

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

CASE # C15-2014-0104
ROW # 1117932
ROLL # 0131190124

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: 3404 RIVERCREST DR.

LEGAL DESCRIPTION: Subdivision - LOT 40 BLOCK A

Lot(s) 40 Block A Outlot _____ Division RIVERCREST HDDT 2

I/We MICHAEL DICKSON on behalf of myself/ourselves as authorized agent for

LYNN HOLLAND affirm that on 6, 18, 14

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

(check appropriate items below)

☒ A ERECT ___ ATTACH ___ COMPLETE ___ REMODEL ___ MAINTAIN

8' SECTION OF PRIVACY FENCE

in a 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.

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 NEED AN 8' FENCE FOR SAFETY

HARDSHIP:

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

BOTH NEIGHBORS AGREE THAT THE NEIGHBORS

CHILDREN ARE AT RISK OF CLIMBING THE FENCE
FROM AN ELEVATED DECK ON ONE SIDE.

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

THIS HARDSHIP AND FENCE WILL NOT BE

VISIBLE FROM ANY OTHER PROPERTIES

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 FENCE IS NOT VISIBLE BY ANY

OTHER NEIGHBORS

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:

NA

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:

NA, IT DOES NOT EFFECT THE STREET

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

IT IS BEING INSTALLED FOR SAFETY

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

THE FENCE IS ONLY ON ONE SECTION
OF THE PROPERTY

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 Lynn Holland Mail Address 3404 Rivercrest Drive

City, State & Zip Austin TX 78746

Printed Lynn Holland Phone 512-944-2526 Date _____

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

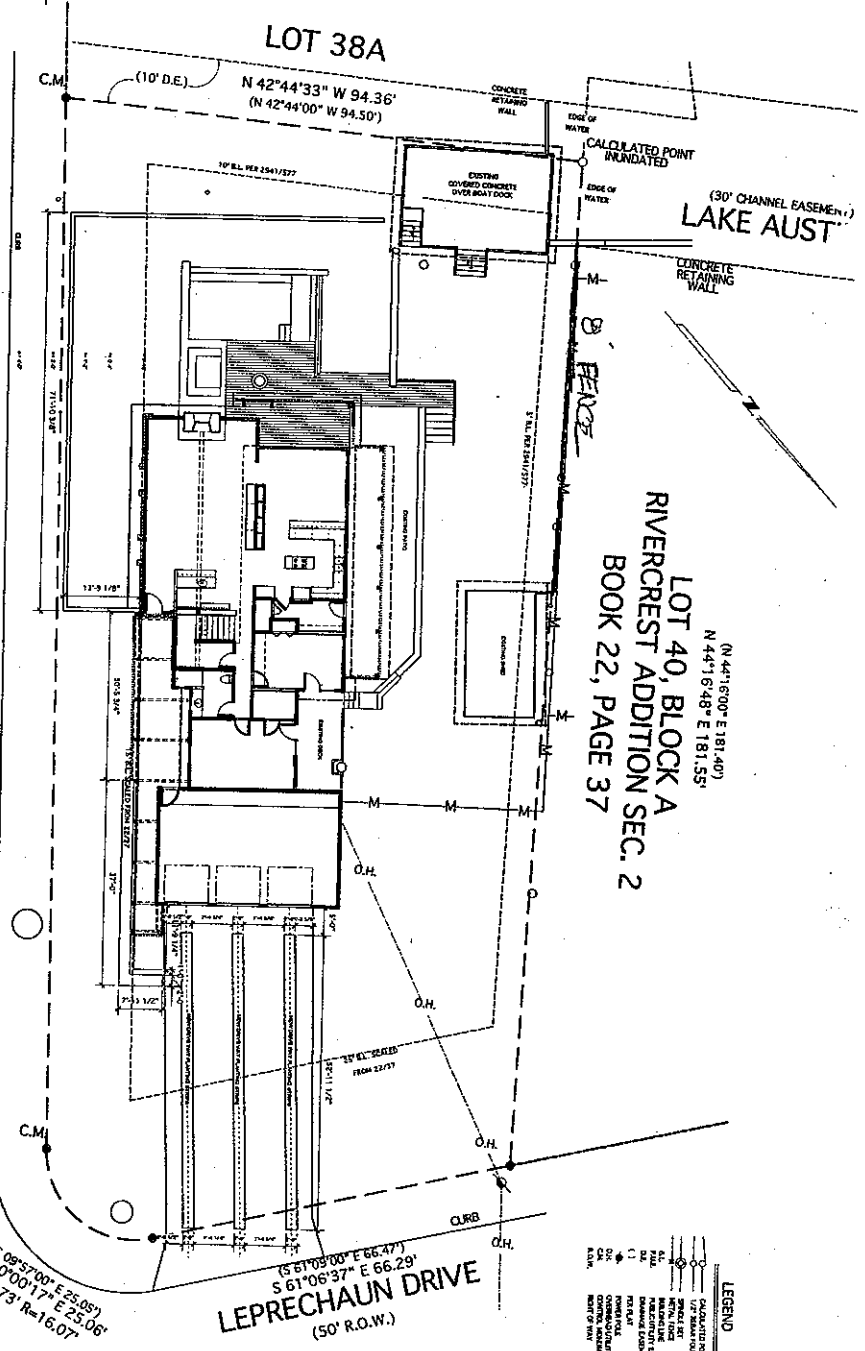
Signed Kieran Purcell Mail Address 6703 Leprechaun

