

updated

ROW #

C15-2011-0125

CITY OF AUSTIN
APPLICATION TO BOARD OF ADJUSTMENT
GENERAL VARIANCE/PARKING VARIANCE

Row: 10661158

TP#0218090113

PLEASE: APPLICATION MUST BE TYPED WITH ALL
REQUESTED INFORMATION COMPLETED.

WARNING: Filing of this
appeal stops all affected

construction activity.

STREET ADDRESS: 1009 E 43rd St

LEGAL DESCRIPTION: Subdivision -

Lot(s) 22 OLT 18 Block Division Country Club Terrace

I/We David Cancialosi on behalf of myself/ourselves as authorized agent for

Rachel Nation affirm that on Oct 3, 2011

hereby apply for a hearing before the Board of Adjustment for consideration to:

(check appropriate items below)

 ERECT ATTACH COMPLETE REMODEL X MAINTAIN

NOTE: 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 support documents.

Zoning: SF-3 - CO - NP (Hancock N.P.)
Variance to regulations requiring 3 off-street parking spaces

lot size 7,000 → 5,928 for

2 family
residence

* (3-0 parking)

VARIANCE FINDINGS: I contend that my entitlement to the requested variance is based on the following findings (see page 5 of application for explanation of findings):

REASONABLE USE:

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

The subject site is a corner lot. Typical lots in this neighborhood have no front curb cut. Rather, the garage and curb cut was placed to the rear of the primary structure – taking access from the intersecting street. The subject site's original garage and curb cut is in keeping with this layout. The original garage was converted to a garage apartment in the mid-1980's. At that time the parking was moved to an area taking access from the pre-existing curb cut off of Bennett St., the intersecting side street. That 'area' was not technically acceptable as it extended into the Bennett St. ROW. Over time, parking for the primary structure and 2 family unit utilized this side street without disrupting traffic, bicycle, or pedestrian patterns. Bennett St. opens to the rear of Hancock Shopping Center. This section along Bennett St. (between E 43rd St and the Hancock Center parking lot) can accommodate approximately 7 vehicles. Historically this curb section has not seen more than 3-4 parked adjacent to the subject site at any one time. Application of the parking regulations requiring 3 off-street parking spaces would be an unreasonable application of the code given the low impact, historical parking scenario associated with this site.

HARDSHIP:

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

Since the 2 family unit was converted in the mid-1980's, the parking has been utilized in the current manner. The applicant is also seeking a Special Exception to keep the 2 family unit in its pre-existing location. Should this parking request be denied, the applicant will be forced to convert a 2 family unit that's been in existence for approximately 25 years. Conversely, if the Special Exception request to maintain the 2 family unit is approved yet the request to maintain zero off-street parking is approved, the site will remain non-compliant.

The city of Austin Arborist department has denied a request to provide off-street parking due to an on-site Heritage Tree located between the secondary and primary structures, adjacent to Bennett St. Arborist Staff was consulted, site visits were performed by city staff, and options to install crushed granite near the protected tree's root system were proposed to city staff. Ultimately, staff denied the applicant's proposal to install any off-street parking at the only available space between the 2 family unit and the primary structure.

Thus, off-street parking requirements cannot be met at this time due to a combination of pre-existing conditions and current city regulations. All things considered, it appears to be in the best interest of the property owner and the city to approve said parking request in order to remedy the non-compliant issues.

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

There are no known scenarios in the area that match this specific site's conditions of a pre-existing 2 family dwelling unit, corner lot, on-site protected / heritage tree, and historical on-street parking.

AREA CHARACTER:

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:

The current parking scenario has been in place for approximately 25 years without detracting from neighborhood character. Homes in the neighborhood have smaller lots with 1, sometimes 2 – car garages. It is common for cars to be parked on the ROW in central Austin neighborhoods. Additionally, this specific lot abuts ROW that opens up to the rear parking lot of Hancock Shopping Center. The rear of Hancock Shopping Center primarily serves as a shipping and receiving area for several retail uses found within the mall.

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 Section 479 of Chapter 25-6 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 reasonable require strict or literal interpretation and enforcement of the specific regulation because:

The on-street parking at said location has been in existence for approximately 25 years without issue. Traffic along Bennett St. to and from Hancock Shopping Center appear to have zero impact on the subject site's parking along Bennett St, and visa versa. Literal enforcement of the parking regulations would substantially impair the pre-existing use of the subject site.

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:

There is space along Bennett St. and in front of the subject site along E 43rd St to accommodate 7-9 vehicles. At no point does the applicant anticipate more than 3-4 vehicles parked along either Bennett St. or E. 43rd St. Historically, no more than 2-3 cars have been parked in the ROW since the garage conversion to a dwelling unit in the mid-1980's. There is zero loading activities associated with this site. There is no interference with free flowing traffic.

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

There are no know historical or current safety issues associated with parking 3-4 vehicles along Bennett St. or E. 43rd St. The pre-existing parking scenario has shown zero cause for concern, has solicited zero complaints from neighbors, nor does it exhibit any condition(s) inconsistent with the objectives found in Section 479 or otherwise noted in the Transportation regulations found in LDC Chapter 25-6.

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

The pre-existing parking scenario is directly related to the conversion of the original garage to a dwelling unit. Should the dwelling unit be removed, demolished, or converted back to non-livable space there would be sufficient space for 2 off-street parking spaces. There is no intent to convert the garage to non-livable space.

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

**APPLICANT
CERTIFICATE - I**

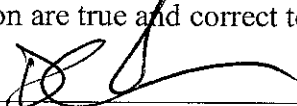
2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

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

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

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.

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

Signed  Mail Address 8500 SHORE CREEK BLVD
BLDG 4 STE 200

City, State & Zip AUSTIN TX

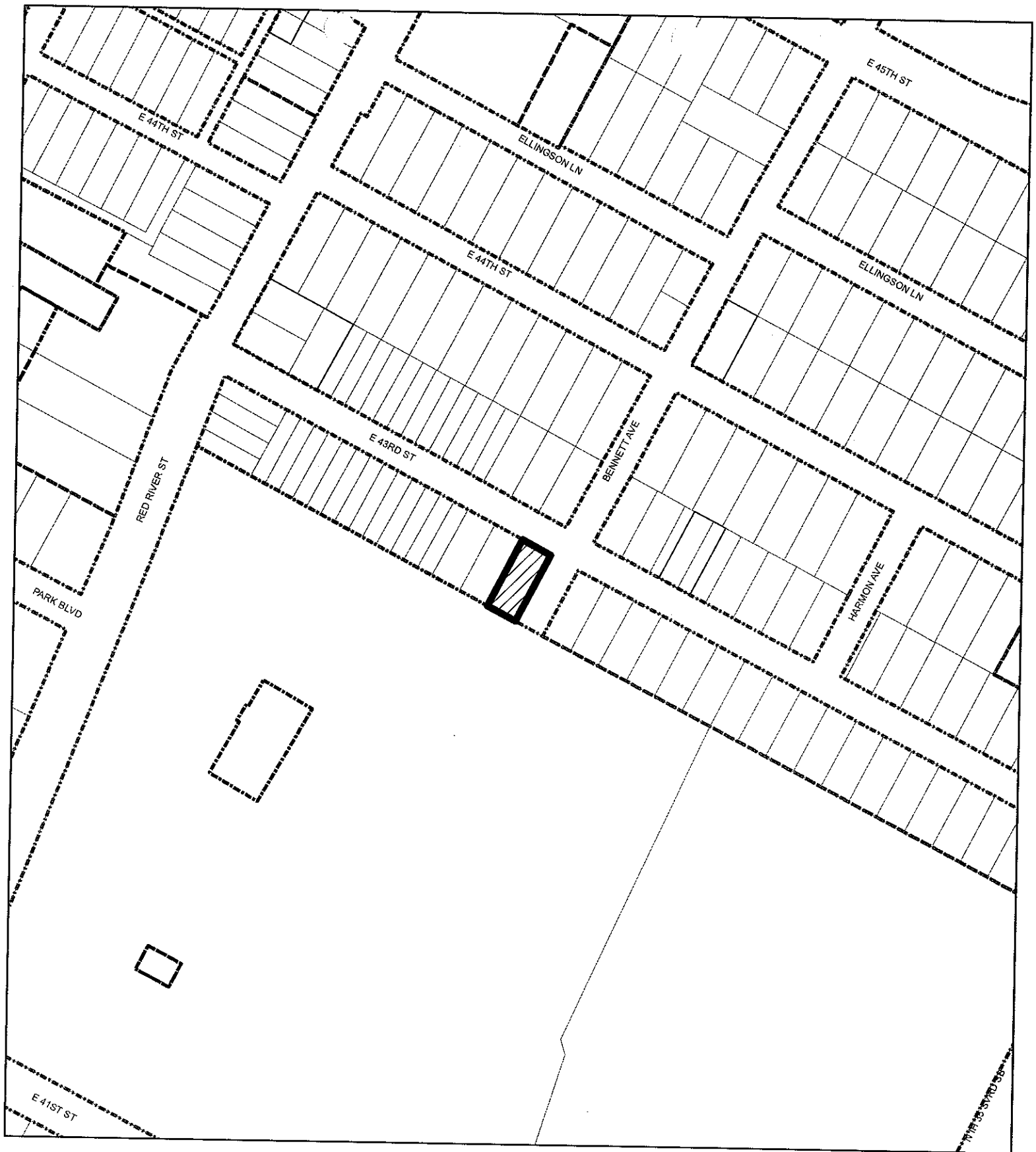
Printed DAVID CANCEANOSI Phone 799 2401 Date 9/22/11

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

Signed  Mail Address 824 PRINCE RIDGE

City, State & Zip AUSTIN TX 78731

Printed LAUREL NORTON Phone _____ Date 9/21/11



SUBJECT TRACT



ZONING BOUNDARY

CASE#: C15-2011-0125
LOCATION: 1009 E 43RD



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 the Planning and Development Review Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



City of Austin

Austin's Community-Owned Electric Utility

www.austinenergy.com

Town Lake Center • 721 Barton Springs Road • Austin, Texas • 78704

October 28, 2011

David C. Cancialosi
Permit Partners
8500 Shoal Creek Blvd, Bldg 4, Ste 200
Austin, Texas 78757
Via email: david@permit-partners.com

Re: 1009 E. 43rd St
Lot 22, Country Club Terrace

Dear David,

Austin Energy (AE) has reviewed your application for the above referenced property requesting to reduce the following setbacks in order to maintain the existing improvements: rear setback to 5.35 ft, street side yard setback to 4.5 ft; and interior side yard setback to 2.5 ft as shown on the attached red-stamped sketch. Austin Energy will not object to this request to reduce setbacks in order to maintain existing improvements, however, the owner/applicant is hereby notified that the existing structures may be in violation of current clearance criteria and any new modifications and/or additions must meet the current clearance criteria.

