

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

DATE: Monday July 8, 2019

CASE NUMBER: C15-2019-0029

<u> </u> Y <u> </u>	William Burkhardt
<u> </u> Y <u> </u>	Jessica Cohen
<u> </u> N <u> </u>	Ada Corral
<u> </u> N <u> </u>	Melissa Hawthorne
<u> </u> Y <u> </u>	William Hodge
<u> </u> Y <u> </u>	Don Leighton-Burwell
<u> </u> - <u> </u>	Rahm McDaniel
<u> </u> Y <u> </u>	Darryl Pruet
<u> </u> - <u> </u>	Veronica Rivera
<u> </u> N <u> </u>	Yasmine Smith
<u> </u> N <u> </u>	Michael Von Ohlen
<u> </u> Y <u> </u>	Kelly Blume (Alternate)
<u> </u> - <u> </u>	Martha Gonzalez (Alternate)
<u> </u> - <u> </u>	Denisse Hudock (Alternate)

APPLICANT: David Cancialosi

OWNER: Alex Tynberg

ADDRESS: 2710 SCENIC DR

VARIANCE REQUESTED: The applicant is requesting a variance(s) from Section 25-2-1176 (A) (3) (Site Development Regulations for Docks, Marinas, and other Lakefront Uses) to reduce the Interior Setback requirement from 10 feet (required), 9 feet 5 inches (existing) to 0 feet (requested) from the South side property line in order to erect a Boat Dock in a "SF-3-NP", Single-Family – Neighborhood Plan zoning District (West Austin Neighborhood Plan). The Land Development Code states that a dock may not be constructed closer than 10 feet to the side property line, regardless of the side yard setback generally applicable within the base zoning district.

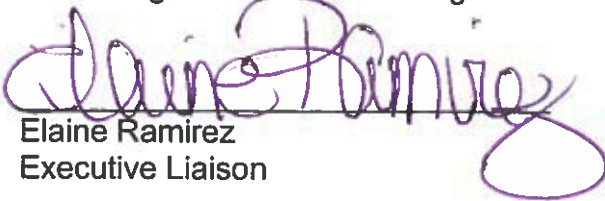
BOARD'S DECISION: BOA meeting July 8, 2019 The public hearing was closed by Chair William Burkhardt, Board Member Don Leighton-Burwell motion to Deny, Board Member Darryl Pruet second on a 6-4 vote (Board members Ada Corral, Melissa Hawthorne, Yasmine Smith and Michael Von Ohlen nay); **DENIED**

EXPIRATION DATE: JULY 8, 2020

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:


Elaine Ramirez
Executive Liaison


William Burkhardt
Chairman



June 26, 2019

David Cancialosi
2710 Scenic Dr
Austin TX, 78703

Property Description: LOT B MCGINNIS SUBD

Re: C15-2019-0029

Dear David,

Austin Energy (AE) has reviewed your application for the above referenced property, requesting that the Board of Adjustment consider a variance(s) from Section 25-2-1176 (A) (3) (Site Development Regulations for Docks, Marinas, and other Lakefront Uses); to reduce the Interior Setback requirement from 10 feet (required), 9 feet 5 inches (existing) to 0 feet (requested) from the South side property line;

In order to erect a Boat Dock in a "SF-3-NP", Single-Family – Neighborhood Plan zoning District (West Austin Neighborhood Plan). The Land Development Code states that a dock may not be constructed closer than 10 feet to the side property line, regardless of the side yard setback generally applicable within the base zoning district.

Austin Energy does not oppose requested variances, provided any proposed and existing improvements are in compliance with AE clearance criteria requirements, The National Electric Safety Code and OSHA. Any removal or relocation of existing electric facilities will be at owners/applicants expense.

Please use this link to be advised of our clearance and safety requirements which are additional conditions of the above review action:

https://library.municode.com/tx/austin/codes/utilities_criteria_manual?nodeId=S1AUENDECR_1.10.0CLSA RE

If you require further information or have any questions regarding the above comments, please contact our office. Thank you for contacting Austin Energy.

Eben Kellogg

Austin Energy
Public Involvement | Real Estate Services
2500 Montopolis Drive
Austin, TX 78741
(512) 322-6050

BOA REVIEW COVERSHEET**CASE:** C15-2019-0029**BOA DATE:** July 8, 2019**ADDRESS:** 2710 Scenic Dr**COUNCIL DISTRICT:** 10**OWNER:** Alexander Tynberg**AGENT:** Permit Partners LLC (David Cancialosi)**ZONING:** SF-3-NP (WANG)**LEGAL DESCRIPTION:** LOT B MCGINNIS SUBD**VARIANCE REQUEST:** reduce side setback from 10 ft. to 0 ft.**SUMMARY:** erect a boat dock**ISSUES:** tree & channel issues

	ZONING	LAND USES
<i>Site</i>	SF-3-NP	Single-Family
<i>North</i>	SF-3-NP; Lake	Single-Family
<i>South</i>	SF-3-NP	Single-Family
<i>East</i>	SF-3-NP	Single-Family
<i>West</i>	SF-3-NP; Lake	Single-Family

NEIGHBORHOOD ORGANIZATIONS:

Austin Neighborhoods Council; Bike Austin; Central West Austin Neighborhood Plan Contact Team; Friends of Austin Neighborhoods; Hill Country Conservancy; Neighborhood Empowerment Foundation; Preservation Austin; SEL Texas; Save Barton Creek Assn.; Save Our Springs Alliance; Sierra Club, Austin Regional Group; TNR BCP – Travis County Natural Resources; Tarrytown Alliance; Tarrytown Neighborhood Association; West Austin Neighborhood Group



Subject Tract



Base Map

CASE#: C15-2019-0029

LOCATION: 2710 SCENIC 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 the Development Services Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

Alexander H. Tynberg, Trustee
Tynberg Family Living Trust
2501 Tarryhill Place
Austin, TX 78703

July 18, 2019

City of Austin
City of Austin Board of Adjustment
One Texas Center
505 Barton Springs
Austin, Texas 78704

RE: CASE # C15-2019-0029; 2710 SCENIC DRIVE BOAT DOCK – REDUCE SIDE SETBACK FROM 10’ TO 4’ ALONG SOUTH SIDE PROPERTY LINE – RECONSIDERATION REQUEST

Dear Board of Adjustment Commissioners,

I am the owner of 2710 Scenic Drive and I am seeking a variance from the requirements of Chapter 25-2 to expand an existing single slip cut-in boat dock in order to accommodate reasonable use of an accessory boat dock use on my property.

I was at the initial hearing on July 8, 2019 and I would like the opportunity to present my case to the Board of Adjustments (the “Board”) directly on appeal. With all due respect to the Board, I believe it erred by not acknowledging the stated hardships for this case in accordance with Article III (B)(2), *Required Findings*.

On that basis, I am appealing the Board’s decision in accordance with Article V (F)(4)(c) whereby I am presenting the stated hardships in a clear manner as well as including new information not presented at the July 8, 2019 meeting that resulted from the Board’s recommendations pursuant to the initial motion to postpone the case. A copy of the original application, cover letter, initial site and dock plan set, and PowerPoint presentation is enclosed per Exhibit A. I also am providing new, additional information related to the southern neighbor’s adjacent trees, updated neighbor communications, a current site and dock plan set, an arborist report, and certain tree protection and enhancement measures in subsequent exhibits.

It is my humble opinion the Board erred in its decision to deny the requested variance by not acknowledging the hardships despite multiple hardships being presented in written, verbal, and exhibit formats. While I acknowledge limited discussion may occur given the Board’s rules and procedures as they pertain to presentation and subsequent discussion once the public hearing is closed, I reassert via this Reconsideration request that the site, in fact, has several hardships and is in keeping with Article III (B)(2), *Required Findings*. These hardships are unique to the property and not created by me. This information was presented in the application materials and I respectfully request the Board review the stated hardships that are outlined again below.

As the Board is aware, Article III (B)(2) states the following: “*Required Findings*. In order to grant a zoning variance, the Board must find that:

- (a) The zoning regulations applicable to the property do not allow for a reasonable use;
- (b) The hardship for which the variance is requested is unique to the property and not general to the area in which the property is located; and
- (c) 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 regulations to the zoning district in which the property is located.”

I believe the existing site conditions clearly reflect the above stated findings whereby (1) the site specific conditions preclude our ability to have reasonable use of the site in order to expand the existing boat dock, (2) the facts are clear that a hardship exists, and (3) the variance will not alter the character of the area or impair the use of adjacent conforming properties or the purpose of the regulations.

As a result, I was perplexed by the outcome of the initial hearing when the Board was presented with a motion to postpone the case in order for two (2) questions to be answered by the applicant:

- (1) The status of the neighboring tree or trees located on the southern neighboring property whose ½ critical root zone could be impacted by the proposed boat dock expansion, and,
- (2) The southern neighbor’s position regarding the proposed encroachment into the southern side setback.

That postponement was accepted by my representative; however, before that motion to postpone was voted upon, a substitute motion to deny the variance was made and subsequently passed, denying the requested variance. We believe it is important to address the questions posed at this initial hearing, particularly in light of the fact that (1) the requirements for the granting of a zoning variance are present and (2) my southern neighbor is not opposed to our current variance request.

The City Land Development Code 25-2-1176(A)(4) allows for a boat dock to be the width of twenty (20) percent of a property’s shoreline, which in this case represents a boat dock of 24’ 6” wide (as the property’s frontage on Lake Austin is 122.86’). The existing cut-in is 16’ 4” and the partially constructed existing boat dock is 18’ 6”, which is located above the cut-in.

Per this Reconsideration request, our modified, current plan is to widen the existing cut-in at the shoreline from 16’ 4” to ~19’ 3”, which is less than an additional 3’, and to widen the proposed vertical portion of the boat dock to ~19’ 3” at the shoreline and ~20’ 3.5” at the back of the boat dock structure as we will stay clear of the ½ critical root zones of the 21” Cottonwood and 15” Tallow trees that are located on my southern neighbor’s property. See Exhibit B for a recent survey showing the locations of the critical root zones of my southern neighbor’s trees on the property and Exhibit C for the current site and dock plan set.

This modified, current request would provide for a south side setback of at least 6', specifically 6' 3", for the vertical boat dock structure, which is substantially less of an encroachment than the original variance request for a 0' setback. For this design, we will need to access the boat dock from the sides of the vertical dock structure and plan to have above-ground decking for this purpose that also would not impact the ½ critical root zones for any of the adjacent trees and would limit that decking to no more than 4' from the south side setback, which also is less of an encroachment than the original variance request for a 0' setback. **To be clear, we are seeking a variance to reduce the south side setback from 10' to 4'; however, any vertical construction of the boat dock would be limited to a south side setback of at least 6'.**

Hardships

- (1) The expansion of the proposed boat dock is necessary towards the south side setback due to a 23" Cypress tree located on the north side of the current partially constructed dock.
- (2) The 23" Cypress' ½ critical root zone is located at the northern edge of the current cut-in. City regulations prohibit any further cut into that ½ CRZ.
- (3) A bump out dock is not feasible because an island exists at the other side of the channel. This island exists across the property's entire shoreline. This is specifically unique to my property as no other lot in the immediate area is adjacent to this channel. The channel regulations cited in City Land Development Code 25-2-1176 clearly prohibit a reasonable use of any bump out dock design.
- (4) The only viable option to allow for a reasonable boat dock width consistent with adjacent properties is to expand the dock toward the southern setback.
- (5) Denying this request restricts my property rights more so than immediately located properties.

Prior to our hearing, the Board heard Case # C15-2019-0027 regarding 810 ½ San Marcos Street. That case sought a variance for height given the manner in which the height for a building on that property was measured from the grade of the street. That property was situated much higher than other properties on that street, but an average grade was used, which resulted in the property having substantially less potential building height from its own street grade for that height measurement. The Board unanimously approved that variance to address those site-specific conditions even with neighborhood opposition speaking out at the hearing against the variance request.

This case has the same concept with no neighborhood opposition. We are seeking a variance for the ability to build additional width (as opposed to height) to our boat dock. Because of protected trees along the shoreline of my property, the only feasible option to obtain additional width to the proposed boat dock is to expand the width to the south into a portion of the property's side setback.

We have non-opposition by my southern neighbor and the West Austin Neighborhood Group (the local neighborhood group), and support by other surrounding neighbors for this request. See Exhibit D showing no opposition by my southern neighbor for this modified, current variance request.

We have and will continue to spend significant cost and effort to protect and preserve the trees onsite. Our current plan safeguards our southern neighbor's two trees whose ½ critical root zone extends onto my property as recommended by an arborist to assess the site for this purpose (even though the arborist also has concluded that these trees are not preferred species). Please see the arborist report per Exhibit E, which specifically addresses the Board's concerns regarding these adjacent trees. In addition, Exhibit F documents over \$27,000 that has been spent on tree protection and enhancement measures on my property over the past three years.

I fail to understand why some members of the Board were unwilling to grant this request since my property's hardships are evident as a result of very specific site conditions. I recognize that it is possible that our hardships may not have been fully understood at the July 8 Board hearing. My hope that this application for Reconsideration will provide me an opportunity to clearly outline the hardships as well as any concessions the Board may consider such as vegetative screening, tree mitigation, or other measures pertinent to the boat dock and surrounding ecosystem.

We would like to highlight that a granting of approval of our variance request will enable us to finalize the design of our boat dock and move forward with a reasonable degree of certainty via formal site plan application that will achieve the following:

- (1) Increase the floodplain rating along the shoreline per site plan requirements,
- (2) Increase the vegetative plantings along the shoreline per site plan requirements,
- (3) Meet the objectives for vegetative screening of our southern neighbor that are not in place for the current partially-constructed boat dock,
- (4) Generate a stabilized volumetric flow via the cut-in slip area,
- (5) Improve the shoreline by meeting the City's shoreline modification requirements,
- (6) Provide any needed wave abatement, which may be required to stabilize the shoreline where the existing bulkhead is constructed, and
- (7) Address other conditions necessary as set forth by the Environmental Commission or Zoning & Platting Commission should we move forward with the required variance for a cut-in excess of 4'

There are a multitude of ways to improve the shoreline on my property. I am willing to discuss these and implement only the highest of best management practices in order to increase the overall rating of the shoreline.

