

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

DATE: Monday, March 9, 2015

CASE NUMBER: C15-2015-0013

☐ N ☐ Jeff Jack - Chair
☒ Y ☐ Michael Von Ohlen **Motion to Grant**
☒ Y ☐ Melissa Whaley Hawthorne - Vice Chair - **2nd the Motion**
☒ Y ☐ Sallie Burchett
☐ - ☐ Ricardo De Camps
☐ - ☐ Brian King
☒ Y ☐ Vincent Harding
☒ Y ☐ Will Schnier - Alternate
☐ N ☐ 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

Re-notification Request:

The applicant has requested variance(s) from:

A. Section 25-2-551 (B) (2) (Lake Austin (LA) District Regulations) to permit a permanent improvement within the shoreline setback other than a retaining wall, pier, wharf, boat-house, marina or driveway (required) in order to construct a mechanized access facility/tram (requested); and to

B. Section 25-2-551 (B) (5) (Lake Austin District Regulations) to permit development on land with a gradient that exceeds 35 percent, except for fences, driveways, road or utility that cannot be reasonably placed elsewhere or a pedestrian facility (required) in order to construct a mechanized access facility/tram (requested)

in a "LA", Lake Austin zoning district

ARMBRUST & BROWN, PLLC

ATTORNEYS AND COUNSELORS

100 CONGRESS AVENUE, SUITE 1300
AUSTIN, TEXAS 78701-2744
512-435-2300

FACSIMILE 512-435-2360

RICHARD T. SUTTLE, JR.
(512) 435-2310
rsuttle@abaustin.com

February 18, 2015

VIA HAND DELIVERY AND EMAIL

Board of Adjustment
c/o Leane Heldenfels
City of Austin
505 Barton Springs Road, 1st Floor
Austin, Texas 78704

Re: Reconsideration Request, C15-2015-0013; Amanda Morrow for Chris Pacitti; 70
Pascal Lane

Dear Chairman and Members of the Board of Adjustment:

I represent and I am writing to you on behalf of Chris Pacitti, the Owner, and Applicant in the above-referenced case. Mr. Pacitti, as the Owner and Applicant, has standing to request a reconsideration of the decision that you rendered on February 9, 2015.

We hereby request reconsideration of the Board's action on February 9, 2015, which was to deny construction of a tram within the shoreline setback and on land with a gradient that exceeds 35 percent.

It is the Applicant's position that the Board erred in its determination because:

- (1) While not a procedural requirement of the City ordinances or Sec 211-009 of the Texas Local Government Code, and not an element to the findings promulgated by the City, some members of the Board requested a recommendation from the City Environmental Board on the variance and stated the lack of it was a consideration in their decision. Prior to hearing, the applicant had requested replacement on the soonest agenda of the Environmental Board. The variance is scheduled to be considered by the Environmental Board on April 1, 2015. (Email evidence)
- (2) The Board denied the variances because the Owner did not have any letters of support. This is not a requirement of the findings prescribed by Section 25-2-474. However, after this issue was raised, the applicant was denied the opportunity to

ARMBRUST & BROWN, PLLC

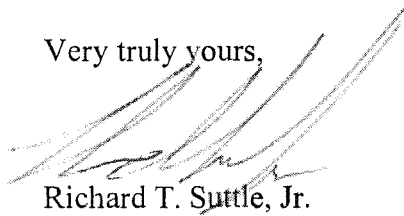
Page 2

present correspondence from the Rob Roy Architectural Control Committee stating they do not object to the construction of the tram. The correspondence not considered by the Board is attached.

- (3) The Board denied the variances based on several opposition letters received from residents living outside of the Rob Roy subdivision and not adjacent to the Property. This evidence is not relevant to the findings.

The Applicant requests that you reconsider your previous action on this matter, based on the above arguments and evidence in support. If you have any questions or comments, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in dark ink, appearing to read 'Richard T. Suttle, Jr.', is written over the typed name. The signature is stylized with a large, sweeping initial 'R'.

Richard T. Suttle, Jr.

cc: Chris Pacitti
Amanda Morrow

Amanda Morrow

From: Barnett, Sue <Sue.Barnett@austintexas.gov>
Sent: Tuesday, March 17, 2015 8:07 AM
To: Amanda Morrow; 'Bruce S. Aupperle, P.E. (bruceaupperle@me.com)'
Cc: Phillips, Atha
Subject: RE: 70 Pascal Lane-Comments attached

Yes, Jim will have to adjust his report a little bit but has the basic draft and he has requested the hearing from the Environmental Board.

