

LAKE AUSTIN



RIVERCREST DRIVE  
(50' R.O.W.)

BENCHMARK: SPINDLE SET IN UTILITY POLE  
NAVD88 ELEVATION=506.40'

TOPOGRAPHIC & TREE SURVEY

This tree location survey certifies the size and location of the trees depicted hereon. B&G Surveying, LLC, nor the undersigned, certify the Species/Genus of these trees. For exact Species/Genus contact a Certified Arborist.

**TREE TABLE**

TAG#	DESCRIPTION
T1	23" PECAN
T2	22" PECAN
T3	15" PECAN
T4	13" PECAN
T5	27" ELM
T6	21" PECAN
T7	17" PALM
T8	6" RED BUD

**IMPORTANT NOTICE**  
This Survey was prepared without the benefit of a title commitment. There may be additional setback lines, easements and interests which are relevant to this property and unknown to B & G SURVEYING, LLC. Building Dimensions are rounded and are not to be used for design.

TO THE LIENHOLDER AND / OR PRESENT OWNERS OF THE PREMISES SUBMITTED



- LEGEND**
- 1/2" REBAR FOUND
  - 1/2" CAPPED REBAR SET
  - 1/2" IRON PIPE FOUND
  - 60D NAIL FOUND
  - 60D NAIL SET
  - ⊠ CAPPED REBAR FOUND
  - ⊠ "x" SET IN CONCRETE
  - ⊠ "x" FOUND IN CONCRETE
  - SPINDLE FOUND
  - PUNCH HOLE FOUND
  - CHAIN LINK FENCE
  - WOOD FENCE
  - METAL FENCE
  - BUILDING LINE
  - PUBLIC UTILITY EASEMENT
  - DRAINAGE EASEMENT
  - ( ) PER PLAT
  - ( ) CONTROL MONUMENT
  - C.M. FINISHED FLOOR ELEVATION
  - R.O.W. RIGHT OF WAY
  - F.F.E. OVERHEAD UTILITY LINE
  - OH POWER POLE
  - AC AIR CONDITIONER

STREET ADDRESS: 2800 RIVERCREST  
 LOT: 22 BLOCK: A SUBDIVISION: RIVERCREST ADDITION  
 REFERENCE NAME: MELDE CONSTRUCTION  
 CITY: AUSTIN COUNTY: TRAVIS STATE OF TEXAS  
 VOL/CAB 13 PG/SID 27 PLAT RECORDS  
 PR ADD B.L. 08/21/18  
 OF 497.04 CONTOUR ADDED: 08/13/18

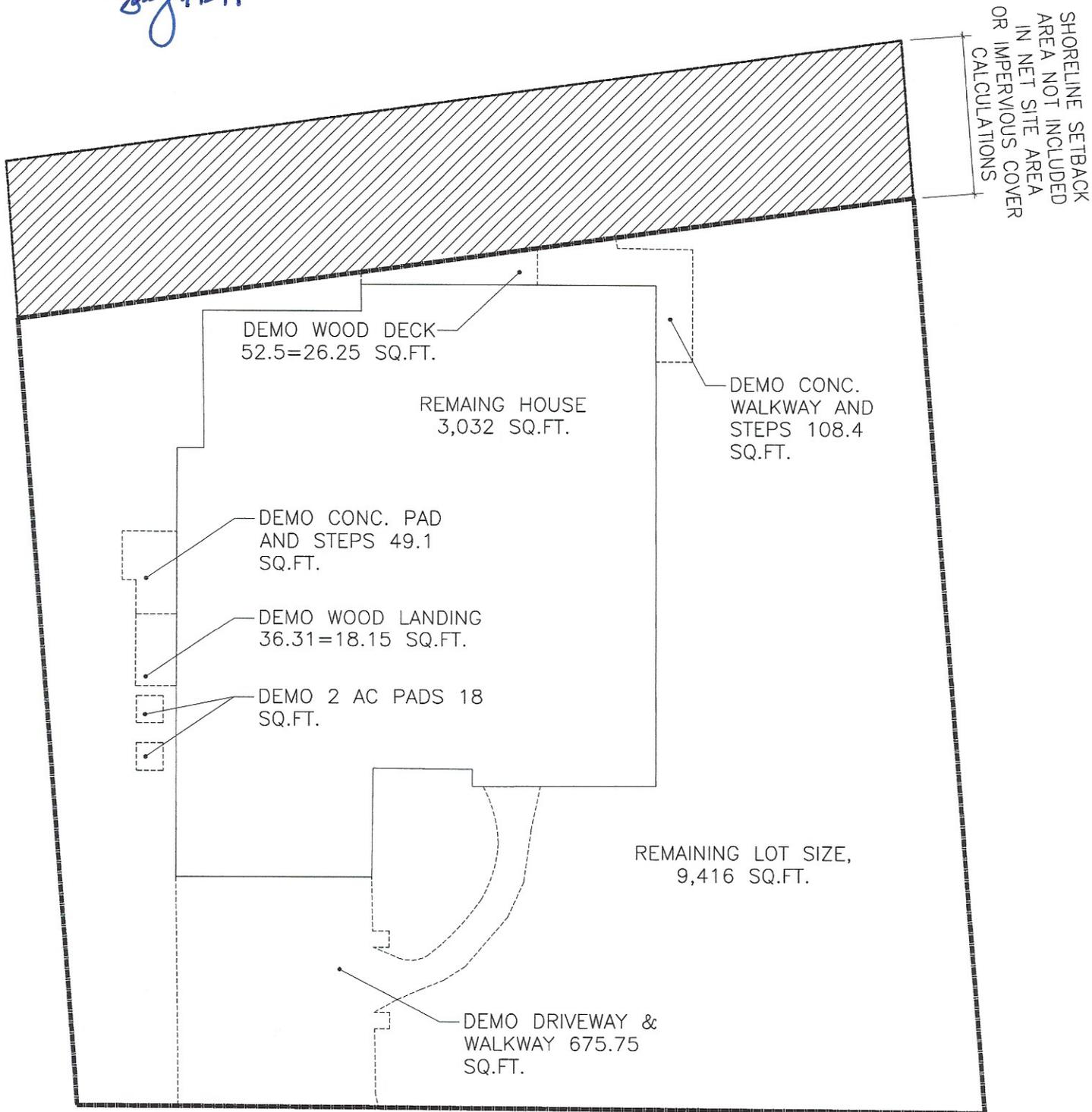
**B & G SURVEYING, LLC**  
 FIRM REGISTRATION NO. 100363-00  
 WWW.BANDGSURVEY.COM  
 1404 West North Loop Blvd.  
 Austin, Texas 78756 - Office 512\*458-6969