We hope that the Board will reconsider its initial decision and allow me to present the case for Reconsideration.

Sincerely,



Alex Tynberg, Trustee
(512) 496-5373; atynberg@tynberg.com

Exhibit A



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: 2710 SCENIC DR.

Subdivision Legal Description:

LOT B MCGUINNESS SUBDIVISION

Lot(s): B Block(s): _____

Outlot: _____ Division: _____

Zoning District: _____

I/We PERMIT PARTNERS, LLC on behalf of myself/ourselves as
authorized agent for ALEX TYNBERG affirm that on
Month May, Day 14, Year 2019, 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:

Reduce side setback from 9' 5" to 00' side yard setback PER 25-2-1176-A-3

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:

SEE ATTACHED COVER LETTER

Hardship

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

SEE ATTACHED COVER LETTER

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

SEE ATTACHED COVER LETTER

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:

SEE ATTACHED COVER LETTER

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:  Date: 5/14/19

Applicant Name (typed or printed): PERMIT PARTNERS, LLC (David Cancialosi)

Applicant Mailing Address: 105 W. RIVERSIDE #225

City: AUSTIN State: TEXAS Zip: 78704

Phone (will be public information): 512-593-5361

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: _____ Date: _____

Owner Name (typed or printed): SEE ATTACHED

Owner Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone (will be public information): _____

Email (optional – will be public information): _____

Section 5: Agent Information

Agent Name: David Cancialosi (PERMIT PARTNERS, LLC)

Agent Mailing Address: 105 W. RIVERSIDE RD. #225

City: AUSTIN State: TEXAS Zip: 78704

Phone (will be public information): 512-593-5361

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).

N/A SEE COVER LETTER

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: _____ Date: _____

Applicant Name (typed or printed): _____

Applicant Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone (will be public information): _____

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: Alexander H. Tynberg, Trustee Date: 5/7/19

Owner Name (typed or printed): Alexander H. Tynberg, Trustee

Owner Mailing Address: 2501 Tarryhill Place

City: Austin State: TX Zip: 78705

Phone (will be public information): 512-496-5373

Email (optional – will be public information): 

Section 5: Agent Information

Agent Name: _____

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).

Permit Partners, LLC
 105 W Riverside Dr., Suite 225
 Austin, TX 78704
 512-593-5361 (P)

June 20, 2019

City of Austin
 City of Austin Board of Adjustment
 One Texas Center
 505 Barton Springs
 Austin, Texas 78704

RE: REVISED COVER LETTER - 2710 Scenic Drive – Reduce side yard setback from 9' 5" to 0.0' for completion of cut-in slip dock construction

Dear Board of Adjustment Commissioners,

The property owner is seeking to redesign an existing single slip cut-in slip in order to accommodate a reasonable use of a boat dock. This use is consistent with one or two slip boat docks found throughout Lake Austin. As you are aware a boat dock use is an accessory use to primary single-family structures; boat docks are allowed by right per the Land Development Code. This dock needs to be completed via widening the existing cut-in slip.

The current cut-in slip was created at some point in the late 1980's or very early 1990 's. It has remained in its current 16' 5" wide configuration since that time. The dock was permitted for redesign in 2018 via COA formal site plan process and subsequent building permit. That owner sold the property and did not complete construction of the dock improvements. The new owner is the current applicant and seeks to complete the construction.

The bulkhead is in the same location per original construction. Current owner is proposing to expand that width to 20% of the shoreline, measuring as 24' 6" wide. The owner desires to maintain a cut-in slip vs. a bump out dock per the reasons outlined below. As is, the dock is not functional in its current state - construction needs to be completed in order for the dock to be fully functional. There is a 23" Cypress on the north side of the dock, opposite the sideyard setback. The owner does not want to increase the CRZ encroachment into the adjacent 23" Cypress. This necessitates decreasing the side yard setback located on the opposite side of the dock.

Before the property owner pursues the formal site plan process for the dock, and, an eventual EV variance for "cut greater than 4 feet" (in order to expand the cut-in slip), the owner is looking for reasonable degree of assurance that the desired dock can be constructed per the attached design. Again, the proposal expands the 16' 5" cut-in slip to a total width of 24' 6". This dock design extends the existing encroachment into the 10' side yard setback from essentially 9' 5" setback to 0.0' setback.

In reality the proposed encroachment creates a 1' 5" setback along the southern (side) property line per the exhibits, but some wiggle is desired room to amend the footprint in the field as needed – the dock will never closer than 1' 5". We feel this is a reasonable request as the use is an allowable use in SF-3 zoning, but more importantly, the proposed location is consistent with other docks in the area, it's the only manner in which to utilize the accessory use consisted with the 20% rule, and there are no further adverse impacts to adjacent properties.

Reasonable Use

A boat dock use is a reasonable in that it is allowed in LA zoning. This accessory use is allowed by right per code. A dock is a common use among properties with lake frontage. The dock location is in keeping with varied dock locations on other properties in the immediate area of this cove. Most of the surrounding docks take access from Scenic Drive and connected streets deep within Tarrytown.

The proposed dock removes about 200 SF of dirt which is capped with concrete . This area is between the southern bulkhead and the property line (and sits within the 10' side setback). The owner desires to remove that area and replace with useable slip area in order to safely navigate watercraft. The development code allows a dock to be 20% of a lot's total lake frontage . The owner requests he be allowed utilize the code in a reasonable

Permit Partners, LLC
 105 W Riverside Dr., Suite 225
 Austin, TX 78704
 512-593-5361 (P)

manner.

Hardship

The lot has 122.86' frontage on Lake Austin. The City Land Development Code allows 20% dock width. That equates to 24' 6" on this site. The expansion of the proposed dock is necessary towards the side setback due to said 23" Cypress tree located on the north side of the dock. This slip currently encroaches approximately 8' into the full CRZ; however, the dock and cut-in bulkhead are located just outside the tree's ½ CRZ. The owner desires to preserve that footprint. The new dock structure does not increase the CRZ encroachment any closer to the protected tree.

Further to the north exists a 44" Cypress tree. There is only 10' 6" between the CRZ of each tree. The environmental regulations will not allow the placement of a cut-in between a 23" Cypress and 44" Cypress. The 44" Cypress tree is located on or very near the north property line. Thus there exists no practical location for a cut-in slip anywhere else on the lot given the applicable tree and related regulations.

However, in exploring alternative locations, one proposal is to fill the existing cut-in slip and introduce a new 24' 6" cut-in slip between the two protected trees. Upon examination, we found this would require significant placement of fill in the existing slip as well as dredging in any new cut-in area. Generally speaking, cut-in slips and dredging within a CRZ is not a best management practice if not outright prohibited per code. Typically referred to as "*cut and fill in excess of 4'*", this process is prohibited by Code and requires at least two (2) environmental variances from the environmental commission plus the zoning and platting commission. Generally, fill in the lake reduces Lake Austin's volumetric flow by removing the amount of water in the lake, and in turn, impacting the amount of drinking water allocated to the City of Austin by the Army Corps of Engineers. This is a long, cost prohibitive process at the very end of a long formal site plan review process. Thus, this alternative is not feasible and the current request to enlarge the existing cut-in slip is being requested via reduction of the 10' setback.

A second alternative was explored. This feasibility proposed to fill the cut-in slip and construct a bump-out dock:

1. At the current location, or
2. Construct a bump out dock between the two protected trees.

The second protected tree further to the north is a 44" Cypress. Either location is not feasible for two reasons:

1. A *navigational hazard* is created by a bump out dock, and
2. The limited dock length is not functional since the area in front of the dock is categorized as a *channel*.

An island exists behind this property. This creates the *channel*. City staff has confirmed this in writing. The channel between the property and the island is approximately 70' wide. The Land Development Code allows 20% of a channel's width when calculating the maximum dock length for any dock protruding into a channel. This would reduce the normal 30' dock length allowed by code to a maximum length of 14' (70' channel x 20% = 14' dock length).

The protected trees as well as the channel present two (2) unique hardships specific to this property. The only reasonable option is to widen the exiting cut-in slip and construct the proposed dock structure.

Not General to the Area

There are no other lots along this stretch of Scenic Drive or surrounding area that 1) have a channel due to the island directly across the rear of this lot and 2) have one protected tree and one heritage tree located along the shoreline. All conditions are unique to this lot.

Area of Character

The proposed dock is consistent with dock locations in or near the side setback found throughout Lake Austin. The adjacent dock at 2708 Scenic Drive is located *within* its 10' side setback. Several docks in the area are a mixture of cut-in and bump out docks due to age and character of design as well as site conditions specific to those properties. Many of those docks are legal non-compliant. There is heavy vegetation along the southern property line which

Permit Partners, LLC
105 W Riverside Dr., Suite 225
Austin, TX 78704
512-593-5361 (P)

shields the dock from the southern neighbors view. The property owner is open to increasing vegetative screening as needed to accommodate any concerns voiced by the neighbor or the Commission.

The positive outcome of the Board 's approval will be:

1. An increased floodplain rating along the shoreline per site plan requirements
2. Increased vegetative plantings along the shoreline per site plan requirements
3. A stabilized volumetric flow via the cut-in slip area.
4. A cut-in slip poses no navigational hazard typically found with a bump out docks
5. A cut-in slip poses no navigational hazard in this channelized area of Lake Austin.
6. No further encroachment into the 23" Cypress CRZ is required.
7. The 44" Cypress remains unencumbered

On behalf of the property owner I respectfully ask the Board approve this request for the aforementioned reasons.

Please reference exhibits accompanying this application.

