

41
1

**CITY OF AUSTIN
Board of Adjustment
Decision Sheet**

DATE: Monday, February 13, 2017

CASE NUMBER: C15-2016-0084

☒ Y ☐ Brooke Bailey **Motion to PP to 3-13-17**
☒ Y ☐ Michael Benaglio
☒ Y ☐ William Burkhardt
☒ Y ☐ Eric Goff
☒ Y ☐ Melissa Hawthorne **2nd the Motion**
☒ Y ☐ Bryan King
☒ Y ☐ Don Leighton-Burwell
☒ Y ☐ Rahm McDaniel
☒ Y ☐ Melissa Neslund
☐ - ☐ James Valadez **Late**
☐ - ☐ Michael Von Ohlen **Late**
☐ - ☐ Kelly Blume (Alternate)
☐ - ☐ Martha Gonzalez (Alternate)

OWNER/APPLICANT: Scott Jacobs

ADDRESS: 2003 ARPDAL ST

VARIANCE REQUESTED: The applicant has requested variance(s) to Section 25-2-492 (D) (Site Development Regulations) to:

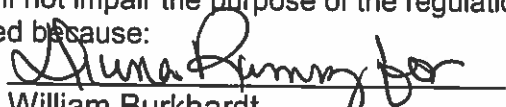
- A. decrease the minimum side setback from 5 feet (required/permitted) to 4.4 feet (requested, existing); and to
B. decrease the minimum rear setback from 10 feet (required/permitted) to 5.5 feet (requested, existing); and to
C. Section 25-2-774 (Two-Family Residential Use) (C) (2) (a) to decrease the minimum distance a second dwelling unit must be located from the primary structure from 10 feet (required) to 6 feet (requested/existing)
in order to permit occupancy of an existing accessory structure and covered deck for use as a 2nd dwelling unit in a "SF-3", Family Residence zoning district.

BOARD'S DECISION: POSTPONED TO FEBRUARY 13, 2017 BY APPLICANT (RE-NOTICE NEEDED); Feb. 13, 2017 Board Member Brooke Bailey motion to Postpone to March 13, 2107, Board Member Melissa Hawthorne second on a 9-0 vote; POSTPONED to March 13, 2017.

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because:
2. (a) The hardship for which the variance is requested is unique to the property in that:
(b) The hardship is not general to the area in which the property is located because:
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:


Leane Heldenfels
Executive Liaison


William Burkhardt
Chairman

Heldenfels, Leane

C15-2016-0084

V1/2

From: Scott Jacobs <[REDACTED]>
Sent: Tuesday, February 28, 2017 2:15 PM
To: Heldenfels, Leane
Subject: Re: Draft notice for 2003 Arpdale 3/13 Board of Adjustment hearing
Attachments: BOA Variance Appocation - 2003 Arpdale - Updated 2.28.17 - Feb 28 2017 - 2-55 PM.pdf

Hi Leane,

Please see attached for the updated application. **NOTE: The lot size in the variance request (section E) needs to be updated from 5540 to 5500.** That's the only big change. My calculations on building and impervious coverage came out lower than your calculations, but it's probably better to stick with your numbers to play it safe. I suppose the worst case is that the board negotiates that number lower. Do I run the risk of the board rejecting the entire variance request or do they can vote on each sub-topic in my variance request?

Will you also please take note to request a postponement at the March meeting based on the following:

- Prior two postponements have been requested due to discrepancies in the City of Austin's data, not for personal reasons.
- This is the first postponement I have requested due to personal needs. I will be on a school trip with the Yale MBA Program in March.
- I already have a flight booked for the April meeting
- The owner let the STR permit expire at the outset of these permitting issues. The back house has not been used as a short term rental in over 2 years.

I'm going to try to get someone from Friends of Zilker to represent me if there is opposition for my postponement requested.

Thanks again for all your help. I'm looking forward to seeing you at the April meeting.

Best,
Scott

On Wed, Feb 22, 2017 at 5:46 PM, Scott Jacobs <[REDACTED]> wrote:
Thanks Leane - I'll be sure to send something back to you by then.

Scott Jacobs
214-908-0770

On Feb 22, 2017, at 5:40 PM, Heldenfels, Leane <Leane.Heldenfels@austintexas.gov> wrote:

Monday, end of day

From: Scott Jacobs <[REDACTED]>
Sent: Wednesday, February 22, 2017 4:40 PM



CITY OF AUSTIN

Development Services Department

One Texas Center | Phone: 512.978.4000

505 Barton Springs Road, Austin, Texas 78704

UPDATED!
V/m

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 # C15-2016-084 Row # _____ Tax # _____

Section 1: Applicant Statement

Street Address: 2003 Arpdale St

Subdivision Legal Description:

W 55FT OF LOT 16 BLK 8 RABB INWOOD HILLS

Lot(s): W 55FT OF LOT 16 Block(s): 8

Outlot: _____ Division: _____

Zoning District: SF-3

I/We Scott Jacobs on behalf of myself/ourselves as
authorized agent for Scott Jacobs affirm that on
Month February, Day 28, Year 2017, 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: Accessory Dwelling Unit

1/5

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

Section 25-2- 492 (D) to decrease the min east side setback from 5 ft to 4.4 ft; decrease the min rear setback from 10 feet to 5.5 ft; decrease the max building cover from 40% to 41%; decrease the max impervious cover from 45% to 52%; Section 25-2- 774 (B) decrease the min lot area of two-family residential use from 5750 to 5500 sq ft; (C)(2)(a) to decrease (see below)

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 accessory structure was constructed in 1949 and remodeled at least once in the 1990's. The exact year is unknown. Permit history suggests work on the accessory structure began in 1990. When the property was purchased by the current owner in 2011, the owner was not informed that the accessory structure was not compliant with city code. There are no public records or any signs that suggest the secondary dwelling has been a problem for the neighborhood.

Hardship

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

Not all lots in the area have a structure built in 1949 that was converted to a secondary dwelling unit in the 1990's. Poor construction record keeping and poor permit enforcement resulted in the new owner inheriting an unpermitted dwelling.
The construction required to eradicate the issue would cause unwarranted noise disturbance and traffic for the neighborhood.

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

Lots in my area do not have a garage built in 1949 in the rear of their property that are of sufficient size to be converted into a secondary dwelling unit.

4/5

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 front residence, built in 1949, and rear residence have existed in their current configuration since the 1990's and, as such, have been in keeping with the character of the area adjacent to the property.

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:

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:

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

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

44

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:  Date: 02/27/2017

Applicant Name (typed or printed): Scott Jacobs

Applicant Mailing Address: 2003 Arpdale St. Unit B

City: Austin State: TX Zip: 78704

Phone (will be public information): (214) 908-0770

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:  Date: 02/27/2017

Owner Name (typed or printed): Scott Jacobs

Owner Mailing Address: Same as above

City: _____ State: _____ Zip: _____

Phone (will be public information): _____

Email (optional – will be public information): _____

Section 5: Agent Information

Agent Name: _____

Agent Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone (will be public information): _____

Email (optional – will be public information): _____

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).

Continued from variance requested:

to decrease the minimum distance a second dwelling unit must be located from the primary structure from 10 feet to 6 feet.

11/7

Additional Space (continued)

These variance requests are all to permit occupancy of an existing accessory structure for use as a 2nd dwelling unit in a "SF-3", Family Residence zoning district.

Lined area for text input.

SAVE

Revised 2/9/17

- GAS METER
- PIPE MD.
- UTILITY POLE

SURVEYOR'S NOTES

- () DENOTES RECORDED INFORMATION
- (1) BUILDING LINE PER VOL 821, PG. 408

THIS MAP DOES NOT REFLECT BUILDING REQUIREMENTS WHICH MAY BE IMPOSED BY THE LOCAL GOVERNING AUTHORITY OR HOME OWNER'S ASSOCIATION.

ACCORDING TO FIRST AMERICAN TITLE INSURANCE CO. TITLE COMMITMENT OF #958704-AUG3 THE WEST 36 FT. OF LOT 18 IS SUBJECT TO THE BUILDING LINES, ESMAT. RIGHTS AND RESTRICTIONS AS STATED IN: BK. 4, PG. 73 VOL 821, PG. 408

ESMAT. RESEARCH PERFORMED BY ALL POINTS AND THE UNDERSIGNED SURVEYOR WAS LIMITED TO INFORMATION SUPPLIED BY FIRST AMERICAN TITLE INSURANCE CO. PER COMMITMENT OF #958704-AUG3, PARAGRAPH NO. 1C

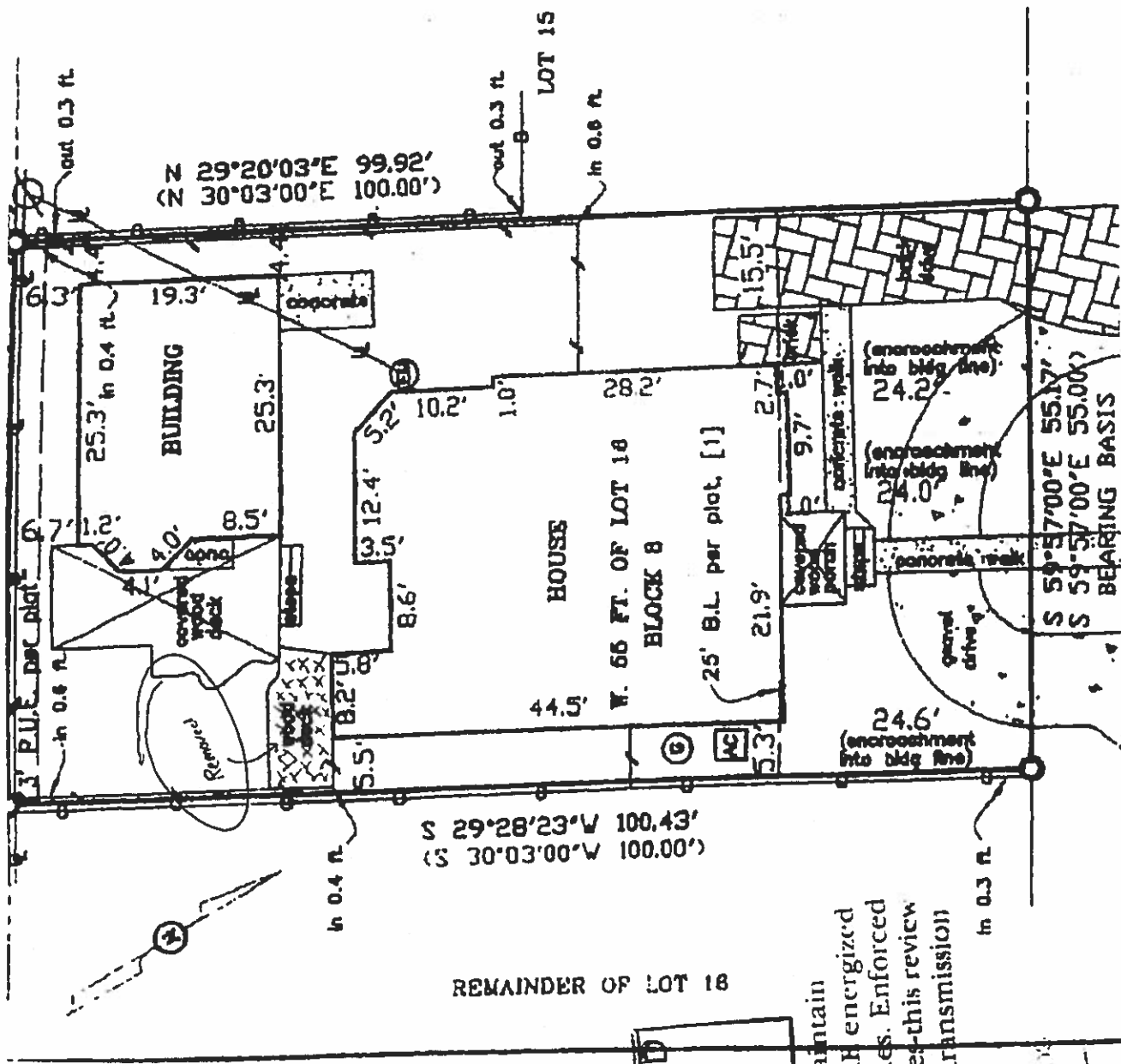
ALL POINTS DOES NOT MAKE OR WARRANT ANY FLOOD ZONE DETERMINATION.

THE DISTANCES BETWEEN LOT LINES AND FENCES (SHOWN HEREIN) ARE TO THE CENTER OF THE FENCE.

