

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

CASE #

C15-20130108

ROW #

11014287

TP-0221011202

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: 4103 Rosedale Ave.

LEGAL DESCRIPTION: Subdivision - Rosedale

Lot(s) 2 Block 2 Outlot _____ Division Rosedale A

I/We Jeffrey and Pamela Archer on behalf of myself ourselves as authorized agent for

N/A affirm that on Sept. 10, 2013,

hereby apply for a hearing before the Board of Adjustment for consideration to:

(check appropriate items below)

☒ ERECT ☐ ATTACH ☐ COMPLETE ☐ REMODEL ☐ MAINTAIN

a detached single-vehicle carport for a
wheelchair-accessible ramp van for a
wheelchair-bound disabled family member. 7' from

in a SF3 district.
(zoning district)

front
& 0' from
side

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.

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:

the only reasonable location for a carport that allows for wheelchair access is within the front and side setbacks applicable to the lot.

HARDSHIP:

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

the existing primary structure, driveway, carport, and wheelchair ramp do not offer any alternative locations for parking a wheelchair-accessible ramp van.

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

The location of existing structures, and the absence of an existing wheelchair ramp, ^{on other properties} do not impose the limitations for locating a suitable parking structure for a wheelchair-accessible ramp van, that exists for this lot.

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 proposed carport is minimal in size and would be located over an existing driveway. It would not significantly affect any visibility or view, and would not increase storm runoff or add any additional uses at its proposed location.

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:

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:

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

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

NOTE: 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.

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 Jeffrey S. Archer Mail Address 4103 Rosedale Ave.

City, State & Zip Austin, TX 78756

Printed Jeffrey S. Archer Phone 512-453-3571 Date 8/29/2013
512-423-3947

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 Jeffrey S. Archer Mail Address Same as applicant
"

City, State & Zip _____

Printed Jeffrey S. Archer Phone " Date 8/29/2013

Pam Archer 9/9/2013

Pamela Archer * call/text 512 689-6902
co-owner



SUBJECT TRACT



ZONING BOUNDARY

CASE#: C15-2013-0108
LOCATION: 4103 Rosedale Ave



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by the Planning and Development Review Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

SURVEY PLAT

ROSEDALE AVENUE

50' ROW

ASPHALT

CURB & GUTTER

Annotated plat

Jeffrey and Pamela
Archer application

Proposed
NEW
CARPORT

this is the only
area where van ramp may
open to allow
wheelchair access to van
ramp and sidewalk

25' FRONT SETBACK

SCALE: 1" = 20'

AE APPROVED

JUL 29 2013

210-210

JGM

All structures etc. must maintain 7'5"
clearance from AE energized power
lines. Enforced by AE & NESC codes.

No
reasonable
parking
on this
portion of
lot/drive
would
allow
ramp on
side of
van to
open and
allow
disabled
driver to
exit
van or
have
home
access

No possible van
ramp access
tree and
FRAME HOUSE
structures
block way

pecan
tree

Van ramp access
not possible here
tree in way, no
sidewalk, ramp
home not accessible

If van parks here,
disabled person
cannot leave Pamela Marie Archer
home w/out entering
van - creates danger/prison
situation

No possible ramp access
to van in closed garage

- = IRON ROD FOUND
- #--- = WOOD FENCE
- o--- = CHAIN LINK FENCE
- x--- = OVERHEAD ELECTRIC
- () = FROM PLAT RECORDS
- [] = FROM DEED RECORDS
- C.P. = CONTROL POINT

LOT 14

LOT 15

LOT 16

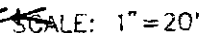
ADDRESS: 4103 ROSEDALE AVENUE, AUSTIN, TEXAS 78756

LEGAL DESCRIPTION:

LOT 2, BLOCK 2, ROSEDALE--A, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF

