

## 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 website:

**[www.austintexas.gov/department/development-services](http://www.austintexas.gov/department/development-services)**

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: C15-2017-0045, 2017 E. 11<sup>th</sup> Street**

**Contact:** Leane Heldenfels, 512-974-2202, [leana.heldenfels@austintexas.gov](mailto:leana.heldenfels@austintexas.gov)

**Public Hearing: Board of Adjustment, October 9, 2017**

TORRY Scott

Your Name (please print)

1910 E 11<sup>th</sup> St. Austin, TX 78702

Your address(es) affected by this application

T. Scott

Signature

10/2/17

Date

Daytime Telephone: (512) 633-4422

☐ I am in favor  
☒ I object

Comments:

LOTS ARE TOO SMALL FOR MULTI FAMILY OR MULTIPLE STRUCTURES. IF ANY ARE TURNED INTO SHORT-TERM RENTALS, INCREASED TRAFFIC AND USE REDUCES THE NEIGHBORHOOD'S CHARACTER.

**Comments must be submitted by 10am the day of the hearing to be seen by the Board at this hearing. They may be sent via:**

**Mail:** City of Austin-Development Services Department/ 1st Floor  
Leane Heldenfels  
P. O. Box 1088  
Austin, TX 78767-1088

(Note: mailed comments must be postmarked by the Wed prior to the hearing to be received in time for this hearing)

**Fax:** (512) 974-6305

**Email:** [leana.heldenfels@austintexas.gov](mailto:leana.heldenfels@austintexas.gov)

## GOMEZ &amp; COMPANY

CERTIFIED PUBLIC ACCOUNTANTS  
5177 RICHMOND AVE. SUITE 1100  
HOUSTON, TX 77056  
TEL : (713) 666-5900  
FAX : (713) 666-1049

# FAX

To: Leane Heldenfels

From: Benjamin Gomez.

Company: City of Austin Development Services Dep.

Date: 10/2/17

Fax Number: (512) 974-6305

Number of Pages, Including  
Cover: 3

Phone Number:

Sender's Phone Number: 713-666-5900

Re: C15-2017-0045, 2017 E. 11<sup>th</sup> street

Sender's Fax Number: 713-666-1049

☐ Urgent☐ For Review☐ Please Comment☐ Please Reply☐ Please Recycle

Comments:

[Type comments]

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**Case Number:** C15-2017-0045, 2017 E. 11<sup>th</sup> Street

**Contact:** Leane Heldenfels, 512-974-2202, [leaneheldenfels@austintexas.gov](mailto:leaneheldenfels@austintexas.gov)

**Public Hearing:** Board of Adjustment, October 9, 2017

*Benjamin P. Gomez*  
Your Name (please print)

2208 E. 9th Austin

Your address(es) affected by this application

Signature

Date

Daytime Telephone:

~~713-858-4080~~ 713-858-4080

Comments:

*This is a single family residence area and I object to the variance for a two-family residence*

☐ I am in favor  
☒ I object

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Leane Heldenfels

P. O. Box 1088

Austin, TX 78767-1088

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# NOTICE OF PUBLIC HEARING LAND DEVELOPMENT CODE VARIANCE

## RENOTIFICATION

Este aviso es para informarle que hemos recibido una solicitud para una varianza dentro de una distancia de 500 pies de su propiedad. Si usted desea recibir información en español, por favor llame al (512) 974-2193.

**Mailing Date:** September 28, 2017

**Case Number:** C15-2017-0045

Please be advised that the City of Austin has received an application for a variance from the Land Development Code.

<b>Applicant:</b>	Guillermo Sach Sanchez, (512) 701-8868
<b>Owner:</b>	Same
<b>Address:</b>	2017 E 11TH ST

**Variance Request(s):** The applicant has requested variance(s) to Section 25-2-774 (*Two-Family Residential Use*) (B) to decrease the minimum lot area from 5,750 square feet (required) to 5,588 square feet (requested/existing) in order to permit a second dwelling unit in a "SF-3-NP", Family Residence – Neighborhood Plan zoning district. (Central East

This application is scheduled to be heard by the **Board of Adjustment** on **Monday October 9, 2017**. The meeting will be held at **City Hall**, 1<sup>st</sup> floor, 301 West 2<sup>nd</sup> Street beginning at **5:30 PM**.

