

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 #

ROW #

C15-2012-0096
10794885

CITY OF AUSTIN
APPLICATION TO BOARD OF ADJUSTMENT
GENERAL VARIANCE/PARKING VARIANCE

TR-0209160305

WARNING: Filing of this appeal stops all affected construction activity.

PLEASE: APPLICATION MUST BE TYPED WITH ALL REQUESTED INFORMATION COMPLETED.

STREET ADDRESS: 3606 Grant Street, Austin, TX, 78721

LEGAL DESCRIPTION: Subdivision – Ebony Acres

Lot(s) 18 Block Outlot Division

I/We Pinaki Ghosh and Victoire van der Pas affirm that on July 5th, 2012,

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

(check appropriate items below)

___ ERECT ___ ATTACH X COMPLETE ___ REMODEL X MAINTAIN

Seek Adjustment to keep

- ✓ 1. Existing Carport which was built in 1979 and covered in 1993 by original owners and is 3 feet from property line.
 - We also seek to convert it to a storage/library since it has existing slab foundation, prevent further impervious coverage, provide protection against severe storm (converted in 2011).
- ✓ 2. Covered front porch which was built in 1961 and is 14 ft from property line (after building of the cul-de-sac)
- ✓ 3. Concrete walk-way with cover on the north side of the house built between 1961 and 1980 to prevent flooding from storm water and water leakage inside the house. It is covered with a and is 1" from property line.
- 4. 8" to 12" Retaining walls in front of the house build in 1980 to prevent flooding situation caused by lack of storm water drainage in the road. (5' from property line)

in a SF-3-NP district.
(zoning district)

MLK N.P.

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:
 - Purchase Document (exhibit 1, 2 pages)
 - Property was purchased in 2011 and at that time there was no open permit in the city. (Picture of property before Purchase Exhibit 1a)
 - The county records were checked before purchase. The house with both front and back porch was shown to be built in 1961. The front porch was shown to be built in 2005. (exhibit 2, 1 page)
 - History of Property (city records and drawings)
 - Plat developed in 1951, House built in 1961.
 - Road paved in 1979 (city ordinance exhibit 3, 1 page).
 - In city ordinance it was shown as a dead end road, so there was no detailed drainage design. (Exhibit 3, 1 page). City converted it to a cul-de-sac without a drainage or parking design consequently there was no storm water drainage or parking mitigation for the houses in the street. (These designs do not exist in the city records).
 - The entire neighborhood storm water gets drained through our property at the end of the street. (Storm water drains through cracks in the curb and driveway since the house acts as catchment area.) (Exhibit 4, 4a – Flooding Pictures, 2 pages)
 - The entire house on the other-side of the cul-dec-sac (3607 Grant Street) is about 13 ft from the street. (exhibit 4b, 1 pages)
 - Front and back porch in county records since 1961. It is also shown in a city drawing from 1976 where the street is shown as dead end. (exhibit 5, 1 page).
 - Covered car port in county records since 2005. (exhibit 2, 1 page) though, the slab was build in 1980 to mitigate the fact that frontage was taken over by the city during paving of the street and there is steep drop of 3 feet beyond the curb at the street. (The curb cracks also due to the same reason)
 - 0 square foot of impervious square footage added since purchase of the house in 2011
 - Land Contour
 - There is a difference of 40 ft from one side of the street to another side slopping down towards the property in question (exhibit 6, Contour map)
 - Survey of Land
 - The survey (exhibit 7, 7a survey with and without shed in easement) shows that 3606 Grant Street had easement for drainage but since the cul-de-sac was not designed so drainage was never build which leads to the flooding.
 - City Ruling on Land based on Contour, Inspection and Survey
 - The attached email from city will confirm the fact that city considers it to be a property prone to flooding. (exhibit 8, email from city)
 - Pictures of the house after Purchase (exhibit 9, 1 page)

- The owner had tried to get building permit twice and has been denied. Due to immediate nature of the repairs the owner had to perform certain repairs to make the structure safe and livable since it is their homestead. (exhibit 10, 1 page)

HARDSHIP:

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

General

- The property is prone to flooding due to lack of any drainage in the street. The radius of the cul-de-sac acts as a catchment area and channels the entire water through the property.
- The property being at the end of the street acts as a water outlet for the entire street.
- There has been enormous damage to the foundation due to 30 years of flood damage. (exhibit 11, 11a, pictures, 2 pages)
- The city has literally dug a ditch through the middle at the end of the cul-de-sac to partially mitigate the issue. (exhibit 11b, pictures, 1 page)
- The owner's of the property has spend about fifteen thousand dollars on mitigation of flooding issues created by the fact that the road was paved without a drainage system. (Exhibit 12, 12a)
- Building new structures on the property is difficult due to land contour and flooding issues. Improving the existing structures and using the existing foundation is more prudent from a design standpoint.
- The lot is full with trees and it is not our desire to cut down any tree in the property in order to build new foundation.

Specific (the numbers match with the request numbers)

1. The car port was built in 1979 when the city paved the road and took away the parking front of the house. It was covered in 1993.
 - The slab foundation in the car port is the only area which can hold any concentrated load without buckling or being affected by flood. So it makes the slab idea for a storage/library room
 - The room is less than 200 square feet in size and does not have cooking or toilet facilities and requires wall around the carport.
 - This room acts as storm shelter for our entire house on a lot which is prone to flooding.
 - The drive way to this room still provides parking space for a full-size car.
2. The house was built before the street was paved so part of the house does not have the setback of 25 feet on the front. (4 houses in the street have the same issue). Before building the cul-de-sac, the setback of the porch was about 27 ft from the street.
3. The water collects at the end of the cul-de-sac and the street acts more as a holding area for the water to be channelized through our property. The side walk on the north-side of the house was build between 1979 and 1980 after the street was paved to anchor the house against flooding. It also stops the storm water from getting inside the house. The cantilever cover over the walk-way has the same purpose. (we are trying to reduce as much storm water as possible because we already get more than enough from the street) (Exhibit 12)

4. During heavy rain the water flowing down from the top of the hill usually flows through the cracks in the concrete curb around the cul-de-sac and enters the house. The curbs in the garden prevent the water from flowing inside the house. (exhibit 11a)

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

- There are only 2 houses at the end of the cul-de-sac and both have this issue of setback due to the turning radius at the end of the cul-de-sac. For some unknown reason city has not asked the other house for a variance. (Exhibit 4b)
- The entire water of the neighborhood was supposed to flow through a drainage system and easement for the drainage system is our property but that was never built so we end up taking the entire water of the neighbourhood.

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:

Not a single square-foot of extra impervious coverage has been added. The height of the property has not been altered. (The shed which was on the easement has been removed.) No trees have been removed from the property. So there is no change to the area character. The usage of the property remains to be residential as designated in the zoning.

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:

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:

The property has enough parking space for 3 cars, on the south side (towards the creek), which is being utilized for parking. The driveway in-front of the carport also provides parking space for an extra car (generally this space is used for loading and unloading). We are working with the city to remove the easement and at this point it seems that city does not have any issues to remove the easement. (Exhibit 13)

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.

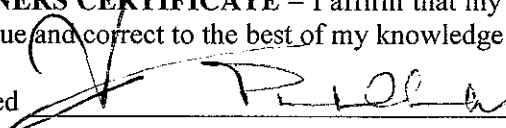
APPLICANT CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed  Mail Address _____ 3606 Grant Street

City, State & Zip Austin, TX, 78721

Printed __Pinaki Ghosh & Victoire van der Pas Phone __5125772170__ Date __July 5th, 2012

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  Mail Address _____ 3606 Grant Street

City, State & Zip Austin, TX, 78721

Printed __Pinaki Ghosh & Victoire van der Pas Phone __5125772170__ Date __July 5th, 2012

GENERAL INFORMATION FOR SUBMITTAL OF A VARIANCE REQUEST TO THE BOARD OF ADJUSTMENT



(The following is intended to provide assistance in explaining the variance process. These suggestions are not intended to be a complete or exhaustive guide in assisting you through this process.)

VARIANCE REQUIREMENTS:

General Requirements:

- A. A variance may be granted if, because of special circumstances of a property, the strict application of the Land Development Code regulations deprives the property owner of privileges that are enjoyed by another person who owns property in the area that has the same zoning designation as the property for which the variance is requested.



