

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

**DATE: Monday, December 8, 2014**

**CASE NUMBER: C15-2014-0168**

\_\_\_\_ Jeff Jack - Chair  
\_\_\_\_ Michael Von Ohlen  
\_\_\_\_ Melissa Whaley Hawthorne - Vice Chair  
\_\_\_\_ Sallie Burchett  
\_\_\_\_ Ricardo De Camps  
\_\_\_\_ Brian King  
\_\_\_\_ Vincent Harding  
\_\_\_\_ Will Schnier - Alternate  
\_\_\_\_ Stuart Hampton - Alternate

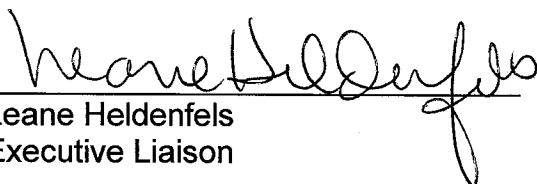
**OWNER/APPLICANT: Adrian Young**

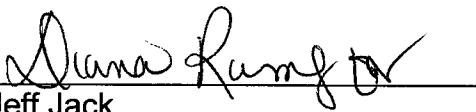
**ADDRESS: 3216 LAFAYETTE AVE**

**VARIANCE REQUESTED:** The applicant has requested a variance(s) from Section 25-2-492 (D) (*Site Development Regulations*) to decrease the side street yard setback from 15 feet (required) to 0 feet (requested) in order to retain a recently constructed carport in a "SF-3-NP", Family Residence – Neighborhood Plan zoning district. (Upper Boggy Creek)

**BOARD'S DECISION: POSTPONED TO February 9, 2015 BY APPLICANT**  
**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:

  
\_\_\_\_\_  
Leane Heldenfels  
Executive Liaison

  
\_\_\_\_\_  
Jeff Jack  
Chairman

Heldenfels, Leane

C15-2014-0168

**From:** Pamelee Atlas [redacted]  
**Sent:** Thursday, December 04, 2014 2:32 PM  
**To:** Heldenfels, Leane  
**Subject:** Adrian Young postponement request Case: CV-2014-073031

Ms. Heldenfels,

This by way of follow-up to our telephone conversation this day, I am requesting a postponement of the Board of Adjustment hearing, concerning the 3216 Lafayette Ave. carport, set for December 8, 2014 until February 9, 2015, in order that the Cherrywood Neighborhood Association and the City of Austin Right of Way Department may explore options for resolution of the various interests in this matter. This request is by agreement of the concerned parties. It is a first such request.

Thank you for your assistance in this matter.  
Adrian L. Young

## PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak **FOR** or **AGAINST** the proposed application. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice will be sent.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact person listed on a notice*); or
- appearing and speaking for the record at the public hearing; and:
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: [www.austintexas.gov/development](http://www.austintexas.gov/development).

Written comments must be submitted to the contact person listed on the notice before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice. All comments received will become part of the public record of this case.

**Case Number: C15-2014-0168, 3216 Lafayette Avenue**

**Contact:** Leane Heldenfels, 512-974-2202, [leana.heldenfels@austintexas.gov](mailto:leana.heldenfels@austintexas.gov)

**Public Hearing: Board of Adjustment, December 8th, 2014**

*Leanne Kinney Mgr Kinney Real Est*

*Your Name (please print) 3216 Lafayette Ave*

*3303 Lafayette Ave / 78722*

*Your address(es) affected by this application*

*Leanne Kinney* *Signature* *12/1/14* *Date*

Daytime Telephone: *512/476-2805*

Comments:

*It is a well known law that one cannot build in the set back area. That law was ignored. I am sure it was not permitted. It should be removed.*

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

City of Austin-Planning & Development Review Department/ 1st Floor

Leane Heldenfels

P. O. Box 1088

Austin, TX 78767-1088

Or fax to (512) 974-2934

Or scan and email to [leana.heldenfels@austintexas.gov](mailto:leana.heldenfels@austintexas.gov)

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**Public Hearing: Board of Adjustment, December 8th, 2014**

<input type="checkbox"/> I am in favor <input checked="" type="checkbox"/> I object	
Your Name (please print) <u>Teddy Kinney Mgr.</u>	
<u>3305 Lafayette</u>	
Your address(es) affected by this application <u>and 3303</u>	
<u>Lafayette</u>	
Signature <u>Teddy Kinney</u>	
Date <u>12/1/14</u>	
Daytime Telephone: <u>512/476-2805</u>	
Comments: <u>It's been against</u> <u>the law to build in</u> <u>set back lines prescribed</u> <u>by City of Austin.</u> <u>This certainly was Not</u> <u>done by permit, and it should</u> <u>be removed.</u>	

Note: All comments received will become part of the public record of this case

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Leane Heldenfels

P. O. Box 1088

Austin, TX 78767-1088

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**Public Hearing: Board of Adjustment, December 8th, 2014**

**MARY O. BLACK**

*Your Name (please print)*

**3312 Lafayette**

*Your address(es) affected by this application*

**Mary O Black**

*Signature*

**12/1/2014**

*Date*

Daytime Telephone: **(512) 892-1999**

Comments: **It is wrong to build in the**

**Set back is set a very bad precedent for the Neighborhood**

Note: All comments received will become part of the public record of this case

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

City of Austin-Planning & Development Review Department/ 1st Floor

Leane Heldenfels

P. O. Box 1088

Austin, TX 78767-1088

Or fax to (512) 974-2934

Or scan and email to [leana.heldenfels@austintexas.gov](mailto:leana.heldenfels@austintexas.gov)

tried to Fax it 3:30 PM Monday 12/1/2014

C15-2014-0168  
CASE# ~~CV-2014-073051~~  
ROW# 11248342  
TAX# 0214091509  
(TCADV)

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: 3216 Lafayette Austin Tx 78722

LEGAL DESCRIPTION: Subdivision – Lot 1 Block 1 Lafayette Subdivision

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

I/We Adrian Young on behalf of myself/ourselves as authorized agent for  
myself affirm that on Oct 24 2014,

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

(check appropriate items below and state what portion of the Land Development Code you are seeking a variance from)

    ERECT     ATTACH     COMPLETE     REMODEL   x   MAINTAIN  
see attached City Code 25-6-267 et seq

25-2-496(D)

in a SF-3-NP district. (Upper Buggy Creek)  
(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.**

**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:

see attached statement of hardship and reasons

for variance

**HARDSHIP:**

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

see attached statement and photographs

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

to the best of my knowledge no other property in my

neighborhood has so many old-growth trees over driveway

**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 area adjacent to my property is in no way affected by

the carport over my driveway; the carport affects no realistic use of city ~~or my~~ right of way at this time, and can be removed ~~if the city does ever intend such use~~

**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:

see attached statement if this application is deemed relevant

to a parking variance

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:

the carport will result in parking off the street not on it

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

the carport will allow my wife and I to park in our driveway  
and off the street to avoid the tree problem - see attached  
statement

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

see attached statement and photographs

many uses of city right of way are allowed in my neighborhood  
which are far more intrusive than the carport in my own driveway

**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  Mail Address 3216 Lafayette Ave

City, State & Zip Austin Tx 78722

Printed ADRIAN L. YOUNG Phone 512 656 2272 Date 10-24-14

**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 SAME AS APPL. WRT Mail Address \_\_\_\_\_

City, State & Zip \_\_\_\_\_

Printed \_\_\_\_\_ Phone \_\_\_\_\_ Date \_\_\_\_\_

## INVESTIGATION REPORT

**Investigator:** Moses Rodriguez

**Case:** CV-2014-073031

**Address:** 3216 LAFAYETTE AVE 78722

**Zoned as** SF-3-NP

The item(s) listed below are in violation of the Austin City Code. A required remedy may be specified after a violation and may include a time period for compliance. If no required remedy is specified for a violation, the **Required Remedy Summary** will be in effect. For questions concerning residential property, please contact the Zoning Review Division at (512) 978-4000. For questions concerning commercial property, please contact the Development Assistance Center (DAC) at (512) 974-6370.

