

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 # CIS-2013-0061
ROW # 10948588

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

TP 041327-04-22

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

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

STREET ADDRESS: 7106 Loch Lommond St.

LEGAL DESCRIPTION: Subdivision - Bannockburn

Lot(s) 5 Block 1 Outlot 7 Division 7

I/We Bruce and Mary Hight on behalf of myself/ourselves as authorized agent for

ourselves affirm that on May 5, 2013,

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

(check appropriate items below)

☒ X ERECT ☐ ATTACH ☐ COMPLETE ☐ REMODEL ☐ MAINTAIN

An 8-foot fence across the back of our yard, replacing a 6-foot fence there now.

in a single-family residential 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.

- Revision -

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:

_____ We understand that the zoning regulations limit fences to a 6-foot height. However, the base of the house directly behind ours is 21 inches higher than others in the neighborhood, and the house has two stories; thus, even those on the first floor can see over the existing six-foot fence directly into our house, which has considerable window exposure. Our privacy is thus compromised within our home, especially at night when lights are on. And we see more of them they would like as well.

HARDSHIP:

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

_____ We want additional privacy for our home. It was compromised about 10 years ago when the neighbors behind renovated their home (to fix a mold problem) by raising their two-story house 21 inches. As a result, both of us have less privacy.

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

_____ Other houses in our neighborhood have not been raised; we are not planning for 8-foot fence on other sides of our back yard.

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:

_____ It's merely a fence that's two feet taller than the one in place. We have checked with neighbors and they do not object. (Please see attached letter from the neighbor.)

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:

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:

____ Privacy concerns and visual concerns

HARDSHIP:

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

7107
Greenock
____ We want additional privacy for our home. It was compromised about 10 years ago when the neighbors behind renovated their home (to fix a mold problem) by raising their two-story house 21 inches. As a result, both of us have less privacy.

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

____ Other houses in our neighborhood have not been raised; we are not planning for 8-foot fence on other sides of our back yard.

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:

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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:

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:

 n/a

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

 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 Mary Hight Mail Address 7106 Loch Lommond St.

