

CITY OF AUSTIN

Board of Adjustment/Sign Review Board Decision Sheet

DATE: Monday, October 13, 2014

CASE NUMBER: C15-2014-0139

_____ Jeff Jack
_____ Michael Von Ohlen
_____ Ricardo De Camps
_____ Bryan King
_____ Vincent Harding
_____ Will Schnier - Melissa Hawthorne-(out)
_____ Sallie Burchett

APPLICANT: Bruce Aupperle

OWNER: Rona & David Baizer

ADDRESS: 1904 SCENIC DR Bldg BD

VARIANCE REQUESTED: The applicant has requested a variance(s) to:

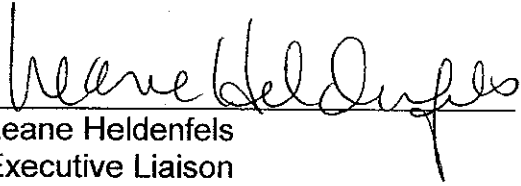
Section 25-2-1176 (A) (1) (*Site Development Regulations for Docks, Marinas, and Other Lakefront Uses*) to permit a dock to not extend greater than 30 feet from shoreline (required) to 66 feet from shoreline (requested); and to Section 25-2-1176 (A) (3) (*Site Development Regulations for Docks, Marinas, and Other Lakefront Uses*) to decrease the distance a dock may be constructed from not closer than 10 feet to the side property line (required) to 0 feet from the side property line (requested); and to Section 25-2-1176 (A) (4) (*Site Development Regulations for Docks, Marinas, and Other Lakefront Uses*) to increase the width of a dock measured parallel to the shoreline of the lot or tract where the dock is proposed, and including all access and appurtenances, which may not exceed 14 feet, if the shoreline width is no greater than 70 feet (required for this 50.89' lot) to 14 feet plus 5 feet for concrete pier (requested, existing) in order to reconstruct a boat dock in an "LA" and "SF-3, Lake Austin and Family Residence zoning district.

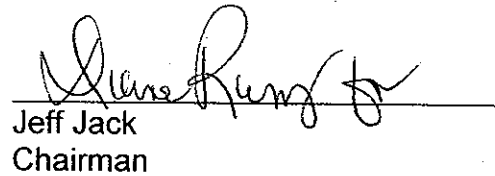
BOARD'S DECISION: POSTPONED TO NOVEMBER 10, 2014 DUE TO MAIL POSTING ERROR

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


Jeff Jack
Chairman



C15-2014-0139

1904 scenic boat Dr.
3

If you need assistance completing this application (general inquiries only) please contact Susan Walker, 974-2202; 505 Barton Springs Road, 2nd Floor (One Texas Center).

Revised

CASE # 45-2014-0139
ROW # 11214963

CITY OF AUSTIN
APPLICATION TO BOARD OF ADJUSTMENT
GENERAL VARIANCE/PARKING VARIANCE

0117090706

WARNING: Filing of this appeal stops all affected construction activity.

PLEASE: APPLICATION MUST BE TYPED WITH ALL REQUESTED INFORMATION COMPLETED.

STREET ADDRESS: 1904 Scenic. Boat Dock Location and Residence at 3810 Kennel Wood

LEGAL DESCRIPTION: Subdivision -- LOT 7A LAUREL HEIGHTS AMENDED PLAT LTS 7.8&9 BLK 5, LOT 8 BLK 4 LAUREL HEIGHTS

Lot(s) _____ Block _____ Outlot _____ Division _____

I/We Carolyn Aupperle on behalf of myself/ourselves as authorized agent for _____ Deleted: _____

David and Rona Baizer affirm that on August 28, 2014, _____

hereby apply for a hearing before the Board of Adjustment for consideration to:

(check appropriate items below)

☒ ERECT ☐ ATTACH ☐ COMPLETE ☐ REMODEL ☐ MAINTAIN

a new boat dock more then 30' from the shoreline. *66' requested*

more than 20% width and closer then 10' off sideyard setback (required)
of 50.89' lot (10.8) (14 requested) *0'*

in a LA district.
(zoning district)

27.5%

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 (see page 5 of application for explanation of findings):

REASONABLE USE:

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

There is an existing bulkhead and the steep terrain make it very difficult to get any closer.

