

**CITY OF AUSTIN
Board of Adjustment
Decision Sheet**

DATE: Monday May 11, 2020

CASE NUMBER: C15-2020-0016

☐ Y ☐ Brooke Bailey
☐ Y ☐ Jessica Cohen
☐ Y ☐ Ada Corral
☐ Y ☐ Melissa Hawthorne
☐ * ☐ William Hodge (abstained)
☐ Y ☐ Don Leighton-Burwell
☐ Y ☐ Rahm McDaniel
☐ Y ☐ Darryl Pruet
☐ - ☐ Veronica Rivera (out)
☐ Y ☐ Yasmine Smith
☐ Y ☐ Michael Von Ohlen
☐ Y ☐ Kelly Blume (Alternate)
☐ Y ☐ Martha Gonzalez (Alternate)

APPLICANT: Chris Paladino

OWNER: 4013 Clawson Road LLC (Chris Paladino)

ADDRESS: 4013 CLAWSON RD

VARIANCE REQUESTED: The applicant has requested variance(s) to Section 25-2 492 (D) (Site Development Regulations) to decrease the minimum lot width from 50 feet (required) to 34.8 feet (requested) for front lot and 49.82 feet (requested) for rear lot in order to subdivide the current lot into 2 lots and build 2 new single family homes and 2 new second dwelling units on each lot in a "SF-3", Single-Family Residence zoning district.

BOARD'S DECISION: BOA meeting April 13, 2020 CANCELLED MEETING, MAY 11, 2020 **The public hearing was closed by Chair Don Leighton-Burwell, Board Member Michael Von Ohlen motions to postpone to June 8, 2020, Board Member Brooke Bailey seconds on an 11-0 vote (Board member William Hodge abstained); POSTPONED TO JUNE 8, 2020.**

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:



Elaine Ramirez
Executive Liaison

Diana Ramirez for

Don Leighton-Burwell
Chairman

BOA GENERAL REVIEW COVERSHEET

CASE: C15-2020-0016

BOA DATE: April 13, 2020

ADDRESS: 4013 Clawson Rd

COUNCIL DISTRICT: 5

OWNER: Chris Paladino

AGENT: N/A

ZONING: SF-3

LEGAL DESCRIPTION: S50 FT OF N 1/2 OF LOT 25-27 BANISTER HEIGHTS

VARIANCE REQUEST: decrease minimum lot width from 50 ft. to 34.8 ft. (front lot) and decrease minimum lot width from 50 ft. to 49.82 ft. (rear lot)

SUMMARY: complete future residential

ISSUES: property is narrowest of its size in the vicinity

	ZONING	LAND USES
<i>Site</i>	SF-3	Single-Family
<i>North</i>	SF-3	Single-Family
<i>South</i>	SF-3	Single-Family
<i>East</i>	SF-3	Single-Family
<i>West</i>	SF-3	Single-Family

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District

Austin Lost and Found Pets

Austin Neighborhoods Council

Bike Austin

Friends of Austin Neighborhoods

Homeless Neighborhood Association

Neighborhood Empowerment Foundation

Perry Grid 614

Preservation Austin

SELTexas

Sierra Club, Austin Regional Group

South Central Coalition

South Lamar Neighborhood Assn.

TNR BCP – Travis County Natural Resources



May 5, 2020

Chris Palladino
4013 Clawson Rd
Austin TX, 78704

Property Description: S50 FT OF N 1/2 OF LOT 25-27 BANISTER HEIGHTS

Re: C15-2020-0016

Dear Chris,

Austin Energy (AE) has reviewed your application for the above referenced property, requesting that the Board of Adjustment consider a variance(s) from the following section of the Land Development Code;

Section 25-2 492 (D) (*Site Development Regulations*) to decrease the minimum lot width from 50 feet (required) to 34.8 feet (requested) for front lot and 49.82 feet (requested) for rear lot;

In order to subdivide the current lot into 2 lots and build 2 new single family homes and 2 new second dwelling units on each lot in a "SF-3", Single-Family Residence zoning district.

Austin Energy does not oppose your application for the requested lot width variance, provided that all proposed and existing improvements are following Austin Energy clearance criteria requirements, the National Electric Safety Code and OSHA. Any removal or relocation of existing electric facilities will be at owners/applicants' expense.

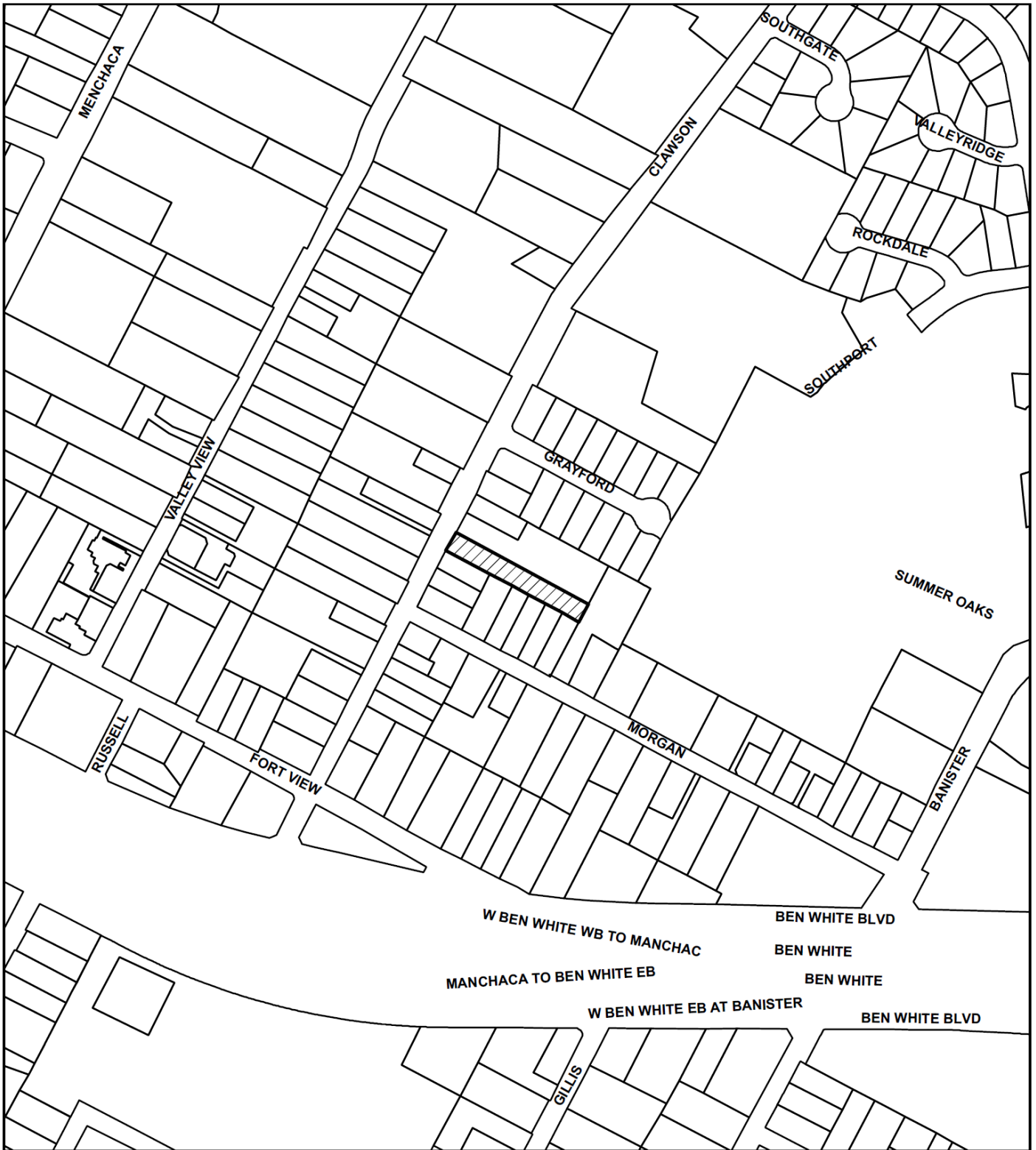
During the anticipated site plan/subdivision review process, I would encourage the owner/applicant to contact Jim Rowin, (James.Rowin@austinenergy.com or 512-505-7665) - Austin Energy Design Southwest Lead, to discuss permanent electric service and electric service design, to ensure AE facilities can safely provide electric services to your project.