Sue Barnett
Environmental Review Coordinator
City of Austin
Planning & Development Review Dept.
P.O. Box 1088 (mail)
505 Barton Springs Rd. OTC, 4th Floor (visit)
Austin, TX 78704
512.974-2711

From: Amanda Morrow [<mailto:amorrow@abaustin.com>]
Sent: Monday, March 16, 2015 6:02 PM
To: Barnett, Sue; 'Bruce S. Aupperle, P.E. (bruceaupperle@me.com)'
Cc: Phillips, Atha
Subject: RE: 70 Pascal Lane-Comments attached

Sue,

If Bruce corrects the findings, as requested by Atha, does it look like we can make the April 1st EV meeting?

Amanda Morrow
Armbrust & Brown, PLLC
Land Development Consultant
100 Congress Ave. Suite 1300
Austin, Texas 78701
512-435-2368 Direct Line
512-435-2360 Fax

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From: Barnett, Sue [<mailto:Sue.Barnett@austintexas.gov>]
Sent: Monday, March 16, 2015 3:56 PM
To: 'Bruce S. Aupperle, P.E. (bruceaupperle@me.com)'

Amanda Morrow

From: Channing Wiese <~~channing.wiese@gmail.com~~>
Sent: Friday, March 06, 2015 12:03 PM
To: Amanda Morrow
Cc: ~~ccocook@sbcsglobal.com~~; ~~mw@harris.com~~; ~~blairm@austin.com~~; ~~steve.scheff@gmail.com~~; Chris Pacitti (~~cpacitti@austinventures.com~~); Debbie Pacitti; Mitchell Burgess; Erin Baker
Subject: Re: 70 Pascal Lane

The ACC met and reviewed the proposed, available plans for 70 Pascal. The ACC would not necessarily object to the tram installation. However, we will ask that wherever the tram is to start, that area be staked, and then adhered to. We will also need more detail on the boat dock, when that is available, e.g. plans, etc.

The ACC will want to see the site again before taking a formal vote on the project.

Please let us know how your hearing on March 9th goes, and the subsequent hearings should you be successful on March 9th. We will make ourselves available to review the staked site when we learn the outcome of the first hearing.

On Mar 5, 2015, at 4:08 PM, Amanda Morrow <~~amorrow@austintx.com~~> wrote:

Perfect! I look forward to hearing from you soon.

*Amanda Morrow
Armbrust & Brown, PLLC
Land Development Consultant
100 Congress Ave. Suite 1300
Austin, Texas 78701
512-435-2368 Direct Line
512-435-2360 Fax*

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From: Channing Wiese (~~mailto:channing.wiese@gmail.com~~)
Sent: Thursday, March 05, 2015 3:52 PM
To: Amanda Morrow
Cc: ~~ccocook@sbcsglobal.com~~; ~~mw@harris.com~~; ~~blairm@austin.com~~; ~~steve.scheff@gmail.com~~; Chris Pacitti (~~cpacitti@austinventures.com~~); Debbie Pacitti
Subject: Re: 70 Pascal Lane

Hi Amanda,

March 11, 2015

Leane Heldenfels
Planning and Development Review Department
505 Barton Springs Road
Austin, Texas 78703

70 Pascal Lane; C15-2015-0013

Dear Leane:

I own property located at 1 HUMBOLDT, in the Rob Roy Subdivision. My neighbors, Chris and Debbie Pacitti, have filed a variance request with the City of Austin for the construction of a tram in order to provide access to a boat dock. We understand that the tram will be built in accordance with city code and screened using natural vegetation. We support the variances required to construct the tram.

Thank you.

Sincerely,

Joseph & Anna
Elisa M. Freisz

Amanda Morrow

From: Donna Pigg <donnaalp@austin.rr.com>
Sent: Tuesday, March 17, 2015 2:08 PM
To: Amanda Morrow
Cc: Debbie Pacitti
Subject: Chris and Debbie Pacitti

Sent from my iPad

Dear Leane

We own property at 9 Muir Lane in the Rob Roy subdivision. Chris and Debbie Pacitti have filed a variance with the city for the construction of a tram to connect to the lake. This is needed to access a boat dock on Lake Austin. The proposed tram will be built following all city codes. In addition natural vegetation will be used for screening.

We support the variances required for this construction.