City, State & Zip Austin TX 78746

Printed Kieran Purcell Phone 512 468 2042 Date _____

AUSTIN, TX 78746

SITE PLAN
Scale: 1" = 10 ft

[illegible]

(50° R.O.W.)
BEARING BASIS
RIVERCREST DRIVE S 41°16'00" W 189.68' (189.68')

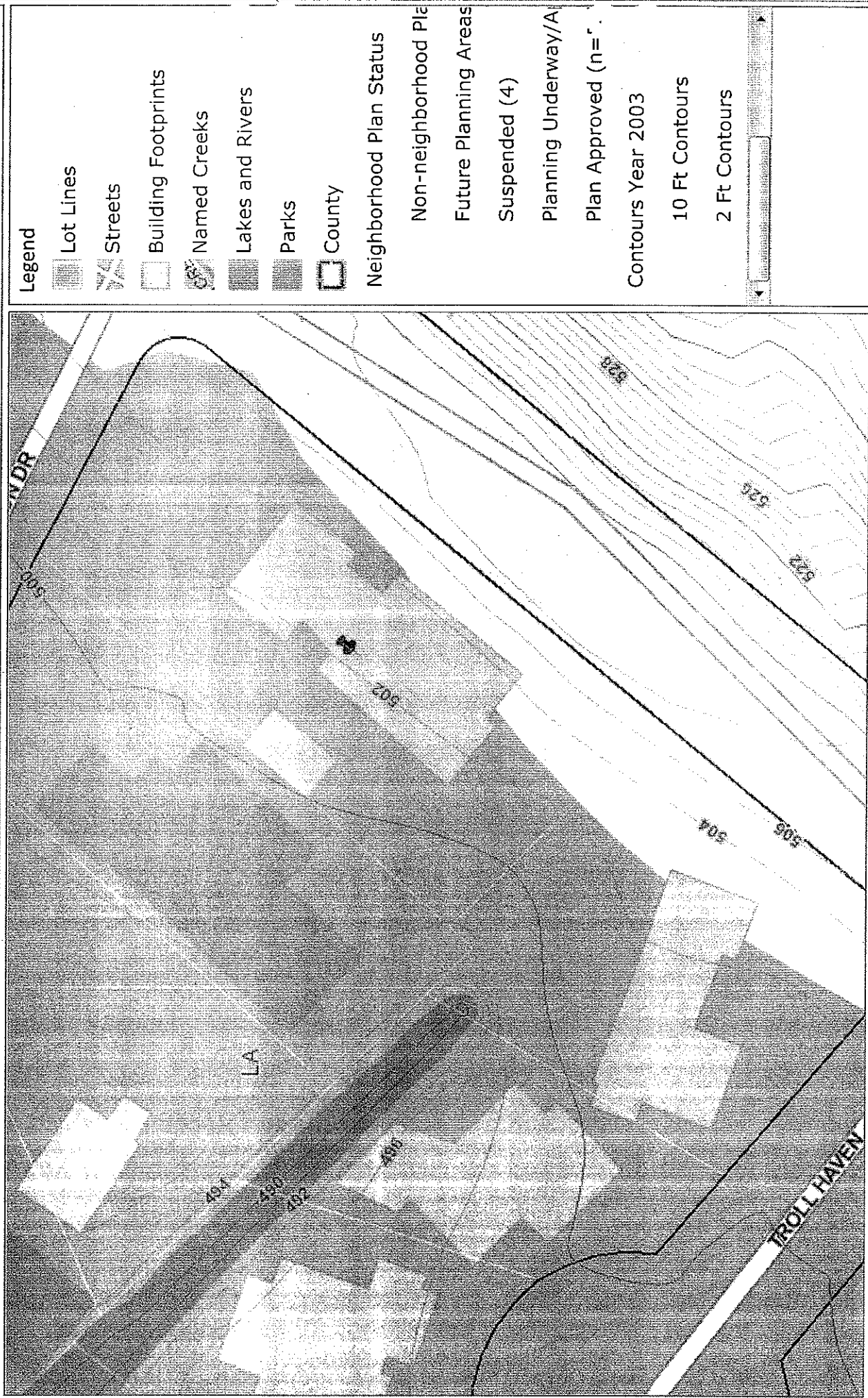
LOT 39A
BLOCK A

3404 Rivercrest
austin, tx. 78703

CHIOCO | design

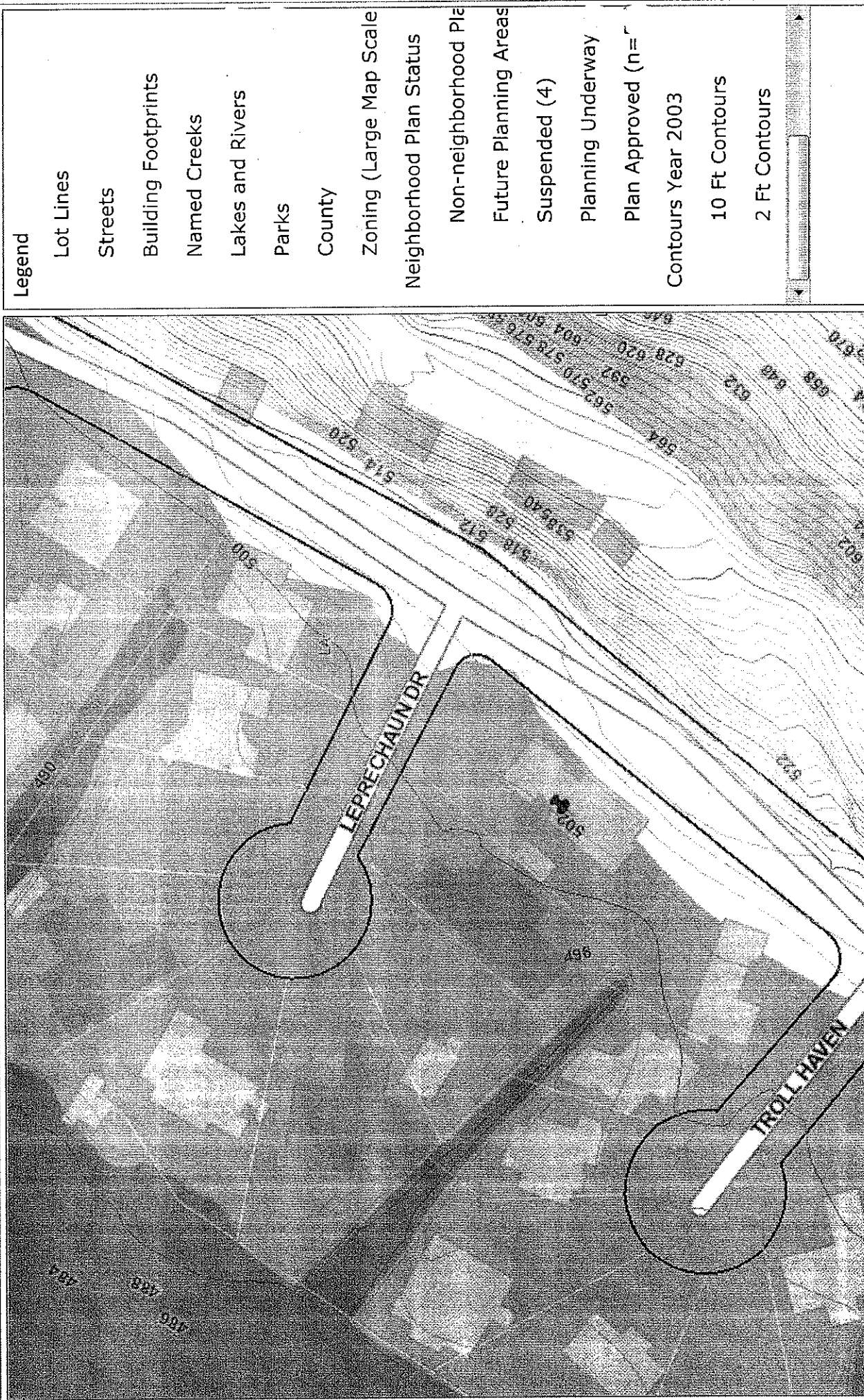
3423 guadalupe street, building A, suite 200, austin tx, 78705
tel 512.706.4303 www.chiocodeign.com chioco@gmail.com

CITY OF AUSTIN DEVELOPMENT WEB MAP



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 CITY OF AUSTIN FOR THE SOLE PURPOSE OF GEOGRAPHIC REFERENCE. NO WARRANTY IS MADE BY THE CITY OF AUSTIN REGARDING SPECIFIC ACCURACY OR COMPLETENESS.

