

BOA GENERAL REVIEW COVERSHEET

CASE: C15-2022-0070

BOA DATE: October 10th, 2022

ADDRESS: 4625 Rockcliff Rd

COUNCIL DISTRICT: 8

OWNER: David Richard

AGENT: Janis J. Smith, P.E.

ZONING: SF-2 / LA

LEGAL DESCRIPTION: ABS 329 SUR 2 GRAY T ACR 11.041

VARIANCE REQUEST: extend the dock length no more than 20% percent (maximum allowed) to 35% percent (requested)

SUMMARY: erect a Boat Dock

ISSUES: extremely shallow water

	ZONING	LAND USES
<i>Site</i>	SF-2 / LA	Single Family / Lake Austin
<i>North</i>	SF-2 / LA	Single Family / Lake Austin
<i>South</i>	SF-2 / LA	Single Family / Lake Austin
<i>East</i>	LA	Lake Austin
<i>West</i>	SF-2 / LA	Single Family / Lake Austin

NEIGHBORHOOD ORGANIZATIONS:

Austin Lost and Found Pets
 Austin Neighborhoods Council
 City of Rollingwood
 Friends of Austin Neighborhoods
 Neighborhood Empowerment Foundation
 Preservation Austin
 SELTexas
 Save Our Springs Alliance
 Sierra Club, Austin Regional Group
 TNR BCP – Travis County Natural Resources



September 28, 2022

Janis Smith PE
1505 Westover Rd
Austin, TX 78703

Property Description: ABS 329 SUR 2 GRAY T ACR 11.041

Re: C15-2022-0070

Dear Janis,

Austin Energy (AE) has reviewed your application for the above referenced property, requesting that the Board of Adjustment consider a variance request from LDC Section 25-2-1176(A)(2) at 4625 Rockcliff Rd.

Austin Energy does not oppose the request, provided that any proposed or existing improvements follow Austin Energy's Clearance & Safety Criteria, the National Electric Safety Code, and OSHA requirements. Any removal or relocation of existing facilities will be at the owner's/applicant's expense.

Please use this link to be advised of our clearance and safety requirements which are additional conditions of the above review action:

https://library.municode.com/tx/austin/codes/utilities_criteria_manual?nodeId=S1AUENDECR_1.10.0CLSARE

If you require further information or have any questions regarding the above comments, please contact our office. Thank you for contacting Austin Energy.

Cody Shook, Planner II

Austin Energy
Public Involvement | Real Estate Services
2500 Montopolis Drive
Austin, TX 78741
(512) 322-6881
Cody.Shook@austinenergy.com



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

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 # C15-2022-0070 ROW # 13009285 Tax # 0133110161

Section 1: Applicant Statement

Street Address: 4625 Rockcliff Road

Subdivision Legal Description:

ABS 329 SUR 2 GRAY T ACR 11.0421

Lot(s): _____ Block(s): _____

Outlot: _____ Division: _____

Zoning District: SF-2

Council District: **8**

I/We Janis J. Smith, P.E. on behalf of myself/ourselves as
authorized agent for David and Ethel Richard affirm that on
Month August, Day 28, Year 2022, 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:

25-2-1176(A)(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. This application is for a dock extension of 35% of the channel width.

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:

The site shoreline borders a cove that's extremely shallow. There's one access path within the cove that's deep enough to be navigable. The rest of the cove is less than 2' deep. So even if the owner were to dredge a navigable dock, a boat couldn't reach the slips unless the dock opens on the access path. Thus the location of the dock is set by the location of the navigable access path. And that dock location extends about 35% of the channel width. However, this site almost exclusively contains both shorelines of the channel.

Hardship

a) The hardship for which the variance is requested is unique to the property in that:

The water is extremely shallow in this location, and the dock has to extend to the lone navigable access path in order to be used.

b) The hardship is not general to the area in which the property is located because:

The vast majority of dock sites on Lake Austin have sufficiently deep water to be permitted following code limitations.

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:

Both shorelines of the channel are located on this property. There is a small section of shoreline off-property, but the dock construction won't prevent a boat from reaching that off-site shoreline.

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

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

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

4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

NA

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 Digitally signed by Janis J. Smith
Date: 2022.08.29 07:34:57 -06'00' Date: 08/29/2022

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

Applicant Mailing Address: 1505 Westover Road

City: Austin State: Texas 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: DavidRRichard Date: 08/29/2022
DavidRRichard (Aug 30, 2022 09:16 CDT)

Owner Name (typed or printed): David Richard

Owner Mailing Address: 4625 Rockcliff Road

City: Austin State: TX Zip: 78746

Phone (will be public information): 512-694-3513

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).





