

A variance from the Building Code Board of Appeals may be required for variances from the Zoning Board of Adjustment (no Sign Review Board cases need to call). Please consult a code specialist in the Plan Review Division at 974-2580.

If you need assistance completing this application (general inquires only) please contact Susan Walker, 974-2202; 505 Barton Springs Road, 2<sup>nd</sup> Floor (One Texas Center).

CASE # C15-2010-0112  
ROW # 10490876

**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: 5010 Finley Drive, Austin, Texas 78741

LEGAL DESCRIPTION: Subdivision – Joseph W. Brown

Lot(s) 3 Block A Outlot \_\_\_\_\_ Division No. 2 V.21 pg.4

I/We Doug Keating on behalf of myself/ourselves as authorized agent for

5010 Sapphire Corporation

affirm that on August 30, 2010,

hereby apply for a hearing before the Board of Adjustment for consideration to:

(check appropriate items below)

ERECT  ATTACH  COMPLETE  REMODEL  MAINTAIN

Impervious coverage at 49% for current garage and driveway layout as purchased in 2010 and originally approved by the city with a certificate of occupancy for existing layout in 3/31/2008

in a SF-2 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):

**REASONABLE USE:**

1. The zoning regulations applicable to the property do not allow for a reasonable use because:  
—Removal of any portion of the driveway would impede entrance into the garage. This is unique to the area as this is a rear detached side entry garage on a rather narrow lot. With the current driveway configuration, entry of a single vehicle into the garage is currently a challenge. Any less driveway would make vehicular entry via paved surface virtually impossible.

**HARDSHIP:**

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

The property was purchased from the builder, Timeless Classics, Inc. in 4/2010 with this exact impervious coverage that the City of Austin provided a permit.

- 1) Timeless Classics pulled original permit in 1/25/07 (page 1)—
- 2) And reflected 43.5% impervious cover (Page 3)
- 3) Design submitted to city shows plans with garage as front entry (Page 7, 8, 9, 11, 14, 15, 17, 18, and 19)
- 4) Actual garage configuration as built and approved throughout the permit and inspection process in this current configuration was presented to the city well before it issued a certificate of occupancy (Page 20 & 21) The engineer pointed out that there were “deviations” on 5/15/2007 (Page 20) and the Form survey performed on 4/30/07 reflected a substantial change in location of the garage
- 5) The inspectors had nearly one year from the two above documents to reconcile the plan with the changes. The certificate of occupancy was granted, in the current configuration, in 3/31/2008 (Page 22)
- 6) The property was purchased directly from the builder named on the permit (page 1) and sold to the current owner (Page 23) on 4/7/2010.

7) Survey performed for purchase in March of this year (Page 24) shows the unaltered garage configuration, subsequent request for impervious cover calculation shows 49% impervious cover.

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

The hardship is not general to the area as all other garages are direct entry and do not require a 90 turn to enter/exit the garage. This is an existing condition that was in place on purchase of a property that was given a certificate of occupancy from the City of Austin even though it did not meet impervious cover criteria at the time.—

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#### **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:

- 1) The characteristic has been in place since 3/2008 and has posed no problem for adjacent properties
  - 2) There is additional rainwater detention on site.
  - 3) The condition is in harmony with the surrounding area as the adjacent new homes were built in such a way that they too pushed the impervious cover limit to near maximum allowance (page 26). Adjacent properties also include commercial property to the rear that, by visual inspection, has nearly 100% impervious coverage (page 10 and 26).
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- 

#### **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 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:
- 
-

- 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:

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

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

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**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 Doug Keating Mail Address 1708-B Elmhurst Drive

City, Austin State Texas & Zip 78741

Printed Doug Keating Phone 512-416-6948 Date 8/31/2010

**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 Doug Keating Mail Address 1708-B Elmhurst Drive

City, Austin State Texas & Zip 78741

Printed Doug Keating Phone 512-416-6948 Date 8/31/2010



## BOARD OF ADJUSTMENTS

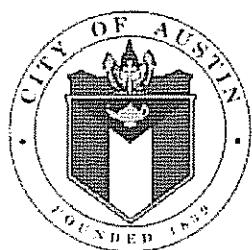
CASE#: C15-2010-0112  
 LOCATION: 5010 FINLEY DR  
 GRID: J27  
 MANAGER: SUSAN WALKER

This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



SUBJECT TRACT

ZONING BOUNDARY





CITY OF AUSTIN  
RESIDENTIAL PERMIT APPLICATION "B"

CITY OF AUSTIN  
RESIDENTIAL PERMIT APPLICATION

I understand that in accordance with Sections 25-1-111 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 rules, 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 plan 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 24-5-2 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 the 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) 974-1871 and receive approval in place.

I agree that this application will expire on the 18<sup>th</sup> 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 Muniz Urrego DATE 1/16/07

HOME BUILDER'S STATE REGISTRATION NUMBER (required for all new construction) 6401

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

① Square footages for 1st & 2nd flr do not match plans.

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

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

(2)

# RESIDENTIAL PERMIT APPLICATION "C"

## BUILDING COVERAGE

The area of a lot covered by buildings or related areas, but not including (i) residential projecting eaves and similar features, or (ii) ground level paving, landscaping, or open recreational facilities.

	Existing	New + Addition
	sq.ft.	sq.ft.
a. 1 <sup>st</sup> floor conditioned area	1142	995
b. 2 <sup>nd</sup> floor conditioned area	1003	sq.ft.
c. 3 <sup>rd</sup> floor conditioned area	633	sq.ft.
d. Basement		sq.ft.
e. Garage / Carport		sq.ft.
attached		sq.ft.
detached		sq.ft.
f. Wood decks (must be counted at 100%)	443	sq.ft.
g. Breezeways	107	sq.ft.
h. Covered patios	143	sq.ft.
i. Covered porches	70	sq.ft.
j. Balconies		sq.ft.
k. Swimming pool(s) (pool surface areas)		sq.ft.
l. Other building or covered area(s)		sq.ft.
Specify:		3539

TOTAL BUILDING AREA (add a. through l.) \_\_\_\_\_ sq.ft.

sq. ft.

TOTAL BUILDING COVERAGE ON LOT (add a. if applicable, b., c., d., e. and f. if uncovered)

1763 sq.ft.  
28.6 % of lot

## IMPERVIOUS COVERAGE

Includes building cover and sidewalks, driveways, uncovered patios, decks, air conditioning equipment pads and other improvements in calculating impervious cover. Roof overhangs which do not exceed two feet, or which are used for solar screening, are not included in building coverage or impervious coverage. All water must drain away from buildings on this site and buildings on adjacent lots.

a. Total building coverage on lot (see above)	1763	sq.ft.
b. Driveway area on private property	796	sq.ft.
c. Sidewalk / walkways on private property	109	sq.ft.
d. Uncovered patios		sq.ft.
e. Uncovered wood decks (may be counted at 50%)		sq.ft.
f. Air conditioner pads	18	sq.ft.
g. Concrete decks		sq.ft.
h. Other (specify)		sq.ft.

TOTAL IMPERVIOUS COVERAGE (add a. through h.)

2685 sq.ft.  
43.5 % of lot

(3)

## CITY OF AUSTIN

## RESIDENTIAL PERMIT APPLICATION "D"

## FLOOR AREA RATIO INFORMATION

TO BE COMPLETED FOR ALL PROPERTIES LOCATED WITHIN THE RESIDENTIAL DESIGN AND COMPATIBILITY STANDARDS ORDINANCE BOUNDARY AREA.

Service Address 5010 Finley Dr  
 Applicant's Signature Margie Volpe Date 1/16/07

## GROSS FLOOR AREA AND FLOOR AREA RATIO as defined in the Austin Zoning Code.

	Existing	New / Addition
I. 1 <sup>st</sup> Floor Gross Area		
a. 1 <sup>st</sup> floor area (excluding covered or uncovered finished ground-floor porches)	sq.ft.	sq.ft.
b. 1 <sup>st</sup> floor area with ceiling height over 15 feet	sq.ft.	sq.ft.
c. TOTAL (add a and b above)	sq.ft.	sq.ft.
II. 2 <sup>nd</sup> Floor Gross Area See note 1 below		
d. 2 <sup>nd</sup> floor area (including all areas covered by a roof i.e. porches, breezeways, mezzanine or lofts)	sq.ft.	sq.ft.
e. 2 <sup>nd</sup> floor area with ceiling height > 15 feet	sq.ft.	sq.ft.
f. TOTAL (add d and e above)	sq.ft.	sq.ft.
III. 3 <sup>rd</sup> Floor Gross Area See note 1 below		
g. 3 <sup>rd</sup> floor area (including all areas covered by a roof i.e. porches, breezeways, mezzanine or lofts)	sq.ft.	sq.ft.
h. 3 <sup>rd</sup> floor area with ceiling height > 15 feet	sq.ft.	sq.ft.
i. TOTAL (add g and h above)	sq.ft.	sq.ft.
IV. Basement Gross Area		
j. Floor area outside footprint of first floor or greater than 3 feet above grade at the average elevation at the intersection of the minimum front yard setback line and side property lines.	sq.ft.	sq.ft.
V. Garage		
k. Attached (subtract 200 square feet if used to meet the minimum parking requirement)	sq.ft.	sq.ft.
l. Attached (subtract 450 square feet if more than 10 feet from principal structure)	sq.ft.	sq.ft.
VI. Carport (open on two or more sides without habitable space above it subtract 450 square feet)	sq.ft.	sq.ft.
VII. TOTAL	sq.ft.	sq.ft.

TOTAL GROSS FLOOR AREA (add existing and new from VII above,

23867746 sq. ft.

GROSS AREA OF LOT 6171 3867444 sq. ft.

FLOOR AREA RATIO (gross floor area / gross area of lot)

38.7 sq. ft.

If a second or third floor meets one of the following criteria, it is considered in the sky space and is not calculated as part of the overall Gross Floor Area of the structure:

- a. It is fully contained within the roof structure and the roof has a slope of 7:12 or greater
- b. It does not extend beyond the roof edge in the same plane
- c. It does not extend beyond the roof edge in the same plane
- d. It is the highest habitable portion of the building
- e. It has no less than 7' 6" of the total roof ceiling height of seven feet or less

Kramer Service Center  
2412 Kramer Lane, Bldg. "C"  
Austin, Texas 78754  
(512) 592-7205

Austin Energy

Electric Service Planning Application (ESPA)  
(Please Print or Type)

SL Service Center  
4411-B Malmesbury Drive  
Austin, Texas 78744  
(512) 592-7205

For Residential or Small Commercial "SERVICE ONLY" under 350 amps 120 or 225 amps 380

Customer Name Timeless Classics Inc. Phone 712-9900

Address 5010 Finley Dr.

