CITY OF AUSTIN Board of Adjustment Decision Sheet

DATE: Monday October 8, 2018	CASE NUMBER: C15-2018-0037
Y Brooke Bailey	
Y William Burkhardt	
Y Christopher Covo	
Y Eric Golf	
Y Melissa Hawthorne	
Y Bryan King	
Y Don Leighton-Burwell	
Y Rahm McDaniel	
Martha Gonzalez (Alternate)	
Y Veronica Rivera	
Y James Valdez	
Y Michael Von Ohlen	
Kelly Blume (Alternate)	
Pim Mayo (Alternate)	

OWNER/APPLICANT: Kathleen Huff

ADDRESS: 3117 WESTLAKE DR Bldg B

VARIANCE REQUESTED: The applicant has requested variance(s) from Section 25-2-1176 (Site Development Regulations for Docks, Marinas, and Other Lakefront Uses) (A)(6) to increase the dock height from not more than 30 feet (required) to 42 (requested, top of cupola) in order to complete construction of a boat dock within the "LA" Lake Austin Residence-zoning district.

Note: A dock may not exceed 30 feet in height as measured from the highest point of the structure above the normal pool elevation of the lake.

BOARD'S DECISION: BOA MEETING SEPT 10, 2018 POSTPONED TO OCTOBER 8, 2018 BY STAFF (RE-NOTICE REQUIRED)

VARIANCE REQUESTED: The applicant has requested variance(s) from Section 25-2-1176 (Site Development Regulations for Docks, Marinas, and Other Lakefront Uses) (A)(6) to increase the dock height from not more than 30 feet (required, permitted) to 45 feet (requested, top of cupola) in order to complete a boat dock within the "LA" Lake Austin Residence zoning district.

Note: The Land Development Code states that a boat dock may not exceed 30 feet in height as measured from the highest point of the structure above the normal pool elevation of the lake.

BOARD'S DECISION: Oct 8, 2018 The public hearing was closed on Board Member Rahm McDaniel motion to Postpone to November 8, 2018, Board Member Christopher Covo second on an 11-0 vote; POSTPONED TO NOVEMBER 8, 2018

EXPIRATION DATE:

FINDING:

- 1. The Zoning regulations applicable to the property do not allow for a reasonable use because:
- 2. (a) The hardship for which the variance is requested is unique to the property in that: (b) The hardship is not general to the area in which the property is located because:
- 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:

Leane Héldenfels

Executive Liaison

William Burkhardt

Chairman



City of Austin BUILDING PERMIT

PERMIT NO: 2012-126625 BP

Type: RESIDENTIAL

Status : Active

3117 WESTLAKE DR BLDG B

Issue Date: 12/21/2012

Expiry Date: 12/17/2018

0.00

Printed: 10/30/2018 1:20 pm

SITE APPROVAL: LEGAL DESCRIPTION ZONING ABS 21 SUR 1 SPARKS W ACR 4.14 SP-2010-0355D ISSUED BY: PROPOSED OCCUPANCY: WORK PERMITTED: New Glenda Wilsford install 51.2' x 30' 2-stry boat dock with 2-slips and related improvements per release plans. USE CAT TOTAL SQFT VALUATION **GROUPS FLOORS** UNITS TYPE CONST. **#OF PKG SPACES** New/Addn: 1,536 Total Job Valuation: \$100,000.00 437 # OF BATHROOMS TOTAL BLDG COVERAGE % COVERAGE TOTAL IMPERVIOUS COVERAGE METER SIZE % COVERAGE 0.0

Contact Phone Phone Contact Owner, Kathleen Huff (512) -Internet User, richard skirrow, Skirrow LLC (512) 785-3225 Inactive General Contractor, Dalgleish Construction (512) 346-8554 Irractive General Contractor, Brent Cunningham, A-Tex (512) 576-7555 **Boat Docks, LLC** Inactive General Contractor, Aus Tex Building (512) 909-4663 General Contractor, Skirrow LLC (512) 785-3225 Consultants LLC

Fee Description	Fee Amount	Paid Date	1	Fee Description	Fee Amount	Paid Date	
Building Permit Fee	\$268.00	12/21/2012		Building Permit Fee	\$134.00	05/16/2017	
Development Services Surcharge	\$10.72	12/21/2012		Development Services Surcharge	\$5.12	06/17/2015	
Development Services Surcharge	\$5.36	05/16/2017	500	Development Services Surcharge	\$5.12	08/18/2017	
Electrical Permit Fee	\$128.00	06/17/2015	No.	Electrical Permit Fee	\$128.00	08/18/2017	
Expired Building Permit Fee	\$75.00	02/10/2014		Reinspection Fee	\$65.00	02/10/2014	
Reinspection Fee	\$65.00	09/12/2017	2	Reinspection Fee	\$65.00	09/12/2017	
Reinspection Fee	\$53.00	04/13/2018	. 7		1 1		
Total Fees:	\$1,007.32	Separation of		3	1 - 1		

Construction documents approved by the building official are approved with the intent that such construction documents comply in all respects with City technical codes. The review of construction documents is not exhaustive of all code requirements. The issuance or approval of plans and specifications or other construction documents is not an approval of any violation of the technical codes or of any other ordinance of the jurisdiction. The issuance of an approval based on plans, specifications and other data shall not prevent the building official from requiring the correction of errors in the plans, specifications or other data.

The City of Austin has not conducted a plan review of the mechanical, electrical or plumbing on this plan set. Be advised that all work performed on this project must be as per applicable trade code.

Inspection requirements			
Building Inspection	Electric Inspection	Environmental Inspection	

All Buildings, Fences, Landscaping, Patios, Flatwork And Other Uses Or Obstructions Of A Drainage Easement Are Prohibited, Unless Expressly Permitted By A License Agreement Approved By COA Authorizing Use Of The Easement.

City Code Chapter 25-12, Article 13: A permit expires on the 181st day if the project has not scheduled nor received an inspection. A "Cancelled" and/or "Failed/No Work Performed" inspection result does not extend the expiration date.

The following permits are required as a separate permit: See Mechanical, Electrical, Plumbing permits for Related Fees and Inspections.



City of Austin BUILDING PERMIT

PERMIT NO: 2012-126625 BP

Type: RESIDENTIAL

Status: Active

3117 WESTLAKE DR BLDG B

Issue Date: 12/21/2012

Expiry Date: 12/17/2018

LEGAL DESCRIPTION SITE APPROVAL: ZONING ABS 21 SUR 1 SPARKS W ACR 4.14 SP-2010-0355D PROPOSED OCCUPANCY: WORK PERMITTED: ISSUED BY: New Glenda Wilsford install 51.2' x 30' 2-stry boat dock with 2-slips and related improvements per release plans. **TOTAL SQFT** VALUATION USE CAT **GROUPS FLOORS** UNITS # OF PKG SPACES TYPE CONST. New/Addn: 1,536 Total Job Valuation: \$100,000,00 437 # OF BATHROOMS TOTAL BLDG COVERAGE % COVERAGE TOTAL IMPERVIOUS COVERAGE % COVERAGE **METER SIZE** 0.0

				0.	.0	0.00
Type	<u>Date</u>	<u>Status</u>	Comments		Inspec	tor
101 Building Layout	08/05/2015	Pass	A		Chris Ru	ddell
102 Foundation	08/31/2017	Fail \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \	11/1		Chris Ru	ddell
103 Framing	10/18/2017	Pass	1 71	The same of	Mark Hill	"-
104 Insulation	1.	Open	A 7/27,	1/	David Bra	sich
105 Wallboard	10	Open 🚉		1.	Chris Ru	ddell
106 Fire Resistance-Rated Const	1 /2 /	Open	GD T	1	Chris Ru	ddell
109 TCO Occupancy	- 7	Open	C Track	1	David Bra	asich
110 Termite Inspection	11	Open		12	Chris Ru	idell
112 Final Building	//	Open		1	David Bra	asich
114 Continuance of work	04/16/2018	Open		1	DeeAnn	Afra
114 Continuance of work	. 1	Open	& A.	T.	DeeAnn	Afra
600 EV TCO Occupancy	' ii	Open		8	Environm	ental Inspectors
601 EV TCO Stocking	1	Open		- 1	Environm	ental Inspectors
602 Environmental Inspection		Open	Service and I	1	Environm	ental Inspectors
Deficiencies	1	Open		#	David Bra	sich

Page 3 of 3

To Schedule An Inspection, Call 512-974-9405

ROUND

Printed: 10/30/2018 1:20 pm

311-002/5 take po



C15.2018-0037

Figure 1 - View from across the lake from 3117 Westlake Drive – other side of lake is over 100 feet higher in elevation than the boat dock

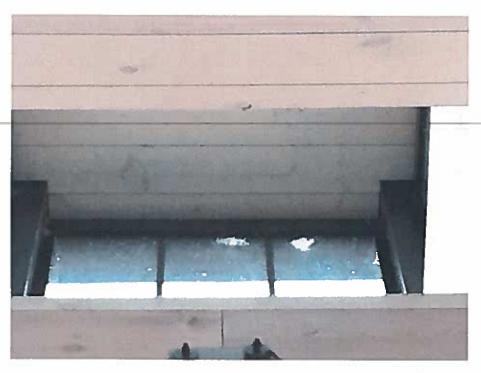


Figure 2 - View of cupola on 3117 Westlake - note this is the major source of light for the dock since fan does not have a light



