

**BOA GENERAL REVIEW COVERSHEET****CASE:** C15-2021-0093**BOA DATE:** October 11<sup>th</sup>, 2021**ADDRESS:** 8818 Big View Dr #4**COUNCIL DISTRICT:** 10**OWNER:** Jeff & Ally Davidson**AGENT:** Janis J. Smith**ZONING:** SF-1-CO**LEGAL DESCRIPTION:** LOT 4 BLK A PANTHER HOLLOW CREEK PHS II**VARIANCE REQUEST:** increase the dock length 30 feet (required) to 50 feet (requested)**SUMMARY:** erect a boat dock**ISSUES:** extremely shallow water

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	SF-1-CO	Single-Family
<i>North</i>	RR	Rural Residential
<i>South</i>	SF-1-CO	Single-Family
<i>East</i>	LA	Single-Family / Lake Austin
<i>West</i>	SF-1-CO	Single-Family

**NEIGHBORHOOD ORGANIZATIONS:**

2222 Coalition of Neighborhood Association, Inc.

Austin Lost and Found Pets

Canyon Creek HOA

Edgewater Association

Friends of Austin Neighborhoods

Glenlake Neighborhood Association

Leander ISD Population and Survey Analysts

Long Canyon Homeowners Assn.

Long Canyon Phase II &amp; III Homeowners Assn Inc

Neighborhood Empowerment Foundation

River Place HOA

Sierra Club, Austin Regional Group

Steiner Ranch Community Association

TNR BCP – Travis County Natural Resources

Westminster Glen HOA

E-1/2



**NOTIFICATIONS**

CASE#: C15-2021-0093  
LOCATION: 8818 BIG VIEW DR #4



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY



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.

1" = 417'



# Board of Adjustment General/Parking Variance Application

DevelopmentATX.com | Phone: 311 (or 512-974-2000 outside Austin)  
For submittal and fee information, see [austintexas.gov/digitaldevelopment](http://austintexas.gov/digitaldevelopment)

**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: 8818#4 Big View Drive

Subdivision Legal Description:  
Lot 4 Blk A Panther Hollow Creek Phs II

Lot(s): \_\_\_\_\_ Block(s): \_\_\_\_\_

Outlot: \_\_\_\_\_ Division: \_\_\_\_\_

Zoning District: SF-1-CO in the LA overlay

I/We Janis J. Smith, P.E. on behalf of myself/ourselves as authorized agent for Jeff and Ally Davidson affirm that on Month September, Day 7, Year 2021, hereby apply for a hearing before the Board of Adjustment for consideration to (select appropriate option below):

- Erect    Attach    Complete    Remodel    Maintain    Other: \_\_\_\_\_

Type of Structure: Boat Dock

Portion of the City of Austin Land Development Code applicant is seeking a variance from:

LDC 25-2-1176 (A)(1) to allow construction of a dock 50 feet from the shoreline due to very shallow water near the shoreline.

**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:

At this location, a dock extension of 30' with the maximum dredge limit of 25 CY (LDC 25-8-368 (E)) will yield a water depth of only 1.6' at the usual lake elevation. That depth isn't navigable for a ski boat.

**Hardship**

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:

While the properties along this curve of the lake also have very shallow water at the shoreline, the vast majority of dock sites on the lake can be accessed by following current code restrictions.

**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 variance will not alter the character of the area because most docks along this stretch of the lake have similar extensions into the lake.

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**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:

NA

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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:

NA

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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:

NA

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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:

NA

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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: Janis J. Smith, P.E. Digitally signed by Janis J. Smith, P.E. Date: 2021.09.06 08:51:09 -05'00' Date: \_\_\_\_\_

Applicant Name (typed or printed): Janis J. Smith, P.E.

