

NOTIFICATIONS

CASE#: C15-2018-0037

LOCATION: 3117 WESTLAKE DRIVE



 SUBJECT TRACT

 PENDING CASE

 ZONING BOUNDARY

1" = 250'

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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CITY OF AUSTIN

Development Services Department

One Texas Center | Phone: 512.978.4000

505 Barton Springs Road, Austin, Texas 78704

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: 3117 Westlake Drive

Subdivision Legal Description:

ABS 21 SUR 1 SPARKS W ACR 4.14

Lot(s): ABS 21 SUR 1 SPARKS W ACR 4.14

Block(s): ABS 21 SUR 1 SPARKS W ACR 4.

Outlot: ABS 21 SUR 1 SPARKS W ACR 4.14

Division: ABS 21 SUR 1 SPARKS W ACR 4.

Zoning District: Travis County

I/We Kathleen Huff

on behalf of myself/ourselves as

authorized agent for N/A

affirm that on

Month August, Day 8, Year 2018

, 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: Boat Dock

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

Boat dock height - certain small portions of the boat dock including a weathervane and parts of a cupola currently exceed the boat dock height limit. § 25-2-1176 - SITE DEVELOPMENT REGULATIONS FOR DOCKS, MARINAS, AND OTHER LAKEFRONT USES

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:

The boat dock is consistent with the zoning of this property, so no zoning changes are required or requested. The boat dock does not block any views from any property other than the applicant/owner's. 100% of the neighboring owners have declared their support for the variance being requested. Other nearby properties are over 100' higher than this property because they are on hills that overlook this property and therefore are not impacted. The boat dock has been in place for several years at its current height, gone through several City of Austin inspections, and no one has complained. The weathervane may not be as effective at a lower height.

Hardship

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

The weathervane may not be as effective at a lower height because it would be blocked by the structure and nearby trees. The boat dock architect/builder believed in good faith that the boat dock (including the weathervane/cupola that secures it) were within the height limits for a house when they built it. They were not familiar with the different limit for docks. The construction has been inspected many times without major incident and is now ready for its final inspection.

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

See above - also other nearby properties are over 100' higher than this property because they are on hills that overlook this property and therefore are not impacted.

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:

The boat dock does not block any views from any property other than the applicant/owner's. 100% of the neighboring owners have declared their support for the variance being requested. Other nearby properties are over 100' higher than this property because they are on hills that overlook this property and therefore are not impacted. The boat dock has been in place for several years at its current height and no one has complained. There are many nearby trees that are taller than the dock and already block the applicant/owner's view more than the dock.

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

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: Kathleen Huff Date: 08/08/2018

Applicant Name (typed or printed): Kathleen Huff

Applicant Mailing Address: 3117 Westlake Drive

City: Austin State: TX Zip: 78746

Phone (will be public information): (512) 330-0685

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: Kathleen Huff Date: 08/08/2018

Owner Name (typed or printed): Kathleen Huff

Owner Mailing Address: 3117 Westlake Drive

City: Austin State: TX Zip: 78746

Phone (will be public information): (512) 330-0685

Email (optional – will be public information): _____

Section 5: Agent Information

Agent Name: N/A

Agent Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone (will be public information): _____

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).

The applicant/owner willingly gave up two boat ramps and a boat dock on the existing property to build the new boat dock. These actions greatly improved the appearance of the shoreline. The requested variance will allow for the final approval and final inspection of the dock, which was completed a few months ago and has been through several City of Austin inspections without

Additional Space (continued)

any major issues over the last 2 years. I relied on an architect and builder that typically work on residential construction. They were not familiar with the different height limit for a boat dock. Only a small % of the roof (mostly the attached small weathervane and its cupola) actually exceeds the height limit, so it does not materially impact the look and feel of the structure or block any views. The structure has been in place for many years without any issues until I was recently notified that I needed to get this variance prior to the final inspection being approved. The boat dock passed its site plan review and all other reviews to date.

The boat dock does not block any views from any property other than the applicant/owner's. 100% of the neighboring owners have declared their support for the variance being requested (see attached documents). Other nearby properties are over 100' higher than this property because they are on hills that overlook this property and therefore are not impacted in any way. The boat dock has been in place for several years at its current height and no one has complained. There are many nearby trees that are taller than the dock and already block the applicant/owner's view more than the dock.