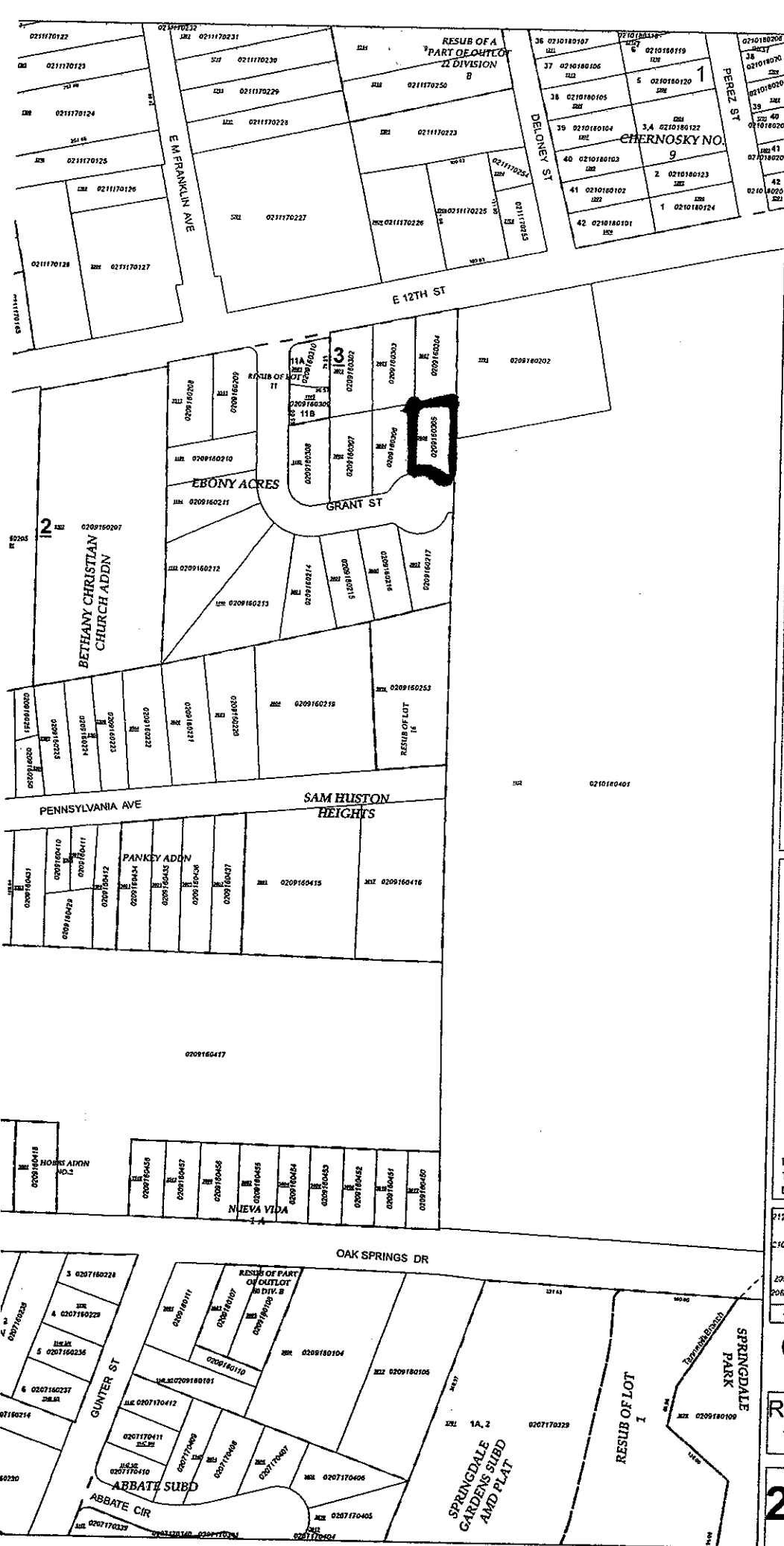
-  SUBJECT TRACT
-  ZONING BOUNDARY

CASE#: C15-2012-0096
LOCATION: 3606 GRANT STREET



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by the Planning and Development Review Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



Travis Central Appraisal District
 8314 Cross Park Drive
 Austin, Texas 78714
 Internet Address: www.traviscad.org
 Main Telephone Number (512) 834-9317
 Appraisal Information (512) 834-9318
 TDD (512) 836-3328

This tax map was compiled solely for the use of TCAD. Areas depicted by these digital products are approximate, and are not necessarily accurate to mapping, surveying or engineering standards. Conclusions drawn from this information are the responsibility of the user. The TCAD makes no claims, promises or guarantees about the accuracy, completeness or adequacy of this information and expressly disclaims liability for any errors and omissions. The mapped data does not constitute a legal document.

NAD_1983_StatePlane_Texas_Central_FIPS_4203_Feet
 Projection: Lambert_Conformal_Conic

North Arrow

Scale:
 Italic = 100 scale map
 Thin = 100 scale map
 Bold = 400 scale map

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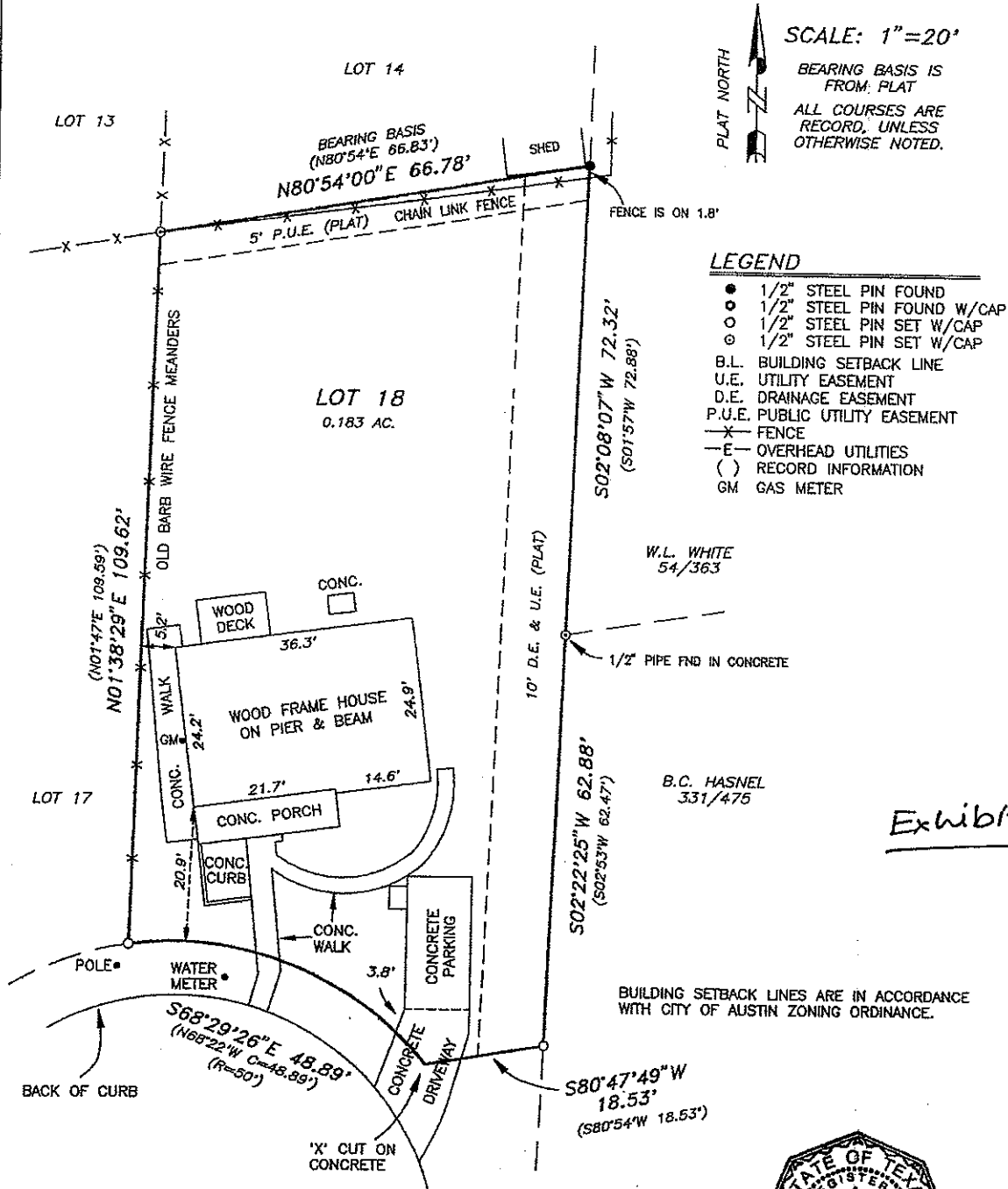
WATSON SURVEYING
9501 CAP OF TEX HWY, #303
AUSTIN, TEXAS 78759
PHONE (512) 346-8566

SURVEY MAP OF:

REFERENCE: L18EBONY

LOCAL ADDRESS: 3606 GRANT STREET, AUSTIN TX 78721

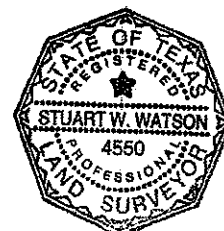
LEGAL DESCRIPTION: LOT 18, BLOCK —, EBONY ACRES
BOOK 6, PAGE 68 OF THE TRAVIS COUNTY PLAT RECORDS.



