

**Rick Rasberry**

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**From:** [REDACTED]  
**Sent:** Tuesday, July 25, 2017 3:34 PM  
**To:** [REDACTED]  
**Cc:** public.information@austintexas.gov  
**Subject:** City of Austin: Public Information Request Response. Citizen name: Rick Rasberry

Dear Rick Rasberry,

Thank you for your e-mail to the City of Austin. Your request is being processed.

Consistent with the Texas Public Information Act, you can expect communication from the City of Austin within 10 *business* days after the date the information was requested.

The City of Austin will make the effort to ensure that the information you have requested is made available to you in a timely manner. However, depending on the scope of the request and the time required to research and compile the information, should the City of Austin not be readily able to produce the information you have requested, the communication you receive may indicate items such as:

- the date that the information will be available
- the need to prepare a cost estimate
- a letter advising that some of the responsive information may or must be withheld by the City
- the need for clarification from you

Thus, please note that the communication you can expect to receive does not necessarily mean responsive information you have requested will be available within the 10 business days.

For more information about the Public Information Act visit the City of Austin website at

<http://www.austintexas.gov/departments/open-records>



Thank you,  
PIO Public Information Specialist

**Rick Rasberry**

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**From:** Information, Public <Public.Information@austintexas.gov>  
**Sent:** Wednesday, August 2, 2017 7:23 AM  
**To:** [REDACTED]  
**Subject:** PIR 35898  
**Attachments:** PIR 35898 Code Response.pdf

The responsive documents for your request are attached. This is in response to the following:

*"Please accept this request for public information regarding the 2005 Manana Street Property, as follows:*

- 1. Copy of Austin Code Enforcement's "Complaints Log" identifying any/all complaints records received for the past two (2) years.*
- 2. Copy of all reports, letters, field notes, pictures, memorandums, phone logs, stop work orders, notice of violation, and all other records resulting from any/all complaints received by the Code Enforcement Department for the past two (2) years.*
- 3. Copy of Development Services Department "Request for Inspection (RFI) Report" identifying any/all complaints and RFI records received for the past two (2) years.*
- 4. Copy of all reports, letters, field notes, pictures, memorandums, phone logs, stop work orders, notice of violation, and all other records resulting from any/all complaints received by the Development Services Department for the past two (2) years."*

Thank you for contacting the City of Austin.



Allison Garcia | Administrative Assistant | 512-974-2115  
City of Austin Law Department | 301 W. 2<sup>nd</sup> St, Austin TX 78701



**City of Austin**  
**Austin Code Department**  
 Summary of Complaint CC-2017-005003

**COMPLAINT INFORMATION**

**Case Status:** Active

**Address:** 2005 MANANA ST AUSTIN TX 78730

**Legal Description:** ABS 739 SUR 2 SPILLMAN J ACR 0.776 OR LOT 4 BLK 1 UNRECORDED MANANA SUBD

**Property Owner(s):**  
 FINDLAY GAIL - Owner  
 2005 MANANA ST

**Complaint Date:** January 14, 2017

**Complaint:** Caller stating that her neighbor is building a water break fall

**INSPECTION INFORMATION**

**Investigator Assignment(s)**

Thomas Horn assigned on January 14, 2017

**Case Log**

ATTEMPT DATE	STAFF NAME	SYSTEM	ACTION TAKEN
ATTEMPT COMMENT		INSERT DATE	
01/17/2017	Thomas Horn	02/04/2017	Dispatcher Information
512-327-4916 Gail Finley 569-1583 Is the property owner who is doing the work with out permits on the lake.			
02/08/2017	Thomas Horn	02/08/2017	Contact Performed
512-327-4916 Gail Finley 569-1583 Is the property owner who is doing the work with out permits on the lake			
02/08/2017	Thomas Horn	02/08/2017	Inspection Performed/Violation(s) Found
2-8-17 Inspector Horn went to the property and observed the work on the lake without permits . A wall was being installed using cinderblocks with no permits .			
02/15/2017	Thomas Horn	02/15/2017	Send CV Notice
03/10/2017	Thomas Horn	03/10/2017	Information Update
17-027980 Permit application has been submitted to repair the shoreline			
04/04/2017	Thomas Horn	04/04/2017	Follow-up Inspection

4-4-17 Plans are in review at this time to repair the bulk head

04/17/2017      Thomas Horn      04/17/2017      Follow-up Inspection

4-17-17 Inspector Horn reviewed the Amanda system and the plans are in review at this time for the bulk head.

05/18/2017      Thomas Horn      05/18/2017      Follow-up Inspection

5-18-17 Inspector Horn reviewed the Amanda system and the plans are in review at this time.

07/17/2017      Thomas Horn      07/17/2017      Information Update

7-17-17 Awaiting a determination for the site plan that was in review at the DAC.

## VIOLATIONS

### Structure Maintenance

### Land Use

Austin City Code Section: Building Permit Requirement (§25-12-241 [2012 IRC R105.1])

Violation: Water Break wall built in the lake without a permit

Date Observed: 02/15/2017      Status: Not Cleared

### Property Abatement

## NOTICES

Notice of Violation to FINDLAY GAIL (Owner)

