

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

DATE: Monday May 13, 2019

CASE NUMBER: C15-2017-0047

<input checked="" type="checkbox"/>	Ada Corral
<input checked="" type="checkbox"/>	William Burkhardt
<input checked="" type="checkbox"/>	Darryl Pruett
<input checked="" type="checkbox"/>	Eric Goff
<input checked="" type="checkbox"/>	Melissa Hawthorne
<input checked="" type="checkbox"/>	Yasmine Smith
<input checked="" type="checkbox"/>	Don Leighton-Burwell
<input checked="" type="checkbox"/>	Rahm McDaniel
<input type="checkbox"/>	Martha Gonzalez (Alternate)
<input checked="" type="checkbox"/>	Veronica Rivera
<input checked="" type="checkbox"/>	Jessica Cohen
<input checked="" type="checkbox"/>	Michael Von Ohlen
<input type="checkbox"/>	Kelly Blume (Alternate)
<input type="checkbox"/>	Alternate (Vacant)

APPLICANT: Janis Smith, P.E.

OWNER: Ryan Dumont

ADDRESS: 3602 RIVERCREST DR

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 distance a dock may extend from the shoreline from 30 feet (required/permitted) to 60 feet (requested) in order to construct a new dock in an "LA", Lake Austin zoning district.

BOARD'S DECISION: Sept 18, 2017 POSTPONED TO NOVEMBER 13, 2017 BY APPLICANT; November 13, 2017 POSTPONED TO DECEMBER 11, 2017 BY APPLICANT; Dec 11, 2017 The public hearing was closed on Board Member Bryan King motion to Postpone Indefinitely, Board Member second on a 10-1 vote (Board member William Burkhardt nay); POSTPONED INDEFINITELY (UNTIL ENVIRONMENTAL BOARD HAS MADE A RULING).

RENOTICE: JUNE 11, 2018 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 distance a dock may extend from the shoreline from 30 feet (required/permitted) to 60 feet (requested) in order to construct a new dock in an "LA", Lake Austin zoning district.

BOARD'S DECISION: June 11, 2018 POSTPONED TO AUGUST 13, 2018 BY APPLICANT

RENOTICE: Aug 13, 2018 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 distance a dock may extend from the shoreline from 30 feet (required/permitted) to 60 feet (requested) in order to construct a new dock in an "LA", Lake Austin zoning district.

BOARD'S DECISION: Aug 13, 2018 ACTION TABLED AT APPLICANT REQUEST;

RENOTICE: MAY 13, 2019 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 distance a dock may extend from the shoreline from 30 feet (required/permitted) to 67 feet (requested) in order to construct a new dock in an "LA", Lake Austin zoning district.

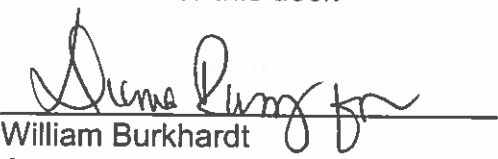
BOARD'S DECISION: MAY 13, 2019 The public hearing was closed by Chair William Burkhardt, Board Member Michael Von Ohlen motion to Grant, Board Member Melissa Hawthorne second on an 11-0 vote; **GRANTED.**

EXPIRATION DATE: MAY 13, 2020

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: existing regulations limit both dock extension into the lake and the quantity of allowed dredge, in order to abide by the dredge limit and have a navigable dock, the dock has to be pushed further into the lake and deeper water.
2. (a) The hardship for which the variance is requested is unique to the property in that: the property has extremely shallow water near the shoreline
(b) The hardship is not general to the area in which the property is located because: the vast majority of dock sites on the lake can be accessed by following current code, this property cannot.
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 variance will not alter the character of the area, the adjacent property owner's dock extends further into the lake than the proposed location for this dock


Elaine Ramirez
Executive Liaison


William Burkhardt
Chairman