

**CITY OF AUSTIN**  
**Board of Adjustment/Sign Review Board**  
**Decision Sheet**

**DATE:** Monday, September 13, 2010

**CASE NUMBER:** C15-2010-0083

☐N ☐ Jeff Jack  
☐Y ☐ Michael Von Ohlen **2<sup>nd</sup> the Motion**  
☐Y ☐ Melissa Hawthorne  
☐Y ☐ Bryan King  
☐N ☐ Leane Heldenfels, Chairman  
☐N ☐ Clarke Hammond, Vice Chairman  
☐Y ☐ Heidi Goebel **Motion to DENY**

**APPLICANT:** Peter Anzalone

**ADDRESS:** 6117 HARROGATE DR

**VARIANCE REQUESTED:** The applicant has requested a variance to decrease the minimum side yard setback requirement of Section 25-2-492 (D) from 5 feet to 9 inches in order to maintain an accessory building for an existing single-family residence in an "SF-2", Single Family Residence zoning district.

**BOARD'S DECISION:** The public hearing was closed on Board Member Heidi Goebel motion to DENY, Board Member Michael Von Ohlen second on a 4-3 vote (Board Members Jeff Jack, Leane Heldenfels, Clarke Hammond nay); **DENIED.**

**FINDING:**

1. The Zoning regulations applicable to the property do not allow for a reasonable use because:
2. (a) The hardship for which the variance is requested is unique to the property in that:  
  
(b) The hardship is not general to the area in which the property is located because:
3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

\_\_\_\_\_  
Susan Walker  
Executive Secretary

\_\_\_\_\_  
*Leane Heldenfels for*  
Leane Heldenfels  
Chairman

**Walker, Susan**

**From:** Peter Anzalone (via Gmail) [peter.anzalone@gmail.com]  
**Sent:** Thursday, September 23, 2010 12:51 PM  
**To:** Walker, Susan  
**Cc:** 'Carol Anzalone'; 'Peter Anzalone'  
**Subject:** Appeal Letter Case #C15-2010-0083.

Is. Susan Walker  
Senior Planner  
Planning & Development Review Department  
Phone: 512-974-2202  
Fax: 512-974-6536

Is. Walker,

Please accept my request of appeal for Case # C15-2010-0083. I would like to base my appeal on the following three concerns, any one of which individually should support our request to maintain of side yard setback:

**Failure to consider Unnecessary Hardship created by the City in 2000.**

As I have submitted in my testimony, I contacted the City before constructing our shed back in 2000. At that time, I was told that the placement over the side yard setback was not an issue as long as it was not on a permanent foundation. As the Board itself showed on August 9<sup>th</sup>, well intentioned educated representatives of the City can give out inaccurate information. On August 9<sup>th</sup>, I was told my application was futile as my shed needed to be fireproofed and brought up to code before they could consider my variance request. I was sent out on a postponement to educate myself as to these costs. Upon research, I found that the Board was in error and no such requirements existed for our shed. I submitted this correct information to the Board at my September 13<sup>th</sup> hearing. Likewise, I received erroneous information in 2000 and will pay the additional costs should the Board refuse this variance. Even with this vivid example of misinformation and its impact on an applicant such as myself, the Board refused to accept the errant information given by the City in 2000 as an Unnecessary Hardship.

**Failure appropriately interpret a special instance of Financial Hardship.**

Unlike the many other cases before the Board, our instance of Financial Hardship is not about the best utilization of our property for maximum return. Instead, it is about the additional costs that will be imposed by the ordinance to an existing situation. While *Board of Adjustment of the City of San Antonio v. Willie*, 511 S.W.2d 591, 594 (Tex. Civ. App. – San Antonio 1974, writ ref'd n.r.e.) clearly indicates limits to a financial hardship, it does so in light of the "highest and best use" of the property. This is not the case with our shed as it has no bearing on any ROI of our property. Instead, this is about the additional moving or removal costs imposed on our unemployed household by the refusal of this variance.

**Inconsistent application of variances in similar environments.**

The case immediately before ours on August 9<sup>th</sup> involved an applicant who wanted to construct an outbuilding (a habitable structure complete with power) on an existing cement pad within 5 feet of her property line. This variance was granted in short order without objection, in spite of the fact that the structure could easily been built elsewhere on her property. Again, this was a variance to construct, not

maintain an existing structure. While our variance was for a lesser structure and had been in existence for over ten years, this other applicant was approved and ours denied. Part of her request was based on the fact that the cement pad was already in place and it would cost her more to remove it. Our shed is on blocks, not a permanent foundation. Unlike this case, we have secured approvals from all surrounding neighbors when they already knew what was in question, she did not.

Please let me know the next steps in our appeal process.

Respectfully,  
Peter Anzalone

Peter Anzalone  
[peter.anzalone@gmail.com](mailto:peter.anzalone@gmail.com)  
17 Harrogate Drive  
Austin, Texas 78759  
2-779-8151  
9-272-0250 Fax

**CITY OF AUSTIN**  
**Board of Adjustment/Sign Review Board**  
**Decision Sheet**

**DATE: Monday, August 9, 2010**

**CASE NUMBER: C15-2010-0083**

\_\_\_\_Y\_\_\_\_ Jeff Jack  
\_\_\_\_Y\_\_\_\_ Michael Von Ohlen 2<sup>nd</sup> the Motion  
\_\_\_\_Y\_\_\_\_ Nora Salinas  
\_\_\_\_Y\_\_\_\_ Bryan King  
\_\_\_\_Y\_\_\_\_ Leane Heldenfels, Chairman **PP to Sept 13, 2010**  
\_\_\_\_Y\_\_\_\_ Clarke Hammond, Vice Chairman  
\_\_\_\_Y\_\_\_\_ Heidi Goebel

**APPLICANT: Peter Anzalone**

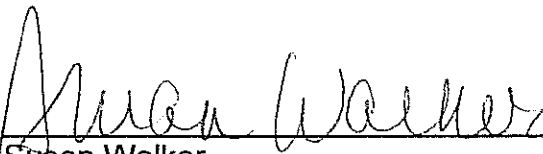
**ADDRESS: 6117 HARROGATE DR**

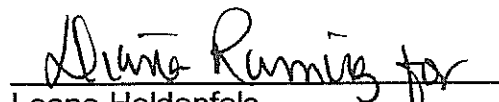
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**BOARD'S DECISION:** The public hearing was closed on Board Member Leane Heldenfels motion to POSTPONE to September 13, 2010 for additional information/pictures showing trees and reasoning how structure can't be moved, Board Member Michael Von Ohlen second on an 7-0 vote; POSTPONED TO September 13, 2010.

