



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

## NOTIFICATIONS

CASE#: C15-2016-0091

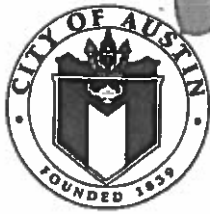
LOCATION: 2005 Matthews Drive



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.

1" = 99'



**CITY OF AUSTIN**  
**Development Services Department**  
One Texas Center | Phone: 512.978.4000  
505 Barton Springs Road, Austin, Texas 78704

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## Board of Adjustment General/Parking Variance Application

**WARNING: Filing of this appeal stops all affected construction activity.**

This application is a fillable PDF that can be completed electronically. To ensure your information is saved, click here to Save the form to your computer, then open your copy and continue.

The Tab key may be used to navigate to each field; Shift + Tab moves to the previous field. The Enter key activates links, emails, and buttons. Use the Up & Down Arrow keys to scroll through drop-down lists and check boxes, and hit Enter to make a selection.

The application must be complete and accurate prior to submittal. *If more space is required, please complete Section 6 as needed.* All information is required (if applicable).

### For Office Use Only

Case # C15-2016-0091 ROW # 11564237 Tax # 0117090801

### Section 1: Applicant Statement

Street Address: 2005 Matthew<sup>S</sup> Drive

Subdivision Legal Description:  
Laurel Heights

Lot(s): 1 Block(s): 6

Outlot: N/A Division: N/A

Zoning District: SF-3 - NP (West Austin Neighborhood Group)

I/We Miranda Wylie for Clean Tag Permits on behalf of myself/ourselves as  
authorized agent for John and Patricia Newman affirm that on  
Month June, Day 16, Year 2016, hereby apply for a hearing before the  
Board of Adjustment for consideration to (select appropriate option below):

☐ Erect ☐ Attach ☐ Complete ☐ Remodel ☒ Maintain ☐ Other: \_\_\_\_\_

Type of Structure: fence

Portion of the City of Austin Land Development Code applicant is seeking a variance from:

LDC 25-2-899 Fence as accessory use

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## Section 2: Variance Findings

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 supporting documents.

**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.**

I contend that my entitlement to the requested variance is based on the following findings:

### Reasonable Use

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

due to the size of the lot and orientation of the residence on the lot, the front yard was the only available place to construct a pool. In order to create safety/privacy for the pool/neighborhood a fence was constructed at a height of 6' from grade of the front yard. The front property line is on an incline and although the interior of the fence is no more than 6' in height the exterior of the fence ranges in height from 6' to 10'10".

### Hardship

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

the existing slope of the lot requires a 4'10" retaining wall (2'10" of which is a <sup>previously</sup> previously erected concrete wall) to prevent the front yard from eroding into the city alley way used for neighborhood garage access. If the fence were to comply with code the interior of the fence would measure 1'2" in height from grade of the front yard creating a safety hazard for those in the yard and neighborhood.

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

the lot is located on a active alleyway used by the neighborhood for garge access. A ultilty pole with transformer and climbing rung is located 44" from the fence at the corner of the lot/alleyway. It is a resonable concern that by lowering the fence to the height of 1'2" from grade of the front yard a tempatation would be created for children to climb the utility pole or walk up the slope and enter the pool area.

**Area Character**

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:

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the design of the yard is intended to improve the slope of the yard and create a terraced, usable area for the residence. The adjacent property is the city alleyway. The alley has shown improved usability, particularly during/after heavy rains, due to less erosion caused by reinforcing the concrete retaining wall, leveling the yard, and constructing the fence.

**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 in the City of Austin Land Development Code Chapter 25-6, Appendix A 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 reasonably 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:

N/A

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

N/A

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

N/A

### Section 3: Applicant Certificate

I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief. m2/s

Applicant Signature: [Signature] Date: 6/16/16

Applicant Name (typed or printed): Miranda Wylie for Clean Tag LLC

Applicant Mailing Address: 4804 Manchaca Rd

City: Austin State: TX Zip: 78745

Phone (will be public information): (512) 826-4209

Email (optional – will be public information): cleantagpermits@gmail.com

### Section 4: Owner Certificate

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

Owner Signature: Patricia Newman Date: 6/29/16

Owner Name (typed or printed): Patricia Newman

Owner Mailing Address: 2005 Matthews Drive

City: Austin State: TX Zip: 78703

Phone (will be public information): 501-282-8999

Email (optional – will be public information): \_\_\_\_\_

### Section 5: Agent Information

Agent Name: Miranda Wylie for Clean Tag LLC

Agent Mailing Address: 4804 Manchaca Rd

City: Austin State: TX Zip: 78745

Phone (will be public information): (512) 826-4209

Email (optional – will be public information): cleantagpermits@gmail.com

### Section 6: Additional Space (if applicable)

Please use the space below to provide additional information as needed. To ensure the information is referenced to the proper item, include the Section and Field names as well (continued on next page).

