

CASE# C15-2015-0014  
ROW# 11274703  
TAX# 013121011  
(TCADV)

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: 3206 Rivercrest Dr

LEGAL DESCRIPTION: Subdivision – Rivercrest Addn Sec

1 Lot(s) 1 Block A Outlot \_\_\_\_\_ Division \_\_\_\_\_

I/We David Cancialosi on behalf of myself/ourselves as authorized agent for

Greg Crouch affirm that on Dec 2, 2014, hereby apply for a hearing

before the Board of Adjustment for consideration to:

(check appropriate items below and state what portion of the Land Development Code you are seeking a variance from)

X ERECT \_\_\_ ATTACH \_\_\_ COMPLETE \_\_\_ REMODEL X MAINTAIN

Replace existing non-complying 35' X 30' dock with new dock in same location with same sized footprint.

Maintain side yard setback of 8' in LA zoning district.

in a LA district.  
(zoning district)

**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:

The current owner requests this variance in order to rebuild a replacement dock of the same size. The current 1 story dock + uncovered sundeck was built in 1965 and has reached the end of its physical life. It is not structurally sound and needs to be 100% replaced. The dock was built in accordance with the rules in place at the time of construction, "A" residential zoning. "A" residential zoning was in place via Chapter 44 zoning code which allowed accessory uses such as docks. The city of Austin cannot produce a permit for the dock; however, a 1970 City of Austin aerial map delineates the dock in its current location. Further, Travis County has recognized the structure and taxed it accordingly since 1965.

Neither LA zoning nor LA Watershed Regulations were in place at the time of 1965 construction. Because the City does not have building permits on file for the dock, city staff is requiring a small project site plan that complies with LA Overlay regulations that amended dock regulations and processing requirements as of June 2014. However, the owner has a reasonable expectation to rebuild, but not exceed, the current dock footprint of 35' wide X 30' deep because the county and city have independently recognized the dock. The owner should not be penalized due to lack of an original site or building permit that may or may not have been issued in 1965 and the city of Austin's inability to provide provisions for such instances.

**HARDSHIP:**

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

The dock was originally constructed in 1965 under the "A" residential zoning prescribed in Chapter 44 zoning code. The dock was unknowingly built within the 10' side setback and has an ~8' side yard setback. The overall dimensions are 35' x 30'. The property owner proposes to remove the dock from the side setback, but requests to replace the non-complying dock with a new structure of the same size in order to accommodate contemporary sized lake equipment such as a boat, personal water craft, kayak, etc.

The Travis County appraisal district has recognized this dock and assessed taxes on it since the date of 1965 construction. The City refuses to recognize the dock despite its construction date predating applicable code requirements found within the current Land Development Code. Per city staff, if the dock had a permit on file the owner would be able to perform substantive repairs to the existing dock that may allow it to remain as-is; however, since no permit is on file city staff's current position is that only deck boards can be replaced. Any further scope of repair would trigger full compliance with current regulations that were not in place at time of original construction. Thus the owner requests the Board approve this request to replace the existing dock with a new dock that is the same width and depth. The owner also requests the variance to maintain the existing 2' encroachment into the 10' side yard.

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

There are no known docks in the area that share the same structural, permitting, and non-compliance issues.

**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 owner proposes to replace the existing dock with a standard dock with a single slip large enough to accommodate typical lake vehicles. It will and have a 2<sup>nd</sup> story sundeck and sitting area. This is a very common design found on adjacent properties along Rivercrest Dr. as well as throughout the lake. Allowing the owner to replace the current dock with same-sized footprint will not alter the area of character, impair the use of adjacent property, nor the purposes of the zoning district.

**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:

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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:

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3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

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4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

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**~~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 David Cancialosi Mail  
Address 105 w riverside dr #225

City, State & Zip Austin TX 78704

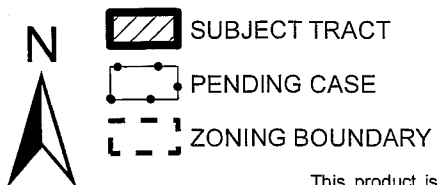
Printed David Cancialsoi Phone 593-5368 Date Dec 2, 2014

**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 Greg Crouch 3206 Rivercrest Dr

City, State & Zip Austin Texas 78746

Printed Greg Crouch Date Dec 2 2014



CASE#: C15-2015-0014  
Address: 3206 RIVERCREST DR



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.

