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

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

Υ.α	gal 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

Addendum Exhibit 1

2510 South Congress The Guesthouse Hotel

AMENDED VARIANCE REQUEST and PROPOSED CONDITIONS

In response to concerns raised by Church in Austin and in an effort to address as many of those concerns as possible, we are amending our variance request as shown below. If the parties reach agreement on these changes, we will submit the amendment to city staff to be reflected in what the Board of Adjustment is requested to consider at its 4/10 meeting.

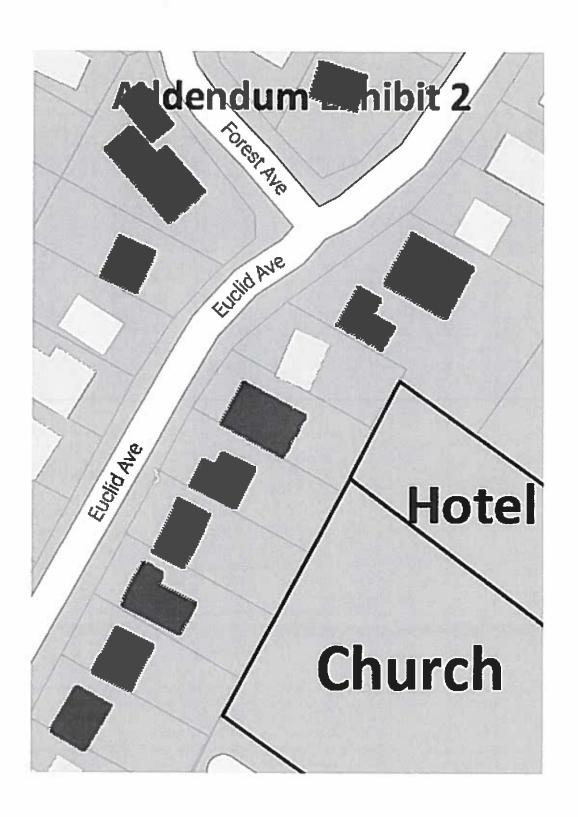
We are requesting variances from Article 10, Compatibility Standards, amended as follows:

- A. Section 25-2-1063 (Height Limitations and Setbacks for Large Sites) (B) to increase the required setback from a property in an urban family residence (SF 5) or more restrictive zoning district or on which a use permitted in SF 5 or more restrictive zoning district is located from 25 feet to 0 feet; THIS VARIANCE REQUEST HAS BEEN WITHDRAWN. THE BUILDING HAS BEEN RELOCATED OUT OF THE 25' SIDE SETBACK.
- B Section 25-2-1063 (Height Limitations and Setbacks for Large Sites) (C) (1) for a structure 50 feet or less from property in an SF-5 or more restrictive zoning district or on which a use permitted in an SF-5 or more restrictive zoning district is located from two stories and 30 feet to five stories and 60 feet three stories and 44 feet; and to
- C. Section 25-2-1063 (Height Limitations and Setbacks for Large Sites) (C) (2) for a structure more than 50 feet and not more than 100 feet from property in an SF-5 or more restrictive zoning district or on which a use permitted in an SF-5 or more restrictive zoning district is located from three stories and 40 feet to five stories and 60 feet three stories and 44 feet; and to
- D. Section 25-2-1064 (Front Setback) to increase the minimum front building line setback from at least 25 feet from a right-of-way if the tract on which the building is constructed adjoins property in an SF-5 or more restrictive zoning district or on which a use permitted in a SF-5 or more restrictive district is located and fronts on the same street as the adjoining property to 0-feet 6 feet; and to
- E. Section 25-2-1067 (Design Regulations) (F) to permit an intensive recreational use, excluding a multi-use trail and including a swimming pool, tennis court, ball court, or playground to be constructed 50 feet or less from adjoining property in an SF-5 or more restrictive zoning district or on which a use permitted in an SF-5 or more restrictive zoning district is located; and to THIS VARIANCE REQUEST HAS BEEN WITHDRAWN. THE POOL HAS BEEN RELOCATED OUT OF THE 50' SETBACK.
- F. Section 25-2-1067 (*Design Regulations*) (H) to decrease minimum setback distance of the driveway from adjacent properties to be constructed on a site less than 125 wide from 15 feet to 5-feet 5 feet 6 inches.

