CITY OF AUSTIN
Board of Adjustment
Decision Sheet

DATE: Monday November 13, 2017 **CASE NUMBER: C15-2017-0048**

___Y____Brooke Bailey
___-____William Burkhardt OUT
___Y____Christopher Covo
___Y____Eric Goff
___Y____Melissa Hawthorne
___Y____Bryan King
___Y____Don Leighton-Burwell
___Y____Rahm McDaniel
___-____Veronica Rivera OUT
___Y____James Valadez
___Y____Michael Von Ohlen
___Y____Kelly Blume (Alternate)
___-____Martha Gonzalez (Alternate)
___Y____Pim Mayo (Alternate)

APPLICANT: David Cancialosi

OWNER: Valla Djafari

ADDRESS: 2009 LAKESHORE DR

VARIANCE REQUESTED: The applicant has requested variance(s) to:
A. Section 25-2-492 (Site Development Regulations) (D) to reduce the minimum rear setback from 20 feet (required) to 10 feet (requested, 0 feet existing);& to
B. Section 25-2-492 (Site Development Regulations) (D) to reduce the street side setback from 25 feet (required) to 5 feet (requested, 0 feet existing); and to
C. Section 25-2-551 (Lake Austin District Regulations) (C) (3) (a) increase the maximum impervious cover on a slope with a gradient of 15 percent or less from 35 percent (required) to 66 percent (requested, 74 percent existing); and to
D. Section 25-2-551 (Lake Austin District Regulations) (C) (3) (b) increase the maximum impervious cover on a slope with a gradient of more than 15 percent but not more than 25 percent from 10 percent (required) to 88 percent (requested, 0 percent existing); and to
E. Section 25-2-551 (Lake Austin District Regulations) (C) (3) (c) increase the maximum impervious cover on a slope with a gradient of more than 25 percent and not more than 35 percent from 5 percent (required) to 9 percent (requested, 0 percent existing); and to
F. Section 25-2-551 (Lake Austin District Regulations) (E) (2) to permit development on a slope with a gradient of more than 35 percent which is prohibited except for the construction of a fence, driveway, road or utility that

cannot be reasonably placed elsewhere, or a non-mechanized pedestrian facility, such as a foot path, sidewalk, or stairs from 0 percent (required) to 31 percent (requested, 0 percent existing)
in order to erect a new 2 story residence, pool, deck, guest house, patio and detached garage in a "LA", Lake Austin zoning district.

BOARD'S DECISION: Oct 9, 2017 Board Member Bryan King motion to Postpone to November 13, 2017, Board Member Michael Von Ohlen second on an 11-0 vote; POSTPONED TO NOVEMBER 13, 2017. November 13, 2017 The public hearing was closed on Board Member Bryan King motion to Postpone to January 8, 2018, Board Member Michael Von Ohlen second on a 11-0 vote; POSTPONED TO January 8, 2018.

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because:
2. (a) The hardship for which the variance is requested is unique to the property in that:
   (b) The hardship is not general to the area in which the property is located because:
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:

Leane Heldenfels
Executive Liaison

William Burkhardt
Chairman

CITY OF AUSTIN
Board of Adjustment
Decision Sheet

DATE: Monday October 9, 2017 **CASE NUMBER: C15-2017-0048**

___Y___Brooke Bailey
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___Y___Eric Goff
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___Y___Bryan King
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___Y___Rahm McDaniel
___Y___Veronica Rivera
___Y___James Valadez
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___-___Kelly Blume (Alternate)
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APPLICANT: David Cancialosi

OWNER: Valla Djafari

ADDRESS: 2009 LAKESHORE DR

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in order to erect a new 2 story residence, pool, deck, guest house, patio and detached garage in a "LA", Lake Austin zoning district.

BOARD'S DECISION: Oct 9, 2017 The public hearing was closed on Board Member Bryan King motion to Postpone to November 13, 2017, Board Member Michael Von Ohlen second on an 11-0 vote; POSTPONED TO NOVEMBER 13, 2017.

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because:
2. (a) The hardship for which the variance is requested is unique to the property in that:
   (b) The hardship is not general to the area in which the property is located because:
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:

Leane Heldenfels
Executive Liaison

William Burkhardt
Chairman



N

SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

NOTIFICATIONS

CASE#: C15-2017-0048

LOCATION: 2009 Lakeshore Drive

1 " = 333 '

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.

CITY OF AUSTIN
Development Services Department
One Texas Center | Phone: 512.978.4000
505 Barton Springs Road, Austin, Texas 78704

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: 2009 Lakeshore Drive

Subdivision Legal Description:
lot 15 less South 50' of East 140' lot 14, Lakeshore Addition

Lot(s): _____ Block(s): _____

Outlot: _____ Division: _____

Zoning District: Lake Austin / COA Limited Purpose

I/We David Cancialosi c/o Permit Partners LLC on behalf of myself/ourselves as authorized agent for Valla Djafari, MD affirm that on Month August , Day 9 , Year 2017 , 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: Single Family Residence and associated improvements

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

Please see attachment for response.

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:

Please see the attachment for response.

Hardship

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

Please see the attachment for response.

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

Please see attached for response.

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:

See attachment for response.

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:

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

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: _____ Date: 8/10/17

Applicant Name (typed or printed): David Cancialosi c/o Permit Partners, LLC

Applicant Mailing Address: 105 W. Riverside Dr. #225

City: Austin State: TX Zip: 78704

Phone (will be public information): 512-593-5361

Email (optional – will be public information): [redacted]

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: 8/10/17

Owner Name (typed or printed): Valla Djafari

Owner Mailing Address: 2009 Lakeshore Dr.

City: Austin State: TX Zip: 78746

Phone (will be public information):

Email (optional – will be public information):

Section 5: Agent Information

Agent Name: David Cancialosi c/o Permit Partners, LLC

Agent Mailing Address: 105 W. Riverside Dr. #225

City: Austin State: TX Zip: 78704

Phone (will be public information): 513-593-5361

Email (optional – will be public information): [redacted]

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).

Please see attachment.