Legal Description Modeline Parkway repeat lot 2 Joseph Brown N.D.2

Lot 3 Block \_\_\_\_\_ Commercial/Residential? Res

Service Main Size \_\_\_\_\_ (amps) Service Conductor \_\_\_\_\_ (type & size)

Service Length \_\_\_\_\_ (ft.) Number of Meters? \_\_\_\_\_ Multi-Fuel Y N

Overhead/Underground? \_\_\_\_\_ Voltage \_\_\_\_\_  Single-phase (120)  Three-phase (380)

Total Square Footage \_\_\_\_\_ Total A/C Load \_\_\_\_\_ (<sup>1</sup>/<sub>2</sub> of units) \_\_\_\_\_ (Tons)

Largest A/C unit \_\_\_\_\_ (Tons) LRA of Largest A/C Unit \_\_\_\_\_ (amps)

Electric Heating \_\_\_\_\_ (kw) Other \_\_\_\_\_ (kW)

Comments: New Service

ESPA Completed by (Signature & Print name) \_\_\_\_\_ Date \_\_\_\_\_ Phone \_\_\_\_\_

AE Representative \_\_\_\_\_ Date \_\_\_\_\_

Approved:  Yes  No (Remarks on back) \_\_\_\_\_ Phone 974-2632

Application expires 90 days after date of Approval

AE APPROVED

JAN 18 2007

RLS 18-16

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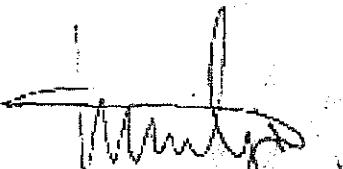


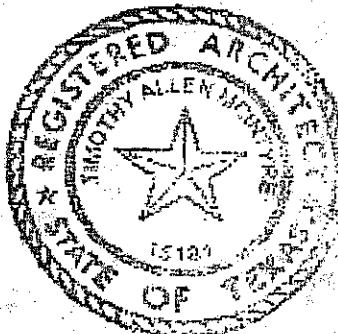
Residential Architects

January 12, 2007

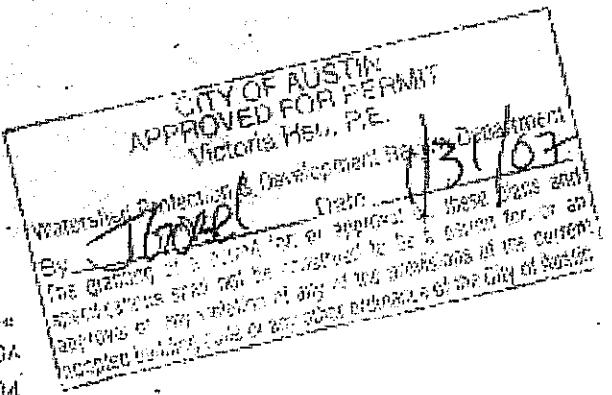
Re: 5010 Finley Dr.

To the best of my knowledge, the topographic information shown on these plans is accurate. I understand that the City of Austin may request to have this information certified by a RPLS.

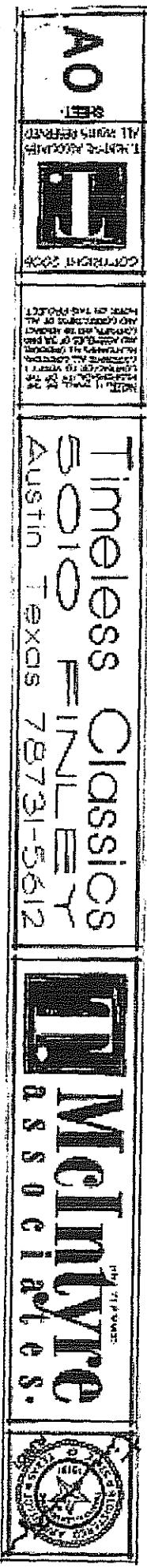
  
Tim McIntyre, AIA  
Lic #15181



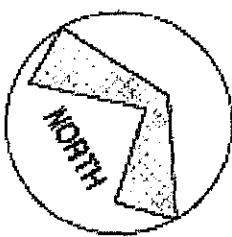
3601 South Congress Ave  
Building B, Suite 400A  
Austin, Texas 78704  
Phone: (512) 712.9993  
Fax: (512) 712.9998



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Timeless Classics  
S O I O F I N L E Y  
Austin Texas 78731-5612

**THE MICHIGAN STATE  
ASSOCIATION**

**AE APPROVED**

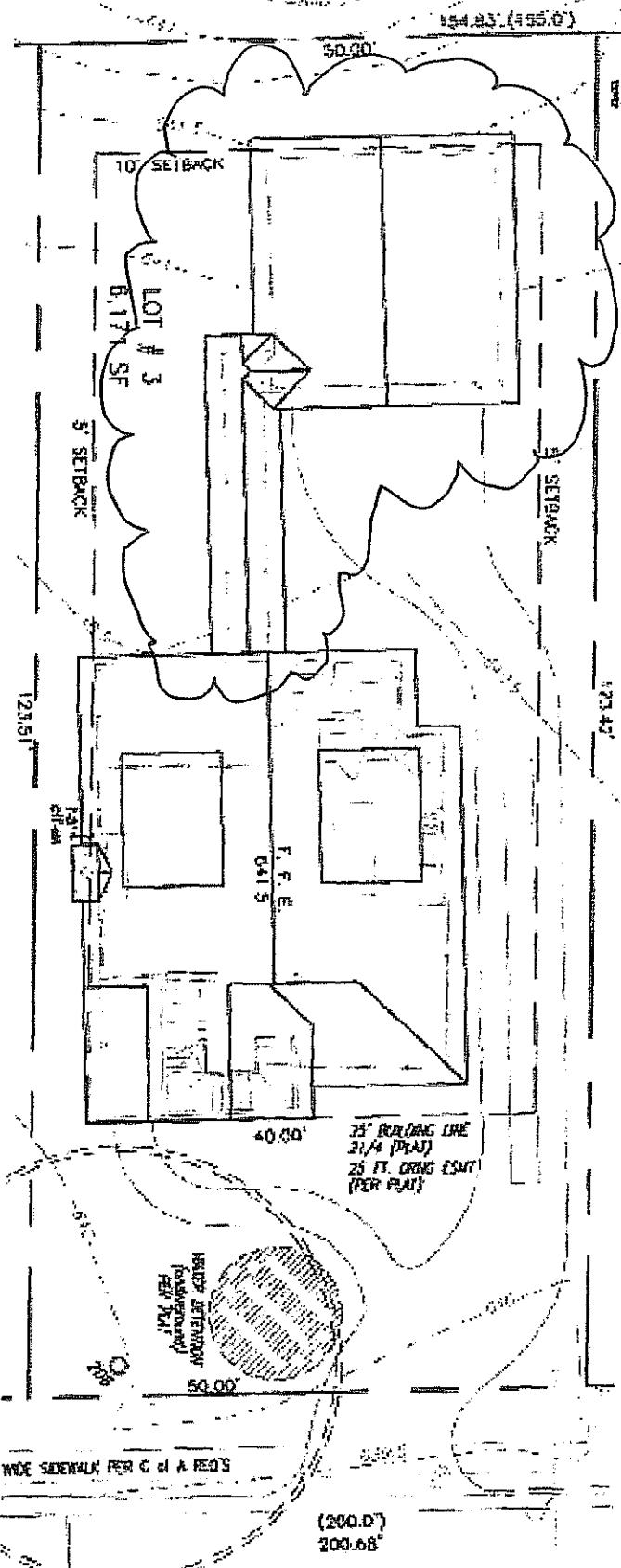
SITE PLAN - 5010 FINLEY

కుటాల్‌ జిల్లా - 304\*

**SITE PLAN - 5010 FINLEY**

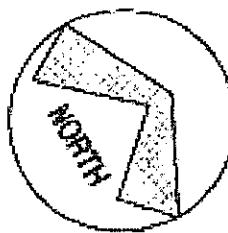
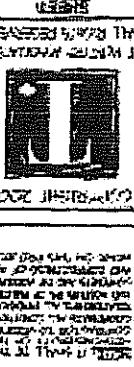
CITY OF AUSTIN  
APPROVED FOR PERMIT  
Virginia Hwy. RE

Ward 8 Waterfront & Development Review Department  
By Mark Date 3/10/07  
The granting of a permit for the removal of trees, plants and  
other foliage shall not be construed to be a permit for or an  
approval of any portion of any of the provisions of the current  
adopted building code or other ordinance of the City of Austin.



AO

10 JAN 07



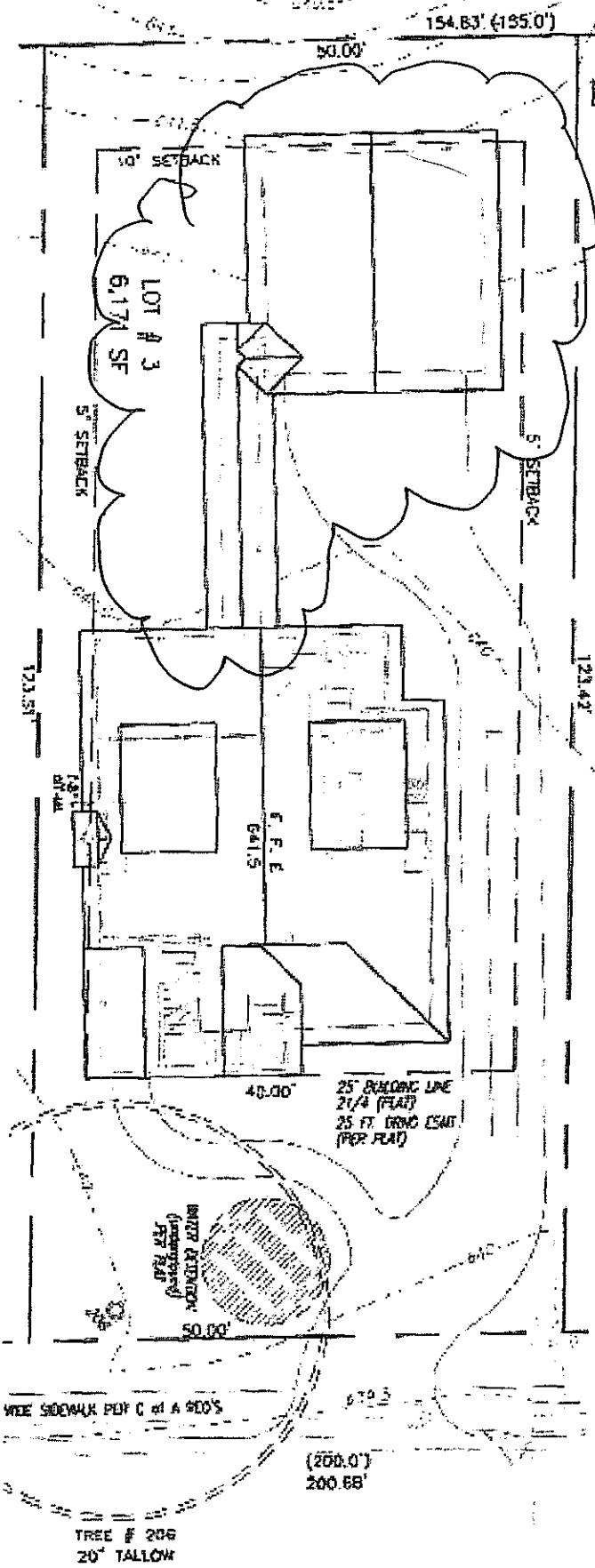
Timeless Classics  
300 Finley  
Austin, Texas 78731-5612