WE WILL ALSO REQUEST THAT THE FOLLOWING RESTRICTIONS BE MADE CONDITIONS OF THE VARIANCE APPROVALS:

- 1. All buildings must be a minimum of 32' from the southern property line.
- 2. Applicant must erect a privacy fence at least 7' in height along the southern property line of the property.

Addendum Exhibit 2



Daw son Whighbors 2510 South Congress The Guesthouse Hotel

AMENDED VARIANCE REQUEST and PROPOSED CONDITIONS

In response to concerns raised by Church in Austin and in an effort to address as many of those concerns as possible, we are amending our variance request as shown below. If the parties reach agreement on these changes, we will submit the amendment to city staff to be reflected in what the Board of Adjustment is requested to consider at its 4/10 meeting.

We are requesting variances from Article 10, Compatibility Standards, amended as follows:

Building seback from neighbors

A. Section 25-2-1063 (Height Limitations and Setbacks for Large Sites) (B) to increase the required setback from a property in an urban family residence (SF-5) or more restrictive zoning district or on which a use permitted in SF-5 or more restrictive zoning district is located from 25 feet to 0 feet. THIS VARIANCE REQUEST HAS BEEN WITHDRAWN. THE BUILDING HAS BEEN RELOCATED OUT OF THE 25' SIDE SETBACK.

Building height

B Section 25-2-1063 (Height Limitations and Setbacks for Large Sites) (C) (1) for a structure 50 feet or less from property in an SF-5 or more restrictive zoning district or on which a use permitted in an SF-5 or more restrictive zoning district is located from two stories and 30 feet to five stories and 60 feet three stories and 44 feet; and to

Building height

C. Section 25-2-1063 (Height Limitations and Setbacks for Large Sites) (C) (2) for a structure more than 50 feet and not more than 100 feet from property in an SF-5 or more restrictive zoning district or on which a use permitted in an SF-5 or more restrictive zoning district is located from three stories and 40 feet to five stories and 60 feet three stories and 44 feet) and to

Building setback from Congress Ave.

D. Section 25-2-1064 (Front Setback) to increase the minimum front building line setback from at least 25 feet from a right-of-way if the tract on which the building is constructed adjoins property in an SF-5 or more restrictive zoning district or on which a use permitted in a SF-5 or more restrictive district is located and fronts on the same street as the adjoining property to 0 feet 6 feet and to

Pool

E. Section 25 2 1067 (Design Regulations) (F) to permit an intensive recreational use, excluding a multi-use trail and including a swimming pool, tennis court, ball-court, or playground to be constructed 50 feet or less from adjoining property in an SF 5 or more restrictive zoning district or on which a use permitted in an SF 5 or more restrictive zoning district is located; and to THIS VARIANCE REQUEST HAS BEEN WITHDRAWN. THE POOL HAS BEEN RELOCATED OUT OF THE 50' SETBACK.

Driveway

F. Section 25-2-1067 (Design Regulations) (H) to decrease minimum setback distance of the driveway from adjacent properties to be constructed on a site less than 125 wide from 15 feet to 5-feet 5 feet 6 inches)

WE WILL ALSO REQUEST THAT THE FOLLOWING RESTRICTIONS BE MADE CONDITIONS OF THE VARIANCE APPROVALS:

- 1. All buildings must be a minimum of 32' from the southern property line.
- 2. Applicant must erect a privacy fence at least 7' in height along the southern property line of the property.

I oppose these variance. The hotel should build according to City code.

Case number: C15-2016-0124, The Guesthouse Hotel

Name (print): FRANK, FRERICK

Signature:

Address: 2505 FUCULD

Date: Afrila 8, 2017

WE WILL ALSO REQUEST THAT THE FOLLOWING RESTRICTIONS BE MADE CONDITIONS OF THE VARIANCE APPROVALS:

- 1. All buildings must be a minimum of 32' from the southern property line.
- 2. Applicant must erect a privacy fence at least 7' in height along the southern property line of the property.

I oppose these variance. The hotel should build according to City code.

Name (print): CHARLES LINDHOLM
Signature: Charles Signature: Charles Signature

Address: 2506 EUCLID AUENUE

AUSTIN, TX 78704

WE WILL ALSO REQUEST THAT THE FOLLOWING RESTRICTIONS BE MADE CONDITIONS OF THE VARIANCE APPROVALS:

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I oppose these variance. The hotel should build according to City code.

