

From: Adolfo Gonzalez
To: [Ramirez, Elaine](#)
Subject: C15-2019-0063
Date: Thursday, January 09, 2020 2:37:37 PM
Attachments: [1509 Weyford Survey 2019.pdf](#)
[Deed Restrictions Wooten Park Sect. 4 lots 1-35.pdf](#)

*** External Email - Exercise Caution ***

RE: C15-2019-0063
1507 Fairfield Dr.
Austin, TX 78757

Good afternoon Elaine:

I received the City's notice for a variance for the property mentioned above, and it appears to me that there is so much wrong with this request, that I don't have time to research all of my concerns. I would like to make a few points as listed below.

1. The request is for maintaining an existing shed. I believe this to be a misrepresentation. Mr. Rison's letter describes how this "shed" evolved into something quite different from just replacing a shed. The pictures he has submitted, in fact, show not a shed, but a permanent structure with air conditioning and it also appears to have plumbing. He also describes how he should replace this "eyesore shed" with "something more useful". I don't think I have ever seen a shed with French doors! As a matter fact, this is no longer a shed, but a permanent structure encroaching the entire PUE.

2. The survey provided does not reflect any building setback lines, and only reflects (as best as I can see) the 5' utility easement. It does not shown any set backs from the side property lines, and I am pretty sure there is a 5' set back from the side yard. (I am basing this on my attached survey only)

3. The provided survey reflects that almost the entire backyard is impervious cover.

4. The City would never permit me to do anything like this on my property, (see note below) so **I object to the request.**

These are just a few of the things I see, but there are also deed restrictions that need to be considered. Mr. Rison wants us to believe that he was unaware of any set-backs, but when I purchased my home, I was provided with a survey showing all pertinent information, and was also provided with deed restrictions. I can only assume that he too received the same information when he purchased his home. Mr. Rison has chosen (in my opinion) to ignore all

of which would keep him from doing what he wants on his property. Allowing this would put us on a slippery slope, and would be detrimental to our neighborhood should others decide to ignore public utility easements, building setbacks, and building codes.

NOTE: Last year I wanted to do a remodel of my home in order to make life easier on me as I "age in place". I hired an architect, and had a survey done, only to have the City permitting department inform me that I couldn't do some of the work I wanted. So after spending approximately \$6,000.00 I had to put things on hold. I am not sure if I will pursue with new plans or not, as of yet, but, I won't be in Mr. Rison's shoes if and when I do. I would hate to build something without permits, and then have to spend additional money to take it down, only because I chose to ignore all the rules and regulations. I am a firm believer that the rules are in place not only for my safety, but also for future owners and neighbors, as well as for the good of the neighborhood. I have always applied for permits on my improvements, and I believe everyone else should also.

