

PROJECT INFORMATION

PROJECT NAME: EDGEWATER RESIDENCE
LOCATION: 2803 EDGEWATER DRIVE, AUSTIN, TX 78733
ZONING: LA
LEGAL DESCRIPTION: LOTS 8, BLOCK 1, AUSTIN LAKE ESTATES, SECTION TWO, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN BOOK 9, PAGE 82, TRAVIS COUNTY PLAT RECORDS.

AREA BREAKDOWN (SF)

1st Level House	1,588
2nd Level House	1,506
Balcony	144
Garage	480
TOTAL BUILDING AREA	3,718
BUILDING COVER	2,233
DRIVEWAY	1,513
PARKING	767
UNCOVERED DECK	569
OTHER	387
TOTAL IMPERVIOUS COV.	5,469
LOT SIZE	13,935
TOTAL IMPER. COV. %	39%

IMPERVIOUS COVER TABULATIONS

SLOPE GRADE	ALLOWABLE % PER ZONE	PROPOSED % PER ZONE	ALLOWABLE SF PER ZONE	PROPOSED SF PER ZONE
0-15%	35%	-	-	-
15-25%	10%	-	-	-
25-35%	5%	66%	196 SF	2,592 SF
OVER 35%	0%	29%	0 SF	2,877 SF
		TOTAL	196 SF	5,469 SF

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EDGEWATER RESIDENCE

2803 EDGEWATER DRIVE, AUSTIN, TX 78733

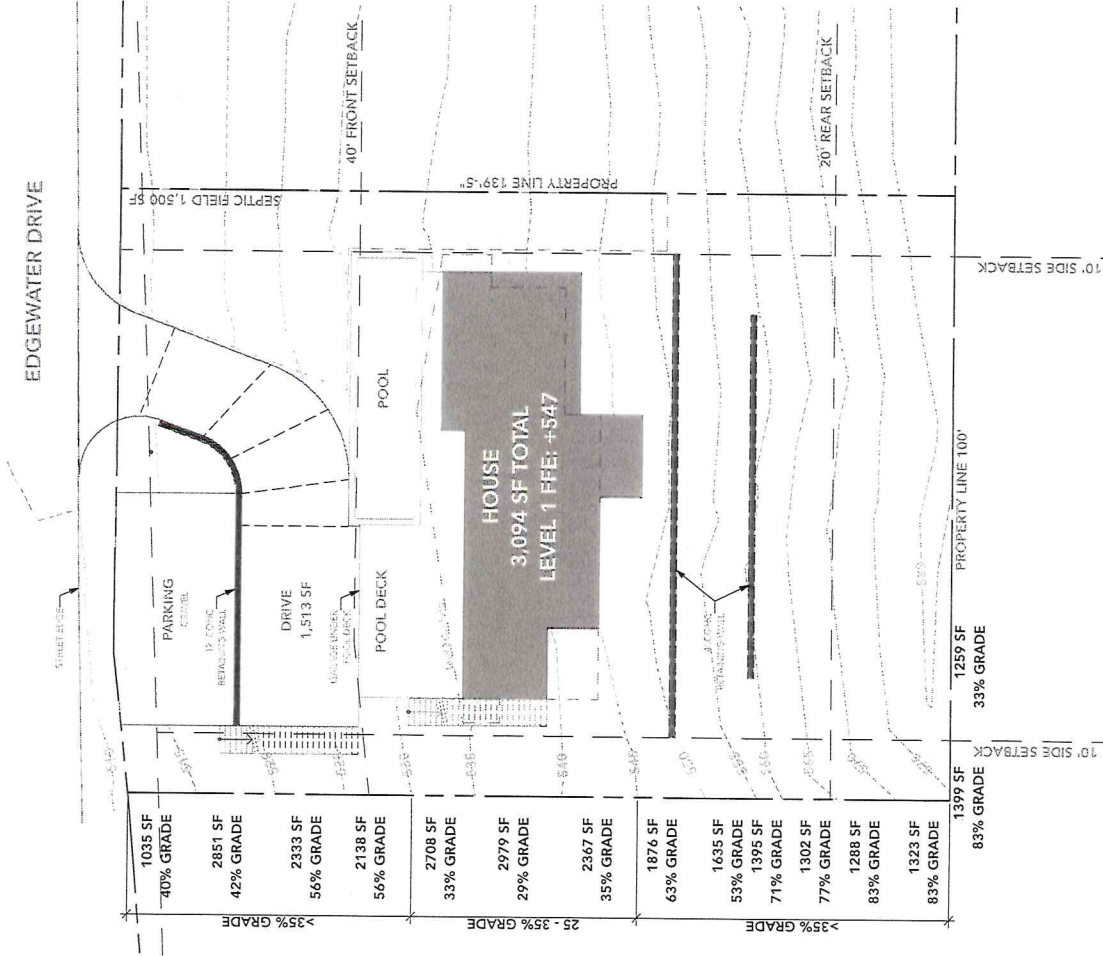
PROJECT NUMBER: 2019-011
ISSUED SETS: DATE
VARIANCE SET: 08/29/19

ARCHITECTURAL
SITE

A1.01

SITE PLAN @ STREET LEVEL

SCALE: 1" = 20'



P-5/29

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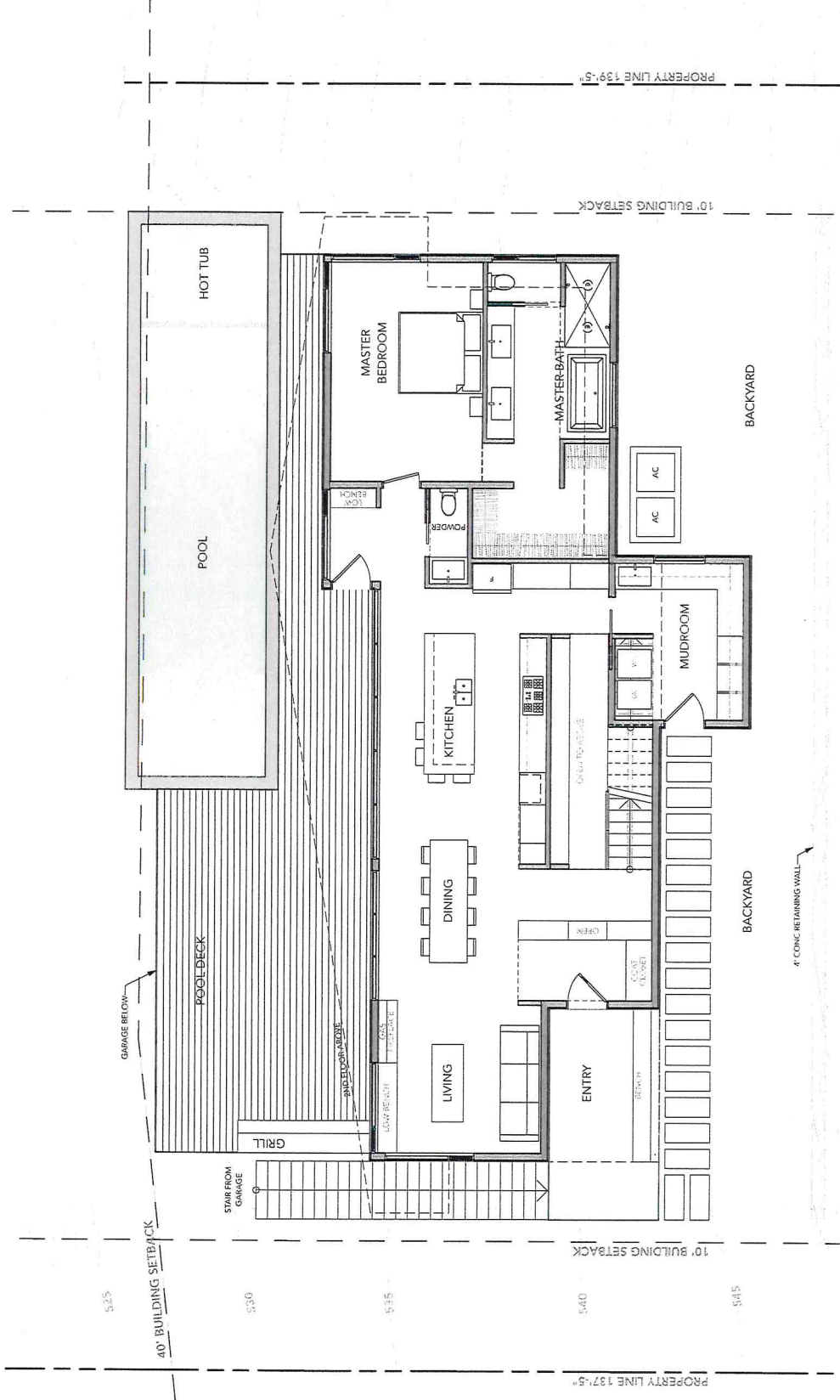
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EDGEWATER RESIDENCE
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VARIANCE SET	08/29/19

FLOOR PLAN - LEVEL
1

A1.11



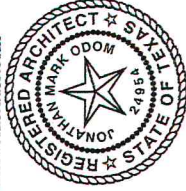
FLOOR PLAN - LEVEL 1

SCALE: 1/8" = 1'-0"



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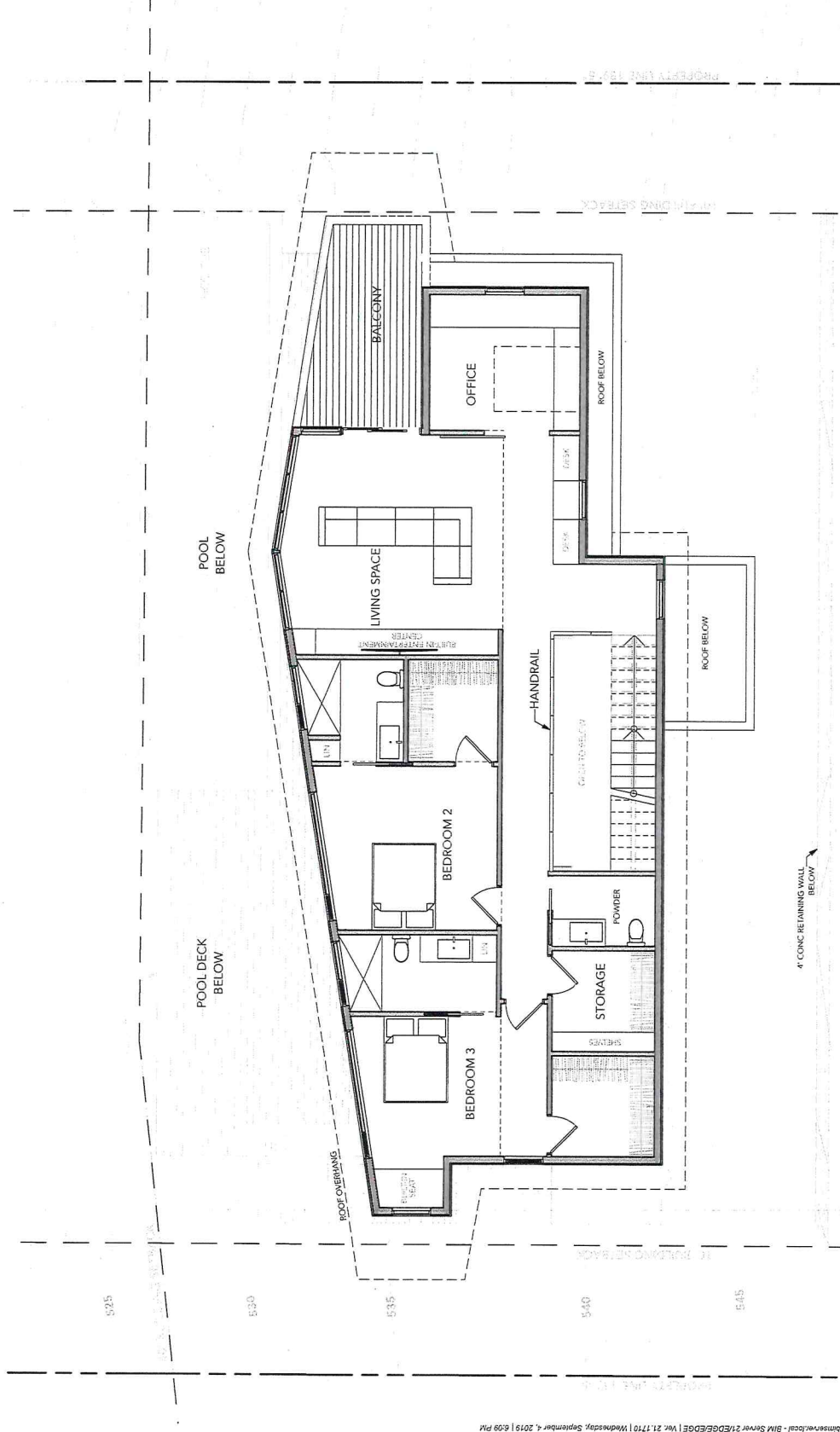
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PROJECT NUMBER: 2019-011
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DATE
08/29/19

