

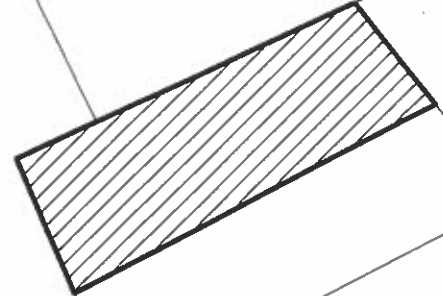





MP

COLORADO

HURLOCK

TORTUGA



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

**NOTIFICATIONS**

CASE#: C15-2017-0013  
 LOCATION: 5201 Tortuga Trail



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" = 160'



**CITY OF AUSTIN**  
 Development Services Department  
 One Texas Center | Phone: 512.978.4000  
 505 Barton Springs Road, Austin, Texas 78704

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## 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 # <u>C15-2017-0013</u>	ROW # <u>11673702</u>	Tax # <u>0131090214</u> TCADV
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### Section 1: Applicant Statement

Street Address: 5201 Tortuga Trail, Austin, Texas 78731

Subdivision Legal Description:  
ABS 7 Chambers T J ACR .8510

Lot(s): \_\_\_\_\_ Block(s): \_\_\_\_\_

Outlot: \_\_\_\_\_ Division: \_\_\_\_\_

Zoning District: LA (SF2, Built prior to 1982)

I/We Robert Turner on behalf of myself/ourselves as  
 authorized agent for Robert and Lesli Turner affirm that on

Month February , Day 10 , Year 2017 , 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:  
25-2-1176 (A) (3) "A dock may not be constructed closer than 10' to the side property line,  
regardless of the side-yard setback generally applicable within the base zoning district."

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**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:

The transmission and distribution lines that run overhead at my property, which are out of easement, consume approximately 42 linear feet of my waterfrontage. This area is the most desirable location on my lot for the boat dock. This leaves two possible locations for the boat dock 1) in the side yard on the South side of the property and 2) off the face of the peninsula that already jut out approximately 35' into the lake from the main shoreline. Option 2 would result in the back of the boat dock jutting out approximately 65' into the lake from the main shoreline.

**Hardship**

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

The transmission and distribution lines that run overhead at my property is my hardship. Austin Energy has already denied my first boat dock submission with the boat dock placed under the lines as they claim they have prescriptive rights to this area, although they are out of easement.

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

To the best of my knowledge, these are the only transmission and distribution lines that are located out of their specified electrical easement.

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**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:

As the great majority of Lake Austin waterfront homes have boat docks located somewhere along their waterfrontage, the variance allowing for a boat dock to be built will not alter the character of the area. Also, in keeping with the character of the area, the majority of boat docks on Tortuga Trail are within the 10' side yard setback. As I am also the owner of the adjacent property, I can attest to the fact that it will not diminish this property or I would not be seeking this variance.

**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:

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

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### 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: Robert Turner Date: 02/10/2017

Applicant Name (typed or printed): Robert Turner

Applicant Mailing Address: 202 Billings Lane

City: Austin State: Texas Zip: 78733

Phone (will be public information): (512) 573-8762

Email (optional – will be public information): rturnerhomes@gmail.com

### 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: Robert Turner Date: 02/10/2017

Owner Name (typed or printed): Same as above

Owner Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone (will be public information): \_\_\_\_\_

Email (optional – will be public information): \_\_\_\_\_

### Section 5: Agent Information

Agent Name: NA

Agent Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone (will be public information): \_\_\_\_\_

