

Revised

CASE# C15-2015-0017  
ROW# \_\_\_\_\_  
TAX# \_\_\_\_\_

**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:** 7012 Quill Leaf CV, Austin, TX 78750

**LEGAL DESCRIPTION:** Subdivision – Volume 82 Page 335 of Travis County

Lot(s) 32 Block D Outlot \_\_\_\_\_ Division Jester Estates, Section 1, Phase 2

I/We Jian Xu/Yaguo Wang on behalf of myself/ourselves as authorized agent for\_  
ourselves affirm that on March 31st, 2015, 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 recently constructed single story accessory structure and decrease the minimum rear yard setback from

5 feet (required) to 3 feet 10 inches (requested).

in a SF-2 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:

Zoning regulation requires the shed to be 5 ft away from the rear fence, while currently the shed is 4' 7" and 3' 10" from the rear fence on two sides. Compliance with the regulation requires moving shed away from the fence. The irregular shape of the lot only allows very limited space available for constructing the shed. Moving the shed to another location will demolish the shed because it is fixed by tens of iron bars into the lime stone.

**HARDSHIP:**

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

The irregular shape and unique configuration of the lot only allow very limited space available for constructing the shed. The foundation of the shed is fixed by tens of iron bars penetrating into the lime stone. Moving the shed to another location will demolish the shed.

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

Every lot in Jester Estates has a unique configuration and the layout of each house is also unique.

**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 shed only has a size of 8ft X 8ft, and is 4' 7" and 3' 10" from the rear fence on two sides, which will not affect the lot boundary with the adjacent property. The shed is built with a quality as good as the adjacent houses, so it will not harm the values of adjacent properties. Three adjacent neighbors that are affected by this shed most have provided their signatures to support this variance.

**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:

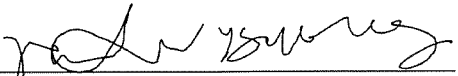
2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

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.**

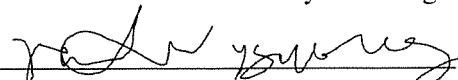
**APPLICANT CERTIFICATE** – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed  Mail Address 7012 Quill Leaf CV

City, State & Zip Austin, TX, 78750

Printed Jian Xu /Yaguo Wang Phone 765-430-8168 Date 3/31/2015

**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  Mail Address 7012 Quill Leaf CV

City, State & Zip Austin, TX, 78750

Printed Jian Xu/Yaguo Wang Phone 765-430-8168 Date 3/31/2015



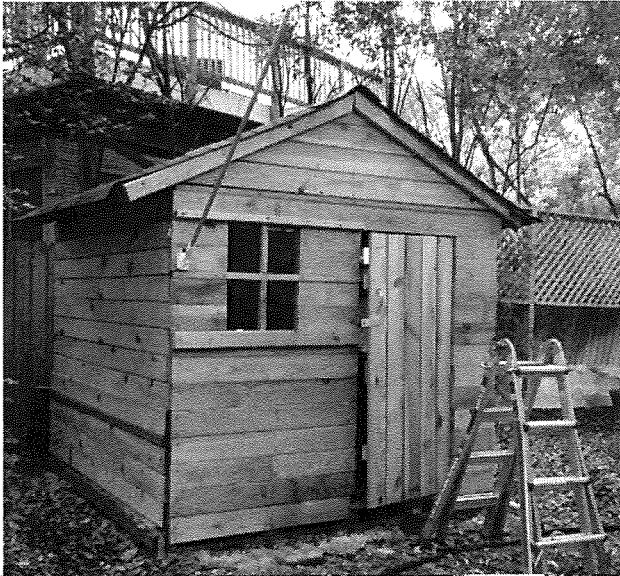
# **Variance Application**

keeping a wood shed in its current location

7012 Quill Leaf CV

Austin TX 78750

Jian Xu & Yaguo Wang



**Hardwood, 8 ft x 8 ft x 10 ft**  
**No water, no electricity**  
**Spend 3 months to build**  
**Cost about \$2000**  
**Will increase our property value**  
**No permit required by City or HOA**

