

**CITY OF AUSTIN  
Board of Adjustment  
Decision Sheet**

**DATE: Monday, May 8, 2017**

**CASE NUMBER: C15-2017-0023**

☐ Y ☐ Brooke Bailey  
☐ Y ☐ William Burkhardt  
☐ Y ☐ Eric Goff  
☐ - ☐ Melissa Hawthorne (ABSENT)  
☐ Y ☐ Bryan King  
☐ Y ☐ Don Leighton-Burwell  
☐ - ☐ Rahm McDaniel (ABSENT)  
☐ Y ☐ Veronica Rivera  
☐ Y ☐ James Valadez  
☐ Y ☐ Michael Von Ohlen  
☐ Y ☐ Kelly Blume (Alternate)  
☐ - ☐ Martha Gonzalez (Alternate) (ABSENT)  
☐ Y ☐ Pim Mayo (Alternate)

**APPLICANT: Vincent G Huebinger**

**OWNER: Michael, Osborne**

**ADDRESS: 5111 EILERS AVE**

**VARIANCE REQUESTED:** The applicant has requested a variance(s) from:

**A. Section 25-2-832 (Private Schools) (1), of Division 3 – Civic Uses to decrease the minimum paved width of a street that the site must be located on from at least 40 feet paved width (required) to 30 feet paved width (requested/existing); and to**

**B. Section 25-2-1062 (Height Limitations and Setbacks for Small Sites) (B) (1) to decrease the distance a structure can be located from 15 feet or less (required) to 0 feet (requested, existing)**

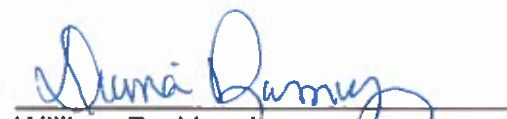
**in order to establish a private primary education facility with parking in a “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (North Loop)**

**BOARD’S DECISION: MAY 8, 2017** The public hearing was closed on Board Member Michael Von Ohlen motion to postpone to June 12, 2017, Board Member Bryan King second on a 10-0 vote; **POSTPONED TO JUNE 12, 2017.**

**FINDING:**

1. The Zoning regulations applicable to the property do not allow for a reasonable use because:
2. (a) The hardship for which the variance is requested is unique to the property in that:  
(b) The hardship is not general to the area in which the property is located because:
3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

  
Leane Heldenfels  
Executive Liaison

  
William Burkhardt  
Chairman

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# CONDITIONAL USE SITE PLAN

## SITE INFORMATION

JURISDICTION: CITY OF AUSTIN, TEXAS 78751  
TRAVIS COUNTY

USE: COMMERCIAL DAYCARE /  
PRIVATE PRIMARY EDUCATION FACILITY

## OWNER

GREEN OSA LLC  
MICHAEL OSBORNE  
708 EAST 51ST, AUSTIN, TEXAS 78751

## ZONING

SF-3-NP

## PROJECT TYPE

COMMERCIAL DAYCARE /  
PRIVATE PRIMARY EDUCATION FACILITY

## DATE

FEBRUARY 23, 2017  
SEPTEMBER 19, 2016

## SITE ADDRESS

5111 EILERS AVENUE  
AUSTIN, TX. 78751

## SITE NAME:

LITTLE TIGER CHINESE IMMERSION SCHOOL /  
CHINESE WITH MEGGIE

## CONSULTANTS

VINCENT GERARD & ASSOCIATES  
1715 S. CAPITAL OF TEXAS HWY  
SUITE 207  
AUSTIN, TEXAS 78746  
PHONE: (512) 328-2693

VINCE HUEBINGER

## LEGAL DESCRIPTION

LOT 10 & 11, BLOCK 11 THE HIGHLANDS  
VOLUME 9, PAGE 55, PLAT RECORDS  
TRAVIS COUNTY, TEXAS

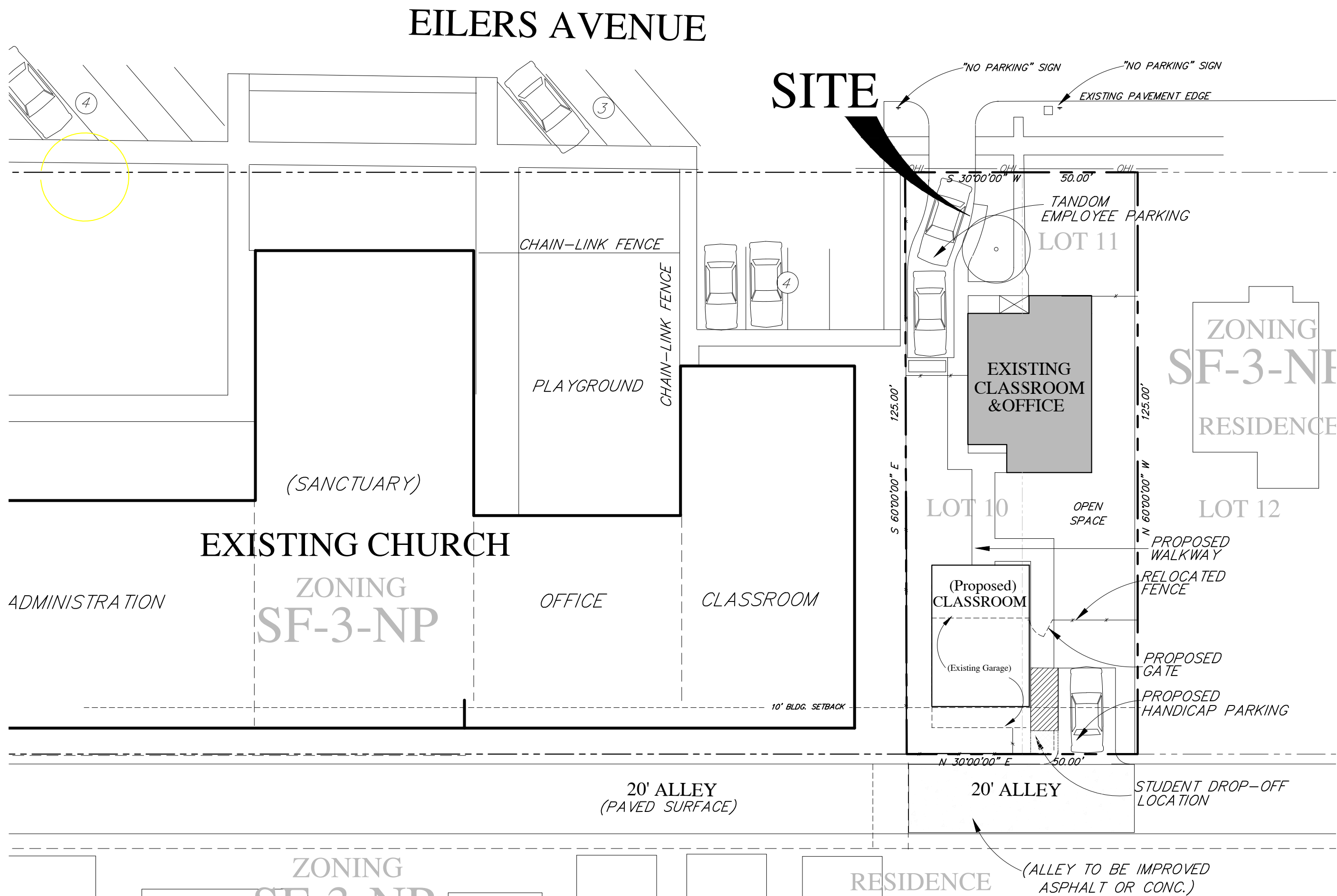
(NOT FOR CONSTRUCTION)  
ZONING SITE PLAN

## AERIAL IMAGERY



NOT TO SCALE

\*(CITY GARAGE CURBSIDE  
PICK-UP HAS BEEN REQUESTED)



Proposed Impervious Cover	
Driveway (realignment and reconstruction)	0 sf
Bldg. / House	0 sf
NEW Classroom (new construction)	147 sf (one story)
Access / sidewalks (new construction)	523 sf
Access / parking (new construction)	180 sf
Total	850 sf

Building Height ( 35')

