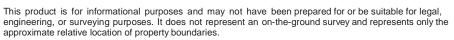


NOTIFICATIONS

CASE#: C15-2018-0051 LOCATION: 4704 Colorado Crossing





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, <u>click here to Save</u> 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

For Office Use O	illy				
Case #	ROW #		Tax	#	
Section 1: Appli	cant Statemen	t			
Street Address: 4704					
Subdivision Legal Desc	ription:				
LOT 8 BLK A COL	ORADO CROSSINO	G SEC 1 COMN	ION AREA		
Lot(s): <u>8</u>		Bloc	k(s): <u>A</u>		
Outlot:		Divis	sion: <u>Section</u>	1	
Zoning District: LA, ZF2	2				
I/We Terry Roth			on I	pehalf of mys	self/ourselves as
authorized agent for	MOUNT BONNEL	L SHORES HO)A		affirm that on
Month September	, Day 26	, Year 2018	, hereby a	apply for a he	earing before the
Board of Adjustment	for consideration to	o (select approp	riate option be	elow):	
○ Erect	∩ Complete	Remodel	Maintain	Other:	widening by 2ft
Type of Structure: _S	SWIM DOCK currer	nt config. circa 1	984 (HOA doe	es not allow o	day docking)



Portion of the City of Austin Land Development Code applicant is seeking a va	riance from:
25-2-1176 -(A)-(1)	

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:

- 1). Most swim docks are in deeper water. Because of our unique shoreline features, moving the dock closer to shore (as required w/o variance) reduces the water depth by almost 40% to less than 20". 2). This will also create a trap in the swim area due to platform being so close to shore.
- 3). The width of the existing swim dock is 4'. This barely allows people/kids/pets to pass without bumping into each other if they have bags and toys. The bigger safety problem occurs when there is a crowd on the swim dock and people are hanging legs off side, people cannot pass safely. Widening the dock 2 ft will allow for freer and saferb flowing of traffic on the dock.

Hardship

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

We have a physical hardship as our natural shoreline is physically different to other along shoreline (see drawings). Without a variance, we would be required to move the swim dock more than 9' closer to the shoreline than the existing dock, as the 30' requirement is measured from the shoreline point that is farthest inland.

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

Our property topography is unique in that our shoreline has an indentation that curves away from the main navigation channel. Our shoreline is therefore much farther from the main navigation channel than the adjacent properties (see aerial image). The existing swim dock is further from the main channel than the recently approved dock immediately to our east.

H - 3/4

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 new dock will be in the same location as the existing dock and have the same outside footprint. The dock will be 2' wider on parallel to shore segment, but the extra width will be on the inside (shoreline side) of the dock, so it will not protrude any closer to the main navigation channel than the existing dock. The distance from the dock perimiter to adjacent property will be unchanged.

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:
_	

H-3/4a

Section 3: Applicant Certificate

affirm that my statements contained in the comy knowledge and belief.	emplete application are true and	correct to the best of
Applicant Signature: Terry Roth	Digitally signed by Terry Roth Date: 2018.10.17.21:47:24 -05:00'	Date: 00/24/2019
Applicant Name (typed or printed): Terry Roth		Date. <u>09/24/2010</u>
Applicant Mailing Address: 4604 Eby Lane		
City: Austin	State: TX	Zip: 78731
Phone (will be public information): (512) 537-2	27/2	
	77	
Section 4: Owner Certificate		
I affirm that my statements contained in the comy knowledge and belief.	mplete application are true and o	correct to the best of
Owner Signature: John Savage	Digitally signed by John Savage Date: 2018.10.17.21:03:1805:00:	Date: 09/24/2018
Owner Name (typed or printed): John Savage,		
Owner Mailing Address: P.O. Box 27144		
City: Austin	State: TX	Zip: 78755
Phone (will be public information): (512) 453-7	044	
Email (optional – will be public information):		
Section 5: Agent Information		
Agent-Name:		
Agent Mailing Address:		
City:		7in.
Phone (will be public information):	State:	Zip:
Email (optional – will be public information):	31	
Section 6: Additional Space (if ap)	plicable)	
Please use the space below to provide addition eferenced to the proper item, include the Secti	al information as needed. To enson and Field names as well (con	sure the information is atinued on next page).
Section 2, Reasonable use: The primary inte	nt of the applicable 30' regulation	n is to "ensure
navigation safety". As the supporting material	s show, the swim dock is actuall	v sheltered by the
adjacent peninsula which extends 50' further in	nto the lake. Our existing dock is	s further from the
main navigation channel of the lake than the d	ocks of the adjacent properties a	and those directly

H - 3/5

Section 3: Applicant Certificate

my knowledge and belief.		
Applicant Signature:		Date: <u>09/24/2018</u>
Applicant Name (typed or printed): Terry Roth		
Applicant Mailing Address: 4604 Eby Lane		
City: Austin	_ State: TX	Zip: 78731
Phone (will be public information): (512) 537-2742		
Email (optional – will be public information):		
Section 4: Owner Certificate		
l affirm that my statements contained in the complete apmy knowledge and belief.	pplication are true a	and correct to the best of
Owner Signature:		Date: <u>09/24/2018</u>
Owner Name (typed or printed): <u>John Savage, Presider</u>	nt MBSCC HOA	
Owner Mailing Address: P.O. Box 27144		
City: Austin	State: TX	Zip: 78755
Phone (will be public information): (512) 453-7044		
Email (optional – will be public information):		
Section 5: Agent Information		
Agent Name:		
Agent Mailing Address:		
City:		Zip:
Phone (will be public information):		
Email (optional – will be public information):		
•		

I affirm that my statements contained in the complete application are true and correct to the best of

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).

