

CASE# C15-2015-0022
ROW# 11275226
TAX# 6152030532
(TCADV)

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: 5111 Saddle Ridge Cove

LEGAL DESCRIPTION: Subdivision —

Lot(s) 90-91 Block Outlot Division

I/We Sterling McMath on behalf of myself/ourselves as authorized
agent for

Sterling McMath affirm that on 12/15/14,

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 x MAINTAIN

A wood fence around part of the property. The yard that the fence goes around has a pool.

in a Residential district. PUD -
(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:
-

HARDSHIP:

2. (a) The hardship for which the variance is requested is unique to the property in that:
There is a significant slope to the grade so portions of the pool area were visible and there is a tree next to the fence which assist with unauthorized access.
-

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

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 home that the fence goes around is at the end of a cul-de-sac street and is situated on some very significant downward slopes. It's slightly covered by trees on the inside of the property and outside the fenced area. The adjacent property landscaping goes up next to the fence (bushes and large tropical plants).

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:

No traffic will be affected.

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:

No Parking is 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:

- a. the fence goes around a part of the yard that has a swimming pool

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 Sterling McMath Mail Address 5111 Saddlebridge Cove
City, State & Zip Austin Texas 78759

Printed STERLING McMATH Phone 468-360-0026 Date 12/15/14

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 Sterling McMath Mail Address 5111 Saddlebridge Cove
City, State & Zip Austin Texas 78759

Printed STERLING McMATH Phone 468-360-0026 Date 12/15/14



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

CASE#: C15-2015-0022
Address: 5111 SADDLE RIDGE COVE



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.

1" = 200'

Sterling McMath
5111 Saddleridge Cove
Austin TX 78759

Dear Board,

My name is Sterling McMath and I am the home owner residing at 5111 Saddle Ridge Cove Austin TX 78759.

I purchased the home at the above address at the beginning of 2014. The old fence needed to be replaced as there were boards falling off of it due to wood rot.

I am requesting that you grant a variance for the fence height in the front of my property, the side piece that is counter clock wise 90 degrees from the front and the a piece that faces the second lot of my property. I am requesting this variance due to a few factors.

1. I have a pool, the distance from the street facing fence inside the yard is less than 30 feet.
2. There is a tree next to the fence that could assist with access by someone not allowed in the through the door. This fence entrance now has a full size has a door with a dead bolt.
3. The slope on the street and the property is extreme from the eastern direction sloping downward towards the western direction. The slope drops in elevation roughly over 40' from the second house on the street's entrance to a western corner. The home is situated at the bottom of the cul-de-sac so standing a short distance up the street, portions of the yard and pool were visible from the street.

It is my belief that a cedar board on board fence that is higher than the permitted use provides the proper safety barrier from the street to the pool and doesn't adversely affect the neighborhood traffic or visible character. I have created a brief presentation that contains a few pictures that show the topography and also proximity to the above mentioned items.

I respectfully request that the height variance for the wood fence at 5111 Saddle Ridge Cove Austin TX 78759 be granted.

Best Regards,

Sterling McMath
5111 Saddle Ridge Cove
Austin TX 78759

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	50.00'	60.94'	57.24'	S 80°06'45" E	69°49'52"

LINE	BEARING	DISTANCE
L1	S 78°54'00" W	25.00'
L2	N 35°24'00" W	21.30'

LEGEND

- These standard symbols will be found in the drawing.
- BOUNDARY LINE
 - - - EASEMENT LINE
 - - - BUILDING SETBACK LINE
 - WOOD FENCE
 - SET 1/2" IRON ROD
 - FOUND IRON ROD
 - ⊙ SET WALL
 - ⊙ SET COTTON SPINDLE
 - ⊙ CHABLE PEDESTAL
 - ⊙ WATER METER
 - ⊙ WATER VALVE
 - ⊙ TELEPHONE BOX
 - ⊙ ELECTRIC BOX

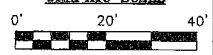
SURVEYOR'S NOTE:
 THE EASEMENT AS RECORDED IN VOLUME 6407, PAGE 2321, DEED RECORDS, TRAVIS COUNTY, TEXAS, DOES NOT APPEAR TO AFFECT THE SUBJECT PROPERTY.

