CITY OF AUSTIN
Board of Adjustment
Decision Sheet

DATE: Monday, April 10, 2017 **CASE NUMBER: C15-2016-0084**

___Y____Brooke Bailey
___Y____William Burkhardt
___Y____Eric Goff
___Y____Melissa Hawthorne
___Y____Bryan King
___Y____Don Leighton-Burwell
___Y____Rahm McDaniel
___Y____Veronica Rivera
___-____James Valadez absent
___Y____Michael Von Ohlen
___Y____Kelly Blume (Alternate)
___-____Martha Gonzalez (Alternate)
___Y____Pim Mayo (Alternate)

OWNER/APPLICANT: Scott Jacobs

ADDRESS: 2003 ARPDALE 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: 1-9-17 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.

RENOTIFICATION: March 13, 2017 The applicant has requested variance(s) to:
A. Section 25-2-492 (D) (Site Development Regulations) to decrease the minimum east 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. decrease the minimum lot size from 5,750 square feet (required/permitted) to 5,500 square feet (requested, existing); and to
D. decrease the maximum building cover from 40% (required/permitted) to 41% (requested, existing); and to

E. decrease the maximum impervious cover from 45% (required/permitted) to 52% (requested, existing); and to
F. Section 25-2-774 (Two-Family Residential Use) (B) to decrease the minimum lot area for a two-family residential use from standard lot size of 5,750 square feet (required) to 5,540 square feet (requested, existing); and to
G. (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 for use as a 2nd dwelling unit in a "SF-3", Family Residence zoning district.

BOARD'S DECISION: 3-3-17 Board Member Melissa Hawthorne motion to Postpone to April 10, 2017 (last postponement), Board Member Melissa Neslund second on a 10-1 vote (Board member Bryan King nay); POSTPONED TO APRIL 10, 2017 (LAST POSTPONEMENT); April 10, 2017 The public hearing was closed on Board Member Bryan King motion to Deny, Board Member Don Leighton-Burwell second on an 11-0 vote; DENIED.

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

2003 Arpdale Street Reconsideration Request

MAY 2017

Letter to the Board

To the Board of Adjustment,

I respectfully request a reconsideration of your 4/10 decision on my case. I will be flying in for the hearing (if you decide to rehear it) during the final week of the spring semester of my MBA program. There are some key points and facts that were not clearly communicated to the board during the last meeting. The clarifications are:

- **Reason for reconsideration** – My case was denied under the assumption that I could achieve the variances in my application through a special exception. Unfortunately, this is not the case. A special exception will help with the side and rear set backs to use only as an accessory structure. It would not cover the variances related to the sub-standard lot size or distance between dwellings.
- **Strong neighborhood support –** Over 80% of my neighbors living within 300 ft of me signed a petition in support of me keeping my ADU.
- **Historical timelines** – Further detail regarding homeownership, homestead exemptions, renting, etc.

I have also worked diligently over the last week to coordinate contractors and conduct further research to provide the following new evidence:

- **Aerial photos** – Hired a drone to take new photos of house
- **New survey –** Hired surveyor to draft new survey for coverage calculations
- **Construction plan –** Plan calls for adding fireproof siding and bringing impervious and building coverage into compliance
- **Proof for when the garage was converted to an ADU –** 7 past residents have given testimonials providing further proof of conversion prior to 1990
- **Photo proof of driveway and ADU** – Photos prove driveway and ADU have been there for over 11 years

I'd like to reiterate that **over 80% of my neighbors living within 300 ft of me signed a petition in support of me keeping my ADU**. I would also like to note that my **new development plans bring me into compliance with coverage requirements** so I will be reducing my variances requested.

I appreciate your reconsideration of this case.

Sincerely,

Scott Jacobs

Revised Variance Summary

Decrease min side setback from 5ft to 4ft
Decrease min rear setback from 10ft to 6ft
Decrease min distance between dwellings from 10ft to 7.3ft
Decrease min lot size from 5750 sq ft to 5500 sq ft

Why is this variance request the only option?

A **special exception** would only grant me variances for the rear and side setbacks for use as an accessory structure.

I would still need the variances to use the structure as an accessory dwelling.

I am **3 years short** from meeting the **substandard lot requirements** of 25-2-943.

The grandfather clause pertains to properties deed divided prior to 1946. My lot was deed divided in 1949.

I am **4 years short** from meeting the requirements for an **amnesty certificate of occupancy** for the ADU.

The requirement is to prove occupancy in or before 1986. I can only prove occupancy since 1990.

Key points to remember

- Over 80% of my immediate neighbors are in support of the accessory dwelling variances
- Strong evidence proves occupancy of accessory dwelling since before 1990
- Owner has been fully cooperative in process and brought impervious coverage into compliance

Overview

New Material for Reconsideration……5

- Requested aerial photograph
- New impervious coverage survey
- Development plan to resolve safety issues and meet impervious and building coverage
- New evidence of ADU conversion prior to 1990

Clarifications……13

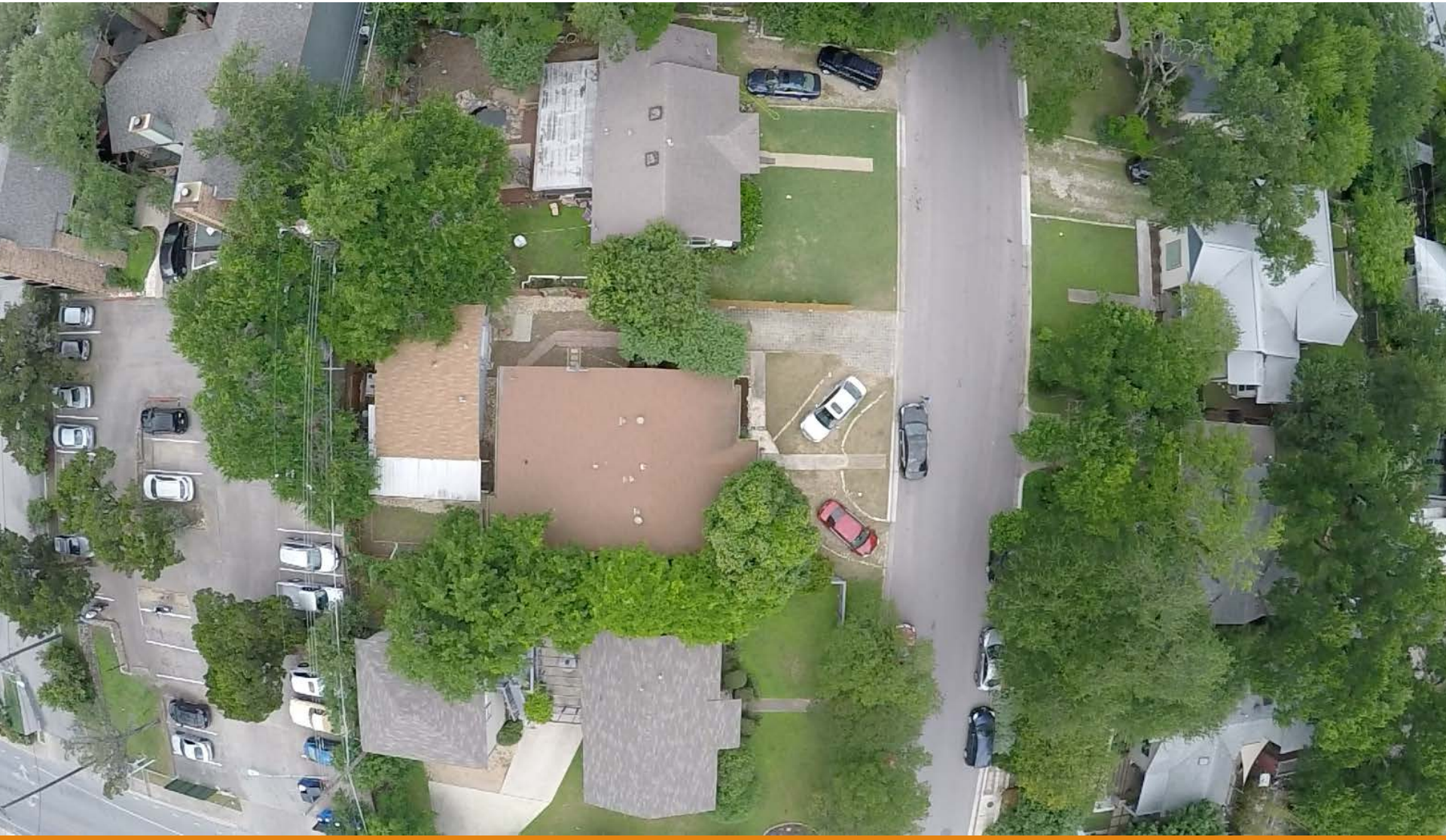
- Owner and rental history
- Support letter from Friends of Zilker Neighborhood Association
- Petition signed by over 80% of neighborhood in support of ADU

Appendix……17

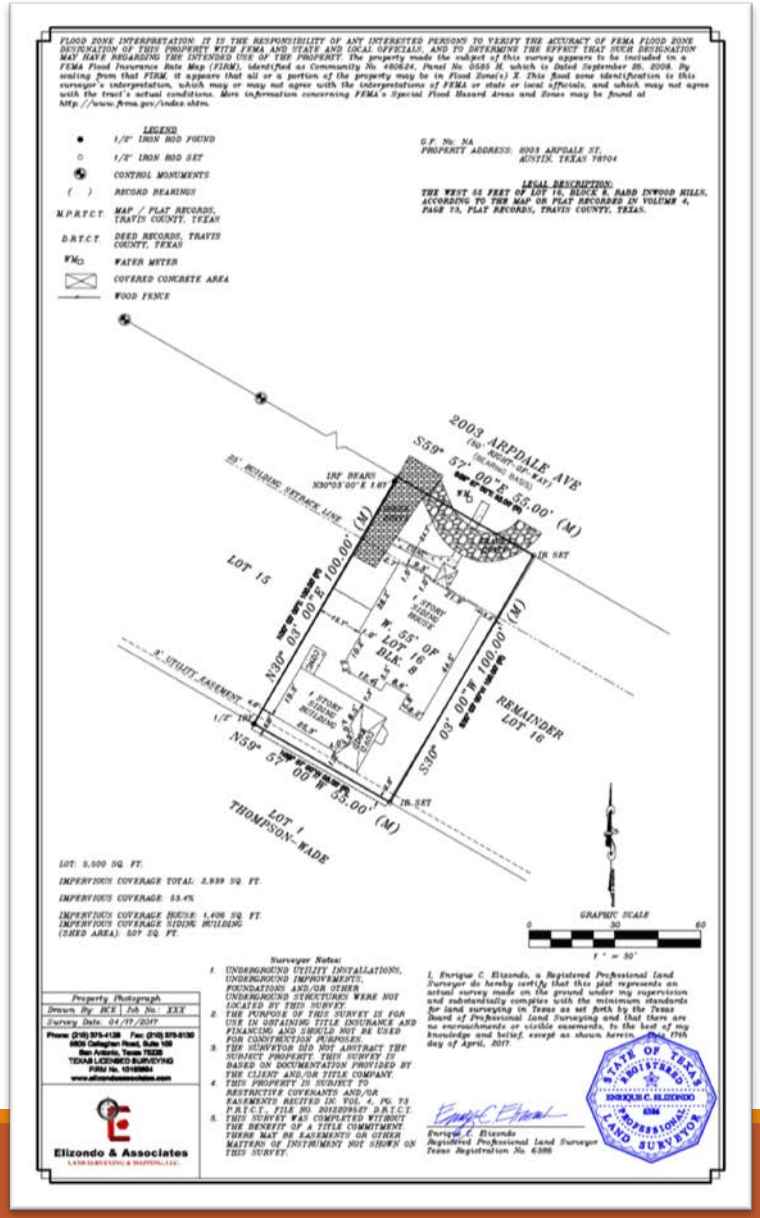
- Past resident testimonials

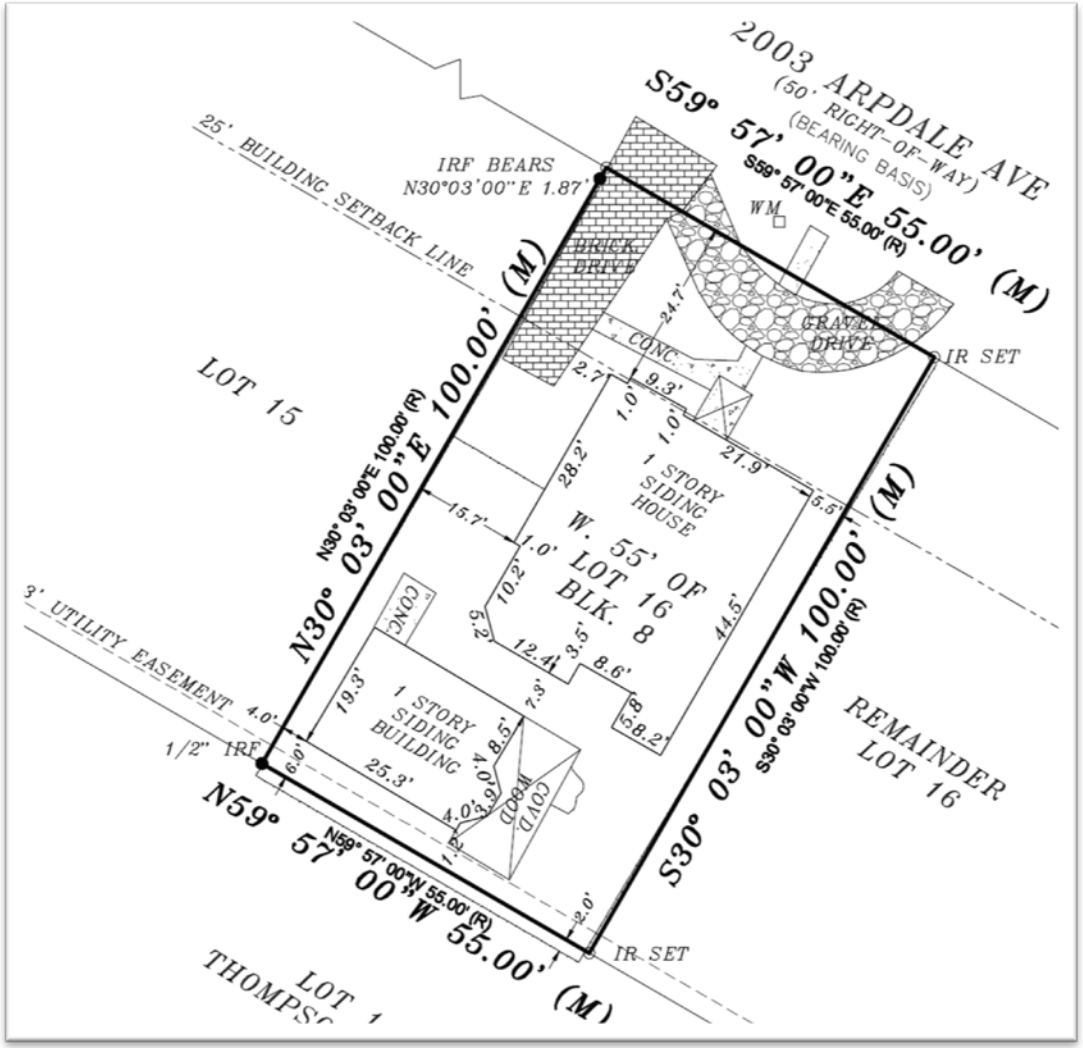
New Material for Reconsideration

Aerial photograph



New survey (drafted 4/17/17)





Evidence for conversion prior to 1990

Testimonials

1990 1991 1992 1993 1994 1995 1996 1997 1998 1999 2000 2001 2002 2003 2004 2005 2006 2007

(signed testimonials and email correspondence in appendix)

Back-house Tenants

David Spears
1993-1998
"I lived in the back house. It had everything. A full kitchen and bath."

David Rodriguez
1998-2002
"I lived In the back garage apt. for 5 yrs…it had a bedroom, bathroom, kitchen, and living room . "

Greg Nisbet
2000-2002
"I lived back there for a short while. There had to be a kitchen and a bathroom"

Ryan Schuermann
2002-2007
"I lived back there until Gilbert had to sell the house. I added the deck though."

Home-owners

Gilbert Carrasco
1990-2007
"There was someone living in the garage apartment when I purchased the house"

Front-house Tenants

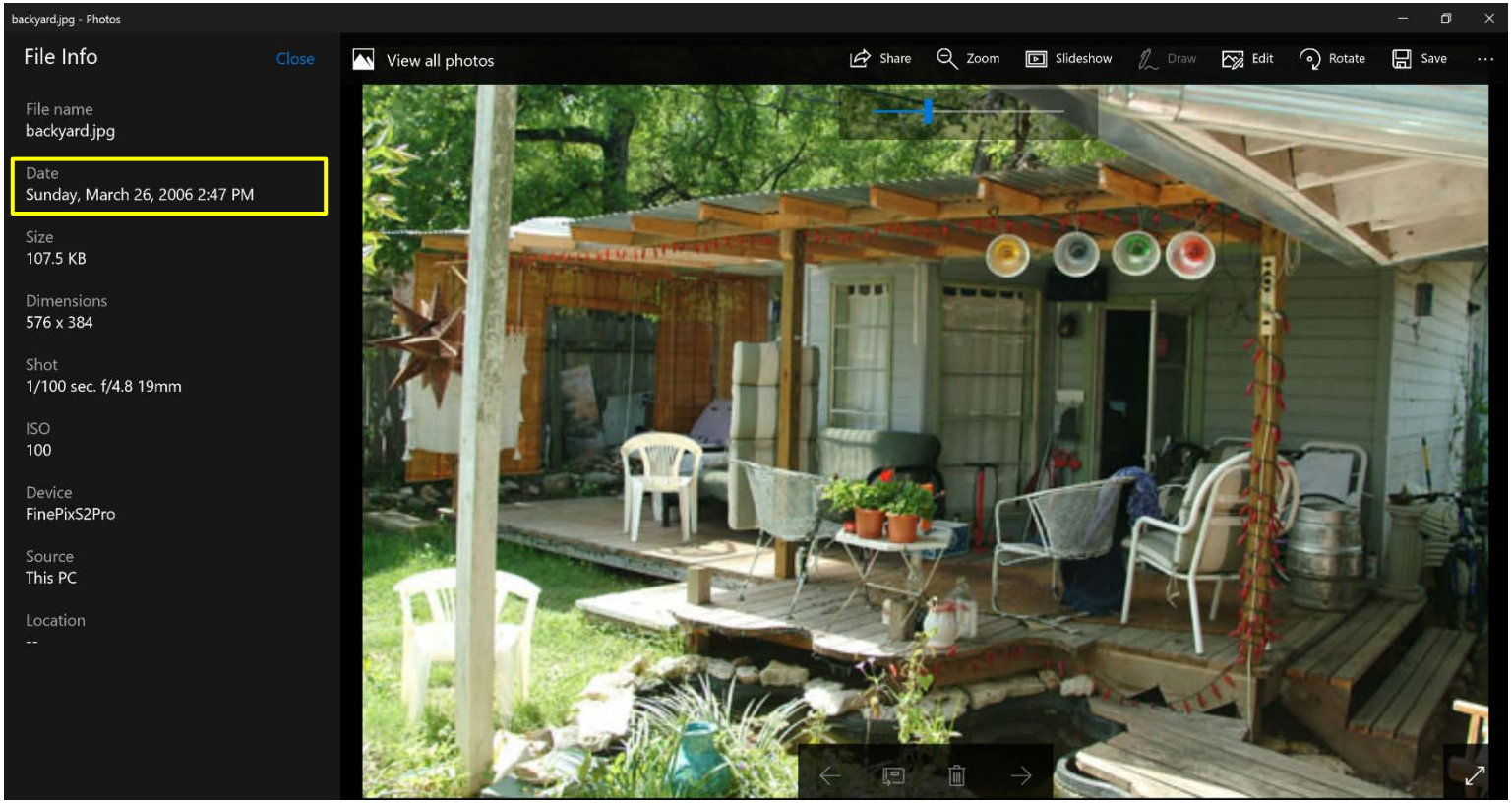
Chris Dykes
1997-2003
"John and Gilbert rented the back unit out…I am almost positive that it had a bathroom and some type of kitchen or kitchenette."

Jana Moore
2002-2007
"I lived in the front master of 2003 Arpdale. From 2002 until Gilbert put it on the market. Ryan and Becky lived in the back house."

The back structure has been occupied as an ADU since before 1990

Covered porch was built at least 11 years ago

Ryan Schuermann Back-house tenant 2002-2007	"Yes, I lived back there for many years. My girlfriend at the time lived there with me too. No contracts though. The garage apartment had a full kitchen and bathroom, I have plenty of photos as proof. I installed the tile in the living areas and built a front porch. I definitely moved out in Feb of 2007 as my last photos are from Jan 2007 and 2002 is probably accurate for move in."



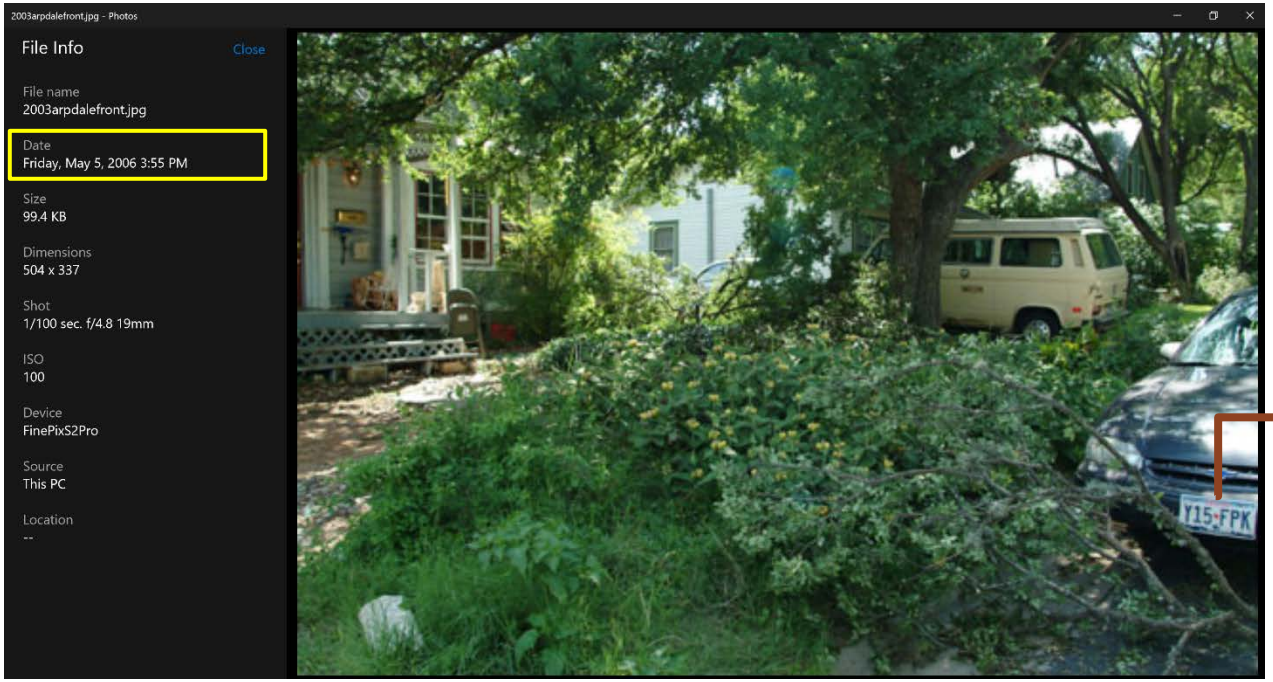
Covered porch and ADU existed in 2006

Circular driveway built at least 11 years ago

Ryan's testimonial suggests that the driveway was there in 2002

Ryan Schuermann Back-house Tenant 2002-2007	"I recall a non-paved circular driveway-ish that the owners did use that was there when I moved in, it is shown in the photos."

Photos and license plate evidence **prove** that circular driveway existed prior to April of 2007



Vehicle Specifications

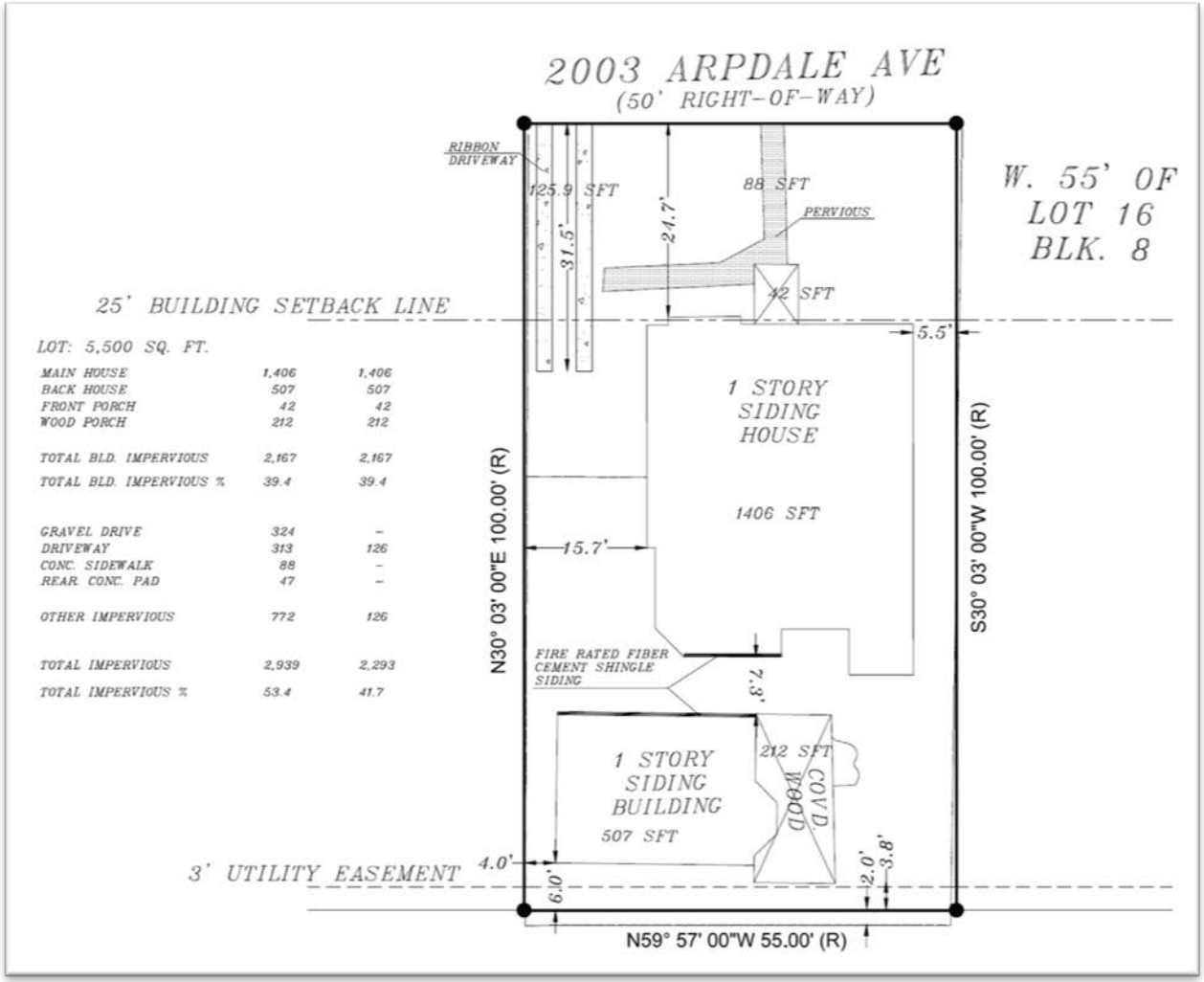
Owner Name	LOWELL T DEYKES JR
Owner Street	2003 ARPDALE ST
Owner City	AUSTIN
Owner State	TX
Owner ZIP Code	78704-
Previous Owner Name	LOWELL T KEYKES
Previous Owner City	BLOOMINGTON
Previous Owner State	IN
Renewal Notice Street	
Renewal Notice City	
Renewal Notice State	
Renewal Notice ZIP Code	
Renewal Notice ZIP+4	
License Plate Number	Y15FPK
Previous License Plate Number	Y15FPK
Previous Expiration Month	04
Previous Expiration Year	2006
Registration Expiration Year	2007
Registration Expiration Month	04
Registration Effective	May 10 2006
Title Date	Jun 3 2004
Ownership Information	01 = TEXAS TITLE
Model Year	1996
Make	CHEVROLET
Model	LUM
Model Description	CHEVROLET LUMINA

Circular driveway was likely built prior to 2002

Development plan & coverage calculations

- **Step 1**: Remove circular driveway and concrete pad
- **Step 2**: Modify pathways to pervious material
- **Step 3**: Convert driveway to ribbon strips
- **Step 4**: Install 5-hour rated fire-resistant siding between units

	Current	Future
Impervious Coverage	53%	42%
Building Coverage	39%	39%

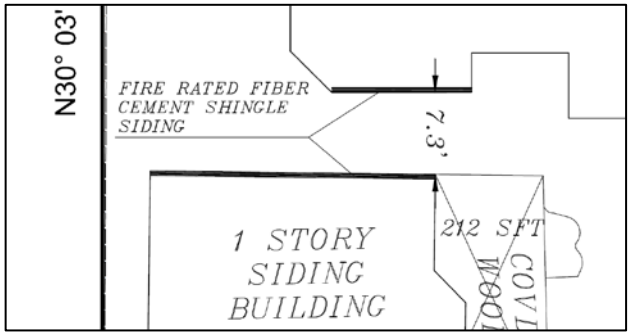


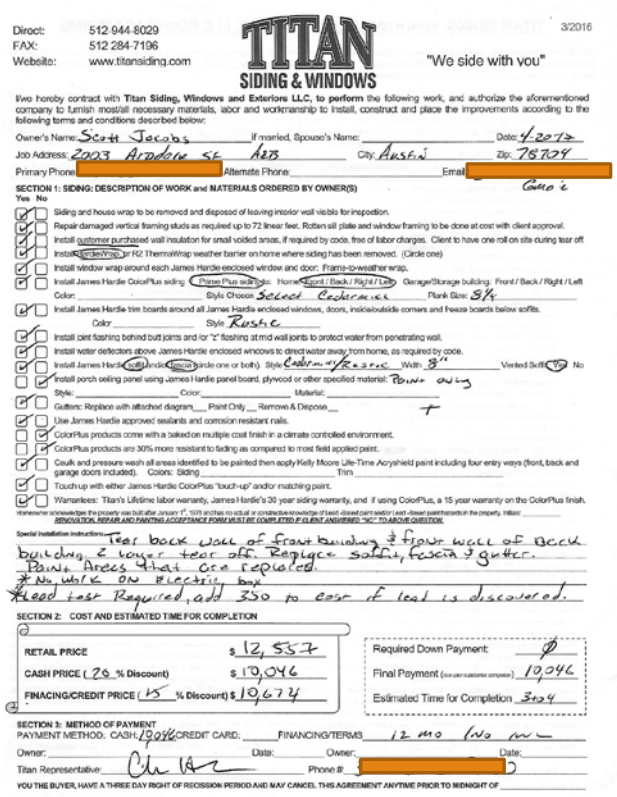
New plan brings property into compliance with impervious and building coverage

Construction plan - Siding details

The wall siding of the exterior walls which face each other in the 7.3ft setback will be replaced with **Weatherside Fiber Cement Shingle Siding**[1].