FLOOR PLAN - LEVEL 2
2

A1.12



FLOOR PLAN - LEVEL 2



SCALE: 1/8" = 1'-0"

P-5/31

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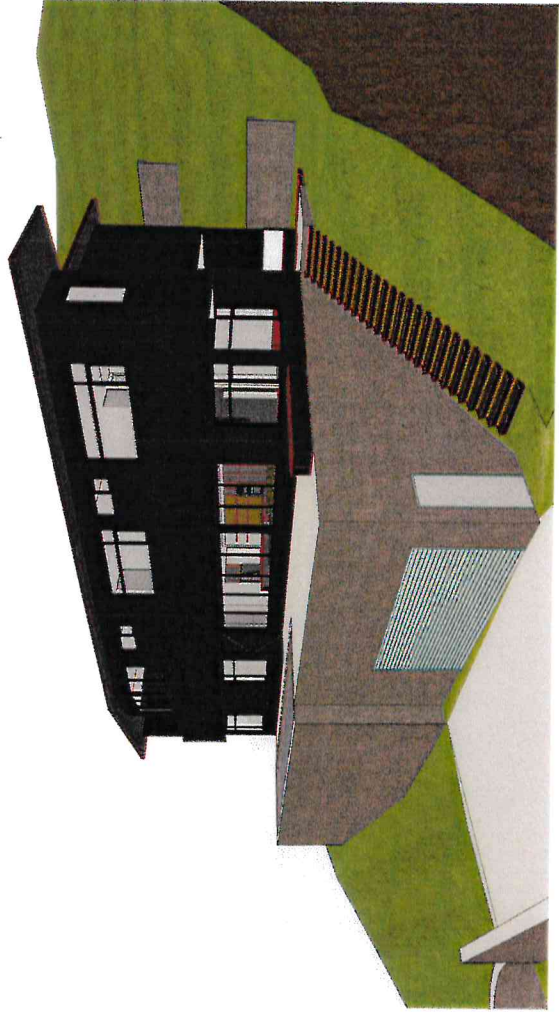
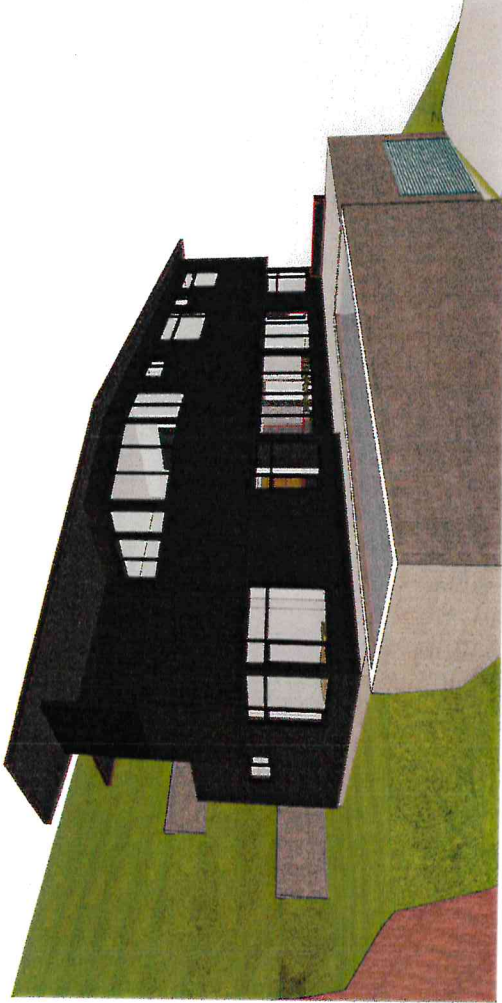
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VARIANCE SET	08/29/19

VIEW

SD4.01



PERMIT PARTNERS, LLC
105 W. Riverside Dr. Suite 225
Austin, Texas 78704
David C. Cancialosi
512.593.5368 c.
512.494.4561 f



September 6, 2019

City of Austin c/o Elaine Ramirez
City of Austin Board of Adjustment
One Texas Center
505 Barton Springs
Austin, Texas 78704

RE: 2803 Edgewater Drive - BOA request to:

1. Increase impervious cover per LDC 25-2-551(c)(3)(c) from 5% to 66% in the 25-35% slope category
2. Increase impervious cover per LDC 25-2-551(e)(2) from 0% to 29% in the 35% slope category

Dear Board of Adjustment Commissioners:

My client is requesting a variance to exceed the allowable impervious coverage on a 13,935 SF lot.

The impervious coverage numbers are high due to the required calculation methodology per 25-2-551 (d); however, the proposed *gross lot area*'s impervious coverage is 39% IC of the ~14,000 SF lot. The property owner requests the Board review the requests and keep in mind the lot's steep topography and non-conforming lot status among other hardships unique to this property.

Reasonable Use

- The property owner is requesting increased impervious cover to accommodate a proposed single-family structure and associated improvements. To do so in a reasonable manner, the aforementioned impervious coverage percentages are requested.
- This is a fair and reasonable use in *Lake Austin* zoning category as that zoning category specifically prescribes development of a residential nature.
- The area proposed for the new residence is the flattest area of the lot. The proposed improvements are in the most reasonable location.
- The lot is so steep that the allowable square footage and related impervious coverage amounts far exceed what is allowed by code. This is unreasonable. The project proposes the most reasonable use of the lot.

Hardship

- The original Austin Lake Estates plat was approved in 1960. At that time part of the plat was within the full purpose jurisdiction of the City of Austin while the remainder portion of the plat was within Travis County. Any land under the 504.9' was within COA jurisdiction at that time. Today the entire plat is within COA full purpose jurisdiction by way of the City's annexation of the remainder of the lots within Lake Austin Estates including this one, lot 8.
- The platted lot size of the subject lot 8 @ 2803 Edgewater Drive is 13,935 SF. This lot was conforming to the regulations in place in 1960.
- The platted subdivision contemplated single-family residential projects; however, such projects are not achievable when Lake Austin impervious cover slope calculations are applied per 25-2-551.
- Per Ordinance No. 84-0930 adopted in September 1984, the city changed the zoning from "A" *First Height and Residential* to *Lake Austin* zoning. "A" zoning was essentially the same as today's SF-2 zoning, which calculates impervious cover at 45% of gross lot area vs. *Lake Austin* zoning's maximum allowances per slope category. This not an insignificant change to entitlements associated with this site or many others along the east and west banks of the lake.
- This city-initiated rezoning effectively rendered the lot unbuildable without a variance(s) issued by the city.
- The property owner has a pending Chapter 245 Vested Rights application on file with the City. We cannot get any relief from the City. Requests for an appeal to the initial denial have gone unanswered. The BOA is the owner's last resort before seeking legal remedy.
- At the time of City-initiated rezoning the lot did not have the required:
 - 100' of street frontage per COA LDC 25-2-492(d)
 - One (1) acre minimum lot size per COA LDC 25-2-492(d)
- Changing the zoning from "A" to "LA" rendered the lot substantially less valuable.
- Taxes have been paid on this land for decades. That begs the question of what is equitable and fair when the LA zoning standards are applied to a platted lot recorded in Travis County or a lot which received a legal lot determination from the City, and as such, recognized as a legal buildable lot.
- The site has not been developed, but should be afforded the opportunity to continue the single-family development contemplated in the 1960 plat recorded with Travis County.

- The lot also has substantially steep terrain, which precludes any practical use of the property under the current LA zoning regulations.
 - There is no 0-15% slope
 - There is no 15-25% slope
- **The 25-35% slope area is 3,938 SF land area. That allows 196 SF IC to build a house on a ~14,000 SF lot. The request proposes 2,592 SF / 66% IC.**
- **The 35% slope area is 10,043 SF land area. That allows 0 SF IC. The request proposes 2,877 SF / 29% IC**
- The 25-35% slope category comprises 28% of the 13,935 SF lot.
- The 35%+ slope category comprises 72% of the 13,935 SF lot.
- This lot is not on the water. It is approximately 100' from Lake Austin.

Not General to the Area

- There are no known lots in the immediate area with the combined hardships of topography and no frontage on Lake Austin which prohibit a significant amount of land from being utilized in a reasonable manner.

Area of Character

- Any construction will be in keeping the varied construction styles found throughout west Austin. There will be no adverse impact to adjacent properties.

I ask the Commission take into consideration the aforementioned statements and approve the requested variances for the proposed impervious coverage percentages in the 25-35% and 35%+ slope categories in order to construct a single-family residence with associated improvements.

Sincerely,



David C. Cancialosi, Agent for Owner

Cc: Mark Odom

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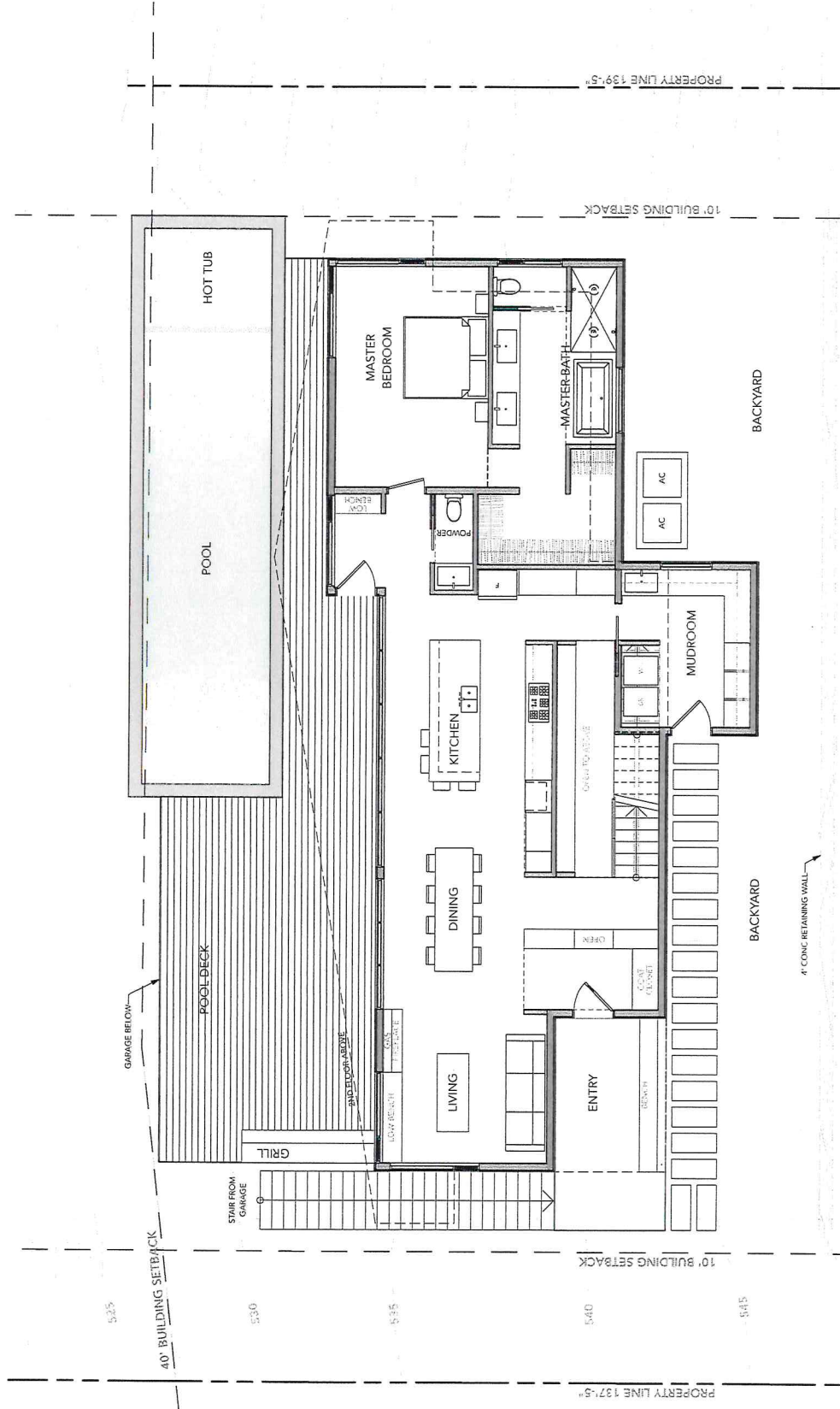
FLOOR PLAN - LEVEL
1

