

PUBLIC HEARING INFORMATION

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Case Number: C15-2019-0012, 1802 Cloverleaf
Contact: Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov
Public Hearing: Board of Adjustment, April 8, 2019

William Van Wart
Your Name (please print) I am in favor
 I object

1703 Cloverleaf Dr 78723
Your address(es) affected by this application

[Signature] 3-31-19
Signature Date

Daytime Telephone: 917 699 9577

Comments: I support Mr. Westheimer's request to keep his car port as is. He is an outstanding neighbor and keeps his property well maintained. His request should be granted as no problems have ever resulted because of the car port.

Comments must be returned by 10am the day of the hearing for them to be seen by the Board at this hearing and can be sent by:

Mail: City of Austin-Development Services Department/ 1st Floor
Leane Heldenfels
P. O. Box 1088
Austin, TX 78767-1088
(Note: mailed comments must be postmarked by the Wed prior to the hearing to be received in time for this hearing)
Fax: (512) 974-6305
Email: leane.heldenfels@austintexas.gov

Q-1/45

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Contact: Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov
Public Hearing: Board of Adjustment, April 8, 2019

Your Name (please print) **BUFF STRICKLAND**
 I am in favor
 I object

Your address(es) affected by this application
1703 CLOVERLEAF DR
(MAYBANK) **03-31-19**
Signature Date

Daytime Telephone: **466-554-403**

Comments: **The carpet has been on Josh's property for more than 10 years and is well maintained. Not sure what the issue is with granting an exception.**

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From: Robert Tillotson
Sent: Wednesday, April 03, 2019 9:19 AM
To: Heldenfels, Leane <Leane.Heldenfels@austintexas.gov>
Subject: Re: Variance. 1802 cloverleaf

I am gonna retract my support for the carport. I need to stay neutral.
Thanks
R Tillotson

From: Karen Pagani
Sent: Tuesday, April 02, 2019 11:30 AM
To: Johnson, Christopher [DSD] <Christopher.Johnson@austintexas.gov>
Subject: 1802 Cloverleaf Drive

Dear Mr. Johnson:

May I please see the file that will be submitted to the BOA for next week's meeting?

Also: I would like to add/resubmit these photos to accompany my formal statement, which I sent you last week. These show not only the carport' length, but also its height and the cumulative effects of the fence they recently added.

Thank you.

KP



Q-1/48



Q-1/49



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Case Number: C15-2019-0012, 1802 Cloverleaf

Contact: Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov

Public Hearing: Board of Adjustment, April 8, 2019

Your Name (please print) William Van Wert

1703 Cloverleaf Dr 78723

Your address(es) affected by this application

[Signature] 3-31-19
Signature Date

Daytime Telephone: 917 699 9577

Comments: I support Mr. Westheimer's
request to keep his car port
as is. He is an outstanding
neighbor and keeps his property
well maintained. His request should
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Q-1/50

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Contact: Leane Heldenfels, 512-974-2202, leaneheldenfels@austintexas.gov

Public Hearing: Board of Adjustment, April 8, 2019

Leane Heldenfels
Your Name (please print)

| |
|---|
| <input checked="" type="checkbox"/> I am in favor |
| <input type="checkbox"/> I object |

1707 Cloverleaf Dr 78723

Your address(es) affected by this application

Leane Heldenfels
Signature

4-1-19
Date

Date

Daytime Telephone: 512-461-2095

Comments: I BELIEVE THAT THIS GROUP SHOULD BE ALLOWED. IT HAS BEEN THERE LONG BEFORE THE PERSON COMPLAINING MOVED IN AND HAS ONLY BECOME A PROBLEM RECENTLY DUE TO A DISAPPEARED OVER PERMITTED RECENT CONSTRUCTION BY MR. WESTHEIMER. ALSO, EVERYONE, INCLUDING THE CITY, KNOWS OF THE CARPORT AND NO ONE HAS A PROBLEM WITH IT.

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Email: leaneheldenfels@austintexas.gov

Q-1/51

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Contact: Leanne Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov
Public Hearing: Board of Adjustment, April 8, 2019

John Vinson
Your Name (please print) **John Vinson**
 I am in favor
 I object

1803 Ridgemoor Dr. A TX 78723
Your address(es) affected by this application

John Vinson
Signature
Date 4/7/19

Daytime Telephone: 512 926 7380

Comments: *No objection to his very minor proposed violation.*

Please grant this appeal + grant the variance.

Thank you.

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Contact: Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov
Public Hearing: Board of Adjustment, April 8, 2019

Mathe Vogel
Your Name (please print) I am in favor
 I object

1803 Ridgeway Drive
Your address(es) affected by this application

Mathe Vogel *4/7/19*
Signature Date

Daytime Telephone: *512-585-5313*

Comments: *I have no problem whatsoever with this carport & think the appeal should be granted. It is a well-designed well-built & attractive structure.*

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Dear Members of the Board:

I have looked over the Westheimers' additional information/evidence. I am perplexed as to how any of it demonstrates a unique hardship. In fact, the bulk of their new evidence seems to weaken their argument.