4360 S. CONGRESS AVENUE
SUITE 106
AUSTIN, TEXAS 78745

CURA & GUTTER



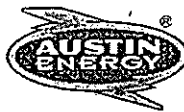
JGM

Pamela Marie Archer

● = IRON ROD FOUND
 ---//--- = WOOD FENCE
 ---GG--- = CHAIN LINK FENCE
 ---C--- = OVERHEAD ELECTRIC
 () = FROM PLAT RECORDS
 [] = FROM DEED RECORDS
 C.P. = CONTROL POINT

LOT 2, BLOCK 2, ROSEDALE-A, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF

One Stop Shop
505 Barton Springs Rd
(512) 974-2632 – phone
(512) 974-9112 – phone
(512) 974-9109 – fax
(512) 974-9779 – fax



Austin Energy
Building Service Planning Application (BSPA)

This form to be used for review of Building Permit only
For use in One Stop Shop Only

Responsible Person for Service Request <u>Jeffrey Archer</u>		
Email <u>jeffarcher@yahoo.com</u>	Fax _____	Phone <u>(512) 423-3947</u> cell: <u>hm (512) 453-3571</u>
<input checked="" type="checkbox"/> Residential	<input type="checkbox"/> Commercial	<input type="checkbox"/> New Construction <input type="checkbox"/> Remodeling
Project Address <u>4103 Rosedale Ave Austin, Tx. 78756</u> OR		
Legal Description _____	Lot _____	Block _____
Who is your electrical provider? <input checked="" type="checkbox"/> AE <input type="checkbox"/> Other _____		
<input type="checkbox"/> Overhead Service <input type="checkbox"/> Underground Service <input type="checkbox"/> Single-phase (1Ø) <input type="checkbox"/> Three-phase (3Ø)		
Location of meter _____		
Number of existing meters on gutter _____ (show all existing meters on riser diagram)		
Expired permit # _____		
Comments <u>Carport</u>		
BSPA Completed by (Signature & Print Name) _____ Date _____ Phone _____		
Approved <input type="checkbox"/> Yes <input type="checkbox"/> No _____		
AE Representative _____	Date _____	Phone _____

Application expires 180 days after the date of approval
(Any change to the above information requires a new BSPA)

All structures etc. must maintain 7'5"
clearance from AE energized power
lines. Enforced by AE & NESC codes.

AE APPROVED JUL 29 2013 210-210 JGM

City of Austin Residential Permit Application

Residential Review, 2nd floor, One Texas Center
505 Barton Springs, Austin, TX 78704
(512) 974-2747

For Departmental Use Only	PR #	BP #
	Assigned	Due Date
	Review Date	Issue Date
	Reviewed/Approved	Issued

Project Information

Project Address: <u>4103 Rosedale Ave.</u>	Reference ID 2 (www.traviscad.org): <u>217673</u>
Legal Description: <u>LOT 2 BLOCK 2 ROSEDALE "A"</u>	
Zoning District or PUD: <u>SF-3</u>	Lot Size (square feet): <u>6,747</u>
Neighborhood Plan Area (if applicable):	Historic District (if applicable):
Is this site within the Residential Design and Compatibility Standards Ordinance Boundary Area? <u>Y</u> N Note: Boundaries are defined under Title 25-2 Subchapter F of the Land Development Code.	
Does this site currently have water availability? <u>Y</u> N wastewater availability? <u>Y</u> N If no, contact Austin Water Utility to apply for water/wastewater taps and/or service extension request.	
Does this site have a septic system? <u>Y</u> <u>N</u> If yes, submit a copy of approved septic permit to construct	
Does this site require a cut or fill in excess of four (4) feet? <u>Y</u> <u>N</u> If yes, contact the Development Assistance Center for a Site Plan Exemption.	
Does this site front a paved street? <u>Y</u> N Is this site adjacent to a paved alley? <u>Y</u> <u>N</u>	
Does this site have a Board of Adjustment (BOA) variance? <u>Y</u> <u>N</u> Case # (if applicable)	
Does this site have a Residential Design and Compatibility Commission (RDCC) waiver? <u>Y</u> <u>N</u> If yes, provide a copy of decision sheet. Note: A permit cannot be approved within 10 days of approval of a variance from BOA.	
Does the project impact a tree protected by ordinance? This includes canopy and/or critical root zone impacts to nearby trees. <u>Y</u> <u>N</u> Note: If yes, application for a tree permit with the City Arborist may be required.	
Is this site within one hundred-fifty (150) feet of the one hundred (100) year floodplain? <u>Y</u> <u>N</u> Note: Proximity to a floodplain may require additional review time.	