SAVE

view from 3201 Westlake Drive

H02/7



View From 3115 Westlake Drive

H02/8



View Across Lake - Note 100 foot +
height difference

H02/9



View from Westlake Drive (317 Westlake) **H02/10**
— note significant height difference from
road to lake



CITY OF AUSTIN DEVELOPMENT WEB MAP

H02/12



Legend

-  Lot Lines
-  Streets
-  Building Footprints
-  Named Creeks
-  Lakes and Rivers
-  Parks
-  County

Contours Year 2012

-  Index
-  Intermediate
-  Special

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I, Kathleen Huff, am applying for a variance from the Board of Adjustment regarding Section 25-2-1176 of the Land Development Code. The variance would allow me the ability to exceed the height limit for the boat dock on this property.

By signing this form, I understand that I am declaring my support for the variance being requested.

Property Owner Name (Printed)	Address	Signature
MARK KRISTEN	3201 Westlake Drive, Austin, TX 78746	
Peter Huff	3115 Westlake Drive, Austin, TX 78746	

H02/14

City of Austin, Texas

To Whom it May Concern:

I confirm that my property is one of the two properties that directly borders on 3117 Westlake Drive, Austin, Texas where Kathleen Huff is currently building a boat dock. I understand that the boat dock has largely been completed but might have a weathervane and/or cupola section of the roof that may exceed the height restriction. I believe that the boat dock is attractive and am happy with it as it currently looks. The height of the dock does not detract from my view and enjoyment of my property in any way. The height of the boat dock would not impact any other neighbors that I could see as well. I would strongly encourage the City of Austin to approve the final inspection of this boat dock and any variances that would be needed to keep the boat dock as it now stands. Thank you.

Sincerely,

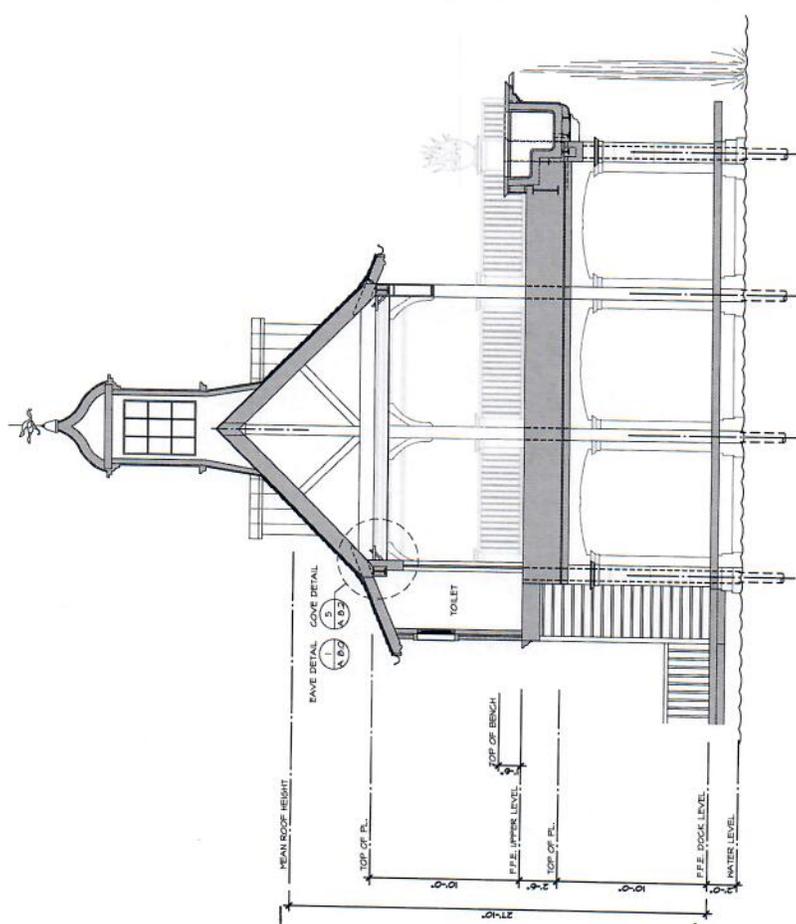


Mark Kristen

3201 Westlake Drive

Austin, Texas 78746

H02/16



≈ 2'

21'10"

2'0"