Applicant Mailing Address: 1505 Westover Road

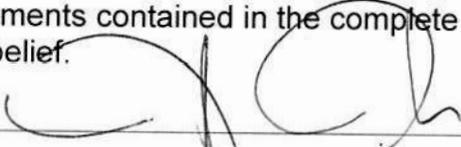
City: Austin State: TX Zip: 78703

Phone (will be public information): (512) 914-3729

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: 9/7/21

Owner Name (typed or printed): Jeff and Ally Davidson

Owner Mailing Address: P.O. Box 82547

City: Austin State: TX Zip: 78703

Phone (will be public information): (512) 601-8111

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

**Section 5: Agent Information**

Agent Name: same as applicant

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).

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



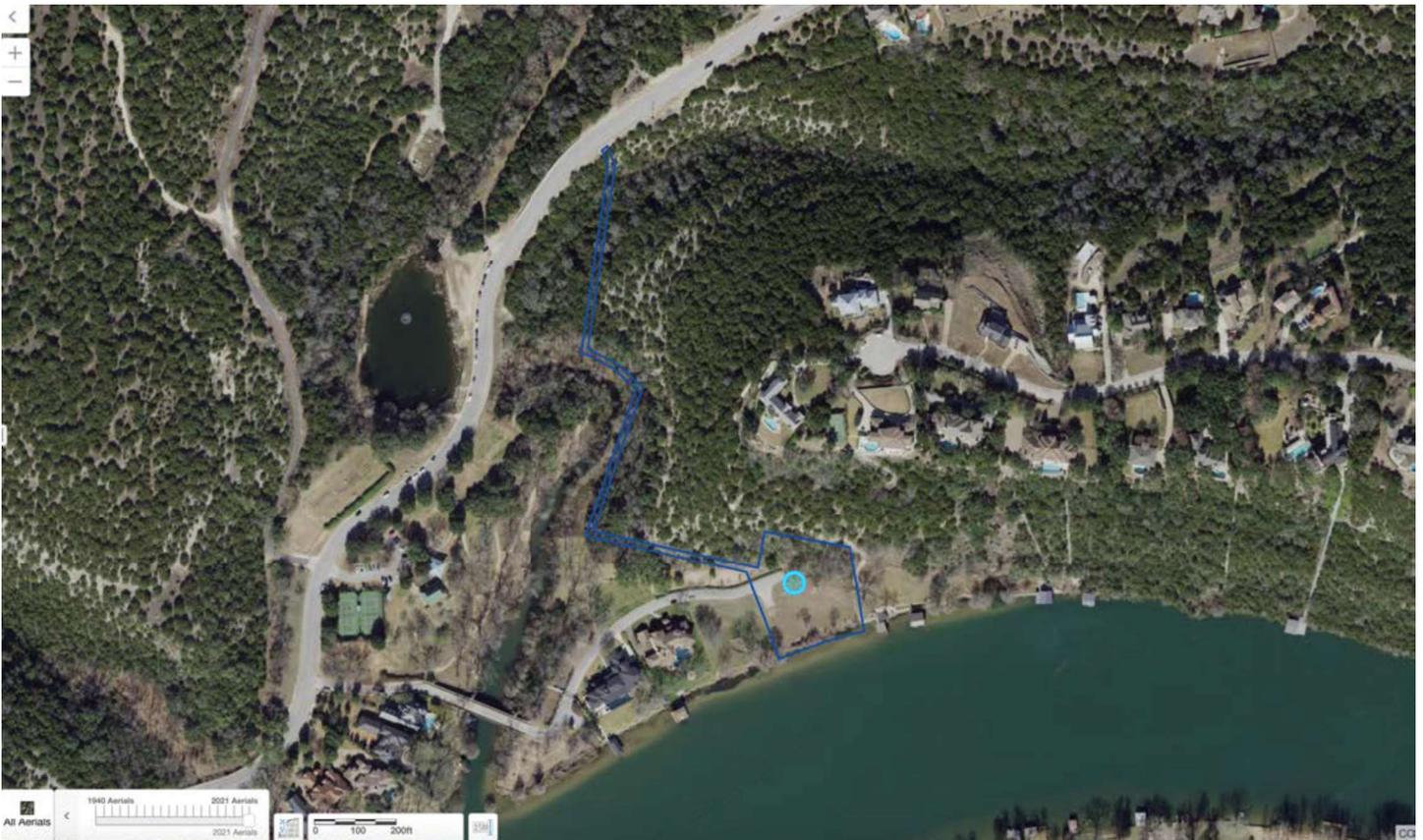


