

November 16, 2023

City of Austin
Permitting and Development Center
Development Services Department
P. O. Box 1088
Austin, Texas 78767-1088

RE: City of Austin permit application 2023-000047 BA 3505 Greenway

To whom it may concern:

We are writing to support the above-referenced application filed by our neighbors, the Shermans.

We built and still live in the house located at 3509 Greenway that is served by the *joint use* driveway that is immediately to our south on the Shermans' property at 3505 Greenway.

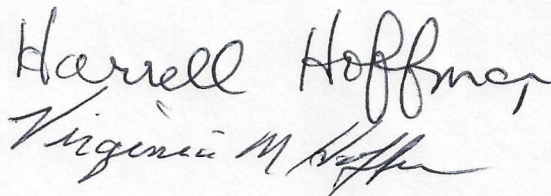
The driveway was part of the estate that was subdivided into 3505 and 3509 Greenway in 1979, and it had been in existence prior to that for decades. As a matter of fact, when the subdivision occurred and the lots were platted, the driveway's northern edge defined the northern boundary between 3509 Greenway (our property) and 3505 Greenway (the Shermans' property).

Given the configuration of our lot, we did not have sufficient space on the west (street) side of the property for a driveway and a garage on the north side of our property. As a result, we entered into a Perpetual Driveway Easement with 3505 Greenway to secure permanent access rights to our property from the pre-existing driveway that had been subdivided onto the Shermans' property.

Notably, it is our understanding that, at the time we entered into the Perpetual Driveway Easement and subsequently constructed our homes, Section 45-33 of the City Code of 1967 and Section 13-2-126 of the City Code of 1981 expressly exempted joint-use driveways like the driveway used by us and the Shermans from coverage, lot area and other requirements imposed by what are now known as "zoning districts." Moreover, during the construction of our houses, we and the Shermans decided to replace the driveway's asphalt surface with more permeable brick pavers, and we divided the cost of the resurfacing on a pro rata basis in accordance with City Code provisions that we understand are still in effect today.

In sum, we believe that there is ample reason to grant the Shermans' permit application that is before the City and its Board of Adjustment, and we fully support it.

Sincerely,

Handwritten signatures of Harrell Hoffman and Virginia M. Hoffman. The signature of Harrell Hoffman is in a cursive script, and the signature of Virginia M. Hoffman is also in a cursive script, appearing below the first signature.

Virginia and Harrell Hoffman