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[illegible]

**LEGEND**

—/—	WOOD FENCE
— —	CHAIN LINK
— —	UTILITY LINE
(W)	WATER METER
(G)	GAS METER
●	IRON ROD END
○	IRON ROD SET
⊗	UTILITY POLE
⊠	A/C UNIT

♦ IMPORTANT NOTICE ♦

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND REFLECTS ONLY THOSE BOUNDARIES, EASEMENTS AND BUILDING LINES SHOWN ON THE RECORDED PLAT. BOUNDARY AMENDMENTS, ADDITIONAL EASEMENTS AND SETBACKS MAY AFFECT LOT 1.

### SURVEYOR'S NOTES

( ) DENOTES RECORD INFORMATION

THIS MAP DOES NOT REFLECT BUILDING REQUIREMENTS WHICH MAY BE IMPOSED BY THE LOCAL GOVERNING AUTHORITY OR HOME OWNER'S ASSOCIATION.

THIS LOT IS SUBJECT TO ALL EASEMENT RIGHTS AND/OR CONDITIONS WHICH MAY APPEAR ON THE PLAT OF RECORD.

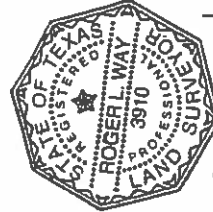
ALL POINTS DOES NOT MAKE OR WARRANT ANY FLOOD ZONE DETERMINATION.

**IMPERVIOUS COVERAGE**

TOTAL LOT AREA.....	8501 SQ.FT.
HOUSE.....	2513 SQ.FT.
CONC./BRCK./ROCK.....	405 SQ.FT.
TOTAL IMP. COV.....	2916 SQ.FT.
	44.9%

FIELD WORK	WV	04-07-16
DRAFTING	SCN	

SURVEY DATE: 04-08-16  
 Job No. 03B43518  
 SCALE: 1"=20'



