




N



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

**NOTIFICATIONS**  
CASE#: C15-2016-0053  
LOCATION: 702 W Milton



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

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

1" = 165'



## CITY OF AUSTIN

Development Services Department

One Texas Center | Phone: 512.978.4000

505 Barton Springs Road, Austin, Texas 78704

139  
2

### Board of Adjustment General/Parking Variance Application

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

This application is a fillable PDF that can be completed electronically. To ensure your information is saved, [click here to Save](#) the form to your computer, then open your copy and continue.

The Tab key may be used to navigate to each field; Shift + Tab moves to the previous field. The Enter key activates links, emails, and buttons. Use the Up & Down Arrow keys to scroll through drop-down lists and check boxes, and hit Enter to make a selection.

The application must be complete and accurate prior to submittal. *If more space is required, please complete Section 6 as needed.* All information is required (if applicable).

#### For Office Use Only

Case # CE-2016-0053 ROW # 04 0102 0902 Tax # 11514515  
-KAD

#### Section 1: Applicant Statement

Street Address: 702 W. Milton

Subdivision Legal Description:

James Bouldin Addition

Lot(s): \_\_\_\_\_ Block(s): C

Outlot: \_\_\_\_\_ Division: \_\_\_\_\_

Zoning District: SF-3-NP (Bouldin)

I/We I ALVARO BASTIDAS on behalf of myself/ourselves as

authorized agent for NONE affirm that on

Month Select April, Day Select 13, Year Select 2016 hereby apply for a hearing before the Board of Adjustment for consideration to (select appropriate option below):

☒ Erect ☐ Attach ☐ Complete ☐ Remodel ☐ Maintain ☐ Other: \_\_\_\_\_

Type of Structure: DUPLEX

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

See attached

MS  
3

## Section 2: Variance Findings

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

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

### Reasonable Use

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

See attached

### Hardship

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

See attached

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

See attached

### Area Character

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

See attached

**Parking** (additional criteria for parking variances only)

Request for a parking variance requires the Board to make additional findings. The Board may grant a variance to a regulation prescribed in the City of Austin Land Development Code Chapter 25-6, Appendix A with respect to the number of off-street parking spaces or loading facilities required if it makes findings of fact that the following additional circumstances also apply:

5/25

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

See attached

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:

See attached

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

See attached

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

See attached

**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.

**Section 3: Applicant Certificate**

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

Applicant Signature: [Signature]

Date: April 13-2016

Applicant Name (typed or printed): [Signature]

Applicant Mailing Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone (will be public information): \_\_\_\_\_  
Email (optional – will be public information): \_\_\_\_\_

#### Section 4: Owner Certificate

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

Owner Signature: \_\_\_\_\_ Date: April-13-2016

Owner Name (typed or printed): \_\_\_\_\_

Owner Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone (will be public information): \_\_\_\_\_

Email (optional – will be public information): \_\_\_\_\_

#### Section 5: Agent Information

Agent Name: \_\_\_\_\_

Agent Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone (will be public information): \_\_\_\_\_

Email (optional – will be public information): \_\_\_\_\_

#### Section 6: Additional Space (if applicable)

Please use the space below to provide additional information as needed. To ensure the information is referenced to the proper item, include the Section and Field names as well (continued on next page).

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6/23

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

**DATE:** Monday, March 10, 2014

**CASE NUMBER:** C15-2014-0019

☒ Y Jeff Jack  
☒ Y Michael Von Ohlen 2<sup>nd</sup> the Motion  
☒ Y Ricardo De Camps  
☒ Y Bryan King Motion to Grant  
☒ Y Fred McGhee  
☒ Y Melissa Hawthorne  
☒ Y Sallie Burchett

**APPLICANT:** Adrianna Emily Alter

**OWNER:** Alvaro Bastidas

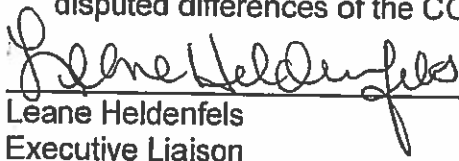
**ADDRESS:** 702 MILTON ST

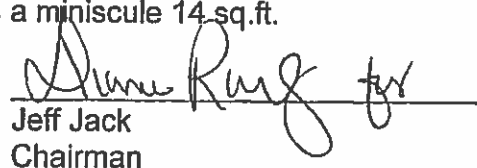
**VARIANCE REQUESTED:** The applicant has requested a variance to decrease the minimum lot size requirement for a duplex residential use of Section 25-2-773 (B) (1) from 7,000 square feet to 6,986 square feet in order to erect a duplex residential use in an "SF-3-NP", Family Residence – Neighborhood Plan zoning district. (Bouldin Creek Neighborhood Plan)

**BOARD'S DECISION:** The public hearing was closed on Board Member Bryan King motion to Grant, Board Member Michael Von Ohlen second on a 7-0 vote; **GRANTED.**

**FINDING:**

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: the boundaries of this property are currently in dispute, data from TCAD grants the owner 7,158 sq.ft. whereas the original survey grants the owner 6,984 sq.ft. of property
2. (a) The hardship for which the variance is requested is unique to the property in that: all the surrounding properties in the neighborhood are 7,000 + sq.ft. making this property unique to its area  
(b) The hardship is not general to the area in which the property is located because: the boundaries of this property are currently in dispute as readings from TCAD and the original survey differ
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 disputed differences of the COA's survey is a miniscule 14 sq.ft.