HARDSHIP:

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

The bulkhead is existing and there are only a few rimrock areas that are accessible.

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

Most lots are level with the lake.

Deleted: _____

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:

The bulkhead has been there for quite some time and the neighboring properties are also extending beyond 30'.

Deleted: _____

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:

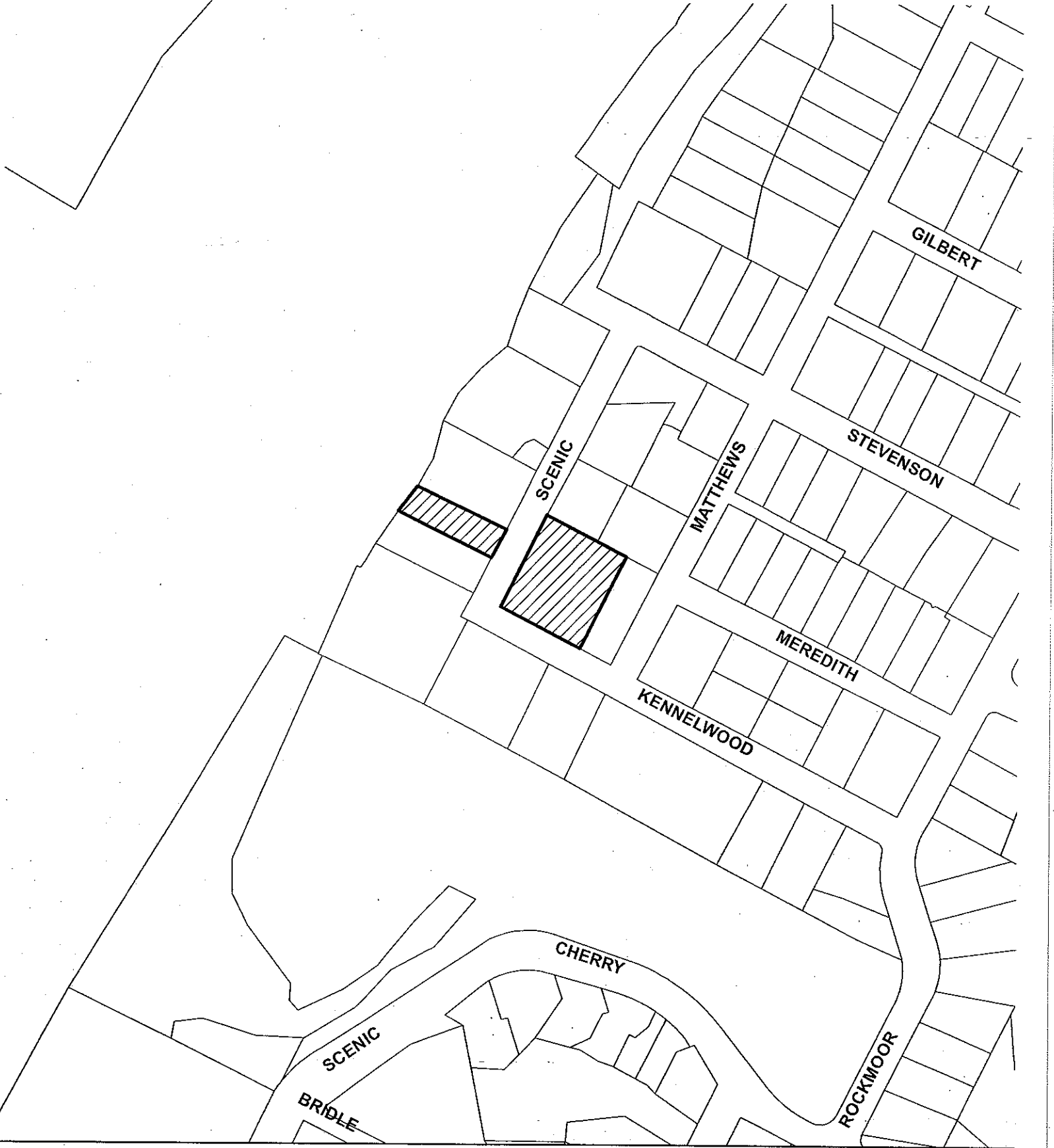
NOTE: The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.




