

BOA CASE REVIEW SHEET

CASE: C15-2019-0005

BOA DATE: February 11, 2019

ADDRESS: 7309 Bennett Avenue

COUNCIL DISTRICT AREA: 4

OWNER: Andrew Milam

AGENT: Joshua Inscoe

ZONING: SF-3-NP (St. John)

AREA: Lot 12, Block 15 St. Johns College Addition

VARIANCE REQUEST: Section 25-2-774 (Two-Family Residential Use) (C) (2) (a) the second dwelling must be located at least 10 feet to the rear or side of principal structure

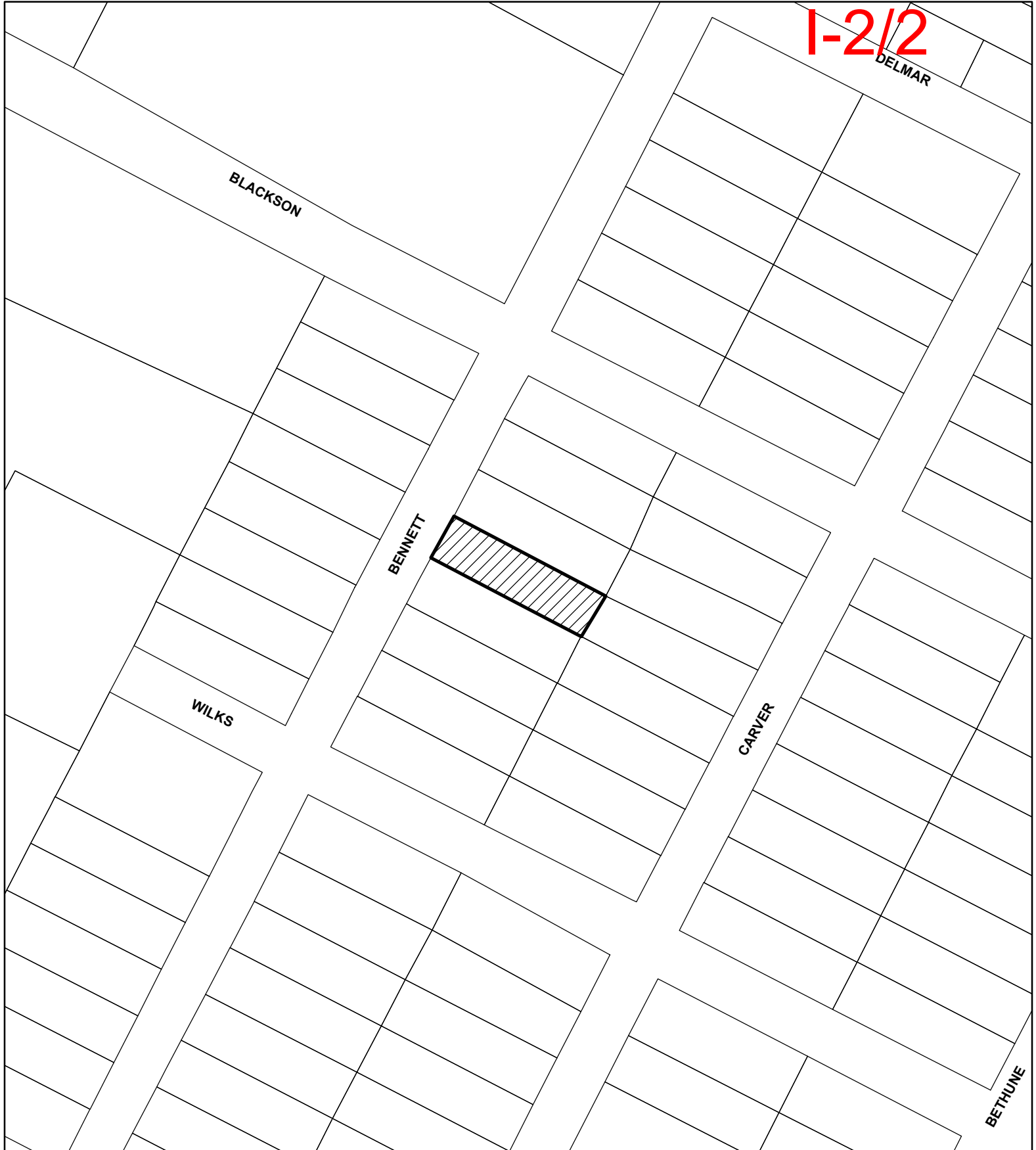
SUMMARY: New house to be erected behind the existing house which will become the 2nd dwelling unit rather than the primary dwelling.

ISSUES: Current 1,000 + square foot house in front of the lot is in good condition for continued use as a 2nd dwelling.

	ZONING	LAND USES
<i>Site</i>	SF-3-NP (St. John)	Residential
<i>North</i>	SF-3-NP (St. John)	Residential
<i>South</i>	SF-3-NP (St. John)	Residential
<i>East</i>	SF-3-NP (St. John)	Residential
<i>West</i>	SF-3-NP (St. John)	Residential

NEIGHBORHOOD ORGANIZATIONS: Austin Independent School District, Austin InnerCity Alliance, Austin Neighborhoods Council; Bike Austin; Claim Your Destiny Foundation, Friends of Austin Neighborhoods; Homeless Neighborhood Association; Neighborhood Empowerment Foundation; SEL Texas; Sierra Club, Austin Regional Group; St. John Neighborhood Association; St. John Neighborhood Contact Team

I-2/2



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

NOTIFICATIONS

CASE#: C15-2019-0005
LOCATION: 7309 Bennett Ave.



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" = 121'



CITY OF AUSTIN

Development Services Department

One Texas Center | Phone: 512.978.4000
505 Barton Springs Road, Austin, Texas 78704

I-2/3

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 # _____ ROW # _____ Tax # _____

Section 1: Applicant Statement

Street Address: 7309 Bennett Ave.

Subdivision Legal Description:

St. Johns College Addn

Lot(s): 12 Block(s): 15

Outlot: _____ Division: _____

Zoning District: SF3

I/We Joshua Inscoe on behalf of myself/ourselves as
authorized agent for Parkside Homes LLC affirm that on
Month January, Day 6, Year 2019, 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: Dwelling

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

Ordinance No. 20151119-080

Section 25-2-774 Two family residential use

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:

They do not take into account maintaining the original house on the property to maintain the character of the existing neighborhood.

Hardship

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

We are wanting to build the primary residence in the back of the lot and count the front house as the ADU. This will allow us to preserve the original house.