Case nun	nber: C15-2016-0124, The Guesthouse Hotel
Name (pi	int): Maus Supp
Signature	: My Jasof
Address:	250) Euclid Ave
	Austin, TX 78704
Date:	4-4-2017

WE WILL ALSO REQUEST THAT THE FOLLOWING RESTRICTIONS BE MADE CONDITIONS OF THE VARIANCE APPROVALS:

- 1. All buildings must be a minimum of 32' from the southern property line.
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Case number: C15-2016-0124, The Guesthouse Hotel

Name (print): MANUEL C. MACHUCA

Signature: Maruel C. Machuca

Address: 2424 EUCLID AVS

AUSTIN TX 78704

I oppose these variance. The hotel should build according to City code.

Date: 8 Gpr. 2017

WE WILL ALSO REQUEST THAT THE FOLLOWING RESTRICTIONS BE MADE CONDITIONS OF THE VARIANCE APPROVALS:

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I oppose these variance. The hotel should build according to City code.

Case number: C15-2016-0124, The Guesthouse Hotel

Name (print): Lucille Machuca

Signature: Guulle Machuca

Address: 2424 Euclid ave.

Austin, Tx 78704

Date: 4-08-17

WE WILL ALSO REQUEST THAT THE FOLLOWING RESTRICTIONS BE MADE CONDITIONS OF THE VARIANCE APPROVALS:

- 1. All buildings must be a minimum of 32' from the southern property line.
- 2. Applicant must erect a privacy fence at least 7' in height along the southern property line of the property.

I oppose these variance. The hotel should build according to City code.

Case number: C15-2016-0124, The Guesthouse Hotel

Name (print): Albert Loovi que 2

Signature: Bleet beday

Address: 1509 Fuelid AVE

7 agov And in FA

Date: 4-8/17

WE WILL ALSO REQUEST THAT THE FOLLOWING RESTRICTIONS BE MADE CONDITIONS OF THE VARIANCE APPROVALS:

1. All buildings must be a minimum of 32' from the southern property line.

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I oppose these variance. The hotel should build according to City code.

Case number: C15-2016-0124, The Guesthouse Hotel

Name (print): SENE MEZICLE JL

Signature: Dene JMG Leu J

Address: Austin, Tx 78704

Date: 4817

WE WILL ALSO REQUEST THAT THE FOLLOWING RESTRICTIONS BE MADE CONDITIONS OF THE VARIANCE APPROVALS:

1. All buildings must be a minimum of 32' from the southern property line.

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I oppose these variance. The hotel should build according to City code.

Case number: C15-2016-0124, The Guesthouse Hotel

Name (print): MeWBA MC21CAC

Signature: Mollo Mayire

Address: Q511 Euch 10 Auc

Awful, Tx 78704

Date: H(8/1)

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Case number: C15-2016-0124, The Guesthouse Hotel

Name (print): Melanie HugerMany

Signature: Wall Mulman

Address: 2505 EWIN (

Hustin, TX 78704

Date: 4 8 1 4

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I oppose these variance. The hotel should build according to City code.

Case number: C15-2016-0124, The Guesthouse Hotel

Name (print): MARY L. LINDHOLM

Signature: Mary L. Lindholm

Address: 2506 Euclid Ave

Austin 78704

WE WILL ALSO REQUEST THAT THE FOLLOWING RESTRICTIONS BE MADE CONDITIONS OF THE VARIANCE APPROVALS:

- 1. All buildings must be a minimum of 32' from the southern property line.
- 2. Applicant must erect a privacy fence at least 7' in height along the southern property line of the property.

I oppose these variance. The hotel should build according to City code.

Signature: The Difference of the Control of the Con

Address: 2423 Forest Aug

Date: 4-8-17

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- 1. All buildings must be a minimum of 32' from the southern property line.
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Case number: C15-2016-0124, The Guesthouse Hotel
Signature Safmon Suturous
Signature:
Address: 2507 Euxlistope
Date: .4-8-4047

WE WILL ALSO REQUEST THAT THE FOLLOWING RESTRICTIONS BE MADE CONDITIONS OF THE VARIANCE APPROVALS:

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I oppose these variance. The hotel should build according to City code.

