

**CITY OF AUSTIN**  
**Board of Adjustment/Sign Review Board**  
**Decision Sheet**

**DATE: Monday, February 9, 2015**

**CASE NUMBER: C15-2015-0013**

\_\_\_\_ Jeff Jack - Chair  
\_\_\_\_ Michael Von Ohlen  
\_\_\_\_ Melissa Whaley Hawthorne - Vice Chair  
\_\_\_\_ Sallie Burchett  
\_\_\_\_ Ricardo De Camps  
\_\_\_\_ Brian King  
\_\_\_\_ Vincent Harding  
\_\_\_\_ Will Schnier - Alternate  
\_\_\_\_ Stuart Hampton - Alternate

**APPLICANT: Amanda Morrow**

**ADDRESS: 70 PASCAL LN**

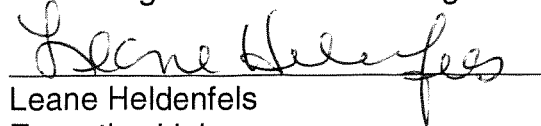
**VARIANCE REQUESTED:** The applicant has requested variance(s) from Section 25-2-551 (B) (3) (a) (*Lake Austin (LA) District Regulations*) to permit a mechanized access facility in a "LA", Lake Austin zoning district.

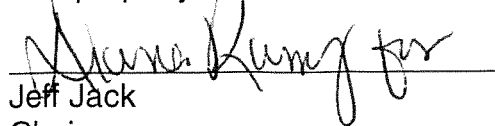
The Land Development Code states that no structures are allowed in a shoreline setback area, except that: (a) a bulkhead, retaining wall, dock, non-mechanized pedestrian facility, or marina may be constructed and maintained in accordance with applicable regulations of this title.

**BOARD'S DECISION: POSTPONED TO March 9, 2015 AT THE STAFF'S REQUEST**

**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

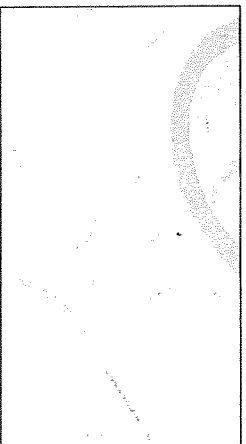
  
\_\_\_\_\_  
Jeff Jack  
Chairman

# REVISIONS / CORRECTIONS

NO.	DESCRIPTION	DATE	BY	APP'D	DATE	BY	APP'D
1	REVISION 1	10/1/2014	APUPPERLE	APUPPERLE	10/1/2014	APUPPERLE	APUPPERLE
2	REVISION 2	10/1/2014	APUPPERLE	APUPPERLE	10/1/2014	APUPPERLE	APUPPERLE
3	REVISION 3	10/1/2014	APUPPERLE	APUPPERLE	10/1/2014	APUPPERLE	APUPPERLE
4	REVISION 4	10/1/2014	APUPPERLE	APUPPERLE	10/1/2014	APUPPERLE	APUPPERLE
5	REVISION 5	10/1/2014	APUPPERLE	APUPPERLE	10/1/2014	APUPPERLE	APUPPERLE
6	REVISION 6	10/1/2014	APUPPERLE	APUPPERLE	10/1/2014	APUPPERLE	APUPPERLE
7	REVISION 7	10/1/2014	APUPPERLE	APUPPERLE	10/1/2014	APUPPERLE	APUPPERLE
8	REVISION 8	10/1/2014	APUPPERLE	APUPPERLE	10/1/2014	APUPPERLE	APUPPERLE
9	REVISION 9	10/1/2014	APUPPERLE	APUPPERLE	10/1/2014	APUPPERLE	APUPPERLE
10	REVISION 10	10/1/2014	APUPPERLE	APUPPERLE	10/1/2014	APUPPERLE	APUPPERLE

Revised

## 70 Pascal Lane



Map 503R  
VICINITY MAP

### GENERAL NOTES

1. All work shall be in accordance with the City of Austin Engineering Department (CED) standards and specifications.
2. The City of Austin Engineering Department (CED) shall be responsible for the design and construction of the project.
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10. The City of Austin Engineering Department (CED) shall be responsible for the design and construction of the project.

