

Georgetown Planning and Development Department

Zoning Board of Adjustment Staff Report

Meeting Date: December 15, 2009

Item: 3

File No: EXP-2009-001

Project Planner: Robbie Wyler, Historic District Planner

Report Date: December 15, 2009

UDC Section(s) to be Varied: N/A (Approval under Section 4.09.040)

Staff Recommendation: Approval

Item Description

Public Hearing and possible action on a **Special Exception** for a setback modification for the expansion of a residential structure located in the Old Town Historic Overlay, for Clamp's Addition Revised, Block A (nw/pt), located at 803 College Street.

Item Details

Project Name: Leavell House Remodel
Project Address: 803 College Street
Location: East side of College St., between E. 8th & E. 9th Streets (see Exhibit 1)
Legal Description: Clamp's Addition Revised, Block A (nw/pt)
Zoning: RS, Residential Single-Family
Land Use: Residence

Applicant: Todd Cox
Property Owner: Todd Cox
Contact: Curtis Janis, Janis Construction Management, LLC.

Applicant's Request

The applicant is requesting Special Exception approval to build a 3,651 square-foot, three-story addition onto the existing 5,138 square-foot house. A portion of the addition will be built in the same location as a former detached structure that was demolished after approval was granted from the Historic and Architectural Review Commission (HARC). The structure was located within a required setback and the owners are asking to build the addition at that same setback encroachment due to the configuration of the property and to keep alterations to the historic house to a minimum.

As shown in the provided renderings (see Exhibit 3), the addition will include a lower level garage and family space separated from the main house by a covered breezeway. Above this will be second story sleeping quarters and restrooms directly connected to the main house as well as an additional third story with sleeping quarters. As stated previously, the addition will be constructed primarily in the same location as the former detached structure (see Exhibit 4) and will not encroach any further into the setback. The Unified Development Code (UDC) requires there be at least a 6-foot side setback and a 10-foot rear setback. The first story side encroachment will range from 4 feet 2 inches to 1 foot 5 inches from the side property line and 3 feet 8 inches from the rear property line. Beyond the first story, the remaining portion of the expansion will be compliant with UDC regulations. All portions of the addition that encroach into setback will remain below 15 feet in height as required by UDC Section 4.09.040.C.2, that states any building that encroaches into the minimum setbacks of the Code by an approved Special Exception for setback modification shall be limited to fifteen (15) feet in height.

The applicant's reason for maintaining the setback encroachment is to utilize area that, up until recently, had a standing structure.

The applicant prefers to preserve the front, back and side yards of the historic property in addition to keeping most of the windows on the original house. The applicant would not be losing any backyard with the current proposal. An addition in any other location would require alterations to the structure that would be more visible from the street. UDC Section 4.09.040, Special Exception for setback modification, allows the new addition to encroach into the setback with approval from ZBA.

Background

The historic 1880's John Leavell House is situated near the center of the roughly 12,500 square-foot, non-symmetrically shaped property at the southeast corner of 8th and College Streets. The house sits about 50 feet back from College Street and 35 feet from 8th Street.

On August 27, 2009, the Historic and Architectural Review Commission (HARC) approved the demolition of an 837 square-foot detached structure that included a garage and living space. The applicant provided evidence that the garage was in poor condition and could not be rebuilt or used as part of the overall expansion project.

With the structure gone, the applicant is now required to meet all current setback regulations and is requesting setback modification to allow for the expansion to the

house where the former structure once stood. The new addition will be 71% the size of the main house, but will be mostly outside of the rear and side setbacks, as previously mentioned.

Staff Analysis

As stated in the report, the applicant only needs approval for the first story portion of the addition that will extend into the required side and rear setbacks. The applicant will be constructing the remaining portions of the expansion outside of the current setback.

Per UDC Section 4.09.040.B, Review Criteria for Special Exception for Setback Modification, the Zoning Board of Adjustment (Board) shall base a decision to allow setback modification on review of the factors included in this Section as well as the site's specific circumstances. The Board shall consider the following criteria and standards in determining whether to grant a Special Exception for a setback modification(s):

1. If the proposed setback modification is solely a matter of convenience, no Special Exception shall be granted.
2. If there is adequate room on the site to allow the proposed addition or new structure without obtaining a Special Exception, no Special Exception shall be granted.
3. The fact that a property may be utilized more profitably if a Special Exception is granted shall not be considered a sufficient basis for granting a Special Exception.
4. Whether, if the Special Exception is granted:
 - a. The proposed setback modification is compatible and in context within the block in which the subject property is located.
 - b. The existing building envelope, including the main structure and any accessory structure, occupied the site in the past 1 year.
 - c. The existing structure is being replaced with the new construction that meets the same dimensions and standards within the same footprint as the existing structure.
 - d. The proposed new structure will be less than 125% of the size of the structure it is replacing.
 - e. The proposed addition will be less than 25% of the size of the existing structure to which it is being added.
 - f. The proposed addition or new structure will not be set closer to the street than any unit within the block.
 - g. The proposed addition or new structure will be less than 125% of the average size of the other similar structures within the same block that are

- located within the setback.
 - h. The proposed addition or new structure would negatively impact adjoining properties by hampering their ability to develop within the required setbacks or maintain existing and future building.
 - i. There is adequate space for future and long-term maintenance of the proposed addition or new structure and any adjoining structures.
 - j. The maintenance or location of fences or other structures are negatively impacted.
 - k. Existing large trees or significant features of the lot are preserved.
5. The presence of other structures in the block with reduced setback does not automatically entitle another property to have the same reduced setbacks. All applications shall be considered in detail on a case-by-case basis.

Considering the information listed above and the intent of the applicant, staff considers the Special Exception request appropriate and is in support of approval. While the size of the addition may be a matter of convenience, an addition in any other location would result in the same, if not more, alterations to the original house and would be more visible from the street. The applicant has taken extra steps to ensure the new addition remains compatible in design with the original house and is placing the new addition in the same location where a structure once stood to prevent any further land disturbance. Additionally, the new addition does not appear to be for profit but rather as a means to expand living space within the home. With this being said, the Special Exception is particularly supported by Sections 2, 3, 4a, 4b, 4f, 4h, 4i, 4j, 4k and 5 but the Board should take into special consideration Sections 1, 4c, 4d, 4e and 4g as these sections are not particularly supported by the application but may be deemed acceptable by the Board. The Special Exception request meets all other Special Exception regulations and upon receiving approval, the applicant will be required to obtain all required building permits prior to commencing work.

Public Comments

A total of twenty-four (24) notices were sent out to property owners near the proposed expansion. Public notice was posted in the Sun newspaper on November 29th, 2009. As of this report, there has been one public comment (see Exhibit 5) submitted to the Planning & Development office for the Special Exception.

Staff Recommendation

Staff recommends **approval** of the Special Exception for the proposed setback modification to allow the described addition of the house within 4 feet 2 inches of the

Zoning Board of Adjustment Staff Report

property line at the southwest corner of the addition, within 1-foot 5 inches of the side property line at the southeast corner, and within 3 feet 8 inches of the rear property line.

The addition will be no taller than 15 feet within setbacks, as depicted in Exhibit 3.

Further, staff wants to remind the Board that they should consider both UDC Section 4.09.040.B, noted above, and the intent of the applicant when determining whether or not to grant the Special Exception.

Attachments

Exhibit 1 – Location Map

Exhibit 2 – Applicant’s Letter of Request

Exhibit 3 – Site Plan with Elevations

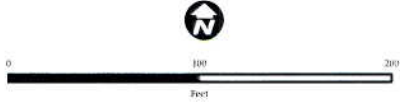
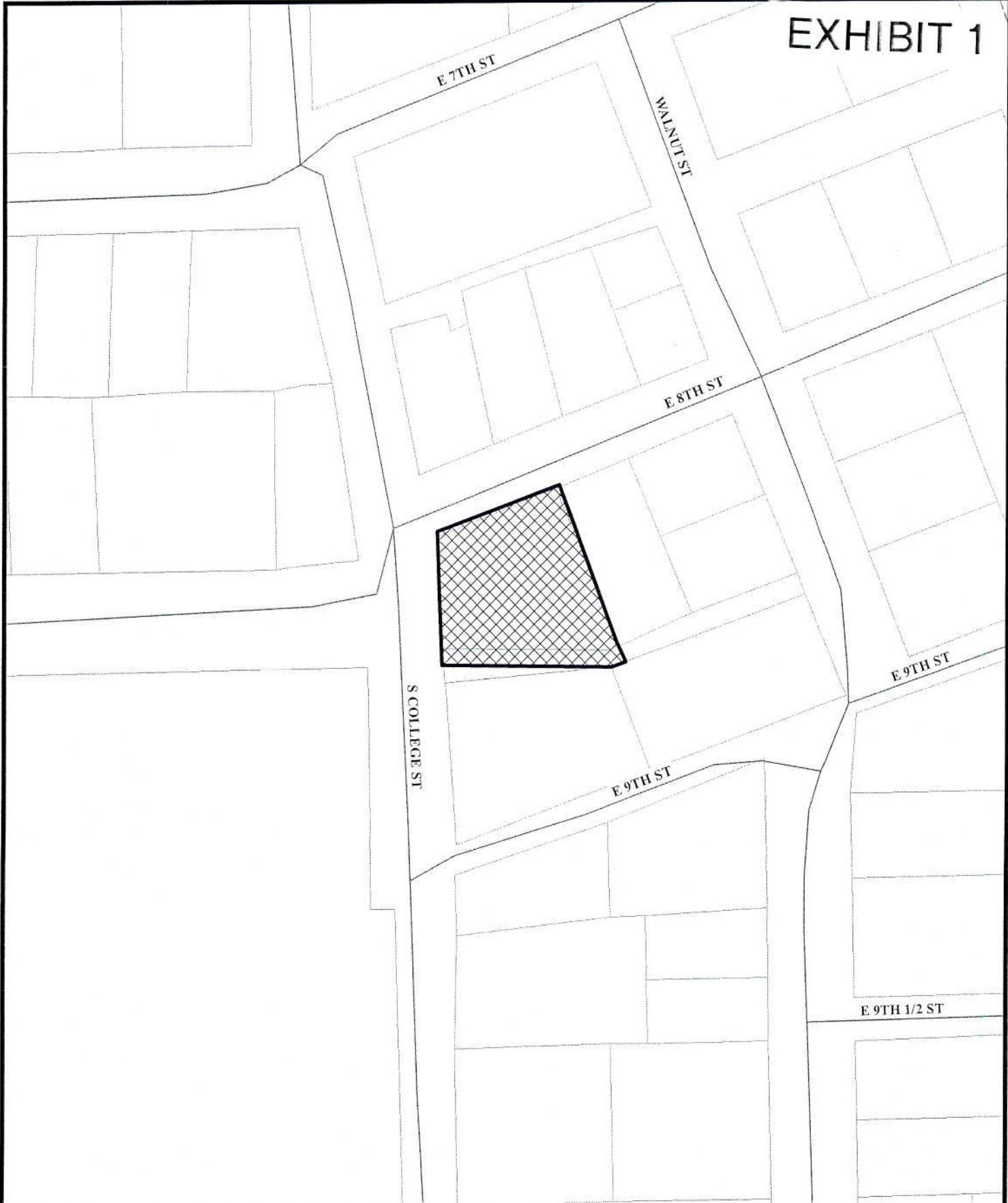
Exhibit 4 – Aerial (with demolished structure)

