

# E-1/LATE BACKUP1

**From:** [REDACTED]  
**To:** [Ramirez, Elaine](#)  
**Cc:** [REDACTED]  
**Subject:** C15-2020-0029 - Failure to provide Notice of Variance  
**Date:** Sunday, July 12, 2020 4:28:33 PM

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\*\*\* External Email - Exercise Caution \*\*\*

Ms. Ramirez:

I live at 1105 Toyath St. My property borders the property, 1711 Waterston, that is seeking a variance. I never received the 10-day notice letter for the July 13 Board of Adjustments meeting that will address 1711 Waterston's request for several variances.

I oppose the variance requests and ask that you accept this email as my official response. This morning, July 12, my neighbor asked me if I was attending the virtual meeting tomorrow, Monday, July 13. This was the only time I received notice of the meeting. The owner's of 1711 Waterston did send me a note and said the BOA meeting was going to be held on July 13, but since I never received notice from the City, I presumed the hearing on their variance was postponed. I will be attending and will sign up to voice my opposition to this variance request.

Thank you.  
Olivia Ruiz

Olivia B. Ruiz  
Board Certified - Civil Trial Law  
Texas Board of Legal Certification  
Law Office of Olivia B. Ruiz  
P.O. Box 50142  
Austin, Texas 78763  
512.569.5546 Office  
512.233.2622 Fax  
[REDACTED]

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This message and any attached documents or files contain information that is confidential and may be protected by attorney privilege. Unless you are a listed recipient of this message, you may not read, use, copy or disclose the contents of the message or any attachment to anyone. If you have received this message in error, please "reply to" the sender indicating your receipt of the message, and securely delete the message and any attachments.

# E-1/LATE BACKUP2

**CAUTION:** This email was received at the City of Austin, from an EXTERNAL source. Please use caution when clicking links or opening attachments. If you believe this to be a malicious and/or phishing email, please forward this email to [CSIRT@austintexas.gov](mailto:CSIRT@austintexas.gov).



## 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) 974-9116.

**Mailing Date:** July 2<sup>nd</sup>, 2020

**Case Number:** C15-2020-0029

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

<b>Applicant:</b>	Ryan Bollum; (512) 553-5026
<b>Owner:</b>	John Peet; (215) 806-6796
<b>Address:</b>	1711 WATERSTON AVE; E42.5FT OF N125FT OF LOT 10 BLK 14 MAAS ADDN

**Variance Request(s):** The applicant is requesting a variance(s) from Section 25-2-492 (*Site Development Regulations*) from

1. Setback requirements to decrease the minimum interior side setback from 5 feet (required) to 3ft. 6 in. (requested)
2. Setback requirements to decrease the minimum rear yard setback from 10 feet (required) to 5 feet (requested)
3. Building Cover requirements to increase from 40% (maximum allowed) to 55% (requested)
4. Impervious Cover requirements to increase from 45% (maximum allowed) to 65% (requested)

in order to construct an addition to an existing Single-Family residence in an "SF-3-NP", Single-Family Residence-Neighborhood Plan zoning district. (Old West Austin Neighborhood Plan)

This application is scheduled to be heard by the **Board of Adjustment** on **July 13<sup>th</sup>, 2020**. 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**.

Due to current situation with COVID-19, the meeting may be held virtually online and viewable at <http://www.atxn.tv> beginning at **5:30p.m.**

To find out how to participate in the meeting, please view information below, contact the Case Manager listed below by e-mail or go to the following website:

**Board of Adjustment:** <http://www.austintexas.gov/department/boards-and-commissions>

You can find out more information on this application by inserting the case number at the following website:

<https://abc.austintexas.gov/web/permit/public-search-other>.

*\*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 **Elaine Ramirez** of the Development Services Department at 512-974-2202 or [elaine.ramirez@austintexas.gov](mailto:elaine.ramirez@austintexas.gov) and refer to the Case Number at the top right of this notice.

# E-1/LATE BACKUP4

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>

## ***Board of Adjustment meeting may be held virtually on Monday, July 13, 2020 with Social Distancing Modifications***

Public comment will be allowed via telephone; no in-person input will be allowed. **All speakers must register in advance (Day before the scheduled meeting, July 12, 2020 before Noon).**

To speak remotely at the July 13, 2020 Board of Adjustment Meeting, residents must:

- Email the board liaison at [elaine.ramirez@austintexas.gov](mailto:elaine.ramirez@austintexas.gov) (the day before the meeting). The information required is the speaker name, case #, item number(s) they wish to speak on, whether they are for/against/neutral, and address, telephone number and/or email address.
- Once a request to speak has been called in or emailed to the board liaison, residents will receive either an email or phone call providing the telephone number to call on the day of the scheduled meeting.
- Speakers must call in between 4:45p.m. – 5:20p.m, prior to the meeting starting in order to speak, late callers **will not be accepted** and will not be able to speak.
- Speakers will be placed in a queue until their time to speak and must place their phone on mute until called on to speak.
- Residents may watch the meeting here: <http://www.austintexas.gov/page/watch-atxn-live>

## 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 development or change. 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 is required.

