
From: [REDACTED]
Sent: Thursday, December 06, 2018 3:20 PM
To: Heldenfels, Leane
Cc: [REDACTED]
Subject: Re: Monday 12/10 BOA agenda, packet info.....not Wed 12/19 - apologies for the typo in the first message!!

Hello Leane,

Hope you are doing well. I appreciate all of the assistance you have provided us. However, we would like to formally withdraw this BOA variance application. The client has revised his plans for the subdivision so it will no longer be necessary. Please let me know if there are additional steps that are necessary for this withdrawal. Thank you.

Julia Leisk
Perales Engineering LL

From:

Subject:

Date:

C15-2018-0048, 11902 Hornsby late back up attachments and email below

Friday, December 07, 2018 9:45:54 AM

Hi Leane,

Attached 4 files:

1) Protest Form and Comments of Ben and Linda Taylor (owners of 11801 Hornsby and 11806 Hornsby St)

NOTE – 11806 Hornsby is next door to 11902 Hornsby which is the property

in question

2) A Map of Lot C to be included with the Comments of Ben and Linda Taylor

3) Protest Form and Comments of Louis Rousset (owner of 11802 Hornsby St)

4) Protest Form and Comments of Mary R. Gibson (owner of 11800 Hornsby St)

PUBLIC HEARING INFORMATION

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Case Number: C15-2018-0048, 11902 Hornsby Street

Contact: Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov

Public Hearing: Board of Adjustment, Mon December 10, 2018

Mary R. Gibson

Your Name (please print)

☐ I am in favor
☒ Object

11800 Hornsby St.

Your address(es) affected by this application.

Mary R. Gibson

Signature

Date

Daytime Telephone: 512-230-1843

Comments:

Comments must be returned no later than 10am the day of the hearing to be seen by the Board at this hearing, send by:

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 no later than the Wed prior to the hearing to be received in time for this hearing)

Fax: (512) 974-6305

Email: leane.heldenfels@austintexas.gov

LATE BACK UP

H-1/13

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Case Number: C15-2018-0048, 11902 Hornsby Street

Contact: Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov

Public Hearing: Board of Adjustment, Mon December 10, 2018

B. Ben TAYLOR & Linda P. TAYLOR

Your Name (please print)

11801 HORNSBY St AND 11806 HORNSBY St

Your address(es) affected by this application

Ben Taylor & Linda P. Taylor

Signature

(512) 657-6649

Daytime Telephone:

SEE BELOW

Comments:

My wife Linda and I live at 11801 Hornsby. We purchased our home in 1980. We were drawn to the large lots and trees and to the low density of homes. We object to the proposed application (Case: C15-2018-0048) because we do not want to change the character of our neighborhood. They propose to add two homes to the existing lot. There is already one home on the current lot. Lot C will wrap around the back of the existing house. This density of homes is probably not seen in the neighborhood. If this is allowed it could set a precedent for future high density of homes in our neighborhood.

The shape of proposed Lot C is of real concern. It appears that the idea is to carve out a 10,000 square foot section of Lot B for SF-1 compliance with respect to size only. Please look at the shape of the proposed Lot C. It actually wraps around the front and back of the existing house. For example, the width of the proposed lot starts at 80', juts back to 35' and juts back to about 121' at the back of the property. Your approval of this could set a precedent which could harm our neighborhood. A map of this is attached.

Also, there is some level of cut through traffic on Hornsby. Neighbors will not let their children play in the street. The proposed variance could add more traffic.

In 2012 the vacant lot at 11806 Hornsby came up for sale and my wife and I purchased it to prevent it from being developed. This lot is adjacent to proposed site at 11902 Hornsby. In 2018 a block of vacant land known as the Cherokee Tract became for sale for development. Linda and I purchased part of the tract and our neighbors Jennifer Bristol and Thomas Nilles (11705 Hornsby) purchased the rest of the tract. We purchased this tract to prevent it from being developed. This property has a small frontage on Hornsby across the street from the Applicants property at 11902 Hornsby and it continues to the south behind the 4 adjacent homes on the east side of Hornsby. We did all this because we did not want to change the character of our neighborhood.