**FINDING:**

1. The Zoning regulations applicable to the property do not allow for a reasonable use because:
2. (a) The hardship for which the variance is requested is unique to the property in that:  
  
(b) The hardship is not general to the area in which the property is located because:
3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

  
Susan Walker  
Executive Secretary

  
Leane Heldenfels  
Chairman

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- appearing and speaking for the record at the public hearing; and:
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- is the record owner of property within 500 feet of the subject property or proposed development; or
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Case Number: C15-2010-0083 - 6117 Harrogate

Contact: Susan Walker, 512-974-2202

Public Hearing: Board of Adjustment Aug 9, 2010

DAVID CROOKE

Your Name (please print)

6221 HARROGATE DR

Your Address (es) affected by this application

Signature *David Croke* Date *7/31/10*

Daytime Telephone: *576-8899*

Comments: *The complaint regarding this variance was filed by a shyster contractor who does not live here in an effort to drum up business. City should amend regulations to prevent such ludicrous complaints. Only affected landholders should have right of complaint.*

If you use this form to comment, it may be returned to:

City of Austin-Planning & Development Review Department/ 2<sup>nd</sup> Floor

C/O Susan Walker

P. O. Box 1088

Austin, TX 78767-8810

☒ I am in favor  
☐ I object

**Walker, Susan**

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**From:** Evan Marchman [evan.marchman@gmail.com]  
**Sent:** Monday, August 09, 2010 8:53 AM  
**To:** Walker, Susan  
**Subject:** Case # C15-2010-0083 - 6117 Harrogate Dr

Dear Ms. Walker,

I am writing you to voice my support IN FAVOR of the variance requested by the Anzalones regarding their property at 6117 Harrogate Dr. (case #: C15-2010-0083).

My apologies for the late submission.

Best regards,

Evan Marchman  
6101 Harrogate Dr  
Austin, TX 78759  
512-619-8426  
evan.marchman@gmail.com

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Case Number: C15-2010-0083 - 6117 Harrogate  
Contact: Susan Walker, 512-974-2202  
Public Hearing: Board of Adjustment Aug 9, 2010

Your Name (please print) Scott Hendrix  
☒ I am in favor  
☐ I object

Your address (es) affected by this application 6209 Harrogate Dr Austin, 78759

Signature [Signature] Date 8/6/10

Daytime Telephone: 512 294-5575

Comments: \_\_\_\_\_

The in favor of Carol  
and Peter Longalons  
request. Thank you Scott  
He is

If you use this form to comment, it may be returned to:  
City of Austin-Planning & Development Review Department/ 2<sup>nd</sup> Floor  
C/O Susan Walker  
P. O. Box 1088  
Austin, TX 78767-8810

**Walker, Susan**

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**From:** Pamela Burton [tab62@bellsouth.net]  
**Sent:** Thursday, August 05, 2010 1:02 PM  
**To:** Walker, Susan  
**Cc:** tab62@bellsouth.net  
**Subject:** Case #C15-2010-0083

Dear Ms. Walker,

I am contacting you regarding case # C15-2010-0083. As a neighbor directly behind the property in question (6200 Colina Lane), I would like to express my full support for the variance request of Mr. & Mrs. Anzalone. In no way does the structure referenced in the case detract from the view or value of our property.

If you have any questions, please feel free to contact me.

Sincerely,

Pamela Burton  
6200 Colina Lane  
Austin, TX 78759



**Walker, Susan**

**From:** Monti MacMillan [mmacmillan@austin.rr.com]  
**Sent:** Thursday, August 05, 2010 9:00 PM  
**To:** Walker, Susan  
**Subject:** Proposal for a shed variance request

We would like to offer our support for Frank and Carol Anzalone's shed variance request.

Case #C15-2010-0083, located at 6117 Harrogate Dr., Austin, 78759. The shed is very tastefully constructed, matching their house paint color, and is well maintained. It is almost completely hidden by a fence and landscaping, which would make someone specifically looking for a violation.

We live across the street from the Anzalones and have no problem whatsoever with their having a shed in its current location.

Thank you,

De and Monti MacMillan  
6108 Harrogate Dr.  
Austin, 78759  
2-336-0236

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Case Number: C15-2010-0083 - 6117 Harrogate

Contact: Susan Walker, 512-974-2202

Public Hearing: Board of Adjustment Aug 9, 2010

Luis Matamoros

Your Name (please print)

☒ I am in favor  
☐ I object

6113 Harrogate Drive

Your address (es) affected by this application

Signature

Date

Daytime Telephone:

512-658-9193

Comments:

It's Peter and Carol's direct neighbors facing the building under evaluation, my wife and I are in full support of their request and have no problem whatsoever in their keeping the structure.