  
Leane Heldenfels  
Executive Liaison

  
Jeff Jack  
Chairman

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

mg  
1/7

ROW

CASE # C15-2014-0019  
# 11073123  
TP-040102-09-02

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: 702 WEST MILTON STREET

LEGAL DESCRIPTION: Subdivision - JAMES E. BOULDIN ADDITION

Lot(s) \_\_\_\_\_ Block <sup>C</sup> \_\_\_\_\_ Outlot \_\_\_\_\_ Division \_\_\_\_\_

I/We ADRIANNA ALTER on behalf of myself/ourselves as authorized agent for

ALVARO BASTIDAS affirm that on JAN. 6, 2014,

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

(check appropriate items below)

☒ ERECT ☐ ATTACH ☐ COMPLETE ☐ REMODEL ☐ MAINTAIN

a duplex with a lot size  
of 6,986 sq. feet

in a \_\_\_\_\_ 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 boundaries of this property are currently in dispute. Data from TCAD grants the owner 7,158 sq. ft. whereas the original survey grants the owner 6,984 sq. ft. of property. See attachments for supported data.

**HARDSHIP:**

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

All of the surrounding properties in the neighborhood are 7,000+ sq. ft., making this property unique to its area.

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

The boundaries of this property are currently in dispute as readings from TCAD and the original survey differ.

**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 disputed difference of the COA's survey is a miniscule 14 sq. ft. less than what is needed to meet the required 7,000 sq. ft. lot area. In addition, all of the properties in the surrounding area are all at least 7,000 sq. ft.

**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:

3/3  
8/3



mg  
9

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 Adrianna Alter Mail Address 3816 S. Lamar Blvd. #2715

City, State & Zip Austin, TX 78704

Printed Adrianna Alter Phone 512.565.8053 Date 1/6/2014

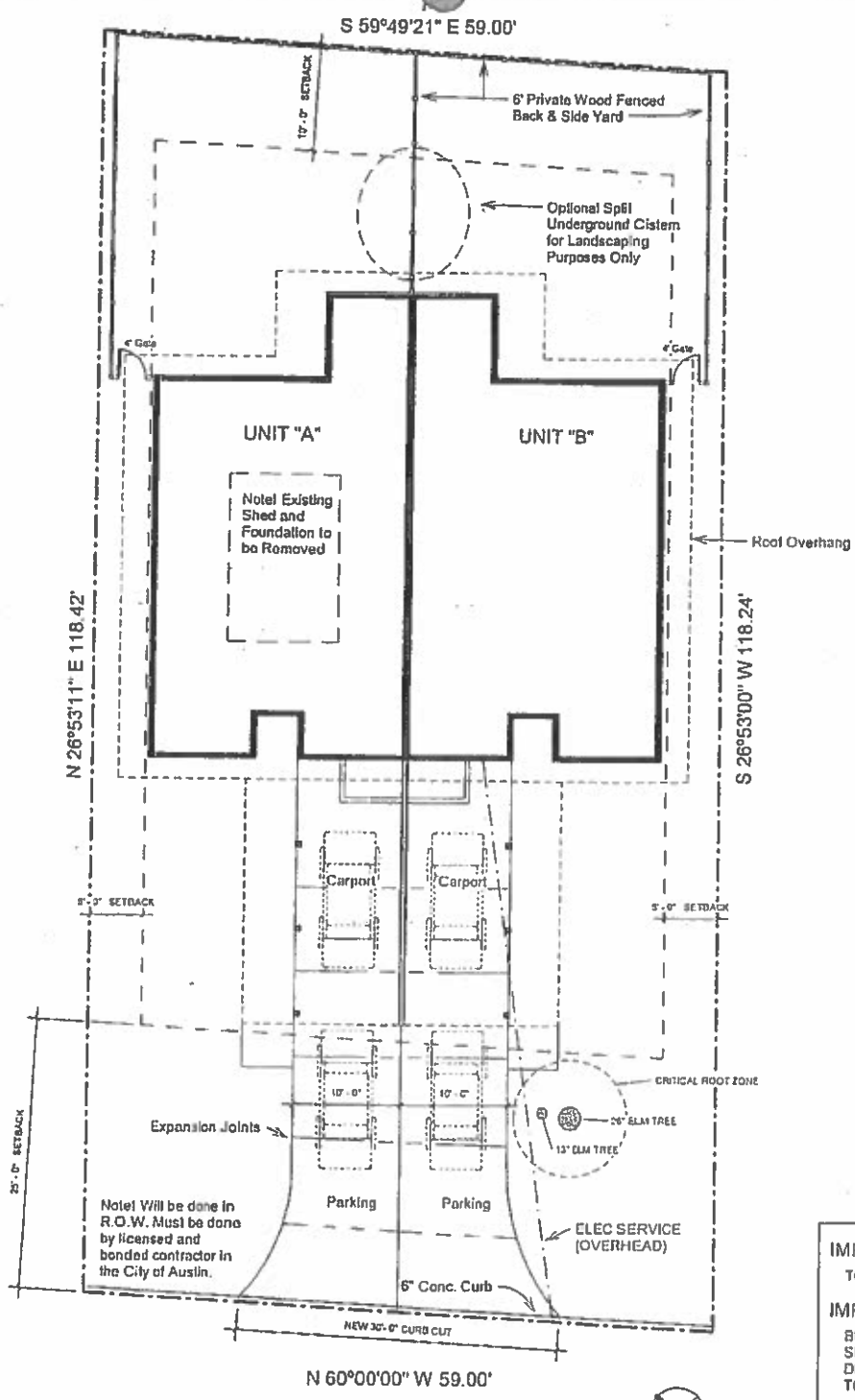
**OWNERS CERTIFICATE** - I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed Alvaro Bastidas Mail Address 1708 BRIAR STREET

