

# WEST AUSTIN NEIGHBORHOOD GROUP

P.O. Box 5722 • Austin, Texas 78763-5722 • October, 2012

Organized 1973

*"To preserve our neighborhood and  
protect it from deterioration."*

**The Annual Meeting is October 27, 2012 Howson Branch Library  
The next meeting will be November 5th at 7:00pm at  
Lions Municipal Golf Course Clubhouse.**

## Board of Directors

August "Happy" Harris III  
President

Michael Cannatti  
Secretary

Blake Tollett  
Assistant Secretary

Gwen Jewiss  
Past-President

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Mary Arnold  
Joyce Basciano  
Joseph Bennett  
Erik Cary  
George Edwards  
Haidar Khazen  
Cathy Kyle  
Laura Sharp

## Honorary Committee Members

Hon. Lloyd Doggett  
Hon. Lee Leffingwell

Background Photo of Lime Kiln #PICA24140,  
Austin History Center, Austin Public Library

## PRESIDENT'S MESSAGE

By August W. "Happy" Harris III

Fellow West Austinites, it has been a pleasure to serve as the President of the West Austin Neighborhood Group for the last four years. During that time, I have written more than forty President's Messages to members and, of course, several annual messages. One of the recurring themes in my messages has been that we should consider ourselves fortunate not only to live in a fabulous city but in one of its most outstanding neighborhoods. In West Austin, we are located in and surrounded by a great deal of natural and cultivated beauty. Our homes, businesses and environs are clean and well maintained. We have wonderful parks enhanced by tremendous neighborhood volunteers. Our citizenry is actively engaged in the Austin community and in our neighborhood institutions. We contribute our time, talent and treasure to improving the world around us and beyond. Values may differ but there is the continuity of a great sense of pride in West Austin. Truly, what a great place to live.

The West Austin Neighborhood Group's mission is to preserve the neighborhood and protect it from deterioration. We are a non-profit organization of neighborhood residents concerned with development, ecology, safety, and many other matters that indirectly and directly affect the quality and character of our neighborhood and the City of Austin. I have often covered these topics over the last four years in my President's Messages and would direct you to our website, [www.WestAustinNG.com](http://www.WestAustinNG.com), should you have interest in learning more.

In order to maintain the quality of life we enjoy in West Austin, it will require our constant vigilance. Our Board of Directors works tirelessly on many of the issues facing the neighborhood but we need your help and support. Fortunately, in many of you, we have

outstanding community partners and over the last few years, I feel that we have strengthened and deepened these relationships. I hope you feel the same. Your ongoing engagement and participation as we move forward together is critical.

While my term as President ends, I will continue to serve on the Board and look forward to continuing my service to the West Austin community. As President of the MoPac Neighborhood Associations Coalition, I will continue to work on MoPac related issues as well as transportation issues that affect West Austin. I will also continue my work with our various neighborhood parks and on certain development and infrastructure issues. I ask that each of you make a commitment to be good stewards of our neighborhood and continue to make it a great place to live, play, work and raise a family. Please join the West Austin Neighborhood Group in that effort.

## Parks

West Austin is fortunate to have good parks and recreational facilities but they wouldn't be what they are today were it not for the hard work and generosity of Austinites. Austin's Parks and Recreation Department (PARC) faces ever increasing demands and an aging infrastructure coupled with more and more constrained budgets. The majority of improvements in some of our neighborhood parks date back to the Works Progress Administration of the 1930's, some 80 years past, while others date to America's Bicentennial Celebration in 1976, some 36 years ago. Wear and tear coupled with neglect is causing our parks to fall further and further behind expected standards. This is inexcusable. Neglect of our parks isn't necessarily about resource allocation within PARC but within the City's General Fund itself.

**Be sure to visit our website at <http://www.WestAustinNG.com>**

PARD will account for only 6% of the City of Austin's 2012-3 General Fund budget. It should be noted that the Austin Police Department alone accounts for 39% of all General Fund expenses and emergency services account for 65% in total. With such a disproportionate amount of the City's budget allocated to one department and to emergency services in general, it just doesn't leave much for everything else the City is expected to do. This is not to say that we don't appreciate our first responders – because we certainly do - but we have high expectations for all aspects of our City. Given the level of use in and support for many of our parks, these expectations are justified. Because PARD is underfunded, more and more of the burden to adequately fund the maintenance and operations of our municipal parks has fallen to support groups like the Friends of Reed Park, Tarrytown Park and Westenfield (and no – it is not West Enfield) Park, among many others. What would happen to our much beloved Ann and Roy Butler Hike and Bike Trail were it not for The Trail Foundation or Mayfield Park and Preserve were it not for the dedication of a handful of community volunteers.