THIS SURVEY IS BASED ON A TITLE COMMITMENT REPORT ISSUED BY FIDELITY NATIONAL TITLE COMPANY OF NO. AUT14000168 ISSUED ON 01/15/2014.

FLOOD INFORMATION:
 FEMA 48453C, PANEL 0245 H
 REV. DATE: 06/26/2009
 ZONE: "X"

FLOOD INFORMATION PROVIDED HEREON IS BASED ON SCALING THE LOCATION OF THE SUBJECT TRACT ON THE FLOOD INSURANCE RATE MAPS. THE INFORMATION SHOULD BE USED TO DETERMINE FLOOD INSURANCE RATES ONLY AND IS NOT INTENDED TO IDENTIFY SPECIFIC FLOODING CONDITIONS. WE ARE NOT RESPONSIBLE FOR THE F.L.R.M.'S ACCURACY.

GRAPHIC SCALE



I, **DAVID E. KING, JR.**, a Registered Professional Land Surveyor in the State of Texas, do hereby certify to **CMC MORTGAGE, INC.** that the above map is true and correct according to an actual field survey made by me or under my supervision, of the property shown hereon or described by field notes accompanying this drawing. I further certify that all easements and rights-of-way of which I have been advised are shown hereon and that, except as shown, there are no apparent visible encroachments, no apparent visible overlapping of improvements and no apparent discrepancies or conflicts in the boundary lines, as of the date of the field survey.

Lot(s) **88 & 91, Block B** of **GRAT HILLS VII-A (P.L.D.)** recorded in Volume **77**, Page(s) **310** of the Map/Deed and Plat Records of **TRAVIS** County, Texas, located in the **JAMES COLEMAN, JR. & 188** Address: **STILL SADDLERIDGE COVE** GF No. **AUT14000168**

LAND TITLE SURVEY			
JOB NO.	140100092	NO.	REVISION
DATE:	01/17/14		
DRAWN BY:	AV		
APPROVED BY:	DK		



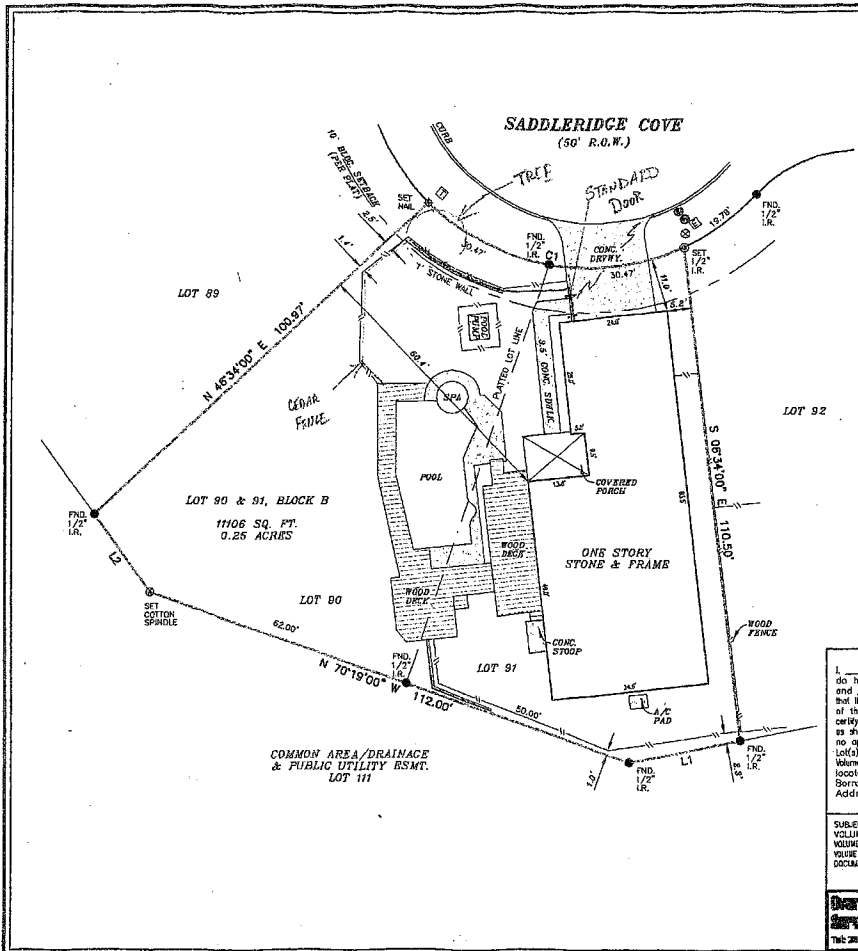
SUBJECT TO RESTRICTIVE COVENANTS AND/OR EASEMENTS RECORDED IN VOLUME 77, PAGE 310, PLAT RECORDS, TRAVIS COUNTY, TEXAS VOLUME 8407, PAGE 2321, VOLUME 6478, PAGE 1048, VOLUME 7116, PAGE 1280, VOLUME 7771, PAGE 1031, VOLUME 7977, PAGE 841, DEED RECORDS, TRAVIS COUNTY, TEXAS DOCUMENT NO. 2011137922, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS

PROPERTY PHOTOGRAPH:



Deaton Consortium Inc.
 888-846-8468 888-846-8468 888-846-8468
 781-381-0000 781-381-0000 781-381-0000

DAVID E. KING, JR., R.P.L.S.
 Registered Professional Land Surveyor
 Registration No. **6272**
 COPYRIGHT ALL RIGHTS RESERVED TO DEATON CONSORTIUM INC.



TOPS

CITY OF AUSTIN DEVELOPMENT WEB MAP

5111 Saddlebridge



Legend

- Lot Lines
- Streets
- Building Footprints
- Named Creeks
- Lakes and Rivers
- Parks
- County
- Contours Year 2003
- 10 Ft Contours
- 2 Ft Contours

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.

ORDINANCE NO. 820217-E

AMENDED BY ORDINANCE
NO. 841004-E

AN ORDINANCE AMENDING CHAPTER 13-2 OF THE AUSTIN CITY CODE OF 1981 BY PERMITTING GREAT HILLS, INC., LOCALLY KNOWN AS 8900-9006 GREAT HILLS TRAIL AND 5102-5202 BLUFFSIDE DRIVE TO BE USED FOR A PLANNED UNIT DEVELOPMENT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. That Chapter 13-2 of the Austin City Code of 1981 is hereby amended to permit the property described in File C814-76-001(81) to be used for a Planned Unit Development, to-wit:

15.74 acres of land out of the James Coleman Survey No. 25, Travis County, Texas, said 15.74 acres being a part of a 1559.81 acre tract described as Tract No. 1 conveyed to Gibraltar Savings by Cotton Texas, LTD. by Deed of record in Volume 6824, Page 1430 of the Travis County Deed Records, said 15.74 acres being more particularly described as follows:

BEGINNING at a concrete monument found on the northerly right-of-way line of Loop 360 at Station 210+50 according to the Texas Department of Highways and Public Transportation;

THENCE with the said northerly right-of-way line S 84° 36' E a distance of 254.26 feet to a point for a southeasterly corner of the herein described tract;

THENCE leaving Loop 360 the following five (5) calls:

1. N 03° 38' E a distance of 150.05 feet to an iron pin found;
2. N 52° 56' E a distance of 280.21 feet to an iron pin found;
3. N 85° 40' E a distance of 125.74 feet to an iron pin found;
4. S 69° 53' E a distance of 120.03 feet to an iron pin found; and
5. B 77° 30' E a distance of 127.57 feet to an iron pin found in the west right-of-way line of Great Hills Trail, being also the west line of Great Hills Street Dedication "B", a subdivision of record in Book 76, Page 264 of the Travis County Plat Records;