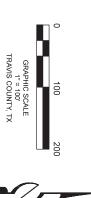
Section 2, Reasonable use: The primary intent of the applicable 30' regulation is to "ensure navigation safety". As the supporting materials show, the swim dock is actually sheltered by the adjacent peninsula which extends 50' further into the lake. Our existing dock is further from the main navigation channel of the lake than the docks of the adjacent properties and those directly

Additional Space (continued)

across the lake from our property.
If we installed the exact same dock as the existing dock (without widening by 2'), we would not need a variance as it would be grandfathered. The additional width that we wish to add is for safety and usability reasons. As stated before, it is being added to the inside (shoreline side) of the dock, so we are not moving the dock closer to navigable waters.
Deed and other HOA restrictions we have in place:
- The HOA Park, as Common Area owner by the HOA, and not governed by a single individual or family, is subject to/governed by the Bylaws, CCRs and Common Area Policy which are enforced by the HOA
- No impervious cover allowed on the property (Deed)
 Use of property limited to HOA members and properties with deeded access (Deed) Day docking of boats prohibited (HOA Rules)
- Property has curfew from 10PM - 5AM (HOA Rules)
- Property has secured Main entrance gated access

SAVE

LOT 41 THE CLIFFS AT LAKE AUSTIN'- II VOL. 80, PG.33 LOT 40 COLORADO CROSSING SECTION ONE LOT 4 LOT 5 LOT 6 LEGEND 100



- CONTROL POINT
- SIGN IRON ROD FOUND

100-YEAR FLOOD PLAIN (APPROX. DIMENSIONS)

- TREE
- OFFICIAL PUBLIC RECORDS TRAVIS COUNTY, TX

OPRTCTX

PRTCTX PLAT RECORDS TRAVIS COUNTY, TX

SURVEYOR'S NOTES:

SEE SHEET 2 OF 2
FOR DETAIL OF
SURVEY AREA

25-YEAR FLOOD PLAIN

LOT 3

BLOCK A VOL. 81, PG.388 PRTCTX

- 1. BEARING BASIS IS GRID NORTH, TEXAS COORDINATE SYSTEM, NABB3 (2011) (EPOCH 2010) CENITRAL ZONE. ELEVATIONS ARE BASED ON WAVD 88. STATE PLANE GRID DISTANCE VALUES WERE CONVERTED TO SURFACE VALUES BY MULTIPLYING BY A COMBINED SCALE FACTOR OF 1.00005383. UNITS: US SURVEY FEET
- 2. ALL EASEMENTS AND FLOODPLAIN LIMITS SHOWN HEREIN ARE BASED SOLELY UPON RECORD DEEDS AND PLATS OBTAINED FROM THE TRAVIS COUNTY CLERKS OFFICE. THERE MAY OR MAY NOT BE ADDITIONAL EASEMENTS NOT SHOWN HEREIN.
- 3. LOT LINES AND PROPERTY LINES ARE BASED SOLEY UPON RECORD INFORMATION AND MINIMAL BOUNDARY EVIDENCE FOUND AT THE TIME OF SURVEY. THIS SURVEY IS NOT INTENDED AS A BOUNDARY SURVEY.

ROBERT P. AND LESU A. TURNER
CALLED 0.851 ACRES
CALLED 0.00. 2013004040
DOC NO. 2013004040

LOT 44

PRTCTX

MOUNT BONNELL SHORES SECTION TWO VOL. 80, PG.325

SHEET 1 OF 2

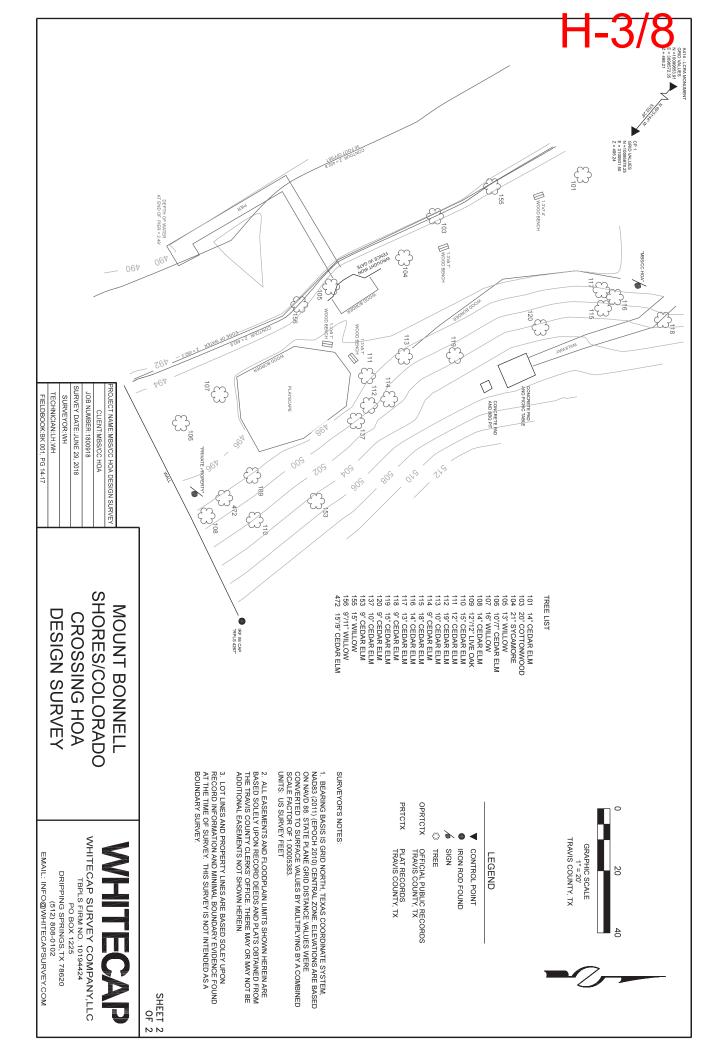
SURVEY DATE: JUNE 29, 2018 ROJECT NAME: MBS/CC HOA DESIGN SURVEY JOB NUMBER: 1800918 TECHNICIAN:LH,WH SURVEYOR:WH CLIENT: MBS/CC HOA

