


From the office of
PERMIT PARTNERS, LLC
105 W. Riverside Dr. Suite 225
Austin, Texas 78704
David C. Cancialosi
512.593.5368 c.
512.494.4561 f.



December 19, 2017

RE: BOA documentation for 2009 Lakeshore Drive

Board of Adjustment Commissioners:

At the November 2017 BOA hearing the proposed redevelopment of a single-family structure requested a mixture of setback and impervious cover variances. As pointed out at that hearing these are necessary to redevelop a 1944 Lakeshore Addition tract which is part of the original 1915 Lakeshore Addition plat. The original residence was constructed in 1950 then a separate, larger residence was constructed in 1980. As a whole, the pre-annexation structures have been substantially modified over the last 50 years, most of which were added or modified prior to the City's adoption of LA zoning. The adoption of LA zoning immediately rendered the tract non-compliant regarding impervious coverage, height, and zoning setbacks. The site has not been modified in almost 30 years and is in need of substantial remodel and/or replacement.

The proposed redevelopment contemplates utilizing the limited space located between Lakeshore Drive, the row of protected heritage trees behind the house, the drainage feature bordering the intersecting street, Island Way, and the steep slope to the rear of the protected trees. Adding increased hardship to the tract, more than 50% of the roughly 30,000 SF tract is in the 35%+ slope category.

At November's hearing, we listened to input from the Commission as well as from surrounding neighbors. We have since redesigned the proposed single-family structure to change the driveway access from Island Way to Lakeshore Drive. With other changes to design this reduces the amount of impervious cover in the 35%+ slope from 31% proposed in the original application to a current proposed amount of 7%. (*See MF Architecture Slide Set*). This is a substantial amendment to a design that was initially premised on a 2014 City staff determination that defined the front lot line as Island Way. However, after hearing the concerns regarding traffic and drainage, the property owner has agreed to a compromise to display his continued commitment to his neighbors' as well as the Commission's concerns.

The remaining impervious coverage of 7% in the 35%+ slope category is the minimum necessary to accommodate the proposed design. This includes rear patios and other minor impacts to the slope area necessary to complete the design aesthetics and access to the lake (*Please reference Land West letter*).

The remainder of the site will still require the necessary front, side, and rear zoning setback variances despite the new point of access on Lakeshore Drive due to Island Way being the front of the lot per city code definitions. Under the proposed design the degree of non-compliance in all setbacks will still be either reduced or eliminated.

The proposed replacement residence will have a smaller footprint than the current house (*See MF Architecture Slide Set*). In addition, there will be an improved drainage mitigation system implemented (*Please reference letter from Thompson Land Engineering regarding drainage*). The protected heritage trees will be saved. And ultimately, a 1944-era legal tract carved out of the original 1915 Lakeshore Addition plat on which a pre-annexation structure will be redeveloped into an exceptional two-story owner-occupied residence will be a tremendous improvement both aesthetically, from a regulatory perspective, and an environmental perspective.

Please find included in this package the drainage report, landscape report, and new architectural slides.

We ask the Commission take into consideration these changes and approve the requested variances.

Sincerely,



David C. Cancialosi, agent for owner



December 18, 2017

Subject: Opinion of Possible effect of Redevelopment of 2009 Lakeshore on Drainage

TO WHOM IT MAY CONCERN:

I've reviewed the City of Austin GIS contours and the existing drainage features in proximity to 2009 Lakeshore (TCAD parcel 01-1911-0506) as well as the contours and drainage on the subject lot and I cannot think of a reasonable development of the lot that would result in run-off being directed in any significant manner to any of the surrounding lots. Rather, to the contrary, it would seem that it is the development of other lots (particularly those across Lakeshore to the west) that would potentially divert run-off to this property. In particular, I note the following.

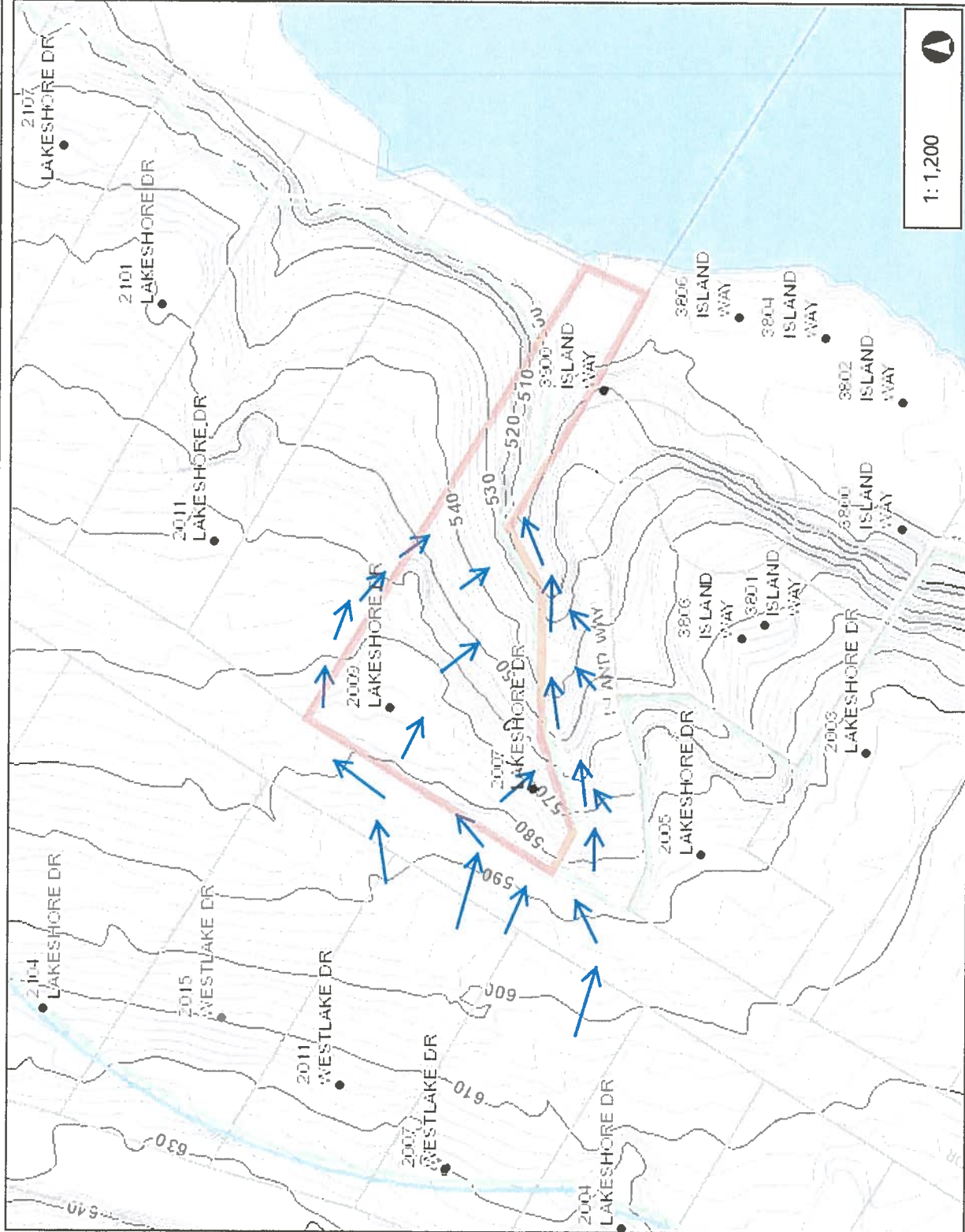
- 1) There is no roadside ditch or curb on Lakeshore that would hold any run-off from development that might be shunted to Lakeshore. Therefore, any run-off shunted to Lakeshore (such as from a driveway) would return back into the lot.
- 2) Development on the lot toward Island Way would be captured in the relatively deep feature along the north side of Island Way. That feature is within the right-of-way of Island way (or right along the edge) so that feature (or at least half of that feature) is largely controlled by the public and in addition would require significant fill to shunt run-off to Island Way. Even if filled, without rebuilding Island Way, it appears that run-off would drop back off the edge of Island Way down the hill (further to the east) thus putting the run-off back onto 2009 Lakeshore.
- 3) A small amount of run-off could be pushed from the development of the northern most corner (perhaps 1500 square feet of area), onto the adjacent lot to the north, but generally topography indicates that run-off would travel a short distance and then return back to the drainage feature on the subject lot (2009 Lakeshore). Note that much of the subject area is within the zoning side setback.

