

0066

**Heldenfels, Leane**

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**To:** Christine C  
**Subject:** RE: Reconsideration of Board's action for 57 Anthony/C15-2014-0066

**From:** Christine C [~~Christine C Heldenfels~~]  
**Sent:** Thursday, June 19, 2014 9:42 AM  
**To:** Heldenfels, Leane  
**Subject:** Re: Reconsideration of Board's action for 57 Anthony/C15-2014-0066

Hello Leane,

Please consider this my request for reconsideration of my case at the next session.

I'm asking for a reconsideration because I believe that this property has a valid hardship, in that the existing carport is not functional, and there are no other options for parking on the property, forcing all vehicles to be parked on the street.

The existing carport fails to meet the minimum requirements in two separate dimensions, being the clear width of the carport and front clearance, to allow entrance to the carport in four different cities (which were all of the cities I found when searching), including the city of Austin. There were no parking lot/garage guidelines that I found for which the current carport dimensions are viable. I have also had a structural engineer personally examine the property, and they have documented that they found similar conclusions.

Because it fails to meet these minimum requirements, the carport cannot be used without extremely high risk of property damage. This is because:

1. There is not enough space to successfully turn from the alley into the carport.
2. The carport itself is not wide enough to accommodate the movements of any normal vehicle without undue risk of damage. Any vehicles larger than an extremely compact car will actually not even physically fit inside the carport.

There are extremely numerous examples of carports in the near neighborhood of this house which extend completely to the property line. Most of these carports are visible from the street, and all carports and garages in the area are obviously visibly much wider than the carport at 57 Anthony Street. In addition, these carports and garages typically have a much longer driveway in order to access the parking space, and have street access (as opposed to a 10'8" alleyway) to allow for successful maneuvering into the carport without undue risk of damage.

I have new evidence in this document:

[http://fauxarts.com/share/57\\_anthony\\_exhibits\\_july\\_6-19-14.pdf](http://fauxarts.com/share/57_anthony_exhibits_july_6-19-14.pdf)

Please also include all my previous materials, which can be found here:

[http://fauxarts.com/share/57\\_anthony\\_variance\\_application\\_5-14.zip](http://fauxarts.com/share/57_anthony_variance_application_5-14.zip)

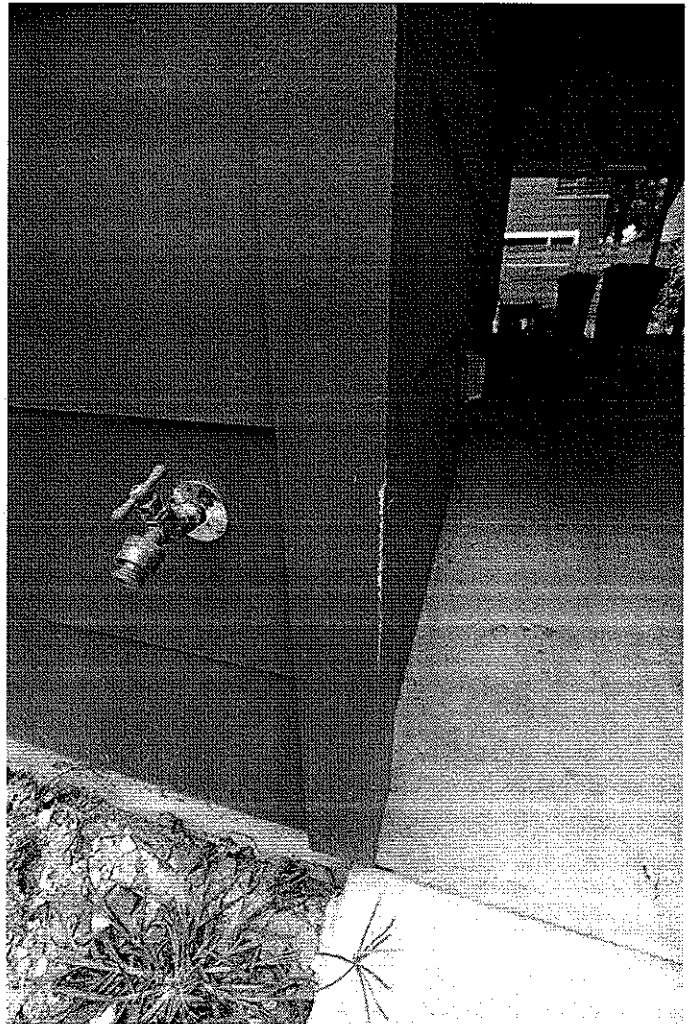
Comparison chart of minimum parking space requirements

source	minimum clear width	minimum front clearance	notes
actual carport	8'2.5"	21'8"	obstructions on both sides
Austin City Hall parking garage	10'8.5" 7'5.5" + 1'7.5" on both sides	23'8"	no obstructions
Austin Land Use residential guidelines	8.5'	24'	obstructions not mentioned
Round Rock parking lot guidelines	8.5'	28'	obstructions not mentioned
Berkeley parking lot guidelines	9'	24'	obstructions not mentioned
Santa Barbara parking lot guidelines	9'	31'	obstructions considered
Santa Barbara carport guidelines	10.5' with 4' add'l clear width on both sides to maneuver	28'	obstructions considered