Exhibit 5 – Public Comment

Submitted By

Robbie Wyler, Historic District Planner and Elizabeth Cook, Community Development Director

EXHIBIT 1



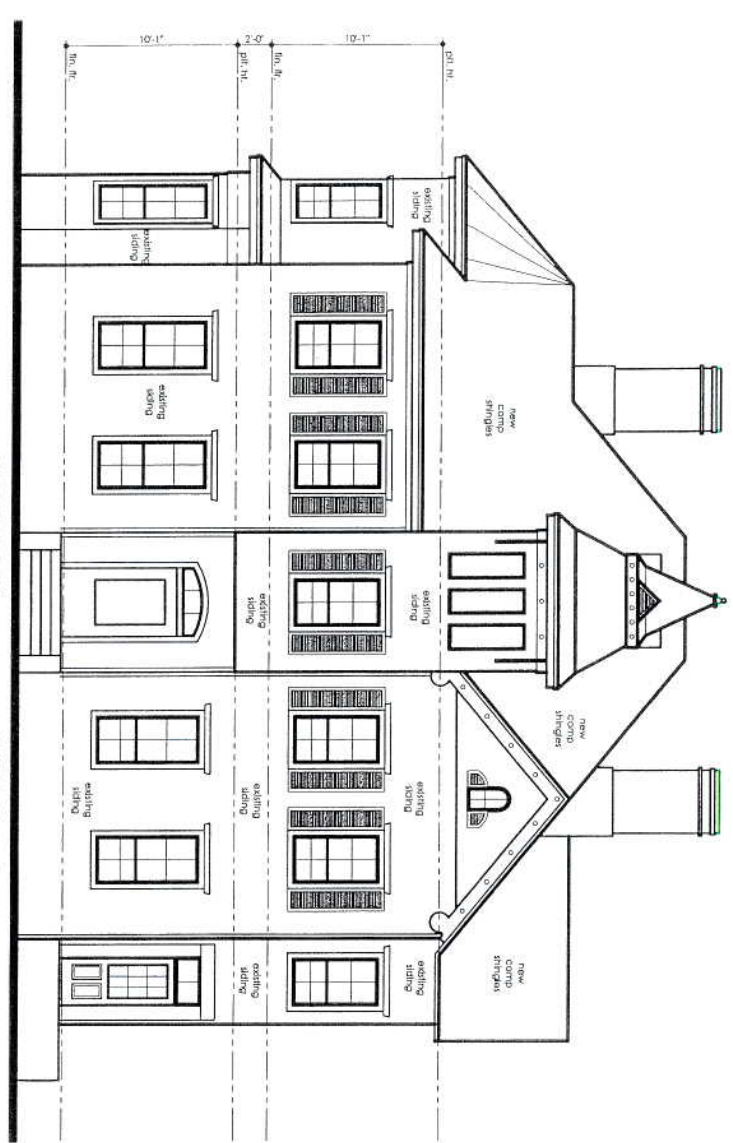
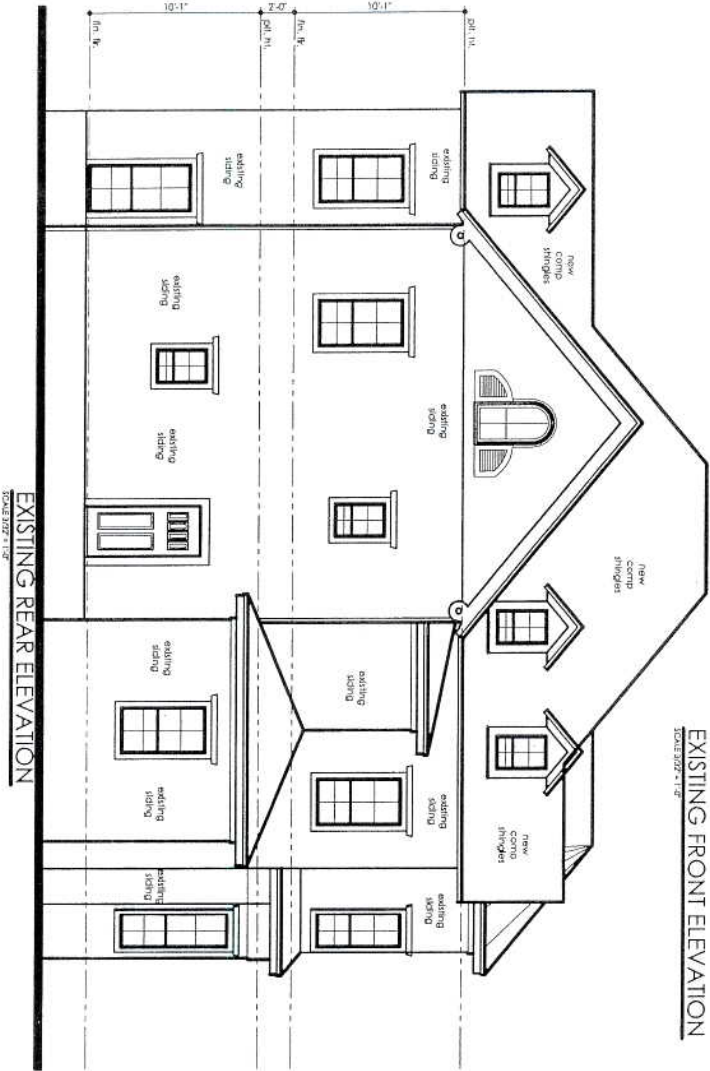
- Legend
- Streets
- Existing Street
 - Future Street
 - Georgetown City Limits
 - Parcels

EXP-2009-001
803 S. College St

Cartographic Data For General Planning Purposes Only

To Whom It May Concern,

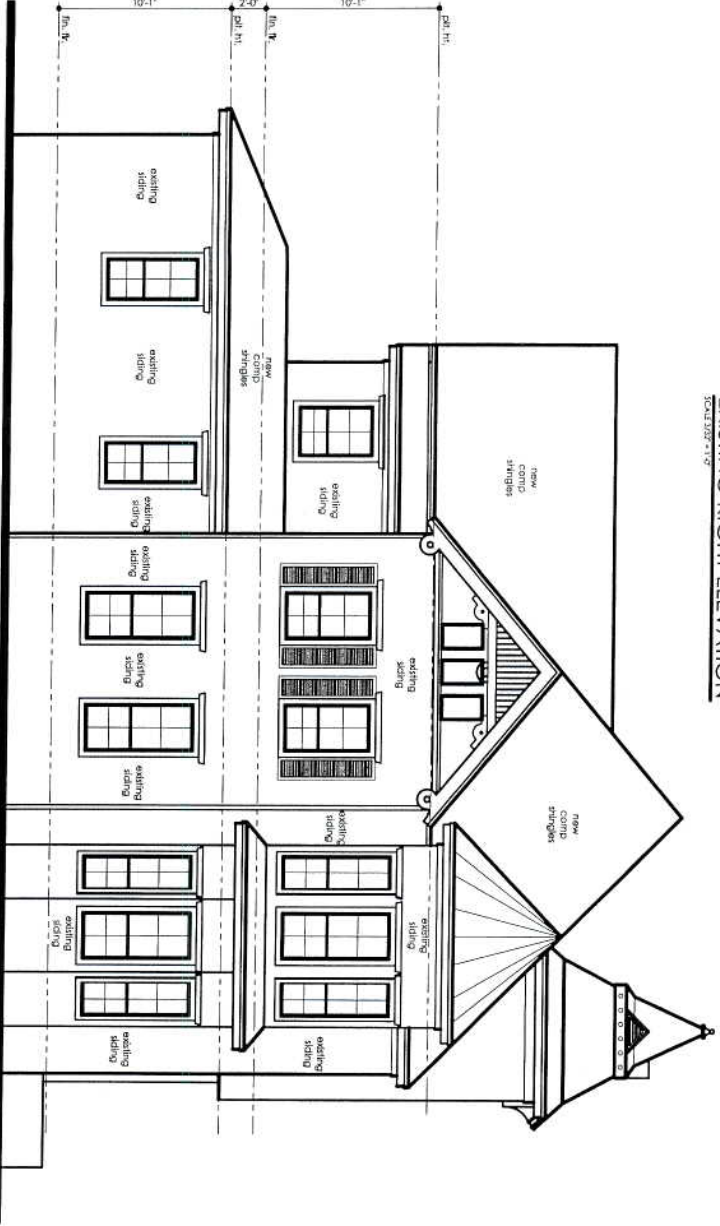
I would like to start by saying that both the owner and I believe that the home at 803 College is a very special house and much care and consideration has gone into the planning of this project to make it successful and beneficial to both the owners and the community. We are requesting a special exemption for the rear and side building lines for the Cox remodel at 803 College. There are several reasons for our request. In July the owner and I met with Robbie Wyler and the reviewer Stacey Poole. The purpose of this meeting was to go over the HARC requirements and to go over the project with the reviewer before we got too far along to ensure that what were planning on building would be acceptable. Robbie Wyler had set up the meeting and actually recommended that the reviewer be there. We agreed that it would be a good idea that the reviewer be there since we wanted to make sure that what we were proposing to build was within the guidelines of both HARC and the City of Georgetown Building Department. We met with Robbie Wyler and Stacey Poole and went over the HARC requirements as well as the city building requirements. We were very clear that pending HARC's approval we would demolish the existing detached guest house and rebuild on the same footprint. The reason for us doing so was that the slab on the detached guest house was not structurally sound and had actually started to buckle and crack in several areas. As a result of our concern we had an engineer come out and inspect the slab on the guest house. Our engineer concluded in a stamped professional engineer letter that the existing slab for the guest house was not structurally sound for residential use. We went over all of this as well as several other building items with Robbie Wyler and Stacey Poole. We were told everything was fine by the reviewer and began to get the information together for HARC's approval. We met with HARC to go over our plan to add and remodel and request that we demolish the guest house and rebuild on the same footprint. Our request was approved by every member that was present at the HARC meeting. We then applied for a demolition permit which was approved by Stacey Poole. After the demolition, we were told by the reviewer Stacey Poole that we could not rebuild on the same footprint since the lot was greater than 10,000 square feet. He said that we were required to have a 10' rear and side setback due to the size of the lot. Needless to say, both the owner and I were very concerned and frustrated by this response since we took all reasonable and necessary steps to insure what we were proposing would be acceptable. We had met with Stacey Poole to make sure that what we were proposing to do would be acceptable, and now after we had demolished the building, we were being told that we could not build the plans that we had gone over with him just a couple of months prior. We had just spent several thousands of dollars demolishing the guest house as well as architectural fees.