Enclosures-3

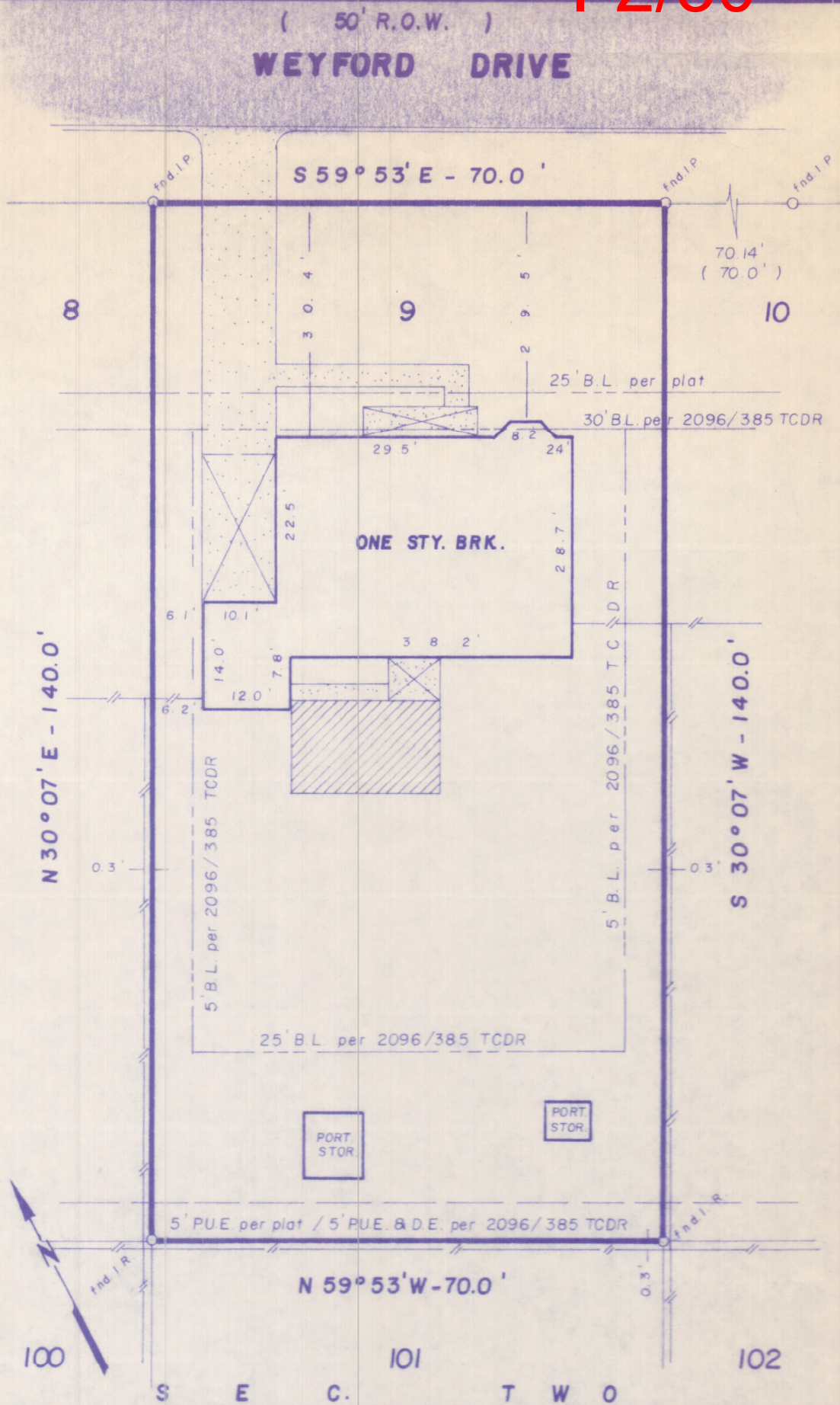
1. deed restrictions on my property
2. original survey, and recent survey of my property

Sincerely,

Adolfo Gonzalez
1509 Weyford Dr.
Austin, TX 78757
Wooten Park Sec 4
512-922-9070

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*NOTE: (1) Lot is subject to Restrictive Covenants as recorded in Vol. 2096, Pg. 385, Travis County Deed Records.
 (2) Subject Property does NOT lie within the limits of a special flood hazard zone, as determined from F.E.M.A. Flood Insurance Rate Map, Community No. 480624, as shown on Consolidated Map 48453C0160-E, dated June 16, 1993 (Zone "X").



LEGAL DESCRIPTION:

Lot Nine (9), WOOTEN PARK, SECTION 4, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 9, Page 112, Travis County Plat Records.

PURCHASER: GONZALEZ

TITLE CO.: COMMONWEALTH

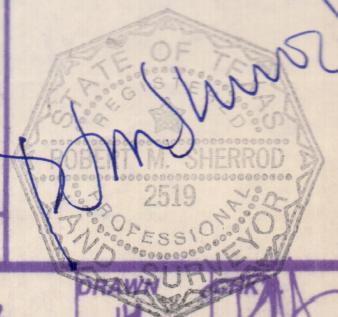
ADDRESS: 1509 WEYFORD DRIVE

G. F. NO.: 91923

I hereby certify that this plat represents a correct survey made upon the ground under my supervision on November 19, 19 93, and that there are no encroachments upon subject property, except as shown hereon, and that all improvements and all visible and apparent easements are shown hereon, and that subject property has access to and from a dedicated roadway and that said survey conforms to current Texas Board of Land Surveying Standards.

Robert M. Sherrod, R.P.L.S., State of Texas No. 2519

NOTE



G · E · O
 A GEOGRAPHICAL
 LAND SERVICES CO.