Please see the attached graphic for a depiction of these observations. If you have any questions, please contact Robert C. (Ric) Thompson P.E. at 512-328-0002.



Thompson Land
Engineering, LLC
(F-10220)

Property Profile



1:1,200



NAD_1983_StatePlane_Texas_Central_FIPS_4203_Feet

Date Printed:

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

Legend

- Addresses
- Jurisdiction
 - FULL PURPOSE
 - LIMITED PURPOSE
 - EXTRATERRITORIAL JURISDICTION
 - 2 MILE ETJ AGRICULTURAL AGR
 - OTHER CITY LIMITS
 - OTHER CITIES ETJ
- TCAD Parcels
- Contours Year 2012
 - 2 Ft Contours
 - 10 Ft Contours

Notes

REQUESTED VARIANCES

1. IMPERVIOUS COVER

1. Increase from 35% to 66% on 0-15% Slope
2. Increase from 10% to 71% on 15-25% Slope
3. Remain 5% on 25-35% Slope
4. Increase from 0% to 7% on 35-100% Slope

2. PROPOSED SETBACKS

1. Front yard changed from Lakeshore to Island Way per COA
2. Avoid impacting Existing Protected/Heritage Tree CRZs
3. Proposed Setbacks
 - Front Yard: 40' Front Yard Setback per COA
 - Street Yard: 25' Street Yard Setback per COA (Island Way)
 - Rear Yard: 20' Rear Yard Setback per COA
 - Existing Structure at 0'
 - To be made Compliant with 10' Setback
 - Street Yard: 5' Street Yard Setback (Lakeshore Drive)

LAKESHORE RESIDENCE
20000 Island Way, Suite 100
Lakeshore, IL 60054



EXISTING CONDITIONS

Front Setback: -7'
 Side Setback: 0'
 Street Side: 0'
 Rear Setback: N/A faces lake
 Easements: N/A

ALLOWABLE CONDITIONS

Front Setback: 40' from Lakeshore Dr.
 Side Setback: 20'
 Street Side: 25' from Island Way
 Rear Setback: 10'
 Easements: N/A

PROPOSED CONDITIONS

Front Setback: 40' from Island Way
 Street Side: 5' from Lakeshore Dr.
 Street Side: 25' from Island Way
 Rear Setback: 10' from adjacent lot
 Easements: N/A

PROJECT CONDITIONS

LAKE AUSTIN ZONING & OVERLAY IMPERVIOUS COVER CHART

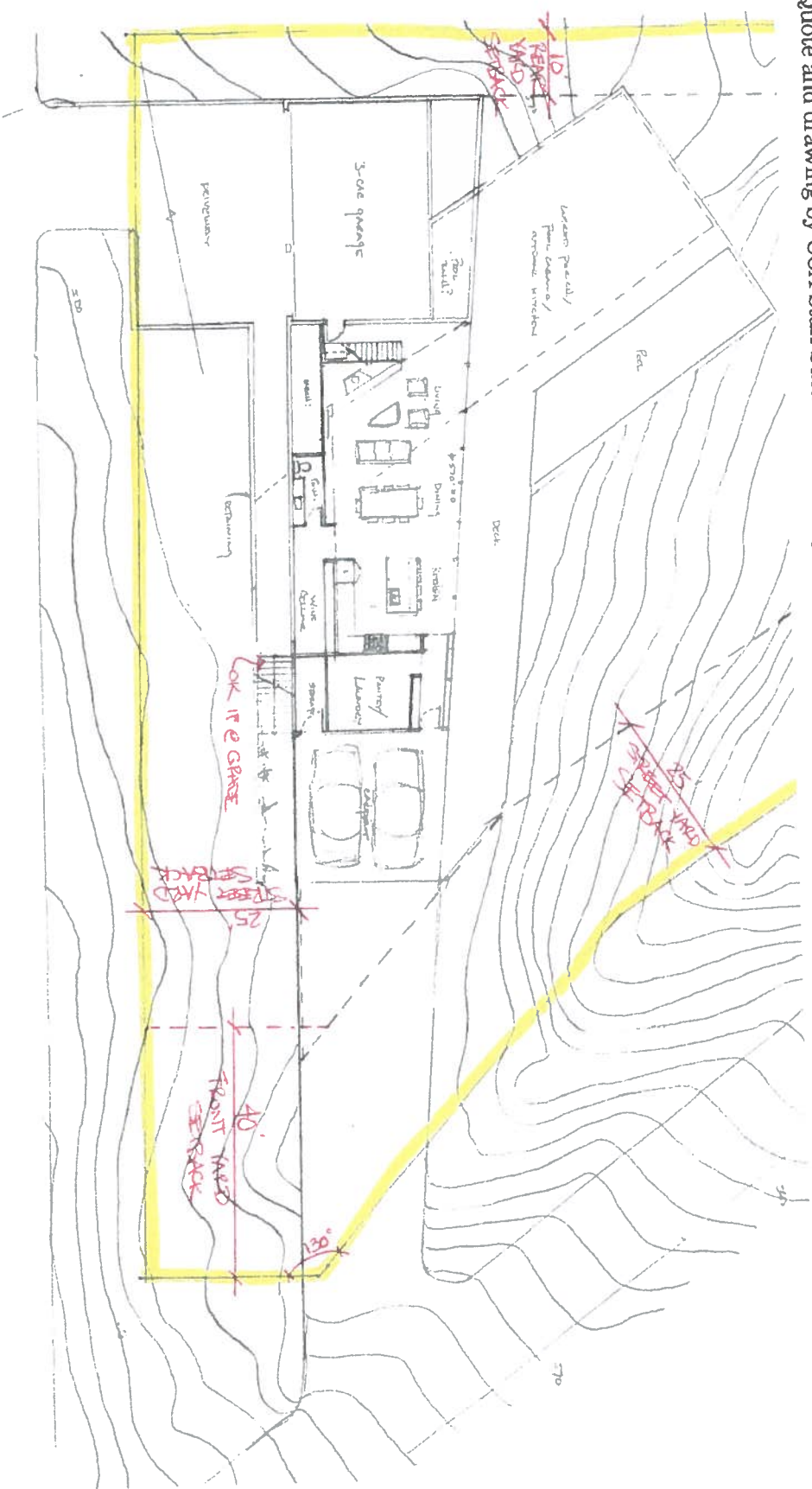
GROSS SITE AREA = 30,712 SF
 SHORELINE SETBACK AREA = 3,282 SF