4625 BOA signed app

Final Audit Report

2022-08-30

Created:	2022-08-29
By:	Janis Smith [REDACTED]
Status:	Signed
Transaction ID:	CBJCHBCAABAAZZoUzfG_2mW1V29T2flQrq-_NEudgm-Y

"4625 BOA signed app" History

-  Document digitally presigned by Janis J. Smith ([REDACTED])
2022-08-29 - 1:34:57 PM GMT- IP address: 207.135.248.10
-  Document created by Janis Smith ([REDACTED])
2022-08-29 - 1:37:24 PM GMT- IP address: 207.135.248.10
-  Document emailed to [REDACTED]
2022-08-29 - 1:38:23 PM GMT
-  Email viewed by [REDACTED]
2022-08-29 - 2:29:24 PM GMT- IP address: 104.28.123.113
-  Signer [REDACTED] entered name at signing as DavidRRichard
2022-08-30 - 2:16:49 PM GMT- IP address: 72.194.218.116
-  Document e-signed by DavidRRichard [REDACTED]
Signature Date: 2022-08-30 - 2:16:50 PM GMT - Time Source: server- IP address: 72.194.218.116
-  Agreement completed.
2022-08-30 - 2:16:50 PM GMT



September 17, 2022
Board of Adjustment
P.O. Box 1088
Austin, Texas 78767

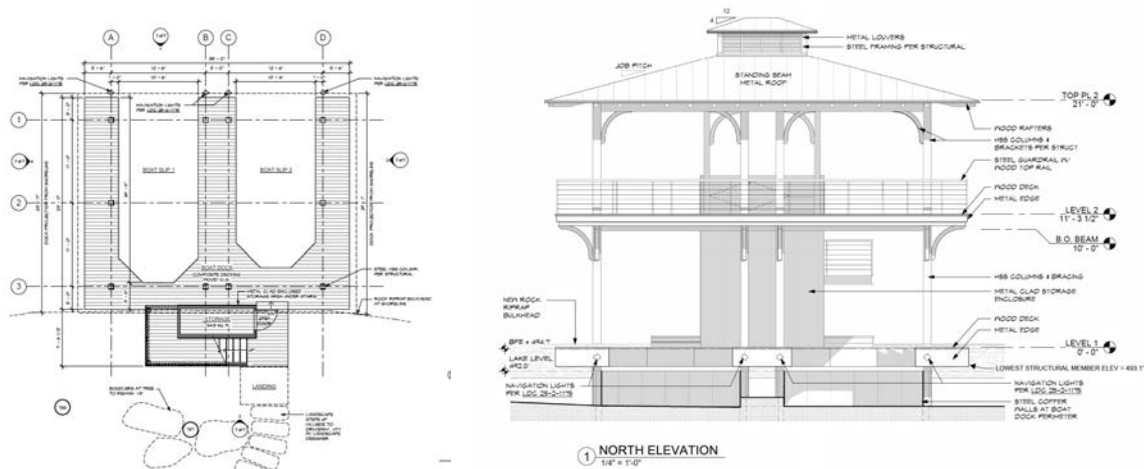
Re: Engineering Summary Letter for 4625 Rockcliff Road SP-2022-0246D
Application for a variance to LDC 25-2-1176(A)(2) to allow construction of a boat dock extending 35% of the channel width.

Dear Board Members:

The project titled 4625 Rockcliff Road proposes to construct a two-slip boat dock and new bulkhead on an 11-acre site located about 2 miles north of the intersection of Loop 360 and Westlake Drive. It's in the Limited Purpose Jurisdiction of the City of Austin on the shore of Lake Austin. A Site Plan application for this project is currently under review with City staff. The first set of City comments has been received, and an update was submitted in response.



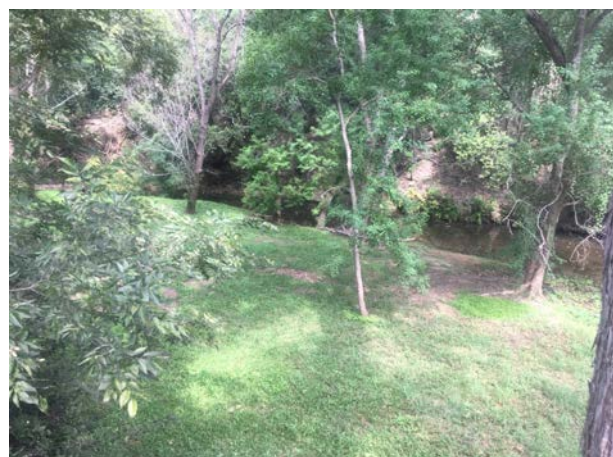
The proposed dock plan and elevation views are below.