Proposition 14 on the November ballot will fund approximately \$77 million in park repairs, upgrades and acquisitions versus a defined need of \$141 million. While fiscally constrained to help assure the passage of the \$385 million bond package, it hardly meets the capital needs of our parks. Assuming it passes, we have been assured that Westenfield Pool will be one of the first Aquatics priorities paid for with bond proceeds. Join your friends and neighbors who work so hard on our parks in supporting this Proposition but don't let it stop there. Lend a hand, write a check and advocate for improved funding for our parks system that contributes so much to Austin's high quality of life.

## Neighborhood Crime

We seem to hear a lot about crime in the neighborhood. There is a growing sense of frustration in the West Austin community that the Austin Police Department is nonresponsive to property thefts yet we still are considered to be one of the safest cities in the country. It is true that violent crimes are relatively low but the number of property crimes is staggering. Property crimes are not considered violent yet they violate each of us.

Most home burglaries, perhaps startlingly, occur in broad daylight during working hours. On the other hand, burglaries of cars tend to happen in the evening. So let's look at the numbers by zip code. I have just focused on home burglaries and car break-ins.

	78703 Greater West Austin	78704 South of Lady Bird Lake	78702 Central East Austin	78705 UT North
2009	73 / 339	435 / 1290	304 / 727	128 / 887
2010	78 / 339	422 / 1110	225 / 729	153 / 770
2011	89 / 364	326 / 890	200 / 695	116 / 349
2012 to Date	21 / 110	111 / 254	62 / 217	41 / 151

West Austin primarily is divided up among 2 police sectors identified as Baker 2 and Baker 4. Baker 2 includes Bryker Woods, Pemberton, Old Enfield, parts of Old West Austin and West Campus. Baker 4 includes all of Tarrytown north to 2222 as well as parts of 360. According to APD, each sector has 7 shifts and 2 patrol officers per shift. Sometimes shifts might overlap so more officers are available. This, to me, was a surprisingly low number of officers given the geographic size of our sectors. Clearly police protection is fairly limited.

What can you do? Get to know your neighbors. Establish neighborhood watch programs – a street at a time if necessary. Secure your property. Leave nothing in your car - ever. Employ alarm systems and motion detection lights, of course making sure you haven't directed them

at your neighbors' windows. Call 911 if a crime is in progress and 311 if it has already occurred. There is no substitute for vigilance

## Transportation

Congestion, cut-through traffic and speeding have been your most consistent concerns followed by pedestrian safety. As part of the City's neighborhood planning process, we repeatedly asked the City of Austin to conduct a traffic study as part of the baseline research we felt was necessary for a well conceived neighborhood plan. They declined. It would have allowed us to look more closely at areas where various forms of mitigation and traffic calming were appropriate. It also would have provided us guidance where infill development may be contemplated so that all could better understand the impact of such development. The chart below gives you some idea of traffic volumes per day right now.

Exposition Blvd.	10,000 - 11,000	Northwood Rd.	11,000 - 13,000
Enfield Rd	10,500 - 11,500	Red Bud Trail	15,200 - 16,200
Lake Austin Blvd (MoPac)	26,000	Lake Austin Blvd (Brack)	18,000
West 35th (W of MoPac)	15,000 - 18,000	West 35th (E of MoPac)	35,000 - 36,000

Paraphrasing, there is a maxim in transportation planning that says traffic congestion will never be better than it is today. The number of trips per day on MoPac has increased from 39,000 when first built to over 180,000 today. The congestion and cut-through traffic we experience is largely spillover from MoPac and Bee Caves Road. As we experience increasing density and increasing growth in our region, that trend will continue as drivers look for alternative routes. There are those who are concerned that the proposed construction of State Highway 45 Southwest connecting the south end of MoPac to IH35 will bring additional traffic onto MoPac further exacerbating congestion.

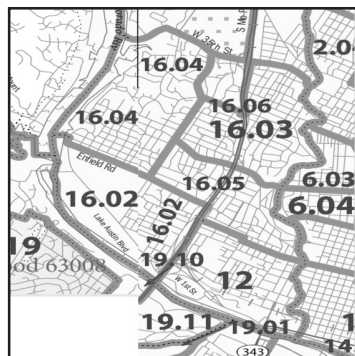
Then, of course, we have infill development within our neighborhood. Larger tracts of land that were once home to single family residences are being replaced with townhome developments and duplexes that, depending on circumstances particular to individual tracts, is perfectly permissible. However, that infill development is contributing to more car trips per day and more on-street parking in our neighborhood. It certainly is a more incremental increase but an increase nonetheless.

On August 23, 2012, the Federal Highway Administration gave the Texas Department of Transportation the approval necessary via a "finding of no significant impact" to begin the MoPac Improvement Project. The Central Texas Regional Mobility Authority (CTRMA) is in the process of hiring a company to design and build the project and has identified four finalists. The contractor is expected to be selected by early 2013 and construction is anticipated to begin by mid-2013, less than a year from now. CTRMA will continue its community outreach through the process particularly as construction gets underway. For more information, go to <http://www.mopacexpress.com>.

