

my

HART

WENDEL

HILLBROOK

HIGHLAND VIEW

TUMBLING

HIGHLAND HILLS

WESTSIDE

WESTSIDE

OVERLOOK



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

NOTIFICATIONS

CASE#: C15-2016-0069
LOCATION: 5905 Tumbling Circle

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 CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



1" = 169'



CITY OF AUSTIN
Development Services Department
One Texas Center | Phone: 512.978.4000
505 Barton Springs Road, Austin, Texas 78704

my
2

Board of Adjustment General/Parking Variance Application

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

This application is a fillable PDF that can be completed electronically. To ensure your information is saved, [click here to Save](#) the form to your computer, then open your copy and continue.

The Tab key may be used to navigate to each field; Shift + Tab moves to the previous field. The Enter key activates links, emails, and buttons. Use the Up & Down Arrow keys to scroll through drop-down lists and check boxes, and hit Enter to make a selection.

The application must be complete and accurate prior to submittal. *If more space is required, please complete Section 6 as needed.* All information is required (if applicable).

For Office Use Only

Case # C19-2016-0009 ROW # 11530425 Tax # 0134020516

TCAD ✓

Section 1: Applicant Statement

Street Address: 5905 Tumbling Circle, Austin TX 78731

Subdivision Legal Description:

Highland Hills Sec 5 Phs 2

Lot(s): 39 Block(s): _____

Outlot: _____ Division: _____

Zoning District: SF-3

I/We Wendy Tita on behalf of myself/ourselves as

authorized agent for Michael and Wendy Tita affirm that on

Month May ☐, Day 1 ☐, Year 2016 ☐, hereby apply for a hearing before the

Board of Adjustment for consideration to (select appropriate option below):

☐ Erect ☐ Attach ☐ Complete ☐ Remodel ☒ Maintain ☐ Other: _____

Type of Structure: uncovered deck, single-family residence

Portion of the City of Austin Land Development Code applicant is seeking a variance from:

25-20-492 (D) (Site Development Regulations) to decrease the side setback from 5 ft (required) to 0 feet (requested) and the rear setback from 10 ft. (required) to 0 feet (requested) in order to maintain an elevated deck and rear south east corner of residence in a SF-3 Family Residential zoning district.

Section 2: Variance Findings

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 supporting documents.

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.

I contend that my entitlement to the requested variance is based on the following findings:

Reasonable Use

The zoning regulations applicable to the property do not allow for a reasonable use because:

the existing deck was constructed in 1968 and has been repaired twice (1987, 2013) without change to the footprint. The deck provides the only useable outdoor living area on the property. The residence, also built in 1968, has not been altered and was originally constructed with the south east corner of the home within the 7.5 foot building line (per plat). We purchased the property in 1999 without knowledge that the deck and the residence were not compliant with city code or plat restrictions.

Hardship

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

the unique layout and topography of the property does not permit for useable outdoor space other than the existing deck. Removing the rear corner of the residence would create structural challenges for the residence and environmental challenges, resulting from construction, for the homeowners of adjacent properties.

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

it was reasonable to assume when we purchased the property in 1999 we purchased a code compliant residence. We had/have no intention to modify the structures on the property which have existed in their current configuration since 1968. The set back issues were brought to the attention of city officials by a third party and since that time we have been working to seek a resolution that will not create disruption to the environment or character of our neighborhood.

Portion of the City of Austin Land Development Code applicant is seeking a variance from:
25-20-492 (D) (Site Development Regulations) to decrease the side setback from 5 ft (required)
to 0 feet (requested) in order to maintain an elevated deck and rear south east corner of
residence in a SF-3 Family Residence zoning district.

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Section 2: Variance Findings

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challenges for the residence and environmental challenges, resulting from construction, for
the homeowners of adjacent properties.
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it was reasonable to assume when we purchased the property in 1999 we purchased a code
compliant residence. We had/have no intention to modify the structures on the property which
have existed in their current configuration since 1968. The set back issues were brought to the
attention of city officials by a third party and since that time we have been working to seek a
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my
5/15

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compliant residence. We had/have no intention to modify the structures on the property which
have existed in their current configuration since 1968. The set back issues were brought to the
attention of city officials by a third party and since that time we have been working to seek a
resolution that will not create disruption to the environment or character of our neighborhood.

Area Character

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 residence and deck have existed in their current configuration since 1968 and, as such, have been in harmony with the character of the area and adjacent properties. Altering the property in order to achieve compliance with set back and building line requirements will have a detrimental affect on the character of the neighborhood and adjacent properties due to the construction required to remove the eastern corner of the residence and the deck.

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 in the City of Austin Land Development Code Chapter 25-6, Appendix A 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 reasonably 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

Section 3: Applicant Certificate

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

Applicant Signature: *Michael Tita* *WDTita* Date: 05/01/2016

Applicant Name (typed or printed): Michael and Wendy Tita

Applicant Mailing Address: 5905 Tumbling Circle

City: Austin State: Texas Zip: 78731

Phone (will be public information): (512) 415-9586

Email (optional – will be public information): _____

Section 4: Owner Certificate

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

Owner Signature: *Michael Tita* *WDTita* Date: 05/01/2016

Owner Name (typed or printed): Michael and Wendy Tita

Owner Mailing Address: 5905 Tumbling Circle

City: Austin State: Texas Zip: 78731

Phone (will be public information): (512) 415-9586

Email (optional – will be public information): _____

Section 5: Agent Information

Agent Name: Clean Tag - Linda Sullivan *L. Sullivan*

Agent Mailing Address: 4804 Manchaca Road

City: Austin State: Texas Zip: 78745

Phone (will be public information): (512) 826-4209

Email (optional – will be public information): cleantagpermits@gmail.com

Section 6: Additional Space (if applicable)

Please use the space below to provide additional information as needed. To ensure the information is referenced to the proper item, include the Section and Field names as well (continued on next page).

We were first informed of our deck being in violation by Tom Horn, city code enforcement officer.

Originally, the violation pertained only to the repairs we made to the deck in 2013 without a required permit. The deck had become unsafe due to rotting boards and replaced the existing deck without any change to the footprint or original design. More than a year later we were informed by

Additional Space (continued)

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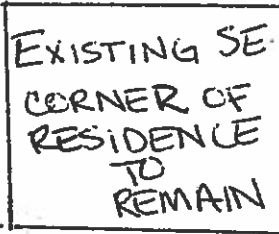
Mr. Horn via a Notice of Violation (NOV) that we should have requested a building permit and that we could do so retroactively. We obtained a structural verification report from a licensed engineer and architectural drawings. We applied for a building permit (2015-151382-PR). We were denied the permit based on our property's zoning and plat restrictions. Our deck and back eastern corner of our residence were both violating required plat building lines. Our deck was built in violation of required set back for an SF-3 zoned property. Additionally, our deck was encroaching into a public utility easement (PUE).

Our 2015-151382-PR remains active, we have been granted a partial easement release (F#9656-1602) and we are now seeking a variance so we may be compliant with all city code restrictions.

Our goal is not to alter the property but instead to bring the property into a legal existing state.