This application is for a BOA variance to construct a dock extending more than 20% of the channel width. The dock design currently under review extends 35% of the channel width. The property fronts on both a Lake Austin slough as well as an unnamed creek. Please see pictures below.

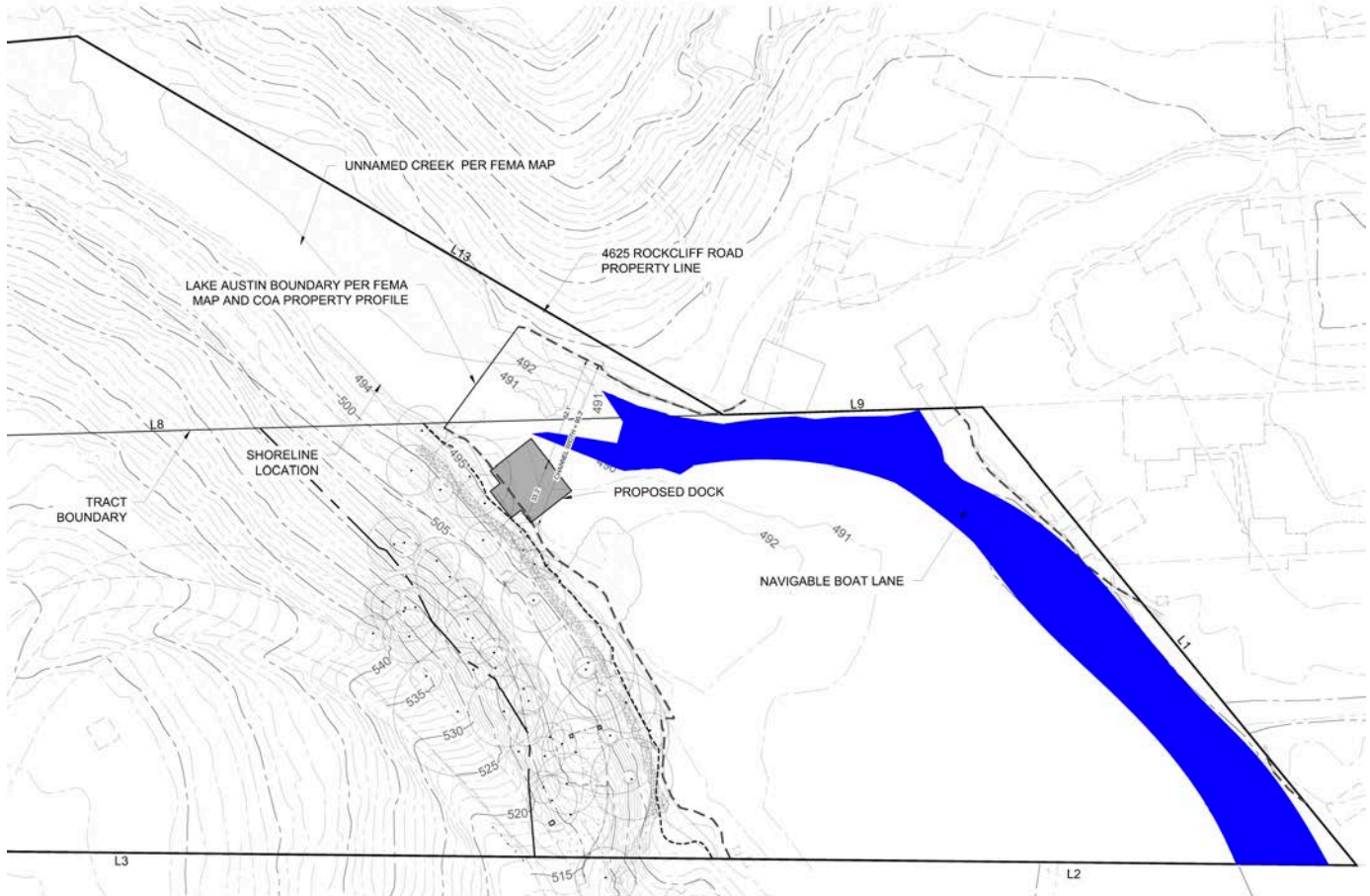


Lake Austin Slough and Approximate Dock Location



Unnamed Creek Upstream of Lake Austin

There's a single navigable channel in the slough that's deep enough for a boat to travel. In order to get a boat from the lake to the proposed dock, the dock must access the navigable channel thus the boat dock location is dictated by the navigable channel. The shoreline layout is shown below.



