

**CITY OF AUSTIN  
Board of Adjustment  
Decision Sheet**

**DATE: Monday, Dec 10, 2018**

**CASE NUMBER: C15-2018-0037**

<input type="checkbox"/>	Y	Brooke Bailey
<input type="checkbox"/>	Y	William Burkhardt
<input type="checkbox"/>	Y	Christopher Covo
<input type="checkbox"/>	Y	Eric Golf
<input type="checkbox"/>	Y	Melissa Hawthorne
<input type="checkbox"/>	N	Bryan King
<input type="checkbox"/>	Y	Don Leighton-Burwell
<input type="checkbox"/>	-	Rahm McDaniel OUT
<input type="checkbox"/>	Y	Martha Gonzalez (Alternate)
<input type="checkbox"/>	Y	Veronica Rivera
<input type="checkbox"/>	N	James Valdez
<input type="checkbox"/>	Y	Michael Von Ohlen
<input type="checkbox"/>	-	Kelly Blume (Alternate) OUT
<input type="checkbox"/>	-	Ada Corral (Alternate)

**OWNER/APPLICANT: Kathleen Huff**

**ADDRESS: 3117 WESTLAKE DR Bldg B**

**VARIANCE REQUESTED:** The applicant has requested variance(s) from Section 25-2-1176 (Site Development Regulations for Docks, Marinas, and Other Lakefront Uses) (A)(6) to increase the dock height from not more than 30 feet (required) to 42 (requested, top of cupola) in order to complete construction of a boat dock within the "LA" Lake Austin Residence zoning district.

**Note:** A dock may not exceed 30 feet in height as measured from the highest point of the structure above the normal pool elevation of the lake.

**BOARD'S DECISION:** BOA MEETING SEPT 10, 2018 POSTPONED TO OCTOBER 8, 2018 BY STAFF (RE-NOTICE REQUIRED)

**VARIANCE REQUESTED:** The applicant has requested variance(s) from Section 25-2-1176 (Site Development Regulations for Docks, Marinas, and Other Lakefront Uses) (A)(6) to increase the dock height from not more than 30 feet (required, permitted) to 45 feet (requested, top of cupola) in order to complete a boat dock within the "LA" Lake Austin Residence zoning district.

**Note:** The Land Development Code states that a boat dock may not exceed 30 feet in height as measured from the highest point of the structure above the normal pool elevation of the lake.


**BOARD'S DECISION: Oct 8, 2018** The public hearing was closed on Board Member Rahm McDaniel motion to Postpone to November 8, 2018, Board Member Christopher Covo second on an 11-0 vote; **POSTPONED TO NOVEMBER 8, 2018;** Nov 8, 2018 The public hearing was closed on Board Member Don Leighton-Burwell motion to Postpone to December 10, 2018, Board Member Bryan King second on a 10-0 vote; **POSTPONED TO DECEMBER 10, 2018;** DEC 10, 2018 The public hearing was closed on Board Member Eric Goff motion to Grant, Board Member Christopher Covo second on a 9-2 vote (Board members Bryan King and James Valadez nay); **GRANTED.**

**EXPIRATION DATE: December 10, 2019**

**FINDING:**

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: the boat dock is consistent with the zoning of this property, the boat dock does not block any views from any property other than the applicant/owner's, 100% of the neighboring owners have declared their support for the variance being requested, other nearby properties are over 100' higher than this property because they are on hills that overlook this property and therefore are not impacted, the boat dock has been in place for several years at its current height, gone through several City of Austin inspections and no one has complained. The weathervane may not be as effective at a lower height.
2. (a) The hardship for which the variance is requested is unique to the property in that: the boat dock architect/builder believed in good faith that the boat lock including the weathervane/cupola that secures it were within the height limits for a house when was built. The construction has been inspected many times without major incident and is now ready for its final inspection  
(b) The hardship is not general to the area in which the property is located because: see above – also other nearby properties are over 100' higher than this property because they are on hills that overlook this property and therefore are not impacted
3. 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 boat dock does not block any views from any property other than the applicant/owner's 100% of the neighboring are in favor, there are many nearby trees that are taller than the dock and already block the applicant/owner's view more than the dock

  
\_\_\_\_\_  
Leane Heldenfels  
Executive Liaison

  
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William Burkhardt  
Chairman