

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

**DATE: Monday December 10, 2018**

**CASE NUMBER: C15-2018-0051**

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

**APPLICANT: Terry, Roth**

**OWNER: John Savage, Mount Bonnell Shores Colorado**

**ADDRESS: 4704 COLORADO XING**

**VARIANCE REQUESTED:** The applicant has requested variance(s) from Section 25-2-1176 (Site Development Regulations for Docks, Marinas, and Other Lakefront Uses) (A) (1) to increase the dock length 30 feet (required) to 39.4 feet (requested, existing) in order to reconstruct a neighborhood association day boat and swim dock in an "LA" Lake Austin Residence zoning district.

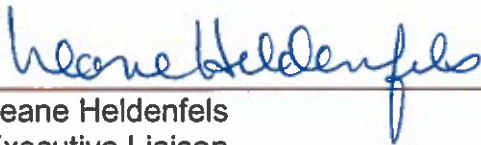
**BOARD'S DECISION:** The public hearing was closed on Board Member Bryan King motion to Grant, Board Member Michael Von Ohlen second on an 11-0 vote; **GRANTED.**

**EXPIRATION DATE: December 10, 2019**


**FINDING:**

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: most swim docks are in deeper water because of the unique features, moving the dock closer to shore are required w/o variance reduces the water depth by almost 40% to less than 20'.2
2. (a) The hardship for which the variance is requested is unique to the property in that: has a physical hardship as a natural shoreline is physically different to other along shoreline

- (b) The hardship is not general to the area in which the property is located because: property topography is unique in that the shoreline has an indentation that curves away from the main navigation channel
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 new dock will be in the same location as the existing dock
- 



Leane Heldenfels  
Executive Liaison

  
William Burkhardt  
Chairman



**SPROUSE SHRADER SMITH PLLC**  
ATTORNEYS AT LAW

COURTNEY MOGONYE-MCWHORTER  
[REDACTED]  
(512) 615-6652

December 20, 2018

Board of Adjustments  
City of Austin  
505 Barton Springs Road  
Austin, Texas 78704

Ms. Leane Heldenfels  
Development Services Department  
City of Austin  
505 Barton Springs Road  
Austin, Texas 78704

*via email: leane.heldenfels@austintexas.gov*

Re: Request for Reconsideration on Variance for 4704 Colorado Crossing (Mount Bonnell Shores/Colorado Crossing Homeowner's Association) – C15-2018-0051

Dear Ms. Heldenfels and Members of the Board of Adjustments:

The undersigned's firm represents Ms. Laurée Moffett, the current owner of 5201 and 5203 Tortuga Trail. Ms. Moffett is the immediate downstream neighbor of Mount Bonnell Shores/Colorado Crossing Homeowner's Association's Swim Deck.

At this time we are requesting reconsideration on the variance granted for 4704 Colorado Crossing on the grounds that the Board was not provided with all of the evidence in deciding this case, that proper notice was not delivered to Ms. Moffett, and that the Board erred in granting this variance request.

Enclosed herein as attachment number 1, please find a copy of my October 30, 2018 letter to Ms. Heldenfels which details Ms. Moffett's objections to the variance request. This letter was not delivered to the Board. Additionally, the October 30<sup>th</sup> letter requested that notice of any application (that had not yet been filed) and notice of hearing be delivered to me. Ms. Moffett purchased 5201 and 5203 Tortuga Trail in August of 2018 and her mailing information was not yet in TCAD. The property is currently undergoing renovations and no one is living at the residence. The notice was sent to the prior owner who was out of the country during that time.

In further support of our reconsideration request, enclosed herein as attachment number 2, are various pictures from surveillance cameras around the property. As stated in my October 30<sup>th</sup> letter, Ms. Moffett has been verbally accosted by persons utilizing the swim deck, and she and two contractors smelled marijuana coming from the Association's park located just above

Letter to Ms. Heldenfels and Members of the Board of Adjustments

December 20, 2018

Page 2

the swim deck. Recently Ms. Moffett's surveillance cameras caught rocks being thrown from the HOA's property towards her house and into her swimming pool. We also have reason to believe that the dead birds that were placed approximately 10 feet apart on Ms. Moffett's driveway were placed by members of the HOA. A police report has been filed in connection with these criminal trespasses. Furthermore, this past summer while Ms. Moffett was touring the property a neighbor came over from the swim deck to the fence and verbally accosted both Ms. Moffett and Mr. Turner (the prior owner).

We have reached out to Colorado Crossing HOA regarding these matters and the HOA has failed to respond to them.

At this time we are requesting that you deny the variance as requested, and instead, allow the HOA to relocate the congregation area upstream as shown on attachment number 3. Ms. Moffett and I have presented this idea to the HOA and their engineer, but we have not received a response. Ms. Moffett has agreed to bear the cost of relocating this area. The relocation of the congregating area is both a reasonable and relatable request, and it would also create more privacy for both the HOA and Ms. Moffett.

We are also requesting that you condition the new variance request on the HOA providing limited access to the swim deck during the hours of sunrise to sunset. The current hours for utilizing the swim deck are 5am to 10pm. This is a reasonable request as many of the parks located on Lake Austin are limited to these hours.

We ask that you require the HOA to maintain a security system on the property to both limit access to the swim deck to HOA residents only and to allow for a monitoring mechanism so that we can ensure no additional criminal acts are directed towards Ms. Moffett's property. Given the recent attacks to Ms. Moffett and her property this is a reasonable request.

Lastly, as shown on attachment number 4, and as stated in my letter, the original swim deck location is currently within Austin Energy's recorded power line easement. The current variance will increase the degree of encroachment into this easement. The overhead power lines are currently partially out of easement and over the 5201 Tortuga Trail property. By relocating the swim deck congregating area upstream you would successfully remove the swim deck from within the easement area.

As stated above, we have reached out to Colorado Crossing Homeowner's Association regarding Ms. Moffett's concerns, and the Association has failed to address any of them. However, this was before the variance application was filed. We had no idea that the HOA had actually filed the application despite our best efforts to make known to both the City and HOA our interest in this matter.

The HOA has represented to the Board that it has common area rules that it enforces with respect to the swim deck, including making access available to members only. The HOA rules are obviously not being enforced, as Ms. Moffett would not have rocks flung into her swimming pool and dead birds intentionally placed along her driveway if they were. If the HOA is limiting



Letter to Ms. Heldenfels and Members of the Board of Adjustments

December 20, 2018

Page 3

the use of the swim deck to members only, they are conceding that their members are responsible for rock throwing and dead bird deposits. Certain HOA members apparently have problems with Ms. Moffett's swimming pool intruding on the privacy of their swim deck, and have been expressing their objections in very inappropriate and illegal ways. Continued conflict between the parties can only be avoided by conditioning approval of this variance on enhanced privacy protection for both parties.

We would greatly appreciate your reconsideration of this matter on the grounds detailed above.

Sincerely,



Courtney Mogonye-McWhorter

Enclosures as stated.

cc: Ms. Laurée Moffett

**Attachment Number 1**



**SPROUSE SHRADER SMITH PLLC**  
ATTORNEYS AT LAW

COURTNEY MOGONYE-MCWHORTER  
[REDACTED]  
(512) 615-6652

October 30, 2018

Ms. Leane Heldenfels  
Development Services Department  
City of Austin  
505 Barton Springs Road  
Austin, Texas 78704

Re: 4704 Colorado Crossing (Mount Bonnell Shores/Colorado Crossing  
Homeowner's Association) Variance Request for Swim Deck

Dear Ms. Heldenfels:

The undersigned's firm represents Ms. Laurée Moffett, the current owner of 5201 and 5203 Tortuga Trail. Ms. Moffett is the immediate downstream neighbor of Mount Bonnell Shores/Colorado Crossing Homeowner's Association's Swim Deck.

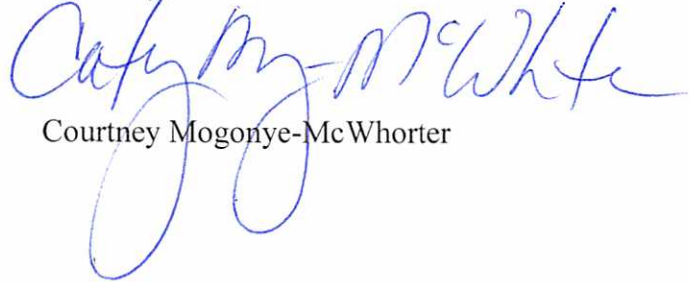
It has come to our attention that the Mount Bonnell Shores/Colorado Crossing Homeowner's Association is requesting a variance to remodel and relocate the existing swim deck. We have not been provided with a copy of the variance application or supporting documentation.

At this time Ms. Moffett is against any variance request to remodel or relocate the swim deck. Primarily, the existing swim deck encroaches into Austin Energy's power line easement and, from communications with the Homeowner's Association, the remodeled swim deck will increase the degree of encroachment into the easement. The proposed expansion of the platform of the swim deck also creates a privacy concern for Ms. Moffett as the congregation area on the new swim deck will be closer to her property line and looks directly into her pool. Ms. Moffett has been verbally accosted by a person utilizing the swim deck, and recently she and two contractors smelled marijuana coming from the Association's park located just above the swim deck.

We have reached out to Colorado Crossing Homeowner's Association regarding Ms. Moffett's concerns, and the Association has failed to address any of them. Ms. Moffett will only support a request for variance if the Association agrees to work with her to alleviate her concerns by relocating the swim deck outside of Austin Energy's easements and moving the congregation area to the upstream side of the swim deck, away from Ms. Moffett's property line. Additionally, Ms. Moffett request that the swim deck be gated to prevent access by members of the public.

Please send us a copy of the variance application and ensure that we receive notice of the date and time of the hearing on this variance request.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Courtney Mogonye-McWhorter', is written over the printed name.