City, State & Zip AUSTIN, TEXAS 78704

Printed ALVARO BASTIDAS Phone 512.924.6683 Date 1-07-14

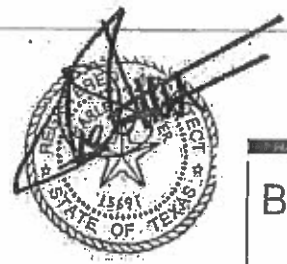
10/13



<b>IMPERVIOUS CALCULATIONS</b>	
TOTAL LOT AREA =	6,986 sq.ft.
<b>IMPERVIOUS S.F.</b>	
BUILDING =	1,824.0 sq.ft.
SIDEWALKS =	0.0 sq.ft.
DRIVEWAYS/PARKING	1,014.0 sq.ft.
TOTAL S.F.	2,838.0 sq.ft.
TOTAL IMPERVIOUS COVER = 40%	

WEST MILTON STREET

1 Site Plan  
3/32" = 1'-0"



FOR PERMIT ONLY.  
NOT FOR CONSTRUCTION.

**Bastidas Residence**  
702 WEST MILTON STREET  
AUSTIN, TEXAS

DESIGNED BY:	MARLEY PORTER
CHECKED BY:	MARLEY PORTER
ISSUE DATE:	12/13/13
DRAWN BY:	Adrianna Alter

**CONSTRUCTION GRADE DOCUMENTS**  
These documents are intended as a guide in the construction process. Contractors are encouraged to provide shop drawings, request or provide clarification drawings or specifications, submittals for review by the Architect and final details to carry out the intention of the design herein portrayed.  
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AA2

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**MARLEY PORTER**  
ARCHITECT

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COTTONWOOD, TX 78657  
Phone 830 - 798 - 9310  
Fax 830 - 798 - 9304  
Cell 512 - 736 - 4586  
marley@livingarchitecture.com  
www.livingarchitecture.com



15-2014-0019

Heldenfels, Leane

From: Adrianna Alter <[REDACTED]>  
Sent: Monday, March 10, 2014 1:09 PM  
To: Heldenfels, Leane  
Subject: Fwd: 702 W. Milton

MG DS  
12 17

Good Afternoon Leane,

I just received this letter of support from the Bouldin Creek Neighborhood Assn. If it's still possible for you to include this into tonight's packet that would be great.

Also, I cannot remember where I had found the agenda for the meeting tonight that shows when our case will go before the board. If you have a copy that you could forward or point me in the right direction I would appreciate it.

Thanks,  
Adrianna

Adrianna Alter  
(m) 512.565.8053

Begin forwarded message:

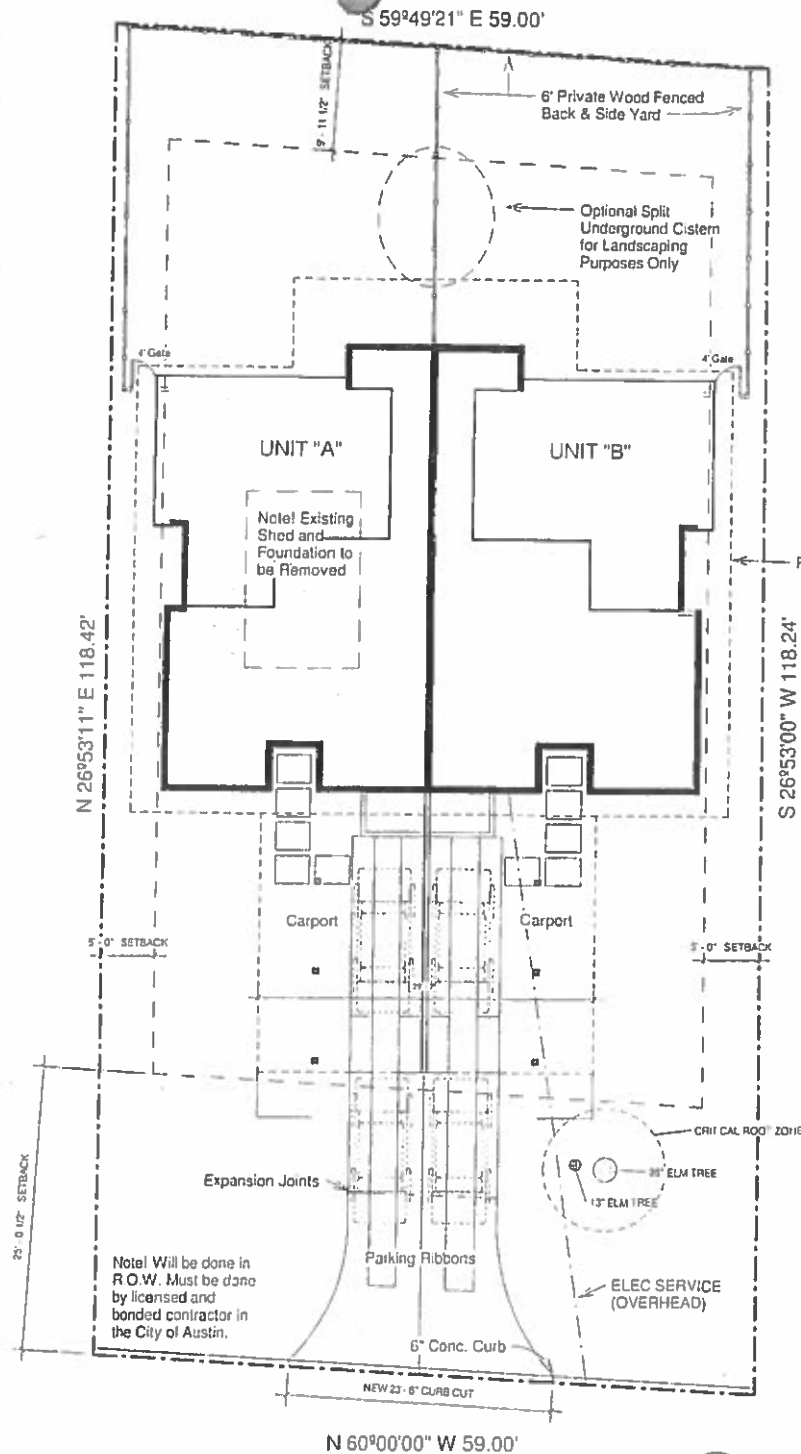
From: Chad Kimbell <[REDACTED]>  
Date: March 10, 2014 at 11:46:26 CDT  
To: Adrianna Alter <[REDACTED]>  
Cc: Kevin Lewis <[REDACTED]>  
Subject: Re: 702 W. Milton  
Reply-To: Chad Kimbell <[REDACTED]>

Hi Adrianna,

The BCNA zoning committee recommended to the steering committee to not oppose your variance request to minimum lot size requirements for a duplex (7,000 sf). We did so due to the uncertain title at the rear of the property. It was clear to us that 702 Milton would indeed achieve the 7,000 sf quite easily if only a small portion of this area was applied to your property. We recognize that many tracts of land and lots in the Bouldin Creek neighborhood were platted in the early 1900s and that issues such as yours can and do occur. The BCNA steering committee did not take an action either way to this recommendation.

Thanks,  
Chad Kimbell  
BCNA Zoning Chair

mg  
13



All structures must maintain 7'6" clearance from AE energized distribution power lines. Enforced by AE and NESC codes-this review DOES NOT include transmission power lines.

AE APPROVED

FEB 12 2016  
43-106  
CDC

**REVIEWED**

FEB 12 2016

AUSTIN WATER UTILITY  
CONSUMER SERVICE DIVISION - TAPS

**IMPERVIOUS CALCULATIONS**

TOTAL LOT AREA = 7,000 sq. ft.

**IMPERVIOUS S.F.**

BUILDING = 1,780.0 sq. ft.  
COVERED PARKING = 729.0 sq. ft.  
DRIVEWAY = 295.0 sq. ft.  
A.C. PADS = 18.0 sq. ft.  
TOTAL S.F. = 2,822.0 sq. ft.