THENCE with west line of said Great Hills Trail the following two (2) calls:

1. N 02° 13' 30" W a distance of 259.57 feet to an iron pin found; and,
2. A distance of 33.89 feet with the arc of a curve to the right having a central angle of 3° 38', a radius of 534.36, and a chord bearing N 00° 24' 30" W a distance of 33.88 feet to a point of reverse curvature said point being in the southerly right-of-way line of Bluffside Drive, said point being also a southeastern corner of Great Hills VII-"A", a subdivision of record in Book 77, Page 310 of the Travis County, Texas Plat Records;

THENCE with the southerly line of Bluffside Drive the following five (5) calls:

1. A distance of 25.85 feet with the arc of a curve to the left having a central angle of 98° 45', a radius of 15.00 feet, and a chord bearing N 47° 58' W a distance of 22.77 feet;
2. S 82° 39' W a distance of 7.72 feet to an iron pin found;
3. A distance of 115.34 feet with the arc of a curve to the left having a central angle of 18° 40', a radius of 354.03 feet and a chord bearing S 73° 19' W a distance of 114.83 feet to an iron pin found;
4. S 63° 59' W a distance of 57.66 feet to an iron pin found; and,
5. A distance of 453.54 feet with the arc of a curve to the right having a central angle of 42° 30', a radius of 611.43 feet, and a chord bearing S 85° 14' W a distance of 443.21 feet to an iron pin found for a southwest corner of said Great Hills VII-"A";

THENCE with the westerly line of said Great Hills VII-"A", N 16° 38' E a distance of 60.00 feet to an iron pin found in the northerly line of Bluffside Drive;

THENCE leaving Great Hills VII-"A" with the north line of a proposed extension of Bluffside Drive, a distance of 255.20 feet with the arc of a curve to the right having a central angle of 26° 31', a radius of 551.43 feet, and a chord bearing N 60° 16' 30" W a distance of 252.93 feet to a point for the northernmost corner of the herein described tract;

THENCE with the north and west line of said 15.74 acres the following four (4) calls:

1. S 42° 59' W a distance of 430.00 feet;
2. S 30° 19' W a distance of 463.10 feet;
3. S 67° 13' W a distance of 308.53 feet; and,
4. S 03° 58' E a distance of 459.60 feet to a point in the north line of Loop 360;

THENCE with the north line of Loop 360 the following three (3) calls:

1. N 35° 27' E a distance of 130.00 feet to a concrete monument found;
2. N 46° 44' 30" E a distance of 340.24 feet to a concrete monument found; and,
3. N 59° 11' 30" E a distance of 522.07 feet to the PLACE OF BEGINNING, containing 15.74 acres,

locally known as 8900-9006 Great Hills Trail and 5102-5202 Bluffside Drive in the City of Austin, Travis County, Texas.

PART 2. That the development of the property herein described shall be accomplished in accordance with the site plan submitted and approved by both the City Planning Commission and the City Council, which is on file in the Planning Department of the City of Austin.

PART 3. That except to the extent the site plan referred to herein is inconsistent therewith, the development and use of the property described herein shall be in accordance with the ordinance of the City of Austin governing the development and use of property zoned "BB" Residential, First Height and Area District.

PART 4. It is hereby ordered that the zoning maps accompanying Chapter 13-2 of the Austin City Code of 1981 and made a part thereof shall be changed so as to record the change ordered in this ordinance.

PART 5. The rule requiring the reading of ordinances on three separate days is hereby suspended and this ordinance shall become effective ten (10) days following the date of its passage as provided by the Charter of the City of Austin.

PASSED AND APPROVED

February 17, 1982

§
§
§
§

Cecile Ketter McChesney
Mayor

APPROVED:

Albert De La Rosa
City Attorney

ATTEST:

Grace Monroe
City Clerk

:saf