

**BOA GENERAL REVIEW COVERSHEET****CASE:** C15-2020-0036**BOA DATE:** August 10<sup>th</sup>, 2020**ADDRESS:** 3005 Westlake Dr**COUNCIL DISTRICT:** 10**OWNER:** Travis Machen**AGENT:** David Cancialosi**ZONING:** LA**LEGAL DESCRIPTION:** TRT B RESUB LOT 66-68 & E PT OF LOT 66-67 LAKE SHORE ADDN**VARIANCE REQUEST:** reduce shoreline setback from 75 ft. to 25 ft.**SUMMARY:** to construct a single-family residence**ISSUES:** main body, cove and canal which all requires 75 ft. shoreline setbacks

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	LA	Single-Family Residential
<i>North</i>	LA	Single-Family Residential
<i>South</i>	LA	Single-Family Residential
<i>East</i>	LA	Single-Family Residential
<i>West</i>	LA	Single-Family Residential

**NEIGHBORHOOD ORGANIZATIONS:**

Austin Lost and Found Pets

Austin Neighborhoods Council

Bike Austin

City of Rollingwood

Friends of Austin Neighborhoods

Neighborhood Empowerment Foundation

Preservation Austin

SELTexas

Save Our Springs Alliance

Sierra Club, Austin Regional Group

TNR BCP – Travis County Natural Resources

The Island on Westlake Owners Association



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

1" = 333'

**NOTIFICATIONS**

CASE#: C15-2020-0036

LOCATION: 3005 WESTLAKE DRIVE

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.





**Development**  
CITY OF AUSTIN  
SERVICES DEPARTMENT

*Building a Better and Safer Austin Together*

# Board of Adjustment General/Parking Variance Application

DevelopmentATX.com | Phone: 311 (or 512-974-2000 outside Austin)  
For submittal and fee information, see [austintexas.gov/digitaldevelopment](http://austintexas.gov/digitaldevelopment)

**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: 3005 Westlake Drive

Subdivision Legal Description:

lots 66, 67, 68 Lakeshore Addition Amended Lots

Lot(s): \_\_\_\_\_ Block(s): \_\_\_\_\_

Outlot: \_\_\_\_\_ Division: \_\_\_\_\_

Zoning District: LA

I/We David Cancialosi on behalf of myself/ourselves as  
authorized agent for Travis Machen affirm that on

Month July, Day 10, Year 2020, hereby apply for a hearing before the  
Board of Adjustment for consideration to (select appropriate option below):

☐ Erect ☐ Attach ☐ Complete ☐ Remodel ☐ Maintain ☒ Other: Setback reduction

Type of Structure: Single Family

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

25-2-551 LA Shoreline reduction from 75' to 25'

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## 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:

The original lots 66,67, and 68 were platted in 1915, the replatted in 1965, then amended plat was approved in 2019 to clean up a awkwardly approved plat from 1966. The shoreline setback is measured 75' from all points along the water making this uniquely shaped lot unreasonably limited in its intended purpose when zoned from A zoning (current day SF-2) to LA in 1984.

This application is requesting reinstatement of an expired variance approved Jan 2019 by unanimous vote.

### Hardship

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

The site has a main body, cove and canal water features which all require 75' setbacks. When the cove and canal were created they did not create shoreline setback. The city did not interpret the regulation that way at that time. Over time that has changed. Now, a significant portion of the useable property is lost to net site area (deduction of the 75' shoreline). That's not the way this property was intended to be used, The BOA agreed with this assertion, and others in my original

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

Main made inlets are rare.

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**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:

Any construction will be in keeping with a property of this magnitude. There will be no adverse impacts on adjacent property. The homeowner was able to complete significant shoreline improvements along the main body before the impacts of Covid-19 prohibited from moving forward with the remainder of construction.

