

CASE # C15-2013-0056

ROW-10948361

TP-042623-07-01

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

**WARNING: Filing of this appeal stops all affected construction activity.**

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

STREET ADDRESS: 2504 Castledale Dr.

LEGAL DESCRIPTION: Subdivision – Castlewood Forest Sec 9

Lot(s) 17 Block B Outlot      Division     

I Jim Bennett as authorized agent for Steven Mills affirm that on 5/3/2013,

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

ERECT – ATTACH – COMPLETE – REMODEL – MAINTAIN

An accessory structure providing a side yard setback of 2.9 ft. and a rear yard setback of 4.0 ft. and wood deck with a zero ft. setback in a ~~32~~ district.  
3.2 along east p.l. (zoning district) → SF-1

The Austin Electric Utility Department (Austin Energy) enforces electric easements and the setback requirements set forth in the Austin Utility Code, Electric Criteria Manual and National Electric Safety Code. The Board of Adjustment considers variance to the Land Development Code, and a variance granted by the Board of Adjustment does not waive the requirements enforced by Austin Energy. Please contact Christine Esparza with Austin Energy at 322-6112 before filing your application with the Board of Adjustment if your request is for a reduction in setbacks or height limits.

**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.

**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:

Both the deck and garage are existing.

**HARDSHIP:**

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

Both structure are existing and have been for a long time. The area was annexed into the city in 1984 and somewhere were between then and now one of the prior owners erected the structures. The location of the residence and the shape of the lot limit the placement of the garage.

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

The structures were constructed by a previous unknown owner, and the shape of this lot is not general to the area.

**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 structures are located to the rear of the lot and have existed in their location for an extended unknown length of time and therefor would not alter the character of the area.

**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:

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 Jim Bennett Mail Address 11505 Ridge Dr.

City, State & Zip Austin, TX, 78748

Printed Jim Bennett Phone 282-3079 Date 5/4/13

**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 Steve C Mills Mail Address \_\_\_\_\_

City, State & Zip P.O. Box 3821 Midland, TX 79702

Printed STEVE C MILLS Phone 432.913.2523 Date 5.7.13



# City of Austin

Founded by Congress, Republic of Texas, 1839  
Public Works, Municipal Annex, 301 W. 2nd St, Austin, Texas 78701; Telephone 512/477-6511

Dear Resident:

The area where you live was annexed by the City of Austin effective November 15, 1984. (annexation number C7a-83-017).

The Solid Waste Services Division of the Public Works Department is responsible for providing garbage collection and street cleaning service. Your regular garbage pick up days will be Wednesday and Saturday beginning January 2, 1985. Please have your containers (limit 4) at curbside by 7:30 A.M. on collection days. I have enclosed a copy of our "Garbage Guidelines" which you should find useful.

This extension of City garbage collection has been coordinated with the private haulers currently servicing your area. Please cooperate with them as they collect their large roll-out carts, if you have one. These containers are too large for us to service.

Billing for our services, as well as for the City's drainage fee, is accomplished through the City's Utility Customer Service Office. The monthly residential charges are: Garbage - \$7.00, Street-cleaning - \$1.00, Drainage - \$1.00. Please expect your first statement in January or early February. Please direct your billing questions to that office, using the phone number indicated on your bill.

For questions regarding Public Works Department services, please utilize the following contacts:

Garbage collection:	499-2000 ext. 2640
Street Cleaning:	499-2000 ext. 2635
Comprehensive drainage fee:	499-2000 ext. 2631
Street Maintenance:	499-2000 ext. 2631

If you have reason to believe your residence is not in the City limits, please call Woody Raine (477-1636) and we will attempt to resolve the problem as quickly as possible.

The City's Information Center (480-0370) may be able to answer your other questions regarding City services and your annexation.