## NOTE:

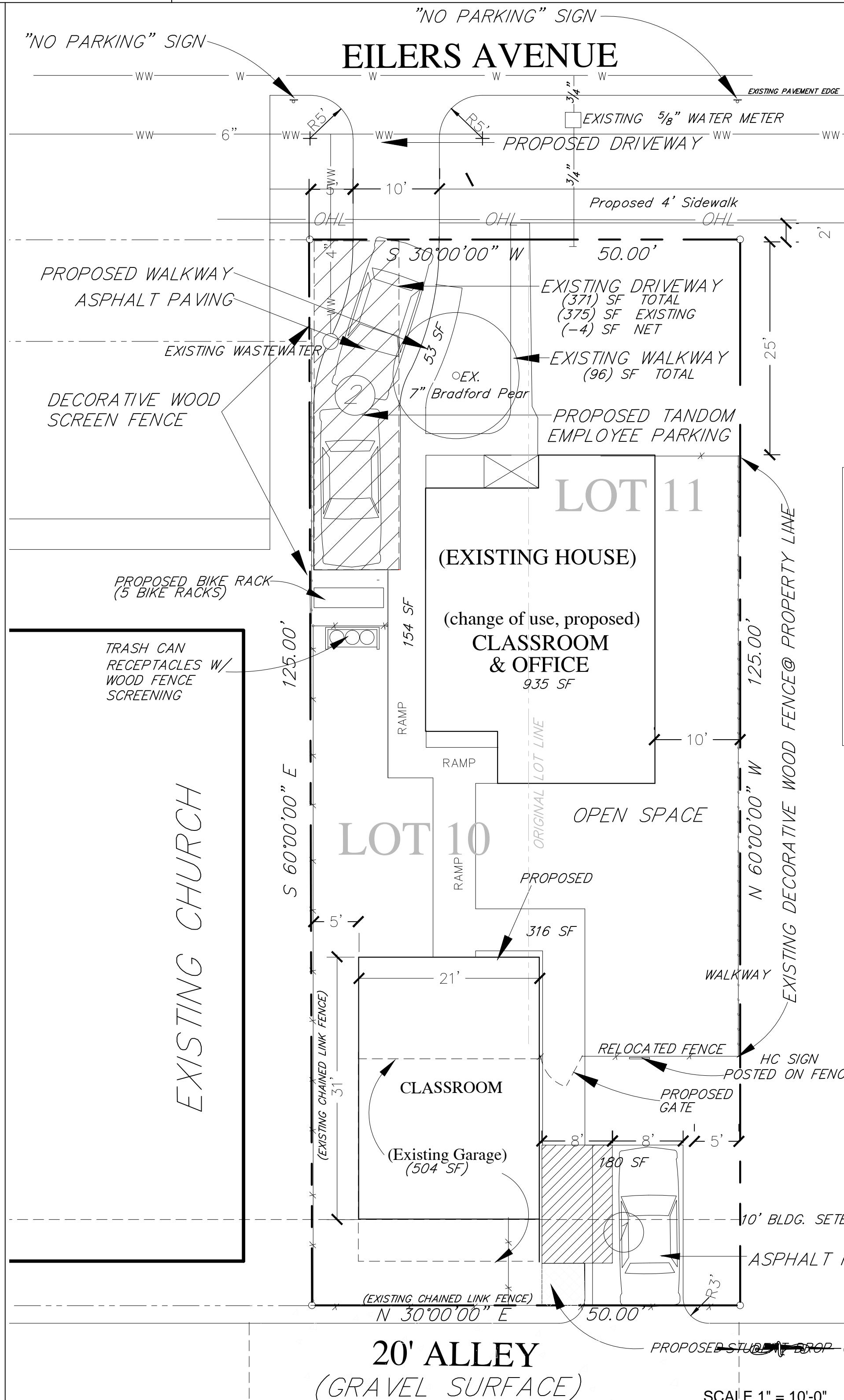
- THE SITE IS COMPOSED OF 2 LOTS/TRACTS. IT HAS BEEN APPROVED AS ONE COHESIVE DEVELOPMENT. IF PORTIONS OF THE LOT/TRACT ARE SOLD, APPLICATION FOR SUBDIVISION AND SITE PLAN APPROVAL MAY BE REQUIRED. ONCE RECORDED ADD THE OCUMENT NUMBER FOR THE UDA TO THE NOTE.
- APPROVAL OF THESE PLANS BY THE CITY OF AUSTIN INDICATES COMPLIANCE WITH APPLICABLE CITY REGULATIONS ONLY. COMPLIANCE WITH ACCESSIBILITY STANDARDS SUCH AS THE 2010 STANDARDS FOR ACCESSIBLE DESIGN OR THE 2012 TEXAS ACCESSIBILITY STANDARDS WAS NOT VERIFIED. THE APPLICANT IS RESPONSIBLE FOR COMPLIANCE WITH ALL APPLICABLE ACCESSIBILITY STANDARDS.
- ACCESSIBILITY PARKING MUST BE IDENTIFIED BY A SIGN, CENTERED AT THE HEAD OF THE PARKING SPACE. THE SIGN MUST INCLUDE THE INTERNATIONAL SYMBOL OF ACCESSIBILITY AND STATE "RESERVED" OR EQUIVALENT LANGUAGE. CHARACTERS AND SYMBOLS ON SUCH SIGN MUST BE LOCATED 60" MINIMUM ABOVE THE GROUND SO THAT THEY CANNOT BE OBSCURED BY A VEHICLE PARKED IN THE SPACE.

Existing Impervious Cover (existing land uses)	
Driveway	375 sf
Bldg. / House	935 sf (15%)
Garage	504 sf (8%)
Access / sidewalks	101 sf
Total	1915 sf

PARKING SUMMARY	
LITTLE TIGER CHINESE SCHOOL (1.5 space per staff)	
REQUIRED	PROVIDED
3 spaces	3 spaces
Total Site Area	6200 sf
Existing Impervious Cover Total	1915 sf
ADDED Impervious Cover Total	850 sf
Proposed Impervious Cover Total	2765 sf (42.5%)

\* Classroom:(proposed classroom (651 sf) - existing garage (504 sf) = 147 sf

SCALE 1" = 30'-0"



## COMPATIBILITY NOTES:

- Exterior lighting must be hooded or shielded so that the light source is not directly visible from adjacent property.
- A highly reflective surface, including reflective glass and a reflective metal roof with a pitch that exceeds a run of seven to a rise of 12, may not be used, unless the reflective surface is a solar panel or copper or painted metal roof.
- The noise level of mechanical equipment may not exceed 70 db at the property line.
- A permanently placed refuse receptacle, including a dumpster, may not be located 20 feet or less from property:  
(A) in an SF-5 or more restrictive zoning district; or  
(B) on which a use permitted in an SF-5 or more restrictive zoning district is located.

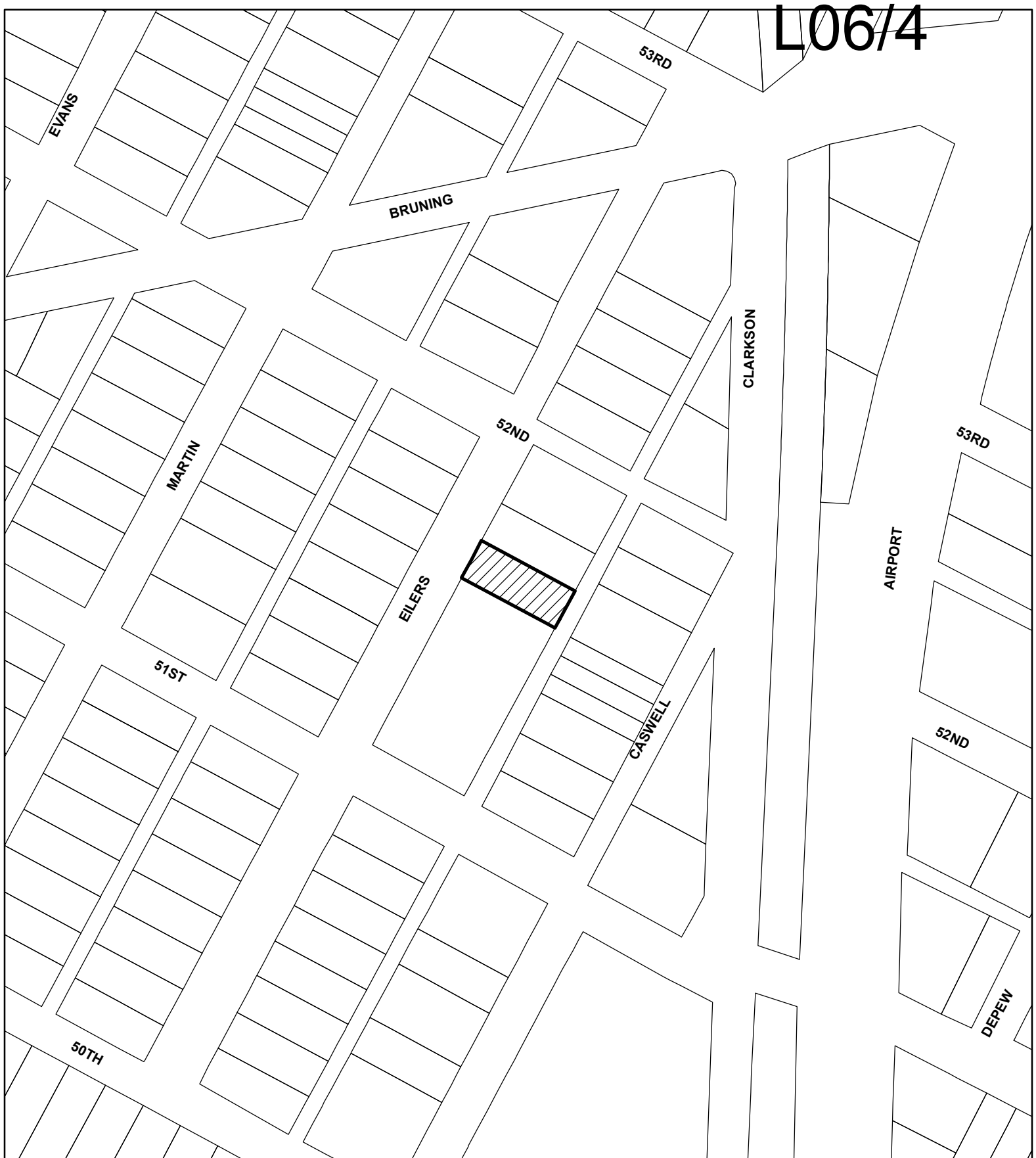
CONDITIONAL USE LAND USE SITE PLAN  
LITTLE TIGER CHINESE IMMERSION SCHOOL  
CHINESE WITH MEGGIE  
5111 EILERS AVENUE  
AUSTIN, TEXAS 78751