There is, first, a collection of photos showing pictures of just one block's worth of homes on the street. To be sure, many of these homes have two car garages—just like the Westheimers' home does. Of the photos they provided (and it is a small data set), **only one other home besides the Westheimers' has both a carport and a two-car garage.**

The fact is that these photos actually work against the Westheimers' argumentation for a "unique hardship": yes, some other homes also have two-car garages and...yes, others have carports and then...some have neither. As the photos *the Westheimers themselves* provided show, some people park in their garages and some park in their driveways for whatever reason (be it the relative size of their cars to their garages or personal preference).

Either way you slice it, though, the fact is that **few homes possess both a carport and a two-garage, as the Westheimers' does.** In fact, of their very limited data set, **only one other home also possesses both a carport and a two-car (or any) garage.** This home happens to belong to the neighbors directly across the street from the Westheimers, who are very close friends of theirs. As my previous letter shows, if you consider *all* of the homes on Cloverleaf Drive, there are plenty of people on the same street who have neither a carport nor a garage and so no covered parking whatsoever (31 out of 106 homes on the entire street to be exact).

Essentially the unique hardship the Westheimers are arguing for is that—unlike almost everyone else on this small portion of the street they chose to consider—z having either a carport or a garage is simply insufficient. Why? Because the Westheimers will have a car seat to contend with for a couple of years. How is that a unique hardship? I raised two kids from infancy in a home with neither a carport nor a garage. My kids are by no means exceptional from a heat-tolerance perspective, as they are not X men. But they are doing just fine, as many other children on the street have been doing since Windsor Park was developed over 50 years ago. Besides, as was pointed out by the BOA on March 11th, the Westheimers could easily modify their enclosed garage and extend their roof line thus attaining the covered parking they so desperately seem to need in a manner consistent with existing code.

The other thing that perplexes me has to do with the supposed costs of renovating the carport in a manner that would bring the property up to code and respect the setback. I understand that the BOA is not supposed to consider the cost of what it originally took to build the offending structure or the cost of remediating an already existing structure when making its determinations. However, if the BOA does decide to consider this information, I can't help but feel that the bid the Westheimers are presenting purposefully overstates the financial hardship they are claiming for rhetorical purposes.

Specifically, their contractor came up with a **\$54,000(!)** bid to modify this structure. Curran Construction is the company that furnished this bid. The peculiar

thing is that Curran Construction *also* built the Westheimers' 30' tall ADU. The latter included: a brand new cement foundation, plumbing, electrical, sheetrock, framing, finish out, architectural plans, the works. The plans/permit applications have since been removed from the city's website. However, I distinctly recall (and please do verify) that the declared price of constructing the building was around **\$40,000** when they applied for their permits in which they already had named Curran Construction as their contractor (presumably because they already had a contract with them).

Here is my question: How is modifying a garage and carport one year later coming out to 54k when the same company ostensibly did the ADU—with plumbing and electricity—from scratch for only 40k?

The bid is further perplexing when one considers the original construction alongside the current state of the garage in question. Presumably the weight-bearing, exterior wall that contains the garage doors was/is the original wall/beam. If this is the case then the structure was able to stand prior to conversion (for 30 years) without a center partition and/or any door framing being present. Would it not still be expected to stand without these doors and the center partition between them? Would the original beam not still be expected to be sufficient for the span it was originally created for? I just don't see how the doors became weight bearing or how large structural modifications would be needed to convert it back into a carport. For that to be the case they literally would have had to tear down that entire side of the house in 1989 and rebuild it with a new beam when they did the conversion, and that makes no sense.

I just don't see how any company would have such a high price for the removal of garage doors; some light reframing; and the addition of a small carport/shade structure—**ESPECIALLY** since the same company can and did essentially build a small, new home with a functioning kitchen and bathroom in the form of an ADU for less money, at least according to the Westheimers' own application materials for a structure that was built in 2018.

I recently reviewed a bid for a 250 square foot/15 foot high screened in patio with a steel structural framework. This included the removal of existing concrete, the pouring of a new foundation, electrical work, permitting, the steel, the screens, and custom doors. The total project was 25k. I am thus legitimately perplexed as to how a carport (essentially a glorified pergola that needs no new foundation, plumbing or electrical work) could possibly run so high.

In closing, I would urge the BOA to uphold the decision it made on March 11th. If the BOA were to grant this variance then the BOA would essentially be negating the 25 foot setback across Windsor Park, as there truly is no unique hardship at play here. A pecan tree sitting in the middle of their yard some 15-20 feet away from their driveway is not, incidentally, a unique hardship. Granting this variance would essentially amount to rezoning through variance while sanctioning a unique hardship for adjacent neighbors.

Sincerely,
Karen Pagani

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Contact: Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov

Public Hearing: Board of Adjustment, April 8, 2019

MARTIN LUECKE
Your Name (please print)

I am in favor
 I object

1805 Cloverleaf Dr.
Your address(es) affected by this application

Mrs. Guebe 4/11/19
Signature Date

Daytime Telephone: 512.536.0465

Comments: I have lived at this address since 1993 and am happy with my neighbor's carport addition since it was built. 15 years ago. It seems wrong to force him to remove it after all this time. There are five of these structures within a block of my address. None of them are a problem.

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Q-1/56