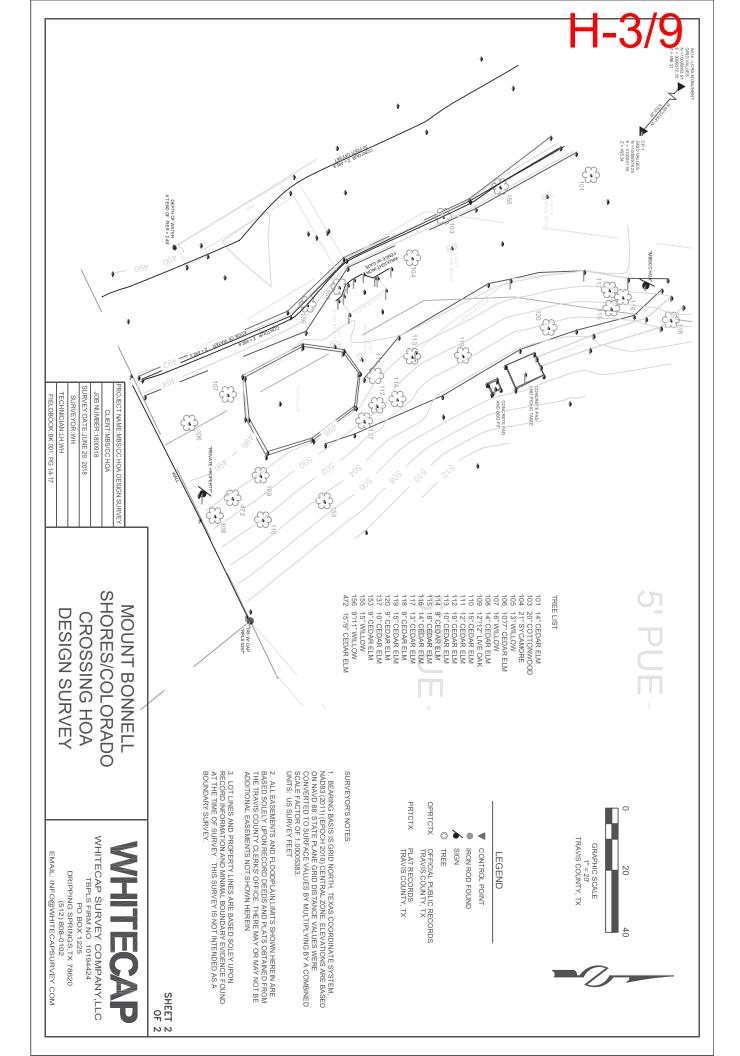
FIELDBOOK:BK 001, PG 14-17

SHORES/COLORADO MOUNT BONNELL **DESIGN SURVEY CROSSING HOA**

WHITECAP SURVEY COMPANY,LLC TBPLS FIRM NO. 10194424 PO BOX 1225 DRIPPING SPRINGS,TX 78620 (512) 808-0102

EMAIL: INFO@WHITECAPSURVEY.COM





 KINDIDULUL CINIS CI DE PERMANENT VEGETATRE STABLIQUETON
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 MARIENIUL CONSCIPION CONTROL LONGWINE TO PER EL APPLICATION APPLICATION CONTROL LONGWINE TO PERMANENT CONTROL "Seeding is considered to be temporary stabilization only, if cool season ower crops exist tabilization is desired, the grasses shall be moved to a height of less than one half (ii) in on a labilization is desired, the grasses shall be moved to a height of less than one half (ii) in on labilization of the season of the season ower copy on the mise which cool along the property of the season of the season of the season of the possible of not installed together, understanding that germination of warm-season seed typically require. Longevity Typic al App lications Application Rates

0-3 Moderate slopes 1,500 to 2,000 months from flat to 3:1 lbs per acre ENGINEER:

JANIS J. SMITH, P.E.

JANIS SMITH CONSULTING, LLC

1505 WESTOVER RD

AUSTIN, TEXAS 78703

PHONE (512) 914-3729 OWNER:
MOUNT BONNELL SHORES COLORADO
COLORADO CROSSING
PO BOX 27144

MOUNT BONNELL SHORES/COLORADO CROSSING HOMEOWNER'S ASSOCIATION SWIM DECK REVISIONS / CORRECTIONS

DESCRIPTION

TOTAL W NET TOTAL STE SHEETS IN CHANGE IMP. COVER CITY OF AUSTIN PLAN SET IMP. COVER (SQ. FT.)% DATE (SQ. FT.) DATE

City Grid G28 VICINITY MAP

If the set abuse some of the province of the set of the province of the provin

paction in the root zone area resulting from vehicular traffic or storage of equipment or in the ediblines.
shall surround the tiese or group of trees, and will be located at the outermost limit of shall surround the tiese or group of trees, and will be located at the outermost line, in order to e), for natural areas, protective fences shall follow the Limit of Construction line, in order to

Tables the distributions due to gride changing (grades than it inches cut or fill), or brooting and several and submissed by each place of the country of th

is any off as abone exception result in a ferce being close than it des for a two time, prodet the train support of parking be in highly off a feet (or five in that of lower branching) in addition there recipies a prodet of the prodet of the control of the cont

required for the installation of landscape irrigation shall be placed as far from existing tree

as possible, as possible and an extension of parties shall be permitted within the displane of treas. No soil is seed on the old seed of all parties. The control of the co

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Les outsettes de setting dos and new clock de setting de settin

Neloper Information: er Mount Bornell Strees Colorado er Mount Bornell Strees Colorado nel 305-300-300 ness Colorado Crossing, PO Box 277144 ne's representative responsible for plan?

