

A U S T I N C I T Y C O U N C I L  
**AGENDA**

Thursday, July 27, 2006

[Back](#) [Print](#)**Watershed Protection and Development  
Review  
RECOMMENDATION FOR COUNCIL ACTION****ITEM No. 84**

**Subject:** Approve an ordinance waiving the development regulations of Ordinance No. 20060309-058 to allow the construction of a single family residence at 1411 Gaston Avenue, Austin, TX.

**Amount and Source of Funding:** There is no unanticipated fiscal impact. A fiscal note is not required.

**Additional Backup  
Material**

(click to open)

- ☐ [Staff Report](#)
- ☐ [Backup information](#)
- ☐ [Backup information](#)
- ☐ [Backup information](#)

**For More Information:** Erica Eichert, 974-2720; Joi Harden, 974-3345

On March 9, 2006 the City Council adopted interim development regulations which provided development limits in subdivisions within the City limits for which the original plat was approved before March 7, 1974, or on a tract that may legally be developed without being platted. For a building permit to construct single-family, single family attached, two-family, secondary apartment, and duplex structures on a lot where, before March 9, 2006, a structure has been or will be demolished or relocated, the new structure's size is limited to the greater of the following:

(a) 0.4 to 1 floor-to-area ratio; (b) 2,500 square feet; or (c) 20 percent more square feet than the existing or pre-existing structure.

This ordinance includes a provision which allows City Council to waive the development limitations if the Council determines that the development regulations impose an undue hardship on the applicant, the development proposed by the applicant will not adversely affect public health, safety, and welfare, and waiving the regulations will not have a substantially adverse impact on neighboring properties.

Applicant Ms. Allyson Hallmark is requesting a waiver from Ordinance No. 20060309-058 in order to construct a two story single family residence and a garage apartment (two-family residential) at 1411 Gaston Avenue, Austin, TX. The new two story single family residence will have 3998 square feet of gross floor area and the garage apartment (two-family residential) will have 534 square feet of gross floor area. The proposed development exceeds the floor to area ratio and square footage limitations under Ordinance No. 20060309-058. The proposed development would also comply with all other zoning regulations, including building and impervious cover limitations as well as height requirements.

Staff recommends approval of the waiver request based on the information that the applicant has provided.

## **WAIVER REQUEST STAFF REPORT**

**PERMIT NUMBER:** BP-06-5936R

**COUNCIL DATE:** July 27, 2006

**APPLICATION DATE:** June 14, 2006

**OWNER:** Allyson Hallmark

**ADDRESS:** 1411 Gaston Avenue

### **BACKGROUND**

On March 9, 2006 the City Council adopted Ordinance 20060309-058 establishing development regulations applicable to certain building permits for single-family, single family attached, two-family, secondary apartment, and duplex structures in areas of the City that were subdivided prior to March 1974.

### **APPLICATION**

On May 11, 2006, the applicant submitted an application for a waiver from Part 4 Section (C) of Ordinance 20060309-058 that for a building permit for a new structure on a lot where, before March 9, 2006, a structure has been or will be demolished or relocated, the new structure's size is limited to the greater of:

- (1) 0.4 to 1 floor-to-area ratio;
- (2) 2,500 square feet; or
- (3) 20 percent more square feet than the existing or pre-existing structure.

### **DEVELOPMENT REGULATIONS**

The proposed construction requires the applicant to request a Council Waiver because it creates a structure that exceeds all three size limitations set forth in Part 4(C) of the ordinance:

- (a) 0.4 to 1 FAR would allow 4478.88 s.f.
  - Proposed structure's create 4532 s.f. on 11197.20 s.f. lot, which equates to a 0.404 FAR.
- (b) Proposed structure will exceed 2500 s.f. by 2032 s.f.
- (c) An application for a demolition permit has been filed with the Historic Preservation Office to demolish an existing single family residence totaling 2400 s.f.
  - Ordinance allows for 20 percent increase over previous structure size
  - 2400 s.f. + 480 s.f. (20 percent) = 2880 s.f. maximum size allowed
  - Proposed 4532 s.f. - 2880 s.f. = 1652 s.f. over maximum allowed

### **SETBACKS**

### Existing Setbacks

1403 Gaston Avenue	39 ft 2 in
1407 Gaston Avenue	40 ft
1413 Gaston Avenue	40 ft 9 in
1415 Gaston Avenue	40 ft 3 in
1419 Gaston Avenue	47 ft 3 in

### SETBACKS CALCULATIONS

Under Part 5, Section D (5) of Ordinance 20060309-058, except as provided in Paragraph (6), for a lot on a block face on which four or more lots are developed for a use described in Subsection (B), the setback for the proposed duplex is figured thusly:

- a. the lot with a principal structure closest to the street is disregarded, and the lot with a principal structure farthest from the street is disregarded;
  - 39 ft. 2 in. and 47 ft. 3 in. are disregarded
- b. the minimum front setback is equal to the average of the minimum front yard setbacks of the principal structures on the remaining lots minus ten percent of the distance of that average;
  - $40.4 \text{ (avg. of remaining lots)} - 4.04 \text{ (10 percent)} = 36.36 \text{ ft.}$   
minimum setback
- c. the maximum front yard setback is equal to the average of the minimum front yard setbacks of the principal structures on the remaining lots plus ten percent of the distance of that average.
  - $40.4 \text{ (avg. of remaining lots)} + 4.04 \text{ (10 percent)} = 44.44 \text{ ft.}$   
maximum setback

Applicant proposes a front setback of 42 ft 1 1/2 in, so no waiver will be required for the Part 5, Setback Section of the ordinance.

### PROPOSED DEVELOPMENT

Applicant proposes the following construction:

- Construct a new two story 3998 s.f. single family residence at 1411 Gaston Avenue
- Construct a detached garage 589 s.f. with an above two family residential 534 s.f.
- Proposed front set back of 42 ft. 1 1/2 in.
- Demolish existing single family residence of 2400 s.f. (demo application was filed February 8, prior to the ordinance)

Applicant proposes additional construction:

- 335 s.f. covered patio
- 14 s.f. uncovered patio
- 238 s.f. covered breezeway
- 170 s.f. walkway and steps on private property

- 637 s.f. new driveway area.

### **ZONING**

- This lot is currently zoned Single Family Residential (SF-3).
- It lies within the West Austin Neighborhood Group, M.K. Hage, Austin Neighborhoods Council, and the Pemberton Heights Neighborhood Association.

### **WAIVER**

The applicant requests the waiver from Part 4, Section C on the following grounds:

- The regulations imposes undue hardship on the applicant, the development proposed by the applicant will not adversely affect the public health , safety and welfare and waiving the regulation will not have a substantially adverse impact on neighboring properties.

### **STAFF ASSESSMENT**

The information submitted with the applicant's waiver application can be summarized as follows:

- Letter from P.E. stating development will not cause additional impacts to the existing drainage system.
- Information was provided indicating undue financial hardship.
- Photos from the neighborhood submitted as evidence that the new structure will be compatible to the existing structures in the neighborhood.

### **STAFF RECOMMENDATION: APPROVAL**

Staff recommends approval of the waiver request based on the information that the applicant has submitted.

**CITY OF AUSTIN  
REQUEST TO WAIVE DEVELOPMENT REGULATIONS  
UNDER ORDINANCE NUMBER 20060309-058**

STREET ADDRESS: 1411 Gaston Avenue  
 LEGAL DESCRIPTION: Subdivision Pemberton Heights  
 Lot(s) 28 Block 28 Outlot Division  
 Zoning District: SE3 Neighborhood Plan (if applicable):  
 Type of work to be done (Select appropriate option and provide description of the proposed project):  
☒ New Construction: Two family two story residence  
☐ Addition:

Please select one of the following:

- ☒ 1. I request a waiver to the interim development regulations because the regulations impose an undue hardship as described: see attached

The granting of this waiver will not adversely affect the public health, safety and welfare.  
 Explain:

Waiving the regulation will not have a substantially adverse impact on neighboring properties  
 Explain:

- ☐ 2. The following development agreement permits the activity:
- ☐ 3. I have acquired a right under Texas Local Government Chapter 245 (Issuance of Local Permits), or have a common law vested right that has been fully adjudicated by a court of competent jurisdiction. Please specify and provide supporting documentation:

**ALL APPLICATIONS MUST BE ACCOMPANIED BY A RESIDENTIAL PERMIT APPLICATION**Signature of applicant/ owner: Allyson Hallmark

Note: The waiver application will be considered incomplete if the applicant fails to provide information requested in this application as well as requirements for residential building permit submittal. Please attach any additional information that will support your request, such as: photos, architectural drawings, letters of support from neighbors or additional documentation.

**FOR STAFF USE**

Date waiver application filed with City of Austin:

Date scheduled for City Council action:

**BUILDING PERMIT**

CITY OF AUSTIN  
RESIDENTIAL PERMIT APPLICATION

BP Number BP-06-5936R  
Building Permit No. \_\_\_\_\_  
Plat No. \_\_\_\_\_ Date 6/14/06  
Reviewer glt

PRIMARY PROJECT DATA

Service Address 1411 Gaston Avenue Tax Parcel No. \_\_\_\_\_  
Legal Description 10 Ft. of Lot 6  
Lot 5 Block 28 Subdivision Pemberton Heights Section 8 Phase \_\_\_\_\_

If in a Planned Unit Development, provide Name and Case No. \_\_\_\_\_  
(attach final approved copies of subdivision and site plan)

If this site is not a legally subdivided lot, you must contact the Development Assistance Center for a Land Status Determination.