TM  
Timeless  
Classics  
Project  
#13163



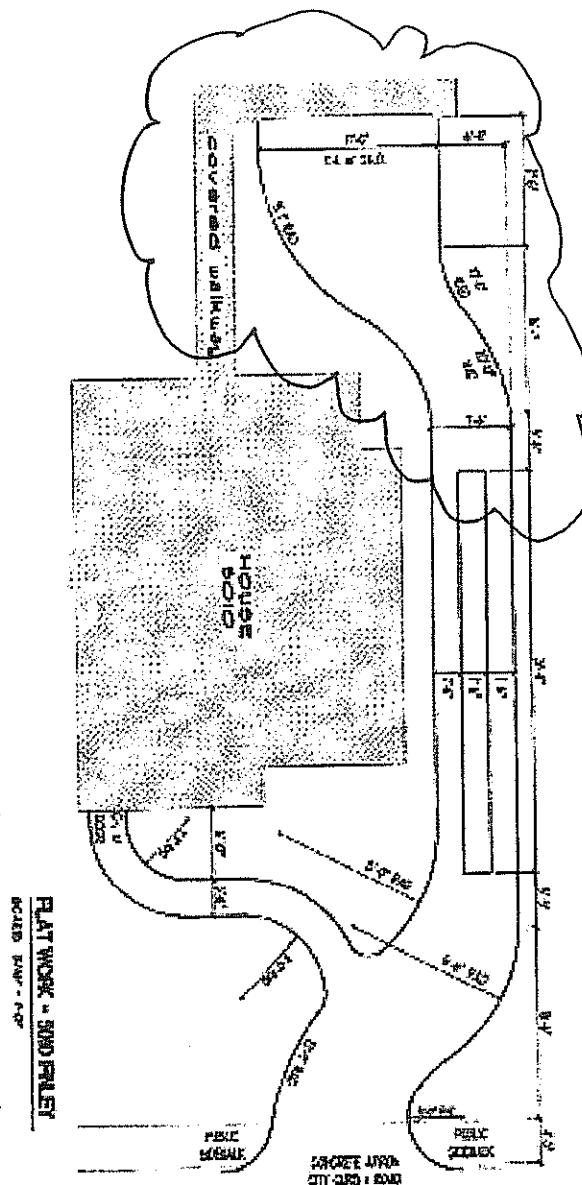
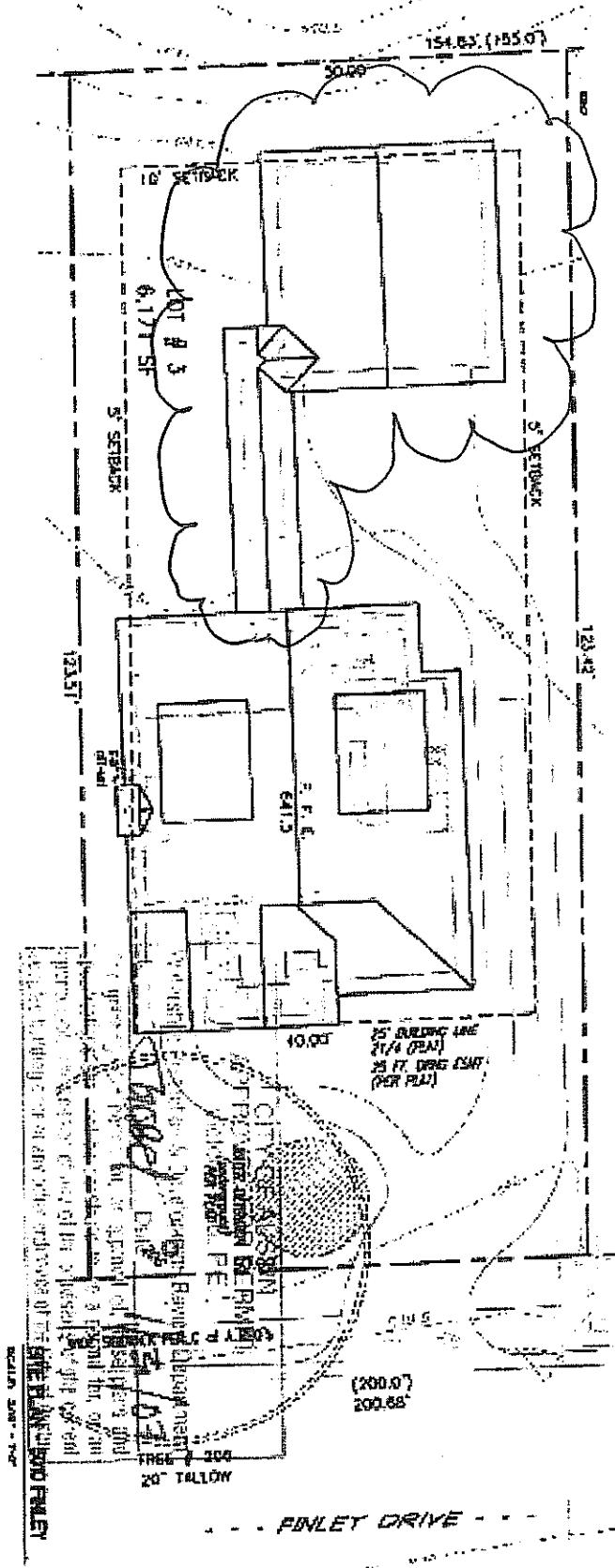
SITE PLAN - 500 FINLEY  
SCALE: 3/4" = 1'-0"

CITY OF AUSTIN  
ARCHITECTURE PERMIT  
WEE SODA HILL, P.E.  
13163  
RECEIVED BY THE CITY OF AUSTIN  
PERMIT NO. 13163  
APPROVED FOR BUILDING  
BY THE CITY OF AUSTIN  
FOR THE PROJECT IDENTIFIED IN THE DRAWINGS  
AND SPECIFICATIONS FILED WITH THE CITY OF AUSTIN.



- FINLEY DRIVE -

(8)





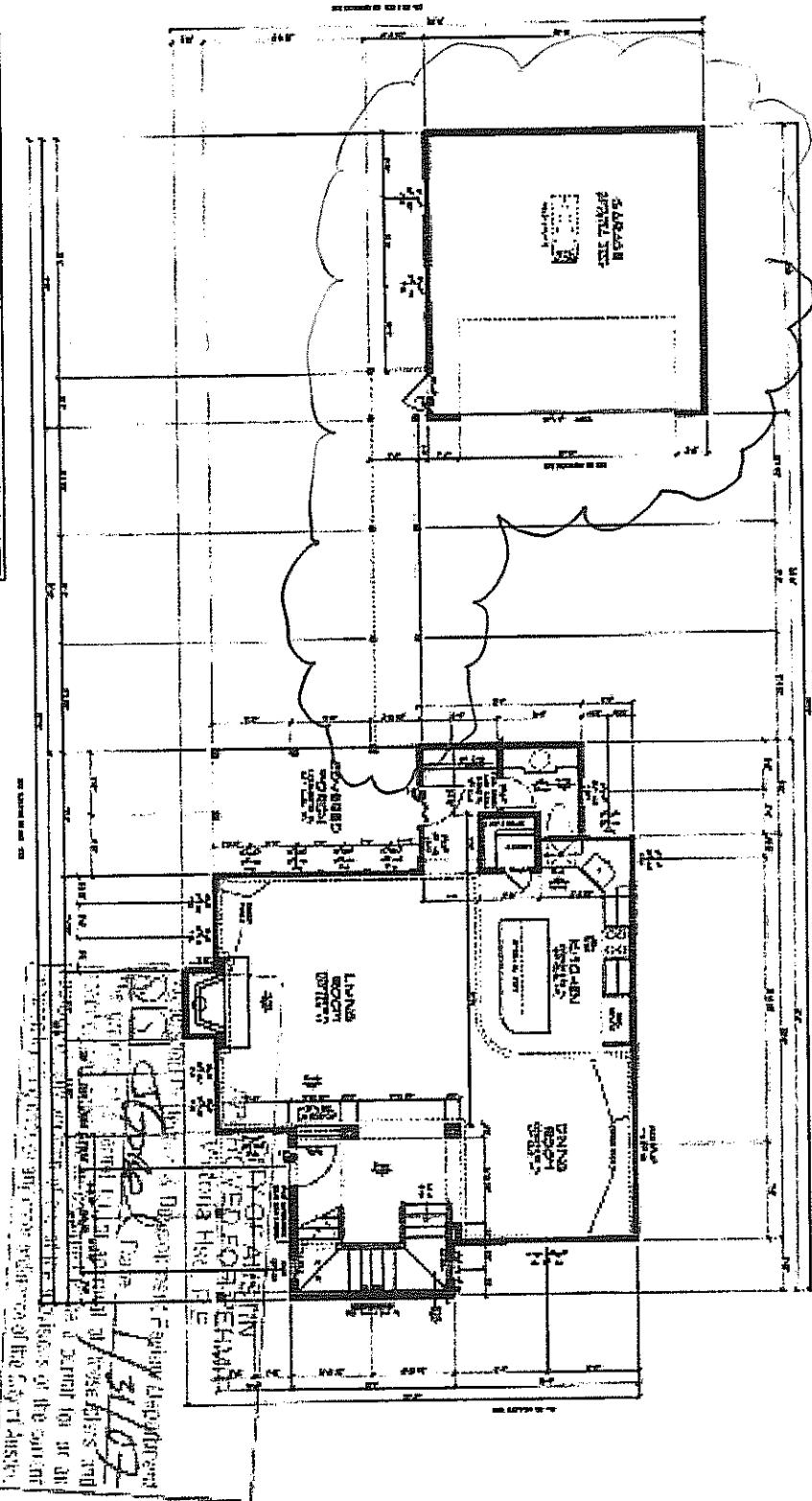
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Floor Plan - 4



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**CITY OF AUSTIN**  
 APPROVED FOR PERMIT  
 Victoria Hsu, P.E.  
 Watershed Protection & Development Review Department  
 By 1/22/2007

