

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

CASE # C15-2010-0125
ROW # 10502199
TP-0209070815

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: 1308 Concho

LEGAL DESCRIPTION: Subdivision – CR Johns

Lot(s) 5 & 6 Block 8 Outlot 36 Division B

I/We Jonathan Perlstein on behalf of myself/ourselves as authorized agent for

Flex Realty affirm that on 9-27, 2010,

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

(check appropriate items below)

 ERECT ATTACH X COMPLETE REMODEL MAINTAIN

The reconstruction of an existing single family residence in its previous location
providing a side yard setback of 3.7 feet

in a SF-3-NP 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: ^{had}
When I purchased the property, the previous owner used the same foundation thinking that they were remodeling an existing residence and because of the amount of disrepair, the scope of work went beyond and ended up being considered new construction, therefore requiring a variance to maintain the existing foundation. The foundation was existing at the current setback which is noncomplying and the work was done by the previous owner.

HARDSHIP:

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

The building has existing since the 1930's with the current setback, therefore building on current foundation by previous owner went beyond the repair permit they were permitted for. I inherited the situation as it is and want to be able to maintain the existing structure as it is in its current location.

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

House has always been there and was in such disrepair that it couldn't be remodeled and had to be rebuilt on existing foundation. I did not realize that the previous owner had gone beyond the scope of work.

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:

Structure has been existing since the 1930's and is grandfather in as a small lot and will have the same structure that has been there since the 1930's.

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

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:

n/a

2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

n/a

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

n/a

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

n/a

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 Jonathan Perlstein Mail Address 3305 Clawson Rd

City, State & Zip Austin, TX 78704

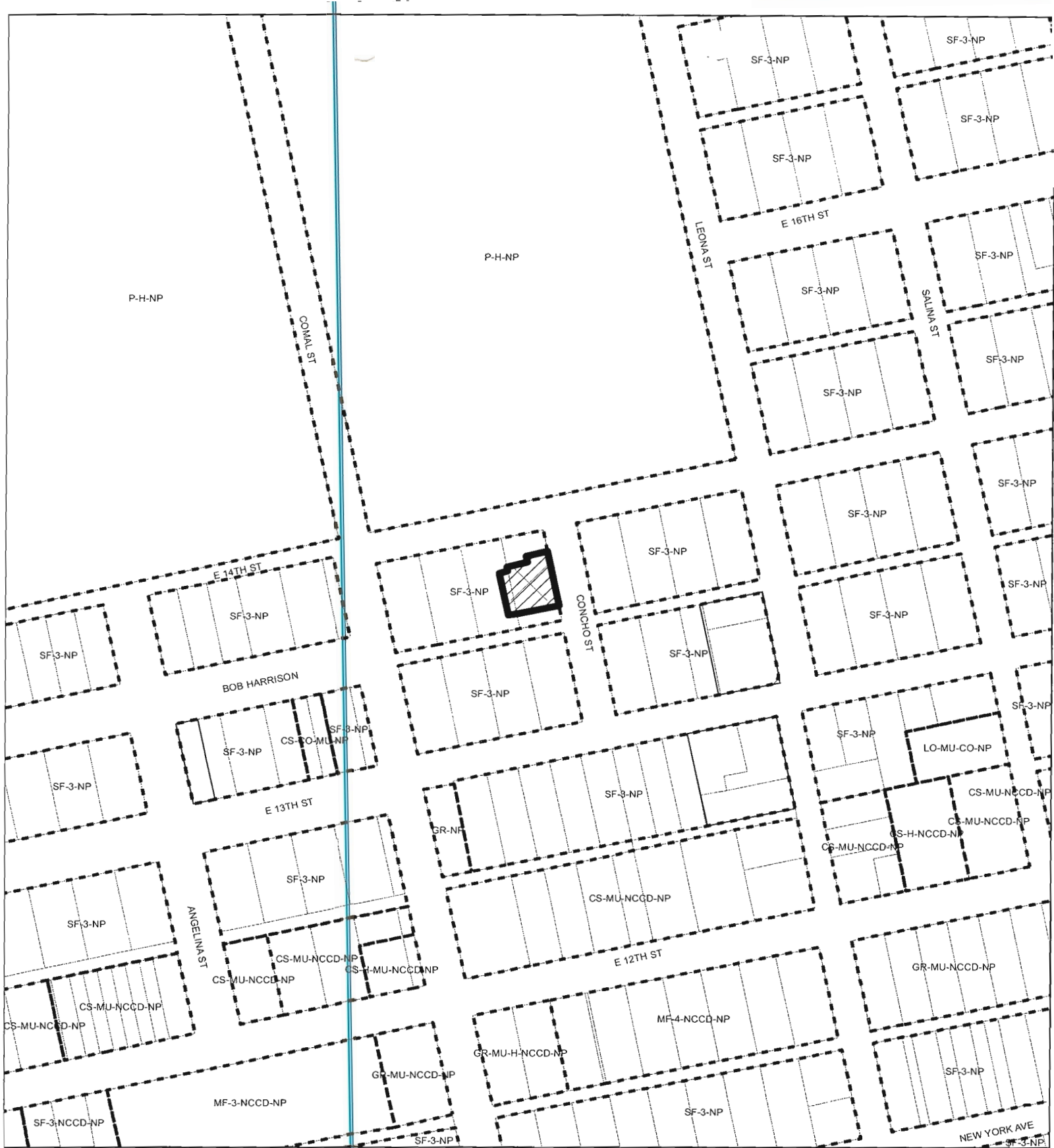
Printed Jonathan Perlstein Phone 512 909-4663 Date 9-27-10

