

AE REPORT



August 29, 2019

Janis Smith
3707 Taylors Dr Bldg Bd
Austin TX, 78703

Property Description: LOT 2 BLK D LESS W TRI BROWN HERMAN ADDN NO 2 SEC 4

Re: C15-2019-0047

Dear Janis,

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) (1) (Site Development Regulations for Docks, Marinas, and other Lakefront Uses) to increase the Shoreline setback requirement from 30 feet (required) to 40 feet (requested); In order to erect a Boat Dock in a "SF-3-NP", Single-Family –Neighborhood Plan zoning District (West Austin Neighborhood Plan, LA zoning Overlay).

Austin Energy does not oppose requested variance, provided any proposed and existing improvements are following 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_1.10.0CLSARE

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, Property Agent

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

BOA REVIEW COVERSHEET

CASE: C15-2019-0047

BOA DATE: Sept. 9, 2019

ADDRESS: 3707 Taylors Dr
OWNER: YOLO Partners, LTD

COUNCIL DISTRICT: 10
AGENT: Janis J. Smith P.E.

ZONING: SF-3-NP

LEGAL DESCRIPTION: LOT 2 BLK D BROWN HERMAN ADDN NO 2 SEC 4

VARIANCE REQUEST: increase the Shoreline setback from 30 ft. to 40 ft.

SUMMARY: erect a boat dock

ISSUES: heritage trees




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

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District
 Austin Lost and Found Pets
 Austin Neighborhoods Council
 Bike Austin
 Central West Austin Neighborhood Plan Contact Team
 Friends of Austin Neighborhoods
 Neighborhood Empowerment Foundation
 Preservation Austin
 SEL Texas
 Save Barton Creek Assn.
 Sierra Club, Austin Regional Group
 TNR BCP – Travis County Natural Resources
 Tarrytown Alliance
 Tarrytown Neighborhood Association
 West Austin Neighborhood Group

I-1/2



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

NOTIFICATIONS

CASE#: C15-2019-0047
LOCATION: 3707 TAYLORS DR



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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

1" = 333'



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: 3707 Taylors Drive

Subdivision Legal Description:

Lot 2, Herman Brown Addition No. 2 Section 4

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

Outlot: _____ Division: _____

Zoning District: LA

I/We Janis J. Smith, P.E. on behalf of myself/ourselves as
authorized agent for YOLO Partners, Ltd. affirm that on
Month July, Day 10, 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:

LDC 25-5-1176(A)(1) -- to allow the construction of a dock 40 feet from the shoreline on Lake Austin because of bulkhead repair construction methods necessitated by the location of heritage tree critical root zones.

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:

Existing conditions at the site include a failing bulkhead within a cut-in slip which is supporting a sloped homesite. The bulkhead is right on top of several heritage Cypress trees including a 34" Cypress which is on the lake side of the bulkhead. Also present is a non-compliant, dilapidated dock. The only means of reinforcing the bulkhead within the 1/2 CRZs of the trees is to install gabions. The dock will be built adjacent to the gabions. But the size of the gabions and tree in the lake will require that the dock is extended beyond the code compliant limit of 30ft into the lake.

Hardship

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

Heritage trees dictate the design of a load bearing bulkhead which in turn determines the location of the dock.

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

The vast majority of dock sites on the lake can be constructed by following current code. This property cannot.

Area Character

The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

The dock extension measurement is taken from the shoreline of a cut-in slip. The dock extension from the natural shoreline is \leq to the 30 ft. allowed by code.

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:

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:

3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

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: Janis J. Smith Date: 7/10/19

Applicant Name (typed or printed): Janis J. Smith, P.E.

Applicant Mailing Address: 1505 Westover Road

City: Austin State: TX Zip: 78703

Phone (will be public information): 512-914-3729

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: David Middleton Date: 7/10/19

Owner Name (typed or printed): David Middleton for YOLO Partners, Ltd

Owner Mailing Address: 3709 Taylors Drive

City: Austin State: TX Zip: 78701

Phone (will be public information): 210-380-5923

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).



August 5, 2019

Board of Adjustment
City of Austin
505 Barton Springs Road
Austin, Texas 78704

Re: Engineering Summary Letter for 3707 Taylors Drive SP-2019-0053D
Application for a variance to LDC 25-2-1176(A)(1) to allow construction of a boat dock
further than 30ft. from the shoreline on Lake Austin

Dear Board Members:

3707 Taylors Drive is about 1 mile west of the intersection of Westover Road and Exposition Boulevard. It's within the Full Purpose Jurisdiction of the City of Austin on the shore of Taylor Slough. The site currently contains a home, a failing bulkhead partially composed of rotting railroad ties, and a dilapidated non-compliant dock. Exhibit 1 contains photos of the site.

