

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

CASE # C15-2013-0128
ROW # 11048239
TP-040404-02-11

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

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

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

STREET ADDRESS: 903 Herndon Lane, Austin, TX 78704

LEGAL DESCRIPTION: Subdivision – Oak Ridge Heights Section 2

Lot(s) West 50.55' of 5 Block H Outlot Division

I/We Arash Saeedi on behalf of myself/ourselves as authorized agent for

N/A affirm that on December 9, 2013,

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

(check appropriate items below)

 ERECT X ATTACH COMPLETE X REMODEL MAINTAIN

Create an addition to the existing structure and remodel the interior, bringing the house up to code and in a manner which is consistent with the neighborhood with the following variances:

- (1) Reduced lot size
- (2) Maintain existing rear setback (currently at 4'-6")

in a SF-3 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.

(zoning district)

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:

SF-3 zoning requires a 5,750 sq foot lot to apply for a building permit and the existing lot size is 5,000 sq foot. The intention is to remodel and add to the existing structure while meeting all other SF-3 requirements for reasonable use.

HARDSHIP:

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

The parcel which the house sits is less than 5,750 sq feet and therefore does not meet requirements for development for SF-3 zoning.

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

The lot was divided after 1946 and the City of Austin has recognized it and granted permits for construction on the property in its existing configuration since the 1960s. This is one of a few divided lots in the neighborhood.

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:

The addition and remodel to the structure will leave the house as a single story, single family house while meeting all other requirements for SF-3. The proposed elevation of the house will conform to the traditional/craftsman style of homes found in the neighborhood. There are other homes on divided lots in the Galindo neighborhood.

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:

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 _____ Mail Address 8117 Endeavor Cir

City, State & Zip Austin, Texas, 78726

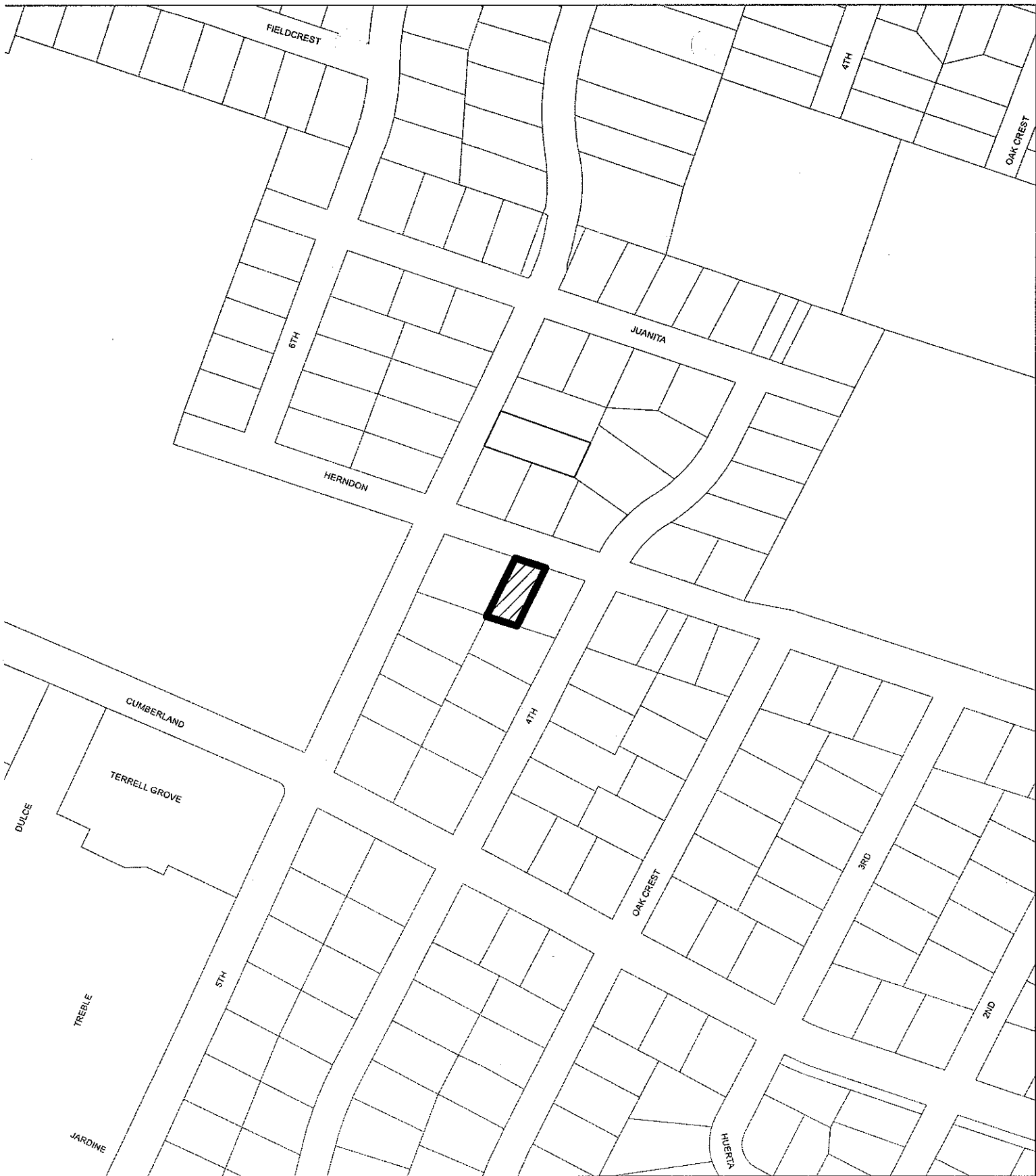
Printed Arash Saeedi Phone [REDACTED] Date _____

