

7/8/11

in a SF-2 district (zoning district)

MURPHY

A 6-8 foot fence surrounding the backyard of above residence.

RECT ATTACH COMPLETE REMODEL X MAINTAIN

(check appropriate items below)

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

affirm that on July 8, 2011

I/We Pat Murphy agent for on behalf of myself/ourselves as authorized

Lot(s) 16 Block E Outlot Division Sec 1 Phase 2

LEGAL DESCRIPTION: Subdivision - Milwood

STREET ADDRESS: 4201 Yucatan Lane, Austin, TX 78727

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

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

CITY OF AUSTIN APPLICATION TO BOARD OF ADJUSTMENT GENERAL VARIANCE/PARKING VARIANCE

CASE # C15-2011-0094 ROW # 1D 1063445 TD# 02-6206 2427

If you need assistance completing this application (general inquiries only) please contact Susan Walker, 974-2202; 505 Barton Springs Road, 2nd Floor (One Texas Center).

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:

AREA CHARACTER:

(b) The hardship is not general to the area in which the property is located because: This lot is a corner lot & one of the largest in the neighborhood. It is not at street level. There are major variations in the elevation of the property.

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

HARDSHIP:

1. The zoning regulations applicable to the property do not allow for a reasonable use because: The variations of elevation within the lot have the fence facing Saxony at different heights, mostly 6' but the gate's height is 7' from ground to top within the backyard. The fence is considerably higher on the street side. Since I moved in the fence was brought down one foot to its current height. We did bring it down an additional board (6 inches) but replaced it because of the fact anyone of average height can see directly into the yard from the street & sidewalk. I hang my laundry out to dry & have plans for an above ground pool.

REASONABLE USE:

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):

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 additional support documents.

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The fence does not impede the view of traffic or traffic signs. It does not alter visibility, and the adjacent property owners have expressed their permission and are okay with the fence. (letters on file)

PARKING: (Additional criteria for parking variances only.)

Request for a parking variance requires the Board to make additional findings. The Board may grant a variance to a regulation prescribed Section 479 of Chapter 25-6 with respect to the number of off-street parking spaces or loading facilities required if it makes findings of fact that the following additional circumstances also apply:
1. Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonable require strict or literal interpretation and enforcement of the specific regulation because:

Not Applicable

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:

Not Applicable

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

Not Applicable

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

Not applicable

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GENERAL INFORMATION FOR SUBMITAL 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.

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

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 _____
Lane Yucatan
Mall Address 4201

City, State & Zip Austin, TX
78727

Printed Pat Murphy
Date 7/8/2011
Phone 512-750-2200

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

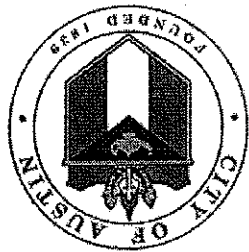
Signed _____
Lane Yucatan
Mall Address 4201

City, State & Zip Austin, TX
78727

Printed Pat Murphy
Date 7/8/2011
Phone 512-750-2200



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.

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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.

CASE#: 4201 YUCATAN LN
LOCATION: C15-2011-0094
GRID: K35
MANAGER: SUSAN WALKER

 ZONING BOUNDARY
 SUBJECT TRACT



BOARD OF ADJUSTMENTS



RESTRICTIONS
 SUBJECT TO RESTRICTIONS IN VOLUMES 614, PAGE 1864, AND AS PER PLAT RT VOLUME 74, PAGE 124.

LEGAL DESCRIPTION
 LOT 16, BLOCK E, OF MILLWOOD SECTION ONE, PHASE II, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT OF RECORD IN VOLUME 74, PAGE 124, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS.

