored to the ground. This variance prevents unnecessary hardship and allows me to continue improving the properties by moving forward prior to addressing the entirety of the single-family dwelling challenges described above.

This variance from the requirements of the Zoning Ordinance adheres to all three items in Section 19(3) which are:

- (a) will not be contrary to the public interest; and
- (b) due to special conditions, literal enforcement of requirements of this Ordinance will result in unnecessary hardship; and
- (c) the spirit of this Ordinance shall be observed and substantial justice done



Letter to Neighbors (Accessory Structure)

I/We J. Cooper Rouns have informed our neighbors regarding a request for a variance to San Leanna's Zoning Ordinances.

Name	Address	Response
Ch. gabriels Hanson	11403 Chapel Ln	seems fine to us
Brian Phillips	11402 Chapel Ln	
Calvin Smith	733 River Cate Dr.	

Relevant Excerpts from Zoning Ordinance 13-001

SECTION 7. LOT AND YARD REQUIREMENTS FOR SINGLE-FAMILY DWELLINGS

(B) The lot on which a single-family dwelling is to be built shall meet the following yard requirements:

- (1) There shall be a front yard with a depth of not less than thirty (30) feet from the front lot line to the single-family dwelling foundation. Where lots have double frontage (ex. a corner lot) running from one street to another, the required front yard shall be provided on both streets.
- (2) There shall be a side yard on each side of the lot with a depth of not less than ten (10) feet from the side property line to the single-family dwelling foundation. A side yard adjacent to a side street shall not be less than thirty (30) feet from the street to the foundation.
- (3) There shall be a rear yard having a depth of not less than ten (10) feet from the rear property line to the single-family dwelling foundation.

SECTION 10. DEFINITIONS AND TYPES OF ACCESSORY STRUCTURES

(A) An accessory structure is a structure which:

- (1) is incidental to the use(s) of the single-family dwelling (“main residence”); and
- (2) is not authorized unless there is a main residence.

SECTION 19. VARIANCES

(A) The Board, upon receiving a recommendation from the Zoning Commission, may in a specific case authorize a variance to the requirements in this Ordinance by:

- (1) permitting the reconstruction of a structure which was being used in nonconformance with this Ordinance at the time of its passage; or
- (2) permitting the extension of a non-conforming use of a structure upon the lot occupied by the structure at the time of the passage of this Ordinance; or
- (3) authorizing in special cases variances from the requirements of this Ordinance that: (a) will not be contrary to the public interest; and (b) due to special conditions, literal enforcement of requirements of this Ordinance will result in unnecessary hardship; and (c) the spirit of this Ordinance shall be observed and substantial justice done.

(B) The Board may not grant a variance authorizing a use other than those permitted in the district for which the variance is sought. The Board is not authorized to grant use variances other than those required for specific compliance with applicable state law.

(C) The Board will not authorize a variance unless there is:

- (1) public notice posted on the three bulletin boards designated by the Village and a hearing with the Zoning Commission who recommend a course of action at the next regularly scheduled meeting of the Board of Aldermen, who make the final decision; and

(2) all adjacent neighbors have the opportunity to voice their opinion, if possible, in writing to the Zoning Commission; and

(3) appropriate conditions and safeguards; and

(4) in the Board's judgment, no substantial or permanent injury to the public convenience, safety and welfare.

(D) A request for a variance must be submitted by the property owner in writing, and the Board's approval or rejection of a variance must be in writing.