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

The original house located on the property has been maintained and is in good condition. Many of the houses in the neighborhood are not so fortunate. We would like to continue to maintain the house in its current form.

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:

We are looking to add to the neighborhood and not degrade the character. This is why we are leaving the current house as is and are wanting to add the rear structure. This structure will not impair current or future use because we will adhere to all current set backs.

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:

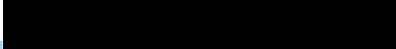
2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

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: Joshua Inscoe  Date: 01/09/2019

Applicant Name (typed or printed): Joshua Inscoe

Applicant Mailing Address: 950 Westbank Drive Suite 207

City: Austin State: Texas Zip: 78746

Phone (will be public information): (512) 943-9453

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: 01/09/2019

Owner Name (typed or printed): Andrew Milam

Owner Mailing Address: 950 Westbank Drive Suite 207

City: Austin State: Texas Zip: 78754

Phone (will be public information): (512) 943-9453

Email (optional – will be public information): _____

Section 5: Agent Information

Agent Name: Joshua Inscoe

Agent Mailing Address: 950 Westbank Drive Suite 207

City: Austin State: Texas Zip: 78746

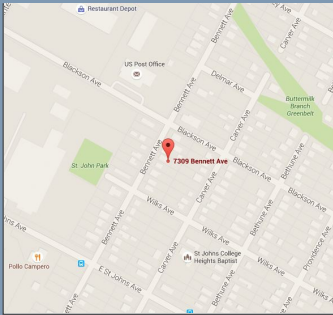
Phone (will be public information): (512) 943-9453

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).

ORDERED BY:



I-2/7

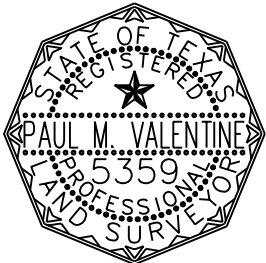
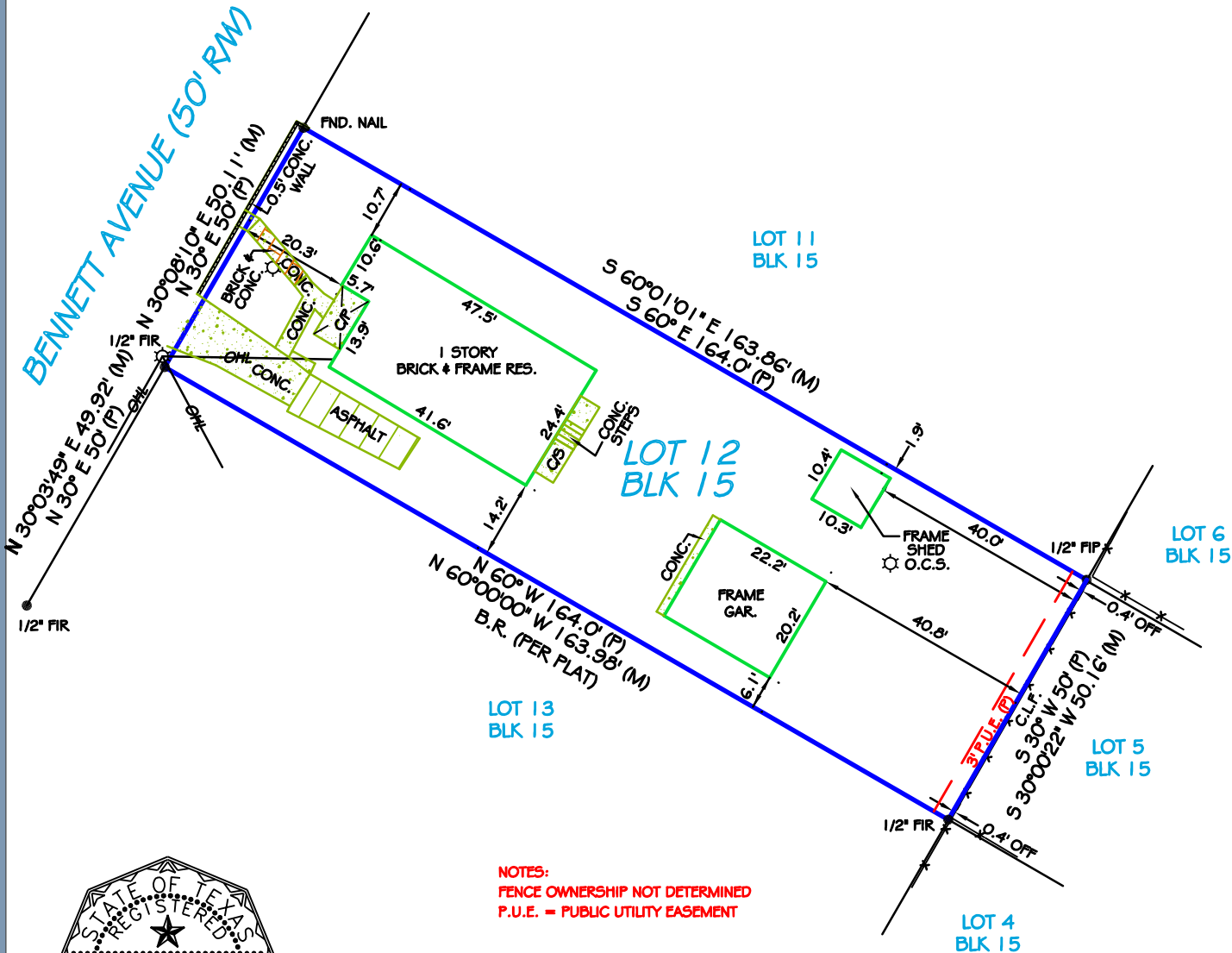
PROPERTY ADDRESS: 7309 BENNETT AVENUE AUSTIN, TEXAS 78752

SURVEY NUMBER: 1509.1404

FIELD WORK DATE: 9/15/2015

REVISION DATE(S): (REV.0 9/15/2015)

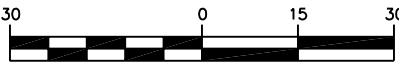
1509.1404
BOUNDARY SURVEY
TRAVIS COUNTY



Paul M. Valentine

NOTES:
FENCE OWNERSHIP NOT DETERMINED
P.U.E. = PUBLIC UTILITY EASEMENT

I HEREBY CERTIFY THAT: THIS PLAT REPRESENTS THE RESULTS OF A SURVEY MADE ON THE GROUND ON THE 15th DAY OF SEPTEMBER 2015; ALL EASEMENTS AND RIGHTS-OF-WAY SHOWN ON THE PLAT AND SET FORTH WITHIN THE TITLE COMMITMENT ISSUED BY FIDELITY NATIONAL TITLE INSURANCE COMPANY, GF NO. AUT-41-678-AUT15008153TI, EFFECTIVE AUGUST 31, 2015, ARE SHOWN OR NOTED HEREON; THERE ARE NO VISIBLE ENCROACHMENTS OR OVERLAPPING OF IMPROVEMENTS EXCEPT AS SHOWN HEREON; THE PROPERTY HAS ACCESS TO A DEDICATED RIGHT-OF-WAY PER PLAT.