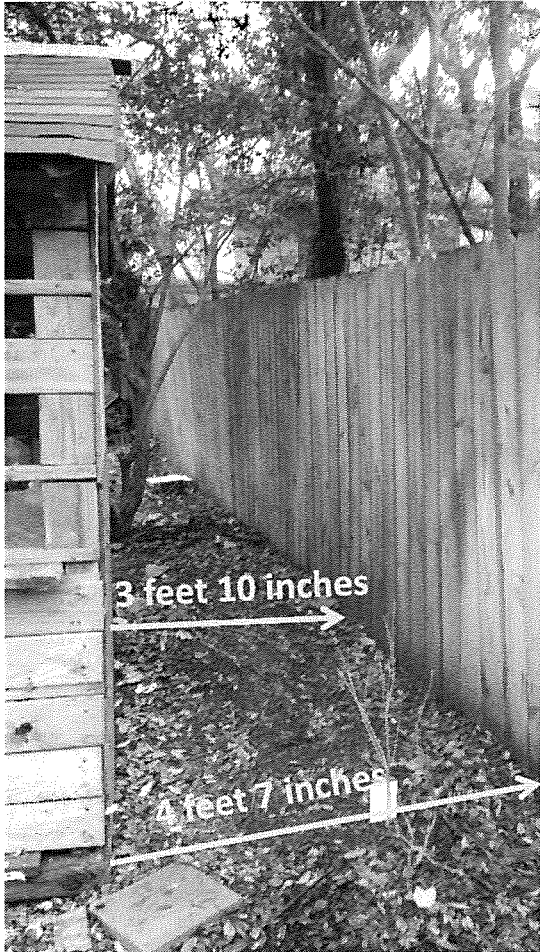


**The Shed is not visible from our Cul-De-Sac**

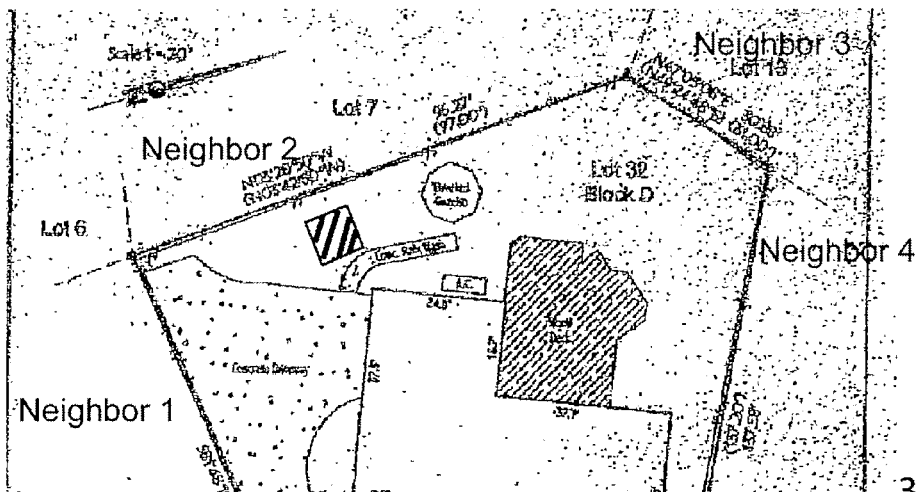


**City Code Compliance**  
**5 feet from the side fence**  
**We are asked to move the shed 1 foot**  
**away from the fence**

