



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

CASE#: C15-2015-0155
Address: 1401 & 1403 MATTHEWS LN



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.

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1" = 200'

CASE# C15-2015-0155
ROW# 11424726
TAX# 0119160218 **ms 2**

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: 1403 Matthews & 1401 Matthews Lane

LEGAL DESCRIPTION: Subdivision – Matthews Subdivision

Lot(s) 2 & 3 Block _____ Outlot _____ Division _____

I/We Nick Quijano on behalf of myself/ourselves as authorized agent for

David Weekley Homes affirm that on September 21,

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)

X ERECT ___ ATTACH ___ COMPLETE ___ REMODEL ___ MAINTAIN

Front Lot Line setback 25-1-21 of Austin City Code. Lots 2 & 3 were designed to front and yield 25' setback off of Private Drive. Zoning and Planning department is currently interpreting the front 25' setback off of Matthews lane

-2-00
in a Single Family 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):

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REASONABLE USE:

1. The zoning regulations applicable to the property do not allow for a reasonable use because:

Homes are not able to take access off of Matthews Lane, this plat was recorded with intention of all homes facing and taking access off of Private drive. We have designed all homes to have at least 20' driveways, with current zoning regulation lots 2 & 3 would only have 5' driveways.

HARDSHIP:

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

Homes cannot face or take access off Matthews Lane as current zoning regulation suggest. With current zoning regulation, these lots would only have 5' driveways. This would create a hazardous situation if a vehicle tries to park in the driveway. The homes on lot 2 & 3 would not look consistent with the rest of the community, and would be 5' away from the street (private drive), while all others are 20' from street (private drive)

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

All homes in the area are at least 20' from the street, many are much more than this.

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:

It will conform the other 7 homes on the private drive in Matthews Park, and make the private drive safer for residents and emergency vehicles.

PARKING: (Additional criteria for parking variances only.)

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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:~~

All driveways in this community access a private drive

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

~~We are improving the safety conditions and allowable driveway parking area for lots 2 and 3.~~

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

We were able to adjust our designs on all other homes in Matthews Park to safely park a car in each driveway.

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 [Signature] Mail Address 9600 Waterford Grove Blvd
City, State & Zip AUSTIN, TX 78758
Printed NICK QUJANO Phone 512-262-8176 Date 9/21/15

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 [Signature] Mail Address 9000 WINDFORD
City, State & Zip AUSTIN TX 78758 CENTRE BLVD
Printed NICK AQUANO Phone 512-762-8976 Date 9/24/15

5138

APPROVED SITE PLAN

212

DEVELOPER / OWNER
WHEELLEY HOMES, LLC
8000 WATERFORD CENTRE BLVD.
AUSTIN, TX 78738

ACRES 2.1862 ACRES
SUBJECT: WILLIAM CANNON SURVEY NO. 19
(LTS. 16 & 17 BUNDLES)
RECORDS: NONE

ADJACENTS
WATSON SURVEYING (STUART WATSON)
8001 DAWG CREEK HWY, 500
AUSTIN, TX 78748
PHONE: 512-446-8888
FAX: 512-446-8888

ENGINEER
CHAN & PARTNERS ENGINEERING, LLC
4318 JAMES CASEY STREET, SUITE 300
AUSTIN, TX 78748
PHONE: 512-446-8888

MATTHEWS PARK SUBDIVISION

LOCATION MAP
N.T.S.

WATERWAYS:
WILLAMSON CREEK AND SOUTH BOGGY CREEK, SUBURBAN

UTILITIES:
ALL LOTS WITHIN BE SERVED BY CITY OF AUSTIN UTILITIES

SURVEY CONTROL NOTE:
ELEVATIONS AND COORDINATES WERE OBTAINED BY GPS READINGS. COORDINATES AND BEARING BASES ARE SET TO TEXAS STATE PLANE COORDINATE SYSTEM.

ENVIRONMENTAL/NEPA/SPURIOUS COVER NOTES
1. ENVIRONMENTAL/NEPA/SPURIOUS COVER ARE REQUIRED FOR ALL CONSTRUCTION ON EACH LOT, INCLUDING SINGLE FAMILY AND DUPLEX CONSTRUCTION, PURSUANT TO THE LAND DEVELOPMENT CODE, AND THE ENVIRONMENTAL CRITERIA MANUAL.

STATE OF TEXAS
COUNTY OF TRAVIS
BEFORE ME, the undersigned authority, on this 29th day of Sept, 2014 A.D.,
JIM RAGO, AREA PRESIDENT
WHEELLEY HOMES, LLC
8000 WATERFORD CENTRE BLVD.
AUSTIN, TX 78738

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED JIM RAGO, AREA PRESIDENT, WHEELLEY HOMES, LLC, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 29th DAY OF September, 2014 A.D.

