

A variance from the Building Code Board of Appeals may be required for variances from the Zoning Board of Adjustment (no Sign Review Board cases need to call). Please consult a code specialist in the Plan Review Division at 974-2580.

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

CASE # 015-2014-0060  
ROW # 1122930

**CITY OF AUSTIN**  
**APPLICATION TO BOARD OF ADJUSTMENT**  
**GENERAL VARIANCE/PARKING VARIANCE**

TP 0131600101

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

**PLEASE: APPLICATION MUST BE TYPED WITH ALL REQUESTED INFORMATION COMPLETED.**

STREET ADDRESS: 901 River Road

LEGAL DESCRIPTION: Subdivision – LOT 1-3 HORSESHOE BEND ESTATES & 7075  
SF SUR 474 ABS 368 HARRISON WM TOTAL ACR 2.2786

Lot(s) 1-3 Block \_\_\_\_\_ Outlot \_\_\_\_\_ Division \_\_\_\_\_

I/We Bruce Aupperle, P.E. for Aupperle Company on  
behalf of myself/ourselves as authorized agent for

Douglas and Courtney Swanson affirm that on  
March 18, 2014,

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

(check appropriate items below)

☐ ERECT ☐ ATTACH ☐ COMPLETE ☐ REMODEL ☐ MAINTAIN

to erect a bulkhead on an existing cut-in boat slip, backfill and re-vegetate and to build  
more than 2 boat docks per lot.

in a LA 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 owner of the property will be deprived from the use of his property in a similar manner as other property owners along the lake have been authorized, and obtained a permit to do. Without a variance the owner can not enjoy the use of his property.

**HARDSHIP:**

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

A recent amendment to the process has occurred which makes the variance necessary in order to construct a bulkhead, backfill and landscape this small area.

Without a variance a continued health and safety condition will continue to exist, and the owners will not be able to re-vegetate this small area.

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

Many boatslips along the lake have been redeveloped under the previous ordinance.

**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 proposed redevelopment is to the rear of the property and the Lake Austin Ordinance severely restricts the improvements that may be made in the shoreline setback.

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**PARKING:** (Additional criteria for parking variances only.) N/A

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:
- 

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 \_\_\_\_\_ Mail Address 10088 Circleview  
Drive \_\_\_\_\_

City, State & Zip Austin, TX  
78733

Printed Carolyn Aupperle, agent Phone 512-912-  
6399 Date 3/18/14

**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 \_\_\_\_\_ Mail Address \_\_\_\_\_

City, State & Zip \_\_\_\_\_

Printed \_\_\_\_\_ Phone \_\_\_\_\_ Date \_\_\_\_\_

## **GENERAL INFORMATION FOR SUBMITTAL OF A VARIANCE REQUEST TO THE BOARD OF ADJUSTMENT**

(The following is intended to provide assistance in explaining the variance process. These suggestions are not intended to be a complete or exhaustive guide in assisting you through this process.)