### LAND USE

Code Section: Site Development Regulations for Zoning Districts (§25-2-492)

Description of Violation: The carport is encroaching into the street side yard setback and a minimum of 15 feet is required in a SF3 zoning district.

Date Observed: July 11, 2014

Status: Not Cleared

Required Remedy: Need to obtain a variance or remove.

Code Section: Building Permit Requirement (§25-12-241 [2006 IRC R105.1])

Description of Violation: Residential construction performed without required permit(s).

Date Observed: July 11, 2014

Status: Not Cleared

Required Remedy: Need to obtain residential permit for carport.

### Required Remedy Summary

Obtain a Permit in 7 days

Discontinue prohibited use in 14 days

**NOTE:** The time period(s) indicated in this summary reflect the total time allowed for compliance. A time period indicated in an individual violation's required remedy is the actual time allowed for compliance of that individual violation. If no time period is indicated in an individual violation's required remedy, the summary time period associated with the required remedy will be the time allowed for compliance.

### Appeal

A person may appeal a Stop Work Order to the City of Austin's Code Official. A written appeal must be filed no later than 3 days after the posting of the Order and contain:

- the name and address of the appellant;
- a statement of facts;
- the decision being appealed; and
- the reasons the decision should be set aside.

Appeal of Notice of Violation Case CV-2014-073031 and Request  
for Permit and or Variance 3216 Lafayette Austin, Tx

The carport that is the subject of the City of Austin's violation notice dated July 16, 2014, was put in this last summer in order to protect my and my wife's cars from further damage from several old-growth cedar elms that are unfortunately falling apart over our driveway. The carport is also an effort to save these beautiful old trees, that have been compromised by the drought Austin has been in since at least 2008. My wife and I are retired seniors on a fixed income and cannot afford to have our cars ruined by our trees, at the same time we would dearly hate to lose any of the cedar elms. Without the protection of the carport for our two cars we will ultimately be faced with having to take down 3 of the trees that are hanging directly over our driveway.

I believe that the only part of the carport that encroaches on the City's 15 foot setback would be the front 2 posts of the carport. My contractor mistakenly believed that the Edgewood side-street adjoining my driveway had a 5 foot setback and did not require permit since the carport was not attached to any existing structure, had no walls, plumbing, or electricity (basically is 4 posts and a roof, an entirely open-air structure), and was within size limits per zoning requirements. ( I believe he may have misread zoning regulation 25-2-555 which pertains to rear setbacks, since the carport is toward the rear of my property, but I'm not sure.) Mr. Rodriguez's violation notice states that the setback is 15 feet for my neighborhood and since he covers it I suspect he is correct, he would know the zoning guidelines better than myself anyway. (I have also received A violation letter from Public Works referring to 10 foot setback.) I am asking that the City of Austin permit this carport (photos are attached) and allow variance to the 15 setback rule so that I will not have to either remove or drastically alter the carport, which would seem to me to be unnecessary and impractical given the fact that while the front 2 posts are within the 15 feet, the carport only covers my driveway and certainly does not interfere with any neighbors or, I think, any realistic plans of the City to use the setback in the near or foreseeable future. Of course if the City does ever need the setback for any reason I will be more than agreeable to remove the carport or alter it as may be necessary. It does though seem a waste to have to remove it until the City needs the space, as my wife and I have a concrete need for the carport.

I would add that the 3 cedar elms over our driveway have been trimmed up and cared for as carefully as possible - and at considerable expense - over the last few years. The carport is sort of a last resort to keep from having to take the trees down in order that our cars aren't destroyed. We've already had one windshield cracked and a car roof panel caved in by large branches breaking and falling. And last July 4 weekend the City's utility clean-up crew had to entirely remove another of my cedar elms that had snapped off 10 feet from the ground and fallen into utility lines and blown a transformer, knocking out electricity on the block for about 8 hours. The crew was working on that mishap until past midnight, under very precarious circumstances.

Thank you for your consideration.

S/ AD 12, AN L. YOUNG  
10/14/14

**SURVEY PLAT**

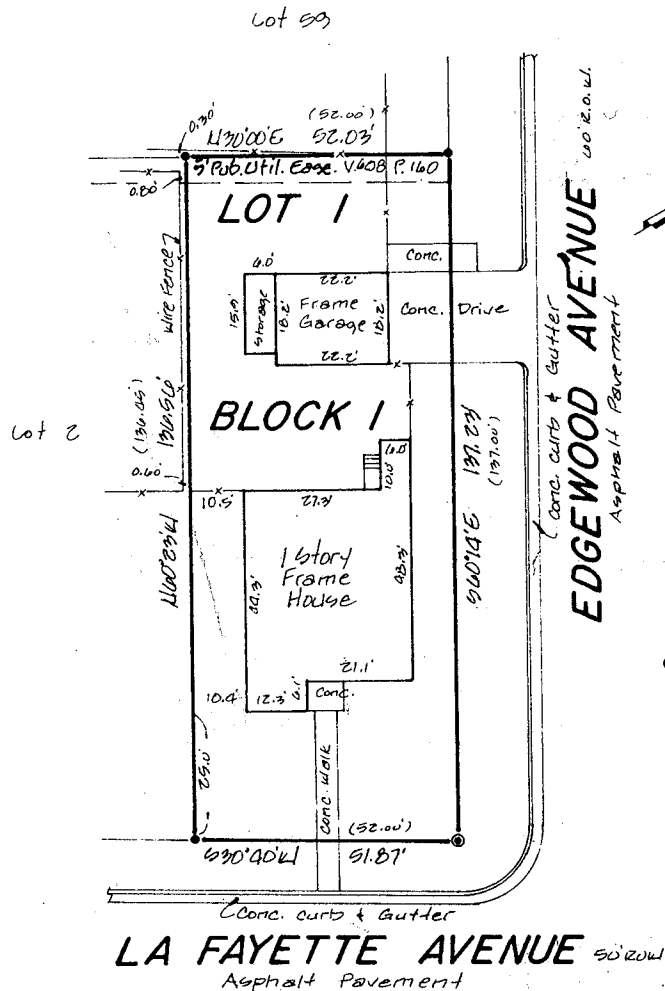
**TO ALL PARTIES INTERESTED IN PREMISES SURVEYED:—**

This is to certify that I have, this date, made a careful and accurate survey on the ground of property located at No. 3216 La Fayette Ave. in the City of Austin, Texas, being described as follows:

Lot No. 1, Block No. 1 of La Fayette Heights, an addition to the City of Austin

Texas, according to the final plat thereof recorded in Vol. 4, at page 43 of the Plat

Map Records of Travis County, Texas. Ref. Zimmerman/Roth

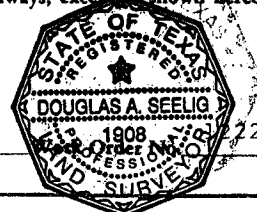


**LEGEND**

- Iron Pipe Found
- Iron Pin Found

I hereby certify that the property described hereon is not within a special flood hazard area, as identified by the Federal Emergency Management Agency/Federal Insurance Administration on Flood Insurance Rate Map No. 480624 0045B dated September 2, 1981, for the City of Austin, Travis County, 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 easements or roadways, except as shown hereon, and that said property has access to and from a dedicated roadway, except as shown hereon.