Ben and Linda Taylor

Email: leane.heldenfels@austintexas.gov

LATE BACK UP

H-1/14

12-6-2018

Date

☐ I am in favor
☒ I object

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Case Number: C15-2018-0048, 11902 Hornsby Street

Contact: Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov

Public Hearing: Board of Adjustment, Mon December 10, 2018

Louis Rausset

Your Name (please print)

11802 Hornsby St Austin 78753

Your address(es) affected by this application

Leane Heldenfels

Signature

Date

Daytime Telephone: 512-833-9360

Comments: *I live next door to Rausset, the dimensions of the 35 ft width are 11' Sub-Standard for this neighborhood, All lots in Eubank Acres are Minimum 1/4 Acre or larger 101' Granting this Application would devalue my property interests, I would have to sue. Comments must be returned no later than 10am the day of the hearing to be seen by the Board at this hearing, send by:*

Mail: City of Austin-Development Services Department/ 1st Floor

Leane Heldenfels

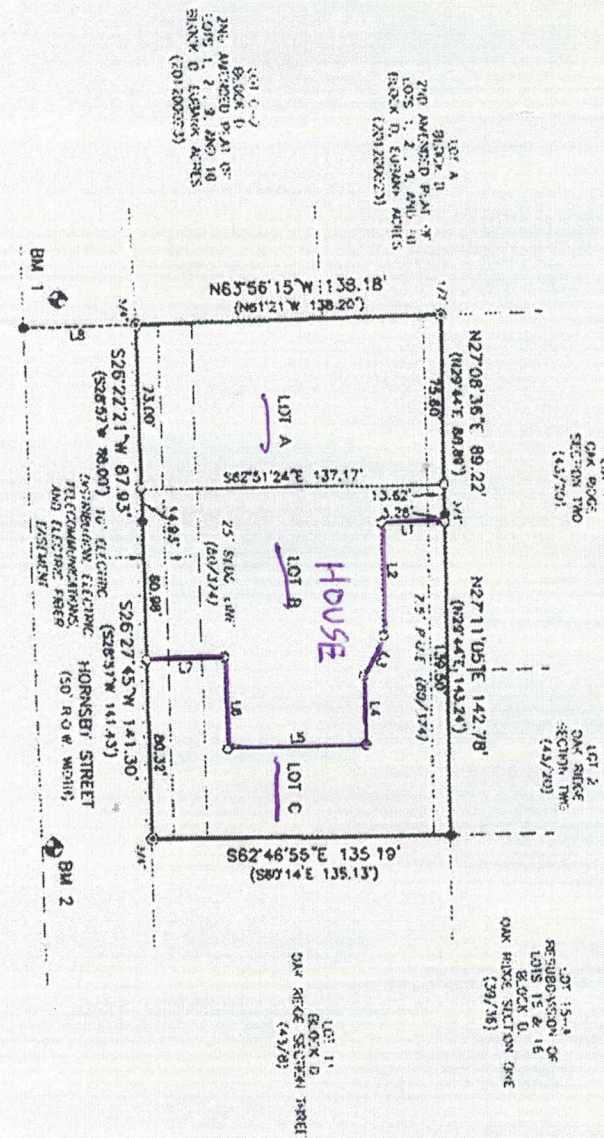
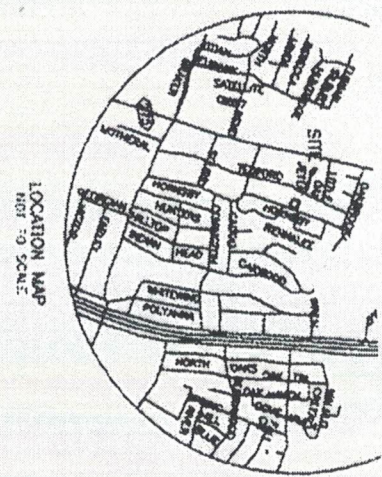
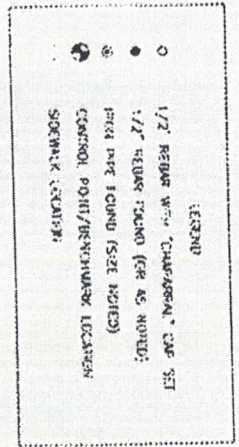
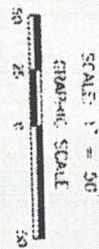
P. O. Box 1088