Description of Work

Existing Use:	<u>vacant</u>	<u>single-family residential</u>	duplex residential	two-family residential	other		
Proposed Use:	<u>vacant</u>	<u>single-family residential</u>	duplex residential	two-family residential	other		
Project Type:	<u>new construction</u>	addition	addition/remodel	remodel/repair	other		
# of bedrooms existing:	<u>3</u>	# of bedrooms proposed:	<u>0</u>	# of baths existing:	<u>2</u>	# of baths proposed:	<u>0</u>
Will all or part of an existing exterior wall be removed as part of the project? <u>Y</u> N Note: Removal of all or part of a structure requires a demolition permit.							
Project Description: (Note: Please provide thorough description of project. Attach additional pages as necessary) <u>CONSTRUCT NEW FREESTANDING, OPEN CARPORT FOR HANDICAP RAMP VAN.</u>							
Trades Permits Required: electric plumbing mechanical (HVAC) concrete (right-of-way)							

Job Valuation

Total Job Valuation: \$ <u>3000</u>	Portion of Total Job Valuation Dedicated to Addition/New Construction: \$ Bldg: \$ <u>3000</u> Elec: \$ Plmbg: \$ Mech: \$	Portion of Total Job Valuation Dedicated to Remodel/Repair: \$ Bldg: \$ Elec: \$ Plmbg: \$ Mech: \$
Note: The total job valuation should be the sum total of all valuations noted to the right. Labor and materials only, rounded to nearest dollar. Permit fees are based on adopted fee schedule.	Primary Structure: \$ Accessory Structure: \$ <u>3000</u>	

Building and Site Area			
Area Description	Existing Sq Ft	New/Added Sq Ft	Total Sq Ft
Note: Provide a separate calculation for each distinct area. Attach additional sheets as necessary. Measurements are to the outside surface of the exterior wall.			
a) 1 st floor conditioned area	1285	0	1285
b) 2 nd floor conditioned area	924	0	924
c) 3 rd floor conditioned area	0	0	0
d) Basement	0	0	0
e) Covered Parking (garage or carport)	184	176	360
f) Covered Patio, Deck or Porch	316	0	316
g) Balcony	0	0	0
h) Other STORAGE	259	0	259
Total Building Coverage (exclude b, c & d from total)	2044	176	2220
i) Driveway	700	<-176>	524
j) Sidewalks	260	0	260
k) Uncovered Patio	40	0	40
l) Uncovered Wood Deck (counts at 50%)	96	0	96
m) AC pads	9	0	9
n) Other (Pool Coping, Retaining Walls)			
Total Site Coverage	1105	<-176>	929
o) Pool			
p) Spa			