September 21, 2021  
Board of Adjustment  
P.O. Box 1088  
Austin, Texas 78767

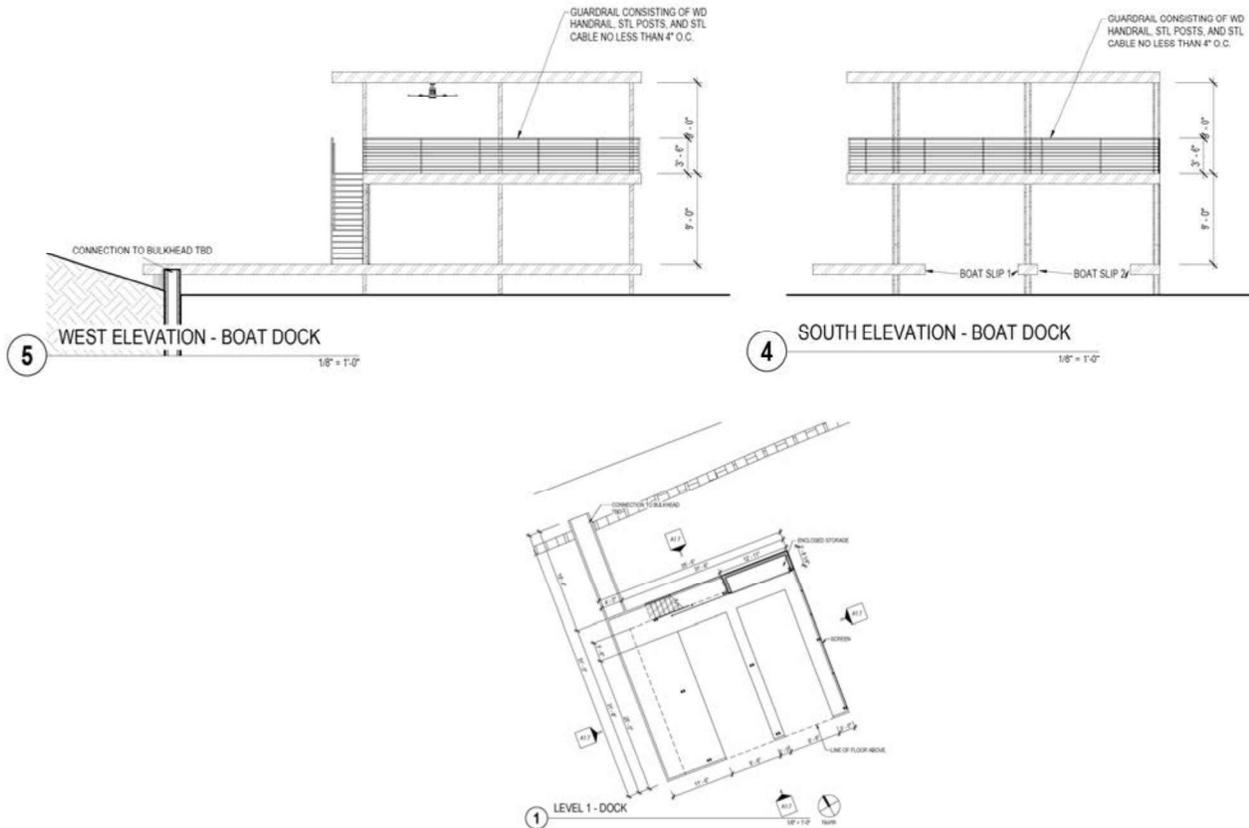
Re: Engineering Summary Letter for 8818#4 Big View Drive  
Application for a variance to LDC 25-2-1176(A)(1) to allow construction of a boat dock 50 ft. from the shoreline on Lake Austin

Dear Board Members:

The project titled 8818#4 Big View Drive proposes to construct a two-slip boat dock and new bulkhead on a site located about 5 miles west of the intersection of RM2222 and City Park Road. It's in the Full Purpose Jurisdiction of the City of Austin on the shore of Lake Austin in the Panther Hollow Neighborhood Association. Below is an aerial photo of the overall area.

