

It would be the same for extending the building into the deck footprint.

Chuck

What if we didn't do the pool and stayed within the footprint?

On Dec 2, 2014, at 11:49 AM, "Lesniak, Chuck" <chuck.lesniak@austintexas.gov> wrote:

Phyllis,

Sorry to take so long to get back to you, I've been wading through e-mails and voice mails since yesterday. I discussed your case further with our staff and we've concluded that extending the footprint of the house and the addition of a pool within the footprint of the existing wood deck would be additional disturbance and impervious cover greater than what already exists. This would require a Land Use Commission variance for construction within the buffer of a critical environmental feature. We also considered whether the project would meet the findings of fact and we don't believe that it would. A formal determination on the findings would have to be based on review of a permit application, but based on what you've provided we think that our opinion is not likely to change. We would not be able to support a variance request if we believe it doesn't meet the findings of fact.

Assuming our opinion doesn't change after a permit application review, you could still pursue the variance to Ch. 25-8 without staff support. You would need to make a formal variance request and pay the associated fees. I don't know the exact amount, but it's in the neighborhood of \$1,600 altogether. The variance would go to the Environmental Board for recommendation and then to the Zoning and Platting Commission for approval.

I'm sure this wasn't the answer you were hoping for and I'm sorry not to give you better news. Let me know what you would like to do. If you'd like to pursue the variance staff can work with you on what you need to submit and the contents of the submittal.

Chuck Lesniak

C15-2014-0111

Heldenfels, Leane

From: Phyllis Patek <ppatek@outlook.com>
Sent: Tuesday, December 02, 2014 8:16 AM
To: Heldenfels, Leane
Subject: Re: 3801 Island Way, postponement to 1/12/15 BOA meeting request?

I never heard back from Chuck yesterday. I think we should just postpone one more time. I'll let you know as soon as I find out something.

Sent from my iPhone
Phyllis Patek
Austin Portfolio Real Estate
512-799-8500

On Dec 1, 2014, at 10:56 AM, "Heldenfels, Leane" <Leane.Heldenfels@austintexas.gov> wrote:

Sounds good –
Thanks for keeping me posted, we're sending our packet to the printer today – but can add info if needed before we send it to the members on TH.
Take care –
Leane

From: Phyllis Patek [mailto:ppatek@outlook.com]
Sent: Monday, December 01, 2014 10:47 AM
To: Heldenfels, Leane
Subject: Re: 3801 Island Way, postponement to 1/12/15 BOA meeting request?

We are waiting to hear back from Chuck Lesniak we met with him last week and he said he would have an answer to us today. I just sent him an email. I will let you know as soon as I hear back.
Thanks

Sent from my iPhone
Phyllis Patek
Austin Portfolio Real Estate
512-799-8500

On Dec 1, 2014, at 10:38 AM, "Heldenfels, Leane" <Leane.Heldenfels@austintexas.gov> wrote:

Just cking in to see if you want to proceed to the 12/8 meeting next Monday or if you'd prefer to postpone to 1/12/15?
Thanks –
Leane Heldenfels
Board of Adjustment Liaison
City of Austin