Joe D. Word, P.E.  
Chief Operations Engineer  
Public Works Department

JDW:wwr  
1.0wannex83017  
enclosure

# 232 SQUARE FOOT PARTIAL RELEASE OF PUBLIC UTILITY EASEMENT



## LINE TABLE

L1  
N 52°35'32"W 7.56'  
L2  
S 59°40'00" E, 7.50'  
L3  
S 30°20'00" W, 31.37'  
L4  
N 30°20'00" E, 30.44'

CASTLEWOOD FOREST  
SECTION 1  
(VOL. 42, PG. 27)

232 SQ. FT.

OUT OF  
LOT 17, BLOCK B  
CASTLEWOOD FOREST SECTION 9  
(VOL. 67, PG. 72)  
STEVEN CRAIG MILLS and  
DONNA RENEE MILLS  
(DOC. 2012139905)

## LEGEND

- 1/2" IRON PIPE FOUND
- 1/2" REBAR FOUND
- 1/2" REBAR SET
- - - WOOD FENCE
- BL BUILDING LINE
- PUE PUBLIC UTILITY ESMT
- PE POOL EQUIPMENT
- ( ) RECORD INFORMATION
- ☑ WATER METER
- ☒ AIR CONDITIONER
- ON INSIDE OF SUBJECT BOUNDARY
- OFF OUTSIDE OF SUBJECT BOUNDARY

SURVEY DATE	MARCH 01, 2013
JOB NO.	A0215813
CALC. BY	CHRIS ZOTTER 03/01/2013
DRAWN BY	CHRIS ZOTTER 03/01/2013
RPLS CHECK	EDWARD RUMSEY 03/01/2013