## Short Term Rentals

In August, the Austin City Council approved rules regarding short term rentals. On October 18th, they further watered down already lax policy to encourage even more STRs. We supported owner occupied short term rentals or Type I STRs but opposed commercial short term rentals (CSTR). It's one thing for homeowners to occasionally rent out their houses to help make ends meet. It is entirely something else to have speculative investors establish commercial motel operations in the middle of our residential neighborhoods.

Many cities in the US and around the world prohibit STR's. Had the City enforced its own codes, the STR issue would never have arisen in the first place but it turned a blind eye to the problem. Proponents argued that since STRs exist anyway, the City should just legalize this use. From a broader policy perspective, this is an absolutely ridiculous argument. Should we just legalize everything that is a code violation or that is illegal because people do it? While there are those that would argue to the contrary, allowing a commercial use in residential areas cracks the door for other commercial uses thus undermining the very reason for zoning districts.



The Council approved regulations that would allow up to 3% of all residential tracts within a census tract to become CSTR's. West Austin is divided into five census tracts with varying numbers of residential tracts. Note the map. Apartments and condominium communities would be exempted thus paving the way for "mini-hotels" while reducing housing stock for long term tenants and residential occupants. We have yet to do an analysis of the impact on the area but expect to do soon.

Regrettably, the Council did nothing to prevent clustering of CSTR's near each other. Recommendations included a 1,000 foot minimum separation between them but that very reasonable item was defeated. They also came up with no solutions on how to deal with census tracts that already have in excess of 3% CSTR's. Based on the number of CSTR's, Barton Hills and Travis Heights might be the first cases of the City's willingness to enforce new rules. We are, at the very least, disappointed with the five members of the City Council who bowed to the pressure of CSTR advocates despite overwhelming opposition from the community. We will watch them carefully to make sure that they aren't lax in enforcement again.

If you are concerned about the possibility of CSTR's creeping into your subdivision in West Austin, look CAREFULLY at your DEED RESTRICTIONS or restrictive covenants. There are over 250 legal subdivisions in West Austin. Some prohibit commercial uses or have language defining acceptable uses such as residential only. I am grateful mine do. If you do have language, let those in your subdivision know. If you fail to enforce deed restrictions, they may be deemed waived and thus unenforceable. Neither we nor the City may enforce deed restrictions. It is up to you as neighbors to do so. Note that you can add restrictive covenants or deed restrictions if those in your subdivisions feel that it is warranted.

It is worth noting that both Type I and II STR's need to be registered with the City and that folks living within 100 feet of either must be notified of their registration for the STR's to operate legally. Call either 311 or 911 if you identify a violation.

## Land Use and Development

For a couple of years, it seemed that we had a bit of a respite from development pressures. With demand rising and capitol markets improving, West Austin is once again an active target for redevelopment. It seems that more than 100 properties are on the market at any one time. Some housing stock will be demolished while some will be extensively remodeled. We haven't tracked remodeling permits but it is worth noting that there are more than 40 to 45 demolitions per year in 78703.

We often get calls regarding both remodels and new construction, typically when there have been problems. We are certainly happy to provide guidance and even facilitate communications if need be. If there are code violations, we typically investigate further and respond or act appropriately. Given the vast amount of construction going on in West Austin, it is important to note that we are involved in very little, relatively speaking. For instance, as long as no variance from the Land Development Code is sought by an owner or developer and there are no code violations, we are not involved. I would note that our monthly caseload has gratefully not increased despite increasing construction activity in West Austin.

## Annual Meeting

Last year, we held a wildly successful social on Bowman with food from PTerry's. This year, we are taking a slightly different tack. We will have a brief annual meeting at the Lions Municipal Clubhouse on Monday, November 5 at 7:00PM. We want to use this opportunity to learn more about your concerns for the neighborhood and its future.

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## MAYFIELD PARK - A BRIEF HISTORY

Mayfield Park, a 23-acre West Austin preserve with woodlands, landscaped gardens, a cottage and resident peacocks is located on West 35th Street adjacent to Laguna Gloria Art Museum.

In 1971 Mrs. Mary Mayfield Gutsch, the only child of Allison and Lila Mayfield, donated the land to the city of Austin as a recreation area to be named Mayfield Park.

The simple one-story box construction house with board and batten exterior is believed to date back to 1860-1880.

The grounds, partially enclosed by a field stone masonry wall, are an eclectic collection of features common to suburban country home gardens of the early twentieth century, but are unique for a small Austin estate. Pools containing lilies and other flowering aquatic plants are arranged to form a quatrefoil. A small rock garden highlights the naturalistic portion of the grounds, while a sunken herb and rose garden with central sundial pedestal introduces formality. Seasonal flowers and shrubs originally provided year-round color amidst the large collection of palms, crepe myrtles, and live oaks. The stone wall is broken by arched openings and gates, leading to 21 acres of woodlands which are bisected by Taylor Creek. A prominent feature of the site is the tiered, cylindrical stone dove cote.

