

SUBJECT TRACT



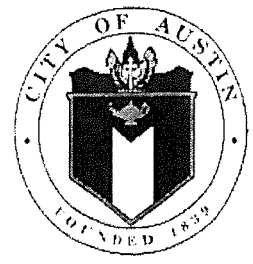
PENDING CASE



ZONING BOUNDARY

NOTIFICATIONS

CASE#: C15-2015-0121
LOCATION: 1306 West Avenue



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.

1" = 193'

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made

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CASE # C15-2015-0121
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TCAD ✓
ROW 0210600305

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 1306 WEST AVENUE

LEGAL DESCRIPTION: Subdivision West Ave. Garden

Lot(s) 7 Block A Outlot Division

I Jim Bennett as authorized agent for Milestone Community Bldrs.

 affirm that on 07/08/15 hereby apply for a hearing before the Board of Adjustment for consideration to:

ERECT – ATTACH – COMPLETE – REMODEL – MAINTAIN

A Multi-Family residential use providing a compatibility height from two stories or

30 feet in height to a maximum of 60 feet in height and 60 feet in height when located

Within 100 feet of SF 5 or more restrictive zoning. in a MF-4 Multi-family moderate
high density (zoning district)

The Austin Electric Utility Department (Austin Energy) enforces electric easements and the setback requirements set forth in the Austin Utility Code, Electric Criteria Manual and National Electric Safety Code. The Board of Adjustment considers variance to the Land Development Code, and a variance granted by the Board of Adjustment does not waive the requirements enforced by Austin Energy. Please contact Christine Esparza with Austin Energy at 322-6112 before filing your application with the Board of Adjustment if your request is for a reduction in setbacks or height limits.

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.

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VARIANCE FINDINGS: I contend that my entitlement to the requested variance is based on the following findings

REASONABLE USE:

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

The adjacent properties (The Austin Recreation Center and the ACC gymnasium) have an inconsistent zoning of SF-3 which would conflict with the intended use of our site.

HARDSHIP:

2. (a) The hardship for which the variance is requested is unique to the property in that: The current long term operational use of the adjacent properties allows for our intended use but the improper zoning of the same properties would limit the height allowance provided by our property's MF-4 status.

(b) The hardship is not general to the area in which the property is located because: All the surrounding properties are compatibly zoned for the area with the exception of the Austin Recreation Center and the ACC gymnasium. The two properties mentioned are improperly zoned SF-3 which would conflict with our use and prohibit the building over 2 stories.

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:

The current character of the neighborhood is predominately: Recreation, Office, LO-GO-MU-CS-H-CO-MF-4.

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:

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

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

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 Jim Bennett Mail Address 11505 Ridge Dr.
City Austin, State Texas, & Zip 78748

Printed : Jim R. Bennett Phone: (512) 282-3079 _____ Date:

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 Brenda Searle-Sung Mail Address 9111 Jollyville Rd. Ste. 111
City, State & Zip Austin, TX 78759

Printed Name Milestone Community Bldrs / Brenda Searle-Sung

Phone _____ Date _____

$\frac{1}{2}$ [illegible][illegible]

N18°42'24"E 75.00'

363

OFFICE
LD

BY	DATE
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IF THIS BUILDING IS NOT BEING
 DRAWING
 SP1
 SHED 3 OF 23 SHEDS
 JCS NO. 00-507

[illegible]

SP-2009-0273 C

1300 WEST AVE
1300 WEST AVE
BUILDING ELEVATIONS

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CITY OF AUSTIN
Board of Adjustment/Sign Review Board
Decision Sheet

DATE: Monday, June 9, 2008

CASE NUMBER: C15-2008-0076

☐ Y ☐ Greg Smith (2ND)
☐ Y ☐ Michael Von Ohlen
☐ Y ☐ Dorothy Richter
☐ Y ☐ Bryan King (**Motion to GRANT**)
☐ Y ☐ Leane Heldenfels, Vice-Chairman
☐ Y ☐ Frank Fuentes, Chairman
☐ Y ☐ Yolanda Arriaga

OWNER: Jay, Vickers

ADDRESS: 1306 WEST AVE

VARIANCE REQUESTED: The applicant has requested a variance to increase the maximum compatibility height requirement of Section 25-2-1062 (D) from two stories or 30 feet in height to a maximum of 60 feet in height in order to erect a Multi-Family residential use in an "MF-4", Multi-Family Moderate-High density zoning district. The Land Development Code states that a person may not construct a structure that exceeds a height of (1) two stories or 30 feet if the structure is 50 feet or less from property: (a) in an "SF-5" or more restrictive zoning district; or (b) on which a use permitted in an "SF-5" or more restrictive zoning district is located.

