

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

CASE #

ROW #

C15-2012-0009

10693492

TP-0127550116

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

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

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

STREET ADDRESS: 12417 River BND #4, Austin Texas, 78732

LEGAL DESCRIPTION: Subdivision – Freund Sleepy Hollow Lake Austin

Lot(s) #4 Block Outlot Division

I Bryan Edwards on behalf of myself as authorized agent for

Myself affirm that on 11/26/11, I,

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

(check appropriate items below)

\_\_\_ ERECT \_\_\_ ATTACH \_\_\_ COMPLETE \_\_\_ REMODEL X MAINTAIN

A single family residence with zero foot side yard set back.

in a SF-2 district.  
(zoning district)

NOTE: The Board must determine the existence of, sufficiency of and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional support documents.

**VARIANCE FINDINGS: I contend that my entitlement to the requested variance is based on the following findings (see page 5 of application for explanation of findings):**

**REASONABLE USE:**

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

The lot is 90 feet wide. There is a pair of above ground electric poles carrying 3 wires length wise across the property. In order to stay clear of the 10 foot easement from the electric wires it is impossible to put my 76 foot wide manufactured home on the lot without violating the 5 foot set back on the left side of my lot. See attached plat map drawing to fully understand the issue.

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**HARDSHIP:**

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

Having never had a manufactured home before I was under the impression that the company I bought the manufactured home from had gotten the appropriate permits to put the home where it is on the property. Looking at the plat map as a person who has never done this before it looked like they had obeyed all the set backs on the plat map. So I requested a permit to install a septic system. It was approved and I had the system installed on the property and hooked up to the manufactured home. It was only then that the city of Austin department who was responsible told me they could not give final approval for the system because I had never gotten the original permit to build. It was only then that I found out about the 5 foot set back on the left side of my property. So now between the size of the home...the width of the lot...the amount of the electric easement on the right side of the lot...and the septic tank and field that is installed on the lot....it is impossible to fit my home on the lot without allowing me to put part of it over the 5 foot set back on the left side of the lot.

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

The 5 foot set back was not on my plat map and I trusted the people that put my manufactured home on the lot to both get the proper construction permit and to follow all zoning restrictions.

I have since gotten approval from the city of Austin and installed a septic system.

It is now impossible to move my manufactured home to abide by the 5 foot set back and the 10 foot electric easement and the septic that is now installed on the property and still have my manufactured home fit on my property.

**AREA CHARACTER:**

3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

This is not your standard subdivision. There is no zoning committee. There is no architectural committee. And there is no Home owner's association. Until I bought this property, the property had been an empty lot where all the other residences had stored their empty boat trailers...their RVs and had dumped trash. I doubt that my zero lot line home will adversely affect their property values or impair the use of the adjacent properties.

**PARKING:** (Additional criteria for parking variances only.)

Request for a parking variance requires the Board to make additional findings. The Board may grant a variance to a regulation prescribed Section 479 of Chapter 25-6 with respect to the number of off-street parking spaces or loading facilities required if it makes findings of fact that the following additional circumstances also apply:

1. Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonable require strict or literal interpretation and enforcement of the specific regulation because:

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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:

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

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

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**NOTE:** The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.

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

Signed B. Edwards Mail Address 12417 River BND #4

City, State & Zip Austin, Texas 78732

Printed Bryan Edwards Phone 512-422-9139 Date 11-28-2011

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

Signed \_\_\_\_\_ Mail Address 12417 River BND #4

City, State & Zip Austin, Texas 78732

Printed Bryan Edwards Phone 512-422-9139 Date 11-28-2011

## **GENERAL INFORMATION FOR SUBMITTAL OF A VARIANCE REQUEST TO THE BOARD OF ADJUSTMENT**

(The following is intended to provide assistance in explaining the variance process. These suggestions are not intended to be a complete or exhaustive guide in assisting you through this process.)

### **VARIANCE REQUIREMENTS:**

#### **General Requirements:**

- A. A variance may be granted if, because of special circumstances of a property, the strict application of the Land Development Code regulations deprives the property owner of privileges that are enjoyed by another person who owns property in the area that has the same zoning designation as the property for which the variance is requested.
- B. A variance to a regulation may not grant special privileges that are inconsistent with the limitations on other properties in the area or in the district in which the property is located.

**SUBMITTAL REQUIREMENTS:** (Failure to complete the application or to submit all the required materials will result in non-acceptance of the application.)

- (1) A completed application indicating all variances being requested. An application must include proposed findings that will support requested variances. The required findings must address each variance being sought.
- (2) A site plan to scale indicating present and proposed construction and location and use of structures on adjacent lots.
- (3) Check made payable to the City of Austin for the Board of Adjustment application fee. (Residential zoning - \$360. All other zonings - \$660.)
- (4) Other Information – Although the following is not a requirement of submittal you may wish to include additional information that may assist the Board in making an informed decision regarding your request such as: photos of the site or visual aids to support the request, letters from the neighborhood association(s) etc. Any additional information you wish to submit must be in our office one week prior to the meeting.

The Board will receive a packet with all information that has been submitted on the Thursday prior to the meeting.

**(5) Austin Energy approval**

Variances approved by the Board are limited to and conditioned upon the plans and specifications presented by the applicants, except as modified by the Board.

**REQUIRED FINDINGS:** All variance findings must be met in order for the Board to grant a variance. An application must include proposed findings that will support the requested variance. Incomplete applications will not be accepted.

**Reasonable Use:**

Application must demonstrate to the Board how the zoning regulations applicable to the property do not allow for a reasonable use of the property. [Note: The Board cannot approve a variance for a use that is not allowed in the zoning district in which the property is located. This requires a change in zoning.]

**Hardship:**

- a. Application must demonstrate to the Board how the hardship for which the variance is requested is unique to the property. Hardship should be specific to the property for which the variance is being requested. (For example, topography, lot configuration, or any physical constraint that would limit the placement of the structure or prevent compliance with required site development regulations, etc.) A strictly financial or personal reason is not a valid hardship.
- b. Application must demonstrate to the Board why the hardship is not general to the area in which the property is located. Describe how the hardship relating to the site is different from other properties in the area.