<p>PROJECT: COX REMODEL A-1 of 11 date: 11.23.09 project #: 09018</p>	<p>Copyright © 2009 All rights reserved. These design drawings are the sole property of Design Visions of Austin and may not be reproduced in any form, by any method, for any purpose without previous written permission.</p>	<p>design visions of austin unique residential design 512.383.0059 www.designvisionsofaustin.com</p>	<p>The Cox Residence Remodel 803 College St. Georgetown, TX</p>
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EXISTING RIGHT ELEVATION
SCALE 3/32" = 1'-0"



EXISTING LEFT ELEVATION
SCALE 3/32" = 1'-0"

designVISIONS OF BOSTON LLP.

PROJECT: CON REMODEL

DATE: 11.23.09

2 OF 11

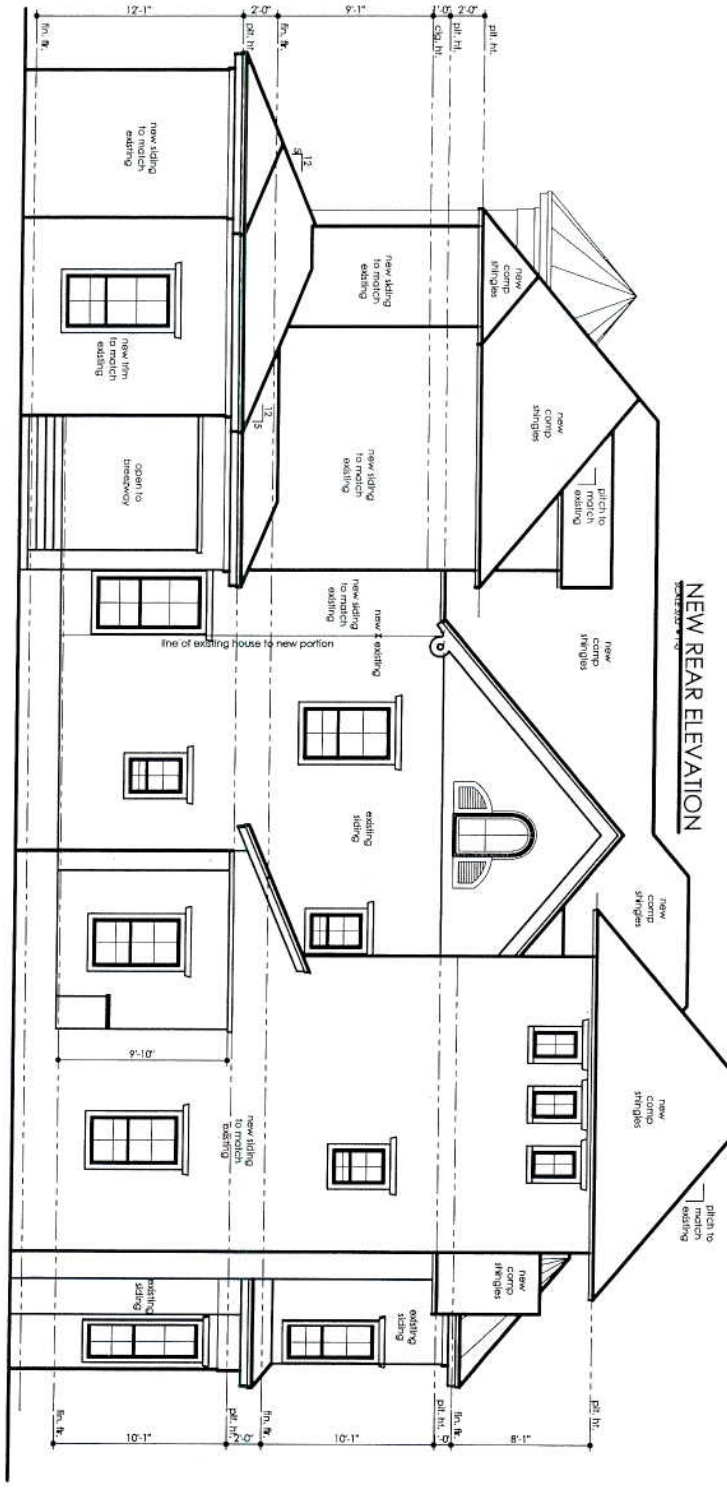
A-2

PROJECT #: 09018

1



NEW FRONT ELEVATION



NEW REAR ELEVATION

ALL WINDOW HIGHS, HXS, LOWER FLOOR TO BE 8'7" A.F.F. UNLESS NOTED OTHERWISE ON FLOOR PLAN. ALL WINDOW HIGHS, HXS, UPPER FLOOR TO BE 9'6" A.F.F. UNLESS NOTED OTHERWISE ON FLOOR PLAN. ALL WINDOW HIGHS, HXS, ON PORCHES TO BE 6'8" A.F.F. UNLESS NOTED OTHERWISE ON FLOOR PLAN. ALL WINDOW HIGHS, HXS, ON PATIOS TO BE 6'8" A.F.F. UNLESS NOTED OTHERWISE ON FLOOR PLAN. ALL WINDOW HIGHS, HXS, ON TERRACES TO BE 6'8" A.F.F. UNLESS NOTED OTHERWISE ON FLOOR PLAN. ALL WINDOW HIGHS, HXS, ON BALCONIES TO BE 6'8" A.F.F. UNLESS NOTED OTHERWISE ON FLOOR PLAN. ALL WINDOW HIGHS, HXS, ON DECKS TO BE 6'8" A.F.F. UNLESS NOTED OTHERWISE ON FLOOR PLAN. ALL WINDOW HIGHS, HXS, ON PERGOLAS TO BE 6'8" A.F.F. UNLESS NOTED OTHERWISE ON FLOOR PLAN. ALL WINDOW HIGHS, HXS, ON SCREENED PORCHES TO BE 6'8" A.F.F. UNLESS NOTED OTHERWISE ON FLOOR PLAN. ALL WINDOW HIGHS, HXS, ON SUNROOMS TO BE 6'8" A.F.F. UNLESS NOTED OTHERWISE ON FLOOR PLAN. ALL WINDOW HIGHS, HXS, ON SUNSCREENS TO BE 6'8" A.F.F. UNLESS NOTED OTHERWISE ON FLOOR PLAN. ALL WINDOW HIGHS, HXS, ON SUNSHADES TO BE 6'8" A.F.F. UNLESS NOTED OTHERWISE ON FLOOR PLAN. ALL WINDOW HIGHS, HXS, ON SUNBLINDS TO BE 6'8" A.F.F. UNLESS NOTED OTHERWISE ON FLOOR PLAN. ALL WINDOW HIGHS, HXS, ON SUNSTOPES TO BE 6'8" A.F.F. UNLESS NOTED OTHERWISE ON FLOOR PLAN. ALL WINDOW HIGHS, HXS, ON SUNWALLS TO BE 6'8" A.F.F. UNLESS NOTED OTHERWISE ON FLOOR PLAN. ALL WINDOW HIGHS, HXS, ON SUNSCREENS TO BE 6'8" A.F.F. UNLESS NOTED OTHERWISE ON FLOOR PLAN. ALL WINDOW HIGHS, HXS, ON SUNSHADES TO BE 6'8" A.F.F. UNLESS NOTED OTHERWISE ON FLOOR PLAN. ALL WINDOW HIGHS, HXS, ON SUNBLINDS TO BE 6'8" A.F.F. UNLESS NOTED OTHERWISE ON FLOOR PLAN. ALL WINDOW HIGHS, HXS, ON SUNSTOPES TO BE 6'8" A.F.F. UNLESS NOTED OTHERWISE ON FLOOR PLAN. ALL WINDOW HIGHS, HXS, ON SUNWALLS TO BE 6'8" A.F.F. UNLESS NOTED OTHERWISE ON FLOOR PLAN.