4412 SPICEWOOD SPRINGS ROAD
 SPICEWOOD BUSINESS CENTER
 SUITE 1002
 AUSTIN, TEXAS 78759
 (512) 343-9GEO

DATE

11-19-93

SCALE

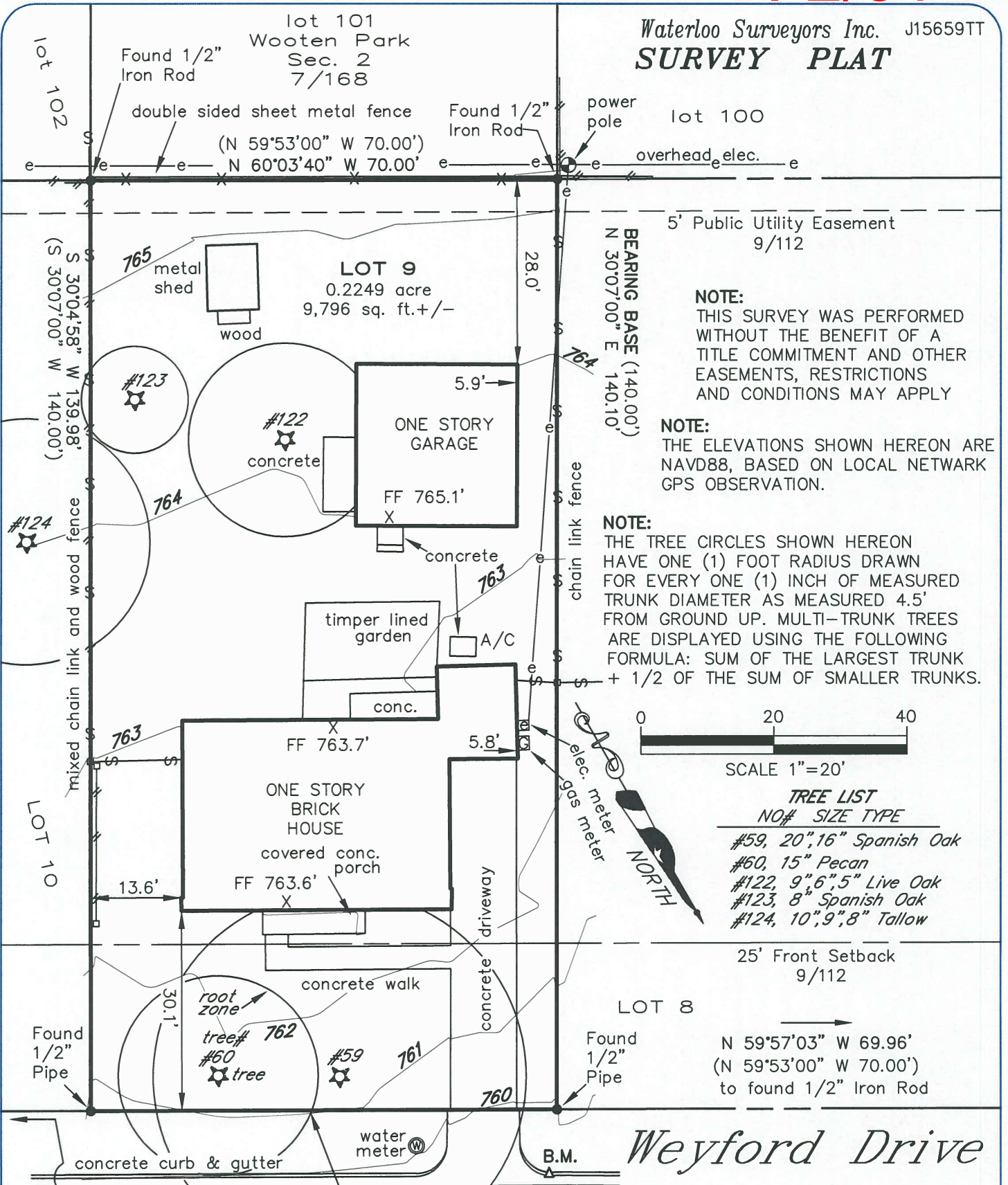
1" = 60'

DRAWN

H

JOB NO.

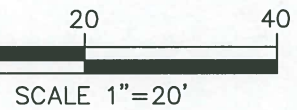
934917



NOTE:
THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT AND OTHER EASEMENTS, RESTRICTIONS AND CONDITIONS MAY APPLY

NOTE:
THE ELEVATIONS SHOWN HEREON ARE NAVD88, BASED ON LOCAL NETWORK GPS OBSERVATION.