Robert F. Wagner

## ALL POINTS SURVEYING

1714 FORTVIEW ROAD - SUITE 200

AUSTIN TX. 78704

**TELE: (512) 440-0071 - FAX: (512) 440-0199**

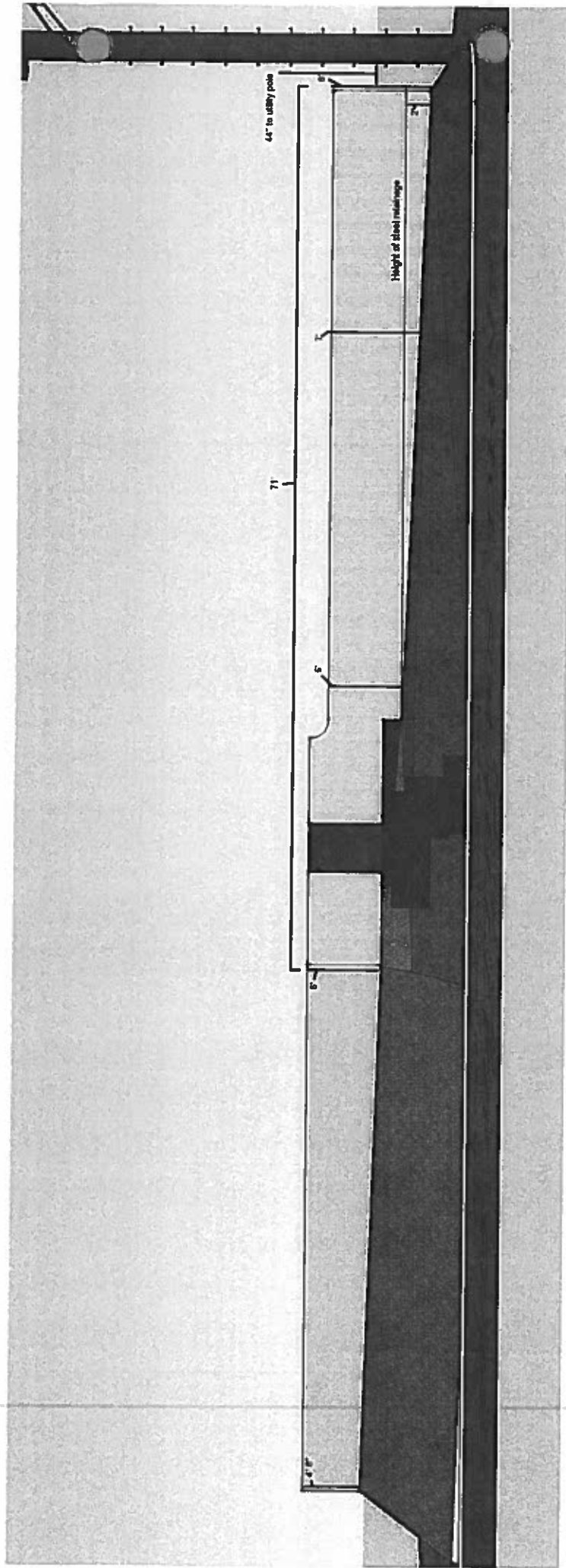
