




N



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

CASE#: C15-2015-0061
Address: 106 LAUREL LANE



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

1" = 200'

H/2

CITY OF AUSTIN
Board of Adjustment/Sign Review Board
Decision Sheet (RECONSIDERATION)

DATE: Monday, July 13, 2015

CASE NUMBER: C15-2015-0061

_____ Angela Atwood
_____ Michael Benaglio
_____ William Burkhardt
_____ Vincent Harding
_____ Melissa Hawthorne
_____ Don Leighton-Burwell
_____ Melissa Neslund
_____ James Valadez
_____ Michael Von Ohlen

OWNER/APPLICANT: Roger and Mary E Borgelt

ADDRESS: 106 LAUREL LN

VARIANCE REQUESTED: The applicant has requested variance(s) from:

1. Section 25-2-554 (Single-Family Residence Standard Lot (SF-2) District Regulations) to decrease the rear yard setback from 5 feet for an accessory building that is not more than one story or 15 feet in height (required) to 2 feet (requested); and from
2. Section 25-2-496 (D) (Site Development Regulations) to decrease the side yard setback from 5 feet (required) to 0 feet (requested) in order to maintain an accessory structure in an "SF-3-NCCD-NP", Family Residence – Neighborhood Conservation Combining District – Neighborhood Plan zoning district. (North University)

BOARD'S DECISION: POSTPONED TO June 8, 2015 AT THE APPLICANT'S REQUEST; The public hearing was closed on Board Member Bryan King motion to Deny, Board Member Michael Von Ohlen second on a 6-1 vote (Board Member Melissa Hawthorne nay); **DENIED.**

RECONSIDERATION REQUEST: The applicant has requested variance(s) from:

1. Section 25-2-554 (Single-Family Residence Standard Lot (SF-2) District Regulations) to decrease the rear yard setback from 5 feet for an accessory building that is not more than one story or 15 feet in height (required) to 2 feet (requested); and from
2. Section 25-2-496 (D) (Site Development Regulations) to decrease the side yard setback from 5 feet (required) to 0 feet (requested) in order to maintain an accessory structure in an "SF-3-NCCD-NP", Family Residence – Neighborhood Conservation Combining District – Neighborhood Plan zoning district. (North University)

Heldenfels, Leane

From: Roger Borgelt <~~rborgelt@wz.com~~>
Sent: Thursday, June 18, 2015 3:58 PM
To: Heldenfels, Leane
Cc: Mary Ellen Borgelt
Subject: 106 Laurel Lane - request to reconsider denial

H
3

Leane, we ask the Board to reconsider for the following reasons:

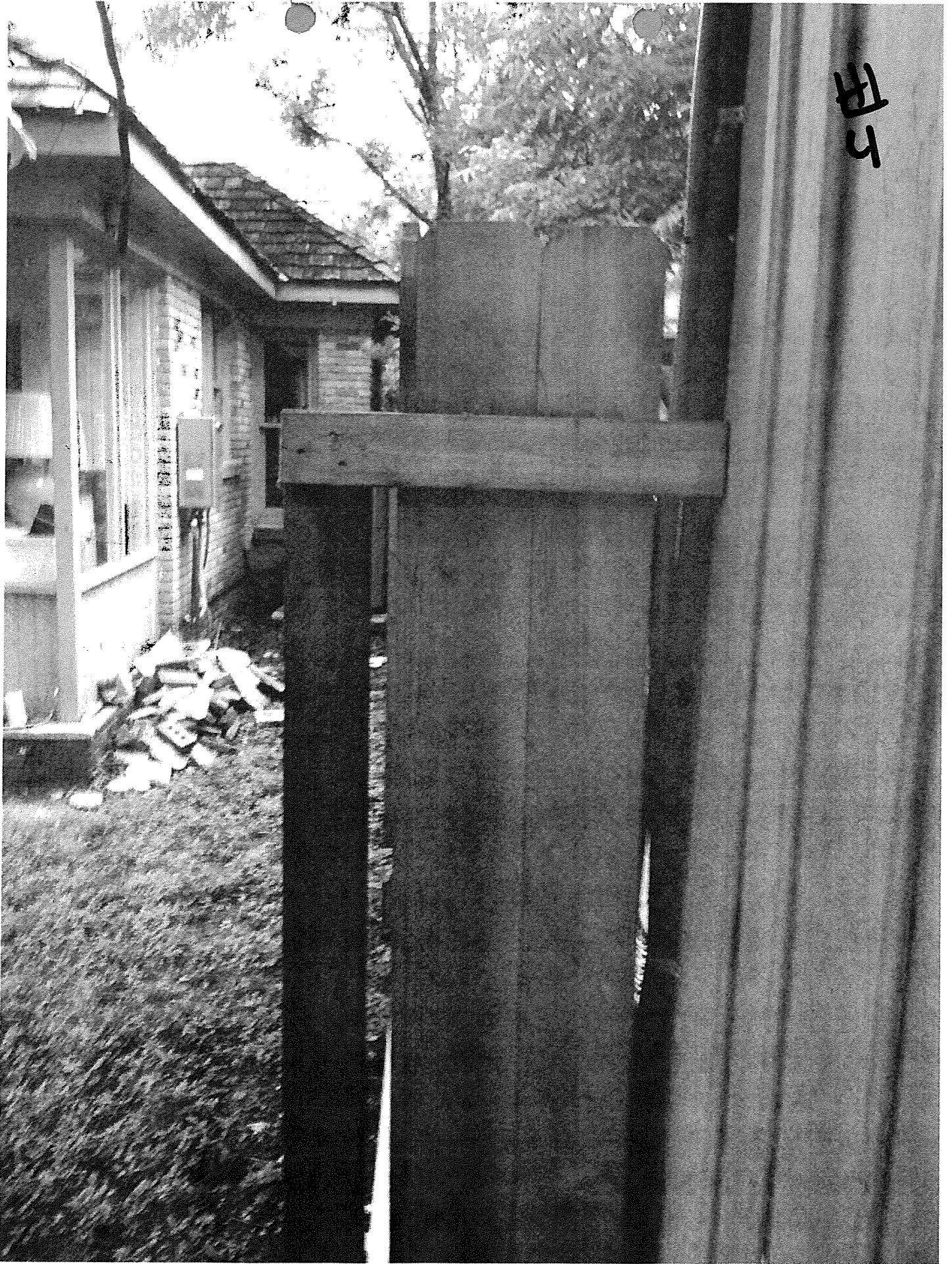
1. We are willing to move the structure if it is confirmed that there is an encroachment on the neighbor's property so that the encroachment no longer exists.
2. We have additional evidence of the hardship created by the privacy and security issues which will re-exist if the shed is required to be moved.
3. The Board erred in suggesting that a fence was a viable alternative. It would actually create a greater hardship for our neighbor than the existing shed does.
4. We have verbal support from neighbors, which we are working to get in writing.

We will supply the additional neighbor support evidence as well as the additional hardship evidence prior to the hearing.

