

CITY OF AUSTIN
Board of Adjustment/Sign Review Board
Decision Sheet

DATE: Monday, October 13, 2014

CASE NUMBER: C15-2014-0100

_____ Jeff Jack
_____ Michael Von Ohlen
_____ Ricardo De Camps
_____ Bryan King
_____ Vincent Harding
_____ Melissa Hawthorne
_____ Sallie Burchett

APPLICANT: Kasi Painter

OWNER: Spencer Gibb

ADDRESS: 4905 AVENUE G

VARIANCE REQUESTED: The applicant has requested a variance from Section 25-2-899 (*Fences as Accessory Uses*) and from NCCD-NP Ordinance 20050818-064, Part 6. General Provisions, 4. (*Fences*) to increase the maximum height from 7 feet while maintaining an average of 6 feet and 4 feet (required, respectively) to 6 feet 6 inches (requested) and increase the solid material ratio of from 1 to 1.5 (required) to a ratio of 1 to 1 or solid (requested) in order to maintain a solid wood fence in the front yard setback in a "SF-3-NP-NCCD", Family Residence – Neighborhood Plan – Neighborhood Conservation Combining District zoning district. The Hyde Park NCCD-NP states a fence located in a front yard may not exceed a height of four feet and shall have a ratio of open space to solid material of not less than 1 to 1.5.

BOARD'S DECISION: The public hearing was closed on Board Member Michael Von Ohlen motion to Postpone to September 8, 2014, Board Member Bryan King second on a 7-0 vote; **POSTPONED TO September 8, 2014. Sept 8, 2014 POSTPONED TO OCTOBER 13, 2014 AS PER APPLICANT REQUEST; OCT 13, 2014 POSTPONED TO NOVEMBER 10, 2014 PER APPLICANT REQUEST**

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because:
2. (a) The hardship for which the variance is requested is unique to the property in that:
(b) The hardship is not general to the area in which the property is located because:
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:


Leane Heldenfels
Executive Liaison


Jeff Jack
Chairman

C15-2014-0100

Heldenfels, Leane

From: Kasi Painter <~~kaspainter@gmail.com~~>
Sent: Tuesday, October 07, 2014 3:43 PM
To: Heldenfels, Leane
Subject: Re: Ready to move forward on 4905 Ave G BOA case?

Hi Leane

Thank you for following up. I was unable to get on the October agenda, and Spencer just left the country yesterday on business. Would it be possible to postpone until November. I really hate dragging this out. I can keep him in town next month (or try my best) and make sure everything is squared away.

Thanks
Kasi

On Oct 6, 2014, at 10:25 AM, "Heldenfels, Leane" <Leane.Heldenfels@austintexas.gov> wrote:

I know you were seeking a letter of support from the full Neighborhood Association. Were you able to get that yet?

Thanks –
Leane

C15-2014-0100

Heldenfels, Leane

From: David Conner [REDACTED]
Sent: Thursday, October 09, 2014 4:58 PM
To: Heldenfels, Leane
Cc: kasipainto
Subject: Re: BOA Case CV15-2014-0100 4905 Avenue G Fence variance

Thanks if the general neighborhood had to vote on every permit or variance request submitted each month, nothing would get done.

David

> On Oct 9, 2014, at 4:49 PM, "Heldenfels, Leane" <Leane.Heldenfels@austintexas.gov> wrote:

>
> Thanks for this information. I will include it in the Board's packet. I think the applicant is out of the country and will still postpone to 11/10, but if they aren't able to get a "full Neighborhood Association Board vote" on the request as directed by the Board at the last hearing, hopefully this explanation of why will suffice for the applicant to move forward at that time.

> Take care,
> Leane Heldenfels
> Board of Adjustment Liaison
> City of Austin

> -----Original Message-----

> From: David Conner [REDACTED]
> Sent: Thursday, October 09, 2014 4:25 PM
> To: Heldenfels, Leane
> Subject: Fw: BOA Case CV15-2014-0100 4905 Avenue G Fence variance

>> --- On Thu, 10/9/14, David Conner [REDACTED] > wrote:

>>
>> From: David Conner <daypaycon@yahoo.com>
>> Subject: BOA Case CV15-2014-0100 4905 Avenue G Fence variance
>> To: leane.heldenfelds@austintexas.gov
>> Cc: kasipainto@gmail.com
>> Date: Thursday, October 9, 2014, 4:21 PM
>> To: Board of Adjustment
>> Date: October 9, 2014

>> RE: BOA Case CV15-2014-0100 4905 Avenue G Fence variance

>> The address is:
>> 4905 Ave G
>> Austin, TX 78751

>> The homeowner and their agent presented their case to the Hyde Park
>> Development Review Committee (DRC) a couple of months ago. The Hyde

>> Park Development Review Committee discussed the case and the variance
>> request. DRC determined that the DRC would not oppose the variance
>> request based on information provided.

>>
>> The Chair of the DRC then presented the BOA case to the Hyde Park
>> Steering Committee membership. The Steering Committee upon listening
>> to the DRC recommendations determined that since the DRC did
>> not/would not oppose the request, it was not necessary to bring to
>> the full HPNA general membership based on #6 of the Hyde Park
>> neighborhood association

>> bylaws:

>>
>> A record vote of the membership is required for the issues, as well
>> as for other issues for which a record appropriate:

>>
>>
>> 1. Election of officers

>>
>> 2. Adoption of the budget

>>
>> 3. Setting of dues

>>
>> 4. Setting or change of any policy of HPNA

>>
>> 5. Amendment of the bylaws

>>
>> 6. Adoption of any position of HPNA, including all positions to be
>> communicated to any governmental body, with the exception of specific
>> narrow development cases for which the City of Austin asks the
>> opinion of the HPNA.