Figure 3 - View of boat dock from back porch of neighboring house at 3115
Westlake - cannot see the boat dock from this house due to trees and location



Figure 4 - Midway down driveway of 3117 Westlake - cannot even see boat dock from here or Westlake Drive



Figure 5 - View from top of 3117 driveway near on Westlake Drive frontage - cannot see the boat dock from the road



Figure 6 - View of dock from other neighbor's property at 3201 Westlake Drive - note that both neighbors on either side of 3117 Westlake Drive are in support of the boat dock as built



Figure 7 - View from lake toward boat dock

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REVISE (R)
ADD (A)
VOID (V)
SHEET NO.'S

CHANGE INP. COVER CITY OF AUSTIN (SQ. FT.) (SQ. FT.)% APPROVAL DATE

5

construction of construction staging area with temporary

100% or any blend of wood, cellulose, straw, and/or cotton plant material (except no mulch shall exceed 30% paper) 70% or greater wood/Straw 30% plant or less Paper or Natural Fibers	Material Description
O-3 months	Longevity
Moderate slopes; from flat to 3:1	Applications
1500 to 20 lbs per acre	Rates

Material	Description	Longevity	Typical Applications	Application Rates
100% or any blend of wood, cellulose, straw, and/or cotton plant material (except no mulch shall exceed 30% paper)	70% or greater Wood/Straw 30% or less Paper or Natural Fibers	0-3 months	Moderate slopes; from flat to 3:1	1500 to 200 lbs per acre

100% or any blend of wood,	70% or areater			
cellulose, straw, and/or cotton	Wood/Straw 30%	0-2 months	slopes: from	1500 to 200
plant material (except no mulch	or less Paper or		#4+6 8.1	lbs per acre
Charles Concord and and and and and and and and and an		•	ומר גל ליי	

Material	Description	Longevity	Typical Applications	Application Rates
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ng shall be with hulled Ber

Fertilizer shall be water soluble with an analysis of 15-15-15 to be applied once at planting and once during the period of establishment at a rate of ½ pound per 1000 SF. Hydromulch shall comply with Table 1, below.

Temporary erosion control shall be acceptable when the grass has grown at least 1½ inches high with 95% coverage, provided no bare spots larger than 16 square feet exist. When required, native grass seedling shall comply with requirements of the City of Austin Environmental Criteria Manual.

Topsoil salvaged from the existing site may often be used, but it should meet the same standards as set forth in these standards.

The vegetative stabilization of areas disturbed by construction shall be as follows:

TEMPORARY VEGETATIVE STABILIZATION:

From September 15 to March 1, seeding shall be with cool season cover crops (Wheat at 0.5 pounds per 1000 SF, Oats at 0.5 pounds per 1000 SF, Cereal Rye Grain at 0.5 pounds per 1000 SF) with a total rate of 1.5 pounds per 1000 SF. Cool season cover crops are not permanent erosion control.

approved spoil disposal sites.

All work must stop if a void in the rock substrate is discovered which is; one square foot in total area; all work must stop if a void in the rock substrate and/or consistently receives water during any rain event. At this sime it is the responsibility of the Project Manager to immediately contact a City of Austin Invironmental Inspector for further investigation.

Temporary and Permanent Erosion Control: All disturbed areas shall be restored as noted below.

A. All disturbed areas to be revegetated are required to place a minimum of six (6) inches of topsoil [see Standard Specification Item No. 60 IS.3(A)]. Do not add topsoil within the critical root zone of existing trees. The topsoil shall be composed of 3 parts of soil mixed with I part compost, by volume. The compost shall be Dillo Dirt or an equal approved by the Engineer, or designated representative. The approved equal, if used, shall meet the definition of compost (as defined by TxDOT specifications:

• Shall be free of trash, weeds, deleterious materials, rocks, and debris.

100% shall pass through a 0.375-inch (%) screen.

Soil Texture class to be Loam, Sandy Clay Loam, or Sandy Loam in accordance with the USDA texture triangle. Soil known locally as "red death" or Austin Sandy Loam is not an allowable soil. Textural composition shall meet the following criteria:

Root zone disturbances due to grade changes (greater than 6 inches cut or fill), or trenching not reviewed and authorized by the City Arborist;

Wounds to exposed roots, trunk or limbs by mechanical equipment;

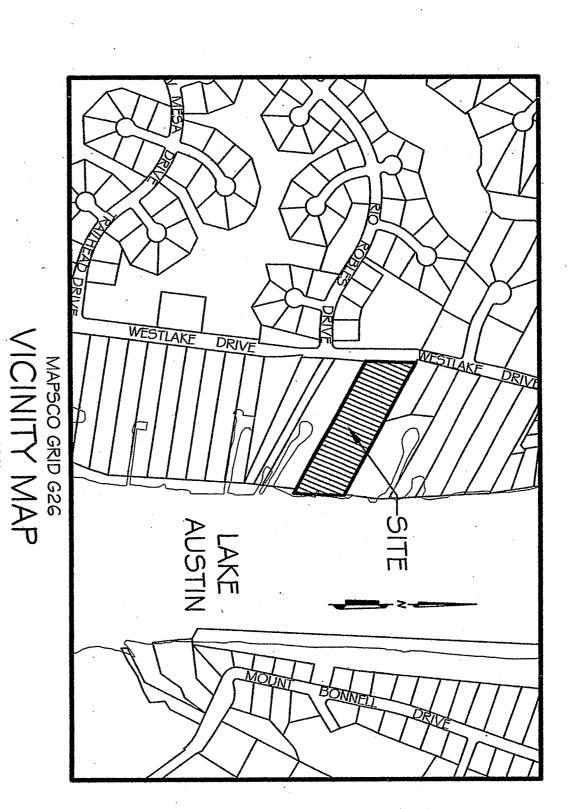
Other activities detrimental to trees such as chemical storage, cement truck cleaning, and fires, thons to installing fences at tree drip-lines may be permitted in the following cases:

Where there is to be an approved grade change, impermeable paving surface, tree well, or other such site development, erect the fence approximately 2 to 4 feet beyond the area disturbed;

Where permeable paving is to be installed within a tree's drip-line, erect the fence at the outer limits off the permeable paving area (prior to site grading so that this area is graded separately prior to paving installation to minimize root damage);

Where trees are close to proposed buildings, erect the fence to allow 6 to 10 feet of work the fence and the building.

to be



ENGINEER:

tember 14, seeding shall be with hulled Bermuda at a rate of 05% with 85% germination. Bermuda grass is a warm sanent erosion control.

due to evaporation.

Any trenching required for the installation of landscape.....

tree trunks as possible.

No landscape topsoil dressing greater than 4 inches shall be permitted within No soil is permitted on the root flare of any tree.

Pruning to provide clearance for structures, vehicular traffic and equipment signatures occurs (ripping of branches, etc.).

All finished pruning shall be done according to recognized, approved stan (Reference the National Arborist Association Pruning Standards for Shade Tree from the City Arborist).

Deviations from the above notes may be considered ordinance violations non-compliance or if a tree sustains damage as a result.

ALL DISTURBED AREAS SHALL BE RESTORED AS NOTED BELOW.

OOO SF with a purity of 95% with 85% germination. Bermuda grass is a warm season grass and is considered permanent erosion control.

1. Fertilizer shall be a water soluble with an analysis of 15-15-15 to be applied once at planting and once during the period of establishment at a rate of ½ pound per 1000 SF.

2. The planted area shall be irrigated or sprinkled in a manner that will not erode the topsoil, but will sufficiently soak the soil to a depth of six inches. The irrigation shall occur at daily intervals (minimum) during the first two months. Rainfall occurrences of ½ inch or more shall postpone the watering schedule for one week.

2. Permanent erosion control shall be acceptable when the grass has grown at least 1½ inches high with 95% coverage, provided no bare spots larger than 16 square feet exist.

2. When required, native grass seeding shall comply with requirement of the City of Austin

I shall be acceptable when the grass has grown at least 1½ inches provided no bare spots larger than 16 square feet exist. ass seeding shall comply with requirement of the City of Austin

80% Organic defibrated fibers 10% Tackifier Longevity Up to 12

trol Plan may be required by the Environmental Inspector during the course of construction to tect control inadequacies.

contractor is required to inspect the controls and fences at weekly intervals and after significant all events to insure that they are functioning properly. The person(s) responsible for maintenance of irols and fences shall immediately make any necessary repairs to damaged areas. Silt accumulation ontrols must be removed when the depth reaches six (6) inches.

It to final acceptance by the City, haul roads and waterway crossings constructed for temporary iractor access must be removed, accumulated sediment removed from the waterway and the area ored to the original grade and revegetated. All land clearing debris shall be disposed of in toward spoil disposal sites.

e-construction conference shall be held on-site with the contractor, design Engineer/permit cant and Environmental Inspector after installation of the erosion/sedimentation controls and natural area protection measures and prior to beginning any site preparation work. The contractor notify the Planning and Development Review Department, (512)974-2278, at least three days to the meeting date.

major variation in materials or locations of controls or fences from those shown on the approved will require a revision and must be approved by the reviewing Engineer, Environmental Specialist ity Aborist as appropriate. Major revisions must be approved by the Planning and Development rol Plan may be required by the Environmental Inspector during the course of construction to set control inadeau acces.