Scale 1"=150'

Site Plan
design

AP. 05/11/17
2/2



APPROVED
7 2016
8 319
RB

must maintain from all energized power lines. Enforced SC codes - this review include transmission

APPROVED
S/W

41/9

**CITY OF AUSTIN
Board of Adjustment
Decision Sheet**

DATE: Monday, August 8, 2016

CASE NUMBER: C15-2016-0084

☒ y ☐ Brooke Bailey
☒ y ☐ Michael Benaglio
☒ y ☐ William Burkhardt
☒ y ☐ Eric Goff 2nd the Motion
☒ y ☐ Melissa Hawthorne
☐ n ☐ Bryan King
☒ y ☐ Don Leighton-Burwell
☐ - ☐ Rahm McDaniel (out)
☒ y ☐ Melissa Neslund
☒ y ☐ James Valadez
☒ y ☐ Michael Von Ohlen Motion to PP to Feb 13, 2016
☒ y ☐ Kelly Blume (Alternate)

OWNER/APPLICANT: Scott Jacobs

ADDRESS: 2003 ARPDAL ST

VARIANCE REQUESTED: The applicant has requested variance(s) to Section 25-2-492 (D) (Site Development Regulations) to:

A. decrease the minimum side setback from 5 feet (required/permitted) to 4.4 feet (requested, existing); and to

B. decrease the minimum rear setback from 10 feet (required/permitted) to 5.5 feet (requested, existing); and to

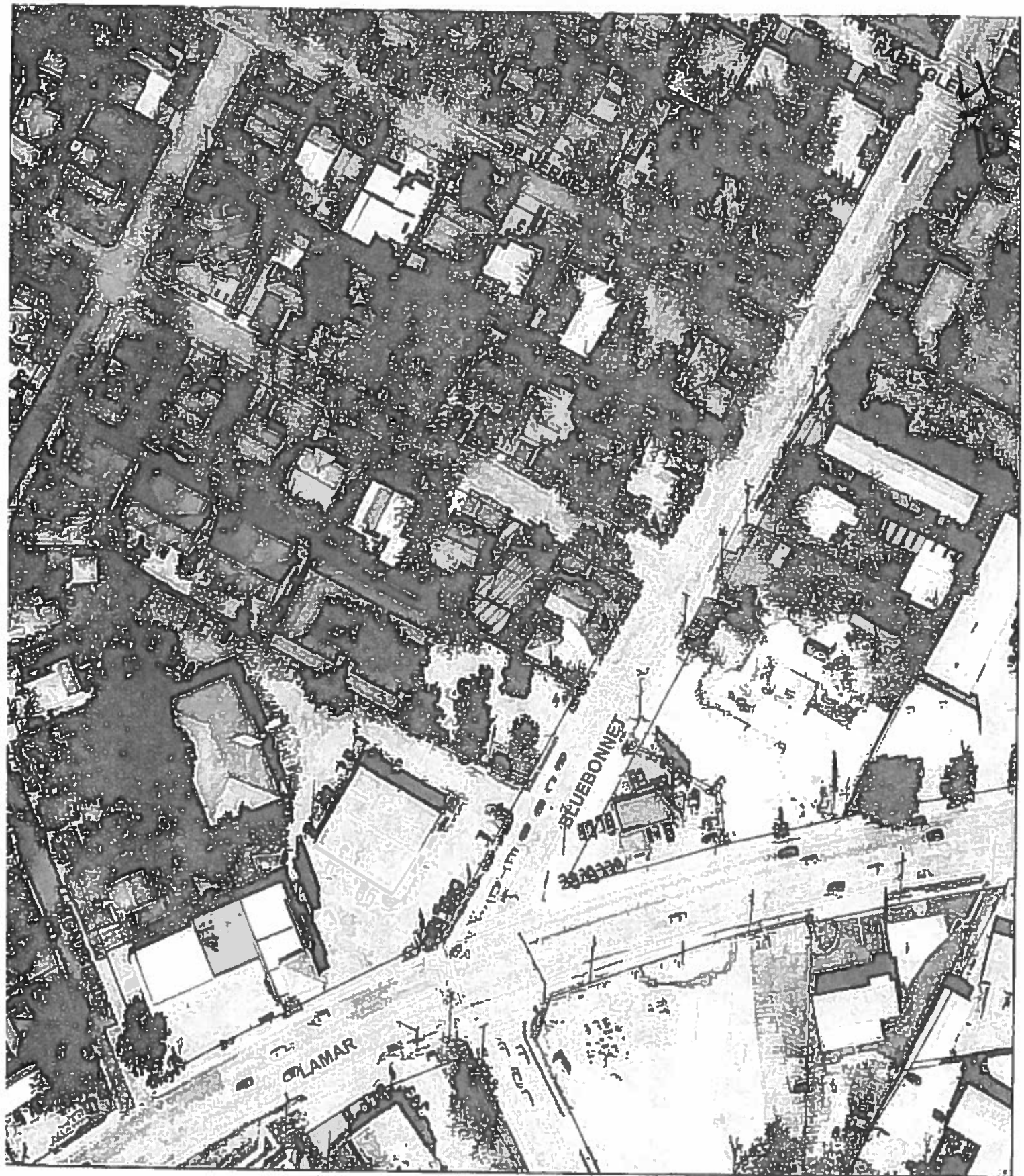
C. Section 25-2-774 (Two-Family Residential Use) (C) (2) (a) to decrease the minimum distance a second dwelling unit must be located from the primary structure from 10 feet (required) to 6 feet (requested/existing)




in order to permit occupancy of an existing accessory structure and covered deck for use as a 2nd dwelling unit in a "SF-3", Family Residence zoning district.

BOARD'S DECISION: POSTPONED TO FEBRUARY 13, 2017 BY APPLICANT (RE-NOTICE NEEDED)

FINDING:

- 1. The Zoning regulations applicable to the property do not allow for a reasonable use because:**
- 2. (a) The hardship for which the variance is requested is unique to the property in that:**



- N
-  SUBJECT TRACT
 -  PENDING CASE
 -  ZONING BOUNDARY

NOTIFICATIONS

CASE#: C15-2016-0084
LOCATION: 2003 Arpdale 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 CTM for the sole purpose of geographic reference. No warranty is made.

1" = 113'



CITY OF AUSTIN

Development Services Department

One Texas Center | Phone: 512.978.4000

505 Barton Springs Road, Austin, Texas 78704

4/11

Board of Adjustment General/Parking Variance Application

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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 # C15-2016-1084 ROW # _____ Tax # _____

Section 1: Applicant Statement

Street Address: 2003 Arpdale St

Subdivision Legal Description:

W 55FT OF LOT 16 BLK 8 RABB INWOOD HILLS

Lot(s): W 55FT OF LOT 16

Block(s): 8

Outlot: _____

Division: _____

Zoning District: SF-3

I/We Scott Jacobs on behalf of myself/ourselves as
authorized agent for Scott Jacobs affirm that on

Month July, Day 22, 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: Accessory Dwelling Unit

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

Property Setback Requirement LDC 25-2-492

4/12

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 accessory structure was constructed in 1949 and remodeled at least once in the 1990's. The exact year is unknown. Permit history suggests work on the accessory structure began in 1990 and ended in 1997. The accessory structure is the primary reason I purchased the property in 2011. I was not informed that the accessory structure was not compliant with city code. If the structure is forced to be compliant with setback requirements, it will need to be demolished completely.

Hardship

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

I purchased the property with the intention of having a second dwelling unit in order to accomodate the housing needs of extended familu. Demolition of the accessory dwelling unit would create fewer options for my family and unnecessary environmental hazards for my neighbors.

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

It was reasonable to awssume the property I purchased was compliant with current city code. I have no intention to modify the structures on the property which have existed with the current footprint for approxiamtely 20 years. The set back issues were brought to my attention by a city of Austin code enforcement officer and since that time I have been working to seek a resolution that will create the least disruption for my neighbors and my self.

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:

4/13

The front residence, built in 1949, and rear residence have existed in their current configuration since the 1990's and, such as, have been in keeping with the character of the area adjacent to the property.

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:

This is an existing structure and has been used as an accessory dwelling for well over 10 years. No additional traffic or parking changes will occur.

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:

This is an existing structure and has been used as an accessory dwelling for well over 10 years. No additional traffic or parking changes will occur.

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

This is an existing structure and has been used as an accessory dwelling for well over 10 years. No additional traffic or parking changes will occur.

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

This is an existing structure and has been used as an accessory dwelling for well over 10 years. No additional traffic or parking changes will occur.

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: [Signature] Date: 5/26/16

Applicant Name (typed or printed): Scott Jacobs

Applicant Mailing Address: 2003 Arpdale St. Unit B

City: Austin State: TX Zip: 78704

Phone (will be public information): (214) 908-0770

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: [Signature] Date: 5/26/16

Owner Name (typed or printed): Scott Jacobs

Owner Mailing Address: same as above

City: _____ State: _____ Zip: _____

Phone (will be public information): _____

Email (optional – will be public information): _____

Section 5: Agent Information

Agent Name: _____

Agent Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone (will be public information): _____

Email (optional – will be public information): _____

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).

Please do not cash the application fee until necessary. I believe that I can get over 80% of my neighbors to support this application for variance.








CITY OF AUSTIN DEVELOPMENT WEB MAP

Surrounding

structures
VH
15



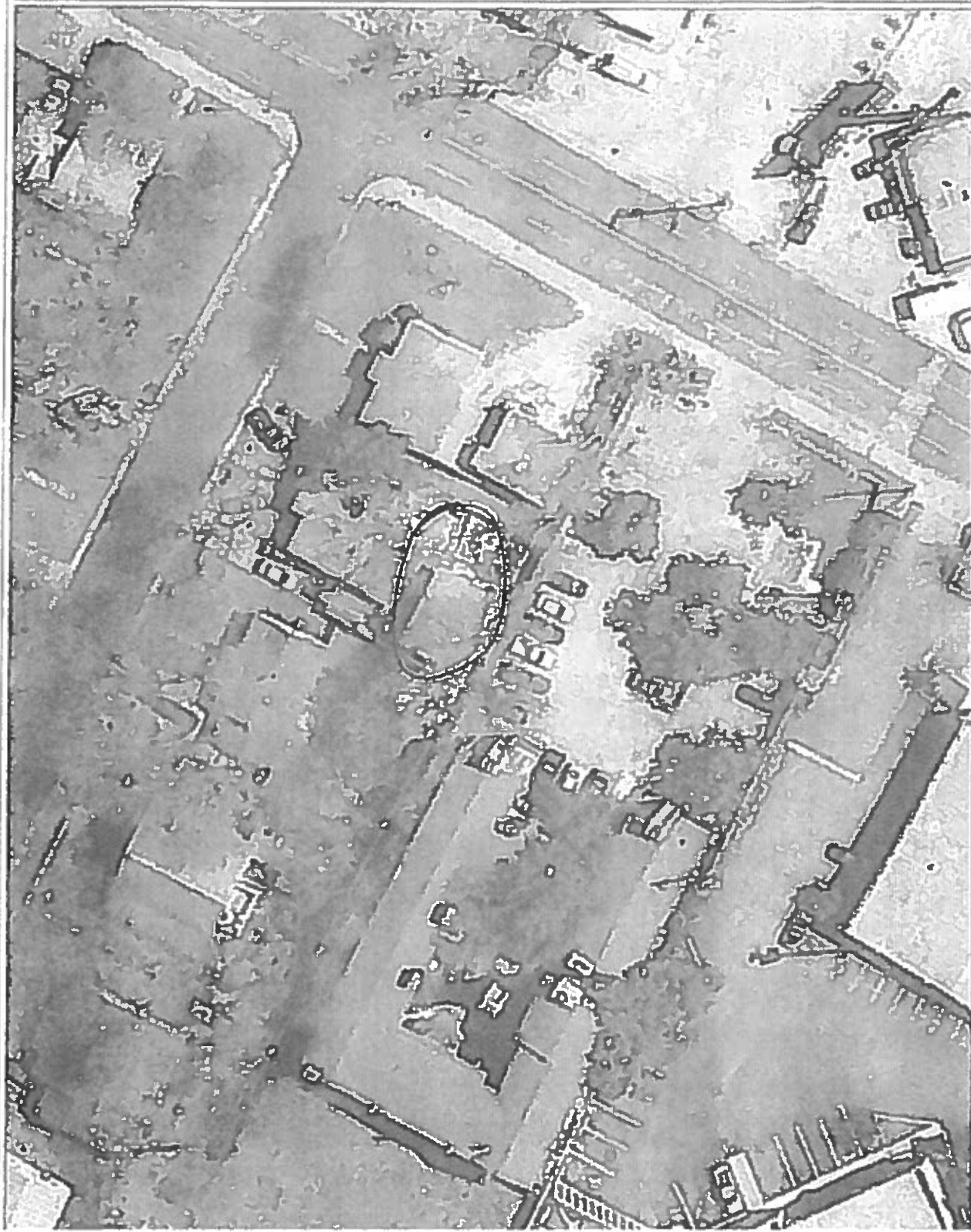
Legend

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

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.

