

CIRCLE C HOMEOWNERS ASSOCIATION, INC.
7817 LA CROSSE BLVD.
AUSTIN, TEXAS 78739
512-288-8663
info@circlecranch.info

May 8, 2014

TO: Leane Heldenfels, City of Austin Planning and Development Review

FROM: Susan Hoover, on behalf of the Architectural Control Committee, Circle C Homeowners Association, Inc.

RE: **Case Number: C15-2014-0063, 6900 Gaur Drive**

Hearing Date: May 12, 2014

Please refer this communication to the Board of Adjustment.

1. The Circle C Homeowners Association has no position on the **impervious cover** request by this owner.
2. The Circle C Homeowners Association **objects to the side building line setback encroachment** on the following grounds:
 - a. There is no hardship that would require the owner to violate the five foot building line setback in order to construct the Patio Room.
 - b. For the CCHOA Architectural Control Committee, the owner submitted a drawing showing that the Patio Room was to be confined to adhere to the City of Austin building line setback (see attached).
 - c. The CCHOA works diligently to preserve the building line setbacks required by the City of Austin for all structures which are higher than the fence line between properties. The CCHOA has had numerous owners move their projects to adhere to the City's building line setbacks. All property owners in Circle C receive notification through our deed restrictions that the City requires the setbacks and property owners are expected to comply. In addition, neighboring property owners expect that the side building line setbacks will be adhere to.
 - d. By waiving the building line setback, the property next door could experience declining property values. This is true even if the existing owners do not have a problem with the encroachment.
 - e. The Architectural Control Committee of the Circle C Homeowners Association will not approve this project if it encroaches into the side building line setback—it will need to be a minimum of five feet from the neighboring property line.

We urge the Board of Adjustment to reject the request to build into the five foot side building line setback. Thank you for your time and attention to this matter.