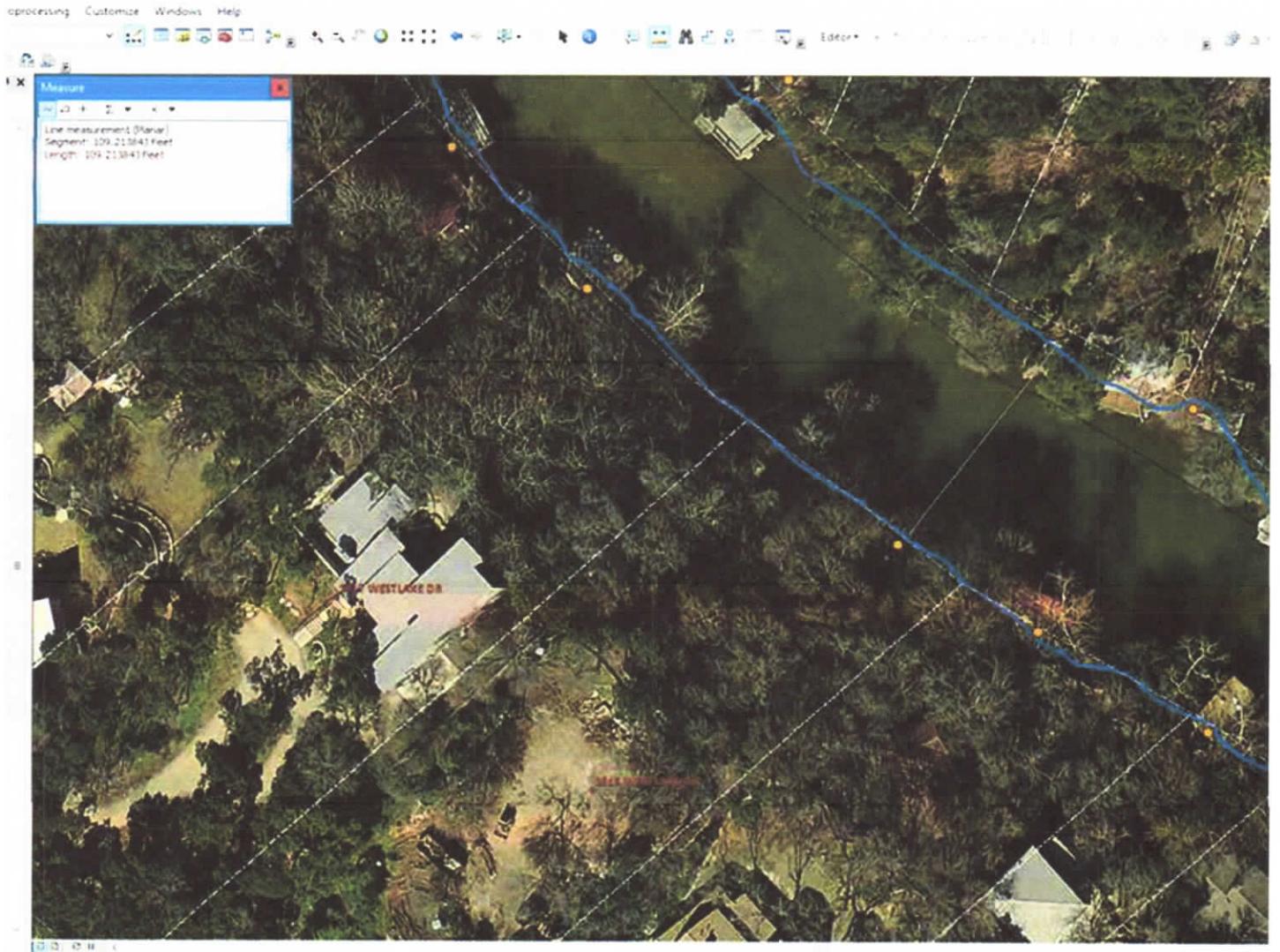


difference in dock extension. Can you ask the engineer who sealed the plans to clarify how he came up with the 140' measurement?



Thanks,

Liz Johnston

Environmental Program Coordinator
Environmental Resource Management, Watershed Protection Department
City of Austin
505 Barton Springs Road, 11th Floor
512.974.2619

<http://www.austintexas.gov/austinlakes>
<https://www.austintexas.gov/emmalongshoreline>

1867 WESTLAKE DR PICTURES TAKEN FEBRUARY 2017



EXHIBIT E

APPENDIX U - FINDINGS OF FACT

Watershed Variances - Findings of Fact

As required in LDC Section 25-8-41, in order to grant a variance the Planning Commission must make the following findings of fact: Include an explanation with each applicable finding of fact.

