

## PUBLIC HEARING INFORMATION

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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;
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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)

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**Case Number:** C15-2018-0051, 4704 Colorado Crossing

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

**Public Hearing:** Board of Adjustment, Monday January 14, 2019

Lauree Moffett

Your Name (please print)

☐ I am in favor  
☒ I object

5201 & 5203 Tortuga Trail, Austin, TX 78731

Your address(es) affected by this application

*Lauree Moffett*  
Signature

Jan 11, 2019

Date

Daytime Telephone: (512) 567-2968

Comments:

1. I am the owner of the property within 500' since 8/15/18. I have not yet moved into the property.
2. Because I was not getting my mail there and I was not the TCAD record owner I asked my lawyer to notify the City of my concerns and request notification through attorney.
3. No notice was sent to adjacent owner through attorney despite written request to Secretary of the Board.
4. Variance request is to enlarge a non-conforming use that, as used by the Association, has created a private nuisance and promoted acts of criminal mischief.
5. If granted, variance should include conditions that will protect the privacy of both parties and prevent incidents of criminal mischief.

**Comments must be returned by 10am the day of the hearing for the Board to see them at this hearing, you may send them 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 Wednesday prior to the hearing for the Board to see them at this hearing)

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**Case Number:** C15-2018-0051, 4704 Colorado Crossing

**Contact:** Leane Heldenfels, 512-974-2202, [leane.heldenfels@austintexas.gov](mailto:leane.heldenfels@austintexas.gov)  
**Public Hearing:** Board of Adjustment, Monday January 14, 2019

Brian Hogg

Your Name (please print)

5402 Odessa Lane 78731

Your address(es) affected by this application

*[Signature]*

Signature

Date

Daytime Telephone: 415-690-6715

Comments:

We are fully supportive of Mr Beth and Mr Savage

Thank you!

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LATE BACKUP

Q-2/82



# LATE BACKUP

# Q-2/83

## NOTICE OF PUBLIC HEARING LAND DEVELOPMENT CODE VARIANCE

### RECONSIDERATION

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:** January 3, 2019

**Case Number:** C15-2018-0051

Please be advised that the City of Austin has received a request for Reconsideration of a recent decision made by the Board of Adjustment regarding a variance from the Land Development Code for this property.

<b>Applicant:</b>	Terry Roth, (512) 537-2742
<b>Owner:</b>	John Savage, MBSCC HOA, (512) 453-7044
<b>Address:</b>	4704 COLORADO XING

**Variance Request(s):** The applicant has requested variance(s) from Section 25-2-1176 (*Site Development Regulations for Docks, Marinas, and Other Lakefront Uses*) (A) (1) to increase the dock length 30 feet (required) to 39.4 feet (requested, existing) in order to reconstruct a neighborhood association day boat and swim dock in an "LA" Lake Austin Residence zoning district.

This application is scheduled to be heard by the **Board of Adjustment** on **Monday January 14, 2019**. The meeting will be held at City Council Chambers, 301 West 2<sup>nd</sup> Street **beginning at 5:30 PM**.

*\*To see where on the agenda/when this item will be heard, on the **Friday prior to the hearing** go to the **Board's website** (start at [www.austintexas.gov](http://www.austintexas.gov), then click on government, then click on Boards and Commissions, then highlight Board of Adjustment and click on view website, then click on Agendas) and find this hearing agenda/case order there. The Board will vote on postponement and withdraw requests at the beginning of the hearing, as close to 5:30pm possible.*

**You are being sent 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 information on this case at our website:  
<https://www.austintexas.gov/departmentservices>

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

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**Public Hearing:** Board of Adjustment, Monday January 14, 2019

Michael Brian Davis

*Your Name (please print)*

☐ I am in favor  
☒ I object

5205 Tortuga Trail, Austin Texas 78731

*Your address(es) affected by this application*



*Signature*

January 11, 2019

Daytime Telephone: (214) 718-1144

Comments: Public dock is unsecured and people have been using it as an access point to trespass on our property. We have not been able to discern if they are HOA members or not, but we are certain that this dock is the access point.

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Leane Heldenfels

P. O. Box 1088

Austin, TX 78767-1088

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

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

LATE BACKUP

Q-2/84

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**From:** [REDACTED]  
**Sent:** Friday, January 11, 2019 8:20 PM  
**To:** Heldenfels, Leane <Leane.Heldenfels@austintexas.gov>  
**Subject:** Case Number: C15-2018-0051, 4704 Colorado Crossing

Public Hearing: Board of Adjustment, Monday Jan 14, 2019  
Case Number: C15-2018-0051, 4704 Colorado Crossing  
Leane Heldenfels

Dear Ms Heldenfels,

I am in favor of granting the variance.