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REQUEST FOR PERMIT

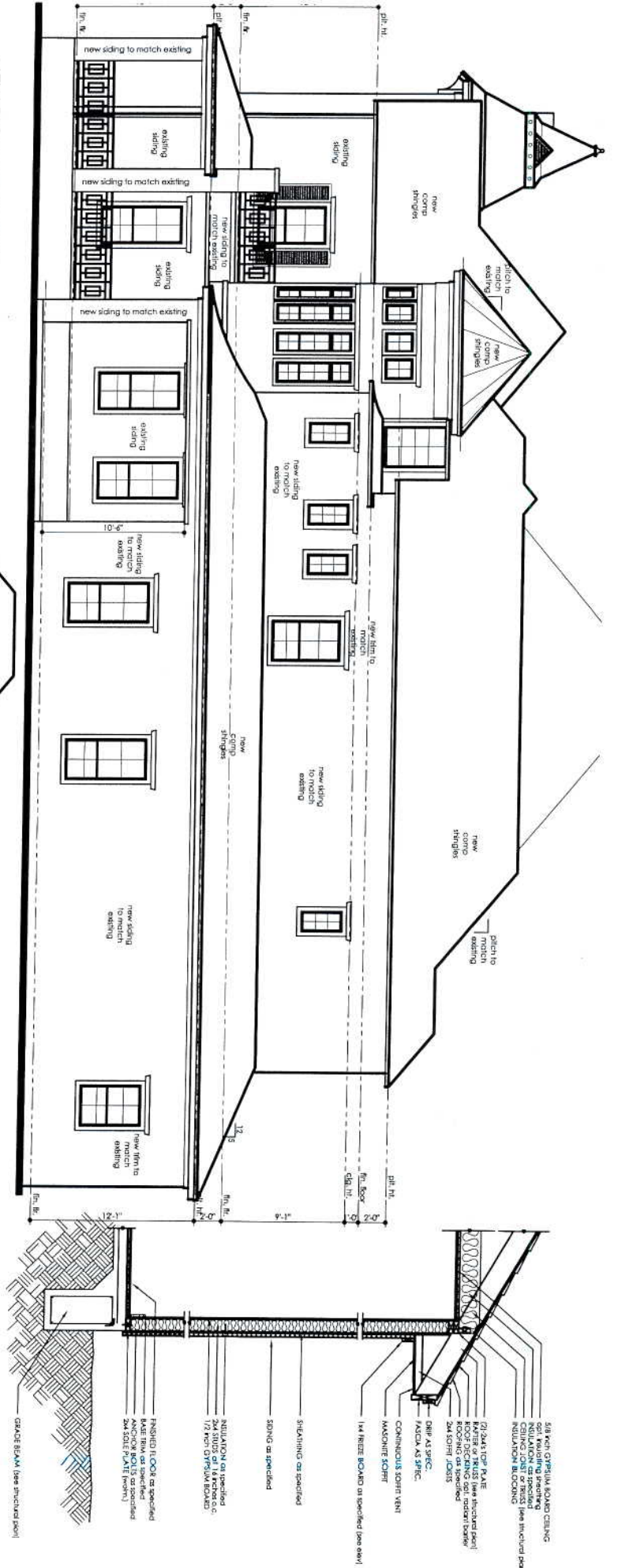
COX REMODEL

A-3

3 OF 11

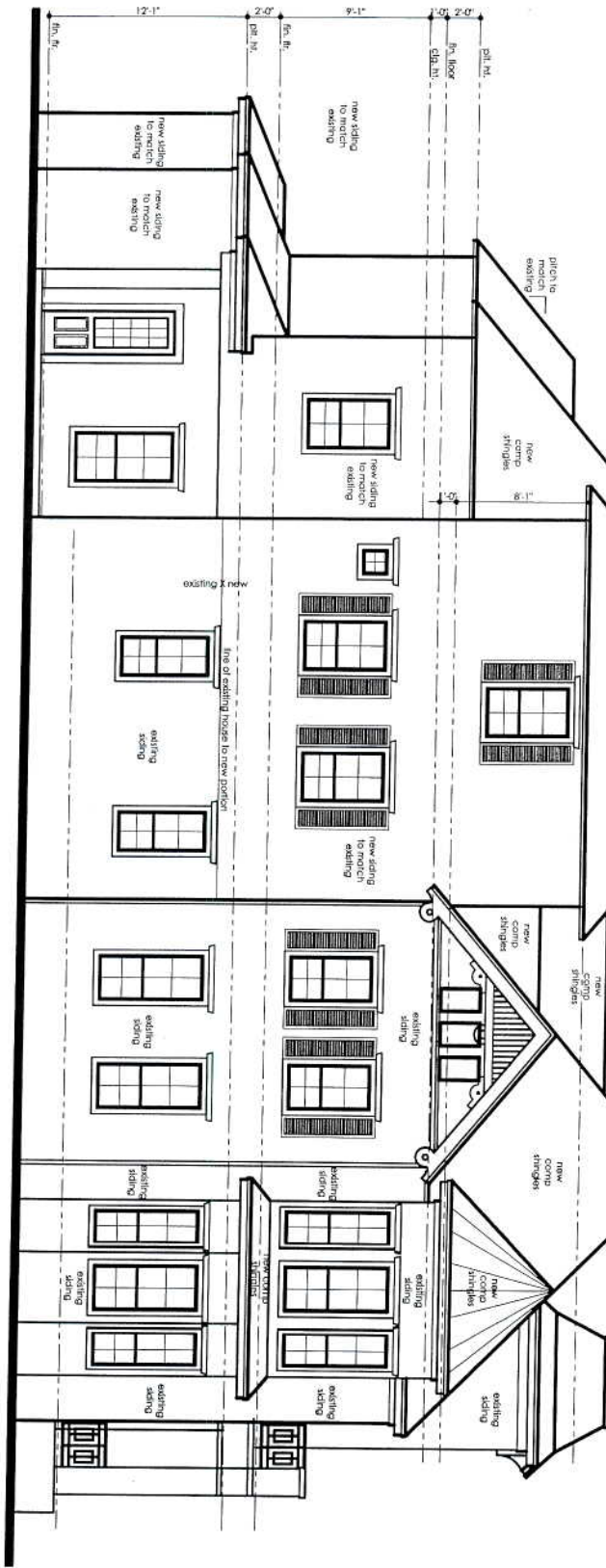
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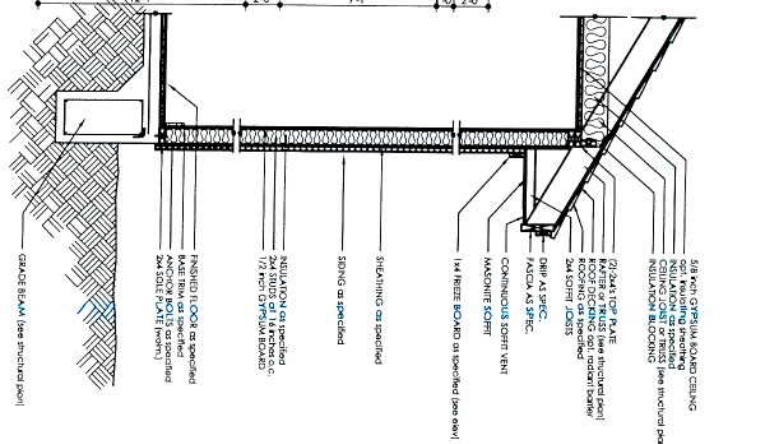