Please use this link to be advised of our clearance and safety requirements which are additional conditions of the above review action: <https://austinenergy.com/wcm/connect/8bb4699c-7691-4a74-98e7-56059e9be364/Design+Criteria+Manual+Oct+2015.pdf?MOD=AJPERES>

If you require further information or have any questions regarding the above comments, please contact our office. Thank you for contacting Austin Energy.

Eben Kellogg, Property Agent

Austin Energy
Public Involvement | Real Estate Services
2500 Montopolis Drive
Austin, TX 78741
(512) 322-6050



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

1" = 333'

NOTIFICATIONS

CASE#: C15-2020-0016

LOCATION: 4013 CLAWSON ROAD

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.





CITY OF AUSTIN

Development Services Department

One Texas Center | Phone: 512.978.4000

505 Barton Springs Road, Austin, Texas 78704

Board of Adjustment General/Parking Variance Application

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

This application is a fillable PDF that can be completed electronically. To ensure your information is saved, [click here to Save](#) the form to your computer, then open your copy and continue.

The Tab key may be used to navigate to each field; Shift + Tab moves to the previous field. The Enter key activates links, emails, and buttons. Use the Up & Down Arrow keys to scroll through drop-down lists and check boxes, and hit Enter to make a selection.

The application must be complete and accurate prior to submittal. ***If more space is required, please complete Section 6 as needed.*** All information is required (if applicable).

For Office Use Only

Case # _____ ROW # _____ Tax # _____

Section 1: Applicant Statement

Street Address: 4013 Clawson Rd, Austin, TX 78704

Subdivision Legal Description:

Being 0.45 of an acre of land out of lots 25, 26 and 27, Bannister Heights Subdivision According to the Map or Plat Thereof Recorded in Vol 3, Page 256 ... Doc # 2016071699

Lot(s): _____ Block(s): _____

Outlot: _____ Division: Bannister Heights

Zoning District: _____

I/We Chris Paladino on behalf of myself/ourselves as
authorized agent for 4013 Clawson Road LLC affirm that on
Month March, Day 5, Year 2020, hereby apply for a hearing before the
Board of Adjustment for consideration to (select appropriate option below):

☐ Erect ☐ Attach ☒ Complete ☐ Remodel ☐ Maintain ☐ Other: _____

Type of Structure: future residential (repeat of previously approved C15-2017-0065)

Portion of the City of Austin Land Development Code applicant is seeking a variance from:

25-2-492, minimum width requirement of 50' for SF-3 lot. Applicant requests permission to
subdivide previously-unplatted property into two lots: a "front" lot with a minimum 34.8' width (at
rear of new lot) and a "rear" lot that will remain minimum 49.82' wide as currently set. The "rear"
lot will be accessible to Clawson Road via a 15'-wide "flag".

Section 2: Variance Findings

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 supporting documents.

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.

I contend that my entitlement to the requested variance is based on the following findings:

Reasonable Use

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

SF-3 zoning contemplates a density of eight primary residences and eight secondary
residences per acre. Subject property is 19,602 sf / 0.45 acres in size, over three times the
minimum SF-3 lot size required by the LDC. Thus, a reasonable use for this property is
subdivision into at least two lots. However, subject property line at the street is 50.03' wide at
the front proerty line and 49.82' wide at the rear property line. Therefore, without a variance,
subject property can only contain one primary residence and one secondary residence on a half
acre, a density that is 1/4 of what is permitted and contemplated by the LDC.

Hardship

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

Subject property is the narrowest property of its size in the vicinity. Similarly-sized properties
across the street are, in general, 65' wide, which could be (and have been) subdivided in the
manner that the Applicant proposes for the subject property.

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

Subject property is the narrowest property of its size in the vicinity. Similarly-sized properties
across the street are, in general, 65' wide, which could be (and have been) subdivided in the
manner that the Applicant proposes for the subject property.

Area Character

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:

Only one of the proposed four housing units that could be built (two primary and two secondary) will front Clawson Road, thus maintaining the "single family" character of the streetscape. The remainder of the housing units will be accessible via a common driveway. LDC-compliant parking will be provided onsite for each housing unit, and will follow whatever LDC rules are in place at the time a lot owner applies for a building permit. The units will also comply with all applicable provisions of the Residential Design and Criteria Manual at the time of permit.