The material is rated as a Noncombustible Building Material.





Direct: 512-944-8029
FAX: 512-284-7196
Website: www.titansiding.com

TITAN SIDING & WINDOWS

"We side with you"

3/2016

We hereby contract with **Titan Siding, Windows and Exteriors LLC, to perform** the following work, and authorize the aforementioned company to furnish most/all necessary materials, labor and workmanship to install, construct and place the improvements according to the following terms and conditions described below:

Owner's Name: Scott Jacobs If married, Spouse's Name: _____ Date: 4-2017

Job Address: 2003 Airdrie St Austin City: Austin Zip: 78704

Primary Phone [redacted] Alternate Phone: _____ Email [redacted]

SECTION 1: SIDING: DESCRIPTION OF WORK and MATERIALS ORDERED BY OWNER(S)

Yes No

- [x] [ ] Siding and house wrap to be removed and disposed of leaving interior wall visible for inspection.
- [x] [ ] Repair damaged vertical framing studs as required up to 72 linear feet. Rotten sill plate and window framing to be done at cost with client approval.
- [x] [ ] Install customer purchased wall insulation for small visited areas, if required by code, free of labor charges. Client to have one roll on site during tear off
- [x] [ ] Install (Tyvek/Wrap) or R2 ThermaWrap weather barrier on home where siding has been removed. (Circle one)
- [x] [ ] Install window wrap around each James Hardie enclosed window and door: Frame-to-weather wrap.
- [x] [ ] Install James Hardie ColorPlus siding (Prime Plus with) Style: Home: Front / Back / Right / Left, Garage/Storage building: Front / Back / Right / Left
  Color: _____ Style Chosen: Select Cedarmill Plank Size: 8¼
- [x] [ ] Install James Hardie trim boards around all James Hardie enclosed windows, doors, inside/outside corners and fascia boards below soffits.
  Color _____ Style Rustic
- [x] [ ] Install pint flashing behind butt joins and /or "z" flashing at mid wall joints to protect water from penetrating wall.
- [x] [ ] Install water deflectors above James Hardie enclosed windows to direct water away from home, as required by code.
- [x] [ ] Install James Hardie (soffit) (fascia) (circle one or both) Style Cedarmill/Rustic With: 8" Vented Soffit (Yes) No
- [ ] [x] Install porch ceiling panel using James Hardie panel board, plywood or other specified material: Paint only
  Style: _____ Color: _____ Material: _____
- [x] [ ] Gutters: Replace with attached diagram ___ Paint Only ___ Remove & Dispose ___ +
- [x] [ ] Use James Hardie approved sealants and corrosion resistant nails.
- [ ] [x] ColorPlus products come with a baked on multiple coat finish in a climate controlled environment.
- [ ] [x] ColorPlus products are 30% more resistant to fading as compared to most field applied paint.
- [x] [ ] Caulk and pressure wash all areas identified to be painted then apply Kelly Moore Life-Time Acryshield paint including four entry ways (front, back and garage doors included). Colors: Siding _____ Trim _____
- [x] [ ] Touch up with either James Hardie ColorPlus "touch-up" and/or matching paint.
- [x] [ ] Warranties: Titan's Lifetime labor warranty, James Hardie's 30 year siding warranty, and if using ColorPlus, a 15 year warranty on the ColorPlus finish.

Homeowner acknowledges the property was built after January 1st, 1978 and has no actual or constructive knowledge of lead-based paint and/or Lead-Based paint hazards in the property. Initials: _____

RENOVATION, REPAIR AND PAINTING ACCEPTANCE FORM MUST BE COMPLETED IF CLIENT ANSWERED "NO" TO ABOVE QUESTION

Special Installation Instructions: Tear back wall of front building & front wall of back building & layer tear off. Replace soffit, fascia & gutter. Paint areas that are replaced.
* No work on electric box
* Lead test required, add 350 to cost if lead is discovered.

SECTION 2: COST AND ESTIMATED TIME FOR COMPLETION

RETAIL PRICE	$ 12,557	Required Down Payment: Ø
CASH PRICE (20 % Discount)	$ 10,046	Final Payment (due upon successful completion): 10,046
FINACING/CREDIT PRICE (15 % Discount)	$ 10,674	Estimated Time for Completion: 3to4

SECTION 3: METHOD OF PAYMENT

PAYMENT METHOD: CASH: 10046 CREDIT CARD: _____ FINANCING/TERMS 12 mo 1no int

Owner: _____ Date: _____ Owner: _____ Date: _____

Titan Representative: _____ Phone #: [redacted]

YOU THE BUYER, HAVE A THREE DAY RIGHT OF RECISSION PERIOD AND MAY CANCEL THIS AGREEMENT ANYTIME PRIOR TO MIDNIGHT OF _____

(1) – This is a recommendation. Willing to use any material suggested by the City of Austin Health and Safety.

Clarifications

Clarification of homeowner's history

2012	2013	2014	2015	2016	2017

Owners Occupation

Consultant at Accenture
Austin, TX || 2012-2014
This job required 90% travel, but I hardly ever rented the place out.

Launched Charitable Organization, Charity Charge
Austin, TX || 2014-2015
Rented out to help with living expenses since I had no income.

MBA Candidate at Yale
New Haven, CT || 2015-Current
Rented out back house to make sure house was kept up.
Primarily Long-Term Renting

Homestead

I bought 2003 Arpdale St. as my first and only house in 2012, moved my belongings are in the back house, and have never moved out since. There has never been a permanent resident; however, I have people stay there as a means of house-sitting and occasionally for financial reasons (like when I was founding Charity Charge).

Renting

Long Term Renting + SXSW
2013-2014
Average length of stay: 30 days

Mix of Long Term / Short Term Renting
2014-2016
Average length of stay: 9 days

Long Term Renting
2016-Current
Average length of stay: 66 days

STR Permit (1)
2014-2016

(1) – I had no intentions of renting short-term until the owner of 2005 Arpdale asked me to get the permit after renting during SXSW. Then, after obtaining the permit, the volume of short term rentals picked up, and the owner of 2005 Arpdale asked me to stop renting short term. I voluntarily let the permit expire to try to ease the tension with the owner of 2005 Arpdale St.

Homeowner has tried to be cooperative and compliant

Friends of Zilker NA supports the variance

Friends of Zilker
NEIGHBOORHOOD ASSOCIATION

March 4, 2016

From : Friends of Zilker Neighborhood Association
To : Board of Adjustment
Regarding : 2003 Arpdale St Austin TX 78704

To whom it may concern,

Friends of Zilker Neighborhood Association supports the following resolution that:

> "Land use determinations shall be made based on City and neighborhood zoning and planning documents and private deed restrictions shall only be enforced through action in civil court."
>
> (This is in response to punitive actions made against a property owner at 2003 Arpdale for an existing development that is perceived to be in conflict with private deed restrictions. This case is arbitrary given that multiple other similar conditions exist in the neighborhood and on the same street.)

Furthermore, our organization found at least a dozen other properties in the Rabb Inwood Subdivision that currently have (or previously had) ADUs / guest houses including :

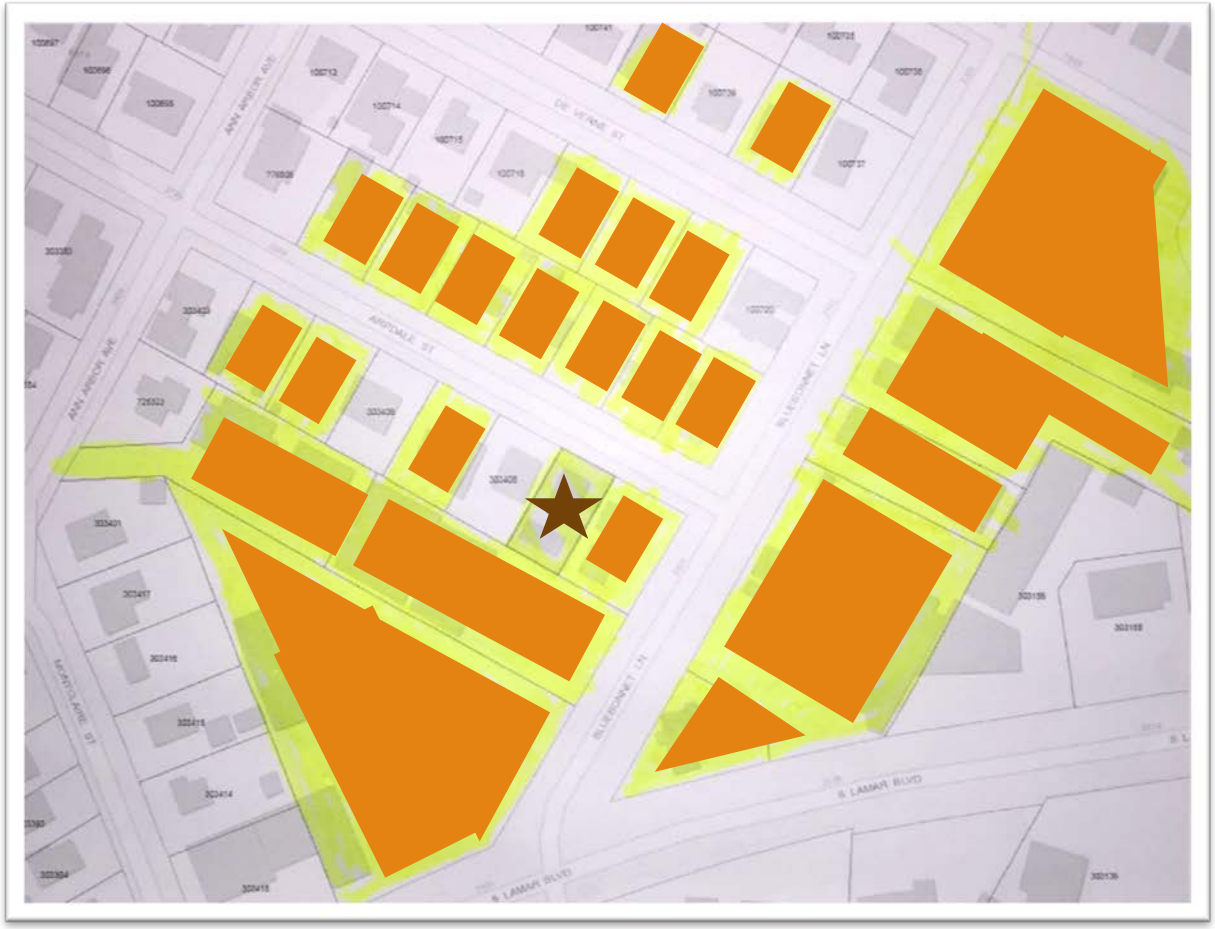
- 2202 Paramount Ave
- 2112 Montclaire St
- 2102 Montclaire St
- 2006 Montclaire St
- 2205 La Casa Dr
- 2110 La Casa Dr
- 2108 La Casa Dr
- 2104 La Casa Dr
- 2200 De Verne
- 2012 Arpdale St
- 2007 Arpdale St
- 2003 Arpdale St

Thank you,
Mary Owens, Secretary of Friends of Zilker

The neighborhood is in near full support of the ADU variances

Over 80% of the owners within 300ft **support the variances** for the ADU

The Zilker Neighborhood Association doesn't seem to be aligned with the neighborhood.



*Highlighted property owners signed petition in support of variances for ADU

The neighborhood is in near full support of the ADU variances

Appendix

Testimonials from past residents of 2003 Arpdale

I got in touch with past owners, backhouse residents, and front house residents using the White Pages.

They not only confirmed the use of the back structure as a dwelling, but they also confirmed that it had a bathroom and kitchen.

Testimonials further support claim that ADU was converted prior to 1990

Testimonial from Gilbert Carrasco-Miller

Gilbert owned the house from 1990-2007.

Scott,

I bought the house at 2003 Arpdale as a foreclosure in 1990. The garage apartment had a functioning bath and small kitchen. I can't remember the name of the person who stayed at the garage apartment.

Thank you,

Gilbert Carrasco-Miller

Gilbert Carrasco-Miller

Confirms ADU occupancy in 1990

Testimonial from David Spears

White pages suggests David lived at 2003 Arpdale from 1993 to 1998.

04-18-17

Howdy Scott,

I did indeed reside in the garage residence at 2003 Arpdale, in Austin, TX, during the early 90's.
The garage unit, which was an efficiency unit, had a small kitchen and a fully functional bathroom. My brother, his new wife, and their first child resided in the house next door on the western side.
The main house was occupied by the two owners, Gilbert and John.
At the time of my residence they also had a roommate named Donnie, who later died at an AIDS Hospice, newly opened in East Austin. While I helped as a volunteer, to construct the facility, I do not know the address.

Sincerely,

David W. Spears

Confirms ADU occupancy in 1993

Testimonial from Chris Dykes

White pages suggests Chris lived at 2003 Arpdale from 1997 to 2003.

From: Chris Dykes [mailto:chrisdykes@[redacted]
Sent: Tuesday, April 18, 2017 11:09 AM
To: Jacobs, Scott <Scott.Jacobs@yale.edu>
Subject: Re: Looking for info regarding 2003 Arpdale St

Hi Scott,
I can tell you that when I lived there the owners, John and Gilbert, rented the back unit out. That is, a paying tenant actually lived there. I am almost positive that it had a bathroom and some type of kitchen or kitchenette. I hope that helps. Feel free to reply with any more questions.
Chris

Confirms ADU occupancy in 1997

Testimonial from David Rodriguez

White pages suggests David lived at 2003 Arpdale from 1998 to 2006.

From: David G Rodriguez <[redacted]>
Sent: Tuesday, April 18, 2017 8:24:56 PM
To: Jacobs, Scott
Subject: Re: Looking for info regarding 2003 Arpdale St

Hi Scott, yes I lived In the back garage apt. for 5 yrs.. During those 5 yrs it had a bedroon. Bathroom ,kitchen,and living room . I anytime day it was about 524 sq.ft. I can't remember off hand the dates of the five yrs. But will do some research a d come up with the exact dates of my life in there. Thank you,
David Rodriguez
(512[redacted]

Confirms ADU occupancy in 1998

Testimonial from Greg Nisbet

White pages suggests David lived at 2003 Arpdale from 2000 to 2002.

From: gregni[redacted] <gregni[redacted]>
Sent: Tuesday, April 18, 2017 6:28:05 AM
To: Jacobs, Scott
Subject: Re: Looking for info regarding 2003 Arpdale St

HELLO SCOTT...

..THE BACK HOUSE WAS OCCUPIED DURING THE FEW YEARS THAT I LIVED IN THE MAIN HOUSE...GILBERT HAD AT SOME POINT TURNED WHAT ONCE WAS A GARAGE INTO A GUEST HOUSE FOR THE PURPOSE OF RENTING FOR ADDITIONAL INCOME..

I WAS IN THE GUESTHOUSE JUST ONE SHORT TIME, BUT I THINK THERE WAS PROBABLY A KITCHEN AND A BATHROOM...THERE HAD TO BE..

I HOPE THIS INFO HELPS YOU OUT...

GREG NISBET

Confirms ADU occupancy in 2000

Testimonial from Ryan Schuermann

To whom it may concern,

I attest that I resided in the back garage apartment located at 2003 Arpdale, Austin Texas 78704 from 2002 until February of 2007. Upon moving into said property, the garage apartment was furnished with a full kitchen, full bathroom, bedroom, and living space (see photos). There was a small wood deck attached to the front. In addition, there was a driveway extending from the curb to the garage apartment and a circular driveway located in the front of the property where I would park my two vehicles (see photos).

Below is a copy of an email receipt from an online purchase. In addition, date and timestamps are embedded in the photographs' metadata. I attest that I personally took all photos attached with my own digital equipment and only modified them for reduction in size purposes in Photoshop Elements.

4/19/2017

Signed Date

Ryan Schuermann

Musiciansfriend.com

ORDER NUMBER I6584601 11/11/06
SHIP TO:
RYAN SCHUERMANN
2003 ARPDALE ST
AUSTIN, TX 78704-3901

QTY	DESCRIPTION	AMOUNT
1	DEAN M 2556 ELEC BLUE STEEL CRYOGENIC RW REG KC	4.89
1	ROCKTRON SHORT TIMER RETRO DELAY STOMPBOX KC	59.99

PRODUCT 64.88
TAX 0.00
POSTAGE & HANDLING 8.95

PAYPAL 2-22-06 TOTAL $ 73.83

Bathroom sink, shower, and kitchen

Common living space, dining space

Driveway with circular drive spur

Confirms ADU occupancy in 2002

Testimonial from Jana Moore

Since Gilbert sold the house in 2007, Jana lived at 2003 Arpdale from 2002 to 2007.

From: jana moore [mailto:iamjanalynmoore2[redacted]
Sent: Tuesday, April 18, 2017 2:15 PM
To: Jacobs, Scott <Scott.Jacobs@yale.edu>
Subject: Re: Looking for info regarding 2003 Arpdale St

Hi there Scott.

I lived in the front master of 2003 Arpdale. From 2002 until Gilbert put it on the market. Ryan and Becky lived in the back house. We had epic parties in that back yard. Lots of bands played on that stage and on the roof of the main house. Lots of memories of that fun house.

Cheers,

Jana Moore

Confirms ADU occupancy in 2002

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 stn.

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 Street
Contact: Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov
Public Hearing: Board of Adjustment, August 13th, 2017

HELEN WEST
Your Name (please print)

☒ **I am in favor**
☐ **I object**

2000 ARPDALE 78704
Your address(es) affected by this application

Helen L. West — 4-13-17
Signature — *Date*

Daytime Telephone: 210-862-8092

Comments: I have no objection to the request of my neighbor @ 2003 Arpdale

Comments must be received by noon the day of the hearing in order to be seen by the Board 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

CITY OF AUSTIN
Board of Adjustment
Decision Sheet

DATE: Monday, March 13, 2017 **CASE NUMBER: C15-2016-0084**

___-____Brooke Bailey (Absent)
___y____William Burkhardt
___y____Eric Goff
___y____Melissa Hawthorne Motion to PP to April 10th (late time for ppmt)
___n____Bryan King
___y____Don Leighton-Burwell
___y____Rahm McDaniel
___y____Melissa Neslund 2nd the Motion
___-____Veronica Rivera out-not able to serve due to lack of training
___y____James Valadez
___-____Michael Von Ohlen out-not able to serve due to lack of training
___y____Kelly Blume (Alternate)
___y____Martha Gonzalez (Alternate)
___y____Pim Mayo (Alternate)

OWNER/APPLICANT: Scott Jacobs

ADDRESS: 2003 ARPDALE 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.**

RENOTIFICATION: March 13, 2017 The applicant has requested variance(s) to:
A. Section 25-2-492 (D) (Site Development Regulations) to decrease the minimum east 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. decrease the minimum lot size from 5,750 square feet (required/permitted) to 5,500 square feet (requested, existing); and to

D. decrease the maximum building cover from 40% (required/permitted) to 41% (requested, existing); and to

E. decrease the maximum impervious cover from 45% (required/permitted) to 52% (requested, existing); and to

F. Section 25-2-774 (Two-Family Residential Use) (B) to decrease the minimum lot area for a two-family residential use from standard lot size of 5,750 square feet (required) to 5,540 square feet (requested, existing); and to

G. (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 for use as a 2nd dwelling unit in a "SF-3", Family Residence zoning district.

BOARD'S DECISION: The public hearing was closed on Board Member Melissa Hawthorne motion to Postpone to April 10, 2017 (last postponement), Board Member Melissa Neslund second on a 10-1 vote (Board member Bryan King nay); POSTPONED TO APRIL 10, 2017 (LAST POSTPONEMENT).

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

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 ARPDALE 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

C15-2016-0084

Heldenfels, Leane

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

UPDATED!

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

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

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 tby 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 gargae built in 1949 in the rear of their property that are of sufficent size to be to be converted into a secondary dwelling unit.

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:

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).

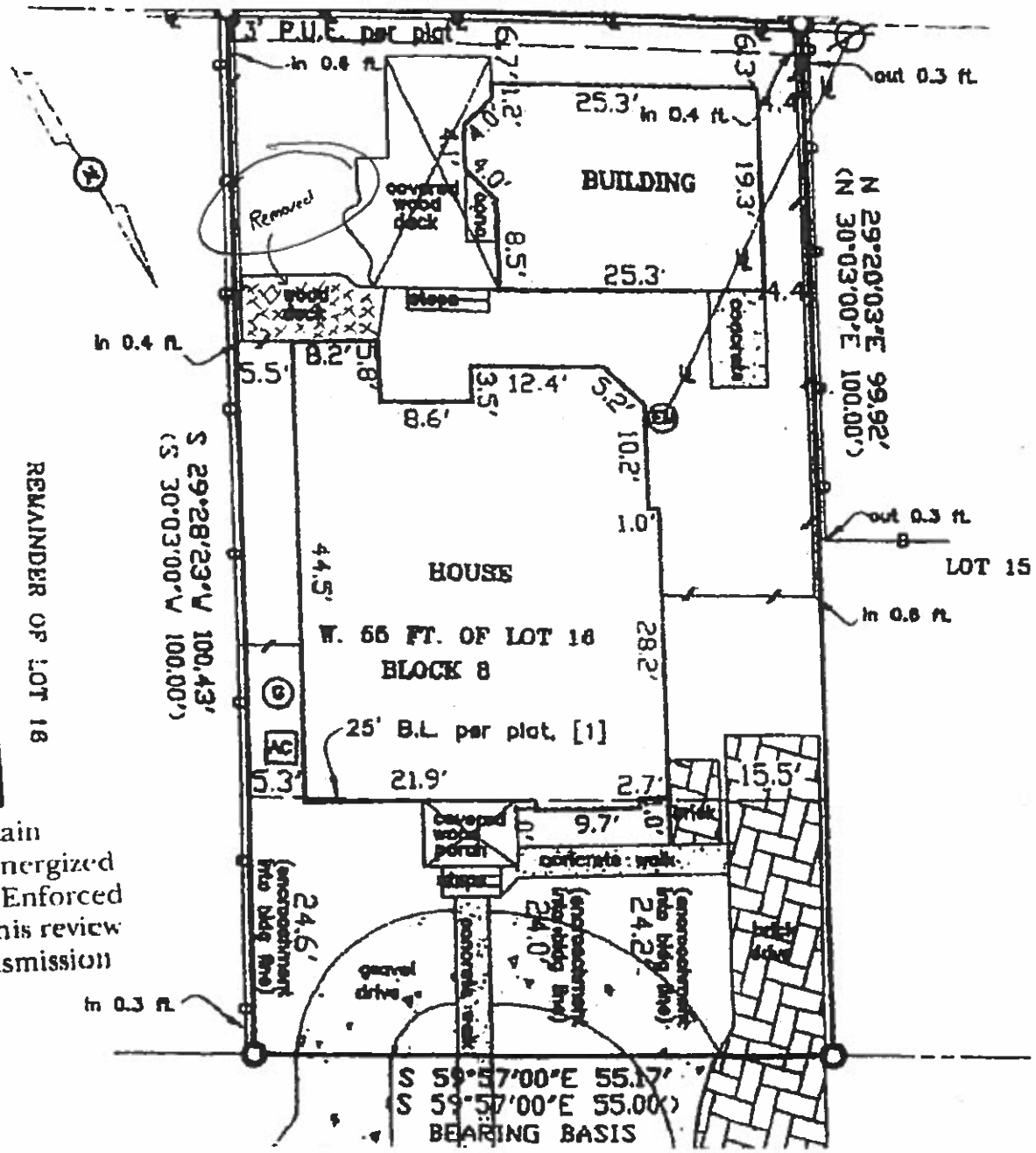
Continued from variance requested:
to decrease the minimum distance a second dwelling unit must be located from the primary structure from 10 feet to 6 feet.

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.

SAVE

Revised 2/9/17



GAS METER

PIPE FND.

UTILITY POLE

SURVEYOR'S NOTES

( ) DENOTES RECORD INFORMATION

[1] BUILDING LINE PER:
VOL. 621, PG. 406

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-AU83
THE WEST 55 FT. OF LOT 18 IS SUBJECT TO THE BUILDING LINES, ESMT. RIGHTS AND RESTRICTIONS AS STATED IN:
BK. 4, PG. 73
VOL. 621, PG. 406

ESMT. RESEARCH PERFORMED BY ALL POINTS AND THE UNDERSIGNED SURVEYOR WAS LIMITED TO INFORMATION SUPPLIED BY FIRST AMERICAN TITLE INSURANCE CO. PER COMMITMENT OF. #958704-AU83, PARAGRAPH NO. 10

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

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

scale 1"=150'

Site Plan
design

ROVED
7 2016
8 319
RB

nust maintain
from AH energized
ower lines. Enforced
SC codes-this review
nclude transmission

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 ARPDALE 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)

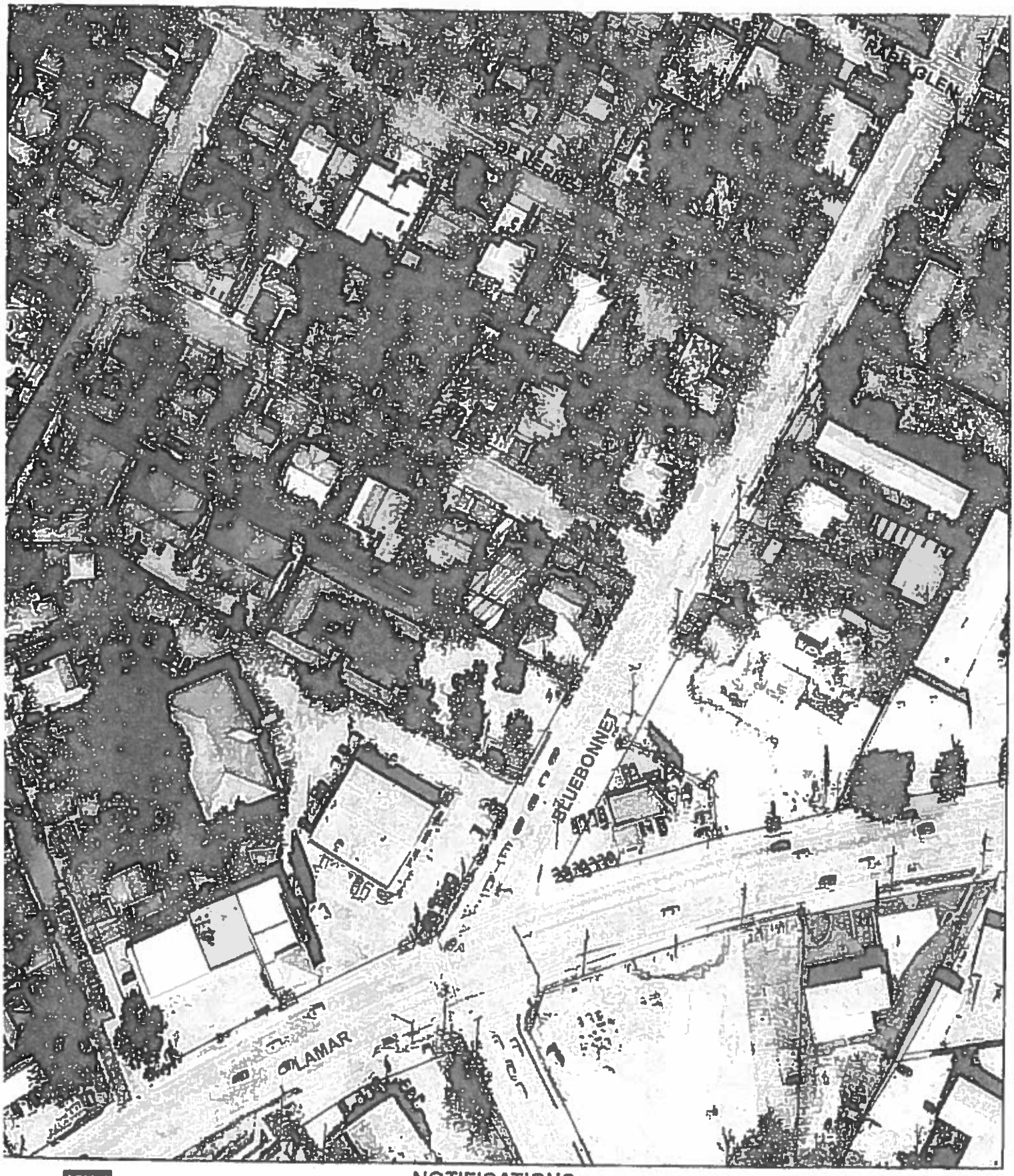
in order to permit occupancy of an existing accessory structure and covered deck for use as a 2nd dwelling unit in a "SF-3", Family Residence zoning district.