SAVE

PUTTING

 $\frac{m_4}{9}$ [illegible]

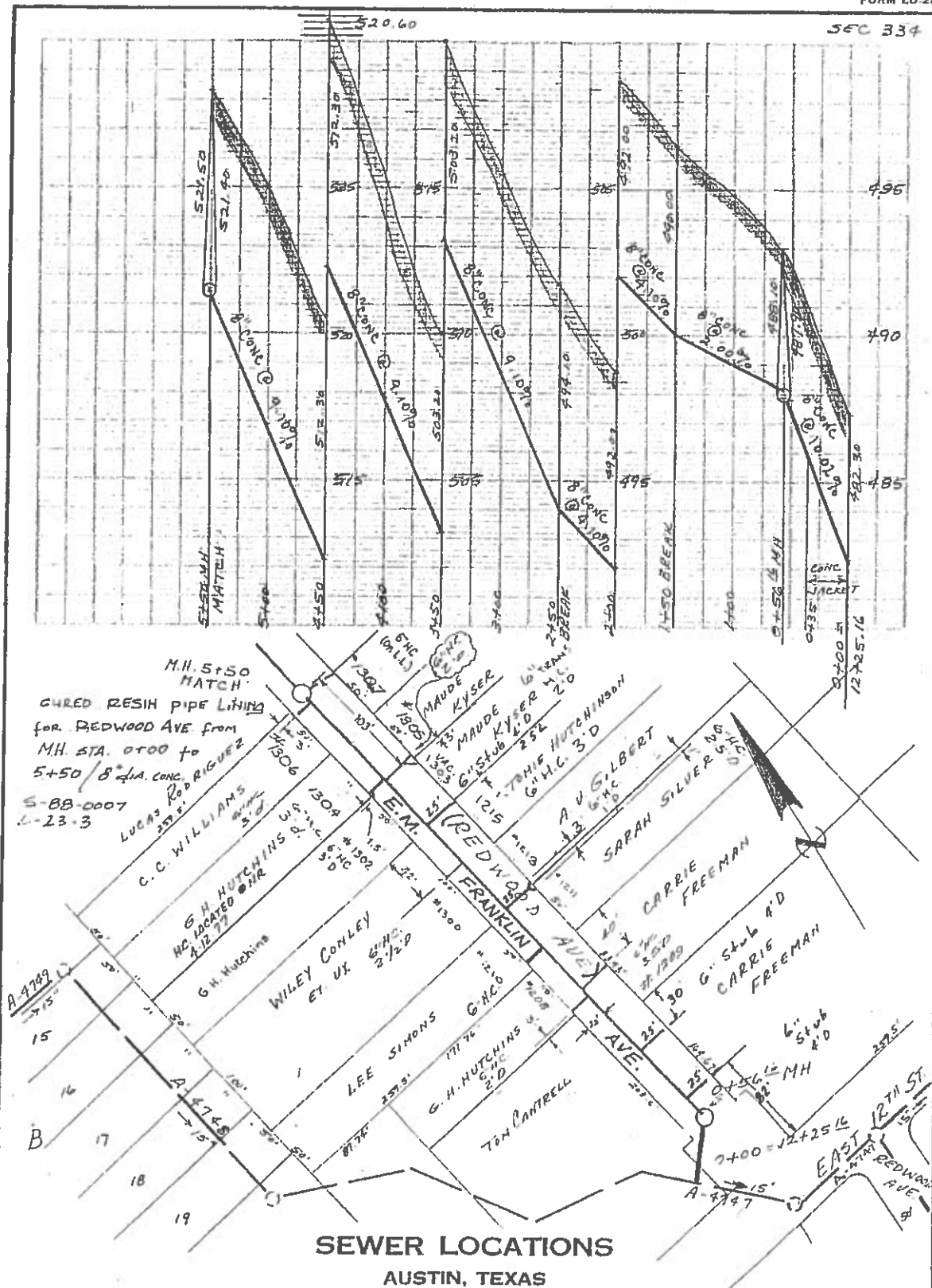
THE UNDERSIGNED DOES HEREBY CERTIFY TO TITLE COMPANY, LENDER, BUYER AND SELLER ABOVE-NAMED THAT THIS SURVEY WAS THIS DAY MADE BY ME OR UNDER MY SUPERVISION ON THE GROUND OF THE PROPERTY DESCRIBED HEREON AND IS ACCURATE, AND THAT THERE ARE NO VISIBLE DISCREPANCIES, CONFLICTS, OVERLAPPING OF IMPROVEMENTS, VISIBLE UTILITY EASEMENTS OR ROADWAYS, EXCEPT AS SHOWN HEREON, AND THAT SAID PROPERTY HAS ACCESS TO AND FROM A DEDICATED ROADWAY, EXCEPT AS SHOWN HEREON. THIS PLAT IS NOT VALID UNLESS ACCOMPANIED BY AN ORIGINAL SEAL.

RALPH HARRIS SURVEYOR, INC. 1406 HETHER, AUSTIN, TEXAS 78704 - (512) 444-1781

James M. Grant
JAMES M. GRANT R.P.L.S. NO. 1919 9-21-99

SEC 334

copy















BUILT BY KARL WAGNER DATE JULY-1962 SANI SEWER: JOB NO. 800-943-5321
 FIELD BOOK 2583 p. 67 DATE AUG 3-62 LOCATION REDWOOD AVE
 DRAWN BY H. Goss DATE AUG 3-62 FROM EAST 12TH ST.
 REVISED BY NITZ DATE FEB. 12-91 TO M.H. 5+50 MATCH
 CHECKED BY WTT DATE 8-27-62 BOOK NO. A SHEET NO. 5678 OK

CITY OF AUSTIN DEVELOPMENT WEB MAP

my
11



Legend

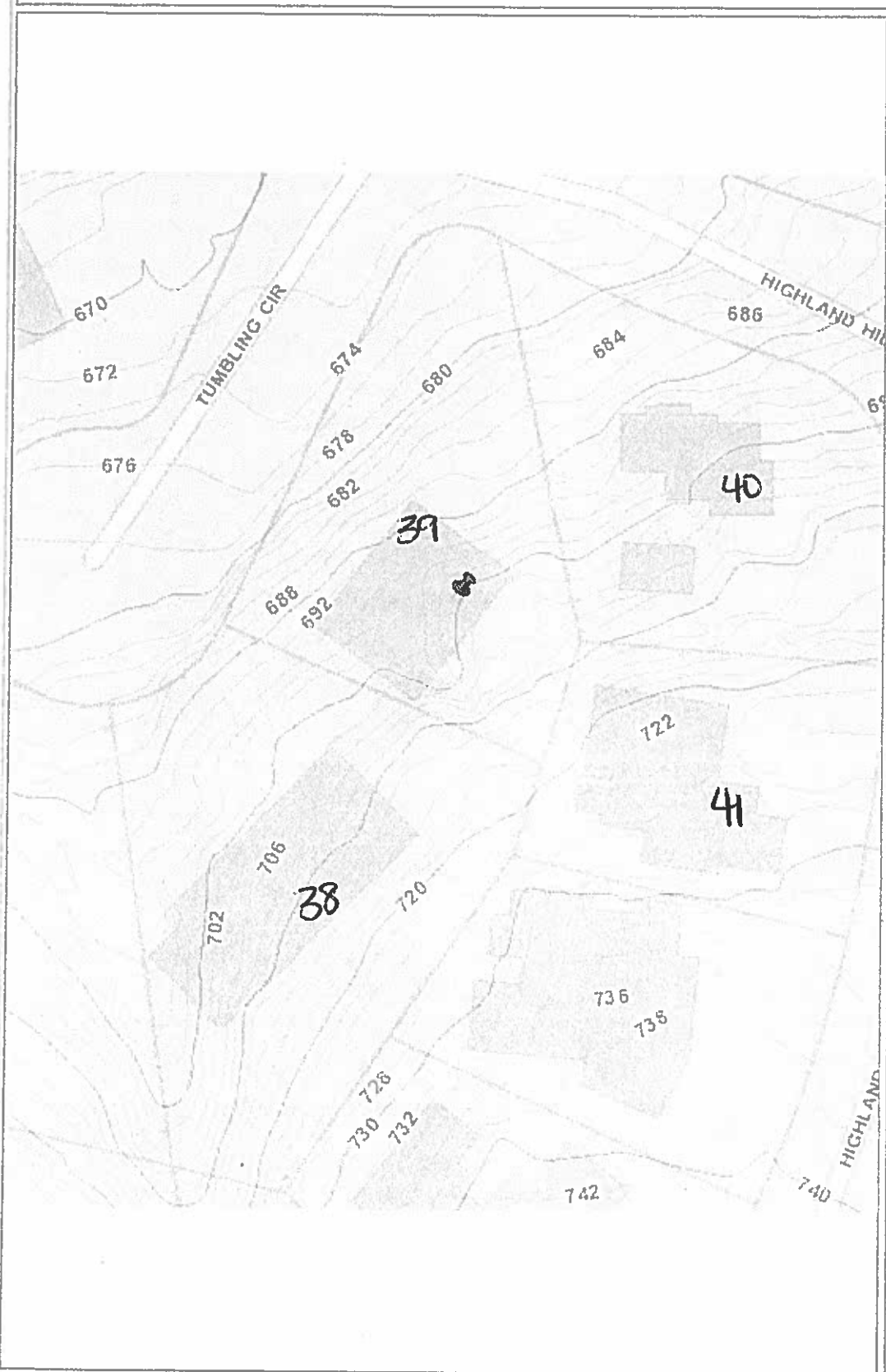
-  Lot Lines
-  Streets
-  Building Footprints
-  Named Creeks
-  Lakes and Rivers
-  Parks
-  County
-  Lot ID
-  Block ID
-  Lot Line
-  Zoning Text
-  Zoning (Large Map Scale)










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 CITY OF AUSTIN FOR THE SOLE PURPOSE OF GEOGRAPHIC REFERENCE. NO WARRANTY IS MADE BY THE CITY OF AUSTIN REGARDING SPECIFIC ACCURACY OR COMPLETENESS.