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 web site: [www.austintexas.gov/devservices](http://www.austintexas.gov/devservices).

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: C15-2020-0029

Contact: Elaine Ramirez, [elaine.ramirez@austintexas.gov](mailto:elaine.ramirez@austintexas.gov)

Public Hearing: Board of Adjustment; July 13<sup>th</sup>, 2020

NAME JULIUS RAY ? John Daughtridge  
Your Name (please print)

☐ I am in favor  
☒ I object

1716 PARMA PLAZA  
Your address(es) affected by this application

Mike Jullerat [Signature] 07/07/20  
Signature Date

Daytime Telephone: \_\_\_\_\_

Comments: DECREASING EXISTING SETBACKS  
TO ALLOW ANOTHER 2F-3 & PUT THOSE  
NOISE LEVELS ON NEIGHBORS IS A TERRIBLE  
IDEA. BECAUSE THEY WILL HEAR THEM & JUST  
STOP TRYING TO MAX OUT YOUR PROPERTY &  
GET MORE MONEY.

If you use this form to comment, it must currently be returned via e-mail (as we do not have access to our mail due to social distancing):

City of Austin-Development Services Department

Elaine Ramirez

Scan & Email to: [elaine.ramirez@austintexas.gov](mailto:elaine.ramirez@austintexas.gov)

# E-1/LATE BACKUP6



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

1" = 134'

## NOTIFICATIONS

CASE#: C15-2020-0029

LOCATION: 1711 WATERSTON AVENUE

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.





# E-1/LATE BACKUP7

**From:** Kindra Welch  
**To:** [Ramirez, Elaine](#)  
**Subject:** Re: case C15-2020-0029  
**Date:** Friday, July 10, 2020 6:14:03 AM

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Sorry Elaine... typo fixed in the letter below :)

To whom it may concern;

I would like to express my support for the variances requested by homeowners at 1711 Waterston St. case #C15-2020-0029. The setback variances they are requesting are reasonable tradeoffs to create more space for their large trees. The impervious cover increase is balanced by the inclusion of a green roof and rainwater collection system. Many thanks to John and Molly for creating a thoughtful project that balances their plans with neighborhood character and consideration for stormwater runoff.

Kindra Welch  
1200 Charlotte St.

On Jul 9, 2020, at 7:04 AM, Ramirez, Elaine <[Elaine.Ramirez@austintexas.gov](mailto:Elaine.Ramirez@austintexas.gov)> wrote:

Good morning Kindra,  
I unfortunately cannot except this e-mail, below you have the address for case #C15-2020-0029 as 1711 Charlotte St. Do they own another property? If this is a mistake please send a new e-mail with correct address for the case above, the address I have listed is 1711 Waterston Ave. Thank You!

**Respectfully,**

**Elaine Ramirez**

*Senior Planner / Board of Adjustment Liaison*

[City of Austin Development Services Department](#)

One Texas Center / 505 Barton Springs Rd / 1<sup>st</sup> Floor

**Office:** 512-974-2202

<image001.png>

**PER CITY ORDINANCE:** All individuals scheduling or accepting a meeting invitation with a City Official are requested to provide responses to the questions at the following link: **[DSD Visitor Log](#)**. Please note that all information provided is subject to public disclosure via DSD's open data portal. For more information please visit: [City of Austin Ordinance 2016-0922-005](#) | [City Clerk's website](#) | [City Clerk's FAQ's](#)

# E-1/LATE BACKUP8

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

From: Kindra Welch [REDACTED]  
Sent: Wednesday, July 08, 2020 5:23 PM  
To: Ramirez, Elaine <[Elaine.Ramirez@austintexas.gov](mailto:Elaine.Ramirez@austintexas.gov)>  
Subject: Re: case C15-2020-0029

\*\*\* External Email - Exercise Caution \*\*\*

To whom it may concern;

I would like to express my support for the variances requested by homeowners at 1711 Charlotte St. case #C15-2020-0029. The setback variances they are requesting are reasonable tradeoffs to create more space for their large trees. The impervious cover increase is balanced by the inclusion of a green roof and rainwater collection system. Many thanks to John and Molly for creating a thoughtful project that balances their plans with neighborhood character and consideration for stormwater runoff.

Kindra Welch

1200 Charlotte St.

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**CLARKSVILLE**  
COMMUNITY DEVELOPMENT CORPORATION

June 22, 2020

Dear Members of the Board of Adjustment:

The board of directors of the Clarksville Community Development Corporation (CCDC), the neighborhood organization for historic Clarksville, where 1711 Waterston is located supports the variance requests being made by the property's owners, John Peet and Molly Rosenblatt.