**Plot Plan - 2d** 1-3-07

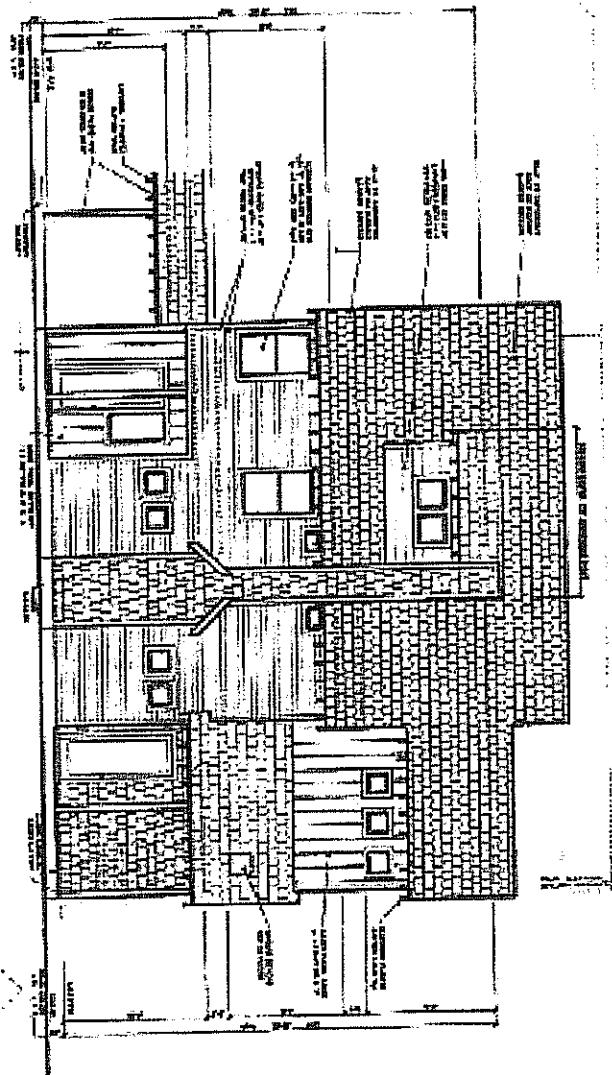
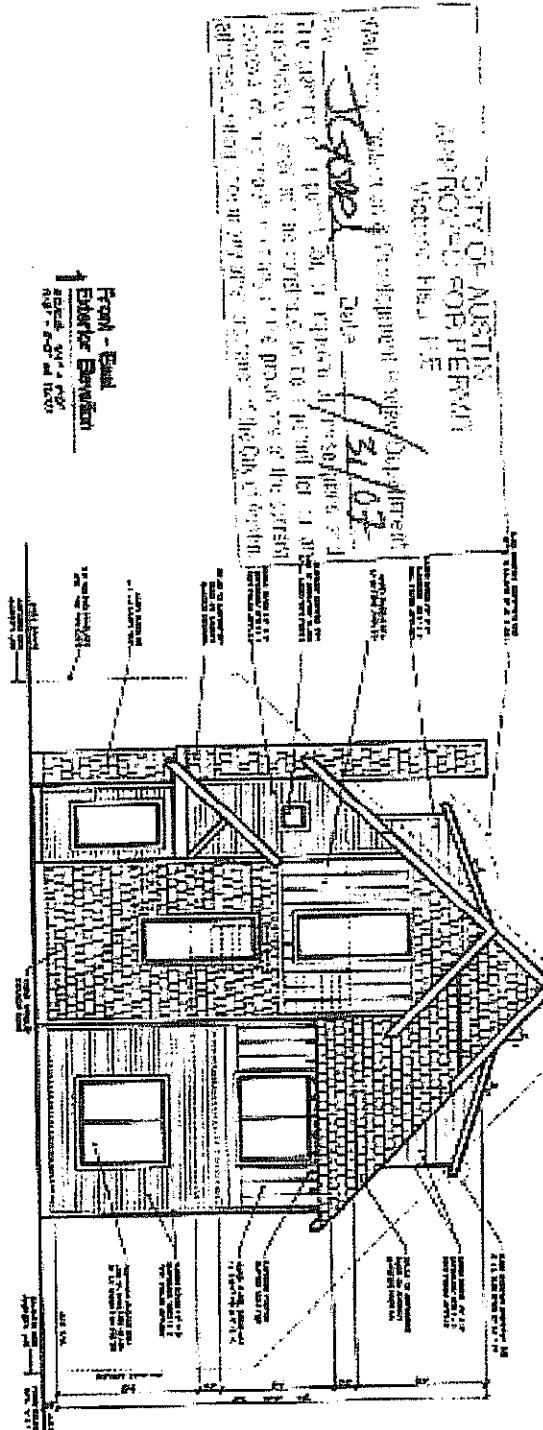
The grading is shown to be ~~as per attached notes and specifications~~ to be a minimum of 10' above the original ground level, any of the previous or the current project or any other plans prior to the City of Austin.

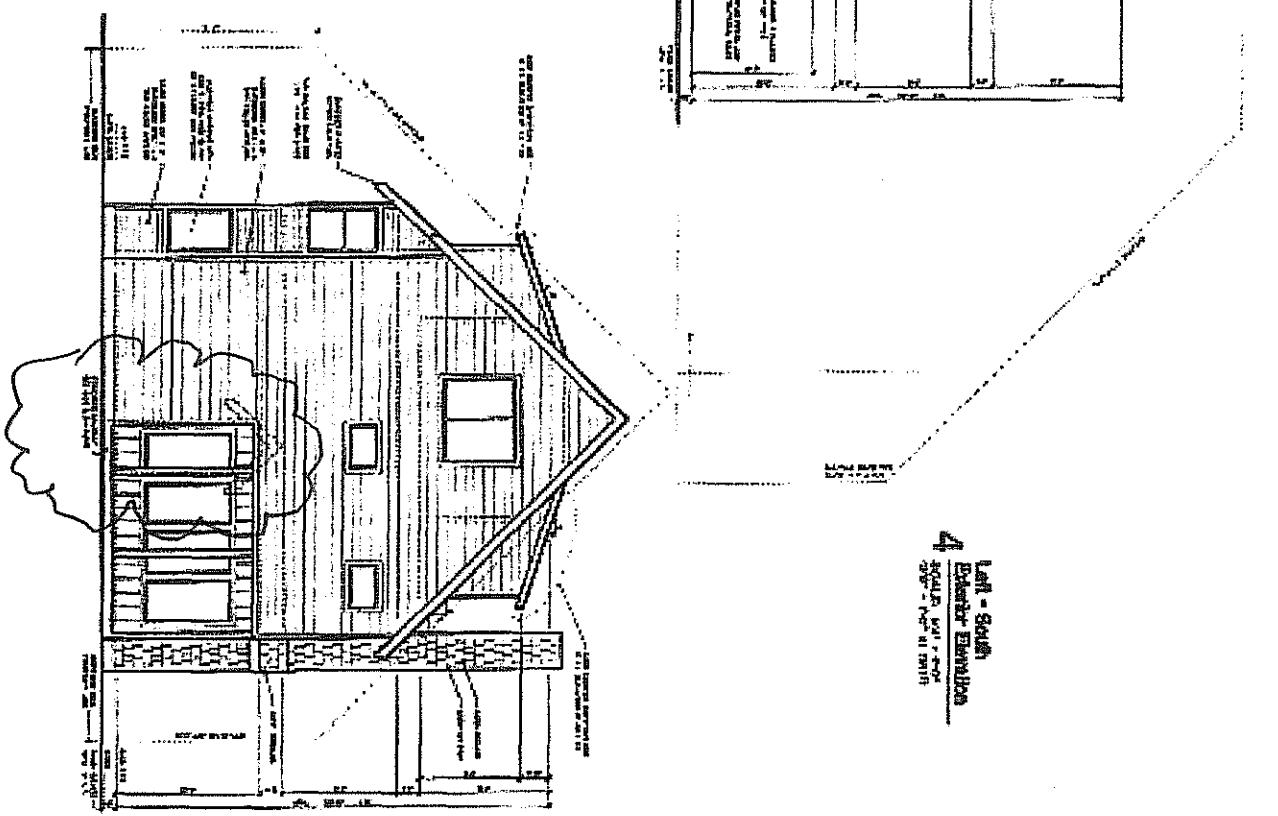
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100407  
**Timeless Classics**  
**5010 FINELEY**  
 Austin Texas 78731-5612

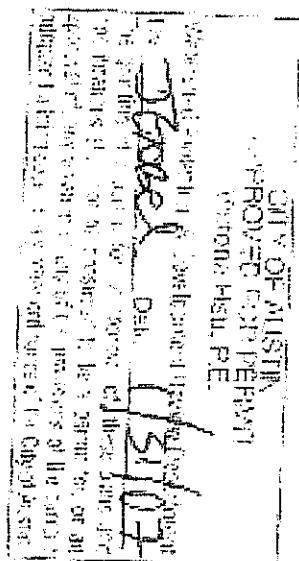
**McIntyre**  
 ASSOCIATES

(12)

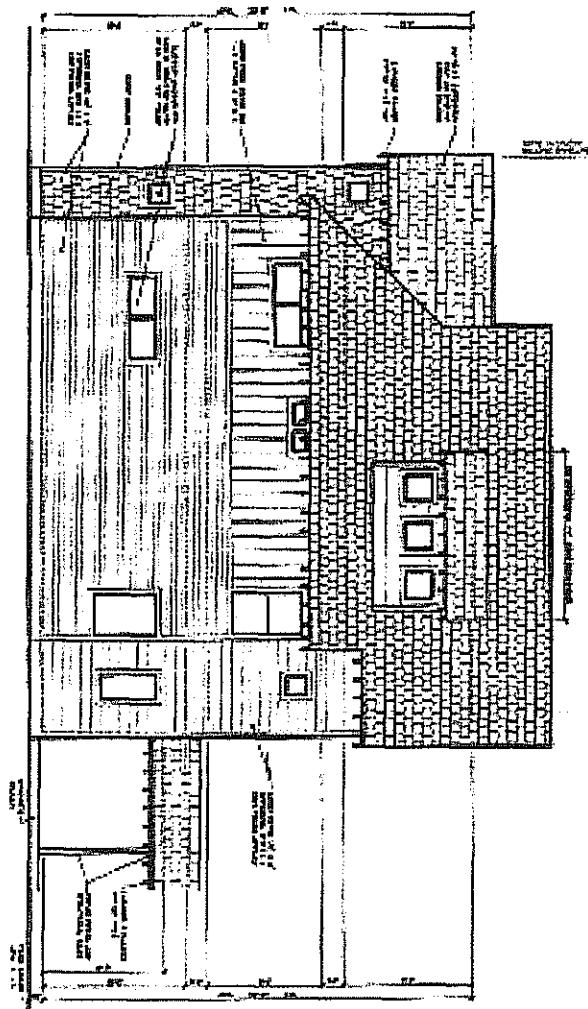




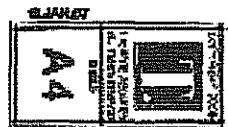
**3**  
Block - West  
Exterior Elevations  
NORTH ELEVATION



CITY OF AUSTIN  
PROJECT C-10 DEPT.  
CIVIL ENGINEERING  
Austin, Texas, P.E.

