

Appeal of Special Exception granted to 3104 E. 13th Street Austin, TX

On behalf of Petitioner, **Thomas Henderson** C15-2016-0061

a Rehearing in this case. We respectfully request

August 8, 2016. building in question was significantly expanded in the criteria for a special exception as granted on 2007 – 2009, without a permit, and does NOT meet We have significant NEW evidence showing the

The structure at issue was by applicant on 8/8/06 and between date of purchase hearing 8/8/16 not in existence for 10 years

2009. The existing structure was extended, remodeled and roof raised/replaced by

Work was done between approximately 2007 and 2009

granted at the 8/8/2016 With material changes, hearing are NOT met. criteria for the mandatory exception



Photo of
Henderson home
with wash shed in
background top
left

Photo taken in 2003. Note metal roof, open carport area and storage area behind it. James Rivers (L) and Thomas Henderson (R) on front porch.

Wash shed

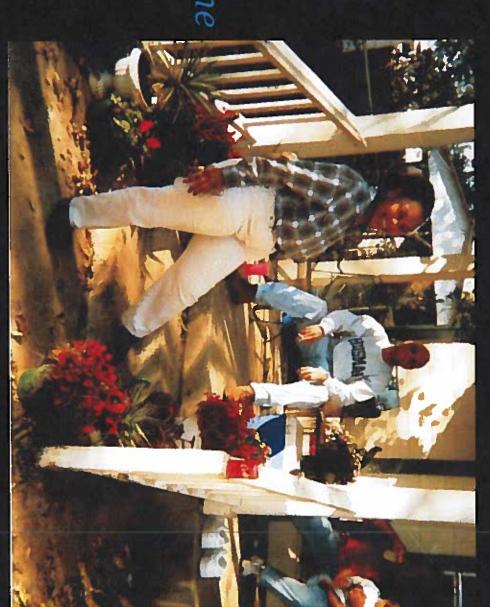
From Google Images

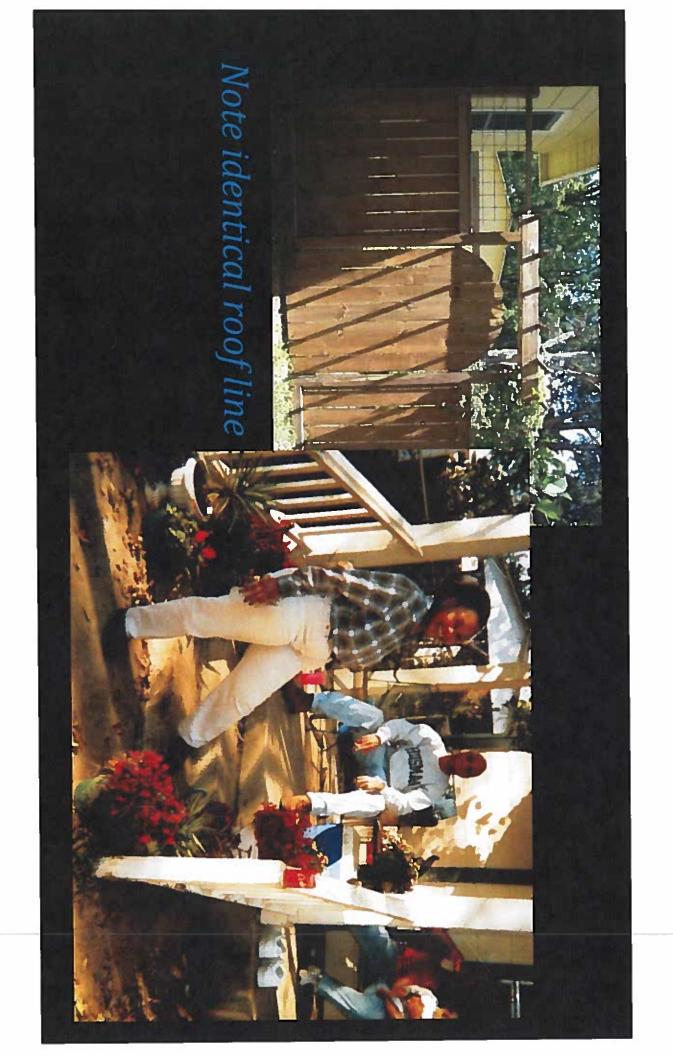




MLS Photo posted May 11, 2006.
3104 E. 13th purchased 8/8/06

Note identical roof line

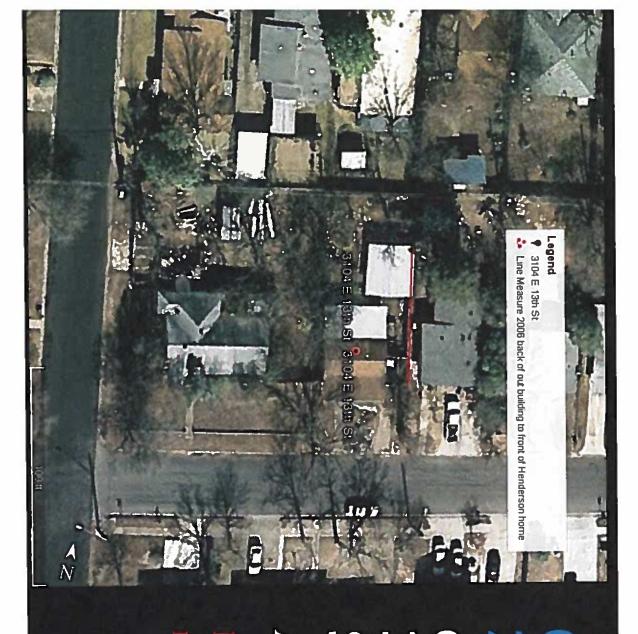




April 2006 Carport at 3104 E 13th Street Legend ↑ 3104 E 13th St Line Measure 2009 back of out building to front of Henderson home 3104 E 13th St 3104 E 13th St Clougle earth