In 1909 former Secretary of State Allison Mayfield, then Chairman of the Texas Railroad Commission, purchased the 28 acres which approximates the present site. He began the extensive and beautiful landscaping before passing the land on to his daughter, Mary. She married Milton R. Gutsch, Professor of English and Medieval History at the University of Texas in 1918. His strong interest in Botany inspired the continued development of the garden. Together they added the lily ponds, introduced exotic aquatic plants and imported several varieties of peacocks, some of which still roam the property and roost in the live oaks. The gardens surrounding the cottage were at their prime during the 1940s.

In accordance with the 1971 will of Mary Mayfield Gutsch, the city of Austin Parks and Recreation Department administers the site. It is open to the public year-round and provides a setting for a variety of activities such as weddings, group meetings, memorial services, botanical studies and nature walks.

In recent years the cottage and surrounding garden area fell into disrepair and in 1986 the Mayfield Community/Project Group was formed for the purpose of restoring the house and gardens.

## Neighborhood Newsletter Request

Mount Bonnell/Covert Park Pre-Holiday Clean-up  
The West point Society will conduct its ninth clean-up of Mount Bonnell/Covert Park on Saturday, November 17th from 9:00 to 11:00am in conjunction with the Rotary sponsored Service Austin Days. We will be performing Litter removal from trails and parking lot, garden weeding and mulching, and trail maintenance. We welcome neighborhood participation. Volunteers may sign up at <http://www.serviceaustin.org/projects.cfm>.



**WEST AUSTIN NEIGHBORHOOD GROUP**  
**MINUTES FOR SEPTEMBER 10, 2012 BOARD OF DIRECTORS MEETING**  
By Michael Cannatti, Secretary

These are the minutes of the **West Austin Neighborhood Group Board of Directors Meeting** on Monday, September 10, 2012 at the Howson Branch Library.

I. **Call to Order:** The meeting was called to order at 7:08 with the following Board members in attendance: Cathy Kyle, Joe Bennett, Mary Arnold, August Harris, Haidar Khazen, Joyce Basciano, Laura Sharp (?), and Michael Cannatti. Gwen Jewiss and George Edwards joined the meeting subsequently.

II. **Approval of Minutes:** The July minutes were approved on a motion by Mary, seconded by Cathy, on a vote of 8-0. Apparently, the minutes from the April 2012 board meeting have not been approved.

III. **Neighbor Communications:** None

IV. **Communications and Membership (7:10):**

A. Annual Newsletter – August reported that lots of ads have been placed, including ads from Grande and Maudie's. The Newsletter is scheduled to be published at the end of September to allow for delivery on September 30, and will combine the content from the September monthly newsletter. Articles are invited, and will include West Nile virus article.

B. Annual Meeting – The Annual Meeting will occur on October 27, 2012 (lunch time) using last year's successful "Holiday House" commemoration concept. Cannatti will check with P.Terry's for catering availability, and will ask adjacent neighbors on Bowman and Spring Lane for permission to host catering truck and tables for the event. August proposes Windsor Road fire station location as alternative, or possibly using Reed Park to provide a speaker topic on the Reed Park Reclamation project. The business for the Annual Meeting includes election of the WANG's board for 2013. August reported that he will no longer serve as President due to conflicts with his Texas Historical Commission appointment, but he will remain on WANG's board. Cathy Kyle will serve as President.

V. **Treasurer's Report (7:24)** – George reported a Checking Account Balance of \$7,583.31, and an Oak Wilt Account Balance of \$1205.79. August noted that a tree in the PHNA neighborhood appears to have oak wilt damage.

VI. **New Business (7:26)** – August provided an update on the public-private partnership (P3) proposals to develop the state-owned property at Bull Creek and 45th Street (75 acres) into a mixed-used project with residences, offices and shops anchored by an H-E-B grocery store. While potentially affected neighbors are organizing to provide input, the Texas Facilities Commission (run by Terry Keel) does not appear interested in hearing community input. Mary Arnold noted that the property is currently set aside for future state cemetery expansion, and that public officials had previously promised that the land would remain "single family" if developed. Gwen suggested that Chris Allen from Rosedale neighborhood be included in the organizational efforts.