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 in the City of Austin Land Development Code Chapter 25-6, Appendix A 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 reasonably require strict or literal interpretation and enforcement of the specific regulation because:

N/A

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:

N/A

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

N/A

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

N/A

Section 3: Applicant Certificate

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

Applicant Signature:  Date: 03/05/2020

Applicant Name (typed or printed): Chris Paladino

Applicant Mailing Address: 2506 Willow St

City: Austin State: TX Zip: 78702

Phone (will be public information): (512) 720-8654

Email (optional – will be public information): 

Section 4: Owner Certificate

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

Owner Signature:  Date: 03/05/2020

Owner Name (typed or printed): Chris Paladino, manager for 4013 Clawson Road LLC

Owner Mailing Address: 2506 Willow St

City: Austin State: TX Zip: 78702

Phone (will be public information): (512) 720-8654

Email (optional – will be public information): 

Section 5: Agent Information

Agent Name: NONE

Agent Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone (will be public information): _____

Email (optional – will be public information): _____

Section 6: Additional Space (if applicable)

Please use the space below to provide additional information as needed. To ensure the information is referenced to the proper item, include the Section and Field names as well (continued on next page).

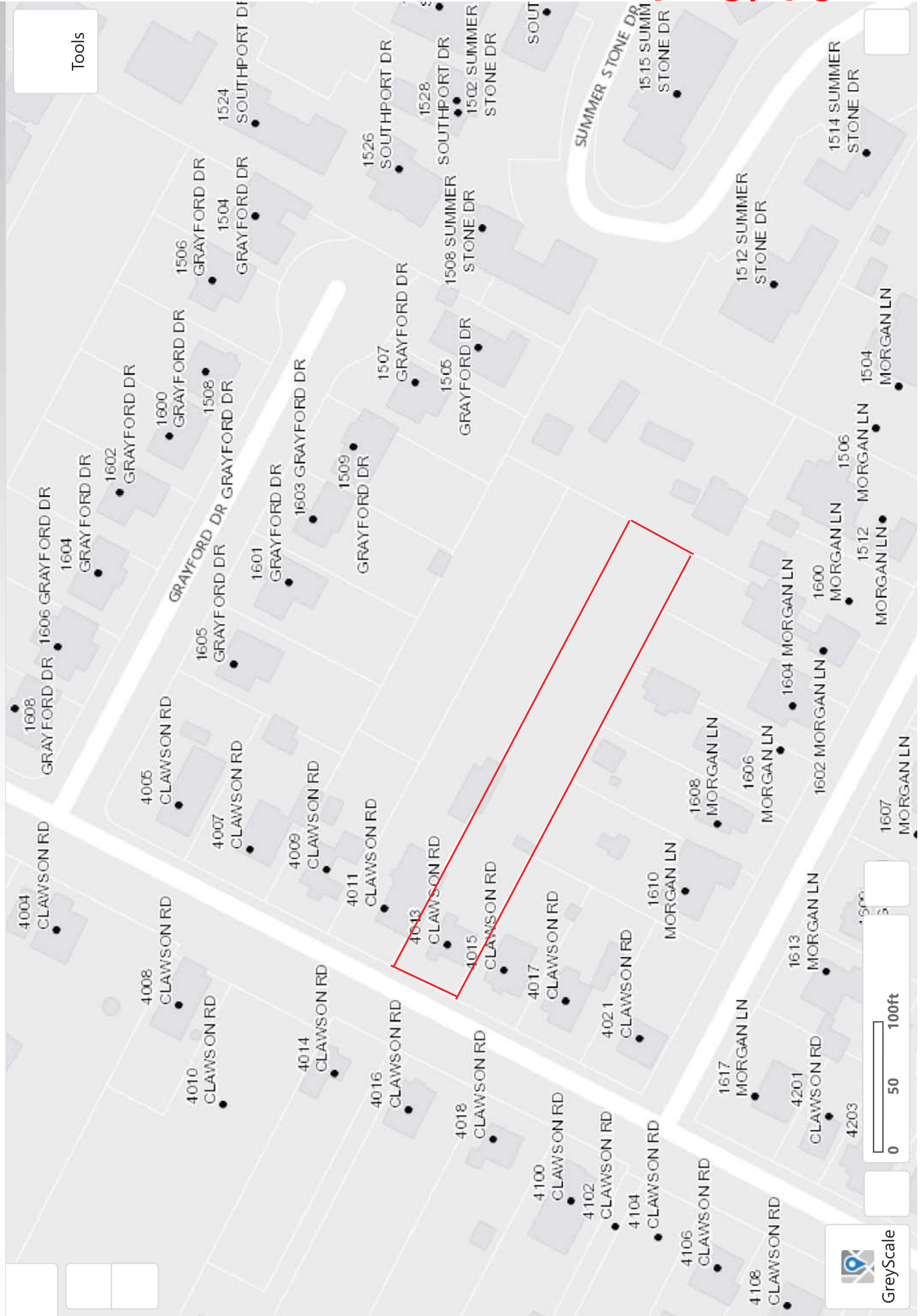
This is a new application to renew an expired approval (C15-2017-0065). I acquired that approval at no fee, with the support of more than 80% of my neighbors. My engineer had difficulty getting feedback on our subdivision application, and it expired. I now need a new variance since it expired as well. This application is a duplicate of the previous submittal except that garages were removed.



Property Profile

Tools

P-3/10



GreyScale

0 50 100ft



RESTRICTIONS

RESTRICTIONS:
THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT AND THIS SURVEYOR DID NOT RESEARCH THE DEED RECORDS FOR PREVIOUS CONFLICTS IN TITLE, EASEMENTS AND/OR BOUNDARY LINE AGREEMENTS, THEREFORE, CERTAIN EASEMENTS MAY HAVE BEEN GRANTED WHICH ARE NOT REFLECTED HEREON. ONLY THOSE SETBACK LINES, EASEMENTS, BOUNDARY LINES AND INTERESTS WHICH ARE REPRESENTED ON THE PARENT SUBDIVISION PLAT, WHICH IS REFERENCED HEREON, ARE PLOTTED ON THIS SURVEY. NO DOCUMENTS OTHER THAN THOSE CITED ON THIS SURVEY HAVE BEEN EXAMINED.

LEGAL DESCRIPTION

BEING 0.45 OF AN ACRE OF LAND OUT OF LOTS 25, 26 AND 27, BANISTER HEIGHTS SUBDIVISION ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 3, PAGE 256, AND BEING ALL OF THAT CERTAIN CLAWSON ROAD, LLC, TRACT OF LAND RECORDED IN DOCUMENT NUMBER 2016071699, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS.

