

**CITY OF AUSTIN
Board of Adjustment
Decision Sheet**

DATE: Monday February 12, 2018

CASE NUMBER: C15-2017-0067

_____ Brooke Bailey
 _____ William Burkhardt
 _____ Christopher Covo
 _____ Eric Goff
 _____ Melissa Hawthorne
 _____ Bryan King
 _____ Don Leighton-Burwell
 _____ Rahm McDaniel
 _____ Veronica Rivera
 _____ James Valadez
 _____ Michael Von Ohlen
 _____ Kelly Blume (Alternate)
 _____ Martha Gonzalez (Alternate)
 _____ Pim Mayo (Alternate)

APPLICANT: Jeff Mosley and Hector Avila

OWNER: Sheila Stallings

ADDRESS: 702 ZENNIA ST

VARIANCE REQUESTED: The applicant has requested variance(s) to Section 25-2 492 (D) (Site Development Regulations) to decrease:

- A. the minimum lot width from 50 feet (required) to 34 feet (requested, existing); and to
- B. the minimum lot size from 5,750 (required) to 2,584 (requested, existing) in order to add a 2nd story accessory residential use to the current 1 story commercial use in a "CS-CO-NP", General Commercial Services - Conditional Overlay - Neighborhood Plan zoning district. (North Loop)

BOARD'S DECISION: Dec 11, 2017 POSTPONED TO JANUARY 8, 2018; Jan 8, 2018 POSTPONED TO FEBRUARY 12, 2018 (RENOTICE REQUIRED)

VARIANCE REQUESTED: The applicant has requested variance(s) to:

- A. Section 25-2 492 (D) (Site Development Regulations) to decrease the minimum lot width from 50 feet (required) to 34 feet (requested, existing); and to
- B. decrease the minimum lot size from 5,750 (required) to 2,584 (requested, existing); and to
- C. decrease the minimum front setback from 10 feet (required) to 8.4 feet (requested, 1st floor existing); and to

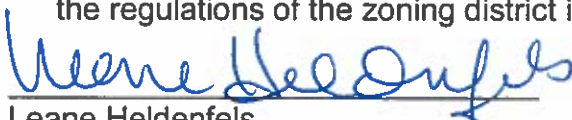
D. Article 10, Compatibility Standards, Section 25-2-1062 (Height Limitations and Setbacks for Small Sites) (B) to decrease the minimum distance from property in a urban family residence (SF-5) or more restrictive district or which a use permitted in SF-5 or more restrictive zoning district is located that a person may construct a structure from 15 feet (required) to 11.7 feet (requested) on the east side property line

in order to add a 2nd story accessory residential use/structure to the current 1-story commercial use/structure next to both single family zoning and use in a "CS-CO-NP", General Commercial Services - Conditional Overlay - Neighborhood Plan zoning district. (North Loop)


RENOTIFICATION REQUEST: February 12, 2018 Feb 12, 2018 POSTPONED TO APRIL 9, 2018

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because:
2. (a) The hardship for which the variance is requested is unique to the property in that:
(b) The hardship is not general to the area in which the property is located because:
3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:



Leane Heldenfels
Executive Liaison



William Burkhardt
Chairman

**CITY OF AUSTIN
Board of Adjustment
Decision Sheet**

DATE: Monday January 8, 2018

CASE NUMBER: C15-2017-0067

- _____ Brooke Bailey
- _____ William Burkhardt
- _____ Christopher Covo
- _____ Eric Goff
- _____ Melissa Hawthorne
- _____ Bryan King
- _____ Don Leighton-Burwell
- _____ Rahm McDaniel
- _____ Veronica Rivera
- _____ James Valadez
- _____ Michael Von Ohlen
- _____ Kelly Blume (Alternate)
- _____ Martha Gonzalez (Alternate)
- _____ Pim Mayo (Alternate)

APPLICANT: Jeff Mosley and Hector Avila

OWNER: Sheila Stallings

ADDRESS: 702 ZENNIA ST

VARIANCE REQUESTED: The applicant has requested variance(s) to Section 25-2 492 (D) (Site Development Regulations) to decrease:

- A. the minimum lot width from 50 feet (required) to 34 feet (requested, existing); and to**
- B. the minimum lot size from 5,750 (required) to 2,584 (requested, existing) in order to add a 2nd story accessory residential use to the current 1 story commercial use in a "CS-CO-NP", General Commercial Services - Conditional Overlay - Neighborhood Plan zoning district. (North Loop)**

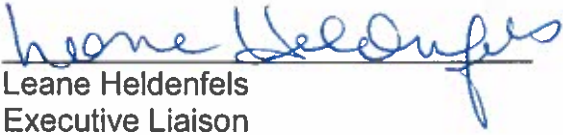
BOARD'S DECISION: Dec 11, 2017 POSTPONED TO JANUARY 8, 2018; Jan 8, 2018 POSTPONED TO FEBRUARY 12, 2018 (RENOTICE REQUIRED)