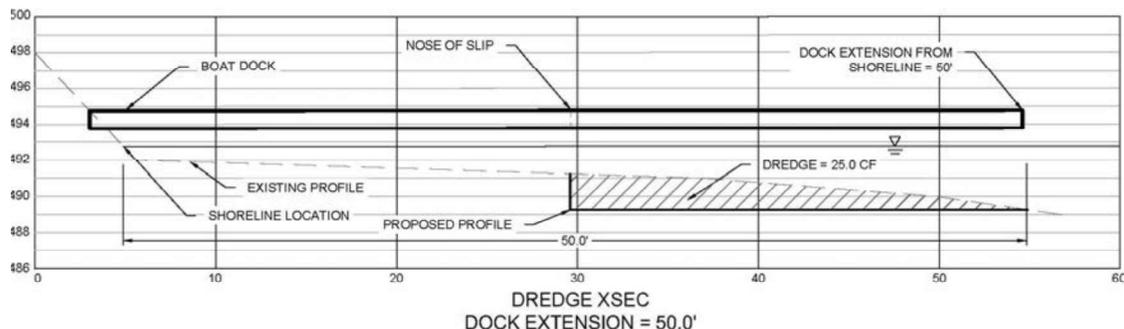


The proposed dock plan and elevation views are below.



This application is for a BOA variance to construct a dock extending more than 30 ft. from the shoreline. Ski boats need at least 3.5 ft. of water depth in order to clear the lakebed; so docks have to be in water that is at least 3.5 ft. deep. When the water depth is too shallow, as it is at this location, the COA offers two possibilities to facilitate construction of a boat dock in shallow water: dredging the lakebed to increase the depth or extending the boat dock into deeper waters. The COA allows dredging up to a maximum of 25 CY and requires an environmental variance for quantities over 25 CY. Every dredge variance application for a residential dock has been denied since the dredge code section was adopted in 2014.

The vast majority of lakeshore properties are able to construct a functional dock within 30 ft. of the shoreline while adhering to the 25 CY dredge limit. That's not possible at this site. The lake depth is 2 ft. at a distance of 40 ft. from the shore. Limiting the dock extension to 30 ft. while only dredging 25 CY results in a water depth of 2.4 ft. Consequently, the propeller would churn up the silt on the lakebed for a distance of about 50 ft. from the channel into the slip. In order to construct a boat dock with enough depth to accommodate the draft of a ski boat, the owner is applying for a variance to LDC 25-2-1176(A)(1) allowing construction of a boat dock that extends more than 30 ft. from the shoreline on Lake Austin. Shown is the proposed dredge cross-section which determines the necessary dock extension.



Below is the aerial photo of the docks in the vicinity of this site. It shows the docks in the area which extend further than 30 ft. from the shore. Some of the docks were granted this same variance while others are either out of compliance or are grandfathered. Of primary interest is the docks within the immediate vicinity of the project site. Panther Hollow Neighborhood Association is composed of four lots on Big View Drive: 8818 #1, #2, #3 and #4. #1 and #2 extend further than 30 ft. from the shoreline; there's no dock at #3; and this site, #4, previously secured this variance, but it has expired. The docks at 3301 and 3303 Far West, the two homes immediately downstream of the Panther Hollow Neighborhood, also extend more than 30 ft. from the shoreline.



Attached are the emails of support from the neighbors for this variance application. On behalf of the owners, Jeff and Ally Davidson, I ask you to support the variance application as well.

I look forward to the meeting on the 11<sup>th</sup>.

