

CITY OF AUSTIN
Board of Adjustment
Decision Sheet
Item 7

DATE: Monday October 10, 2022

CASE NUMBER: C15-2022-0070

- Thomas Ates OUT
 Y Brooke Bailey
 Y Jessica Cohen
 Y Melissa Hawthorne
 Y Barbara McArthur
 Y Darryl Pruett
 - Agustina Rodriguez OUT
 - Richard Smith OUT
 Y Michael Von Ohlen
 - Nicholl Wade OUT
 Y Kelly Blume (Alternate)
 Y Carrie Waller (Alternate)
 Y Marcel Gutierrez-Garza (Alternate)

APPLICANT: Janis J. Smith PE

OWNER: David Richard

ADDRESS: 4625 ROCKCLIFF RD

VARIANCE REQUESTED The applicant is requesting a variance(s) from the Land Development Code, Section 25-2-1176 (*Site Development Regulations for Docks, Marinas, and Other Lakefront Uses*) from: (A) (2) to extend the dock length no more than 20% percent (maximum allowed) to 35% percent (requested) of the channel width in order to erect a boat dock in an "LA" Lake Austin Residence zoning district.

NOTE: 25-2-1176 - SITE DEVELOPMENT REGULATIONS FOR DOCKS, MARINAS, AND OTHER LAKE FRONT USES

(A) A dock or similar structure must comply with the requirements of this subsection.
(2) No portion of a dock shall extend more than 20% of a channel width as measured by a line that is perpendicular to the centerline of the channel and that extends from the shoreline where the dock is located to the opposite shoreline.

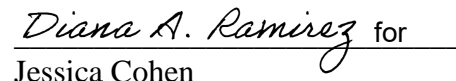
BOARD'S DECISION: The public hearing was closed by Madam Chair Jessica Cohen, Board member Michael Von Ohlen motions to approve; Board member Melissa Hawthorne second on 9-0 vote; GRANTED.

FINDING:

1. 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, and the rest of the cove is less than 2' deep.
2. (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.
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: 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.


Elaine Ramirez
Executive Liaison

 for
Jessica Cohen
Madam Chair