**Area Character:**

Application must demonstrate to the Board how 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 zoning regulations of the zoning district in which the property is located.

<p><b>NOTE:</b> Parking variances require additional findings to be made. The additional findings are listed on the application and must also be completed for submittal of the application.</p>
--

**Board of Adjustment Staff:**

**Susan Walker, Planner**  
974-2202

**Diana Ramirez, Administrative Specialist, Board Secretary**  
974-2241

**Fax #974-6536**

**Planning and Development Review Department**  
**One Texas Center**  
**505 Barton Springs Road, 2<sup>nd</sup> Floor**

**Mailing Address:**  
**P. O. Box 1088**  
**Austin, TX 78767-1088**



SUBJECT TRACT



ZONING BOUNDARY

CASE#: C15-2012-0009  
LOCATION: 12417 RIVER BEND #4



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

This product has been produced by the Planning and Development Review Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



## City of Austin

*Austin's Community-Owned Electric Utility*

[www.austinenergy.com](http://www.austinenergy.com)

Town Lake Center • 721 Barton Springs Road • Austin, Texas • 78704

November 30, 2011

Bryan Edwards  
12417 River Bend #4  
Austin, Texas 78732  
Via email: [bryan.edwards@gsdm.com](mailto:bryan.edwards@gsdm.com)

Re: 12417 River Bend #4  
Lot 4, Freund Sleepy Hollow Lake Austin

Dear Mr. Edwards,

Austin Energy (AE) has reviewed your application for the above referenced property requesting to reduce the south side setback to zero feet in order to maintain an existing single family residence. Austin Energy does not oppose this application as requested and shown on the attached red-stamped sketch.

Thank you for checking with us in advance. Should you have any questions, please feel free to contact me at 322-6587.


Sincerely,

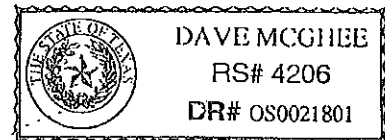
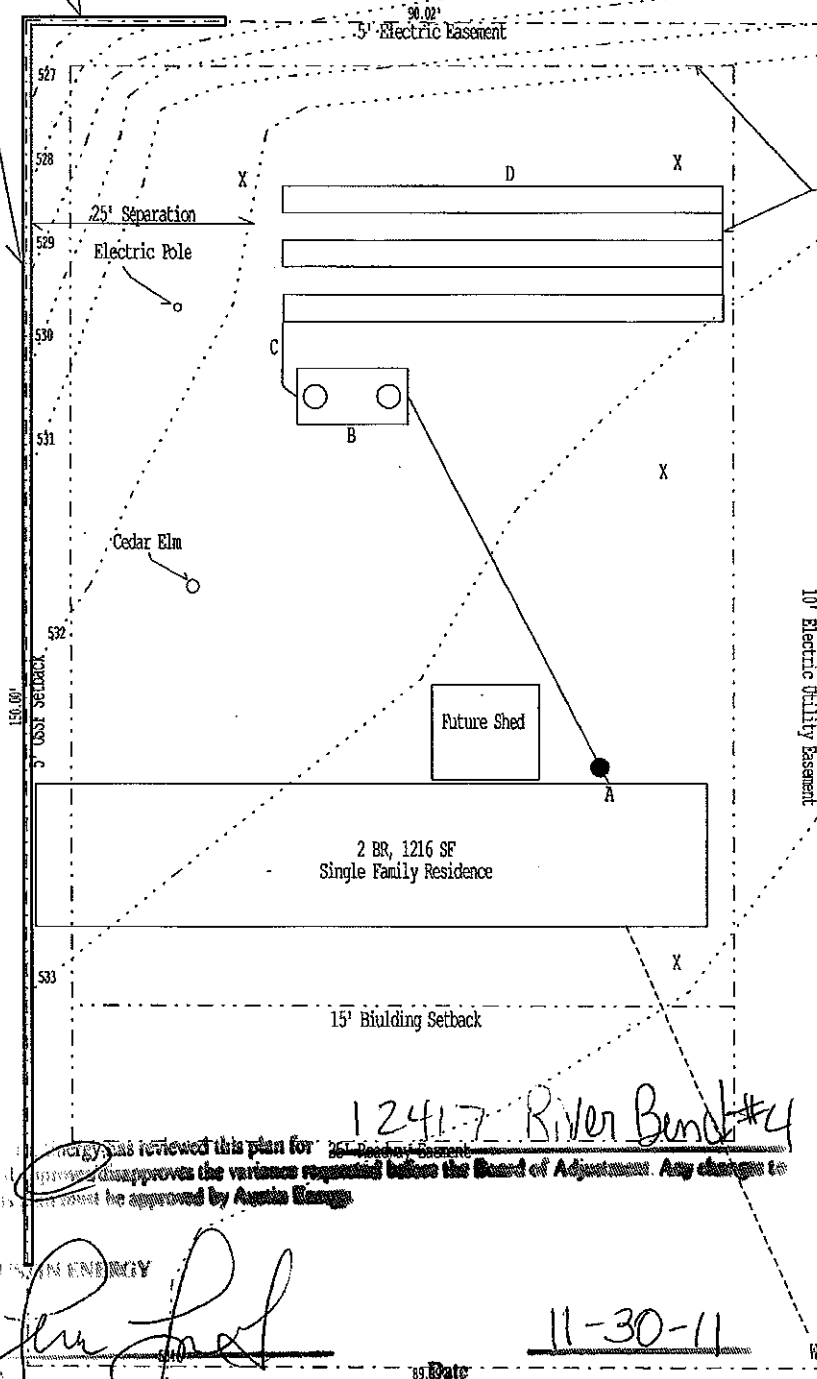
A handwritten signature in black ink, appearing to read "Lena Lund". The signature is fluid and cursive, with the first name "Lena" being more prominent than the last name "Lund".