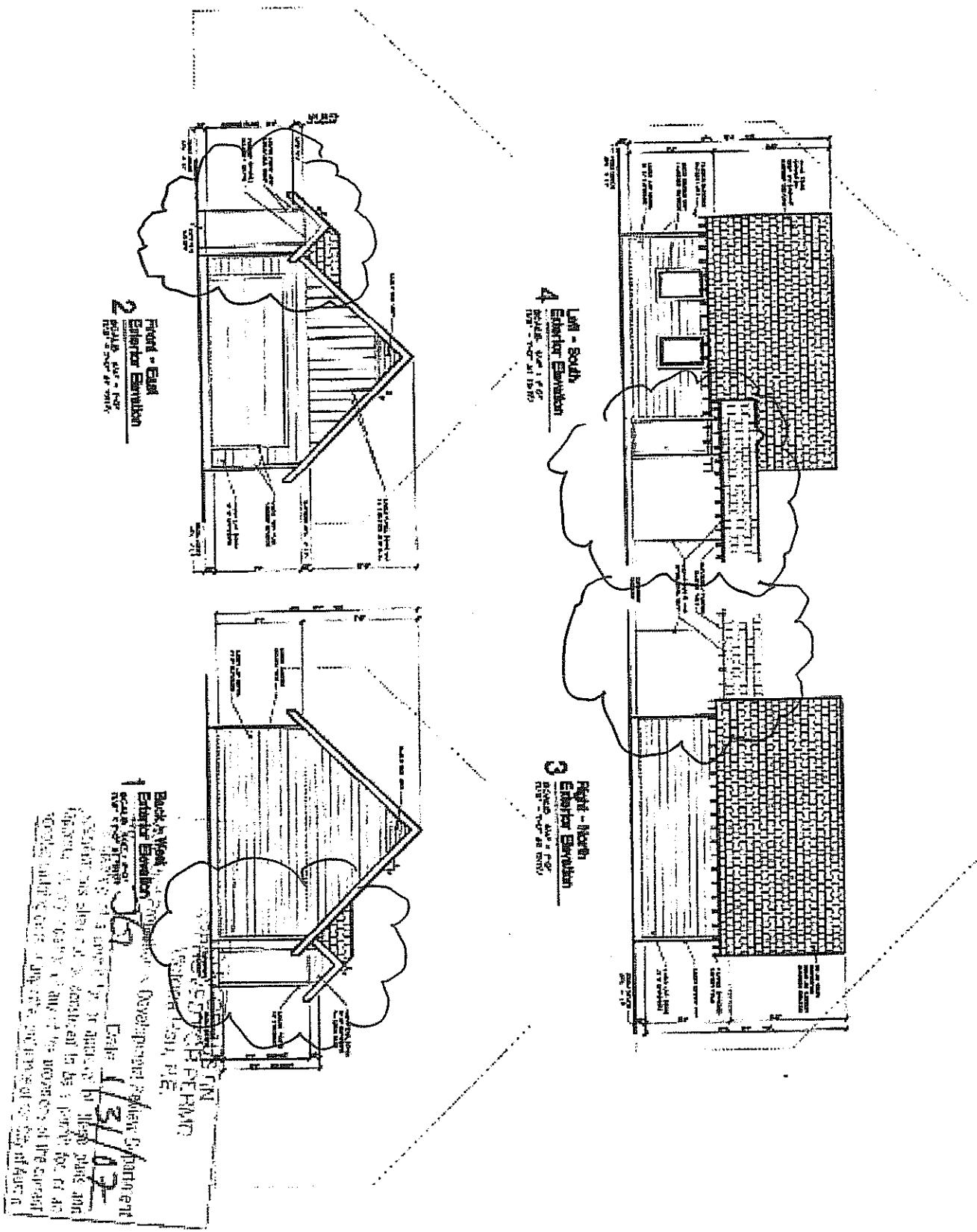


**4**  
Left - South  
Exterior Elevations  
SOUTH ELEVATION



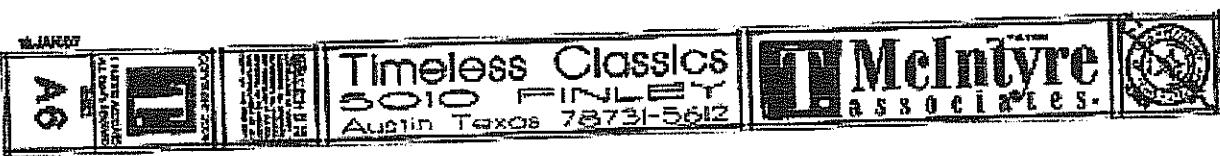
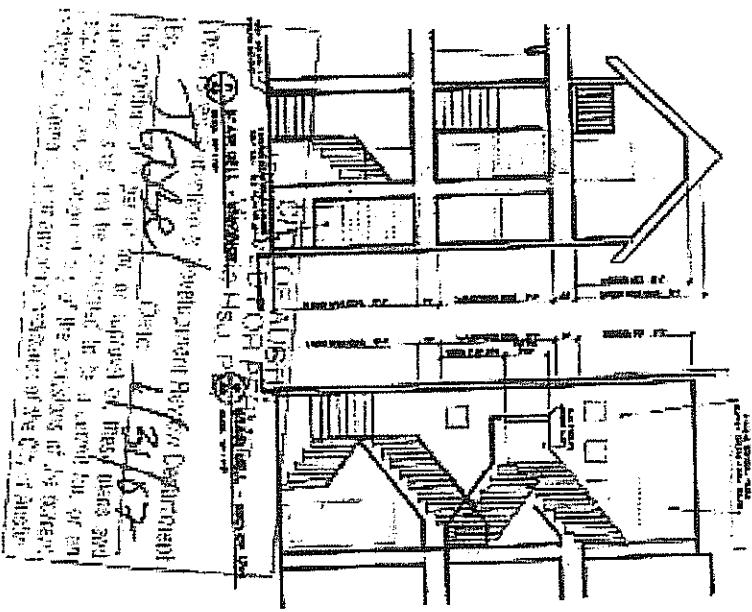
Timeless Classics  
5010 FINLEY  
Austin, Texas 78731-5612

**McIntyre**  
ASSOCIATES



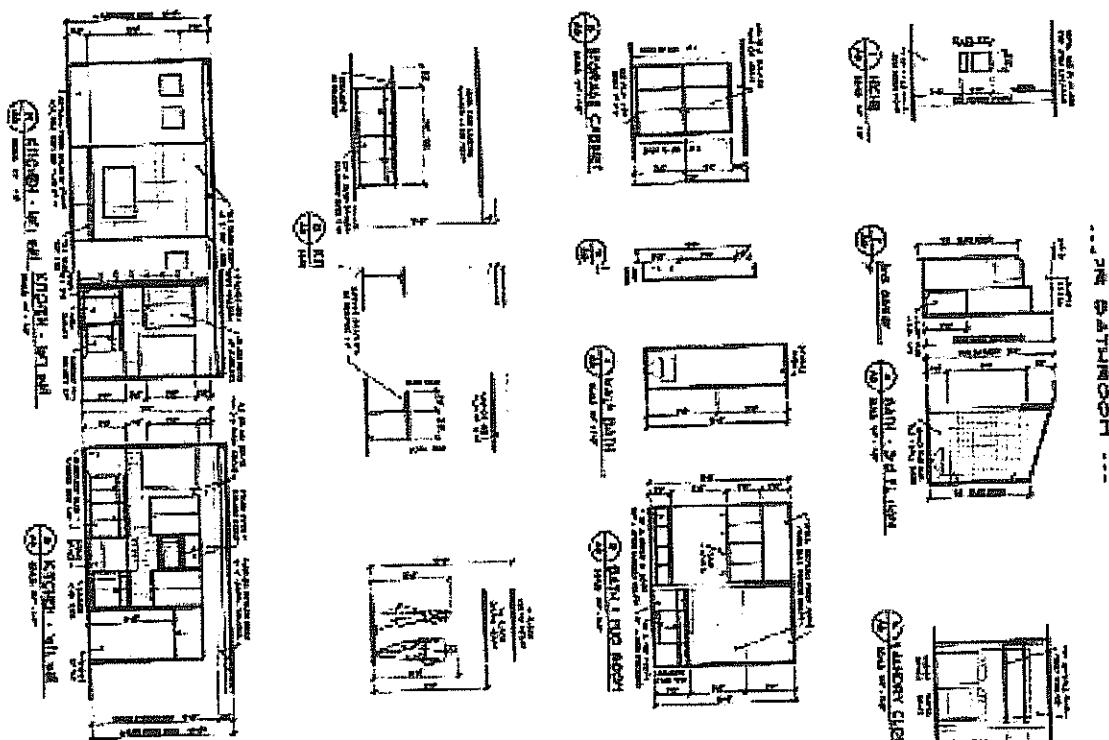
Timeless Classics  
SOLO FINELEY  
Austin Texas 78731-5612

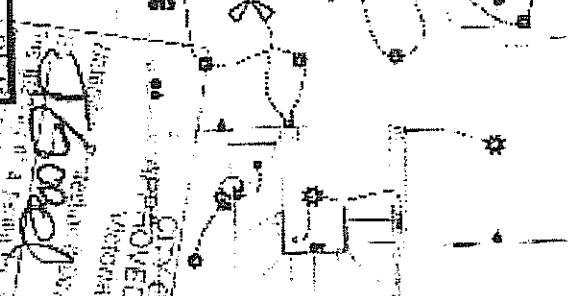
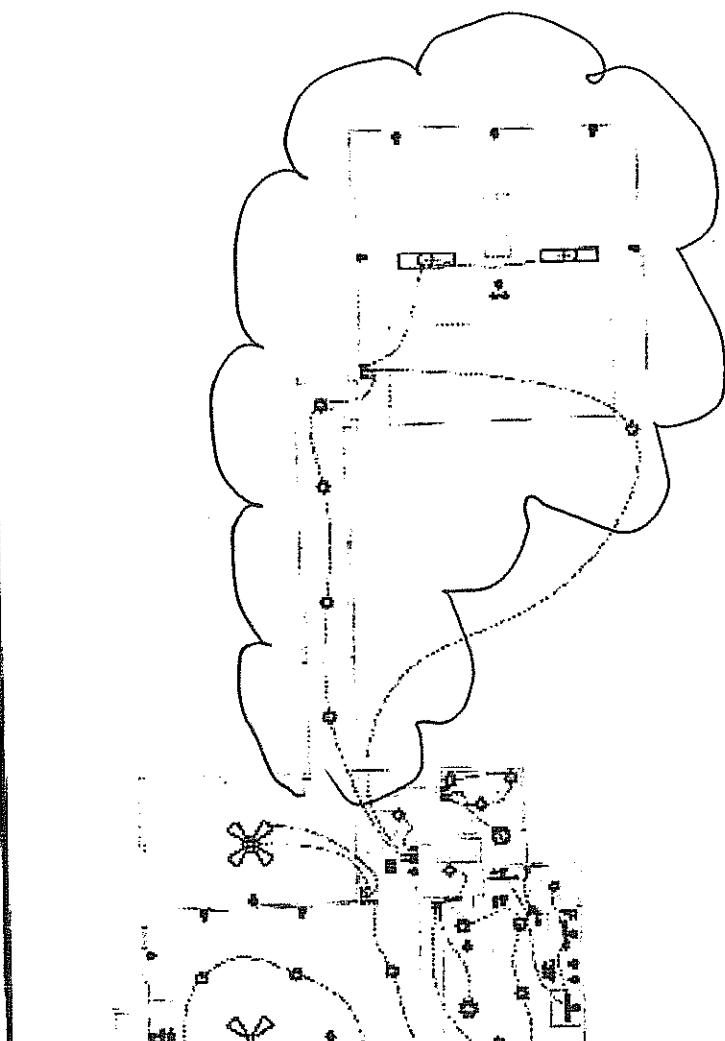
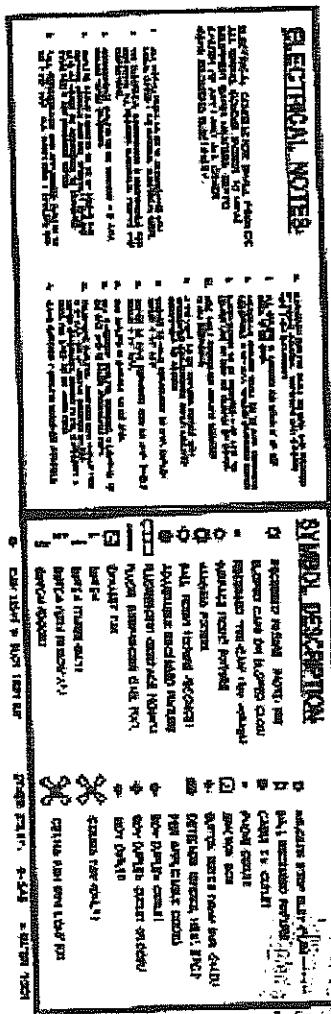