FOR RESTRICTIONS ON THIS LOT SEE PLAT AND ANY RESTRICTIVE COVENANTS.
OWNER/BUILDER IS RESPONSIBLE TO READ AND COMPLY WITH ALL RESTRICTIONS.

THE UNDERSIGNED DOES HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON AND IS CORRECT, AND THAT THERE ARE NO DISCREPANCIES, CONFLICTS, SHORTAGES IN AREA, BOUNDARY LINE CONFLICTS, ENCROACHMENTS, OVERLAPPING OF IMPROVEMENTS, VISIBLE UTILITY LINES OR ROADS IN PLACE, EXCEPT AS SHOWN HEREON, AND THAT SAID PROPERTY HAS ACCESS TO AND FROM A DEDICATED ROADWAY, EXCEPT AS SHOWN HEREON. THIS SURVEY DOES NOT REPRESENT AN ABSTRACT OF TITLE. THERE MAY BE EASEMENTS OR OTHER MATTERS NOT SHOWN.

DATED THIS 20 DAY OF DECEMBER, 2011:



Stuart Watson
STUART W. WATSON, REGISTERED
PROFESSIONAL LAND SURVEYOR,
TEXAS LICENSE NUMBER 4550

Exhibit 7a

A. Settlement Statement

U.S. Department of Housing
and Urban Development

EXHIBIT-1

OMB No. 2502-0265

B. Type of Loan				6. File Number 1101019-HMG		7. Loan Number		8. Mortgage Ins Case Number	
1. <input type="checkbox"/> FHA 2. <input type="checkbox"/> FmHA 3. <input type="checkbox"/> Conv Unins 4. <input type="checkbox"/> VA 5. <input type="checkbox"/> Conv Ins. 6. <input type="checkbox"/> Seller Finance 7. <input checked="" type="checkbox"/> CASH SALE									
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 "(p.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 Victoire Van Der Pas and Pinaki Ghosh 113 W. 55 1/2 Street Austin, TX 78751				E. Name & Address of Seller Annie Mae Hancock 1193 E M Franklin Austin, TX 78721			F. Name & Address of Lender		
G. Property Location EBONY ACRES, Outlot 17, Division B, City Austin, County Travis, TX 3606 Grant Street Austin, TX 78721				H. Settlement Agent Name Independence Title Company 9442 Capital of Texas Hwy Bldg. 2, Suite 200 Austin, TX 78759 Tax ID: 47-0951111 Underwritten By: Stewart Place of Settlement Hancock & McGill Fee Office 6010 Balcones Dr., Ste. 100 Austin, TX 78731					
I. Settlement Date 6/7/2011 Fund:									
J. Summary of Borrower's Transaction					K. Summary of Seller's Transaction				
100. Gross Amount Due from Borrower					400. Gross Amount Due to Seller				
101. Contract Sales Price \$45,000.00					401. Contract Sales Price \$45,000.00				
102. Personal Property					402. Personal Property				
103. Settlement Charges to borrower \$248.50					403.				
104.					404.				
105.					405.				
Adjustments for items paid by seller in advance					Adjustments for items paid by seller in advance				
106. Property taxes					406. Property taxes				
107. City property taxes					407. City property taxes				
108. County property taxes					408. County property taxes				
109. School property taxes					409. School property taxes				
110. MUD Taxes					410. MUD Taxes				
111. HOA Dues					411. HOA Dues				
112.					412.				
113.					413.				
114.					414.				
115.					415.				
116.					416.				
120. Gross Amount Due From Borrower \$45,248.50					420. Gross Amount Due to Seller \$45,000.00				
200. Amounts Paid By Or in Behalf Of Borrower					500. Reductions in Amount Due to Seller				
201. Deposit or earnest money \$250.00					501. Excess Deposit				
202. Principal amount of new loan(s)					502. Settlement Charges to Seller (line 1400) \$16,145.51				
203. Existing loan(s) taken subject to					503. Existing Loan(s) Taken Subject to				
204. Loan Amount 2nd Lien					504.				
205.					505.				
206.					506.				
207.					507.				
208.					508.				
209.					509.				
Adjustments for items unpaid by seller					Adjustments for items unpaid by seller				
210. Property taxes 01/01/11 thru 06/07/11 \$1,043.76					510. Property taxes 01/01/11 thru 06/07/11 \$1,043.76				
211. City property taxes					511. City property taxes				
212. County property taxes					512. County property taxes				
213. School property taxes					513. School property taxes				
214. MUD Taxes					514. MUD Taxes				
215. HOA Dues					515. HOA Dues				
216.					516.				
217.					517.				
218.					518.				
219.					519.				
220. Total Paid By/For Borrower \$1,293.76					520. Total Reduction Amount Due Seller \$17,189.27				
300. Cash At Settlement From/To Borrower					600. Cash At Settlement To/From Seller				
301. Gross Amount due from borrower (line 120) \$45,248.50					601. Gross Amount due to seller (line 420) \$45,000.00				
302. Less amounts paid by/for borrower (line 220) \$1,293.76					602. Less reductions in amt. due seller (line 520) \$17,189.27				
303. Cash From Borrower \$43,954.74					603. Cash To Seller \$27,810.73				

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.

Section 4(a) of RESPA mandates that HUD develop and prescribe this standard form to be used at the time of loan settlement to provide full disclosure of all charges imposed upon the borrower and seller. These are third party disclosures that are designed to provide the borrower with pertinent information during the settlement process in order to be a better shopper. 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.

Exhibit-1

L. Settlement Charges					
700. Total Sales/Broker's Commission based on price	\$45,000.00	@ % =	\$0.00		
Division of Commission (line 700) as follows:				Paid From	Paid From
701.	to			Borrower's	Seller's
702.	to			Funds at	Funds at
703. Commission Paid at Settlement				Settlement	Settlement
704. The following persons, firms or	to			\$0.00	\$0.00
705. corporations received a portion	to				
706. of the real estate commission amount	to				
707. shown above:	to				
800. Items Payable in Connection with Loan					
801. Loan Origination Fee %	to				
802. Loan Discount %	to				
803. Appraisal Fee	to				
804. Credit Report	to				
805. Lender's Inspection Fee	to				
806. Mortgage Insurance Application	to				
807. Underwriting Fee	to				
808. Flood Cert Fee	to				
809. Processing Fee	to				
810. Tax Services	to				
900. Items Required by Lender To Be Paid in Advance					
901. Interest from 6/7/2011 to 7/1/2011 @ \$0/day					
902. Mortgage Insurance Premium for months	to				
903. Hazard Insurance Premium for years	to				
904. 2nd Lien Interest	to				
1000. Reserves Deposited With Lender					
1001. Hazard insurance	months @	per month		\$0.00	
1002. Mortgage insurance	months @	per month		\$0.00	
1003. Property taxes	months @	per month		\$0.00	
1004. City property taxes	months @	per month		\$0.00	
1005. County property taxes	months @	per month		\$0.00	
1006. School property taxes	months @	per month		\$0.00	
1007. MUD Taxes	months @	per month		\$0.00	
1008. HOA Dues	months @	per month		\$0.00	
1011. Aggregate Adjustment				\$0.00	
1100. Title Charges					
1101. Settlement or closing fee	to Hancock & McGill, LLP			\$215.00	\$215.00
1102. Abstract or title search	to				
1103. Title examination	to				
1104. Title insurance binder	to				
1105. Document preparation	to Hancock & McGill, LLP				
1106. Document preparation	to Hancock & McGill, LLP				\$350.00
1107. Attorney's fees	to				
(includes above items numbers:					
1108. Title insurance	to Independence Title Company				\$469.00
(includes above items numbers:					
1109. Lender's coverage	\$0.00/\$0.00				
1110. Owner's coverage	\$45,000.00/\$469.00				
1111. Escrow fee	to Independence Title Company				
1112. State of Texas Policy Guaranty Fee	to Texas Title Insurance Guaranty Assoc			\$0.00	\$5.00
1113. Courier/Overnight Fees	to Hancock & McGill, LLP			\$10.00	\$10.00
1114. e-Recording	to Independence Title Company			\$3.50	\$10.50
1115. \$281.4 of Title Premium	to Hancock & McGill, LLP				
1200. Government Recording and Transfer Charges					
1201. Recording Fees	Deed \$20.00; Mortgage; Rel	to Independence Title Company		\$20.00	
1202. City/county tax/stamps	Deed; Mortgage	to			
1203. State tax/stamps	Deed; Mortgage	to			
1204. Record Affidavit of Fact	to Independence Title Company				
1205. Record Affidavits of Heirship	to Independence Title Company				\$16.00
1300. Additional Settlement Charges					\$40.00
1301. Survey	to				
1302. Pest Inspection	to				
1303. HOA Transfer Fee	to				
1304. Property Tax Attorney Fees	to				
1305. Property Taxes for 2006-2010 including Court Costs	to Travis County Tax Collector				\$14,986.71
1306. Tax Certificate	to Texas Real Tax Services, Ltd.				\$43.30
1400. Total Settlement Charges (enter on lines 103, Section J and 502, Section K)				\$248.50	\$16,145.51