Lena Lund  
Public Involvement/Real Estate Services

Cc: Diana Ramirez and Susan Walker

Retainign Wall  
Constructed out of  
Rail Road Ties

Plan-It Septic Design & Services, LLC *210-347-1593 *plan-it@hotmail.com		
Client: Brian Edwards		
Location: 12417 River Bend		
Legal Description: Freund Sleepy Hollow Lake Austin, Lot 4		
Permitting Authority: City of Austin		
Drawn By: Dave McGhee, R.S.	Date: 9-17-2011	Scale: 1" = 20' 



#### System Components

- A. Sewer line ( Sch. 40 or equivalent) with two-way cleanout
- B. 1250 Gallon two compartment tank
- C. 3" Sch 40 PVC Supply from tank to the highest trench (12" of fall)
- D. 144 Linear feet of Quick 4 Leaching Chambers 18"-36" deep (3-48' long 3' wide trenches on 7' center)

#### Notes:

Place a 16" square concrete block under supply line in first trench to prevent washout

Leaching Chambers to remain within Class II soil

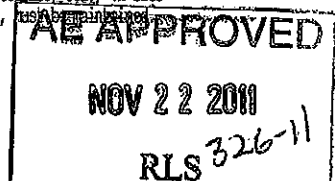
Backfill with class III or native soil.

Provide Two-Way Cleanout between House and Tank

Maintain 10' from all Potable Water Lines.

Refer to Tank Detail and Design Notes for more information.

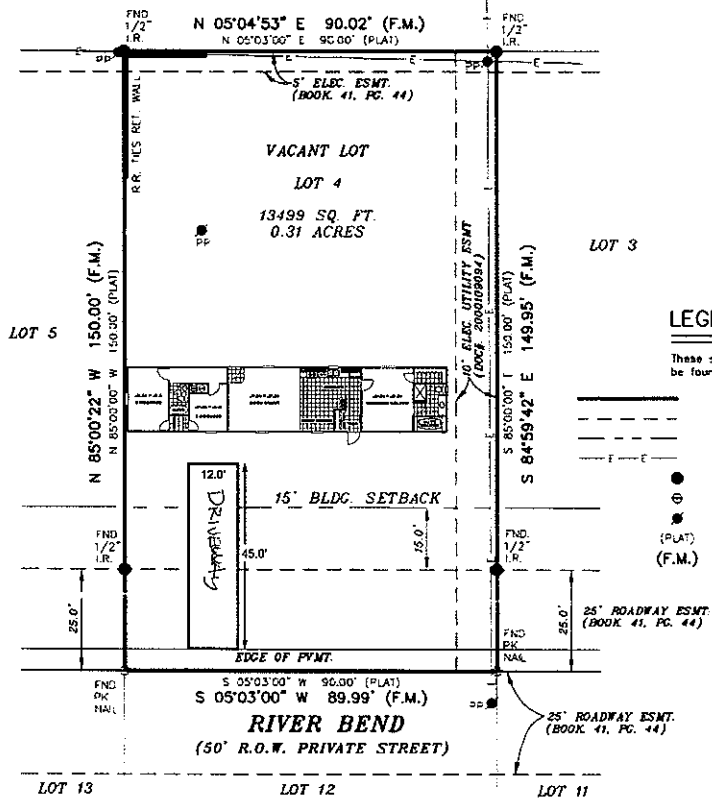
All Separation and Setback Requirements as Stated in Chapter 285, TCEQ, On-Site Sewage Facilities, must be maintained.



All structures etc. must maintain 7'5" clearance from AE energized power lines. Enforced by AE & NESC codes.



MARION TOOLE  
1.98 ACRES  
(VOL. 1287, PG. 326)



# LEGEND

These standard symbols will be found in the drawing.

- BOUNDARY LINE
- EASEMENT LINE
- BUILDING SETBACK LINE
- OVERHEAD ELECTRIC
- FOUND IRON ROD
- FOUND PK NAIL
- POWER POLE
- (PLAT) RECORDED ON PLAT
- (F.M.) FIELD MEASURED

Surveyor's Note:  
Additional city of Austin Property Restrictions, such as Easements or Setbacks, may apply that are not graphically or otherwise shown, and/or listed on this Survey.

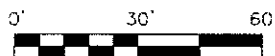
Base of Bearing, per recorded plat unless otherwise noted.

FLOOD INSURANCE NOTE: By graphics plotting only, this property is in ZONE of the Flood Insurance Rate Map, Community Panel No. 4845-0410, effective date of SEPTEMBER 26, 2008. Exact designations can only be determined by a Elevation Certificate. Based on the above information, this property IS NOT in a Special Flood Hazard Area.

The survey is hereby accepted with the discrepancies, conflicts, or shortages in area or boundary lines, encroachments, protrusions, or overlapping of measurements shown.

*Bryan P. Edwards*

## GRAPHIC SCALE



ROY JOHN RONNFELDT, a Registered Professional Land Surveyor in the State of Texas, do hereby certify to GRACY TITLE COMPANY

that the above map is true and correct according to an actual field survey, made by me or under my supervision, of the property shown hereon or described by field notes accompanying this drawing. I further certify that all easements and rights-of-way of which I have been advised are shown hereon and that, except as shown, there are no visible encroachments, no visible overlapping of improvements and no apparent discrepancies or conflicts in the boundary lines, and no visible physical evidence of easements or rights-of-way as of the date of the field survey. I further certify that this survey meets or exceeds the minimum standards established by the Texas Board of Professional Land Surveying (Section 563.18).

Lot(s) 4, Block --, N.C.B. --, Survey No. --, Abstract No. --  
Survey or Subdivision: FREUND SLEEPY HOLLOW LAKE AUSTIN SUBDIVISION  
Book 41, Page(s) 44, of the Map/Deed and Plat Records of TRAVIS County, Texas  
Borrower/Owner: BRYAN PAUL EDWARDS  
Address: 12417 RIVER BEND, GF No. 1103665

SUBJECT TO RESTRICTIVE COVENANTS AND/OR EASEMENTS RECORDED IN DOCUMENT NUMBER 2000109694, OFFICIAL RECORDS, TRAVIS COUNTY, TEXAS

PROPERTY PHOTOGRAPH.

