

Walker, Susan

CS-2014-0005

From: Loayza, Katherine <kloayza@jw.com>
Sent: Wednesday, January 08, 2014 4:33 PM
To: Walker, Susan
Cc: Nias, Jim
Subject: 7501 N. Lamar B.O.A. variance request

Susan,

We are hereby requesting a two month postponement, or March 10, 2014, of the B.O.A. variance submitted for 7501 N. Lamar due to the communication we received from the Planning and Development Review Department on Jan. 7, 2014 which identified new zoning compliance issues which we were not aware of regarding this property. We anticipate that the additional time will allow us to resolve the new issues in order that we may pursue final resolution of the case.

Thank you,

Katherine Loayza
Land Use Consultant
Jackson Walker L.L.P
100 Congress Avenue Suite 1100
Austin, TX 78701
O: (512) 236-2259
F: (512) 691-4412
kloayza@jw.com
www.jw.com



The information contained in this e-mail and any attachments is confidential and intended only for the use of the individual or entity to whom it is addressed. This information may constitute information that is confidential and privileged as an attorney-client communication or as attorney work product. If the reader of this e-mail is not the intended recipient, or the employee or agent responsible to deliver this communication to the intended recipient, you are hereby notified that any distribution, copying, or use of this communication, electronic or otherwise, is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone, by replying to the sender via e-mail, or by e-mail to "kloayza@jw.com", and please delete this e-mail and any accompanying attachments from your in box, recycle bin, and any other directory, file, or electronic storage. Thank you for your cooperation.

To: Members of the Board of Adjustment
Re: Case C15-2014-0005 / TX Title Loan & Pronto Insurance at 7501 N. Lamar

I am writing to request that you DENY all of the variances requested by the applicant. Without being privy to their arguments, I'll present my thoughts.

Reasonable Use:

The zoning regulations do allow for a reasonable use on this site - it's just not this one.

Hardship:

It seems to me that the only possible hardship is the code itself - i.e. they have no hardship. If the hardship is indeed the code, then the hardship IS general to the area in which the property is located by its' very nature - i.e. lots nearby will also be in violation of 25-2-816 (B) (1) and 25-2-816 (B) (2) and possibly 25-2-816 (C).

Area Character:

This portion of N. Lamar runs between 2 well-established neighborhoods, Highland and Crestview, and is also adjacent to the new development at the Crestview Station TOD. It is an area in transition. Certainly, a lively mix of neighborhood oriented storefronts and services is what makes sense for this corridor.

[see map following page]

I've mapped all the various 'loan outlets' on the .52 mi portion of N. Lamar between Justin Ln. and Morrow St. While the pawn shops and the corner store fall into different land use categories, they are all similar types of businesses involved in [potentially] predatory lending practices - I saw signs at the pawn shops offering payday lending and offers to buy out title loans - the lines seem really blurry . . .

At any rate, you can see there plenty of 'loan outlets' already!

Granting this variance will absolutely erode the character of the area by eliminating the opportunity for a more appropriate neighborhood-oriented use to occupy the property.

In short, these applicants can find a site that works for their concept and complies with code - SOMEWHERE ELSE!

It is not your duty to facilitate their business plan by granting these variances.

Heidi Goebel
7505 Grover Ave - in Crestview

Curious postscript?

There is already a sign up advertising this business at this location

