

CASE # C15-2014-0011

ROW- 11 061444

TP- 013109-02-08

**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: 5219 Tortuga Trail

LEGAL DESCRIPTION: Subdivision – T. J. Chambers .96 acre (C8i-2012-145)

Lot(s) .96 of 1 acre Block Outlot Division

I Jim Bennett as authorized agent for Carajean & Branch Archer

 affirm that on 12/4/13 hereby apply for a hearing before the Board of

Adjustment for consideration to:

ERECT – ATTACH – COMPLETE – REMODEL – MAINTAIN

To erect a bulkhead on an existing cut-in boat slip, back fill and re-vegetate

 in a LA district.
(zoning district)

The Austin Electric Utility Department (Austin Energy) enforces electric easements and the setback requirements set forth in the Austin Utility Code, Electric Criteria Manual and National Electric Safety Code. The Board of Adjustment considers variance to the Land Development Code, and a variance granted by the Board of Adjustment does not waive the requirements enforced by Austin Energy. Please contact Christine Esparza with Austin Energy at 322-6112 before filing your application with the Board of Adjustment if your request is for a reduction in setbacks or height limits.

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

REASONABLE USE:

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

HARDSHIP:

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

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

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: _____

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: _____

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:

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 _____ Mail Address 11505 Ridge Dr.

City Austin, State Texas, & Zip 78748

Printed : Jim R. Bennett Phone: (512) 282-3079 _____ Date:

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 _____ Mail Address

City, State & Zip

Printed Phone Date

Project Name: 5219 Tortuga Trail

Project Owner: Carajeon & Branch Archer

Project Address: 5219 Tortuga Trail, Austin TX 78731

Principle Residence: 5219 Tortuga Trail

Project Scope: Boat Dock, Fill In Existing Boat Slip, New Bulkhead Lake Side

Project EA: Required for Boat Dock, Fill In Slip and Bulkhead

Gate Code: NA

Grid: G28

MapsCo: 524X

Zoning: LA

Project Description: New two-slip dock 2-story 20' x 30' dock, fill in existing slip, new bulkhead and appurtenances.

Related Cases: C8I-2012-0145

Project Legal Description: ABS 7 CHAMBERS T J ACR .96, C8I-2012-0145

Flood Plain Map: 430H

Flood Plain Elev.: 496.5'



**City of Austin
Planning and Development Review
Land Status Determination
1987 Rule Platting Exception**

June 15, 2012

File Number: C8I-2012-0145

Address: 5219 TORTUGA TRL

Tax Parcel I.D. # 0131090208

Tax Map Date: 04/27/2009

The Planning & Development Review Department has determined that this parcel, as described in the attached description and map, **IS EXCEPTED FROM THE REQUIREMENT TO PLAT** in accordance with the Land Development Code, Section 25-4-2(C), and is eligible to receive utility service.

The parcel of land consists of five acres or less, and is described as being .96 of one acre of land, being a portion of the T.J. Chambers 8 League Grant in the current deed, recorded on Jan 07, 1963, in Volume 2565, Page 401, Travis County Deed Records. This parcel existed in its current configuration on August 31, 1987, as evidenced by a deed recorded on Jan 07, 1963, in Volume 2565, Page 401, Travis County Deed Records. The parcel was lawfully receiving utility service, as defined in Section 212.012 of the Texas Local Government Code, on August 31, 1987, as evidenced by electric service on Jun 02, 1978. The parcel meets the requirements of the Land Development Code for roadway frontage and is located on an existing street.