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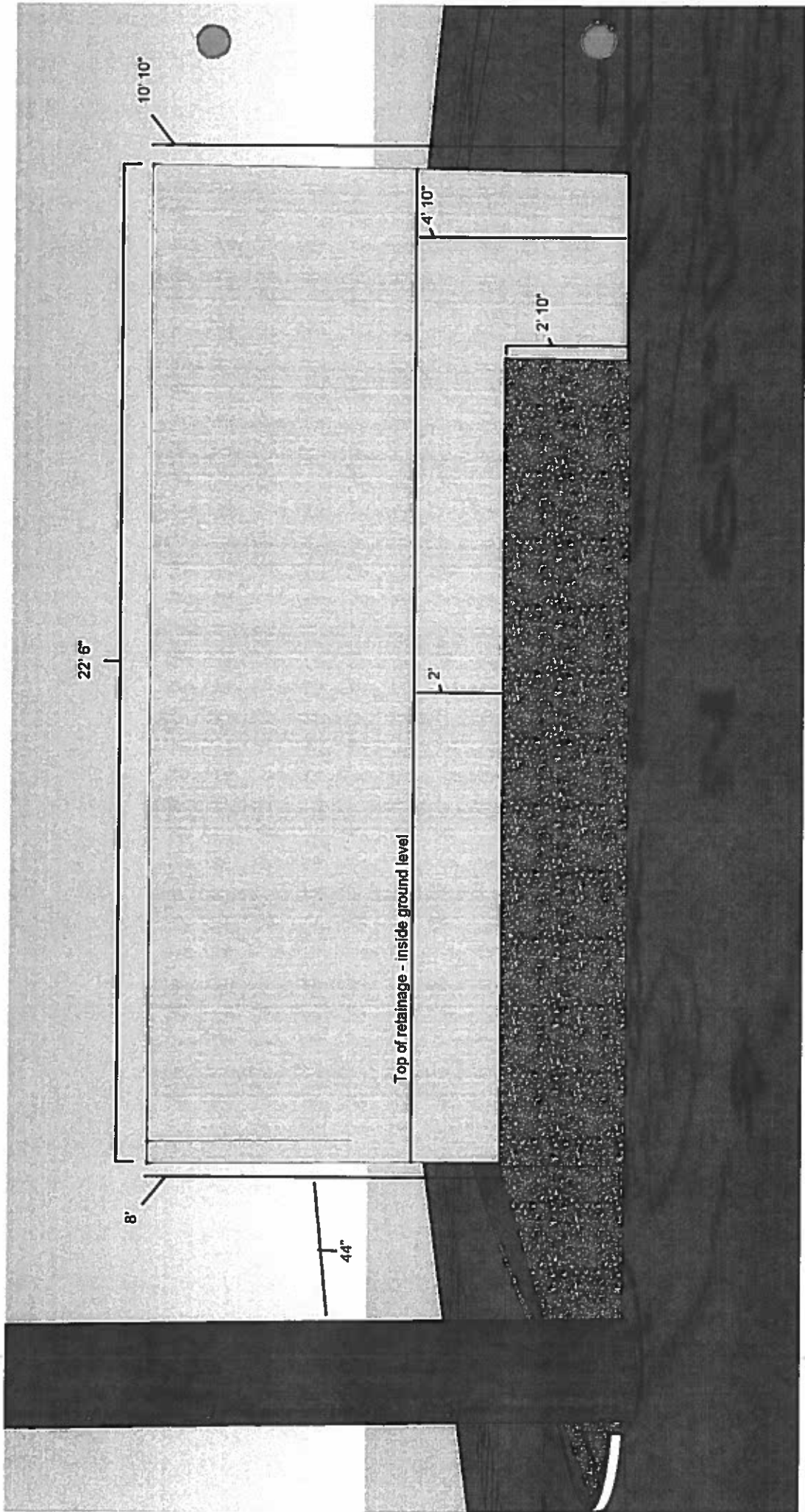
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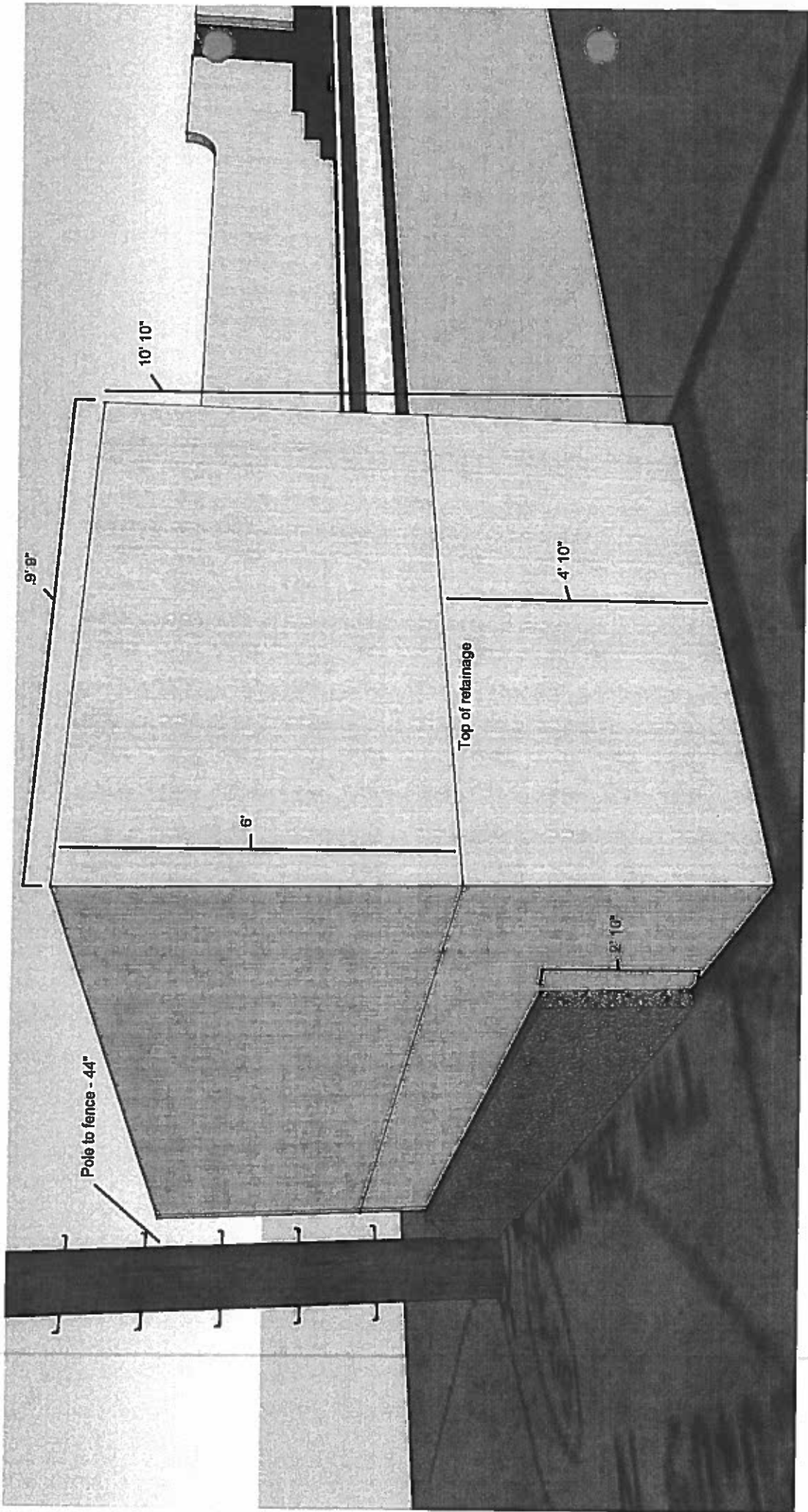