Roger Borgelt

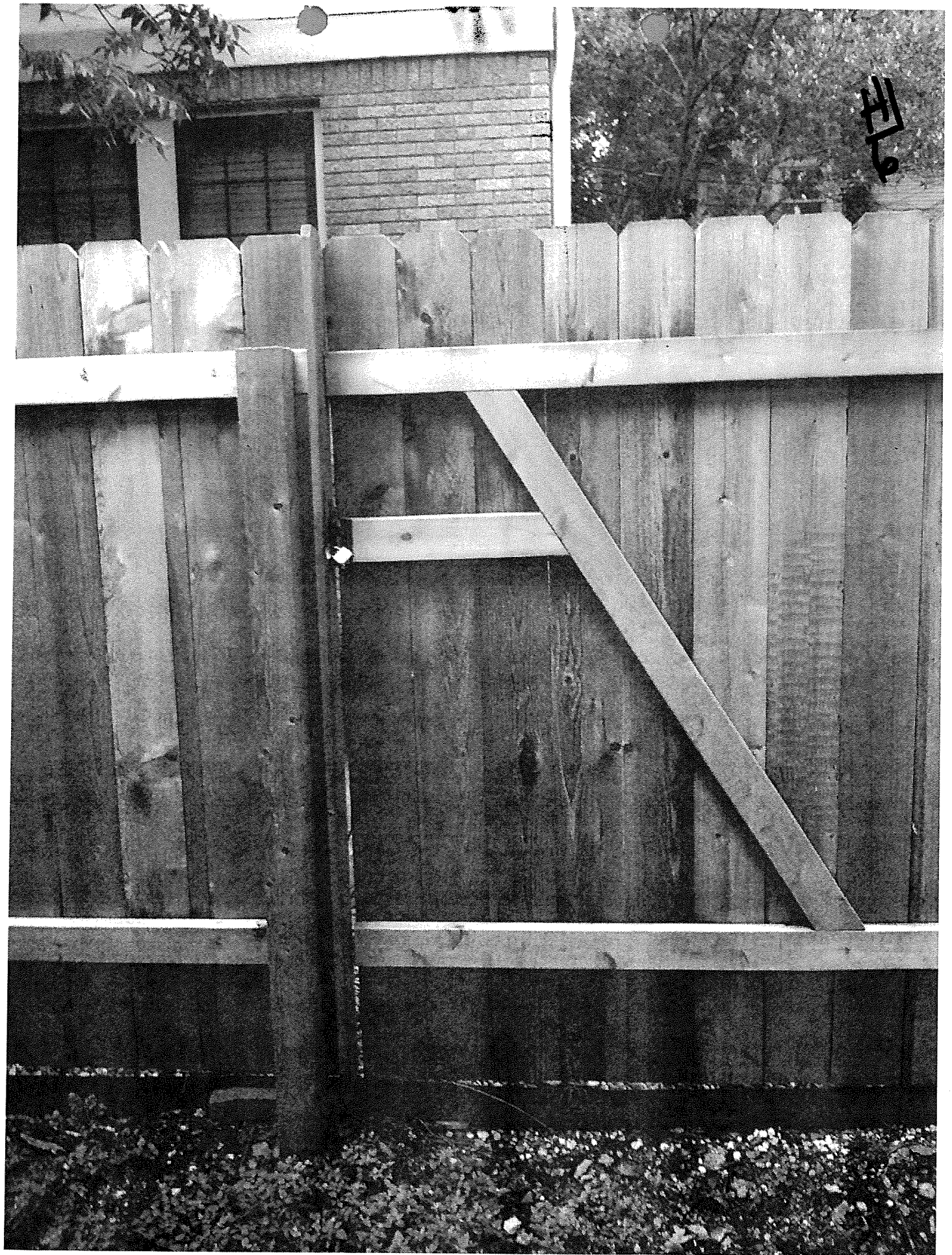
Sent from my iPad

5月





4/5



H1
7

CITY OF AUSTIN
Board of Adjustment/Sign Review Board
Decision Sheet

DATE: Monday, June 8, 2015

CASE NUMBER: C15-2015-0061

☐ Y ☐ Jeff Jack - Chair
☐ Y ☐ Michael Von Ohlen **2nd the Motion**
☐ N ☐ Melissa Whaley Hawthorne - Vice Chair
☐ Y ☐ Sallie Burchett
☐ Y ☐ Ricardo De Camps
☐ Y ☐ Brian King **Motion to Deny**
☐ Y ☐ Vincent Harding
☐ - ☐ Will Schnier - Alternate
☐ - ☐ Stuart Hampton - Alternate

OWNER/APPLICANT: Roger and Mary E Borgelt

ADDRESS: 106 LAUREL LN

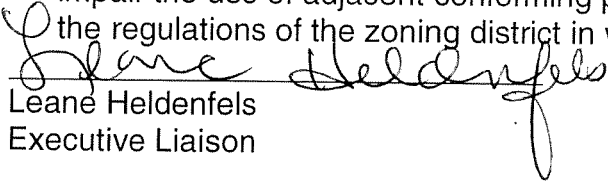
VARIANCE REQUESTED: The applicant has requested variance(s) from:

1. Section 25-2-554 (Single-Family Residence Standard Lot (SF-2) District Regulations) to decrease the rear yard setback from 5 feet for an accessory building that is not more than one story or 15 feet in height (required) to 2 feet (requested); and from
2. Section 25-2-496 (D) (Site Development Regulations) to decrease the side yard setback from 5 feet (required) to 0 feet (requested) in order to maintain an accessory structure in an "SF-3-NCCD-NP", Family Residence – Neighborhood Conservation Combining District – Neighborhood Plan zoning district. (North University)

BOARD'S DECISION: POSTPONED TO June 8, 2015 AT THE APPLICANT'S REQUEST; The public hearing was closed on Board Member Bryan King motion to Deny, Board Member Michael Von Ohlen second on a 6-1 vote (Board Member Melissa Hawthorne nay); **DENIED.**

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because:
2. (a) The hardship for which the variance is requested is unique to the property in that:
(b) The hardship is not general to the area in which the property is located because:
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:


Leane Heldenfels
Executive Liaison


Jeff Jack
Chairman

H/8

CITY OF AUSTIN
Board of Adjustment/Sign Review Board
Decision Sheet

DATE: Monday, May 11, 2015

CASE NUMBER: C15-2015-0061

_____ Jeff Jack - Chair
_____ Michael Von Ohlen
_____ Melissa Whaley Hawthorne - Vice Chair
_____ Sallie Burchett
_____ Ricardo De Camps
_____ Brian King
_____ Vincent Harding

OWNER/APPLICANT: Roger and Mary E Borgelt

ADDRESS: 106 LAUREL LN

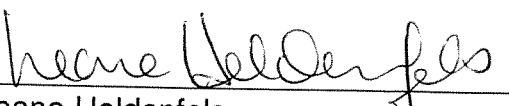
VARIANCE REQUESTED: The applicant has requested variance(s) from:

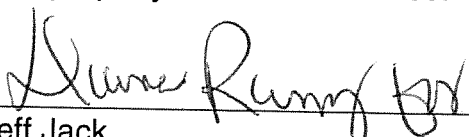
1. Section 25-2-554 (Single-Family Residence Standard Lot (SF-2) District Regulations) to decrease the rear yard setback from 5 feet for an accessory building that is not more than one story or 15 feet in height (required) to 2 feet (requested); and from
2. Section 25-2-496 (D) (Site Development Regulations) to decrease the side yard setback from 5 feet (required) to 0 feet (requested) in order to maintain an accessory structure in an "SF-3-NCCD-NP", Family Residence – Neighborhood Conservation Combining District – Neighborhood Plan zoning district. (North University)

BOARD'S DECISION: POSTPONED TO June 8, 2015 AT THE APPLICANT'S REQUEST

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because:
2. (a) The hardship for which the variance is requested is unique to the property in that:
(b) The hardship is not general to the area in which the property is located because:
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:


Leane Heldenfels
Executive Liaison


Jeff Jack
Chairman

CASE# C15-2015-0061
ROW# 11327691
TAX# 0216040317

CITY OF AUSTIN
APPLICATION TO BOARD OF ADJUSTMENT
GENERAL VARIANCE/PARKING VARIANCE

#9

WARNING: Filing of this appeal stops all affected construction activity.