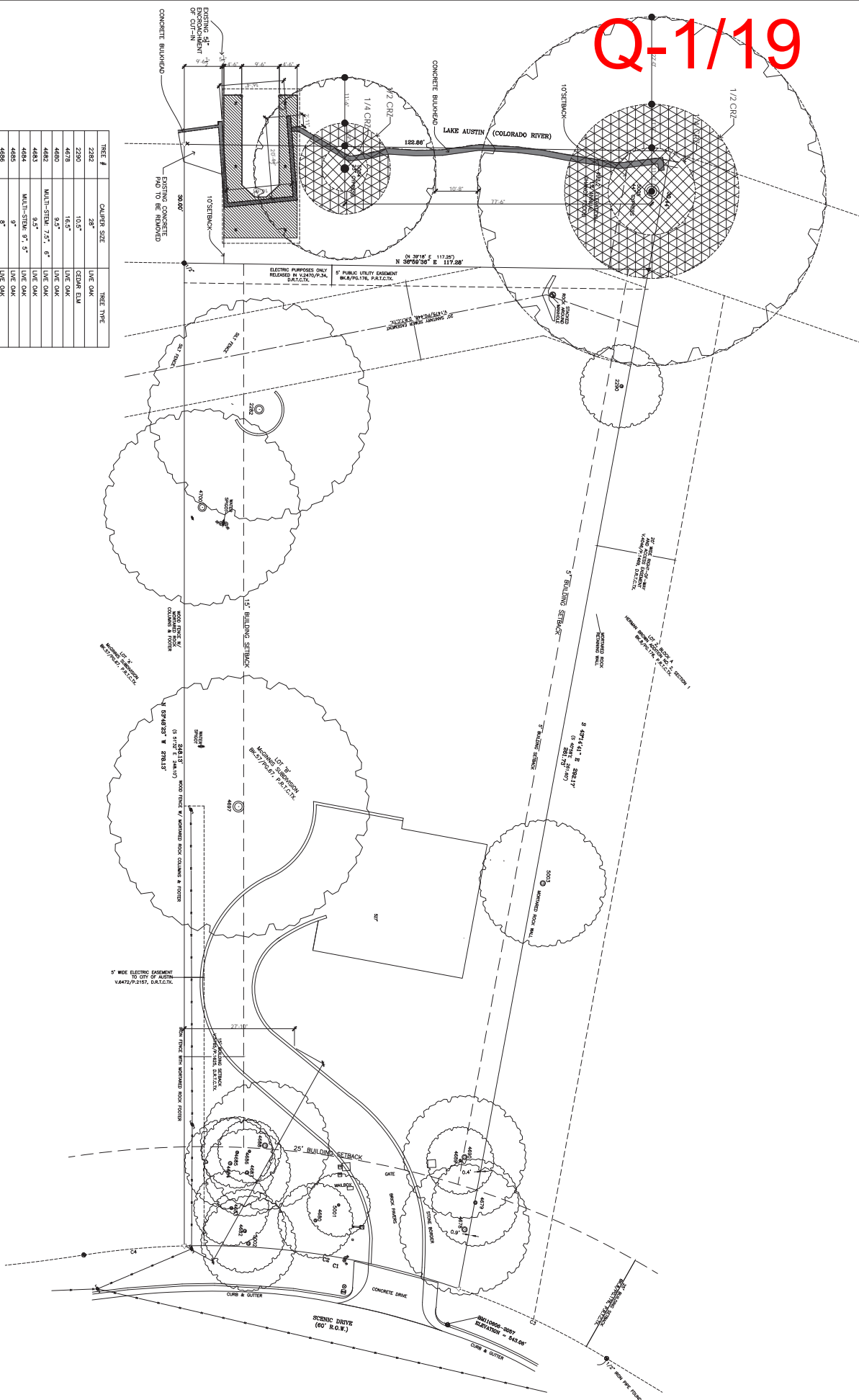
Sincerely,



David C. Cancialosi, Agent for Owner

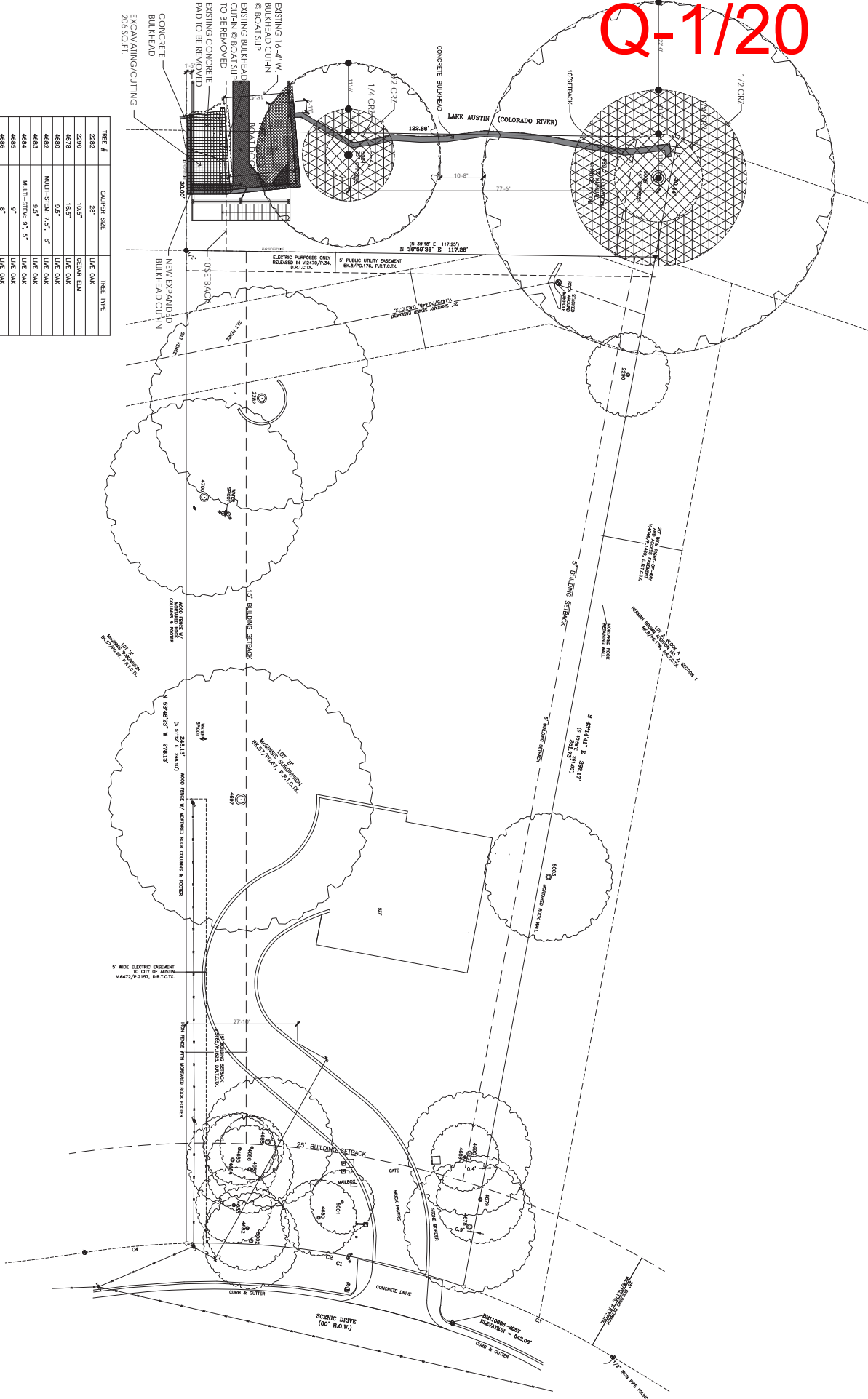
Cc Alex Tynberg, property owner

TREE #	CANOPY SIZE	TREE TYPE
2282	28'	LIVE OAK
2283	10.5'	CITRUS ELM
4678	16.5'	LIVE OAK
4680	9.5'	LIVE OAK
4682	MULTI-STEM 7.5' - 6"	LIVE OAK
4683	9.5'	LIVE OAK
4684	MULTI-STEM 9' - 5"	LIVE OAK
4685	9'	LIVE OAK
4686	8'	LIVE OAK
4687	11'	LIVE OAK
4688	MULTI-STEM 12.5' - 7.5'	LIVE OAK
4689	8.5'	CITRUS ELM
4690	15.5'	CITRUS ELM
4691	MULTI-STEM 9.5' - 9'	RED OAK
4692	15.5'	LIVE OAK
4700	MULTI-STEM 18' - 13.5'	LIVE OAK
5001	12'	LIVE OAK (OPPRESSO)
5003	14'	LIVE OAK
5004	23'	CYPRESS
5005	44'	CYPRESS

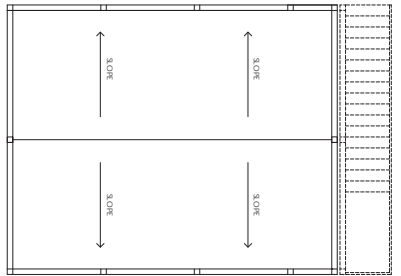
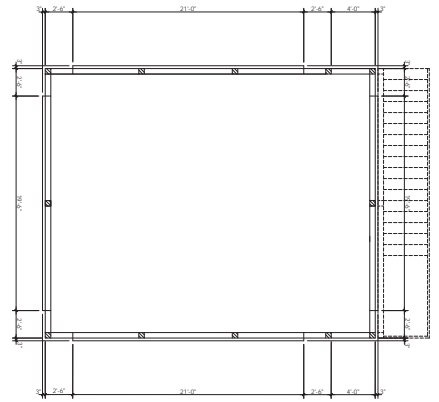
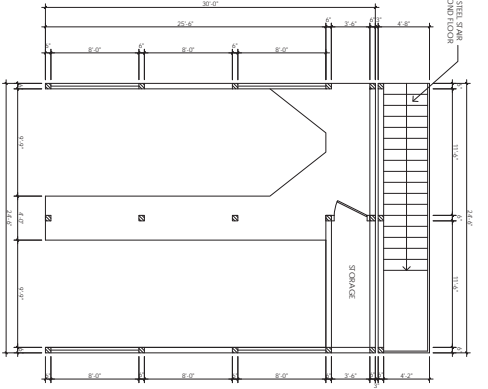


1 EXISTING SITE PLAN
SCALE 1/32" = 1'-0"

TREE #	CANOPY SIZE	TREE TYPE
2282	28'	LIVE OAK
2283	10.5'	CELESTIAL
4678	16.5'	LIVE OAK
4680	9.5'	LIVE OAK
4682	7.5'	LIVE OAK
4683	9.5'	LIVE OAK
4684	9'	LIVE OAK
4685	9'	LIVE OAK
4686	11'	LIVE OAK
4687	12.5'	LIVE OAK
4688	8.5'	CELESTIAL
4689	15.5'	CELESTIAL
4690	15.5'	RED OAK
4691	15.5'	RED OAK
4692	15.5'	RED OAK
4693	15.5'	RED OAK
4694	15.5'	RED OAK
4695	15.5'	RED OAK
4696	15.5'	RED OAK
4697	15.5'	RED OAK
4698	15.5'	RED OAK
4699	15.5'	RED OAK
4700	15.5'	RED OAK
4701	15.5'	RED OAK
4702	15.5'	RED OAK
4703	15.5'	RED OAK
4704	15.5'	RED OAK
4705	15.5'	RED OAK
4706	15.5'	RED OAK
4707	15.5'	RED OAK
4708	15.5'	RED OAK
4709	15.5'	RED OAK
4710	15.5'	RED OAK
4711	15.5'	RED OAK
4712	15.5'	RED OAK
4713	15.5'	RED OAK
4714	15.5'	RED OAK
4715	15.5'	RED OAK
4716	15.5'	RED OAK
4717	15.5'	RED OAK
4718	15.5'	RED OAK
4719	15.5'	RED OAK
4720	15.5'	RED OAK
4721	15.5'	RED OAK
4722	15.5'	RED OAK
4723	15.5'	RED OAK
4724	15.5'	RED OAK
4725	15.5'	RED OAK
4726	15.5'	RED OAK
4727	15.5'	RED OAK
4728	15.5'	RED OAK
4729	15.5'	RED OAK
4730	15.5'	RED OAK
4731	15.5'	RED OAK
4732	15.5'	RED OAK
4733	15.5'	RED OAK
4734	15.5'	RED OAK
4735	15.5'	RED OAK
4736	15.5'	RED OAK
4737	15.5'	RED OAK
4738	15.5'	RED OAK
4739	15.5'	RED OAK
4740	15.5'	RED OAK
4741	15.5'	RED OAK
4742	15.5'	RED OAK
4743	15.5'	RED OAK
4744	15.5'	RED OAK
4745	15.5'	RED OAK
4746	15.5'	RED OAK
4747	15.5'	RED OAK
4748	15.5'	RED OAK
4749	15.5'	RED OAK
4750	15.5'	RED OAK
4751	15.5'	RED OAK
4752	15.5'	RED OAK
4753	15.5'	RED OAK
4754	15.5'	RED OAK
4755	15.5'	RED OAK
4756	15.5'	RED OAK
4757	15.5'	RED OAK
4758	15.5'	RED OAK
4759	15.5'	RED OAK
4760	15.5'	RED OAK
4761	15.5'	RED OAK
4762	15.5'	RED OAK
4763	15.5'	RED OAK
4764	15.5'	RED OAK
4765	15.5'	RED OAK
4766	15.5'	RED OAK
4767	15.5'	RED OAK
4768	15.5'	RED OAK
4769	15.5'	RED OAK
4770	15.5'	RED OAK
4771	15.5'	RED OAK
4772	15.5'	RED OAK
4773	15.5'	RED OAK
4774	15.5'	RED OAK
4775	15.5'	RED OAK
4776	15.5'	RED OAK
4777	15.5'	RED OAK
4778	15.5'	RED OAK
4779	15.5'	RED OAK
4780	15.5'	RED OAK
4781	15.5'	RED OAK
4782	15.5'	RED OAK
4783	15.5'	RED OAK
4784	15.5'	RED OAK
4785	15.5'	RED OAK
4786	15.5'	RED OAK
4787	15.5'	RED OAK
4788	15.5'	RED OAK
4789	15.5'	RED OAK
4790	15.5'	RED OAK
4791	15.5'	RED OAK
4792	15.5'	RED OAK
4793	15.5'	RED OAK
4794	15.5'	RED OAK
4795	15.5'	RED OAK
4796	15.5'	RED OAK
4797	15.5'	RED OAK
4798	15.5'	RED OAK
4799	15.5'	RED OAK
4800	15.5'	RED OAK

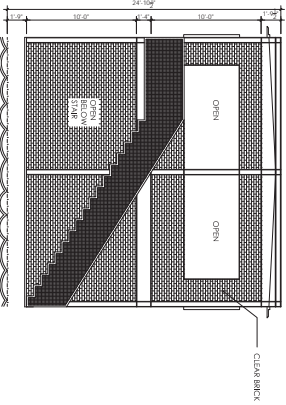
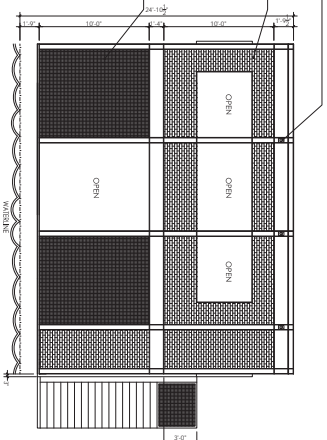
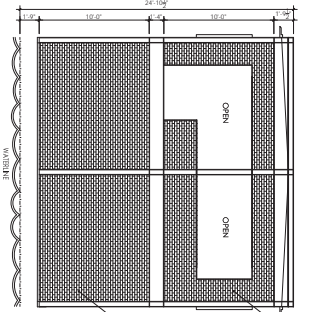
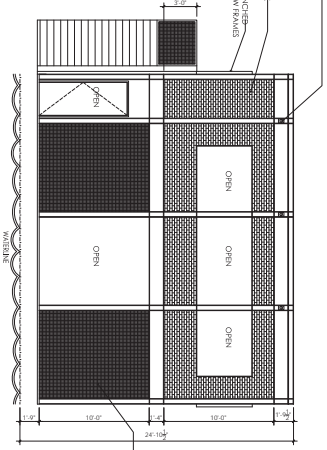
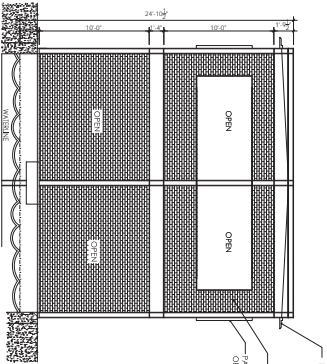


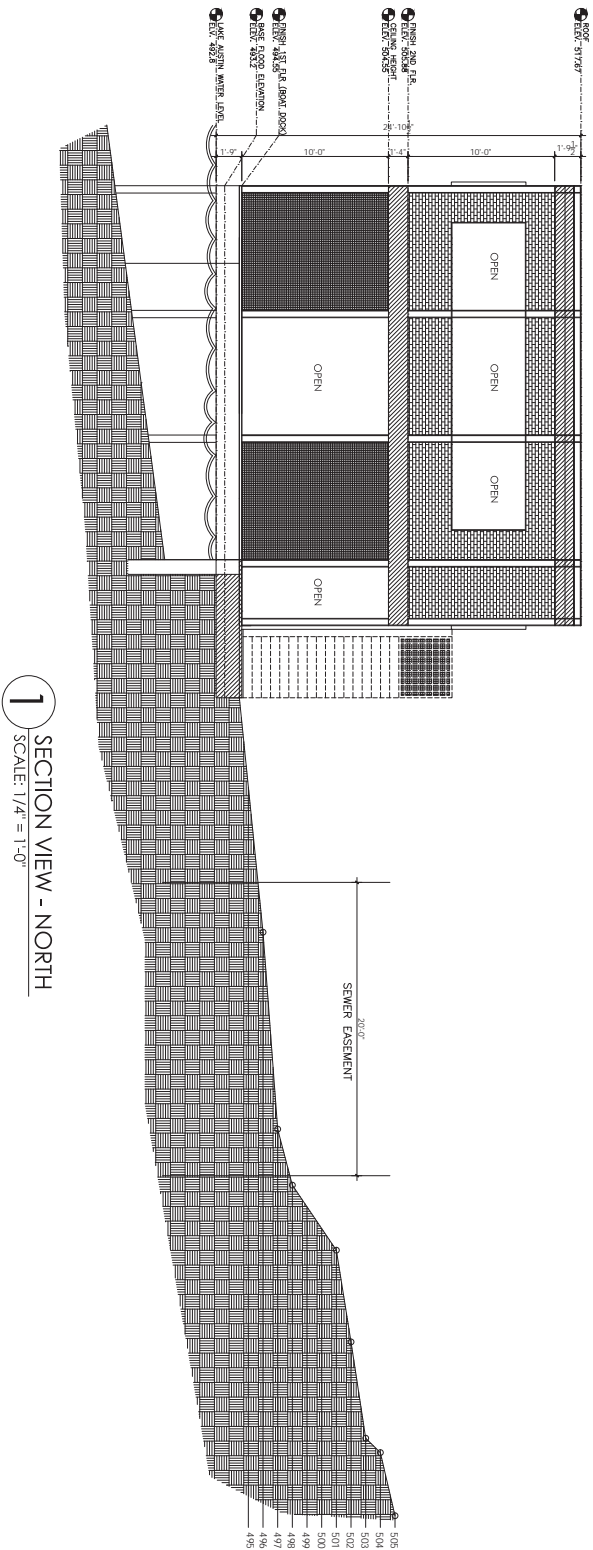
1 PROPOSED SITE PLAN
SCALE 1/8" = 1'-0"