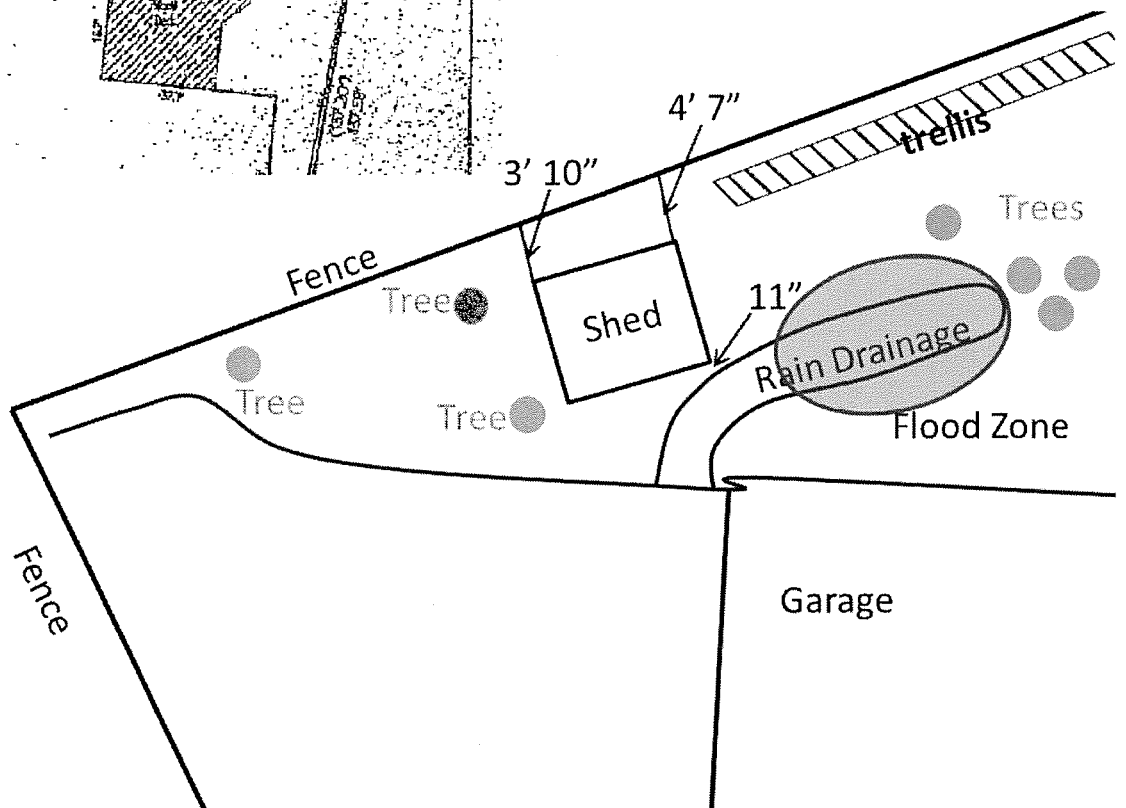
**Our Difficulty\_1:**  
**Irregular shape of space**