1997 Aerial

CITY OF AUSTIN DEVELOPMENT WEB MAP



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

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.

2/1/06

<input checked="" type="checkbox"/>	A/C UNIT
<input checked="" type="checkbox"/>	CLEAN WATER
<input checked="" type="checkbox"/>	GAS WATER
<input type="checkbox"/>	PIPE PRO.
<input checked="" type="checkbox"/>	UTILITY POLE

() DO NOT REMOVE INFORMATION

1) BUILDING LINE PERMITS
VOL 521, PG. 408

ACCORDING TO FIRST AMERICAN TITLE INSURANCE CO.
TITLE COMMITTEE OF OAKTON-LEED
THE BEST 50 FT. OF LOT 18 IS SUBJECT TO THE
BUILDING LINES, EASE, RIGHTS AND RESTRICTIONS
AS STATED IN
VOL. 4, PG. 73
VOL. 921, PG. 408

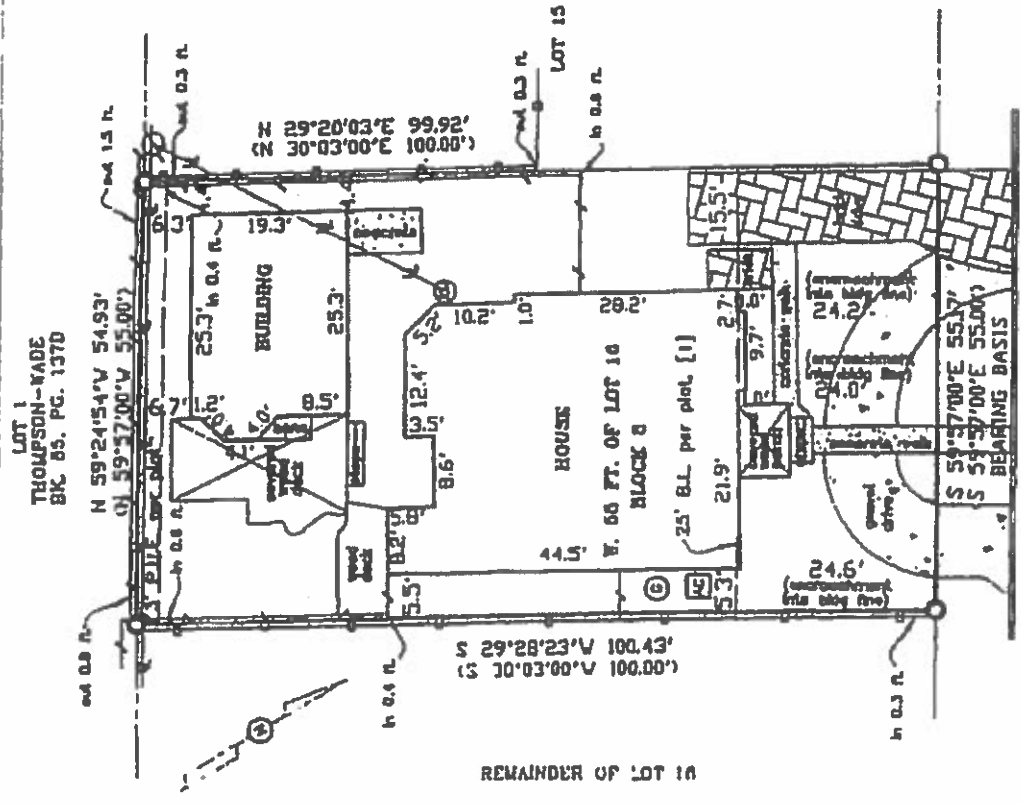
ALL POINTS DOES NOT HAVE
THE DISTANCES BETWEEN LOT LINES AND
FENCES (SHORT FENCING) ARE TO
THE CENTER OF THE FENCE.

RESEARCH PERFORMED BY ALL
POINTS AND THE UNDERGROUND SURVEYOR
WAS LIMITED TO INFORMATION RECEIVED
BY FIRST AMERICAN TITLE ASSURANCE CO. FOR
CONSISTENCY OF POSITION-JUNE, PARAGRAPH NO. 10

Site Plan

ACBULK

7/3/07

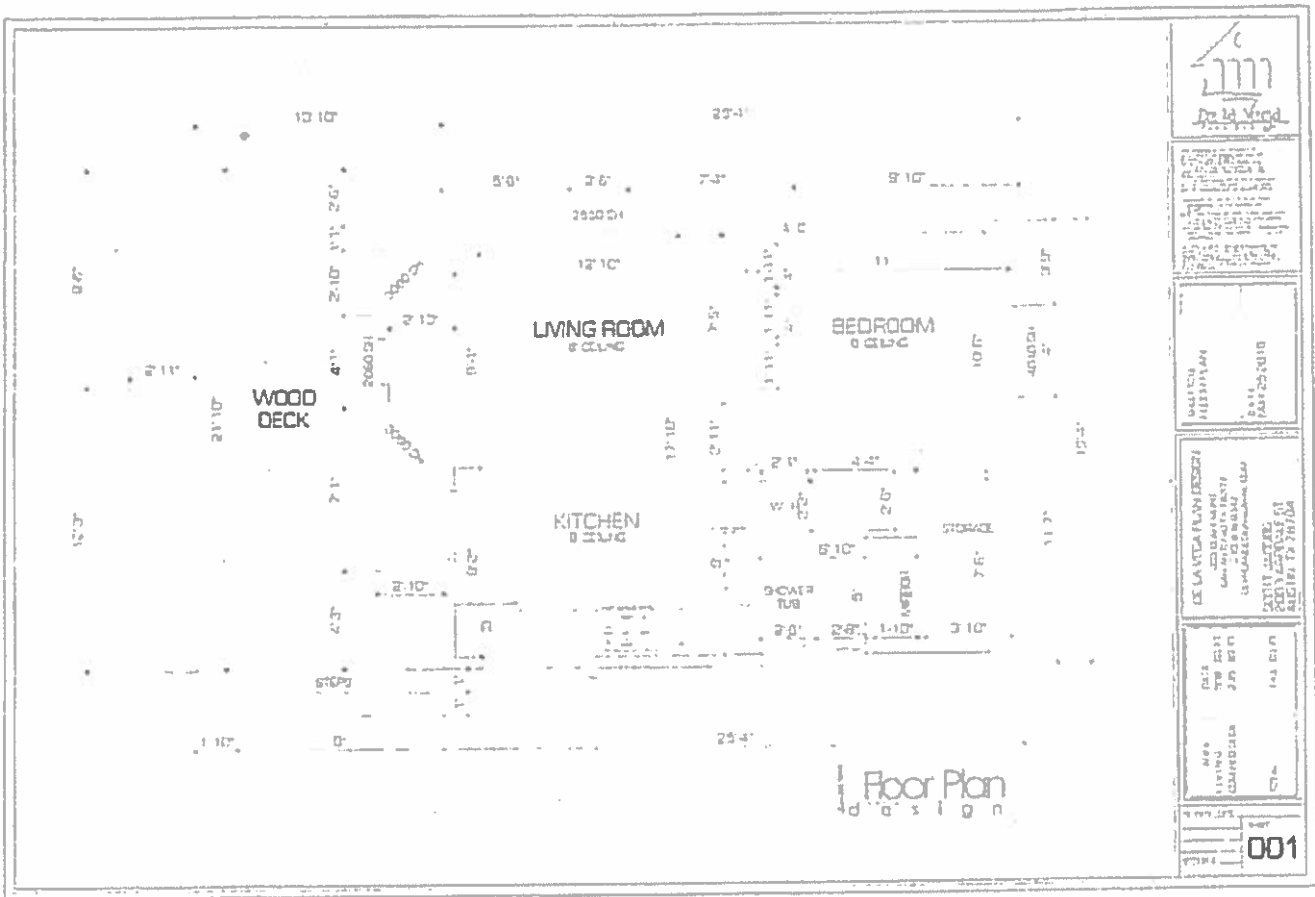


2003 ARPDALF AVENUE
(50' R.O.W.)

AREA	LIVING	CONVERTED	DATA
743	50	77	235
50	77	235	50
77	235	50	77

002

DE LA VEGA PLAN DESIGN
200 LAFAYETTE
DALLAS, TEXAS 75201
214-908-8042
DALLAS, TEXAS 75201
SCOTT JACOBS
2003 ARPALE ST
AUSTIN, TX 78704

$$\frac{41}{18}$$


7/19

July 20th, 2016

Members of the Board,

I, Scott Jacobs, purchased 2003 Arpdale St. in 2011. I was not informed at the time of purchase that my accessory dwelling unit was not compliant with city of Austin building code.

According to the city of Austin aerial photographs, permit history of my property, and Travis County records, it appears that the second dwelling unit was originally constructed in 1949 most likely as a detached garage. This detached garage was converted to a dwelling unit sometime in the 1990's. In 2007, a new roof on the front house was permitted with the city of Austin. There are no expired permits connected to 2003 Arpdale St.

I am requesting 3 minor variances which are detailed in the evidence packet in order to maintain the existing footprint of the accessory dwelling structure which has been in the same place for 57 years.

I originally purchased 2003 Arpdale St. with the intention of having a housing option for my grandmother. She is living independently at age 92 but will soon need to downsize from the large house in which she currently resides. The accessory dwelling unit is intended for her, but I currently use it as my homestead for the time being since the main house is leased as a long term rental.

I respectfully ask the board to allow the accessory dwelling unit to remain in place.

Sincerely,



Scott Jacobs

1/20

History of 2003 Arpdale Unit B



- Structure was built in 1949
- Previous owner converted the garage to an ADU in the 90's
- Property was purchased in 2011
- Unaware the ADU was not compliant with Austin Code
- Intended use was to be my homestead and eventually serve as a residence for my aging grandmother
- Currently used as my homestead

Variance request for existing structure



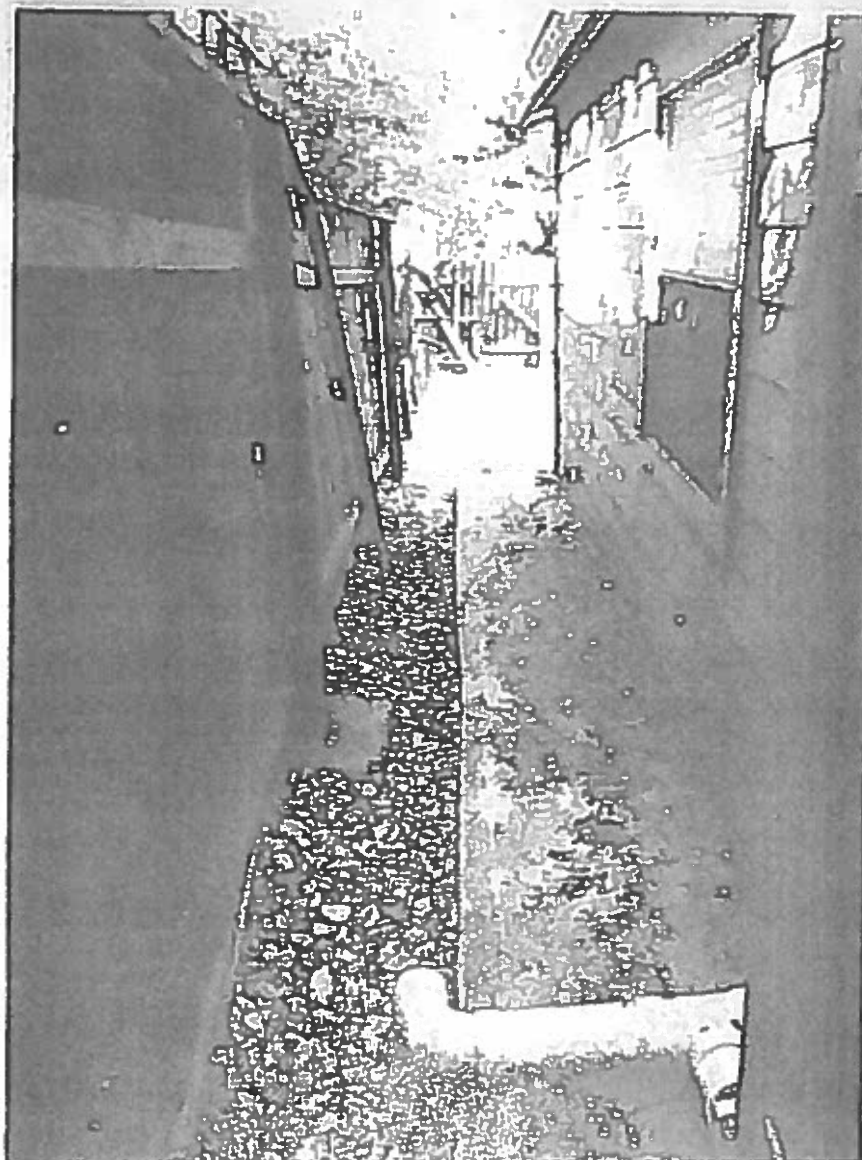
- A) Decrease the minimum side setback from 5ft to 4.4ft
B) Decrease the minimum rear setback from 10ft to 5.5ft