If you use this form to comment, it may be returned to:

City of Austin-Planning & Development Review Department/ 2<sup>nd</sup> Floor

C/O Susan Walker

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C15-2010-0083 - 6117 Harrogate  
Contact: Susan Walker, 512-974-2202  
Public Hearing: Board of Adjustment Aug 9, 2010

SHAN TONG  
Your Name (please print)

☒ I am in favor  
☐ I object

6201 HARROGATE DR, AUSTIN, TX 78759  
Your address (es) affected by this application

Signature

Date

Daytime Telephone: (512) 923-0443

Comments: We are the immediate neighbor of 6117 Harrogate and we have never felt that the shed next door bothers us, or ~~that~~ is any problem we don't even notice it when we are on the street. We are for this variance.

If you use this form to comment, it may be returned to:

City of Austin-Planning & Development Review Department/ 2<sup>nd</sup> Floor  
C/O Susan Walker  
P. O. Box 1088  
Austin, TX 78767-8810

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Case Number: C15-2010-0083 - 6117 Harrogate  
 Contact: Susan Walker, 512-974-2202  
 Public Hearing: Board of Adjustment Aug 9, 2010

*William Rothoff*

Your Name (please print)

☒ I am in favor  
☐ I object

6206 CORRA LN

Your address (es) affected by this application

*Susan Walker*

Signature

8/5/2010

Date

Daytime Telephone: (512) 250-5652

Comments:

If you use this form to comment, it may be returned to:

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 P. O. Box 1088  
 Austin, TX 78767-8810

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Case Number: C15-2010-0083 - 6117 Harrogate

Contact: Susan Walker, 512-974-2202

Public Hearing: Board of Adjustment Aug 9, 2010

KARENIE NASAMIRAN

Your Name (please print)

☐ I am in favor  
☒ I object

11109 GRAPEVINE LN, AUSTIN TX 78703

Your address (es) affected by this application

Karenie Nasamiran

08-5-10

Signature

Date

Daytime Telephone: 512-905-5643

Comments:

If you use this form to comment, it may be returned to:

City of Austin-Planning & Development Review Department/ 2<sup>nd</sup> Floor

C/O Susan Walker

P. O. Box 1088

Austin, TX 78767-8810

**Walker, Susan**

**From:** Beth Patterson [bethp524@yahoo.com]

**Sent:** Thursday, August 05, 2010 8:52 AM

**To:** Walker, Susan

**Cc:** John Patterson

**Subject:** Ref Case# C15-2010-0083

Applicants: Frank Peter and Carol Suzanna Anzalone  
Address: 6117 Harrogate Drive

Ms Walker,  
We support the Anzalone's request for a variance from the Land Development Code.

Sincerely,  
John and Elizabeth Patterson  
12 Harrogate Dr  
Austin, Tx 78759  
Telephone: 512-331-7272

**Walker, Susan**

**From:** Luis Matamoros [lmatamoros@earthlink.net]  
**Sent:** Tuesday, August 03, 2010 9:25 PM  
**To:** Walker, Susan  
**Subject:** Board of Adjustments Case C15-2010-0083 - 6117 Harrogate

Susan Walker  
Senior Planner, Planning & Development Review  
City of Austin

Dear Ms. Walker:

I am writing in reference to Case Number C15-2010-0083 - 6117 Harrogate, in which my neighbors, Peter and Carol Gonzalez are requesting a variance on their property. As their direct neighbor facing the building in question I will say that my wife and I are in full support of their request and have no problem whatsoever in their keeping the structure. They have made all efforts to maintain the structure in top condition over the 5 years we have been neighbors and in no way does it represent an issue for us.

Thank you for your attention,

Luis Matamoros  
6113 Harrogate Drive  
(512) 219-6553

If you need assistance completing this application (general inquiries only) please contact Susan Walker, 974-2202; 505 Barton Springs Road, 2<sup>nd</sup> Floor (One Texas Center).

CASE # C15-2010-0083  
ROW # 10468246  
TP 0162030440

CITY OF AUSTIN  
APPLICATION TO BOARD OF ADJUSTMENT  
GENERAL VARIANCE/PARKING VARIANCE

**WARNING: Filing of this appeal stops all affected construction activity.**

PLEASE: APPLICATION MUST BE TYPED WITH ALL REQUESTED INFORMATION COMPLETED.

STREET ADDRESS: 6117 Harrogate Drive, Austin, Texas 78759

LEGAL DESCRIPTION: Subdivision – The Enclave At Sierra Vista

Lot(s) 5 Block A Outlot \_\_\_\_\_ Division \_\_\_\_\_

I/We Frank Peter and Carol Suzanne Anzalone on behalf of myself/ourselves as authorized agent for Frank Peter and Carol Suzanne Anzalone affirm that on June 18, 2010, hereby apply for a hearing before the Board of Adjustment for consideration to:

(check appropriate items below)

☐ ERECT ☐ ATTACH ☐ COMPLETE ☐ REMODEL ☒ MAINTAIN

A garden shed located in the side yard on the southeast side of the lot. The 8 foot by 12 foot shed is located at the south corner of the residence, parallel and equal distance from the residence and the southwest lot line. The attached sketch shows the shed location and size to scale in a SF-2 district.

(zoning district)

NOTE: The Board must determine the existence of, sufficiency of and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional support documents.

received  
10/23/10



**VARIANCE FINDINGS:** I contend that my entitlement to the requested variance is based on the following findings (see page 5 of application for explanation of findings):

**REASONABLE USE:**

1. The zoning regulations applicable to the property do not allow for a reasonable use because:

Our garden shed has been in this location for over ten (10) years. While the northwest side yard is used for AC Compressors, a walkway and gated access to the backyard, the southeast side yard is fenced in without a gate and unusable for other purposes. There is no room within the southeast side yard to provide for the lot line set back.