TIES.
THE CONTROL OF SHARE A SECOND TO SECOND SECON

- A claudic fromp' has the originary turns and/or emone them, introducing a first of destinations is the extent of receivant to leave the amendment of the claudic field of the cla

ADDRESS: 4704 COLORADO XING AUSTIN, TX 78731 ZONING: LA/SF2

EGAL DESCRIPTION: LOT 8 BLK A COLORADO CROSSING SEC 1 COMMON AREA

- ui deabte exements may be equimed à a later data. Man placulare solom to be mondeval ille quites de demilision permit from the City of ligaming & Development (Review Department, perming between department permit des productions for building permit for despress permit must be sead point to an application for building permit for modulate of Painting Commission approved data plants.

Water all trees most heavily impacted by construction activities desply once a week during periods dry weather. Spray tree crowns with water periodically to reduce dust accumulation on the leaves.

owing sits plan release notes are included as excounters with the City of Austria request, it all comply with all applicable City of Austria requirements. All improvements shall be made in accounter with the released site plan. Any additional improvements will entail a manager and the released site plan. Any additional improvements will entail a site plan amendment and approved of the Development Services Department. must comply with requirements of the Land Development Code. (Section 13-2.

construction within the right of ways, a concrete permit is expired.

The building permit, a signal and seaded better stall the buildings to the City of Austin, per
that of Development Code, 25:123 d. 1612 d., consisting the title section is in accordance
ASCE 26, Flood Residentification and construction development and the buildings of the Construction and with the plant. Austraction of the construction are should be also developed and construction. of this Site Plan does not include Building and Fire Code approval nor building proval.

Special Construction Techniques ECM 3.5.4(p)

Prior to accession within the displane or the removal of these adjacent to other these that are to remain, make a clean out between the disturbed and undisturbed and zones with a nock saw or similar equipmen to minimize and damage.

This project is not located one the GEMERA, NOTES.

A business or from quater mayor to a content of one or print when an earning fact or short and putter mayor to a content of one allow or similar when an earning fact or above table when the content of one allowed putter a locate an algorithm at protecting the CF Council (Section 2) to Note (Milly position and good at the located to the similar bod of the sim

PROJECT DESCRIPTION: The project consists of the replacement of a swim deck including the demolition of the existing structure.

Plan Sheet List

COVER SHEET & NOTES EXISTING AND PROPOSED CONDITIONS D DETAILS AND PLANIELE VATION VIEWS PLAT

Date

Approved By:

MOUNT BONNELL SHORES/COLORADO CROSSING HOMEOWNER'S ASSOCIATION SWIM DECK

COVER SHEET & NOTES

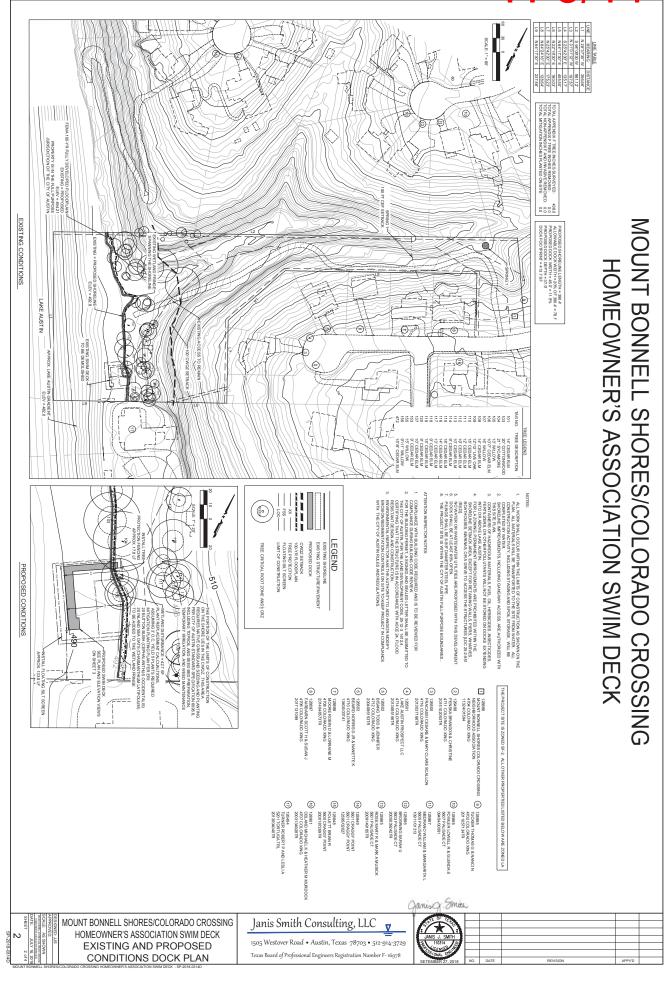
Janis Smith Consulting, LLC

Release of this application does not constitute a verification of all data, information applicant. The engineer of record is solely responsible for the completeness, a co-whether or not the application is reviewed for Code compliance by City engineers

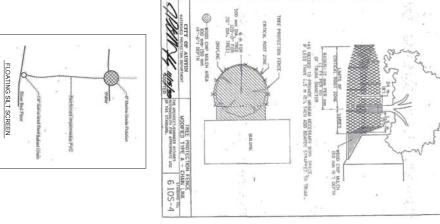
Site Plan subject to City of Auslin Watershed Protection Regulations