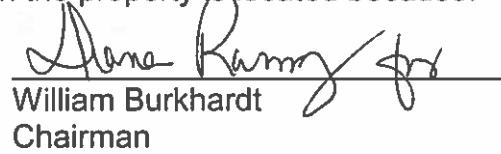
RENOTIFICATION REQUEST: February 12, 2018

FINDING:

- 1. The Zoning regulations applicable to the property do not allow for a reasonable use because:
- 2. (a) The hardship for which the variance is requested is unique to the property in that:
 - (b) The hardship is not general to the area in which the property is located because:

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


Leane Heldenfels
Executive Liaison


William Burkhardt
Chairman

**CITY OF AUSTIN
Board of Adjustment
Decision Sheet**

DATE: Monday December 11, 2017

CASE NUMBER: C15-2017-0067

____ Brooke Bailey
 ____ William Burkhardt
 ____ Christopher Covo
 ____ Eric Goff
 ____ Melissa Hawthorne
 ____ Bryan King
 ____ Don Leighton-Burwell
 ____ Rahm McDaniel
 ____ Veronica Rivera
 ____ James Valadez
 ____ Michael Von Ohlen
 ____ Kelly Blume (Alternate)
 ____ Martha Gonzalez (Alternate)
 ____ Pim Mayo (Alternate)

APPLICANT: Jeff Mosley and Hector Avila

OWNER: Sheila Stallings

ADDRESS: 702 ZENNIA ST

VARIANCE REQUESTED: The applicant has requested variance(s) to Section 25-2492 (D) (Site Development Regulations) to decrease:

- A. the minimum lot width from 50 feet (required) to 34 feet (requested, existing); and to**
- B. the minimum lot size from 5,750 (required) to 2,584 (requested, existing) in order to add a 2nd story accessory residential use to the current 1 story commercial use in a "CS-CO-NP", General Commercial Services - Conditional Overlay - Neighborhood Plan zoning district. (North Loop)**

BOARD'S DECISION: Dec 11, 2017 POSTPONED TO JANUARY 8, 2018

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because:
2. (a) The hardship for which the variance is requested is unique to the property in that:
(b) The hardship is not general to the area in which the property is located because:
3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

Leane Heldenfels

Leane Heldenfels
Executive Liaison

William Burkhardt




William Burkhardt
Chairman



NOTIFICATIONS

CASE#: C15-2017-0067
702 ZENNIA STREET



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY



1" = 167'

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.



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

Board of Adjustment General/Parking Variance Application

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

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

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

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

For Office Use Only

Case # C15-2017-0067 ROW # 11824432 Tax # 0224070319

Section 1: Applicant Statement

Street Address: 702 ZENNIA STREET, AUSTIN TX 78751

Subdivision Legal Description:

MURRAY PLACE

Lot(s): W32FT OF LOT 40-43

Block(s): B

Outlot: ---

Division: _____

Zoning District: CS-CO-NP (North Loop)

I/We JEFF MOSLEY on behalf of myself/ourselves as authorized agent for SHEILA STALLINGS affirm that on Month November, Day 10, Year 2017, hereby apply for a hearing before the Board of Adjustment for consideration to (select appropriate option below):

Erect Attach Complete Remodel Maintain Other: Add 2nd Floor

Type of Structure: Commercial building to Neighborhood Mixed Use building

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

25-2-1504 Neighborhood Mixed Use Building Regulations
Minimum Lot Size of 5,750' and Minimum Lot Width of 50'

Section 2: Variance Findings

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

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

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

Reasonable Use

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

North Loop Neighborhood Plan (Section 6) designates 702 Zennia (Tract 4c) as eligible to be developed as a neighborhood mixed use building special use but the lot is less than the minimum size and width prescribed by the Land Development Code.

Hardship

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

702 Zennia has been in its current configuration since at least as far back as September 1959, long before the neighborhood plan designated it as eligible for Neighborhood Mixed Use.

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

Most of the tracts designated as eligible for Neighborhood Mixed Use in the North Loop Neighborhood Plan are not smaller than the minimum lot size and width.

Area Character

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

The adjacent property to the West is commercial (CS-CO-V-NP); directly across the street to the South is a mixed use development (CS-MU-V-CO-NP); adjacent property to the South and North is residential (SF-3-NP) and the owner has provided a letter of support for this variance request.

Parking (additional criteria for parking variances only)

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

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

2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

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

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

Section 3: Applicant Certificate

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

Applicant Signature: [Signature] Date: 11/13/17

Applicant Name (typed or printed): JEFF MOSLEY

Applicant Mailing Address: 1601 SWEETBRIAR AVE

City: AUSTIN State: TX Zip: 78723

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: See attached Date: _____

Owner Name (typed or printed): _____

Owner Mailing Address: 7805 RIDGELINE

City: AUSTIN State: TX Zip: 78731

Phone (will be public information): _____

Email (optional – will be public information): _____

Section 5: Agent Information

Agent Name: HECTOR AVILA

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).