Variance request to Section 25-2-774 (C) (2) (a)

- C) Decrease the minimum distance a second dwelling unit must be located from the primary structure from 10ft to 6ft

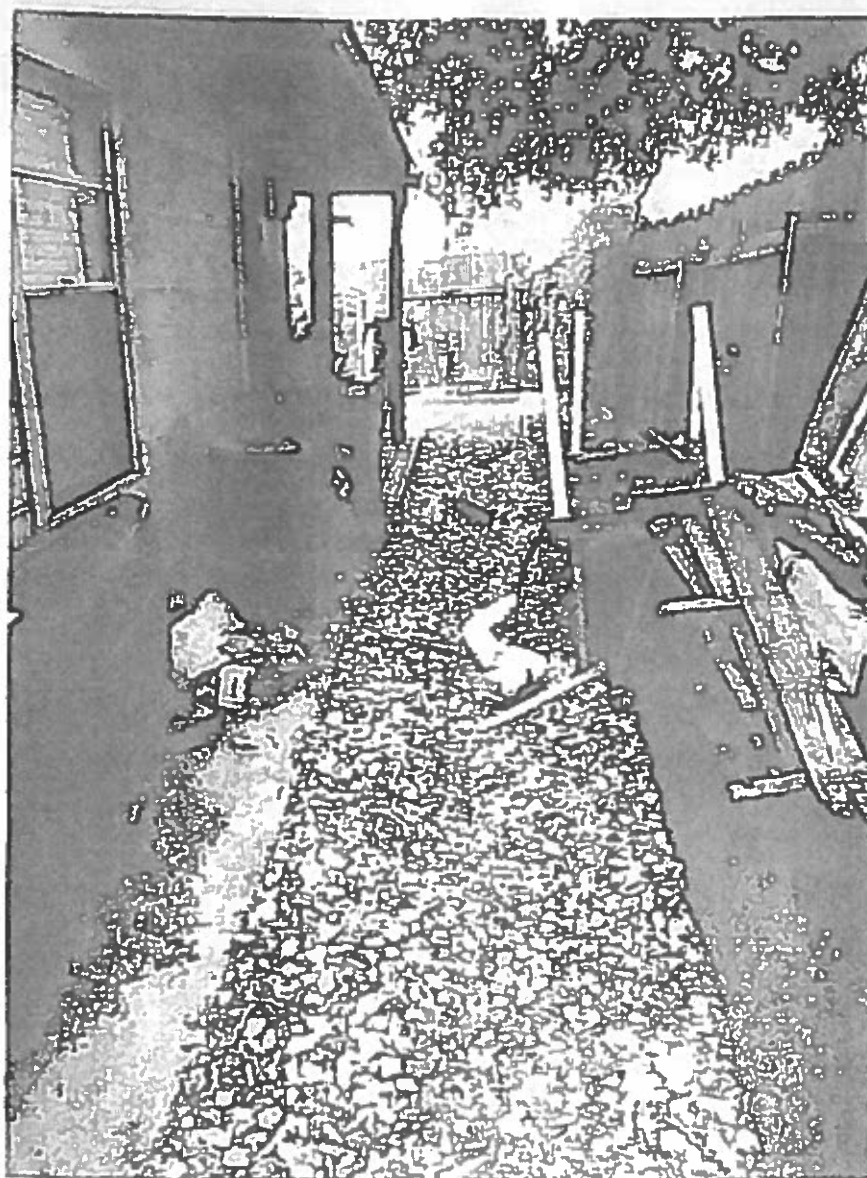
1/22

A) Request to decrease the minimum side setback from 5ft to 4.4ft



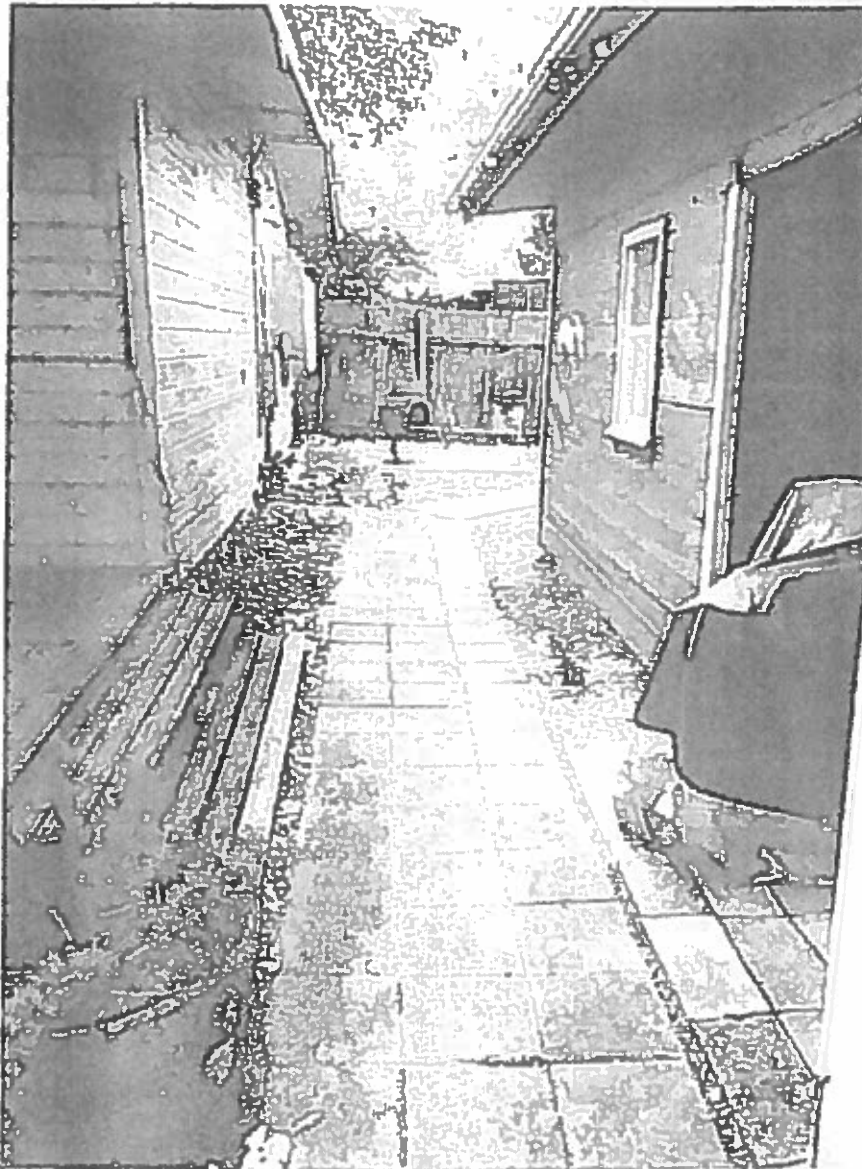
23/4

B) Request to Decrease the minimum rear setback from 10ft to 5.5ft



1/24

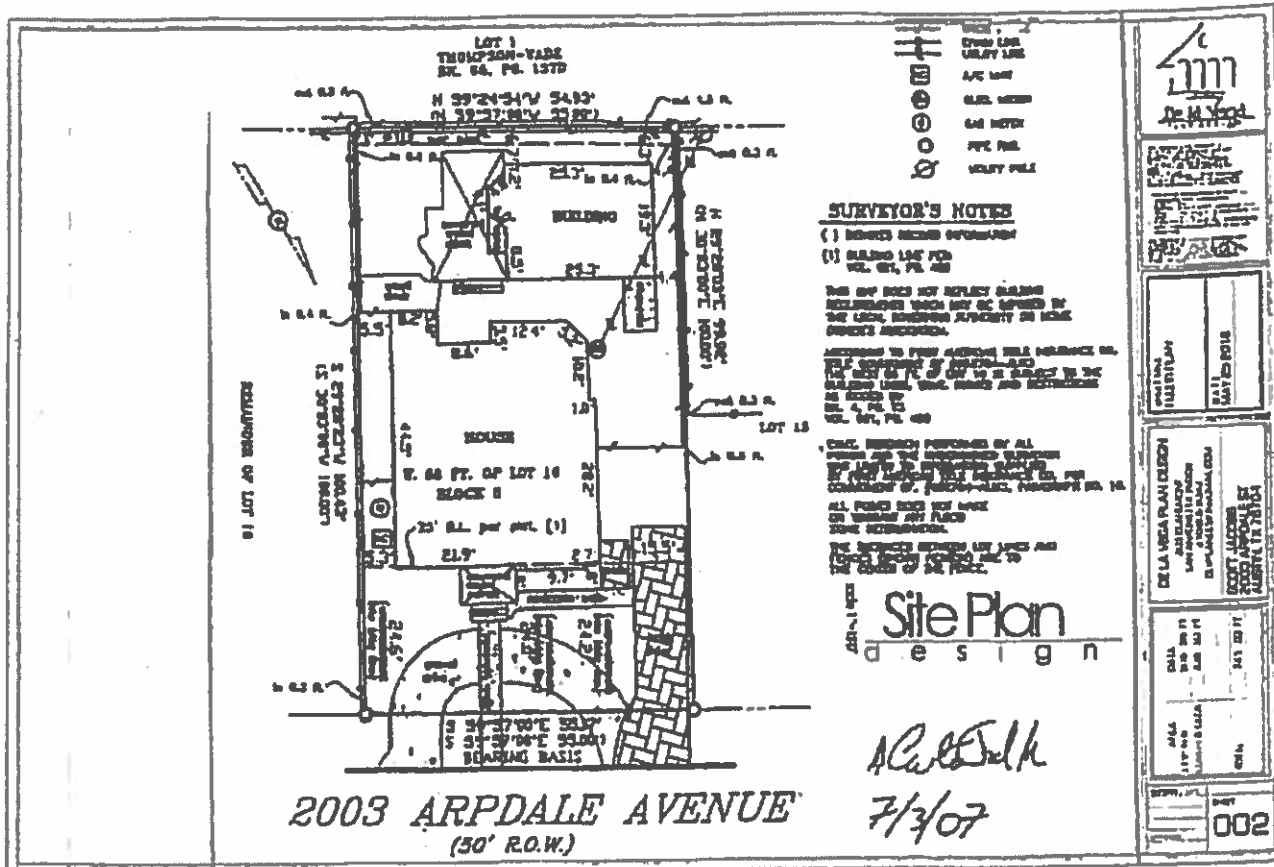
C) Request to decrease the minimum distance between dwellings from 10ft to 6ft