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 FLEX Realty Mail Address 1302 Waugh Dr #902

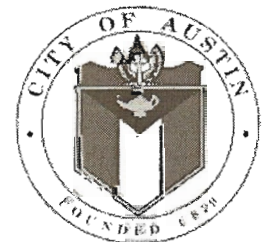
City, State & Zip Houston TX 77019

Printed _____ Phone _____ Date _____



BOARD OF ADJUSTMENTS

CASE#: C15-2010-0125
 LOCATION: 1308 CONCHO ST
 GRID: K23
 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.

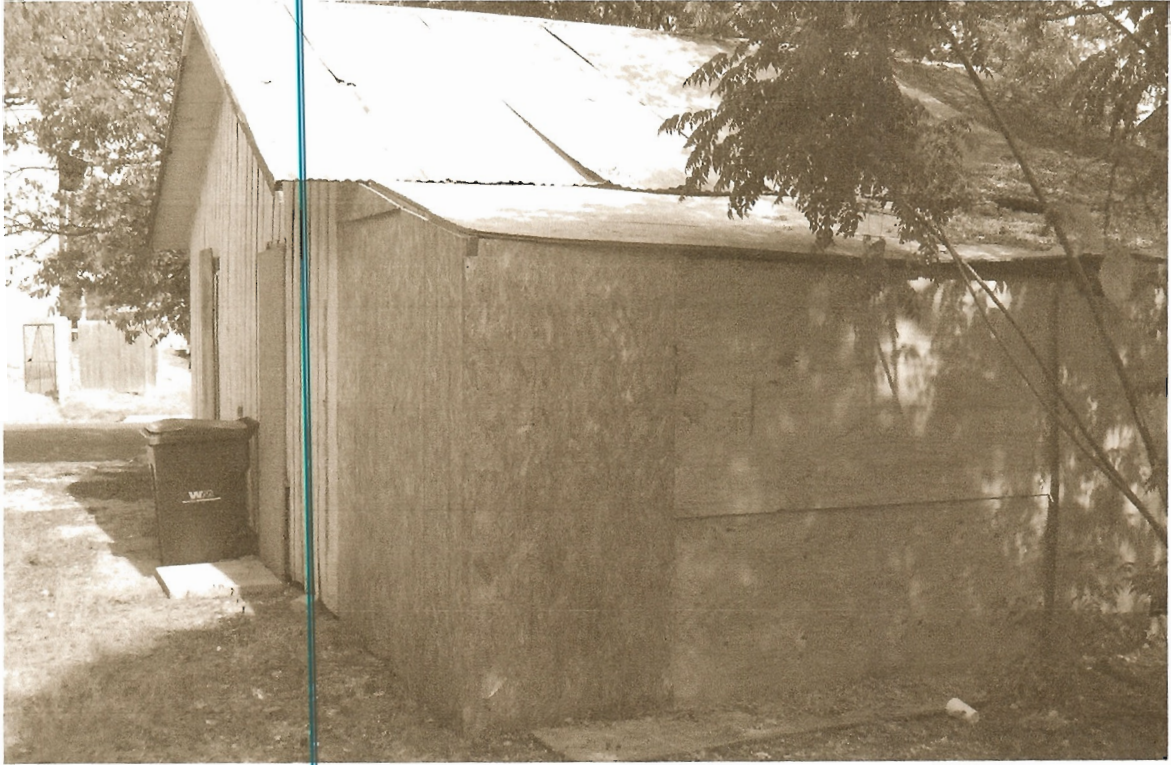


SUBJECT TRACT



ZONING BOUNDARY









City of Austin
Watershed Protection and Development Review Department
Land Status Determination
1995 Rule Platting Exception

December 04, 2007

File Number: **C8I-2007-0512**

Address: **1308 CONCHO ST (also known as 1310 CONCHO ST)**

Tax Parcel I.D. # **0209070815** Tax Map Date: **04/01/1993**

The Watershed Protections & Development Review has determined that this parcel, as described in the attached description and map, **IS EXCEPTED FROM THE REQUIREMENT TO PLAT** in accordance with the Land Development Code, Section 25-4-2(C), and is eligible to receive utility service.

The parcel of land consists of five acres or less, and is described as being the **South 58.67 feet of the North 113.67 feet of the East 15 feet of Lot 6, plus 7 feet by 46 feet, 5 feet by 65 feet, and 58.67 feet by 65 feet of Lot 5, Block 8, C R Johns Subdivision of Outlot 38, Division B** in the current deed, recorded on **Jul 07, 1978, in Volume 6208, Page 729, Travis County Deed Records**. This parcel existed in its current configuration on January 1, 1995, as evidenced by a deed recorded