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 [Signature] Mail Address 10088 Circleview Drive

City, 78733 State TX & Zip Austin

Printed Carolyn Aupperle Phone 512-422-7838
Date August 28, 2014



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

CASE#: C15-2014-0139
Address: 1904 SCENIC DR (BOAT DOCK)
3810 KENNELWOOD (HOME)



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.

1" = 200'

Heldenfels, Leane

From: Bruce Aupperle <~~maico@bruceaupperle.com~~>
Sent: Wednesday, October 01, 2014 2:32 PM
To: Heldenfels, Leane
Subject: Re: 1904 Scenic

Leane:

After careful consideration, I think we need to include the variance for "more than 20% width" in the BOA request.

The new dock is less than 20% of the lot width, however there is an existing 5' concrete pier that has been there since the 1930's that will remain and be used as a gangway.

Therefore, the total width of the new dock and old pier will exceed 20% of the lot's width.

The zoning in the area is also SF-3-NP.

The City GIS has the zoning boundary between the LA and SF-3-NP out in the lake and I am not sure which side of the line the new dock falls.

Thanks, Bruce Aupperle, P.E. (512) 422-7838 Mobile (512) 329-8241 Office Aupperle Company 10088 Circleview Drive Austin, TX 78733

On 9/30/2014 3:56 PM, Heldenfels, Leane wrote:

Hi Bruce – take and look at this and advise if I have anything different from what you'd like the notice to read.

I will send others as I receive them back from legal.

Thanks –

Leane

From: Bruce Aupperle [mailto:~~maico@bruceaupperle.com~~]
Sent: Tuesday, September 23, 2014 2:02 PM
To: Heldenfels, Leane
Cc: carolyn Aupperle
Subject: Fwd: RE: 1904 Scenic

Leane:

In general the consideration for our 10/13 BOA cases are:

2009 Lake Shore: >20% width under old code.

6901 Greenshore: >20% width under old code

1904 Scenic: >30' length, <10' offset under new code

2921 Westlake Cove: >20% width, >30' length under old code

7900 Big View: >20% width, <10' offset under old code

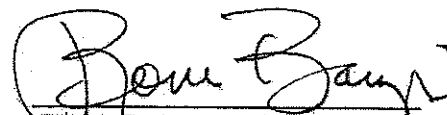
August 28, 2014

City of Austin
Planning and Development Review Department
PO Box 1088
Austin, TX 78716

To Whom It May Concern:

We, Rona & David Baizer, own the property at 1904 Scenic Drive. We wish to build a new boat dock on the property. Aupperle Company and Andersson-Wise Architects are our authorized agents for the City of Austin applications needed for the subject property. Please contact us if you have any questions.


David Baizer


Rona Baizer



City of Austin
911 ADDRESSING
CITY SERVICE ADDRESS VALIDATION

Email: addressing@austintexas.gov **Phone:** (512) 974-2797 **Fax:** (512) 974-3337
911 Addressing Website: <http://austintexas.gov/911addressing>

Date: September 11, 2014

The Following Is A Valid Address:

Address : 1904 SCENIC DR

Building(s) : BD

Unit(s) :

*Please contact the United States Postal Service or go to www.usps.com for the correct zip code for this address.