Sincerely

John and Donna Pigg

March 11, 2015

Leane Heldenfels
Planning and Development Review Department
505 Barton Springs Road
Austin, Texas 78703

70 Pascal Lane; C15-2015-0013

Dear Leane:

I own property located at 72 Pascal Lane, in the Rob Roy Subdivision. My neighbors, Chris and Debbie Pacitti, have filed a variance request with the City of Austin for the construction of a tram in order to provide access to a boat dock. We understand that the tram will be built in accordance with city code and screened using natural vegetation. We support the variances required to construct the tram.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Manoj K. Saxena".

Manoj K. Saxena
74 Pascal Lane
Austin TX 78746

March 11, 2015

Leane Heldenfels
Planning and Development Review Department
505 Barton Springs Road
Austin, Texas 78703

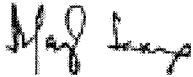
70 Pascal Lane; C15-2015-0013

Dear Leane:

I own property located at 74 Pascal Lane, in the Rob Roy Subdivision. My neighbors, Chris and Debbie Pacitti, have filed a variance request with the City of Austin for the construction of a tram in order to provide access to a boat dock. We understand that the tram will be built in accordance with city code and screened using natural vegetation. We support the variances required to construct the tram.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Manoj K. Saxena".

Manoj K. Saxena
74 Pascal Lane
Austin TX 78746

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.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice will be sent.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact person listed on a notice*); or
- appearing and speaking for the record at the public hearing; and:

- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: www.austintexas.gov/development.

Written comments must be submitted to the contact person listed on the notice before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice. Any comments received will become part of the public record of the case.

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

Contact: Leane Heldenfels, 512-974-2202, leaneheldenfels@austintexas.gov

Public Hearing: Board of Adjustment, March 9th, 2015

EUGENE SCHACH, III

Your Name (please print)

1907 Manana Street Austin, TX

Your Address(es) affected by this application

[Signature]

Signature

Date

Daytime Telephone: (512) 415 3247

Comments: *I strongly object to this project. Not only will this project destroy native habitat, its purpose is to construct a structure on Lake Austin. This area of the lake is narrow and would add to the congestion and cause safety concerns. It would be dangerous to allow construction there. I object to this variance. The team variance is objected to as well. As part of the variance, an objection will become part of the public record of this case.*

☐ I am in favor
☒ I object

If you use this form to comment, it may be returned to:

City of Austin-Planning & Development Review Department/ 1st Floor

Leane Heldenfels

P. O. Box 1088

Austin, TX 78767-1088

Or fax to (512) 974-6305

Or scan and email to leaneheldenfels@austintexas.gov

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 Heidenfels, 512-974-2202, leaneheldenfels@austintexas.gov

Public Hearing: Board of Adjustment, March 9th, 2015

William Andrew Buchholz, MD

Your Name (please print)

1905 Manque St

Your address(es) affected by this application

MLB

Signature

Daytime Telephone:

512-289-0916

Date

3/9/15

☐ I am in favor
☒ I object

Comments: *Bob Roy residents are NOT allowed to build anything below 675 foot contour, according to the covenant for the neighborhood. They all knew this when they bought homes in Bob Roy. They simply want to increase the value of their property. This is a money grab. This is a very narrow part of the lot with a steep cliff.*

Note: all comments received will become part of the public record of this case

If you use this form to comment, it may be returned to:

City of Austin-Planning & Development Review Department/ 1st Floor
Leane Heidenfels

P. O. Box 1088

Austin, TX 78767-1088

Or fax to (512) 974-6305

Or scan and email to leaneheldenfels@austintexas.gov

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

DATE: Monday, February 9, 2015

CASE NUMBER: C15-2015-0013

____ Jeff Jack - Chair
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____ 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.

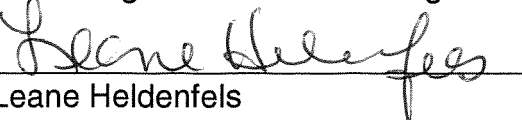
The Land Development Code states that no structures are allowed in a shoreline setback area, except that: (a) a bulkhead, retaining wall, dock, non-mechanized pedestrian facility, or marina may be constructed and maintained in accordance with applicable regulations of this title.

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

1. The contractors did build some extra firewater control and road safety items prior to starting the riverbank work (dredging, gabbing or armouring).
2. The placement of armoured/stone/rock controls and the 600 tonnes with the Environment Canada department approved. Engineers and Fisheries were consulted and the COA EDC Plan was approved. They will be constructed and used as well as the approved Fisheries and Environment Canada Plan. The COA EDC Plan will be constructed and used as well as the approved Fisheries and Environment Canada Plan.