**HARDSHIP:**

2. (a) The hardship for which the variance is requested is unique to the property in that:

We built this shed back in 2000 at considerable cost after checking with the city and were told that it was permissible as long as it was not a poured foundation and did not exist over utility easements. The shed is on cinder blocks and is not over any utility easements as is shown in the attached letter from Austin Energy. We have been out of work for some time now and simply do not have the resources to remove and rebuild this shed. I have contacted all my neighbors and they have no issue with our shed. Many of my neighbors did not even realize that we have a shed as it is barely visible from the street as shown in the attached pictures.

- (b) The hardship is not general to the area in which the property is located because:

As one of the smaller lots in our neighborhood, there is no room to situate the shed out of the usable area within our very limited backyard that is very much used by our two young children. Our shed is the storage location for gardening and yard equipment, bicycles and scooters that will not fit into our small garage. As is the case with many parents on our cul-de-sac, we prefer to keep our cars off the street and driveway to increase visibility and reduce "hiding areas" that small children can run out from. Least this seem an exaggeration, we have 22 elementary age or younger children within the 15 houses on our cul-de-sac portion of Harrogate Drive.

**AREA CHARACTER:**

3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

The shed is over 60 feet from the street and barely visible behind a tree and fencing (see attached pictures). The construction, trim materials and color are contiguous with our house. It has been in this same location for over ten years and has never been an issue. I have contacted my neighbors and they have no issue with our shed. My closest neighbor to the shed at 6113 Harrogate has specifically voiced his support of this variance request. The shed was in place when he purchased this house in 2005.

**PARKING:** (Additional criteria for parking variances only.)

Request for a parking variance requires the Board to make additional findings. The Board may grant a variance to a regulation prescribed Section 479 of Chapter 25-6 with respect to the number of off-street parking spaces or loading facilities required if it makes findings of fact that the following additional circumstances also apply:

1. Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonable require strict or literal interpretation and enforcement of the specific regulation because:

NA

2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

NA

3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:


NA

4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

NA

<p><b>NOTE:</b> The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.</p>
---

**APPLICANT CERTIFICATE** – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed  Mail Address 6117 Harrogate Drive

City, State & Zip Austin, Texas 78759

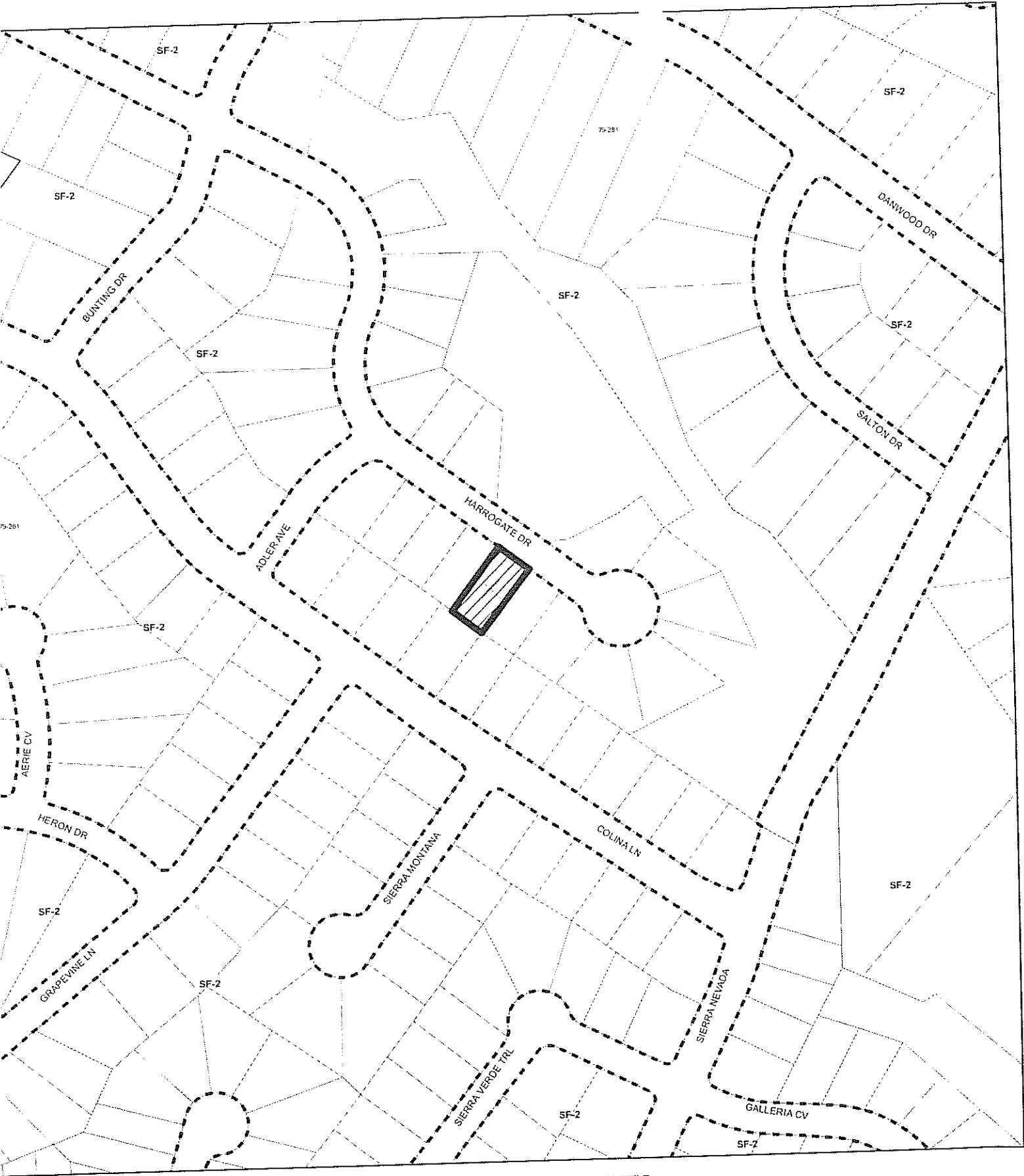
Printed Frank Peter Anzalone Phone 512-249-8422 Date June 18, 2010

**OWNERS CERTIFICATE** – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed  Mail Address 6117 Harrogate Drive

City, State & Zip Austin, Texas 78759



Printed Frank Peter Anzalone Phone 512-249-8422 Date June 18, 2010



## BOARD OF ADJUSTMENTS

ZONING CASE#: C15-2010-0083  
LOCATION: 6117 HARROGATE DR  
GRID: H35  
MANAGER: SUSAN WALKER



 SUBJECT TRACT  
 ZONING BOUNDARY

This map has been produced by the Communications Technology Management Dept. on behalf of the Planning and Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin.