Thank you for checking with us in advance. Should you have any questions, please feel free to contact me at 322-6587.

Sincerely,

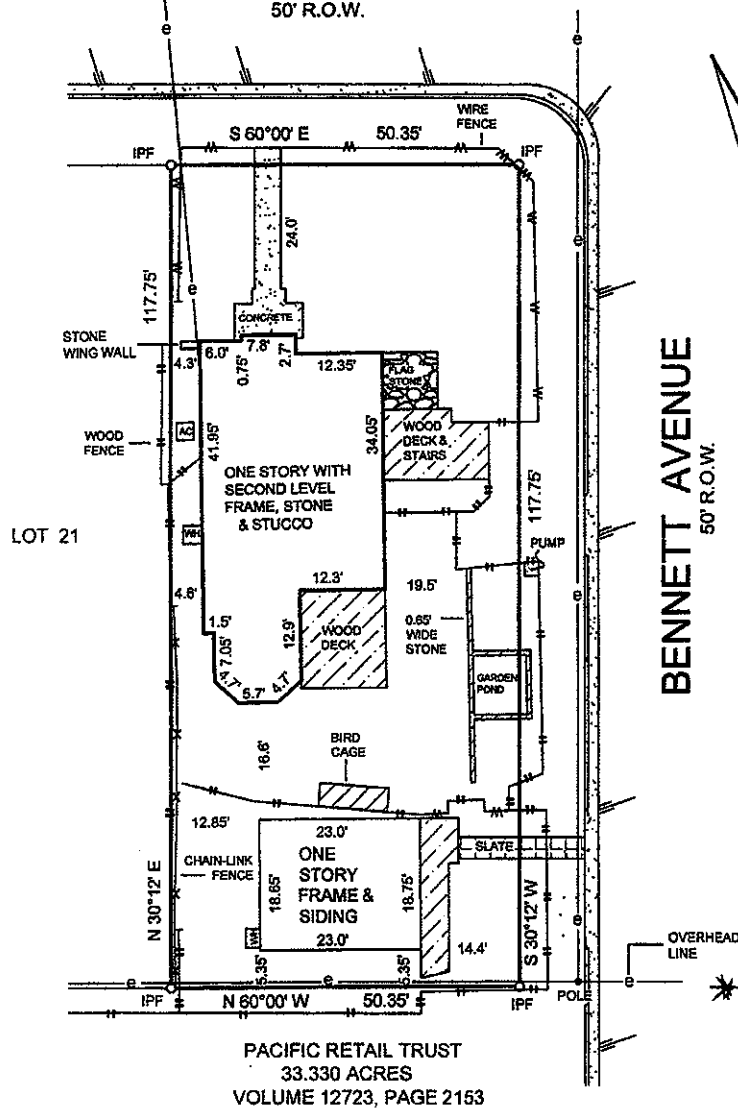
A handwritten signature in black ink, appearing to read "Lena Lund", written over a horizontal line.

Lena Lund

Public Involvement/Real Estate Services

Cc: Diana Ramirez and Susan Walker

E. 43rd STREET (E. FORTY THIRD STREET per PLAT)
50' R.O.W.



PACIFIC RETAIL TRUST
33.330 ACRES
VOLUME 12723, PAGE 2153

NOTE:
IN ACCORDANCE WITH F.I.R.M. FEDERAL
INSURANCE ADMINISTRATION FLOOD
HAZARD BOUNDARY MAPS, THIS LOT
IS NOT WITHIN A SPECIAL FLOOD
HAZARD AREA.
MAP: 48453C0465 H
EFFECTIVE DATE: September 25, 2008

SURVEYORS NOTE: PREPARED WITHOUT BENEFIT OF
TITLE REPORT. THERE MAY BE OTHER CONDITIONS
AND / OR EASEMENTS THAT AFFECT THE SUBJECT
TRACT OF WHICH I AM UNAWARE.

SCALE 1" = 20 FEET

W.O. # 11-9-5

LEGAL: LOT: 22
SUBDIVISION: COUNTRY CLUB TERRACE
STREET: 1009 E. 43rd STREET
REFERENCE: NATION/BUDDO

VOLUME 3, PAGE 323
COUNTY: TRAVIS
SURVEY FOR: RACHEL NATION AND NICHOLAS BUDDO;
THE LIEN HOLDERS AND/OR THE OWNERS OF THE PREMISE

STATE OF TEXAS COUNTY OF WILLIAMSON
THE UNDERSIGNED DOES HEREBY CERTIFY THAT THIS SURVEY WAS THIS DAY MADE ON THE GROUND OF THE PROPERTY LEGALLY
DESCRIBED HEREON AND IS CORRECT, AND THAT THERE ARE NO DISCREPANCIES, CONFLICTS, SHORTAGES IN THE AREA, BOUNDARY
LINE, CONFLICTS, ENCROACHMENTS, OVERLAPPING OF IMPROVEMENTS, VISIBLE UTILITY LINES, OR ROADS IN PLACE, EXCEPT
AS SHOWN HEREON AND SAID PROPERTY HAS ACCESS TO AND FROM A DEDICATED ROADWAY, EXCEPT AS SHOWN
HEREON. USE OF THIS SURVEY FOR ANY OTHER PURPOSE OR BY OTHER PARTIES SHALL BE AT THEIR RISK AND UNDERSIGNED IS
NOT RESPONSIBLE TO OTHERS FOR ANY LOSS RESULTING THEREFROM.

CEN-TEX
CEN-TEX SURVEYING COMPANY
LAND SURVEYING / LAND PLANNING
503 S. Lake Creek Drive
Round Rock, TX 78681
(512) 473-8800 ~ Fax (512) 248-1125
wldonklatt@earthlink.net

Sept 17, 2011
DATE

Weldon Klattenhoff
WELDON KLATTENHOFF # 4075
REGISTERED PUBLIC SURVEYOR

1009 E 43rd St.
This plat has been reviewed this plan for
approved by the surveyor and the owner of the land of adjustment. Any change to
this plat must be approved by Austin Energy

AUSTIN ENERGY

10/28/2011

Date

By

5928.

6021-
TCA

W.O. 11-9-5



David Cancialosi <david@dciaustin.com>

1009 E 43rd St

Mars, Keith <Keith.Mars@austintexas.gov>

Fri, Sep 30, 2011 at 12:16 PM

To: "Mars, Keith" <Keith.Mars@austintexas.gov>

Cc: Permit Partners <david@permit-partners.com>, "Mars, Keith" <Keith.Mars@austintexas.gov>, nick buddo <nick.buddo@gmail.com>, rachel nation <rachel.nation@gmail.com>, "Mitchell, Amber" <Amber.Mitchell@austintexas.gov>, "McDonald, John" <John.McDonald@austintexas.gov>

All,

The subject tree is a Live Oak likely greater than 24 inches in diameter, thus it is considered a heritage tree. It does appear parking is not an option within the critical root zone primarily due to expected excavation for the curb cut, apron, and parking surface. However, if an engineering solution is available that meets code preservation requirements then we can explore options.

Keith

Sent from my iPhone

[Quoted text hidden]

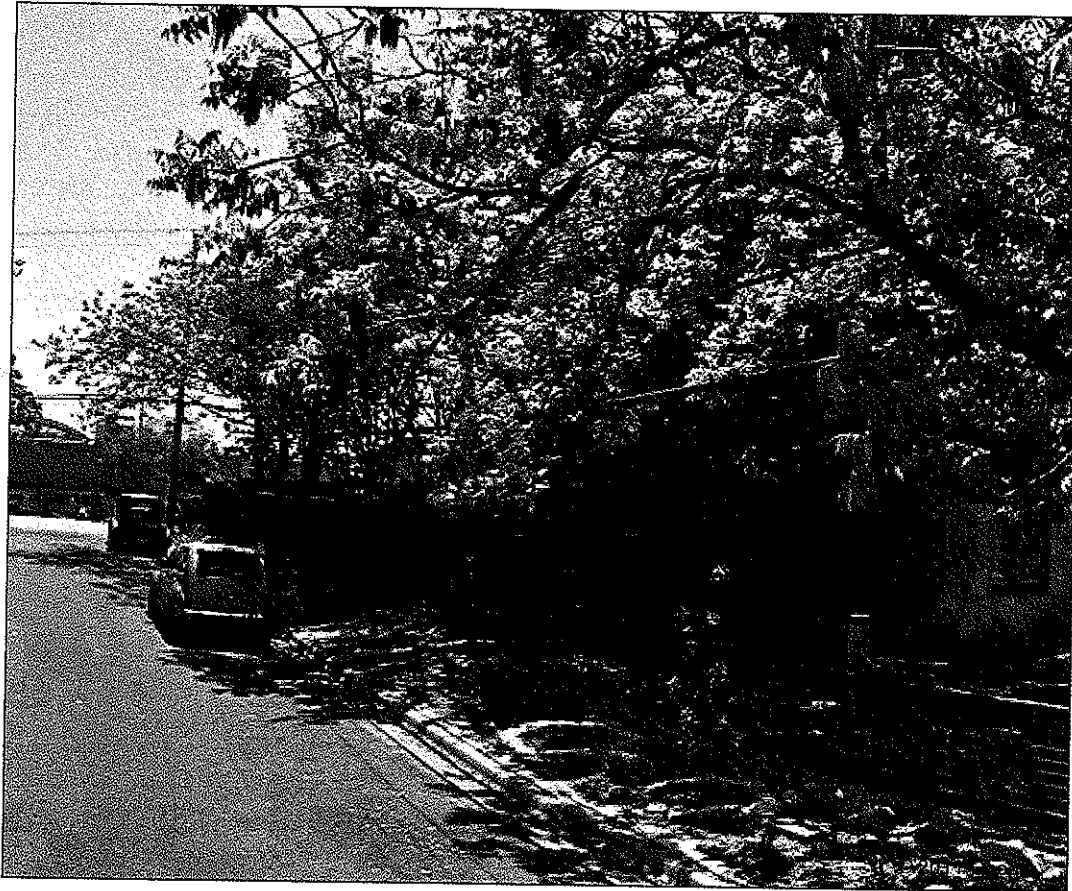
Google

Address **Bennett Avenue / East 43rd Street**

Address is approximate

Save trees. Go green!

Download Google Maps on your
phone at google.com/gmm



David C. Cancialosi, Agent for property owner
Site address: 1009 E 43rd St
Austin, Texas 78751
October 17, 2011

City of Austin Board of Adjustment Commissioners

Dear Commissioners:

This letter is a formal request to consider Special Exceptions for property located at 1009 E. 43rd St.