CITY OF AUSTIN DEVELOPMENT WEB MAP




my
12



Legend

-  Lot Lines
-  Streets
-  Building Footprints
-  Named Creeks
-  Lakes and Rivers
-  Parks
-  County

Contours Year 2012

-  Index
-  Intermediate
-  Special

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Partial Release of Easement

Description of Easement and Recording Data: A 5 foot public utility easement ("Easement") dedicated by instrument recorded in Volume 20, Page 49, of the Plat Records of Travis County, Texas.

Description of portion of Easement to be Released: That approximately 45 square foot portion of the Easement as described in the attached and incorporated **Exhibit A** (description) and **Exhibit B** (sketch) ("Released Property").

Easement Grantee: The City of Austin, Office of Real Estate Services, P.O. Box 1088, Austin, Travis County, Texas 78767-8839.

Description of Property and Local Address: Lot 39, Highland Hills, Section Five, Phase Two, a subdivision recorded in Volume 20, Page 49, of the Plat Records of Travis County, Texas, locally known as 5905 Tumbling Circle.

Current Owner of Property and Address: Michael Tita and Wendy A. Dunnam, 5905 Tumbling Circle, Austin, Texas 78731.

Consideration: TEN DOLLARS (\$10.00) and other good and valuable consideration. the receipt and sufficiency of which are acknowledged

Grantee, the City of Austin, has determined that the Released Property, which is a portion of the Easement, is not now needed and will not be required in the future, since the Released Property portion of the Easement is surplus.

Grantee, for the consideration herein recited, acting by and through its duly authorized City Manager or designee releases the Released Property from the Easement.

EXECUTED this the 5th day of May, 2016.

CITY OF AUSTIN

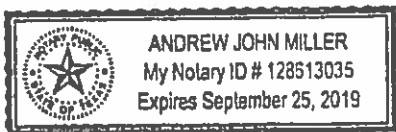
By: Lauraine Rizer
Lauraine Rizer, Officer
Office of Real Estate Services SM

STATE OF TEXAS
COUNTY OF TRAVIS

§
§

This instrument was acknowledged before me on May 5th, 2016, by Lauraine Rizer, Officer, Office of Real Estate Services, City of Austin, a Texas municipal corporation, on behalf of said corporation.

[Seal]



[Signature]
Notary Public, State of Texas

Exhibit A

Pg 1 of 1

ROEDER SURVEYING
3705 VINELAND DRIVE
Austin, TEXAS 78722
(512) 478-7673

3/4
14

45 SQUARE FOOT
PARTIAL RELEASE OF PUBLIC UTILITY EASEMENT

EXHIBIT "A"

BEING 45 SQUARE FEET OUT OF LOT 39, HIGHLAND HILLS, SECTION FIVE, PHASE TWO, A SUBDIVISION RECORDED IN VOL. 20, PG. 49, PLAT RECORDS, TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF A 5' X 40' PUBLIC UTILITY EASEMENT IN THE EAST LINE OF SAID LOT 39 SAME BEING THAT MICHAEL TITA AND WENDY DUNHAM TRACT RECORDED IN DOC. NO. 1999125180, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS, SAID 45 SQUARE FEET TO BE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING from a 1/2" iron pin found at the southwest corner of Lot 40, the northwest corner of Lot 41 and an angle point in the east line of said Lot 39.

THENCE, S 80°16'15" W, 5.00' with the south line of said 5'x40' P.U.E. to a point.

THENCE, N 09°43'45" W, 16.37' with the west line of said 5'x40' P.U.E. to a point at a wood deck for the **POINT OF BEGINNING**.

THENCE, N 09°43'45" W, 14.95' with the west line of said 5'x40' P.U.E. to a point at the edge of said wood deck for the northwest corner hereof.

THENCE, following the edge of said wood deck the following 10 calls:

- 1) S 48°58'06" E, 3.61' to an angle point in wood deck.
- 2) N 38°56'57" E, 1.78' to an angle point in wood deck.
- 3) S 50°39'02" E, 1.98' to an angle point in wood deck.
- 4) S 09°05'46" E, 1.35' to an angle point in wood deck.
- 5) S 39°05'34" W, 1.81' to an angle point in wood deck.
- 6) S 50°39'02" E, 0.48' to an angle point in wood deck.
- 7) S 47°59'37" W, 0.44' to an angle point in wood deck.
- 8) S 00°07'22" E, 5.54' to an angle point in wood deck.
- 9) S 11°05'01" E, 3.21' to an angle point in wood deck.
- 10) S 79°46'14" W, 2.64' to the **POINT OF BEGINNING** and containing 45 square feet more or less.

I, Michael J. Roeder licensed to practice Land Surveying in the State of Texas, hereby certify that the foregoing metes and bounds legal description and sketch were based on an on the ground survey, that all visible and apparent protrusions and encroachments into the easement area are accounted for including, but not limited to, building footprint, eaves and roof overhangs and all visible improvements whatsoever.

Witness my hand and seal this April 19, 2016.

R.P.L.S. #5278
16-52a



FIELD NOTES REVIEWED

By: John Daniel Date: 04-21-2016

Engineering Support Section

5905 TUMBLING CIRCLE

BEING 45 SQ. FT. OUT OF LOT 39, HIGHLAND HILLS, SECTION FIVE, PHASE TWO, A SUBDIVISION RECORDED IN VOL. 20, PG. 49, PLAT RECORDS, TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF A 5'x40' P.U.E. IN THE EAST LINE OF SAID LOT 39 SAME BEING THAT MICHAEL TITA AND WENDY DUNHAM TRACT RECORDED IN DOC. NO. 1999125180, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS.

PORTION OF A 5'x40' P.U.E. TO BE RELEASED FROM LOT 39
TUMBLING TRAIL PER PLAT (50' R.O.W.)
HIGHLAND HILLS DRIVE

3/5/15

S 75°16'10" W
C = 33.73'
Δ = 94°21'35"
R = 22.99'
L = 37.86'
(N 74°47'00" E
C = 33.80')

S 64°58'00" E
C = 106.21'
Δ = 14°06'40"
R = 432.33'
L = 106.48'
(S 64°58' E
C = 106.29')

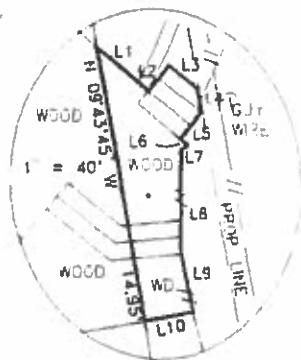
Exhibit B

pg 1 of 1

NOTE
SAID 45 50 FT TO
BE MORE PARTICULARLY
DESCRIBED BY METES
AND BOUNDS IN EXHIBIT "A"

LOT 39

L1	-	S 48°58'05"	E	3.61'
L2	-	N 38°56'57"	E	1.78'
L3	-	S 50°39'02"	E	1.98'
L4	-	S 09°05'46"	E	1.35'
L5	-	S 39°05'34"	W	1.81'
L6	-	S 50°39'02"	E	0.48'
L7	-	S 47°59'37"	W	0.44'
L8	-	S 00°07'22"	E	5.54'
L9	-	S 11°05'01"	E	3.21'
L10	-	S 79°46'14"	W	2.64'



NOTE
NO TITLE COMMITMENT FURNISHED.
EASEMENTS SHOWN PER PLAT

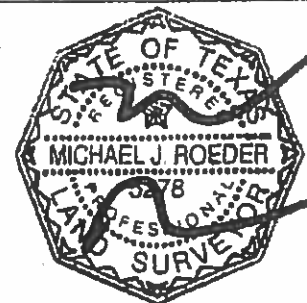


ROEDER
SURVEYING

3705 VINELAND DRIVE
AUSTIN, TEXAS
FAX & PHONE (512) 478-7673

LEGEND

- 1" IRON PIN FOUND
- 1/2" IRON PPE FOUND
- ⬮ POWER POLE
- ⬮ GUY WIRE
- WOOD FENCE
- E OVERHEAD ELECTRIC LINE(S)
- () RECORD INFORMATION