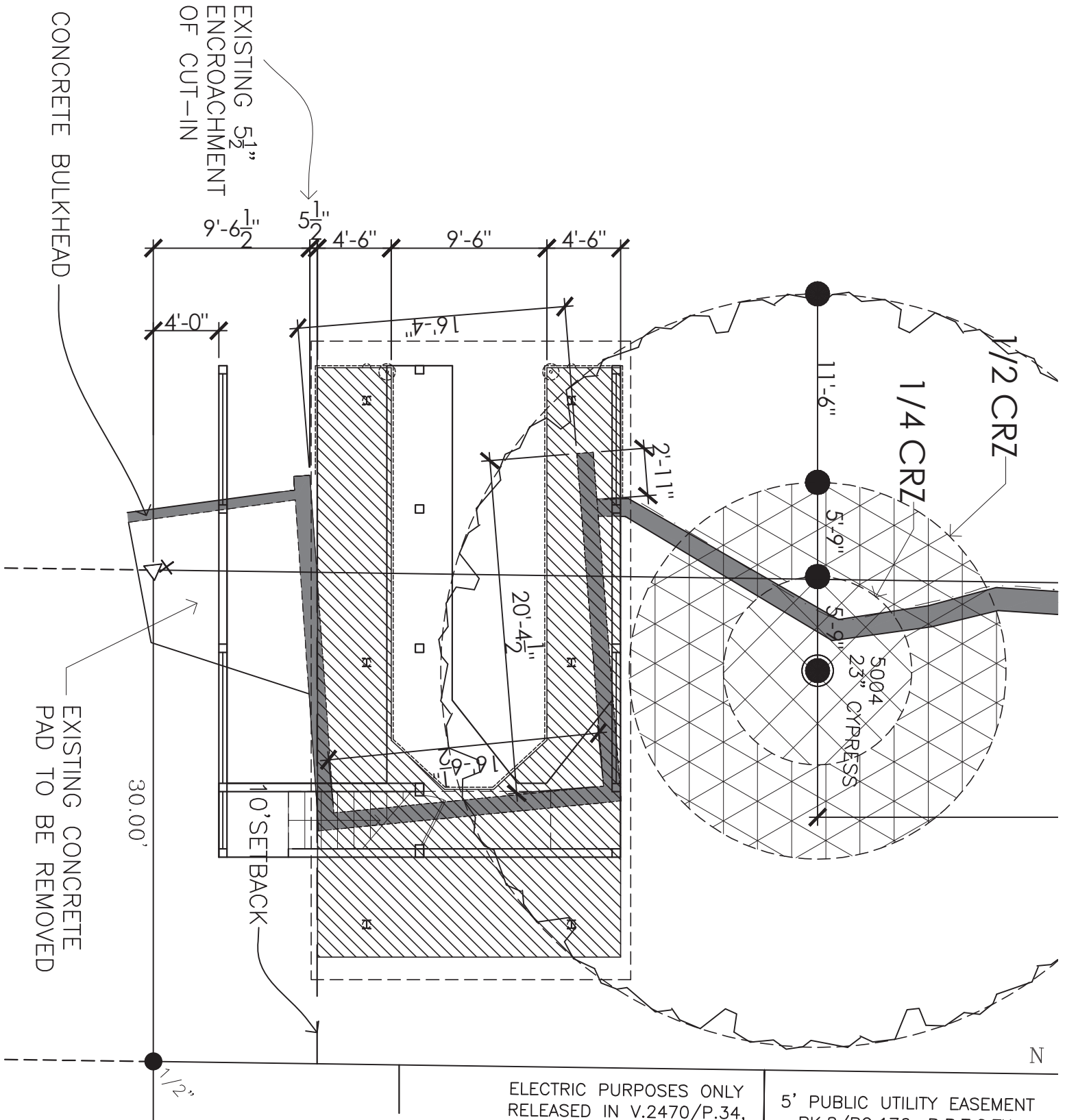


- NOTES:
1. THE PROPOSED BOAT DOCK MUST COMPLY WITH ALL REQUIREMENTS OF LDC 26.5-1174 STRUCTURAL REQUIREMENTS AND MUST COMPLY WITH CHAPTER 26-12, CRITERIA MANUAL, BUILDING CODES AND THE BUILDING CRITERIA MANUAL.
 2. THERE IS NO SUPER NE ADAPTATION OR DREDGING PROPOSED ON THIS PROJECT.
 3. THERE ARE NO OFFROADS PROPOSED ON THIS PROJECT.
 4. THERE IS NO TREE REMOVAL PROPOSED ON THIS PROJECT.
 5. THERE IS NO PROPOSED GROUND DISTURBANCE ASSOCIATED WITH THE DEMOLITION OF THE EXISTING BOAT DOCK.
 6. THE DOCK IS AT LEAST 83% OPEN.

OPENNESS CALCULATION	
CUMULATIVE AREAS	
SOLID 1880 SQ. FT.	
OPEN 828 SQ. FT.	
TOTAL 2901 SQ. FT.	
33% OPEN	







ELECTRIC PURPOSES ONLY
RELEASED IN V.2470/P.34,

5' PUBLIC UTILITY EASEMENT













Fwd: Proposed Boat Dock on 2710 Scenic Drive

Alex Tynberg

Wed 7/3/2019 11:29 AM

To: Kasey Jaegers <

The below is from our eastern neighbor.

Sent from my iPhone

Begin forwarded message:

From: john trube <[trube@trubefamily.com](#)>

Date: June 29, 2019 at 4:36:52 PM CDT

To: Alex Tynberg <[atynberg@trubefamily.com](#)>

Subject: Re: Proposed Boat Dock on 2710 Scenic Drive

Trube family supports it. We know you will be sensitive to your neighbors and do everything professionally and with good taste.

-jt

On Jun 29, 2019, at 3:47 PM, Alex Tynberg <[atynberg@trubefamily.com](#)> wrote:

Hello Kathleen, Chris, Caroline, and John –

We hope that you are having a great summer so far. I wanted to reach out to you since, in addition to the McGinnis family who are our 2710 Scenic Drive neighbors to the south, you are our other direct neighbors (other than the house to the north of the Trube's that is for sale). We have been in close coordination with the McGinnis family regarding our proposed boat dock. The existing cut-in with the dock that was under construction by the former owner of our property, in it's current layout with the existing cut-in of 16' 4", already encroaches into the 10' side setback to McGinnis' property to the south ~5.5". We are requesting to extend that encroachment in order to maximize our allowable cut-in/dock width by right for our new proposed boat dock.

As you may know, given the City correspondence, we are requesting a Board of Adjustment variance to enable us to expand the existing cut-in to our 20% of the shoreline right per the City zoning. The 20% of the shoreline right represents a cut-in/dock width of 24' 6", which is ~8' 2" more than the existing cut-in of 16' 4". As stated in the attached Board of Adjustment letter, we are unable to expand the existing cut-in to the north because there is an existing protected tree critical root zone in that direction (specifically, we essentially already are up against the ¼ critical root zone with the cut-in). The other approach would be to complete an entirely new 24' 6" cut-in between the two protected trees on our property in the middle of the lot, but we are told that this would be a very difficult approval by the City since we would be impacting the ½ critical root zones between both of those protected trees and would have to go back and fill in the existing cut-in that then would be abandoned. There is significantly greater environmental impact to that alternative.

From: [REDACTED]
To: [Ramirez, Elaine](#)
Cc: [REDACTED]
Subject: Case No. C15-2019-0029
Date: Saturday, June 29, 2019 7:00:33 PM

Hello Elaine,

Our neighbor, Alex Tynberg, proposes to expand his dock in case No. C15-2019-0029. We have reviewed the plans and believe that the proposal is reasonable and offers the lowest amount of environmental impact.

We have lived next door since 2013, in addition to preserving the trees on the property, Alex's plan is also sensitive to the nature that inhabits the channel and island. His plan does not further obstruct views or light.

Thank you,

Chris and Kathleen Loughlin
2712 Scenic Drive, Austin, TX 78703
512 229 8977

From: [REDACTED]
To: [Ramirez, Elaine](#)
Cc: [REDACTED]
Subject: C15-2019-0029; 2710 Scenic Drive
Date: Wednesday, July 03, 2019 11:40:40 AM

3 July 2019

Elaine Ramirez, Liaison
Board of Adjustment
City of Austin

Dear Board of Adjustment:

At its regularly scheduled monthly meeting the Board of Directors (BoD) of West Austin Neighborhood Group (WANG) met with the applicant and owner in the above referenced variance request matter at 2710 Scenic Drive. After discussion, the WANG BoD voted 8-4 to not oppose the variance request. Our non-opposition was predicated on the understanding that there has been no close by neighbor opposition to the request.

Thank you for your service to the City. A representative of WANG will be in attendance to speak to our position and be available to answer questions.

With respect;

Blake Tollett, Zoning
WANG

From: [REDACTED]
To: [Ramirez, Elaine](#)
Subject: Case Number: C15-2019-0029
Date: Monday, July 08, 2019 12:33:23 PM
Attachments: [image001.png](#)
[Scanned from a Xerox Multifunction Printer.pdf](#)

I object because I believe in general that granting variances to setback lines would set a bad precedent for the area. In addition, if the applicant intends to build a larger boathouse in that location, it could narrow an already small passageway from the lake to/from the lagoon.

Thank you.

Scott Caven | Managing Director | CIBC Private Wealth Management
11 Greenway Plaza, Suite 2625, Houston, TX 77046 | Tel: 832-941-5763 | Fax: 832 308-3128
[REDACTED]



This message, including attachments, is confidential and may be privileged. If you received this in error, please notify me by reply email and delete this message.

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 development or change. 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 is required.

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 web site: www.austintexas.gov/devservices.

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: C15-2019-0029

Contact: Elaine Ramirez, 512-974-2202

Public Hearing: Board of Adjustment, July 8th, 2019

BARRY WUKESCH

Your Name (please print)

☐ I am in favor
☒ I object

2703 MOONLIGHT BEND

Your address(es) affected by this application

Barry Wukesch

Signature

7-1-2019

Date

Daytime Telephone: 480-457-0257

Comments: THE OUTCOME OF THIS VARIANCE APPLICATION
WILL NOT HAVE ANY IMPACT DIRECTLY ON MY
PROPERTY. HOWEVER, "SET BACK" REGULATIONS ARE
IMPORTANT BECAUSE THEY PROTECT NEIGHBOR'S PROPERTY,
IF A PROPERTY CHANGES A 10 FOOT SET BACK TO A
Ø SET BACK, IT CAN START A TEND OF SIMILAR "Ø-
SET BACKS," SO I RECOMMEND THAT ALL EXISTING
SET BACKS REMAIN, WITHOUT CHANGES.

If you use this form to comment, it may be returned to:

City of Austin-Development Services Department/ 1st Floor

Elaine Ramirez

P. O. Box 1088

Austin, TX 78767-1088

Fax: (512) 974-6305

Scan & Email to: elaine.ramirez@austintexas.gov

From: [REDACTED]
To: [Ramirez, Elaine](#)
Cc: [REDACTED]
Subject: Case No. C15-2019-0029; 2710 Scenic Drive, Austin, Texas
Date: Tuesday, July 16, 2019 6:45:53 PM

Ms. Ramirez:

I am the owner of the property at 2708 Scenic Drive. This property adjoins the property at 2710 Scenic Drive which Mr. Tynberg owns and which is the subject of the above referenced case. My understanding is that the current proposal is that the above ground structure of the 2-story dock will be at least 5' 6" from the south side setback. Based on this condition, I do not oppose the application in the above referenced case. Please feel free to contact me if you have any questions.

Campbell McGinnis

1202 Belmont Parkway
Austin, TX 78703
512-517-5700

2710 SCENIC DRIVE
AUSTIN, TX 78703

Case # C15-2019-0029

**Variance to reduce side yard setback from 9' 5" to 0.0'
for completion of cut-in slip dock**

LDC 25-2-1176

2710 SCENIC (SUBJECT SITE)



2710 SCENIC DR. (SUBJECT SITE)



2710 SCENIC DR. (SUBJECT SITE)



2710 SCENIC DR. (SUBJECT SITE)



2710 SCENIC DR. (SUBJECT SITE)



2710 SCENIC DR. (SUBJECT SITE)



2710 SCENIC DR. (SUBJECT SITE)



2710 SCENIC AERIAL



REASONABLE USE

- A boat dock use is a reasonable in that it is allowed in LA zoning.
- This accessory use is allowed by right per code.
- A dock is a common use among properties with lake frontage.
- The subject lot has 122.86' frontage on channel taking access from Lake Austin.
- The City Land Development Code allows 20% dock width. That equates to 24'6" on this site.
- We assert fully functioning dock is a reasonable use.
- A reasonable use is achieved via expansion of the existing 16' wide cut-in slip.

HARDSHIPS

- The expansion of the proposed dock is necessary towards the side setback due to 23" Cypress tree located on the north side of the dock.
- Existing slip currently encroaches approximately 8' into the full CRZ; however, the dock and cut-in bulkhead are located just outside the tree's ½ CRZ
- The new dock structure does not increase CRZ encroachment and closer to the protected tree.
- On the far north side of the property exists a 44" Cypress tree. There is only 10' 6" between the CRZ of each tree. The environmental regulations will not allow the placement of a cut-in between a 23" Cypress and 44" Cypress.
- The 44" Cypress tree is located on or very near the north property line.
- Thus there exists no practical location for a cut-in slip anywhere else on the lot given the applicable tree and related regulations.