Description of Work

☒ New Residence  
☐ Duplex  
☐ Garage ☐ attached ☐ detached  
☐ Carport ☐ attached ☐ detached  
☐ Pool

Remodel (specify) \_\_\_\_\_

Addition (specify) \_\_\_\_\_

Other (specify) \_\_\_\_\_

Zoning (e.g. SF-1, SF-2...) SF 3 SF-3 Height of building 29'9 1/4" # of floors 2

On lots with LA zoning, the approved septic permit must be submitted with the Residential Permit application for zoning approval.  
(LDC 25-2-551(B)(6))

Does this site have a Board of Adjustment ruling? ☐ Yes ☒ No If yes, attach the B.O.A. documentation

Will this development require a cut and fill in excess of 4 feet? ☐ Yes ☒ No

Does this site front a paved street? ☒ Yes ☐ No A paved alley? ☐ Yes ☒ No

VALUATIONS FOR  
REMODELS ONLY

Building \$ \_\_\_\_\_  
Electrical \$ \_\_\_\_\_  
Mechanical \$ \_\_\_\_\_  
Plumbing \$ \_\_\_\_\_  
Driveway  
& Sidewalk \$ \_\_\_\_\_  
TOTAL \$ \_\_\_\_\_  
(labor and materials)

DATA FOR NEW CONSTRUCTION  
OR ADDITIONS ONLY

Lot Size 11,197.20 sq.ft.  
Job Valuation \$ \_\_\_\_\_  
(Labor and materials)  
House Garage/Garage Apt  
Total Job Valuation (remodels and additions)  
\$ \_\_\_\_\_  
(Labor and materials)

PERMIT FEES  
(For office use only)

	NEW ADDITIONS	REMODELS
Building	\$ _____	\$ _____
Electrical	\$ _____	\$ _____
Mechanical	\$ _____	\$ _____
Plumbing	\$ _____	\$ _____
Driveway & Sidewalk	\$ _____	\$ _____
TOTAL	\$ _____	\$ _____

OWNER / BUILDER INFORMATION

OWNER	Name <u>Sid and Judy Stewart</u>	Telephone (h) <u>328-4046</u> (w) _____
BUILDER	Company Name <u>Hallmark Builders</u>	Telephone <u>474-1330</u>
	Contact/Applicant's Name <u>Allyson Hallmark</u>	Pager _____ FAX _____
DRIVEWAY /SIDEWALK	Contractor <u>PH</u>	Telephone _____
CERTIFICATE OF OCCUPANCY	Name <u>Allyson Hallmark</u>	Telephone _____
	Address <u>2402 Tower Drive</u>	City <u>Austin</u> ST <u>Tx</u> ZIP <u>78703</u>

If you would like to be notified when your application is approved, please select the method:

\_\_\_\_ telephone ☒ e-mail: allyhallmark@grande.com.net

You may check the status of this application at [www.ci.austin.tx.us/development/pierivt.htm](http://www.ci.austin.tx.us/development/pierivt.htm)

CITY OF AUSTIN  
RESIDENTIAL PERMIT APPLICATION

I understand that in accordance with Sections 25-1-411 and 25-11-66 of the Land Development Code (LDC), non-compliance with the LDC may be cause for the Building Official to suspend or revoke a permit and/or license. I understand that I am responsible for complying with any subdivision notes, deed restrictions, restrictive covenants and/or zoning conditional overlays prohibiting certain uses and/or requiring certain development restrictions (i.e., height, access, screening, etc.) on this property. If a conflict should result with any of these restrictions, it will be my responsibility to resolve it. I understand that, if requested, I must provide copies of all subdivision plat notes, deed restrictions, restrictive covenants, and/or zoning conditional overlay information that may apply to this property.

I acknowledge that this project qualifies for the Site Plan Exemption as listed in Section 25-5-2 of the LDC.

I also understand that if there are any trees greater than 19 inches in diameter located on the property and immediately adjacent to the proposed construction, I am to schedule a Tree Ordinance review by contacting (512) 974-1876 and receive approval to proceed.

APPLICANT'S  
SIGNATURE



DATE

6/1/06

Rejection Notes/Additional Comments (for office use only):

*Will not be reviewed*

*Y. Please do not submit for review*



Service Address

1411 Gaston Ave

Applicant's Signature

Allyson Hallmark

Date

6/2/06

**BUILDING COVERAGE**

The area of a lot covered by buildings or roofed areas, but not including (i) incidental projecting eaves and similar features, or (ii) ground level paving, landscaping, or open recreational facilities.

	Existing	New / Addition
a. 1 <sup>st</sup> floor conditioned area	sq.ft.	2752/ sq.ft.
b. 2 <sup>nd</sup> floor conditioned area	sq.ft.	1246/534 sq.ft.
c. 3 <sup>rd</sup> floor conditioned area	sq.ft.	sq.ft.
d. Basement	sq.ft.	sq.ft.
e. Garage / Carport		
attached	sq.ft.	sq.ft.
<input checked="" type="checkbox"/> detached	sq.ft.	589 sq.ft.
f. Wood decks [must be counted at 100%]	sq.ft.	sq.ft.
g. Breezeways	sq.ft.	238 sq.ft.
h. Covered patios	sq.ft.	335 sq.ft.
i. Covered porches	sq.ft.	sq.ft.
j. Balconies	sq.ft.	sq.ft.
k. Swimming pool(s) [pool surface area(s)]	sq.ft.	sq.ft.
l. Other building or covered area(s)	sq.ft.	sq.ft.
Specify _____		

**TOTAL BUILDING AREA** (add a. through l.) sq.ft. 5694 sq.ft.

**TOTAL BUILDING COVERAGE ON LOT** (subtract b., c., d., and k. if applicable) 3914 sq.ft.  
1780 34.96 % of lot

14,197.20

**IMPERVIOUS COVERAGE**

Include building cover and sidewalks, driveways, uncovered patios, decks, air conditioning equipment pad, and other improvements in calculating impervious cover. Roof overhangs which do not exceed two feet or which are used for solar screening are not included in building coverage or impervious coverage. All water must drain away from buildings on this site and buildings on adjacent lots.

a. Total building coverage on lot (see above)	3914	sq.ft.
b. Driveway area on private property	637	sq.ft.
c. Sidewalk / walkways on private property	170	sq.ft.
d. Uncovered patios	14	sq.ft.
e. Uncovered wood decks [may be counted at 50%]		sq.ft.
f. Air conditioner pads	39	sq.ft.
g. Concrete decks		sq.ft.
h. Other (specify) _____		sq.ft.

**TOTAL IMPERVIOUS COVERAGE** (add a. through h.) 4774 sq.ft.  
42.6 % of lot

**ONE STOP SHOP**  
**505 Barton Springs**

Austin, Texas 78701  
(512) 974-2632 phone  
(512) 974-9779 fax



**Austin Energy**

**Electric Service Planning Application (ESPA)**

(Please Print or Type)

For Residential or Small Commercial "SERVICE ONLY" under 350 amps 1Ø or 225 amps 3Ø

Requestor's Name	<u>Allyson Hallmark</u>	Phone	<u>474 1330</u>
Address	<u>1411 Gaston Avenue</u>	OR	
Legal Description	<u>Lot 5 &amp; W. 10 ft. of Lot 6, Pemberton Heights</u>		
Lot		Block	<u>28</u>
		Commercial/Residential?	
Who is your electrical service provider? <input checked="" type="radio"/> AE or <input type="radio"/> Other			

Service Main Size		(amps)	Service Conductor		(type & size)
AE Service Length		(ft.)	Number of Meters?		Multi-Fuel Y N
Overhead/Underground?	<u>RR</u>	<input checked="" type="checkbox"/> Single-phase (1Ø)	<input type="checkbox"/> Three-phase (3Ø)		
Total Square Footage		New service or upgrade			
Largest A/C unit		(Tons)	OR LRA of Largest A/C Unit		(amps)
Electric Heating		(kW)	Other		(kW)

Comments: New Service

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

AE Representative \_\_\_\_\_ Date \_\_\_\_\_  
(Remarks on back) Phone 974-2632

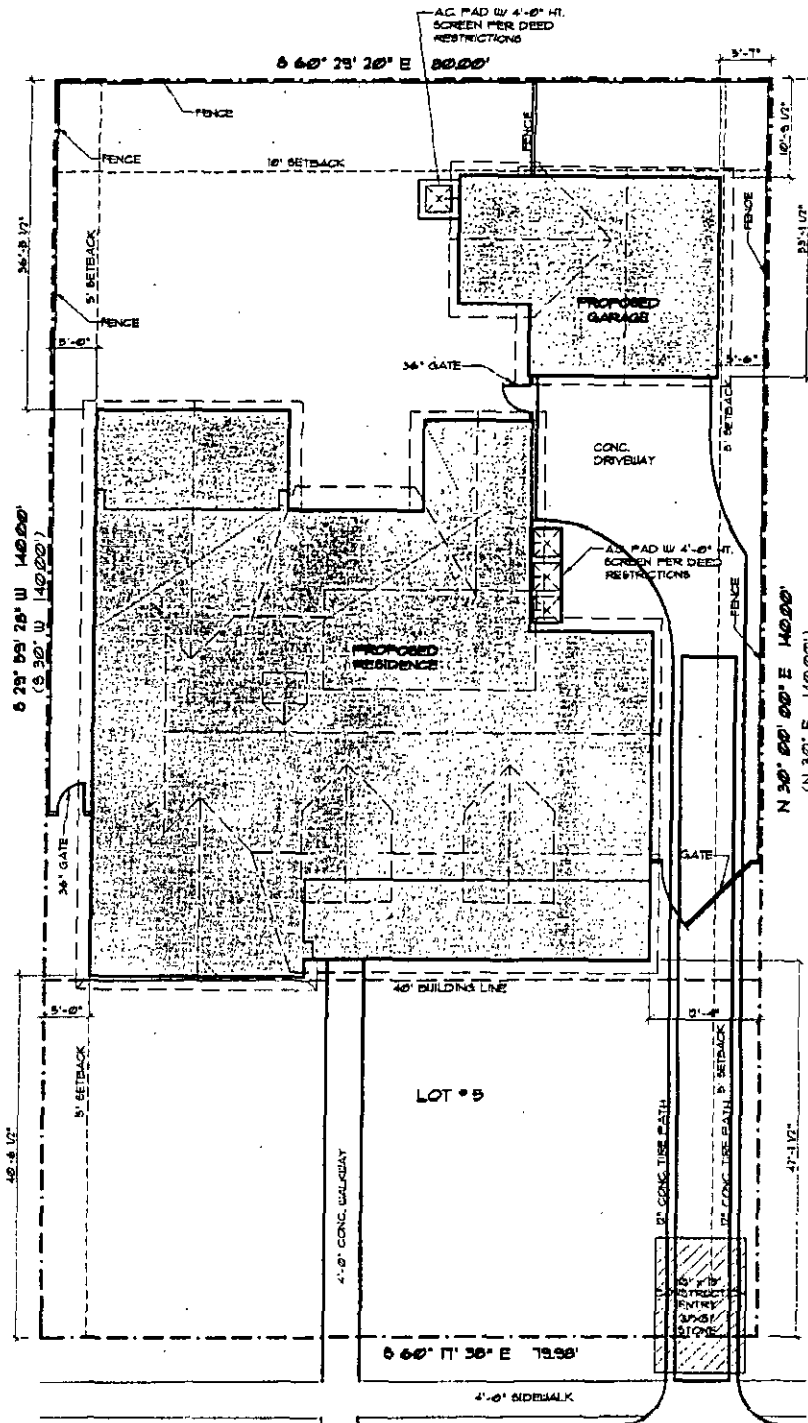
**Application expires 90 days after date of Approval**