Person or firm responsible PETER & KATHLEEN HUFF # (512) 431-4237

The contractor shall not dispose of surpl Planning and Development Review Departm location and a copy of the permit issued to

REMEDIAL TREE CARE NOTES AERATION AND SUPPLEMENTAL NUTRIENT REQI WITHIN CONSTRUCTION AREAS
Appendix: P-6 (1 2/20/2002)
es will be Aerated and Provided Nutrients Prior to any Construction Activity.

Trees will be Acrated and Provided Nutrients Prior to

CITY OF AUSTIN STANDARD NOTES FO Appendix: P. ses and natural areas shown on plan to OR TREE AND NATURAL AREA PROTECTION >-2 (3/26/2011)
be preserved shall be protected during or

Treatment is to commence prior to the beginning of construction activities and again after the completion of all construction. Areas to be treated include the entire critical root zone of trees as depicted on the City approved plans. Trees are to be aerated by water injected into the soil (under pressure via a soil probe at 50-125 pounds per square inch) or by other method as approved by Planning and Development Review Department. The Proposed Nutrient Mix Specifications need to be provided to and approved by the City Arborist Prior to application Fax # (512)974-3010. Applicants may also specify soil injection of Doggett X-L injecto 32-7-7 or equivalent at recommended rates. Construction which will be completed in less than 90 days should use materials at ½ recommended rates. Alternative organic fertilizer materials are acceptable when approved by the City Arborist. Within 7 days after fertilization is performed, the contractor shall provide documentation of the work performed to the City Arborist, Planning and Development Review Department P.O. Box 1088, Austin, Texas 78767. This Note should be referenced as item #1 in the Sequence of Construction.

or testing shall be no more than 15 surveying or testing.

GENERAL NOTES:

Tree protection fence should be chain link.

All materials to be used on proposed bulkhead shall be approved by PARD.

Deed restrictions or restrictive covenants are applicable to this property.

Environmental Inspector has the authority to add and/or modify erosion/sedice project in-compliance with the City of Austin Rules and Regulations.

with all applicable City of Austin requirements.

All improvements shall be made in accordance with the City of Austin requirements.

All signs must comply with requirements of the Planning & Development Review D Additional electric easements may be required at a later date.

All existing structures shown to be removed will require a demolition permit from & Development Review D perelopment Review D Additional electric easements may be required at a later date.

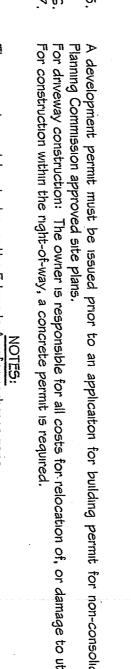
PPROVED

3117 WESTLAKE DRIVE - SP-2010-0355D

3117 WESTLAKE DRIVE

COVER SHEET \$ NOTES

Engineering, Planning & Development Services 2219 Westlake Drive #110, Austin, Texas 78746 512 329-8241



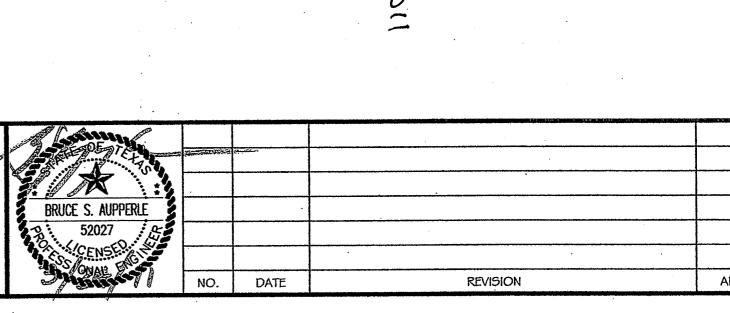
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Appendix: P-4 (3/28/20|1)

Appendix: Appen

OODPLAIN INFORMATION: anel 48453CO435H.