- | Testbed class | Minimum | Maximum |
|---------------|---------|---------|
| Clay | 5% | 50% |
| Silt | 10% | 50% |
| Gravel | 15% | 67% |

2. From September 15 to March 1, sampling shall be with one random cross strata (N=100) at 0.5 parcels per 1000 SF. Once at 0.5 parcels per 1000 SF, Cluster Fly (Cneta) at 0.5 parcels per 1000 SF with a total time of 1.5 parcels per 1000 SF. Cneta species cross strata are not permitted within covered.

- [illegible]

Material	Description	Longevity	Typical Applications	Application Rates
100% or any blend of wood, cardboard, natural and synthetic paper, natural and synthetic plastic (recycled 30% paper)	70% or greater Woodchips 30% or less Paper or Material from	0-3 months	Moderate to heavy: from 500 to 3,100	15,000 to 200,000 per acre

- PERMANENT VEGETATIVE ESTABLISHMENT:**
1. From September 15 to May 1, seedling is transplanted to the temporary seedbeds only if real meadow grasses and sedges are not present in the seedbed. If the meadow grasses and sedges are present in the seedbed, the seedling is transplanted to the permanent seedbeds only if the meadow grasses and sedges are not present in the permanent seedbeds.
 2. From May 1 to September 14, seedling with the only listed *Forwards* of a rate of 3 (score 9) with a safety of 50% with 60% germination. *Forwards* grass is a warm meadow grass and is transplanted to permanent meadow forests.

16. Hypothesis 1a) was compared with Table 2, below.

17. The planned area was the irrigated or approved in a manner that was not enough the second, but not sufficient would be as to a crop of the system. The irrigated area occur at daily intervals (irrigation) during the first two months. Planted occurrences of 14 days or more after confirms the watering schedule for the week.

- | Material | Description | Length | Typical Applications |
|----------|-------------|-----------------|----------------------|
| Marble | | 100 ft (30 m) | Aggravation Retard |
| Gravel | | 2500 ft (762 m) | Aggravation Retard |

Chairman: CARLOS A. DREHME, PLACETTI PHONE # 512-998-8888
 Address: 711 Piedmont Lane, Austin TX 78745
 Chairman's Representative responsible for your information:

Craig Parker, Ph.D. 617-252-2668
 Professor and Director, Center for Environmental and Estuarine Science
 Craig Parker, Ph.D. 617-252-2668
 Professor and Associate Dean for Graduate Studies
 Craig Parker, Ph.D. 617-252-2668
 Professor and Director, Center for Environmental and Estuarine Science

CHRIS • DEBBIE PACINI
70 Pascal Lane
AUSTIN, TX 78746

ENGINEER:
BRUCE S. ALPERT, P.E.
ALPERT COMPANY
10086 CIRCLEVIEW DRIVE
AUSTIN, TEXAS 78733
PHONE (512) 422-7536
FAX (512) 329-8241

BRUCE S. AUPTERLE, P.E.
AUPTERLE COMPANY
10008 CIRCLEVIEW DRIVE
AUSTIN, TEXAS 78734

PHONE (512) 422-7536
FAX (512) 329-8241

processes and natural areas shown on plan to be preserved shall be protected during construction with existing fences. Erosion control measures shall be installed prior to the start of any site preparation work (clearing, grubbing or grading).

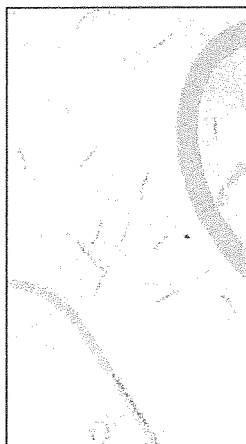
- [illegible]

any of the above exceptions result in a fence being closer than 4 feet to a tree trunk, produce or other vegetation, or a structure, the fence shall be removed or replaced with a structure or structure with strapping or purlins to a height of 8 feet (or to the limits of lower branching) in addition to reduced fencing provided.

- [illegible]

A natural area protection and habitat wet screen, (as required) Environmental Project Manager or Site Supervisor must contact the Planning & Development Review Department, Environment Protection, at (512) 974-2278, 72 hours prior to the scheduled date of required on-site preconstruction meeting.

