

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).

CASE # C15-2013-0037
ROW # 10926811

CITY OF AUSTIN TP-0258180605
APPLICATION TO BOARD OF ADJUSTMENT
GENERAL VARIANCE/PARKING VARIANCE

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

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

STREET ADDRESS: 12229 Tanglewild Dr.

LEGAL DESCRIPTION: Subdivision - Tanglewild Estates

Lot(s) 13 Block _____ Outlot _____ Division _____

I/We Skot O'Mahoney on behalf of myself/ourselves as authorized agent for
Jeff Breitenstein affirm that on May 13, 2013,

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

(check appropriate items below)

☒ ERECT ☐ ATTACH ☐ COMPLETE ☐ REMODEL ☐ MAINTAIN
an 8' tall wood privacy fence on property line
and a 9' tall Stucco privacy wall on both
sides of swimming pool attaching to house

in a RR 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:

Our existing pool requires fencing and since there is no neighbor on this side only the street we would like to add a fence.

HARDSHIP:

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

We hybridize Daylilies and Deer can clear a 7' fence easily. An 8' fence or higher is recommended. The deer would eat those daylilies ruining our hybridizing efforts.

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

We have a unique situation due to our hybridizing efforts. The deer in the area are detrimental to this effort aimed toward scientific research + educational purposes.

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:

there is no neighbor directly affected and there is only a street. The fence will be decorative as well as functional.

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 Robert S. O'Mahony Mail Address 12229 Tanglewild Dr.
City, State & Zip Austin TX, 78758
Printed Robert S. O'Mahony Phone 206.713.9435 Date 3/20/13

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 Robert S. O'Mahony Mail Address " Same as above "
City, State & Zip " "
Printed " Phone " Date "



SUBJECT TRACT



ZONING BOUNDARY

CASE#: C15-2013-0037
LOCATION: 12229 TANGLEWILD DR

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.





