

NOTIFICATIONS
CASE#: C15-2015-0171
3505 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.

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1" = 250'

12/2

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

DATE: Monday, January 11, 2016

CASE NUMBER: C15-2015-0171

____ Brooke Bailey
____ Michael Benaglio
____ William Burkhardt
____ Eric Goff
____ Melissa Hawthorne
____ Don Leighton-Burwell
____ Melissa Neslund
____ James Valadez
____ Michael Von Ohlen
____ Kelly Blume (Alternate)
____ Rahm McDaniel (Alternate)

APPLICANT: David Cansialosi

OWNER: Martha Jenkins

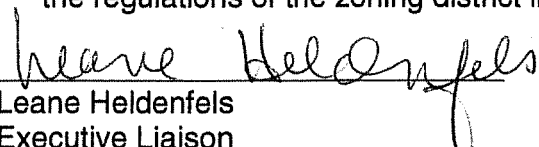
ADDRESS: 3505 RIVERCREST DR

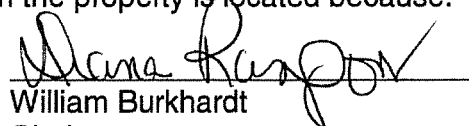
VARIANCE REQUESTED: The applicant has requested variance(s) to Section 25-2-492 (D) (Site Development Regulations) to decrease the minimum front yard setback from 40 feet (required) to 15 feet (requested) in order to construct a single family home in "LA", Lake Austin Residence zoning district.

BOARD'S DECISION: POSTPONED TO JANUARY 11, 2016 BY APPLICANT TO RESOLVE AUSTIN ENERGY ISSUES; Jan 11, 2016 POSTPONED TO FEBRUARY 8, 2016 BY APPLICANT TO RESOLVE PENDING AUSTIN ENERGY ISSUES

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


William Burkhardt
Chairman

L2
3

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

DATE: Monday, December 14, 2015

CASE NUMBER: C15-2015-0171

____ Brooke Bailey
____ Michael Benaglio
____ William Burkhardt
____ Eric Goff
____ Melissa Hawthorne
____ Don Leighton-Burwell
____ Melissa Neslund
____ James Valadez
____ Michael Von Ohlen
____ Kelly Blume (Alternate)
____ Rahm McDaniel (Alternate)

APPLICANT: David Cancelosi

OWNER: Martha Jenkins

ADDRESS: 3505 RIVERCREST DR

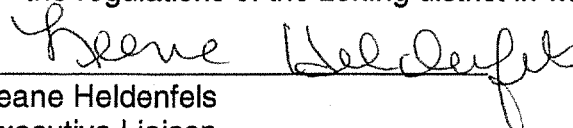
VARIANCE REQUESTED: The applicant has requested variance(s) to Section 25-2-492 (D) (Site Development Regulations) to decrease the minimum front yard setback from 40 feet (required) to 15 feet (requested) in order to construct a single family home in "LA", Lake Austin Residence zoning district.

BOARD'S DECISION: POSTPONED TO JANUARY 11, 2016 BY APPLICANT TO RESOLVE AUSTIN ENERGY ISSUES

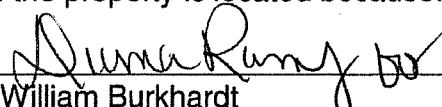
FINDING:

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



William Burkhardt
Chairman

Heldenfels, Leane

12/4

From: david cancelosi [REDACTED]
Sent: Wednesday, December 09, 2015 9:57 AM
To: Heldenfels, Leane
Cc: Ramirez, Diana; Heidi Sauer; Kellogg, Eben; MJ; Tim Lopez; Terry Irion
Subject: Re: Lot 10-Blk D, Rivercrest Drive
[REDACTED]

Leane,

Please accept this email as formal request for postponement of Case# C15-2015-0171 at lot 10 Block D located on Rivercrest Dr. to the Jan 11, 2016 BOA Agenda.

Also, please note that the address listed on the current public notice is not correct. The notice lists "3505 Rivercrest Dr."

Not sure where this street number originated from, but it's not attached to lot 10 block D. Notice that my application reflects "lot 10 block D".

Lot 10 block D has no assigned numerical address since it's a virgin lot. I will work on that with addressing before the next hearing and apprise of you of necessary changes to the notice to accurately reflect the subject site.

Thank you.

Please note: We're moving into our expanded office space and our phone lines are limited for the next 1-2 weeks. Email is the best form of communication for current or future projects. My cell phone is also available: 512-799-2401. Thank you.

Also note: I am out of the office Dec 14-Jan 4. I will be completely unavailable by phone or email during this time. I return to the office Jan 4, 2016. Please contact my Assistant by phone or email for immediate assistance. Thank you.

Kind Regards,

David Cancialosi

Permit Partners, LLC

105 W. Riverside Suite 225

Austin, TX 78704

512.593.5368 o

512.213.0261 f

www.Permit-Partners.com

Heldenfels, Leane

CB-2015-0171 12/5

From: david cancialosi [REDACTED]
Sent: Wednesday, January 06, 2016 2:09 PM
To: Heldenfels, Leane
Cc: Heidi Sauer
Subject: Re: are there any BOA spots for Feb left? what is the deadline if so?

Thank you!

I'm going to request postponement of Rivercrest while we seek AE and Ch. 245 components, and the San Marcos St to February. The neighborhood association does not meet before the Jan Meeting and they (the NA) have indicated they would like to meet before we proceed to BOA.