- [illegible]



MAPSCO Map 553E City Grid E27

Approved: P. 611322026025

- any person or entity is not liable under the *California Antitrust Litigation Act* for the purpose of this section.

approval of these plans by the City of Austin requires compliance with applicable City ordinances. Approval of these plans by the City of Austin requires compliance with applicable City ordinances.

- [illegible]

for distribution within the right-of-way, a concrete permit is required for the building permit, a signed and sealed letter shall be submitted to the City of Austin, per Land Development Code, 25.12.3.16(2)4, certifying that the structure is in accordance with A-24, Flood Resistant Design and Construction.

- Approval of this Site Plan does not include Building and Fire Code approval nor building permit approval.

DESCRIPTION	PROJECT NO	TOTAL # SHEETS IN PLAN SET	NET CHANGE MAP CONDOR (SQ. FT.)	TOTAL SITE CITY OF ANNE ARBOR (SQ. FT.)
ADD IN VOID IN SHEET NO 2				

[illegible]

For each data point, the χ^2 value is calculated by the software, and the total χ^2 value is calculated. The number of data points is also given. The χ^2 value is compared to the χ^2 value for a given number of data points and a given number of parameters. The χ^2 value is then used to determine the probability of obtaining a χ^2 value as large as the one obtained by chance. The χ^2 value is then used to determine the probability of obtaining a χ^2 value as large as the one obtained by chance.

WATERFED STRAND: This site is located to LAKE ALSTON watershed, is identified as a WATER SUPPLY RESERVE watershed and shall be developed, constructed and maintained in conformance with Chapter 25 of the Land Development Code.

FLOORPLAN INFORMATION: This project is within the 100-year flood plain as shown on the F.E.M.A. panel 4004530401 effective 2/28/2010

LEGAL DESCRIPTION: LOT 19 BLK. E 42ND AVE. TMS 2, DATED 0008/2011 120435

ADDRESS: 770 Forest Lane, Austin, TX 78746

703.887.14

Please use the application form not constitute a warranty of all data, information and calculations supplied by the applicant. The engineer of record is solely responsible for the completeness, accuracy and adequacy of a design or financial analysis and the design and construction of the project. For the purpose of this contract, the engineer of record shall not be responsible for the design and construction of the project.

Other Sheet(s) containing the plan or specification is provided for local jurisdiction by City Engineer.

This Plan is subject to City of Austin Watershed Protection Regulations.

Plan Sheet List

1. COVER SHEET & NOTES
2. SITE PLAN
3. DRAINAGE PLAN & ELEVATIONS
4. TRAFFIC PROFILE & SIGNALS

PROJECT DESCRIPTION: Construct new

Approved By

Planning Commission	Date
For Director - Planning & Development Review Department	Date
5/1-2014 (5/14/14)	
Permit Number	
APRIL 17, 2014	

