

CASE# C15-2014-0082
ROW# 11147293
TAX# 0216200313

**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: 4701 Creekwood Rd

LEGAL DESCRIPTION: Subdivision - MLK Combined Manor Hills

Lot(s) abs793 Block...sur20 Outlot _____ Division Section 7

I/We Wesley T Haynie on behalf of myself/ourselves as authorized agent for
_____ affirm that on May 12, 2014,

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

(check appropriate items below and state what portion of the Zoning Code you are seeking a variance from)

☒ X ERECT ___ ATTACH ___ COMPLETE ___ REMODEL ___ MAINTAIN

Minimum lot size, minimum frontage and required setback from front of property

in a SF-3 - NP district. (MLK Combined)
(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 property in question was annexed from an adjacent property within SF-3 zoning, however the lot size

does not allow for the required lot size or frontage and the easements severely restrict buildable area.

HARDSHIP:

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

The triangular lot configuration and wastewater line that run through the site severely restrict building size

As well as the dimensions of the site does not allow for proper frontage.

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

This is unique from the area because the property was annex from the adjacent property in 2003

After the area had been zoned as SF-3.

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:

The variance will allow for the construction of a single family home which is cohesive with the adjacent

Area.

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 Wesley T. Haynie

Mail Address 7007 Burnell Dr

City, State & Zip Austin, TX 78723

Printed Wesley T. Haynie

Phone 478-557-1616

Date 05/12/2014

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 Fairis Denice Wicks

Mail Address 941 Hesters Crossing #3805

City, State & Zip Round Rock, TX 78681

Printed Fairis Denice Wicks

Phone 512-435-1503

Date 05/10/2014



SUBJECT TRACT



PENDING CASE



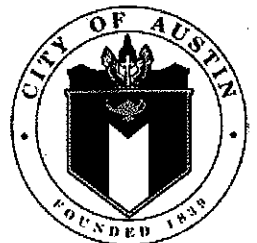
ZONING BOUNDARY

CASE#: C15-2014-0082
Address: 4701 CREEKWOOD RD

1" = 200'

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 CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



Heldenfels, Leane

From: Wes Haynie <~~Wes.Haynie@austintexas.gov~~>
Sent: Wednesday, May 21, 2014 11:32 AM
To: Heldenfels, Leane
Subject: Re: Lot size for Board of Adjustment Notice

Hello Leane,

I attended the E. MLK Combined Board meeting last night. Since I wasn't on the official agenda they couldn't give me an official answer, but the chair and other board members all seemed supportive and interested in the project and what I was wanting to do. I was pushing for them to be okay with the idea of sending back a letter to the city in response to the notification you will be sending, saying they were okay with me getting variances, but not sure what they will decide. They couldn't give me an official answer until the end of next month. So, if I get postponed until July, then I should be able to get a yes from them at that time.

The lot size on the listing is 3902 sq ft, but I believe TCAD showed it as more. However, I am not getting TCAD to work for me right now.

Do you think it would make my case harder to obtain any variances if I also tried to get the variances for impervious cover of (65%) and building coverage of (55%)? Having rear setback adjusted to (5') might be nice, but since that should fall in the weird triangle I cannot build on anyways, then I am not too concerned. By my calculations I could never get to a point where I would need more building coverage than (40%), due to site constraints, but it may be nice to have. The main set back I would like is a reduction is the front set back of (25') to whatever the city would be okay with. That setback more than any would increase my building sq ft. Sorry this is more of a series of questions than answers.