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 by the City of Austin regarding specific accuracy or completeness.

1" = 113'

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

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 # C15-2016-0084 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

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:

The front residence, built in 1949, and rear residence have exsited 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: _____ 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: _____ 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): _____

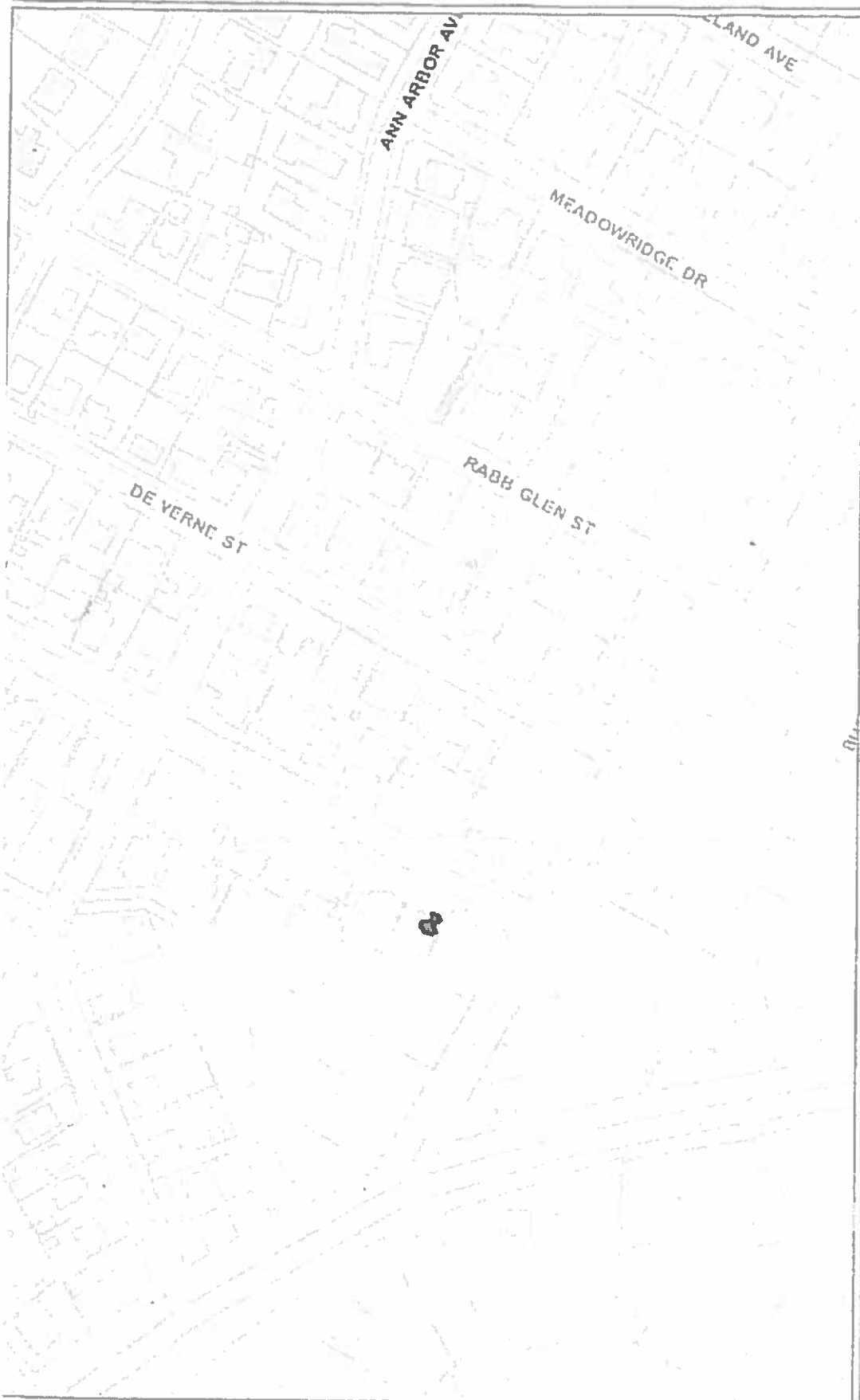
Section 6: Additional Space (if applicable)

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 belive that I can get over 80% of my neighbors to support this application for variance.

CITY OF AUSTIN DEVELOPMENT WEB MAP

Surrounding structures



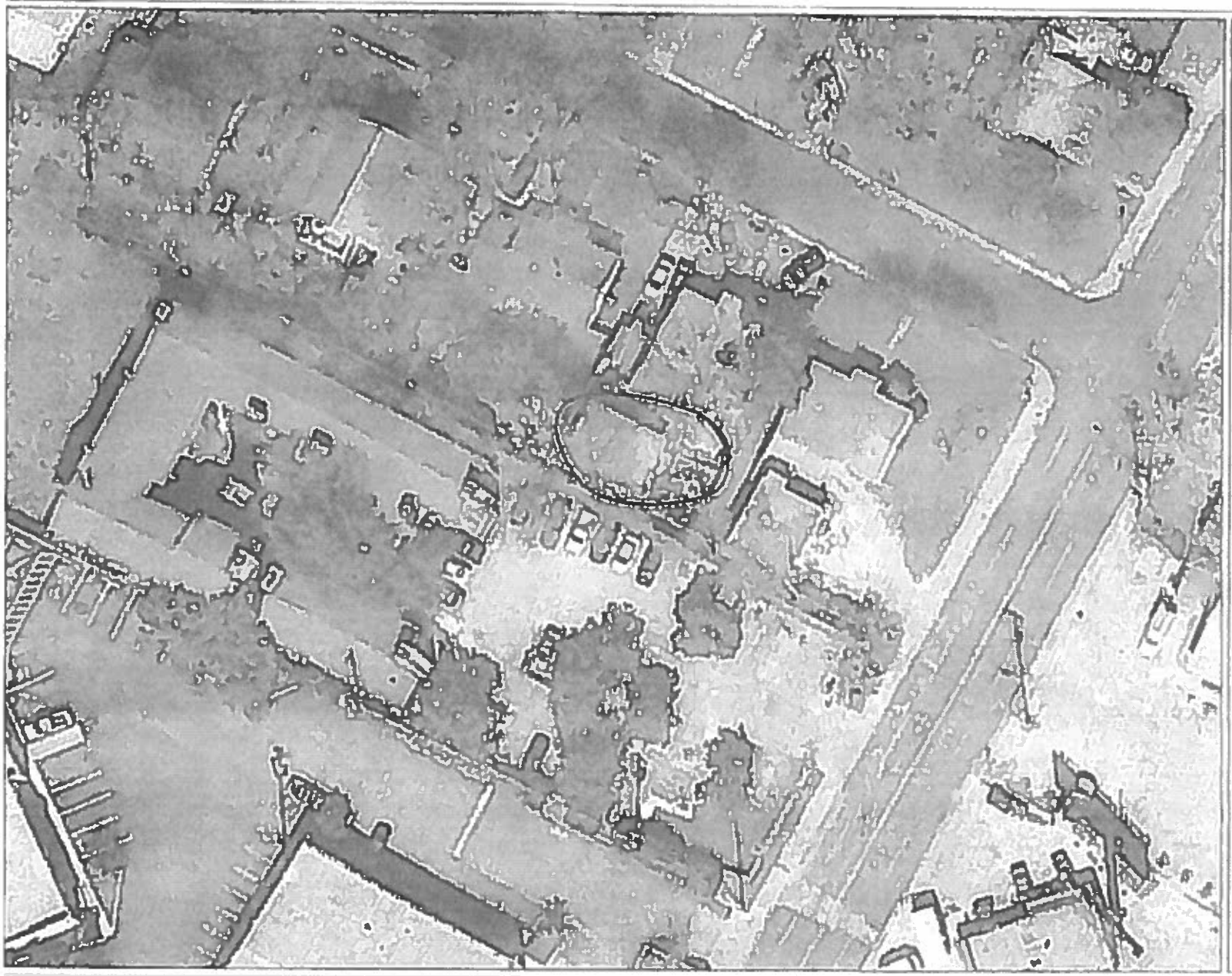
Legend

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

IIS PRODUCT IS FOR INFORMATIONAL PURPOSES AND MAY NOT HAVE BEEN PREPARED FOR OR BE SUITABLE FOR LEGAL, ENGINEERING, OR SURVEYING PURPOSES. IT DOES)T REPRESENT AN ON-THE-GROUND SURVEY AND REPRESENTS ONLY THE APPROXIMATE RELATIVE LOCATION OF PROPERTY BOUNDARIES. THIS PRODUCT HAS BEEN PRODUCED THE CITY OF AUSTIN FOR THE SOLE PURPOSE OF GEOGRAPHIC REFERENCE. NO WARRANTY IS MADE BY THE CITY OF AUSTIN REGARDING SPECIFIC ACCURACY OR IMPLETENESS.

1997 Aerial

CITY OF AUSTIN DEVELOPMENT WEB MAP



Legend

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

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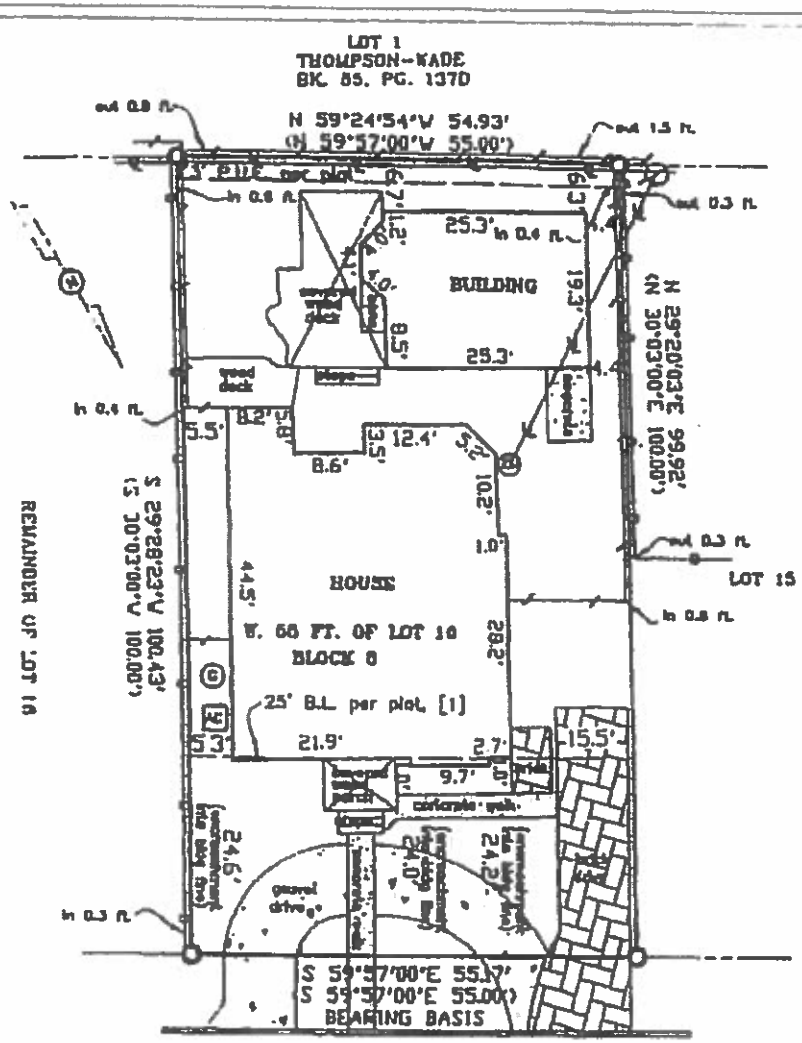


2003 ARPDALE AVENUE

(50' R.O.W.)

WOOD
CHAIN LINK
UTILITY LINE
A/C UNIT
ELEC. METER
GAS METER
PIPE FND.
UTILITY POLE

SURVEYOR'S NOTES

( ) DENOTES RECORD INFORMATION

[1] BUILDING LINE PER:
VOL. 621, 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 GF #968704-AUK3
THE WEST 55 FT. OF LOT 16 IS SUBJECT TO THE BUILDING LINES, ESMT. RIGHTS AND RESTRICTIONS AS STATED IN:
BK. 4, PG. 73
VOL. 621, PG. 408

ESMT. RESEARCH PERFORMED BY ALL POINTS AND THE UNDERSIGNED SURVEYOR WAS LIMITED TO INFORMATION SUPPLIED BY FIRST AMERICAN TITLE INSURANCE CO. PER COMMITMENT GF. #968704-AUK3, PARAGRAPH NO. 10.

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

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

SCALE 1"=15'

Site Plan
design

7/3/07

De la Vega

SHEET TITLE
FLOOR PLAN

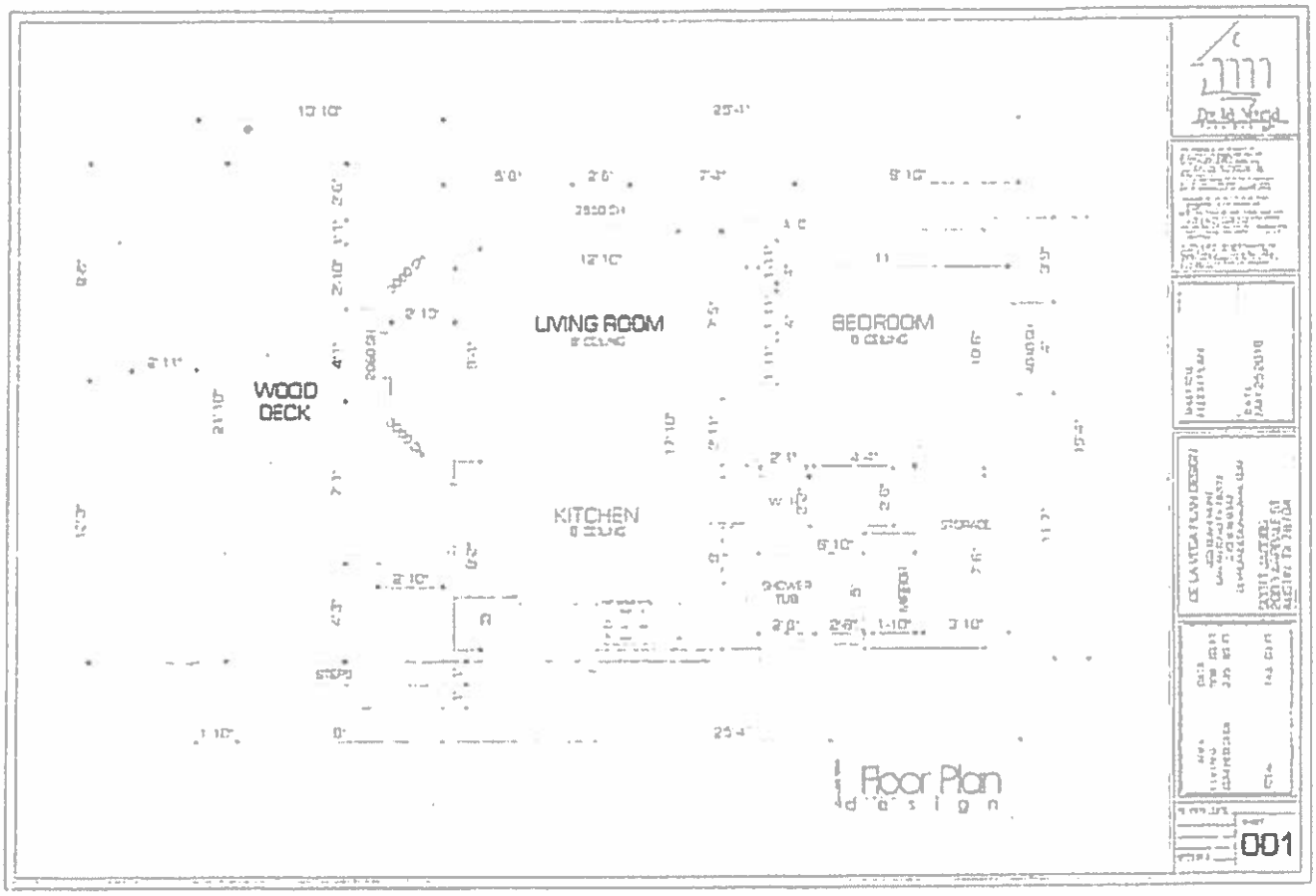
DATE
MAY 25 2016

DE LA VEGA PLAN DESIGN
2103 CLARKSMOUNT
SAN MARCOS, TX 78666
210.906.8042
DLVPLANDESIGN@GMAIL.COM

SCOTT JACOBS
2003 ARPDALE ST
AUSTIN TX 78704

AREA	DATA
LIVING	509.00 ft
CONVERTED DECK	233.00 ft
TOTAL	742.00 ft

SHEET
002


WOOD DECK
LIVING ROOM
BEDROOM
KITCHEN
Floor Plan
001

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.

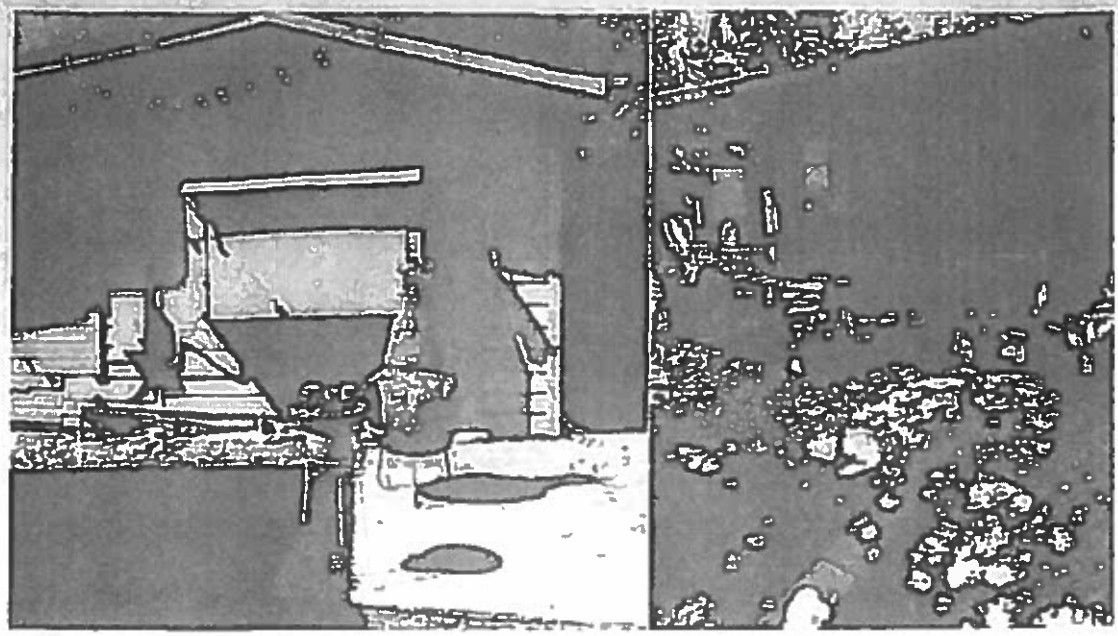
I originally purchased 2003 Arpdale St. with the intention of having a housing option for my grandmother. She is living independently at age 92 but will soon need to downsize from the large house in which she currently resides. The accessory dwelling unit is intended for her, but I currently use it as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

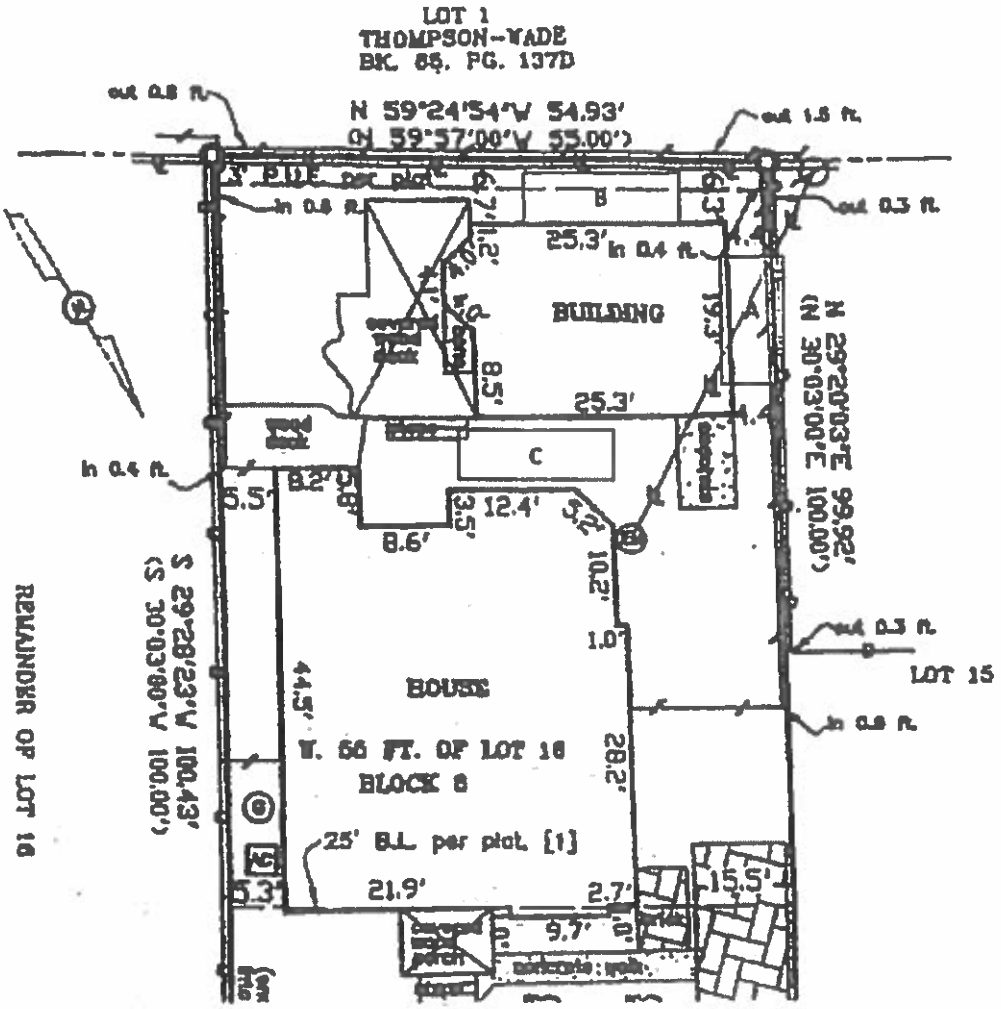
Scott Jacobs

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



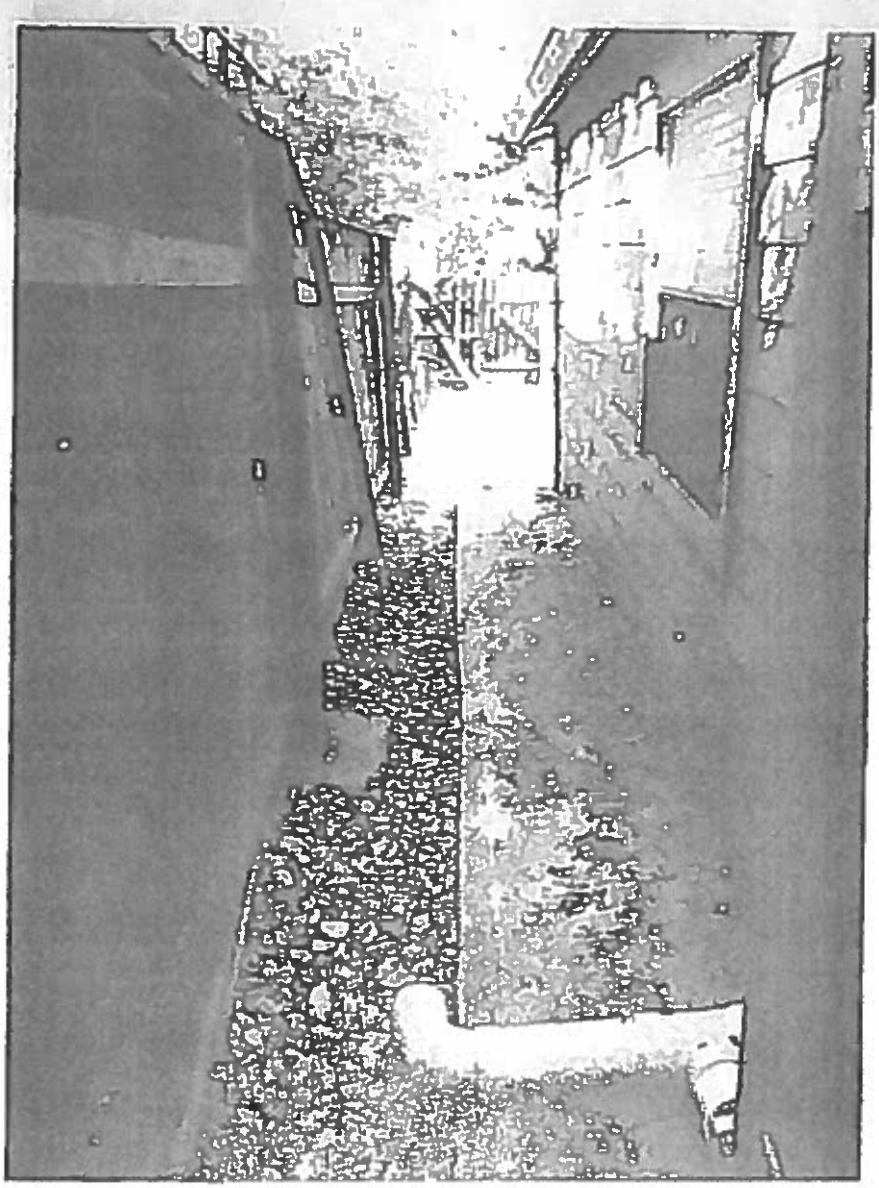
Variance request to Section 25-2-492 (D)

