

DS/1  
C15-2010-0136  
ROW-10513052  
TP-0245141001

**APPLICATION TO BOARD OF ADJUSTMENT  
GENERAL VARIANCE/PARKING VARIANCE**

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

STREET ADDRESS: 10100 Parkfield Drive - Austin, Texas 78758

LEGAL DESCRIPTION: Subdivision – Quail Creek Phase III - Section I

Lot(s) Seven (7) Block G Outlot \_\_\_\_\_ Division \_\_\_\_\_

I/We Joe & Paula Salahi on behalf of myself/ourselves as authorized agent for

Owners affirm that on Oct.20, 2010,

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

(check appropriate items below)

ERECT  ATTACH  COMPLETE  REMODEL  MAINTAIN

an 8' Privacy Fence on Corner next to side street only

in a SF-3-NP district.  
(zoning district)

**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:**

05/2

1. The zoning regulations applicable to the property do not allow for a reasonable use because:  
It is a highly traveled street for school children and bus students to and from school & work.

**HARDSHIP:**

2. (a) The hardship for which the variance is requested is unique to the property in that:

1. Have been robbed twice by climbing a normal 6' fence on side street. 2. School bus students to Alternative Center hide cigarettes & lighters, knives, and clothing in back-yard before school bus --then would try to retrieve when returning. Off-Duty arrested a man looking in windows--a sexual offender & smash & take violator. Several 8' fences on corner lots in neighborhood.

(b) The hardship is not general to the area in which the property is located because:

One of our security camera wires were cut when access from a 6' fence. An 8' fence eliminates access to this camera. Our corner is the bus stops for both city and school. There has been an on going problem w/school students trying to hide & retrieve items from our backyard. Since the 8' fence has been erected we have noticed that the students have been hiding things on our neighbors property.

**AREA CHARACTER:**

3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

Adjacent property is a street - Cripple Creek. Fence is similar to other fences in neighborhood.

**PARKING:** (Additional criteria for parking variances only.)

Request for a parking variance requires the Board to make additional findings. The

05/3

of the specific regulation because:

n/a  
\_\_\_\_\_

2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_

**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 Joe M. Salahi Mail Address 10100 Parkfield Drive  
Paula B. Salahi

City, State & Zip Austin, Texas 78758

Printed Joe & Paula Salahi Phone 512-836-2692 Date Oct. 20, 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 \_\_\_\_\_ Mail Address 10100 Parkfield Drive  
Paula B. Salahi

05/4

City, State & Zip \_Austin, Texas 78758

Printed Joe & Paula Salahi \_\_\_\_\_ Phone \_512-836-2692\_\_\_\_\_ Date  
\_Oct. 20, 2010\_\_\_\_\_

## **GENERAL INFORMATION FOR SUBMITTAL OF A VARIANCE REQUEST TO THE BOARD OF ADJUSTMENT**

(The following is intended to provide assistance in explaining the variance process. These suggestions are not intended to be a complete or exhaustive guide in assisting you through this process.)

### **VARIANCE REQUIREMENTS:**

#### **General Requirements:**

- A. A variance may be granted if, because of special circumstances of a property, the strict application of the Land Development Code regulations deprives the property owner of privileges that are enjoyed by another person who owns property in the area that has the same zoning designation as the property for which the variance is requested.
- B. A variance to a regulation may not grant special privileges that are inconsistent with the limitations on other properties in the area or in the district in which the property is located.

**SUBMITTAL REQUIREMENTS:** (Failure to complete the application or to submit all the required materials will result in non-acceptance of the application.)

- (1) A completed application indicating all variances being requested. An application must include proposed findings that will support requested variances. The required findings must address each variance being sought.
- (2) A site plan to scale indicating present and proposed construction and location and use of structures on adjacent lots.
- (3) A tax plat with subject property clearly marked indicating property within a 500-foot radius. These are available from the Travis Central Appraisal District at 8314 Cross Park Drive (834-9138).
- (4) Check made payable to the City of Austin for the Board of Adjustment application fee. (Residential zoning - \$360. All other zonings - \$660.)
- (5) Other Information – Although the following is not a requirement of submittal you may wish to include additional information that may assist the Board in making an informed decision regarding your request such as: photos of the site or visual aids to support the request, letters from the neighborhood association(s) etc. Any additional information you wish to submit must be in our office one week prior to the meeting. The Board will receive a packet with all information that has been submitted on the Thursday prior to the meeting.
- (6) Austin Energy approval

Variances approved by the Board are limited to and conditioned upon the plans and specifications presented by the applicants, except as modified by the Board.