Mail sent certified 7015 1730 0001 9236 0076 on February 16, 2017

Mail sent regular on February 16, 2017

Received / signed by 03-25-17 cannot read on March 28, 2017





2005 MANANA STREET  
Case

Wednesday February 08, 2017  
Code Officer Thomas Horn





2005 MANANA STREET  
Case

Wednesday February 08, 2017  
Code Officer Thomas Horn

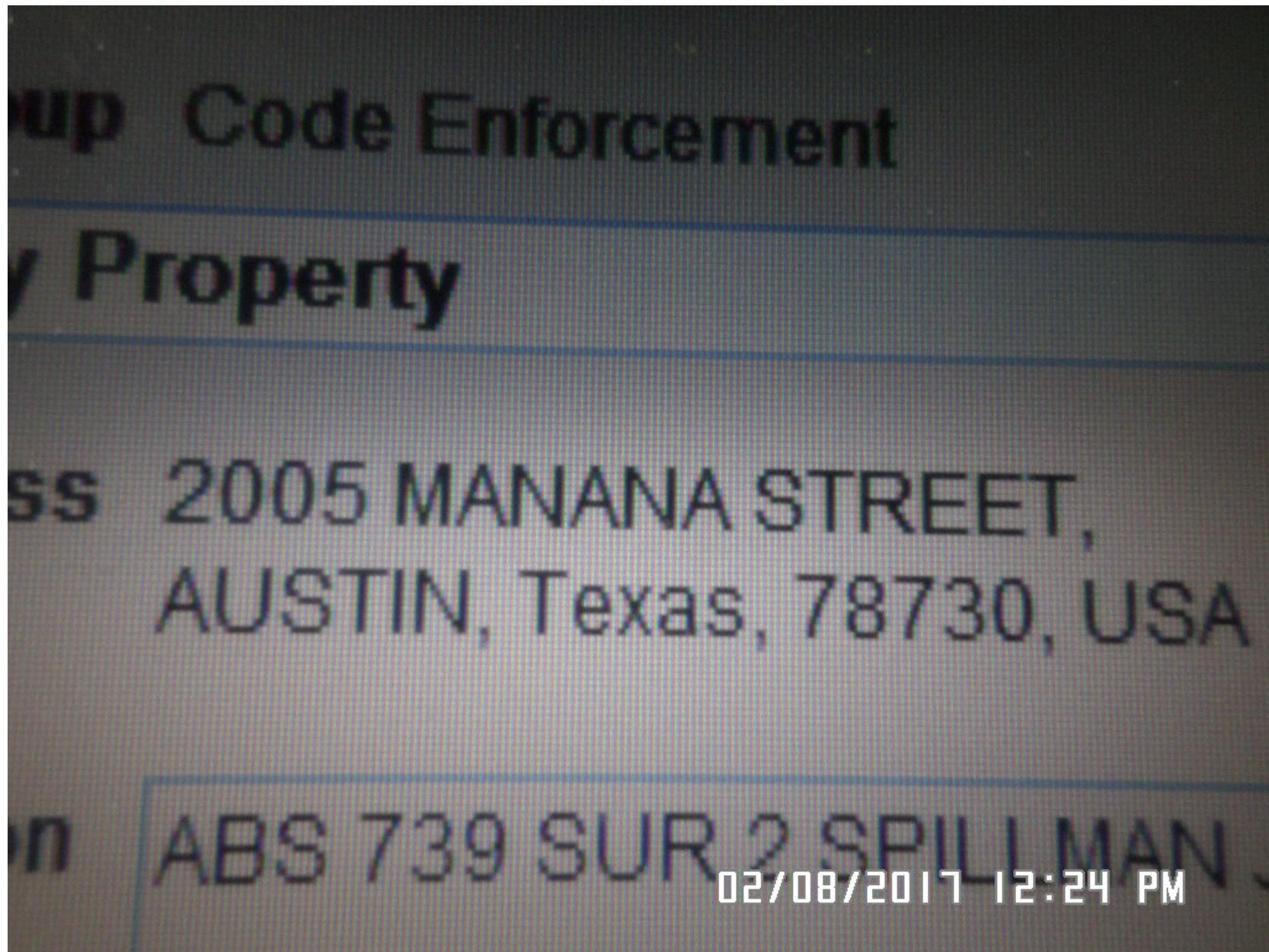




2005 MANANA STREET  
Case

Wednesday February 08, 2017  
Code Officer Thomas Horn









2005 MANANA STREET  
Case

Wednesday February 08, 2017  
Code Officer Thomas Horn





2005 MANANA STREET  
Case

Wednesday February 08, 2017  
Code Officer Thomas Horn





2005 MANANA STREET  
Case

Wednesday February 08, 2017  
Code Officer Thomas Horn





2005 MANANA STREET  
Case

Wednesday February 08, 2017  
Code Officer Thomas Horn



# City of Austin

P.O. Box 1088, Austin, TX, 78767

## AUSTIN **CODE** DEPARTMENT

### **NOTICE OF VIOLATION**

**Case Number: CV-2017-015249**

via Certified Mail #7015 1730 0001 9236 0076

February 16, 2017

Gail Findlay  
2005 Manana Street  
Austin Texas 78730-4243

RE: 2005 MANANA ST AUSTIN TX 78730  
Locally known as 2005 MANANA ST AUSTIN TX 78730  
Legally described as ABS 739 SUR 2 SPILLMAN J ACR 0.776 OR LOT 4 BLK 1 UNRECORDED  
MANANA SUBD  
Zoned as LA  
Parcel Number 0127230104

Dear Gail Findlay:

The City of Austin Code Department investigated the property described above. Austin City Code violations were found that require your immediate attention. A description of the violation(s) and compliance timeframe(s) are provided in the attached violation report.

After receipt of this Notice, and until compliance is attained, the Austin City Code prohibits the sale, lease, or transfer of this property unless:

- You provide the buyer, lessee, or other transferee a copy of this Notice of Violation; and
- You provide the name and address of the buyer, lessee, or other transferee to the Code Official.

For additional information, I can be reached at 512-974-9009 or [tom.horn@austintexas.gov](mailto:tom.horn@austintexas.gov). Please reference **case number** CV-2017-015249. Hours of operation are: Monday – Friday, 7:30 a.m. - 4:00 p.m.

Para obtener más información, llame al 512-974-9009 o enviar un correo electrónico a [tom.horn@austintexas.gov](mailto:tom.horn@austintexas.gov). Por favor, consulte caso número CV-2017-015249. El horario de atención es: lunes a viernes, 7:30 a.m. - 4:00 p.m.

Sincerely,

Thomas Horn, Austin Code Officer  
City of Austin Code Department

**VIOLATION REPORT**

**Date of Notice:** February 16, 2017

**Code Officer:** Thomas Horn

**Case Number:** CV-2017-015249

**Property Address:** 2005 MANANA ST AUSTIN TX 78730  
Locally known as 2005 MANANA ST AUSTIN TX 78730  
Zoned as LA

The items listed below are violations of the Austin City Code, and require your immediate attention. If the violations are not brought into compliance within the timeframes listed in this report, enforcement action may be taken. Timeframes start from the Date of Notice.