AUPPERLE COMPANY

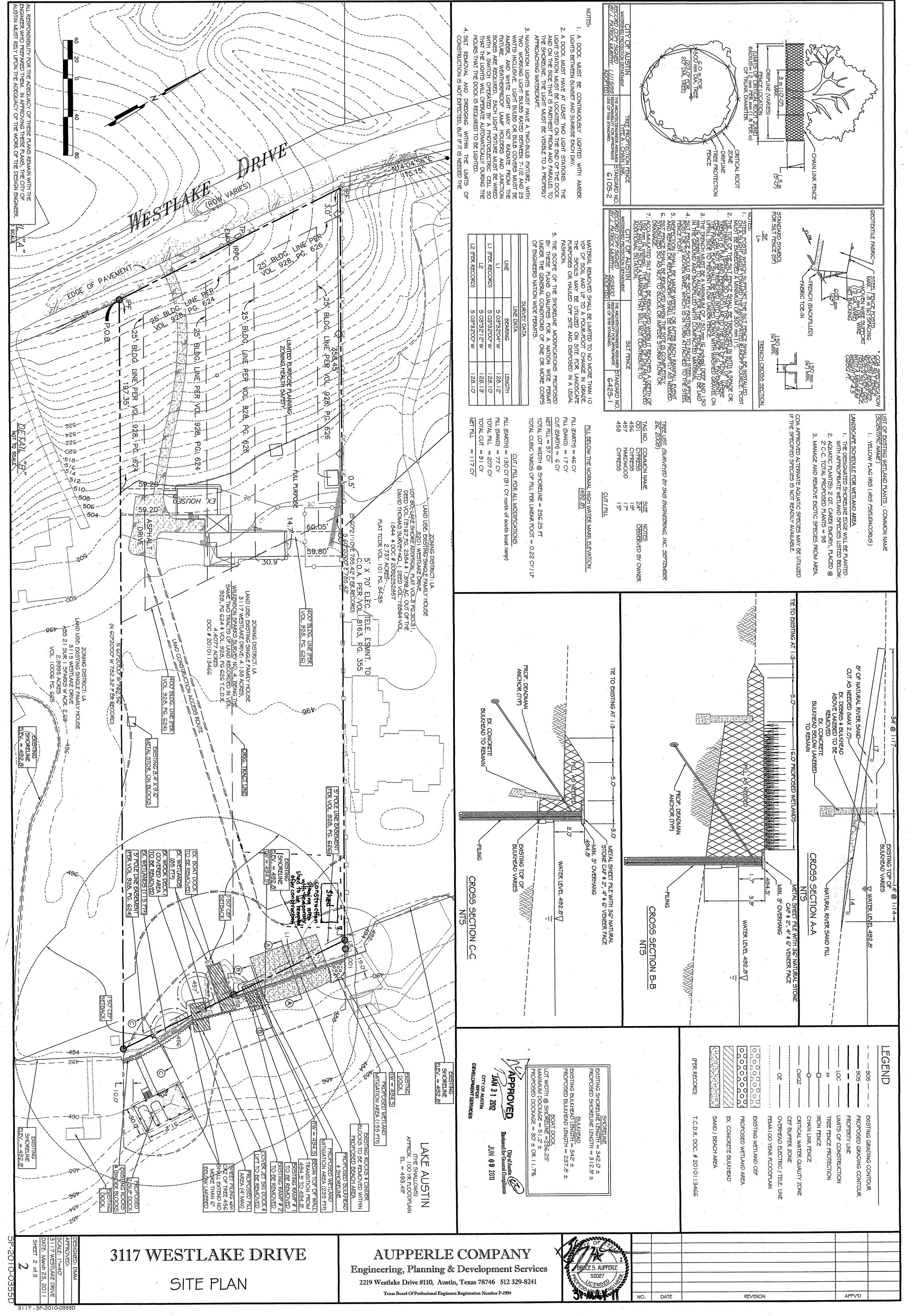


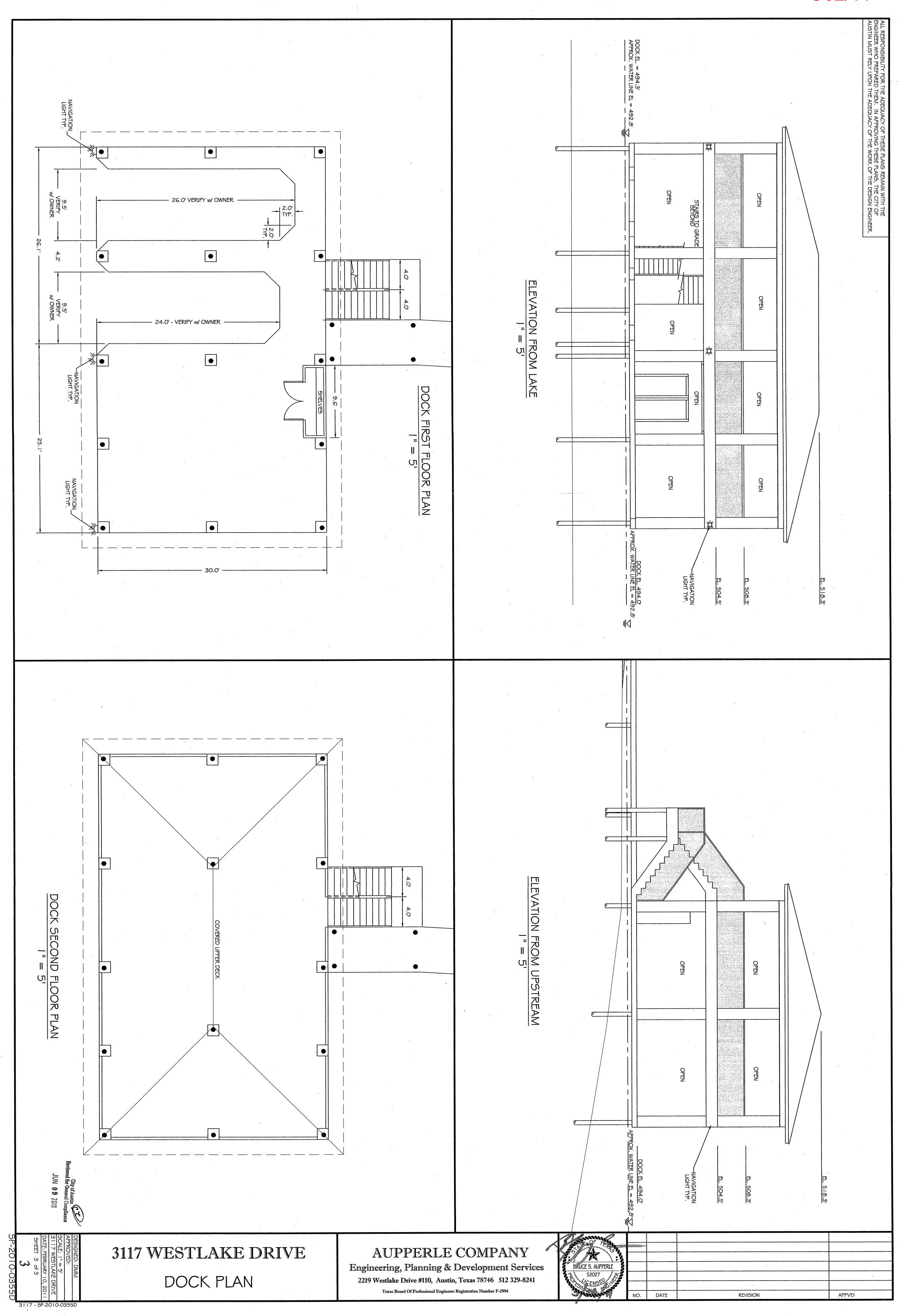
SP-2010-0355D Permit Number

APPROVED

COVER SHEET & NOTES SITE PLAN DOCK PLAN

SHEET





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

DATE: Monday September 10, 2018	CASE NUMBER: C15-2018-0037
Brooke Bailey OUT William Burkhardt Christopher Covo Eric Golf Melissa Hawthorne Bryan King Don Leighton-Burwell Rahm McDaniel Martha Gonzalez (Alternate) Veronica Rivera James Valdez Michael Von Ohlen Kelly Blume (Alternate) (for BB)	CASE NOMBER. C13-2010-0037
Pim Mayo (Alternate) OWNER/APPLICANT: Kathleen Huff	
THE THE PARTY OF T	

ADDRESS: 3117 WESTLAKE DR Bldg B

VARIANCE REQUESTED: The applicant has requested variance(s) from Section 25-2-1176 (Site Development Regulations for Docks, Marinas, and Other Lakefront Uses) (A)(6) to increase the dock height from not more than 30 feet (required) to 42 (requested, top of cupola) in order to complete construction of a boat dock within the-ULA"-Lake-Austin-Residence zoning district.

Note: A dock may not exceed 30 feet in height as measured from the highest point of the structure above the normal pool elevation of the lake.

BOARD'S DECISION: BOA MEETING SEPT 10, 2018 POST PONED TO OCTOBER 8. 2018 BY STAFF (RE-NOTICE REQUIRED)

EXPIRATION DATE:

FINDING:

- 1. The Zoning regulations applicable to the property do not allow for a reasonable use because:
- 2. (a) The hardship for which the variance is requested is unique to the property in that:
 - (b) The hardship is not general to the area in which the property is located because:

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:

Leane Heldenfels Executive Liaison Villiam Burkhardt

Chairman

From:

Heldenfels, Leane

To:

Ramirez, Diana

Subject:

C15-2018-0037/3117 Westlake Drive - email below before drawings but after 9/10 ds

Date:

Thursday, September 27, 2018 4:52:38 PM

From:

Sent: Monday, September 10, 2018 4:42 PM

To: Heldenfels, Leane

Subject: Re: Boat House at 3117 Westlake Drive - on Lake Austin

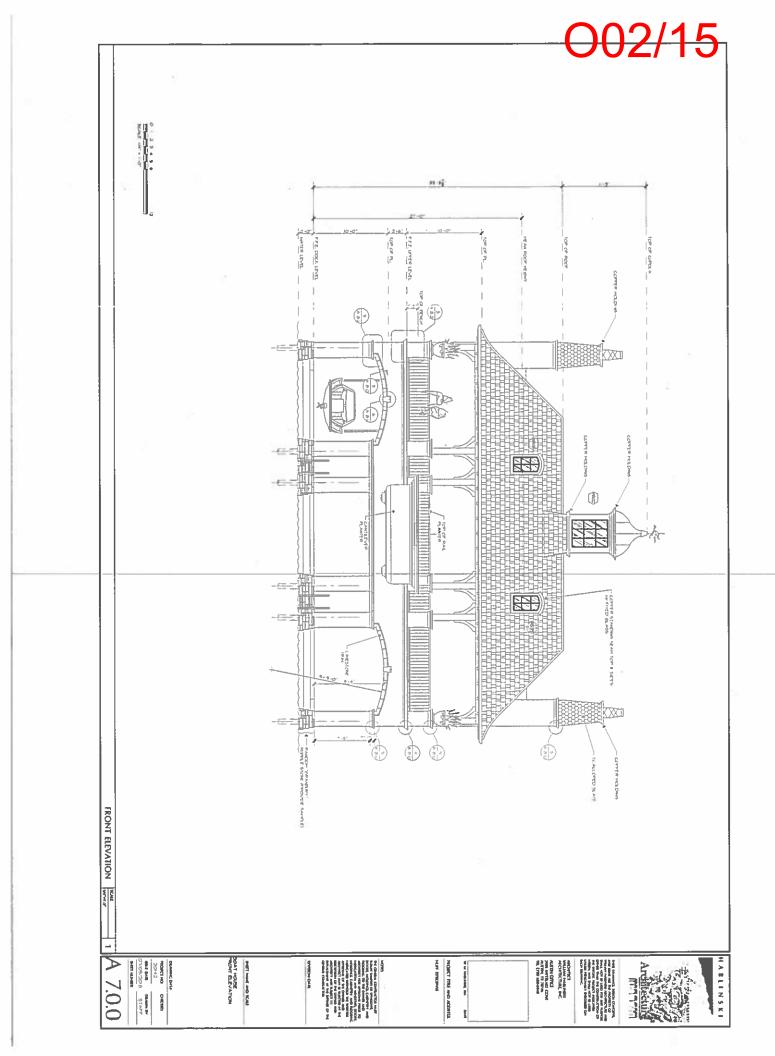
Leane,

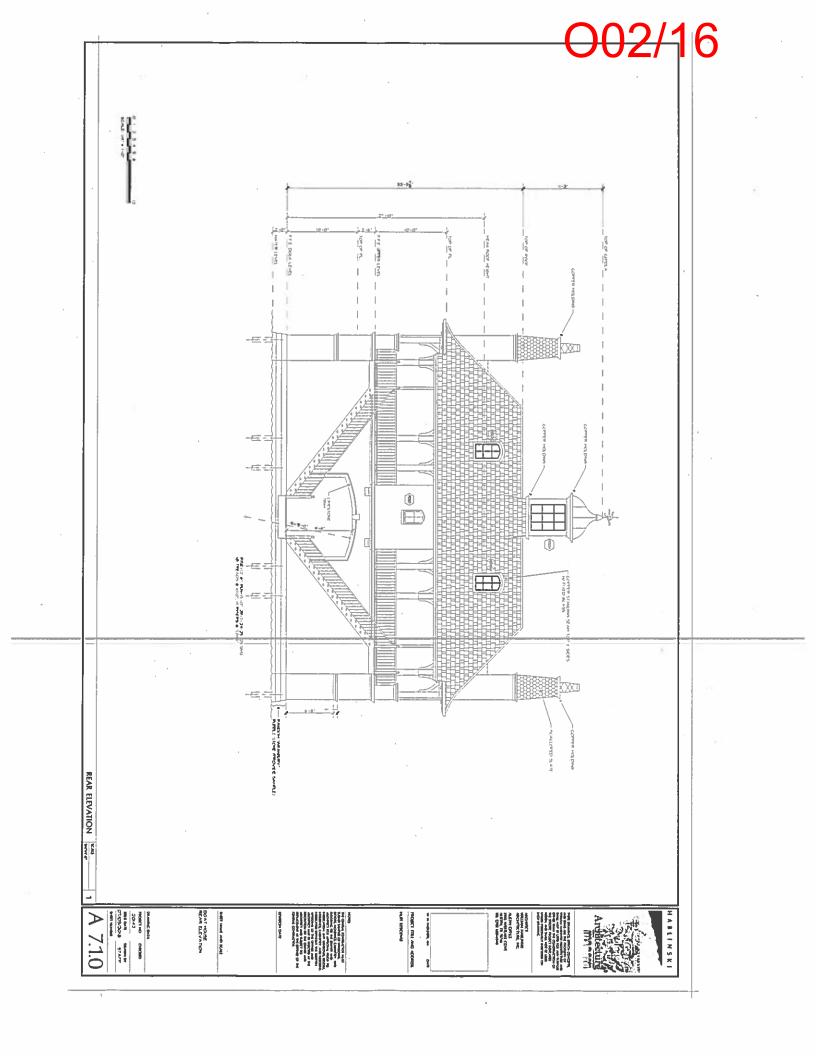
Let's postpone until 10/8 then. I will check with my arch to see if he can be there too.