GRAPHIC SCALE (In Feet)
1 inch = 30' ft.



Use of This Survey for Purposes other than Intended, Without Written Verification, will be at the User's Sole Risk and Without Liability to the Surveyor.
Nothing hereon shall be Construed to Give ANY Rights or Benefits to Anyone Other than those Certified.

FLOOD INFORMATION:

BY PERFORMING A SEARCH WITH THE LOCAL GOVERNING MUNICIPALITY OR WWW.FEMA.GOV, THE PROPERTY APPEARS TO BE LOCATED IN ZONE X. THIS PROPERTY WAS FOUND IN THE CITY OF AUSTIN, COMMUNITY NUMBER 480624, DATED 09/26/08.

POINTS OF INTEREST
NONE VISIBLE

POWERED BY:



CLIENT NUMBER: AUT1500853

DATE: 9/15/2015

BUYER: Parkside Homes

SELLER: THE ESTATE OF ARTHUR WRIGHT, JR.

CERTIFIED TO: PARKSIDE HOMES; AUSTIN TITLE COMPANY; FIDELITY NATIONAL TITLE INSURANCE COMPANY

This is page 1 of 2 and is not valid without all pages.

EXACTA
TEXAS SURVEYORS, INC.

LB# 10193731
www.exacta365.com
P. 281.763.7766
F. 281.763.7767
7416 Canal Drive
Lake Worth, FL 33467

LEGAL DESCRIPTION:

LOT 12, BLOCK 15, ST. JOHN'S COLLEGE ADDITION, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT OF RECORD IN VOLUME 4, PAGE 71, PLAT RECORDS OF TRAVIS COUNTY, TEXAS.

JOB SPECIFIC SURVEYOR NOTES:

THE BEARING REFERENCE OF NORTH 60 DEGREES WEST IS BASED ON THE SOUTHERLY LINE OF LOT 12, BLOCK 15, OF ST JOHNS COLLEGE ADDITION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN VOLUME 4, PAGE 71, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS.

GENERAL SURVEYOR NOTES:

1. Firm Branch #10193731 is physically located at 7416 Canal Drive in Lake Worth, FL 33467.
2. The Legal description used to perform this survey was supplied by others. This survey does not determine or imply ownership.
3. Due to varying construction standards, house dimensions are approximate.
4. This survey is exclusively for the use of the parties to whom it is certified. It is not transferable to additional institutions or subsequent owners.
5. This property subject to any and all recorded and unrecorded easements. Surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants or ownership title evidence.
6. If there is a septic tank, well or drain field on this survey, the location of such items was shown to us by others and are not verified.
7. Any additions or deletions of this 2 page survey document are strictly prohibited. Use of this survey beyond the purpose of the transfer of title without written authorization of the signing surveyor is prohibited.
8. Any FEMA flood zone data contained on this survey is for informational purposes only. Research to obtain such data was performed at www.fema.gov.
9. Dimensions are in feet and decimals thereof.
10. All pins marked as set are 5/8" or 1/2" diameter, 18" iron rebar, with "EXACTA" cap.
11. This survey only shows improvements found above ground. Underground footings, utilities and encroachments are not located on this survey map.
12. The information contained on this survey has been performed exclusively, and is the sole responsibility, of Exacta Surveyors. Additional logos or references to third party firms are for informational purposes only.
13. Points of Interest (POI's) are selected above- ground improvements which may be in contact with boundary, building setbacks or easement lines, as defined by the parameters of this survey. There may be additional POI's which are not shown, not called-out as POI's, or which are otherwise unknown to the surveyor . These POI's may not represent all items of interest to the viewer.
14. Utilities shown on the subject property may or may not indicate the existence of recorded or unrecorded utility easements.
15. House measurements should not be used for new construction or planning. Measurements should be verified prior to such activity.

LEGEND:

SURVEYOR'S LEGEND

LINETYPES: (UNLESS OTHERWISE NOTED)

BOUNDARY LINE

STRUCTURE

CENTERLINE

CHAIN-LINK or WIRE FENCE

EASEMENT

EDGE OF WATER

IRON FENCE

OVERHEAD LINES

SURVEY TIE LINE

WALL OR PARTY WALL

WOOD FENCE

VINYL FENCE

SURFACE TYPES: (UNLESS OTHERWISE NOTED)

ASPHALT

CONCRETE

WATER

SYMBOLS: (UNLESS OTHERWISE NOTED)

BENCH MARK

CENTERLINE

CENTRAL ANGLE or DELTA

COMMON OWNERSHIP

CONTROL POINT

CONCRETE MONUMENT

CATCH BASIN

ELEVATION

FIRE HYDRANT

FND OR SET MONUMENT

GUYWIRE OR ANCHOR

MANHOLE

TREE

UTILITY OR LIGHT POLE

WELL

A/C AIR CONDITIONING
B.R. BEARING REFERENCE
B.C. BLOCK CORNER
B.F.P. BACKFLOW PREVENTOR
BLK. BLOCK
BLDG. BUILDING
BM. BENCHMARK
B.R.L. BUILDING RESTRICTION LINE
BSMT. BASEMENT
BW. BAYBOX WINDOW
(C) CALCULATED
C. CURVE
CATV. CABLE TV, RISER
C.B. CONCRETE BLOCK
CHIM. CHIMNEY
C.L.F. CHAIN LINK FENCE
C.O. CLEAN OUT
CONC. CONCRETE
COR. CORNER
CSW. CONCRETE SIDEWALK
C.V.G. CONCRETE VALLEY GUTTER
CL. CENTER LINE
CP. COVERED PORCH
CS. CONCRETE SLAB
(D) DEED
D.F. DRAIN FIELD
DW. DRIVEWAY
ELEV. ELEVATION
ENCL. ENCLOSURE
ENT. ENTRANCE
EM. ELECTRIC METER
E.O.P. EDGE OF PAVEMENT
E.O.W. EDGE OF WATER
EUB. ELECTRIC UTILITY BOX
(F) FIELD
FCM. FND. CONCRETE MONUMENT
FDH. FOUND DRILL HOLE
F.F. FINISHED FLOOR
FIP. FOUND IRON PIPE
FIPC. FOUND IRON PIPE & CAP
FIR. FOUND IRON ROD
FIRC. FOUND IRON ROD & CAP
FND. FOUND NAIL
FND. FOUND NAIL & DISC
FND. FOUND NAIL & DISK
FKN. FOUND PARKER-KALON NAIL
FKN. FOUND PK NAIL & DISK
FRSPK. FOUND RAILROAD SPIKE
GAR. GARAGE
GM. GAS METER

