
$1^{\prime \prime}=169{ }^{\prime}$ 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.

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

# 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

$\qquad$

## Section 1: Applicant Statement

Street Address: 12301 Eagle Rock Cove
Subdivision Legal Description:
Anderson Mill Limited District

Lot(s): $\qquad$ Block(s): $\qquad$
Outlot: $\qquad$ Division: $\qquad$
Zoning District: $\qquad$

I/We Christian Krahenbuhl on behalf of myself/ourselves as authorized agent for Christian Krahenbuhl \& Jennifer James affirm that on Month May $\quad$, Day $17 \square$, Year $2017 \square$, hereby apply for a hearing before the Board of Adjustment for consideration to (select appropriate option below):

- Erect
OAttachComplete
○Remodel
OMaintain
O Other:
$\qquad$
Type of Structure: Fence

Portion of the City of Austin Land Development Code applicant is seeking a variance from: 25-2-899 Fences As Accessory Uses
$\qquad$
$\qquad$
$\qquad$

## 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:
The City of Austin is our neighbor to the South. Our corner lot on a cul de sac presents us with unique circumstances. If we owned an interior lot, we would not be here in front of The Board discussing this issue as the height of our fence would not be a concern.
$\qquad$
$\qquad$
$\qquad$
$\qquad$

## Hardship

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

We would like to keep our kiddos, neighbors, and chickens to be safe from road and sidewalk traffic, we would like to block the directed wind that we experience being the corner lot at the entry to a cul de sac, we would like to stop our mulch from washing away during a reasonable rain storm (we use the mulch to help keep all of our property trees properly hydrated), and we would like to allow for reasonable privacy.
b) The hardship is not general to the area in which the property is located because:

Image 1) Our sidewalk plane is 35 inches below the base of the home's foundation. Image 2) At the SE corner of our property, the top of the utility box is 45 inches tall, making it very easy for someone to climb over a 6' fence and jump or fall into our agave, cacti, or our welded steel yard art. Image 3) A laser level measures 97 inches from the sidewalk plane to the bottom of our master bath window, as well as the master bedroom, kiddo's bedroom, and guest bedroom minn

## 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:

Every neighbor within 300' of our property has signed their declaration of support for this variance request. Every neighbor, directly next to our property and across the street, that can directly see our fence has signed a letter of support.

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:
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:
$\qquad$
$\qquad$
$\qquad$
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:

## 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.

Applicant Signature:


Date: 05/17/2017
Applicant Name (typed or printed): Christian Krahenbuhl \& Jennifer James
Applicant Mailing Address: 12301 Eagle Rock Cove
City: Austin
State: TX
Zip: 78750
Phone (will be public information): (801) 891-5693
Email (optional - will be public information): cbuhl@yahoo.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:


Date: $\underline{05 / 17 / 2017}$
Owner Name (typed or printed): Christian Krahenbuhl \& Jennifer James
Owner Mailing Address: 12301 Eagle Rock Cove
City: Austin
State: TX
Zip: 78750
Phone (will be public information): (801) 891-5693
Email (optional - will be public information): cbuhl@yahoo.com

## Section 5: Agent Information

Agent Name:
Agent Mailing Address:
$\qquad$ State: $\qquad$ Zip: $\qquad$
Phone (will be public information):
Email (optional - will be public information): $\qquad$

## 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).

We appreciate your time in considering this matter, Christian, Jon, Annie, Maximus, and the chickens.
$\qquad$
$\qquad$

M06/6

## Request for a residential fence height variance

Christian Krahenbuhl $\mathbb{\circledast}$ Jennifer James

M06/7

Utility Box



The bottom of the fence along Salt Cedar Trail is only a few inches above the sidewalk plane, the grade increases from there to the home's foundation. We attempted to take photo (level with the horizon) at the center of the fence section (as demonstrated by the gate level) to allow for a realistic perspective.


The bottom of the fence along Salt Cedar Trail is only a few inches above the sidewalk plane, the grade increases from there to the home's foundation. We attempted to take photo (level with the horizon) at the center of the fence section (as demonstrated by the gate level) to allow for a realistic perspective.