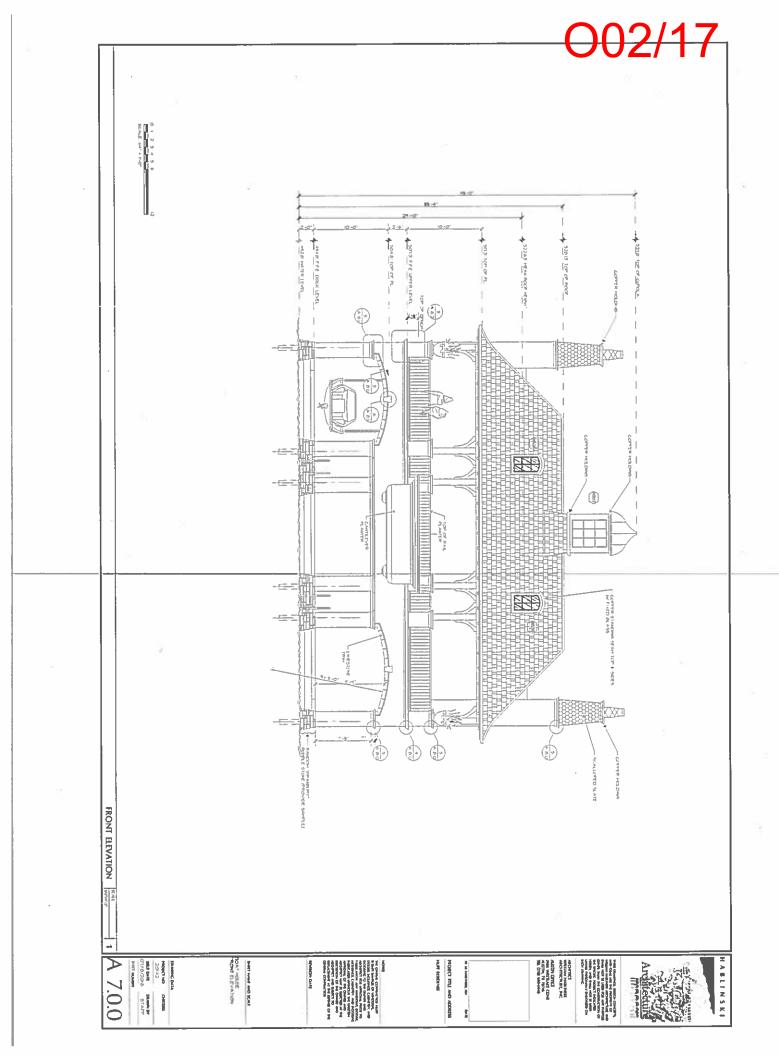
I would like to meet with you two weeks before and make sure everything is in place so we don't have another delay.

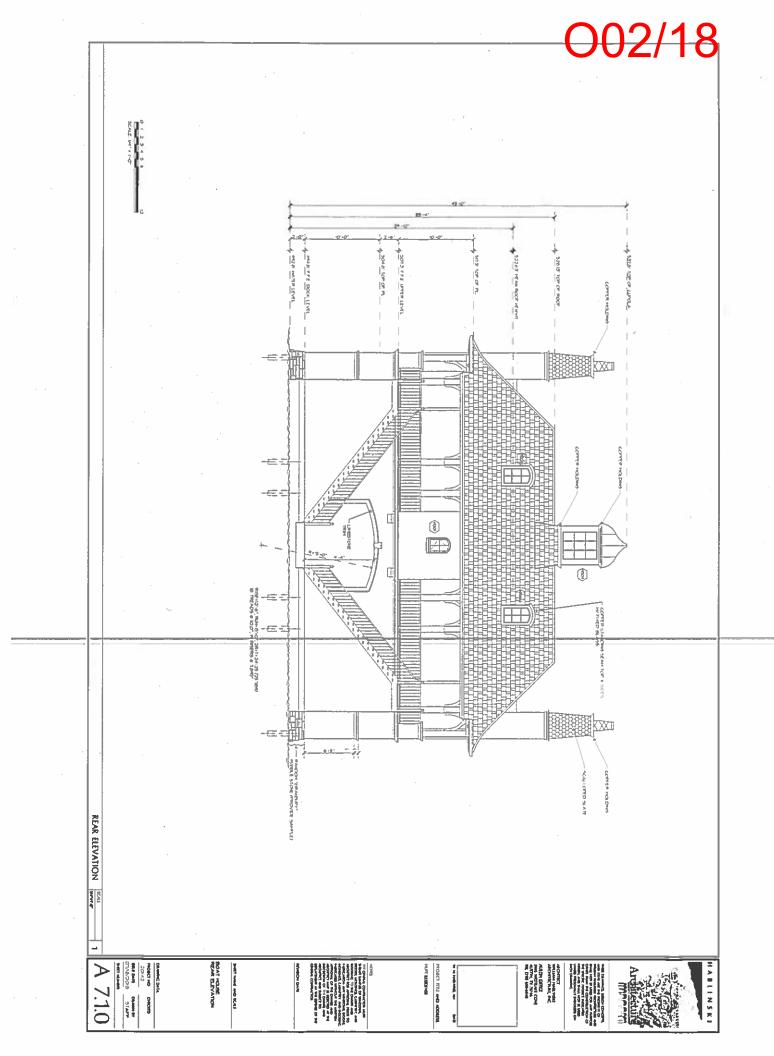
Thank you!

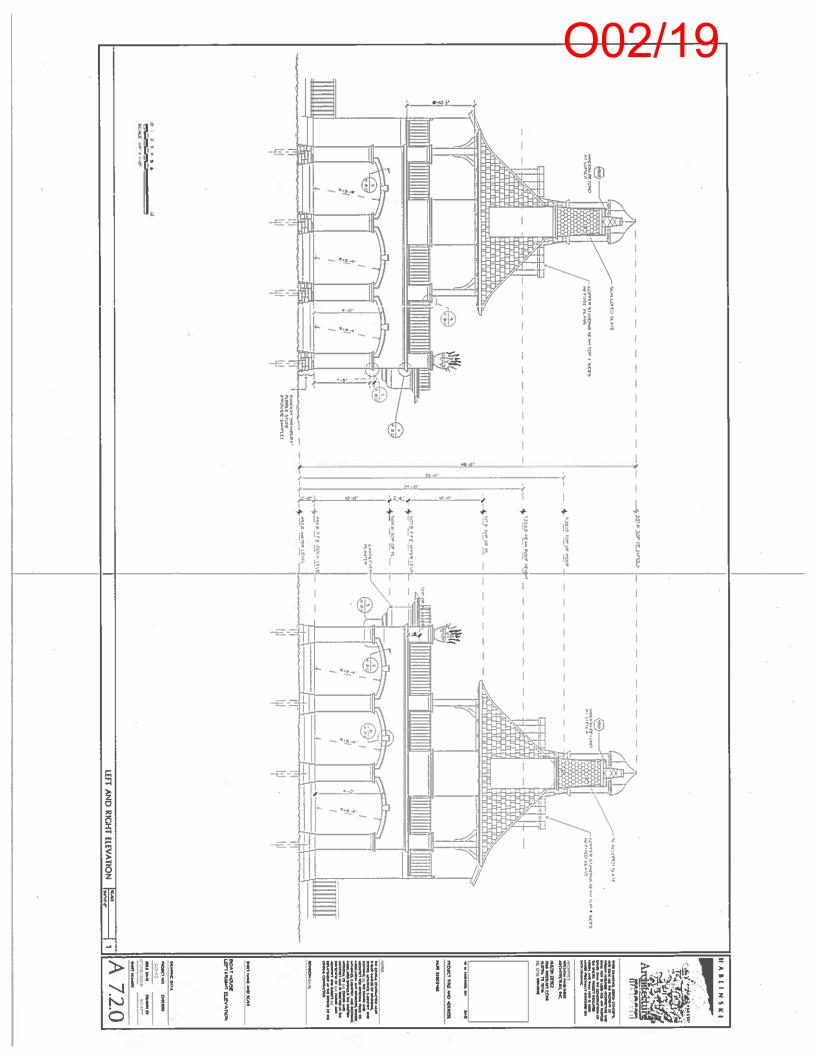
Kathleen











From: rick skirro

Date: August 29, 2018 at 8:19:21 AM CDT

To: Kathleen Huff 4

Subject: 3117 Westake or boat nouse neight

Reply-To: rick skirrow

Peter and Katheen,

Since Skirrow LLC started work on the boat house at 3117 Westake Dr, there have been several City of Austin Inspections with no inspectors mentioning a possible height violation to me.