NOTE:
THE TREE CIRCLES SHOWN HEREON HAVE ONE (1) FOOT RADIUS DRAWN FOR EVERY ONE (1) INCH OF MEASURED TRUNK DIAMETER AS MEASURED 4.5' FROM GROUND UP. MULTI-TRUNK TREES ARE DISPLAYED USING THE FOLLOWING FORMULA: SUM OF THE LARGEST TRUNK + 1/2 OF THE SUM OF SMALLER TRUNKS.



TREE LIST

NO#	SIZE	TYPE
#59	20", 16"	Spanish Oak
#60	15"	Pecan
#122	9", 6", 5"	Live Oak
#123	8"	Spanish Oak
#124	10", 9", 8"	Tallow

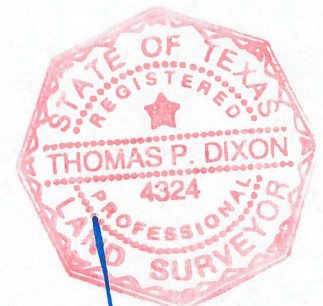
25' Front Setback
9/112

N 59°57'03" W 69.96'
(N 59°53'00" W 70.00')
to found 1/2" Iron Rod

Weyford Drive

ADDRESS:
1509 WEYFORD DRIVE, 78757

LEGAL DESCRIPTION:
LOT 9, WOOTEN PARK, SECTION FOUR, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO MAP OR PLAT THEREOF RECORDED IN BOOK 9, PAGE 112, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS.



[Signature]

LEGEND

FINISHED FLOOR FF
BENCH MARK (B.M.)
SET "Δ" ON CURB, ELEVATION 759.7' NAVD88

State of Texas:
County of Travis:

The undersigned does hereby certify that this survey was this day made on the property legally described hereon and is correct, and this survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 3,5,6 Condition II Survey.

And I certify that the property shown hereon IS NOT within a special flood hazard area as identified by the Federal Insurance Adm. Department of HUD flood hazard boundary map revised as per Map Number: 48453C0455J
Zone: X Dated: 01/06/2016

Dated this the 12TH day of JUNE, 2019.

FIRM# 10124400

KAMAR DEVELOPMENT CO.,

TO

THE PUBLIC

RESTRICTIONS

DATED MAY 1, 1959

FILED SEPTEMBER 18, 1959

RECORDED VOL. 2096 PAGE 385

TRAVIS COUNTY DEED RECORDS

THE STATE OF TEXAS)
COUNTY OF TRAVIS)

KNOW ALL MEN BY THESE PRESENTS:

That Kamar Development Co., a Texas corporation, being the sole owner of Lots Nos. 1 through 35, inclusive, in Wooten Park, Section Four, a subdivision of a part of the George W. Davis survey, in the City of Austin, Travis County, Texas, according to the map or plat of said subdivision recorded in Book "9", Page 112, Plat Records of Travis County, Texas, hereby imposes the following covenants, conditions, and restrictions upon all of said lots, to wit:

1. None of said lots shall be used except for residential purposes. No building shall be erected, altered, placed, or permitted to remain on any of said lots other than one detached single family dwelling not to exceed two and one half stories in height and a private garage for not more than two cars.

2. No building shall be erected or placed on any of said lots in Wooten Park, Section Four, nor shall any existing structure be altered, until the building plans and specifications and a plot plan have been submitted to and approved in writing by Kamar Development Co., a Texas corporation, or its successor, or a representative designated in writing by Kamar Development Co., or its successor. If said building plans and specifications and said plot plan be not approved or disapproved within thirty days following the date on which the same are submitted for approval or if no injunction suit shall have been commenced prior to the completion of the work, then proper approval of the building plans and specifications and of the plot plan shall be conclusively presumed to have been had and obtained.

3. No dwelling shall be permitted on any of said lots at a cost of less than \$7,000 based upon cost levels prevailing on the date these covenants are recorded, it being the intention and purpose of the covenants to assure that all dwellings shall be of a quality of workmanship and materials substantially the same or better than that which can be produced on the date these covenants are recorded at the minimum cost stated herein for the minimum permitted dwelling size. The ground floor area of the main structure, exclusive of one-story open porches and garages, shall be not less than 900 square feet for a one-story dwelling, nor less than 700 square feet for a dwelling of more than one story.

