

SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

CASE#: C15-2015-0056
Address: 9506 WOODSHIRE DR



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" = 250'

CASE# C15-2015-0056
ROW# 11327380
TAX# 0428230413
CAD ✓

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: 9506 Woodshire Dr, Austin,
TX 78748

LEGAL DESCRIPTION: Subdivision – ABS 38 SUR 18

Bissell T ACR.195 ABST/SUB ID

A0003 Lot(s) _____ Block

_____ Outlot _____ Division _____ I/We Donna

Fullerton and Nelisa Heddin

_____ 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)

X ERECT ___ ATTACH ___ COMPLETE ___ REMODEL ___ MAINTAIN

We are seeking a variance of 6+ inches on curb frontage for this lot (zoned SF2).
There are conflicting surveys on this property. A survey done by Carlson, Dippel and Marx
in 1994 reflects curb frontage of 50 feet. However, the most recent survey (May of 2014),
by McMinn Land Surveying indicates that there is 49.49' of curb frontage on this lot.
The most recent measurement indicates that lot is 8430 Sq Ft.

in a SF-2 district.
ss(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:

This plot would not be usable for single family residential use without the variance allowing construction with 49.49' of curb frontage, rather than and 50' of curb frontage.

HARDSHIP:

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

This unique, single lot is located adjacent to Tanglewood Forest subdivision as well as Castlewood Forest. It was purchased at the time that Tanglewood Forest was subdivided by the Castlewood homeowners whose lot was adjacent to the subject lot (9504 Woodshire).

(b) The hardship is not general to the area in which the property is located because: This single lot was never platted with either Tanglewood Forest or Castlewood Forest subdivision. As it is, it is unusable for residential use without going through the subdivision development process. This variance is needed in order to proceed with the process. Our goal is to develop this single lot for in-fill residential use.

To our knowledge, there is no other similar lot in Tanglewood Forest or Castlewood Forest subdivisions.

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:

We seek to maintain and preserve the existing character of the area. A Subdivision Preliminary Plan is in progress and we are ready to move forward with the assistance of City staff.

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

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 Nelisa Heddin Mail Address 301 Palos Verdes

dotloop verified
03/05/15 12:15PM EST
BLIR-G29Y-QM6R-1111

City, State & Zip Austin, TX 78734

Printed Nelisa Heddin Phone 512-589-1028

Date 3/4/2015

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 Donna Fullerton Mail Address 110 Manchester Ln

dotloop verified
03/04/15 6:08PM EST
CIQW-06XT-KCUV-BRMA

City, State & Zip Austin, TX 78737

Printed Donna Fullerton Phone 512-809-5593 Date 3/4/15

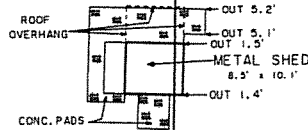
BUYERS: MARCUS DEWAYNE WALKER AND WILLOW WALKER

LEGAL DESCRIPTION: 0.193 OF AN ACRE, MORE OR LESS, OF LAND AREA IN THE THEODORE BISSELL SURVEY NO. 18, IN TRAVIS COUNTY, TEXAS, BEING THAT SAME TRACT OF LAND DESCRIBED AS TRACT 1 IN THAT DEED DATED APRIL 12, 1994 FROM ROBERT H. MOORE, TO PATRICIA M. MOORE, AS RECORDED IN VOLUME 12172, PAGE 767, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, ALSO LOCALLY KNOWN AS 9506 WOODSHIRE DRIVE, AUSTIN, TEXAS.

TANGLEWOOD FOREST SECTION TWO PHASE A
(82/316-318)
BLOCK "B"

LOT 21

N 29°46'33" E 49.66'
(N 30°08' E 50.01')



CASTLEWOOD FOREST SECTION 9
(67/82)

LOT 13
BLOCK "B"

0.193 ACRE±
8,430 SQ.FT.±
(8,510 SQ.FT.)

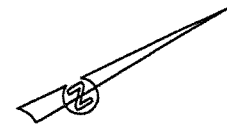
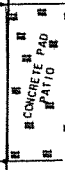
ROBERT H. MOORE, TO
PATRICIA M. MOORE)
(8,510 SQ.FT.)
APRIL 12, 1994
(12172/767)

N 58°58'16" W 170.09'
(N 58°47'15" W 170.20')

S 58°55'00" E 170.19'
(S 58°47'15" E 170.20')

IN 0.45'

OUT 0.3'



LEGEND

● IRON ROD FOUND

PLACE OF BEGINNING

STORM INLET S 29°53'20" W 49.49'
(S 30°08' W 50.01')

9506 WOODSHIRE DRIVE

(50' R.O.W.)

