

BOA GENERAL REVIEW COVERSHEET

CASE: C15-2022-0065

BOA DATE: September 12th, 2022

ADDRESS: 1700 Loreto Dr

COUNCIL DISTRICT: 1

OWNER: Daniel Strinden

AGENT: N/A

ZONING: SF-3-NP (MLK)

LEGAL DESCRIPTION: LOT 14 BLK A OLT 24 DIV B MCKINLEY HEIGHTS TERRACE

VARIANCE REQUEST: decrease the minimum rear yard setback from 25 feet to 15 feet.

SUMMARY: erect a detached Two-Family residential unit

ISSUES: property is bordered on three sides by streets

	ZONING	LAND USES
<i>Site</i>	SF-3-NP	Single-Family
<i>North</i>	SF-3-NP	Single-Family
<i>South</i>	SF-3-NP	Single-Family
<i>East</i>	SF-3-NP	Single-Family
<i>West</i>	SF-3-NP	Single-Family

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District
 Austin Lost and Found Pets
 Austin Neighborhoods Council
 Del Valle Community Coalition
 East Austin Conservancy
 East MLK Combined Neighborhood Plan Contact Team
 Friends of Austin Neighborhoods
 Homeless Neighborhood Association
 Martin Luther King Neighborhood Association
 Neighborhood Empowerment Foundation
 Neighbors United for Progress
 Preservation Austin
 SELTexas
 Sierra Club, Austin Regional Group



August 31, 2022

Daniel Strinden
1700 Loreto Dr
Austin TX, 78721

Property Description: LOT 14 BLK A OLT 24 DIV B MCKINLEY HEIGHTS TERRACE

Re: C15-2022-0065

Dear Daniel,

Austin Energy (AE) has reviewed your application for the above referenced property, requesting that the Board of Adjustment consider a variance request from LDC Section 25-2-515 at 1700 Loreto Drive.

Austin Energy does not oppose the request, provided that any proposed or existing improvements follow Austin Energy's Clearance & Safety Criteria, the National Electric Safety Code, and OSHA requirements. Any removal or relocation of existing facilities will be at the owner's/applicant's expense. FYI: The second dwelling unit proposed on this lot will be required to meet 15' radial clearance from the overhead electric distribution lines adjacent to Tillery Street.

Please use this link to be advised of our clearance and safety requirements which are additional conditions of the above review action:

https://library.municode.com/tx/austin/codes/utilities_criteria_manual?nodeId=S1AUENDECR_1.10.0CLSARE

If you require further information or have any questions regarding the above comments, please contact our office. Thank you for contacting Austin Energy.

Cody Shook, Planner II

Austin Energy
Public Involvement | Real Estate Services
2500 Montopolis Drive
Austin, TX 78741
(512) 322-6881
Cody.Shook@austinenergy.com



CITY OF AUSTIN

Development Services Department

Permitting & Development Center

Phone: 512.978.4000

6310 Wilhelmina Delco Dr, Austin, Texas 78752

ITEM 4/3

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 # C15-2022-0065 ROW # 12986323 Tax # 0210151206

Section 1: Applicant Statement

Street Address: 1700 Loreto Drive

Subdivision Legal Description:

MCKINLEY HEIGHTS TERRACE

Lot(s): 14 Block(s): A

Outlot: 24 Division: B

Zoning District: SF-3-NP

Council District: 1

I/We Daniel Strinden on behalf of myself/ourselves as
authorized agent for _____ affirm that on
Month July, Day 27, Year 2022, 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: detached 2nd dwelling

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

LDC, Section 25-2-515 Rear Yard of a Through Lot for a Rear Yard setback of 25 ft. (required)
to 15ft (requested)

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:

The property is bordered on 3 sides by streets and thus subject to setbacks which make erecting a second dwelling (as allowed by current zoning) infeasible.

Hardship

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

Nearly all other through-lots are not bordered on 3 sides by streets

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

As far as I can tell, it is the only property in the area that is subject to the same constraint except one other one located at the other end of the street at 3305 E MLK. That property is also quite different, because MLK is subject to much higher and faster traffic flow.

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:

It would simply allow full use of the existing SF-3 zoning classification for the property, which is the same as adjacent properties which are not subject to the same hardship.

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: **Daniel Strinden** Digitally signed by Daniel Strinden
DN: C=US, CN=Daniel Strinden, E=dstrinden@gmail.com
Reason: I am the author of this document
Location:
Date: 2022-07-27 13:53:34
Foxit Reader Version: 9.4.1 Date: 07/27/2022

Applicant Name (typed or printed): Daniel Strinden

Applicant Mailing Address: 1700 Loreto Dr

City: Austin State: TX Zip: 78721

Phone (will be public information): (936) 414-1417

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: **Daniel Strinden** Digitally signed by Daniel Strinden
DN: C=US, CN=Daniel Strinden, E=dstrinden@gmail.com
Reason: I am the author of this document
Location:
Date: 2022-07-27 13:54:28
Foxit Reader Version: 9.4.1 Date: 07/27/2022

Owner Name (typed or printed): Daniel Strinden

Owner Mailing Address: 1700 Loreto Dr

City: Austin State: TX Zip: 78721

Phone (will be public information): (936) 414-1417

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).

ITEM 4/7

SURVEY PLAT

TO ALL PARTIES INTERESTED IN PREMISES SURVEYED:—

This is to certify that I have, this date, made a careful and accurate survey on the ground of property located at No.