PLEASE: APPLICATION MUST BE TYPED WITH ALL REQUESTED
INFORMATION COMPLETED.

STREET ADDRESS: 106 Laurel Lane, Austin, Texas 78705

LEGAL DESCRIPTION: Subdivision: University Heights

Lot(s) 19 Block 1 Outlot 74 Division V

I/We Mary Ellen Borgelt on behalf of myself/ourselves as authorized agent for

Roger + Mary Ellen Borgelt affirm that on 3/17, 2015

hereby apply for a hearing before the Board of Adjustment for consideration to:

(check appropriate items below and state what portion of the Land Development
Code you are seeking a variance from)

 ERECT ATTACH COMPLETE REMODEL x MAINTAIN

Storage Shed at 106 Laurel Lane — architect-designed to scale and built to blend into landscape to block neighbor's ground floor garage apartment window which gives occupants view of our yard and bedroom window. In addition to major privacy concerns, Shed also closes off secondary security concerns of neighboring garage window's direct access to our small and intimate back yard.

in a residential district. SF-3-NCCD-NP(North University)
(zoning district)

NOTE: 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 support documents.

VARIANCE FINDINGS: I contend that my entitlement to the requested variance is based on the following findings (see page 5 of application for explanation of findings):

11/10

REASONABLE USE:

1. The zoning regulations applicable to the property do not allow for a reasonable use because:

Architect-designed back yard Storage Shed placed adjacent to Neighbor's Single-Story Garage is needed for privacy and storage but applicable setbacks (5 feet side yard, 10 feet rear yard) would put shed in the middle of our small back yard and defeat privacy concerns. Small back yard is typical of UT area neighborhood. Shed is built to size and scale of small back yard. Neighbor's Single-Story Garage is western boundary of our back yard. Current and historic use of Neighbor's Single-Story Garage as active ongoing apartment rental draws high traffic and constantly changing occupancies. Neighbor's full size ground floor Garage Window gives full viewing of our back yard as well as easy access. View also encompasses direct view into our master bedroom window. Neighbor's Garage Window thus ruins quiet enjoyment and privacy of our small back yard and is invasive of personal privacy as well. Neighbor RECENTLY ALSO INSTALLED A GATE INTO OUR BACK YARD (!!!) as part of new fence bordering property between us, which neighbor installed August 2014.

HARDSHIP:

2. (a) The hardship for which the variance is requested is unique to the property in that:

A small size backyard (typical for our UT area neighborhood) will not allow placement of a structure anywhere except in the middle of the yard, rendering the yard practically unusable for any other purpose. It would also defeat purpose of blocking neighboring view into our backyard and bedroom window, and access from unknown persons.

- (b) The hardship is not general to the area in which the property is located because:

It is not a general hardship specifically because of the nuisance and invasion of privacy caused by existence of ground floor window in neighbor's single-story garage apartment. Shed will allow us use of our backyard, which has been severely impaired by the placement of the window. We are not aware of this situation occurring anywhere else.

AREA CHARACTER:

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:

True and correct. Shed in side yard tucked esthetically beside/behind pecan tree blends into existing architecture and landscape and can be moved for temporary work on garage — such as repaintings. Placement of the shed outside the setbacks would be obnoxious and intrusive. It does not impair anyone else's use of their property and is unobtrusive as currently placed.

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 Section 479 of Chapter 25-6 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 reasonable require strict or literal interpretation and enforcement of the specific regulation because:

N/A

H/II

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:

H/12

3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

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.

APPLICANT CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed MaryEllen Borgelt Mail Address 106 Laurel Lane

City, State & Zip Austin, Texas 78705

Printed MARY ELLEN BORGETT Phone 512/560-4674 Date March 16, 2015

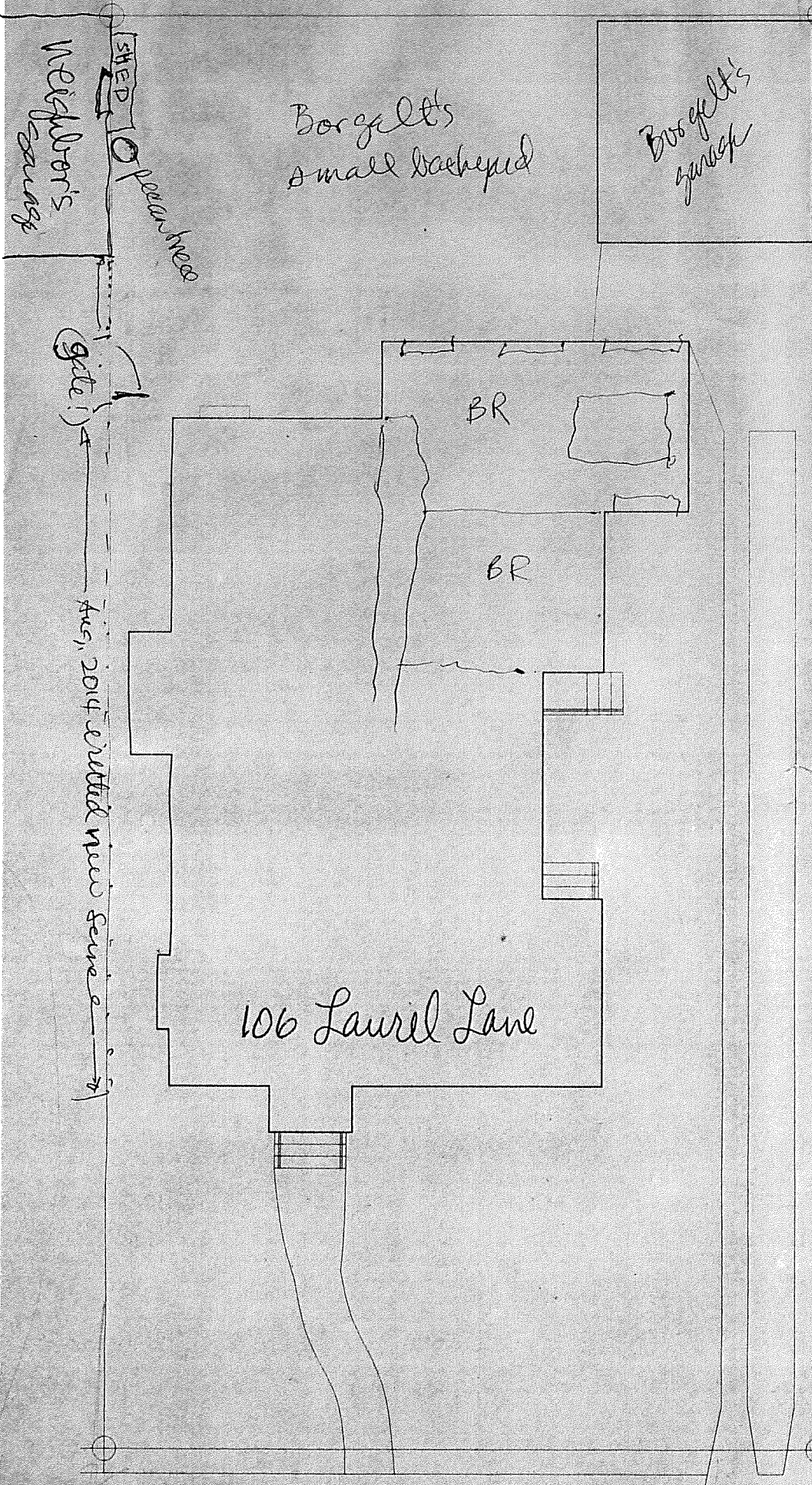
OWNERS CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed Robert Bonbely Mail Address 106 LAUREL LN