VINCENT GERARD & ASSOCIATES  
LAND PLANNING & ZONING CONSULTANTS  
1715 CAPITAL OF TEXAS HWY SOUTH, STE. 207  
AUSTIN, TEXAS 78746  
(512)328-2693 • vgerard@flash.net



L06/4



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

## NOTIFICATIONS

CASE#: C15-2017-0023  
LOCATION: 5111 Eilers Avenue



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

1" = 150'





## Development Services Department

One Texas Center | Phone: 512.978.4000  
505 Barton Springs Road, Austin, Texas 78704

# Board of Adjustment General/Parking Variance Application

**WARNING: Filing of this appeal stops all affected construction activity.**

This application is a fillable PDF that can be completed electronically. To ensure your information is saved, [click here to Save](#) the form to your computer, then open your copy and continue.

The Tab key may be used to navigate to each field; Shift + Tab moves to the previous field. The Enter key activates links, emails, and buttons. Use the Up & Down Arrow keys to scroll through drop-down lists and check boxes, and hit Enter to make a selection.

The application must be complete and accurate prior to submittal. ***If more space is required, please complete Section 6 as needed.*** All information is required (if applicable).

### For Office Use Only

Case # _____	ROW # _____	Tax # _____
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### Section 1: Applicant Statement

Street Address: \_\_\_\_\_

Subdivision Legal Description:

\_\_\_\_\_  
\_\_\_\_\_

Lot(s): \_\_\_\_\_ Block(s): \_\_\_\_\_

Outlot: \_\_\_\_\_ Division: \_\_\_\_\_

Zoning District: \_\_\_\_\_

I/We \_\_\_\_\_ on behalf of myself/ourselves as  
authorized agent for \_\_\_\_\_ affirm that on

Month \_\_\_\_\_, Day \_\_\_\_\_, Year \_\_\_\_\_, hereby apply for a hearing before the

Board of Adjustment for consideration to (select appropriate option below):

☐ Erect ☐ Attach ☐ Complete ☐ Remodel ☐ Maintain ☐ Other: \_\_\_\_\_

Type of Structure: \_\_\_\_\_

Portion of the City of Austin Land Development Code applicant is seeking a variance from:

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## Section 2: Variance Findings

The Board must determine the existence of, sufficiency of, and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional supporting documents.

**NOTE: The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.**

I contend that my entitlement to the requested variance is based on the following findings:

### Reasonable Use

The zoning regulations applicable to the property do not allow for a reasonable use because:

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### Hardship

a) The hardship for which the variance is requested is unique to the property in that:

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b) The hardship is not general to the area in which the property is located because:

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## Area Character

The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

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## Parking (additional criteria for parking variances only)

Request for a parking variance requires the Board to make additional findings. The Board may grant a variance to a regulation prescribed in the City of Austin Land Development Code Chapter 25-6, Appendix A with respect to the number of off-street parking spaces or loading facilities required if it makes findings of fact that the following additional circumstances also apply:

1. Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonably require strict or literal interpretation and enforcement of the specific regulation because:

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2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

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3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

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4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

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**Section 3: Applicant Certificate**

I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Applicant Signature:  Date: 04/11/2017

Applicant Name (typed or printed): Vincent G. Huebinger, Vincent Gerard & Associates, Inc.

Applicant Mailing Address: 1715 S. Capital of Texas Highway #207

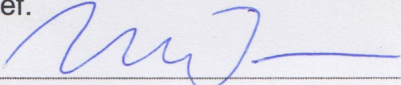
City: Austin State: TX Zip: 78746

Phone (will be public information): (512) 328-2693

Email (optional – will be public information): kaylabryson@att.net & vinceh@flash.net

**Section 4: Owner Certificate**

I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Owner Signature:  Date: 04/11/2017

Owner Name (typed or printed): Michael Osborne, Green Osa, LLC

Owner Mailing Address: 708 E. 51st. Street

City: Austin State: TX Zip: 78751

Phone (will be public information): (512) 328-2693

Email (optional – will be public information): kaylabryson@att.net & vinceh@flash.net

**Section 5: Agent Information**

Agent Name: Vincent Gerard & Associates, Inc.

Agent Mailing Address: 1715 S. Capital of Texas Highway, #207

City: Austin State: TX Zip: 78746

Phone (will be public information): (512) 328-2693

Email (optional – will be public information): kaylabryson@att.net & vinceh@flash.net

**Section 6: Additional Space (if applicable)**

Please use the space below to provide additional information as needed. To ensure the information is referenced to the proper item, include the Section and Field names as well (continued on next page).

Please see attached letter.



Additional Space (continued)

Lined area for writing, consisting of multiple horizontal blue lines.

April 11, 2017

Board of Adjustment  
City of Austin  
505 Barton Springs Road  
Austin, Texas 78704

**RE: Variance Requests to Accompany Conditional Use Site Plan Case SPC-2017-0011A for a Change of Use from Residential to Private Primary Education Facility and Commercial Daycare**

Dear Board of Directors,

On behalf of our client, Green Osa, LLC, we have submitted a Conditional Use Site Plan for a Change of Use from residential to a Private Primary Education Facility and Commercial Daycare titled Little Tiger Chinese Immersion School/Chinese with Meggie. The location of the property is 5111 Eilers Avenue, Austin, Texas 78751. It is located within the North Loop Neighborhood Plan and is zoned SF-3-NP.

5111 Eilers Avenue is on the edge of a residential neighborhood adjacent to Ridgetop Baptist Church to the south. Per Section 25-2-832(1) of the Land Development Code (LDC), a private primary education facility must be located on a street that has a paved width of at least 40 feet from the site to where it connects with another street that has a paved width of at least 40 feet. We are requesting a variance to allow a Private Primary Educational Facility on Eilers Avenue which has a 30-foot pavement width. Eilers Avenue connects to East 51<sup>st</sup> Street, which is also approximately 30 feet in width. There is also a 20-foot public alley access, which will be improved at the rear of the subject property and made available for student drop off away from any busy public roadway.

Per Section 25-2-1067(H) of the LDC, the width and setback for the parking area or driveway must be 5 feet for a property with a site width less than 52.99 feet. The subject property is 50 feet in width and has an existing driveway adjacent to the southern property line abutting the church property. We are proposing tandem staff parking on this driveway and are requesting a variance to the required 5-foot setback to allow a 0-foot setback for minimal disturbance to the front yard. There will only be a maximum of two employees located at this facility.

Per Section 25-2-1062 - Height limitations and setbacks for small sites, we are requesting to reconstruct the existing garage in the back of the lot into a small classroom, and we respectfully request to waive the 15' compatibility requirement. This location sits on the footprint of the existing garage and is adjacent to the east church classrooms. The compatibility standards apply for the zoning on the church (SF-3) but do not consider the use. Religious assembly includes classroom education, identical to our proposed use. It appears counter to the intent for compatibility setbacks adjacent to a similar use. The existing garage is 5' from the property line and 10' from the church classrooms. We believe that this causes our applicant a hardship if applied to the garage/future classroom.



### Reasonable Use

The zoning regulations applicable to the property do not allow for a reasonable use because our proposed use for a private primary educational facility/commercial daycare will not house more than 2 staff members and 20 students (ages 6-8), which is a significantly less intensive use than the existing uses of the neighboring church. There is also an alley behind the property (to the east) that will help alleviate traffic flow on Eilers Avenue, as staff parking is proposed off of Eilers Avenue, and student drop-off is proposed at the alleyway for safety purposes. The proposed tandem staff parking at the front of the property is on an existing driveway that curves so that it directly abuts the southern property line in order to leave space for a handicapped ramp into the structure. Reconstruction of a new driveway would deter from the neighborhood feel, cause additional construction in the front yard, and will be counterproductive for a small facility. Access is also planned for the 20' improved alleyway.

### Hardship

The hardship for which the variances are requested is unique to the property in that its proximity to Ridgetop Baptist Church may be viewed as an extension to that existing use. Currently, religious assembly, education, group meetings and classes are held at the church on a daily basis. Our client currently leases classroom space within the church. This will be a separate entity for private primary education adjacent to the church. The subject property is compatible to the neighboring church's existing uses. The hardship for the 5-foot parking setback requirement is unique in that directly adjacent to our parking is off-street parking for church use. The driveway curves so that the 5-foot setback is met at the property line along Eilers Avenue, but becomes a 0-foot setback at the eastern end of the driveway/parking area.