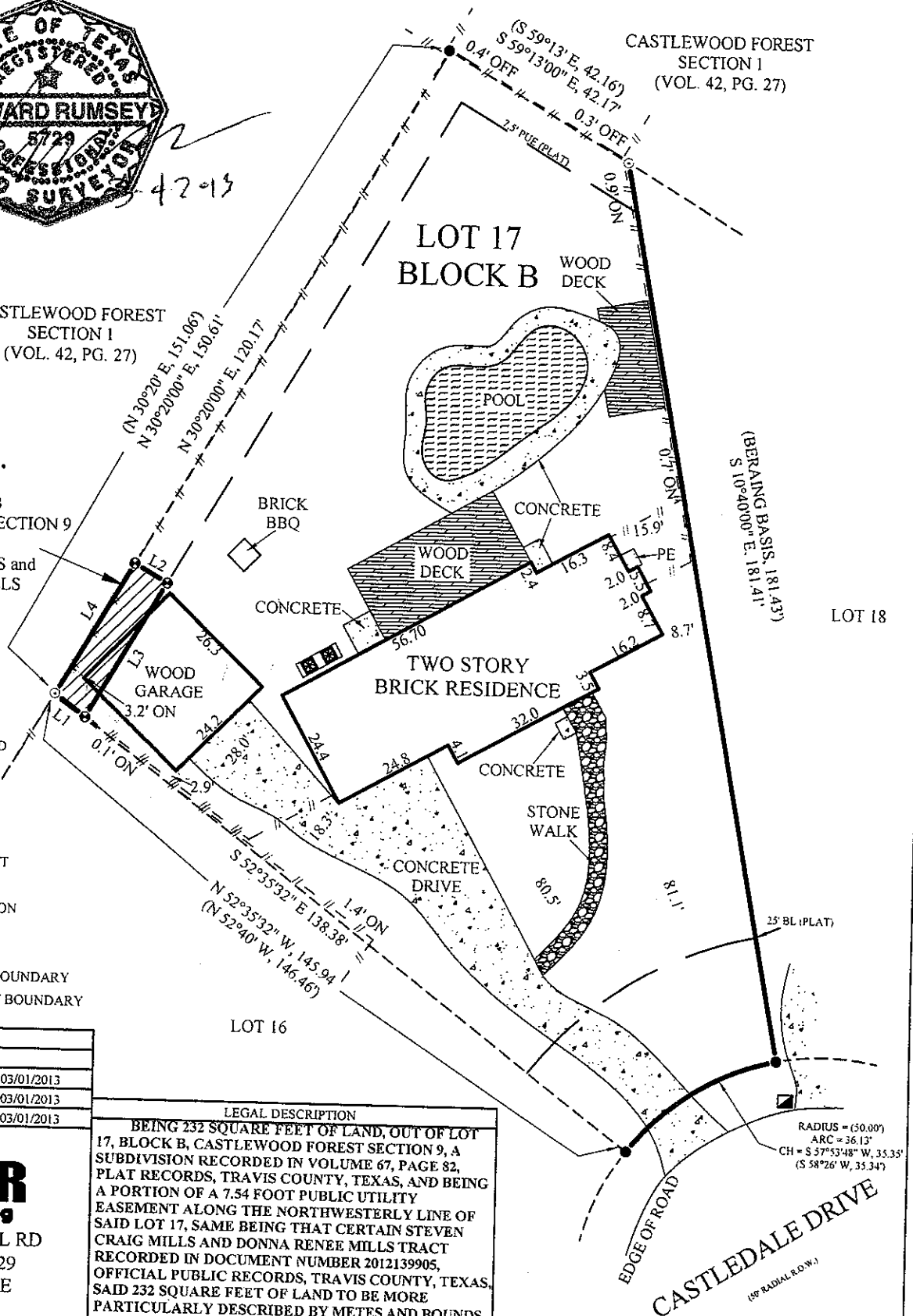
**ALLSTAR**  
Land Surveying

9020 ANDERSON MILL RD  
AUSTIN, TEXAS 78729  
(512) 249-8149 PHONE  
(512) 331-5217 FAX  
WWW.ALLSTARLANDSURVEYING.COM

## LEGAL DESCRIPTION

BEING 232 SQUARE FEET OF LAND, OUT OF LOT 17, BLOCK B, CASTLEWOOD FOREST SECTION 9, A SUBDIVISION RECORDED IN VOLUME 67, PAGE 82, PLAT RECORDS, TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF A 7.54 FOOT PUBLIC UTILITY EASEMENT ALONG THE NORTHWESTERLY LINE OF SAID LOT 17, SAME BEING THAT CERTAIN STEVEN CRAIG MILLS AND DONNA RENEE MILLS TRACT RECORDED IN DOCUMENT NUMBER 2012139905, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS, SAID 232 SQUARE FEET OF LAND TO BE MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN EXHIBIT "A", ATTACHED HERETO AND MADE A PART HEREOF.

PAGE 2 OF 2





## City of Austin

*Founded By Congress, Republic of Texas 1839*

Code Compliance Department

P.O. Box 1088, Austin, Texas 78767 - 1088

November 7, 2012

### NOTICE OF VIOLATION

via Certified Mail #7007 2560 0001 7122 8985

Steven and Donna Mills  
205 Club Drive  
Midland, Texas 79701

**RE: 2504 CASTLEDALE DR 78748**

Legally described as LOT 17 BLK B CASTLEWOOD FOREST SEC 9

Zoned as SF-1

Parcel Number 0426230706

Dear Steven and Donna Mills:

An investigation by the City of Austin's Code Compliance Department was conducted relating to the property indicated above and violations of Austin City Code were found that require your immediate attention. An investigation report is enclosed which defines the code violation(s) found with required remedies for attaining compliance with the City Code.

After receipt of this notice, you may not sell, lease, or give away this property unless you have provided the buyer, lessee, or other transferee a copy of this notice, and provided the name and address of the buyer to the Building Official. Also, it is a misdemeanor to rent this property if the code violation(s) on this property pose a danger to the health, safety and welfare of the tenants.

If you have any questions, please contact me by telephone at (512) 974-1939 between 7:30AM - 4:00PM. You may leave a voicemail message at any time.

Si usted tiene alguna pregunta, contácteme por favor por teléfono en (512) 974-1939 de lunes a viernes o puede dejar un mensaje de correo vocal en cualquier momento.

#### Ownership Information

According to the applicable records of the County, you own the real property described in this notice. If you no longer own this property, you must execute an affidavit stating that you no longer own the property and stating the name with the last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to our office not later than the 20th day after the date you receive this notice. If you do not submit an affidavit, it will be presumed that you own the property described in this notice, even if you do not.

An affidavit form is available at our office located at 1520 Rutherford Lane. An affidavit may be mailed to:



City of Austin  
Code Compliance Department  
P.O. Box 1088  
Austin, Texas 78767

Additionally, if this property has other owner(s), please provide me with this information.

**Failure to Correct**

If a violation is not corrected, any existing site plan, permit, or certificate of occupancy may be suspended or revoked by the City. If the site plan, permit or certificate of occupancy is suspended or revoked, the utility service to this property may be disconnected.

If the violation continues, the City may take further legal action to prevent the unlawful action as authorized by State law and may seek civil injunctions or penalties in State court.

For dangerous or substandard buildings, the City may also take further action to require the vacation, relocation of occupants, securing, repair, removal or demolition of a building.