**Violation Type: LAND USE**

Austin City Code Section: Building Permit Requirement (§25-12-241 [2012 IRC R105.1])

Description of Violation: Water Break wall built in the lake without a permit

Date Observed: 02/15/2017

Timeframe to Comply: 7 Day(s)

Recommended Resolution: Obtain a building permit and get final inspection for all work performed

**Notes:** Permit violations require the permit(s) to be issued and all required inspections to be completed to attain compliance. For questions concerning land use violations, please contact the Development Services Department at 512-978-4000. You can also visit <http://www.austintexas.gov/departments/development-services> for more information.

**IMPORTANT INFORMATION****Failure to Correct**

If the violations are not brought into compliance within the timeframes listed in the violation report, enforcement action may include:

- Criminal charges in the City of Austin Municipal Court subjecting you to fines of up to \$2,000 per violation, per day.
- Civil penalties in an Administrative Hearing subjecting you to fines of up to \$1,000 per violation, per day, along with additional fees.
- Suspension or cancellation of existing site plan, permit or certificate of occupancy. If the site plan, permit or certificate of occupancy is suspended or revoked, the utility service to this property may be disconnected.
- Civil injunctions or penalties in State court.
- For dangerous or substandard buildings, the City of Austin may also take action with the Building and Standards Commission (BSC) to order the vacation, relocation of occupants, securing, repair, removal or demolition of a building, and civil penalties.

**Ownership Information**

According to the records of the County, you own the property described in this notice. If this property has other owners, please provide me with this information. If you no longer own this property, you must execute an affidavit form provided by our office. This form should state that you no longer own the property, the name of the new owner, and their last known address. The affidavit must be delivered in person or by certified mail, with return receipt requested, to the Austin Code Department office no later



than 20 days after you receive this notice. If you do not submit an affidavit, it will be presumed that you own the property described in this notice.

An affidavit form is available at [www.austintexas.gov/code-resources](http://www.austintexas.gov/code-resources), or at the Austin Code Department office at 1520 Rutherford Lane. The completed affidavit should be mailed to: **City of Austin Code Department, P.O. Box 1088, Austin, Texas 78767.**

You may file a written complaint or commendation regarding an Austin Code Department Officer no later than 3 days after you receive this notice. Please reference your case number. The complaint or commendation should be mailed to: **City of Austin Code Department, ATTN: Code Official, P.O. Box 1088, Austin, Texas 78767.**

**SENDER: COMPLETE THIS SECTION**

- Complete Items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the envelope.

**COMPLETE THIS SECTION WITH DELIVERY**

A. Signature

*[Handwritten Signature]*

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

3/25/11

Address different from Item 1? ☐ Yes

or delivery address below: ☒ No

Gail Findlay  
2005 Manana Street  
Austin Texas 78730-4243  
RE: 2005 MANANA ST AUSTIN TX 78730  
CV#17-015249

**3. Service Type**

☐ Certified Mail®

☐ Priority Mail Express™

☐ Registered

☐ Return Receipt for Merchandise

☐ Insured Mail

☐ Collect on Delivery

**4. Restricted Delivery? (Extra Fee)**

☐ Yes

7015 1730 0001 9236 0076

PS Form 3811, July 2013

Domestic Return Receipt



# CITY OF AUSTIN Development SERVICES DEPARTMENT

One Texas Center | 505 Barton Springs Road, Austin, Texas 78704 | Phone: 512.978.4000

## Site Plan Exemption Request Form

Site Address: 2007 Manana

DA-2017-0115

Project Name: Repair breakwater wall

Legal Description: Lot A Manana West Section 4

Zoning: \_\_\_\_\_ Watershed: Lake Austin Flood Plain? ☐ Yes ☐ No

Existing Land Use(s): single family

Proposed Land Use(s): single family

Brief/General Description of the Development being sought:

A few blocks in a cinder-block breakwater wall built in about 1960 are falling out. We need to replace those blocks.

Attach a detailed description of the proposed development in a memorandum or letter and a site plat or survey plan that graphically indicates, but is not limited to:

- existing trees
- buildings
- parking areas
- roadways/streets
- accessible parking
- access route
- all areas of impervious cover (existing & proposed)
- erosion controls (i.e.: silt fencing, tree protection)
- limits and type of construction
- location of construction
- on-site sewage (septic) system
- number of currently occupied residential units to be closed or demolished (if 5 or more, tenant notification may be required and a certified form may be required with your application per LDC 25-1-712)

I, Thomas G. Price, do hereby certify that I am the  
(Print Name)

☒ owner ☐ owner's agent (to act as the owner's agent, written authorization from the owner must be provided) of this described property, and in this capacity, submit this request for exemption from the site plan submittal requirements pursuant to Chapter 25-5-2 of the City of Austin Land Development Code.

Furthermore, I certify and acknowledge that:

1. Although the proposed development does not require a formal site plan approval, it may require, prior to beginning any site work, the approval of the subdivision or issuance of a building, remodel, and/or demolition permit;
2. Although the proposed development complies with all applicable zoning regulations, it does not prohibit enforcement of restrictive covenants and/or deed restrictions;
3. The approval of this exemption request does not constitute authorization to violate any provisions of the Austin City Code or other applicable requirements, which includes the use or occupancy of the improvement.
4. The approval notice with paid receipt shall be clearly posted on site and protected from the elements at all times.