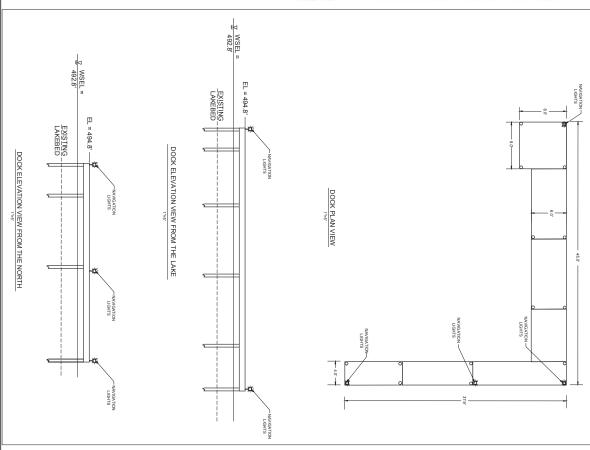
Smith

WATERSHED STATUS: This site is located in LAKE AUSTIN watershed, is classified as a WATER SUPPLY RUPAL watershed and shall be developed, constructed and maintained in conformance with Chapter 25 of the Land Davebpment Code.

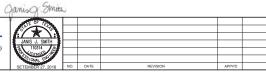


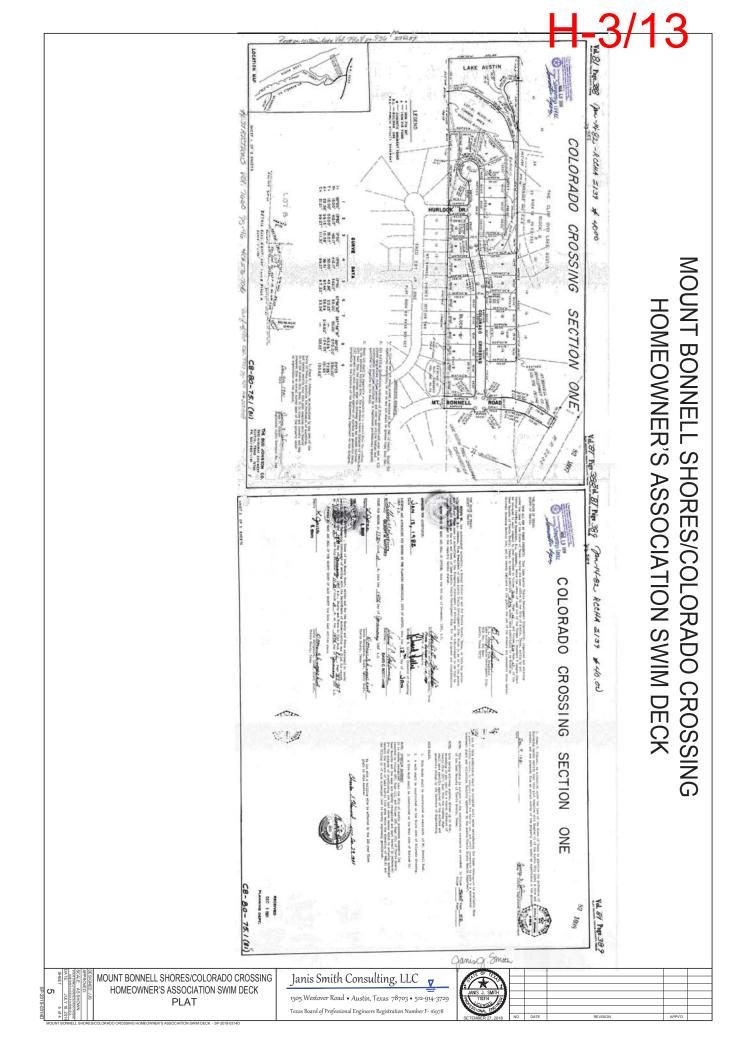
H - 3/12





MOUNT BONNELL SHORES/COLORADO CROSSING HOMEOWNER'S ASSOCIATION SWIM DECK







Terry Roth on behalf of MBS HOA_, am applying for a variance from the Board of Adjustment regarding Section _

existing location and distance from the shoreline. 25-2-1176 (A)(1) of the Land Development Code. The variance would allow me the ability to keep the replacement dock at the

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	Tortuga Trail Lot 44 BLK E Mount Bonnell shores Sec 2(common area)	JAISway-
MOUNT BONNELL SHORES COLORADO	4704 Colorado Xing, Austin, TX 78731 (common area)	CRT Sanos
ROSE MARY R & MARK A MUSICK	5601 Palisade CT, Austin, TX 78731	Show Roth
DOUGLAS KEITH A	5601 Craggy Point, Austin, TX 78731	hold.
FOLLETT BRIAN R	5600 Craggy Point, Austin, TX 78731	1000 m
BISANG TODD & JENNIFER	4712 Colorado Xing, Austin, TX 78731	STOP WILL
FRACASSI CESARE & MARY CLARE SCALLON	4716 Colorado Xing, Austin, TX 78731	

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

Property Owner Name (Printed) LAKE AUSTIN PROSPECT LLC PENSKA BRANDON & CHRISTINE GLOVER CURTIS & SHIRLEY E TURNER ROBERT P & LESLI A	Address 4714 Colorado Xing, Austin, TX 78731 4711 Colorado Xing, Austin, TX 78731 5406 Hurlock drive, Austin, TX 78731 5201 Tortuga TRL, Austin, TX 78731	Signature 32 June 1
TURNER ROBERT P & LESLI A	5201 Tortuga TRL, Austin, TX 78731	