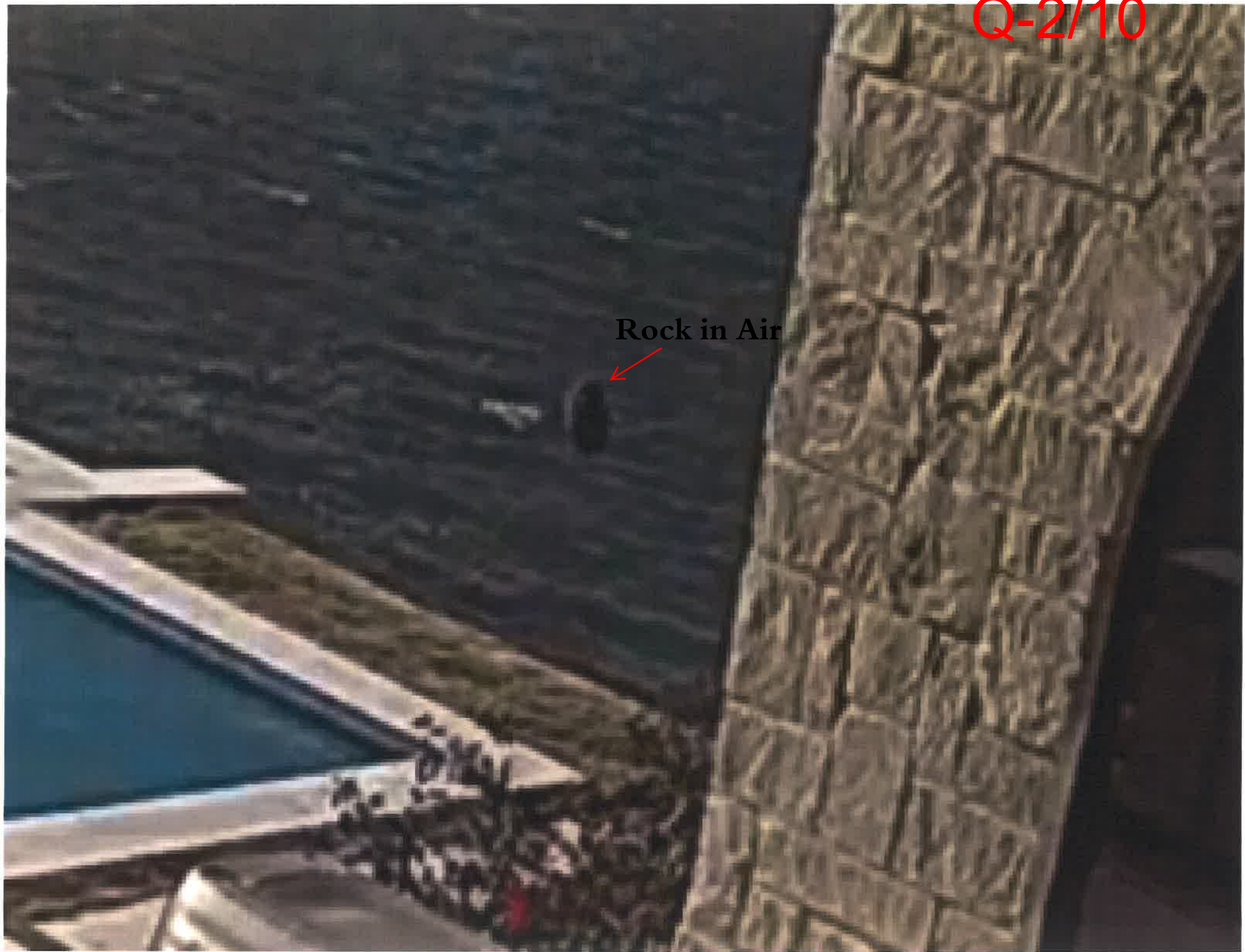
Courtney Mogonye-McWhorter

cc: Ms. Laurée Moffett

**Attachment Number 2**

Q-2/10

Rock in Air





Q-2/11





Q-2/12





Q-2/13



Q-2/14

Picture of Truck Caught on Camera  
when birds were placed on property

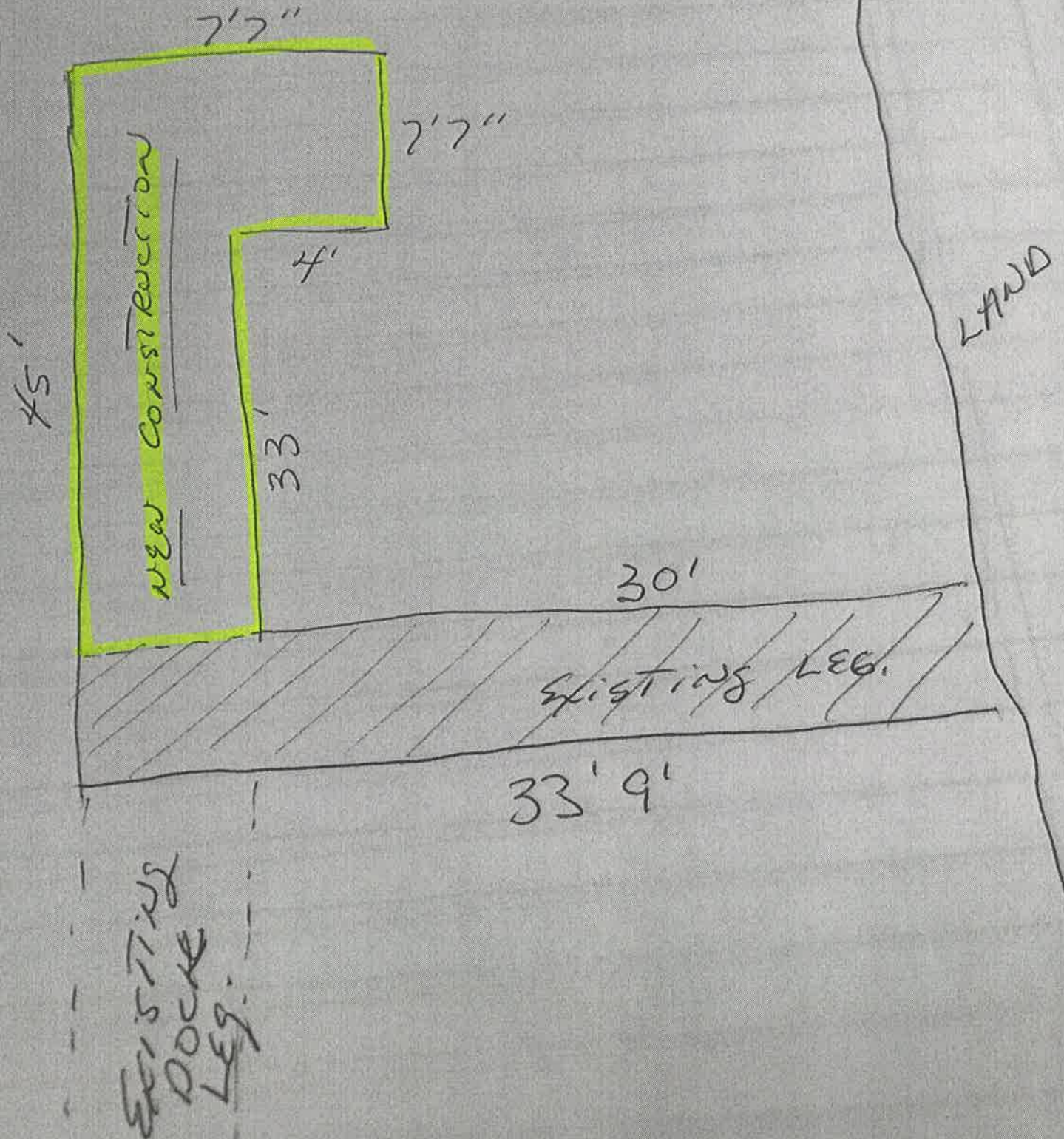


**Attachment Number 3**



Q-2/16

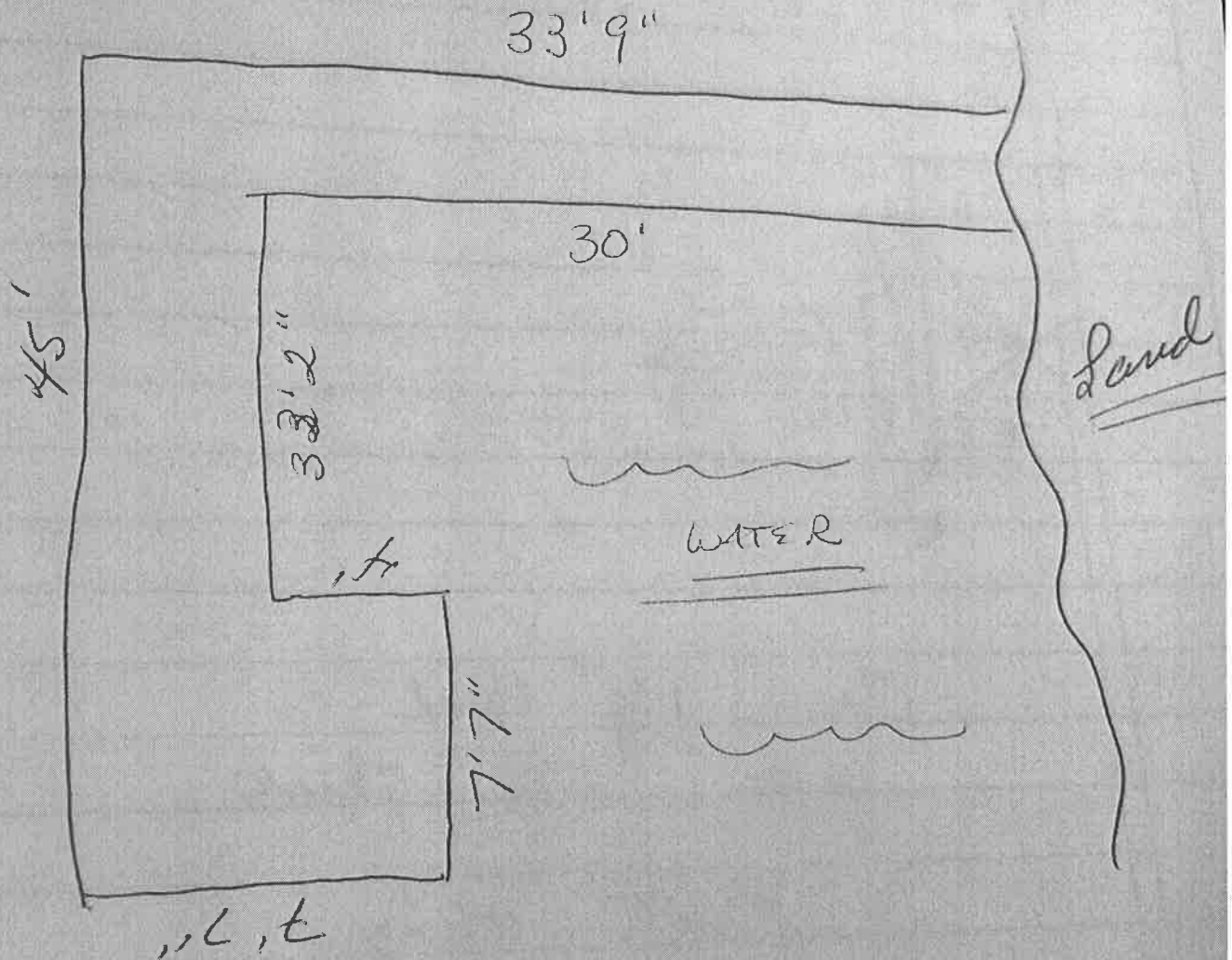
# Proposed New Swim Deck





Q-2/17

# Original Swim Deck

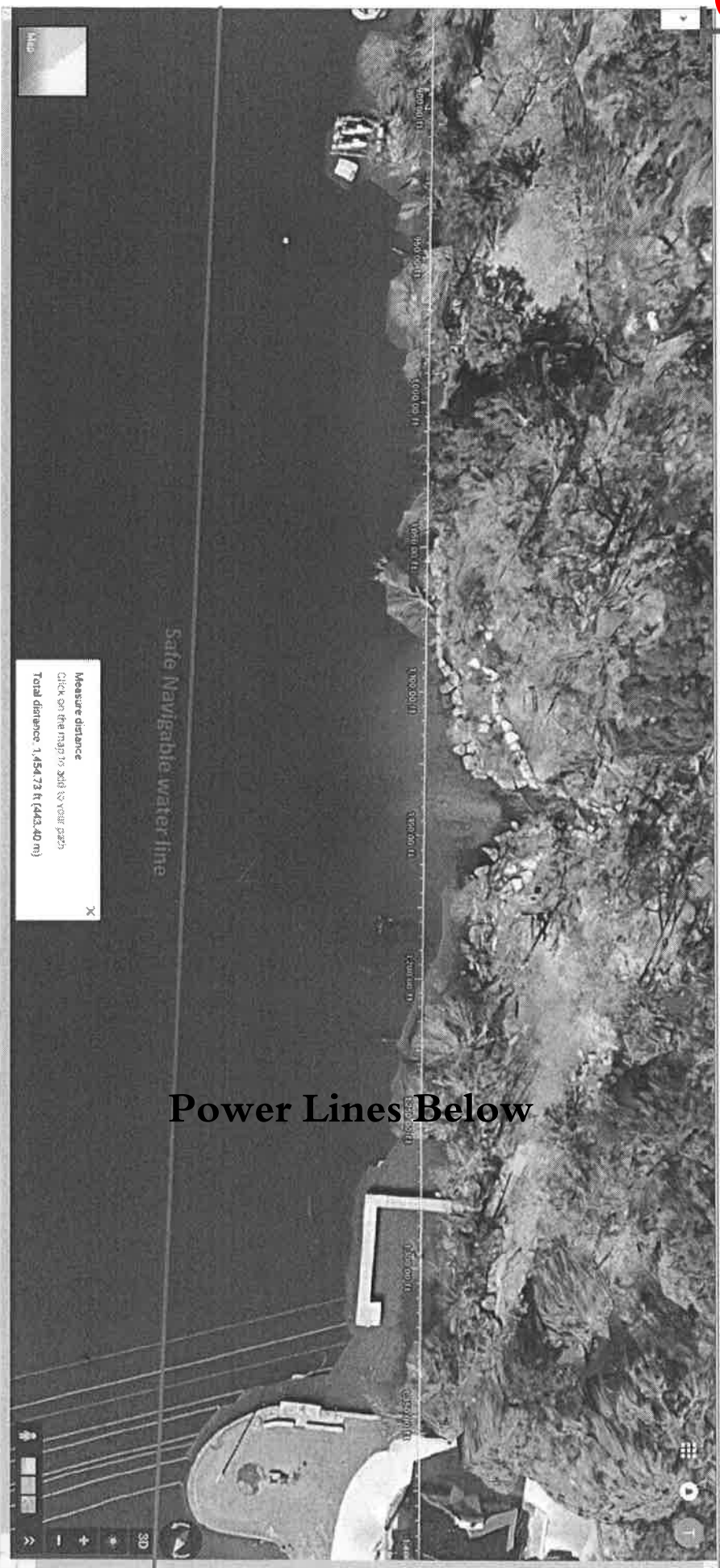


POOL. LAUREE'S HOUSE

**Attachment Number 4**

Q-2/19

1500ft linear Shoreline showing shoreline indentation along our property



Power Lines Below

December 27, 2018

Leane Heldenfels

Board of Adjustment

One Texas Center  
505 Barton Springs Road  
Austin, TX 78704

Dear Leane:

We have been advised that the City of Austin has received a request for Reconsideration of a recent decision made by the Board of Adjustment regarding a variance from the Land Development Code for our property at 4704 Colorado Crossing. The Case Number is C15-2018-0051.

The proposed date for the Reconsideration hearing is January 14, 2018. Due to out-of-town work commitments, neither of our primary representatives with responsibility for the proposed development will be available to attend the hearing on that date.

We would like to request a postponement of the hearing date to the February 11<sup>th</sup>, 2018 Board meeting so that someone from our Homeowner's Association with sufficient knowledge of the development and our permit application can be available.

We appreciate your consideration of this request.

Best regards,

John Savage  
President, MBSCC HOA

*Mount Bonnell Shores/Colorado Crossing HOA  
PO Box 27144  
Austin, Texas 78755*





**SPROUSE SHRADER SMITH PLLC**  
ATTORNEYS AT LAW

COURTNEY MOGONYE-MCWHORTER  
[REDACTED]  
(512) 615-6652

October 30, 2018

Ms. Leane Heldenfels  
Development Services Department  
City of Austin  
505 Barton Springs Road  
Austin, Texas 78704

Re: 4704 Colorado Crossing (Mount Bonnell Shores/Colorado Crossing  
Homeowner's Association) Variance Request for Swim Deck

Dear Ms. Heldenfels:

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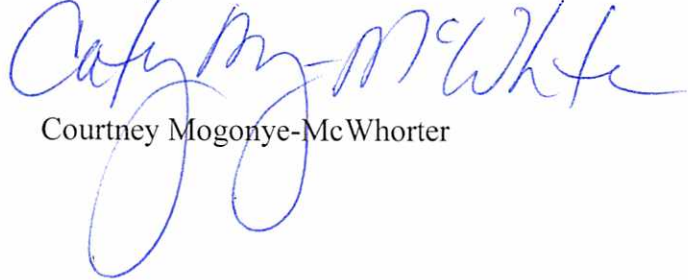
It has come to our attention that the Mount Bonnell Shores/Colorado Crossing Homeowner's Association is requesting a variance to remodel and relocate the existing swim deck. We have not been provided with a copy of the variance application or supporting documentation.

At this time Ms. Moffett is against any variance request to remodel or relocate the swim deck. Primarily, the existing swim deck encroaches into Austin Energy's power line easement and, from communications with the Homeowner's Association, the remodeled swim deck will increase the degree of encroachment into the easement. The proposed expansion of the platform of the swim deck also creates a privacy concern for Ms. Moffett as the congregation area on the new swim deck will be closer to her property line and looks directly into her pool. Ms. Moffett has been verbally accosted by a person utilizing the swim deck, and recently she and two contractors smelled marijuana coming from the Association's park located just above the swim deck.

We have reached out to Colorado Crossing Homeowner's Association regarding Ms. Moffett's concerns, and the Association has failed to address any of them. Ms. Moffett will only support a request for variance if the Association agrees to work with her to alleviate her concerns by relocating the swim deck outside of Austin Energy's easements and moving the congregation area to the upstream side of the swim deck, away from Ms. Moffett's property line. Additionally, Ms. Moffett request that the swim deck be gated to prevent access by members of the public.

Please send us a copy of the variance application and ensure that we receive notice of the date and time of the hearing on this variance request.

Sincerely,

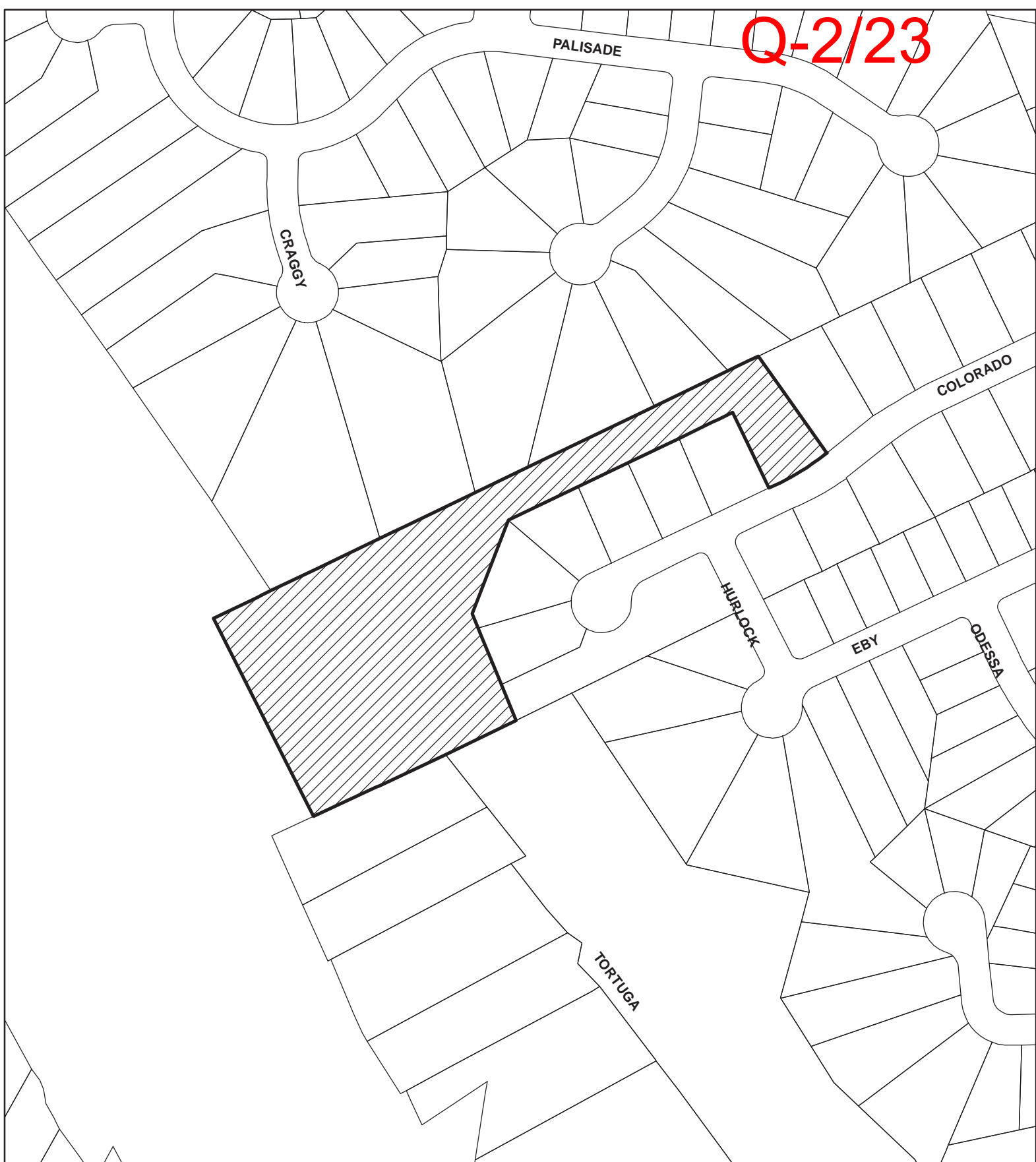


Courtney Mogonye-McWhorter

cc: Ms. Laurée Moffett



Q-2/23



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

## NOTIFICATIONS

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



1" = 206'

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.



## CITY OF AUSTIN

### Development Services Department

One Texas Center | Phone: 512.978.4000

505 Barton Springs Road, Austin, Texas 78704

Q-2/24

## 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 # \_\_\_\_\_ ROW # \_\_\_\_\_ Tax # \_\_\_\_\_

### Section 1: Applicant Statement

Street Address: 4704 Colorado Xing, Austin, TX 78731

Subdivision Legal Description:

LOT 8 BLK A COLORADO CROSSING SEC 1 COMMON AREA

Lot(s): 8 Block(s): A

Outlot: \_\_\_\_\_ Division: Section 1

Zoning District: LA, ZF2

I/We Terry Roth on behalf of myself/ourselves as  
authorized agent for MOUNT BONNELL SHORES HOA affirm that on  
Month September, Day 26, Year 2018, hereby apply for a hearing before the  
Board of Adjustment for consideration to (select appropriate option below):

☐ Erect ☐ Attach ☐ Complete ☒ Remodel ☐ Maintain ☐ Other: widening by 2ft

Type of Structure: SWIM DOCK current config. circa 1984 (HOA does not allow day docking)

Portion of the City of Austin Land Development Code applicant is seeking a variance 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 safer 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.

## 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 perimeter 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:

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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:

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3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

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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: Terry Roth Digitally signed by Terry Roth  
Date: 2018.10.17 21:47:24 -05'00' Date: 09/24/2018

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**

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

Owner Signature: John Savage Digitally signed by John Savage  
Date: 2018.10.17 21:03:18 -05'00' Date: 09/24/2018

Owner Name (typed or printed): John Savage, President 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: \_\_\_\_\_ 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).

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

### 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: \_\_\_\_\_ Date: 09/24/2018

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

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

Owner Signature: \_\_\_\_\_ Date: 09/24/2018

Owner Name (typed or printed): John Savage, President 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: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

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

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

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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)

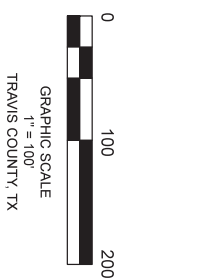
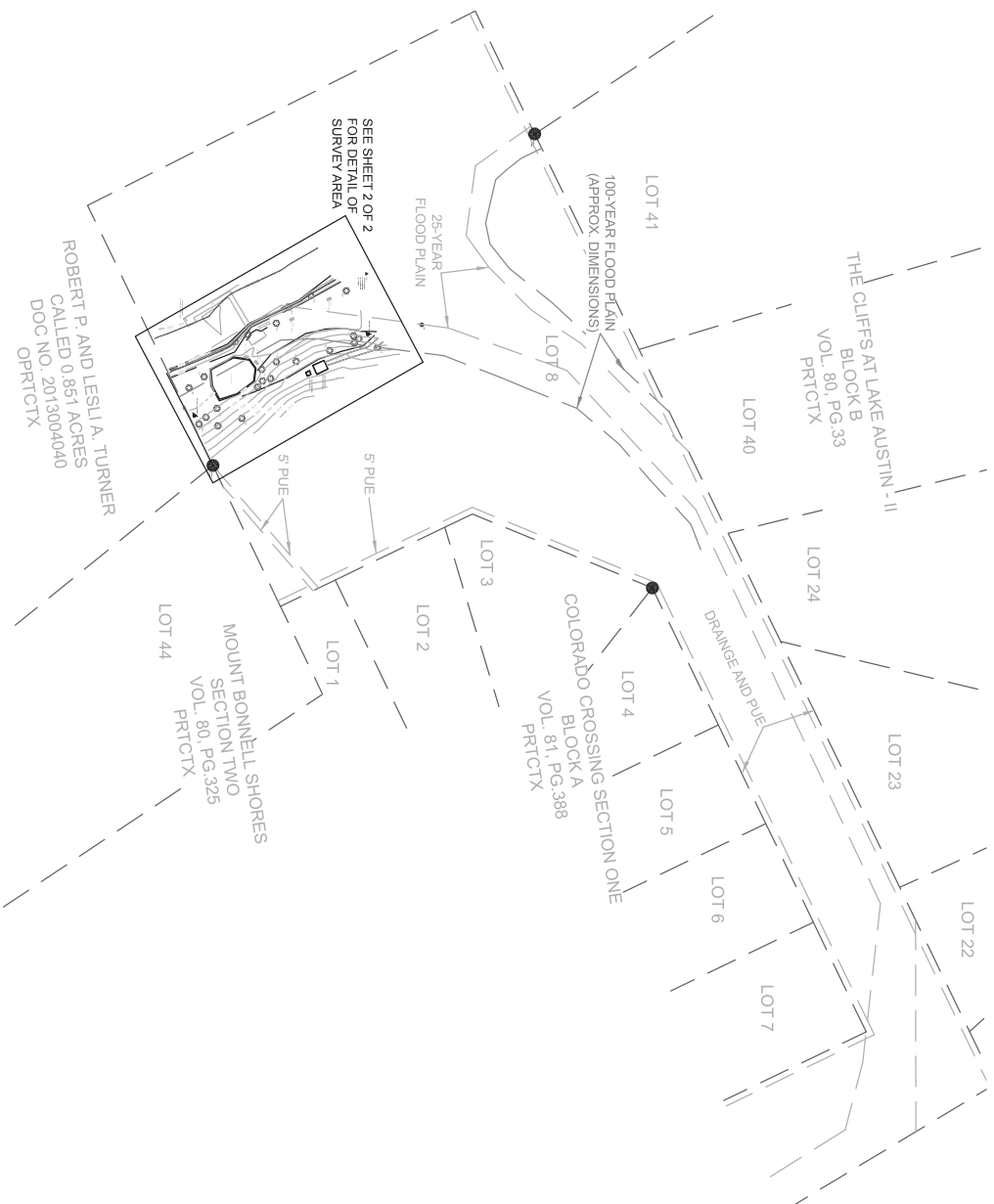
across the lake from our property.