**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:

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:

**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: David Cancialosi Date: July 15, 2020

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: Travis Machen Date: July 15, 2020

Owner Name (typed or printed): Travis Machen

Owner Mailing Address: 3005 Westlake Dr

City: Austin State: Texas Zip: 78746

Phone (will be public information): 979 574 3113

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

**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: 78746

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

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 attached updated cover letter plus case information from 2019 hearing including application packet w/ exhibits and BOA decision sheet. Thank you.



**PERMIT PARTNERS, LLC**  
105 W. Riverside Dr., Suite 225  
Austin, Texas 78704  
Office: 512.593.5361  
[REDACTED]

July 15, 2020

City of Austin Board of Adjustment  
301 W, 2<sup>nd</sup> Street  
Austin, Texas 78704

RE: 3005 Westlake Drive – Variance Reinstatement

Dear Commissioners,

On behalf of my client I am requesting a reinstatement of the Board's 2019 approval of case C15-2019-003. The Board approved in January 2019 a reduction of the shoreline setback from 75' to 25' along certain parts of the shoreline, the canal, and the interior cove located along the main body of Lake Austin. As part of the unanimous approval the Board placed a condition to not obstruct passage to the cove via the interior canal.

After the Board's unanimous approval, we initiated an amended plat process to clean up some property line and deed description issues which had existed for decades, yet needed to be cleaned up nonetheless. The property is still in the same configuration as when approved by the Board in 2019 and the address remains the same. The amended plat process was not completed until October 2019. During this time, all design work was put on hold barring approval of the amended plat. The 2019 exhibits reflected accurate intention of the proposed residence. The homeowner continued to jumpstart the permit process by interviewing architects and contractors for the remainder of 2019 and early 2020. This can be a time consuming process given the site constraints of this particular property, but also the stature of the site on Lake Austin along Westlake Dr. Unfortunately, the variance expired in January 2020.

My client attempted to continue the design process and, eventually, Covid-19 stalled his ability to finance the design work. Nor could he locate an architect or GC for appropriate for a property of this scale. My client did not want to submit "off-the shelf permit drawings" for the sake of keeping the variance alive. He wanted to be honest with the city and only submit plans for which his family intends to utilize as their forever home.

Unfortunately, the expiration date came in January and soon after Covid-19 was in full effect. Suffice to say the homeowner has suffered unique consequences to his life which are beyond his control as a result of the global pandemic.

The site is very unique with main body lake frontage, a canal, and a cove in the back yard. *(Please see exhibits attached from the original 2019 application).* **This request is to extend the one-year expiration date from the existing expiration of January 2020 to be effective August 2021, which is one-year from the date of this application requesting reinstatement.**



**PERMIT PARTNERS, LLC**  
105 W. Riverside Dr., Suite 225  
Austin, Texas 78704  
Office: 512.593.5361  
[REDACTED]

I respectfully submit that approving this request would be appropriate given the unanimous approval issued barely over one year ago. Notwithstanding, many of the same Commissioners who voted to approve the 2019 request currently sit on the Board.

Nothing has changed with respect to the substance of the variance's reasonable use, hardships, and area of character. The attached application packet is the same packet from C15-2019-0003. This is what was approved in 2019 – specifically “option #2” exhibit; this is the exact request my client is asking me to seek from you. The only difference is the expiration date of the newly approved variance would be August 2021.

I would not be requesting this “reinstatement” of the same variance if it were not for the amount of time the amended plat took to complete, the extensive resources and time required to finish a very complex design process (and submit for permit within (under) 90 days from plat approval), and, most importantly, ultimately the project has been simply stalled due to the unforeseen impacts of Covid-19.

Should the Board approved this request the owner is prepared to move forward and honor the one year limitation prescribed LDC 25-1-217.

Thank you for your thoughtful consideration of this request.

