

Josh Westheimer

1802 Cloverleaf Dr

BOA Variance Hearing

March 11, 2019

- History/Reasonable Use
 - The neighborhood was constructed in the 50's, most of the homes included covered parking. Our house was designed with a two car carport as part of the original footprint.
- Hardships
 - Previous owners enclosed the carport by framing in the space and adding garage doors
 - The space they created was ~15 feet deep
 - Not deep enough for a standard sized vehicle.
 - Standard garage depths are 20-24'
 - Lot Shape
 - See survey to note odd shaped lot
 - Much of our property is in front of the 25' build line and is undevelopable by current standards
 - No right angles
 - Lot shape and current standards prohibit reasonable use (ie: covered parking as intended by designers)
- Protected Pecan Tree
 - 75" circumference at 18" above grade
 - Carport post is 26' from the trunk
 - Carport sits partially under canopy and dripline
 - Protecting this tree greatly limits adding or subtracting anything from in front of our home
- Neighborhood Aesthetics
 - See other add-on carports nearby
 - Most of them have been here longer than ours has
 - Our carport fits in well here and has been in place since 2003 with nothing but compliments until now.
 - It does not alter the character of the area nor impair the enjoyment of neighboring properties.
- Neighborhood Support
 - Of 300' neighbors, all occupied dwellings pledged support for this variance with the exception of the complainant (93%).
 - Of 500' neighbors, several have reached out voluntarily to offer support
 - Windsor Park Neighborhood Assoc was notified and opted to not take a stance.
- Watershed
 - Our carport diverts approximately 6000 gallons of water annually from drains, creeks.
 - That's as much as 90,000 gallons since it was built.

Proposed Findings:

- 1) The zoning regulations applicable to the property do not allow for a reasonable use because:
The 25 foot front yard setback inequitably restricts the ability to create covered parking.
Reducing the setback to 10.2 feet is a reasonable request.
- 2) The hardship for which the variance is requested is unique to the property in that:
a. The shape of the lot is unusual. Much of the property is in front of the 25 foot building line. No other reasonable options exist to add covered parking on this lot.
b. The hardship is not general to the area in which the property is located because: most properties in the area are rectangular.
- 3) The hardship for which the variance is requested is unique to the property in that:
a. Tree care and placement of a protected pecan tree
b. The hardship is not general to the area in which the property is located because: large protected pecan tree on the property in their care.
- 4) 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 structure has existed for 15 years and fits into the existing aesthetic of the area.