HARDSHIPS CONTINUED – ALTERNATIVE LOCATIONS & DESIGNS

1. Cut-in slip between trees is not feasible:

- COA regulations do not allow a cut-in slip within the CRZs of protected and heritage trees
- Relocation of a cut-in slip of any size would require dredging and pylons within both tree's CRZs.

2. Bump out dock is not feasible:

- The lot backs up to a channel. A navigational hazard is created by a bump out dock.
- The channel allows a ~ 14' limited dock length, which is not functional
- An island exists behind this property. This created the channel. The channel between the property and the island is approximately 70'. LDC allows 20% of a channel's width when calculating the maximum dock length. This would reduce the normal 30' dock length allowed by code to a maximum length of 14' (70' channel x 20% = 14' dock length).
- The protected tree and the channel are independent of each other. Each one presents a distinct hardship to this property.
- The only reasonable option is to widen the existing cut-in slip and construct the proposed dock structured.

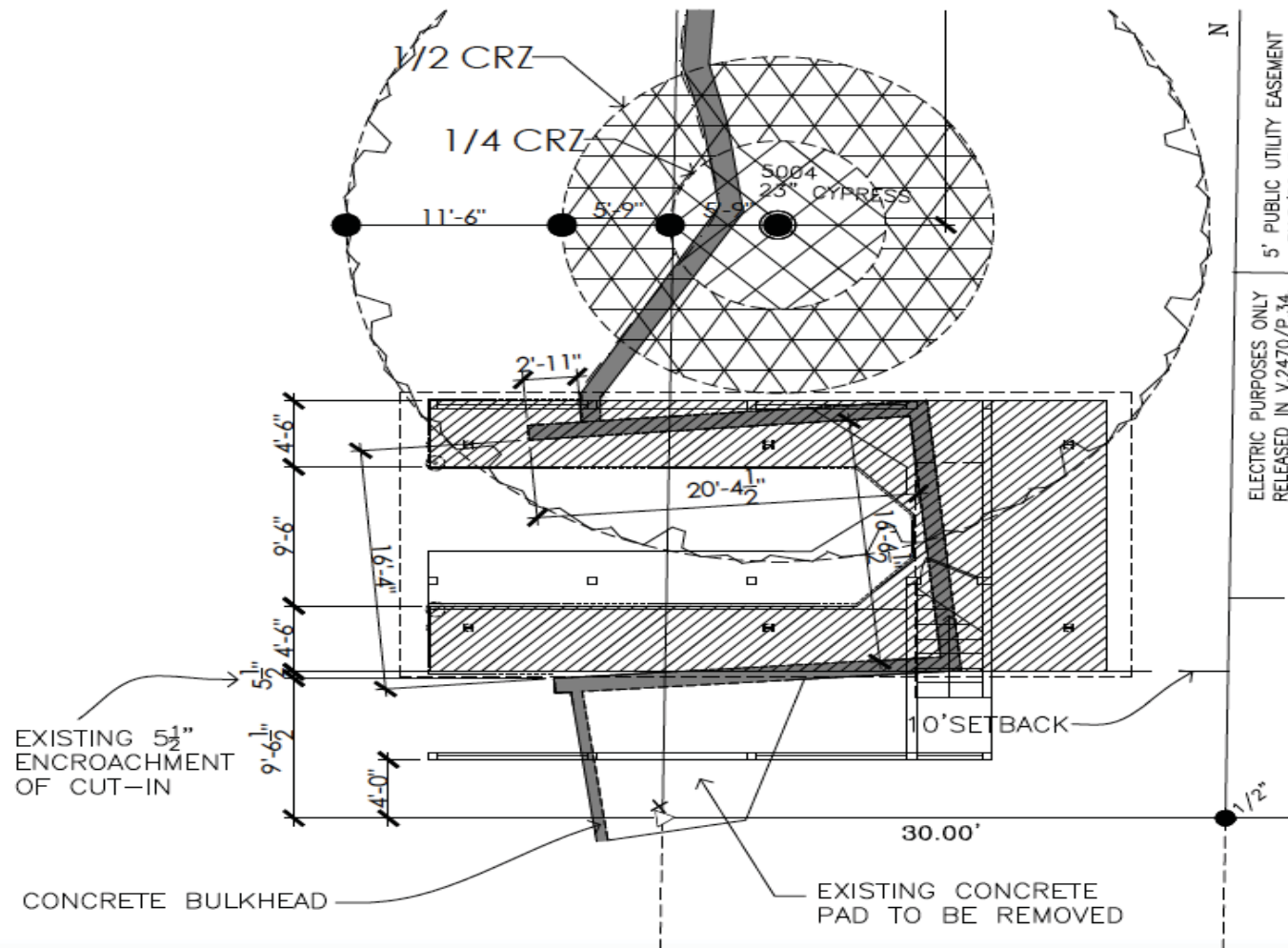
NOT GENERAL TO THE AREA

- There are no other lots along this stretch of Scenic Drive or surrounding area that:
 - 1) Have a channel due to the island directly across the rear of this lot, and
 - 2) Have 1 protected tree and 1 heritage tree located along the shoreline.

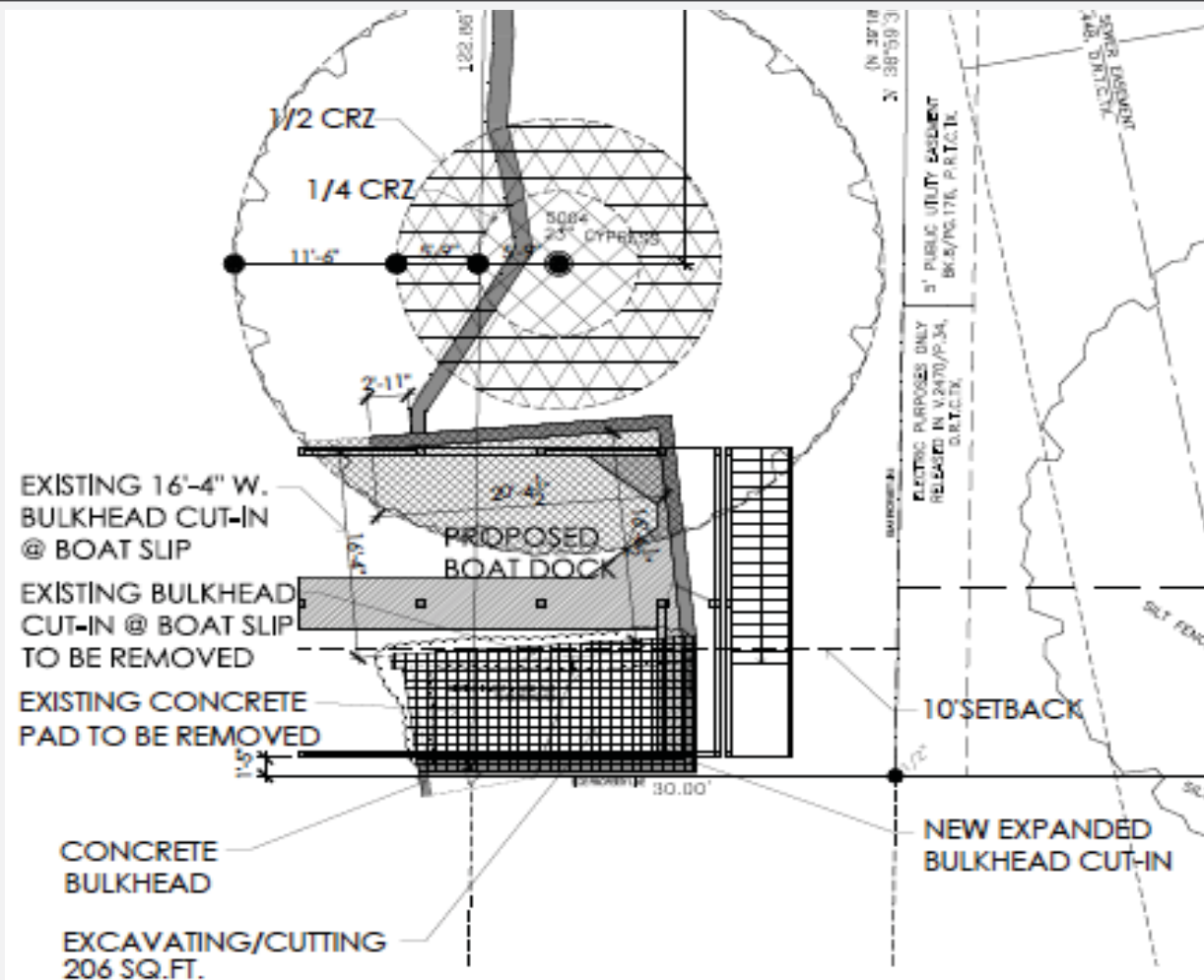
AREA OF CHARACTER

- The proposed dock is consistent with dock locations in or near the side setback found throughout Lake Austin. The adjacent dock at 2708 Scenic Drive is located within its 10' side setback. Several docks in the area are a mixture of cut-in and bump out docks due to age and character of design as well as site conditions specific to those properties. Many of those docks are legal non-compliant. There is heavy vegetation along the southern property line which shields the dock from the southern neighbors view. The property owner is open to increasing vegetative screening as needed to accommodate any concerns voiced by the neighbor or the Commission.
- The positive outcome of the Board 's approval will be:
 1. An increased floodplain rating along the shoreline per site plan requirements
 2. Increased vegetative plantings along the shoreline per site plan requirements
 3. A stabilized volumetric flow via the cut-in slip area.
 4. A cut-in slip poses no navigational hazard typically found with a bump out docks
 5. A cut-in slip poses no navigational hazard in this channelized area of Lake Austin.
 6. No further encroachment into the 23" Cypress CRZ.
 7. The 44" Cypress remains unencumbered