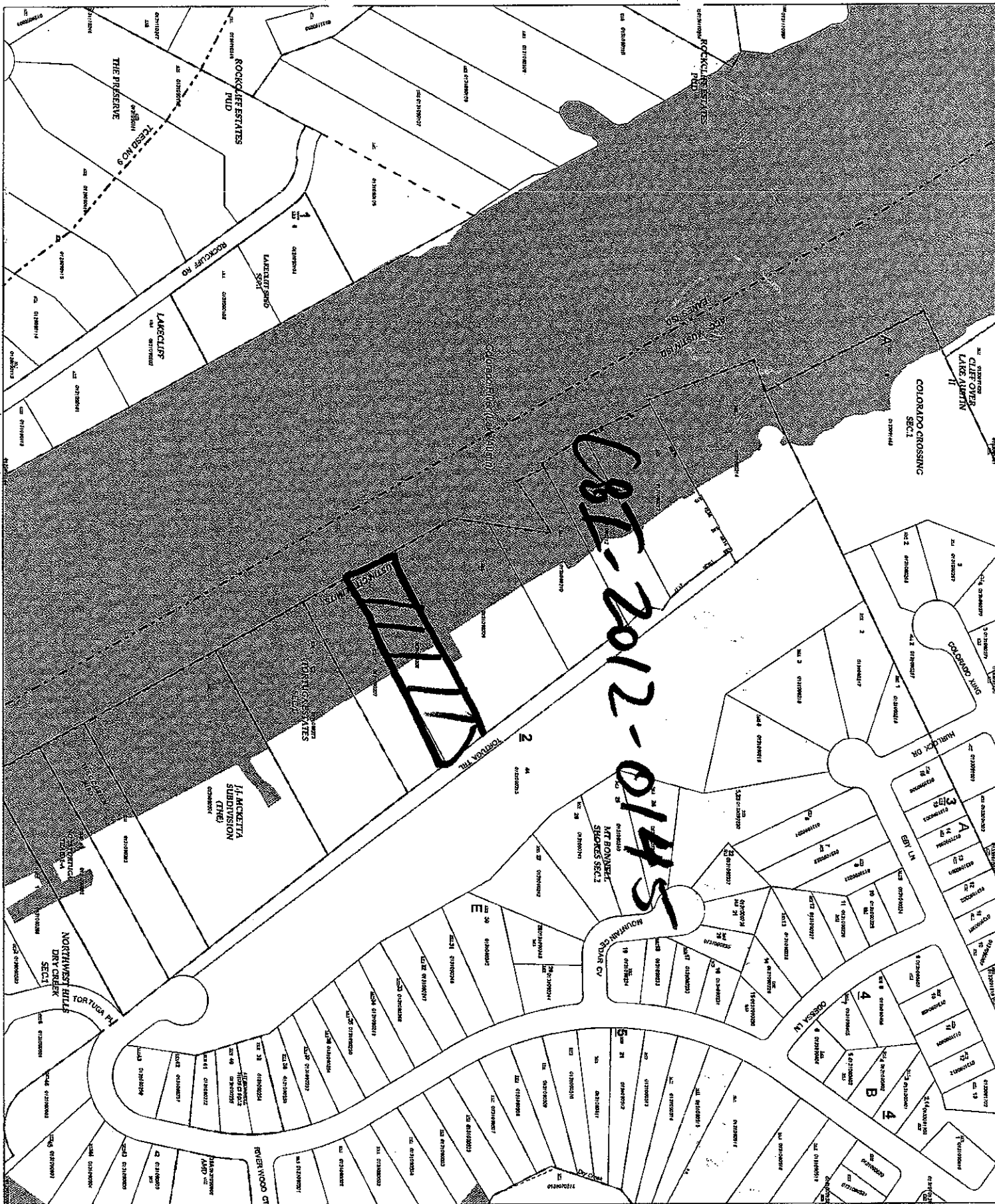
Additional Notes/Conditions:

See C8s-85-142 and C8-97-0098.0A for information regarding roadway status for Tortuga Trail. Approval of this request for a land status determination should not be construed to be an acceptance of Tortuga Trail for improvements or maintenance.

This determination of the status of the property is based on the application of Chapter 212, Municipal Regulation of Subdivisions 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: 