Sincerely Rick Skirrow 512-785-3225 From: William Hablinski <

Date: August 15, 2018 at 3:10:06 PM CDT

To: Kathleen Huff

Peter Hu

Subject: Boat House Project at 3117 Westlake Drive, Austin TX

All:

The Current construction of the boat house was done under the code and zoning ordinances of the City of Austin from April of 2012 for single family residences. Those rules allowed for the height to be measured from the average ground plain to the midpoint of a sloped roof, between the eave and the ridge. We were not aware that there were separate rules governing the height of boat house structures. Accordingly the distance from the ground plain at the shore line to the midpoint is 27'-10". If you measure to the ridge it is 33'-37/8" to the ridge. And if you measure from the water you would add an additional 2'-0" in height.

Attached is are the front and rear elevations of the boathouse for your use.

Sincerely, William Hablinski AIA From: William Hablinski

Date: August 29, 2018 at 9:15:10 AM CDT

To: Kathleen Huff <

Peter Huff

Cc: Jose Sosa ·

Subject: Boat moose at 5117 westlake Drive - on Lake Austin

Kathleen and Peter -

In response to the COA regarding the height of the boat house be advised of the following:

- The total vertical height from the water pool (492.8' elevation) to the top of the cupola is 45' exactly (537.8' elevation).
- The vertical height from the water level to the top of the roof is 35"4" (528.13 elevation)
- The vertical height of the cupola from the ridge of the roof to the top of the cupola is 9.8 '
- The vertical height of the boat house from the water level to the mid-point of the roof is 29'-10"
- The vertical height of the boat house from the average grade of the land to the mid-point of the roof is 27'-10"

Please see the attached drawings which graphically explains the above information. Please call me with additional comments or questions. As a note, when we designed the boat house April of 2012, it was our understanding that the height of the boat house would be measured from the water pool elevation, or average grade elevation from the base to the mid-point of the roof, or the mean roof height distance between the eave and the ridge.

Best regards, Bill Hablinski





NOTIFICATIONS

CASE#: C15-2018-0037

LOCATION: 3117 WESTLAKE DRIVE

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.



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



09/11/2015 | Page 4 of 8



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): OAttach Complete ○ Remodel O Maintain O Other: Type of Structure: Boat Dock City of Austin | Board of Adjustment General/Parking Variance Application



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.

	major inside it 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 at	Dove - also other nearby properties are over 100' higher than the
are on	hills that overlook this property and therefore are not impacted.
	resolution and more 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:

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:
I/A
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:
The granting of this variance will not create a safety hazard or any other condition inconsisten with the objectives of this Ordinance because:
The variance will run with the use or uses to which it pertains and shall not run with the site because:
Istin Board of Adjustment General/Parking Variance Application

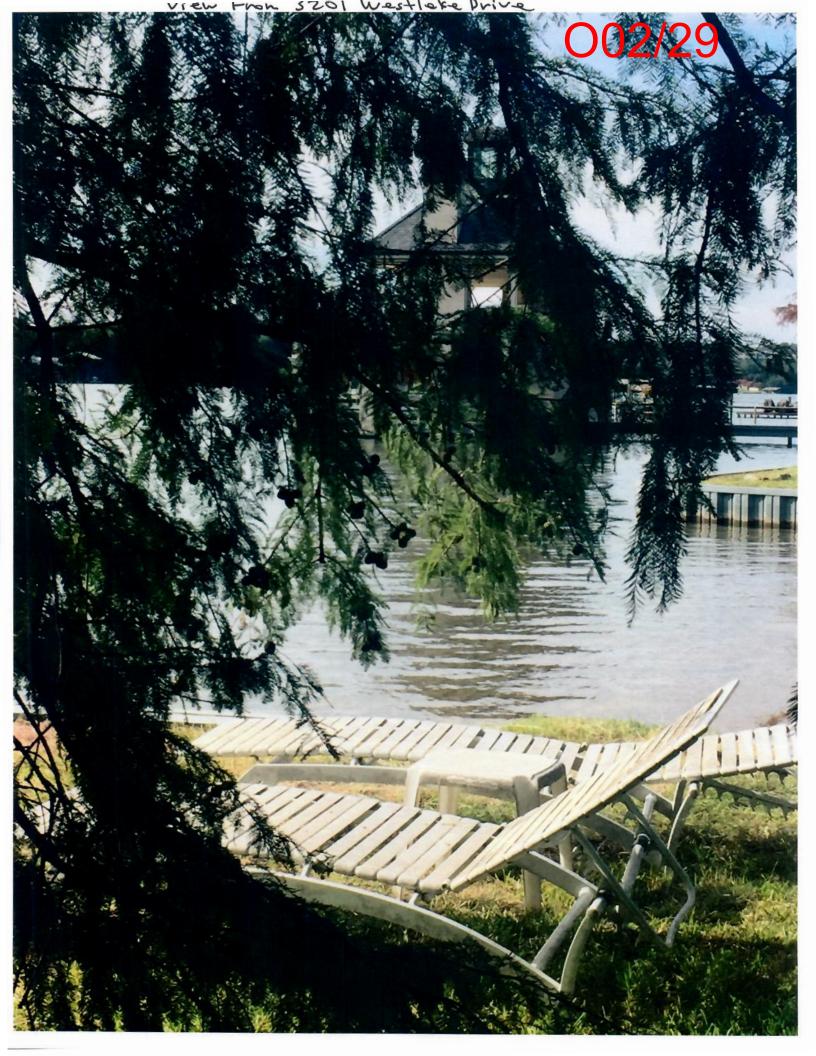
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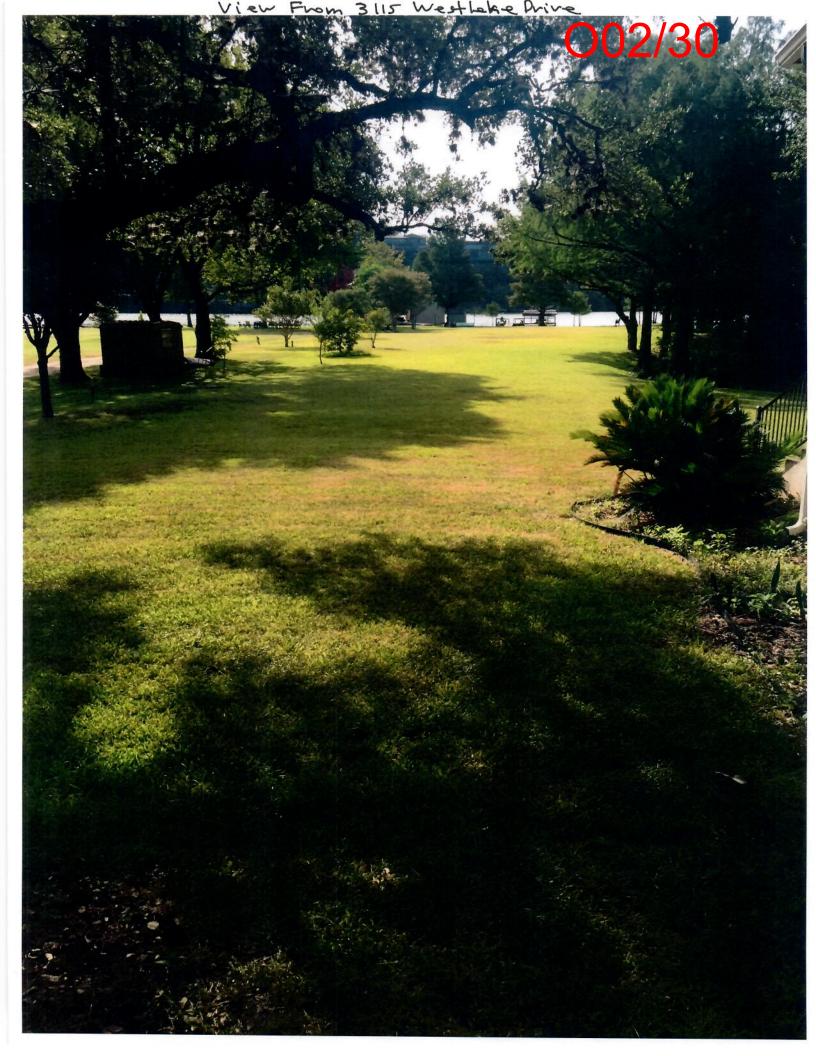
Section 3: Applicant Certificate		
I affirm that my statements contained in the complete my knowledge and belief.		and correct to the best of
Applicant Signature: Kathleen Hul	1	Date: 08/08/2018
Applicant Name (typed or printed): Kathleen Huff	V	30/00/2010
Applicant Mailing Address: 3117 Westlake Drive		
City: Austin		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 my knowledge and belief.		
Owner Signature: Kathleen Huff	ks .	Date: 08/08/2018
()M/ner Name (typod or mainted), is it		
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):		Δiμ
Email (optional – will be public information):		
Section 6: Additional Space (if applical	ole)	
Please use the space below to provide additional inforce eferenced to the proper item, include the Section and	rieid names as well	(continued on next page).
The applicant/owner willingly gave up two boat ramps	and a boot deals and	Al + At
requested variance will allow for the final approval and completed a few months ago and has been through s	d fundi inamaskias i ti	14 4 4 4 4 1
and has been through s	everal City of Austin	inspections without