The hardship is not general to the area in which the property is located due to the fact that it has two existing points of ingress/egress, alleviating any potential concerns for access for Emergency/Fire/EMS. Further, private primary enrollment is restricted to young children, at approximately 20 students, in a pick-up/drop-off situation. Regarding the parking, the 5-foot buffer adjacent to existing parking at the church, in our opinion, would not meet the intent of the code for screening. The church's uses are more intense than our client's proposed uses, and a parking lot is directly adjacent to our proposed tandem staff parking.

### Area Character

The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because the neighborhood contains mixed uses, other private primary and secondary schools, which encouraged our proposed change of use as acceptable from the surrounding community. There are a couple other churches in the vicinity, including to Evergreen Church of Austin and Trinity Chapel. Two blocks southeast of the subject property is Banana Bay Trading Company, and just south of that retail space is Ridgetop Elementary School. It should be noted that abutting streets to the Ridgetop Elementary School are also 30 feet in pavement width, thereby setting precedent of similar uses on existing roadways.

We are happy to answer any questions or concerns with our variance requests. Please feel free to contact us at any time.

Respectfully,



Vincent G. Huebinger



ZONING MAP



CONDITIONAL USE SITE PLAN

SITE INFORMATION

JURISDICTION: CITY OF AUSTIN, TEXAS 78751  
TRAVIS COUNTY  
USE: COMMERCIAL DAYCARE /  
PRIVATE PRIMARY EDUCATION FACILITY

OWNER

GREEN OSA LLC  
MICHAEL OSBORNE  
708 EAST 51ST, AUSTIN, TEXAS 78751

**\* (CITY GARAGE CURBSIDE  
PICK-UP HAS BEEN REQUESTED)**

PROJECT TYPE

COMMERCIAL DAYCARE /  
PRIVATE PRIMARY EDUCATION FACILITY

DATE

FEBRUARY 23, 2017  
SEPTEMBER 19, 2016

SITE ADDRESS

5111 EILERS AVENUE  
AUSTIN, TX. 78751

LEGAL DESCRIPTION

LOT 10 & 11, BLOCK 11 THE HIGHLANDS  
VOLUME 9, PAGE 55, PLAT RECORDS  
TRAVIS COUNTY, TEXAS

SITE NAME:

LITTLE TIGER CHINESE IMMERSION SCHOOL /  
CHINESE WITH MEGGIE

CONSULTANTS

VINCENT GERARD & ASSOCIATES  
1715 S. CAPITAL OF TEXAS HWY  
SUITE 207  
AUSTIN, TEXAS 78746  
PHONE: (512) 328-2693

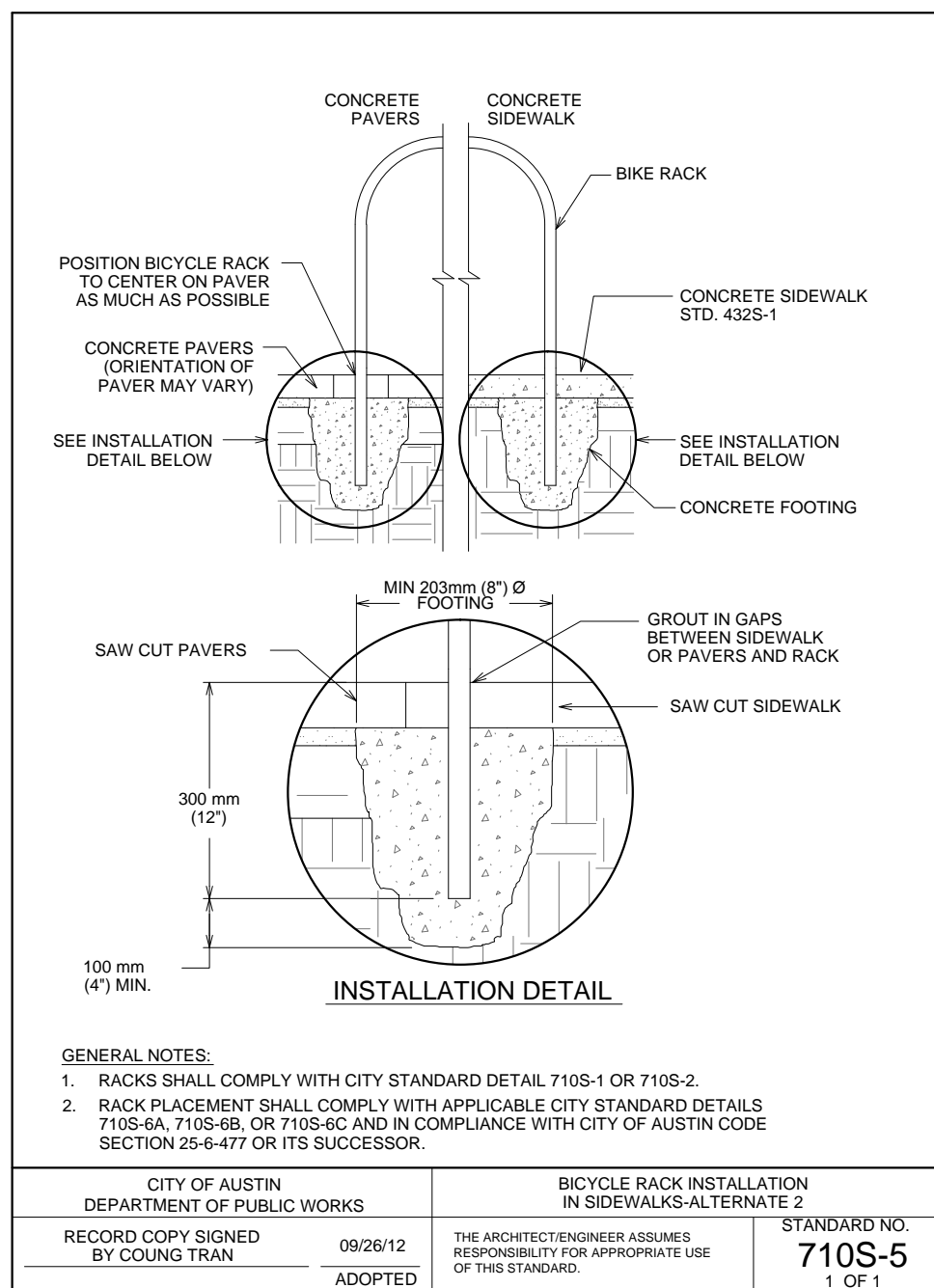
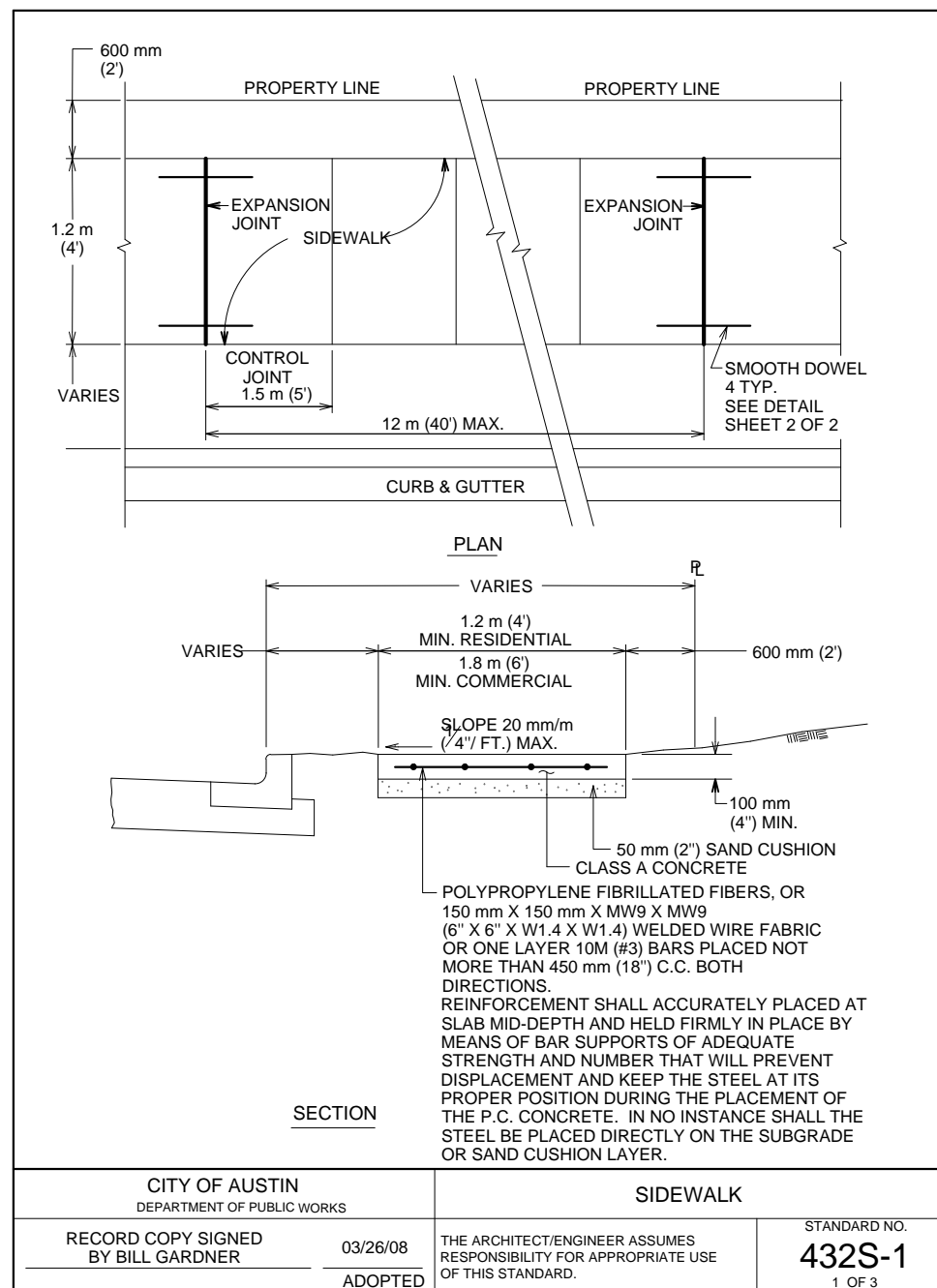
VINCE HUEBINGER

