



ENVIRONMENTAL COMMISSION MOTION 20201120 003c

Date: November 20, 2020

Subject: Appeal request from Patrick Fulker at 13213 Villa Park Drive

Motion by: Kevin Ramberg

Seconded by: Linda Guerrero

RATIONALE:

WHEREAS, the Environmental Commission recognizes the applicant's request for the Commission to consider a request from a private property owner, Patrick Fulker to appeal the Public Works Urban Forester's denial of application for an administrative approval, as provided in City Code Section 6-3-91, to remove a 20-inch public tree located at 13213 Villa Park Drive, Austin, Texas 78729.

WHEREAS, the Environmental Commission recognizes that City of Austin Urban Forester staff have denied the request to remove the 20-inch cottonwood tree in public ROW at the above-noted address; and

WHEREAS, the Environmental Commission may overrule, sustain or modify the determination per City Code Section 6-3-93.

THEREFORE, the Environmental Commission recommends sustaining the denial of the request to remove the public tree based on the following justification;

- 1) Per City staff, the 20-inch cottonwood is in good health and within public right of way; and
- 2) with the following understanding that it is not the Environmental Commission's wishes to disallow the property owner from the same right to appeal of this decision in the future if more conclusive evidence of conflicts from the 20-inch cottonwood and Mr. Fulker's waterline can be presented.

VOTE 9-0

For: Gordon, Nill, Bedford, Thompson, Smith, Guerrero, Coyne, Maceo, Ramberg

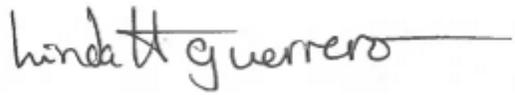
Against: None

Abstain: None

Recuse: None

Absent: Creel, Neely

Approved By:

A handwritten signature in black ink that reads "Linda Guerrero". The signature is written in a cursive style with a long horizontal line extending from the end of the name.

Linda Guerrero, Environmental Commission Chair