>>
>> Therefore, the BOA members can use this information for their final
>> determination on the case.

>>
>> Personally speaking, as a homeowner, I support the variance request
>> based on findings presented. The house sits in the back of the lot
>> and the fence built is suitable for the property and will not set a
>> precedent for future requests.

>>
>>
>> Sincerely,
>> David Conner, Chair Hyde Park Development Review Committee

>>
>>
>>

CITY OF AUSTIN
Board of Adjustment/Sign Review Board
Decision Sheet

DATE: Monday, August 11, 2014

CASE NUMBER: C15-2014-0100

Y _____ Jeff Jack
 Y _____ Michael Von Ohlen **Motion to PP to Sept 8, 2014**
 Y _____ Ricardo De Camps
 Y _____ Bryan King **2nd the Motion**
 Y _____ Vincent Harding
 Y _____ Will Schnier - Melissa Hawthorn-OUT
 Y _____ Sallie Burchett

APPLICANT: Kasi Painter

OWNER: Spencer Gibb

ADDRESS: 4905 AVENUE G

VARIANCE REQUESTED: The applicant has requested a variance from Section 25-2-899 (*Fences as Accessory Uses*) and from NCCD-NP Ordinance 20050818-064, Part 6. General Provisions, 4. (*Fences*) to increase the maximum height from 7 feet while maintaining an average of 6 feet and 4 feet (required, respectively) to 6 feet 6 inches (requested) and increase the solid material ratio of from 1 to 1.5 (required) to a ratio of 1 to 1 or solid (requested) in order to maintain a solid wood fence in the front yard setback in a "SF-3-NP-NCCD", Family Residence – Neighborhood Plan – Neighborhood Conservation Combining District zoning district.

The Hyde Park NCCD-NP states a fence located in a front yard may not exceed a height of four feet and shall have a ratio of open space to solid material of not less than 1 to 1.5.

BOARD'S DECISION: The public hearing was closed on Board Member Michael Von Ohlen motion to Postpone to September 8, 2014, Board Member Bryan King second on a 7-0 vote; **POSTPONED TO September 8, 2014.**

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because:
2. (a) The hardship for which the variance is requested is unique to the property in that:
(b) The hardship is not general to the area in which the property is located because:
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:



Leane Heldenfels
Executive Liaison



Jeff Jack
Chairman

Heldenfels, Leane

C15-2014-0100

From: kasipainto ~~<kasipainto@gmail.com>~~
Sent: Sunday, August 10, 2014 9:33 PM
To: Heldenfels, Leane
Subject: Fwd: DRC Agenda request

Hi Leane

I believe David might email you as well, but here is what he sent me. I'll make sure we get something showing the height of the fence as well.

Thanks for your help!
Kasi

Begin forwarded message:

From: David Conner ~~<dconner@lyonh.com>~~
Date: August 7, 2014 at 10:20:06 PM CDT
To: Kasi Painter ~~<kasipainto@gmail.com>~~
Subject: Re: DRC Agenda request

Hello Kasi, I don't know what your final decision will be either postpone or go Monday. I can email Leanne (the city staffer) and let her know you came to the DRC but we did not take a stand on the case but know Spencer has surrounding neighbors support .
Let me know.

David

On Aug 7, 2014, at 4:21 PM, Kasi Painter ~~<kasipainto@gmail.com>~~ wrote:

With utmost respect, I think we'll decline. :)

Thanks!
Kasi

On Aug 7, 2014, at 4:02 PM, David Conner ~~<dconner@lyonh.com>~~ wrote:

No unless you want to.

Jonathan

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 application. 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 will be sent.

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.austintexas.gov/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. Any comments received will become part of the public record of this case.

Case Number: C15-2014-0100, 4905 Avenue G
Contact: Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov
Public Hearing: Board of Adjustment, August 11th, 2014

J. Craig Lewis

Your Name (please print)

I am in favor
 I object

4909 Avenue H

Your address(es) affected by this application

J Craig Lewis

Signature

8/4/14

Date

Daytime Telephone: (512) 454.4382

Comments: I object to the variance granting a tall, non-compliant fence in the neighbors' front yard. It violates the neighborhood ordinance, would create a strange wall, and would open the door for more such variances.

Note: All comments received will become part of the public record of this case

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

City of Austin-Planning & Development Review Department/ 1st Floor
 Leane Heldenfels
 P. O. Box 1088
 Austin, TX 78767-1088
 Or fax to (512) 974-2934
 Or scan and email to leane.heldenfels@austintexas.gov

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 application. 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 will be sent.

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.austintexas.gov/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. Any comments received will become part of the public record of this case.

Case Number: C15-2014-0100, 4905 Avenue G
Contact: Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov
Public Hearing: Board of Adjustment, August 11th, 2014

PAT TUCINSKI

Your Name (please print)

4809 AVE H MASON

Your address(es) affected by this application

[Handwritten Signature]

Signature

8-2-14

Date

Daytime Telephone: 512 475 4170

Comments:

proposal is not consistent with neighborhood qualities. will negatively affect property values of neighbors.