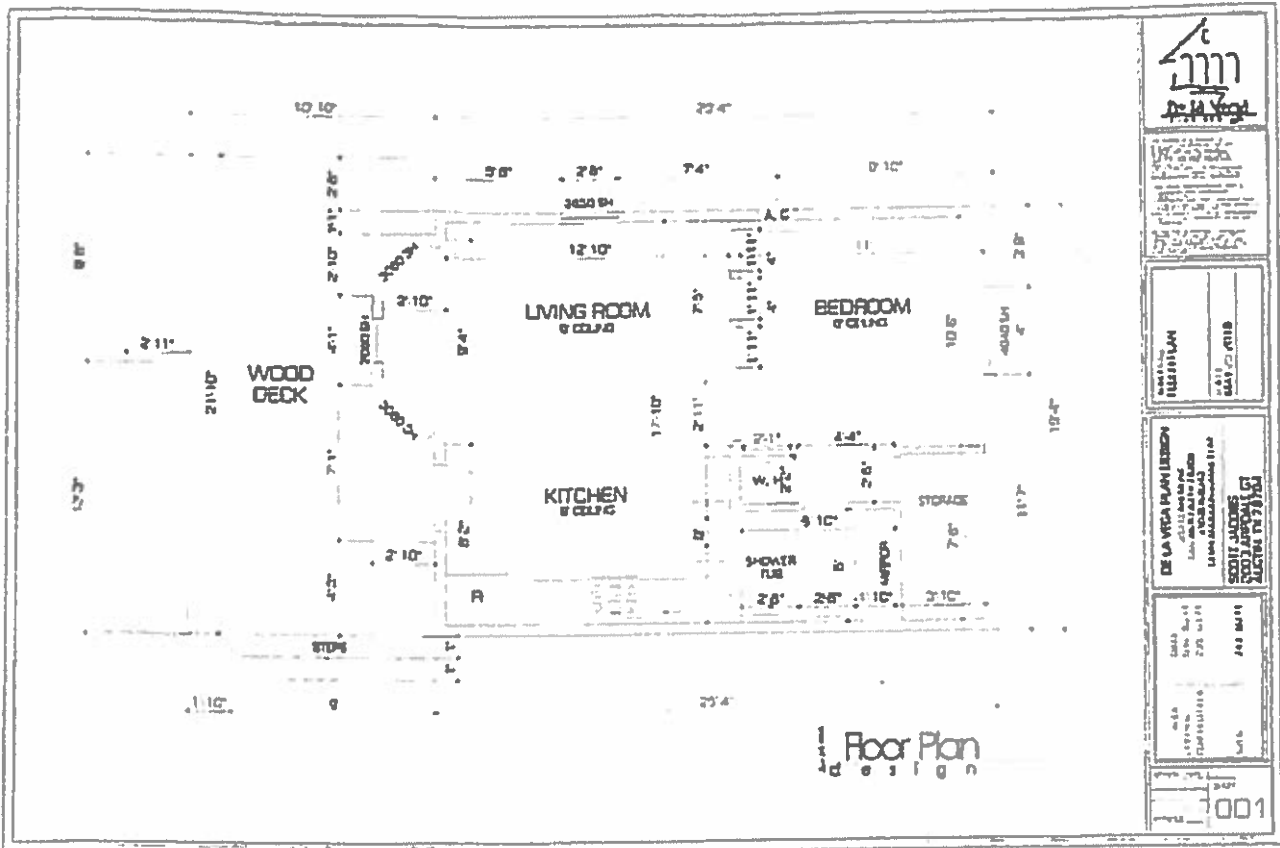
4/25

Appendix

1. Site Plan
2. Floor Plan
3. Pictures
4. Signatures



1/27/28



1001

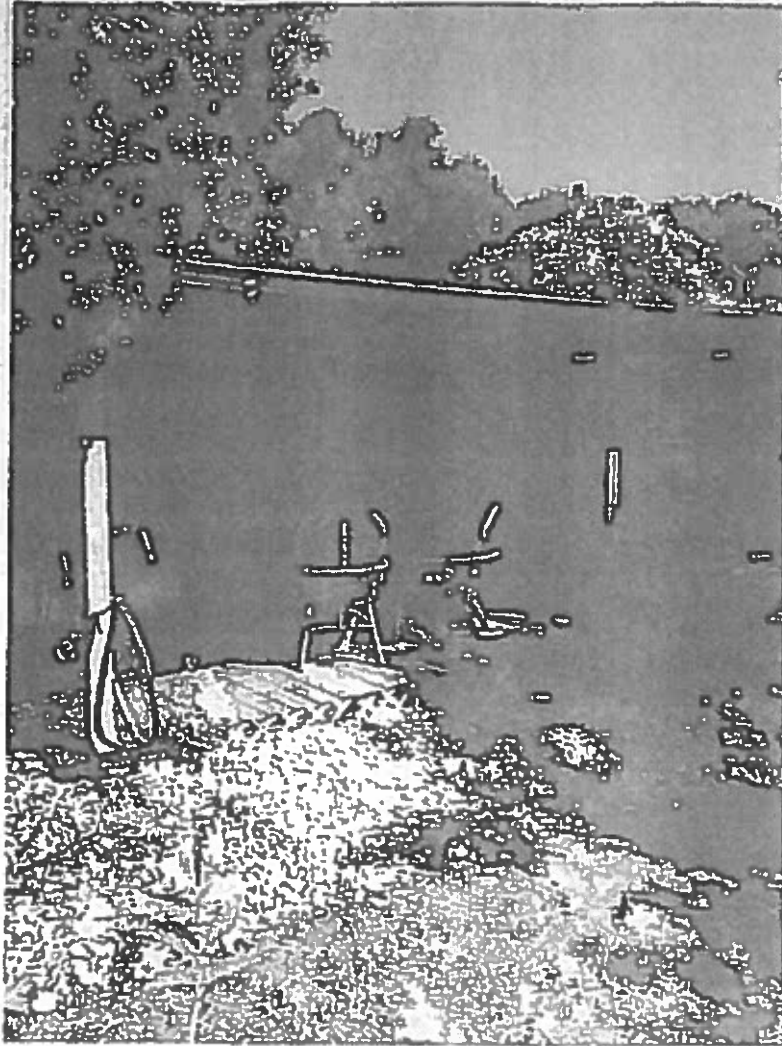
DE LA VEGA PLAN 1001

SCOTT JACOBS
2003 APPROVAL
AUGUST 15, 2003

0001

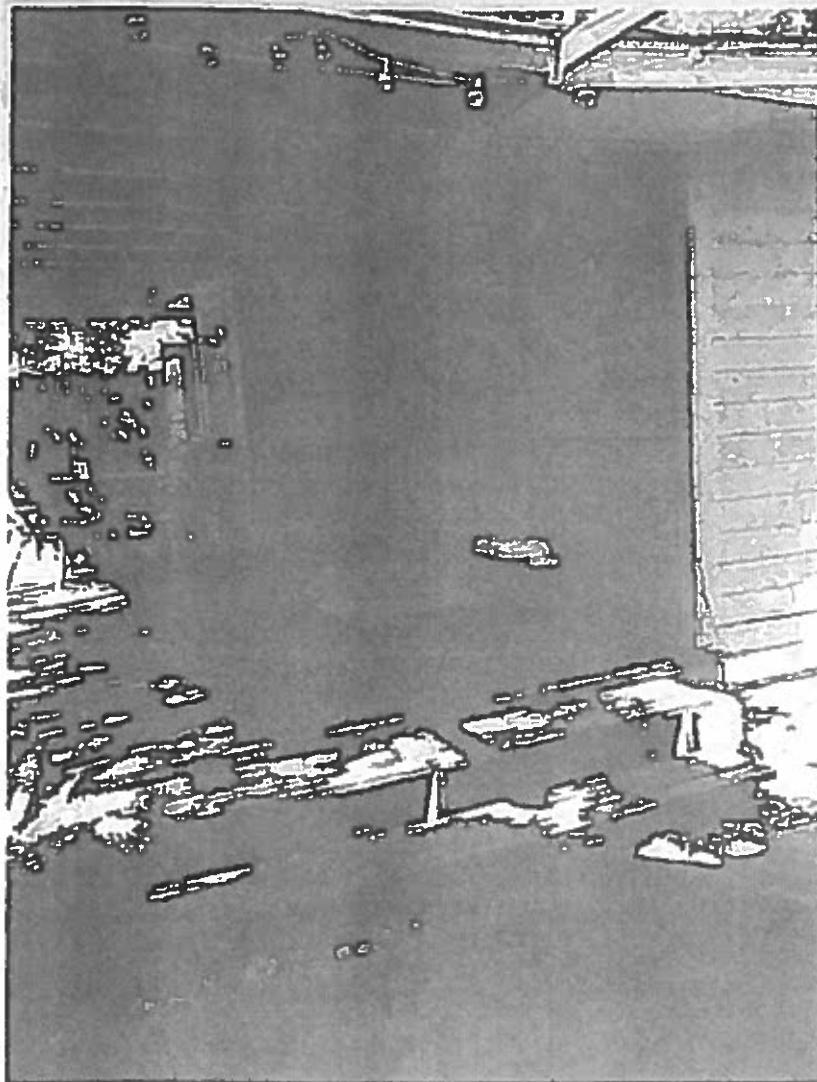
29

Southeast corner of ADU



17/9

Northeast corner of ADU



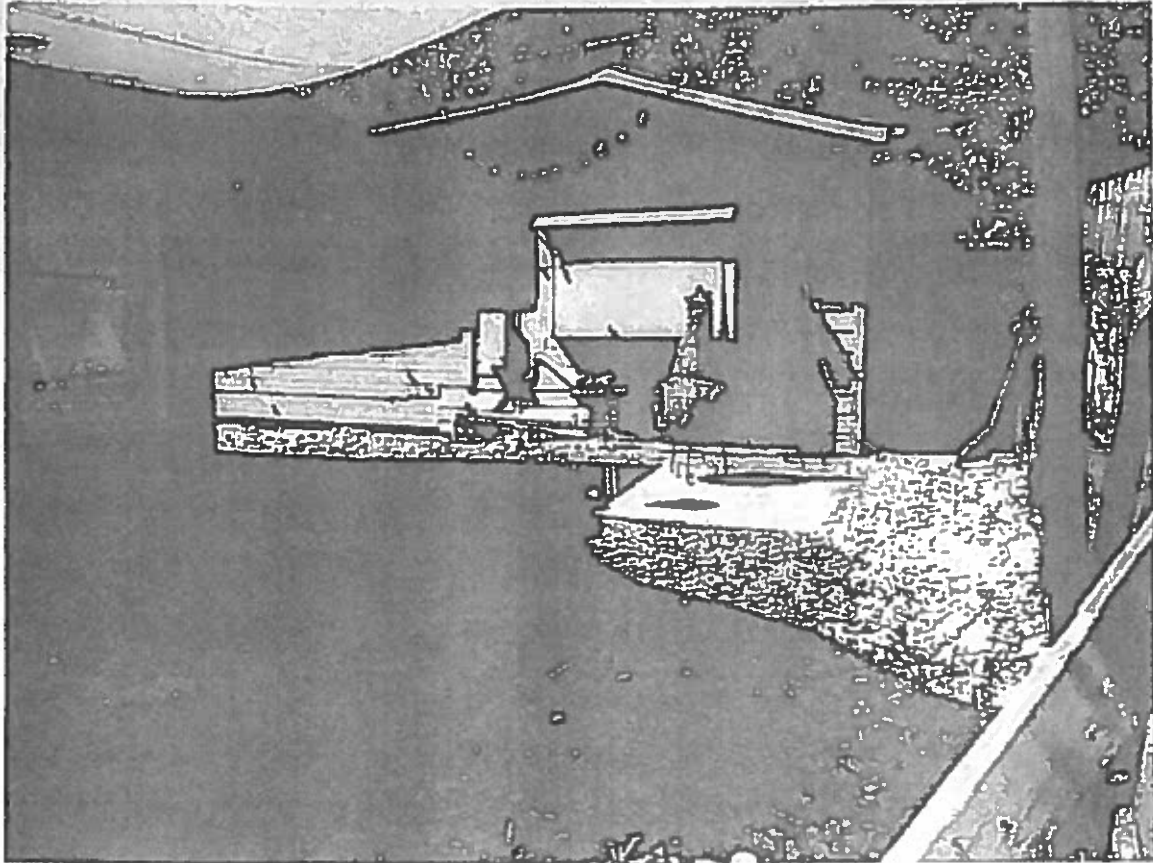
3/8

North side of ADU



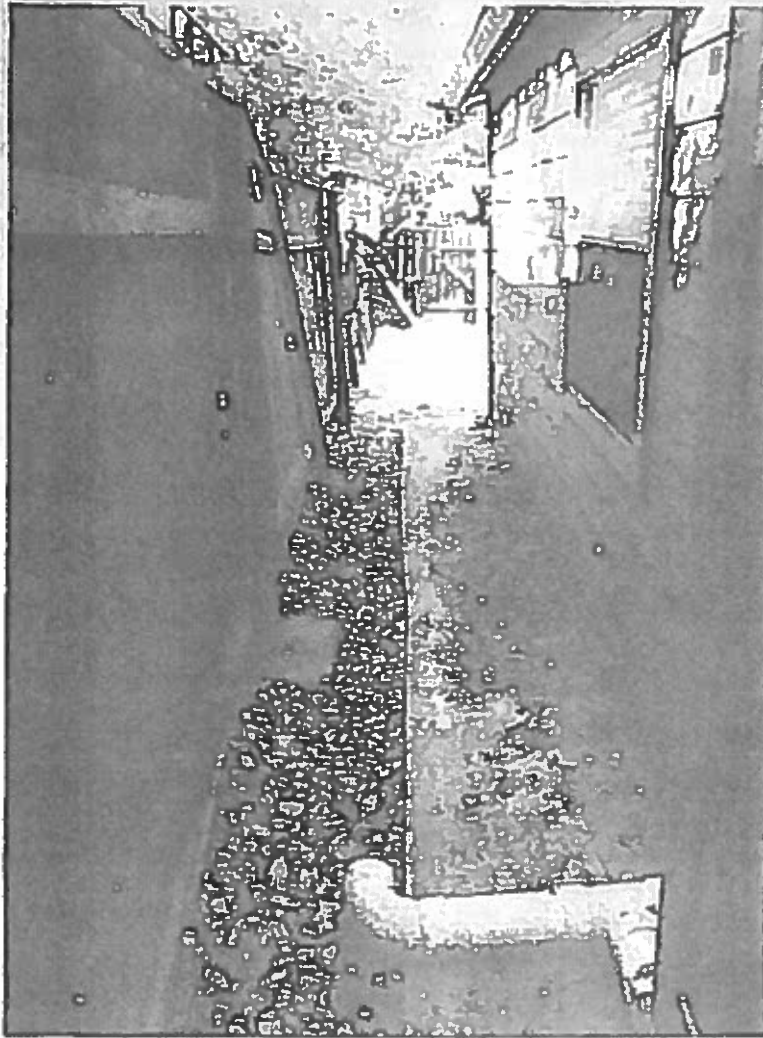
1/31

Northwest corner of ADU



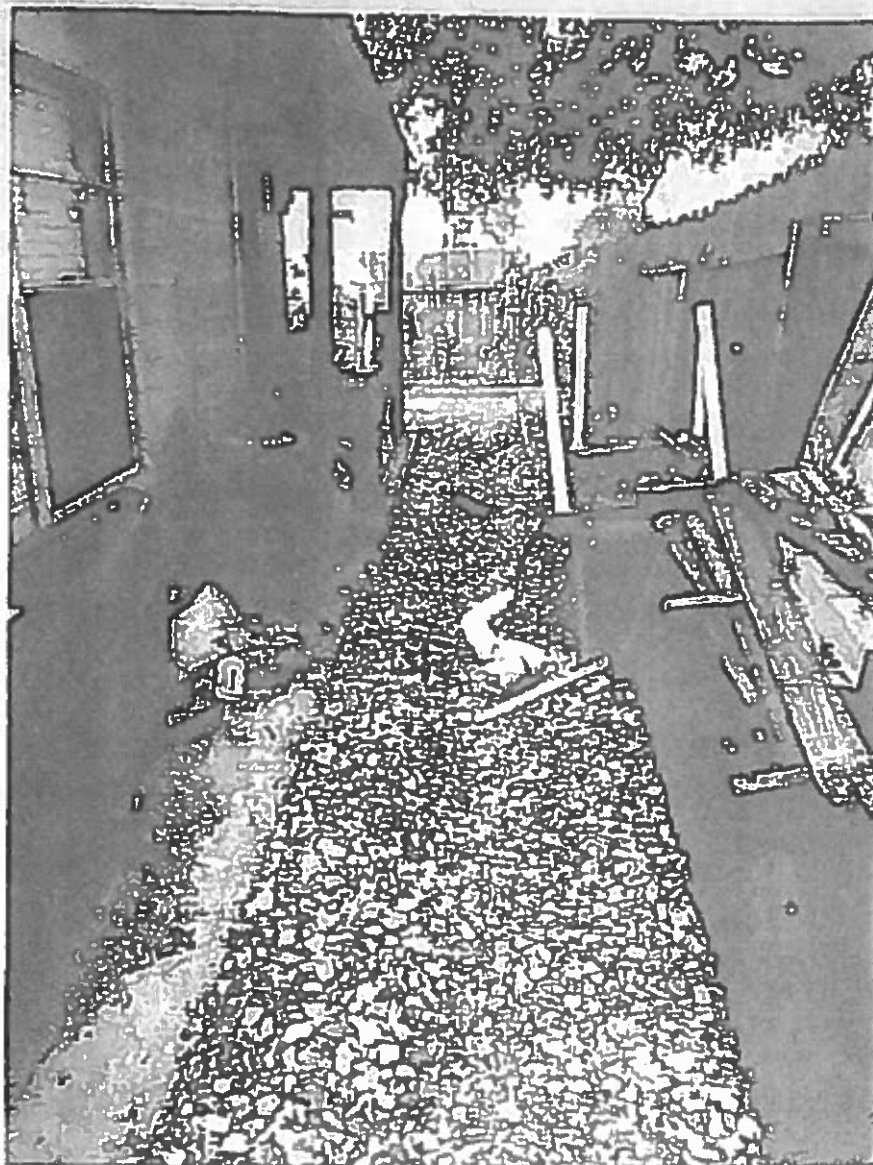
41
32

West side of ADU



4/33

South side of ADU



Over 80% of the owners within 300ft are in support the variance request



41
35



I, Scott Jacobs, am applying for a variance from the Board of Adjustment regarding Section 25-2-492 of the Land Development Code. The variance would allow me the ability to keep my backhouse which is currently in violation of set back requirements. The structure was built in 1949, but I inherited this problem when I bought the property in 2012.
By signing this form, I understand that I am declaring my support for the variance being requested.

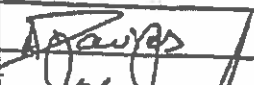
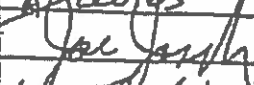


Property Owner Name	Address	Signature
Bryan Campbell	2004 Apple St 75707	[Signature]
Lita Raymond	2013 Apple St	[Signature]
Kelly Cottrell	2003 De Verne St Austin TX	[Signature]
Jessica/Michael Bryant	2007 De Verne St 75704	[Signature]
Karen Sullivan	2007 Apple St 75704	[Signature]
Nessa Hobins	2010 Apple St	[Signature]
Jason Cohen	2407 Ann Arbor Ave 61 Austin, TX 78754	[Signature]

512 785
5250
-5 Home

4/3/6

Owners

By signing this form, I understand that I am declaring my support for the variance being requested.

Property Owner Name (Printed)	Address	Signature
ALEX DAVIES	2006 DEVERNE STREET 78229	
Joe Joseph	1601 Robert E. Luke 78784	
HELEN WEST	2000 ARPDAL ST	
Scott Jacobs	2003 Arpdale St	

1/3/17

~~Occupants~~



I, Scott Jacobs, am applying for a variance from the Board of Adjustment regarding Section 25-2-492 of the Land Development Code. The variance would allow me the ability to keep my backhouse which is in violation of a few set back requirements. The structure was built without a permit in 1949 and I inherited this problem when I purchased the house in 2012.
By signing this form, I understand that I am declaring my support for the variance being requested.
Tenant

Property Owner Name	Address	Signature
James Leitch	2002 Arpdale St., NW, TX 76704	[Signature]
Ken Collins	2002 Arpdale St NW - TX 76704	[Signature]
MITCH PARISH	2302 BLUEBONNET RD NW	[Signature]
Lauran Gonzalez	2006 Arpdale St. 76704	[Signature]

Hand in items

4/3/38

By signing this letter, I support Scott Jacobs in his request to the Board of Adjustment for 2003 Arpdale St. regarding Section 25-2-492 of the Land Development Code, which pertains to setback requirements highlighted below:

25-2-492. LAND DEVELOPMENT REGULATIONS.

- (A) The table in Subsection (D) establishes the principal site development regulations for each zoning district.
- (B) Except as provided in Subsection (C), if a requirement of Subsection (D) conflicts with another provision of this Code, the more restrictive regulation governs.
- (C) The requirements of the other provisions of this subchapter supersede the requirements of Subsection (D), to the extent of conflict.
- (D) See development regulation table.

Source: Section 13-3-830; Ord. 990225-70; Ord. 991104-46; Ord. 200311-109; Ord. 030721-32; Ord. 031211-21; Ord. 041118-57; Ord. 20100819-064.

	LA	RR	SF-1***	SF-2	SF-3
MINIMUM LOT SIZE (square feet):	43,560	43,560	10,000	5,750	5,750
MINIMUM LOT WIDTH:	100	100	60	30	30
MAXIMUM DWELLING UNITS PER LOT:	1	1	1	1	**
MAXIMUM HEIGHT:	35	25	35	25	35
MINIMUM SETBACKS					
FRONT YARD	40	40	25	25	25
STREET SIDE YARD	25	25	15	15	15
INTERIOR SIDE YARD:	10	10	5	5	5
REAR YARD:	20	20	10	10	10
MAXIMUM BUILDING COVERAGE:	—	20%	35%	40%	40%
