

From: [REDACTED]
Subject: Case #: C15-2017-0065, 4013 Clawson Road
Date: Sunday, January 07, 2018 11:36:51 PM

v I object

(to the variance request to decrease the minimum lot width from 50 feet to 35 feet...)

Catherine Brown
Barbara Masters
1600 Morgan Ln
Austin, TX 78704
Catherine Brown, Barbara Masters, 01-07-2018

Phone 512-817-7965

Contact person: Leane Helenfels, 512-974-2202
Scheduled date of public hearing: 01-08-2018
Case #: C15-2017-0065, 4013 Clawson Road

From: [REDACTED]
Subject: Re: 1/8 Board of Adjustment agenda, back up
Date: Friday, January 05, 2018 11:18:37 PM
Attachments: [image002.png](#)
[image003.png](#)

Leane, can you please postpone me to the Feb 12 meeting.

--Chris

Chris Paladino
(512) 720-8654

Please forgive creative auto-corrections

On Jan 5, 2018, at 6:43 PM, Heldenfels, Leane <Leane.Heldenfels@austintexas.gov> wrote:

Here is the Austin Energy report for Monday's hearing. It will be included in the Board's late back up that they receive on the dais at the hearing
If based on this report you would like to postpone your case please advise by 10am Monday if possible.
You can postpone to either the 2/12 or 3/12 hearing based on the amount of time needed to resolve your outstanding issues with them.
Most often the Board does postpone cases that are not approved by Austin Energy until any pending issues are resolved, but if you'd like to request that they not postpone yours you can arrive at the hearing at 5:30 when they discuss postponements and advise why you feel they should make an exception to their policy and not postpone your case but instead hear it.
Please reply to just me and not all to avoid confusion.
Thanks and take care,

Leane Heldenfels

Planner Senior – Board of Adjustment Liaison

[City of Austin Development Services Department](#)

One Texas Center, 505 Barton Springs Road, 1st Floor, Development Assistance Center
Walk-in hours 9a-12p M-F

Office: 512.974.2202 Cell: 512.567.0106 (*personal, for meeting day & after hours emergency use only*)

<image002.png>

From: Heldenfels, Leane
Sent: Thursday, January 04, 2018 2:13 PM
To: [REDACTED]

Cc: Ramirez, Diana
Subject: 1/8 Board of Adjustment agenda, back up

Greetings 1/8 Board of Adjustment Applicants:

Please see attached meeting agenda and print out a copy to bring to the meeting as we will not have paper copies at the meeting. The Austin Energy report will follow in a separate email.

If you would like to request to have your case postponed or withdrawn from the Board's 1/8 agenda and you don't see that request noted on the agenda please **reply to just me (not all)** by 10 am Monday and advise.

I will announce any known requests for postponement or withdraw at the beginning of the hearing, 5:30, and then these requests are voted on by the Board at that time. Note if this is a 2nd request for postponement you should be present at the hearing as the Board may want to hear from you about the circumstances surrounding the need for additional postponement and may not agree to postpone your case any further.

The agenda and case back up are now posted online at the Board's website:

http://www.austintexas.gov/cityclerk/boards_commissions/meetings/15_1.htm

(If this link doesn't work go to austintexas.gov, click on government tab near top of page, click on Boards and Commissions small tab near top of page, highlight Board of Adjustment and click view website, open agenda folder to left of page, see the January 8 meeting materials).

Please go to the Board's website and take a look at the back up material posted there.

If you see anything you've submitted that is either missing or not legible please bring 14 sets of that info to Monday's hearing. You can also see the packet page numbers that we've added to the evidence so you can know what page numbers the Board members may refer to during the hearing, feel free to print out all of your numbered case evidence so you have those page numbers, too.

Also, remember to go back to this link **after 3pm on Monday** to see any **late back up** that has been received on your case. This late back up will normally consist of replies received from our public notice mailing. Print out a copy of the late back up info for your reference and bring it to the hearing in the event that the Board has questions about any of the responses received.