JOB #: B0721518\_TA  
 DATE: 08/07/18  
 SCALE: 1" = 20'

FIELD WORK BY	CHRIS	07/08/18
CALC'D BY	VICTOR G	08/01/18
DRAWN BY	VICTOR P	08/03/18
CHECKED BY	VG/ML	08/07/18

1-3/65

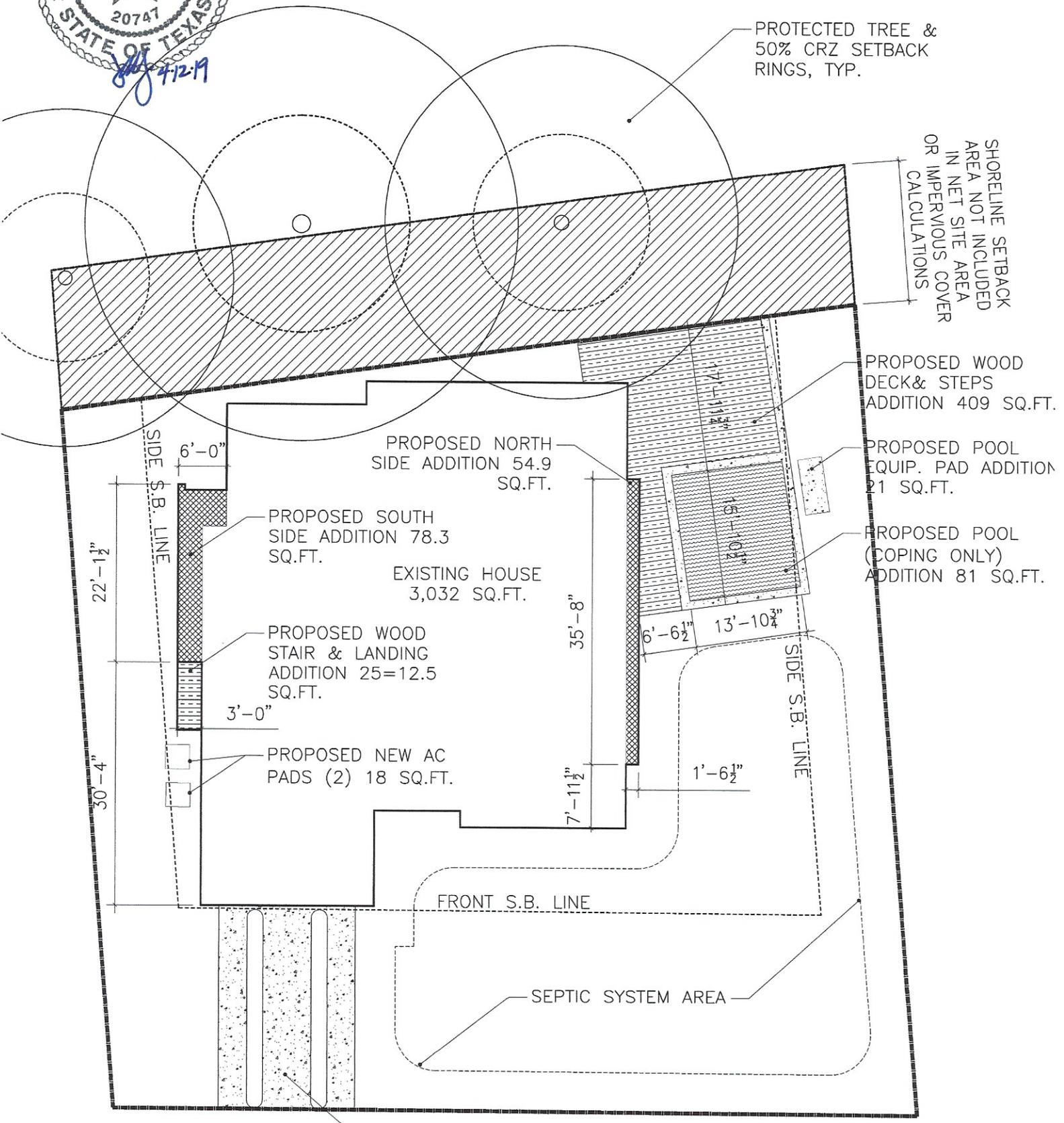
TOTAL AS-BUILT IMPERVIOUS COVER	3,927.8 SQ.FT.
TOTAL AS-BUILT IMPERVIOUS COVER TO BE REMOVED	895.65 SQ.FT.
TOTAL AS-BUILT IMPERVIOUS COVER AFTER DEMO%	32.1%



**AS-BUILT IMPERVIOUS COVER TO BE DEMOLISHED**  
SCALE: 1/16" = 1'-0"

TOTAL AS-BUILT IMPERVIOUS COVER AFTER DEMO 5,002.15 SQ.FT.  
 TOTAL REMODEL/ADDITION IMPERVIOUS COVER 3,836 SQ.FT.  
 TOTAL REMODEL/ADDITION IMPERVIOUS COVER 40.7%

**1-3/66**



SHORELINE SETBACK AREA NOT INCLUDED IN NET SITE AREA OR IMPERVIOUS COVER CALCULATIONS

PROPOSED WOOD DECK & STEPS ADDITION 409 SQ.FT.  
 PROPOSED POOL EQUIP. PAD ADDITION 21 SQ.FT.  
 PROPOSED POOL (COPING ONLY) ADDITION 81 SQ.FT.