Site Development Information	
Building Coverage Information Note: Building Coverage means the area of a lot covered by buildings or roofed areas, but excludes ground level paving, landscaping, open recreational facilities, incidental projecting eaves, balconies, and similar features. Pools, ponds, and fountains are not included in this measurement. (LDC 25-1-21)	
Existing Building Coverage (sq ft): <u>2044</u>	% of lot size: <u>30%</u>
Proposed Building Coverage (sq ft): <u>2220</u>	% of lot size: <u>33%</u>
Impervious Cover Information Note: Impervious cover is the total horizontal area of covered spaces, paved areas, walkways, and driveways. The term excludes pools, ponds, fountains, and areas with gravel placed over pervious surfaces that are used only for landscaping or by pedestrians. (LDC 25-1-23)	
Existing Impervious Cover (sq ft): <u>3149</u>	% of lot size: <u>47%</u>
Proposed Impervious Cover (sq ft): <u>3149</u>	% of lot size: <u>47%</u>
Setbacks Are any existing structures on this site a non-compliant structure based on a yard setback requirement? (LDC 25-2-513) Y <input type="checkbox"/> N <input checked="" type="checkbox"/> Does any structure (or an element of a structure) extend over or beyond a required yard? (LDC 25-2-513) Y <input type="checkbox"/> N <input checked="" type="checkbox"/> Is front yard setback averaging being utilized on this property? (LDC 25-2, Subchapter F, Sec. 2.3) Y <input type="checkbox"/> N <input checked="" type="checkbox"/>	
Height Information (LDC 25-1-21 or 25-2 Subchapter F, Section 3.4) Parking (LDC 25-6 Appendix A & 25-6-478) Building Height: <u>24</u> ft Number of Floors: <u>2</u> # of spaces required: <u>2</u> # of spaces provided: <u>2</u>	
Right-of-Way Information Is a sidewalk required for the proposed construction? (LDC-6-353) Y <input type="checkbox"/> N <input checked="" type="checkbox"/> *Sidewalks are to be installed on any new construction of a single family, two-family or duplex residential structure and any addition to an existing building that increases the building's gross floor area by 50 % or more. Will a Type I driveway approach be installed, relocated, removed or repaired as part of this project? Y <input type="checkbox"/> N <input checked="" type="checkbox"/> Width of approach (measured at property line): <u>12</u> ft Distance from intersection (for corner lots only): _____ ft Are storm sewer inlets located along the property or within ten (10) feet of the boundaries of the property? Y <input type="checkbox"/> N <input checked="" type="checkbox"/>	

Gross Floor Area

This section is only required for projects located within the Residential Design and Compatibility Standards Ordinance Boundaries as defined and illustrated in Title 25-2 Subchapter F of the Land Development Code. The Gross Floor Area of each floor is measured as the area contained within the outside edge of the exterior walls.

	Existing	New	Exemption	Total
1 st Floor	<u>1285</u>	<u>0</u>		<u>1285</u>
2 nd Floor	<u>924</u>	<u>0</u>		<u>924</u>
3 rd Floor	<u>0</u>	<u>0</u>		<u>0</u>
Basement	<u>0</u>	<u>0</u>		<u>0</u>
Attic	<u>0</u>	<u>0</u>		<u>0</u>
Garage (attached)				
(detached)				
Carport (attached)				
(detached)	<u>184</u>	<u>176</u>	<u>360</u>	<u>0</u>
Accessory building(s) (detached)	<u>259</u>	<u>0</u>		<u>259</u>

TOTAL GROSS FLOOR AREA 2468

.37
(Total Gross Floor Area /lot size) x 100 = 37 Floor-To-Area Ratio (FAR)

- Is this project claiming a "parking area" exemption as described under Article 3? Y
- Is this project claiming a "ground floor porch" exemption as described under Article 3? N
- Is this project claiming a "basement" exemption as described under Article 3? Y
- Is this project claiming a "habitable attic" exemption as described under Article 3? Y
- Is a sidewall articulation required for this project? Y
- Does any portion of the structure extend beyond a setback plane? Y

N
N
N
N
N
N

Parking Area exemption: Up to 450 square feet of a parking area may be deducted if it is a detached rear parking area that is separated from the principal structure by not less than 10 feet; or attached by a covered breezeway that is completely open on all sides, with a walkway not exceeding 6 feet in width and a roof not exceeding 8 feet in width; or a parking area that is open on two or more sides, if: it does not have habitable space above it; and the open sides are clear and unobstructed for at least 80% of the area measured below the top of the wall plate to the finished floor of the carport. Up to 200 square feet may be deducted if it is an attached parking area used to meet the minimum parking requirement; or a garage that is less than 10 feet from the rear of the principal structure, provided that the garage is either detached from the principal structure; or attached by a covered breezeway that is completely open on all sides, with a walkway not exceeding 6 feet in width and a roof not exceeding 8 feet in width. An applicant may receive only one 450-square foot exemption per site under Article 3. An applicant who receives a 450-square foot exemption may receive an additional 200-foot exemption for the same site under Article 3, but only for an attached parking area used to meet minimum parking requirements.

