

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

ROW

CASE # C15-2014-0047

ROW # 11103948

TAX Roll # 0207080703

**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: 1193 1/2 San Bernard

LEGAL DESCRIPTION: Subdivision --

Lot(s) 1 Block 8 Outlot \_\_\_\_\_ Division Robertson

I/We Matthew Powers on behalf of myself/ourselves as authorized agent for

AskEaton Realty (John Downes) affirm

that on April 13th, 2014, hereby apply for a

hearing before the Board of Adjustment for consideration to:

(check appropriate items below)

☒ X ERECT \_\_\_ ATTACH \_\_\_ COMPLETE \_\_\_ REMODEL \_\_\_ MAINTAIN

New single family residential construction in back of existing historic residence

in a SF-3 NP district. (Central East Austin)  
(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:

**HARDSHIP:**

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

Historic review is requiring the existing house to be renovated and not demolished. The designs for the new house are based on the partial demolition variance already granted by historic review. The new design meets all subchapter F regulations except 25-2-774 which requires the smaller house to be located to the rear. Since the existing smaller house cannot be moved the larger house needs to be located to the rear.

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

Most other houses are not deemed historic and are therefore demolished.

**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:

**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  Mail Address 42 robert t martinez

City, State & Zip Austin TX 78702

Printed Matthew Powers Phone 512-225-4043 Date 2/21/14

**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  Mail Address 3306 EDGE VW

City, State & Zip San Antonio TX 78259

Printed John Downes Phone 512-694-2538 Date 2/21/14

BOARD OF ADJUSTMENT/SIGN REVIEW BOARD  
COMPLETENESS CHECKLIST

2/21 - els  
bringing/emails  
1) Photos  
2) N/A letters  
3) Neighbor  
letters

- ☐ APPLICATION WILL BE RETURNED TO YOU AND WILL NOT BE ADDED TO NEXT BOARD OF ADJUSTMENT AGENDA AND CHECK WILL NOT BE DEPOSITED UNTIL ALL OF THE FOLLOWING IS SUBMITTED CORRECTLY.
- ☐ VARIANCES EXPIRE ONE YEAR AFTER APPROVAL DATE PER SECTION 25-1-217 UNLESS BOARD DEEMS OTHERWISE.

- ✓ Application must be typed
- ✓ Application must be signed and dated by owner and agent
- ✓ Application must have ALL findings (parking portion only required when parking variance is needed) that are applicable fully filled out at time of submittal
- ✓ Site plan must be submitted drawn to scale showing present and proposed construction along with existing structures on all adjacent lots
- N/A Approval from Austin Energy if request is for a variance to *height* or *setback* limitations
- ✓ Sign Review Board cases must submit site plans showing location, elevations in addition to above requirements
- ✓ If property is located in Williamson County, then contact Williamson County Appraisal District for a list of the property owners names and addresses within a 500 foot radius.
- ✓ Check for application fee: Residential zoning, All other \$ 388
- ✓ See **Current Fee Schedule** for Applicable Fees - <http://www.austintexas.gov/departments/fees>  
Please consider contacting your Neighborhood Assn. about your request.

The Austin Electric Utility Department (Austin Energy) enforces electric easements and the setback requirements set forth in the Austin Utility Code, Electric Criteria Manual and National Electric Safety Code. The Board of Adjustment considers variance to the Land Development Code, and a variance granted by the Board of Adjustment does not waive the requirements enforced by Austin Energy. If your request is for a reduction in setbacks or height limits, then you must receive approval from Austin Energy by contacting Lena Lund at 322-6587 or email [lena.lund@austinenergy.com](mailto:lena.lund@austinenergy.com) before filing your application with the Board of Adjustment.

Please be advised that the Board only takes 16 new cases a month, therefore, first come, first served. Please be advised that a request for reconsideration must be filed within 7 days from the Board meeting.

A variance from the Building Code Board of Appeals may be required for variances from the Zoning Board of Adjustment (no Sign Review Board cases need to call). Please consult a code specialist in the Plan Review Division at 974-2580.



## City of Austin

Founded by Congress, Republic of Texas, 1839  
Historic Preservation Office  
Planning and Development Review Department  
One Texas Center, 505 Barton Springs Road  
P.O. Box 1088, Austin, Texas 78767

March 17, 2014

Board of Adjustment, City of Austin  
P.O. Box 1088  
Austin, Texas 78767

Re: Variance requested for 1193½ San Bernard Street; Matthew Powers

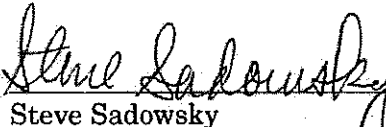
Dear Commissioners:

I am writing on behalf of Matt Powers, the owner of the house at 1193½ San Bernard Street, who is seeking a variance to build a structure behind the existing historic building at the above address. The existing structure has long ties to Austin's African American past. Mr. Powers agreed to preserve the house and to develop the lot behind the house rather than demolish or relocate the historic house. Mr. Powers' proposed development will be larger than the existing structure; he therefore needs a variance to build it, and in developing the lot, he will be able to fund the restoration of the historic building.

San Bernard Street is a key street in Central East Austin, and residents have expressed interest in working towards the establishment of a National Register or locally-designated historic district. The two-block long street is already home to several historic landmarks, and the historic character of San Bernard Street is undeniable. It is extremely important to maintain the historic character of the street and the streetscape in this potential historic district. One house has already been transformed from a one-story bungalow to a two-story house, and has resulted in a diminution of the historic integrity of the potential district. Mr. Powers' agreement to retain the existing one-story house on the street and to develop behind it will preserve both the integrity of this important house as well as the historic character of the streetscape. This is a unique situation, and conditions call for the granting of a variance to make this project a success for both the applicant and the interests of historic preservation. In all of the City's historic districts, we encourage preserving the historic streetscape to the greatest extent possible, and to place new developments behind the historic structures. I hope that you will agree that the preservation of this house, as well as the integrity and character of San Bernard Street's history merits the granting of a variance in this case.

