

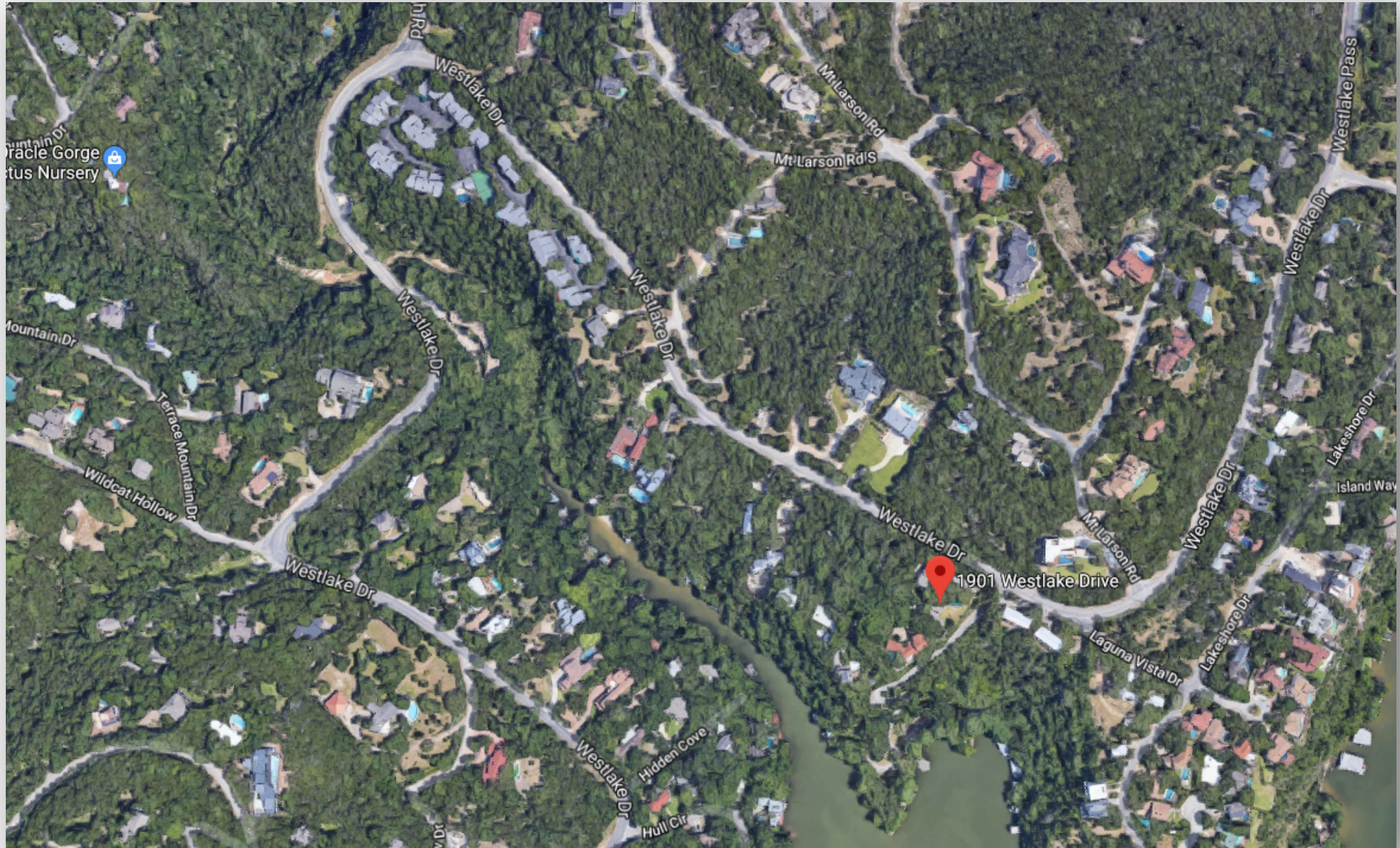
1901 WESTLAKE DR.
AUSTIN, TX 78746

Case# C15-2019-0054

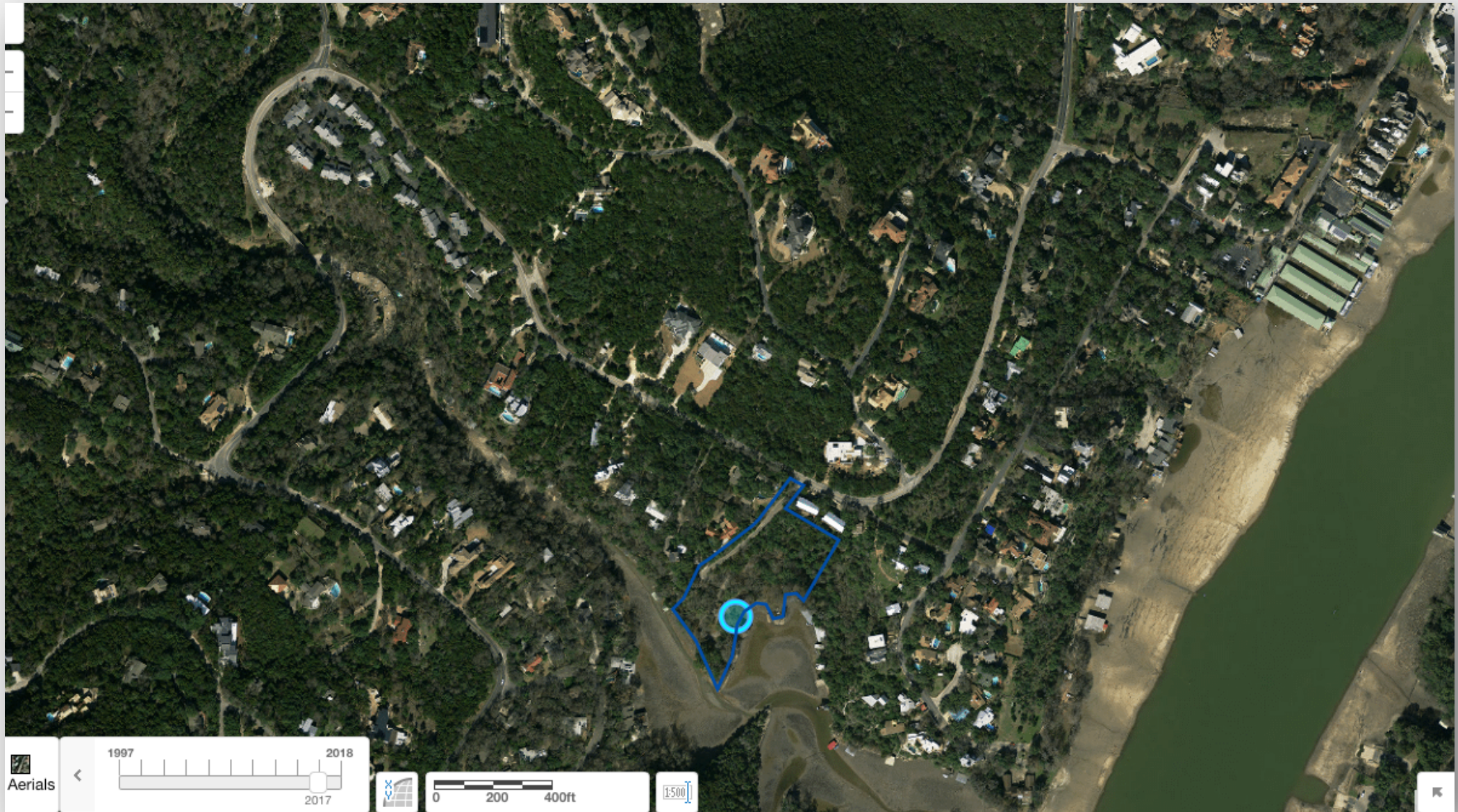
FIVE VARIANCE REQUESTS

1. Reduce shoreline setback regulated per LDC 25-55l(B)(l)(a) from 75' to 25'
2. Reduce impervious cover per LDC 25-2-55l(c)(3)(a) from 75% to 42% in the 0-15% slope category
3. Increase impervious cover per LDC 25-2-55l(c)(3)(b) from 65% to 67% in the 15-25% slope category
4. Reduce impervious cover per LDC 25-2-55l(c)(3)(c) from 39% to 32% in the 25-35% slope category
5. Maintain impervious cover per LDC 25-2-55l(e)(2) from 8% to 8% in the 35% slope category

AERIAL VIEW



AERIAL VIEW



VARIANCE REQUEST CONT.

