

**CITY OF AUSTIN  
Board of Adjustment  
Decision Sheet  
D-6**

**DATE: Monday July 12, 2021**

**CASE NUMBER: C15-2021-0068**

- Y  Thomas Ates
- Y  Brooke Bailey
- Y  Jessica Cohen
- Y  Melissa Hawthorne
- Y  Barbara Mcarthur
- Rahm McDaniel (OUT)
- Y  Darryl Pruet
- Y  Agustina Rodriguez
- Richard Smith (OUT)
- Y  Michael Von Ohlen
- Y  Nicholl Wade
- Y  Kelly Blume (Alternate)
- Y  Carrie Waller (Alternate)
- Vacant (Alternate)

**APPLICANT: John Hussey**

**OWNER: Berry Shawn Cox**

**ADDRESS: 1411 GASTON AVE**

**VARIANCE REQUESTED:** The applicant is requesting a variance(s) from the Land Development Code Subchapter F: Residential Design and Compatibility Standards, Article 2, Development Standards Section 2.1 (*Maximum Development Permitted*) to increase the F.A.R from 40% (required) to 52.79% (requested) an additional 753 square feet, in order to add an addition to an existing single family residence in an “SF-3-NP”, Single-Family- Neighborhood Plan zoning district (Windsor Park Neighborhood Plan)

*Note: per Ordinance 20060727-084, this property was allowed to exceed the 40% and was granted 46.07%*

**BOARD’S DECISION: BOA JULY 12, 2021 The public hearing was closed by Chair Jessica Cohen, Board Member Michael Von Ohlen motions to Postpone to August 9, 2021; Board Member Melissa Hawthorne seconds on a 11-0 vote; POSTPONED TO AUGUST 9, 2021.**

**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:

  
Elaine Ramirez  
Executive Liaison

Diana Ramirez for  
\_\_\_\_\_  
Jessica Cohen  
Chair

**From:** [REDACTED]  
**To:** [Ramirez, Elaine](#)  
**Subject:** C15-2021-0068 - 1411 Gaston Ave  
**Date:** Friday, July 16, 2021 10:42:33 AM

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\*\*\* External Email - Exercise Caution \*\*\*

Hi Elaine,

As you know, our case for 1411 Gaston Avenue was postponed to the August agenda. The owner has requested we withdraw the request. Is there a formal process to request the withdrawal?

Thanks

**John Hussey**

Site Specifics  
512-472-5252 (O)  
512-589-3531 (C)

**CAUTION:** This email was received at the City of Austin, from an EXTERNAL source. Please use caution when clicking links or opening attachments. If you believe this to be a malicious and/or phishing email, please forward this email to [cybersecurity@austintexas.gov](mailto:cybersecurity@austintexas.gov).



July 6, 2021

John Hussey  
1411 Gaston Ave  
Austin TX, 78703

Property Description: LOT 5 \* & W 10 FT OF LOT 6 BLK 28 PEMBERTON HEIGHTS SEC 8

**Re: C15-2021-0068**

Dear John,

Austin Energy (AE) has reviewed your application for the above referenced property, requesting that the Board of Adjustment consider a variance(s) from Land Development Code section 25-2-F-1, to increase the allowable FAR by 753 square feet in the SF-3-NP zone.

Austin Energy **does not oppose** the request, provided any proposed and existing improvements follow Austin Energy's clearance criteria requirements, the National Electric Safety Code, and OSHA. Any removal or relocation of existing electric facilities will be at the owner's/applicant's expense.

Please use this link to be advised of our clearance and safety requirements which are additional conditions of the above review action:  
[https://library.municode.com/tx/austin/codes/utilities\\_criteria\\_manual?nodeId=S1AUENDECR\\_1.10.0CLSARE](https://library.municode.com/tx/austin/codes/utilities_criteria_manual?nodeId=S1AUENDECR_1.10.0CLSARE)

If you require further information or have any questions regarding the above comments, please contact our office. Thank you for contacting Austin Energy.