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**



LEGEND

- ▼ CONTROL POINT
- IRON ROD FOUND
- ⚡ SIGN
- 🌳 TREE
- OPRTCTX OFFICIAL PUBLIC RECORDS
- PLAT RECORDS TRAVIS COUNTY, TX
- PRTCTX TRAVIS COUNTY, TX

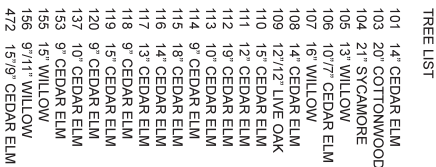
SURVEYOR'S NOTES:

1. BEARING BASIS IS GRID NORTH, TEXAS COORDINATE SYSTEM, NAD83 (2011) (EPOCH 2010) CENTRAL ZONE. ELEVATIONS ARE BASED ON NAVD 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 CLERK'S OFFICE. THERE MAY OR MAY NOT BE ADDITIONAL EASEMENTS NOT SHOWN HEREIN.
3. LOT LINES AND PROPERTY LINES ARE BASED SOLELY UPON RECORD INFORMATION AND MINIMAL BOUNDARY EVIDENCE FOUND AT THE TIME OF SURVEY. THIS SURVEY IS NOT INTENDED AS A BOUNDARY SURVEY.

PROJECT NAME	MS/CC HOA DESIGN SURVEY
CLIENT	MS/CC HOA
JOB NUMBER	1800918
SURVEY DATE	JUNE 29, 2018
SURVEYOR	WH
TECHNICIAN	LH, WH
FIELDBOOK	BK 001, PG 14, 17

MOUNT BONNELL  
SHORES/COLORADO  
CROSSING HOA  
DESIGN SURVEY

**WHITECAP**  
WHITECAP SURVEY COMPANY, LLC  
TBPLS FIRM NO. 10194424  
PO BOX 1225  
DRIPPING SPRINGS, TX 78620  
(612) 808-0102  
EMAIL: INFO@WHITECAPSURVEY.COM



- | TREE LIST |                  |
|-----------|------------------|
| 101       | 14 CEDAR ELM     |
| 100       | 20 COTTONWOOD    |
| 99        | 15 CEDAR ELM     |
| 104       | 21 SCAMORE       |
| 105       | 23 WILLOW        |
| 106       | 107 CEDAR ELM    |
| 107       | 167 WILLOW       |
| 108       | 14 CEDAR ELM     |
| 109       | 12 1/2 LVE OAK   |
| 110       | 15 CEDAR ELM     |
| 111       | 12 CEDAR ELM     |
| 112       | 10 CEDAR ELM     |
| 113       | 10 CEDAR ELM     |
| 114       | 9 CEDAR ELM      |
| 115       | 18 CEDAR ELM     |
| 116       | 14 CEDAR ELM     |
| 117       | 13 CEDAR ELM     |
| 118       | 9 CEDAR ELM      |
| 119       | 15 CEDAR ELM     |
| 120       | 9 CEDAR ELM      |
| 121       | 10 CEDAR ELM     |
| 153       | 9 CEDAR ELM      |
| 155       | 15 WILLOW        |
| 156       | 9 1/11 WILLOW    |
| 172       | 15 1/9 CEDAR ELM |



▼	CONTROL POINT
●	IRON ROD FOUND
⚡	SIGN
🌳	TREE
OPRTCTX	OFFICIAL PUBLIC RECORDS TRAVIS COUNTY, TX
PRTCTX	PLAT RECORDS TRAVIS COUNTY, TX

### SURVEYOR'S NOTES:

1. BEARING BASIS IS GRID NORTH, TEXAS COORDINATE SYSTEM, NAD83 (2011), (EPOCH 2010) CENTRAL ZONE. ELEVATIONS ARE BASED ON NAVD 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 SOLELY UPON RECORD INFORMATION AND MINIMAL BOUNDARY EVIDENCE FOUND AT THE TIME OF SURVEY. THIS SURVEY IS NOT INTENDED AS A BOUNDARY SURVEY.

SHEET 2  
OF 2

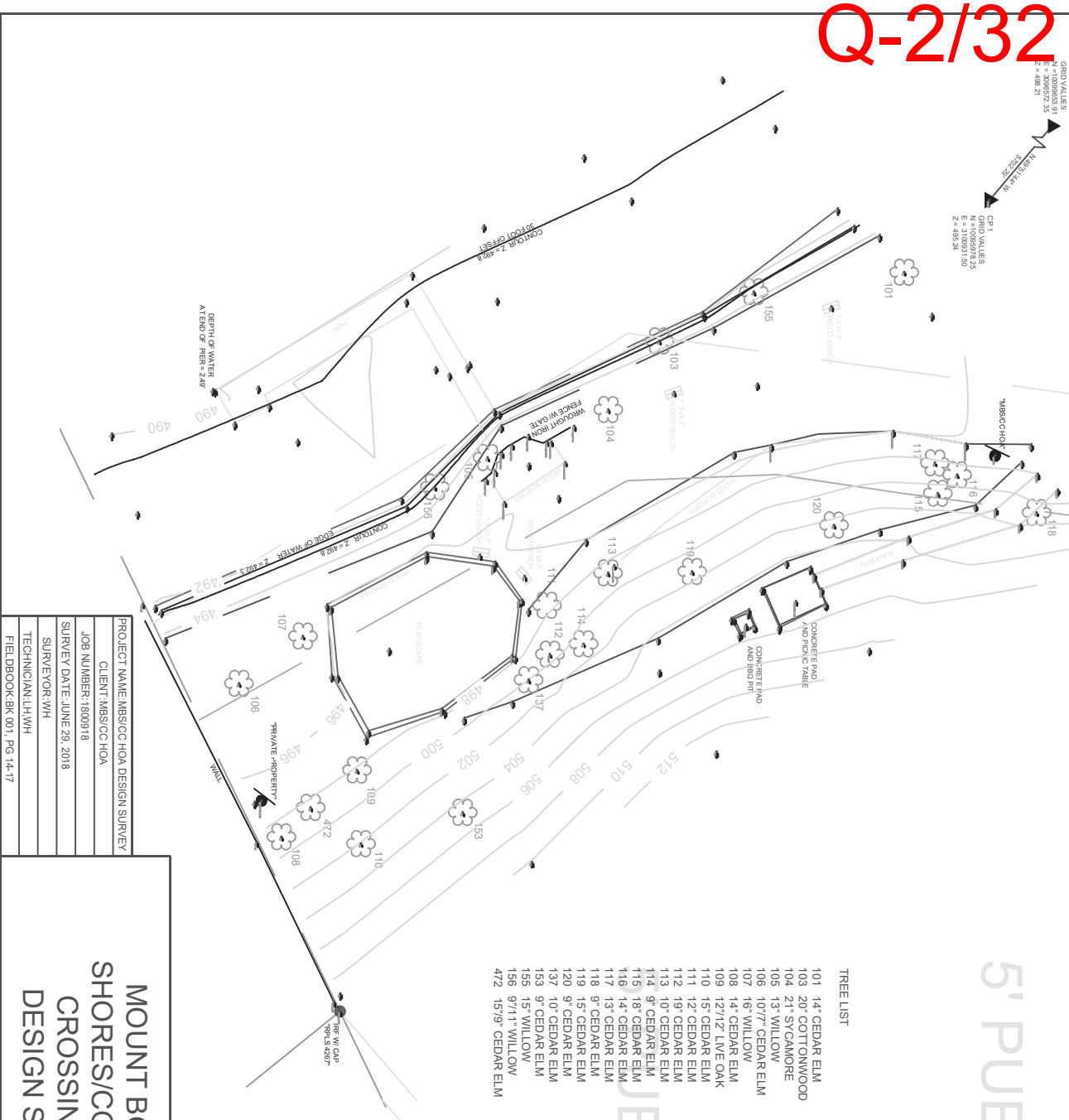
**MOUNT BONNELL  
SHORES/COLORADO  
CROSSING HOA  
DESIGN SURVEY**

PROJECT NAME	MBS/CC HOA DESIGN SURVEY
CLIENT	MBS/CC HOA
JOB NUMBER	1800918
SURVEY DATE	JUNE 29, 2018
SURVEYOR	WH
TECHNICIAN	LH/MH
FIELDBOOK	BK 001, Pg 14-17

**WHITECAP**  
WHITECAP SURVEY COMPANY, LLC  
TBPUS FIRM NO. 10194424  
PO BOX 1225  
DRIPPING SPRINGS, TX 78620  
(512) 806-0102  
EMAIL: [INFO@WHITECAPSURVEY.COM](mailto:INFO@WHITECAPSURVEY.COM)

441-129 MONUMENT  
GRID VALUES  
N = 100950.51  
E = 100950.51  
Z = 488.21

CP 1  
GRID VALUES  
N = 100950.71  
E = 100950.71  
Z = 488.21



- TREE LIST
- 101 14' CEDAR ELM
  - 103 20' COTTONWOOD
  - 104 21' SYCAMORE
  - 105 13' WILLOW
  - 106 10/7' CEDAR ELM
  - 107 16' WILLOW
  - 108 14' CEDAR ELM
  - 109 12/12' LIVE OAK
  - 110 15' CEDAR ELM
  - 111 12' CEDAR ELM
  - 112 19' CEDAR ELM
  - 113 10' CEDAR ELM
  - 114 8' CEDAR ELM
  - 115 18' CEDAR ELM
  - 116 14' CEDAR ELM
  - 117 13' CEDAR ELM
  - 118 8' CEDAR ELM
  - 119 15' CEDAR ELM
  - 120 9' CEDAR ELM
  - 137 10' CEDAR ELM
  - 153 9' CEDAR ELM
  - 155 15' WILLOW
  - 156 9/11' WILLOW
  - 472 15/9' CEDAR ELM

PROJECT NAME MBS/CC HOA DESIGN SURVEY  
CLIENT MBS/CC HOA  
JOB NUMBER 1800918  
SURVEY DATE JUNE 29, 2018  
SURVEYOR WH  
TECHNICIAN LHW  
FIELD BOOK BK 001, PG 14-17

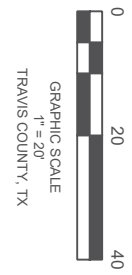
MOUNT BONNELL  
SHORES/COLORADO  
CROSSING HOA  
DESIGN SURVEY

WHITECAP  
WHITECAP SURVEY COMPANY, LLC  
TBPLUS FIRM NO. 10194424  
PO BOX 1225  
DRIPPING SPRINGS, TX 78620  
(512) 808-0102  
EMAIL: INFO@WHITECAPSURVEY.COM

SURVEYOR'S NOTES:

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- LEGEND
- CONTROL POINT
  - IRON ROD FOUND
  - SIGN
  - TREE
  - OFFICIAL, PUBLIC RECORDS
  - TRAVIS COUNTY, TX
  - PLAT RECORDS
  - TRAVIS COUNTY, TX



## REVISIONS / CORRECTIONS

**OWNER:**  
MOUNT BONNELL SHORES COLORADO  
COLORADO CROSSING  
PO BOX 271 44

**ENGINEER:**  
JANIS J SMITH, P.E.  
JANIS SMITH CONSULTING, LLC  
1505 WESTVIEW RD  
AUSTIN, TEXAS 78703  
PHONE (612) 914-3729



## REVISIONS / CORRECTIONS

[illegible]

Janis G. Smith



ADDRESS: 4704 COLORADO XING AUSTIN, TX 78731  
ZONING: LASF2

A Board of Adjustment variance to LDC 25-2-1176(A)(1), Site Development Regulations for Docks, Marinas, and Other Dockfront Uses. To increase the distance a dock may extend from the shoreline from 30 feet to 100 feet.

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

## Plan Sheet List

1. COVER SHEET & NOTES
2. EXISTING AND PROPOSED CONDITIONS DOCK PLAN
3. DETAILS AND PLANE ELEVATION VIEWS
4. PLAT

Approved By:

For Director - Development Services Department

Date \_\_\_\_\_

Permit Number  
SF-20180314L

**Submitted Date**

100

All responsibility for the adequacy of these plans remain with the engineer who prepared them. In approving these plans, the City of Austin must rely upon the adequacy of the work of the design engineer.

# MOUNT BONNELL SHORES/COLORADO CROSSING HOMEOWNER'S ASSOCIATION SWIM DECK COVER SHEET & NOTES

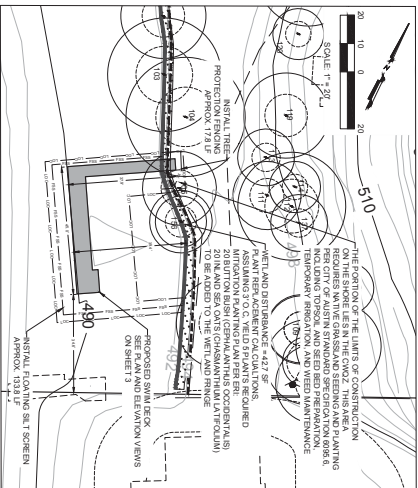
Janis Smith Consulting, LLC 

1505 Westover Road • Austin, Texas 78703 • 512-914-3729

Texas Board of Professional Engineers Registration Number F-16028



ALLOWABLE DOCK WIDTH = 20% OF 390.4' = 78.1'  
PROPOSED DOCK WIDTH = 45.0' = 11.5%  
PROPOSED DOCK DEPTH = 37.9'  
DOCK FOOTPRINT = 413.7 SF



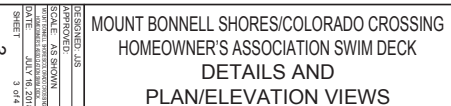
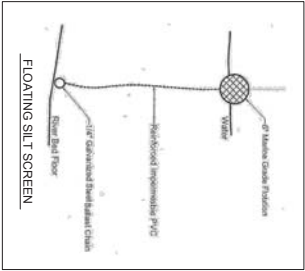
1. AT WORK, ALL DOORS WITHIN THE LANE'S CONSTRUCTION AREA SHOWN ON THE CONSTRUCTION PLAN SHALL BE KEPT OPEN TO ALLOW FOR THE FREE FLOW OF CONSTRUCTION MATERIAL, AND DURING STATION AND STAKE STORAGE, WILL BE SHUTTERED AND LOCKED.
  2. THE LANE PLAN, LABORATORY MATERIALS & TIE, OR, ACCESSORIES, UNREGISTERED PARTS, DOWNS, OR OTHER MATERIALS WILL NOT BE STORED ON DOCKS EXTERIOR TO THE LANE.
  3. FOR LOADING, SHUTTLEMENT, IMPROVEMENTS, AND ARE POSITIONED WITHIN THE LANE, ALL MATERIALS SHALL BE KEPT OFF THE LANE.
  4. BATTERIES, BATTERIES, OR A CRANE TO BE USED WITHIN THE LANE SHALL BE KEPT OFF THE LANE.
  5. (BATTERIES) OR WATERSHEDS SHALL BE PROTECTED WITH THIS DRAIN COVERS.
  6. DOCK SHALL BE AT LEAST OPEN.
  7. THE PROJECT SITE IS WITHIN THE CITY OF ASTORIA PLANNED BOARDSHORE.
- ATTENTION INSPECTOR NOTES:**
1. COMPLAINTS USING BUILDING CODE REVIEW
  2. COMPLAINTS USING BUILDING CODE REVIEW
  3. THE CITY OF ASTORIA, PER THE PLANNED DEVELOPMENT CODE, 16-13 017-14, RESIST NOT A REASON FOR CONSTRUCTION.
  4. ENVIRONMENTAL INSPECTOR SHALL HAVE THE AUTHORITY TO STOP ANY WORK WITHIN THE CITY OF ASTORIA PLANNED BOARDSHORE.