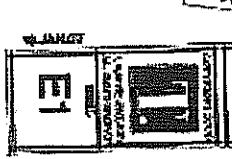
**Timeless Classics**  
5010 FINLEY  
Austin Texas 78731-5612

**McIntyre**  
Basics





THE MEDICAL JOURNAL OF AUSTRALIA

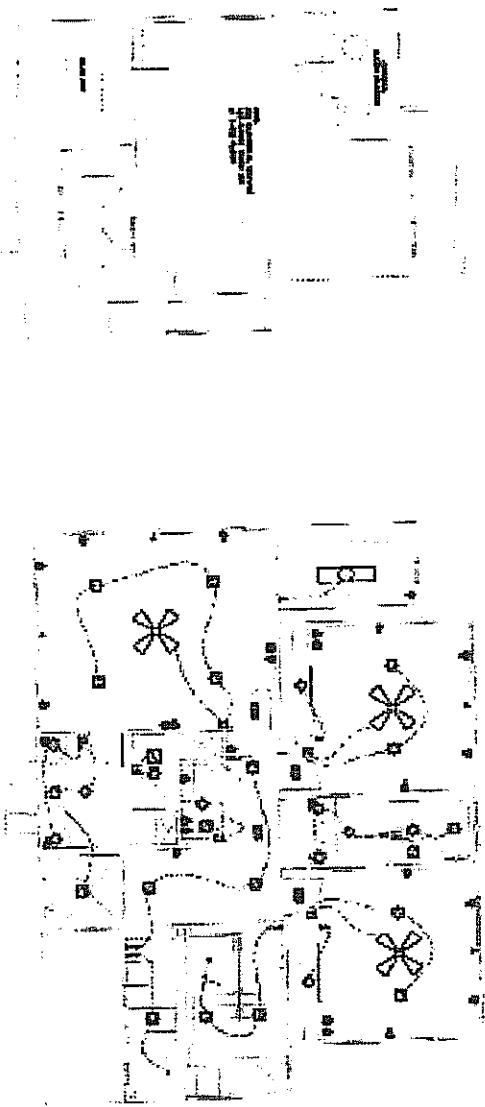
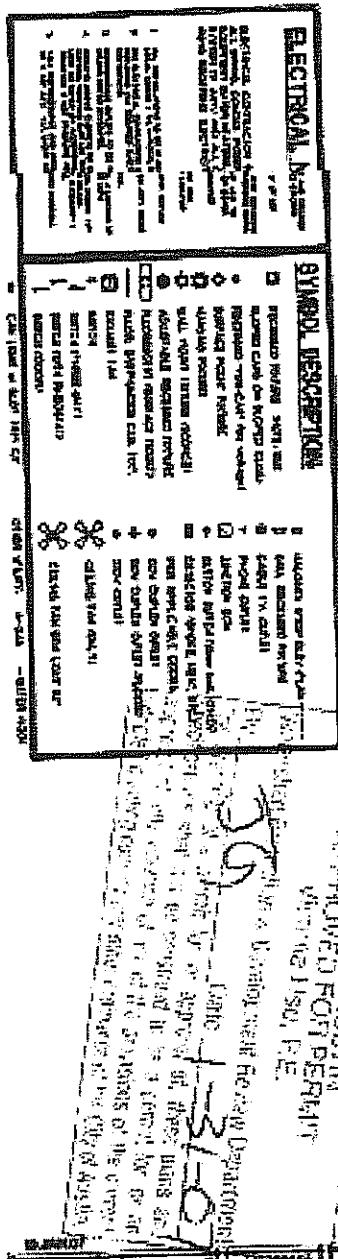


**Timeless Classics**  
5010 FINLEY  
Austin Texas 78731-5812

**T. McIntyre**  
associates



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四庫全書

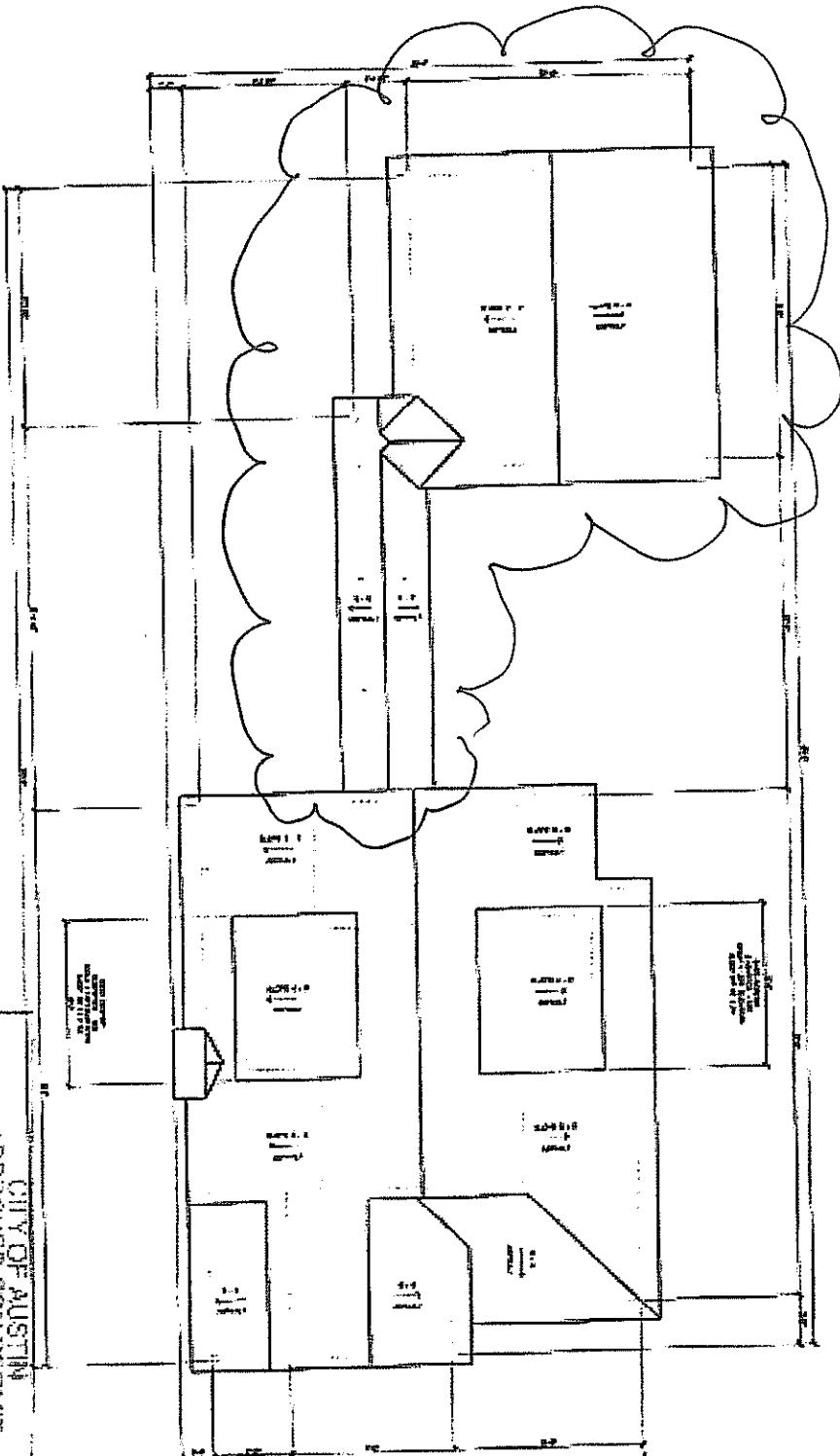
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**Timeless Classics**  
5010 Finley  
Austin, Texas 78731-5612

**McIntyre**  
associates

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(18)



APPROVED FOR PERMIT

Walter H. P.E.

Planning & Development Department

By Date 2/10/01

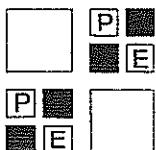
The plans are hereby approved. These plans are subject to all applicable laws, rules, regulations, and permits. They are to be used only for the purpose for which they were issued, i.e., to construct the building described in the plans. Any deviation from the plans must be approved by the City of Austin Building Department.



Timeless Classics  
5010 FINLEY  
Austin, Texas 78731-5612

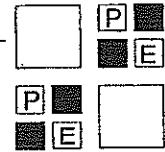
McIntyre  
associates.

(19)



# PROFESSIONAL STRUCIVIL ENGINEERS, INC.

STRUCTURAL CIVIL ENVIRONMENTAL



12710 RESEARCH BLVD., SUITE #390, AUSTIN, TEXAS 78759  
 512.238.6422 FAX 512.258.8095 PSCE@PSCEINC.COM

May 15, 2007

Tim McIntyre  
 TIMELESS CLASSICS  
 3061 South Congress Avenue  
 Austin, Texas 78704

Reference: TIMELESS CUSTOM RESIDENCE  
 5010 Finley Drive  
 Austin, Texas 78731

Dear Mr. McIntyre:

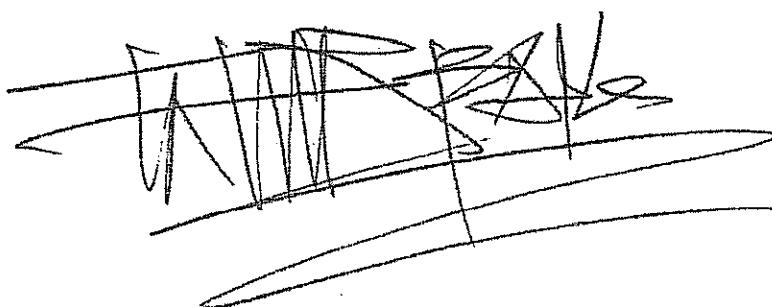
The above referenced foundation has been designed in accordance with the accepted engineering standards for the soil condition at the site.

The foundation preparation has been visually observed by us on May 11, 2007 prior to the placement of concrete. Our observation revealed the sizes and layout of grade beams, and reinforcing steel, to be in substantial compliance with the foundation plan, with some acceptable deviations; therefore, the concrete placement has been approved.