Per the FEMA map and COA Property Profile tool, Lake Austin ends just upstream of the proposed dock at which point the channel becomes an unnamed creek. The proposed dock extension won't hamper access to the 42' of the Lake Austin channel upstream of the proposed dock location. The proposed boat dock extension leaves a 62' wide path open for watercraft to travel up the remaining 42' of slough. However, the canal's too shallow to be navigable for boats.

On behalf of the owners, Ethel and David Richards, I ask you to support the variance application to allow them to permit a boat dock on their lakefront property in the only location that's feasible.

I look forward to the meeting on the 10th.

Very truly yours,

Janis J. Smith

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

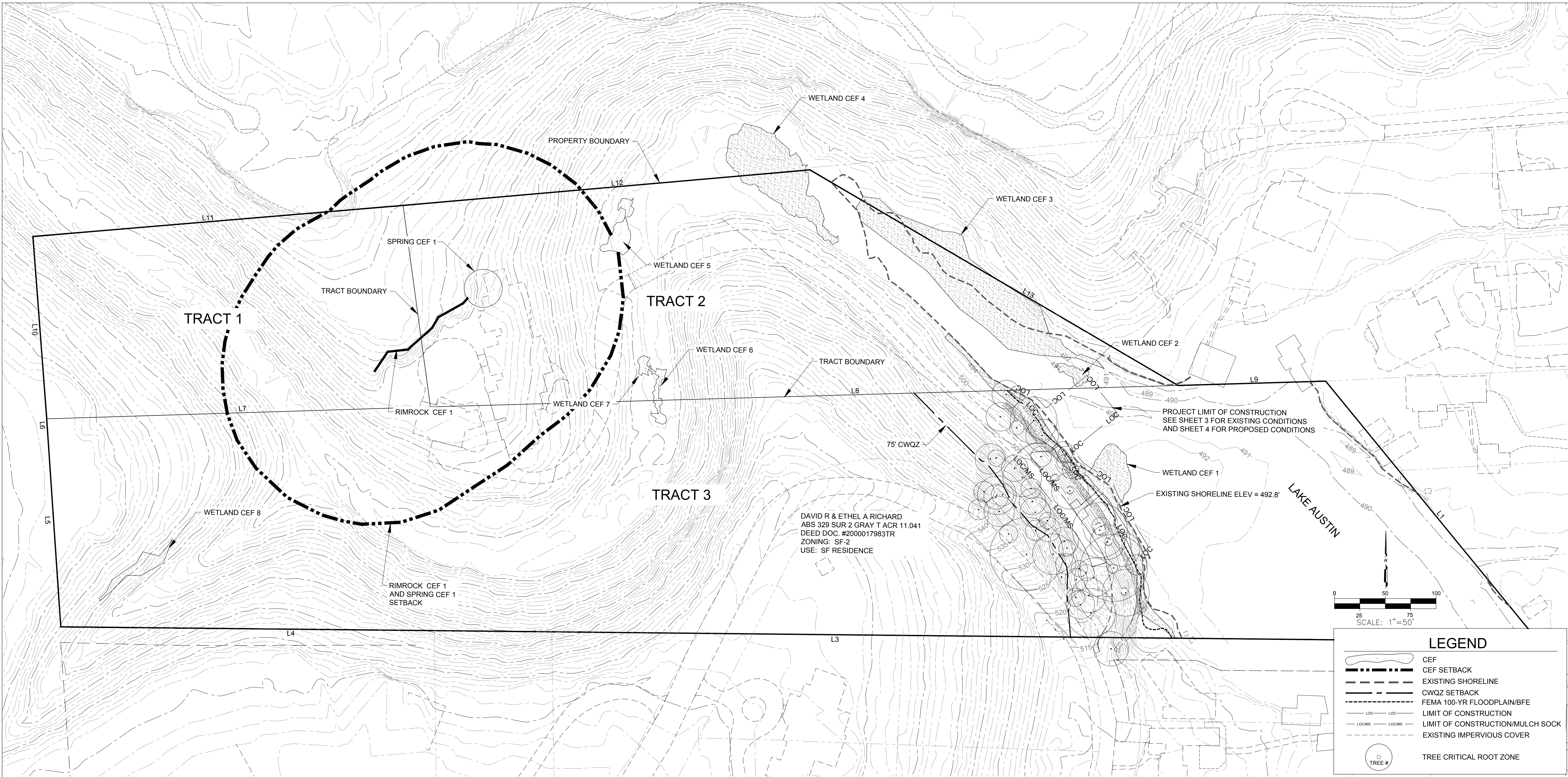


JANIS SMITH CONSULTING, LLC **▽**
 1505 Westover Road • Austin, Texas 78793 • 512-914-3739
 Texas Board of Professional Engineers Registration Number F-16978

