

Board of Adjustment Hearing,
March 13, 2017

Case # C15-2016-0131

The Church in Austin

Response Letter to the Hotel's
Request for Reconsideration
of Interpretations Application
(with Exhibits)

THE CHURCH IN AUSTIN

2530 S. Congress Ave. Phone (512) 443-0078
Austin, Texas 78704 Fax (512) 443-0188

March 10, 2017

Response Letter

VIA HAND DELIVERY

Leane Heldenfels, Senior Planner
Board of Adjustment Liaison
City of Austin Development Services Department
505 Barton Springs Road, 1st Floor
Austin, Texas 78704

RE: Request for Reconsideration – Case No. C15-2016-0131,
Religious Assembly Determination, 2510 and 2530 S. Congress Avenue

Dear Ms. Heldenfels:

This Response Letter is The Church in Austin's response to the February 23, 2017 letter by The Guesthouse Hotel's attorney, Ms. Nikelle Meade, regarding request for reconsideration – Case No. C15-2016-0131. **Exhibit 1** is a copy of her letter without attachments.

As stated in our information already filed in this case, our entire 3 acres located at 2530 S. Congress Ave. are used exclusively for religious assembly and parsonages for our clergypersons who serve The Church in Austin. Therefore, the entire 3 acres are exempt from property taxes by the Travis Central Appraisal District (TCAD).

This Response Letter is divided into 9 sections (I – IX) and given section headings based on the information submitted by the hotel. The format of this letter is as follows: a summary of the hotel's information is presented (A), followed by our response (B).

I. Past Business Records

A. Summary of Hotel's Information

<u>#</u>	<u>Business</u>	<u>Owners</u>
1.	Forty Acres Coffee Company	John Gold and Chris Hall
2.	CB Ellis Homes	Michelle Ellis and C.B. Ellis
	Central Texas Loans	Michelle Ellis
	Central Texas Commercial Loans	Michelle Ellis
	Tripartite Health	C.B. Ellis (1/7/00), Michelle Ellis (4/4/01)
	Austin Building Plans	C.B. Ellis and Michelle Ellis
3.	J&Y Austin	Hyun Woo (Johan) Lee and Yoon Ok Jang

B. Church's Response

1. Forty Acres Coffee Company

As explained in **Exhibit 2**, Forty Acres Coffee Company was never operated at 2530 S. Congress Ave., and is currently out of business. When it was in operation, our full-time clergyman, Chris Hall, who lives on our property, only spent on average 5 hours per week with the business. The Church in Austin never received any income from Forty Acres Coffee Company.

2. Businesses of C.B. and Michelle Ellis

The Ellises moved off our property at 2530 S. Congress Ave. in 2015. C.B. began with us as a full-time clergyman. In addition, as we needed help managing our properties at 2530 S. Congress Ave. and our 220 Foremost Drive, he also began to help out in that area. Thus, he set up Austin Building Plans.

Both of them started Tripartite Health because they both had extreme sensitivities to chemicals. To our knowledge, they never sold their products or services to the public.

Michelle Ellis was a realtor with Keller-Williams. Although she put 2530 S. Congress Ave. as her business address, she was employed by Keller-Williams where she operated her associated businesses (C.B. Ellis Homes, Central Texas Loans, and Central Texas Commercial Loans) to the best of our knowledge.

The Church in Austin never received any income from any of these five businesses.

3. J&Y Austin

Both Hyun Woo (Johan) Lee and Yoon Ok Jang live on our property. **Exhibit 3** is a statement from both of them that although they created J&Y Austin, they never started doing business.

II. Travis Investigations, Inc.'s investigation of residents' employment information

A. Summary of Hotel's Information

<u>Resident</u>	<u>Employer</u>	<u>Position</u>	<u>SS # Provided</u>
Beth	Dental Integration Services	Dental Hygienist	Y
Margie	None	None	Y
Edith	None		Y
Frances	None		Y
Lucianna	Self Employed	Fitness Model/Power Lifter Competitor	Y
Kyle	JP Morgan Chase	Financial Analyst	Y
Yoonok	None		Y
Hyun Woo	None		Y
Merrill	UT	Architect Intern	Y

Chris	Ben Hogan Sports Medicine	Manager of Bus. Svcs.	Y
Raquel	None		Y
Joanna	None		N
Yiuman	None		N
Gyong Sub	None		Y

In addition to providing our clergy's social security numbers to the public, it also gave their full name, date of birth, and physical address all together. We believe that the hotel has breached the Texas data privacy laws – specifically, Section 501.001 of the Texas Business & Commerce Code – by submitting documents for the public record without the social security numbers redacted.

B. Church's Response

1. Of the fourteen residents listed by the hotel, only twelve of them currently live on our property at 2530 S. Congress. Frances and Gyong Sub do not live on our property.
2. All seventeen of the residents who live on our property at 2530 S. Congress Ave. are clergy, except for three of their spouses.
3. Beth: As explained to the Board of Adjustment in the hearing on February 13, Beth is the only clergy who lives on our property and has another job. In addition to her principal occupation as one of The Church in Austin's clergy, in which she spends on average 30 hours per week, she works part-time as a dental hygienist, as which she spends on average 16 hours per week. She works as a dental hygienist in dental offices off our property and does not operate a business out of her residence. **Exhibit 4** is a statement by Beth.
4. Lucianna: The employment information provided by the private investigator is wrong. Lucianna has never been self-employed as a fitness model/power lifter competitor. She does not operate a business out of her residence. **Exhibit 5** is a statement by Lucianna.
5. Kyle: The employment information provided by the private investigator is wrong. Kyle has never worked for JP Morgan Chase as a financial analyst, or in any other position. As explained in Kyle's statement in **Exhibit 6**, the private investigator has reported on the wrong Kyle Barton.
6. Merrill: The employment information provided by the private investigator is wrong. As Merrill explained to the Board of Adjustment in the hearing on February 13, he is not an architect, nor does he operate an architectural business out of his residence. **Exhibit 7** is a statement by Merrill.
7. Chris: The employment information provided by the private investigator is wrong. Chris has never worked at Ben Hogan Sports Medicine as a Manager of Business Services, or in any other position. As explained in Chris's statement in **Exhibit 8**, the private investigator has reported on the wrong Chris Hall.