\* → This letter will confirm that the foundation for the above referenced residence was designed for the maximum soil conditions anticipated for the lot based on visual observation and general knowledge of the area. Geotechnical testing and a soils report were not provided for this lot. The foundation beam excavations and reinforcing were observed prior to the placement of concrete. The foundation design complies with the minimum requirements as prescribed by the 2000 International Residential Code.

If you have any questions, please call me.

Sincerely,  
 PROFESSIONAL StruCIVIL ENGINEERS, INC.



Mirza Tahir Baig, P.E.  
 Principal

Opinions and comments stated on this report are solely on observation of apparent condition. This report does not provide a prediction, or warranty on the future performance and/or the need for repair of the structure and other related items. Observation and/or inspection for waterproofing, water conveyance, and drainage issues are specially excluded from this scope of work.

Waterloo Surveyors Inc.  
**FORM SURVEY**

J11540

lot 1  
 Joseph W. Brown Subdivision  
 No. 2

Found Iron Rod  
 [N 29°14'13" E 50.00']  
 N 29°08'30" E 49.98'

Found Iron Rod

**ADDRESS:**  
 5010 FINLEY DRIVE

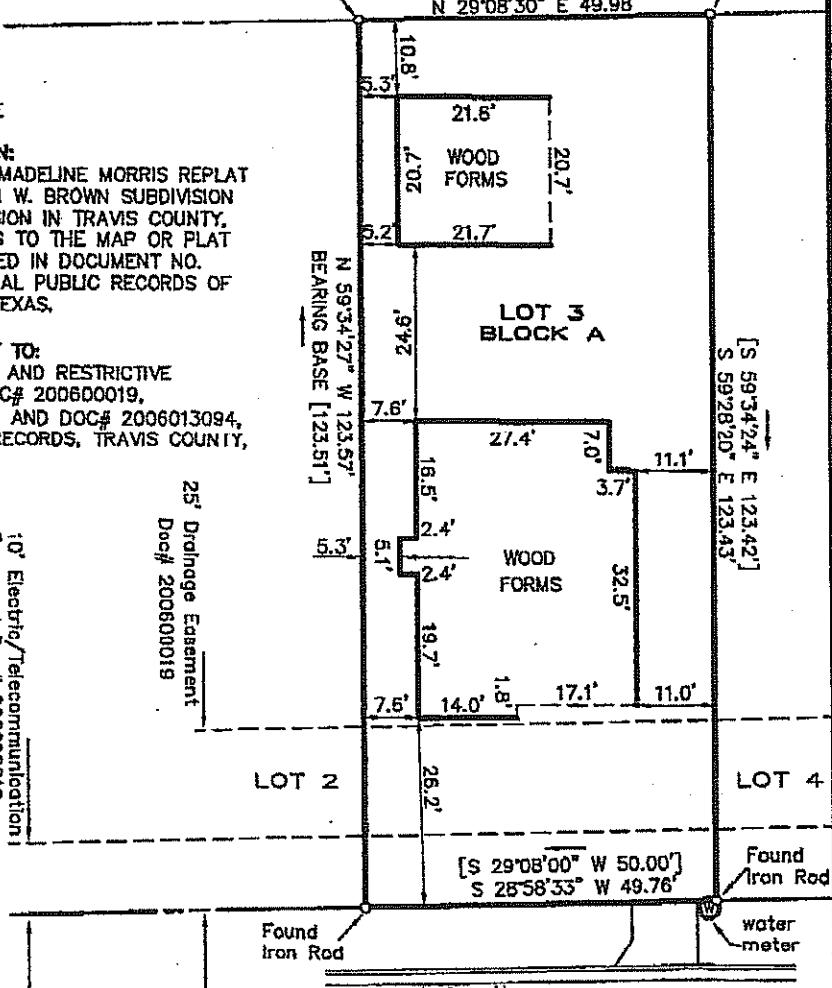
**LEGAL DESCRIPTION:**

LOT 3, BLOCK A, MADELINE MORRIS REPLAT OF LOT 2, JOSEPH W. BROWN SUBDIVISION NO. 2, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN DOCUMENT NO. 200600019, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

**LOT 3 IS SUBJECT TO:**  
 EASEMENT RIGHTS AND RESTRICTIVE COVENANTS IN DOC# 200600019,  
 DOC# 2006013093 AND DOC# 2006013094,  
 OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY,  
 TEXAS.

'O' Drainage Easement  
 Doc# 200600019

'O' Electric/Telecommunication  
 Easement Doc# 200600019



*Finley Drive*

State of Texas:  
 County of Travis:

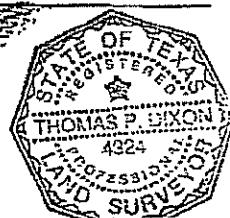
The undersigned does hereby certify that this survey was this day made on the property legally described hereon and is correct, and this survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 5 Condition II Survey. Revised 04-30-07

Dated this the 19TH day of APRIL 2007

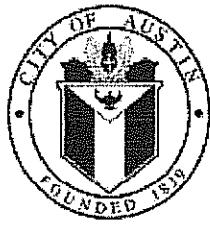
And I certify that the property shown hereon IS NOT within a special flood hazard area as identified by the Federal Insurance Adm. Department of HUD Flood hazard boundary map revised as per Map Number: 48453C0160 E  
 Zone: X Dated: 06/16/93

Thomas P. Dixon R.P.L.S. 4324

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# City of Austin

## CERTIFICATE OF OCCUPANCY

BUILDING PERMIT NO. 2007-002549 BP

ISSUE DATE: 03/31/2008

**BUILDING ADDRESS:** 5010 FINLEY DR

**LEGAL DESCRIPTION:** Lot: 3 Block: A Subdivision: MADELINE MORRIS REPLAT OF LOT 2, JOSEPH W. BROWN  
SUBDIVISION NO. 2

**PROPOSED OCCUPANCY:**

R- 101 Single Family Houses

New - New Two Story With Fin Attic Sf Res With Attached Garage, Co'Rd Porch & Patio, Cov'Rd Breezeway

**NEW BUILDING SQUARE FOOTAGE:** 3539 SQ. FT.

**REMODEL BUILDING SQUARE FOOTAGE:** 0

**SPRINKLER SYSTEM:**

**CODE YEAR:** CODE TYPE:

**FIXED OCCUPANCY:** 0      **NON FIXED OCCUPANCY:**

**CONTRACTOR:** Timeless Classics, Inc.

## \*\*\*\*\* CERTIFICATE OF OCCUPANCY \*\*\*\*\*

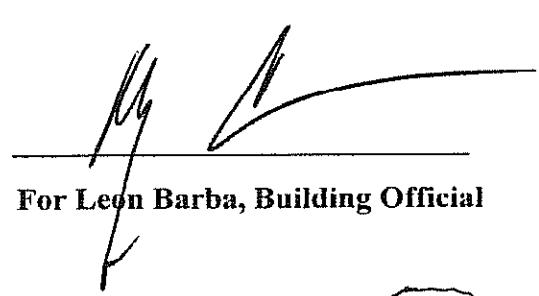
THIS IS TO CERTIFY THAT THE BUILDING OR STRUCTURE AT THE ADDRESS LISTED ABOVE HAS  
BEEN INSPECTED FOR COMPLIANCE WITH THE REQUIREMENTS OF THE AUSTIN CITY CODE  
FOR THE GROUP AND DIVISION OF OCCUPANCY LISTED ABOVE.

NEITHER THE ISSUANCE OF THIS CERTIFICATE NOR THE INSPECTIONS MADE SHALL LESSEN THE RESPONSIBILITY OR LIABILITY OF ANY PERSON, FIRM OR CORPORATION

OWNING, OPERATING, CONTROLLING OR INSTALLING ANY APPLIANCE OR MATERIAL UPON THE PREMISE, OR DOING ANY WORK WHATSOEVER ON SUCH PREMISE.

THE CITY OF AUSTIN DOES NOT ASSUME ANY RESPONSIBILITY OR LIABILITY BY REASON OF THE INSPECTION OR REINSPECTION OF THE PREMISE; OR THE ISSUANCE OF THIS "CERTIFICATE OF OCCUPANCY"; OR BY ANY REASON OF ANY APPROVAL OR DISAPPROVAL.

BUILDING CODE REVIEWER:

  
For Leon Barba, Building Official

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# A. Settlement Statement

U.S. Department of Housing  
and Urban Development

OMB No. 2502-0265

## B. Type of Loan

1. <input type="checkbox"/> FHLA	2. <input type="checkbox"/> FmHA	3. <input checked="" type="checkbox"/> Conventional	4. <input type="checkbox"/> VA	5. <input type="checkbox"/> Conventional	6. Seller Finance	6. File Number 2435001458A	7. Loan Number 43401529340002022093	8. Mortgage Ins Case Number
----------------------------------	----------------------------------	-----------------------------------------------------	--------------------------------	------------------------------------------	-------------------	-------------------------------	----------------------------------------	-----------------------------

C. Note: This form is furnished to give you a statement of actual settlement costs. Amounts paid to and by the settlement agent are shown. Items marked "(n.o.c.)" were paid outside the closing; they are shown here for informational purposes and are not included in the totals.

D. Name & Address of Borrower 5010 Sapphire Corporation 1708 Elmhurst Drive, Suite B Austin, TX 78741	E. Name & Address of Seller Timeless Classics, Inc. 3601 S. Congress Ave. D-102 Austin, TX 78704	F. Name & Address of Lender Regions Bank P.O. Box 2224 Birmingham, AL 35246
----------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------

## G. Property Location

Lot 3, Blk A, Joseph W. Morris Madeline, Austin, Travis County, Texas  
5010 Finley Drive  
Austin, TX 78731

H. Settlement Agent Name  
Austin Title Company  
3815 S. Capital of TX Hwy., Ste 140  
Austin, TX 78704 Tax ID: 752345570

I. Place of Settlement  
Austin Title Company  
3009 N. Lamar  
Austin, TX 78705-2025

J. Settlement Date  
4/7/2010  
Fund: 4/7/2010

## J. Summary of Borrower's Transaction

### 100. Gross Amount Due from Borrower

101. Contract Sales Price	401. Contract Sales Price
102. Personal Property	402. Personal Property
103. Settlement Charges to borrower	403.
104.	404.
105.	405.

### Adjustments for items paid by seller in advance

106. City property taxes	406. City property taxes
107. County property taxes	407. County property taxes
108. Annual assessments	408. Annual assessments
109. School property taxes	409. School property taxes
110. MUD taxes	410. MUD taxes
111. Other	411. Other
112.	412.
113.	413.
114.	414.
115.	415.
116.	416.

### 120. Gross Amount Due From Borrower

200. Amounts Paid By Or In Behalf Of Borrower	500. Reductions in Amount Due to Seller
201. Deposit or earnest money	501. Excess Deposit
202. Principal amount of new loan(s)	502. Settlement Charges to Seller (line 1400)
203. Existing loan(s) taken subject to	503. Existing Loan(s) Taken Subject to
204. Loan Amount 2nd Lien	504. Payoff to OmniBank
205.	505. Payoff of second mortgage loan
206.	506.
207. Option Fee	507. Option Fee
208.	508.
209.	509.