**Joseph Beeler, Planner I**  
Austin Energy  
Public Involvement | Real Estate Services  
2500 Montopolis Drive  
Austin, TX 78741  
(512) 322-6602

**BOA GENERAL REVIEW COVERSHEET****CASE:** C15-2021-0068**BOA DATE:** July 12<sup>th</sup>, 2021**ADDRESS:** 1411 Gaston Ave**COUNCIL DISTRICT:** 9**OWNER:** Berry Shawn Cox**AGENT:** Bobbie Jo Cornelius**ZONING:** SF-3-NP (Windsor Rd NP)**LEGAL DESCRIPTION:** LOT 5 \*& W 10 FT OF LOT 6 BLK 28 PEMBERTON HEIGHTS SEC 8**VARIANCE REQUEST:** increase the F.A.R from 40% to 52.79%; an additional 753 square feet**SUMMARY:** add an addition/remodel to existing Single-Family residence**ISSUES:** space exists within the envelope of existing home

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	SF-3-NP	Single-Family residential
<i>North</i>	SF-3-NP	Single-Family residential
<i>South</i>	SF-3-NP	Single-Family residential
<i>East</i>	SF-3-NP	Single-Family residential
<i>West</i>	SF-3-NP	Single-Family residential

**NEIGHBORHOOD ORGANIZATIONS:**

Austin Independent School District  
 Austin Lost and Found Pets  
 Austin Neighborhoods Council  
 Central Austin Urbanists  
 Central West Austin Neighborhood Plan Contact Team  
 Friends of Austin Neighborhoods  
 Homeless Neighborhood Association  
 Neighborhood Empowerment Foundation  
 Pemberton Heights Neighborhood Association  
 Preservation Austin  
 SELTexas  
 Save Historic Munny District  
 Shoal Creek Conservancy  
 Sierra Club, Austin Regional Group  
 West Austin Neighborhood Group



**NOTIFICATIONS**

CASE#: C15-2021-0068

LOCATION: 1411 GASTON AVENUE



 SUBJECT TRACT

 PENDING CASE

 ZONING BOUNDARY

1" = 292'

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.





Building a Better and Safer Austin Together

# Board of Adjustment General/Parking Variance Application

DevelopmentATX.com | Phone: 311 (or 512-974-2000 outside Austin)  
For submittal and fee information, see [austintexas.gov/digitaldevelopment](http://austintexas.gov/digitaldevelopment)

## WARNING: Filing of this appeal stops all affected construction activity.

This application is a fillable PDF that can be completed electronically. To ensure your information is saved, [click here to Save](#) the form to your computer, then open your copy and continue.

The Tab key may be used to navigate to each field; Shift + Tab moves to the previous field. The Enter key activates links, emails, and buttons. Use the Up & Down Arrow keys to scroll through drop-down lists and check boxes, and hit Enter to make a selection.

The application must be complete and accurate prior to submittal. **If more space is required, please complete Section 6 as needed.** All information is required (if applicable).

### For Office Use Only

Case # \_\_\_\_\_ ROW # \_\_\_\_\_ Tax # \_\_\_\_\_

### Section 1: Applicant Statement

Street Address: 1411 Gaston Avenue

Subdivision Legal Description:  
PEMBERTON HEIGHTS SEC 8

Lot(s): 5 & W 10 FT of Lot 6 Block(s): 28

Outlot: \_\_\_\_\_ Division: \_\_\_\_\_

Zoning District: SF-3-NP

I/We BJ Cornelius/Site Specifics on behalf of myself/ourselves as

authorized agent for Berry Shawn Cox affirm that on

Month , Day , Year , hereby apply for a hearing before the

Board of Adjustment for consideration to (select appropriate option below):

Erect  Attach  Complete  Remodel  Maintain  Other: \_\_\_\_\_

Type of Structure: Single Family Residential

Portion of the City of Austin Land Development Code applicant is seeking a variance from:

Section 25-2-F-1, to exceed allowable FAR, \_\_\_\_\_  
From allowed 46.07% per ordinance 20060727-084 to 52.79%, for an additional 753 square feet of conditioned space within the existing envelope of the residence

**Section 2: Variance Findings**

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 supporting documents.

