

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

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: C15-2016-0098, 4419 Ramsey

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

Public Hearing: Board of Adjustment, September 28th, 2016

Pam & Ron Matthews

Your Name (please print)

4508 Sinclair Ave (Sme 1984)

Your address(es) affected by this application

Pam Matthews 9-26-16

Signature

Date

Daytime Telephone: 512-467-9177

Comments: Please respect our

neighborhood and not allow
hedges to B/C for our Roseale
lots! If you need/want a
larger house, move and
leave Roseale to those
who want to save its
beauty and charm!

Comments must be returned by noon the day of the hearing in order to be seen by the Board at this hearing. They may be sent via:

Mail: City of Austin-Development Services Department/ 1st Floor

Leane Heldenfels

P. O. Box 1088

Austin, TX 78767-1088

(Note: mailed comments must be postmarked by the Wednesday prior to the hearing to be received timely.)

Fax: (512) 974-6305

Email: leaneheldenfels@austintexas.gov

Heldenfels, Leane

From: Pete Wassdorf [mailto:pete@cityofaustin.gov]
Sent: Monday, September 26, 2016 8:46 PM
To: Heldenfels, Leane
Subject: Re: Case no. C15-2016-0098

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Yes, thank you, please print out the below email and consider it my objection and comments.

What about my other questions?

Pete

On Sep 26, 2016, at 4:04 PM, Heldenfels, Leane <Leane.Heldenfels@austintexas.gov> wrote:

Hi Pete – you can email me your comments. Would you like me to print out the email below, or would you like to send them separately?

Thanks,

Leane Heldenfels

Board of Adjustment Liaison

City of Austin Development Services Department

One Texas Center, 1st Floor, Development Assistance Center

505 Barton Springs Road

Office: 512-974-2202

<image001.png>

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We want to hear from you! Please take a few minutes to complete our online customer survey.

Nos gustaría escuchar de usted. Por favor, tome un momento para completar nuestra encuesta.

From: Pete Wassdorf [mailto:pete@cityofaustin.gov]
Sent: Monday, September 26, 2016 3:55 PM
To: Heldenfels, Leane
Cc: pete@cityofaustin.gov; Pete Wassdorf
Subject: Case no. C15-2016-0098

Dear Ms. Heldenfels,

I have only just received the notice of hearing in the above numbered code variance case. According to the notice, I have missed the one week deadline for mail to be postmarked by to be considered timely received. I am writing for several purposes.

1. To see whether an objection with comments can be submitted electronically; or whether I can hand deliver them to your offices, prior to the hearing; or must I actually attend the hearing to express my objection?
2. To point out what appear to be errors in the notice:
 - a. Paragraph A. of the Notice for variance states the request is to "decrease the minimum lot area from 5.750 square feet to 4,054.87 square feet". There is a decimal point after the 5 in 5.750. While it may be an obvious error and the notice should have read five thousand, seven hundred fifty, instead of five and $\frac{3}{4}$ feet, it does provide a faulty notice.
 - b. Paragraph B. of the Notice for variance states the request is to decrease the minimum lot width from 50 feet (required) to 0 feet (requested). Frankly I have no idea what this means. They are asking for a minimum width of zero feet?

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First, please let me know what is intended in Notice paragraphs A & B. Second, let me know whether errors in the notice constitute valid notice.

Third, please let me know how I can object since the notice arrived so late.

Fourth, irrespective of whether I receive a response from you, please consider this email an official objection and know that I strenuously object to the variance because it appears that the property in question has been illegally subdivided at some time in the past by *de-facto* action of a previous owner to convey less than the whole lot; and now the current owners seek to legitimize that past action by seeking a variance. Once a variance is made for such conduct, it stands as a precedent for future action by other property owners. Therefore, I object to the variance.

I note from Travis CAD that both properties (constituting halves of the platted lot) have been sold in the past year. It appears there was ample opportunity for both purchasers to verify code compliance.

Those purchasers may not be made to suffer because of a denial of the variance, as they may have recourse against the sellers, or the real estate agent, or title policy insurance, but their recourse should not be made against the property owners in the area by granting a variance that may later be referenced to the detriment of the area property owners.

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Sincerely,

Pete Wassdorf, property owner of 4513 Sinclair Ave, Austin, Texas
78756
2305 Quarry Road
Austin, Texas 78703

Home: (512)-480-8282
Cell: (512)-914-1312

C15-2016-0098

Heldenfels, Leane

From: Gayle Rosenthal [REDACTED]
Sent: Monday, September 19, 2016 11:26 PM
To: Heldenfels, Leane
Subject: C15-2016-0098 Request for Variance

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Hello Leane,

I would like to register my objection to the variance request by Dev Kunwar on 4419 Ramsey. This appears to be a defacto subdivision of a standard Rosedale lot. The predecessors in title to the applicant, Jeffery Baker and Allene Cormier, owned both 1505 W. 45th and 4419 Ramsey up until September 2015.

Unless the full lot 11 Block 8 of Rosedale C was separated into 2 - 1/2 lots in the past, by formal subdivision, once the 2 lots were owned by one party at the same time, any defacto subdivision prior to 1986 would have been nullified by the fact that the 2 half lots were owned by the same party, Jeffery Baker and Allene Cormier from 1999 to 2015.

I do not want to see Rosedale lots divided into less than the typical lot size. This is very damaging to taxpayers because it inflates the lot values in Rosedale and causes speculators and developers to turn an eye towards carving up Rosedale for tiny high-priced lots. This puts a vicious cycle in place and and is bad for the general welfare of the residents of Rosedale.

No permits or entitlements of any kind should be given to this property owner. In fact, the sale of the 4419 Ramsey half of Lot 11 should be rescinded and Lot 11 rejoined as one legal lot. This can be accomplished by the revoking of any legal lot status which may have been previously granted, or the refusal to give legal lot status in the future.

Please keep me informed of any changes in the schedule of this hearing.

Thank you,

--

Gayle Rosenthal
Attorney/Broker
Rosenthal Properties
512-825-9141