CITY OF AUSTIN Board of Adjustment Decision Sheet

DATE: Monday March 11, 2019	CASE NUMBER: C15-2019-0009
Y Ada Corral Y William Burkhardt Christopher Covo OUT Y Eric Golf Y Melissa Hawthorne Y Bryan King Y Don Leighton-Burwell Rahm McDaniel OUT Y Martha Gonzalez (Alternate) (for RM) Y Veronica Rivera Y James Valadez Y Michael Von Ohlen Y Kelly Blume (Alternate)	
APPLICANT: Leah Bojo	
OWNER: Halil Berberoglu	
ADDRESS: 608 ELMWOOD PL	

VARIANCE REQUESTED:

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)

BOARD'S DECISION: Feb 11, 2019 POSTPONED TO MARCH 11, 2019 BY APPLICANT, March 11, 2019 The public hearing was closed on Board Member Veronica Rivera motion to postpone to April 8, 2019, Board Member Eric Goff second on an 11-0 vote; POSTPONED TO APRIL 8, 2019.

FINDING:

- 1. The Zoning regulations applicable to the property do not allow for a reasonable use because:
- 2. (a) The hardship for which the variance is requested is unique to the property in that:
 - (b) The hardship is not general to the area in which the property is located because:
- 3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

Leane Heldenfels

Executive Liaison

William Burkhardt

Chairman

From: <u>Heldenfels, Leane</u>
To: <u>Ramirez, Diana</u>

Subject: c15-2019-0009, 608 Elmwood place - 4/8 advance packet

Date: Monday, March 18, 2019 9:10:02 AM

From:

Sent: Friday, March 15, 2019 2:04 PM

To: Heldenfels, Leane < Leane. Heldenfels@austintexas.gov>

Subject: 608 Elmwood place

Hi Leane,

I am the owner of 608 Elmwood Place, for which we had a case for some variance requests (P-3 C15-2019-0009) for which we had our hearing on Monday evening (March 11) and the hearing was postponed to next month for April 8th.

After much thought on this case, I have decided to withdraw our request for these variances and pull our case completely out of the agenda.

Can you please let me know if this email is sufficient to withdraw our request for these variances or if there is anything else you need me to provide?

Finally, I will need to receive a confirmation from you on the withdrawal of this case and the case being closed without any denials.

Thank you.

Halil Berberoglu.

P-3 C15-2019-0009 Leah M. Bojo for Halil Berberoglu 608 Elmwood Place

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)

P-1/4

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)

CITY OF AUSTIN Board of Adjustment Decision Sheet

DATE: Monday February 11, 2019	CASE NUMBER: C15-2019-0009
Brooke Bailey William Burkhardt Christopher Covo OUT Eric Golf Melissa Hawthorne Bryan King Don Leighton-Burwell	
Rahm McDaniel Martha Gonzalez (Alternate) Veronica Rivera James Valdez Michael Von Ohlen Kelly Blume (Alternate) (for CC) Pim Mayo (Alternate)	
APPLICANT: Leah Bojo	

OWNER: Halil Berberoglu

ADDRESS: 608 ELMWOOD PL

VARIANCE REQUESTED:

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)

BOARD'S DECISION: Feb 11, 2019 POSTPONED TO MARCH 11, 2019 BY APPLICANT

FINDING:

- 1. The Zoning regulations applicable to the property do not allow for a reasonable use because:
- 2. (a) The hardship for which the variance is requested is unique to the property in that: (b) The hardship is not general to the area in which the property is located because:
- 3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

Leane Heldenfels Executive Liaison William Burkhardt

Chairman

BOA CASE REVIEW SHEET

CASE: C15-2019-0009 **BOA DATE:** February 11, 2019

ADDRESS: 608 Elmwood Place COUNCIL DISTRICT AREA: 9

OWNER: Halil Berberoglu AGENT: Leah Bojo

ZONING: MF-4-NP (Hancock)

AREA: Lot 50 Outlot 1 Division X College Court

VARIANCE REQUEST: 25-2-492 (D) minimum lot size and side street setback

SUMMARY: Erect a new 7-unit multifamily building

<u>ISSUES:</u> Lot is 7,113 square feet, 8,000 square feet required; lot has a 15 foot front and side setback required since it is a corner lot.

	ZONING	LAND USES
Site	MF-4-NP (Hancock)	Residential
North	SF-3-CO-NP (Hancock)	Residential
South	MF-4-NP (Hancock)	Residential
East	P-NP (Hancock)	Park
West	MF-4-NP (Hancock)	Residential

<u>NEIGHBORHOOD ORGANIZATIONS:</u> Austin Independent School District, Austin Neighborhoods Council; Bike Austin; CANPAC (Central Austin Neighborhood Plan Area Committee); Central Austin Community Development Corporation; Eastwoods Neighborhood Association; Friends of Austin Neighborhoods; Homeless Neighborhood Association; Neighborhood Empowerment Foundation; Preservation Austin; SEL Texas; Sierra Club, Austin Regional Group; University Area Partners





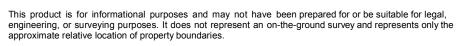
SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

NOTIFICATIONS

CASE#: C15-2019-0009 LOCATION: 608 Elmwood Place







Board of Adjustment General/Parking Variance Application

WARNING: Filing of this appeal stops all affected construction activity.