**If the violations are not brought into compliance within the timeframes listed in the investigation report, criminal charges may be filed against you in the City of Austin Municipal Court subjecting you to fines of up to \$2,000 per violation, per day.**

**Complaints**

To register a complaint regarding a Code Compliance Department investigator, you may submit your complaint in writing no later than 3 days after receipt of this letter to:

City of Austin  
Code Compliance Department Manager  
P.O. Box 1088  
Austin, Texas 78767

Sincerely,



Enes Constancio, Code Enforcement Inspector  
Code Compliance Department  
Case CV-2012-086059

## INVESTIGATION REPORT

Investigator: Enes Constancio  
Case: CV-2012-086059  
Address: 2504 CASTLEDALE DR 78748  
Zoned as SF-1

The item(s) listed below are in violation of the Austin City Code. A required remedy may be specified after a violation and may include a time period for compliance. If no required remedy is specified for a violation, the **Required Remedy Summary** will be in effect. For questions concerning residential property, please contact the Zoning Review Division at (512) 974-2380. For questions concerning commercial property, please contact the Development Assistance Center (DAC) at (512) 974-6370.

### LAND USE

Code Section: Building Permit Requirement (§25-12-241 [2006 IRC R105.1])

Description of Violation: Residential construction performed without required permit(s). In ground pool and detached garage constructed without required permits.

Date Observed: August 16, 2012

Status: Not Cleared

Required Remedy:

#### Required Remedy Summary

Electrical Permit Required  
Plumbing Permit Required  
Building Permit Required  
Obtain a Permit in 21 days.

**NOTE:** The time period(s) indicated in this summary reflect the total time allowed for compliance. A time period indicated in an individual violation's required remedy is the actual time allowed for compliance of that individual violation. If no time period is indicated in an individual violation's required remedy, the summary time period associated with the required remedy will be the time allowed for compliance.

#### Appeal

A person may appeal a Stop Work Order to the City of Austin's Building Official. A written appeal must be filed no later than 3 days after the posting of the Order and contain:

- the name and address of the appellant;
- a statement of facts;
- the decision being appealed; and
- the reasons the decision should be set aside.

An appeal may be delivered in person to the Office of the Director of the Planning and Development Review Department located at 505 Barton Springs Road or mailed to:

Building Official  
Planning and Development Review Department  
P.O. Box 1088  
Austin, Texas 78767



**CONTRACT FOR LABOR AND MATERIALS AND TRUST**

This CONTRACT made and entered into by and between Robert G. Parker et ux Linda B.

2-47-6112

JAN 9 81 <sup>U.S.</sup> 9650 \* 5.00

of Travis County, Texas, hereinafter called OWNER, and

Elite Pools, Inc.

of Travis County, Texas, hereinafter called CONTRACTOR.

WITNESSETH: That CONTRACTOR, in consideration of the sum of \$15,000.00, agrees and contracts with OWNER to furnish, and pay for all labor and materials needed to construct, and substantially complete within 60 days of this date, in a good and workmanlike manner, the following improvements according to the plans and specifications this day agreed upon by the parties hereto:

**Swimming Pool**

upon the following described tract, lot or parcel of land belonging to OWNER:

**Lot 17, Block B, Castlewood Forest, Section Nine, Situated in Travis County, Texas, According to map or plat thereof, recorded in Volume 67, Page 82, Deed and Plat Records of Travis County, Texas**

**Also known as: 2504 Castledale Drive, Austin, Texas 78745**

At the instance and request of OWNER, the Texas Federal Savings and Loan Association, will deliver to OWNER its check or checks for the above consideration made payable jointly to OWNER and CONTRACTOR and OWNER will execute and deliver to Association its one promissory note of even date herewith for an amount which includes such stated consideration and interest. OWNER and CONTRACTOR agree that Texas Federal Savings and Loan Association may rely upon the endorsement of OWNER and CONTRACTOR on any one or all of said checks and the subsequent payment of said checks by the drawee bank as being deemed to be acceptance of the improvements agreed to be erected in accordance with the agreement between OWNER and CONTRACTOR, in so far as the same may affect the right of Texas Federal Savings and Loan Association to exercise its rights contained in said promissory note and the liens securing said note.