Revised by Austin Energy 3/1/06

**AE APPROVED**

JUN 01 2006

RLS 151-0



# GENERAL SITE NOTES

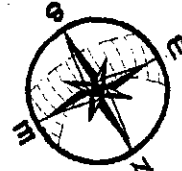
- 1.0 BUILDER TO RESCULPTURE (COMPOUND) GRADE TO PROVIDE PROPER DRAINAGE OF SURFACE WATER AWAY FROM BUILDING AS REQ'D.
- 2.0 FINAL LOCATION OF PROPOSED RESIDENCE TO BE DETERMINED BY BUILDER.
- 3.0 MAXIMUM AMOUNT OF EXPOSED FOUNDATION TO BE 14" UNLESS NOTED OTHERWISE BY CITY, COUNTY OR SUBDIVISION REQUIREMENTS.
- 4.0 THERE ARE NO STORM SEWER INLETS WITHIN THE LOT FRONTAGE OR 10'-0" BEYOND THE SIDE PROPERTY LINES.
- 5.0 UTILITY LINE LOCATIONS ARE APPROXIMATE. GENERAL CONTRACTOR TO FIELD VERIFY FOR EXACT LOCATIONS.
- 6.0 VERIFY METER AND UTILITY SERVICE LOCATIONS PRIOR TO INSTALLATION.
- 7.0 EROSION CONTROL BARRIERS TO BE INSTALLED PRIOR TO COMMENCEMENT OF CONSTRUCTION.
- 8.0 STABILIZED TEMPORARY CONSTRUCTION DRIVEWAY TO BE IN PLACE PRIOR TO COMMENCEMENT OF CONSTRUCTION.
- 9.0 CONFIRM ALL DRIVEWAY, WALKWAY AND PVC LAYOUT LOCATIONS PRIOR TO COMMENCEMENT OF WORK.
- 10.0 PROVIDE CONTROL AND EXPANSION JOINTS AS REQUIRED ON CONCRETE DRIVES, WALKS AND PATIOS.
- 11.0 ALL EXTERIOR HVAC EQUIPMENT TO BE SCREENED PER CITY REQUIREMENTS, DEED RESTRICTIONS OF SUBDIVISION OR NEIGHBORHOOD ASSOCIATION.
- 12.0 GARBAGE RECEPTACLES TO BE STORED IN GARAGE OR SCREENED FROM VIEW AND ANIMAL ACCESS.
- 13.0 LOCATION OF MAILBOX AND EXTERIOR DRIVEWAY LIGHT(S) TO BE VERIFIED PRIOR TO INSTALLATION.
- 14.0 ALL CONSTRUCTION MATERIALS AND WASTE TO BE STORED ON SITE DURING CONSTRUCTION.
- 15.0 LANDSCAPE PLANS TO BE PROVIDED BY OTHERS AND PERMIT FOR SAME TO BE OBTAINED SEPARATELY FROM THESE PLANS.
- 16.0 NO EXISTING TREES TO BE REMOVED OR DISTURBED WITHOUT OWNER APPROVAL.
- 17.0 ALL STUMPS AND ROOTS SHALL BE REMOVED FROM THE SOIL TO A DEPTH OF 2' BELOW THE SURFACE OF THE GROUND IN THE AREA OF THE BUILDING.
- 18.0 CONTRACTOR SHALL CLEAN UP AREAS AFFECTED BY DAILY WORK AND REMOVE DEBRIS AND MATERIALS FROM THE SITE UPON COMPLETION OF THE WORK.

## IMPERVIOUS COVER CALC.

(RESIDENCE)	3,342' / 35%
(WALKWAY)	170' / 20%
(DRIVEWAY)	631' / 26%
IMPERVIOUS:	4,143' / 42%
PERVIOUS:	6,462' / 58%
TOTAL	10,605' / 100%

## LEGAL DESCRIPTION

411 GASTON AVENUE  
LOT 5 & WEST 10'-0" OF LOT 6  
BLOCK 28, SECTION 8  
PEMBERTON HEIGHTS  
AUSTIN, TEXAS 78703  
TRAVIS COUNTY



## SITE PLAN

SCALE: 1" = 10'-0"

AE APPROVED

JUN 14 2006

RLS 163-50

REVISION:	
PROJECT: 163-50	
DATE: 06/14/06	
STEWART RES.	
SHEET NO.	A-7
TOP	
PROJECT NO.	163-50
DRAWN BY:	CSW
DATE:	06/14/06
CHECKED BY:	

**PROOF OF HARDSHIP**

Stephen L. Hallmark, Inc.  
Dba Hallmark Builders  
Allyson Hallmark  
2402 Tower Drive  
Austin, Texas 78703  
512-474-1330  
June 5, 2006

Re: Request to Waive Development Regulations  
Address: 1411 Gaston Avenue  
Austin, Texas 78703

To Whom It May Concern:

My clients, Dr. Sid and Judy Stewart, recently purchased a house located at 1411 Gaston Avenue, Austin, Texas 78703. This house was placed under contract in December 2005 and a demolition permit was issued on February 8, 2006 so the Stewarts could building a home more suited for their family needs than the existing two story home. The Stewarts began the lengthy process of designing of their new home to meet the building ratios of 40% for the total building coverage and 45% impervious coverage ratio. The new ordinance was imposed so quickly and it poses a hardship on my clients in regards to the FAR requirements. Please let me emphasis, the design does met the pre-ordinance building ratios that were in effect prior to 02/09/06.

The Floor Area Ratio requirement of 40% is exceeded by  $\frac{1}{2}$  of 1% with the current home design. The lot size is 11,197.20 sq. ft. which allows for a home and second story garage apartment not to exceed 4,478.88 sq. ft. The design plans include a first floor of 2,752 sq. ft.; second floor of 1,246 sq. ft.; a two story garage consisting of 598 sq. ft. on the first level and a second story garage apartment of 534 sq. ft. It is my understanding the first level garage is exempt in the FAR calculations. Based on the above interpretations, the calculated FAR ratio is 40.47%.

The newly designed home will be placed on the lot at the same location as the previous home was located - 42 ft. 1  $\frac{1}{2}$  in. from the property line which exceeds the required 25 ft. city zoning setback for SF-3. The side and rear setbacks of the proposed construction are within the new guidelines of the new ordinance. The height of the newly designed home is 29 ft. 9  $\frac{1}{4}$  in. which meets the current ordinance guidelines of 32 ft. 3  $\frac{1}{2}$  in. Overall granting this waiver will not have an adverse impact on the neighboring properties and will be a home tastefully designed to fit the character of the neighborhood.

Council Members please take into consideration that Dr. Stewart suffered a stroke in June 2005 which has impaired his health and now requires constant medical attention. Due to Dr. Stewart's health condition, Mrs. Stewart needs to be closer to central Austin medical facilities in order for her husband to receive the medical attention he requires. The drive from their current home is about 30 minutes to the doctor's offices. Due to Dr. Stewart's post stroke condition, Mrs. Stewart has turned her dining room into a makeshift bedroom for Dr. Stewart because he is currently unable to climb the stairs to the master bedroom at their current home. The proposed construction of the Gaston apartment above the garage will allow Mrs. Stewart to provide housing for a nurse to help with the care of Dr. Stewart in the future. The central location of 1411 Gaston Avenue will provide convenient access to medical centers for Mr. Stewart and a safe commute for their daughter to school.

Thank you for your consideration and look forward to receiving a waiver on this home.

Sincerely,

Allyson Hallmark

## **DRAINAGE**



7500 Hwy 71 West, Suite 106  
Austin, TX 78735

(512) 301-3369 (o)  
(512) 301-3348 (f)

**June 13, 2006**

Director  
Watershed Protection and Development Review Department  
505 Barton Springs Road  
Austin, TX 78703

**RE: Engineer's Drainage Certification**  
**1411 Gaston Avenue**  
**Austin, TX**

To Whom It May Concern:

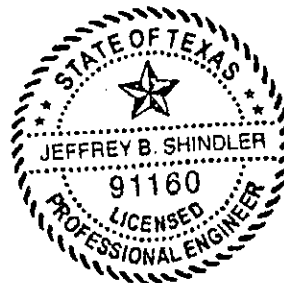
I certify that I have personally conducted a topographic review and field investigation of the existing and proposed flow patterns for stormwater runoff from the subject lot to Shoal Creek. At build-out conditions allowable by zoning, restrictive covenant or plat note, the stormwater flows from the subject subdivision will not cause any increase in flooding conditions to the interior of existing building structures, including basement areas, for storms of magnitude up through the 100-year event.

Existing site drainage is toward the Gaston Avenue ROW. There is an existing masonry stem wall between the site and the downstream lot. Contractor should maintain existing flow patterns and direct all site drainage toward Gaston Avenue. Contractor should maintain the existing stem wall.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Shindler", is written over a horizontal line. Below the signature, the text "Jeff Shindler, P.E." is printed.

Jeff Shindler, P.E.



Residential/Commercial  
Civil & Structural Engineering

## **FINANCIAL INFORMATION**



**BLAZIER, CHRISTENSEN, BIGELOW & VIRR**

A PROFESSIONAL CORPORATION  
ATTORNEYS AND COUNSELORS

JOHN C. BLAZIER  
FLEUR A. CHRISTENSEN  
BRUCE BIGELOW\*  
THOMAS F. VIRR\*\*  
KATHLEEN FORD BAY\*\*\*  
JUSTIN M. WELCH  
TREVOR G. GREEN  
MAURA PHELAN

221 WEST SIXTH STREET, SUITE 1500  
AUSTIN, TEXAS 78701

WWW.BLAZIERLAW.COM

TELEPHONE (512) 476-2622  
FACSIMILE (512) 476-8685

\*BOARD CERTIFIED ADMINISTRATIVE LAW, TEXAS BOARD OF LEGAL SPECIALIZATION  
\*\*BOARD CERTIFIED TAX LAW, TEXAS BOARD OF LEGAL SPECIALIZATION  
\*\*\*BOARD CERTIFIED ESTATE PLANNING & PROBATE, TEXAS BOARD OF LEGAL SPECIALIZATION

WRITER'S DIRECT EMAIL: jblazier@blazierlaw.com

June 12, 2006

Mr. Steve Hallmark  
2400 Tower Drive  
Austin, Texas 78703

RE: Background on Sale of Mrs. Sally Rudd's Home  
Address: 1411 Gaston Ave. Austin, Texas

Dear Mr. Hallmark:

I am responding to your request to provide you some background on the sale by Sally Rudd of her home. [REDACTED]

[REDACTED] Steve Smith her financial adviser and I began to encourage her to sell her home. Our discussions began in the fall of 2004 and we were patient for we knew that selling the home was very difficult psychological matter. As the months passed, it became clear that the home was deteriorating and a considerable investment would be required to repair it.