- Reduce Lake Austin shoreline setback
- Exceed allowable impervious coverage on an approximately 2.26 acre property.
- The 75' shoreline setback abuts approximately 600' of lake frontage on two sides of this irregular shaped lot. We are seeking 25' shoreline setback around the entire lot in order to gain more net-site area. The impervious coverage numbers seem high due to the required calculation methodology per LDC 25- 2-551.
- Based on gross calculations, the lot's impervious coverage is 35% IC of 2.26 platted acres.
- The property owner requests the Board review the requests and consider:
 - the lot's steep topography
 - existing impervious coverage created by a long driveway, and
 - irregular shaped frontage on the lake

REASONABLE USE

- The property owner would like to erect a primary residence with associated improvements. To do so in a reasonable manner, the aforementioned impervious coverage percentages are requested in tandem with the shoreline reduction to 25' setback around the irregular shaped lot.
- The area proposed for the new residence is the flattest area of the entire lot with the exception of an existing tennis court and small portions of the internal driveway area, which provide access from Westlake Drive.
- Most of the driveway is very steep and fairly unsafe in it's current form. The property owner would repave the existing drive should the Board approve this request.
- The 1950's era lot cannot be reasonably developed in accordance with the applicable LA zoning regulations placed on the lot by the city in the early 1980's.
- The variances allow a fair and reasonable use in Lake Austin zoning category as that zoning category specifically prescribes development of a residential nature.

HARDSHIPS

1. The original 1915 Lakeshore Addition plat was created prior to the adoption and application of Lake Austin zoning. This lot was created with that subdivision then its current boundaries were finalized in 1944 then again in 1959. The lot is legally known as Lot 5 Emerald Bay subdivision. It is a legally platted lot with an irregular shape.
2. The city changed the zoning from "A" First Height and Residential to Lake Austin zoning. "A" zoning was essentially the same as today's SF-2 zoning which calculates impervious cover at 45% of gross lot area.
3. The lot did not have the required 100' of street frontage per COA LDC 25-2-492 at the time the City rezoned the property from "A" First Height and Residential to "LA" Lake Austin in the early 1980's per Ordinance No. 84-0930 adopted in September 1984.
4. Changing the zoning from "A" to "LA" rendered the lot substantially less valuable as well as substantially less useable, thus this request to utilize the property for the continuance of a single-family project.
5. The 2.26 acre lot is reduced to approximately 1.25 acres when applying the net site area calculations per LA zoning. Approximately 1 acre of taxable land area is not useable under stated statute. Taxes have been paid on this land for decades. That begs the question of what is equitable and fair when the LA zoning standards are applied to the physically platted lot area.
6. The site has not been fully developed. There exists a tennis court and a boat dock. It is still an ongoing single-family project.

HARDSHIPS CONTINUED

7. The lot is an irregular shaped lot with 600'+ of lake frontage on two sides .
8. The lot also has substantially steep terrain, which precludes any practical use of the property under the current LA zoning regulations.
9. Of the gross lot area (98,500 SF), approximately 44,000 SF are within the 75' shoreline setback. This area is taxed but rendered useless by LDC 250-2-551 regulations.
10. Within the net lot area of 54,500 SF about 29,000 SF are located in the 35%+ slope category.
11. This 35%+ slope area comprises approximately 50% of the 54,500 SF net site area.
12. The 35%+ category prohibits any impervious coverage per the LDC; however, the owner proposes to maintain the same 8% IC.
13. The remainder slope categories have impervious coverage as a result of existing driveways and retaining walls. These are in place due to the extensive lot topography as you travel from Westlake Drive down to the lake. The MSL contour at Westlake Drive is ~630'. The MSL contour at the lake is 492'. This constitutes a 130'+ drop in elevation. The required driveway retaining walls are counted as part of the IC in each slope. Thus the existing IC percentages far exceed what is allowed by code. This is not abnormal for LA zoned lots saddled with extreme topography.

NOT GENERAL TO THE AREA

- There are no known lots in the immediate area with the combined hardships of topography, irregular lot shape, existing impervious coverage, and dual frontage on Lake Austin which prohibit a significant amount of land from being utilized in a reasonable manner.

AREA OF CHARACTER

- Any construction will be in keeping the varied construction styles found along Lake Austin and this stretch of Westlake Dr.
- There will be no adverse impact to adjacent properties.
- There are substantial trees within the 25' shoreline setback area. These will not be impacted. They prevent any practical use of the land within the 25' shoreline setback.

SUMMARY

- In sum, the proposed setback reduction and impervious cover variances would allow a reasonable use of the property, would not be dissimilar to other shoreline setbacks the Board has approved for sites with similar issues, and will have no adverse impact on adjacent properties.
- This application proposes a 25' shoreline setback around the entire lake frontage as well as the accompanying impervious coverage for each slope.
- In your packet this is itemized as Sheet 3.0.
- You will find an existing conditions plan on Sheet 1.0.
- We've also included some design options for the Board's consideration.