1" = 200'

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.

# Waterloo Surveyors Inc. SURVEY PLAT Colorado River

J14099

**OWNER:**  
GREGORY K. CROUCH

**ADDRESS:**  
3206 RIVERCREST DRIVE,  
AUSTIN, TEXAS 78746

**LEGAL DESCRIPTION:**  
LOT 1, BLOCK A, RIVERCREST ADDITION  
SECTION 1, A SUBDIVISION IN TRAVIS  
COUNTY, TEXAS, ACCORDING TO THE MAP  
OR PLAT THEREOF RECORDED IN VOLUME 1,  
PAGE 27 OF THE PLAT RECORDS OF  
TRAVIS COUNTY, TEXAS

**LOT 1 IS SUBJECT TO:**  
RESTRICTIONS AND EASEMENT RIGHT OF  
RECORD.

## IMPERVIOUS COVER

conc. walk 275 sq. ft.  
stone planter 50 sq. ft.  
stone wall 56 sq. ft.  
wood deck 46/2= 23 sq. ft.  
side porches 17 sq. ft.  
driveway 1,862 sq. ft.  
side patio 133 sq. ft.  
hot tub 53 sq. ft.  
ceramic tile 279 sq. ft.  
A/C units 14 sq. ft.  
stone oath 1,340 sq. ft.  
House 3,804 sq. ft.

**TOTAL COVER 7,906 sq. ft.**  
**LOT 18,692 sq. ft.**

State of Texas: **PERCENT COVER 42.2%**  
County of Travis:

The undersigned does hereby  
certify that this survey was  
this day made on the property  
legally described hereon and is  
correct, and this survey complies  
with the current Texas Society  
of Professional Surveyors  
Standards and Specifications for  
a Category 5 & 6 Condition II  
Survey. Dated: April 30, 2014

And I certify that the property shown  
hereon IS within a special  
flood hazard area as identified by the  
Federal Insurance Adm. Department of  
HUD Flood hazard boundary map  
revised as per Map Number:  
48453C0430H

Zone: AE Dated: 09/26/08

Thomas P. Dixon R.P.L.S. 4324

to found 1/2" Iron Rod  
(S 39°57' W 110°)  
S 39°14'03" W 110.77'

*Rivercrest Drive*

BEARING BASE (100')  
S 39°57'00" W 99.88'

(S 39°57' W 156.28°)  
S 40°02'20" W 156.39'

LOT 13  
BLOCK C

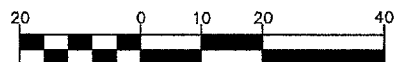
Found Iron Rod  
with cap

## LEGEND

6" CLEANOUT  
SEPTIC LID  
WOOD FENCE  
WROUGHT IRON FENCE  
OVERHEAD ELECTRIC  
POWER POLE  
ELEVATION BASE NAVD88  
(RECORD CALL)

TREE TAG//  
ROOT ZONE  
1151 17" Palm  
TREE

## GRAPHIC SCALE



( IN FEET )  
1 inch = 20 ft.

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## Travis CAD

## Property Search Results &gt; 126887 CROUCH GREGORY K for Year 2014

## Property

## Account

Property ID: 126887 Legal Description: LOT 1 BLK A RIVERCREST ADDN SEC 1  
 Geographic ID: 0131210111 Agent Code: ID:2553  
 Type: Real  
 Property Use Code:  
 Property Use Description:

## Location

Address: 3206 RIVERCREST DR Mapsco: 523X  
 TX 78746  
 Neighborhood: N9700 Map ID: 012627  
 Neighborhood CD: N9700

## Owner

Name: CROUCH GREGORY K Owner ID: 123644  
 Mailing Address: 3206 RIVERCREST DR  
 AUSTIN, TX 78746-1734  
 Exemptions: HS

## Values

(+) Improvement Homesite Value: + \$444,855  
 (+) Improvement Non-Homesite Value: + \$0  
 (+) Land Homesite Value: + \$1,500,000  
 (+) Land Non-Homesite Value: + \$0 Ag / Timber Use Value  
 (+) Agricultural Market Valuation: + \$0 \$0  
 (+) Timber Market Valuation: + \$0 \$0  
 -----  
 (=) Market Value: = \$1,944,855  
 (-) Ag or Timber Use Value Reduction: - \$0  
 -----  
 (=) Appraised Value: = \$1,944,855  
 (-) HS Cap: - \$157,105  
 -----  
 (=) Assessed Value: = \$1,787,750