This application is a fillable PDF that can be completed electronically. To ensure your information is saved, <u>click here to Save</u> the form to your computer, then open your copy and continue.

The Tab key may be used to navigate to each field; Shift + Tab moves to the previous field. The Enter key activates links, emails, and buttons. Use the Up & Down Arrow keys to scroll through drop-down lists and check boxes, and hit Enter to make a selection.

The application must be complete and accurate prior to submittal. *If more space is required, please complete Section 6 as needed.* All information is required (if applicable).

For Office Use Only Section 1: Applicant Statement Street Address: 608 Elmwood Place Subdivision Legal Description: LOT 50 OLT 1 DIV X COLLEGE COURT Lot(s): 50 Block(s): ____ Outlot: 1 Division: X Zoning District: MF-4-NP I/We Leah M. Bojo on behalf of myself/ourselves as authorized agent for Halil Berberoglu & Sarah Taylor-Lange affirm that on , Year 2019 , hereby apply for a hearing before the Month January , Day 15 Board of Adjustment for consideration to (select appropriate option below): O Maintain O Other: Type of Structure: A 7-unit multifamily building on 608 Elmwood Place.

P-1/10

Portion of the City of Austin Land Development Code applicant is seeking a variance from:

608 Elmwood Pl. is a corner lot measuring 6,929 square feet and zoned MF-4-NP. The minimum lot size required to develop in the MF-4 base district is 8,000 square feet. We are requesting a variance to the minimum lot size requirement to allow the construction of a multifamily project. We are also asking for a variance from the street side setback regulations, and a variance to the minimum site area requirements to allow the number of units that would be allowed if the lot were standard size.

Section 2: Variance Findings

The Board must determine the existence of, sufficiency of, and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional supporting documents.

NOTE: The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.

I contend that my entitlement to the requested variance is based on the following findings:

Reasonable Use

The zoning regulations applicable to the property do not allow for a reasonable use because: The Property is zoned MF-4-NP and is intended to allow a multifamily project, however the minimum lot size for the MF-4 base district is 8,000 square feet. The lot size of the Property falls short of this requirement by approximately 1,071 square feet. Therefore, the minimum lot size regulations do not allow for the reasonable use of the site, which per the existing zoning and neighborhood plan, is intended for multifamily use. Additionally, the side setback requirements for this corner lot and site area requirements impact the developability of this Property. Zoning regulations require 15-foot setbacks along each street frontage. Compliance with the 15-foot setback along Harris Park Ave does not allow for a reasonable use of the Property, as 30% of the lot is rendered undevelopable as a result of building setback lines. The site area requirements reduce the site by an entire unit as compared to what would be developable if the site were 8,000 SF.

Ha

ardship a) The hardship for which the variance is requested is unique to the property in that:
The Property is a corner lot of substandard size and as such, the site area requirements and front and street side yard setbacks have a unique impact to the Property as opposed to other similarly-zoned lots on the same street.
b) The hardship is not general to the area in which the property is located because:
Not all corner lots zoned and intended for multifamily development are of substandard size .

adjacer in whicl	riance will not alter the character of the area adjacent to the property, will not impair the use of nt conforming property, and will not impair the purpose of the regulations of the zoning district h the property is located because:
de	le variances will allow the construction of a low-density multifamily structure that will be signed and scaled to fit the characteristics of the surrounding homes and neighborhood. Iditionally, the variances requested will have no impact to the adjacent and surrounding operties and their owners' ability to build, redevelop, or remodel on their lots.
_	•
Reques a variar Append makes	g (additional criteria for parking variances only) at for a parking variance requires the Board to make additional findings. The Board may grant note to a regulation prescribed in the City of Austin Land Development Code Chapter 25-6, dix A with respect to the number of off-street parking spaces or loading facilities required if it findings of fact that the following additional circumstances also apply:
1.	Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonably require strict or literal interpretation and enforcement of the specific regulation because:
<u>N/.</u>	A
2. <u>N/</u>	The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:
3.	The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:
N/.	A
4.	The variance will run with the use or uses to which it pertains and shall not run with the site because:
N/	A

Area Character

Section 3: Applicant Certificate			
I affirm that my statements contained in the complete a my knowledge and belief,	pplication are true and	correct	to the best of
		Date:	1.15.19
Applicant Name (typed or printed): Leah M. Bojo			
Applicant Mailing Address: 200 Lee Barton Drive, Ste 1	0.1.		
City: Austin			
Phone (will be public information): (512) 807-2918			
Email (optional – will be public information):			
Section 4: Owner Certificate			
I affirm that my statements contained in the complete a my knowledge and belief.			
Owner Signature: White Company of the Company of th	whomeatin)	Date: _	1.15.19
Owner Name (typed or printed): <u>Halil Berberoglu & Sara</u>	ah Taylor-Lange		
Owner Mailing Address: 3111 Tom Green St, Apt 309			
City: Austin	State: TX		Zip: <u>78705</u>
Phone (will be public information):			
Email (optional – will be public information):			
Section 5: Agent Information			
Agent Name: <u>Leah M. Bojo</u>			
Agent Mailing Address: 200 Lee Barton Drive, Ste 100			
City: Austin	State: TX		Zip: <u>78704</u>
Phone (will be public information): (512) 807-2918		a	
Email (optional – will be public information):			
Section 6: Additional Space (if applicab	le)		
Please use the space below to provide additional inform referenced to the proper item, include the Section and I	nation as needed. To ei Field names as well (co	nsure th Intinued	e information i l on next page)
·			