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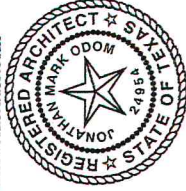
FLOOR PLAN - LEVEL 1

SCALE: 1/8" = 1'-0"



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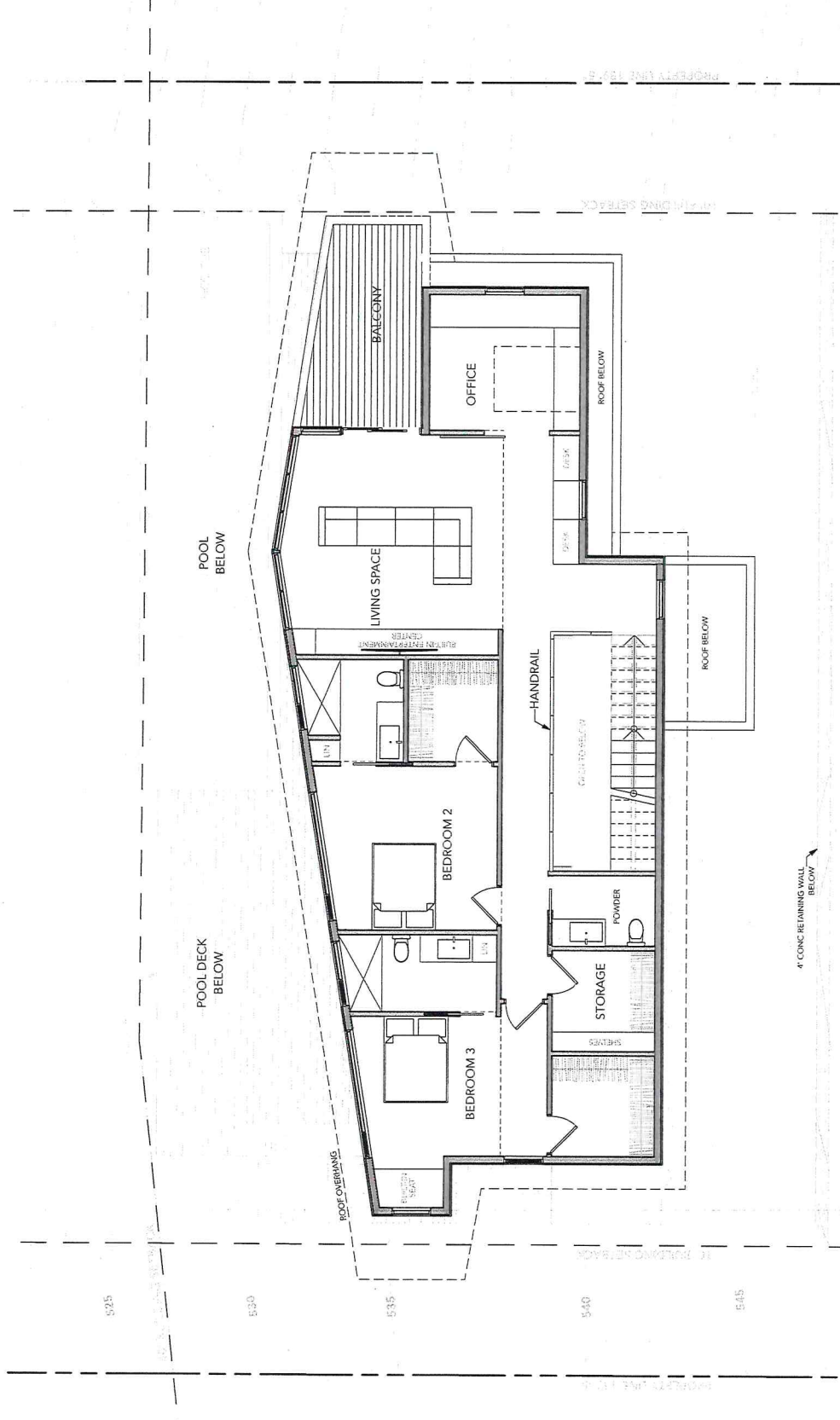
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PROJECT NUMBER: 2019-011
ISSUED SETS: DATE
VARIANCE SET: 08/29/19

FLOOR PLAN - LEVEL 2
2

A1.12



FLOOR PLAN - LEVEL 2



SCALE: 1/8" = 1'-0"

P-5/38

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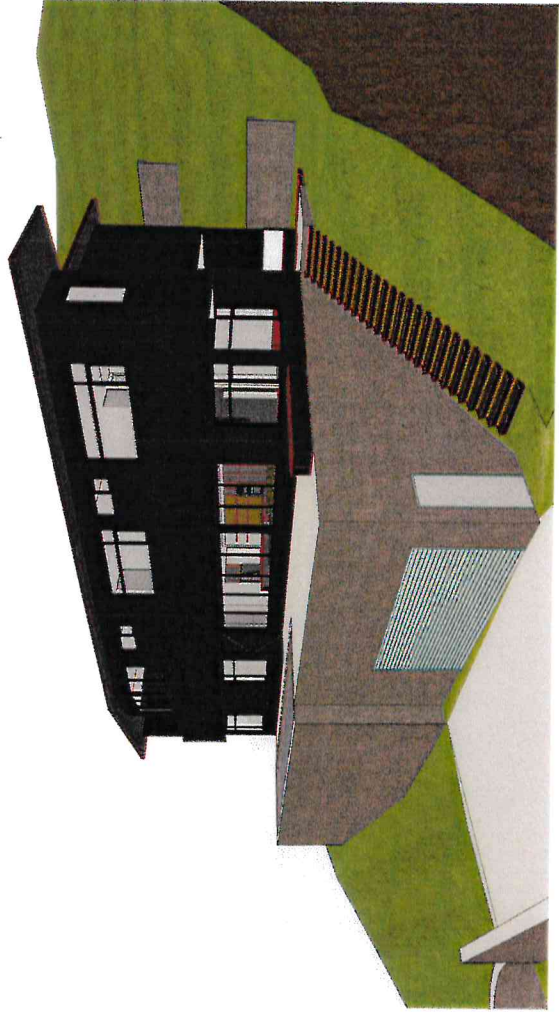
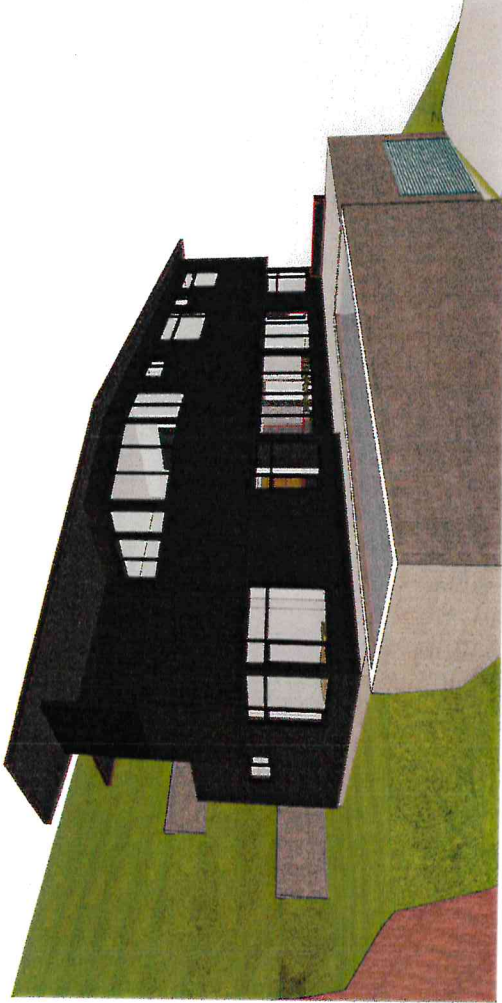
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VIEW

SD4.01



From: [REDACTED]
To: [Ramirez, Elaine](#)
Subject: Re: C15-2019-0054 / 2803 Edgewater Dr.
Date: Friday, September 13, 2019 9:37:07 AM
Attachments: [image001.png](#)

Elaine, as far as I recall, the proposed plans for both Edgewater and Westlake Drive propose only driveway/access in the 35% slope category in accordance with 25-2-551-E.

Walk with courage.
DC

Sent from a mobile device. There will be typos.

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On Sep 13, 2019, at 09:11, Ramirez, Elaine <Elaine.Ramirez@austintexas.gov> wrote:

Morning David,
Can you please call me in speaking with Chris there is an issue with a portion of the variance request that cannot be taken to BOA

Respectfully,

Elaine Ramirez

Board of Adjustment Liaison

Planner Senior

[City of Austin Development Services Department](#)

One Texas Center, 1st Floor

505 Barton Springs Rd

Office: 512-974-2202

<[image001.png](#)>

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Scheduled Meeting Disclosure Information:

In accordance with City of Austin Ordinance 20160922-005, responsibility of written disclosure is required by visitors when attending a scheduled meeting with a City Official regarding a municipal question as defined within City Code 4-8-2 for compensation on behalf of another person. Development Services Department has elected to implement an electronic survey as the methodology to provide the opportunity to record information as required of the department under Section 4-8-8 (E) of the City Code. Individuals scheduling or accepting a meeting invitation with a City Official are requested to provide responses to the questions included in the department survey available at the following link: [DSD Survey](#). Please note that all information provided is subject to public disclosure via DSD's open data portal.

For more information please visit: [City Clerk's website](#)

From: david cancelosi [REDACTED]
Sent: Thursday, September 12, 2019 10:39 PM
To: Ramirez, Elaine <Elaine.Ramirez@austintexas.gov>
Subject: Re: C15-2019-0054 / 2803 Edgewater Dr.

Thank you for working w / me today.

Great to catch up!

Walk with courage.
DC

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On Sep 12, 2019, at 10:52, Ramirez, Elaine <Elaine.Ramirez@austintexas.gov> wrote:

Hi David,
In looking at your variance request on page 5 of the application under
“Portion of the City of Austin Land Development Code applicant is seeking a variance from: you are not calling out the section of the code correctly for each slope category. Please fix this and e-mail me a PDF version of the updated application A.S.A.P as I need to work on the verbiage for the notices and have ready to send to Notification Dept. by Tuesday morning before 10a.m.

Respectfully,
Elaine Ramirez
Board of Adjustment Liaison
Planner Senior
[City of Austin Development Services Department](#)

One Texas Center, 1st Floor
505 Barton Springs Rd
Office: 512-974-2202

<image001.png>

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For more information please visit: [City Clerk's website](#)

From: Claudia Sanchez [m [REDACTED]]
Sent: Friday, September 06, 2019 1:38 PM
To: Kellogg, Eben <Eben.Kellogg@austinenergy.com>
Cc: Ramirez, Elaine <Elaine.Ramirez@austintexas.gov>
Subject: 2803 Edgewater Dr.

*** External Email - Exercise Caution ***

Mr. Kellogg,

Per BoA submittal requirements, I want to inform you that the attached Board of Adjustment packet was submitted to Elaine Ramirez today. This project will be on the agenda for the BoA meeting scheduled 10/14/2019. No case number has been assigned yet.