**Valker, Susan**

**From:** Peter Anzalone (via Gmail) [peter.anzalone@gmail.com]  
**Sent:** Wednesday, July 21, 2010 11:34 AM  
**To:** Walker, Susan  
**Cc:** 'Carol Anzalone'  
**Subject:** Follow-up to your call re distance to the Property Line

Good Morning Susan.

Thanks for your call this morning. The exact distance from the shed to our fence is 9 inches.

I am assuming that the fence is on my side of the property line as it was installed for us by the builder when we purchased the house new in 1996. The lot next to us was empty so it was fully at our request that the fence was built.

I hope this helps. If you need pictures or other measurements, please don't hesitate to call or email.

Many Thanks,  
Peter

Peter Anzalone  
[peter.anzalone@gmail.com](mailto:peter.anzalone@gmail.com)  
17 Harrogate Drive  
Austin, Texas 78759  
2-779-8151  
9-272-0250 Fax

# Shed Location at 6117 Harrogate Drive

SURVEY PLAT OF: LOCAL ADDRESS 6117 HARROGATE DRIVE REF: ANZALONE GF#95103701  
 LEGAL DESCRIPTION: LOT 5 BLOCK A THE ENCLAVE AT SIERRA VISTA  
 A SUBDIVISION IN TRAVIS COUNTY TEXAS, OF RECORD IN VOL 93 PGS. 121 OF  
 THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS.

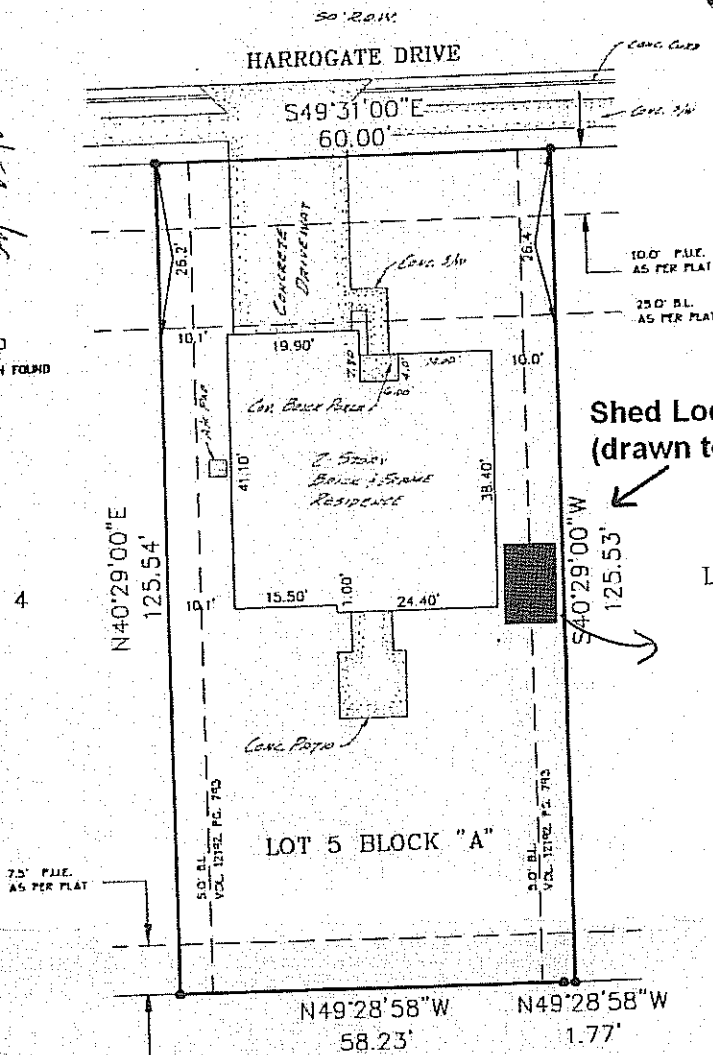
SIGNED [Signature]  
 BY [Signature]  
 DATE 5/18/96

LEGEND  
 ● 1/2" STEEL PIN FOUND

LOT 4

LOT 6

SIGNED [Signature]  
 BY Claude S. Conner  
 DATE 5/18/96



NOTES 1 & 3 APPLY: TRAVIS COUNTY Texas.

- ☒ This property is in ZONE "X" of the F.E.M.A. Flood Insurance Rate Map for TRAVIS COUNTY Texas, Community Panel No. 48453C 0195E, dated 6-18-93.
- ☐ According to the recorded plat of this subdivision, this lot is within the 100 year flood plain.
- ☒ According to the recorded plat of this subdivision, the 100 year flood plain is contained within the drainage easements shown on the plat. There is NO drainage easement on this lot.

THE STATE OF TEXAS: TO THE LIEN HOLDERS AND/OR THE OWNERS OF THE PREMISES SURVEYED AND TO THE TITLE AGENCY OF AUSTIN & ALAMO TITLE INSURANCE OF TEXAS

The undersigned does hereby certify that this survey was this day made on the ground of the property legally described hereon and is correct; and that there are no discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, visible utility lines or roads in place, except as shown hereon, and that said property has access to and from a dedicated roadway, except as shown hereon.