This project proposes to clear a red tag on the property for unpermitted work completed when the lake was down; construct a new boat dock; and modify the existing bulkhead in order to restore its structural capacity. The bulkhead supports the hillside upon which the house is built; so its structural integrity is integral to the entire site. The usual go-to method of restoring a failing bulkhead is to construct either a limestone block or sheetpile wall on the lakeside of the existing bulkhead leaving the existing bulkhead in place. But this site also has several heritage Cypress trees right on the shoreline. In most cases, and this is one of them, structural walls aren't allowed in the ½ critical root zone (CRZ) of protected trees because the walls don't meet tree criteria.

Structural engineer John Maggio, P.E. of Duffy Engineering had the task of coming up with a design that structurally supports a hillside home site and meets tree criteria along with all design regulations that apply to Lake Austin. Gabion baskets are the only design that fits the bill. Gabions are basically wire boxes that contain rock rip. They're 3 ft. tall x 3 ft. deep x 6 ft. long, and the baskets are tied together. Exhibit 2 contains the site plan sheet for SP-2019-0053D showing the gabion design and proposed shoreline layout. We've cleared almost all review comments.

The dock shown keeps the piles out of the ¼ CRZs of the shoreline trees as required by code, and the bulkhead modifications will allow stability for the hillside serving as the site for an existing house. To meet environmental code, a dock extension of 40 ft. into the lake is required.

I look forward to presenting the variance application to the BOA on 9/9/19 on behalf of the owners, Fredericka and David Middleton. I'm happy to answer any questions that you may have at that time.

Very truly yours,

Janis J. Smith, P.E.
Janis Smith Consulting, LLC



EXHIBIT 1
PHOTOS OF EXISTING SITE



EXHIBIT 2
PROPOSED CONDITIONS DOCK PLAN SHEET
SP-2019-0053D

1-1/11

LINE TABLE		CUMULATIVE TABLE			
LINE	BEARING	DISTANCE	CHORD BEARING	CHORD DISTANCE	ARC
1	S 88°21'00" E	270.36			
2	S 88°21'00" E	137.76			
3	S 88°21'00" W	137.76			
4	N 88°19'00" W	137.76			
5	N 88°19'00" W	137.76			
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3707 TAYLORS DRIVE

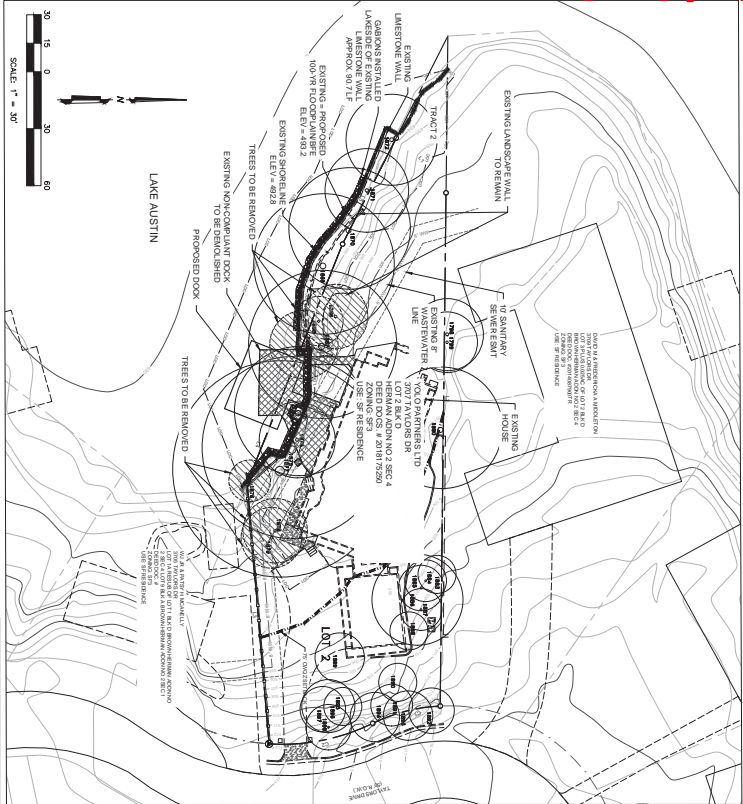


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