Note: All comments received will become part of the public record of this case

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

City of Austin-Planning & Development Review Department/ 1st Floor
 Leane Heldenfels
 P. O. Box 1088
 Austin, TX 78767-1088
 Or fax to (512) 974-2934
 Or scan and email to leane.heldenfels@austintexas.gov

I am in favor
 I object

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 application. 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 will be sent.

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.austintexas.gov/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. Any comments received will become part of the public record of this case.

Case Number: C15-2014-0100, 4905 Avenue G
 Contact: Leane Heldenfels, 512-974-2202, leaneheldenfels@austintexas.gov
 Public Hearing: Board of Adjustment, August 11th, 2014

Deise Mousfeldt
 Your Name (please print) Dana Kokos
 4915 Avenue G

I am in favor
 I object

Your address(es) affected by this application
 Signature *[Signature]* Date 8/2/14

Daytime Telephone: 512-452-6296

Comments: _____

Note: All comments received will become part of the public record of this case

If you use this form to comment, it may be returned to:
 City of Austin-Planning & Development Review Department/ 1st Floor
 Leane Heldenfels
 P. O. Box 1088
 Austin, TX 78767-1088
 Or fax to (512) 974-2934
 Or scan and email to leaneheldenfels@austintexas.gov

5/13

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 application. 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 will be sent.

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.austintexas.gov/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. Any comments received will become part of the public record of this case.

Case Number: C15-2014-0100, 4905 Avenue G

Contact: Leane Heldenfels, 512-974-2202, leaneheldenfels@austintexas.gov
Public Hearing: Board of Adjustment, August 11th, 2014

Alexander Aegard
 Your Name (please print)

I am in favor
 I object

4814 Duval St. Austin, TX 78759

Your address(es) affected by this application

DLR Signature *8/4/14* Date

Daytime Telephone: 512-297-6574

Comments: *Homeowners should have autonomy over their property. This is a decision for the property owner and no one else.*

Note: All comments received will become part of the public record of this case

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

City of Austin-Planning & Development Review Department/ 1st Floor
 Leane Heldenfels
 P. O. Box 1088
 Austin, TX 78767-1088
 Or fax to (512) 974-2934
 Or scan and email to leaneheldenfels@austintexas.gov

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 application. 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 will be sent.

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.austintexas.gov/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. Any comments received will become part of the public record of this case.

Case Number: C15-2014-0100, 4905 Avenue G
Contact: Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov
Public Hearing: Board of Adjustment, August 11th, 2014

DANA SPRINGS

Your Name (please print)

4911 Ave G

Your address(es) affected by this application

Dana S

Signature

8-1-11

Date

Daytime Telephone: 512-517-1719

Comments: *I have no objection to the variance. Please approve.*

DJK

I am in favor
 I object

Note: All comments received will become part of the public record of this case

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

City of Austin-Planning & Development Review Department/ 1st Floor
 Leane Heldenfels
 P. O. Box 1088
 Austin, TX 78767-1088
 Or fax to (512) 974-2934
 Or scan and email to leane.heldenfels@austintexas.gov

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 application. 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 will be sent.

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.austintexas.gov/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. Any comments received will become part of the public record of this case.

Case Number: C15-2014-0100, 4905 Avenue G
 Contact: Leane Heldenfels, 512-974-2202, leaneheldenfels@austintexas.gov
 Public Hearing: Board of Adjustment, August 11th, 2014

Denise Marsfeldt
 Your Name (please print) Duval Stokes

I am in favor
 I object

Your address(es) affected by this application

4915 Avenue H

[Signature]
 Signature
 Date 8/2/14

Daytime Telephone: 512-452-6296

Comments:

Note: All comments received will become part of the public record of this case

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

City of Austin-Planning & Development Review Department/ 1st Floor
 Leane Heldenfels
 P. O. Box 1088
 Austin, TX 78767-1088
 Or fax to (512) 974-2934
 Or scan and email to leaneheldenfels@austintexas.gov

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 application. 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 will be sent.

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.austintexas.gov/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. Any comments received will become part of the public record of this case.

Case Number: C15-2014-0100, 4905 Avenue G
Contact: Leane Heldenfels, 512-974-2202, leana.heldenfels@austintexas.gov
Public Hearing: Board of Adjustment, August 11th, 2014

Beis Breese

Your Name (please print)

4815 AVE. G

Your address(es) affected by this application

[Signature]

Signature

Daytime Telephone: 512-452-3850

8/8/14

Date

Comments: *WANTS A SOLID FENCE*

COURTIBOTES TO A 'CAVY' EFFECT. NOT A NEIGHBORLY

FENCE, MORE APPROPRIATE FOR ROWNELL.

I am in favor
 I object

Note: All comments received will become part of the public record of this case

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

City of Austin-Planning & Development Review Department/ 1st Floor
 Leane Heldenfels
 P. O. Box 1088
 Austin, TX 78767-1088
 Or fax to (512) 974-2934
 Or scan and email to leana.heldenfels@austintexas.gov

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 application. 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 will be sent.

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.austintexas.gov/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. Any comments received will become part of the public record of this case.