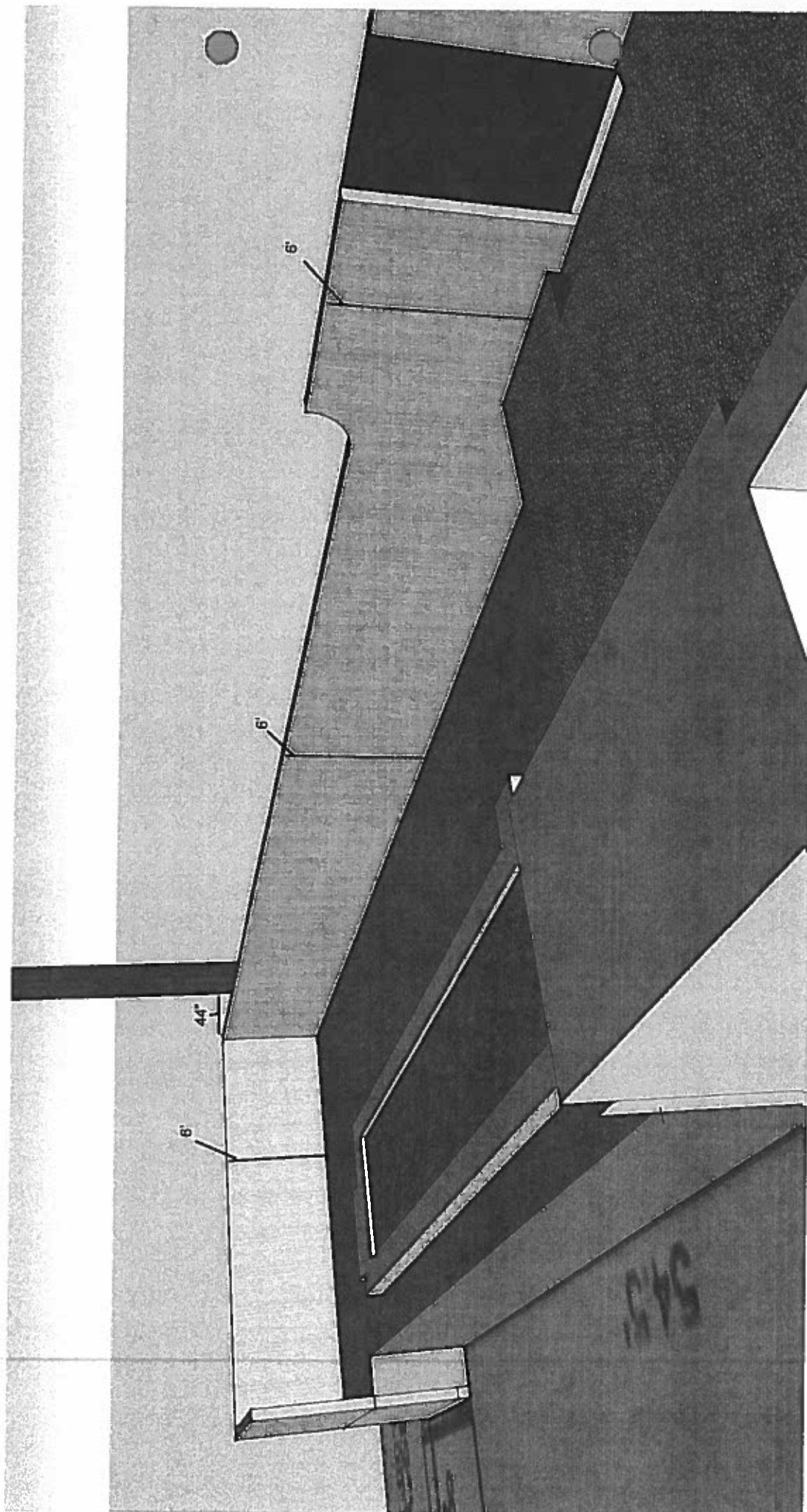


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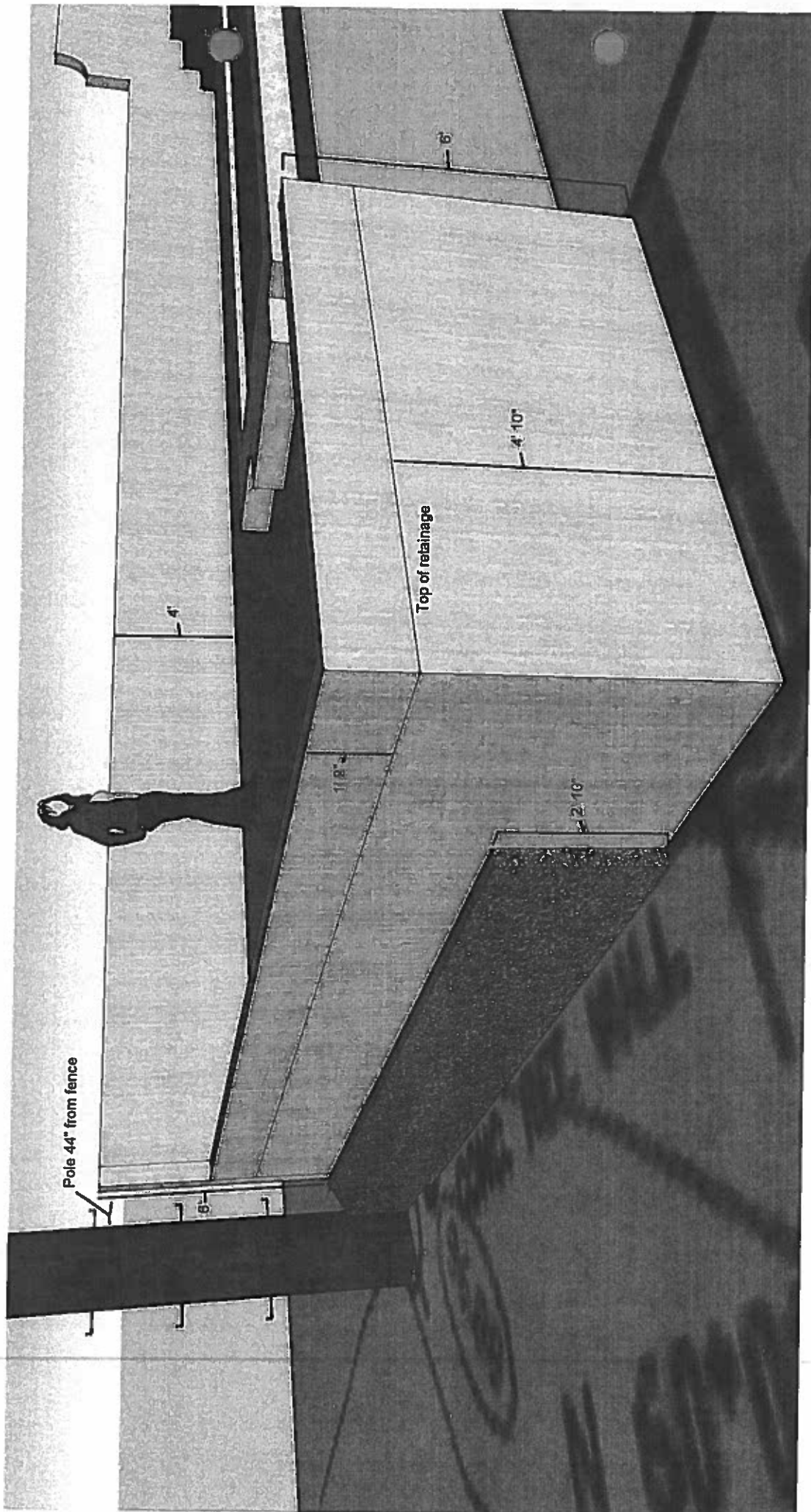