**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.**

I contend that my entitlement to the requested variance is based on the following findings:

**Reasonable Use**

The zoning regulations applicable to the property do not allow for a reasonable use because:

The requested square footage exists in the home but restricts the functional use. It was originally submitted and approved as a two story residence. New bedrooms upstairs will require egress windows, which will be located in dormers on the rear elevation. This is the only change to the massing of the building.

**Hardship**

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

As the owner's home based art studio work and business has grown significantly in scope and complexity, He has diversified both this work product and size of works available to accommodate gallery and collector demand. Without additional space requested, he will be forced to find and lease alternative space to create his works... CONTINUE ON PAGE 7 - ADDITIONAL SPACE

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

The space exists within the envelope of the existing home. Few, if any, were built as two stories and then constructed as a single story residence. The living and working arrangement of the family is likewise unique. The nature of the homeowner's art business requires more space than a typical home office would provide.

**Area Character**

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:

There is no impact on the adjacent properties. The proposed construction is confined to the existing building envelope of the existing structure.

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**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 in the City of Austin Land Development Code Chapter 25-6, Appendix A 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 reasonably require strict or literal interpretation and enforcement of the specific regulation because:

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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:

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

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

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**Section 3: Applicant Certificate**

I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Applicant Signature: Bobbie Cornelius Date: 5/25/2021

Applicant Name (typed or printed): Bobbie Jo Cornelius

Applicant Mailing Address: 700 N. Lamar Blvd 200A

City: Austin State: TX Zip: 78748

Phone (will be public information): (512) 472-5252

Email (optional – will be public information): [REDACTED]

**Section 4: Owner Certificate**

I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Owner Signature: Berry Shawn Cox Date: 6/3/2021  
DocuSigned by: F2FF92C04C41473...

Owner Name (typed or printed): Berry Shawn Cox

Owner Mailing Address: 1411 Gaston Avenue

City: Austin State: TX Zip: 78703

Phone (will be public information): 281-801-3882

Email (optional – will be public information): [REDACTED]

**Section 5: Agent Information**

Agent Name: Bobbie Cornelius

Agent Mailing Address: 700 N. Lamar Blvd. 200A

City: Austin State: TX Zip: 78703

Phone (will be public information): 512-472-5252

Email (optional – will be public information): [REDACTED]

**Section 6: Additional Space (if applicable)**

Please use the space below to provide additional information as needed. To ensure the information is referenced to the proper item, include the Section and Field names as well (continued on next page).

Hardship a. (continued):

Creative flexible working space is at a premium in Austin and this situation affords this family the ability to maintain its current living and working arrangements. A variance already exists to permit the majority of the new conditioned area being requested. - continue next page

**Additional Space (continued)**

Hardship a. (continued)

History: The original permit with variance (#20060727) allowed 3,990 square feet. 642 square feet of the this permit was never built out. The proposed addition of 1,395 square feet for an in home art studio will include the previously approved 642 sf and requested 753 additional square footage for a total FAR of 52.79% (5,921 sf)

Feel right, at home.



Dolores Davis  
President  
General Manager

Stewart Davis AIA  
Vice President  
Design & Sales

402 Corral Lane  
Austin, TX 78745

512.444.1580: Office  
512.444.1790: Fax

cgfdb.com



January 27, 2021

Joan Admirand and Shawn Cox  
1411 Gaston Avenue  
Austin, TX 78703

**Renovations at the Admirand-Cox Residence**

Preliminary Project Review with the City of Austin

Dear Joan and Shawn,

We requested a preliminary project review with the City of Austin to determine if the 1,246sf second floor conditioned space noted in Building Permit No. 06017656-06017 granted in 2006 is "grandfathered in" since the second floor was never built out. Ordinance No. 20060727-084 issued in 2006 granted a waiver from Part (C) of Ordinance 20060309-058 [one of the McMansion ordinances] stating that "the single-family residence will have 3,998 square feet of gross floor area and a two-family residential of 534 square feet." That is a total of 4,532 s.f. allowable conditioned space.

Jhermaine McVea consulted with reviewers John Richards and Susan Barr prior to our meeting. They considered that the existing conditioned area at the main house is 3,448 s.f. and determined the addition of 550 s.f. conditioned space upstairs would not require a variance. If you wish to build out the whole 1,250 s.f. attic as designed, that a variance will need to be granted from the Board of Adjustment for the additional 700 s.f.

