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**EXECUTIVE COMMITTEE MEETING**  
**Howson Branch Library**  
**July 7th, 2003, 7:00 pm**

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**West Austin Neighborhood Group**  
P.O. Box 5722  
Austin, Texas 78763-5722



West Austin Neighborhood Group

Organized 1973

*"To preserve our neighborhood and protect it from deterioration."*

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# THE NEIGHBOR

P.O. Box 5722 • Austin, Texas 78763-5722

June, 2003

**President's Message**  
**June 2003**

Summer Salutations to All:  
Beginning this past April, my messages have attempted to pick up the "Spring" theme. Well, we live in Austin, where Spring is over in two months. So as we slowly switch to searing summer days, let's consider some summer themes, like Fourth of July parades, cooling off in Tarrytown and neighborhood entertainment ideas.

**TARRYTOWN FOURTH OF JULY PARADE**

Join your neighbors for Tarrytown's 13th Annual Fourth of July Parade on Friday morning, July 4. The parade will begin at the corner of Exposition and Moffett, in front of Good Shepherd Church. The lineup for the parade will begin at 8am, leaving sharply at 9am, and will proceed West on Windsor to Pecos, and North on Pecos to Reed Park. Come participate in this fun, family event anywhere along the route and enjoy hot dogs, cookies, and lemonade at Reed Park.

Adults and children are encouraged to walk, ride bikes, and push strollers in the parade, or simply watch and enjoy. Neighbors and friends who do not start with the parade at Good Shepherd Church are invited to join along the way. Children are encouraged to decorate bikes and strollers. Pets (or people) are welcome on leashes. Those whose homes border the parade route are encouraged to invite neighbors, friends, and families to join them in their front yards in cheering on the Parade. Don't forget to decorate those bikes and animals!

**COOL IN THE POOL,  
OR LARK IN THE PARK**

For those yearning to make a break from the cold, dry air-conditioned environment of your home, but not quite ready to bake in the scorching summer sun, our neighborhood has some terrific places to go for heat relief. In addition to private swimming clubs (Westwood and Tarry House), we have three wonderful public pools at Deep Eddy, West Enfield Park and Reed Park. The smaller pools at West Enfield and Reed Park are free to the

public and are scheduled to be open until August 17. Having grown up here, I can't even imagine surviving a hot Austin day without jumping in Reed Park pool.

But there are other fun ways to stay cool outdoors in West Austin. Here are some ideas. Take a walk through the forest trail behind Reed Park before or after a swim and stomp around in the creek. Take in one of the Splash Party Movie Nights at Deep Eddy pool after dinner at Mangia's Pizza. See Stuart Little II (July 5th), My Big Fat Greek Wedding (July 12th), Harry Potter: The Sorcerer's Stone (July 19th) or Scooby Doo (July 26th). At Mayfield Park, you can visit with the peacocks and stroll through the extensive trail system that leads down to the creek and dip your tootsies in the Lilly pad pools. At Lagunia Gloria, walk under the trees to see the lagoon or Lake Austin. Take a picnic down to Walsh Boat Landing and watch all the sillies try to sink their trucks in the lake as they pull the boats out of the water. Go fishing or rock skippin' at Red Bud Island just below Tom Miller Dam (before the dam breaks). At Texas Rowing on Town Lake just in front of Austin High School, you can rent a kayak or feed the birds and fish or even take in the beautiful evening with your favorite beverage. Another cool evening strategy is to take a pizza picnic up to Mount Bonnell and enjoy the evening breezes as the sun sets. We are lucky to have all of these wonderful options within easy reach of our 'hood.

The neighborhood pools offer more than a public dippin' pond. Both Reed and West Enfield pools have swim teams for the kids, as well as lap swimming for the big kids. At West Enfield, the City also has a summer playground program with wide variety of recreation activities for children 6-12 years old. The program runs until Friday, July 25th (except for July 4), Monday through Thursday, 9:00 a.m. - 5:00 p.m. and Friday 10:00 a.m. - 5:00 p.m. All you have to do is register at the site on your child's first day. The Summer Playground Program is designed to provide "drop-in" activities for children and is not a substitute for day camp or childcare. Call 480-3043 or see <http://www.ci.austin.tx.us/parks/playgrounds.htm> for details.

