

## PUBLIC HEARING INFORMATION

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- 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
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**Case Number:** C15-2019-0009, 608 Elmwood

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

**Public Hearing:** Board of Adjustment, Monday February 11, 2019

*Erk Wilson*

Your Name (please print)

309 E 30th

Your address(es) affected by this application

*Erk Wilson*

3/6/19

Signature

Date

Daytime Telephone: 512 627 7267

Comments: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Comments must be returned by 10am the day of the hearing for them to be seen by the Board at this hearing. You can send them 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 by the Wed prior to the hearing to be received in time for this hearing)

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

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

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Public Hearing: Board of Adjustment, Monday February 11, 2019

RICK LMSI

Your Name (please print)

2914 Beanna St.

Your address(es) affected by this application

~~Asst. City~~ *Leanne Heldentfels* 3/6/19  
Signature Date

Daytime Telephone: 512 627 7260

Comments:

☐ I am in favor  
☒ I object

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

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**From:** Beth Schlechter [REDACTED]  
**Sent:** Thursday, March 07, 2019 10:12 AM  
**To:** Heldenfels, Leane <Leane.Heldenfels@austintexas.gov>  
**Subject:** Case No. C15-2019-0009 - 608 Elmwood Place

My husband and I live about 2 blocks from the proposed project. We object to the BOA approving the captioned variance for a "seven-family residence".."three one-bedroom units and four two-bedroom units". Austin's building code is already sufficiently lenient for building dense housing in our area—the variances being requested are egregious:

1. decreasing the lot area from 8,000 to a 6,929 square foot lot;
2. decreasing the minimum lot width from 50 to 48.53 feet;
3. decreasing the side setback from 15 feet to 0 feet; and
4. decreasing the site area from 7800 square feet to 6,929 square feet.

We have had the pleasure of living in our very eclectic neighborhood for 15 years. The neighborhood already has a large percentage of mixed-use, multifamily housing----and can tolerate increases in multi-family structures—but we should not be forced to sacrifice our water and sewer function, green spaces, trees, and walk able streets. The neighborhood has and can tolerate some change but the current code should be upheld.

This application, if granted, sets a precedent that will affect all area properties. The application suggests that the property would have to accommodate a minimum of 11 cars (at least one for each bedroom) and the lot cannot accommodate both the maximized structure and anticipated parking. If the entire lot is paved, there is an increased risk of flooding. Our area has old water and sewer lines that are not being adequately improved to handle increased multi-family use demand.

And if this site is so fully developed, garbage, parking and noise will undoubtedly become an issue for the neighbors.

We ask you to require this applicant to follow exiting rules to make their building fit the size of their lot—they can build plenty enough building to make a fine profit from their investment. The current residents and the neighborhood deserve consideration and respect. We are not against change or density but not at the expense of the current residents and neighborhood character.

Sincerely,

Elizabeth and Robert Schlechter

3207 Fairfax Walk

Austin, TX 78705

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**From:** Terri Myers [REDACTED]  
**Sent:** Wednesday, March 06, 2019 12:22 PM  
**To:** 'Barbara Epstein' [REDACTED]; Heldenfels, Leane  
<Leane.Heldenfels@austintexas.gov>  
**Cc:** [REDACTED] 'HNA'  
[REDACTED]  
**Subject:** RE: [Eastwoods Neighborhood Association] Case No. C15-2019-0009 - 608 Elmwood Place

I agree with Barbara. All one has to do is go across Red River to Duncan and Keith streets as examples of how the introduction of large multi-family buildings has eroded the formerly single-family character on those streets. That's how you lose neighborhoods – this type of housing attracts others and in short order, you lose your neighborhood. Eastwoods and Hancock might easily become be the next "West Campus."

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**From:** [REDACTED] <[REDACTED]> **On Behalf Of** Barbara Epstein [REDACTED] [eastwoods]  
**Sent:** Tuesday, March 5, 2019 9:52 AM  
**To:** Heldenfels, Leane <[Leane.Heldenfels@austintexas.gov](mailto:Leane.Heldenfels@austintexas.gov)>  
**Cc:** e <[REDACTED]>; HNA  
<[REDACTED]>  
**Subject:** [Eastwoods Neighborhood Association] Case No. C15-2019-0009 - 608 Elmwood Place

As a nearby resident, I object to the BOA approving the captioned variance for a "seven-family residence".."three one-bedroom units and four two-beddroom units". Austin's building code is already sufficiently lenient for building dense housing in our area—the variances being requested are egregious:

1. decreasing the lot area from 8,000 to a 6,929 square foot lot;
2. decreasing the minimum lot width from 50 to 48.53 feet;
3. decreasing the side setback from 15 feet to 0 feet; and
4. decreasing the site area from 7800 square feet to 6,929 square feet.