ID. IDENTIFICATION
ILL. ILLEGIBLE
INST. INSTRUMENT
INT. INTERSECTION
L. LENGTH
LB# LICENSE # - BUSINESS
LS# LICENSE # - SURVEYOR
(M) MEASURED
M.B. MAP BOOK
M.E.S. MITERED END SECTION
M.F. METAL FENCE
N.R. NON RADIAL
N.T.S. NOT TO SCALE
O.C.S. ON CONCRETE SLAB
O.G. ON GROUND
OFF. OUTSIDE OF SUBJECT PARCEL
OH. OVERHANG
OHL. OVERHEAD LINES
ON. INSIDE OF SUBJECT PARCEL
O.R.B. OFFICIAL RECORD BOOK
O.R.V. OFFICIAL RECORD VOLUME
O/A. OVERALL
OS. OFFSET
(P) PLAT
P.B. PLAT BOOK
P.C. POINT OF CURVATURE
P.C.C. POINT OF COMPOUND CURVATURE
P.C.P. PERMANENT CONTROL POINT
P/E. POOL EQUIPMENT
PG. PAGE
P.I. POINT OF INTERSECTION
PLS. PROFESSIONAL LAND SURVEYOR
PLT. PLANTER
P.O.B. POINT OF BEGINNING
P.O.C. POINT OF COMMENCEMENT
P.P. PINCHED PIPE
P.R.C. POINT OF REVERSE CURVATURE
P.R.M. PERMANENT REFERENCE MONUMENT
PSM. PROFESSIONAL SURVEYOR AND MAPPER
P.T. POINT OF TANGENCY
R. RADIUS or RADIAL
REC. RECORD
RGE. RANGE
RES. RESIDENCE
R/W. RIGHT OF WAY
(S) SURVEY
S.B.L. SETBACK LINE
S.C.L. SURVEY CLOSURE LINE
SCR. SCREEN

SEC. SECTION
SEP. SEPTIC TANK
SEW. SEWER
SGD. SET GLUE DISC
SIRC. SET IRON ROD & CAP
SNAD. SET NAIL & DISC
SQ.FT. SQUARE FEET
STY. STORY
S.T.L. SURVEY TIE LINE
SV. SEWER VALVE
SW. SIDEWALK
S.W. SEAWALL
TBM. TEMPORARY BENCHMARK
TEL. TELEPHONE FACILITIES
T.O.B. TOP OF BANK
TWP. TOWNSHIP
TX. TRANSFORMER
TYP. TYPICAL
U.R. UTILITY RISER
W/C. WITNESS CORNER
W/F. WATER FILTER
W.F. WOODEN FENCE
WM. WATER METER/VALVE BOX
WV. WATER VALVE
V.F. VINYL FENCE

A.E. ACCESS EASEMENT
AN.E. ANCHOR EASEMENT
C.M.E. CANAL MAINTENANCE ESMT.
C.U.E. COUNTY UTILITY ESMT.
D.E. DRAINAGE EASEMENT
D.U.E. DRAINAGE AND UTILITY ESMT.
ESMT. EASEMENT
I.E.E.E. INGRESS/EGRESS ESMT.
IRR.E. IRRIGATION EASEMENT
L.A.E. LIMITED ACCESS ESMT.
L.B.E. LANDSCAPE BUFFER ESMT.
L.E. LANDSCAPE ESMT.
L.M.E. LAKE OR LANDSCAPE
MAINTENANCE EASEMENT
M.E. MAINTENANCE EASEMENT
P.U.E. PUBLIC UTILITY EASEMENT
R.O.E. ROOF OVERHANG ESMT.
S.W.E. SIDEWALK EASEMENT
S.W.M.E. STORM WATER
MANAGEMENT ESMT.
T.U.E. TECHNOLOGICAL UTILITY ESMT.
U.E. UTILITY EASEMENT

ELECTRONIC SIGNATURE:

In order to "Electronically Sign" all of the PDFs sent by STARS, you must use a hash calculator. A free online hash calculator is available at <http://www.fileformat.info/tool/md5sum.htm>. To Electronically Sign any survey PDF: 1. Save the PDF onto your computer. 2. Use the online tool at <http://www.fileformat.info/tool/md5sum.htm> to browse for the saved PDF on your computer. 3. Select the Hash Method as SHA. 4. Click Submit. Your PDF is electronically signed if all of the characters in the SHA-1 code submitted by STARS matches the code which is produced by the hash calculator. If they match exactly, your PDF is electronically signed. If the codes do not match exactly, your PDF is not authentic.

PRINTING INSTRUCTIONS:

1. While viewing the survey in Adobe Reader, select the "Print" button under the "File" tab.
2. Select a printer with legal sized paper.
3. Under "Print Range", click select the "All" toggle.
4. Under the "Page Handling" section, select the number of copies that you would like to print.
5. Under the "Page Scaling" selection drop down menu, select "None."
6. Uncheck the "Auto Rotate and Center" checkbox.
7. Check the "Choose Paper size by PDF" checkbox.
8. Click OK to print.

TO PRINT IN BLACK + WHITE:

1. In the main print screen, choose "Properties".
2. Choose "Quality" from the options.
3. Change from "Auto Color" or "Full Color" to "Gray Scale".