**REQUIRED FINDINGS:** All variance findings must be met in order for the Board to grant a variance. An application must include proposed findings that will support the requested variance. Incomplete applications will not be accepted.

#### **Reasonable Use:**

DS/S

Application must demonstrate to the Board how the zoning regulations applicable to the property do not allow for a reasonable use of the property. [Note: The Board cannot approve a variance for a use that is not allowed in the zoning district in which the property is located. This requires a change in zoning.]

**Hardship:**

- a. Application must demonstrate to the Board how the hardship for which the variance is requested is unique to the property. Hardship should be specific to the property for which the variance is being requested. (For example, topography, lot configuration, or any physical constraint that would limit the placement of the structure or prevent compliance with required site development regulations, etc.) A strictly financial or personal reason is not a valid hardship.
- b. Application must demonstrate to the Board why the hardship is not general to the area in which the property is located. Describe how the hardship relating to the site is different from other properties in the area.

**Area Character:**

Application must demonstrate to the Board how the variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the zoning regulations of the zoning district in which the property is located.

**Board of Adjustment Staff:**

**Susan Walker, Planner**

**974-2202**

**Diana Ramirez, Administrative Specialist, Board Secretary**

**974-2241**

**Fax #974-6536**

**Watershed Protection and Development Review Department**

**One Texas Center**

**505 Barton Springs Road, 2<sup>nd</sup> Floor**

**Mailing Address:**



**P. O. Box 1088**

**Austin, TX 78767-1088**



**BOARD OF ADJUSTMENTS**



-  SUBJECT TRACT
-  ZONING BOUNDARY

CASE#: C15-2010-0136  
 LOCATION: 10100 PARKFIELD DR  
 GRID: L31  
 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.

05/7

**Paula Salahi**

---

**From:** "Eleanor Langsdorf" <elangsdo@yahoo.com>  
**To:** "paula salahi" <psalahi@austin.rr.com>  
**Sent:** Thursday, October 21, 2010 1:58 PM  
**Subject:** fence variance  
To Whom It May Concern:

Paula Salahi contacted me today, Oct. 21, to discuss the reasons why she has installed an 8 foot high fence on her property. Given the facts that Mrs. Salahi provided me I accept the reasons why this fence was installed.