EXHIBIT 1a

House
before
purchase



Carport.
with £
Foundation



Shed
(now
removed)



Exhibit-1a

Exhibit - 2

TaxNetUSA: Travis County Property Information

Property ID Number: 199012 Ref ID2 Number: 02091603050000

Owner's Name **VAN DER PAS VICTOIRE &**Mailing Address
PINAKI GHOSH
3606 GRANT ST
AUSTIN, TX 78721-

Location 3606 GRANT ST 78721

Legal LOT 18 OLT 17 DIV B EBONY ACRES

Property Details

Deed Date 06/07/2011
 Deed Volume
 Deed Page
 Exemptions HS
 Freeze Exempt F
 ARB Protest T
 Agent Code 0
 Land Acres 0.1882
 Block
 Tract or Lot 18
 Docket No. 2011082075TR
 Abstract Code S04146
 Neighborhood Code E0150

Value Information

2012 Preliminary

Land Value 60,000.00
 Improvement Value 32,160.00
 AG Value 0.00
 AG Productivity Value 0.00
 Timber Value 0.00
 Timber Productivity Value 0.00
 Assessed Value 92,160.00
 10% Cap Value 0.00
 Total Value 92,160.00

This property is eligible for online protest

Data up to date as of 2012-05-30

☐ AGRICULTURAL (1-D-1)☐ APPOINTMENT OF AGENT FORM☐ FREEPORT EXEMPTION☐ HOMESTEAD EXEMPTION FORM☐ PRINTER FRIENDLY REPORT☐ PROTEST FORM☐ RELIGIOUS EXEMPTION FORM☐ PLAT MAP

Value By Jurisdiction

Entity Code	Entity Name	2011 Tax Rate	Assessed Value	Taxable Value	Market Value	Appraised Value
0A	TRAVIS CENTRAL APP DIST		92,160.00	92,160.00	92,160.00	92,160.00
01	AUSTIN ISD	1.242000	92,160.00	77,160.00	92,160.00	92,160.00
02	CITY OF AUSTIN	0.481100	92,160.00	92,160.00	92,160.00	92,160.00
03	TRAVIS COUNTY	0.485500	92,160.00	73,728.00	92,160.00	92,160.00
2J	TRAVIS COUNTY HEALTHCARE DISTRICT	0.078900	92,160.00	73,728.00	92,160.00	92,160.00
68	AUSTIN COMM COLL DIST	0.094800	92,160.00	87,160.00	92,160.00	92,160.00

Improvement Information

Improvement ID
162141

State Category

Description

1 FAM DWELLING

Segment Information

Imp ID	Seg ID	Type Code	Description	Class	Effective Year Built	Area
162141	187673	1ST	1st Floor	WW3-	1961	864
162141	760141	011	PORCH OPEN 1ST F	*3-	1961	120
162141	760142	011	PORCH OPEN 1ST F	*3-	1961	16
162141	760143	251	BATHROOM	"	1961	1
162141	3853907	522	FIREPLACE	WW3-	2005	1
162141	3853908	051	CARPORT DET 1ST	WW3-	2005	180

Total Living Area 864

Land Information

Land ID	Type Code	SPTB Code	Homesite	Size-Acres	Front	Depth	Size-Sqft
197005	LAND	A1	T	0.188	0	0	8,198

[show history](#)Exhibit - 2

CITY OF AUSTIN, TEXAS

ORDINANCE NO. 79 0517-A

AN ORDINANCE DECLARING THE NECESSITY FOR AND ORDERING THE PAVING AND IMPROVEMENT OF PORTIONS OF CERTAIN STREETS IN THE CITY OF AUSTIN; APPROVING PLANS AND SPECIFICATIONS FOR SUCH WORK; AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS; DIRECTING THE PREPARATION OF ESTIMATES; INVOKING THE ALTERNATE PROCEDURE PROVIDED BY ARTICLE I, SECTION 5 OF THE CHARTER OF THE CITY OF AUSTIN AND CHAPTER 106 OF THE ACTS OF THE FIRST CALLED SESSION OF THE 40TH LEGISLATURE OF TEXAS; DETERMINING THAT THE COST OF SUCH IMPROVEMENTS SHALL BE PAID BY THE CITY OF AUSTIN; PROVIDING FOR THE LEVY BY THE CITY OF AUSTIN FOR A PORTION OF SUCH COSTS BY ASSESSMENT OF A PORTION OF SUCH COSTS AGAINST THE PROPERTY ABUTTING SUCH STREETS OR PORTIONS THEREOF TO BE IMPROVED, AND FOR THE FIXING OF A LIEN TO SECURE PAYMENT OF SUCH ASSESSMENTS; STATING THE TIME AND MANNER PROPOSED FOR PAYMENT OF ALL SUCH COSTS; DIRECTING THE CITY CLERK TO CAUSE A NOTICE OF THE ENACTMENT OF THIS ORDINANCE TO BE FILED IN THE MORTGAGE OR DEED OF TRUST RECORDS OF TRAVIS COUNTY, TEXAS; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

SECTION 1. That a necessity exists for the permanent improvement of those certain portions of public streets within the City limits as hereinafter listed, by excavating, grading and paving the same, and by the construction of curbs and gutters where adequate curbs and gutters are not now in place, with appurtenances incidental thereto. Such improvements are hereby ordered; the portions of said public streets to be so improved being designated and defined by Street Units as follows:

Exhibit-3

<u>UNIT NUMBER</u>	<u>STREET</u>	<u>FROM</u>	<u>TO</u>
79-04	Astor Place	Leslie Ave.	M.L.K., Jr. Blvd.
79-05	Commerce St.	Dead End	Deloney Street
79-06	Elmira Road	Leslie Ave.	M.L.K., Jr. Blvd.
79-07	Fairplay Court	Leslie Ave.	Cul-de-sac
79-08	<u>Grant Street</u>	Dead End ← <i>pl. note</i>	Redwood Avenue
79-09	Kitty Street	Elmira Road	Springdale Road
79-10	Leslie Avenue	Cometa Street	Springdale Road
79-11	Luna Street	E. 12th St.	E. 16th St.
79-12	Overhill Dr.	Springdale Rd.	M.L.K., Jr. Blvd.