Section 3: Applicant Certificate

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

Applicant Signature: _____ Date: _____

Applicant Name (typed or printed): _____

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: Sheila Birden Stallings TTE Date: Nov 13 2017

Owner Name (typed or printed): SHEILA BIRDEN STALLINGS, TRUSTEE, BIRDEN TRUST

Owner Mailing Address: 7805 RIDGELINE

City: AUSTIN State: TX Zip: 78731

Phone (will be public information): (512) 247-7436

Email (optional – will be public information): _____

Section 5: Agent Information

Agent Name: HECTOR AVILA

Agent Mailing Address: _____

City: AUSTIN State: TX 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).

Property Profile



Legend

- Addresses
- ◉ Jurisdiction
- ◉ FULL PURPOSE
- ◉ LIMITED PURPOSE
- ◉ EXTRATERRITORIAL JURISDICTION
- ◉ 2 MILE ETJ AGRICULTURAL AGR
- ◉ OTHER CITY LIMITS
- ◉ OTHER CITIES ETJ
- ◻ TCAD Parcels
- ◻ TCAD Parcel ID's

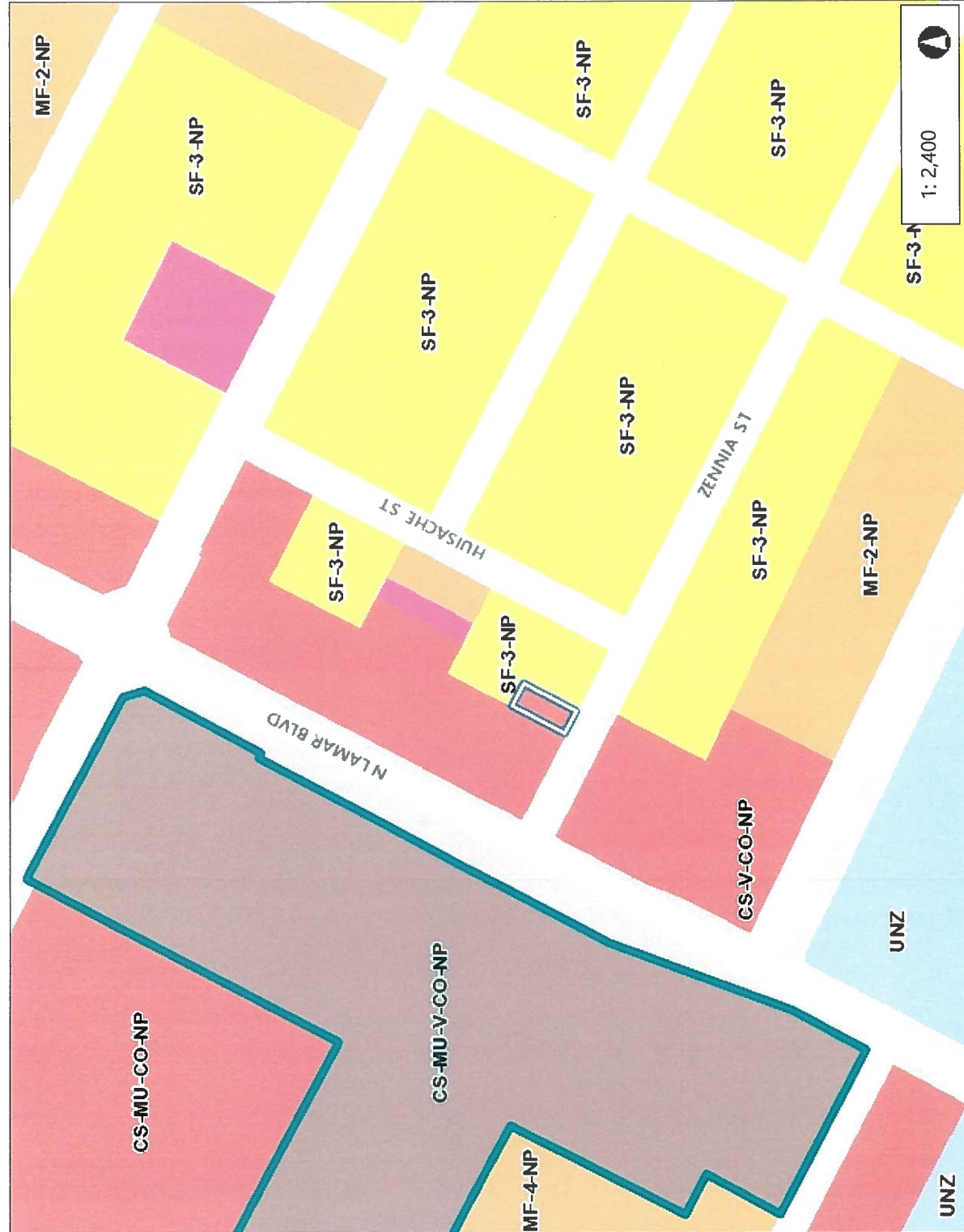
Notes



1: 1,200

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

Property Profile



1: 2,400



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

Legend

- Jurisdiction**
- FULL PURPOSE
 - LIMITED PURPOSE
 - EXTRATERRITORIAL JURISDICTION
 - 2 MILE ETJ AGRICULTURAL AGR
 - OTHER CITY LIMITS
 - OTHER CITIES ETJ
- Zoning**
- Single Family (SF)
 - Multi-family (MF)
 - LA, RR
 - Mobile Home (MH)
 - Commercial (CH, CS, GR, LR, L)
 - Office (GO, LO, NO)
 - Industrial (IP, LI, MI, PDA, RD, WIL)
 - CBD, DMU
 - TND, TOD, NBG, ERC
 - PUD
 - AG, DR
 - AV, P, UNZ
 - County/Missing Value

Notes

Date Printed:

ORDINANCE NO. 020523-31

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP TO ADD A NEIGHBORHOOD PLAN COMBINING DISTRICT TO THE BASE ZONING DISTRICTS ON APPROXIMATELY 614.97 ACRES OF LAND GENERALLY KNOWN AS THE NORTH LOOP NEIGHBORHOOD PLAN AREA ("NORTH LOOP") AND TO CHANGE THE BASE ZONING DISTRICTS ON 101 TRACTS OF LAND IN NORTH LOOP.

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 add a neighborhood plan (NP) combining district to each base zoning district within the property and to change the base zoning districts on 101 tracts of land within the property described in File C14-02-0009, as follows:

Approximately 614.97 acres of land, in the City of Austin, Travis County, Texas, more particularly described and identified in the attached Exhibit "A", (the "Property"),

generally known as the North Loop Neighborhood Plan (NP) combining district, locally known as the property bounded by Koenig Lane on the north, IH-35 on the east, Lamar Boulevard on the west and 45th Street, Red River Street and 51st Street on the south, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