III. Report about Merrill Eng's employment

- A. Summary of Hotel's Information
The hotel provided a screenshot of Merrill Eng's LinkedIn profile.
- B. Church's Response
Please see Exhibit 7.

IV. Comment Cards of Church Residents

- A. Summary of Hotel's Information
The hotel pointed out that the November 2016 statements by our clergy differ from their June 2016 statements.
- B. Church's Response
The reason the statements by the clergy who live on our property emphasized living on the property in June 2016 was because they wanted to make it clear to the Planning Commission that they live in the Dawson neighborhood. When our attorney discovered in August 2016 that church use triggers compatibility standards and that the hotel's entire property must meet City code compatibility standards, the hotel called into question the legitimacy of our parsonages. Therefore, our clergypersons stated that they are clergypersons in November 2016 because they wanted to make it clear to the Board of Adjustment that they are clergypersons. In **Exhibit 9** our residents at 2530 S. Congress Ave. make a third statement emphasizing that they do not operate a business out of their residence. The reason for this is that the hotel has now alleged that some of our clergypersons are conducting businesses out of their residence.

V. TCAD Letter dated July 18, 1991

- A. Summary of Hotel's Information
The hotel presented a letter from TCAD dated July 18, 1991. This letter states the following: "The ARB [Appraisal Review Board] feels the Church does not appear to be in compliance w/ Sec. 11.20 and also "the Chairman of the Board may be over compensated"."
- B. Church's Response
This letter is regarding an application filed by The Church in Austin for our off-site parsonage at 906 Keith Lane. It has nothing to do with our property at 2530 S. Congress Avenue. As can be seen in **Exhibit 10**, the property at 906 Keith Lane is tax exempt and has been for many years.

VI. TCAD property search results

- A. Summary of Hotel's Information

The hotel presented screenshots from TCAD's website www.traviscad.org as of February 3, 2017 for our tax-exempt properties.

B. Church's Response

All nine of these screenshots have the designation EX-XV under the category "Exemptions" on page 1 of each screenshot. The designation EX-XV is defined by TCAD as "Other Exemptions (including public property, religious organizations, charitable organizations, and other property not reported elsewhere)", indicating that all these properties are currently tax-exempt. For clarification purposes, we actually only own four properties because two of the nine parcels are for 2530 S. Congress Ave., and five of the parcels are for 220 Foremost Drive.

In the Board of Adjustment hearing on February 13, the hotel stated that our tax-exemption is currently under review. This is because TCAD is currently conducting a review of all tax-exempt properties within Travis County.

VII. V.T.C.A. Tax Code Section 11.20

A. Summary of Hotel's Information

The hotel provided the above-referenced tax code.

B. Church's Response

The relevant section of this code regarding parsonages is 11.20(a)(3)(A) and (B). The Church in Austin meets the requirements of this tax code as stated below and supported by this Response Letter.

1. The Church in Austin owns 100% of the real property that is reasonably necessary for use as residences for our clergy.
2. These residences are used exclusively as residences for our clergypersons whose principal occupation is to serve in the clergy of The Church in Austin.
3. These residences produce no revenue for The Church in Austin.

VIII. List of The Church in Austin residents

A. Summary of Hotel's Information

The hotel provided a list of The Church in Austin residents.

B. Church's Response

The list of residents the hotel provided is not current. The current residents that live on our property at 2530 S. Congress Ave. are the ones that submitted objection forms in Exhibit 9. Thirteen of the seventeen adult residents are full-time employed clergypersons of The Church in Austin. The fourteenth clergyperson has a part-time job. The other three adult residents are the spouses of the clergypersons. These are the only persons living on our property at 2530 S. Congress Ave. None of them operate a business out of their residence.

IX. Case Law

A. Summary of Hotel's Information

The hotel provided two court cases allegedly supporting their position.

B. Church's Response

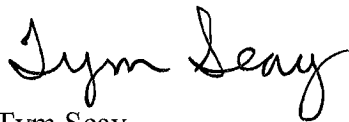
Neither of these cases are relevant to our case.

In conclusion, The Church in Austin in this Response Letter has explained why the hotel's claims that our property at 2530 S. Congress Avenue does not qualify for "religious assembly" are wrong.

If the Board reconsiders the case, this Response Letter explains why the Board should not reverse its earlier 10-to-1 vote supporting the position of the City staff, Church, and other Dawson neighbors.

Thank you for your kind consideration.

Sincerely,

A handwritten signature in black ink that reads "Tym Seay". The signature is written in a cursive, flowing style.

