

015-2015- 0046

Heldenfels, Leane

From: Kyle May <kylemay@yahoo.com>
Sent: Friday, April 03, 2015 11:28 AM
To: Heldenfels, Leane
Cc: Rachel Copperman
Subject: Re: 5605 Jeff Davis BOA case
Attachments: IMG_2543 (1).JPG; BNA garage placement.pdf

Hi Leane,

Thank you for your prompt response.

I will be out of town on Apr 13th and will contact the other neighbors that are in opposition to the variance as well as the Brentwood Neighborhood Association (BNA) to see if they are able to attend on Apr 13th to request the postponement.

I presented our objections to the BNA at the steering committee meeting on April 1st this week. The BNA has forwarded and seconded a motion for a vote that would put the BNA in opposition of this variance request. The vote is supposed to take place this weekend. Should they vote to oppose the variance, I would imagine they will contact you directly with this update.

As for the claims in the variance request packet, there are a number of questionable items.

- The lot in question is not long and narrow and in fact the lots on the east side of Jeff Davis are significantly wider than those on the west side (where I live).
- The builder is required to save the historical trees and already used that argument to put a two car garage in the front yard. (see attached photo from my front porch)
- The renderings and plats appear to show one carport and one garage for each unit. That is inconsistent with what is currently built on the site.
- The builder has already built a two car garage in the front yard. They should not be allowed to build any additional structures in the front yard. The BNA plan clearly states that:

"Attached or detached garages and/or carports with entrances that face a front yard must be located flush with or behind the front façade of a house. The width of a parking structure located less than twenty feet (20') behind the front façade of a house may not exceed fifty percent (50%) of the width of the façade of the house. For example, if the front façade of a house—not including the garage—is thirty feet (30') wide, then the garage may be no wider than fifteen feet (15')." (see attached BNA garage placement PDF)

- As they are asking to put in a 2 car structure for unit A, that probably accounts for 90% of the facade for unit A. Consequently, they are asking for a variance on being able to put an *additional* 2 car structure in the front yard **AND** a variance on the allowable width. Neither should be granted.
- As the builder decided to maximize the allowable build space for living area and build to the set back limits on the sides of the yard, they created their own hardship. There is plenty of room in the back of the property for a garage. They could have put one back there if its so critical. If they didn't leave enough room for a driveway to get a car back there, that's their doing and has nothing to do with trees, sewer drainage or a "long and narrow lot configuration".

I've cc'd my neighbor, Rachel Copperman on this email so she is aware of our communications.

Thank you.

-Kyle

From: "Heldenfels, Leane" <Leane.Heldenfels@austintexas.gov>
To: Kyle May <kylemay@yahoo.com>
Sent: Friday, April 3, 2015 9:22 AM
Subject: 5605 Jeff Davis BOA case