DATE 4-06-16

After recording, return to:

City of Austin
Office of Real Estate Services
505 Barton Springs Rd., Suite 1350
Austin, TX. 78704

my
16

Attn: Kim Vasquez

File No. 9656-1602
Michael Tita and Wendy A. Dunnam

Exhibit List
Exhibit A – Property Description
Exhibit B – Sketch

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

Dana DeBeauvoir

May 06, 2016 03 18 PM 2016070470

RODRIGUEZA: \$38 00

Dana DeBeauvoir, County Clerk

Travis County TEXAS



City of Austin Residential Pool and/or Uncovered Deck Permit Application

Residential Review, 2nd floor, One Texas Center
505 Barton Springs, Austin, TX 78704 (512) 978-4000

my
1/1

Property Information

Project Address: 5905 Tumbling Cir	Tax Parcel ID#: 130386
Legal Description: Lot 39 Highland Hills Sec 5 Phs 2	Fees from Escrow? <input checked="" type="radio"/> N
Zoning District: SF-3	Lot Size (sq ft): 11,268.09
Neighborhood Plan Area (if applicable): N/A	Historic District (if applicable): N/A

Required Reviews

Does this site have or will it have an auxiliary water source? Y <input checked="" type="radio"/> N <input type="radio"/> If yes, submit approved auxiliary and potable plumbing plans. (Auxiliary water supplies are wells, rainwater harvesting, river water, lake water, reclaimed water, etc.)	
Is this site within an Airport Overlay Zone? Y <input checked="" type="radio"/> N <input type="radio"/> (If yes, approval through Aviation is required.)	Is this property within 200 feet of a hazardous pipeline? Y <input type="radio"/> N <input checked="" type="radio"/> (If yes, Fire review is required.)
Are there existing water/wastewater infrastructure, appurtenances or existing water/wastewater easements located on site? Y <input type="radio"/> N <input checked="" type="radio"/> (If yes, contact Austin Water Utility Pipeline Engineering for review and approval.)	
Is this site an historic landmark, in a local historic district, or National Registered Historic District? Y <input type="radio"/> N <input checked="" type="radio"/> (If yes, historic review is required.)	
Does this site have a septic system? Y <input type="radio"/> N <input checked="" type="radio"/> (If yes, OSSF review is required.)	
Is this site located within an Erosion Hazard Zone? Y <input type="radio"/> N <input checked="" type="radio"/> (If yes, EHZ review is required.)	Is this property within 150 feet of the 100 year floodplain? Y <input type="radio"/> N <input checked="" type="radio"/> (Proximity to floodplain may require additional review time.)
Is there a protected sized tree on this lot or adjacent lot(s)? Y <input type="radio"/> N <input checked="" type="radio"/> (If yes, application for a tree permit with the City Arborist is required.) Note: Include tree location(s) on plot plan.	

Description of Work

Property Use: <input checked="" type="radio"/> Single-family residential <input type="radio"/> duplex residential <input type="radio"/> two-family residential	
Other: _____	
Does this project include an uncovered deck? <input checked="" type="radio"/> Y <input type="radio"/> N	
If Yes:	
Is the structure attached to a dwelling?	<input checked="" type="radio"/> Y <input type="radio"/> N
Is the structure more than 200 sq. ft.?	<input checked="" type="radio"/> Y <input type="radio"/> N
Is the structure 30 in. above grade at any point?	<input checked="" type="radio"/> Y <input type="radio"/> N
Does the structure service a door?	<input checked="" type="radio"/> Y <input type="radio"/> N
Is the structure located within a flood hazard area?	<input type="radio"/> Y <input checked="" type="radio"/> N
If answers to any of the above questions are yes, then technical review may be required and applicant may be subject to providing structural drawings or third party verification letters authorized by professionals.	
If the scope of work increases or decreases the square footage of a structure, the submission of a Residential Addition and New Construction Permit Application is required for review.	

Project Description: (Note: Please provide thorough description of project. Attach additional pages as necessary.)

Requesting retroactive permit for an exterior uncovered deck originally constructed in 1968. The deck was rebuilt 1987, and rebuilt again in 2012. Both rebuilds have been an exact copy of original deck footprint and square footage.
There is an existing Notice of Violation Case Number: CV-2015143359

my
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Job Valuation

Total Job Valuation:

\$ \$13,903

Note: Labor and materials only, rounded to nearest dollar. Permit fees are based on adopted fee schedule.

Site Development Information

Impervious Cover Information

Impervious cover is the total horizontal area of covered spaces, paved areas, walkways, and driveways. The term excludes pools, ponds, fountains, and areas with gravel placed over pervious surfaces that are used only for landscaping or by pedestrians. Uncovered wood decks with drainage spaces between deck boards located over a pervious surface are counted at 50%. (LDC 25-1-23)

Existing Impervious Cover (sq ft): 4136.5 % of lot size: 37%

Proposed Impervious Cover (sq ft): 4136.5 % of lot size: 37%

Building Area Information

Area Description	New/Added Sq. Ft.	Total Sq. Ft.
Uncovered Deck	0	50% of 648 = 324
Other (Pool Coping, Retaining Walls)		
Pool		
Spa		

Contact Information

Owner	Michael Tita	Applicant/Agent	Linda Sullivan, CleanTag LLC
Mailing Address	5905 Tumbling Cir	Mailing Address	
Phone	512 415 9586	Phone	512 826 4209
Email	mtita@us.ibm.com	Email	cleantagpermits@gmail.com

Authorization

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

MT I hereby certify that to the best of my knowledge and ability, the information provided in this application is complete and accurate.

MT I further acknowledge that, should any information contained herein prove incorrect, the building official may suspend or revoke any resulting permit and/or license.

MT I acknowledge that this project qualifies for the Site Plan Exemption as listed in Section 25-5-2 of the LDC. I understand that nothing may be built upon or over an easement.

MT I further understand that no portion of any roof structure may overhang in any easement. I acknowledge that customer will bear the expense of any necessary relocation of existing utilities to clear this driveway location and/or the cost to repair any damage to existing utilities caused during construction. Water services, meters, and wastewater cleanouts are not permitted within or beneath driveways or sidewalks. Private plumbing appurtenances will not be located in public right-of-way or public easements. Private plumbing lines will not cross lot lines.

MT Erosion and Sedimentation Controls are required per Section 25-8-181.

MT I also understand that if there are any trees greater than 19 inches in diameter located on the property and immediately adjacent to the site, I am required to complete a Tree Ordinance Review Application by contacting (512) 974-1876 or cityarborist@austintexas.gov. This initiates the tree permitting requirement needed to proceed with the development review process.

MT I am the record owner of this property and authorize the agent/applicant listed above to apply for and acquire a permit on my behalf.

Owner's signature: Michael Tita Date: 12/16/2015

Applicant's signature: [Signature] Date: 12/20/2015



AUSTIN ENERGY

One Texas Center | 505 Barton Springs Road
Phone: (512) 974-2632, (512) 974-9112
Fax: (512) 974-9109, (512) 974-9779

my
19

Building Service Planning Application

This form to be used for review of Building Permit only

Responsible Person for Service Request: Michael Tita

Email: n/a Fax: _____ Phone: _____

☒ Residential ☐ Commercial ☒ New Construction ☐ Remodeling

Project Address: 5905 Tumbling Circle -OR-

Legal Description: _____ Lot: _____ Block: _____

Who is your electrical provider? ☒ AE ☐ Other: _____

☒ Overhead Service ☐ Underground Service ☐ Single-Phase (1Ø) ☐ Three-Phase (3Ø)

Location of meter: _____

Number of existing meters on gutter: _____ (show all existing meters on riser diagram)

Expired permit #: _____

Comments: Wood Deck originally built in 1962. in PVE
seeking PR to satisfy requirements of a
NDV.

All structures must maintain
7'6" clearance from AE energized
distribution power lines. Enforced
by AE and NESC codes-this review
DOES NOT include transmission
power lines.

