



# City of Austin

Founded by Congress, Republic of Texas, 1839  
Planning and Development Review Department  
P.O. Box 1088, Austin, Texas 78767

December 3, 2009

Certified Mail: 7009 1680 0000 8642 1789

Mr. Michael Cihock  
McLean & Howard, LLP  
1004 Mopac Circle, Suite 100  
Austin, Texas 78746

**Re:** Building Permit Nos. 2008- 051644 BP and 2009-029382 BP

Dear Mr. Cihock:

Thank you for the information you provided at our November 16, 2009 meeting.

Following is our decision on the referenced permits:

- The requirements of the City Code for the issuance of Permit No. 2008-051644 BP have been met. The 8 ft. fence is in compliance with Chapter 25-2-899 Fences as Accessory Uses, specifically Section (E) and Section (E) (2).
- The fence permitted under Permit No. 2009- 029382 BP is not in compliance with Section 25-2-899 (D). Without the adjacent property owner's approval, the fence along the property line along the south side of Mr. Ben White's property may not exceed an average height of six feet or a maximum height of seven feet. The property line is determined from the beginning of the lot (most westerly corner of the lot) to the end of the lot (most southerly corner).

However, this also means that the section of 8 ft fence on the south property line that was approved under the previous permit cannot be over 7 ft.

You have two options available:

1. Request a variance from the Board of Adjustment at the earliest available meeting or
2. Rebuild the fence in order to achieve an average height of six feet with a maximum height of seven ft.

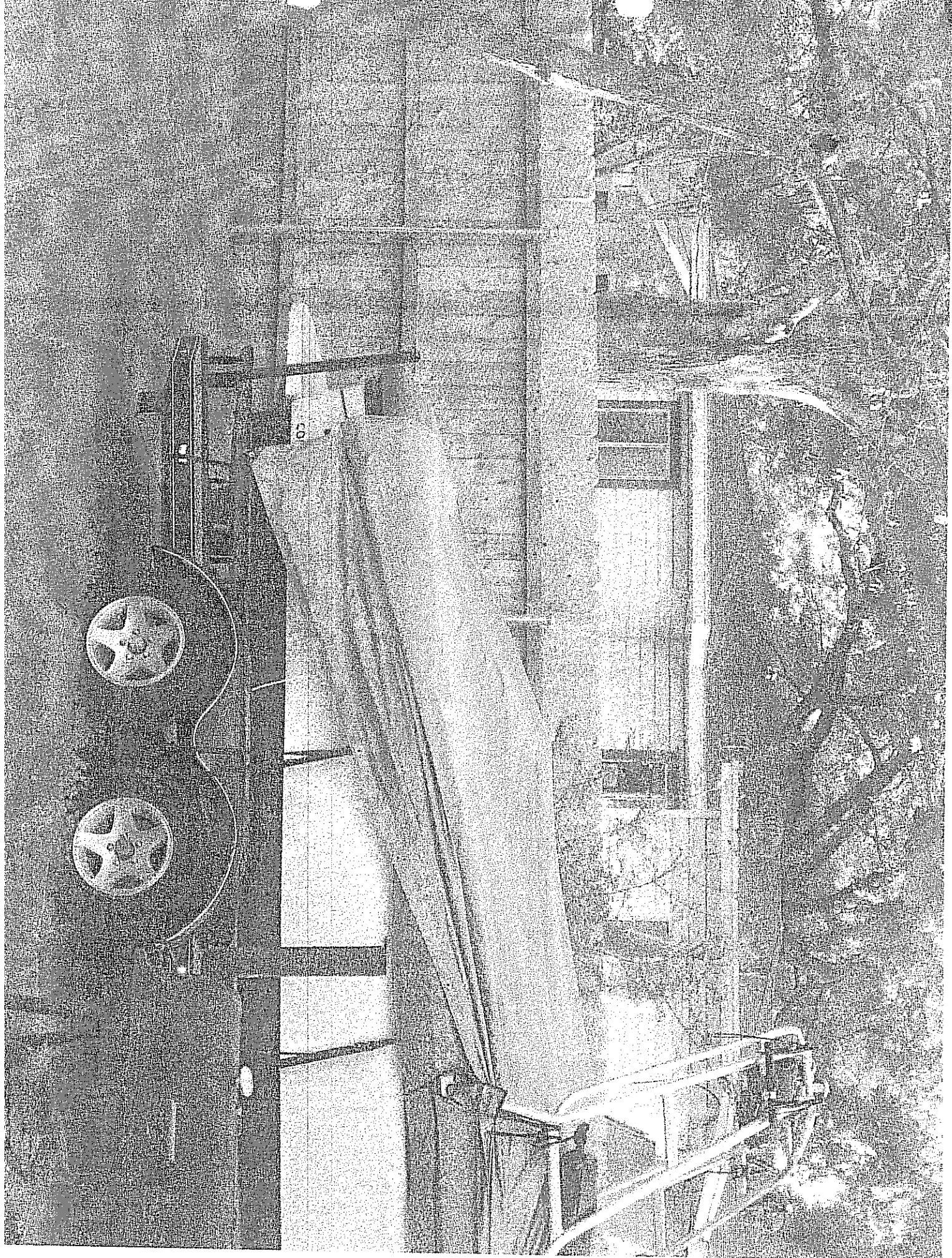
Please provide a written response of your decision no later than December 11, 2009. If you choose option 2, please provide a time frame for completing the work.