Very truly yours,

Janis J. Smith, P.E  
Janis Smith Consulting, LLC  
512-914-3729



## NEIGHBOR'S EMAILS OF SUPPORT

### 8818 #2 Big View Drive

*"This looks fine to Lorri and I subject to Kelly's approval. So long as he doesn't have an issue, we are in support of your variance application.*

*Many thanks,*

*Terry Payne"*

### 8818 #3 Big View Drive

*"Agree with Terry. Things look fine from my standpoint as well and also fully support your variance application.*

*Thanks,  
Kelly"*

### 3303 Far View Drive

*"Jennifer McNevin and I support Jeff and Ally Davidson's request for a variance at 8818 #4 Big View from the City of Austin to construct their dock further into the lake than allowed by City Code.*

*There is no doubt that the depth at this shoreline is too shallow to construct a functional dock without extending it further into the lake by forty-five to fifty feet.*

*A functional dock is essential to the owners. Still, another advantage to an extension is that an extended structure serves as a guide for boaters to stay further away from the shallow shoreline. Before our dock's construction, I witnessed too many boaters approach the banks too closely, and I always worried for them.*

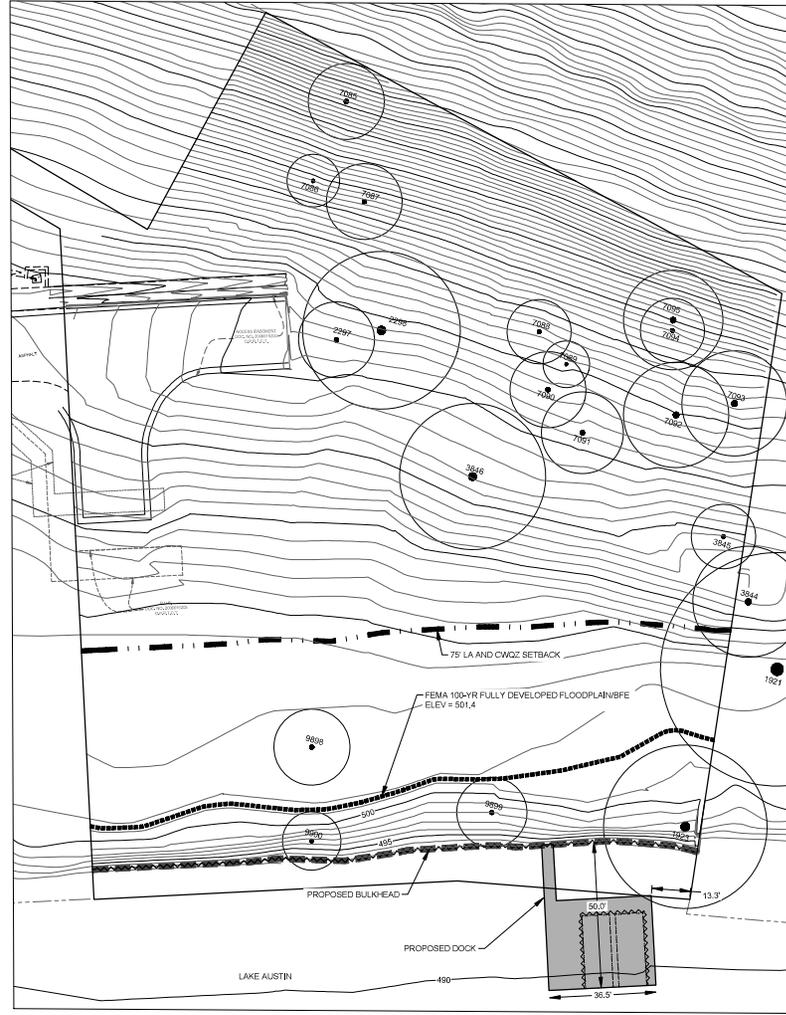
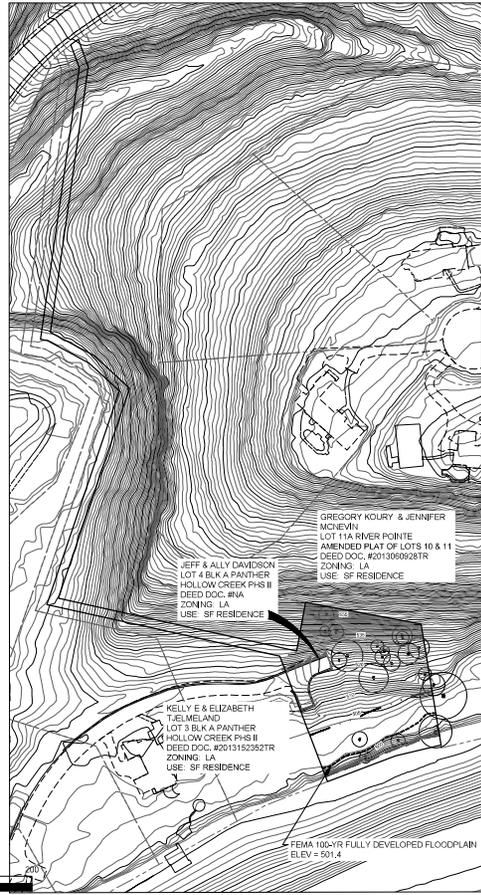
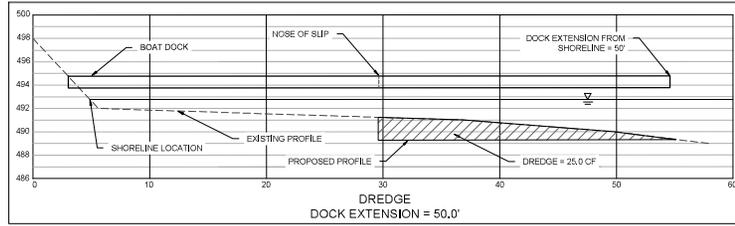
*Best to you and the Davidsons,  
Greg Koury and Jennifer McNevin"*