City, State & Zip Austin Tx. 78749

Printed Bruce and Mary Hight Phone 512-826-7301 Date May 5, 2013

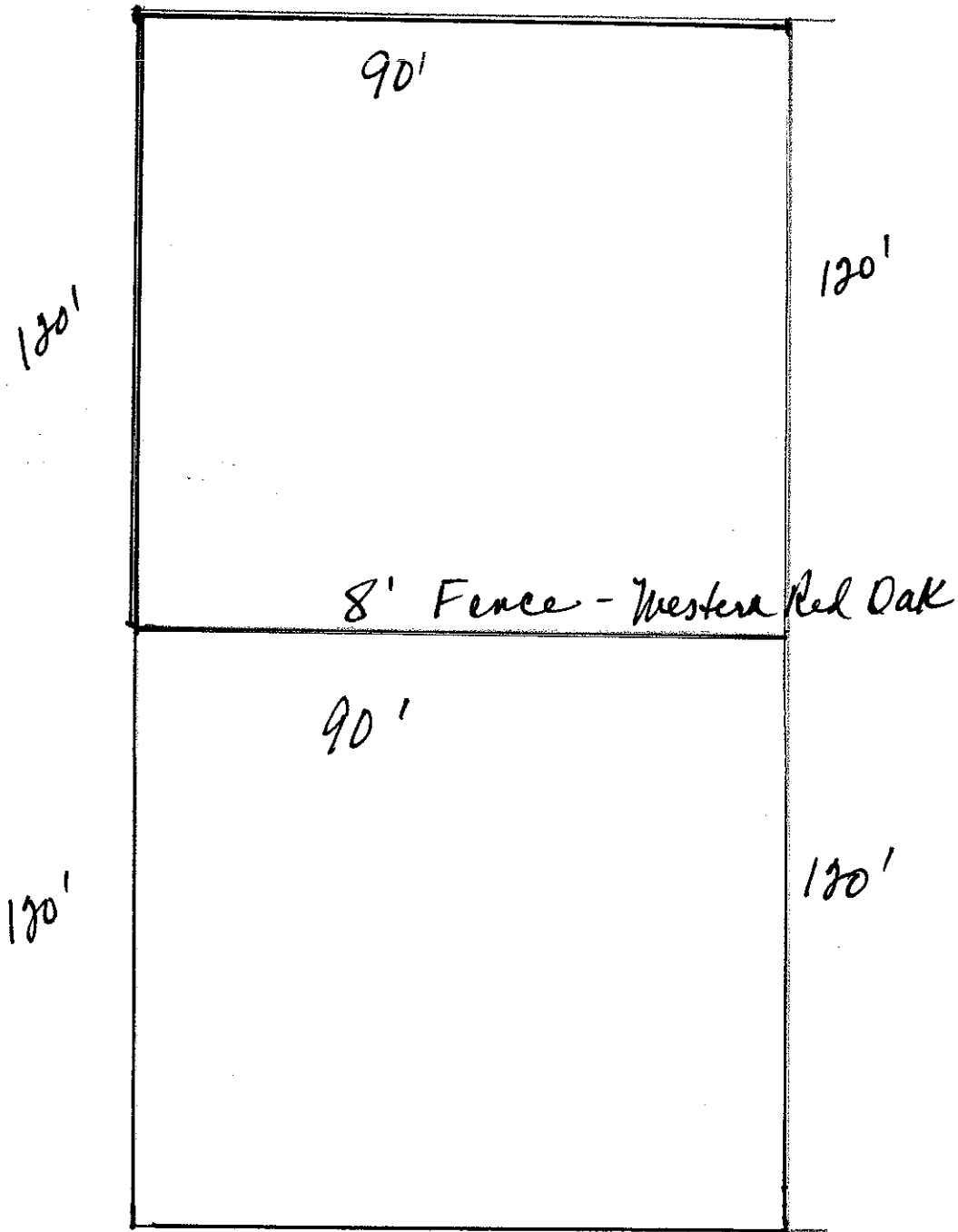
OWNERS CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed _____ Mail Address 7106 Loch Lommond St.

City, State & Zip Austin, TX 78749

Printed Bruce and Mary Hight Phone 512-826-7301 Date May 5, 2013

Amey ~~Albright~~ / Rick Navarro
7107 ~~Navarro~~
Greenock



7106 Loch Lomond
Austin, TX 78749
Bruce + Mary Hight

May 6, 2013

To whom it may concern:

My name is Amy Albright, and my husband Rick Navarro and I live at 7107 Greenock St. in Austin, Texas.

The neighbor living on the back of our house and lot is the Hight family, which lives at 7106 Loch Lommond St.

The Hights have approached us about building a fence eight feet high along the property line between our homes. There is now a six-foot high fence along that line.

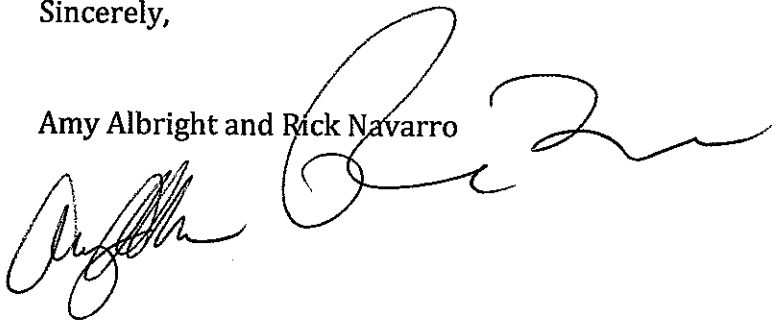
We have no objection to the higher, eight-foot fence. In fact, we would appreciate the additional privacy it would provide us. Our house was elevated by 21 inches 10 years ago as part of a major remediation project stemming from a mold infestation. The increase in height made it easier for us and the Hights to see each other in our windows.