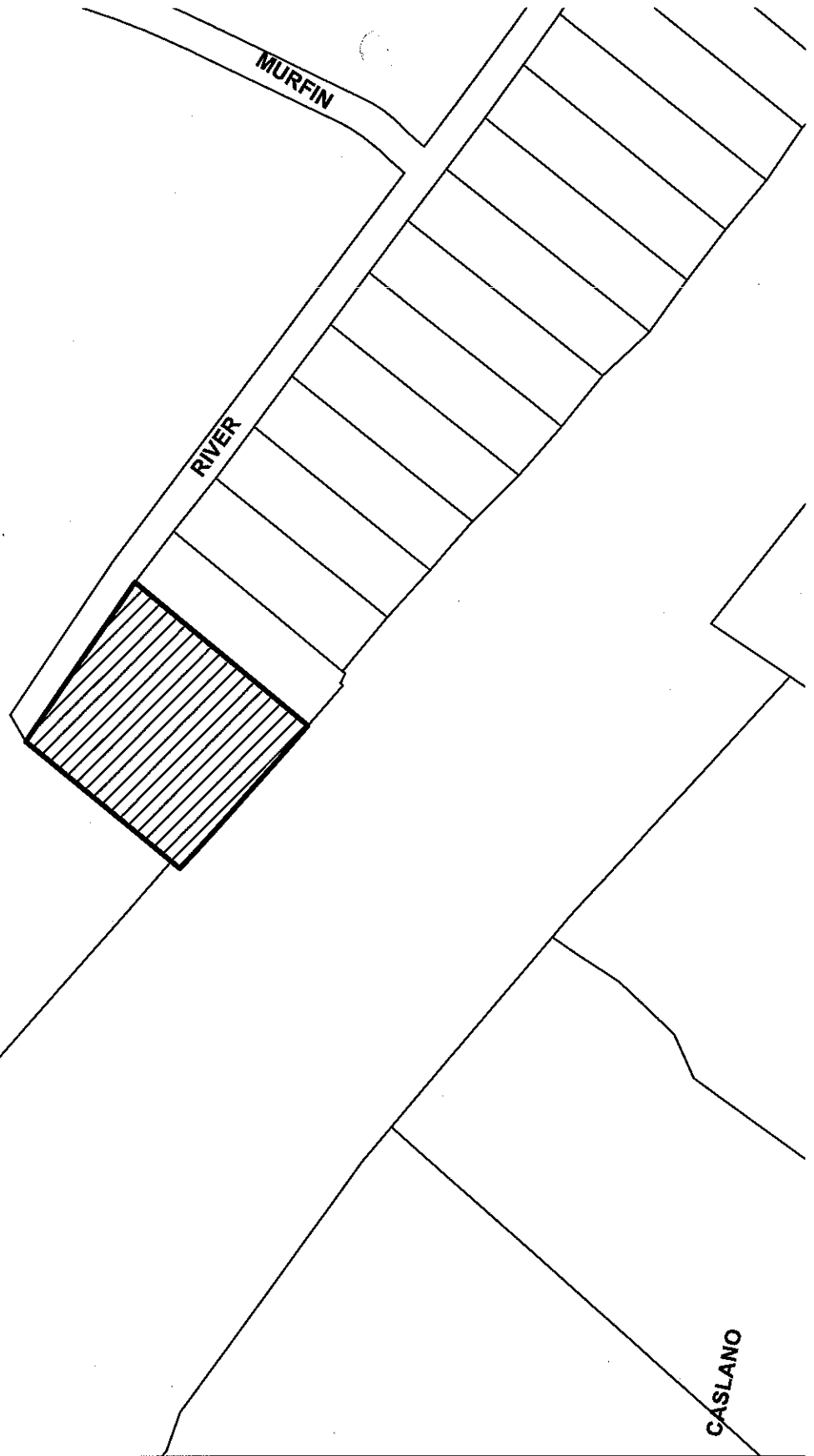
### **VARIANCE REQUIREMENTS:**




#### **General Requirements:**

- A. A variance may be granted if, because of special circumstances of a property, the strict application of the Land Development Code regulations deprives the property owner of privileges that are enjoyed by another person who owns property in the area that has the same zoning designation as the property for which the variance is requested.
- B. A variance to a regulation may not grant special privileges that are inconsistent with the limitations on other properties in the area or in the district in which the property is located.

**SUBMITTAL REQUIREMENTS:** (Failure to complete the application or to submit all the required materials will result in non-acceptance of the application.)

- (1) A completed application indicating all variances being requested. An application must include proposed findings that will support requested variances. The required findings must address each variance being sought.
- (2) A site plan to scale indicating present and proposed construction and location and use of structures on adjacent lots.



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

CASE#: C15-2014-0060  
Address: 901 RIVER ROAD



1" = 250'

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.