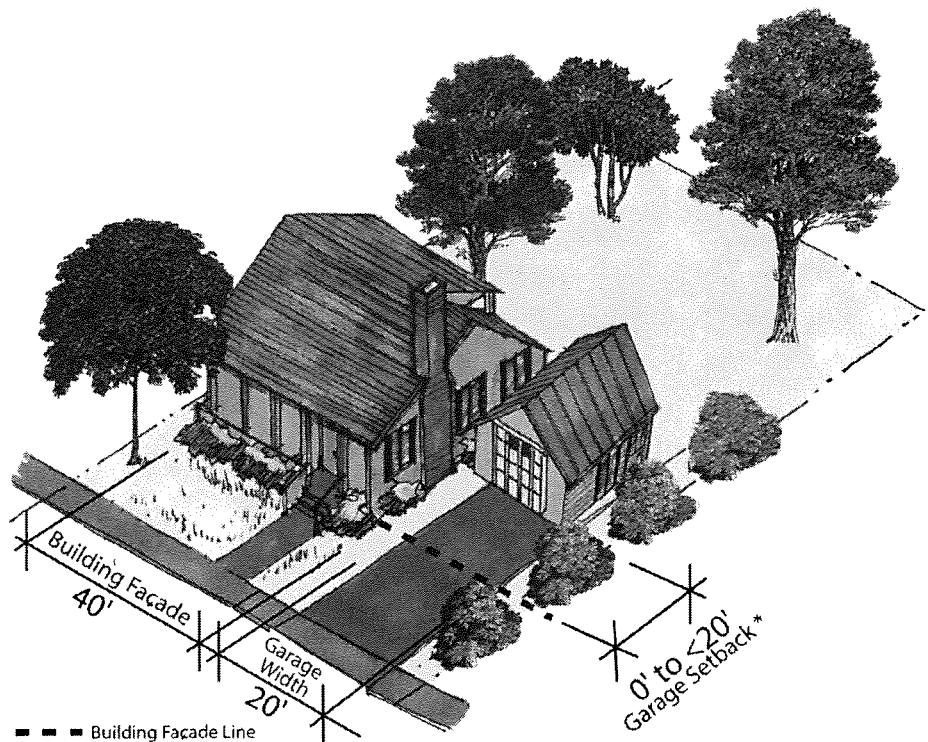


Garage Placement for New Single-Family Construction

LDC 25-2-1604

Attached or detached garages and/or *carports* with entrances that face a front yard must be located flush with or behind the front façade of a house. The width of a parking structure located less than twenty feet (20') behind the front façade of a house may not exceed fifty percent (50%) of the width of the façade of the house. For example, if the front façade of a house—not including the garage—is thirty feet (30') wide, then the garage may be no wider than fifteen feet (15').

There is no garage width limitation for side entry garages or for attached or detached garages and/or carports located twenty feet (20') or more behind the front façade of a house.



Heldenfels, Leane

From: Kyle May <[REDACTED]>
Sent: Wednesday, April 08, 2015 8:36 AM
To: Geoffrey Gilbert; Heldenfels, Leane; Rachel Copperman
Subject: Re: 5605 Jeff Davis BOA case
Attachments: PastedGraphic-2.tif

Geoffrey,

Thank you for your time yesterday evening and agreeing to the postponement.
 We look forward to working with you on creating a solution for your project.

-Kyle

From: Geoffrey Gilbert <ggil@texas.net>
To: "Heldenfels, Leane" <Leane.Heldenfels@austintexas.gov>
Cc: kylemay@yahoo.com
Sent: Tuesday, April 7, 2015 9:44 PM
Subject: Re: 5605 Jeff Davis BOA case

Dear Leane,

I am not opposed to a postponement of my item at the 4/13 hearing. Please let this letter notify my acceptance to a postponement and please place my hearing request at the very next meeting (which I assume will be the first week in May?). I have met with the two primary neighbors that would oppose this variance and we are going to try to work something out that is amenable to everyone. I will then re-present to the BNA neighborhood association again to make sure this hearing for this BOA has merit and stands a positive chance of not being opposed and I can move forward to complete my project at 5605 Jeff Davis. My sign is still prominently displayed at the address, so another BOA adjustment sign will not be necessary.

Can you please let me know in the morning when I can come by your office to discuss my application and other paperwork for the next hearing? I would appreciate a specific time or appt if that is possible.

Sincerely yours,

Geoff Gilbert

ps. Kyle, please forward this to Rachel Copperman as I do not have her email.

On Apr 6, 2015, at 10:49 AM, Heldenfels, Leane <Leane.Heldenfels@austintexas.gov> wrote:

Hi Geof – see below request for postponement of your item at the 4/13 hearing. Postponements will be discussed at the beginning of the meeting at 5:30. If you are not opposed to the postponement request, advise in an email and then you won't have to be there in person to oppose it/speak against it when it's requested.

FYI –

Leane

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. All comments received will become part of the public record of the case.

Case Number: C15-2015-0046, 5605 Jeff Davis

Contact: Leane Heldenfels, 512-974-2202, leana.heldenfels@austintexas.gov

Public Hearing: Board of Adjustment, April 13th, 2015

Shawvon Harris

Your Name (please print)

☐ I am in favor
☒ I object

5605a Cleary Ave.

Your address(es) affected by this application

Shawvon Harris

Signature

Date

4-8-15

Daytime Telephone: 512.818.5597

Comments: *How did the project already get so far? The structure is built! Does anyone neighborhood plan not prevent this, and to what extent should neighbors have been involved BEFORE it got built? It will be more difficult to stop now because the builder has spent money in it. Thank you - Leane, I am opposed. Thank you.*

Note: any 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) 974-6305

Or scan and email to leana.heldenfels@austintexas.gov