EXHIBIT: SHEET 1.0

EXISTING CONDITIONS WITH 75' SHORELINE SETBACK

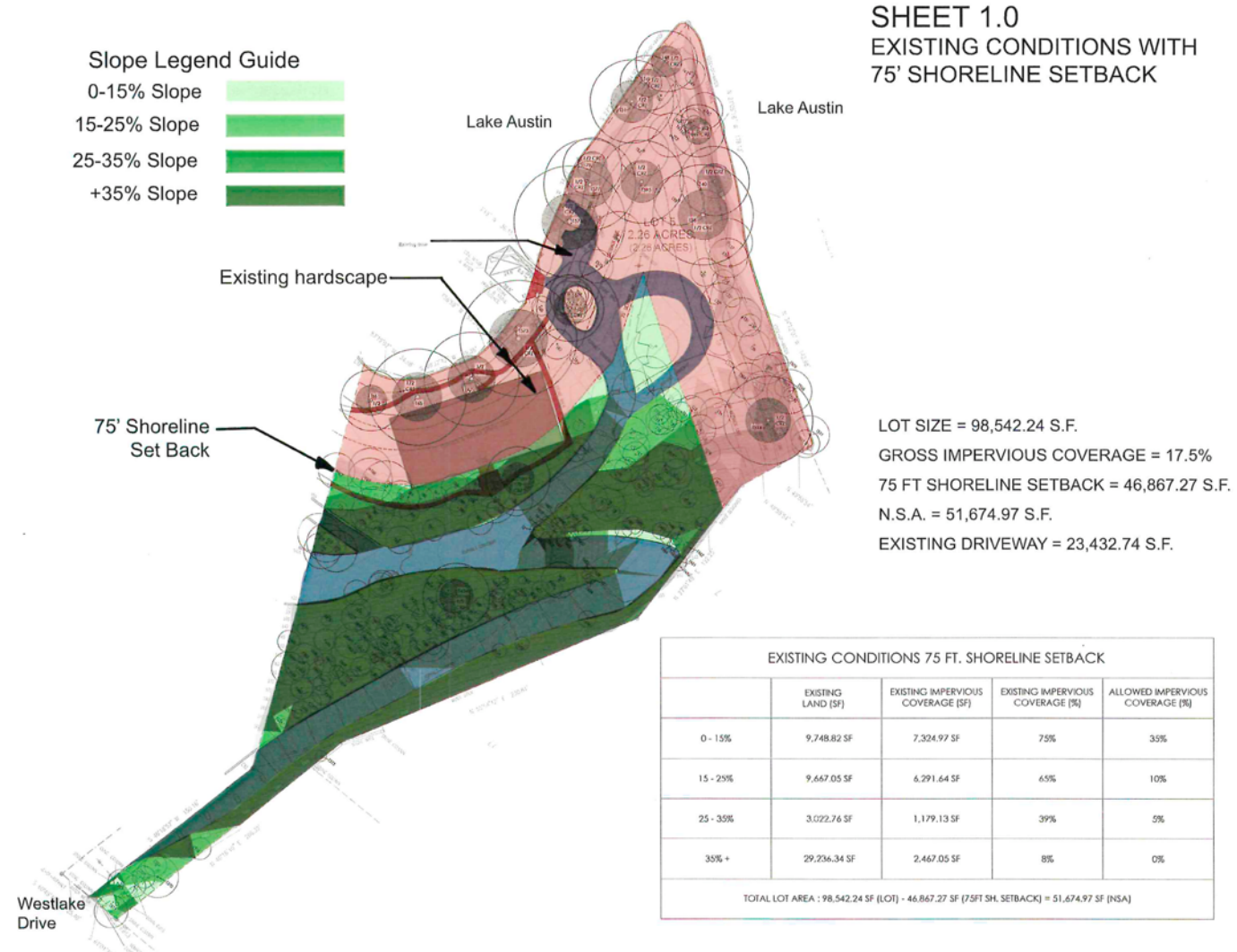


EXHIBIT: SHEET 2.0

WITH A 75' SHORELINE AND PARTIAL REDUCTION TO 25' SETBACK

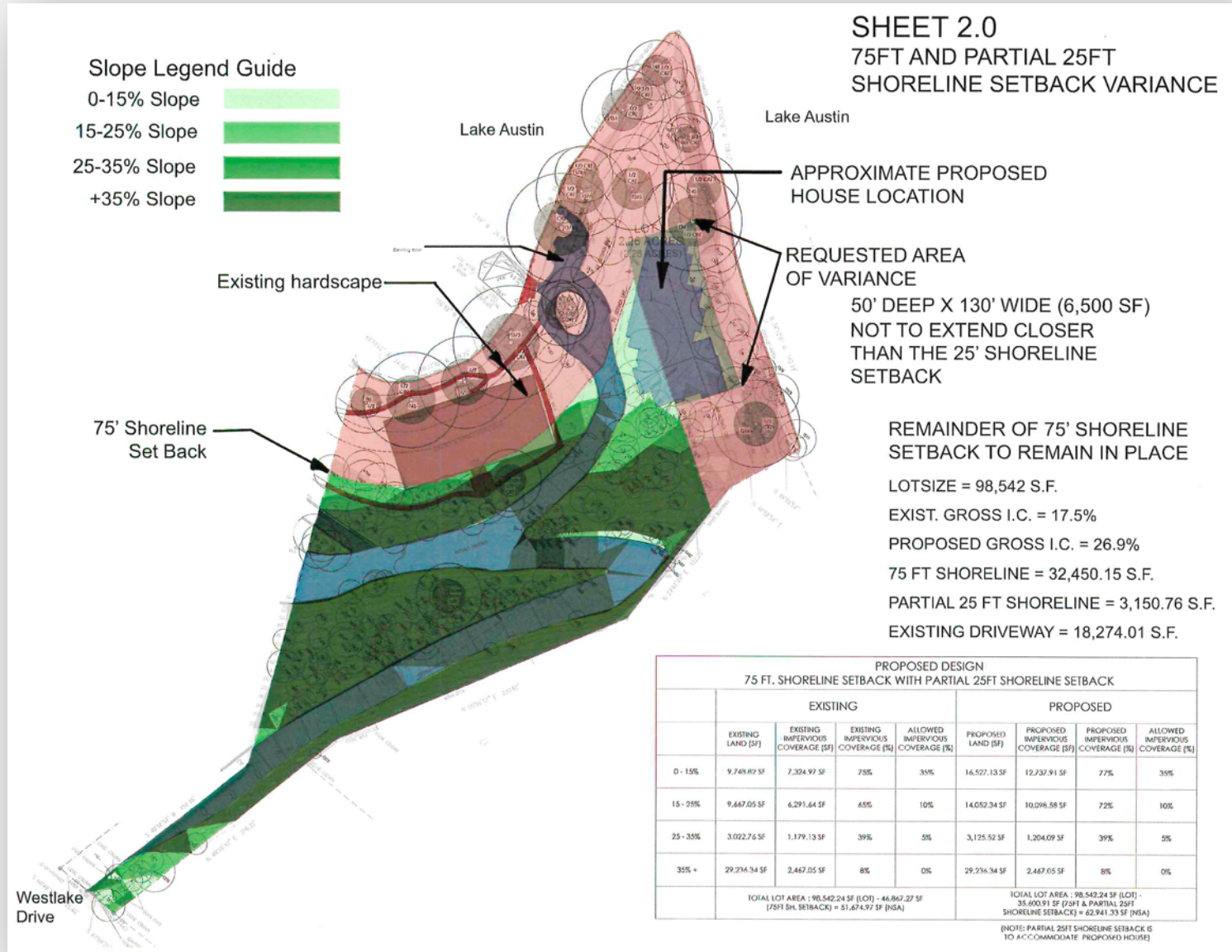


EXHIBIT: SHEET 2.1

SHORELINE WITH A 75' SETBACK AND PARTIAL REDUCTION TO 25' SETBACK WITH RIBBON DRIVEWAY