Sincerely,

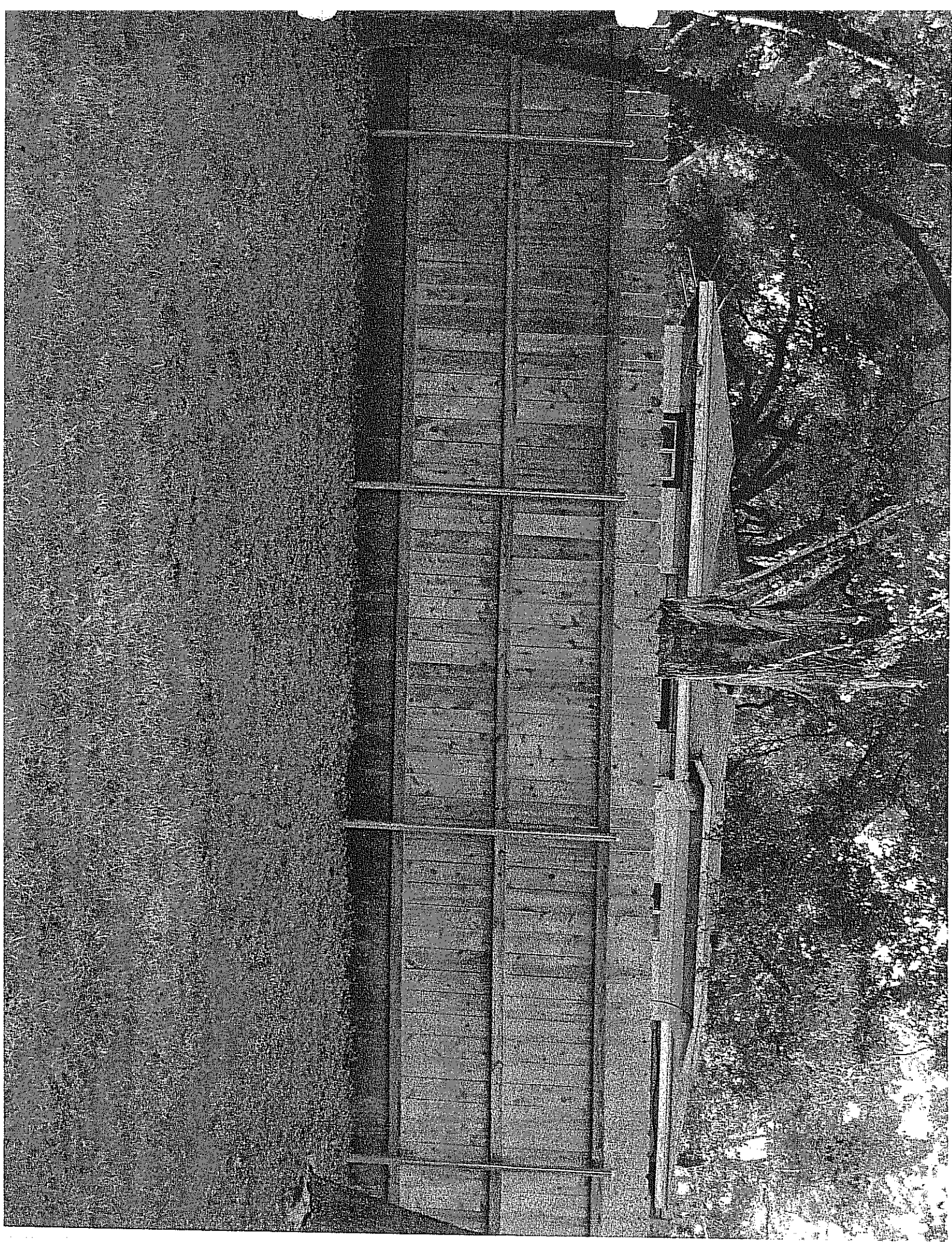
  
Leon Barba, P.E., Building Official

CC: Greg Guernsey, Director, PDR  
Don Birkner, Assistant Director, PDR  
Brent Lloyd, Assistant City Attorney, Law Department  
Dan McNabb, Building Inspection Division Manager, PDR  
Benjamin T. White

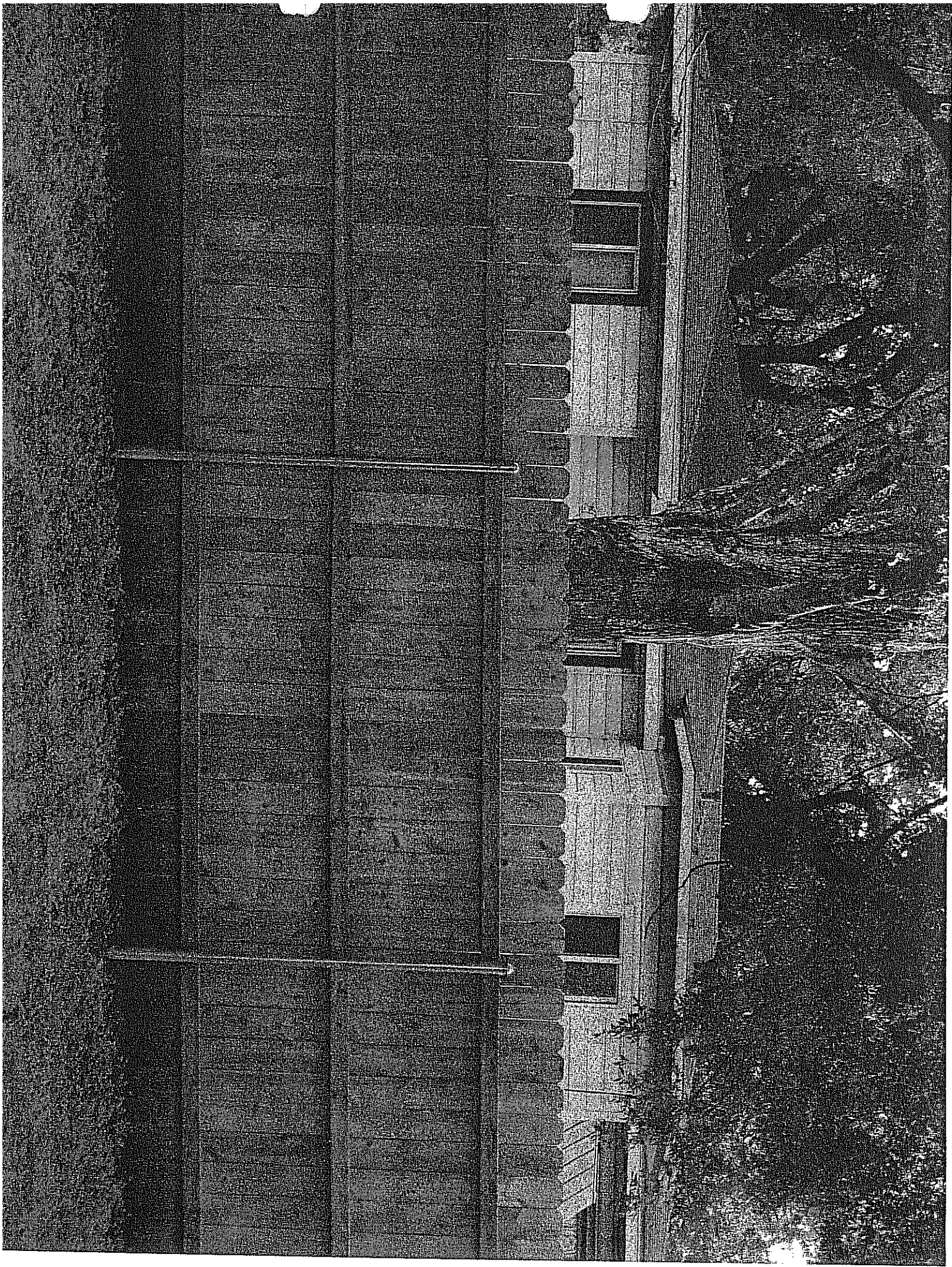
*The City of Austin is committed to compliance with the Americans with Disabilities Act.  
Reasonable modifications and equal access to communications will be provided upon request.*