NEW RIGHT ELEVATION

NEW LEFT ELEVATION



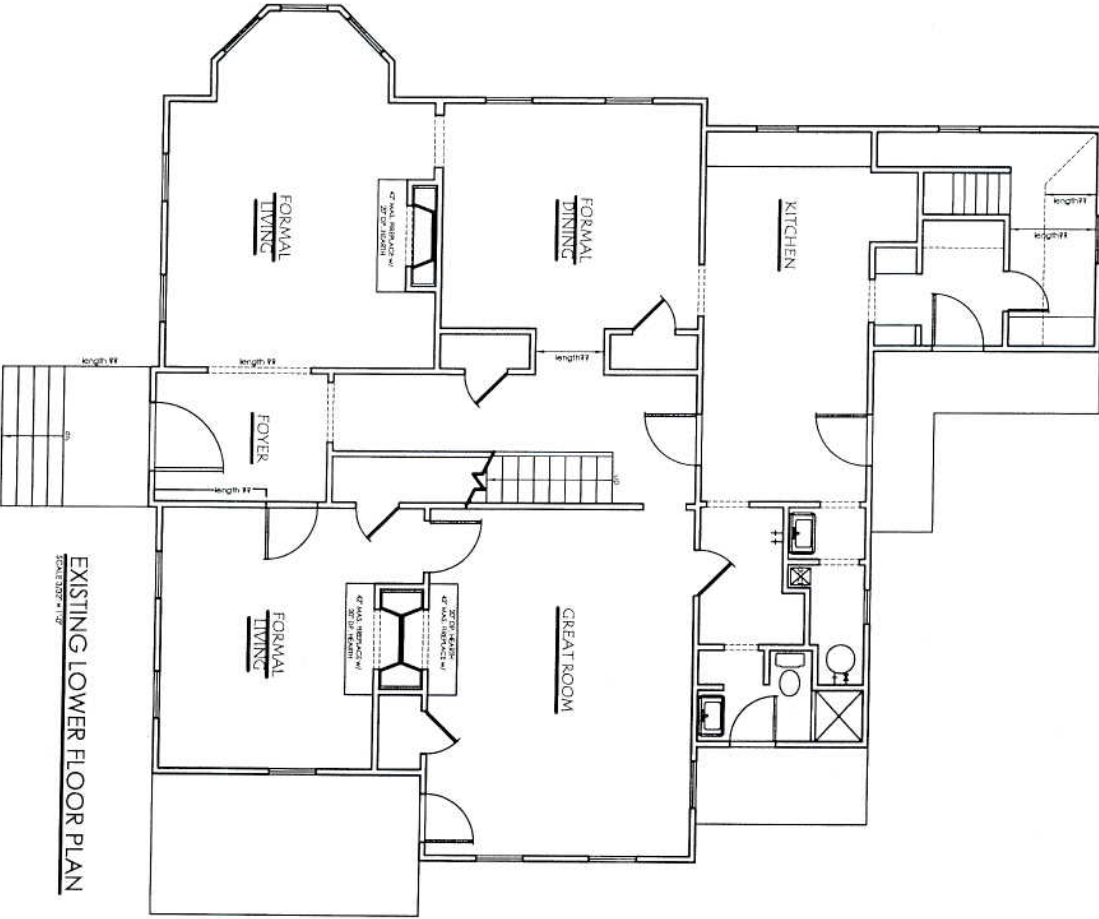
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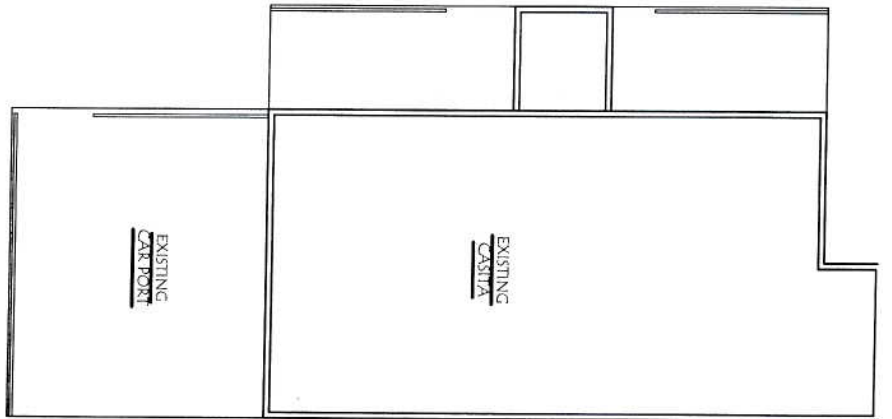
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designVISIONS OF ARIZONA, LLP

PROJECT: COX REMODEL
 A-4
 4 OF 11
 date: 11/23/09
 project #: 09018



EXISTING LOWER FLOOR PLAN
FOUR 2022-1719



SQUARE FOOTAGE CALC.	
HEAD	1,971
LOWER HEATED	1,971
NOT HEATED	1,263
CASHIA	1,263
CASHIA LOWER FLOOR HEATED	812
TOTAL HEATED	5,478

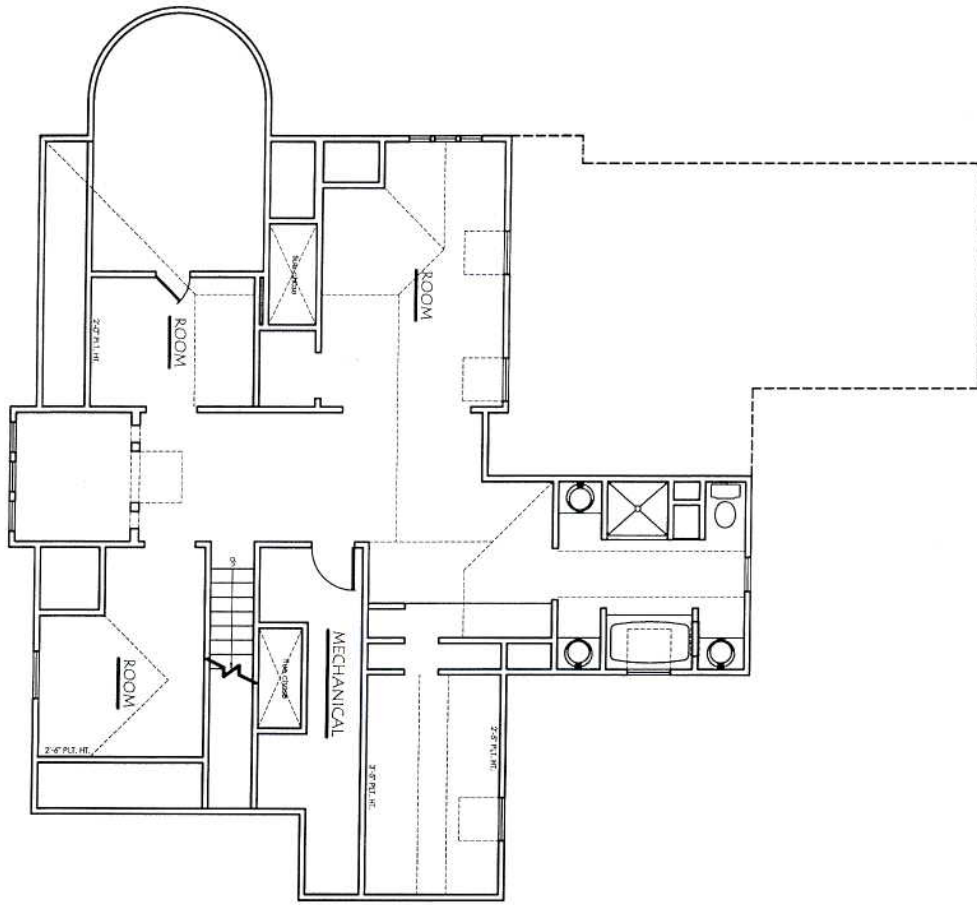
designVISIONS OF RUSTEN L.L.P.

PROJECT: **A-5**
 5 OF 11
 DATE: 11/23/19
 DRAWING #: 30018

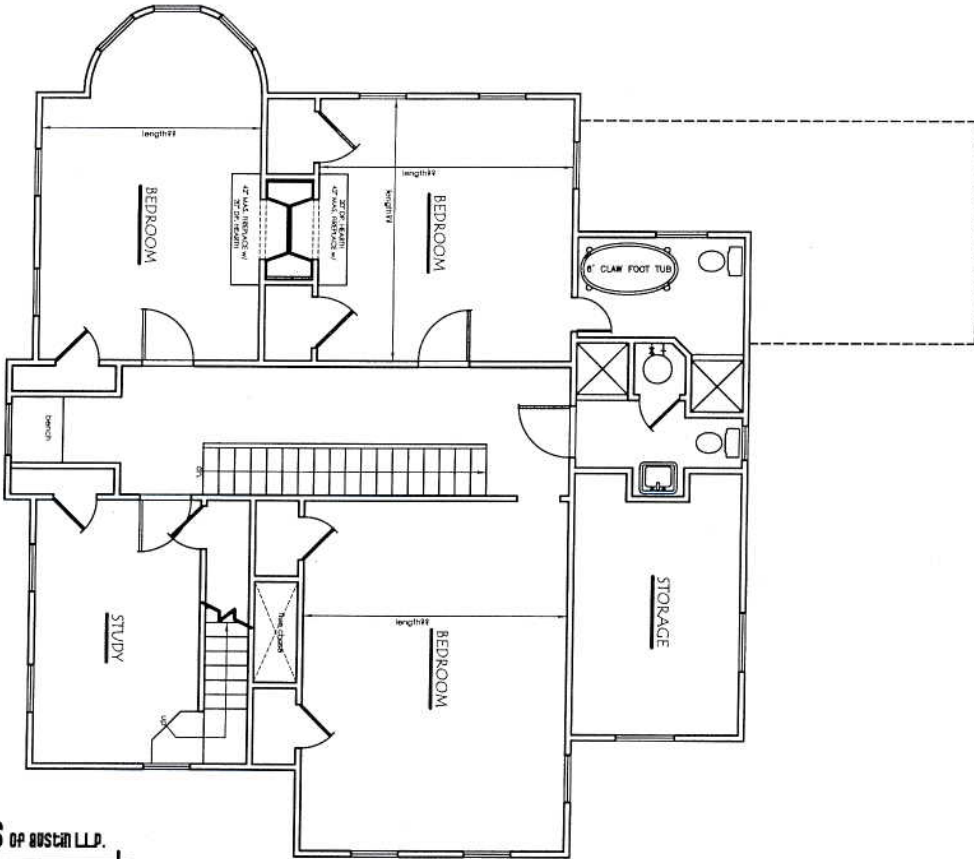
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GENERAL LEGEND
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EXISTING 3RD FLOOR PLAN
SCALE: 1/8" = 1'-0"



EXISTING 2ND FLOOR PLAN
SCALE: 1/8" = 1'-0"