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

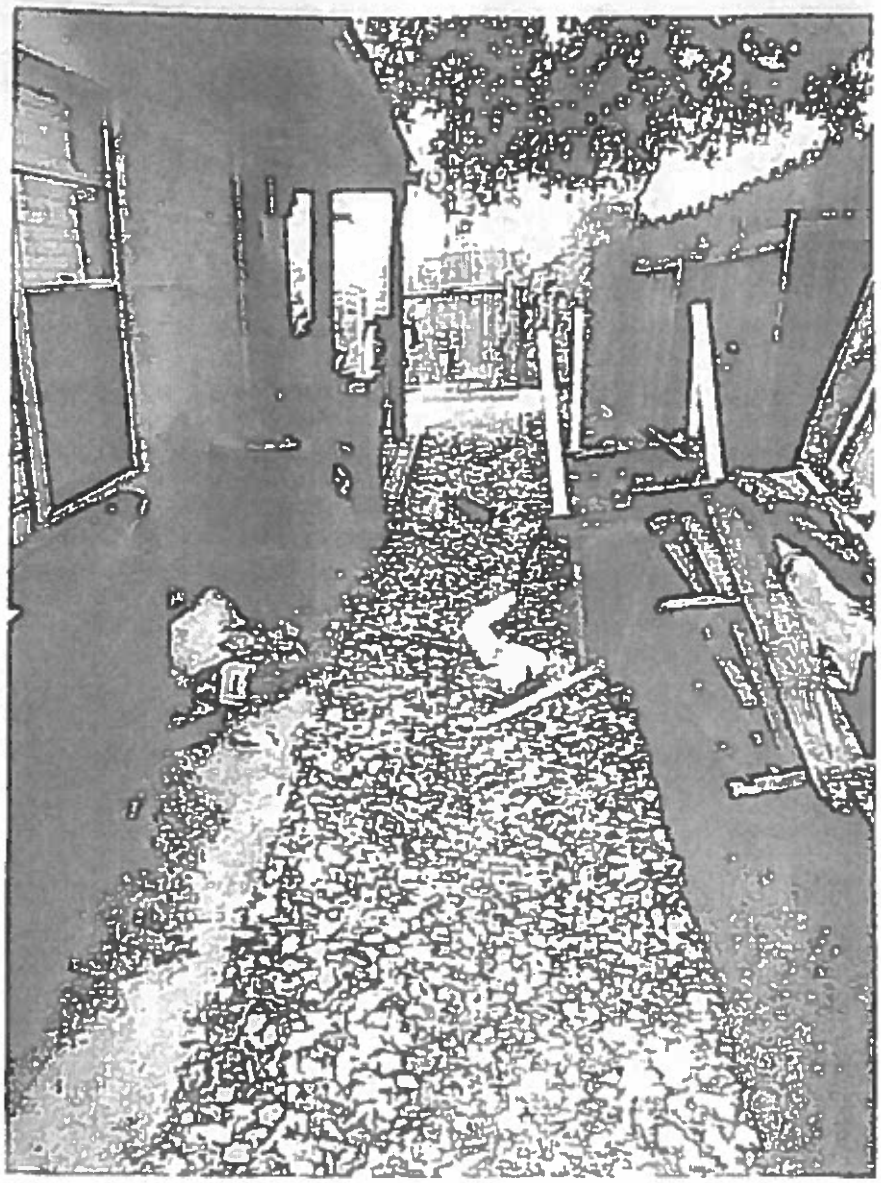
Variance request to Section 25-2-774 (C) (2) (a)

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

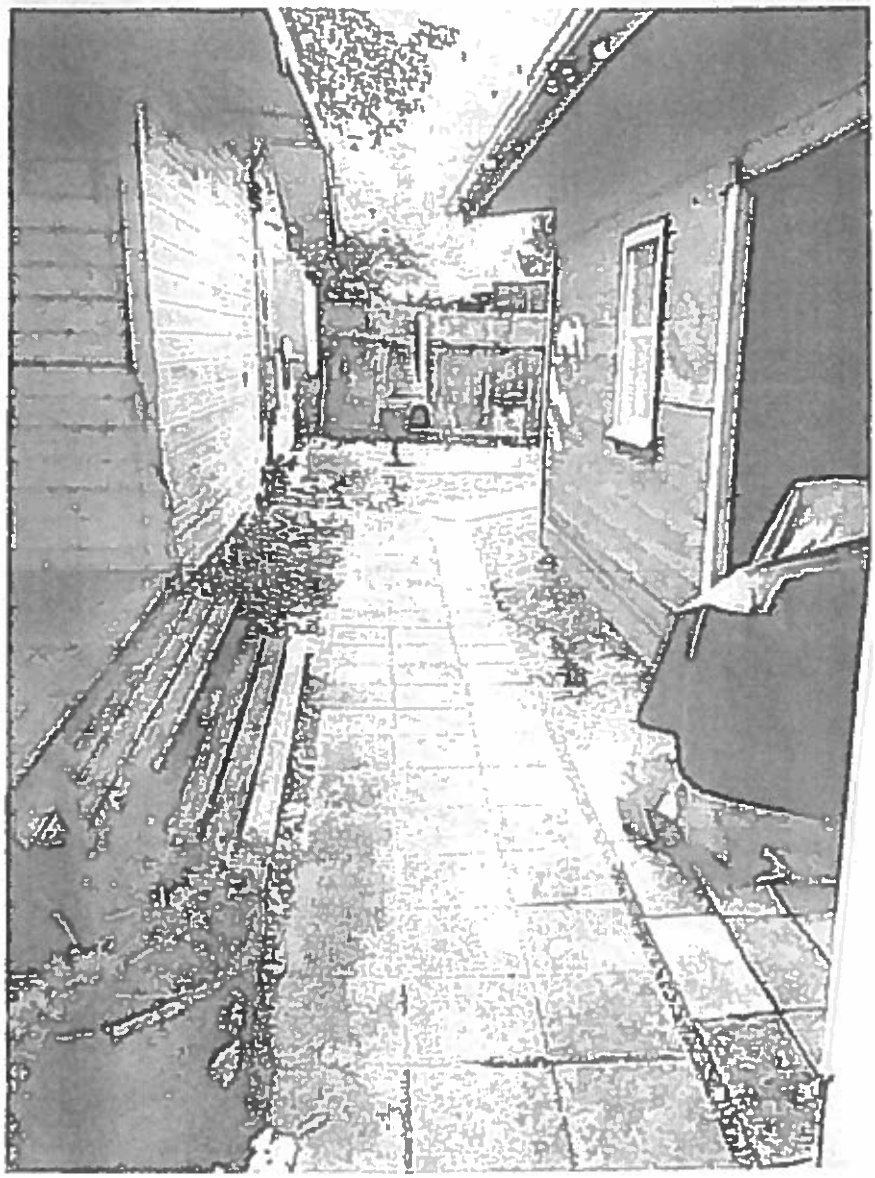
A) Request to decrease the minimum side setback from 5ft to 4.4ft



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

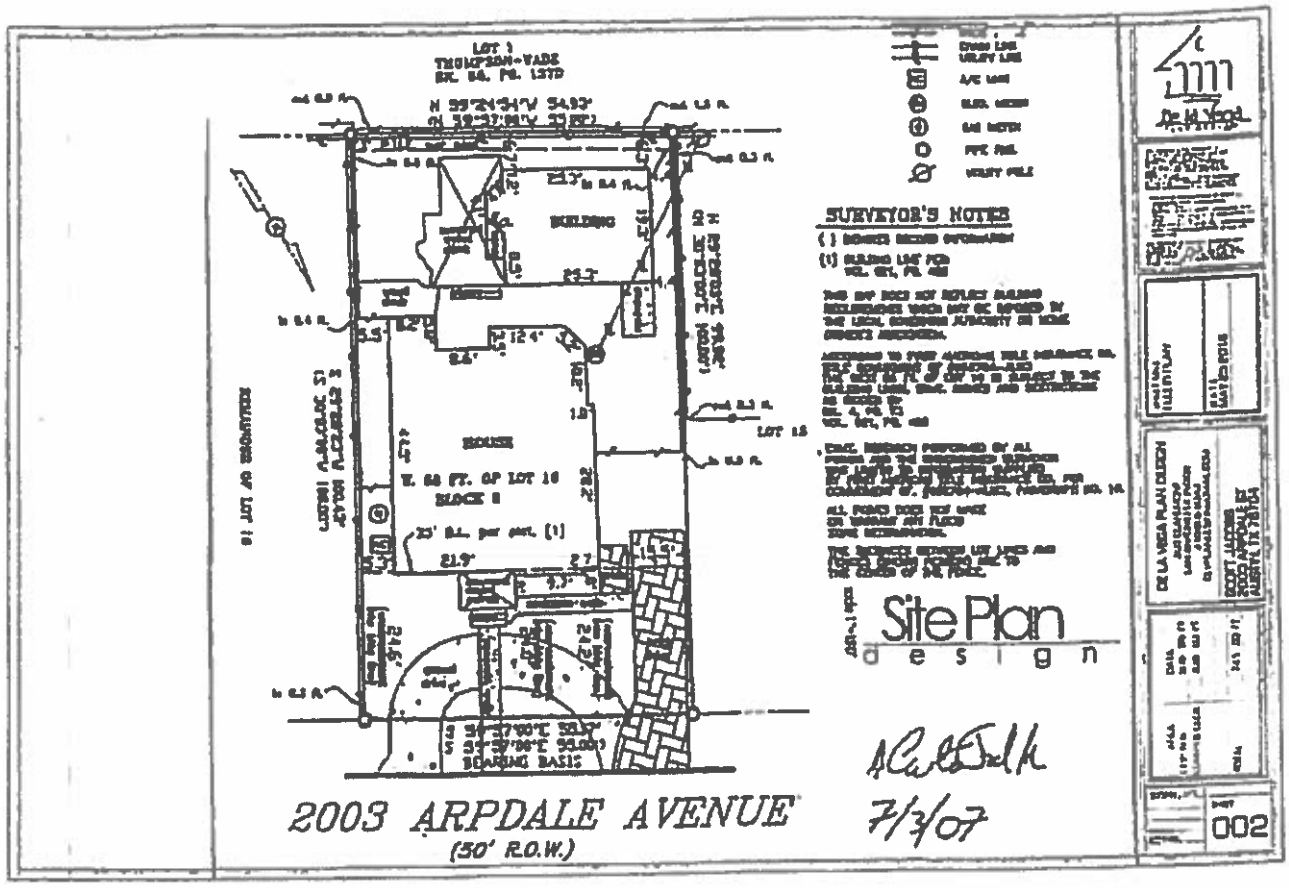


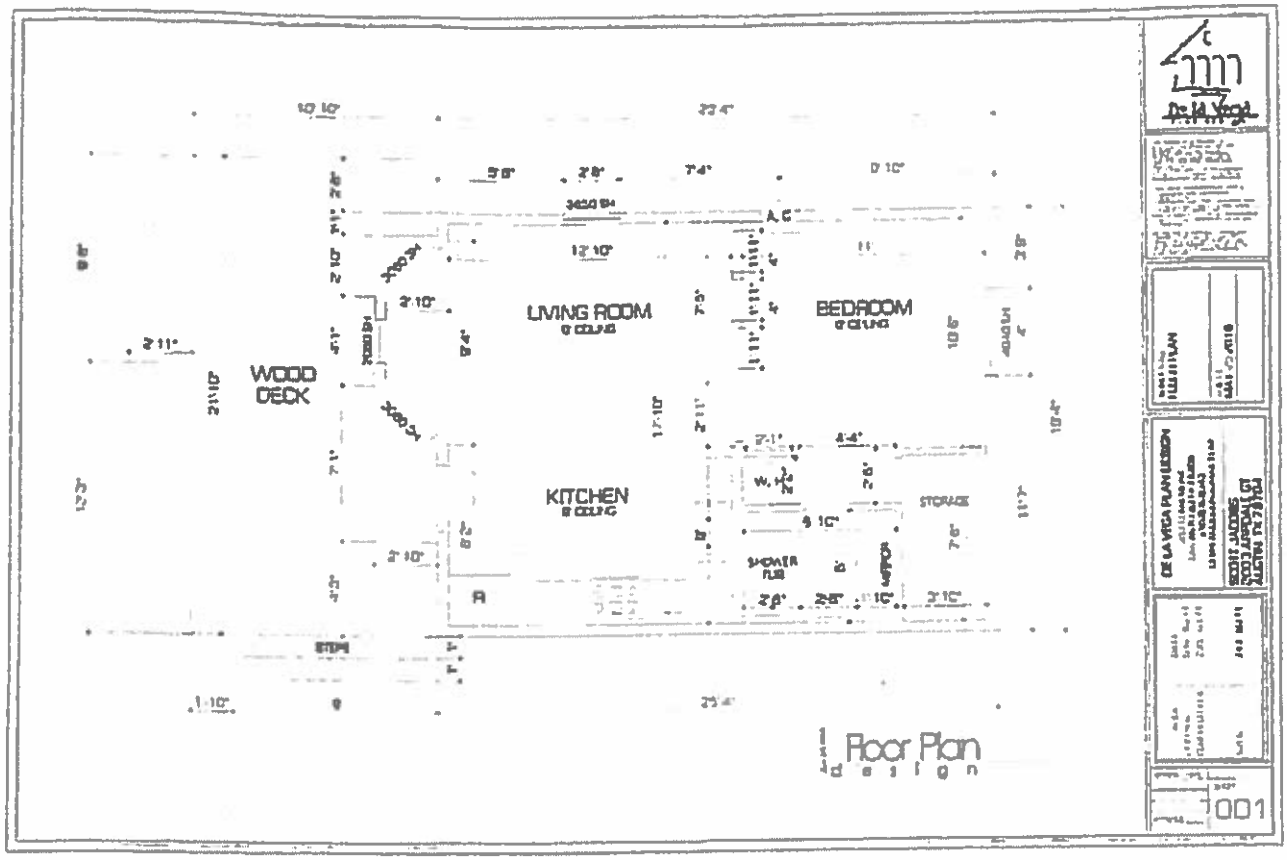
C) **Request to decrease the minimum distance between dwellings from 10ft to 6ft**



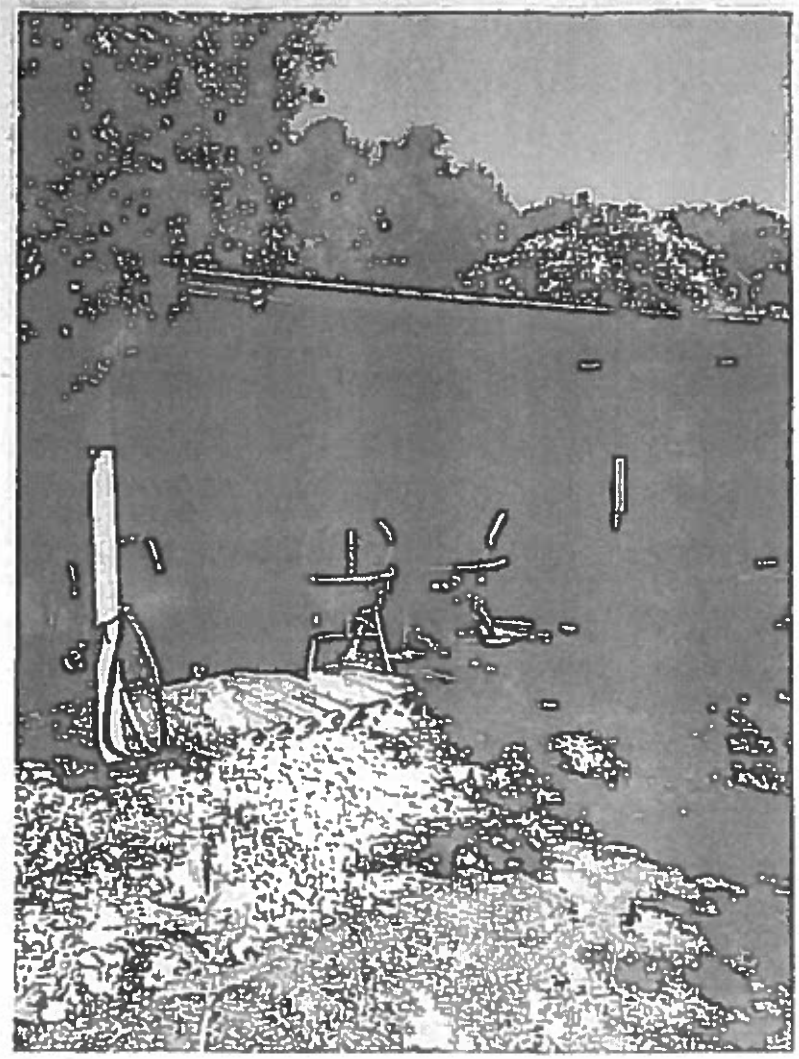
Appendix

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

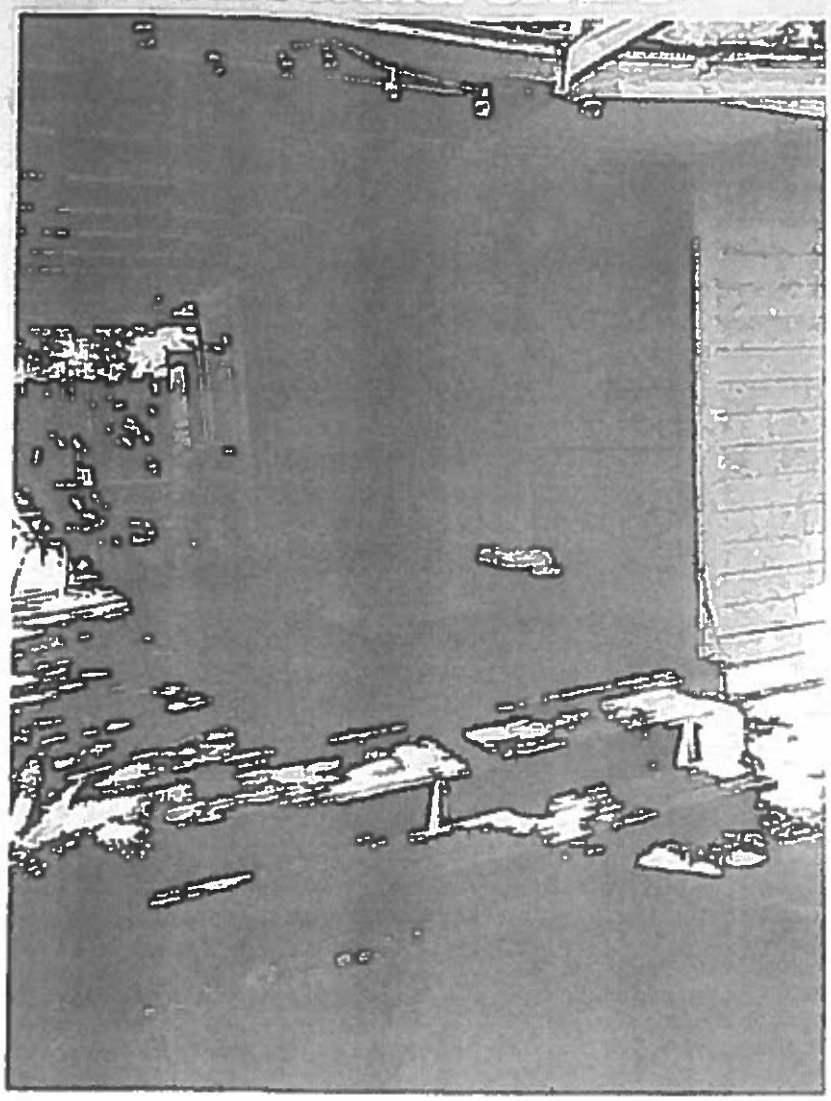

LOT 1
THOMPSON-WADE
BUILDING
HOUSE
W. 50 FT. OF LOT 16
BLOCK 8
LOT 15
BEARING BASIS
SURVEYOR'S NOTES
Site Plan
design
2003 ARPDALE AVENUE
(50' R.O.W.)
7/3/07
002


WOOD DECK
LIVING ROOM
BEDROOM
KITCHEN
STORAGE
SHOWER TUB
A.C.
STAIR
Floor Plan
design
001

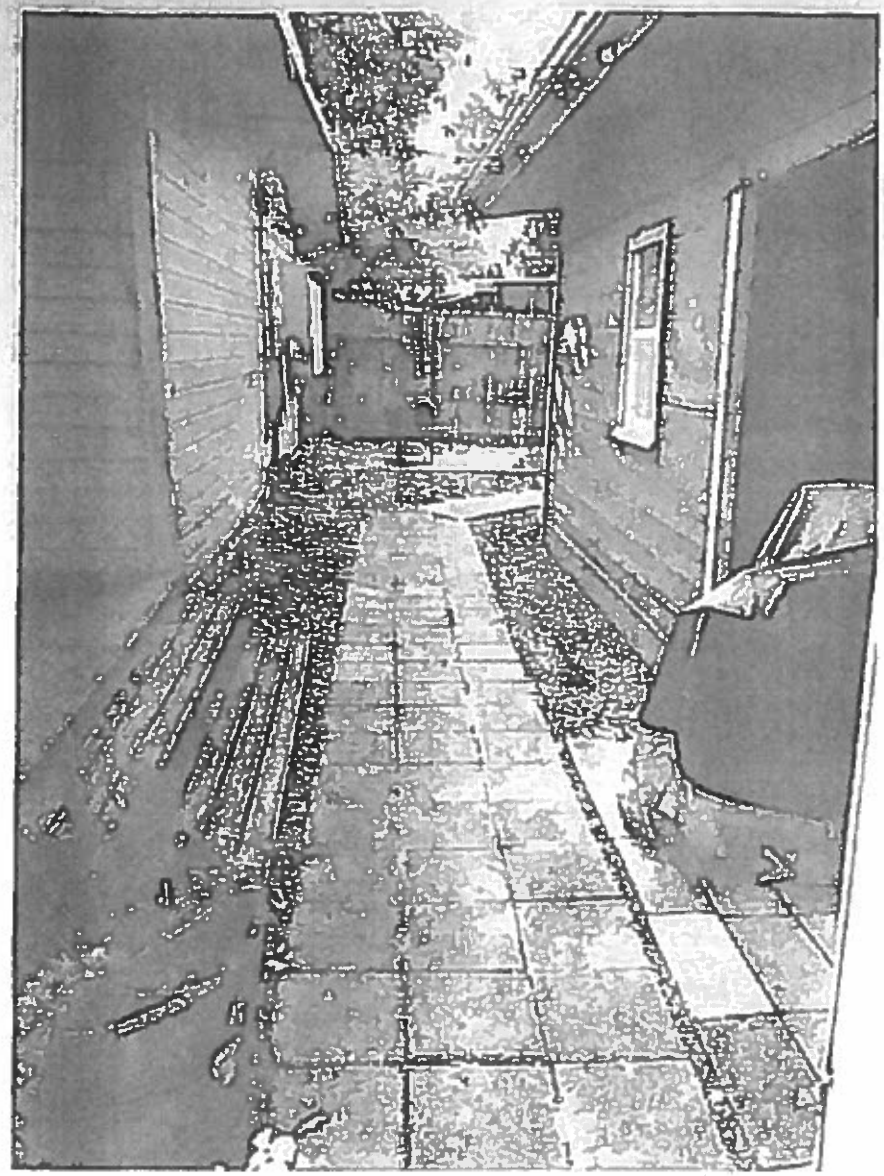
Southeast corner of ADU



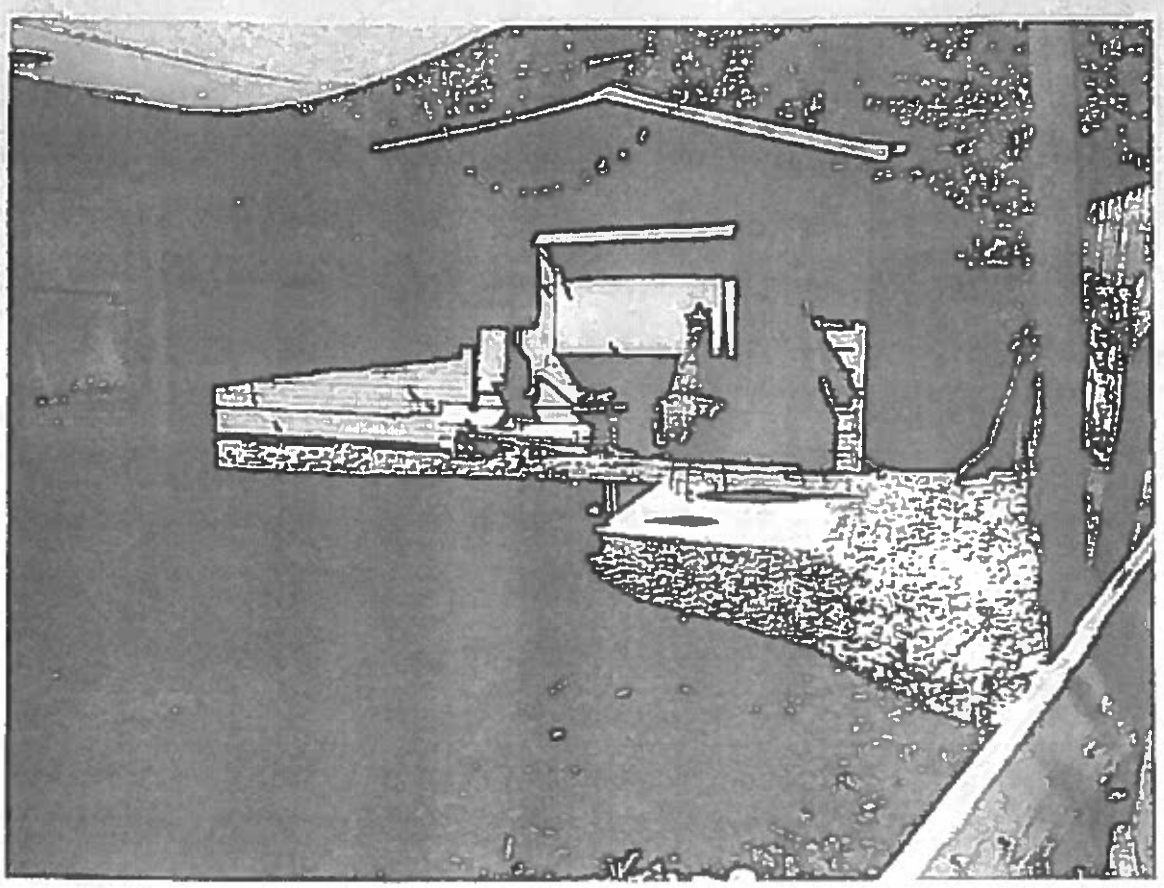
Northeast corner of ADU



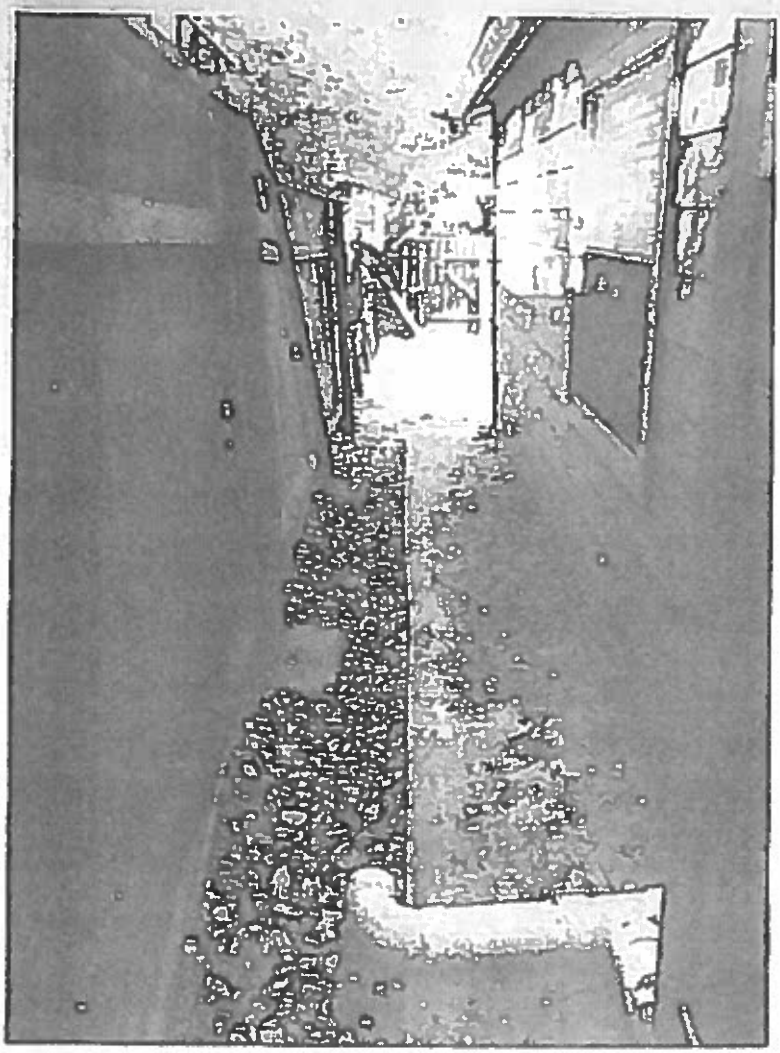
North side of ADU



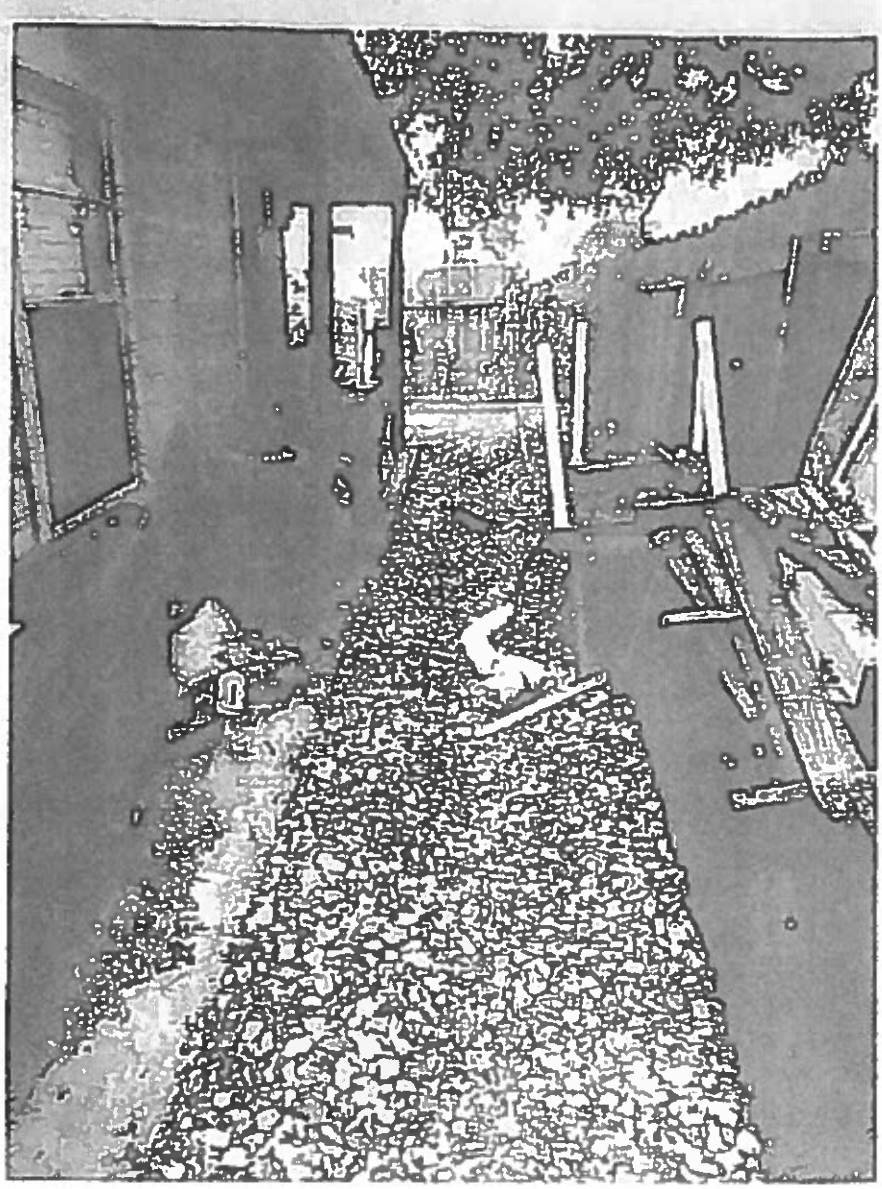
Northwest corner of ADU



West side of ADU



South side of ADU



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

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	2009 Arpdale St Austin TX 78704	
Lita Raymond	2013 Arpdale	
Kelly Cottrell	2013 DeVerne St Austin Tx	
Jessica/Michael Bryant	2007 DeVerne 78704	
Karen Sullivan	2007 Arpdale St 78704	
Nessa Hobins	2010 Arpdale St	
Jason Osborn	2409 Anderson Ave B1 Austin, TX 78757	

512 785 6250 - Helen

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 78209	
Joe Joseph	1101 Robert E. Lee Rd 78704	
HELEN WEST	2000 ARPDALE 78704	
Scott Jacobs	2003 Arpdale St	

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.