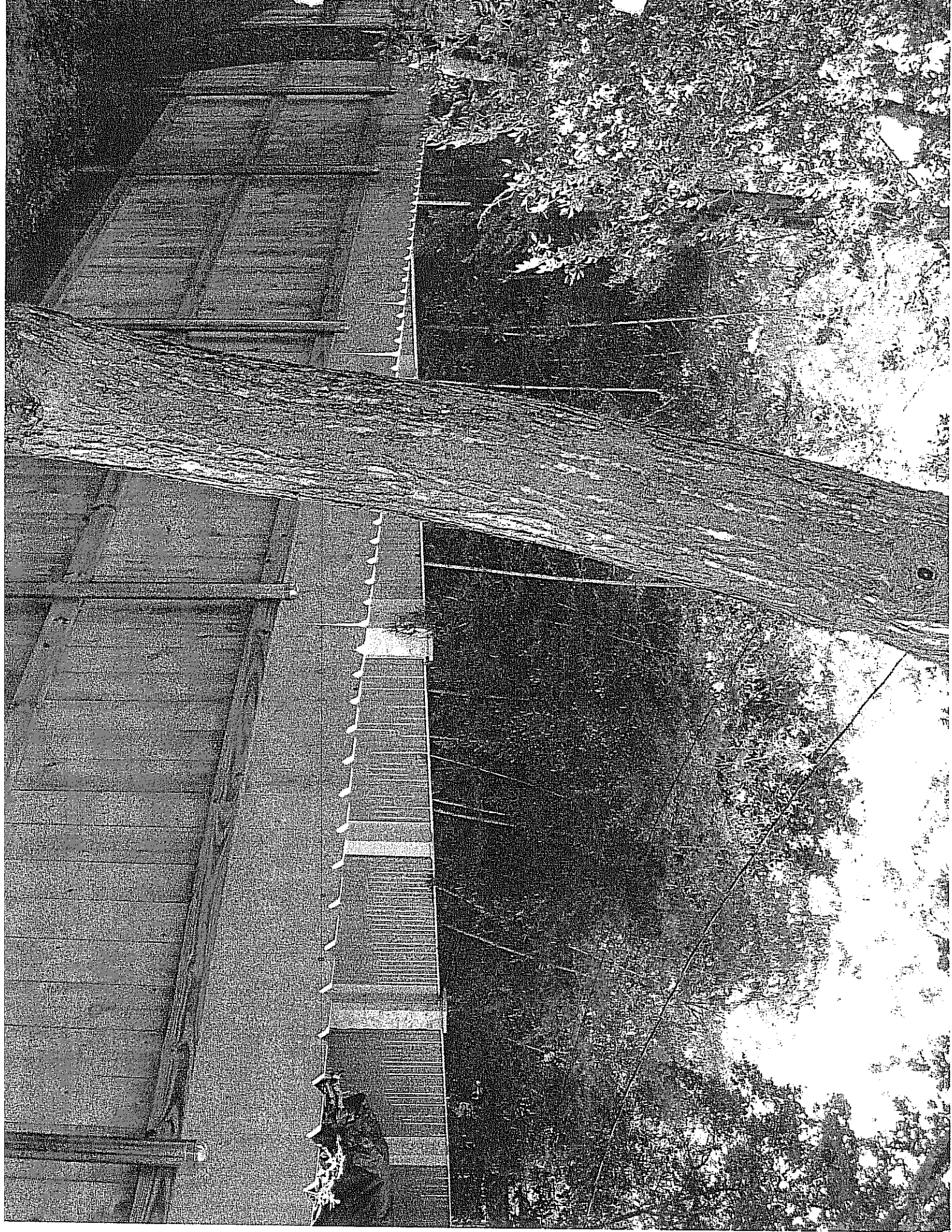












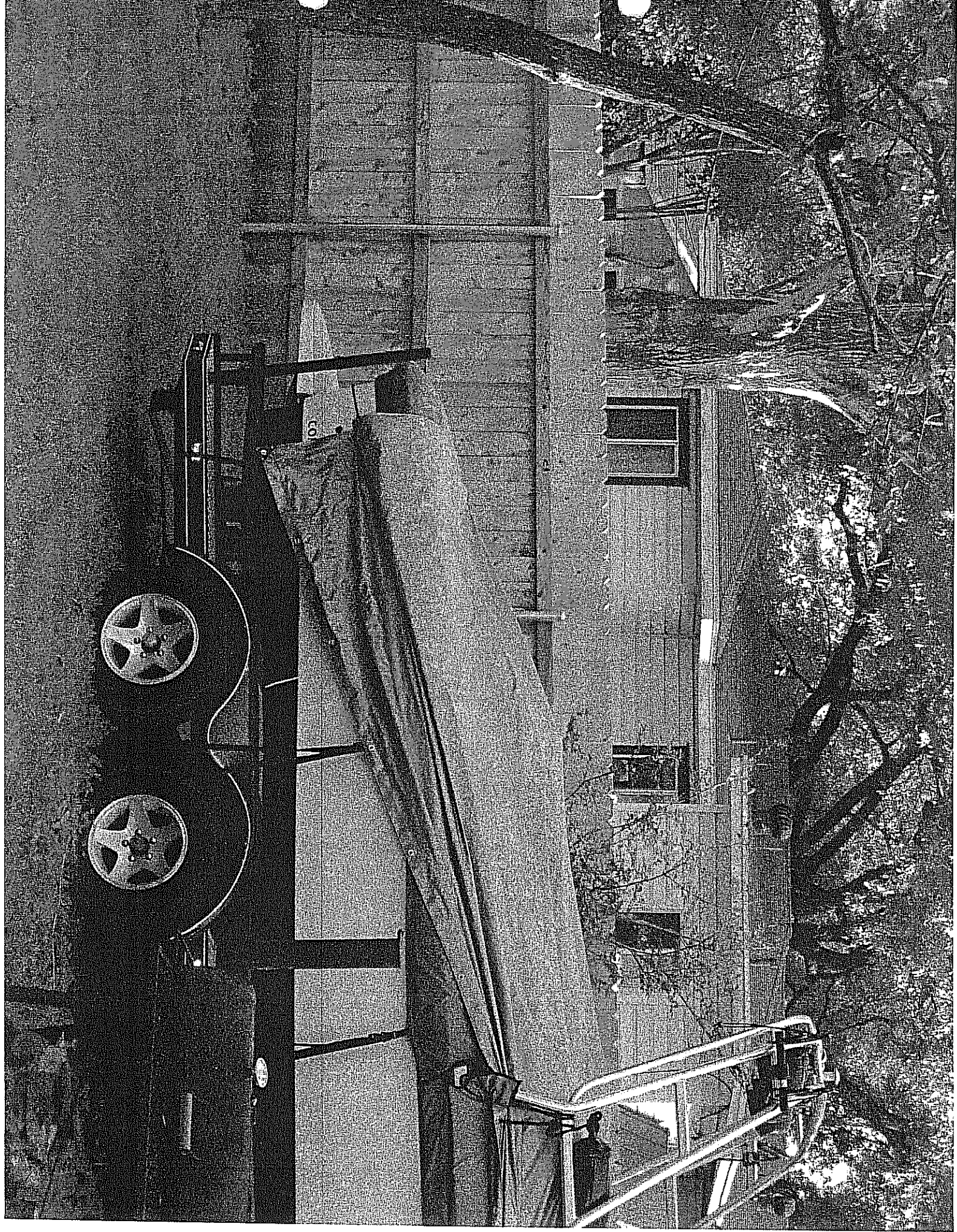




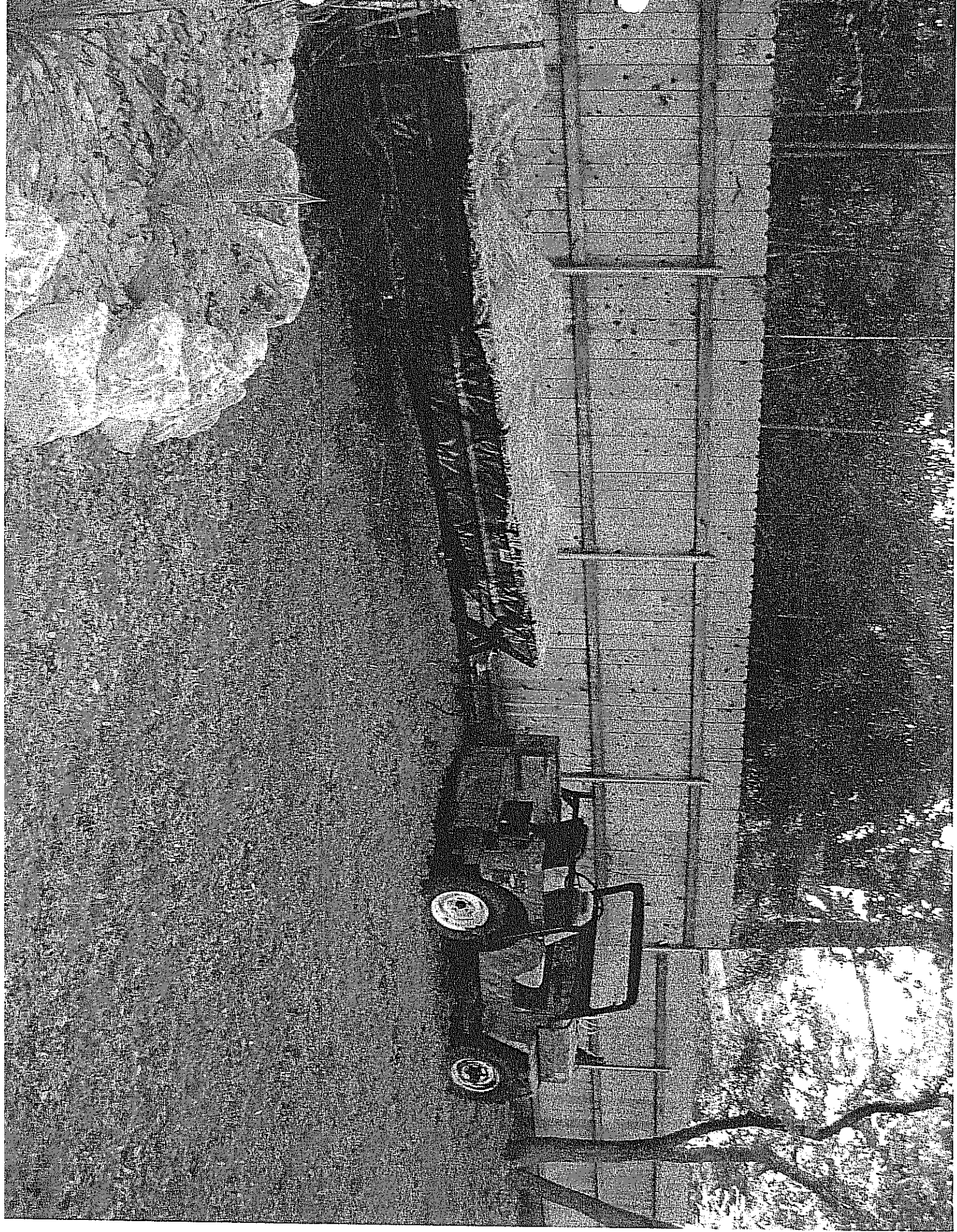




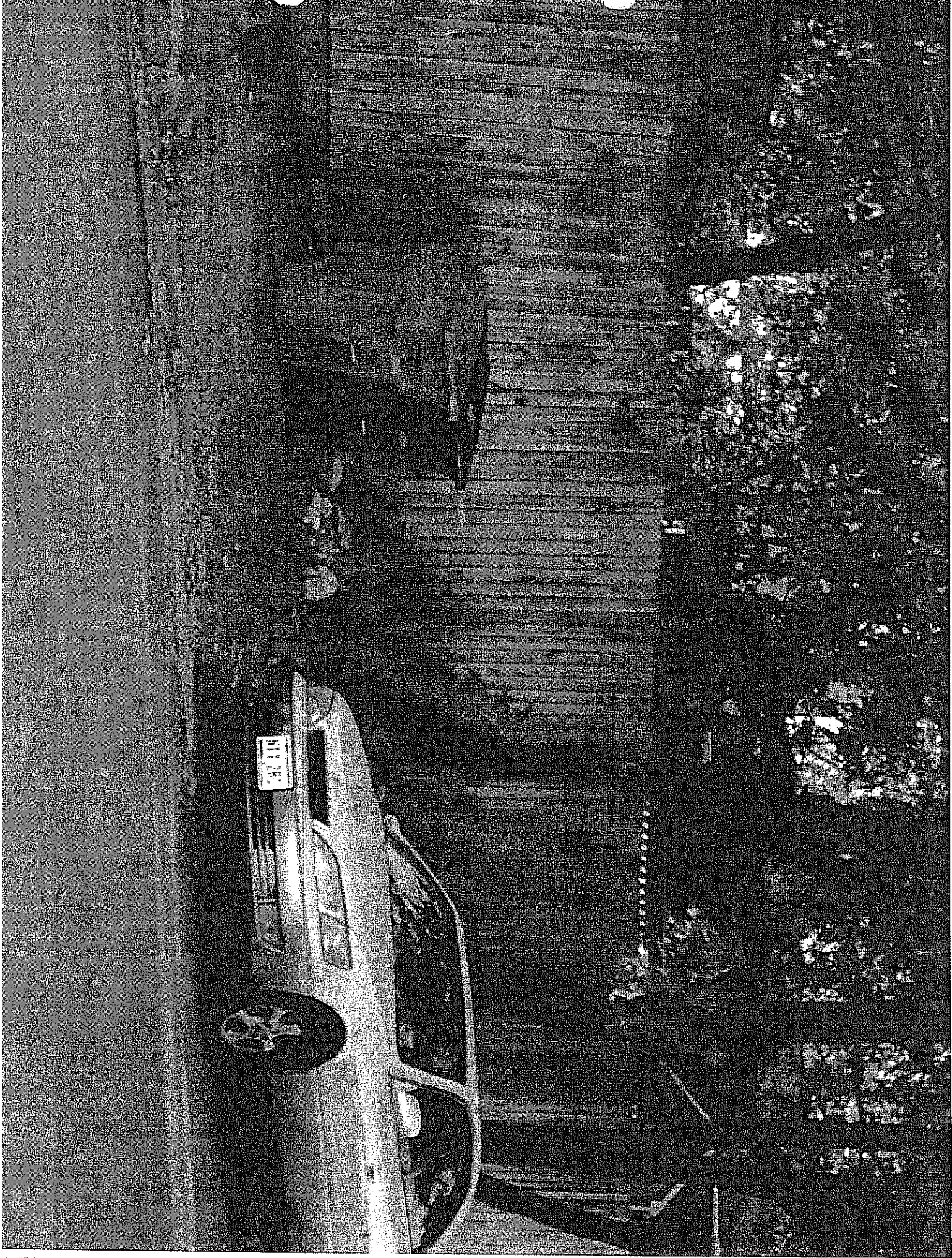




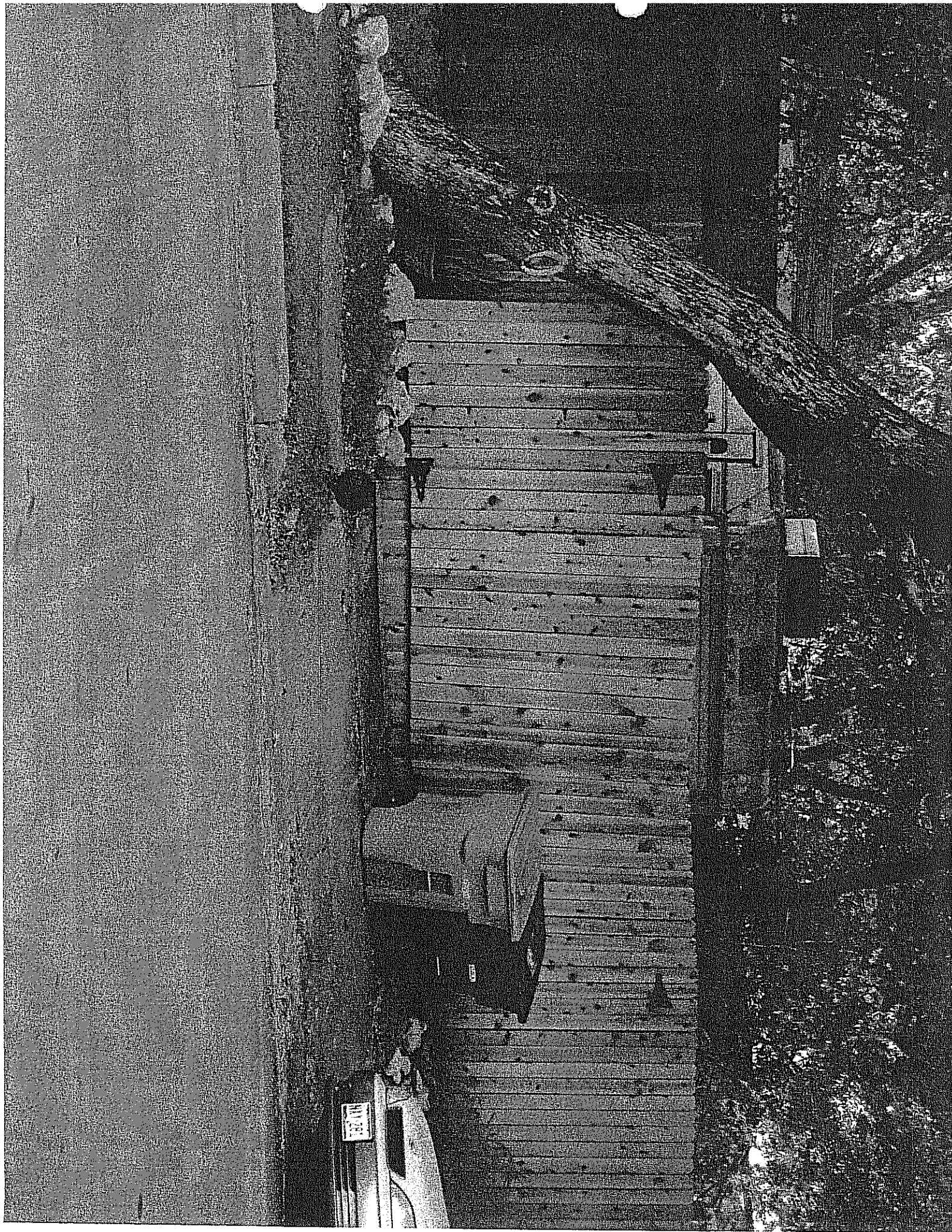




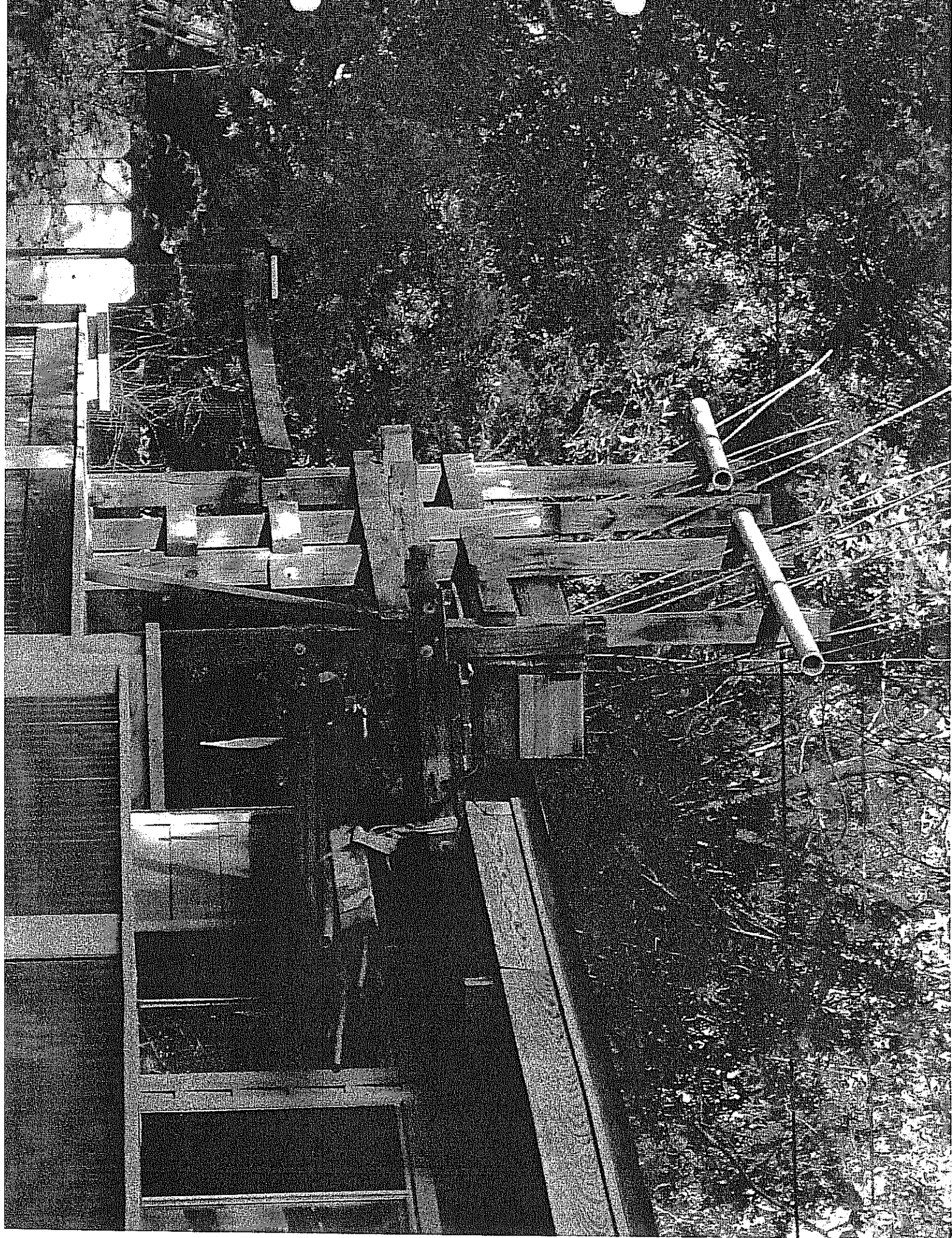
















# BUILDING PERMIT

PERMIT NO: 2008-051644-BP

21 BULL CREEK RD

Type: RESIDENTIAL Status: Final

Issue Date: 07/02/2008 EXPIRY DATE: 07/24/2008

## GENERAL DESCRIPTION

Site: A Block: Subdivision: WILLIAM SCHOENERT ANNEX