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 8117 Endeavor Cir

City, State & Zip Austin, Texas, 78726

Printed Arash Saeedi Phone [REDACTED] Date _____

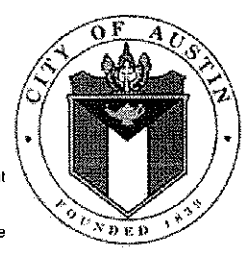


SUBJECT TRACT



ZONING BOUNDARY

CASE#: C15-2013-0128
LOCATION: 903 HERNDON LANE



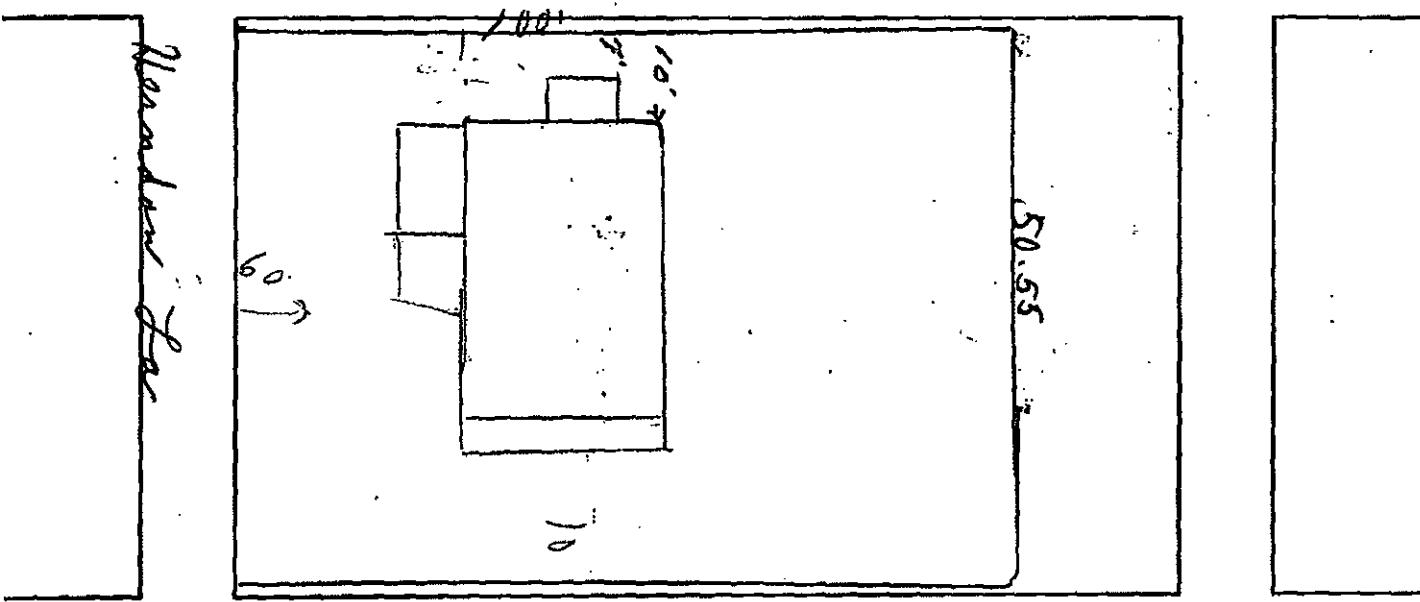
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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.