Thomas G. Price

(Signature of Requester)

Date: 1-19-17 Phone: (512) 826-0932

Address: 2007 Manana, Austin, TX 78730

**SAVE Form**

# Departmental Use Only

101/200

Project Name: 2007 MARLIN		Case Number:		Applicant Name:	
<input checked="" type="checkbox"/> If Required	Reviewer	Date	Comments		
<input type="checkbox"/> Site Plan					
N/A					
<input type="checkbox"/> Transport					
N/A					
<input type="checkbox"/> Eng		1-23-17			
Open Back					
<input type="checkbox"/> Environ	1-23-17		The bulkhead must be		
legally constructed to quality for a repair and			maintenance exemption. No permit found or		
<input checked="" type="checkbox"/> AFD	1/24/17		shown on boat dock		
N/A			1981 site plan.		
<input type="checkbox"/> AWU					
N/A					
<input checked="" type="checkbox"/> Plumbing	Cory Harmon	02/02/2017			
N/A					
<input type="checkbox"/> AE					
N/A					

<input type="checkbox"/> Approved	<input checked="" type="checkbox"/> Denied	<input type="checkbox"/> Determined to be a <input type="radio"/> Revision <input type="radio"/> New Project
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Building permit required? ☒ Yes ☐ No ☐ N/A  
 Smart Housing Project? ☐ Yes ☐ No  
 Changes in Impervious Cover? ☐ Yes ☐ No  
 Qualifies for exemption per Section 25-5-2(\_\_\_\_)

## Check all that apply:

- ☐ Review Fee(s) Not Required
- ☐ Site Plan Correction/ Exemption Review Fee
- ☐ Change of Use Review Fee
- ☐ Phasing Review: \_\_\_\_\_ phases
- ☐ Landscape Inspection: \_\_\_\_\_ acres
- ☐ Shared Parking Review





**City of Austin**  
**Development Services Department**  
**Development Assistance Center**  
 One Texas Center, 505 Barton Springs Road  
 P.O. Box 1088, Austin, Texas 78767  
 Telephone: (512) 974-6370 Fax: (512) 974-2423

## Determination of a Site Plan Determination/Exemption Request

Date: Thursday, February 2, 2017

Number of pages including cover: 1

From: Sallie Correa

To: Thomas Price

Telephone: () - \_\_\_\_\_ FAX: () - \_\_\_\_\_

Project Name: DA-2017-0115 (2007 Manana)

Address: 2007 MANANA ST

Staff Contact: \_\_\_\_\_

Telephone: \_\_\_\_\_

Review Results	
Your request has been <b>Rejected</b> .	
Fees Due	Cost
Site Plan Correction Review	
Landscape Inspection:	
Shared Parking Review	
Phasing Review:	
Change of Use Review	
Commercial Exemption Review	
<b>TOTAL COST:</b>	

**Based on the following your request has been denied (see comments):**

*The bulkhead must be legally constructed to qualify for a repair and maintenance exemption. No permit for found or shown on boat dock 1981 site plan.*

*Kristin Carlton 974-6369*

**Comments:**

From: [REDACTED]  
 [REDACTED]  
 [REDACTED]  
 Subject: SP-2017-0082D (2005 Manana St) June 7, 2017 Mtg  
 Date: Wednesday, June 21, 2017 9:37:25 AM  
 Attachments: [image006.png](#)  
[image007.png](#)  
[image008.png](#)  
[image009.png](#)  
[image010.png](#)  
[image011.png](#)  
[image003.png](#)  
[da-2017-0115.pdf](#)

Atha,

We are following up to our June 7, 2017 meeting in your office since we have been unsuccessful in receiving determination(s) from Mr. Lesniak on these matters as you noted June 8, 2017. Please advise of specific actions necessary for us to move these matters forward now (what/which EV variances purported by the Director and compulsory fee invoice)?

Regarding our continuing request of February 17, 2017 for information from COA showing that the Sports Court, Bulkhead, and Boat Ramp developed on the adjoining lot at 2007 Manana St may have been legally constructed, it was purported at our June 7, 2017 meeting that a "Site Plan Exemption" may have legalized those developments.

However, a review of the City's records for the 2007 Manana Street property today would show that, in fact, these structures have been determined by COA DAC (see attached DA-2017-0115) on January 23, 2017 to have been illegally constructed. We pray for fair and impartial handling of all these matters by COA and are available to provide any other information upon request.

Thanks for your consideration and we look forward to getting these matters resolved soon.

Kindest Regards,

**Rick Rasberry, CESSWI**  
**Lake Austin Boat Dock & Shoreline Permits**  
**512-970-0371**  
 [REDACTED]

30235232\_rick\_rasberry



[REDACTED]  
**Sent:** Thursday, June 8, 2017 11:25 AM  
 [REDACTED]  
 [REDACTED]  
 [REDACTED]  
 [REDACTED]  
 [REDACTED] SP-2017-0082D (2005 Manana St) Invoice for Variance Fee

Okay, that will be fine -- forward the form when available. Please also take whatever actions are necessary with the COA (AMANDA) data systems to ensure that the project does not go into an "inactive" status demanding other re-activation fees later while we wait. We waited two (2) weeks for the staff meeting of June 7, 2017 and now other wait times not in control of applicant.

Just to be clear, we are prepared **now** to pay any/all required fees associated with the COA administrative denial of our application so the matters may be heard by other Boards/Commissions with authority. We look forward to a fair handling of these matters and appreciate your timely processing.

Kindest Regards,

**Rick Rasberry, CESSWI**  
**Lake Austin Boat Dock & Shoreline Permits**  
**512-970-0371**  
 [REDACTED]

30235232\_rick\_raspberry




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**From:** [REDACTED]  
**Sent:** Thursday, June 8, 2017 10:55 AM  
**To:** Burns, Roderick <[Roderick.Burns@austintexas.gov](mailto:Roderick.Burns@austintexas.gov)>; Rick Raspberry <[REDACTED]>  
**Subject:** RE: SP-2017-0082D (2005 Manana St) Invoice for Variance Fee

Rick,  
 We are still determining which EV variances will be needed and will not have a clear idea until we meet with Chuck, which will happen next week.  
 Thanks,

**Atha Phillips, RLA, LI, LEED AP**  
*Environmental Program Coordinator*  
[City of Austin Development Services Department](#)  
 505 Barton Springs Road  
 Office: 512-974-6303  
 dsd\_email\_logo



Follow us on [Facebook](#), [Twitter](#) & [Instagram](#) @DevelopmentATX  
 We want to hear from you! Please take a few minutes to complete our [online customer survey](#).  
 Nos gustaría escuchar de usted. Por favor, tome un momento para [completar nuestra encuesta](#).