M06/12

## Request for a residential fence height variance

Christian Krahenbuhl $\mathbb{E}$ Jennifer James

## M06/13

## Introduction

Hello, my name is Christian Krahenbuhl and my wife's name is Jennifer James. Our homestead is at 12301 Eagle Rock Cove Austin, 78750. We apologize for not clearly documenting whom we spoke with at the Austin Code Department, we should have been more diligent. We would not be in front of this board if we had gotten everything correct and within Austin City Cody as intended.

We understand and respect Austin City Codes and, on a previous project (our meditation room), were able to properly handle all permitting prior to construction. These hardships are unique due to our corner lot location and the topography of our property. We admit that a 6 ' fence would contain any bark washout and would limit some of the wind, but would not provide a safe environment for our children and our chickens. A 6 ' fence would easily allow someone to peer into our property by standing on the utility box at the corner of our lot. A 6' fences does not provide reasonable privacy due to the significant grade at the south side of our property as well. Granting our variance request would simply keep our kiddos and chickens safe and allow for reasonable privacy.

## M06/14

## Why we are here.

## § 25-2-899 - FENCES AS ACCESSORY USES.

(E) A solid fence along a property line may be constructed to a maximum height of eight feet if each owner of property that adjoins a section of the fence that exceeds a height of six feet files a written consent to the construction of the fence with the building official, and:
(1) there is a change in grade of at least two feet within 50 feet of the boundary between adjoining properties; or
(2) a structure, including a telephone junction box, exists that is reasonably likely to enable a child to climb over a six foot fence and gain access to a hazardous situation, including a swimming pool.

* We are unable to get the City of Austin's signature, but every adjacent neighbor and those across the street that can directly see our fence have given us written consent to construct the fence.


## M06/15

## Our Story

We are very much a DIY family. We wanted a property fence for several reasons:

1. Keep our 6 and 7 -year-old kiddos safe from road traffic.
2. Keep our chickens safe, and curious neighbors on the sidewalk rather than in our backyard hanging out with the chickens when we are not home. This seriously happened several times.
3. Lessen wind from the cul de sac.
4. Stop our mulch from washing away during heavy storms.
5. Allow for reasonable privacy.

We extensively read the Anderson Mill Deed Restrictions as well as the Austin City Code concerning the matter. We started to build the fence ourselves as we have built several fences for ourselves in the past, but digging the holes through our soil proved too difficult for us so we hired a contractor to complete the work.

## M06/16

## Our Research

1. We asked our direct neighbors, the Figlans, if a fence was acceptable. We felt this was appropriate. They asked us to not put a fence between our property and theirs as we had wanted. They said that they really appreciate our trees, so we obliged.
2. We scheduled a formal Architectural Control Review with Anderson Mill Limited District (AMLD). The Control Review was approved by the AMLD Board.
3. We called an employee of the Austin Code Department to review details of our situation where we had agreed that a fence that was not above 8' tall would be compliant and would not require a special permit due to our utility box located on the corner of our property and the hazardous situation of our cacti, agave (that have since died due to the freeze this year), and metal yard art/play structure (as pictured in slide 6).
4. We spoke with neighbors whom recently built fences or had a fence built for their property.
5. We spoke in detail with several fence contractors during the bidding process for our property fence.

## M06/17

## Facts About Our Property

1. The grade on the south side of our home is steep. Our sidewalk plane is 35 inches below to base of the home's foundation. Whenever it would heavily rain, almost all of our mulch on the side of the home would wash away into the streets and clog up the gutters. We spent thousands of dollars on the xyrascaping and mulch for the existing trees, and recovering our mulch took hours. We want to keep our established trees naturally hydrated knowing that long-periods of drought can be expected.
2. At the southeast corner of our property, the top of utility box is 45 inches tall, making it very easy for someone to climb over a 6' fence and jump or fall into our agave, cacti, or our welded steel yard art. This is a hazardous situation.
3. The grade on the south side of our home is steep. A laser level measures 97 Inches from the sidewalk plane to bottom of our master bathroom window...making it very easy to see inside our master bathroom as well as our guest room, son's room, and master bedroom. A 6' fence would not provide reasonable privacy as one could still peer into our home very easily due to the steep grade and the setback requirements for the fence.
4. Every neighbor within 300 ' of our property has signed the declaration of support for this variance request.
5. Every neighbor, directly next to our property and across the street, that can directly see our fence has signed a letter of support.