on **Jul 07, 1978, in Volume 6208, Page 729, Travis County Deed Records**. The parcel was lawfully receiving utility service, as defined in Section 212.012 of the Texas Local Government Code, on January 1, 1995, as evidenced by **water service on Mar 24, 1931**. The parcel meets the requirements of the Land Development Code for roadway frontage and is located on an existing street.

Additional Notes/Conditions:

The official 03/01/1994 tax plat map published by the Travis County Central Appraisal District was also used to determine "grandfathered" configuration.

This determination of the status of the property is based on the application of Chapter 212, Municipal Regulation of Subdivisions and Property Development, Texas Local Government Code; and the City of Austin Land Development Code, Chapter 25-4, Subdivision. Recognition hereby does not imply approval of any other portion of the City Code or any other regulation.

By: _____

Sara Groves, Representative of the Director
Watershed Protection and Development Review Department



CITY OF AUSTIN
LAND INFORMATION
ADDRESSING SERVICE

CITY SERVICE ADDRESS VALIDATION

The following is a valid address:

1308 CONCHO ST, AUSTIN-FULL PURPOSE, 78702

Legal Description:

Subdivision Name
[Not available.]

Block	Lot	Tax Parcel ID
--	5	212120410

Jurisdiction: AUSTIN-FULL PURPOSE

Comments: ROW ID #525236

Date: 12/12/2007

Signed: _____

A handwritten signature in black ink, appearing to read 'Catherine W. [unclear]', written over a horizontal line.