Notary Public in and for the State of Texas

EXHIBITS CERTIFICATION
NO PORTION OF THIS TRACT IS WITHIN THE BOUNDARIES OF THE 100-YEAR FLOOD PLAIN AS INDICATED ON THE FEDERAL FLOOD INSURANCE ADMINISTRATION FIRM PANEL NO. 48402008M H, DATED SEPTEMBER 29, 2004 FOR TRAVIS COUNTY, TEXAS. THIS SUBDIVISION PLAT MEETS THE REQUIREMENTS OF CHAPTER 25 OF THE LAND DEVELOPMENT CODE OF THE CITY OF AUSTIN.

SUBDIVISION CERTIFICATION
THE UNDERSIGNED DOES HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREIN AND IS CORRECT, AND THAT THERE ARE NO DISCREPANCIES, CONFLICTS, INCONSISTENCIES IN AREA, BOUNDARY LINE COMPUTATIONS, ENCROACHMENTS, OVERLAPPING OF IMPROVEMENTS, VISIBLE UTILITY LINES OR ROADS IN PLACE, EXCEPT AS SHOWN HEREON, AND THAT SAID PROPERTY HAS ACCESS TO AND FROM A DEDICATED ROADWAY, EXCEPT AS SHOWN HEREON, AND THAT THIS SURVEY MEETS THE REQUIREMENTS OF CHAPTER 25 OF THE LAND DEVELOPMENT CODE OF THE CITY OF AUSTIN.

DATED THIS 25 DAY OF SEPTEMBER, 2014

WATSON SURVEYING
8001 DAWG CREEK HWY, 500
AUSTIN, TEXAS 78748
PHONE: 512-446-8888

STUART W. WATSON, REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS LICENSE NO. 4608

THIS SUBDIVISION PLAT IS LOCATED WITHIN THE CITY LIMITS OF THE CITY OF AUSTIN, ON THIS THE ____ DAY OF ____, 2014

ACCEPTED AND AUTHORIZED FOR RECORD BY THE DIRECTOR, PLANNING & DEVELOPMENT REVIEW DEPARTMENT, CITY OF AUSTIN, COUNTY OF TRAVIS, ON THIS THE ____ DAY OF ____, 2014.

DIRKO GUERNEY, DIRECTOR
PLANNING & DEVELOPMENT REVIEW DEPARTMENT

ACCEPTED AND AUTHORIZED FOR RECORD BY THE ZONING & PLATTING COMMISSION OF THE CITY OF AUSTIN, TEXAS, ON THIS THE ____ DAY OF ____, 2014.

BETTY BAKER, CHAIRPERSON
PLANNING & DEVELOPMENT REVIEW DEPARTMENT

CYNTHIA BANKS, SECRETARY

I, DANA DEBEAULVOIR, CLERK OF TRAVIS COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING AND ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON THE ____ DAY OF ____, 2014 A.D. AT ____ O'CLOCK ____ M., AND DULY RECORDED ON THE ____ DAY OF ____, 2014 A.D. AT ____ O'CLOCK ____ M. IN THE OFFICIAL PUBLIC RECORDS OF SAID COUNTY AND STATE IN DOCUMENT NO. ____.

WITNESS MY HAND AND SEAL OF OFFICE OF THE COUNTY CLERK, THE ____ DAY OF ____, 2014 A.D.

DANA DEBEAULVOIR, COUNTY CLERK, TRAVIS COUNTY, TEXAS

____, DEPUTY

C8-2014-0003.0B

MATTHEWS PARK SUBDIVISION CONSTRUCTION PLANS FINAL PLAT SHEET 2		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th>NO.</th> <th>CONSTRUCTION</th> <th>APPROVED BY</th> <th>DATE</th> </tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> </table>	NO.	CONSTRUCTION	APPROVED BY	DATE																		CHAN & PARTNERS ENGINEERING, LLC 4318 JAMES CASEY STREET, 3000 AUSTIN, TEXAS 78748 512-446-8888 (P) 512-446-8811 (FAX) E-MAIL: HIR@CHANPARTNERS.COM WWW.CHANPARTNERS.COM TEXAS REGISTRATION NO. F-13013
NO.	CONSTRUCTION	APPROVED BY	DATE																					