Tym Seay
Chairman of the Board
Of The Church in Austin

List of Exhibits

1. Copy of Nikelle's letter (without attachments)
2. Statement by Chris
3. Statement by Johan and Yoon Ok
4. Statement by Beth
5. Statement by Lucianna
6. Statement by Kyle
7. Statement by Merrill
8. Statement by Chris
9. Objection letters by Church residents
10. Travis Central Appraisal District records for 906 Keith Lane

Exhibit 1

HUSCH BLACKWELL

111 Congress Avenue, Suite 1400
Austin, Texas 78701
512.472.5456

Nikelle S. Meade
Partner
512.479.1147 direct
512.226.7373 fax
nikelle.meade@huschblackwell.com

February 23, 2017

VIA HAND DELIVERY

Leane Heldenfels, Senior Planner
Board of Adjustment Liaison
City of Austin Development Services Department
505 Barton Springs Road, 1st Floor
Austin, Texas 78704

Re: Request for Reconsideration - Case No. C15-2016-0131,
Religious Assembly Determination, 2510 and 2530 S. Congress Avenue

Dear Ms. Heldenfels:

This letter is a request for reconsideration of the Board of Adjustment ("Board") action on the above-referenced case at its February 13, 2016 meeting, pursuant to Article V, Subsection (F)(4) of the Board of Adjustment Rules of Procedure. Our firm files this on behalf of the owner of the property at 2510 S. Congress Avenue.

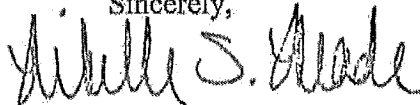
We respectfully request that the Board reconsider its decision that the use of the property at 2530 S. Congress Avenue qualifies as "religious assembly" use under the Land Development Code and that it reconsider the decision that the property triggers compatibility standards. We believe that the Board's determination was in error since it did not have an opportunity consider all of the information pertinent to this matter. The new or clarified evidence bears directly on the Board's decision and rationale for that decision. That information is as follows:

1. At the time of the hearing, there was insufficient time to present all of the information relevant to your decision;
2. At the time of the hearing, we did not yet have from the Travis County Appraisal District complete documentation and information regarding the history of the tax-exempt status of Church in Austin's nine properties, totaling \$16M in value, throughout Austin; and
3. Residents of Church in Austin provided false or misleading information about their employment information and other activities that we did not have sufficient time to rebut at that very instant.

Leane Heldenfels, Senior Planner
February 23, 2017
Page 2

For these reasons, we respectfully request the opportunity to present for your consideration the new and clarified information that bears directly on your decision in this case. The case should be reconsidered so that the Board has an opportunity to review this additional information and deliberate with regard thereto. We request that this reconsideration be placed on the Board's next agenda. On behalf of Mr. Krug and on behalf of Austin taxpayers, we appreciate your time and consideration. Thank you, and please contact me if you need any additional information.

Sincerely,

A handwritten signature in dark ink, appearing to read "Nikelle S. Meade". The signature is fluid and cursive, with the first name "Nikelle" being more prominent than the last name "Meade".

Nikelle Meade

Enclosures

Exhibit 2

My name is Chris Hall. I have lived at 2530 S. Congress and served as full-time clergy with the Church in Austin since January of 2012.

Forty Acres Coffee

In February 2014, John Gold and I formed Forty Acres Coffee Company as a hobby. I listed 2530 S. Congress Ave #130 as the business' address on Travis County's Assumed Name Records Certificate Of Ownership — merely to receive mail for the business at my home address. This arrangement was for convenience.

The attached *Farmer's Market Permit* and *Permit To Operate A Food Enterprise* from the City of Austin make clear we sold coffee at 2901 S. Capitol of Texas Hwy NB, and operated our business at 415 E St Elmo Rd. Forty Acres Coffee could not have operated at 2530 S Congress Ave #130 — the Travis County Health and Human Services Department would not have allowed it.

I'm a clergyman, not a businessman. I spent an average of 5 hours (or less) on Forty Acres Coffee per week, which is now closed. The last batch of coffee beans were roasted in December of 2016.

If I made a mistake in filling out paper work it was (1) because of the nature of the endeavor — a side project, for fun — and (2) my lack of experience.

CHall
3/9/17

CITY OF AUSTIN

PERMIT TO OPERATE A FOOD ENTERPRISE

PERMIT No: 2015-004427 FARM

Row ID: 11276255

Class A Farmer's Market

ISSUED TO:

John Gold

FOR THE ESTABLISHMENT:

Forty Acres Coffee Co.

LOCATED AT:

2901 S CAPITAL OF TEXAS HWY NB

AUSTIN, TX 78746

ISSUE DATE:

Jan 15, 2015

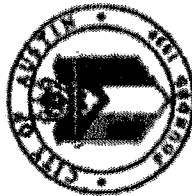
EXPIRATION DATE:

Jan 15, 2016

Philip Huang

Philip Huang, M.D., M.P.H.

Health Authority



Austin/Travis County Health and
Human Services Department
Environmental Health Service Division

Mailing Address:

PO Box 1088 Austin, TX 78767

Physical Address:

1520 Rutherford Ln Austin, TX 78754

Phone:

(512) 978-0300

Fax:

(512) 978-0322

Email:

ehsd.service@austintexas.gov

CONSUMER:

If you have a health related
complaint or concern about this
establishment, you may contact
the Austin/Travis County Health
and Human Services
Department
using the information above.

Per Section 10.1-62 of the City of Austin Code of Ordinances, this permit must be posted in a "prominent public location." Permits are non-transferable.