TREE LIST	
(1)	18" TALLOW (M)
(2)	12.5" LIVE OAK
(3)	15.25" LIVE OAK
(4)	11.25" LIVE OAK
(5)	15.25" CEDAR ELM
(6)	6.75" LIVE OAK
(7)	12" TALLOW
(8)	14.5" CEDAR ELM
(9)	7.5" LIGUSTRUM
(10)	10" HACKBERRY
(11)	11" HACKBERRY
(12)	9.5" HACKBERRY
(13)	9.25" ELM
(14)	8.5" ELM
(15)	12.5" ELM
(16)	21" ELM (P)
(17)	14.5" ELM
(18)	16.75" HACKBERRY
(19)	12.5" TALLOW
(20)	25" LIVE OAK
(21)	19.5" LIVE OAK (P)

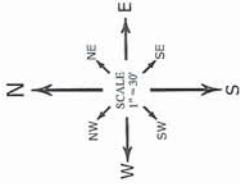
NOTICE

BEFORE DESIGN BEGINS ON THIS SUBJECT PROPERTY THE OWNER SHOULD CHECK THE LOCAL GOVERNING AUTHORITIES ABOUT BUILDING SETBACKS AND OTHER BUILDING REQUIREMENTS.

BEARING BASIS:
BEARINGS ARE BASED TO THE TEXAS COORDINATE SYSTEM CENTRAL, TEXAS ZONE NAD83 HARN HORIZONTAL CONTROL AND ARE IN SURFACE WITH A COMBINED SCALE FACTOR OF 0.999988

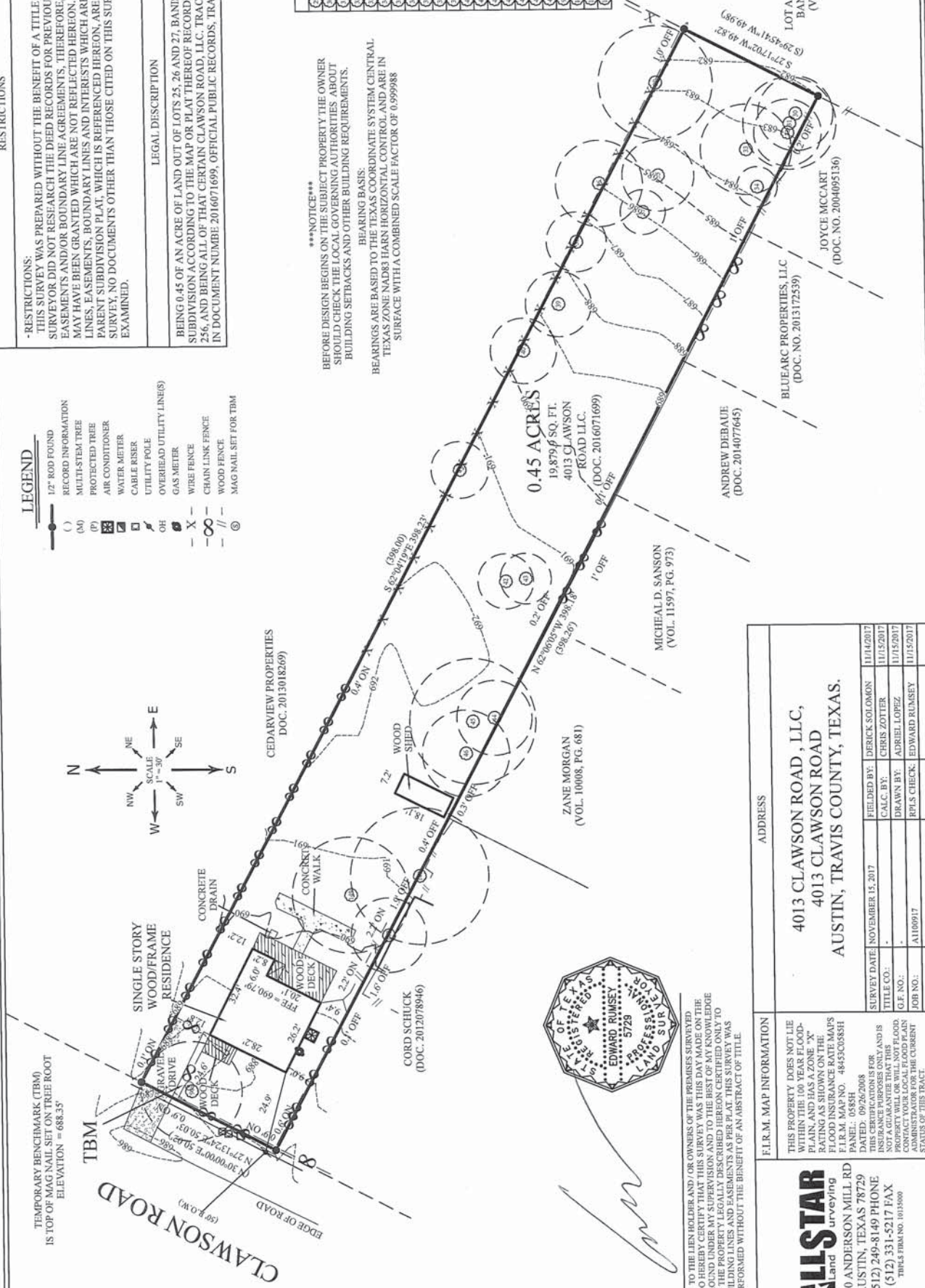
LEGEND

- 1/2" ROD FOUND
- RECORD INFORMATION
- MULTISTEM TREE
- PROTECTED TREE
- AIR CONDITIONER
- WATER METER
- CABLE RISER
- UTILITY POLE
- OVERHEAD UTILITY LINES
- GAS METER
- WIRE FENCE
- CHAIN LINK FENCE
- WOOD FENCE
- MAG NAIL SET FOR TBM



TEMPORARY BENCHMARK (TBM)
IS TOP OF MAG NAIL SET ON TREE ROOT
ELEVATION = 688.35'

CLAWSON ROAD



0.45 ACRES
19,879 SQ. FT.
4013 CLAWSON
ROAD LLC.
(DOC. 2016071699)

ZANE MORGAN
(VOL. 10008, PG. 681)

MICHAEL D. SANSON
(VOL. 11597, PG. 973)

ANDREW DEBAUE
(DOC. 2014077645)

BLUEARC PROPERTIES, LLC
(DOC. NO. 2013172539)

