

CASE# C15-204-0064
ROW# 11123034
TAX# 0123090215

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: 3009 Westlake Drive

LEGAL DESCRIPTION: Subdivision - C81-2007-0439

Lot(s) 70 Block _____ Outlot _____ Division Lake Shore Addition

I/We Sarah Crocker on behalf of myself/ourselves as authorized agent for

Lorin & Staci Radtke affirm that on March 24, 2014

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

(check appropriate items below)

☐ ERECT ☐ ATTACH ☐ COMPLETE ☐ REMODEL ☒ MAINTAIN

Variance from 25-2-551 (D), (1,(a.) Reduce the shoreline setback from 75' to 5' around

the perimeter of the man-made lagoon and canal.

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:

See attached

HARDSHIP:

2. (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:

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:

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 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:

N/A

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:

N/A

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

N/A

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

N/A

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 [Signature] Mail Address 9415 Burnet Rd #306
City, State & Zip Austin Texas 78758
Printed Sarah Crocker Phone 512-529-2561 Date 2/24/14

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 [Signature] Mail Address 57 Saint Stephens School Rd
City, State & Zip Austin, TX 78746
Printed Staci Radtke Phone 512-993-9006 Date 2/24/14



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

CASE#: C15-2014-0064
Address: 3009 WESTLAKE DR

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 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.



REASONABLE USE:

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

This 3.409-acre tract is encumbered by steep slope, a drainage easement that conveys off site flow from the Westveiw PUD, three CEF 's and a 17,658.17 s.f. canal and lagoon, which was built prior to the adoption of the Lake Austin Ordinance and the 75' shoreline setback.

The City has since determined this type of man-made feature is an extension of the waters of Lake Austin. Therefore the 75-foot setback is applicable to the canal and the perimeter of the lagoon. The buildable site area is surrounded on three sides by the canal, the lagoon and Lake Austin which places the entire buildable area and the driveway within the 75 -foot shoreline setback or the 150' setback for the CEF's .

HARDSHIP:

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

There are several other tracts in the area that have a lagoon and a canal however my research indicates that this particular tract is the only lot that has 3 (three) CEF's: two wetlands and a spring. The additional setbacks for the CEF's extend over the balance of the area of 0-15% slope that is outside the 75- foot shoreline setback.

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

As previously stated there are similarly encumbered properties in the area with a canal and lagoon but these lots do not have multiple CEF's .

AREA CHARACTER:

- 3. *The variance will not alter the character of the 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 the property is located because:***

The adjacent lots in the area are already developed or have been redeveloped and have obtained a variance to reduce the shoreline setback for a lagoon or canal from the BOA. The proposed redevelopment will maintain the 75- foot shoreline setback established with the Lake Austin Ordinance to protect the natural character of the shoreline.

SARAH PUTNAM CROCKER CROCKER CONSULTANTS

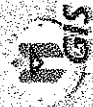
9415 Burnet Rd Suite 306

Austin Texas 78758

TABLE FOR BOARD OF ADJUSTMENTS 3009 WESTLAKE DRIVE

	0-15% Slope	15-35% Slope*
Gross Site Area 148,477 s.f. 3.409 acres	15.17% 22,5631.37 s.f. 2.65 ac.	33.07% 49110.93 s.f. 0.759 ac.
75" Shoreline Setback	37.73% 56,015 s.f.	n/a
Canal and Lagoon	11.89 % 17,658.17 s.f.	n/a
Drainage Easement	2.60% 3,136.67 s.f.	n/a

