

April 10, 2017

**Addendum to Supplemental Objection Letter to the Hotel's Requested Variances  
(please insert this behind the Supplemental Objection Letter in Notebook #1 supplement)**

Re: Case # C15-2016-0124

Dear Board of Adjustment Members,

**Addendum Exhibit 1** is the amended variance request the hotel presented to the church board on Saturday, April 8. The Church in Austin opposes all the requested variances because, as explained in our Supplemental Objection Letter to the Hotel's Requested Variances (hereafter "Supplemental Objection Letter"), they do not meet the legal requirements for granting variances established by the Board of Adjustment in its publication "A Community Guide to The City of Austin's Board of Adjustment: Practical Tips for Zoning Variances, Special Exceptions and Administrative Appeals" (hereafter "Guidebook"). According to the Guidebook, the Board of Adjustment can grant variances to the compatibility standards if the applicant can establish facts that support the legal requirements for a variance: Hardship, Reasonable Use, and Area Character.

**Addendum Exhibit 2** is a map and the signed forms of the impacted neighbors, in addition to the fourteen clergy that reside in on-site parsonages, that oppose the amended variance request. The shaded houses oppose the variances. As can be seen, the impacted neighbors prevailingly oppose the amended variances.

Below is a chart comparing the Guesthouse Hotel to the average of the other four following similar boutique SoCo hotels: Hotel San Jose, South Congress Hotel, Austin Motel, and Hotel Saint Cecilia. As is seen, the Guesthouse Hotel can build their hotel according to code and still be larger and taller than the average of the other four hotels.

**Guesthouse Hotel Versus Four Similar Boutique SOCO Hotels:**

**Hotel San Jose, South Congress Hotel, Austin Motel, Hotel Saint Cecilia**

	<b>To Code</b>		
	<b>Guesthouse Hotel</b>	<b>Area Average</b>	<b>Comparison</b>
<b>Lot Size</b>	1.53 acres	1.07 acres	43% Larger
<b>% Building sq. ft./ Lot</b>	115%	68%	69% Larger
<b>Building sq. ft.</b>	76,730	32,522	133% Larger
<b># Floors</b>	2.7	2.25	20% Taller
<b># Rooms</b>	79	44	80% More

**Addendum Exhibit 3** is the hotel's diagram showing the reconfiguration of the front of the driveway moved to the adjoining church property line. We are thankful that the building has been moved further away, but now the entry and exit for the hotel guests and cars is facing the church. This will be the busiest and noisiest area of the hotel. By disallowing the variance requesting a reduction of driveway setback from 15 feet to 5 feet 6 inches, the entryway would be moved from 32 feet to 42 feet.

**Addendum Exhibit 4A, 4B, and 4C** is a comparison of the view of the middle section of the hotel from our children's cabin showing existing (4A), according to code (without variances) (4B), and with variances (4C). The building according to code provides for the protections listed in the Board of Adjustment's Guidebook: privacy, open space, view, and noise.

**Addendum Exhibit 5A, 5B, and 5C** is a comparison of the view of the front section of the hotel from the church entrance showing existing (5A), according to code (without variances) (5B), and with variances (5C). Again, the building according to code provides for the protections listed in the Board of Adjustment's Guidebook: privacy, open space, view, and noise.

According to the Guidebook, page 9, "To grant a variance, the Board must find that the request meets the three specific criteria" described below. The following chart summarizes that the hotel has not met one of the three criteria for its driveway or building.

**Has the Hotel Met Legal Requirements for Granting Variances?**

Legal Requirement		Variance	
		Driveway	Building
1.	Reasonable Use	No	No
2.	Hardship		
	a. Unique	No	No
	b. Not general	No	No
	c. (Not self-created)	No	No
3.	Area Character		
	a. Not alter character of area		No
	b. Not impair use	No	No
	c. Not impair purpose of the regulations	No	No

In conclusion, the hotel developer has failed to prove that (1) applicable compatibility standards do not allow for a reasonable use of the property, (2) that the hardship is unique to the property, or (3) that the variances will not alter area character, impair the use of adjacent property, and impair the purpose of the compatibility standards. The hotel must prove all three to be granted the variances. The Church in Austin and other neighbors have provided evidence (1) that the compatibility standards do allow for a reasonable use of the property, (2) that hardship is not unique to the property, and (3) that the variances will alter area character, impair the use of adjacent property, and impair the purpose of the compatibility standards. Therefore, we request that the Board of Adjustment deny the hotel's requests for variances for the driveway and building setback and height limitations from adjoining property.

Thank you for your kind consideration.

Sincerely,



Tym Seay  
Chairman of the Board  
Of The Church in Austin

Dr. Fred Nugen

2503 Euclid  
Austin, TX 78704

**April 10, 2017**

Board of Adjustment  
Development Services Department  
Austin, TX 78767

**Regarding: L-2 C15-2016-0124, Guesthouse Hotel (proposed)**

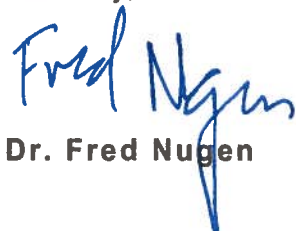
I am a resident whose property touches the site of the proposed Guesthouse Hotel. I oppose the granting of waivers to the building code. The property is poorly-shaped for its proposed purpose, yet the developers moved forward with purchase regardless. They have appeared before the Board of Adjustment with unreasonable requests, demonstrating their preference for personal profit over "being good neighbors" (their words).

Their proposed hotel will

- Permanently remove my view of the morning sun until 10:00am, which I cherish.
- Create flooding problems for the neighborhood.
  - There was a development on the property of 2505 Euclid which changed the ground level by more than 1 foot, which renders the hotel's drainage analysis outdated.
  - My property is already in danger of flooding, and additional loss of permeable cover will result in flooding.
- Create sound problems for the neighborhood, both during construction and afterward.
  - The proposed plan makes no specific claims to measurable sound reduction levels.
  - The proposed plan should include an acoustic analysis with a promise not to exceed existing allowable decibel levels at the property line.

The building code was known to the developers long before purchase of the property; these requirements are in place for good reasons, and the City of Austin is correct to enforce them.

Sincerely,

  
Dr. Fred Nugen

Date: 10 April, 2017

Regarding 2510 S. Congress, Guesthouse Hotel Variances, Agenda L-2

Dear Members of the Board of Adjustment,

Essentially, companies who wish to build in our neighborhood should abide by existing building codes. the variance requests from Guesthouse hotel are unacceptable.

Building codes, e.g., building heights, distances from neighbors, drainage, etc., exist to protect the integrity of the neighborhood and the peace of mind of its residents.

Allowing any variances on new construction creates a dangerous precedent for future construction.

Regards,

William McKenna

A handwritten signature in black ink, appearing to read "Will McKenna", with a long horizontal flourish extending to the right.