Ground Floor Porch exemption: A ground floor porch, including a screened porch, may be exempted, provided that the porch is not accessible by automobile and is not connected to a driveway; and the exemption may not exceed 200 square feet if a porch has habitable space or a balcony above it.

Basement exemption: A habitable portion of a building that is below grade may be exempted if the habitable portion does not extend beyond the first-story footprint and is below natural or finished grade, whichever is lower; and it is surrounded by natural grade for at least 50% of its perimeter wall area and the finished floor of the first story is not more than three feet above the average elevation at the intersections of the minimum front yard setback line and the side property lines.

Habitable Attic exemption: A habitable portion of an attic may be exempted if: 1. The roof above it is not a flat or mansard roof and has a slope of 3 to 12 or greater; 2. It is fully contained within the roof structure; 3. It has only one floor; 4. It does not extend beyond the footprint of the floors below; 5. It is the highest habitable portion of the building, or a section of the building, and adds no additional mass to the structure; and 6. Fifty percent or more of the area has a ceiling height of seven feet or less.

Contact Information

Owner	Jeffrey S. Archer	Applicant or Agent	Jeffrey S. Archer
Mailing Address	4103 Rosedale Ave. Austin TX 78756	Mailing Address	4103 Rosedale Ave Austin TX 78756
Phone	(512) 453-3571 (hm)	Phone	cell: (512) 423-3947, 453-3571 (hm)
Email	jeffarcher@yahoo.com	Email	jeffarcher@yahoo.com
Fax		Fax	alt phone: (512) 689-16902 (Ram Archer)
General Contractor		Design Professional	
Mailing Address	N/A	Mailing Address	N/A
Phone		Phone	
Email		Email	
Fax		Fax	

Acknowledgments

Is this site registered as the owner's homestead for the current tax year with the appraisal district? ☒ Y ☐ N

I understand that in accordance with Sections 25-1-411 and 25-11-66 of the Land Development Code (LDC), non-compliance with the LDC may be cause for the Building Official to suspend or revoke a permit and/or license.

I understand that I am responsible for complying with any subdivision notes, restrictive covenants and/or zoning conditional overlays prohibiting certain uses and/or requiring certain development restrictions (i.e., height, access, screening, etc.) on this property.

If a conflict should result with any of these restrictions, it will be my responsibility to resolve it. I understand that, if requested, I must provide copies of all subdivision plat notes, restrictive covenants, and/or zoning conditional overlay information that may apply to this property.

I acknowledge that this project qualifies for the Site Plan Exemption as listed in Section 25-5-2 of the LDC. I understand that nothing may be built upon or over an easement.

I further understand that no portion of any roof structure may overhang in any public utility or drainage easement. I acknowledge that customer will bear the expense of any necessary relocation of existing utilities to clear this driveway location and/or the cost to repair any damage to existing utilities caused during construction.

I agree that this application will expire on the 181st day after the date that the application is filed if the application is not approved and an extension is not granted. If the application expires, a new submittal will be required and compliance with current code may be required.

I hereby certify that to the best of my knowledge and ability, the information provided in this application is complete and accurate.

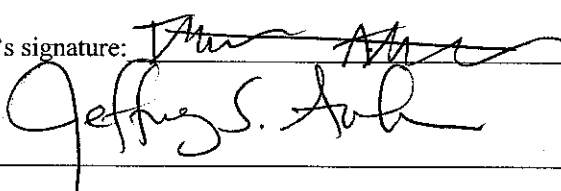
I further acknowledge that, should any information contained herein prove incorrect, the building official may suspend or revoke any resulting permit and/or license.

I also understand that if there are any trees greater than 19 inches in diameter located on the property and immediately adjacent to the site, I am required to complete a Tree Ordinance Review Application by contacting (512) 974-1876 or cityarborist@austintexas.gov. This initiates the tree permitting requirement needed to proceed with the development review process.