Google Earth 2006 of 3104 E. 13th Street Austin, TX

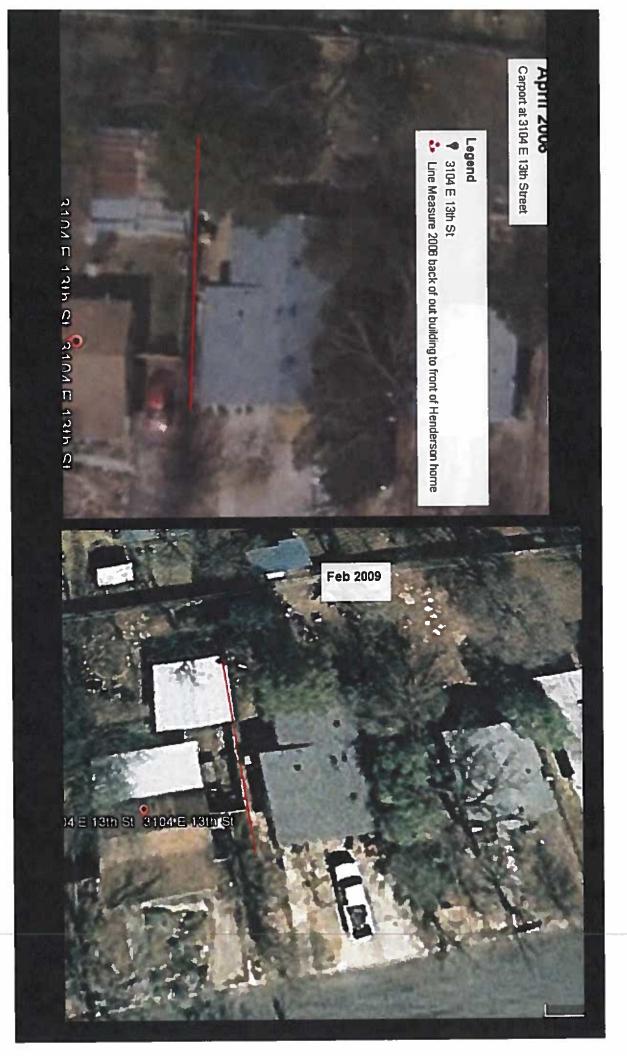
in roof on wash shed , arport



Google Earth 2009 of 3104 E. 13th Street Austin, TX

Note new structure and new roof in 2009

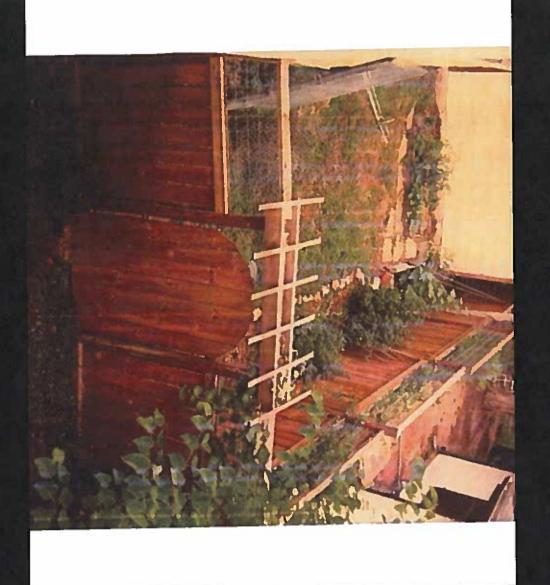






a building existing 10 or more years Special exception FAILS: This is NOT in its original form.

A new structure was built onto the old structure and was illegally significantly raised roof is clearly improved without a permit from evident. the City of Austin. New



2007 - 2009

Remodel started.
Carport removed, siding placed on former front of shed, wall expansion began, new French doors facing into yard.

Not a detached garage.
No access for a car

removing materials from the old shed for the applicant's husband in remodel in 2007 - 2009. James Rivers assisted



This shows where the roof was raised from the original roof on the shed, at the point where the vertical metal is attached to the horizontal siding.

Access points for multiple power extension cords from the house, satellite for TV and a large AC unit.



the shed. door to the applicant's nouse since the 1970's 2007 - 2009 remodel of and remembers the Ronald Hunter lived next

See Exhibit 4

Property line

Distance between Mr.
Henderson's fence and
building in violation of
5' setback

3104 and 3106 E. 13th Street



Property line

Distance between Mr.
Henderson's fence and
building in violation of
5' setback

3104 and 3106 E. 13th Street





Mr. Henderson's fence from his yard







New fence construction from Mr. Henderson's yard

MLS Listings for this home:

5 of 6 say NO garage

Sellers Disclosure refers to a "leaky roof" on storage building

applicant: NO GARAGE. Sworn Seller's 2006 disclosure's statement to NO CARPORT

Consequence of false statement on Seller's Disclosure Statement is cause of action for fraud.

Sworn Seller's 2006 storage building roof applicant: "Detached disclosure's statement to certain areas.". leaks in heavy rains in

Consequence of false statement on Seller's Disclosure Statement is cause of action for fraud.

roof. Applicant fixed the leaky Without a permit.

notice.) (He thought you wouldn't

property line. Moving the nonconforming Applicant expanded the size of the storage shed x 2 - 3. building even closer to the And then enclosed it.

The only remedy sought by Mr. Henderson is a 5 foot 3104 E. 13th Street. easement on all buildings at

September 28, 2016. rehearing to the Board on We respectfully request the new evidence we have in a opportunity to present the

Thank you.