Legal Description:

Subdivision : LAUREL HEIGHTS

Block ID : 4

Lot ID : 8

Geographic ID: 0117090706

Property ID : 117163

Jurisdiction: AUSTIN FULL PURPOSE

Verify your jurisdiction with our new Jurisdictions Web Map: <http://austintexas.gov/gis/JurisdictionsWebMap/>

County: TRAVIS

Parent Address Place Id: 5108424

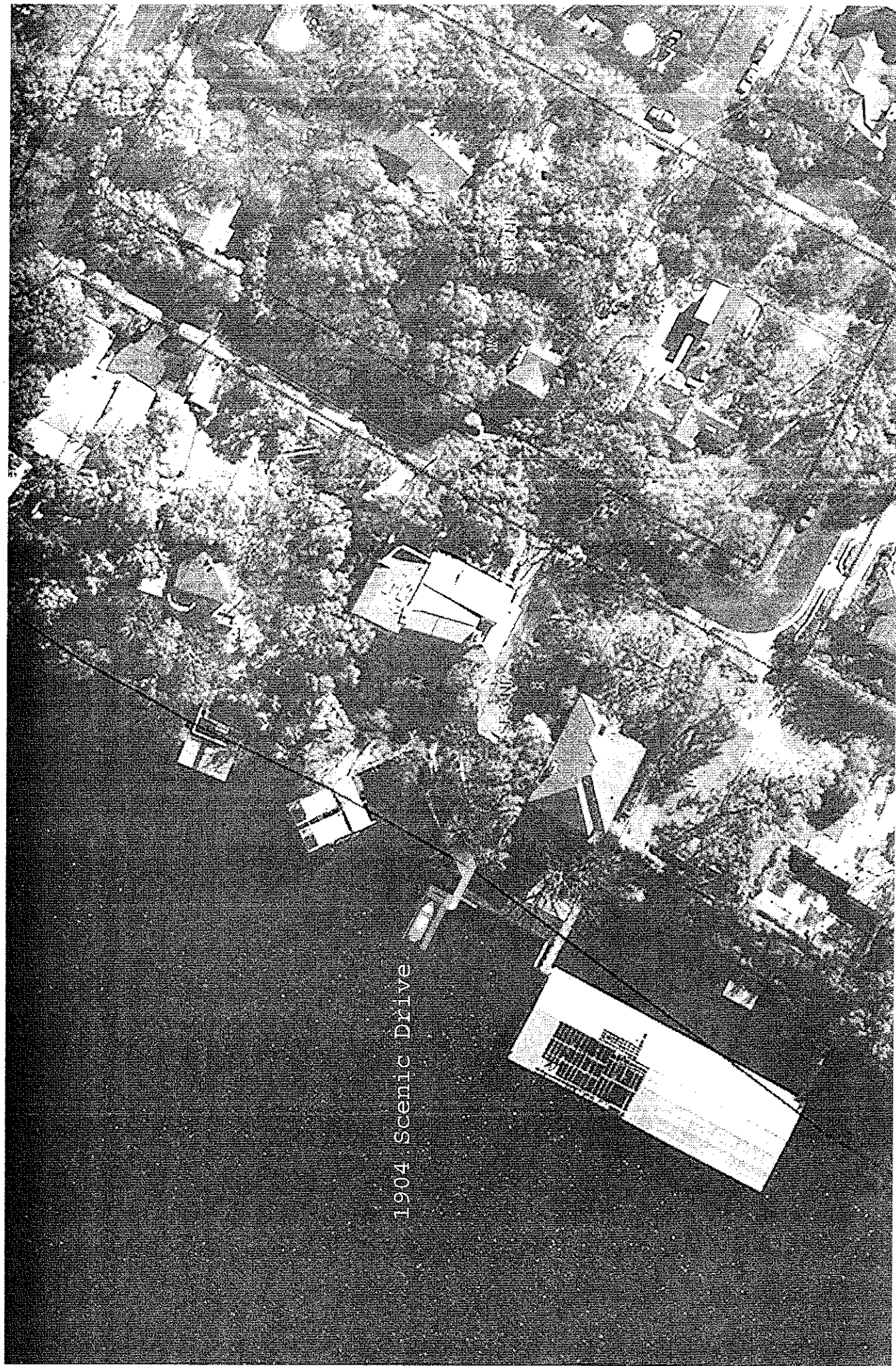
Comments:

Signed:

A handwritten signature in cursive script, appearing to read "Catherine Winfrey".