In fall of 2005, Mrs. Rudd advised us that she was willing to consider selling her home and now she faced the challenge of developing a plan to dispose of 60 plus years of furnishing etc. We met and worked on a plan that her only son John agreed to execute. In the fall of 2005, Sally met with Dr. Sid Stewart and his wife Judy and she like them. Dr. Stewart [REDACTED] and his wife wanted to have a home that was closer to Seton and other medical facilities. Sally met with the Stewarts over the course of several weeks she decided to allow them to purchase her home. The Stewarts were very open with Mrs. Rudd and indicated that if they purchased the home, they would build a new home in its place. Attach to this letter is a photo of the home that they provided to her.

In December Mrs. Rudd and Dr. and Mrs. Stewart entered into a contract for the purchase of the 1411 Gaston Ave. Property. Mrs. Rudd agreed to apply for the demolition permit and we were successful in obtaining the approval to demolish the existing structure.

The closing was set for late April to accommodate the Mr. John Rudd and his efforts to get all of his mother's possession distributed to nieces, nephews etc. The closing took place on April 27<sup>th</sup> and the purchase price was [REDACTED] I am including a copy of the closing statement with this letter.

I hope this information is helpful.

Kindest regards,

*John C. Blazier*  
John C. Blazier  
For the Firm

Enclosures  
(as stated)  
cc: Dr. Sidney & Judy Stewart



## HUD - 1 UNIFORM SETTLEMENT STATEMENT

OMB Approval No. 2502-0265

A. U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT			SETTLEMENT STATEMENT	
B. TYPE OF LOAN			6. File Number:	7. Loan Number:
1. X FHA      2. FmHA 3. Conv. Unins.      4. VA      5. Conv. Ins.			8. Mortgage Insurance Case Number	
C. NOTE: This form is furnished to give you a statement of actual settlement costs. Amounts paid to and by the settlement agent are shown. Items marked "(p.o.c.)" were paid outside the closing; they are shown here for informational purposes and are not included in the totals.				
NOTE: TIN = Taxpayer's Identification Number				
D. NAME AND ADDRESS OF BORROWER:		E. NAME, ADDRESS AND TIN OF SELLER:		F. NAME AND ADDRESS OF LENDER:
Sidney Carl Stewart Judy Catherine Stewart 4201 Hampstead Austin, TX 78746		Sally Rudd, indiv & indep executor 4409 Gaines Ranch Loop Austin, TX 78735		N/A
G. PROPERTY LOCATION:		H. SETTLEMENT AGENT NAME, ADDRESS AND TIN		
1411 Gaston Avenue Austin, TX 78703		FLEUR A. CHRISTENSEN 221 W. 6TH STREET, STE 1500, AUSTIN, TX 78701		
5, W10' Lot 6, Bl 28.		PLACE OF SETTLEMENT		I. SETTLEMENT DATE
				04/27/2006

J. SUMMARY OF BORROWER'S TRANSACTION		K. SUMMARY OF SELLER'S TRANSACTION	
100. GROSS AMOUNT DUE FROM BORROWER:		400. GROSS AMOUNT DUE TO SELLER:	
101. Contract sales price		401. Contract sales price	
102. Personal property		402. Personal property	
103. Settlement charges to borrower (Line 1400)		403.	
104.		404.	
105.		405.	
Adjustments for items paid by seller in advance		Adjustments for items paid by seller in advance	
106. City/town taxes		406. City/town taxes	
107. County taxes		407. County taxes	
108. Assessments		408. Assessments	
109.		409.	
110.		410.	
111.		411.	
112.		412.	
120. GROSS AMOUNT DUE FROM BORROWER		420. GROSS AMOUNT DUE TO SELLER	
200. AMOUNTS PAID BY OR IN BEHALF OF BORROWER:		500. REDUCTIONS IN AMOUNT DUE TO SELLER:	
201. Deposit or earnest money		501. Excess deposit	
202. Principal amount of new loan(s)		502. Settlement charges to seller (Line 1400)	
203. Existing loan(s) taken subject to		503. Existing loan(s) taken subject to	
204.		504. Payoff of first mortgage loan	
205.		505. Payoff of second mortgage loan	
206.		506.	
207.		507.	
208.		508.	
209.		509.	
Adjustments for items unpaid by seller		Adjustments for items unpaid by seller	
210. City/town taxes		510. City/town taxes	
211. County taxes		511. County taxes	
212. Assessments		512. Assessments	
213. 117 days of taxes prorated		513.	
214. @12.606/day		514.	
215.		515.	
216.		516.	
217.		517.	
218.		518.	
219.		519.	
220. TOTAL PAID BY/FOR BORROWER		520. TOTAL REDUCTION AMOUNT DUE SELLER	
300. CASH AT SETTLEMENT FROM/TO BORROWER		600. CASH AT SETTLEMENT FROM/TO SELLER	
301. Gross amount due from borrower (Line 120)		601. Gross amount due to seller (Line 420)	
302. Less amount paid by/for borrower (Line 220)		602. Less reduction in amount due seller (Line 520)	
303. CASH FROM BORROWER		603. CASH TO SELLER	

## SELLER'S STATEMENT

The information contained in Blocks E, G, H, and I and on line 401 (or, if line 401 is asterisked, line 403 and 404) is important tax information and is being furnished to the Internal Revenue Service (see Seller Certification). If you are required to file a return, a negligence penalty or other sanction will be imposed on you if this item is required to be reported and the IRS determines that it has not been reported. You are required to provide the Settlement Agent with your correct taxpayer identification number. If you do not provide the Settlement Agent with your correct taxpayer identification number, you may be subject to civil or criminal penalties imposed by law. Under penalties of perjury, I certify that the number shown on this statement is my correct taxpayer identification number.

Sally Rudd  
(Seller's Signature) Sally Rudd, indiv & indep

(Seller's Signature) executor

**L. SETTLEMENT CHARGES**

701. TOTAL SALES/BROKER'S COMMISSION based on price \$ [REDACTED] @		PAID FROM BORROWER'S FUNDS AT SETTLEMENT	PAID FROM SELLER'S FUNDS AT SETTLEMENT
Division of Commission (line 700) as follows:			
701. \$			
702. \$			
703. Commission paid at Settlement:			
704.			
<b>800. ITEMS PAYABLE IN CONNECTION WITH LOAN</b>			
801. Loan Origination Fee \$			
802. Loan Discount \$			
803. Appraisal Fee to			
804. Credit report to			
805. Lender's Inspection Fee			
806.			
807.			
808.			
809.			
810.			
811.			
812.			
813.			
<b>900. ITEMS REQUIRED BY LENDER TO BE PAID IN ADVANCE</b>			
901. Interest from			
902. Mortgage Insurance Premium for			
903. Hazard insurance Premium for			
904.			
905.			
<b>1000. RESERVES DEPOSITED WITH LENDER</b>			
1001. Hazard insurance			
1002. Mortgage insurance			
1003. City Property Taxes			
1004. County Property Taxes			
1005. Annual assessments			
1006.			
1007.			
1008. Aggregate Accounting Adjustment			
<b>1100. TITLE CHARGES</b>			
1101. Settlement or closing fee to			
1102. Abstract or title search to			
1103. Title Examination to			
1104. Title insurance binder to			
1105. Document preparation to			
1106. Notary fees to			
1107. Attorney's fees to POC			
(includes line numbers: [REDACTED])			
1108. Title Insurance to Heritage Title Company of Austin			
(includes line numbers: [REDACTED])			
1109. Lender's coverage \$			
1110. Owner's coverage \$ [REDACTED]			
1111. Guaranty fee-Heritage Title Company of Austin			
1112.			
1113.			
<b>1200. GOVERNMENT RECORDING AND TRANSFER CHARGES</b>			
1201. Recording fees: Deed \$ [REDACTED] Mortgage \$ [REDACTED] Release \$ [REDACTED]			
1202. City/county tax/stamps: Deed \$ [REDACTED] Mortgage \$ [REDACTED]			
1203. State tax/stamps: Deed \$ [REDACTED] Mortgage \$ [REDACTED]			
1204.			
1205.			
<b>1300. ADDITIONAL SETTLEMENT CHARGES</b>			
1301. Survey Paid outside closing by Buyer			
1302. Pest inspection to			
1303.			
1304.			
1305.			
1306.			
<b>1400. TOTAL SETTLEMENT CHARGES (enter on lines 103, Section J and 502, Section K)</b>			

CERTIFICATION: I have carefully reviewed the HUD-1 Settlement Statement and to the best of my knowledge and belief, it is a true and accurate statement of all receipts and disbursements made on my account or by me in this transaction. I further certify that I received a copy of the HUD-1 Settlement Statement.

Seller Sally Rudd  
Sally Rudd

Seller executor

The HUD-1 Settlement Statement which I have prepared is a true and accurate account of the funds disbursed or to be disbursed by the undersigned as part of the settlement of this transaction.

Borrower Sidney Carl Stewart  
Sidney Carl Stewart  
Borrower Judy Catherine Stewart  
Judy Catherine Stewart

04/27/2006

Settlement Agent Fleur A. Christensen

Date

WARNING: It is a crime to knowingly make false statements to the United States on this or any other similar form. Penalties upon conviction can include a fine and imprisonment. For details see: Title 18 U.S. Code Section 1001 and Section 1010.

11-GF# 53255 ALF  
RETURN TO: HERITAGE TITLE  
401 CONGRESS, SUITE 1500  
AUSTIN, TEXAS 78701



LD 2006077817  
2 PGS

**RET. HERITAGE TITLE CO.**

Notice of confidentiality rights: If you are a natural person, you may remove or strike any of the following information from this instrument before it is filed for record in the public records: your Social Security number or your driver's license number.

**General Warranty Deed**

2

Date: April 27, 2006

Grantor: Sally Frances Rudd a/k/a Sally Strawn Rudd, individually and as Independent Executrix of the Estate of John Speed Rudd, Jr., Deceased

Grantor's Mailing Address: 4409 Gaines Ranch Loop, Austin, Travis County, Texas 78735

Grantee: Sidney Carl Stewart and Judy Catherine Staha Stewart

Grantee's Mailing Address: 4201 Hampsted, Austin, Travis County, Texas 78746

Consideration: Ten and no/100 (\$10.00) Dollars and other good and valuable consideration, the receipt of which is hereby acknowledged.

As a material part of the Consideration for this deed, Grantor and Grantee agree that Grantee is taking the Property "AS IS" with any and all latent and patent defects and that there is no warranty by Grantor that the Property has a particular financial value or is fit for a particular purpose. Grantee acknowledges and stipulates that Grantee is not relying on any representation, statement, or other assertion with respect to the Property condition but is relying on Grantee's examination of the Property. Grantee takes the Property with the express understanding and stipulation that there are no express or implied warranties, except for the warranties of title set forth in this deed.

