
Please note Item:

P-1 C15-2019-0045 504 Sunny Ln is requesting a Postponement until
Jan. 13, 2020

Respectfully,

Elaine Ramirez

Board of Adjustment Liaison

Planner Senior

[City of Austin Development Services Department](#)

One Texas Center, 1st Floor

505 Barton Springs Rd

Office: 512-974-2202

Logo_DSD Email Signature wTag



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Scheduled Meeting Disclosure Information:

In accordance with City of Austin Ordinance 20160922-005, responsibility of written disclosure is required by visitors when attending a scheduled meeting with a City Official regarding a municipal question as defined within City Code 4-8-2 for compensation on behalf of another person.

Development Services Department has elected to implement an electronic survey as the methodology to provide the opportunity to record information as required of the department under Section 4-8-8 (E) of the City Code. Individuals scheduling or accepting a meeting invitation with a City Official are requested to provide responses to the questions included in the department survey available at the following link: [DSD Survey](#). Please note that all information provided is subject to public disclosure via DSD's open data portal.

For more information please visit: [City Clerk's website](#)

From: [REDACTED]
Sent: Friday, November 01, 2019 7:45 AM
To: Ramirez, Elaine <Elaine.Ramirez@austintexas.gov>
Subject: Re: 11/7 (Thurs.) Board of Adjustment hearing

Yes, Jan 13.

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COLBY TURNER
Project Manager
C: [512-791-0506](tel:512-791-0506)



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From: Ramirez, Elaine <Elaine.Ramirez@austintexas.gov>
Sent: Friday, November 1, 2019 7:39:33 AM
To: Colby Turner [REDACTED]
Subject: RE: 11/7 (Thurs.) Board of Adjustment hearing

Good morning Colby,
Yes you can postpone...are you wanting to postpone until Jan. 13, 2020? As of now we are not having a meeting in December due to no available rooms for us.

Please make sure someone is available at the Jan. 13 meeting in case the Chair or Board Members have questions on the reason for postponement.

Respectfully,
Elaine Ramirez
*Board of Adjustment Liaison
Planner Senior*
[City of Austin Development Services Department](#)
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From: Colby Turner [REDACTED]
Sent: Thursday, October 31, 2019 3:16 PM
To: Ramirez, Elaine <Elaine.Ramirez@austintexas.gov>
Subject: Re: 11/7 (Thurs.) Board of Adjustment hearing

*** External Email - Exercise Caution ***

Hey Elaine,

We will be seeking another postponement to continue work with the neighborhood and a couple of CoA departments. Please let me know if you need any more information.

I will plan on being present to ask again for the postponement. Let me know if you do not need me to be there.

Thank you!
Colby

COLBY TURNER
Project Manager
C: [512-791-0506](tel:512-791-0506)



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From: Ramirez, Elaine <Elaine.Ramirez@austintexas.gov>
Sent: Thursday, October 31, 2019 10:32 AM

LATE BACKUP

P-1/35

Subject: 11/7 (Thurs.) Board of Adjustment hearing

Greetings Board applicants on the **Thursday 11/7** agenda –

Please take a look at attached agenda (including AE's reports) and reply to just me (not to all) and advise if you'll need a postponement or to withdraw from Thursday's hearing.

Also, take a look at all the back up for your case at the Board's website and if you see anything missing or not legible and bring 14 copies of it to the hearing.

If you have any new evidence not shown bring 14 copies of it to the hearing to pass out to our Board Members at the time you will be presenting.

Here's a link to their website:

https://www.austintexas.gov/cityclerk/boards_commissions/meetings/15_1.htm

I can still take in correspondence (neighbor and neighborhood Opposition and Support letters) for the Board's late back up packet that they receive on the dais up until 10am the day of the hearing, just email it to me.

Remember to bring usb portable drive to the hearing with all your evidence saved to it so you'll be able to project your images as you speak, speaking time is limited to 5 minutes then the Board will ask you questions except that Interpretation Appeals are limited to 10 minutes each.

BOA meetings are held:

2nd Monday of the Month (exception of Nov. 2019 due to a Holiday)

City Hall – Council Chambers, 301 W. 2nd St.

5:30p.m.