SIGNED: JJS
APPROVED:
FILE: AS SHOWN
25 ROCKCLIFF ROAD
DATE: MARCH 29, 2022
PAGE: 2 of 7

TREE LIST			
TREE #	CALIPER SIZE (IN)	TREE TYPE	PROPOSED
38	18.5	CEDAR ELM	REMAINING
39	11.5	CEDAR	REMAINING
40	9	CEDAR ELM	REMAINING
41	21	CEDAR ELM	REMAINING
42	34	LIVE OAK	REMAINING
43	8	CEDAR ELM	REMAINING
44	8.5	CEDAR ELM	REMAINING
45	12	CEDAR	REMAINING
46	17	CEDAR ELM	REMAINING
47	14	CEDAR ELM	REMAINING
48	18.5	LIVE OAK	REMAINING
49	9	CEDAR ELM	REMAINING
50	15	CEDAR ELM	REMAINING
51	14	CEDAR	REMAINING
52	9.5	CEDAR ELM	REMAINING
53	10.5	CEDAR ELM	REMAINING
54	12	LIVE OAK	REMAINING
55	10.75	CEDAR ELM	REMAINING

LINE TABLE		
LINE	BEARING	LENGTH
L1	N 84°39'10" E	331.36'
L2	S 34°30'06" W	454.72'
L3	S 34°30'06" W	367.22'
L4	S 34°29'20" W	632.94'
L5	N 60°11'20" W	199.07'
L6	N 60°24'26" W	4.75'
L7	N 32°06'01" E	358.47'
L8	S 32°14'11" W	763.18'
L9	N 32°14'11" E	123.83'
L10	N 59°53'10" W	195.90'
L11	N 29°43'59" E	358.39'
L12	N 29°31'59" E	412.08'
L13	N 64°51'58" E	426.56'



LOCATION OF CRITICAL ENVIRONMENTAL FEATURES ON ALL TRACTS OF THE PROPERTY

NOTE:
THE PROPOSED BOAT DOCK MUST COMPLY WITH ALL REQUIREMENTS OF LDC 25-2-1174 ("STRUCTURAL REQUIREMENTS"), AND MUST COMPLY WITH CHAPTER 25-12, ARTICLE 1 (UNIFORM BUILDING CODE) AND THE BUILDING CRITERIA MANUAL.