Case Number: C15-2014-0100, 4905 Avenue G
Contact: Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov
Public Hearing: Board of Adjustment, August 11th, 2014

Seth Johnson

Your Name (please print)

4908 DUVALL ST.

Your address(es) affected by this application

Seth Johnson

Signature

8-7-14

Date

Daytime Telephone: (512) 789-0009

Comments: *The fence on the front of this property is appropriate. I walk by this address everyday and have become used to the aesthetic. Please grant this owner the requested variance. The house is set back so far from the street the residents should be allowed a front yard privacy fence.*

Note: All comments received will become part of the public record of this case

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

City of Austin-Planning & Development Review Department/ 1st Floor
 Leane Heldenfels
 P. O. Box 1088
 Austin, TX 78767-1088
 Or fax to (512) 974-2934
 Or scan and email to leane.heldenfels@austintexas.gov

I am in favor
 I object

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 application. 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 will be sent.

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.austintexas.gov/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. Any comments received will become part of the public record of this case.

Case Number: C15-2014-0100, 4905 Avenue G
Contact: Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov
Public Hearing: Board of Adjustment, August 11th, 2014

William R. Lessels

Your Name (please print)

4910 Ave H Austin

Your address(es) affected by this application

W R Lessels

Signature

8/6/14

Date

Daytime Telephone: 832-364-0693

Comments: THE CHARACTER OF THE NEIGHBORHOOD IS OLDER, SMALL HOUSES, WITH PORCHES AND AN OPEN VIEW TO AND FROM THE STREET. THE PROPOSED CHANGE WOULD HAVE A NEGATIVE EFFECT ON THIS - RAISING BARRIERS, BLOCKING THE OPENNESS AND FRIENDLY NATURE OF THE AREA.

Note: All comments received will become part of the public record of this case

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

City of Austin-Planning & Development Review Department/ 1st Floor
 Leane Heldenfels
 P. O. Box 1088
 Austin, TX 78767-1088
 Or fax to (512) 974-2934
 Or scan and email to leane.heldenfels@austintexas.gov

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 application. 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 will be sent.

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.austintexas.gov/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. Any comments received will become part of the public record of this case.

Case Number: C15-2014-0100, 4905 Avenue G
Contact: Leane Heldenfels, 512-974-2202, leaneheldenfels@austintexas.gov
Public Hearing: Board of Adjustment, August 11th, 2014

Seth Johnson
 Your Name (please print)

I am in favor
 I object

4908 DUVALL ST
 Your address(es) affected by this application

Seth Johnson
 Signature Date 8-7-14

Daytime Telephone: (512) 789-0009

Comments: The fence on the front of this property is appropriate. I walk by this address everyday and have become used to the aesthetic. Please grant this owner the requested variance. The house is set back so far from the street, the residents should be allowed a front-yard privacy fence.

Note: All comments received will become part of the public record of this case

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

City of Austin-Planning & Development Review Department/ 1st Floor
 Leane Heldenfels
 P. O. Box 1088
 Austin, TX 78767-1088
 Or fax to (512) 974-2934
 Or scan and email to leaneheldenfels@austintexas.gov

SURVEY PLAT OF

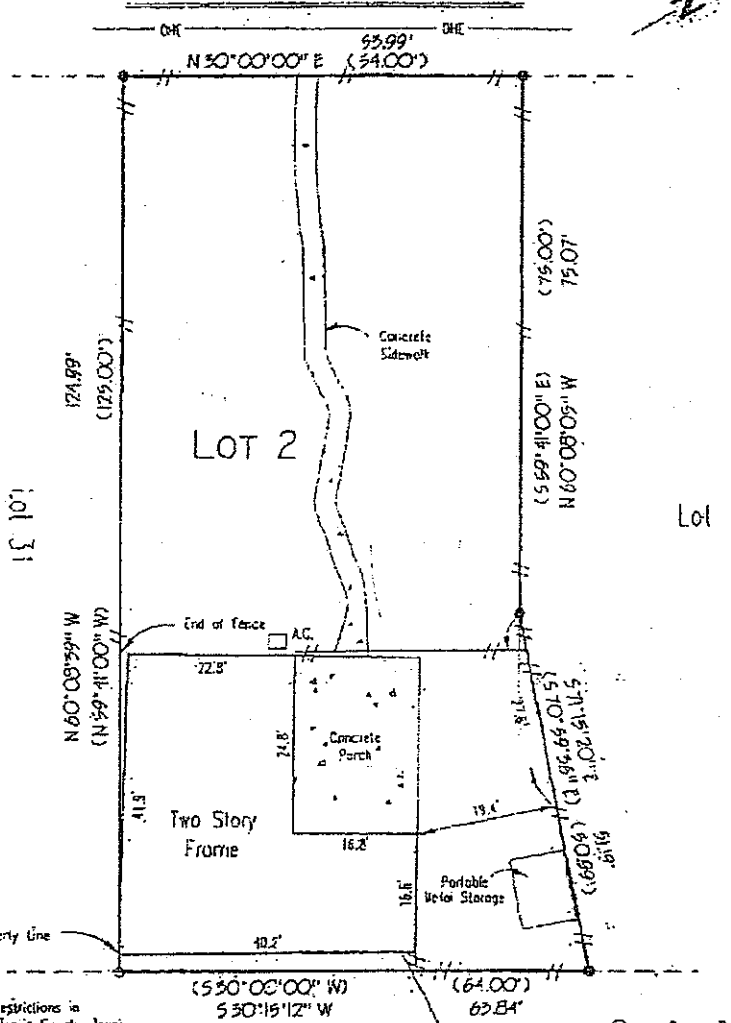
LOCAL ADDRESS: 4905 AVENUE G RE: WHITELL/THOMPSON
 LEGAL DESCRIPTION: LOT 2, AMENDED PLAT - LOTS 26, 27, 28, 29 & 30, BLOCK 53, THE HIGHLANDS
 A SUBDIVISION OF RECORD IN VOLUME 86 PAGE 190B OF THE TRAVIS COUNTY COUNTY, TEXAS
 PLAT RECORDS, SITUATED IN TRAVIS TEXAS.