Please let me know if you have any questions, or if we can assist in any other way.

Sincerely,

  
Steve Sadowsky  
Historic Preservation Officer



**Site Plan General Notes:**

- The information on this plan is based on the best of the information available to the designer.
- The designer is not responsible for the accuracy of the information provided by the owner.
- The designer is not responsible for the accuracy of the information provided by the owner.
- The designer is not responsible for the accuracy of the information provided by the owner.

**Site Plan Key Notes:**

1. Existing building footprint.
2. Proposed building footprint.
3. Proposed building footprint.
4. Proposed building footprint.
5. Proposed building footprint.
6. Proposed building footprint.
7. Proposed building footprint.
8. Proposed building footprint.
9. Proposed building footprint.
10. Proposed building footprint.
11. Proposed building footprint.
12. Proposed building footprint.
13. Proposed building footprint.
14. Proposed building footprint.
15. Proposed building footprint.

San Bernard Residence  
1193 1/2 San Bernard Street  
Austin, TX, 78702  
Permit Set | 15 November 2013

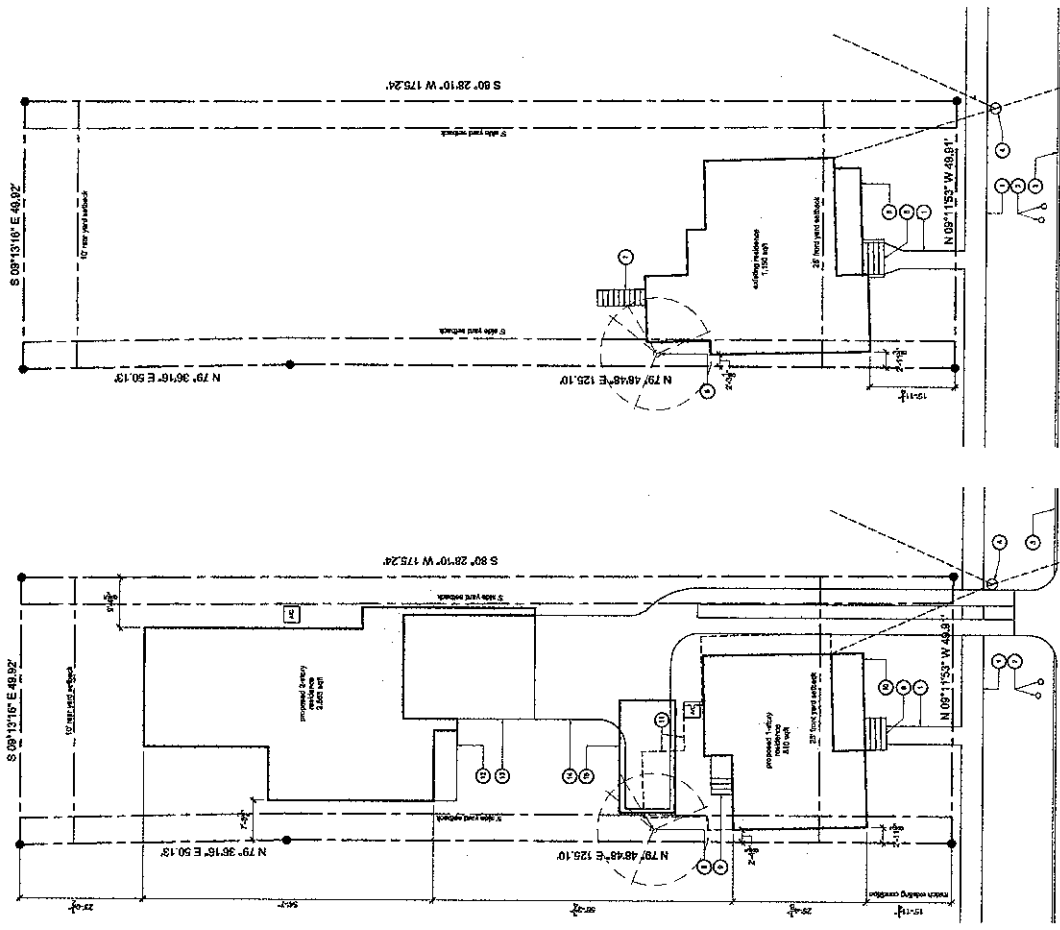
Project  
m.dillon

Drawing title  
sheet

Site Plan

D1.00

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San Bernard Street  
(80' R.O.W.)  
1 Existing Site Plan  
Scale: 1/8" = 1'-0"

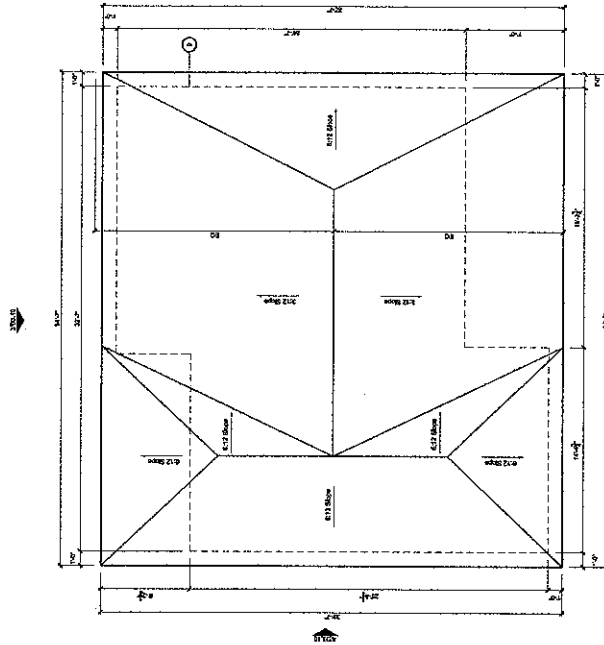
San Bernard Street  
(80' R.O.W.)  
2 Proposed Site Plan  
Scale: 1/8" = 1'-0"