streaming through property



flood
water

damaged
floor



Exhibit-4a



Flood
water
from street

Flood
water through
property

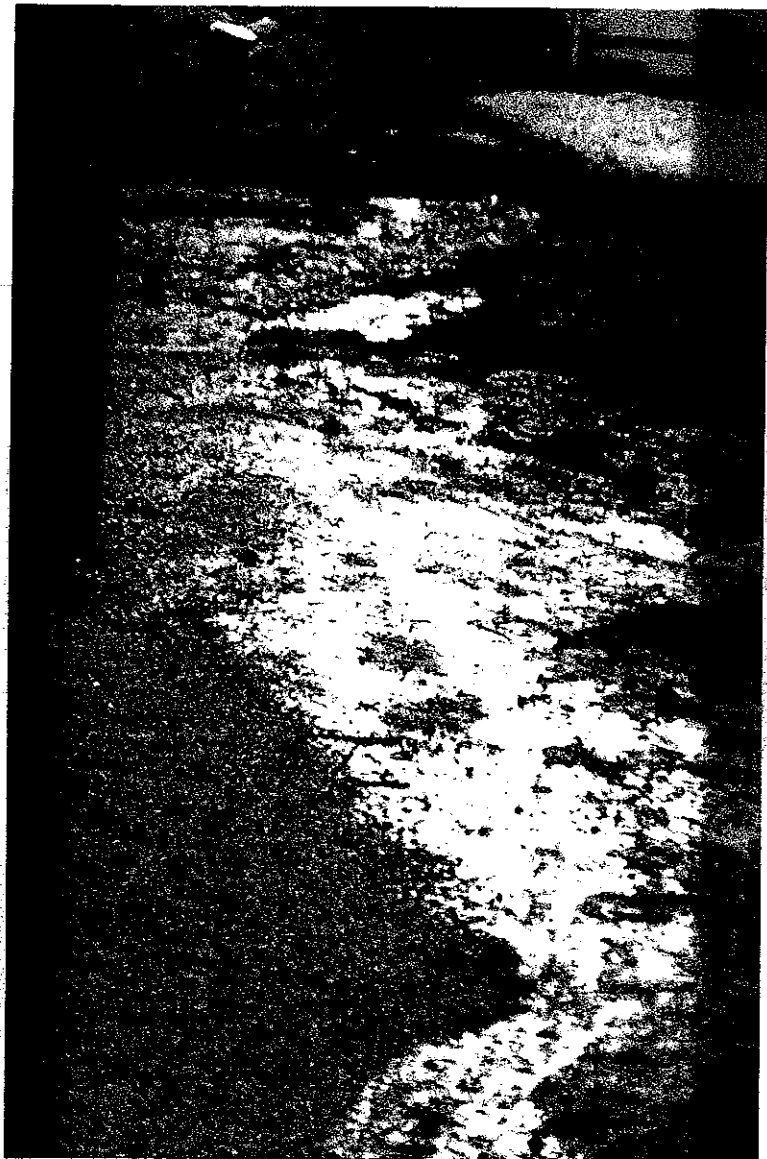
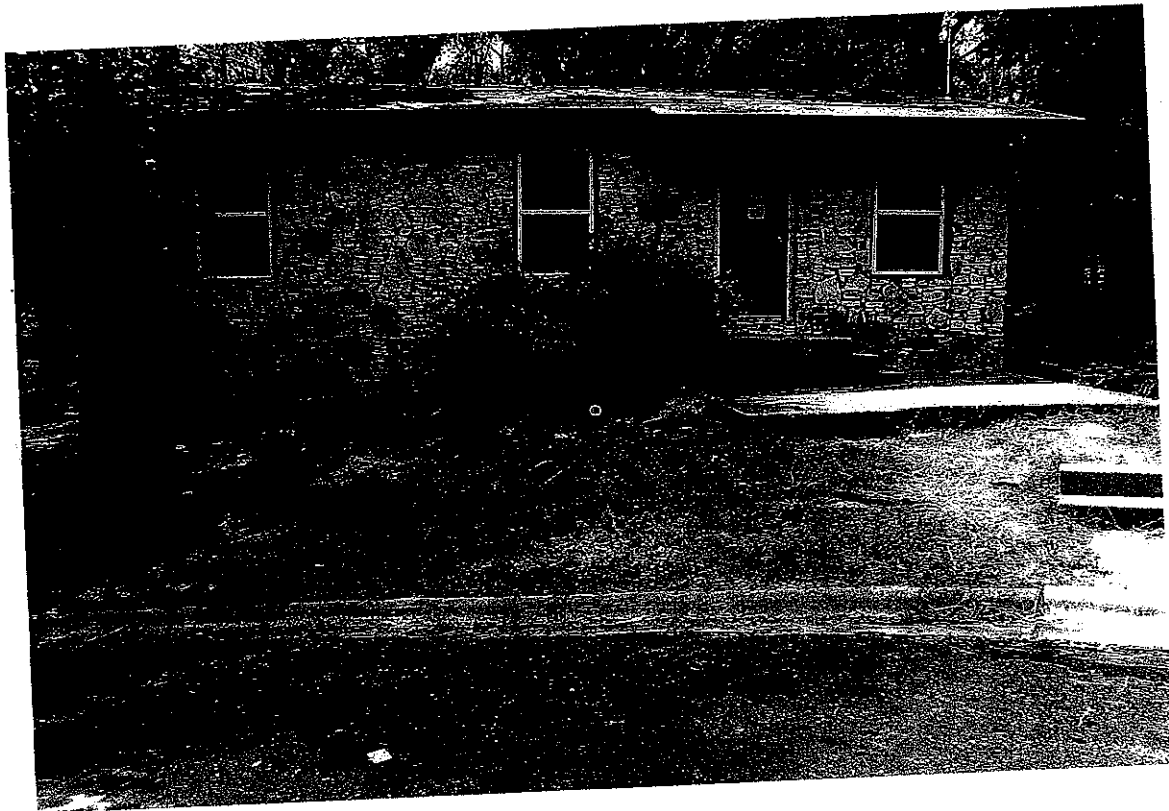


Exhibit-4a

exhibit-4b



3607 Grant Street
13 ft from st and 8 ft from property line



Exhibit - 5

MARCH 1976 SHEET L-23

EXHIBIT 6

GIVENS PARKONE

E M FRANKLIN AVE

GRANT ST

Lot numbers visible include: 496, 498, 499, 500, 502, 504, 506, 508, 510, 512, 514, 516, 518, 520, 522, 524, 526, 528, 530, 532, 534, 536, 538, 540, 542, 544, 546, 548, 550, 552, 554, 556, 558, 560, 562, 564, 566, 568, 570, 572, 574, 576, 578, 580, 582, 584, 586, 588, 590, 592, 594, 596, 598, 600, 602, 604, 606, 608, 610, 612, 614, 616, 618, 620, 622, 624, 626, 628, 630, 632, 634, 636, 638, 640, 642, 644, 646, 648, 650, 652, 654, 656, 658, 660, 662, 664, 666, 668, 670, 672, 674, 676, 678, 680, 682, 684, 686, 688, 690, 692, 694, 696, 698, 700, 702, 704, 706, 708, 710, 712, 714, 716, 718, 720, 722, 724, 726, 728, 730, 732, 734, 736, 738, 740, 742, 744, 746, 748, 750, 752, 754, 756, 758, 760, 762, 764, 766, 768, 770, 772, 774, 776, 778, 780, 782, 784, 786, 788, 790, 792, 794, 796, 798, 800, 802, 804, 806, 808, 810, 812, 814, 816, 818, 820, 822, 824, 826, 828, 830, 832, 834, 836, 838, 840, 842, 844, 846, 848, 850, 852, 854, 856, 858, 860, 862, 864, 866, 868, 870, 872, 874, 876, 878, 880, 882, 884, 886, 888, 890, 892, 894, 896, 898, 900, 902, 904, 906, 908, 910, 912, 914, 916, 918, 920, 922, 924, 926, 928, 930, 932, 934, 936, 938, 940, 942, 944, 946, 948, 950, 952, 954, 956, 958, 960, 962, 964, 966, 968, 970, 972, 974, 976, 978, 980, 982, 984, 986, 988, 990, 992, 994, 996, 998, 1000.