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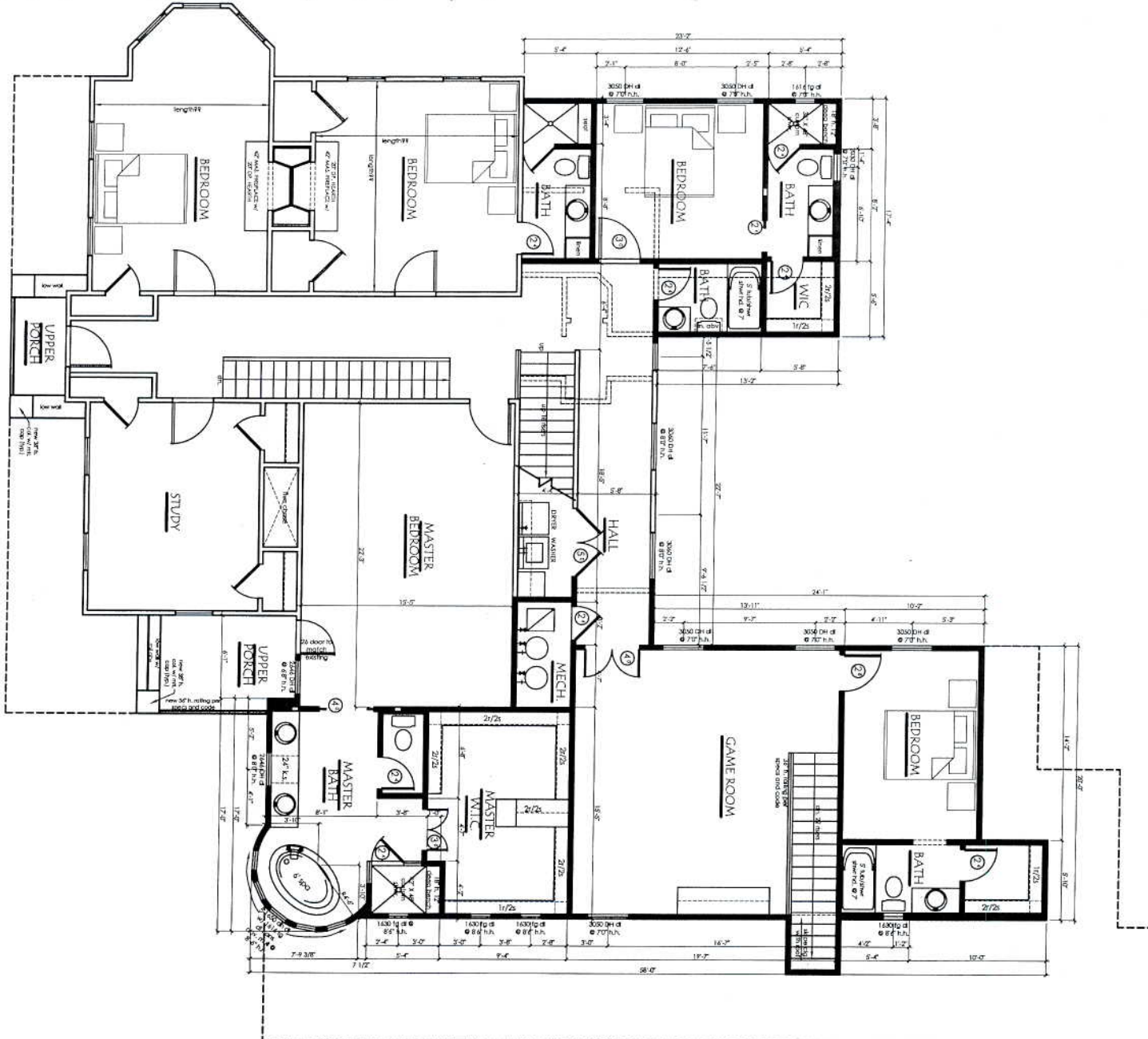
PROJECT: A-6
 DATE: 11.23.09
 PROJECT #: 09018

PROJECT: COLA REMOVE

GENERAL LEGEND

■ REMOVAL
 ■ EXISTING
 ■ NEW
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 ■ ELECTRICAL
 ■ PLUMBING
 ■ HVAC
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 ■ FURNITURE
 ■ EQUIPMENT
 ■ STRUCTURE
 ■ EXTERIOR
 ■ INTERIOR
 ■ LANDSCAPE
 ■ SITEWORK
 ■ UTILITIES
 ■ TRANSPORTATION
 ■ INFRASTRUCTURE
 ■ SPECIALTIES
 ■ OTHER

- GENERAL PROJECT NOTES:**
18. THESE CONSTRUCTION DOCUMENTS ARE INTENDED TO BE USED IN CONJUNCTION WITH ALL LOCAL, STATE, FEDERAL AND OTHER REGULATORY AGENCIES, ORDINANCES AND CODES PERTAINING TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
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2ND FLOOR PLAN
SCALE: 1/8" = 1'-0"

- GENERAL PROJECT NOTES:**
12. ALL WINDOWS WILL BE DIMENSIONED TO CENTER LINE UNLESS OTHERWISE NOTED. CASE SIZE PER AREA.
 20. ALL WINDOWS WITHIN 24" OF AN EXTERIOR OR INTERIOR DOOR TO BE REVEALED GLASS. WINDOW LOCATIONS AS PER ARCHITECT'S AND ENGINEER'S DESIGN. ALL WINDOWS SHALL BE DIMENSIONED TO CENTER LINE UNLESS OTHERWISE NOTED. CASE SIZE PER AREA.
 30. ALL HINGED SHOWER DOORS SHALL SWING OUTWARD. ALL HINGED DOORS SHALL SWING INTO THE ROOM UNLESS OTHERWISE NOTED. CASE SIZE PER AREA.
 40. WINDOW MANUFACTURERS SHALL BE RESPONSIBLE FOR PROVIDING WINDOW SCHEDULES AND INSTALLATION DETAILS. WINDOW SCHEDULES SHALL BE SUBMITTED TO THE ARCHITECT AND ENGINEER FOR REVIEW AND APPROVAL PRIOR TO CONSTRUCTION.
 50. PROVIDE FINISHING FOR CEILING FANS WHERE SPECIFIED. FINISHING FOR FAN HOLES SHALL BE AS SHOWN ON THE DRAWINGS.
 60. LIGHTS PROVIDE NECESSARY NUMBER FOR ROOMS AS SHOWN ON THE DRAWINGS. LIGHT FIXTURES SHALL BE AS SHOWN ON THE DRAWINGS.
 70. HALLWAY TO VERIFY SISING AND LOCATION OF ALL APPLIANCES & RELATED COMPONENTS.
 80. CONTRACTOR TO PROVIDE A SCHEDULE OF ACCESS. ACCESS SHALL BE LOCATED WITHIN 24" OF THE EXTERIOR DOOR.
 100. PROVIDE 1/2" NET AREA OF A/C VENTILATION SCREENS TO BE INSTALLED AT ALL EXTERIOR DOOR AND WINDOW LOCATIONS. ALL DOORS AND WINDOWS SHALL BE DIMENSIONED TO CENTER LINE UNLESS OTHERWISE NOTED. CASE SIZE PER AREA.
 120. ALL HINGED DOORS SHALL SWING INTO THE ROOM UNLESS OTHERWISE NOTED. CASE SIZE PER AREA.
 130. PROVIDE CONTROL AND DOOR LOCKS AS REQUIRED ON CONCRETE LEVEL WALKS AND DOORS.
 140. PROVIDE WEATHER SEAL AND 1/2" MASONRY DOOR SILL AT ALL EXTERIOR DOOR THRESHOLDS. WEATHER SEAL SHALL BE AS SHOWN ON THE DRAWINGS.
 150. PROVIDE WEATHER SEAL AND 1/2" MASONRY DOOR SILL AT ALL EXTERIOR DOOR THRESHOLDS. WEATHER SEAL SHALL BE AS SHOWN ON THE DRAWINGS.
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 170. PROVIDE WEATHER SEAL AND 1/2" MASONRY DOOR SILL AT ALL EXTERIOR DOOR THRESHOLDS. WEATHER SEAL SHALL BE AS SHOWN ON THE DRAWINGS.
 180. PROVIDE WEATHER SEAL AND 1/2" MASONRY DOOR SILL AT ALL EXTERIOR DOOR THRESHOLDS. WEATHER SEAL SHALL BE AS SHOWN ON THE DRAWINGS.
 190. PROVIDE WEATHER SEAL AND 1/2" MASONRY DOOR SILL AT ALL EXTERIOR DOOR THRESHOLDS. WEATHER SEAL SHALL BE AS SHOWN ON THE DRAWINGS.
 200. PROVIDE WEATHER SEAL AND 1/2" MASONRY DOOR SILL AT ALL EXTERIOR DOOR THRESHOLDS. WEATHER SEAL SHALL BE AS SHOWN ON THE DRAWINGS.