TOTAL IMPERVIOUS COVER = 40%

WEST MILTON STREET

1 Site Plan  
3/32" = 1'-0"



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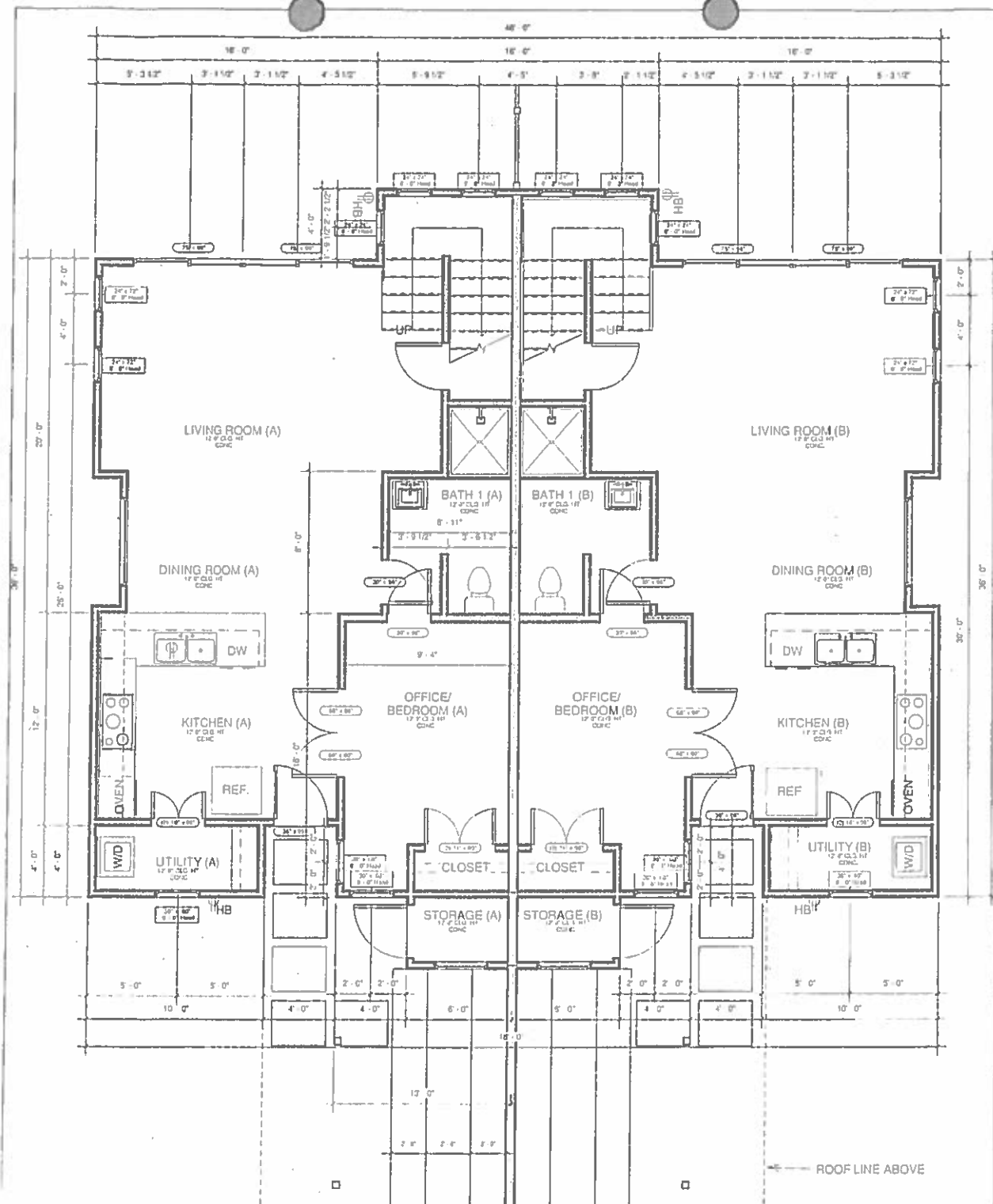
CHECKED BY: MARLEY PORTER