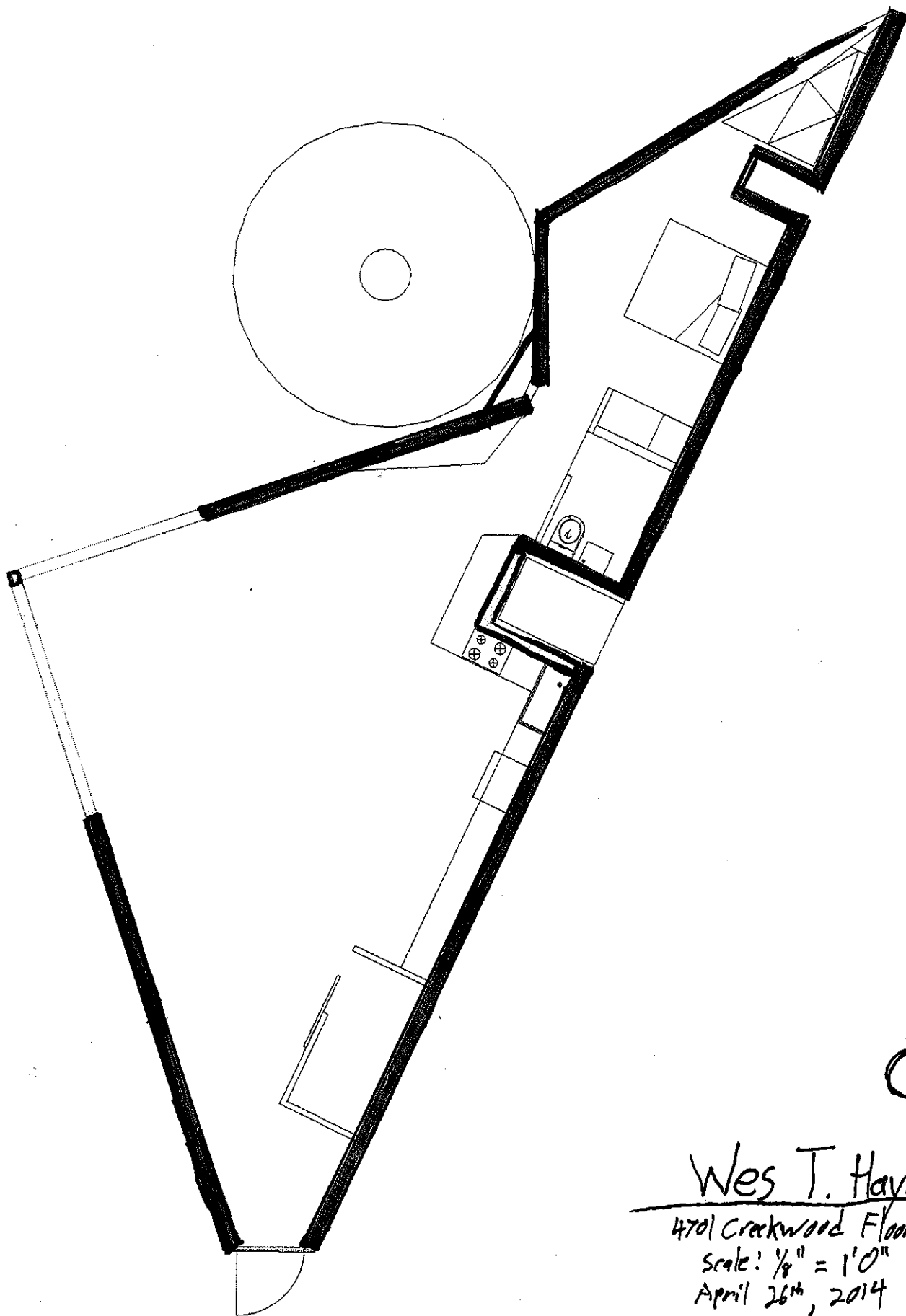
Thanks,
Wes T. Haynie

On Tue, May 20, 2014 at 10:16 AM, Heldenfels, Leane <Leane.Heldenfels@austintexas.gov> wrote:

Hi Wes – just cking, is the lot size 956 sf? Also, do you think you might need impervious cover (45%) or building cover (40%) variances? Rear setback (10') or side setback (each 5')?