Scale: 1" = 20'

AVENUE G

I have reviewed this survey and am aware of any and all discrepancies, conflicts, or shortages in area or boundary lines or any encroachments, or protrusions or any overlapping of improvements.

Sign: _____ Date: 5/22/07
 Sign: _____ Date: _____



Note: Subject to Easement Rights & Restrictions in Vol. 283, Pg. 397, Cased Records, Travis County, Texas.

- ⊙ Power Pole
- O— Overhead Utilities
- //— Wood Fence
- ⊙ = Iron Pin Found
- = Iron Pin Set
- ⊙ = Iron Pipe
- (xxx) = Record Bearing/Distance

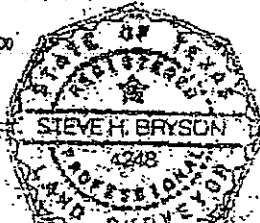
TO: Texas American Title Company, Lawyers Title Insurance Corporation,
 Peter E. Whitell & Lara L. Thompson

STATE OF TEXAS
 COUNTY OF TRAVIS:

I, the undersigned, do hereby certify that this survey was this day made on the grounds of the property legally described herein and is correct, and that there are no discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, visible utility easements or roadways, except as shown herein and that said property has access to and from a dedicated roadway except as shown herein.

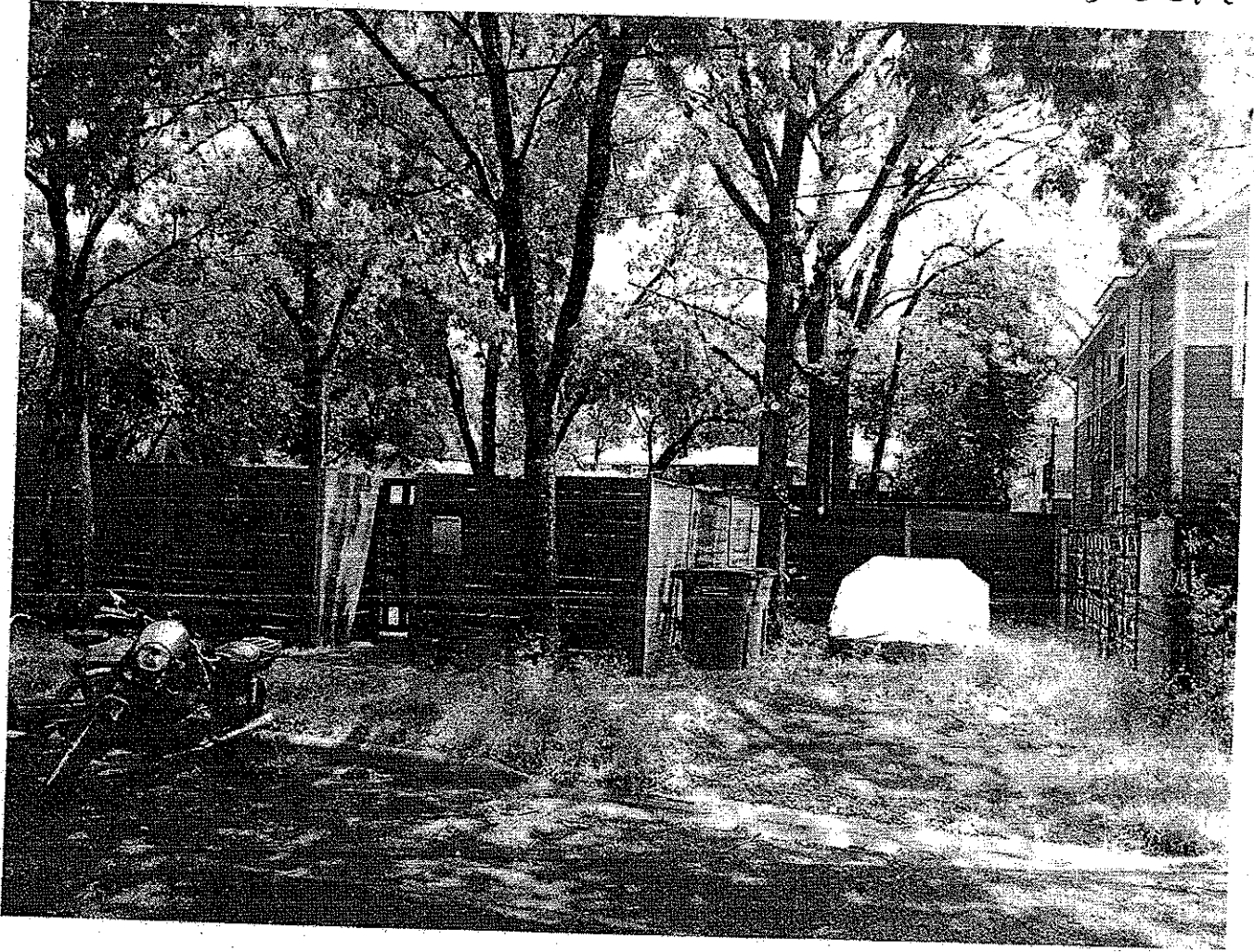
Dated, this the 17th day of Oct, 2000

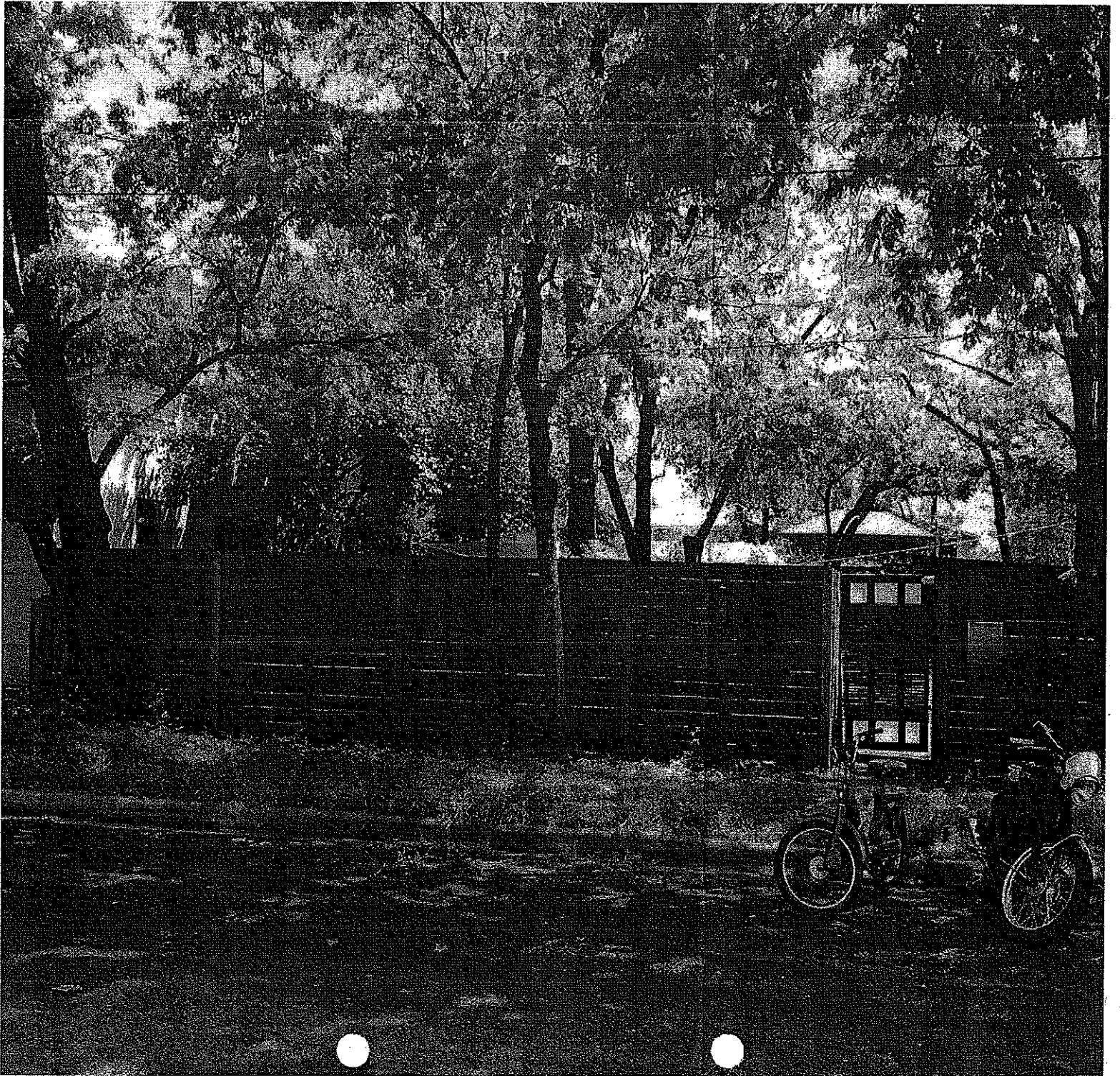
Steve H. Bryson
 STEVE H. BRYSON, R.P.L.S., NO. 2248
 STEVE H. BRYSON SURVEYING CO.
 1715 Capital of Texas Hwy. S., Ste. 208
 Austin, Texas 78746 (512) 347-9505



The legally described property is not within a special flood hazard area as designated by the Department of Housing and Urban Development Federal Insurance Administration Flood Hazard Boundary Map No. 22453-0100 for Travis County, Texas, dated 8-18-93 located in Zone _____.

CL9-2014-0100





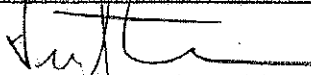
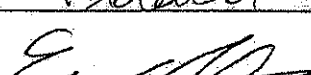
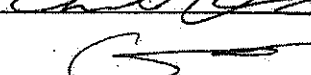


I, SPENCER GIBB, am applying for a variance from the Board of Adjustment regarding Section _____ Development Code. The variance would allow me the ability to retain a pre-existing 6-foot fence at the front of my property at 4905 Avenue G, 78.