Respectfully,

David C. Cancialosi, Agent for Owner





3 pgs

201900214

# PLAT

## PLAT RECORDS INDEX SHEET:

**SUBDIVISION NAME** AMENDED PLAT TRACT B OF THE RE-SUBDIVISION OF LOTS 66, 67 AND 68 OF LAKESHORE ADDITION

**OWNERS NAME:** TRAVIS J MACHEN

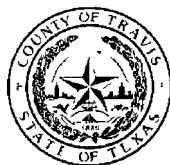
**RESUBDIVISION?** YES ☒ NO ☐

## ADDITIONAL RESTRICTIONS / COMMENTS:

TAX CERTIFICATE: 2019164676

## RETURN:

CITY OF AUSTIN - DON PERRYMAN



**201900214**

**FILED AND RECORDED  
OFFICIAL PUBLIC RECORDS**

*Dana DeBeauvoir*

Dana DeBeauvoir, County Clerk  
Travis County, Texas

Oct 21, 2019 03:48 PM

Fee: \$102.00

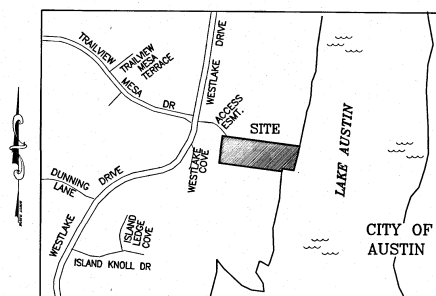
MEDINAE

\$ 102.00

10/21/19

C-201900214

# AMENDED PLAT OF TRACT-B OF THE RESUBDIVISION OF LOTS 66, 67 AND 68 OF LAKESHORE ADDITION



VICINITY MAP  
NOT TO SCALE

## CONSUMERS PROTECTION NOTICE FOR HOMEBUYERS

IF YOU ARE BUYING A LOT IN THIS SUBDIVISION, YOU SHOULD DETERMINE WHETHER THE SUBDIVISION AND THE LAND AROUND IT ARE INSIDE OR OUTSIDE THE CITY LIMITS.

THIS CAN AFFECT THE ENJOYMENT AND VALUE OF YOUR HOME. DEPENDING ON STATE LAW AND OTHER FACTORS, LAND OUTSIDE THE CITY LIMITS MAY BE SUBJECT TO FEWER LOCAL GOVERNMENT CONTROLS OVER THE DEVELOPMENT AND USE OF LAND THAN INSIDE THE CITY LIMITS.

THE SUBDIVISION'S RESTRICTIVE COVENANTS MAY CREATE PRIVATELY ENFORCEABLE RESTRICTIONS AGAINST INCOMPATIBLE LAND USES WITHIN THE SUBDIVISION, WHETHER INSIDE OR OUTSIDE THE CITY LIMITS.

DEPENDING ON STATE LAW AND OTHER FACTORS, HOWEVER, OUTSIDE THE CITY LIMITS NEITHER PRIVATE NOR GOVERNMENTAL RESTRICTIONS MAY BE AVAILABLE TO (1) RESTRICT EITHER THE NATURE OR EXTENT OF DEVELOPMENT NEAR THE SUBDIVISION THAT ARE INCOMPATIBLE WITH A RESIDENTIAL NEIGHBORHOOD.

SHEET 1 OF 3

FILE: P:\090346 - 3005 WESTLAKE DR\090346-01-001\SURVEY\WORKING\PLAT\3005 WESTLAKE DRIVE FINAL PLAT.DWG			
DATE: 06-20-18	DRAWN BY: KM	CREW: CF, MK	
SCALE: 1"=50'	CHECKED BY: JB	FB #: 424	
JOB #: 90346-01-001	DRAWING #: FINAL PLAT	PLAN #: 1186	
1. ADD NOTE	D.Z.	12-6-18	
2. ADDRESS COMMENTS	D.Z.	3-11-19	
NO	REVISION	BY	DATE

**Bowman**  
CONSULTING

Bowman Consulting Group, Ltd.  
1120 South Capital of Texas Hwy, Bldg 3, Suite 220, Austin, Texas 78746  
Phone: (512) 327-1180 Fax: (512) 327-4062  
www.bowmanconsulting.com © Bowman Consulting Group, Ltd.  
TBPE Firm No. F-14309 | TBPLS Firm No. 101206-00