City, State & Zip AUSTIN TX 78705

Printed ROBERT BONBELY Phone 512-600-3467 Date 3/16/15

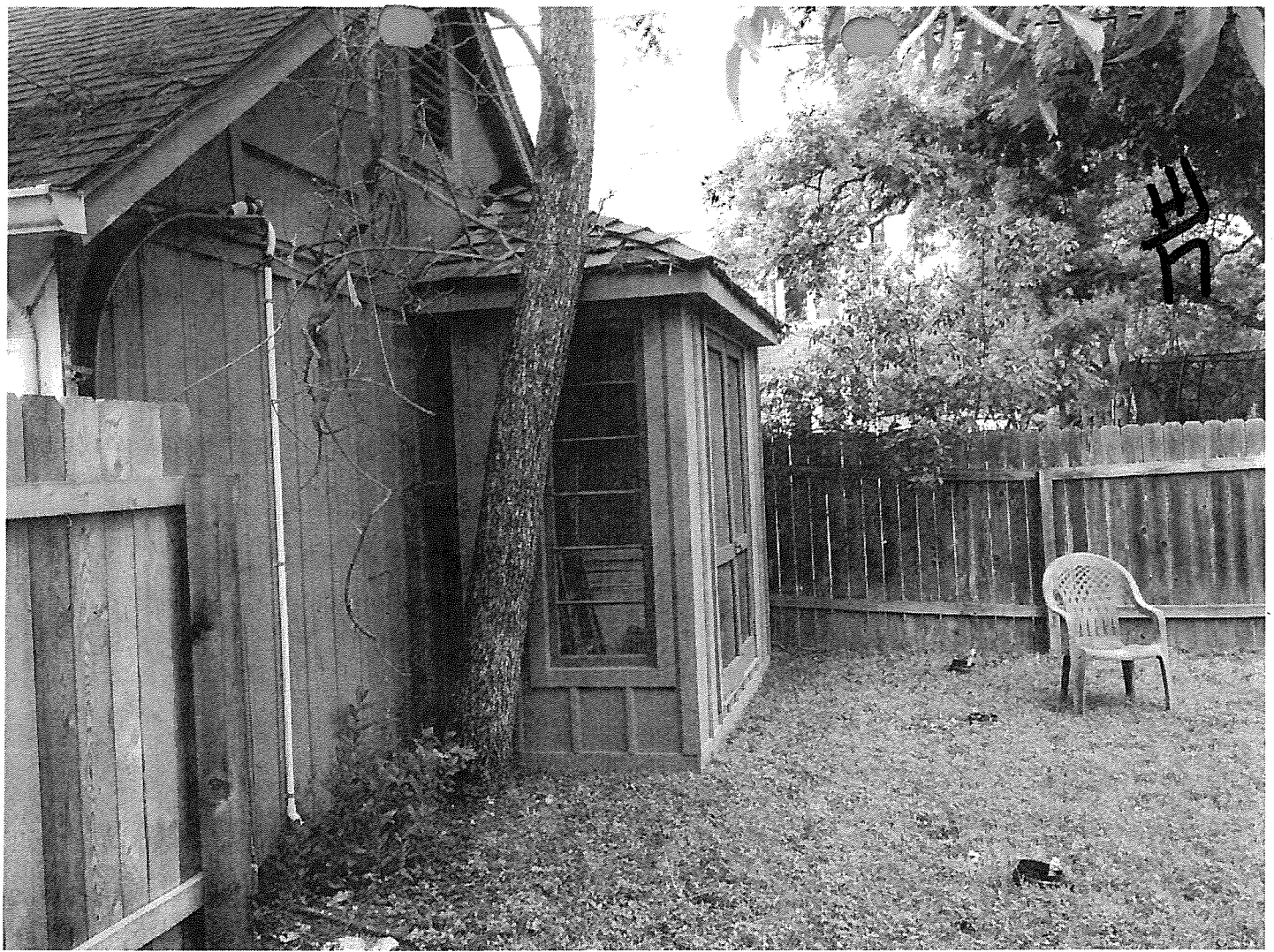
4/13











Heldenfels, Leane

From: Tim Larson [REDACTED]
Sent: Sunday, July 12, 2015 10:44 AM
To: Heldenfels, Leane
Subject: Comments Regarding Case Number: C15-2015-0061

HJ
18

Dear Board of Adjustment,

With regard to the request for reconsideration of case number C15-2015-0061 (106 Laurel Lane), it is unclear to me what new information has been provided to warrant reconsideration. As Board of Adjustment members previously noted, there are solutions to address the applicant's stated privacy concerns that do not require a code variance (e.g., fence, plantings). While I have no ill will towards the applicant and I hope their privacy concerns can be addressed, I am not supportive of a code variance to do so. I do not believe it is a fair precedent to set, as I indicated in my previous comments. Thank you for your consideration.

Best regards,
Tim Larson

107 W 32nd Street
Austin, TX 78705

Heldenfels, Leane

From: j.buttrey@cityofaustin.gov
Sent: Friday, July 10, 2015 10:28 AM
To: Heldenfels, Leane
Subject: Case Number C15-2015-0061, concerning 106 Laurel Lane, 78705

HJ
19

Dear Ms. Heldenfels,

My wife, Barbara and I have lived at 103 W. 33d Street since 5 June, 1965. Over the years we have come to appreciate the problems created by continual expanding and infilling in an area of such great demand and popularity as Aldridge Place. And we seldom raise voices of concern when minor adjustments to property relations can be effected without harming the comity of the neighborhood.

In this instance, however, we find that we must object to the petition to grant an exception or variance in the case of an act of blatant disregard for property lines, and rights and feelings of immediate neighbors.

Therefore we write to encourage the city to support those demanding that the offending structure be removed.

Thank you for your attention to this matter.

Jerrold Buttrey
Barbara Buttrey

103 W 33
Austin, TX 78705

512-476-0910



PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, **you are not required to attend.** However, if you do attend, you have the opportunity to speak **FOR** or **AGAINST** the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact person listed on a notice*); or
- appearing and speaking for the record at the public hearing; and:
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: www.austintexas.gov/devservices

Written comments must be submitted to the contact person listed on the notice before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice. All comments received will become part of the public record of this case.

Case Number: C15-2015-0061, 106 Laurel Lane

Contact: Leane Heldenfels, 512-974-2202, leaneheldenfels@austintexas.gov
Public Hearing: Board of Adjustment, July 13th, 2015

Hsien-Hwa S Yuan & Cindy S. Yuan
Your Name (please print)

☐ I am in favor
☒ I object

3115 Helms Street, Unit 304, Austin TX
Your address(es) affected by this application

Mei-Shan & Yuan, Cindy Yuan 7/8/2015
Signature Date

Daytime Telephone: 713-376-6810

Comments: All building should observe the building regulations and codes. No exception should be given.

