

PUBLIC HEARING INFORMATION

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 - 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
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E-6/37

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Case Number: C15-2022-0021

Contact: Elaine Ramirez; elaine.ramirez@austintexas.gov

Public Hearing: Board of Adjustment; March 14th, 2022

Ronda Raymond
Your Name (please print)

☐ I am in favor
☒ I object

3603 Robbins Road
Your address(es) affected by this application

Ronda Raymond 3/7/22
Signature Date

Daytime Telephone: 415-531-3203

Comments: Concerns about impervious
cover, rainwater run-off, & parking.

If you will be using this form to comment, please return it via e-mail to:

Elaine Ramirez; 512-974-2202

Scan & Email to: Elaine.Ramirez@austintexas.gov



E-6/38

NOTICE OF PUBLIC HEARING LAND DEVELOPMENT CODE VARIANCE

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) 974-3455.

Mailing Date: March 3rd, 2022

Case Number: C15-2022-0021

Please be advised that the City of Austin has received an application for a variance from the Land Development Code.

Applicant:	Bhavani Singal; 832-641-2370
Owner:	Heidi Lew
Address:	3701 ROBBINS RD; ABS 437 SUR 1 JETT J ACR 0.50 OR LOT B OAK SHORES UNRECORDED

Variance Request(s):

The applicant is requesting a variance(s) from the Land Development Code, Section(s):

1. 25-2-492 (*Site Development Regulations*) from setback requirements to decrease the minimum Front Yard Setback from 40 feet (required) to 15 feet (requested) **and**
2. 25-2-551 (*Lake Austin District Regulations*) (C) (3)
 - (a) increase the maximum impervious cover on a slope with a gradient of 15 percent or less from 35 percent (allowed) to 48 percent (requested), (58% existing)
 - (c) increase the maximum impervious cover on a slope with a gradient of more than 25 percent and not more than 35 percent from 5 percent (allowed) to 14 percent (requested), (4% existing) in order to erect a new two story Single-Family residence in a "LA", Lake Austin zoning district.

Note: This section of the Land Development Code applies to lots that are included in a subdivision plat recorded before April 22, 1982 or a tract that is not required to be platted.

This application is scheduled to be heard by the **Board of Adjustment** on **March 14th, 2022**. The meeting will be held Hybrid, in-person at **Austin City Hall / 301 West 2nd Street / Council Chambers - 1st Floor / Room 1001, beginning at 5:30 PM.**

Some Board Members of the **Board of Adjustment** may be participating by videoconference, **beginning at 5:30 PM**. The meeting may be viewed online at: <http://www.austintexas.gov/page/watch-atxn-live>

To find out how to participate in the meeting in-person or virtually, please view information below, contact the Case Manager listed below by e-mail or go to the following website:

Board of Adjustment: <http://www.austintexas.gov/department/boards-and-commissions>

You can find out more information on this application by inserting the case number at the following website:
<https://abc.austintexas.gov/web/permit/public-search-other>.

**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, then click on government, click on Boards and Commissions, then highlight Board of Adjustment and click on view website, 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 as possible.*

From: Rick Swisher
To: [Ramirez, Elaine](#)
Subject: Case C15-2022-0021
Date: Wednesday, March 09, 2022 3:43:35 PM
Attachments: [3701 Oak Shores C15-2022-0021.pdf](#)

*** External Email - Exercise Caution ***

I have attached the requested form to this email and thought it might help to put the verbiage in the body of this email as well. I appreciate your consideration and marked the form "I do not Support" that is not 100% accurate. I only wish there to be consideration to insure there is not a parking issue on this narrow street and this steep curve. If there is no off-street parking made available at this lot, there will be issues. Currently when a car is parked on the asphalt at this lot, it blocks over ½ of the street making it dangerous for a car coming down the hill by needing to be on the wrong side of the street during this steep blind curve.

COMMENTS:

Regarding the proposed variances for case C15-2022-0021 I have one concern. The requested 15' front yard setback should be reviewed as per my comments below. There is a unique issue with this project.

Robbins Road is a narrow, non-standard road only 18 feet wide. This is barely enough for two cars to pass plus this property is on a steep curve that causes additional issues for parked cars. Most of us living on this street have either provided for extra parking off the street on our property, or the ROW, to add gravel so guests have room to park off the road. While I do not know where the front/street property line starts, I would suggest you review it to insure there is enough room to add such a parking area. It is quite possible this can be achieved and allow the 15' setback variance but should be reviewed and be part of your consideration. In addition to owning a home on the street, I was the builder of a neighboring home at 3605 Robbins Road where a variance was granted allowing a similar front yard variance. In the case of the 3605 Robbins granted variance, it was to allow a below street grade garage with parking on top that allows for off street parking for guests.

Richard Swisher
3601 Robbins Road

CAUTION: This email was received at the City of Austin, from an EXTERNAL source. Please use caution when clicking links or opening attachments. If you believe this to be a malicious and/or phishing email, please forward this email to cybersecurity@austintexas.gov.

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E-6/40

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Case Number: C15-2022-0021

Contact: Elaine Ramirez; elaine.ramirez@austintexas.gov

Public Hearing: Board of Adjustment; March 14th, 2022

RICHARD SWISHER

Your Name (please print)

☐ I am in favor
☒ I object

3601 Robbins Rd Austin, TX 78730

Your address(es) affected by this application

[Signature]

Signature

3-9-2022

Date

Daytime Telephone: 512-633-2082

Com Regarding the proposed variances for case C15-2022-0021 I have one concern. The requested 15' front yard setback should be reviewed as per my comments below. There is a unique issue with this project.