The applicant has requested a variance to increase the maximum compatibility height requirement of Section 25-2-1062 (3) to a maximum of 60 feet in height of order to erect a Multi-Family residential use in an "MF-4", Multi-Family Moderate-High density zoning district. The Land Development Code states that for a structure more than 100 feet but not more than 300 feet from property zoned "SF-5" or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned "SF-5" or more restrictive.

The applicant has requested a variance to increase the maximum floor-to-area ratio of Section 25-2-492 (D) from .75:1 to 1:1 in order to erect a Multi-Family residential use in an "MF-4", Multi-Family Moderate-High density zoning district.
THIS VARIANCE WAS DENIED

BOARD'S DECISION: GRANTED 7-0 COMPATIBILITY HEIGHT VARIANCES ONLY, FLOOR-TO-AREA RATIO VARIANCE DENIED (NO HARDSHIP)

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: adjacent property (the Austin Recreation Center) and the (ACC


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gymnasium) have an inconsistent zoning of SF-3 which would conflict with the intended use of our site.

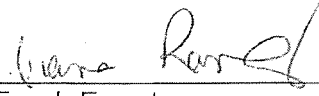
2. (a) The hardship for which the variance is requested is unique to the property in that: current long term operational use of the adjacent properties allows for our intended use but the improper zoning of the same properties would limit the height allowance provided by the property's MF-4 status.

(b) The hardship is not general to the area in which the property is located because: all the surrounding properties are compatibly zoned for the area with the exception of the Austin Recreation Center and the ACC gymnasium.

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: the current character of the neighborhood is predominately, Recreation, Office, LO-GO-MU-CS-H-CO-MF-4



Bobby Ray
Executive Secretary



Frank Fuentes
Chairman

402.53 - milestone

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CITY OF AUSTIN
Board of Adjustment/Sign Review Board
Decision Sheet

DATE: Monday, June 9, 2008

CASE NUMBER: C15-2008-0076

☐ Y ☐ Greg Smith (2ND)
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☐ Y ☐ Dorothy Richter
☐ Y ☐ Bryan King (**Motion to GRANT**)
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☐ Y ☐ Yolanda Arriaga

OWNER: Jay, Vickers - ()

ADDRESS: 1306 WEST AVE

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The applicant has requested a variance to increase the maximum floor-to-area ratio of Section 25-2-492 (D) from .75:1 to 1:1 in order to erect a Multi-Family residential use in an "MF-4", Multi-Family Moderate-High density zoning district. **THIS VARIANCE WAS DENIED**

BOARD'S DECISION: GRANTED 7-0 COMPATIBILITY HEIGHT VARIANCES ONLY, FLOOR-TO-AREA RATIO VARIANCE DENIED (NO HARDSHIP)

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: adjacent property (the Austin Recreation Center) and the (ACC

CIS-2008-0016
1306 West Ave.

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NOTICE OF PUBLIC HEARING LAND DEVELOPMENT CODE VARIANCE

Mailing Date: May 29, 2008

Case Number: C15-2008-0076

Please be advised that the City of Austin has received an application for a variance from the Land Development Code.

Owner : Jay Vickers

Telephone : (512)699-7434

Address 1306 WEST AVE

Variance Request(s): The applicant has requested a variance to increase the maximum compatibility height requirement of Section 25-2-1062 (D) from two stories or 30 feet in height to a maximum of 60 feet in height in order to erect a Multi-Family residential use in an "MF-4", Multi-Family Moderate-High density zoning district. The Land Development Code states that a person may not construct a structure that exceeds a height of (1) two stories or 30 feet if the structure is 50 feet or less from property: (a) in an "SF-5" or more restrictive zoning district; or (b) on which a use permitted in an "SF-5" or more restrictive zoning district is located.

The applicant has requested a variance to increase the maximum compatibility height requirement of Section 25-2-1062 (3) to a maximum of 60 feet in height of order to erect a Multi-Family residential use in an "MF-4", Multi-Family Moderate-High density zoning district. The Land Development Code states that for a structure more than 100 feet but not more than 300 feet from property zoned "SF-5" or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned "SF-5" or more restrictive.

The applicant has requested a variance to increase the maximum floor-to-area ratio of Section 25-2-492 (D) from .75:1 to 1:1 in order to erect a Multi-Family residential use in an "MF-4", Multi-Family Moderate-High density zoning district.

This application is scheduled to be heard by the Board of Adjustment on June 09, 2008. The meeting will be held at City Council Chambers, 301 West 2nd Street beginning at 5:30 PM.