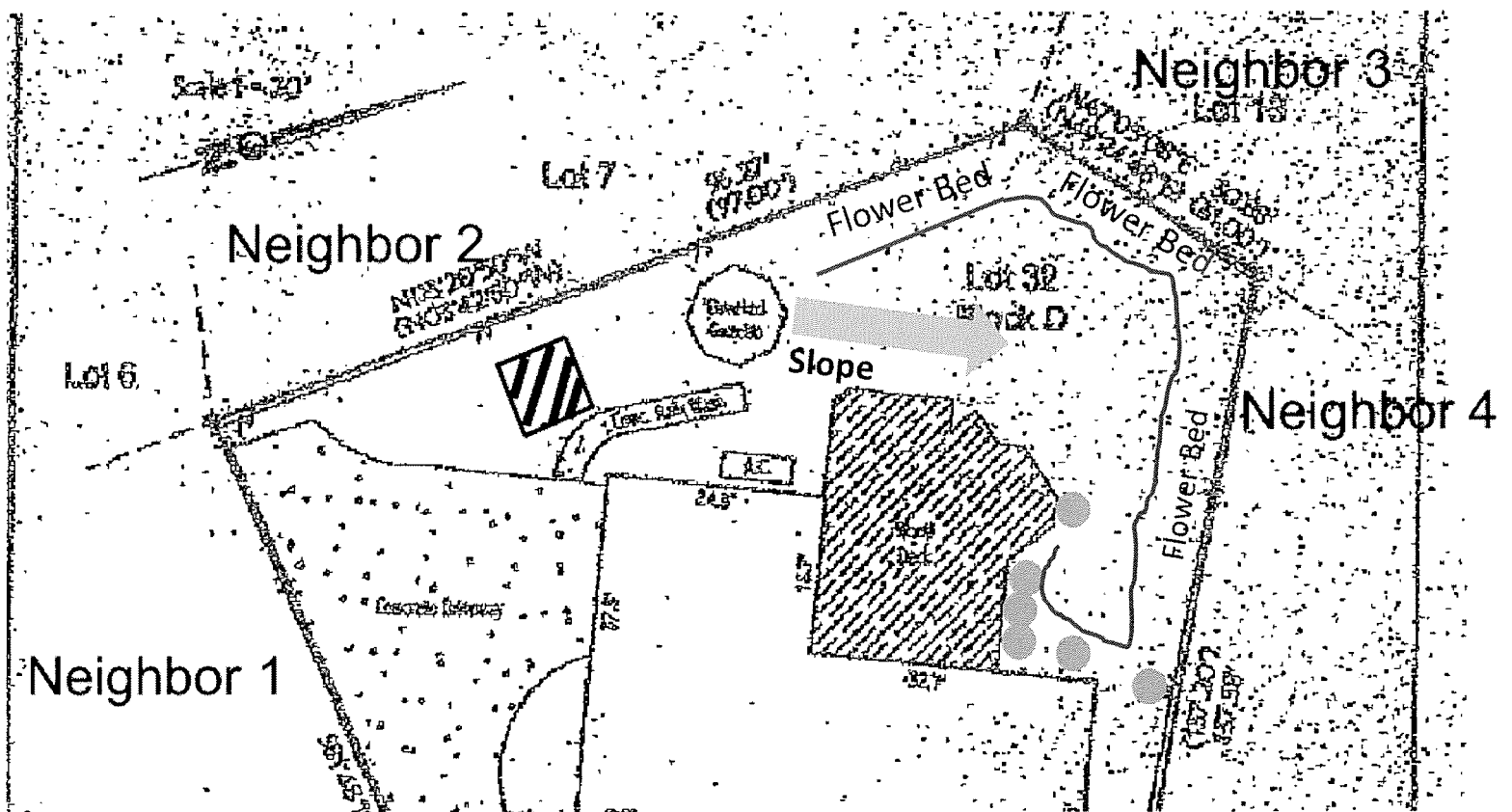




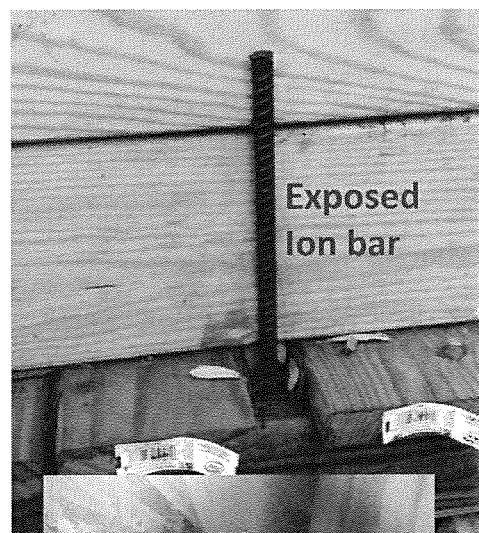
## Our Difficulty\_1: Irregular shape of space



## Our Difficulty\_1: Irregular shape of space



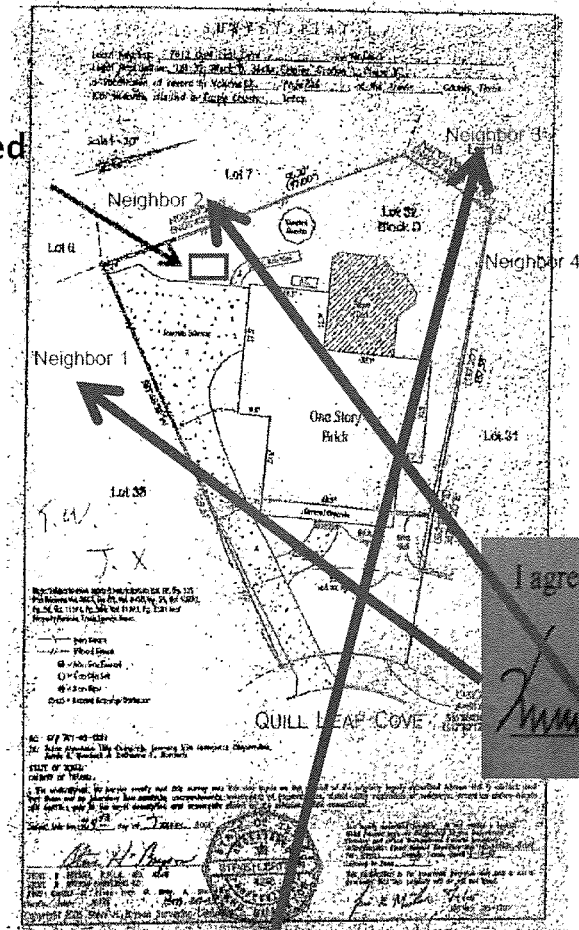
## Our Difficulty\_2: foundation fixed by iron bars



Iron bar breaks a  
sprinkler line



Shed



## Supports From Neighbor 1, 2 & 3

I agree that the shed house (7012 quill leaf cove) remains in its current location:

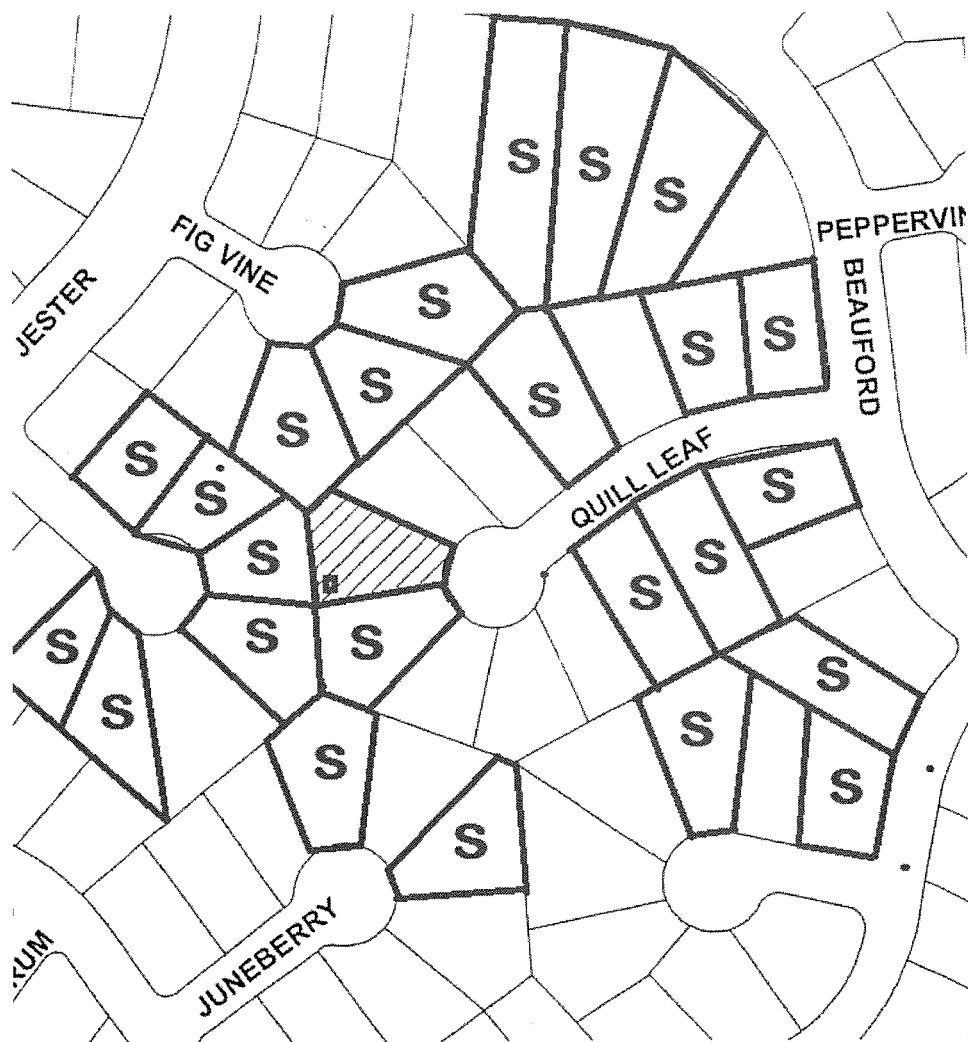
*[Signature]*

7014 Quill Leaf Cv

*Bryan Perrant*  
*7002 Aniqua*  
*70*

*[Signature]*

7103 Fig Vine Cr



Supports from  
community: 24

## We are not affiliated with Jester HOA

### CORRECTION

#### SECOND SUPPLEMENTAL RESTRICTIONS, COVENANTS AND CONDITIONS

NO. 869  
STATE OF TEXAS  
COUNTY OF TRAVIS

KNOW ALL MEN BY THESE PRESENTS:

8:44 AM 4793

8:44 AM 4793

59.00 INDX  
1 1 07/08/92

3.00 RECM  
1 1 07/08/92  
18.69-DCC#

### "EXHIBIT C"

#### "Additional Consenting Lots"

Any lot included in the platted sections listed below may be brought within the jurisdiction of the Association when the owner of such lot has executed a consent on the form attached hereto as Exhibit E.