CATEGORY (%)	SLOPE	TOTAL AREA (SF)	MULTIPLIER	IC ALLOWED (SF)	IC EXISTING (SF)	% IC		
						EXISTING	IC PROPOSED (SF)	PROPOSED
0-15		11,540	0.35	4,039	8,515	74%	7,564	66%
15-25		185	0.10	19	0	0%	129	71%
25-35		830	0.05	42	0	0%	40	5%
35-100		14,875	0.00	0	0	0%	1,080	7%
TRANSFER PER E		0	0.40	-	-	-	-	-
		TOTAL		8,515	-	-	8,813	-
		SHORELINE SETBACK		1,655	-	-	1,771	-
		NET TOTAL		10,170	-	-	10,584	-

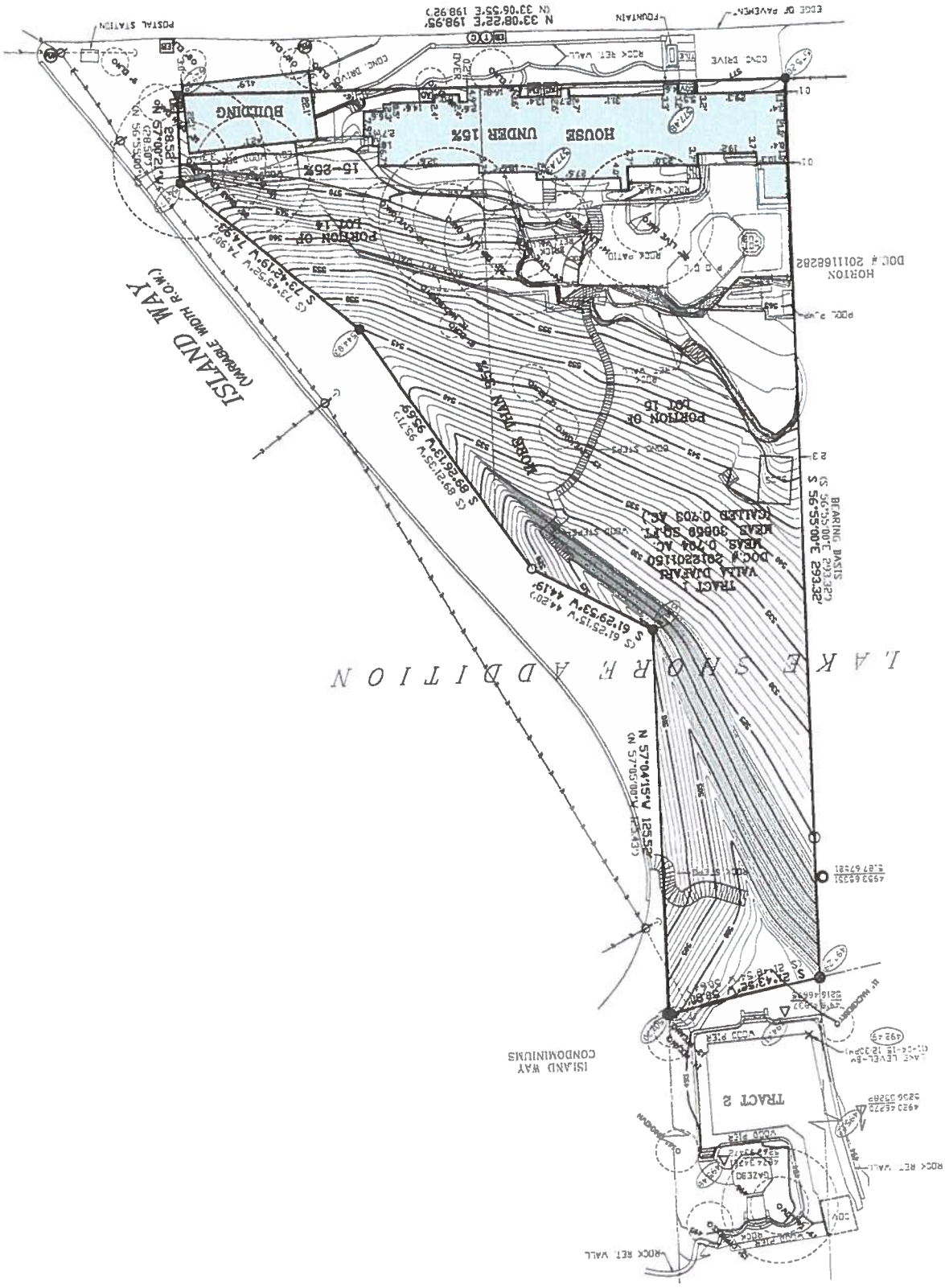
1. Table is based on the information provided in City of Austin Land Development Code 25.2.551(C)(3).
2. This legal tract was recorded prior to April 22, 1982. Per City of Austin Land Status Determination File Number C81-02-0071.

NEW FRONT YARD LOCATION PER CITY OF AUSTIN

Since the angle between L2 and the adjacent property line parallel to Island Way is 135°, L2 is the front property line. As such, its setback is 40'. The setback from each respective street is 25'. However, with L2 being the front property line, the interior property line is then the rear property line requiring a 20' setback. If a 10' setback is desired, a BOA variance will need to be sought." Quote and drawing by COA Staff Susan Barr on August 13, 2015.