LOT: No. 50.55x100 of Lot 5			BLOCK H		SUB. Debridge Hts #2			
FIRE ZONE 3			USE DIST: A-1		OCCUPANCY: Add to Rear Porch & Staircase			
4-18-67	LAYOUT		FRAMING		4-26-67	FINAL		ROOF OVERHANG
11-15-74	PRINC. BLDG.	ACC. BLDG.	PRINC. BLDG.	ACC. BLDG.	11-15-74 OK	PRINC. BLDG.	ACC. BLDG.	PRINC. BLDG. 12
FOUNDATION	S		FLOOR JOIST SIZE & O.C.		NECESSARY BLDG. CONN.	<input checked="" type="checkbox"/>		ACC. BLDG.
FR. SETBACK	60'		CEILING JOIST SIZE & O.C.	2x6 16	ROOM VENTILATION	<input checked="" type="checkbox"/>		PAVED PARKING
TOTAL & MIN. SIDE YD.	20' 10'		STUD SIZE & O.C.	2x4 36"	STAIRS REQ. & NO.			
SIDE STREET YARD			MASONRY WALL		ATTIC FIRE STOPS REQ.			

OWNER: **FIDEN P.O. Aguilar** CONTRACTOR: **owner**
5'x14' PORCH **4x15 + 10x10 = 202 DS**

PAT 11-15-74 JG. 4-17-67



INSPECTOR **ED** **ED**

SF-3

2509

992

SF-3

900

2601

903

901

SF-3

2605

2604

2607

2606

2605

SF-3

2607

903 Herndon

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5750 → 5,000 #1

in a SF-3 district.
(zoning district)

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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 8117 Endeavor Cir

City, State & Zip Austin, Texas, 78726

Printed Arash Saeedi Phone [REDACTED] Date 10/21/2013

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City, State & Zip Austin, Texas, 78726