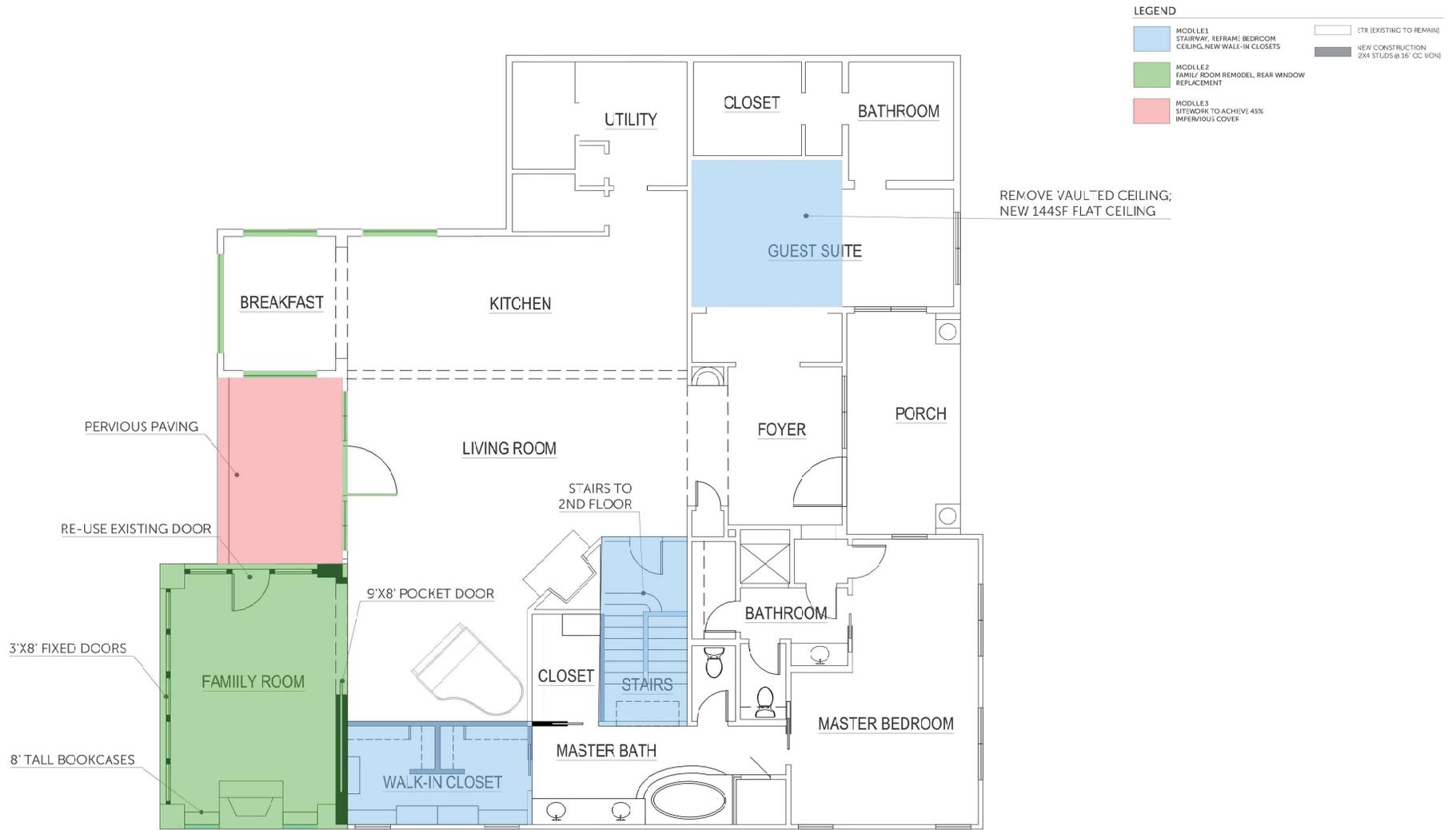
The factors we can present for consideration to the City Council are

- (A) The development limitations impose undue hardship since in this time of Covid-19, homes also function simultaneously as remote-learning environments and work-from-home spaces. New rooms are needed to facilitate these new program elements.
- (B) The development proposed will not adversely affect the public health, safety and welfare.
- (C) Waiving the regulations will not have a substantially adverse impact on neighboring properties as the new conditioned space occurs within the existing building envelope and no changes will be made to the front of the house.