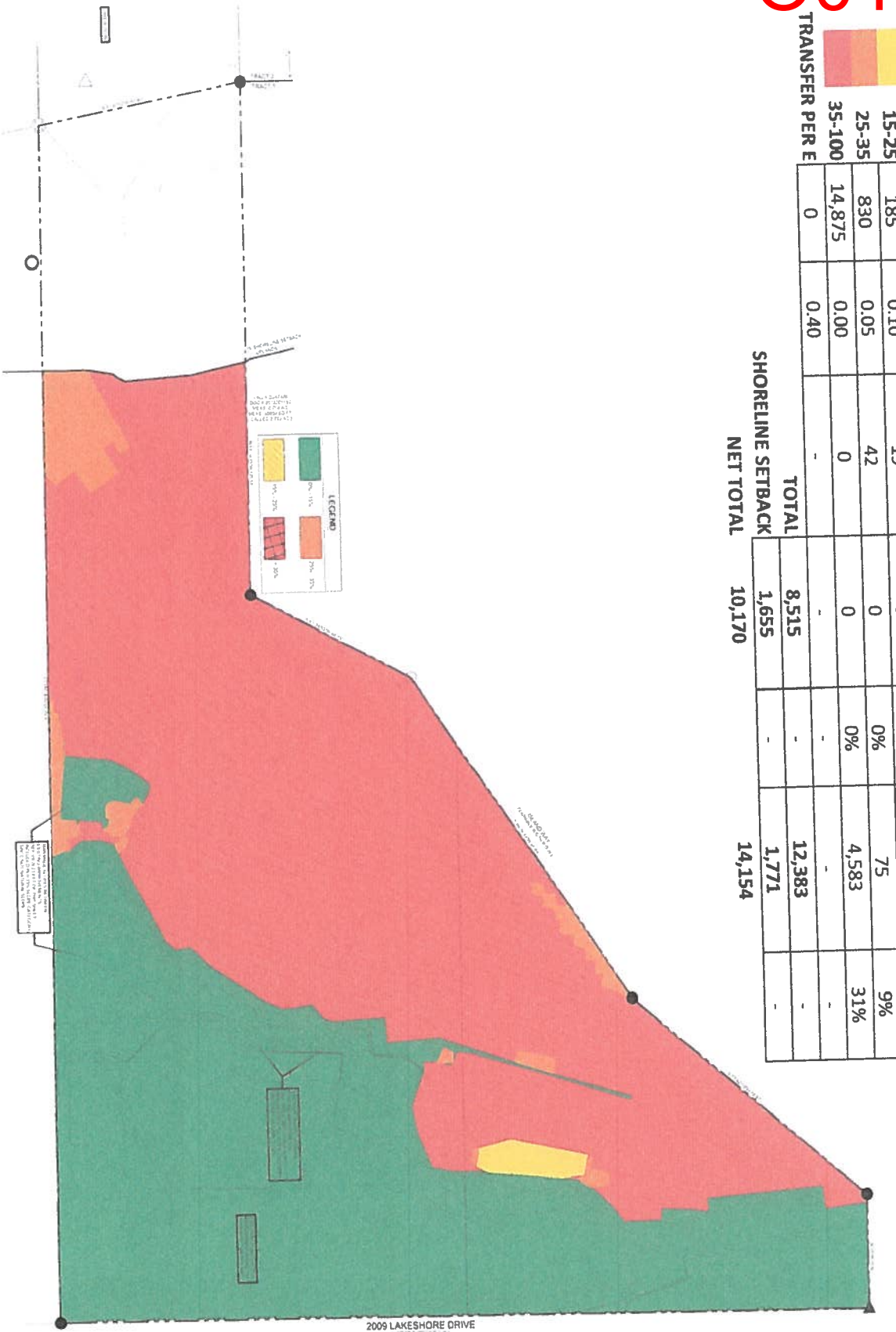


2009 LAKESHORE DRIVE
(VARIABLE WIDTH R.O.W.)

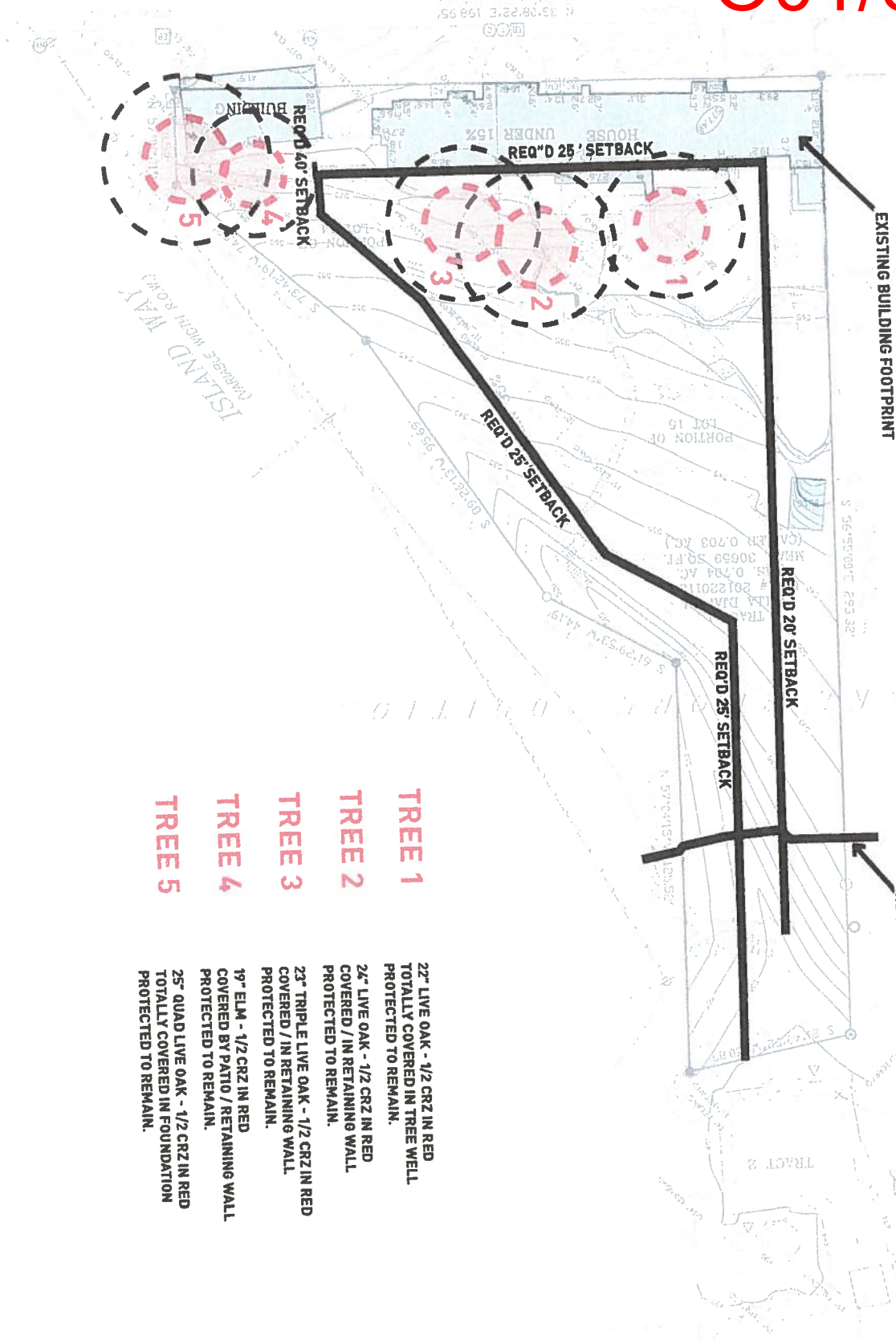


EXISTING SITE PLAN

SLOPE CATEGORY (%)	TOTAL AREA (SF)	MULTIPLIER	IC ALLOWED (SF)	IC EXISTING (SF)	% IC	
					EXISTING	PROPOSED
0-15	11,540	0.35	4,039	8,515	74%	66%
15-25	185	0.10	19	0	0%	88%
25-35	830	0.05	42	0	0%	9%
35-100	14,875	0.00	0	0	0%	31%
TRANSFER PER E	0	0.40	-	-	-	-
TOTAL			8,515	8,515	-	12,383
SHORELINE SETBACK			1,655	-	-	-
NET TOTAL			10,170	10,170	-	14,154