Photos of damage



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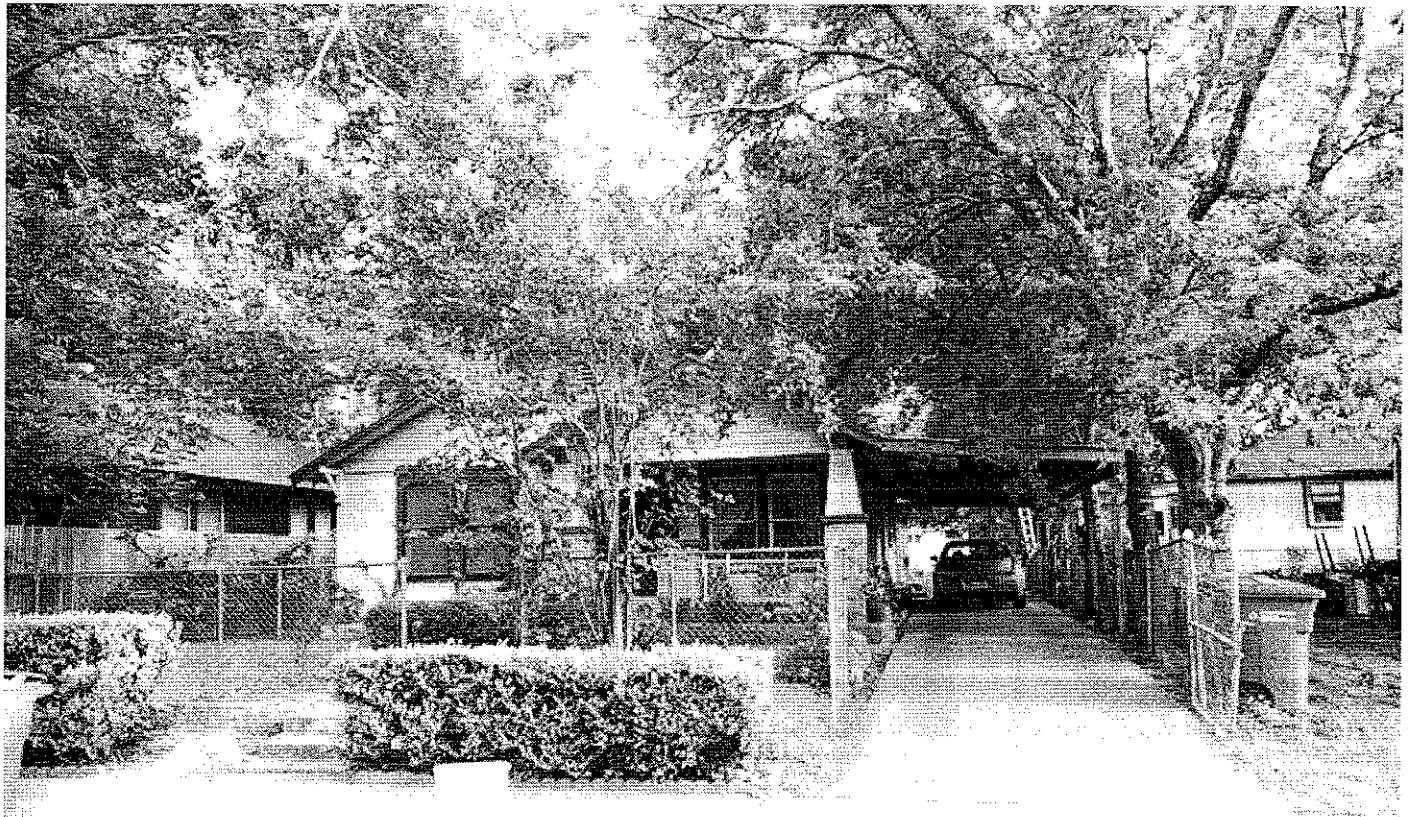
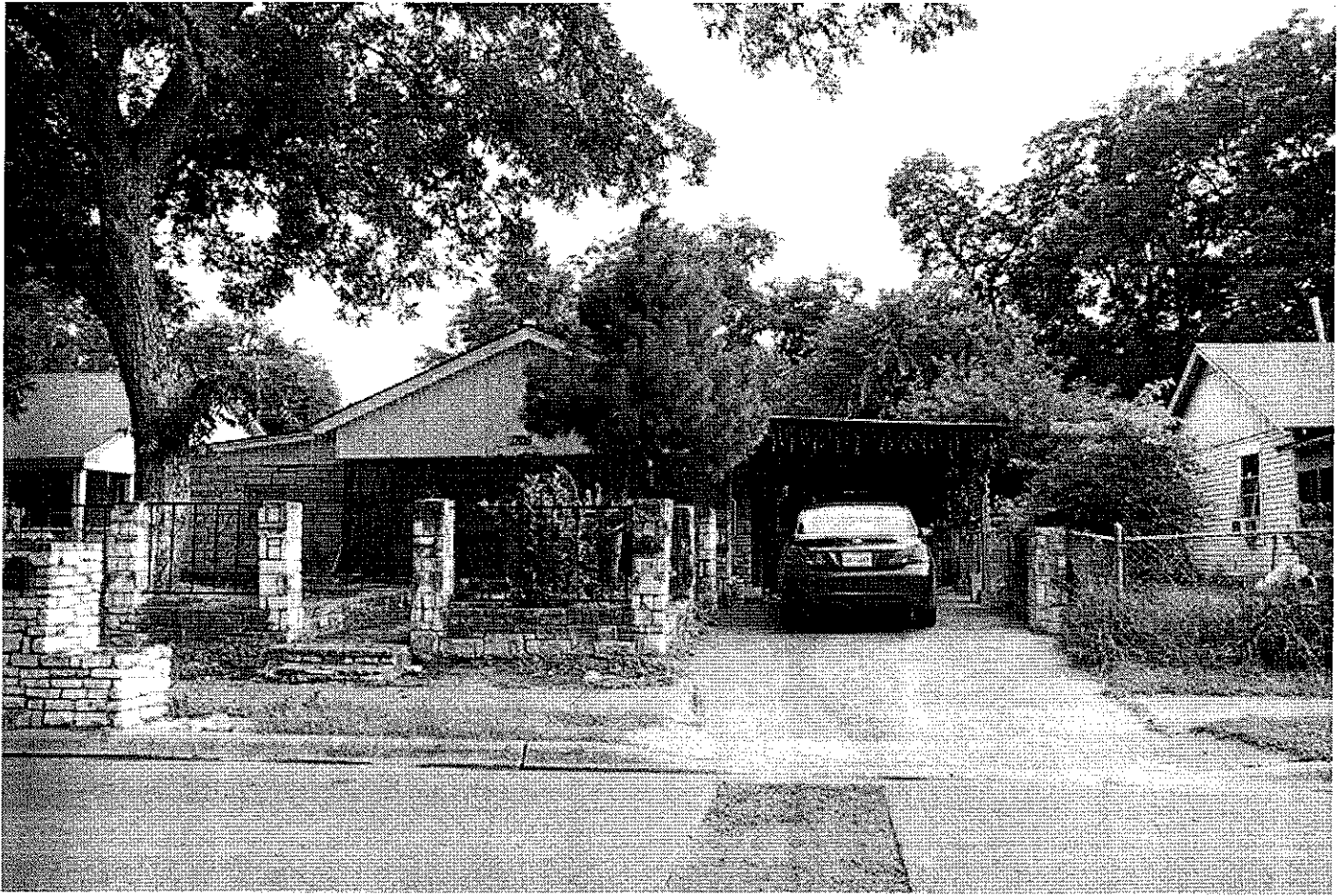