**(NOT FOR CONSTRUCTION)  
ZONING SITE PLAN**

AERIAL IMAGERY

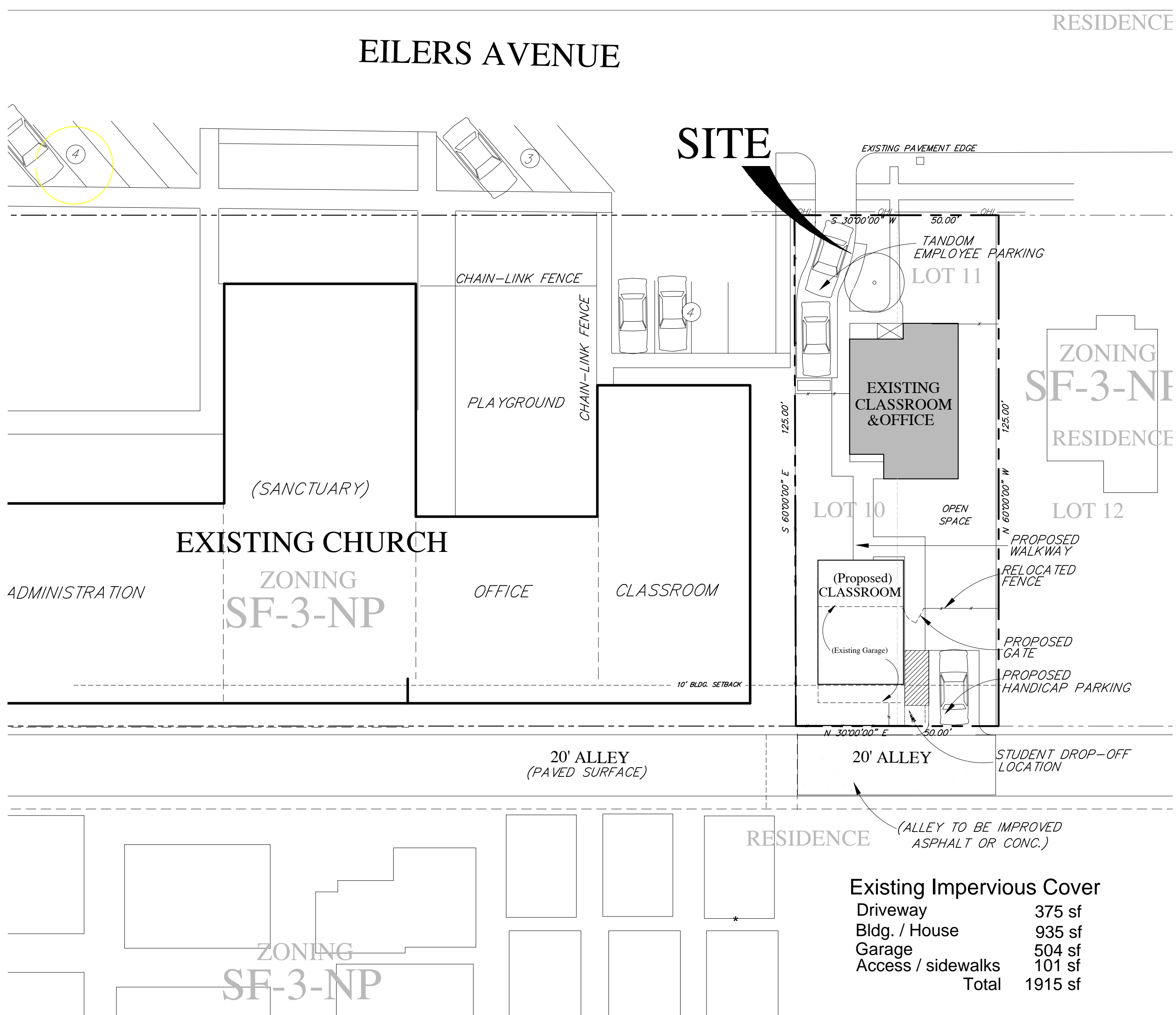


NOT TO SCALE



COMPATIBILITY NOTES:

- Exterior lighting must be hooded or shielded so that the light source is not directly visible from adjacent property.
- A highly reflective surface, including reflective glass and a reflective metal roof with a pitch that exceeds a run of seven to a rise of 12, may not be used, unless the reflective surface is a solar panel or copper or painted metal roof.
- The noise level of mechanical equipment may not exceed 70 db at the property line.
- A permanently placed refuse receptacle, including a dumpster, may not be located 20 feet or less from property:  
(A) in an SF-5 or more restrictive zoning district; or  
(B) on which a use permitted in an SF-5 or more restrictive zoning district is located.



Existing Impervious Cover	
Driveway	375 sf
Bldg. / House	935 sf
Garage	504 sf
Access / sidewalks	101 sf
Total	1915 sf

Proposed Impervious Cover

Driveway (realignment and reconstruction)	0 sf
Bldg. / House	0 sf
NEW Classroom (new construction)	147 sf
Access / sidewalks (new construction)	523 sf
Access / parking (new construction)	180 sf
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Building Height ( 35')

