

**From:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: Request for Postponement - Item O-3 - C15-2018-0004 - 4303 Victory Drive  
**Date:** Friday, April 06, 2018 3:06:57 PM

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Mark,

To answer your question, yes, we have requested a postponement of the hearing. Thank you for being on board with continuing our conversations.

Best,  
Micah

**Micah J. King**  
**Attorney**  
Direct: 512.370.3468  
[REDACTED]

**From:** [REDACTED]  
**Sent:** Friday, April 06, 2018 3:02 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** Re: Request for Postponement - Item O-3 - C15-2018-0004 - 4303 Victory Drive

Thanks everyone. Just to be clear Micah, have you requested another postponement for Monday's hearing? If so, I won't bother on showing up but if you haven't requested another postponement then I need to make arrangements so I can be there at 4:30PM.

I would be on board for another postponement as there are still unresolved issues.

Thanks,

Mark

On Fri, Apr 6, 2018 at 2:44 PM King, Micah <[REDACTED]> wrote:

Mark and Blythe,

Here is my understanding about the atypical timing of Monday's meeting. The Board is starting their meeting at 4:30pm this month to cover the new business items (that does not include our case). That will mean that they may not start on hearing cases until after 5:30 if they are still discussing and taking action on the new business items. However, they may call postponements out of order, meaning perhaps as early as 4:30, but they won't start any cases earlier than 5:30, though it could be later and may run long. Leane, please correct me if I got any of that wrong, and thank you for noting our request for a postponement to continue working with the neighbors.

Micah

**Micah J. King**  
**Attorney**  
Direct: 512.370.3468

[REDACTED]

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**From:** [REDACTED]  
**Sent:** Friday, April 06, 2018 2:28 PM  
**To:** Heldenfels, Leane  
**Cc:** [REDACTED]

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**Subject:** Re: Request for Postponement - Item O-3 - C15-2018-0004 - [4303 Victory Drive](#)

Ah! Apologies. I didn't realize the meeting was starting early this time. Leane, why is that? CodeNext?

Sent from my iPhone

On Apr 6, 2018, at 2:26 PM, Heldenfels, Leane <[Leane.Heldenfels@austintexas.gov](mailto:Leane.Heldenfels@austintexas.gov)> wrote:

We will begin at 4:30, I'm not sure if the Chair will hear postponements then or after new business (which might be 5:30 or 6).

Did you want to oppose a future postponement or make sure another postponement occurred? Or just speak to the item in general?

Leane

**From:** [REDACTED]  
**Sent:** Friday, April 06, 2018 12:38 PM  
**To:** Heldenfels, Leane  
**Cc:** [REDACTED]  
**Subject:** Re: Request for Postponement - Item O-3 - C15-2018-0004 - 4303 Victory Drive

Hello Leane,

What time will this hearing take place on Monday, 04/09/2018?

Thanks,

Mark Totsch

On Mon, Mar 12, 2018 at 10:03 AM, Heldenfels, Leane

<[Leane.Heldenfels@austintexas.gov](mailto:Leane.Heldenfels@austintexas.gov)> wrote:

No need to appear, since the applicant concurs the item won't be heard.

I think this may be the last postponement they grant prior to a hearing needing to occur and then the board could postpone after they conduct the hearing if they need more information, time to decide.

Thanks for reaching out and for advising that you are in agreement with the postponement to 4/9.

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*)

<image001.png>

**From:** [REDACTED]

**Sent:** Monday, March 12, 2018 10:00 AM

**To:** [REDACTED]

**Cc:** [REDACTED]

**Subject:** Re: Request for Postponement - Item O-3 - C15-2018-0004 - [4303 Victory Drive](#)

Hello Leane,

I would also like to request a postponement for this afternoons meeting. Do I need to show up in case the Board of Adjustments dismiss' the postponement?

Thanks,

Mark Totsch

On Fri, Mar 9, 2018 at 4:20 PM, King, Micah

[REDACTED] > wrote:

Leane,

On behalf of the applicant, we are requesting a postponement of Item O-3 on Monday's Board of Adjustment agenda, and ask that it be rescheduled to April 9.

We are continuing to work with the neighbors in the vicinity of the subject property to address any concerns and we need additional time to complete those discussions. I am copying our nearest neighbors, Blythe and Mark Totsch, Mary Lovell, and Richard Llewellyn.

The first postponement was at the request of Austin Energy and a neighbor. The second, most recent postponement was a joint request.

Please let me know if you have any questions or need any additional information from us. Thank you.

Micah

Micah J. King

Attorney

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