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## MEMORANDUM

**To:** Zoning and Platting Commission  
City of Austin

**From:** Sylvia Limon  
Case Manager, Planning and Development Review Department

**Date:** December 14, 2010

**RE:** C8J-2010-0016.0A - Resubdivision of Lot 2, Kellywood Estates Section Two

A request for postponement of this resubdivision has been submitted by Mr. Josh Kelly, 4217 Kellywood Drive. Mr. J. Kelly respectfully requests this item be postponed to the next available meeting date. He will be out of town for the holiday, but wishes to speak before the Commission.

Staff is in agreement and requests that this item be postponed to the January 4, 2011. Please see the attached information from Mr. J. Kelly.

Sincerely,

Sylvia Limon, Case Manager  
Planning and Development Review Department

Attachment(s)

**Limon, Sylvia**

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**From:** Josh Kelly [e-mail address redacted]  
**Sent:** Monday, December 06, 2010 2:04 PM  
**To:** Limon, Sylvia  
**Subject:** Case # C8J-2010-0016.0A - Request regarding the date of the Public Hearing Notice

**Attachments:** Public Hearing Notice.pdf



Public Hearing  
Notice.pdf (2 M...

Dear Mrs. Limon,

I am writing you to ask if the Public Hearing regarding the Re-Subdivision of Kellywood Estates, Section 2, Lot 2 which is scheduled to be heard by the Zoning and Platting Commission on December 21, 2010 at 6pm could be postponed/rescheduled due to the date being so close to the Holidays. I will be leaving for Colorado on December 17 for Christmas with my Wife's family. I will not be able to attend the Hearing and I have a great deal of information to present to the Zoning and Platting Commission due to the date. Many other members of the Kelly family will also be out of town or hosting family members.

With my deepest respect, I formally request that the Hearing on the 21st of December be postponed.

Respectfully, Josh Kelly

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**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.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

Commission is required to approve the subdivision by State law if no variances are required, and if it meets all requirements. A board or commission's decision on a subdivision may only be appealed if it involves an environmental variance. A variance may be appealed if it involves 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. A notice of appeal must be filed with the director of the responsible department no later than 14 days after the decision. An appeal form may be available from the responsible department.

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;
- 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.

For additional information on the City of Austin's land development process, visit our web site: [www.ci.austin.tx.us/development](http://www.ci.austin.tx.us/development).

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the name of the board or commission, or Council, the scheduled date of the public hearing, the Case Number, and the contact person listed on the notice.

Case Number: C81-2010-00160A  
 Contact: Sylvia Limon, 512-974-2767 or  
 Andy Castilla, 512-974-3437  
 Public Hearing: Dec 21, 2010, Zoning & Planning Commission,

Josh Kelly  
Your Name (please print)

4217 Kellywood Dr, Austin, Texas 78739  
Your address(es), affected by this application

I am in favor  
 I object

[Signature]  
Signature

6 Dec 2010  
Date

Daytime Telephone: 512-527-3429

Comments: I strongly oppose the Re-Subdivision of Kellywood Dr. I believe the section of Sect 2. If you'd like for the entire Kelly family address known as the Kelly estate to be a Good and every member of the family will write to you to express their opinion. I am currently writing now to sub as we could not ignore the Public Hearing due to the holidays.

If you use this form to comment, it may be returned to:  
 City of Austin - Planning & Development Review Dept /4<sup>th</sup> Fl  
 Sylvia Limon  
 P. O. Box 1088  
 Austin, TX 78767-8810