Property (including any improvements): Lot 5 and the West ten (10) feet of Lot 6, Block 28, PEMBERTON HEIGHTS SECTION 8, an subdivision in Travis County, Texas, according to the map or plat thereof, recorded in Volume 4, Page(s) 29, Plat Records, Travis County, Texas.

Reservations from Conveyance: None

Exceptions to Conveyance and Warranty: Any and all easements, restrictions, covenants, and conditions of record in the office of the Clerk of Travis County, Texas, including but not limited to:

1. Public utility easement 5 feet in width along the rear property line(s), as stated by the Plat(s) recorded in Volume 4, Page(s) 29, Plat Records, Travis County, Texas;
2. Building setback requirements as set out in Volume 630, page 203, Deed Records, Travis County, Texas;
3. Encroachment of one-story wood/frame garage into the 10 foot by 100 foot building

line as evidenced by the survey dated January 9, 2006, prepared by James M. Grant, Registered Professional Land Surveyor No. 1919;

4. Wall not on line along the southeast property line as shown on survey;
5. Chain link fence not on line along the southwest property line as shown on survey;
6. Chain link fence(s) and wall encroachment into public utility easement as shown on survey.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

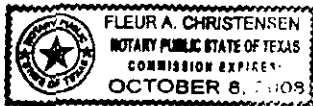
When the context requires, singular nouns and pronouns include the plural.

Sally Frances Rudd  
Sally Frances Rudd a/k/a Sally Strawn Rudd,  
Individually and as Independent Executrix of  
the Estate of John Speed Rudd, Jr., Deceased

STATE OF TEXAS

COUNTY OF TRAVIS

This instrument was acknowledged before me by Sally Frances Rudd a/k/a Sally Strawn Rudd, individually and in her capacity as Independent Executrix of the Estate of John Speed Rudd, Jr., Deceased, this 29<sup>th</sup> day of April, 2006.



Fleur A. Christensen  
Notary Public, State of Texas

After recording return to:

Blazier, Christensen, Bigelow & Virr  
221 West 6<sup>th</sup> Street, Ste 1500  
Austin, Texas 78701

**FILED AND RECORDED**

OFFICIAL PUBLIC RECORDS

Dana DeBeauvoir

2006 Apr 28 03:34 PM 2006077817

CAMBRAYR \$20.00

DANA DEBEAUVOIR COUNTY CLERK  
TRAVIS COUNTY TEXAS

**PHOTOS**

**SUBJECT PROPERTY  
1411 GASTON AVENUE**





TRAVELING WEST TO EAST ON GASTON

1423 GASTON AVENUE  
SWC OF HARRIS BLVD. /GASTON AVENUE



1419 GASTON AVENUE



1415 GASTON AVENUE



HOUSE ALONG THE WEST LINE OF SUBJECT  
1413 GASTON AVENUE



**1407 GASTON AVENUE  
HOUSE ALONG THE EAST LINE OF SUBJECT**



**1403 GASTON AVENUE**



**1401 GASTON AVENUE**



TRAVELING EAST TO WEST ON GASTON

1418 GASTON AVENUE



1414 GASTON AVENUE



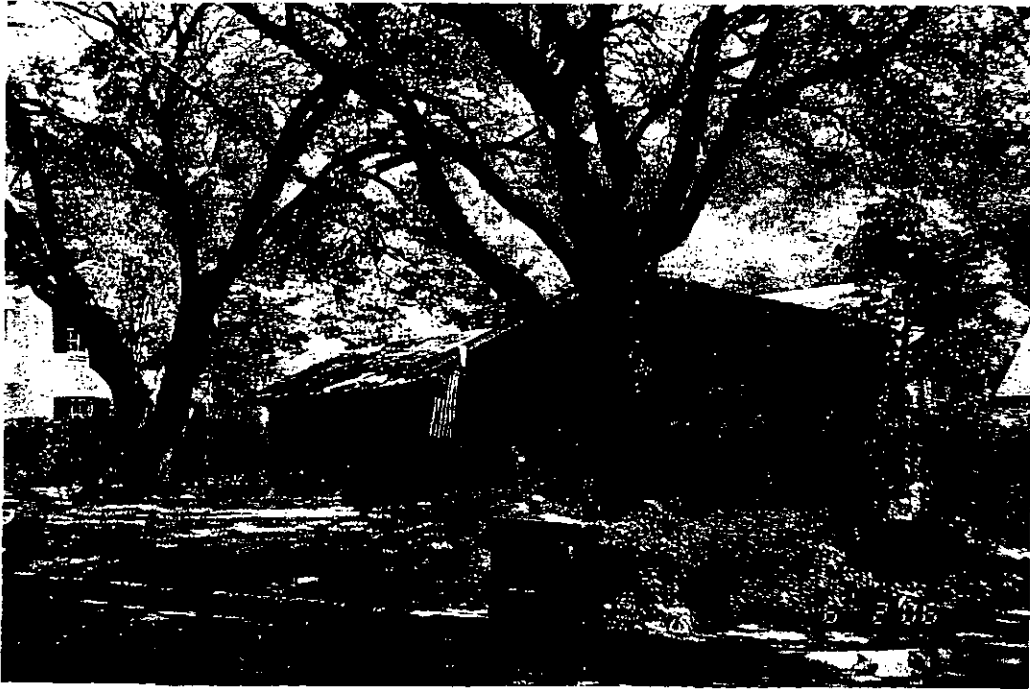
1412 GASTON AVENUE



1410 GASTON AVENUE



1406 GASTON AVENUE



1404 GASTON AVENUE



**SUBJECT TCAD**



## TaxNetUSA: Travis County Property Information

Property ID Number: 115754 Ref ID2 Number: 01160009040000

Owner's Name **STEWART SIDNEY CARL &**Mailing Address  
**JUDY CATHERINE STAHA STEWART  
4201 HAMPSTED CT  
AUSTIN, TX 78746-**Location **1411 GASTON AV 78703**Legal **LOT 5 \* & W 10 FT OF LOT 6 BLK 28 PEMBERTON HEIGHTS SEC 8**

## Property Details

Deed Date	04272008
Deed Volume	
Deed Page	
Exemptions	HS, OA,
Freeze Exempt	F
ARB Protest	F
Agent Code	0
Land Acres	0.0000
Block	28
Tract or Lot	5; 6
Docket No.	
Abstract Code	S10806
Neighborhood Code	Z7550

Data up to date as of 2006-06-05

## Value Information

## 2006 Preliminary

Land Value	325,000.00
Improvement Value	331,805.00
AG Value	0.00
AG Productivity Value	0.00
Timber Value	0.00
Timber Productivity Value	0.00
Assessed Value	545,870.00
10% Cap Value	110,735.00
Total Value	656,605.00

AGRICULTURAL (1-D-1)

APPOINTMENT OF AGENT FORM

FREEPORT EXEMPTION

HOMESTEAD EXEMPTION FORM

PRINTER FRIENDLY REPORT

PROTEST FORM

RELIGIOUS EXEMPTION FORM

(TIFF) PLAT MAP

(PDF) PLAT MAP

## Value By Jurisdiction

Entity Code	Entity Name	2005 Tax Rate	Assessed Value	Taxable Value	Market Value	Appraised Value
0A	TRAVIS CENTRAL APP DIST	0.000000	545,870.00	545,870.00	656,605.00	656,605.00
01	AUSTIN ISD	1.623000	545,870.00	495,870.00	656,605.00	656,605.00
02	CITY OF AUSTIN	0.443000	545,870.00	494,870.00	656,605.00	656,605.00
03	TRAVIS COUNTY	0.499300	545,870.00	371,898.00	656,605.00	656,605.00
2J	TRAVIS CO HEALTHCARE DIST	0.077800	545,870.00	371,898.00	656,605.00	656,605.00

68 AUSTIN COMM COLL DIST 0.099100 545,870.00 465,411.00 656,605.00 656,605.00

### Improvement Information

Improvement ID	State Category	Description
113311	A1	1 FAM DWELLING

### Segment Information

Imp ID	Seg ID	Type Code	Description	Class	Effective Year Built	Area
113311	119299	1ST	1st Floor	WW	1940	1,476
113311	119300	2ND	2nd Floor	WW	1940	924
113311	438458	011	PORCH OPEN 1ST F	.	1940	160
113311	438459	012	PORCH OPEN 2ND F	.	1940	160
113311	438460	031	GARAGE DET 1ST F	WW	1940	380
113311	438461	095	HVAC RESIDENTIAL	.	1940	2,400
113311	438462	251	BATHROOM	.	1940	1
113311	438464	522	FIREPLACE	.	1940	1
<b>Total Living Area</b>						<b>2,400</b>

### Land Information

Land ID	Type Code	SPTB Code	Homesite	Size-Acres	Front	Depth	Size-Sqft
115465	LAND	A1	T	0.000	0	0	0

### Certified Value History

Year	Jur	Entity Name	Assessed Value	Taxable Value
		2005		
2005	0A	TRAVIS CENTRAL APP DIST	496,245.00	496,245.00
2005	01	AUSTIN ISD	496,245.00	448,245.00
2005	02	CITY OF AUSTIN	496,245.00	445,245.00
2005	03	TRAVIS COUNTY	496,245.00	331,996.00
2005	2J	TRAVIS CO HOSPITAL DIST	496,245.00	331,996.00
2005	68	AUSTIN COMM COLL DIST	496,245.00	416,245.00

2004				
2004	0A	TRAVIS CENTRAL APPRAISAL DISTRICT	541,832.00	451,132.00
2004	01	AUSTIN INDEPENDENT SCHOOL DISTRICT	541,832.00	451,132.00
2004	02	CITY OF AUSTIN	541,832.00	451,132.00
2004	03	TRAVIS COUNTY (M&O,I&S,SPEC RD & BRIDGE)	541,832.00	451,132.00
2004	2J	TRAVIS COUNTY HOSPITAL DISTRICT	541,832.00	451,132.00
2004	68	AUSTIN COMMUNITY COLLEGE DISTRICT	541,832.00	451,132.00
2003				
2003	0A		538,412.00	410,120.00
2003	01		538,412.00	380,120.00
2003	02		538,412.00	359,120.00
2003	03		538,412.00	263,096.00
2003	68		538,412.00	330,120.00
2002				
2002	0A		538,412.00	372,837.00
2002	01		538,412.00	322,837.00
2002	02		538,412.00	321,837.00
2002	03		538,412.00	233,270.00
2002	68		538,412.00	292,837.00
2001				
2001	0A		538,412.00	338,943.00
2001	01		538,412.00	288,943.00
2001	02		538,412.00	287,943.00
2001	03		538,412.00	206,154.00
2001	68		538,412.00	258,943.00
2000				
2000	01		391,953.00	258,130.00
2000	02		391,953.00	257,130.00
2000	03		391,953.00	181,504.00
2000	68		391,953.00	228,130.00

ADJACENT TCAD

**TaxNetUSA: Travis County Property Information**

Property ID Number: 115755 Ref ID2 Number: 01160009050000

Owner's Name **NASH CHARLES DURHAM**

Mailing Address **P O BOX 1988  
AUSTIN, TX 78787-1988**

Location **1407 GASTON AV 78703**

Legal **E 60 FT OF LOT 6 \* & W 30 FT OF LOT 7 BLK 28 PEMBERTON HEIGHTS SEC 8**

**Property Details**

Deed Date

Deed Volume

Deed Page

Exemptions

Freeze Exempt

ARB Protest

Agent Code

Land Acres

Block

Tract or Lot

Docket No.