**Daniel Word, Representative of the Director
Planning and Development Review**



1 3109

Revision Date
4/27/2009

0 100 Feet

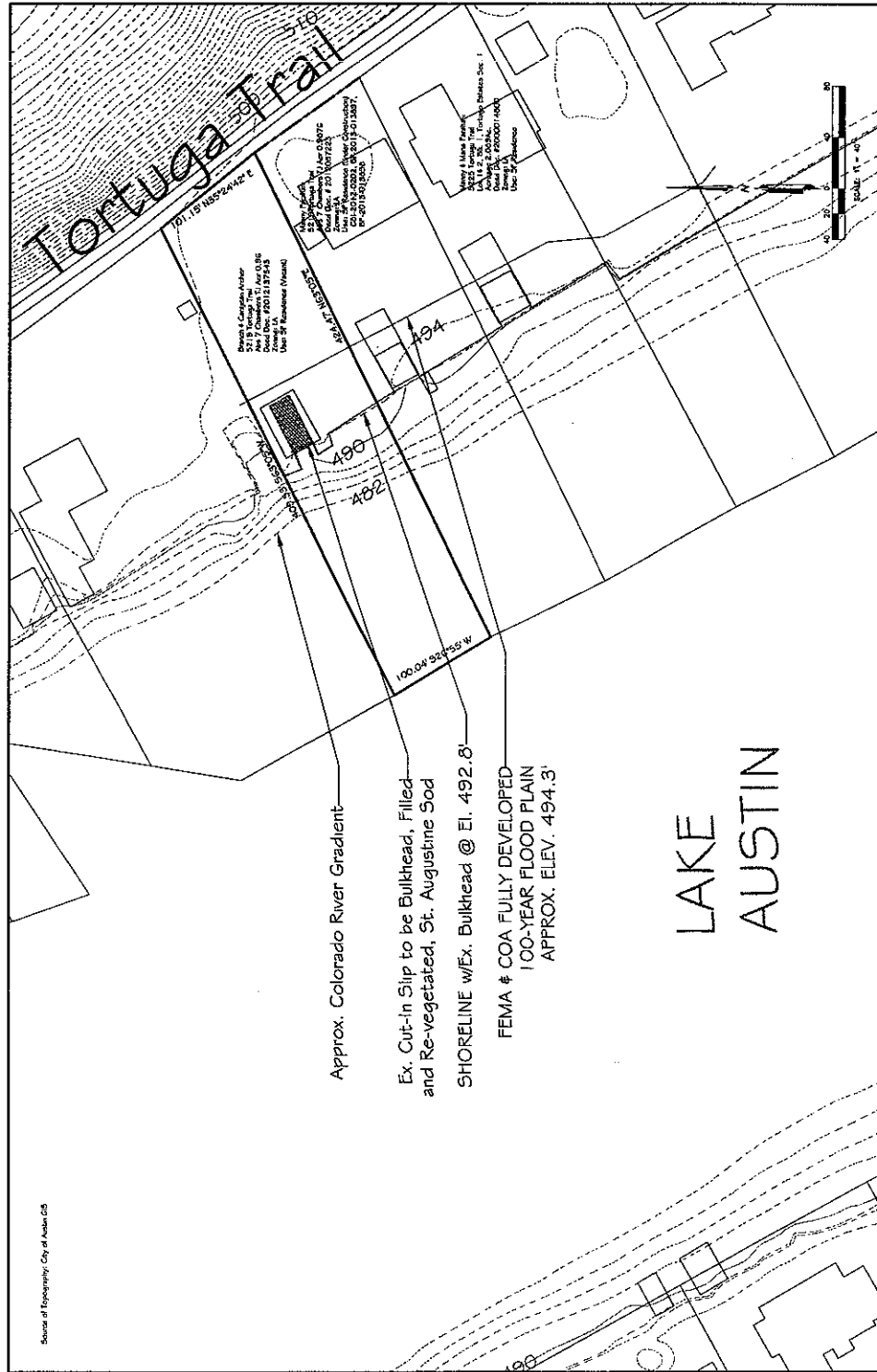
13011	13020	13030
13011	13016	13017
13018	13018	13018
13018	13018	13018
13018	13018	13018

NAD_1983_StatePlane_Texas_Central_FIPS_4203_Feet
Projection: Lambert_Conformal_Conic

This tax map was compiled solely for the use of TCAD. Areas depicted by these digital products are approximate, and are not necessarily accurate to mapping, surveying or engineering standards. Conclusions drawn from this information are the responsibility of the user. The TCAD makes no claims, promises or guarantees about the accuracy, completeness or adequacy of this information and expressly disclaims liability for any errors and omissions. The mapped data does not constitute a legal document.

Travis Central Appraisal District
8314 Cross Park Drive
Austin, Texas 78754
P.O. Box 149012
Austin, Texas 78714
Internet Address: www.traviscad.org
Main Telephone Number: (512) 634-6317
Appraisal Information: (512) 834-9318
TDD: (512) 836-3328

Source of Topography: City of Austin GIS

LAKE
AUSTIN

Approx. Colorado River Gradient-

Ex. Cut-In Slip to be Bulkhead, Filled—
and Re-vegetated, St. Augustine Sod

SHORELINE w/Ex. Bulkhead @ El. 492.8'-

FEMA & COA FULLY DEVELOPED—
100-YEAR FLOOD PLAIN
APPROX. ELEV. 494.3'

5219 TORTUGA TRAIL
SITE PLAN

AUPPERLE COMPANY
Engineering, Planning & Development Services
10008 Carver Drive, Austin, Texas 78731 512 329-8241
Fax: 512 329-8242

[illegible]

DESIGNED: BSA	
APPROVED:	
SCALE: NTD	
5210 TORTUGA TRAIL	
DATE: NOV. 26, 2015	
SHEET	1 of 1