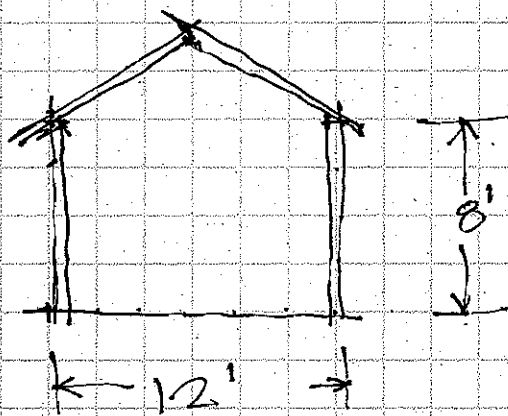
Erosion and Sedimentation Controls are required per Section 25-8-181.

I acknowledge that a sidewalk will be required on any new construction of a single family, two-family or duplex residential structure and any addition to an existing building that increases the building's gross floor area by 50 % or more.

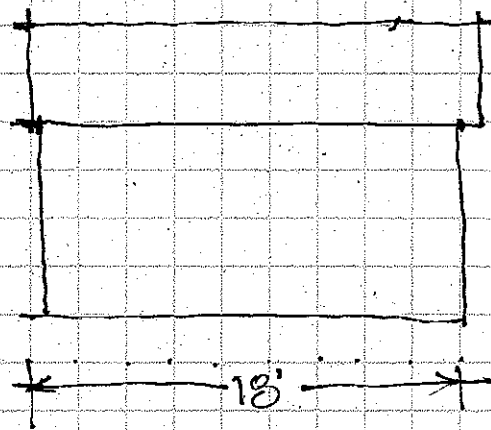
I acknowledge if my plans are subject to a technical review it will not be construed to be a permit for, or an approval of any violation of any of the provisions of the current adopted building codes or another ordinance of the City of Austin.

Applicant's signature: 

Date: 7/23/13
7/28/2013



FRONT



SIDE

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.



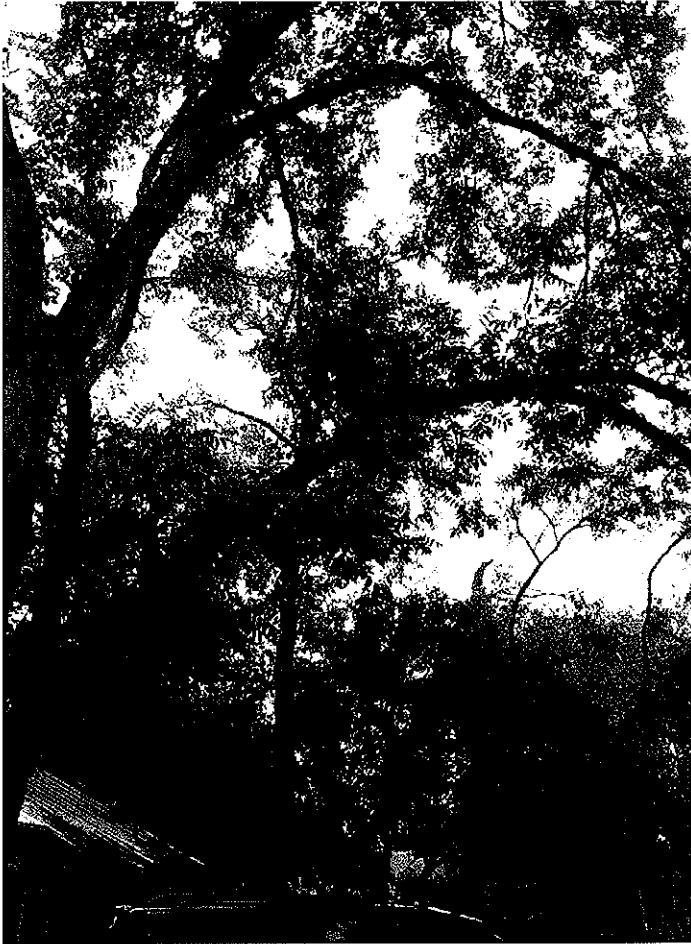
Street view:



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:

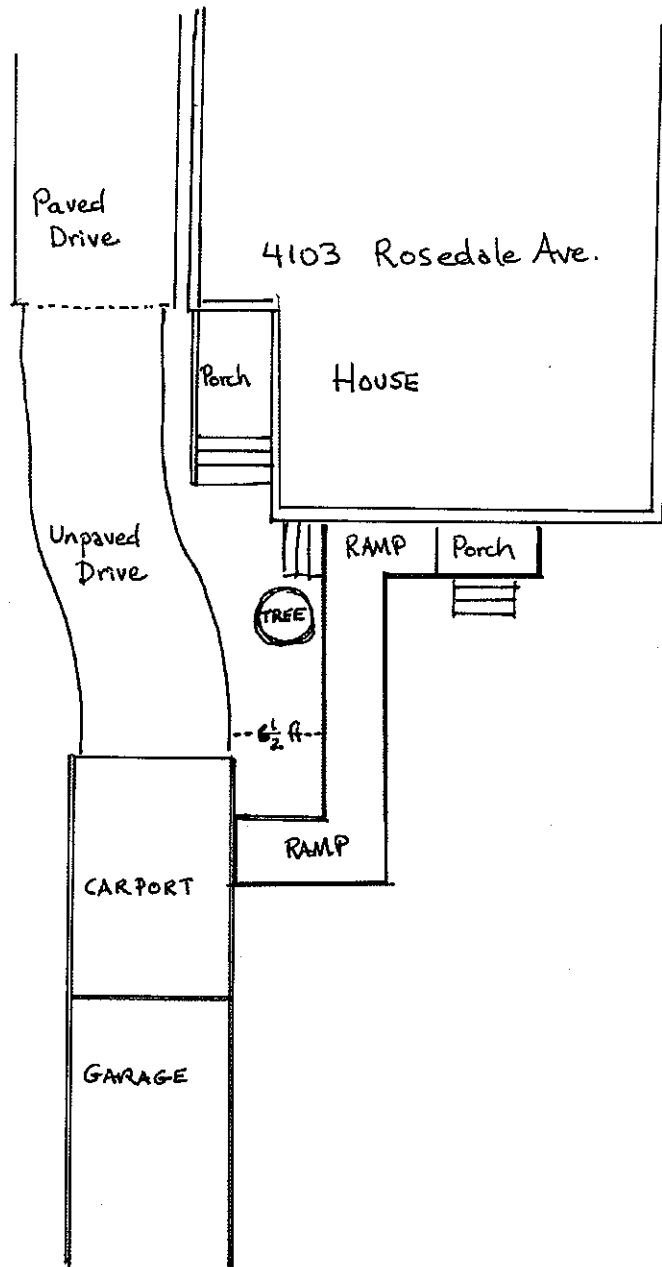


3. The photos below show that the van ramp cannot be opened or used at any location on the entire length of the driveway other than the proposed location for the carport.