CITY OF AUSTIN
PERMIT TO OPERATE A FOOD ENTERPRISE

PERMIT No: 2014 050916 FP

Row ID: 11149872

ISSUED TO:
John Gold

FOR THE ESTABLISHMENT:
Forty Acres Coffee Co

LOCATED AT:
415 E ST ELMO RD Bunit A
AUSTIN, TX 78745

ISSUE DATE:

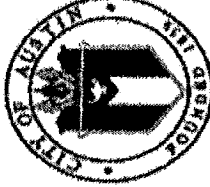
Aug 19, 2016

EXPIRATION DATE:

Jul 31, 2017

Philip Huang

Philip Huang, M.D. M.P.H.
Health Authority



Austin/Travis County Health and
Human Services Department
Environmental Health Service Division

Mailing Address:

PO Box 1088 Austin, TX 78767

Physical Address:

1520 Rutherford Ln Austin, TX 78754

Phone:

(512) 978-0300

Email:

EHSD.Service@AustinTexas.gov

CONSUMER:

If you have a health related
complaint or concern about this
establishment, you may contact
the Austin/Travis County Health
and Human Services
Department
using the information above.

Per Section 10-3-62 of the City of Austin Code of Ordinances, this permit must be posted in a "prominent public location." Permits are non-transferable.

Exhibit 3

I have never begun any business, even though I
obtained the certificate of ownership "J & Y Austin."

Hyun Woo Lee

A handwritten signature in black ink, appearing to be 'H. W. Lee' with a stylized flourish.

3/1/2017

I have never begun any business, even though I
obtained the certificate of ownership "J & Y Austin."

Yoon Ok Jang

A handwritten signature in black ink, appearing to be 'Y. O. Jang' with a stylized flourish.

3/2/2017

Exhibit 4

For my principal occupation, I am a clergyperson who works an average of 30 hours per week for the Church in Austin. I work part-time (an average of 16 hours per week) as a dental hygienist in dental offices not located at 2530 South Congress Avenue and do not operate a business out of my residence at 2530 South Congress Avenue, Apartment #132.

A handwritten signature in black ink that reads "Beth Rutkowski". The script is cursive and fluid, with the first letter of each word being capitalized and prominent.

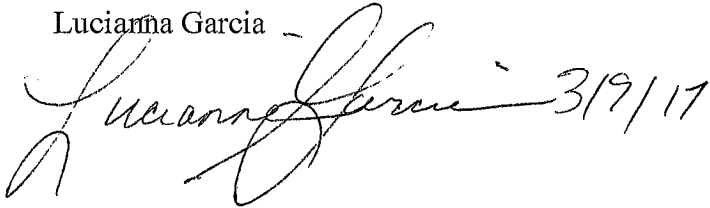
Beth Rutkowski

March 9, 2017

Exhibit 5

I felt I needed to provide a response to a false claim submitted by the hotel developers concerning my supposed employment as a fitness model. I would like to make clear that I have never been a fitness model or power lifter competitor. I am a fulltime employee as a clergy person of the Church in Austin. I've never been concurrently employed otherwise to any degree. I have solely and fully worked with the church with no other source of income from any other employer, nor have I ever owned a personal business, especially in modeling. There is no basis for such a claim that I work as a fitness model. I have never even portrayed myself as any kind of model in any context, nor would I ever choose to do so. I have had no affiliation with modeling or any competitions related to that occupation. I'm not sure if this false claim came from a mistaken online identity search. If by any chance such allegations come from watching any fitness activities by a private investigator during my own personal time, I do not appreciate such observation of my whereabouts. With the limited time that I do have outside of work for the church, I do go to the gym and jog trails for personal exercise and have participated in one non-competitive race and periodically train for another, but with no intentions other than to take care of my personal health, so that I may continue to serve the Lord to the best of my abilities. Generally 6-7 days of my week are quite full with serving the church, and participating in church activities, so I wouldn't even have any time to do any other kind of side jobs anyway.

Lucianna Garcia

A handwritten signature in cursive script, appearing to read 'Lucianna Garcia', followed by the date '3/9/17'.

Kyle Barton's Statement

I am not currently working for, nor have I ever worked for, J.P. Morgan Chase as a financial analyst or in any other position. There does seem to be a Kyle Barton who lives in Austin and who works, or did work, for J.P. Morgan Chase as a financial analyst, according to LinkedIn. I am not this Kyle Barton. In fact, I met this Kyle Barton June 2014 at his summer orientation at the University of Texas, while employed as a clergyman for The Church in Austin. See attached figures below.

In Figure 1, I am pictured on the left, wearing a Longhorn shirt, standing with the other Kyle Barton, who I believe to be the person mistaken for me, and who is, or was, a financial analyst for J.P. Morgan Chase. In Figure 2, the other Kyle Barton is pictured on the right. This is an enlarged image of his LinkedIn profile picture. Figure 3 is a screenshot of the other Kyle Barton's LinkedIn profile page, showing that he is, or was, a financial analyst at J.P. Morgan Chase. This is not me.



Figure 1

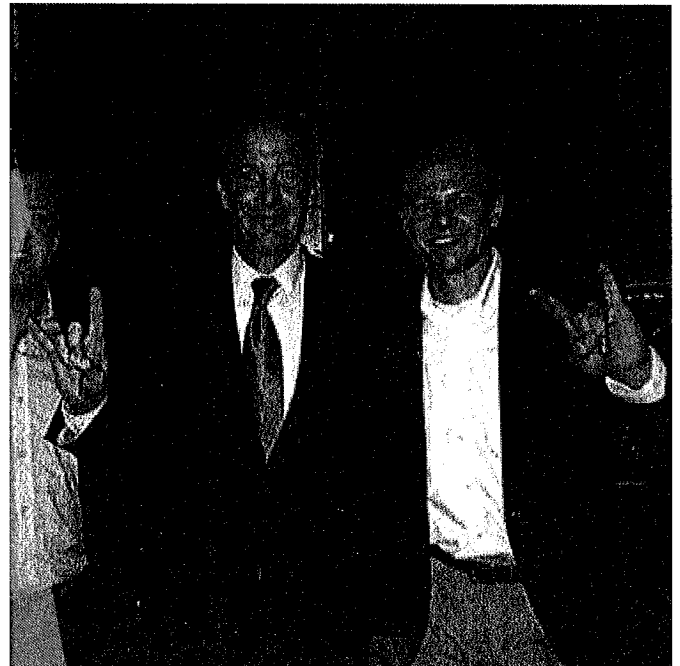


Figure 2

♥ melcow13, jahernand3z and 54 others


kylepbarton So I met another guy named Kyle Barton today! So crazy. I also got my wish fulfilled to see how another Kyle Barton signs his name. Crazy things happen when you table! #csocsummer @csoc_ut