THE PRODUCT IS ZONED BY: 2. ALTHOUGH PROPERTIES LISTED BELOW ARE ZONED LA

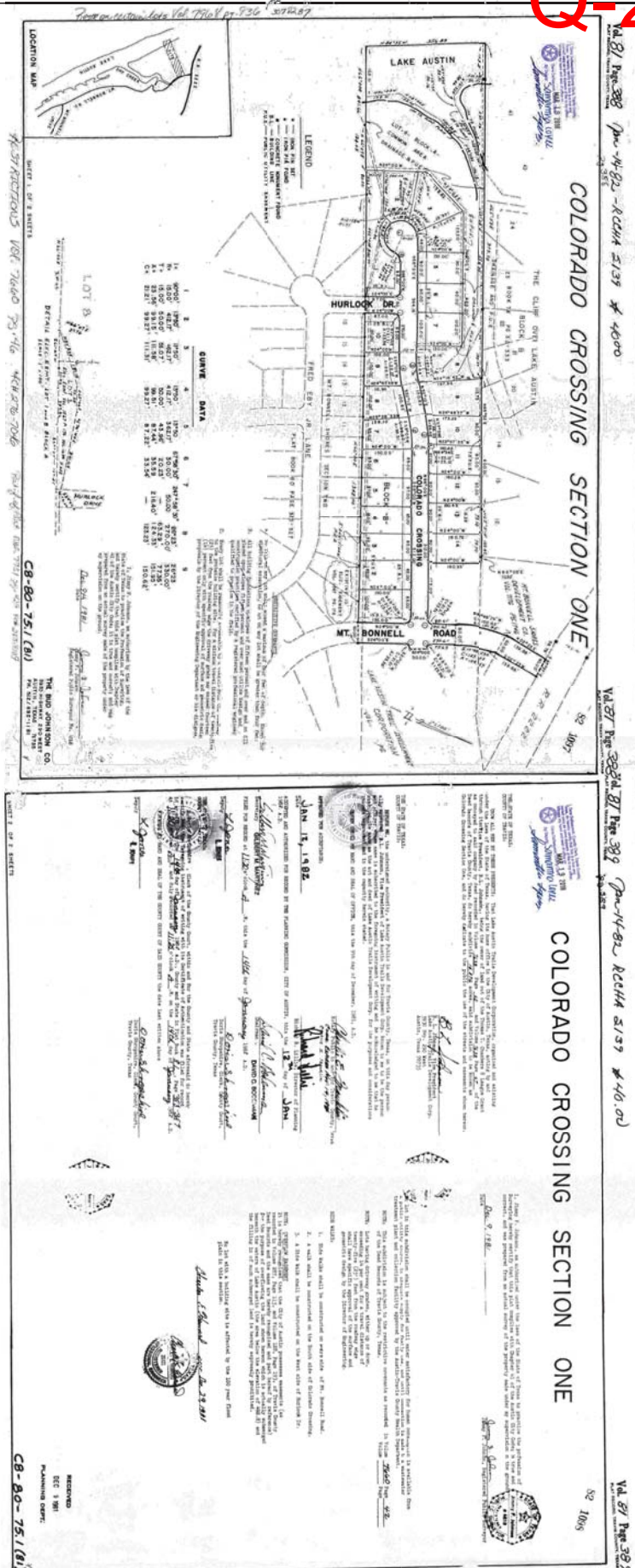
12806	12806	12806
ALLEN, JAMES L. & JENNIFER L. SPORES CO. OWNED CHO. SING.	ALLEN, JAMES L. & JENNIFER L. SPORES CO. OWNED CHO. SING.	ALLEN, JAMES L. & JENNIFER L. SPORES CO. OWNED CHO. SING.
NEIGHBORHOOD ASSOCIATION	NEIGHBORHOOD ASSOCIATION	NEIGHBORHOOD ASSOCIATION
4714 COLOMBO AND	4714 COLOMBO AND	4714 COLOMBO AND
12809	12809	12809
PENNER, BRADON A. & CHRISTINE	PENNER, BRADON A. & CHRISTINE	PENNER, BRADON A. & CHRISTINE
4711 COLOMBO AND	4711 COLOMBO AND	4711 COLOMBO AND
2015325781	2015325781	2015325781
12800	12800	12800
CELESTE, JAMES & LARRY CLARE SCALON	CELESTE, JAMES & LARRY CLARE SCALON	CELESTE, JAMES & LARRY CLARE SCALON
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WILLIAMS, ROBERT C. LLC	WILLIAMS, ROBERT C. LLC	WILLIAMS, ROBERT C. LLC
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BROWN, TODD L. & JENNIFER	BROWN, TODD L. & JENNIFER	BROWN, TODD L. & JENNIFER
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12801	12801	12801
THORPE, THOMAS & MANION	THORPE, THOMAS & MANION	THORPE, THOMAS & MANION
4022 CO. COLUMBO AND	4022 CO. COLUMBO AND	4022 CO. COLUMBO AND
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WILLIAMS, J. L. & GLENDA S.	WILLIAMS, J. L. & GLENDA S.	WILLIAMS, J. L. & GLENDA S.
5007 PALM BLVD CT	5007 PALM BLVD CT	5007 PALM BLVD CT
0615340001	0615340001	0615340001
12807	12807	12807
WILLIAMS, J. L. & MARICORLA	WILLIAMS, J. L. & MARICORLA	WILLIAMS, J. L. & MARICORLA
5007 PALM BLVD CT	5007 PALM BLVD CT	5007 PALM BLVD CT
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BROWNING, SARA H.	BROWNING, SARA H.	BROWNING, SARA H.
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ROSE, LARRY V. & WILK, JAMES	ROSE, LARRY V. & WILK, JAMES	ROSE, LARRY V. & WILK, JAMES
4714 COLOMBO AND	4714 COLOMBO AND	4714 COLOMBO AND
20015392771	20015392771	20015392771

- [illegible]

EXISTING STRUCTURE  
 EXISTING SHORELINE/PAVEMENT  
 PROPOSED DOCK  
 CHOD SETBACK  
 100-YR FL OOD/FAN  
 TREE PROTECTION  
 FLOATING SILT SCREEN  
 LIMIT OF CONSTRUCTION  
 LOC  
 TREE CRITICAL ROOT ZONE AND 10% CRZ

[illegible]

Q-2/36







I, Terry Roth on behalf of MBS HOA, am applying for a variance from the Board of Adjustment regarding Section 25-2-1176 (A)(1) of the Land Development Code. The variance would allow me the ability to keep the replacement dock at the existing location and distance from the shoreline.

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)	<i>[Signature]</i>
MOUNT BONNELL SHORES COLORADO	4704 Colorado Xing, Austin, TX 78731 (common area)	<i>[Signature]</i>
ROSE MARY R & MARK A MUSICK	5601 Palisade CT, Austin, TX 78731	<i>[Signature]</i>
DOUGLAS KEITH A	5601 Craggy Point, Austin, TX 78731	<i>[Signature]</i>
FOLLETT BRIAN R	5600 Craggy Point, Austin, TX 78731	<i>[Signature]</i>
BISANG TODD & JENNIFER	4712 Colorado Xing, Austin, TX 78731	<i>[Signature]</i>
FRACASSI CESARE & MARY CLARE SCALLON	4716 Colorado Xing, Austin, TX 78731	<i>[Signature]</i>



Q-2/38

2

# 4704 Colorado Crossing

HOA SWIM DOCK VARIANCE REQUEST

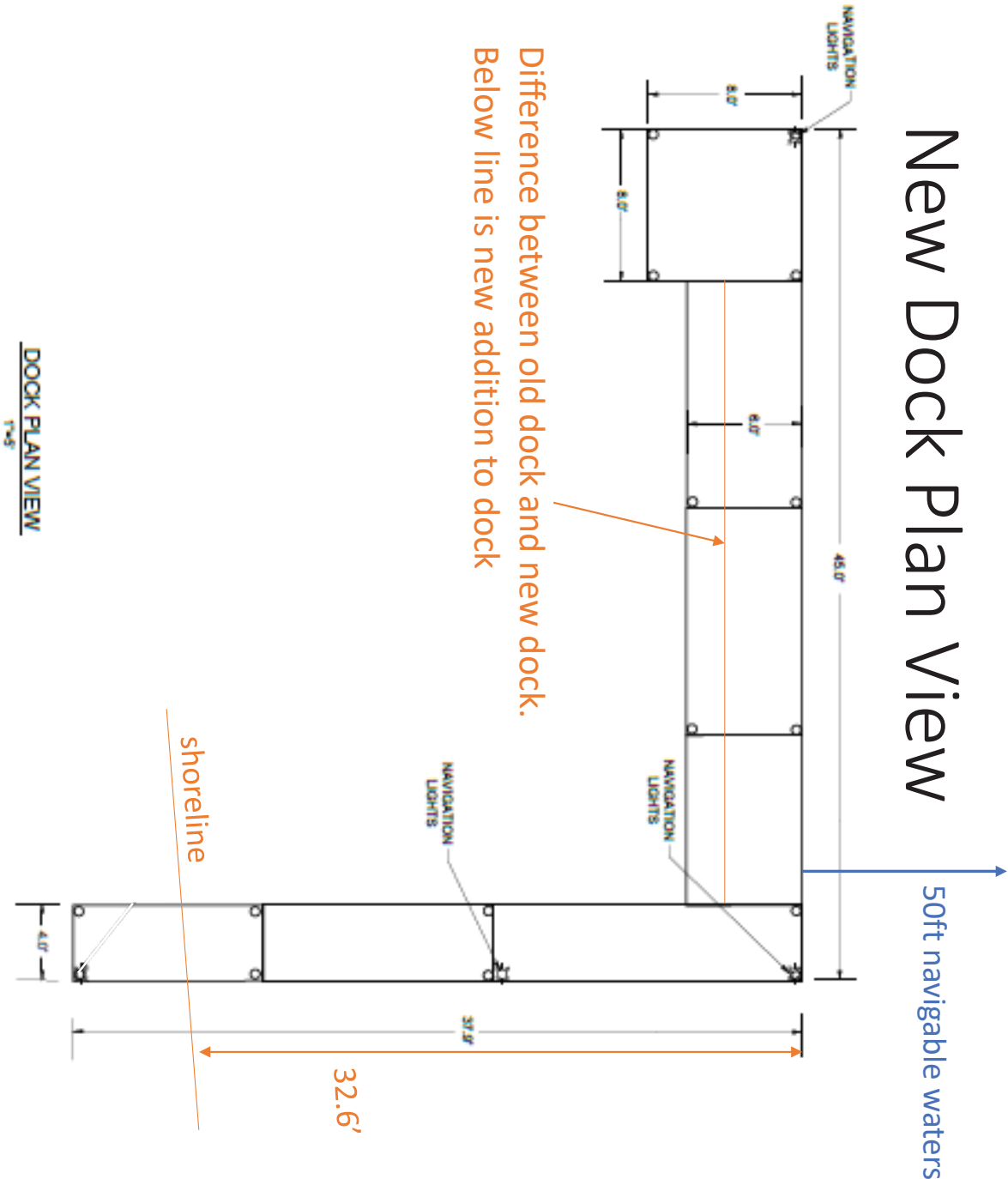
## Expansion of main 4' wide area of swim platform

Q We request the BoA approve a variance request to keep the swim platform in its current location outside the 30' offset.

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

# New Dock Plan View



Difference between old dock and new dock.  
Below line is new addition to dock



## 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.

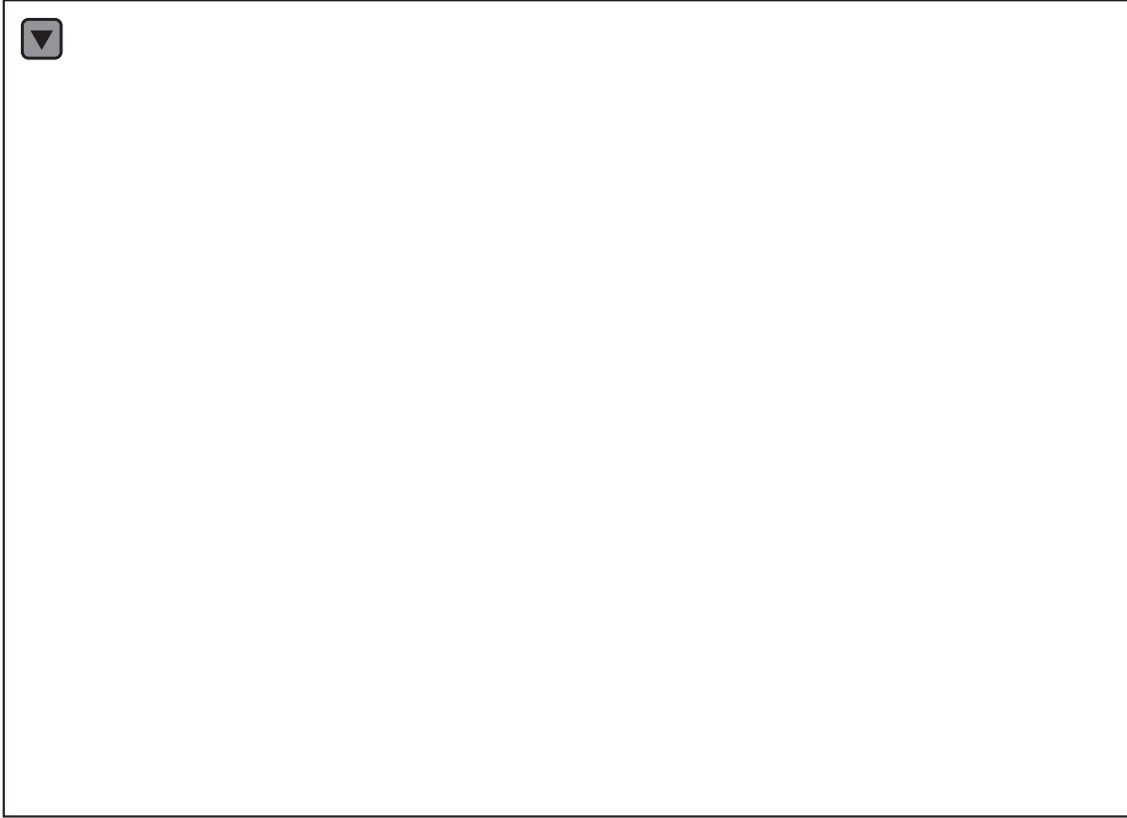


# Video of concerned dangerous passing.

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.



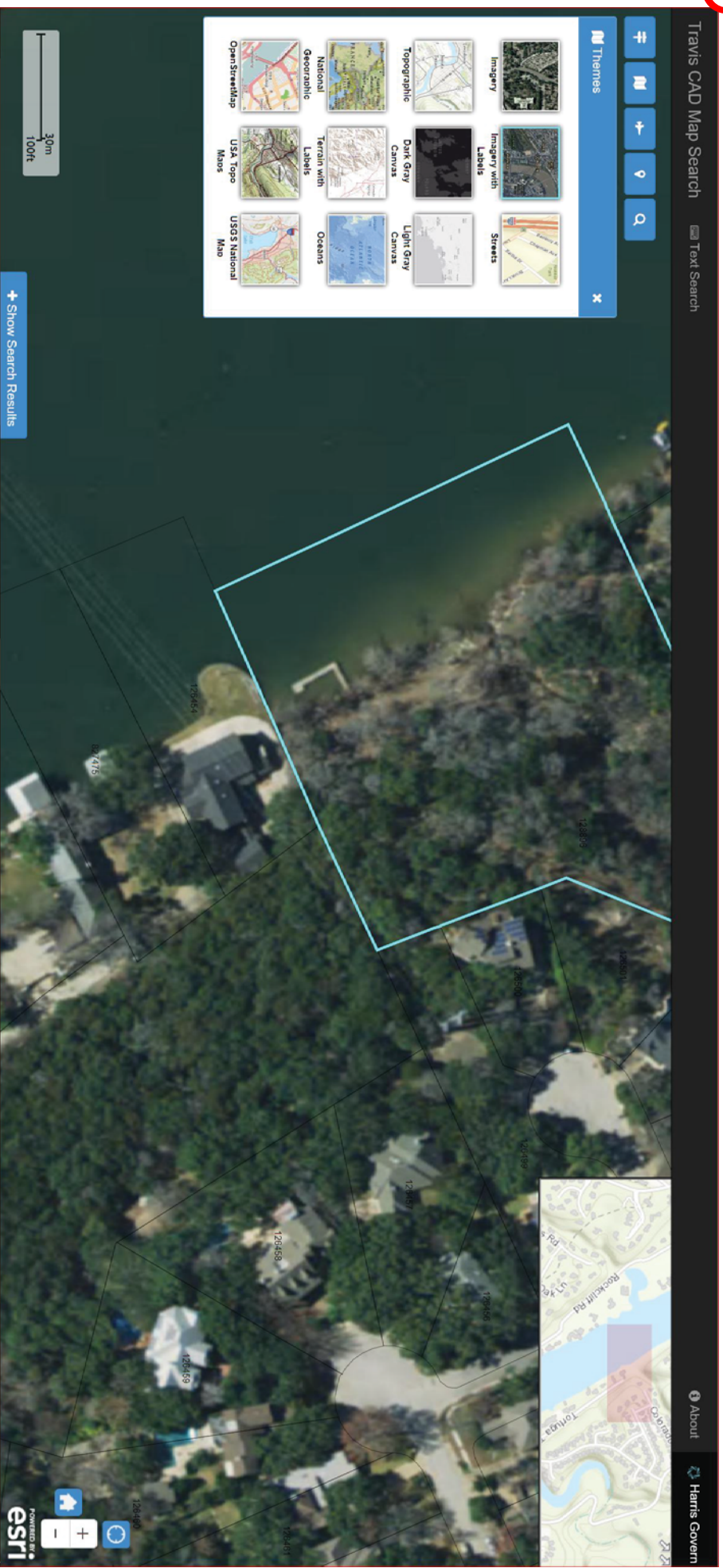
# TRAVIS CAD/GOOGLE SUPPORTING DOCUMENTATION