We believe that their requests are reasonable. Also, we appreciate the amount of sensitivity that the Rosenblatt's have shown to their immediate neighbors and to the unique history of Clarksville in the design of their addition. The CCDC board believes that they have truly gone above and beyond in their efforts to design an addition that fits with the neighborhood and takes their neighbors into account.

Thank you.

My Best,

A handwritten signature in black ink that reads "Mary Reed". The signature is fluid and cursive, with the first name "Mary" and last name "Reed" clearly distinguishable.

Mary Reed  
President, CCDC

**Clarksville Community Development Corporation**  
**PO Box 5975, Austin, TX 78763**

# E-1/LATE BACKUP10

From: Sheila Lyon [REDACTED]  
Subject: 1711 Waterston Variance Request  
Date: Jul 8, 2020 at 12:56:32 PM  
To: [REDACTED]

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July 8, 2020

Dear John Peet and Molly Rosenblatt,

The OWANA Steering Committee reviewed your request for a variance at 1711 Waterston. The result of the discussion was a vote to not oppose the variance request. Thank you for sharing your plans for an addition to 1711 Waterston with OWANA.

Best Regards,  
Sheila Lyon  
OWANA Zoning Chair

James L. Arth  
1709 Waterston Avenue, #A  
Austin, Texas 78703

July 9, 2020

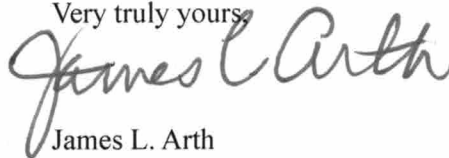
City of Austin  
Board of Adjustment  
301 West 2nd Street  
Austin, Texas 78701

Re: John Peet and Molly Rosenblatt; Case No C-15-2020-0029  
1711 Waterston Avenue

Dear Board:

I support the addition as designed by John and Molly for this property. I own the property to the immediate east of theirs. Please let me know if you have any questions.

Very truly yours,

A handwritten signature in dark ink, appearing to read "James L. Arth". The signature is fluid and cursive, with the first name "James" and last name "Arth" clearly legible. It is positioned above the printed name "James L. Arth".

James L. Arth

# E-1/LATE BACKUP12

**From:** Dave Sullivan s [REDACTED]  
**Subject:** Got your note  
**Date:** June 28, 2020 at 6:53 PM  
**To:** [REDACTED]

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Molly & John

We got your note about the addition you are planning at 1711 Waterston. No objections here. The staff may ask you for some documentation of the drainage from your lot. Watershed Protection Dept has been getting more strict about this. The Board of Adjustment is supposed to make very objective decisions and make findings that the variances are necessary and you are not enjoying any special privilege. You can cite the Old West Austin Neighborhood Plan, which calls for the preservation of houses and that stipulation has backed up at least two successful variance requests of which I am aware.

Good luck, and best wishes!!!

Dave Sullivan  
1710 Waterston Ave  
cell 512-914-4710

# E-1/LATE BACKUP13

I support the addition as designed at 1711 Waterston Avenue:

Name: Sandra Martin Kurt Schmitt Address: 1708 Waterston Ave.

Signature: Sandra Martin 78703  
Kurt Schmitt

I support the addition as designed at 1711 Waterston Avenue:

Name: GUY R. LIPOF Address: 1715 WATERSTON AVE

Signature: [Signature] AUSTIN, TX 78703

I support the addition as designed at 1711 Waterston Avenue:

Name: Chris Archer Address: ~~1106~~ 1106 Tojath St.

Signature: [Signature] Austin, TX 78703

I support the addition as designed at 1711 Waterston Avenue:

Name: KRISTEN THORSEN + JASON LEPES Address: 1712 W 11<sup>TH</sup> ST

Signature: K Thorsen AUSTIN, TX 78703

# E-1/LATE BACKUP14

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: C15-2020-0029**

**Contact:** Elaine Ramirez, [elaine.ramirez@austintexas.gov](mailto:elaine.ramirez@austintexas.gov)

**Public Hearing: Board of Adjustment; July 13<sup>th</sup>, 2020**

LOUIS RIGLER

Your Name (please print)

☐ I am in favor  
☒ I object

1103 TOYATH ST 78703

Your address(es) affected by this application



Signature

7/10/20  
Date

Daytime Telephone: 512 569-5548

Comments: REGRETFULLY I CANNOT SUPPORT  
THE FOUNDATION OF THE REQUESTS  
HEREIN. IT CAN'T BE A HANDSHIP  
TO BUY A PROPERTY AND THEN  
SAY THE EXISTING FACTS CONSTITUTE  
A HANDSHIP. I WOULD NEED A  
DEED RESTRICTION ON SUCH A LARGE  
BUILT AREA THAT LIMITS HEIGHT TO  
ONE STORY AT A MINIMUM.

If you use this form to comment, it must currently be returned via e-mail (as we do not have access to our mail due to social distancing):

City of Austin-Development Services Department

Elaine Ramirez

Scan & Email to: [elaine.ramirez@austintexas.gov](mailto:elaine.ramirez@austintexas.gov)