MAXIMUM IMPERVIOUS COVER:	—	25%	40%	45%	45%

Property Address	Owner Name	Owner Signature
2305 BLUEBONNET LN	ALLEN DANZIGER	Allen Danziger

LI
39


By signing this letter, I support Scott Jacobs in his variance request to the Board of Adjustment for 2003 Arpdale St. regarding Section 25-2-492 of the Land Development Code, which pertains to setback requirements highlighted below:

25-2-492 - SITE DEVELOPMENT REGULATIONS

- (A) The table in Subsection (D) establishes the principal site development regulations for each zoning district.
- (B) Except as provided in Subsection (C), if a requirement of Subsection (D) conflicts with another provision of this title, the more restrictive regulation governs.
- (C) The requirements of the other provisions of this subchapter supersede the requirements of Subsection (D), to the extent of conflict.
- (D) Site development regulation table.

Source: Section 13-3-630; Ord. 990225-70; Ord. 991104-46; Ord. 000511-109; Ord. 030731-53; Ord. 031211-11; Ord. 041118-57; Ord. 20100819-054.

	LA	RR	SF-1***	SF-2	SF-3
MINIMUM LOT SIZE (square feet):	43,560	43,560	10,000	5,750	5,750
MINIMUM LOT WIDTH:	100	100	60	50	50
MAXIMUM DWELLING UNITS PER LOT:	1	1	1	1	..
MAXIMUM HEIGHT:	35	35	35	35	35
MINIMUM SETBACKS:					
FRONT YARD:	40	40	25	25	25
STREET SIDE YARD:	25	25	15	15	15
INTERIOR SIDE YARD:	10	10	5	5	5
REAR YARD:	20	20	10	10	10
MAXIMUM BUILDING COVERAGE:	-	20%	35%	40%	40%
MAXIMUM IMPERVIOUS COVER:	*	25%	40%	45%	45%

Property Address	Owner Name	Owner Signature
2001 Arpdale St.	Rebecca Heston	<div> <div>Digitized by:</div>  <div>017AA6CAB6D002</div> </div>

4/40

DocuSign Envelope ID: D1347486-1580-4281-A364-E4863DD607FB

Scott Jacobs is requesting a variance from the Board of Adjustment regarding Section 25-2-492 of the Land Development Code, which pertains to setback requirements.

By signing this form, I understand that I am declaring my support for the variance being requested by Scott Jacobs.

Property Address	Property Owner Name	Signature
2203 Bluebonnet	Matt Jones	<div>Digitally signed by: Matt Jones DN: cn=Matt Jones, o=Bluebonnet, ou=Bluebonnet, email=Matt.Jones@bluebonnet.com</div>


Do you have any questions? Feel free to contact me at scott.jacobs@yale.edu or 214-908-0770.

41

DocuSign Envelope ID: 1FD92DE0-6B66-4127-8862-44FD8F8A76CA

Scott Jacobs is requesting a variance from the Board of Adjustment regarding Section 25-2-492 of the Land Development Code, which pertains to setback requirements.

By signing this form, I understand that I am declaring my support for the variance being requested by Scott Jacobs.

Property Address	Property Owner Name	Signature
2126 Goodrich Ave., Austin TX 78704	Jimi Teasdale	<div> <small>Digitally signed by</small>  <small>DN: cn=Jimi Teasdale, o=</small> </div>

Do you have any questions? Feel free to contact me at scott.jacobs@yale.edu or 214-908-0770.

41
42

Scott Jacobs is requesting a variance from the Board of Adjustment regarding Section 25-2-492 of the Land Development Code, which pertains to setback requirements.

By signing this form, I understand that I am declaring my support for the variance being requested by Scott Jacobs.

Property Address	Property Owner Name	Signature
2012 Arpdale St.	Sean Kubicek	<div>Digitized by: Sean Kubicek KCN18270C33AA1</div>


Do you have any questions? Feel free to contact me at scott.jacobs@yale.edu or 214-908-0770.

L1
43

DocuSign Envelope ID: FFC104C6-E8C8-48D0-A8C0-783ABFA2AA1C

Scott Jacobs is requesting a variance from the Board of Adjustment regarding Section 25-2-492 of the Land Development Code, which pertains to setback requirements.

By signing this form, I understand that I am declaring my support for the variance being requested by Scott Jacobs.

Property Address	Property Owner Name	Signature
2002 Arpdale Street Austin, Texas 78704	Amy Hartman	<div>Digitized by  ACB015AC3040C</div>

Do you have any questions? Feel free to contact me at scott.jacobs@yale.edu or 214-908-0770.