- TCAD
  - 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

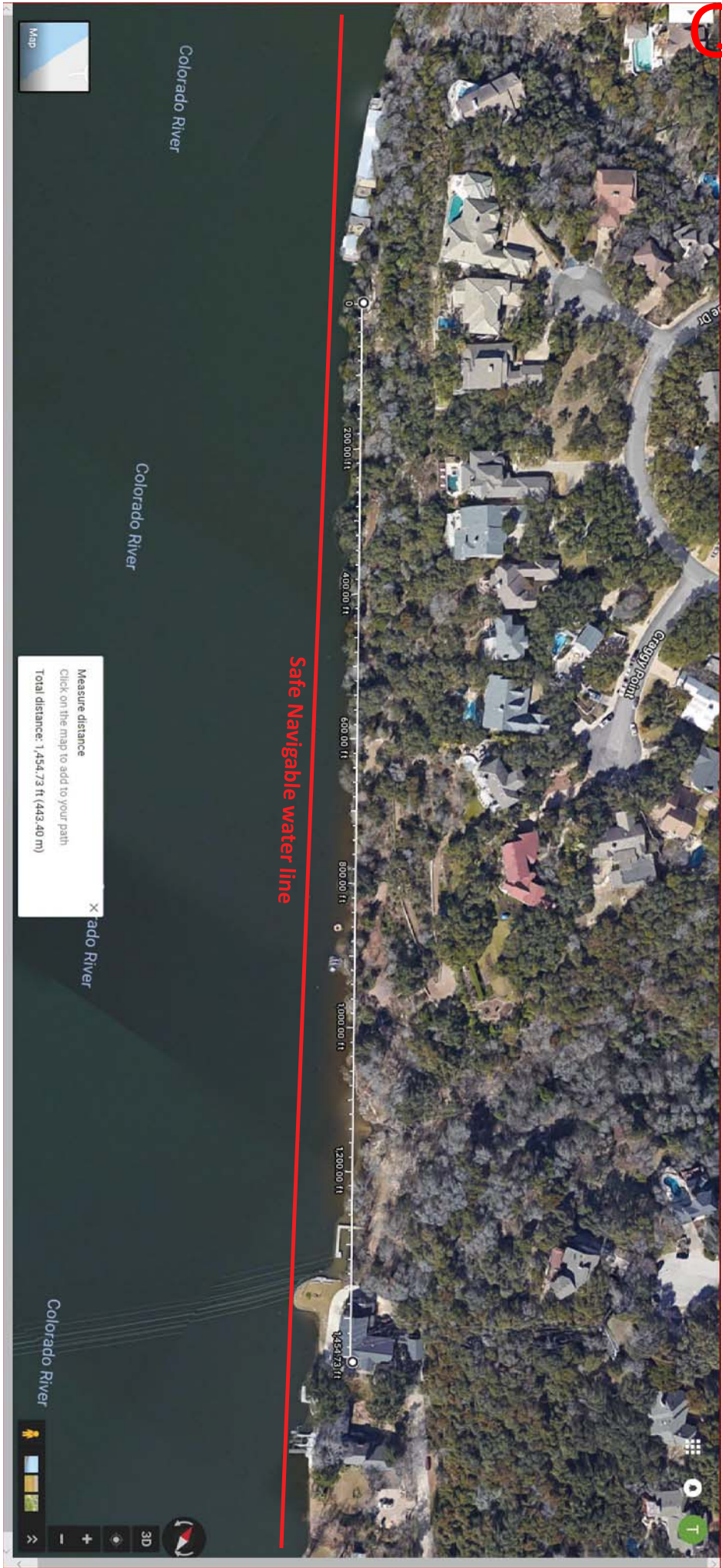
# Aerial view 4704 Colorado Xing lot showing adjacent lots and neighborhood







1500ft linear Shoreline showing shoreline indentation along our property

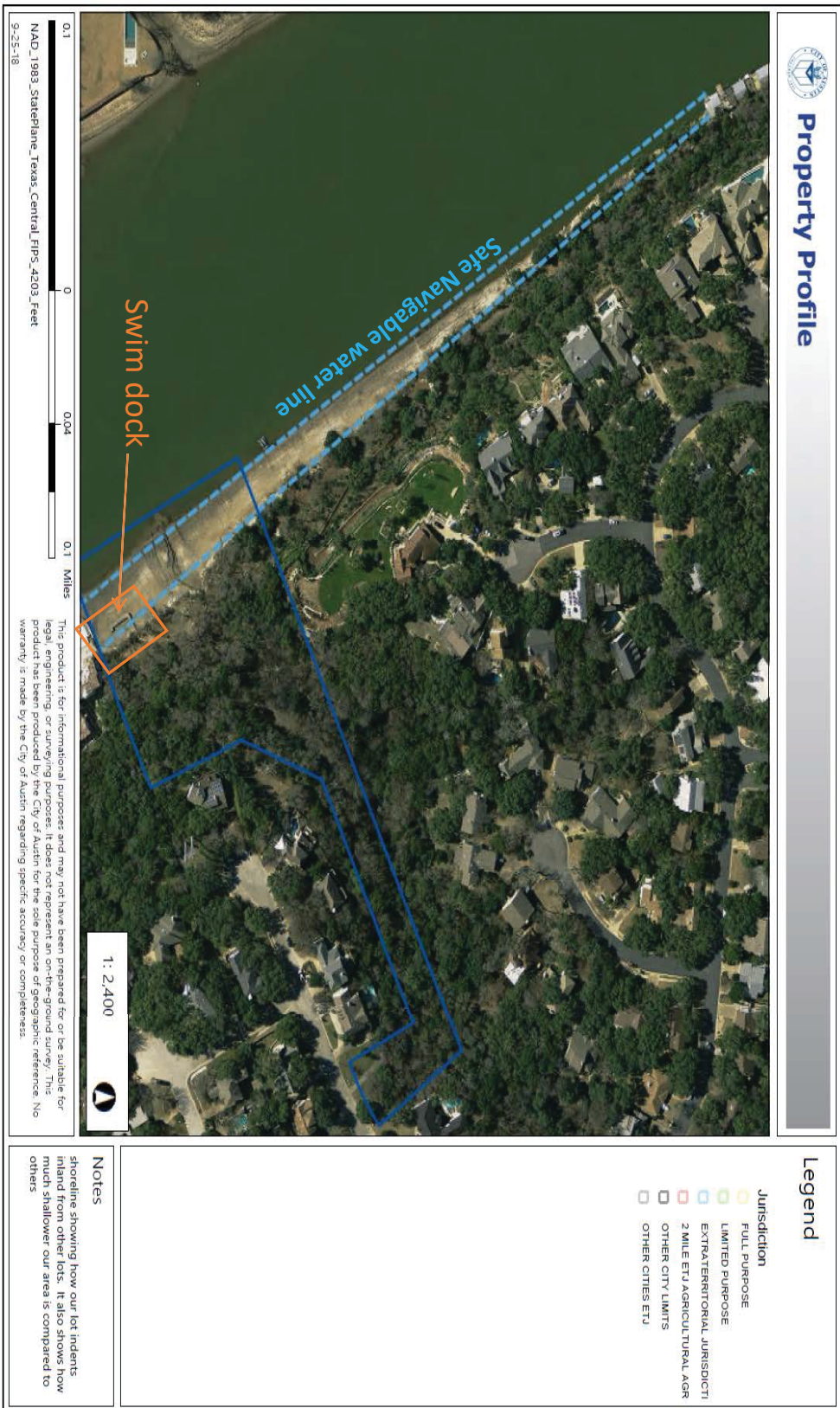




1500ft linear Shoreline showing shoreline indentation along our property



Navigable water line to shoreline shows depth too shallow for high speed boat traffic



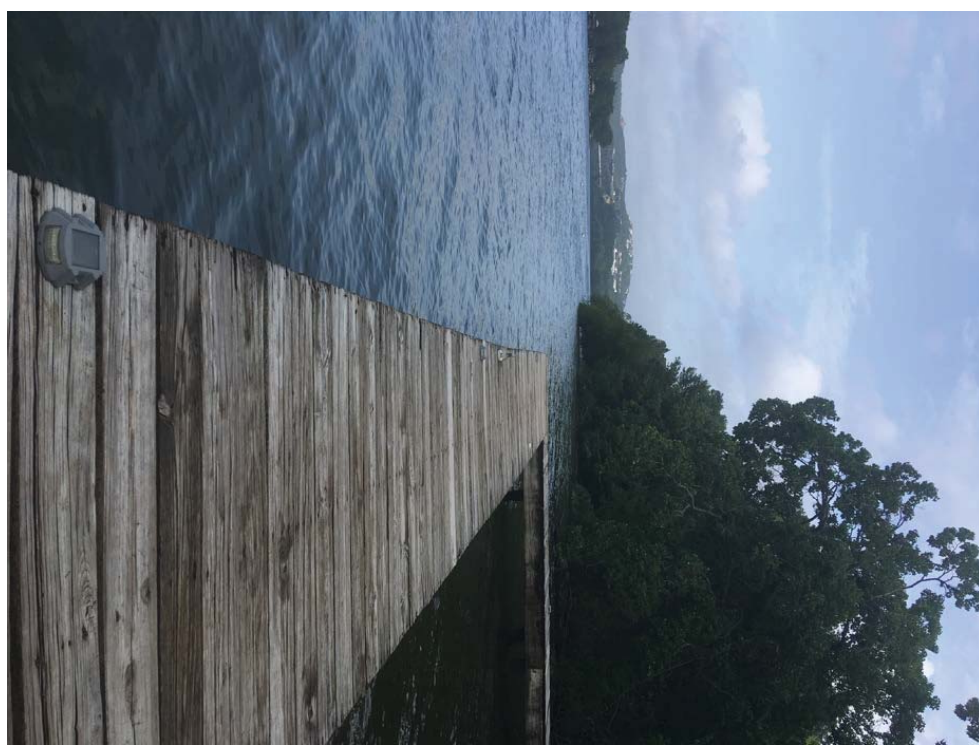




view of Lake Austin looking straight down our dock  
view looking downstream

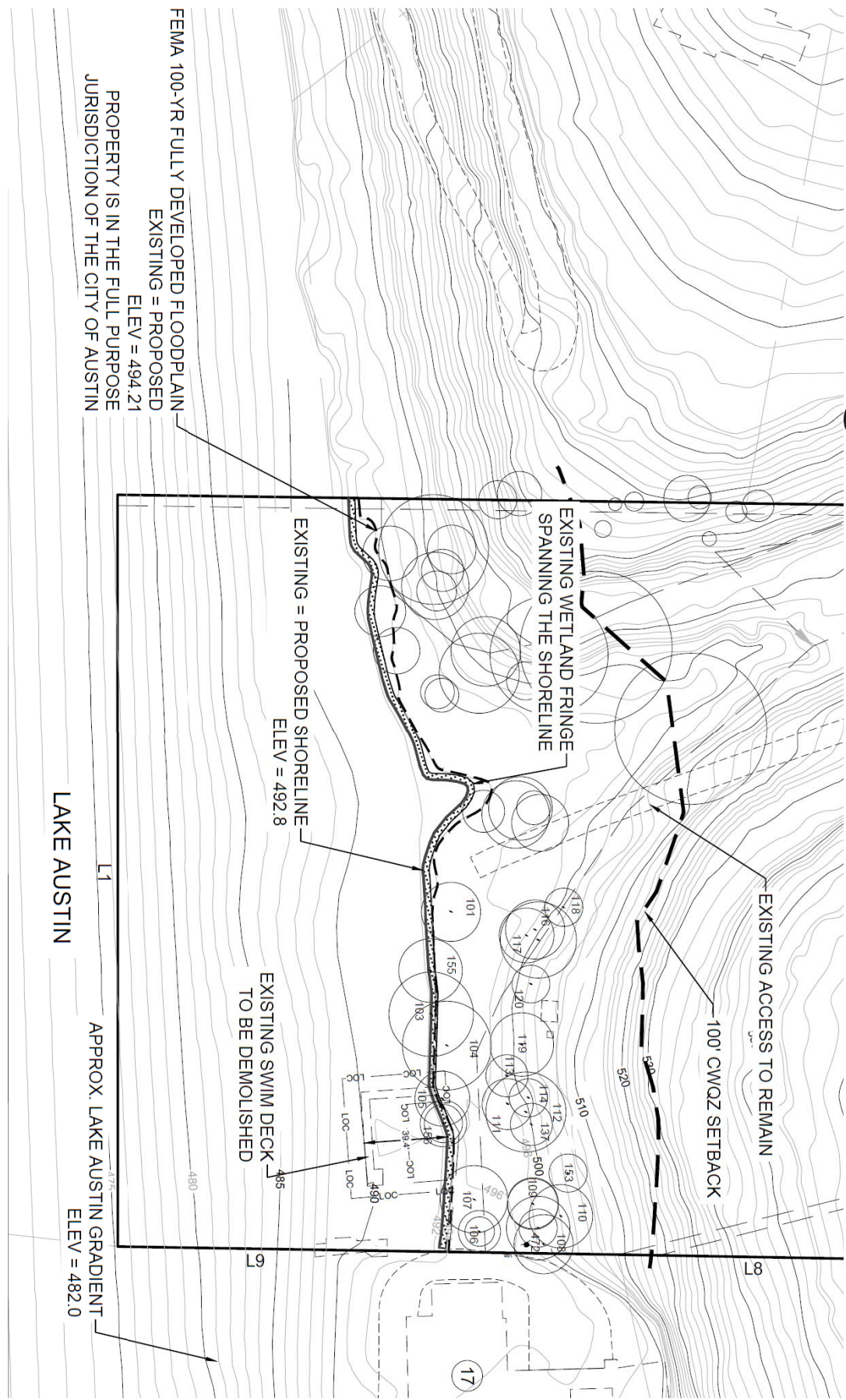


view looking upstream

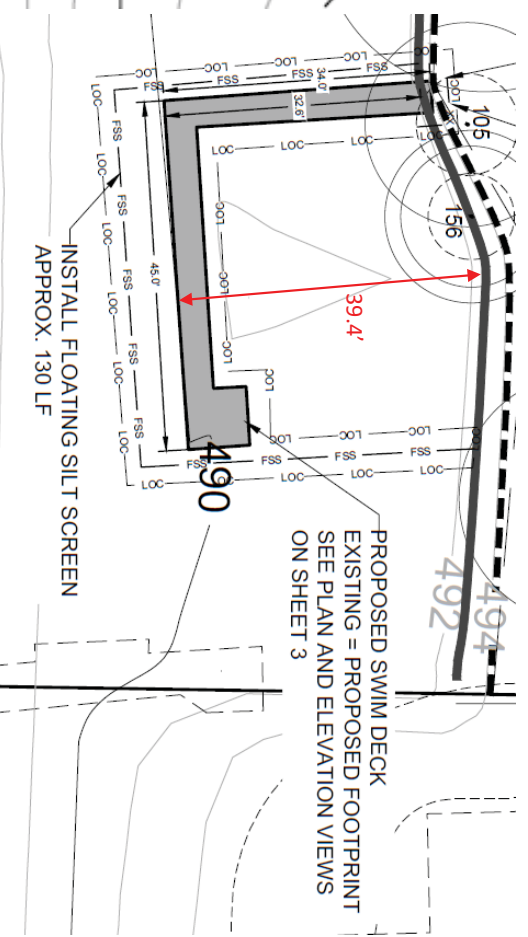
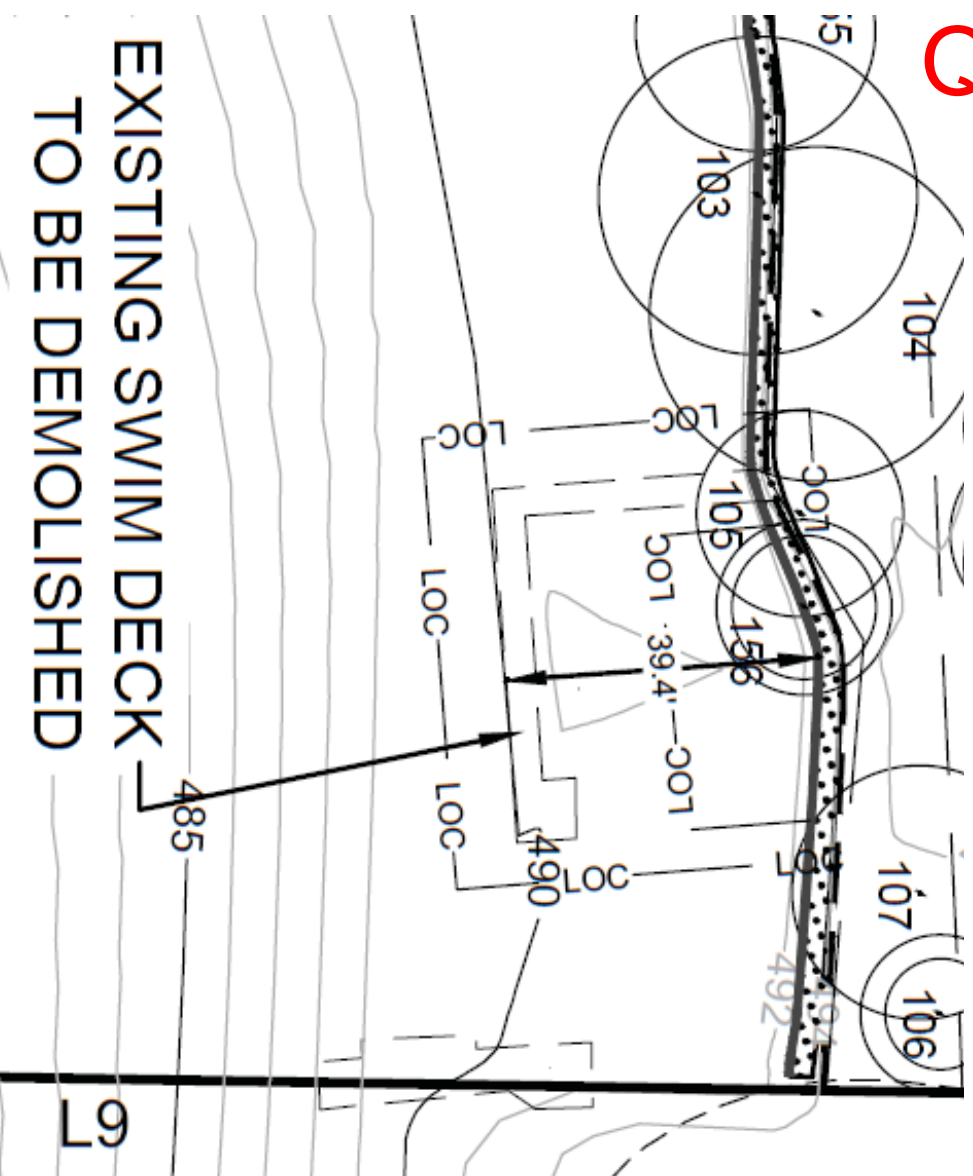




