

From: [REDACTED]
To: [REDACTED]
Subject: NEW Strong Objections to Variance Request; Case No. C15-2025-0027; 1752 Channel Road
Date: Friday, September 5, 2025 3:44:04 PM

External Email - Exercise Caution

Subject: New Strong Objections to Variance Request No. C15-2025-0027; 1752 Channel Road

Dear Members of the Board of Adjustments,

We, Bruce and Niloofar Slayden, as representatives of the BRUCE & NELLIE SLAYDEN REVOCABLE TRUST, the property owner of 1744 Channel Road, submit this formal and vigorous objection to the variance request in Case No. C15-2025-0027 submitted by Mr. Tom Davis Jr. for the property located at 1752 Channel Road.

The request seeks approval for a three-story dock extending 46 feet from the shoreline—an egregious 154% of the 30-foot maximum allowed under the City of Austin Land Development Code (LDC 25-2-1176). This request is not only excessive and unjustified, but more importantly poses a threat to the Public’s navigation safety and freedom, the very intent and purpose of the Code. The requested variance should be denied.

1. Excessive Dock Length Request – Exceeding Code Limit by 154%

The Land Development Code clearly limits the distance a dock may extend from the shoreline to 30 feet. The requested variance proposes a dock length that is 154% of the maximum allowable by Code—exceeding the 30-foot limit by a full 16 feet. The applicable Code length—30 ft-- is set as a compromise between the lake residents’ enjoyment interests and Public’s navigation safety and freedom interests. The applicant has offered **no evidence**—or any valid or compelling reason to override the Public’s interest—by demonstrating that this increased length is necessary for navigation safety, as required under LDC 25-2-1176.

*The owner asserts they will have to dredge to obtain navigation safety (notably only for itself) if limited to the Code’s 30 ft. length. That is a false statement. There are multiple boats that can be docked at the current location at the 30 ft length limit. As evidenced by the two new Code-compliant docks just built on neighboring properties at 1756 & 1758 Channel Road directly upstream of this proposed dock --- notably they house “modern boats”. While the owners may dream of docking an even bigger modern boat than their neighbors, that is hardly a compelling reason to grant a variance from the Code. Moreover, if the owner desires to dock an even bigger modern boat, then the owner can always apply for a dredging permit for a 30ft Code-compliant dock. And note, with the constant weed harvesting on the lake, dredging is a minor further disturbance of an already disturbed lake bottom. Simply put, arguing that one must dredge at the 30 ft Code limit to dock a **not yet purchased big modern boat** is not a justification to exceed the Code by 16ft for a new dock. The 1752 Channel Road lot has always been depth challenged as evidence by their non-compliant existing 46 ft long dock – this is not a new phenomenon and cannot now be used now to escape the restrictions of the existing Code when seeking to build a new dock. It is hard to understand how the owner’s*

demand, “we want a bigger boat” should override the Public’s interest as protected and codified by the Code.

2. Dangerous Precedent and Navigation Hazard

This proposal represents the **only** new residential multi-level dock in the area that would extend more than 1.5 times farther from the shoreline than Code limits and thus, allowing the continued limit on the Public’s **navigation safety and freedom**. *Notably, the subject dock is one of the first docks encountered by a new user of this Public waterway after launching from the 360 Bridge Public Launch*. The Code limit was set as a compromise between the interests of Lake Austin residents and the Public’s interest in a Public waterway. Those interests include enjoyment (navigation/use freedom) and safety. The Board should not approve any new structure that compromises the Public’s safety on Lake Austin or unjustifiably limits the Public’s navigation freedom and enjoyment. Extending 1.5 times farther into a Public waterway than allowable by Code, the oversized dock requested necessarily decreases the Public’s Navigation Safety by limiting the amount of navigable water and therefore, further narrowing the usable lake. Consequently, maintaining congestion in an area already highly congested area of this Public lake. Thus, granting the request would decrease the Public’s navigational freedom, enjoyment and more importantly safety. *Simply put, we need less 46 ft long docks on Lake Austin – not more and certainly not a new one.*

3. Lack of Justification

This is not a request for repair or modest modification of an existing permitted Code-compliant dock—it is an attempt to construct an oversized, new three-story multi-level dock with an excessive and egregious footprint that blatantly exceeds code limitations by over fifty percent (50%). The applicant has failed to demonstrate any legitimate or compelling need for such an expansion that overrides the Public’s interest. The Board has no reasonable basis to approve a variance of this magnitude. If the owner desires a new dock for a new big boat that he/she dreams of purchasing, the Board should require the new dock to be Code-compliant extending only 30 ft from the shoreline thus, respecting the Public’s interest in navigation safety, freedom and enjoyment in this highly congested Public use area of the Lake. If the owner demands a 47ft dock, they should have to live with their existing structure and repair it.