41/44

Scott Jacobs is requesting a variance from the Board of Adjustment regarding Section 25-2-492 of the Land Development Code, which pertains to setback requirements.

By signing this form, I understand that I am declaring my support for the variance being requested by Scott Jacobs.


Property Address	Property Owner Name	Signature
2406 Bluebonnet Lane Chimney Park Apartments Miller Properties	Grace Hubbard	<div>Digitally signed by: Grace Hubbard DN: cn=Grace Hubbard, o=Miller Properties</div>

Do you have any questions? Feel free to contact me at scott.jacobs@yale.edu or 214-908-0770.

U
45

Scott Jacobs is requesting a variance from the Board of Adjustment regarding Section 25-2-492 of the Land Development Code, which pertains to setback requirements.

By signing this form, I understand that I am declaring my support for the variance being requested by Scott Jacobs.

Property Address	Property Owner Name	Signature
2011 Arpdale St.	River City Cap Partners	

Please return this signed form in the return envelope. Thanks!


feel free to contact me if needed
at 312-638-6389

Do you have any questions? Feel free to contact me at scott.jacobs@yale.edu or 214-908-0770.

41
46

Scott Jacobs is requesting a variance from the Board of Adjustment regarding Section 25-2-492 of the Land Development Code, which pertains to setback requirements.

By signing this form, I understand that I am declaring my support for the variance being requested by Scott Jacobs.

Property Address	Property Owner Name	Signature
2005 DeVerne St.	Thomas W. Brown Susan Eggert	 Susan Eggert

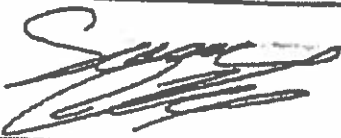
Please return this signed form in the return envelope. Thanks!

Do you have any questions? Feel free to contact me at scott.jacobs@yale.edu or 214-908-0770.

41
47

• Scott Jacobs is requesting a variance from the Board of Adjustment regarding Section 25-2-492 of the Land Development Code, which pertains to setback requirements.

By signing this form, I understand that I am declaring my support for the variance being requested by Scott Jacobs.

Property Address	Property Owner Name	Signature
2340 S. Lamar	Samir Maamary	

Please return this signed form in the return envelope. Thanks!

Do you have any questions? Feel free to contact me at scott.jacobs@yale.edu or 214-908-0770.

11/12

Scott Jacobs is requesting a variance from the Board of Adjustment regarding Section 25-2-492 of the Land Development Code, which pertains to setback requirements.

By signing this form, I understand that I am declaring my support for the variance being requested by Scott Jacobs.

Property Address	Property Owner Name	Signature
2330 S. Lamar		

Please return this signed form in the return envelope. Thanks!

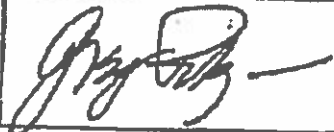
Lora Margaret Helbert

Do you have any questions? Feel free to contact me at scott.jacobs@yale.edu or 214-908-0770.

1/49

Scott Jacobs is requesting a variance from the Board of Adjustment regarding Section 25-2-492 of the Land Development Code, which pertains to setback requirements.

By signing this form, I understand that I am declaring my support for the variance being requested by Scott Jacobs.

Property Address	Property Owner Name	Signature
2008 Arpdale St.	GREG PITZER	


Please return this signed form in the return envelope. Thanks!

Do you have any questions? Feel free to contact me at scott.jacobs@yale.edu or 214-908-0770.

1750

Scott Jacobs is requesting a variance from the Board of Adjustment regarding Section 25-2-492 of the Land Development Code, which pertains to setback requirements.

By signing this form, I understand that I am declaring my support for the variance being requested by Scott Jacobs.

Property Address	Property Owner Name	Signature
2418 S. Lamar	Chris Petropoulos	

Please return this signed form in the return envelope. Thanks!

Do you have any questions? Feel free to contact me at scott.jacobs@yale.edu or 214-908-0770.

4/51

Zilker Neighborhood Association

ZilkerNA@austin.tx.com ♦ ZilkerNeighborhood.org ♦ 512-447-7681

August 8, 2016

Board of Adjustment
City of Austin Watershed Protection and
Development Review Dept.

Re: Variance request C15-2016-0084, 2003 Arpdale

Dear Chairman and Board Members:

On August 1, 2016, the executive committee of the Zilker Neighborhood Association voted to oppose the variances requested by Scott Jacobs at 2003 Arpdale, C15-2016-0084, because the application contains errors in the lot size and impervious cover calculations. When these errors are corrected, other variances will be required to satisfy the applicant's desire to create a secondary dwelling on his substandard lot. Also, the executive committee is opposed to the variances because the application meets none of the required findings regarding reasonable use, hardship, and area character.

Thank you for your service on the Board of Adjustment.

Sincerely yours,



David King,
President, ZNA

PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak **FOR** or **AGAINST** the proposed application. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice will be sent.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact person listed on a notice*); or
- appearing and speaking for the record at the public hearing; and:
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: www.austintexas.gov/devservices

Written comments must be submitted to the contact person listed on the notice before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice. All comments received will become part of the public record of this case.

Case Number: C15-2016-0084, 2003 Arpdale St.

Contact: Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov

Public Hearing: Board of Adjustment, August 8th, 2016

Your Name (please print)

George Siddle

☐ I am in favor
☐ I object

Your address(es) affected by this application

2103 Arpdale

Signature

Date

Daytime Telephone:

512-447-4588

Comments:

Comments must be returned by noon the day of the hearing in order for the Board to see them at this hearing. They may be sent via:

Mail: City of Austin-Development Services Department/ 1st Floor
Leane Heldenfels
P. O. Box 1088
Austin, TX 78767-1088

(Note: mailed comments must be postmarked by the Wed prior to the hearing to be received timely)

Fax: (512) 974-6305

Email: leane.heldenfels@austintexas.gov

5/15

PUBLIC HEARING INFORMATION

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- is the record owner of property within 500 feet of the subject property or proposed development; or
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Case Number: C15-2016-0084, 2003 Arpdale St.

Contact: Leane Heldenfels, 512-974-2202, leaneheldenfels@austintexas.gov

Public Hearing: Board of Adjustment, August 8th, 2016

Your Name (please print)

Leane Heldenfels

☐ I am in favor
☒ I object

Your address(es) affected by this application

2101 Arpdale St

Signature

9-2-16

Date

Daytime Telephone:

512 447 4388

Comments:

Comments must be returned by noon the day of the hearing in order for the Board to see them at this hearing. They may be sent via:

Mail: City of Austin-Development Services Department/ 1st Floor

Leane Heldenfels

P. O. Box 1088

Austin, TX 78767-1088

(Note: mailed comments must be postmarked by the Wed prior to the hearing to be received timely)

Fax: (512) 974-6305

Email: leaneheldenfels@austintexas.gov

5312

PUBLIC HEARING INFORMATION

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- is the record owner of property within 500 feet of the subject property or proposed development; or
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Case Number: C15-2016-0084, 2003 Arpdale St.

Contact: Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov

Public Hearing: Board of Adjustment, August 8th, 2016

☐ I am in favor
☒ I object

Your Name (please print)

George Siedall

2015 Arpdale

Your address(es) affected by this application

2015 Arpdale 9-2-16

Signature

Date

Daytime Telephone: 512 447 4388

Comments: since we've seen to be a
minimum 10' of setback for
fence

Comments must be returned by noon the day of the hearing in order for the Board to see them at this hearing. They may be sent via:

Mail: City of Austin-Development Services Department/ 1st Floor

Leane Heldenfels

P. O. Box 1088

Austin, TX 78767-1088

(Note: mailed comments must be postmarked by the Wed prior to the hearing to be received timely)

Fax: (512) 974-6305

Email: leane.heldenfels@austintexas.gov

5215

Heldenfels, Leane

5/55

From: Lorraine Atherton [REDACTED]
Sent: Friday, August 05, 2016 5:26 PM
To: Heldenfels, Leane
Subject: BoA Agenda M-1, C15-2016-0084, 2003 Arpdale
Attachments: 2003ArpdaleBoA letter.pdf

Hello, Leane.

This is regarding the variance requested at 2003 Arpdale, C15-2016-0084, item M-1 on the Board of Adjustment agenda for August 8. The attached PDF contains my personal letter of opposition to the variances, a history of the property, and a copy of an aerial photo, for a total of 5 pages. Please let me know if I will have to provide copies for the Board members.

I would be very grateful if you would include these pages in the Board's backup material and in the file for this case.

Many thanks,

Lorraine Atherton

2009 Arpdale

(512-447-7681)

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56

Lorraine Atherton
2009 Arpdale, Austin, TX 78704

August 5, 2016

Board of Adjustment
City of Austin Watershed Protection and
Development Review Dept.

Re: Variance requests C15-2016-0084. 2003 Arpdale

Dear Chairman and Board Members:

As a homeowner on Arpdale Street, I am opposed to the variances requested by Scott Jacobs at 2003 Arpdale. C15-2016-0084, to allow an outbuilding remodeled without permits to be occupied as an accessory dwelling unit.

Dimensions of the property and variances required

Based on the photographs, survey, and site plan submitted by the owner, this lot is 5514 square feet and the impervious cover is more than 60%. City Code 25-2-492 (Site development regulations) requires a minimum lot size of 5750 sf and limits this site to 45% impervious cover.

I alerted the owner and City staff to these errors on August 1 and suggested that the variance application be withdrawn, corrected to reflect the actual lot size and other dimensions, and reposted with all the variances that will be required. If the application is not withdrawn by August 8, I request that the Board of Adjustment deny the requested variances because of the substandard lot size.

Deed restrictions and single-family status

I have owned and occupied the property at 2009 Arpdale since 1983. The same deed restrictions that apply to my property apply to 2003 Arpdale. In 1939, those restrictions prohibited the use of any outbuildings as residences, and they are still in effect. I have not found any other properties in this subdivision in violation of that deed restriction. According to the documentation listed in the attached history of the property, the Travis Central Appraisal District and the City of Austin have no record of the existence of a garage or other outbuilding at 2003 Arpdale, and the property has never been classified as anything other than a single-family residence.

Construction and use of the structure

The attached aerial photo from 1966 shows a small outbuilding in the back corner of the lot. Aerial photos from 1984 and 1987 show the same structure. No aerial photos or surveys are available between 1987 and 1997. The earliest evidence of an addition to the small outbuilding is the 1997 aerial photo supplied by Mr. Jacobs. Regardless of when the addition was built, it is clear to me that it was not used as a separate dwelling before the property was sold in 2007, less than 10 years ago. The owners shared the house with two other persons, they were all listed on the same mailbox at the front door, and some of them appeared to be related.

My recollection of the remodeling of 2003 Arpdale is that the house was "re-roofed" three times in the three or four years following the sale. A great deal of work was done under CoA building permit 07-141411, dated August 6, 2007. Several color aerial photos are available

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from this period, beginning in 2006. They show a series of changes to the outbuilding, including the eastward extension of the roof over the deck.

Finally, TCAD recorded the sale to Jacobs in December 2012, and the CoA issued a permit for "window replacement" in January 2013. Again, from the street, it looked to me like the window replacement required a great deal of work on other parts of the property. When it was eventually completed, I was no longer able to tell who was living in the house, or if anyone was living there. It soon became clear that at least part of the property was being used as a commercial short-term rental. The attached history also lists the code enforcement cases from May 27, 2014, to March 22, 2016.

To summarize, I request that the Board deny the variances requested by Scott Jacobs at 2003 Arpdale, C15-2016-0084, first because the application contains errors that when corrected will require additional variances to satisfy the applicant's desire to create a second dwelling on his substandard lot; second, because the deed restrictions prohibit the use desired by the applicant; third, because the applicant has not established that the desired use existed before he purchased the property less than five years ago; and finally, because the application meets none of the required findings regarding reasonable use, hardship, and area character.

Thank you for your attention and for your service on the Board of Adjustment.