Regards,

Claudia Sanchez, *Project Manager*

PERMIT PARTNERS, LLC
105 W Riverside Drive, Suite 225
Austin, TX 78704
(O) 512-213-6386
(F) 512-213-0261

[REDACTED]
<[image002.png](#)><[image003.png](#)><[image004.png](#)>

TEXAS EXCAVATION SOLUTIONS, LLC
105 W Riverside Drive, Suite 225
Austin, TX 78704
(O) 512-593-5361
(F) 512-213-0261

www.texasexcavationsolutions.com

<image005.png><image003.png><image004.png>

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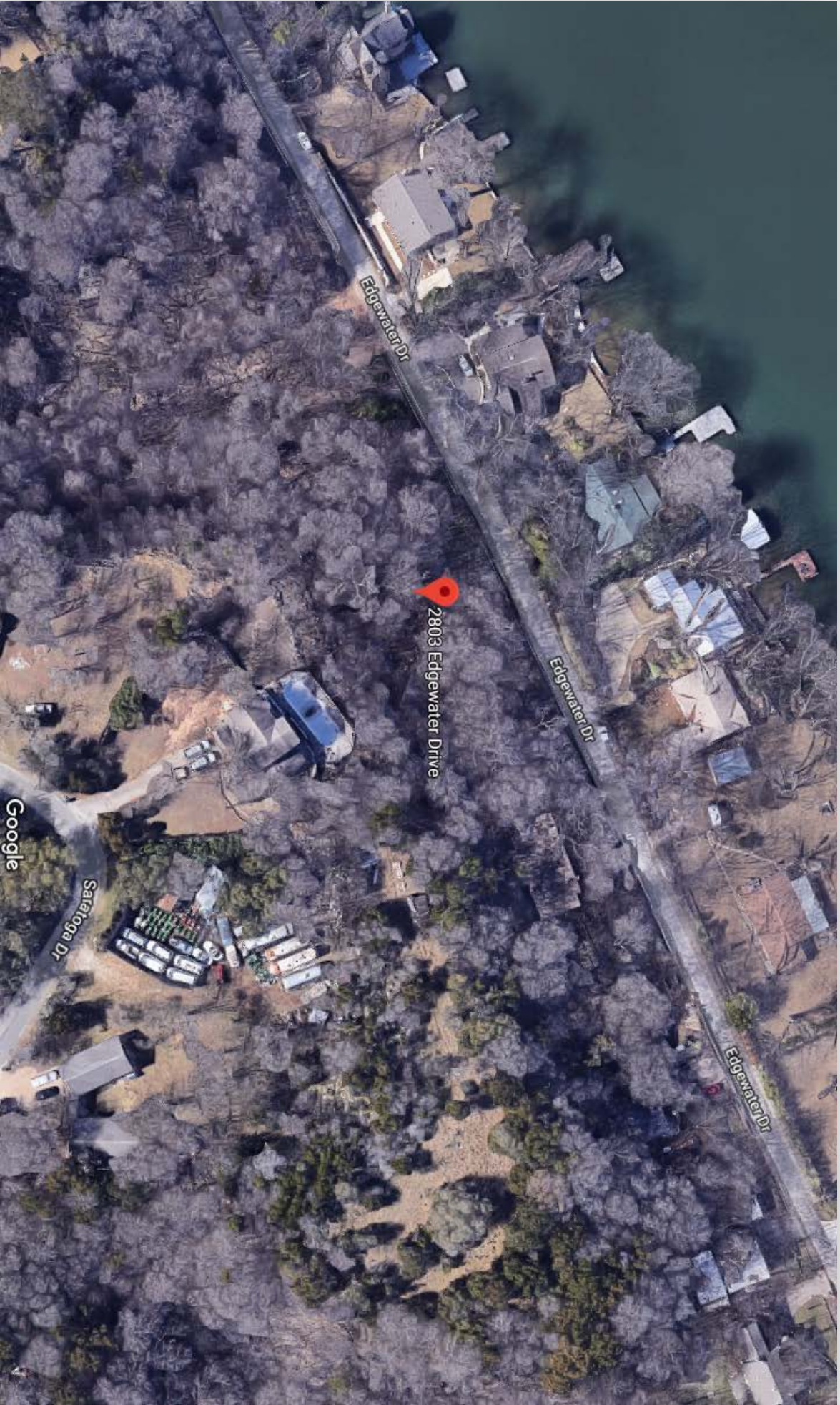
2805 EDGEWATER DRIVE
AUSTIN, TX 78733

Case# C15-2019-0055

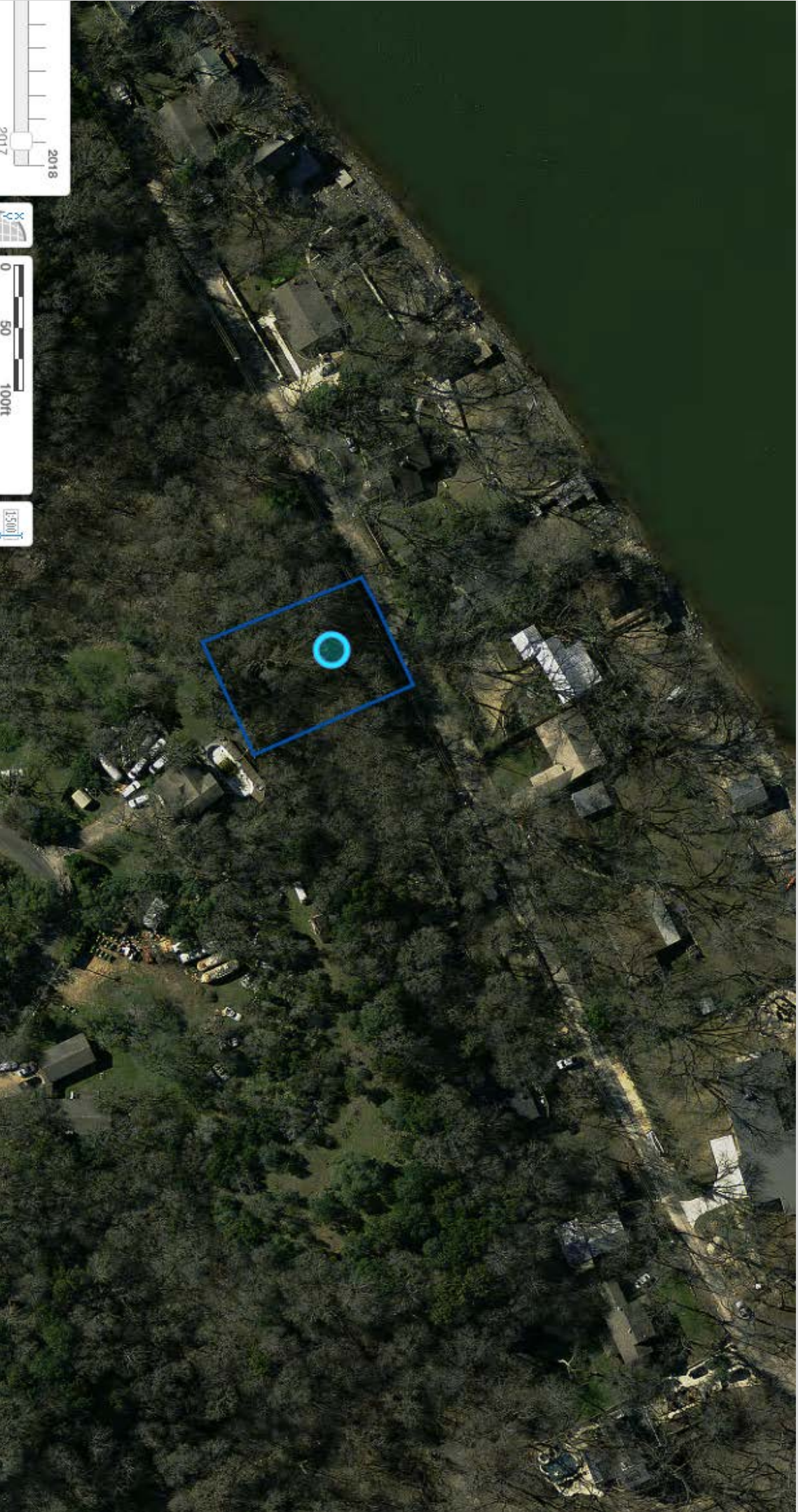
VARIANCE REQUEST

1. LDC 25-2-551(c)(3)(c) increase impervious coverage from 0% IC existing to 66% IC proposed in the 25-35% slope category, which allows 5% IC
2. LDC 25-2-551(e)(2) increase impervious coverage from 0% IC existing to 29% IC proposed in a slope category greater than 35% which allows 0% IC

AERIAL



AERIAL



REASONABLE USE

- The property owner is requesting increased impervious cover to accommodate a proposed single-family structure and associated improvements. To do so in a reasonable manner, the aforementioned impervious coverage percentages are requested.
- This is a fair and reasonable use in Lake Austin zoning category 1 as that zoning category specifically prescribes development of a residential nature.
- The area proposed for the new residence is the flattest area of the lot. The proposed improvements are in the most reasonable location.
- The lot is so steep that the allowable square footage and related impervious coverage amounts far exceed what is allowed by code. This is unreasonable. The project proposes the most reasonable use of the lot.

NOT GENERAL TO THE AREA

- There are no known vacant lots in the immediate area with the combined hardships of topography and no frontage on Lake Austin which prohibit a significant amount of land from being utilized in a reasonable manner.

AREA OF CHARACTER

- Any construction will be in keeping the varied construction styles found throughout west Austin. There will be no adverse impact to adjacent properties.

SITE PLAN STREET LEVEL

PROJECT INFORMATION

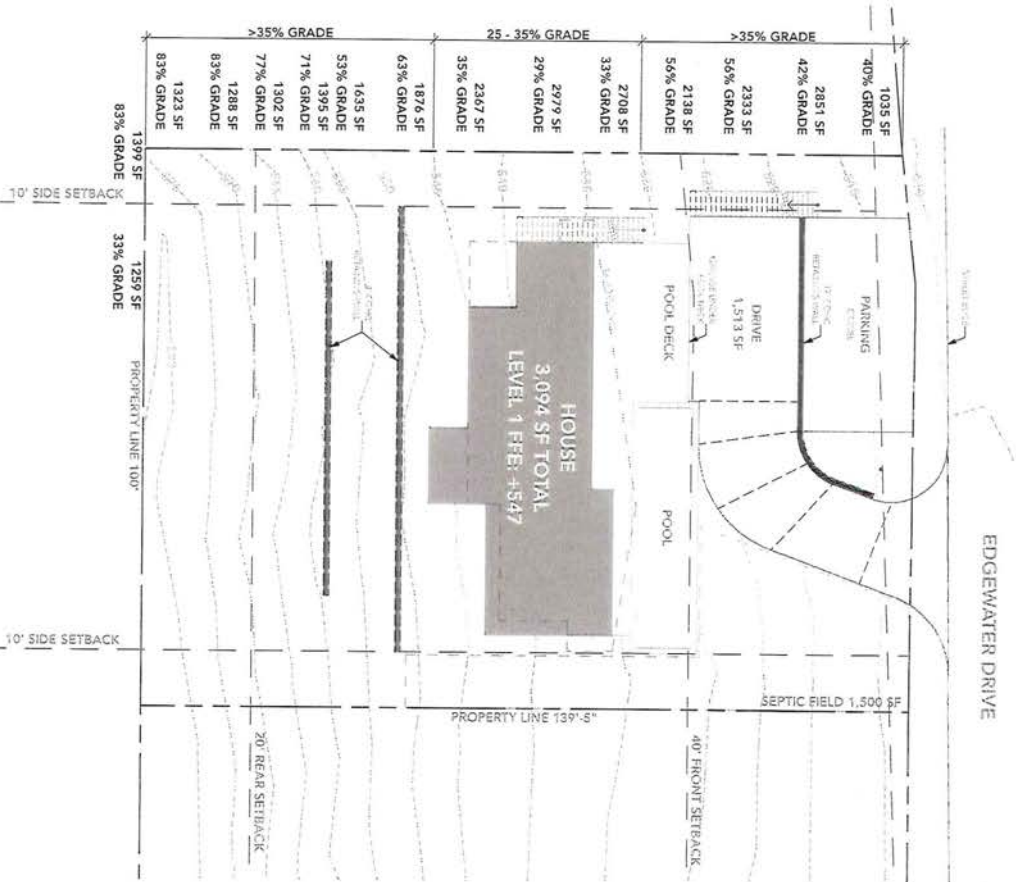
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ARCHITECTURAL
SITE