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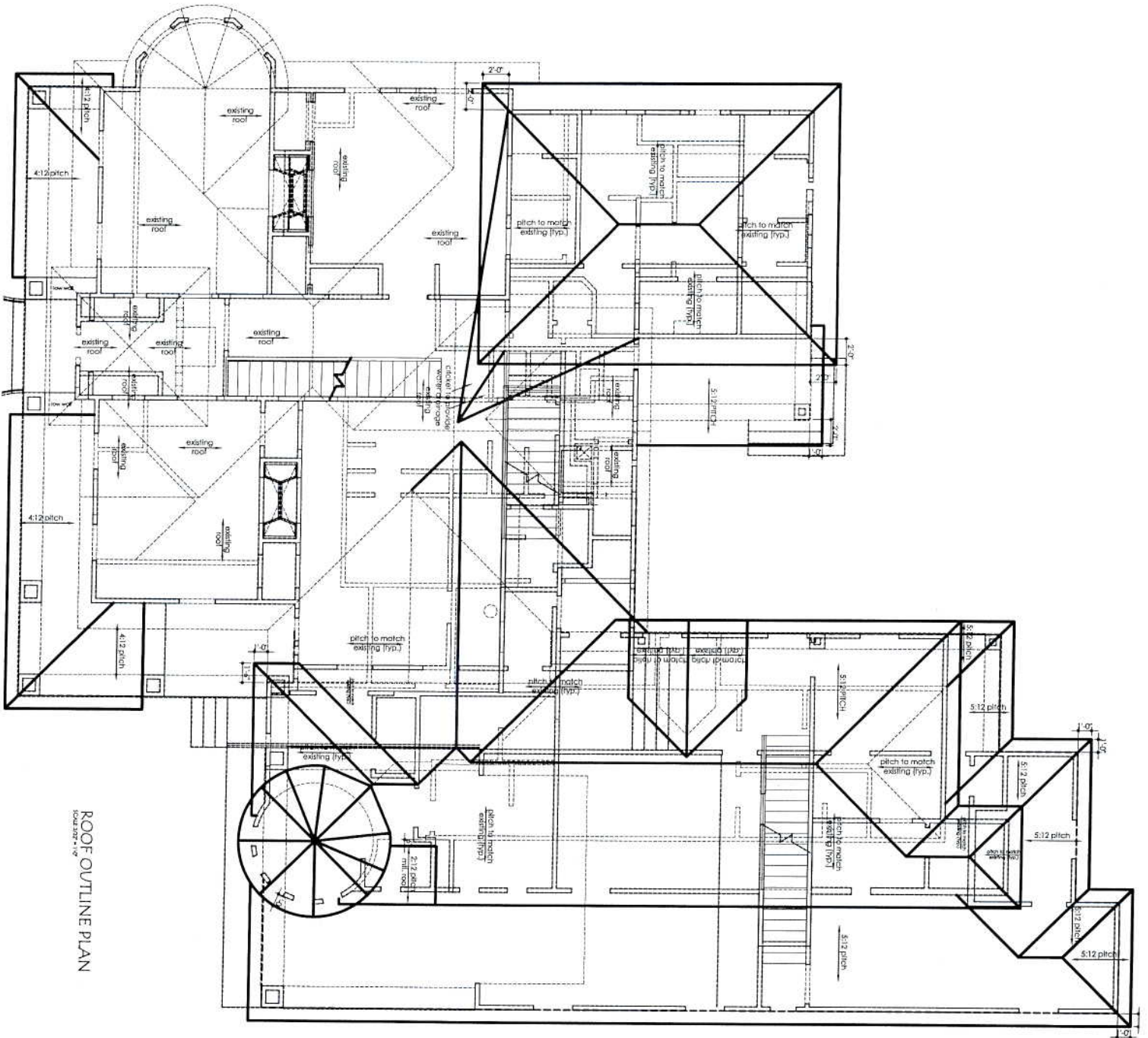
PROJECT: **A-8**
 8 OF 11
 DATE: 11/23/09
 PROJECT #: 000118

ARCHITECT: **designvisions** OF AUSTIN L.L.P.
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ENGINEER: **designvisions** OF AUSTIN L.L.P.
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 WWW.DESIGNVISIONSOFATX.COM

DATE: 11/23/09
 SCALE: 1/8" = 1'-0"

GENERAL LEGEND:
 - - - - - EXISTING
 - - - - - TO BE DEMOLISHED
 - - - - - TO BE CONSTRUCTED
 - - - - - TO BE RECONSTRUCTED

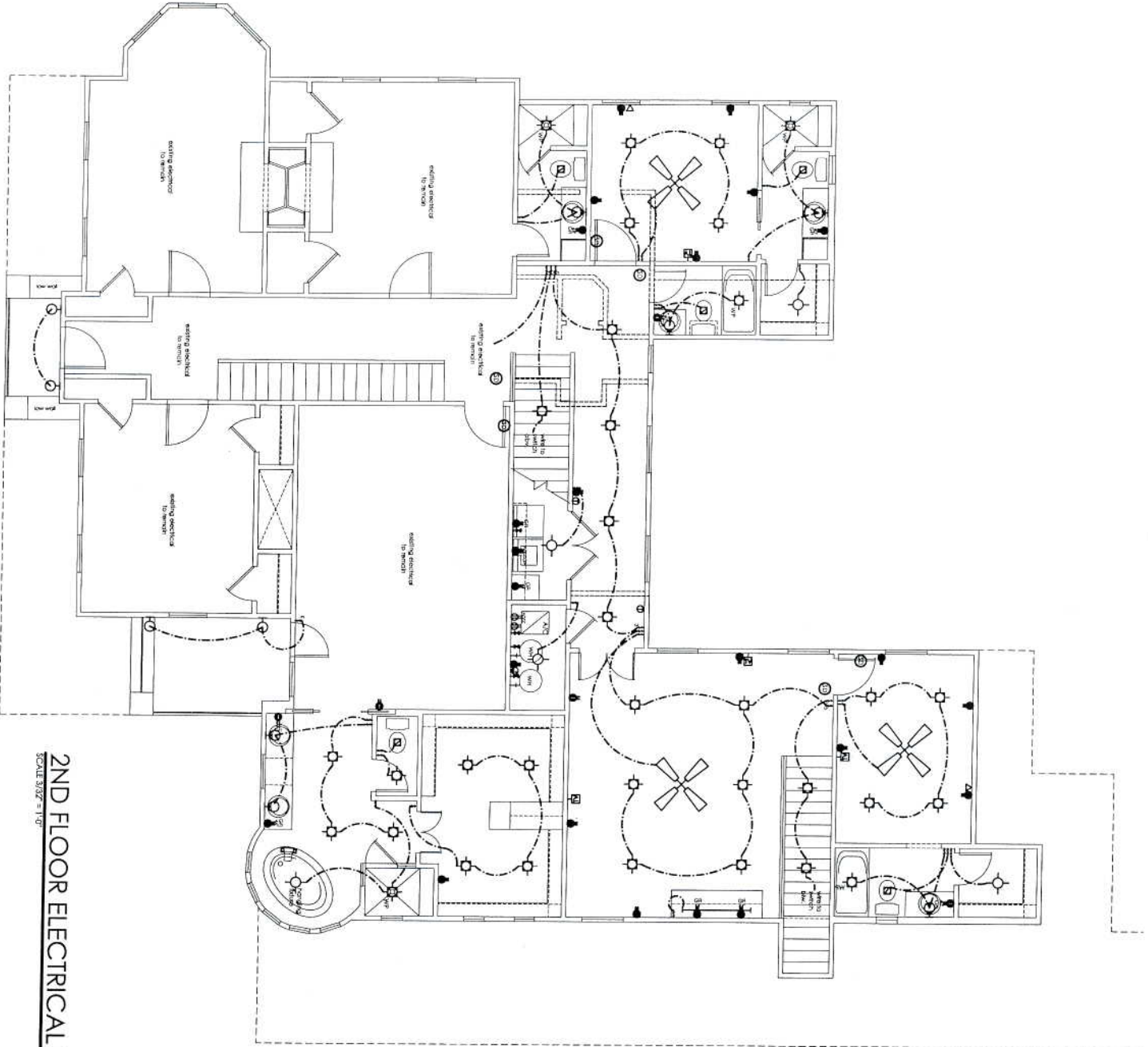


ROOF OUTLINE PLAN
SCALE: 1/8" = 1'-0"

- GENERAL ROOF LAYOUT NOTES:**
- 1.0 PITCHES TO BE AS NOTED ON PLANS.
 - 2.0 HRS. VALLES & RIDGES TO BE FRAMED ONE SIDE LARGER THAN BAYETS.
 - 3.0 VENTS TO VENT TO 8" MIN. ROOF EDGE WHEREVER POSSIBLE. ALL VENTS TO BE GRANULED TO THE FINEST NUMBER POSSIBLE.
 - 4.0 ALL OVERHANGS TO BE 1" FROM THE FRAMEWORK UNLESS NOTED OTHERWISE.
 - 5.0 UNLESS ALL WINDOW WALLS OF ONE STORY POINTS OR WALLS THAT STACK. ADDITIONAL LOADS BEARING POINTS MAY BE REQUIRED.
 - 6.0 UNLESS INDICATED OTHERWISE, ALL ROOF SYSTEMS TO BE ENGINEERED AND WHEN FLOOR HATCHING AT STACKING BEAMS OR WALLS THAT ARE LOAD BEARING.
 - 7.0 ALL EXTERIOR OPENINGS TO BE LOAD BEARING.
 - 8.0 WHEN ENGINEERED TRUSSES TO BE USED IN TRUSS SPECIFICATIONS TO BE PER ENGINEERS.
 - 9.0 ALL WALLS OVER 10'-0" IN HEIGHT TO BE FRAMED WITH ONE STORY 2" WALLS OVER 10'-0" IN HEIGHT TO BE FRAMED WITH ONE STORY 2" WALLS AT 17" O.C. BUILT WITH DOUBLE 2X4 STUDS AT 17" O.C.
 - 10.0 BUILDER ACCEPTS FULL RESPONSIBILITY FOR CHECKING PLANS TO ASSURE CONFORMANCE TO ALL APPLICABLE CODES AND REGULATIONS. ANY CHANGES BE MADE TO THESE PLANS BY BUILDER OR HIS REPRESENTATIVES WITHOUT CONTACTING THE DESIGNER, THE BUILDER WILL BE RESPONSIBLE FOR ANY DAMAGE TO THE PROJECT OR DROPPED BEAMS TO BE DESIGNED PER ENGINEER OR BUILDER.
 - 11.0 ALL LOAD BEARING...