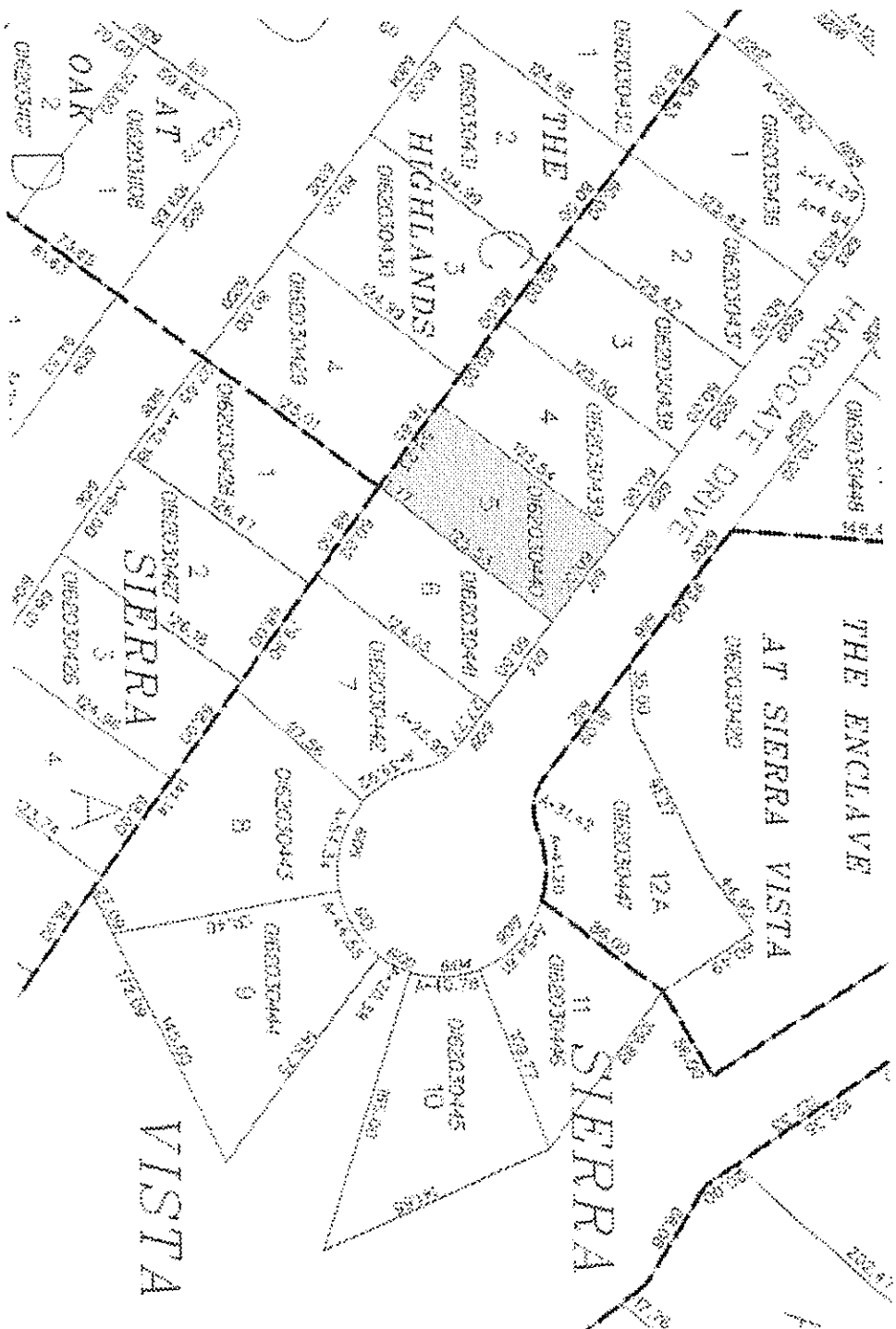
USE OF THIS SURVEY FOR ANY OTHER PURPOSE OR OTHER PARTIES SHALL BE AT THEIR RISK AND UNDERSIGNED IS NOT RESPONSIBLE TO OTHERS FOR ANY LOSS RESULTING THEREFROM.

Dated this the 10TH day of MAY, 19 96

JOB No. 68870 INVOICE No. 33252

[Signature]  
 CLINTON P. RIPPY  
 REGISTERED PROFESSIONAL LAND  
 SURVEYOR NO. 1453

Lot Location at 6117 Harrogate Drive (shown shaded)



Revision Date  
12/15/2005

6203

Travis Central Appraisal District  
8314 Cross Park Drive  
P.O. Box 149012  
Austin, Texas 78714  
Internet Address: [www.traviscad.org](http://www.traviscad.org)  
Main Telephone Number (512) 834-8317  
TDD (512) 835-3228  
Appraisal Information (512) 834-9318

100 (512) 836-3320

Travis Central Appraisal District  
8314 Cross Park Drive  
Austin, Texas 78754  
Internet Address: [www.travisappraisal.org](http://www.travisappraisal.org)  
TDD (512) 834-8317  
TDD (512) 834-8328  
Factual Information (512) 834-9318

NAD\_1983\_StatePlane\_Texas\_Central\_FIPS\_4203\_Feet  
Projection: Lambert Conformal Conic


Revision Date  
5/31/2005

16205





“No Conflicts” Letter from Austin Energy

 **City of Austin**  
Austin's Community-Owned Electric Utility    [www.austinenrgy.com](http://www.austinenrgy.com)  
Town Lake Center • 721 Barton Springs Road • Austin, Texas • 78704

June 9, 2010

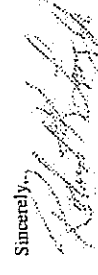
Frank Peter and Carol Suzanne Anzalone  
6117 Harrogate Dr.  
Austin, Texas 78759  
888.422.2222