If you use this form to comment, it may be returned by noon the day of the hearing to (comments received after noon may not be seen by the Board at this meeting):

City of Austin-Development Services Department/ 1st Floor

Leane Heldenfels

P. O. Box 1088

Austin, TX 78767-1088

Fax: (512) 974-6305

Scan & Email to: leaneheldenfels@austintexas.gov

Heldenfels, Leane

From: Margaret Sides [REDACTED]
Sent: Tuesday, July 07, 2015 5:42 AM
To: Heldenfels, Leane
Cc: Rob Sides; Michelle Williams
Subject: Re: 106 Laurel Lane Case No: C15-2015-0061 - July 13 hearing

41
21

Ms. Heldenfels,

I am appointing Michelle Williams to represent my interests in the above matter and any others regarding my property at 108 Laurel Ln. At this point it seems Ms. Williams will be able to attend the July BOA meeting.

Thank you.

Margaret B Sides

On Mon, Jul 6, 2015 at 2:43 PM, Heldenfels, Leane <Leane.Heldenfels@austintexas.gov> wrote:

Received your comments and will include them in the Board's late back up packet that they get on the dais at next Monday's meeting. I will print out your email as well.

Thanks for sending them in –

Leane Heldenfels

Board of Adjustment Liaison


City of Austin

Ps haven't heard from the attorney if you can request postponement of a reconsideration request yet – but this is clear that you'd prefer they postpone any action until August 10th meeting. I'll forward any info attorney sends.

From: Margaret Sides [mailto:msides@cityofaustin.com]
Sent: Saturday, July 04, 2015 1:52 PM
To: Heldenfels, Leane
Subject: 106 Laurel Lane Case No: C15-2015-0061 - July 13 hearing

Ms. Heldenfels,

Heldenfels, Leane

From: Rob Sides 
Sent: Saturday, July 04, 2015 1:36 PM
To: Heldenfels, Leane
Subject: Case No: C15-2015-0061, 106 Laurel Lane - OBJECTION
Attachments: BOA Object C15-2015-0061 July 13.pdf

HI
22

Attached is my comment form with Objection. As we will be out of town for the scheduled July 13 Public Hearing, should the Board of Adjustment decide there is sufficient new evidence to reconsider the case, I respectfully request that the deliberation for that reconsideration be postponed to the August meeting, as we will be back in Austin during that period.

Thank you.

Rob Sides
rob.sides@gmail.com

512-666-9911 o & txt
512-217-8617 c
512-532-6800 f

5/13

PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed application. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice will be sent.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact person listed on a notice*); or
- appearing and speaking for the record at the public hearing;
- and:
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: www.austintexas.gov/development.

Written comments must be submitted to the contact person listed on the notice before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice. Any comments received will become part of the public record of this case.

Case Number: C15-2015-0061, 106 Laurel Lane

Contact: Leane Heldenfels, 512-974-2202, leaneheldenfels@austintexas.gov

Public Hearing: Board of Adjustment, May 11th, 2015

Rob Sides

Your Name (please print)

108 LAUREL LN, AUSTIN, TX 78705

Your address(es) affected by this application

[Signature]

Signature

5-9-15

Date

Daytime Telephone: 512-666-7911

Comments: Variance application does not meet basic requirements; Variance findings do not provide evidence to support request; we have serious concerns regarding issues of health + safety not addressed by request; Maintenance + repair of our adjoining structure will be hindered; Alternative solutions are readily available to meet requestors needs; Approval would set bad precedent for neighborhood.

Note: any comments received will become part of the public record of this case

If you use this form to comment, it may be returned to:

City of Austin-Planning & Development Review Department/ 1st Floor
Leane Heldenfels

P. O. Box 1088

Austin, TX 78767-1088

Or fax to (512) 974-6305

Or scan and email to leaneheldenfels@austintexas.gov

☐ I am in favor
☒ I object

4/24

HARDSHIP: Criteria to establish hardship have not been met.

(a) There are alternatives to create privacy (landscaping, etc.) and other areas of yard for storage, i.e., shed could be placed next to THEIR garage without need for variance. To my knowledge in the years since my wife acquired our property around 1996 there have been no incidents of 'access from unknown persons'

(b) It is in fact NOT a unique hardship. Ground floor Garage Windows with full view of adjoining yards is not uncharacteristic of the area, as there are two such windows on a Garage apartment to the North of us that open in a similar fashion onto our back yard. Ms. Borgelt could have readily observed that during her uninvited intrusions into our backyard.

AREA CHARACTER: Once again, FALSE and inaccurate, as the current placement blocking the bedroom window of our garage apartment is an impairment on several levels:

- patently obtrusive with regard to its placement over the property boundary line as it takes adverse possession of part of our yard, and creates a title issue that will affect the value of the property should we want to sell.
- makes that part of our structure completely inaccessible for maintenance and repairs.
- a deterrent to prospective tenants for health and safety reasons, blocking light and air, creating a space for vermin, and preventing a safe escape in the event of fire or other such emergency.
- there are alternatives for placement that would respect Code delineated setbacks.

Heldenfels, Leane

#1
25

From: Margaret Sides [REDACTED]
Sent: Saturday, July 04, 2015 1:52 PM
To: Heldenfels, Leane
Subject: 106 Laurel Lane Case No: C15-2015-0061 - July 13 hearing
Attachments: C15-2015-0061 Object July 13 mbs.pdf

Ms. Heldenfels,

Please find attached herewith my signed Comments Form with my Objection to the request for Reconsideration of the Variance.

As I will be out of the country when the July hearing takes place, and have yet to identify an available, suitable representative, I would like to request that, if the Board decides the reconsideration has merit, any deliberations on that be postponed until the August Hearing date when I will be back in Austin.

Thank you.

Sincerely,

Margaret B. Sides
108 Laurel Ln
Austin, TX 78705
512-923-3443

7/2

PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern *(it may be delivered to the contact person listed on a notice);* or
- appearing and speaking for the record at the public hearing; and:
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: www.austintexas.gov/devservices

Written comments must be submitted to the contact person listed on the notice before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice. All comments received will become part of the public record of this case.

Case Number: C15-2015-0061, 106 Laurel Lane

Contact: Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov

Public Hearing: Board of Adjustment, July 13th, 2015

Margaret B Sides

Your Name (please print)

I am in favor
of this object

108 Laurel Ln, Austin, 78705

Your address(es) affected by this application

Margaret B Sides 7/14/15

Signature

Date

Daytime Telephone: 512-923-3443

Comments:

SETS BAD PRECEDENT FOR NEIGHBORHOOD
FLAGRANT CODE VIOLATION
CREATES HEALTH & SAFETY ISSUES
DIFFERENT REMEDIES COULD RESOLVE
PRIVACY CONCERNS

If you use this form to comment, it may be returned by noon the day of the hearing to (comments received after noon may not be seen by the Board at this meeting):

City of Austin-Development Services Department/ 1st Floor

Leane Heldenfels

P. O. Box 1088

Austin, TX 78767-1088

Fax: (512) 974-6305

Scan & Email to: leane.heldenfels@austintexas.gov

PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, **you are not required to attend.** However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact person listed on a notice*); or
 - appearing and speaking for the record at the public hearing;
- and:
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
 - is the record owner of property within 500 feet of the subject property or proposed development; or
 - is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: www.austintexas.gov/devservices

Written comments must be submitted to the contact person listed on the notice before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice. All comments received will become part of the public record of this case.