CMM
McMinn
Land Surveying Company
4008 GREENMOUNTAIN LANE
AUSTIN, TEXAS 78759
(512) 343-1970
FAX (512) 243-6343
FIRM NO. 10094300 CMM

G.F. 01247-23456

DATE May 9, 2014

SCALE 1" = 20'

FB/PG 321/24

J.O.# 050714

TO GRACY TITLE COMPANY, STEWART TITLE GUARANTY COMPANY, MARCUS DEWAYNE WALKER AND WILLOW WALKER, EXCLUSIVELY:

The undersigned does hereby state that this survey was this day made on the ground of the property legally described hereon and is correct to the best of my knowledge, and that there are no visible discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, visible utility lines or roads in place except as shown or noted hereon, and that said property has access to and from a dedicated roadway, except as shown or noted hereon.

C. Michael McMinn, Jr., R.P.L.S.No. 4267

THIS SURVEY PLAT IS VALID ONLY IF IT BEARS THE ORIGINAL SIGNATURE IN GREEN INK AND THE IMPRESSION SEAL OF THE ABOVE SURVEYOR.

Copyright 2014 McMinn Land Surveying Company

DESCRIPTION OF 0.193 OF AN ACRE, MORE OR LESS, OF LAND AREA IN THE THEODORE BISSELL SURVEY NO. 18, IN TRAVIS COUNTY, TEXAS, BEING THAT SAME TRACT OF LAND DESCRIBED AS TRACT 1 IN THAT DEED DATED APRIL 12, 1994 FROM ROBERT H. MOORE TO PATRICIA M. MOORE, AS RECORDED IN VOLUME 12172, PAGE 767, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

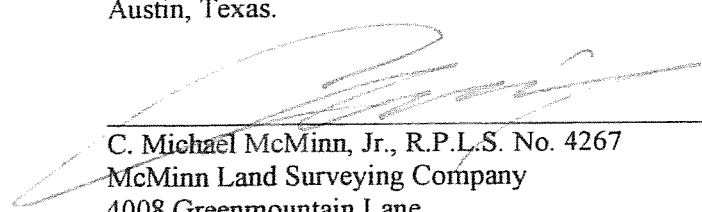
BEGINNING at a ½" iron rod found in the northwest line of Woodshire Drive, for the east corner of the aforereferenced Moore Tract, same being the south corner of Lot 13, Block "B", Castlewood Forest – Section 9, a subdivision in Travis County, Texas according to the map or plat of record in Volume 67, Page 82, of the Plat Records of Travis County, Texas, for the east corner of the herein described tract of land;

THENCE leaving the PLACE OF BEGINNING and the aforereferenced Lot 13, with the common line of Woodshire Drive and the aforereferenced Moore Tract, S 29°53'20"W 49.49 feet to a ½" iron rod found for the south corner of the Moore Tract, same being the east corner of Lot 22, Block "B", Tanglewood Forest Section Two Phase A, a subdivision in Travis County, Texas according to the map or plat of record in Volume 82, Pages 316-318, of the Plat Records of Travis County, Texas, and being the south corner of the herein described tract of land;

THENCE leaving Woodshire Drive, with the common line of the Moore Tract and the aforereferenced Lot 22, N 58°58'16"W 170.09 feet to a ½" iron rod found in the southeast line of Lot 21 of said Tanglewood Forest Section Two Phase A, for the west corner of the Moore Tract, same being the north corner of Lot 22 and being the west corner of the herein described tract of land;

THENCE leaving Lot 22, with the common line of the Moore Tract and the aforereferenced Lot 21, N 29°46'33"E 49.66 feet to a ½" iron rod found for the north corner of the Moore Tract, same being the east corner of Lot 21, also being the south corner of Lot 12, Block "I", Castlewood Forest Section One, a subdivision in Travis County, Texas according to the map or plat of record in Volume 42, Page 27, of the Plat Records of Travis County, Texas, same being the west corner of the aforereferenced Lot 13 and being the north corner of the herein described tract of land ;

THENCE leaving Lot 21 and the aforereferenced Lot 12, with the common line of the Moore Tract and said Lot 13, S 58°55'00"E 170.19 feet to the PLACE OF BEGINNING. There are contained within these metes and bounds, 0.193 of an acre, more or less, of land area, as described from record information and measurements made on the ground as of May 9, 2014 by McMinn Land Surveying Company of Austin, Texas.