Project: _____

Ordinance Standard: _____

JUSTIFICATION:

1. Are there special circumstances applicable to the property involved where strict application deprives such property owner of privileges or safety enjoyed by other similarly situated property with similarly timed development? YES/NO
2. Does the project demonstrate minimum departures from the terms of the ordinance necessary to avoid such deprivation of privileges enjoyed by such other property and to facilitate a reasonable use, and which will not create significant probabilities of harmful environmental consequences? YES/NO
3. The proposal does not provide special privileges not enjoyed by other similarly situated properties with similarly timed development, and is not based on a special or unique condition which was created as a result of the method by which a person voluntarily subdivided land. YES/NO
4. Does the proposal demonstrate water quality equal to or better than would have resulted had development proceeded without the variance? YES/NO
5. For a variance from the requirements for development within the Critical Water Quality Zone and/or Water Quality Transition Zone: Does the application of restrictions leave the property owner without any reasonable, economic use of the entire property? YES/NO

A variance requires all above affirmative findings with explanations/reasons.

EXAMPLE DOCK SITES FOR BOA CONSIDERATION



002/74
EXHIBIT F

PREPARED BY RICK
RASBERRY 8/25/17

002/75
EXHIBIT G



SEVEN (7) SIGNED
SUPPORT FORMS
IN FAVOR OF APPROVAL

[REDACTED]

Subject: RE: 1615 Westlake Dr Measurement for Hearing (108.5' X 20% = 21.7 feet)

Liz/Stephen,

Attached are pictures from today's site visit (thank you Stephen for this additional follow-up) and we found the specific channel width to currently be about 108.5'. The 492.8 msl contour measurement discovered today on opposite shoreline stopped where the most recent land capture had occurred during lake drawdown. We would estimate about 2'-3' of vertical and about 8'-10' of horizontal "filling of the land" happened in Jan-Feb of this year on the opposite shoreline -- and review of the GIS aerials for the site would suggest other illegal development may have also occurred in previous years.

Liz, please let me know if you are okay with the findings today and if you have other questions, or need for other updates to the Director so the BOA proceedings may continue? Could you also maybe let us know if the Director/Building Official agrees or disagrees with the current findings, and maybe suggest ideas about how my client could be afforded reasonable accommodations for this hardship?

Stephen, if you could kindly reply that based on our demonstrations today; that the proposed 30' X 30' dock would not present any risk to navigation based on your experience and professional judgement?

We are available to answer any other questions and thanks again for your help with these matters.

Kindest Regards,

Rick Rasberry, CESSWI
Lake Austin Boat Dock & Shoreline Permits

[REDACTED]

[REDACTED]

Subject: RE: 1615 Westlake Dr Measurement for Hearing (110' X 20% = 22.0 feet)

Liz,

We will coordinate with Stephen on any supplemental measurements to the 10/27/17 DSD Inspection findings and have that data provided in advance of Leane's deadline for submittal, thanks!

Leane,

We met on site with the Development Services Environmental Inspections Staff on December 12/14/17 and found the existing channel measurement to be approximately 108.5' in width were the proposed dock would be located. We are prepared to move forward with the 1/8 Board proceedings unless the Director/Building Official has any other requests at this time. Please let us know of any questions or other needs, thanks!

Kindest Regards,

Rick Rasberry, CESSWI
Lake Austin Boat Dock & Shoreline Permits

[Redacted]

[Redacted]

1615 Westlake Dr Measurement for Hearing (110' X 20% = 22.0 feet)

I am going to pull the notice for 12/18 meeting until the **1/8 meeting** to give more time for measurement confirmation.

Deadline for the 1/8 hearing language notice including and accurate measurement will be end of day **TH 12/21** due to the holiday (City offices closed on the normal due date/time of 12/25 10 am and following day 12/26, but notices still have to be postmarked by 12/28, so will need to give them 3 working days to produce).

Leane

[Redacted]

1615 Westlake Dr Measurement for Hearing (110' X 20% = 22.0 feet)

Copy that.

Thank you for working on it and everyone please let me know next steps if I can help make this proceed most expeditiously.

Thank you,
Dustin

[REDACTED]

Subject: 1867 Westlake Dr Compliant?

Mr. Chapman,

Could you tell us if the recent filling of the land, bulkhead, retaining walls, building(s), and boat dock development (1867 Westlake Dr) on opposite shoreline where we made the measurements is all permitted and approved by the City? Here is a picture for review and consideration:



Kindest Regards,

Rick Rasberry, CESSWI
Lake Austin Boat Dock & Shoreline Permits
512-970-0371

[REDACTED]



