

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

CASE # C15-2013-0129  
# 11048243

ROW

TP-031104-02-26

CITY OF AUSTIN  
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: 3409 Catalina Dr. Austin, Texas 78741

LEGAL DESCRIPTION: Subdivision - \_\_\_\_\_

Lot(s) 7 Block E Outlot \_\_\_\_\_ Division Santa Monica Park Sec 3

I/We Chadwick Fox on behalf of myself/ourselves as authorized agent for

Jeri Pickett and Jessica Pickett affirm that on Oct 23, 2013,

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

(check appropriate items below)

ERECT \_\_\_ ATTACH \_\_\_ COMPLETE \_\_\_ REMODEL \_\_\_ MAINTAIN

8 Foot privacy fence around the perimeter of my back yard.

Rear Side (North)

in a SF-3-NP 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:

Because 7 foot is the maximum and the neighbor to the left of me has a 2 foot tall garden wall that allows for reasonable person to climb a standard 6 foot fence with ease.

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**HARDSHIP:**

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

It is located near low income duplexes that have known drug issues and many police calls. There have been many break-ins and many individuals being tracked by helicopter and police crime units.

The fence will be aesthetically pleasing and well maintained for years to come. It will prevent individuals from jumping the fence or climbing the fence in order to elude police or to break into my home. I it will also minimize my risk as a home owner for unwanted guests being bitten by my dog.

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

Neighbor has 2 foot high flower bed that allows easy access to the yard. The bed is more of a permanent bed and places a 6 foot fence at 4 feet tall.

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**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:

My neighbor to the right has an 8 foot fence that has detoured theft and runners. Plus I have obtained a letter from 2 of my friendly neighbors expressing their approval of the fence.

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**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:

N/A

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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:

The fence will be aesthetically pleasing and well maintained for years to come. It will prevent individuals from jumping the fence or climbing the fence in order to elude police or to break into my home. I it will also minimize my risk as a home owner for unwanted guests being bitten by my dog.

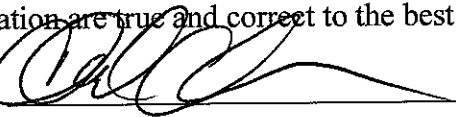
4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

The fence will be of quality cedar planks that last longer than treated wood.