January 28, 2019

Board of Adjustment Members City of Austin 505 Barton Springs Road Austin, TX 78704 Via Hand Delivery

(the 1

Dear BOA Members:

Re: <u>608 Elmwood Place Board of Adjustment Variance</u>— Board of Adjustment ("BOA") variance request for the 6,929 square foot piece of property located at 608 Elmwood Place and Harris Park Avenue located in Austin, Travis County, Texas (the "Property").

As representatives of the owner of the Property, we respectfully submit the enclosed BOA variance application for the Property located at 608 Elmwood Place.

The Property is a 6,929 square foot lot zoned Multifamily Residence Moderate-High Density — Neighborhood Plan (MF-4-NP). The proposed project is to build a seven-unit multifamily structure with surface parking beneath the units. The Property is located within the Central Austin Combined Neighborhood Planning Area; the Future Land Use Map designation for the site is Multifamily. The tract is currently developed with a duplex, a single family detached home, and a standalone two-car garage.

We are seeking three variances with the submittal of this application package. These are: a variance to the Minimum Lot Size regulations set forth in the site development regulations by zoning district [§ 25-2-492]; a variance to the street side setback requirement of 15' for a corner lot zoned MF-4 [§ 25-2-492]; and, a variance to the minimum site area requirements for a lot zoned MF-4 [§ 25-2-563(B)].

Firstly, 608 Elmwood Pl. is a corner lot measuring 6,929 square feet and zoned MF-4. The minimum lot size required to develop in MF-4 zoning is 8,000 square feet. We are requesting a variance to the minimum lot size requirement to allow the redevelopment of this site into a multifamily project. Although the Property is zoned MF-4-NP and is intended to allow a multifamily project, the minimum lot size requirement to construct within the MF-4 base district is 8,000 square feet. The lot size of the Property falls short of this requirement by approximately 1,071 square feet. The minimum lot size regulations do not allow for the reasonable use of the site for any type of redevelopment, including multifamily use, which per the existing zoning and neighborhood plan, is intended to be the Property's use.

Secondly, we are seeking a variance from the street side setback regulations. Zoning regulations in an MF-4 district require 15-foot setbacks along each street frontage. Compliance with the 15-foot setback along Harris Park Avenue does not allow for a reasonable use of the

January 15, 2019 Page 2

Property as approximately 30% of the lot is rendered undevelopable as a result of building setback lines. Removing this requirement would allow the construction of the desired multifamily project and allow for a more integrated façade that will better screen the ground level parking. The ground level parking will protrude from underneath the building if the street side setback is required. Additionally, removing this setback will allow the structure to create a more inviting streetscape in line with the spirit of Subchapter E Commercial Design Standards that are not required for this site due to its residential base district.

Lastly, we are seeking a variance to the minimum site area requirements of the MF-4 zoning district. This variance will allow the construction of the number of units that would be allowed if the lot were the standard 8,000 square-foot size. The site area requirements ultimately reduce the proposed project by an entire unit as compared to what would be developable if the site were slightly larger at 8,000 square feet at a time with Austin is in a housing crisis and is particularly in need of this type of missing-middle development.

Please let me know if you or your team members require additional information or have any questions. Thank you for your time and attention to this project.