View all 2 comments

JUNE 10, 2014



Figure 3



3rd


Kyle Barton

Incoming Private Banking Summer Intern Analyst at J.P. Morgan Chase & Co.
Austin Financial Partners • The University of Texas at Austin
Austin, Texas Area • 238 &

[Send InMail](#) [Connect](#)

I am a rising Junior at The University of Texas at Austin and I am majoring in Finance in the Red McCombs School of Business. I recently served as an intern at an asset management firm named Austin Financial Partners, ... [See more](#)

Highlights

 **You both studied at The University of Texas at Austin**
Kyle studied at The University of Texas at Austin after you started

Kyle Barton

3/9/2017

Merrill Eng's Employment History 2010-Present

Summary:

In 2008 I graduated from the University of Texas at Austin with a degree in architecture. That fall I enrolled in a two year Bible school, and graduated in 2010 with a calling to serve God full-time. From 2010 to the present I have been constantly employed full-time as a minister of the gospel with the Church in Austin. During this past seven years there have been two six-month periods – spring 2013 and fall 2014 – where I considered entering the architecture field, but did not. The questions related to my employment status are because of actions I took during these two periods, namely: inaccurately putting "intern architect" on my LinkedIn profile as part of my job search, and working a few hours a week in my spare time with the owner of Austin Plans for Permits. This was not my business, nor was it conducted out of my residence.

Supposed Work for the University of Texas at Austin:

The hotel's investigator falsely claimed that I work for UT as an intern architect. This is simply not true. I did work part time for UT while I was a student there, from 2004 – 2006. I worked in the department of Environmental Health and Safety under Carin Peterson. My title was Animal Make Safe Specialist, and I caught and released Mexican Free-Tailed Bats that flew into UT buildings.

My LinkedIn Profile:

I updated My LinkedIn profile only during the spring of 2013 and fall of 2014 for my job searches. From 2014 until the date of the last hearing (February 13, 2017), I have not viewed that profile, and have not updated it. Of course, I updated it when I realized the hotel's lawyer was using it against us. The lawyer also mistakenly claimed I called myself an architect on my Facebook page, which was false. In fact, my Facebook and Twitter profiles both make plain that I serve as a minister.

At the time that I wrote "intern architect" on my profile, I did know that the use of the term "architect" was forbidden by law except by licensed professionals. Because of my inexperience in the field, though, I was not aware that the terms "intern architect" or "architectural intern" were restricted to only those enrolled in the IDP program, which the lawyer pointed out in her filing. I have never enrolled in the IDP program. If I erringly called myself an intern architect on LinkedIn, it was only because I was looking for work and wanted to present myself as a good candidate, and because I was inexperienced in the field.

My involvement with Austin Plans for Permits:

My LinkedIn Profile mentions Austin Plans for Permits because during the spring of 2013 I spent a few hours a week shadowing the owner of Austin Plans for Permits. I did this because I was considering transitioning from full-time clergy for the Church in Austin to the architectural field. In the end, however, I decided to remain full-time clergy.

Areas of Clergy Involvement:

I actively spend my time in religious activities for the Church in Austin. During the past seven years I've spent countless hours ministering God's word, leading both large and small group worship and praise, preparing for and planning retreats and more. I also am involved with youth and refugee ministries and international missions to Europe and Asia.

Conclusion:

Both job searches, spring of 2013 and fall of 2014, ended in a change of heart and the decision to remain where I already was: as full-time supported ministry staff with the Church in Austin. I have email threads with prospective employers which testify to this fact. I'm sorry that my LinkedIn profile has been used to undermine the church's true mission. I can assure you that I have worked full time as a minister since I began in August 2010.

Merrill Eng

Merrill Eng

3/8/17

Exhibit 8

My name is Chris Hall. I have lived at 2530 S. Congress and served as full-time clergy with the Church In Austin since January of 2012.

Regarding: Ben Hogan Sports Medicine

I have never worked for Ben Hogan Sports Medicine.

There is a person named Chris Hall who works for Ben Hogan Sports Medicine— a cursory Google search can provide that information (which is how I found him) — but he is not me.

I have provided pictures and links on the following page to demonstrate we are different people.

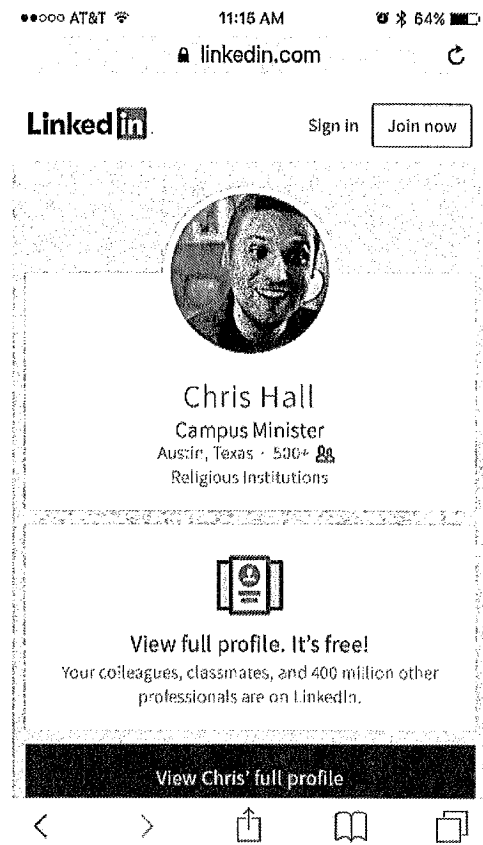


3/9/17



<https://www.linkedin.com/in/chris-hall-a5780012/>

This is not me.