PART 2. The base zoning districts for the 101 tracts of land are changed from family residence (SF-3) district, multifamily residence low density (MF-2) district, multifamily residence medium density (MF-3) district, limited office (LO) district, general office (GO) district, neighborhood commercial (LR) district, community commercial (GR) district, community commercial-conditional overly (GR-CO) combining district, general commercial services (CS) district, general commercial services-conditional overlay (CS-CO) combining district, commercial-liquor sales (CS-1) district, and commercial-liquor sales-conditional overlay (CS-1-CO) combining district to family residence-neighborhood plan (SF-3-NP) combining district, multifamily residence low density-neighborhood plan (MF-2-NP) combining district, multifamily residence medium density-neighborhood plan (MF-3-NP) combining district, multifamily residence moderate high density-conditional overlay-neighborhood plan (MF-4-CO-NP) combining district, neighborhood office-neighborhood plan (NO-NP) combining district, limited office-neighborhood plan (LO-

NP) combining district, limited office-mixed use-neighborhood plan (LO-MU-NP) combining district, limited office-conditional overlay-neighborhood plan (LO-CO-NP) combining district, limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district, general office-mixed use-conditional overlay-neighborhood plan (GO-MU-CO-NP) combining district, neighborhood commercial-conditional overlay neighborhood plan (LR-CO-NP) combining district, neighborhood commercial-mixed use-neighborhood plan (LR-MU-NP) combining district, neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district, community commercial-mixed used-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district, community commercial-conditional overlay-neighborhood plan (GR-CO-NP) combining district, general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district, general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district, commercial-liquor sales-conditional overlay neighborhood plan (CS-1-CO-NP) combining district, and public-neighborhood plan (P-NP) combining district, as more particularly described and identified in the chart below.

TRACT	ADDRESS	FROM	TO
1a	5607 LAMAR BV N	CS	CS-CO-NP
1a	5501 LAMAR BV N	CS & GR	CS-CO-NP
1b	600 NELRAY BV	CS	CS-CO-NP
1c	5555 LAMAR BV N	CS, CS-1, & LO	CS-CO-NP, CS-1- CO-NP
1d	700 NELRAY BV	LO	LO-MU-NP
2	707, 709 NELRAY BV; 0 LAMAR BV N (LOT 38 NORTHFIELD ADDITION); 5403, 5409, 5415, 5417 LAMAR BV N	CS	CS-CO-NP
3	5301, 5319 LAMAR BV N	CS	CS-CO-NP
4a	701 NORTH LOOP BV E	CS	CS-MU-CO-NP
4a	5237, 5241 LAMAR BV N; 5253 LAMAR BV N (LOT 18-19, 20-21 LOT 22 *LESS 987 SF INTO ROW BLK B MURRAY PLACE)	CS	CS-CO-NP
4b	5225 LAMAR BV N	CS, LR, LO, MF-3	CS-CO-NP, LR-MU- NP, LO-MU-NP, MF- 3-NP
4c	0 LAMAR BV N (LOT 6-7 BLK B MURRAY PLACE); 0 LAMAR BV N (LOT 8-9 BLK B MURRAY PLACE); 5201 & 5209 LAMAR BV N; 702 ZENNIA ST	CS	CS-CO-NP
5a	5101, 5115, 5117 LAMAR BV N; 620 51 ST W	CS	CS-CO-NP
5b	703 ZENNIA ST	LO	LO-NP
6	703, 705 NELRAY BV ; 702, 704, 710, 712 FRANKLIN BV	SF-3	MF-3-NP