You are being notified because City Ordinance requires that all property owners within 300 feet of the proposed development and affected neighborhood organizations be notified when an application is scheduled for a public hearing. If you have any questions concerning this application, please contact Susan Walker of the Watershed Protection & Development Review Department at 974-2202 and refer to the Case Number at the top right of this notice. However, you may also find information on this case at our web site www.ci.austin.tx.us/devreview/index.jsp.

For additional information on the City of Austin's land development process, please visit our web site www.ci.austin.tx.us/development.

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ORDINANCE NO. 20080110-088

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 1306 WEST AVENUE FROM FAMILY RESIDENCE (SF-3) DISTRICT TO MULTIFAMILY RESIDENCE MODERATE-HIGH DENSITY (MF-4) DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from family residence (SF-3) district to multifamily residence moderate-high density (MF-4) district on the property described in Zoning Case No. C14-2007-0219, on file at the Neighborhood Planning and Zoning Department, as follows:

A 15,001 square foot tract of land, more or less, out of Outlot 7, Division E, City of Austin, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance,

locally known as 1306 West Avenue, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

PART 2. This ordinance takes effect on January 21, 2008.

PASSED AND APPROVED

_____, January 10, 2008 §
§
§
§ _____
Will Wynn
Mayor

APPROVED: _____ **ATTEST:** _____
David Allan Smith Shirley A. Gentry
City Attorney City Clerk

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EXHIBIT A
HOLT CARSON INC.

1904 FORTVIEW ROAD
AUSTIN, TX 78704
TELEPHONE: (512) 442-0990
FACSIMILE: (512) 442-1084

OCTOBER 3, 2007

FIELD NOTE DESCRIPTION OF 15,001 SQUARE FEET OR 75 FEET BY 200 FEET OF LAND, BEING A PART OF OUTLOT 7, DIVISION E OF THE CITY OF AUSTIN, AND BEING ALL OF THAT CERTAIN TRACT OF LAND DESCRIBED AS "TRACT 6" AS CONVEYED TO DANFORTH PARTNERS II, LTD. BY WARRANTY DEED RECORDED IN VOLUME 13081 PAGE 859 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½" iron pipe found in the West right-of-way line of West Avenue for the Northeast corner of that certain tract of land described as "Tract 6" as conveyed to Danforth Partners II, Ltd. by Warranty Deed recorded in Volume 13081 Page 859 of the Real Property Records of Travis County, Texas, and also being the Southeast corner of that certain tract of land described as "Tract 5" as conveyed to Danforth Partners II, Ltd. by Warranty Deed Recorded in Volume 13081 Page 859 of the Real Property Records of Travis County, Texas, and being the Northeast corner and **PLACE OF BEGINNING** of the herein described tract, and from which a drill hole found in the top of a concrete wall bears, N 19 deg. 00' 23" E 152.41 ft.;

THENCE with the East line of said Danforth Partners II, Ltd. "Tract 6" tract and the West right-of-way line of West Avenue, **S 18 deg. 50' 15" W 74.95 ft.** to a calculated point for the Southeast corner of said Danforth Partners II, Ltd. "Tract 6" tract, and being the Northeast corner of Lot 2, West Avenue Gardens Subdivision, a subdivision in Travis County, Texas, according to the map or plat thereof, recorded in Volume 85 Page 198C of the Plat Records of Travis County, Texas, and being the Southeast corner of this tract, and from which a ½" iron rod found for the Southeast corner of Lot 1, West Avenue Gardens Subdivision bears S 18 deg. 59' 46" W 118.00 ft.;

THENCE leaving the West right-of-way line of West Avenue with the South line of said Danforth Partners II, Ltd. "Tract 6" tract, **N 71 deg. 11' 21" W 200.00 ft.** to a calculated point for the Southwest corner of said Danforth Partners II, Ltd. "Tract 6" tract, and being the Northwest corner of said Lot 1, West Avenue Gardens Subdivision, and being the Southwest corner of this tract, and from which a ½" iron rod found bears S 18 deg. 54' 15" W 65.33 ft.;

VICINITY MAP (NTS)

DEC 02 2015

IS REQUIRED

ON THIS PROJECT,

MULLER FAMILY FIRE FLOWY RECURR
RECURRING AREA: GEORGE CONSTANCE X 4 M. 100 FT

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STANDARD TEST METHOD

2.5 cm (1 in.)

A COMPATIBILITY VARIANCE WAS GRANTED BY THE BOARD

Case # 6-13-2006-0016

Chlorine

11/11/2016

12/20/77	OPENING NOTES
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Figure 1. The study design. The study was conducted in two phases. In the first phase, the study was conducted in a laboratory setting. In the second phase, the study was conducted in a field setting.

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