**Floor Plan General Notes:**

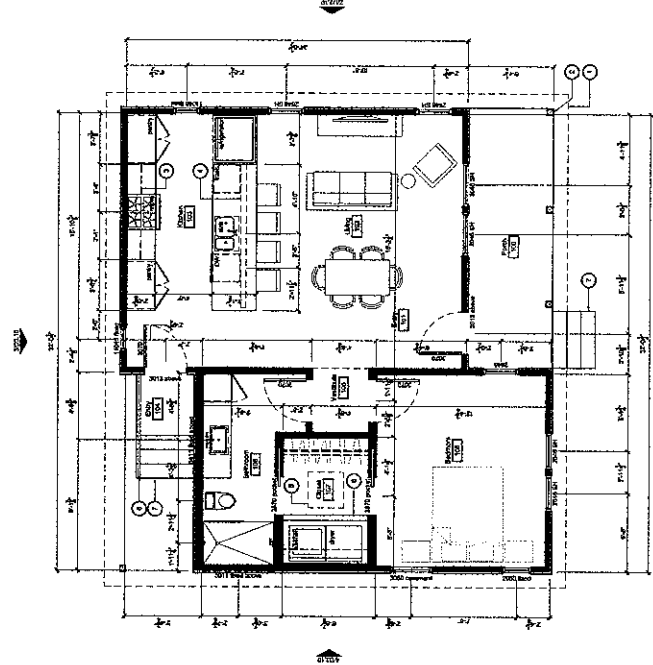
1. The information on this sheet was prepared by me or under my direct supervision and to the best of my knowledge and belief, it is true, accurate, and complete.
2. I am a duly licensed professional architect in the State of Texas.
3. I am not responsible for any errors or omissions in this drawing or any other drawings or specifications prepared by me or under my supervision.
4. I am not responsible for any errors or omissions in this drawing or any other drawings or specifications prepared by me or under my supervision.
5. I am not responsible for any errors or omissions in this drawing or any other drawings or specifications prepared by me or under my supervision.
6. I am not responsible for any errors or omissions in this drawing or any other drawings or specifications prepared by me or under my supervision.

**Floor Plan Key Notes:**

1. All dimensions are in feet and inches.
2. All dimensions are to the center of the wall unless otherwise noted.
3. All dimensions are to the center of the wall unless otherwise noted.
4. All dimensions are to the center of the wall unless otherwise noted.
5. All dimensions are to the center of the wall unless otherwise noted.
6. All dimensions are to the center of the wall unless otherwise noted.



**2 Guest House Roof Plan**  
Scale: 1/8" = 1'-0"



**1 Guest House Floor Plan**  
Scale: 1/8" = 1'-0"

**San Bernard Residence**  
1193 1/2 San Bernard Street  
Austin, TX, 78702  
Permit Set | 15 November 2013

**Guest House**  
**Floor Plan &**  
**Roof Plan**  
**D1.10**

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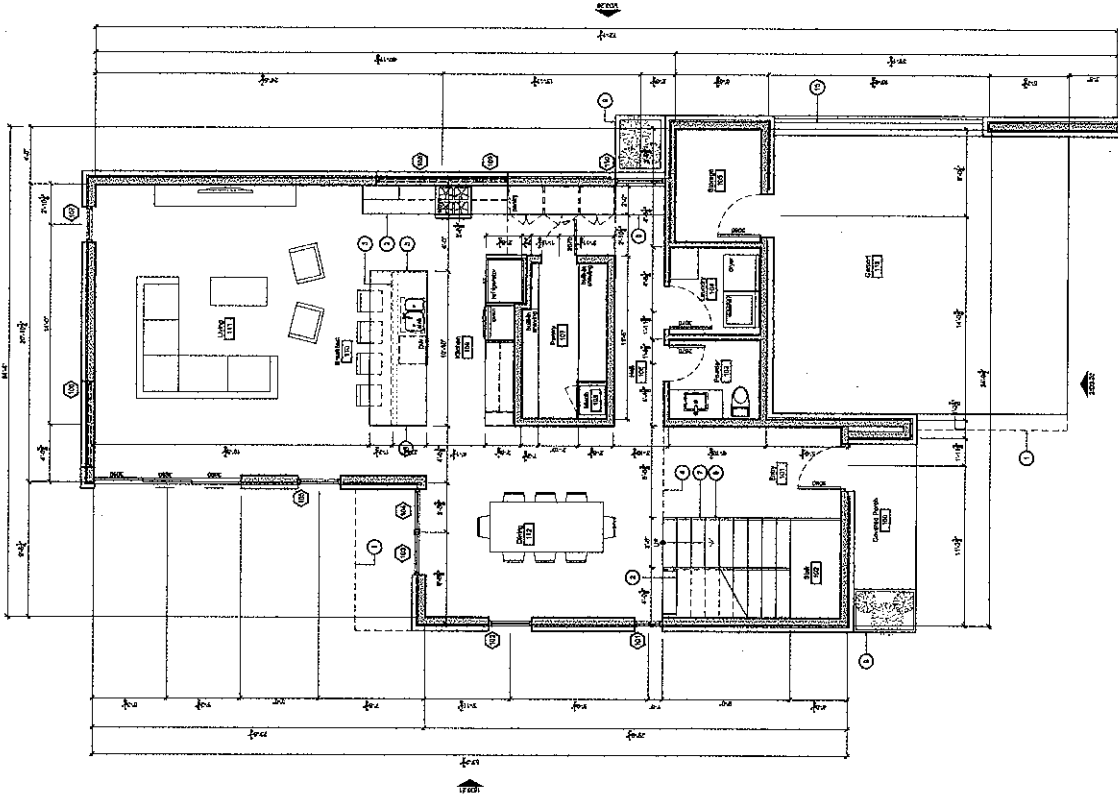
**Floor Plan General Notes:**

1. The dimensions on the wheel are to keep it rigid and to properly distribute all stresses, and also to allow for assembly.
2. The wheel is to be made of a material that is stronger than the body of any equipment used to handle it. It is to be made of a material that is not brittle.
3. The wheel is to be made of a material that is not brittle.
4. The wheel is to be made of a material that is not brittle.
5. The wheel is to be made of a material that is not brittle.