PART 4. Secondary apartment special use is permitted on lots in residential districts within the boundaries of the NP combining district as set forth in Sections 25-2-1462 and 25-2-1463 of the Code

PART 5. Corner store special use is permitted on lots in residential districts within the boundaries of the NP combining district as set forth in Sections 25-2-1482 through 25-2-1485 of the Code.

PART 6. Tracts 2, 3, 4a, 4b, 4c, 5a, 5b, 9 through 22, 24, 25a, 25b, 26a, 26b, 26c, 27a, 27b, 28 through 35, 36a, 36b, 36c, 37, 38, 39a, 39b, 39c, 40, 41a, 41b, 42 through 49, 51 through 58, 59a, 59b, 60, 61, 66 through 69, 84, and 99 may be developed as a neighborhood mixed use building special use as set forth in Sections 25-2-1502 through 25-2-1504 of the Code:

PART 7. Tracts 1a, 1b, 1c, 11 through 22, 24, 25a and 25b may be developed as neighborhood urban center special use as set forth in Sections 25-2-1521 through Section 25-2-1524 of the Code.

PART 8. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions.

1. The following uses are conditional uses on Tracts 1a, 1b, 1c, 2, 3, 4a, 4b, 4c, 5a, 8, 9, and 10:

- | | |
|--------------------------------|---------------------------------|
| Adult oriented businesses | Agricultural sales and services |
| Automotive sales | Campground |
| Commercial blood plasma center | Construction sales and services |
| Convenience storage | Equipment repair services |
| Equipment sales | Kennels |
| Vehicle storage | |

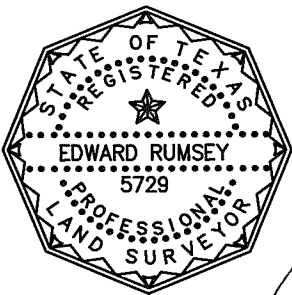
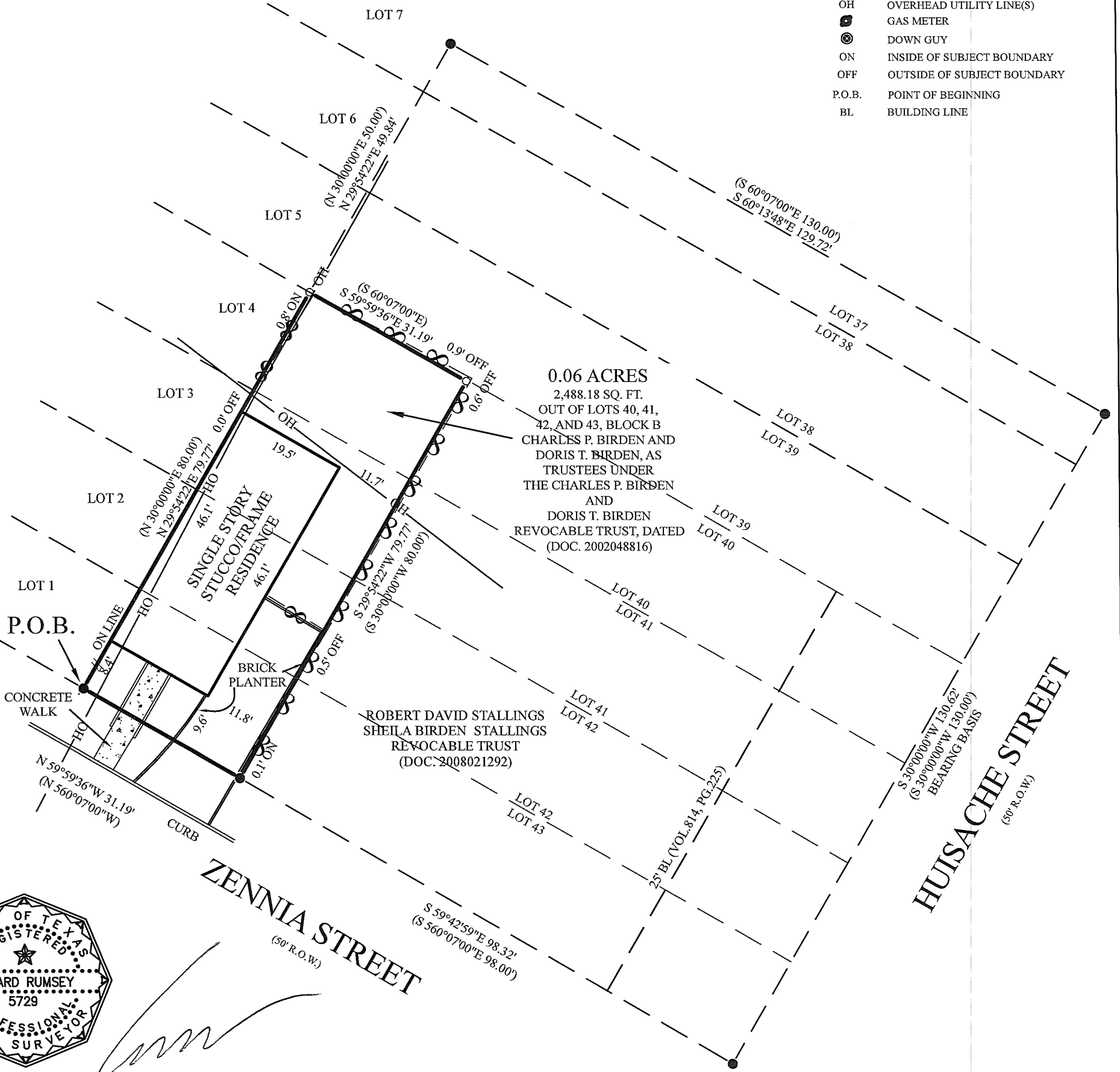
2. The following uses are prohibited uses on Tracts 11 through 22, 23a, 23b, 23c, 23d, 24, 25a, 25b, 26a, 26c, 27a, 28, 29, 30, 32, 33, 34, 36b, 36c, 37, 38, 39a, 39c, 80a, 85, 86a, 86b, 86c, 86d, 87, 88a, 89b, 91, 92b, 93, 94, 95a, 95b, 96, 97, and 98:

- | | |
|---------------------------|----------------------|
| Adult oriented businesses | Pawn shop services |
| Residential treatment | Transitional housing |

NOTICE
 BEFORE DESIGN BEGINS ON THE SUBJECT PROPERTY THE OWNER SHOULD CHECK THE LOCAL GOVERNING AUTHORITIES ABOUT BUILDING SETBACKS AND OTHER BUILDING REQUIREMENTS.

LEGEND

- 1/2" ROD FOUND
- 1/2" ROD SET
- CALCULATED POINT
- RECORD INFORMATION
- CHAIN LINK FENCE
- WOOD FENCE
- FIRE HYDRANT
- UTILITY POLE
- OVERHEAD UTILITY LINE(S)
- GAS METER
- DOWN GUY
- ON INSIDE OF SUBJECT BOUNDARY
- OFF OUTSIDE OF SUBJECT BOUNDARY
- P.O.B. POINT OF BEGINNING
- BL BUILDING LINE



TO THE LIEN HOLDER AND / OR OWNERS OF THE PREMISES SURVEYED AND TO:
INDEPENDENCE TITLE COMPANY
 I DO HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE OF THE PROPERTY LEGALLY DESCRIBED HEREON AND THAT THERE ARE NO BOUNDARY LINE CONFLICTS, ENCROACHMENTS OVERLAPPING OF IMPROVEMENTS, OR ROADS IN PLACE, EXCEPT AS SHOWN HEREON, AND CERTIFIES ONLY TO THE LEGAL DESCRIPTION AND EASEMENTS SHOWN ON THE REFERENCED TITLE COMMITMENT. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE.

RESTRICTIONS

SUBJECT TO RESTRICTIONS RECORDED IN VOLUME 814, PG. 225 AND VOL. 908, PG. 17.
 BUILDING LINES RECORDED IN VOL. 814, PG. 225, DOES NOT AFFECT SUBJECT PROPERTY.

LEGAL DESCRIPTION

BEING 0.06 OF AN ACRE OF LAND, OUT OF LOTS 40, 41, 42 AND 43, BLOCK B, MURRAY PLACE, A SUBDIVISION RECORDED IN VOLUME 3, PAGE 197, PLAT RECORDS, TRAVIS COUNTY, TEXAS, SAME BEING THAT CERTAIN CHARLES P. BIRDEN AND DORIS T. BIRDEN, AS TRUSTEES UNDER THE CHARLES P. BIRDEN AND DORIS T. BIRDEN REVOCABLE TRUST, DATED. TRACT RECORDED IN DOCUMENT NUMBER 2002048816, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS, SAID 0.06 OF AN ACRE OF LAND TO BE MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN EXHIBIT "A", ATTACHED HERETO AND MADE A PART HEREOF.