Please bring a copy of all of the evidence you'd like to present on a usb flash drive to

the hearing and the AV staff person can help you project it and run thru the info as you speak on your case. Those staff members prefer that you label your flash drive w/ your agenda number and give the drive to them ahead of your case being called so they can make sure it's able to be projected correctly when your case is called.

If you add any **new/revised information** to your presentation that is not in the packet, **email me with a pdf** of that new/revised information on **Tuesday after the hearing**.

We can validate your parking stub from the garage below City Hall, so try to **remember to bring it up with you**. The garage entrance is off of Guadalupe.

We will issue decision sheets from the meeting on our website page for Public Search of case and permit info 2 weeks after the hearing, so this month that will be by 1/22. Here's a link to the page where we'll file them:

https://www.austintexas.gov/devreview/a_queryfolder_permits.jsp

(If this link doesn't work go to austintexas.gov, click on development tab near top of page, then click on Search)

Once at this page you can input your case number or address, then click submit. Open the BA case and scroll down to attachments and see the final ds (decision sheet) there. You can print it out for use in a resubmittal for a permit, site plan or subdivision or email it to your code officer for any pending violation. **We will not send out a copy of the decision sheet.**

If your case is denied or if you don't agree with any part of the Board's decision (for example, a condition imposed on a granted case) you have until end of day **Wednesday 1/17** to request a reconsideration and provide new or clarified evidence to show how you feel the Board erred in its decision. Cost for sending out re-notification of a reconsidered case is \$258.96 – check made out to the City of Austin that will need to be dropped to my mailbox by close of lobby same day, Wed. 1/17).

If your case is postponed to the 2/12 hearing you'll have until end of day **Monday 1/29 to send to me an** email with a pdf of any revised, additional evidence that we'll add to that meeting's advance packet along with all the evidence that was provided in the 1/8 packet and late back up.

I look forward to seeing you all on Monday – **reply just to me, not to all**, to advise if you have questions, concerns -

Leane Heldenfels

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

<image003.png>

Follow us on [Facebook](#), [Twitter](#) & [Instagram](#) @DevelopmentATX

We want to hear from you! Please take a few minutes to complete our [online customer survey](#).

Nos gustaría escuchar de usted. Por favor, tome un momento para [completar nuestra encuesta](#).

<AE_COMMENTS_BOA_AGENDA_20180108.pdf>

From: [REDACTED]
Subject: Re: Case: C15-2017-0065, 4013 Clawson Rd., Austin 78704 (Hearing date: 01/08/18, 5:30pm)
Date: Thursday, January 04, 2018 8:59:21 PM

Ms. Heldenfels, For the Board's consideration, please add the following:

"In order to absorb hardships imposed on the adjoining Morgan Lane properties by the above Case and to accommodate safety and accessibility needs for all residents, I propose "approval be contingent" upon applicant's implementation of a shared access easement along the existing lot's southern/SE border for use by all adjoining Morgan Lane properties."

Thank you.
Kind regards,
J McCart, Ph.D.
310.913.1719 c/t
www.word2word.net

On Jan 04, 2018, at 02:38 PM, "Heldenfels, Leane" <Leane.Heldenfels@austintexas.gov> wrote:

You're welcome. I'll include your prior emails as comments to the Board or if you want to edit anything, advise.

Take care –
Leane

From: [REDACTED]
Subject: Re: Case: C15-2017-0065, 4013 Clawson Rd., Austin 78704 (Hearing date: 01/08/18, 5:30pm)

Thank you Ms. Heidenfels for your clarification per above referenced variance request.

On Jan 04, 2018, at 11:41 AM, "Heldenfels, Leane" <Leane.Heldenfels@austintexas.gov> wrote:

No, the zoning would limit it to one primary and one additional dwelling unit per lot – there will be 2 lots, so 4 units where one currently exists – 2 primary and 2 secondary/ADU (additional dwelling units).
Only way to get more than that would be a rezoning to Sf-4, then could be 8 condo units (attached or detached) on the current one lot of current size, with current frontage/width.

