
From: David Kleiman <d[REDACTED]>
Sent: Saturday, March 09, 2019 10:04 AM
To: Heldenfels, Leane <Leane.Heldenfels@austintexas.gov>
Subject: Case Number: C15-2019-0012, C15-2019-0012 Board of Adjustment

David Kleiman
1704 Corona Dr
Austin TX 78723

City of Austin -Development Services Department
Leane Heldenfels
PO Box 1088
Austin TX 78767-1088

Dear Ms Heldenfels,

I am writing in regards to Case # C15-2019-0012. I live within 500 feet of the residence of Josh Westheimer, who lives at 1802 Cloverleaf.

I am in favor of approving a land development code variance from Section 25-2-492 (D) to decrease the front yard setback from 25 ft to 10.2 ft for his carport.

His carport should be maintained. I have always liked it, it blends well with his house. His house is one the nicer houses on the street and the carport adds to the appearance.

I have lived at my address since 2001. The carport has been there for 15 years. There has never been a problem with anyone until now.

The only reason a complaint has been filed now is retaliation for Mr Westheimer building an ADU.

The land development code was not created to be used by vindictive neighbors to punish. The carport has been there without complaint until the issue with the ADU.

The carport is within the character of the neighborhood and does not detract in any way. It should be allowed to stay in place by granting a variance.

Thank you for your time.

Sincerely,

David Kleiman

From: **Josh Westheimer** <[REDACTED]>
Date: Wed, Feb 27, 2019 at 6:33 PM
Subject: Re: Variance Application
To: Dan Strub [REDACTED]
Cc: Brandi Esquibel <[REDACTED]>, Dan Strub <[REDACTED]> ,
Emily Vitris [REDACTED], Jackie Livelli <[REDACTED]> , Meg Brooks
<[REDACTED]> , Meghan Dougherty <[REDACTED]>

Thanks. That works for me.

Josh

On Wed, Feb 27, 2019 at 5:42 PM Dan Strub [REDACTED] > wrote:

Josh,

I will say that WPNA has not never taken a stance on such issues, but does not do it routinely. If it is brought to our membership, we can take it up. We do not actively look for code violations to discuss. Unless there is either great opposition or great support, the neighborhood is unlikely to take a position. In this case, getting support from your neighbors is likely to carry more weight. And you can say that you have reached out to the neighborhood association, and we have not taken a stance.

Good luck,

Dan Strub
President, WPNA

On Tue, Feb 26, 2019 at 8:00 AM Josh Westheimer <[REDACTED]> wrote:

Hi Dan and Megan,

I'm just circling back to be sure there isn't anything you need from us. The city is sending out its notice for the variance request. I had spoken to Martin Luecke, our across the street neighbor. He said that during his tenure WPNA didn't weigh in on these types of issues.

Thanks,
Josh on Cloverleaf

On Fri, Feb 1, 2019 at 7:45 AM Josh Westheimer <[REDACTED]> wrote:

Thanks. I actually have solid support from the majority of neighbors close to my house. It isn't

necessary from my end to bring it before the membership. Just wanted to check to see if there was a typical position from the associations side.

Josh

On Thu, Jan 31, 2019 at 8:50 PM Dan Strub <[REDACTED]> wrote:

If the City informs anyone, it would most likely be the contact team, but if they contact us, I would have no problem bringing it to the membership.

Good luck.

Dan

On Thu, Jan 31, 2019 at 7:20 PM Josh Westheimer <[REDACTED]> wrote:

My timeline is the March Board of Adjustments meeting. The city cited me because a neighbor complained. The neighbor complained because of an unrelated dispute that arose between us. I built it long ago.

I had heard that WPNA doesn't take a stance. I'm just crossing off the items on the to-do list from the city as I believe they will be informing the neighborhood assoc of my application.

Thanks,

Josh

On Thu, Jan 31, 2019 at 6:37 PM Dan Strub <[REDACTED]> wrote:

I am not aware of WPNA taking any explicit stances on that kind of variance. We have taken stances on development variances, and of course on the neighborhood plan. What is your timeline? Why did the City cite you? Did you build it, or was it there when you bought the house?