ISSUE DATE: 5/22/15

DRAWN BY: Adrianna Moreno

**AA2**

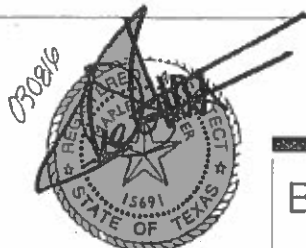
14/19



1 Level 1 Plan  
3/16" = 1'-0"



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AUSTIN, TEXAS

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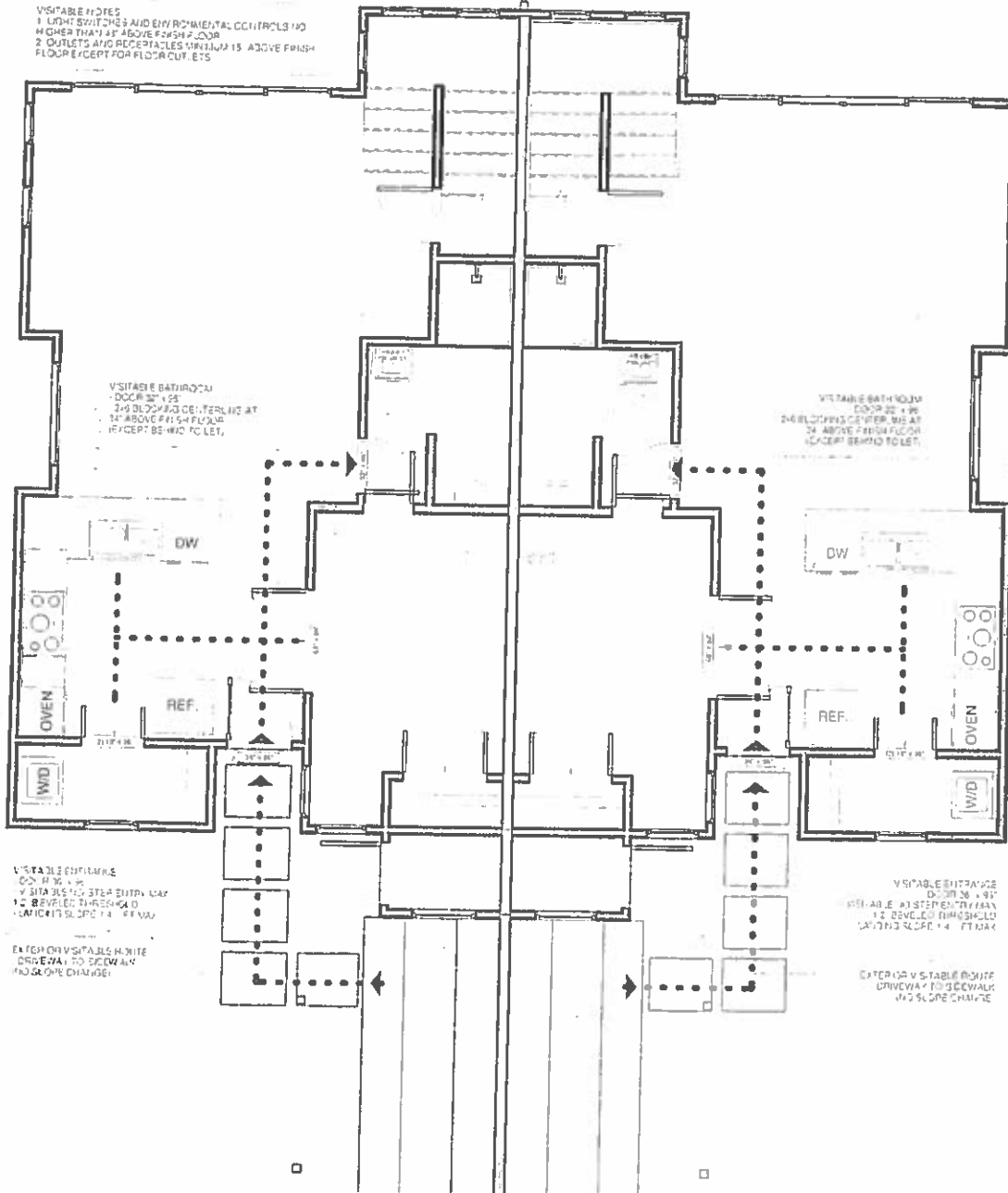
DESIGNED BY:	MARLEY PORTER
CHECKED BY:	MARLEY PORTER
ISSUE DATE:	5/22/15
DRAWN BY:	Adrianna Morgo

**AA4**



15/29

VISITABLE NOTES  
1. LIGHT SWITCHES AND DIM/ROTATIONAL CONTROLS 1'0" HIGHER THAN 1"4" ABOVE FINISH FLOOR  
2. OUTLETS AND RECEPTABLES MINIMUM 15" ABOVE FINISH FLOOR EXCEPT FOR FLOOR CUT, ETC.

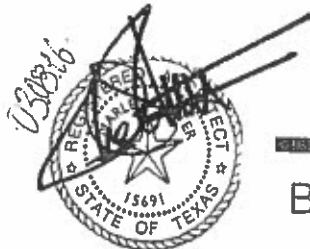


1 Visitability Plan - Level 1  
3/16" = 1'-0"



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702 WEST MILTON STREET  
AUSTIN, TEXAS

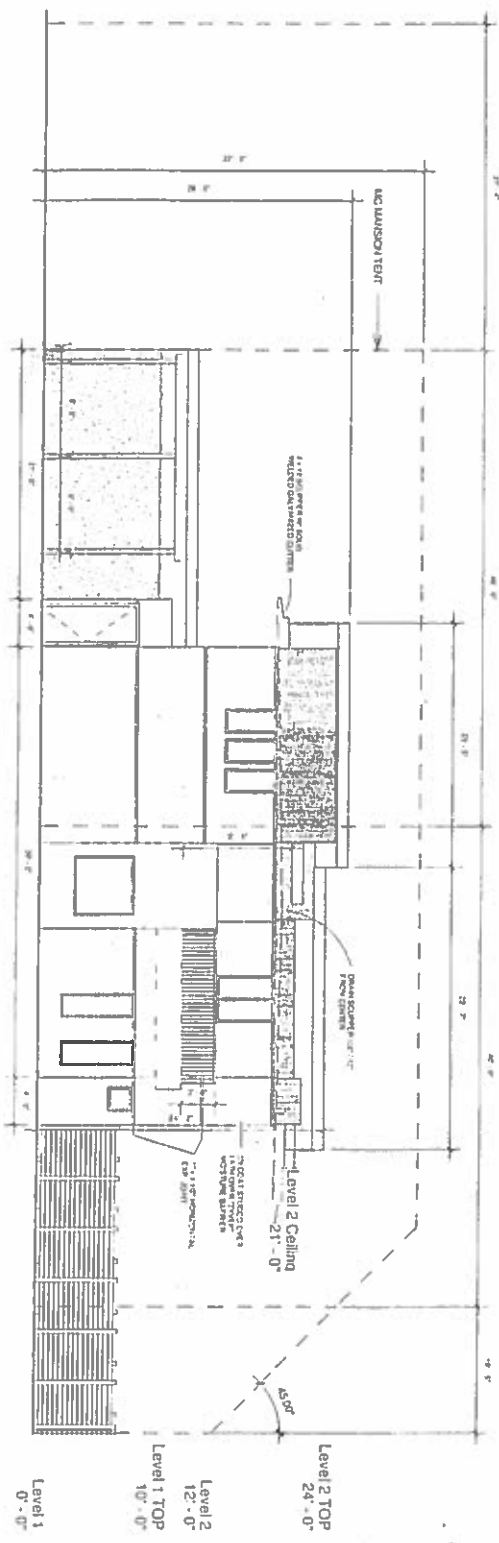
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CHECKED BY:	MARLEY PORTER
ISSUE DATE:	02/29/16
DRAWN BY:	ADRIANNA MORENO