OFFER VALID ONLY FOR:
Parkside Homes

EXACTA

25% off

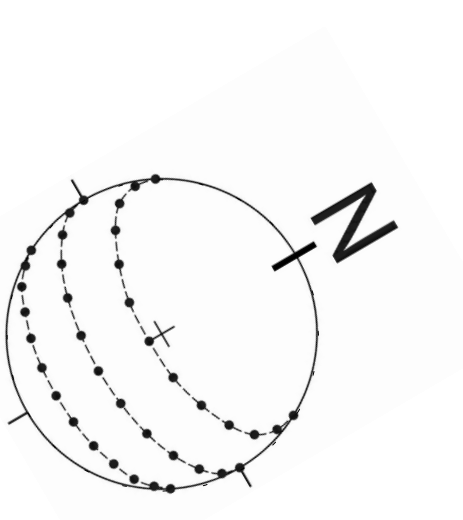
ANY FUTURE SURVEYING SERVICES ON THIS PROPERTY

*Offer only valid for the buyer listed on the first page of survey & only for updates in relationship to existing improvements. Offer not valid for brand new construction & total discount not to exceed \$500

NOT FOR
REGULATORY
APPROVAL,
PERMITTING, OR
CONSTRUCTION

7309 BENNETT

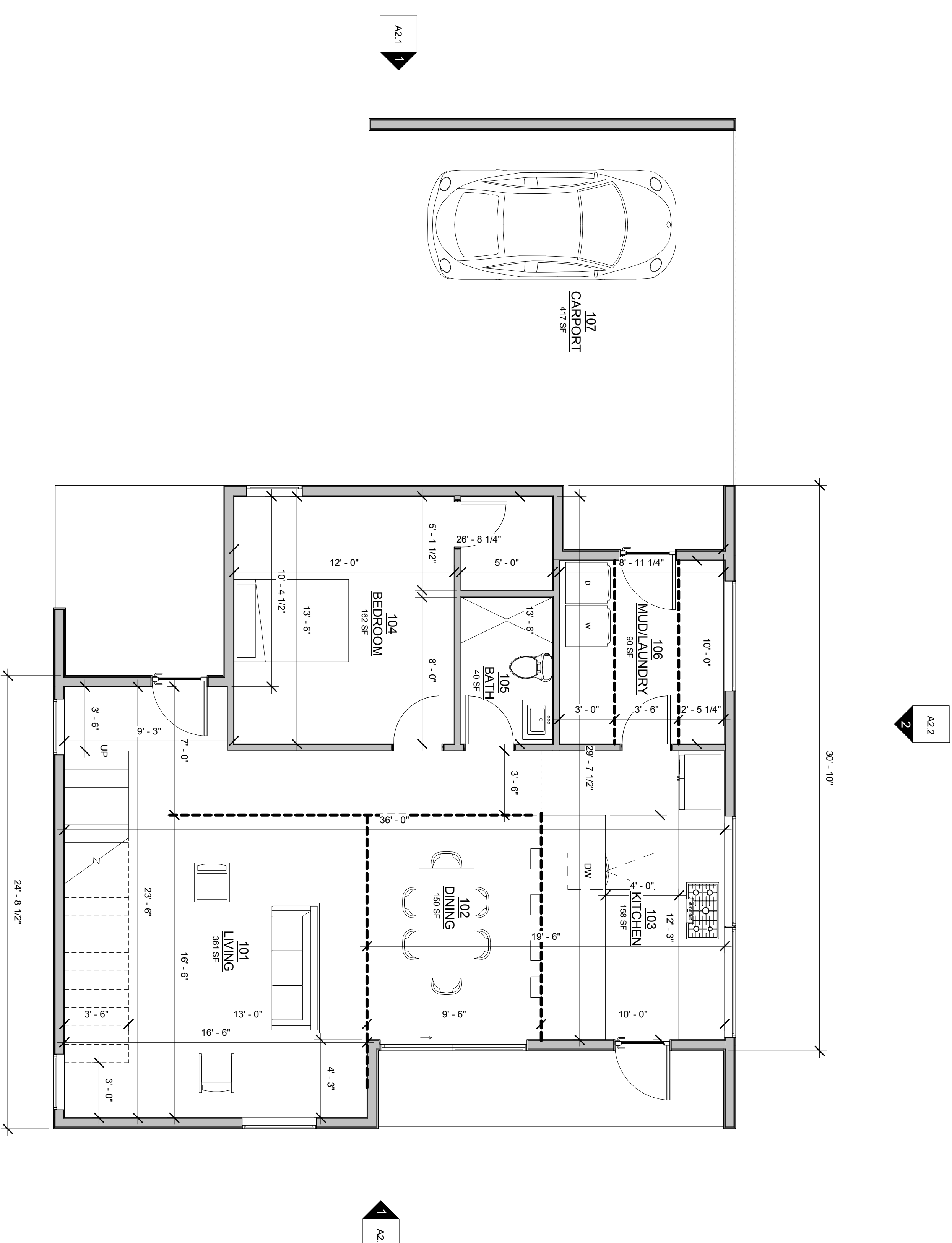
2018-06-12



SCALE: 1/4" = 1'-0"

**FIRST FLOOR
PLAN**

FL



EXTERIOR FINISHES

- STANDING SEAM METAL ROOF
BOARD AND BATTEN
HARDIE LAP SIDING
ALUMINUM FLANGED WINDOWS**

INTERIOR FINISHES

- EXPOSED CONCRETE FLOORS (1ST FLOOR)
HARDWOOD FLOORS (2ND FLOOR)
CUSTOM CABINETS
QUARTZ CAOUNTERS
DESIGNER FIXTURES
LEVEL 5 SMOOTH DRYWALL
SOLID CORE DOORS

FLOOR AREA		
Name	Area	Comments
FIRST FLOOR	1079 SF	
SECOND FLOOR	1076 SF	
	2155 SF	