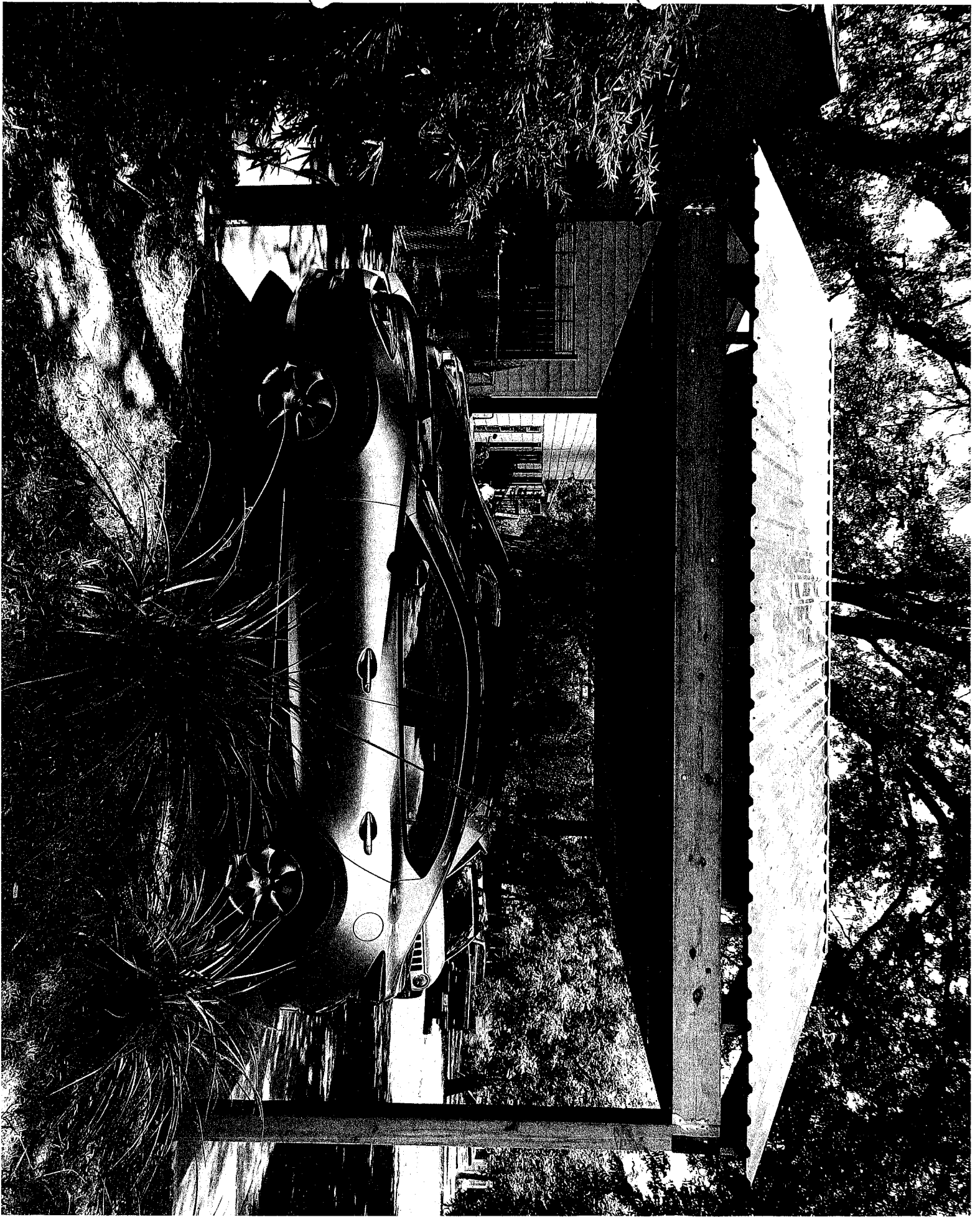
Douglas A. Seelig  
Reg. Pub. Sur. #1208  
917 E. 11th St.  
Austin, Texas 78753

Date Jan. 21, 1983 Invoice No. 1222

Scale 1"=30'