Office Use Only

AE APPROVED		
ESPA Completed by (signature)	DEC 18 2015 352-230 JGM	Date
ESPA Completed by (print name)		Phone
AE Representative	Approved <input type="checkbox"/> Yes <input type="checkbox"/> No	Date Phone

Application expires 180 days after the date of approval
(Any change to the above information requires a new ESPA)



City of Austin Structural Verification Report
Development Services Department
One Texas Center, 505 Barton Springs Road, (512) 978-4000

my
20

PROJECT INFORMATION:

Date: 12-11-15
Project Address: 5905 TUMBLING
CIRCLE, AUSTIN

City of Austin Building Permit Application (PR) Number: _____

SITE VISIT INFORMATION:

Date of Site Visit: 12-8-15
Area(s) of property observed: DECK

Description of existing structure: A detailed investigation is required to fulfill the requirements of this report. See attached checklist for items to review. Completed checklist MUST be attached to this report. Include recommendations for repair/improvement if required. The City of Austin reserves the right to request further investigation/information if the report is insufficient for plan review purposes.

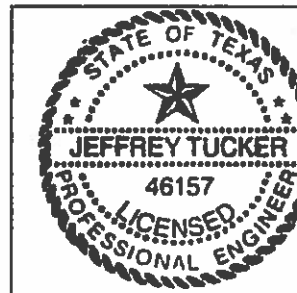
FOOTINGS - CAST CONCRETE, 12"X12", 10" DEEP ON ROCK.
GOOD CONDITION.
POSTS - 4X6 PRESSURE TREATED, NO. 2 SO. PINE.
GOOD CONDITION. NOTCHED FOR BEAMS.
CONNECTED TO FOOTINGS WITH METAL ANCHORS.
BEAMS - 2-2X10, NO. 2 SO. PINE, PRESSURE TREATED.
FLOOR JOISTS - 2X8 @ 16" O.C., NO. 2 SO. PINE, P.T.
DECK WAS CONSTRUCTED ACCORDING TO PLANS AND IS
STRUCTURALLY SOUND (attach additional sheets as required)

PROFESSIONAL OPINION: It is my opinion that the existing structure (is) (is not) adequate to support the anticipated loads.

Jeffrey L. Tucker
Engineer's/Architect's Signature

JEFFREY L. TUCKER
Typed/Printed Name

F-8611
Firm Registration # (for Engineers)



Engineer's/Architect's Seal

Structural Items to Investigate and Report

my
1/2

FOUNDATIONS - Concrete Slab Foundations		
Included in Report	Not Applicable	
	X	Visible Cracking?
	X	Visible shifting/diselevation from existing slab?
	X	For renovations to existing porches/carports: Is the slab flatwork or is it monolithic with main structural slab?
	X	Foundation thickness adequate for attachment of new walls/columns or do footings/foundation need to be constructed?
	X	Evidence of corrosion, spalling or deterioration?
FOUNDATIONS - Pier and Beam Foundations		
X		Footing spacing
X		Footing condition (cracking, spalling, etc.)
X		Footings supporting and in contact with framing?
X		Typical joist size and spacing
X		Typical beam size and spacing
X		Condition of wood framing (wood rot, termite damage, moisture damage, visible deflection)
FRAMING - Floors		
	X	Sloping/movement in floor system?
X		Typical joist size and spacing
X		Typical beam size and spacing
	X	Condition of wood studs (wood rot, termite damage, moisture damage, visible deflection)
FRAMING - Walls		
	X	Cracking/separations in exterior veneer?
	X	Cracking/separations in interior walls/ceilings?
	X	Cracking/separations at windows/window openings?
	X	Doors that swing/wedge/do not latch?
	X	Typical wood stud size and spacing
	X	Condition of wood studs (wood rot, termite damage, moisture damage, visible deflection)
	X	Proper attachment of sill plate to foundation
	X	Proper connection of wood studs to framing
FRAMING - Roofs		
	X	Typical rafter size and spacing
	X	Are purlins adequate and supported?
	X	Truss spacing
	X	Condition of wood framing (wood rot, termite damage, moisture damage, visible deflection)
FRAMING - Bracing		
	X	Describe wall sheathing type or bracing method/system
	X	Adequate attachment of sheathing to framing?
	X	Condition of wall sheathing/bracing (wood rot, termite damage, moisture damage)
	X	Evidence of racking or shifting?
Carports/Covered Porches		
	X	Describe roof framing
	X	Condition of roof framing?
	X	Walls (see above)
	X	Post size and spacing
	X	Post attachment to foundation
	X	Condition of wood posts (wood rot, termite damage, moisture damage)
	X	Evidence of racking or shifting?
	X	Lateral bracing system present?

(50' R.O.W.)

HIGHLAND HILLS DRIVE

All structures must maintain 7'6" clearance from AE energized distribution power lines. Enforced by AE and NESC codes this review DOES NOT include transmission power lines.

my 22

R=22.99'
(C=33.80')
(N74°47'E)
N75°01'30"E
C=33.85'

S64°52'17"E C=106.28'
(S64°58'E C=106.23')

LEGEND

- 1/2" REBAR FOUND
- 3/8" IRON PIPE FOUND
- CHAINLINK FENCE
- WOOD FENCE
- GUY WIRE
- POWER LINE
- POWER POLE
- C.M. CONTROL MONUMENT
- () RECORD CALL BK.20 P.40

TUMBLING CIRCLE

(50' R.O.W. - GOING TO A 45' RADIAL R.O.W.)
BASIS BEARING (N27°28'E) 127.95'
N27°28'00"E

LOT 40

LOT 39

LOT 38

LOT 41

COV - 836.4
COV - 288.4
COV - 523.5 + 15 SC 28
COV - 168.20
- 255.
- 230
- 50.
- 113

NOTES:

- 1.) SUBJECT TO RESTRICTIONS: V.2836 P.374 AND V.3886 P.116 (DEED RECORDS).
- 2.) * = (15' B.L.) & 15' B.L., V.2836 P.374.
- 3.) ** = THIS PORTION OF THE HOUSE IS THE 2ND AND 3RD STORIES ONLY. THERE IS NOT THE 1ST. FLOOR CONC. SLAB.

AE APPROVED

DEC 18 2015

352-230

JGM

THE UNDERSIGNED DOES HEREBY CERTIFY TO TITLE COMPANY, LENDER, BUYER AND SELLER ABOVE-NAMED THAT THIS SURVEY WAS THIS DAY MADE BY ME OR UNDER MY SUPERVISION ON THE GROUND OF THE PROPERTY DESCRIBED HEREON AND IS ACCURATE, AND THAT THERE ARE NO VISIBLE DISCREPANCIES, CONFLICTS, OVERLAPPING OF IMPROVEMENTS, VISIBLE UTILITY EASEMENTS OR ROADWAYS, EXCEPT AS SHOWN HEREON, AND THAT SAID PROPERTY HAS ACCESS TO AND FROM A DEDICATED ROADWAY, EXCEPT AS SHOWN HEREON. THIS PLAT IS NOT VALID UNLESS ACCOMPANIED BY AN ORIGINAL SEAL.

FLOOD NOTE:
I HAVE CHECKED THE FEMA FLOOD INSURANCE RATE MAP FOR TARRANT COUNTY, TEXAS (COUNTY NO. 100000) REFERENCE DATE 08-18-08, AND THAT HAS INDICATED THAT THE PROBABILITY OF FLOODING IS DETERMINED TO BE EXTREME, A SPECIAL FLOOD (FLOOD PLAIN AREA) AS SHOWN ON PAGE 10, 11, 12 OF THE MAP.
WARNING: IF THE USE IS NOT WITHIN THAT OF AN EXISTING FLOOD PLAIN AREA, THE FLOOD PLAIN AREA SHOULD BE USED ONLY FOR THE PROPERTY AND FOR THE STRUCTURES THEREON. THE FLOOD PLAIN AREA IS NOT A GUARANTEE OF FLOODING. THE FLOOD PLAIN AREA IS NOT A GUARANTEE OF FLOODING. THE FLOOD PLAIN AREA IS NOT A GUARANTEE OF FLOODING. THE FLOOD PLAIN AREA IS NOT A GUARANTEE OF FLOODING.



