

CASE# C15-2014-0106
ROW# 11180139
TAX# 0241220417

**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: 10033 CHILDRRESS DR. AUSTIN TX 78753

LEGAL DESCRIPTION: Subdivision - WINDSOR HIGHLANDS

Lot(s) 7 Block F Outlot _____ Division TRAVIS COUNTY

I/We _____ on behalf of myself/ourselves as authorized agent for
_____ affirm that on _____,

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

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

ERECT ___ ATTACH ___ COMPLETE ___ REMODEL ___ MAINTAIN

Carport / within front set back

in a SF3-NP district. Windsor Hills
(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:

No other location to provide parking, out of setback, without taking out tree

HARDSHIP:

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

property at deadend, so encroachment doesn't impact others.

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

other homes may not have the same configuration on there lot.

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:

Because on deadend, doesn't impact others

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 Nora Martinez Mail Address 10033 Childress Dr.
City, State & Zip Austin Tx 78753

Printed Nora Martinez Phone 512 299 3260 Date 6-27-14
E-Mail Martinez Ismael

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 ISMAEL MARTINEZ Mail Address 10033 CHILDRESS DR.
City, State & Zip AUSTIN TX. 78753

Printed ISMAEL MARTINEZ Phone 512-299-3260 Date 06/27/14

Heldenfels, Leane

From: ~~martinez@maezs@yahoo.com~~
Sent: Wednesday, July 02, 2014 10:34 PM
To: Heldenfels, Leane

Hi, ms. Heldenfels, please release my case info. to ms. Laura Pressley, she is the president of Windsor Hills and her phone # 512- 762-3825 and email WHNA. Austin@gmail.com please let me know if you receive all this information or if you have any questions please call me at 512- 299-3260 thanks. Ps. I already email copy of the survey and carport to: eben. Kellogg@austinenergy.com. But, a don't if him got it

Sent from my iPhone

TITLE SURVEY

Address 10033 CHILDRESS DRIVE, Reference MARTINEZ

Lot 7, Block F, WINDSOR HIGHLANDS

a Subdivision in TRAVIS COUNTY, TEXAS of record in

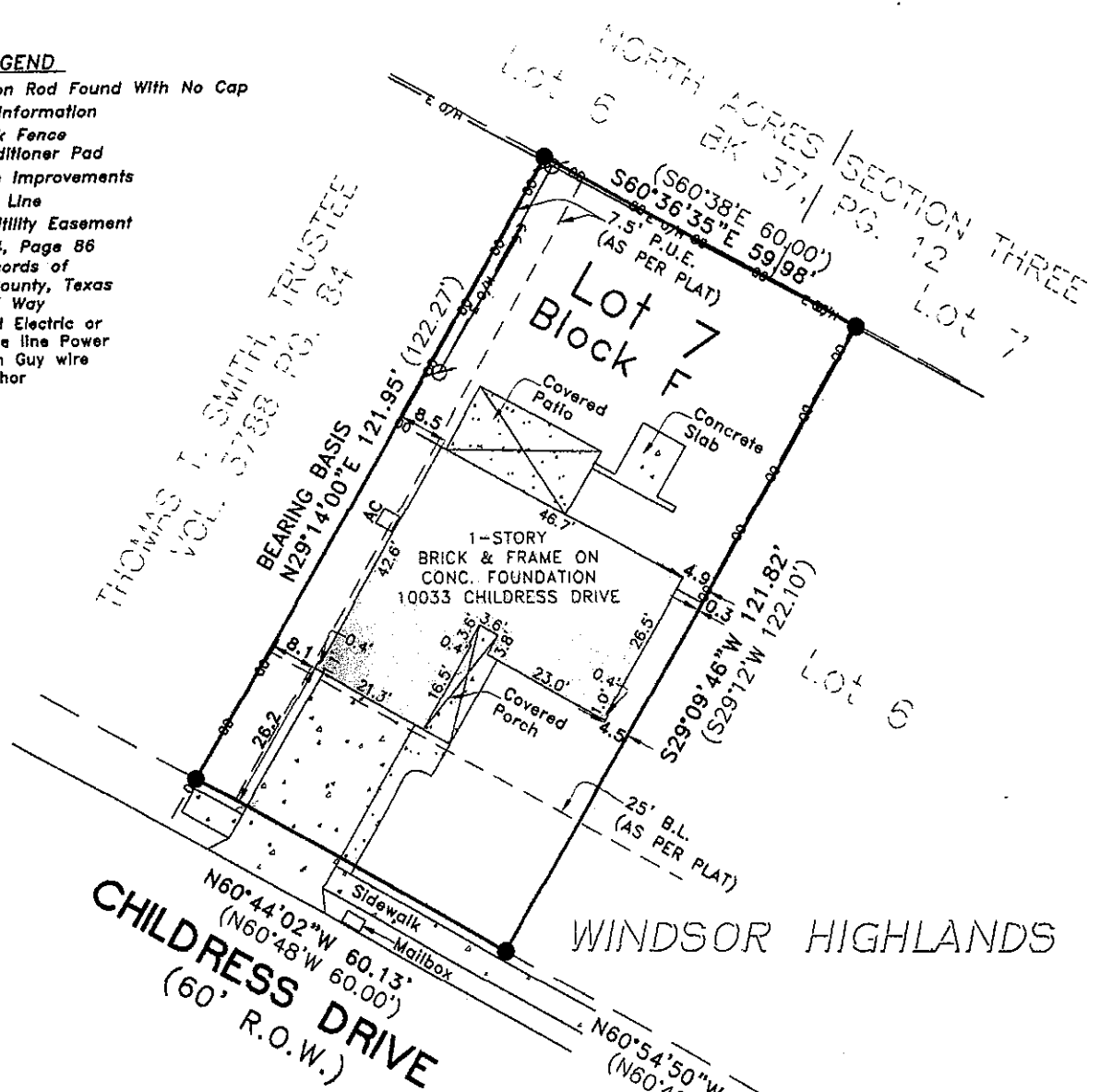
Book 54 Page 86 of the Plat Records of TRAVIS County, Texas

