

APPLICATION TO BOARD OF ADJUSTMENT  
GENERAL VARIANCE/PARKING VARIANCE

C15-2010-0133  
ROW-10513031  
TP-0416141612

WARNING: Filing of this appeal stops all affected construction activity.

PLEASE:  
APPLICATION MUST  
BE TYPED WITH ALL  
REQUESTED  
INFORMATION  
COMPLETED.

STREET ADDRESS: 6100 Amber Pass Austin, TX  
78745

021

LEGAL DESCRIPTION: Subdivision – Southwest Park  
Amended Section 2

Lot(s) 12 Block E Outlot \_\_\_\_\_  
Division \_\_\_\_\_

I/We Erin Haggerty and Collin DeLamar on behalf of  
myself/ourselves as authorized agent for

ourselves affirm that on October 27, 2010,

hereby apply for a hearing before the Board of Adjustment for consideration to:

(check appropriate items below)

ERECT  ATTACH  COMPLETE  REMODEL  MAINTAIN

8 ft. fence  
\_\_\_\_\_  
\_\_\_\_\_

in a SF-3 district.  
(zoning district)

NOTE: The Board must determine the existence of, sufficiency of and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any

VARIANCE FINDINGS: I contend that my entitlement to the requested variance is based on the following findings (see page 5 of application for explanation of findings):

REASONABLE USE:

1. The zoning regulations applicable to the property do not allow for a reasonable use because:

The grade of the slope that exists along the street-side of the house does not allow reasonable use - that the backyard fence provide adequate privacy from the street.

3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

D2  
1/2

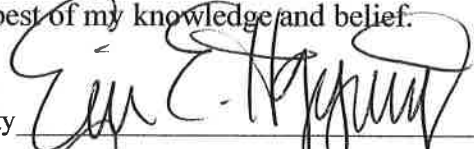
N/A


4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

N/A

**NOTE: The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.**

**APPLICANT CERTIFICATE** – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed:  Erin Haggerty

Signed:  Collin DeLamar

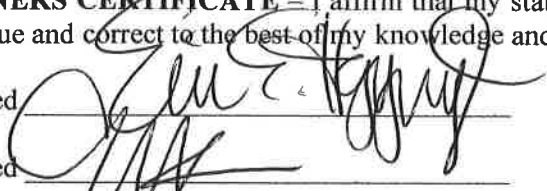
Mail Address: 6100 Amber Pass

City, State & Zip Austin, TX 78745

Printed Erin Haggerty Phone 512.431.0833 Date 11.3.2010

Printed Collin DeLamar Phone 512.461.9343 Date 11.3.2010

**OWNERS CERTIFICATE** – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed: 

Signed: 