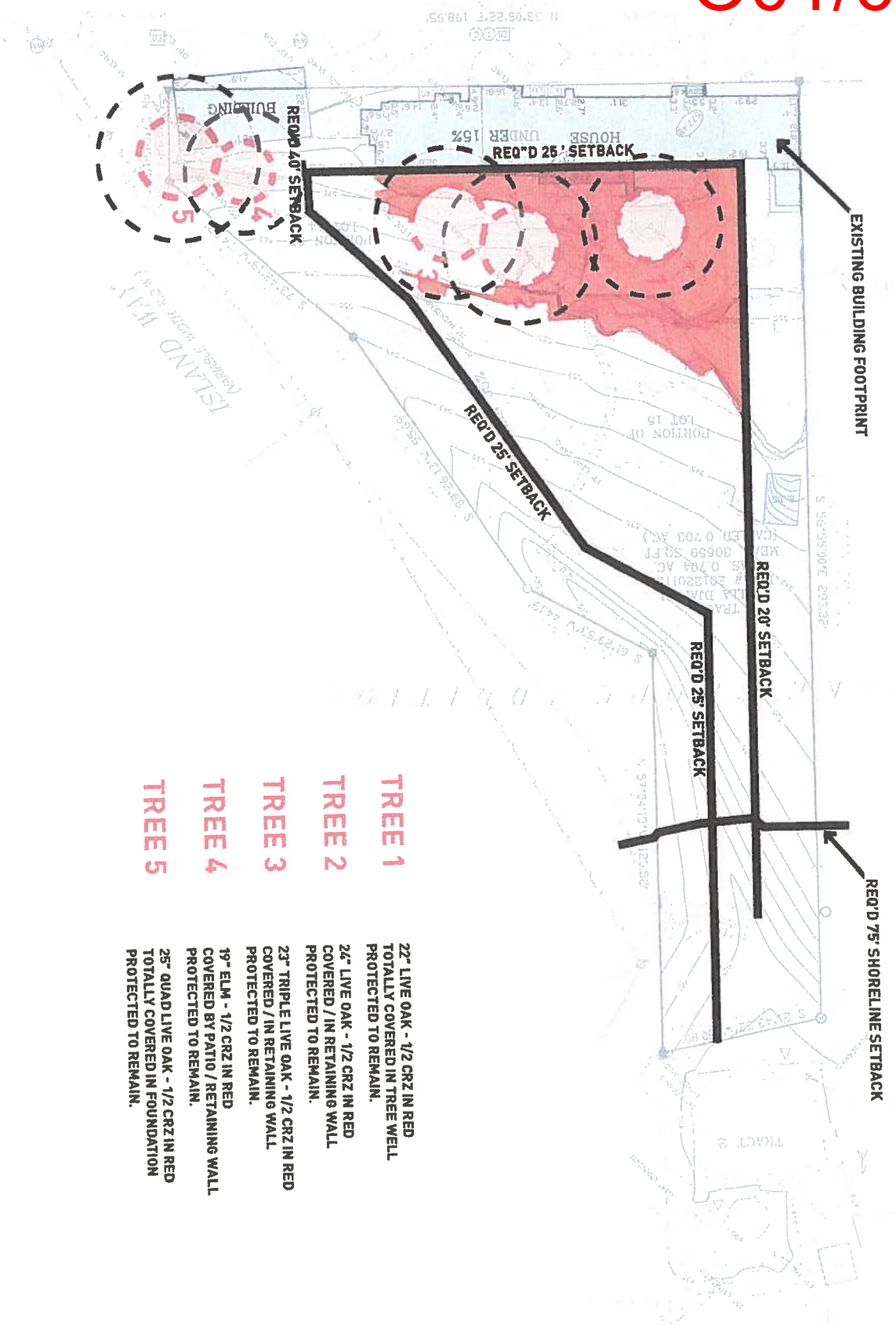


IMPERVIOUS SLOPE MAP



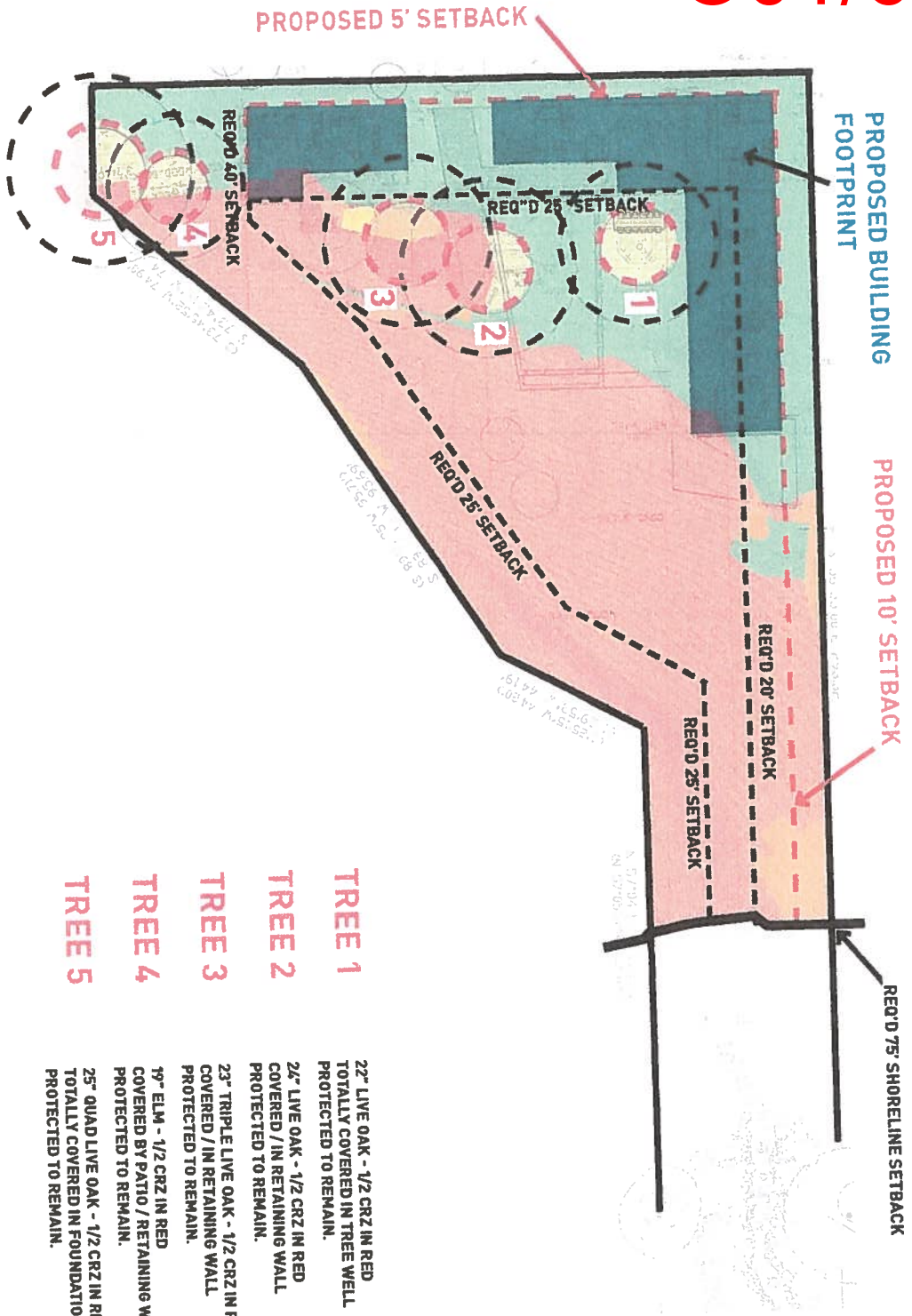
EXISTING CONDITIONS
REQUIRED SETBACKS

- TREE 1**
22' LIVE OAK - 1/2 CRZ IN RED
TOTALLY COVERED IN TREE WELL
PROTECTED TO REMAIN.
- TREE 2**
26' LIVE OAK - 1/2 CRZ IN RED
COVERED / IN RETAINING WALL
PROTECTED TO REMAIN.
- TREE 3**
23' TRIPLE LIVE OAK - 1/2 CRZ IN RED
COVERED / IN RETAINING WALL
PROTECTED TO REMAIN.
- TREE 4**
19' ELM - 1/2 CRZ IN RED
COVERED BY PATIO / RETAINING WALL
PROTECTED TO REMAIN.
- TREE 5**