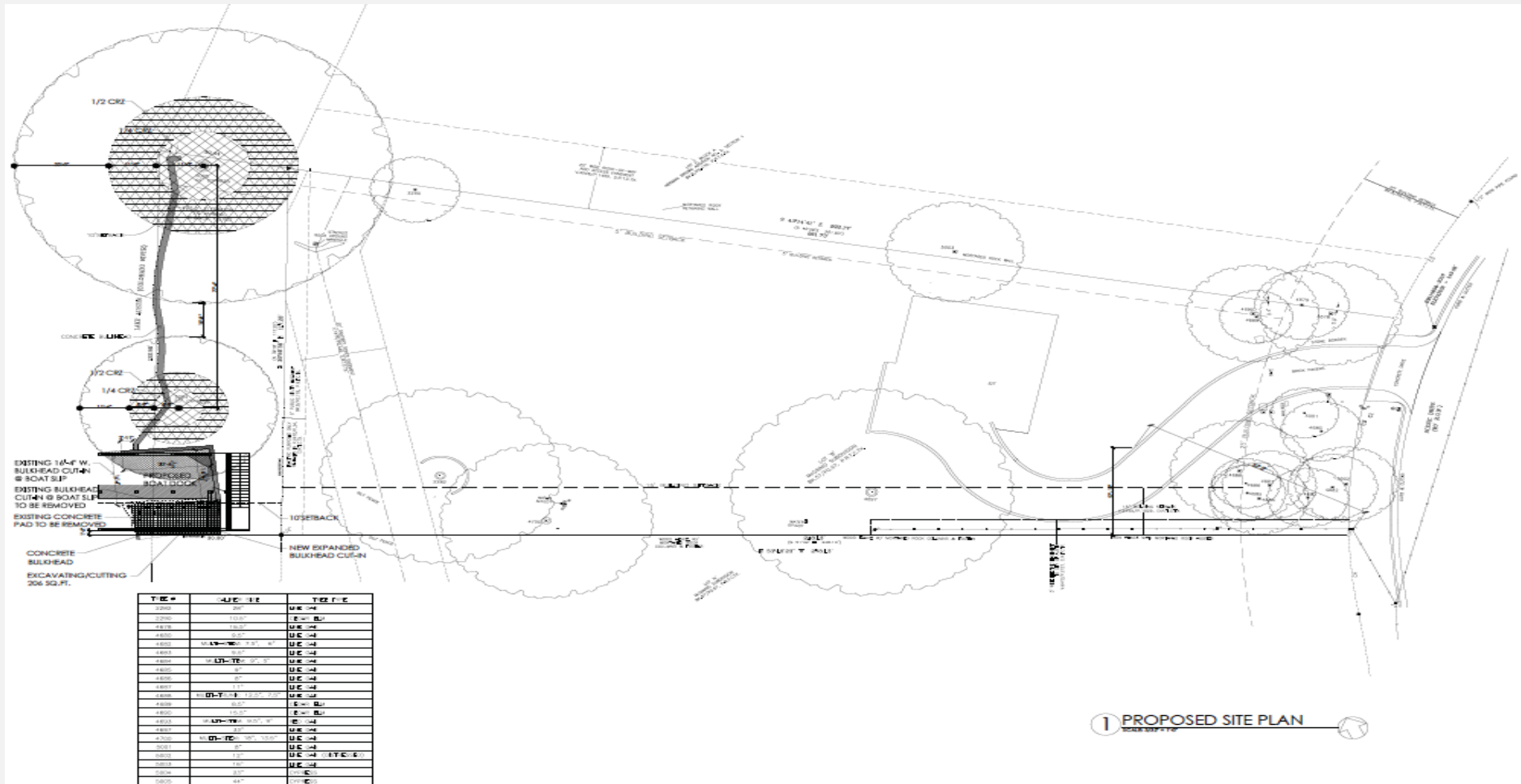
EXISTING DOCK CONDITIONS



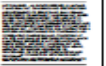
PROPOSED DOCK CONDITIONS



PROPOSED DOCK CONDITIONS



TYNBERG DOCK
2710 SCENIC DRIVE
AUSTIN, TEXAS 78702



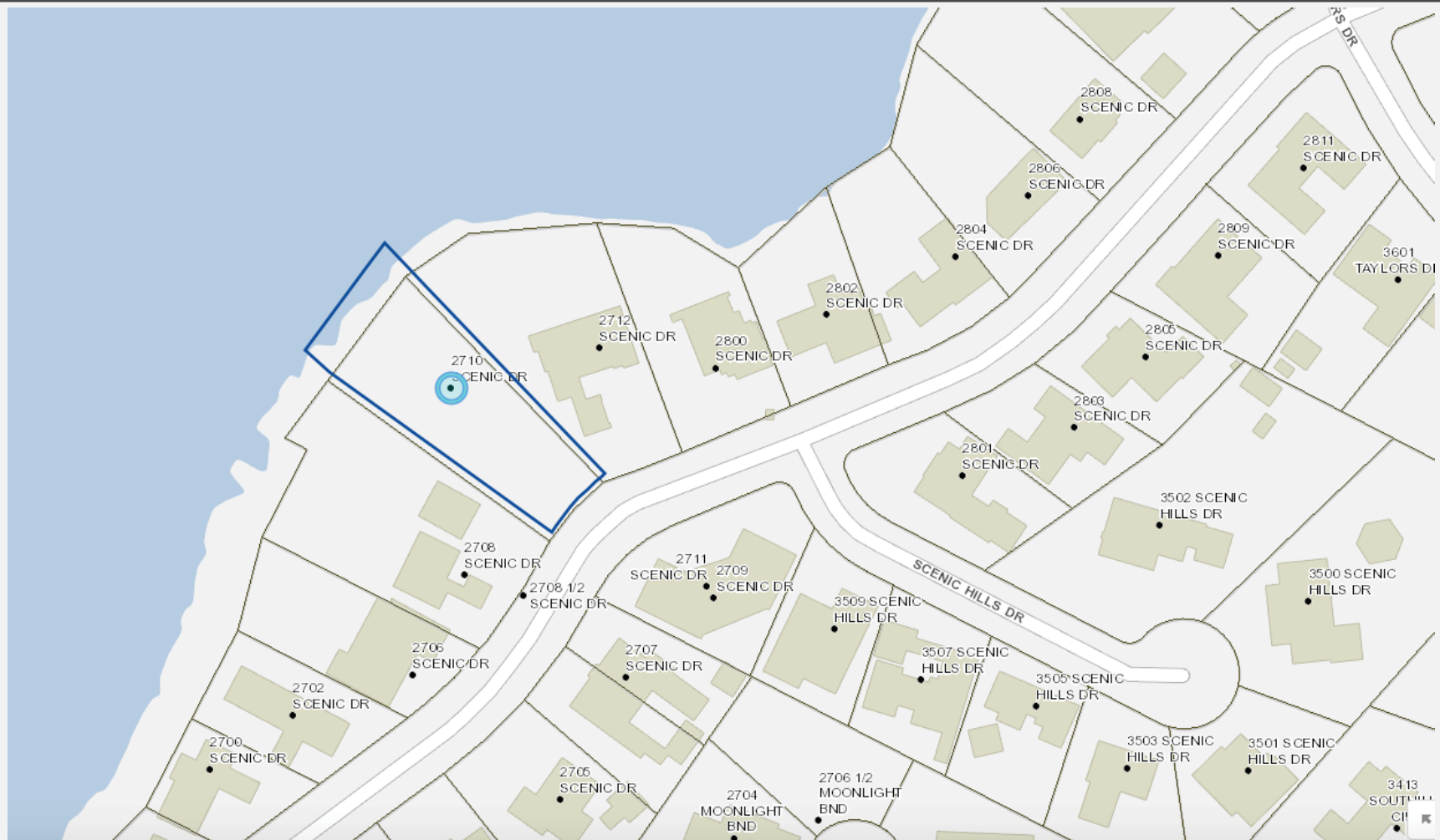
MICHAEL T. LANDRUM, INC.
1500 N. MICHIGAN STREET
SUITE 100, DALLAS, TEXAS 75201
WWW.MTLCORP.COM



A0.02

ADJACENT DOCKS

ADJACENT DOCKS – STREET AERIALS



ADJACENT DOCKS – AERIALS



ADJACENT DOCKS – AERIALS



2710 / 2708 SCENIC DR.



2708 SCENIC DR. DOCK
(LOCATED ON SOUTHERN PROPERTY LINE)



2708 SCENIC DR.
(LOOKING NORTH TOWARDS 2710 SCENIC)



ADJACENT DOCKS ALONG SCENIC DRIVE



2708 Scenic Dr.

ADJACENT DOCKS ALONG SCENIC DRIVE



ADJACENT DOCKS ALONG SCENIC DRIVE



ADJACENT DOCKS ALONG SCENIC DRIVE



ADJACENT DOCKS ALONG SCENIC DRIVE



ADJACENT DOCKS ALONG SCENIC DRIVE



PROPOSED DOCK RENDERINGS













Exhibit B



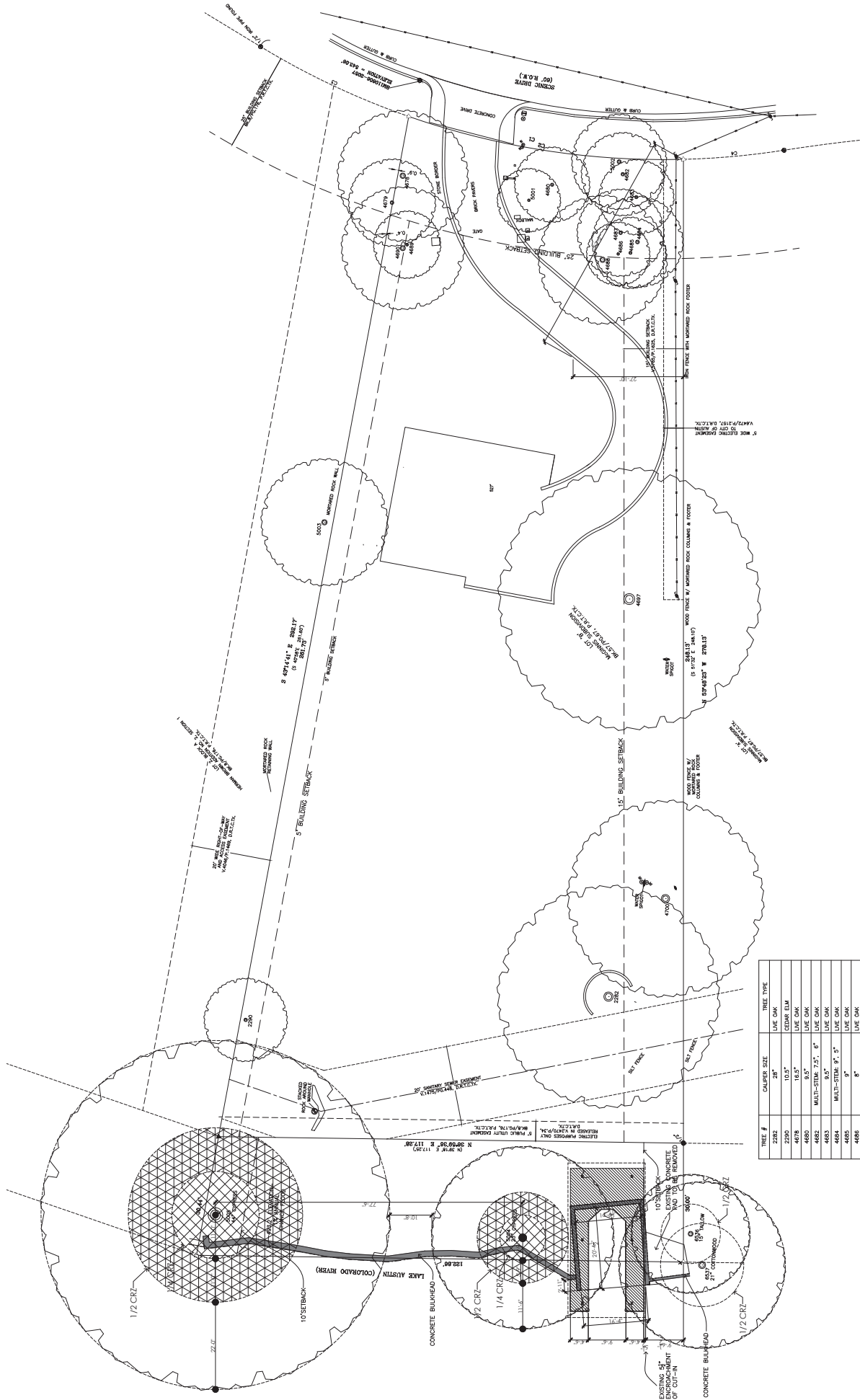
Bowman
CONSULTING

Bowman Consulting Group, Ltd.
1120 South Capital of Texas Hwy,
Bldg 3, Suite 220, Austin, Texas 78748
Phone: (512) 327-1180
Fax: (512) 327-4052
www.bowmanconsulting.com ©
Bowman Consulting Group, Ltd.
E Firm No. F-14.309 | TBSLS Firm No. 101206-00

LAND TITLE SURVEY
2710 SCENIC DRIVE
LOT B, MCGINNIS SUBDIVISION
TRAVIS COUNTY, TEXAS

PLAN #: 3342.08

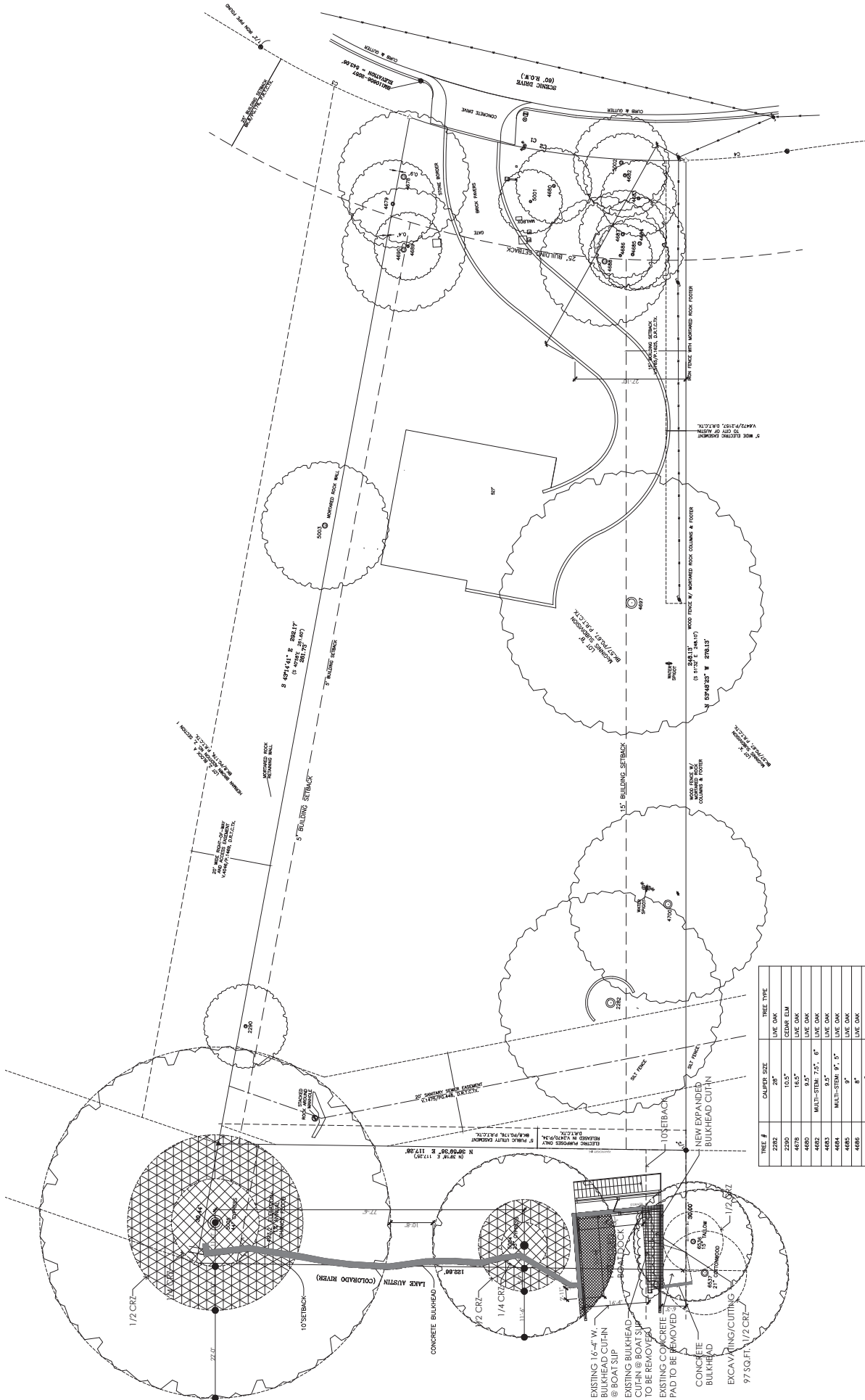
Exhibit C



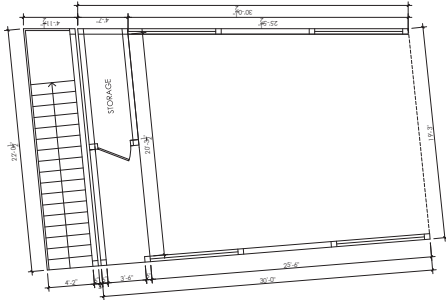
1 EXISTING SITE PLAN
SCALE: 3/32" = 1'-0"

PILE #	CHALLENGE SIZE	PILE TYPE
2262	10.5"	UVE DAK
4778	16.5"	CEMAR ELM
4680	9.5"	UVE DAK
4682	MULTI-STEM 7.5", 6"	UVE DAK
4684	MULTI-STEM 9", 8"	UVE DAK
4685	9"	UVE DAK
4686	8"	UVE DAK
4687	11"	UVE DAK
4688	MULTI-STEM 13.5", 12"	CEMAR ELM
4689	15.5"	CEMAR ELM
4693	MULTI-STEM 9.5", 8"	RED DAK
4694	10.5", 33"	UVE DAK
5001	MULTI-STEM 18", 13.5"	UVE DAK
5002	12"	UVE DAK (DEPRESSED)
5003	16"	UVE DAK
5004	23"	CYPRESS
5005	21"	CEMAR ELM
6536	21"	COTTONWOOD
6537	15"	TALLOW