Abstract Code

Neighborhood Code

HS, OA, DV4,

F

F

0

0.0000

28

8; 7

S10606

27550

**Value Information**

**2006 Preliminary**

Land Value	357,500.00
Improvement Value	441,090.00
AG Value	0.00
AG Productivity Value	0.00
Timber Value	0.00
Timber Productivity Value	0.00
Assessed Value	677,457.00
10% Cap Value	121,133.00
Total Value	798,590.00

Data up to date as of 2006-06-05

☐ AGRICULTURAL (1-D-1)

☐ APPOINTMENT OF AGENT FORM

☐ FREEPORT EXEMPTION

☐ HOMESTEAD EXEMPTION FORM

☐ PRINTER FRIENDLY REPORT

☐ PROTEST FORM

☐ RELIGIOUS EXEMPTION FORM

(TIFF)

☐ PLAT MAP

(PDF)

☐ PLAT MAP

**Value By Jurisdiction**

Entity Code	Entity Name	2005 Tax Rate	Assessed Value	Taxable Value	Market Value	Appraised Value
0A	TRAVIS CENTRAL APP DIST	0.000000	677,457.00	685,457.00	798,590.00	798,590.00
01	AUSTIN ISD	1.623000	677,457.00	615,457.00	798,590.00	798,590.00
02	CITY OF AUSTIN	0.443000	677,457.00	614,457.00	798,590.00	798,590.00
03	TRAVIS COUNTY	0.499300	677,457.00	484,988.00	798,590.00	798,590.00
2J	TRAVIS CO HEALTHCARE DIST	0.077900	677,457.00	484,988.00	798,590.00	798,590.00
68	AUSTIN COMM COLL DIST	0.099100	677,457.00	583,682.00	798,590.00	798,590.00

### Improvement Information

Improvement ID  
113312

State Category  
A1

Description

1 FAM DWELLING

### Segment Information

Imp ID	Seg ID	Type Code	Description	Class	Effective Year Built	Area
113312	119302	1ST	1st Floor	WW	1950	2,543
113312	119303	FBSMT	Finished Basement	WW	1950	875
113312	438466	011	PORCH OPEN 1ST F	*	1950	30
113312	438467	061	CARPORT ATT 1ST	*	1950	540
113312	438468	085	HVAC RESIDENTIAL	*	1950	3,218
113312	438469	251	BATHROOM	*	1950	1
113312	438470	320	OBS DRIVEWAY	8DC	1950	1
113312	438471	522	FIREPLACE	*	1950	1
113312	438472	531	OBS FENCE	CAS	1950	1

Total Living Area 3,218

### Land Information

Land ID  
115466

Type Code  
LAND

SPTB Code  
A1

Homesite  
T

Size-Acres  
0.000

Front  
0

Depth  
0

Size-Sqft  
0

### Certified Value History

Year	Jur	Entity Name	Assessed Value	Taxable Value
2005				
2005	0A	TRAVIS CENTRAL APP DIST	615,870.00	603,870.00
2005	01	AUSTIN ISD	615,870.00	553,870.00
2005	02	CITY OF AUSTIN	615,870.00	552,870.00
2005	03	TRAVIS COUNTY	615,870.00	415,696.00
2005	2J	TRAVIS CO HOSPITAL DIST	615,870.00	415,696.00
2005	68	AUSTIN COMM COLL DIST	615,870.00	522,711.00
2004				

2004	0A	TRAVIS CENTRAL APPRAISAL DISTRICT	645,965.00	559,882.00
2004	01	AUSTIN INDEPENDENT SCHOOL DISTRICT	645,965.00	559,882.00
2004	02	CITY OF AUSTIN	645,965.00	559,882.00
2004	03	TRAVIS COUNTY (M&O,I&S,SPEC RD & BRIDGE)	645,965.00	559,882.00
2004	2J	TRAVIS COUNTY HOSPITAL DISTRICT	645,965.00	559,882.00
2004	68	AUSTIN COMMUNITY COLLEGE DISTRICT	645,965.00	559,882.00
		2003		
2003	0A		641,012.00	508,984.00
2003	01		641,012.00	446,984.00
2003	02		641,012.00	445,984.00
2003	03		641,012.00	330,187.00
2003	68		641,012.00	416,894.00
		2002		
2002	0A		641,012.00	462,713.00
2002	01		641,012.00	400,713.00
2002	02		641,012.00	399,713.00
2002	03		641,012.00	293,170.00
2002	68		641,012.00	370,713.00
		2001		
2001	0A		641,012.00	420,649.00
2001	01		641,012.00	358,649.00
2001	02		641,012.00	357,649.00
2001	03		641,012.00	259,519.00
2001	68		641,012.00	328,649.00
		2000		
2000	01		603,277.00	320,409.00
2000	02		603,277.00	319,409.00
2000	03		603,277.00	228,927.00
2000	68		603,277.00	290,409.00

**TaxNetUSA: Travis County Property Information**

Property ID Number: 115753 Ref ID2 Number: 01160009030000

Owner's Name **REDDING J SCOTT & KELLY C**

Mailing Address **1413 GASTON AVE  
AUSTIN, TX 78703-2513**

Location **1413 GASTON AV 78703**

Legal **LOT 4 \* & E 30 FT OF LOT 3 BLK 28 PEMBERTON HEIGHTS SEC 8**

**Property Details**

Deed Date	12122005
Deed Volume	
Deed Page	
Exemptions	HS,
Freeze Exempt	F
ARB Protest	T
Agent Code	2553
Land Acres	0.0000
Block	28
Tract or Lot	4; 3
Docket No.	
Abstract Code	S10606
Neighborhood Code	Z7560

**Value Information**

**2006 Preliminary**

Land Value	390,000.00
Improvement Value	813,355.00
AG Value	0.00
AG Productivity Value	0.00
Timber Value	0.00
Timber Productivity Value	0.00
Assessed Value	1,203,355.00
10% Cap Value	0.00
Total Value	1,203,355.00

Data up to date as of 2006-06-05

☐ AGRICULTURAL (1-D-1)

☐ APPOINTMENT OF AGENT FORM

☐ FREEPORT EXEMPTION

☐ HOMESTEAD EXEMPTION FORM

☐ PRINTER FRIENDLY REPORT

☐ PROTEST FORM

☐ RELIGIOUS EXEMPTION FORM

☐ PLAT MAP  
(TIFF)

☐ PLAT MAP  
(PDF)

**Value By Jurisdiction**

Entity Code	Entity Name	2005 Tax Rate	Assessed Value	Taxable Value	Market Value	Appraised Value
0A	TRAVIS CENTRAL APP DIST	0.000000	1,203,355.00	1,203,355.00	1,203,355.00	1,203,355.00
01	AUSTIN ISD	1.623000	1,203,355.00	1,188,355.00	1,203,355.00	1,203,355.00
02	CITY OF AUSTIN	0.443000	1,203,355.00	1,203,355.00	1,203,355.00	1,203,355.00
03	TRAVIS COUNTY	0.489300	1,203,355.00	962,684.00	1,203,355.00	1,203,355.00
2J	TRAVIS CO HEALTHCARE DIST	0.077900	1,203,355.00	962,684.00	1,203,355.00	1,203,355.00
68	AUSTIN COMM COLL DIST	0.099100	1,203,355.00	1,191,321.00	1,203,355.00	1,203,355.00



### Improvement Information

Improvement ID  
113310

State Category  
A1

Description  
1 FAM DWELLING

### Segment Information

Imp ID	Seg ID	Type Code	Description	Class	Effective Year Built	Area
113310	118298	1ST	1st Floor	WW	1951	3,584
113310	438448	011	PORCH OPEN 1ST F	*	1951	340
113310	438449	041	GARAGE ATT 1ST F	WW	1951	378
113310	438450	085	HVAC RESIDENTIAL	*	1951	3,594
113310	438451	251	BATHROOM	*	1951	2
113310	438452	812	TERRACE UNCOVERD	*	1951	462
113310	438453	812	TERRACE UNCOVERD	*	1951	301
Total Living Area						3,594