SITE APPROVAL

ZONING  
SF-3

## PROPOSED OCCUPANCY:

WORK PERMITTED: Remodel

ISSUED BY: Angelica Yanez

6' privacy fence around perimeter of property

TOTAL SQFT	VALUATION	TYPE CONST.	USE CAT.	GROUP	FLOORS	UNITS	# OF PKG SPACES
Remodel: 0	Tot Val Rem: \$12,000.00		435		1	1	
TOTAL BLDG. COVERAGE	% COVERAGE	TOTAL IMPERVIOUS COVERAGE	% COVERAGE	# OF BATHROOMS	METER SIZE		

## CONTACT

Owner, Benjamin White  
General Contractor, Benjamin White

### Phone

(512) 413-3992  
(512) 413-3992

### Contact

Billed To, Benjamin White

### Phone

(512) 413-3992

## Fee Description

Building Permit Fee

Amount	Paid Date	Fee Description
135.00	7/2/2008	

Amount	Paid Date
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Total Fees: \$135.00

## Inspection Requirements

Building Inspection

Buildings, Fences, Landscaping, Patios, Flatwork And Other Uses Or Obstructions Of A Drainage Easement Are Prohibited, Unless Expressly Permitted By A License Agreement Approved By COA Authorizing Use Of The Easement.