PROPOSED NORTH SIDE ADDITION 54.9 SQ.FT.  
 PROPOSED SOUTH SIDE ADDITION 78.3 SQ.FT.  
 EXISTING HOUSE 3,032 SQ.FT.

PROPOSED WOOD STAIR & LANDING ADDITION 25=12.5 SQ.FT.  
 PROPOSED NEW AC PADS (2) 18 SQ.FT.

PROPOSED NEW DRIVEWAY 334 SQ.FT.

PROPOSED IMPERVIOUS COVER  
 SCALE: 1/16" = 1'-0"

Wednesday, April 17, 2019

**2800 Rivercrest  
Austin, TX 78746**

## **BOA Variance request**

Dear Neighbors,

If you haven't noticed, we are starting a remodel at our home. During the permitting review process, the City has informed us that we will need to request a variance from the Board of Adjustments. We are specifically seeking a variance from section 25-2-551 (C)(3)(a) of the Land Development Code that regulates impervious cover in LA zoning, although there are other sections of the code that could be requested to achieve the same goal, this section seems to be the most straight forward.

The house has legal noncomplying status due to development constructed under a previous variance that was granted in 2004, and because the lot was platted before the adoption of LA zoning which requires lot sizes to be a minimum of 1 acre. Our lot is only 11,154 square feet, that's about 75% smaller than current code. The City has informed us that this variance has expired, which they all do within one year of the date granted, or until the project is completed, so to maintain this percentage during a remodel/addition, a new variance is required.

This 2004 variance was to increase the impervious cover from 35% to 42% to allow for construction of a new 2 story home after a 1 story home had been demolished. A calculation by our architect, based on the as-built survey, shows that the resulting impervious cover from the 2004 development was 41%. Included in this envelope is a copy of our proposed site plan showing the alterations we would like to make, and a copy of that survey.

The current status of the home, "legal noncomplying" is specific to impervious cover, and lot size only. The status is due to development constructed under a variance that was granted in 2004, because the variance expires after 1 year or the project is completed. This variance was to increase the impervious cover to 42% to allow for construction of a new 2 story home after a 1 story home had been demolished. The home was completed in 2005, and a calculation based on the as-built survey shows that the resulting impervious cover from the development is 41%. This status limits what alterations and improvements can be done per section 25-2-963. The governing section of the code allows for certain modifications, alterations and additions, but does not address a situation like this one where we are affectively, re-arranging impervious cover at the as built percentage under the previous variance. The house and proposed additions comply with all other base zoning requirements. The proposed alterations will not make the home or property more noncomplying than what was allowed under this variance.



Our architect has made himself available to answer any technical questions you may have, and you may reach out to him by email or mobile phone.

Jay Dupont, Architect  
Principal

[REDACTED]  
512.796.6879 m

Included in this envelope is a document requesting your support for our variance request. If you agree, could you please add your name and signature so that we can submit it to the City. You are welcome to drop it off in our mailbox, or if you prefer, our architect, has agreed to visit with you and collect the form.

Sincerely,

Ronnie and Melissa Wise

A handwritten signature in cursive script that reads "Ronnie & Melissa Wise". The signature is written in black ink and is positioned below the typed names.

Monday, April 22, 2019

**2800 Rivercrest  
Austin, TX 78746**

**May 13<sup>th</sup> hearing**

**BOA Variance request support letter**

I, Ronnie and Melissa Wise, are applying for a variance from the Board of Adjustment regarding section 25-2-551 (C)(3)(a) of the Land Development Code. The variance would allow us to conduct a remodel to our home, resulting in a re-arranging our impervious cover to the exact amount that was built in 2004 of 41%.

Please print your name and address here.

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

Signature\_\_\_\_\_ date\_\_\_\_\_

Signature\_\_\_\_\_ date\_\_\_\_\_

**PUBLIC HEARING INFORMATION**

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

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

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

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

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

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our website:  
[www.austintexas.gov/department/development-services](http://www.austintexas.gov/department/development-services)

Written comments must be submitted to the contact person listed on the notice before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice. **All comments received will become part of the public record of this case.**

**Case Number: C15-2019-0026, 2800 Rivercrest Drive**  
**Contact:** Elaine Ramirez, 512-974-2202, [elaine.ramirez@austintexas.gov](mailto:elaine.ramirez@austintexas.gov)  
**Public Hearing: Board of Adjustment, May 13, 2019**

*2801 Rivercrest Drive, LLC*  
Your Name (please print) by *SEAN LEWIS*

Your address(es) affected by this application  
*2801 Rivercrest Drive*

*Seán P. Lewis*  
Signature

Daytime Telephone: *512-476-7011* Date *4-29-19*

Comments: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Comments must be returned no later than 10am the day of the hearing to have them seen by the Board at this hearing:**

**Mail:** City of Austin-Development Services Department/ 1st Floor  
Elaine Ramirez  
P. O. Box 1088  
Austin, TX 78767-1088

(Note: mailed comments must be postmarked by the Wed prior to the hearing for them to be seen by the Board at this hearing)

**Fax:** (512) 974-6305  
**Email:** [elaine.ramirez@austintexas.gov](mailto:elaine.ramirez@austintexas.gov)



**City of Austin**  
**Watershed Protection and Development Review Department**  
505 Barton Springs Road / P.O. Box 1088 / Austin, Texas 78767-8835

**BOARD OF ADJUSTMENT**  
**NOTICE OF PUBLIC HEARING**

**Mailing Date of this Notice: July 29, 2004**

**File Number: C15-04-103**

The Watershed Protection and Development Review Department has received an application for a variance from the Land Development Code. According to tax records, you own property within 300 feet of the subject tract.

**OWNER:** Frederick Kopec

**PHONE:** (512)

**AGENT:** Sarah Crocker

**PHONE:** (512) 476-6598

**ADDRESS AND/OR LEGAL DESCRIPTION OF REQUESTED VARIANCE:** 2800 Rivercrest Dr.

**VARIANCE(S) REQUESTED:** The applicant has requested a variance to increase the maximum impervious coverage requirement of Section 25-2-551(D)(3)(a) from 35% to 42% on a slope with a gradient of 15 percent or less in order to erect a single-family residence in an "LA", Lake Austin zoning district.