All lots in Jester Estates Section 1 Phase 1, a subdivision in Travis County, Texas according to the plat thereof of record in Plat Book 78, Pages 385-389, Plat Record of Travis County, Texas.

All lots in Jester Estates, Section 1 Phase 2, a subdivision in Travis County, Texas according to the plat thereof of record in Plat Book 82, Pages 335-339, Plat Records of Travis County, Texas.

# Summary

1. Beautiful Shed, will increase our property value, is required to move 1 foot away from side fence. Moving the shed is extremely difficult because of irregular shape of the lot and the fixed foundation.
2. **Three of our adjacent neighbors** support this variance.
3. **24 neighbors** within 500ft from our property support this variance.

Some neighbors kindly come to support us, please also listen to their testimonies.



# Neighbors' Signatures Supporting This Variance

*Pamela Wlk Cone*  
7001 Beauford Drive  
78750  
512-852-8700

*Bryan Parnot*  
1002 Anagua  
78750

*Don McEwen*  
7003 Beauford Drive  
512-350-6277

*Rickie Abernethy*  
Pete Maxwell  
7100 Rusty Fig  
512-275-5278

**Variance Application**  
for the wood house in the backyard  
Jian Xu & Yaguo Wang, 7012 Quill Leaf Cv, Austin TX 78750

Dear neighbors,

We are writing to ask for your kind help on our variance application of the wood shed house. We built this shed house for gardening tools, without any electricity or water pipes running through it. We designed it, used best materials and built everything by ourselves. We spent over \$1,500 and more than 3 months to construct it. From the pictures, you can see that this shed is beautifully and carefully made, showing our love and devotion to our own house. Everyone who has seen it loves it. It only adds value to our property and to our neighborhood.

The city code requires the shed to be 5 feet away from the side fence. Because of the irregular shape of our lot, one side of the shed is about 5 feet away from the fence, and another side is a little less than 5 feet away. The city compliance officer asks us to move the shed for 1 foot. There are a couple of factors that make it difficult to move the shed.

1. Due to the irregular shape of our lot, there is not really any room to move the shed further away from the fence.
2. Secondly and more importantly, this is a customized shed. To make sure the foundation is stable, we knocked more than 10 long iron bars through the wood lumbers into the lime stones. It is extremely difficult to remove these iron bars. We'd have to tear down the whole shed in order to move it.

*Steve Ramsey*  
7003 Anagua Drive

Now, we humbly ask for your support so that this variance can be approved, this cute shed can avoid the sad fate of being destructed, and we don't need to face the sadness of seeing all the money, time and efforts were for nothing.

Your kind help of this application is sincerely appreciated.

*Jian Xu & Yaguo Wang*  
7012 Rusty Fig

*Richard Moses*  
6905 Beauford Dr  
512-343-1930

*Nora Scott*  
6905 Beauford  
512-343-7750

*John D. Nelson*  
7005 Junberry Cv

*Bob & Linda Nard*  
7002 Quill Leaf Cove

*Sophia Bowden*  
7100 Fig Vine  
78750

*Deborah Lewis*  
7005 Anagua  
Austin, TX  
78750

*James Spruill*  
7014 Beauford  
7014 Quill Leaf Cv

*James Nelson*  
7000 Anagua Drive B.O. Port

*Patricia (Gail)*  
7103 Fig Vine Cv

*Reece Furton*  
7000 Quill Leaf Cv

*Aparna Srinivasan Hattangadi*  
7004 Anagua Dr Austin TX 78750

*James Nelson*  
7005 Quill Leaf

*James Nelson*  
7006 Quill Leaf

RESTRICTIONS, COVENANTS AND CONDITIONS

2-97-1770

STATE OF TEXAS

I

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF TRAVIS

I

8. Architectural Control: For the purpose of insuring the development of the subdivision as a residential area of high standards, the Developer, or in the alternative, an Architectural Committee composed of Doyle Wilson, John Patton and M. J. Hoost, reserves the right to regulate and control the buildings or structures or other improvements placed on each lot. In the event of death or resignation of any member or members of the Architectural Committee, the Developer shall appoint a successor member or members. No building, wall, fence or other structure shall be placed upon such lot until the plan therefor and the lot plan have been approved in writing by the Developer or the Architectural Committee or by an appointee of the Architectural Committee. Two sets of plans and specifications to be approved shall be delivered to the Architectural Committee. One set of such plans and specifications shall remain at the office of the Developer in order that any property owner may check such plans and specifications.