Case Number: C15-2015-0061, 106 Laurel Lane

Contact: Leane Heldenfels, 512-974-2202, leaneheldenfels@austintexas.gov

Public Hearing: Board of Adjustment, July 13th, 2015

Rob Sides
Your Name (please print)

☒ I am in favor of the subject

108 LAUREL LN
Your address(es) affected by this application

[Signature]
Signature

7-3-15
Date

Daytime Telephone: *512-666-8811*

Comments: *Health & Safety issues still not addressed; Alternative remedies for applicants' privacy & security readily available; Sets a bad precedent for neighborhood. Failure to acknowledge & respond to environmental noted on legitimate survey demonstrates lack of concern for neighborhood well-being.*

If you use this form to comment, it may be returned by noon the day of the hearing to (comments received after noon may not be seen by the Board at this meeting):

City of Austin-Development Services Department/ 1st Floor

Leane Heldenfels

P. O. Box 1088

Austin, TX 78767-1088

Fax: (512) 974-6305

Scan & Email to: leaneheldenfels@austintexas.gov

Heldenfels, Leane

H1
28

From: Rob Sides [redacted]
Sent: Tuesday, June 30, 2015 12:50 PM
To: Heldenfels, Leane
Subject: Re: Case Number: C15-2015-0061, 106 Laurel Lane - OBJECTION: Postponed

Leane,

Thanks for all of the navigation to the video clip - I never would have found it otherwise! I see it is also now posted on your Agenda site.

We are yet again out of town and may not receive the Reconsideration notice, even at our DC address as we will be out of the country as of 7/4. Will that notice be posted somewhere online? Consequently, we will not be able to attend the July meeting, as we do not return to Austin until later in July. Would it be possible for us to request a postponement to the August meeting so that we may be present for the hearing? If so, please advise as to the procedure for that. If not, I will try to find a representative, but have been frustrated in that effort thus far as so many others are taking vacation during that time!

Thanks,

Rob

On Jun 25, 2015, at 11:11 AM, Heldenfels, Leane <Leane.Heldenfels@austintexas.gov> wrote:

Hi Rob – the applicant did request reconsideration that will be heard at the Board's 7/13 hearing – we haven't updated Amanda (Board secretary out this week), but you will be receiving the Reconsideration notice to be mailed next TH.

I think the video is normally posted by our Secretary, again she's out this week – but I will forward to her to do so when she returns.

In the interim, you can find the video at:

Austintexas.gov, click on media graphic at top of page, click on ATXN graphic at lower left of page, open archives, open Planning tab, view 6/8 hearing – it lets you skip over to just listen to/watch this case.

Take care,
Leane

From: Rob Sides [mailto:rob.sides@gmail.com]
Sent: Tuesday, June 23, 2015 4:05 PM
To: Heldenfels, Leane
Subject: Re: Case Number: C15-2015-0061, 106 Laurel Lane - OBJECTION: Postponed

Leane,

I noticed the database has been updated with the variance denial, and it is my understanding that the period for reconsideration has passed. The structure has yet to be moved. Is our next step to re-engage with the Code Investigator?

Also, past BOA meetings have posted video clips of the hearing, but none have been posted for the June hearing - coming soon?

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak **FOR** or **AGAINST** the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact person listed on a notice*); or
- appearing and speaking for the record at the public hearing; and:
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: www.austintexas.gov/devservices

Written comments must be submitted to the contact person listed on the notice before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice. All comments received will become part of the public record of this case.

Case Number: C15-2015-0061, 106 Laurel Lane

Contact: Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov

Public Hearing: Board of Adjustment, July 13th, 2015

Gail Estep and
Your Name (please print)

☐ I am in favor
☒ I object

114 E. 31st Street Unit 104, Austin, TX 78705
Your address(es) affected by this application

Gail Estep
Signature

[Signature]
Signature

6/13/15
Date

Daytime Telephone: 936-321-5515

Comments: I was surprised to receive this after a

denial determination was made, we are against this

variance as it would cause the buildings on this

lot to be right on top of their neighbors

thus lessening their enjoyment of their own property

property. Zero setback on the side yard and two

feet from the back would make this lot and their

neighbors feel like apartments and it is single family

homes. Please deny this again! This is meant to be

a home area - not with apartments feel. Help!

If you use this form to comment, it may be returned by noon the day

of the hearing to (comments received after noon may not be seen by

the Board at this meeting):

City of Austin-Development Services Department/ 1st Floor

Leane Heldenfels

P. O. Box 1088

Austin, TX 78767-1088

Fax: (512) 974-6305

Scan & Email to: leane.heldenfels@austintexas.gov

Heldenfels, Leane

Subject:

FW: Case Number: C15-2015-0061, 106 Laurel Lane - OBJECTION: Postponed

H1
30

From: Rob Sides [REDACTED]
Sent: Thursday, May 14, 2015 4:54 PM
To: Heldenfels, Leane
Subject: Re: Case Number: C15-2015-0061, 106 Laurel Lane - OBJECTION: Postponed

Thank you for your very considered and thorough response.

If it will be of any assistance to the assessment, I can provide some info on the rear setback of their shed, as it is close enough to measure from the back of my property and structure! My measurement from their shed to the rear fence is about 30", and from the back of their shed to the back of our structure is about 11", which may explain why they are requesting to "maintain" a 2' setback, though even that would require moving, not maintaining. An examination of the survey we provided for our property shows that rear fence North of the actual property line. If one uses the survey data that the back of our structure is 0.3" South of the boundary, then their shed would have to be moved for a 2' rear setback from the property line, not "maintained".

As the survey shows, our structure is only a little more than a foot to the West of the boundary, which, unfortunately was common placement for the period when these houses were built and is typical for the neighborhood. My wife bought the property in 1996 with that structure already in place and occupied by a tenant, so it is nothing new to the Applicants who have lived there just as long.

And to answer your other message, yes, you can print out our message below to shed some light on the timeline, as well as this one if you deem the information helpful.

Thanks again for working with us to help understand and navigate the process..

Rob & Margaret Sides

From: Rob Sides [REDACTED]
Sent: Wednesday, May 13, 2015 3:50 PM
To: Heldenfels, Leane
Subject: Case Number: C15-2015-0061, 106 Laurel Lane - OBJECTION: Postponed

Leane:

Needless to say, I was a bit thrown off by the "11th Hour" postponement of the hearing of our case during last Monday's hearing. Seems a bit disrespectful to the Board and staff that neither applicant could see fit to make it to the hearing or provide other representation.

Reviewing the RULES OF PROCEDURE FOR THE BOARD OF ADJUSTMENT AND SIGN REVIEW BOARD, the only item that appears to address this issue of postponement for failure to appear comes under ARTICLE 4., Section C. (6). Though this rule addresses failure to appear WITHOUT cause, I am wondering how many postponements may be requested with purported 'cause', especially at the last minute. Are there no limits? Perhaps there should be some rule that

an agent or other representative be required to be identified and available after the first instance of this sort of delay.

H/31

I don't know if this pattern is typical, but the delays in resolving this less than complex issue strike me as unnecessarily onerous. Here's a brief timeline which I offer by way of elucidating our frustration with the process:

12/23/14 - Service Request issued for Code Officer Inspection. This after many months of attempts to identify a mutual solution to the encroachment via e-mail exchanges with Applicants that resulted in no productive responses.

12/30/14 - Call with Code Officer confirming violation and notice given to Applicants.

1/7/15 - E-mail to Code Officer asking for update based on time frame for compliance.

1/8/15 - E-mail reply from Code Officer stating "The property owner at 106 Laurel Ln has submitted an application for a variance to the setback ordinance."

2/2/15 - Began e-mail thread with you to confirm application and date of hearing. No application had been submitted.

2/6/15 - Reply from Code Officer to my second inquiry as to status: "The agenda for the Feb hearing was full, so the property owner is scheduled to attend the March [9] hearing." - proved not to be the case.

3/17/15 - Date of Application to BOA for Variance.