Expiration 25-11-94 Expiration and extension of permit (Active Permits will expire 180 days at 11:59:59 pm after date of last inspection posted). If you allow this permit to expire, you will be required to submit a new application & pay new fees.

The following permits are required as a separate permit: See Mechanical, Electrical, Plumbing permits for Related Fees and Inspections.

## Comments

Letters have been obtained from adjoining neighbors granting permission to erect the fence. Change of grade of at least 2 feet along 50 foot linear line. Some areas of fence will be at 6'.

Residential Zoning Review

Date

07/02/2008

Reviewer

Darren Cain

By Accepting Or Paying For This Permit You are Declaring That You Are The Owner Or Authorized By The Owner That The Data Submitted At The Time Of Application Was True And That The Work Will Conform To The Plans And Specification Submitted Herewith.



# CITY OF AUSTIN

## RESIDENTIAL PERMIT APPLICATION "A"

BP Number 08-051642 RM  
 Building Permit No. 08-051644  
 Plat No. \_\_\_\_\_ Date 7.2.08  
 Reviewer [Signature]

### PRIMARY PROJECT DATA

Service Address 9921 Bull Creek Rd Tax Parcel No. \_\_\_\_\_  
 Legal Description \_\_\_\_\_  
 Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_ Section \_\_\_\_\_ Phase \_\_\_\_\_  
 If in a Planned Unit Development, provide Name and Case No. \_\_\_\_\_  
 (attach final approved copies of subdivision and site plan)  
**If this site is not a legally subdivided lot, you must contact the Development Assistance Center for a Land Status Determination.**  
 Description of Work \_\_\_\_\_ Remodel (specify) \_\_\_\_\_  
 \_\_\_\_\_ New Residence \_\_\_\_\_  
 \_\_\_\_\_ Duplex \_\_\_\_\_  
 \_\_\_\_\_ Garage \_\_\_\_\_ attached \_\_\_\_\_ detached \_\_\_\_\_ Addition (specify) \_\_\_\_\_  
 \_\_\_\_\_ Carport \_\_\_\_\_ attached \_\_\_\_\_ detached \_\_\_\_\_  
 \_\_\_\_\_ Pool \_\_\_\_\_  
 \_\_\_\_\_ Other (specify) construction of perimeter fence  
 Zoning (e.g. SF-1, SF-2...) \_\_\_\_\_  
 - Height of Principal building \_\_\_\_\_ ft. # of floors \_\_\_\_\_ Height of Other structure(s) \_\_\_\_\_ ft. # of floors \_\_\_\_\_  
 - Does this site currently have water and wastewater availability? ☒ Yes \_\_\_\_\_ No. If no, please contact the  
 Austin Water Utility at 512-972-0000 to apply for water and/or wastewater tap application, or a service extension request.  
 - Does this site have a septic system? \_\_\_\_\_ Yes \_\_\_\_\_ No. If yes, for all sites requiring a septic field you must obtain an approved septic  
 permit prior to a zoning review.  
 Does this site have a Board of Adjustment ruling? \_\_\_\_\_ Yes ☒ No If yes, attach the B.O.A. documentation  
 Will this development require a cut and fill in excess of 4 feet? \_\_\_\_\_ Yes ☒ No  
 Does this site front a paved street? ☒ Yes \_\_\_\_\_ No A paved alley? \_\_\_\_\_ Yes ☒ No  
 Is this property within the Residential Design and Compatibility Standards Ordinance Boundary Area? \_\_\_\_\_ Yes \_\_\_\_\_ No

### VALUATIONS FOR REMODELS ONLY

Building \$ 12,000  
 Electrical \$ \_\_\_\_\_  
 Mechanical \$ \_\_\_\_\_  
 Plumbing \$ \_\_\_\_\_  
 Driveway/ Sidewalk \$ \_\_\_\_\_  
 TOTAL \$ \_\_\_\_\_  
 (labor and materials)

### VALUATIONS FOR NEW CONSTRUCTION OR ADDITIONS ONLY

Lot Size \_\_\_\_\_ sq.ft.  
 Job Valuation - Principal Building \$ \_\_\_\_\_  
 (Labor and materials)  
 Job Valuation - Other Structure(s) \$ \_\_\_\_\_  
 (Labor and materials)  
**TOTAL JOB VALUATION**  
 (sum of remodels and additions)  
 \$ \_\_\_\_\_  
 (Labor and materials)

### PERMIT FEES (For office use only)

	NEW/ADDITIONS	REMODELS
Building	\$ _____	\$ <u>135</u>
Electrical	\$ _____	\$ _____
Mechanical	\$ _____	\$ _____
Plumbing	\$ _____	\$ _____
Driveway & Sidewalk	\$ _____	\$ _____
<b>TOTAL</b>	\$ _____	\$ _____

### OWNER / BUILDER INFORMATION

OWNER Name Benjamin White Telephone (h) 512-413-3992  
 (w) \_\_\_\_\_  
 BUILDER Company Name Ben White Telephone 512-413-3992  
 Contact/Applicant's Name \_\_\_\_\_ Pager \_\_\_\_\_  
 DRIVEWAY/ SIDEWALK Contractor \_\_\_\_\_ FAX \_\_\_\_\_  
 Telephone \_\_\_\_\_  
 CERTIFICATE OF OCCUPANCY Name \_\_\_\_\_ Telephone \_\_\_\_\_  
 Address \_\_\_\_\_ City \_\_\_\_\_ ST \_\_\_\_\_ ZIP \_\_\_\_\_

If you would like to be notified when your application is approved, please select the method:

\_\_\_\_\_ telephone \_\_\_\_\_ e-mail: ben.white@dbrealty.net

You may check the status of this application at [www.ci.austin.tx.us/development/pierivr.htm](http://www.ci.austin.tx.us/development/pierivr.htm)



**CITY OF AUSTIN  
RESIDENTIAL PERMIT APPLICATION "B"**

**CITY OF AUSTIN  
RESIDENTIAL PERMIT APPLICATION**

I understand that in accordance with Sections 25-1-411 and 25-11-66 of the Land Development Code (LDC), non-compliance with the LDC may be cause for the Building Official to suspend or revoke a permit and/or license. I understand that I am responsible for complying with any subdivision notes, deed restrictions, restrictive covenants and/or zoning conditional overlays prohibiting certain uses and/or requiring certain development restrictions (i.e., height, access, screening, etc.) on this property. If a conflict should result with any of these restrictions, it will be my responsibility to resolve it. I understand that, if requested, I must provide copies of all subdivision plat notes, deed restrictions, restrictive covenants, and/or zoning conditional overlay information that may apply to this property.