**Floor Plan Key Notes:**

1. Line of mud above, above darkish yellow.
2. Red below.
3. Red below, brown above.
4. Line of reddish brown, brown above.
5. Groundwork white, brownish above.
6. Low bench to north of adjacent party.
7. Reddish black.
8. Reddish black.
9. Reddish black.
10. Reddish black.
11. Reddish black.
12. Reddish black.
13. Reddish black.
14. Line of well below.
15. Reddish brown soil.

Window Schedule	code	width	height	type
	001	2' 4"	2' 1"	fixed
	002	2' 4"	2' 1"	fixed
	003	3' 0"	7' 0"	fixed
	004	3' 0"	6' 4"	fixed
	005	3' 0"	6' 4"	fixed
	006	3' 0"	6' 4"	fixed
	007	2' 4"	2' 0"	fixed
	008	2' 4"	3' 0" h/w	fixed
	009	2' 4"	2' 1"	fixed
	010	3' 4"	7' 0"	fixed
	011	3' 4"	10' 1" h/w	fixed
	012	4' 4"	10' 1" h/w	fixed
	013	3' 4"	10' 1" h/w	fixed
	014	3' 4"	6' 4"	fixed
	015	3' 0"	6' 4"	casement
	016	3' 0"	6' 4"	casement
	017	2' 0"	6' 4"	fixed
	018	3' 10" 1/8"	2' 4"	fixed
	019	3' 4" 3/4"	2' 0"	fixed
	020	2' 4"	6' 4"	fixed
	021	2' 4"	6' 4"	fixed
	022	3' 4"	6' 4"	casement
	023	4' 10" 3/4"	2' 0"	fixed
	024	3' 4"	6' 4"	fixed
	025	3' 4"	6' 4"	fixed
	026	2' 4"	6' 4"	fixed
	027	2' 4"	6' 4"	fixed



**1 Main House Floor Plan - 1st Floor**  
Scale: 1/8" = 1'-0"

San Bernard Residence  
1193 1/2 San Bernard Street  
Austin, TX, 78702  
Permit Set | 15 November 2013

revision

**Main House First  
Floor Plan &  
Window Schedule**

## D1.20

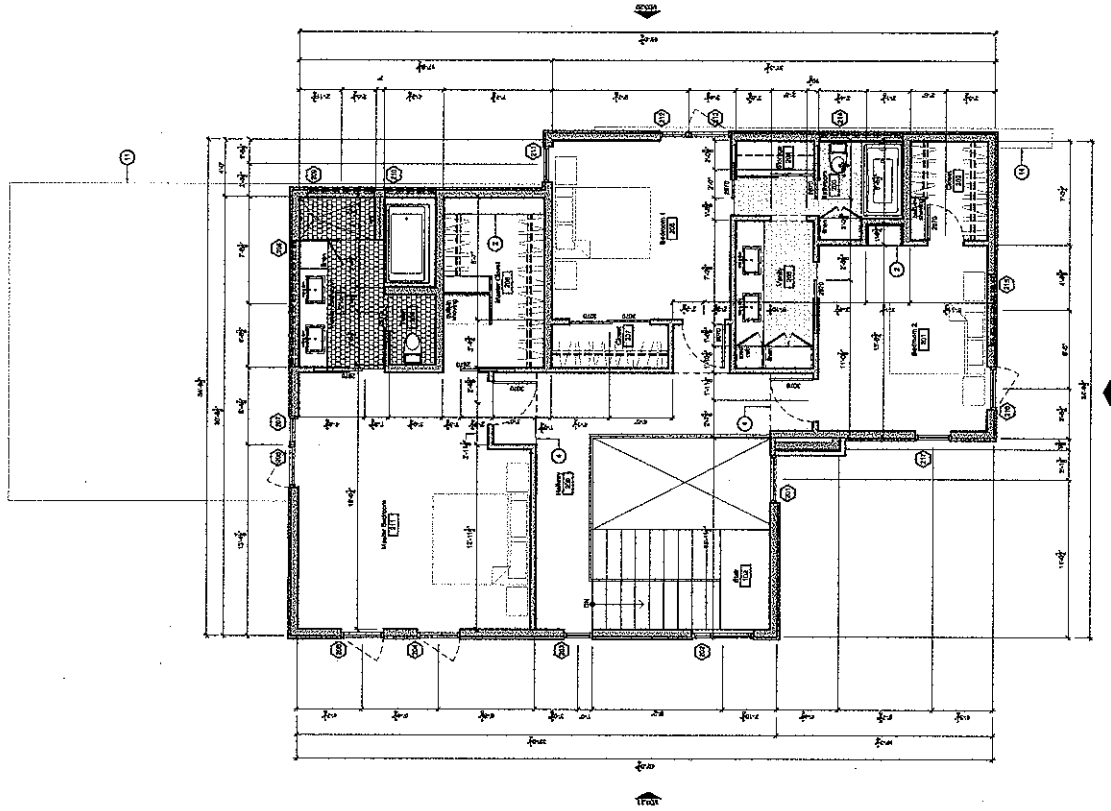
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**Floor Plan General Notes:**

- [illegible]

**Floor Plan Key Notes:**

1. List of real things, chosen carefully.
2. List of real things, chosen carefully.
3. List of real things, chosen carefully.
4. List of real things, chosen carefully.
5. List of real things, chosen carefully.
6. List of real things, chosen carefully.
7. List of real things, chosen carefully.
8. List of real things, chosen carefully.
9. List of real things, chosen carefully.
10. List of real things, chosen carefully.
11. List of real things, chosen carefully.
12. List of real things, chosen carefully.
13. List of real things, chosen carefully.
14. List of real things, chosen carefully.
15. List of real things, chosen carefully.