70 Pascal Lane
COVER SHEET & NOTES

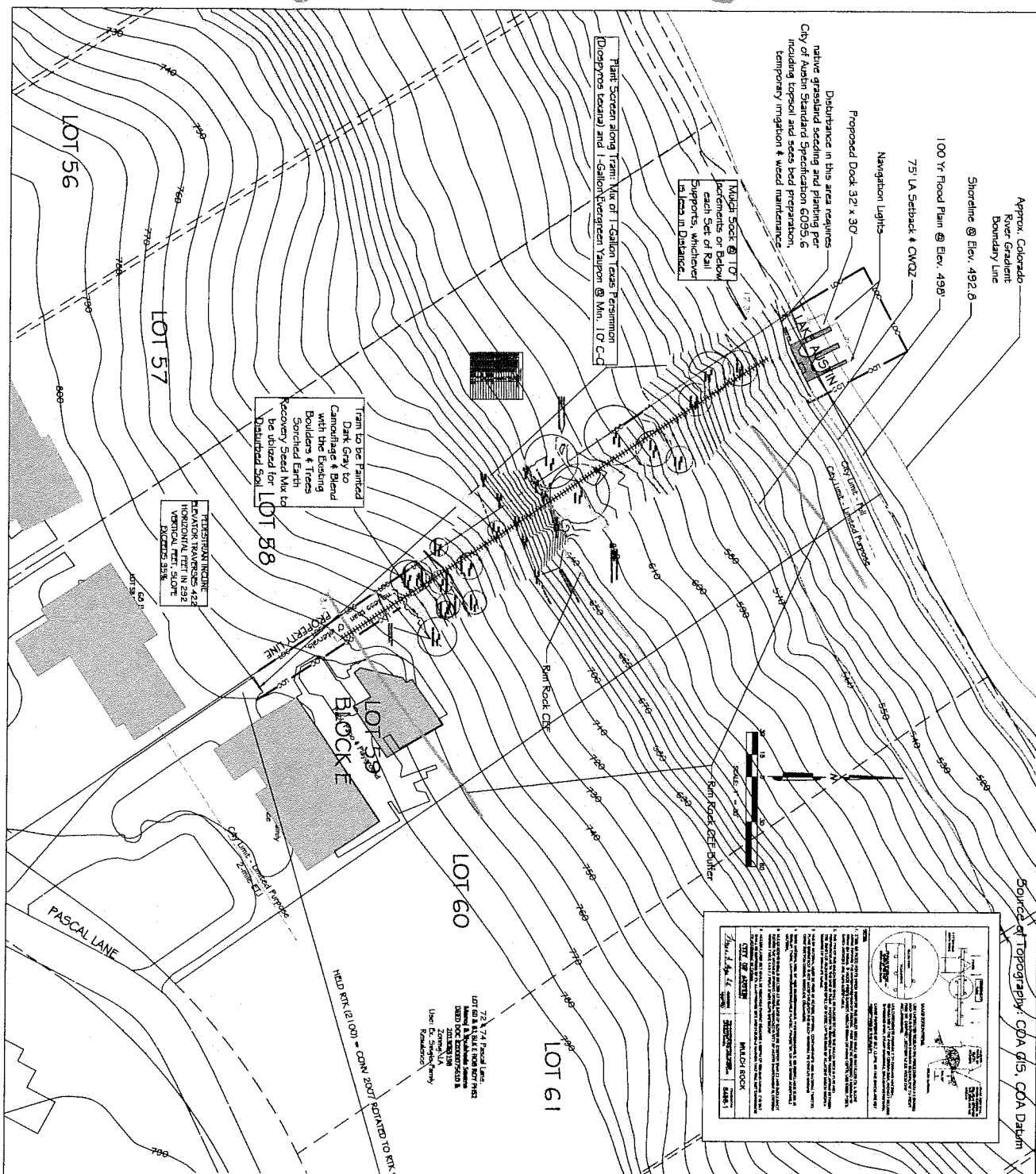
AUPPERLE COMPANY
Engineering, Planning & Development Services
10088 Circleview Drive, Austin, Texas 78733 512-329-8241



70 Pascal
Lane

70 Pascal Lane
SITE PLAN

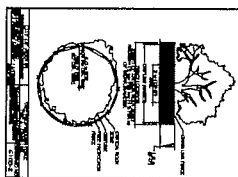
AUPPERLE COMPANY
Engineering, Planning & Development Services
10068 Circleview Drive, Austin, Texas 78733 512 329-8241

[illegible]

Source of Topography: CDA GIS, CDA Datam

Docking Shortest Length = 136
 Alternate Dock Width = 20% of 136 = 27
 Proposed Dock Width = 32 or 25.5%
 Proposed Dock Depth = 30
 Proposed Side Yard Setback = 10

1. THE USER MUST BE COMPLETELY ILLUMINATED WITH AMBIENT LIGHT.
2. THE USER MUST BE COMPLETELY ILLUMINATED WITH AMBIENT LIGHT.
3. A DOOR MUST HAVE AT LEAST TWO LIGHT STRIPES. ON THE LIGHT STRIPES, THERE MUST BE AT LEAST TWO LIGHTS. THE LIGHTS MUST BE DIMMED TO 10% WHEN THE DOOR IS OPEN AND THE LIGHTS MUST BE DIMMED TO 10% WHEN THE DOOR IS OPEN.
4. THE USER MUST BE COMPLETELY ILLUMINATED WITH AMBIENT LIGHT.
5. THE USER MUST BE COMPLETELY ILLUMINATED WITH AMBIENT LIGHT.
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9. THE USER MUST BE COMPLETELY ILLUMINATED WITH AMBIENT LIGHT.
10. THE USER MUST BE COMPLETELY ILLUMINATED WITH AMBIENT LIGHT.
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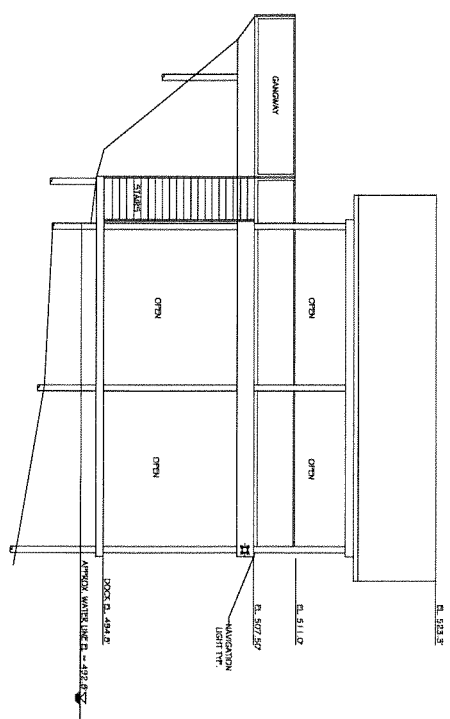