*Includes slopes in excess of 35%



DEVELOPMENT/RESERVATION

3009 WESTLAKE DR

CEP'S

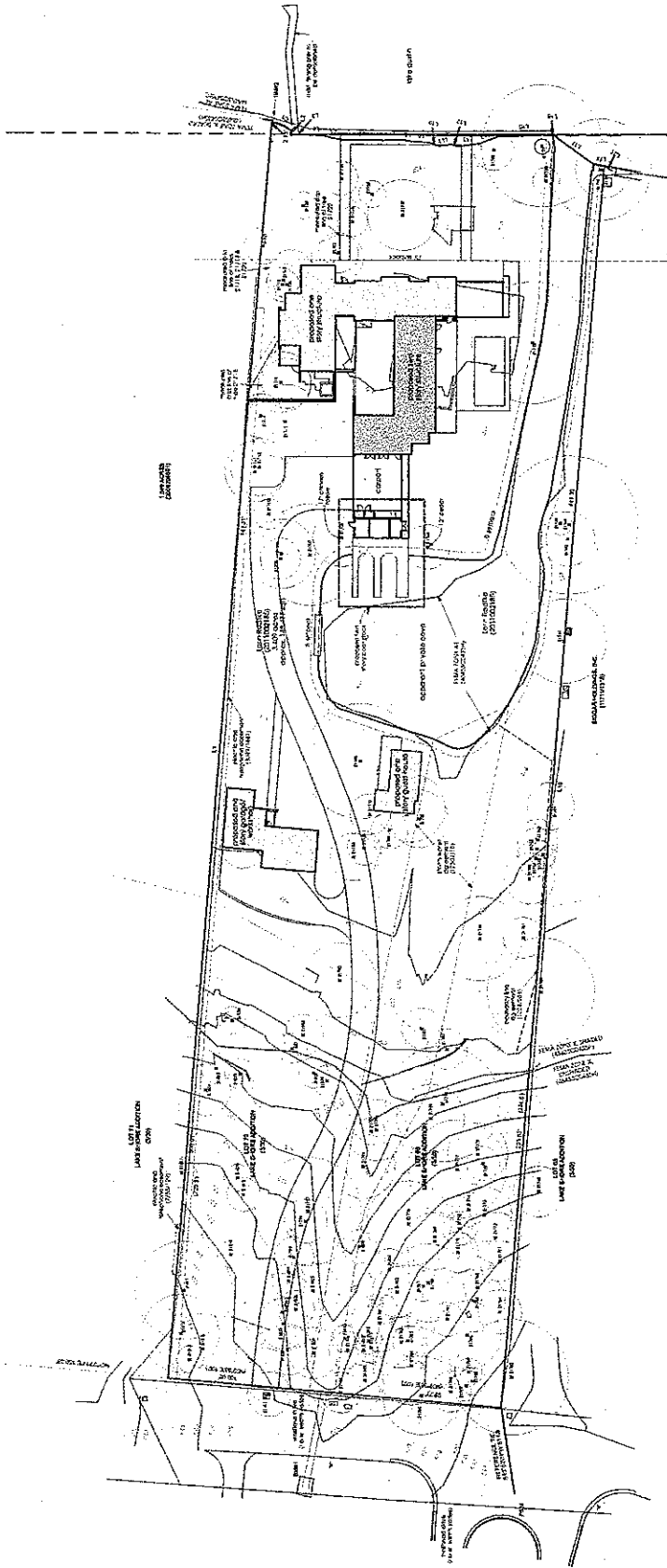
3009 WESTLAKE DR.

SPRING

WETLAND

WETLAND

[illegible]