CATHERINE WINFREY

Disclaimer: The assignment and/or verification of this address does not authorize a change in land use or constitute the City of Austin's approval of any division of real property. The assignment and/or verification of this address does not supersede any requirements of the City of Austin's Land Development Code, the Texas Local Government Code, or any other state or municipal regulations.



1904 Scenic Drive

1 SITE PLAN
Scale: 1/8" = 1'-0"

A0.01

SHEET

SITE PLAN

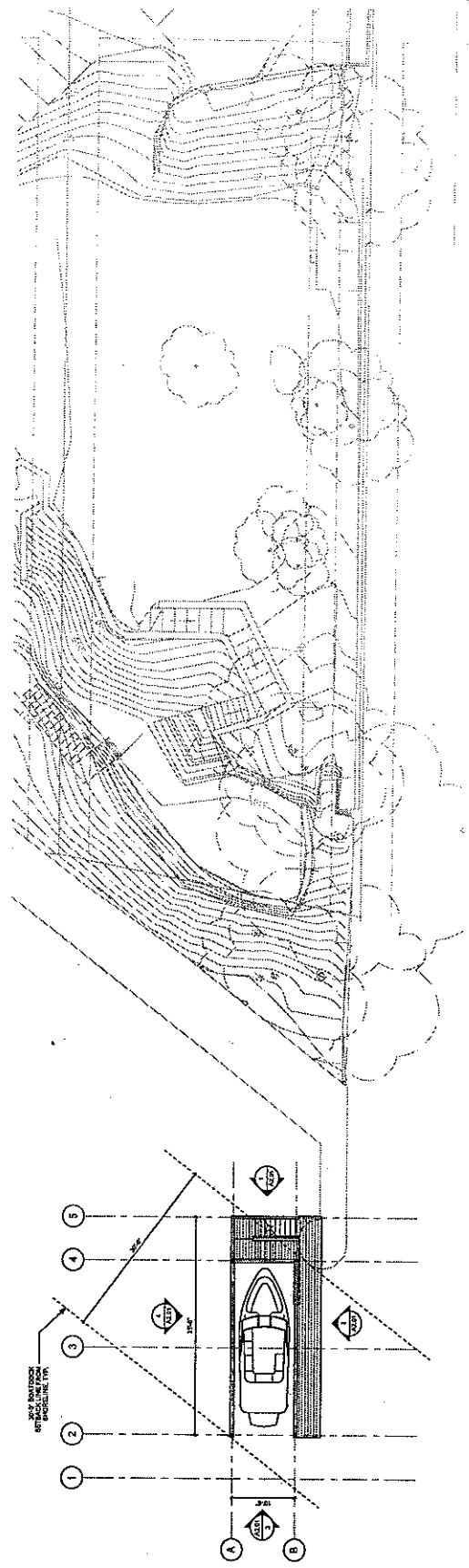
SCHEMATIC DESIGN

DATE: 01 JAN 2012

ANDERSSON-WISE
1001 SCENIC DRIVE
DICKINSON, ND 58101
701.785.1234

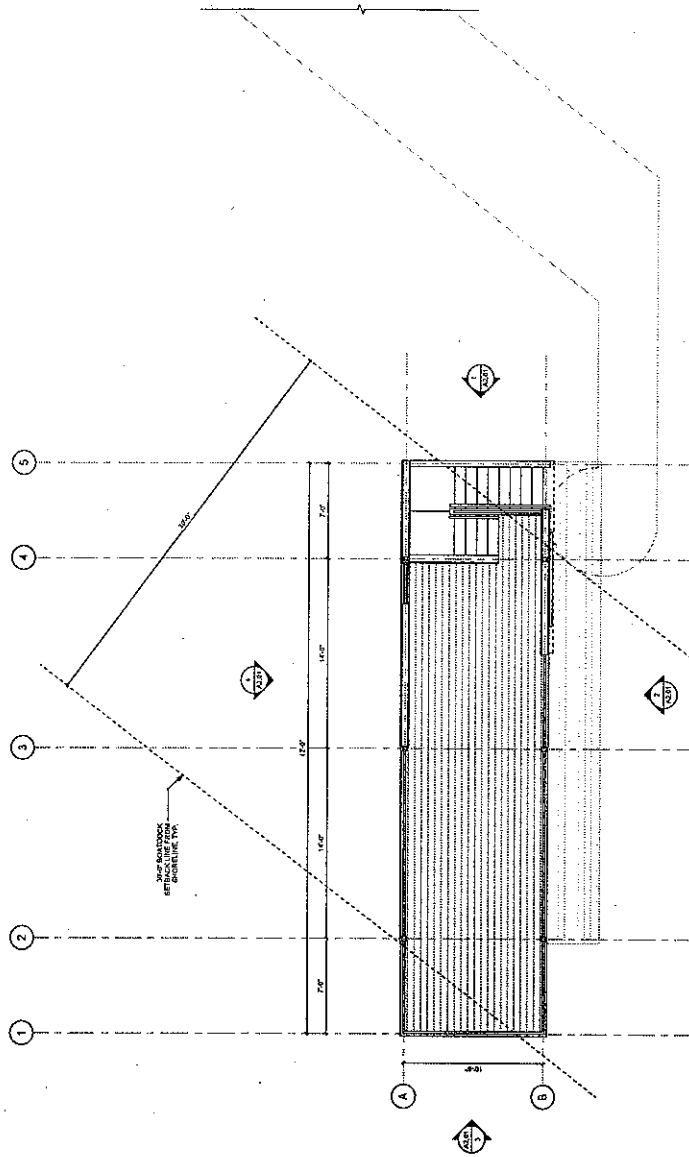
BAIZER BOAT
DOCK

NOT FOR
REGULATORY
USE
PERMITTING OR
CONSTRUCTION



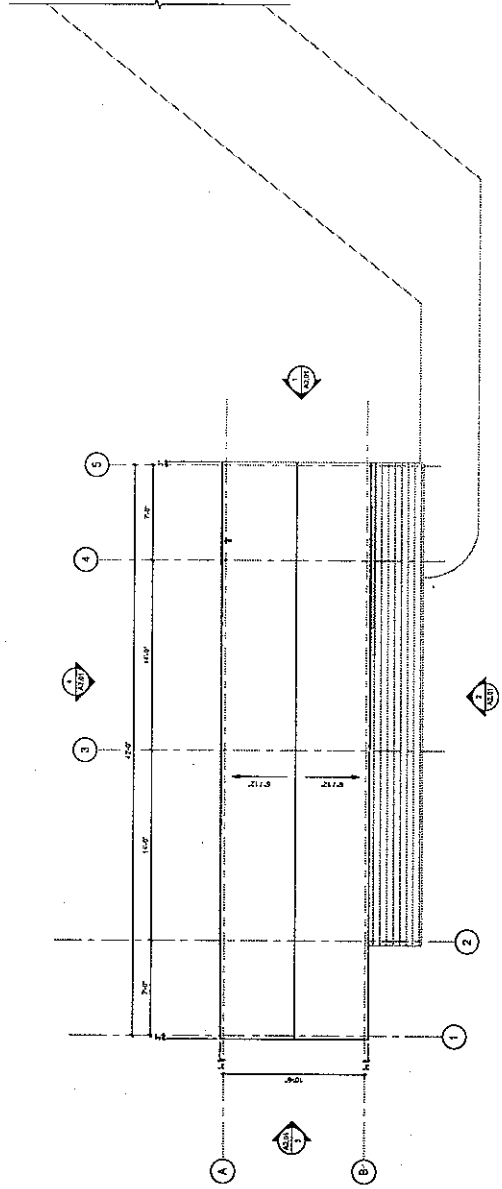
1 FIRST FLOOR PLAN
Scale: 1/8" = 1'-0"