SITE PLAN @ STREET LEVEL

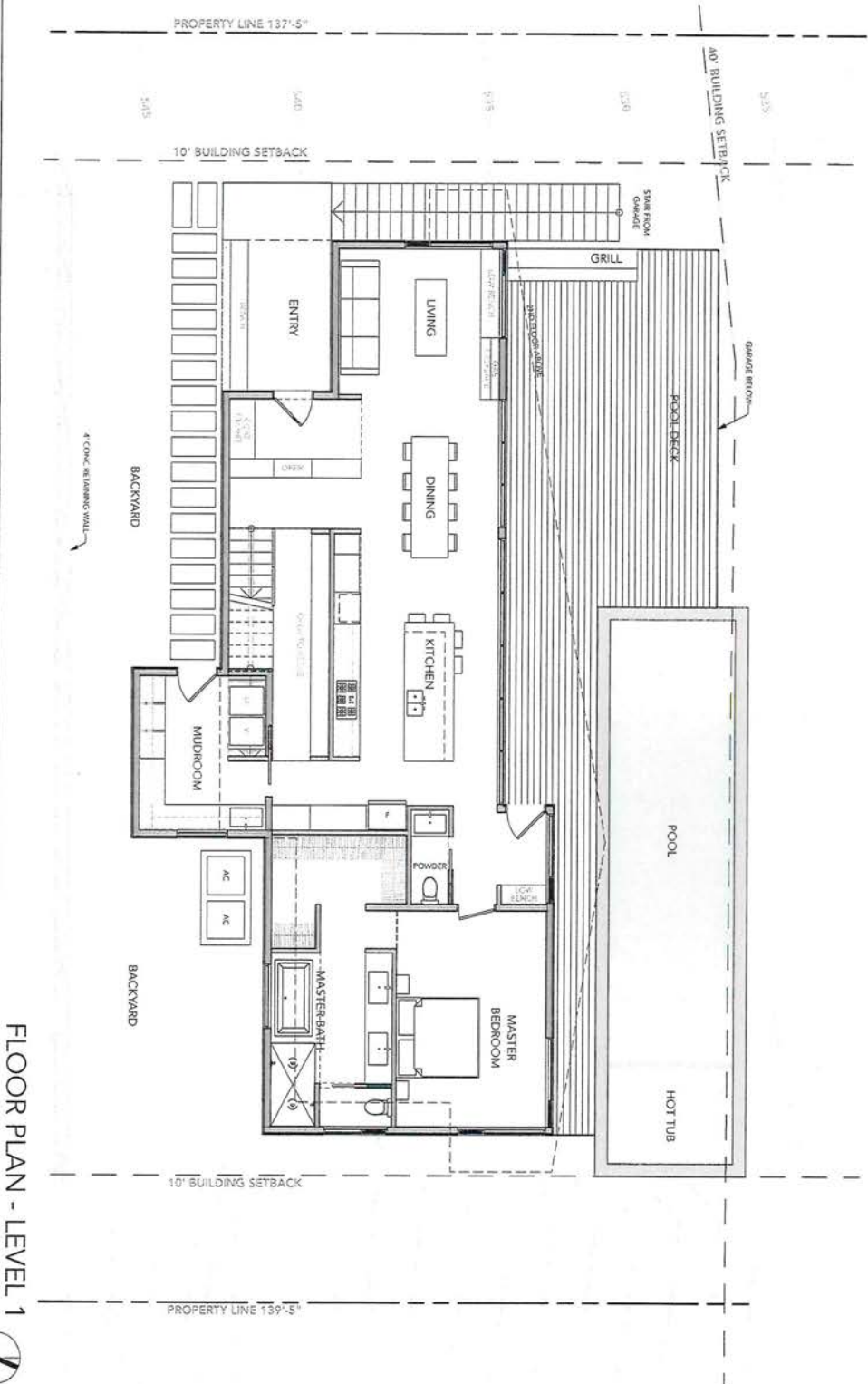
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SCALE: 1" = 20'



FLOOR PLAN - LEVEL 1

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FLOOR PLAN - LEVEL

1

A1.11

FLOOR PLAN - LEVEL 2

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markedm(ødm)@aia.com



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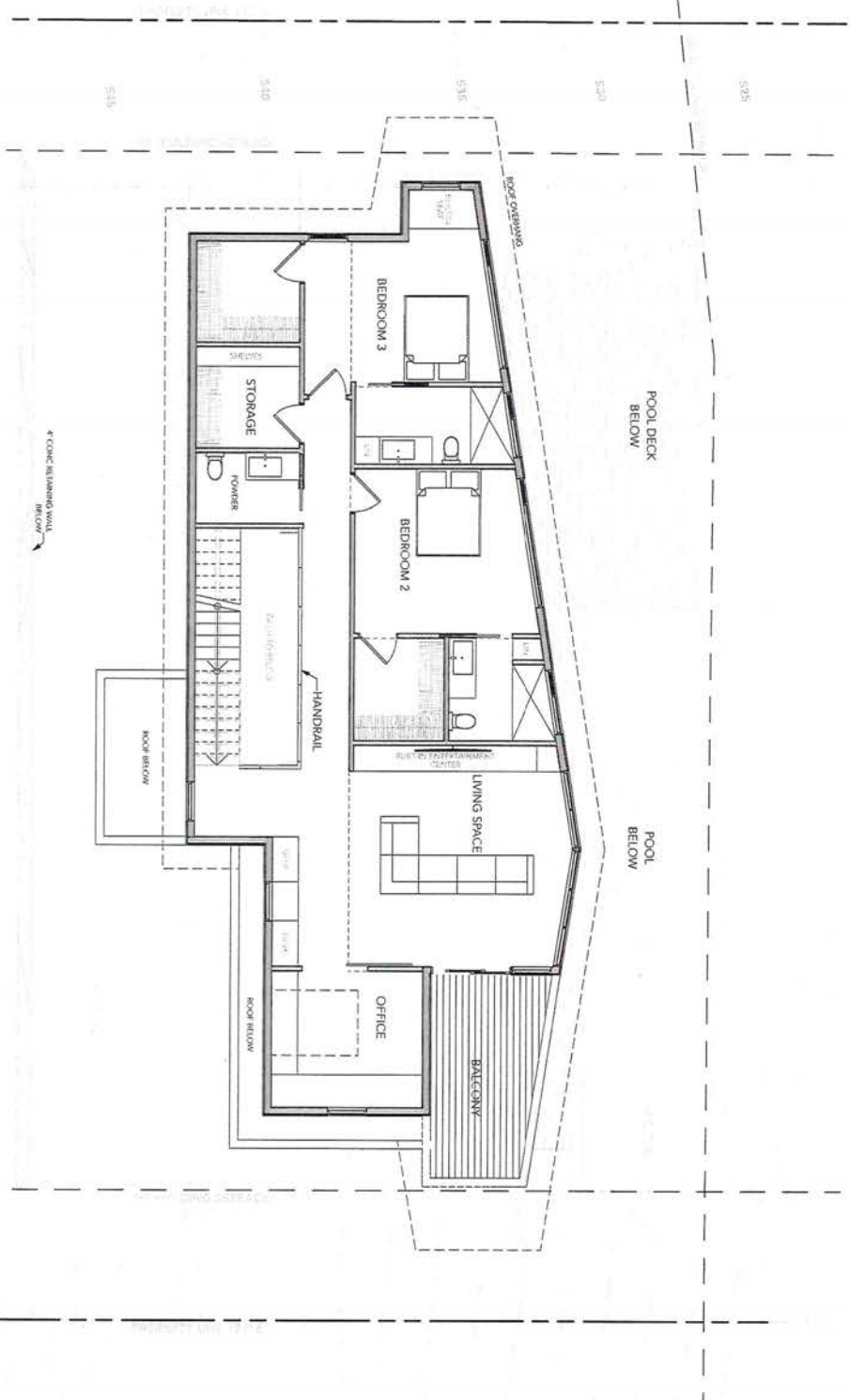
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FLOOR PLAN - LEVEL 2

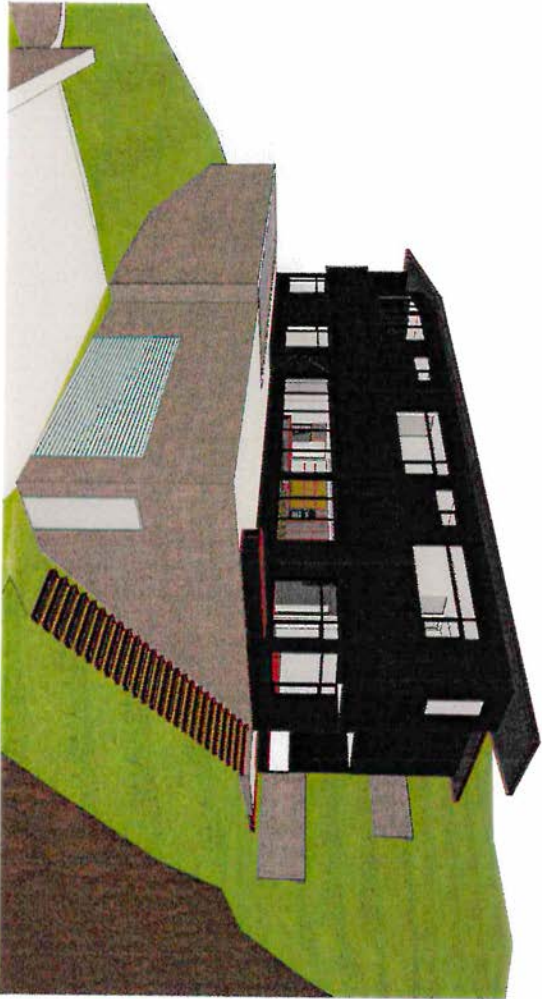
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RENDERINGS



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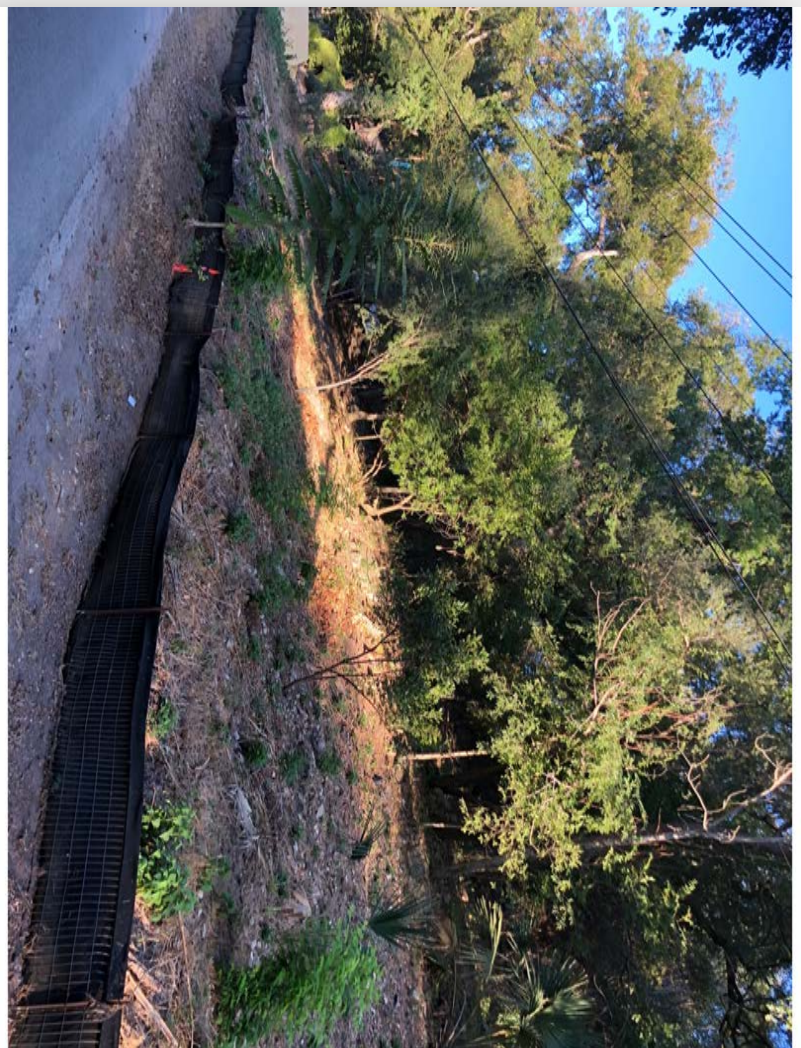
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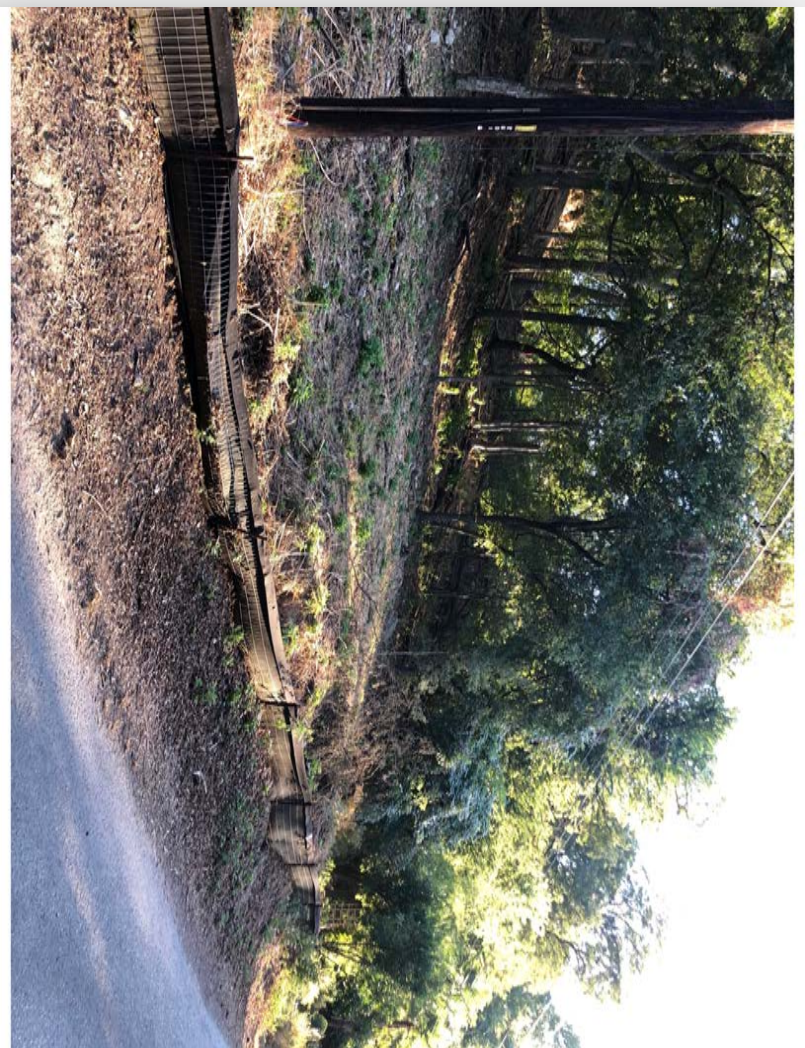
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SD4.01