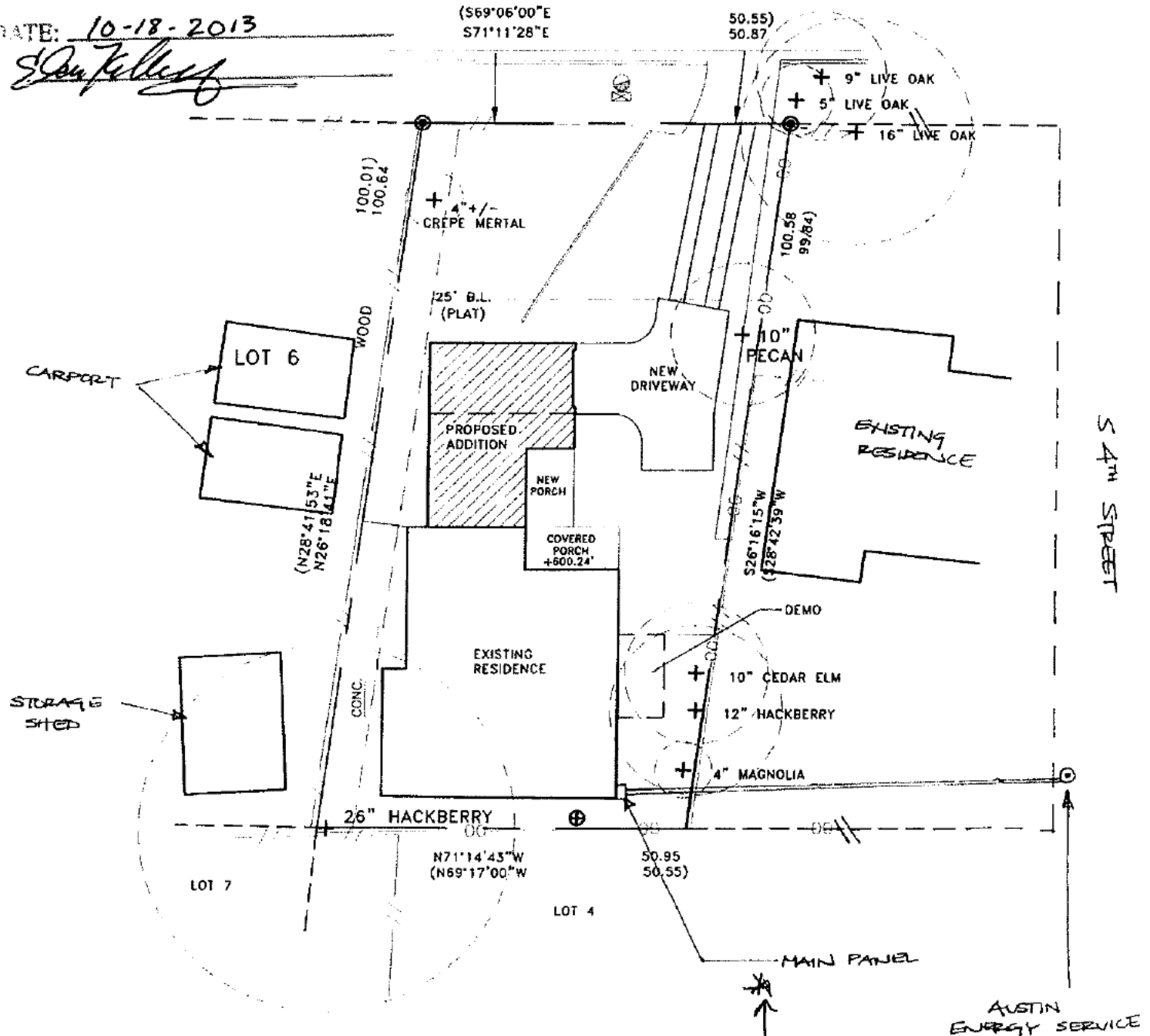
Printed Arash Saeedi Phone [REDACTED] Date 10/21/2013

APPROVED BY
AUSTIN ENERGY
FOR BOA

HERNDON LANE

DATE: 10-18-2013

[Signature]



 **SITE PLAN**
1"=20'-0"

Addition Remodel
903 Herndon
Austin, TX

IF THIS
NEEDS TO BE
MOVED, @ THE
TIME OF
CONSTRUCTION
- DO CALL OUR
DISTRIBUTION
CONSTRUCTION
LEADER -
BOB WILLIAMS

AUSTIN
ENERGY SERVICE



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

June 20, 2008

File Number: C8I-2008-0202

Address: 903 HERNDON LN

Tax Parcel I.D. # 0404040211

Tax Map Date: 12/03/2003

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 West 50.55 feet of Lot 5, Block H in the Oak Ridge Heights Subdivision Section 2** in the current deed, recorded on **Aug 08, 2007**, in **Document #2007148616**, Travis County Deed Records. This parcel existed in its current configuration on January 1, 1995, as evidenced by a deed recorded on **Sep 28, 1960**, in **Volume 2089, Page 461**, 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 **Feb 10, 1958**. The parcel meets the requirements of the Land Development Code for roadway frontage and is located on an existing street.