NOT FOR RECORD PERMITTING OR CONSTRUCTION	1904 SCENIC DRIVE BAIZER BOAT DOCK	ANDERSSON-WISE 317 BRIDGE ST. SUITE 200 SEASIDE, CA 94134 415.421.3700 FAX 415.421.3701	DATE: 01-JUN-2012	SCHEMATIC DESIGN	SECOND FLOOR PLAN	SHEET : A1.02



1 SECOND FLOOR PLAN
 SCALE: 1/8" = 1'-0"

NOT FOR RECORD PERMITTING OR CONSTRUCTION	1904 SCENIC DRIVE DOCK BAIZER BOAT	ANDERSSON-WISE PROFESSIONAL ARCHITECTS 1001 1/2 12TH AVE. S.W. SEASIDE, WASH. 98138 PHONE 325-1111	21 JAN 1973	SCHEMATIC DESIGN	ROOF PLAN	SHEET 1	A1.03
						1	1
						1	1
						1	1



1 SECOND FLOOR PLAN
Scale: 1/4" = 1'-0"

NOT FOR
PERMITTING OR
CONSTRUCTION

1904 SCENIC DRIVE
DOCK
BAIZER BOAT

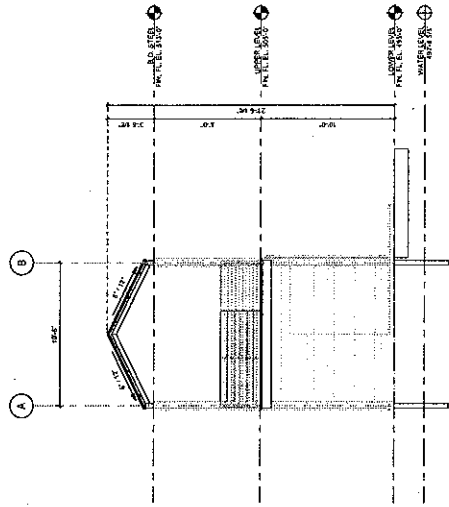
ANDERSSON-WISE
ARCHITECTURAL
1000 N. 10TH ST. SUITE 100
DENVER, CO 80202
303.733.1111