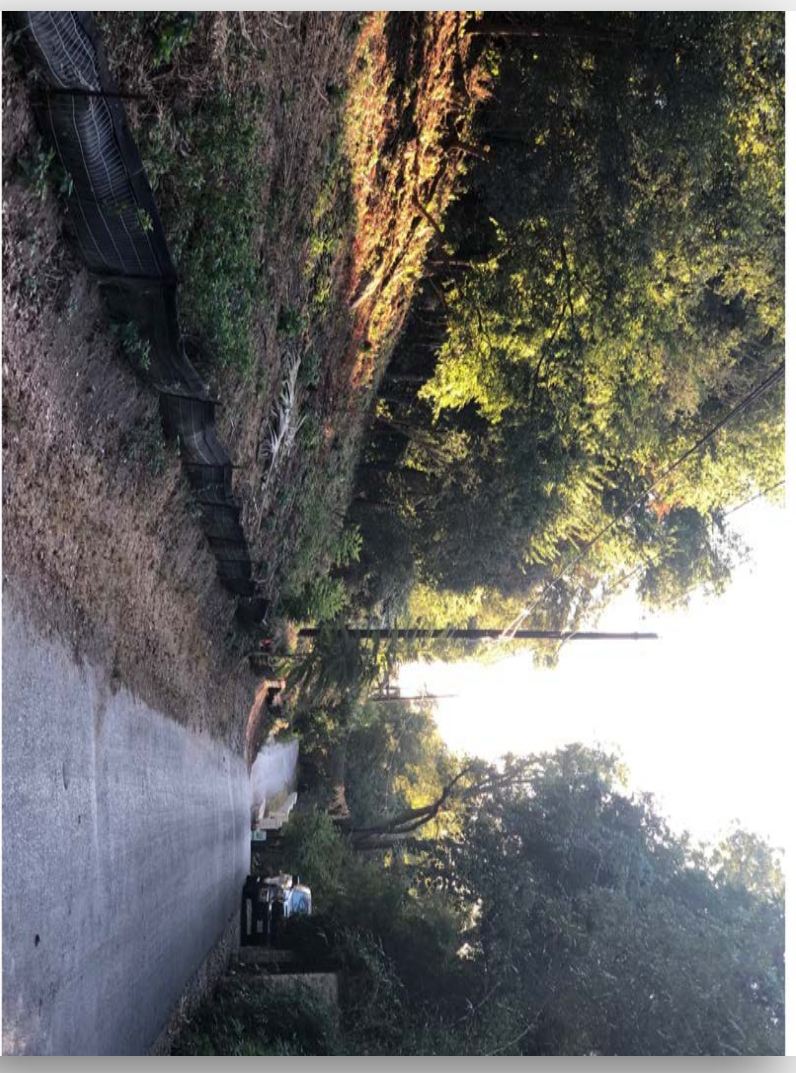
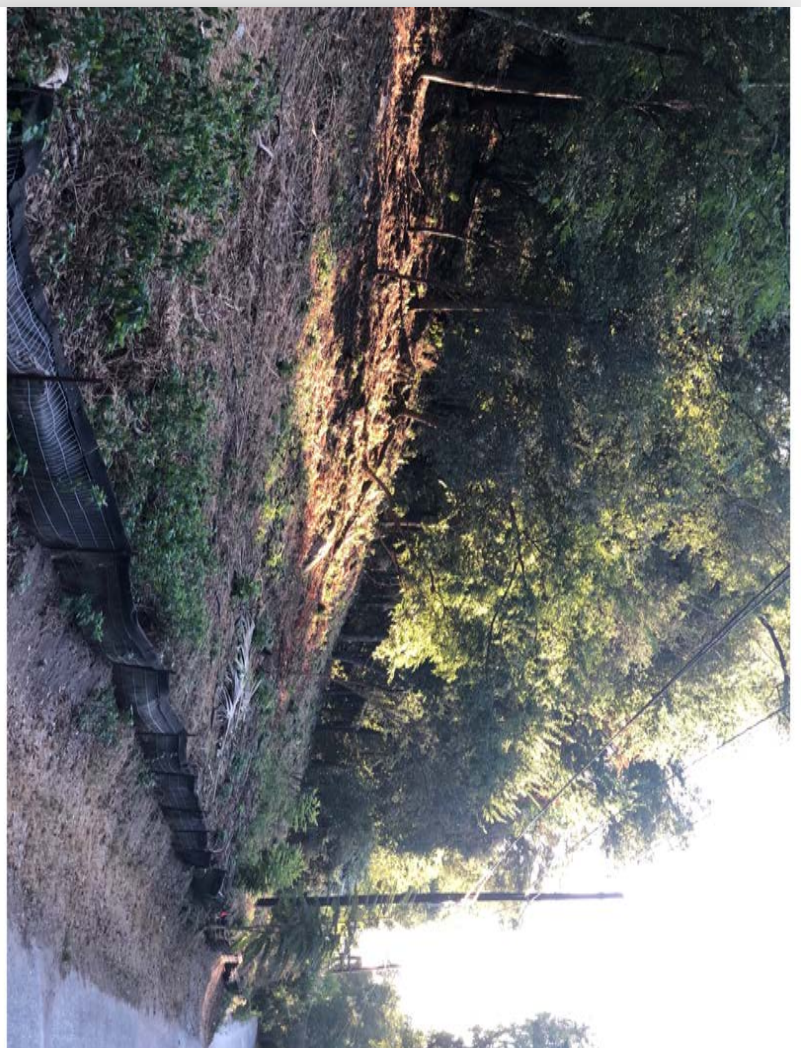
2805 EDGEWATER DR. (SUBJECT SITE)



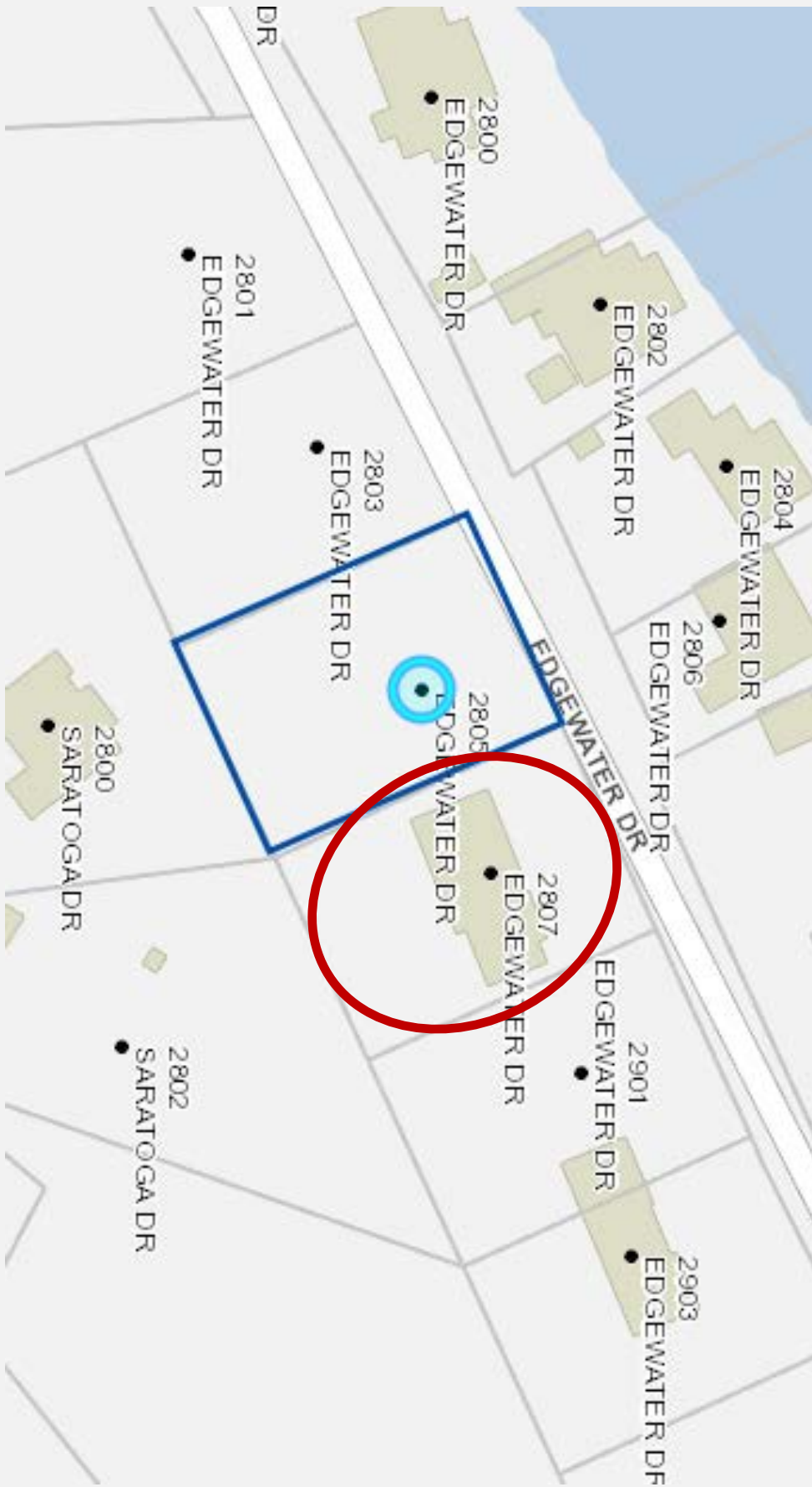
2805 EDGEWATER DR. (SUBJECT SITE)