	<p>ALLSTAR Land Surveying 9020 ANDERSON MILL RD AUSTIN, TEXAS 78729 (512) 249-8149 PHONE (512) 331-5217 FAX TBPLS FIRM NO. 10135000</p>	F.I.R.M. MAP INFORMATION	ADDRESS			
		THIS PROPERTY DOES NOT LIE WITHIN THE 100 YEAR FLOOD-PLAIN, AND HAS A ZONE "X" RATING AS SHOWN ON THE FLOOD INSURANCE RATE MAPS F.I.R.M. MAP NO. 48453C0455J PANEL: 0455J DATED: 01/06/2016 THIS CERTIFICATION IS FOR INSURANCE PURPOSES ONLY AND IS NOT A GUARANTEE THAT THIS PROPERTY WILL OR WILL NOT FLOOD. CONTACT YOUR LOCAL FLOOD PLAIN ADMINISTRATOR FOR THE CURRENT STATUS OF THIS TRACT.	RH HOLDINGS, LLC 702 ZENNIA STREET AUSTIN, TRAVIS COUNTY, TEXAS.			
			SURVEY DATE:	JULY 20, 2017	FILED BY:	JAKE NOWLIN
	TITLE CO.:	INDEPENDENCE TITLE	CALC. BY:	CHRIS ZOTTER	07/20/2017	
	G.F. NO.:	1726902-BAL	DRAWN BY:	ADRIEL LOPEZ	07/20/2017	
	JOB NO.:	A0705617	RPLS CHECK:	EDWARD RUMSEY	07/20/2017	

EXHIBIT "A"
LEGAL DESCRIPTION

BEING 0.06 OF AN ACRE OF LAND, OUT OF LOTS 40, 41, 42 AND 43, BLOCK B, MURRAY PLACE, A SUBDIVISION RECORDED IN VOLUME 3, PAGE 197, PLAT RECORDS, TRAVIS COUNTY, TEXAS, SAME BEING THAT CERTAIN CHARLES P. BIRDEN AND DORIS T. BIRDEN, AS TRUSTEES UNDER THE CHARLES P. BIRDEN AND DORIS T. BIRDEN REVOCABLE TRUST, DATED. TRACT RECORDED IN DOCUMENT NUMBER 2002048816, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS, SAID 0.06 OF AN ACRE OF LAND TO BE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at an iron rod found in the northerly right-of-way line of Zennia Street, at the southeast corner of lot 1, Block B, of said subdivision, same being the southwest corner of said lot 43, for the southwest corner hereof;


THENCE North 29 degrees 54 minutes 22 seconds East, along the easterly line of Lots 1, 2, 3 and 4, Block B, of said subdivision, along the westerly line of said Lots 40, 41, 42 and 43, 79.77 feet to an iron rod set at the common corners of Lots 5, 6, 39 and 40, Block B, of said subdivision, for the northwest corner hereof;

THENCE South 59 degrees 59 minutes 36 seconds East, along the common line of said Lots 39 and 40, 31.19 feet to an iron rod set in said line, for the northeast corner hereof;

THENCE South 29 degrees 54 minutes 22 seconds West, through said Lots 40, 41, 42 and 43, 79.77 feet to an iron rod found in said right-of-way line, same being in the southerly line of said Lot 43, for the southeast corner hereof, from which an iron rod found at the southeast corner of said Lot 43 bears, South 59 degrees 42 minutes 59 seconds East, 98.32 feet;

THENCE North 59 degrees 59 minutes 36 seconds West, along said right-of-way line and the southerly line of said Lot 43, 31.19 feet to the POINT OF BEGINNING.

THIS LEGAL DESCRIPTION IS TO BE USED IN CONJUNCTION WITH THE ATTACHED SURVEY PLAT (BY SEPARATE INSTRUMENT), ONLY.


Edward Rumsey
TX R.P.L.S #5729
Job # A0705617



07/20/2017
Date

From: [REDACTED]
[REDACTED]
[REDACTED]
Subject: RE: 1/8 Board of Adjustment agenda, back up
Date: Monday, January 08, 2018 4:44:11 AM

Please postponed my case until February

Thank you
Hector Avila
512 791-0517

Sent from my Sprint Samsung Galaxy S7 edge.

----- Original message -----

From: "Heldenfels, Leane" <Leane.Heldenfels@austintexas.gov>

Date: 1/5/18 5:43 PM (GMT-06:00)

To: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Subject: RE: 1/8 Board of Adjustment agenda, back up

Here is the Austin Energy report for Monday’s hearing. It will be included in the Board’s late back up that they receive on the dais at the hearing

If based on this report you would like to postpone your case please advise by 10am Monday if possible.

You can postpone to either the 2/12 or 3/12 hearing based on the amount of time needed to resolve your outstanding issues with them.

Most often the Board does postpone cases that are not approved by Austin Energy until any pending issues are resolved, but if you’d like to request that they not postpone yours you can arrive at the hearing at 5:30 when they discuss postponements and advise why you feel they should make an exception to their policy and not postpone your case but instead hear it.

Please reply to just me and not all to avoid confusion.