### Land Information

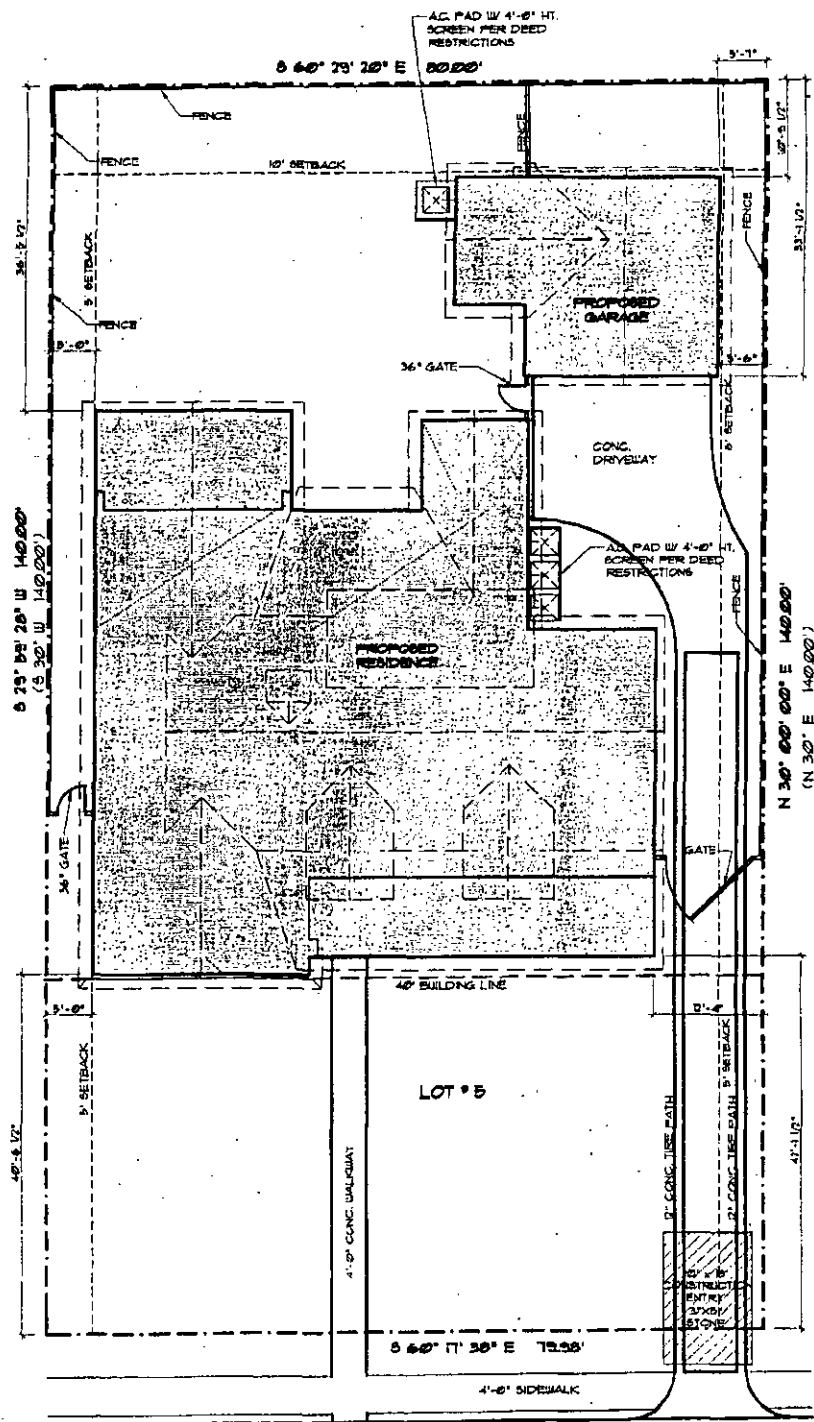
Land ID	Type Code	SPTB Code	Homesite	Size-Acres	Front	Depth	Size-Sqft
115484	LAND	A1	T	0.000	0	0	0

### Certified Value History

Year	Jur	Entity Name	Assessed Value	Taxable Value
2005				
2005	0A	TRAVIS CENTRAL APP DIST	741,188.00	741,188.00
2005	01	AUSTIN ISD	741,188.00	728,188.00
2005	02	CITY OF AUSTIN	741,188.00	741,188.00
2005	03	TRAVIS COUNTY	741,188.00	582,950.00
2005	2J	TRAVIS CO HOSPITAL DIST	741,188.00	582,950.00
2005	68	AUSTIN COMM COLL DIST	741,188.00	733,778.00
2004				
2004	0A	TRAVIS CENTRAL APPRAISAL DISTRICT	783,399.00	673,807.00
2004	01	AUSTIN INDEPENDENT SCHOOL DISTRICT	783,399.00	673,807.00

2004	02	CITY OF AUSTIN	793,399.00	673,807.00
2004	03	TRAVIS COUNTY (M&O,I&S,SPEC RD & BRIDGE)	793,399.00	673,807.00
2004	2J	TRAVIS COUNTY HOSPITAL DISTRICT	793,399.00	673,807.00
2004	68	AUSTIN COMMUNITY COLLEGE DISTRICT	793,399.00	673,807.00
		2003		
2003	0A		714,482.00	559,468.00
2003	01		714,482.00	544,468.00
2003	02		714,482.00	559,468.00
2003	03		714,482.00	447,574.00
2003	68		714,482.00	553,873.00
		2002		
2002	0A		500,000.00	500,000.00
2002	01		500,000.00	485,000.00
2002	02		500,000.00	500,000.00
2002	03		500,000.00	400,000.00
2002	68		500,000.00	495,000.00
		2001		
2001	0A		649,160.00	408,838.00
2001	01		649,160.00	358,838.00
2001	02		649,160.00	357,838.00
2001	03		649,160.00	262,070.00
2001	68		649,160.00	328,838.00
		2000		
2000	01		472,382.00	321,671.00
2000	02		472,382.00	320,671.00
2000	03		472,382.00	232,337.00
2000	68		472,382.00	291,671.00

## **SITE PLAN**



#### GENERAL SITE NOTES:

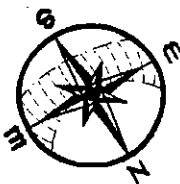
- 1.0 BUILDER TO RESURFACE TO FINISH GRADE TO PROVIDE PROPER DRAINAGE OF SURFACE WATER AWAY FROM BUILDING AS REQ'D.
- 2.0 FINAL LOCATION OF PROPOSED RESIDENCE TO BE DETERMINED BY BUILDER.
- 3.0 MAXIMUM AMOUNT OF EXPOSED FOUNDATION TO BE 14" UNLESS NOTED OTHERWISE BY CITY, COUNTY OR SUBDIVISION REQUIREMENTS.
- 4.0 THERE ARE NO STORM SEWER INLETS WITHIN THE LOT FRONTAGE OR 10'-0" BEYOND THE SIDE PROPERTY LINES.
- 5.0 UTILITY LINE LOCATIONS ARE APPROXIMATE - GENERAL CONTRACTOR TO FIELD VERIFY FOR EXACT LOCATIONS.
- 6.0 VERIFY METER AND UTILITY SERVICE LOCATIONS PRIOR TO INSTALLATION.
- 7.0 EROSION CONTROL BARRIERS TO BE INSTALLED PRIOR TO COMMENCEMENT OF CONSTRUCTION.
- 8.0 STABILIZED TEMPORARY CONSTRUCTION DRIVEWAY TO BE IN PLACE PRIOR TO COMMENCEMENT OF CONSTRUCTION.
- 9.0 CONFIRM ALL DRIVEWAY, WALKWAY AND PVC LAYOUT LOCATIONS PRIOR TO COMMENCING WORK.
- 10.0 PROVIDE CONTROL AND EXPANSION JOINTS AS REQUIRED ON CONCRETE DRIVEWAYS, WALKS AND PATIOS.
- 11.0 ALL EXTERIOR HVAC EQUIPMENT TO BE SCREENED PER CITY REQUIREMENTS, DEED RESTRICTIONS OF SUBDIVISION OR NEIGHBORHOOD ASSOCIATION.
- 12.0 GARBAGE RECEPTACLES TO BE STORED IN GARAGE OR SCREENED FROM VIEW AND ANNUAL ACCESS.
- 13.0 LOCATION OF MAILBOX AND EXTERIOR DRIVEWAY LIGHT(S) TO BE VERIFIED PRIOR TO INSTALLATION.
- 14.0 ALL CONSTRUCTION MATERIALS AND WASTE TO BE STORED ON SITE DURING CONSTRUCTION.
- 15.0 LANDSCAPE PLANS TO BE PROVIDED BY OTHERS AND PERMIT FOR SAME TO BE OBTAINED SEPARATELY FROM THESE PLANS.
- 16.0 NO EXISTING TREES TO BE REMOVED OR DISTURBED WITHOUT OWNER APPROVAL.
- 17.0 ALL STUMPS AND ROOTS SHALL BE REMOVED FROM THE SOIL TO A DEPTH OF 24" BELOW THE SURFACE OF THE GROUND IN THE AREA OF THE BUILDING.
- 18.0 CONTRACTOR SHALL CLEAN UP AREAS AFFECTED BY DAILY WORK AND REMOVE DEBRIS AND MATERIALS FROM THE SITE UPON COMPLETION OF THE WORK.

#### PERVIOUS COVER CALC

(RESIDENCE)	3,942' / 35%
(WALKWAY)	110' / 0%
(DRIVEWAY)	637' / 0%
PERVIOUS:	4,719' / 42%
IMPERVIOUS:	6,460' / 58%
TOTAL	11,179' / 100%

#### LEGAL DESCRIPTION

1411 GASTON AVENUE  
LOT 5 4 WEST 10'-0" OF LOT 6  
BLOCK 28, SECTION 8  
PETERSTON HEIGHTS  
AUSTIN, TEXAS 78763  
TRAVIS COUNTY



#### SITE PLAN

SCALE: 1" = 20'-0"

AE APPROVED

JUN 14 2006

RLS

CRENSHAW GROUP ARCHITECTS 1411 GASTON AVENUE AUSTIN, TEXAS 78763 TEL: 512-453-1111 FAX: 512-453-1112 WWW.CRENSHAWGROUP.COM	
SHEET NO. <b>A-1</b> OF 1	PROJECT NO. 0511 DATE 05-11-2006 DESIGNED BY RLS

## **LAND STATUS DETERMINATION**



City of Austin  
Watershed Protections & Development Review

LAND STATUS DETERMINATION  
LEGAL TRACT PLATTING EXCEPTION

06/02/2006

File Number: C8I-06-0260

Address: 1411 GASTON AVE

Tax Parcel I.D.: 0116000904

Map Date: 10/24/2003

The Watershed Protections & Development Review has determined that this property as described in the attached description and map:

Is a **LEGAL TRACT** consisting of Lot 5 and the west ten (10) feet of Lot 6, Block 28, Pemberton Heights Section 8, created prior to 03/14/1946 (Grandfather Date) as evidenced by deed recorded in Volume 630, Page 203 of the Travis County Deed Records on 11/08/1939 being the same property as currently described in deed recorded in Document #2006077817 of the Travis County Deed Records on 04/28/2006, and is eligible to receive utility service.

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.

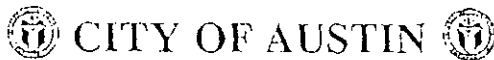
By:

  
SARA GROVES

Director (or representative)

Watershed Protections & Development Review

Ac



CITY OF AUSTIN  
WATERSHED PROTECTION AND DEVELOPMENT REVIEW DEPARTMENT  
LAND STATUS DETERMINATION APPLICATION

☒ Legal Tract

☐ 1987 Rule Exception

☐ Health / Safety Exception

☐ 1995 Rule Exception

☐ Five-Acre Exception

PROJECT INFORMATION: (Department Use Only)

Grandfather/Exception Date: 3-14-46

Filing Date: 06-01-06 Accepted by: [Signature]

File Number: 081-00-0260 Case Manager: [Signature]

PROPERTY INFORMATION

Tax Parcel Identification Number: 01-1600-0904-0000

Location Address: 1411 Gaston Avenue

Subdivision Name: Pemberton Heights Section 8

Whole Lot #: 5 Partial Lot #: W. 10 Ft. of Lot 6 Block #: 28

Recorded in Plat book: 4 Page: 29 County: Travis

(if no subdivision)

Acres out of Survey in County

DEED INFORMATION

Deed conveying tract to current owner is filed for Record in: (if no Volume/Page, use Document No.)