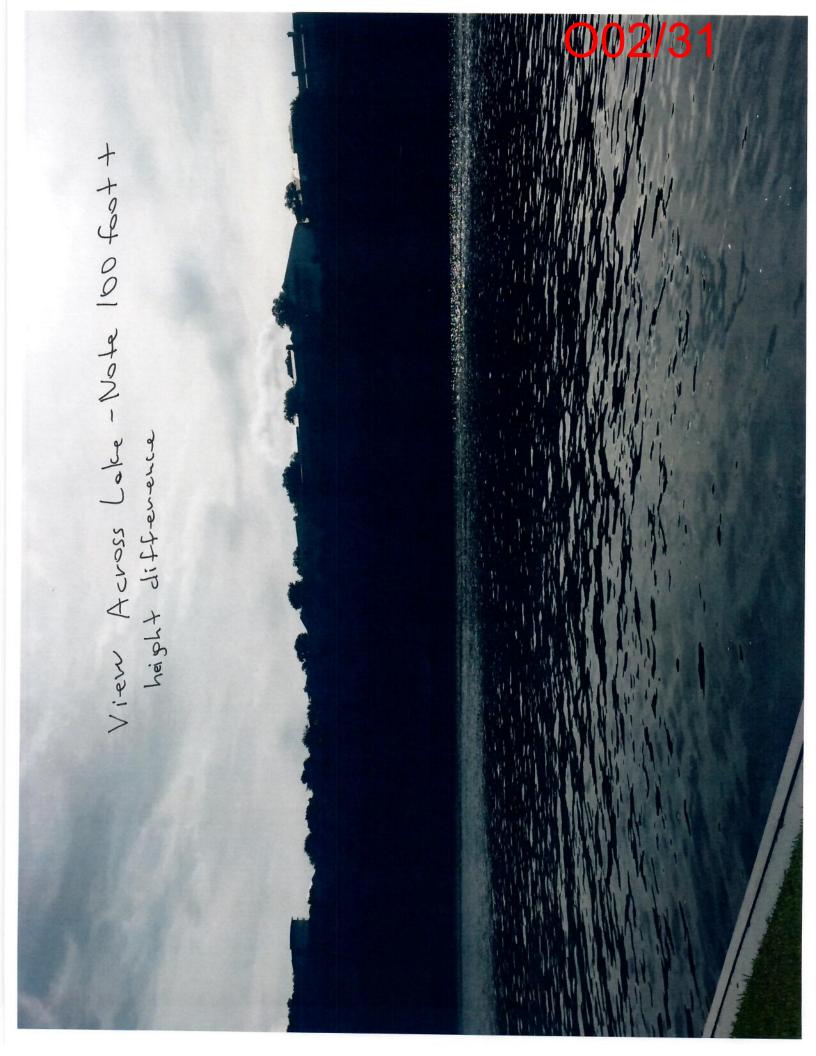
002/28

Additional Space (continued)

any major issues over the last 2 years. I relied on an architect and builder that ty residential construction. They were not familiar with the different height limit for small % of the roof (mostly the attached small weathervane and its cupola) actual height limit, so it does not materially impact the look and feel of the structure or I. The structure has been in place for many years without any issues until I was reneeded to get this variance prior to the final inspection being approved. The boatsite plan review and all other reviews to date.	a boat dock. Only a ally exceeds the block any views.
The boat dock does not block any views from any property other than the application of the neighboring owners have declared their support for the variance being required attached documents). Other nearby properties are over 100' higher than this property on hills that overlook this property and therefore are not impacted in any way has been in place for several years at its current height and no one has complain many nearby trees that are taller than the dock and already block the applicant/of than the dock.	perty because they The boat dock
	SAVE

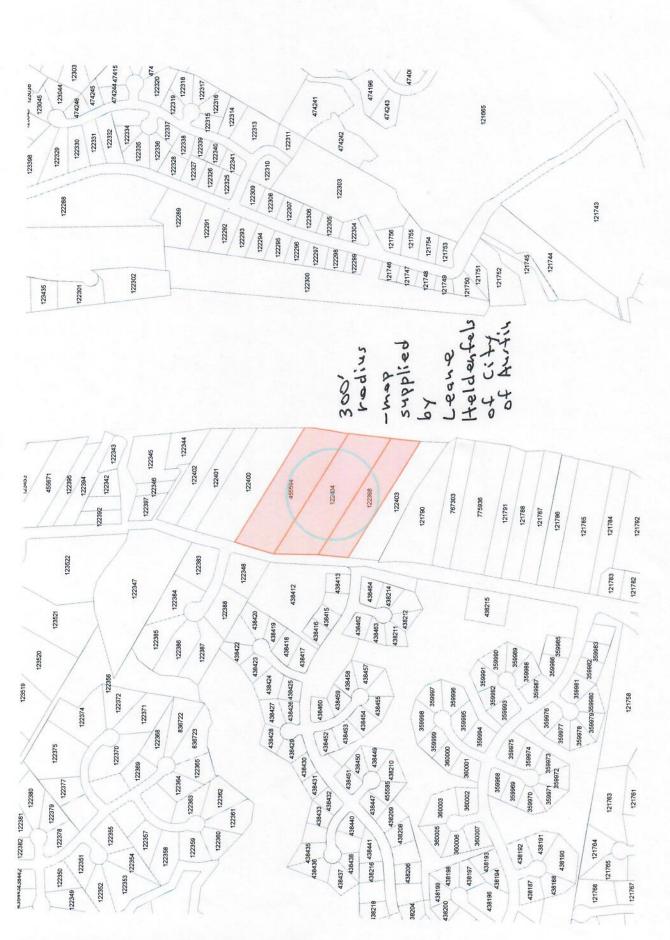




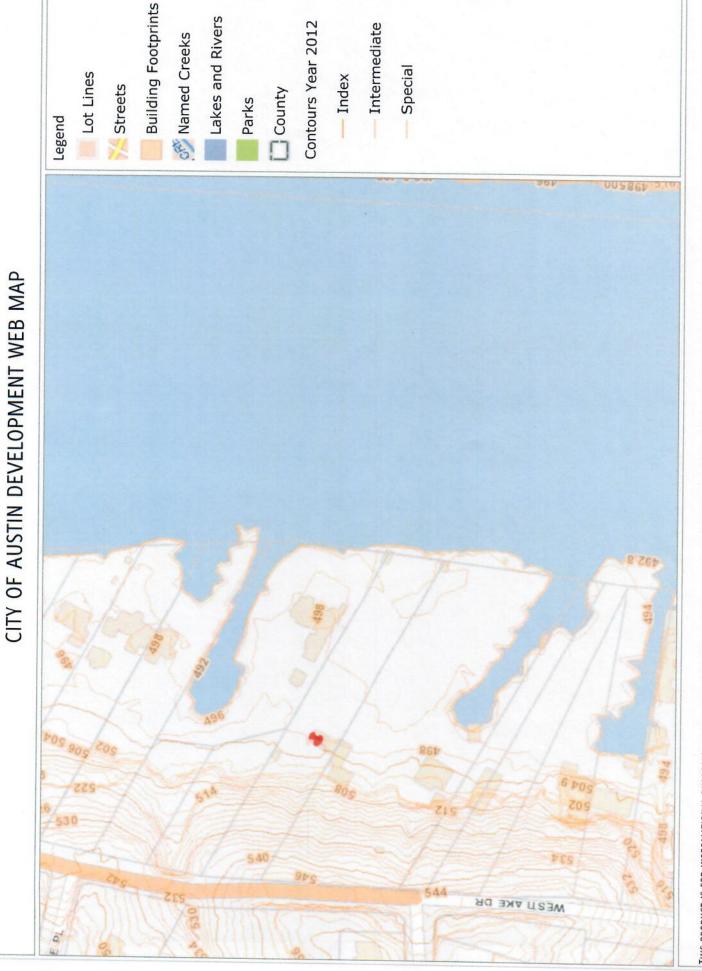


View from Westleke Drive (3002+32e)

- note significant height difference from
road to lake



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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. 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.

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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 KINSTEN	3201 Westlake Drive, Austin, TX 78746	My Dull
Peter H.ff	3115 Westlake Drive, Austin, TX 78746	Rt- HU

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.