On Thu, Jan 31, 2019 at 4:01 PM Josh Westheimer <[REDACTED]> wrote:

Hello Dan and Jackie,

We are applying to the City's Board of Adjustments. We're trying to get a variance to allow our carport to remain in place. It was built in 2003 (approximately). It is sturdy and well-built. It has served our needs well to shade our driveway for years and years. The city cited us for it and we are going through the process of collecting support. So far, all occupied houses within 300' save one have pledged

their support.

What is the WPNA position on such things?

Thanks,

Josh and Brandi Westheimer
[1802 Cloverleaf Dr](#)
[Austin, TX 78723](#)
512-293-6235

--

Josh Westheimer, PhD
Licensed Psychologist
[2520 Longview St #312](#)
[Austin, TX 78705](#)
512-228-7791

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Licensed Psychologist
[2520 Longview St #312](#)
[Austin, TX 78705](#)
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--

Josh Westheimer, PhD
Licensed Psychologist
2520 Longview St #312
Austin, TX 78705
512-228-7791

From: [REDACTED]
 Sent: Saturday, March 02, 2019 5:24 PM
 To: Heldenfels, Leane <leane.heldenfels@austintexas.gov>
 Subject: Case Number: C15-2019-0012, C15-2019-0012

Leane,

Attached is an image of my approval/favor in regards to case number C15-2019-0012, C15-2019-0012.

If there are any questions regarding my submission, please feel free to reach me at this email address or call 206-755-7205.

Thank you,
 Mark Warren

1809 Cloverleaf Dr.
 Austin, TX 78723

1-206-755-7205

PUBLIC HEARING INFORMATION

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- and:
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 - 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.

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Case Number: C15-2019-0012, C15-2019-0012

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

Public Hearing: Board of Adjustment, March 11, 2019

Mark Warren

Your Name (please print)

☒ I am in favor
☐ I object

1809 Cloverleaf Dr.; Austin, TX 78723

Your address(es) affected by this application

[Signature]

Signature

3/2/19

Date

Daytime Telephone: 206-755-7205

Comments: Carport is tastefully & well done. IS a great addition to the property, & therefore the neighborhood. Does not impede with anything whatsoever.

Comments must be returned by 10am the day of the hearing to be seen by the Board at this hearing:

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** before the hearing to be seen by the Board at this hearing)

Fax: (512) 974-6305

Email: leane.heldenfels@austintexas.gov

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Case Number: C15-2019-0012, C15-2019-0012

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

Public Hearing: Board of Adjustment, March 11, 2019

Alonzo Yepez

Your Name (please print)

1704 Ridgemont Dr 78723

Your address(es) affected by this application

Alonzo Yepez

Signature

☒ I am in favor
☐ I object

3/10/19

Date

Daytime Telephone: 512-789-9323

Comments: Case # C15-2019-0012

Attn: Leane Heldenfels

I fully support this Variance request.

Comments must be returned by 10am the day of the hearing to be seen by the Board at this hearing:

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** before the hearing to be seen by the Board at this hearing)

Fax: (512) 974-6305

Email: leana.heldenfels@austintexas.gov

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Case Number: C15-2019-0012, C15-2019-0012

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

Public Hearing: Board of Adjustment, March 11, 2019

Carlise Dos Santos

Your Name (please print)

1704 Ridgemoor Dr 78723

Your address(es) affected by this application

CMW

Signature

3/10/19

Date

Daytime Telephone: 512 762 5420

Comments: CAS # C15-2019-0012

Attn: Leane Heldenfels

I fully support this variance request.

Comments must be returned by 10am the day of the hearing to be seen by the Board at this hearing:

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: leana.heldenfels@austintexas.gov

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Case Number: C15-2019-0012, C15-2019-0012

Contact: Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov
Public Hearing: Board of Adjustment, March 11, 2019

John W. Vinson

Your Name (please print)

1803 Ridgemoor Dr.

Your address(es) affected by this application

At tx
78723


Signature

3/5/19
Date

Daytime Telephone: (512) 926 7380

Comments:

Our household has no
parties at the variance
for this minor (potential)
infraction.

Comments must be returned by 10am the day of the hearing to be seen by the Board at this hearing:

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 before the hearing to be seen by the Board at this hearing)

Fax: (512) 974-6305

Email: leane.heldenfels@austintexas.gov

From: Karen Pagani]
Sent: Wednesday, February 27, 2019 10:32 AM
To: Heldenfels, Leane <Leane.Heldenfels@austintexas.gov>
Subject: Re: Question about board hearings

Dear Ms. Heldenfels,
Thank you for the quick and honest response. In that case, I will show up and hope for the best.