**CITY OF AUSTIN
LAND INFORMATION
ADDRESSING SERVICE**

CITY SERVICE ADDRESS VALIDATION

The following is a valid address:

1310 CONCHO ST, AUSTIN-FULL PURPOSE, 78702

Legal Description:

Subdivision Name
[Not available.]

Block	Lot	Tax Parcel ID
--	5	0

Jurisdiction: AUSTIN-FULL PURPOSE

Comments: EL METER 93501

Date: 01/16/2008

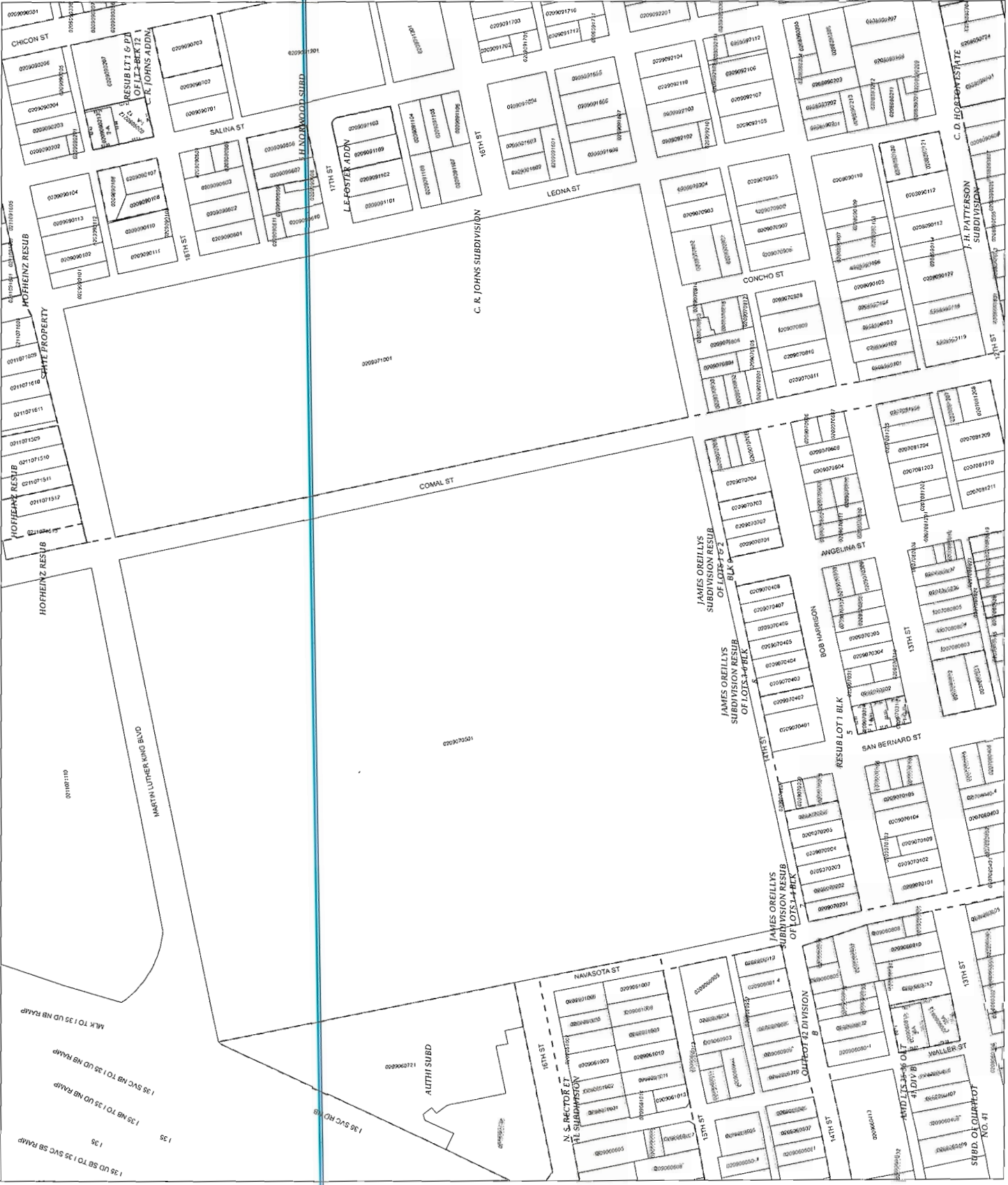
Signed: _____

Kelly DeLisi

Travis Central Appraisal District
8314 Cross Park Drive
Austin, Texas 78754
Internet Address: www.travisad.org
Main Telephone Number (512) 834-9317
TDD (512) 836-3328
Appraisal Information (512) 834-9316

NAD 1983 StatePlane Texas Central FIPS 4203 Feet
Projection: Lambert Conformal Conic
3
Scale: 1" = 120 Feet
Date: 4/21/2006
Revision: 20907

0 120 Feet
Revision Date
4/21/2006
20907





City of Austin BUILDING PERMIT

PERMIT NO: 2010-030897-BP

1308 CONCHO ST

Type: RESIDENTIAL Status: Active

Issue Date: 04/13/2010 **EXPIRY DATE: 10/10/2010**

LEGAL DESCRIPTION Lot: 5 Block: Subdivision: C. R. JOHNS SUBDIVISION	SITE APPROVAL	ZONING SF-3-NP
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PROPOSED OCCUPANCY:	WORK PERMITTED: Addition and Remodel	ISSUED BY: Glenda Wilsford
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Remodel 1st fl existing non-complying sf residence (side & front setback), remodel interior of kitchen, remodel bathroom, add interior walls in rear bedroom to create a new bathroom, relocate interior doors, add walls for laundryroom & add windows to front, side and rear of sf residence & sheetrock & texture; raise ceiling and replace roof; repair existing non-complying front porch; new exterior siding addition to rear to expand bedroom with bath.