## 1 Main House Floor Plan - 2nd Floor

San Bernard Residence  
1193 1/2 San Bernard Street  
Austin, TX, 78702  
SM  
Permit Set | 15 November 2013

10/15/2019

dimensi ke-1

**Main House  
Second Floor Plan**

## D1.21

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joelnotandesign

4805 Gervais Ave.  
Austin TX 78751  
210.422.6667  
joeholmesdesign.com

1. Line of root above, above shaded.
2. Yellowish.
3. Very black, almost black.
4. Line of cutting above, above shaded.
5. Greenish yellow, above shaded.
6. Greenish yellow, above shaded.
7. Wood black.
8. Greenish yellow, above shaded.
9. Greenish yellow, above shaded.
10. Not used.
11. Line of root below.
12. Root, root.
13. Greenish.
14. Line of root below.
15. Root, root.

1. The dimensions on this sheet are 10.5 cm x 15 cm. It is made of heavy-duty, non-bleeding paper.
2. The dimensions on this sheet are 10.5 cm x 15 cm. It is made of heavy-duty, non-bleeding paper.
3. The dimensions on this sheet are 10.5 cm x 15 cm. It is made of heavy-duty, non-bleeding paper.
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6. The dimensions on this sheet are 10.5 cm x 15 cm. It is made of heavy-duty, non-bleeding paper.

1. Line of root above, above shaded.
2. Yellowish.
3. Very black, almost black.
4. Line of cutting above, above shaded.
5. Greenish yellow, above shaded.
6. Greenish yellow, above shaded.
7. Wood black.
8. Greenish yellow, above shaded.
9. Greenish yellow, above shaded.
10. Not used.
11. Line of root below.
12. Root, root.
13. Greenish.
14. Line of root below.
15. Root, root.

Set  
Permit Set | 15 November 2013

Object

revision

**drawing file**

**Main House  
Roof Plan**

2004

## D1.22

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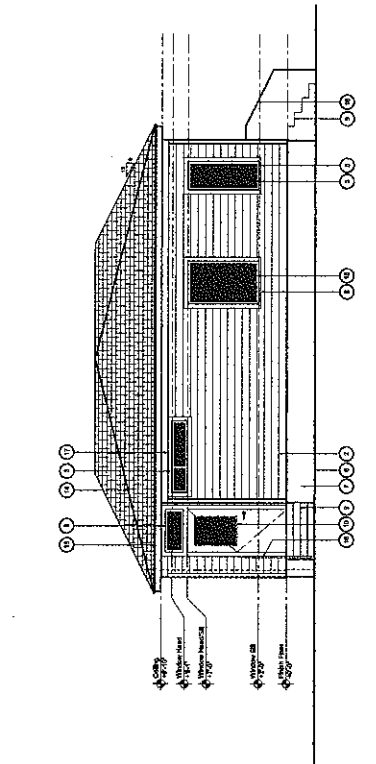
↑ Main House Floor Plan - 2nd Floor  
Scale: 1/8" = 1'-0"

# Elevation General Notes:

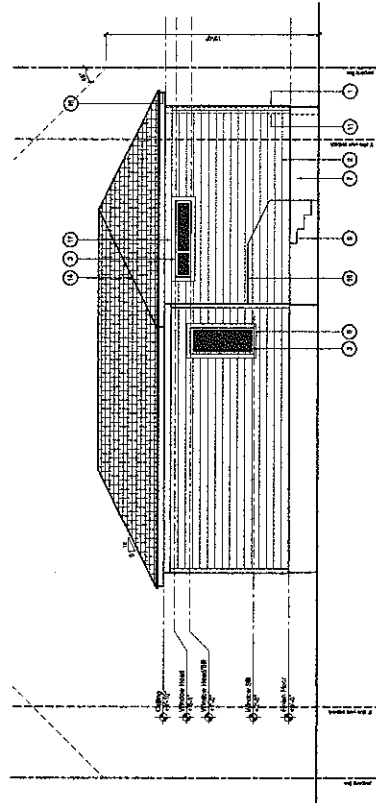
1. The dimensions on this set are based on the plan of the house as shown on the site plan. All dimensions are in feet and inches (ft-in). All dimensions are to the center of the wall unless otherwise noted.
2. The dimensions on this set are based on the plan of the house as shown on the site plan. All dimensions are in feet and inches (ft-in). All dimensions are to the center of the wall unless otherwise noted.
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## Elevation Key Notes:

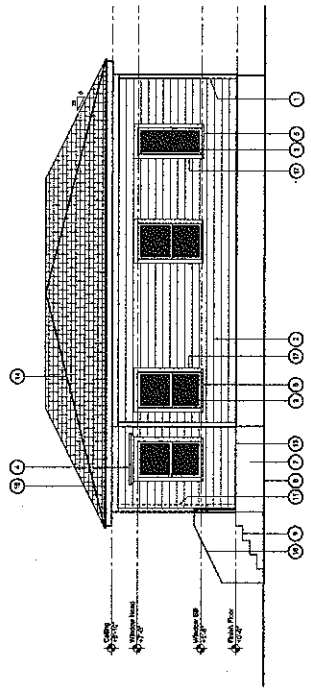
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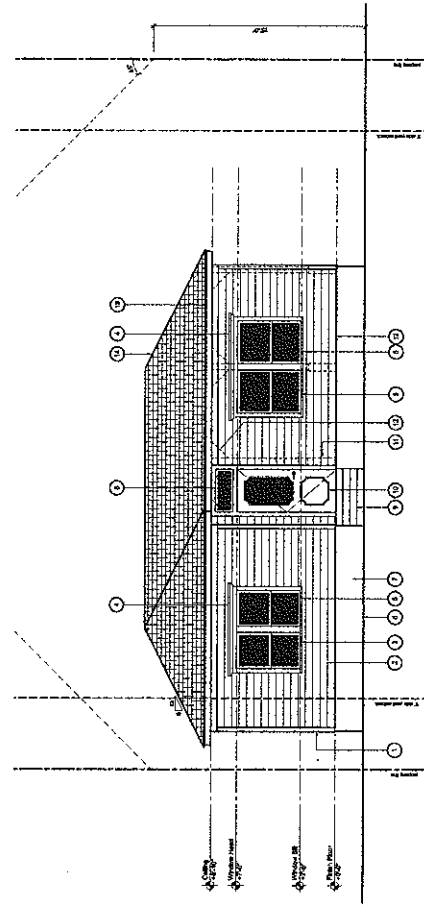
4 north elevation



3 east elevation



2 south elevation



1 west elevation

joelindlandesign

4805 Darnell Ave.  
Austin, TX 78751  
216.422.8487  
joelindlandesign.com

Project  
San Bernard Residence  
1193 1/2 San Bernard Street  
Austin, TX, 78702  
Permit Set | 15 November 2013

Project  
Guest House  
Elevations  
D3.10

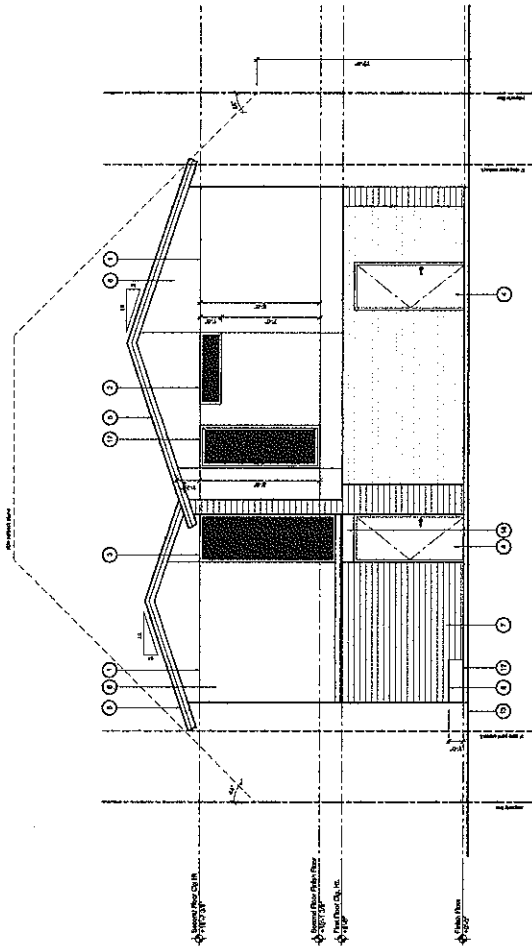
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**Elevation General Notes:**

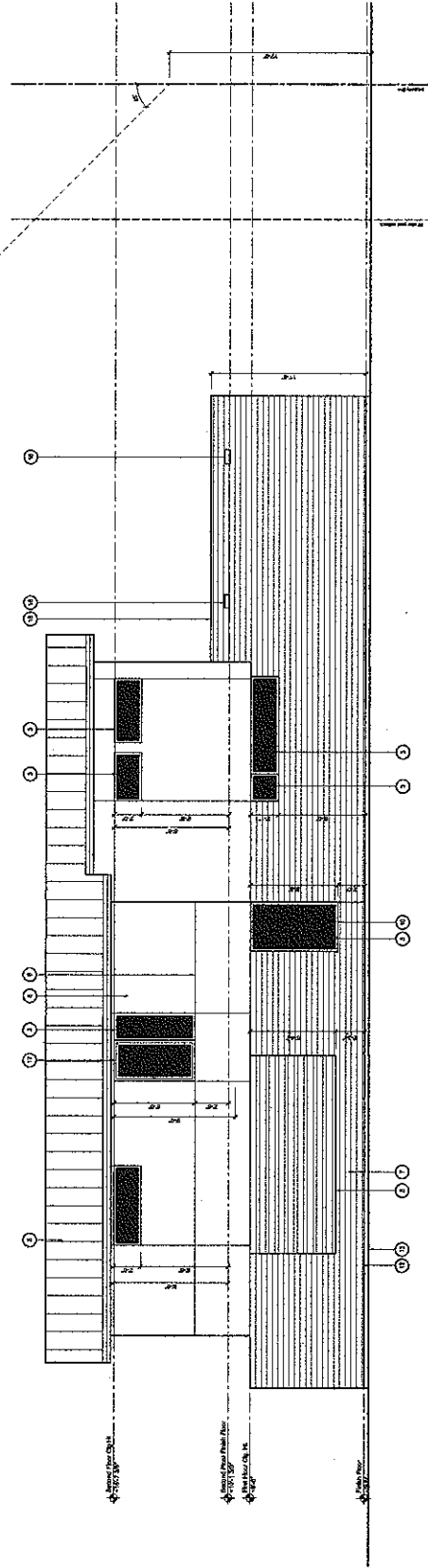
1. The discussion on the need to have a top-down approach to the implementation of the strategy is a very important one. It is a key to the success of the strategy. It is a key to the success of the strategy.
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7. The discussion on the need to have a top-down approach to the implementation of the strategy is a very important one. It is a key to the success of the strategy. It is a key to the success of the strategy.
8. The discussion on the need to have a top-down approach to the implementation of the strategy is a very important one. It is a key to the success of the strategy. It is a key to the success of the strategy.

