

Re: Case# C15-2021-0036

6141 Jumano Ln

To: The Board of Adjustments, City of Austin,

My name is Ted Harbourt. My wife Anita Harbourt and I live at 7101 Quimper Ln. We have lived at this address for 23 yrs. We had our house built and raised our family here. Our house faces Quimper and is on the corner of Quimper and Jumano. Our back fence is adjacent to the side yard of 6141 Jumano Ln. On Nov 6<sup>th</sup> 2020, the resident at 6141 Jumano had a new fence addition added along our back fence line. We would like to express our opposition to the addition of this fence for the following reasons.

- The new fence extension at 8ft is taller than our existing fence and creates an offensive look from our back yard with two fences back to back of different height.
- The new extension is not fluid and continuous, there is a 4ft break in the fence that is filled with a cloth tarp to cover the gap. This is not in compliance with the HOA and has not been approved.
- She has only lived in the neighborhood for 1 ½ yrs and our existing backyard fence has been sufficient for 21 ½ yrs before she lived here.
- The elevation of our properties was very clear when she purchased her property. She was fully aware of the fence lines when she bought her property.
- We were not listed as one of the residences within line of sight and did not give our consent to have this built along our established fence line.
- Had we been consulted, we may have been able to come to an agreement to improve the height of the existing fence and avoid the physical issues and aesthetic concerns.
- The addition of a second fence along our back property line has created a space between the two fences that is now filling with debris and is inaccessible to maintain. And we cannot simply remove our fence as hers is not fluid and continuous.
- In the process of installing the additional partition along our back fence, our fence posts have been destabilized and now disconnected from the rest of the neighborhood fence structure.
- On the Day the fence was constructed all three adjacent property owners called 311 as none of us were contacted nor did any of us give consent for our property to be removed or changed. Her house was the last built in the neighborhood so the only part of her fence that she owned was the two gates. The entirety of the fence along her property lines belonged to the adjacent neighbors.

My wife is a Daughter of the Republic of Texas and grew up in Austin. I moved here as a very young adult and have lived here most of my life. We have been good, hard working, law abiding citizens of this community. My wife made a career working for the University of Texas here in Austin until she became disabled. I also have worked for the same Tech company for 26 yrs and built a career in management while living in Austin. No one in our family has been convicted of any crimes. The list of calls to the Police concerning our property were mostly from us in an attempt to report actions taken against us. We have had our cars stolen and home vandalized, tires slashed, gardens ripped out while we were on vacation and numerous verbal assaults against us including a physical assault by contact. Only one case was brought against my family but I don't know why this report was submitted to the City

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for this hearing as the incident occurred 3 yrs prior to Ms. McGee moving into the neighborhood, the case was taken to court and all accusations were proven to be false. My wife was exonerated of all charges and it was determined that she was the only one in danger or being victimized. This charge is currently being expunged. So there is no legitimate Safety concerns for the creation of this added section of fence. This is a smear campaign against my family so she can be allowed to keep a fence built in pure spite for the sole purpose of improving the look from her side. In the process of building the fence there has been damage to the 300+ yr old Oak tree between our properties. (see case# 320699 with city code office) The original fence we had constructed was done so in a manner not to affect the existing trees. Again our fence posts were already in position and could have been easily improved to accommodate the increased height without putting any risk of damage to the beautiful oak tree. But every attempt to communicate with Ms. McGee has been met with hostility and vulgar language. As an example of this, on Nov. 6<sup>th</sup> while the fence was being constructed, a male adult staying at her home threatened me and my family with physical violence when I tried to talk to them about what was happening. We called the police and filed a report and even though he admitted threatening us, due to Covid no arrests would be made. She told the Police officer on site that she had the proper permits/approvals from the city to build the fence but when asked to produce them she could not. We asked that the construction be postponed until the proper documents were available but this did not happen.

This section of fence we are asking to be removed is not part of the backyard fence enclosure but an addition that runs along her side property line in front of her house. None of the other homes in this neighborhood have a fence along the side of their property that extends out to the street. This seems excessive and unnecessary. She does not like us and has expressed this from the day she moved in. The first time my wife tried to say hello and welcome her to the neighborhood, she put up her hand and said "I don't talk to white trash people like you"

We don't think she should be rewarded for circumventing the proper processes to build this fence. We humbly ask that you find against the request to allow this particular section of fence to remain.

Regards,  
Ted & Anita Harbourt  
7101 Quimper Ln  
Austin, Texas 78749

## E-2/3-LATE BACKUP





E-2/4-LATE BACKUP





E-2/5-LATE BACKUP





E-2/6-LATE BACKUP





E-2/7-LATE BACKUP





E-2/8-LATE BACKUP





E-2/9-LATE BACKUP





E-2/10-LATE BACKUP