EXISTING

733

1

WOLFE

1 (2)

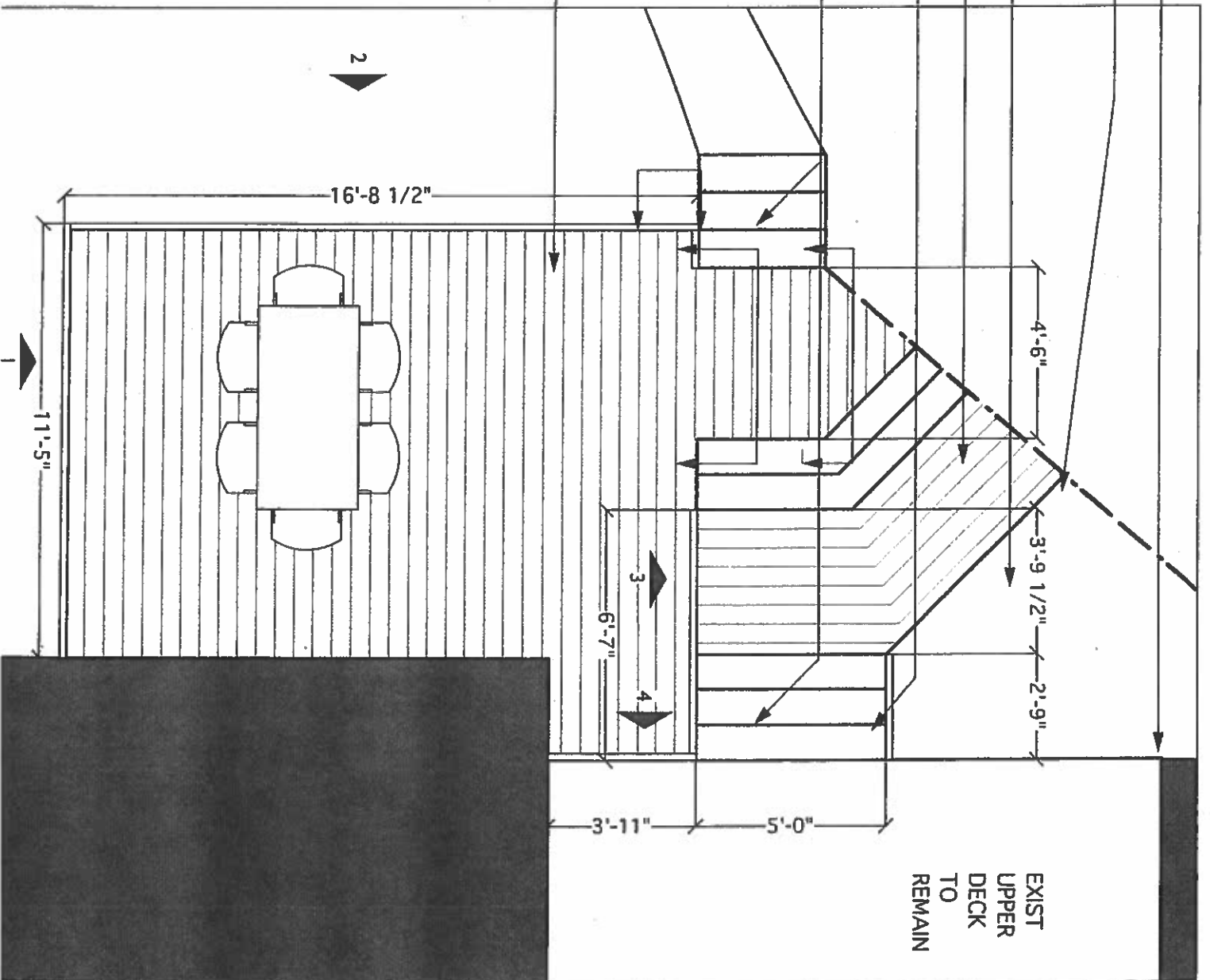
1

WOOD

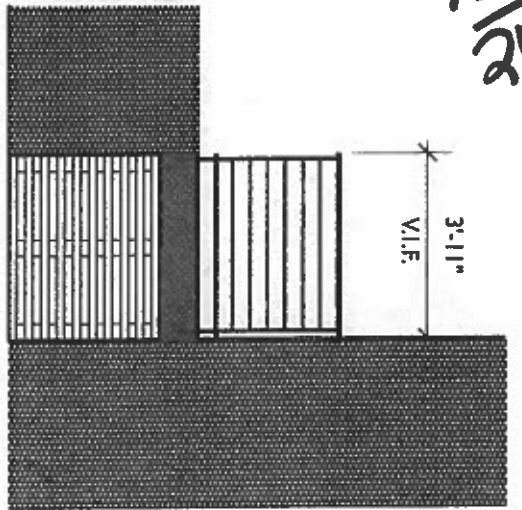
VARIATION

2

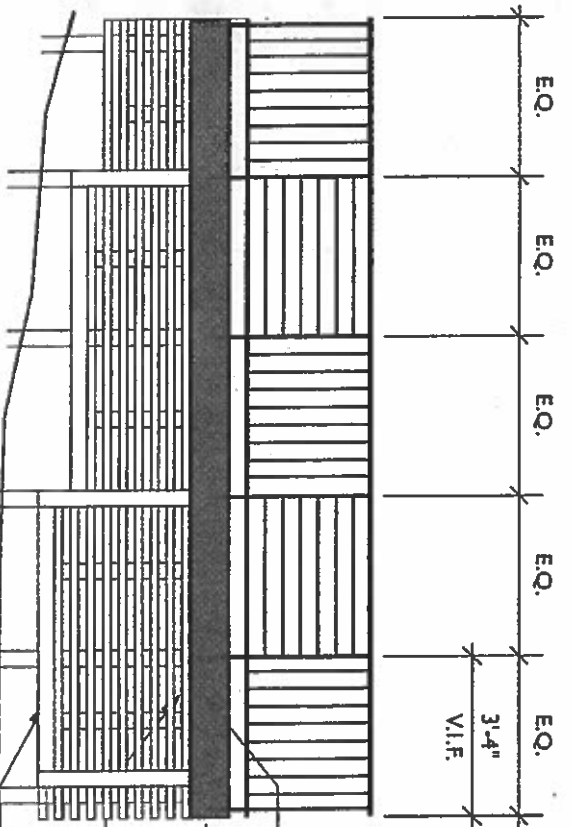
8



5/15

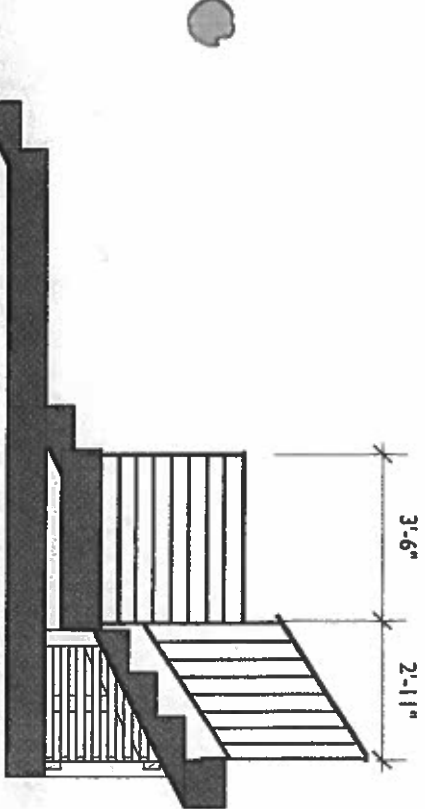


④ NORTH ELEVATION - UPPER DECK SCREEN

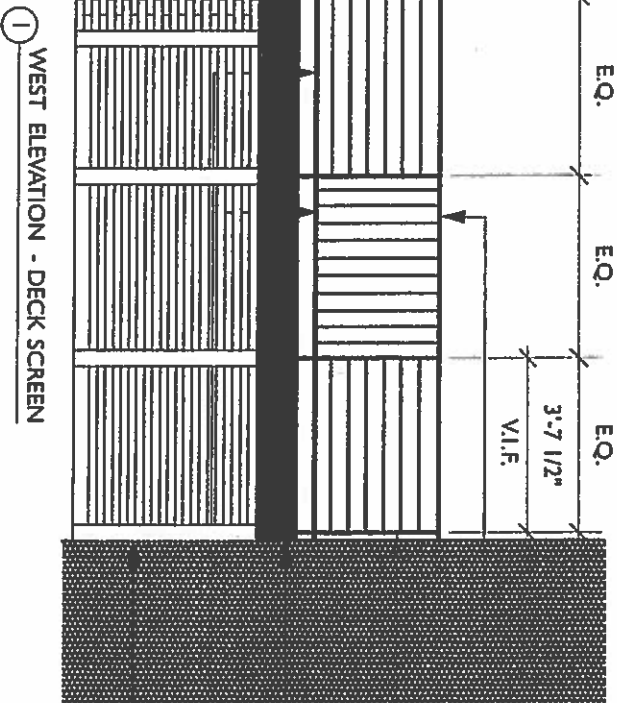


③ NORTH ELEVATION - DECK SCREEN

VERIFY DIM.,
(2) BOLTS INTO
VERTICAL @
FASCIA MIN.
1" X 2" PAINTED
WOOD SCREEN
ATTACH WITH SCREWS
2" X 4" PAINTED
WOOD FRAME
ATTACH WITH SCREWS