Per city of Austin Ordinance 20110526-098, the Board of Adjustment is authorized to address minor setback issues existing on or before adoption of the current zoning code, adopted March 1, 1986. Further, this ordinance allows the Board to grant a special exception for setback violations existing for at least 15 years.

Representatives from the City of Austin Code Compliance Legal and Investigations as well as the Residential Review Department have determined that this site meets the criteria for the 15 year amnesty.

The request before you is to allow the property owner to maintain the following encroachments:

- ✓ *Special Exception to allow rear setback of 5.35' for Two Family dwelling unit*
- ✓ *Special Exception to allow street side yard setback of 4.5' for exterior stairs / uncovered deck*
- ✓ *Special Exception to allow interior side yard setback of 2.5' for an exterior water heater unit*
- ✓ *Special Exception to allow rear setback of 5.35' for an exterior water heater unit*
- ✓ *Special Exception to allow side setback of 1' for a portion of the primary structure's front façade*

These encroachments have been in place for approximately 25 years or more.

In terms of history, per discussions with the prior owner, the two family dwelling unit was converted by him in the mid-1980's. At that time a permit was issued by the city to reroof the primary structure and garage. It is believed that the current exterior stairs and uncovered deck were also added at that time in order to accommodate an attic conversion to living space. Records from long-time surrounding property owners indicate the attic conversion was created to accommodate a small living space for the previous owner's elderly parents. Currently, TCAD reflects the space as a 'half floor'. Until recently this space was used as a third rental space, but has been converted into an office / studio use in order to comply with recent Code Enforcement actions.

After thorough research, we believe the current owners have legal standing to maintain the third unit via the city's traditional amnesty program as it would meet all criteria for approval. In 2004 this lot was rezoned from GR to SF3 via the Hancock Neighborhood Plan. Thus, a 3rd unit was allowed at the time of installation in the mid-1980's. However, the owners have chosen not to pursue Amnesty for the third unit, but rather maintain a non-adversarial relationship by complying however they can, as fast as they can, with city enforcement actions.

Moreover, it is believed the two exterior water heater units were added during the mid-1980's as well.

The side setback encroachment is a portion of the primary structure's front façade that has been in place since original construction 1938.

The two family dwelling unit has been in use since the mid-1980's. It was occupied by the owner's son at that time while he attended UT. Since its conversion, it has always been a secondary dwelling unit and nothing else. The current owners bought the property from the original owner's son in it's current state.

We believe the city of Austin Code Compliance Department, acting on a single written complaint from an individual who does not live in the Hancock neighborhood, has been overzealous and arbitrary in their enforcement of applicable regulations. Upon initial visit to this site, a Code Enforcement assistant division manager required the owner to evict the tenant of the two family dwelling unit in 48 hours or less – without even inspecting the interior of the unit! It should be noted that code enforcement simultaneously visited four of the owner's properties at the same time in a single day. To say that that the property owner was singled out is an understatement.

Determined to be a good neighbor and citizen of Austin, the owners have bent over backward to comply with very strict timelines placed upon them by enforcement staff. After several meetings with city management, the owners are left with no other remedy but the recently adopted Amnesty Ordinance. In fact, code compliance management recommended this as a viable remedy given the evidence supporting the owner's claims the encroachments (and uses) have been in place for many years.

Yes, this property is used as a short term rental, but we ask that the Board consider the request for setback encroachments at face value. We believe given the recent buzz about short term rentals, city code enforcement staff over-reacted and was initially unwilling to offer any reasonable time to effectively deal with several complicated issues.

As such, the owners have shown their willingness to quickly react to the city's demands by seeking the proper permit to return the 3rd unit to an office, to meet with staff at anytime, anywhere, and ultimately present the aforementioned requests to the Board in hopes of maintaining the pre-existing site conditions. There is no intention to ever increase the degree of setback encroachments.

Should the Board grant this request it is our opinion that their decision would not allow a property to be used in a manner that alters the character of the surrounding area. The Hancock neighborhood is littered with dozens of secondary apartments and accessory units. The properties along E. 43rd St. alone have a healthy mixture of accessory structures or two family dwelling units currently in place, most of which appear to have a range of zoning setback issues. Many properties in this neighborhood have encroachment issues due to the age of the original structures, size of the inner city lots, progressive accessory uses consistent with current lifestyle trends, combined with increased regulations the City has enacted over the years.

The current setback encroachments will not impair the use of adjacent properties. The rear setback encroachment abuts a commercial parking lot. The street side yard encroachment does not reflect visibility or other aesthetic issues.


Further, granting the aforementioned request will not result in a special privilege inconsistent with other properties in the area. As mentioned, several properties in the area reflect a combination of primary and secondary uses, various setback issues, and on-street parking due to the size of original garages and driveways. The current use and slight zoning encroachments are completely in keeping with the surrounding properties.

Should the Board approve these requests, the owners intend to continue using the site as a rental property – as well as continue paying the required Hotel Motel Tax, which they've been doing so since purchasing the property in 2007.

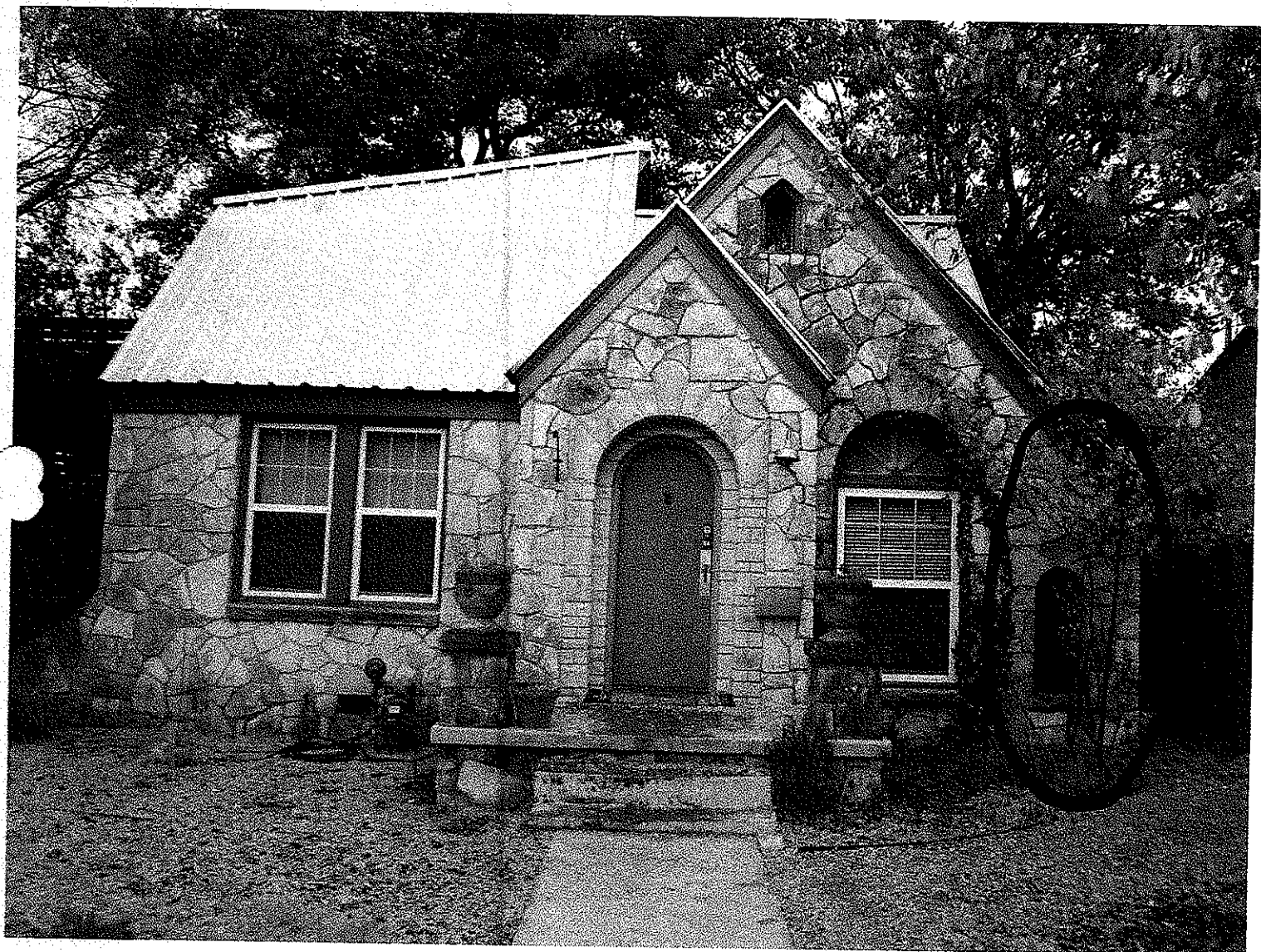
Please refer to the maps, pictures, and letters of support provided in your packet for more information.