Respectfully,

Elaine Ramirez

Board of Adjustment Liaison

Planner Senior

[City of Austin Development Services Department](#)

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From: Bryan King
To: [Ramirez, Elaine](#)
Subject: C15-2019-0045
Date: Tuesday, November 05, 2019 12:24:39 PM

*** External Email - Exercise Caution ***

November 5, 2019

Re:C15-2019-0045
504 Sunny Lane

Dear Chair and Board Members,

I am writing you today regarding the Sunny Lane case that has been on your agenda for several months.

Upon review of the backup and a site visit, I noticed one startling and overlooked issue not been addressed in the application. Streets bound this property on both the front and back of the lot. It is therefore a "through lot". Being such, the required **setback is 25 ft. on BOTH the FRONT and the BACK** of the lot.

The construction on the rear of the lot is very substantial and it is not flatwork. I drive by this site frequently and it is very egregious, if not flat out unsightly. It certainly cannot pass the area character test. I recall a particularly testy case when I first joined the board, where a fence was placed on top of a retaining wall. That case, like this one, violated the setbacks with the wall/fence. The board denied that variance.

I am sure the board will filter through the applicant manufactured arguments and there is no hardship. As I said many times during my tenure on the BOA, wanting to put **10 pounds of "stuff" in a 5-pound bag is not a hardship**. Reasonable use is easily obtained before the unsightly edifice was constructed.

All of the encroachments, impervious cover and set backs, have been self created, are self-curable and are therefore not bonafided hardship arguments. The lot shows topographic challenges, but those were will know to the applicant and their engineers before construction. This is a complex and bloated project that has been shepherd through the process by professional engineers. This is not a simple miscalculation on a homeowner driven project. I recommend denial of the requested variances as well as directing staff to the requirement of a variance if any construction remains in the 25 ft. rear yard setback.

Sincerely,

Bryan King

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Ms. Ramirez, last night at the SRCC neighborhood association meeting passed the resolution shown below for the subject property. The vote was virtuously unanimous with one abstention.

Would you include this in the comments for the BoA review please? Sorry about the timing, didn't realize that the meeting date wasn't 2nd Monday.

Russell Fraser, SRCC P&Z committee chair

We, the South River City Citizens Neighborhood Association, **oppose both pending variance requests** (excerpted below) for 504 Sunny Lane, City of Austin (Case C15-2019-0045) for the following reason: The requested variances should have been submitted prior to construction, and granting them, we feel, sets a unacceptable precedent for the increased construction that we have seen in our neighborhood, and which construction we anticipate will only accelerate in the future.

25-2-492: Maximum Allowable impervious coverage for SF-3 lots is 45%.

- Requested variance is to allow impervious cover to reach 60%.

25-2-899: Fences as accessory uses--Section (E) Limiting solid fence height to 6' without written consent from adjacent property owner.

- Requested variance is 7'2" North side of property (City of Austin neighbor), 7'2" along east and west property lines.

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From: Elloa Mathews
To: [Ramirez, Elaine](#)
Subject: C15-2019-0045
Date: Thursday, November 07, 2019 9:57:05 AM

*** External Email - Exercise Caution ***

November 7, 2019

Re:C15-2019-0045
504 Sunny Lane

Dear Chair and Board of Adjustment Members,

I am writing you regarding the Sunny Lane case that has been before our neighborhood association several times.

After seeing the photos at our meeting Monday night of the site with the rear of the property hanging over the East Riverside Dr. ROW, I decided to look at the application. This issue of building in the setback was not addressed in the application. Both the front of the lot on Sunny Lane and the back of the lot on East Riverside make this lot a through lot. I believe the code requires a setback of 25 ft. on BOTH the FRONT and the BACK of the lot. I do not see how this was approved.

The construction on the rear of the lot is very substantial and was built without a permit. Also, the increase in impervious cover to ALMOST 60% is not something our city wants to encourage as we implement the new Atlas 14 rules. Having served on the Flood Mitigation Task Force, we saw that the incremental increases lot by lot of impervious cover creates a cumulative problem that contributes to flooding that our city can not afford. The topography of the site ensures that the increased impervious cover will contribute to downstream adverse impact with run off being delivered to East Riverside Dr. That is currently against the code as well.

Please deny the requested variances and inquire how the variance to approve the building in the 25 ft. rear setback was approved.

Sincerely,

Elloa Mathews
D9 Flood Mitigation Task Force
Chair, Greater South River City NPCT

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