To secure the prompt payment of the aforementioned indebtedness and note, a Builder's, Mechanic's, Materialman's and Laborer's Lien is hereby created and granted for the benefit of CONTRACTOR and the owner and holder of said note upon the hereinbefore described real property, and all improvements, additions, fixtures and appurtenances now thereon or hereafter to be placed thereon. In the event any portion of the indebtedness evidenced by said note is not or cannot be lawfully secured by the lien herein given and created upon the herein described property, it is agreed that any payment made on said indebtedness shall be applied first to the discharge of that portion of said indebtedness, CONTRACTOR hereby transfers, assigns and conveys all liens created herein or arising by operation of law out of this contract in his favor to the aforesaid association the payee named in said note, its successors and assigns. OWNER hereby agrees and stipulates that Texas Federal Savings and Loan Association, its successors and assigns is and shall be fully subrogated to the Builder's, Mechanic's, Materialman's, and Laborer's Lien, superior title rights and equities to which CONTRACTOR would otherwise be lawfully entitled upon the above described real property. This contract is executed and delivered before any labor has been performed and before any material has been furnished for the construction of the improvements for which the lien hereby created is given.

OWNER, to secure and enforce the payment of said indebtedness and note, and for the auxiliary and cumulative enforcement of said liens hereinabove created, as GRANTED, SOLD and CONVEYED and by these presents do GRANT, SELL and CONVEY unto:

Jack H. Hooker Trustee, of Bexar County, Texas, and his substitutes or successors, the hereinabove described real property and all improvements, additions, fixtures and appurtenances now thereon or hereafter to be placed thereon. TO HAVE AND TO HOLD the said property unto the said Trustee or his successor forever upon the following terms and conditions: That if OWNER shall pay off and discharge said note according to its tenor and effect, then this conveyance shall become null and void and shall be released by the holder of the indebtedness, but should OWNER default in the payment or other covenants of said note, or fail to pay, before they become delinquent, all taxes legally assessed against said property, or fail to keep said property fully insured against fire and other hazards, as more fully set forth in said note, or should OWNER make default in any obligation or covenant in any instrument given as security for any obligation of OWNER which may be legally held to create a lien superior to that granted by this instrument, the holder of said note may, at its option, declare the entire remaining unpaid balance of said note immediately due, and if not immediately paid, then in that event the Trustee or his successor is hereby authorized and empowered to sell said property in accordance with the Laws of the State of Texas at which sale the holder of said note shall have the right upon being the highest bidder to purchase said property with rights to proceed against OWNER in an action at law for any deficiency remaining. If OWNER or those holding under it shall remain in possession of said property after sale, however made, OWNER or those holding under it shall become the tenants and sufferance of the purchaser. The holder of said note is hereby authorized to appoint a substitute trustee to act instead of the above named trustee without any other formality than the designation in writing of a substitute or successor Trustee who shall succeed to all the rights and powers heretofore granted to the Trustee herein.

OWNER hereby assigns to the holder of said note any and all rents on the premises described above and upon default upon said note or upon any obligation of this contract OWNER hereby grants to the holder of said note full authority to rent said premises, to collect rents thereupon, to deduct from such rents all costs of collection and administration and to apply the remainder of such rents on the debt hereby secured.

OWNER hereby expressly ratifies and confirms any and all acts which the said Trustee, or any of them, their successors or substitutes may do in the premises by virtue hereof, and expressly agrees that in case of any sale hereunder all requisites of sale shall be presumed to have been performed, and that in any conveyance given hereunder all statements of fact or other recitals therein made as to the non-payment of the indebtedness secured, or as to the acceleration of the maturity thereof, or as to the request to the Trustees or any of them to enforce the trust or as to the proper or due appointment of substitute Trustee or Trustees or as to the advertisement or sale or time, place and manner of sale, or as to any other fact or thing shall be taken in all courts of law or equity as prima facie evidence that the facts so stated or recited are true.

All estates, titles, rights, powers and duties herein given to Trustees or imposed upon them are given and imposed upon Trustees jointly or severally, and to the survivor of each Trustee, and may be exercised by any one or more than one, or all of such Trustees, as if any such Trustee or Trustees so acting were sole Trustee hereunder. Should any Trustee, his substitute or successor, die, resign or fail, neglect or refuse to act, or become disqualified from acting hereunder, any legal holder of said note or any one or more surviving or remaining Trustee or Trustees, shall have full power to appoint a substitute or successor Trustee in writing, without notice to Owner, which substitute or successor Trustee shall have the same estates, titles, rights, powers and duties which are herein delegated to the original Trustee, or imposed upon him and Owner herein hereby does ratify and confirm any and all acts which Trustees or any of them, or any substitute or successor Trustee or Trustees may do in the premises by virtue thereof or hereof.