And here we are. We have remained engaged in the process, waiting patiently for the 'wheels of justice' to grind slowly up to this point. In the meantime our concerns for the health and safety of our tenant and affected neighbors continues unresolved.


As we have some apprehension for future stalling tactics of this nature, and would prefer not to continue to waste time and resources of The Board and staff, The City of Austin and ourselves, might you be able to offer any suggestions as to how we could approach the Board with respect to a remedy? Are there procedures that we need to follow at the next hearing that would offer us any relief, i.e., can we introduce a motion of some sort that the Board could then consider acting upon to dismiss the Applicants' request? It just seems that the Rules of Procedure are structured to provide an unfair advantage to Applicants, with little to no recourse of a reasonable resolution for those that have serious Objections to the Variance Request.

Thank you for your consideration.

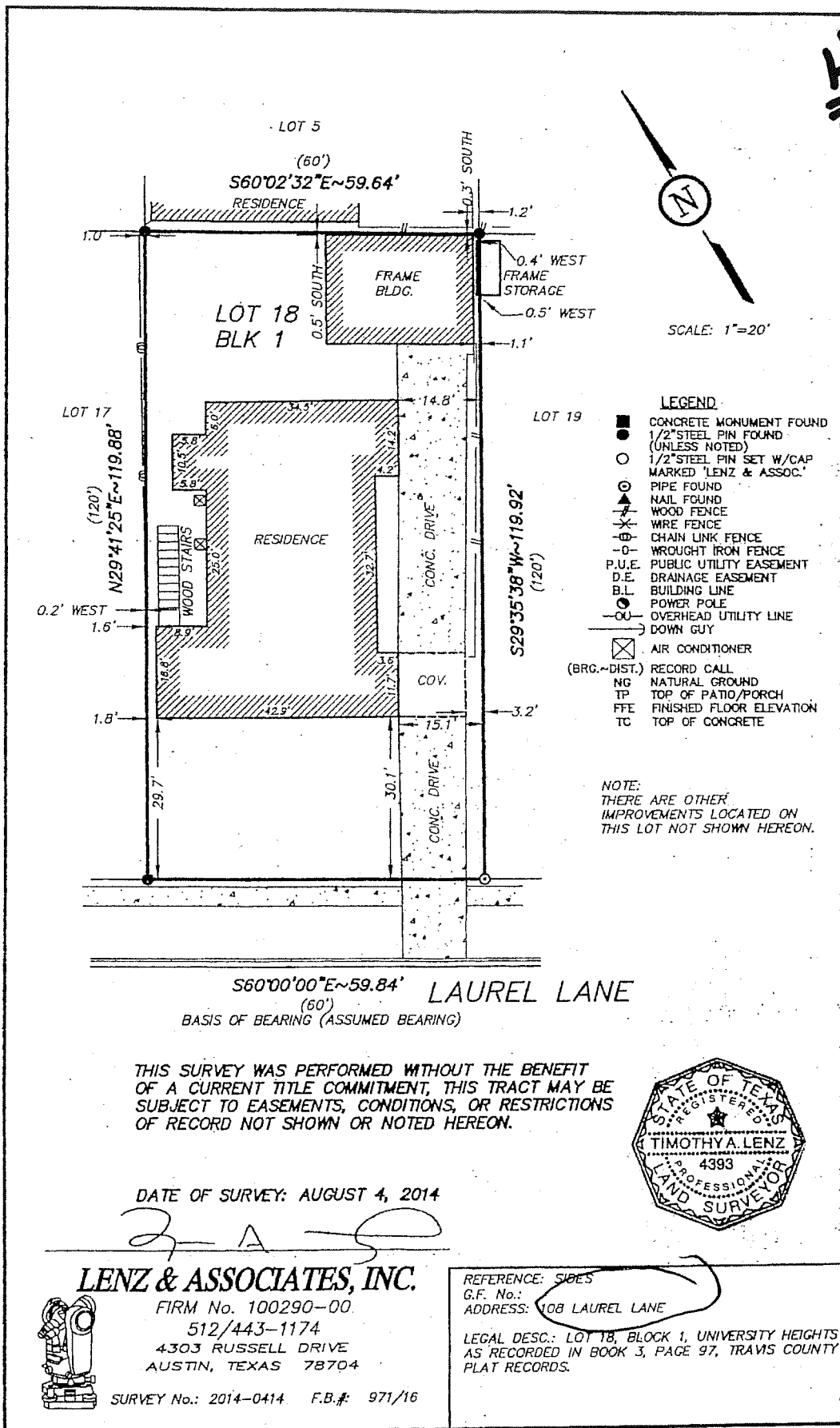
Sincerely,

Rob & Margaret Sides

Rob Sides


512-666-9911 o & txt
512-217-8617 c
512-532-6800 f

H1
32



Public Hearing: Board of Adjustment, May 11, 2015

Case Number: C15-2015-0061, 106 Laurel Lane

Contact: Leanne Heldenfels, 512-974-2202, Leanne.heldenfels@austintexas.gov

HJ
33

Comments from: Tim Larson, 107 W 32nd Street, Austin, TX 78705 – (206) 601-1644

Comments prepared and submitted on 5/7/2015.

(Continued from form)

Additional information related to the reasons for my objection to the proposed variance:

1. **Sets a bad precedent for the neighborhood.** Property set-back requirements have been established for important reasons as discussed below. I am concerned that approval of a variance request on the basis of hardship claims related to “privacy” or “small yard” excessively lowers the bar for variance requests and opens the door for other similar requests on these grounds throughout this historic neighborhood, rendering set-back requirements obsolete.
2. **Alternate solutions are available to address the requestor’s hardship needs and concerns.** Privacy can be accomplished through other means aside from structures approved under a variance. Trellises, plantings, fences, and other solutions can be used to address privacy concerns. Storage needs can be addressed in garages, structures with appropriate set-backs, off-site storage and other solutions.
3. **Proposal fails to address health and safety concerns.** Set-back requirements play an important role in addressing health and safety concerns, including reducing risks of fire spreading across structures, ensuring means of egress from windows in adjoining structures, preventing tight spaces between structures that can foster vermin, etc.
4. **Maintenance and repair of adjoining structures will be hindered.** Allowing variances that enable placement of structures very close to existing permitted and/or grandfathered structures will make it extremely difficult to address maintenance needs (e.g., window repair, painting, brick tuck pointing) that are important for safety and for enabling neighbors to maintain the value of their property assets.

PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak **FOR** or **AGAINST** the proposed application. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice will be sent.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact person listed on a notice*); or
- appearing and speaking for the record at the public hearing; and;
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: www.austintexas.gov/development.

Written comments must be submitted to the contact person listed on the notice before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice. Any comments received will become part of the public record of this case.

Case Number: C15-2015-0061, 106 Laurel Lane

Contact: Leane Heldenfels, 512-974-2202, leana.heldenfels@austintexas.gov

Public Hearing: Board of Adjustment, May 11th, 2015

Rob Sides

Your Name (please print)

108 LAUREL LN, AUSTIN, TX 78705

Your address(es) affected by this application

Rob Sides

Signature

Date

Daytime Telephone: 512-666-7911

Comments: Variance application does not meet basic requirements; Variance findings do not provide evidence to support request; we have serious concerns regarding issues of health + safety not addressed by request; Maintenance + repair of our adjoining structure will be hindered; Alternative solutions are readily available to meet requestors needs; Approval would set bad precedent for neighborhood.