Maybe that is the current owner's plan "B" if not able to do these 4 units with the variance since there are other SF-4 zoned lots on Clawson. But I believe the current request is 4 units total. The size of the units would be limited to 1100 sf for the secondary units/ADU's and .4:1 of the lot size for the primary units (less the 1100 sf) with the limitation of impervious cover (45%) and building cover (40%).

If the owner does choose to ask for a rezoning in the future after this case is decided then you will get a notification of that request if your property is within 500 feet of the subject tract.

FYI –

Leane

Subject: Re: Case: C15-2017-0065, 4013 Clawson Rd., Austin 78704
(Hearing date: 01/08/18, 5:30pm)

The City Notice I received states:

"The applicant has requested variance(s) to Section 25-2 492(D) (*Site Development Regulations*) to decrease the minimum lot width from 50 feet (required/permitted) to 35 feet (requested) in order to **subdivide the current lot into 2 lots and build 2** new single family homes and 2 new second dwelling units **on each lot** in a "SF-3", Family Residence zoning district."

I bolded in the City's statement the phrase(s) that conflict with the applicant's assertions. As I understand the City's Notice statement, the total number of new structures is **4 on each lot**, thus allowing a combined total of 8 new structures on the 2 lots, should the variance be approved.

On Jan 04, 2018, at 09:29 AM, "Heldenfels, Leane"

<Leane.Heldenfels@austintexas.gov> wrote:

Will do. FYI regarding number of units the attached is what I believe the notice reads, does the one you receive read differently?

Take care –

Leane

From: [REDACTED]
Sent: Wednesday, January 03, 2018 9:09 PM
To: Heldenfels, Leane

Cc: [REDACTED]

Subject: Fwd: Case: C15-2017-0065, 4013 Clawson Rd.,
Austin 78704 (Hearing date: 01/08/18, 5:30pm)

Thank you Ms. Heldenfels -- YES. Per your email today asking if I would like the Board to see comments from me on the applicant's proposal, please include my earlier-submitted emails of Jan. 1-2, 2018, as well as **my concern for accountability of the development project** expressed below.

That concern originates from:

- (1) No verifiable information on the applicant's proposed development is available for adjoining property owners to review.
- (2) The City's "Notice of Hearing . . ." states a greater subdivision density on "each lot" than applicant asserts.
- (3) The applicant's email of 01/02/18 states information that applicant originally withheld from adjoining property owners who inquired about the applicant's development intent.

Thank you.
Kind regards,
J McCart, Ph.D.
310.913.1719
www.word2word.net

Begin forwarded message:

From: [REDACTED]

**Subject: Re: Case: C15-2017-0065, 4013
Clawson Rd., Austin 78704 (Hearing
date: 01/08/18, 5:30pm)**

Chris—my objections rests on your evidently unwillingness to provide information until now after-the-fact, which creates a concern for accountability of the development project you propose.

Regards,
J McCart, Ph.D.
310.913.1719 c/t
www.word2word.net

Sent from my iPhone

On Jan 2, 2018, at 5:27 PM, Chris Paladino
[REDACTED] wrote:

Thank you, I appreciate your objection. My apologies if I was not clear that your support was contingent on my ability to fulfill your requests.

Hope you have a very happy and healthy new year!

[REDACTED]

Subject: Re: Case: C15-2017-0065, 4013 Clawson Rd., Austin 78704 (Hearing date: 01/08/18, 5:30pm)

Thank you Chris for your response.

However considering the details you seemingly did not have in Oct. & Nov. 2017 (to my caveats in signing the City form requested at that time for you to request a Variance Hearing), and your informational statements today (expressed in your email below) that are filled with obstacle statements (which fail to assure any consideration for

current concerns expressed by
Morgan Lane neighbors
sharing a property line with
your existing single lot), I
OBJECT TO THE 4013
CLAWSON RD (78704)
VARIANCE REQUEST.

This may change, but based on
your expressed obstacles stated
in your email below to my very
reasonable concerns, I
currently OBJECT.

Regards,
J McCart, PhD.