## FINAL "BOUNDARY" SURVEY

JOB NO.	1106006-93	NO.	REVISION	DATE
DATE:	06/07/11			
DRAWN BY:	MN/UB			
APPROVED BY:	RJR			



*Roy John Ronnfeldt*  
ROY JOHN RONNFELDT, R.P.L.S.  
Registered Professional Land Surveyor  
Registration No. 3520



AUSTIN WATER UTILITY  
UTILITY DEVELOPMENT SERVICES

**APPROVED**

for Permit to Construct OSSF

Approved by

*Franklin Zuylen, P.E.*

Date

10/28/2011

Plan-It Septic Design & Services, LLC  
\*210-347-1593 \*plan-it@hotmail.com

Client: Brian Edwards

Location: 12417 River Bend

Legal Description: Freund Sleepy Hollow Lake Austin, Lot 4

Permitting Authority: City of Austin

Drawn By:

Dave McGhee, R.S.

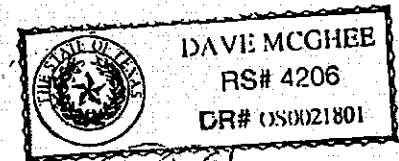
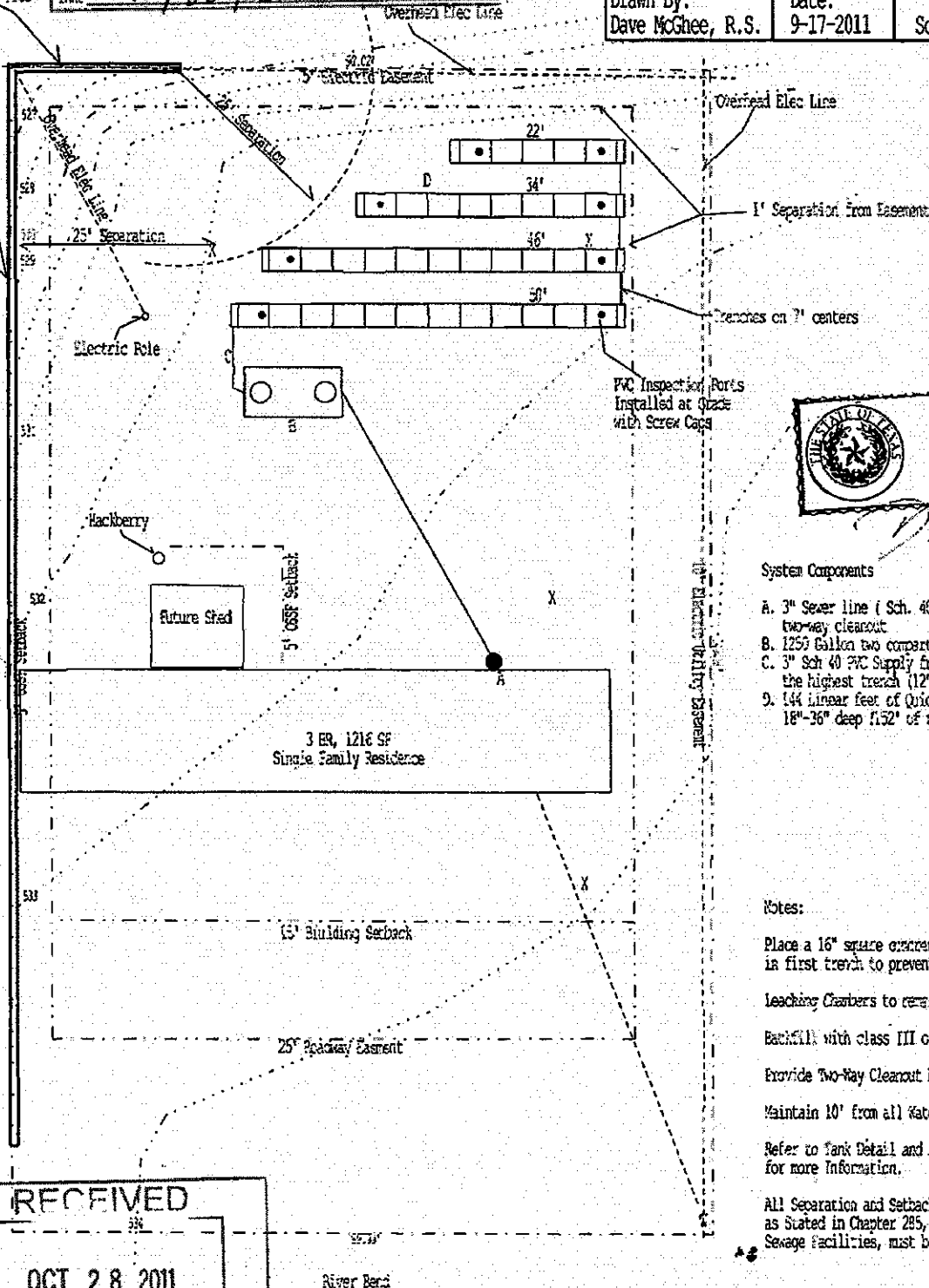
Date:

9-17-2011

Scale: 1" = 20'



Retaining Wall  
Constructed out of  
Rail Road Ties



System Components

- 3" Sewer line (Sch. 40 or equivalent) with two-way cleanout
- 1250 Gallon two compartment tank
- 3" Sch 40 PVC Supply from tank to the highest trench (12' of fall)
- 144 Linear feet of Quick 4 Leaching Chambers 18"-36" deep 1152' of trenches including end caps

Notes:

Place a 16" square concrete block under supply line in first trench to prevent washout

Leaching Chambers to remain within Class II soil

Backfill with class III or native soil.

Provide Two-Way Cleanout between House and Tank

Maintain 10' from all Water Lines.

Refer to Tank Detail and Design Notes for more Information.

All Separation and Setback Requirements as Stated in Chapter 285, TCEQ, On-Site Sewage Facilities, must be maintained.

RECEIVED

OCT 28 2011

AUSTIN WATER UTILITY  
UTILITY DEVELOPMENT SERVICES

**ONE STOP SHOP**  
**505 Barton Springs**  
**Austin, Texas 78701**  
(512) 974-2632 phone  
(512) 974-9112 phone  
(512) 974-9779 fax  
(512) 974-9109 fax



**Austin Energy**  
**Electric Service Planning Application (ESPA)**  
**For Residential and Commercial "SERVICE ONLY"**  
**Under 350 amps 1 $\phi$  or 225 amps 3 $\phi$**

☒ Check this box if  
this is for a  
building permit  
only.