Austin, TX 78767-1088

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Fax: (512) 974-6305

Email: leane.heldenfels@austintexas.gov



| LINE | BEARING | DISTANCE |
|------|-------------|----------|
| L1 | N83°00'07\" | 29.00' |
| L2 | S27°02'25\" | 49.80' |
| L3 | S54°58'49\" | 19.81' |
| L4 | S26°10'07\" | 30.92' |
| L5 | N63°48'53\" | 62.81' |
| L6 | N25°54'24\" | 40.78' |
| L7 | N63°32'15\" | 34.83' |
| L8 | S63°32'10\" | 51.17' |

THIS IS A SURFACE DRAWING.
 BEARING BASE: THE TEXAS COORDINATE SYSTEM OF 1983 (NAD83), ZONE 14N, BASED ON GPS SOLUTIONS FROM THE NATIONAL GEODESIC SURVEY (NGS) ON-LINE POSITIONING OVER SERVICE (OPUS) FOR OPERATIONAL CONTROL POINT 1012.
 MAG. MAG. WITH MAGNETIC SET IN ASPHALT!
 SURFACE COORDINATES:
 N 1011555.77
 E 3113282.55
 TEXAS STATE PLANT COORDINATES:
 N 1011495.22
 E 3113289.26
 ELEVATION = 704.09'
 VERTICAL DATUM: NAVD 83 (CEPD 128)

STATE OF TEXAS
 COUNTY OF HARRIS
 SHOW ALL WITH BY THE PRESENTS
 THAT JOHN B. BROWN, OWNER OF LOT A AND B, SPANISH CAN MINT LOTS, A SUBDIVISION OF RECORD IN VOLUME 10 PAGE 374
 OF THE PUBLIC RECORDS OF HARRIS COUNTY, TEXAS, CONVEYED BY DEED OF RECORD AT VOLUME 201520168 OF THE OFFICIAL PUBLIC
 RECORDS OF HARRIS COUNTY, TEXAS,
 AND SAID SUBDIVISION HAVING BEEN APPROVED FOR REZONING PRESENT TO THE PUBLIC NOTIFICATION AND HEARING PROCEEDINGS
 OF CHAPTER 212.014 OF THE TEXAS GOVERNMENT CODE TO HEREIN REZONED FROM 1000 ZONE, CONSISTING OF 0.773 ACRES, IN
 ACCORDANCE WITH THE MAP OR PLAT ATTACHED HERETO, TO BE ZONED AS
 REZONING OF LOTS A AND B, SPANISH CAN MINT LOTS, A
 AND DO HEREBY DEED, TO THE SAID LOT, THE USE OF ALL STREETS AND EASEMENTS SHOWN HEREON SUBJECT TO ANY AND ALL
 EASEMENTS OR RESTRICTIONS HERETOFORE GRANTED AND NOT RELEASD
 BY:
 JOHN B. BROWN
 11502 JOHNSON STREET
 AUSTIN, TEXAS 78732
 STATE OF TEXAS
 COUNTY OF HARRIS
 HEREBY BE THE UNDERSIGNED ATTORNEY, ON THIS DAY PERSONALLY APPEARED JOHN B. BROWN TO ME, I BE THE PERSON WHOSE
 NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE
 PURPOSES AND CONSIDERATIONS HEREIN EXPRESSED AND IN THE CAPACITY HEREIN STATED.