Property ~~Owner~~ Tenant Name	Address	Signature
James Lovett	2002 Arpdale St, Austin, TX 78704	
Jim Collins	2002 Arpdale St Austin TX 78704	
MITCH PARISH	2302 BLUERUNNER 78704	M. PARISH
Lauran Gonzalez	2006 Arpdale St. 78704	Lauran Gonzalez

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 13-2-630; Ord. 990225-70; Ord. 991104-46; Ord. 010111-109; Ord. 030731-53; Ord. 031211-11; Ord. 041118-57; Ord. 20100815-064.

	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	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
2305 BLUEBONNET LN	ALLEN DANZIGER	Allen Danziger

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.

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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	DocuSigned by: Heston 017AA4CAB6BD4CB...

DocuSign Envelope ID: D1347498-1580-4281-A384-E4863D06D7FB

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
2103 Bluebonnet	Matt Jones	Matt Jones

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

DocuSign Envelope ID: 1FD92DE0-5966-4127-8862-44FD8F8A78CA

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	Jini Teasdale	Jini Teasdale

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

DocuSign Envelope ID: 2A35735C-9FDF-4403-BDCA-2CD00832111E

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	Sean Kubicek

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

DocuSign Envelope ID: FFC104C6-E8C6-48DD-A8C0-783A8FA2AA1C

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	DocuSigned by: Amy Hartman ACB8C2AC3D4AC...

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

DocuSign Envelope ID: 8FE94EA0-A7BE-4907-8643-BF410CFF0311

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 Hubbart	DocuSigned by: Grace Hubbart

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

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 512-638-6389

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

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	[illegible] 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.

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.

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 Hilbert

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

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.

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.

Zilker Neighborhood Association

ZilkerNA@austin.rr.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

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

George Siddall
Your Name (please print)

☐ **I am in favor**
☐ **I object**

2103 Arpdale
Your address(es) affected by this application

[signature] 8-2-16
Signature *Date*

Daytime Telephone: 512 417 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

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.

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Contact: Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov
Public Hearing: Board of Adjustment, August 8th, 2016

George Siddall
Your Name (please print)

☐ I am in favor
☒ I object

2101 Arpdale
Your address(es) affected by this application

George Siddall — 9-2-16
Signature — *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: leane.heldenfels@austintexas.gov

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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
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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

George Siddall
Your Name (please print)

☐ I am in favor
☒ I object

2015 Arpdale
Your address(es) affected by this application

Signature 9-2-16 *Date*

Daytime Telephone: 512 447 4388

Comments: since variance would be a minimum of 10' & house built to the same,

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Fax: (512) 974-6305

Email: leane.heldenfels@austintexas.gov

Heldenfels, Leane

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)

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

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,

L. Atherton

Lorraine Atherton
2009 Arpdale
Austin, TX 78704

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 × 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 f" built in 2007.

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 1 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.

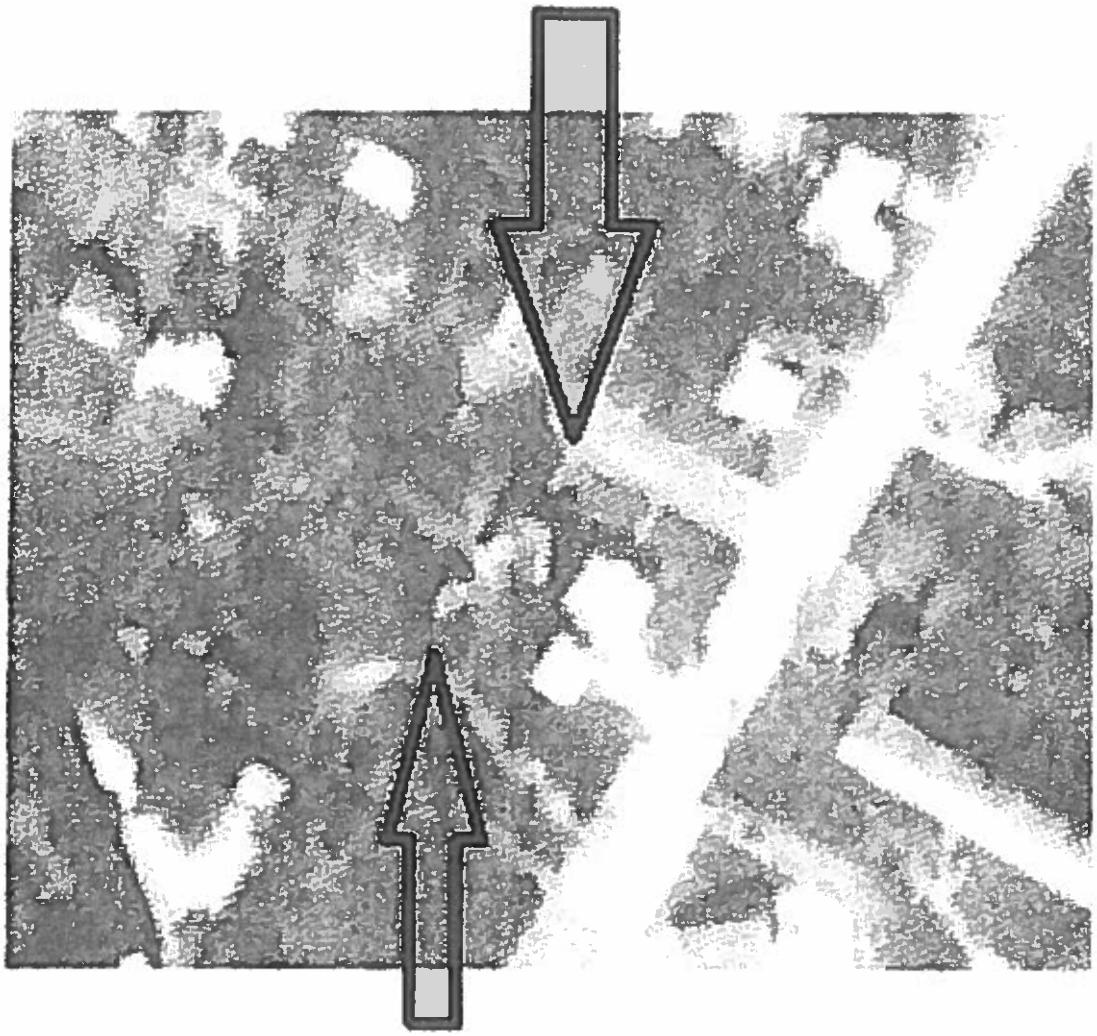
Code Enforcement #2016-031290 CC. Land use violation complaint March 21, 2016.

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.

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

2003 Arpdale



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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

Mark Bentley
Your Name (please print)

☒ I am in favor
☐ I object

2409 Ann Arbor Ave #B2
Your address(es) affected by this application

Mark E Bentley — 8 4 2016
Signature — *Date*

Daytime Telephone: 512-461 5375

Comments:

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P. O. Box 1088
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Fax: (512) 974-6305

Email: leane.heldenfels@austintexas.gov

Heldenfels, Leane

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 [redacted]

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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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) 379-1606

Comments: I bought my house in 2009 in the expectation that there are reasonable zoning ordinances and that they would be enforced. I did not expect the neighbor to move out and turn his residence into an unregistered short term rental w/ many complaints & violations on record. As the neighbor unquestionably most affected I oppose all variances especially related to how close the structure can be to my house. I am more concerned by the environmental effects of impervious cover than any ~~those~~ that ostensibly would be caused by the structure being demolished

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Contact: Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov
Public Hearing: Board of Adjustment, August 8th, 2016

HELEN WEST
Your Name (please print)

☒ I am in favor
☐ I object

2000 ARPDALE
Your address(es) affected by this application

Signature *Date*

Daytime Telephone: 210/862-8092

Comments: I have no problem with nor do I object to the variances sought by Mr Jacobs.

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:

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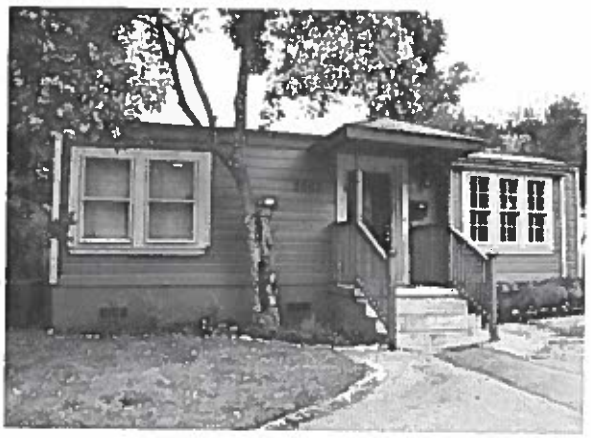
Email: leane.heldenfels@austintexas.gov

C15-2016-0084

Updated 3/27



BOA VARIANCE REQUEST EVIDENCE

PREPARED BY OWNER/APPLICANT: SCOTT JACOABS

2003 ARPDALE ST.

LEGAL DESCRIPTION: WEST 55' OF LOT 16, BLOCK 8 RABB INWOOD HILLS
ZONING DISTRICT: SF-3

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LETTER TO THE BOARD

3/27/17

Dear Members of the Board:

When I, Scott Jacobs, purchased 2003 Arpdale St in 2012, I was not informed that my accessory dwelling unit was not compliant with City of Austin building code. However, in March of 2016, during a sewer line inspection, a code enforcement officer noticed the unpermitted accessory dwelling unit. I immediately made it my priority to bring the house up to code and submitted a permit application a few months later.

According to the City of Austin aerial photographs, phone records, permit history, and Travis County records, it appears that the accessory dwelling unit was originally constructed in 1949 as a detached garage. This detached garage was converted to an accessory dwelling unit sometime in the early 1990's.

I haven't made any material change to the property since 2012 when I purchased the home. I am requesting a few variances in order to maintain the existing property characteristics which have been in the same place for 57 years.

2003 Arpdale St has been my homestead since I purchased the house in 2012. I'm currently attending graduate school at Yale to obtain my Masters in Business Administration. The BOA process has been quite challenging as this is my first time being a homeowner and going through this process, so I appreciate the patience granted to me thus far with the variance postponements or any mistakes made within the applications.

I want you to know that I'm determined to bring my house up to code and have every intention to work out a solution with the Board of Adjustment and the City of Austin. I've spent countless numbers of hours meeting with city officials and researching on my own.

While I'm attending graduate school in Connecticut, I will continue renting out my house on a long-term basis so that I can have someone maintaining the house. I let my STR license expire since my neighbors expressed concerns with short term rentals in the area.

You'll notice that nearly the all of my neighbors are in support of the variance request. There have also been no issues recorded with the accessory dwelling unit for over 20 years, so I respectfully ask the board to allow the accessory dwelling unit to remain in place and for the property to remain as is.

Regards,

Scott Jacobs

Scott Jacobs

Friends of Zilker
NEIGHBOORHOOD ASSOCIATION

March 4, 2016

From : Friends of Zilker Neighborhood Association
To : Board of Adjustment
Regarding : 2003 Arpdale St Austin TX 78704

To whom it may concern,

Friends of Zilker Neighborhood Association supports the following resolution that:

> "Land use determinations shall be made based on City and neighborhood zoning and planning documents and private deed restrictions shall only be enforced through action in civil court."
>
> (This is in response to punitive actions made against a property owner at 2003 Arpdale for an existing development that is perceived to be in conflict with private deed restrictions. This case is arbitrary given that multiple other similar conditions exist in the neighborhood and on the same street.)

Furthermore, our organization found at least a dozen other properties in the Rabb Inwood Subdivision that currently have (or previously had) ADUs / guest houses including :

- 2202 Paramount Ave
- 2112 Montclaire St
- 2102 Montclaire St
- 2006 Montclaire St
- 2205 La Casa Dr
- 2110 La Casa Dr
- 2108 La Casa Dr
- 2104 La Casa Dr
- 2200 De Verne
- 2012 Arpdale St
- 2007 Arpdale St
- 2003 Arpdale St

Thank you,
Mary Owens, Secretary of Friends of Zilker

3/14/16 – Owner discovers permit violation

- During an inspection of a sewer line project at the residence, the City of Austin Code Department discovered the unpermitted ADU.
- Upon hearing the news, the owner of the residence was quick to take action to acquire a permit and legalize the ADU.

6/13/16 – Owner submits permit application

- Owner submitted the permit application, but was informed that a variance would be needed.

8/5/16 – Owner lets STR Permit expire

- Owner let the STR permit expire and no longer uses the ADU as a short term rental. The owner has every intention to return to Austin to live in the ADU, but for now is renting the ADU as a long-term rental to supplement the cost of his education while he completes his MBA at Yale.

8/18/16 – City of Austin's error requires postponement

- Owner was ready to appear in front of the board, but realized that TCAD's lot size of 5750 was inconsistent with the size on the site plan (5500). An additional variance would be needed due to the substandard lot size. The case was postponed to 2/13/17.

Note: the postponement was a result of the city's error

2/08/17 - City of Austin's error requires postponement

- Owner was informed that the city forgot to add the additional variance to the "notice" sent to the neighbors. Therefore, a re-notice would be needed in order to carry forward with the hearing. As a result, during the 2/13/17 meeting, the case was postponed to the month of March.

Note: the postponement was a result of the city's error

3/13/17 – Owner requests postponement

- Owner was unable to attend the hearing due to a pre-existing academic trip with his MBA program.

HISTORY OF 2003 ARPDALE ST.

1939 – Deed for Rabb Inwood Hills was created

1949 – Lot 16, Block 8 was subdivided

– 2003 Arpdale was built with detached garage

1990's – Garage was converted to ADU

- Aerial views in GIS (which only go back to 1997) show the converted ADU which suggests that it was converted prior to 1997
- There are two separate phone records with different names registered in 1994 which suggests the ADU was converted prior to 1994
- Several permits were taken out for 2003 Arpdale in 1990 which suggests that contractors were permitted to work on site suggesting that the conversion happened in 1990

2012 – Property was purchased by current owner

- Owner was unaware that the ADU was not legally permitted
- Owner moved into the ADU and added an "A" and "B" address to the property
- Front house is rented on a long-term basis

2017 – Property remains as owner's homestead

- Owner rents out both units on a long-term basis while he is attending graduate school at Yale
- Owner has every intention of moving back into the ADU

Variance request to Section 25-2-492 (D)

- (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)

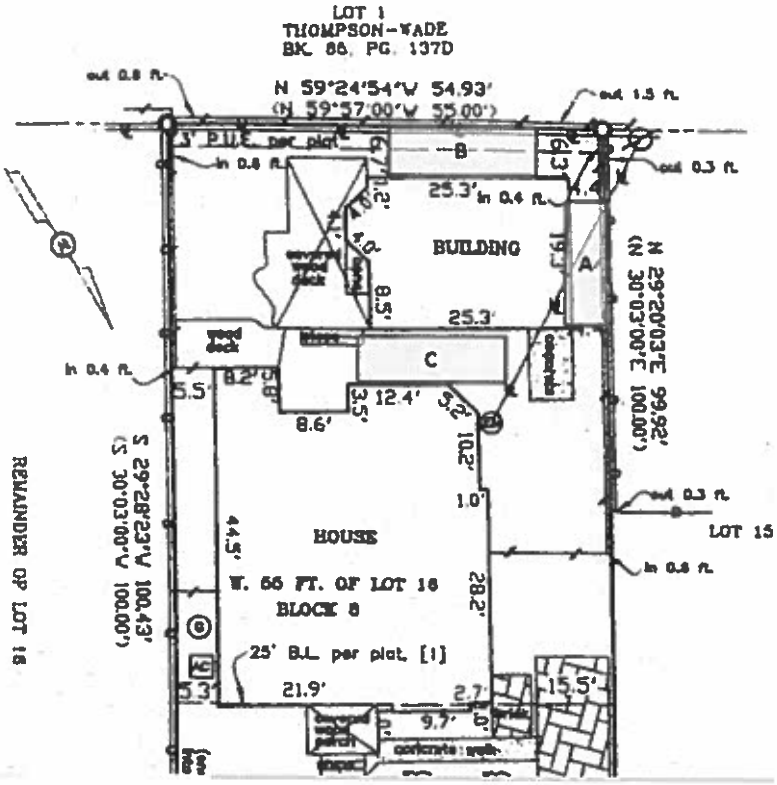
- (C) Decrease the minimum distance a second dwelling unit must be located from the primary structure from 10ft to 6ft

Variance request to Section 25-2- 774 (Two-Family Use) (B)

- Decrease the minimum lot area for a two-family residential use from standard single family lot size of 5,750 square feet to 5,500 square feet

Other Variance requests

- Increase the maximum building cover from 40% to 41%
- Increase the maximum impervious cover from 45% to 52%

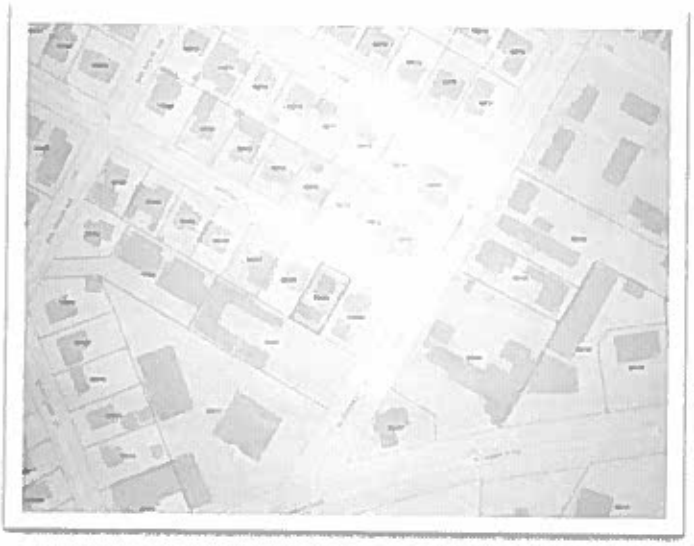


SUPPORTING EVIDENCE FOR THE VARIANCE REQUEST

Friends of Zilker Neighborhood Association supports the request

Neighborhood is in support

- Over 80% of the owners within 300ft are in support the variance request
- Verified by signatures



This is to maintain an existing structure (no new construction)

- The site of 2003 Arpdale has been in its current state for over 20 years
- Several other houses in the Rabb Inwood subdivision have ADU's

No history of issues

- No complaints against the house or ADU have been recorded for over 57 years
- Verified by open record request

Deed restrictions are irrelevant to City Code

- Not all deed restrictions for Rabb Inwood Hills are being enforced

Affordable housing at-risk

- Removal of ADU will decrease the "affordable housing" stock

Neighborhood will be upset if variance is rejected

- Rejection of variance will cause unwarranted construction noise, pollution, and traffic on Arpdale St. The neighbors will be upset with the city for causing this disturbance
- "Don't try to fix what isn't broken"

STR LICENSE

Although the owner is no longer renting the ADU as a short-term rental, this operating license is to prove that the owner rented **legally** as a short-term rental and paid the associated taxes.

City of Austin COPY

OPERATING LICENSE

LICENSEE:
SCOTT JACOBS

2003 ARPDALE ST
AUSTIN TX 78704 3901

Number of Sleeping Rooms:
2

CONTACT:
SCOTT JACOBS
2003 ARPDALE ST
AUSTIN TX 78704 3901

License Type:
Short Term Rental Type 1

License Number:
OL 2014 075612

License Issuance Date:
August 05, 2014

Expiration Date:
August 05, 2016

ESTABLISHMENT NAME:
2003 ARPDALE

2003 ARPDALE ST
AUSTIN TX 78704

Austin Code Department has approved the issuance of this Operating License for this establishment.
RENEWAL

The Austin City Code requires that any changes to the information on this license be immediately reported in writing to:
CITY OF AUSTIN
Austin Code Department
Attn: Short Term Rental Program
P.O. Box 1088
Austin, TX 78767-8810

Code Reference:
City of Austin Code
Chapter 25-2, 25-12, 25-1

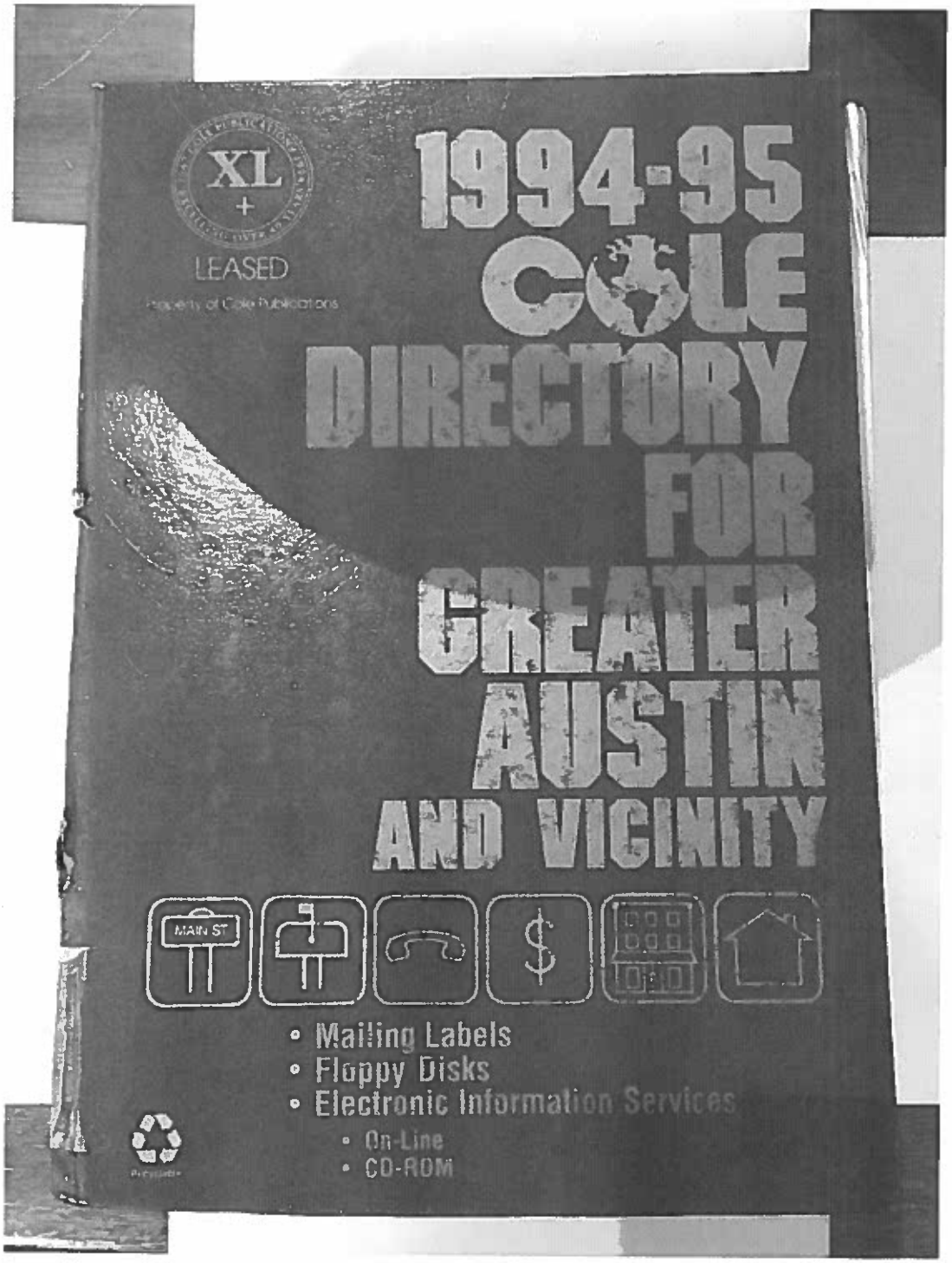
Issued by: Viola Ruiz

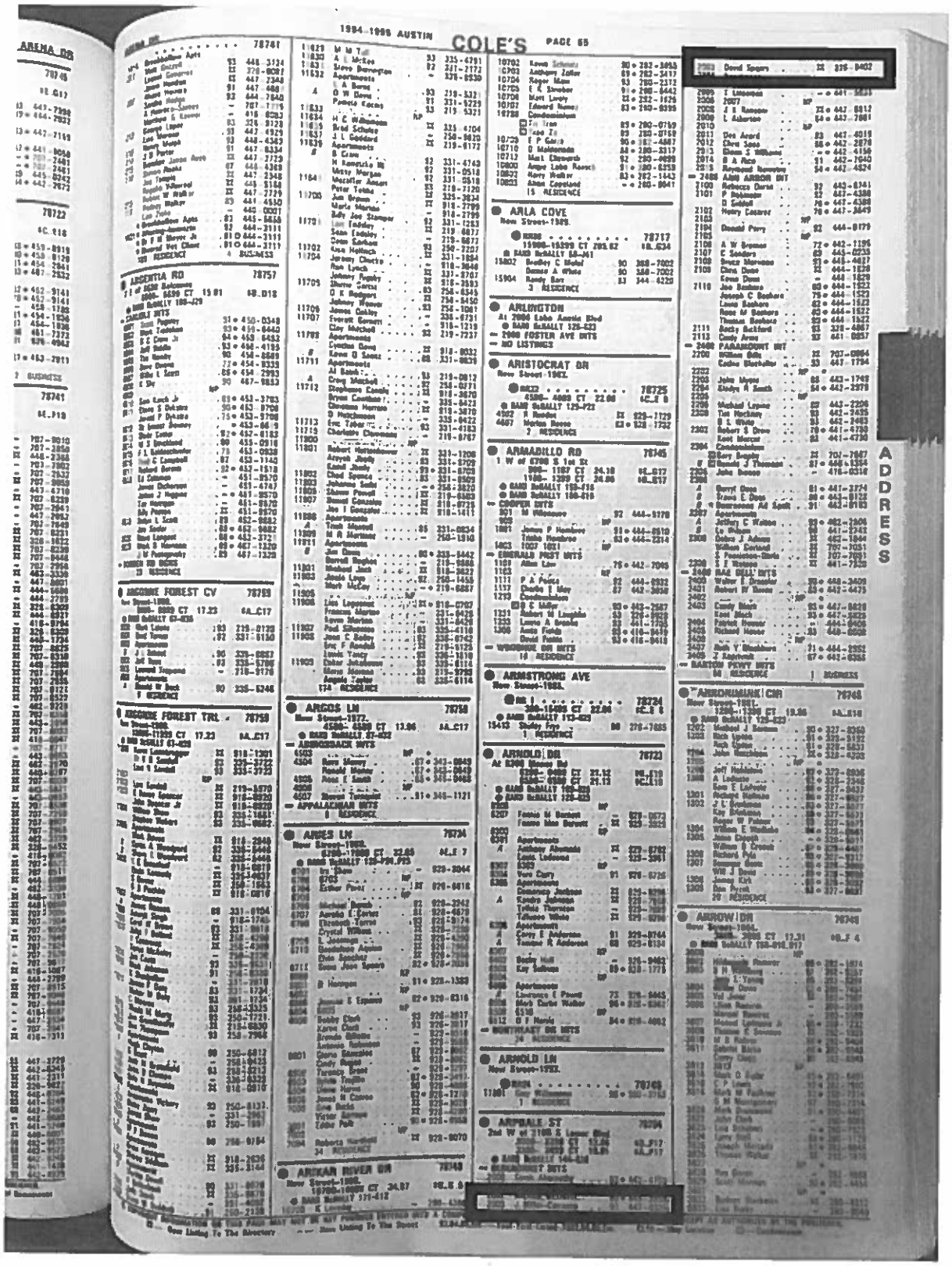
Carl Smart, Director

ORIGINAL MUST BE CLEARLY DISPLAYED ON ESTABLISHMENT PREMISES
LICENSE MAY NOT BE TRANSFERRED AND DOES NOT CONVEY WITH THE SALE OR TRANSFER OF THE PROPERTY