4. No building shall be located on any of said lots nearer to the front lot line or nearer to the side street line than the minimum building set back lines shown on the recorded plat. In any event no building shall be located on any of said lots nearer than 30 feet to nor farther than 40 feet from the front lot line, or nearer than 10 feet to any side street line. No building shall be located nearer than 5 feet to an interior lot line, except that no side yard shall be required for a garage

#2 2036/385 mh

or other permitted accessory building located 50 feet or more from the minimum building setback line. No dwelling shall be located on any of the interior lots nearer than 25 feet to the rear lot line. For the purposes of this covenant, eaves, steps, and open porches shall not be considered as a part of a building, provided, however, that this shall not be construed to permit any portion of a building on a lot to encroach upon any other lot.

5. No dwelling shall be erected or placed on any of said lots having a width of less than 63 feet at the minimum building setback line nor shall any dwelling be erected or placed on any of said lots having an area of less than 8200 square feet, except that dwellings may be erected or placed on lots as shown on the recorded plat of Wooten Park, Section Four.

6. Easements for installation and maintenance of utilities and drainage facilities are reserved as shown on the recorded plat and over the rear five feet of each lot in Wooten Park, Section Four.

7. No noxious or offensive activity shall be carried on upon any of said lots, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.

8. No structure of a temporary character, trailer, basement, tent, shack, garage, barn, or other outbuilding shall be used on any of said lots at any time as a residence either temporarily or permanently.

9. No sign of any kind shall be displayed to the public view on any of said lots except one professional sign of not more than five square feet advertising the property for sale or rent, or signs used by a builder to advertise the property during the construction and sales period.

10. No oil drilling, oil development operations, oil refining, quarrying, or mining operations of any kind shall be permitted upon or in any of said lots, nor shall oil wells, tanks, tunnels, mining excavations or shafts be permitted upon or in any of them. No derrick or other structure designed for use in boring for oil or natural gas shall be erected, maintained, or permitted upon any of said lots.

11. No part of any of said lots shall ever be used for a business or commercial purpose or for carrying on any trade or profession.

12. No corner lot may be resubdivided or used so as to permit an additional dwelling to face on a side street.

13. No animals, livestock, or poultry of any kind shall be raised, bred, or kept on any of said lots, except that dogs, cats, or other household pets may be kept provided they are not kept, bred, or maintained for any commercial purpose.

14. None of said lots shall be used or maintained as a dumping ground for rubbish. Trash, garbage, or other waste shall not be kept except in sanitary containers. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition.

15. No fence, wall, hedge, or shrub planting which obstructs sight lines at elevations between two and six feet above the roadways shall be

#3 2096/385 mh

placed or permitted to remain on any corner lot herein described within the triangular area formed by the street property lines and a line connecting them at points 25 feet from the intersection of street lines, or in the case of a rounded property corner from the intersection of the street property line with the edge of a driveway or alley pavement. No tree shall be permitted to remain within such distances of such intersections unless the foliage line is maintained at sufficient height to prevent obstruction of such sight lines.

16. No fence, wall, or hedge shall be built or maintained forward of the front wall line of any house erected on any of said lots.

17. These covenants are to run with the land and shall be binding on all parties and all persons claiming under them for a period of twenty five years from the date these covenants are recorded, after which time said covenants shall be automatically extended for successive periods of ten years unless an instrument signed by a majority of the then owners of the lots in Wooten Park, Section Four, has been recorded agreeing to change said covenants, conditions, and restrictions, in whole or in part.

18. Enforcement shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenant either to restrain violation or to recover damages.

19. Invalidation of any one of these covenants by judgment or a court order shall in nowise affect any of the other provisions, which shall remain in full force and effect.

Executed this 1st day of May 1959.

KAMAR DEVELOPMENT CO

BY: Karl B Wagner, President

THE STATE OF TEXAS)

COUNTY OF TRAVIS)

Before me, the undersigned authority, on this day personally appeared Karl B. Wagner, President of Kamar Development Co., a Texas corporation, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, as the act and deed of Kamar Development Co., and in the capacity therein stated.

Given under my hand and seal of office this 1st day of May 1959.

Seal.

Mary G. Hyatt

Notary Public Travis County, Texas.

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.

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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.