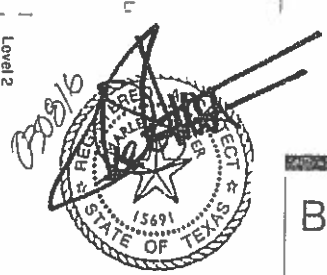
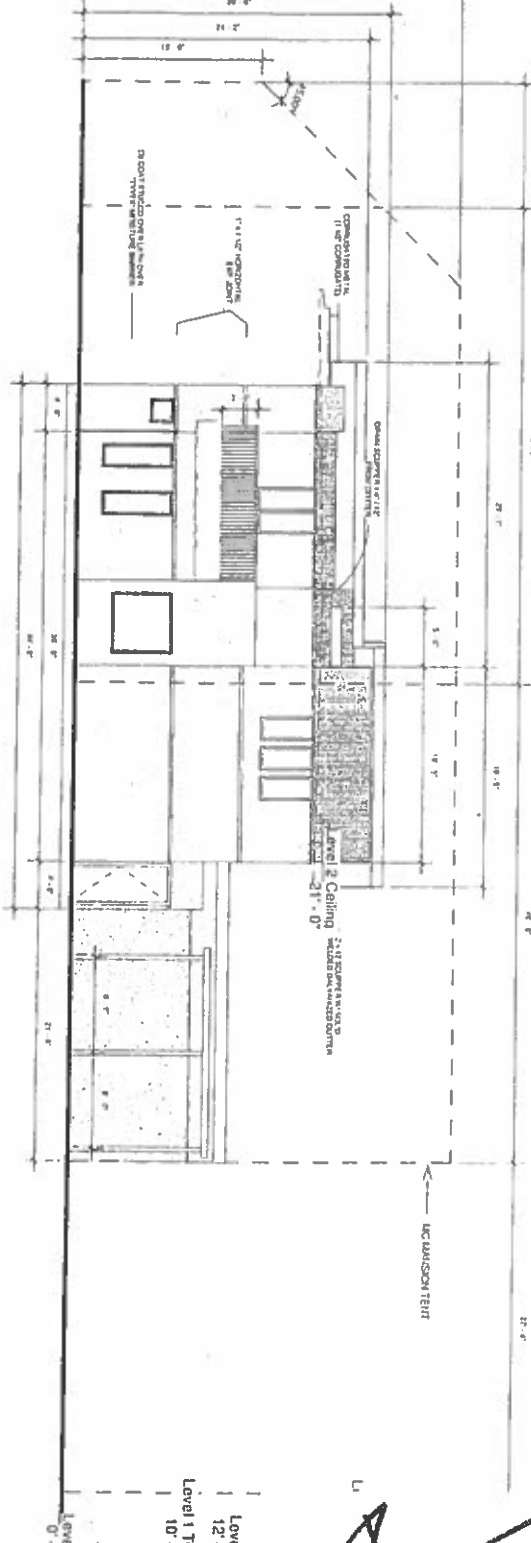
A-102

6/21

1 East Elevation  
1" = 10'-0"



2 West Elevation  
1" = 10'-0"



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# Bastidas Residence 702 WEST MILTON STREET AUSTIN, TEXAS