Very truly yours,

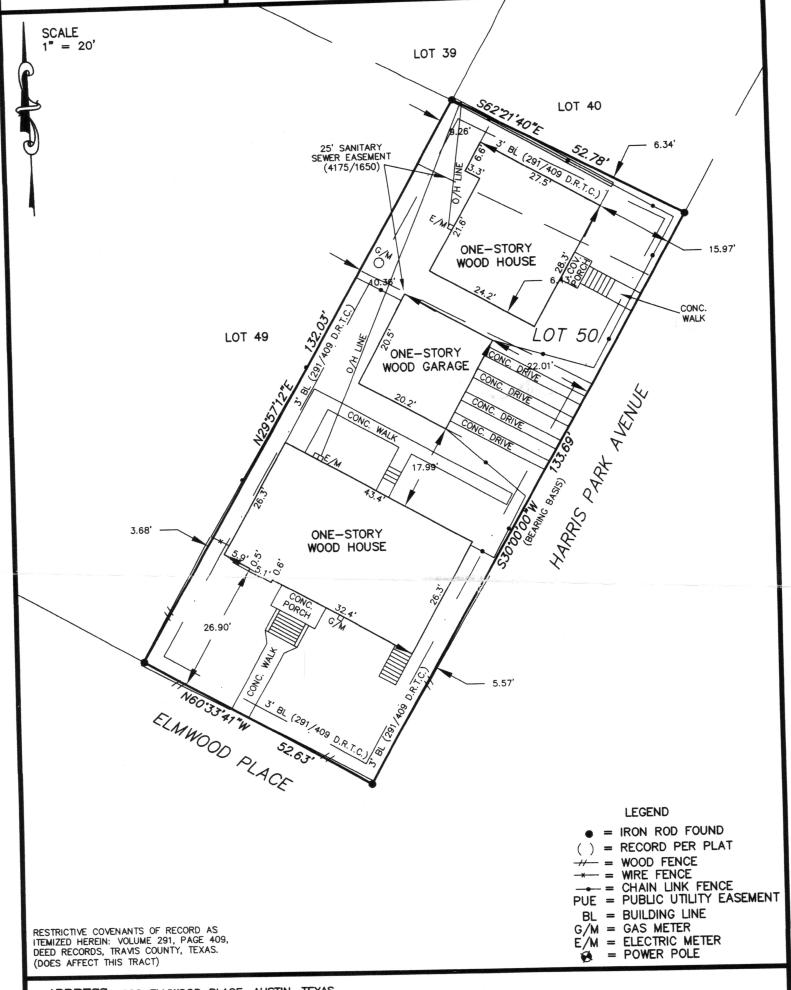
Leah M. Bojo Drenner Group CELCO SURVEYING

TEL: 830-214-5109 FAX: 866-571-8323

SURVEY PLAT

2205 STONECREST PATH

NEW BRAUNFELS, TEXAS 78130



ADDRESS: 608 ELMWOOD PLACE, AUSTIN, TEXAS

LEGAL DESCRIPTION: LOT 50, COLLEGE COURT, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 2, PAGE 222, PLAT RECORDS, TRAVIS COUNTY, TEXAS.

CERTIFICATION

THE UNDERSIGNED DOES HEREBY CERTIFY TO THE PARTIES LISTED BELOW THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY MADE UPON THE GROUND OF THE PROPERTY SHOWN HEREON, AND THAT THERE ARE NO ENCROACHMENTS OF VISIBLE IMPROVEMENTS, EXCEPT AS SHOWN HEREON, AND THAT THIS PROPERTY HAS ACCESS TO A PUBLIC ROADWAY, EXCEPT AS SHOWN HEREON.