revised

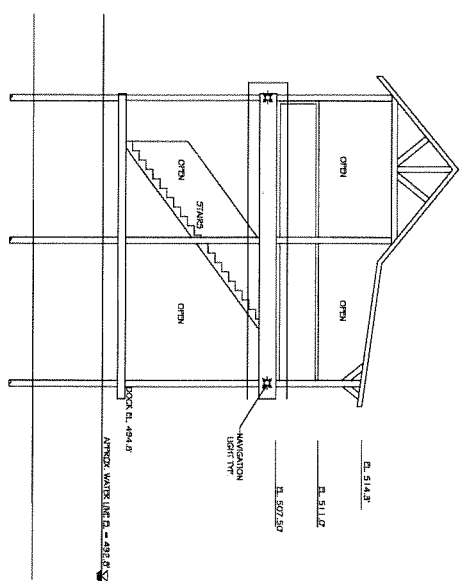


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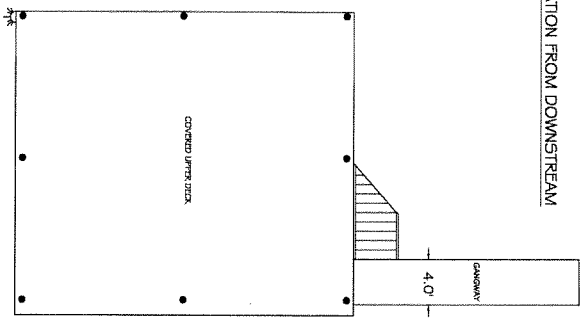
70 Pascal Lane



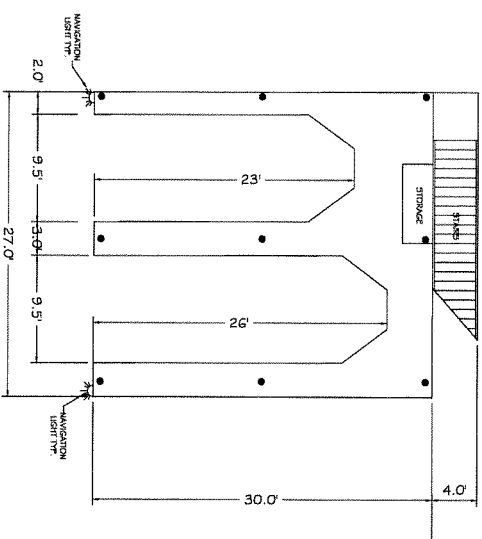
ELEVATION FROM DOWNSTREAM



ELEVATION FROM LAKE



DOCK SECOND FLOOR PLAN



DOCK FIRST FLOOR PLAN

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

Contact: Leane Heldenfels, 512-974-2202, leana.heldenfels@austintexas.gov

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

William Andrew Bachholz

Your Name (please print)

☐ I am in favor
☒ I object

1905 Mainana St Austin TX 78730

Your address(es) affected by this application

Signature

Date

Daytime Telephone:

(512) 289-0516

Comments: As part of the original

covenant for development of 906 Poy,
it is stated that "nothing shall
be built below the 675-foot contour line."
Why are we even discussing this? The
Pascal Ln homeowners have full well
that they did NOT have lake access when
they bought these homes. This is a money-grab.