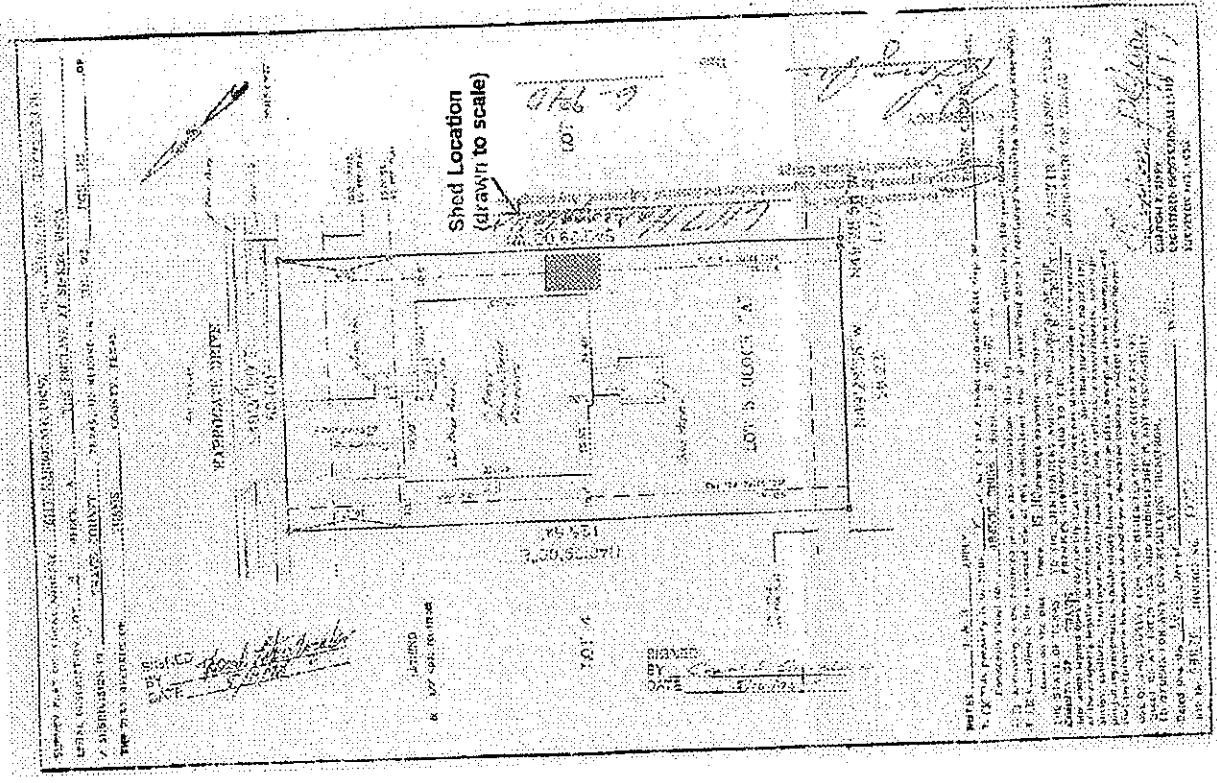
Re: 6117 Harrogate Dr.  
Lot 5 Blk A Enclave at Sierra Vista

Dear Mr. & Mrs. Anzalone,

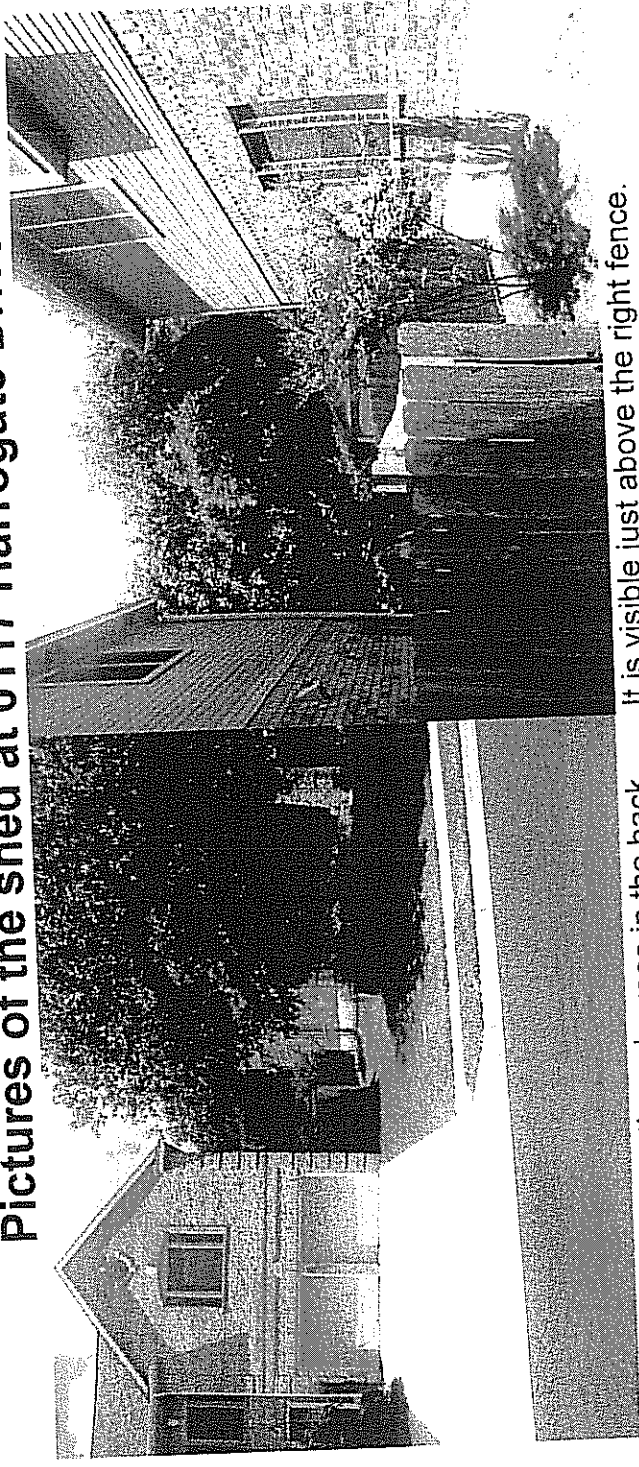
Austin Energy (AE) has reviewed your application for the above referenced property requesting to maintain a portable building on the side of the home. Austin Energy has no conflicts with this application as requested and shown on the attached red-stamped sketch.

