

# COATS | ROSE

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May 9, 2019

**VIA EMAIL**

Leane Heldenfels  
Planner Senior – Board of Adjustment Liaison  
City of Austin Development Services Department  
505 Barton Springs Road  
Austin, TX 78704

Re: Land Use Determination (C15-2019-0018); 2311 Shoal Creek Blvd., Austin, TX  
78705 (“Property”)

Dear Ms. Heldenfels:

Our firm represents Texas Beta Students Aid Fund, the owner of the property located at 2311 Shoal Creek Blvd. On April 8, 2019, the Board of Adjustment took testimony and closed the public hearing, but postponed action to give my client and interested residents an opportunity to reach an agreement on the continuing use of the Property. Although my client appreciates the cooperation of the adjacent property owners, interested neighborhood associations were not willing to enter an agreement. Consequently, my client has decided to cease operations, which has already occurred and place the property on the market for sale.

In as much as my client has ceased to use the Property, and has listed the Property for immediate sale, the issue on appeal is moot. We respectfully request that the Board of Adjustment, on its own motion, dismiss the Land Use Determination before them or postpone the matter until the Property is sold. No further use of the Property will be made pending sale. This matter is currently on the agenda for May 13, 2019.

Please feel free to contact me if you have any questions.

Sincerely,



John M. Joseph

cc: Bobby Levinski  
Jerry Rusthoven, City of Austin

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