**Elevation Key Notes:**

- [illegible]



2 west elevation  
Cedar Street



1 south elevation

**San Bernard Residence**  
1193 1/2 San Bernard Street  
Austin, TX, 78702  
Set  
Permit Set | 15 November 2013

*drawing title*

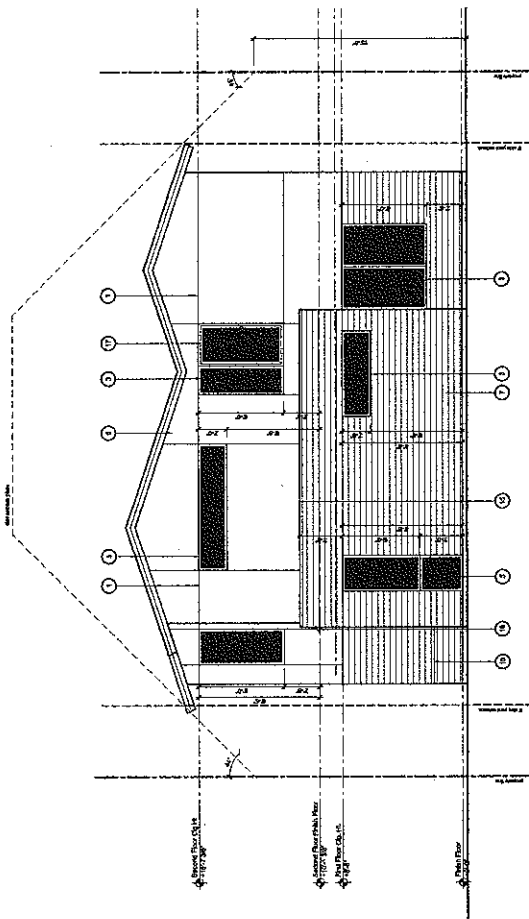
## D3.20

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- [illegible]

**Elevation Key Notes:**

1. Shrub covered plants.
2. All weeds.
3. *Chenopodium*.
4. *Chenopodium*, *Portulaca*.
5. *Chenopodium*, *Portulaca*.
6. *Chenopodium*, *Portulaca*.
7. *Chenopodium*, *Portulaca*.
8. *Chenopodium*, *Portulaca*.
9. *Chenopodium*, *Portulaca*.
10. *Chenopodium*, *Portulaca*.
11. *Chenopodium*, *Portulaca*.
12. *Chenopodium*, *Portulaca*.
13. *Chenopodium*, *Portulaca*.
14. *Chenopodium*, *Portulaca*.
15. *Chenopodium*, *Portulaca*.
16. *Chenopodium*, *Portulaca*.
17. *Chenopodium*, *Portulaca*.
18. *Chenopodium*, *Portulaca*.
19. *Chenopodium*, *Portulaca*.
20. *Chenopodium*, *Portulaca*.