DATE: 01 JAN 2013

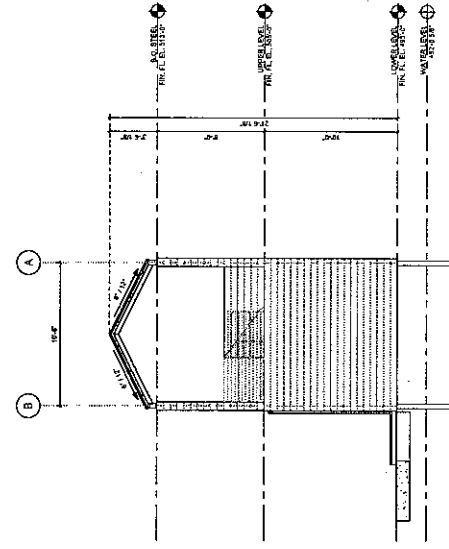
SCHEMATIC
DESIGN

EXTERIOR
ELEVATIONS

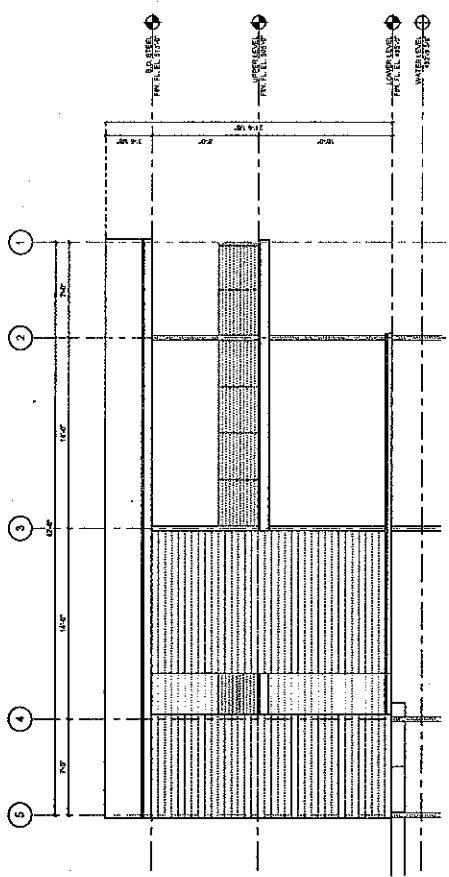
SHEET:
A2.01



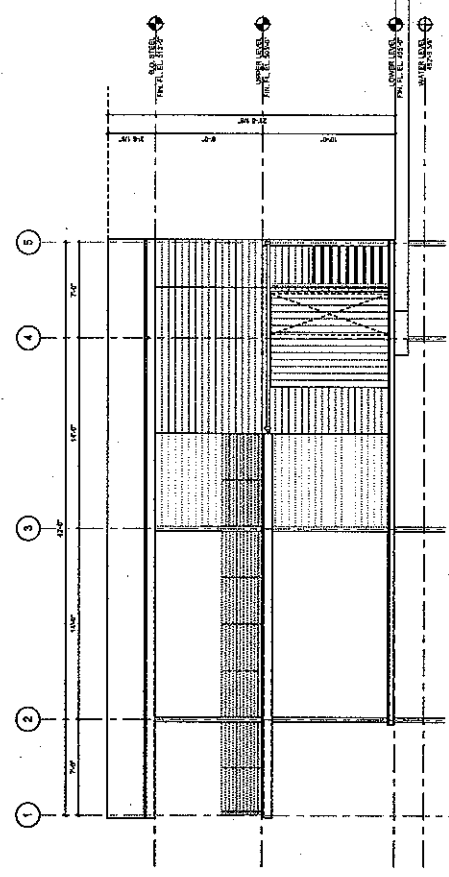
3 WEST ELEVATION
Scale: 1/8" = 1'-0"



1 EAST ELEVATION
Scale: 1/8" = 1'-0"



4 NORTH ELEVATION
Scale: 1/8" = 1'-0"



2 SOUTH ELEVATION
Scale: 1/8" = 1'-0"



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ROW # 11214963
Roll # 0117090706

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Wood (Home)

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7.8&9 BLK 5. LOT 8 BLK 4 LAUREL HEIGHTS

Lot(s) _____ Block _____ Outlot _____ Division _____

I/We Carolyn Aupperle on behalf of myself/ourselves as authorized agent
for _____ Deleted: _____

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August 28, 2014, _____

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(check appropriate items below)

☒ X ERECT ☐ ATTACH ☐ COMPLETE ☐ REMODEL ☐ MAINTAIN

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(zoning district)

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Most lots are level with the lake.

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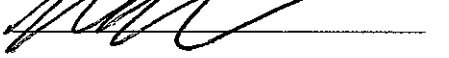
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APPLICANT CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed  Mail Address 10088 Circlview
Drive

City, 78733 State & Zip Austin, TX

Printed Carolyn Aupperle Phone 512-422-
7838 Date August 28, 2014

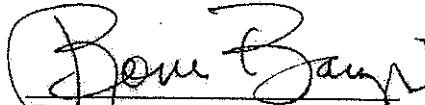
August 28, 2014

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David Baizer


Rona Baizer