Jhermaine McVea also noted that if you ever decided to alter the Garage Apartment, you would need to apply for a Modification to Non-Conforming Structure Permit, because it's location and proximity to the main house do not meet current codes.

Regarding the National Register District issue, Kalan Contreras said that since your house does not contribute as an historic structure, there is no need to review any changes to the 2006 building.

Best Regards, Gina Andre'



**PROPOSED FLOOR PLAN LEVEL 1**



SCALE: 1/8" = 1'-0"

PHASE: CONCEPT  
DATE: 1.12.2021



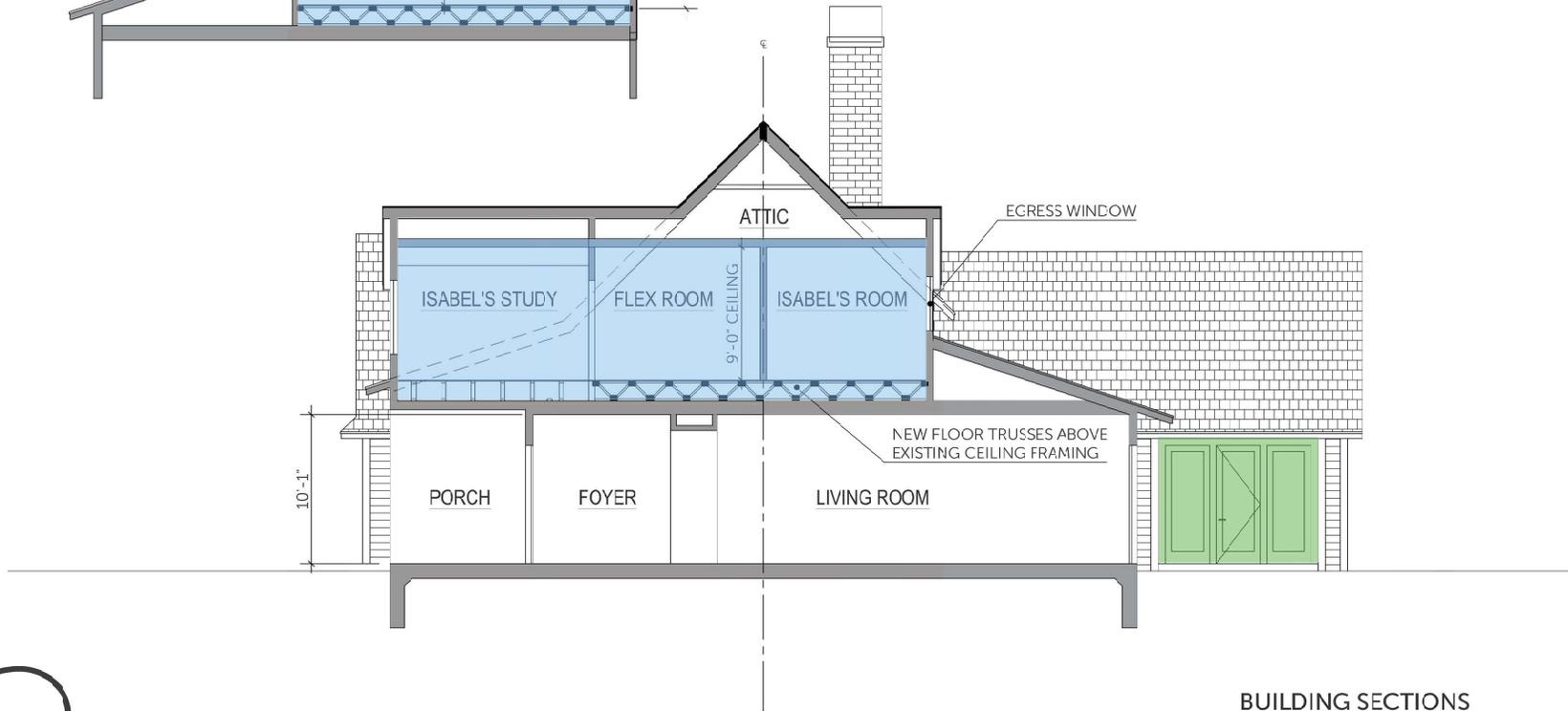
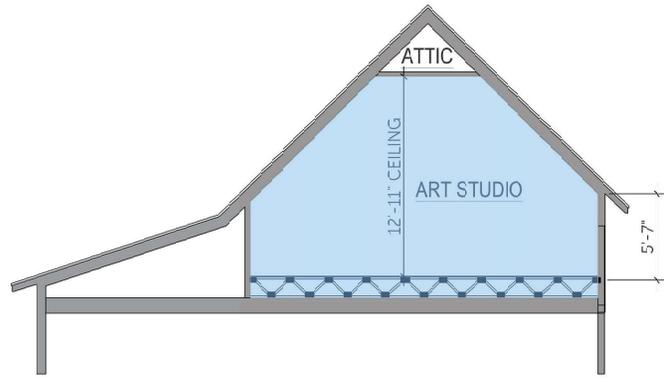
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ADDITION&RENOVATIONS AT THE ADMIRAND-COX RESIDENCE | 1411 GASTON AUSTIN, TX 78703