## M06/18

## Conclusion

We are good stewards of the land and believers in adhering to code and compliance. We submit the following as evidence. We have applied and been awarded the following thus far:

1. WaterWise Landscape Residential Rebates,
2. Landscape Survival Tools Residential Rebate,
3. Rainwater Harvesting Rebate,
4. Anderson Mill Limited District architectural control review approval,
5. Electrical permit from the City of Austin for our home structure (meditation room) prior to construction,
6. And we had chickens well before the City of Austin's chicken rebate program was introduced.

We have also xyrascaped our entire property ourselves to reduce water consumption yet have an aesthetically pleasing landscape for us and the neighborhood to enjoy.

By signing this form, I understand that I am declaring my support for the variance being requested.


M06/20

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1/21/17
Jo whom this may concern:
My name is Manlonia Buy (Marlonia Ivy) I) do not have an issue with the height of fen: Christian's fence as their home is behind my property.

If you have any questions please dort hesitate to call me

$$
480-492-7329
$$

My address is 12300 Owl CV.
Austin, Tx 78750


4/17/2017

To Whom This May Concern:

My name is Denny Reeves. I do not have any issues with the height or aesthetics of Jenn and Christian's fence at 12301 Eagle Rock Cove. Matter of fact, I find the fence to be aesthetically pleasing.

If you have any questions or concerns, feel free to contact me at my residence on 11303 Salt Cedar Trail Austin, TX 78750.

Sincerely,


4/17/2017

To Whom This May Concern:
My name is Steve Hibbs. I do not have any issues with the height or aesthetics of Jenn and Christian's fence at 12301 Eagle Rock Cove.

If you have any questions or concerns, feel free to contact me at my residence on 11301 Salt Cedar Trail, TX 78750.

Sincerely, Stcefler

4/17/2017

To Whom This May Concern:

My name is Evangeline Balosa. I do not have any issues with the height or aesthetics of Jenn and Christian's fence at 12301 Eagle Rock Cove.

If you have any questions or concerns, feel free to contact me at my residence on 12300 Eagle Rock Cove Austin, TX 78750.

Sincerely,


Evangeline Balosa

# WaterWise Landscape Rebate Program 

$\qquad$

## Please read the program guidelines on page 1 before completing this form.

## Please fill out completely (print clearly)

## Property Owner/Account Holder

 Zip Code
 Installation Address Zip Code $\qquad$ Mailing Address $\qquad$
E-mail Address Primary Phone $\qquad$
$\qquad$ 1009 Sq. Ft. Proposed conversion area $\qquad$
Current Turf Grass $\qquad$ St. August in e
Current Irrigation Method (please check one):
( Automatic
Estimated Start Date $\qquad$Hand water Estimated Completion Date $\qquad$ Person or Company Installing Owner metalled

## Customer Agreement

Q. I certify that the information I have provided is accurate and that I have read the program guidelines and conversion area requirements.

区 I understand that Austin Water reserves the right to cancel or modify the program without notice and that rebates are subject to funding availability.

Q I understand the rebate will be issued as check and will be received 4-6 weeks following final inspection.

Q I allow Austin Water to track my water use, reference my project in outreach material, and contact me regarding participation in public

## CITY OF AUSTIN USE ONLY

Eligible Square Footage $\qquad$ /100
= $\qquad$ X \$35

Amount due customer: $\qquad$ Inspected by:

Date:


# Water Wise Landscape Rebate Program Residential Program Application 

$\qquad$
Please read the program guidelines on page 1 before completing this form.

## Please fill out completely (print clearly)

Property Owner/Account
Austin Water Account No. Qualifying District
 Installation Address $\qquad$ Zip Code $\qquad$ Zip Code
Mailing Address
 Secondary Phone $\qquad$

Proposed conversion area
Current Turf Grass
 Sq. Ft.

Current Irrigation Method (please checkone):
(Automatic
Estimated Start Date $\qquad$ Hose end sprinkler $\square$ Hand water Person or Company Installing owner installed None Sept. $3^{\text {rd }} 2 \phi 16$ Estimated Completion Date $\qquad$ $2 \phi 16$

## Customer Agreement

D I certify that the information I have provided is accurate and that I have read the program guidelines and conversion area requirements.

D I understand that Austin Water reserves the right to cancel or modify the program without notice and that rebates are subject to funding availability.

X I understand the rebate will be issued as check and will be received 4-6 weeks following final inspection.

