

C15-2014-0104

Heldenfels, Leane

From: Ann Roe [REDACTED]
Sent: Monday, August 25, 2014 9:58 PM
To: Heldenfels, Leane
Cc: cathyr@austin.rr.com
Subject: 3404 Rivercrest

Leane,

Hi I got your name and contact information from my neighbor Cathy Romano. I wanted to write about the shed and 10 foot fence at 3404 Rivercrest. I would prefer that the city require that the shed be removed. As you know that house has had many, many building codes violations.

The shed should never have been built. It would never have been approved by the city or the neighbors if it hadn't just appeared at some point.

Adding a 10 foot fence to that property is also a problem. I understand that both home owners approve but what happens when they sell and move? The neighborhood ends up with a fence that is against our codes.

I would prefer that the shed be removed if they keep the fence. I would also prefer that the fence be only 8 feet not 10. However my first priority is removing the shed. It adds to the impervious cover and should never have been built.

Thank you for taking comments on the project. When is the hearing or final decision?

Sincerely,
Ann Roe
2902 Rivercrest

Sent from my iPad

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easements and the setback requirements set forth in the Austin Utility Code, Electric Criteria Manual and National Electric Safety Code. The Board of Adjustment considers variance to the Land Development Code, and a variance granted by the Board of Adjustment does not waive the requirements enforced by Austin Energy. If your request is for a reduction in setbacks or height limits, then you must receive approval from Austin Energy by contacting Eben Kellogg at (512)322-6050 or email eben.kellogg@austinenergy.com.

Please be advised that the Board only takes 16 new cases a month, therefore, first come, first served. Please be advised that a request for reconsideration must be filed within 7 days from the Board meeting.

A variance from the Building Code Board of Appeals may be required for variances from the Zoning Board of Adjustment (no Sign Review Board cases need to call). Please consult a code specialist in the Plan Review Division at 512-974-2580.

If you need assistance completing this application (general inquiries only) please contact Leane Heldenfels (leana.heldenfels@austintexas.gov), (512) 974-2202; 505 Barton Springs Road, 1st Floor, Development Assistance Center (One Texas Center).

CASE# C15-2014-~~1111~~ 0104
ROW# 1179932
TAX# 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 Drive

LEGAL DESCRIPTION: Subdivision - Lot 40 Block A

Lot(s) 40 Block A Outlot _____ Division Rivercrest HD DT 2 V

We Jared Lynn Holland on behalf of myself/ourselves as authorized agent for

_____ affirm that on 8, 27, 14

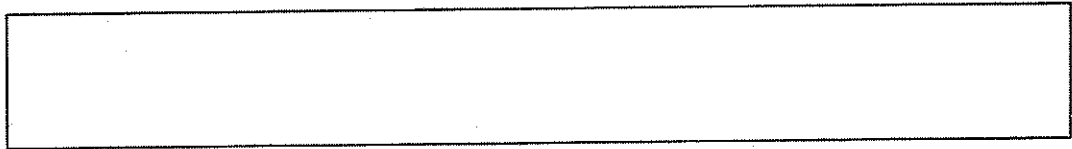
hereby apply for a hearing before the Board of Adjustment for consideration to:

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

ERECT ATTACH COMPLETE REMODEL MAINTAIN

10' 10 inch to 9' 9 inch fence (avg 10' 3 1/2 in)
Section of Privacy Fence separating 3404 Ribersiest +
6708 Leprach dr



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

We need the fence for safety, ~~and~~ and due to the elevation
because: drop between the two properties. 3404 Rivercrest has a pool & the 6703 leprechaun has two young children.

HARDSHIP:

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

Both neighbors ~~to the neighborhood~~ agree that the parcel
children are at risk of climbing the fence as an old 4 ft tall property line fence makes the 6703 leprechaun side easily
scaleable. 3404 Rivercrest has a pool which could cause injury in an unsupervised situation

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

The fence only separates the two properties mentioned ~~and~~ as it is not viewable from the street or other neighbors.

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:

Updated 5/14 It is not visible to ^{the} neighborhood due to the proximity
& elevation drop between the two houses

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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:

NA, The street is not affected

- 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 with safety in mind

- 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 John Hallad Mail Address 3404 Rivercrest Drive
 City, State & Zip Austin TX 78746

Revised

Printed Jared Lynn Holland Phone 512 944 2526 Date 8/27/14

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 Lynn Holland Mail Address 3404 Rivercrest Drive

City, State & Zip Austin TX 78746

Printed Lynn Holland Phone 512 944 2526 Date 8/27/14

Heldenfels, Leane

C15-2014-0104

From: Jared Holland <thelynnholland@gmail.com>
Sent: Tuesday, August 26, 2014 6:37 PM
To: Heldenfels, Leane
Subject: Addendum on fence

If the committee is uncomfortable giving the variance at the height of fence as constructed, much of the desirable safety benefits could still be achieved with removing the top 3 boards, giving the fence an average height of 8 feet 9.5 inches.

I, ALLISON SALLEE, owner of 6703 Leprechaun Drive, take no issue with the section of the fence separating my property from 3404 Rivercrest Drive, nor do I have an issue with the shed on the property. I feel that the fence provides a much needed benefit to my children's safety, as 3404 rivercrest has a pool and the original 4 foot tall fence separating the property lines would make the fence between us easily scaleable were it shorter. I would also like the committee to consider that due to the elevation difference between the two houses, the fence at 10 feet tall provides the same amount of privacy coverage that a 6 foot tall fence would were the houses on level ground. I have tried growing vegetation to provide privacy in this area however nothing has survived as the area's coverage allows for very little sunlight.

As for the shed, I have lived at the property in question for 13 years and the shed has been in existence for this entire time. It's proximity to my property has not been a problem over this period nor is it one now.

Printed Name ALLISON SALLEE

Signed 

Date 8/20/14

Address 6703 LEPRECHAUN DR.



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