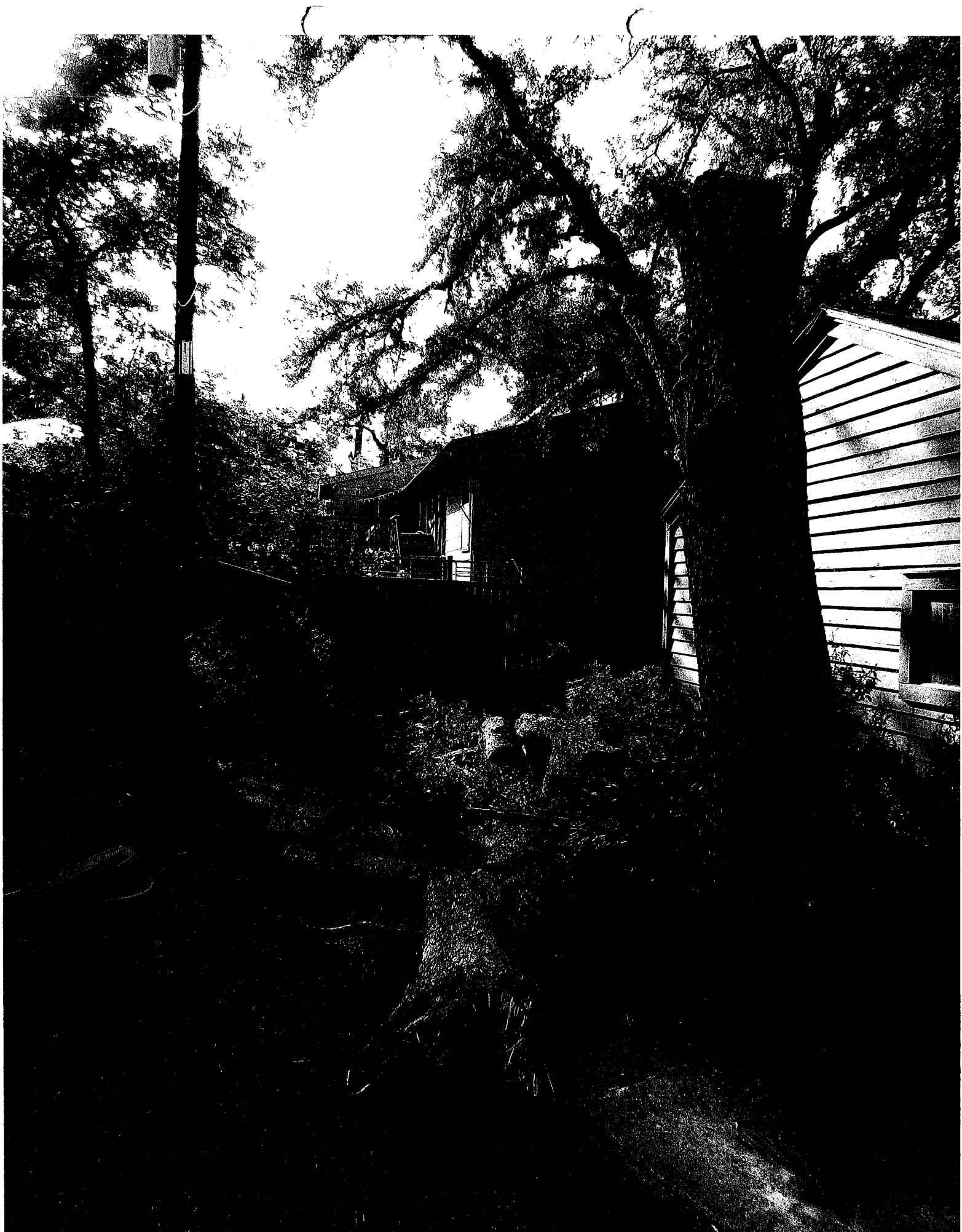




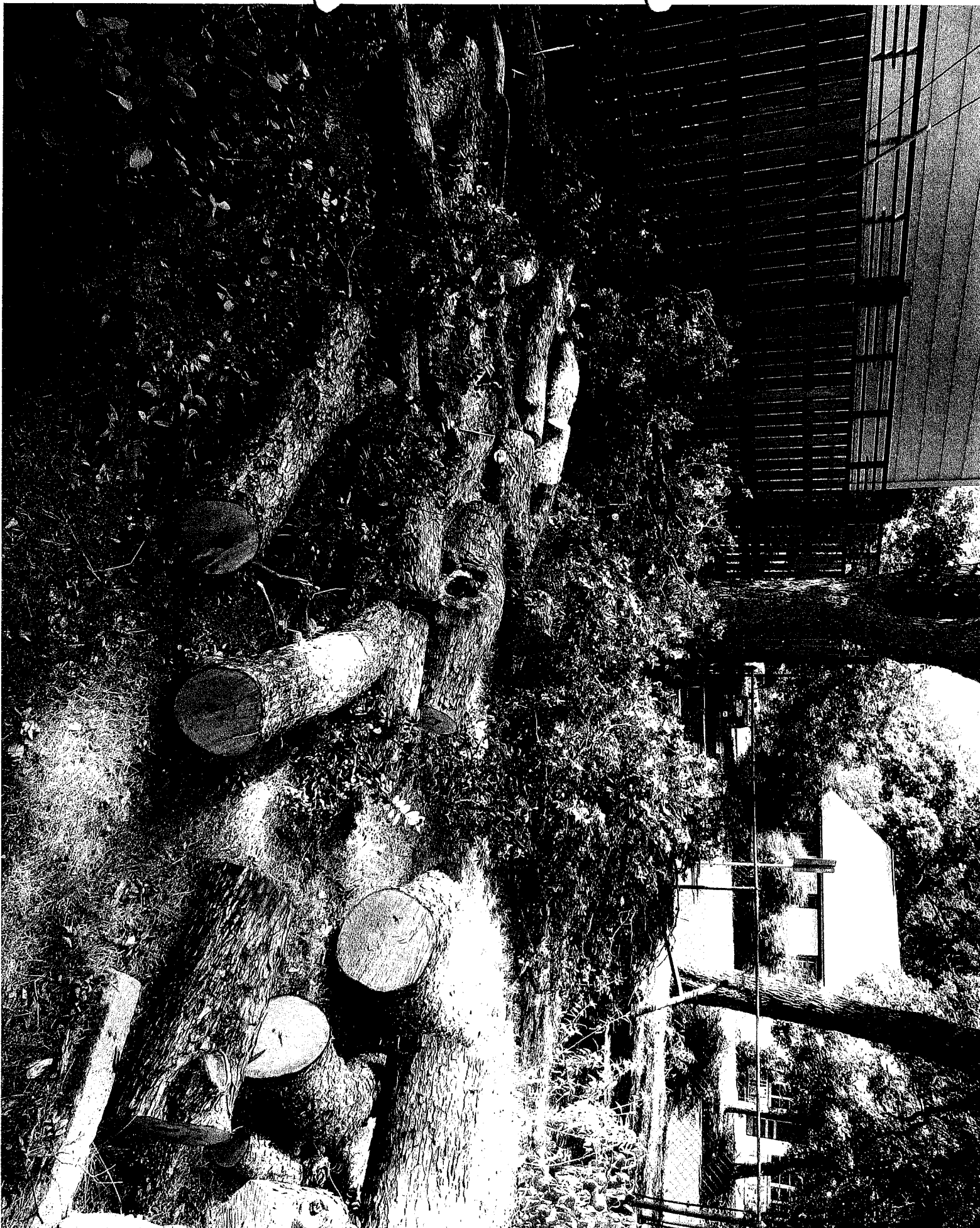


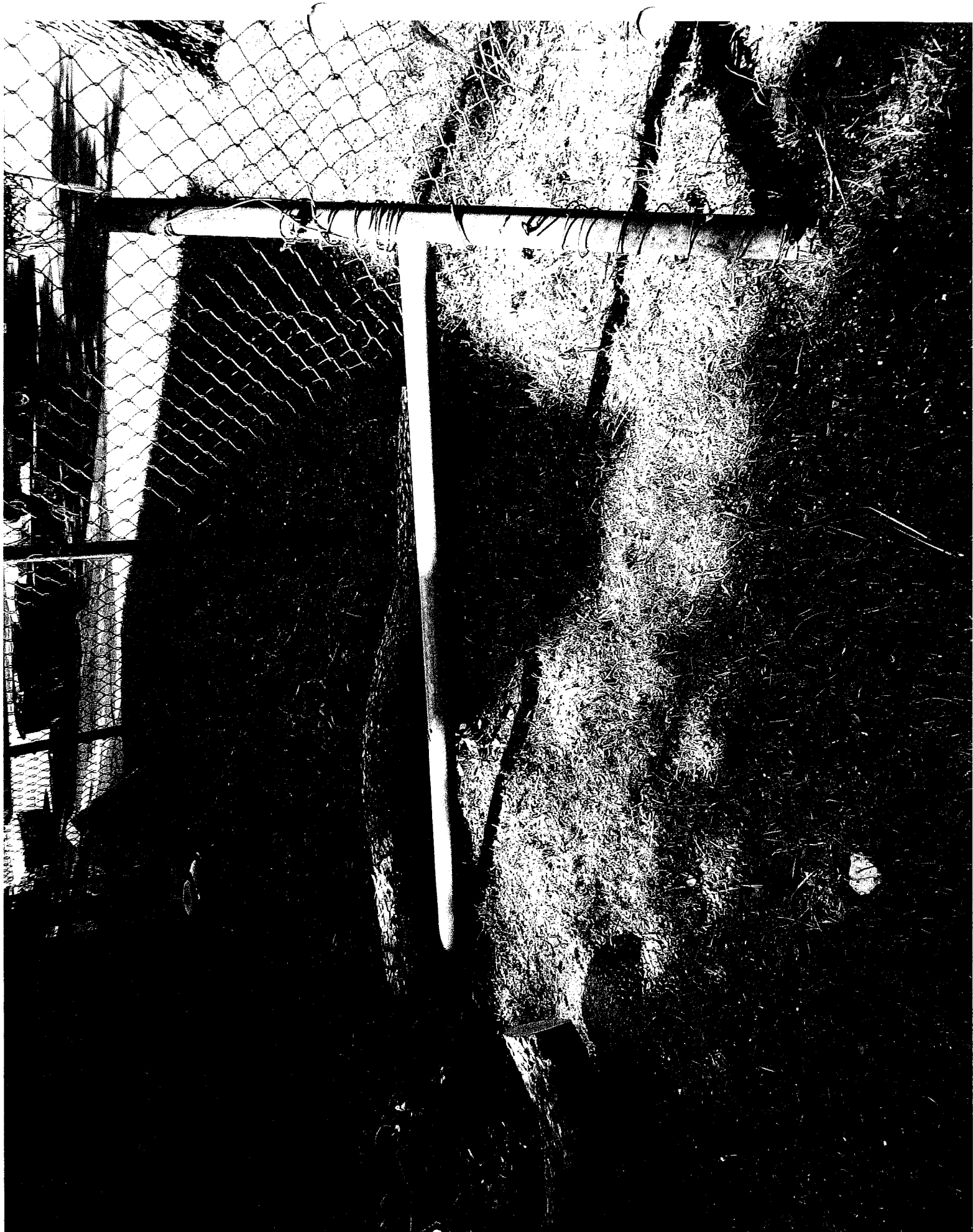
