Additional Notes/Conditions:

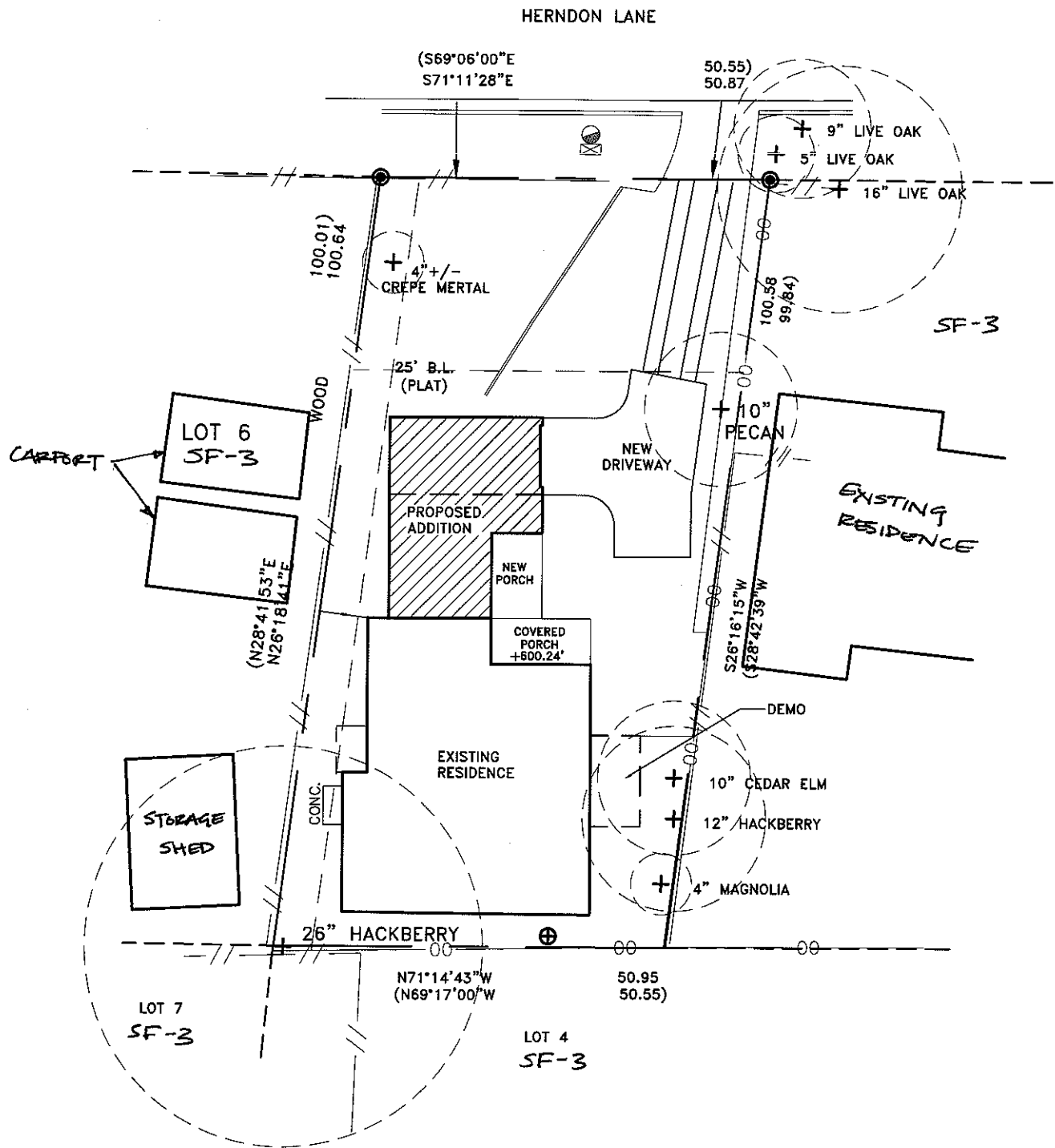
NONE

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:

A handwritten signature in black ink, appearing to read "Mike Marshall", written over a horizontal line.