Sent from my iPhone

On Jan 2, 2018, at 4:45 PM,
Chris Paladino



wrote:

Hi Joyce! Hope
you had a very
happy New Year.

I response again to
the issues below,
let me first clarify
that the proposed
variance will allow
me to subdivide
into TWO lots, not
three. Both will be
zoned SF-3.

The notice that was
sent out shows this
will allow a total
of 4 units (not 8),
two single family
homes and two
ADUs. (This
answers your
question 2 at the
end, below.)

You and I previously discussed items 1 and 2, and in your email of October 1 you indicated you support what I want to do and that you had these two requests. I continue to work toward being able to fulfill those requests, but much of the outcome are beyond my control and/or will take many more months to confirm.

Regarding item 1, I will be required to have a tree review and follow all City of Austin tree ordinances. Trees that need to be removed, and can be according to the City ordinance, may have to go but it is my intention to landscape well and include trees to improve the property.

One challenge between your items 1 and 2 is that, in order to put the driveway along the south property line (and to give you access to the rear of your property), those trees would have to go.

To further clarify item 2, the final placement of the driveway will depend on the City permitting department as well as utilities, and coordination between tree review, the water/sewer department, electric, fire department and many others. As far as an easement for access to the rear of your property, there will be a driveway (not a “roadway” – I’m not trying to parse words, it’s an important distinction). I have talked to a real estate attorney about granting access, but it is not as simple as it might seem. A small (4 member) HOA will own the driveway, and owners will be required to contribute to repair and maintenance. Granting an easement may have to include contribution to the escrow fund for repair and maintenance. Also, the driveway may or may not be wide enough to

accommodate a turning radius out of your property. These are only 2 issues that have come up so far. I repeat that I am willing to do what I can to accommodate your request, but that I cannot make a commitment until much further in the development process. I know that doesn't give you the assurance you'd like.

Joyce, I am committed to doing this project in a way that is environmentally sensitive; aesthetically pleasing; consistent with the area in terms of design and house size; and respectful of the land and the community. Whether anyone wants to believe me or not, these things are actually in my best interest as they will only enhance the value of the project for me and my family.

Thanks, and feel free to call me any time to discuss further (512-720-8654)!

Chris

[REDACTED]

[REDACTED]

[REDACTED]

Subject: Case:
C15-2017-0065,
4013 Clawson Rd.,
Austin 78704
(Hearing date:
01/08/18, 5:30pm)

HAPPY NEW
YEAR! May you
experience
joyfulness
throughout 2018.

Dear Ms.
Heldenfels,

I am a property
owner of
residential
property on
Morgan Lane,
which property
borders the
Southern/SE
property line of the
above-referenced
property under
variance
consideration by
the City.

In theory, I have no objections based on the owner's earlier communications that his request to the City was a variance to subdivide his existing single lot into 3-lots, with 1-lot being a roadway lot and 2-lots being SFR lots, resulting in a total of 2 new homes, not 8-new structures (2 SFR + 2 second dwelling units per lot) as the 12/28/17 "Notice for Public Hearing . . ." states.

My earlier communications, with which the owner (Chris Paladino/NPC Holdings) expressed agreement should the City's requirements allow, included the following:

1. That the Oak Trees along the Southern/SE property line (of the variance property) remain inground/on site healthy and undamaged, and
2. That the roadway lot extend easterly along the Southern/SE property line of the

variance property in order that adjoining property owners, such as myself, may have access to the rear of their property via Mr. Paladino's roadway lot.

Per the City's Notice, it appears that the variance requested is for 2-lots total, each with 4 new homes for a total of 8 residential structures. No access road is stated in the City's Notice.

Considering this difference in what was earlier communicated and what is currently proposed by the owner, can you clarify:


1. whether or not a roadway lot is required or will be constructed, and will it also be available for adjoining property owners use, public use, and/or private use only?
2. the TOTAL numbers of homes, including SFR and second dwelling units requested for the proposed subdivision on the variance property.