By signing this form, I understand that I am declaring my support for the variance being re

Property Owner Name (Printed)	Address	Signature
Velma Sue Pierce	4902 Ave G	Miss Velma
Dan [Signature]	4907 Ave G	Dan [Signature]
Hydra [Signature]	4900 Ave G	[Signature]
Sharon [Signature]	4906 Ave G	[Signature]
William Sullivan	4910 Ave G	[Signature]
Dana Springs	4911 Ave G	[Signature]
Heidi Bojes	4907 Ave G	Heidi Bojes

By signing this form, I understand that I am declaring my support for the variance being re

Property Owner Name (Printed)	Address	Signature
VINCENT ALZONE	4912 AVENUE G	
STARON COLLINS	4914 AVENUE G	Sharon Collins
THE KEN RAGSTALE	4913 AVENUE G	Ken Ragstale
JEFF RAGSTALE	4908 AVE. G	Jeff Ragstale
ERITH FROST	4908 AVE G	Erith Frost
Emily McCoy	4915 Avenue G	
Celia Garcia	4909 AVENUE G	



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

CASE#: C15-2014-0100
Address: 4905 AVENUE G



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 CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

1" = 200'

CASE # 015-2014-0100
ROW # 1179871
TAX # 0223090917

**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: 4905 Avenue G

LEGAL DESCRIPTION: Subdivision -

Lot(s) 2 Block 53 Outlot Division The Highlands

I/We Kasi Painter on behalf of myself/ourselves as authorized agent for

Spencer Gibb affirm that on May 31, 2014

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

(check appropriate items below)

ERECT ATTACH COMPLETE REMODEL MAINTAIN

A 6 ft solid fence in the front yard

in a SF-3 NPNCCP district.
(zoning district)

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:

The location of existing structures (house/patio) on the lot allows no usable yard space at the back of the property.

HARDSHIP:

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

Given the dimensions of the lot and location of the house, unlike the majority of the lots in the neighborhood, there is no usable private yard space at the back of the lot.

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

Most surrounding homes are located within their respective lot allowing a usable private yard space at the back of their property.

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:

Fence does not obstruct street view of either of the adjacent properties and does not break continuity of street front, given several houses have erected similar fences.

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:

n/a

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:

n/a

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


n/a

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

n/a

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.

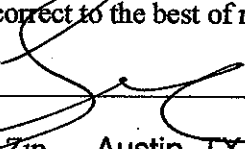
APPLICANT CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed  Mail Address 5310 B Duval

City, State & Zip Austin, TX 78751

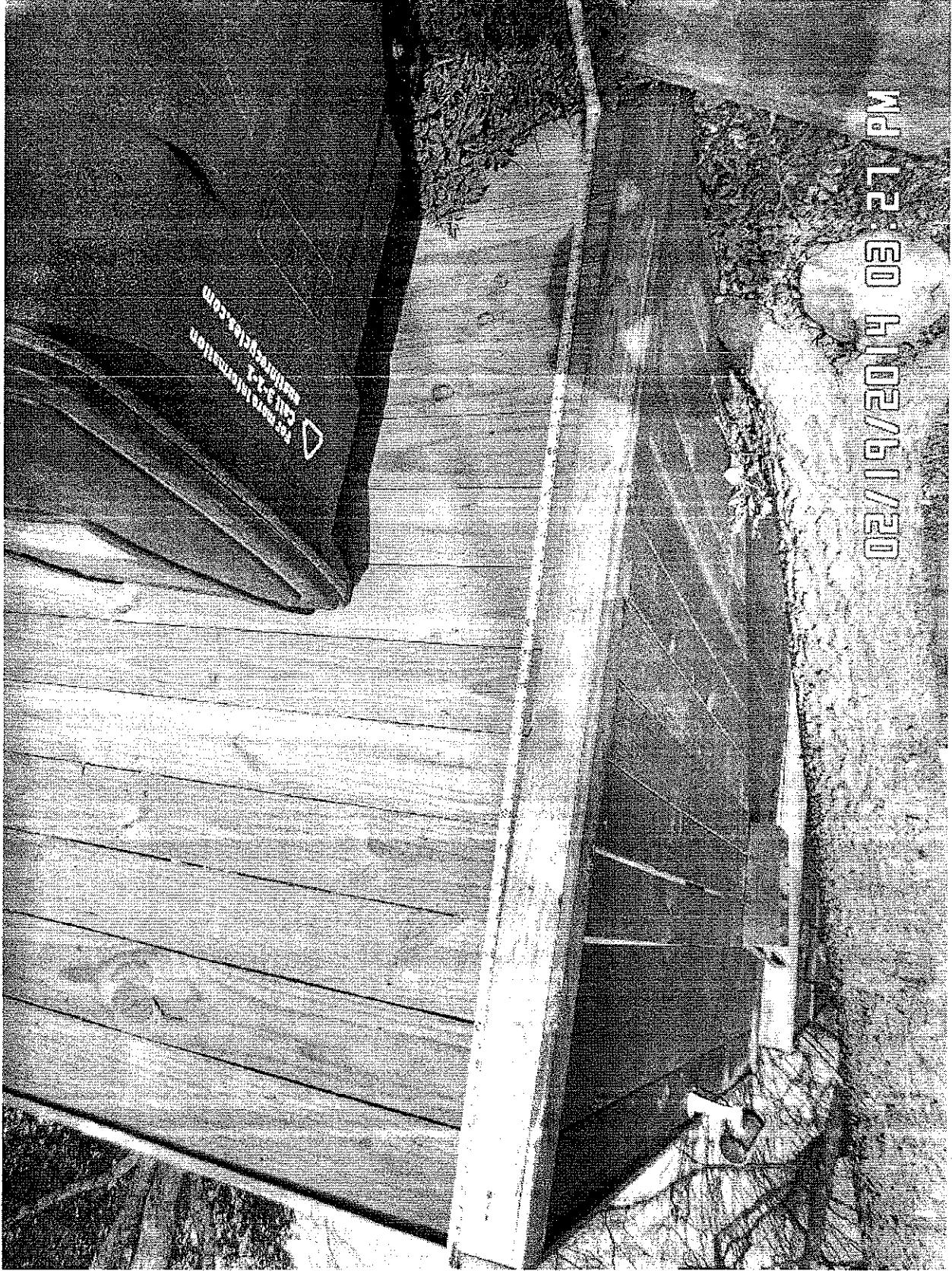
Printed Kasi Painter Phone 254.644.3836 Date 5.31.2014