The applicant has requested a variance to decrease the minimum setback requirement of Section 25-2-551(B)(6) for a sewage holding tank that is at lease partially below ground level, or an effluent disposal site from 100 feet to 60 feet for a proposed single-family residence in an "LA", Lake Austin zoning district.

**BOARD OF ADJUSTMENT HEARING DATE:** August 9, 2004

**TIME:** 5:30 p.m.

**LOCATION:** 505 Barton Springs Road, Room 325

If you have any questions concerning this notice, please contact Susan Walker at the City of Austin Watershed Protection and Development Review Department, (512) 974-2202. Office hours are 7:45 a.m. to 4:45 p.m. Please be sure to refer to the File Number at the top of the page when you call.

**You will be notified if this case is rescheduled to a date more than 60 days from the hearing date shown above. For additional information see attached sheet.**

You may send your written comments to the Board of Adjustment Liaison, Watershed Protection and Development Review Department, P. O. Box 1088, Austin, TX 78767-8835. Please return this notice at least 5 days prior to the hearing date.

**File #** C15-04-103

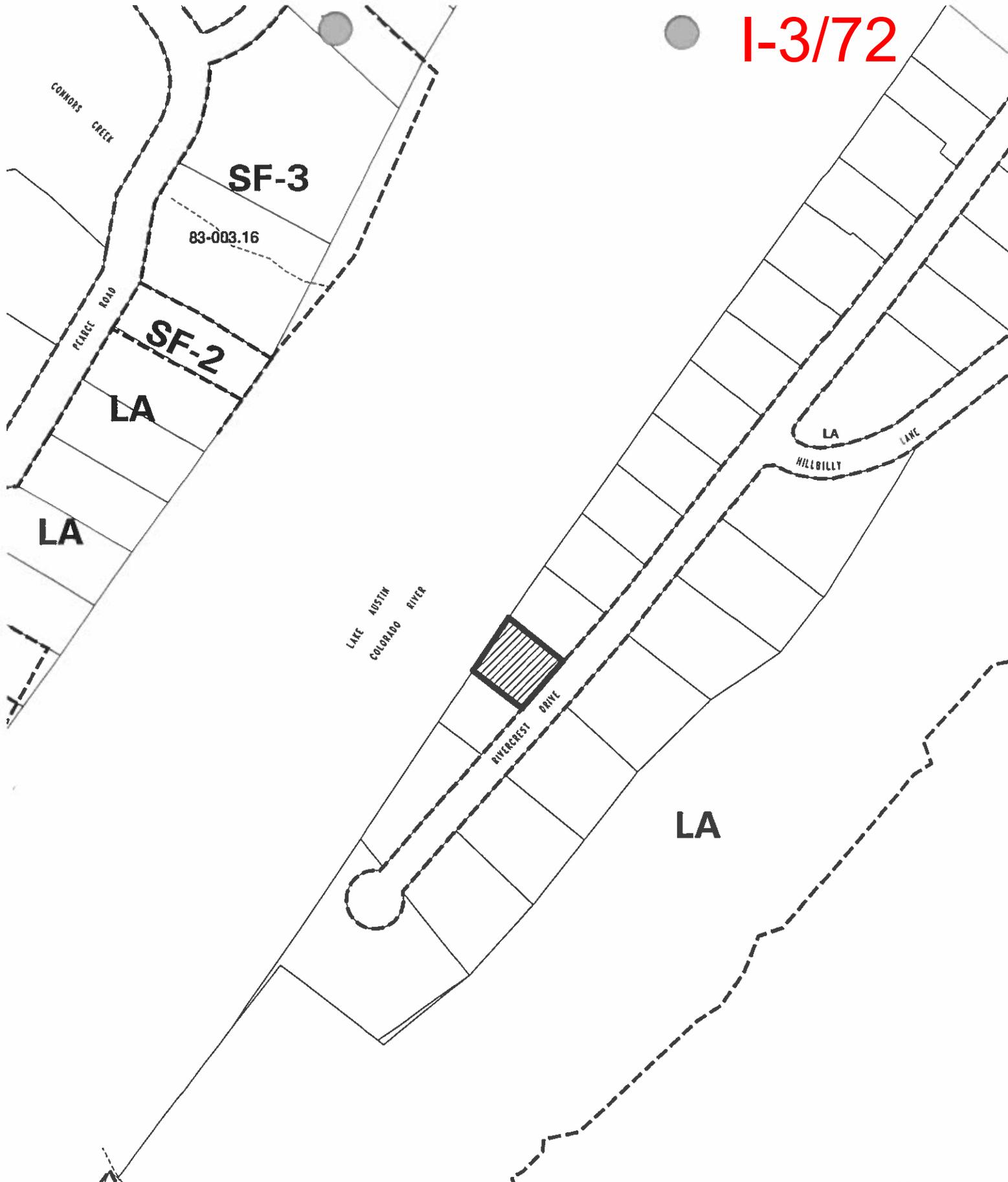
**Board of Adjustment Hearing Date:** August 9, 2004

Name (please print) \_\_\_\_\_

I am in favor

Address \_\_\_\_\_

I object



 1" = 200'	SUBJECT TRACT 	<b>BOARD OF ADJUSTMENTS</b>		CITY GRID REFERENCE NUMBER  E27
	PENDING CASE 			
	ZONING BOUNDARY 	<b>CASE #: C15-04-103</b>	DATE: 04-07	
	CASE MGR: S. WALKER	ADDRESS: 2800 RIVERCREST DR	INTLS: SM	
SUBJECT AREA (acres): N/A				

04-103

\*\*\*\*\*  
 \*\* CITY OF AUSTIN GIS QUERY REPORT  
 \*\* Neighborhood Associations  
 \*\*-----  
 \*\* Tue Jul 27 08:46:19 2004  
 \*\*\*\*\*