In the event any part of this agreement shall be declared or adjudged invalid such action shall in no way affect or impair the validity or enforceability of any other portion hereof. OWNER hereby acknowledges that this contract is being executed and delivered before any labor or materials for the erection and construction of said improvements have been furnished.

WITNESS OUR HANDS this 19<sup>th</sup> day of December 1980

BY: Joseph C. McDowell Robert G. Parker  
Elite Pools, Inc. Linda B. Parker  
CONTRACTOR OWNER  
Joseph C. McDowell Linda B. Parker

TITLE

**MECHANIC'S LIEN RECORDS**

7254

188

2-47-6113

THE STATE OF TEXAS §  
COUNTY OF TRAVIS §

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared Robert G. Parker and Linda B. Parker, known to me to be the person(s), whose name(s) is/are subscribed to the foregoing instrument and acknowledged to me that (he) (they) executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 19th day of December, 1980

NOTARY SEAL

Marilyn M. Simmons  
Notary Public in and for Travis County, Texas

THE STATE OF TEXAS §  
COUNTY OF BEXAR §

For a valuable consideration to CONTRACTOR in hand paid by Texas Federal Savings and Loan Association the receipt of which is acknowledged, CONTRACTOR sells, transfers, and assigns the indebtedness represented by said described note and all liens securing its payment to Texas Federal Savings and Loan Association. The Association does not assume any obligation imposed upon the CONTRACTOR by virtue of this contract and shall not be held liable for the performance of or breach thereof by such CONTRACTOR.

EXECUTED this the 26th day of December, 1980 ELITE POOLS, INC.

(NO SEAL)

BY: Joseph C. McDowell  
Joseph C. McDowell  
Title

THE STATE OF TEXAS §  
COUNTY OF BEXAR §

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Joseph C. McDowell, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 26th day of December, 1980

NOTARY SEAL

Joan C. Daniel  
Notary Public, in and for Bexar County, Texas  
My commission expires Oct. 1, 1984

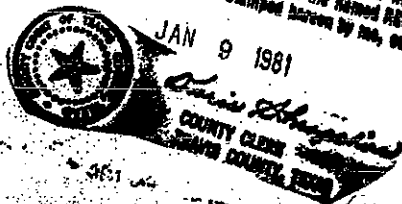
THE STATE OF TEXAS §  
COUNTY OF §

I, \_\_\_\_\_, Clerk of the County Court of \_\_\_\_\_ County, Texas, do hereby certify that the within instrument with its certificate of authentication was filed for registration in my office on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M. and duly recorded on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M, in Vol. \_\_\_\_\_, Page \_\_\_\_\_, of records of \_\_\_\_\_ for said County.

Witness my hand and seal of office, at \_\_\_\_\_ Texas, the day and date last above written.

Clerk, County Court, \_\_\_\_\_ County, Texas  
BY: \_\_\_\_\_ Deputy

STATE OF TEXAS  
I hereby certify that this instrument was FILED on the \_\_\_\_\_ date and at the time stamped herein by me and was duly RECORDED, in the Volume and Page of the named RECORDS of Travis County, Texas, as stamped herein by me, on



FILED  
JAN 9 8 51 AM '81  
Davis Bragstad  
COUNTY CLERK  
TRAVIS COUNTY, TEXAS

INDEXED

Return to  
TEXAS FEDERAL SAVINGS & LOAN  
8300 PRESTON ROAD  
DALLAS, TEXAS 75225

TEXAS FEDERAL SAVINGS & LOAN  
ASSOCIATION

ELITE POOLS, INC.