Email (optional – will be public information): \_\_\_\_\_

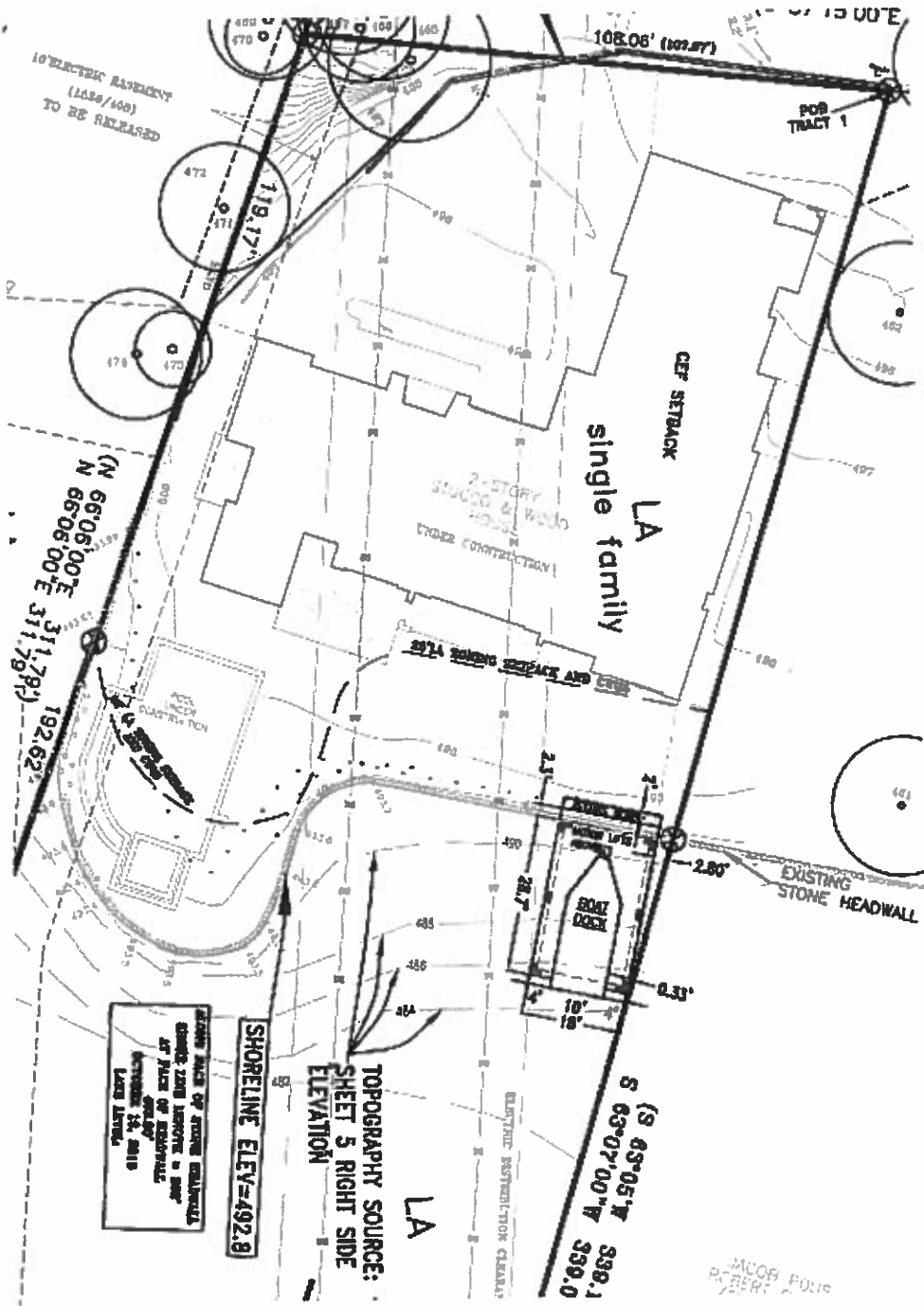
### Section 6: Additional Space (if applicable)

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).

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



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SHORELINE ELEV=492.9

TOPOGRAPHY SOURCE: SHEET 5 RIGHT SIDE ELEVATION

LA

(S 63°05' W 339.1 339.0)

S 63°07'00" W 339.1 339.0

JACOB POLI

ROBERT POLI



I, Robert Turner, am applying for a variance from the Board of Adjustment regarding Section 25-2-1176 (A) (3) of the Land Development Code. The variance would allow me the ability to build my boat dock into the 10' side yard setback.

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

Property Owner Name (Printed)	Address	Signature
Mount Bonnell Shores / Colorado Crossing Home Owners Association	Neighborhood HOA that owns the land adjacent to the homeowner	<i>David Joseph Fore, Director</i>

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I, Robert Turner, am applying for a variance from the Board of Adjustment regarding Section 25-2-1176 (A) (3) of the Land Development Code. The variance would allow me the ability to build my boat dock into the 10' side yard setback at 5201 Tortuga Trail, Austin Texas 78731.

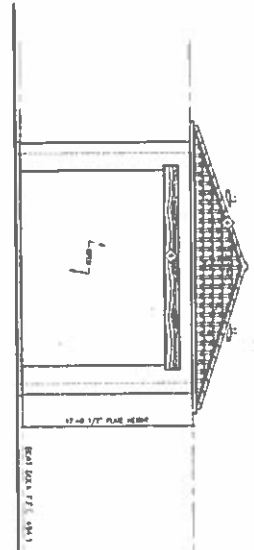
**By signing this form, I understand that I am declaring my support for the variance being requested.**

<b>Property Owner Name (Printed)</b>	<b>Address</b>	<b>Signature</b>
Michael B. Davis	5205 Tortuga Trail Austin, Texas 78731	