FENCE LOCATION



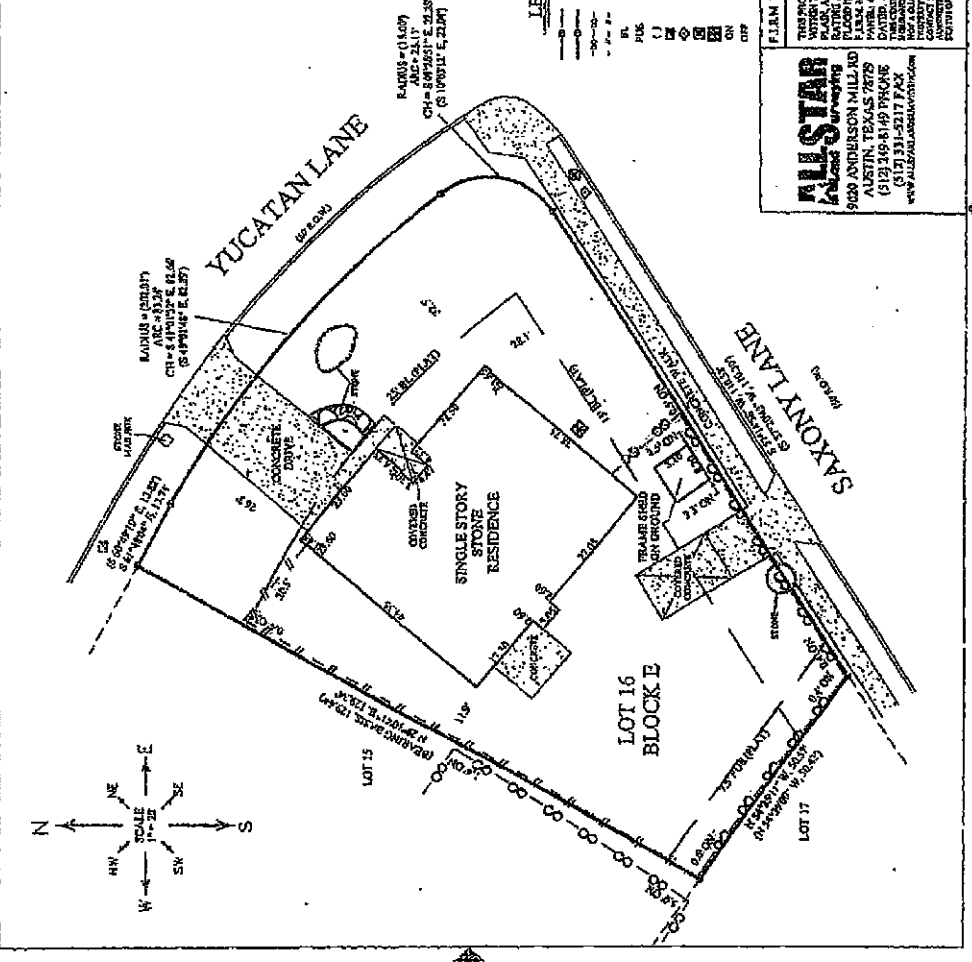
TO THE LAR VALUED UPON THE TERMS AS THE INSURANCE COMPANY TO GRACY TITLE COMPANY
 FOR HERBY CONVEYANCE AND TO BESET OF ANY PERSONS OF THE PROPERTY LOCATED THEREON AND THAT THIS WARRANTY AND STATEMENT OF FACTS ARE MADE ONLY TO THE BEST OF OUR KNOWLEDGE AND BELIEF AND NOT TO BE CONSIDERED A GUARANTEE OR WARRANTY OF TITLE.

ADDRESS
PAT MURPHY
 4201 YUCATAN LANE
 AUSTIN, TRAVIS COUNTY, TEXAS

SPURRY DATE	JANUARY 18, 2006	PREPARED BY	TRAVIS COUNTY
TITLE	GRACY TITLE COMPANY	FOR	ADAM MATTHEWS
FILE NO.	71829	DRAWN BY	JEAN MURPHY
DATE	1/18/06	CHECKED BY	PAT MURPHY
DATE	1/18/06	FILED IN	TRAVIS COUNTY
DATE	1/18/06	FILED IN	TRAVIS COUNTY

- LEGEND**
- PARALLEL TO RAIL
 - 1/2" AND FOUND
 - CHAIN LINK FENCE
 - WOOD FENCE
 - BOLLARD LINE
 - PUBLIC UTILITY DUCT
 - WATER METER
 - ELECTRIC
 - GAS
 - ON
 - OFF

F.I.M. MAP INFORMATION
 THIS PROPERTY DOES NOT LIE WITHIN ANY OF THE ZONING DISTRICTS SHOWN ON THE F.I.M. MAP. THE ZONING DISTRICT IS UNZONED. THE ZONING DISTRICT IS UNZONED. THE ZONING DISTRICT IS UNZONED.



ALLSTAR
 9609 ANDERSON MILLS RD
 AUSTIN, TEXAS 78758
 (512) 349-8149 PHONE
 (512) 331-5217 FAX
 WWW.ALLSTARLAW.COM



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1" = 200'

OPERATOR: S. MEERS

CASE#: C15-2008-0102
ADDRESS: 4201 YUCATAN LANE
GRID: K35
MANAGER: S. WALKER

 ZONING BOUNDARY
 SUBJECT TRACT



BOARD OF ADJUSTMENT