Z I allow Austin Water to track my water use, reference my project in outreach material, and contact me regarding participation in public

## CITY OF AUSTIN USE ONLY

 viewing or promotional tours.D I am aware that Austin Water staff may require a pre-inspection and/or a post-inspection of my property.

X I will not begin installation or purchase material until receiving approval from Austin Water.

】 Any changes to my landscape will have the full approval of my Home Owner Association (HOA), (if applicable).


Date $\qquad$

## Austin

$\frac{\text { Clearly Reliable }}{\sqrt{A T E}}$

## APPLICANT INFORMATION

Austin Water Account \#:

(or Qualifying Water Provider Name)
Name of Applicant: Christian Krahembuhl
(cramanomeme
Property Address:
City:


Zip: $7875 \phi$
Phone: $8 \phi 1.891 .5693$
Mailing Address:
(if different than above)

## REBATE INFORMATION

What tools did you purchase? $\square$ compost $\boxtimes$ mulch $\boxtimes$ core aeration
Compost Installed by:


Mulch Installed by:


Core Aeration Performed by: Emerald Lawns
Project Completion Date:


## REBATE AGREEMENT

I certify that all statements and representations contained in this application are true, correct and complete. I have read and understand the rebate eligibility. I have completed each of the required items on the rebate checklist and submitted all required receipts and photos. I understand that incomplete applications will not be processed. Austin Water reserves the right to cancel or modify the program without notice and that rebates are subject to funding availability.


Signature


WaterWiseAustin.org | watercon@austintexas.gov | 512-974-2199

| CITY OF AUSTIN USE ONLY |  |  |
| :--- | ---: | :--- |
| $\square$ compost $(\$ 50) \quad \square$ mulch $(\$ 40)$ | $\square$ core aeration ( $\$ 30$ ) | Inspected by: |
| Amount Due to Customer: | Process Date: |  |

## Austin <br> WATER

## Rainwater Harvesting Rebate Program Application Please read the program guidelines on page 1 prior to completing this form.

## Eligibility

$\approx$ Applicant must be a customer of Austin Water or an eligible water district.
$\approx$ Rebates are issued to the property owner or utility account holder only.
$\approx$ Participation is limited to once every 12 months.
$\approx$ Rebates are available for new systems or existing systems adding storage capacity.
₹ Only finished tanks sold exclusively for rainwater collection are eligible. Second-hand or self-made rainbarrels or tanks purchased from or previously rebated by Austin Water are not eligible. Invoices must include purchase date, vendor name, address, and phone number.
$\approx$ Purchases must have been made on or after July 1, 2010 to qualify for the rebate.

## Are you applying for:

less than $\mathbf{5 0 0}$ gallons (installation must be complete prior to application submission) Installation date $3 / 21 / 2 \phi 16$
$\square 500$ gallons or more (application must be submitted for review prior to purchase or installation)

## Property type:

Disingle-Family
$\square$ Multi-Family
$\square$ *Commercial, Institutional, or Industrial
*Commercial applicants must include a completed y-9,form with application.
Applicant (must be owner or account holder)


Austin Water Account No. or water district name


Primary Phone $8 \phi 1.891 .5693$ Secondary Phone
E-mail Address


## For systems of $\mathbf{5 0 0}$ gallons or more, a site drawing, system drawing, and operation and

 maintenance guide must be included with the application. Please check off the items below to indicate that each is included.$\square$ Site drawing: sketch the layout of buildings, streets adjacent to the site, existing/proposed tank locations), Austin Water meter location, and piping from the tank to the landscaped areas. Identify the dimensions of the catchment area and the landscaped area to be irrigated with the harvested rainwater.System drawing: sketch the system, including piping and first flush details, pump location (if applicable), tank material, placement, and dimensions, and pad materials and construction.Operation \& maintenance guide: written description of how the system will function and how maintenance will be performed.