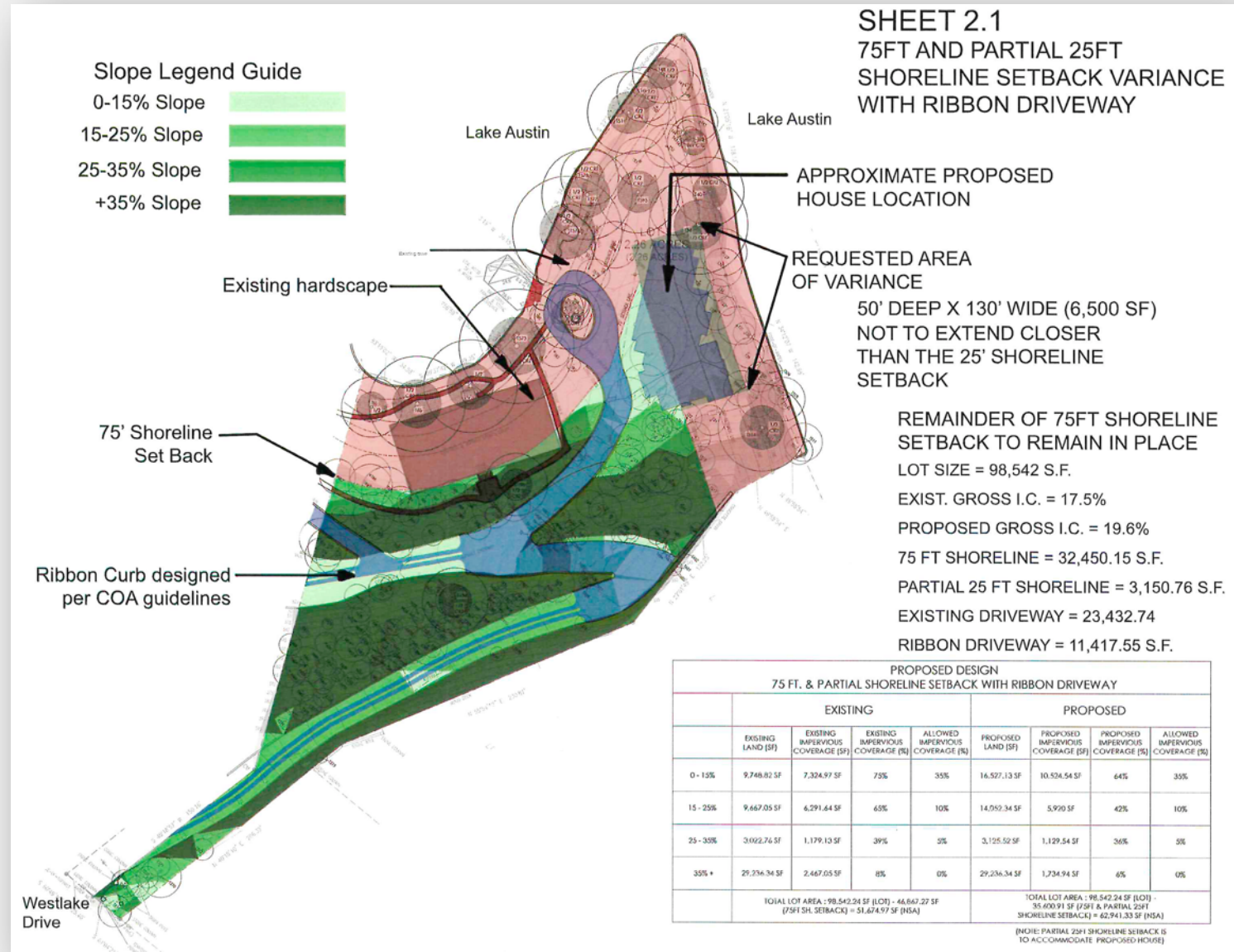


EXHIBIT: SHEET 3.0

REDUCING THE 75' SHORELINE TO 25' ALONG THE ENTIRE PERIMETER (THIS IS THE REQUESTED VARIANCE WITH THE ASSOCIATED IC PROPOSALS)

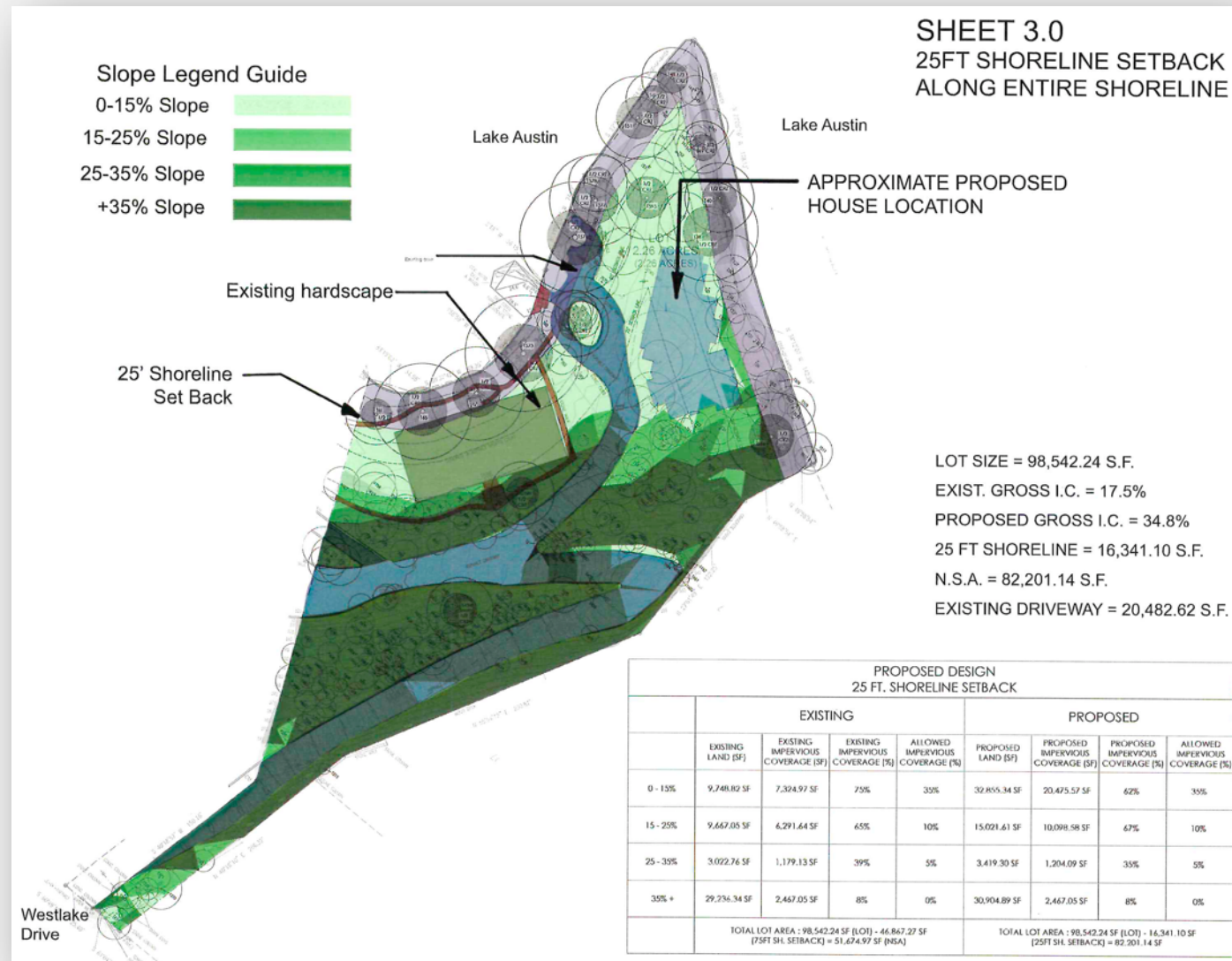
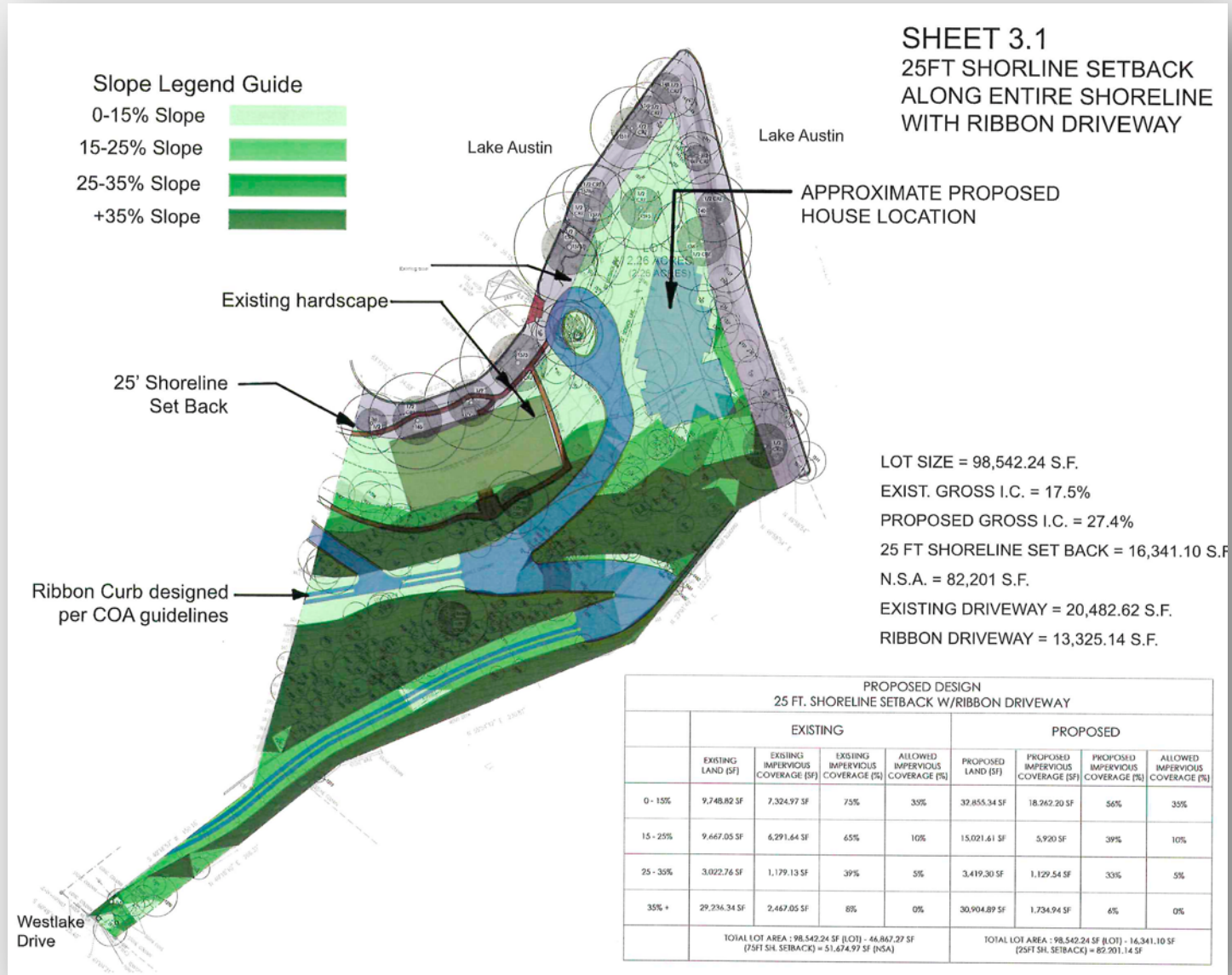