CITY OF AUSTIN DEVELOPMENT WEB MAP



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 CITY OF AUSTIN FOR THE SOLE PURPOSE OF GEOGRAPHIC REFERENCE. NO WARRANTY IS MADE BY THE CITY OF AUSTIN REGARDING SPECIFIC ACCURACY OR COMPLETENESS.

Heldenfels, Leane

From: Jared Holland <~~thelynnholland@gmail.com~~>
Sent: Friday, July 25, 2014 5:08 PM
To: Heldenfels, Leane
Subject: Re: fence heigh at rivercrest

10 feet 8 inches on height.

On Jul 21, 2014, at 3:34 PM, "Heldenfels, Leane" <Leane.Heldenfels@austintexas.gov> wrote:

This will be fine, I will include it in the packet.
Leane

From: Lynn Holland [<mailto:thelynnholland@gmail.com>]
Sent: Monday, July 21, 2014 3:13 PM
To: Heldenfels, Leane
Subject: Re: fence heigh at rivercrest

Here's the screen shot that I was able to muster. Please let me know if you feel like this needs improved upon or will not work.

On Mon, Jul 21, 2014 at 2:47 PM, Heldenfels, Leane <Leane.Heldenfels@austintexas.gov> wrote:

You can just have them sign upon their return.

We have topo map online, you might also be able to find one via Google Maps.

Ours is at austintexas.gov/click on development/click on online tools and resources/click on GIS viewer/download and acknowledge/input your address in white car at top of page/click on address/zoom in a little if lot is correctly identified/over to the right there are several map layers/you want Elevation Contours, either year. You can highlight where you want the taller fence to go in relation to the topo figures shown. I think the person who did your survey could also add this info to your survey so everything shows up on one image if you'd like to see how much they'd charge to update your survey. It looks like your lot starts at 506 and goes down to 500, then Kieran's lot is from 500 to 496. Between the lot there's a 2 foot grade change, that is what the Board is going to be most interested in seeing, having depicted for them.

Leane

From: Jared Holland [<mailto:thelynnholland@gmail.com>]
Sent: Monday, July 21, 2014 2:40 PM
To: Heldenfels, Leane
Subject: Re: fence heigh at rivercrest

Reasons for Variance on Fence Separating 3404 Rivercrest and 6707 Leprechaun Drive

1. Safety

6707 Leprechaun has two children, ages 9 and 12.

3404 Rivercrest has a pool, which leads to risks of unsupervised children drowning or injuring themselves.

- Given the layout on the Leprechaun side of the fence, a 6 foot fence would be easily scaleable.
 - The old property line fence is around 4 feet tall and less than one foot away from the new fence. It would be easy for a child to climb on top of it and go over the fence.
 - A five foot tall Yucca plant sits one foot away from the new fence. It would not be difficult for a child to use it as a leverage point to climb.
 - Leprechaun concrete structure is a few feet tall and sits within short leaping distance of the new fence.

2. Privacy

There is a 4 foot difference in height between the house at 3404 Rivercrest and 6707 Leprechaun. Some areas of the yard where the fence are located have even more of a height differential. This limits the effectiveness of a fence in maintaining privacy between a 32 year old bachelor, at 3404 Rivercrest, and a family with two young children at Leprechaun.

3. Lack of Impediment to Others.

The fence separating the houses is visible to basically no one in the neighborhood aside from the two houses it separates. There is at least a 6 foot drop from the street level at Rivercrest to the fence in question. Therefore, the fence, as is, sits lower than the street side fence. To notice the fence from outside the yard, a person must go right up to it and peer over. And even then it's sitting lower than their eye level.

Heldenfels, Leane

From: Jared Holland jholland@gmail.com
Sent: Tuesday, July 29, 2014 2:15 PM
To: Heldenfels, Leane
Cc: Michael Ryan Dickson; Lynn Holland
Subject: Re: 8/11 BOA applicants