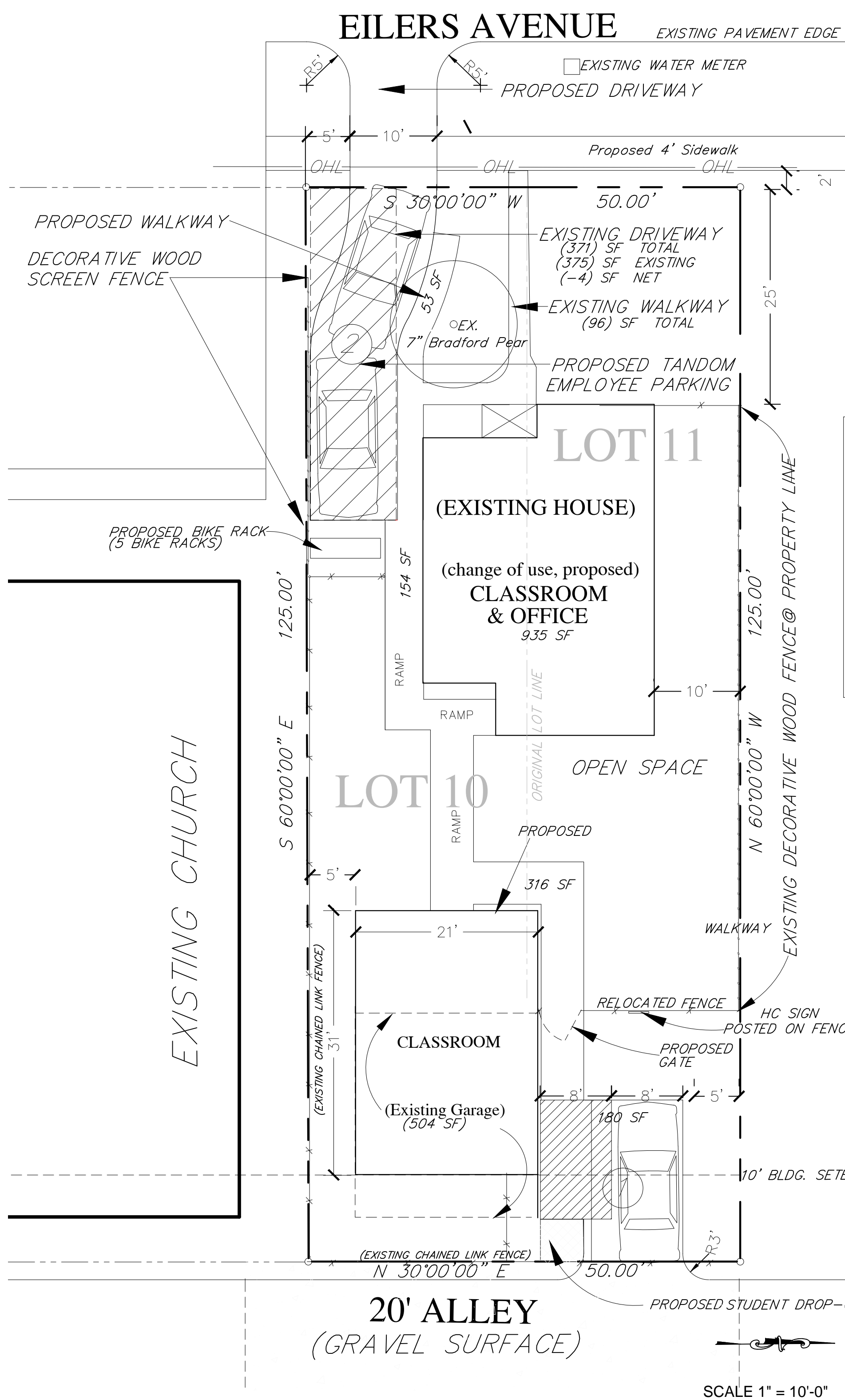
PARKING SUMMARY

LITTLE TIGER CHINESE SCHOOL

	REQUIRED	PROVIDED
Total Site Area	6200 sf	
Existing Impervious Cover Total	1915 sf	
ADDED Impervious Cover Total	850 sf	
Proposed Impervious Cover Total	2765 sf (42.5%)	

\* Classroom:(proposed classroom (651 sf) - existing garage (504 sf) = 147 sf

SCALE 1" = 30'-0"



SCALE 1" = 10'-0"

CONDITIONAL USE LAND USE SITE PLAN  
LITTLE TIGER CHINESE IMMERSION SCHOOL  
CHINESE WITH MEGGIE  
5111 EILERS AVENUE  
AUSTIN, TEXAS 78751



VINCENT GERARD & ASSOCIATES  
LAND PLANNING & ZONING CONSULTANTS  
1715 CAPITAL OF TEXAS HWY SOUTH, STE. 207  
AUSTIN, TEXAS 78746  
(512)328-2693 - \* vinceh@flash.net





L06/13

# Aerial Map

5111 Eilers Avenue

## Legend

-  5111 Eilers Ave
-  Ridgetop Baptist Church

Subject  
Property

5111 Eilers Ave

Church  
Property





**5111 Eilers Avenue**

**Proposed Change of Use from Residential to Commercial Daycare/Private Primary Educational Facility**



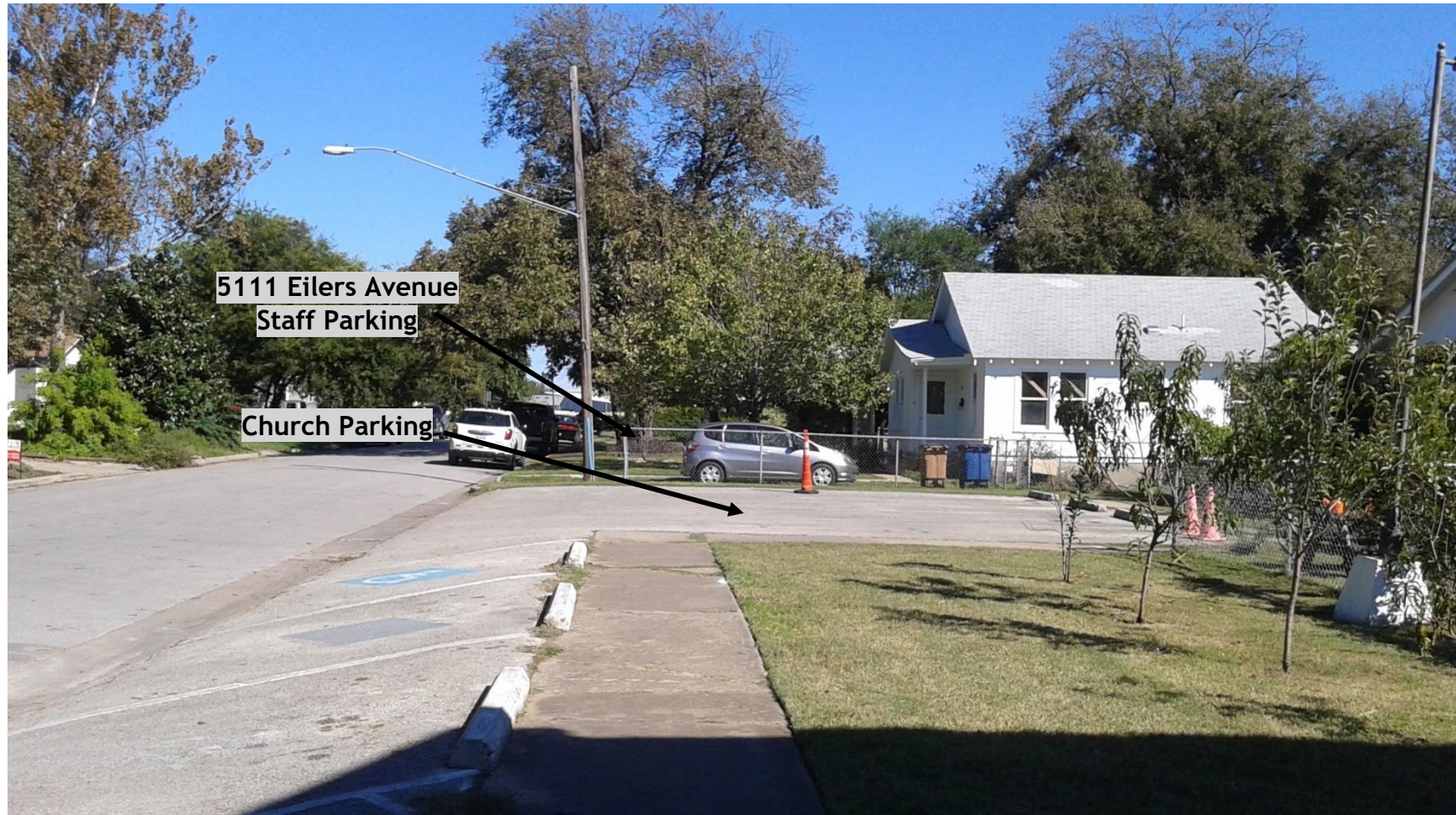


5111 Eilers Avenue (facing south)





5111 Eilers Avenue (facing north)





Existing Garage to be Converted into Classroom





Existing Ornamental Fence Along Northern Property Line





**Existing Ornamental Fence Along Northern Property Line**





**Alley Behind 5111 Eilers Avenue**



# ***Ridgetop Baptist Church***

## ***“A Place to Call Home”***

*Mark Gardner, Pastor / June Gardner, Music Leader*  
708 East 51<sup>st</sup> Street – Austin, TX 78751  
Email: [ridgetopbaptistchurch@yahoo.com](mailto:ridgetopbaptistchurch@yahoo.com)  
Office: 512.451.1607 / Cell: 512.921.8852

May 1, 2017

City of Austin-Development Services Department  
Leane Heldenfels  
Board of Adjustment

Reference:

Case Number: C15-2017-0023  
5111 Eilers Avenue

Personally as pastor of Ridgetop Baptist Church and on behalf of Ridgetop Baptist Church, I am writing to voice my personal and the church's full support of the variance requests for the property located at 5111 Eilers adjacent to the church. During the last three years, Chinese with Meggie Language School and Mike Osborne have been a positive and strong asset to the church and to the neighborhood.

The language school has brought new life to the area of 51<sup>st</sup> Street and Eilers as well as to the church. Neighbors have talked with me about enjoying seeing and hearing the children during the week as they come and go. Our insurance agent along with church members and service personnel have mentioned how “good” it is to see the church and the neighborhood revitalized.

Since beginning to lease space from the church, Meggie Chou and Mike Osborne have been very responsible, cooperative, reliable and cordial in working with the church. They have kept the church and myself very informed in all phases of the development of the language school as well in the purchase of the property at 5111 Eilers Avenue.

From the very start of their looking into that property when it was put on the market, their goal was to keep the original integrity of the house on that property in tact. And that they have done as they remodeled, converted and enhanced a run down old house into a very beautiful, efficient and useable house. In so doing, they have kept the integrity of Eilers Avenue and the Ridgetop neighborhood in tact as well.

But I also want to add a word about the impact of the school itself. Having experienced Meggie and the teachers “in action” day in and day out interacting with the students and the parents, I can testify to the great job they do in teaching Chinese not only to children but to adults as well. Chinese with Meggie is truly a wonderful program benefiting not only this area but the whole city of Austin.

The school, Mike and Meggie certainly have the church's and my support, and we ask that you approve their variance requests.