TOTAL SQFT New/Addn: 200	VALUATION Tot Val Rem: \$17,000.00	TYPE CONST.	USE CAT. 434	GROUP	FLOORS 1	UNITS 1	# OF PKG SPACES 1
TOTAL BLDG. COVERAGE 930	% COVERAGE 14.39	TOTAL IMPERVIOUS COVERAGE 1076	% COVERAGE 16.62	# OF BATHROOMS 0	METER SIZE 5/8		

Contact Applicant, EBC, Inc. Billed To, Jonathan Perlstein, Austex Custom Homes	Phone (512) 444-4450 (512) 736-2921	Contact Owner, FLEX REALTY L L C General Contractor, EBC, Inc.	Phone (713) 430-3000 (512) 444-4450
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Fee Desc	Amount	Date	Fee Desc	Amount	Date	Fee Desc	Amount	Date
Building Permit Fee	111.00	4/13/2010	Electrical Permit Fee	63.00	8/25/2010	Initial Residential Review Fee	100.00	4/13/2010
Plumbing Permit Fee	89.00	8/3/2010						
Fees Total:	363.00							

Inspection Requirements	Building Inspection	Electric Inspection	Mechanical Inspection	Plumbing Inspection
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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 **applicant is in to permit for expired permit number 2009-099312BP (Original scope of work). No partial demo permit required for this project	Date 04/13/2010	Reviewer Keith A Batcher
Residential Zoning Review		

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 Facts And That The Work Will Conform To The Plans And Specification Submitted Herewith.