4704 Colorado Crossing

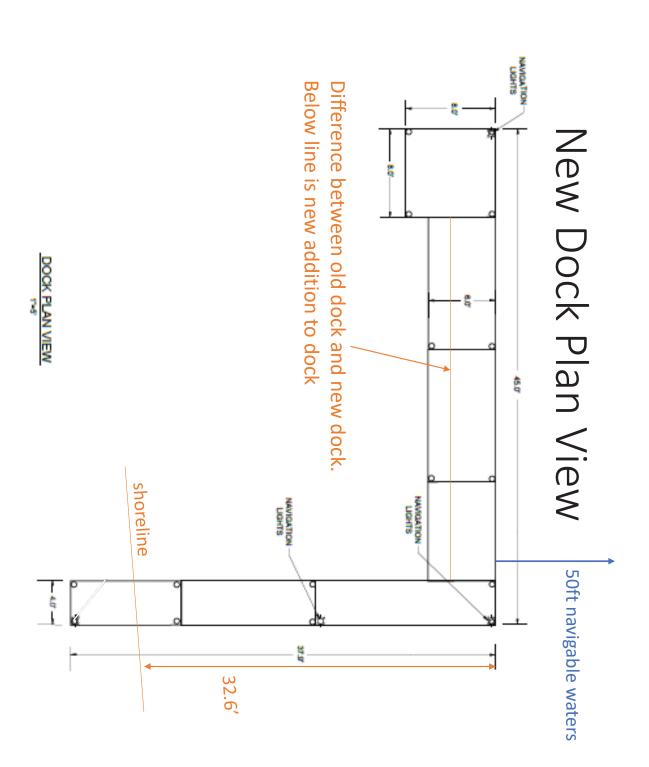
HOA SWIM DOCK VARIANCE REQUEST

Twe request the BoA approve a variance request to keep the swim

platform in its current location outside the 30' offset.

swim platform to 6' wide. This variance is only required due to the expansion of the main 4' wide

- The expansion will be on the inside of the dock so the outside of the swim platform will not move any closer into navigable waters
- The expansion will ensure safe passage of HOA members and their guests during peak usage when people are sitting on the edge of the dock
- Keeps swim area from becoming useless if we have to move it 9.4' closer to the shoreline (as would be required without variance):
- Water significantly more shallow
- Proximity to shore increases turbulence from boat waves



Movement along the main 4' wide portion

No problem passing with two people on dock as long as there are no swim toys, chairs, or equipment like kayaks.

Significant safety concerns when there are people sitting on the dock edge while people need to pass. Note: usually 10-15 sitting on dock edge on holiday weekends or special occasions.

A 6' wide dock solves this problem.





Video of concerned dangerous passing.

Just imagine the dock lined with people along the edge which occurs during events.

Only 1 person could walk entire dock at a time without concern of getting suddenly bumped off.

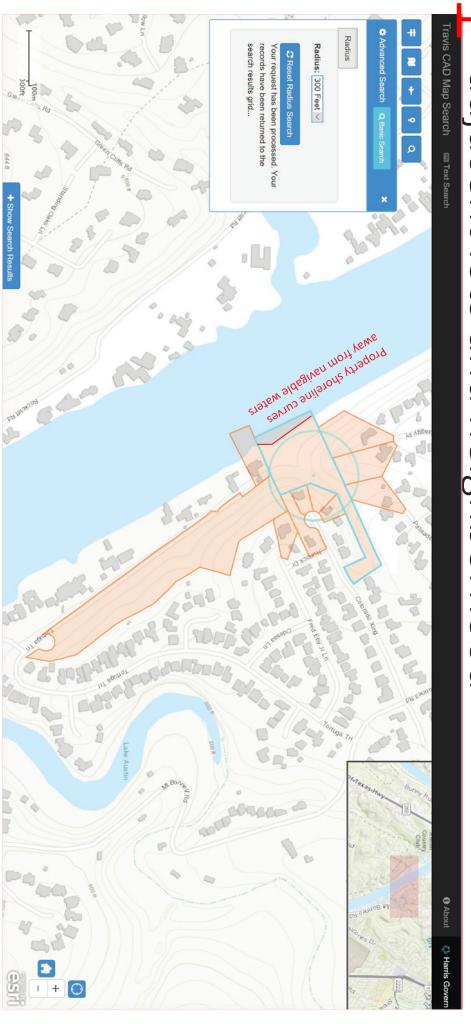
During peak times when events are starting or ending, this becomes a huge safety problem with many people moving back and forth.



AAVIS CAD/GOOGLE SUPPORTING DOCUMENTATION Aerial view of the area showing neighbors within 300ft

- Neighbor Support documentation
- TCAD/Google Map showing shoreline overview
- Main overhead view of property
- ~1500ft linear shoreline
- Zoomed in view of 1500ft linear shoreline
- Navigable water line to shoreline
- Current dock position and 30ft offset proposed location
- View of shoreline from dock
- Current dock width safely concern
- Existing Conditions (Survey drawing)
- Existing Conditions zoomed in (Survey drawing)
- Replacement Dock (Survey drawing)
- Dock dimensions
- New dock plan view
- New dock elevation drawing