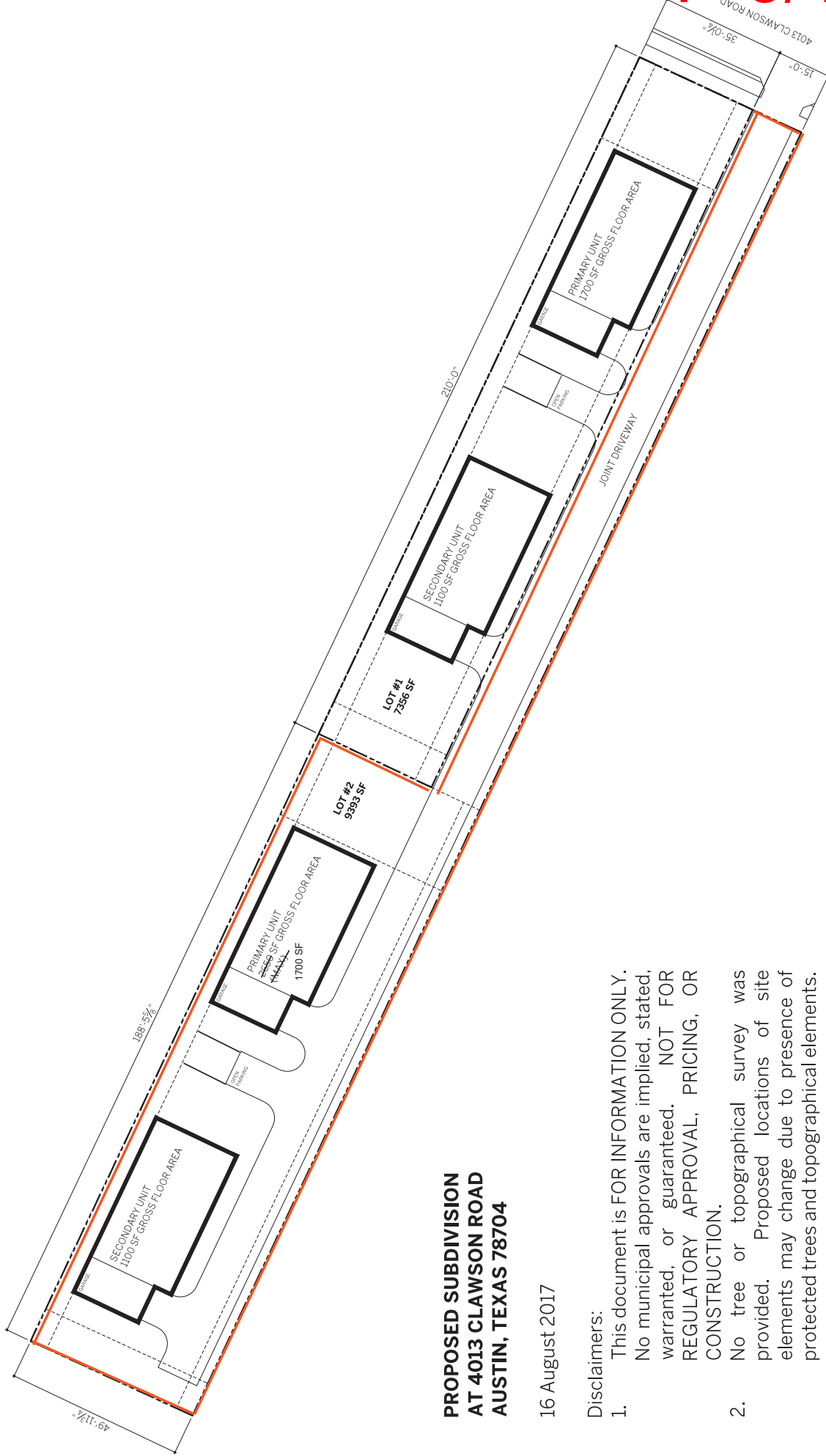
JOYCE MCCART
(DOC. NO. 2004095136)

LOT A, RESUB OF LOT 24
BANISTER HEIGHTS
(VOL. 77, PG. 204)



TO THE LIEN HOLDER AND/OR OWNERS OF THE PREMISES SURVEYED
I DO HEREBY CERTIFY THAT THIS SURVEY WAS THIS DAY MADE ON THE
GROUND UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE
OF THE PROPERTY LEGALLY DESCRIBED HEREON. I HAVE NOT BEEN AWARE OF ANY
BUILDING LINES AND EASEMENTS NOT SHOWN ON THIS SURVEY THAT WOULD
AFFECT THE PROPERTY WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE.

ALLSTAR Land surveying		9020 ANDERSON MILL RD AUSTIN, TEXAS 78729 (512) 249-8149 PHONE (512) 331-5217 FAX TBLR FRN NO. 1013500	
F.L.R.M. MAP INFORMATION			
THIS PROPERTY DOES NOT LIE WITHIN THE 100 YEAR FLOODPLAIN AS SHOWN ON THE FLOOD INSURANCE RATE MAPS. F.L.R.M. MAP NO. 48453C085H PANEL: 0585H DATED: 09/26/2008 THIS CERTIFICATION IS FOR THE PROPERTY AND EASEMENTS AND IS NOT A GUARANTEE THAT THIS PROPERTY WILL OR WILL NOT FLOOD. THE SURVEYOR IS NOT THE ADMINISTRATOR FOR THE CURRENT STATUS OF THIS TRACT.			
ADDRESS		4013 CLAWSON ROAD, LLC, 4013 CLAWSON ROAD AUSTIN, TRAVIS COUNTY, TEXAS.	
SURVEY DATE	NOVEMBER 13, 2017	FIELD BY:	DERICK SOLOMON
TITLE CO.	-	CALC BY:	CHRIS ZOTTER
G.F. NO.	-	DRAWN BY:	ADRIEL LOPEZ
JOB NO.	A1109917	REPLS CHECK:	EDWARD RUMSEY



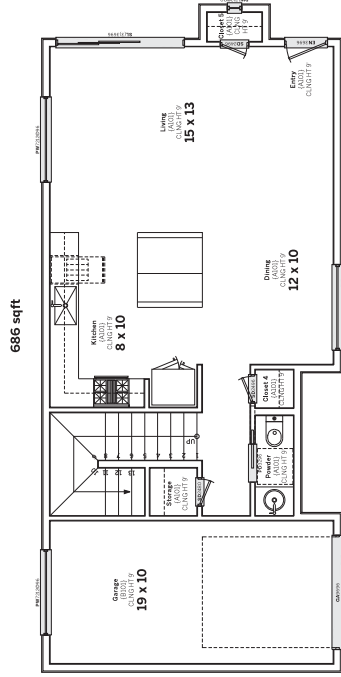
**PROPOSED SUBDIVISION
AT 4013 CLAWSON ROAD
AUSTIN, TEXAS 78704**

16 August 2017

Disclaimers:

1. This document is FOR INFORMATION ONLY.
No municipal approvals are implied, stated, warranted, or guaranteed. NOT FOR REGULATORY APPROVAL, PRICING, OR CONSTRUCTION.
2. No tree or topographical survey was provided. Proposed locations of site elements may change due to presence of protected trees and topographical elements.

