

RESOLUTION #174

**A resolution granting grandfather status for code violations
existing on lot #32 prior to March 1, 1996**

Whereas, property owners were approved for a "Certificate of Occupancy for Non-Compliance" for construction code violations existed prior to March 1, 1996 if pre-printed request form was submitted to the City; and

Whereas, Jerome L. and Judy Schwab, of 212 Flamingo Circle did, on discover a request form completed by Mr. Lloyd LaFond, deceased, but not submitted to the City according to City files; and

Whereas, said form does identify two items in violation of code, being an air conditioner pad less than five feet (2'8") from side lot line and a concrete driveway approach from the front property line extending to the street pavement; and

Whereas, inspection by City official indicates A/C pad and driveway constructed at the same time as residence; and

Whereas, a "Certificate of Occupancy for Non-Compliance" would have been issued had request been submitted

Be it therefore resolved by the Board of Aldermen of the City of Highland haven, Texas that the two above stated violations of construction codes did exist prior to March 1, 1996 and are hereby grand fathered and shall be allowed to remain.

Passed and approved by the Board of Aldermen of the City of Highland Haven, Texas this 20th day of September, 2005.

Attest:


Jeanne Ormiston, City Secretary


Roscoe L. Holt, Mayor

August 29, 2005


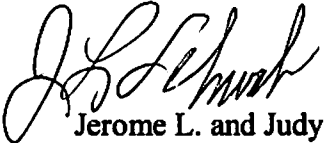
City of Highland Haven

Att: Roscoe Holt - Mayor

While reviewing old files for 212 Flamingo Circle, lot 32, I came across the attached document which indicated that Mr. LaFond had intended to submit this document with the city, particularly since this was a copy and not the original.. In checking city records this apparently never got turned in back prior to March 1996.

These were the conditions that existed prior to March 1, 1996 as indicated on the attached copy. I would request that this variance be entered in the city records for future reference.

Thank you for your assistance in this matter.



Jerome L. and Judy Schwab
212 Flamingo Circle
Marble Falls, Tx. 78654
830-598-6427

file: Variance-212
disk: ORG1

LLOYD A. LAFORD
 212 FLAMINGO CIRCLE
 LOT #032

Request a "Certificate of Occupancy for Non-compliance" if prior to March 1, 1996:	You found
Your lot is located next to another lot and the side Yard free space clearance is less than five (5) feet from any of the following; residence, outbuilding, outside appliance (air conditioner and pad) fire place, etc.. (Vertical line down from roof overhang.)	Distance of: 2'8" #1
Your lot is located next to a street and the side Yard free space clearance is less than ten (10) feet for any of the following; residence, outbuilding, outside appliance (air conditioner and pad) fire place, etc.. (Vertical line down from roof overhang.)	Distance of:
The distance to front lot line is less than twenty (20) feet for any of the following; residence, outbuilding, outside appliance, other improvements (not flower beds). (Vertical line down from roof overhang.)	Distance of:
The rear of lot is next to a street and the distance to the rear lot line is less than twenty (20) feet for any of the following; residence, outbuilding, outside appliance, or other improvements (not flower beds). (Vertical line down from roof overhang.)	Distance of:
When rear of your lot is common to rear of another lot and the free rear yard space is less than ten (10) feet for residence, outbuildings, outside appliances (air conditioner and pad) fire place, etc.. (Vertical line down from roof overhang.)	Distance of:
Any portion of your residence is closer than twenty-five (25) feet to the 825 MSL contour (normal edge and level of the lake).	Distance of:
Your living space for an off-water residence is less than 1,400 square feet.	Yours is:
Your living space for an on-water residence is less than 1,600 square feet.	Yours is:
Your home's Outside wall area is less than 40% brick, ledge stone or native stone.	%:
Waterfront facilities on lots adjacent to lake LBJ: (a) Must not be a hazard to water craft traffic; (b) Ownership of facility must be identical to that of waterfront lot; (c) Size of building or structure associated with boat lift must not exceed 900 square feet; (d) Roof line of any building must not exceed 16 feet above 825 feet elevation; (e) Combined area of entire facility must not exceed 1,500 square feet; (f) Each waterfront lot is limited to one waterfront facility.	Yours is: _____ _____ _____ _____ _____
Waterfront facilities on lots adjacent to a canal: (a) Must not protrude more than two (2) feet into waterway; and (b) Minimum width of canal must be maintained at thirty-five feet; (c) Deck and/or building or structure must not extend past lot line; (d) Roof line of any building must not exceed 16 feet above 825 feet elevation; (e) Surface area of entire waterfront facility must not exceed 900 square feet; (f) Ownership of facility must be identical to that of lot.	Yours is: _____ _____ _____ _____ _____

#1 A/C PAD is approximately 2'8" from property line.
 #2 Concrete driveway extends from property line to paved street for approximate distance of 10'.
 2