Thanks –

Leane

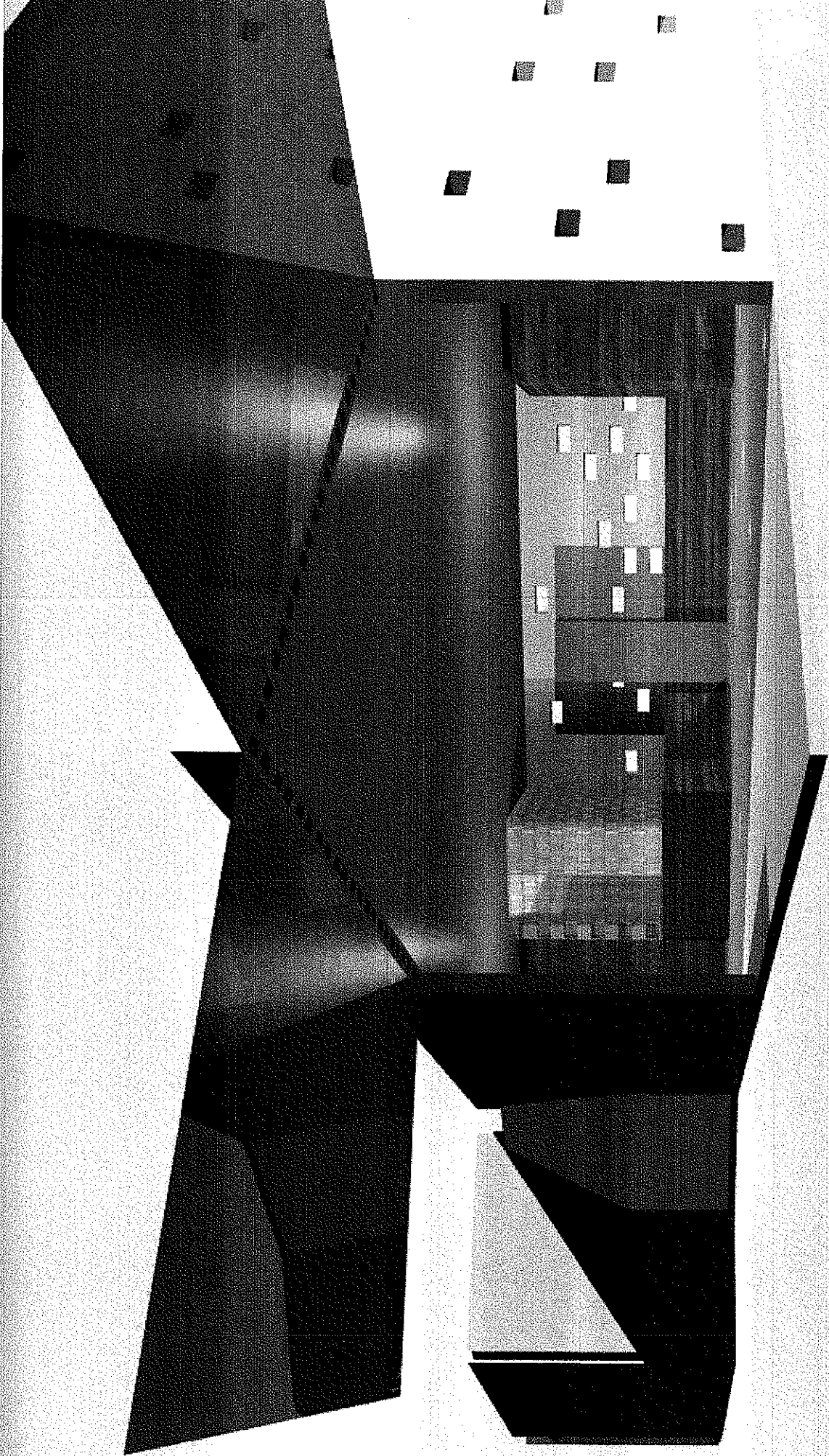


Wes T. Haynie

4701 Creekwood Floor Plan

Scale: $\frac{1}{8}'' = 1'0''$

April 26th, 2014



Wes T. Haynie
1701 Creekwood Ext. Park
Scale: 1/8" = 1'-0"
April 26th, 2014

**SURVEY OF A PORTION OF MANOR HILLS SECTION 7 OUT OF
THE HENRY W. ARNELL SURVEY, NO. 20, ABSTRACT 793
CITY OF AUSTIN, TRAVIS COUNTY, TEXAS**