AMENDED PLAT OF TRACT-B  
OF THE RESUBDIVISION OF LOTS 66, 67  
AND 68 OF LAKE SHORE ADDITION  
TRAVIS COUNTY, TEXAS

PLAN 1209.2

PLOT DATE: Jun 12, 2019 - 3:38pm

CASE NO. C8-2018-0180.OA



C-1711 201900214

# AMENDED PLAT OF TRACT-B OF THE RESUBDIVISION OF LOTS 66, 67 AND 68 OF LAKESHORE ADDITION

THE STATE OF TEXAS )  
THE COUNTY OF TRAVIS )

KNOW ALL MEN BY THESE PRESENTS:

THAT TRAVIS J. MACHEN, BEING THE OWNER OF TRACT-B, RESUBDIVISION OF LOTS 66, 67 AND 68 LAKESHORE ADDITION, A SUBDIVISION OF RECORD IN VOLUME 47, PAGE 99, PLAT RECORDS OF TRAVIS COUNTY, TEXAS AND ALL LAND LYING EASTERLY OF LOTS 66-A AND 67-A OF SAID RESUBDIVISION AND WESTERLY OF THE COLORADO RIVER OR LAKE AUSTIN, AND WHICH SAID LAND IS ENCOMPASSED BY THE EASTERLY EXTENSION OR PROLONGATION IN A LAWFUL MANNER OF THE NORTH LINE OF LOT 67-A AND THE SOUTH LINE OF LOT 66-A TO THE WATERS OF SAID RIVER OR LAKE, CONVEYED BY DEED OF RECORD INSTRUMENT NO. 2018165223 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND SAID SUBDIVISION HAVING BEEN APPROVED FOR RESUBDIVISION PURSUANT TO THE PUBLIC NOTIFICATION AND HEARING PROVISIONS OF CHAPTER 212.014 OF THE LOCAL GOVERNMENT CODE, DO HEREBY RESUBDIVIDE TRACT-B IN ACCORDANCE WITH THE MAP OR PLAT ATTACHED HERETO, TO BE KNOWN AS:  
AMENDED PLAT OF TRACT B OF THE RE-SUBDIVISION OF LOTS 66, 67 AND 68 OF LAKESHORE ADDITION  
AND DO HEREBY DEDICATE TO THE PUBLIC THE USE OF THE STREETS AND EASEMENTS SHOWN HEREON, SUBJECT TO ANY AND ALL EASEMENTS OR RESTRICTIONS HERETOFORE GRANTED AND NOT RELEASED.

IN WITNESS WHEREOF, TRAVIS J. MACHEN, HAS CAUSED THESE PRESENTS TO BE EXECUTED THIS

19<sup>th</sup> DAY OF OCTOBER, 2019, A.D.

*Travis J. Machen*  
TRAVIS J. MACHEN  
3005 WESTLAKE DRIVE  
AUSTIN, TEXAS 78746-1906

## SURVEYOR'S STATEMENT:

I, DONALD J. ZDANCEWICZ, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT I AM AUTHORIZED TO PRACTICE THE PROFESSION OF LAND SURVEYING IN THE STATE OF TEXAS; THAT I PREPARED THE PLAT SUBMITTED HEREWITH; THAT ALL INFORMATION SHOWN HEREON IS ACCURATE AND CORRECT TO THE BEST OF MY KNOWLEDGE AS RELATED TO THE SURVEYING PORTIONS THEREOF; AND THAT SAID PLAT COMPLIES WITH TITLE 25 OF THE LAND DEVELOPMENT CODE, WAS PREPARED FROM A SURVEY MADE ON THE GROUND, UNDER MY DIRECTION AND SUPERVISION, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

*Donald J. Zdancewicz*  
DONALD J. ZDANCEWICZ  
REGISTERED PROFESSIONAL LAND SURVEYOR  
NO. 6687-STATE OF TEXAS  
BOWMAN CONSULTING GROUP  
1120 SOUTH CAPITAL OF TEXAS HWY, SUITE 220  
AUSTIN, TEXAS 78746