Therefore, we support the Hights' application for an adjustment in the zoning regulations to allow the higher fence. I can be contacted on my cell phone 512 704-2526 if necessary.

Thank you.

Sincerely,

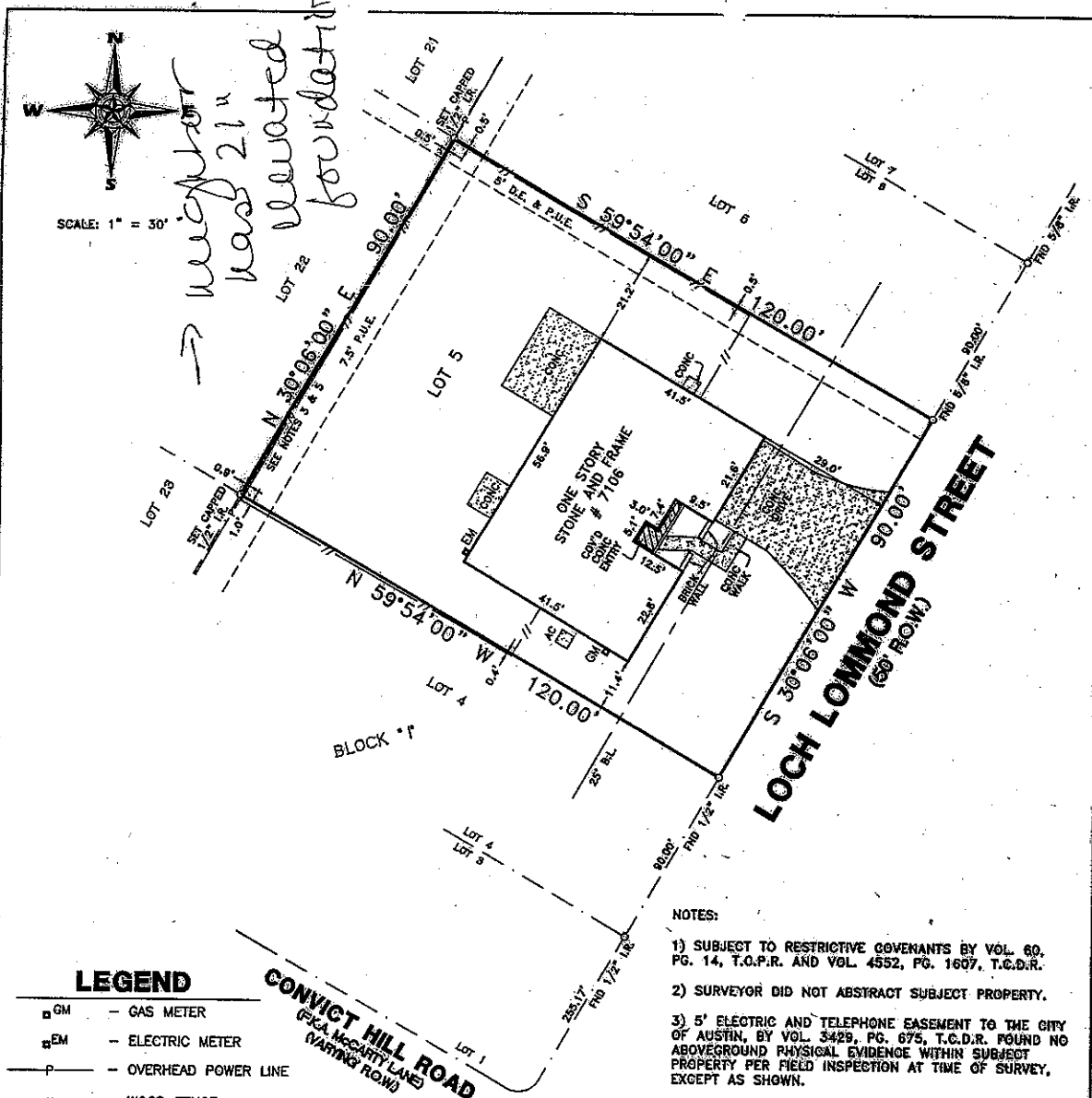
Amy Albright and Rick Navarro

The block contains two handwritten signatures. The signature on the left is for Amy Albright, and the signature on the right is for Rick Navarro. Both are written in black ink.



