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October 18, 2010

Sara Hensley, Director
City of Austin
Parks and Recreation Department
200 South Lamar
Austin, Texas 78704

Re: Gregory Boat Dock Application, SP-2010-0068DS (the "Application")

Dear Sara:

This firm represents and this letter is written on behalf of Mr. Bob Gregory, applicant for the above referenced Application and property owner of 2939 Westlake Drive, Austin, Texas 78746 (the "Property"). The purpose of this letter is to request that the Application be placed on the Parks Board agenda on October 26, 2010 for consideration. Enclosed you will find 10 copies of the current site plan, property location map, subdivision plat, and various exhibits.

Existing Conditions:

The lot area is 1.47 acres, with a shoreline width of 102 linear feet. The site is located in the Lake Austin watershed. The Property is currently developed with a single-family residence. It is worth noting that this site is one of the few properties along this point of Lake Austin that does not have an existing boat dock. The site is currently zoned LA. According to a site visit by Andrew Clamann, City of Austin ERM Officer, no Critical Environmental Features are located on the Property.

Proposed Conditions:

The scope of work is for the construction of a residential boat dock without shoreline modification or dredging of the lake. The applicant originally proposed a boat dock with a width of 44 feet. However, after recent comments from the Navigation Board the site plan was revised to reduce the proposed width of the boat dock from 44 feet to 27 feet, or 26.47% of the shoreline width. In accordance with Section 25-2-1176(D)(2) approval by the Parks and Recreation Board

is required if a boat dock has a width that exceeds 20% of the shoreline width of the lot. Justification for approval by the Parks and Recreation Board is as follows:

WIDTH

The Property has a very narrow shoreline width, 102 linear feet, because of this, the width of the boat dock would be limited to only 20.4 feet, which would be a relatively small boat dock that would only accommodate one boat. In order to accommodate contemporary boat sizes and to provide a safe passageway for access, the proposed width of the boat dock is 27 feet. This is the minimum width necessary to provide two slips, which is similar to the adjacent boat docks to the north and south of the Property. Also it should be noted, on average, most of the boat docks constructed within this area of Lake Austin accommodate two or more vessels. This is shown on the aerial photos enclosed.

In accordance with Section 25-2-1176(D)(2), we are seeking approval from the Parks and Recreation Board to exceed more than 20% of the shoreline. Consideration of this variance is not based on a set of findings outlined in the City Code, but rather is purely discretionary. It is interesting to note, over the years this particular variance has been granted on numerous occasions. Therefore, we respectfully request that the Parks and Recreation Board give this Application the same consideration it has given other similar applications in the past.

LENGTH

In addition, the boat dock will extend 55 feet from the shoreline. In accordance with Section 25-2-1176(B)(2) of the City Code, a dock may not extend more than 30 feet from the shoreline unless the Parks and Recreation Board determines that the boat dock will not create a safety hazard. Justification for approval of the Application is as follows:

The reason the boat dock must extend more than 30 feet as prescribed by the City Code is, the lake bed adjacent to the site is very shallow. The current water depth ranges from 8 inches at the shoreline to 41 inches approximately 30 feet from the shoreline. In an effort to avoid dredging the lake to create a deeper lake bed, the boat dock will be constructed 55 feet from the shoreline.

Additionally, the Property is located along a portion of Lake Austin that is recessed approximately 122 feet from the main channel of the lake. As illustrated on the site plan, the Property is also recessed behind the adjoining shoreline located immediately to the north of the site. The Property sits in a natural cove. Additionally, the boat dock will not extend beyond the adjacent boat dock located to the south of the site. The architect attempts to illustrate these facts by drawing a line parallel between the shoreline to the north and the adjoining boat dock to the south. As the illustration shows, the boat dock can extend 55 feet from the shoreline and still be outside of the main channel of the lake, and behind the projecting shoreline to the north and the adjacent boat dock located to the south. The width of the channel measured at the low water level is 715 feet wide from shoreline to shoreline, and 900 feet wide at the high water level. It should be noted that the proposed boat dock will be constructed 59 feet from the 482 contour line.

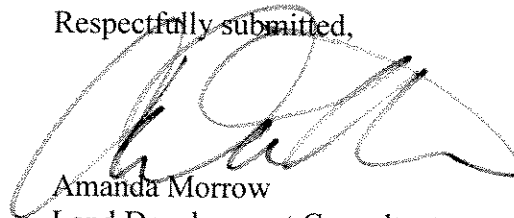
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If the waiver is granted to allow the boat dock to be constructed 55 feet from the shoreline, the wide channel would provide a safe navigational passageway for other users of the lake. For these reasons, we believe that the boat dock will not create a navigational safety hazard or environmental issue even though the proposed boat dock will extend more than 30 feet from the shoreline, and exceed more than 20% of the shoreline.

Should you require additional information to place this Application on the Parks and Recreation agenda, please let me know.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Amanda Morrow', is written over the typed name and title.

Amanda Morrow
Land Development Consultant

Enclosures

cc: Dennis Hobbs
David Armbrust