**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 3501 Catalina Dr

City, State & Zip Austin, Texas 78741

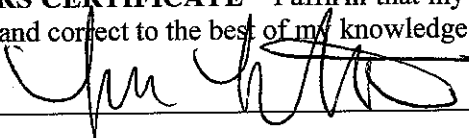
Printed Chad Fox

Phone 512.590.3411

Date 10-23-13

**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



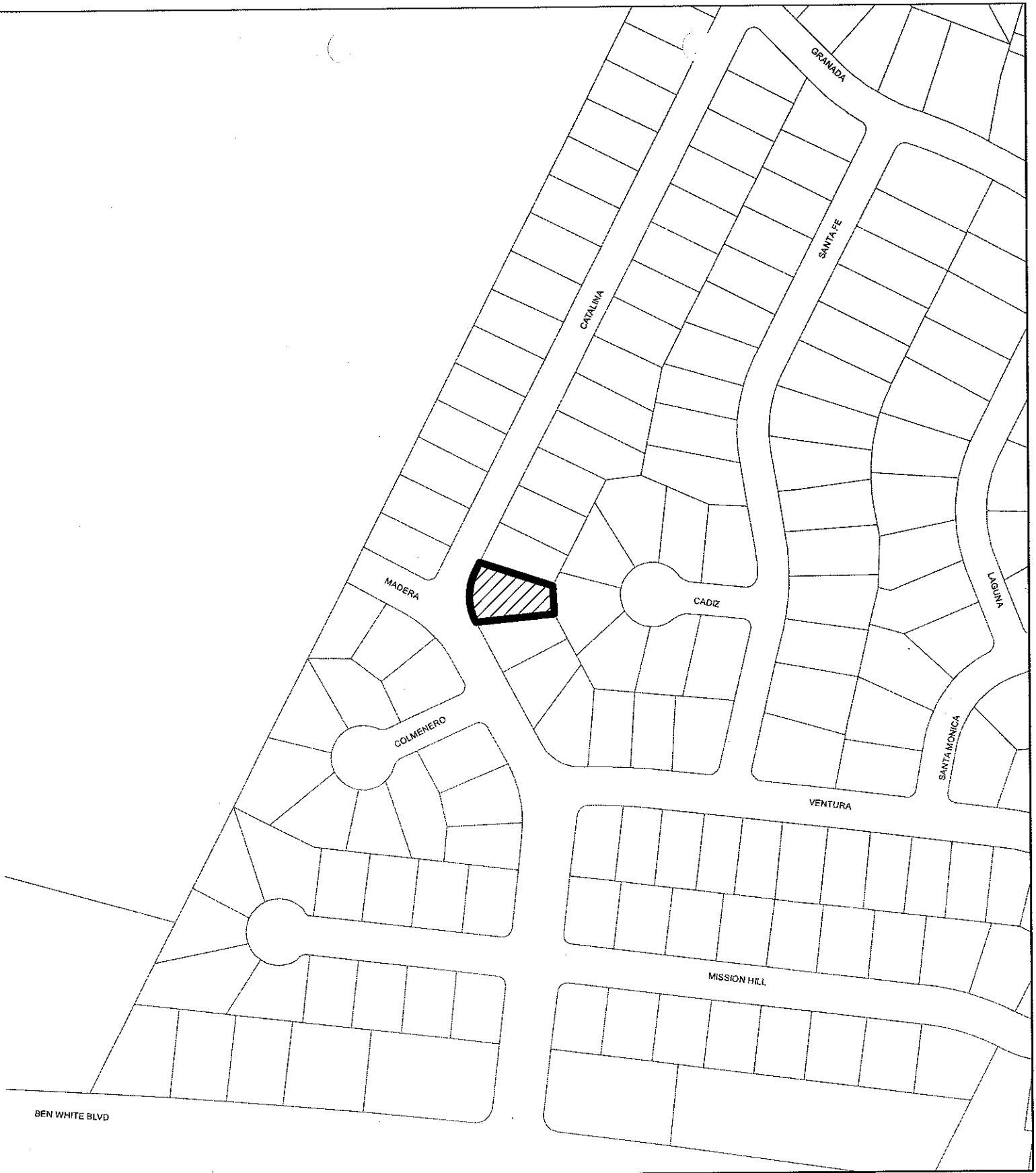
Mail Address 3409 Catalina Dr.

