

that the Board reconsider the application now that my objections have been raised.

Why should this action be reconsidered:

2. I am respectfully requesting this action be reconsidered partially in light of the fact that I did not have the opportunity to object.
3. Allowing two non-conforming structures on a 95' wide lot is not typical in Hyde Park and sets a new precedent, breaking with the traditional land use and building configuration in Hyde Park. An existing 24'-7" non-conforming carport currently is 3'-6" from my property line on the subject property. By allowing an additional 22' garage (two-story) to be built 3'-6" from our property line on a 95' wide lot would result in 46'-7" (or 49% of the lot width) to be comprised of non-conforming buildings. The 46'-7" of non-conforming structure is not consistent with Hyde park. Typically, Hyde Park historically has only a single small garage structure in a non-conforming configuration.
4. It is my understanding that an objection was filed in a timely fashion by my next door neighbors (Joe and Toni Van Gompel - 3910 Avenue G), but not considered in this variance hearing. Given the layout of the Gompel property and mine, the proposed structure will have a significant impact on the Gompel property, notwithstanding that fact that they are not technically immediately adjacent. Please see ATTACHMENT A.

New or clarifying evidence:

5. It is my understanding that the applicants based their current request on a claim of hardship if they had to comply with the 10' setback. I note, however, that the same applicants (the Birchers) at the same address (3913 Avenue F), applied for and were granted a permit in 2008 with a garage sited with a 10' setback. If this building plan worked then, why is it a hardship today? Please see Attachments B and C.
6. It is my understanding that there is a precedent for a single non-conforming garage structure in the Hyde Park Historic District with the typical size being 20-24' wide. The owners of 3913 Avenue F already have an existing non-conforming structure of a carport with a length of 24'-7". This addition would make for two non-conforming structures, which I believe is unusual and will set a precedent for future land use abuse.
7. I am collaborating with Mr. John Mayfield (architect and neighbor at 3824 Avenue F). Mr. John Mayfield has had multiple conversations with Mr. David Conner, Chair of the Hyde Park Development Review Committee, on this variance. Mr. Conner told Mr. Mayfield that the Hyde Park Development Review Committee did not consider this variance from the point of view of the impact on the Covert House (my home at 3912 Avenue G) or the other neighbors who share property lines. Mr. Mayfield has requested the time to discuss this further with the Hyde Park Development Review Committee to review their thoughts on this matter.
8. It is my belief that there could be a fire code issue with this variance. My understanding is that the City of Austin Fire Code specifies a required fire