(Please print or type. Fields left blank will be considered Not Applicable.)

Responsible Person for Service Request BRYAN EDWARDS Phone 512-422-9139

Email bryan.edwards@gsdm.com Fax \_\_\_\_\_

Project Name \_\_\_\_\_ ☒ New Construction ☐ Remodeling

Project Address 12417 RIVER BEND #4, Austin TX 78732 **OR**

Legal Description Lot 4, FREUND SLEEPY Hollow LAKE Austin SUBDIVISION Lot 4 Block \_\_\_\_\_

Requested Service Duration: ☒ Permanent Service ☐ Construction Power/Temp Service  
(Usually less than 24 months)

Who is your electrical service provider? ☒ AE ☐ Other \_\_\_\_\_

☒ Overhead or ☐ Underground Voltage LF ☒ Single-phase (1 $\phi$ ) or ☐ Three-phase (3 $\phi$ )

Service Main Size(s) \_\_\_\_\_ (amps) Number of Meters? \_\_\_\_\_

AE Service Length \_\_\_\_\_ (ft.) Conductor \_\_\_\_\_ (type & size)

SqFt Per Unit \_\_\_\_\_ #Units \_\_\_\_\_ ☐ All Electric ☐ Gas & Electric ☐ Other \_\_\_\_\_

Total AC Load \_\_\_\_\_ (Tons) Largest AC unit \_\_\_\_\_ (Tons)

LRA (Locked Rotor Amps) of Largest AC Unit \_\_\_\_\_ (Amps)

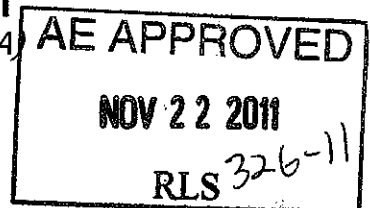
Electric Heating \_\_\_\_\_ (kW) Other \_\_\_\_\_ (kW)

Comments: Home

ESPA Completed by (Signature & Print name) \_\_\_\_\_ Date \_\_\_\_\_ Phone \_\_\_\_\_

AE Representative \_\_\_\_\_ Approved: ☒ Yes ☐ No (Remarks on back) \_\_\_\_\_ Date \_\_\_\_\_ Phone \_\_\_\_\_

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



Plan-It Septic Design & Services, LLC  
\*210-347-1593 \*plan-it@hotmail.com

Client: Brian Edwards

Location: 12417 River Bend

Legal Description: Freund Sleepy Hollow Lake Austin, Lot 4

Permitting Authority: City of Austin

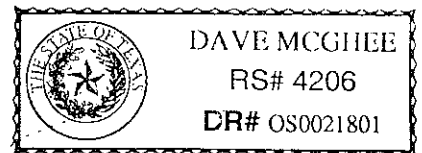
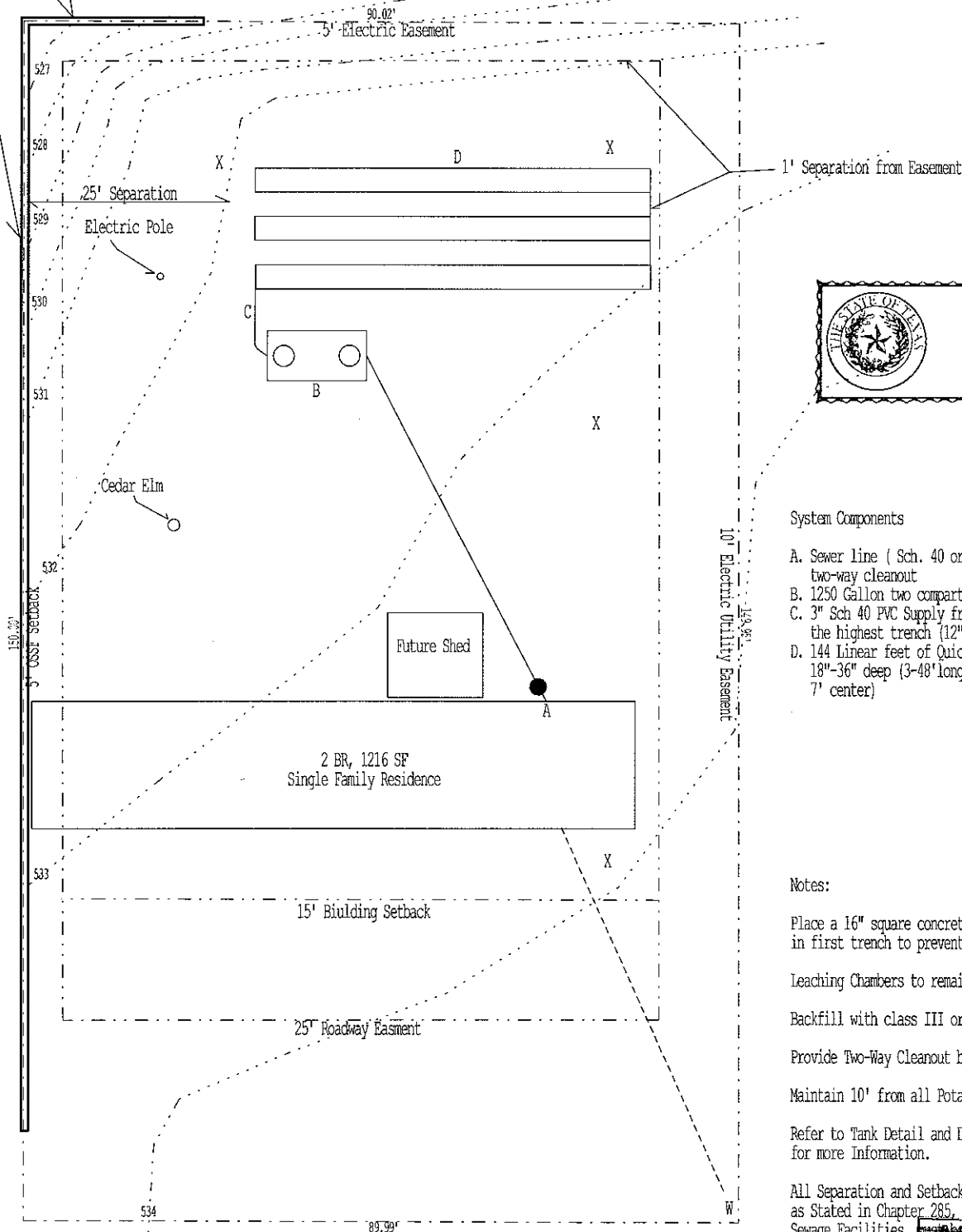
Drawn By:  
Dave McGhee, R.S.