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**From:** Burns, Roderick  
**Sent:** Thursday, June 08, 2017 10:53 AM  
**To:** [REDACTED]  
 [REDACTED]-0082D (2005 Manana St) Invoice for Variance Fee

Rick we aren't supposed to bill these until you have the variance form from the Env reviewer. Your reviewer will provide you with the form and they will upload a copy in AMANDA and then we can print you an invoice. This is the procedure that they have asked us to follow.

*Roderick Burns, Intake/Notification Supervisor*  
[City of Austin Development Services Department](#)  
 One Texas Center, 4<sup>th</sup> Floor  
 505 Barton Springs Road  
 Office: 512-974-6338

Logo\_DSD Email Signature wTag



Follow us on [Facebook](#), [Twitter](#) & [Instagram](#) @DevelopmentATX  
 We want to hear from you! Please take a few minutes to complete our [online customer survey](#).  
 Nos gustaría escuchar de usted. Por favor, tome un momento para [completar nuestra encuesta](#).

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**From:** Rick Raspberry [[mailto:\[REDACTED\]](mailto:[REDACTED])]  
**Sent:** Thursday, June 08, 2017 8:50 AM  
**To:** Burns, Roderick  
**Subject:** SP-2017-0082D (2005 Manana St) Invoice for Variance Fee

Good Morning Roderick, could you please send me an invoice for this.

cid:image009.png@01D2EA6C.7B9B5270



cid:image010.png@01D2EA6C.7B9B5270



Kindest Regards,

**Rick Rasberry, CESSWI**  
**Lake Austin Boat Dock & Shoreline Permits**  
**512-970-0371**



30235232\_rick\_rasberry



CITY OF AUSTIN – DEVELOPMENT SERVICES DEPARTMENT  
SITE PLAN APPLICATION – MASTER COMMENT REPORT



CASE NUMBER: SP-2017-0082D  
REVISION #: 00  
CASE MANAGER: Rosemary Avila  
UPDATE: U1  
PHONE #: 512-974-2784

PROJECT NAME: 2005 Manana Street  
LOCATION: 2005 Manana Street

SUBMITTAL DATE: May 10, 2017  
REPORT DUE DATE: May 24, 2017  
FINAL REPORT DATE: May 23, 2017

#### STAFF REPORT:

This report includes all staff comments received to date concerning your most recent site plan submittal. The comments may include requirements, recommendations, or information. The requirements in this report must be addressed by an updated site plan submittal.

The site plan will be approved when all requirements from each review discipline have been addressed. However, until this happens, your site plan is considered disapproved. Additional comments may be generated as a result of information or design changes provided in your update.

If you have any questions, problems, concerns, or if you require additional information about this report, please do not hesitate to contact your case manager at the phone number listed above or by writing to the City of Austin, Development Services Department, P.O. Box 1088, Austin, Texas 78767.

#### UPDATE DEADLINE (LDC 25-5-113):

It is the responsibility of the applicant or their agent to update this site plan application. **The final update to clear all comments must be submitted by the update deadline, which is March 20, 2018.** Otherwise, the application will automatically be denied. If this date falls on a weekend or City of Austin holiday, the next City of Austin workday will be the deadline.

#### UPDATE SUBMITTALS:

**A formal update submittal is required. Please bring a copy of this report with you upon submittal to Intake. Updates may be submitted between 8:30 am and 4:00 pm. No appointment is necessary. Updates are now required to be submitted within a specific time period or the project will be considered inactive. A fee is required to return the project to active status and to submit a formal update. Additionally, updates beginning at the 4<sup>th</sup> (U4) require an update fee prior to submitting a formal update.**

**Please submit 3 copies of the plans and 3 copies of a letter** that address each comment for distribution to the following reviewers. Clearly label information or packets with the reviewer's name if intended for a specific reviewer. **No distribution is required for the Planner 1.**

#### REVIEWERS:

Planner 1 : Ramon Rezvanipour  
Environmental : Atha Phillips  
Wetlands Biologist : Brent Bellinger  
Site Plan : Rosemary Avila

**Site Plan**

- EV 1. There appears to be unpermitted work on-site, please provide the permit number associated with the construction of existing shoreline bulkhead and retaining walls. All unpermitted work must be added to this site plan and go through the permit process.

**Update 1 Please provide permit # for walls in lake and the deck.**

- EV 2. Please notify the USACE regarding the proposed shoreline modification and provide a copy of the notification to me.

**Update 1 The description of what you are proposing and what is being proposed are different. This is not a bulk head.**

- EV 3. Please specify the maximum fill proposed in the area with the bulkhead.

**Update 1 Comment not addressed. A meeting with this reviewer is required.**

**Erosion and Sedimentation Sheet**

- EV 4. Cleared.

- EV 5. Please ensure that the drawings clearly show what elevation the shoreline is relative to the bulk head. Show the depth of the sand that was added to this area.

**Update 1 Comment pending.**

- EV 6. Please demonstrate that all proposed grading does not exceed 4' cut or fill. [LDC 25-8-341, 25-8-342]

**Update 1 Comment pending.**

- EV 7. Floodplain modifications are prohibited in the critical water quality zone unless the floodplain modifications proposed would provide a significant, demonstrable environmental benefit, as determined by a functional assessment of floodplain health as prescribed by the Environmental Criteria Manual. Please contact ERM to conduct a functional assessment. (512) 974-2717.

**Update 1 Comment pending.**

**Trees and Revegetation**

- EV 8. Cleared.

**Environmental Variance Comments**

- *Construction in the CWQZ [25-8-261]*
- *Fill in Lake Austin [25-8-368]*

- EV 9. Environmental variance package preparation will not take place until review is substantially complete and the environmental variance fee is paid. In addition, the project cannot go before the Environmental Board until the project is substantially compliant with Code. For questions regarding variance fee amount, please call 512-974-6338.

**Update 1 Comment pending.**

- EV 10. If requesting an environmental variance please provide an Environmental Resource Inventory.