I acknowledge that this project qualifies for the Site Plan Exemption as listed in Section 25-5-2 of the LDC.

I understand that nothing may be built upon or over an easement. I further understand that no portion of any roof structure may overhang in any public utility or drainage easement.

I acknowledge that customer will bear the expense of any necessary relocation of existing utilities to clear this driveway location and/or the cost to repair any damage to existing utilities caused during construction.

I also understand that if there are any trees greater than 19 inches in diameter located on the property and immediately adjacent to the proposed construction, I am to schedule a Tree Ordinance review by contacting (512) 974-1876 and receive approval to proceed.

I agree that this application will expire on the 181st day after the date that the application is filed if the application is not approved and an extension is not granted. If the application expires, a new submittal will be required.

APPLICANT'S SIGNATURE Benzamin T. White DATE 7-2-08

HOME BUILDER'S STATE REGISTRATION NUMBER (required for all new construction) \_\_\_\_\_

**Rejection Notes/Additional Comments (for office use only):**

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Service Address \_\_\_\_\_

Applicant's Signature \_\_\_\_\_ Date \_\_\_\_\_



6-2-08

City of Austin  
Residential Permitting Department


Re: 4921 Bull Creek Rd-Fence Permit

The undersigned neighboring properties of 4921 Bull Creek Rd approve the fence, built on 5-25-08, that is 8ft tall. This letter is meant for the City of Austin to grant Ben White permit for the 8ft tall fence.

Name/Current Owner:

Signature:

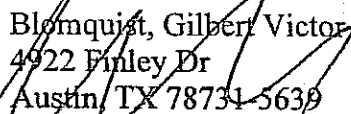
~~Nash, Lorin~~ THE 2706 W 49 1/2 ST LAND TRUST  
2706 W 49th St 2706 W. 49 1/2 ST  
Austin, TX 78731-5547 Austin TX 78731

LOVES HUNT TRUSTEE  


Deeb Ramzi  
4925 Bull Creek Dr.  
Austin, TX

Tony Gregg  
2712 49 1/2 St.  
Austin, TX

Wade Williams  
2708 49 1/2 St.  
Austin, TX

  
Blomquist, Gilbert Victor  
4922 Finley Dr  
Austin, TX 78731-5639

Bond, J J  
4920 Finley Dr  
Austin, TX 78731-5639

Nyer, Aaron  
4918 Finley Dr  
Austin, TX 78731-5639



6-2-08

City of Austin  
Residential Permitting Department

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**Name/Current Owner:**

Nash, Lorin  
2706 W 49th St  
Austin, TX 78731-5547

Deeb Ramzi  
4925 Bull Creek Dr.  
Austin, TX

Tony Gregg  
2712 49 ½ St.  
Austin, TX

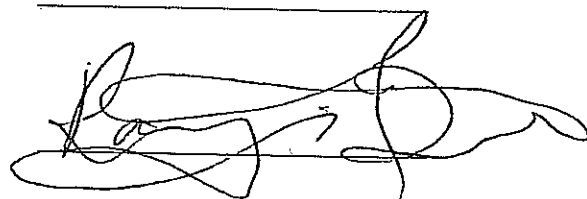
Wade Williams  
2708 49 ½ St.  
Austin, TX

Blomquist, Gilbert Victor  
4922 Finley Dr  
Austin, TX 78731-5639

Bond, J J  
4920 Finley Dr  
Austin, TX 78731-5639

Nyer, Aaron  
4918 Finley Dr  
Austin, TX 78731-5639

**Signature:**



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Residential Permitting Department

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**Signature:**

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Austin, TX 78731-5547

Deeb Ramzi  
4925 Bull Creek Dr.  
Austin, TX

Tony Gregg  
2712 49 ½ St.  
Austin, TX

Wade Williams  
2708 49 ½ St.  
Austin, TX

Blomquist, Gilbert Victor  
4922 Finley Dr  
Austin, TX 78731-5639

Bond, J J  
4920 Finley Dr  
Austin, TX 78731-5639

Nyer, Aaron  
4918 Finley Dr  
Austin, TX 78731-5639

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*Tony Gregg* 6-5-08

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6-2-08

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Residential Permitting Department

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Austin, TX 78731-5547

Deeb Ramzi  
4925 Bull Creek Dr.  
Austin, TX

Tony Gregg  
2712 49 1/2 St.  
Austin, TX

*Ara Blane*  
~~Wade Williams~~  
2708 49 1/2 St.  
Austin, TX

Blomquist, Gilbert Victor  
4922 Finley Dr  
Austin, TX 78731-5639

Bond, J J  
4920 Finley Dr  
Austin, TX 78731-5639

Nyer, Aaron  
4918 Finley Dr  
Austin, TX 78731-5639

**Signature:**

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6-2-08

City of Austin  
Residential Permitting Department

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Austin, TX 78731-5547

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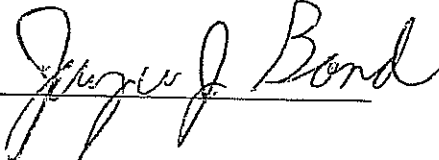
Tony Gregg  
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Austin, TX

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Nyer, Aaron  
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Austin, TX 78731-5639

  
\_\_\_\_\_

6-2-08

City of Austin  
Residential Permitting Department

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Austin, TX 78731-5547

Deeb Ramzi  
4925 Bull Creek Dr.  
Austin, TX

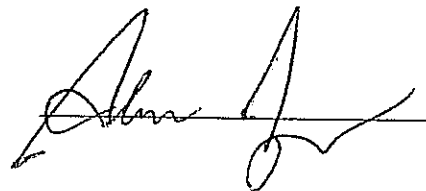
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2708 49 ½ St.  
Austin, TX

Blomquist, Gilbert Victor  
4922 Finley Dr  
Austin, TX 78731-5639

Bond, J J  
4920 Finley Dr  
Austin, TX 78731-5639

Nyer, Aaron  
4918 Finley Dr  
Austin, TX 78731-5639



A handwritten signature in black ink, appearing to read 'Aaron Nyer', is written over a horizontal line. The signature is stylized with a large initial 'A' and a long, sweeping tail.





### Board of Adjustments

CASE#: C15-2010-0039  
ADDRESS: 4921 BULL CREEK RD  
GRID: J27  
MANAGER: SUSAN WALKER

 **SUBJECT TRACT**  
 **ZONING BOUNDARY**

1" = 100'

OPERATOR: R. PARKER

This map has been produced by G.I.S. Services for the sole purpose of geographic reference.  
No warranty is made by the City of Austin regarding specific accuracy or completeness





# BUILDING PERMIT

PERMIT NO: 2009-029382-BP

1921 BULL CREEK RD

Type: RESIDENTIAL

Status: Expired

Issue Date: 04/07/2009

EXPIRY DATE: 10/06/2009

## LEGAL DESCRIPTION

Lot: A Block: Subdivision: WILLIAM SCHOENERT ANNEX

SITE APPROVAL

ZONING  
SF-3

## PROPOSED OCCUPANCY:

WORK PERMITTED: Remodel

ISSUED BY: Angelica Yanez

new 7 foot wood fence on southern property line

TOTAL SQFT	VALUATION	TYPE CONST.	USE CAT.	GROUP	FLOORS	UNITS	# OF PKG SPACES
Remodel: 0	Tot Val Rem: \$500.00		435		1	1	
TOTAL BLDG. COVERAGE	% COVERAGE	TOTAL IMPERVIOUS COVERAGE	% COVERAGE	# OF BATHROOMS	METER SIZE		

## Contact

Applicant, Benjamin White  
Billed To, Benjamin White

## Phone

(512) 413-3002  
(512) 413-3992

## Contact

Owner, Benjamin White  
Homeowner, Benjamin White

## Phone

(512) 413-3992  
(512) 413-3992

## Fee Description

Building Permit Fee

**Total Fees: \$123.00**

## Amount

23.00

## Paid Date

4/7/2009

## Fee Description

Initial Residential Review Fee

## Amount

100.00

## Paid Date

4/7/2009

## Inspection Requirements

Building Inspection

All Buildings, Fences, Landscaping, Patios, Flatwork And Other Uses Or Obstructions Of A Drainage Easement Are Prohibited, Unless Expressly Permitted By A License Agreement Approved By COA Authorizing Use Of The Easement.