The Commission should note the following:

- The dock has been in this location for > 25 years. The home next to the dock was constructed within the past three years. Thus, the builder and the new owner knew of the Home Owners Association (HOA) dock's location. When the previous structure was razed, the pool was moved from the middle of the lot to the side of the lot closest to the HOA dock. Thus, the pool was moved toward the dock and not vice versa.
- The power lines crossing Lake Austin are not above the HOA dock. They cross over the home between its pool and unfinished dock.

Sincerely,

Jackie Gardner  
4612 Colorado Crossing, Austin, Texas 78731



LATE BACKUP

Q-2/86



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**From:** [REDACTED]  
**Sent:** Friday, January 11, 2019 10:36 PM  
**To:** Heldenfels, Leane <Leane.Heldenfels@austintexas.gov>  
**Cc:** [REDACTED]  
**Subject:** Fwd: 4704 Colorado Xing boat dock correction reconsideration

Please see my neighbor's comments!  
Laurée

**From:** Mike Davis [REDACTED]  
**Date:** January 11, 2019 at 8:12:02 PM  
**To:** Lauree Z Moffett [REDACTED]

Lauree –

See attached. Please forward to your lawyers and use as you see fit.

In the example referenced, two (2) individuals came across your property, ran down the easement, and when they saw me turned and jumped into water and swam back to dock to escape. Dock needs to go away – not expand.



**Mike Davis**  
Lucky Mountain Ranch  
Cell :: 214-718-1144  
Email :: [REDACTED]



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-----Original Message-----

From: Carrell Grigsby [REDACTED]  
Sent: Monday, January 14, 2019 11:05 AM  
To: Heldenfels, Leane <Leane.Heldenfels@austintexas.gov>  
Subject: HOA dock

This is so state my strong support for our HOA dock plan Case C15-2018-0051, 4704 Colorado Crossing. I was president of the HOA When we built it in the mid 80's and it has been a neighborhood treasure all these years. It is particularly offensive that Ms. Moffett is trying to take it away for her personal satisfaction and is telling untrue stories. There have been dead birds on her property periodically for decades, from the power lines. I am an avid birder and observed this personally. That Ms. Moffett thinks one of our neighbors put them there is a good example of absurdity.

Please let us keep and restore our treasured swim dock.  
Thank you,  
Carrell Grigsby  
5407 Odessa Lane  
Mt. Bonnell Shores/Colorado Crossing HOA resident

Sent from my iPad



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**From:** Lauree Z Moffett [REDACTED]  
**Sent:** Sunday, January 13, 2019 1:20 PM  
**To:** Courtney Mogonye [REDACTED] Heldenfels, Leane  
<Leane.Heldenfels@austintexas.gov>  
**Subject:** Fwd: case number CF 2018-0051

Below is an email from my neighbor Larry Hurlbert!

Laurée  
Sent from my iPhone

Begin forwarded message:

**From:** Larry Hurlbert [REDACTED]  
**Date:** January 13, 2019 at 12:56:51 PM CST  
**To:** [leane.heldenfels@austintexas.gov](mailto:leane.heldenfels@austintexas.gov)  
**Cc:** [REDACTED]  
**Subject:** Re: case number CF 2018-0051

final send to correct address errors.

On Jan 13, 2019, at 12:47 PM, Larry Hurlbert  
[REDACTED] wrote:

Resent because I kept getting one address wrong.

C15-2018-0051

Dear Leana Heldenfels,

I'm writing to support my new neighbor, Lauree Moffet. I believe her when she says she is being intimidated due to her opposition to this variance. I understand she has supplied evidence to you and to the police. I'm sure that most neighbors in the HOA are kind, normal people, but I have heard of others being intimidated by someone familiar to or in the HOA. By granting the variance, you will make it that much easier to harass her. My understanding is that she is not opposed to a bigger day dock, but she would like it further away from her, and she has offered to pay if it costs more. As this is a variance and not by right, it seems reasonable.

I fear that by writing this email, I will be retaliated against by whomever might receive a copy of this in the HOA. Again, I know the vast majority of neighbors and HOA members are kind, generous, normal people.

Please ask the applicant to submit a plan acceptable to Lauree and I will support it.

Larry Hurlbert

# LATE BACKUP

# Q-2/91

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

**Public Hearing:** Board of Adjustment, Monday January 14, 2019

Manny and Maria Farahani  
Your Name (please print)

☐ I am in favor  
☒ I object

5225 TORTUGA TRAIL  
Your address(es) affected by this application

Mario Ciznefarahani  
Signature

01-11-19  
Date

Daytime Telephone: 512-751-1604

Comments: \_\_\_\_\_  
\_\_\_\_\_  
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