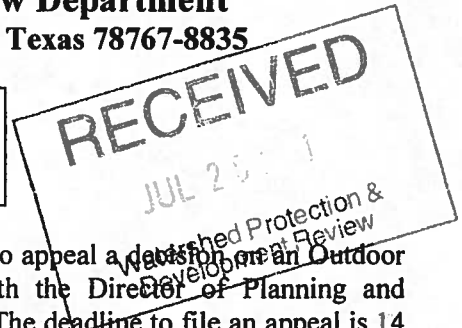




City of Austin Planning and Development Review Department
505 Barton Springs Rd. Suite 175 / P.O. Box 1088 / Austin, Texas 78767-8835

OUTDOOR MUSIC VENUE APPEAL



If you are an applicant and/or property owner or interested party, and you wish to appeal a decision on an Outdoor Music Venue permit, the following form must be completed and filed with the Director of Planning and Development Review Department, City of Austin, at the address shown above. The deadline to file an appeal is 14 days after the decision was issued by the accountable official. If you need assistance, please contact at (512) 974-2686.

CASE NO. File SO-2011-0173M

DATE APPEAL FILED July 19, 2011

VENUE NAME East Side Drive In

YOUR NAME Richard Kooris

VENUE ADDRESS 1001 East Sixth St.

SIGNATURE Richard Kooris

CITY CONTACT Clara Hilling, Planner II

YOUR ADDRESS 501 North I-35

SECTION OF CODE APPEALED: The appeal is filed under YOUR PHONE NO. (512) 485-3000 WORK

Section 9-2-5 and 9-2-55 of the Austin City Code.

(512) 422-8878 HOME

INTERESTED PARTY STATUS: Indicate how you qualify as an interested party who may file an appeal by the following criteria: (Check one)

- ☐ I am the notice owner of single family use
- ☒ I am the applicant or agent representing the applicant
- ☐ I am a representative of a neighborhood association and submitted my opposition in writing (date) _____
- ☐ I am the notice owner of a multifamily use located adjacent to the venue (new permits only)

In addition to the above criteria, I qualify as an interested party by one of the following criteria: (Check one)

- ☐ I am the notice owner of single family use located within 600 feet of the subject site.
- ☐ I am the notice owner of a multifamily use located adjacent to the venue.
- ☐ I am an officer of a neighborhood or environmental organization whose declared boundaries are within 600 feet of the subject site.

DECISION TO BE APPEALED*: (Check one)

- ☐ Approval of an Outdoor Music Venue Permit
- ☒ Denial of an Outdoor Music Venue Permit

Date of Decision: _____

Date of Decision: July 13, 2011

STATEMENT: Please provide the decision being appealed and the specific grounds for the appeal. If specific grounds are not provided appeal will not be considered valid:

The decision being appealed is the denial by staff of our application for an Outdoor Music Permit under the provisions of Ordinance 20110210-029. We are appealing the denial on the grounds that 1) we believe we are entitled to an approval under the language of the ordinance, 2) we do not believe that the ordinance requires a Certificate of Occupancy for an OMV permit to be granted to a site and 3) we have not requested or applied for a principal use as an Outdoor Entertainment Facility and so this is not a fact that should be relevant to the denial of our permit. Our OMV Permit application was recommended for approval by the Music Office in their report after a site visit and research.