## 2 east elevation

**San Bernard Residence**  
1193 1/2 San Bernard Street  
Austin, TX. 78702  
Set  
Permit Set | 15 November 2013

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www.elsevier.com

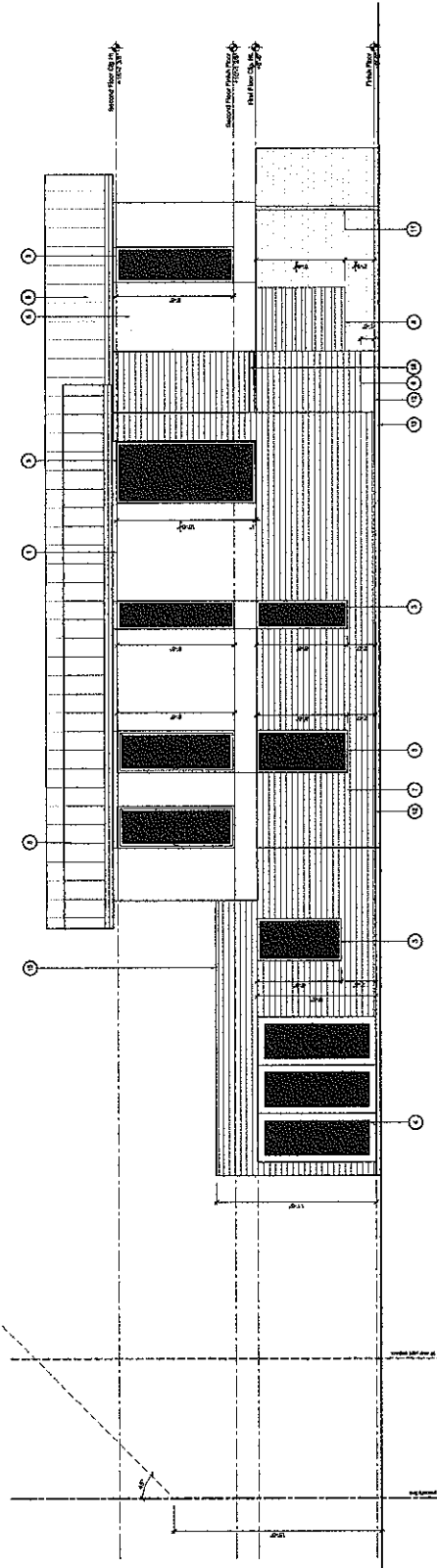
of the surface layer

### Main House Elevations

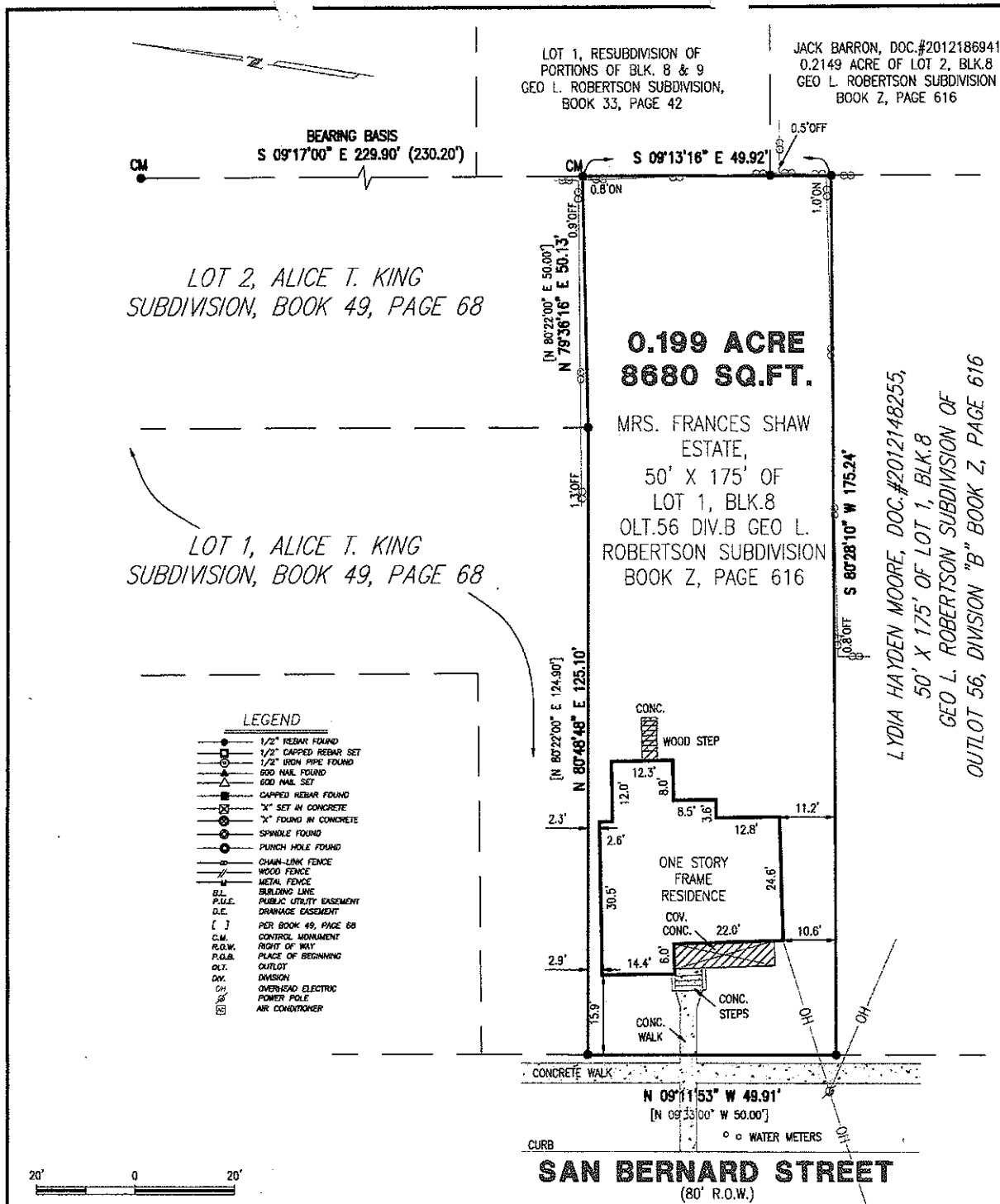
about

**D3.21**

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1 north elevation



#### IMPORTANT NOTICE

This Survey was prepared without the benefit of a title commitment. There may be additional setback lines, easements and interests which are relevant to this property and unknown to B & G SURVEYING.



*Matthew Powers*  
TO THE LANDHOLDER AND / OR PRESENT OWNERS OF THE PREMISES SURVEYED

#### FLOOD CERTIFICATION

THIS AREA IS NOT DEPICTED AS BEING IN A SPECIAL FLOOD HAZARD AREA PER FEMA'S FLOOD INSURANCE RATE MAP 0465H, DATED 09/28/08. IT IS REPRESENTED AS IN ZONE "X". HOWEVER, AT THE PRESENT TIME, NO ELEVATIONS, DRAINAGE, OR FLOOD STUDIES HAVE BEEN PERFORMED AND INFORMATION IS BASED SOLELY UPON SAID MAP. THE SURVEYOR DOES NOT ASSUME RESPONSIBILITY AS TO ANY INFORMATION PROVIDED SAID MAP AND DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE OF FLOOD DAMAGE. FOR FURTHER INFORMATION CONTACT YOUR FLOOD PLAIN ADMINISTRATOR.

STREET ADDRESS: **1193 1/2 SAN BERNARD STREET**

CITY: **AUSTIN** COUNTY: **TRAVIS** STATE OF TEXAS

LOT: **50' X 175' OF LOT 1, BLK.8 SUBDIVISION: GEO L. ROBERTSON SUBDIVISION OF OUTLOT 56, DIVISION "B"** VOL/CAB **Z** PG/S/D **616** PLAT RECORDS

REFERENCE NAME: **MATTHEW POWERS**

AKS SQ.FT. APPLIED: **01/30/14**



**B & G SURVEYING, INC.**  
**DEWEY H. BURRIS & ASSOCIATES, INC.**  
Surveyed by: **B & G Surveying, Inc.**

WWW.BANDGSURVEY.COM  
1404 West North Loop Blvd. Austin, Texas 78756  
Office 512\*458-8959, Fax 512\*458-9845

JOB #: **B0708813\_TA**  
DATE: **7-23-13**  
SCALE: **1"= 20'**

FIELD WORK BY	CM	7-22-13
CALC'D BY	TK	7-23-13
DRAFTED BY	AKS	7-23-13
CHECKED BY	WC	7-23-13