My primary concerns are:

1. preservation of Oak trees along shared property lines?
2. shared use of a roadway lot along the variance property's southern/SE border?
3. impact of additional traffic and traffic noise upon existing properties located on Morgan Lane, which currently experiences (1) excess freeway traffic noise and (2) serves as an access lane to 71W/290W/Ben White Blvd. freeway.

Thank you in advance for your considerations to the above concerns and timely response to my inquiry.

Kind regards,
J McCart, PhD.
310.913.1719 c/t



Thank you Ms. Heldenfels -- YES. Per your email today asking if I would like the Board to see comments from me on the applicant's proposal, please include my earlier-submitted emails of Jan. 1-2, 2018, as well as **my concern for accountability of the development project** expressed below.

That concern originates from:

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Thank you.
Kind regards,
J McCart, Ph.D.
310.913.1719
[REDACTED]

Begin forwarded message:

From: Joyce McCart [REDACTED]
Date: January 02, 2018 3:36:54 PM
To: Chris Paladino [REDACTED]
Subject: Re: Case: C15-2017-0065, 4013 Clawson Rd., Austin 78704 (Hearing date: 01/08/18, 5:30pm)

Chris—my objections rests on your evidently unwillingness to provide information until now after-the-fact, which creates a concern for accountability of the development project you propose.

Regards,
J McCart, Ph.D.
310.913.1719 c/t
[REDACTED]

[REDACTED] my iPhone

On Jan 2, 2018, at 5:27 PM, Chris Paladino [REDACTED] rote:

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Hope you have a very happy and healthy new year!

From: [REDACTED]

Subject: Re: Case: C15-2017-0065, 4013 Clawson Rd., Austin 78704 (Hearing date: 01/08/18, 5:30pm)

Thank you Chris for your response.

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This may change, but based on your expressed obstacles stated in your email below to my very reasonable concerns, I currently OBJECT.

Regards,

J McCart, PhD.

310.913.1719 c/t

[REDACTED]

Sent from my iPhone

On Jan 2, 2018, at 4:45 PM, Chris Paladino [REDACTED] wrote:

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Thanks, and feel free to call me any time to discuss further (512-720-8654)!

Chris

From:

Subject: Case: C15-2017-0065, 4013 Clawson Rd., Austin 78704 (Hearing date: 01/08/18, 5:30pm)

HAPPY NEW YEAR! May you experience joyfulness throughout 2018.

Dear Ms. Heldenfels,

I am a property owner of residential property on Morgan Lane, which property borders the Southern/SE property line of the above-referenced property under variance consideration by the City.

In theory, I have no objections based on the owner's earlier communications that his request to the City was a variance to sub-divide his existing single lot into 3-lots, with 1-lot being a roadway lot and 2-lots being SFR lots, resulting in a total of 2 new homes, not 8-new structures (2 SFR + 2 second dwelling units per lot) as the 12/28/17 "Notice for Public Hearing . . ." states.

My earlier communications, with which the owner (Chris Paladino/NPC Holdings) expressed agreement should the City's requirements allow, included the following:

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Per the City's Notice, it appears that the variance requested is for 2-lots total, each with 4 new homes for a total of 8 residential structures. No access road is stated in the City's Notice. Considering this difference in what was earlier communicated and what is currently proposed by the owner, can you clarify:

1. whether or not a roadway lot is required or will be constructed, and will it also be available for adjoining property owners use, public use, and/or private use only?
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Kind regards,

J McCart, PhD.

310.913.1719 c/t



attn:

City of Austin – Development Services Department
P.O. Box 1088
Austin Texas 78767

2 January 2018

Case Number C15-2017-0065, 4013 Clawson Road
Contact: LEANE HELDENFELS 512.974.2202

[REDACTED]

[REDACTED] **Heaing: Board of Adjustment, January 8, 2018**

Michael Waddell
1506 Morgan Lane
Austin Texas 78704

I OBJECT to granting a variance
for development at
4013 Clawson Road

Dear Ms Heldenfels,

I live at an address that will be affected by the proposed or petitioned variance for developing a thin and deep lot at 4013, a site that runs adjacent to the back yards of more than five other residential homes where residents and/or owners live.