Eleanor Langsdorf  
cell 301-520-9849  
home 512-873-0480

---

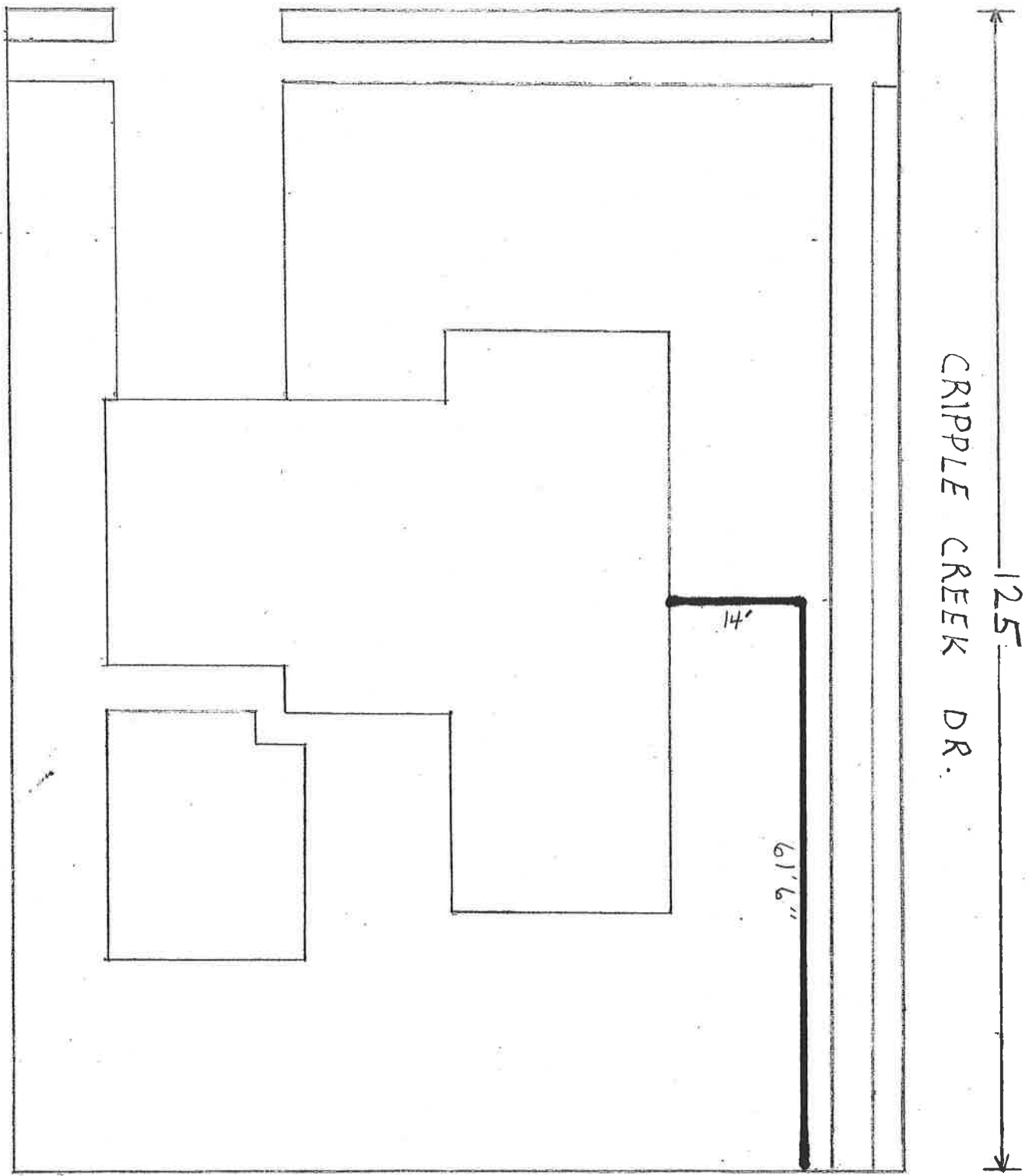
---

No virus found in this message.  
Checked by AVG - [www.avg.com](http://www.avg.com)  
Version: 10.0.1136 / Virus Database: 422/3210 - Release Date: 10/21/10

95'

05/18

PARKFIELD DR.



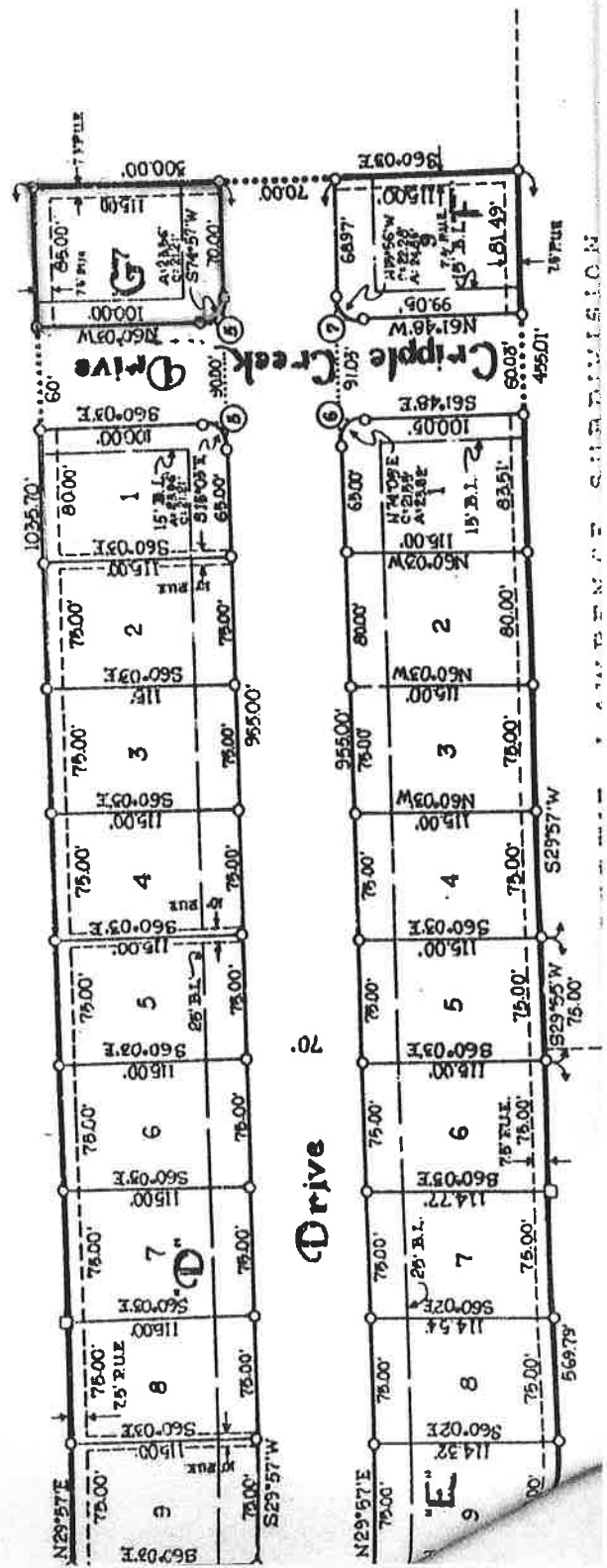
SCALE 1" = 16'