## Customer Agreement

I certify that the information I have supplied in the application is accurate and that I have read and understand the program guidelines. I understand Austin Water does not assume liability for rebated products or services and that rebate application consideration or rebate receipt does not take the place of any required permits or inspections. I agree to: make a good faith effort to keep my rainwater harvesting system functional for at least five years and larger rainwater collection systems for at least 10 years; install and maintain required backflow prevention if the system is pressurized; not use collected rainwater for potable use; and allow Austin Water to reference my project in outreach materials and to be contacted regarding participation in public viewings or promotional tours of rainwater harvesting systems. I understand that Austin Water reserves the right to cancelor modify the program without notice and that rebates are subject to funding

Signature
$\qquad$

Print Name
but notice and that rebates


## Mail applications

 and other documents to:
## From:

## Sent:

To:
Cc:
Subject:
Attachments:

```
    Thursday, April 28, 2016 5:37 PM
    Jenn James
    12301 Eagle Rock Cove - Request for permission to build a 8' tall fence.
    12301 Similar Fence.jpg; 12301-yard-layout.pdf; IMAG0120.jpg; IMAG0118.jpg;
    IMAG0117.jpg
```

Mark,
Thank you for taking the time to speak with me about this matter. We would like to install a new 8' privacy fence on our corner lot property at 12301 Eagle Rock Cove, where we live. According to Austin code 25-2-899 - FENCES AS
ACCESSORY USES $(E)(2)$ "a structure, including a telephone junction box, exists that is reasonably likely to enable a child to climb over a six foot fence and gain access to a hazardous situation, including a swimming pool." The hazardous situation would be falling into one of the several cacti that we have planned to plant in that corner. You can see one of the large Ocotillo cacti that we plan on planting there in (IMAG0118).

Having 8' fencing around those cacti makes sense, but, with your permission, we would like to have the fence constructed at $8^{\prime}$ the entire length of the fence, $\sim 242^{\prime}$ for phase 1 . We are asking for this permission for the following reasons:

1) The base of our foundation sits $35^{\prime \prime}$ above the sidewalk, as seen in IMAG0117. You can see the laser at the base of the cider block under our rain water barrel. A 6' fence would not provide much privacy from anyone walking along the south sidewalk.
2) The very bottom of our master bathroom window sits at $8^{\prime} 1^{\prime \prime}$ from the south sidewalk and we have already had plenty of surprises with various neighbors walking by and looking into our bathroom while we were in there, as seen in IMAG0118. Our toilet is directly below that window, with the see-through glass shower right next to it.
3) The utility box at the corner of our lot sits fairy high at $\sim 44^{\prime \prime}$, as seen in IMAG0120. Anyone with a height just over $2^{\prime}$ could easily peer onto our property if they were on top of that box.

I have attached a print out of where we plan on installing the fence in attachment labeled 12301-yard-layout. The fence is the darker line at the front west, south, and rear east sides of the property. We would like to have a stained horizontalslated fence similar to the one in image 12301 Similar Fence installed.

Thank you again for your consideration. I will plan on meeting with you at 7PM on Wednesday, May 4th to review this matter in person.

With respect,
Christian James Krahenbuhi
801.891 .5693

# Anderson Mill Limited District <br> Architectural Control Review 

Review Date: May 4, 2016

Property Reviewed: $\qquad$

Property Owners: Christian Krahenbuhl
Phone: 801-891-5693

Email:


Contractor: $\qquad$ Phone: $\qquad$

Approved: Not Approved: Reason not approved: $\qquad$

If Approved, Conditions and Dates for Inspection:

1. Homeowner agrees to complete project as presented in the ACC Review. Inspected:
2. Homeowner agrees to comply with COA ordinance.

Inspected:

Inspected:
Owners Agreement to Conditions:
I agree to the conditions set forth in this Architectural Control Committee Review.


| OFFick UsE: |
| :--- |
| Comments: |
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| Date Completed: |

## ARCHITECTURAL REVIEW REQUEST

 Village:
Address: 12301 EPWIE ROOK colE
Phone \#: 801-891-5693
Email: $\qquad$
Property Owner: $\qquad$
Project Description: $\qquad$ 8 FEET TIL

Date Request Received: $\qquad$
Plans/Specs:

$\qquad$ Not Required $\qquad$
Estimated Cost (optional) $\qquad$
Committee Review Date: $\qquad$ Committee Approval:

Approved $\qquad$ Disapproved $\qquad$

* Project must start within 30 days after Committee approval - If not, applicant must submit a new request

First Construction Inspection Remarks: $\qquad$

Final Inspection Remaks: $\qquad$
$\qquad$
$\qquad$
$\qquad$
$\qquad$
Approved $\qquad$ Disapproved: $\qquad$





M06/36