SCALE: 1" = 30'

→ right
was 21"
elevated
foundation



LEGEND

- GM - GAS METER
- EM - ELECTRIC METER
- P - OVERHEAD POWER LINE
- W - WOOD FENCE
- B.L. - BUILDING LINE
- P.U.E. - PUBLIC UTILITY EASEMENT
- D.E. - DRAINAGE EASEMENT

ALL BEARINGS ARE BASED ON THE RECORDED PLAT UNLESS OTHERWISE NOTED.
ALL EASEMENTS AND BUILDING LINES ARE BASED ON RECORDED PLAT UNLESS OTHERWISE NOTED.
FLOOD ZONE DETERMINED BY GRAPHIC PLOTTING ONLY. WE DO NOT ASSUME RESPONSIBILITY FOR EXACT DETERMINATION.
THIS SURVEY HAS BEEN COMPILED IN ACCORDANCE WITH INFORMATION CONTAINED IN THE TITLE COMMITMENT REFERENCED IN GF NO. 002202981

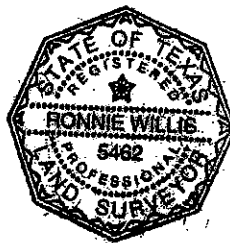
NOTES:

- 1) SUBJECT TO RESTRICTIVE COVENANTS BY VOL. 60, PG. 14, T.O.P.R. AND VOL. 4552, PG. 1607, T.C.D.R.
- 2) SURVEYOR DID NOT ABSTRACT SUBJECT PROPERTY.
- 3) 5' ELECTRIC AND TELEPHONE EASEMENT TO THE CITY OF AUSTIN, BY VOL. 3429, PG. 675, T.C.D.R. FOUND NO ABOVEGROUND PHYSICAL EVIDENCE WITHIN SUBJECT PROPERTY PER FIELD INSPECTION AT TIME OF SURVEY, EXCEPT AS SHOWN.
- 4) SUBJECT TO EASEMENT RIGHTS BY VOL. 4552, PG. 1607, T.C.D.R.
- 5) ELECTRIC LINE EASEMENT TO TEXAS POWER AND LIGHT COMPANY BY VOL. 584, PG. 70, T.C.D.R. FOUND NO ABOVEGROUND PHYSICAL EVIDENCE WITHIN SUBJECT PROPERTY PER FIELD INSPECTION AT TIME OF SURVEY, EXCEPT AS SHOWN.

LOT 5	BLOCK 1	SECTION -	SUBDIVISION BANNOCKBURN
RECORDATION VOLUME 60, PAGE 14, T.C.P.R.	COUNTY TRAVIS	STATE TEXAS	SURVEY -
LENDER CO. WESTWIND MORTGAGE COMPANY		TITLE CO. NATIONAL ESCROW LTD.	
PURCHASER BRUCE F. HIGHT AND MARY HIGHT			JOB NO. 3592 W
ADDRESS 7106 LOCH LOMMOND STREET, AUSTIN, TX 78749			



FIELD WORK	05-18-02	JM
DRAFTED BY	05-18-02	NW
CHECKED BY	05-18-02	RW
MAPSCO NO.	642 M	
REVISION		



I do hereby certify that this survey was this day made on the ground and that this plat correctly represents the property legally described herein (or on attached sheet). That the facts found at the time of this survey show the improvements and that there are no encroachments apparent on the ground, except as shown.

R. Willis 6/20/02

Windrose Land Services Austin
3913 Todd Lane, Suite 512
Austin, Texas 78744
TEL (512) 326-2100 FAX (512) 326-2770