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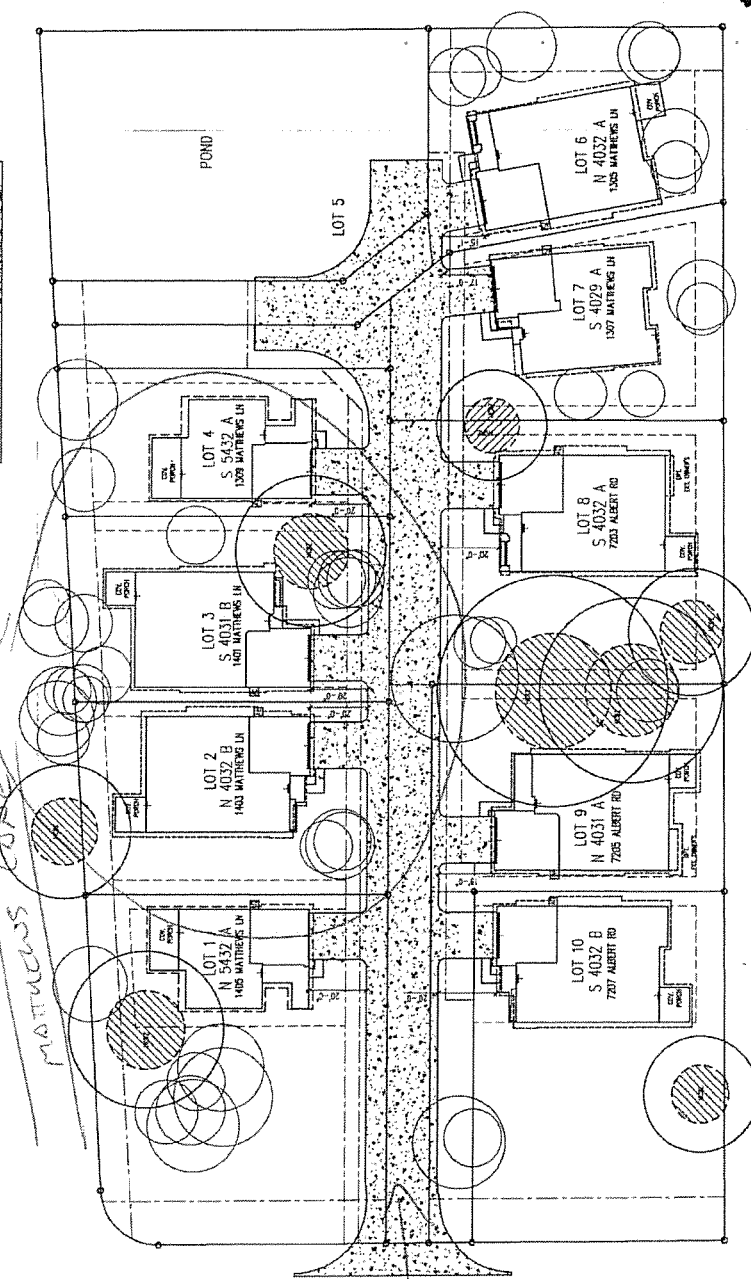
NOTES:

1. FRONT FENCE LOCATED PER BUILDER.
2. VERIFY GRADING IN FIELD.
3. VERIFY BUILDING SETBACKS AND/OR EASEMENTS IN FIELD

1. REQUEST COMP. & APPROVED	05/18/15	RW
I do hereby certify that this drawing or plan and related information are true and correct and that all requirements are in local conformity with V.A. minimum property requirements.		

SOUTH
4031-B
PLT_PLAN-1
CRESTFIELD
CENTRAL TEXAS

UNIT 1 LONG SUITE 1ST FLOOR: 1011 SPT 2ND FLOOR: 1012 SPT 3RD FLOOR: 1013 SPT TOTAL COVERAGE: 303 SPT TOTAL CAR GAR: 100 SPT TOTAL CAR GAR: 100 SPT TOTAL CAR GAR: 100 SPT	UNIT 2 LONG SUITE 1ST FLOOR: 1111 SPT 2ND FLOOR: 1112 SPT 3RD FLOOR: 1113 SPT TOTAL COVERAGE: 333 SPT TOTAL CAR GAR: 110 SPT TOTAL CAR GAR: 110 SPT TOTAL CAR GAR: 110 SPT	UNIT 3 LONG SUITE 1ST FLOOR: 1211 SPT 2ND FLOOR: 1212 SPT 3RD FLOOR: 1213 SPT TOTAL COVERAGE: 363 SPT TOTAL CAR GAR: 120 SPT TOTAL CAR GAR: 120 SPT TOTAL CAR GAR: 120 SPT	UNIT 4 LONG SUITE 1ST FLOOR: 1311 SPT 2ND FLOOR: 1312 SPT 3RD FLOOR: 1313 SPT TOTAL COVERAGE: 393 SPT TOTAL CAR GAR: 130 SPT TOTAL CAR GAR: 130 SPT TOTAL CAR GAR: 130 SPT	UNIT 5 LONG SUITE 1ST FLOOR: 1411 SPT 2ND FLOOR: 1412 SPT 3RD FLOOR: 1413 SPT TOTAL COVERAGE: 423 SPT TOTAL CAR GAR: 140 SPT TOTAL CAR GAR: 140 SPT TOTAL CAR GAR: 140 SPT
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proposed by
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