Note: any comments received will become part of the public record of this case

If you use this form to comment, it may be returned to:

City of Austin-Planning & Development Review Department/ 1st Floor

Leane Heldenfels

P. O. Box 1088

Austin, TX 78767-1088

Or scan and email to leana.heldenfels@austintexas.gov

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

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Number: C15-2015-0013, 70 Pascal Lane
Contact: Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov
Hearing: Board of Adjustment, February 9th, 2015

NE P. SCHUCH
(please print)

<input type="checkbox"/> I am in favor
<input checked="" type="checkbox"/> At Object

Nebraska ST
Project affected by this application

Signature: [Signature] Date: 2/11/15

Telephone: 512 415-3247

Destructive concrete slab for parking
setback - Nebraska street - back to back
Hwy 1 with highest height to be
removed opposite side of lake at 1100
on all points topped to rear
of opposite side of lake.
Removal of concrete from rear
setback to allow for parking
space. COMMENTS TO allow for parking space
Comments received will become part of the public record of this case

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Austin Planning & Development Review Department/ 1st Floor
Heldenfels
1088

X 78767-1088

and email to leane.heldenfels@austintexas.gov
Leane Heldenfels, (512) 974-6305

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

This communication is intended solely for the use of the intended recipient and may contain information that is privileged or confidential. If the reader is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify the sender by telephone and return the original message to the listed email address.

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

Contact: Leane Heldenfels, 512-974-2202, leana.heldenfels@austintexas.gov
Public Hearing: Board of Adjustment, February 9th, 2015

ELLEN P. SCHOCH

Your Name (please print)

1967 Mariana ST

Your address(es) affected by this application

CP Heldenfels

Signature

Date

Daytime Telephone: 512 415-3247

Comments

① Restrictive covenants Red Box [unclear] [unclear]

② Safety - No power past the [unclear]

③ [unclear] with highest [unclear] [unclear]

④ [unclear] [unclear] side of lake all [unclear]

⑤ [unclear] [unclear] [unclear] [unclear]

⑥ [unclear] [unclear] [unclear] [unclear]

⑦ [unclear] [unclear] [unclear] [unclear]

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P. O. Box 1088

Austin, TX 78767-1088

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Contact: Leane Heldenfels, 512-974-2202, leana.heldenfels@austintexas.gov

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

William Andrew Buchholz

Your Name (please print)

☐ I am in favor
☒ I object

1905 Mainana St Austin, TX 78730

Your address(es) affected by this application

WAB *2/3/15*

Signature

Date

Daytime Telephone:

(512) 289-0516

Comments: *As part of the original*

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

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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

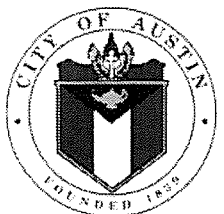


PENDING CASE



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.

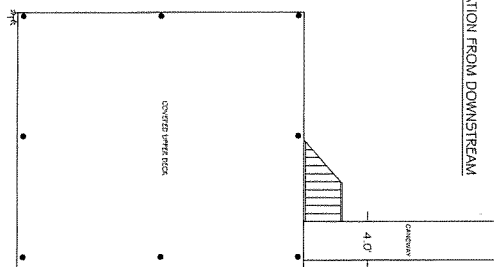
This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



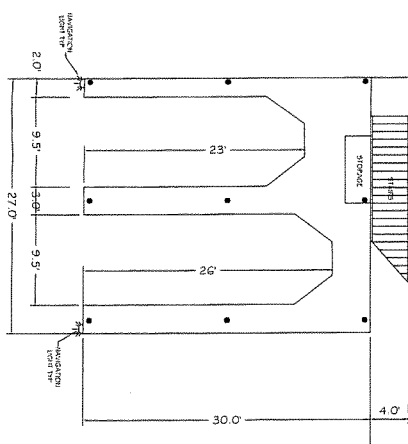
Technical drawing of a building facade showing a cross-section and elevation. The drawing includes labels for various components: "GANGWAY" at the top, "STAIRS" in the middle, and "CHIM" (chimney) on the right. Dimensions are provided: "H. 257.50" for the main height, "H. 311.50" for the total height, and "H. 252.50" for the height of the chimney. A note at the bottom left reads "MURTO MURTO MURTO - 252.50".

[illegible]

ELEVATION FROM LAKE



DOCK SECOND FLOOR PLAN



DOCK FIRST FLOOR PLAN

70 Pascal Lane
DOCK PLAN & ELEVATIONS

AUPPERLE COMPANY
Engineering, Planning & Development Services
10088 Circleview Drive, Austin, Texas 78733 512-329-8241
Texas Board Of Professional Engineers Registration Number 15794

[illegible]