6-12-19  
DATE



## ENGINEER'S STATEMENT:

I, NICHOLAS G. KEHL, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF ENGINEERING, AND HEREBY CERTIFY THAT THIS PLAT IS FEASIBLE FROM AN ENGINEERING STANDPOINT AND COMPLIES WITH THE ENGINEERING RELATED PORTIONS OF TITLE 25 OF THE CITY OF AUSTIN LAND DEVELOPMENT CODE, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

*Nicholas G. Kehl*  
NICHOLAS G. KEHL  
REGISTERED PROFESSIONAL ENGINEER  
NO. 104450-STATE OF TEXAS  
BOWMAN CONSULTING GROUP, LTD.  
1120 SOUTH CAPITAL OF TEXAS HWY, BUILDING 3, SUITE 220  
AUSTIN, TEXAS 78746

6-12-19  
DATE



THE STATE OF TEXAS )  
THE COUNTY OF TRAVIS )

KNOW ALL MEN BY THESE PRESENTS:

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED TRAVIS J. MACHEN, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS THEREON STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 10<sup>th</sup> DAY OF OCTOBER, 2019, A.D.

*Kasey Jaegers*  
KASEY JAEGBERS  
Notary Public, State of Texas  
Comm. Expires 03-08-2021  
Notary ID 13103626-1

PRINTED NAME OF NOTARY  
Kasey Jaegers  
MY COMMISSION EXPIRES ON: 3/8/21

105 Riverside Dr. #225 Austin Tx 78704  
PRINTED ADDRESS OF NOTARY

THIS SUBDIVISION PLAT IS LOCATED WITHIN THE FULL PURPOSE CITY LIMITS OF CITY OF AUSTIN ON THIS THE 19<sup>th</sup> DAY OF OCTOBER, 2019.

## CITY CERTIFICATIONS:

ACCEPTED AND AUTHORIZED FOR RECORD BY THE ZONING & PLATTING COMMISSION OF THE CITY OF AUSTIN, TEXAS, THIS 15<sup>th</sup> DAY OF OCTOBER, 2019.

*A. B.*  
Chairman, Planning Director, Don Briggs  
SECRETARY

STATE OF TEXAS )  
COUNTY OF TRAVIS )

KNOW ALL MEN BY THESE PRESENTS:

I, DANA DEBEAUVOR, CLERK OF TRAVIS COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON THE

21<sup>st</sup> DAY OF OCTOBER, 2019, A.D. AT 5:48 O'CLOCK P.M., AND DULY RECORDED ON THE

21<sup>st</sup> DAY OF OCTOBER, 2019, A.D. AT 5:48 O'CLOCK P.M., OFFICIAL PUBLIC

RECORDS OF SAID COUNTY AND STATE IN DOCUMENT NO. 201900214

WITNESS MY HAND AND SEAL OF OFFICE OF THE COUNTY CLERK, THIS 21<sup>st</sup> DAY OF OCTOBER, 2019, A.D.

DANA DEBEAUVOR, COUNTY CLERK, TRAVIS COUNTY, TEXAS.

*E. Medina*  
DEPUTY  
E. MEDINA



IN APPROVING THIS PLAT, THE COMMISSIONERS' COURT OF TRAVIS COUNTY, TEXAS, ASSUMES NO OBLIGATION TO BUILD THE STREETS, ROADS, AND OTHER PUBLIC THOROUGHFARES SHOWN ON THIS PLAT OR ANY BRIDGES OR CULVERTS IN CONNECTION THEREWITH. THE BUILDING OF ALL STREETS, ROADS, AND OTHER PUBLIC THOROUGHFARES SHOWN ON THIS PLAT, AND ALL BRIDGES AND CULVERTS NECESSARY TO BE CONSTRUCTED OR PLACED IN SUCH STREETS, ROADS, OR OTHER PUBLIC THOROUGHFARES OR IN CONNECTION THEREWITH, IS THE RESPONSIBILITY OF THE OWNER AND/OR DEVELOPER OF THE TRACT OF LAND COVERED BY THIS PLAT IN ACCORDANCE WITH PLANS AND SPECIFICATIONS PRESCRIBED BY THE COMMISSIONERS' COURT OF TRAVIS COUNTY, TEXAS.