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LEGEND

- MODULE 1  
STAIRWAY, REFRAME BEDROOM  
CEILING, NEW WALK-IN CLOSETS
- MODULE 2  
FAMILY ROOM, REMODEL, REAS WINDOW  
REPLACEMENT



BUILDING SECTIONS

SCALE: 1/8" = 1'-0"

PHASE: CONCEPT  
DATE: 1.12.2021



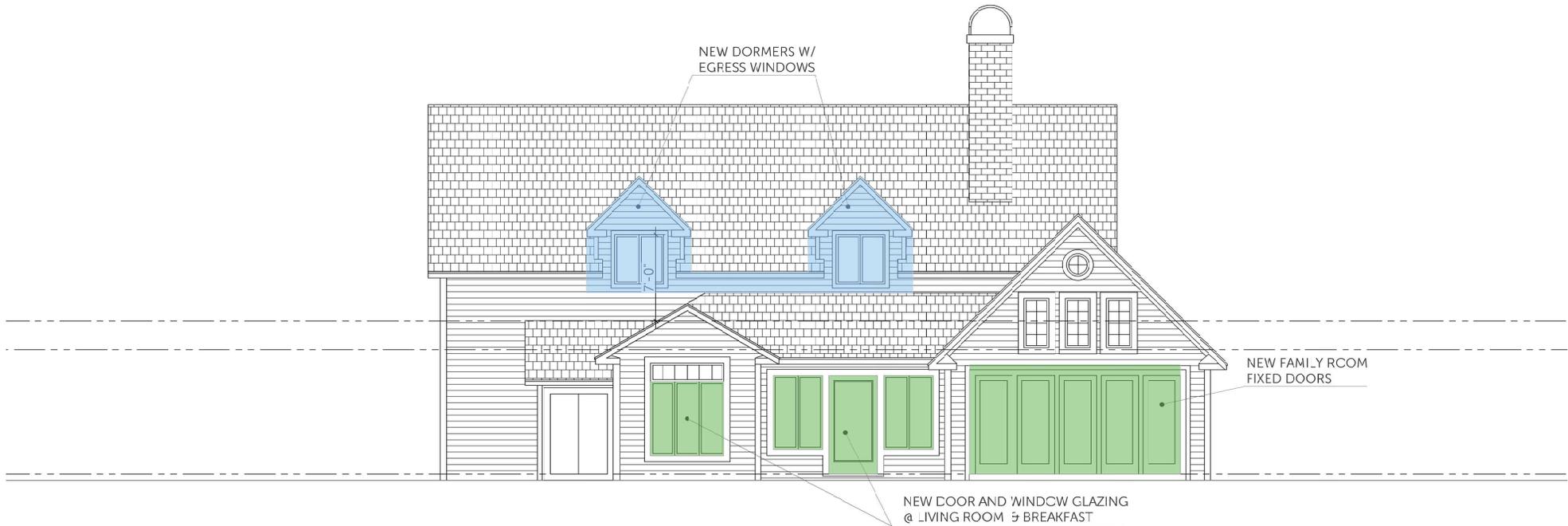
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ADDITION&RENOVATIONS AT THE ADMIRAND-COX RESIDENCE | 1411 GASTON AUSTIN, TX 78703