25' QUAD LIVE OAK - 1/2 CRZ IN RED
TOTALLY COVERED IN FOUNDATION
PROTECTED TO REMAIN.



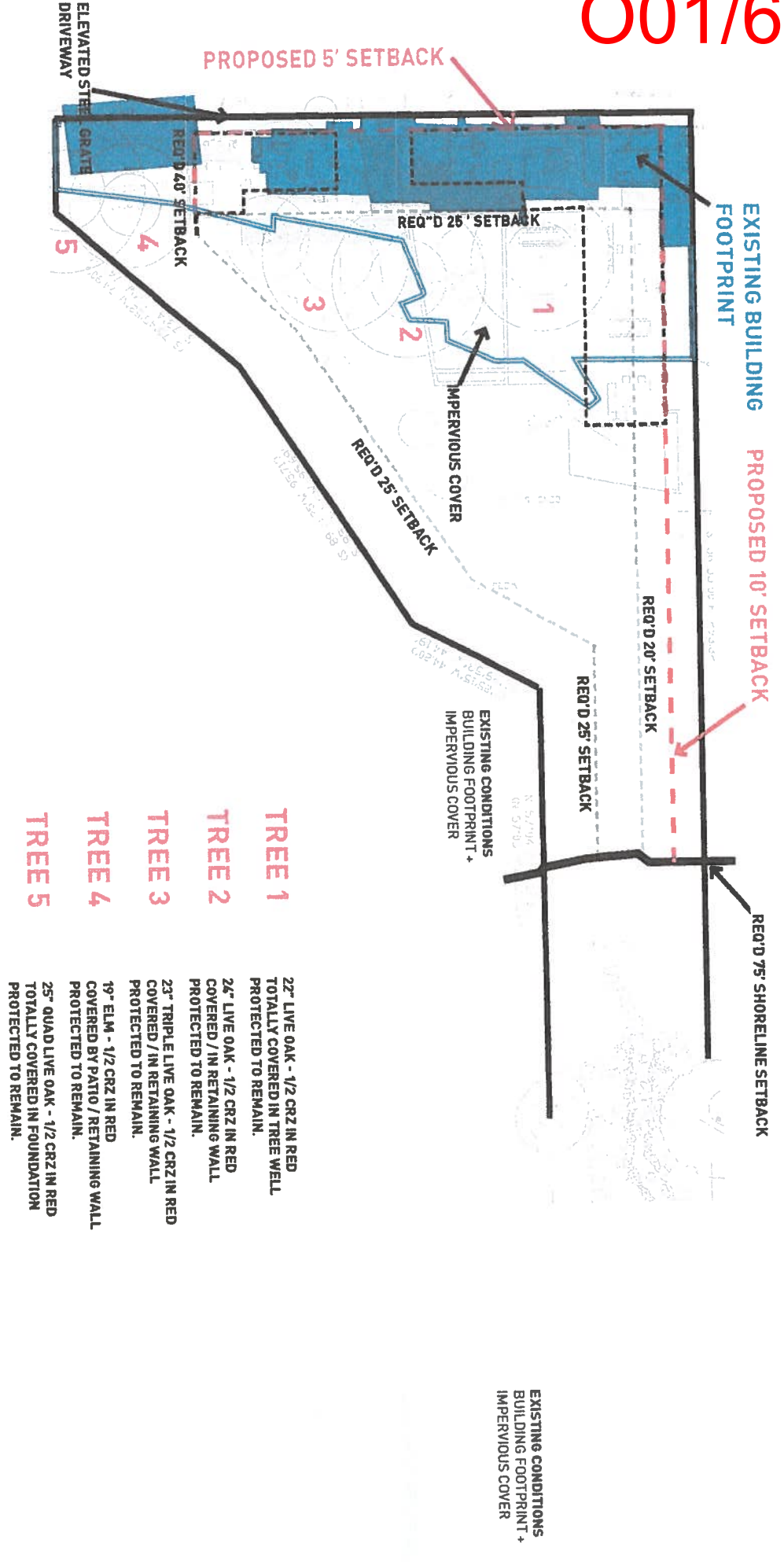
- TREE 1**
22' LIVE OAK - 1/2 CRZ IN RED
TOTALLY COVERED IN TREE WELL
PROTECTED TO REMAIN.
- TREE 2**
24' LIVE OAK - 1/2 CRZ IN RED
COVERED / IN RETAINING WALL
PROTECTED TO REMAIN.
- TREE 3**
23' TRIPLE LIVE OAK - 1/2 CRZ IN RED
COVERED / IN RETAINING WALL
PROTECTED TO REMAIN.
- TREE 4**
19' ELM - 1/2 CRZ IN RED
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EXISTING CONDITIONS
BUILDABLE AREA