SCALE 1"=30'



LEGEND

- 1/2" Iron Rod Found With No Cap
- () Record Information
- 00 Chainlink Fence
- AC Air Conditioner Pad
- Concrete Improvements
- B.L. Building Line
- P.U.E. Public Utility Easement
- (AS PER PLAT)
- R.O.W. Right of Way
- Overhead Electric or Telephone line Power Pole with Guy wire and Anchor



THOMAS T. SMITH, TRUSTEE
 VOL. 3738 PG. 84
 NORTH ACRES / SECTION THREE
 BK 37 / PG. 12
 Lot 5
 Lot 7
 Lot 6
 WINDSOR HIGHLANDS
 CHILDRESS DRIVE
 (60' R.O.W.)
 N60°44'02"W 60.13'
 (N60°48'W 60.00')
 N60°54'50"W 59.77'
 (N60°48'W 60.00')
 S29°09'46"W 121.82'
 (S29°12'W 122.10')
 BEARING BASIS
 N29°14'00"E 121.95' (122.27')
 S60°38'E 60.00'
 (S60°36'35"E 60.00')
 7.5' P.U.E.
 (AS PER PLAT)
 25' B.L.
 (AS PER PLAT)

NOTES:

1. BUILDING LINES AND EASEMENTS MAY AFFECT THIS LOT THAT ARE NOT SHOWN HEREON.
2. BUILDING SETBACK LINES MAY ALSO BE AFFECTED BY LOCAL ZONING ORDINANCE REQUIREMENTS.

RESTRICTIVE COVENANTS AND EASEMENTS

1. Restrictive covenants and easements as recorded in Book 54, Page 86. Plat Records of Hays County, Texas, DO AFFECT the subject lot.

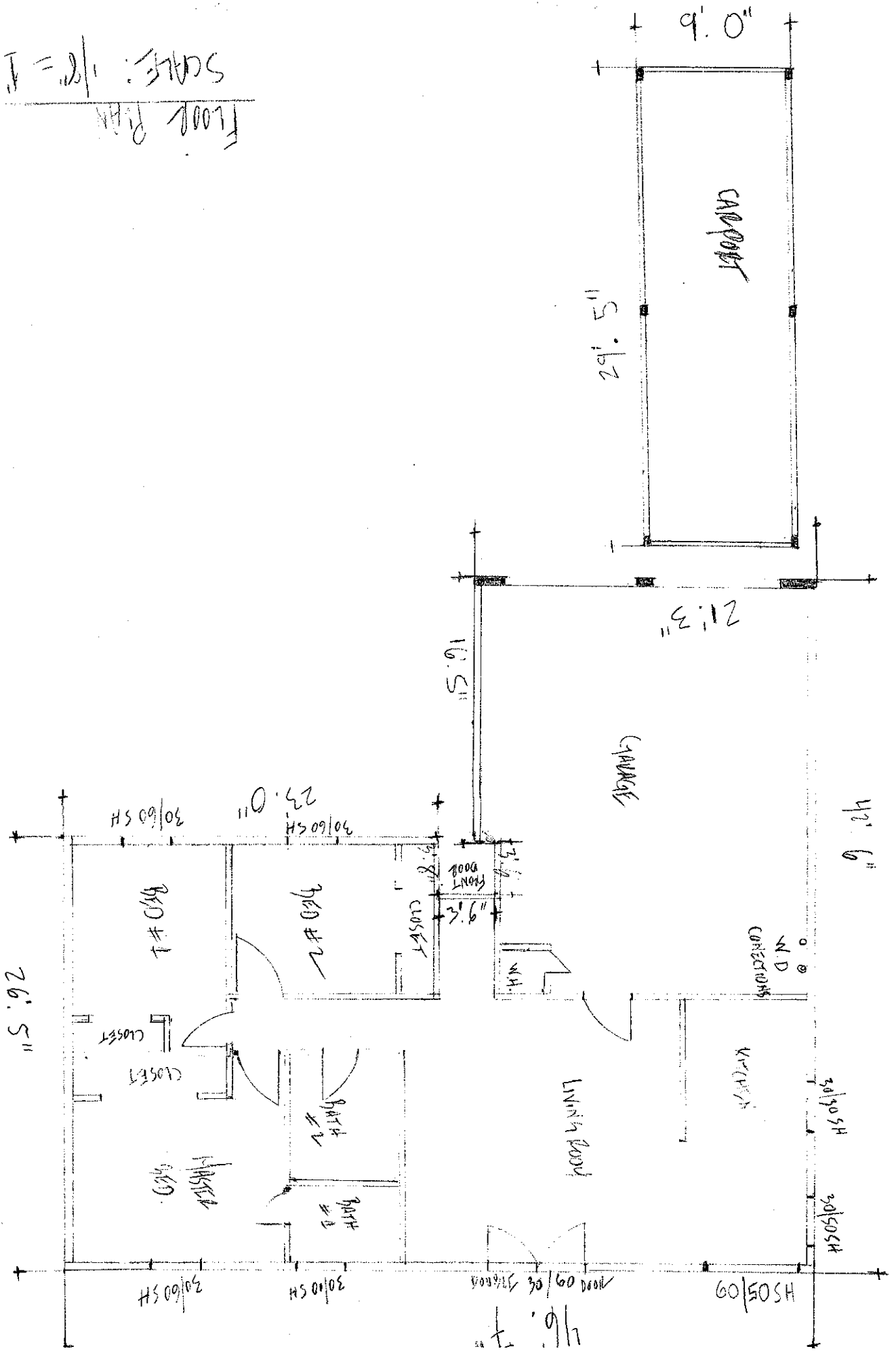
NOTE: Visible utilities within existing easements are not show hereon.

