



Board of Adjustment General/Parking Variance Application

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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
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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.
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