**Update 1 Comment pending.**

- EV 11. A Land Use Commission environmental variance from LDC 25-8-261 and 25-8-368 are required. Please submit a request letter that identifies the scope of the environmental variance and addresses the findings of fact per LDC 25-8-41(A). Pay environmental variance fee for each environmental variance through intake. Contact staff to discuss proposed environmental variance and determine information needed to assess and present the environmental variance request. For questions regarding variance fee amount, please call 512-974-6338.

**Update 1 Comment pending.**

- EV 12. This comment pending environmental variance approval. Please include a note on the cover sheet noting: "A Land Use Commission environmental variance to Section 25-8-261 and 25-8-368 of the COA Land Development Code, for construction within a Critical Water Quality Zone, was been approved for this site by the Zoning and Platting Commission on (insert date)."
- Update 1 Comment pending.**

Site Plan Review - Rosemary Avila - 512-974-2784

- SP 1. Please provide a clear site location map on the cover sheet. Make sure that it is at least 4" x 4", of sufficient scale and quality to be legible, and that it identifies effectively where the proposed work is to take place.

**U1: Comment not cleared. The map is not clear, the street names are not legible.**

- SP 2. Remove note #5 on the cover sheet, as it relates to construction of a dock.

**U1: Comment cleared.**

Wetlands Biologist Review - Brent Bellinger - 512-974-2717

- WB 1. Update 0. The site plan needs to show the conditions that existed at the site prior to any unapproved repairs or work carried out at the site. The details shown are only post-construction of the structures. To clear this comment, please accurately depict the conditions at the site prior to the "as-built" conditions observed on 2/3/17 (i.e., before the new cinder block walls were installed).

**WB1. Update 1. Comment remains.** Site plan does not show existing conditions prior to building the new cinder block wall and placement of concrete bags along shoreline. With the former, the pictures provided in Exhibit "D" clearly shows that the wall parallel to shore is more than 1' away from existing structures, thereby contradicting claim that new materials are "similarly situated". Therefore, to clear this comment, conditions at the site as they existed prior to construction are required.

Additionally, and related to comment WB2, the "repairs" to the non-compliant structure being more than 1' away from the existing structure represents a change in the location and footprint of a noncomplying structure, which is prohibited by code (LDC 25-2-963[D]2a), and the height of the new wall is greater than the existing noncomplying structure which is also not allowed by code (LDC 25-2-963[D]6b).

- WB 2. Update 0. The cinder block wall that is parallel to shore is approx. 16' from shore and so does not represent development allowed within the CWQZ (LDC 25-8-261[C]1; Fig. 1). As such, the structure will need to be removed.

Beyond representing a noncompliant shoreline wave abatement or shoreline stabilization structure, the distance from shore can also be construed as having potential for land capture, which is also not allowed by code (LDC 25-8-368).

**WB2. Update 1. Comment remains.** With a code-complaint turbidity curtain, there would be no substantial or imminent risk to human health or the environment associated with removal of the proposed non-compliant wall. A claim to the contrary represents unsubstantiated hyperbole.

As noted above, the unapproved repairs changed the location of existing non-compliant structures, increased their height, and wave abatement construction strategies (e.g., bulkheads) allowed by code are to occur at the shoreline.

- WB 3. Update 0. The concrete bags that have been placed along the down-river portion of the shoreline do not meet code-criteria for a shoreline stabilization/wave abatement (Environmental criteria manual [ECM] 1.13.6; Fig. 2). To clear this comment:

- Either remove all concrete bags placed in the lake at the shoreline; or,
- Conform to specifications outlined in ECM 1.13.6, including using natural material with a slope of no more than 45 degrees.



**WB3. Update 1. Comment remains.** Agent's response to this comment was clearly a copy-and-paste from WB2 and do not in any way address that the concrete bags placed at the shoreline to not meet code criteria.

And as noted above, their removal would in no way represent an imminent risk to harm human health or the environment. Even if the bags are not removed, they will need to be incorporated into a strategy that would meet code criteria as outlined in the ECM 1.13.6 for shoreline stabilization.

WB 4. Update 0. Please show on the site plan the location of the proposed mitigation plantings.

**WB4. Update 1. Comment partially cleared.** The location chosen does not appear to be adequate or appropriate. Based on previous site pictures, there appears to be a fairly tall vertical concrete wall, in addition to fencing. Given the apparent conditions, wetland plants desired as mitigation for the shoreline work will not be appropriate in this location. To clear this comment, please change the location for the mitigation plantings.

WB 5. Update 0. Please define T.O.W.

**WB5. Update 1.** Comment cleared.

WB 6. Update 0. On sheet 1, it is unclear why, in the standard site plan release notes, mention of dock specifications are included when no dock work is proposed with this site plan. Please remove note 5 from that section.

**WB6. Update 1.** Comment cleared.

WB 7. Update 0. Please identify the Lake Austin (LA) zoning setback on the property site.

**WB7. Update 1.** Comment cleared.

WB 8. Update 0. More comments may be needed as the site plan is modified.

**WB8. Update 1. Comment remains.**

Planner 1 Review – Ramon Rezvanipour – 512-974-3124
---

**THE FOLLOWING COMMENTS APPLY PRIOR TO THE RELEASE OF THE SITE DEVELOPMENT PERMIT.**

P 1. FYI – An appointment is required in order to receive the site development permit. The permit will be released after the flash drive has been submitted with the Intake Staff. Contact the Planner I listed above to set up an appointment to receive the site plan permit.

P 2. FYI – FLASH DRIVE REQUIREMENT

All applications submitted for completeness check after 5/10/10 for Administrative Site Plan Revision, Consolidated Site Plan, Non-Consolidated Site Plan, CIP Streets and Drainage, Major Drainage/Regional Detention, and Subdivision Construction Plans will require the additional items listed in Exhibit VII of the application packet on a USB flash drive prior to release of permit. The flash drive must be taken directly to the Intake Department by the applicant after site plan approval. For more information, contact the Intake Staff.