### Plan Sheet List

1. CIVIL ENGINEERING
2. ELECTRICAL ENGINEERING
3. MECHANICAL ENGINEERING
4. PLUMBING ENGINEERING
5. ROADS ENGINEERING
6. STRUCTURAL ENGINEERING
7. TRANSPORTATION ENGINEERING
8. WATER ENGINEERING
9. WASTE ENGINEERING
10. OTHER ENGINEERING

### Approved By:

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Date

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Date

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70 Pascal  
Lane

Approx. Colorado  
River Gradient  
Boundary line

Shoreline @ Elev. 492.2

100 Yr Flood Plain @ Elev. 490

75 Yr S setback @ CNO2—

Navigation Lights

Proposed Dock 32' x 30'

Disturbance in this area requires  
native grassland seeding and planting per  
City of Austin Standard Specification 6055.6  
including topsoil and seeds bed preparation,  
temporary irrigation & weed management.

Mulch Sack @ 10  
increments or Below  
each Set of Rail  
Supports, whichever  
is less, in Distance

Plant Screen along Tram: Mix of 1-Gallon Texas Perennation  
(*Diopyros texana*) and 1-Gallon Evergreen Yaupon @ Min. 10' C-C

Dark Gray to Camouflage & Blend with the Existing Boulders & Trees  
Sorghum Earth  
Recovery Seed Mix to be utilized for Disturbed Soil

ELEVATOR TRAVERSES 4222  
HORIZONTAL FEET IN 292  
VERTICAL FEET, SLOPE  
EXCEEDS 35%

[illegible]

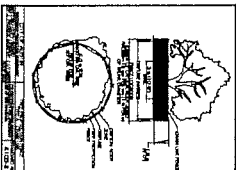
Relative Humidity (range)	= 14-5%
Relative Humidity (mean)	= 19.18%
Temperature (range)	= 27-32°C
Temperature (mean)	= 30.2°C
Temperature (SD)	= 1.57
Temperature (SE)	= 0.12
Temperature (CV)	= 5.05%
Temperature (min)	= 27.0°C
Temperature (max)	= 32.0°C
Temperature (SD)	= 1.57
Temperature (SE)	= 0.12
Temperature (CV)	= 5.05%
Temperature (min)	= 27.0°C
Temperature (max)	= 32.0°C

NOTES:

1. A DOOR BEHIND THE COUNTER IS LOCKED WITH A KEYSYSTEM

- [illegible]

ATTENTION INSPECTOR NOTES:



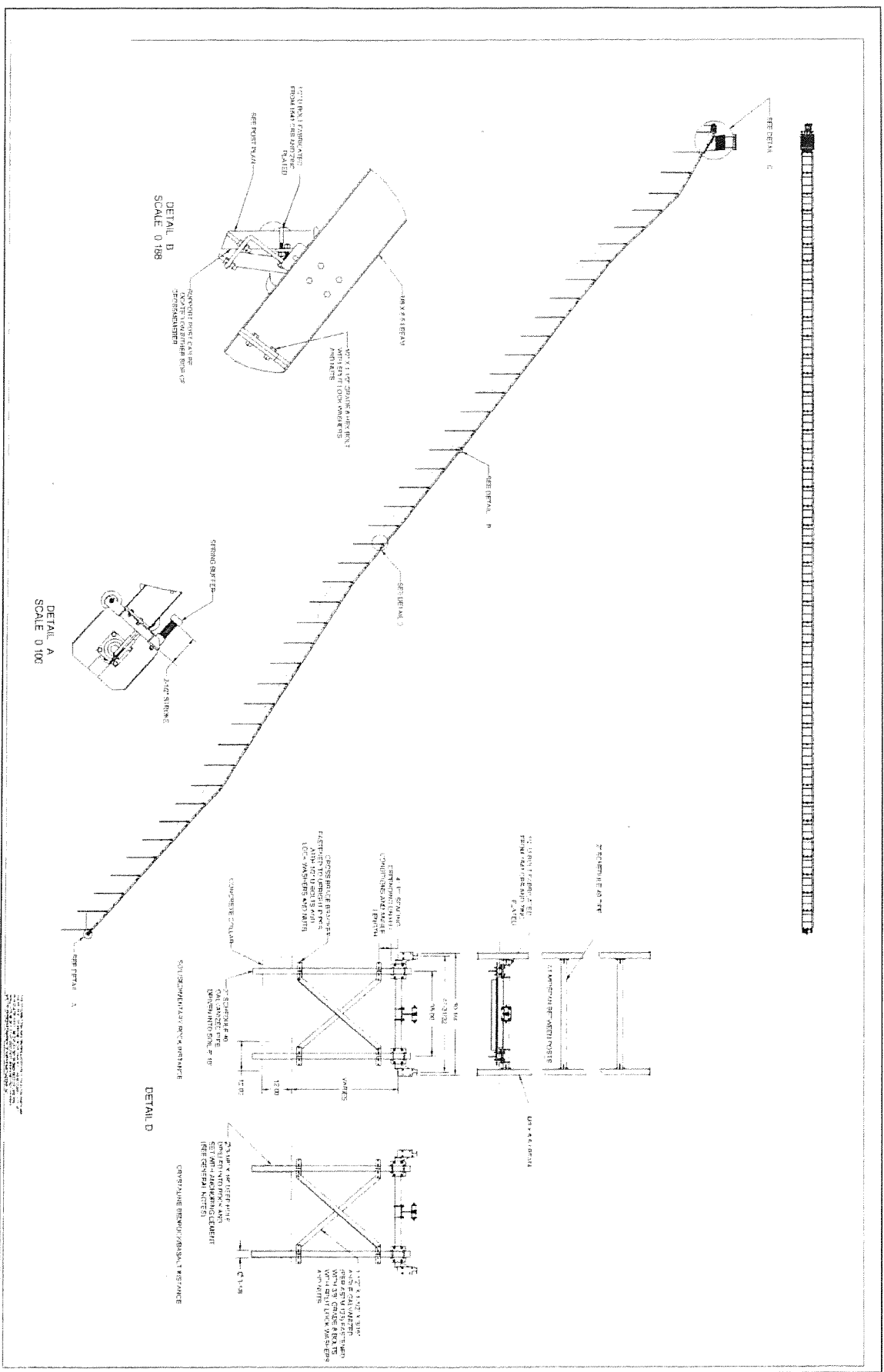
70 Pascal Lane  
SITE PLAN

**AUPPERLE COMPANY**  
Engineering, Planning & Development Services  
10088 Circleview Drive, Austin, Texas 78733 512 329-8241

[illegible]

# 70 Pascal Lane

Revised



70 Pascal Lane  
TRAM PROFILE & DETAILS

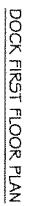
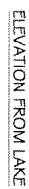
AUPPERLE COMPANY  
Engineering, Planning & Development Services  
10088 Circleview Drive, Austin, Texas 78734 512.329.8241



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57-2017-01440  
4

70 Pascal Lane



## PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed application. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

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**Case Number:** C15-2015-0013, 70 Pascal Lane

**Contact:** Leane Heldenfels, 512-974-2202, [lane.heldenfels@austintexas.gov](mailto:lane.heldenfels@austintexas.gov)

**Public Hearing:** Board of Adjustment, February 9th, 2015

*William Andrew Buchholz*

Your Name (please print)

