PERMIT CASE # **2013-000118 BA** REFERENCE FILE NAME **C15-2013-0108**

This document is to supplement the application for a building permit for a proposed carport at **4103 Rosedale Ave**., Austin 78756, by **Jeffrey and Pamela Archer**.

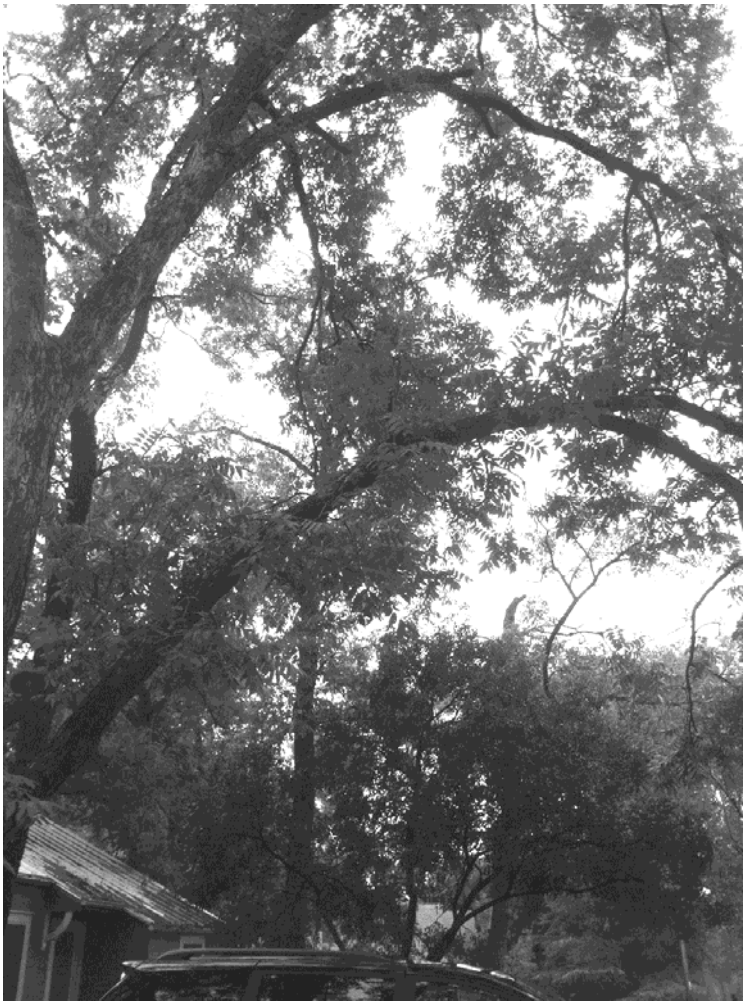
The case is scheduled for a hearing before the Board of Adjustment on October 14, 2013.

1. These photos show a standard ramp van for a wheelchair user, with a side-opening ramp, parked in the location of the proposed carport. **This is the only location on the lot on which the ramp can reasonably be parked and the ramp used**. The location is exposed to the elements and located under several mature trees, including a large pecan tree on our lot that sheds limbs, nuts, leaves, and tassels all year around, including occasional limbs that are large enough to cause serious damage or injury, and several mature ash trees in the adjacent neighbor's lot are near the end of their lives, shed limbs frequently, and are likely to fall over at some point, as at least one of them has done on recent years.

Street view:

Side view from front yard:

Trees over parked ramp van:

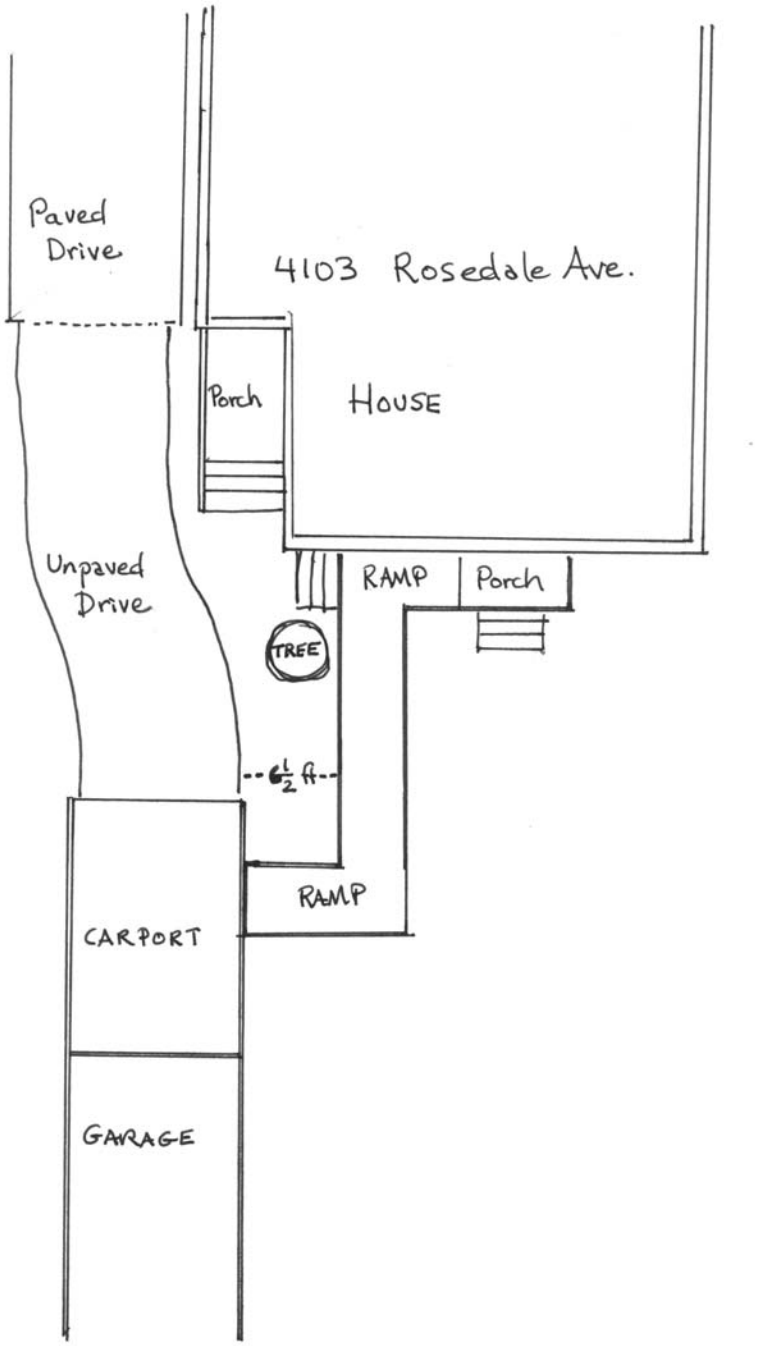


2. The van ramp requires about 10 feet of side clearance from the van door for reasonable and safe access to the van by a person using a wheelchair, as shown below:

3. The photos below show that the van ramp cannot be opened or used at any location on the entire length of the driveway other than the proposed location for the carport.

A. The distance between the van and the house and front porch is only about 4 to 4-1/2 feet.

B. The space between the driveway and the ramp that leads from the existing one-car carport at the rear of the house is insufficient for the ramp to open and a wheelchair user to exit. The distance between the side of the van and the existing wheelchair ramp is about 6-1/2 feet. In addition, a large mature pecan tree at the rear corner of the house blocks a portion of the space next to the driveway.



3. It is impractical and hazardous to park the ramp van in the existing carport. Because of the location of the permanent ramp leading from the carport to the rear door of the house, there is only one precise location in which the van can be parked to enable the van's ramp to line up with the house ramp.

A. If the van is not parked in the precise required location, the motorized ramp could hit the ramp's safety railing or the carport supports, resulting in expensive damage to the van ramp and ramp mechanisms, and stranding the disabled driver of the van. A disabled driver of a ramp-equipped van has more limited visibility to park with precision than an able-bodied person driving a smaller vehicle.

B. When the van is parked in the existing carport to line the van's side ramp up with the house ramp, the van is not fully covered by the carport --the front portion, including the windshield and hood, is exposed to the elements and to limbs, nuts, leaves, and tassels shed by several large pecan trees, including one located directly above the carport and rear portion of the driveway. This factor negates the primary purpose of a carport, particularly for a disabled person who cannot manually clean or defrost the windshield or remove limbs or debris.

C. When the ramp van is parked in the existing rear carport, the van itself blocks access to the driveway from the house, which is the only means to leave the house for a person using a wheelchair. When the van is parked in the rear carport, there is only 2 feet at most to squeeze between the parked van and the carport supporting post (not counting the van's rear view mirror, which is also partly in the way). This is insufficient for a wheelchair or any large person to pass, and is difficult for even an average person. The disabled person could not leave the property without entering the van, driving it to the front of the driveway or other location, and exiting there and leaving the van unprotected. This is both unsafe and ridiculously inconvenient. The disabled person would not be able to leave the property in an emergency or simply to travel by wheelchair in the neighborhood, check the mail, etc. To move the van requires opening the van ramp, entering the van up a steep ramp, transferring into the driver's seat, securing the wheelchair in the van, rotating the driver's seat, starting and operating the vehicle, parking in another available location, and going through the reverse process. Because of the complex hand controls and electronic driver's seat, it is difficult and slow for anyone else to move the van, and if it were not returned to the exact required location to operate the ramp, the disabled person could not access it at all or otherwise leave the property.

D. Requiring the disabled person to park in the rear existing carport in order to have cover also has the potential to block the disabled person's path to leave the property on his or her own. For example, if the van does not start or has a mechanical problem, is blocked in by other vehicles, downed limbs, or fallen utility wires (which pass over the driveway under multiple tree limbs), or if the gate to the back yard were closed, the disabled person would essentially be trapped on the property, unable to either drive away or leave the house by rolling past the van in the wheelchair.

In summary:

(1) the only practicable place for a ramp van to park on this property and allow the ramp to be used is in the location of the proposed carport.

(2) denying the placement of a carport at that location to protect the ramp van creates a hardship for a wheelchair-bound resident that an able-bodied person who could park in the existing carport would not have.

(3) This set of circumstances is specific to this lot for several reasons. Other homes in the area on similar lots do not have trees located in the same relationship to the house and driveway and do not have extensive wheelchair ramps blocking access to the driveway. Corner lots and wider lots are unlikely to present the same practical limitations on the location of parking for a ramp-equipped van.

(4) The propose carport will have little or no effect on other property. It would cover existing parking on existing impervious cover, so it will not measurably effect storm runoff or impervious cover. The simple structure without walls and designed for a single vehicle will be unobtrusive and not block views, breezes, or light any more than the van usually parked there currently does. When the van is being driven the carport will have virtually no impact standing by itself.