End of report

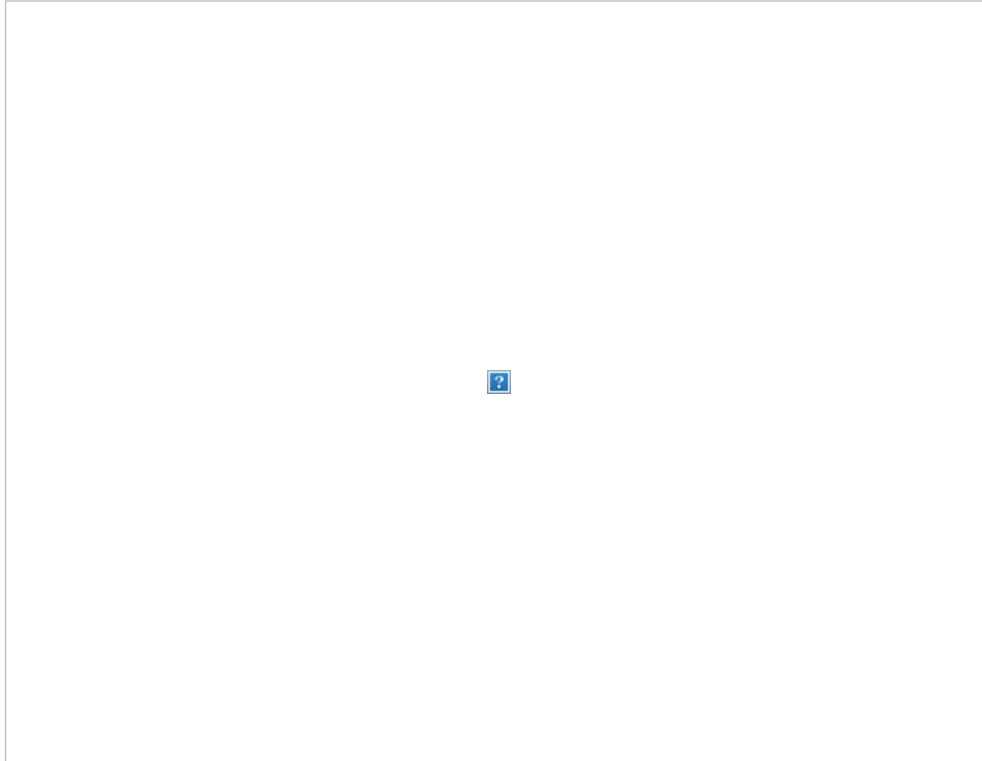
**From:** [REDACTED]  
**Subject:** Stop Work Order Issued 2005 Manana St  
**Date:** Tuesday, February 21, 2017 1:26:11 PM  
**Attachments:** [image003.png](#)  
[image005.png](#)  
[image009.png](#)  
[Signed Agent Letter.pdf](#)

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Mr. Chapman,

Please accept this communication on behalf of the referenced property owner, Mrs. Gail Findlay, in reply to your letter dated February 9, 2017. I have been retained by Mrs. Findlay (Agent Letter Attached) to prepare the required site plans and applications -- and we are in the "land survey" process for the lot right now. We will move as quickly as possible and please let me know of any specific needs, requests, or other ordering provisions. In the meantime, we would like to request getting a copy of all City approved site plans and building permits for:

1. sports court, 2. bulkhead, and 3. boat ramp developed on the adjoining 2007 Manana St property (see pictures below):



# I01/210



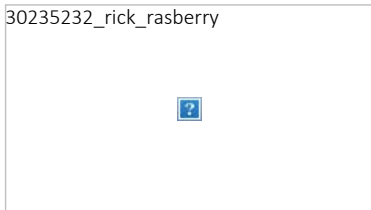
We look forward to hearing back on these matters, thanks!

Kindest Regards,

**Rick Rasberry, CESSWI**  
**Lake Austin Boat Dock & Shoreline Permits**  
**512-970-0371**



30235232\_rick\_rasberry



January 19, 2017

City of Austin

Development Services Department

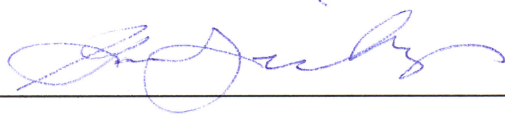
PO Box 1088

Austin, TX 78716

To Whom It May Concern:

I, Gail Findlay, own the property at 2005 Manana St. I wish to repair the failing bulkhead, retaining walls, and other necessary appurtenances on the property. Rick Rasberry is my authorized agent for the City of Austin applications needed for the subject property. Please contact me if you have any questions.

Kindest Regards,

A handwritten signature in blue ink, appearing to read "Gail Findlay", is written over a horizontal line.

Signature

From:



Date:

Tuesday, April 18, 2017 2:16:10 PM

Stephen , Here are the address that I will need to do inspections and take pictures what time at the boat will that work for you ? Thanks for all the help with the boat a paddle board would not do it for me !!

- 1) **2005 MANANAN ST**
- 2) **2904 RIVER CREST**
- 3) **3120 EDGEWATER**
- 4) **2700 EDGE WATER**
- 5) **6901 GREEN SHORES #2**
- 6) **6901 GREEN SHORES #3**
- 7) **1851 WESTLAKE DR**
- 8) **4805 PRECIPES CV**
- 9) **4805 PALISADE**
- 10) **1800 SKI SLOPE**
- 11) **3120 EDGEWATER**
- 12) **4646 ROCKCLIFF**
- 13) **1404 ROCK CLIFF**



**Tom Horn**

**Code Officer – West District**

City of Austin, Code Department

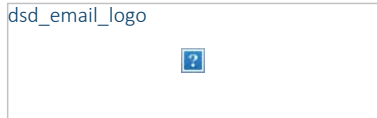
P: 512-974-9009 | E: [tom.horn@austintexas.gov](mailto:tom.horn@austintexas.gov)

*"Preserving Austin's Quality of Life"*

**From:** [REDACTED]  
**Subject:** RE: SP-2017-0082D (2005 Manana St) June 7, 2017 Mtg  
**Date:** Wednesday, June 21, 2017 10:26:19 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[image007.png](#)

Hi Ricky,  
 Let me check.  
 Thanks,

**Atha Phillips, RLA, LI, LEED AP**  
*Environmental Program Coordinator*  
[City of Austin Development Services Department](#)  
 505 Barton Springs Road  
 Office: 512-974-6303  
 dsd\_email\_logo



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 Nos gustaría escuchar de usted. Por favor, tome un momento para [completar nuestra encuesta](#).