The property described hereon is contained within Flood Zone "X" as identified on F.I.R.M. Map No. 48453C0460H dated September 26, 2008 as published by the Federal Emergency Management Agency, the purpose of which is for flood insurance only

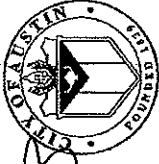
A title commitment was not available at the time of this survey. All easements of which I have knowledge are shown or depicted hereon. Other than visible easements, no unrecorded or unwritten easements which may exist are shown hereon. No additional research of easements was performed by Landmark Surveying, LP for this survey.

I HEREBY CERTIFY that a survey was made on the ground of the property shown hereon; that there are no visible discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, easements or right-of-way, except as shown; that said property has access to and from a public roadway; and that this plat is an accurate representation of the property to the best of my knowledge.

FLOOR PLAN
 SCALE: 1/8" = 1'-0"



Ismael Martinez
 10033 Childress Dr
 Austin, TX. 78753



I, Ismael Martinez, am applying for a variance from the Board of Adjustment regarding Section 25-2 of the Land Development Code. The variance would allow me the ability to keep carpet in front setback

By signing this form, I understand that I am declaring my support for the variance being requested.

Property Owner Name (Printed)	Address	Signature
Patricia Reyna	10029 Childress Dr	<i>Patricia Reyna</i>
Santiago Suarez	10025 Childress Dr	<i>Santiago Suarez</i>
Leonard Cabbott	10021 Childress Dr	<i>Leonard Cabbott</i>
Olivia Vasquez	10003 Hampshire Dr	<i>Olivia Vasquez</i>
Aida Robles	10008 Hampshire Dr	<i>Aida Robles</i>
Maria Rodriguez	10005 Hampshire Dr	<i>Maria Rodriguez</i>
Joyce Placek	10016 Hampshire Dr	<i>Joyce Placek</i>

By signing this form, I understand that I am declaring my support for the variance being requested.

Property Owner Name (Printed)	Address	Signature
Vanessa Reynoso	1000 Hampshire Dr Austin TX 78753	V Reynoso
Alejandra Nuñez	904 Chiswick Dr 78753	Alejandra Nuñez
Eduardo Ugarte	913 Chiswick Dr 78753	Eduardo Ugarte
Willy Jacobo	908 Chiswick Dr	Willy Jacobo
Guadalupe Alvarez	919 Chiswick Dr 78753	Guadalupe Alvarez
Michael Mojano	10011 Childress Dr	Michael Mojano
Celia Mandieta	10012 Childress Dr	Celia Mandieta
Rene Castillo	10014 Childress Dr	Rene Castillo
Jeremy Cook	101010 Bluff Bend	Jeremy Cook
DANIEL RUSSELL	4076 Bluff Bend	DANIEL RUSSELL
Joyce Bracken	10018 Childress Dr	Joyce Bracken
Andrew Rose Cadato	901 Horrocks Dr.	Andrew M. Cadato