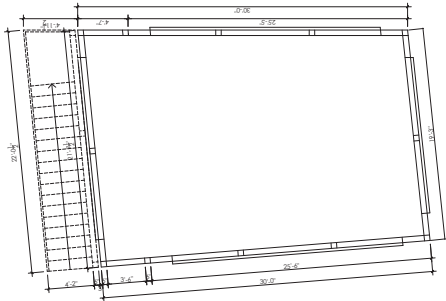
1 PROPOSED SITE PLAN
SCALE: 3/32" = 1'-0"



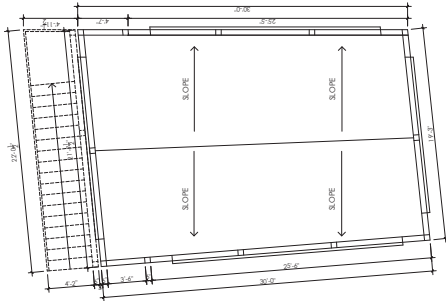
TREE #	CANOPY SIZE	TREE TYPE
2282	28'	LIVE OAK
2290	10.5'	CEDAR ELM
4678	16.5'	LIVE OAK
4680	16.5'	LIVE OAK
4682	16.5'	LIVE OAK
4684	16.5'	LIVE OAK
4686	16.5'	LIVE OAK
4688	16.5'	LIVE OAK
4690	16.5'	LIVE OAK
4692	16.5'	LIVE OAK
4694	16.5'	LIVE OAK
4696	16.5'	LIVE OAK
4698	16.5'	LIVE OAK
4700	16.5'	LIVE OAK
5001	8"	LIVE OAK
5002	12"	LIVE OAK (DISTRESSED)
5003	12"	LIVE OAK (DISTRESSED)
5004	12"	LIVE OAK (DISTRESSED)
5005	44"	CYPRESS
6536	21"	COTTONWOOD
6537	15"	TALLOW



1 FIRST FLOOR PLAN
SCALE: 3/16" = 1'-0"



2 SECOND FLOOR PLAN
SCALE: 3/16" = 1'-0"



3 ROOF PLAN
SCALE: 3/16" = 1'-0"

- NOTES:
1. THE PROPOSED BOAT DOCK MUST COMPLY WITH ALL REQUIREMENTS OF LDC 25-2-1174 (STRUCTURAL REQUIREMENTS) AND MUST COMPLY WITH THE LDC 25-2-1174 (STRUCTURAL REQUIREMENTS) AND THE BUILDING CRITERIA MANUAL.
 2. THERE IS NO CHANGE IN ELEVATION OR DREDGING PROPOSED ON THIS PROJECT.
 3. THERE ARE NO COFFER DAMS PROPOSED ON THIS PROJECT.
 4. THERE IS NO TREE REMOVAL PROPOSED ON THIS PROJECT.
 5. THERE IS NO PROPOSED GROUND DISTURBANCE ASSOCIATED WITH THE DEMOLITION OF THE EXISTING BOAT DOCK.

Exhibit D

Tuesday, July 16, 2019 at 8:38:51 PM Central Daylight Time

Subject: Case No. C15-2019-0029; 2710 Scenic Drive, Austin, Texas

Date: Tuesday, July 16, 2019 at 6:45:37 PM Central Daylight Time

From: [REDACTED]

To: elaine.ramirez@austintexas.gov

CC: Alex Tynberg, Bill McGinnis, Devon Brooke McGinnis Carpenter, Paul Campbell McGinnis

Ms. Ramirez:

I am the owner of the property at 2708 Scenic Drive. This property adjoins the property at 2710 Scernic Drive which Mr. Tynberg owns and which is the subject of the above referenced case. My understanding is that the current proposal is that the above ground structure of the 2-story dock will be at least 5' 6" from the south side setback. Based on this condition, I do not oppose the application in the above referenced case. Please feel free to contact me if you have any questions.

Campbell McGinnis

1202 Belmont Parkway
Austin, TX 78703
512-517-5700

Subject: Re: 2710 Scenic Drive - Boat Dock
Date: Tuesday, July 16, 2019 at 4:58:10 PM Central Daylight Time
From: [REDACTED]
To: [REDACTED]
CC: [REDACTED]
Attachments: 2710 Scenic Drive Bowman Survey DRAFT (7.15.19).pdf, 2710 Scenic Drive Landrum Boat Dock Outline (7.16.19).jpeg

Mr. McGinnis,

I hope that this email finds you well.

I just received the attached final survey back from our surveyor and he has identified the 2 trees that are located on your property on this survey. He also has shown the ½ critical root zone dimensions for those 2 trees as they relate to our property's south side setback. The tree that is closest to the lake shoreline (#6537) is a 21" Cottonwood and the tree that is located slightly inland of the shoreline (#6536) is a 15" Talley. We have an arborist who is writing a letter that will indicate that our proposed cut in expansion to the edge of the ½ critical root zones of both trees will satisfactorily protect the root systems of those trees. I can forward you that letter once completed, which I expect tomorrow.

Our current plan is to limit our cut-in expansion to 6" from the ½ critical root zones of both trees as we need 6" for width of the side of the dock. As you can see, the ½ critical root zones of both trees are 5' 7" and 5' 6" from the south side setback.

The second attachment was sketched by our architect earlier this morning prior to receiving the attached survey with the specific dimensions of the ½ critical root zones. It shows 5' 9" along the shoreline from the south side setback for where the ½ critical root zone is located for the Cottonwood, but that number will be modified to 5' 7" per the survey. I can forward this final plan to you once completed, which I expect tomorrow as well.

Given the above, we intend to appeal the Board of Adjustment decision and limit our proposed cut in to ~19' 5" (adding 2" per the above), which is 3' 1" more than the 16' 4" existing cut in. The plan is to have decking on both sides of the dock for access to boats inside, but these decks would be above the ground and would not disturb the root system. In this regard, we intend to limit the expansion of any decking to the south to the 4' south side setback that you indicated below you would not oppose. The benefit of this new design to your property is that the above-ground structure of the 2-story dock will be at least 5' 6" from the side setback as opposed to only 4' as coordinated below.

I have been informed that Cottonwoods and Tallows are not preferred tree species within the City of Austin. Of course, since the Cottonwood is 19" in caliper, it is protected due to its size. Irrespective of the above, our plan is to protect the root system of these trees. We would like to work with you to ensure that they are safe and do not pose any potential hazards to our boat dock, and we can coordinate this later. We also will want to coordinate with you on our landscape plan for this area. In this regard, we are very willing to work with you to provide vegetative screening with trees that are tall and skinny as coordinated below. We have not started that process with our landscape architect, but I can commit to you that we will coordinate with you on a screening plan to your satisfaction.

If you are amenable, we would greatly appreciate a representation of non-opposition for our current plan above. We have to submit all of our documentation to the City by Thursday morning for our appeal and so I am attempting to get everything buttoned up by tomorrow afternoon. Your written representation (by email or letter) would be ideal and could be sent to the City representative by email with copy to me. The City representative is Elaine Ramirez at elaine.ramirez@austintexas.gov. Please reference Case No. C15-2019-0029 and our property address of 2710 Scenic Drive. Otherwise, I can use the email you provided below for the non-opposition of the 4' side setback, but I believe it would be more compelling to have a more current

representation with acknowledgement of our current plans.

As always, I am happy to discuss and you can reach out at anytime.

Thank you in advance,

Alex

Alex Tynberg
Tynberg LLC
(512) 496.5373 ph
(512) 597.8897 fax
[REDACTED]

www.tynberg.com

From: Alex Tynberg [REDACTED]
Date: Tuesday, July 9, 2019 at 5:45 PM
To: Campbell McGinnis [REDACTED]
Cc: Paul McGinnis <[REDACTED]>
Subject: Re: 2710 Scenic Drive - Boat Dock

Thank you Mr. McGinnis. I will let them know. Best, Alex

Alex Tynberg
Tynberg LLC
(512) 496.5373 ph
(512) 597.8897 fax
[REDACTED]

www.tynberg.com

From: Campbell McGinnis [REDACTED]
Date: Tuesday, July 9, 2019 at 5:32 PM
To: Alex Tynberg [REDACTED]
Cc: Paul McGinnis [REDACTED] <[REDACTED]>
Subject: Re: 2710 Scenic Drive - Boat Dock

Permission granted. Please have surveyors confirm date and time with Paul 5125170404 and Devon 5126363954.

Sent from my iPhone

On Jul 9, 2019, at 12:19 PM, Alex Tynberg [REDACTED]

Mr. McGinnis,

I wanted to report back to you that the Board of Adjustment denied our request last night. We proposed the 4' setback that you indicated below that you did not approve. The sticking point was the fact that we did not have the trees that were located on your northern property line shown on our survey (which I understand is not required for these sorts of permits). Appropriately, some members of the Board wanted to understand the nature of those 2 trees and their critical root zones assuming they have protected status. We could not answer that question during the meeting.

If o.k. by you, we would like our surveyor to survey those 2 trees (shown in the attached) so that

we have more information. If we can propose our plan in a manner that does not impact those trees' critical root zones assuming they are protected we may consider filing a reconsideration with this information and after having the opportunity to coordinate with you in the vegetative screening below.

There is a bulkhead between our existing dock and your property line that may factor into this critical root zone as well, which we will need to investigate.

The purpose of my email is to get permission to survey your two trees, which I feel we will need to do for whatever approach we plan to take. Then, once we have that information, we can coordinate on our next steps, including vegetative screening coordination.

Thank you in advance,

Alex

Alex Tynberg
Tynberg LLC
(512) 496.5373 ph
(512) 597.8897 fax

www.tynberg.com

From: Alex Tynberg <a[REDACTED]>

Date: Monday, July 8, 2019 at 1:32 PM

To: Campbell McGinnis <c[REDACTED]>

Cc: Paul McGinnis <p[REDACTED]>

<g[REDACTED]>

Subject: Re: 2710 Scenic Drive - Boat Dock

Wonderful. Thank you Mr. McGinnis. Let me get through today and talk to my architect, etc. We don't have a landscape architect hired for the project yet, but I'm sure we can come up with a great solution here. We will work with you to your satisfaction. Have a great rest of your day.
Best, Alex

Alex Tynberg
Tynberg LLC
(512) 496.5373 ph
(512) 597.8897 fax

www.tynberg.com

From: Campbell McGinnis <c[REDACTED]>

Date: Monday, July 8, 2019 at 12:50 PM

To: Alex Tynberg <a[REDACTED]>

Cc: Paul McGinnis <p[REDACTED]>

<g[REDACTED]>

Subject: Re: 2710 Scenic Drive - Boat Dock

Alex: The 4 ft setback is a significant improvement and we prefer this design. We will not oppose a variance with this design and setback.

We can talk about vegetation screening when you have time. My inclination is to look for trees

that are tall and skinny. You might make a suggestion.

Thanks for all your work on this.

Campbell McGinnis
1202 Belmont Parkway
Austin, TX 78703
512-517-5700

On Mon, Jul 8, 2019 at 11:01 AM Alex Tynberg <[REDACTED]> wrote:

I am resending as I believe the 2nd attachment did not go through.

Alex Tynberg
Tynberg LLC
(512) 496.5373 ph
(512) 597.8897 fax

[REDACTED]
www.tynberg.com

From: Alex Tynberg <a[REDACTED]>
Date: Monday, July 8, 2019 at 10:11 AM
To: Campbell McGinnis [REDACTED]
Cc: Paul McGinnis [REDACTED]
[REDACTED]
Subject: Re: 2710 Scenic Drive - Boat Dock

Thank you Mr. McGinnis. I understand and we certainly would be willing to plant vegetative screening to best shield the structure from your property. I also wanted to let you know that our architect has played around with the design of the dock and we may have another option to shift the cut-in/dock's orientation to make it more square to the shoreline, which could result in less encroachment into the setback (but requires adjusting the bulkhead at the northern edge of the existing cut in). I've shown this plan per the attached as a 4' setback from your property line vs. the attached 1' 4.5" version. Would this be a proposed plan that you would be more willing to not oppose? To clarify, the current cut in is 9' 6.5" from the property line. Thank you, Alex

Alex Tynberg
Tynberg LLC
(512) 496.5373 ph
(512) 597.8897 fax
[REDACTED]
www.tynberg.com

Exhibit E

Site visit report: 2710 Scenic Dr. 78703

PREPARED FOR:

Monte Goertz
Monte Goertz Construction Co
[REDACTED]
512-423-9312

PREPARED BY:

Vincent Debrock
Manager, Heritage Tree Care
512-618-2625
[REDACTED]
Certified Arborist #TX 1336-A
ISA-Qualified Tree Risk Assessor
Comm. Pesticide Applicator TDA Lic. #035886
International Society of Arboriculture Member

Site visit on 7/16/19

Scope of work: assess impact of proposed boat deck widening on Tallow tree and 21 " cottonwood on left neighbor lake frontage and on other lake front trees

Chinese Tallow:

Invasive species targeted for removals in all watersheds in Texas.



Tallow, currently covered with Virginia Creeper vine.

Cottonwood, 21-inch DBH

Tree is healthy with no defects. Cottonwoods are great trees for watershed environments but as compared to bald cypress trees in this section of this urban lake shore, of a much lesser value, as they are prone to large size limb failure.

The ½ CRZ is currently covered by an old concrete slab on the 2710 side. We recommend that the design remains outside the ½ CRZ radius and can be implemented with following conditions:

Trees aren't just our business, they're part of our heritage.

- Slab cut at the ½ CRZ line, 10.5 ft from tree center.
- If any significant roots (1" or larger) are found, properly prune them to avoid ripping during slab cut and subsurface excavation
- No further tree care needed.



21" cottonwood base.

Leaf litter and creeper vine are covering the concrete slab which currently extends up to the root flare.

Bald cypress trees on center area and right side.

The boat dock widening to the south would prevent having to impact the 2 other first-class bald cypress trees on the lot and can stay out of the ½ critical root zone of the less favorable trees on the adjacent lot with the tree protection measures that will safeguard the health of those trees. It would also allow better management of the root zone area between the 2 cypress trees in the future instead of having cypress roots wrapping around a new structure from both sides: Cypress trees are much more lasting and beneficial to a lake frontage for multiple reasons: longevity, bank stabilizing, safety, and general tree appeal and property value.

