

**MEMORANDUM**

**TO:** Chair and Members of the Board of Adjustment

**FROM:** Chuck Lesniak, Environmental Officer  
Watershed Protection Department

**DATE:** Wednesday, October 7, 2014

**SUBJECT:** 3801 Island Way

The Watershed Protection Department (WPD) has been contacted by members of the public regarding a proposed variance at 3801 Island Way that is on an upcoming Board of Adjustment agenda. The citizens expressed concern about a possible encroachment of a critical environmental feature (CEF) on or near the property. It is my understanding that these issues have also been raised at a previous Board meeting and so I felt it appropriate to provide the Board information regarding the environmental conditions and City regulations.

During an August 26, 2014 site a WPD staff geologist identified two rimrock CEFs. The rimrocks are about 13-feet to 39-feet east of 3801 Island Way (see attached map). The City's Land Development Code, Chapter 25-8-281, states that the standard setback for a CEF is 150-feet and requires that within a CEF buffer area natural vegetative cover must be retained to the maximum extent practicable; prohibits construction and wastewater disposal.

This is an unusual case in that these environmental requirements are not generally considered during building permit review because they are normally applied to single family development during the subdivision phase of development. Because this is a very old subdivision that environmental review did not occur. However, there is no exemption for single family development from the requirements of Chapter 25-8-281 and a strict application of the regulations would require a variance as described above. While existing structures are allowed to remain within the buffer any new development would have to comply with these requirements or apply for a variance from the City's Land Use Commission after receiving the recommendation of the Environmental Board.

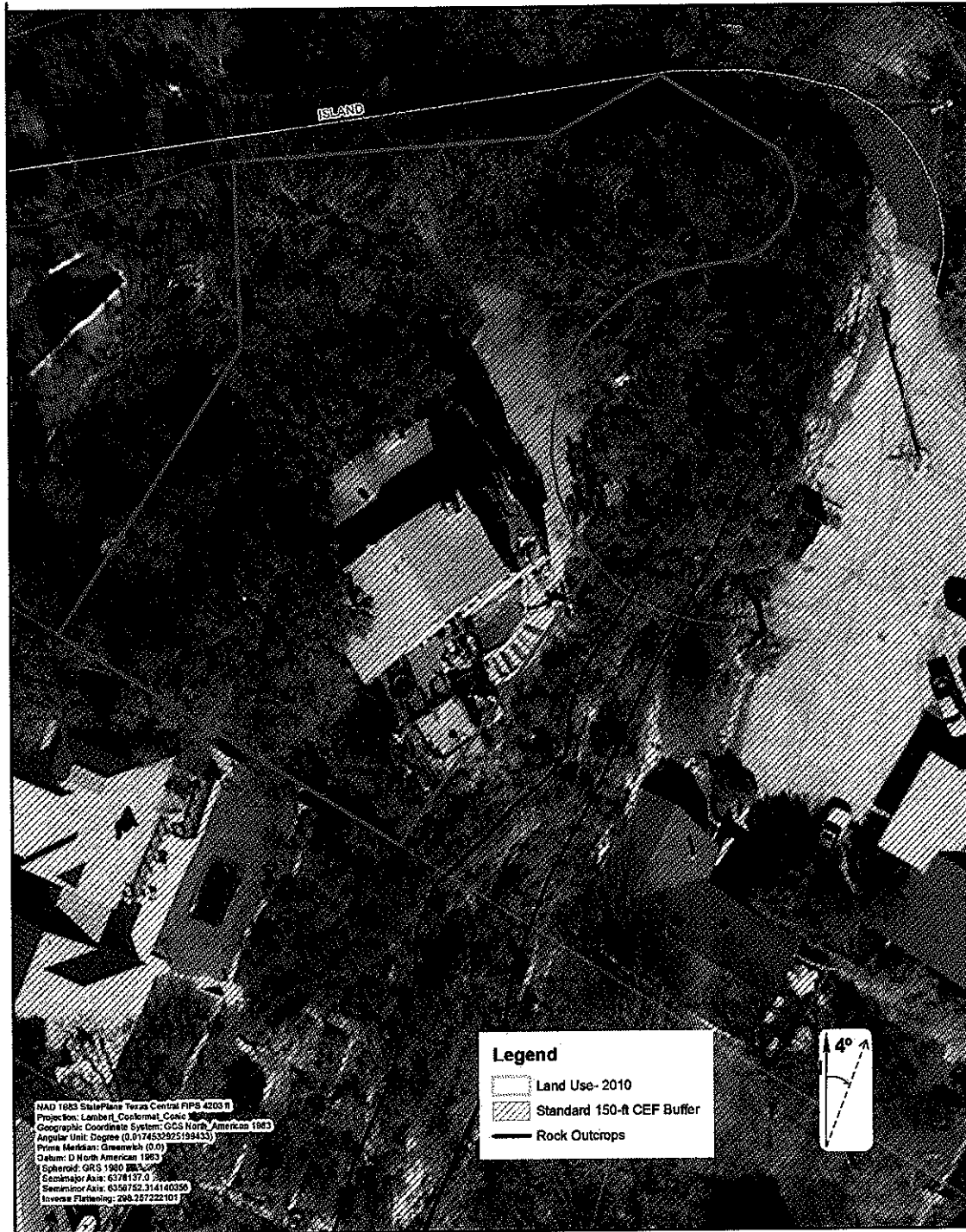
I hope this information has been helpful. If you have any questions please contact me at your convenience at [chuck.lesniak@austintexas.gov](mailto:chuck.lesniak@austintexas.gov) or 512/974-2699.

Attachments

Cc: Leane Heldenfels, Planning and Development Review Department  
Scott Hiers, P.G., Watershed Protection Department

# Attachment: Environmental Constraints 3801 Island Way

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