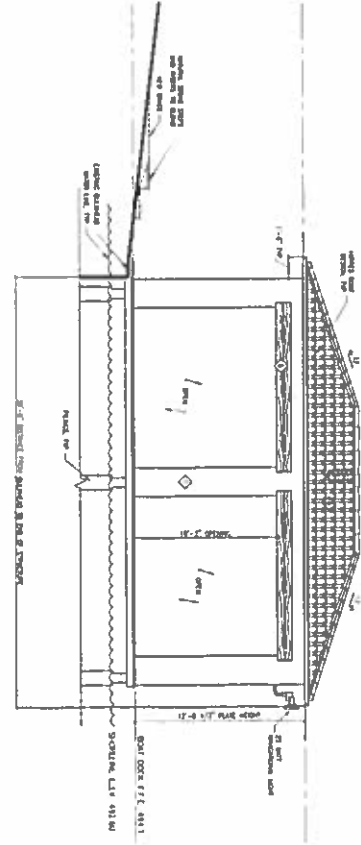




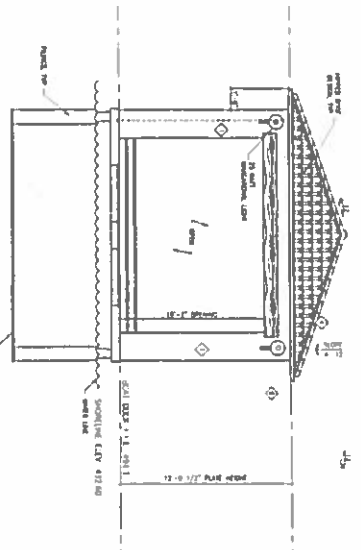
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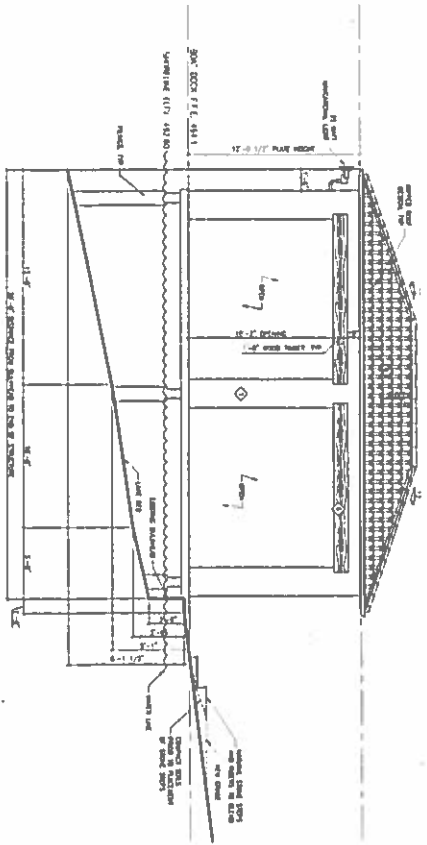
1 FRONT ELEVATION  
SHEET 5 MAIN 10'x14'



2 LEFT SIDE ELEVATION  
SHEET 5 MAIN 10'x14'



3 REAR ELEVATION  
SHEET 5 MAIN 10'x14'



4 RIGHT SIDE ELEVATION  
SHEET 5 MAIN 10'x14'

NOTES:  
1. THE DRAWING IS FOR THE BOAT DOCK ONLY. ALL DIMENSIONS ARE AS SHOWN UNLESS OTHERWISE NOTED.  
2. THE BOAT DOCK SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODE (IBC) AND THE LATEST EDITIONS OF THE INTERNATIONAL MECHANICAL AND ELECTRICAL CODES (IMC AND NEC).  
3. THE BOAT DOCK SHALL BE CONSTRUCTED WITH A MINIMUM OF 1/2" THICK CONCRETE FLOOR AND 2" THICK CONCRETE WALLS.  
4. THE BOAT DOCK SHALL BE CONSTRUCTED WITH A MINIMUM OF 1/2" THICK CONCRETE ROOF AND 2" THICK CONCRETE WALLS.  
5. THE BOAT DOCK SHALL BE CONSTRUCTED WITH A MINIMUM OF 1/2" THICK CONCRETE FLOOR AND 2" THICK CONCRETE WALLS.

EXTERIOR MATERIAL LEGEND

1	STAINLESS STEEL
2	SPRINKLER HEADS
3	SPRINKLER HEADS
4	SPRINKLER HEADS
5	SPRINKLER HEADS
6	SPRINKLER HEADS
7	SPRINKLER HEADS
8	SPRINKLER HEADS
9	SPRINKLER HEADS
10	SPRINKLER HEADS

SP-2016-0\_DS

<p><b>TURNER BOAT DOCK</b></p> <p>5201 TORTUGA TRAIL AUSTIN, TEXAS 78758</p>		<p>HARRISON</p>
<p>5 of 5</p>	<p>RELEASED FOR CONSTRUCTION</p>	<p>RELEASED FOR CONSTRUCTION</p>



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