Sincerely yours,



Lorraine Atherton
2009 Arpdale
Austin, TX 78704

LI
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2003 Arpdale, History

(compiled by Lorraine Atherton, 2009 Arpdale)

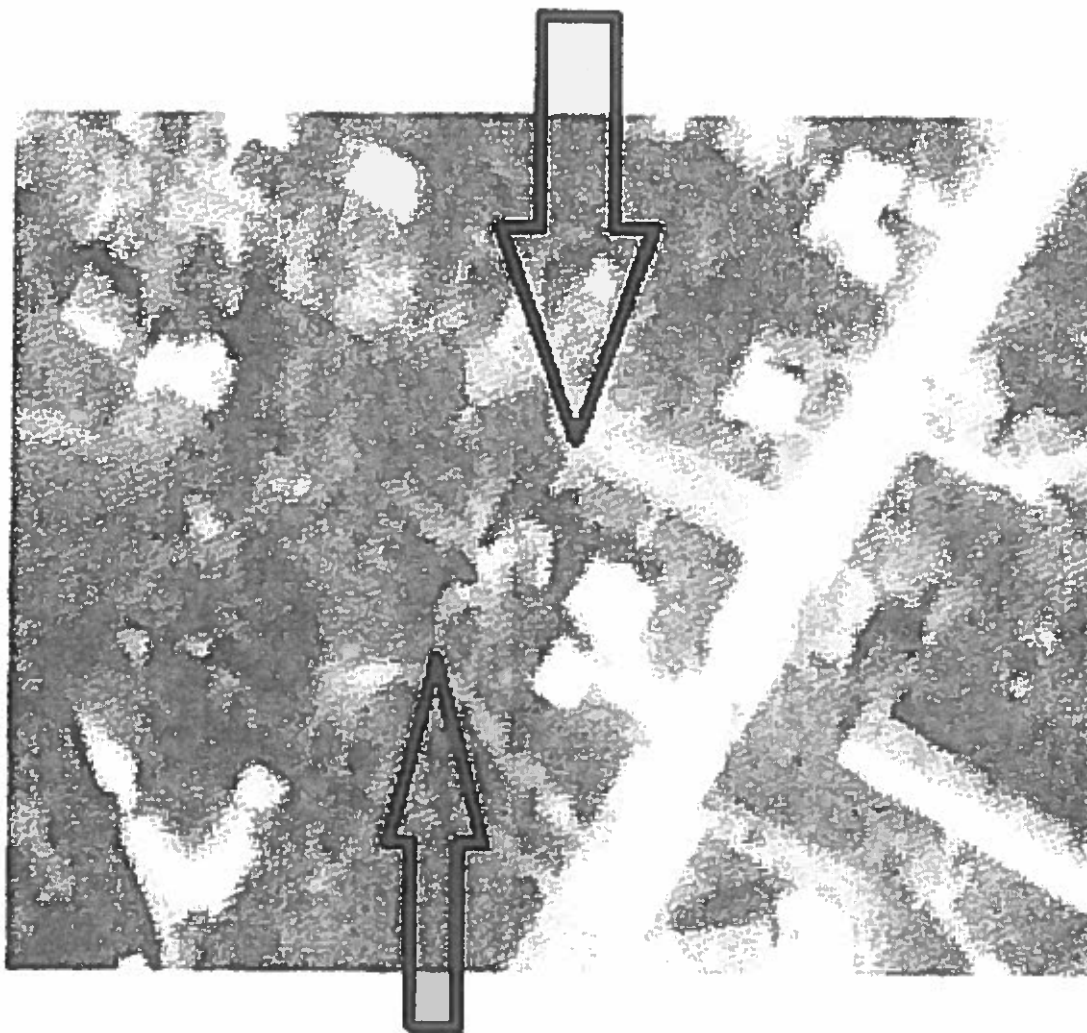
- 1939 Records of Travis County, Vol. 621, page 408, De Rance C. Rabb, Restrictive covenants for Rabb Inwood Hills subdivision. Filed July 17, 1939.
"1. No . . . residence shall be constructed on said premises other than one detached single family dwelling, constructed of frame, brick or rock; the floor space to occupy not less than eight hundred square feet; shall not exceed two stories in height, with one, two or three car garage. . . . note exception: a two family dwelling will be permitted of same construction above mentioned, the floor space to occupy not less than 1400 square feet.
"3. No trailer, basement, tent, shack, garage, barn or other out-building shall be erected or placed on said premises herein conveyed as a temporary or permanent residence."
- 1949 Web site of Travis Central Appraisal District (TCAD), property information for 2003 Arpdale (downloaded July 27, 2016). TCAD disclaimer: The Travis Central Appraisal District makes no claims, promises or guarantees about the accuracy, completeness, or adequacy of this information and expressly disclaims liability for any errors and omissions
1-family dwelling, 1049 square feet, built 1949, no garage or accessory building listed.
- 1950 Web site of City of Austin (CoA), water and wastewater connection permits for 2003 Arpdale, dated Jan. 25, 1950.
- 1954 CoA, "frame addn to res," May 14, 1954.
- 1966 aerial photo, Feb. 4, 1966, showing roof of small structure (size of one-car garage, carport, or shed) in back corner, aligned with west side of house
- 1984 aerial photo showing roof of small structure, same as 1966. Area east of structure is obscured by a tree, could be uncovered deck but there are no shadows indicating a building.
- 1987 aerial photo showing possible construction on back of house. Outline of garage or shed roof is not visible.
- 1990 TCAD, deed transaction, and CoA permits, 2003 Arpdale sold to Carrasco and Miller, May 1, 1990.
CoA permits for rebuild electric service, connect AC. gas test. plumbing inspection. install water heater in existing single-family residence, issued Oct. 23-25, 1990.
- 1997 aerial photo showing new circular driveway, flat roof on southwest corner of house, and extended roof on back structure.
CoA permit to replace breaker box, issued Oct. 7, 1997.
- 2003 aerial photo (color), Feb. 28, 2003, clearly shows differences in roof materials.
- 2006 aerial photo (color), Jan. 31, 2006, clearly shows differences in roof materials, extension of covered deck with highly reflective material.
- 2007 CoA land status determination requested by Gino Fuentes, issued Jan. 10, 2007.
TCAD, deed transaction, Carrasco and Miller to Gino Fuentes, Feb. 13, 2007.
TCAD, deed transaction, Fuentes to St. Johns Properties LLC, July 3, 2007. Survey also dated July 3, 2007, shows rectangular lot 55 x 100 feet.
CoA permit to "re-roof existing 1-story single-family res" issued Aug. 6, 2007.
TCAD, property information for 2003 Arpdale (July 27, 2016), 1-family dwelling, 430 square feet added to 1st floor in 2007, 102 square feet "porch open 1st fl" built in 2007.

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- 2008 aerial photo (color), Jan. 31, 2008, showing new roof, tree still in front yard, change in deck material.
CoA tree removal permit, including photo of driveway and front of house. Application Aug. 25, 2008, approved May 13, 2009.
- 2009 aerial photo (color), Jan. 31, 2009, showing new roof, no tree, back yard fully built out.
aerial photo (color), Nov. 24, 2009, showing highly reflective material on covered deck.
- 2011 aerial photo (color), March 9, 2011, showing extension of covered deck and change in roofing material.
- 2012 TCAD, deed transaction, St. Johns Properties LLC to Scott Jacobs, Dec. 11, 2012.
- 2013 CoA permit for window replacement issued Jan. 14, 2013.
- 2014 Code Enforcement #2014-054367 CC, Structure condition complaint May 27, 2014.
Violation found and CV notice June 16, 2014. Voluntary compliance Aug. 15, 2014.
Code Enforcement #2014-057985 CC, Land use violation complaint June 3, 2014.
CoA permit to operate a Type I short-term rental issued July 18, 2014, expired Aug. 5, 2016.
Code Enforcement #2014-077692 CC, Work without permit complaint July 23, 2014.
aerial photo (color), Oct. 2, 2014, shows extension of deck covering with highly reflective material.
- 2015 aerial photo (color), July 13, 2015, shows extension of deck covering with highly reflective material.
Code Enforcement #2015-097060 CC, Land use violation complaint Aug. 11, 2015.
Code Enforcement #2015-097846 CC, Structure condition complaint Aug. 12, 2015.
Code Enforcement #2015-126466 CC, Land use violation complaint Oct. 19, 2015.
- 2016 Code Enforcement #2016-011910 CC, Land use violation complaint Feb. 4, 2016.
Austin Water violation, plumbing permit, issued Feb. 16, 2016.
Code Enforcement #2016-017415 CC, Land use violation complaint Feb. 18, 2016.
Violation found March 2, 2016. Contact performed and AH warning prep March 18, 2016.
Code Enforcement #2016-022576 CC, Land use violation complaint March 1, 2016.
Code Enforcement #2016-030858 CC, Land use violation complaint March 19, 2016.
Code Enforcement #2016-031406 CC, Land use violation complaint March 21, 2016.
Code Enforcement #2016-031290 CC, Land use violation complaint March 21, 2016.
Code Enforcement #2016-031964 CC, Work without permit complaint March 22, 2016.
CoA residential permit application, submitted by Jacobs May 25, 2016, with site plan based on 2007 survey. Master Comment Report issued June 27, 2016, requiring variances to change use from single family to two family.

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aerial photo, Feb. 4, 1966
(print M1-174, Texas Natural
Resources Information System)

2003 Arpdale



shed

PUBLIC HEARING INFORMATION

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A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact person listed on a notice*); or
- appearing and speaking for the record at the public hearing; and:
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
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A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: www.austintexas.gov/devservices

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Case Number: C15-2016-0084, 2003 Arpdale St.

Contact: Leane Heldenfels, 512-974-2202, leaneheldenfels@austintexas.gov

Public Hearing: Board of Adjustment, August 8th, 2016

Mark Bentley
Your Name (please print)

2409 Ann Arbor Ave # B2

Your address(es) affected by this application

Mark Bentley

8/4/2016

Date

Daytime Telephone: 512-461-5375

Signature

Comments:

Comments must be returned by noon the day of the hearing in order for the Board to see them at this hearing. They may be sent via:

Mail: City of Austin-Development Services Department/ 1st Floor
Leane Heldenfels
P. O. Box 1088
Austin, TX 78767-1088

(Note: mailed comments must be postmarked by the Wed prior to the hearing to be received timely)

Fax: (512) 974-6305

Email: leaneheldenfels@austintexas.gov

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Heldenfels, Leane

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From: [REDACTED]
Sent: Monday, August 01, 2016 3:33 PM
To: Heldenfels, Leane
Subject: Case #C15-2016-0084
Attachments: Case Number C15_2016_0084.pdf

RE: Case Number C15-2016-0084, 2003 Arpdale St
Public Hearing: Board of Adjustment, August 8th, 2016
Contact: Leane Heldenfels

Leane,

Attached I submit my **objection** to the land development code variance for the above mentioned case and address. It is unacceptable to bend the law for Scott Jacobs. He has no regards for his neighbors and just this past weekend his short term rental brought more people honking horns and partying loudly in the middle of the night. Unfortunately his neighbors bedroom window is very close. I don't know how they get any sleep.

Please respond to confirm receipt of the attachment.

Enjoy your day!
Annette Gardner
2006 Arpdale St

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Case Number: C15-2016-0084, 2003 Arpdale St.

Contact: Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov

Public Hearing: Board of Adjustment, August 8th, 2016

Margaret McNeil
Your Name (please print)

☐ I am in favor
☒ I object

2005 Arpdale
Your address(es) affected by this application

Margaret McNeil
Signature

Date

Daytime Telephone: (830) 379-1600

Comments: I bought my house in 2009 w/ the expectation that
there are reasons in zoning ordinances and that they
would be enforced. I did not expect the neighbor
to increase and turn his residence into an unregulated
short term rental w/ many complaints & violations or
heard. As the neighbor is questionable, most effected
oppose all variance especially related to how close the
structure can be to my house. I am more concerned by
the environmental effects of unregulated cover
Comments must be returned by noon the day of the hearing in order for the Board to see them at this hearing. They may be sent via: than any other that ostensibly would be caused

Mail: City of Austin-Development Services Department/ 1st Floor
Leane Heldenfels by the structure being demolished

P. O. Box 1088

Austin, TX 78767-1088

(Note: mailed comments must be postmarked by the Wed prior to the hearing to be received timely)

Fax: (512) 974-6305

Email: leane.heldenfels@austintexas.gov

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PUBLIC HEARING INFORMATION

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Case Number: C15-2016-0084, 2003 Arpdale St.

Contact: Leane Heldenfels, 512-974-2202, leana.heldenfels@austintexas.gov

Public Hearing: Board of Adjustment, August 8th, 2016

HELEN WEST

Your Name (please print)

2000 ARPDAL

Your address(es) affected by this application

Leane Heldenfels

Signature

Date

Daytime Telephone: **210/862-8092**

Comments:

*I have no problem with
now do I object to the
variances I brought by
Mr. Jacob.*

Comments must be returned by noon the day of the hearing in order for the Board to see them at this hearing. They may be sent via:

Mail: City of Austin-Development Services Department/ 1st Floor

Leane Heldenfels

P. O. Box 1088

Austin, TX 78767-1088

(Note: mailed comments must be postmarked by the Wed prior to the hearing to be received timely)

Fax: (512) 974-6305

Email: leana.heldenfels@austintexas.gov

6/15