Thank you for checking with us in advance. Should you have any questions, please feel free to contact me at 322-6522.

Sincerely,  
  
Robert K. Long, Jr.  
Public Involvement/Real Estate Services  
Cc: Diana Ramirez and Susan Walker

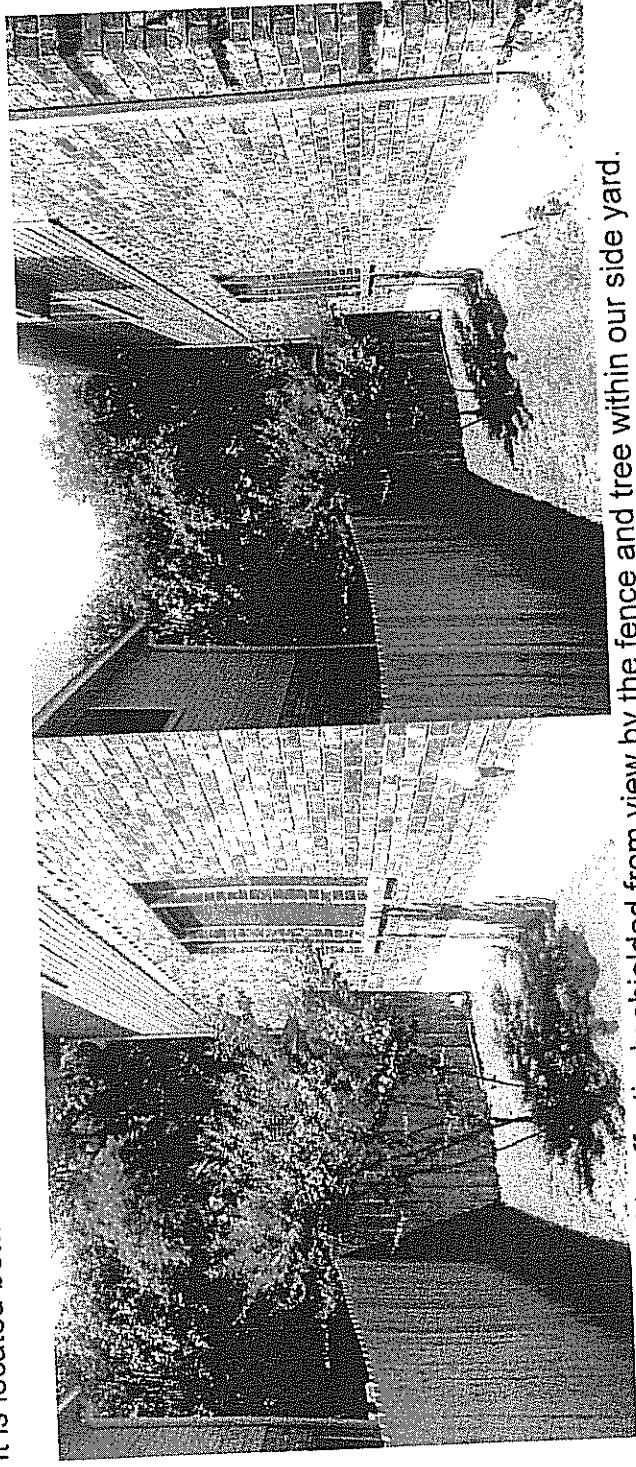


# Pictures of the shed at 0117 Nanavate Drive



It is located between these houses in the back.

It is visible just above the right fence.



The shed is effectively shielded from view by the fence and tree within our side yard.

**Ramirez, Diana**

---

**From:** Skip Cameron [scameron@austin.rr.com]  
**Sent:** Monday, October 04, 2010 10:36 PM  
**To:** leane\_heldenfels@sbcglobal.net; Clarke.Hammond@gmail.com; heidigoebel@sbcglobal.net; mwh@austin.rr.com; jjack2@austin.rr.com; bryan@bkradio.net; nora\_salinas@yahoo.com; pdi@grandecom.net; Guernsey, Greg; Walker, Susan; Ramirez, Diana  
**Subject:** C15-2010-0083 Sice Yard Setback Variance 25-2-492(D) in SF-2 6117 Harrogate Dr.

I receive notice of this variance reconsideration hearing October 11, 2010, but cannot attend.

Out of curiosity, I visited the property and discussed the case with the applicant. It appears that a whole stack of code complaints were filed by one cranky person, similar to the highly publicized case in south Austin.

There is also widespread neighborhood support FOR this variance.

The accessory building is not permanently installed on a slab of concrete.

It is on removable blocks.

Moving it to the back yard would impede the children's play.

I suggest you allow this variance.

If you feel compelled to be "politically correct" you could stipulate that the owner record a covenant on their deed a requirement that voids the variance and requires the accessory building to be moved upon sale of the property.

This seems like a fair and equitable solution..

I trust you will do the right thing by this applicant to retain mutual trust of your Board, Planning and Development Review and the City by them and their neighborhood.

Skip Cameron, President  
Bull Creek Foundation  
8711 Bluegrass Dr  
Austin, TX 78759  
(512) 794-0531