Exhibit A

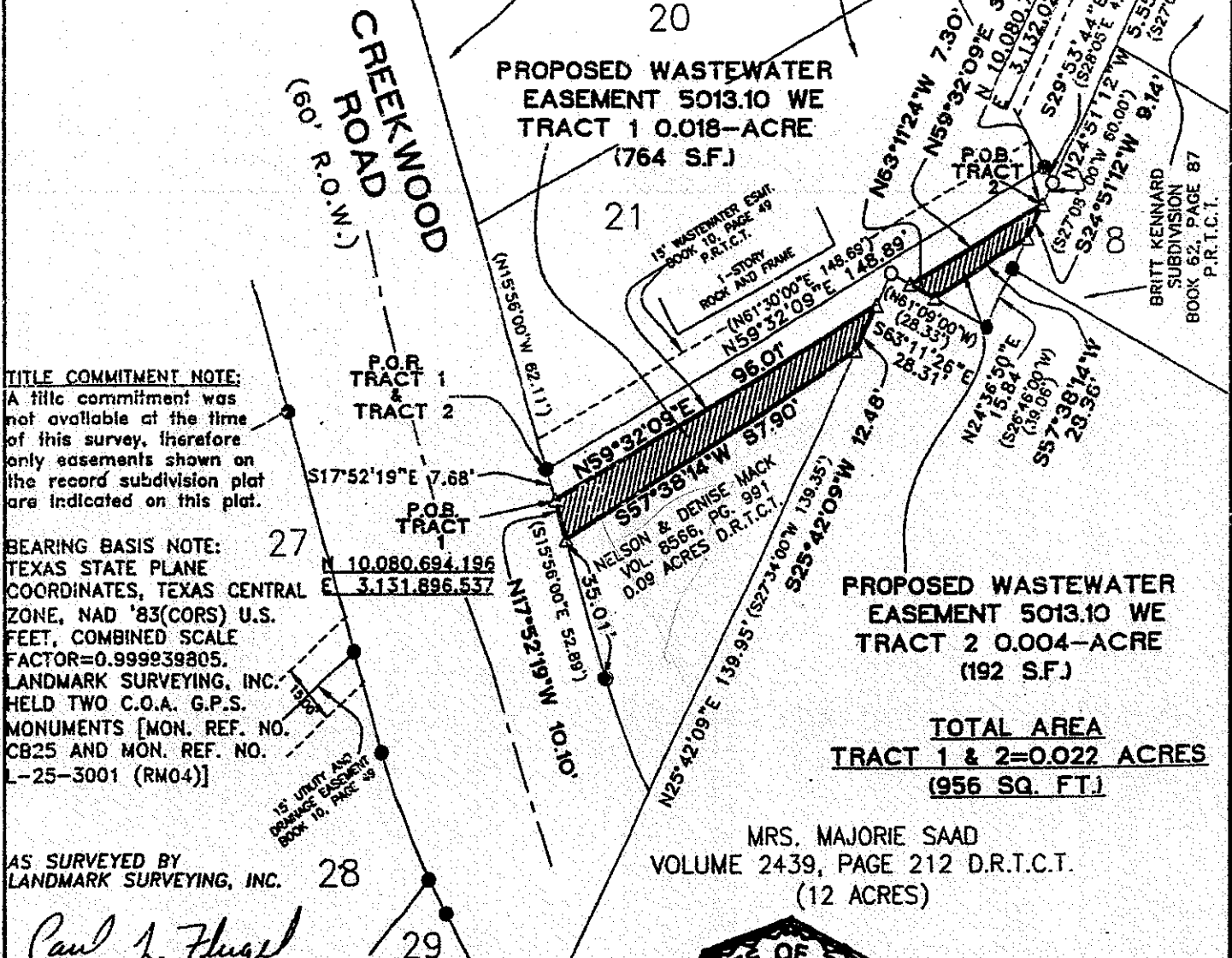
Page 4 of 4

LEGEND

- 1/2" IRON ROD FOUND (UNLESS OTHERWISE NOTED)
- 1/2" IRON ROD SET
- △ CALCULATED POINT
- 3/4" IRON PIPE FOUND
- () RECORD INFORMATION
- BK. BOOK
- PG. PAGE
- VOL. VOLUME
- P.O.B. POINT OF BEGINNING
- P.O.R. POINT OF REFERENCE
- D.R.T.C.T. DEED RECORDS TRAVIS COUNTY, TEXAS
- P.R.T.C.T. PLAT RECORDS TRAVIS COUNTY, TEXAS



SCALE 1"=40'



TITLE COMMITMENT NOTE:
A title commitment was not available at the time of this survey, therefore only easements shown on the record subdivision plat are indicated on this plat.

BEARING BASIS NOTE:
TEXAS STATE PLANE
COORDINATES, TEXAS CENTRAL
ZONE, NAD '83(CORS) U.S.
FEET, COMBINED SCALE
FACTOR=0.999939805.
LANDMARK SURVEYING, INC.
HELD TWO C.O.A. G.P.S.
MONUMENTS [MON. REF. NO.
CB25 AND MON. REF. NO.
L-25-3001 (RM04)]

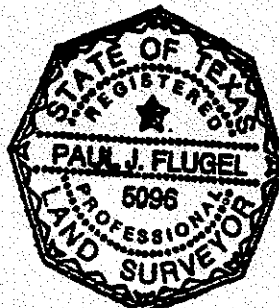
AS SURVEYED BY
LANDMARK SURVEYING, INC.