Exhibit F

**Tynberg Residence**

2710 Scenic

16-Jul-19

Landscape Upgrade

Project Element: Irrigaton Repairs

Quantity	Unit Rate	Total Price
----------	-----------	-------------

Irrigation (Labor 1hr + Materials) Service Temp Irrigation System	1	\$ 95.00	\$ 95.00
---	---	----------	----------

Subtotal			\$ 95.00
----------	--	--	----------

Tax @ 8.25%			\$ 7.84
-------------	--	--	---------

Total			\$ 102.84
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Q-1/93



Heritage Tree Care LLC

12214 Margo Drive

Buda, TX 78610

512-921-8452

Invoice

Monte Goertz

Date	Invoice #
4/9/2019	6038

Salesperson	Work Address	P.O. Number	Due Date
Jake	2710 Scenic Dr		4/24/2019

Description	Rate	Completed	Amount
Airspade / Compost / Mulching Airspade 4 inches with 1" compost and 2" mulching for Oaks, front left and front right impacted areas.	1,853.00	3/18/2019	1,853.00T
Deep root fertilizing	1,875.00	4/4/2019	1,875.00T
Sales Tax	8.25%		307.56

PAID
1030
4/10/19

Please contact Michelle at 512-921-8452 if you prefer to pay by credit card. We accept Mastercard, Visa, and Discover with a 3% fee for processing.

Thank you for your business, we appreciate it very much.

Subtotal	\$3,728.00
Payments/Credits	\$0.00
Balance Due	\$4,035.56

Q-1/94



Per Monte
2710 Scenic

30-Apr-18

Landscape Irrigation

Project Element: May Repairs @ LW Cost

	Quantity	Unit Rate	Total Price
Irrigation (Labor 5.25 hrs & Materials) * Trouble Shoot & Diagnose * * Repair Temp Irrigation * * Install smart valve (1ea) * Install additional Pipe * * Test / Adjust / Clean Up / Disposal *	1	\$ 558.39	\$ 558.39

Total	\$	550.15
Tax @ 8.25%	\$	45.39
Total	\$	595.54

PAID
1/24
5/23/18
SITE PREP

Q-1/95

Builders Best Friend
2100 Woodacre Lane #5
Austin, TX 78733
(512)773-3556

Invoice 2055

BILL TO
2710 Scenic
3401 Baranca Circle
Austin, Tx

SHIP TO
2710 Scenic
JOB: 2710 Scenic
TYPE: New Construction

DATE
03/23/2018

PLEASE PAY
\$490.03

DUE DATE
03/23/2018

DATE	ACTIVITY	QTY	RATE	AMOUNT
	03/20/2018			
03/20/2018	Site work - Jesus Perez Hidalgo	2:00	30.50	61.00T
	03/21/2018			
03/21/2018	Relocated gravel - Usiel Gomez	8:00	22.50	180.00
03/21/2018	Relocated gravel - Jesus Perez Hidalgo	8:00	30.50	244.00

SUBTOTAL	485.00
TAX (8.25%)	5.03
TOTAL	490.03

TOTAL DUE	\$490.03
-----------	-----------------

THANK YOU.

PAID

1882
3/26/18

Site prep

Q-1/96



Heritage Tree Care LLC

12214 Margo Drive

Buda, TX 78610

512-921-8452

Invoice

Monte Goertz
2710 Scenic Dr
Austin TX 78703

Date	Invoice #
3/12/2018	5202

Salesperson	Work Address	P.O. Number	Due Date
VPD			3/27/2018

Description	Rate	Completed	Amount
Prune limbs away from deck	160.00	3/5/2018	160.00T
Sales Tax	8.25%		13.20

PAID
1078
03/14/18

Please contact Michelle at 512-921-8452 if you prefer to pay by credit card. We accept Mastercard, Visa, and Discover with a 3% fee for processing.

Thank you for your business, we appreciate it very much.

Subtotal	\$160.00
Payments/Credits	\$0.00
Balance Due	\$173.20

Clark
Site
prep

36999484-0 Work Completed 09/13/2016
Work at 2710 Scenic Drive
Austin

Q-1/97

295.00
24.34Tx
319.34

Apply Boost Texas 25-5-10-12S to the following plants and locations to help improve plant health following an extended time with no maintenance.
- oak grove including #4680 thru #4688 located at the front of property
- Heritage oak #4697 located at the left side of property

INVOICE

PAID
#CC5
9/29/14

TDA License: [REDACTED]

Local Bartlett Office: 2403 Howard Lane, Austin, TX 78728
Register for 'Your Account' at www.bartlett.com to see your service history, review work orders and make payments.

Thank you for the opportunity to care for your property.

ACCOUNT NUMBER

INVOICE DATE
09/16/2016

PAY THIS AMOUNT
319.34

YOUR BARTLETT REPRESENTATIVE IS: **STEVE KINSLOW**
(512) 310-7545

A SERVICE CHARGE OF 1.5 % PER MONTH WHICH IS AN ANNUAL PERCENTAGE OF 18.0 %
IS ADDED TO ACCOUNTS 30 DAYS AFTER INVOICE DATE.

RETAIN THIS PORTION FOR YOUR RECORDS

MAKE CHECK PAYABLE TO
BARTLETT TREE EXPERTS
P.O. BOX 3067
STAMFORD, CT 06905-0067

TREE 160919-01534-0001

37393075-0 Work Completed 06/28/2017

Work at 2710 Scenic Drive

Austin

Q-1/98

AMOUNT DUE
5220.00
430.65Tx
5650.65

Root Invigoration : Cultivate the soil beneath the crown of the following property items:

- Heritage oak #4697 located at the left side of property
- live oak #2282 located at the lower left side of the property
- live oak #4700 located at the lower left side of property

using an Air-Spade to improve soil health and promote root development and function. Approximately 950 sq feet of surface area will be cultivated to a depth of 6-8 inches. Note: The cultivated soil should be irrigated regularly following treatment to keep the soil moist if adequate rainfall does not occur.

- Compost will be added to the soil during cultivation.
- Biochar will be added to the soil during cultivation.
- Mulch will be applied to an approximate depth of 1-4 inches to the treated area following cultivation.

Tree #4697 aerated to a 12 ft. radius. Tree #2282 aerated to a 9 ft. radius. Tree #4700 aerated to a 9 ft. radius.

TDA License: [REDACTED]

Local Bartlett Office: 2403 Howard Lane, Austin, TX 78728
 Register for 'Your Account' at www.bartlett.com to see your service history, review work orders and make payments.

Thank you for the opportunity to care for your property.

ACCOUNT NUMBER

INVOICE DATE

PAY THIS AMOUNT

YOUR BARTLETT REPRESENTATIVE IS: **STEVE KINSLOW**

07/03/2017

5650.65

(512) 310-7545

A SERVICE CHARGE OF 1.5 % PER MONTH WHICH IS AN ANNUAL PERCENTAGE OF 18.0 %
 IS ADDED TO ACCOUNTS 30 DAYS AFTER INVOICE DATE.

RETAIN THIS PORTION FOR YOUR RECORDS

MAKE CHECK PAYABLE TO
BARTLETT TREE EXPERTS

P.O. BOX 3067
 STAMFORD, CT 06905-0067

TREE 170705-02183-0001

37392612-0 Work Completed 05/26/2017

Work at 2710 Scenic Drive

Austin

Q-1/99

2215.00
182.74Tx
2397.74

Prune Heritage oak #4697 located at the left side of property according to the following specifications: - Clean to remove all dead, diseased and broken branches ½' in diameter and larger throughout crown to improve health and appearance and reduce risk of branch failure. - Remove all boss moss from the tree. Remove resulting debris.

INVOICE

PAID

10/11
6/9/17

TDA License: [REDACTED]

Local Bartlett Office: 2403 Howard Lane, Austin, TX 78728

Register for 'Your Account' at www.bartlett.com to see your service history, review work orders and make payments.

Thank you for the opportunity to care for your property.

YOUR BARTLETT REPRESENTATIVE IS: **STEVE KINSLOW**

(512) 310-7545

ACCOUNT NUMBER

[REDACTED]

INVOICE DATE
05/31/2017

PAY THIS AMOUNT

2397.74

A SERVICE CHARGE OF **1.5** % PER MONTH WHICH IS AN ANNUAL PERCENTAGE OF **18.0** %
IS ADDED TO ACCOUNTS 30 DAYS AFTER INVOICE DATE.

RETAIN THIS PORTION FOR YOUR RECORDS

MAKE CHECK PAYABLE TO
BARTLETT TREE EXPERTS

P.O. BOX 3067
STAMFORD, CT 06905-0067

TREE 170601-02594-0001



PO Box 340789
Austin, TX 78734-0014
(512) 263-3464 Office

Q-1/100

Invoice

25918

7/31/2017

Net 15

Monte Goertz Company, LLC
3401 Barranca Circle
Austin, TX 78734

Description	Qty	Rate	Amount
Site Work		1,544.00	1,544.00
Equipment		450.00	450.00
Tree Protection		854.00	854.00
Temporary Irrigation		2,215.00	2,215.00
Erosion & Sedimentation Control		1,246.00	1,246.00
*Please refer to attached Clark construction budget dated 8/8/17 for work completed through 7/31/17			
<div>PAID 1026 8/17/17 site prep</div>			
We appreciate your business!		Subtotal	\$6,309.00
		Sales Tax (8.25%)	\$0.00
		Total	\$6,309.00
		Payments/Credits	\$0.00
		Balance Due	\$6,309.00

Clark Construction Budget

8-Aug-17

Site Work*- site work labor, clearing, and haul-offs*

\$ 1,544

Equipment*- mulcher*

\$ 450

Tree Protection*- fencing needed for root zone protection and construction areas for duration of project*

\$ 854

Temporary Irrigation*- installation of temporary irrigation, pipe, valves, double check & controler*

\$ 2,215

Erosion & Sedimentation Control*- erosion and sedimentation control fencing*

\$ 1,246

Total

\$ 6,309



PO Box 340789
Austin, TX 78734-0014
(512) 263-3464 Office

Q-1/102

Account Statement

8/14/2017

Monte Goertz Company, LLC
3401 Barranca Circle
Austin, TX 78734

Transaction	Date	Balance
Balance forward	07/14/2017	0.00
Clark- INV #25918. Clark Construction Budget dated 8/8/17 through 7/31/17 - C	07/31/2017	6,309.00
Total Balance Due		<u><u>\$6,309.00</u></u>

PAID
8/17/17
check #1026



BARTLETT TREE EXPERTS

P.O. Box 3067
Stamford, CT 06905-0067

TEMP-RETURN SERVICE REQUESTED

HOME OFFICE - STAMFORD, CT

THE BARTLETT TREE RESEARCH LABORATORIES & EXPERIMENTAL GROUNDS - CHARLOTTE, NC

INVOICE

☐ Please check box if your address below is incorrect or has changed. Indicate change(s) on reverse side.



000666 0.5380 MB 0.419
Monte Goertz Company, LLC
3401 Barranca Circle
Austin, TX 78731-5711

TR00005



ACCOUNT NUMBER [REDACTED] INVOICE DATE 09/07/2016 INVOICE NUMBER 36999483-0
AMOUNT DUE 7052.49 PAY THIS AMOUNT 7052.49

Page 1

MAKE CHECK PAYABLE TO: Bartlett Tree Experts
Pay by check or money order. DO NOT SEND CASH.

YOUR CHECK NUMBER CC4

TO INSURE PROPER CREDIT PLEASE RETURN THIS PORTION
WITH YOUR PAYMENT.

ALL ACCOUNTS NET

PAYABLE UPON RECEIPT



BARTLETT TREE EXPERTS
P.O. BOX 3067
STAMFORD, CT 06905-0067

INVOICE NO.

AMOUNT DUE

36999483-0 Work Completed 09/02/2016
Work at 2710 Scenic Drive
Austin

6515.00
537.49Tx
7052.49

Cut down the three tagged live oaks located at the circle planter in driveway and two dead hackberries at the front of the property Leave stump low. Remove resulting debris.

Prune the following property items: - oak grove including #4680 thru #4688 located at the front of property - Heritage oak #4697 located at the left side of property according to the following specifications: - Clean to remove all dead, diseased and broken branches 1' in diameter and larger throughout crown to improve health and appearance and reduce risk of branch failure. - Remove ball moss in lower and central crown. Remove resulting debris. I propose this work be performed on an hourly basis of \$245/hour for a well trained, three man crew with all necessary tools and equipment. Our crew's time will start at our office in north Austin at 7:00 AM. They will drive to your site, set up and work until time to return to our office and be off the clock by 3:30 PM. They will take a half hour lunch break at noon and clean up their work area before leaving the site. This will make their 8 hr. day. My estimate is based on 1.5 days of work. It may be less or it may be more. Partial days will be prorated.

Remove the numerous invasive and undesirable species located at the property. Leave stump at 1-2 inches. Remove resulting debris. The species to be removed will be chinaberry, Japanese ligustrum, hackberry and cottonwood. This scope of work will include painting the cut stumps of these trees with a hardwood herbicide to prevent regrowth of the plant, Although new plants will emerge from seed.

9/13
UG
Site
prep
Clock

Thank you for the opportunity to care for your property.

ACCOUNT NUMBER [REDACTED]

INVOICE DATE

PAY THIS AMOUNT

YOUR BARTLETT REPRESENTATIVE IS: **STEVE KINSLOW**
(512) 310-7545

09/07/2016

7052.49

A SERVICE CHARGE OF 1.5 % PER MONTH WHICH IS AN ANNUAL PERCENTAGE OF 18.0%
IS ADDED TO ACCOUNTS 30 DAYS AFTER INVOICE DATE.

RETAIN THIS PORTION FOR YOUR RECORDS

MAKE CHECK PAYABLE TO
BARTLETT TREE EXPERTS

P.O. BOX 3067
STAMFORD, CT 06905-0067

TREE 160908-00727-0001

Monte Goertz Company, LLC
3401 Barranca Circle
Austin, TX 78731

Q-1/104 Bill

Date	Ref. No.
09/07/16	36999483-0

Vendor
Bartlett Tree Expertz Bartlett Tree Experts PO Box 3067 Stamford, CT 06905-0067

PAID

Bill Due	09/17/16
Terms	
Memo	36999483-0

Items

Item	Description	Qty	Cost	Amount	Customer:Job	Class
Hard Costs:Site Prep	Invoice #36999483-0 Site Prep		7,052.49	7,052.49	Clayton Clark	

Item Total : 7,052.49

Bill Total : \$7,052.49