VI. **Neighbor Communications (7:40)** – Steve Ogden and Laura Toups (Urban Design Group) presented information on

some initial development ideas they are looking into for a boutique hotel at Mr. Ogden's property between Upson and Winsted/Atlanta north of West 7th Street. The idea is to develop the family-owned property to preserve the existing house and add some low density "casitas" to the 4.5 acre property, using Hotel Saint Cecilia (along South Congress) as an example. The proposal is in the conceptual stage, but would require a zoning change to commercial with possible use restrictions, and would need to limit development in light of flood plain restrictions. Board members noted concerns about noise, traffic access, parking issues, maintenance of the property, and possible deed restriction issues. Board members also raised the possibility of creating an easement or hike-n-bike extension along the creek, or even helping create a connection path along the creek to connect the neighborhood to the Johnson Creek trail system. August requested that Laura Toups provide WANG with copies of the restrictive covenants from the Hotel Saint Cecilia project. Mr. Ogden stated that the project would be self-funded without third party involvement. Cannatti noted that any zoning change would likely require conditions imposing single-family type structures in terms of height, lighting, density, appearance, etc. Additional neighbor input is anticipated as the design progresses.

V. **More New Business (8:10)** – Gwen noted that September 22, 2012 will be Car Free Day where people simply pledge to leave their car at home for the day and travel using the train, bus, bicycle, foot, wheelchair or any other option to get to play, learn, work and shop.

Haidar Khazen noted that he had obtained a possible volunteer moderator for WANG's listserv. Additional discussion about the Nextdoor private listserv-type service used by the Pemberton Heights Neighborhood Association. Haidar agreed to review and update the listserv proposals for our next meeting.

Joe Bennett provided an update on the neighborhood parking plans for Deep Eddy Heights area during the ACL Music Festival on Oct. 12-14. The current parking plan will allow parking on one side of the affected streets (Upson, Johnson, Deep Eddy, West 7th, Hearn, and Meriden). Six officers will be assigned to traffic/parking control, and a phone number will be provided to report parking violations. In addition, WANG will receive 10 ACL tickets for resale with proceeds to benefit WANG.

Joe also reported that our current membership of 242 is good, but does not look likely to meet the goal of reaching a membership of 400.

VI. **Adjournment** -- The meeting was adjourned at 8:35 pm. The next board meeting will occur on Monday, October 1, 2012 (7 pm) at Howson Branch Library. The November meeting will be cancelled in view of the October 27, 2012 Annual Meeting.

GRANDE AD HERE

## ZONING AND VARIANCE REQUESTS 2011-2012

This report contains the past year's requests to the Board of Adjustment (BoA) for variances from the City's Land Development Code (LDC), requests to the Residential Design and Compatibility Commission (RDCC) for modifications from the LDC requirements under the Residential Design and Compatibility Standards (I.E.-the "McMansion" ordinance), and other land use change requests, such as zoning/rezoning, that after review and deliberation by the Board of Directors (BoD) were voted on to be either opposed by WANG or not opposed with conditions. Following a description of the case will be the outcome or resolution.

### VARIANCE REQUESTS AT THE BOARD OF ADJUSTMENT

C16-2011-0010  
2610 West 10th Street  
Applicant: Luis Garcia 784-6467  
Owner: Austin Independent School District

The applicant requested a variance to increase the maximum allowable sign face area requirement from 32 square feet to 50 square feet in order to erect a freestanding sign for a Public Educational Facility in an SF-3-NP zoning district.

The applicant requested a variance to increase the maximum allowable sign height requirement from 6 feet above grade to 12 feet 6 inches above grade in order to erect a freestanding sign for a Public Educational Facility in an SF-3-NP zoning district.

This request went to the Sign Review Board (SRB) of the BoA.

After discussion with neighbors to O'Henry, the first variance request, to increase the by code allowed maximum of 32 square feet of sign face to 50 square feet was voluntarily withdrawn by the applicant prior to the hearing. The proposed sign will now be roughly 8 feet by 4 feet, will be contained in one box, and will be internally lit with LED lighting.

As for the second requested variance, the existing sign is currently legal but non-conforming at around 10 feet in height. It was erected before the LDC went into effect. The applicant wanted to take the top of the sign up to 12 feet 6 inches. The WANG BoD was sympathetic with to the applicant's requirements but the neighbors were justifiably concerned with light trespass. After negotiations, the SRB granted the height variance under the conditions that:

- 1) The lighting program cannot flash messages but rather can scroll them, and
- 2) The lighting program must cut off by 9 PM with the only exception being an announcement for the Round Up event that occurs in the early school year.

C15-2012-0007

West Austin Neighborhood Group

507 Upson Street  
Applicant: Jim Bennett 512-282-3079  
Owner: Cater Joseph and Shannon Palmer

The applicant requested a variance to decrease the minimum front street setback requirement from 25 feet to 16 feet in order to maintain a front porch/deck for an existing residential use in an SF-3-NP zoning district.