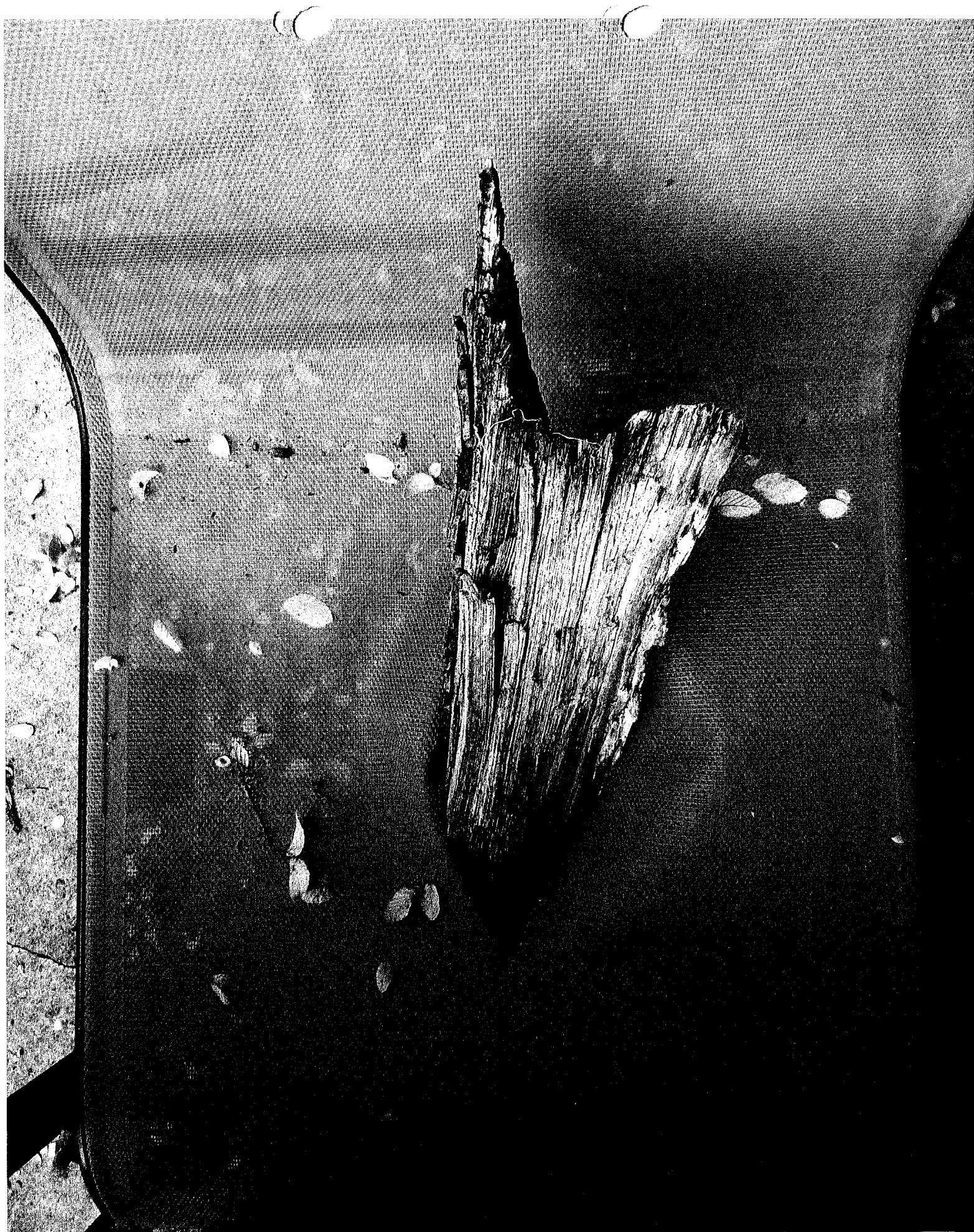


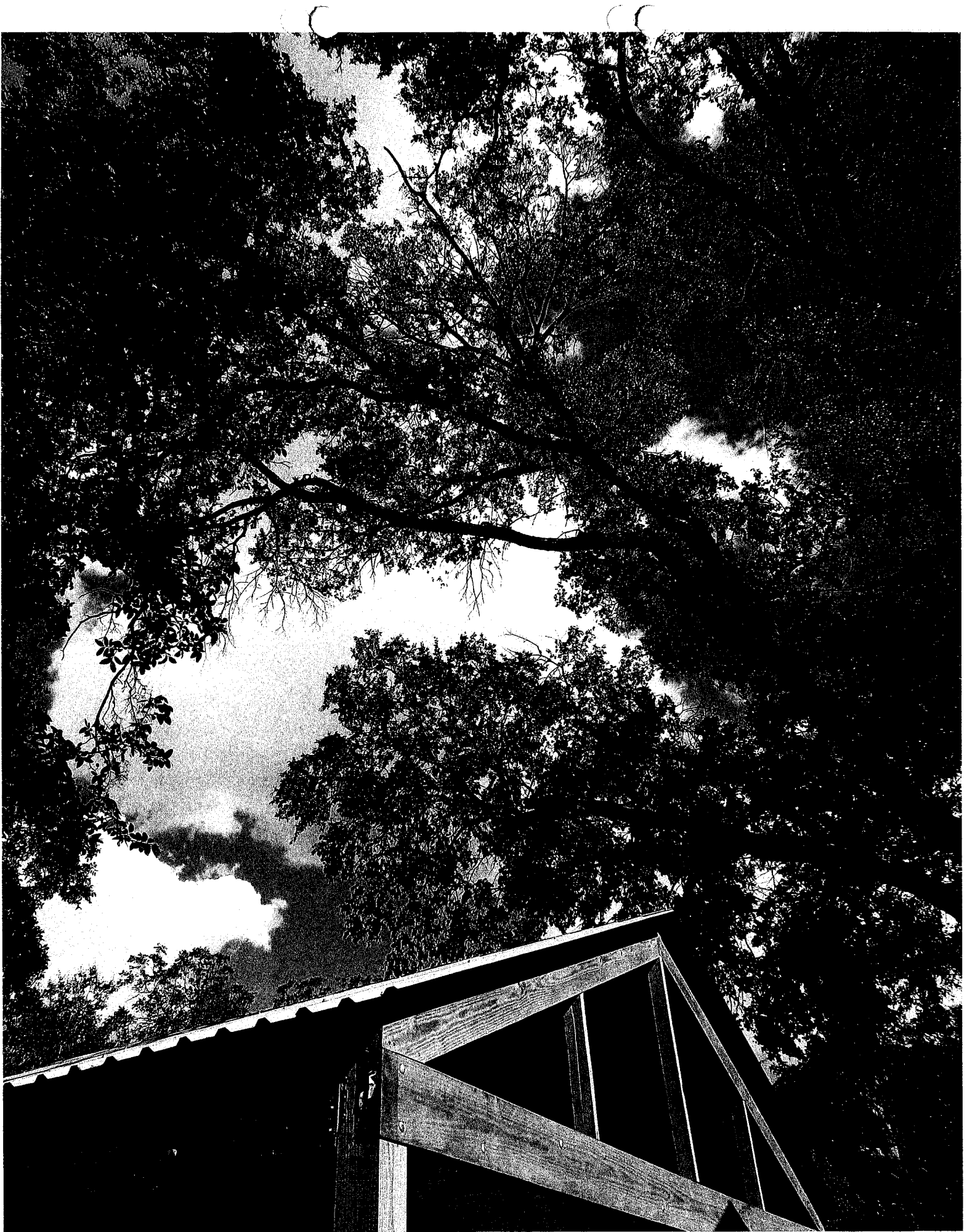






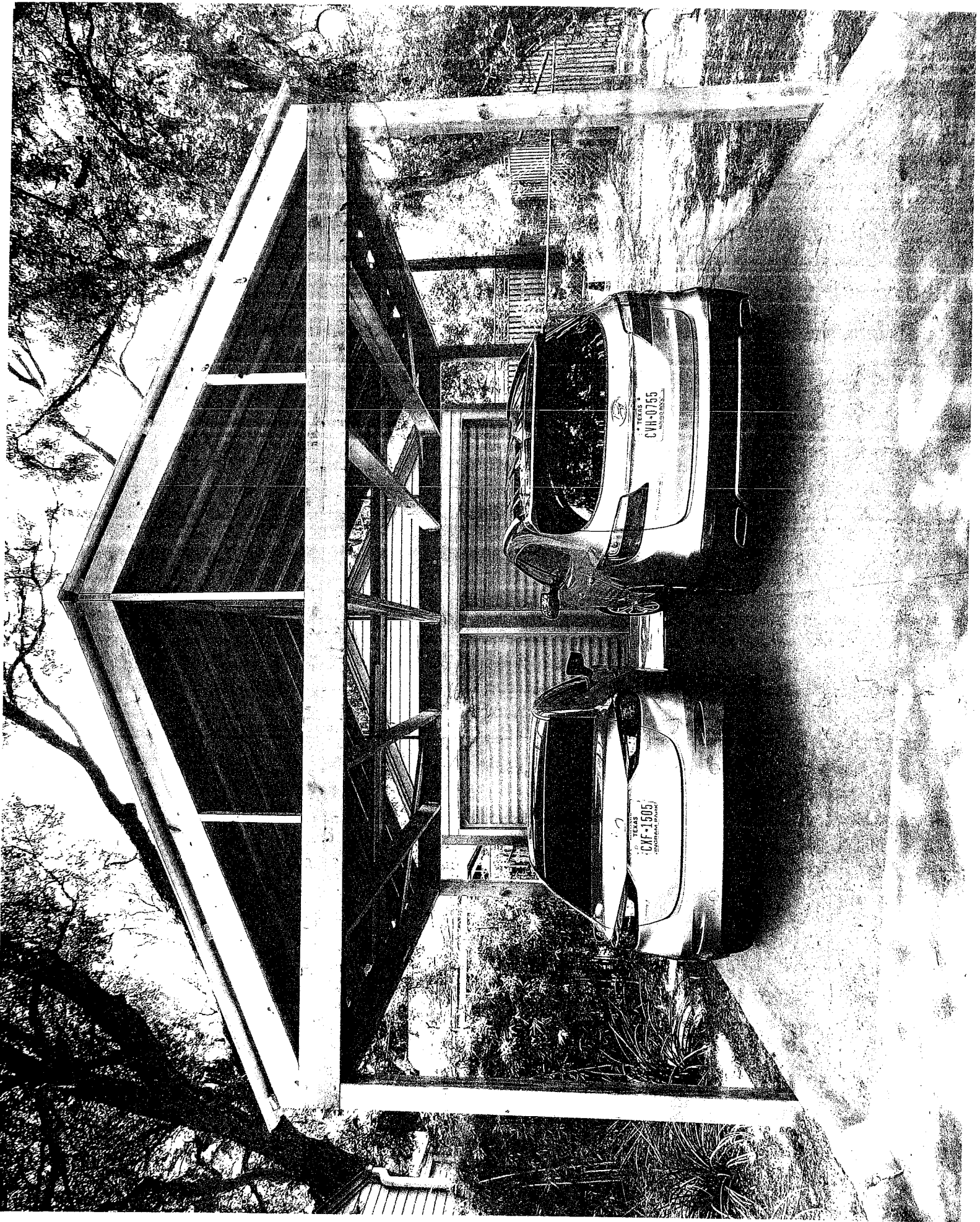


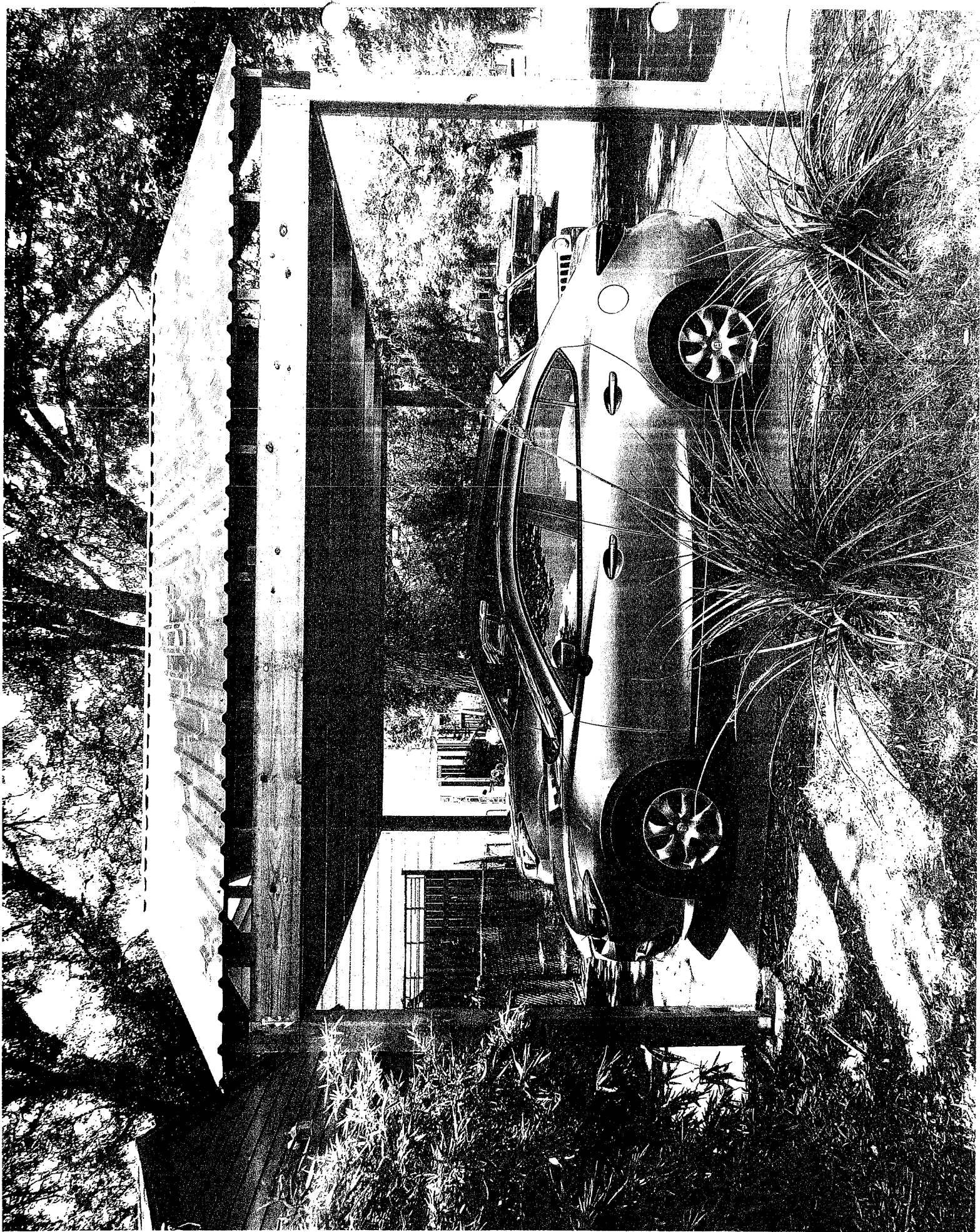














Appeal of Notice of Violation Case CV-2014-073031 and Request  
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 10/14/14