153--Rob Roy Home Owners' Association Inc.  
 Contact Person--Ms. Valarie Walden  
 Address--C/O Alliance Association management, Inc.  
 3355 Bee Caves Road, Ste 510 Austin TX 78746  
 Home Phone--  
 Work Phone-- 347-2857  
 E-Mail Address--  
 North Boundary--Lake Austin  
 South Boundary--RR 2244  
 East Boundary--Capital of Texas Hwy  
 West Boundary--Lake Austin & River Hills Road

303--Bridgehill Homeowners Assn.  
 Contact Person--Ms. Barry McCullough  
 Address--6707 Bridge Hill Cove Austin TX 78746  
 Home Phone--327-2044  
 Work Phone--  
 E-Mail Address--bmcbock@austin.rr.com  
 North Boundary--Lake Austin  
 South Boundary--Bridge Hill Subd. South Lane  
 East Boundary--Bunny Run  
 West Boundary--Lake Austin

331--Bunny Run Neighborhood Assn.  
 Contact Person--Mr. Jack C. Williams  
 Address--4509-III Bunny Run Austin TX 78746  
 Home Phone--328-2437  
 Work Phone--  
 E-Mail Address--Brunassocpres@mail.com  
 North Boundary--Lake Austin to bridge  
 South Boundary--St. Stephens School  
 East Boundary--Loop 360  
 West Boundary--Lake Austin

434--Lake Austin Business Owners  
 Contact Person--Mr. Duffy Oyster  
 Address--3825 Lake Austin Blvd. # 401 Austin TX 78703  
 Home Phone--480-9003  
 Work Phone-- 750-2056  
 E-Mail Address--soyosterooo@aol.com  
 North Boundary--FM 2222/ RR 620  
 South Boundary--Red Bud Trail/ Westlake Drive/ Loop 360/  
 FM 2244  
 East Boundary--Scenic Drive/ Mt Bonnell Road/ FM 2222  
 West Boundary--Westlake Drive/ Loop 360/ FM 2244

605--City of Rollingwood  
 Contact Person--Ms. Lori Dissmore

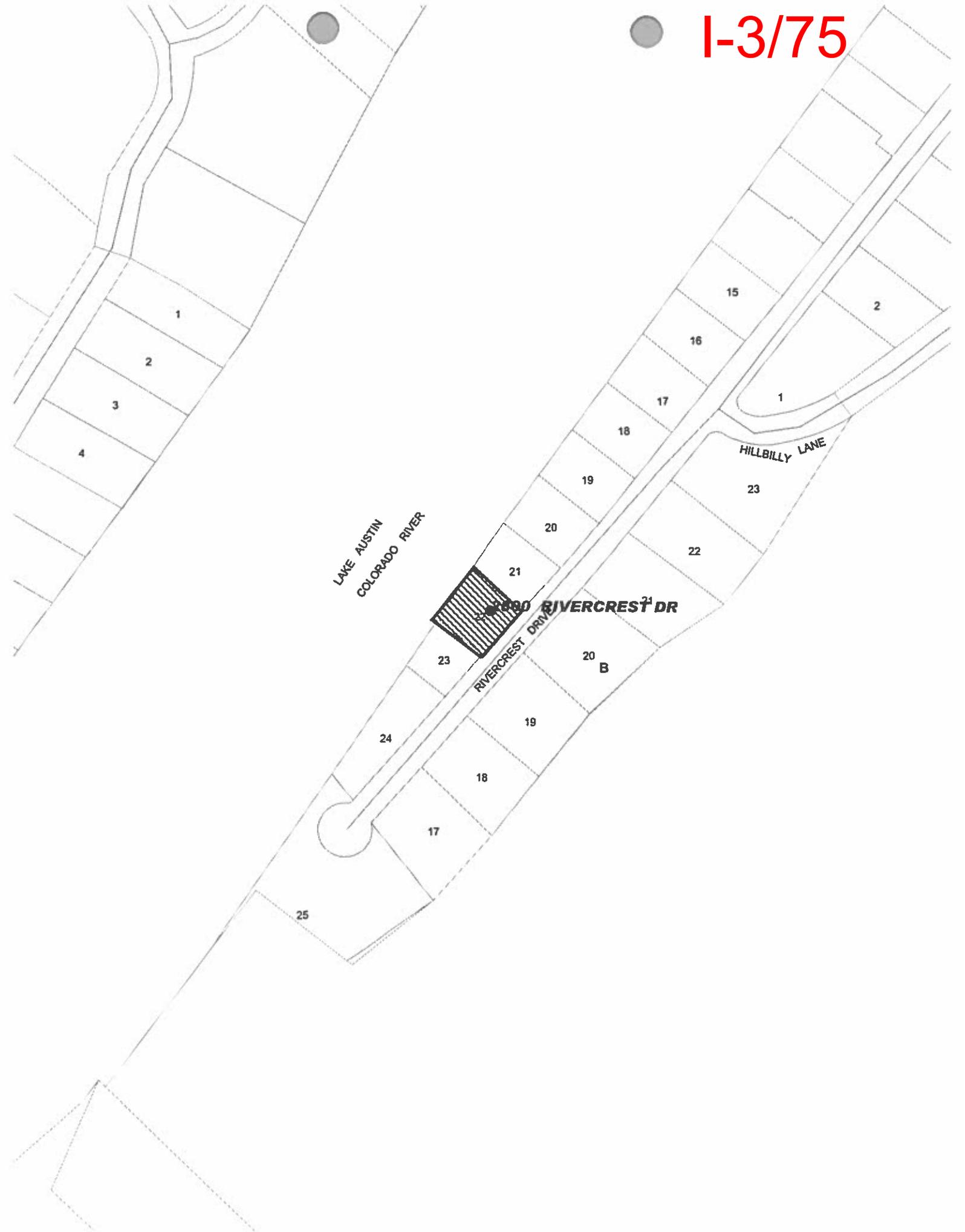
Address--403 Nixon Rollingwood TX 78746  
Home Phone--327-1838  
Work Phone-- 328-7200  
E-Mail Address--cityofrollingwood@austin.rr.com  
North Boundary--Colorado River (Town Lake and Lake Austin)

