

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

DATE: Monday, December 10, 2018

CASE NUMBER: C15-2018-0047

<input checked="" type="checkbox"/>	Brooke Bailey
<input checked="" type="checkbox"/>	William Burkhardt
<input checked="" type="checkbox"/>	Christopher Covo
<input checked="" type="checkbox"/>	Eric Golf
<input checked="" type="checkbox"/>	Melissa Hawthorne
<input checked="" type="checkbox"/>	Bryan King
<input checked="" type="checkbox"/>	Don Leighton-Burwell
<input type="checkbox"/>	Rahm McDaniel OUT
<input checked="" type="checkbox"/>	Martha Gonzalez (Alternate)
<input checked="" type="checkbox"/>	Veronica Rivera
<input checked="" type="checkbox"/>	James Valdez
<input checked="" type="checkbox"/>	Michael Von Ohlen
<input type="checkbox"/>	Kelly Blume (Alternate) OUT
<input type="checkbox"/>	Ada Corral (Alternate)

APPLICANT: DAVID CANCIOLOSI

OWNER: Mark Kristen

ADDRESS: 3201 WESTLAKE DR

VARIANCE REQUESTED: The applicant is requesting a variance from Section 25-2-551 to reduce the Lake Austin Shoreline Setback from 75-feet (required) to 5-feet (proposed) shoreline setback around an existing slough to accommodate a remodel and repair by replacement of the existing single-family residence and accessory structures in the LA – Lake Austin zoning district.

BOARD'S DECISION: The public hearing was closed on Board Member Michael Von Ohlen motion to Postpone to December 10, 2018, Board Member Brooke Bailey second on a 10-0 vote; **POSTPONED TO December 10, 2018. Dec 10, 2018** The public hearing was closed on Board Member Don Leighton-Burwell motion to Grant with conditions as per exhibit provided at meeting, Board Member Veronica Rivera second on a 11-0 vote; **GRANTED WITH CONDITIONS AS PER EXHIBIT (MODIFIED LA SETBACK 25-AND 75-FEET SETBACK) PROVIDED AT MEETING.**

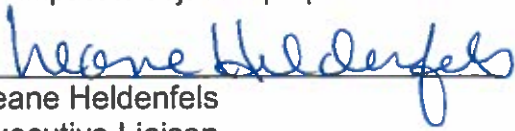
FINDING

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: the applicant is requesting a reduced setback along the slough to accommodate a remodel and repair by replacement of the existing single-family project and associated accessory structure.
2. (a) The hardship for which the variance is requested is unique to the property in that: the original 1915 Lakeshore Addition lots 80 and 81 were re-platted in 1998 to create lot 80A and a remainder lot 81, the 1998 plat reoriented the lot lines to include the approximate ½

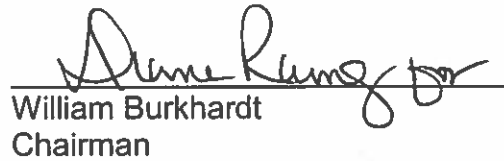
acre man made slough entirely on lot 80A, this caused the 75' shoreline setback to substantially encroach into lot 80A in all directions.

(b) The hardship is not general to the area in which the property is located because: the 1998 re-plat changed that entirely, in lot 81A's current configuration the 75' shoreline setback extends not only from the main body of Lake Austin, but also from the on-site slough on the northern side of the subject site. This causes substantial loss of buildable area when calculating net site area in accordance with LA zoning performance

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: man made sloughs are fairly rare along Lake Austin, they do exist and when they do they create significant development constraints. Any remodel or repair by replacement of the existing structures will be in keeping with varied construction styles found along Lake Austin, there will be no adverse impact to adjacent properties.



Leane Heldenfels
Executive Liaison



William Burkhardt
Chairman