Sincerely,

Rev. Mark V. Gardner  
Pastor – Ridgetop Baptist Church



Meggie Chou &lt;

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**Little Tiger Chinese Immersion School - 5111 Eilers Avenue, 78751**1 message

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**J Segura <>**

Mon, May 8, 2017 at 9:49 AM

To: , Jiao Li &lt;&gt;

Good Day Board Members,

Our daughter has attended the Little Tiger Chinese Immersion school for the last two years. In that time not only has her spoken Mandarin blossomed into fluency, but she is well on her way to literacy as well. It is still amazing to me that my six year old daughter can speak, read, and write in Chinese. I don't think it would have been possible without the Little Tiger school.

Unfortunately, she is soon to age-out if the program unless additional room can be made for the higher grade levels. While English and Spanish are ubiquitous in Texas, Mandarin is not and the community's options are very limited. We are extremely fortunate that not only does Little Tiger provide a Chinese immersion education, it is also an excellent program that our daughter loves.

I strongly encourage the Board to approve the variances needed for the school. They have been good neighbors and a benefit to the City. The new classroom structure has been restored and is still in keeping with the character of the neighborhood. The school also improved the classrooms within the church, and the playground, further demonstrating their commitment to the neighborhood.

Thank you for your consideration of these variances.

J & Ella Segura  
6901 Chelsea Moor  
Austin, Texas 78759



## 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](http://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: C15-2017-0023, 5111 Eilers Avenue**

**Contact: Leane Heldenfels, 512-974-2202, [leane.heldenfels@austintexas.gov](mailto:leane.heldenfels@austintexas.gov)**

**Public Hearing: Board of Adjustment, May 8th, 2017**

*Rev. Mark V. Gardner*

Your Name (please print)

*708 E 51st Street Austin, TX 78751*

Your address(es) affected by this application

*Rev. Mark V. Gardner*

Signature

Date

Daytime Telephone: *(512) 451-1607*

Comments:

*I am the pastor of Ridgeway Baptist Church located adjacent to the property. As a representative of the church, I don't see we have no problem with the requested variances!*

**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 Wed prior to the hearing to be received timely)

**Fax:** (512) 974-6305

**Email:** [leane.heldenfels@austintexas.gov](mailto:leane.heldenfels@austintexas.gov)

L06/23

***Ridgetop Baptist Church***  
***“A Place to Call Home”***

*Mark Gardner, Pastor / June Gardner, Music Leader*

*708 East 51<sup>st</sup> Street – Austin, TX 78751*

*Email: [ridgetopbaptistchurch@yahoo.com](mailto:ridgetopbaptistchurch@yahoo.com)*

*Office: 512.451.1607 / Cell: 512.921.8852*

May 1, 2017

City of Austin-Development Services Department

Leane Heldenfels

Board of Adjustment

Reference:

Case Number: C15-2017-0023

5111 Eilers Avenue

Personally as pastor of Ridgetop Baptist Church and on behalf of Ridgetop Baptist Church, I am writing to voice my personal and the church's full support of the variance requests for the property located at 5111 Eilers adjacent to the church. During the last three years, Chinese with Meggie Language School and Mike Osborne have been a positive and strong asset to the church and to the neighborhood.

The language school has brought new life to the area of 51<sup>st</sup> Street and Eilers as well as to the church. Neighbors have talked with me about enjoying seeing and hearing the children during the week as they come and go. Our insurance agent along with church members and service personnel have mentioned how “good” it is to see the church and the neighborhood revitalized.

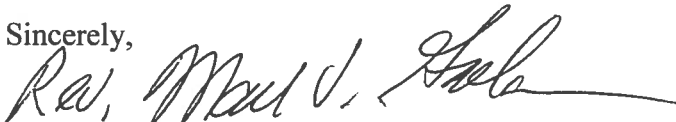
Since beginning to lease space from the church, Meggie Chou and Mike Osborne have been very responsible, cooperative, reliable and cordial in working with the church. They have kept the church and myself very informed in all phases of the development of the language school as well in the purchase of the property at 5111 Eilers Avenue.

From the very start of their looking into that property when it was put on the market, their goal was to keep the original integrity of the house on that property in tact. And that they have done as they remodeled, converted and enhanced a run down old house into a very beautiful, efficient and useable house. In so doing, they have kept the integrity of Eilers Avenue and the Ridgetop neighborhood in tact as well.

But I also want to add a word about the impact of the school itself. Having experienced Meggie and the teachers “in action” day in and day out interacting with the students and the parents, I can testify to the great job they do in teaching Chinese not only to children but to adults as well. Chinese with Meggie is truly a wonderful program benefiting not only this area but the whole city of Austin.

The school, Mike and Meggie certainly have the church's and my support, and we ask that you approve their variance requests.

Sincerely,



Rev. Mark V. Gardner

Pastor – Ridgetop Baptist Church



Meggie Chou

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**CWM / LTP: Letter of Support**

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**Amanda Cribbs <**

Sat, May 6, 2017 at 11:00 PM

To: Meggie Chou &lt;, Jiao Li &lt;

To: City of Austin officials and Boards of Adjustments Members

Concerning: 5111 Eilers Ave, 78751

My 6 year old daughter has been attending classes at Chinese with Meggie for almost 4 years now. CWM is the only Chinese school in the area that we have found to teach our daughter the importance of her Chinese heritage and language.

In addition, I was so pleased to see CWM purchase the home next to the church. I am a real estate broker, and when I saw the for sale sign go up next door I knew a developer would purchase the home and tear it down like every other home in the neighborhood. Instead, CWM purchased the home and renovated it, saving a part of Austin's history and character.

CWM has been paramount in our daughter's learning and Chinese education, and without it, she would have likely lost a part of her heritage. Please help them continue the wonderful and unique educational experience they offer our children

Thank you,  
Amanda Keith

[Quoted text hidden]





Meggie Chou &lt;&gt;

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**CWM / LTP: Letter of Support**

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annie hsu &lt;&gt;

Sun, May 7, 2017 at 9:22 PM

To: Meggie Chou &lt;&gt;

To whom it may concern:

This letter is written in support of the Chinese with Meggie property located on 5111 Eilers Ave., ATX 78751. Chinese with Meggie is an absolutely wonderful Chinese immersion program and my children have been a part of this school for about 8 years. The director, staff and teachers are hardworking, honest and devoted to teaching our children. We have met so many wonderful families through this program and maintain strong friendships with them outside of our classes at Chinese with Meggie. They take great pride in what they do and are always seeking to improve the education that they provide for their students. They do their best to create an environment that is fun and positive. Through all these years, we have seen Chinese with Meggie steadily grow in size because they are so well respected in the community. With all the growth, they are still absolutely dedicated to what they do and provide the best Chinese immersion program! Their educational program reaches beyond U.S. borders. They help the community by inviting prospective teachers/exchange students from Taiwan and providing them with an internship program as well as finding safe lodging and transportation for them through the families of current students. They also create summer exchange programs in China so that students can truly be immersed in the culture. We plan to attend next summer. The staff at Chinese with Meggie truly care about their students. They are so personal and attentive -- after all these years, my children still feel special after every session and even with their growing number of sports activities, they still enjoy going to Chinese every week! And to top it all off, they actually can speak, read, and write in mandarin!! Best, Annie & Scott Kerr



Meggie Chou &lt;&gt;

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**CWM / LTP: Letter of Support**

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**Audrey Kuang <>**

Mon, May 8, 2017 at 7:05 AM

To: Meggie Chou &lt;&gt;, Jiao Li &lt;&gt;

To whom it may concern:

We humbly submit this letter in support of Chinese With Meggie/Little Tiger Chinese Immersion School. We moved to Austin a year ago with our three children because my husband was recruited by Dell Medical School to serve as the Executive Director of the Design Institute of Health. I am currently working as a physician with CommUnity Care Clinic, including its ARCH site.

We are so happy to have found Little Tiger Chinese Immersion school for our son, Toby. He has been attending their Kindergarten program over the last year. The school has given him an excellent foundation in Chinese, and we have found a wonderful and warm school community. We have been especially impressed with the strong, high caliber curriculum and the caring and dedicated, top-notch teachers.

We truly believe that the strength of a community lies in its people. We see how the Ridgetop Baptist Church Campus has brought together a wide and diverse group of families wanting to enrich their children with a bilingual education. How wonderful that central Austin offers such progressive educational opportunities. And we are so excited and thrilled that the school continues to thrive, and will be expanding its offering to include first grade. The property at 5111 Eilers Avenue, Austin TX 78751 will be a wonderful addition to its school and will allow Little Tiger to continue to grow and expand, giving more children a chance to learn Chinese.

Warmest regards,  
The Chang Family  
Stacey, Audrey, Maddy (12), Katie (10), Toby (5)



Dear Board of Adjustments,

It has come to my attention that Chinese with Meggie is requesting a couple of minor variances from the city regarding the future use of the site for educational purpose located on 5111 Eilers Avenue, Austin, TX 78751. I am writing in support of their request, based on my family's experience with the educational program that our 2 children are currently attending every Saturday.

My 2 children have been attending Chinese with Meggie since January 2015 and we love the program that it teaches the Chinese language and culture through interactive play. I believe Chinese with Meggie has fulfilled their commitment in providing unique, progressive educational opportunities to children of different backgrounds and help to revitalize the Ridgeway Baptist Church campus over the past 10+ years.