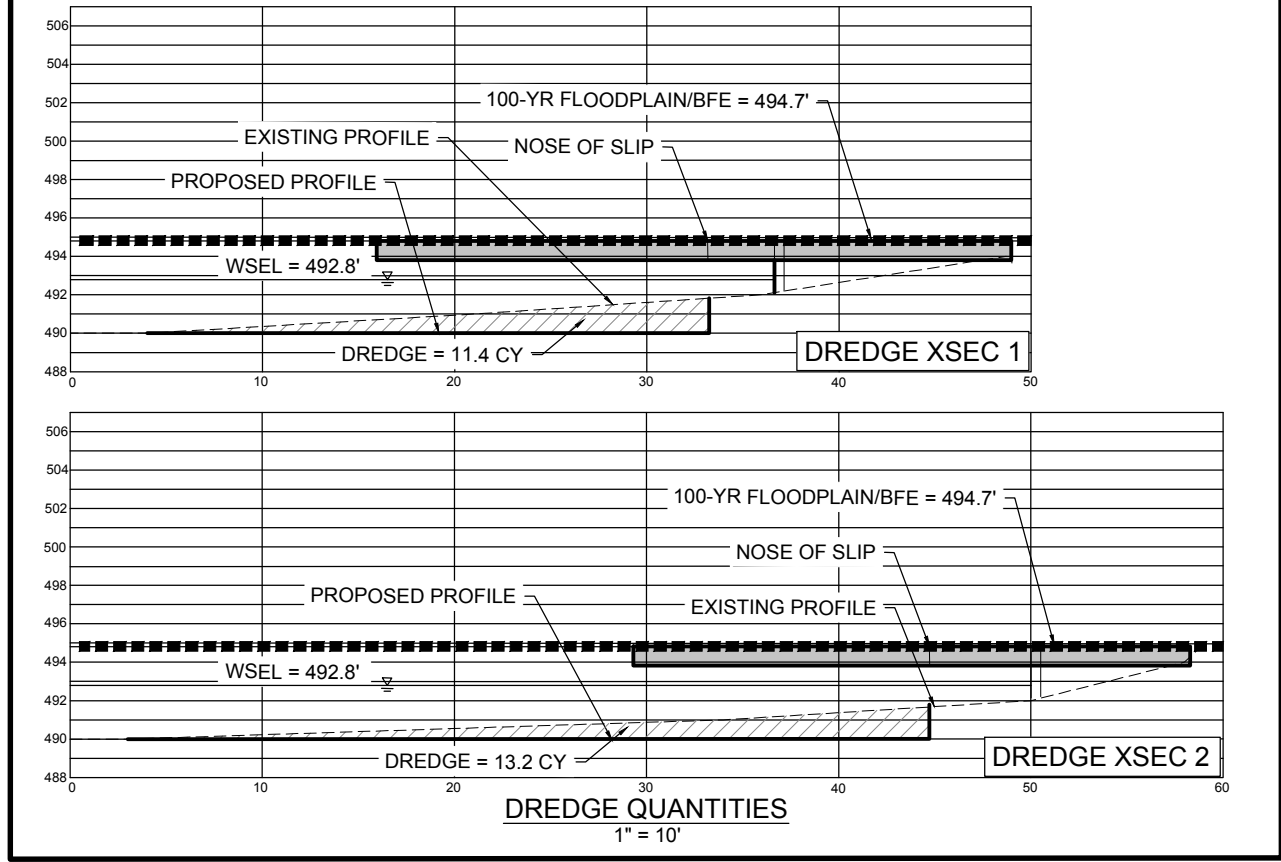
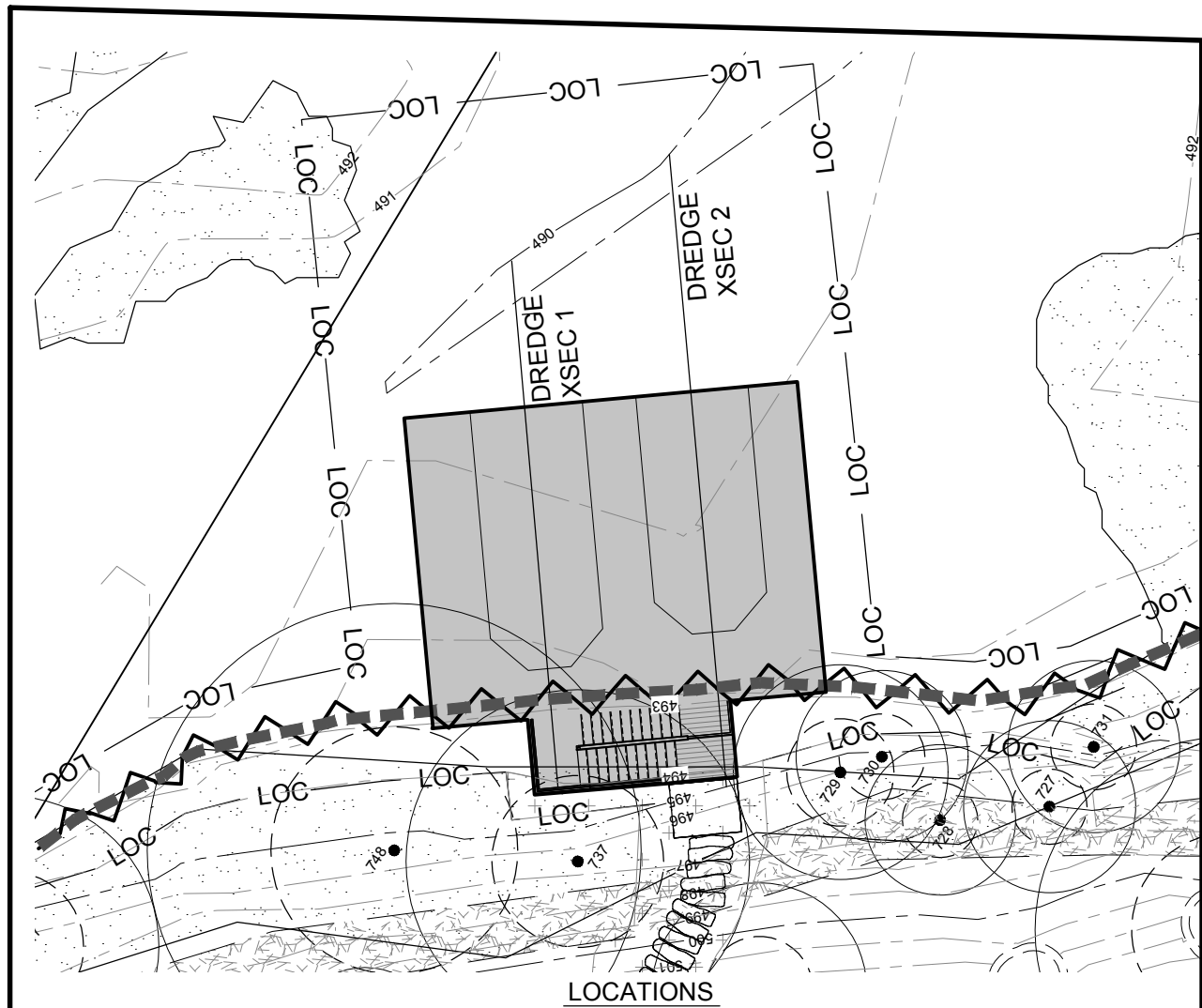
EXISTING SHORELINE LENGTH = 1047.6'
ALLOWABLE DOCK WIDTH = 209.5'
PROPOSED DOCK WIDTH = 36.8'
PROPOSED DOCK DEPTH = 35.8'
DOCK FOOTPRINT = 1200.0 SF