Note: any comments received will become part of the public record of this case

If you use this form to comment, it may be returned to:

City of Austin-Planning & Development Review Department/ 1st Floor

Leane Heldenfels

P. O. Box 1088

Austin, TX 78767-1088

Or fax to (512) 974-6305

Or scan and email to leana.heldenfels@austintexas.gov

Heldenfels, Leane

From: Rob Sides [REDACTED]
Sent: Saturday, May 09, 2015 7:11 PM
To: Heldenfels, Leane
Subject: Comments on Case Number: C15-2015-0061, 106 Laurel Lane
Attachments: Laurel Ln Variance Submission.pdf; City Austin M Sides auth.pdf

HJ
35

Dear Leane,

I am a resident of 108 Laurel Lane and spouse of property owner Margaret Sides. Our property adjoins the above noted subject property. Thanks for your assistance thus far in helping us navigate the Board of Adjustment process. My wife is unable to attend Monday's hearing, so I have attached a note from her clarifying that I am to represent her interests. Per the attachments herewith we are filing our Objection to the Variance Request, along with additional comments and a recent survey of our property. I plan to attend the hearing to offer comments and answer any questions the Board may have of us in this matter.

Best,

Rob

Rob Sides
rob.sides@gmail.com

512-666-9911 o & txt
512-217-8617 c
512-532-6800 f

Heldenfels, Leane

From: Tim Larson <[REDACTED]>
Sent: Thursday, May 07, 2015 10:25 PM
To: Heldenfels, Leane
Subject: Comments on Case Number: C15-2015-0061, 106 Laurel Lane
Attachments: C15-2015-0061, 106 Laurel Lane_Comment_TimLarson.pdf

HJ
36

Dear Leane,

Thanks for your attention to the zoning issue at 106 Laurel Lane. I live at 107 W 32nd Street and recently received information about the public hearing on the issue. I can not attend the meeting but would like to submit comments. I scanned and attached the form included with the notice with my information, signature, and written comments, plus an additional attached page containing more detailed comments/rationale.

In sum, I object to the proposed variance. The structure violates code. I believe a variance is not only unnecessary but sets a dangerous precedent. The structure is too close to the property line and, thus, too close to existing structures on adjacent properties. Its location increases the risk of environmental, health, and safety issues. I am particularly concerned that the structure will affect drainage and the prospect of flooding in the area. I am also worried that its location increases the risk of fire spreading between properties and offers a hospitable home for vermin. Its proximity to the property line affects means of egress and maintenance on both it and adjacent properties. For all of these reasons, I object to the proposed variance. These and other comments are included on the attached form and documentation.

Please let me know if you have questions or if there is more information I can provide at this time.

Thank you,
Tim Larson



PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed application. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice will be sent.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact person listed on a notice*); or
 - appearing and speaking for the record at the public hearing;
- and:

- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: www.austintexas.gov/development.

Written comments must be submitted to the contact person listed on the notice before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice. Any comments received will become part of the public record of this case.

Case Number: C15-2015-0061, 106 Laurel Lane

Contact: Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov

Public Hearing: Board of Adjustment, May 11th, 2015

Tim Larson

Your Name (please print)

107 W 32nd Street, Austin, TX 78705

Your address(es) affected by this application

Tim Larson

Signature

5/7/2015

Date

Daytime Telephone: (202) 601-1644

Comments: I object to this proposed variance for the following reasons:

- Sets a bad precedent for the neighborhood
- Alternate solutions are available to address the requestor's "hardship" needs and concerns
- Proposal fails to address health + safety concerns
- Maintenance and repair of adjoining structure will be hindered. (continued ->)

Note: any comments received will become part of the public record of this case

If you use this form to comment, it may be returned to:

City of Austin-Planning & Development Review Department/ 1st Floor

Leane Heldenfels

P. O. Box 1088

Austin, TX 78767-1088

Or fax to (512) 974-6305

Or scan and email to leane.heldenfels@austintexas.gov

☐ I am in favor
☒ I object

1518 PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, **you are not required to attend.** However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed application. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice will be sent.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact person listed on a notice*); or
- appearing and speaking for the record at the public hearing; and:
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: www.austintexas.gov/development.

Written comments must be submitted to the contact person listed on the notice before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice. Any comments received will become part of the public record of this case.

Case Number: C15-2015-0061, 106 Laurel Lane

Contact: Leane Heldenfels, 512-974-2202, leana.heldenfels@austintexas.gov
Public Hearing: Board of Adjustment, May 11th, 2015

Betty Pettit

Your Name (please print)

107 W. 32nd St.

Your address(es) affected by this application

Leane Heldenfels

Signature

Date

Daytime Telephone: 206 779 9400

5/7/2015

☐ I am in favor
☒ I object

Comments: The structure violates code.

A variance is unnecessary and sets a terrible precedent. The structure is too close to existing structures on adjacent properties and thus is an environmental health and safety risk. I object to the proposed variance.

Note: any comments received will become part of the public record of this case

If you use this form to comment, it may be returned to:

City of Austin-Planning & Development Review Department/ 1st Floor
Leane Heldenfels
P. O. Box 1088

Austin, TX 78767-1088 about how the structure increases
Or fax to (512) 974-6305 risk of flood, fire, and
Or scan and email to leana.heldenfels@austintexas.gov very m/n.

Proximity to the property line affects means of access and maintenance.

Heldenfels, Leane

From: Becky Pettit [REDACTED]
Sent: Thursday, May 07, 2015 9:52 AM
To: Heldenfels, Leane
Cc: Tim Larson
Subject: Comments on Case Number: C15-2015-0061, 106 Laurel Lane
Attachments: 106_permit.pdf

4/31

Dear Leane,

Thanks for your attention to the zoning issue at 106 Laurel Lane. I live at 107 W. 32nd St. and recently received information about the public hearing on the issue. I can not attend the meeting but would like to submit a comment. I scanned and attached the form included with the notice with my information, signature, and written comments.

In sum, I object to the proposed variance. The structure violates code. I believe a variance is not only unnecessary but sets a dangerous precedent. The structure is too close to the property line and, thus, too close to existing structures on adjacent properties.

Its location increases the risk of environmental, health, and safety issues. I am particularly concerned that the structure will affect drainage and the prospect of flooding in the area. I am also worried that its location increases the risk of fire spreading between properties and offers a hospitable home for vermin. Its proximity to the property line affects means of egress and maintenance on both it and adjacent properties. For all of these reasons, I object to the proposed variance.

Please let me know if you have questions or if there is more information I can provide at this time.

Becky Pettit
206-779-9420

5/13

PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, **you are not required to attend**. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed application. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice will be sent.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact person listed on a notice*); or
- appearing and speaking for the record at the public hearing; and:

- occupies a primary residence that is within 500 feet of the subject property or proposed development;

- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: www.austintexas.gov/development.

Written comments must be submitted to the contact person listed on the notice before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice. Any comments received will become part of the public record of this case.

Case Number: C15-2015-0061, 106 Laurel Lane

Contact: Leane Heldenfels, 512-974-2202, leana.heldenfels@austintexas.gov
Public Hearing: Board of Adjustment, May 11th, 2015

Spiraslo, Pallas

Your Name (please print)

201 West 33 St Austin TX 78705

Your address(es) affected by this application

Signature

Date

Daytime Telephone: 703 521 5555

Comments: I object to the variance

☐ I am in favor
☒ I object

Note: any comments received will become part of the public record of this case

If you use this form to comment, it may be returned to:

City of Austin-Planning & Development Review Department/ 1st Floor
Leane Heldenfels

P. O. Box 1088

Austin, TX 78767-1088

Or fax to (512) 974-6305