

PERMIT PARTNERS, LLC
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Austin, Texas 78704
David C. Cancialosi
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Approximately 60% of the total proposed IC will be located in the 0-15 slope. Approximately 37% of the total proposed IC will be located in the 35%+ out of necessity due to the existing topography and irregular tract shape.

The project is proposing to reduce the newly imposed LA rear setback from 20' to 10'. The new orientation of the lot is a result of taking access from Island way and the city determining that Island Way is the front of the lot. The original north property line was a side property line and required a 5' setback prior to the LA zoning ordinance modification adopted by City Council in 2014. That code amendment removed the 5' side setback allowance for LA zoned properties platted prior to 1982 or a tract not required to plat. This tract's former side property line is now a rear property line with a 20' setback requirement. The existing home as a 0' setback at this property line and is proposing a 10' rear setback.

The tract's new orientation also requires a setback variance along Lakeshore Dr. The existing house fronts Lakeshore Dr. and has a 0' setback. The new orientation now designates Lakeshore Dr. as a 25' street side setback and the project is proposing a 5' setback along Lakeshore Dr.

b) The hardship is not general to the area because:

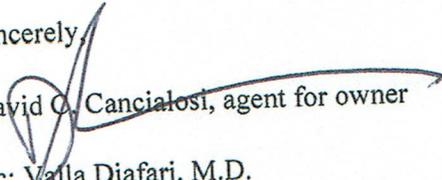
There is no known lot with similar issues where the house has extended beyond it's natural life, was labeled non-compliant when LA LTD purpose zoning was applied in 1982, the building site is wedged between the ROW and protected trees, and has topography and lot shape challenges combined on a single site.

Area Character:

The proposed redevelopment will not alter the character of the Lakeshore Dr. area nor impair the use of the adjacent property nor impair the purpose of the LA zoning regulations applied by the city in 1982 when said ordinance created a non-compliant site that is very difficult to redevelop under LA zoning performance standards. The current house has a 4 story tower that has been an eyesore for many years and is being remove as part of the redevelopment. Included with this application are two letters of support from surrounding neighbors.

In sum I respectfully request the Board consider the above variances in order for a reasonable redevelopment of a challenging site. Please reference the attached powerpoint and supporting exhibits for a more comprehensive understanding of the proposed project.

Sincerely,


David C. Cancialosi, agent for owner

Cc: Valla Djafari, M.D.



CITY OF AUSTIN

Development Services Department

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

M02/5

Board of Adjustment General/Parking Variance Application

WARNING: Filing of this appeal stops all affected construction activity.

This application is a fillable PDF that can be completed electronically. To ensure your information is saved, [click here to Save](#) the form to your computer, then open your copy and continue.

The Tab key may be used to navigate to each field; Shift + Tab moves to the previous field. The Enter key activates links, emails, and buttons. Use the Up & Down Arrow keys to scroll through drop-down lists and check boxes, and hit Enter to make a selection.

The application must be complete and accurate prior to submittal. ***If more space is required, please complete Section 6 as needed.*** All information is required (if applicable).

For Office Use Only

Case # _____ ROW # _____ Tax # _____

Section 1: Applicant Statement

Street Address: 2009 Lakeshore Drive

Subdivision Legal Description:
lot 15 less South 50' of East 140' lot 14, Lakeshore Addition

Lot(s): _____ Block(s): _____

Outlot: _____ Division: _____

Zoning District: Lake Austin / COA Limited Purpose

I/We David Cancialosi c/o Permit Partners LLC on behalf of myself/ourselves as
authorized agent for Valla Djafari, MD affirm that on

Month August, Day 9, Year 2017, hereby apply for a hearing before the

Board of Adjustment for consideration to (select appropriate option below):

Erect Attach Complete Remodel Maintain Other: _____

Type of Structure: Single Family Residence and associated improvements

Portion of the City of Austin Land Development Code applicant is seeking a variance from:

Please see attachment for response.

Section 2: Variance Findings

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 supporting documents.

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.

I contend that my entitlement to the requested variance is based on the following findings:

Reasonable Use

The zoning regulations applicable to the property do not allow for a reasonable use because:

Please see the attachment for response.

Hardship

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

Please see the attachment for response.

b) The hardship is not general to the area in which the property is located because:
Please see attached for response.

Area Character

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:

See attachment for response.

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 in the City of Austin Land Development Code Chapter 25-6, Appendix A 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

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:

N/A

3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

N/A

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

N/A
