

E-2/LATE BACKUP 1

ORDINANCE NO. AN ORDINANCE AMENDING CITY CODE CHAPTERS 25-1, 25-2, 25-5, 25-7, AND 25-8 RELATING TO THE LAKE AUSTIN ZONING DISTRICT AND THE REGULATION OF BOAT DOCKS, BULKHEADS, AND SHORELINE ACCESS. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 11. City Code Section 25-2-1176 (Regulations) is amended to read

: § 25-2-1176 SITE DEVELOPMENT REGULATIONS FOR DOCKS, MARINAS, AND OTHER LAKEFRONT USES.

(A) A [A site plan] dock or similar structure must comply with the requirements of this subsection .

- (1) A dock may extend up to 30 feet from the shoreline, except that the director may require a dock to extend a lesser or greater distance from the shoreline if deemed necessary to ensure navigation safety.
- (2) The length of a dock from the shoreline may not exceed 20% of the lake channel, as measured from the shoreline where the dock is located and continuing to the opposite shoreline.
- (3) A dock may not be constructed closer than 10 feet to the side property line, regardless of the side-yard setback generally applicable within the base zoning district.
- (4) The width of a dock measured parallel to the shoreline of the lot or tract where the dock is proposed, and including all access and appurtenances, may not exceed: (a) 20 percent of the shoreline width, if the shoreline width exceeds 70 feet; (b) 14 feet, if the shoreline width is no greater than 70 feet.
- (5) The footprint of a dock, including the portion of a cut-in slip, attached access structures, or roof overhang, may not exceed: (a) 1,200 square feet for a dock that is accessory to a principal residential use; (b) for a cluster dock, 600 square feet multiplied by: (i) the number of dwelling units in a multifamily development; or (ii) the number of principal residential structures in a subdivision, if: the dock will be located in a common area that fronts Lake Austin or Lady Bird Lake; and lots within the subdivision have perpetual use rights to the common area.
- (6) And so on

Property ID #564451

Owner per Tax roles: Blake Kelly Jo Herrin

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 development or change. 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 is required.

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 web site: www.austintexas.gov/devservices.

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: C15-2020-0030

Contact: Elaine Ramirez, elaine.ramirez@austintexas.gov

Public Hearing: Board of Adjustment, July 13th, 2020

Elaine Ramirez

Your Name (please print)

4500 BURNY RUN

Your address(es) affected by this application

[Signature]

Signature

Date

Daytime Telephone:

512-328-5469

Comments:

*I need comply to 25-2-1176 & 25-2-1173
2,801 Sherline Alameda 20% of Sherline
wid + 4 = 16 ft.
25-2-1176(A)(4)*

☐ I am in favor
☒ I object

If you use this form to comment, it must currently be returned via e-mail (as we do not have access to our mail due to social distancing):
City of Austin-Development Services Department
Elaine Ramirez
Scan & Email to: elaine.ramirez@austintexas.gov

E-2/LATE BACKUP 3

WILLIAM B. NALLE

**4615 Bunny Run
Austin, Texas 78746**

6 July 2020

City of Austin
Board of Adjustment
Attention: Ms. Elaine Ramirez

Re: Kubiak Boat Dock—4726 Bunny Run
Case Number : C 15-2020-0030

Dear Board Members:

I live on Bunny Run, immediately next door to the subject project. I fully support the Kubiak request for a variance.

I have lived on Lake Austin since 1972 and served on the City of Austin Navigation Board for approximately 10 years. The Navigation Board was tasked with the mission of hearing requests for docks and variances, such as before you today. Many variances were approved based on the concept of getting rid of old junk docks that were literally falling down. As the chairperson of the Board I favored the concept then and still favor it today.

The subject two docks are junk and need to be removed before they fall into the lake. The smaller dock infringes on our property but we have never complained in the spirit of being good neighbors. Now, we are very pleased to see a request to remove it. The concept of taking down two docks and replacing them with one dock is not new. I recall several of these that have been done in years past. The height increase is just part of our changing boatscape. The boats are taller now, the waves are much higher and the docks have to go up. As long as we have 3 and 4 foot wakes on surf boats we will have to have higher docks.

The balance of this project is a win-win for the lake, public safety (getting rid of two junk docks) and the owners.

I strongly urge you to grant the permit for this dock.

Sincerely yours,

William B. Nalle
512 327 8454