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Photos of carports in the neighborhood extending to property line



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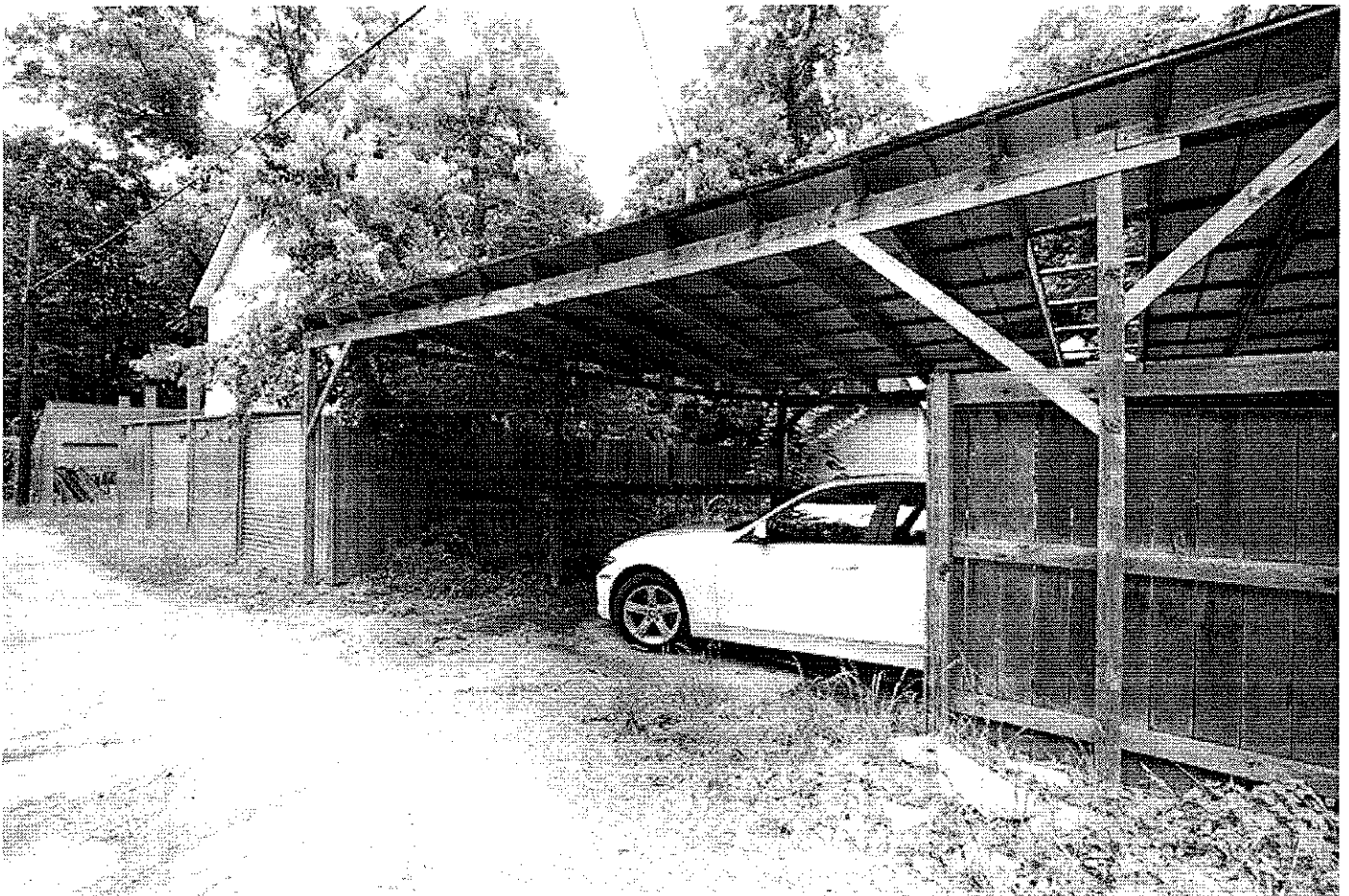


C15-2014-0066





015-2014-0066



Leane Heldenfels  
Board of Adjustment Liaison  
City of Austin  
505 Barton Springs  
1<sup>st</sup> Floor/Development Assistance Center  
Austin, 78704

Re: 57 Anthony BOA Case # C15-2014-0066

Homeowner claims there is inadequate room to pull in, but a quick visit to the site shows there is plenty of room.

Homeowner further claims the carport has been struck multiple times when pulling in, but there is no evidence of this at all.

Neighbors do not believe this is the real reason a variance is being sought. There is no hardship. This appears to be a ploy to just build a bigger home than a garage apartment (which is what 57 Anthony is) allowed to be!

How can 57 Anthony seek a variance when it is just the garage apartment associated with 2101 Holly?  
Shouldn't the variance request come from 2101 Holly?

These buildings were built together very recently as custom homes—how can they already need to be changed? They should have designed within code in the desired way the first time. Again, there is no hardship unique to this property.

Doesn't this site have to be code compliant as a whole? How can 57 Anthony expand without affecting 2101 Holly? Also appears this lot was built out to the full extent—even if a setback variance were granted (and it should not be), are they going to seek an impervious cover variance? A FAR variance? We do not believe this variance would cover most of what they want to do, and what they want to do will not be allowed, so what is the point?

Neighbors hear these homes were sold separately as condos—does the City enforce HOA policy? That is, wouldn't the homeowner need HOA permission to remodel/alter/change the structures/property? If the HOA does not allow what the homeowner wants to do, what is the point of the variance, which will set a dangerous precedent. If they get this request for smaller setbacks, everyone else and all the developers will want the same!

Our neighbors at 2103 Holly already have runoff and drainage issues because this lot was developed into 2 homes from 1, and 57 Anthony does not even have gutters—more built-out space will flood 2103! They also removed fruit trees and cacti that had been there for decades. Development is already too intense and now they want special permission to add more concrete and buildings? NO!

Even though it should not be granted, if it were, the variance should clearly state that ONLY the carport can be expanded (IF the site as whole would still be code compliant) and NO additional living space or outdoor space can be added.

We Holly neighbors object to this request! We wish to remain anonymous since we all live nearby! Thanks!