ATTENTION INSPECTOR NOTES:

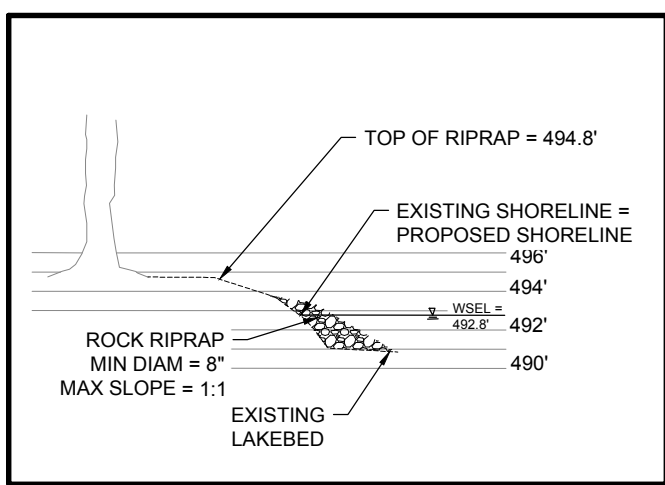
1. COMPLIANCE WITH BUILDING CODE REQUIRED AND IS TO BE REVIEWED FOR COMPLIANCE DURING BUILDING CODE REVIEW.
2. FOR THE BUILDING PERMIT, A SIGNED AND SEALED LETTER SHALL BE SUBMITTED TO THE CITY OF AUSTIN, PER THE LAND DEVELOPMENT CODE, 25-2-3.1612.4, CERTIFYING THAT THE STRUCTURE IS IN ACCORDANCE WITH ASCE 24, FLOOD RESISTANT DESIGN AND CONSTRUCTION.
3. ENVIRONMENTAL INSPECTOR HAS THE AUTHORITY TO ADD AND/OR MODIFY EROSION/SEDIMENTATION CONTROLS ON SITE TO KEEP PROJECT IN COMPLIANCE WITH THE CITY OF AUSTIN RULES AND REGULATIONS.

NOTES:

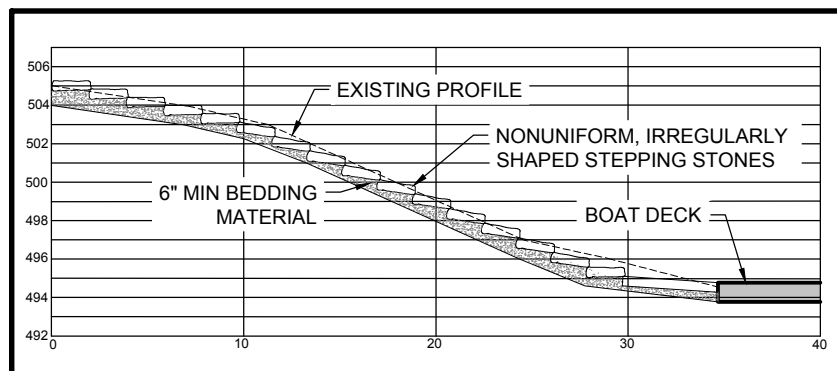
1. ALL WORK SHALL OCCUR WITHIN THE LIMITS OF CONSTRUCTION AS SHOWN ON THE PLAN. ALL MATERIALS WILL BE TRANSPORTED TO THE SITE FROM THE LAND AND LAND. ALL CONSTRUCTION ACTIVITY, INCLUDING STAGING AND SPOIL STORAGE, WILL BE CONTAINED IN THE LIMIT OF CONSTRUCTION AND ON THE BARGE.
2. SHORELINE IMPROVEMENTS, INCLUDING GANGWAY ACCESS, ARE AUTHORIZED WITH THIS SITE PLAN.
3. CONTAINERS OF HAZARDOUS MATERIALS, FUEL, OIL, HERBICIDES, INSECTICIDES, FERTILIZERS, OR OTHER POLLUTANTS WILL NOT BE STORED ON DOCKS EXTENDING INTO OR ABOVE LAKE AUSTIN.
4. NO WATER OR WASTEWATER UTILITIES ARE PROPOSED WITH THIS DEVELOPMENT.
5. DOCK SHALL BE AT LEAST 66% OPEN.
6. PILINGS SHALL BE 6-8" DIAMETER STEEL PIPE.
7. THE PROJECT SITE IS WITHIN THE CITY OF AUSTIN LIMITED PURPOSE BOUNDARIES.
8. DREDGE MATERIAL SHALL BE DISPOSED DRY IN A LEGALLY PERMITTED LANDFILL SITE. PRIOR TO OFFSITE DISPOSAL, THE PERMITTEE SHALL PROVIDE THE ENVIRONMENTAL INSPECTOR WITH THE ADDRESS AND CONTACT NUMBER FOR THE DISPOSAL SITE. DISPOSAL OF DREDGE SPOIL IN LAKE AUSTIN IS SPECIFICALLY PROHIBITED.
9. NO SPOILS ARE ALLOWED WITHIN THE 100-YR FLOODPLAIN.
10. DREDGING WILL BE LESS THAN 25 CU YDS.



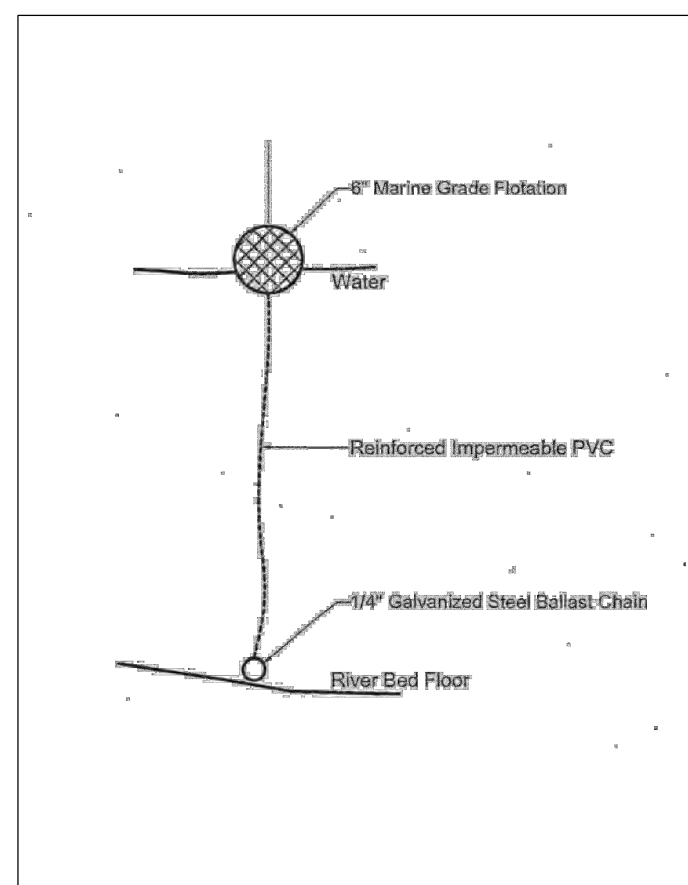
DREDGE XSECS



BULKHEAD DETAIL



ACCESS PATH DETAIL



FLOATING SILT SCREEN