② WEST ELEVATION - STAIR SCREEN



① WEST ELEVATION - DECK SCREEN

2" X 1"
STEEL TUBE
1" X 1"
STEEL TUBE
2" X 8"
PAINTED FASCIA
5/8" X 5/8"
STEEL TUBE
EDGE OF
HOUSE

*NOTE:
ALL STEEL TUBE
TO BE POWDER
COATED.

COLOR:
TO MATCH EXISTING

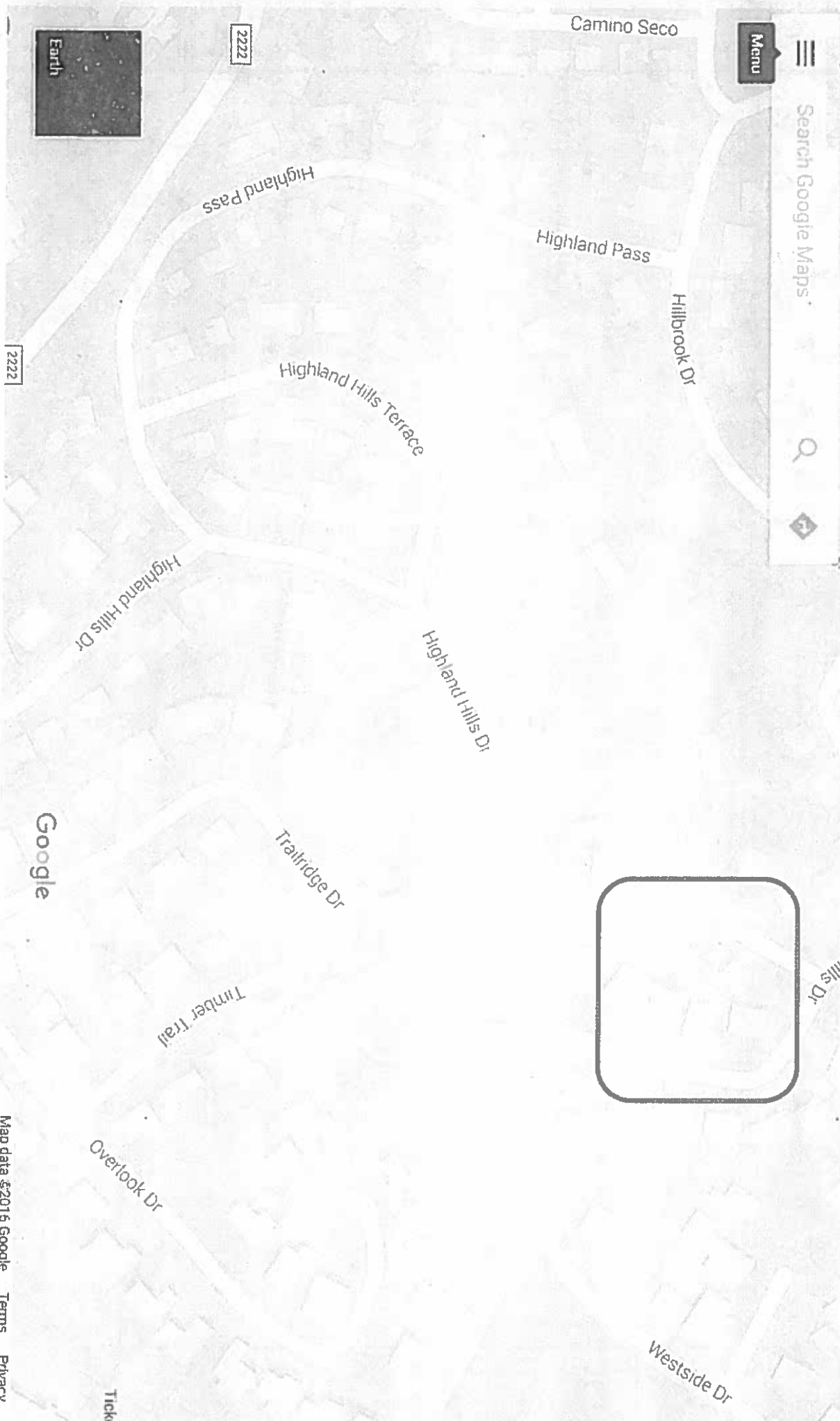
TITA RESIDENCE NORTH DECK - RENOVATION

5905 TUMBLING CIR.
AUSTIN, TEXAS 78731

A2 ELEVATIONS- 1/4" = 1'-0"