## Taxing Jurisdiction

Owner: CROUCH GREGORY K  
 % Ownership: 100.000000000000%  
 Total Value: \$1,944,855

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
03	TRAVIS COUNTY	0.456300	\$1,944,855	\$1,430,200	\$6,526.00
08	EANES ISD	1.212500	\$1,944,855	\$1,772,750	\$21,494.59
0A	TRAVIS CENTRAL APP DIST	0.000000	\$1,944,855	\$1,787,750	\$0.00
2J	TRAVIS COUNTY HEALTHCARE DISTRICT	0.126400	\$1,944,855	\$1,430,200	\$1,807.77
Total Tax Rate:		1.795200			
Taxes w/Current Exemptions:					\$29,828.36
Taxes w/o Exemptions:					\$32,093.69

## Improvement / Building

**Improvement #1:** 1 FAM DWELLING **State Code:** A1 **Living Area:** 4271.6 sqft **Value:** \$444,855

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
1ST	1st Floor	WV - 5+		1965	3196.6
2ND	2nd Floor	WW - 5+		1965	1075.0
011	PORCH OPEN 1ST F	* - 5+		1965	562.3
095	HVAC RESIDENTIAL	* - *		1965	4271.6
251	BATHROOM	* - *		1965	3.0
474	BOAT DK STA UNCV	SF2 - *		1965	1.0
522	FIREPLACE	* - 5+		1965	1.0
522	FIREPLACE	* - 5+		1965	1.0
612	TERRACE UNCOVERD	* - 5+		1965	260.0
522	FIREPLACE	* - 5+		1965	1.0
011	PORCH OPEN 1ST F	* - 5+		1965	259.0
041	GARAGE ATT 1ST F	WV - 5+		1965	506.0
SO	Sketch Only	SO - *			128.0
011	PORCH OPEN 1ST F	* - 5+		1965	98.0
011	PORCH OPEN 1ST F	* - 5+		1965	144.0

### Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	LAND	Land	0.4297	18719.00	100.00	187.19	\$1,500,000	\$0

### Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2015	N/A	N/A	N/A	N/A	N/A	N/A
2014	\$444,855	\$1,500,000	0	1,944,855	\$157,105	\$1,787,750
2013	\$310,910	\$1,500,000	0	1,810,910	\$185,683	\$1,625,227
2012	\$277,479	\$1,200,000	0	1,477,479	\$0	\$1,477,479
2011	\$334,312	\$1,500,000	0	1,834,312	\$360,312	\$1,474,000
2010	\$152,500	\$1,187,500	0	1,340,000	\$0	\$1,340,000

### Deed History - (Last 3 Deed Transactions)

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Deed Number
1	8/7/2001	WD	WARRANTY DEED	TRAMMELL LINDA A	CROUCH GREGORY K	00000	00000	2001133423TR
2	6/30/1995	WD	WARRANTY DEED	WEBBER DIANNE CHASE	TRAMMELL LINDA A	12475	02000	
3	5/19/1993	WD	WARRANTY DEED	HOLDEN JAMES E & MEREDITH	WEBBER DIANNE CHASE	11939	01526	

**Questions Please Call (512) 834-9317**

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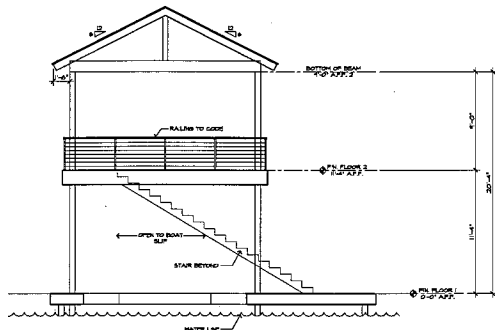
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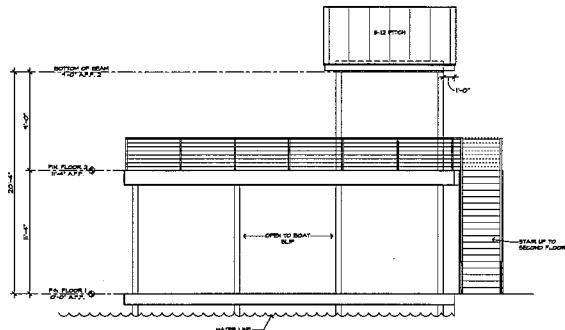
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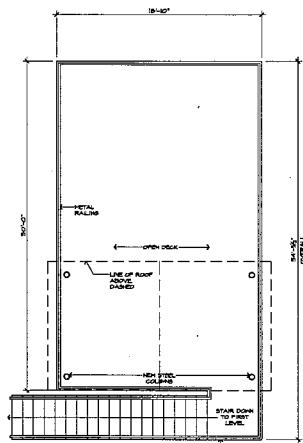