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**From:** Rick Rasberry [mailto:[REDACTED]]  
**Sent:** Wednesday, June 21, 2017 9:37 AM  
**To:** Phillips, Atha  
**Cc:** Gail Findlay; Johnston, Liz; Chapman, David; Bellinger, Brent; Horn, Tom  
**Subject:** SP-2017-0082D (2005 Manana St) June 7, 2017 Mtg

Atha,

We are following up to our June 7, 2017 meeting in your office since we have been unsuccessful in receiving determination(s) from Mr. Lesniak on these matters as you noted June 8, 2017. Please advise of specific actions necessary for us to move these matters forward now (what/which EV variances purported by the Director and compulsory fee invoice)?

Regarding our continuing request of February 17, 2017 for information from COA showing that the Sports Court, Bulkhead, and Boat Ramp developed on the adjoining lot at 2007 Manana St may have been legally constructed, it was purported at our June 7, 2017 meeting that a "Site Plan Exemption" may have legalized those developments.

However, a review of the City's records for the 2007 Manana Street property today would show that, in fact, these structures have been determined by COA DAC (see attached DA-2017-0115) on January 23, 2017 to have been illegally constructed. We pray for fair and impartial handling of all these matters by COA and are available to provide any other information upon request.

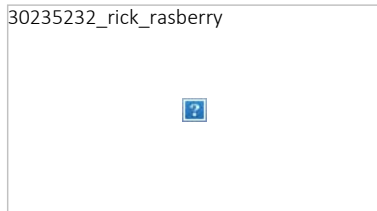
Thanks for your consideration and we look forward to getting these matters resolved soon.

Kindest Regards,

**Rick Rasberry, CESSWI**  
**Lake Austin Boat Dock & Shoreline Permits**  
**512-970-0371**

[REDACTED]

30235232\_rick\_rasberry



---

**From:** [REDACTED]  
**Sent:** Thursday, June 8, 2017 11:25 AM  
**To:** 'Phillips, Atha' <[Atha.Phillips@austintexas.gov](mailto:Atha.Phillips@austintexas.gov)>; Burns, Roderick <[Roderick.Burns@austintexas.gov](mailto:Roderick.Burns@austintexas.gov)>; Lesniak, Chuck <[chuck.lesniak@austintexas.gov](mailto:chuck.lesniak@austintexas.gov)>; Johnston, Liz <[Liz.Johnston@austintexas.gov](mailto:Liz.Johnston@austintexas.gov)>  
**Cc:** 'Gail Findlay' <[REDACTED]>  
**Subject:** RE: SP-2017-0082D (2005 Manana St) Invoice for Variance Fee

Okay, that will be fine -- forward the form when available. Please also take whatever actions are necessary with the COA (AMANDA) data systems to ensure that the project does not go into an "inactive" status demanding other re-activation fees later while we wait. We waited two (2) weeks for the staff meeting of June 7, 2017 and now other wait times not in control of applicant.

Just to be clear, we are prepared **now** to pay any/all required fees associated with the COA administrative denial of our application so the matters may be heard by other Boards/Commissions with authority. We look forward to a fair handling of these matters and appreciate your timely processing.

Kindest Regards,

**Rick Rasberry, CESSWI**  
**Lake Austin Boat Dock & Shoreline Permits**  
**512-970-0371**  
[REDACTED]

30235232\_rick\_rasberry



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**From:** Phillips, Atha [<mailto:Atha.Phillips@austintexas.gov>]  
**Sent:** Thursday, June 8, 2017 10:55 AM  
**To:** Burns, Roderick <[Roderick.Burns@austintexas.gov](mailto:Roderick.Burns@austintexas.gov)>; Rick Rasberry <[REDACTED]>  
**Subject:** RE: SP-2017-0082D (2005 Manana St) Invoice for Variance Fee

Rick,  
We are still determining which EV variances will be needed and will not have a clear idea until we meet with Chuck, which will happen next week.  
Thanks,

**Atha Phillips, RLA, LI, LEED AP**  
*Environmental Program Coordinator*  
[City of Austin Development Services Department](#)  
505 Barton Springs Road  
Office: 512-974-6303  
dsd\_email\_logo



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---

**From:** Burns, Roderick  
**Sent:** Thursday, June 08, 2017 10:53 AM  
**To:** [REDACTED]  
**Cc:** Phillips, Atha  
**Subject:** RE: SP-2017-0082D (2005 Manana St) Invoice for Variance Fee

Rick we aren't supposed to bill these until you have the variance form from the Env reviewer. Your reviewer will provide you with the form and they will upload a copy in AMANDA and then we can print you an invoice. This is the procedure that they



have asked us to follow.

*Roderick Burns, Intake/Notification Supervisor*  
[City of Austin Development Services Department](#)

One Texas Center, 4<sup>th</sup> Floor  
505 Barton Springs Road  
Office: 512-974-6338

Logo\_DSD Email Signature wTag



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**From:** Rick Rasberry [[mailto:\[REDACTED\]](mailto:[REDACTED])]  
**Sent:** Thursday, June 08, 2017 8:50 AM  
**To:** Burns, Roderick  
**Subject:** SP-2017-0082D (2005 Manana St) Invoice for Variance Fee

Good Morning Roderick, could you please send me an invoice for this.

cid:image009.png@01D2EA6C.7B9B5270



cid:image010.png@01D2EA6C.7B9B5270



Kindest Regards,

**Rick Rasberry, CESSWI**  
**Lake Austin Boat Dock & Shoreline Permits**  
**512-970-0371**  
[REDACTED]

30235232\_rick\_rasberry