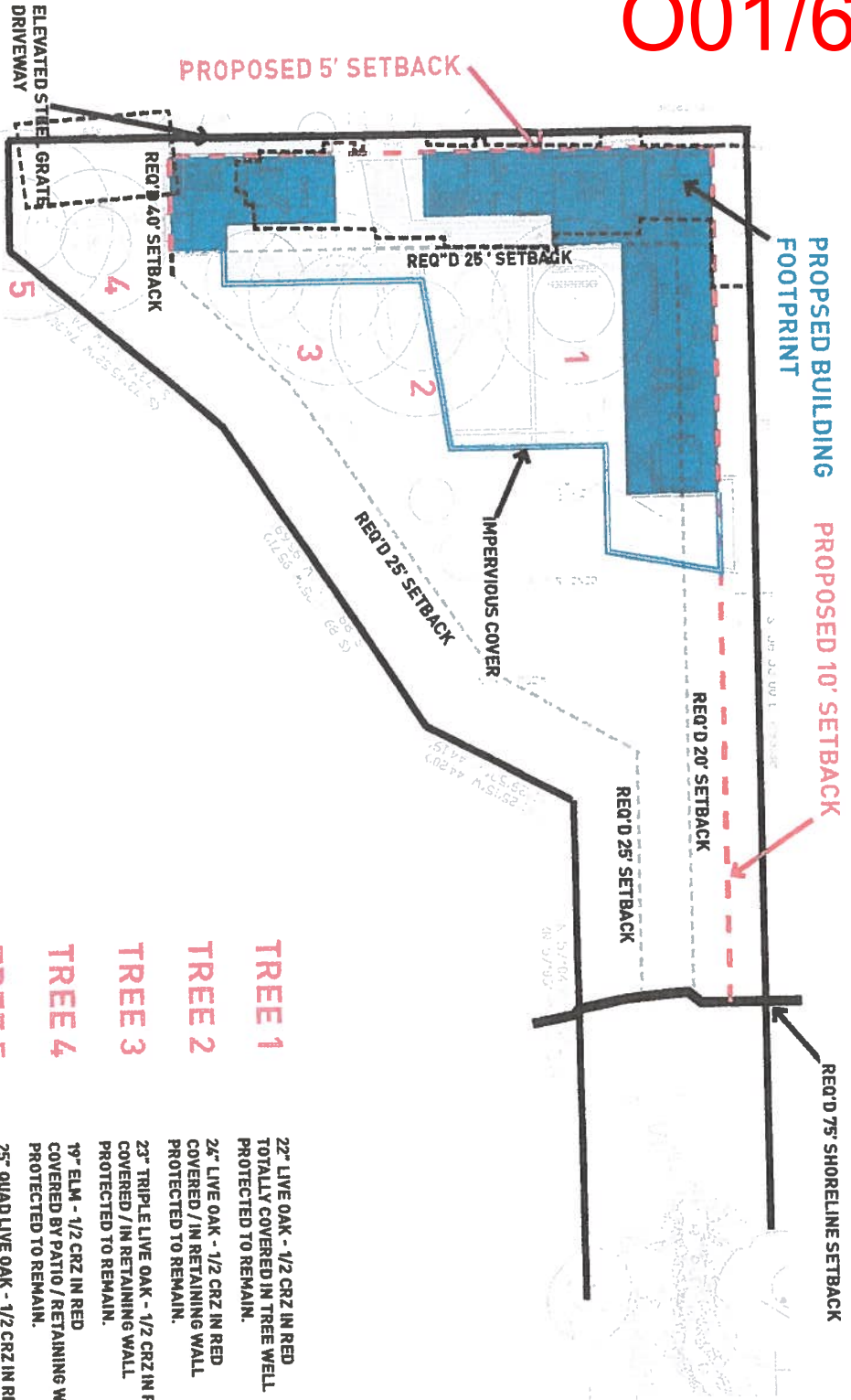
- TREE 1
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COVERED BY PATIO / RETAINING WALL
PROTECTED TO REMAIN.
- TREE 5
25" QUAD LIVE OAK - 1/2 CRZ IN RED
TOTALLY COVERED IN FOUNDATION
PROTECTED TO REMAIN.

PROPOSED CONDITIONS
SETBACKS + BUILDABLE
AREA



- TREE 1**
22" LIVE OAK - 1/2 CRZ IN RED
TOTALLY COVERED IN TREE WELL
PROTECTED TO REMAIN.
- TREE 2**
26" LIVE OAK - 1/2 CRZ IN RED
COVERED / IN RETAINING WALL
PROTECTED TO REMAIN.
- TREE 3**
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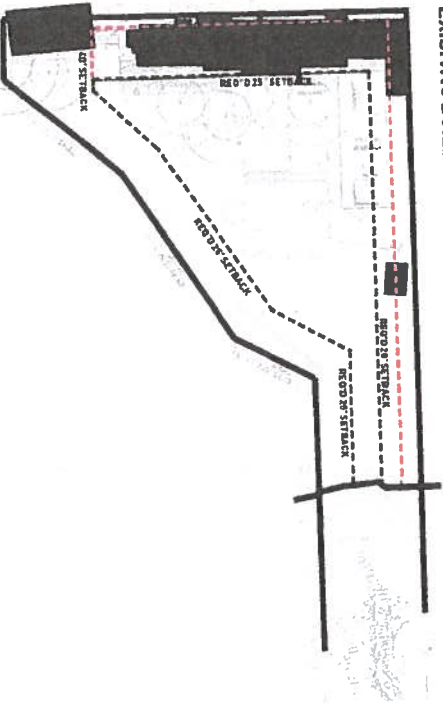
EXISTING CONDITIONS
BUILDING FOOTPRINT +
IMPERVIOUS COVER