I am attaching two more photos. The first shows the ADU from INSIDE my house (from my kitchen). The second is the view of the carport as seen through my master bedroom window. Both convey the abnormal height of both structures and the extent to which they invade my home. The carport, in fact, is taller than their house.

Best,
Karen





On Feb 27, 2019, at 9:23 AM, Heldenfels, Leane
<Leane.Heldenfels@austintexas.gov> wrote:

I have put your previous emails/pictures in the packet for the hearing as your statements, would you like to retract them for just one formal statement? Also, speaking in person might be more impactful, but that decision is up to you -

Take care,
Leane

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

From: Karen Pagani [REDACTED]
Sent: Tuesday, February 26, 2019 3:02 PM
To: Heldenfels, Leane <Leane.Heldenfels@austintexas.gov>
Subject: Question about board hearings

Dear Ms. Heldenfels:

I was planning on testifying before the board on March 11th in opposition to the carport at 1802 Cloverleaf Drive. Last night, however, I received a threat and some nasty insults from a neighbor via text who is friends of the Westheimers. I am simply afraid of going before the board. The residents of 1803 Cloverleaf received a

violation notice for their carport on December 28th and everyone is blaming me for it. I had nothing to do with that and just found out about it last week. But...if the inspector who issued it is issuing many more of these violations of his own accord, then I don't want to attract the ire of the entire neighborhood by making a public statement or be publicly attacked. Whereas I do object to people flouting neighborhood plans in principle and so don't do it myself, I am not going around randomly calling out people whose properties don't affect me in some draconian manner.

Here's my question: If I were to give a formal, written statement to the board, would it have the same effect of speaking publicly? When taken together with the other structures on the property, this carport is REALLY negatively affecting my property and I am hoping the board will reject the variance request so as to provide me some relief. If I can save myself some vitriol (and the board some time) by sending the remarks ahead of time, that might be better for everyone involved. However, if that weakens my argument then I will show up and speak.

Thank you for any insight you can give me.

Best,

Karen Pagani

1-3/101

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Case Number: C15-2019-0012, C15-2019-0012

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

Public Hearing: Board of Adjustment, March 11, 2019

Edward Westergaard Hansen

Your Name (please print)

☒ I am in favor
☐ I object

1901 Corona Drive, Austin, TX 78723

Your address(es) affected by this application

Leane Heldenfels

Signature

Date

Daytime Telephone: (512) 217-7320

Comments: The carport in question has been in place for years with no complaint or problem until the neighbor filing a complaint wanted to create problems for the applicant. This is an act of harassment and aggression.

Comments must be returned by 10am the day of the hearing to be seen by the Board at this hearing:

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 before the hearing to be seen by the Board at this hearing)

Fax: (512) 974-6305

Email: leane.heldenfels@austintexas.gov

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

Public Hearing: Board of Adjustment, March 11, 2019

ARNOLD C MORENA

Your Name (please print)

1807 CLOVERLEAF DR

Your address(es) affected by this application

Arnold Moreno 3-2-19

Signature

Date

Daytime Telephone: 512 632 2218

Comments:

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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: leaneheldenfels@austintexas.gov

I-3/102

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

Public Hearing: Board of Adjustment, March 11, 2019

ARNOLD E MORRIS

Your Name (please print)

☒ I am in favor
☐ I object

1807 CLOVERLEAF DR

Your address(es) affected by this application

Arnold E Morris 3-2-19

Signature

Date

Daytime Telephone: 512 632-2218

Comments:

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Leane Heldenfels
P. O. Box 1088
Austin, TX 78767-1088

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Fax: (512) 974-6305

Email: leaneheldenfels@austintexas.gov

1-3/103

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: C15-2019-0012, C15-2019-0012

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

Public Hearing: Board of Adjustment, March 11, 2019

MARTIN LUECKE

Your Name (please print)

1805 Cloverleaf Dr.

Your address(es) affected by this application

MLuecke

Signature

Daytime Telephone: 512.536.0465

Date

3/4/19

Comments:

I like the design of this carport.

Comments must be returned by 10am the day of the hearing to be seen by the Board at this hearing:

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 before the hearing to be seen by the Board at this hearing**)

Fax: (512) 974-6305

Email: leana.heldenfels@austintexas.gov

1-3/104

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1-3/105