Instrument # 2006077817 Volume Page County: Travis Date: 4/28/06

Deed pre-dating (grandfather date or exception date) is filed for Record in:

Volume 630 Page 203 County: Travis Date: 11-9-1931

OWNER INFORMATION

Name: Stewart, Sid and Judy

Street Address: 4201 Hampsted

City: Austin State: Tex Zip: 78746 Tel: 328-4046

PRIMARY CONTACT INFORMATION

Firm Name: Allyson Hallmark Contact:

Street Address: 2402 Tower Drive

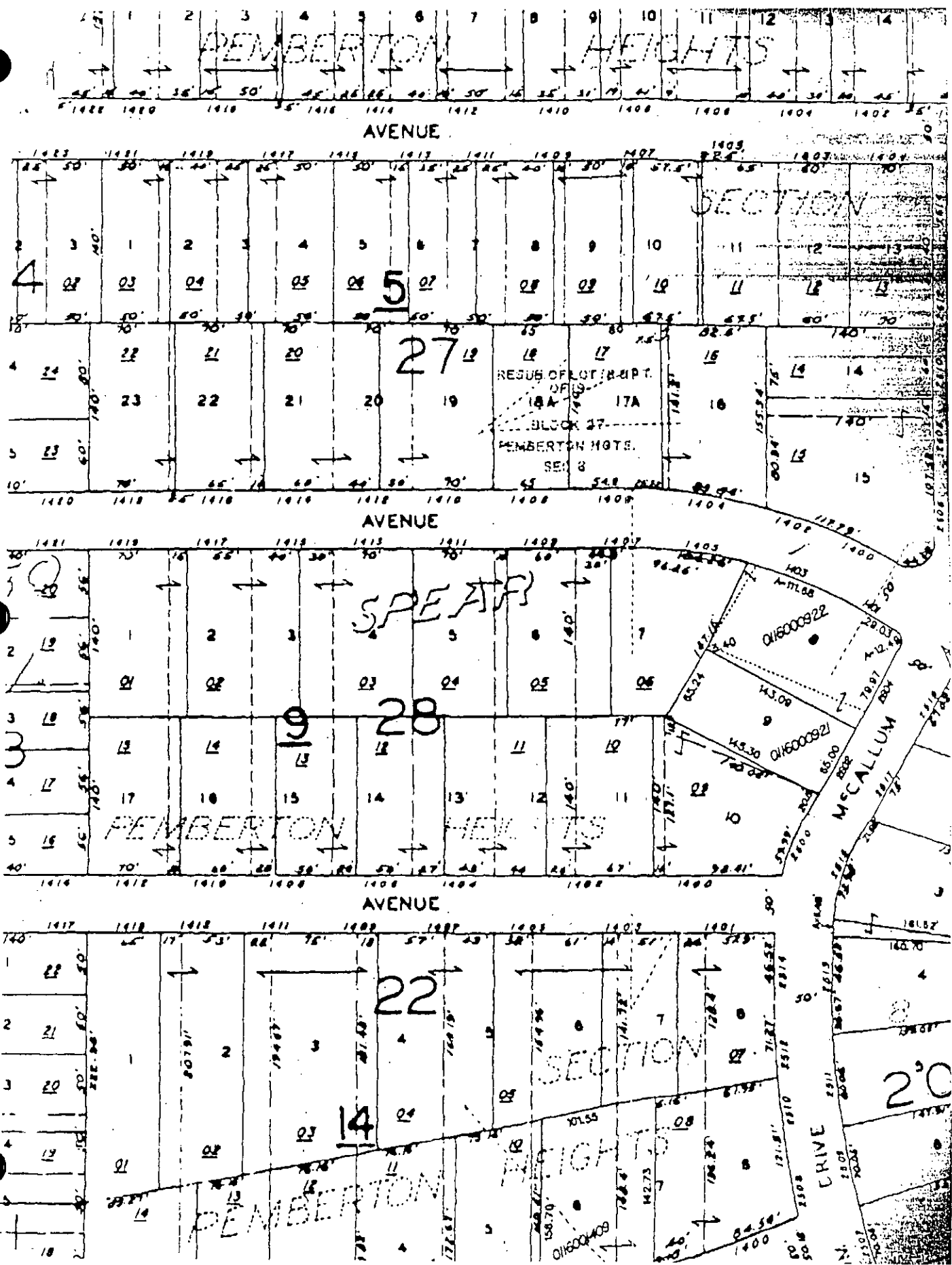
City: Austin State: Texas Zip: 78703

Telephone: 512-476-5270 FAX:

512-474-1330

[Signature]  
Applicant's Signature

6/1/06  
Date





FAR

Property Address: 1411 Gaston Avenue  
Austin, Texas 78703

**FAR CACULATION:**

Lot Size: 11,197.20 sq. ft.

**Primary Residence**

First Floor: 2,752.00 sq. ft.

Second Floor: 1,246.00 sq. ft.

**Garage Apt**

First Floor (parking): 598.00 sq. ft.

Second Floor (living quarters): 534.00 sq. ft.

**Exclude:**

598 sq. ft of first floor parking -598.00 sq. ft.

Total Floor Area 4,532.00 sq. ft. 4,532.00 sq. ft.

$$\text{FAR : } 4,532 / 11,197.20 = 40.47\%$$

# **DEMOLITION PERMIT**

## CITY OF AUSTIN - PROJECT PERMIT

FILED: 07 June 2006

PERMIT NO.  
06010060STATUS  
ACTIVETYPE  
RADDRESS  
1411 GASTON AVEDATE  
27-APR-06

SUBDIVISION LOT 5 * & W 10 FT OF LOT 6 BLK 28 PEMBERTON HEIGHTS SEC 8						PERMIT CLERK ZFLORES			
PLAT		BLOCK		LOT		GRID MH24			
ZONE	HT. & AREA	REQD.	PARKING PROVD.	DEMO SF RESIDENCE					PROPOSED OCCUPANCY
SPECIAL PERMIT NO.		TOTAL SQ. FT.		VALUATION	TYPE CONST.	USE. CAT. G4-1	GROUP	FLOORS	BLDG. UNITS 1
WORK PERMITTED			BASEMENT N	BUILDING DIMENSIONS				MIN. STD N	ONR N

C O N T R A C T O R S	OWNER/CONTR.	DAR CONSTRUCTION	PHONE	FEE	PAID DATE	REQUIRED INSPECTIONS  BUILDING WATER SEWER
	BUILDING		453-4646	\$44	04/27/2006	
	ELECTRICAL					
	MECHANICAL					
	PLUMBING					
	SIDEWALK/DRIVE					
	SIGN					
	ROOF / SIDE					
	ELEC SERVICE FEE					
	PLAN CHECK FEE					
			ETJ FEE	TOTAL FEE \$44	TOTAL PAID \$44	

C.O. MAILING ADDRESS

Approval of the final plumbing inspection, if required, serves as completion and approval of a customer service inspection, as required by 30 T.A.C. 29.46 (j).

REMARKS: EROSION SEDIMENTATION CONTROL REVIEW  
REQUIRED, ENTERED BY LONNIE/APPROVED BY  
STEVE SADOWSKY 4/27/2006

BY TAKING AND/OR PAYING FOR THIS PERMIT  
APPLICATION, YOU ARE DECLARING YOU ARE THE  
OWNER OR HAVE BEEN AUTHORIZED BY THE OWNER  
OR OWNERS TO SUBMIT THIS APPLICATION, THAT  
THE GIVEN DATA ARE TRUE FACTS AND THAT THE  
WORK WILL CONFORM TO THE PLANS AND  
SPECIFICATIONS SUBMITTED HERewith:

THIS IS A RECEIPT OF PAYMENT FOR FEE OR FEES  
AS MARKED PAID.

TO SCHEDULE AN INSPECTION, CALL 480-0623.

## SETBACKS

June 2, 2006

Measurements for the block of 1411 Gaston to street less 10 ft. for property line.

1. 1401 Gaston
  - b. House - 25 ft. LESS 10FT. = 15 ft.
2. 1403 Gaston
  - a. House - 49 ft. 2 in. LESS 10FT. = 39 ft. 2 in.
3. 1407 Gaston
  - a. House - 50 ft. LESS 10FT. = 40 ft.
4. 1413 Gaston
  - a. House - 50 ft. 9 in. LESS 10FT. = 40 ft. 9 in.
5. 1415 Gaston
  - a. House - 50 ft. 3 in. LESS 10FT. = 40 ft. 3 in.
6. 1419 Gaston
  - a. House - 57 ft. 3 in. LESS 10FT. = 47 ft. 3 in.
7. 1423 Gaston
  - a. House - 28 ft. 2in.

For a house with 4 or more lots develop. Throw out the one closest to the street and the one farthest to the street. 1401 Gaston and 1419 Gaston.

1403 Gaston - 39ft. 2in.  
1407 Gaston - 40 ft.  
1413 Gaston - 40 ft. 9 in.  
1415 Gaston - 40 ft. 3 in.  
1423 Gaston - 18 ft. 2 in.

$228 \text{ ft. } 4 \text{ in} / 5 = 45.60 \text{ X } .90 = 41.04 \text{ ft. minimum setback}$   
 $228 \text{ ft. } 4 \text{ in.} / 5 = 45.60 \text{ X } 1.10 = 50.16 \text{ ft. maximum setback}$

Today the minimum setback would be about 41 ft. and the maximum of about 50 ft.

The setback of the newly constructed house is to be 42ft. 1 1/2 in. from the property line.  
Please see site plan attached.

June 2, 2006

Measurements for the block of 1411 Gaston to street less 10 ft. for property line.

1. 1401 Gaston
  - c. House - 25 ft. LESS 10FT. = 15 ft.
2. 1403 Gaston
  - a. House - 49 ft. 2 in. LESS 10FT. = 39 ft. 2 in.
3. 1407 Gaston
  - a. House - 50 ft. LESS 10FT. = 40 ft.
4. 1413 Gaston
  - a. House - 50 ft. 9 in. LESS 10FT. = 40 ft. 9 in.
5. 1415 Gaston
  - a. House - 50 ft. 3 in. LESS 10FT. = 40 ft. 3 in.
6. 1419 Gaston
  - a. House - 57 ft. 3 in. LESS 10FT. = 47 ft. 3 in.
7. 1423 Gaston
  - a. House - 28 ft. 2in.

The setback of the newly constructed house is to be 42ft. 1 ½ in. from the property line.  
Please see site plan attached.