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Case Number: C15-2019-0063

Contact: Elaine Ramirez, 512-974-2202

Public Hearing: Board of Adjustment, January 13th, 2020

Sam + Grace Dowd
Your Name (please print)

☐ I am in favor
☒ I object

1509 Fairfield Drive

Your address(es) affected by this application

Sam Dowd *1/10/20*
Signature Date

Daytime Telephone: *(512) 992-5229*

Comments: *document attached*

If you use this form to comment, it may be returned to:
City of Austin-Development Services Department/ 1st Floor

Elaine Ramirez

P. O. Box 1088

Austin, TX 78767-1088

Fax: (512) 974-6305

Scan & Email to: elaine.ramirez@austintexas.gov

I-2/35

We would like to express our opposition to a possible variance for 1507 Fairfield Drive. While Stephen Rison contends that his structure holds significant sentimental value, we have become concerned that its shoddy construction as well as unpermitted electrical work presents a safety hazard for our neighborhood. He has gotten into a habit of slapping together whatever scrap materials he has on hand to build unpermitted and dangerous additions to his house with no regard for the city of Austin or his neighbors. Stephen boasts about his involvement with neighborhood as well as his generous hosting tendencies, but he has been extremely verbally abusive to us on multiple occasions when we have brought various issues to his attention. Just recently he became irate and cursed me out on my front porch when I wouldn't let him in our backyard to work on a corner of his decaying backyard shed. Whenever his unpermitted structures create a problem for his neighbors he resorts to using vulgar language as well as belligerent behavior to attempt to coerce fellow community members into silence. This is the same individual who hung a toilet seat from a tree in his front yard to "give the middle finger to anyone who wants to tell me what I can and can't build". Our neighborhood will be worse off if we continue to allow Stephen Rison to create electrical and fire hazards with his dilapidated structures. Thank you for your consideration in this matter.

Best Regards,

Sam and Grace Dowd
1509 Fairfield Drive
Austin, TX 78757

From: Jason Abels
To: [Ramirez, Elaine](#)
Subject: C15-2019-0063 - In Favor of Adjustment/variance
Date: Thursday, January 09, 2020 11:27:29 AM

*** External Email - Exercise Caution ***

Case Number: C15-2019-0063
Contact: Elaine Ramirez, 512-974-2202
Public Hearing: Board of Adjustment, January 13th, 2020

My name: Jason Abels
My address: 1501 Fairfield Drive
I am IN FAVOR of a variance/adjustment to allow the structure to remain

To whom it may concern,
I have been a neighbor of Mr. Rison for over sixteen years now, living three doors down from his house. In that time he has been nothing but a superlative member of the Wooten community. I've been over to his house with groups of cyclists and friends, and I know he is warm and welcoming, hosting many people from all over the planet in his home, oftentimes putting them up in the very structure in question. I do not consider his property an eyesore or an issue, and in fact know that many people hold it in high regard, and with fond memories. Please do whatever is in your power to allow this wonderful man to continue doing what he does for all of the people in his life, and allow the structure to stand as-is.

Best regards,

Jason Abels, neighbor

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Case Number: C15-2019-0063

Contact: Elaine Ramirez, 512-974-2202

Public Hearing: Board of Adjustment, January 13th, 2020

Gabriel Pryor
Your Name (please print)

☒ I am in favor
☐ I object

8500 Contour Dr. Austin, TX 78757
Your address(es) affected by this application

Elaine Ramirez
Signature

1/10/2020
Date

Daytime Telephone: 512-736-8382

Comments: As a neighbor of Steve we have always enjoyed his presence around the neighborhood. He cares about what goes on and making it a comfortable and safe place to live. We appreciate his artistic spirit and sense of community. We are in favor of the variance for his workshop structure.

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

City of Austin-Development Services Department/ 1st Floor

Elaine Ramirez

P. O. Box 1088

Austin, TX 78767-1088

Fax: (512) 974-6305

Scan & Email to: elaine.ramirez@austintexas.gov

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Case Number: C15-2019-0063

Contact: Elaine Ramirez, 512-974-2202

Public Hearing: Board of Adjustment, January 13th, 2020

MARILYN TASH
Your Name (please print)

1514 Villanova

Your address(es) affected by this application

Elaine
Signature

1/3/20
Date

Daytime Telephone: *512 573 4182*

Comments:

This house is located in the same neighborhood as the subject property. I am in favor of the proposed development.

☒ I am in favor
☐ I object

If you use this form to comment, it may be returned to:
City of Austin-Development Services Department/ 1st Floor

Elaine Ramirez

P. O. Box 1088

Austin, TX 78767-1088

Fax: (512) 974-6305

Scan & Email to: elaine.ramirez@austintexas.gov