EXHIBIT: SHEET 3.1

SHOWING 25' SHORELINE SETBACK WITH RIBBON DRIVEWAY.



ENTRANCE FROM WESTLAKE DR. / DRIVEWAY BEND #1 TOWARD LAKE



DRIVEWAY AROUND THE BEND



DRIVEWAY AFTER BEND #1 & TOWARDS BEND #2



DRIVEWAY HEADING TOWARD CIRCULAR AREA / TENNIS COURT VIEW



GRASSY AREA WITH CIRCULAR DRIVE / APPROX. HOUSE LOCATION



GRASSY AREA BETWEEN CIRCULAR DRIVE AND LAKE



OTHER SIDE OF LOT



NEW BACKUP MATERIAL

COVER LETTER

The Board heard this case at its October hearing. The applicant is requesting variances to the LA zoning impervious cover regulations in order to construct a single-family residence. We heard the Board's concerns regarding the project and have provided updated materials.

The back up material includes a site plan showing:

- A site plan with 75' shoreline and existing conditions
- A "1.0" site plan reflecting a 25' shoreline with the residence along Bee Creek (with the existing tennis court 100% removed from the IC calculations but shown for visual purpose only)
- A "2.0" site plan with a 25' shoreline reflecting the residence atop the existing tennis court
- Back up materials showing the IC for each option (noted as "sheet 1.0 Continued" and "Sheet 2.0 Continued), and
- A calculations sheet showing existing IC conditions

FINDINGS

- Revisited site several times.
- Pictures from the water.
- There are several hundred trees on this lot.
- The topography, existing driveway, tree root zones and limited availability of any flat land present several unique hardships.
- Applicant requests to construct home utilizing a 25' shoreline along the Bee Creek side of the Lake frontage
- Board heard from opposing party any construction in this area would not be in keeping with existing home sites.
- Board voiced the same concern.
- We assert that is not the case.
 - Across the cove from the proposed site are two homes which are so close to the water one can actually see the reflection of the homes in the water.
 - One home in particular is nearly over the water.
 - Adjacent to that house is the opposing party's house located at 23 Hull Circle. That house is not within City of Austin Jurisdiction. It is located in the City of Westlake's full purpose jurisdiction. That party does not have standing.

FINDINGS, CONT'D

- Conversely, as you enter the cove from the main body of Lake Austin, homes along Westlake Dr. are perched high above the water.
- There are varied home styles, locations, and means of access to the water via trams or stairs.
- These homes are not impacted whatsoever by this application.
- Board heard from the other opposing party whom spoke on behalf of the Pecan Condominiums. That development is also perched high above the water over Bee Creek. I have spoken with a representative of the condo HOA. He was assured any construction of a house would essentially only show the bare minimum rooftop through the extensive assortment of trees as well as the steep topography acting as a vegetative buffer. I further assured him their view would not be blocked.
- Proposed home site along the Bee Creek side of the lot is consistent with and less intrusive than the existing improvements found in the immediate area.
- Please reference pictures which show how project is consistent.
- Our hope is that you agree with these assertions and approve the proposed shoreline reduction and impervious cover allowances outlined in the attached back up material.