Our neighborhood already has a large percentage of mixed-use, multifamily housing-----and can tolerate increases in multi-famly structures—but we should not be forced to sacrifice our water and sewer function, greenspaces, trees, and walkable streets just so someone who doesn't live in the neighborhood can profit from a site without regard to the decreased quality of life they are imposing on their neighbors.

This application, if granted, sets a precedent that will affect all area properties. The application suggests that the property would have to accommodate a minimum of 11 cars (at least one for each bedroom) and the lot cannot accommodate both the maximized structure and anticipated parking. If the entire lot is paved, there is an increased risk of flooding. Our area has old water and sewer lines that are not being adequately improved to handle increased multi-family use demand. And if this site is so fully developed, garbage, parking and noise will undoubtedly become an issue for the neighbors.

I ask you to require the applicant to follow exiting rules to make their building fit the size of their lot —they can build plenty enough building to make a fine profit from their investment. But please don't make the neighborhood we love pay for that investment by disappearing in the process.

---

Posted by: Barbara Epstein <[REDACTED]>

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Visit the Association's web site at <<http://www.eastwoodsaustin.org>> or email the group at [REDACTED]. This is a low-traffic, SPAM-free email list. Ads for products or services, commercial or non-profit are not allowed. Violators may be suspended/banned and their messages expunged. (Yes, we are serious.) Also: Please trim replies before posting, and never, ever post the words of others without their prior permission. Questions? Contact the list administrator: [REDACTED].

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-----Original Message-----

From: Robyn Turner [REDACTED]  
Sent: Thursday, March 07, 2019 10:00 AM  
To: Heldenfels, Leane <Leane.Heldenfels@austintexas.gov>  
Subject: 608 Elmwood Objection

I am mailing a form with my objection to the variances being requested for 608 Elmwood but want to send this email as a backup.

I OBJECT to the requested variances. The tenants who live in the second home on my property likewise object, and their completed form will also arrive in the mail.

TWO OBJECTIONS

Robyn M Turner  
721 Sparks Ave  
Eastwoods Neighborhood Association member and past-president

---

**From:** David Kanne <[REDACTED]>  
**Sent:** Sunday, March 10, 2019 8:38 PM  
**To:** Heldenfels, Leane <Leane.Heldenfels@austintexas.gov>  
**Cc:** Mary Ingle [REDACTED]  
**Subject:** 608 Elmwood - BOA - Letter of Opposition

Board of Adjustment,

I oppose the recent request for variances on the new building at 608 Elmwood Place. Recent developments on Elmwood Place have occurred without variances granted on lots less than 8000 square feet. In some cases, lots were aggregated to meet lot size of 8000 for new MF 4 development. Additionally, all of the new projects have conformed with neighborhood character on both adjacent streets, Harris Park Blvd. and Elmwood Place by adhering to the LDC.

Since 608 Elmwood does not meet the minimum lot size for MF-4, the other variances for new site area requirements and setback relaxation should not be granted. Recent developments have not asked for these considerations; therefore, I am asking that they not be granted ( with the exemption of the minimum lot size of 8000 square feet ).

Sincerely,

David Kanne

Property owner of 601 and 603 Elmwood Place



---

**From:** [REDACTED] >  
**Sent:** Wednesday, March 06, 2019 10:06 AM  
**To:** Heldenfels, Leane <Leane.Heldenfels@austintexas.gov>  
**Subject:** C15-2019-0009 608 Elmwood

Board of Adjustment,

I oppose the recent request for variances on the new building at 608 Elmwood Place. Recent developments on Elmwood Place have occurred without variances granted on lots less than 8000 square feet. In some cases lots were aggregated to meet lot size of 8000 for new MF 4 development. Additionally, all of the new projects have conformed with neighborhood character on both adjacent streets, Harris Park Blvd. and Elmwood Place by adhering to the LDC.

Since 608 Elmwood does not meet the minimum lot size for MF-4, the other variances for new site area requirements and setback relaxation should not be granted. Recent developments have not asked for these considerations.

Therefore I am asking that they not be granted ( with the exemption of the minimum lot size of 8000 square feet ).