THE OWNER(S) OF THE SUBDIVISION SHALL CONSTRUCT THE SUBDIVISION'S STREET AND DRAINAGE IMPROVEMENTS (THE "IMPROVEMENTS") TO COUNTY STANDARDS IN ORDER FOR THE COUNTY TO ACCEPT THE PUBLIC IMPROVEMENTS FOR MAINTENANCE OR TO RELEASE FISCAL SECURITY POSTED TO SECURE PRIVATE IMPROVEMENTS. TO SECURE THIS OBLIGATION, THE OWNER(S) MUST POST FISCAL SECURITY WITH THE COUNTY IN THE AMOUNT OF THE ESTIMATED COST OF THE IMPROVEMENTS. THE OWNER(S) OBLIGATION TO CONSTRUCT THE IMPROVEMENTS TO COUNTY STANDARDS AND TO POST THE FISCAL SECURITY TO SECURE SUCH CONSTRUCTION IS A CONTINUING OBLIGATION BINDING ON THE OWNERS AND THEIR SUCCESSORS AND ASSIGNS UNTIL THE PUBLIC IMPROVEMENTS HAVE BEEN ACCEPTED FOR MAINTENANCE BY THE COUNTY, OR THE PRIVATE IMPROVEMENTS HAVE BEEN CONSTRUCTED AND ARE PERFORMING TO COUNTY STANDARDS.

THE AUTHORIZATION OF THIS PLAT BY THE COMMISSIONERS' COURT FOR FILING OR THE SUBSEQUENT ACCEPTANCE FOR MAINTENANCE BY TRAVIS COUNTY, TEXAS, OF ROADS AND STREETS IN THE SUBDIVISION DOES NOT OBLIGATE THE COUNTY TO INSTALL STREET NAME SIGNS OR ERCT TRAFFIC CONTROL SIGNS, SUCH AS SPEED LIMIT STOP SIGNS, AND YIELD SIGNS, WHICH IS CONSIDERED TO BE A PART OF THE DEVELOPER'S CONSTRUCTION.

STATE OF TEXAS )  
COUNTY OF TRAVIS )

KNOW ALL MEN BY THESE PRESENTS:

I, DANA DEBEAUVOR, CLERK OF TRAVIS COUNTY, TEXAS, DO HEREBY CERTIFY THAT ON THE

21<sup>st</sup> DAY OF OCTOBER, 2019, A.D., THE COMMISSIONERS' COURT OF TRAVIS COUNTY, TEXAS, PASSED AN ORDER AUTHORIZING THE FILING FOR RECORD OF THIS PLAT AND THAT SAID ORDER WAS DULY ENTERED IN THE MINUTES OF SAID COURT.

WITNESS MY HAND AND SEAL OF OFFICE OF THE COUNTY CLERK, THIS 21<sup>st</sup> DAY OF OCTOBER, 2019, A.D.

*E. Medina*  
DEPUTY COUNTY CLERK  
TRAVIS COUNTY, TEXAS  
E. MEDINA



FILE: P:\090346 - 3005 WESTLAKE DR\09346-01-001\SURVEY\WORKING	
PLAT: 3005 WESTLAKE DRIVE FINAL PLATING	
DATE: 06-20-18	DRAWN BY: KM
SCALE: 1"=50'	CHECKED BY: JB
JOB #: 90346-01-001	DRAWING #: FINAL PLAT
A. ADD NOTE	D.Z. 12-6-18
B. ADDRESS COMMENTS	D.Z. 3-11-19
NO.	REVISION
BY	DATE

**Bowman**  
CONSULTING

Bowman Consulting Group, Ltd.  
1120 South Capital of Texas Hwy, Bldg 3, Suite 220, Austin, Texas 78746  
Phone: (512) 327-1100 Fax: (512) 327-4060  
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TPE Firm No. F-14309 | TPLS Firm No. 101206-00