South Boundary--Loop 360  
East Boundary--MoPac Loop 1  
West Boundary--Hwy 71 West at Village of Bee Caves

965--Old Spicewood Springs Rd. Neighborhood Assn.  
Contact Person--Mr. David Gabriel Mandy  
Address--8904 Yucca Mountain Austin TX 78759  
Home Phone--343-2095  
Work Phone--  
E-Mail Address--  
North Boundary--Old Lampasas Trail  
South Boundary--Loop 360  
East Boundary--Arbors at Great Hills (Yaupon)  
West Boundary--Balcones Canyonlands Preserve

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City of Austin as a working report and is not  
warranted for any other use. No warranty is  
made by the City regarding its accuracy or  
completeness. Reproduction is not permitted  
without prior written permission from  
Watershed Protection & Development Review,  
City of Austin

I-3/75





REGISTRATION AND DEVELOPMENT CENTER  
THE FOLLOWING LISTING BEING BELIEVED FOR CASE # 110-94-103

ROBERT BARR & ROBERT S...  
0000-1110-1250-10  
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File No.

C15-04-103

2800 Rivercrest Dr.

I-3/78

1	01-2921-0111 ✓	29
2	12 ✓	30
3	13 ✓	31
4	14 ✓	32
5	15 ✓	33
6	16 ✓	34
7	28 ✓	35
8	18 ✓	36
9	30 ✓	37
10	19 ✓	38
11	22 ✓	39
12	23 ✓	40
13	24 ✓	41
14	25 ✓	42
15	01-2627-19509 ✓	43
16		44
17		45
18		46
19		47
20		48
21		49
22		50
23		51
24		52
25		53
26		54
27		55
28		56

C15-04-103 Sarah Crocker for Frederick Kopec 2800 Rivercrest Drive

The applicant has requested a variance to increase the maximum impervious coverage requirement of Section 25-2-551 (D) (3) (a) from 35% to 42% on a slope with a gradient of 15 percent or less in order to erect a single-family residence in an "LA", Lake Austin zoning district.

The applicant has requested a variance to decrease the minimum setback requirement of Section 25-2-551 (B) (6) for a sewage holding tank that is at least partially below ground level, or an effluent disposal site from 100 feet to 60 feet for a proposed single-family residence in an "LA", Lake Austin zoning district.

Attn: Nanette

CITY OF AUSTIN  
BOARD OF ADJUSTMENT/SIGN REVIEW BOARD  
DECISION SHEET

\_\_\_\_ Herman Thun, Chair  
\_\_\_\_ Barbara Aybar, Vice Chair  
\_\_\_\_ Leane Heldenfels  
\_\_\_\_ Frank Fuentes  
\_\_\_\_ Betty Edgemond

DATE: August 9, 2004

CASE NUMBER: C15-04-103

APPLICANT: Frederick Kopec

ADDRESS: 2800 Rivercrest Drive

VARIANCE REQUESTED: The applicant has requested a variance to increase the maximum impervious coverage requirement of Section 25-2-551(D)(3)(a) from 35% to 42% on a slope with a gradient of 15 percent or less in order to erect a single-family residence in an "LA", Lake Austin zoning district.

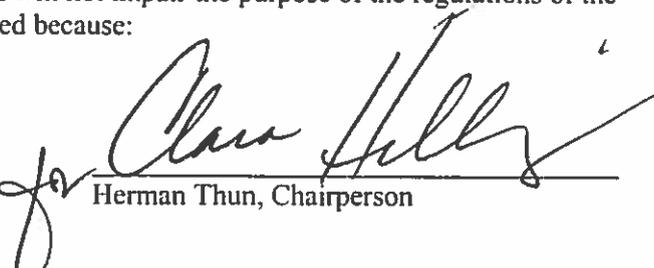
The applicant has requested a variance to decrease the minimum setback requirement of Section 25-2-551(B)(6) for a sewage holding tank that is at least partially below ground level, or an effluent disposal site from 100 feet to 60 feet for a proposed single-family residence in an "LA", Lake Austin zoning district.

BOARD'S DECISION: GRANTED 5-0

FINDINGS:

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:

  
\_\_\_\_\_  
Joseph Pantalione, Executive Secretary

  
\_\_\_\_\_  
Herman Thun, Chairperson

CASE # C15-04-103  
TP#0129210115

CITY OF AUSTIN  
APPLICATION TO BOARD OF ADJUSTMENT  
GENERAL VARIANCE/PARKING VARIANCE

**WARNING: Filing of this appeal stops all affected construction activity.**

**PLEASE: PRINT OR TYPE; USE BLACK INK; AND COMPLETE ALL REQUESTED INFORMATION.**

STREET ADDRESS: 2800 Rivercrest Drive

LEGAL DESCRIPTION: Subdivision - Rivercrest Addition, Section 1

Lot(s) 27 Block A Outlot \_\_\_\_\_ Division \_\_\_\_\_

I/We Sarah Crocker on behalf of myself/ourselves as authorized agent for Frederick Kopec affirm that on \_\_\_\_\_, \_\_\_\_\_,

hereby apply for a hearing before the Board of Adjustment for consideration to:

ERECT - ATTACH - COMPLETE - REMODEL - MAINTAIN

New residence, increasing impervious cover from 35% to 42%.

LDC Sec. 25-2-551(D)(3)(a); decrease septic setback from 100ft to 60ft LDC 25-2-551(B)(6)

in a LA district.  
(zoning district)

**NOTE: 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 support documents.**

VARIANCE FINDINGS: I contend that my entitlement to the requested variance is based on the following findings:

**REASONABLE USE:**

- 1. The zoning regulations applicable to the property do not allow for a reasonable use because:

see attached

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**HARDSHIP:**

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

see attached

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

see attached

---



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**AREA CHARACTER:**

- 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:

see attached

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**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 Section 479 of Chapter 25-6 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 reasonable require strict or literal interpretation and enforcement of the specific regulation because:

N/A

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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

**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.**

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

Signed [Signature] Mail Address 809 S. Lamar

City, State & Zip Austin, TX 78704

Printed Sarah Crocker Phone 476-6598 Date \_\_\_\_\_

Fred Kopec

**OWNER'S CERTIFICATE** – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed [Signature] Mail Address 2800 Rivercrest Dr.