4. No Posted Notice for September 8th Meeting

Unlike the last meeting, there has been no public posting giving notice of a September 8th meeting. Multiple neighbors may or may not know of the meeting. In fact, we were confused by the lack of posting and are submitting new objections to the request assuming a September 8th meeting is set. We do note that the September 8th Meeting, if held, will not be Code compliant and we thus, object to the non-noticed meeting in its entirety.

For these reasons, we object and urge the Board in the strongest possible terms to **reject** this variance application. Approving it would not only violate City Code, but would also jeopardize public and boaters safety, degrade the integrity of the lakefront community, and erode trust in the variance process.

We expect and trust that the Board will uphold its duty to enforce the Code fairly and consistently. Thank you for your attention to this matter.

ITEM05/3-LATE BACKUP

From: [redacted]
To: [redacted]
Date: Sunday, September 7, 2025 8:19:38 PM
and email to supplement objections filed by Slayden to Case No. C15-2025-0026; 1750 Channel Road. AND Case No. 2025-0027; 1752 Channel Road. Thank you

External Email - Exercise Caution

Please add this email and these photos to objections filed by Slayden, 1744 channel Rd to Variance Case No. C15-2025-0026; 1750 Channel Road. AND variance Case No. 2025-0027; 1752 Channel Road. Thank you

Applicants submission is misleading. Watercraft's returning to the 360 bridge public boat ramp routinely do NOT adhere to the traffic flow shown on applicants diagrams.

The below pictures show the sensitive location of proposed docks at 1750 and 1752 Channel Rd. These Docks are very close to the beginning/end of the no wake zone line and should NOT exceed 30 feet + or - 10 % from the shoreline as required by the code.

If the applicants' variances are granted, new noncompliant docks will continue to compromise site lines around this congested bend, creating a blind curve and unnecessary navigation hazards. Boats suddenly accelerate at the end of the no wake zone. Meanwhile we routinely and frequently witness watercrafts and jet skis returning at high speeds to the 360 Bridge public dock on this same side of the lake as the speeding traffic leaving the 360 Bridge no wake zone near the proposed docks.