City of Austin BUILDING PERMIT

AS 515 4618

PERMIT NO: 2010-030897-BP

Type: RESIDENTIAL Status: Active

1308 CONCHO ST

Issue Date: 04/13/2010 **EXPIRY DATE: 10/10/2010**

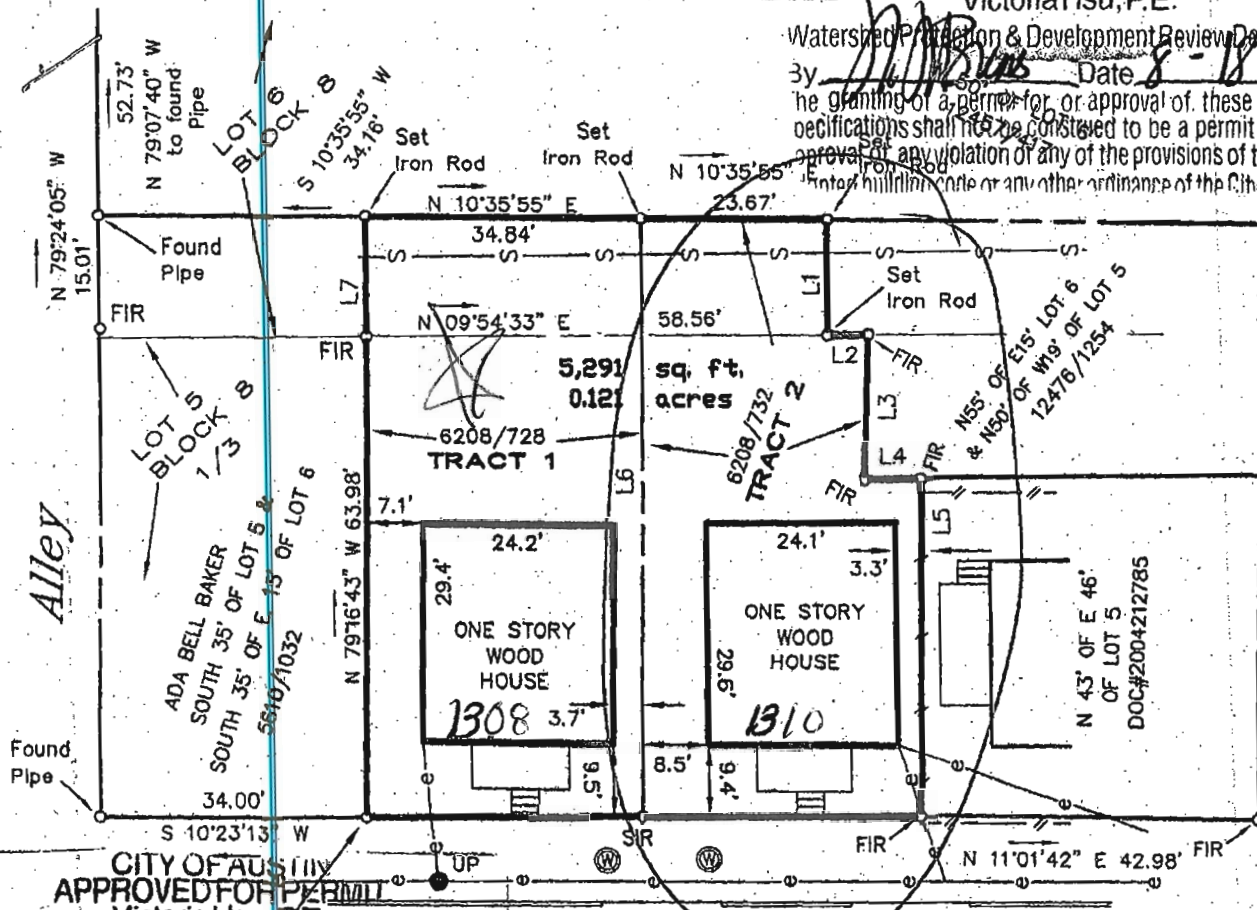
LEGAL DESCRIPTION Lot: 5 Block: Subdivision: C. R. JOHNS SUBDIVISION				SITE APPROVAL		ZONING SF-3-NP	
PROPOSED OCCUPANCY:		WORK PERMITTED: Addition and Remodel			ISSUED BY: Glenda Wilsford		
Remodel 1st fl existing non-complying sf residence (side & front setback), remodel interior of kitchen, remodel bathroom, add interior walls in rear bedroom to create a new bathroom, relocate interior doors, add walls for laundryroom & add windows to front, side and rear of sf residence & sheetrock & texture; raise ceiling and replace roof; repair existing non-complying front porch; new exterior siding addition to rear to expand bedroom with bath.							
TOTAL SQFT New/Addn: 200	VALUATION Tot Val Rem: \$17,000.00	TYPE CONST.	USE CAT. 434	GROUP	FLOORS 1	UNITS 1	# OF PKG SPACES 1
TOTAL BLDG. COVERAGE 930	% COVERAGE 14.39	TOTAL IMPERVIOUS COVERAGE 1076	% COVERAGE 16.62	# OF BATHROOMS 0		METER SIZE 5/8	