City, State & Zip Austin, TX 78746

Printed Frederick Kopec Phone 617-66598 Date \_\_\_\_\_

Sarah Crocker

**SARAH PUTNAM CROCKER**  
**CONSULTANT**  
809 SOUTH LAMAR BLVD.  
AUSTIN, TEXAS 78704

**I-3/84**

PHONE (512) 476-6598

FAX (512) 474-8050

**FINDINGS OF FACT**  
**VARIANCE REQUEST**

**SECTION 25-2-551 Subsection D, (3), (a) impervious cover from 35 to 42%**  
**SECTION 25-2-551 Subsection B, (6) reduce septic setback from 100 to 60 ft./**

**KOPEC RESIDENCE**  
**2800 RIVER TERRACE**  
**AUSTIN, TEXAS**

**REASONABLE USE-**

1. *The zoning regulations applicable to the property do not allow for a reasonable use because:* This tract is zoned LA and can be developed under Section 25-2-551 (b) (2) which states that the shoreline setback is 75 feet unless the front line of the lot or if the tract is 200 feet or less in length, it is 25 feet. This is a small lot with a slightly irregular shape and does not meet the minimum lot size for LA zoning, therefore the shoreline setback will be 25 ft. The total gross site area is 11,838 sq.ft. of which 2500 sq.ft. (21%) is within the shoreline setback leaving a net site area of 9338sq. ft. The proposed residence has been placed as far from the lake as reasonably possible and is constructed entirely on slopes of 0-15%. By not allowing the area of the shoreline setback to be included in site area calculations and establishing what functions as an additional building setback line, the Ordinance and subsequent Code sections put many of these properties in a situation where they cannot meet the original intent of the Ordinance without creating a variance situation. Most of the property along Lake Austin was platted or qualifies for legal lot status long before the LA regulations were adopted. Building placement on this lot meets the intent of the ordinance but strict adherence to the impervious cover regulations would permit 3268.3 sq.ft. of total impervious cover for this lot due to the shoreline setback. The land area within the shoreline setback cannot be included into net site area calculations (Section 25-2-551 (B) (1)) further reducing the size of the lot that can be calculated for impervious cover. The septic field must be replaced and brought up to Code. The code requires a 100-foot setback from the shoreline. The average length of

this lot is 111.5 feet. A variance has been requested to reduce this setback from 100 to 60 feet.

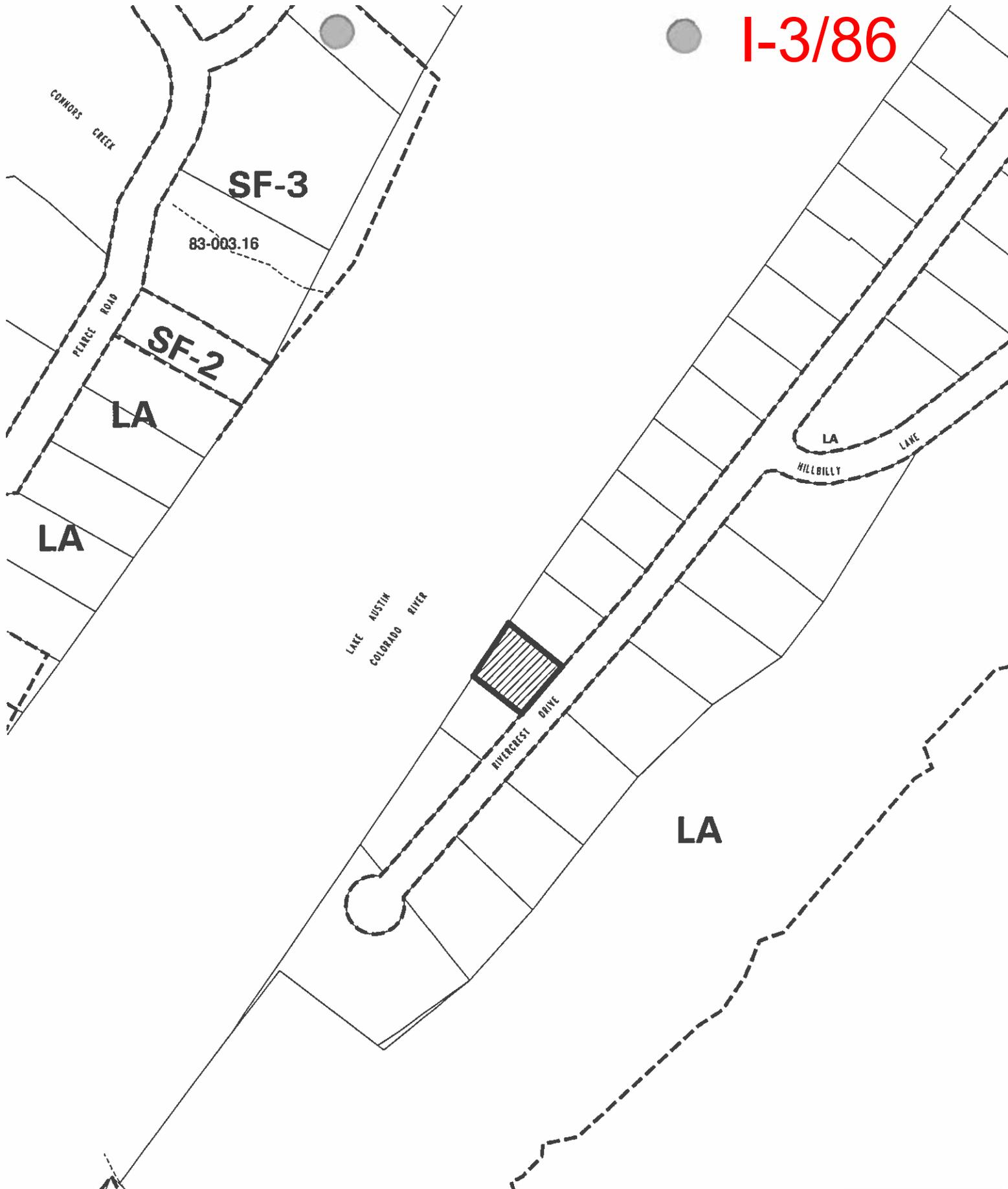
2. A.) *The hardship for which the variance is requested is unique to the property in that:* The site has a slightly irregular shape and is one of the smallest lots in this subdivision, it cannot meet the LA site development regulations due to its size. **Minimum lot size for LA is 1 acre or 43560 sq.ft. this tract is .26 of an acre.**

b.) *The hardship is not general to the area in which the property is located because:* The balance of this subdivision is built out and the other residences in this subdivision were constructed prior to the adoption of the current code and do not meet current standards.