BUYER: HALIL BERBEROGLU AND SARAH TAYLOR LANGE

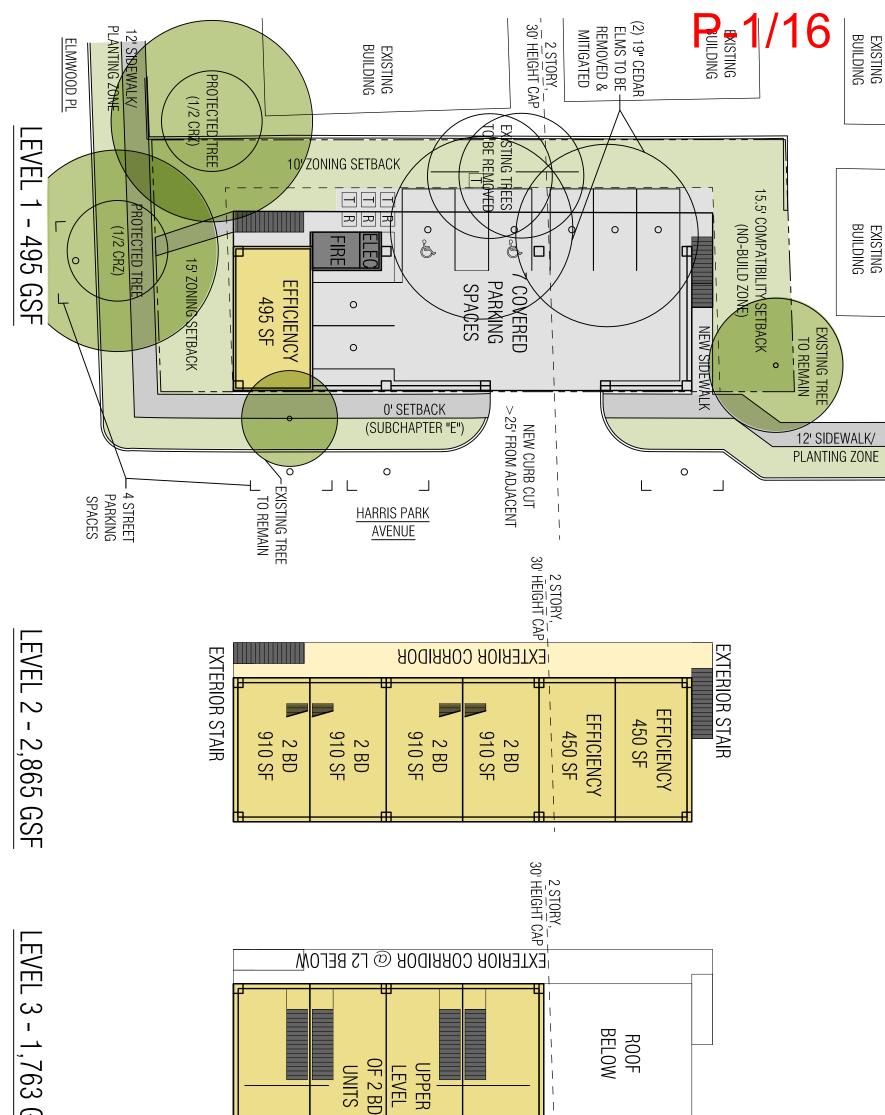
TITLE CO: INDEPENDENCE TITLE COMPANY

LENDER: SUPREME LENDING

G.F.#: 1018447-BAL NOVEMBER 4, 2010 SURVEY DATE: PLAN No.: 10-554



GEORGE E, LUCAS R.P.L.S. 4160



_EVEL 3 - 1,763 GSF

608 ELMWOOD - FEASIBILITY STUDY

608 ELMWOOD DRIVE, AUSTIN, TEXAS, 78705

sixthriver

1601 s. mopac expressway barton skyway two suite 100-d austin, texas 78746

MINIMUM LOT SIZE: 8,000 SFSITE AREA - 6,929 SFFAR - .75:1 = 5,196.75 GSF ALLOWED

 \sim 5,123 GSF PROV'D

 \sim 4,153 GSF PROV'D IMPERVIOUS COVER – 70% – 4,850.3 GSF I.C. MAX BUILDING COVERAGE - 60% - 4,157.4 GSF FOOTPRINT MAX

 \sim 4,486 GSF PROV'D

SITE AREA CALCULATION

3 EFF @ 800 EA - 2,400 SF SITE AREA REQ'D

4 2BD @ 1200 EA - 4800 SF SITE AREA REQ'D

TOTAL OF 7,200 SITE AREA REQ'D - 6,929 SF PROV'D

PARKING CALCULATION

3 EFF UNITS - 1 SPACE E
4 2BD UNITS - 2 SPACE E 20% REDUCTION FOR URBAN CORE = -2 9 PARKING SPACES MINIMUM REQ'D **EXISTING STREET SPACES** SPACES PROV'D ON-SITE 2BD UNITS - 2 SPACE EA - 8 SPACES REQ'D EFF UNITS - 1 SPACE EA - 3 SPACES REQ'D PARKING SPACES REQ'D TOTAL