FINDINGS, CONT'D

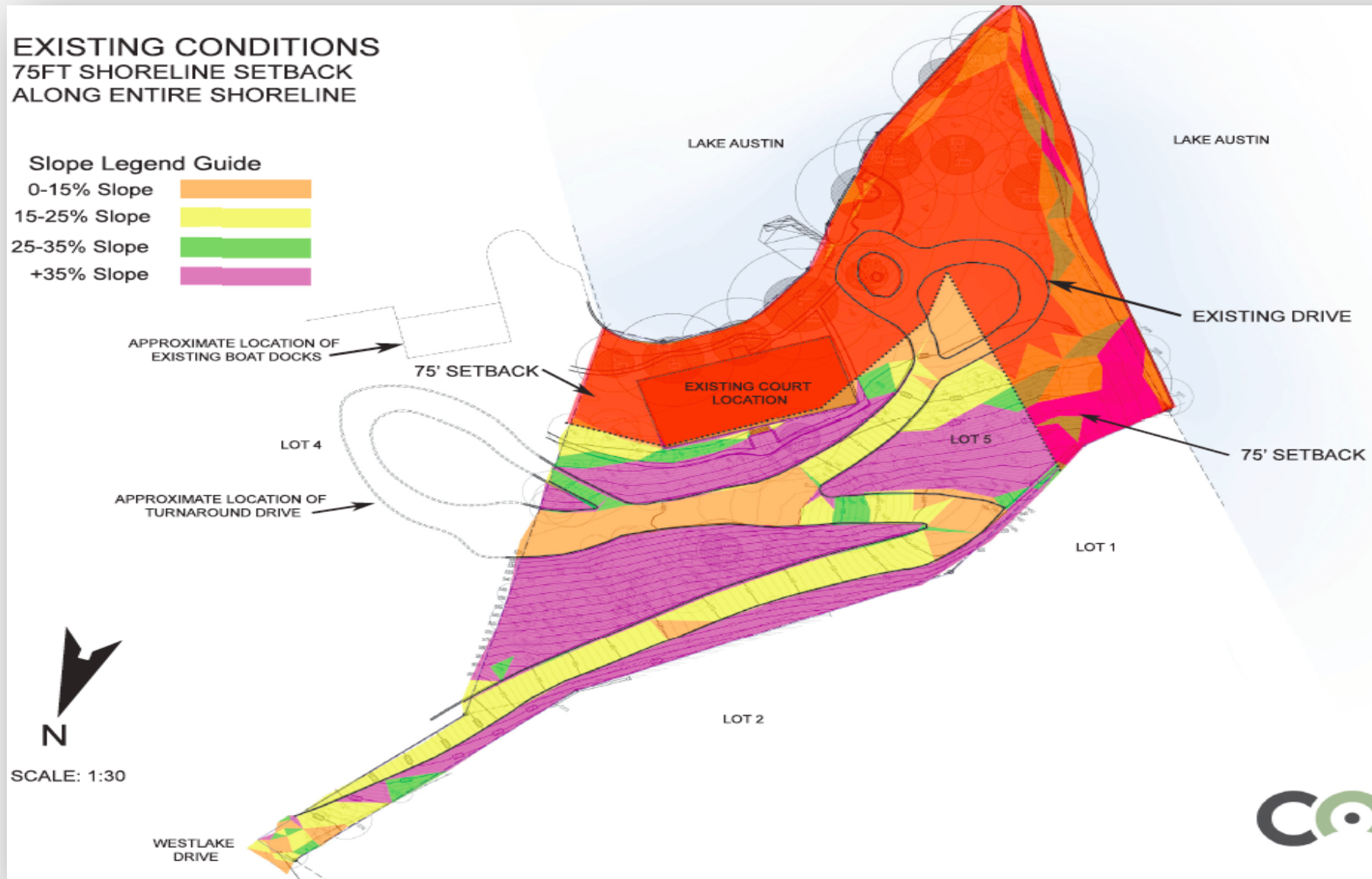
- Property owner agrees tennis court should be removed. The court is in such a state of disrepair due to the extended Cypress tree roots that it needs to be removed altogether.
- Although flat, court area not conducive to excavation and construction of a residence given the extensive root systems of the surrounding protected and no-protected trees.
- There are several hundred trees on the site – the owner desires to protect as many of these trees as possible.
- He has watched these magnificent Cypress trees along the shoreline grow since he's owned the lot in the 1960's.
- Constructing a home in this area will undoubtedly have a negative impact on the health of the Cypress trees adjacent to the dock and tennis court.
- Circle drive has been removed and replaced with hammerhead style drive.
- Should the Board desire a modified shoreline reduction that includes a partial reduction to 25' around the house and keep the 75' for the remainder of the lot, then applicant is happy to return to January hearing to present final materials for approval.
- The impervious coverage numbers will need to be amended to accommodate the existing public notice - a renotification would be required.
- However, the owner would like to avoid any further delays beyond November, if possible, but defers to the Board.