Mechanics and Materialmen's  
Lien

7254 189

## 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) <sup>or</sup>
- 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; <sup>or</sup>
- 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](http://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: C15-2013-0056 - 2504 Castledale Drive

Contact: Susan Walker, 512-974-2202

Public Hearing: Board of Adjustment, June 10th, 2013

MAELY COLE  
Your Name (please print)

☒ I am in favor  
☐ I object

Your address(es) affected by this application

2409 McNAMARA Dr - AUSTIN 78748

*[Signature]*  
Signature

5-31-2013  
Date

Daytime Telephone: 512-280-0528

Comments:

Seems like the plan for improvements will enhance the property which is beneficial for our neighborhood. Please approve the applicant's proposal.

If you use this form to comment, it may be returned to:

City of Austin-Planning & Development Review Department/ 1st Floor  
Susan Walker  
P. O. Box 1088  
Austin, TX 78767-1088

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- 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.

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**Case Number:** C15-2013-0056 - 2504 Castledale Drive  
**Contact:** Susan Walker, 512-974-2202  
**Public Hearing:** Board of Adjustment, June 10th, 2013

*Francisco & Lita Rosado*

Your Name (please print)

☒ I am in favor  
☐ I object

*9405 Ramblerwood Dr, Austin TX 78748*

Your address(es) affected by this application

*[Signature]*

Signature

*6-5-13*

Date

Daytime Telephone: *512-217-9260*  
*512-925-7776*

Comments:

If you use this form to comment, it may be returned to:

City of Austin-Planning & Development Review Department/ 1st Floor  
 Susan Walker  
 P. O. Box 1088  
 Austin, TX 78767-1088



## PUBLIC HEARING INFORMATION

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Case Number: C15-2013-0056 - 2504 Castedale Drive

Contact: Susan Walker, 512-974-2202

Public Hearing: Board of Adjustment, June 10th, 2013

Sara Louise Bennett

Your Name (please print)

☐ I am in favor  
☒ I object

9404 Crownspoint Circle

Your address(es) affected by this application

Sara Louise Bennett 6-6-2013

Signature

Date

Daytime Telephone: 512-282-0263

Comments: Subject to the set-back, side line and rear line, variances requested to determine the rear yard, the sidewalk along the south property line and the east property line. From 5' to 10 feet. I would like for the city to induce a neighborhood of high standards that include the rear yard, conditions, conditions and restrictions of the rear yard.

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Contact: Susan Walker, 512-974-2202

Public Hearing: Board of Adjustment, June 10th, 2013

Tack L. STOUTS  
Your Name (please print)

☒ I am in favor  
☐ I object

2504 Castledale Dr.  
Your address(es) affected by this application

Call Keith 1 June 2013  
Signature Date

Daytime Telephone: (512) 280-0445 or (512) 917-9019

Comments: Support Appeals Commission  
on Mitigation of Water Runoff  
into Neighbors Residence to the  
South.

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 Contact: Susan Walker, 512-974-2202  
 Public Hearing: Board of Adjustment, June 10th, 2013

MAVY COLE  
 Your Name (please print) ☒ I am in favor ☐ I object

2409 MORNHILL DR - AUSTIN 78748  
 Your address(es) affected by this application

[Signature] 5-31-2013  
 Signature Date

Daytime Telephone: 372-280-0528

Comments: Seems like the plan for  
improvements will enhance  
the property which is  
beneficial to our  
neighborhood. Please  
approve the applicant's  
proposal.

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Contact: Susan Walker, 512-974-2202

Public Hearing: Board of Adjustment, June 10th, 2013

Francisco & Lita Rosado

Your Name (please print)

☒ I am in favor  
☐ I object

9405 Ramblerwood Dr, Austin TX

Your address(es) affected by this application

78748

[Signature]

Signature

6-5-13

Date

Daytime Telephone:

512-217-9060  
512-925-7776

Comments:

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Susan Walker

P. O. Box 1088

Austin, TX 78767-1088



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**Contact:** Susan Walker, 512-974-2202  
**Public Hearing:** Board of Adjustment, June 10th, 2013

**ROMAINE, Theodore H. II**

Your Name (please print)

☐ I am in favor  
☒ I object

**2402 Castledale Dr**

Your address(es) affected by this application

**Theodore Romaine**

Signature

**4 June 2013**

Date

Daytime Telephone: **(203) 453-1439**

Comments:

Sets a very bad precedent. This is a pleasant neighborhood with a comfortable, open feel. Jamming accessory structures and/or decks on or very near property lines will change this to a cramped and cluttered appearance which will be detrimental to property values and privacy.

**Theodore Romaine**

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