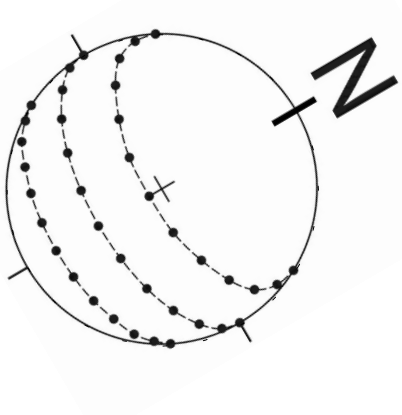


WWW.TT-DB.COM
tom@tt-db.com
512.293.7842

NOT FOR
REGULATORY
APPROVAL,
PERMITTING, OR
CONSTRUCTION

7309 BENNETT

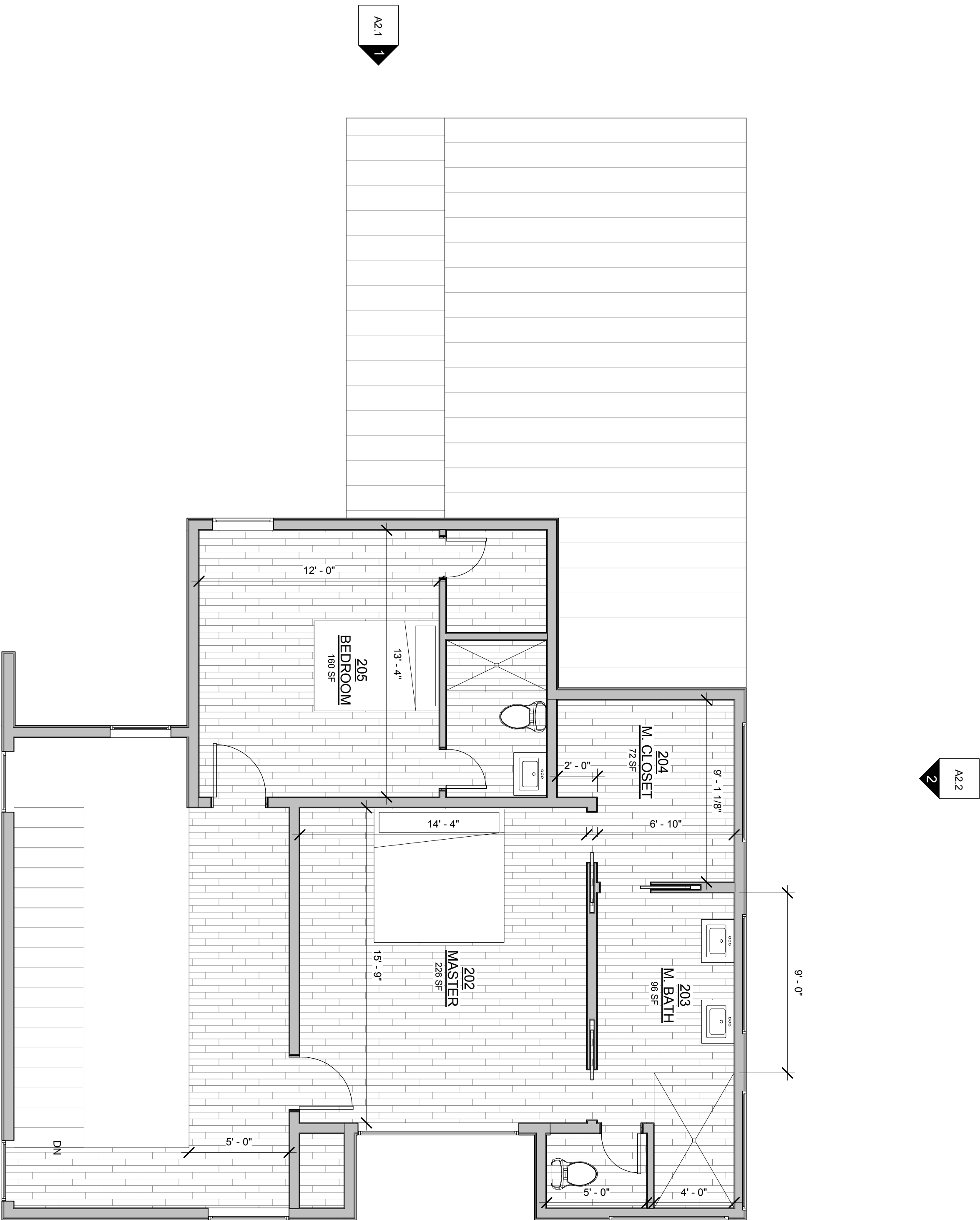
2018-06-12



SCALE: 1/4" = 1'-0"

SECOND FLOOR PLAN

FLOOR AREA			Comments
Name	Area		
FIRST FLOOR	1079 SF		
SECOND FLOOR	1076 SF		
	2155 SF		

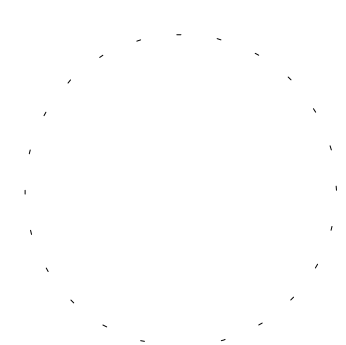


- EXTERIOR FINISHES**
- STANDING SEAM METAL ROOF
 - BOARD AND BATTEN
 - HARDIE LAP SIDING
 - ALUMINUM FLANGED WINDOWS

- INTERIOR FINISHES**
- EXPOSED CONCRETE FLOORS (1ST FLOOR)
 - HARDWOOD FLOORS (2ND FLOOR)
 - CUSTOM CABINETS
 - QUARTZ COUNTERS
 - DESIGNER FIXTURES
 - LEVEL 5 SMOOTH DRYWALL
 - SOLID CORE DOORS