05/9

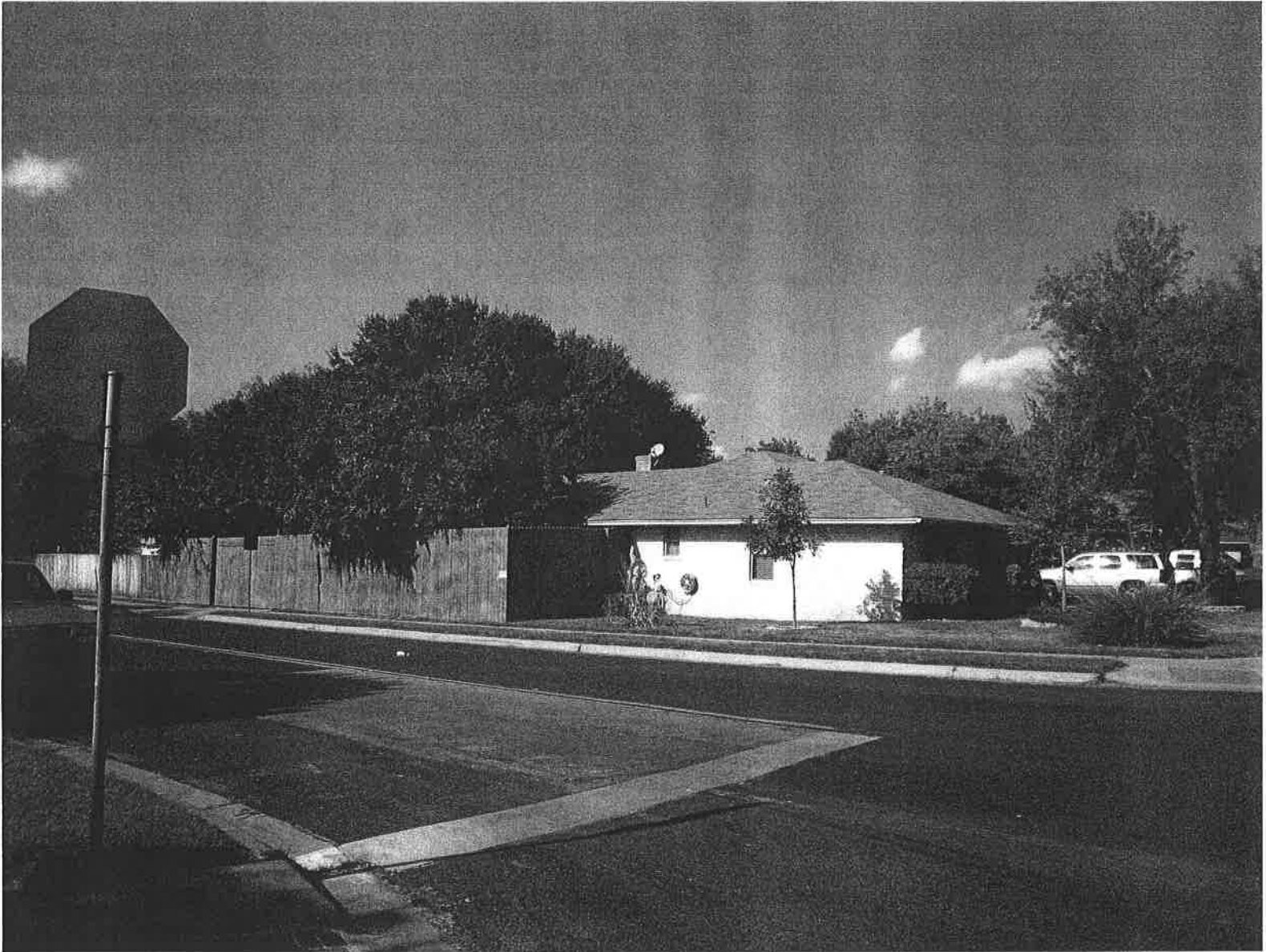
46-1291

JERRY N. WALLACE  
VOLUME 3691, PAGES 910-924



PLAT RECORD, TRAVIS COUNTY, TEXAS

DS/110



DS/11