I am gratified that my near neighbor at 1602 Morgan Lane has already contacted you with her concerns, all of which i share-- about the progress of this portentous petition being brought

by Mr Paladino. Portentous, i say—noting the trees on the lot in question mostly have been bull-dozed away!

To my knowledge there have been no considerations of geology or watershed consequences that would result from this 'development', and in fact i cannot see *any* evidence of studies and evaluations having been conducted, to reach credible conclusions, about how this vaguely detailed petition, if granted, will actually affect all the surrounding properties.

The variance would seem, at this stage of considerations, to offer nothing that is an improvement, or a compensation, to the lives or environment of residents already living here—some here, like myself, for many years, who are expecting this stable neighborhood to endure for years to come.

Granting a variance, as it's presently stated, would be profitable only to interests of *the petitioner*—whose interests i believe are only secondarily concerned with overall wellbeing and residential stability, that are essential aspects of our present-day neighborhood quality—

The petitioner, so far as i know, has not proposed (to us residents) any detailed or agreed upon 'contractual guarantees' of a sort that might encourage residents here to trust his motives, or to believe his project will enhance or improve the surrounding environment at large—that we all do enjoy and live in.

I will cut short here, having already sent you and Ms McCart an unrehearsed version of my concerns. I am hopeful that the entire thread of emails between Ms McCart to you, that are

now copied to me and other neighbors, will be included as a relevant part of the record of pertinent interests and facts—to help with the City’s evaluation of the merits of this ‘proposal for variance’ as it is presently written up.

Thank you for including my communication, and for allowing my voice before decisions are made and done with.

sincerely,
michael waddell

phone 512.447.4844

2 January 2018

signature

copy of a previous letter of concern about Paladino’s request:

J McCart, PhD.
310.913.1719 c/t



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In theory, I have no objections based on the owner's earlier communications that his request to the City was a variance to sub-divide his existing single lot into 3-lots, with 1-lot being a roadway lot and 2-lots being SFR lots, resulting in a total of 2 new homes, not 8-new structures (2 SFR + 2

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Thank you in advance for your considerations to the above concerns and timely response to my inquiry.

From: [REDACTED]
Subject: Fwd: Case: C15-2017-0065, 4013 Clawson Rd., Austin 78704 (Hearing date: 01/08/18, 5:30pm)
Date: Tuesday, January 02, 2018 5:28:47 PM

Dear Ms. Heldenfels,

I currently OBJECT to the requested property variance for 4013 Clawson Rd. (78704) referenced above.

Please include my OBJECTION, as well as my response email below to Chris Paladino's 01/02/18 response email.

Thank you.
Kind regards,
J McCart, PhD.
310.913.1719 c/t
[REDACTED]

Sent from my iPhone

Begin forwarded message:

From: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
Subject: Re: Case: C15-2017-0065, 4013 Clawson Rd., Austin 78704 (Hearing date: 01/08/18, 5:30pm)

Thank you Chris for your response.

However considering the details you seemingly did not have in Oct. & Nov. 2017 (to my caveats in signing the City form requested at that time for you to a request a Variance Hearing), and your informational statements today (expressed in your email below) that are filled with obstacle statements (which fail to assure any consideration for current concerns expressed by Morgan Lane neighbors sharing a property line with your existing single lot), I OBJECT TO THE 4013 CLAWSON RD (78704) VARIANCE REQUEST.

This may change, but based on your expressed obstacles stated in your email below to my very reasonable concerns, I currently OBJECT.

Regards,
J McCart, PhD.
310.913.1719 c/t

[REDACTED]

Sent from my iPhone

On Jan 2, 2018, at 4:45 PM, Chris Paladino [REDACTED] > wrote:

Hi Joyce! Hope you had a very happy New Year.

In response again to the issues below, let me first clarify that the proposed variance will allow me to subdivide into TWO lots, not three. Both will be zoned SF-3.