WATSON SURVEYING
9501 CAP OF TEX HWY, #303
AUSTIN, TEXAS 78759
PHONE (512) 346-8566

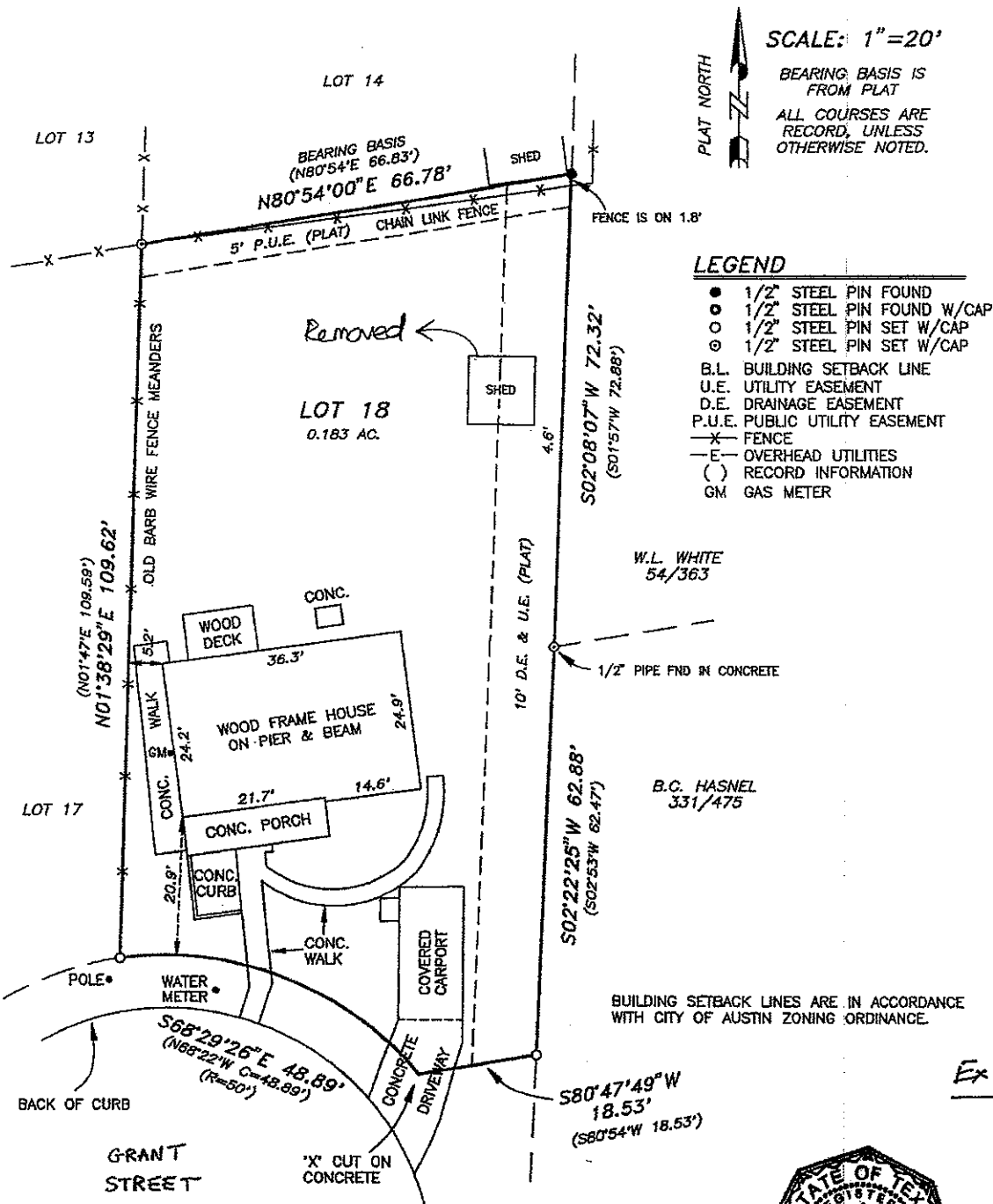
SURVEY MAP OF:

REFERENCE: L18EBONY

LOCAL ADDRESS: 3606 GRANT STREET, AUSTIN TX 78721

LEGAL DESCRIPTION: LOT 18, BLOCK --, EBONY ACRES

BOOK 6, PAGE 68 OF THE TRAVIS COUNTY PLAT RECORDS.



FOR RESTRICTIONS ON THIS LOT SEE PLAT AND ANY RESTRICTIVE COVENANTS. OWNER/BUILDER IS RESPONSIBLE TO READ AND COMPLY WITH ALL RESTRICTIONS.

THE UNDERSIGNED DOES HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON AND IS CORRECT, AND THAT THERE ARE NO DISCREPANCIES, CONFLICTS, SHORTAGES IN AREA, BOUNDARY LINE CONFLICTS, ENCROACHMENTS, OVERLAPPING OF IMPROVEMENTS, VISIBLE UTILITY LINES OR ROADS IN PLACE, EXCEPT AS SHOWN HEREON, AND THAT SAID PROPERTY HAS ACCESS TO AND FROM A DEDICATED ROADWAY, EXCEPT AS SHOWN HEREON. THIS SURVEY DOES NOT REPRESENT AN ABSTRACT OF TITLE. THERE MAY BE EASEMENTS OR OTHER MATTERS NOT SHOWN.

DATED THIS 14 DAY OF DECEMBER, 2011:



Stuart W. Watson
STUART W. WATSON, REGISTERED
PROFESSIONAL LAND SURVEYOR,
TEXAS LICENSE NUMBER 4550



WATSON SURVEYING
9501 CAP OF TEX HWY, #303
AUSTIN, TEXAS 78759
PHONE (512) 346-8566

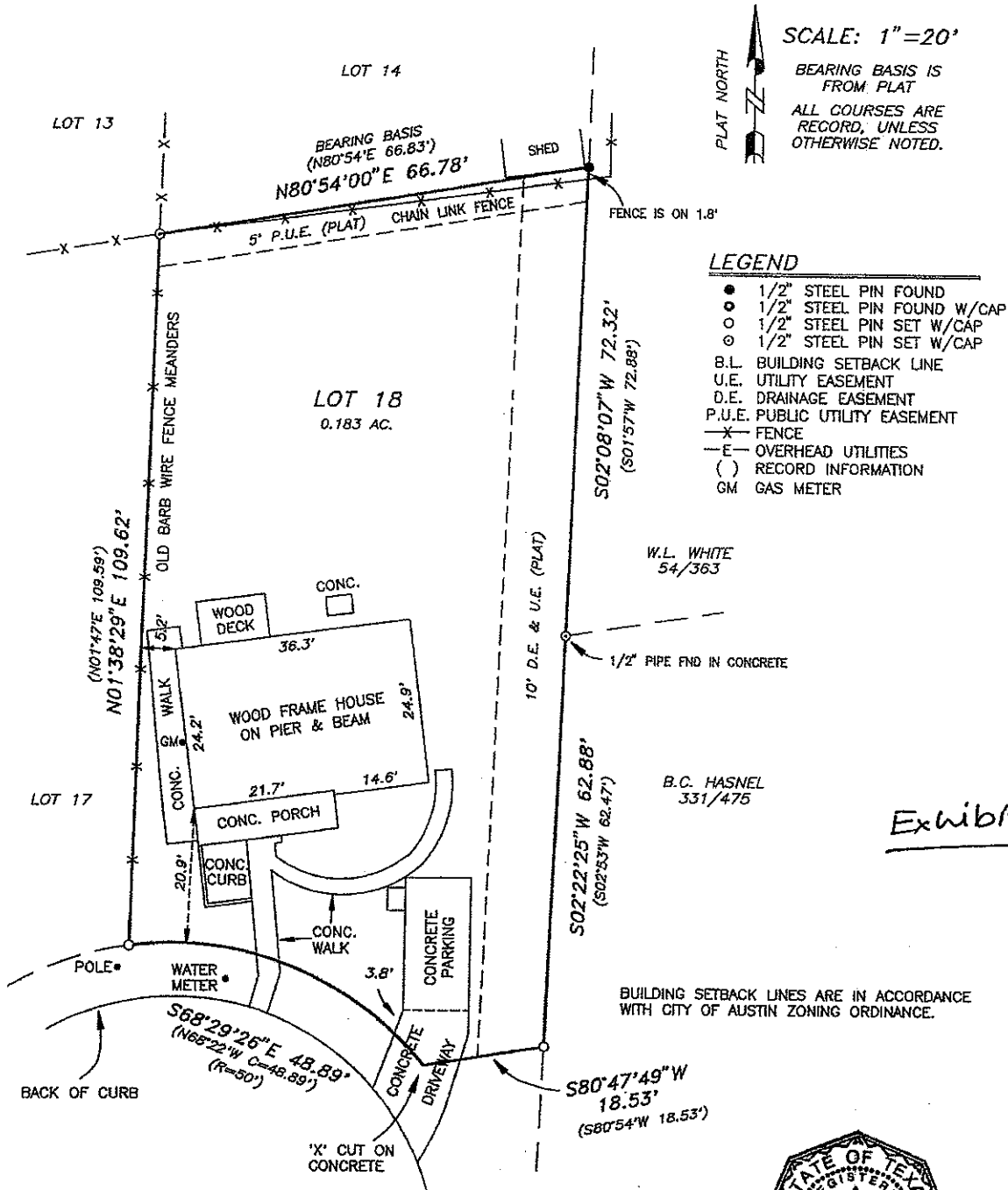
SURVEY MAP OF:

REFERENCE: L18EBONY

LOCAL ADDRESS: 3606 GRANT STREET, AUSTIN TX 78721

LEGAL DESCRIPTION: LOT 18, BLOCK —, EBONY ACRES

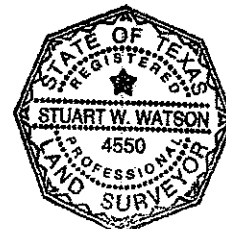
BOOK 6, PAGE 68 OF THE TRAVIS COUNTY PLAT RECORDS.