We appreciate your consideration for approving their requests as I believe Chinese with Meggie will continue to bring educational and cultural values to children in our community.

Thanks.

Connie Wang

5/6/2017

(Parent of 2 current students at Chinese with Meggie)



Meggie Chou &lt;&gt;

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## Letter of Support

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**Jennifer Pan <>**

Sun, May 7, 2017 at 9:55 PM

To: Meggie Chou &lt;&gt;, Jiao Li &lt;&gt; Cc: Stephen Pan &lt;&gt;

To the Members of the Board of Adjustments,

We are so happy and appreciative for the experiences our children have at Chinese with Meggie and the Little Tiger Chinese Immersion School since the summer of 2015. As an Asian-American family, we feel lucky to find such a wonderful language and cultural education for our kids in central Austin. Through this school, our son has acquired Mandarin at an unbelievable rate, which thoroughly impresses his grandparents from Taiwan. Additionally, he had the opportunity to spend 2 weeks in Beijing with a partnering school. We have also hosted 2 foreign teachers in our home, which was such a wonderful way for our whole family to learn more about the complex culture of China.

During our time at the school, we have seen great improvements to Ridgetop Baptist Church, including the addition of a shaded play ground, new gardens and landscape, fruit trees, new parking lot paint, maintenance repairs, pest control, and general cheer in the hallways with the display of children's hard work. We have witnessed wonderful conversations between the church and school staff that is always positive and respectful.

We are emailing you a letter of support for Chinese with Meggie and the Little Tiger Chinese Immersion school for the necessary variances from the city to use the house adjacent to the church for educational purposes. The renovations to the house have been a great improvement, and it's always nice to see a restoration over a tear-down. We know Chinese with Meggie and the Little Tiger Chinese Immersion School are committed to the neighborhood, education, and sharing the Chinese culture and language to families in Austin.

Thank you,  
Dr. Stephen and Mrs. Jen Pan  
1611 Juliet Street  
Austin, TX 78704  
[512-771-2097](tel:512-771-2097)  
[512-826-1206](tel:512-826-1206)





Meggie Chou &lt;&gt;

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## Letter of Support

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Jie Li &lt;&gt;

Sun, May 7, 2017 at 9:58 PM

To: Meggie Chou &lt;&gt; Cc: Jiao Li &lt;&gt;

Board of Adjustment

City of Austin

Re: 5111 Eilers Avenue, Austin, TX 78751

May 7, 2017

Dear Board Members:

I am writing to support the request for variance from the zoning requirement for 5111 Eilers Avenue by Chinese With Meggie (CWM). My children have been attending CWM for mandarin instruction classes for three years. CWM purchased the property at 5111 Eilers Avenue to be converted into a classroom to extend its mandarin immersion program into elementary school. We are excited about this continued mandarin immersion opportunity. From what I understand, the property at 5111 Eilers Avenue would have been torn down by many other developers. The restoration and conversion of the property into a classroom is a win-win-win solution for the neighborhood, the students, and the school. The unique educational experience at CWM prepares the students to become global citizens with appreciation and mastery in Chinese language and culture. It has been no small feat for many children who started the CWM program with no prior mandarin exposure to gain confidence in speaking, reading, and writing in Chinese. The incoming First-Graders are eagerly waiting to start the new school year at 5111 Eilers Avenue in August. Your expedited approval for CWM's request would be greatly appreciated, as such decision would allow the elementary school to start without delay.

Should you have any questions, please feel free to reach me at [773-501-8523](tel:773-501-8523).

Sincerely,

Jie Li



Meggie Chou &lt;&gt;

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**CWM / LTP: Letter of Support**

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**Lyanne Millhouse <>**

Sat, May 6, 2017 at 1:21 PM

To: Meggie Chou &lt;&gt;

Dear Board Members

I am writing in support of the Ridgetop Baptist Church campus, not because I am a Baptist, but because my daughter is a student at Chinese with Meggie and Olas Spanish Immersion. We live in Lakeway and every Saturday we leave our house at 8am to make class at 9am. This is a big commitment for our family to make, but we do so because our daughter, Summer is passionate about learning Mandarin and Spanish and although she is only 9yrs, she has shown real commitment to attending this school, on her Saturdays, and she loves it!

This campus is a very important educational facility for our daughter's on-going learning, which she cannot get at her school, and we are very happy with all the progress she has made. To have the quality of language experts that are on the Ridgetop campus is truly unique and we're so grateful to have this type of educational facility in central Austin.

I would ask that you please review this facility favorably. My daughter would be lost without this resource and the friendships she maintains at this facility.

The address of the facility I am referring to is: 5111 Eilers Avene, ATX 78751.

Regards

Lyanne and Summer Greystoke

[Quoted text hidden]





Meggie Chou &lt;&gt;

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**CWM / LTP: Letter of Support**

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**Teresa <>**

Sat, May 6, 2017 at 11:13 AM

To: Meggie Chou &lt;&gt;

RE: 5111 Eilers Avenue, Austin, TX 78751

To Whom it May Concern,

I am writing in support of the variance at 5111 Eilers Avenue, Austin, TX 78751. My children have been pupils at Chinese with Meggie since she began her business. I feel that the education my children are receiving at Chinese with Meggie has been a great addition to their education by creating a deep interest in other cultures and the world and will additionally serve them well as adults. I think allowing this new use will provide more Austin children an opportunity to broaden their understanding of the world and to be competitive as adults in the global economy. Chinese with Meggie is a unique business and its success reflects Austinites desire to be inclusive and open to all cultures.

As far as the building in question, I visited the previous owner of the home once so I can attest to the significant repairs and upgrades Meggie has completed. I admire the commitment that was made to restore the house in a manner so it fits in with the other homes. I think it is a valuable asset to the neighborhood and this investment shows the commitment Meggie has made to the area.

Besides the much needed repairs to 5111 Eilers, Meggies' investment in her business and the neighborhood has aided Ridgetop Baptist Church in making repairs to their building. Essentially, through Meggie's success another community asset has benefited. Additionally, another neighbor has committed to the neighborhood by remodeling their home (instead of moving) while keeping the character of the original home intact. I feel the positive investment of Chinese with Meggie may have made the decision easier on the homeowner. They knew the home across the street was staying in keeping with their home so the uncertainty of who was going to be their new neighbor was removed making investment in their home palatable.

In my experience, Meggie is a conscientious person who is very sensitive to and interested in adding value the community. It is vital for Austin to encourage businesses that add value to neighborhoods and I think Chinese with Meggie adds value and is a good fit for the area.

Thank you.

Sincerely,  
Teresa Macron  
[512-394-7503](tel:512-394-7503)

[Quoted text hidden]



Meggie Chou &lt;&gt;

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**CWM / LTP: Letter of Support**

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Leanne &lt;|&gt;

Sun, May 7, 2017 at 10:09 PM

To: Meggie Chou &lt;&gt;

To Whom it May Concern,

It is my hope this letter will provide some insight into the proposal concerning 5111 Eilers Avenue, Austin Texas 78751.

Our daughter has been studying Mandarin with Chinese with Meggie for the last 4 years starting at the age of 5. She is now almost 9 and about to complete 3rd grade. Mandarin is her third language, along with English and Spanish.

Chinese with Meggie has built a unique educational experience in Central Austin. Over the last 10 years, their commitment to quality Mandarin instruction has resulted in their growth from a private home to encompass the Ridgetop Baptist Church Campus. This growth was established largely by word of mouth from very happy families within the Austin community. Chinese with Meggie has sought to develop, not only their own private education, but to enrich the public education system through with their partnership with AISD. This program brings student teachers from China to Austin to gain teaching experience by instructing Mandarin within the Austin public school community. Their commitment to maintaining the culture of Austin is evident in their acquisition of 5111 Eilers Avenue. Rather than demolish the home on this property and construct a building that would be out of character with the surrounding neighborhood, Chinese with Meggie chose to store the home and maintain the intimate feel of the community it surrounds. Chinese with Meggie understands the value of community and seeks to enrich the environment of those they serve within Central Austin.

Regards,

The Woodrums





Meggie Chou &lt;&gt;

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## Support for CWM

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**Tracy McCreight** <>

Sun, May 7, 2017 at 10:44 PM

To: Meggie Chou &lt;&gt;

Meggie,

We are writing this email to ensure that the City of Austin knows what a special and unique program Chinese with Meggie is, and to ensure that our daughter has access to this school for many years to come.

As you know, we adopted our daughter from China in September 2016. Since then, she has been attending Chinese with Meggie pre-school, and will attend the Little Tiger Program beginning in September. It is important to us that our daughter grows up learning Chinese and has school and work opportunities related to China. There are no other programs in Austin just like Chinese with Meggie and you are providing a valuable service to the community by offering this school. Your school is one of the things that makes Austin a unique and special place to live in Texas. Furthermore, your expansion of the school is very important to its long-term growth and continued learning for your students.

Please let us know if you have any questions.

Best Regards,  
Tracy & Greg McCreight

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Tracy McCreight  
mobile | [512.431.3224](tel:512.431.3224)  
email |