TAX CERTIFICATE  
Bruce Elfant  
Travis County Tax Assessor-Collector  
P.O. Box 1748  
Austin, Texas 78767  
(512) 854-9473

NO 2240754

ACCOUNT NUMBER: 01-3160-0101-0000

PROPERTY OWNER:

SWANSON DOUGLAS E & COURTNEY M  
5403 CANDLEWOOD DR  
HOUSTON, TX 77056-1602

PROPERTY DESCRIPTION:

LOT 1-3 HORSESHOE BEND ESTATES & 7  
075 SF SUR 474 ABS 368 HARRISON WM  
TOTAL ACR 2.2786

ACRES 2.2786 MIN% .000000000000 TYPE

SITUS INFORMATION: 901 RIVER RD

This is to certify that after a careful check of tax records of this office, the following taxes, delinquent taxes, penalties and interests are due on the described property of the following tax unit(s):

YEAR	ENTITY	TOTAL
2013	TRAVIS COUNTY	*ALL PAID*
	LAKE TRAVIS ISD	*ALL PAID*
	TRAVIS CENTRAL HEALTH	*ALL PAID*
	TRAVIS COUNTY ESD #6	*ALL PAID*

TOTAL SEQUENCE 0

\*ALL PAID\*

TOTAL TAX:	*ALL PAID*
UNPAID FEES:	* NONE *
INTEREST ON FEES:	* NONE *
COMMISSION:	* NONE *
TOTAL DUE ==>	*ALL PAID*

TAXES PAID FOR YEAR 2013 \$34,634.80

ALL TAXES PAID IN FULL PRIOR TO AND INCLUDING THE YEAR 2013 EXCEPT FOR UNPAID YEARS LISTED ABOVE.

The above described property may be subject to special valuation based on its use, and additional rollback taxes may become due. (Section 23.55, State Property Tax Code).

Pursuant to Section 31.08 of the State Property Tax Code, there is a fee of \$10.00 for all Tax Certificates.

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS DATE OF 02/26/2014

Fee Paid: \$10.00

Bruce Elfant  
Tax Assessor-Collector

By: 



## Aupperle Company

10088 Circleview Drive, Austin, Texas 78733

Phone & Fax (512) 329-8241

Email: [Aupperle@att.net](mailto:Aupperle@att.net)

Texas Board of Professional Engineers Registration Number F-1994

November 19, 2012

Douglas & Courtney Swanson  
5403 Candlewood Drive  
Houston, TX 77056

Email Delivery: C/O Ryan Street <[ryan@rsassoc.com](mailto:ryan@rsassoc.com)>

Re: Proposal for Engineering & Permitting Services  
Dock Site Plan Drawings, Permit Processing, Utility Coordination &  
Public Right-of-Way Vacation Request for  
901 River Road, Austin, Texas

Dear Douglas & Courtney:

We, the ENGINEER, propose to render engineering services for the referenced development (hereinafter called the "Project"). You, the CLIENT, are expected to furnish us with full information as to your requirements including special or extraordinary considerations, special services needed, and also to make available all pertinent existing data. Our analysis will be based on information provided by the CLIENT.

Our services will consist of the tasks listed below. Surveying services are not included herein.

### ENGINEERING SERVICES

- I. Assist CLIENT in preparing conceptual site plans layout for two (2) docks one at Lots 1 & 2 and one at Lot 3
  - I.1. Assist CLIENT in compiling pertinent data regarding the proposed development, including preliminary site layout, required code or design variances, access feasibility and requirements, deed requirements, other environmental constraints, and CLIENT'S specific needs for the Project.

November 19, 2012  
Douglas & Courtney Swanson

Page 5 of 5

If this proposal satisfactorily sets forth your understanding of our agreement, we would appreciate your signing the enclosed copy of this letter in the space provided below and returning it to us. This proposal will be open for acceptance until December 15, 2012 unless changed by us in writing.

Please call if you have any questions.

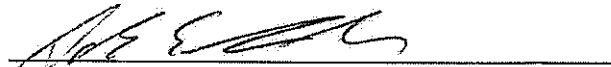
Very truly yours,



Bruce S. Kupperle, P.E.

Accepted this 27 day of November, 2012.

By:



Douglas E. Swanson, Jr.



### Market Property Line

1000

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**LOTS 1-3**  
**HORSESHOE BEND**  
**ESTATES**  
**Property Address:**  
**901 River Road**

Remaining portion of  
existing slip to be filled

44-2822 W 49.3

## Aslip Dock

Scim  
Platform