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If you e-mail to:

Elaine Ramirez; 512-974-2202

Scan & Email to: Elaine.Ramirez@austintexas.gov

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E-6/41

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Case Number: C15-2022-0021

Contact: Elaine Ramirez; elaine.ramirez@austintexas.gov

Public Hearing: Board of Adjustment; March 14th, 2022

DAVID STEIN

Your Name (please print)

☐ I am in favor
☒ I object

3703 Robbins Rd Austin, TX 78730

Your address(es) affected by this application

Signature

Date

Daytime Telephone:

512 706-7000

Comments:

Will the Current Footprint of the Existing Foundation be Moved Closer to the Lake blocking my EXISTING VIEW?

If you will be using this form to comment, please return it via e-mail to:

Elaine Ramirez; 512-974-2202

Scan & Email to: Elaine.Ramirez@austintexas.gov

From: [REDACTED]
To: [Ramirez, Elaine](#)
Cc: [REDACTED]
Subject: CASE# C15-2022-0021
Date: Tuesday, March 15, 2022 4:01:09 PM

*** External Email - Exercise Caution ***

Elaine,

I understand this email is late by deadline, however, would you please forward it to the board members knowing it can't be used as evidence or discovery.

Follow up from yesterday's Board of Adjustment meetings, since many cases were postponed awaiting more discovery or necessary number of present voting board members until April 11th, 2022:

1. To ask for a variance on a parcel of Lake Austin property that will have all of the entire current structures removed is an overreach, in my opinion, and should be held to its current code. The footprint of the new build is quite a bit larger than the current structures. One of my concerns is the substantial elevation increases on the multiple structures. This potentially will block the lake view that the current owner of 3614 Robbins Road currently enjoys. Is the total height on this design allowed within the code for this neighborhood? Although I understand no property is guaranteed any type of "view" the variances being approved would block current lake views of another resident.
2. Since the Builder/Architect used only mock-up drawings and elevations in their application for the variances, we aren't able to understand the actual height of this proposed residence and all of its structures, which would be relevant pieces of information, I would think. It looks to me it will be much higher than generally represented in the application documents.
3. Is the amount of substantial dirt work and concrete removal this close to the lake a potential environmental hazard for both the lake and nearby neighbors? Was asbestos remediation required on this build? Where can I find the environmental requirements needed on this build?
4. Height limit restrictions are important as this is a highly desirable lake area. Is that being accounted for/asked for when considering the variances?
5. This block has had many new developments in the last 6 years, all for which variances for height and size were granted, for two of which I was never notified in writing, nor was any sign posted on the property for the variance meetings. This has become an ongoing issue.
6. The street, Robbins Road, is a dead-end road and is very narrow with no turnaround, shoulder or parking areas available. This is a real issue for heavy trucks and equipment. My driveway was exclusively used to back all equipment in and out, on a daily basis, for years during these other construction projects. What staging areas will be used for this project as there is virtually no parking except a dirt ditch on this street? What damage remediation requirements for construction on this type of quiet, narrow, residential road, with regard to heavy equipment such as concrete trucks, commercial trash bins and tractors, will be written into this project? I foresee my driveway being used repeatedly again because there is no turn around for trucks on this dead-end street and that is not an acceptable or appropriate situation for me.
7. Two of the newly-constructed homes for which multiple variances were approved (as also noted by the architect to support her request at yesterday's meeting) on this short street are currently be used as vacation rentals, both short and long term. Prior to the new builds, with their multiple variances, this neighborhood was quiet and private. It's now a constant party with non-

stop random people coming and going. Not sure if it violates code for short-term rentals but there are two homes being used as short-term rentals within a thousand feet apart. I fear the house under review is being built to be used as a short-term rental as well, as that is what I was told by the new owner's relative over a year ago. Maybe circumstances have changed? Are there any restrictions against this house being used for short-term rental purposes?

8. One of these rental houses recently built a stucco wall within three feet of the street. How was that passed by City Code? Will this new build under review include a wall on Robbins Road within three feet of the street? It is difficult to tell with just the mock-ups that were provided, rather than actual blueprints with height and other specifications.

Lastly, I thought yesterday's Board of Adjustment meeting was bizarre and unprofessional, to say the least. Postponing so many projects for seemingly frivolous reasons, which put the builders and property owners in unnecessary binds with the inability to move forward on their respective projects. One of the board members made a comment that "Covid is still here" and that's why not enough board member were present for a proper vote, but the board members were already attending remotely so how can that be an appropriate excuse to postpone peoples' projects? I own and operate many large businesses here in Austin. I have not missed a day of work since March of 2020. How are that many Austin City personnel are still working from home when they are responsible for such important tasks? Illness has been around forever, not just for the last two years. This is not a rational reason to block so many people from trying to get things moving forward. How can anyone expect to get anything done in the fastest growing city in the country if the City isn't even at work? My current building project just got approved, 3 ½ years later. It's time for City of Austin personnel to go back to work. We are no longer a small town, we are the 11th largest city in the country. This is a very progressive, powerful city deserving genuine respect offered to its citizens, developers, builders and their building projects flooding billions of dollars into the marketplace.

The unprofessionalism of seeing a board member's cat onscreen yesterday while the Board told people their projects can't move forward because there aren't enough board members available to attend **online** so they could vote was actually appalling to me. A joke was made that either you get my cats head or my cat stamping on the key pad was ridiculous. Yesterday's meeting upset me greatly and was indicative of the many reasons it took me 3 ½ years to get a permit to build my most recent project. The ununiformed backgrounds used in individuals zoom attendance must have a more professional look and feel. This is 2022 and these are Board members for the City of Austin.

I have literally thousands of customers my businesses serve monthly, and while I have had many employees gone for weeks due to Covid, I still never failed to serve all of my customer's needs. The City of Austin must do the same.

Cordially Yours,

David S. Stein
3703 Robbins Rd
Austin, Texas 78730
512-415-7619

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