<https://www.linkedin.com/in/crshall>

This is me.

PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend 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

Exhibit 9

Written comments must be submitted to the contact person listed on the notice at a public hearing. Your comments should include the name of the commission, or Council; the scheduled date of the public hearing; the number; and the contact person listed on the notice. **All comments received will become part of the public record of this case.**

Case Number: C15-2016-0131, 2530 and 2510 S. Congress Ave.
Contact: Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov
Public Hearing: Board of Adjustment, March 13, 2017

Merrill Eng

Your Name (please print)

2530 S Congress Ave Apt 231

Your address (es) affected by this application

Merrill Eng

Signature

Daytime Telephone: 512 589 1802

Comments:

I live at 2530 S. Congress Ave.

I am employed full-time by The Church in Austin

as a clergyman. I have no other employer,

occupation, or business. I do not operate a

business out of my residence.

Comments must be returned by noon the day of the hearing 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 Tues prior to the hearing to ensure timely delivery)

Fax: (512) 974-6305

Email: leane.heldenfels@austintexas.gov

<input type="checkbox"/> I am in favor <input checked="" type="checkbox"/> I object
--

3/9/17
 Date

PUBLIC HEARING INFORMATION

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Case Number: C15-2016-0131, 2530 and 2510 S. Congress Ave.

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

Public Hearing: Board of Adjustment, March 13, 2017

Laurel Eng
Your Name (please print)

<input type="checkbox"/> I am in favor
<input checked="" type="checkbox"/> Object

2530 S. Congress Ave #231, Austin, TX 78704
Your address (es) affected by this application

Laurel Eng 3/9/2017
Signature Date

Daytime Telephone: 512-206-6293

Comments: I and my husband, Merrill Eng, live at 2530 S. Congress Avenue. My husband is employed full-time by The Church in Austin as a Clergyman. I am not employed, nor do I own or operate a business.

Comments must be returned by noon the day of the hearing 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 Tuesday prior to the hearing to ensure timely delivery)

Fax: (512) 974-6305

Email: leaneheldenfels@austintexas.gov

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

Public Hearing: Board of Adjustment, March 13, 2017

Chris Hall

Your Name (please print)

2530 S. Congress Ave #130

Your address (es) affected by this application

[Signature]

Signature

Daytime Telephone: (214) 223-9596

Date

3/9/17

Comments: I live at 2530 S. Congress Ave. I am employed full-time by The Church in Austin as a clergyman. I have no other employer, occupation, or business. I do not operate a business out of my residence.

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Leane Heldenfels
P. O. Box 1088
Austin, TX 78767-1088

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Fax: (512) 974-6305

Email: leaneheldenfels@austintexas.gov

<input type="checkbox"/> I am in favor <input checked="" type="checkbox"/> I object
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Contact: Leane Heldenfels, 512-974-2202, leaneheldenfels@austintexas.gov
Public Hearing: Board of Adjustment, March 13, 2017

Joanna Hall

Your Name (please print)

2530 S. Congress Ave. Apt 130 (Austin TX 78704)

Your address (es) affected by this application

J. Hall

3/9/17

Signature

Date

Daytime Telephone: 978.885.0151

Comments: I and my husband, Chris Hall, live at

2530 S. Congress Ave. My husband is employed full-time by the church in Austin as a clergyman. I am not employed. nor do I operate a business.

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Fax: (512) 974-6305

Email: leaneheldenfels@austintexas.gov

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Contact: Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov
Public Hearing: Board of Adjustment, March 13, 2017

Hyun Woo Lee

Your Name (please print)

2530 S. Congress Ave. #131

Your address (es) affected by this application

3/9/2017

Date

512-363-3221

Daytime Telephone:

I live at 2530 S. Congress Avenue. I am
employed full-time by The Church in Austin as a
clergyman. I do not have other employer, occupation,
or business. I do not operate a business out of
my residence.

Signature

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Contact: Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov
Public Hearing: Board of Adjustment, March 13, 2017

Yoon OK JANG

Your Name (please print)

2530 S. Congress Ave. Apt #13

Your address (es) affected by this application

Leane

Signature

3/9/2017

Date

Daytime Telephone:

Comments: I and my husband, Hyun Woo (Johan) Lee live at 2530 S. Congress Ave. My husband is employed full-time by The Church in Austin as a clergy person. I now work part-time (minimum 20 hrs/week) in the church office. I have no other employer or business except tutoring an adult student in her home for the total of 24 hours ~~per~~ over 6-week period.

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 P. O. Box 1088
 Austin, TX 78767-1088

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Contact: Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov
Public Hearing: Board of Adjustment, March 13, 2017

Leane Heldenfels
Your Name (please print)

2530 S. Congress #133, Austin, TX 78704

Your address (es) affected by this application

[Signature]

Signature

3/9/2017

Date

Daytime Telephone: 512-739-1373

Comments: I live at 2530 S. Congress Avenue. I am employed full-time by The Church in Austin as a clergyman. I have no other employer, occupation, or business. I do not operate a business out of my residence.