Sincerely,

Rick Iverson

Property owner of 606 Elmwood Place

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**From:** [REDACTED]  
**Sent:** Wednesday, March 06, 2019 11:17 AM  
**To:** Heldenfels, Leane <Leane.Heldenfels@austintexas.gov>  
**Cc:** [REDACTED] [REDACTED] Robyn Turner  
<[REDACTED]>  
**Subject:** 608 Elmwood Place

Dear Ms Heldenfels,

Eastwoods Neighborhood Association has not acted officially on the proposed redevelopment of the property at 608 Elmwood. However, we have heard from many of the neighbors that they are concerned about the size and intrusive presence of such a large building on that corner immediately across from Eastwoods Park. The duplex, garage and cottage presently on the property seem more appropriately scaled for that corner.

We understand that the property on Elmwood is all zoned multi-family, and that the zoning has been there a long time and was affirmed in the CANPAC plan. We also understand that the lot sizes make it difficult to redevelop them using current rules for MF-4 projects. That is a built-in barrier for those properties unless they are aggregated into larger parcels, as some recent developments across the street have been.

1. **We do not oppose the proposal on the basis of lot size. We object on principle, but we understand that the contradiction in zoning and building rules does create a hardship for the owner.**
2. **We object to any reduction in lot width.**
3. **We oppose any reduction in setbacks. This corner adjoins Eastwoods park and what is proposed would loom over the edge of the park in a most intrusive way.**
4. **We oppose any reduction in site area that enables such a large building.**

This entire College Courts subdivision is a mix of housing types, from condos to single-family houses. It is very densely populated, and the variety of housing includes some nicely affordable units. Perhaps because what we have here evolved over 100 years, it has a natural compatibility and presence. I hope that the new structure on Elmwood will respect that.

***Lin Team and Jim Schwobel, Co-Presidents  
Eastwoods Neighborhood Association  
600 Bellevue Place 78705  
512-917-1930***

---

**From:** Josiah Harlow [REDACTED]  
**Sent:** Wednesday, March 06, 2019 10:00 AM  
**To:** Heldenfels, Leane <Leane.Heldenfels@austintexas.gov>  
**Subject:** Case No. C15-2019-0009 - 608 Elmwood Place

As my neighbor Barbara Epstein stated, I also share her message:

As a nearby resident, I object to the BOA approving the captioned variance for a "seven-family residence".."three one-bedroom units and four two-bedddroom units". Austin's building code is already sufficiently lenient for building dense housing in our area—the variances being requested are egregious:

1. decreasing the lot area from 8,000 to a 6,929 square foot lot;
2. decreasing the minimum lot width from 50 to 48.53 feet;
3. decreasing the side setback from 15 feet to 0 feet; and
4. decreasing the site area from 7800 square feet to 6,929 square feet.

Our neighborhood already has a large percentage of mixed-use, multifamily housing----and can tolerate increases in multi-famly structures—but we should not be forced to sacrifice our water and sewer function, greenspaces, trees, and walkable streets just so someone who doesn't live in the neighborhood can profit from a site without regard to the decreased quality of life they are imposing on their neighbors.

This application, if granted, sets a precedent that will affect all area properties. The application suggests that the property would have to accommodate a minimum of 11 cars (at least one for each bedroom) and the lot cannot accommodate both the maximized structure and anticipated parking. If the entire lot is paved, there is an increased risk of flooding. Our area has old water and sewer lines that are not being adequately improved to handle increased multi-family use demand. And if this site is so fully developed, garbage, parking and noise will undoubtedly become an issue for the neighbors.

I ask you to require the applicant to follow exiting rules to make their building fit the size of their lot—they can build plenty enough building to make a fine profit from their investment. But please don't make the neighborhood we love pay for that investment by disappearing in the process.

---

**From:** Pearl Schwartz [REDACTED]  
**Sent:** Monday, March 04, 2019 8:56 PM  
**To:** Heldenfels, Leane <Leane.Heldenfels@austintexas.gov>  
**Subject:** 42B15346-8ED4-4F41-B37B-CC44DFF00F26.pdf

I object to the proposed development. The lot is too small  
for the project. It will house too many people in the small  
spaces allotted for them. As well as an over crowding with cars and traffic  
in this small quiet neighborhood. There is not enough parking now  
for the people living on Elmwood, Harris Park, and. Bellevue  
Pearl Schwartz  
609 Bellevue pl  
713-823-5330

Sent from my iP

---

**From:** Barbara Epstein [REDACTED]  
**Sent:** Tuesday, March 05, 2019 9:52 AM  
**To:** Heldenfels, Leane <Leane.Heldenfels@austintexas.gov>  
**Cc:** [REDACTED] HNA  
[REDACTED]  
**Subject:** Case No. C15-2019-0009 - 608 Elmwood Place

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**Public Hearing:** Board of Adjustment, Monday February 11, 2019