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OWNER/BUILDER IS RESPONSIBLE TO READ AND COMPLY WITH ALL RESTRICTIONS.

THE UNDERSIGNED DOES HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON AND IS CORRECT, AND THAT THERE ARE NO DISCREPANCIES, CONFLICTS, SHORTAGES IN AREA, BOUNDARY LINE CONFLICTS, ENCROACHMENTS, OVERLAPPING OF IMPROVEMENTS, VISIBLE UTILITY LINES OR ROADS IN PLACE, EXCEPT AS SHOWN HEREON, AND THAT SAID PROPERTY HAS ACCESS TO AND FROM A DEDICATED ROADWAY, EXCEPT AS SHOWN HEREON. THIS SURVEY DOES NOT REPRESENT AN ABSTRACT OF TITLE. THERE MAY BE EASEMENTS OR OTHER MATTERS NOT SHOWN.

DATED THIS 20 DAY OF DECEMBER, 2011:



Stuart Watson
STUART W. WATSON, REGISTERED
PROFESSIONAL LAND SURVEYOR,
TEXAS LICENSE NUMBER 4550

Exhibit-8



Pinaki Ghosh <pinaki@utexas.edu>

3606 Grant St

Beachy, John <John.Beachy@austintexas.gov>
To: Pinaki Ghosh <pinaki@utexas.edu>

Mon, Mar 19, 2012 at 3:50 PM

Mr. Ghosh,

Your location will be added to our records for known flooding locations. Currently Watershed Protection prioritizes drainage projects based on the number and severity of complaints in a given area. Your location will be included when WPD considers future project locations.

I will also forward your concerns about the condition of the street and curb and gutter to our public works department.

Thanks,

John Beachy

Environmental Compliance Spec. Sr

Field Operations Division

Watershed Protection Department

(512) 974-3516

From: Pinaki Ghosh [mailto:pinaki@utexas.edu]
Sent: Thursday, March 15, 2012 10:07 PM

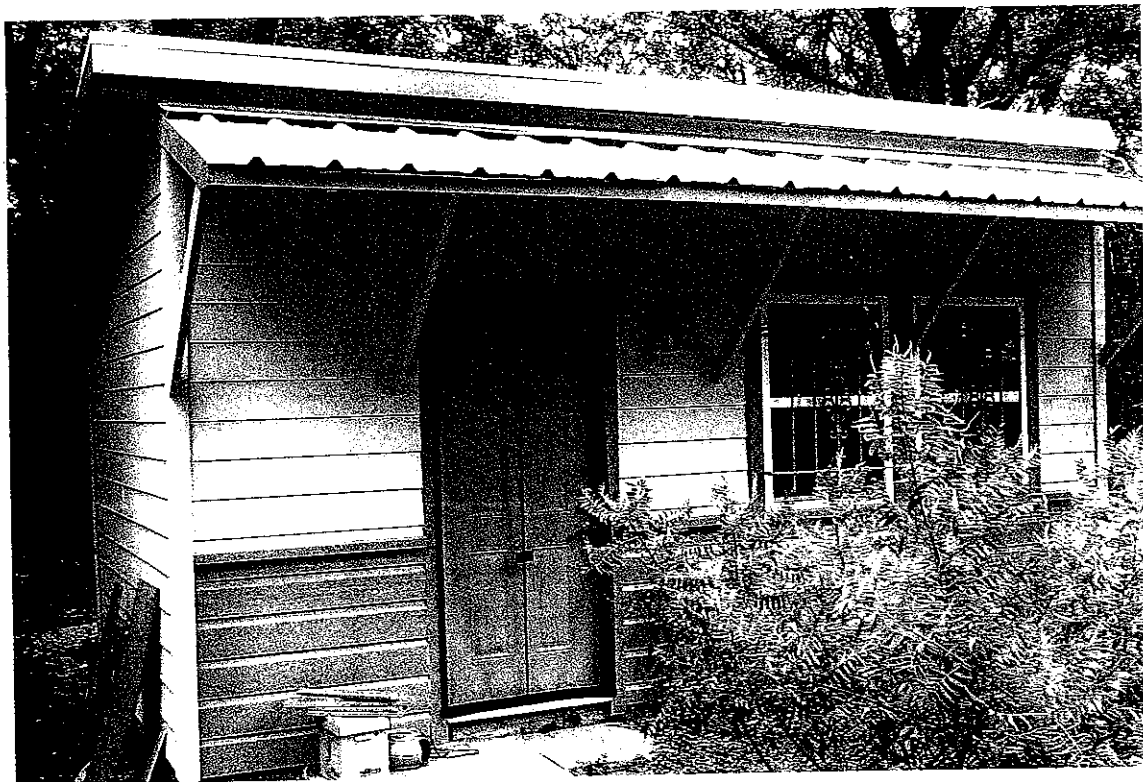
[Quoted text hidden]

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Exhibit-8



House



Storage / Library

Exhibit - 10



Search Find Options
Directory | Departments | FAQ | Links | Site Map | Help | Contact Us

PUBLIC INFORMATION

Public Search

Issued Permit Report

REGISTERED USERS

New Registration

Update Registration

My Permits/Cases

My Licenses

Request / Cancel / View Inspections

My Escrow Accounts

Reports

Login

HELP

Web Help

FEEDBACK

Email Us

PERMITS/CASES

#	Permit/Case	Reference File Name	Description	Sub Type	Work Type	Project Name	Status	Related Folders
1	2011-076190 EP	2011-076190 EP	upgrade existing electric service to residence. (not occupied)	Residential	Upgrade	3606 GRANT ST	Final	No
2	2012-015064 PP	2012-015064 PP	Install tankless water heater and run gas line for water heater and furnace only	Residential	Remodel	3606 GRANT ST	Active	No
3	2012-015987 MP	2012-015987 MP	Changeout HVAC to existing resid only **Emergency**	Residential	Remodel	3606 GRANT ST	Final	No
4	2012-016016 PR		remodel; addition	R- 434 Addition & Alterations	Addition and Remodel	3606 GRANT ST	Rejected	No ←

Back



Austin City Connection - The Official Web site of the City of Austin
For permit questions/issues: [Send email](#) or (512) 974-6370.
[Legal Notices](#) | [Privacy Statement](#)
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P.O. Box 1088, Austin, TX 78767 (512) 974-2000