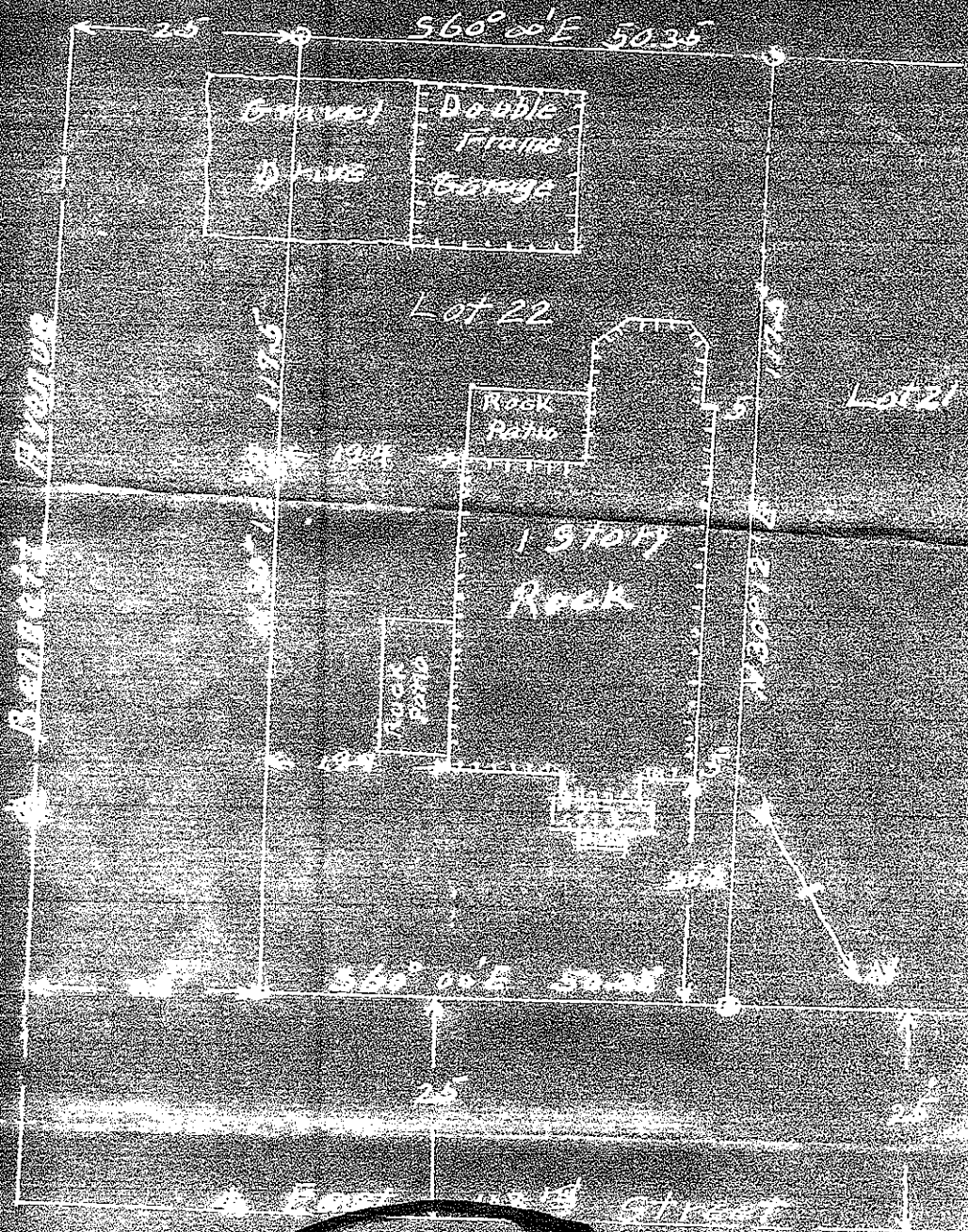
Thank you for your thoughtful consideration of this case.

Sincerely,



David C. Cancialosi, Agent for the owner and applicant





DEC. 15, 1942

This is to certify that I made a survey of Lot 22, Block 1, Subdivision 1, as recorded in Town of Grand Island, Iowa, and found that the same contains 1.41 Acres. The survey was made for William L. and Elizabeth L. Lawrence and Lot 19 owned by Charlotte G. Givida.

I found the property as shown on sketch and there are no encroachments.

Surveyed by O. J. ...

Surveyed by O. J. ...
Licensed Civil Engineer

21

50' R.O.W.

WIRE FENCE

IPF

S 60°00' E

50.35'

117.75'

STONE WING WALL

WOOD FENCE

ONE STORY WITH SECOND LEVEL FRAME, STONE & STUCCO

WOOD DECK & STAIRS

WOOD DECK

BIRD CAGE

GARDEN POND

PUMP

SLATE

ONE STORY FRAME & SIDING

CHAIN-LINK FENCE

N 30°12' E

N 60°00' W

50.35'

S 30°12' W

14.4'

OVERHEAD LINE

POLE

PACIFIC RETAIL TRUST
33.330 ACRES
VOLUME 12723 PAGE 2153

BENNETT AVENUE
50' R.O.W.

**SURVEYORS NOTE: PREPARED WITHOUT BENEFIT OF
TITLE REPORT. THERE MAY BE OTHER CONDITIONS
AND / OR EASEMENTS THAT AFFECT THE SUBJECT
TRACT OF WHICH I AM UNAWARE.**



Austin History Center, Austin Public Library PICA 12873

Aerial view of the "back nine" of the Austin Country Club/ Hancock Golf Course prior to the construction of the Hancock Shopping Center. At the top right corner of the photograph is IH-35. Photo courtesy of the Austin History Center.

UN-
retouched
photo...
used to
be alleys
to
access golf

Google

To see all the details that are visible on the screen, use the "Print" link next to the map.



Development Review

2 View of Hill LP ?

DEVELOPMENT TOOLS

- Review Cases
- Zoning Profile
- Geo Profile
- Neighborhood
- COA Centros
- Base Map
- Zoning Map
- City Grid
- TCAD Search
- TCAD Profile
- XV Converter

VIEWER TOOLS

- Address
- Zoom In
- Zoom Out
- Citywide View
- Previous View
- Pen
- Identify
- Measure
- Clear Graphics
- Print



Refresh Map

1"= 75

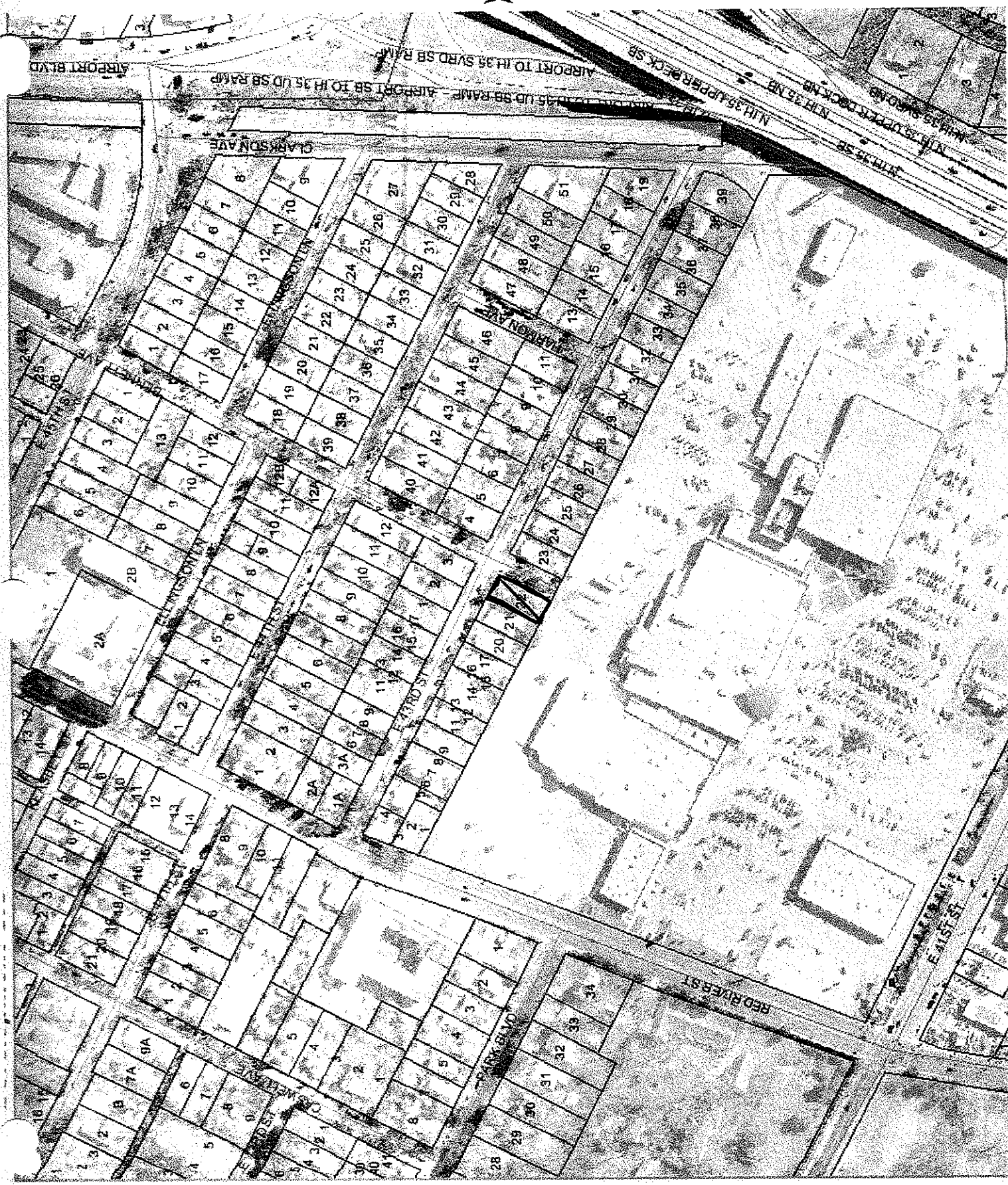
LAYERS

VisibleActiveDescription

- ☐ TCAD Parcels
- ☐ City Grid
- ☒ Watersheds
- ☒ University
- ☒ Neighborhood
- ☒ Association
- ☒ Annexation
- ☒ Zoning Profile
- ☐ Overlays
- ☐ Austin Watershed
- ☐ Regulation Air
- ☐ Smart Growth
- ☐ Fully-developed
- ☐ Floodpairs (studied)
- ☐ FEMA Floodpairs
- ☐ Watershed
- ☐ Classification
- ☐ Health and Safety
- ☐ Limited Purpose
- ☐ Jurisdiction
- ☐ Counties
- ☒ Color Images 2003
- ☐ Color Infrared Images 2003
- ☐ Color Infrared Images 2000
- ☐ Black and White Images 1997

Austin City Connection - The Official Web Site of the City of Austin |
Development Process | Watershed Protection | Zoning Requirements
Case Number Guide | Contact Us: GIS Comments or 512-974-4357.
Legal Notices | Privacy Statement | Local Disclaimer
© 2003 City of Austin, Texas. All Rights Reserved.
P.O. Box 1088, Austin, TX 78767 (512) 974-2000







©2010 Google
©2010 Europa Technologies

Mrs. Charlotte Stride

1009
~~1011~~ East 43rd.

81-b

22

Country Club Terrace

Rock veneer res. and box garage

227n - 5/24/38

Charlott Stride

1009 East 43rd St

253

-

22 -

22

-

Country Club Terrace

Frame addn to rear o f Res.

21272 - 2-17-41

FOLDER DETAILS

Section 25-11-94 Expiration and extension of permit (Active Permits will expire 180 days at 11:59:59 pm after date of last inspection posted). If you allow this permit to expire you will be required to submit a new application & pay new fees.