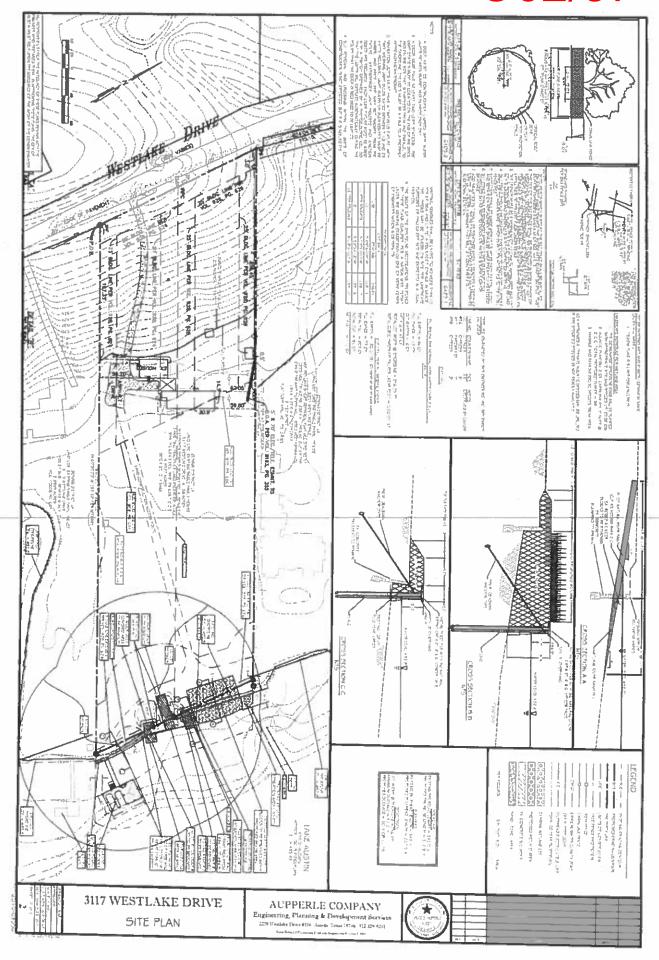
Sincerely

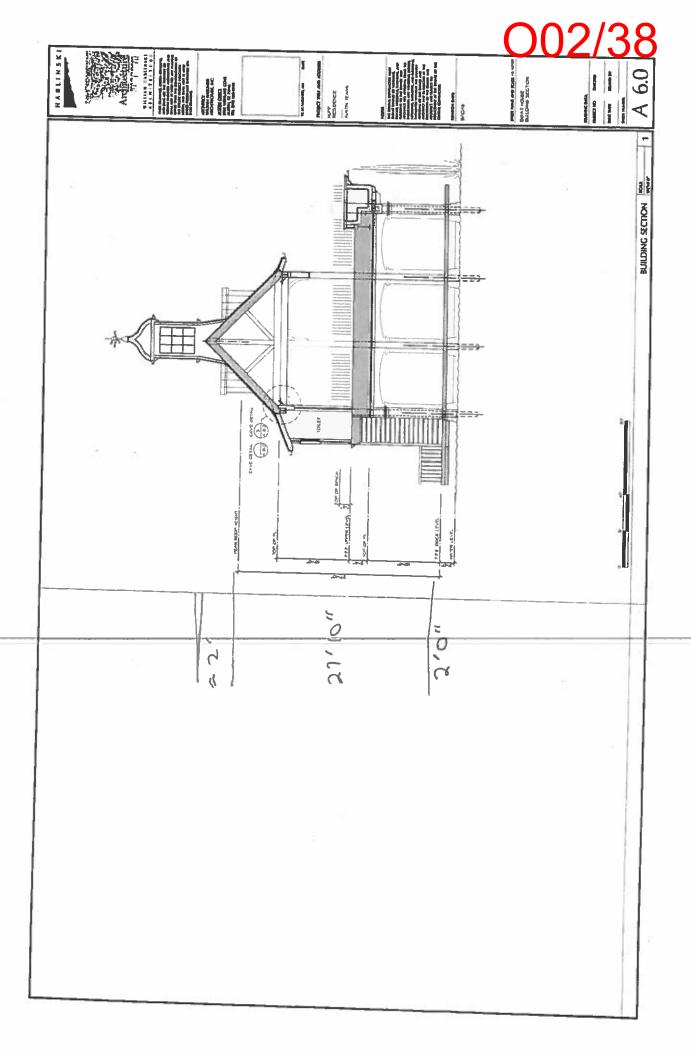
Mark Kristen

3201 Westlake Drive

Austin, Texas 78746

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From: rick skirrow

Date: August 29, 2018 at 8:19:21 AM CDT

To: Kathleen Huff <

Subject: 3117 Westlake Dr Boat house height

Reply-To: rick skirrow

Peter and Katheen,

Since Skirrow LLC started work on the boat house at 3117 Westake Dr, there have been several City of Austin Inspections with no inspectors mentioning a possible height violation to me.

Sincerely Rick Skirrow 512-785-3225 From: William Hablinski

Date: August 15, 2018 at 3:10:06 PM CDT

To: Kathleen Huff

Subject: Boat House Project at 3117 Westlake Drive, Austin TX

All:

The Current construction of the boat house was done under the code and zoning ordinances of the City of Austin from April of 2012 for single family residences. Those rules allowed for the height to be measured from the average ground plain to the midpoint of a sloped roof, between the eave and the ridge. We were not aware that there were separate rules governing the height of boat house structures. Accordingly the distance from the ground plain at the shore line to the midpoint is 27'-10". If you measure to the ridge it is 33'-3 7/8" to the ridge. And if you measure from the water you would add an additional 2'-0" in height.

"Peter Huff

Attached is are the front and rear elevations of the boathouse for your use.

Sincerely, William Hablinski AIA From: William Hablinski <

Date: August 29, 2018 at 9:15:10 AM CDT

To: Kathleen Huff - "Peter Huff

Cc: Jose Sosa

Subject: Boat House at 3117 Westlake Drive - on Lake Austin

Kathleen and Peter -

In response to the COA regarding the height of the boat house be advised of the following:

- The total vertical height from the water pool (492.8' elevation) to the top of the cupola is 45' exactly (537.8' elevation).
- The vertical height from the water level to the top of the roof is 35"4" (528.13 elevation)
- The vertical height of the cupola from the ridge of the roof to the top of the cupola is 9.8'
- The vertical height of the boat house from the water level to the mid-point of the roof is 29'-10"
- The vertical height of the boat house from the average grade of the land to the mid-point of the roof is 27'-10"

Please see the attached drawings which graphically explains the above information. Please call me with additional comments or questions. As a note, when we designed the boat house April of 2012, it was our understanding that the height of the boat house would be measured from the water pool elevation, or average grade elevation from the base to the mid-point of the roof, or the mean roof height distance between the eave and the ridge.

Best regards, Bill Hablinski

PUBLIC HEARING INFORMATION

your neighborhood. organization that has expressed an interest in an application affecting application. You may also contact a neighborhood or environmental have the opportunity to speak FOR or AGAINST the proposed hearing, you are not required to attend. However, if you do attend, you Although applicants and/or their agent(s) are expected to attend a public

than 60 days from the announcement, no further notice will be sent. or denial of the application. If the board or commission announces a continue an application's hearing to a later date, or recommend approval specific date and time for a postponement or continuation that is not later During a public hearing, the board or commission may postpone or

will determine whether a person has standing to appeal the decision. can appeal the decision. The body holding a public hearing on an appeal standing to appeal, or an interested party that is identified as a person who A board or commission's decision may be appealed by a person with

board or commission by: owner of the subject property, or who communicates an interest to a An interested party is defined as a person who is the applicant or record

- concern (it may be delivered to the contact person listed on a during the public hearing that generally identifies the issues of delivering a written statement to the board or commission before or
- appearing and speaking for the record at the public hearing
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- or proposed development; or is the record owner of property within 500 feet of the subject property
- A notice of appeal must be filed with the director of the responsible is an officer of an environmental or neighborhood organization that the subject property or proposed development has an interest in or whose declared boundaries are within 500 feet of

For additional information on the City of Austin's land development be available from the responsible department department no later than 10 days after the decision. An appeal form may

process, visit our website: www.austintexas.gov/department/development-services

Comments: before or at a public hearing. Your comments should include the name of the received will become part of the public record of this case. Case Number; and the contact person listed on the notice. All comments board or commission, or Council; the scheduled date of the public hearing; the Written comments must be submitted to the contact person listed on the notice Daylime Telephone: (512)431-4237 Your address(cs) affected by this application Your Name (please prim) 40 3115 Westloke Drive としてでもよ Public Hearing: Board of Adjustment, September 10, 2018 Case Number: C15-2018-0037, 3117 Westlake Drive Contact: Isane Heldenfels, 512-974-2202, leane heldenfels@austintexas.gov carpleted so the contraction Sthes or complement shouthin dock The dack looks fine and needs to and equipment will go away. the heighbors have ever had Signature A-1+is 1× 78746 XI am in favor ☐ I object Date

seen by the Board at this hearing. They may be submitted by: Comments must be returned by 10am the day of the hearing to be

Mail: City of Austin-Development Services Department/ 1st Floor Leane Heldenfels

P. O. Box 1088

Austin, TX 78767-1088

the Wed prior to the hearing to be received by the Board at this hearing) (Note: comments returned by mail must be postmarked no later than

(512) 974-6305

Email: lcanc.lcldenfels@austintexas.gov