# Existing conditions

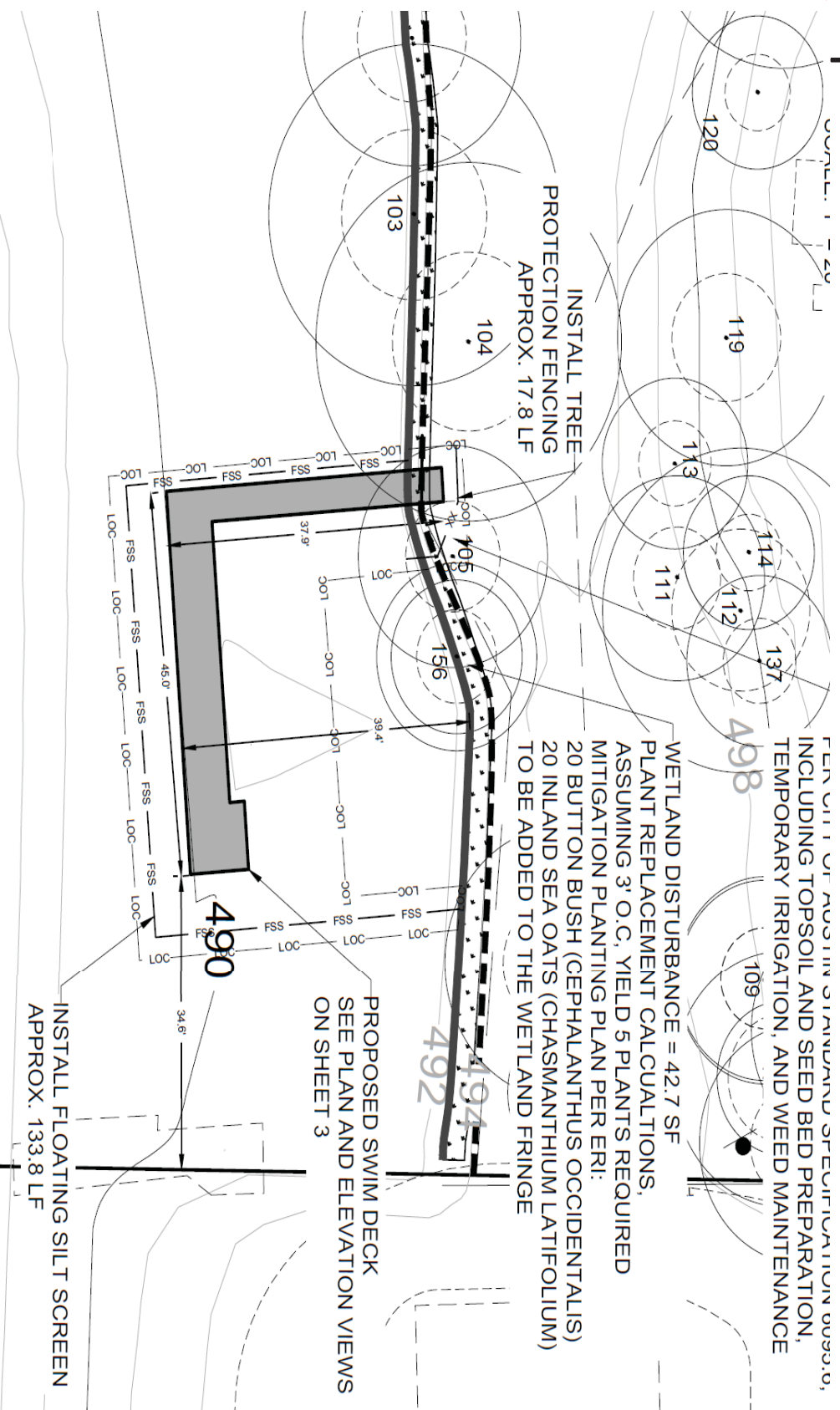


Existing swim dock zoomed in



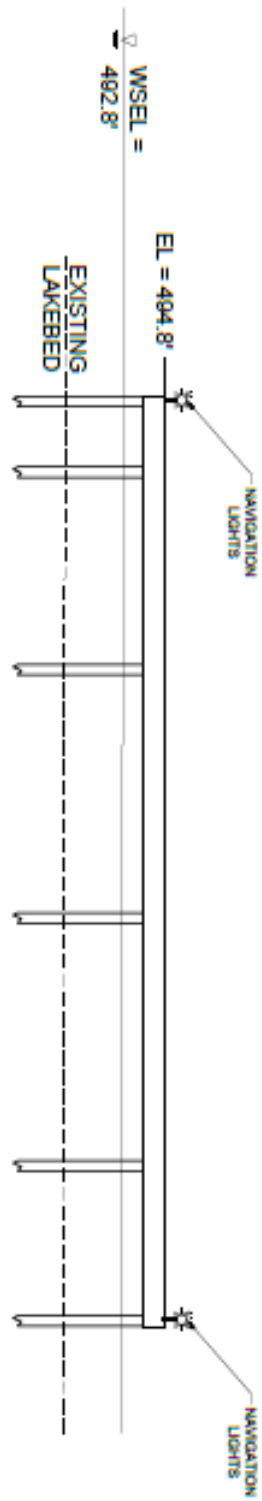


Replacement swim dock with 6ft walkway parallel to shoreline



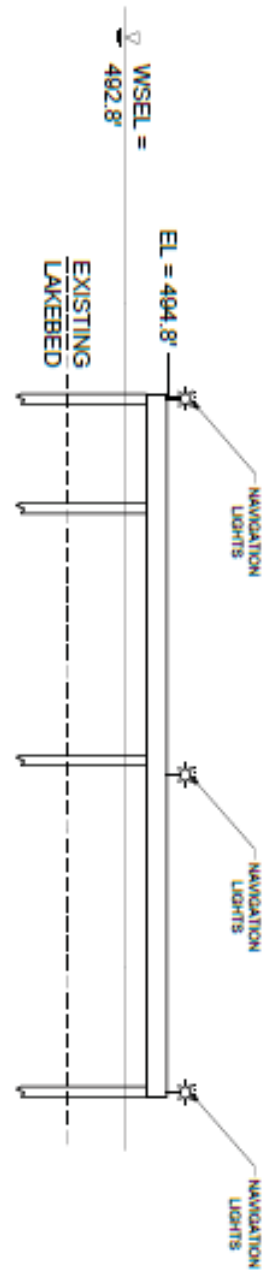


# Dock Elevation views



DOCK ELEVATION VIEW FROM THE LAKE

1"=5'



DOCK ELEVATION VIEW FROM THE NORTH

1"=5'

---

**From:** [REDACTED]  
**Sent:** Monday, December 03, 2018 8:46 AM  
**To:** Heldenfels, Leane  
**Cc:** Grimm Beth  
**Subject:** 4704 Colorado Crossing -- Case No. C15-2018-0051

Dear Ms. Heldenfels,

We own the property at 4703 Colorado Crossing. The project to replace the HOA's existing day boat and swim dock is long overdue. We are very much **IN FAVOR** of granting the requested variance.

Very truly yours,

David & Beth Grimm



**From:** [REDACTED]  
**Subject:** c15-2018-0051/4704 Colorado Xing late back up  
**Date:** Tuesday, December 04, 2018 10:16:24 AM

---

**From:** [REDACTED]  
**Sent:** Monday, December 03, 2018 3:44 PM  
**To:** Heldenfels, Leane  
**Subject:** Land Development Code Variance Comment

Case Number: C15-2018-0051, 4704 Colorado Xing  
Contact: Leane Heldenfels  
Public Hearing: Board of Adjustment, Monday, Dec 10, 2018

Dear Ms Heldenfels,

I support the variance requested by the Homeowners Association to increase the dock length.

Sincerely,

Jackie Gardner  
512-925-4926  
4612 Colorado Crossing, Austin, TX 78731

Q-2/59

Written comments must be submitted to the contact person listed on the notice before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice. **All comments received will become part of the public record of this case.**

**Case Number:** C15-2018-0051, 4704 Colorado Xing

**Contact:** Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov

**Public Hearing:** Board of Adjustment, Mon December 10, 2018

**MARY - FARMER**  
Your Name (please print)

☐ I am in favor  
☒ Object

**5125 FOR 100 JOL**  
Your address(es) affected by this application

**M. J. Farmer**  
Signature

**Dec 5-18**  
Date

Daytime Telephone: **512-452-9999**

Comments:

**Address too many**

**People there on it**

**would be Bessie!**

**Comments must be returned no later than 10am the day of the hearing to be seen by the Board at this hearing by:**

**Mail:** City of Austin-Development Services Department/ 1st Floor  
Leane Heldenfels  
P. O. Box 1088  
Austin, TX 78767-1088

(Note: mailed comments must be postmarked by the Wed prior to the hearing to be received in time for this hearing)

Fax: (512) 974-6305

Email: leane.heldenfels@austintexas.gov

## PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, **you are not required to attend**. However, if you do attend, you have the opportunity to speak **FOR** or **AGAINST** the proposed application. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice will be sent.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact person listed on a notice*); or
- appearing and speaking for the record at the public hearing; and:

- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our website:

**[www.austintexas.gov/department/development-services](http://www.austintexas.gov/department/development-services)**

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**Case Number:** C15-2018-0051, 4704 Colorado Xing

**Contact:** Leane Heldenfels, 512-974-2202, [leane.heldenfels@austintexas.gov](mailto:leane.heldenfels@austintexas.gov)

**Public Hearing:** Board of Adjustment, Mon December 10, 2018

*Brian Johnson*

Your Name (please print)

5413 Mountain Cedar Cove

Your address(es) affected by this application

*Brian K. Johnson*

Signature

12/5/18

Date

Daytime Telephone: 512-371-4743

Comments: *looking forward to the improvements.*

**Comments must be returned no later than 10am the day of the hearing to be seen by the Board at this hearing by:**

**Mail:** City of Austin-Development Services Department/ 1st Floor

Leane Heldenfels

P. O. Box 1088

Austin, TX 78767-1088

(Note: mailed comments must be postmarked by the Wed prior to the hearing to be received in time for this hearing)

**Fax:** (512) 974-6305

**Email:** [leane.heldenfels@austintexas.gov](mailto:leane.heldenfels@austintexas.gov)

☒ I am in favor  
☐ I object

## PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, **you are not required to attend**. However, if you do attend, you have the opportunity to speak **FOR** or **AGAINST** the proposed application. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice will be sent.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact person listed on a notice*); or
- appearing and speaking for the record at the public hearing; and:

- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our website:

**[www.austintexas.gov/department/development-services](http://www.austintexas.gov/department/development-services)**

Written comments must be submitted to the contact person listed on the notice before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice. **All comments received will become part of the public record of this case.**

**Case Number:** C15-2018-0051, 4704 Colorado Xing

**Contact:** Leane Heldenfels, 512-974-2202, [leane.heldenfels@austintexas.gov](mailto:leane.heldenfels@austintexas.gov)

**Public Hearing:** Board of Adjustment, Mon December 10, 2018

Brian D. Hugg

Your Name (please print)

5402 Odessa Lane 78731

Your address(es) affected by this application

*B. Hugg*

Signature

12/03/18

Date

Daytime Telephone: 415-690-6715

Comments:

The applicant has my full support

**Comments must be returned no later than 10am the day of the hearing to be seen by the Board at this hearing by:**

**Mail:** City of Austin-Development Services Department/ 1st Floor  
Leane Heldenfels  
P. O. Box 1088  
Austin, TX 78767-1088

(Note: mailed comments must be postmarked by the Wed prior to the hearing to be received in time for this hearing)

**Fax:** (512) 974-6305

**Email:** [leane.heldenfels@austintexas.gov](mailto:leane.heldenfels@austintexas.gov)

Q-2/61



14-3  
CK-2018-0051

# 4704 Colorado Crossing

HOA SWIM DOCK VARIANCE REQUEST

## Expansion of main 4' wide area of swim platform

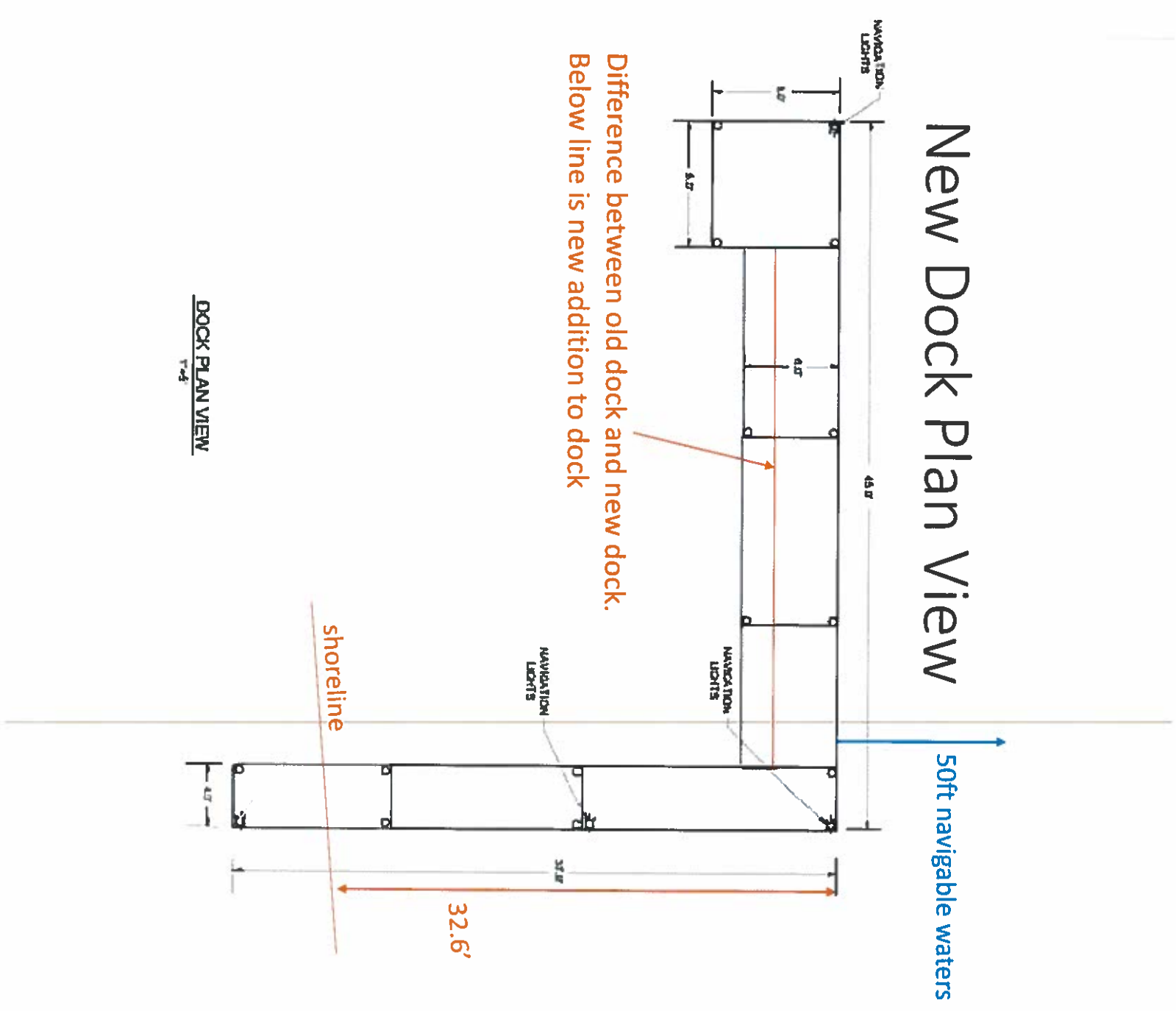
We request the BoA approve a variance request to keep the swim platform in its current location outside the 30' offset.

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

# New Dock Plan View

Difference between old dock and new dock.  
Below line is new addition to dock



DOCK PLAN VIEW  
T-4

## 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.

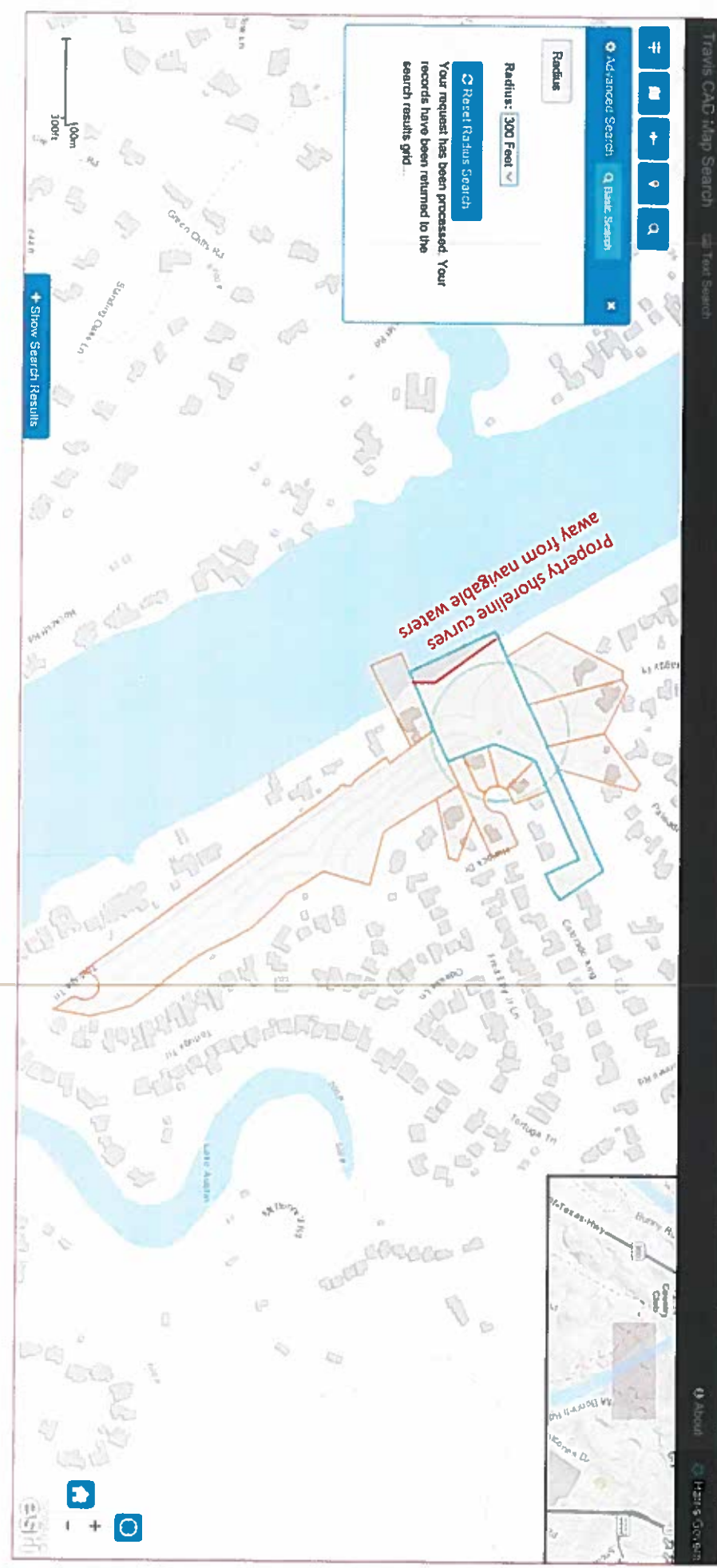




# TRAVIS CAD/GOOGLE SUPPORTING DOCUMENTATION

- TCAD
  - 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

# Aerial view 4704 Colorado Xing lot showing adjacent lots and neighborhood



## Neighbor Support for the Variance



I, Terry Roth on behalf of MBS HOA, am applying for a variance from the Board of Adjustment regarding Section 25-2-1176 (AM1) of the Land Development Code. The variance would allow me the ability to keep the replacement dock at the existing location and distance from the shoreline.