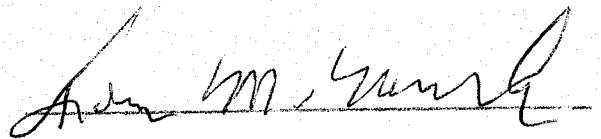
To Whom It May Concern :

Dated : 10/19/14

My name is KEVIN MINARK. I live at 3300  
LA Fayette Austin, Texas 78722, which is next door across  
the street down the street, in respect of 3216 Lafayette Ave.

The 4-post carport over the existing driveway adjoining the Edgewood side-street at 3216 Lafayette, in no way interferes with my use or enjoyment of my property at 3300 LAFayette, or my use or enjoyment of either Lafayette or Edgewood streets. The carport blends in well with the house and trees and yard on the lot at 3216 Lafayette, as well as the neighborhood as a whole. It is a nice-looking carport and in my opinion presents no problem, aesthetic or otherwise, to the surrounding neighborhood.

The carport is far enough off the street that it does not interfere with anyone's parking or otherwise using the street. It merely covers the top portion of an already existing concrete driveway.



KEVIN MINARK

Printed Name

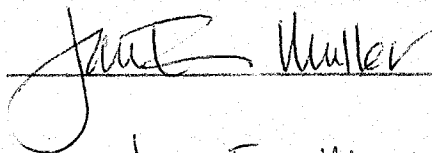
To Whom It May Concern :

Dated : 11/15/2014

My name is JAN E. MULLER. I live at 3217 LAFAYETTE  
AVENUE Austin, Texas 78722, which is next door across  
the street down the street, in respect of 3216 Lafayette Ave.

The 4-post carport over the existing driveway adjoining the Edgewood side-street at 3216 Lafayette, in no way interferes with my use or enjoyment of my property at 3217 LAFAYETTE AVENUE, or my use or enjoyment of either Lafayette or Edgewood streets. The carport blends in well with the house and trees and yard on the lot at 3216 Lafayette, as well as the neighborhood as a whole. It is a nice-looking carport and in my opinion presents no problem, aesthetic or otherwise, to the surrounding neighborhood.

The carport is far enough off the street that it does not interfere with anyone's parking or otherwise using the street. It merely covers the top portion of an already existing concrete driveway.

  
\_\_\_\_\_

JAN E. MULLER

Printed Name

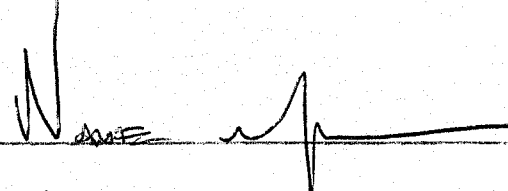
To Whom It May Concern :

Dated : 11/19/14

My name is Wade Miller. I live at 3214 LaFayette Ave  
Austin, Texas 78722, which is next door across  
the street/ down the street, in respect of 3216 Lafayette Ave.

The 4-post carport over the existing driveway adjoining the  
Edgewood side-street at 3216 Lafayette, in no way interferes with  
my use or enjoyment of my property at 3214 LaFayette Ave,  
or my use or enjoyment of either Lafayette or Edgewood streets.  
The carport blends in well with the house and trees and yard on  
the lot at 3216 Lafayette, as well as the neighborhood as a whole.  
It is a nice-looking carport and in my opinion presents no problem,  
aesthetic or otherwise, to the surrounding neighborhood.

The carport is far enough off the street that it does not interfere  
with anyone's parking or otherwise using the street. It merely  
covers the top portion of an already existing concrete driveway.

  
WADE MILLER

Printed Name

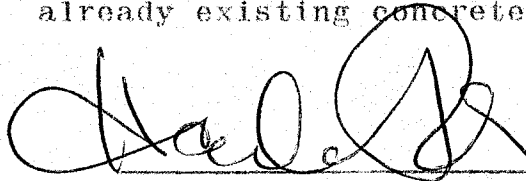
To Whom It May Concern :

Dated : November 19, 2014

My name is Hannah Miller. I live at 3214 Lafayette  
Ave Austin, Texas 78722, which is next door across  
the street/ down the street, in respect of 3216 Lafayette Ave.

The 4-post carport over the existing driveway adjoining the  
Edgewood side-street at 3216 Lafayette, in no way interferes with  
my use or enjoyment of my property at 3214 Lafayette Ave,  
or my use or enjoyment of either Lafayette or Edgewood streets.  
The carport blends in well with the house and trees and yard on  
the lot at 3216 Lafayette, as well as the neighborhood as a whole.  
It is a nice-looking carport and in my opinion presents no problem,  
aesthetic or otherwise, to the surrounding neighborhood.

The carport is far enough off the street that it does not interfere  
with anyone's parking or otherwise using the street. It merely  
covers the top portion of an already existing concrete driveway.



Hannah Miller

Printed Name

To Whom It May Concern :

Dated : 11-19-14

My name is PAULA DAVISON. I live at 3215 Lafayette  
Austin, Texas 78722, which is next door ~~across~~  
the street down the street, in respect of 3216 Lafayette Ave.

The 4-post carport over the existing driveway adjoining the Edgewood side-street at 3216 Lafayette, in no way interferes with my use or enjoyment of my property at 3215 Lafayette Ave, or my use or enjoyment of either Lafayette or Edgewood streets. The carport blends in well with the house and trees and yard on the lot at 3216 Lafayette, as well as the neighborhood as a whole. It is a nice-looking carport and in my opinion presents no problem, aesthetic or otherwise, to the surrounding neighborhood.

The carport is far enough off the street that it does not interfere with anyone's parking or otherwise using the street. It merely covers the top portion of an already existing concrete driveway.

Paula Davison

Paula Davison

Printed Name

To Whom It May Concern :

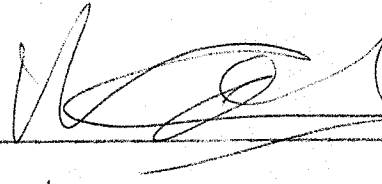
Dated :

11 / 16 / 14

My name is MARK COLLINS. I live at 3309 Lafayette  
Ave Austin, Texas 78722, which is next door/across  
the street/ down the street in respect of 3216 Lafayette Ave.

The 4-post carport over the existing driveway adjoining the  
Edgewood side-street at 3216 Lafayette, in no way interferes with  
my use or enjoyment of my property at 3309 Lafayette Ave,  
or my use or enjoyment of either Lafayette or Edgewood streets.  
The carport blends in well with the house and trees and yard on  
the lot at 3216 Lafayette, as well as the neighborhood as a whole.  
It is a nice-looking carport and in my opinion presents no problem,  
aesthetic or otherwise, to the surrounding neighborhood.