1 site plan: boat dock

PROPOSED REDEVELOPMENT SITE PLAN

LINE	START	END	LENGTH
1	100.00	100.00	0.00
2	100.00	100.00	0.00
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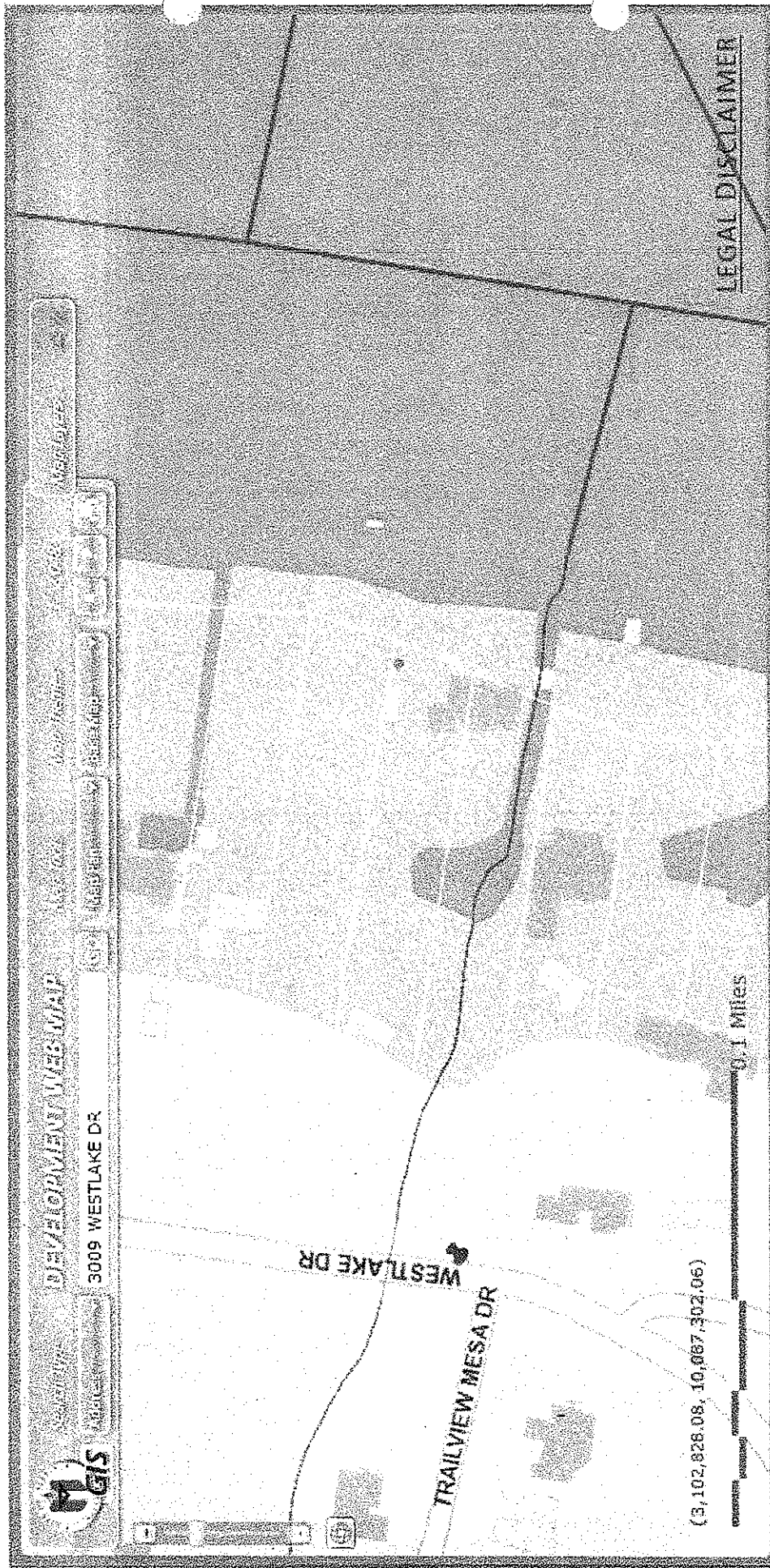
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3 boundary key