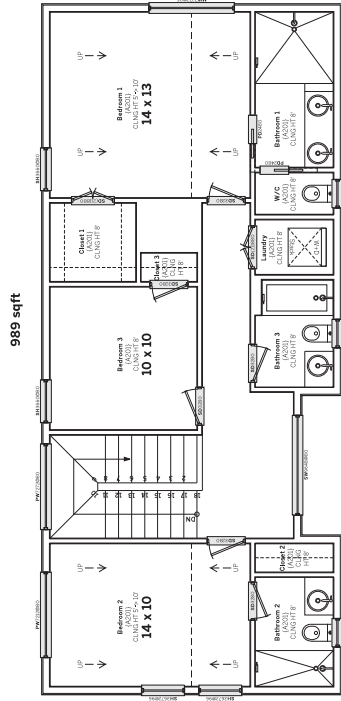
P-3/14



① Floor Plan, Bldg 01, Level 01

REVISIONS (NOT ALL NOTES MAY PERTAIN TO THIS SPECIFIC PROJECT)	FRAMING (NOT ALL TYPES MAY PERTAIN TO THIS SPECIFIC PROJECT)	DISCLAIMERS	SEAL OF ARCHITECT	SEAL OF MUNICIPAL APPROVAL
<p>01 New step-free entry into residence from public way.</p> <p>02 New step-free entry into residence from public way.</p> <p>03 New accessible route through residence from public way.</p>	<p>06 Railing or parapet at exterior porch or deck. Minimum height 36" above finish floor.</p> <p>07 Railing or parapet at exterior porch or deck. Minimum height 36" above finish floor.</p> <p>08 New 120-mil-impervious membrane vertical downspout. Minimum vertical riser 1/2".</p> <p>09 New accessible route through residence from public way.</p> <p>10 New accessible route through residence from public way.</p> <p>11 REFER TO SHEET A400 FOR CONTINUATION OF ROUTE THROUGH PUBLIC WAY.</p>	<p>This document is issued under the seal of WILLIAM LAWRENCE HODGE, Texas architect No. 0000000000, State of Texas, and is not to be used for any project other than that for which it was prepared. This document is not to be used for construction without the approval of the architect. The information contained herein is for informational purposes only and is not to be used for construction without the approval of the architect. The information contained herein is for informational purposes only and is not to be used for construction without the approval of the architect.</p>	<p>2x4 wood framing</p> <p>2x6 wood framing</p> <p>3x5 depth cold-formed metal framing</p> <p>6 depth cold-formed metal framing</p> <p>12 depth insulated-concrete-form framing</p>	<p>NEW HOUSE & SECONDARY APT W/ DETACHED GARAGE AT 7000 W. LAMAR BLVD. AUSTIN, TEXAS 78704</p> <p>ISSUE DATE 28 Nov 2017</p> <p>SHEET TYPE: Floor Plans, Level 01</p> <p>28 Nov 2017</p>

P-3/15



① Floor Plan, Bldg 01, Level 02

[illegible]

P-3/17

ARCHITECT'S NOTE: NO PROVISIONS FOR "HABITABILITY OF SPACE" ARE MADE IN THE LANGUAGE CITED ABOVE. IE: ANY ENCLOSED SPACE UNDER THE SHED ROOF MAY PROTRUDE, INCLUDING SPACE USED FOR VERTICAL CIRCULATION

[illegible]

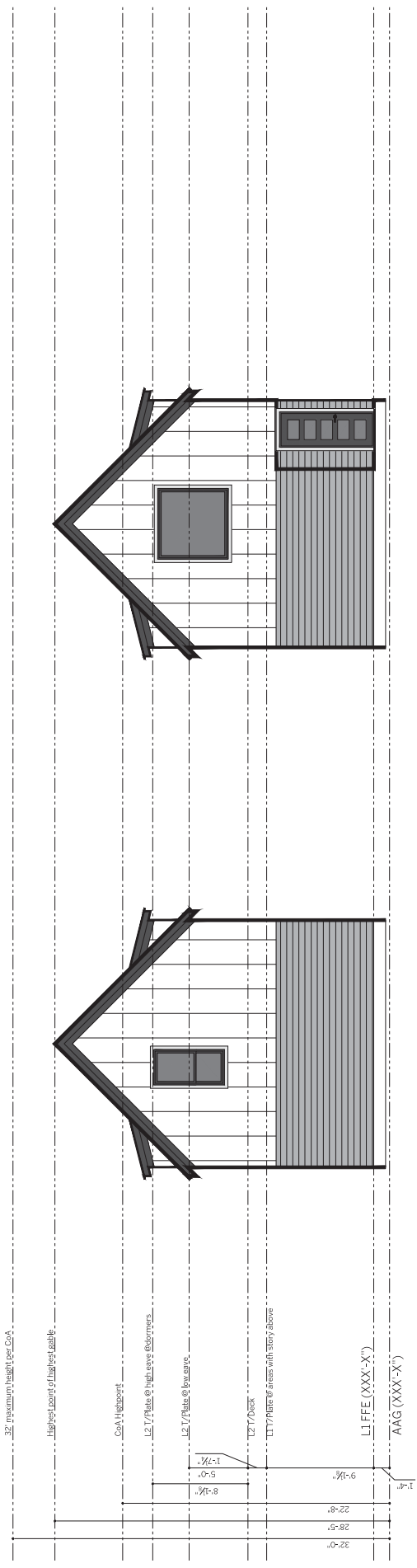
CONCEPTUAL PLAN

LDG TITLE 25, CHAPTER 25-2, SUBCHAPTER F, ARTICLE 2.6
E. 4. b. (2)

LDG TITLE 25, CHAPTER 25-2, SUBCHAPTER F, ARTICLE 3.4.1

A structure may not extend beyond a setback plane...except for a garage or detached garage...the height shall be measured vertically from the average of the highest and lowest grades adjacent to the building to the highest point of the roof...the height shall be measured along the intersection with the setback plane.

ARCHITECT'S NOTE: NO PROVISIONS FOR HABITABILITY OF SPACE ARE MADE IN THE LANGUAGE CITED ABOVE. IE ANY ENCLOSED SPACE UNDER THE SHED ROOF MAY PROTRUDE, INCLUDING SPACE USED FOR VERTICAL CIRCULATION.



