

**CITY OF AUSTIN
Board of Adjustment
Decision Sheet**

DATE: Monday October 14, 2019

CASE NUMBER: C15-2019-0047

- Brooke Bailey OUT
 Y Jessica Cohen
 Y Ada Corral
 Y Melissa Hawthorne
 Y William Hodge
 Y Don Leighton-Burwell
 - Rahm McDaniel
 Y Darryl Pruet
 Y Veronica Rivera
 Y Yasmine Smith
 Y Michael Von Ohlen
 Y Kelly Blume (Alternate)
 - Martha Gonzalez (Alternate)
 - Denisse Hudock (Alternate)

APPLICANT: Janis J. Smith, P.E.

OWNER: David Middleton/YOLO Partners, Ltd.

ADDRESS: 3707 TAYLORS DR

VARIANCE REQUESTED: The applicant is requesting a variance(s) from Section 25-2-1176 (A) (1) (Site Development Regulations for Docks, Marinas, and other Lakefront Uses) to increase the Shoreline setback requirement from 30 feet (required) to 40 feet (requested) in order to erect a Boat Dock in a "SF-3-NP", Single-Family –Neighborhood Plan zoning District (West Austin Neighborhood Plan, LA zoning Overlay).

The Land Development Code states that the director may require a dock to extend a lesser or greater distance from the shoreline if deemed necessary to ensure navigation safety.

BOARD'S DECISION: BOA Sept 9, 2019 meeting The public hearing was closed by Chair Don Leighton-Burwell, Board Member Denisse Hudock motions to Postpone to October 14, 2019, Board Member Jessica Cohen seconds on an 11-0 vote; POSPTONED TO OCTOBER 14, 2019. Oct 14, 2019 The public hearing was closed by Chair Don Leighton-Burwell, Board Member Michael Von Ohlen motions to Grant as per new configuration drawing P-4/6, Board Member Melissa Hawthorne seconds on a 10-0 vote (Board member Rahm McDaniel late); GRANTED AS PER NEW CONFIGURATION DRAWING P-4/6.

EXPIRATION DATE:

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: existing conditions at the site include a failing bulkhead within a cut-in-slip which is supporting a sloped home site, the bulkhead is right on top of several heritage trees, and also present is a non-compliant dilapidated dock.
2. (a) The hardship for which the variance is requested is unique to the property in that: heritage trees dictate the design of a load bearing bulkhead which in turn determines the location of the dock
(b) The hardship is not general to the area in which the property is located because: the vast majority of dock sites on the lake can be constructed by following current code, this property cannot
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: the dock extension measurement is taken from the shoreline of a cut-in slip, the dock extension from the natural shoreline is < to the 30ft allowed by code.


Elaine Ramirez
Executive Liaison


Don Leighton-Burwell
Chairman

