

CASE# C15-2015-0013
ROW# 11274691
TAX# 0125230101
(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: 70 Pascal Lane

LEGAL DESCRIPTION: Subdivision — Rob Roy, Phase 2

Lot(s) 59 Block E Outlot _____ Division _____

I/We Amanda Morrow on behalf of myself/ourselves as authorized agent for

Chris Pacitti affirm that on _____, _____,

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 ___ MAINTAIN

Variance from Sections 25-2-551(B)(2) and 25-2-551(B)(5) to allow construction of a tram in the shoreline

setback that will be used to provide sole access to a proposed boat dock.

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 shoreline setback area is only applicable to property zoned "LA" and does not apply to other

zoning districts along Lake Austin. Without the variance the applicant would not be able to access all areas of the property.

HARDSHIP:

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

The property has extreme slope challenges (greater than 35% between the home and the shoreline)

without the construction of a tram there is no other means of access to the proposed boat dock.

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

With the exception of a few lots along this area of Lake Austin, the majority of the properties in the area do not have the same topography issues as this lot. The terrain of most of the adjacent lots are more gradual in nature and are accessible using other means of pedestrian access.

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 variance will not alter the character of the area because the tram will be screened with existing and proposed vegetation, and all setbacks will be adhered to. For property zoned LA, other improvements are allowed in the shoreline setback which would have a greater impact environmentally and visually on surrounding properties, such as a driveway and road. However, these types of improvements are not feasible due to existing site conditions. Therefore a tram is the only means of access for this applicant.

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 100 Congress Avenue, Suite 1300

City, State & Zip Austin, Texas 78701

Printed Amanda Morrow

Phone 512-435-2368

Date 12-2-14

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 70 Pascal Lane

City, State & Zip Austin, Texas 78746

Printed Chizis Pacitti Phone _____

Date 12-1-14



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

CASE#: C15-2015-0013
Address: 70 PASCAL LANE



1" = 200'

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.