Date:  
9-17-2011

Scale: 1" = 20'



Retainin Wall  
Constructed out of  
Rail Road Ties



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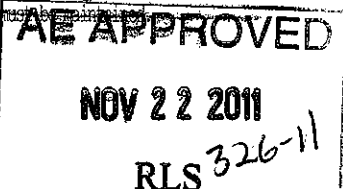
Backfill with class III or native soil.

Provide Two-Way Cleanout between House and Tank

Maintain 10' from all Potable Water Lines.

Refer to Tank Detail and Design Notes for more Information.

All Separation and Setback Requirements as Stated in Chapter 285, TCEQ, On-Site Sewage Facilities, must be maintained.



**All structures etc. must maintain 7'5" clearance from AE energized power lines. Enforced by AE & NESC codes.**



**Austin Water Utility**  
**Water & Wastewater Service Plan Verification**  
(W&WW SPV)

**PLEASE READ IMPORTANT INSTRUCTIONS ON PAGE 2**

(Please Print or Type)

Customer Name: BRYAN EDWARDS Phone: 512-422-9139 Alternate Phone: 512-242-4576

Service Address: 12417 RIVER BEND #4, Austin TX 78732

Lot: 4 Block: \_\_\_\_\_ Subdivision/Land Status: FRIENDS OF THE RIVER, Loke Austin Tax Parcel ID No.: \_\_\_\_\_

Existing Use: (vacant) single-family res. duplex garage apartment other \_\_\_\_\_  
(Circle one)

Proposed Use: vacant single-family res. duplex garage apartment other \_\_\_\_\_  
(Circle one)

Number of existing bathrooms: N/A Number of proposed bathrooms: 2

Use of a pressurized auxiliary water system (i.e. rainwater harvesting, well water, lake/river water, etc.) Yes \_\_\_\_\_ No ☒

**City of Austin Office Use**

Water Main size: \_\_\_\_\_ Service stub size: \_\_\_\_\_ Service stub upgrade required? \_\_\_\_\_ New stub size: \_\_\_\_\_

Existing Meter number: N/A Existing Meter size: \_\_\_\_\_ Upgrade required? \_\_\_\_\_ New size: \_\_\_\_\_

WW Service: Septic System/On-Site Sewage Facility (OSSF) \_\_\_\_\_ or WW Collection System \_\_\_\_\_ WW Main size: \_\_\_\_\_

**If a pressurized auxiliary water system is or will be installed, please contact the Utility's Special Services Division (SSD) at 972-1060, 3907 South Industrial Blvd., Suite 100 for consultation and approval.**

UD#17 - LCR

Auxiliary Water (if applicable) Approved by SSD (Signature & Print name) \_\_\_\_\_ Date \_\_\_\_\_ Phone \_\_\_\_\_

Approved: ☐ Yes (see attached approved documents) ☐ No

**If the site has an OSSF, please contact Utility Development Services (UDS) at 972-0210 or 972-0211, Waller Creek Center, 625 E. 10<sup>th</sup> Street, Suite 715 for consultation and approval.**

W&WWSPV Completed by (Signature & Print name) \_\_\_\_\_ Date \_\_\_\_\_ Phone \_\_\_\_\_

OSSF (if applicable) Approved by UDS (Signature & Print name) \_\_\_\_\_ Date 11/22/11 Phone 972-8734

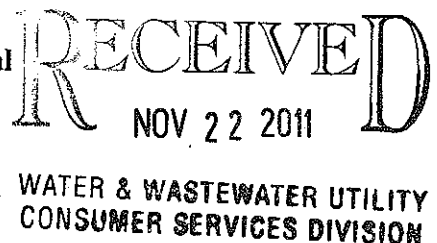
AWU Representative \_\_\_\_\_ Date \_\_\_\_\_ Phone \_\_\_\_\_

Approved: ☐ Yes (see attached approved documents) ☐ No

**NOTE: For residential plan review, this original stamped "approval" must be submitted with the stamped "original" floor plan.**