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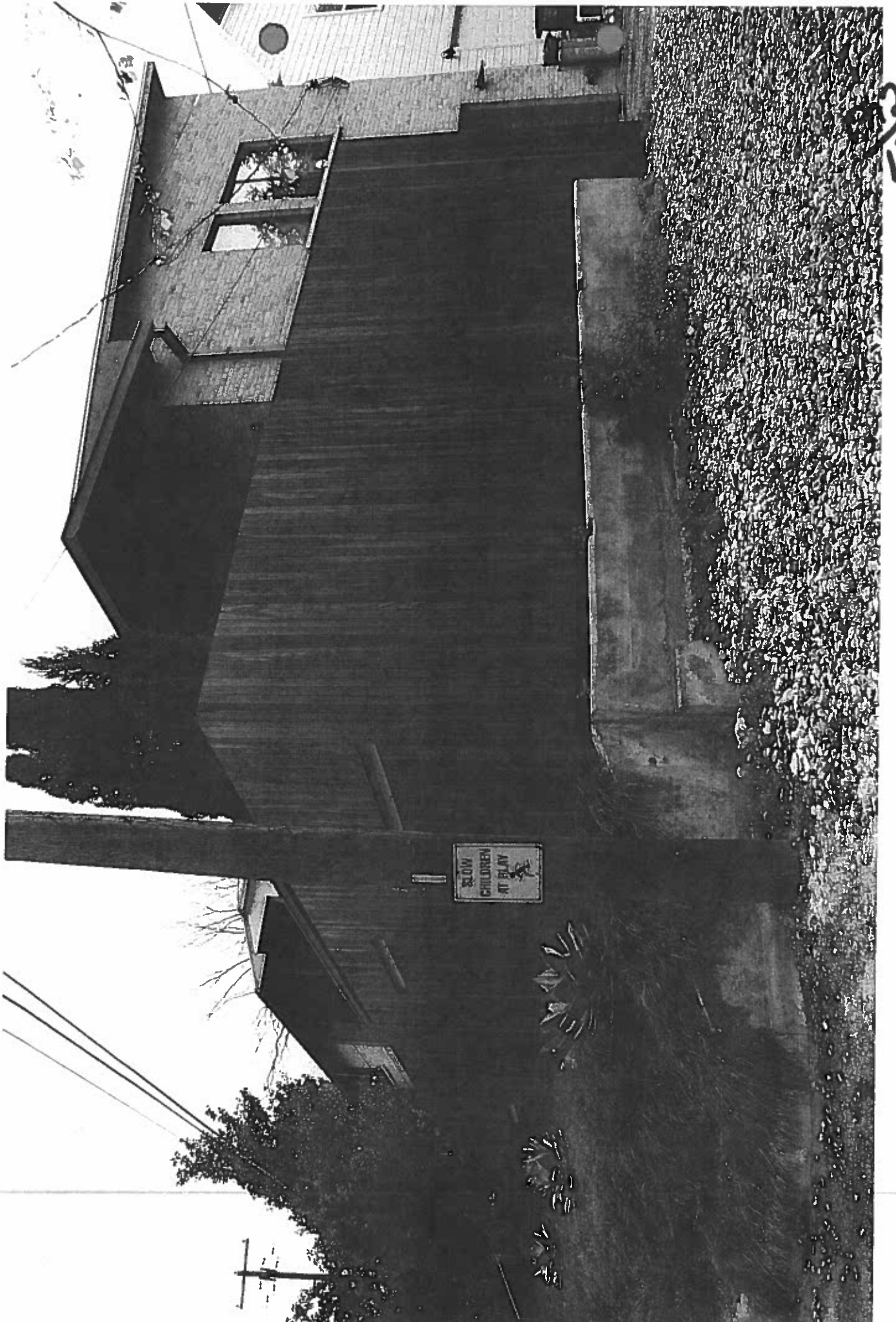