City, State & Zip Austin, Texas 78741

Printed Jeri D. Picket

Phone 1.404.797.3017

Date 10-23-13



BEN WHITE BLVD

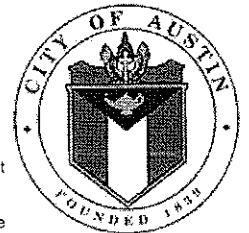


SUBJECT TRACT



ZONING BOUNDARY

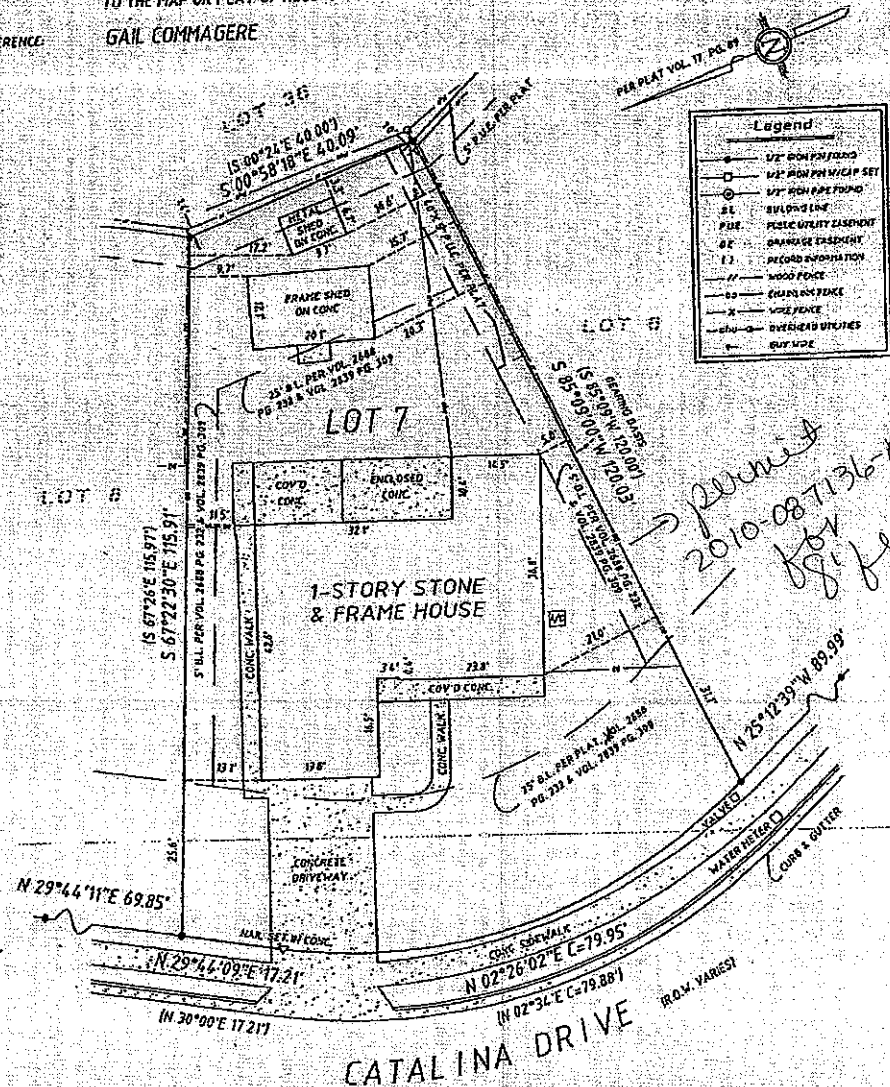
CASE#: C15-2013-0129  
 LOCATION: 3409 CATALINA DRIVE



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.

SURVEY PLAT OF: 3409 CATALINA DRIVE, AUSTIN, TEXAS, 78741  
 LEGAL DESCRIPTION: LOT 7, BLOCK E, SANTA MONICA PARK, SECTION THREE, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT OF RECORD IN VOLUME 17, PAGE 89, PLAT RECORDS OF TRAVIS COUNTY, TEXAS.  
 REFERENCE: GAIL COMMAGERE



**Legend**

- 1/2" IRON PIPES FOUND
- 1/2" IRON PIPE SET
- 1/2" IRON PIPE FOUND
- SL BUILDING LINE
- PLR PUBLIC UTILITY EASEMENT
- OR GARAGE EASEMENT
- LS RECORD INFORMATION
- WOOD FENCE
- CHAIN LINK FENCE
- VINE FENCE
- SURVEYOR UTILITIES
- OUTSIDE

*permit  
 2010-087136-82  
 for  
 fence*

*John Stewart 7-19-2011*

Fences on common lot lines are for the use and enjoyment of both property owners. Fences meander along or near lot lines, except as shown hereon. Restrictive covenants and easement rights recorded in Volume 17, Page 89, Plat Records, Volume 2688, Page 232, and Volume 2839, Page 319, Deed Records, Travis County, Texas, affect this lot.

This property is in Zone "X" of the F.E.M.A. Flood Insurance Rate Map for Travis County, Texas, Community Panel No. 480524-0605H, dated Sept. 26th, 2008.

THE STATE OF TEXAS  
 COUNTY OF TRAVIS

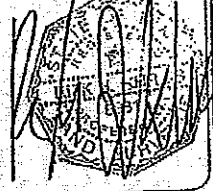
TO THE LIEN HOLDERS AND/OR THE OWNERS OF THE PREMISES SURVEYED  
 AND TO INDEPENDENCE TITLE COMPANY AND FIRST AMERICAN TITLE INSURANCE COMPANY