EXISTING CONDITIONS

EXISTING CONDITIONS 75FT SHORELINE SETBACK ALONG ENTIRE SHORELINE

Slope Legend Guide

0-15% Slope	
15-25% Slope	
25-35% Slope	
+35% Slope	



EXISTING CONDITIONS

EXISTING CONDITIONS WITH 75' SHORELINE SETBACK

LOT SIZE= 98,542.24 SF

GROSS IMPERVIOUS COVERAGE = 17.5%

75FT SHORELINE SETBACK = 46,867.27 SF

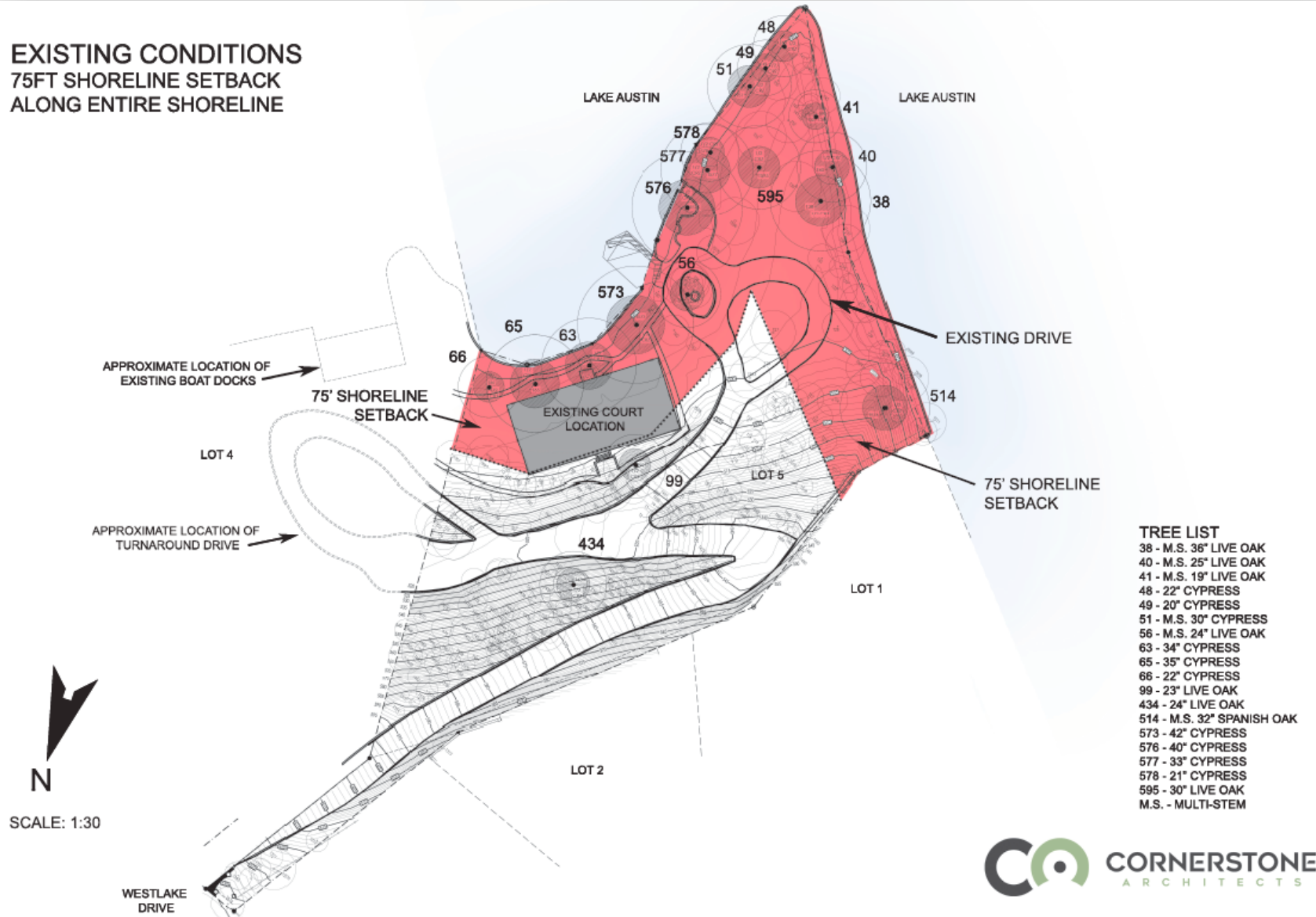
N.S.A. = 51,674.97 SF

EXISTING DRIVEWAY= 23,432.74 SF

EXISTING CONDITIONS 75 FT. SHORELINE SETBACK				
	EXISTING LAND (SF)	EXISTING IMPERVIOUS COVERAGE (SF)	EXISTING IMPERVIOUS COVERAGE (%)	ALLOWED IMPERVIOUS COVERAGE (%)
0 - 15%	9,748.82 SF	7,324.97 SF	75%	35%
15 - 25%	9,667.05 SF	6,291.64 SF	65%	10%
25 - 35%	3,022.76 SF	1,179.13 SF	39%	5%
35% +	29,236.34 SF	2,467.05 SF	8%	0%
TOTAL LOT AREA : 98,542.24 SF (LOT) - 46,867.27 SF [75FT SH. SETBACK] = 51,674.97 SF (NSA)				

PROTECTED TREE DIAGRAM

EXISTING CONDITIONS
75FT SHORELINE SETBACK
ALONG ENTIRE SHORELINE



ENTERING COVE FROM MAIN BODY



HOUSES ALONG WESTLAKE DR. ENTERING FROM MAIN BODY



MAIN BODY COVE DOCKS & CLIFF
TAKING ACCESS FROM WESTLAKE DR.



MAIN BODY COVE DOCKS & BOATS



SUBJECT SITE FROM MAIN BODY



MAIN BODY COVE DOCK AND CYPRESS TREES



SUBJECT SITE “POINT”



SUBJECT SITE ALONG BEE CREEK



MAIN BODY VIEW INTO BEE CREEK



VIEW INTO BEE CREEK – SUBJECT SITE



SURROUNDING RESIDENCES BEE CREEK



RESIDENCES ACROSS BEE CREEK



RESIDENCES ACROSS BEE CREEK



OPPOSING RESIDENCE ACROSS BEE CREEK



SURROUNDING DOCKS UP BEE CREEK



OPPOSING RESIDENCE ACROSS BEE CREEK



RESIDENCES ACROSS BEE CREEK



RESIDENCES ACROSS BEE CREEK

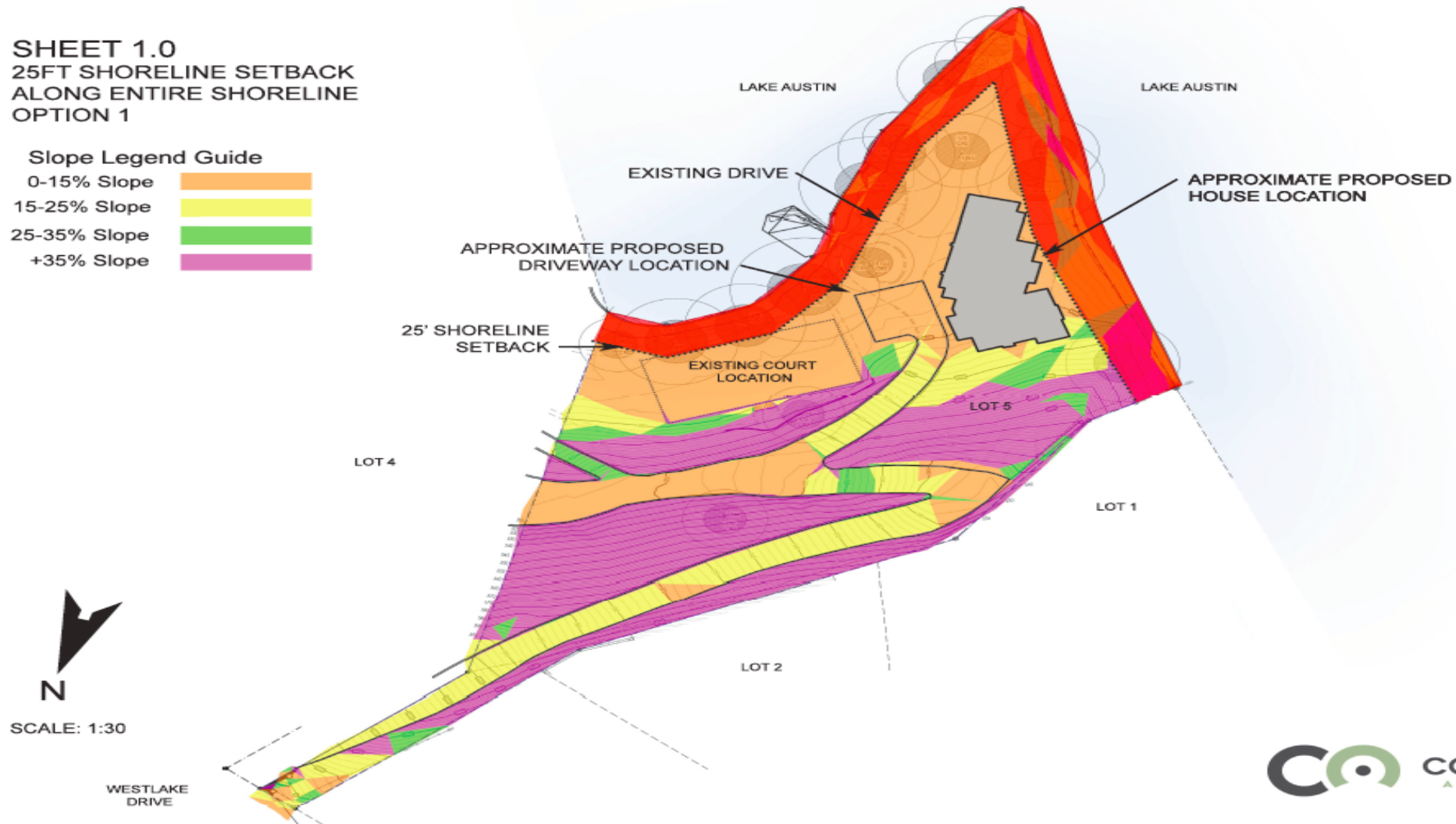


OPTION I – BEE CREEK HOUSE FOOTPRINT

SHEET 1.0 25FT SHORELINE SETBACK ALONG ENTIRE SHORELINE OPTION 1

Slope Legend Guide

0-15% Slope	
15-25% Slope	
25-35% Slope	
+35% Slope	



25' SHORELINE SETBACK ALONG ENTIRE SHORELINE – OPTION 1

**SHEET 1.0 CONTINUED
25' SHORELINE SETBACK
ALONG ENTIRE SHORELINE
OPTION 1**

LOT SIZE= 98,542.24 SF

EXISTING GROSS I.C. = 17.5%

PROPOSED GROSS I.C. = 32.2%

25FT SHORELINE SETBACK = 16,341.10 SF

N.S.A. = 82,201.14 SF

EXISTING DRIVEWAY= 20,482.62 SF

PROPOSED DESIGN 25 FT. SHORELINE SETBACK OPTION 1								
	EXISTING				PROPOSED			
	EXISTING LAND (SF)	EXISTING IMPERVIOUS COVERAGE (SF)	EXISTING IMPERVIOUS COVERAGE (%)	ALLOWED IMPERVIOUS COVERAGE (%)	PROPOSED LAND (SF)	PROPOSED IMPERVIOUS COVERAGE (SF)	PROPOSED IMPERVIOUS COVERAGE (%)	ALLOWED IMPERVIOUS COVERAGE (%)
0 - 15%	9,748.82 SF	7,324.97 SF	75%	35%	32,855.34 SF	13,794.22 SF	42%	35%
15 - 25%	9,667.05 SF	6,291.64 SF	65%	10%	15,021.61 SF	10,029.92 SF	67%	10%
25 - 35%	3,022.76 SF	1,179.13 SF	39%	5%	3,419.30 SF	1,097.17 SF	32%	5%
35% +	29,236.34 SF	2,467.05 SF	8%	0%	30,904.89 SF	1,540.37 SF	5%	0%
	TOTAL LOT AREA : 98,542.24 SF (LOT) - 46,867.27 SF (75FT SH. SETBACK) = 51,674.97 SF (NSA)				TOTAL LOT AREA : 98,542.24 SF (LOT) - 16,341.10 SF (25FT SH. SETBACK) = 82,201.14 SF			