1700 Loreto Drive in the City of Austin, Texas, being described as follows:

Lot No. 14, Block No. A

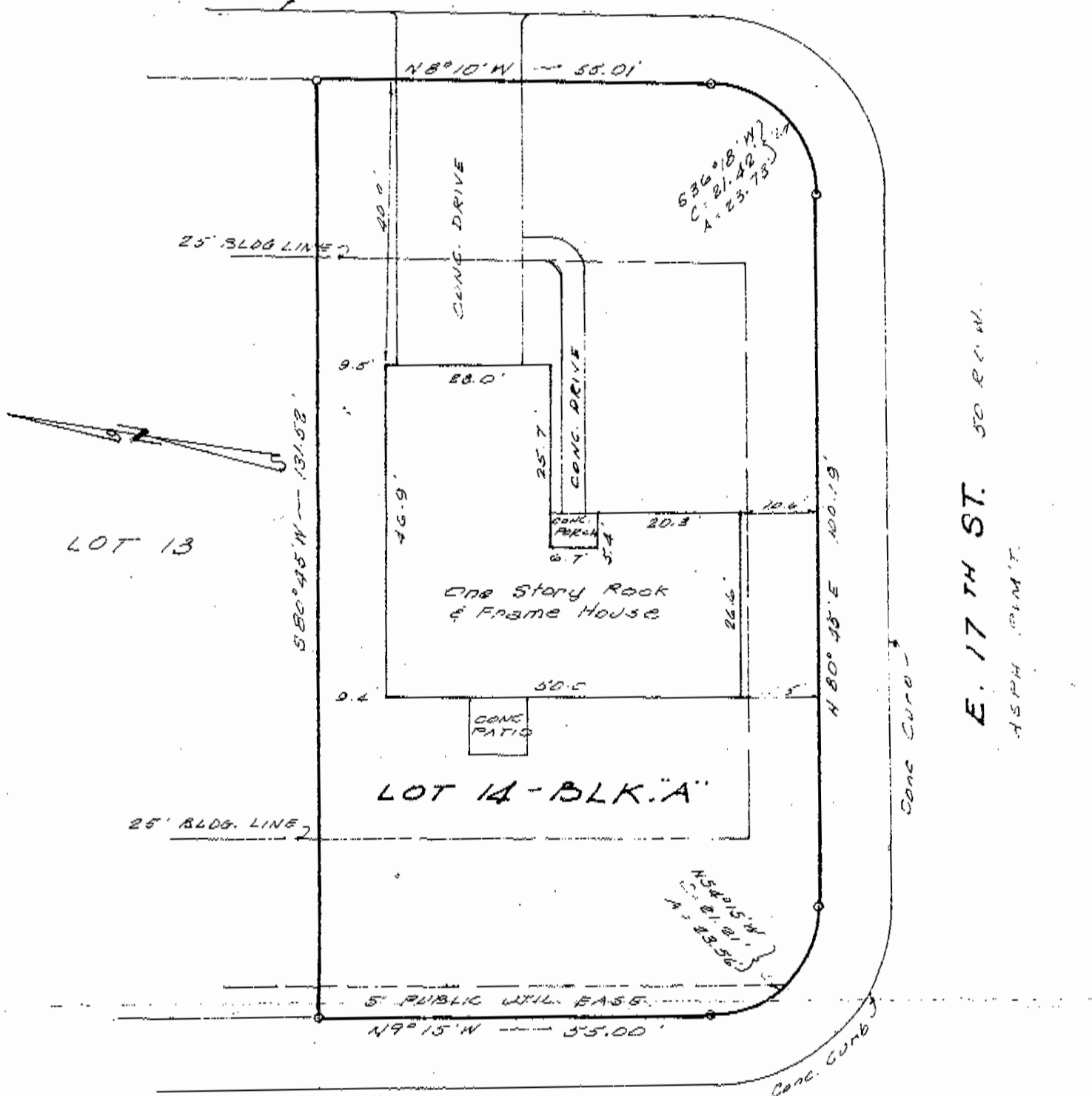
of McKinley Heights Terrace, an addition to the City of Austin

Texas, according to the final plat thereof recorded in Vol. 21, at page 32 of the Plat

Map Records of Travis County, Texas. Ref. C-0286

LORETO DR. 50' R.O.W.

CONC. CURB ASPH. PAVT.



TILLERY ST. 50' R.O.W.

GRAVEL ST.

The plat hereon is a true, correct, and accurate representation of the property as determined by survey, the lines and dimensions of said property being as indicated by the plat; the size, location, and type of buildings and improvements are as shown, all improvements being within the boundaries of the property, set back from property lines the distances indicated, and that the distance from the nearest intersecting street, or road, is as shown on said plat.

THERE ARE NO ENCROACHMENTS UPON THIS LOT.

W. Harvey Smith
Reg. Pub. Sur.
1214 West 5th
Austin, Texas

Scale 1" = 20'

Work Order No. 2975

Date April 4, 1966

Invoice No. 3484



Property Profile

ITEM 4/8



Legend

Property

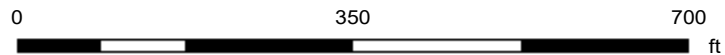
Jurisdictions (No Fill)

 FULL PURPOSE

Jurisdictions Fill

Jurisdiction

 FULL PURPOSE



7/27/2022

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.

Notes