#### **AREA CHARACTER**

3. *The variance will not alter the character of the area adjacent to the zoning district in which the property is located because:* All of the adjacent property is developed as single family. This development will be consistent with what is already developed.
4. *The variance will run with the use or uses to which it pertains and shall not run with the site because:* As per Section of the LDC the variance will run with the use and not with the site.

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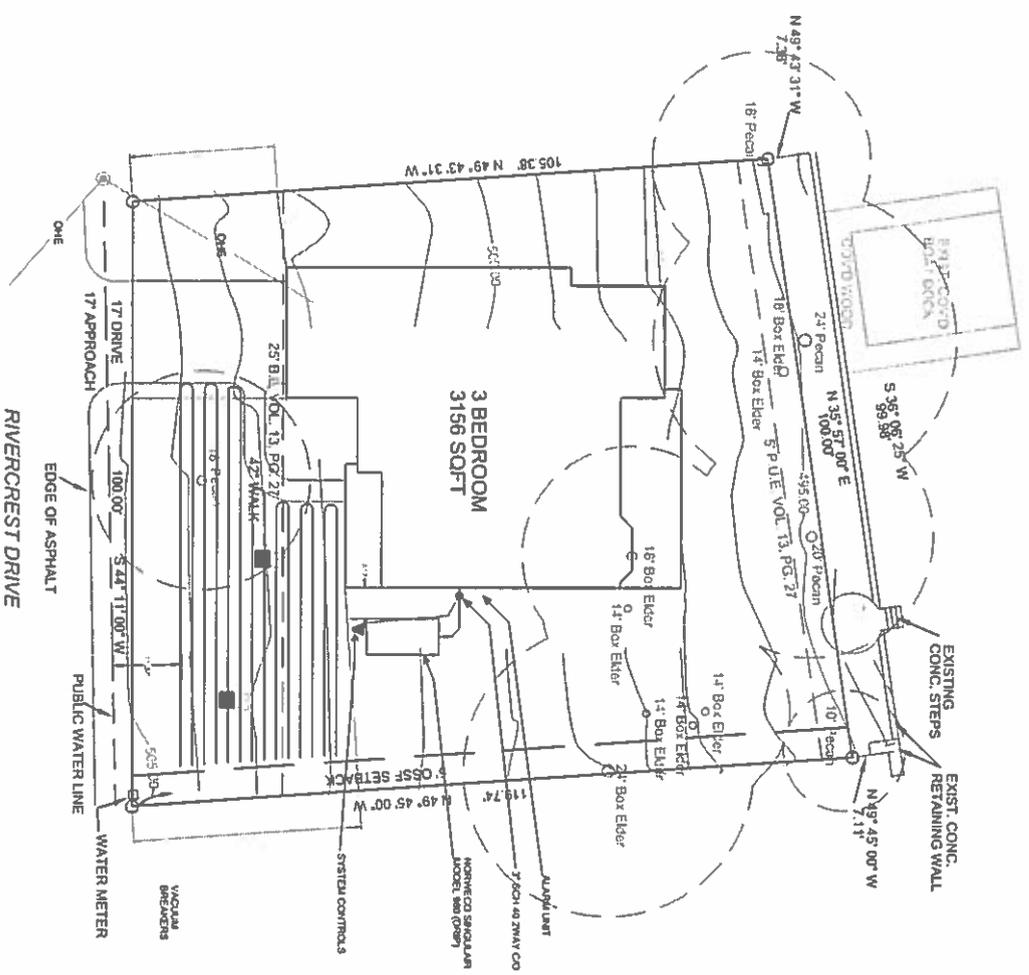
 1" = 200'	<b>SUBJECT TRACT</b> 	<b>BOARD OF ADJUSTMENTS</b> <b>CASE #: C15-04-103</b> <b>ADDRESS: 2800 RIVERCREST DR</b> <b>SUBJECT AREA (acres): N/A</b>		<b>CITY GRID REFERENCE NUMBER</b> <b>E27</b>
	<b>PENDING CASE</b> 			
	<b>ZONING BOUNDARY</b> 	<b>INTLS: SM</b>		

CASE MGR: S. WALKER

I-3/87



Proposed



SITE PLAN

SCALE 1" = 16'

**NOTE:**  
 THIS PLAN IS A GRAPHIC REPRESENTATION OF THE PROPOSED CONSTRUCTION. FIELD CONDITIONS MAY VARY AND MUST BE VERIFIED BEFORE PROCEEDING WITH CONSTRUCTION.

SURVEY OF  
 2800 RIVERCREST DRIVE,  
 RIVERCREST ADDITION, SECTION 1,  
 VOL. 13, PG. 27 OF TRAVIS COUNTY  
 LOT 22, BLOCK A  
 AUSTIN, TX

SQUARE FOOTAGE  
 SLAB 3008 SQ. FT.  
 DRIVE 303 SQ. FT.  
 WALK 193 SQ. FT.

COPEC RESIDENCE  
 PLAN NO.  
 1

CHECKED BY  
 DATE  
 06-09-04

DRAWN BY

**DIMENSION BUILDERS**

1800 S. UNIVERSITY AVE., STE. 103  
 AUSTIN, TX 78741  
 (512) 441-1111