adjacent lots and neighborhood Aerial view 4704 Colorado Xing lot showing



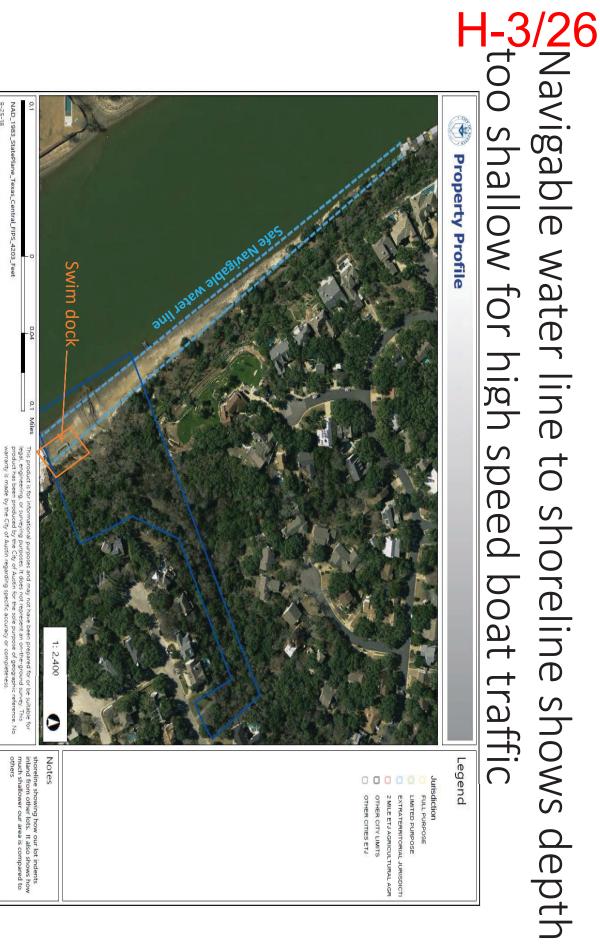


indentation along our property 1500ft linear Shoreline showing shoreline

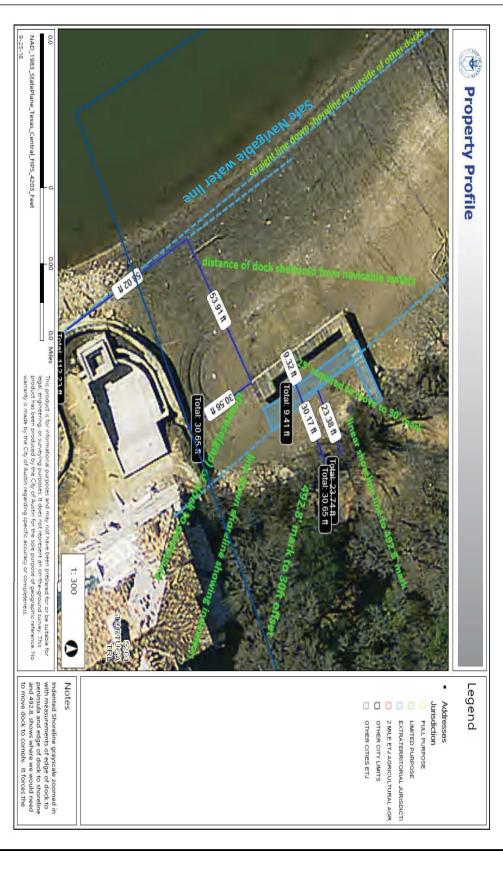


indentation along our property 1500ft linear Shoreline showing shoreline





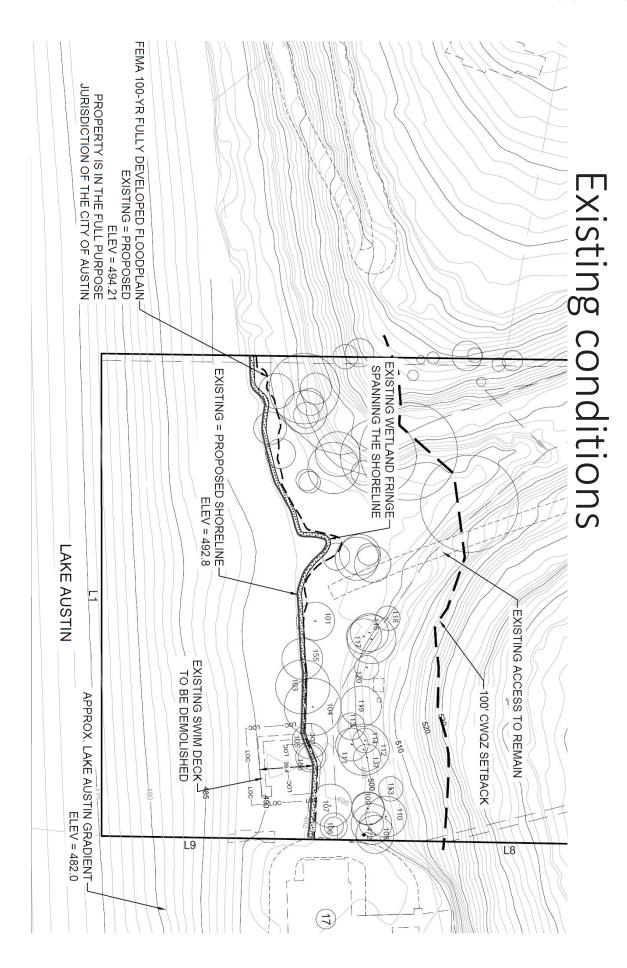
Current dock position and 30ft offset proposed location without variance