**Section 25-11-94 Expiration and extension of permit (Active Permits will expire 180 days at 11:59:59 pm after date of last inspection posted). If you allow this permit to expire, you will be required to submit a new application & pay new fees.**

The following permits are required as a separate permit: See Mechanical, Electrical, Plumbing permits for Related Fees and Inspections.

## Comments

code section 25-2-899 (D) allows for this fence to be permitted

Residential Zoning Review

## Date

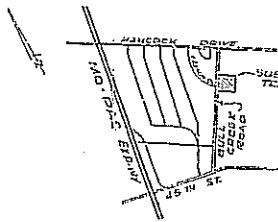
04/07/2009

## Reviewer

Darren Cain

By Accepting Or Paying For This Permit You are Declaring That You Are The Owner Or Authorized By The Owner That The Data Submitted At The Time Of Application Was True and That The Work Will Conform To The Plans And Specification Submitted Herewith.





LOCATION MAP  
NO SCALE

WILLIAM      SCHOENERT      ANNEX

OF TEXAS  
OF TRAVIS: KNOW ALL MEN BY THESE PRESENTS

That we, Don F. Gredney and Tom H. Harman, owners of 0.375 of one acre of land in said Subdivision 1, a subdivision in the City of Austin, Travis County, Texas, being a plot of record in Book 6 at Page 20 of the Plat Records of Travis County, Texas, said 0.375 of one acre also being Lot A as shown on the Plat Records of Travis County, Texas, said 0.375 of one acre having been conveyed by deed of record in Volume 626 at Page 2350 of said deed records, and we, the undersigned, said Don F. Gredney and Tom H. Harman, owners of 0.25 of one acre of land in said Subdivision 1, as shown hereon and having been conveyed to us by deed of record in Volume 5915 at Page 2350 of said deed records, and we, the undersigned, said Don F. Gredney and Tom H. Harman, owners of 0.25 of one acre of land in said Subdivision 1, as shown hereon and having been conveyed to us by deed of record in Volume 5915 at Page 2350 of said deed records, and we, the undersigned, said 0.25 of one acre being also Lot B as shown on the Plat Records of Travis County, Texas, said 0.25 of one acre being also Lot B as shown on the Plat Records, do hereby certify that the property in accordance with the attached plat subdivision to be known as Williams Addition, and do hereby dedicate to the public the streets and easements shown hereon.

WITNESS OUR HANDS and dated below.

<u>Joe Moody</u>	DATE	<u>11/24/81</u>
<u>Joe Moody</u>		
<u>Barry Brown</u>	DATE	<u>11/24/81</u>
<u>Barry Brown</u>		
<u>A. Steinbocker</u>	DATE	<u>11/50/81</u>
<u>A. Steinbocker</u>		
<u>Barry Brown</u>	DATE	<u>12/30/81</u>
<u>Barry Brown</u>		

FOR ACCEPTANCE:  
Richard L. Lillis DATE Nov. 23, 1982  
FD R. Lillis, Director of Planning

FOR RECORD, this the 27<sup>th</sup> day of NOVEMBER, 1982 at 10:35 o'clock A.M.  
Joris Shropshire, Clerk County Court, Travis County, Texas.

only L. Jones  
L. JONES

"I, F. Priest, an authorized under the laws of the State of Texas to practice the  
 the of Surveying, and hereby certify that this plan complies with Chapter 13-3  
 of Austin City Code; is true and correct; and was prepared from an actual sur-  
 of the property made under my supervision on the ground."

B. L. Priest  
Priest, Reg. Public Surveyor No. 522 DATE 3-4-80



STATE OF TEXAS  
COUNTY OF TRAVIS

Before me, the undersigned authority on this day personally appeared, Don. P. Grooby, known to me to be the person whose name is subscribed to the foregoing instrument and he acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

WITNESS MY HAND AND SEAL OF OFFICE. this 24th day of July, 1961.

Notary Public in and for Travis County, Texas  
Print Name Wanda A. Brown My Commission Expires 11/26/2007

STATE OF TEXAS  
COUNTY OF TRAVIS

Before me, the undersigned authority on this day personally appeared, Ton H. Naitano, known to me to be the person whose name is subscribed to the foregoing instrument and he acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

WITNESS MY HAND AND SEAL OF OFFICE this 11th day of May, 1961.

Notary Public in and for Travis County Texas  
Print Name Edith Cabrer My Commission Expires 12-2-98

STATE OF TEXAS  
COUNTY OF TRAVIS

Before me, the undersigned authority on this day personally appeared, Robert A. Steinboer and wife, Carla Eileen Steinboer, known to me to be the persons whose names are subscribed to the foregoing instrument and they acknowledged to me that they executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

WITNESS MY HAND AND SEAL OF OFFICE, this the 30 day of Nov. A. H. 1934.

Katherine J. Breeding  
 Notary Public in and for Travis County, Texas  
 KATHERINE J. BREEDING

My Commission Expires \_\_\_\_\_

STATE OF TEXAS  
COUNTY OF TRAVIS  
before me, the undersigned authority on this day personally

WITNESS MY HAND AND SEAL OF OFFICE, this the 30 day of Oct. A.D. 1981.

Notary Public in and for Travis County, Texas  
YATHERINE J. BREEDLOVE, My Commission Expires 11/2/85  
Print Name  
STATE OF TEXAS

1, Doris Shropshire, Clerk of the County Court, within and for the County and State aforesaid, do hereby certify that the within and foregoing instrument of writing with its certificate of authentication was filed for record in this office on the 15th day of April, A. D. 1922.

NOV A.D. 1932 at 10 o'clock A.M. and duly recorded in the County Clerk's Office of said County, in Book  
 at Page 374.  
 IN WITNESS WHEREOF, I have hereunto set my hand and the Seal of the Court of said County, the date first written  
 above  
 Doris Shroshire, Clerk County Court, Tennessee

BY L. Jones  
Deputy L. Jones  
ACCEPTED AND AUTHORIZED FOR RECORD by the Planning Commission of the City of Austin,  
Texas, on the day of 1.D. 1987

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100-YEAR FLOOD PLAIN NOTE: The property in this Subdivision does not lie in a Special Flood Hazard Area according to the City of Austin's FIA Maps Panel 40 & UD of 105.

NOTE: Sidewalks shall be installed on the subdivision side of Bull Creek Road. Such sidewalks shall be completed prior to acceptance of any Type I & II driveway approach and/or certificate of occupancy.

RECEIVED  
MAY 20 1991

RECEIVED

CITY PLANNING  
CITY OF AUSTIN

NOTES  
FOR

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