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Case Number: C15-2018-0048, 11902 Hornsby Street

Contact: Leanne Heldenfels, 512-974-2202, leaneheldenfels@austintexas.gov

Public Hearing: Board of Adjustment, Mon December 10, 2018

Walnut Creek Neighborhood Association

Your Name (please print)

☐ I am in favor
☒ I object

Walnut Creek Neighborhood (Yager x Breker x N. Lerner x 1435)

Your address(es) affected by this application

Robert L. Meadows

Robert L. Meadows Signature

Date

Daytime Telephone: 512.633.1454

Comments: Reason 1-5 on email this date.

7 December 2018

Comments must be returned no later than 10am the day of the hearing to be seen by the Board at this hearing, send by:

Mall: City of Austin-Development Services Department/ 1st Floor

Leanne Heldenfels

P. O. Box 1088

Austin, TX 78767-1088

(Note: mailed comments must be postmarked no later than the Wed prior to the hearing to be received in time for this hearing)

Fax: (512) 974-6305

Email: leane.heldenfels@austintexas.gov

From: [REDACTED]
Sent: Monday, December 03, 2018 4:02 PM
To: Heldenfels, Leane
Subject: Case C15-2018-0048

Applicant: Jerry Perales
Owner: Tuan Minh Bui
Address: 11902 Hornsby St.
Case Number: C15-2018-0048
Date: Dec. 3, 2018

Ms. Heldenfels,

I am writing **in opposition to** the requested Land Development Code Variance as described in **Case C15-2018-0048**. I live at 11905 Rennalee Loop and am within 500 feet of the proposed development.

The applicant owns a double-lot property in a neighborhood zoned for single family residences (SF-1). Both of the lots in this property already have one structure on them. The variance being requested would allow the two lots to support a third living structure – thus creating 3 homes on 2 lots, both of which are zoned SF-1.

I am writing in opposition to this request for three reasons. One, is the negative precedent that this request could have in the neighborhood. Most of the other SF-1 lots in the neighborhood consist of a single family home as well as heavily wooded property, waterways, greenbelts, and other natural elements, including a cave currently under the protection of the country and Balcones Canyonland Preserve. If a variance were allowed in this situation, then other home-owners would have the right to pursue the same, which could lead to clearing of land, polluting of waterways, and damage to the protected cave.

The second reason I am opposed to this request is that this particular lot is at the crest of an important (and relatively tall) hill in the neighborhood. Rain and run-off typically start from this apex and run down Hornsby St and my own street (Rennalee Loop), ultimately collecting in Little Walnut Creek. Further impervious cover from the third structure and its access road would negatively impact rain runoff issues from which the neighborhood already suffers due to lack of storm drains, and, could therefore increase pollution and debris in Little Walnut Creek.

But I am most staunchly opposed to this request because the request simply **does not meet the minimum standards** for requesting a variance. City Code, Section 25-2-473, indicates that requests for variance are granted only if a home-owner is currently being denied privileges that are enjoyed by another person who owns property in the area that has the same zoning designation as the

property for which the variance is requested. This is most certainly not the case at 11902 Hornsby St.. The property consists of two lots, both zoned SF-1; the property already has two structures on it. There are no other properties in the immediate vicinity that have more than one single-family home on any one lot of property; therefore, the homeowner is not experiencing any decrease in privileges. Thus, their request does not meet minimum standards of the City Code to be granted this variance.

I am in firm opposition to this request.

Cathy Brigham
11905 Rennalee Loop

From: Robert Meadows
Sent: Friday, December 07, 2018 2:03 PM
To: Heldenfels, Leane
Subject: C15-2018-0048, 11902 Hornsby Street, posted to BOA for 10 December 2018, opposition

Dear Leane,

I am writing to you as the 2018-2019 President of the Walnut Creek Neighborhood Association, identified by Planning ID 85 in the City of Austin Community Registry. The Association boundaries are Yager x Braker x North Lamar x IH35, and thus 11902 Hornsby Street is within the boundaries of the Association.

At its monthly meeting on Wednesday, 5 December 2018 (agenda posted Sunday, 2 December 2018 to Nextdoor and Facebook groups), the Board of Directors of the Walnut Creek Neighborhood Association voted to oppose this request for a variance.