Mail Address 6100 Amber Pass

City, State & Zip Austin, TX 78745

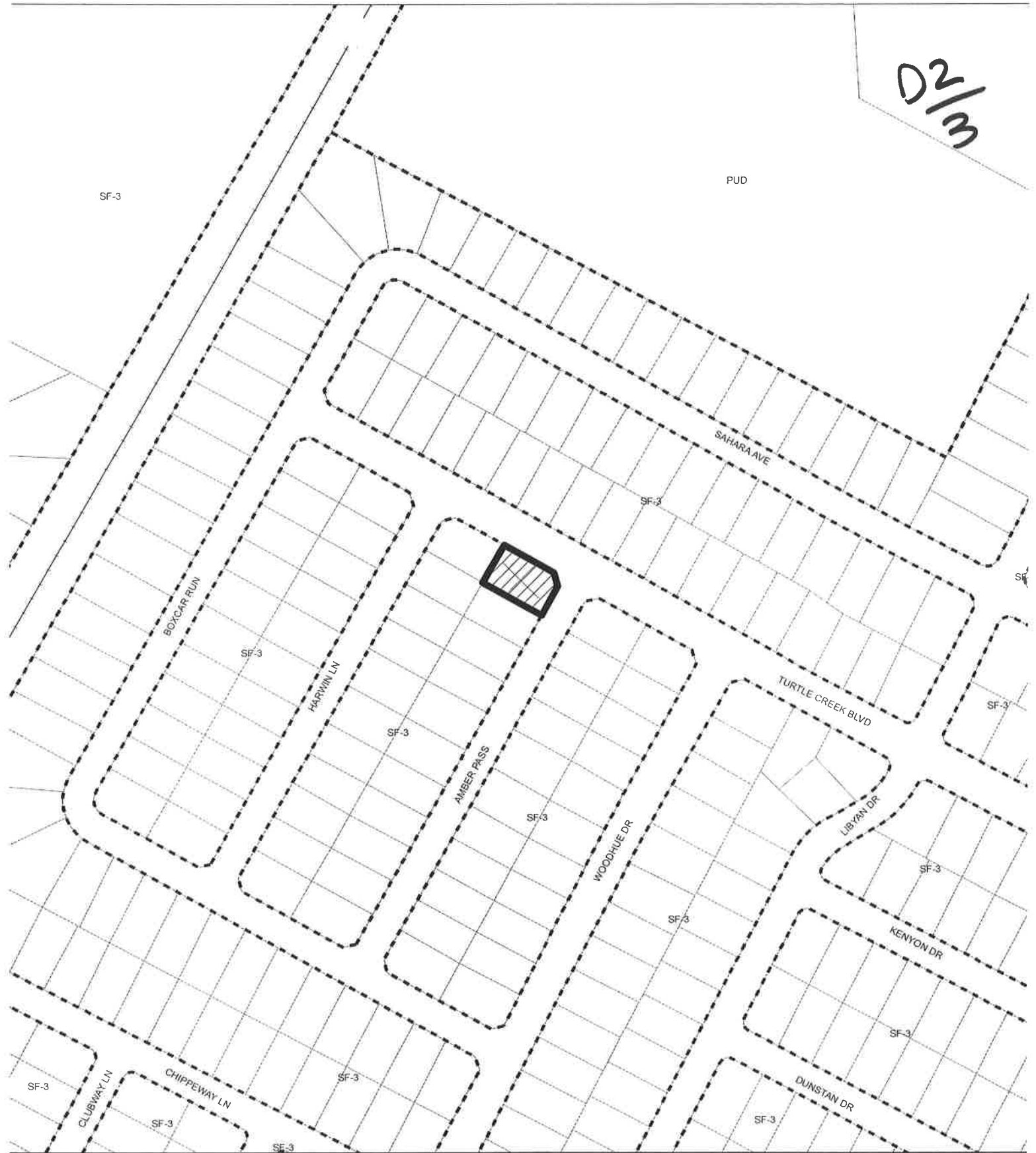
Printed Erin Haggerty Phone 512.431.0833 Date 11.3.2010