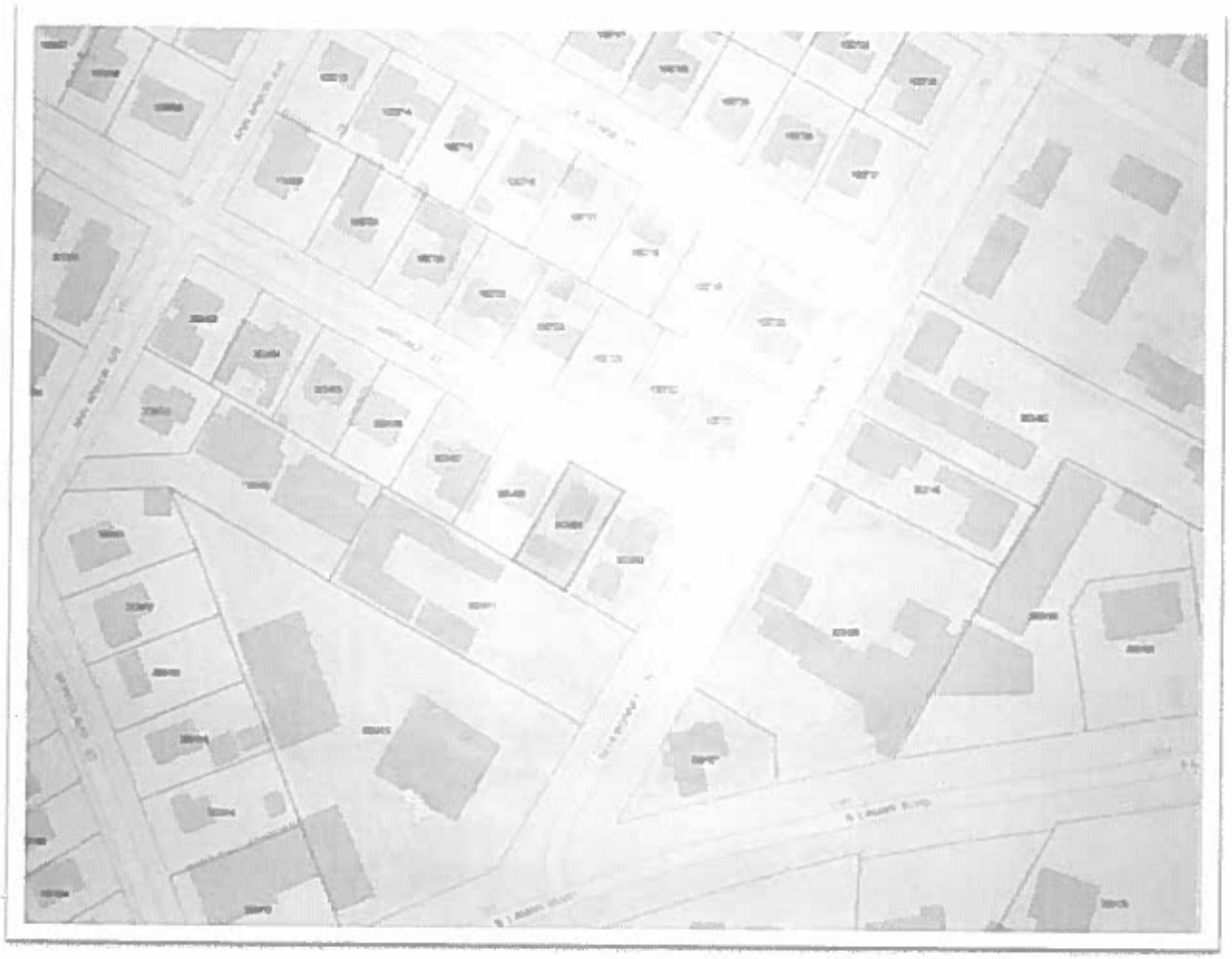
The City of Austin is committed to compliance with the Americans with Disabilities Act.
Reasonable modifications and equal access to communications will be provided upon request.

PHONE RECORDS SUGGEST THAT THE ADU WAS CONVERTED PRIOR TO 1994




1994-1995 AUSTIN
COLE'S
PAGE 65
ARLA COVE
ARLINGTON
ARISTOCRAT DR
ARMADILLO RD
ARMSTRONG AVE
ARNOLD DR
ARNOLD LN
ARPDALE ST
ARCHER RIVER DR
ADDRESS

OVER 80% OF THE OWNERS WITHIN 300FT ARE IN SUPPORT OF THE VARIANCE REQUEST



Neighbors felt like this variance is a non-issue since this request involves an existing structure which shouldn't be subject to regulations intended to limit the amount of new construction and conversions in the area.

sell, transfer, assign and convey, unto the said Robert Bauerle that certain Mechanic's lien and note executed by J. Thad Lowe and wife, Barbara Ann Lowe, dated the [illegible] day of June, A.D. 1938, for the sum of Three Thousand Five Hundred Dollars ($3,500.00), payable to L. A. Burditt, or order, at Austin, Texas, which Mechanic's lien and note were on sale date by him, the said L. A. Burditt, transferred and assigned to the said R. E. Rawls Lumber Co., Inc., who is now the legal owner and holder of the same.

Said mechanic's Lien and note having been given by said J. Thad Lowe and wife, Barbara Ann Lowe, to said L. A. Burditt as payment for the erection of improvements on that certain tract or parcel of land, situated in the County of Travis, State of Texas, fully described in the said Mechanic's lien herein transferred, recorded in Volume [illegible], at pages 234 to 237 of the Mechanic's Lien Records of Travis County, Texas, which records are hereby referred to and made a part hereof for all pertinent purposes in the premises.

To have and to hold the above mentioned Mechanic's lien and note, together with all and singular the contract lien, rights, equities and interest in said land which said R. E. Rawls Lumber Co., Inc. has by virtue of being the assignee and payee of said Mechanic's Lien and note, unto the said Robert Bauerle, his heirs and assigns, this conveyance is made, however, without recourse on the said R. E. Rawls Lumber Co. Inc., except as follows, to-wit, that said R. E. Rawls Lumber Co., Inc. does hereby warrant and bind itself that said Mechanic's lien and note are and constitute the first lien on the said land and premises above described, and that all payments, offsets and credits have been allowed.

In witness whereof the said R. E. Rawls Lumber Co., Inc. has caused these presents to be executed by its President, R. E. Rawls, therefor first duly empowered and authorized, this, the 15 day of July, A.D. 1939.

R. E. Rawls Lumber Co., Inc.

By R. E. Rawls
Its President.

THE STATE OF TEXAS #
COUNTY OF TRAVIS # BEFORE ME, the undersigned authority in and for said County and State, on this day personally appeared R. E. Rawls, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same as the act and deed of R. E. Rawls Lumber Co. Inc., of Austin, Travis County, Texas, and as the president thereof, and for the purposes and consideration therein expressed.

Given under my hand and seal of office, this the 15 day of July, A.D. 1939.

O. A. Martins
A Notary Public, in and for the County of Travis, State of Texas.

(Notary Seal)

Filed for record 17 July 1939 at 2:20 P.M. Recorded 19 July 1939 at 4:55 P.M.

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STATE OF TEXAS,)
COUNTY OF TRAVIS.) TO THE PUBLIC

RESTRICTIVE COVENANTS

which shall apply to all lots sold for residential purposes in Rabb Inwood Hills as per plat of said Subdivision duly recorded in the Plat Records of Travis County, Texas, this 6th day of July, A. D. 1939, Volume 4, Page 73, Dead Records, Travis County, Texas.

It is provided, however, that this conveyance is made subject to the following restrictions, covenants and conditions, to wit:

[illegible] business of any kind shall be carried on, on the premises herein [illegible] that signs or bill-boards shall be erected [illegible]

that all improvements shall be used for residence purposes only; no business 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. Dwellings shall not be constructed less than twenty-five feet from front property line. No residential lot shall be subdivided into building plots having less than 5000 square feet of area or a width of less than 50 feet each, nor shall any building be erected on any plot having an area of less than 5000 square feet or a frontage of less than 50 feet. 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.

2. No part of the premises hereby conveyed shall ever be owned by, held or rented to any person of African descent; provided, however, that this clause shall not prevent the employment of such persons as domestic servants and providing customary accommodations for them on said premises.

or placed on said premises herein conveyed as a temporary or permanent residence.

The grantee in this conveyance accepts same subject to the foregoing restrictions and conditions, which is agreed shall be deemed to be covenants running with the land, and the grantee for himself, his heirs and assigns covenant to and with grantor his heirs and assigns that he will faithfully observe the foregoing restrictions, whether or not they are repeated in subsequent conveyances of the above described property.

If the grantee or any person claiming under him, shall at any time violate or attempt to violate or shall omit to perform or observe any of the foregoing restrictions, then it shall be lawful for any person owning land in the residential portion of Rabb Inwood Hills Addition to institute and prosecute appropriate proceedings at law or in equity against the grantee, his heirs or assigns to enforce the provisions herein; and a failure to bring such proceedings for a violation of theprovisions herein shall not bedeemed or taken as a waiver of any subsequent violation.

I, De Rance C. Rabb, owner of Rabb Inwood Hills as per Plat duly recorded and as above set forth, designate that all Residential Lots above mentioned will be sold subject to Restrictive Covenants as set forth.

De Rance C. Rabb.

STATE OF TEXAS,)
COUNTY OF TRAVIS.) BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared De RanceC. Rabb, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office, this 13th day of July, 1939.

Frances McWilliams,
(Notary Seal). Notary Public, Travis County, Texas.

Filed for Record July 17, 1939 at 8:00 A. M. Recorded July 20, 1939 at 7:40 A. M.

-o-o-o-o-o-o-o-o-o-o-o-o-o-o-o-o-o-o-o-

THE STATE OF TEXAS,)
COUNTY OF HARRIS.) KNOW ALL MEN BY THESE PRESENTS:

77

THE STATE OF TEXAS }
COUNTY OF TRAVIS } KNOW ALL MEN BY THESE PRESENTS:

That I, Melvin Bryant, of Travis County, in the State aforesaid, for and in consideration of ten dollars ($10.00) and o ther valuable considerations to me in hand paid by Howard-Douglas Lumber Co., a corporation, receipt of which is hereby acknowledged, have granted, sold, and conveyed, and by these presents do grant, sell and convey unto the said Howard-Douglas Lumber Co. of the City of Austin, County of Travis, State of Texas, all that certain tract or parcel of land described as:

The west 55 feet off of Lot 16, Block 8, Rabb Inwood Hills Addition to the City of Austin, County of Travis, State of Texas; as said lot is described in a plat of said addition recorded in Vol.4 page 73 Plat Record, Travis County, Tex.

to have and to hold the above described tract or parcel of land, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said Howard-Douglas Lumber Company, a corporation, or its assigns, forever. And I do hereby bind myself, my heirs, executors, administrators to warrant and forever defend all and singular the said tract or parcel of land unto the said Howard-Douglas Lumber Company, a corporation, or its assigns, against any and every person whomsoever, lawfully claiming or to claim the same or any part thereof.

Witness my hand this 23rd day of November, 1949.

Melvin Bryant
Melvin Bryant

($1.10 U.S.Int.Rev.Stamps Can.)

THE STATE OF TEXAS }
COUNTY OF TRAVIS }

BEFORE ME, O. E. Wyse, on this day personally appeared Melvin Bryant, a single man known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN under my hand and seal of office this 23rd day of November, 1949.

O. E. Wyse, Notary Public in and for County of Travis, State of Texas

Filed for record Dec. 3,1949, at 10:45 A.M.
Recorded Dec. 6,1949, at 1:35 P.M.

City of Austin
Watershed Protections & Development Review

LAND STATUS DETERMINATION
1987 RULE PLATTING EXCEPTION

01/12/2007

File Number: C8I-07-0014

Address: 2003 ARPDALE ST

Tax Parcel ID: 0401090909 Map Date: 12/10/2003

The Watershed Protections & Development Review has determined that this parcel, as described in the attached description and map, **IS EXCEPTED FROM THE REQUIREMENT TO PLAT** in accordance with the Land Development Code, Section 25-4-2(C), and is eligible to receive utility service.

The parcel of land consists of five acres or less, and is described as being the West 55 feet of Lot 16, Block 16, Rabb Inwood Hills Subdivision in the current deed, recorded on 03/15/2004, in Document #2004047737, County Deed Records. This parcel existed in its current configuration on January 1, 1995, as evidenced by a deed recorded on 05/01/1990, in Volume 11177, Page 201, County Deed Records. The parcel was lawfully receiving utility service, as defined in Section 212.012 of the Texas Local Government Code, on Janaury 1, 1995, as evidenced by service on . The parcel meets the requirements of the Land Development Code for roadway frontage and is located on an existing street.

Additional Notes/Conditions:
NONE

This determination of the status of the property is based on the application of Chapter 212, Municipal Regulation of Subdivisions and Property Development, Texas Local Government Code; and the City of Austin Land Development Code, Chapter 25-4, Subdivision. Recognition hereby does not imply approval of any other portion of the City Code or any other regulation.

By: _____
SARA GROVES
Director (or representative)
Watershed Protections & Development Review

PICTURES OF ACCESSORY DWELLING UNIT

PERMIT HISTORY

Permit history suggests that the structure was likely converted in 1990.

Harrol B. Caffey 2003 Arpdale Street

259 West 55' of 16 8 - -

Inwood Hills

Frame garage.

46378 10-5-50 $350.00

Owner

-

City of Austin

MECHANICAL PERMIT

PERMIT NO: 1990-002920-MP
2003 ARPDALE ST

Type: RESIDENTIAL Status: FINAL
Issue Date: 10/23/1990 **EXPIRY DATE: 11/27/1990**

LEGAL DESCRIPTION	SITE APPROVAL	ZONING
W 55FT OF LOT 16 BLK 8 RABB INWOOD HILLS		

PROPOSED OCCUPANCY	WORK PERMITTED	ISSUED BY:
	Remodel	

Rebuild Electric Service & Connect A/C (Res)

Total SQFT	Valuation		Use CAT.	Floors	Units
	Remodel:	$.00			
	Total New:	$500.00			1

Contact	Telephone
Owner, CARRASCO GILBERT CARNERO & JON MILLER CARRASCO & GILBERT CARRASCO-MILLER	() -

Fee Description	Fee Amount	Paid Date
Mechanical Permit Fee	$26.00	10/24/1990
Total Fees:	**$26.00**	

Inspection Requirements

Mechanical Inspection

City Code Chapter 25-12, Article 13: A permit expires on the 181st day if the project has not scheduled nor received an inspection.
A "Cancelled" and/or "Failed/No Work Performed" inspection result does not extend the expiration date.

Comments

Inv Mech And Plbg 10-24-90 Pd Invest Mech Fee 10-24-90 Escrow*** Ok Snl Oh

BY ACCEPTING OR PAYING FOR THIS PERMIT YOU ARE DECLARING THAT YOU ARE THE OWNER OR AUTHORIZED BY THE OWNER THAT THE DATA SUBMITTED AT THE TIME OF APPLICATION WAS TRUE FACTS AND THAT THE WORK WILL CONFORM TO THE PLANS AND SPECIFICATION SUBMITTED HEREWITH.

TO SCHEDULE AN INSPECTION, CALL 480-0623

Printed: 01/13/17 8:42

City of Austin

MECHANICAL PERMIT

PERMIT NO: 1990-002920-MP
2003 ARPDALE ST

Type: RESIDENTIAL Status: FINAL
Issue Date: 10/23/1990 **EXPIRY DATE: 11/27/1990**

LEGAL DESCRIPTION	SITE APPROVAL	ZONING
W 55FT OF LOT 16 BLK 8 RABB INWOOD HILLS		

PROPOSED OCCUPANCY	WORK PERMITTED	ISSUED BY:
	Remodel	

Rebuild Electric Service & Connect A/C (Res)

Total SQFT	Valuation	Use CAT.	Floors	Units
	Remodel: $.00 Total New: $500.00			1

Type	Date	Status	Comments	Inspector
405 Final Mechanical	11/27/1990	Pass	MIGRATED FROM PIER.	

TO SCHEDULE AN INSPECTION, CALL 480-0623

Printed: 01/13/17 8:42

City of Austin
ELECTRIC PERMIT

PERMIT NO: 1990-002920-EP

Type: RESIDENTIAL Status: Final

2003 ARPDALE ST

Issue Date: 10/23/1990 **EXPIRY DATE: 10/24/1990**

LEGAL DESCRIPTION	SITE APPROVAL	ZONING
W 55FT OF LOT 16 BLK 8 RABB INWOOD HILLS		

PROPOSED OCCUPANCY	WORK PERMITTED: Remodel	ISSUED BY:
Rebuild Electric Service & Connect A/C (Res)		

Total SQFT	Valuation	Use CAT	Floors	Units
	Remodel: $ 00			1

Contact	Telephone
Owner, CARRASCO GILBERT CARNERO & JON MILLER CARRASCO & GILBERT CARRASCO-MILLER	() -

Fee Description	Fee Amount	Paid Date
Electrical Permit Fee	$21.00	10/23/1990
Mechanical Permit Fee	$26.00	10/24/1990
Total Fees:	**$47.00**	

Inspection Requirements

Electric Inspection

City Code Chapter 25-12, Article 13: A permit expires on the 181st day if the project has not scheduled nor received an inspection.

A "Cancelled" and/or "Failed/No Work Performed" inspection result does not extend the expiration date.

It is a violation and a fineable offense to cut or tamper with the Austin Energy meter seal. Austin Energy shall fine and/or prosecute to the fullest extent any offenses that are discovered and verified.

Comments

Inv Mech And Plbg 10-24-90 Pd Invest Mech Fee 10-24-90 Escrow*** Ok Snl Oh

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TO SCHEDULE AN INSPECTION, CALL 512-480-0623

Printed: 01/13/17 8:43

City of Austin
ELECTRIC PERMIT

PERMIT NO: 1990-002920-EP

Type: RESIDENTIAL Status: Final

2003 ARPDALE ST

Issue Date: 10/23/1990 **EXPIRY DATE: 10/24/1990**

LEGAL DESCRIPTION	SITE APPROVAL	ZONING
W 55FT OF LOT 16 BLK 8 RABB INWOOD HILLS		

PROPOSED OCCUPANCY	WORK PERMITTED: Remodel	ISSUED BY:
Rebuild Electric Service & Connect A/C (Res)		

Total SQFT	Valuation	Use CAT	Floors	Units
	Remodel: $ 00			1

Type	Date	Status	Comments	Inspector
305 Final Electric	10/24/1990	Pass	MIGRATED FROM PIER.	

TO SCHEDULE AN INSPECTION, CALL 512-480-0623

Printed: 01/13/17 8:43

City of Austin
PLUMBING PERMIT

PERMIT NO: 1990-002976-PP

Type: RESIDENTIAL Status: Final

2003 ARPDALE ST

Issue Date: 10/24/1990 **EXPIRY DATE: 10/25/1990**

LEGAL DESCRIPTION	SITE APPROVAL	ZONING
W 55FT OF LOT 16 BLK 8 RABB INWOOD HILLS		

PROPOSED OCCUPANCY	WORK PERMITTED:	ISSUED BY:
Gas Test Residence	Remodel	

Total SQFT	Valuation	Use CAT.	Floors	Units
	Remodel: $.00	R1-2		1

Contact	Telephone
Owner, CARRASCO GILBERT CARNERO & JON MILLER CARRASCO & GILBERT CARRASCO-MILLER	() -

Fee Description	Fee Amount	Paid Date
Plumbing Permit Fee	$21.00	10/24/1990
Total Fees:	**$21.00**	

Inspection Requirements

Plumbing Inspection

City Code Chapter 25-12, Article 13: A permit expires on the 181st day if the project has not scheduled nor received an inspection. A "Cancelled" and/or "Failed/No Work Performed" inspection result does not extend the expiration date.

Comments

BY ACCEPTING OR PAYING FOR THIS PERMIT YOU ARE DECLARING THAT YOU ARE THE OWNER OR AUTHORIZED BY THE OWNER THAT THE DATA SUBMITTED AT THE TIME OF APPLICATION WAS TRUE FACTS AND THAT THE WORK WILL CONFORM TO THE PLANS AND SPECIFICATION SUBMITTED HEREWITH.

TO SCHEDULE AN INSPECTION, CALL 480-0623

Printed: 01/13/17 8:43

City of Austin
PLUMBING PERMIT

PERMIT NO: 1990-002976-PP

Type: RESIDENTIAL Status: Final

2003 ARPDALE ST

Issue Date: 10/24/1990 **EXPIRY DATE: 10/25/1990**

LEGAL DESCRIPTION	SITE APPROVAL	ZONING
W 55FT OF LOT 16 BLK 8 RABB INWOOD HILLS		

PROPOSED OCCUPANCY	WORK PERMITTED: Remodel	ISSUED BY:
Gas Test Residence		

Total SQFT	Valuation	Use CAT.	Floors	Units
	Remodel: $.00	R1-2		1

Type	Date	Status	Comments	Inspector
521 Final Plumbing	10/25/1990	Pass	MIGRATED FROM PIER.	

TO SCHEDULE AN INSPECTION, CALL 480-0623

Printed: 01/13/17 8:43

City of Austin
PLUMBING PERMIT

PERMIT NO: 1990-005074-PP Type: RESIDENTIAL Status: Final

2003 ARPDALE ST Issue Date: 10/25/1990 **EXPIRY DATE: 10/26/1990**

LEGAL DESCRIPTION	SITE APPROVAL	ZONING
W 55FT OF LOT 16 BLK 8 RABB INWOOD HILLS		

PROPOSED OCCUPANCY	WORK PERMITTED: Remodel	ISSUED BY:
Install Water Heater In Existing Residence		

Total SQFT	Valuation	Use CAT.	Floors	Units
	Remodel: $.00	R1-2		1

Contact
Owner, CARRASCO GILBERT CARNERO & JON MILLER CARRASCO & GILBERT CARRASCO-MILLER

Telephone
() -

Fee Description	Fee Amount	Paid Date
Plumbing Permit Fee	$21.00	10/25/1990
Total Fees:	**$21.00**	

Inspection Requirements
Plumbing Inspection

City Code Chapter 25-12, Article 13: A permit expires on the 181st day if the project has not scheduled nor received an inspection. A "Cancelled" and/or "Failed/No Work Performed" inspection result does not extend the expiration date.

Comments

BY ACCEPTING OR PAYING FOR THIS PERMIT YOU ARE DECLARING THAT YOU ARE THE OWNER OR AUTHORIZED BY THE OWNER THAT THE DATA SUBMITTED AT THE TIME OF APPLICATION WAS TRUE FACTS AND THAT THE WORK WILL CONFORM TO THE PLANS AND SPECIFICATION SUBMITTED HEREWITH.

TO SCHEDULE AN INSPECTION, CALL 480-0623

Printed: 01/13/17 8:43

City of Austin
PLUMBING PERMIT

PERMIT NO: 1990-005074-PP

Type: RESIDENTIAL Status: Final

2003 ARPDALE ST

Issue Date: 10/25/1990 **EXPIRY DATE: 10/26/1990**

LEGAL DESCRIPTION	SITE APPROVAL	ZONING
W 55FT OF LOT 16 BLK 8 RABB INWOOD HILLS		

PROPOSED OCCUPANCY	WORK PERMITTED: Remodel	ISSUED BY:
Install Water Heater In Existing Residence		

Total SQFT	Valuation	Use CAT.	Floors	Units
	Remodel: $.00	R1-2		1

Type	Date	Status	Comments	Inspector
500 Plumbing Rough	10/26/1990	Pass	MIGRATED FROM PIER.	
501 Plumbing Copper	10/26/1990	Pass	MIGRATED FROM PIER.	
502 Plumbing Top Out	10/26/1990	Pass	MIGRATED FROM PIER.	
505 Sewer Yard Line	10/26/1990	Pass	MIGRATED FROM PIER.	
521 Final Plumbing	10/26/1990	Pass	MIGRATED FROM PIER.	

TO SCHEDULE AN INSPECTION, CALL 480-0623

Printed: 01/13/17 8:43

City of Austin
ELECTRIC PERMIT

PERMIT NO: 1997-002369-EP

Type: RESIDENTIAL Status: Final

2003 ARPDALE ST

Issue Date: 10/07/1997 **EXPIRY DATE: 10/20/1997**

LEGAL DESCRIPTION	SITE APPROVAL	ZONING
W 55FT OF LOT 16 BLK 8 RABB INWOOD HILLS		

PROPOSED OCCUPANCY	WORK PERMITTED: Remodel	ISSUED BY:
Replace Breaker Box/Upgrade Existing Service		

Total SQFT	Valuation	Use CAT	Floors	Units
	Remodel: $.00			1

Fee Description	Fee Amount	Paid Date
Electrical Permit Fee	$23.00	10/07/1997
Total Fees:	**$23.00**	

City Code Chapter 25-12, Article 13: A permit expires on the 181st day if the project has not scheduled nor received an inspection.

A "Cancelled" and/or "Failed/No Work Performed" inspection result does not extend the expiration date.

It is a violation and a fineable offense to cut or tamper with the Austin Energy meter seal. Austin Energy shall fine and/or prosecute to the fullest extent any offenses that are discovered and verified.

Comments

BY ACCEPTING OR PAYING FOR THIS PERMIT YOU ARE DECLARING THAT YOU ARE THE OWNER OR AUTHORIZED BY THE OWNER THAT THE DATA SUBMITTED AT THE TIME OF APPLICATION WAS TRUE FACTS AND THAT THE WORK WILL CONFORM TO THE PLANS AND SPECIFICATION SUBMITTED HEREWITH.

TO SCHEDULE AN INSPECTION, CALL 512-480-0623

Printed: 01/13/17 8:44

City of Austin
ELECTRIC PERMIT

PERMIT NO: 1997-002369-EP

Type: RESIDENTIAL Status: Final

2003 ARPDALE ST

Issue Date: 10/07/1997 **EXPIRY DATE: 10/20/1997**

LEGAL DESCRIPTION	SITE APPROVAL	ZONING
W 55FT OF LOT 16 BLK 8 RABB INWOOD HILLS		

PROPOSED OCCUPANCY	WORK PERMITTED: Remodel	ISSUED BY:
Replace Breaker Box/Upgrade Existing Service		

Total SQFT	Valuation	Use CAT	Floors	Units
	Remodel: $.00			1

Type	Date	Status	Comments	Inspector
305 Final Electric	10/20/1997	Pass	MIGRATED FROM PIER.	

TO SCHEDULE AN INSPECTION, CALL 512-480-0623

Printed: 01/13/17 8:44

City of Austin

MECHANICAL PERMIT

PERMIT NO: 1997-002369-MP

2003 ARPDALE ST

Type: RESIDENTIAL Status: FINAL

Issue Date: 10/07/1997 **EXPIRY DATE: 08/29/2007**

LEGAL DESCRIPTION	SITE APPROVAL	ZONING
W 55FT OF LOT 16 BLK 8 RABB INWOOD HILLS		

PROPOSED OCCUPANCY	WORK PERMITTED	ISSUED BY:
	Remodel	

Replace Breaker Box/Upgrade Existing Service

Total SQFT	Valuation		Use CAT.	Floors	Units
	Remodel:	$.00			
	Total New:	$490.00			1

Inspection Requirements

Mechanical Inspection

City Code Chapter 25-12, Article 13: A permit expires on the 181st day if the project has not scheduled nor received an inspection.
A "Cancelled" and/or "Failed/No Work Performed" inspection result does not extend the expiration date.