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 Leane Heldenfels
 P. O. Box 1088
 Austin, TX 78767-1088

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Fax: (512) 974-6305

Email: leane.heldenfels@austintexas.gov

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Contact: Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov
Public Hearing: Board of Adjustment, March 13, 2017

Caitlin Barton

Your Name (please print)

2530 S Congress #133 Austin, TX 78704

Your address (es) affected by this application



3-9-17

Signature

Date

Daytime Telephone: 512-695-9949

Comments: I live at 2530 S Congress Avenue. I am employed full-time by the church in Austin as a daycare person. I have no other employment or business. I do not operate a business out of my residence.

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Fax: (512) 974-6305

Email: leane.heldenfels@austintexas.gov

<input type="checkbox"/> I am in favor <input checked="" type="checkbox"/> I object
--

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

Public Hearing: Board of Adjustment, March 13, 2017

Leane Heldenfels

Your Name (please print)

☐ I am in favor
☒ I object

2530 S. Congress Ave Apt 2200

Your address (es) affected by this application

Gay Shue Jr

Signature

3/9/17

Date

Daytime Telephone: 214-477-0379

Comments: I live at 2530 S Congress Ave.

I am employed full time by The

Church in Austin as a caregiver-son.

I have no other employer, occupation

or business I do not operate a

business out of my residence.

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Contact: Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov
Public Hearing: Board of Adjustment, March 13, 2017

Ki Hyung Jo
 Your Name (please print)

☐ I am in favor
☒ I object

2530 S. Congress Ave. # 200

Your address (es) affected by this application

Leane Heldenfels 3/9/17
 Signature Date

Daytime Telephone: 714 - 858 - 8281

Comments: I live at 2530 S. Congress Avenue. I am employed full-time by The Church in Austin as a clergy person. I have no other employer, occupation, or business. I do not operate a business out of my residence.

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Case Number: C15-2016-0131, 2530 and 2510 S. Congress Ave.

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

Public Hearing: Board of Adjustment, March 13, 2017

Danielle McCartney
Your Name (please print)

<input type="checkbox"/> I am in favor <input checked="" type="checkbox"/> I object
--

2530 S. Congress Ave. # 700

Your address (es) affected by this application

Danielle McCartney 2/9/17
Signature Date

Daytime Telephone: (919) 239-5398

Comments: I live at 2530 S. Congress Avenue. I am employed full-time by the Church in Austin as a clerk/booksh. I do not have any other employer, occupation, or business. I do not operate a business out of my residence.

Comments must be returned by noon the day of the hearing 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 Tues prior to the hearing to ensure timely delivery)

Fax: (512) 974-6305

Email: leaneheldenfels@austintexas.gov

PUBLIC HEARING INFORMATION

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Contact: Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov
Public Hearing: Board of Adjustment, March 13, 2017

Margaret Eades
Your Name (please print)

☐ I am in favor
☒ I object

2530 S. Congress Ave #200, Austin, TX 78704
Your address (es) affected by this application

[Signature] 3.9.2017
Signature Date

Daytime Telephone: 817-690-2670

Comments: I live at 2530 S. Congress Avenue. I am employed by The Church in Austin full-time as a clergywoman. I have no other employer, occupation, or business. I do not operate a business out of my residence.

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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 Tues prior to the hearing to ensure timely delivery)

Fax: (512) 974-6305

Email: leane.heldenfels@austintexas.gov

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Case Number: C15-2016-0131, 2530 and 2510 S. Congress Ave.
Contact: Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov
Public Hearing: Board of Adjustment, March 13, 2017

Raquel DeLaCruz
Your Name (please print)

<input type="checkbox"/> I am in favor <input checked="" type="checkbox"/> I object
--

2530 S Congress Ave Apt 232

Your address (es) affected by this application

Raquel DeLaCruz
Signature

03/9/2017

Date

Daytime Telephone: 830 319 8303

Comments: I live at 2530 S Congress Ave. I am
employed full-time by The Church in Austin as
a Clergywoman. I have no other employer,
occupation, or business. I do not operate a
business out of my residence.

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 Leane Heldenfels
 P. O. Box 1088
 Austin, TX 78767-1088

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Fax: (512) 974-6305

Email: leane.heldenfels@austintexas.gov

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Contact: Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov
Public Hearing: Board of Adjustment, March 13, 2017

Luciana Garcia
 Your Name (please print)

2530 S. Congress Ave #232

Your address(es) affected by this application

3/9/17

Signature

512-507-4099
 Daytime Telephone:

Date

Comments: I live at 2530 S. Congress Avenue.
I am employed fulltime by the Church in
Austin as a clergy person. I have no
other employer, occupation, or business.
I do not operate a business out of
my residence.

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 Leane Heldenfels
 P. O. Box 1088
 Austin, TX 78767-1088

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Fax: (512) 974-6305

Email: leane.heldenfels@austintexas.gov

☐ I am in favor
☒ I object

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Case Number: C15-2016-0131, 2530 and 2510 S. Congress Ave.

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

Public Hearing: Board of Adjustment, March 13, 2017

Edith Rodriguez

Your Name (please print)

2530 S. Congress Ave. apt 233

Your address (es) affected by this application

Edith Rodriguez

Signature

3/9/17

Date

Daytime Telephone: 512-947-2251

Comments: I live at 2530 S. Congress Ave. apt 233

I am employed full-time by the Church in

Austin as a clergy person. I have no other

employer, occupation or business.