- TREE 1**
22" LIVE OAK - 1/2 CRZ IN RED TOTALLY COVERED IN TREE WELL PROTECTED TO REMAIN.
- TREE 2**
26" LIVE OAK - 1/2 CRZ IN RED COVERED / IN RETAINING WALL PROTECTED TO REMAIN.
- TREE 3**
23" TRIPLE LIVE OAK - 1/2 CRZ IN RED COVERED / IN RETAINING WALL PROTECTED TO REMAIN.
- TREE 4**
19" ELM - 1/2 CRZ IN RED COVERED BY PATIO / RETAINING WALL PROTECTED TO REMAIN.
- TREE 5**
25" QUAD LIVE OAK - 1/2 CRZ IN RED TOTALLY COVERED IN FOUNDATION PROTECTED TO REMAIN.

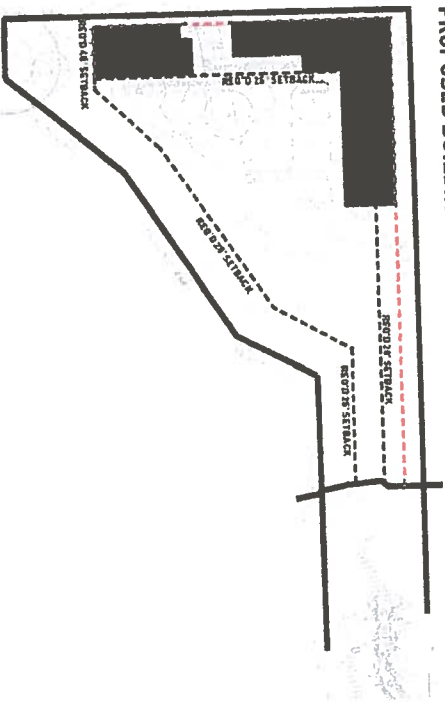
PROPOSED CONDITIONS
BUILDING FOOTPRINT +
IMPERVIOUS COVER

EXISTING BUILDING FOOTPRINT



SQUARE FOOTAGE CALCULATIONS:
 EXISTING BUILDING FOOTPRINT 4,439.00 SF
 EXISTING TOTAL IMPERVIOUS COVER 8,515.00 SF

PROPOSED BUILDING FOOTPRINT



SQUARE FOOTAGE CALCULATIONS:
 PROPOSED BUILDING FOOTPRINT 4,375.00 SF
 PROPOSED TOTAL IMPERVIOUS COVER 8,813.00 SF

**SQUARE FOOTAGE
 COMPARISONS
 BUILDING FOOTPRINT +
 IMPERVIOUS COVER**

LandWest Design Group
P.O. Box 340789
Austin, TX 78734

Tel 512-263-3464
Fax 512-263-1712

December 14th, 2017

Leane Heldenfels
City of Austin, Board of Adjustment
Development Services Department, 1st Floor / D.A.C.
505 Barton Springs Road
Austin, TX 78704

Re: 2900 Lakeshore Drive, Austin, TX 78746
Case: 2017-000048 BA
Landscape and Site Design

In conducting our site analysis and conceptual design for the above mentioned property, our landscape plan proposes to slow the speed of storm water runoff by incorporating the following:

1. Creating the more gradual slopes that will allow for greater infiltration and reduce the speed of runoff.
2. Utilization of planters, terraces, and vegetation to filter water and slow flow rates which will allow for greater infiltration.
3. Capture rainwater from the proposed house's roof to reduce storm water runoff and supplement landscape irrigation
4. Implement a design that will reduce contaminants and detrimental storm water load on the existing ravine through biofiltration with native and adapted plants.
5. Integrate site water flow with the dry creek bed and weir near boat dock to reduce flow speed and erosion.
6. Mitigate storm water runoff from the exposed rim rock by catching uphill runoff and redirecting it before it reaches this feature.
7. Mitigate storm water runoff from the exposed rim rock by integrating the landscape architecture plan with the tree and landscape mitigation requirements of the boat dock and bulkhead plans.

If you have any questions that require additional information or clarification, please do not hesitate to contact me.

Sincerely,

Jim Curwood
LandWest Design Group

December 14, 2017





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 # _____
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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:

25-2-551-C-3-A: Reduce IC 74% to 66% in the 0-15% slope

25-2-551-C-3-B: Increase IC 0% to 88% in the 15-25% slope

25-2-551-C-3-C: Increase IC 0% to 9% in the 25-35% slope

25-2-551-E-2: Increase IC 0% to 7% in the 35%+ slope

25-2-492-D reduce rear setback from 20' to 10'

25-2-492-D reduce street side setback from 25' to 5'

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 attached and prior documentation regarding requested variances.~~

Hardship

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

~~Please see attached and prior documentation regarding requested variances.~~

b) The hardship is not general to the area in which the property is located because:

~~Please see attached and prior documentation regarding requested variances.~~

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:

~~Please see attached and prior documentation regarding requested variances.~~

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:

- 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:

Section 3: Applicant Certificate

I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

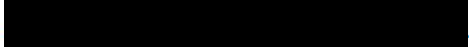
Applicant Signature:  Date: 12/18/2017

Applicant Name (typed or printed): David Cancialosi c/o Permit Partners LLC

Applicant Mailing Address: 105 W. Riverside Dr #225

City: Austin State: Texas Zip: 78704

Phone (will be public information): 512-593-5361

Email (optional – will be public information): 

Section 4: Owner Certificate

I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Owner Signature:  Date: 12/18/2017

Owner Name (typed or printed): Valla Djafari

Owner Mailing Address: 2009 Lakeshore Dr

City: Austin State: Texas Zip:

Phone (will be public information):

Email (optional – will be public information):

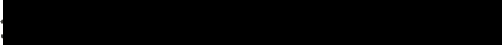
Section 5: Agent Information

Agent Name: David Cancialosi c/o Permit Partners LLC 

Agent Mailing Address: 105 W. Riverside Dr#225

City: austin State: texas Zip: 78704

Phone (will be public information): 512-593-5361

Email (optional – will be public information): 

Section 6: Additional Space (if applicable)

Please use the space below to provide additional information as needed. To ensure the information is referenced to the proper item, include the Section and Field names as well (continued on next page).

N/A