Please note that this Association affirmatively supported the request for a variance by AT&T in C15-2014-0069.

The basis for the opposition is as follows.

1.

City Code, Section 25-2-473, indicates that requests for variance are granted only if a home-owner is currently being denied privileges that are enjoyed by another person who owns property in the area that has the same zoning designation as the property for which the variance is requested. This is not the case at 11902 Hornsby St. The property consists of two lots, both zoned SF-1; the property already has two structures on it. There appear to be no other properties in the immediate vicinity that have more than one single-family home on any one lot of property; therefore, the homeowner is not experiencing any decrease in privileges. Thus, their request does not meet minimum standards of the City Code to be granted this variance.

2.

The hardship cited by the applicant is general to the area. The applicant is stating that, but for the demolition of a portion of the home, a conforming lot could be elaborated.

However, this same situation appears to apply to 11807 Oakwood, 11811 Tedford, 11812 Tedford, 11706 Tedford, 11704 Tedford, 11508 Oakwood, and 11409 Hunters Lane. In particular, 11706 Tedford has 135' frontage and a 29,037 sq ft lot. 11508 Oakwood also seems to be a prominent candidate for this situation.

3.

The requested variance does not maintain the character of the area.

Using the TCAD mapping function and

<http://www.austintexas.gov/GIS/PropertyProfile/>, one cannot find another similarly shaped lot in this neighborhood. All the lots in this neighborhood are rectangular or trapezoidal, with some curvatures to accommodate cul-de-sacs.

Granting this variance will establish an unpredictable precedent for this neighborhood. Moreover, the close packing proposed by the applicant is not present in this neighborhood, absent the occasional ADU.

4.

Given that the street side of the lot is encumbered by the 25' setback and that the "belt" of lot C does not seem to be buildable, what type of residence can be built on this lot? Perhaps an ADU, already well within the property

owner's right, would be appropriate, rather than granting a precedent-setting variance.

5.

This variance should not be granted because the grant will enhance injury to the public welfare.

The 2015 Memorial Day floods exposed several problems on the down slope from the 11902 Hornsby property, which is something of a prominence in the area. This flooding occurred at least at 11906 Hornsby, 11912 Hornsby, and 11916 Hornsby. This information was obtained on 11 June 2015 by conversations with residents and a survey of trash piles.

The increased impervious cover at 11902 Hornsby made possible by the grant of this variance can be expected to worsen this known flooding problem.

Best regards,
Robert Meadows

--

Robert L. Meadows
dba The R. M. Meadows Company
voice: 512 339 0229
PO BOX 4779, Austin, Texas 78765 USA

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Case Number: C15-2018-0048, 11902 Hornsby Street

Contact: Leane Heldenfels, 512-974-2202, leana.heldenfels@austintexas.gov

Public Hearing: Board of Adjustment, Mon December 10, 2018


THOMAS M. NILES

Your Name (please print)

1170 S HORNSBY ST.

AUSTIN TX 78753

Your address(es) affected by this application

 Thomas M. Niles

Signature

Date

Dec, 3, 2018

Daytime Telephone: 512 426-7078

Comments: This does not meet city code and

would negatively impact the design & character

of the neighborhood. To much density we

are known for big lots lets not change it

Thanks Thomas

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Leane Heldenfels

P. O. Box 1088

Austin, TX 78767-1088

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Fax: (512) 974-6305

Email: leana.heldenfels@austintexas.gov

LATE BACK UP

H-1/22

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Contact: Leane Heldenfels, 512-974-2202, leana.heldenfels@austintexas.gov

Public Hearing: Board of Adjustment, Mon December 10, 2018

Cathy Brigham

Your Name (please print)

11905 Rennalee Loop

Your address(es) affected by this application

[Signature]

Signature

12/3/2018

Date

Daytime Telephone: 512-698-8869

Comments:

See attached

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Leane Heldenfels

P. O. Box 1088

Austin, TX 78767-1088

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Fax: (512) 974-6305

Email: leana.heldenfels@austintexas.gov

LATE BACK UP

H-1/23

Applicant: Jerry Perales
Owner: Tuan Minh Bui
Address: 11902 Hornsby St.
Case Number: C15-2018-0048
Date: Dec. 3, 2018

Ms. Heldenfels,

I am writing in **opposition** to the requested Land Development Code Variance as described in **Case C15-2018-0048**. I live at 11905 Rennalee Loop and am within 500 feet of the proposed development.