The notice that was sent out shows this will allow a total of 4 units (not 8), two single family homes and two ADUs. (This answers your question 2 at the end, below.)

You and I previously discussed items 1 and 2, and in your email of October 1 you indicated you support what I want to do and that you had these two requests. I continue to work toward being able to fulfill those requests, but much of the outcome are beyond my control and/or will take many more months to confirm.

Regarding item 1, I will be required to have a tree review and follow all City of Austin tree ordinances. Trees that need to be removed, and can be according to the City ordinance, may have to go but it is my intention to landscape well and include trees to improve the property.

One challenge between your items 1 and 2 is that, in order to put the driveway along the south property line (and to give you access to the rear of your property), those trees would have to go.

To further clarify item 2, the final placement of the driveway will depend on the City permitting department as well as utilities, and coordination between tree review, the water/sewer department, electric, fire department and many others. As far as an easement for access to the rear of your property, there will be a driveway (not a "roadway" – I'm not trying to parse words, it's an important distinction). I have talked to a real estate attorney about granting access, but it is not as simple as it might seem. A small (4 member) HOA will own the driveway, and owners will be required to contribute to repair and maintenance. Granting an easement may have to include contribution to the escrow fund for repair and maintenance. Also, the driveway may or may not be wide enough to accommodate a turning radius out of your property. These are only 2 issues that have come up so far. I repeat that I am willing to do what I can to accommodate your request, but that I cannot make a commitment until much further in the development process. I know that doesn't give

you the assurance you'd like.

Joyce, I am committed to doing this project in a way that is environmentally sensitive; aesthetically pleasing; consistent with the area in terms of design and house size; and respectful of the land and the community. Whether anyone wants to believe me or not, these things are actually in my best interest as they will only enhance the value of the project for me and my family.

Thanks, and feel free to call me any time to discuss further (512-720-8654)!

Chris

From: [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Subject: Case: C15-2017-0065, 4013 Clawson Rd., Austin 78704 (Hearing date: 01/08/18, 5:30pm)

HAPPY NEW YEAR! May you experience joyfulness throughout 2018.

Dear Ms. Heldenfels,

I am a property owner of residential property on Morgan Lane, which property borders the Southern/SE property line of the above-referenced property under variance consideration by the City.

In theory, I have no objections based on the owner's earlier communications that his request to the City was a variance to sub-divide his existing single lot into 3-lots, with 1-lot being a roadway lot and 2-lots being SFR lots, resulting in a total of 2 new homes, not 8-new structures (2 SFR + 2 second dwelling units per lot) as the 12/28/17 "Notice for Public Hearing . . ." states.

My earlier communications, with which the owner (Chris Paladino/NPC Holdings) expressed agreement should the City's requirements allow, included the following:

1. That the Oak Trees along the Southern/SE property line (of the variance property) remain inground/on site healthy and undamaged, and
2. That the roadway lot extend easterly along the Southern/SE property line of the variance property in order that adjoining property owners, such as myself, may have access to the rear of their property via Mr.

Paladino's roadway lot.

Per the City's Notice, it appears that the variance requested is for 2-lots total, each with 4 new homes for a total of 8 residential structures. No access road is stated in the City's Notice. Considering this difference in what was earlier communicated and what is currently proposed by the owner, can you clarify:

1. whether or not a roadway lot is required or will be constructed, and will it also be available for adjoining property owners use, public use, and/or private use only?
2. the TOTAL numbers of homes, including SFR and second dwelling units requested for the proposed sub-division on the variance property.

My primary concerns are:

1. preservation of Oak trees along shared property lines?
2. shared use of a roadway lot along the variance property's southern/SE border?
3. impact of additional traffic and traffic noise upon existing properties located on Morgan Lane, which currently experiences (1) excess freeway traffic noise and (2) serves as an access lane to 71W/290W/Ben White Blvd. freeway.

Thank you in advance for your considerations to the above concerns and timely response to my inquiry.

Kind regards,
J McCart, PhD.
310.913.1719 c/t