The WANG BoD opposed this variance request because we could find no relevant and justifiable hardship for the variance. In addition to initial neighbor opposition, it was noted that this is an approximately 7,000 s.f. lot containing a 5,000 s.f. duplex (a floor-to-area ratio, or FAR, of over .7), a then legal but now non-conforming use of the property that was built just prior to the enactment of the McMansion ordinance. In the WANG BoD's opinion the asserted topographical hardship was a direct result of the property's development, and the porch as originally permitted and constructed was adequate from a safety and aesthetic standpoint. While understanding the current owners of the duplex did not develop the property, this section of our neighborhood contains several properties that have been recently built out to their maximum entitlements, and the feeling was that absent some overwhelming hardship the subsequent owners of the properties need to abide by the LDC. The BoA disagreed with the neighborhood association and granted the variance conditioned that the porch remain open on all sides with only an open safety railing being the permanent structural exception.

C15-2012-0015  
1603 Raleigh Avenue  
Applicant: Mike Brown 346-3851  
Owner: Judith Anne Kenney 480-0413

The applicant requested a variance to increase the maximum impervious coverage requirement from 45% (69% existing) to 62% in order to remove portions of driveway and sidewalk and erect a carport for a single-family residence in an SF-3-NP zoning district.

This application reflects a current property owner having to deal with a previous owner's non-permitted construction that has left the property in non-compliance with the Land Development Code. The WANG BoD was sympathetic with the applicant but asked them to continue exploring ways to bring the impervious coverage down. At the BoA hearing, the applicant stated that they were going to use a ribbon rather than a solid driveway and with that change had reduced the impervious cover overage request down to 54%. With that provision and an agreement to keep the carport open on three sides the variance was granted.

C15-2012-0061  
2401 Westover Road



Applicant: Anna Lauri (949) 813-9144  
Owners: Andrew and Jean Jones (205) 223-6188

The applicant requested a variance to increase the maximum impervious coverage requirement from 45% to 46.5% in order to maintain a swimming pool and patio in an SF-3-NP zoning district.

Here the previous owner of the property did pull a permit in 2011 for a pool and deck based on a plan conforming to the LDC maximum allowed impervious coverage (IC), but the current IC exceeds what is allowable. The WANG BoD decided to oppose the request based on our inability to discern a hardship that would necessitate a variance from the maximum amount of impervious coverage allowable under the Land Development Code. We did suggest to the applicant various alternatives to reduce the amount of impervious coverage such as removing the center concrete of the driveway. Prior to the hearing before the BoA the applicant withdrew their request.

C15-2012-0072

Applicant: Amir A. Moazami 512-507-9675  
Owner: Moazami Endeavors, LLC  
Address: 2100 Elton Lane

The applicant requested a variance to increase the maximum floor-to-area ratio (FAR) of Subchapter F; Article 2; Subsection 2.1 from 0.4 to 1.0 to 0.47 to 1.0 in order maintain a single family residence and detached garage in an "SF-3-NP", Single-Family Residence – Neighborhood Plan zoning district (Central West Austin Neighborhood Plan).

The applicant requested a variance from Section 25-2-1604 (C) (1) in order to maintain a parking structure with an entrance that faces the front yard to be closer to the front lot line than the building façade of the principal structure in an "SF-3-NP", Family Residence – Neighborhood Plan zoning district (Central West Austin Neighborhood Plan). The Land Development Code states that a parking structure with an entrance that faces the front yard may not be closer to the front lot line than the building façade of the principal structure.

These variance requests came before a specially called meeting of the BoA. There were two City of Austin permitting errors here. The WANG BoD decided that in the interest in fairness the neighborhood plan requirement that street-front loaded garages need to be located along or behind the home's front façade is a fairly new neighborhood specific requirement and the builder's reliance on the permit application reviewer's knowledge should be allowed. The WANG BoD viewed the FAR variance request somewhat differently. The City reviewer should not have allowed the 450 square foot exemption from the FAR calculation because this detached parking structure is not to the rear of the property. On the other hand, this placement requirement for exemption is specifically set out in the McMansion ordinance, the ordinance has been in effect for 6 years now, and this builder is a seasoned developer in neighborhoods subject to the ordinance. The WANG BoD noted

very strong and overwhelming opposition to the requests from nearby neighbors and asked the BoA to require that the carport, if allowed, to remain unenclosed and open on two sides thereby not counting towards the FAR calculation. After extended testimony from all parties, a variance was granted to allow the parking structure to be retained in the front yard contra to the adopted neighborhood plan, but the structure must be an all sides open carport rather than a partially or totally enclosed garage thus eliminating the need for a FAR variance.

C15-2012-0081

2110 Griswold Lane  
Applicant: Toni Anne Soster 825-3773  
Owner: Michael & Jill Jaimes

The applicant requested a variance from the maximum impervious coverage requirement from 45% to 49.15% in order to maintain a single family residence, guest house, swimming pool and deck in an SF-3-NP zoning district.