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Background Photo of Lime Kiln #PICA24140, Austin History Center, Austin Public Library

**Be sure to visit our website at <http://www.deepeddy.com/wang/>!**

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### FOLLOWUP ITEMS: DUPLEX UPDATE AND TAX APPRAISAL PROTESTS

I have two updates on topics previously reported here.

First of all, the Austin City Council approved an amendment on June 5 that will change the way duplexes in the city are built. Previously, duplex occupancy restrictions allowed six unrelated people per living space, but under the new ordinance, any new duplex being built can house only three unrelated people per space. Also, the ordinance previously did not restrict floor space, but the amendment limits living space on every lot 10,000 square feet or less to no more than 4,000 square feet of living space. On lots greater than 10,000 square feet, living space can only total 57 percent or less of the lot's area. Also, under the new ordinance, a duplex can only be 30 feet or two stories tall, as opposed to the previous limit of 35 feet. The new ordinance applies only to duplexes that will be built in the future.

In last month's message, we reviewed some of the strategies for keeping your property taxes under control, including protesting your property appraisal. One of erst-while readers (Joe Anderson) wrote in with the suggestion of using a professional service to argue your protest. For example, a group called "Texas Protax Austin, Inc." is a property tax consulting firm that assists taxpayers with their right to appeal appraised values placed on their properties. As I understand it, they take a percentage (20% or 30%) of whatever tax savings they get you. No savings, no fee. For further details, see their web site at <http://www.texasprotax.com/>.

### VARIANCE REQUEST POLICY

In a recent note, a writer asked that we describe how WANG'S board decides on variance requests, and explain why the board does not affirmatively support variance requests. Here is a short response. But first, an introductory statement.

Intro: When a variance request is submitted, the applicant is essentially asking to have his or her property rights expanded beyond those shared by other property owners in the neighborhood. Very often, a variance granted to one neighbor can be viewed as a diminishment of the property rights of a neighbor.

Variance Decision Mechanics: If the majority of WANG's board opposes the variance request, the City is notified of WANG's opposition. But if the majority of the board does not oppose the request, WANG's board takes no action.

Variance Policy: Rather than taking affirmative action to support a variance, the "no

action" policy is useful for a number of reasons. First, it reflects where the neighborhood organization fits into the overall regulatory process, in which the City Council defines what affirmative property rights are available with its zoning laws, and the neighborhood organizations are asked to provide input when an individual wants to exceed his zoning rights. If a neighborhood organization starts affirmatively supporting variance requests, it seems that this usurps the City Council's responsibility in defining property rights.

Second, by not endorsing property right expansions, this policy seems to fit more comfortably with WANG's objective of "preserving and protecting the neighborhood." Our primary objective is to prevent harm, not promote "good." Indeed, it would add substantial complexity to our decision-making process if we had to come up with a system for deciding when a variance request was "good" for the neighborhood and merited support. For example, when would a set back variance be "good" for the neighborhood and merit support?

Third, it's easier to identify what is bad for the neighborhood than what is good for it. (This is not to say that WANG doesn't try to improve the neighborhood, but it is admittedly harder work.)

Fourth, the "no action" policy prevents the situation of having support for one variance request be used to support requests by other applicants. Moving to a "precedent-based" system would be overly complex and difficult to manage.

Finally, from a practical standpoint, a change to require board action on every request (either opposition or support) would require board representation at every single variance hearing. Our volunteer zoning chair (Blake Tollett) is already working above and beyond the call in meeting the requirements of our current policy. Requiring affirmative support for variances would unduly tax the scarce resources of our volunteer organization.

And as always, please feel free to contact me on matters of neighborhood concern.