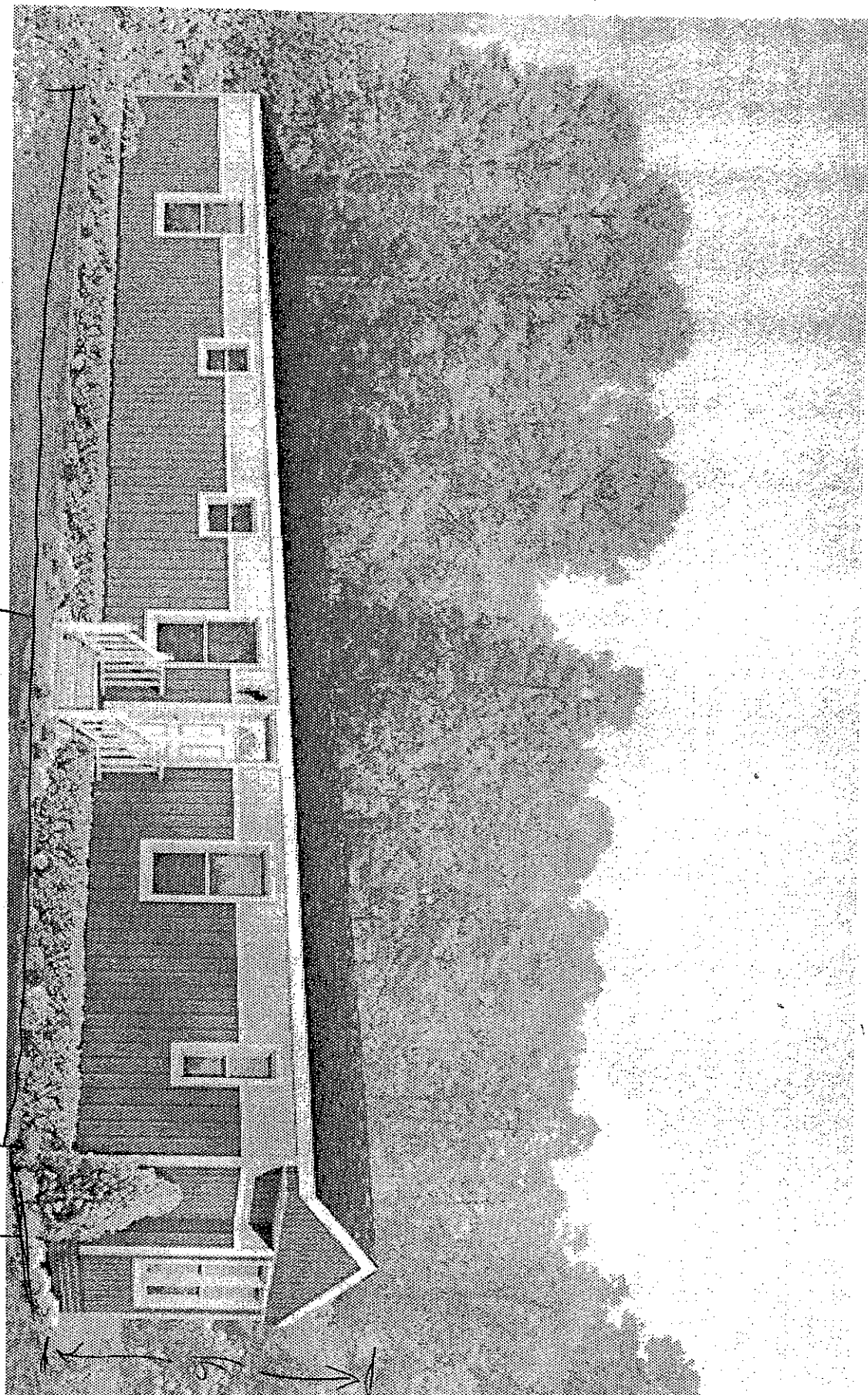
Verification expires 180 days after date of Submittal

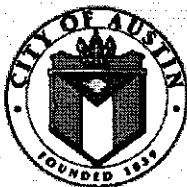
PLEASE READ IMPORTANT INSTRUCTIONS ON PAGE 2



76'

16'





AUSTIN WATER UTILITY  
Utility Development Services Division  
625 East 10<sup>th</sup> Street  
Austin, Texas 78701  
(512) 972-0207 fax: (512) 972-0251



**PERMIT TO CONSTRUCT AN ON-SITE SEWAGE FACILITY**

DATE: October 28, 2011

UNIQUE #: 23825742

SITE ADDRESS: 12417 River Bend #4, Austin, Texas 78732

LEGAL DESCRIPTION: Lot 4, Freund Sleepy Hollow Lake Austin Subdivision

OWNER'S NAME: Bryan Edwards

LAKE PROPERTY (YES/NO): NO

WATER SOURCE: Travis County #17

TYPE OF STRUCTURE: Single Family Residence

SIZE: 3 bedrooms/ 1,216 sq. ft. / 240 gpd

**FACILITY SPECIFICATIONS**

1. One 1,250-gallon Hill Country (or equivalent) double compartment pre-cast concrete septic tank.
2. One subsurface leaching drainfield with 720 square feet of absorption area (144 linear feet of leaching chambers or 36 Quick 4 Standard Panels),

APPROVED VARIANCES (YES/NO): NO

INITIAL TWO-YEAR CONTINUOUS SERVICE POLICY REQUIRED (YES/NO): NO

DESIGNER: Dave McGhee, R.S.

AUTHORIZATION IS HEREBY GIVEN TO CONSTRUCT AN ON-SITE SEWAGE FACILITY ON THE ABOVE DESCRIBED PROPERTY IN ACCORDANCE WITH THE ATTACHED DESIGNED PLAN WHICH IS APPROVED BY THE AUSTIN WATER UTILITY ON THIS DATE WITH THE SPECIFICATIONS DESCRIBED ABOVE.

**THIS PERMIT MUST BE POSTED ON THE SITE**

**SPECIAL REQUIREMENTS**

1. Construct per designer's plan and the Austin Water Utility's approval letter. If construction cannot proceed exactly as specified by approved plan and the Austin Water Utility's approval letter, stop construction and have the designer submit a revised plan to the Austin Water Utility for review and approval.
2. This property may be located within the habitat boundaries of an endangered species. Issuance of this permit to construct an on-site sewage facility does not assure compliance with the Endangered Species Act. For information, please call the Travis County Transportation and Natural Resources Department, (512) 854-9383.
3. The issuance of this Permit is not a verification that this tract of land has been subdivided in accordance with the laws and regulations governing subdivision of land. It is also not, therefore, a guarantee of future provision of other utility services to this tract of land.
4. Landscaping and vegetation of drainfield must be complete before a license to operate will be issued.
5. ALL INSTALLATION WORK IN THE STATE OF TEXAS MUST BE PERFORMED BY AN INSTALLER LICENSED WITH THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY.