Printed Collin DeLamar Phone 512.461.9343 Date 11.3.2010

D2/m

SF-3

PUD



### BOARD OF ADJUSTMENTS



SUBJECT TRACT



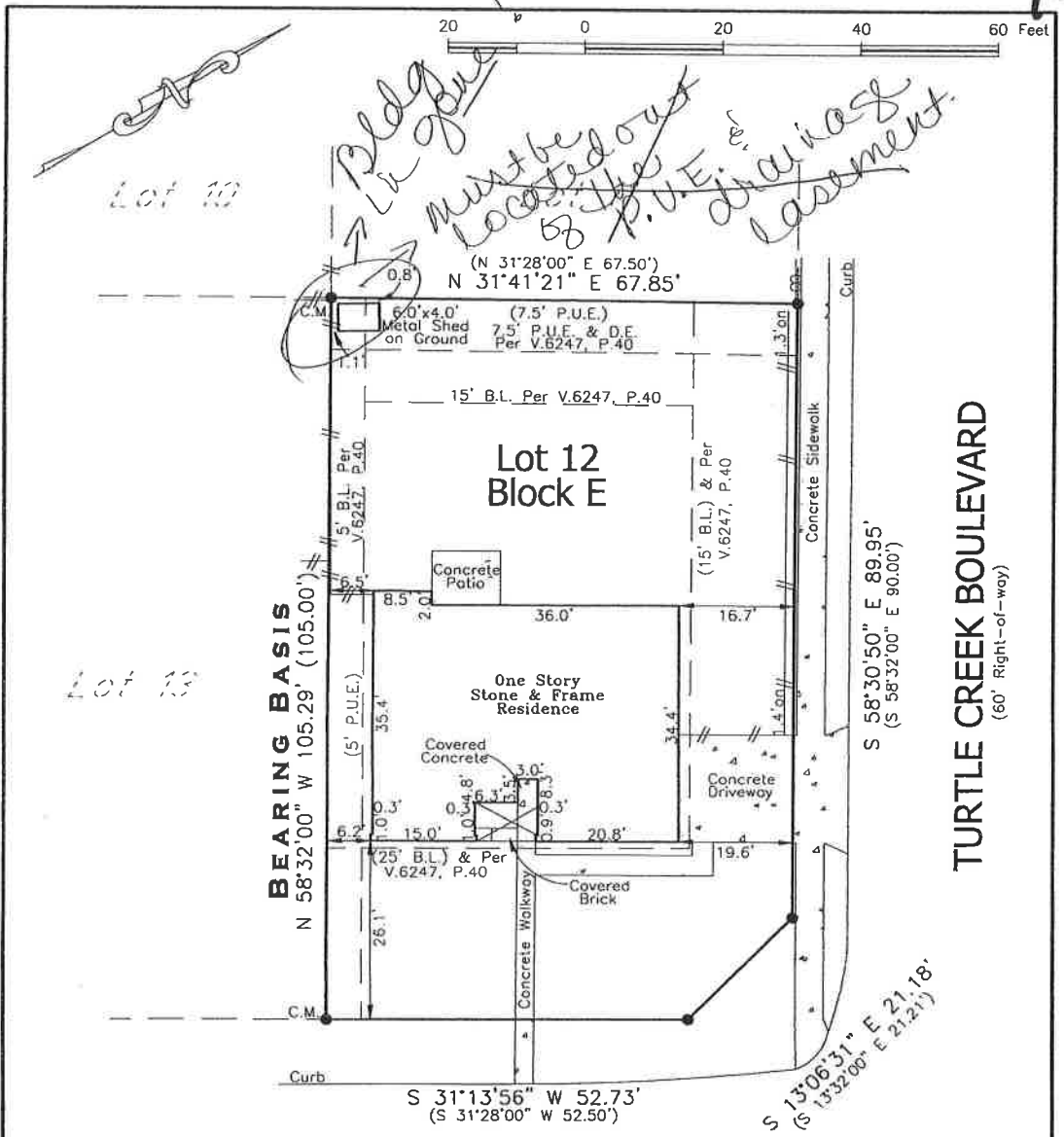
ZONING BOUNDARY

CASE#: C15-2010-0133  
 LOCATION: 6100 AMBER PASS  
 GRID: F17  
 MANAGER: SUSAN WALKER



This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

D2/4



**AMBER PASS**  
 (50' Right-of-way)

**LEGEND**

- 1/2" REBAR FOUND
- CHAIN LINK FENCE
- ▬ WOOD FENCE
- B.L. BUILDING LINE
- P.U.E. PUBLIC UTILITY EASEMENT
- D.E. DRAINAGE EASEMENT
- ( ) PER PLAT
- C.M. CONTROL MONUMENT

Note:  
 1.) Subject to restrictions and easement rights as stated in: V.6247, P.40; and per plat in Book 77, Pgs. 112-113.

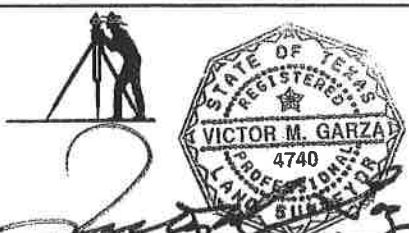
SUBDIVISION SOUTHWEST PARK SECTION TWO AMENDED

LOT: 12 BLOCK: E BOOK 77 PAGES 112-113 PLAT RECORDS

COUNTY: TRAVIS STATE OF TEXAS STREET ADDRESS 6100 AMBER PASS

CITY: AUSTIN REFERENCE NAME JOE MEDEARIS

B&G Surveying, Inc.  
 Victor M. Garza R.P.L.S.  
 Office 512\*458-6969  
 Fax 512\*458-9845  
 1404 West North Loop Blvd.  
 Austin, Texas 78756



THIS AREA IS NOT DEPICTED AS BEING IN A SPECIAL FLOOD HAZARD AREA PER FEMA'S FLOOD INSURANCE RATE MAP 0585 H DATED 9-26-08. IT IS REPRESENTED AS IN ZONE X, HOWEVER AT PRESENT TIME, NO ELEVATIONS, DRAINAGE, OR FLOOD STUDIES HAVE BEEN PERFORMED AND INFORMATION IS BASED SOLELY UPON SAID MAP. THE SURVEYOR DOES NOT ASSUME RESPONSIBILITY AS TO ANY INFORMATION PROVIDED BY SAID MAP AND DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE OF FLOOD DAMAGE. FOR FURTHER INFORMATION CONTACT YOUR FLOOD PLAN ADMINISTRATOR.