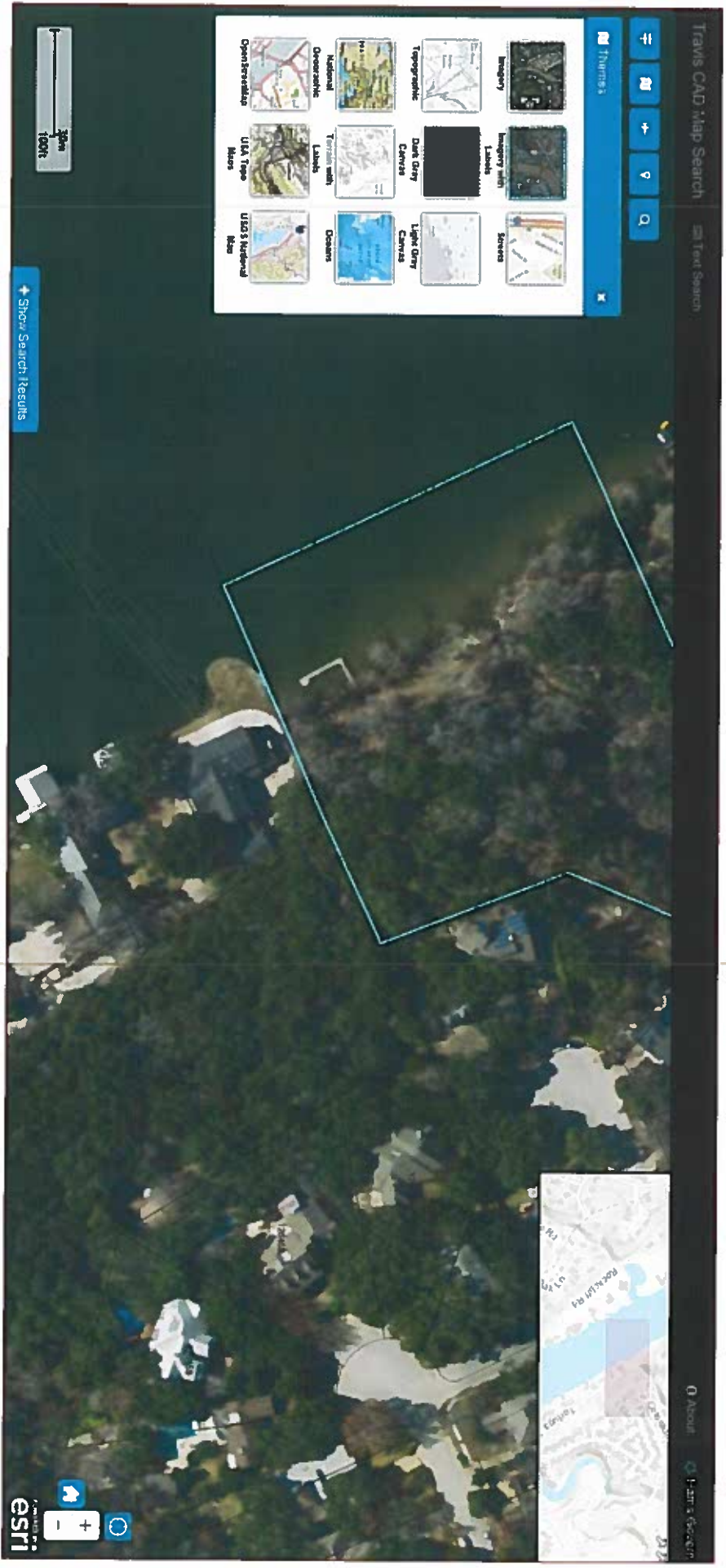
By signing this form, I understand that I am declaring my support for the variance being requested.

Property Owner Name (Printed)	Address	Signature
MOUNT BONNELL SHORES COLORADO	Tortuga Trail Lot 44 BLK E Mount Bonnell shores Sec 2(common area)	<i>[Signature]</i>
MOUNT BONNELL SHORES COLORADO	4704 Colorado Xing, Austin, TX 78731 (common area)	<i>[Signature]</i>
ROSE MARY R & MARK A MUSICK	5601 Palisade Ct, Austin, TX 78731	<i>[Signature]</i>
DOUGLAS KEITH A	5601 Craggy Point, Austin, TX 78731	<i>[Signature]</i>
FOLLETT BRIAN R	5600 Craggy Point, Austin, TX 78731	<i>[Signature]</i>
BISANG TODD & JENNIFER	4712 Colorado Xing, Austin, TX 78731	<i>[Signature]</i>
FRACASSI CESARE & MARY CLARE SCALLON	4716 Colorado Xing, Austin, TX 78731	<i>[Signature]</i>



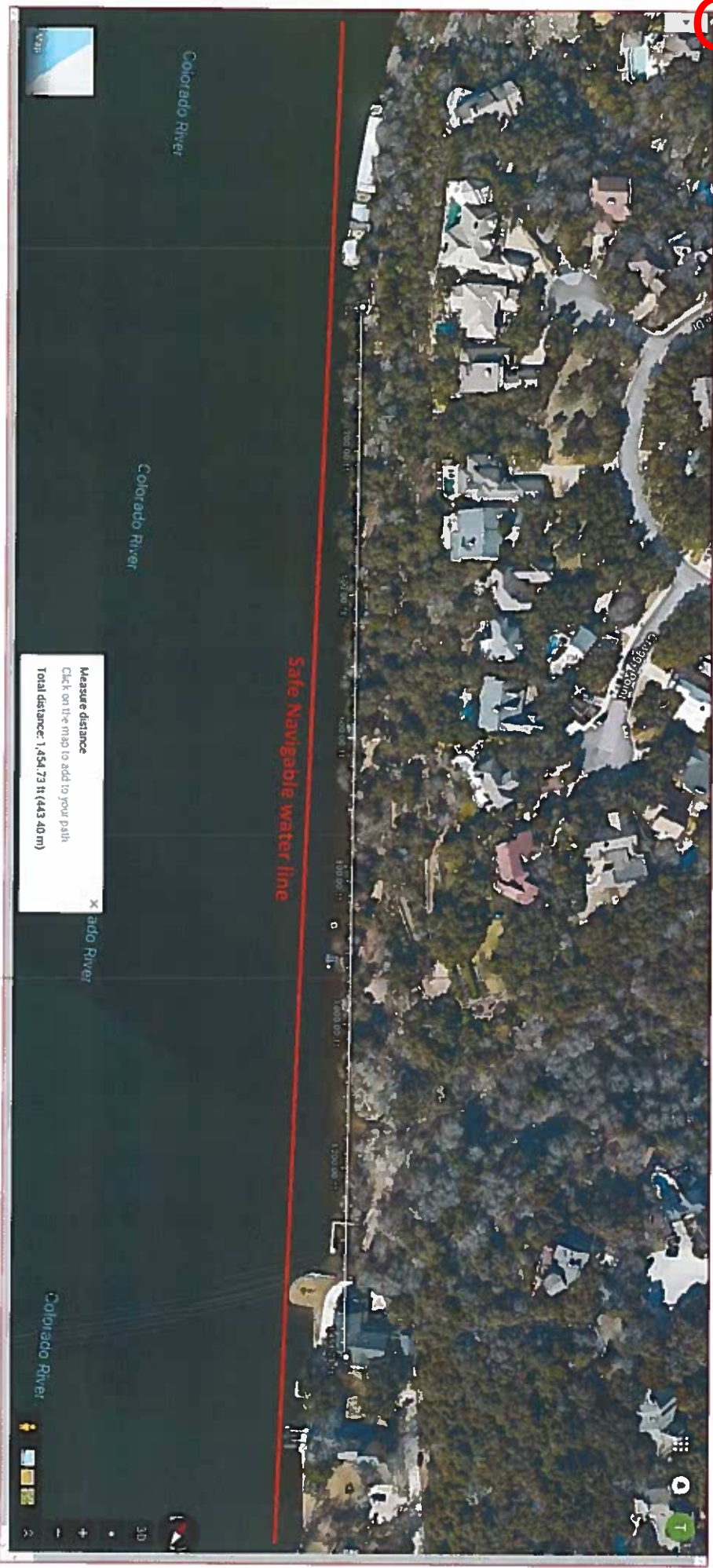


# Main overhead view of 4704 Colorado Xing



Q-2/71

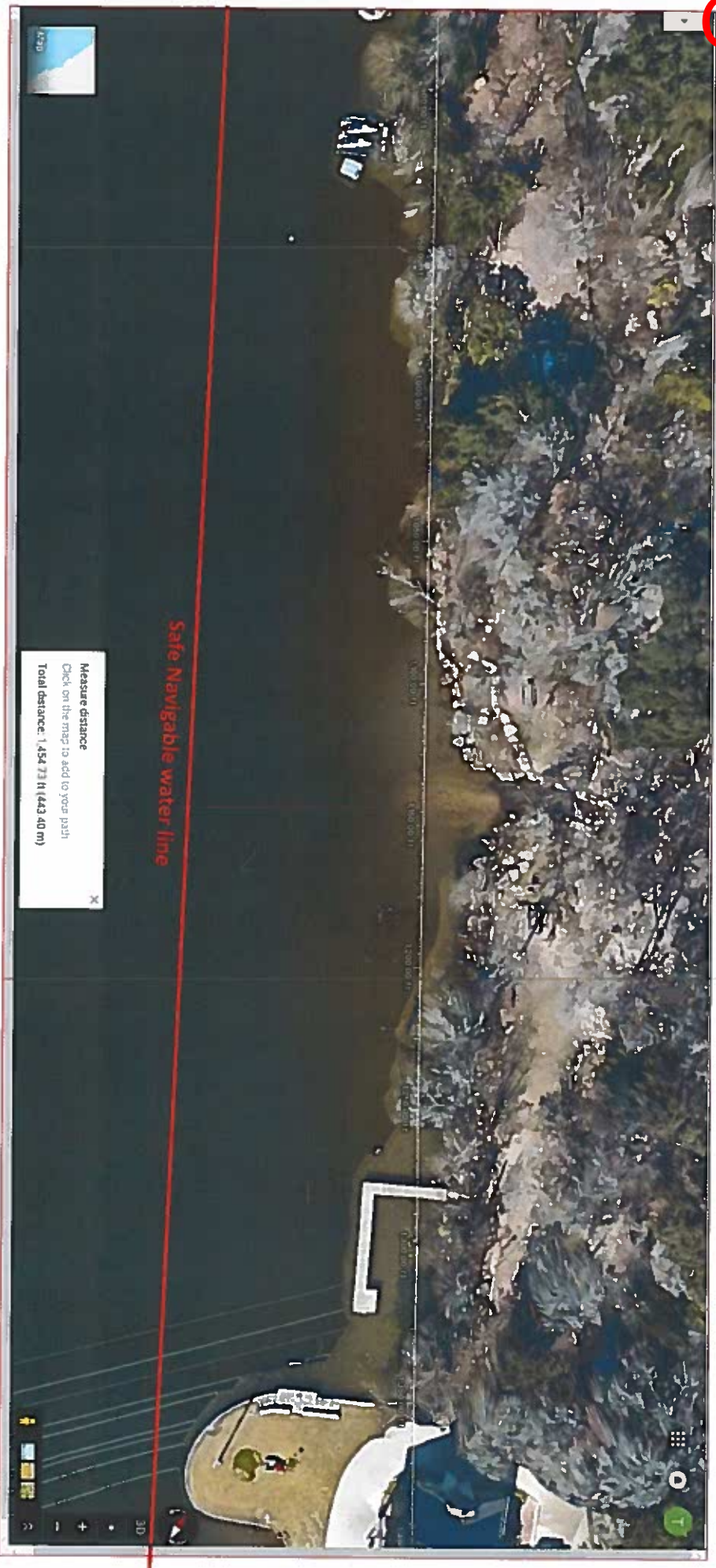
1500ft linear Shoreline showing shoreline indentation along our property



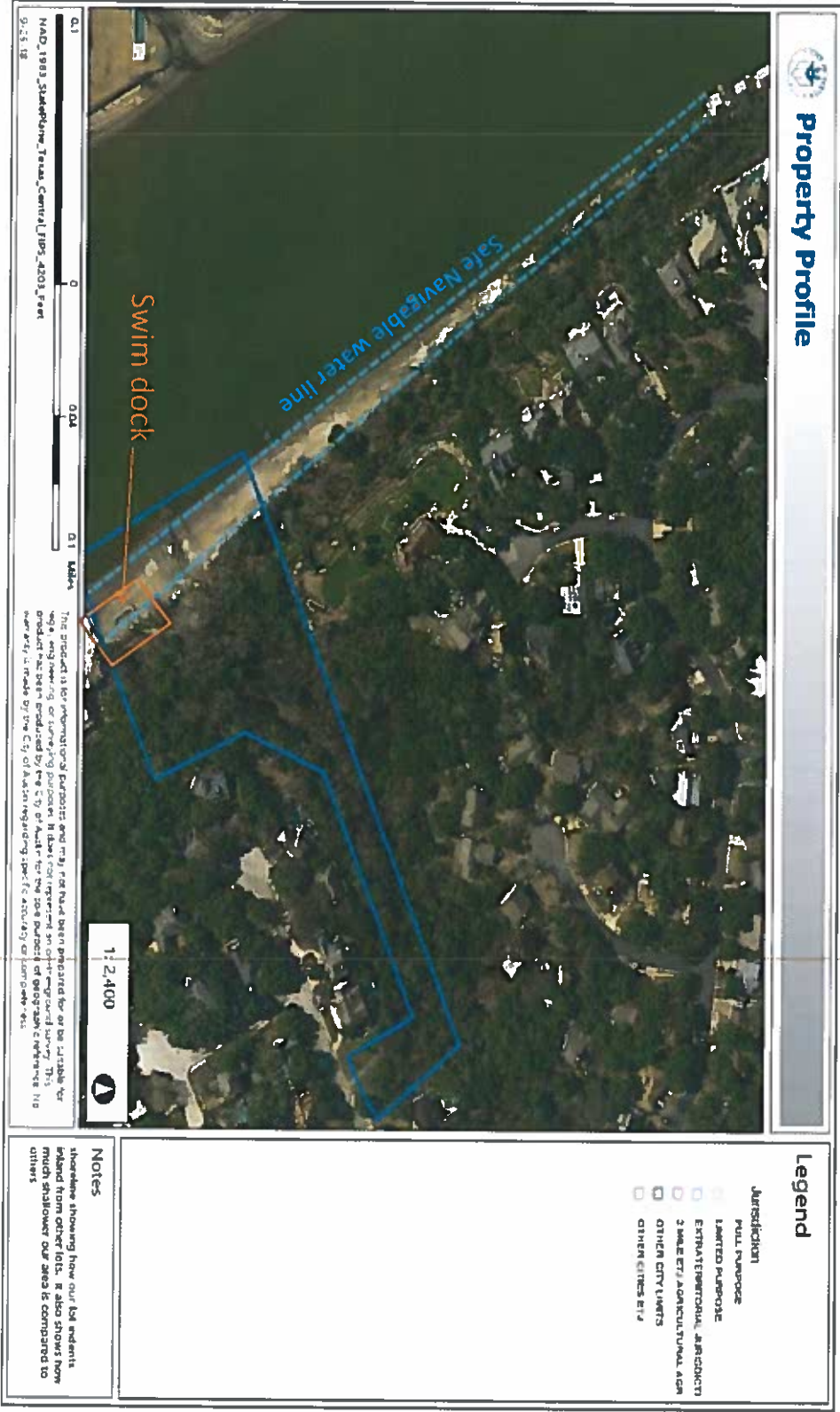


Q-2/72

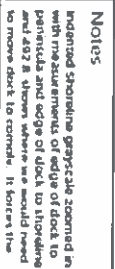
1500ft linear Shoreline showing shoreline indentation along our property



Navigable water line to shoreline shows depth too shallow for high speed boat traffic