② Elevation, Bldg 2 (Garage), Rear

① Elevation, Bldg 2 (Garage), Front

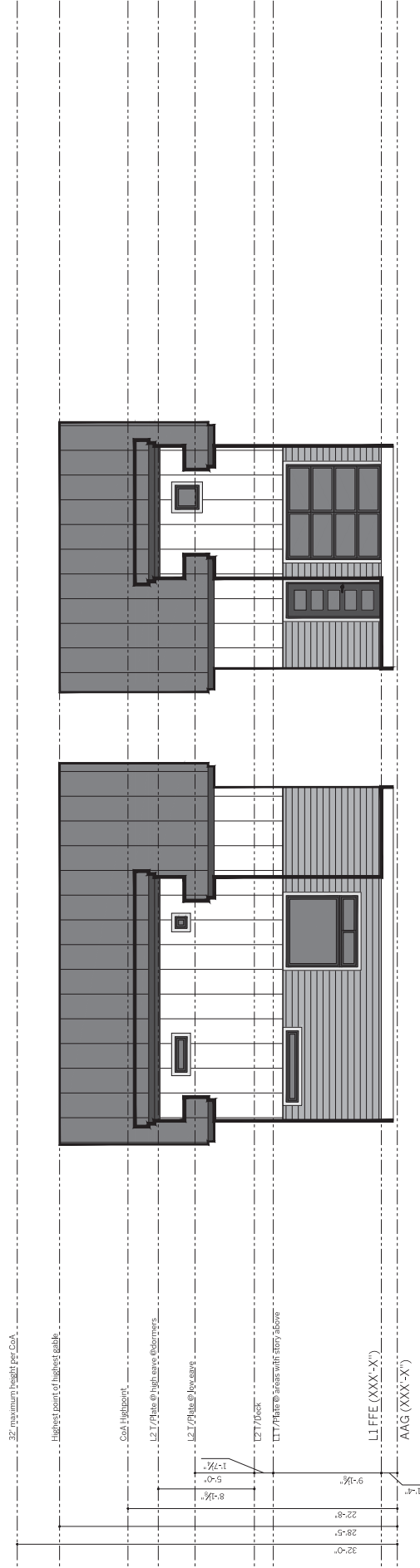
KEYED NOTES (NOT ALL NOTES MAY PERTAIN TO THIS SPECIFIC PROJECT)			
01 New standing-seam metal shingle roof.	06 New 3-coat Portland-cement plaster and finish. 3/8 coat.	11 New parapet at exterior porch above finish floor.	
02 New 30-year composition shingle roof.	07 New 3.5"-thick stone masonry veneer, random-sashlar bond, common bond.		
03 New horizontally-oriented cement-board siding, Exposure 65.	08 New metal coping. Exposure 65.		
04 New vertically-oriented cement-board siding, Exposure 24" w/ 3/2 battens.	09 New metal coping. Exposure 65.		
	10 New metal coping at exterior porch or deck. Minimum height 36" above finish floor.		

DISCLAIMERS.	SEAL OF ARCHITECT.	SEAL OF MUNICIPAL APPROVAL.
<p>This drawing is the property of the architect and is not to be reproduced or used in any way without the written consent of the architect. This drawing is not for regulatory purposes. The architect assumes no responsibility for the construction of the project. The architect is not responsible for the construction of the project. The architect is not responsible for the construction of the project.</p>		

NEW HOUSE & SECONDARY APT W/ DETACHED GARAGE AT 1001 CLAYTON ST. AUSTIN, TEXAS 78704	ISSUE DATE 28 Nov 2017	ISSUE DATE 28 Nov 2017
PROJECT NAME	ISSUE DATE	ISSUE DATE
PROJECT NAME	ISSUE DATE	ISSUE DATE

PROJECT NAME	ISSUE DATE	ISSUE DATE
PROJECT NAME	ISSUE DATE	ISSUE DATE
PROJECT NAME	ISSUE DATE	ISSUE DATE

CONCEPTUAL PLAN



① Elevation, Bldg 2, Left

② Elevation, Bldg 2 (Garage), Left

[illegible]

Subject Property view from street

4013 Clawson Rd



Views of Clawson Road with subject property at left of photo



Similar layout (4 houses built along deep lot) across the street from subject property, towards Southwest, approximately 500' from subject.



New construction at corner



Two properties across the street from subject



Rear portions of subject property (page 1 of 2)



Rear portions of subject property (page 2 of 2)



From: Cat
To: [Ramirez, Elaine](#)
Subject: Re: OPPOSITION TO - Reference File Name: C-15-2020-0016 (Permit/Case: 2020-000010 BA) BA HEARING for residential 50'w lot at 4013 CLAWSON Road — Variance scheduled for Monday, May 11, 2020 (5:30pm)
Date: Monday, May 11, 2020 3:38:18 PM

*** External Email - Exercise Caution ***

Dear Ms. Ramirez,

I am also highly opposed to Mr. Chris Palladino's request for a Variance on a 50' wide lot on Clawson Rd. I own the residential property at 1600 Morgan Ln, that is attached to the Eastern border of Mr. Chris Palladino's lot. I agree with the below correspondence from Ms. Joyce McCart which was sent to you earlier. In addition, my 6/8 acre lot (1600 Morgan Ln.) was approved for an 8 unit apartment complex in 1992-1993, but was ultimately denied for many of the same reasons Ms. McCart describes in the below. I dread the horrific impact that 8 unit project would have had on this community and the environment. Please relay my Objection to the Board tonight.

Thank you for your attention to this matter,
Catherine Brown
1600 Morgan Ln.
Austin, TX 78704

From Ms. Joyce McCart residing at 1602 Morgan Ln:

Applicant Chris Palladino's request for a BOA Variance "...to subdivide ..." existing SF-3 single lot (50'w fronting on Clawson Road 78704) into "...at least two lots" to construct 4- residences ("2-primary and 2-secondary).

Copy images of his Variance request online file, plus the Notice received 05/07/20 are attached hereto:

<image002.jpg>

<image003.png>

Although I understand Mr. Palladino's desire to increase his investment value by utilizing as much of his large lot as possible, my opposition primarily rests upon 3-factors:

(1) DRAINAGE MITIGATION and IMPERVIOUS/PERVIOUS coverage concerns (during and after proposed construction):

The Palladino's SF-3 lot is located in a land area that drains downhill, flowing water onto adjoining properties, creating potential flooding concerns to existing residential property, particularly during heavy downpours of Spring and Summer.