Paul J. Flugel
PAUL J. FLUGEL
Registered Professional Land Surveyor No. 5096
DATE : April 22, 2003

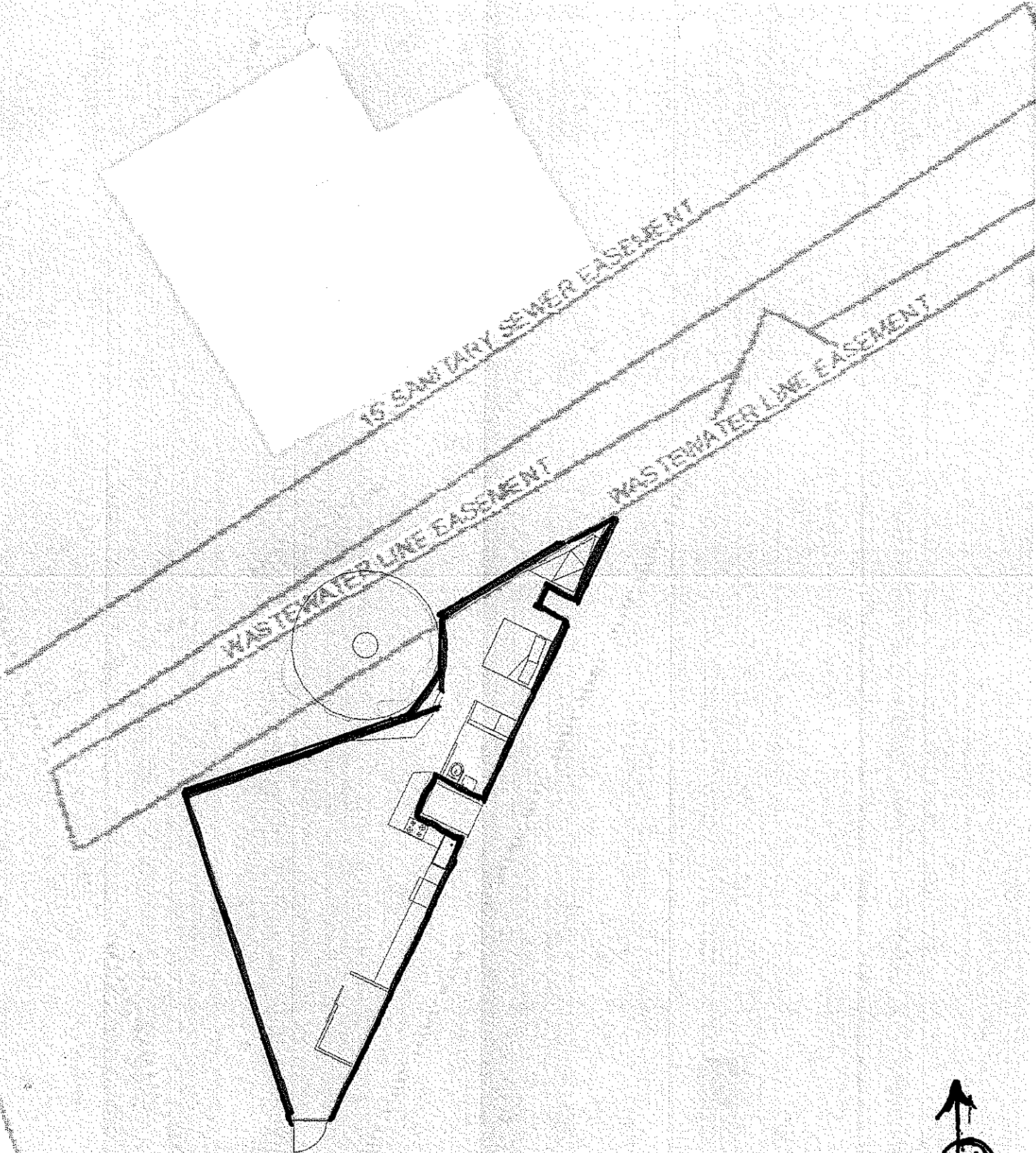
**THIS SURVEY PLAT IS VALID ONLY IF IT BEARS THE ORIGINAL
SIGNATURE AND SEAL OF THE ABOVE SURVEYOR.**

Client: Klotz, Inc.
Date: April 22, 2003
Drafter: L. KRAMER
Crews: S. London
F.B.: 5708 & 5724
Disk: C:\dwg14\KLOTZ\51st. & Manor EASEMENTS\NELSON-MACK.DWG
PLOT: 1
C:\London P.001

MRS. MAJORIE SAAD
VOLUME 2439, PAGE 212 D.R.T.C.T.
(12 ACRES)



Landmark
SURVEYING, INC.
1301 S. CAPITAL OF TEXAS HWY.
BUILDING A, SUITE 231
AUSTIN, TEXAS 78746
PH: (512)326-7411 FAX: (512)326-7413



Wes T. Haynie
4701 Crackerroad Site Plan
Scale: $\frac{1}{8"} = 1'0"$
April 24th, 2014