### 3303 Far View Drive

*"We are fully supportive of the Davison's (sic) application to extend their dock to reach deeper water. Please don't hesitate to contact me if I can be of assistance - we all need a way to navigate the shallow water.*

*Many thanks, ELP"*

# 8818 #4 BIG VIEW DRIVE



20 10 0 20 40  
 SCALE: 1" = 20'

**LEGEND**

- EXISTING SHORELINE
- EXISTING IMPERVIOUS COVER
- - - LA SETBACK
- - - FEMA 100-YR FLOODPLAIN/BFE
- ▭ PROPOSED DOCK
- TREE CRITICAL ROOT ZONE

JAS  
 DATE  
 REVISION  
 APPROV

**Janis Smith Consulting, LLC**  
 1505 Westover Road • Austin, Texas 78703 • 512-914-3729  
 Texas Board of Professional Engineers Registration Number F-6978

**8818 #4 BIG VIEW DRIVE**  
**SITE PLAN AND**  
**EROSION CONTROL PLAN**

DESIGNED: JJS  
 APPROVED:  
 SCALE: AS SHOWN  
 8818 #4 BIG VIEW DRIVE  
 DATE: SEPT. 7, 2022  
 SHEET 1 of 1

**1**  
 SP-2021-XXXX

# Property Profile

A DEVELOPMENT SERVICES TOOL

Getting Around Search & Identify Data Drawing & Measurement Printing & Reporting Help  Tool Labels

Address Search Find Review Case Permits By Address Search Parcel Search Find ROW Permits Change visible map layers Historic Layers Find Layers Identify & Find Data Point Query Filter

Address

**8818 BIG VIEW DR**

Jurisdiction: AUSTIN FULL PURPOSE  
 Zoning: SF-1-CO  
 Council District: 10  
 County: TRAVIS  
 Map Grid: MC30

[Property Profile Report](#)  
[Zoning Profile](#)  
[Appraisal District](#)  
[FloodPro](#)

Full Street Address  
**8818 BIG VIEW DR**

Place ID  
**3195153**

Ztype  
**SF-1-CO**

Annexation History - Click Below

- 12/15/2017 - FULL
- 12/15/2017 - FULL
- 05/06/1982 - LTD

Legal Description

**LOT 4 BLK A PANTHER HOLLOW CREEK PHS II**

Community Registry List

- 2222 Coalition of Neighborhood Associations, Inc.
- Austin Lost and Found Pets
- Canyon Creek H.O.A.
- Edgewater Association

