

**CITY OF AUSTIN
Board of Adjustment
Decision Sheet**

DATE: Monday January 8, 2018

CASE NUMBER: C15-2017-0048

Y Brooke Bailey
 Y William Burkhardt
 Y Christopher Covo
 Y Eric Goff
 Y Melissa Hawthorne
 Y Bryan King
 Y Don Leighton-Burwell
 - Rahm McDaniel
 Y Veronica Rivera
 Y James Valadez
 - Michael Von Ohlen
 - Kelly Blume (Alternate)
 Y Martha Gonzalez (Alternate)
 Y Pim Mayo (Alternate)

APPLICANT: David Cancialosi

OWNER: Valla Djafari

ADDRESS: 2009 LAKESHORE DR

VARIANCE REQUESTED: The applicant has requested variance(s) to:

- A. Section 25-2-492 (Site Development Regulations) (D) to reduce the minimum rear setback from 20 feet (required) to 10 feet (requested, 0 feet existing);& to**
- B. Section 25-2-492 (Site Development Regulations) (D) to reduce the street side setback from 25 feet (required) to 5 feet (requested, 0 feet existing); and to**
- C. Section 25-2-551 (Lake Austin District Regulations) (C) (3) (a) increase the maximum impervious cover on a slope with a gradient of 15 percent or less from 35 percent (required) to 66 percent (requested, 74 percent existing); and to**
- D. Section 25-2-551 (Lake Austin District Regulations) (C) (3) (b) increase the maximum impervious cover on a slope with a gradient of more than 15 percent but not more than 25 percent from 10 percent (required) to 88 percent (requested, 0 percent existing); and to**
- E. Section 25-2-551 (Lake Austin District Regulations) (C) (3) (c) increase the maximum impervious cover on a slope with a gradient of more than 25 percent and not more than 35 percent from 5 percent (required) to 9 percent (requested, 0 percent existing); and to**
- F. Section 25-2-551 (Lake Austin District Regulations) (E) (2) to permit development on a slope with a gradient of more than 35 percent which is prohibited except for the construction of a fence, driveway, road or utility that**

cannot be reasonably placed elsewhere, or a non-mechanized pedestrian facility, such as a foot path, sidewalk, or stairs from 0 percent (required) to 31 percent (requested, 0 percent existing) in order to erect a new 2 story residence, pool, deck, guest house, patio and detached garage in a "LA", Lake Austin zoning district.

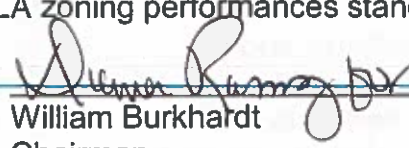
BOARD'S DECISION: Oct 9, 2017 Board Member Bryan King motion to Postpone to November 13, 2017, Board Member Michael Von Ohlen second on an 11-0 vote; **POSTPONED TO NOVEMBER 13, 2017.** November 13, 2017 The public hearing was closed on Board Member Bryan King motion to Postpone to January 8, 2018, Board Member Michael Von Ohlen second on a 11-0 vote; **POSTPONED TO January 8, 2018.** Jan 8, 2018 The public hearing was closed on Board Member Bryan King motion to Grant items A, B, C, D, E as requested and item F to 7 percent and as per the Zoning and Overlay Impervious Cover Chart and Land West Letter provided, Board Member Eric Goff second on a 11-0 vote; **GRANTED ITEMS A, B, C, D, E AS REQUESTED AND ITEM F TO 7 PERCENT AND PER THE ZONING AND OVERLAY IMPERVIOUS COVER CHART AND LAND WEST LETTER PROVIDED.**

EXPIRATION DATE: January 8, 2019

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: existing house was built in 1980 under Travis County regulations
2. (a) The hardship for which the variance is requested is unique to the property in that: tract's shape is irregular and forces any new or redevelopment to occur mostly sloped are of lots, the gross tract area is 30,712 sf, the 0-15% slope land area accounts for approx. 38% of the gross tract size.
(b) The hardship is not general to the area in which the property is located because: there is no known lot with similar issues where the house has extended beyond its natural life was labeled non-compliant when LA LTD 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
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 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 no compliant site that is very difficult to redevelop under LA zoning performances standards.


Leane Heldenfels
Executive Liaison


William Burkhardt
Chairman