

CASE # C15-2012-0110

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

ROW-10818854
TR-016613-
0416

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

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

STREET ADDRESS: 10707 Leafwood Lane

LEGAL DESCRIPTION: Subdivision - Spicewood Estates Section 2

Lot(s) 16 Block C Outlot _____ Division _____

I/We Cody Pools on behalf of myself/ourselves as authorized agent for

Thomas & Tracy Wells affirm that on August 2nd, 2012,

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

ERECT - ATTACH - COMPLETE - REMODEL - MAINTAIN

REMOVE a 496 sqft concrete patio and ERECT an in-ground gunite swimming pool with minimal surrounding concrete decking that will not exceed the amount of impervious cover that we are removing

removing 496sq - putting back - 483sq

in a SF-1 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 additional support documents.

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 home as originally built, before the current impervious coverage rules were in place, already exceeded the current maximum impervious coverage

HARDSHIP:

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

There is a severe drainage problem with the current existing patio, due to the elevation of the property directly behind ours, that has caused/is causing damage to the exterior and interior of the house. The patio needs to be removed and re-poured and while doing so, especially considering it would be less impervious coverage than what exist currently, we would like to install an in-ground gunite swimming pool.

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

The drainage and run-off from the lot directly behind our property drains into our yard and directly onto our existing patio.

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:

Construction will not affect adjoining lots, the neighborhood association has already approved the proposed pool addition, and many other properties in the area have swimming pools.

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:
-

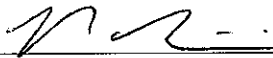
2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

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:

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.

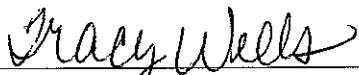
APPLICANT CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed  Mail Address 2300 W. Parmer Ln

City, State & Zip Austin, TX 78727

Printed Mike Livingston Phone 512-296-4472 Date 8/20/2012

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 10707 Leafwood Ln

City, State & Zip Austin, TX 78750

Printed Tracy Wells Phone 512-657-4849 Date 8/20/2012

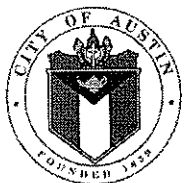


SUBJECT TRACT



ZONING BOUNDARY

CASE#: C15-2012-0110
 LOCATION: 10707 LEAFWOOD LANE



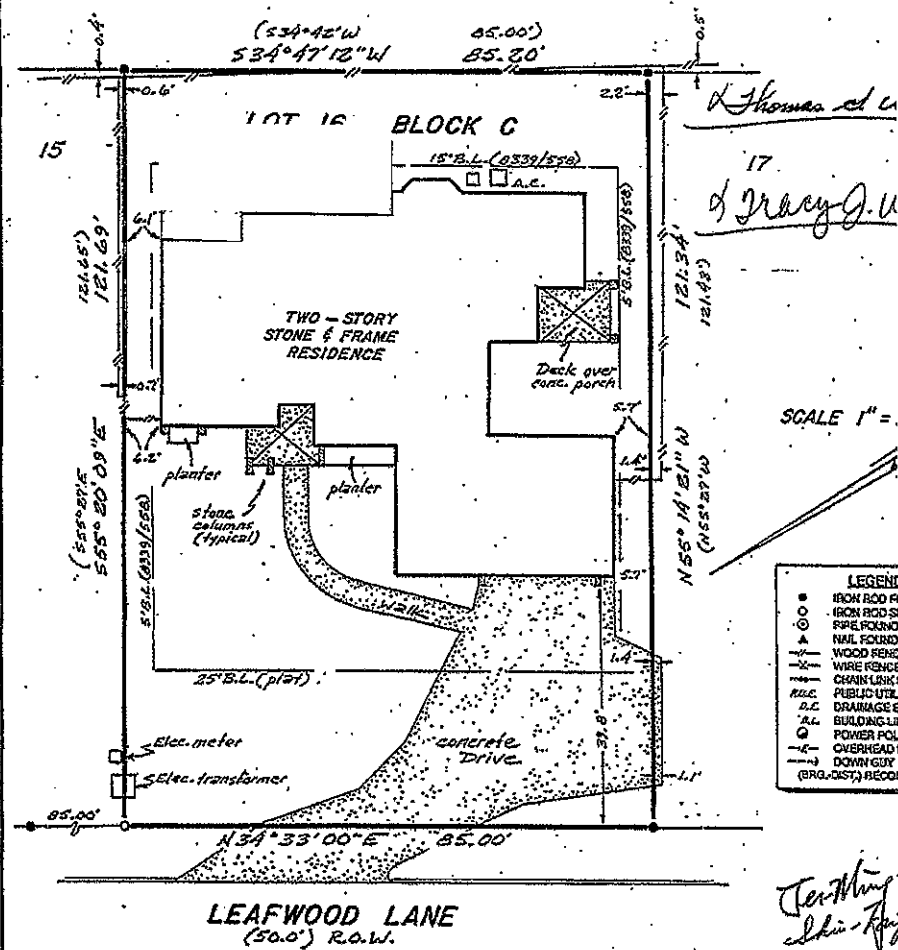
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by the Planning and Development Review Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

NOT IN 100 YEAR FLOOD PLAIN ACCORDING TO N.F.P. MAP NO. 481026 0190 B REV. 1/2/87 ZON

Note: Subject to restrictive covenants recorded in Vol. 8039, Pg. 418 and Vol. 8339 Pg. Real Property Records, Travis County, Texas.