**Michael Rocco Cannatti**  
338-9100 or [mike@hamiltonterre.com](mailto:mike@hamiltonterre.com)

### WANG Executive Committee Meeting Minutes June 2, 2003

**Attending Board Members:** Michael Cannatti, Albert Almanza, Joyce Basciano, Erik Cary, Michael Falk, Gwen Jewiss, Susan Pascoe, Kenneth Pfluger, and Blake Tollett

**Guests:** Ian Inglis, Jim Girardeau, James

Cormier, Bert Pluymen, Carol King, Morris Gottesman, and several other neighbors were in attendance.

### Approval of Minutes

The minutes from the May 2003 meeting were approved.

**Monac Update** – Ian Inglis was in attendance to provide an update on regional transportation issues. Ian indicated that councilmembers Will Wynn and Betty Dunkerly have indicated that they may be in support of noise walls along the Mopac central corridor. According to Ian, there may be Mobility Enhancement money available from Capital Metro. At this point, the walls being proposed were enhanced, pre-fab walls (basically a fence), which require very little foundation work to install. One of the drawbacks to the wall is the potential for reflected noise because of the height differential between the North-bound and South-bound lanes.

Ian indicated that things looked positive for authorization to create a commuter rail district.

### Committee Reports

#### Zoning

**701 Norwalk and 2502 West 7th Street** – Persons were in attendance concerning the proposed development for the Lake Austin Montessori School. Representatives from the Montessori school indicated that the original request for rezoning from SF-3 to NO had been withdrawn. Although Planning and Zoning had recommended a denial of the change in zoning, the applicant had planned to appeal this decision to the City Council. The appeal has also been withdrawn. According to the representatives, the school is now planning on going forward with plans to obtain a conditional use permit together with modest requests for variances to accommodate the playground and set-back issues.

Bert Pluymen (who has a son at the school) indicated that he does not want to see a change in the character of the neighborhood. He said that the school decided to withdraw their request for a zoning change so as not to change the character of the neighborhood.

Tom Schotz spoke in favor of the development stating that the Lake Austin Montessori school is part of the community. He said that although he has taken for granted that the school would always be a part of the community, its continued existence will enhance the community.

James L. Cormier, the Architect representing the school, displayed the plans for the

continued, next page

# Join WANG

continued from previous

proposed development and discussed the plans in detail. Cormier indicated that the construction would be in keeping with the neighborhood and that to this end lap siding would be used. He indicated that nearly all of the trees would be preserved on the site.

Mr. Cormier indicated that the planned development was a good low-intensity use for the lot, which would act as a buffer zone going between the high-use commercial development near Goodwill, the 7-11 Store, and Eckerd's and the neighborhood.

Two neighbors spoke in opposition to the planned development. Ms. Mitchell indicated that she is opposed to the planned development because of the increased traffic and parking. She indicated that this was a commercial encroachment into the neighborhood. Carol King also spoke in opposition to the planned development. In addition to her concerns that this would increase traffic and parking along the street, she was concerned that the development was in a natural location for water drainage from the neighborhood.

**2200 Stamford Lane** – Morris Gottesman appeared and discussed his variance request with the City for a waiver of the impervious cover limitations. According to Mr. Gottesman, the original driveway was done with gravel. Mr. Gottesman said that according to the City, gravel is also impervious cover. This is primarily due to the packing which occurs from driving the car on it. Mr. Gottesman indicated that although the lot now exceeds the impervious cover limitations, it was not the change to concrete pavers which resulted in the excessive percentage of cover. The lot was over the limit before he owned the house. After additional discussion by the executive committee, it was decided 6-1 in favor of lodging an opposition to the variance request. Michael Cannatti and Erik Cary abstained from the vote.

**Committee Reports** – Reports with be deferred to the next meeting.

**Treasurer's Report**— It was reported that the checking account balance is \$3,736.51; savings account balance is \$3,172.22; oak wilt account's balance is \$1,194.57, and paid membership current-ly stands at 287.

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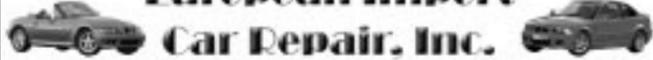
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