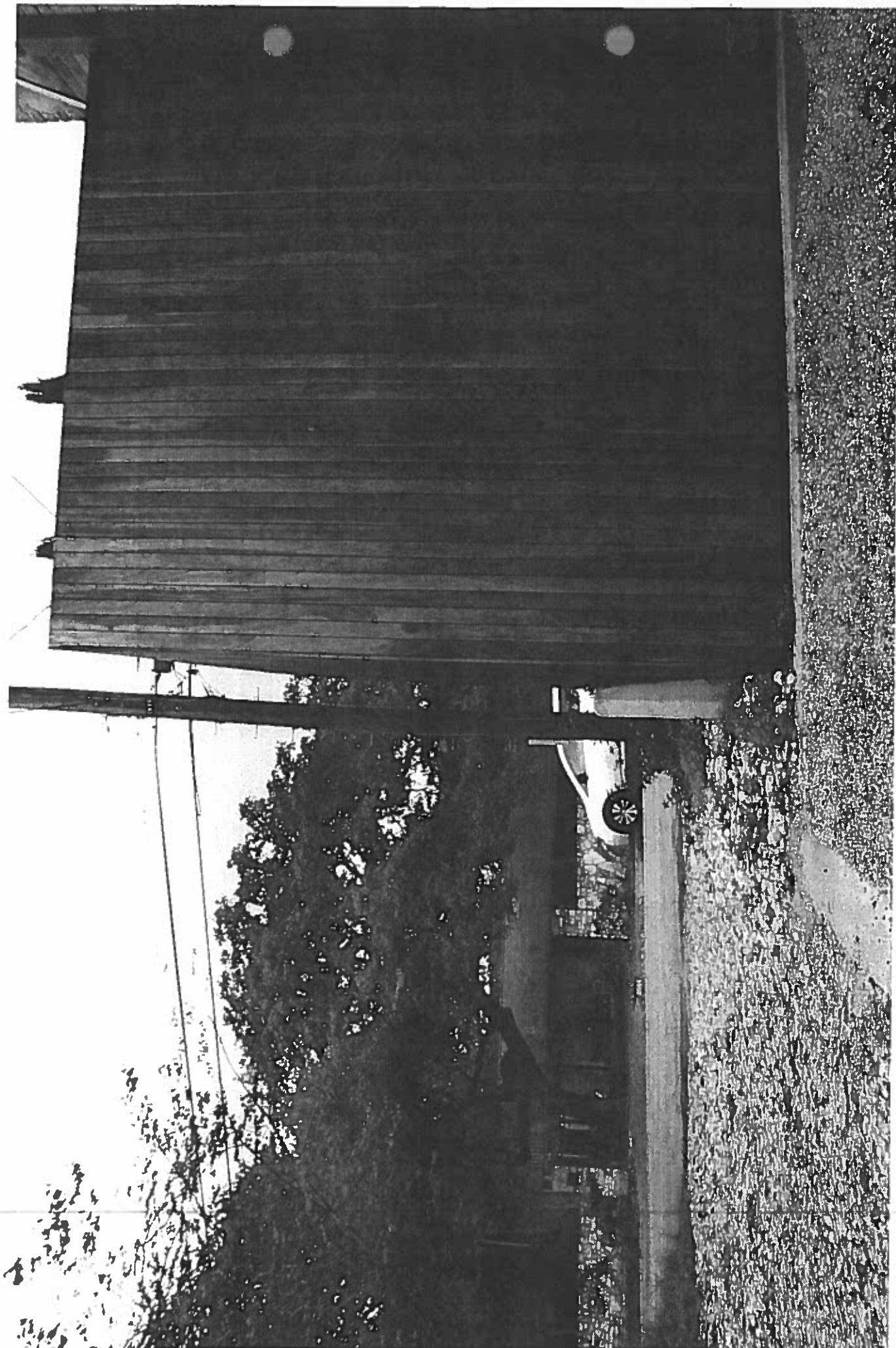
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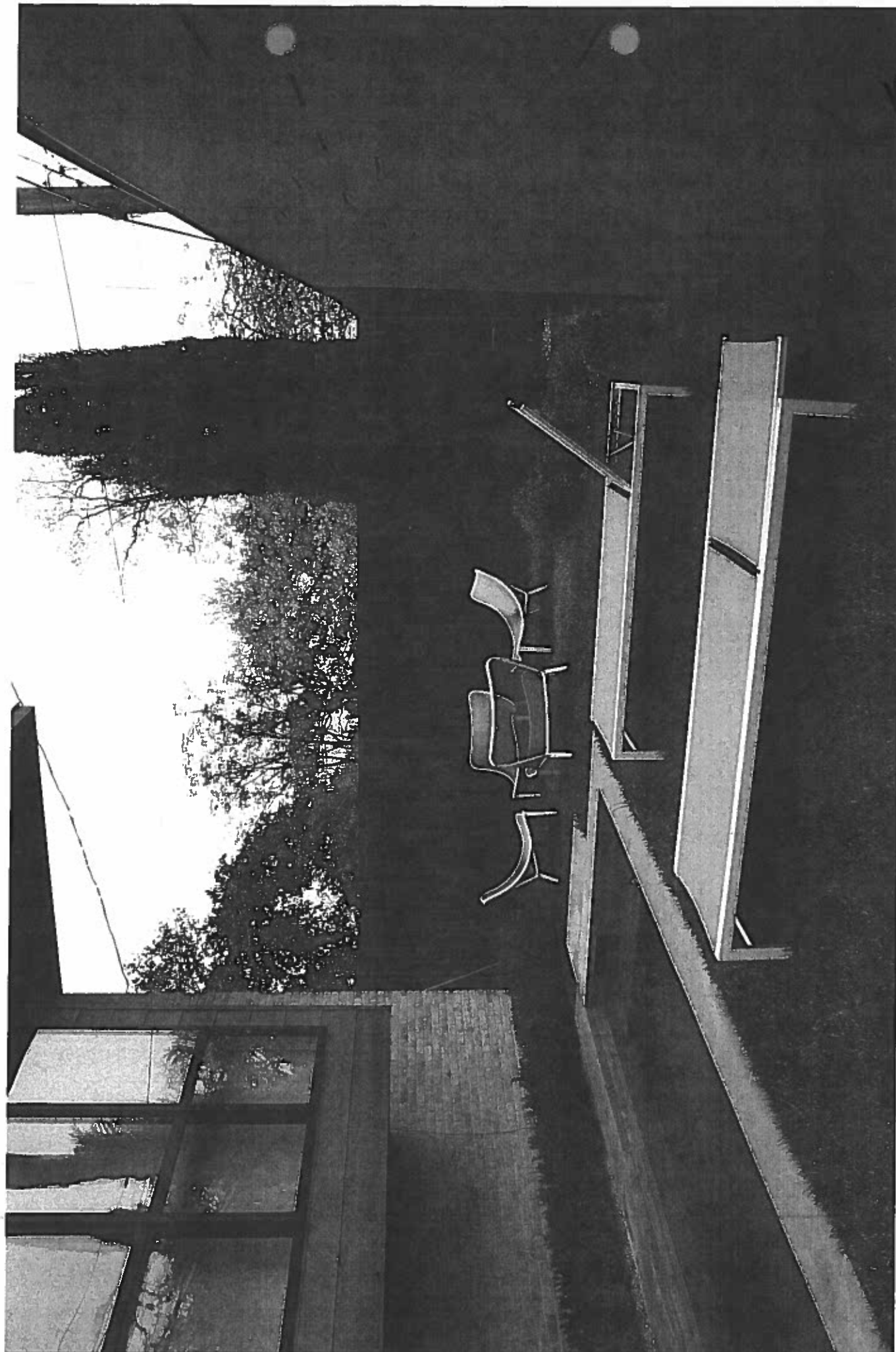