Case number: C15-2016-0124, The Guesthouse Hotel

Name (print): Whitney Wilde

Signature: Whitney Wilde

Address: 2426 Euclid Avenue

Austin TX 78704

Date: 4/8/2017

WE WILL ALSO REQUEST THAT THE FOLLOWING RESTRICTIONS BE MADE CONDITIONS OF THE VARIANCE APPROVALS:

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I oppose these variance. The hotel should build according to City code.

Case number: C15-2016-0124, The Guesthouse Hotel

Name (print): White

Signature / /// ///

Address: 2503 Euclid

Date: 4/9/2017

WE WILL ALSO REQUEST THAT THE FOLLOWING RESTRICTIONS BE MADE CONDITIONS OF THE VARIANCE APPROVALS:

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I oppose these variance. The hotel should build according to City code.

Name (print): CAROLYN M. MILLER
Signature: Carolyn M. Miller
Address: 2406 Curlin Avenue

Questin, TX 78704

Date: 4/8/2017

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Julia K. Apodaca Julia Khrétor Apodaca 2421 Euclid Ave

Austin TX 78704-551; 4/9/2017

I oppose these variance. The hotel should build according to City code.

Case number: C15-2016-0124, The Guesthouse Hotel
Name (print): Jacob Daniel Agodaca
Signature: Jacob Danel Goodba
Address: 02421 Enclid Ave
Austin TX 78704
Date: 4/9/2017

Dawson Meighbor 2510 South Congress The Guesthouse Hotel

AMENDED VARIANCE REQUEST and PROPOSED CONDITIONS

In response to concerns raised by Church in Austin and in an effort to address as many of those concerns as possible, we are amending our variance request as shown below. If the parties reach agreement on these changes, we will submit the amendment to city staff to be reflected in what the Board of Adjustment is requested to consider at its 4/10 meeting.

We are requesting variances from Article 10, Compatibility Standards, amended as follows:

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Building height

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Building setback from Congress Ave.

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E. Section 25 2 1067 (Design Regulations) (F) to permit an intensive recreational use, excluding a multi-use trail and including a swimming pool, tennis court, ball court, or playground to be constructed 50 feet or less from adjoining property in an SF 5 or more restrictive zoning district or on which a use permitted in an SF 5 or more restrictive zoning district is located; and to THIS VARIANCE REQUEST HAS BEEN WITHDRAWN.

THE POOL HAS BEEN RELOCATED OUT OF THE 50' SETBACK.

F. Section 25-2-1067 (Design Regulations) (H) to decrease minimum setback distance of the driveway from adjacent properties to be constructed on a site less than 125 wide from 15 feet to 5 feet 6 inches)

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I oppose these variance. The hotel should build according to City code.

Case number: C15-2016-0124, The Guesthouse Hotel

Name (print): __aure/ Eng

Signature: __general Eng

Address: __2520 S. Congress Ave # 23/

Au88n, TX 78704

Date: __4/10/2017

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Case number: C15-2016-0124, The Guesthouse Hotel

Name (pri	nt): YOON	Jok	DAAL	
Signature:	-P		-2	
_		7,	Congress	Ade
Address:			0	7.00
-	#131			
- 0	11/10/	40	17	

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Case number: C15-2016-0124, The Guesthouse Hotel
Name (print): Merrill Env
Signature: Menull &
Address: 25305 Congress Are Apt 23/
Austin TX 78784

4-10-17

I oppose these variance. The hotel should build according to City code.

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I oppose these variance. The hotel should build according to City code.

Case number: C15-2016-0124, The Guesthouse Hotel

Name (print): Hyun Woo Lee

Signature: Address: 2530 (S. Congress # 131

Austin, TX 18104

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I oppose these variance. The hotel should build according to City code.
Case number: C15-2016-0124, The Guesthouse Hotel
Name (print): Edith Rodriguez
Signature: Edith Rolligur
Address: 2530 S. Congress Ave # 233
Austin, Tx 78704
Date: April 10 0017

WE WILL ALSO REQUEST THAT THE FOLLOWING RESTRICTIONS BE MADE CONDITIONS OF THE VARIANCE APPROVALS:

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Case number: C15-2016-0124, The Guesthouse Hotel

Name (print): Margaret Eades

- Other

Signature:

Address: 2530 S. Congress Ave. #200

Austin, TX 78704

Date: 4.10.2017

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I oppose these variance. The hotel should build according to City code.
Case number: C15-2016-0124, The Guesthouse Hotel
Name (print): Ki Hyang Joo
Signature: 7di 7dy Joo
Address: 2530 S. Congress Ave. #200
Austin, 7x 18704

4/10/17

WE WILL ALSO REQUEST THAT THE FOLLOWING RESTRICTIONS BE MADE CONDITIONS OF THE VARIANCE APPROVALS:

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Case number: C15-2016-0124, The Guesthouse Hotel

Name (print): Feet-Shen TSU:
Signature: fan One 50

Address: 2530 S. Longress Ave AP4 200

AVStin, Tx 78704

Date: 4/10/17

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I oppose these variance. The hotel should build according to City cod	e.
Case number: C15-2016-0124, The Guesthouse Hotel	
Name (print): Danielle Mccartney	
Signature: Sanille McContiney	
Address: 2530 S. Congless Ave # 200	
Austin TX 79704	
Date: 4 - 10 - 17	

WE WILL ALSO REQUEST THAT THE FOLLOWING RESTRICTIONS BE MADE CONDITIONS OF THE VARIANCE APPROVALS:

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Case number: C15-2016-0124, The Guesthouse Hotel

Name (print): Jiuman Szeto

Signature: Address: 2530 Congress 126

Austin Tx, 78704

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Date: 4/10/17

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I oppose these variance. The hotel should build according to City code.

Case number: C15-2016-0124, The Guesthouse Hotel

Name (print): Beth Rutkowski

Signature: Beth F. Rutheriski

Address: 2530 S. Congress Ave # 132

Austin IX 78704

Date: 04-10-17

WE WILL ALSO REQUEST THAT THE FOLLOWING RESTRICTIONS BE MADE CONDITIONS OF THE VARIANCE APPROVALS:

- 1. All buildings must be a minimum of 32' from the southern property line.
- 2. Applicant must erect a privacy fence at least 7' in height along the southern property line of the property.

I oppose these variance. The hotel should build according to City code.

Name (print): Kyle Barton

Signature: Kyle Barton

Address: 2530 S. Longress # 133

Austin, TX 78704

WE WILL ALSO REQUEST THAT THE FOLLOWING RESTRICTIONS BE MADE CONDITIONS OF THE VARIANCE APPROVALS:

- 1. All buildings must be a minimum of 32' from the southern property line.
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Case number: C15-2016-0124, The Guesthouse Hotel

Name (print): CaiHin Barfon

I oppose these variance. The hotel should build according to City code.

Signature: Cal

Address: 2930 S Congress #133

AUSTIN, TX 78704

Date: 4.10.17

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- 1. All buildings must be a minimum of 32' from the southern property line.
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I oppose these variance. The hotel should build according to City code.
Case number: C15-2016-0124, The Guesthouse Hotel
Name (print): <u>Foattha</u> Hall
Signature: Chall
Address: 2530 S CONGRESS Ave, #130
Date: 4/10/2017

WE WILL ALSO REQUEST THAT THE FOLLOWING RESTRICTIONS BE MADE CONDITIONS OF THE VARIANCE APPROVALS:

- 1. All buildings must be a minimum of 32' from the southern property line.
- 2. Applicant must erect a privacy fence at least 7' in height along the southern property line of the property.