**NOTE:** This on-site sewage facility must meet all of the requirements of the City of Austin Ordinance No. 990211-E, including setback distances. If unforeseen and/or adverse conditions are encountered (including but not limited to excessive rock, seepage, or high water table), stop construction and contact the Austin Water Utility. A revised construction permit may be issued. **THIS PERMIT TO CONSTRUCT SHALL EXPIRE ONE YEAR FROM THE ISSUED DATE. DO NOT START THE OSSF CONSTRUCTION BEFORE OBTAINING BUILDING PERMIT APPROVAL. THE AUSTIN WATER UTILITY SHALL NOT PERFORM ANY INSPECTION IF BUILDING PERMIT APPROVAL HAS NOT BEEN OBTAINED AT THAT TIME.**

APPROVED: \_\_\_\_\_

*Sydney M. Miller, P.E.*

DATE: \_\_\_\_\_

*10/28/2011*



**AUSTIN WATER UTILITY**  
Utility Development Services Division  
625 East 10<sup>th</sup> Street  
Austin, Texas 78701  
(512) 972-0207 fax: (512) 972-0251



October 28, 2011

Mr. Dave McGhee, R.S.  
6208 Tanglewood Trail  
Spring Branch, Texas 78070

Re: **Letter of Approval**  
Private On-Site Sewage Facility (OSSF) for 12417 River Bend #4  
Lot 4, Freund Sleepy Hollow Lake Austin Subdivision

Dear Mr. McGhee:

The Austin Water Utility has completed the review of your submittal, received 10/28/11, for the proposed facility consisting of one 1,250-gallon Hill Country (or equivalent) double compartment pre-cast concrete septic tank, one subsurface leaching drainfield with 720 square feet of absorption area (144 linear feet of leaching chambers or 36 Quick 4 Standard Panels), and related appurtenance to serve a single family residence with a design flow of 240 gallons per day.

The attached plan is approved as submitted to allow disposal of the effluent with the following stipulations:

1. The Austin Water Utility's approval of this plan will be automatically rescinded if any site grading cuts are constructed within twenty-five (25) feet of the proposed drain field sites.
2. If it is necessary to modify your proposed plan, the Austin Water Utility will require a 30-day review period for the modified plan. All construction on this project will be required to stop until the Austin Water Utility approves the modified plan.
3. This property may be located within the habitat boundaries of an endangered species. The Austin Water Utility's approval of your plan and the issuance of a Permit to Construct a private sewage facility does not assure compliance with the Endangered Species Act. For information, please call Travis County Transportation and Natural Resources Department, (512) 854-9383.
4. The Austin Water Utility does not allow automatic lawn sprinkler system being installed over any portion of the proposed drainfield.

Our approval of this plan is based upon the data and information submitted with it. The Austin Water Utility reserves the right to revoke this approval if conditions are encountered during construction, which are not reflected by the plan and may affect the proper operation of the proposed system.

The issuance of this Approval Letter does not verify that this tract of land has been subdivided in accordance with the laws and regulations governing subdivision of land. It is also not, therefore, a guarantee of future provision of other utility services to this tract of land.



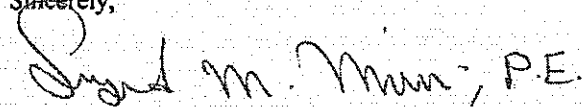
Mr. Dave McGhee, R.S.  
October 28, 2011  
Page 2 of 2

The Permit to Construct for this project is enclosed with this letter, and must be posted on the job site before any work is done. The Austin Water Utility expects you to make the contractor of this project aware of all of the above approval stipulations prior to the start of construction. **The Permit to Construct shall expire one year from the issued date. Do not start the OSSF construction before obtaining building permit approval. The Austin Water Utility shall not perform any inspection if building permit approval has not been obtained at that time.**

Regular inspections of these facilities by the Austin Water Utility's personnel during construction in accordance with the inspection schedule enclosed with this letter are required. In addition, the Austin Water Utility must receive a written certification from you, upon completion of this project, that this system was installed in accordance with this plan. This certification must be based upon your independent inspections of this system during construction. The Austin Water Utility also must receive a copy of the as-built plan, which has the same format as the approved plan for permit to construct, upon completion of this project. The final inspection will not be performed until we receive your certification, the as-built plan, and the completion of all inspections listed on the enclosed inspection schedule. License to Operate will be issued after the passing of the final inspection.

I will look forward to receiving your letter of certification upon completion of this project. If I can provide any additional information, please contact me at 972-0202 or Ms. Loan Nguyen, P.E. at 972-0261.

Sincerely,



Seyed M. Miri, P.E.  
Division Manager  
Utility Development Services Division  
Austin Water Utility

Attachment: Approved site plan drawing.

## STATEMENT OF OWNERSHIP AND LOCATION

On January 1st of each year, a tax lien comes into existence on a manufactured home in favor of each taxing unit in the jurisdiction where the home is actually located on January 1st. In order to be enforced, any such lien must be recorded with the Texas Department of Housing and Community Affairs, Manufactured Housing Division as provided by law. You may check our records through our website or contact us to learn of any recorded tax liens. To find out about the amount of any unpaid tax liabilities, contact the tax office for the county where the home was actually located on January 1st of that year.

Certified Copy of Original Statement of Ownership and Location

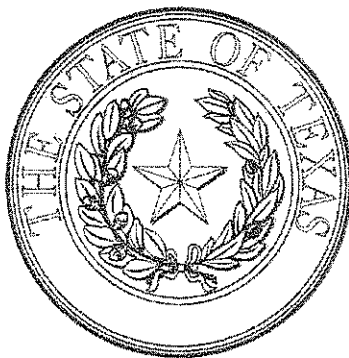
Date Issued: 08/09/2011

Certificate Number: MH00406331

Manufacturer		Label/Seal No	Serial No	Weight	Size
MHDMAN00000283 DBA CLAYTON HOMES WACO 6800 IMPERIAL DRIVE WACO, TX 76712		HWC0407166	CLW030060TX	30400	16.0 X 76.0
Model	Date of Manufacture	Effective Date of Transfer	County Where Installed	Wind Zone	Total Sq. Feet
31DMK16763AH10	12/22/2009	07/01/2011	TRAVIS	I	1216

The Owner(s) have elected to declare the manufactured home as:

PERSONAL PROPERTY



Owner of Record

BRYAN EDWARDS  
12417 RIVER BEND # 4  
AUSTIN, TX 78732

Seller

DBA THE HOME SOURCE  
1547 HWY 71 W  
CEDAR CREEK, TX 78612

Physical Address

12417 RIVER BEND # 4  
AUSTIN, TX 78732

Right of Survivorship: No

Lien(s) The following liens, charges, or other encumbrances are reflected as having been created affecting the manufactured home.

NO LIEN

NO LIEN

A handwritten signature in black ink, appearing to read "Joe A. Garcia".

Joe A. Garcia  
Executive Director

Owner Copy