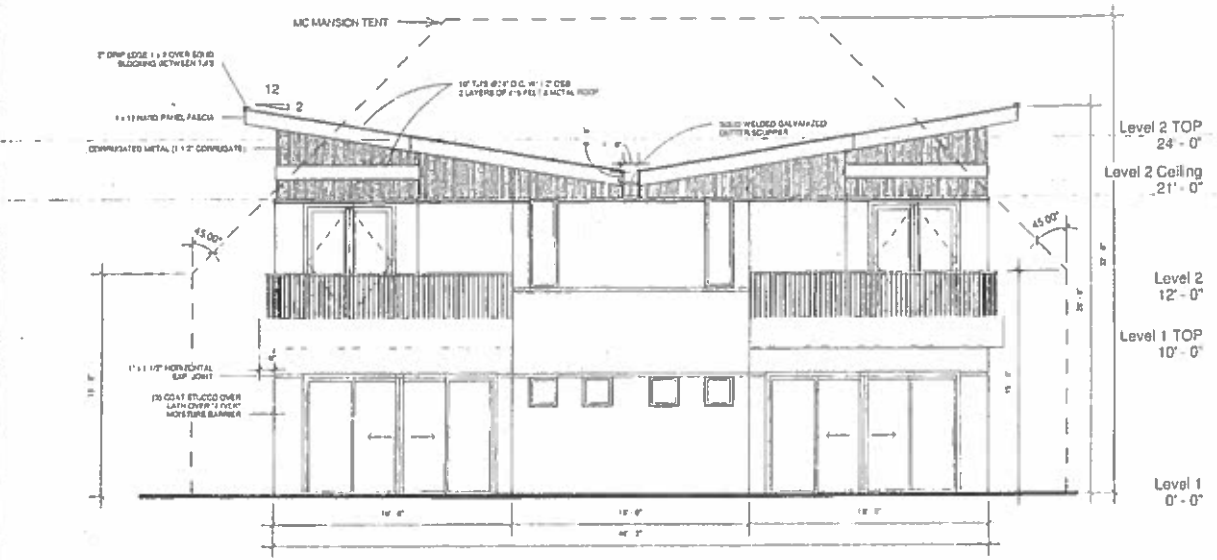
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DESIGNED BY:	MARLEY PORTER
CHECKED BY:	MARLEY PORTER
ISSUE DATE:	5/22/15
DRAWN BY:	Adrianna Moreno

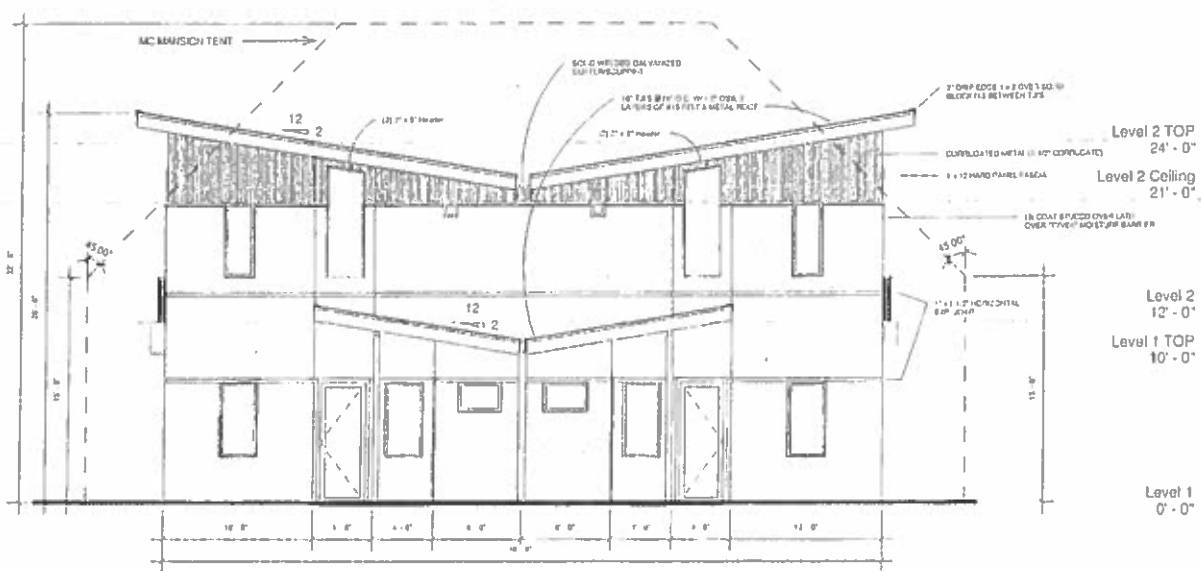
AA9



279  
13/1

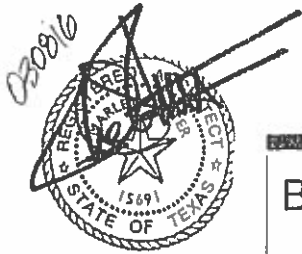


① North Elevation  
1/8" = 1'-0"



② South Elevation  
1/8" = 1'-0"

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**Bastidas Residence**  
  
**702 WEST MILTON STREET**  
**AUSTIN, TEXAS**

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DESIGNED BY: **MARLEY PORTER**  
CHECKED BY: **MARLEY PORTER**  
ISSUE DATE: **5/22/15**  
DRAWN BY: **Adrianna Moreno**

**AA8**

3/9  
18



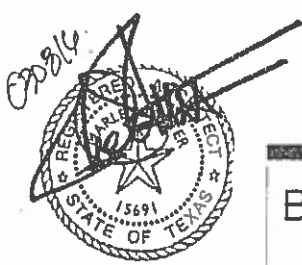
1 3D Front



2 3D Back



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DESIGNED BY:	MARLEY PORTER
CHECKED BY:	MARLEY PORTER
ISSUE DATE:	5/22/15
DRAWN BY:	Adrianna Moreno

AA11