(2) **TRAFFIC & LIFE/FIRE SAFETY:**

The construction of 4-residences on a SF-3 lot fronting CLAWSON Road adds approximately 8-vehicles traveling minimally 2x daily. The traffic on Clawson currently is over-burdened with traffic flow on a narrow 2-Lane road, which originally served residential-urban-gardening and wildlife habitat properties on the same-sized country road, which now carries the traffic burden of over-development from S. Lamar Blvd. and Manchaca (pka Manchaca) Road, with traffic short-cuts through residential streets of Del Cuerto Road to LIGHTSEY Road to CLAWSON ROAD to MORGAN LANE, using each as collective-feeder streets to access East-bound lane of 290W freeway (Ben White Blvd) at Bannister Lane signal-light intersection. Also, the INCREASED Multi-Unit DENSITY CONSTRUCTION (between Grayford Dr. and Southgate Circle) currently feed heavy traffic onto CLAWSON Road near the location of Mr. Palladino's property and Morgan Lane.

Although the collective-streets shortcut is circuitous with few stop signs (and hence creating traffic dangers to residents since no sidewalks exist along this route), the high-traffic use on Clawson Road results from area high-density development and the over-burdened multi-signal light intersections of 290W at Lamar Blvd. and at Manchaca Road.

(3) **DENSITY + ENVIRONMENTAL QUALITY:** the density that Mr. Palladino plans to construct on the existing SF-3, 50'w lot not only removes an abundance of native trees and wildlife habitat, but also increases the drainage burden on surrounding properties, while reducing air quality of Austin's inner city, of which the City of Austin prides itself as an Urban Forest city.

Mr. Palladino's 2017-2018 communications with adjoining property owner(s) may have demonstrated less than forthrightness as to his development intent, which now is seemingly greater than proposed in 2017 initial communications.

My related questions for BA's consideration are:

1. What square footage and height are planned for each of the 4-structures Mr. Palladino plans to construct?
2. What, if any, tree boundaries will remain between the structures and adjoining properties?
3. To what remediation measures does Mr. Palladino's commit for his lot variance and proposed construction, particularly if drainage and impervious/pervious coverage requirements are altered to accommodate his variance request?
4. If Mr. Palladino's variance request is approved, what implications (benefit and downside) do such variance and density construction have on the other 50'w lots in the neighborhood?

Again, thank you Ms. Ramirez for your attentiveness to my inquiry and my response as an "Oppositional Vote" to the above-referenced Variance Request.

Kind regards—Joyce McCart

J McCart, PhD

1602 Morgan Ln

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From: J in Austin
To: [Ramirez, Elaine](#)
Cc: [REDACTED]
Subject: OPPOSITION TO - Reference File Name: C-15-2020-0016 (Permit/Case: 2020-000010 BA) BA HEARING for residential 50'w lot at 4013 CLAWSON Road — Variance scheduled for Monday, May 11, 2020 (5:30pm)
Date: Saturday, May 09, 2020 5:51:56 PM
Attachments: [IMG_1379.PNG](#)

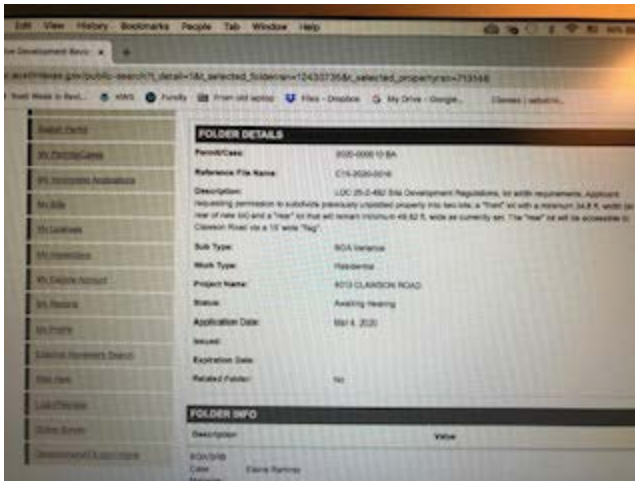
*** External Email - Exercise Caution ***

Dear Ms. Ramirez,

Thank you for your VM response to my inquiry as to how/where I may file my “OPPOSITION VOTE” on the above Applicant Chris Palladino’s request for a BOA Variance “...to subdivide ...” existing SF-3 single lot (50’w fronting on Clawson Road 78704) into “...at least two lots” to construct 4- residences (“2-primary and 2-secondary).

I own the residential property at 1602 Morgan Lane (78704) that is contiguous to the rear portion of Mr. Chris Palladino’s currently-existing single 50’w lot.

Copy images of his Variance request online file, plus the Notice received 05/07/20 are attached hereto:





Although I understand Mr. Palladino's desire to increase his investment value by utilizing as much of his large lot as possible, my opposition primarily rests upon 3-factors:

(1) **DRAINAGE MITIGATION** and **IMPERVIOUS/PERVIOUS** coverage concerns (during and after proposed construction):

The Palladino's SF-3 lot is located in a land area that drains downhill, flowing water onto adjoining properties, creating potential flooding concerns to existing residential property, particularly during heavy downpours of Spring and Summer.

(2) **TRAFFIC & LIFE/FIRE SAFETY:**

The construction of 4-residences on a SF-3 lot fronting CLAWSON Road adds approximately 8-vehicles traveling minimally 2x daily. The traffic on Clawson currently is over-burdened with traffic flow on a narrow 2-Lane road, which originally served residential-urban-gardening and wildlife habitat properties on the same-sized country road, which now carries the traffic burden of over-development from S. Lamar Blvd. and Menchaca (pka Manchaca) Road, with traffic short-cuts through residential streets of Del Cuerto Road to LIGHTSEY Road to CLAWSON ROAD to MORGAN LANE, using each as collective-feeder streets to access East-bound lane of 290W freeway (Ben White Blvd) at Bannister Lane signal-light intersection. Also, the INCREASED Multi-Unit DENSITY CONSTRUCTION (between Grayford Dr. and Southgate Circle) currently feed heavy traffic onto CLAWSON Road near the location of Mr. Palladino's property and Morgan Lane.

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Kind regards—Joyce McCart

J McCart, PhD

Cultural Mythologist

[310.913.1719](tel:310.913.1719) c/t

... within the shadows, the zeitgeist of a nation resides.
(Westerhout, katwest.com)

If we do not abandon ourselves, we do not abandon the world. For, what changes the soul can also change the world. (Meade, "To Not Abandon Ourselves" 03/15/20)

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