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 4095 Ave G

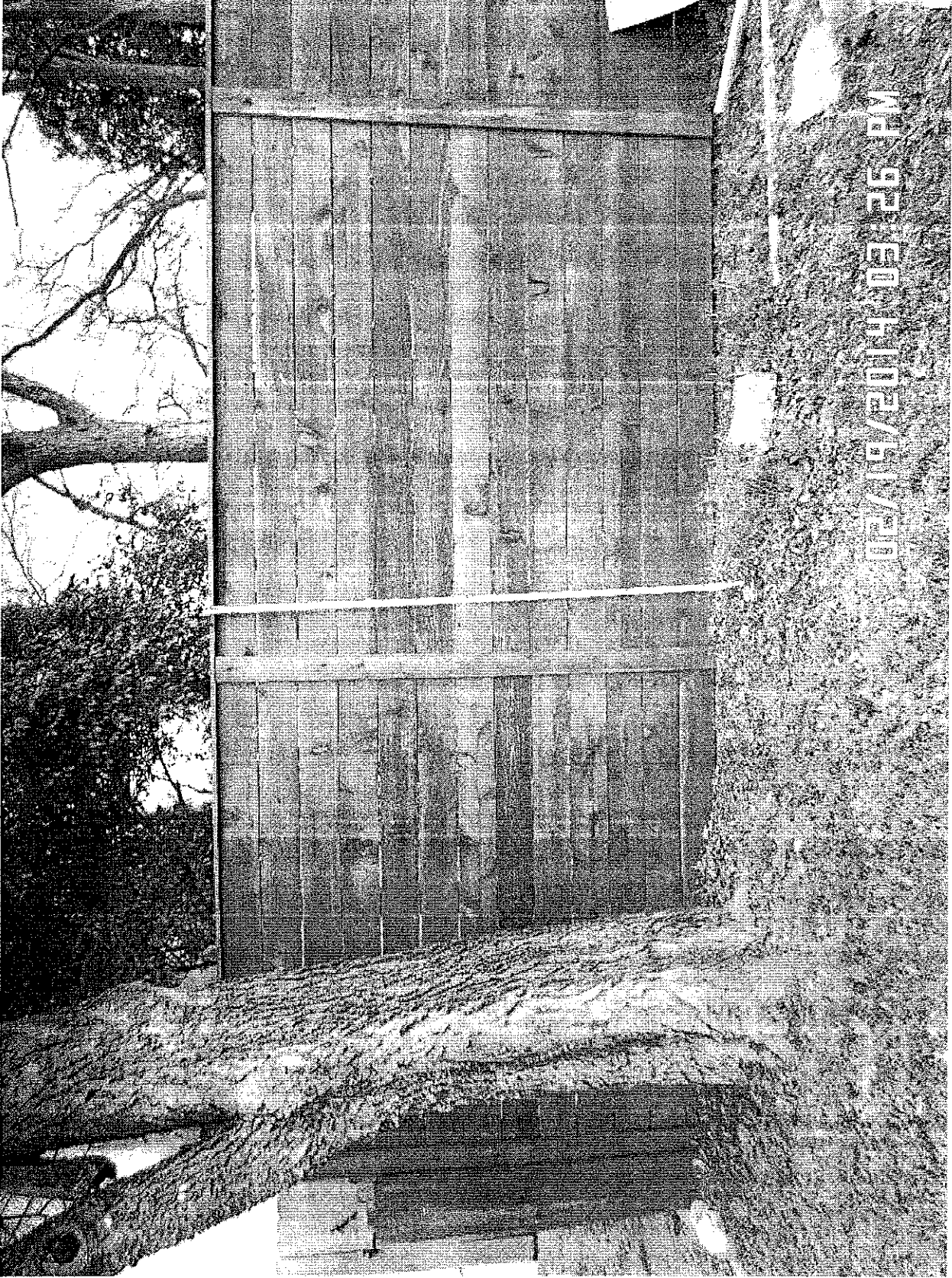
City, State & Zip Austin, TX 78751

Printed Spencer Gibb Phone 512.656.1669 Date 5.31.2014



4905 AVENUE G
Case CC-2014-008615

Wednesday, February 19, 2014
Investigator Charles Crawford



4905 AVENUE G
Case CC-2014-008615

Wednesday, February 19, 2014
Investigator Charles Crawford