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



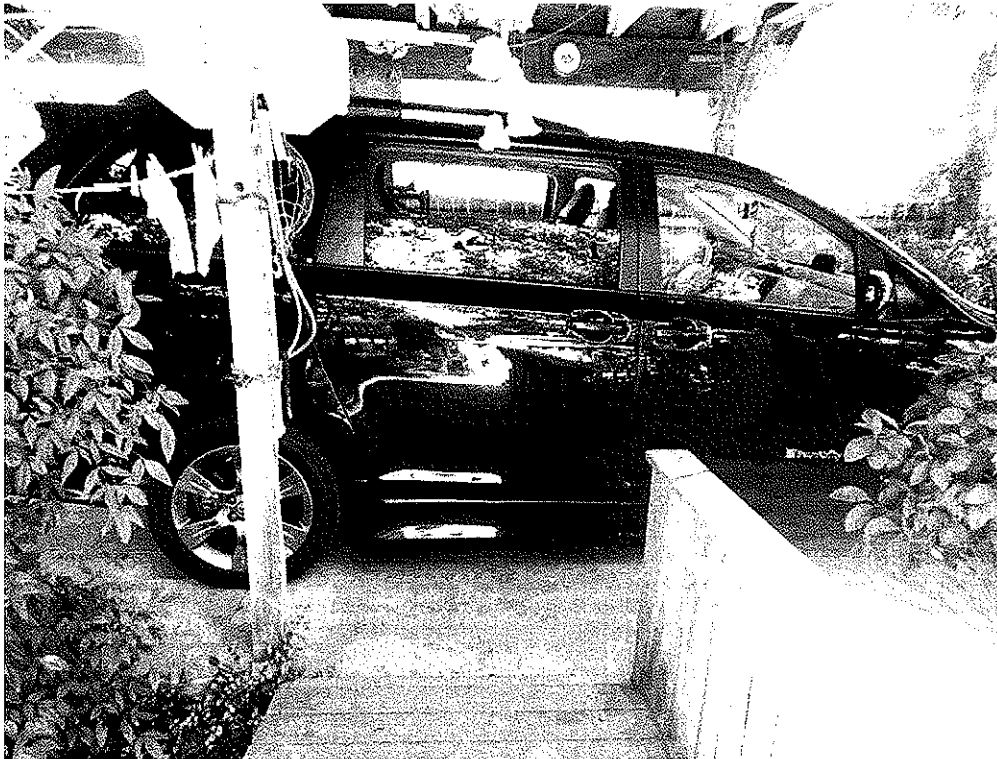
B. The space between the driveway and the ramp that leads from the existing one-car carport at the rear of the house is insufficient for the ramp to open and a wheelchair user to exit. The distance between the side of the van and the existing wheelchair ramp is about 6-1/2 feet. In addition, a large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



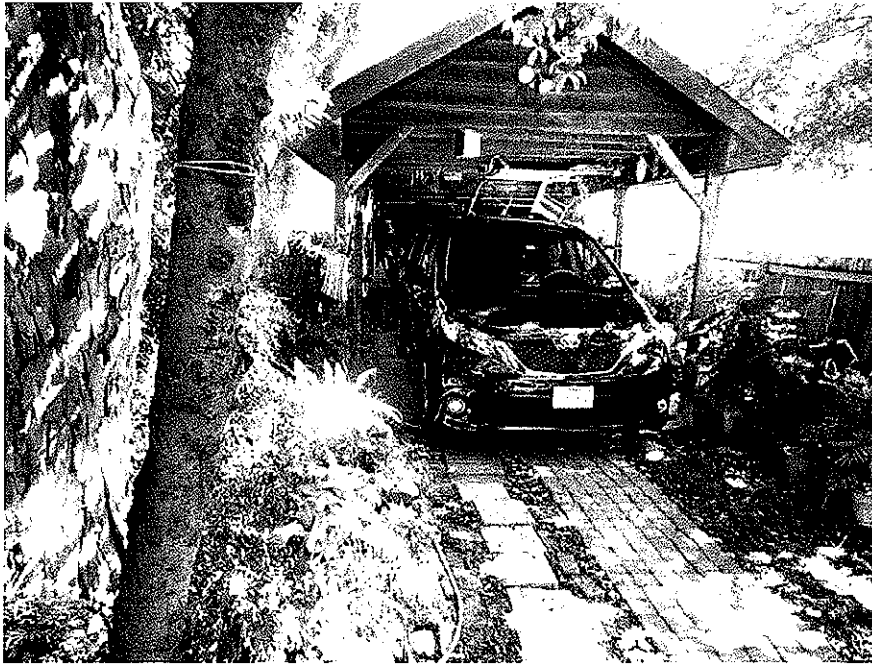


3. It is impractical and hazardous to park the ramp van in the existing carport. Because of the location of the permanent ramp leading from the carport to the rear door of the house, there is only one precise location in which the van can be parked to enable the van's ramp to line up with the house ramp.

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.