The applicant once again had "inherited" the majority of the excess impervious coverage existing on the lot, and again while sympathetic to this, the WANG BoD felt this was an opportunity to explore ways to bring the IC as close as possible to the LDC allowed maximum and opposed the request as submitted to the BoA. Although there was some neighbor opposition to the specific request, the greater concern focused on flooding in this area of the neighborhood along Johnson Creek; the effect on neighboring properties from waters displaced by impervious cover can be cumulative. After discussion the variance was granted allowing for 47% IC with the requirement that a curb be installed on the low side of the driveway.

#### **MODIFICATION REQUESTS AT THE RDCC**

Case Number: 2012-017858R  
1809 Schulle Avenue  
Owner/Applicant: Ryan Vinson 743-6913

The applicant requested a modification to allow an increase in Floor to Area Ratio (FAR) from the maximum development allowed of 40% (2730 s.f.) to 46.8% (3188 s.f.) for new construction of a two story single family residence in a SF-3-NP zoning district.

This was a somewhat confusing case in that how the City Planning Review staff interpreted the McMansion ordinance reference to habitable attic space changed two and a half months prior to the applicant's submittal of their building plan for review. Reliance on the previous interpretation might have been a sufficient basis for the modification request if the application had been submitted closer to the interpretation change, but the commission rejected that argument. The WANG BoD voted to oppose the modification request due to the property being undeveloped and there being overwhelming neighbor opposition, and after a hearing before the RDCC the applicant withdrew their request for modification.



Case Number: 2012-036829PR  
1807 Stamford Lane  
Applicant: Eleanor F. Reshetnikov 554-5004  
Owner: Richard & Andrea Stovall 426-3514

Modification Requested: The applicant has requested a modification to allow a FAR increase from the maximum development permitted by the Land Development Code (LDC) from the allowable 40% (4425.6 s.f.) to 48.2% (5335 s.f.) to build a detached single-story accessory structure (bathroom/storage) in a SF-3 zoning district.

This home was built prior to the McMansion ordinance and has an existing FAR in excess of .47. The applicant wanted to build a 132 s.f. detached unconditioned but enclosed and roofed single story bathroom and storage accessory structure for the convenience of those using the existing pool. The neighbors to the immediate south and north supported the modification request, but there were some nearby neighbors in opposition. WANG's BoD position was to not oppose conditioned on the accessory structure remaining unconditioned and the applicants agreed to this condition. The RDCC was not convinced of the justification for the modification and denied the request. The applicants appealed this denial to the City Council and the modification was granted.

#### **ZONING REQUESTS UNDER THE CENTRAL WEST AUSTIN NEIGHBORHOOD PLAN (CWANP)**

C14-2011-0157

Project Location: 2207 Lake Austin Boulevard  
Owner: Minerva, LTD, Douglas Kadison, 512-579-3670  
Applicant: Animal Allergy and Dermatology Center of Central Texas, P.A., Patrick R. Nichols, DVM, 512-477-4824

#### **Proposed Zoning Change:**

From: NO-NP (Neighborhood Plan)-Neighborhood Office district is intended for offices predominately serving neighborhood or community needs, which may be located within or adjacent to residential neighborhoods. Offices in the NO district would typically locate on collector streets with a minimum of 40 feet of pavement width, and would not unduly affect traffic in the area. The NO district is designed to accommodate small single-use offices and to encourage and preserve compatibility with existing neighborhoods through renovation and modernization of existing structures. NP-Neighborhood Plan district denotes a tract located within the boundaries of an adopted Neighborhood Plan.

To: LR-NP (Neighborhood Plan)-Neighborhood Commercial district is intended for neighborhood shopping facilities which provide limited business service and office facilities predominately for the convenience of residents of the neighborhood. NP-Neighborhood Plan district denotes a tract located within the boundaries of an adopted Neighborhood Plan.

This property was zoned from SF-3 (residential) to NO in 1992.

In 2001, there came before the WANG BoD the following variance request:

C15-01-064  
2207 Lake Austin Boulevard  
Owner: Minerva, Ltd 512-481-8899  
Applicant: Mervin Fatter 512-476-3181

The applicant requested a variance to increase the maximum impervious coverage requirement from 60% to 75% (80% existing) in order to allow a second story addition to an existing Administrative and Business office use in an NO Neighborhood Office zoning district.

The applicant requested a variance to decrease the minimum front street setback requirement from 25 feet to 14.2 feet (existing building setback) in order to allow a second story addition to an existing Administrative and Business office in an NO Neighborhood Office zoning district.

The WANG BoD opposed the 2001 variance request and the applicant withdrew it.

In theory the driving force for this 2011 upzoning from NO-NP to LR-NP is a desire to use the property for veterinary (pet) services, a use permitted in the LR zoning district but not available in the NO zoning district. With that goal in mind and recognizing the current use of the property immediately to its west as veterinary services, WANG supported the application with the following conditions:

That all of the uses available under an LR zoning district, permitted or conditional, that are not allowed under a NO zoning district, excepting veterinary (pet) services, be stripped out of the final zoning ordinance. This stripping could be accomplished by making all of these different uses conditional, requiring a public hearing, or prohibited altogether. Additionally, WANG asked that the development standards of the property reflect those available in the NO zoning district, at the very minimum as far as impervious coverage. The maximum IC allowed in a NO zoning district is 60%; the maximum IC allowed in a LR zoning district is 80%.