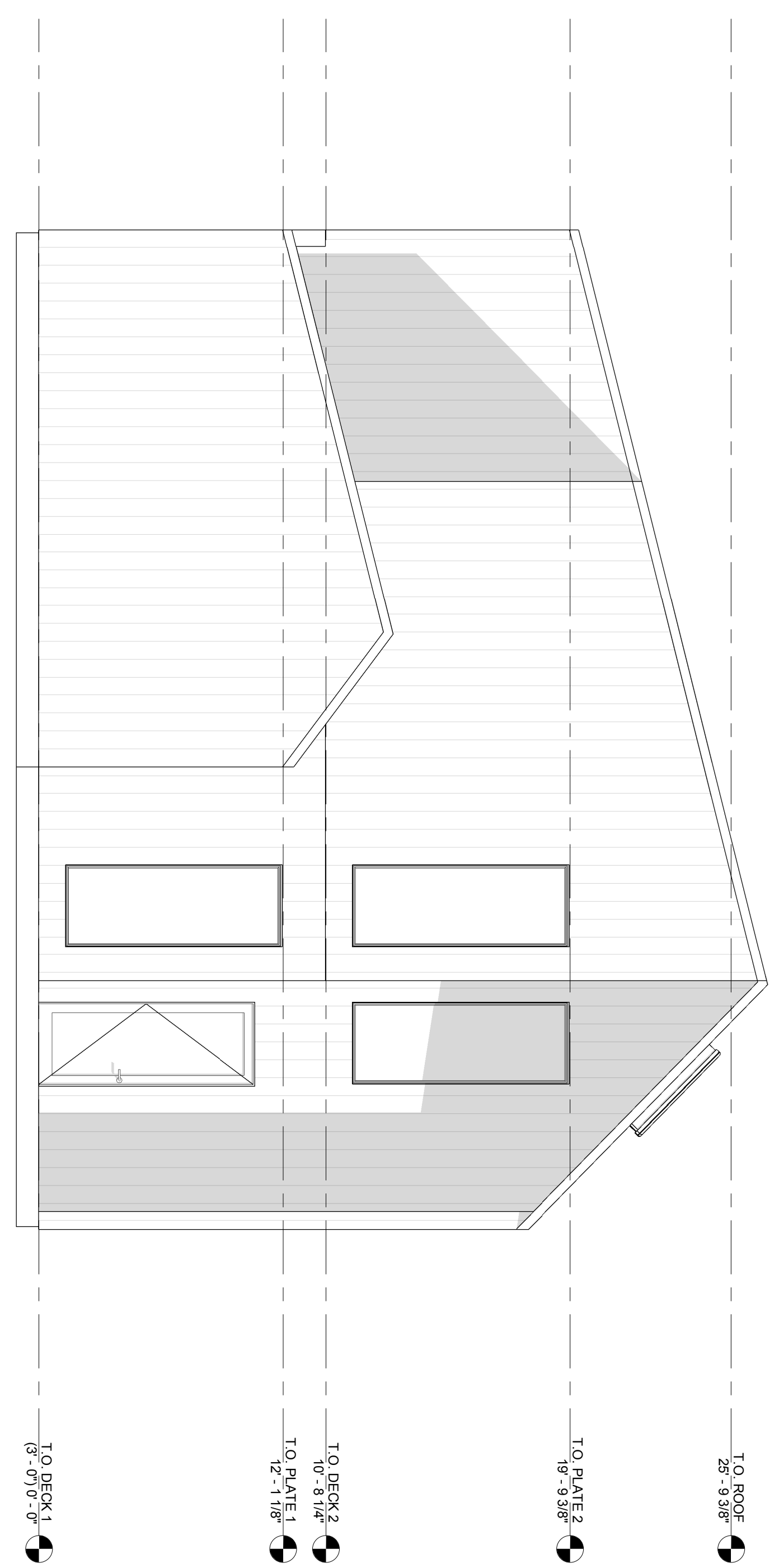
7309 BENNETT

2018-06-12

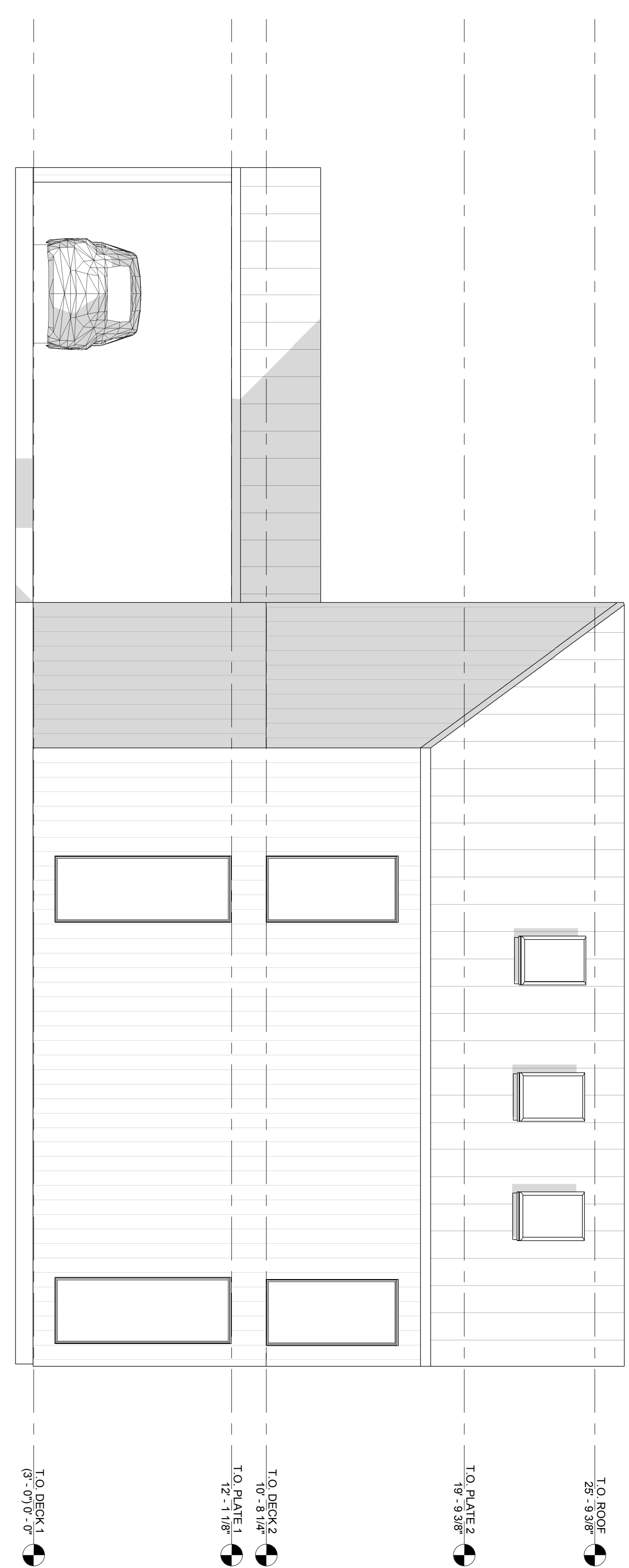


SCALE: 1/4" = 1'-0"