Permit/Case	Reference File Name	Description	Sub Type	Work Type	Project Name	Status	Application Date	Issue Date	Expiration Date
1986-002504 BP	8615718	Restructure Gable Roof & Reroof Exist Res And Garage	R- 435 Renovations/Remodel	Remodel	1009 43 Street East A .00000	Final	Aug 1, 1986	Aug 1, 1986	Oct 15, 1986

Related Folders: No

FOLDER INFO

Information Description	Value
Smart Housing	No
Total Job Valuation	2000
Building Inspection	Yes
Electric Inspection	No
Mechanical Inspection	No
Plumbing Inspection	No
Energy Inspection	No
Driveway Inspection	No
Sidewalks Inspection	No
Environmental Inspection	No
Landscaping Inspection	No
Water Tap Inspection	No
Sewer Tap Inspection	No
On Site Sewage Facility Inspection	No
Fire Inspection	No
Health Inspection	No
Flood Plain	OK
Number of Units	1
Certificate of Occupancy to be Issued	No
Usage Category	435

PROPERTY DETAILS

Number	Pre.	Street	Street Type	Dir	Suite Type	Suite Number	City	State	Zip	Legal Desc
1009	E	43RD	STREET				AUSTIN	TX	78751	Lot: 22 Block: Subdivision: COUNTRY CLUB TERRACE

Lot: 22 Block: Subdivision: COUNTRY CLUB TERRACE

FOLDER FEE

Fee Description	Fee Amount	Balance
Building Permit Fee	\$35.00	\$0.00

PROCESSES AND NOTES

Process Description	Status	Schedule Date	Start Date	End Date	Assigned Staff	# of Attempts
112 Final Building	Pass			Oct 15, 1986		1

Owner's Name **DBM INTERNATIONAL LLC****Property Details**Mailing Address 2903 DOVER PL
AUSTIN, TX 78757-

Location 1009 E 43 ST 78751

Legal LOT 22 OLT 18 DIV C COUNTRY CLUB
TERRACE

Deed Date 01262011

Deed Volume

Deed Page

Exemptions

Freeze Exempt F

ARB Protest T

Agent Code 0

Land Acres 0.1382

Block

Tract or Lot 22

Docket No. 2011014793TR

Abstract Code S03400

Neighborhood Code Z9440

Value Information**2011 Certified**

Land Value 225,000.00

Improvement Value 57,300.00

AG Value 0.00

AG Productivity Value 0.00

Timber Value 0.00

Timber Productivity Value 0.00

Assessed Value 282,300.00

10% Cap Value 0.00

Total Value 282,300.00

Data up to date as of 2011-09-19

Value By Jurisdiction

Entity Code	Entity Name	2010 Tax Rate	Assessed Value	Taxable Value	Market Value	Appraised Value
0A	TRAVIS CENTRAL APP DIST		282,300.00	282,300.00	282,300.00	282,300.00
01	AUSTIN ISD	1.227000	282,300.00	282,300.00	282,300.00	282,300.00
02	CITY OF AUSTIN	0.457100	282,300.00	282,300.00	282,300.00	282,300.00
03	TRAVIS COUNTY	0.465800	282,300.00	282,300.00	282,300.00	282,300.00
2J	CENTRAL HEALTH	0.071900	282,300.00	282,300.00	282,300.00	282,300.00
68	AUSTIN COMM COLL DIST	0.095100	282,300.00	282,300.00	282,300.00	282,300.00

Improvement InformationImprovement ID
174543

State Category

Description

1 FAM DWELLING

Segment Information

Imp ID	Seg ID	Type Code	Description	Class	Effective Year Built	Area
174543	202877	1ST	1st Floor	WW4-	1933	1,018
174543	202878	1/2	Half Floor	WW4	1933	384
174543	818227	011	PORCH OPEN 1ST F	*4-	1933	28
174543	818228	031	GARAGE DET 1ST F	WW4-	1933	360
174543	818229	251	BATHROOM	**	1933	1

ORDINANCE NO. 040826-59

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP TO ADD A NEIGHBORHOOD PLAN COMBINING DISTRICT TO THE BASE ZONING DISTRICTS ON APPROXIMATELY 541.38 ACRES OF LAND GENERALLY KNOWN AS THE HANCOCK NEIGHBORHOOD PLAN AREA AND TO CHANGE THE BASE ZONING DISTRICTS ON 184 TRACTS OF LAND.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to add a neighborhood plan (NP) combining district to each base zoning district within the property and to change the base zoning districts on 184 tracts of land within the property described in Zoning Case No.C14-04-0023, on file at the Neighborhood Planning and Zoning Department, as follows:

Approximately 541.38 acres of land in the City of Austin, Travis County, Texas, more particularly described and identified in the attached Exhibit "A" incorporated into this ordinance, Save and Except the following tracts, (the "Property")

Tract 563A	4427 and 4429 Duval Street; and
Tract 2104A	3403, 3405, and 3407 Hampton Rd., and 3406 Red River Street,

generally known as the Hancock neighborhood plan combining district, locally known as the area bounded by Duval Street on the west, 45th Street on the north, IH-35 on the east, and Dean Keeton Street on the south, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

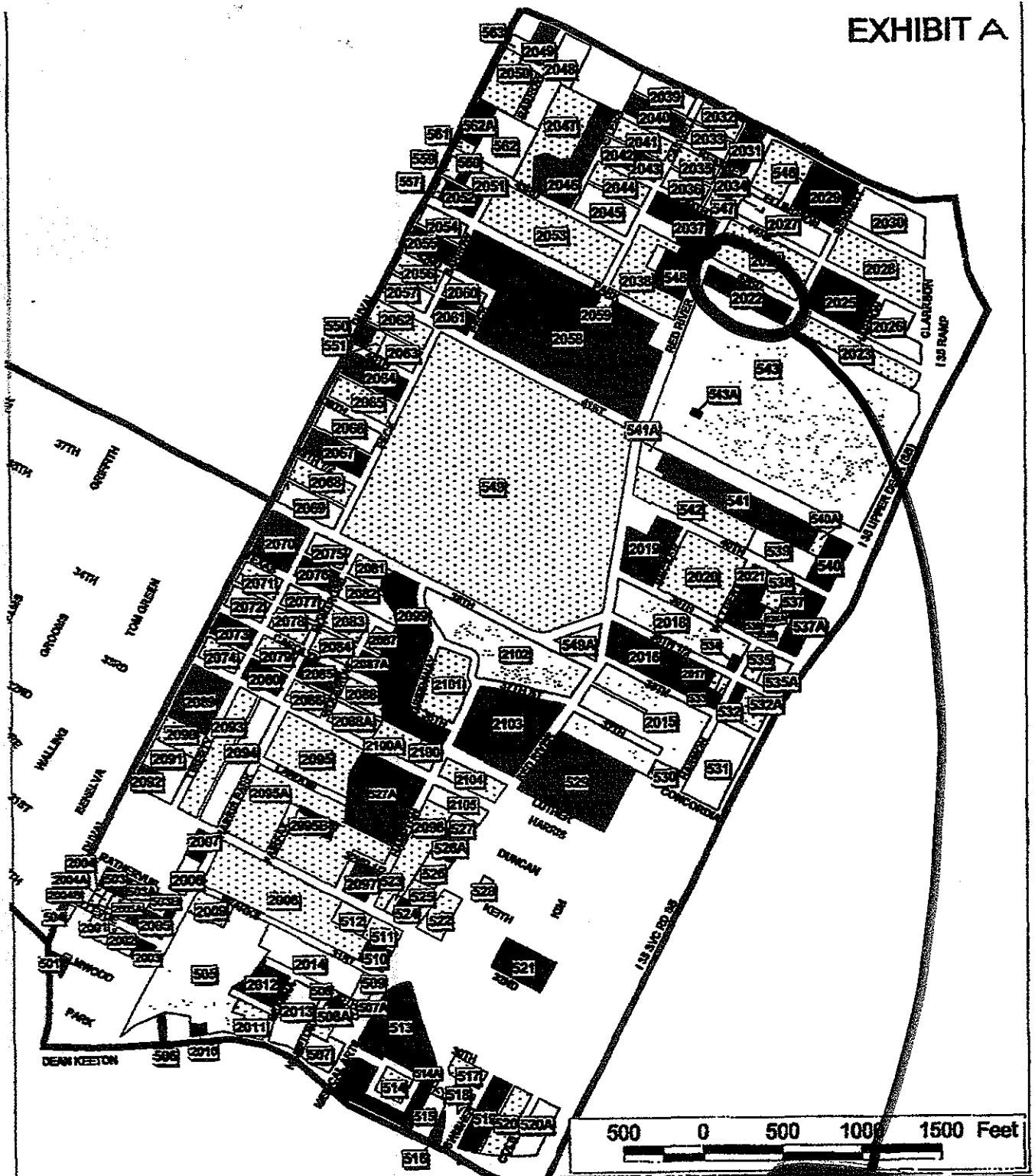
Except as provided in this ordinance, the existing base zoning districts and conditions remain in effect.

PART 2. The base zoning districts for the 184 tracts of land are changed from family residence (SF-3) district, family residence-historic (SF-3-H) combining district, single family residence small lot (SF-4A) district, multifamily residence low density (MF-2) district, multifamily residence medium density (MF-3) district, multifamily residence moderate high density (MF-4) district, multifamily residence high density (MF-5) district,