PROV'D TOTAL

TOTAL - 5,123 GSF

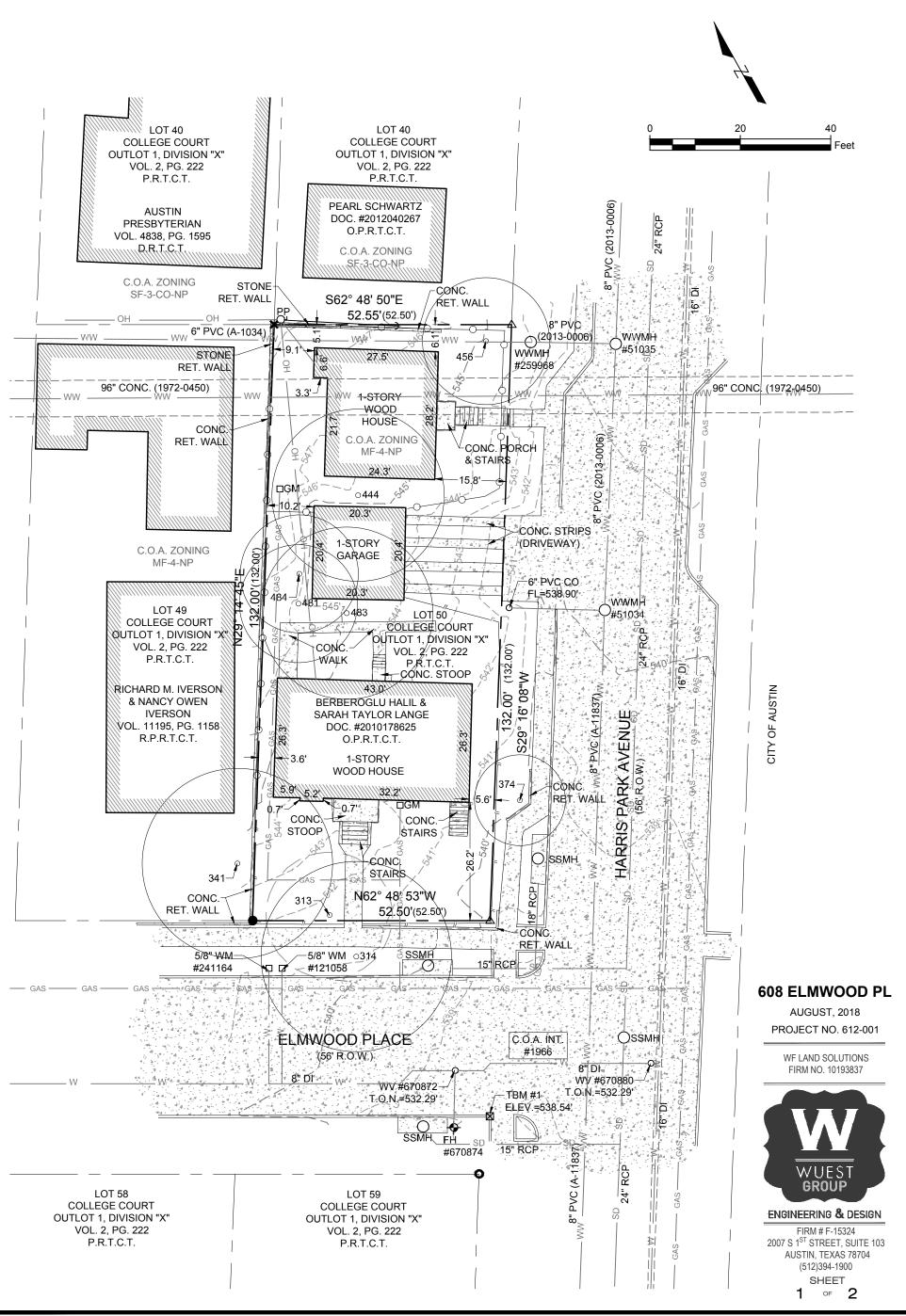
CONCEPTUAL BUILDING PLANS

SCALE 1" = 20-0"



TOPOGRAPHIC & TREE SURVEY OF

LOT 50, COLLEGE COURT, SIDON HARRIS' SUBDIVISION OF PART OF OUTLOT NO. 1, DIVISION "X", CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, RECORDED IN VOL. 2, PG. 222, P.R.T.C.T.



TOPOGRAPHIC & TREE SURVEY OF

LOT 50, COLLEGE COURT, SIDON HARRIS' SUBDIVISION OF PART OF **OUTLOT NO. 1, DIVISION "X", CITY OF AUSTIN, TRAVIS COUNTY, TEXAS,** RECORDED IN VOL. 2, PG. 222, P.R.T.C.T.

_		
		TREE TABLE
	•	$\frac{1}{2}$ " IRON ROD FOUND
	0	1" IRON PIPE FOUND (BENT)
	×	"X" MARK FOUND
	Δ	CALCULATED POINT
		TEMPORARY BENCHMARK
	PPrO ^J	POWER POLE
	\leftarrow	GUY WIRE
	OH	OVERHEAD UTILITY LINE
	GM□	GAS METER
	—— GAS ——	UNDERGROUND GAS
	CO0	CLEANOUT
	WWMH()	WASTEWATER MANHOLE
	ww	- UNDERGROUND WASTEWATER
	SSMH	STORM SEWER MANHOLE
	SD	UNDERGROUND STORM DRAIN
	WVO	WATER VALVE
	WM□	WATER METER
	FH- ♦	FIRE HYDRANT
	w	UNDERGROUND WATER
	T.O.N.	TOP OF NUT
	C.O.A.	CITY OF AUSTIN
	R.O.W.	RIGHT-OF-WAY
	P.R.T.C.T.	PLAT RECORDS, TRAVIS COUNTY, TEXAS
	D.R.T.C.T.	DEED RECORDS, TRAVIS COUNTY, TEXAS
	O.P.R.T.C.T.	OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS
	R.P.R.T.C.T.	REAL PROPERTY RECORDS, TRAVIS COUNTY, TEXAS

UTILITY AND IMPROVEMENT NOTE:

ONLY SURFACE EVIDENCE OF UTILITIES AND IMPROVEMENTS ARE SHOWN ON THIS SURVEY.

HORIZONTAL DATUM:

TEXAS STATE PLANE COORDINATES NAD '83 (CENTRAL ZONE 4203)

VERTICAL DATUM:

NAVD '88 ELEVATION DATUM

ON-SITE BENCHMARK:

TBM #1 - CUT TRIANGLE IN CONCRETE CURB ON THE SOUTH SIDE OF ELMWOOD PLACE APPROXIMATELY 68' SOUTHEAST OF THE SOUTHWEST CORNER OF LOT 50.

ELEV.= 538.54'

TREE TABLE

CE = CEDAR ELM P = PECAN RO = RED OAK CB = CHINABERRY

314 21" CE 341 21" CE 374 10" P 444 19" CE 456 14" RO 481 13" CE 482 19" CE 483 19" CE 484 13" CB

313 14" CE

AS SURVEYED BY:

Caul J. Flugel

PAUL J. FLUGEL RPLS NO. 5096 FIRM NO. 10193837 DATE OF FIELD SURVEY: 8-9-2018 DATE OF PLAT: 8-17-2018



AUGUST, 2018 PROJECT NO. 612-001

WF LAND SOLUTIONS FIRM NO. 10193837



ENGINEERING & DESIGN

FIRM # F-15324 2007 S 1ST STREET, SUITE 103 AUSTIN, TEXAS 78704 (512)394-1900

SHEET

2 of 2

From: Ramin Thomasian

Sent: Sunday, February 10, 2019 12:10 PM

To: Heldenfels, Leane < Leane. Heldenfels@austintexas.gov> **Subject:** Case No C15-2019-0009 508 Elmwood Place

Greetings: Ms. Leane

This is in reference to:

Case Number: C15-2019-0009 – 608 Elmwood Place Austin Texas 78705

To Board of Adjustment – City of Austin:

I am a homeowner at 511 Bellevue Place. I strongly object to the proposed variance and I am against erecting a 7-unit structure at 608 Elmwood Place. The subject tract/lot faces Harris Park which has significant historic character and was developed in 1930s. The proposed development and erection of multilevel structure will destroy the Park's unique character, serenity and beauty. This is an old University of Texas neighborhood adjacent to historic Harris Park and must be preserved.