The Planning Commission determined that the upzoning should be without conditions and the City Council agreed.

Blake Tollett-WANG  
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512-477-4028  
blake.tollett@earthlink.net



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# TEXAS A&M AGRI LIFE EXTENSION

By Wizzie Brown, Extension Program Specialist at Texas AgriLife

## Boxelder Bugs

Boxelder bugs are dark brownish-black insects with orange markings around the edges of the thorax and wings. These bugs are about ½ an inch long as an adult. Nymphs, or immatures, look similar to adults, but are smaller, do not have fully developed wings which allows you to see their bright red abdomen.

While boxelder bugs typically do not cause damage to the landscape or structure, they may become a nuisance in and around homes from fall until spring. In the fall, adults and large nymphs gather in large numbers to move to areas to overwinter. Boxelder bugs spend the winter in cracks and crevices in walls, around door and window casings, tree holes and in debris on the ground. Sometimes they will try to move indoors to overwinter. On warm days from fall until spring, adult boxelder bugs will emerge from their overwintering location to warm themselves in the sun.

Removing female boxelder trees from the area may solve problems with large, repeated infestations of boxelder bugs. Hiding places can also be reduced or eliminated by removing debris such as boards, leaves and rocks from the area as well as sealing and cracks and crevices around the home with caulk or expanding foam. If chemical treatment is desired treat overwintering areas with chemicals containing active ingredients such as pyrethrin, cyfluthrin, bifenthrin, carbaryl or acephate.

For more information or help with identification, contact Wizzie Brown, Texas A&M AgriLife Extension Service Program Specialist at 512.854.9600. Also check out [www.urban-ipm.blogspot.com](http://www.urban-ipm.blogspot.com)

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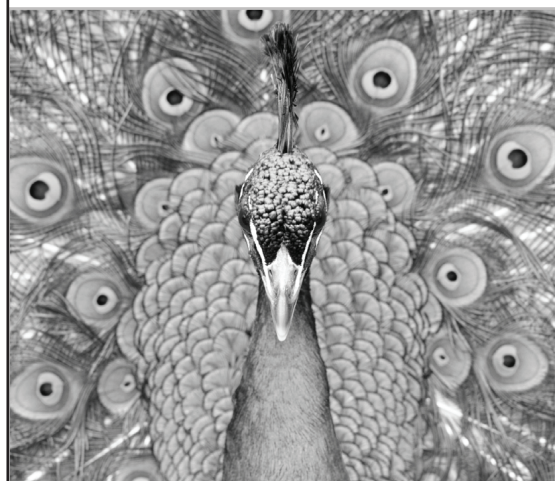
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### Contact Us

Blake Tollett  
Chair, Mayfield Park/Community Project  
477-4028 | [blake.tollett@earthlink.net](mailto:blake.tollett@earthlink.net)

Janice Brown  
Mayfield Park Garden Committee  
[janicehillbrown@gmail.com](mailto:janicehillbrown@gmail.com)

[www.mayfieldpark.org](http://www.mayfieldpark.org)

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**Trowel & Error**  
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# TEXAS A&M AGRI LIFE EXTENSION

*By Wizzie Brown, Extension Program Specialist at Texas AgriLife*

Centipedes have a head with one pair of antennae and a long segmented body. The body is wormlike and flattened with one pair of legs per body segment. The first pair of legs have become modified to function as claws used to capture prey. These claws are sometimes called fangs since they are connected to poison glands that can inject venom to subdue captured prey.

Most centipedes found in Texas are relatively small, the red headed centipede, *Scolopendra heros*, can reach over nine inches when full grown. The bite of larger species of centipedes may cause discomfort and pain.



Tips to prevent centipedes from moving into homes:

- move objects providing harborage such as compost piles, firewood and stones away from the structure
- create a band of gravel, or similar material between the foundation of the home and any landscape beds that touch the structure
- occasionally turn the mulch near home to allow it to dry out
- seal cracks or pipe penetrations
- repair weather stripping as needed
- properly ventilate crawl spaces or areas under the home to allow for air flow through the area
- use perimeter sprays around a building's foundation
- inside the home treat crack and crevice areas as well as baseboards, and other hiding places
- treat wall voids with boric acid or diatomaceous earth

For more information or help with identification, contact Wizzie Brown, Texas A&M AgriLife Extension Service Program Specialist at 512.854.9600. Also check out [www.urban-ipm.blogspot.com](http://www.urban-ipm.blogspot.com)

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