TRACT 134

PETITION

Case Number: **C14-2010-0049** Date: June 23, 2010

602, 604 & 606 MIDDLE LN

Total Area Within 200' of Subject Tract 26,611.37

1	02391902410000	CHEN SHENG-TING TRUSTEE FOR TH	8931.93	33.56%
2	02391902430000	CHEN SHENG-TING TRUSTEE FOR TH	8865.76	33.32%
3	02391902440000	CHEN SHENG-TING TRUSTEE FOR TH	8813.68	33.12%
4				0.00%
5				0.00%
6				0.00%
7				0.00%
8				0.00%
9				0.00%
10				0.00%
11				0.00%
12				0.00%
13				0.00%
15				0.00%
16				0.00%
17				0.00%
18				0.00%
19				0.00%
20				0.00%
21				0.00%
22				0.00%
23				0.00%
24				0.00%
25				0.00%
Validated By:			**Total Area of Petitioner:**	**Total %**
	Stacy Meeks		**26,611.37**	**100.00%**

Late Backup



PETITION

N

BUFFER

PROPERTY_OWNER

SUBJECT_TRACT

OPERATOR: S. MEEKS

CASE#: C14-2010-0049
ADDRESS: 602, 604 & 606 MIDDLE LN
GRID: L30
CASE MANAGER: J. BROWNING

This map has been produced by G.I.S. Services for the sole purpose of geographic reference.
No warranty is made by the City of Austin regarding specific accuracy or completeness.

CITY OF AUSTIN
FOUNDED 1839

PETITION

Date: 6/22

File Number: C14-2010-0049

Address of Rezoning Request: 602 MIDDLE LN, 604 MIDDLE LN, 606 MIDDLE LN

To: Austin City Council

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than GR SW.

(STATE REASONS FOR YOUR PROTEST)

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature	Printed Name	Address
	SHENG TING CHEN	5000 MISSION OAKS Unit 24 AUSTIN, TX. 78735

The reason for the protest is that my adjacent neighbors (Tract 133 & 13 have zoning code GR. It is impossible for my lot to exist as SF-3-NP.

Date: 6/22 2010

Contact Name: SHENG T. CHEN

Phone Number: 512 656 4971

HOW TO FILE A PETITION

A petition should be dated and addressed to the City Council. In order to be legally binding, the first paragraph should read as follows:

> We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than GR.

After this initial statement, briefly state the reasons for the protest.

This statement should be followed by the signatures of the protesters and their addresses. If a protester signs for other than the owner of record, a Power of Attorney should accompany the petition. Signatures should be in black ink to facilitate reproduction. A sample petition is attached.

Property owner information is obtained from the Travis County Appraisal District. If there has been a recent sale of the property, the current owners may not be shown. A copy of the deed or closing statement must be furnished with the petition to establish ownership.

Please furnish the name and phone number of a contact person in case there are questions about the petition.

File number and zoning information may be obtained from the Planning and Development Review Department, 505 Barton Springs Road, Fifth Floor. It is also suggested that a numeric printout of the property owners and a copy of that portion of the tax plat showing 200 feet around the area proposed for rezoning be obtained.

A parcel number for each property within a 200-foot radius must be determined. This may be done as follows:

- The first five digits of the parcel number is the tax plat number.
- The next two digits is he block number. This is the large underlined number shown on each block.
- The last two digits is the lot number. This is the small underlined number on each lot.

This nine digit number is called a parcel number and corresponds to those numbers shown on the property owner printout. A sample map with the appropriate numbers circled is attached for your information.

A brief description of the process for determining the validity of a petition is as follows:

> Figure square footage of area within 200-foot radius of property being rezoned, excluding property being considered.
>
> Figure each petitioner's area. These areas should include one-half of right-of-way adjacent to the petitioner's property.

If you cannot appear at the hearing, a written statement of your opposition may be sent to the Planning and Development Review Department (PDR). Written protests should be filed as early as possible so copies will be available for the Commission. The Notices of Public Hearing contain a section where brief comments may be made and returned to PDR.

Comments should be mailed to:

Planning and Development Review Department
P.0. Box 1088
Austin, Texas 78767
File No. C14-2010-0049

CITY COUNCIL

At the City Council hearing you may again protest the zoning change following the same procedures as for the Land Use Commission.

You may also submit a written petition against the zoning. Only a simple majority of the Council is required to grant the zoning unless a valid written petition has been submitted. A valid petition requires a three-fourths vote of Council. This usually consists at six votes; however, if a Council Member abstains it reduces the number of Council and could require fewer votes to obtain a three-fourths majority. Absenteeism does not reduce the number of Council and six votes are required.

Sec. 1-2-1 of the Land Development Code, Protest of a Proposed Rezoning, states that:

> a proposed rezoning shall not become effective except by the favorable vote of three-fourths of all members of the Council, if a petition has been filed, signed by the owners of 20% or more of
>
> 1) the land included in such a proposed change, or
>
> 2) the land immediately adjoining the same and extending 200 ft. therefrom.

Figure percentage:

$$\frac{\text{Total of petitioners' area}}{\text{Total area within 200' radius}}$$

Condominium projects may protest the rezoning if the petition is signed by the appropriate officer of the governing body of the condominium. An individual condominium owner shall not be included when calculating the petition unless the documents governing the condominium clearly establish the right of an individual owner to act with respect to his or her respective undivided interest in the common elements of the condominium.

The petition should be furnished to the Planning and Development Review Department as early as possible prior to the Council hearing so the validity may be determined prior to the bearing.

If you need additional information or assistance concerning the above procedures, please contact the Planning and Development Review Department, 505 Barton Springs, Fifth Floor, 974-7668.

INFORMATION FOR OPPOSING A ZONING CHANGE

If you are in opposition to a zoning change in your neighborhood, it is suggested you contact the City staff and the applicant to attempt to reach a compromise. When possible, applicants are advised to contact and work with the applicable neighborhood organization(s) prior to submitting an application.

If a compromise cannot be reached, the following procedures may be used to protest the zoning change. These are

1) either in writing or at the public hearing, request the Land Use Commission not to recommend the zoning change to the City Council, and /or

2) petition the City Council not to grant the zoning change. Petitions must be submitted no later than 12:00 p.m. (noon) on the day of the scheduled public hearing to the Case Manager, Planning and Development Review Department (per City Council Resolution as of 11/13/86). You are, however, encouraged to submit your petition earlier (possibly two days earlier) to assure that validation occurs in a timely manner.

These procedures are described below:

LANDUSE COMMISSION

At the Land Use Commission hearing you will be given an opportunity to speak in opposition to the zoning. If you are part of an organized group, it is recommended a spokesman be selected to represent the interests of the group.

A written statement of your opposition may also be presented to the Commission members (there are nine) with a copy for the staff.

The order of the meeting is as follows:

1. Chair announces request.
2. Staff present a summary
3. Chair calls on those FAVORING the request.
   a. Applicant's presentation (5 minutes)
   b. Others favoring the request (3 minutes)
4. Chair calls on those OPPOSING the request
   a. Primary presentation (5 minutes)
   b. Others opposing the request (3 minutes)
5. Applicant answers stated objections (3 minutes)
6. Staff summation and questions form Commission
7. Public hearing is closed and Commission acts on request

The Land Use Commission's recommendation will be forwarded to the City Council for their action.