Case number: C15-2016-0124, The Guesthouse Hotel

Name (print): CHRIS, HAU

Signature: Address: T530 S. Consess Ave, #130

4/10/2017

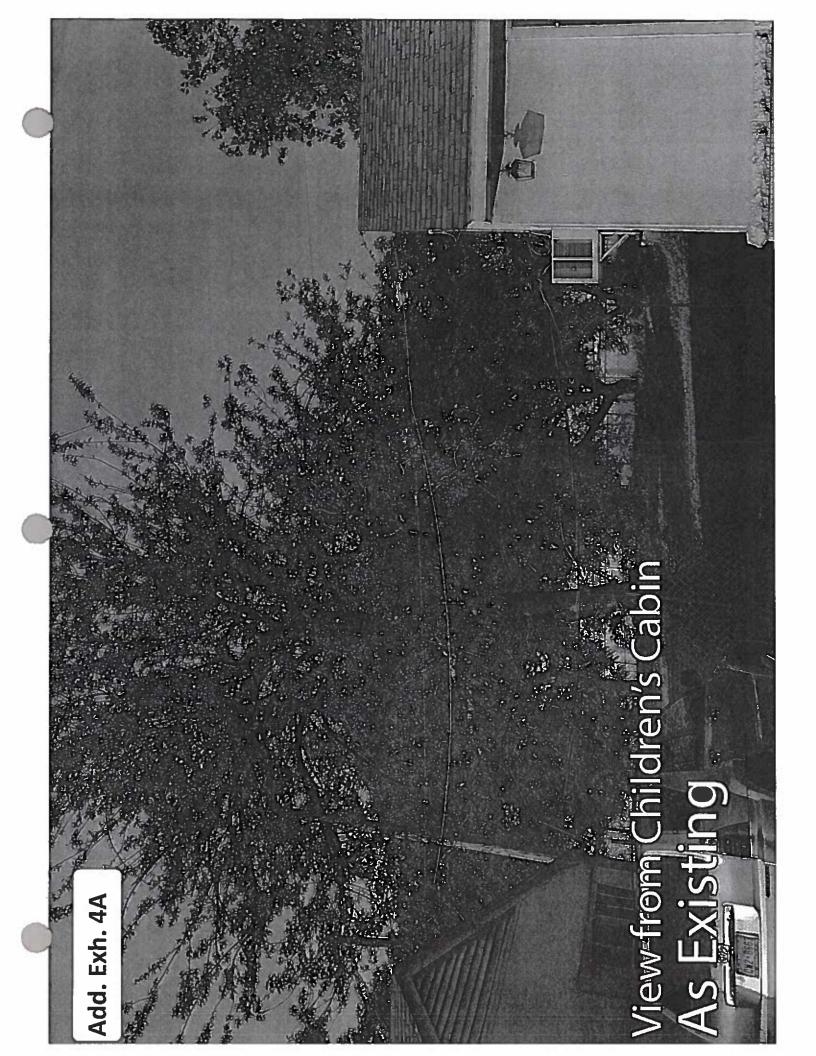
I oppose these variance. The hotel should build according to City code.

Addendum Exhibit 3

EFEA = 911 30. 1:1481 D. CLVBVNDOMED Vouth entry 0-0 48. - 0. **9.** - 0. ..0 - .09 35. - 0.. short-term parking courtyard entry/ FIRE LANE (25' clear width) LANDSCAPE BUILDING A 25,406 SF .9 - .91 1. - 6. 12. - 0. .0 - .gz