**Mike Marshall, Representative of the Director
Watershed Protection and Development Review Department**



 **SITE PLAN**
1"=20'-0"

Addition Remodel
903 Herndon
Austin, TX

TAX CERTIFICATE
Bruce Elfant
Travis County Tax Assessor-Collector
P.O. Box 1748
Austin, Texas 78767
(512) 854-9473

NO 2135885

ACCOUNT NUMBER: [REDACTED]

PROPERTY OWNER:

PINNACLE HOUSING LLC
3907 LAGUNA VISTA CV
AUSTIN, TX 78746-3712

PROPERTY DESCRIPTION:

W 50.55FT OF LOT 5 BLK H OAK RIDGE
HEIGHTS SEC 2

ACRES .1129 MIN% .000000000000 TYPE

SITUS INFORMATION: 903 HERNDON LN

This is to certify that after a careful check of tax records of this office, the following taxes, delinquent taxes, penalties and interests are due on the described property of the following tax unit(s):

YEAR	ENTITY	TOTAL
2013	AUSTIN ISD	2,930.62
	CITY OF AUSTIN (TRAV)	1,186.17
	TRAVIS COUNTY	1,167.06
	TRAVIS CENTRAL HEALTH	304.39
	ACC (TRAVIS)	223.93
TOTAL SEQUENCE 0		5,812.17
TOTAL TAX:		5,812.17
UNPAID FEES:		* NONE *
INTEREST ON FEES:		* NONE *
COMMISSION:		* NONE *
TOTAL DUE ==>		5,812.17

ALL TAXES PAID IN FULL PRIOR TO AND INCLUDING THE YEAR 2013 EXCEPT FOR UNPAID YEARS LISTED ABOVE.

The above described property may be subject to special valuation based on its use, and additional rollback taxes may become due. (Section 23.55, State Property Tax Code).

Pursuant to Section 31.08 of the State Property Tax Code, there is a fee of \$10.00 for all Tax Certificates.

