

Heldenfels, Leane

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**From:** W. Tucker <tuckerw@nyu.edu>  
**Sent:** Friday, October 09, 2015 10:21 AM  
**To:** Heldenfels, Leane  
**Subject:** Re: case number: C15-2015-659-0139 / 2112 montclair st  
**Attachments:** case # C15-2015-0139, 2112 Montclair st..pdf

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hello ms.heldenfels,

thank you for your email. much appreciated.

my wife and I have decided to mark "I object" on the form (attached).

I'm not adverse to change but larger house are popping up all over the neighborhood. the house built behind my wife and I was allowed (with some variance I suppose) to use the curb as their starting point for height as opposed to the real level of the lot. thus we have what looks like an apartment building in our back yard.

the basement at the 2112 montclair address has in the past been used as a rental apartment - this is another reason why I think the space should be counted in the square footage.

sincerely,

w. tucker

w. tucker

[www.wtucker-art.com](http://www.wtucker-art.com)

[lightbeforelightbehindme.tumblr.com/](http://lightbeforelightbehindme.tumblr.com/)

512-974-2202

# 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/devservices](http://www.austintexas.gov/devservices).

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 this case.

**Case Number:** C15-2015-0139, 2112 Montclair St.  
**Contact:** Leanne Heldenfels, 512-974-2202, [leanne.heldenfels@austintexas.gov](mailto:leanne.heldenfels@austintexas.gov)  
**Public Hearing:** Board of Adjustment, October 12th, 2015

Your Name (please print) William Tucker

2108 Arsdale St.

Your address(es) affected by this application

Signature [Signature] Date \_\_\_\_\_

Daytime Telephone: 512-448-7756

Comments: My understanding from reading the request for a variance is that not counting the basement (livable space) area allows a larger structure to be built. To my wife and I building a larger structure would change the character of the neighborhood. There are rules for a reason, and I think that through those rules the city should take control of over - building.

*Note: Comments received will become part of the public record of this case. If you use this form to comment, it may be returned up until noon the day of the public hearing to (comments received after noon may not be seen by the Board at this hearing)*

City of Austin-Development Services Department/ 1st Floor  
 Leanne Heldenfels  
 P. O. Box 1088  
 Austin, TX 78767-1088  
 Fax: (512) 974-6305  
 Scan & Email to: [leanne.heldenfels@austintexas.gov](mailto:leanne.heldenfels@austintexas.gov)

☐ I am in favor  
☒ I object

**Heldenfels, Leane**

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**From:** Zilker NA [REDACTED]  
**Sent:** Tuesday, October 06, 2015 9:35 AM  
**To:** Heldenfels, Leane  
**Cc:** David King  
**Subject:** 2112 Montclair variance  
**Attachments:** 2112MontclairBoAletter.pdf

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Re: C15-2015-0139, variance request at 2112 Montclair

Good morning, Leane.

The Zoning Committee and Executive Committee of the Zilker Neighborhood Association have reviewed the request for a basement exemption and related variance at 2112 Montclair. We believe the request meets the required findings for reasonable use, hardship, and area character. A letter stating that position from ZNA President David King is attached. Please include the letter in the case file and backup materials for the Board of Adjustment hearing on Oct. 12.

Thank you.

Lorraine Atherton  
for the ZNA Zoning Committee

Zilker Neighborhood Association  
♦ 2009 Arpdale ♦ Austin, TX 78704 ♦ 512-447-7681 ♦

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October 5, 2015

To: Board of Adjustment

From: Zilker Neighborhood Association Executive Committee

Re: C15-2015-0139, variance request at 2112 Montclair

This request seems to meet the Board of Adjustment's requirements regarding reasonable use, hardship, and area character. Therefore the Executive Committee of the Zilker Neighborhood Association does not oppose the variance.

(signed)

David King

ZNA President



**Heldenfels, Leane**

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**From:** Bruce Kellison ~~XXXXXXXXXXXX~~  
**Sent:** Monday, October 05, 2015 11:27 AM  
**To:** Heldenfels, Leane  
**Cc:** Sally Furgeson  
**Subject:** Case Number C15-2015-0139, 2112 Montclair St.

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Dear Ms. Heldenfels,

We received the Notice of Public Hearing, Land Development Code Variance letter regarding 2012 Montclair. We live and own the property next door, at 2108 Montclair. We are very concerned about the height of the proposed structure next to us. The owner described the structure as a "garage apartment" to us, with a two-car garage and a kitchen downstairs and a bedroom upstairs. But the code variance language describes it as a "new single family home." We are very concerned about approving this variance to make the proposed structure even taller and larger than is permitted. The basement area should be included in the calculation of gross floor area if the kitchen in the structure is located in the basement.

We are doubly concerned because the owner seems already to be in violation of city housing codes with 3 apartment units in the house at 2112 Montclair. Limited on-street parking on Montclair is a major concern of the neighbors.

We are unable to attend the public hearing of the Board of Adjustment on Oct. 12 because of a work conflict.

We object to the request for Variance.

Cordially,

Bruce Kellison and Sally Furgeson  
2108 Montclair St.  
Austin, TX 78704