*1905 Mariana St Austin TX 78730*

Your address(es) reflected by this application

*LBH*

Signature

Date

Daytime Telephone: *(512) 289-0516*

Comments: *As part of the original*

*coverent for development of Rob Roy, it is stated that "nothing shall be built below the 675-foot contour line. Why are we even discussing this? The Pasca Ln homeowners know full well that they did NOT have lake access when they bought these homes. This is a money-grab.*

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Leane Heldenfels

P. O. Box 1088

Austin, TX 78767-1088

Or scan and email to [lane.heldenfels@austintexas.gov](mailto:lane.heldenfels@austintexas.gov)

Or fax to Leane Heldenfels, (512) 974-6305

☐ I am in favor  
☒ I object



## Heldenfels, Leane

---

**From:** Richard Suttle, Jr. <~~rsuttle@abaustin.com~~>  
**Sent:** Monday, February 09, 2015 11:23 AM  
**To:** Heldenfels, Leane  
**Cc:** Amanda Morrow  
**Subject:** c15-2015-0013

Dear Leane,

It appears the notice sent out doesn't match our application. Will this cause a problem for tonight?

Richard

**Richard T. Suttle, Jr.**  
Armbrust & Brown, PLLC  
100 Congress, Suite 1300  
Austin, TX 78701  
Phone: 512-435-2310  
Fax: 512-435-2360  
Email: [rsuttle@abaustin.com](mailto:rsuttle@abaustin.com)

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**Public Hearing:** Board of Adjustment, February 9th, 2015

ELLEN P. SCHUCH

Your Name (please print)

1967 Mariana St

Your address(es) affected by this application

[Signature]

Signature

2/1/15

Date

Daytime Telephone: 512 415-3247

Comments: 1) Restrictive covenants Reloc. [unclear] [unclear]

2) Setback - Minimum setback [unclear] [unclear]  
3) Setback with highest [unclear] [unclear]  
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☐ I am in favor  
☒ Object

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**Public Hearing: Board of Adjustment, February 9th, 2015**

*William Andrew Buchholz*

Your Name (please print)

☐ I am in favor  
☒ I object

*1905 Mañana St Austin, TX 78730*

Your address(es) affected by this application

*WAB*

Signature

Date

Daytime Telephone:

*(512) 289-0516*

Comments: *As part of the original*

*covenant for development of Rob Roy, it is stated that "nothing shall be built below the 675-foot contour line. Why are we even discussing this? The Pascal Ln homeowners know full well that they did NOT have lake access when they bought these homes. This is a money-grab.*

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Or fax to Leanne Heldenfels, (512) 974-6305

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)

☒ 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:

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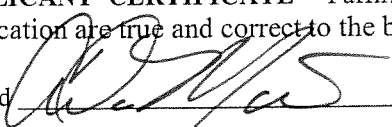
4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

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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  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.





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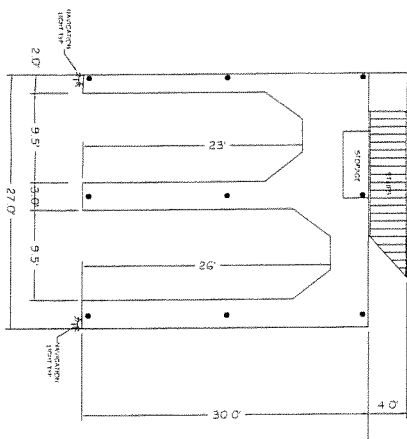
ELEVATION FROM LAKE

SECTION FROM DOWNSTREAM

CONCRETE GRADE ROCK

4.0'

DOCK FIRST FLOOR PLAN



**AUPPERLE COMPANY**  
Engineering, Planning & Development Services  
10088 Circleview Drive, Austin, Texas 78733 512-329-8241  
Equal Opportunity Employer M/F/H/V



183	24.10	25.10.20	27.10.20

SP-2014-01A40



SP-2014-01A40

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