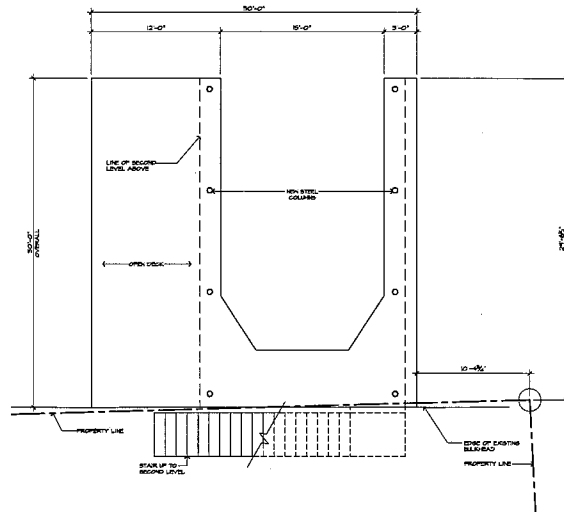
④ PROPOSED LAKE SIDE ELEVATION  
SCALE: 1/4" = 1'-0"



③ PROPOSED RIGHT SIDE ELEVATION  
SCALE: 1/4" = 1'-0"



② PROPOSED BOAT DOCK SECOND LEVEL  
SCALE: 1/4" = 1'-0"



① PROPOSED BOAT DOCK FIRST LEVEL  
SCALE: 1/4" = 1'-0"

PROPOSED BOAT DOCK FLOOR PLANS + ELEVATIONS  
SCALE: 1/4" = 1'-0"

SHIFLET GROUP  
ARCHITECTS  
Austin, Texas  
100 Westside Drive  
912.328.3925

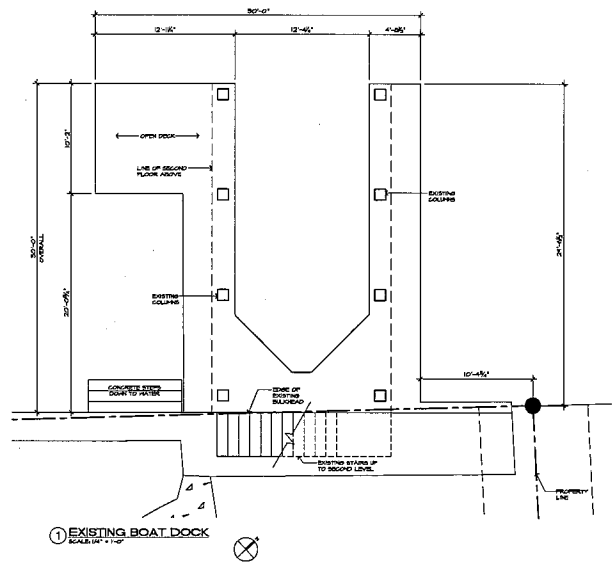
PRELIMINARY  
NOT FOR REGULATORY APPROVAL  
PERMITTING OR CONSTRUCTION

CROUCH BOAT DOCK  
3206 Rivercrest Drive Austin, Texas 78746

DATE: 10/1/14  
DRAWN BY: JLM  
CHECKED BY: JLM  
DESIGNED BY: JLM  
PROJECT: BOAT DOCK  
FLOOR PLANS + ELEVATIONS

SHEET:  
A-2  
OF

**PRELIMINARY**  
NOT FOR REGULATORY APPROVAL  
PERMITTING OR CONSTRUCTION



**CROUCH BOAT DOCK**  
3206 Rivercrest Drive Austin, Texas 78746

DATE: 11/11/11  
DRAWN BY: JLM  
CHECKED BY: JLM  
PROJECT NO: 11-001  
BOAT DOCK EXISTING FLOOR PLAN

SHEET: **A-3**  
OF 3