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## LEGEND

- MODULE 1  
STAIRWAY, REFRAME BEDROOM  
CEILING, NEW WALK-IN CLOSETS
- MODULE 2  
FAMILY ROOM REMODEL, REAR WINDOW  
REPLACEMENT



## ALTERED REAR ELEVATION

SCALE: ##### 0 2 4 6 10

PHASE: CONCEPT  
DATE: 1.12.2021



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ADDITION&RENOVATIONS AT THE ADMIRAND-COX RESIDENCE | 1411 GASTON AUSTIN, TX 78703

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LEGEND

- MODULE 1  
STAIRWAY, REFRAME BEDROOM  
CEILING, NEW WALK-IN CLOSETS
- MODULE 2  
FAMILY ROOM REMODEL, FEAR WINDOW  
REPLACEMENT



ALTERED SIDE ELEVATION

SCALE: ##### 0 2 4 6 10

PHASE: CONCEPT  
DATE: 1.12.2021



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LEGEND

- MODULE 1  
STAIRWAY, REFRAME BEDROOM  
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- MODULE 2  
FAMILY ROOM REMODEL, FEAR WINDOW  
REPLACEMENT



ALTERED SIDE ELEVATION

SCALE: ##### 0 2 4 6 10

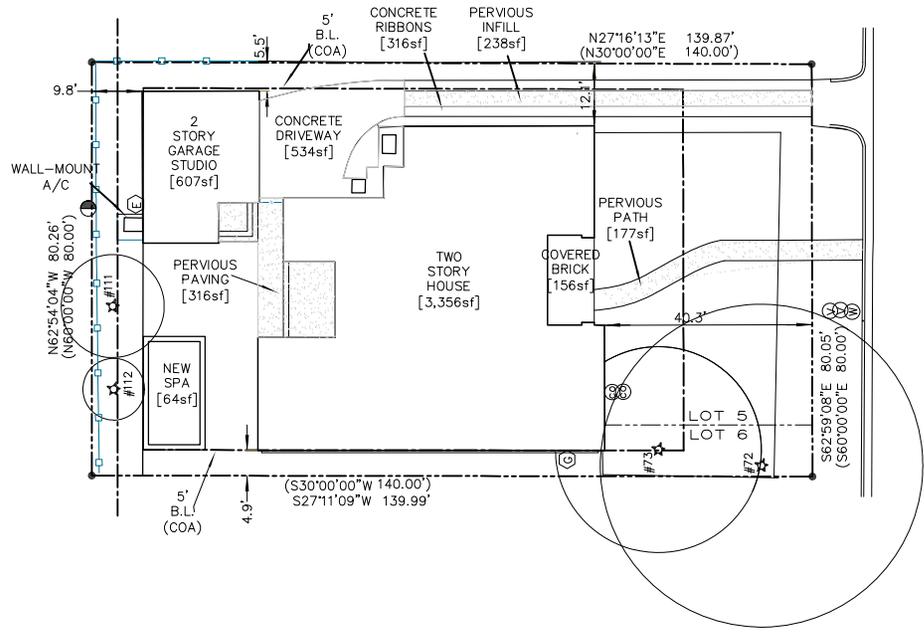
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ADDITION&RENOVATIONS AT THE ADMIRAND-COX RESIDENCE | 1411 GASTON AUSTIN, TX 78703

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PROPOSED IMPERVIOUS AREAS:  
 64 Sq.ft. NEW 12'X22' SPA COPING  
 607 Sq.ft. 2 STORY GARAGE/STUDIO  
 534 Sq.ft. CONCRETE DRIVE  
 316 Sq.ft. CONCRETE RIBBON DRIVE  
 3356 Sq.ft. 2 STORY HOUSE  
 156 Sq.ft. COVERED BRICK PORCH  
 5,033 Sq.ft. IMPERVIOUS COVERAGE  
 11,216 Sq.ft. LOT 5 & W 10' LOT 6  
 44.9% IMPERVIOUS COVER