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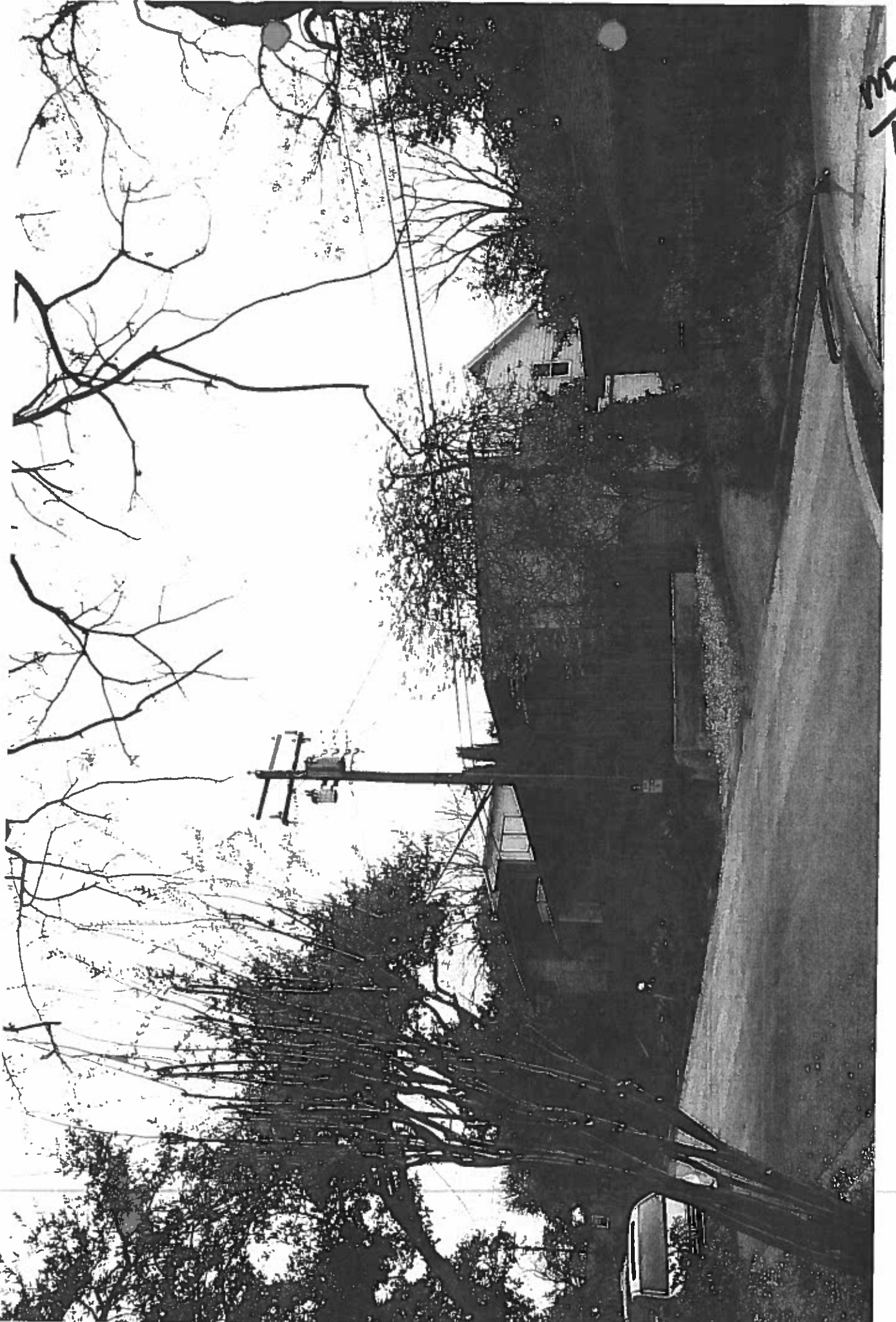




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