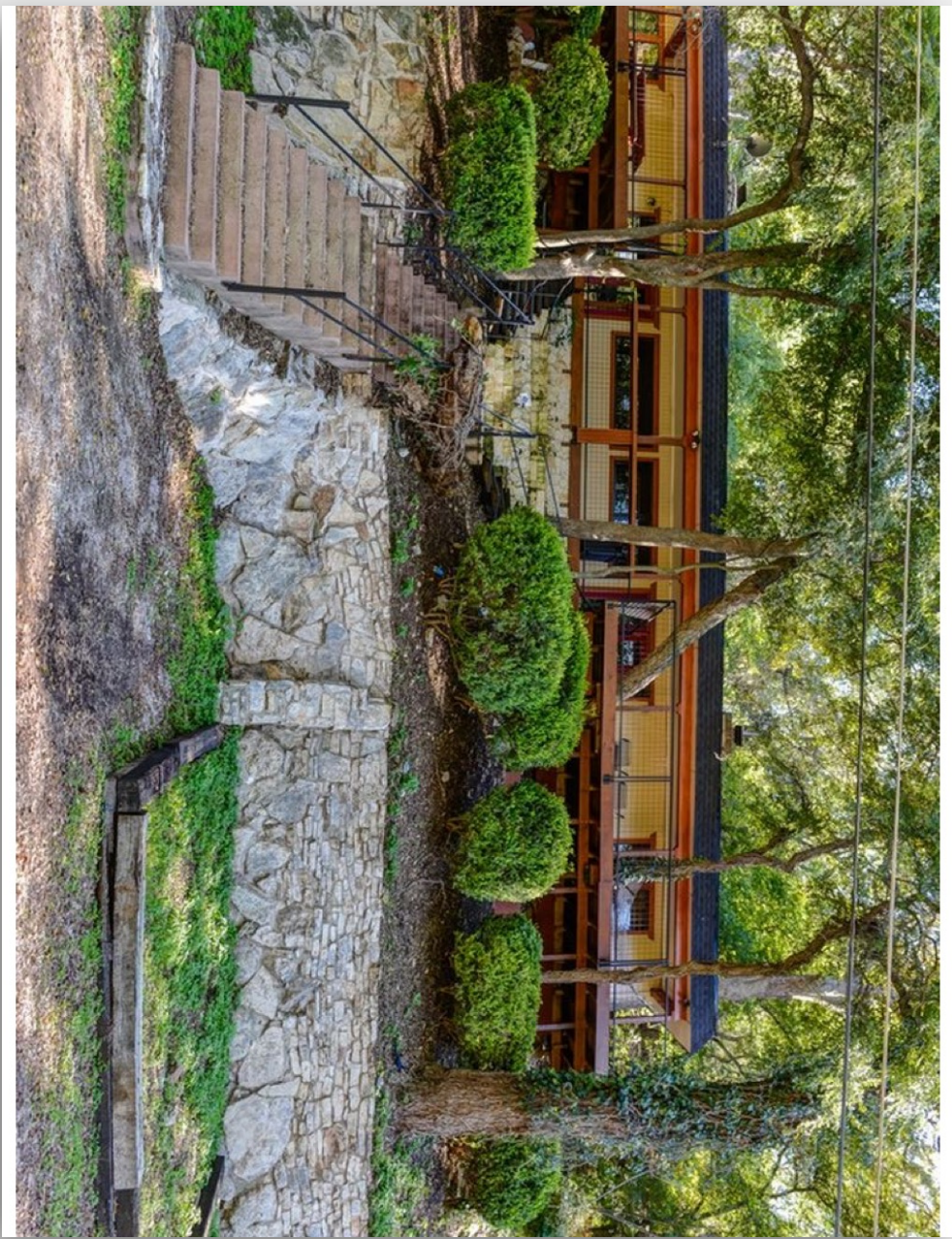
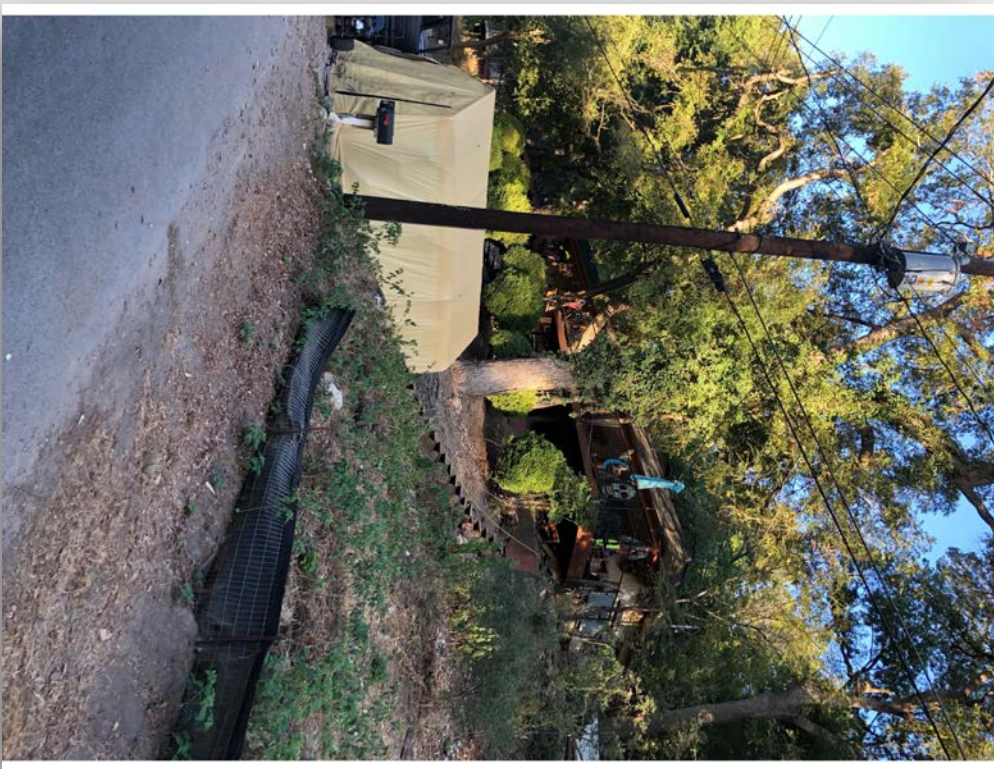
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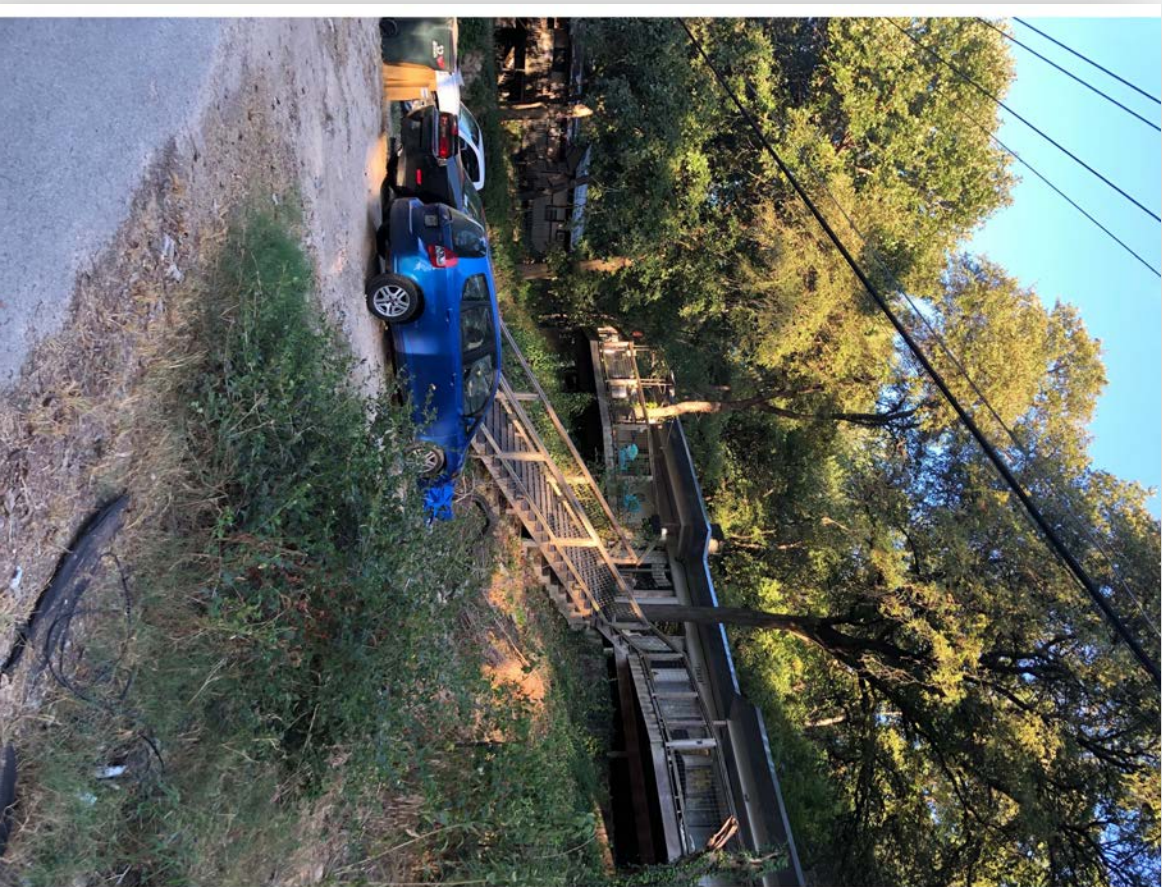
2807 EDGEWATER DR.



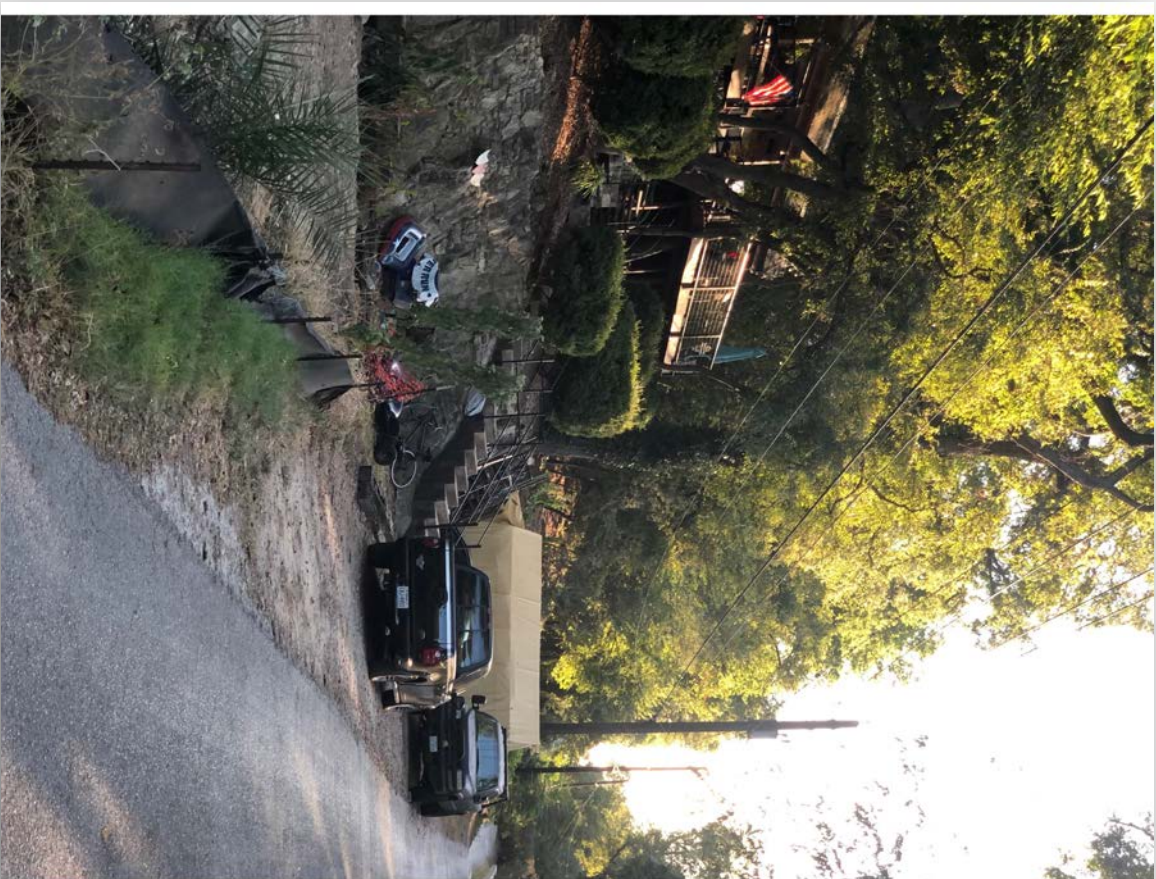
2807 EDGEWATER DR.