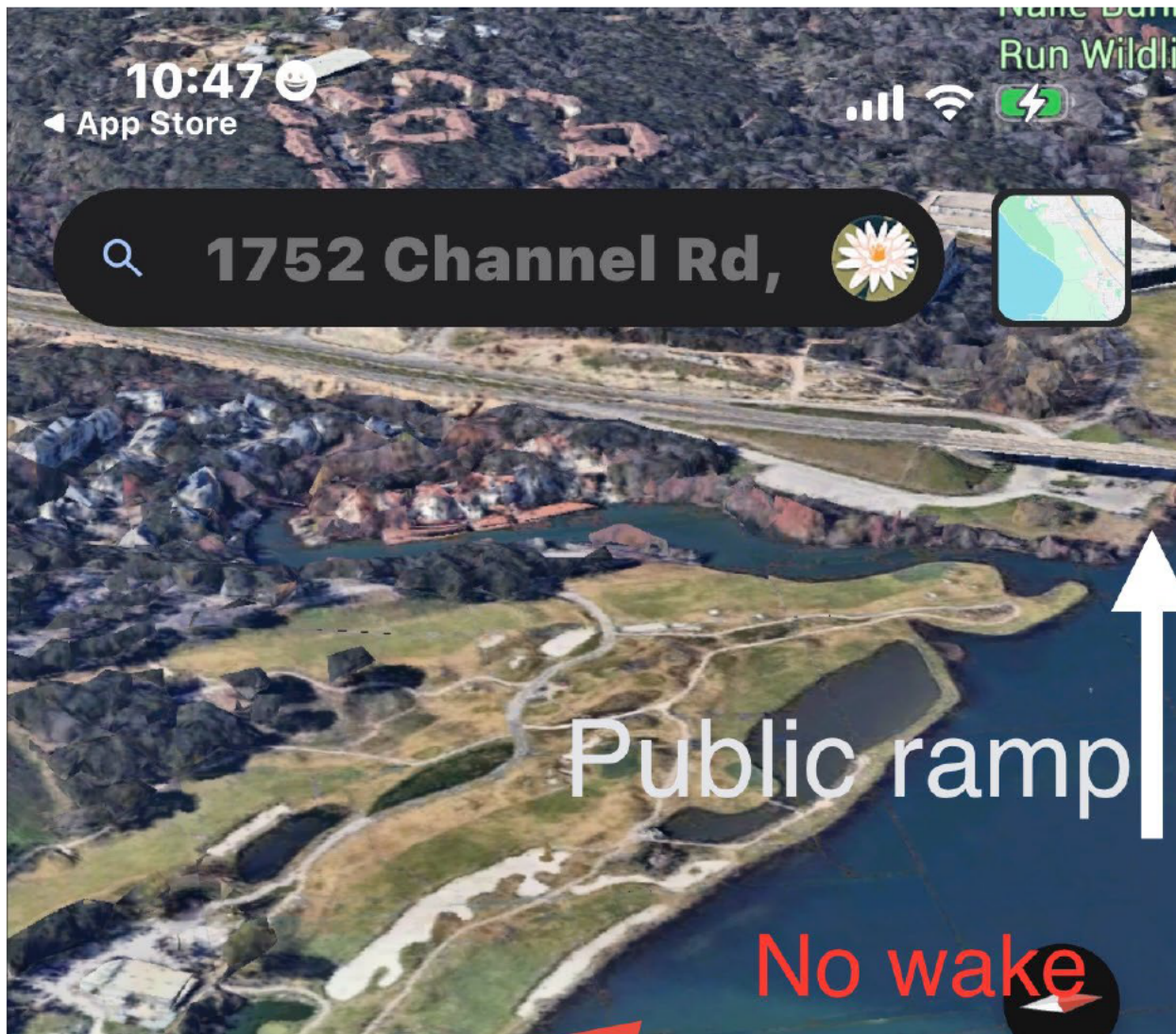
WE HAVE WITNESSED numerous near misses of head on collisions because non-compliant docks extending further than 35 feet at this location create a blind curve. Granting the requested variances will cause unnecessary navigation hazards that compromises the safety of the public lake users and is particularly concerning when speeding boats do not see downed surfer or wakeboarders which happens routinely in this particular area.

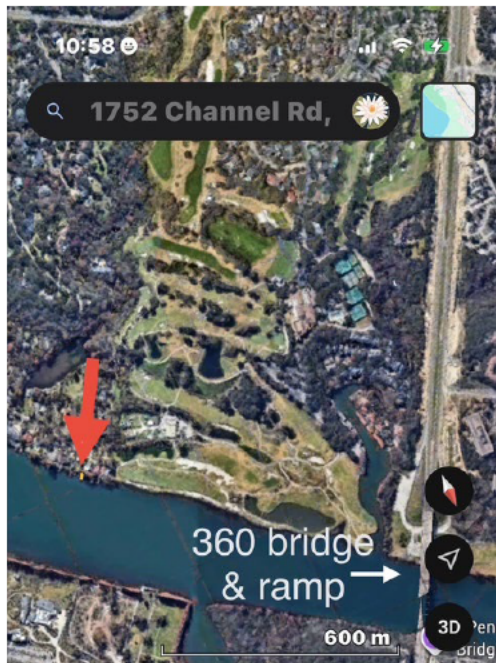
A Board Member familiar with this particular area of the lake confirmed the compromise site lines and the blind curve created by the non compliant docks extending into the navigation area near and at 1752 channel rd at the August 2025 meeting. This is problem that impacts every users of the public boat ramp.



Allowing docks to extend more than 36 feet or more, creates an unnecessary blind curve and causes a navigation hazard that impacts the safety of so many people using a congested area around the most used public Boat ramp on lake austin.

The Board can easily avoid creating unnecessary navigation hazards in this highly sensitive area by requiring docks comply with the code requiring docks to be limited to 30 feet + or -10% of the shoreline.





Sincerely
Nellie Slayden
1744 channel rd.