OPTIONS | RENDERING



OPTION #1 VARIANCES

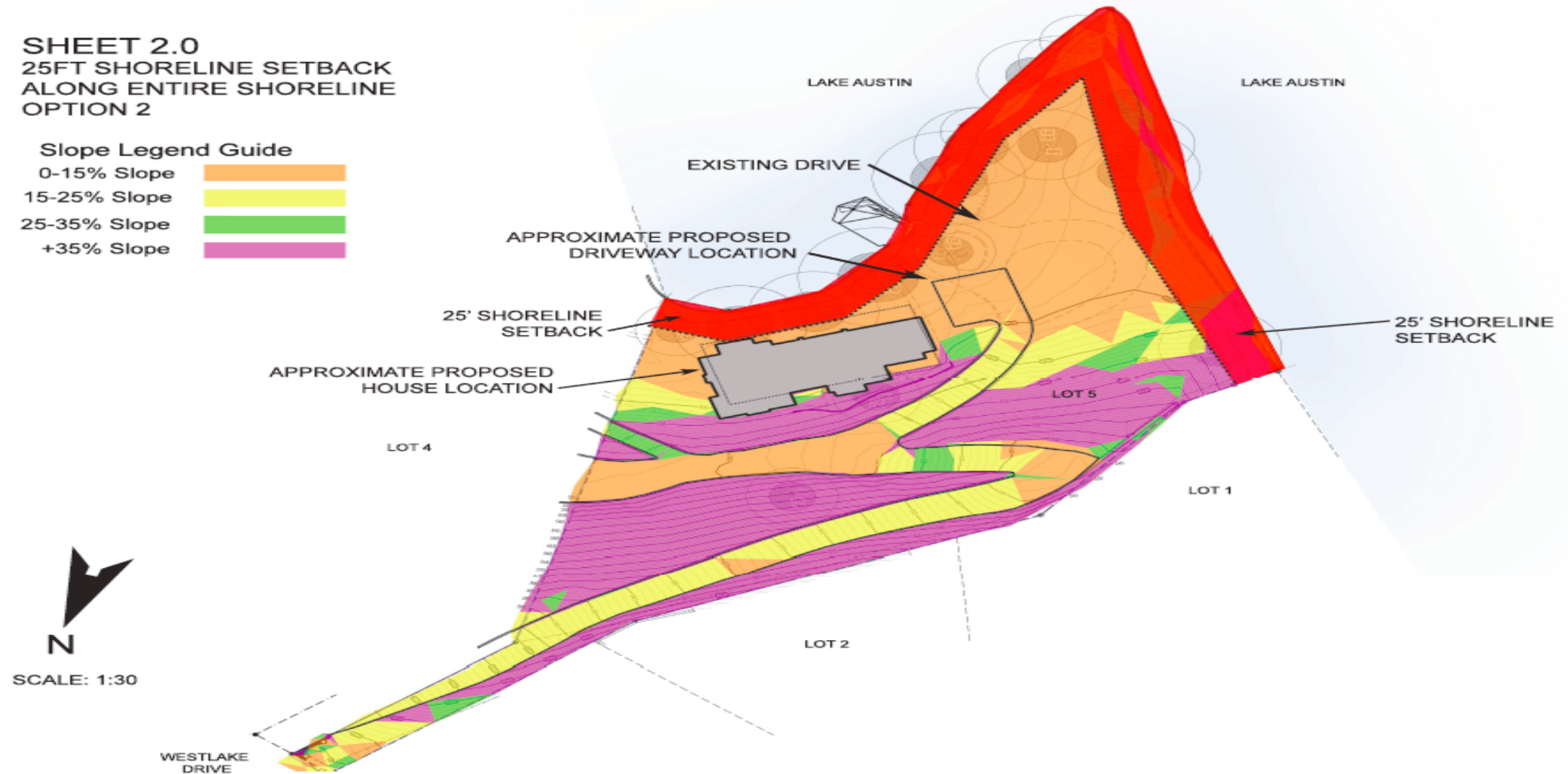
1. Reduce entire shoreline from 75' to 25'
2. Reduce IC from 75% to 42% in the 0-15% slope category
3. Increase IC from 65% to 67% in the 15-25% slope category
4. Reduce IC from 39% to 32% in the 25-35% slope category
5. Maintain IC @ 8% in the 35% slope category

OPTION 2 – TENNIS COURT FOOTPRINT

SHEET 2.0 25FT SHORELINE SETBACK ALONG ENTIRE SHORELINE OPTION 2

Slope Legend Guide

0-15% Slope	
15-25% Slope	
25-35% Slope	
+35% Slope	



25' SHORELINE SETBACK ALONG ENTIRE SHORELINE – OPTION 2

SHEET 2.0 CONTINUED 25' SHORELINE SETBACK ALONG ENTIRE SHORELINE OPTION 2

LOT SIZE= 98,542.24 SF

EXISTING GROSS I.C. = 17.5%

PROPOSED GROSS I.C. = 32.2%

25FT SHORELINE SETBACK = 16,341.10 SF

N.S.A. = 82,201.14 SF

EXISTING DRIVEWAY= 20,482.62 SF

PROPOSED DESIGN 25 FT. SHORELINE SETBACK OPTION 2								
	EXISTING				PROPOSED			
	EXISTING AND INF	EXISTING IMPERVIOUS COVERAGE [SF]	EXISTING IMPERVIOUS COVERAGE [%]	ALLOWED IMPERVIOUS COVERAGE [SF]	PROPOSED LAND [SF]	PROPOSED IMPERVIOUS COVERAGE [SF]	PROPOSED IMPERVIOUS COVERAGE [%]	ALLOWED IMPERVIOUS COVERAGE [SF]
0 - 10%	9,748.82 SF	7,324.87 SF	75%	51%	32,833.34 SF	13,288.88 SF	41%	36%
10 - 20%	9,667.35 SF	6,297.64 SF	65%	13%	12,021.67 SF	9,300.46 SF	66%	10%
20 - 30%	3,022.76 SF	1,779.13 SF	59%	2%	3,419.93 SF	1,463.97 SF	43%	5%
30% +	09,286.34 SF	2,467.05 SF	26%	0%	30,904.89 SF	1,894.69 SF	6%	0%
	TOTAL LOT AREA (98,542.24 SF) (DOT) = 46,667.87 SF (25 FT SETBACK) = 5,674.97 SF (NSA)				TOTAL LOT AREA (98,542.24 SF) (DOT) = 16,341.10 SF (25 FT SETBACK) = 82,201.14 SF			

OPTION 2 RENDERING



VIEW OF SITE OPTION 2.0

THANK YOU