The carport is far enough off the street that it does not interfere  
with anyone's parking or otherwise using the street. It merely  
covers the top portion of an already existing concrete driveway.



MARK COLLINS

Printed Name

To Whom It May Concern :

Dated : 11-23-14

My name is CHRIS MARTIN. I live at 3302 LAFAYETTE AVE  
Austin, Texas 78722, which is next door/across  
the street/down the street, in respect of 3216 Lafayette Ave.

The 4-post carport over the existing driveway adjoining the  
Edgewood side-street at 3216 Lafayette, in no way interferes with  
my use or enjoyment of my property at 3302 LAFAYETTE AVE  
or my use or enjoyment of either Lafayette or Edgewood streets.  
The carport blends in well with the house and trees and yard on  
the lot at 3216 Lafayette, as well as the neighborhood as a whole.  
It is a nice-looking carport and in my opinion presents no problem,  
aesthetic or otherwise, to the surrounding neighborhood.

The carport is far enough off the street that it does not interfere  
with anyone's parking or otherwise using the street. It merely  
covers the top portion of an already existing concrete driveway.

CHRIS MARTIN

Chris J. Martin

Printed Name



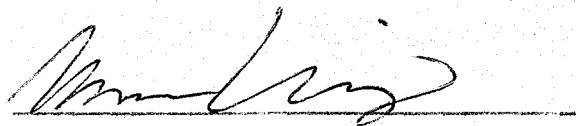
To Whom It May Concern :

Dated : 11/24/2014

My name is Michael Wiggan. I live at 3303 Lafayette Ave  
Austin, Texas 78722, which is next door/across  
the street (down the street) in respect of 3216 Lafayette Ave.

The 4-post carport over the existing driveway adjoining the  
Edgewood side-street at 3216 Lafayette, in no way interferes with  
my use or enjoyment of my property at 3303 Lafayette Ave,  
or my use or enjoyment of either Lafayette or Edgewood streets.  
The carport blends in well with the house and trees and yard on  
the lot at 3216 Lafayette, as well as the neighborhood as a whole.  
It is a nice-looking carport and in my opinion presents no problem,  
aesthetic or otherwise, to the surrounding neighborhood.

The carport is far enough off the street that it does not interfere  
with anyone's parking or otherwise using the street. It merely  
covers the top portion of an already existing concrete driveway.



Michael Wiggan  
Printed Name

To Whom It May Concern :

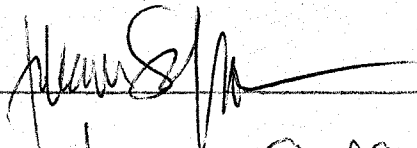
Dated :

11/23/2014

My name is Juliana Sheffield. I live at 3303 Lafayette Ave  
Austin, Texas 78722, which is next door/across  
the street down the street in respect of 3216 Lafayette Ave.

The 4-post carport over the existing driveway adjoining the Edgewood side-street at 3216 Lafayette, in no way interferes with my use or enjoyment of my property at 3303 Lafayette Ave, or my use or enjoyment of either Lafayette or Edgewood streets. The carport blends in well with the house and trees and yard on the lot at 3216 Lafayette, as well as the neighborhood as a whole. It is a nice-looking carport and in my opinion presents no problem, aesthetic or otherwise, to the surrounding neighborhood.

The carport is far enough off the street that it does not interfere with anyone's parking or otherwise using the street. It merely covers the top portion of an already existing concrete driveway.

  
Juliana Sheffield  
Printed Name

To Whom It May Concern :

Dated : \_\_\_\_\_

My name is \_\_\_\_\_. I live at \_\_\_\_\_  
\_\_\_\_\_ Austin, Texas 78722, which is next door/across  
the street/ down the street, in respect of 3216 Lafayette Ave.

The 4-post carport over the existing driveway adjoining the  
Edgewood side-street at 3216 Lafayette, in no way interferes with  
my use or enjoyment of my property at \_\_\_\_\_,  
or my use or enjoyment of either Lafayette or Edgewood streets.  
The carport blends in well with the house and trees and yard on  
the lot at 3216 Lafayette, as well as the neighborhood as a whole.  
It is a nice-looking carport and in my opinion presents no problem,  
aesthetic or otherwise, to the surrounding neighborhood.

The carport is far enough off the street that it does not interfere  
with anyone's parking or otherwise using the street. It merely  
covers the top portion of an already existing concrete driveway.

\_\_\_\_\_  
\_\_\_\_\_  
Printed Name

To Whom It May Concern :

Dated : \_\_\_\_\_

My name is \_\_\_\_\_. I live at \_\_\_\_\_  
\_\_\_\_\_ Austin, Texas 78722, which is next door/across  
the street/ down the street, in respect of 3216 Lafayette Ave.

The 4-post carport over the existing driveway adjoining the  
Edgewood side-street at 3216 Lafayette, in no way interferes with  
my use or enjoyment of my property at \_\_\_\_\_,  
or my use or enjoyment of either Lafayette or Edgewood streets.  
The carport blends in well with the house and trees and yard on  
the lot at 3216 Lafayette, as well as the neighborhood as a whole.  
It is a nice-looking carport and in my opinion presents no problem,  
aesthetic or otherwise, to the surrounding neighborhood.

The carport is far enough off the street that it does not interfere  
with anyone's parking or otherwise using the street. It merely  
covers the top portion of an already existing concrete driveway.

\_\_\_\_\_  
\_\_\_\_\_  
Printed Name



Department of Public Works  
Street and Bridge Operations  
City of Austin, 4411-A Meinardus Dr  
Austin Texas 78744  
Phone (512) 974-8777 Fax (512) 974-8770

October 13, 2014

USPS delivered  
Certified Mail #7014-0150-0000-1957-1856

Adrian L. Young  
3216 Lafayette Avenue  
Austin, TX 78722

Dear Owner,

Please be advised, the City of Austin Public Works Department acknowledges that there has been a carport installed in the public right-of-way at 3216 Lafayette Avenue. Current available tax records show that you are the owner of the property located at 3216 Lafayette Avenue. The placement of unauthorized object, temporary or permanent, in the public right-of-way is a violation of City Code 25-6-267.

In accordance with City Code 25-6-267, the Director of Public Works shall regulate the placement of improvements and facilities on public property, and order the removal of unauthorized obstruction or encroachment from the public property. Public right-of-way normally extend ten feet from the back of curb, is defined as follows:

§ 25-1-21 DEFINITIONS

(91) RIGHT-OF-WAY means land dedicated or reserved for streets, utilities, or other public facilities.

The City of Austin, Public Works Department is requesting you to move the carport from the public right-of-way within **30** days of the date of the letter. Please contact Markus Roby with the City of Austin Transportation Right of Way Management Division at 512-974-7653 prior to working in the public right-of-way to get the appropriate permits and pay any associated fees. The city would like to see voluntary compliance of the stated violation but is ready to take necessary action to remove unauthorized obstructions or encroachments in the public right-of-way.

You are requested to contact Ms. Sharon Warren of the Street & Bridge Operations at 512-974-2879 within **7 days** of receipt of this letter to provide a schedule of your intention to move the carport, and receive assistance in determining the public right-of-way line. Your assistance in keeping the public right-of-way clear of obstruction is appreciated.

Sincerely,

Robert Hinojosa, P.E.  
Assistant Director of Public Works