Parking is already very limited along Harris Park, Elmwood and Bellevue Place and the proposed development will create more traffic, noise and congestion and parking problem for current residence. The proposed development if approved will set precedents for other developers to seek variance along Harris Park to erect structures. This will downgrade the historic character of the Park, surrounding area and the neighborhood and ruins Park's beauty and serenity.

I respectfully request the Board or Commission to deny and disapprove this variance and the proposed development.

Sincerely,

Ramin Thomasian 511 Bellevue Place Austin Texas 78705 (512)659-3445 From: T. June Melton, PE

Sent: Monday, February 04, 2019 2:10 PM

To: Heldenfels, Leane <Leane.Heldenfels@austintexas.gov> Subject: Case Number: C15-2019-0009 - 608 Elmwood Place

To City of Austin Board of Adjustment -

I, Thomas June Melton, and my wife, Betty A. Melton, own the property located at 508 Elmwood Place. The property at 608 Elmwood Place is in the same zoning district as ours, and is only 6 lots east of our property. Bpth of us stand in favor of the application for the referenced case to be heard by the Board of Adjustment and that the application be approved. Thank you.

Thomas June Melton Betty A. Melton Sent: Tuesday, February 05, 2019 5:33

Cc: Jim Schwobel Heldenfels, Leane
<Leane.Heldenfels@austintexas.gov>; Guernsey, Greg <Greg.Guernsey@austintexas.gov>; Rick lverson

Subject: RE: Board of Adjustment agenda request

Hi Lin, et. al.,

We can agree to a one month postponement. That said, the property owner will be in town on Monday (thinking he would be attending the BOA hearing) and so we would really like to attend and present at the neighborhood meeting that is scheduled for that evening. I know that you have it is a busy agenda, and I can appreciate that, but since the property owner will be in town it seems like a great opportunity to hear from him directly. Do you think that we can make that work?

Best, Leah

Leah M. Bojo, Sr Land Use & Policy Manager

Drenner Group, PC | 200 Lee Barton Drive | Suite 100 | Austin, TX 78704

512-807-2918 direct | 1-512-665-1570 cell | I

www.drennergroup.com

From: Lin Team

Sent: Tuesday, February 5, 2019 4:28 PM

To: Leah Bojo

Cc: Jim Schwobel < ; Leane Heldenfels

<leane.heldenfels@austintexas.gov>; 'Greg Guernsey' < greg.guernsey@ci.austin.tx.us>; Rick Iverson <

Subject: Board of Adjustment agenda request

Dear Leah,

As co-president of Eastwoods Neighborhood Association I ask that you postpone your item on the Board of Adjustment agenda for 608 Elmwood. Monday February 11 is when Eastwoods Neighborhood Association will be meeting, and we have a full docket of important business to do, including special guests and election of officers. I know our members would want to have a presentation on your proposal and treat it seriously. They might be open to a called meeting in order to do so, but I also think CANPAC wants to speak to these kind of issues, so we might combine meetings for that purpose.

Please consider our request.

Thank you,

Lin Team, Co-President with Jim Schwobel Eastwoods Neighborhood Association 600 Bellevue Place 78705 512-917-1930

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: C15-2019-0009, 608 Elmwood Contact: Leane Heldenfels, 512-974-2202, leane, heldenfels@austintexas.gov Public Hearing: Board of Adjustment, Monday February 11, 2019 ☐ I am in favor Your Name (please print) I object 309 E 30th Your address(es) affected by this application Sienature 5/2 627 7267 Daytime Telephone: 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: leane.heldenfels@austintexas.gov

PUBLIC HEARING INFORMATION

organization that has expressed an interest in an application affecting application. your neighborhood hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed Although applicants and/or their agent(s) are expected to attend a public You may also contact a neighborhood or environmental

than 60 days from the announcement, no further notice will be sent specific date and time for a postponement or continuation that is not later or denial of the application. If the board or commission announces a continue an application's hearing to a later date, or recommend approval During a public hearing, the board or commission may postpone or

will determine whether a person has standing to appeal the decision. can appeal the decision. The body holding a public hearing on an appeal standing to appeal, or an interested party that is identified as a person who A board or commission's decision may be appealed by a person with

board or commission by: owner of the subject property, or who communicates an interest to a An interested party is defined as a person who is the applicant or record