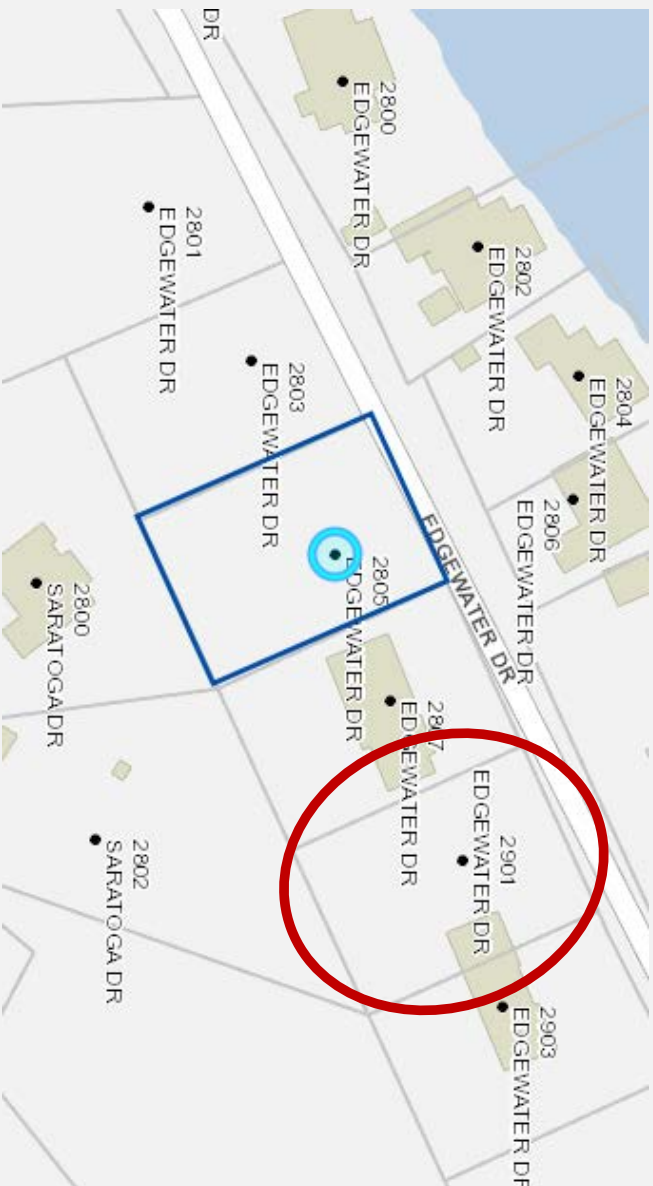
2807 EDGEWATER DR.



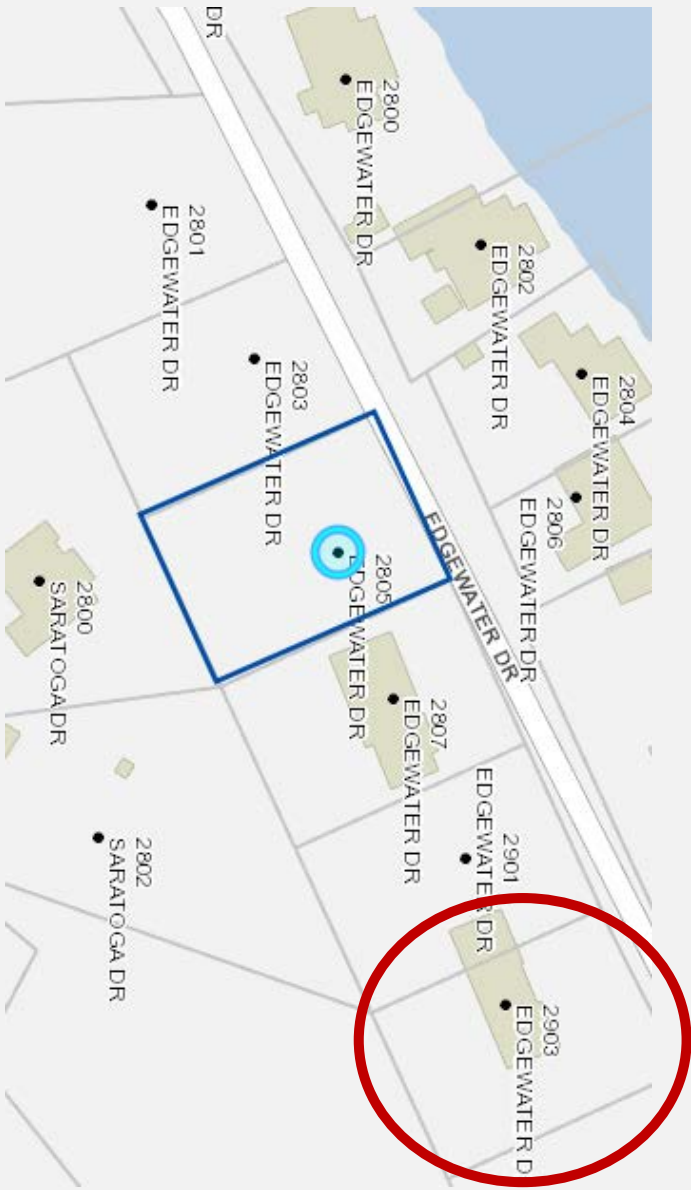
2807 EDGEWATER DR.



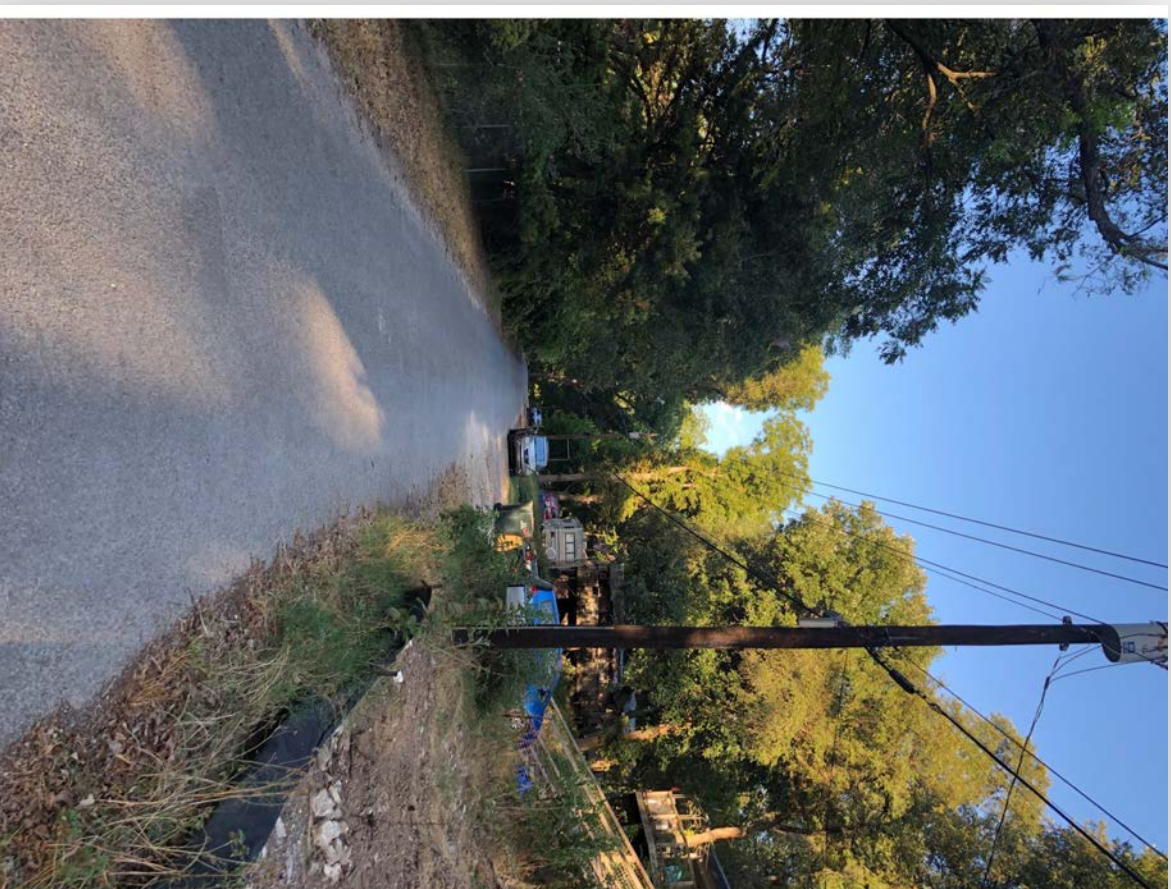
2901 EDGEWATER DR.



2903 EDGEWATER DR.



EDGEWATER DR. (GENERAL CONDITIONS)



September 15, 2019

Dear Neighbor,

We are Mark and Holly Odom, new owners of Lot 8 with address 2803 Edgewater Drive in Lake Austin Estates neighborhood. We currently live at 2121 Saratoga Drive and have been residents in this neighborhood since 2011. We have also been active members of the Community Lake Park since 2011 and Mark has been a board member for the last two years. We have two children, ages 10 and 6.

It has been our dream to live closer to the lake and build a new house for our family. Mark is a licensed Architect and has a design firm, Mark Odom Studio.

We are writing to ask for your consideration and help as we are seeking a variance to the City of Austin Board of Adjustments regarding code Section 25-2-551 LAKE AUSTIN (LA) DISTRICT. The lots mentioned are currently unbuildable due City of Austin Zoning (LA) with its limitations of Impervious Square Footage (manmade surface that doesn't absorb water). Per zoning code, the lot currently allows for .014 % (196 sf) of impervious square footage and our variance request would allow between 38% & 43% impervious square feet total. Our goal is to build an estimated 2500-3000 sf house and use the rest for driveway, deck, walkway and pool. We could not build a larger house because there would not be enough impervious cover for critical items like walkways, deck etc. We have a track record of building site-specific and neighborhood considerate work (our renovation and addition of a studio above the garage at our current home is one example).

We are currently needing signatures by October 10, 2019 to make our appointment deadline. Our hearing with the City of Austin will be in October 2019 in front of the Board Of Adjustments.

We would be most grateful if you would sign below and return via email. If you receive this and live in the neighborhood we would also be happy to pick it up — or you may drop it off in our mail-box at the address below.

We are happy to answer any questions you may have. Thank you for your time and consideration,

Mark and Holly Odom
2121 Saratoga Drive,
Austin, TX 78733

Mark phone : 512-563-6373

Mark email : [REDACTED]

Holly phone : 512-669-3003

Holly email : [REDACTED]

Please sign below to declare your support for the variance being requested:

2906 Edgewater Drive, 78733
Owner Address

Tim Horrigan
Owner Name

[Signature]
Owner Signature

We are currently needing signatures by October 10, 2019 to make our appointment deadline. Our hearing with the City of Austin will be in October 2019 in front of the Board Of Adjustments.

We would be most grateful if you would sign below and return via email. If you receive this and live in the neighborhood we would also be happy to pick it up — or you may drop it off in our mail-box at the address below.

We are happy to answer any questions you may have. Thank you for your time and consideration,

Mark and Holly Odom
2121 Saratoga Drive,
Austin, TX 78733

Mark phone : 512-563-6373

Mark email : [REDACTED]

Holly phone : 512-669-3003

Holly email : [REDACTED]

Please sign below to declare your support for the variance being requested:

2901 EDgewater DR, AUSTIN, TX 78733
Owner Address

William M. Westfield
Owner Name

William Westfield
Owner Signature

We are currently needing all signatures by Friday, May 10, 2019 to make our application deadline. Our hearing with the City of Austin will be in June 2019 in front of the Board Of Adjustments.

We would be most grateful if you would sign below and return to us in the addressed envelope as soon as possible. If you receive this and live in the neighborhood we would also be happy to pick it up or you may drop it off in our mail-box.

We are happy to answer any questions you may have. Thank you for your time and consideration,

Mark and Holly Odom
2121 Saratoga Drive,
Austin, TX 78733

Mark phone : 512-563-6373

Mark email : [REDACTED]

Holly phone : 512-669-3003

Holly email : [REDACTED]

Please sign below to declare your support for the variance being requested:

2602 Edgewood
Owner Address

Steve Colman
Owner Name

[Signature]
Owner Signature