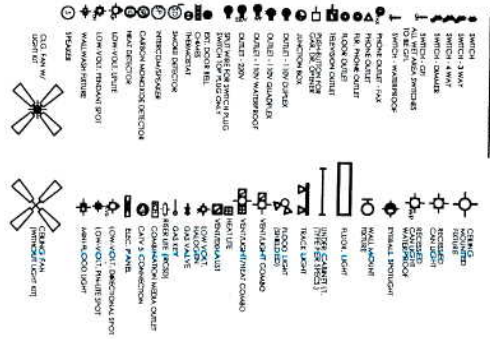
designvisions OF AUSTIN LLP

PROJECT: COV RENOVATION
 A-10
 100 OF 11
 date: 11/29/20
 project #: 090318



2ND FLOOR ELECTRICAL PLAN
SCALE 3/32" = 1'-0"

ELECTRICAL LEGEND



GENERAL ELECTRICAL NOTES

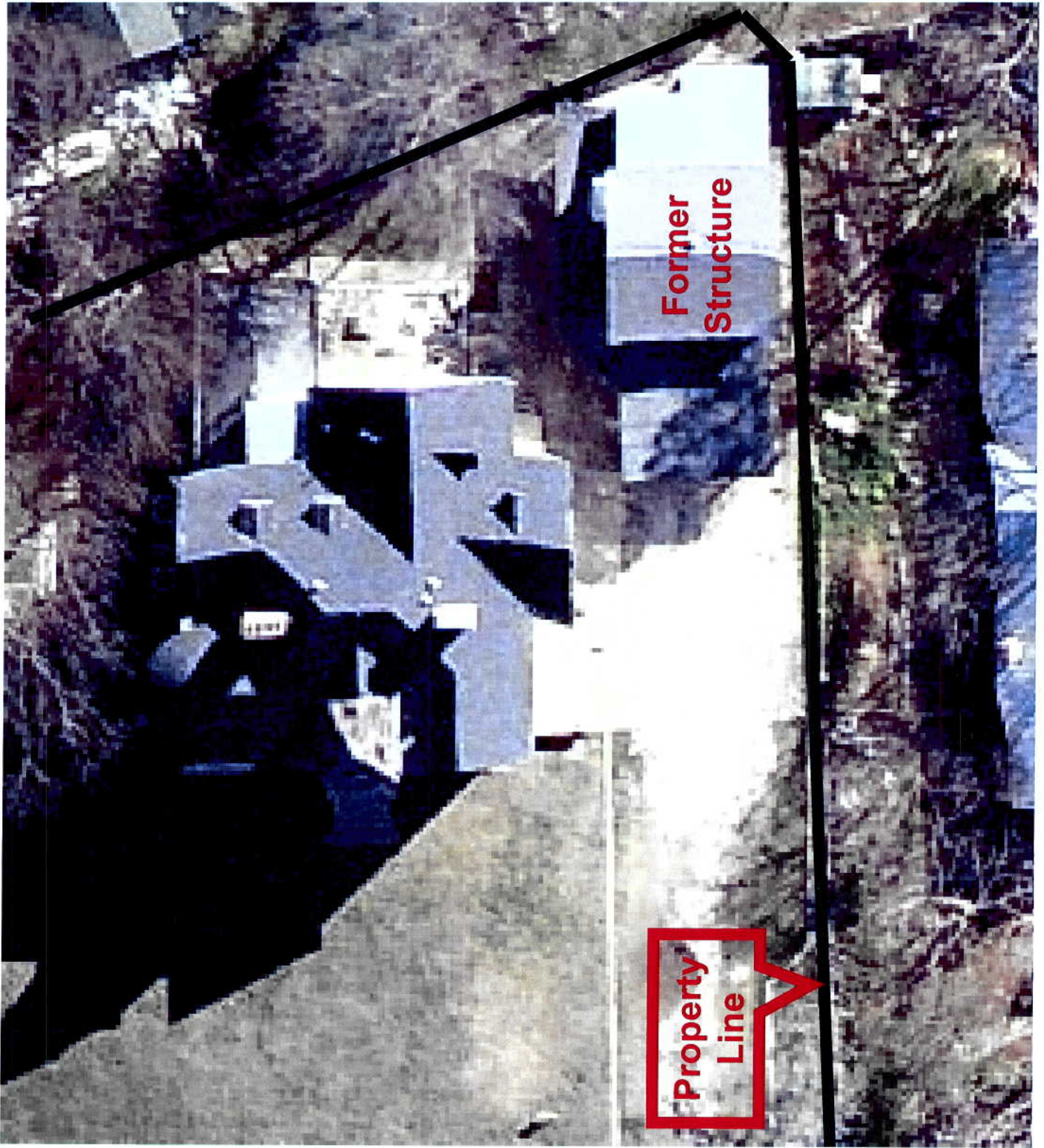
- 1.0 ALL WORK SHALL BE IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND THE NATIONAL FIRE ALARM CODE (NFPA).
- 2.0 ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF BOSTON ELECTRICAL CODE.
- 3.0 ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF BOSTON FIRE ALARM CODE.
- 4.0 ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF BOSTON SECURITY CODE.
- 5.0 ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF BOSTON DATA CODE.
- 6.0 ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF BOSTON GAS CODE.
- 7.0 ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF BOSTON PLUMBING CODE.
- 8.0 ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF BOSTON MECHANICAL CODE.
- 9.0 ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF BOSTON BUILDING CODE.
- 10.0 ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF BOSTON ZONING CODE.
- 11.0 ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF BOSTON LANDMARKS AND MONUMENTS ACT.
- 12.0 ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF BOSTON HISTORIC PRESERVATION ACT.
- 13.0 ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF BOSTON ARCHITECTURAL REVIEW BOARD REGULATIONS.
- 14.0 ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF BOSTON PUBLIC WORKS DEPARTMENT REGULATIONS.
- 15.0 ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF BOSTON POLICE DEPARTMENT REGULATIONS.
- 16.0 ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF BOSTON FIRE DEPARTMENT REGULATIONS.
- 17.0 ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF BOSTON MASSACHUSETTS DEPARTMENT OF PUBLIC SAFETY REGULATIONS.
- 18.0 ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF BOSTON MASSACHUSETTS DEPARTMENT OF TRANSPORTATION REGULATIONS.
- 19.0 ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF BOSTON MASSACHUSETTS DEPARTMENT OF ENVIRONMENTAL AFFAIRS REGULATIONS.
- 20.0 ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF BOSTON MASSACHUSETTS DEPARTMENT OF ENERGY ASSISTANCE REGULATIONS.
- 21.0 ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF BOSTON MASSACHUSETTS DEPARTMENT OF LABOR REGULATIONS.
- 22.0 ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF BOSTON MASSACHUSETTS DEPARTMENT OF REVENUE REGULATIONS.
- 23.0 ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF BOSTON MASSACHUSETTS DEPARTMENT OF TAXATION REGULATIONS.
- 24.0 ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF BOSTON MASSACHUSETTS DEPARTMENT OF REGULATION AND CERTIFICATION REGULATIONS.
- 25.0 ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF BOSTON MASSACHUSETTS DEPARTMENT OF PROFESSIONAL REGULATION REGULATIONS.
- 26.0 ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF BOSTON MASSACHUSETTS DEPARTMENT OF STATE REGULATIONS.
- 27.0 ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF BOSTON MASSACHUSETTS DEPARTMENT OF CONSUMER AFFAIRS REGULATIONS.
- 28.0 ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF BOSTON MASSACHUSETTS DEPARTMENT OF CHILDREN AND YOUTH AFFAIRS REGULATIONS.
- 29.0 ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF BOSTON MASSACHUSETTS DEPARTMENT OF SENIORS AFFAIRS REGULATIONS.
- 30.0 ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF BOSTON MASSACHUSETTS DEPARTMENT OF COMMUNITY DEVELOPMENT REGULATIONS.
- 31.0 ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF BOSTON MASSACHUSETTS DEPARTMENT OF OCCUPATIONAL SAFETY AND HEALTH REGULATIONS.
- 32.0 ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF BOSTON MASSACHUSETTS DEPARTMENT OF SOCIAL SERVICES REGULATIONS.
- 33.0 ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF BOSTON MASSACHUSETTS DEPARTMENT OF HUMAN SERVICES REGULATIONS.
- 34.0 ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF BOSTON MASSACHUSETTS DEPARTMENT OF HEALTH CARE REGULATIONS.
- 35.0 ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF BOSTON MASSACHUSETTS DEPARTMENT OF EDUCATION REGULATIONS.
- 36.0 ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF BOSTON MASSACHUSETTS DEPARTMENT OF CHILDREN, YOUTH AND HUMAN SERVICES REGULATIONS.
- 37.0 ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF BOSTON MASSACHUSETTS DEPARTMENT OF COMMUNITY DEVELOPMENT AND ECONOMIC GROWTH REGULATIONS.
- 38.0 ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF BOSTON MASSACHUSETTS DEPARTMENT OF COMMUNITY DEVELOPMENT AND ECONOMIC GROWTH REGULATIONS.
- 39.0 ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF BOSTON MASSACHUSETTS DEPARTMENT OF COMMUNITY DEVELOPMENT AND ECONOMIC GROWTH REGULATIONS.
- 40.0 ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF BOSTON MASSACHUSETTS DEPARTMENT OF COMMUNITY DEVELOPMENT AND ECONOMIC GROWTH REGULATIONS.

designvisions OF BUSTON L.L.P.

PROJECT: **E-2**
CONTRACT: **20F3**

DATE: 11.23.09
PROJECT #: 09018

EXHIBIT 4



← College Street →

December 9, 2009

To: Zoning Board of Adjustment

Re: EXP – 2009-001 803 College Street

Property Owner's Comments

I own a home adjacent to the property recently purchased by the Coxes. I purchased my home a year ago and have spent this year remodeling and adding improvements to the home in keeping with the history of the neighborhood. I love living in Old Town and plan to remain here for a long time.

I was distressed to learn of the plans for the expansion on the Cox property. The density of the development on the setback to my property I believe would not only severely reduce my property value but also diminish my enjoyment and use of my backyard space. I would by necessity lose at least a third of a large mature tree by virtue of the height of the proposed addition and would have a three story wall overlooking my backyard flush against my fence. The views from my dining room and kitchen would also be all "structure" without the interest that was there before.

I moved to Georgetown 16 years ago from the West Enfield neighborhood in Austin. At that time, West Enfield was experiencing the beginning of the " McMansions" by which high density homes were overbuilt on desirable lots diminishing the original character of very desirable neighborhoods. Old Town is a desirable neighborhood because it has maintained its diversity and has not overdeveloped its potential. I do not want or desire to live next to an early example of a property that satisfies its own needs at the expense of the neighborhood. To allow this would truly be a shame and set a horrible precedent for future developers.

Thank you for your attention,



Janet Greenfield Smith

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DEC 09 2009
PLANNING AND
DEV SERVICES