**RICK LAVIS**  
Your Name (please print)

**2914 Beanna St.**  
Your address(es) affected by this application

**~~Austin~~ Leanne Heldenfels** **3/6/19**  
Signature Date

Daytime Telephone: **512 627 7260**

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☐ I am in favor  
☒ I object

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**Case Number:** C15-2019-0009. 608 Elmwood

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

**Public Hearing:** Board of Adjustment, Monday February 11, 2019

Your Name (please print)

Leane Wilson

☐ I am in favor  
☒ I object

Your address(es) affected by this application

809 E 30th

3/6/19

Signature

Daytime Telephone:

512 627 7267

Date

Comments:

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The Central Austin Neighborhood Plan Area Committee (CANPAC) does not oppose the minimum lot size variance at 608 Elmwood Place as the lot size constitutes a hardship.

CANPAC opposes variances that are necessitated only by the applicant's development choices. CANPAC specifically opposes variances to site area and set back requirements for this property.

Approved unanimously on March 5, 2019.

Sincerely,  
Betsy Greenberg  
CANPAC vice chair





## NOTICE OF PUBLIC HEARING LAND DEVELOPMENT CODE VARIANCE

Este aviso es para informarle que hemos recibido una solicitud para una varianza dentro de una distancia de 500 pies de su propiedad. Si usted desea recibir información en español, por favor llame al (512) 974-2193.

**Mailing Date:** January 31, 2019

**Case Number:** C15-2019-0009

Please be advised that the City of Austin has received an application for a variance from the Land Development Code.

<b>Applicant:</b>	Leah Bojo, (512) 807-2918
<b>Owner:</b>	Halil Berberoglu
<b>Address:</b>	608 ELMWOOD PL

**Variance Request(s):** The applicant has requested variance(s) from:

- A. Section 25-2-492 (D) (*Site Development Regulations*) to decrease the minimum lot area from 8,000 square feet (required) to 6,929 square feet (requested/existing); and to
- B. decrease the minimum lot width from 50 feet (required) to 48.53 feet (requested); and to
- C. decrease the side street setback from 15 feet (required) to 0 feet (requested, 5.6' existing); and from
- D. Section 25-2-563 (Multifamily Residential Use) (B) to decrease the minimum site area from 7,800 square feet (required) to 6,929 square feet (requested)

in order to erect a 7 unit multifamily structure with three one-bedroom and four two-bedroom units in a "MF-4-NP" Multifamily Residence Moderate-High Density - Neighborhood Plan zoning district. (Hancock)

This application is scheduled to be heard by the **Board of Adjustment** on **Monday February 11th, 2019**. The meeting will be held at **City Hall, 1<sup>st</sup> Floor, 301 West 2<sup>nd</sup> Street** **beginning at 5:30 PM**.

*\*To see where on the agenda/when this item will be heard, on the **Friday prior to the hearing** go to the **Board's website** (start at [www.austintexas.gov](http://www.austintexas.gov), then click on government, then click on Boards and Commissions, then highlight Board of Adjustment and click on view website, then click on Agendas) and find this hearing **agenda/case order** there. The Board will vote on postponement and withdraw requests at the beginning of the hearing, as close to 5:30pm possible.*

**You are being sent this notice** because City Ordinance requires **that all property owners and utility account holders within 500 feet of the proposed development** and affected neighborhood organizations **be notified** when an application is scheduled for a **public hearing**.

**You are not required to respond to this notice**, however if you have any questions concerning this application, please contact **Leane Heldenfels of the Development Services Department at 512-974-2202 or [leana.heldenfels@austintexas.gov](mailto:leana.heldenfels@austintexas.gov)** and refer to the Case Number at the top right of this notice.

You may also find information on this case at our website:

**<https://www.austintexas.gov/department/development-services>**

At this page click on the words Public Search, then input the case number above and click submit. Open the BA case by clicking on the title then scroll down to attachments to find the information submitted.

If you do wish to respond to this notice follow instructions provided on the following page.

For additional information on the City of Austin's land development process, please visit our website:

**<https://www.austintexas.gov/department/development-services>**

## 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](http://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:** C15-2019-0009. 608 Elmwood

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

**Public Hearing:** Board of Adjustment, Monday February 11, 2019

Your Name (please print)

☐ I am in favor  
☐ I object

Your address(es) affected by this application

Signature

Date

Daytime Telephone:

Comments:

I am in favor of the proposed case to allow for a public hearing on the subject property.

**Comments must be returned by 10am the day of the hearing for them to be seen by the Board at this hearing. You can send them 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 by the Wed prior to the hearing to be received in time for this hearing)

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

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