Q-2/75

# View of Lake Austin looking straight down our dock

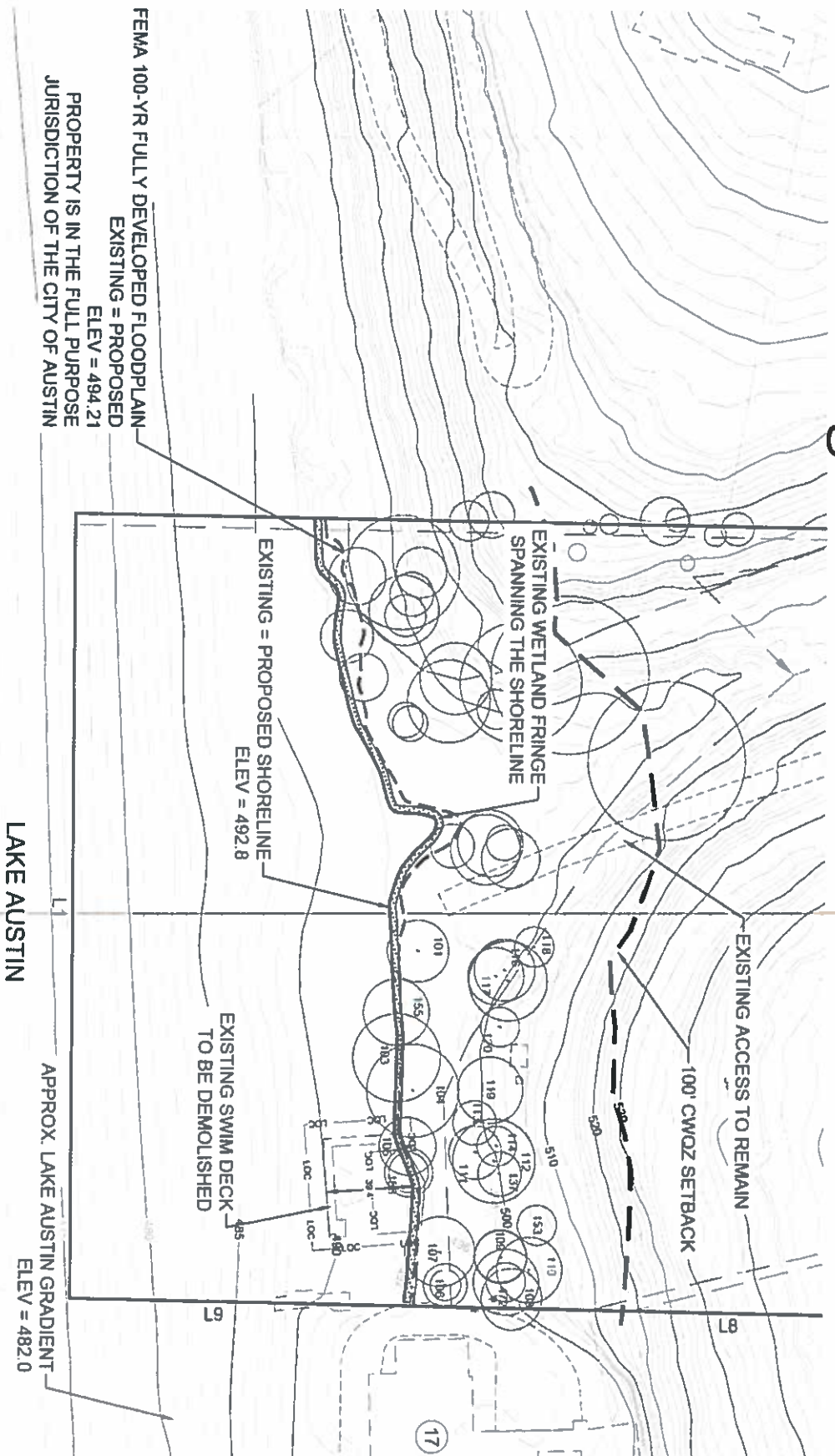
view looking downstream



view looking upstream

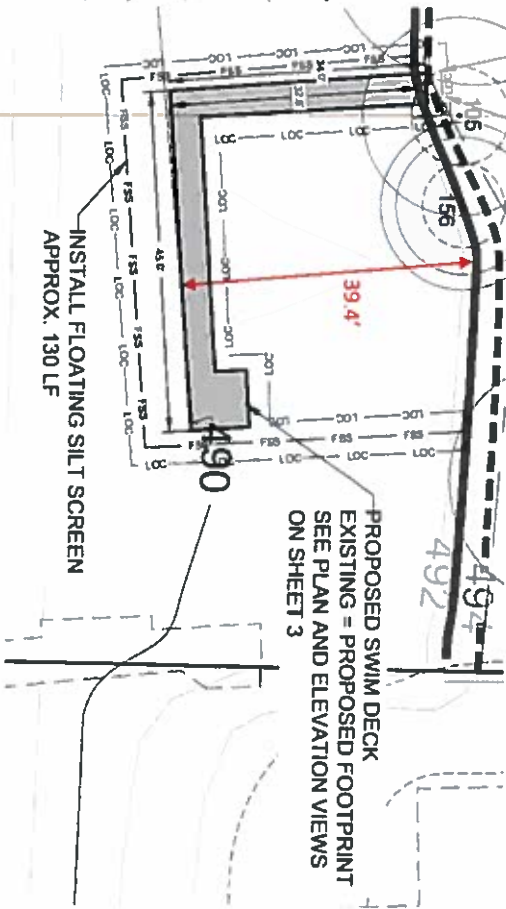
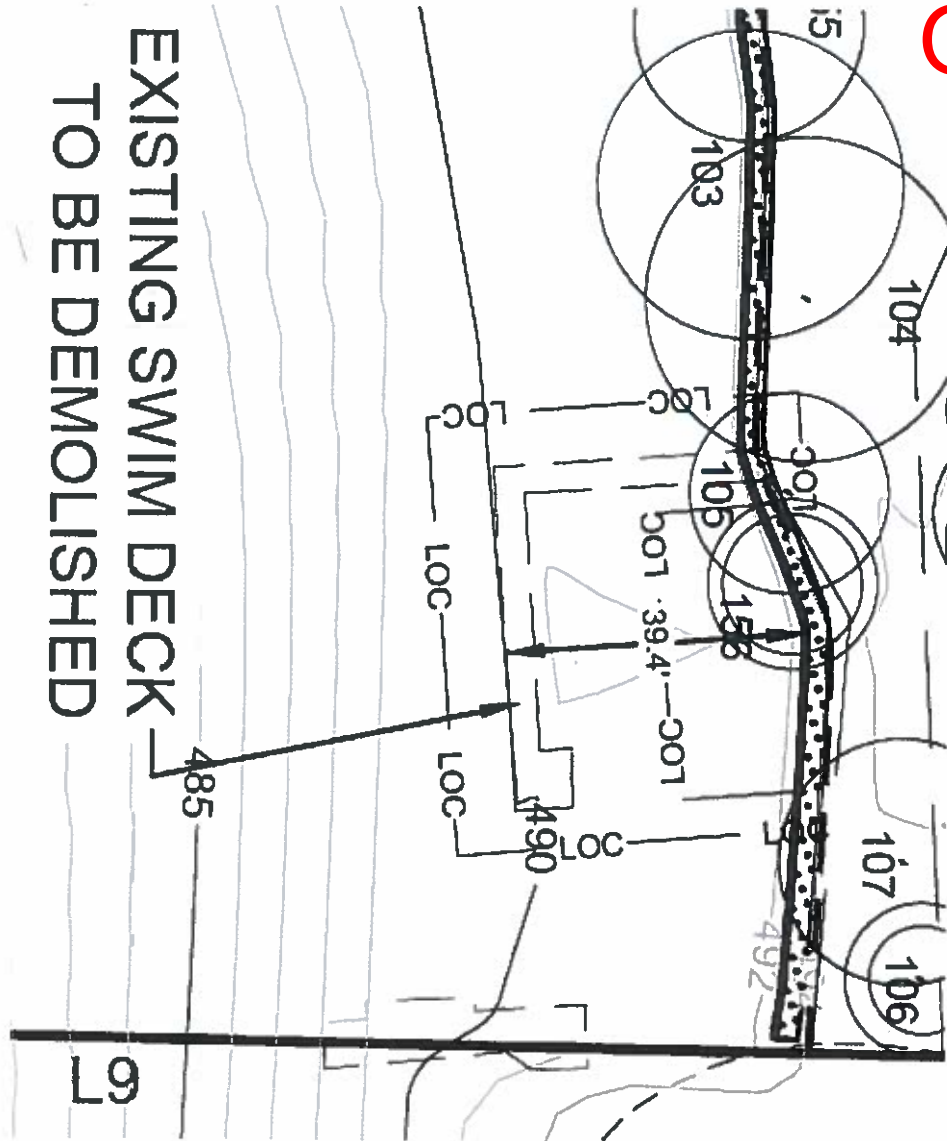


## Existing conditions



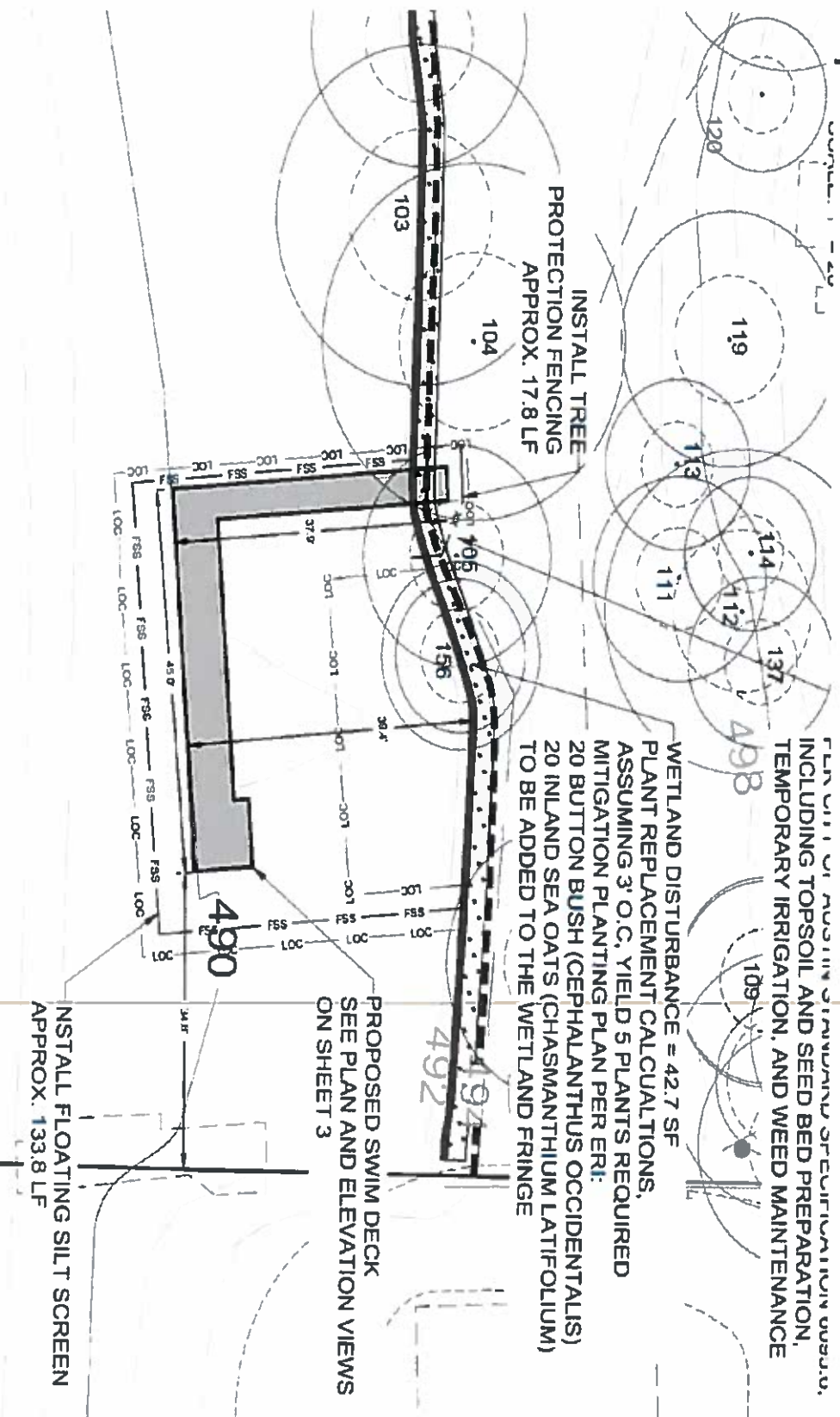
Q-2/77

Existing swim dock zoomed in



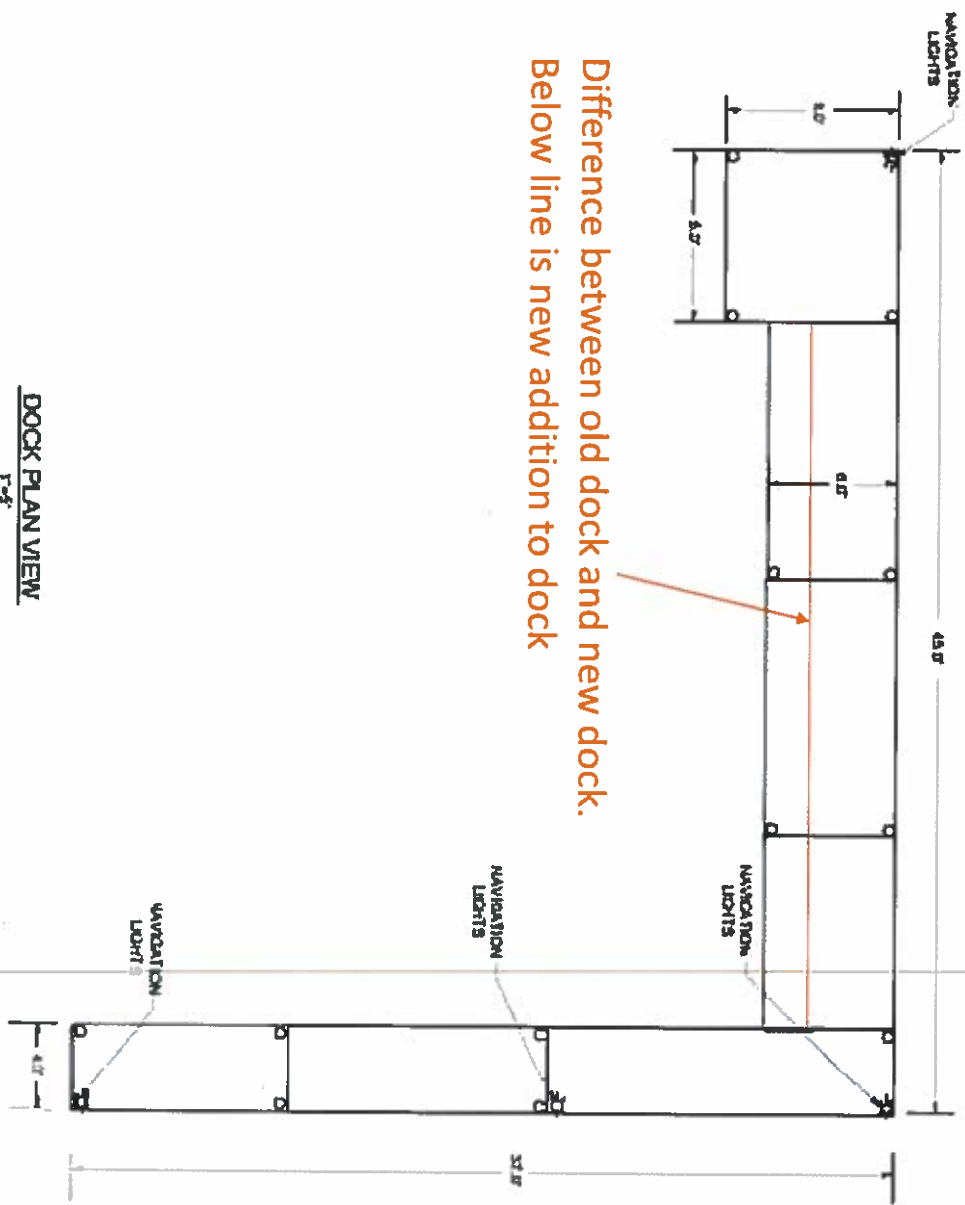


Replacement swim dock with 6ft walkway parallel to shoreline



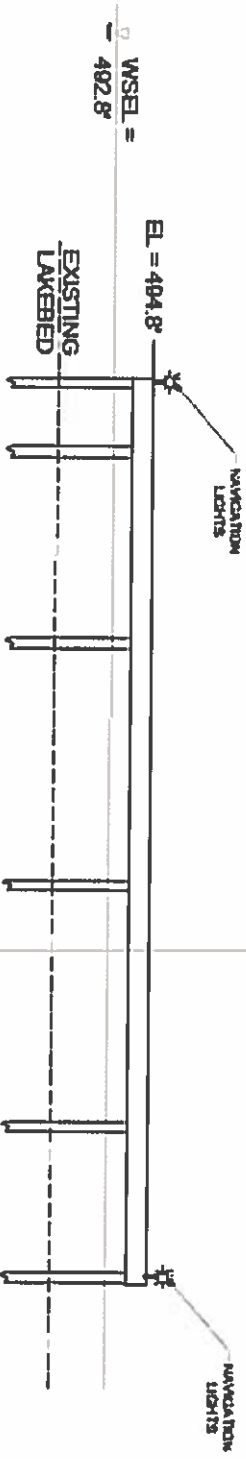
# New Dock Plan View

Difference between old dock and new dock.  
Below line is new addition to dock.



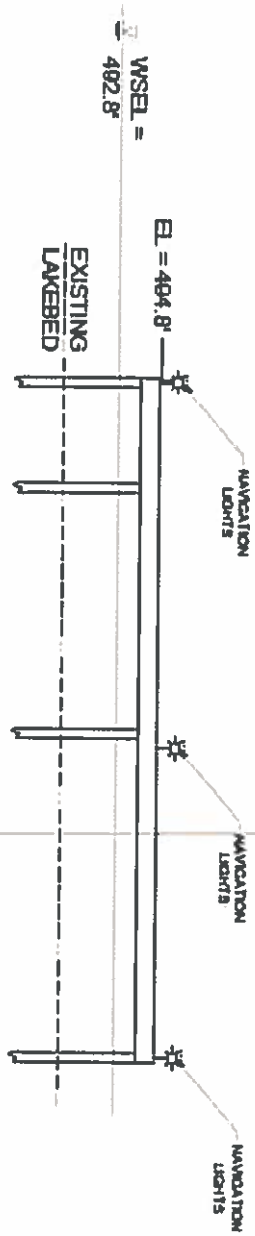
DOCK PLAN VIEW  
1'-0"

# Dock Elevation views



DOCK ELEVATION VIEW FROM THE LAKE

T-4



DOCK ELEVATION VIEW FROM THE NORTH

T-4