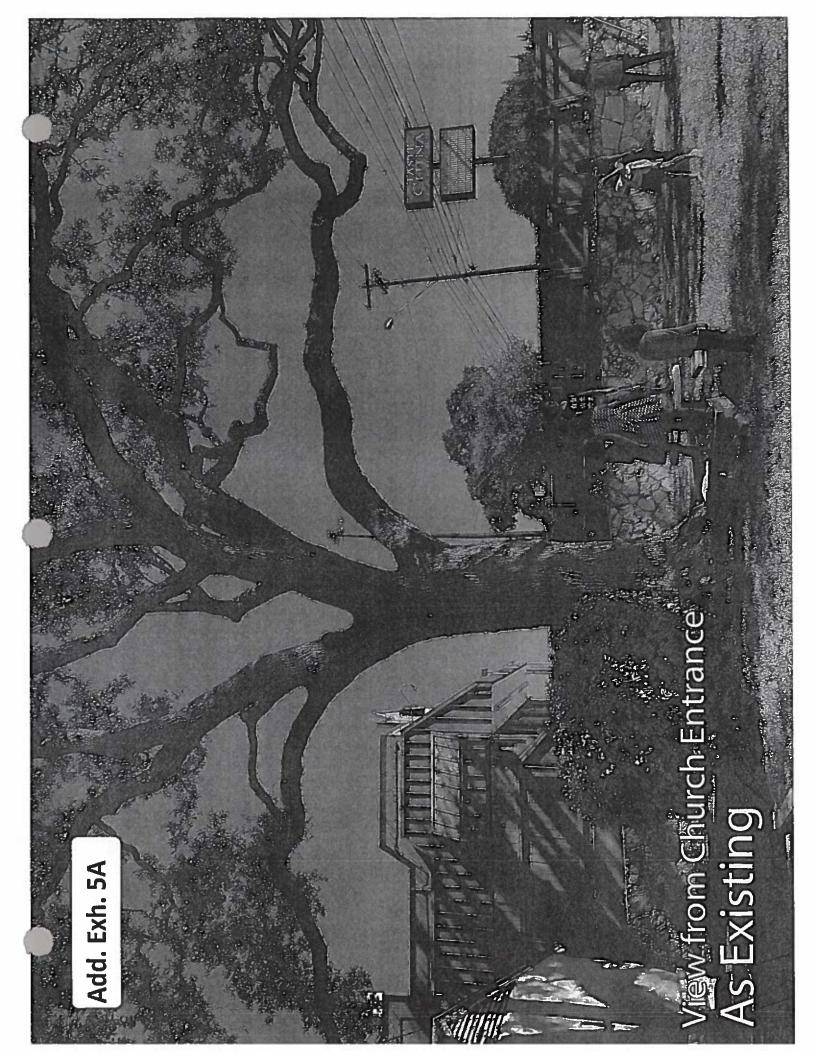
Add. Exh. 3

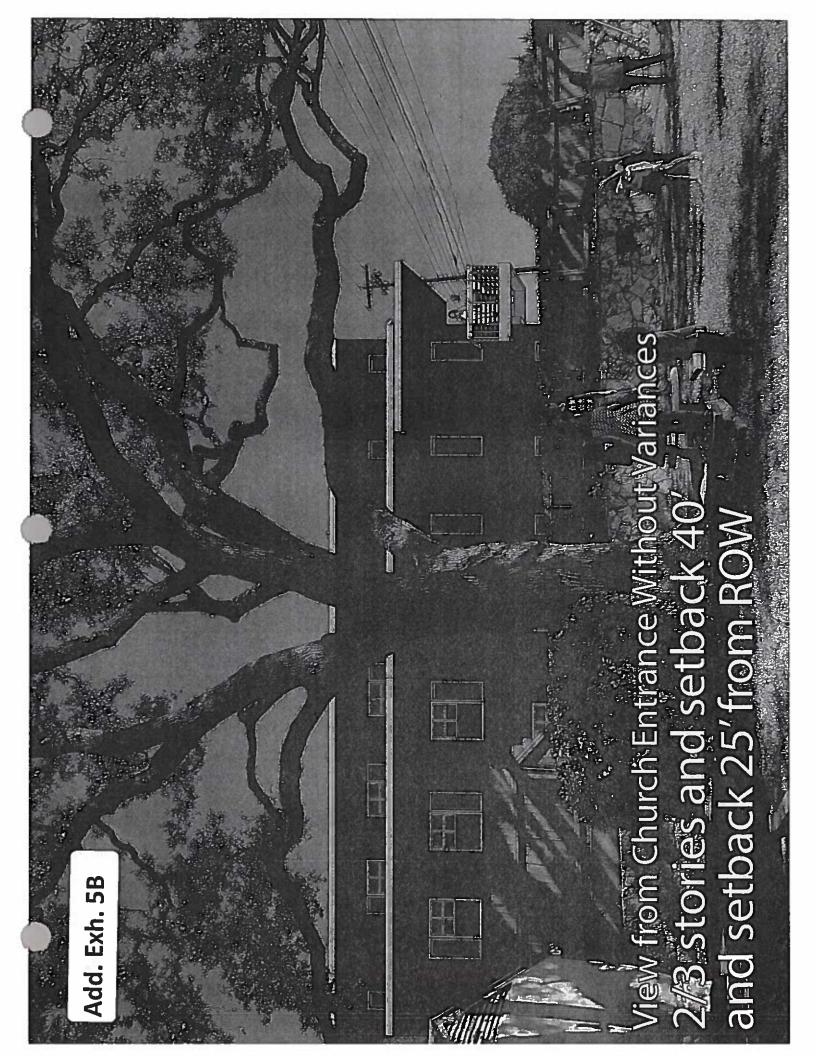
Addendum Exhibit 4A Addendum Exhibit 4B Addendum Exhibit 4C



View-from-Children's Cabin With Varjances: 3 stories setback 32' Add. Exh. 4C

Addendum Exhibit 5A Addendum Exhibit 5B Addendum Exhibit 5C





View from Church Entrance With 3<u>stories and setback 32'</u> and setback 6' from ROW Add. Exh. 5C