TRACT	ADDRESS	FROM	TO
2002	601, 603, 605 BELLEVUE PL	SF-3	SF-3-CO-NP
2003	607, 609 BELLEVUE PL	SF-3	SF-3-CO-NP
2004	504 BELLEVUE PL	SF-3-H	SF-3-H-CO-NP
2004A	506 BELLEVUE PL	SF-3	SF-3-CO-NP
2004B	508 BELLEVUE PL	SF-3	SF-3-CO-NP
2005	604, 606, 608, 610 BELLEVUE PL; 3006 HARRIS PARK AVE; 611 RATHERVUE PL	SF-3-H	SF-3-H-CO-NP
2005A	600 BELLEVUE PL	SF-3	SF-3-CO-NP
2006	3102, 3104, 3106 HARRIS PARK AVE; 610 RATHERVUE PL	SF-3-H	SF-3-H-CO-NP
2007	3110 HARRIS PARK AVE	SF-3	SF-3-CO-NP
2008	806, 808, 810, 812, 814, 816 E 31ST ST; 703, 705, 707, 709, 711, 713, 715, 717, 719, 725, 801, 803 E 32ND ST; 3103, 3103, 3111 HARRIS PARK AVE; 702, 706, 708, 712, 716, 718, 720, 722, 724 SPARKS AVE	SF-3	SF-3-CO-NP
2009	701, 705, 707, 709 SPARKS AVE	SF-3	SF-3-CO-NP
2010	714 E DEAN KEETON ST	SF-3	SF-3-CO-NP
2011	802, 804, 806 E DEAN KEETON ST; 805, 807, 809 LEONARD ST	SF-3	SF-3-CO-NP
2012	807, 809 E 30TH ST; 2908, 2914 BEANNA ST; 800, 802, 804, 808 LEONARD ST	SF-3	SF-3-CO-NP
2013	817 E 30TH ST; 2903, 2905, 2907, 2909, 2911, 2913 2915 BEANNA ST; 810 E DEAN KEETON ST; 2900, 2902, 2904, 2910, 2914 HAMPTON RD	SF-3	SF-3-CO-NP
2014	806, 808, 810, 812, 814, 818, 820, 822, 824 E 30TH ST; 807, 809, 811, 813, 815, 817, 819 E 31ST ST; 721, 723 SPARKS AVE	SF-3	SF-3-CO-NP
2015	900, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 923 E 37TH ST; 901, 903, 905, 907, 909, 913, 915, 1001, 1003, 1005, 1007 E 38TH ST; 3504, 3506, 3700, 3702, 3704, 3706, 3708, 3710 HARMON AVE; 3511 RED RIVER ST	SF-3	SF-3-CO-NP
2016	904, 906, 908, 910, 912, 1000, 1002, 1004, 1006, 1008, 1010, 1012 E 38TH ST; 909, 913, 915, 917, 1001, 1005, 1007, 1009 E 38TH 1/2 ST; 3801, 3803, 3805 RED RIVER ST	SF-3	SF-3-CO-NP
2017	1011 E 38TH 1/2 ST	SF-4A	SF-4A-CO-NP
2018	906, 908, 910, 912, 914, 916, 1000, 1002, 1004, 1006, 1008, 1010 E 38TH 1/2 ST; 907, 911, 913, 915, 917, 919, 921, 923, 925, 1001, 1003, 1005, 1007 E 39TH ST; 3809, 3813, 3817 RED RIVER ST	SF-3	SF-3-CO-NP
2019	907 E 40TH ST; 3900, 3902, 3904, 3906, 3908, 3912, 3914 BECKER AVE; 3901, 3903, 3905, 3907, 3909 RED RIVER ST	SF-3, MF-3	SF-3-CO-NP
2020	912, 914, 916 E 39TH ST; 917, 919, 921 E 40TH ST; 3901, 3903, 3905, 3907, 3909, 3911, 3913, 3915 BECKER AVE; 3902, 3906, 3908, 3910, 3912, 3914 WILLBERT RD	SF-3	SF-3-CO-NP
2021	1004 E 39TH ST; 3901, 3905, 3907, 3909, 3911, 3913, 3915 WILLBERT RD	SF-3	SF-3-CO-NP
2022	903, 905, 907, 909, 911, 1001, 1003, 1005, 1007, 1009 E 43RD ST; 4211, 4213 RED RIVER ST	SF-3 GR	SF-3-CO-NP
2023	1011, 1013, 1015, 1017, 1019, 1021, 1023, 1025, 1027, 1029, 1031, 1033, 1035, 1037, 1039 E 43RD ST	SF-3	SF-3-CO-NP

general retail

EXHIBIT A



Hancock Neighborhood Plan Combining District: Rezonings Approved 8-26-04

Case C14-04-0023



City of Austin
Neighborhood Planning and Zoning Department



Legend

Properties with
proposed
zoning changes

999

Tract Number

C. The maximum impervious cover is 80 percent.

D. Vehicular access from the tracts to Red River Street and Dean Keeton Street is prohibited. All vehicular access to the Property shall be from other adjacent public streets or through other adjacent property.

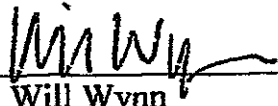
Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the respective base districts and other applicable requirements of the City Code.

PART 8. This ordinance takes effect on September 6, 2004.

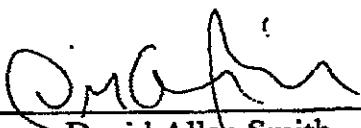
PASSED AND APPROVED

August 26, 2004

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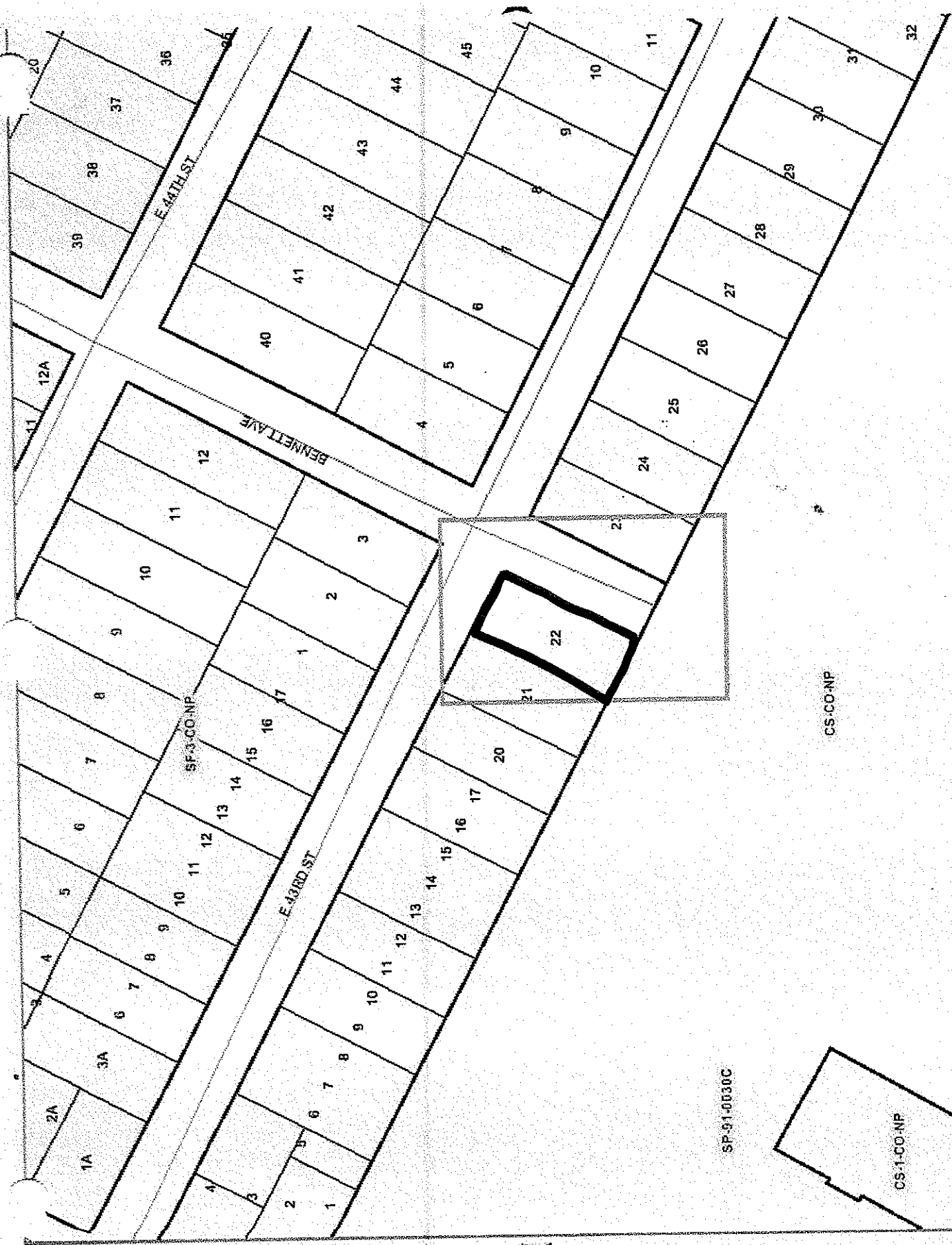

Will Wynn
Mayor

APPROVED:


David Allan Smith
City Attorney

ATTEST:


Shirley A. Brown
City Clerk



SF-3-CO-NP

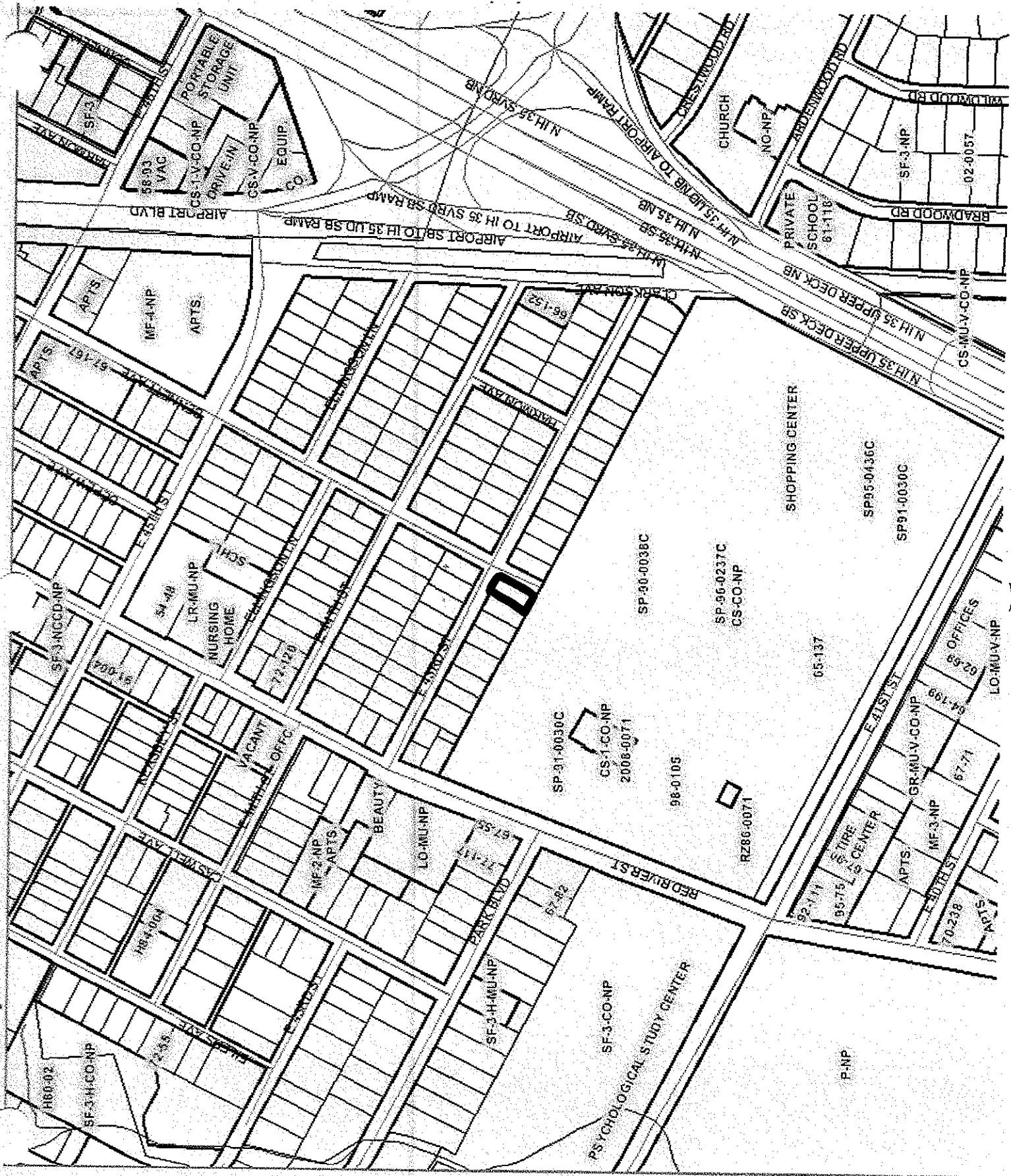
CS-CO-NP

SP-01-0030C

CS-1-CO-NP

2008-0071

SP-00-0038C



PORTABLE STORAGE UNIT
EQUIP
CS-1V-CO-NP
DRIVE-IN
VAC
SF-3

AIRPORT BLVD
AIRPORT TO IH 35 SB RAMP
AIRPORT SB TO IH 35 LB SB RAMP
N.H. 35 SB
N.H. 35 SB
N.H. 35 SB
N.H. 35 SB

CHURCH

PRIVATE SCHOOL
61-118

SF-3 NP

02-0057

SHOPPING CENTER

SP-95-0436C

SP-91-0030C

SP-96-0237C
CS-CO-NP

SP-91-0030C

CS-1-CO-NP
2008-0071

98-0105

RZ86-0071

65-137

SP-95-0436C

SP-91-0030C

OFFICES

LO-MU-V-NP

STIRE
LG CENTER

95-75

92-111

APTS

GR-MU-V-CO-NP

MF-3 NP

67-71

70-238

APTS

PSYCHOLOGICAL STUDY CENTER

P-NP

SF-3 H-CO-NP

88-4-004

2-35

88-4-004

88-4-004

88-4-004

88-4-004

88-4-004

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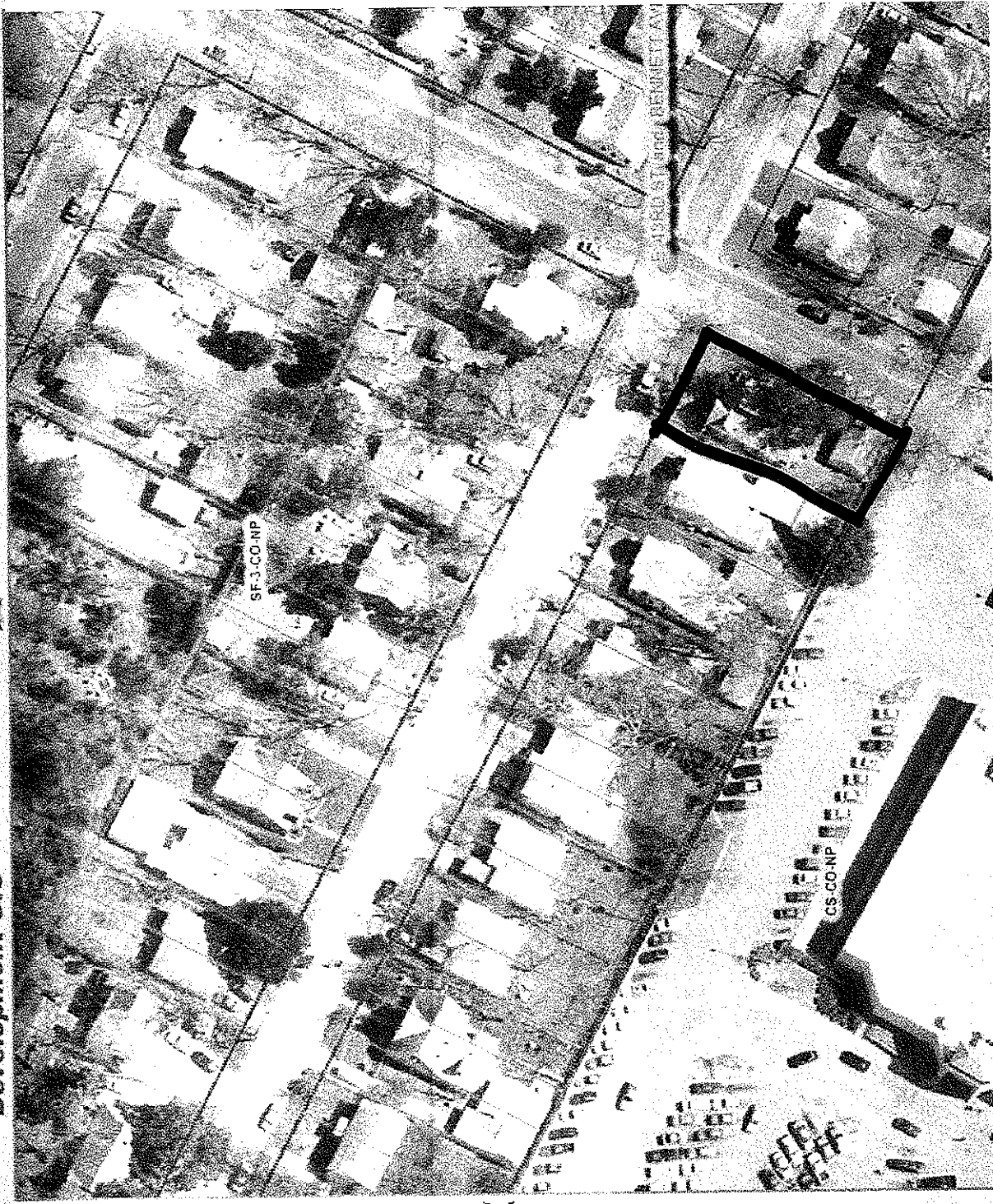
88-4-004

88-4-004

88-4-004

88-4-004

- Review Cases
- Zoning Profile
- Gap Profile
- Neighborhood
- COA Controls
- Base Map
- Zoning Map
- City Grid
- TCAD Search
- TCAD Profile
- XY Converter
- VIEWER TOOLS
- Address
- Zoom In
- Zoom Out
- Citywide View
- Previous View
- Pan
- Identify
- Measure
- Clear Graphics
- Print



Austin City Connection - The Official Web Site of the City of Austin
Development Process | Watershed Protection | Zoning Hearings
Case Number Guide | Contact Us | GIS Comments or 512-974-4357
Legal Notices | Privacy Statement | Legal Disclaimer
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P.O. Box 1068, Austin, TX 78767 (512) 974-2000



Refresh Map

1" = 75'

LAYERS

Visible Active Description

- ☐ TCAD Parcels
- ☐ City Grid
- ☒ Watersheds
- ☒ University
- ☒ Neighborhood
- ☒ Neighborhood
- ☒ Association
- ☒ Association
- ☒ Zoning Profile
- ☐ Overlays
- ☐ Austin Watershed
- ☐ Regulation Areas
- ☐ Smart Growth
- ☐ Fully-developed
- ☐ Foodpairs studied
- ☐ FEMA Foodpairs
- ☐ Watershed
- ☐ Classification
- ☐ Health and Safety
- ☐ Limited Purpose
- ☒ Jurisdiction
- ☐ Counties
- ☐ Color Images 2003
- ☐ Color Infrared Images 2003
- ☐ Color Infrared Images 2000
- ☒ Black and White Images 1997

September 6, 2011

I grew up near the rental property located at 1009 E43rd Street in Austin, Texas. My father owned Bashara Produce for 50 years. We lived at 4503 Red River not far from the property on 43rd Street.

I became close friends with Elmer Olle Jr. We were 8 years old at that time in 1943. I have been in and around that home until we graduated together from Austin High School in 1953.

My parents home was located close enough for me to be at the Olle home frequently. I am completely familiar with the history of the home.

The current owners did not build the two apartments, they were created for the original owners elderly parents to use by caregivers and for housing grandkids that attended UT. The elder Olle's lived and died in this home at an old age from the late 1930's until the 1980's.

The current owners are delightful people and should be commended for making Austin more livable. I moved to San Antonio in 1959 and on many occasions visited Austin for UT football games, funerals, weddings and other events and often found it impossible to find a nice place to rent.

This location transformed a junky unkept property to a beautiful, comfortable, home-like place that is immaculate inside and professionally landscaped.

Any normal person would be pleased to live near this attractive well maintained rental property.

Richard Bashara
basharatx@sbcglobal.net

September 4, 2011

To whom it may concern:

I've lived on East 44th for 14 years, and I well remember the condition of the house before they redid it. There were usually 10 - 12 non-working cars left on the street for months on end, and worst of all, an RV permanently parked in the back yard. I say "permanently" because the wooden privacy fence had been built around the RV, permanently enclosing it in the yard. I was told that someone was living in the RV. I could smell raw sewage as I walked by.

Carol Pirie
1006 E. 44th



Ms Reynolds:

I am one of the neighbors to whom you sent the letter (copy of p.1 attached) regarding guest house accommodations on 43rd Street, near Hancock Plaza. I believe you have seriously overreacted and would like to let you know what it has been like to live near the house in question.

Before the current owner took possession, this house and two others on this street were owned by one of Austin's most notorious slum-lords. The guest house in question was dilapidated, the owner used the street as a used-car lot, had an eyesore of a trailer parked on the property and was the residence for a series of undesirables - one man stole from the neighbors, a couple panhandled door-to-door, and others were unseemly and unwanted. To the rest of us on the street, the house - a beautiful structure which was deteriorating - was a source of discomfort, unease and frustration. When the property was sold, all of us were extremely pleased.

The current owner has put a tremendous amount of time, effort and extremely high-quality work into this house. It is now a very attractive property, well-maintained and beautifully landscaped. The people who stay there are generally delightful visitors from far and wide, and the property is consistently maintained.

The owner is a very kind, friendly man who has been extremely cordial and approachable. I don't know if you took the time to speak directly to him before you started your campaign. Your effort seems to be particularly harsh and punitive. If you are concerned about elderly relatives being safe, that seems like a fairly easy issue to ascertain. The structure with the loft and deck has been a part of the property since I moved here 12 years ago and has been completely renovated. I know that you want to see permits, et al, but I don't believe your actions were commensurate with your concerns. It appears you would prefer to have the owner punished financially and legally rather than have the opportunity to address your questions.

If we are all a bit kinder, more communicative and open-minded toward one another, the world will improve. You have to start somewhere.