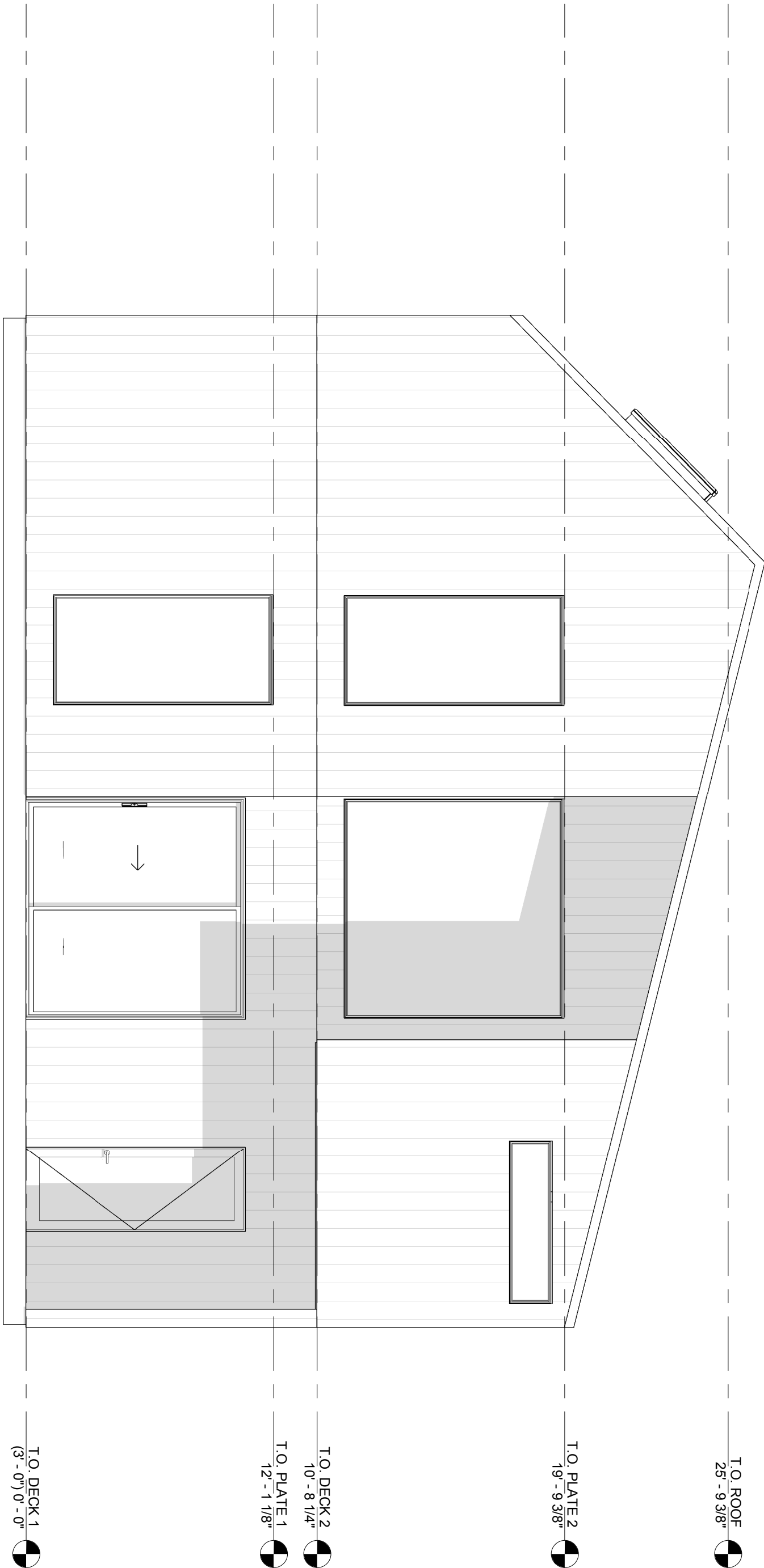
ELEVATIONS



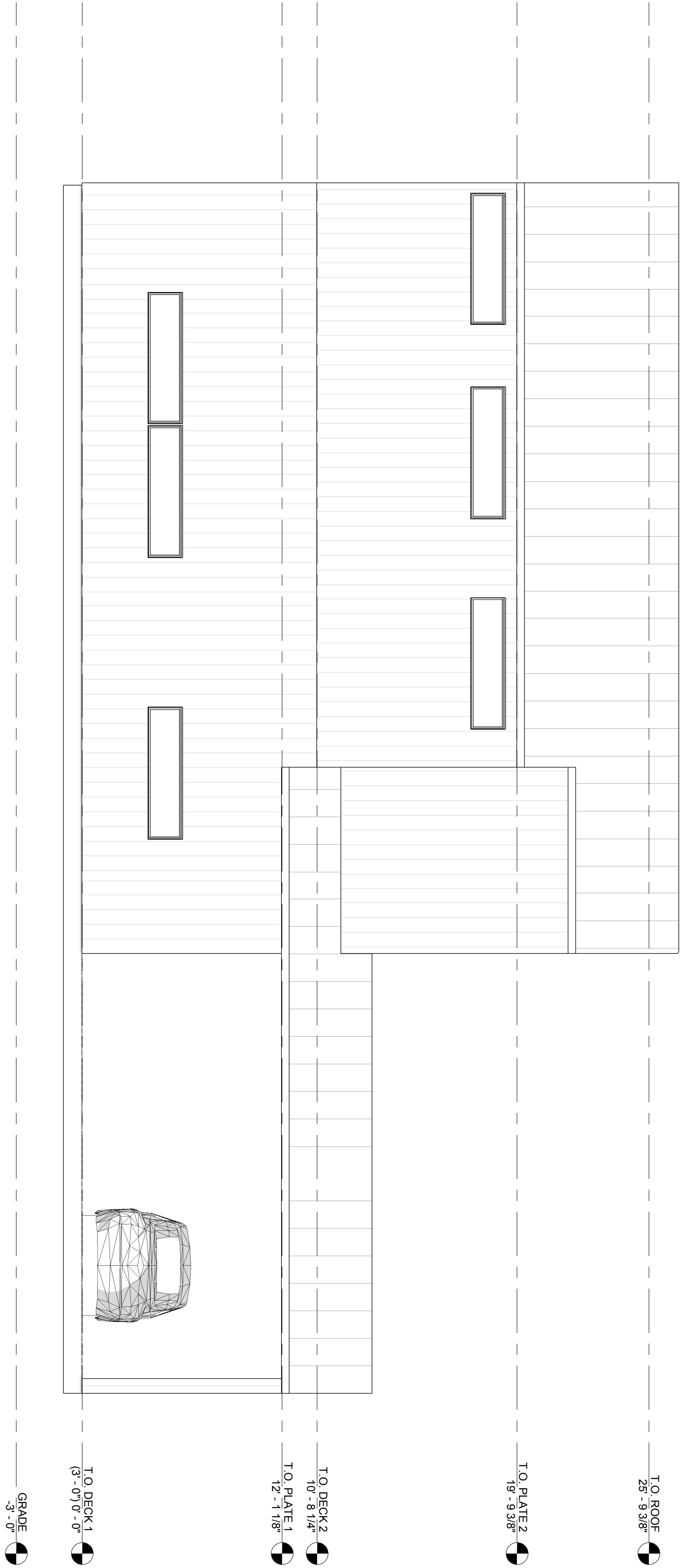
1 - FRONT ELEVATION



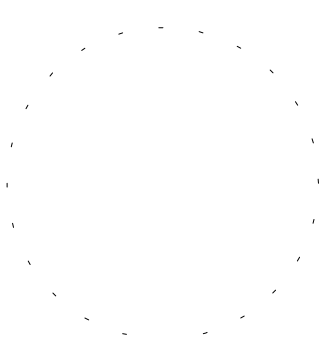
2 - RIGHT ELEVATION



1 - REAR ELEVATION



2 - LEFT ELEVATION





I-2/15



I-2/16



I-2/17



I-2/18



I-2/19



I-2/20



I-2/21