09.19.10

h/25



3/27

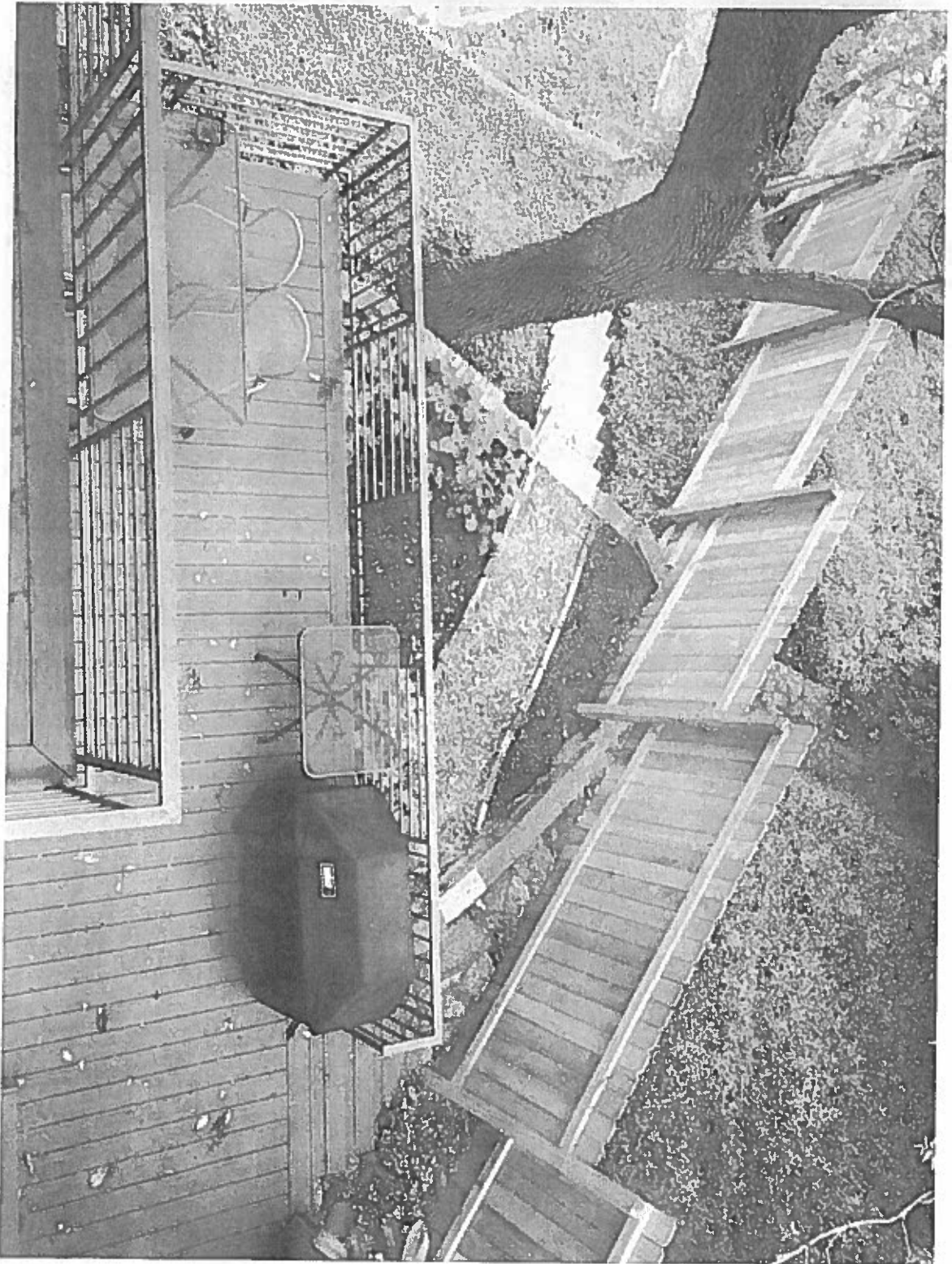


Landscape configuration – 1968-2015



Landscape configuration – Fall

5/2/22



View of deck from roof

5/15/2

The deck in its current configuration has been in place since 1987 – 29 years

Email from Elyse Pivnick(Glickman) owners of 5905 Tumbling Circle from 1



More deck photos + date

Elyse Pivnick to: Michael Tita

History

This message has been replied to.

▼ 4 attachments



photo 1.JPG

ATT000001.txt



photo 2.JPG

ATT000002.txt

Hi Michael:

Sorry for my delay in getting back to you with the date of construction. My husband has been in hospital so I was not able to detail. He's doing much better.

I came across these photos taken in August 1987. Deck under construction. The other photos were from June 1988. Let me know how this all works out.

And yes, we had our dear dog, Annie. She had a playmate dog, Carl, who lived directly across from us on our cul de sac, and just about every day to play. Two golden retrievers. Very sweet.

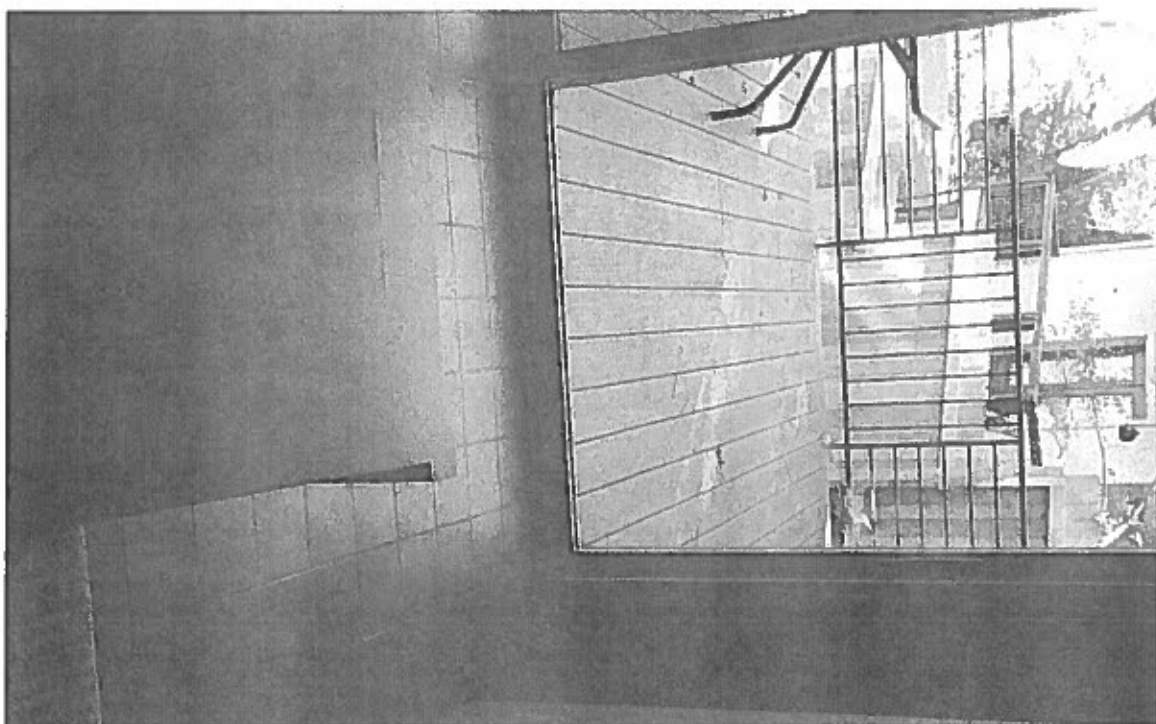
Elyse Pivnick

Sent from my iPad

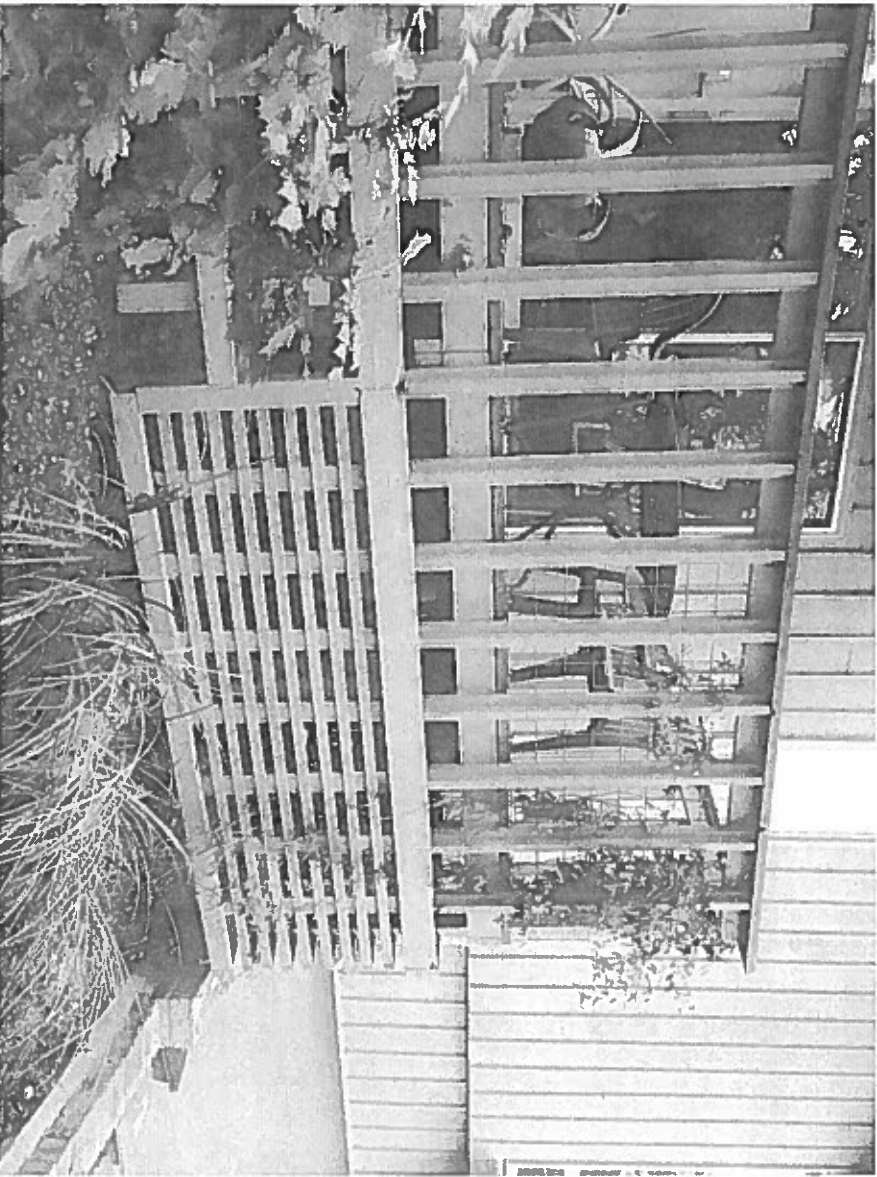
5/3/8



1988



my
31



2012



m4
33



