

**From:** Heldenfels, Leane  
**To:** ["Kathy Taylor"](#)  
**Subject:** RE: REVISED - BOA Variance Request case C15-2017-0005  
**Date:** Thursday, April 27, 2017 3:53:00 PM  
**Attachments:** [image001.png](#)

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You're correct, I don't see it either (date was 4/7), sorry about that. I've copied and pasted it from the prior email and will include it in the late back up for the reconsideration request. You can submit additional comments based on the changes proposed in the reconsideration request up until noon the day of the hearing 5/8. You can find the reconsideration hearing request and evidence at the public search page of City website, development tab (input case number or address, click submit, open BA case, see recons request and recons evidence there). Take care – so sorry for the error on the prior packet –

**Leane Heldenfels, Planner Senior**

*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



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Hi Leane,

Please add this letter for review by the Board when considering this case (C15-2017-0005), currently shown as item M-2 on the April meeting agenda. Thanks!

Dear members of the Board of Adjustment,

I am a resident of the Chestnut neighborhood and am writing to express my opposition to the variance request(s) submitted for the small property at 1211 Cedar Avenue - case C15-2017-0005.

This lot size - less than 1600 square feet - does not meet the minimum requirement specified for Small Lot Amnesty (SLA), and the width of the lot - less than 14 feet - also does not meet the minimum specified by the SLA. Those SLA minimums are *reasonable* requirements set to ensure that a lot size and width will sufficiently support a livable dwelling structure without negatively impacting the character of the area adjacent to the property, and comply with the Minimum Life Safety requirements for residential building, property maintenance, and fire codes as well as several other codes (electrical, mechanical, plumbing, etc.). In my opinion, this lot is *not* sufficient in size nor width to reasonably construct a dwelling structure as proposed by the applicant.

I am also opposed to the request to decrease the minimum side yard setback to less than 30 inches (which is even less than the standard interior door width) for several reasons.

Construction: Will ~30 inches be adequate for the placement of the form bracing for the pouring of a concrete slab? Will this ~30 inches be adequate space to allow for construction activities on the structure to not encroach onto the neighboring properties on each side of this lot?

Maintenance: The preliminary site plans attached to the variance application don't indicate where the AC compressor unit or hot water heater might be placed, but maintenance on these types of equipment generally need a minimum of 24 inches clearance in front of the equipment - ie, between the equipment unit and the property line - in order to service it.

Safety: ~30 inches of side yard is less than the standard width of an interior door, less than the standard minimum width of a staircase, etc. Does ~30 inches provide enough width on each side for emergency access for the fire, EMS and/or police personnel and equipment? Granting the reduction of the side yard setbacks to less than 30 inches might result in a safety hazard.

Impact to the existing adjacent properties: Granting the reduction of the side yard setbacks on both sides will absolutely impact the neighboring homes and properties - i.e., the reduction of natural light, the increased runoff of rain water (unless a condition for mitigation of this impact is stipulated in granting of the setback variance), and the resulting invasion of privacy to the neighbors from a two-story structure built less than 30 inches from their property line.

And lastly, I am concerned about the impact on the heritage 24" oak tree on the front street side of the property. The Critical Root Zone of this size of tree spans well beyond the width of this lot. Any water, wastewater and gas lines from the front street will be dug through this Critical Root Zone and cause severe damage to this heritage tree.

The applicant was made aware of the small size of this lot during the bidding process at the foreclosure sale, and yet pursued the purchase of this property. In effect, she has self created her own hardship and caused it to be, as she stated in her application, "rendered intrinsically useless" for her specific desires. However, this property still has reasonable uses - it could be sold to either of the adjacent neighbors or perhaps rezoned to allow for a use that doesn't involve construction of a dwelling unit such as a community garden.

Thank you for the opportunity to provide my statement of opposition on this request for variances.

Respectfully,

Kathy Taylor  
2012 E 16th Street  
Austin, TX 78702

**From:** Kathy Taylor [REDACTED]  
**Sent:** Thursday, April 27, 2017 11:53 AM  
**To:** Heldenfels, Leane  
**Subject:** Re: REVISED - BOA Variance Request case C15-2017-0005

Hi Leane!

I've been looking for the letter of opposition I sent you for this case online and cannot locate it. Could you point me to where it is? I found other letters and returned forms from neighbors, but not the one I submitted to you via email.

We've been notified by the neighbors adjacent to this property that the applicant has submitted a request for reconsideration and has done some design changes to the proposed structure ... which is what sent me on my way to looking at all the various documents attached online to this case.

When you have a chance, please let me know where I missed seeing it!

Have a wonderful afternoon,

Kathy Taylor

On Mon, Apr 10, 2017 at 2:15 PM, Kathy Taylor [REDACTED] wrote:  
Thank you Leane!

Sent from my iPhone

On Apr 10, 2017, at 1:14 PM, Heldenfels, Leane <[Leane.Heldenfels@austintexas.gov](mailto:Leane.Heldenfels@austintexas.gov)> wrote:

Thanks for sending in your comments, I will include them in the Board's late back up packet that they receive on the dais at tonight's hearing.

Take care,

**Leane Heldenfels, Planner Senior**

*Board of Adjustment Liaison*

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<image001.png>

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**From:** Kathy Taylor [REDACTED]  
**Sent:** Friday, April 07, 2017 9:52 AM  
**To:** Heldenfels, Leane  
**Subject:** REVISED - BOA Variance Request case C15-2017-0005

Leane,  
I failed to adequately proofread my original email stating my opposition to this variance request case. Please provide the Board the following revised letter for case C15-2017-0005, currently shown as item M-2 on the April meeting agenda. Thanks again!

Hi Leane,

Please add this letter for review by the Board when considering this case (C15-2017-0005), currently shown as item M-2 on the April meeting agenda. Thanks!

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