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS DATE OF 10/10/2013

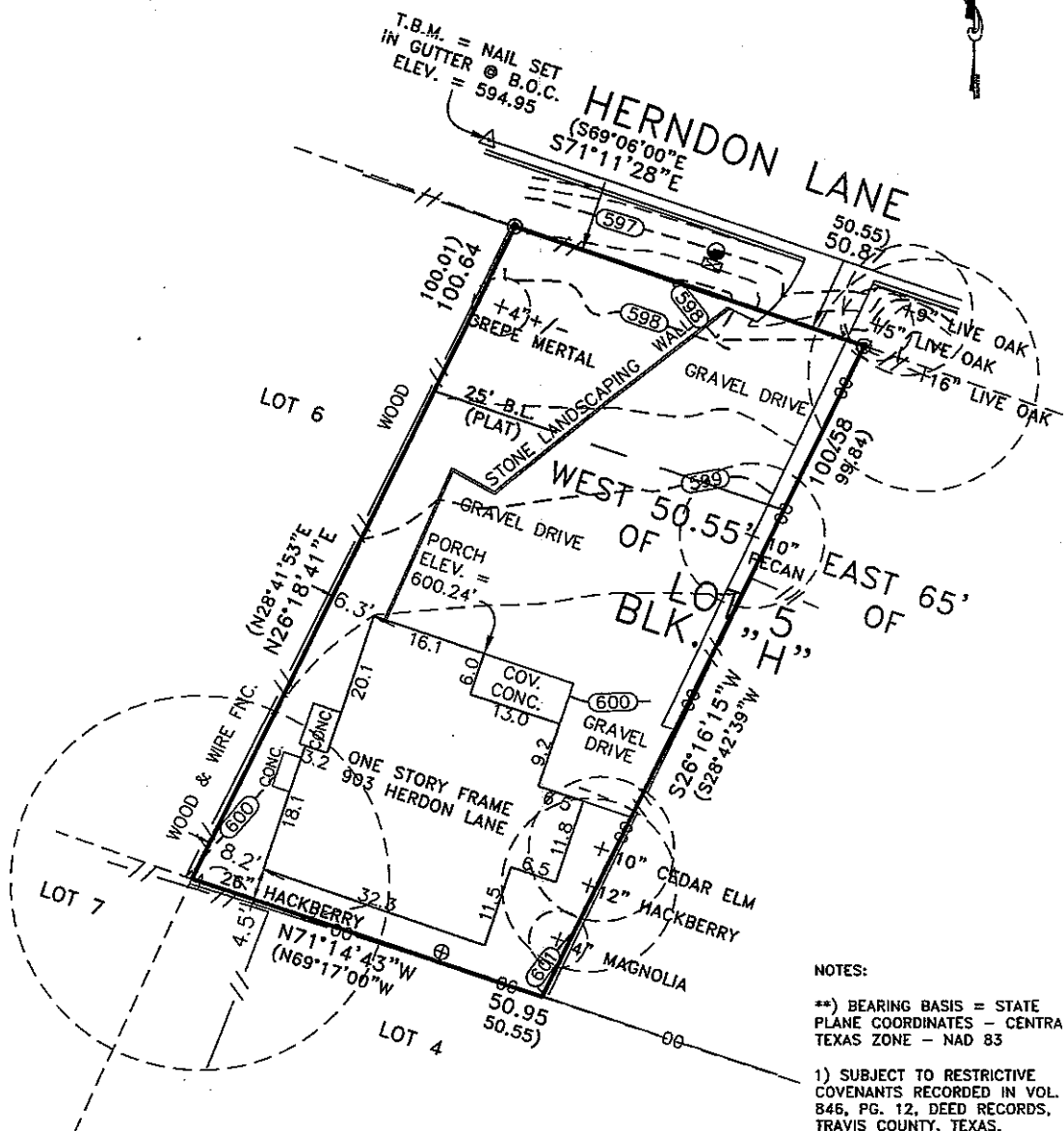
Fee Paid: \$10.00

Bruce Elfant
Tax Assessor-Collector

By: 

a subdivision of record in Map or Plat Volume/Book/Cabinet/Document Number * _____ at Page(s)/Slide(s) * _____
of the * _____ County, Texas Plat records.
G.F. Number: 1324479-BOK Dated: AUG. 28, 2013 Reference: ARASH SAEEDI
Certify To: NATIONAL INVESTORS TITLE INSURANCE COMPANY, GREEN TREE SERVICING, LLC
AND INDEPENDENCE TITLE COMPANY

* TREE AND TOPO SURVEY OF:
THE WEST 50.55 FEET OF LOT 5, BLOCK H,
OAK RIDGE HEIGHTS, SECTION 2, A SUBDIVISION
RECORDED IN VOL. 4, PG. 217, PLAT RECORDS,
TRAVIS COUNTY, TEXAS.



**) BEARING BASIS = STATE
PLANE COORDINATES - CENTRAL
TEXAS ZONE - NAD 83

1) SUBJECT TO RESTRICTIVE COVENANTS RECORDED IN VOL. 846, PG. 12, DEED RECORDS, TRAVIS COUNTY, TEXAS.

The property shown hereon is located in Zone "X" AREAS OUT OF THE 500-YR FLOODPLAIN

This survey is copyright 2013 by Crichton and Associates, Inc., and is being provided solely for the use of the current parties and no license has been created, express or implied, to copy the survey except as is necessary in conjunction with this transaction only.

**6448 East Highway 290
Suite B105
Austin, Texas 78723
PHONE: (512) 244-3395
FAX: (512) 244-9508**

SYMBOLS

- (●) 1/2" IRON PIN FOUND
- (○) IRON PIN SET
- (○) NAIL FOUND
- (⊕) POWER POLE
- (↑) GUY WIRE
- (X) FIRE HYDRANT
- (⊗) WATER METER
- (⊖) WATER VALVE
- (G) GAS METER
- (S) SEWER CLEANOUT
- (□) UTILITY PEDESTAL
- (S) SANITARY SEWER MANHOLE
- (W) US UTILITY WARNING SIGN
- [E] CONC. PAD WITH ELEC.
- / -- / -- CHAIN LINK FENCE
- X -- X -- WIRE FENCE
- E -- OVERHEAD ELECTRIC LINE

() RECORD INFORMATION

A circular professional seal for a surveyor in the State of Texas. The outer ring contains the text "STATE OF TEXAS" at the top and "PROFESSIONAL SURVEYOR" at the bottom. Inside this ring, the name "HERMAN CRICHTON" is written in a larger font, with the number "4046" below it. A small five-pointed star is positioned between the name and the number. The seal is stamped over a document that includes a survey plat with bearings and distances, and a table of acreages.

DATE: SEPT. 11, 2013