43rd Street Resident

Mayor Lee Leffingwell and the Austin City Council
301 W. 2nd Street 2nd Floor

To: Mayor Leffingwell and the Austin City Council
Regarding the house at 1009 E 43rd St. Austin, TX 78751

I am writing in support of friends of mine - Rachel Nation and Nick Buddo - who have built a business by restoring older houses (often in dreadful shape) - and then renting them short term. I can't speak about the condition of the house at the corner of 43rd and Bennett based on personal knowledge because the restoration there was well underway when I first saw the house. But I can tell you that their own place of residence on Dover was a complete mess when they bought it. If memory serves me, the place was so bad off they had a hard time finding a bank that would lend them the money to undertake the restoration. Among other things, they discovered a long forgotten swimming pool in the back yard that someone had filled in and covered with grass. The pool and backyard have been immaculately restored along with the rest of the house - the whole place looks great.

I did see the house they bought on Whiteway Street (not far from their own place). That house was still very much in the "BEFORE" stage and it was a complete mess - inside and out. Not only that - the entire exterior was painted the most dreadful PINK I've ever seen. The house has since been renovated and restored and now looks like a home that anyone in the neighborhood would be glad to own. The whole plan is to buy a house for less because it's a mess and then restore it and make it available for short term rental. Based on what my 44th Street neighbors have told me regarding the "bad old days" of the place at the corner of Bennett and 43rd, I'd say that the house is now an asset to the neighborhood. And, based on what I know about other houses that they have worked on, I think Rachel and Nick have, in every case, improved the neighborhoods where their houses are located.

I have no idea what motivated one individual to complain so vociferously, but I think that the individual is quite misguided. My email address is: lcamp@sstx.org. And my phone number is: 512 639 3935. If you have questions, feel free to call or email.

Thank You
Laura M Camp

September 4, 2011

In regard to 1009 E 43rd street

City of Austin,

I am writing in regard to the ridiculous situation that has occurred to my next door neighbor at 1009 E 43rd street. They have been model neighbors since we bought our home next door. They have always kept their property in great shape (better than almost all in the neighborhood), have helped us on numerous occasions personally, have never had people in their home who have been bothersome in any way, and have been an asset to the Hancock community.

They have developed relationships with all of the neighbors and yet, someone who is two miles away with some personal agenda has caused them grief and come to you to tattle on them.

They have been in business for a while now and never been trouble. Are we going to now retro fit some new laws which legislate that they are cause for concern because of a few whackos?

Are we going to shut down the oldest grocery store in Austin on Avenue B in Hyde Park that has been there 100 years and has been a cornerstone of that community because someone has no hobbies and too much free time and must complain about Something?!

We have had MUCH more trouble from the businesses behind us at the Hancock Mall and their patrons throwing things in the yard, break into cars etc. Almost all business is near or in some neighborhood. We need responsible, positive business people in Austin, Texas, and the U.S. now more than ever. Get out of the way and let them be in business! Please!

Jim Goode
1007 East 43rd Street
Austin, Texas 78751

1004 East 43rd Street
Austin, Texas 78751

September 4, 2011

Mayor Lee Leffingwell and Austin City Council
301 W. 2nd St. 2nd Floor
Austin, Texas 78701

Re: 1009 East 43rd Street

Dear Mayor Leffingwell and Austin City Council,

It recently came to my attention while chatting with my neighbors that some of them received a copy of a letter addressed to you complaining about conditions at 1009 East 43rd Street. Though I am not one of the complaint letter copy recipients, I feel compelled to write this letter to support the owners of the property because I think that they have been unfairly maligned by persons who do not even live in our neighborhood, much less on our street.

I am the owner of 1004 East 43rd Street and have lived here since December 2007. When I first moved into this house, the entire neighborhood considered 1009 East 43rd to be a blight on the community. Derelict cars were parked around and in the yard of the property, the tenants occupying the house were of strongly questionable character, and the structure was dilapidated. Since the current owners purchased 1009 East 43rd, the property is now what I consider to be the renewal anchor of the block. The structure is well maintained and the yard nicely landscaped. The renters appear to be high class and, what few times I've encountered them, congenial folks.

I am well aware that 1009 East 43rd is a short term rental. However, in comparison to the previous usage of the property, the situation there is vastly improved. The owners provided their contact information to surrounding neighbors and implored us to call them if there were ever a problem with any of their tenants. The renters have proved to be quiet to the point of being practically unnoticeable. I have never had a single issue with the property since it became a short term rental. I wish that I could say the same for long term rentals and even some owner occupied homes during my 22 years living in Austin.

Thank you for your attention to this matter. If you have any questions, please feel free to call me at 512-739-6622 or send an email to george@wilson.name.

Sincerely,


George C. Wilson

TO WHOM IT MAY CONCERN!

I UNDERSTAND THERE IS SOME
NUTTY OLD BLOODY WHO IS CAUSING
LOTS OF TROUBLE IN MY
NEIGHBOR. I AM 90 YR. OLD &
HAVE LIVED IN 8 STATES SO I
DIDNT JUST RETIRE FROM SOME
FARM & MOVE HERE,

WHEN MY HUSBAND RETIRED
FROM TEACHING AT A.M. IN
KINGSVILLE IN 1986 WE MOVED
TO THIS HOUSE. THE HOUSE THAT
ALL THE FUSS IS ABOUT WAS NOT
TO DESCRIBE A STRANGE
RENTERS ETC THE UPSTAIRS APT.
WAS ADDED NOT TO LONG AFTER
WE MOVED HERE.

I DON'T UNDERSTAND ALL THE
FUSS ABOUT THREE RENTALS ON
ONE LOT. THERE ARE SEVERAL
IN THIS NEIGHBORHOOD. THE
OLD BLOODY DIDNT RESEARCH
TO WELL BEFORE BEGAN TO FLAP
HER BIG MOUTH.

IT WAS A BIG RELIEF TO THE
NEIGHBORS AFTER THE PRESENT
OWNERS TOOK OVER THEY REDID
THINGS - CLEANED UP THE PLACE.
THERE ARE ^{NO} BUNCH OF CARS - NO
LOUD PARTYS OR MUSIC WE
ARE ALL PLEASED WITH IT JUST
AS IT IS,

SO IF THESE LANDOWNERS
HAVE TO GET RID OF THE
THIRD RENTAL THEN SO SHOULD
ALL THE OTHERS IN THIS AREA.

THE TROUBLE MAKER NEEDS
HELP AS SHE SEEMS TO HAVE
A BIG PROBLEM.

Donna L. Bishop
1005 E. 43RD ST,

September 6, 2011

Regarding Hancock Guest Cottages in Austin

To Whom It May Concern,

I have known Rachel Nation and Nick Buddo, owners of the Hancock Guest Cottages, these past 9 years through our shared passion for helping the poor in Nicaragua. We have traveled together with the St. Stephen's School group on mission trips and I have been inspired and impressed with the generosity and kindness that Rachel and Nick show to the children in need.

Recently I found I needed lodging for extended family during the holidays. My family stayed at their Hancock Ranch House in Allandale, and I found the property to be very well maintained. I have an 84 year-old elderly mother and she said the home was extremely safe. Thank God that there is a Hancock Ranch House that I can rely on to house my mother and other family members whenever they come into town to visit. These houses are actually like a real home, not an impersonal and perhaps unsafe hotel room. My family and extended family are so important to me and having them in a place when they are in town where I know they will be comfortable and safe is my top priority. Fortunately, there is a Hancock Ranch House that answers this need.

I know Rachel and Nick very well. I know and have seen how carefully and thoroughly they screen their prospective guests for their rental homes. They make extraordinary and successful efforts to rent to people who are respectful of the property and grateful for the chance to stay in a home instead of a hotel room. Their houses fill an important need. They have told me of the Supreme Court Judge from New Hampshire who visits his 28 year-old daughter with cancer four times per year; of the many weddings, funerals, and births; of the visiting professors from Oxford, Cambridge, University of Edinburgh, Harvard and Brown for the Michener Center, etc.; of the staff of many film productions including True Grit, Spy Kids, Machete, and the list goes on of reputable people who have enjoyed the opportunity to rent a home for a short stay.

Rachel's Austin heritage goes back over a 100 years. It is great that she and Nick provide a service for Allandale and Hancock, as there are currently no hotels nearby. Many of their guests have family in Austin and isn't it a great way for the City to collect revenue and welcome visitors?

Dee Garcia

ex officio St. Stephen's School Board of Trustees
Helping Hands Home Society Member
Women's Symphony League
National Charity League
Director of the Mano en Mano Foundation

Corporate Recruiting Unlimited

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September 4,
2011

B. Mae Stevenson
5624 Parade Ridge
Austin, Texas 78731

Mayor Lee Jeffingwell
City of Austin
P.O. Box 1088
Austin, Texas 78757

re: property at 1009 C. F. 3rd St.

Dear Mayor Jeffingwell, Matt Curtis, City Council,
Code Enforcement, et al.

I grew up in Austin, graduating from the old Austin High School '53, which is how I am familiar with the referenced property and the structures on it. Mrs. C. C. Olle, the previous owner of the property and I were class mates from the 7th grade at University of High School one.

I have been inside the house and the upstairs apartment, as well as the separate building which was used as a laundry room. There was no room in the kitchen for the old fashioned washing machines and tubs, etc.

Some time in the '80s, I believe, C. C.'s parents had the attic space converted to a

living space for help as they were aging. The senior Mr. Odle had Alzheimer's disease. After the parents' death, I believe their grandson lived there while he attended U.S. Jeff, the grandson, is currently in Panama, but could verify what I have stated. There are others, as well.

The charges to the property done by the new owners have been in the nature of rehabilitation which included cosmetic and landscaping. The neighbors state that they love the improvements and enjoy the accomplished and interesting, mostly professional people who come there as a result of the short term rental situation.

Since your greatest interest presently is whether or not buildings or the upstairs apt. were added since the new owners purchased the property, I will be glad to sign an affidavit stating what I said earlier in this letter. I know others who spent time there at 1009 as kids who would do the same.

I hope that you are aware that this latest "brown ha ha" has been caused by a poison pen (even though typed) letter from one Caroline Reynolds, and that Mrs. Reynolds is part of the small Allendale group who

are making trouble for the owners when they
can. Mrs. Reynolds went to a lot of trouble
taping letters or doors not in her neighborhood
in the interest of protecting her elderly parents
when they visit. Mrs. Reynolds letter was rife
with untruths, slanderous suggestions and
demands that you folks report to her your
findings. I deplore these Nazi-like tactics.

You will find, I believe, that the new
owners are willing to work with the city
in good faith to correct anything that may
need correcting, given some time.

Sincerely,

B. Stevenson

Phone # 346-3949