TO THE LIENHOLDER AND / OR PRESENT OWNERS OF THE PREMISES SURVEYED AND TO PROMINENT TITLE, LLC

DATE 04/14/09  
 TITLE CO PROMINENT  
 G.F. # 092175KK  
 JOB # B0404909\_TA  
 SCALE 1" = 20'

LAWYERS TITLE INSURANCE CORPORATION  
 I DO HEREBY CERTIFY TO THOSE LISTED HEREON THAT THIS SURVEY WAS THIS DAY MADE ON THE GROUND, UNDER MY SUPERVISION, OF THE PROPERTY LEGALLY DESCRIBED HEREON, IS PREPARED IN ACCORDANCE TO THE TITLE COMMITMENT REFERENCED HEREON.

CHERYL\_TBLK

CALCULATIONS	JEO	04/14/09
FIELD WORK	WILLIAM	04/13/09
DRAFTING	JACK	04/14/09
FINAL CHECK	VICTOR	04/14/09
CORRECTIONS	JACK	04/14/09
UP DATE		

D215

RESIDENTIAL REAL PROPERTY AFFIDAVIT T-47

Date: 12-8-09 GF No. \_\_\_\_\_

Name of Affiant(s): Joe Medearis

Address of Affiant: 6100 Amber Pass Austin, TX 78745-3709

Description of Property: Lot 12 Blk E Southwest Park Sec 2  
County: Travis, Texas

Name of Title Company: Gracy Title Company

Before me, the undersigned notary for the State of Texas, personally appeared Affiant(s) who after by me being duly sworn, stated:

(1) We are the owners of the Property. (If not owners, state other basis for knowledge by Affiant(s) of the Property, such as lease, management, neighbor, etc. For example, "Affiant is the manager of the Property for the record title owners.):

(2) We are familiar with the Property and with the improvements located on the Property.

(3) We are closing a transaction requiring title insurance and the proposed insured owner or lender has requested area and boundary coverage in the title insurance policy(ies) to be issued in this transaction. We understand that the Title Company may make exceptions to the coverage of the title insurance as the Title Company may deem appropriate. We understand that the proposed insured owner of the Property, if the current transaction is a sale, may request a similar amendment to the area and boundary coverage in the Owner Policy of Title Insurance upon payment of the promulgated premium.

(4) To the best of our actual knowledge and belief, since 4-14-09 (date of existing survey) there have been no:  
(a) construction projects such as new structures, additional buildings, rooms, garages, swimming pools or other permanent improvements or fixtures;  
(b) changes in the location of boundary fences or boundary walls;  
(c) construction projects on immediately adjoining property(ies) which encroach on the Property; or  
(d) conveyance, replattings, easement grants and/or easement dedications (such as a utility line) by any party affecting the Property;

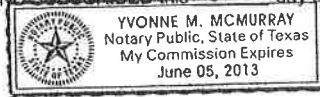
EXCEPT for the following (If none, insert "none" below):  
10' x 16' Wood Deck over concrete pad?  
Back Property Fence (cedar)

(5) We understand that the Title Company is relying on the truthfulness of the statements made in this affidavit to provide the area and boundary coverage and upon the evidence of the existing real property survey of the Property. This affidavit is not made for the benefit of any other parties and this affidavit does not constitute a warranty or guarantee of the location of the improvements.

(6) We understand that we have no liability to the Title Company or the title insurance company that will issue the policy(ies) should the information in this affidavit be incorrect other than information that we personally know to be incorrect and which we do not disclose to the Title Company.

Joe Medearis  
Affiant Joe Medearis Affiant

SWORN AND SUBSCRIBED this 8th day of December, 2009



Yvonne M. McMurray  
Notary Public