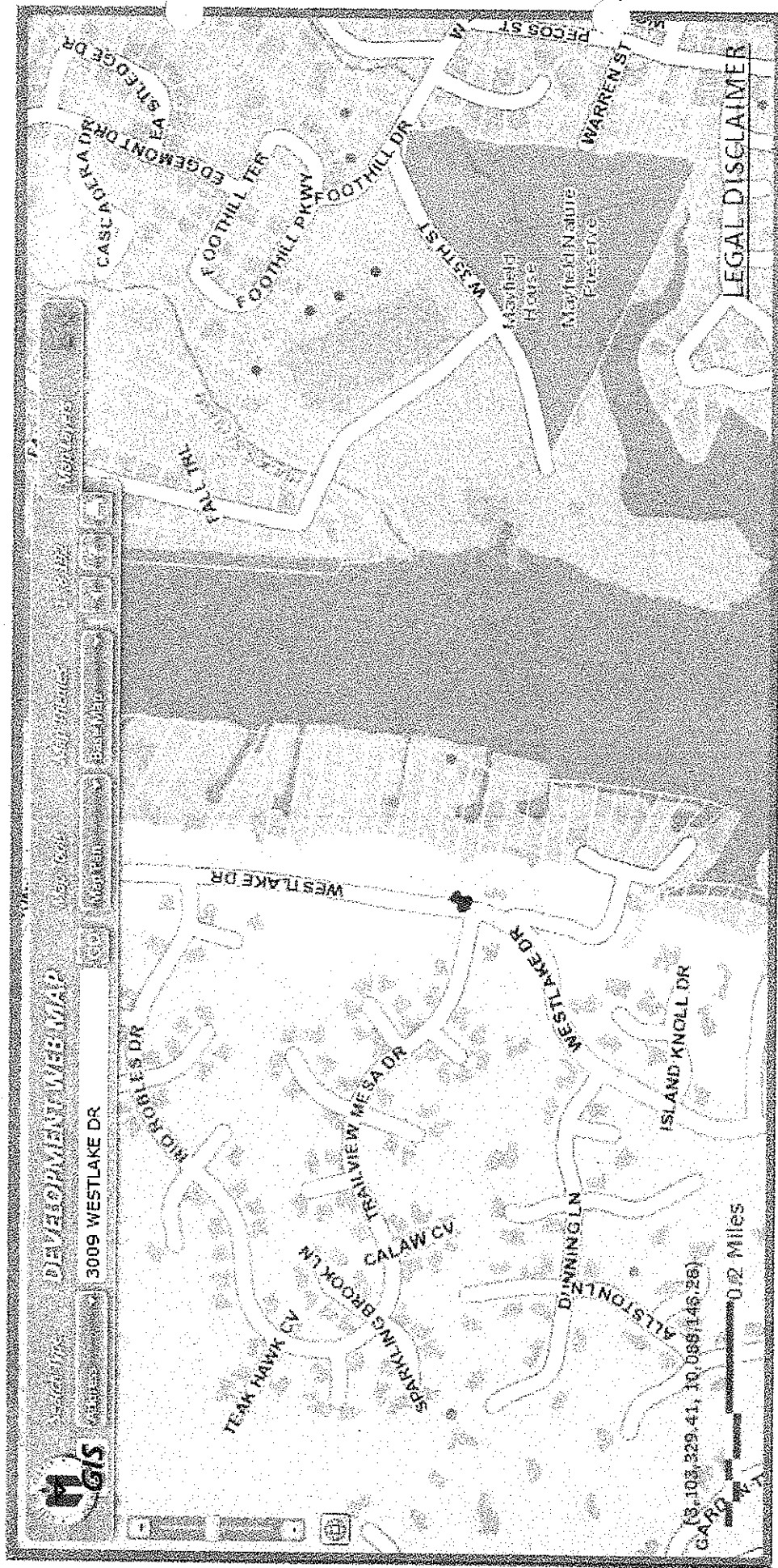


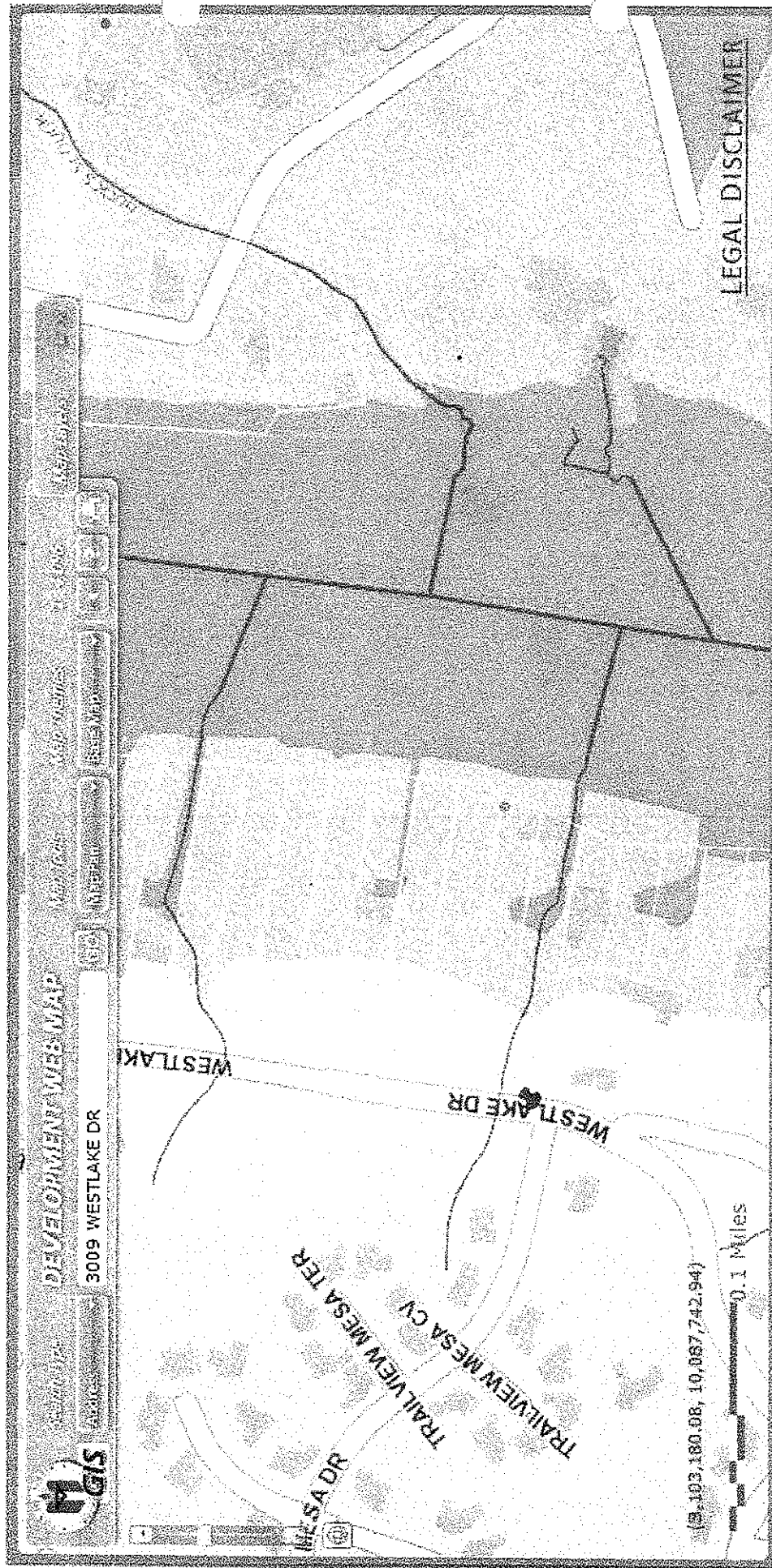
tree key
 1. Existing Tree
 2. Proposed Tree
 3. Tree to be Removed
 4. Tree to be Planted
 5. Tree to be Preserved
 6. Tree to be Relocated
 7. Tree to be Protected
 8. Tree to be Monitored
 9. Tree to be Replanted
 10. Tree to be Replaced
 11. Tree to be Reinstated
 12. Tree to be Reintroduced
 13. Tree to be Reintegrated
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2 tree key



Adjacent Structures





Drainage Map



**Watershed Protection and Development Review Department
Land Status Determination
Legal Tract Platting Exception
Certification**

October 16, 2007

File Number: C8I-2007-0439

Address: 3009 WESTLAKE DR

Tax Parcel I.D. # 0123090215

Tax Map Date: 07/02/2002

The Watershed Protection and Development Review Department has determined that the property described below and as shown on the attached tax map:

Is a LEGAL TRACT consisting of Lots 69 and 70, Lakeshore Addition AND that certain real property being found in the easterly extension of Lots 69 and 70 to the water's edge of Lake Austin (no survey information recorded), as currently described in deed recorded in Document #2003270444 of the Travis County Deed Records on Nov 18, 2003 and is eligible to receive utility service.

Additional Notes/Conditions:

The accretion land between Lots 69 and 70, Lakeshore Addition and the Lake Austin Waters is further described in Quitclaim deed recorded in Volume 7732, Page 297 of the Travis County Deed Records on Apr 20, 1982.

This determination of the status of the property is based on the application of Chapter 212, Municipal Regulation of Subdivision and Property Development, Texas Local Government Code; and the City of Austin Land Development Code, Chapter 25-4, Subdivision. Recognition hereby does not imply approval of any other portion of the City Code or any other regulation.

By: _____

**Sara Groves, Representative of the Director
Watershed Protection and Development Review Department**

February 23, 2014

To Whom It May Concern:

Sarah Crocker, Crocker Consultants, will be acting as our authorized agent to process a Board of Adjustment case for the property at 3009 Westlake Drive

Sincerely,

A handwritten signature in cursive script that reads "Staci Radtke". The signature is written in dark ink and is positioned above the printed name.

Staci or Lorin Radtke