Thanks and take care,

Leane Heldenfels

Planner Senior – Board of Adjustment Liaison

[City of Austin Development Services Department](#)

One Texas Center, 505 Barton Springs Road, 1st Floor, Development Assistance Center

Walk-in hours 9a-12p M-F

Office: 512.974.2202 Cell: 512.567.0106 (*personal, for meeting day & after hours emergency use only*)

email_logo_new_green-01



From: Heldenfels, Leane

Sent: Thursday, January 04, 2018 2:13 PM

To: [REDACTED]

Subject: 1/8 Board of Adjustment agenda, back up

Greetings 1/8 Board of Adjustment Applicants:

Please see attached meeting agenda and print out a copy to bring to the meeting as we will not have paper copies at the meeting. The Austin Energy report will follow in a separate email.

If you would like to request to have your case postponed or withdrawn from the Board's 1/8 agenda and you don't see that request noted on the agenda please **reply to just me (not all)** by 10 am Monday and advise.

I will announce any known requests for postponement or withdraw at the beginning of the hearing, 5:30, and then these requests are voted on by the Board at that time. Note if this is a 2nd request for postponement you should be present at the hearing as the Board may want to hear from you about the circumstances surrounding the need for additional postponement and may not agree to postpone your case any further.

The agenda and case back up are now posted online at the Board's website:

http://www.austintexas.gov/cityclerk/boards_commissions/meetings/15_1.htm

(If this link doesn't work go to austinexas.gov, click on government tab near top of page, click on Boards and Commissions small tab near top of page, highlight Board of Adjustment and click view website, open agenda folder to left of page, see the January 8 meeting materials).

Please go to the Board's website and take a look at the back up material posted there.

If you see anything you've submitted that is either missing or not legible please bring 14 sets of that info to Monday's hearing. You can also see the packet page numbers that we've added to the evidence so you can know what page numbers the Board members may refer to during the hearing, feel free to print out all of your numbered case evidence so you have those page numbers, too.

Also, remember to go back to this link **after 3pm on Monday** to see any **late back up** that has been received on your case. This late back up will normally consist of replies received from our public notice mailing. Print out a copy of the late back up info for your reference and bring it to the hearing in the event that the Board has questions about any of the responses received.

Please bring a copy of all of the evidence you'd like to present on a usb flash drive to the hearing and the AV staff person can help you project it and run thru the info as you speak on your case. Those staff members prefer that you label your flash drive w/ your agenda number and give the drive to them ahead of your case being called so they can make sure it's able to be projected correctly when your case is called.

If you add any **new/revised information** to your presentation that is not in the packet, **email me with a pdf** of that new/revised information on **Tuesday after the hearing**.

We can validate your parking stub from the garage below City Hall, so try to **remember to bring it up with you**. The garage entrance is off of Guadalupe.

We will issue decision sheets from the meeting on our website page for Public Search of case and permit info 2 weeks after the hearing, so this month that will be by 1/22. Here's a link to the page where we'll file them:

https://www.austintexas.gov/devreview/a_queryfolder_permits.jsp

(If this link doesn't work go to austintexas.gov, click on development tab near top of page, then click on Search)

Once at this page you can input your case number or address, then click submit. Open the BA case and scroll down to attachments and see the final ds (decision sheet) there. You can print it out for use in a resubmittal for a permit, site plan or subdivision or email it to your code officer for any pending violation. **We will not send out a copy of the decision sheet.**

If your case is denied or if you don't agree with any part of the Board's decision (for example, a condition imposed on a granted case) you have until end of day **Wednesday 1/17** to request a reconsideration and provide new or clarified evidence to show how you feel the Board erred in its decision. Cost for sending out re-notification of a reconsidered case is \$258.96 – check made out to the City of Austin that will need to be dropped to my mailbox by close of lobby same day, Wed. 1/17).

If your case is postponed to the 2/12 hearing you'll have until end of day **Monday 1/29** to **send to me an** email with a pdf of any revised, additional evidence that we'll add to that meeting's advance packet along with all the evidence that was provided in the 1/8 packet and late back up.

I look forward to seeing you all on Monday – **reply just to me, not to all**, to advise if you have questions, concerns -

Leane Heldenfels

Board of Adjustment Liaison

[City of Austin Development Services Department](#)

One Texas Center, 1st Floor, Development Assistance Center

505 Barton Springs Road

Office: 512-974-2202

Logo_DSD Email Signature wTag



Follow us on [Facebook](#), [Twitter](#) & [Instagram](#) @DevelopmentATX

We want to hear from you! Please take a few minutes to complete our [online customer survey](#).

Nos gustaría escuchar de usted. Por favor, tome un momento para [completar nuestra encuesta](#).

From: [REDACTED]
Subject: Comments on variance request
Date: Tuesday, February 06, 2018 8:31:24 PM

Case No. C15-2017-0067, 702 Zennia St.
Contact: Leane Heldenfels
Board of Adjustment
February 12, 2018

Marcus Denton
5200 N. Lamar Blvd Apt N101
Austin, Texas 78751
512-716-9559

I am in favor of the proposed requested variances to add an ADU to 702 Zennia St. This is right on Lamar, we have a desperate need for more housing in this city, and this is a very unobtrusive way to get it.

Thanks,
Marcus Denton