The applicant owns a double-lot property in a neighborhood zoned for single family residences (SF-1). Both of the lots in this property already have one structure on them. The variance being requested would allow the two lots to support a third living structure – thus creating 3 homes on 2 lots, both of which are zoned SF-1.

I am writing in opposition to this request for three reasons. One, is the negative precedent that this request could have in the neighborhood. Most of the other SF-1 lots in the neighborhood consist of a single family home as well as heavily wooded property, waterways, greenbelts, and other natural elements, including a cave currently under the protection of the country and Balcones Canyonland Preserve. If a variance were allowed in this situation, then other home-owners would have the right to pursue the same, which could lead to clearing of land, polluting of waterways, and damage to the protected cave.

The second reason I am opposed to this request is that this particular lot is at the crest of an important (and relatively tall) hill in the neighborhood. Rain and run-off typically start from this apex and run down Hornsby St and my own street (Rennalee Loop), ultimately collecting in Little Walnut Creek. Further impervious cover from the third structure and its access road would negatively impact rain runoff issues from which the neighborhood already suffers due to lack of storm drains, and, could therefore increase pollution and debris in Little Walnut Creek.

But I am most staunchly opposed to this request because the request simply **does not meet the minimum standards** for requesting a variance. City Code, Section 25-2-473, indicates that requests for variance are granted only if a home-owner is currently being denied privileges that are enjoyed by another person who owns property in the area that has the same zoning designation as the property for which the variance is requested. This is most certainly not the case at 11902 Hornsby St.. The property consists of two lots, both zoned SF-1; the property already has two structures on it. There are no other properties in the immediate vicinity that have more than one single-family home on any one lot of property; therefore, the homeowner is not experiencing any decrease in privileges. Thus, their request does not meet minimum standards of the City Code to be granted this variance. I am in firm opposition to this request.

Cathy Brigham
11905 Rennalee Loop



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 website:

www.austintexas.gov/department/development-services

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: C15-2018-0048, 11902 Hornsby Street

Contact: Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov

Public Hearing: Board of Adjustment, Mon December 10, 2018

MARY HAUSMANN
Your Name (please print)

☐ I am in favor
☒ I object

11803 HARNSBY ST. + VACANT LOT NEXT DOOR
Your address(es) affected by this application

Mary Hausmann 12/4/18
Signature Date

Daytime Telephone: 512-836-1431

Comments: I strongly object to the
density proposed at 11902 Hornsby St.
My husband and I moved here
in 1962 and raised 4 children here.
It would break my heart to see
that ~~area~~ ^{hood} go up in this
narrow piece of land.

Comments must be returned no later than 10am the day of the hearing to be seen by the Board at this hearing, send by:

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 no later than the
Wed prior to the hearing to be received in time for this hearing)

Fax: (512) 974-6305

Email: leane.heldenfels@austintexas.gov

LATE BACK UP

H-1/25

LATE BACK UP

H-1/26

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Case Number: C15-2018-0048, 11902 Hornsby Street

Contact: Leanne Heldenfels, 512-974-2202, leanne.heldenfels@austintexas.gov
Public Hearing: Board of Adjustment, Mon December 10, 2018

Leanne M. Todd
 Your Name (please print)

☒ I am in favor
☐ I object

11904 Hornsby St Austin, TX 78757
 Your address(es) affected by this application

Leanne Todd
 Signature

12-1-2018
 Date

Daytime Telephone: 512-627-1774

Comments:

NO PROBLEM - go forward.

Leanne Todd

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Mail: City of Austin-Development Services Department/ 1st Floor

Leanne Heldenfels

P. O. Box 1088

Austin, TX 78767-1088

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