Vernon Lemens ~ Vol. 1213, Pg. 58



I, Donald M. Cookston, a Registered Professional Land Surveyor in the State of Texas, do hereby certify to First Capital Mortgage Corporation and First American Title Company that this survey was this day made on the ground of the property described hereon (and/or by means and bounds on attached sheet) is correct and that there are no encroachments, except as shown hereon; and I do further certify that, except as notated hereon, if no overlapping of improvements, there are no discrepancies or conflicts in the boundary lines; there is no evidence of other easer rights-of-way on the ground, and the subject property has access to and from a dedicated roadway.

Lot(s) 16 Block C Spicewood Estates Section Two

According to the map or deed recorded in Volume 83 Pages 98C, 98D, and 99A of the Plat

records of Travis County, Texas.

Witness my hand and seal this 16th day of December, 19 92.

Owner: LEE
 Address: 10707 Leafwood Lane, Austin, Texas
 GF No. 921742



COOKSTON & ASSOC.
 SURVEYING & MAPPING
 9415 Burnett Road, Suite 110 - Austin, Texas 78758
 Office: (512) 837-9441 - FAX: (512) 837-9581

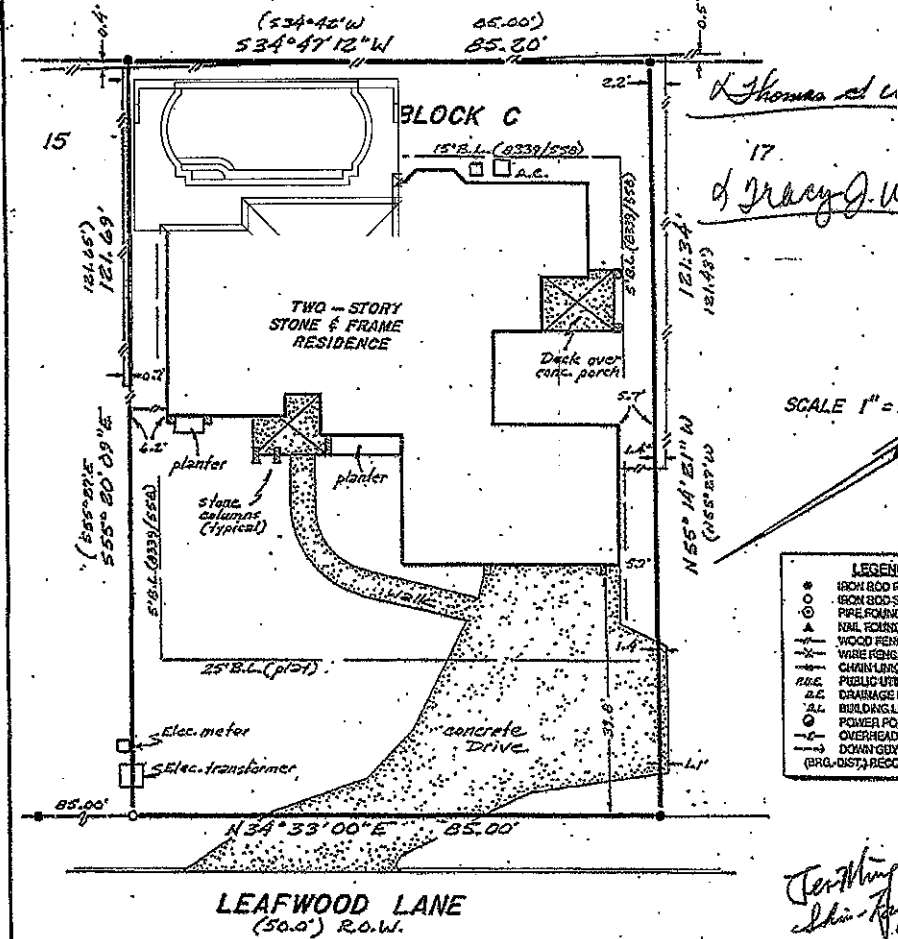


Donald M. Cookston
 Donald M. Cookston
 Registered Professional Land Surveyor, No. 4733

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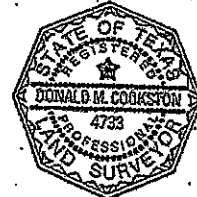
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