**You are being mailed this notice** because City Ordinance requires that **all property owners and utility account holders within 500 feet of the proposed development** and affected neighborhood organizations **be notified** when an application is scheduled for a **public hearing**.

**You are not required to respond to this notice**, however if you have any questions concerning this application, please contact **Leane Heldenfels of the Development Services Department at 512-974-2202 or [leana.heldenfels@austintexas.gov](mailto:leana.heldenfels@austintexas.gov)** and refer to the Case Number at the top right of this notice.

You may also find **additional information submitted by the applicant** on this case at the **Public Search** page of our website:

**<https://www.austintexas.gov/department/development-services>**

At this page click on **Public Search**, then input the case number or case address and click submit. Then open the BA case and scroll down to attachments and find the information submitted there.

**If you do wish to respond to this notice** please follow instructions provided on the following page.

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**From:** [REDACTED]  
**Subject:** Case C15-2017-0045  
**Date:** Tuesday, October 03, 2017 12:03:51 PM

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Hi Leane,

I'm writing again in regards to case C15-2017-0045. My name is Nick Lomonte and I live at 1006 Prospect Ave, directly adjacent to the location of the proposed second dwelling at 2017 E 11th (we share a fence).

I see that there is to be another hearing on Oct 9th. As before I will be unable to attend, so again I would like to voice my concerns via email.

I am strongly AGAINST this application for the following reasons:

- 1) Noise. I understand this new building is to be used as an STR. The location is right outside my bedroom windows, and due to the elevation difference in our yards the unit will tower over the 6ft fence separating us leaving no barrier for sound. I imagine this will be especially bad during the festival season and SXSW, given our location.
- 2) Privacy. As I mentioned before, my back yard is considerably lower in elevation than theirs, making it easy to look right over the 6ft cedar fence. I understand this construction is to be a 2-story garage apartment, meaning any last bit of privacy I had in my back yard will be completely gone.
- 3) Property value. Being right next to an STR will likely have a negative impact on mine.

I strongly urge the board to disapprove this application.

Thank you,

Nick Lomonte  
1006 Prospect Ave, Austin TX 78702  
[512.363.8153](tel:512.363.8153)



October 9, 2017

**Re: C15-2017-0045/Item L4**

Dear Chair Burkhardt, Vice Chair Hawthorne and Board of Adjustment,

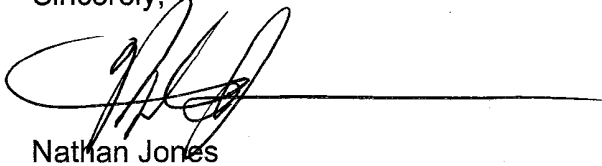
The Organization of Central East Austin Neighborhoods voted unanimously at our September meeting to support variance to minimum lot size to permit an accessory dwelling unit at 2017 East 11th Street, with the following conditions and qualifications.

1. OCEAN does not generally support variances to minimum lot size because most areas of Central East adopted infill tools that already reduce minimum lot sizes to allow for greater residential density, but we do so in this case because it is located in Blackshear-Prospect Hills, which did not adopt granny flats and urban homes;
2. Blackshear-Prospect Hill Neighborhood Association supports this variance for a longtime resident that will enable him to reside in the new unit and rent the existing home on the property at relatively affordable rates;
3. These outcomes are consistent with the goals and priorities of the Central East Austin Neighborhood Plan; and
4. The owner agrees to prohibit short-term rental (STR) use of either structure on the property for a period of twenty years via a restrictive covenant, to run with the land.

OCEAN is unable to enter into a private restrictive covenant with the property owner but respectfully urges you to please make your approval of this variance contingent upon a public restrictive covenant limiting STR use of the property for a period of twenty years. Absent this restriction, we do not support the variance and believe this case will set a city-wide precedent that encourages additional land consumption for STRs rather than housing.

Thank you for your consideration of our concerns and for your service to Austin.

Sincerely,

A handwritten signature in black ink, appearing to read 'Nathan Jones', is written over a horizontal line.

Nathan Jones

Organization of Central East Austin Neighborhoods, President