Comments must be returned by noon the day of the hearing 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

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Fax: (512) 974-6305

Email: leana.heldenfels@austintexas.gov

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Contact: Leane Heldenfels, 512-974-2202, leaneheldenfels@austintexas.gov
Public Hearing: Board of Adjustment, March 13, 2017

Yi Juman Szeto

Your Name (please print)

2530 South Congress #126

Your address (es) affected by this application

[Signature]

Signature

3/9/17

Date

Daytime Telephone: 512 299 4371

Comments: I live at 2530 S. Congress Avenue. I am employed full-time by The Church in Austin as a caregiver. I have no other employer, occupation, or business. I do not operate a business out of my residence.

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 Leane Heldenfels
 P. O. Box 1088
 Austin, TX 78767-1088

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Fax: (512) 974-6305

Email: leaneheldenfels@austintexas.gov

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Contact: Leane Heldenfels, 512-974-2202, leaneheldenfels@austintexas.gov
Public Hearing: Board of Adjustment, March 13, 2017

Beth Rutkowski

Your Name (please print)

2530 S. Congress Ave Apt. #132

Your address (es) affected by this application

Beth Rutkowski

Signature

03-09-17

Date

Daytime Telephone: 512-924-1158

Comments: I live at 2530 S. Congress Ave. For my principal occupation, I am a clergy person who works an average of 30 hrs/wk for the Church in Austin. I work part-time (averaged 16 hrs/wk) as a dental hygienist in dental offices not located at 2530 S. Congress Ave. and do not operate a business out of my residence.

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 Leane Heldenfels
 P. O. Box 1088
 Austin, TX 78767-1088

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Fax: (512) 974-6305

Email: leaneheldenfels@austintexas.gov

Exhibit 10

Travis CAD

Property Search Results > 208934 CHURCH IN AUSTIN INC for Year 2017

Property

Account

Property ID: 208934 Legal Description: LOT 17 OLT 22 DIV C HANCOCK PARK
 Geographic ID: 0215080218 Agent Code:
 Type: Real
 Property Use Code:
 Property Use Description:

Location

Address: 906 KEITH LN Mapsco: 585C
 TX 78705
 Neighborhood: 4+ and higher. Map ID: 021001
 Neighborhood CD: Z6409

Owner

Name: CHURCH IN AUSTIN INC Owner ID: 190850
 Mailing Address: 2530 S CONGRESS AVE
 AUSTIN , TX 78704-8920
 Exemptions: EX-XV

Values

(+) Improvement Homesite Value: + N/A
 (+) Improvement Non-Homesite Value: + N/A
 (+) Land Homesite Value: + N/A
 (+) Land Non-Homesite Value: + N/A Ag / Timber Use Value
 (+) Agricultural Market Valuation: + N/A N/A
 (+) Timber Market Valuation: + N/A N/A

 (=) Market Value: = N/A
 (-) Ag or Timber Use Value Reduction: - N/A

 (=) Appraised Value: = N/A
 (-) HS Cap: - N/A

 (=) Assessed Value: = N/A

Taxing Jurisdiction

Owner: CHURCH IN AUSTIN INC
 % Ownership: 100.000000000000%
 Total Value: N/A

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
01	AUSTIN ISD	N/A	N/A	N/A	N/A
02	CITY OF AUSTIN	N/A	N/A	N/A	N/A
03	TRAVIS COUNTY	N/A	N/A	N/A	N/A
0A	TRAVIS CENTRAL APP DIST	N/A	N/A	N/A	N/A
2J	TRAVIS COUNTY HEALTHCARE DISTRICT	N/A	N/A	N/A	N/A

68	AUSTIN COMM COLL DIST	N/A	N/A	N/A	N/A
Total Tax Rate:		N/A			
Taxes w/Current Exemptions:					N/A
Taxes w/o Exemptions:					N/A

Improvement / Building

Improvement #1:	1 FAM DWELLING	State Code:	A1	Living Area:	1872.0 sqft	Value:	N/A
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Type	Description	Class CD	Exterior Wall	Year Built	SQFT
1ST	1st Floor	WV - 4+		1951	1872.0
011	PORCH OPEN 1ST F	* - 4+		1951	20.0
011	PORCH OPEN 1ST F	* - 4+		1951	20.0
051	CARPORT DET 1ST	* - 4+		1951	192.0
095	HVAC RESIDENTIAL	* - *		1951	1872.0
251	BATHROOM	* - *		1951	2.2

Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	LAND	Land	0.2388	10401.04	70.00	148.64	N/A	N/A

Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2017	N/A	N/A	N/A	N/A	N/A	N/A
2016	\$216,045	\$357,500	0	573,545	\$0	\$573,545
2015	\$106,451	\$110,000	0	216,451	\$0	\$216,451
2014	\$106,451	\$110,000	0	216,451	\$0	\$216,451
2013	\$94,551	\$110,000	0	204,551	\$0	\$204,551
2012	\$175,865	\$110,000	0	285,865	\$0	\$285,865

Deed History - (Last 3 Deed Transactions)

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Deed Number
1	5/6/1979	CD	CORRECTION DEED	CHURCH IN AUSTIN INC	CHURCH IN AUSTIN INC	11201	02460	
2	5/6/1979	WD	WARRANTY DEED	WHITINGTON GEORGE L	CHURCH IN AUSTIN INC	06633	02333	
3	11/21/1973	WD	WARRANTY DEED	CLINE ABEL W JR	WHITINGTON GEORGE L	04767	00432	

Questions Please Call (512) 834-9317

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This year is not certified and ALL values will be represented with "N/A".

Website version: 1.2.2.3

Database last updated on: 3/9/2017 1:34 AM

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This site only supports Internet Explorer 6+, Netscape 7+ and Firefox 1.5+.