Exhibit - 10

Exhibit-11



beam damage



pier damage

Exhibit-11

Exhibit - 11a



hood damage
in front of house

damaged water barrier

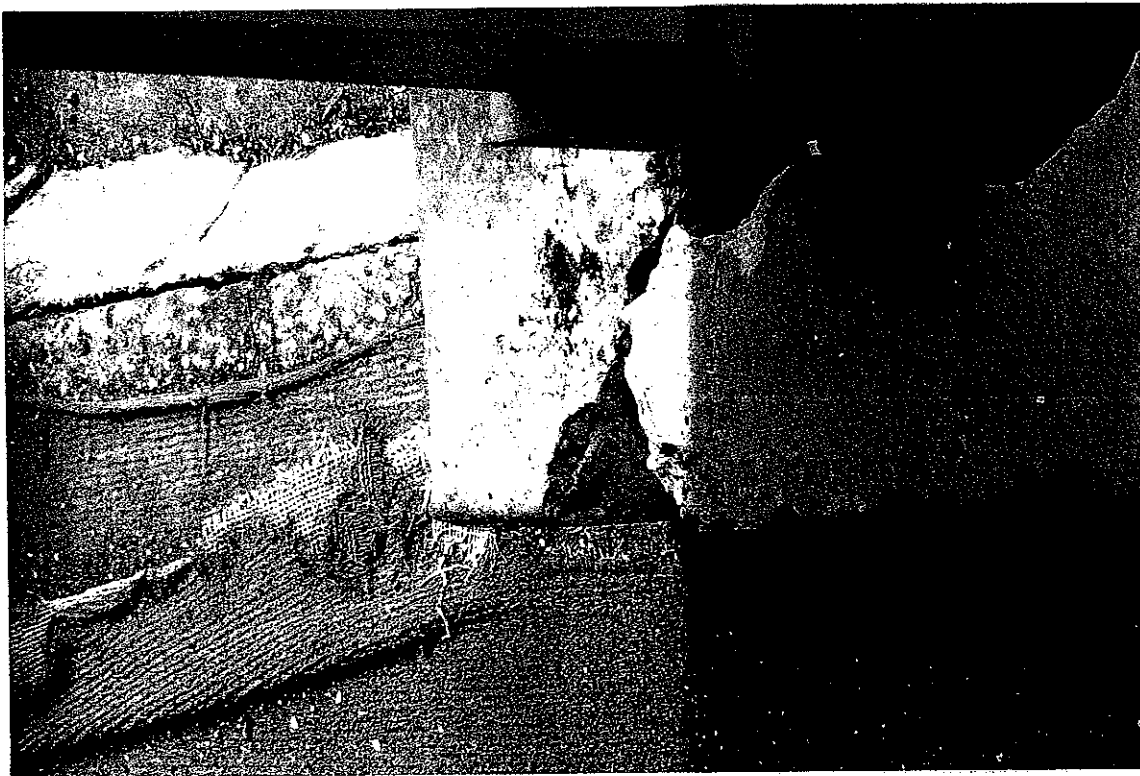
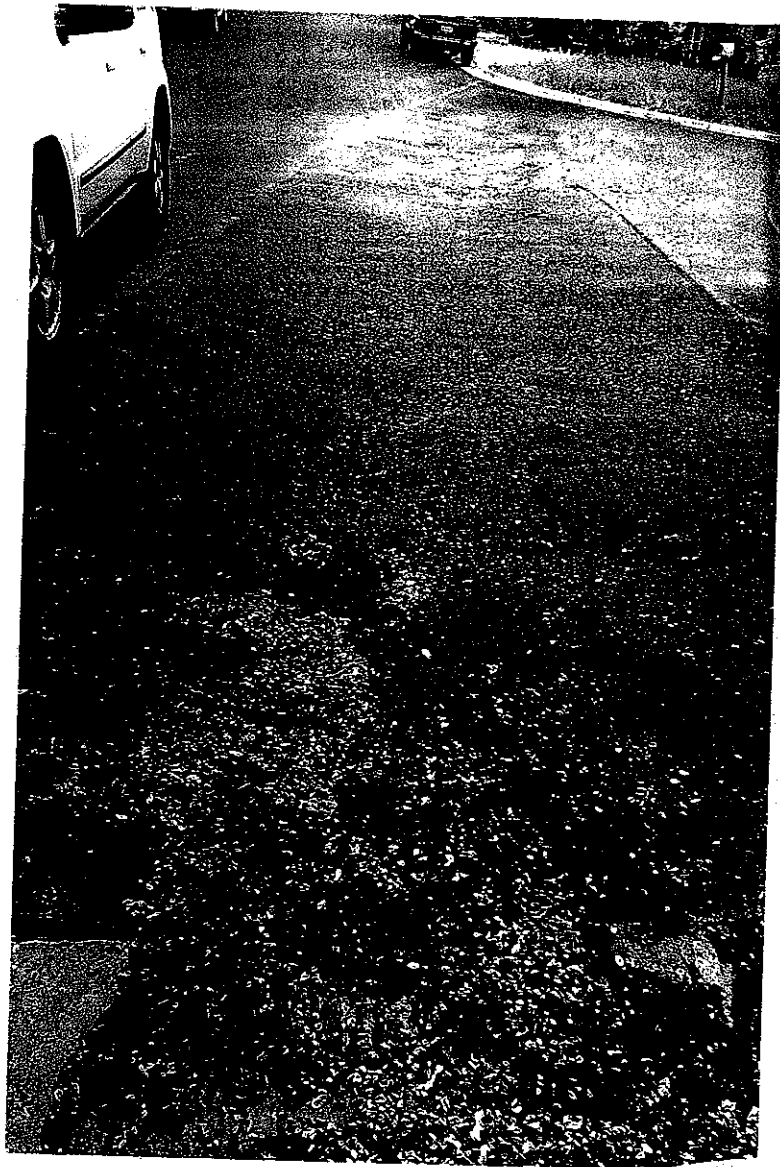


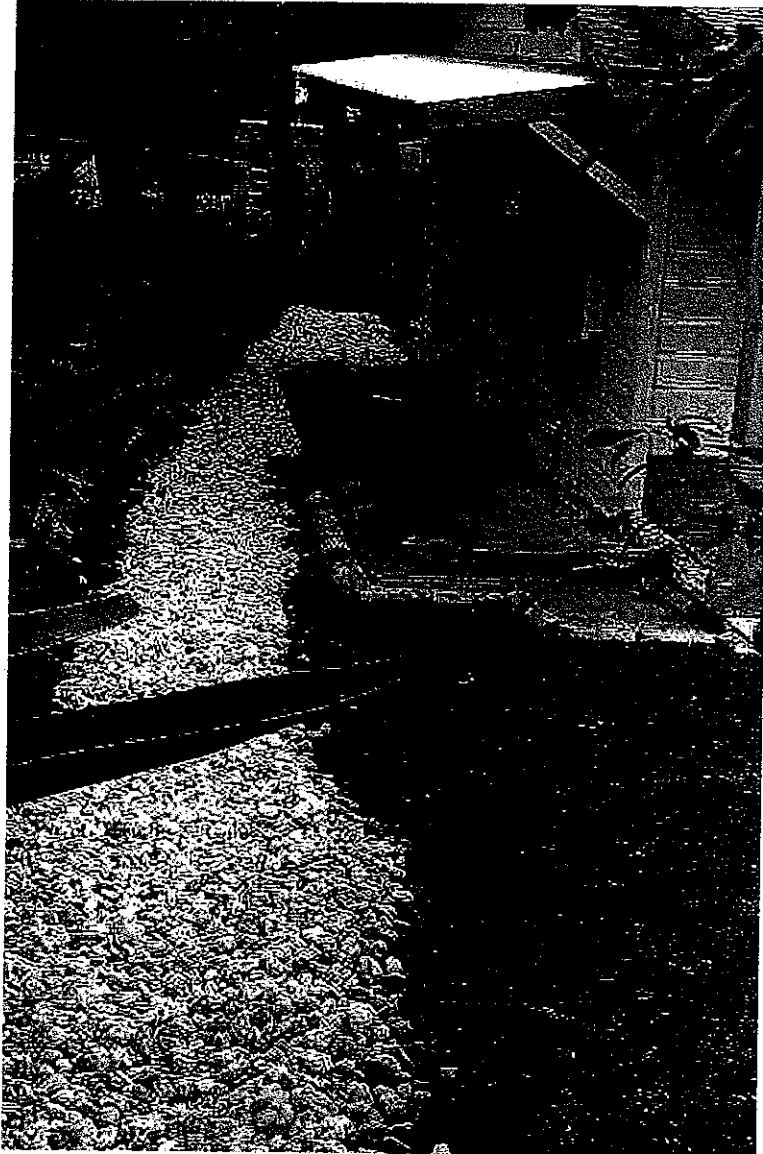
Exhibit - 11a

Exhibit 11b



ditch in the middle of the road
for flood water mitigation

Exhibit -11b



1. French drain on north-side .
2. Shed over walk-way drains into trench drain .

Exhibit-12a



Flood mitigation effort
by owner through massive
trench drains.



Exhibit-12a

Exhibit-13

Pinaki Ghosh <pinaki@utexas.edu>

shed removed

Kearfott, Pam <Pam.Kearfott@austintexas.gov>

Sun, Mar 25, 2012 at 12:49 PM

To: Pinaki Ghosh <pinaki@utexas.edu>

Mr. Ghosh,

The Watershed Engineering Division would have no objection to the partial release of the public utility and drainage easement on the east side of your property. Please keep in mind, however, that the Watershed Engineering Division can only speak to drainage needs and not to the needs of any of the other City utilities.

Easement release applications are handled through the City's Real Estate Services Division. The application packet and information about the process can be found here: <http://www.austintexas.gov/service/easement-release>

Thanks,

pam

Pamela Kearfott, PE, CFM

Watershed Engineering Division

Watershed Protection Department

City of Austin

505 Barton Springs Rd, 12th floor

Austin, TX 78704

P: (512) 974-3361

F: (512) 974-3390

From: Pinaki Ghosh [mailto:pinaki@utexas.edu]**Sent:** Thursday, March 22, 2012 9:47 AM**To:** Kearfott, Pam**Subject:** Fwd: shed removedExhibit-13

[Quoted text hidden]