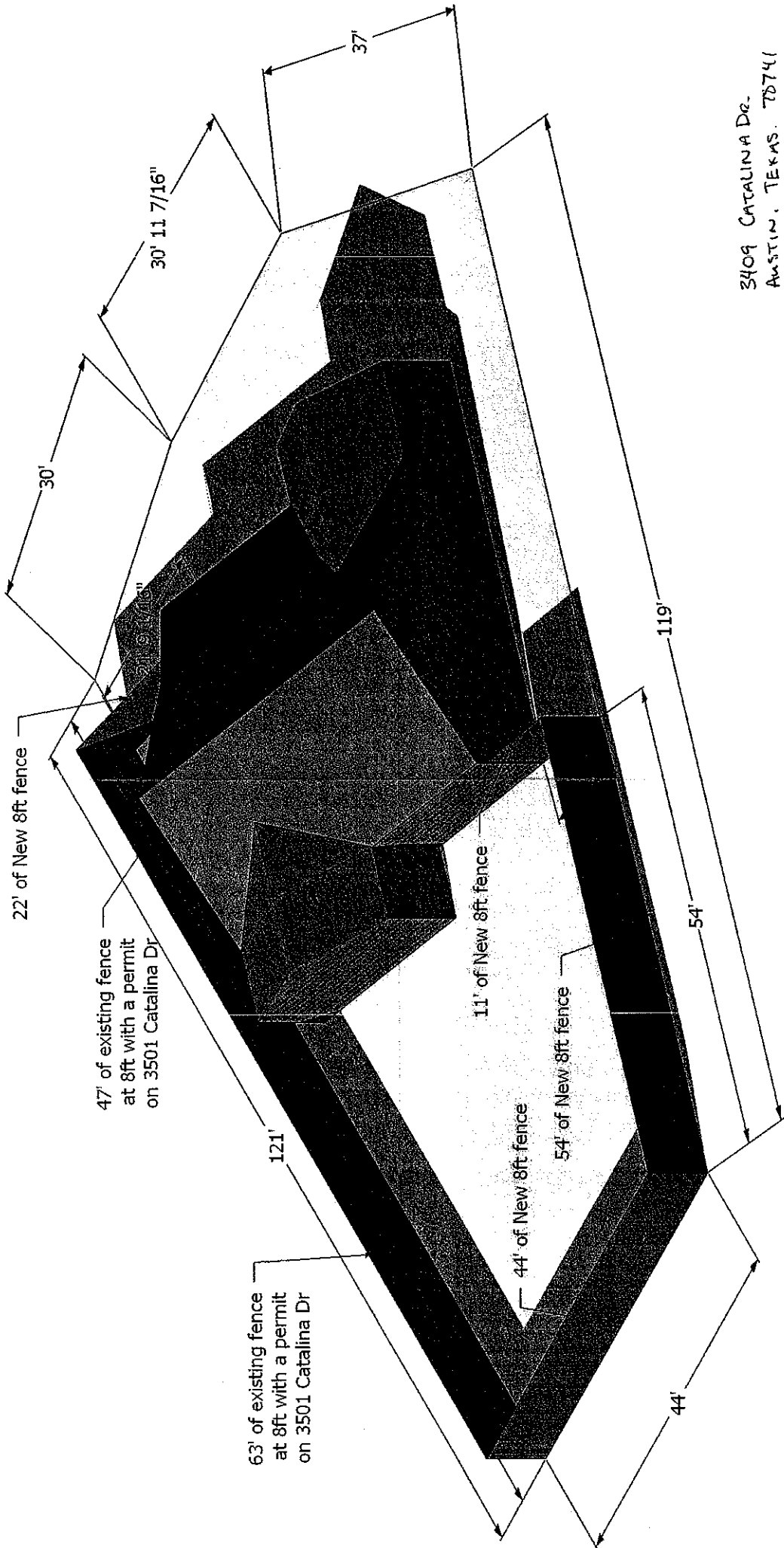
The undersigned does hereby state that this survey was this day made on the ground of the property legally described hereon and to the best of his information, knowledge and belief is correct, and that there are no discrepancies, conflicts, shortage in area, visible utility line or roads in place, except as shown hereon, and that said property has access to and from a dedicated roadway, except as shown hereon

Copyright 2009 Point-Line Services, Inc.  
 Use of this survey for any other purpose or other parties shall be at their risk and undersigned is not responsible to others for any loss resulting therefrom.  
 Dated this the 8th day of July, 2009.  
 Job No. 07470709 Scale: 1" = 20' GF. No. 0913858-ARB

**POINT-LINE SERVICES, INC.**

LAND & ENGINEERING SURVEYING  
 RICK H. DURAJIS, R.P.L.S. 5381  
 8300 CAMPERON ROAD, SUITE 150  
 AUSTIN, TEXAS 78754  
 TEL. 6121339-0228 FAX 6121331-0593





3409 CATALINA DR.  
 AUSTIN, TEXAS. 78741