AMENDED PLAT OF TRACT-B  
OF THE RESUBDIVISION OF LOTS 66, 67  
AND 68 OF LAKE SHORE ADDITION  
TRAVIS COUNTY, TEXAS

SHEET 2 OF 3

PLAN 1209.2

CASE NO. C8-2018-0180.OA



No.	
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**CITY OF AUSTIN  
Board of Adjustment  
Decision Sheet**

**DATE: Monday January 14, 2019**

**CASE NUMBER: C15-2019-0003**

<u>  </u> Y <u>  </u>	Brooke Bailey
<u>  </u> Y <u>  </u>	William Burkhardt
<u>  </u> Y <u>  </u>	Christopher Covo
<u>  </u> Y <u>  </u>	Eric Golf
<u>  </u> Y <u>  </u>	Melissa Hawthorne
<u>  </u> Y <u>  </u>	Bryan King
<u>  </u> Y <u>  </u>	Don Leighton-Burwell
<u>  </u> Y <u>  </u>	Rahm McDaniel
<u>  </u> - <u>  </u>	Martha Gonzalez (Alternate)
<u>  </u> Y <u>  </u>	Veronica Rivera
<u>  </u> Y <u>  </u>	James Valdez
<u>  </u> - <u>  </u>	Michael Von Ohlen OUT
<u>  </u> Y <u>  </u>	Kelly Blume (Alternate) MVO
<u>  </u> - <u>  </u>	Ada Corral (Alternate)

**APPLICANT: David Cancialosi**

**OWNER: Travis Machen**

**ADDRESS: 3005 WESTLAKE DR**

**VARIANCE REQUESTED:** The applicant has requested variance(s) to Section 25-2-551 to reduce the Lake Austin Shoreline Setback from 75-feet (required) to 25-feet (proposed) shoreline setback around an existing man-made cove to erect a single family residence and accessory structures in the LA – Lake Austin zoning district.

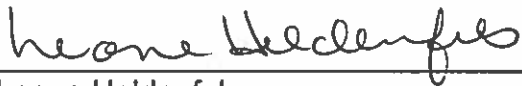
**BOARD'S DECISION:** The public hearing was closed on Board Member Bryan King motion to Grant with conditions as per drawing Option #2 and no structure spanning the inlet access point, Board Member Melissa Hawthorne second on an 11-0 vote; **GRANTED WITH CONDITIONS AS PER DRAWING OPTION #2 AND NO STRUCTURE SPANNING THE INLET ACCESS POINT.**

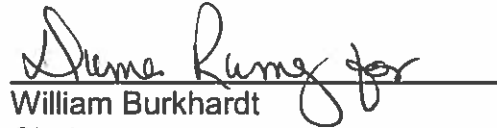
**EXPIRATION DATE: January 14, 2020**

**FINDING:**

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: the original lots 66, 67, 68 were replatted in 1965, applicant is requesting a reduced setback along the cove to accommodate a replacement of the existing single family structure and associated accessory structures

2. (a) The hardship for which the variance is requested is unique to the property in that: original 1915 Lakeshore Addition lots were replatted in 1965, this placed the cove entirely on the all three lots, the city changed the zoning from "A" First Height and Residential (which is essentially the same as today's SF-2 zoning) to Lake Austin zoning. This city-initiated zoning change occurred in the early 1980's, the cove nor the main body was not subject to net site area calculations associated with LA zoning code.  
  
(b) The hardship is not general to the area in which the property is located because: man-made inlets on private lots are fairly rare, they do exist and when they do, they create significant development constraints
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: any construction will be in keeping the varied construction styles found along Lake Austin and this stretch of Westlake Dr. There will be no adverse impact to adjacent properties

  
\_\_\_\_\_  
Leane Heldenfels  
Executive Liaison

  
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William Burkhardt  
Chairman

## PROPOSED CONDITIONS WITH 25' SETBACK AT COVE & GUEST HOUSE OPTION 2