Kind Regards,

David Cancialosi

Permit Partners, LLC

105 W. Riverside Suite 225

Austin, TX 78704

512.593.5368 o

512.213.0261 f

www.Permit-Partners.com

Executive Admin:

Heidi Sauer

512.593.5368 office

512.619.4420 cell

heidi@permit-partners.com [REDACTED]

CONFIDENTIALITY

This email message and any attachments is intended only for use by the addressee(s) named herein and may contain legally privileged and/or confidential information. If you are not the intended recipient of this email you are hereby notified that any dissemination, distribution or copying of this email and any attachments thereto is strictly prohibited. If you have received this email in error please notify the sender and permanently delete the original and any copies of this email and any prints thereof.

CASE# C15-2015-0171
ROW# 1144461D
TAX# 0131190209
TEAD 0131190209

V2
C

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.

3005
STREET ADDRESS: Rivercrest Drive, Austin, TX 78746

LEGAL DESCRIPTION: LOT 10 BLK D RIVERCREST ADDN SEC 2

I, Martha Jenkins, on behalf of myself affirm that on November 3, 2015, 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

15' Front setback in LA zoning to allow construction of new single family residence.

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 owner is proposing a new single family residence on a vacant lot. The
original Rivercrest Section 2 lot has never been improved since date of plat approval
in mid-1960's.

22

The roughly 16,000 SF lot is very steep, and although it has 100' of lot frontage in keeping with LA zoning standards, it is a substandard lot in terms of LA zoning minimum lot size.

The lot was designed to A /AA zoning standards which mimic SF-2 zoning standards. The city subsequently zoned the lot LA, which applied more rigorous performance standards. The owner is unable to reasonably develop the lot due to the strict application of LA zoning setback standards.

The applicant has provided documentation addressing LA zoning IC standards as they are not applicable to this site per COA decision on substantially similar lot in the same subdivision. Thus, the owner is seeking front setback reduction from 40' to 15' to allow a new single family residence.

HARDSHIP:

2. (a) The hardship for which the variance is requested is unique to the property in that: the Rivercrest Section 2 plat was approved prior to application of LA zoning. Although the lot is substandard to LA zoning lot size requirements, LA zoning was applied by the City of Austin. The lot is extremely steep as it has grades as steep as 600+% near the top (rear) of the lot. The lot also has a ROW access easement along the middle / rear portion of lot that prohibits any development within said easement. That easement prohibits the house from moving out of the 40' front setback.

(b) The hardship is not general to the area in which the property is located because: there are no known similar issues on vacant lots in the subdivision.

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 proposed residence will be approximately 3,500 SF, will be 2-3 stories, and will be in keeping with the style of several homes found in the subdivision. The proposed front setback of 15' will be in keeping with many existing homes on the same side of the street.

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 reasonably require strict or literal interpretation and enforcement of the specific regulation because:

N/A

BARROWS SUBDIVISION

BK. 3, PG. 28

LOT 4

LOT 5

LOT CORNER
NO MONUMENT
RECOVERED

(S 30°04'W 100')
S 30°05'20"W 99.84'

LOT CC
NO MC
RECOVERED

5' P.U.E. PER PLAT

482 SF Studio
1607 SF Upper Level
1600 SF Middle Level
820 SF Lower Level
4509 SF Total All Levels

Site Plan: Lower Level
SCALE: 1/16" = 1'-0"

S 60°25'25"E 165.42'
(S 60°20'E 165.42')

LOT 11

(N 60°20'W 165.73')
S 60°25'25"E 165.73'

10'x40' GUY ESMT.
PER PLAT

10' ELEC. ESMT.
PER PLAT

30' RIGHT-OF-WAY
VOL. 6569, PG. 35
VOL. 6766, PG. 639

ASPHALT DRIVE
CLEAR ELEM.

40' ACCESS ESMT.,
AGREEMENT
DOC. # 2012029885

40' B.L. PER [2]

25' B.L. PER PLAT

15'-6" PROPOSED B.L.

N 30°16'00"E 99.85'
(N 30°16'E 100')
BEARING BASIS

RIVERCREST DRIVE

(50' R.O.W.)

Lopez Residence

Lot 10 Rivercrest Drive
Anchorage, Alaska

Project: Lopez Residence
Architect: [illegible]
Date: 11/11/2011
Scale: 1/16" = 1'-0"



2/1/12

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/devservices

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. **All comments received will become part of the public record of this case.**

Case Number: C15-2016-0001, 1126 Gunter

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

Public Hearing: Board of Adjustment, January 11th, 2016

<input checked="" type="checkbox"/> I am in favor <input type="checkbox"/> I object
--

Daniel A Day
Your Name (please print)

1127 1/2 Gunter st

[Signature]
Your address(es) affected by this application

[Signature]
Signature

1/5/2016
Date

Daytime Telephone: 512 845 0120

Comments:

Comments must be received no later than noon the day of the hearing to be seen by the Board at this hearing and can be sent by:

Mail (may not be seen by the Board at this hearing if postmarked closer than 5 days prior to the hearing):

City of Austin-Development Services Department/ 1st Floor

Leane Heldenfels

P. O. Box 1088

Austin, TX 78767-1088

Fax: (512) 974-6305

Email: leana.heldenfels@austintexas.gov

9/2