### Adjustments for items unpaid by seller

210. City property taxes	510. City property taxes
211. County property taxes 01/01/10 thru 04/07/10	511. County property taxes 01/01/10 thru 04/07/10
212. Annual assessments	512. Annual assessments
213. School property taxes	513. School property taxes
214. MUD taxes	514. MUD taxes
215. Other	515. Other
216.	516.
217.	517.
218.	518.
219.	519.

### 220. Total Paid By/For Borrower

300. Cash At Settlement From/To Borrower	600. Cash At Settlement To/Seller
301. Gross Amount due from borrower (line 120)	601. Gross Amount due to seller (line 420)
302. Less amounts paid by/for borrower (line 220)	602. Less reductions in amt. due seller (line 520)
303. Cash From Borrower	603. Cash To Seller

Section 5 of the Real Estate Settlement Procedures Act (RESPA) requires the following: • HUD must develop a Special Information Booklet to help persons borrowing money to finance the purchase of residential real estate to better understand the nature and costs of real estate settlement services;

• Each lender must provide the booklet to all applicants from whom it receives or for whom it prepares a written application to borrow money to finance the purchase of residential real estate; • Lenders must prepare and distribute with the booklet a Good Faith Estimate of the settlement costs that the borrower is likely to incur in connection with the settlement. These disclosures are mandatory.

The Public Reporting Burden for this collection of information is estimated to average one hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number.

The information requested does not lend itself to confidentiality.

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I, THE UNDERSIGNED, HAVE THIS DATE, MADE A CAREFUL AND ACCURATE SURVEY  
OF THE PROPERTY LOCATED AT: 5010 FINLEY DRIVE, AUSTIN, TEXAS, BEING  
DESCRIBED AS FOLLOWS: LOT 3, BLOCK A, MADELINE MORRIS REPLAT OF LOT 2,  
JOSEPH W. BROWN SUBDIVISION NO. 2, AN ADDITION IN TRAVIS COUNTY, TEXAS,  
ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN DOCUMENT NO.  
200600019 PLAT RECORDS OF TRAVIS COUNTY, TEXAS.

REFERENCE: GF NO. 2435001458

BUYER: 5010 SAPPHIRE CORPORATION

SELLER: TIMELESS CLASSIC, INC., A TEXAS CORPORATION

LENDER: AS ASSIGNED

TITLE CO.: MID AUSTIN TITLE COMPANY

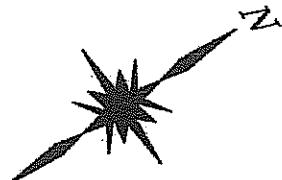
UNDERWRITER: LAWYERS TITLE INSURANCE CORPORATION

LOT 1  
JOSEPH W. BROWN  
SUBDIVISION NO. 2  
V. 21, PG. 4

## IMPERVIOUS COVER CALCULATIONS

TOTAL OF IMPERVIOUS COVERAGE = 3,040 SF  
TOTAL LOT AREA = 6,149 SF

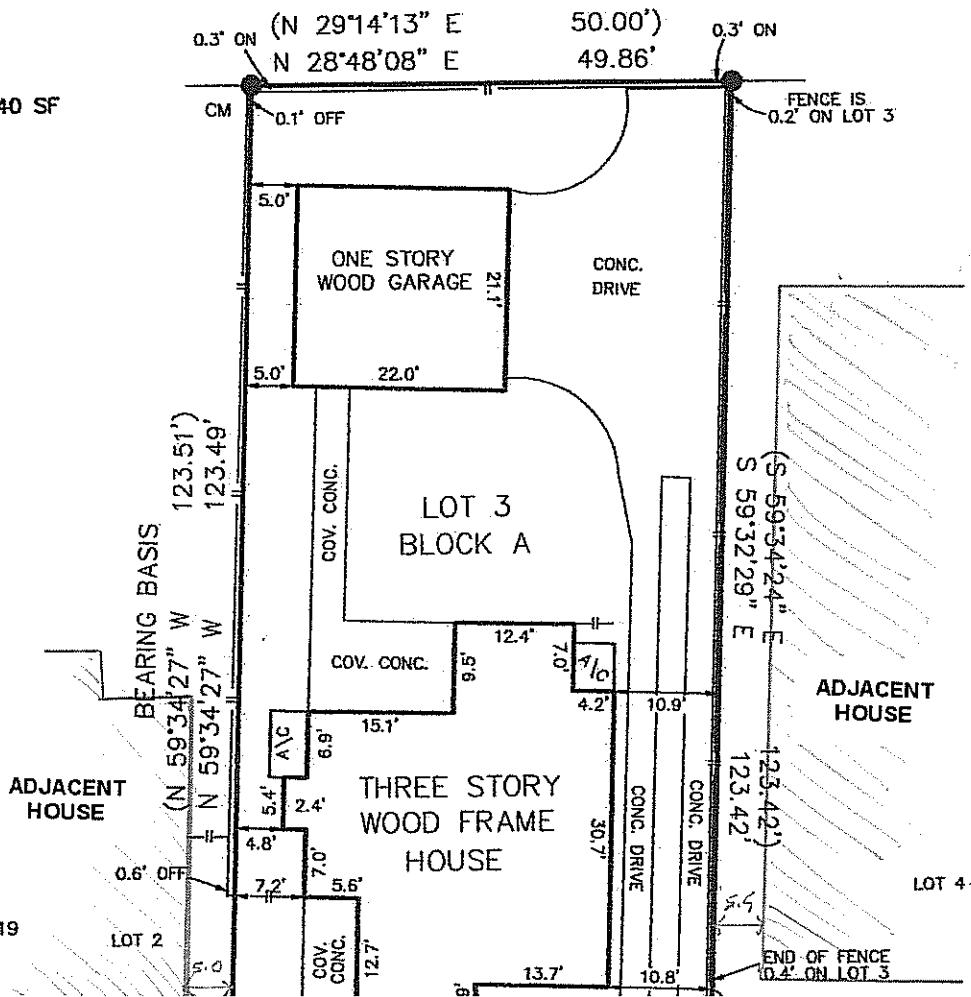
% OF IMPERVIOUS COVERAGE = 49%



PLAT NORTH  
SCALE: 1" = 20'

### **MAP SYMBOLS:**

- X BARBED WIRE FENCE  
 OO CHAIN LINK FENCE  
 II WOOD BOARD FENCE  
 E UTILITY LINE  
 P.U.E. PUBLIC UTILITY EASEME A  
 B.L. BUILDING LINE  
 ( ) 1/2" REBAR FOUND  
 ( ) 1/2" REBAR SET  
 ( ) IRON PIPE FOUND  
 CM CONTROL MONUMENT  
 ( ) RECORD DATA FROM  
 PLAT DOC. NO. 200600019  
 D.E. DRAINAGE EASEMENT  
 R.O.W. RIGHT-OF-WAY  
 PW POWER POLE

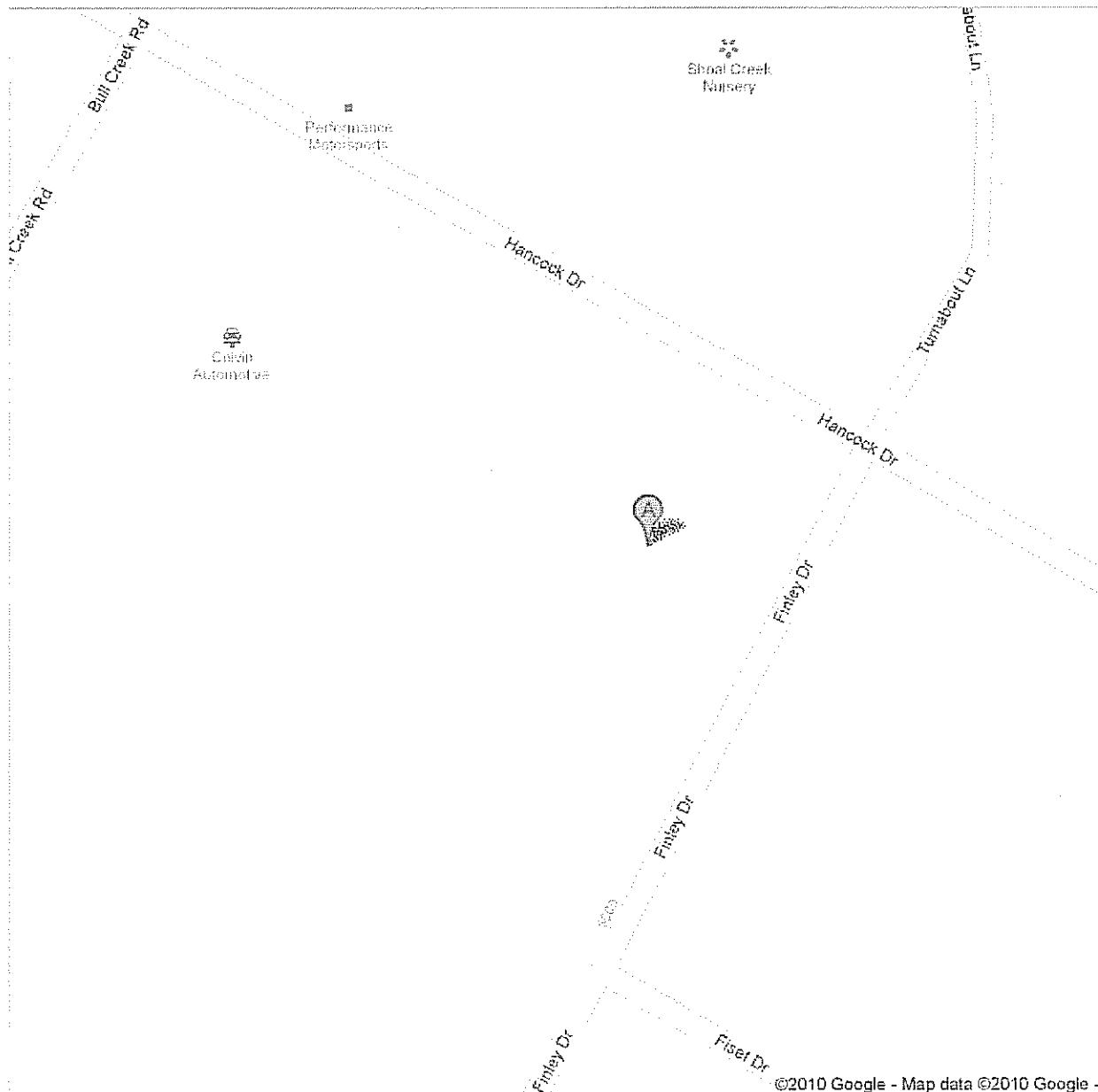


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Google maps

Address 5010 Finley Dr  
Austin, TX 78731

Get Google Maps on your phone  
Text the word "GMAPS" to 466453



**Google maps**

Address

To see all the details that are visible on the screen, use the "Print" link next to the map.

[Get Directions](#) [My Maps](#)[Edit](#) [Print](#) [Send](#) [Link](#)

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