

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.

A board or commission's decision may be appealed by 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.

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; 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
- 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.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

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

Written comments must be submitted to 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: C15-2011-0138 - 7600 Downridge Drive
 Contact: Susan Walker, 512-974-2202
 Public Hearing: Board of Adjustment, December 12th, 2011

BETTY EPSTEIN
 Your Name (please print) I am in favor
 7620 PARKVIEW CR. I object

Your address(es) affected by this application
 Susan Epstein 12/7/11
 Signature Date

Daytime Telephone: 512-413-8803

Comments: Please see Attached

COMMENTS

If you use this form to comment, it may be returned to:
 Susan Walker
 City of Austin-Planning & Development Review Department/ 1st Floor
 P. O. Box 1088
 Austin, TX 78767-1088

December 7, 2011

Case # C15-2011-0138- 7600 Downridge Drive
City of Austin- Susan Walker
Board of Adjustment, December 12, 2011

Ms. Walker-

As an adjacent property owner to the property referenced above, please have my objection to the requested variance(s) presented to the members of the Board of Adjustment in advance of their actions on December 12, 2011

I oppose the requested variances for the following reasons:

- 1) These proposed variance requests, if approved would impair the use of my adjacent property in terms of privacy, drainage, property value, noise, etc.
- 2) This property and my property are both part of the Vista West - 3 subdivision, which is a deed restricted community. These variance requests, if approved, would violate those deed restrictions and restrictive covenants which prohibit this 2-family use. Covenant II.A states 'No building shall be erected, altered, placed or permitted to remain on any lot other than one single-family dwelling.
In their City of Austin residential permit application which they had to sign, it is stated that "I understand I am responsible for complying with any subdivision notes, deed restrictions, restrictive covenants, and/or zoning conditional overlays prohibiting certain uses and/or requiring certain development restrictions (i.e.: height, access, screening, etc) on this property."
- 3) This 2-family residential change of use is not in line with the neighborhood character that does not allow duplexes, garage apartments or other 2-family dwellings and it does in fact alter the character of the area adjacent to the property.
- 3) The application represents that this is a legal non-complying structure. However, this structure did not comply with applicable regulations at the time this addition was constructed. I will provide ample evidence to support this.
- 4) The applicant's own survey data submitted with their application showed their intent to expand the square footage of their rear structure. (which has already been increased)
- 5) This is not a request to construct a 2-family residence in a setback. This is a request for approval to retain buildings and improvements that were already constructed without city permits. None of these BOA variances were sought proactively by the homeowner but only done because the property owner was cited by code compliance for developing illegally without a permit.

6) This imposing accessory structure apartment was constructed in extreme close proximity just over 6 feet from my property line, towering over and stares right down into my home.

I want what we all do, to maintain a sense of privacy in my own home. This apartment impedes significantly on that privacy.

I respectfully ask the commission to deny the variance(s) being requested.

Please come look at the property for yourself. You will not be able to see this apartment from the street as it is behind their garage. Please feel free to come up my driveway and to the back of the lot at 7620 Parkview Circle to view the property from the rear.

Thank You,

A handwritten signature in cursive script that reads "Betty Epstein". The signature is written in black ink and is positioned to the right of the typed name "Betty Epstein".

Betty Epstein
7620 Parkview Circle