Comments

BY ACCEPTING OR PAYING FOR THIS PERMIT YOU ARE DECLARING THAT YOU ARE THE OWNER OR AUTHORIZED BY THE OWNER THAT THE DATA SUBMITTED AT THE TIME OF APPLICATION WAS TRUE FACTS AND THAT THE WORK WILL CONFORM TO THE PLANS AND SPECIFICATION SUBMITTED HEREWITH.

TO SCHEDULE AN INSPECTION, CALL 480-0623

Printed: 01/13/17 8:44

City of Austin

MECHANICAL PERMIT

PERMIT NO: 1997-002369-MP
2003 ARPDALE ST

Type: RESIDENTIAL Status: FINAL
Issue Date: 10/07/1997 **EXPIRY DATE: 08/29/2007**

LEGAL DESCRIPTION	SITE APPROVAL	ZONING
W 55FT OF LOT 16 BLK 8 RABB INWOOD HILLS		

PROPOSED OCCUPANCY	WORK PERMITTED	ISSUED BY:
	Remodel	

Replace Breaker Box/Upgrade Existing Service

Total SQFT	Valuation		Use CAT.	Floors	Units
	Remodel:	$.00			1
	Total New:	$490.00			

TO SCHEDULE AN INSPECTION, CALL 480-0623

Printed: 01/13/17 8:44

City of Austin
BUILDING PERMIT

PERMIT NO: 2007-141411-BP | Type: RESIDENTIAL | Status: Final

2003 ARPDALE ST | Issue Date: 08/06/2007 | **EXPIRY DATE: 09/26/2007**

LEGAL DESCRIPTION	SITE APPROVAL	ZONING
W 55FT OF LOT 16 BLK 8 RABB INWOOD HILLS		SF-3

PROPOSED OCCUPANCY:	WORK PERMITTED: Remodel	ISSUED BY: Tarrah Adams

Reroof exst 1 story sf res, replace/modify framing, rafters to complete gable roof over flat roof area.

TOTAL SQFT	VALUATION	TYPE CONST.	USE CAT.	GROUP	FLOORS	UNITS	# OF PKG SPACES
Remodel: 0	Tot Val Rem: $12,500.00 Tot Job Val: $.00		435		1	1	

TOTAL BLDG. COVERAGE	% COVERAGE	TOTAL IMPERVIOUS COVERAGE	% COVERAGE	# OF BATHROOMS	METER SIZE

Contact	Phone	Contact	Phone
Applicant, Jeremy Wren, Referred Renovations	(512) 669-8618	Owner, CARRASCO GILBERT CARNERO & JON MILLER CARRA	() -
Owner, FUENTES GINO CARLOS	() -	General Contractor, Jeremy Wren, Referred Renovations	(512) 669-8618

Fee Desc	Amount	Date	Fee Desc	Amount	Date	Fee Desc	Amount	Date
Building Permit Fee	135.00	8/6/2007						
Fees Total:	**135.00**							

Inspection Requirements

Building Inspection

All Buildings, Fences, Landscaping, Patios, Flatwork And Other Uses Or Obstructions Of A Drainage Easement Are Prohibited, Unless Expressly Permitted By A License Agreement Approved By COA Authorizing Use Of The Easement.

City Code Chapter 25-12, Article 13: A permit expires on the 181st day if the project has not scheduled nor received an inspection. A "Cancelled" and/or "Failed/No Work Performed" inspection result does not extend the expiration date.

The following permits are required as a separate permit: See Mechanical, Electrical, Plumbing permits for Related Fees and Inspections.

Comments

No change to IC/BC/GFA. No plmg/elec/mech work permitted. No removal of ext walls.

	Date	Reviewer
Residential Zoning Review	08/06/2007	Daniel Word

By Accepting Or Paying For This Permit You are Declaring That You Are The Owner Or Authorized By The Owner That The Data Submitted At The Time Of Application Was True Facts And That The Work Will Conform To The Plans And Specification Submitted Herewith.

To Schedule An Inspection, Call 512-480-0623

City of Austin
BUILDING PERMIT

PERMIT NO: 2007-141411-BP

2003 ARPDALE ST

Type: RESIDENTIAL Status: Final

Issue Date: 08/06/2007 **EXPIRY DATE: 09/26/2007**

LEGAL DESCRIPTION	SITE APPROVAL	ZONING
W 55FT OF LOT 16 BLK 8 RABB INWOOD HILLS		SF-3

PROPOSED OCCUPANCY: | WORK PERMITTED: Remodel | ISSUED BY: Tarrah Adams

Reroof exst 1 story sf res, replace/modify framing, rafters to complete gable roof over flat roof area.

TOTAL SQFT	VALUATION	TYPE CONST.	USE CAT.	GROUP	FLOORS	UNITS	# OF PKG SPACES
Remodel: 0	Tot Val Rem: $12,500.00 Tot Job Val: $.00		435		1	1	

TOTAL BLDG. COVERAGE	% COVERAGE	TOTAL IMPERVIOUS COVERAGE	% COVERAGE	# OF BATHROOMS	METER SIZE

Type	Date	Status	Comments	Inspector
101 Building Layout	9/5/2007	Pass		Donald Klesel
102 Foundation		Open		Donald Klesel
103 Framing	9/5/2007	Pass		Donald Klesel
104 Insulation		Open		Donald Klesel
105 Wallboard		Open		Donald Klesel
108 TCO Stocking		Open		Donald Klesel
111 Energy Final	9/26/2007	Pass		Donald Klesel
112 Final Building	9/26/2007	Pass		Donald Klesel
Deficiencies		Open		Donald Klesel

To Schedule An Inspection, Call 512-480-0623

City of Austin

BUILDING PERMIT

PERMIT NO: 2013-003404-BP | Type: RESIDENTIAL | Status: Final

2003 ARPDALE ST | Issue Date: 01/16/2013 | **EXPIRY DATE: 03/29/2013**

LEGAL DESCRIPTION	SITE APPROVAL	ZONING
W 55FT OF LOT 16 BLK 8 RABB INWOOD HILLS		SF-3

PROPOSED OCCUPANCY:	WORK PERMITTED: Repair	ISSUED BY: Glenda Wilsford

Install 1 replacement windows on the front of the existing single family residence.

TOTAL SQFT	VALUATION	TYPE CONST.	USE CAT.	GROUP	FLOORS	UNITS	# OF PKG SPACES
Remodel: 1,524	Tot Val Rem: $442.00 Tot Job Val: $442.00		435		1	1	

TOTAL BLDG. COVERAGE	% COVERAGE	TOTAL IMPERVIOUS COVERAGE	% COVERAGE	# OF BATHROOMS	METER SIZE
				0	n/a

Contact	Phone	Contact	Phone
Applicant, Mike P. Connors, Titan Siding, Windows and Exteriors	(512) 944-8029	Owner, Scott Jacobs	(512) 908-0770
General Contractor, Mike P. Connors, Titan Siding, Windows and E	(512) 944-8029		

Fee Desc	Amount	Date	Fee Desc	Amount	Date	Fee Desc	Amount	Date
Building Permit Fee	29.00	1/16/2013	Development Services Surchar	1.32	1/16/2013	Residential Express Review	4.00	1/16/2013
Fees Total:	**34.32**							

Inspection Requirements

Building Inspection

All Buildings, Fences, Landscaping, Patios, Flatwork And Other Uses Or Obstructions Of A Drainage Easement Are Prohibited, Unless Expressly Permitted By A License Agreement Approved By COA Authorizing Use Of The Easement.

City Code Chapter 25-12, Article 13: A permit expires on the 181st day if the project has not scheduled nor received an inspection. A "Cancelled" and/or "Failed/No Work Performed" inspection result does not extend the expiration date.

The following permits are required as a separate permit: See Mechanical, Electrical, Plumbing permits for Related Fees and Inspections.

Comments

	Date	Reviewer
Residential Zoning Review	01/14/2013	Bryan Walker

By Accepting Or Paying For This Permit You are Declaring That You Are The Owner Or Authorized By The Owner That The Data Submitted At The Time Of Application Was True Facts And That The Work Will Conform To The Plans And Specification Submitted Herewith.

To Schedule An Inspection, Call 512-480-0623

City of Austin
BUILDING PERMIT

PERMIT NO: 2013-003404-BP
2003 ARPDALE ST

Type: RESIDENTIAL Status: Final
Issue Date: 01/16/2013 **EXPIRY DATE: 03/29/2013**

LEGAL DESCRIPTION	SITE APPROVAL	ZONING
W 55FT OF LOT 16 BLK 8 RABB INWOOD HILLS		SF-3

PROPOSED OCCUPANCY: | WORK PERMITTED: Repair | ISSUED BY: Glenda Wilsford

Install 1 replacement windows on the front of the existing single family residence.

TOTAL SQFT	VALUATION	TYPE CONST.	USE CAT.	GROUP	FLOORS	UNITS	# OF PKG SPACES
Remodel: 1,524	Tot Val Rem: $442.00 Tot Job Val: $442.00		435		1	1	

TOTAL BLDG. COVERAGE	% COVERAGE	TOTAL IMPERVIOUS COVERAGE	% COVERAGE	# OF BATHROOMS	METER SIZE
				0	n/a

Type	Date	Status	Comments	Inspector
101 Building Layout	3/29/2013	Pass		Douglas Mcafee
102 Foundation		Open		Douglas Mcafee
103 Framing		Open		Douglas Mcafee
104 Insulation		Open		Douglas Mcafee
105 Wallboard		Open		Douglas Mcafee
109 TCO Occupancy		Open		Douglas Mcafee
112 Final Building	3/29/2013	Pass		Douglas Mcafee
114 Continuance of work		Open		Douglas Mcafee
Deficiencies		Open		Douglas Mcafee

To Schedule An Inspection, Call 512-480-0623

	Cen.	Yr.	Sequence	Sec.	Rev.	Type		Status
Number	20	16	016025	000	00	PP	Plumbing Permit	Pending

Property

	House	Prefix	Street	Type	Direction	Unit Type	Unit
Address	2003		ARPDALE	STREET			

City	Postal Code	Roll	Property Row ID
AUSTIN	78704	0401090909	812,960

Location: W 55FT OF LOT 16 BLK 8 RABB INWOOD HILLS

Folder Unit:

Indicators

- Violations ☑
- Properties ☐
- Parent ☑
- Child ☐
- Due $.00

In Date: Feb 16, 2016

Issue/Approval:

Expires:

Reference File #:

By:

Final Date:

Sub:

Work:

Name: 2003 ARPDALE ST

Priority:

Description: Austin Water Violation Plumbing Permit

Conditions:

Group: Permits

Parent ID: 11485097

Row ID: 11485099

SIGNATURES IN SUPPORT OF VARIANCE REQUEST

Owners

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 (Printed)	Address	Signature
Bryan Campbell	2004 Arpdale St Austin TX 78704	
Zita Raymond	2013 Arpdale	
Kelly Cottrell	2003 DeVerne St Austin TX	
Jessica/Michael Bryant	2007 DeVerne 78704	
Karen Sullivan	2007 Arpdale St 78704	
Nessa Higgins	2010 Arpdale St	
Jason Osborne	2009 Ann Arbor Ave 81 Austin, TX 78704	

512 785 6050 fr Helen

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 DE VERNE STREET 78704	
Joe Joseph	1101 Robert E. Lee Rd 78704	
HELEN WEST	2000 ARPDALE 78704	
Scott Jacobs	2003 Arpdale St	

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 ~~19~~ 2012

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

Property ~~Owner~~ Tenant Name (Printed)	Address	Signature
James Lovett	2002 Arpdale St, Austin, TX 78704	
Zan Collins	2002 Arpdale St Austin TX 78704	
MITCH PARISH	2302 BLUEBONNET 78704	M PARISH
Lauran Gonzalez	2006 Arpdale St. 78704	Lauran Gonzalez

Lives in Houston

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 13-2-630; Ord. 990225-70; Ord. 991104-46; Ord. 000511-109; Ord. 030731-53; Ord. 031211-11; 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	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
2305 BLUEBONNET LN	ALLEN DANZIGER	Allen Danziger

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 13-2-630; Ord. 990225-70; Ord. 991104-46; Ord. 000511-109; Ord. 030731-53; Ord. 031211-11; 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	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	DocuSigned by: [signature] 017AA5CAB880408...

DocuSign Envelope ID: D1347498-159D-42B1-A354-E4863DD5D7FB

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
2103 Bluebonnet	Matt Jones	DocuSigned by: Matt Jones 3DC8DFEE4A1D41E

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

DocuSign Envelope ID: 1FD92DE0-5B66-4127-8852-46FD8F8A76CA

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	DocuSigned by: Jimi Teasdale E8E0658FDA6B403

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

DocuSign Envelope ID: 2A35735C-9FDF-44D3-BDCA-2CD00B32111E

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	DocuSigned by: Sean Kubicek 8D8E0B2DC679444

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

DocuSign Envelope ID: FFC104C6-E6C6-48DD-A5C0-763ABFA2AA1C

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	DocuSigned by: Amy Hartman ACB9E28AC5064OC

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

DocuSign Envelope ID: 8FE94EA0-A7BE-4907-8943-BF410CFF0311

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 Hubbart	DocuSigned by: Grace Hubbart F8066F2BBC84EF

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

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 512-638-6389

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

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.**

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**.

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 Gilbert

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

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.

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**.

Leane Heldenfels
Board of Adjustment Liaison
City of Austin
1st Floor – Development Assistance Center
505 Barton Springs Road
Austin, TX 78704

Re: 1301 Koenig Lane, comprising approximately 5.416 acres (the "Property") – Board of Adjustment General Variance Application (Case C15-2017-0018, the "Variance Application)

Dear Ms. Heldenfels:

On behalf of the applicant, owner of the Property in the above-referenced matter, we submitted the Variance Application.

The Property is located on the south side of West Koenig Lane, between Woodrow Avenue and Grover Avenue, and was previously occupied by an automotive sales and repair use. Property zoned SF-3 adjacent to the subject tract -- McCallum High School to the east, and SF-lots to the west – trigger Article 10 (Compatibility Standards) of Subchapter A, Chapter 25-2, of the Austin Land Development Code with respect to the subject tract. (See Exhibits 6-8 of the Variance Application).

The Property is currently zoned CS-MU-CO-NP, and a conditional overlay to the Brentwood Neighborhood Plan approved May 2004 limits height of the Property to 40 feet and 3 stories. The applicant filed a zoning application Case C14-2016-0071 to rezone the 5.04 Tract 1 MF-6 for proposed apartments, and contemplated Tract 2 (0.37 acres) as proposed retail use per existing zoning. The zoning application also requested modifying the existing CO to authorize a maximum of 4 stories on the Property (the zoning application otherwise did not propose to modify the 40' maximum height limitation per the existing CO). The Planning Commission unanimously approved the rezoning request, with conditions, on December 14, 2016, and it is scheduled for first reading by the City Council on 4-20-17.

In early 2017, City floodplain staff informed the Property project team of staff's interpretation of City Code provisions that required raising the proposed apartment buildings slightly higher than initially contemplated. This recent floodplain staff interpretation necessitates a slight increase of the proposed maximum height for the proposed apartment buildings from 40' as initially contemplated, to a maximum 45'. This height increase required by City floodplain staff's interpretation requires (1) the requested variances, as described in more detail in the Variance Application, and (2) modifying the rezoning case to authorize a maximum height of 45'. The project team continues discussions with the Brentwood Neighborhood Association regarding the variances requested in the Variance Application, and we are optimistic based on discussions to date that BNA will support these requests.

We look forward to providing additional detail to Board of Adjustment Commissioners at their April 10, 2017, meeting.

Regards, David

Lorraine Atherton
2009 Arpdale, Austin, TX 78704

March 9, 2017

Board of Adjustment
City of Austin
Development Review Dept.
Re: Variance requests C15-2016-0084, 2003 Arpdale

Dear Chairman and Board Members:

This is a follow-up to my letter of August 5, 2016, opposing the variances requested by Scott Jacobs at 2003 Arpdale, C15-2016-0084, to allow a garage remodeled without permits to be occupied as a second dwelling unit. I am presenting additional information regarding the lot size, impervious cover, and code inspections/building permits, all of which show that the City rejected a previous owner's attempt to convert this structure to a second dwelling unit less than 10 years ago, and Mr. Jacobs should have been aware of the status of the property when he purchased it in 2012. On March 2, I submitted 21 pages of City code inspection reports acquired through a public information request; those reports should be included in your late backup files. An AutoCAD diagram of the site plan, a table of area calculations, and photographs are being submitted separately.

A and B, requests to reduce the side and rear setbacks.

The first request should read "west side setback" (not east). Mr. Jacobs has not yet submitted a sealed survey of the property, but the site plan design he submitted with this application appears to be based on a survey from 2007. It shows the west wall to be 4.4 feet from the property line and the rear wall to be 6.3 feet (not 5.5 feet) from the rear property line. The survey does not show the concrete skirt along the rear and west foundation, so it is not clear whether the variance request is measured from the wall or from the edge of the concrete.

If the 2007 survey is correct, it is safe to say that the west wall has existed 4.4 feet from the property line for more than 10 years, and that the rear wall has existed 6.3 feet from the back property line for more than 10 years. If the applicant wishes to maintain the existing garage structure, those two setback measurements will most likely qualify for a special exception, but the measurements to the edge of the concrete would not. The special exception, however, would not allow the change of use to a second dwelling unit. In this case, the applicant has chosen to remodel the entire structure for a new use, a project that normally would not be allowed to encroach on the setbacks. The City's Development Review Department has correctly rejected his argument that "second dwelling" is an existing use, so all of the variance requests, including the side and rear setbacks, must meet the findings for reasonable use, hardship, and area character.

Findings:

(1) The applicant has not shown that the zoning regulations do not allow for reasonable use. The zoning regulations allow him to maintain his existing structures, but he has chosen instead to seek additional privileges not available to his neighbors. Under "**Deed transactions, building permits, and single-family designation"** on the next page, I address his

contentions regarding the permit history and the lack of "public records or any signs that suggest the secondary dwelling has been a problem for the neighborhood."

(2) He has not demonstrated any hardship that is not self-inflicted.

(3) His statement regarding Area Character does not address the central issue of the change of use, and it contradicts Building Permit #141411 from 2007. The building permit is evidence that the City rejected the previous owner's attempt to create a second dwelling on the property less than 10 years ago.

Deed transactions, building permits, and single-family designation

Since the first postponement of this case last August, I have reviewed the results of a public information request for City code inspection reports and a search of Travis County real estate records available to the public online. This research shows that in 2007 a new owner attempted, without permits, to convert the structure in question to a dwelling unit that could be rented separately from the main house. A "work without permit" complaint was investigated and resolved within about a week when the contractor submitted a permit application to reroof the existing single-family residence. The addition to the garage and conversion to a second dwelling were not included in the permit.

The property was sold to Mr. Jacobs in December 2012. The general warranty deed with vendor's lien can be viewed online. It includes a paragraph stating that the seller cannot represent that the square footage calculations are correct. It looks like the seller tried to warn Mr. Jacobs that there was a problem with this lot.

Almost immediately after Mr. Jacobs closed on the property, neighbors started to complain about short-term rentals there. The first complaint recorded in the PIR materials is dated March 25, 2013. Three years later, after several changes in the Code Department's handling of STR inspections, a code inspector noted in response to a complaint on February 18, 2016, that there was no record of a Certificate of Occupancy for the structure's use, that a valid license was not displayed as required for short-term rentals, and that it did not appear to meet the requirements for a Type 1 (owner occupied) short-term rental. A notice of other violations was posted March 25, 2016, after an inspector discovered that a new sewer line was being run through the front yard without a permit. (In that report, the inspector identified the TCAD reference to a first-floor addition in 2007 as the rear structure, but it is more likely to be an acknowledgement of an addition to the rear of the main house, probably made in the 1980s. See the AutoCAD calculations.)

Three months after the sewer permit violation, Mr. Jacobs applied for a building permit to convert the garage to a dwelling unit, which then precipitated the current request for seven variances. Here is a summary of the permit and deed activity for 2003 Arpdale since 2007:

Gino Fuentes applied for a land status determination **Jan. 12, 2007**.

The Carrasco-Millers sold to Gino Fuentes **Feb. 13, 2007**.

Gino Fuentes closed on a mortgage **March 8, 2007**, that included a 1-4 family rider (the previous mortgages required owner occupancy).

Gino Fuentes sold to St. John's Properties LLC (B. Carter Fisk of LA, Calif.) **July 3, 2007**; warranty deed included a bold-face "as is" condition clause.

"Work without a permit" complaint CC-2007-139812 was recorded **July 30, 2007**, and inspector found violations **Aug. 3, 2007**, "building a roof over frame and also interior and added on to garage for accessory dwelling."

Contractor Jeremy Wren submitted building permit application (2007-141411 BP) **Aug. 6, 2007**, issued same day; permit was to "Reroof exst 1 story sf res, replace/modify framing, rafter to complete gable roof." Proposed use is shown as one-story single-family residence, current zoning SF-3; the building permit info does not mention a garage addition or an accessory dwelling. (In 2007, converting a garage to a second dwelling on a lot less than 7000 sf would have required a variance and triggered the current variance requests.)

Code inspector Matthew Noriega closed the code complaint **Sept. 7, 2007**, "due to voluntary compliance" after verifying that permits had been obtained for "remodel."

St. John's Properties LLC sold to Scott Jacobs **Dec. 10, 2012**; general warranty deed with vendor's lien includes this paragraph: "The Company is prohibited from insuring the area or quantity of the land described herein. Therefore, the Company does not represent that the acreage or square footage calculations are correct and references to the quantity are for informational purposes only."

The first recorded short-term rental "without permit" complaint is dated **March 25, 2013** (CC-2013-029340), three months after Jacobs bought the property.

Short-term rental Type 1 permit 2014-075612 OL is the only OL permit at 2003 Arpdale. Application date **July 18, 2014**, Issued August 5, 2014, Expired **August 5, 2016** (The adjacent property at 2001 Arpdale applied for its first short-term rental permit Type 2 in January 2013 and has kept up with its renewals ever since.)

Austin Water violation, plumbing permit, **Feb. 16, 2016**

Notice of code violation sent **March 21, 2016**

Scott Jacobs submitted residential permit application **May 25, 2016**.

Master comment report issued **June 27, 2016**, requiring variance to change use from single family to two family, among others.

C, request to reduce the minimum lot size.

Under City Code 25-2-493(B)(2) a "lot recorded in the county real property records after March 14, 1946 must: (a) have an area of not less than 5,750 square feet; and (b) be not less than 50 feet wide at the street or at the building line." This means that City staff cannot issue a building permit for a property that was reduced to less than 5,750 sf after March 14, 1946.

It is clear that the property at 2003 Arpdale was originally 65 feet wide when it was platted in 1939 and described as Lot 16 of Block 8 in the Rabb Inwood Hills subdivision. Through 1984, the Travis County records available online continue to describe the property as Lot 16. Records of the 1990 sale are not available online, but there is a 1992 record describing the property next door, at 2001 Arpdale, as "east 10 feet of Lot 16 and all of Lot 17 in Block 8 Rabb Inwood Hills." A plausible explanation for this is that the owner of the house and garage apartment at 2001 Arpdale bought 10 feet of Lot 16 after the City Code changed in 1984, requiring a minimum lot size of 7,000 sf for two dwellings.

But that does not explain why the appraisal district listed the lot size for 2003 Arpdale as 5,752.9 sf, instead of 5,500 sf. The land status determination issued by the City in 2007 established that the property was described as the west 55 feet of Lot 16 in 1990, and the survey (apparently from 2007) shows the property to be 5,500 sf. As noted above, the company that sold the property to Mr. Jacobs refused to confirm the area of the land described in the deed.

Findings:

(1) The applicant has not shown that the zoning regulations do not allow for reasonable use. The zoning regulations do allow him to maintain his existing structures, but he has chosen instead to seek additional privileges not available to his neighbors.

(2) He has not demonstrated any hardship that is not self-inflicted. A buyer's failure to read his deed documents, title search, and inspector's reports does not justify a variance. Any hardship in this case can be attributed entirely to the applicant's lack of due diligence.

(3) His statement regarding Area Character does not address the central issue of the change of use, and it does not accurately reflect the character of the area.

D and E, requests to increase the building and impervious cover limits.

Dimensions taken from the site plan submitted by the owner and estimated from recent photographs were entered into AutoCAD and used to calculate the lot size, building coverage, and total impervious cover. According to the AutoCAD calculations, the lot is 5514 sf; the impervious cover is 3357 sf (60.9%), or 876 sf over the limit; and the building coverage is 2307 sf (41.8%), or 101 sf over the limit.

The applicant is requesting impervious cover of only 52%, but so far he has not disclosed how he arrived at that number or where the remaining excess impervious cover will be removed. Based on a lot size of 5514 sf, 52% would amount to 2867 sf, or 280 sf more impervious cover than would be allowed on a standard size lot.

The impervious cover limit of 45%, based on a lot size of 5514 sf, would allow the applicant to maintain the house with its front and back porches, walkways, and main driveway, with more than 200 sf left over for a garage or carport. There is therefore no denial of reasonable use, no hardship, and no justification for a variance from the impervious cover limit of 45%.

The circular drive (which would have to count toward the minimum parking requirement if a second dwelling unit is allowed) is mentioned in the code inspector's comments in March 2016 in connection with the "illegal curbcut." Besides contributing significantly to the excess impervious cover, the gravel drive is eroding into the street and is a constant nuisance.

The applicant is also requesting building cover of 41%. That estimate agrees with the AutoCAD calculation (minus the portable building, which must be removed). But the code limit of 40% would allow the applicant to maintain the existing structures plus more than half of the covered deck on the accessory structure. Again, there is therefore no denial of reasonable use, no hardship, and no justification for a variance from the building cover limit of 40%.

Findings:

(1) The applicant has not shown that the zoning regulations do not allow for reasonable use. The zoning regulations (40% building cover and 45% impervious cover) allow him to maintain the existing house with its front and back porches, walkways, and main driveway, with a reasonable garage or carport, but he has chosen instead to seek additional privileges not available to his neighbors.

(2) He has not demonstrated any hardship that is not self-inflicted.
(3) His statement regarding Area Character does not address the central issue of the change of use, and it does not accurately reflect the character of the area.

F and G, requests to reduce the minimum lot size and minimum distance for a two-family use.

See A, B, and C above.

Findings:

(1) The applicant has not shown that the zoning regulations do not allow for reasonable use. The zoning regulations do allow him to maintain his existing structures, but he has chosen instead to seek additional privileges not available to his neighbors.
(2) He has not demonstrated any hardship that is not self-inflicted. A buyer's failure to read his deed documents, title search, and inspector's reports does not justify a variance. Any hardship in this case can be attributed entirely to the applicant's lack of due diligence.
(3) His statement regarding Area Character does not address the central issue of the change of use, and it contradicts Building Permit #141411 from 2007. The building permit is evidence that the City rejected the previous owner's attempt to create a second dwelling on the property less than 10 years ago.

