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Section 2: Variance Findings

REASONABLE USE

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

The Lake shore addition tract was issued Land Status Determination 9/9/94 via C8i-94-0120 and established in 1946 in its current form. The existing house was built in 1980 under Travis County regulations. The site was annexed 5/6/82 as LTD Purposed via Ordinance 820506-D. The current owner proposes to redevelop the site and proposes a more compliant structure in many respects, but is restricted by the shape of the lot, protected trees, and topography of the overall site. The proposed redevelopment is a 2 story residence w/ associated improvements such as pool, decking, guest house, patio as well as a newly positioned (detached) garage taking access from the newly designated front yard off Island Way per COA (see attached exhibit from Susan Barr, City of Austin). This design will replace the existing 1 story house + 4 story tower in more or less the same footprint.

HARDSHIP:

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

The tract's shape is irregular and forces any new or redevelopment to occur mostly in the 0-15% portion of the lot adjacent to Lakeshore and Island Way. Most of the existing 2 story (plus a 4 story watch tower) is located on the 0-15% slope; however, of the ~30,000 SF tract size approximately 50% is over 35% slope. There is 11,540 SF in the 0-15% slope with 77% IC existing. The redevelopment proposes to reduce the 77% to 66% in the 0-15% slope.

Due to the small amount of land in the 15-25 slope (185 SF of land area allows only 10.8 SF) and 25-35% slope (830 SF of land area allows only 41.5 SF), any new IC seems egregiously high; however, the project only proposes 162 SF and 75 SF in each slope category, respectively. The site has 5 protected trees including 2 heritage trees located behind the house.

In Jan. 2017 an application was sought to remove and mitigate trees but denied. (see tree application and communications attached). There are 2 more live oaks amongst the grove of protected trees which the homeowner desires to keep. Any redevelopment is required to be located between the street and the trees due to required compliance with LDC 25-8 & ECM Sec. 3 regarding tree regulations.

The homeowner has painstakingly worked with MF Architects over several months to design an environmentally sensitive project, thus the protected trees are remaining in place and the relocated impervious coverage is being shifted in some places, but added in other places in order to accommodate the proposed 2 story redevelopment.

Worth considering, the gross tract area is 30,712 SF. The 0-15% slope land area accounts for approximately 38% of the gross tract size. The 35%+ slope area accounts for approximately 48% of the gross tract size. Combined, these two slope categories account for 26,415 SF out of a 30,712 SF property.