- notice); or concern (it may be delivered to the contact person listed on a during the public hearing that generally identifies the issues of delivering a written statement to the board or commission before or
- appearing and speaking for the record at the public hearing.
- is the record owner of property within 500 feet of the subject property occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is an officer of an environmental or neighborhood organization that or proposed development; or the subject property or proposed development. has an interest in or whose declared boundaries are within 500 feet of

be available from the responsible department. department no later than 10 days after the decision. An appeal form may A notice of appeal must be filed with the director of the responsible

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

www.austinteras.gov/department/development-services

before or at a public hearing. Your comments should include the name of the Written comments must be submitted to the contat person listed on the notice

Your Name (please print) Your address(es) affected by this application, 2914 Beanna Signature X I object

Comments: Daytime Telephone:

them to be seen by the Board at this hearing. You can send them by: Comments must be returned by 10am the day of the hearing for

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

P. O. Box 1088

Austin, TX 78767-1088

the hearing to be received in time for thi hearing) (Note: mailed comments must be postmcked by the Wed prior to

Fax: (\$12) 974-6305

Email: leane.heldenfels@austintexas.gov

From: Beth Schlechter

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

From: Terri Myers	
Sent: Wednesday, March 06, 2019 12:22 F	PM
To: 'Barbara Epstein'	; Heldenfels, Leane
<leane.heldenfels@austintexas.gov></leane.heldenfels@austintexas.gov>	
Cc: 'H	HNA'

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."

From:	<	> On Behalf Of Barbara
Epstein	[eastwoods]	
Sent: Tuesday, March 5, 2	.019 9:52 AM	
To: Heldenfels, Leane < <u>Le</u>	ane.Heldenfels@austintexas.go	<u>>V</u> >
Cc: e <	.>; HNA	
<		
Subject: [Eastwoods Neig	hborhood 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 fr! om their investment. But please don't make the neighborhood we love pay for that investment by disappearing in the process.

Posted by: Barba	ra Epstein <		>	
Reply via web	Reply to sender	• Reply to group	Start a New Topic	Messages in this topic (1)

Have you tried the highest rated email app?

With 4.5 stars in iTunes, the Yahoo Mail app is the highest rated email app on the market. What are you waiting for? Now you can access all your inboxes (Gmail, Outlook, AOL and more) in one place. Never delete an email again with 1000GB of free cloud storage.

Visit the Association's web site at http://www.eastwoodsaustin.org or email the group at
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: .
VISIT YOUR GROUP

Privacy • Unsubscribe • Terms of Use

SPONSORED LINKS

----Original Message-----

From: Robyn Turner

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 <

Sent: Sunday, March 10, 2019 8:38 PM

To: Heldenfels, Leane < Leane. Heldenfels@austintexas.gov>

Cc: Mary Ingle

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:

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

From:	
Sent: Wednesday, March 06, 2019 11:17 AM	
Fo: Heldenfels, Leane <leane.heldenfels@austintexas.gov></leane.heldenfels@austintexas.gov>	
Cc:	Robyn Turnei
<	

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.

- 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

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-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.

From: Pearl Schwartz

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 will as an over crowding with cars and traffic
In this small quite 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

Sent: Tuesday, March 05, 2019 9:52 AM

To: Heldenfels, Leane < Leane. Heldenfels@austintexas.gov>

Cc: HNA

Subject: 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.

P-1/36

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.

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:

City of Austin-Development Services Department/ 1st Floor

Mail:

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

Fax:

(512) 974-6305

the hearing to be received in time for this hearing)

(Note: mailed comments must be postmarked by the Wed prior to

Email: leane.heldenfels@austintexas.gov

Austin, TX 78767-1088

P. O. Box 1088

Leane Heldenfels

Comments:
Daytime Telephone: 512 (27 7260
Your address(es) affected by this application A Signature Signature Date
ma St.
Your Name (please print) Tam in favor
Contact: Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov Public Hearing: Board of Adjustment, Monday February 11, 2019
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.

P-1/37

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 current of property within 500 feet of the subject property
- or proposed development; or 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

Daytime Telephone: before or at a public hearing. Your comments should include the name of the Comments: Your address(es) affected by this application Your Name (please print) received will become part of the public record of this case. Case Number; and the contact person listed on the notice. All comments board or commission, or Council; the scheduled date of the public hearing; the Written comments must be submitted to the contact person listed on the notice Public Hearing: Board of Adjustment, Monday February 11, 2019 Contact: Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov Case Number: C15-2019-0009. 608 Elmwood 2000 Vilson Signature NIN 627 X I object I am in favor Date

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

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.

Applicant:	Leah Bojo, (512) 807-2918	
Owner:	Halil Berberoglu	
Address:	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**, 1st Floor, 301 West 2nd 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, 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 leane.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

Comments: received will become part of the public record of this case. Case Number; and the contact person listed on the notice. All comments board or commission, or Council; the scheduled date of the public hearing; the before or at a public hearing. Your comments should include the name of the Written comments must be submitted to the contact person listed on the notice Your Name (please print) Daytime Telephone: Your address(es) affected by this application Case Number: C15-2019-0009. 608 Elmwood Public Hearing: Board of Adjustment, Monday February 11, 2019 Contact: Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov Signature E) I object J I am in favor *Date*

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