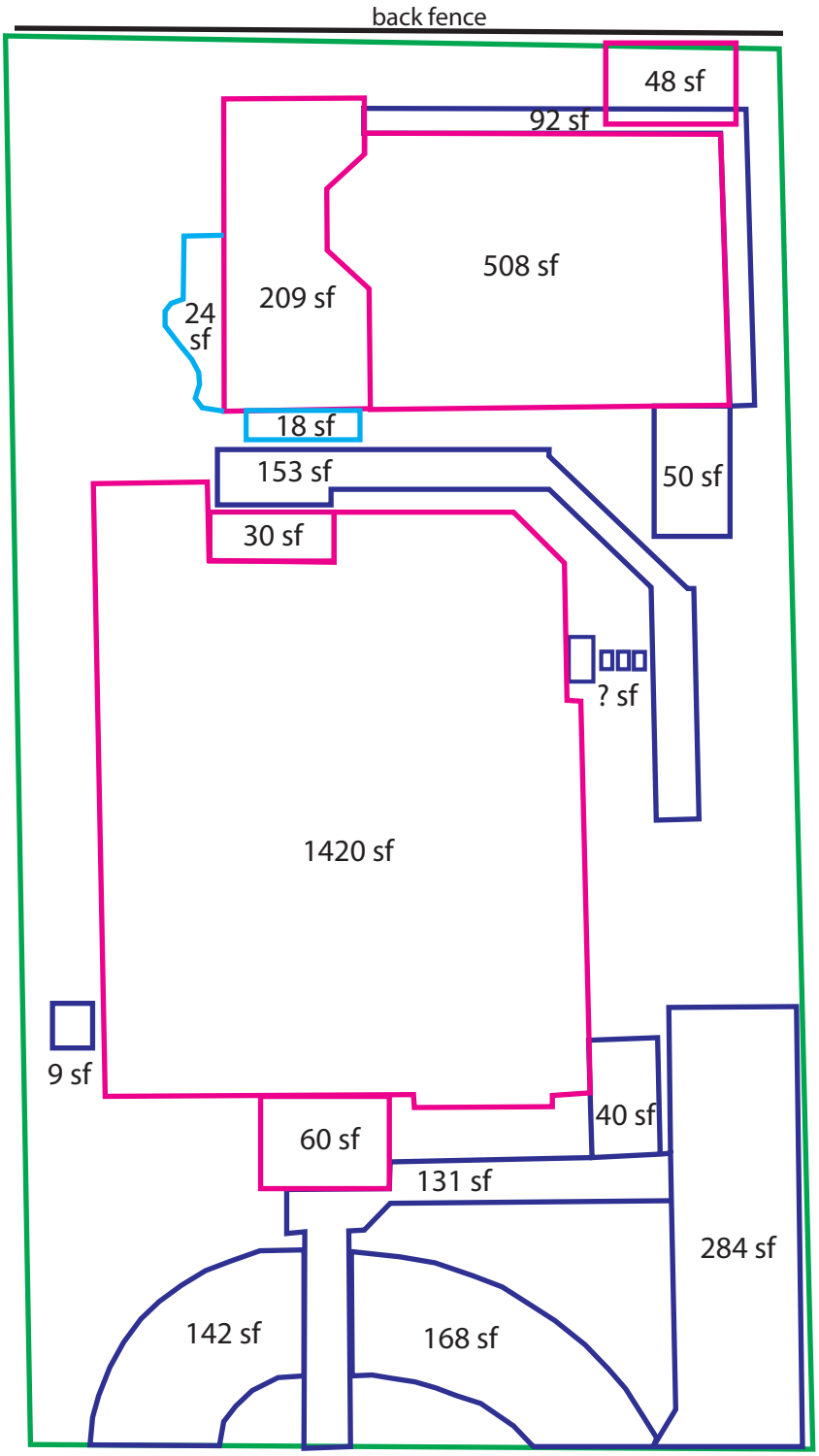
To summarize, I ask that the Board deny all of the variances requested at 2003 Arpdale, C15-2016-0084, because there is evidence that the applicant was aware of the property's shortcomings before he purchased it less than five years ago, and there is evidence that the City rejected the previous owner's attempt to create a second dwelling on the property less than 10 years ago. 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

2003 Arpdale

Lot Size =
5752.90 sf per TCAD
5514.14 sf per survey metes and bounds



2003 Arpdale Coverage Calculations

	Sq Ft	IC Factor	Imp. Cov.	McM. FAR	Bldg. Cov.	TCAD
House	1420	1.0	1420	1420	1420	1524
Front Porch	60	1.0	60		59	102
Back Porch	30	1.0	30		32	
ADU	508	1.0	508	508	508	
ADU Covered Deck	209	1.0	209		240	128+24
ADU Concrete Skirt	92	1.0	92			
ADU Uncovered Deck (wood)	24	0.5	12			
ADU Deck Steps (wood)	18	0.5	9			
Portable Building	40	1.0	40	48	48	
Main Driveway	284	1.0	284			
Circular Driveway	310	1.0	310			
Front Sidewalks	131	1.0	131			
Back/Side Stepping Stones	153	1.0	153			
Other Concrete	90	1.0	90			
A/C Pad	9	1.0	9			
TOTAL			3357	1976	2307	
Lot Size (sf)			5514.14	5514.14	5514.14	5752.9
Percentage of Lot Size			60.9%	35.8%	41.8%	
Allowable (%)			45.0%	40.0%	40.0%	
Allowable (sf)			2481.4	2205.7	2205.7	
Over (sf)			875.6	-229.7	101.3	

City of Austin
Austin Code Department
Summary of Complaint CC-2007-139812

COMPLAINT INFORMATION

Case Status: Closed

Address: 2003 Arpdale Street

Legal Description: Not Recorded

Property Owner(s):
Not Recorded - Owner
Complaint Date: July 30, 2007

Complaint: While I am hesitant to report my neighbour I believe it is unreasonable to continously remodel without a permit, Ongoing remodelling; this house is undergoing the second remodel this year, apparently all without permits

INSPECTION INFORMATION

Investigator Assignment(s)

Bert Godkin assigned on July 31, 2007

Case Log

DATE	STAFF NAME	ACTION TAKEN	COMMENT
08/03/2007	Bert Godkin	Insp / Violation(s) Found	building a roof over frame and all also interior and added on to garage for accessory dwelling
08/03/2007	Bert Godkin	Insp/In process/Monitoring	work being done without permits
09/07/2007	Matthew Noriega	Closed due to Voluntary Compliance	verified permits have been obtained for remodel, see permit #141411

VIOLATIONS

Structure Maintenance

Land Use

Austin City Code Section: Building Permit Requirement (§25-12-241 [2006 IRC R105.1])
Violation: Residential construction performed without required permit(s).
Date Observed: 09/07/2007 Status: Cleared

Property Abatement

NOTICES

City of Austin
Austin Code Department
Summary of Complaint CC-2013-029340

COMPLAINT INFORMATION

Case Status: Closed

Address: 2003 ARPDALE ST 78704

Legal Description: W 55FT OF LOT 16 BLK 8 RABB INWOOD HILLS

Property Owner(s):
Not Recorded - Owner
Complaint Date: March 25, 2013

Complaint: short term rental without permit

INSPECTION INFORMATION

Investigator Assignment(s)

Luther Perez assigned on March 25, 2013
Transferred to Khalid Marshall - MARSHAKH on April 5, 2013

Case Log

DATE	STAFF NAME	ACTION TAKEN
COMMENT		
04/09/2013	Khalid Marshall	Insp/In process/Monitoring

On 4/9/2013 at 0935 Investigator Marshall went to 2003 Arpdale and found one silver colored SUV in the driveway, will monitor for further activity. Property photographed.

04/30/2013 Khalid Marshall Insp/In process/Monitoring
20130430 at 1101 hrs Investigator Marshall photogrpahed a light colored SUV in the driveway of this property. Will monitor.

05/06/2013 Khalid Marshall Information Update
20130506 at 0938 hrs Investigator Marshall photographed two vehicles onsite. One silver colored SUV and one minivan silver in color. Will monitor.

05/09/2013 Khalid Marshall Information Update
20130509 at 1041 hrs Investigator Marshall phtographed two vehicles onsite at this location. One is the same silver colored SUV that has been onsite previously. The second a light colored minivan. Will continue to monitor.

06/12/2013 Khalid Marshall Information Update
20130612 at 1244 hrs Investigator Marshall found the same two vehicles that have been at this location since the start of this investigation. Photos taken.

06/14/2013 Marcus Elliott No Violation(s) Found/ Insp
No evidence of a short-term rental at this location. Case closed.

VIOLATIONS

City of Austin

Austin Code Department

Summary of Complaint CC-2014-054367

COMPLAINT INFORMATION

Case Status: Closed

Address: 2003 ARPDALE ST 78704

Legal Description: W 55FT OF LOT 16 BLK 8 RABB INWOOD HILLS

Property Owner(s):
Not Recorded - Owner
Complaint Date: May 27, 2014

Complaint: ilegal renters in the backyard of address provided. Caller wants someone to come out and close the old house the backyard.

INSPECTION INFORMATION

Investigator Assignment(s)

Barbara Ann Boswell assigned on May 27, 2014
Transferred to Khalid Marshall - MARSHAKH on May 30, 2014

Case Log

DATE	STAFF NAME	ACTION TAKEN

05/28/2014 Barbara Ann Boswell Investigation/Research
On site, observed locked gate which allows passage to rear garage area. Left message for complainant on file to clarify "illegal renters".

06/02/2014 Khalid Marshall Insp/In process/Monitoring
On 20140530 at 1435 hrs Investigator Marshall visited this property and found no one home. I left my card on the door. Photos taken and will continue to monitor for activity.

06/02/2014 Khalid Marshall Owner Contacted
On 20140602 Investigator Marshall received an email from the owner Scott Jacobs. He stated in his email that he had tenants in the residence. I replied to his email explaining that I had a compliant on his property regarding it being used as a STR>

06/16/2014 Khalid Marshall Insp / Violation(s) Found
On 20140613 At 0952 hrs Investigator Marshall stopped at this location and spoke with the tenant in the front structure whom stated that he indeed was a long term renter. This gentleman stated that the rear structure also had tenants but he was unsure if they were look term or not. I asked if it was ok if entered the rear yard where the second structure was located and he said that it was fine. I knocked on the door of the rear structure and made contact with two individuals whom stated that they were only in town for a couple weeks. They had arrived on Thursday of the previous week and would be living on the 22nd of this month totaling only 12 days. I will send a notice of violation for operation of a Short-Term Rental (STR) without a license.

06/16/2014 Khalid Marshall Send CV Notice

07/18/2014 Khalid Marshall Information Update
20140718 at 1042 hrs Investigator Marshall found that OL 2014-075612 has been opened for this property.

08/15/2014 Khalid Marshall Closed due to Voluntary Compliance
20140815 at appx. 0850 hrs Investigator Marshall is closing this case due to the property obtaining an STR license. Refer to OL 2014-075612

VIOLATIONS

Structure Maintenance

Land Use

Austin City Code Section: Zoning (§25-2)
Violation: A person must obtain a license prior to operating a Short-Term Rental (STR)
Date Observed: 06/16/2014 Status: Cleared

Property Abatement

NOTICES

Notice of Violation to Scott Jacobs (Owner)
Mail sent regular on June 16, 2014
Mail sent certified 7013 2630 0002 0463 8636 on June 16, 2014

City of Austin

Austin Code Department

Summary of Complaint CC-2014-057985

COMPLAINT INFORMATION

Case Status: Closed

Address: 2003 ARPDALE ST 78704

Legal Description: W 55FT OF LOT 16 BLK 8 RABB INWOOD HILLS

Property Owner(s):
Not Recorded - Owner
Complaint Date: June 3, 2014

Complaint: STR owner doesn't live at residence and no license to operate. was advised there is someone else moving in June 2nd

INSPECTION INFORMATION

Investigator Assignment(s)

Michelle Stark assigned on June 3, 2014
Transferred to Marcus Elliott - ELLIOTMA on June 3, 2014

Case Log

DATE	STAFF NAME	ACTION TAKEN	COMMENT
06/03/2014	Marcus Elliott	Cancelled	Duplicate. Refer to AMANDA 2014 057985 for additional information.

VIOLATIONS

Structure Maintenance

Land Use

Property Abatement

NOTICES

City of Austin

Austin Code Department

Summary of Complaint CC-2014-077692

COMPLAINT INFORMATION

Case Status: Closed

Address: 2003 ARPDALE ST 78704

Legal Description: W 55FT OF LOT 16 BLK 8 RABB INWOOD HILLS

Property Owner(s):
Not Recorded - Owner
Complaint Date: July 23, 2014

Complaint: Caller states they built a structure in the back of this residence, which they often use to stay in, while he rents the main house.

INSPECTION INFORMATION

Investigator Assignment(s)

Barbara Ann Boswell assigned on July 23, 2014

Case Log

DATE	STAFF NAME	ACTION TAKEN	COMMENT
07/24/2014	Barbara Ann Boswell	Cancelled	Duplicate case to CV-2014.062292 being worked by Khalid Marshall. OL pending at this time.

VIOLATIONS

Structure Maintenance

Land Use

Property Abatement

NOTICES

City of Austin

Austin Code Department

Summary of Complaint CC-2015-097060

COMPLAINT INFORMATION

Case Status: Closed

Address: 2003 ARPDALE ST 78704

Legal Description: W 55FT OF LOT 16 BLK 8 RABB INWOOD HILLS

Property Owner(s):
Complaint Date: August 11, 2015

Complaint: STR Complaint-Caller concerned about the structure of home in the back of house that is being rented out and numerous people are coming in and out and noise is a disturbance. General complaint (add details) AUG 09, 2015 09:00 PM Owner does not live there and rents property

INSPECTION INFORMATION

Investigator Assignment(s)

Michelle Stark assigned on August 11, 2015
Transferred to Khalid Marshall - MARSHAKH on August 17, 2015

Case Log

DATE	STAFF NAME	ACTION TAKEN	COMMENT
08/13/2015	Khalid Marshall	Investigation in Progress	On 20150813 at 1018 Hrs Investigator Marshall stopped at this location and spoke with resident in the front unit. The resident stated that they had a long term (12 month) rental agreement for that unit. They also advised that the owner stayed in the rear unit when he was in town but that when he isn't, that it is indeed being rented out. Though the tenant did state that no one is the unit at the moment.
01/04/2016	Khalid Marshall	No Violation(s) Found/ Insp	This case is being closed due to a lack of evidence to support the complaint. The property has been visited on several occasions.

VIOLATIONS

Structure Maintenance

Land Use

Property Abatement

NOTICES

City of Austin

Austin Code Department

Summary of Complaint CC-2015-097846

COMPLAINT INFORMATION

Case Status: Closed

Address: 2003 ARPDALE ST 78704

Legal Description: W 55FT OF LOT 16 BLK 8 RABB INWOOD HILLS

Property Owner(s):
Complaint Date: August 12, 2015

Complaint: Caller concerned about the structure of home in the back of house that is being rented out and numerous people are coming in and out . Caller doesnt think structure is up to code

INSPECTION INFORMATION

Investigator Assignment(s)

Michelle Stark assigned on August 12, 2015

Case Log

DATE	STAFF NAME	ACTION TAKEN	COMMENT
08/31/2015	Barbara Ann Boswell	Cancelled	On site 8.29.15 on Saturday shift. Property is empty, No one renting for short term rental.

VIOLATIONS

Structure Maintenance

Land Use

Property Abatement

NOTICES

City of Austin
Austin Code Department
Summary of Complaint CC-2015-126466

COMPLAINT INFORMATION

Case Status: Closed

Address: 2003 ARPDALE ST 78704

Legal Description: W 55FT OF LOT 16 BLK 8 RABB INWOOD HILLS

Property Owner(s):
Scott Jacobs - Owner
2003 Arpdale St Austin Tx 78704 3901

Complaint Date: October 19, 2015

Complaint: Citizen states that in the front house 3 women live but in the back there is another little house in the back and there is at least 8 people living out of there.

INSPECTION INFORMATION

Investigator Assignment(s)

Michelle Stark assigned on October 19, 2015
Transferred to Paul Estrada - ESTRADAP on October 26, 2015

Case Log

DATE	STAFF NAME	ACTION TAKEN	COMMENT
10/23/2015	Farah Presley	Inspection Performed	On 10.23.2015 I went to the property of 2003 Arpdale Street. I did not see any vehicles at the time. I did try to make contact with the house in the front of the property but no one was home I did leave a door hanger. There is a driveway that is gated by the front house leading the house in the back. The front house has both mailbox's for the A house and the B house. I could not make contact with anyone in the B house since the gate was closed. I put the photos into the case.
10/25/2015	Farah Presley	Inspection Performed	On 10.25.2015 I was working short term rental inspections. This was an address again we had to check. This time we were able to make contact with the tenants of house A. They informed us that the landlord rents out the house B to couples on the weekends. The A house has 3 tenants that have a year lease. They said the house in the back always has different people but the landlord does not rent to big parties of people only couples. I looked and this address has a pending short term license.
10/27/2015	Paul Estrada	No Violation(s) Found/ Insp	I went out on follow up inspection complaint. I arrived at location. Owner of property was not there. I then received contact information. I called owner Scott Jacobs 214.908.0770 who advised me that he has not rented out his property in a while because he knows that his STR license is pending but I advised him that it does appear that it is but was issued and doesn't expire until 8.5.16. I advised he was current on license and explained due to him being in a residential area to be mindful of neighbors and make sure noise is kept to a minimum, trash is kept off property and no blocking traffic on streets with parking when renters are visiting. He is aware of STR ordinance. No violation. Clear.

City of Austin

Austin Code Department

Summary of Complaint CC-2016-011910

COMPLAINT INFORMATION

Case Status: Closed

Address: 2003 ARPDALE ST 78704

Legal Description: W 55FT OF LOT 16 BLK 8 RABB INWOOD HILLS

Property Owner(s):
Scott Jacobs - Owner
2003 Arpdale St Austin Tx 78704 3901

Complaint Date: February 4, 2016

Complaint: citizen stated that there is home that has no STR permit and they only have one meter for 2 homes and she stated that they are running a business out of the home selling products this is in the backhouse

INSPECTION INFORMATION

Investigator Assignment(s)

Michelle Stark assigned on February 4, 2016
Transferred to Paul Estrada - ESTRADAP on February 4, 2016

Case Log

DATE	STAFF NAME	ACTION TAKEN	COMMENT
03/02/2016	Khalid Marshall	Closed/Duplicate Case	Please refer to CC 16-017415

VIOLATIONS

Structure Maintenance

Land Use

Property Abatement

NOTICES

City of Austin
Austin Code Department
Summary of Complaint CC-2016-017415

COMPLAINT INFORMATION

Case Status: Active

Address: 2003 ARPDALE ST 78704

Legal Description: W 55FT OF LOT 16 BLK 8 RABB INWOOD HILLS

Property Owner(s):
Scott Jacobs - Owner
2003 Arpdale St Austin Tx 78704 3901

Complaint Date: February 18, 2016

Complaint: Citizen states the little house in the back is vacant right now but he is always renting it out. The last tenants were there for 4days and the tenants before were there for 30days

INSPECTION INFORMATION

Investigator Assignment(s)

Michelle Stark assigned on February 18, 2016
Transferred to Khalid Marshall - MARSHAKH on February 18, 2016

Case Log

DATE	STAFF NAME	ACTION TAKEN	COMMENT
03/02/2016	Khalid Marshall	Insp / Violation(s) Found	On 20160302 at 15:16 hrs Investigator Marshall found that the advertisement at https://www.airbnb.com/rooms/847982 is in violation.
03/10/2016	Khalid Marshall	Information Update	On 20160310 Investigator Marshall contacted Travis County Appraisal District in regards to this property at 2003 Arpdale and the rear structure which is not listed on the tax documents. Also it was brought to their attention that the house was being rented to long term renters which is a violation of the Homestead Exemption.
03/18/2016	Khalid Marshall	AH Warning Prep	Posted 03180
03/18/2016	Khalid Marshall	Contact Performed	20160318 at 19:00 Hrs Officers Marshall and Ramos arrived on scene and attempted to make contact at the main house door but knocks went unanswered. Officers then approached the gate to the rear yard and during the approach officers were met by a young lady coming out of the rear structure. When asked if she was an owner, the young lady stated that she was a friend of the renter of the rear unit. Officers asked if they were long term renters and she relied that she and her friend were from Houston and were only renting the structure for SXSW weekend and had found the rental on AirBNB. See documents for advertisement. The tenant allowed officers to photograph the rear structure. During the inspection of the property officers noticed two vehicles on the driveway and one in front of the property on the street.

VIOLATIONS

Structure Maintenance

Land Use

Austin City Code Section: Certificate of Occupancy (§25-1-361)
Violation: A person may not use or occupy a structure unless the building official has issued a Certificate of Occupancy for the structure. There is no record of a Certificate of Occupancy for this structure's use.
Date Observed: 03/30/2016 Status: Not Cleared

Austin City Code Section: Zoning (§25-2)
Violation: An owner, manager, operator, or person in control of a short-term rental or bed and breakfast establishment commits an offense if the owner or other person leases, rents, advertises, promotes, or otherwise solicits or induces occupancy of a room, structure, dwelling unit, or partial unit in a short-term rental or bed and breakfast establishment which does not have a valid license issued and displayed as required by this chapter or as required by Title 25 of City Code (Land Development).
Date Observed: 03/30/2016 Status: Not Cleared

Austin City Code Section: Short-Term Rental (Type 1) Regulations (§25-2-788)
Violation: This section applies to a short-term rental use that is owner-occupied or is associated with an owner-occupied principal residential unit. A short-term rental use under this section may not include the rental of less than an entire dwelling unit, operate without a license as required by Section 25-2-790 (License Requirements), or operate without providing notification to renters as required by Section 25-2-791 (Notification Requirements). For a short-term rental use under this section, a secondary residential unit on the same property may be rented for periods of less than 30 consecutive days for an annual total of more than 90 days.
Date Observed: 03/30/2016 Status: Not Cleared

Property Abatement

NOTICES

City of Austin

Austin Code Department

Summary of Complaint CC-2016-022576

COMPLAINT INFORMATION

Case Status: Closed

Address: 2003 ARPDALE ST 78704

Legal Description: W 55FT OF LOT 16 BLK 8 RABB INWOOD HILLS

Property Owner(s):
Scott Jacobs - Owner
2003 Arpdale St Austin Tx 78704 3901

Complaint Date: March 1, 2016

Complaint: fence is 7ft high, it's too tall Front Yard.

INSPECTION INFORMATION

Investigator Assignment(s)

Michael Reeves assigned on March 1, 2016

Case Log

DATE	STAFF NAME	ACTION TAKEN	COMMENT
03/02/2016	Michael Reeves	Inspection Performed	I went to this property and I could see the new fence in question and it appeared to not be 7 foot tall. I knocked on the door and I spoke with the tenant and explained the complaint and she gave me permission to measure the fence. I measured the fence and found it to be exactly 6 foot tall from grade. There is not a violation for working without a permit for a fence over 7 foot tall.
03/03/2016	Michael Reeves	No Violation(s) Found/ Insp	

VIOLATIONS

Structure Maintenance

Land Use

Property Abatement

NOTICES

City of Austin
Austin Code Department
Summary of Complaint CC-2016-030858

COMPLAINT INFORMATION

Case Status: Active

Address: 2003 ARPDALE ST 78704

Legal Description: W 55FT OF LOT 16 BLK 8 RABB INWOOD HILLS

Property Owner(s):
Scott Jacobs - Owner
2003 Arpdale St Austin Tx 78704 3901

Complaint Date: March 19, 2016

Complaint: ongoing issue for months now /citizen says that the person living here is not registered for permit / is frustrated with the situation and says no one has contacted her and no one in code gets back to her/ will be going to her city council members. Operating without a license. MAR 16, 2016 10:30 PM Tenant occupied Unknown

INSPECTION INFORMATION

Investigator Assignment(s)

Michael Reeves assigned on March 19, 2016
Transferred to Robert Alvarado - ALVARADR on March 19, 2016

Case Log

DATE	STAFF NAME	ACTION TAKEN

03/14/2016 Michael Reeves Insp / Violation(s) Found
I went to this property and observed there was new sewer line ran in the yard that was cited by Austin Water for a violation for no permit and that there is also an illegal curbcut besides the approved drive for the property that is being used for parking. I spoke with the long term tenant in the front house and she stated the rear structure is rented as an STR. The rear structure which is 430 sq ft and 102 sq ft open porch shows to be on TCAD as of 2007 but was built prior to 1997 due to the fact that is as far back as the historical ariel views are in GIS. TCAD does not show there to ever be a garage or storage on the property.

03/21/2016 Michael Reeves Send CV Notice

03/25/2016 Michael Reeves Information Update
I posted a copy of the NOV at the property today.

06/14/2016 Michael Reeves Information Update
I observed in Amanda that there is now a pending PR 2016 068880.

VIOLATIONS

Structure Maintenance

Land Use

Austin City Code Section: Building Permit Requirement (§25-12-241 [2012 IRC R105.1])
Violation: Residential construction performed without required permit(s). Second curbcut in the front is done without the required permit. New sewer line ran without the required permit. Secondary residence in the rear of the property built without the required permits.
Date Observed: 03/21/2016 Status: Not Cleared

Property Abatement

NOTICES

Notice of Violation to Scott Jacobs (Owner)
Mail sent certified 7014 2120 0003 4986 1019 on March 21, 2016
Mail sent regular on March 21, 2016
Received / signed by 03-26-16 cannot read on April 5, 2016

City of Austin

Austin Code Department

Summary of Complaint CC-2016-031290

COMPLAINT INFORMATION

Case Status: Closed

Address: 2003 ARPDALE ST 78704

Legal Description: W 55FT OF LOT 16 BLK 8 RABB INWOOD HILLS

Property Owner(s):
Scott Jacobs - Owner
2003 Arpdale St Austin Tx 78704 3901

Complaint Date: March 21, 2016

Complaint: Scott is owner of house. Rents front of house legally. House in back yard is the one owner has short term rental several times.
Citizen is neighbor of Scott with short term rental.

INSPECTION INFORMATION

Investigator Assignment(s)

Michael Reeves assigned on March 21, 2016
Transferred to Khalid Marshall - MARSHAKH on March 22, 2016

Case Log

DATE	STAFF NAME	ACTION TAKEN	COMMENT
05/24/2016	Khalid Marshall	Closed/Duplicate Case	Refer to CV 2016-030885

VIOLATIONS

Structure Maintenance

Land Use

Property Abatement

NOTICES

City of Austin

Austin Code Department

Summary of Complaint CC-2016-031406

COMPLAINT INFORMATION

Case Status: Closed

Address: 2003 ARPDALE ST 78704

Legal Description: W 55FT OF LOT 16 BLK 8 RABB INWOOD HILLS

Property Owner(s):
Scott Jacobs - Owner
2003 Arpdale St Austin Tx 78704 3901

Complaint Date: March 21, 2016

Complaint: Citizen states the little house in the back is being rented out and they do not have a permit to do so. citizen stated that she has called multiple times but code officers are going when no one is there citizen stated that they should go some time late at night or really early before they leave. Operating without a license. MAR 18, 2016 05:52 PM Tenant occupied Yes

INSPECTION INFORMATION

Investigator Assignment(s)

Michael Reeves assigned on March 21, 2016
Transferred to Robert Alvarado - ALVARADR on March 21, 2016

Case Log

DATE	STAFF NAME	ACTION TAKEN	COMMENT
03/23/2016	Michael Reeves	Closed/Duplicate Case	Duplicate Cv 16 023236

VIOLATIONS

Structure Maintenance

Land Use

Property Abatement

NOTICES

City of Austin

Austin Code Department

Summary of Complaint CC-2016-031964

COMPLAINT INFORMATION

Case Status: Closed

Address: 2003 ARPDALE ST 78704

Legal Description: W 55FT OF LOT 16 BLK 8 RABB INWOOD HILLS

Property Owner(s):
Scott Jacobs - Owner
2003 Arpdale St Austin Tx 78704 3901

Complaint Date: March 22, 2016

Complaint: WWOP

INSPECTION INFORMATION

Investigator Assignment(s)

Michael Reeves assigned on March 22, 2016

Case Log

DATE	STAFF NAME	ACTION TAKEN	COMMENT
03/23/2016	Michael Reeves	Closed/Duplicate Case	Duplicate CV 2016 030885

VIOLATIONS

Structure Maintenance

Land Use

Property Abatement

NOTICES

City of Austin

Austin Code Department

Summary of Complaint CC-2016-092177

COMPLAINT INFORMATION

Case Status: Pending

Address: 2003 ARPDALE ST 78704

Legal Description: W 55FT OF LOT 16 BLK 8 RABB INWOOD HILLS

Property Owner(s):
Complaint Date: August 2, 2016

Complaint: Based on the photographs and site plan submitted by the owner in connection with a setback variance request at 2003 Arpdale (case # C15-2016-0084), the impervious cover on this property is between 55 and 58%. City Code 25-2-492 (Site development regulations) limits this site to 45% impervious cover. The circular drive (which is used as parking) is the source of most of the excess impervious cover. The gravel drive is eroding into the street and is a constant nuisance. Please require that the circular drive be removed and the curb and gutter restored.

INSPECTION INFORMATION

Investigator Assignment(s)

Michael Reeves assigned on August 2, 2016

Case Log

DATE	STAFF NAME	ACTION TAKEN	COMMENT

VIOLATIONS

Structure Maintenance

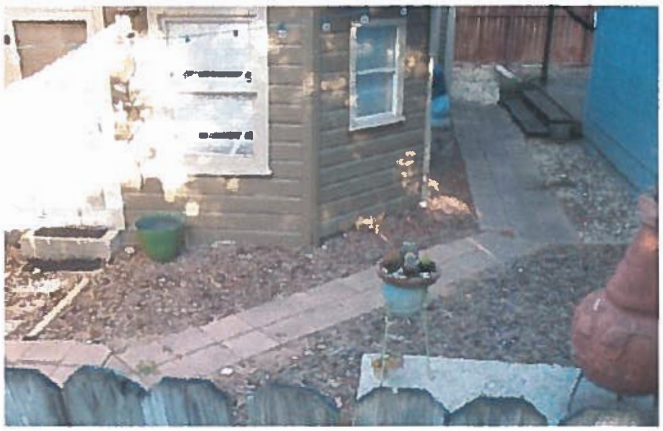
Land Use

Property Abatement

NOTICES

2003 Arpdale

Photos used to estimate impervious cover August 2016



2003 Arpdale

Garage roofline
February 2017

Mix of siding, deck, and
foundation materials
August 2016