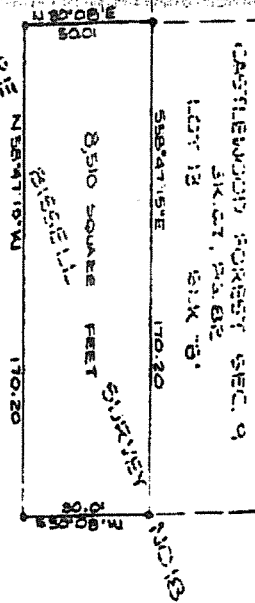
C. Michael McMinn, Jr., R.P.L.S. No. 4267
McMinn Land Surveying Company
4008 Greenmountain Lane
Austin, Texas 78759
(512) 343-1970

DATE : May 9, 2014
SURVEY : Theodore Bissell, Survey No. 18
COUNTY : Travis, Texas
J.O. No. : 050714
FND050714

EXHIBIT "B"

2-94-1071

SKETCH TO ACCOMPANY FIELD NOTES FOR 8,510 SQ. FEET OF LAND
OUT OF THE THEODORE BISSELL SURVEY NO. 18, TRAVIS COUNTY, TEXAS



SURVEYED BY *W. B. B. B.*
CARLSON, DICKEL & HARRIS
4806 N. INTERSTATE HIGHWAY
AUSTIN, TX 78752

RECORDERS MEMORANDUM
ALL OR PARTS OF THE TEXT ON THIS PAGE WAS NOT
CLEARLY LEGIBLE FOR SATISFACTORY RECORDED

7835-4-390

EXHIBIT "A"

CARLSON, DIPPEL & MARX
SURVEYING COMPANY

FIELD NOTES

2-94-1870

BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND OUT OF AND A PART OF THE THEODORE RISSELL SURVEY NO. 18, SITUATED IN TRAVIS COUNTY, TEXAS, MORE PARTICULARLY DESCRIBED AS BEING OUT OF AND A PART OF THAT CERTAIN TRACT OF LAND CONVEYED TO WILSON DEVELOPMENT CORP. IN VOLUME 7455, PAGE 253 OF THE TRAVIS COUNTY, TEXAS DEED RECORDS, SAID TRACT BEING 8,510 SQUARE FEET OF LAND MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron stake in the north line of said Wilson tract, same being the southwest corner of Lot 13, Block "B" of Castlewood Forest Section 9, a subdivision of record in Book 67, Page 82 of the Travis County, Texas Plat Records, from which point of beginning, the northwest corner of said Wilson tract bears N 59°59'15"W, 65.78 feet for the northwest corner of the herein described tract,

THENCE, S 58°47'15"E, 170.20 feet to a point at the southeast corner of said Lot 13, for the northeast corner of the herein described tract,

THENCE, S 30°08'W, 50.01 feet to a point for the southeast corner of the herein described tract,

THENCE, N 58°47'15"W, 170.20 feet to a point for the southwest corner of the herein described tract,

THENCE, N 30°08'E, 50.01 feet to the PLACE OF BEGINNING, containing 8,510 square feet of land.

SURVEYED BY

Wiley E. Marx
WILEY E. MARX, R.P.S.
CARLSON, DIPPEL & MARX SURVEYING
4806 North Interregional Highway
Austin, Texas 78751

DATE 5-6-92



7833 . 389

4806 N. INTERREGIONAL HWY. • AUSTIN, TEXAS 78751 • (512) 452-2148

THE STATE OF TEXAS
COUNTY OF TRAVIS

2-24-1969

This instrument was acknowledged before me on the 24 day of August, 1962, by WILLIAM F. GUNN, III, Joint Venturer of GUNN-OLSON-STONDAKE JOINT VENTURE, a Texas joint venture, on behalf of said joint venture.

NOTARY SEAL

MY COMMISSION EXPIRES:

5-24-86

Carol Kay Benson Steele
NOTARY PUBLIC, STATE OF TEXAS

Carol Kay Benson Steele
Printed Name of Notary

7833 . 388

7833 391

5-24-1981

FILED

Aug 20 11 05 AM '82

Steve Thompson
COUNTY CLERK
THANKS COUNTY, TEXAS

COUNTY CLERK
THANKS COUNTY, TEXAS



AUG 20 1982

STATE OF TEXAS
COUNTY OF TRAVIS
I hereby certify that the foregoing was filed on the
day and at the time specified herein by me and was duly
recorded in the County and Page of the record book.

7833 387

ST. # 1820832000
CHANGE TO:
TRANSAMERICA TITLE
INSURANCE CO.

Grant & Michael
1515 Capital & Shaw Hwy #401
Austin, TX 78746

INDEXED

2-94-1872