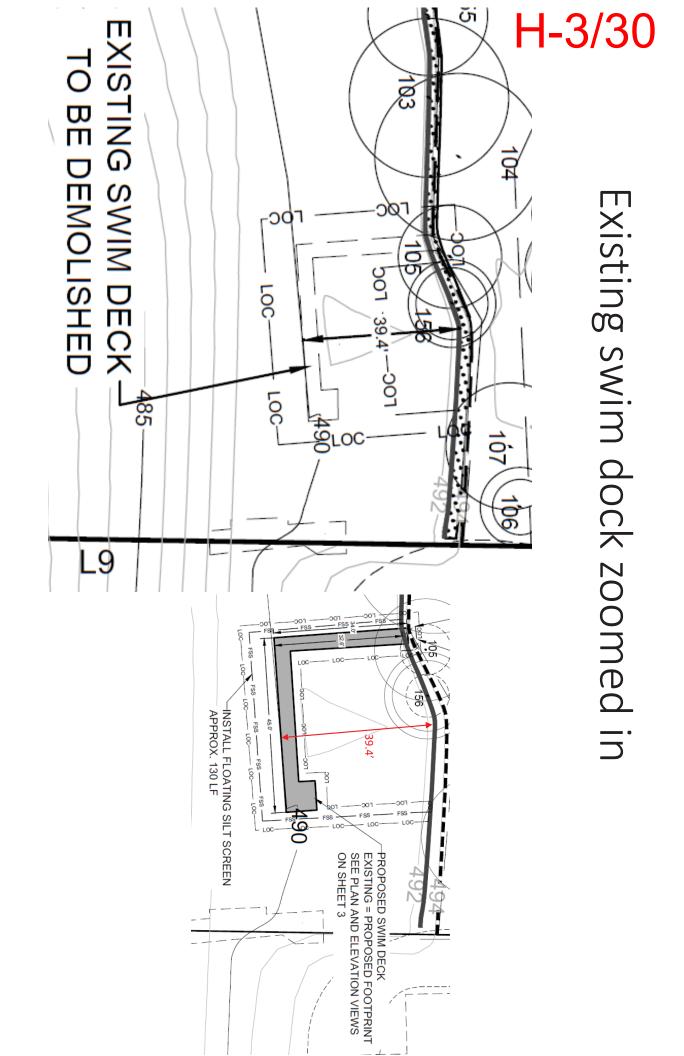


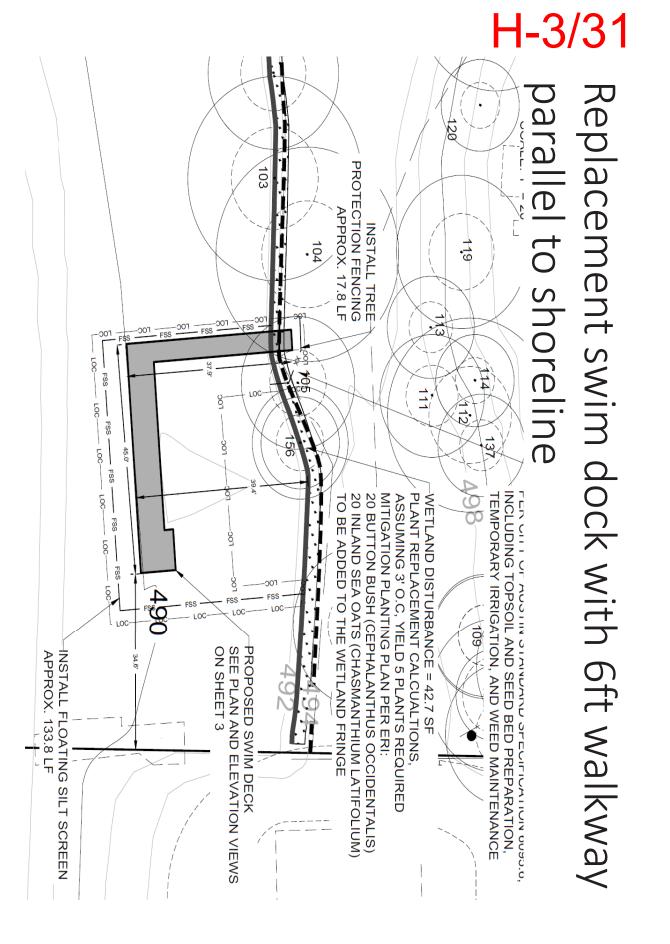
Wiew of Lake Austin looking straight down our dock view looking downstream view looking upstream T

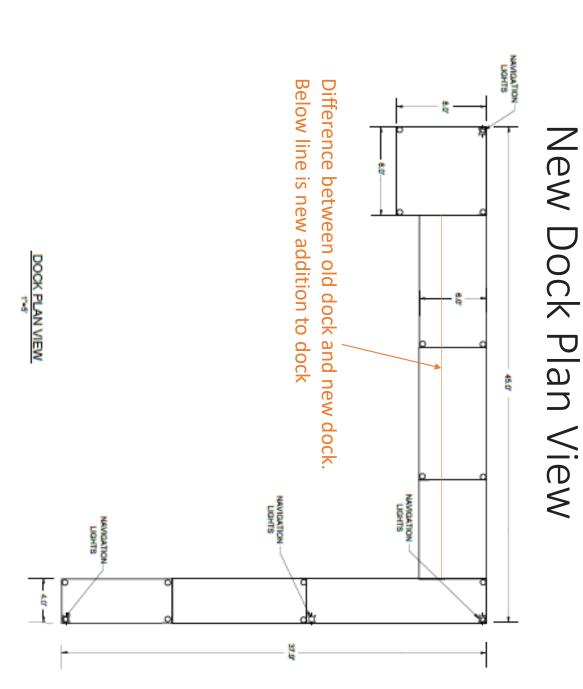




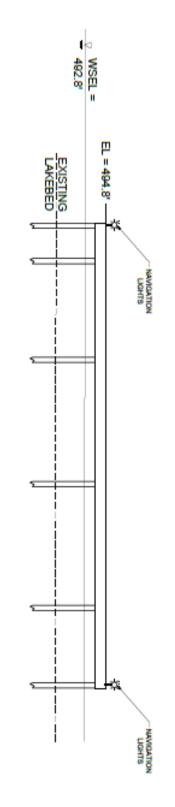




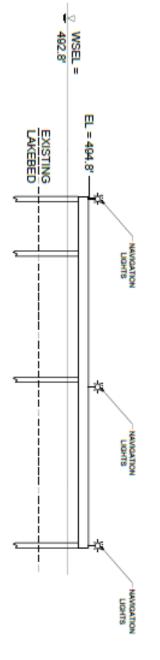




Dock Elevation views







DOCK ELEVATION VIEW FROM THE NORTH