Type	Date	Status	Comments	Inspector
101 Building Layout		Open		Jesus Licerio
102 Foundation		Open		Jesus Licerio
103 Framing		Open		Jesus Licerio
104 Insulation		Open		Jesus Licerio
105 Wallboard		Open		Jesus Licerio
109 TCO Occupancy		Open		Jesus Licerio
112 Final Building		Open		Jesus Licerio
114 Continuance of work		Open		Jesus Licerio
Deficiencies		Open		Jesus Licerio

Waterloo Surveyors Inc. SURVEY PLAT

CITY OF AUSTIN
APPROVED FOR PERMIT
Victoria Hsu, P.E.

Watershed Protection & Development Review Department
By *[Signature]* Date *8-18-2000*
The granting of a permit for, or approval of, these plans and specifications shall not be construed to be a permit for, or approval of, any violation of any of the provisions of the current building code or any other ordinance of the City of Austin.



CITY OF AUSTIN
APPROVED FOR PERMIT
Victoria Hsu, P.E.
Watershed Protection & Development Review Department
By *[Signature]* Date *12-13-2000*

The granting of a permit for, or approval of, these plans and specifications shall not be construed to be a permit for, or approval of, any violation of any of the provisions of the current adopted building code or any other ordinance of the City of Austin.

LEGEND
FOUND IRON ROD FIR
SET IRON ROD SIR
WATER METER (W)
CHAIN LINK FENCE ---S---S---S---
WOOD FENCE ---//---//---//---
OVERHEAD ELECTRIC ---o---o---o---
UTILITY POLE ● UP

THE PROPERTY SURVEYED IS SUBJECT TO:
RESTRICTIONS AND EASEMENT RIGHTS OF
RECORD.

LINE COURSE & DISTANCE TABLE

LINE	DIRECTION	DISTANCE
L1	S 79°24'05" E	15.19'
L2	N 09°54'33" E	5.10'
L3	S 78°28'08" E	19.09'
L4	N 09°39'17" E	7.09'
L5	S 79°24'08" E	45.03'
L6	S 79°24'05" E	79.51'
L7	N 79°16'43" W	15.90'

State of Texas
County of Travis:

The undersigned does hereby certify that this survey was this day made on the

Concho Street REVIEWED FOR ZONING ONLY

"THIS SURVEY WAS PERFORMED FOR AND CERTIFIED TO THE LIEN HOLDERS AND/OR THE OWNERS OF THE PREMISES SURVEYED AND TO STEWART TITLE GUARANTY COMPANY AS PER GF NO: 7100041."

LEGAL DESCRIPTION:

TRACT 1:

BEGIN A PORTION OF LOTS 5 AND 6, BLOCK 8, OF THE C. R. JOHNS SUBDIVISION OF OUTLOT 36, DIVISION "B", AN ADDITION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 6208, PAGE 729, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS.

TRACT 2:

BEGIN A PORTION OF LOTS 5 AND 6, BLOCK 8, OF THE C. R. JOHNS SUBDIVISION OF OUTLOT 36, DIVISION "B", AN ADDITION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 6208, PAGE 732, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS.

REVIEWED FOR ZONING ONLY