**LEGEND**

- BUILDING OUTLINE
- CONTOUR LINE
- SETBACK, BUILDING OR EASEMENT LINE
- WATER FEATURE
- PROPOSED AREA OF WORK
- PROPERTY LINE
- CRITICAL ROOT ZONE | PROTECTED TREE

- GENERAL NOTES**
1. SITE INFO BASED ON PROPERTY SURVEY COMPLETED BY (SURVEYOR), SURVEYOR CONTACT INFO: ON (DATE).
  2. NO MATERIAL STAGING, DUMPSTER, SPILLS, PORTABLE TOILET, CONCRETE WASH-OUT OR PAINT WASH-OUT TO BE LOCATED WITHIN CRZ OF PROTECTED TREES ON SITE.



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 AUSTIN, TEXAS 78745  
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 FAX: 512-444-1790

**RENOVATIONS  
 AT ADMIRAND-COX  
 RESIDENCE**

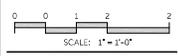
1411 GASTON AVE.  
 AUSTIN, TX 78703

ADMIRAND-COX

CONCEPT PHASE

1.12.2021

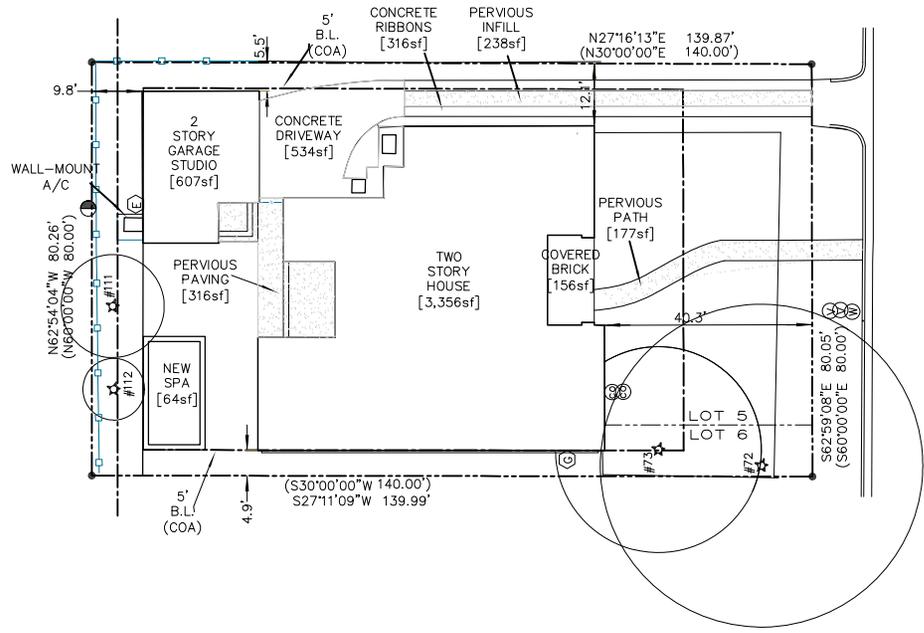
**SITE PLAN**



SHEET NO.

# A1.0





**PROPOSED IMPERVIOUS AREAS:**  
 64 Sq.ft. NEW 12'X22' SPA COPING  
 607 Sq.ft. 2 STORY GARAGE/STUDIO  
 534 Sq.ft. CONCRETE DRIVE  
 316 Sq.ft. CONCRETE RIBBON DRIVE  
 3356 Sq.ft. 2 STORY HOUSE  
 156 Sq.ft. COVERED BRICK PORCH  
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**44.9% IMPERVIOUS COVER**

- LEGEND**
- BUILDING OUTLINE
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**RENOVATIONS  
 AT ADMIRAND-COX  
 RESIDENCE**

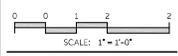
1411 GASTON AVE.  
 AUSTIN, TX 78703

ADMIRAND-COX

CONCEPT PHASE

1.12.2021

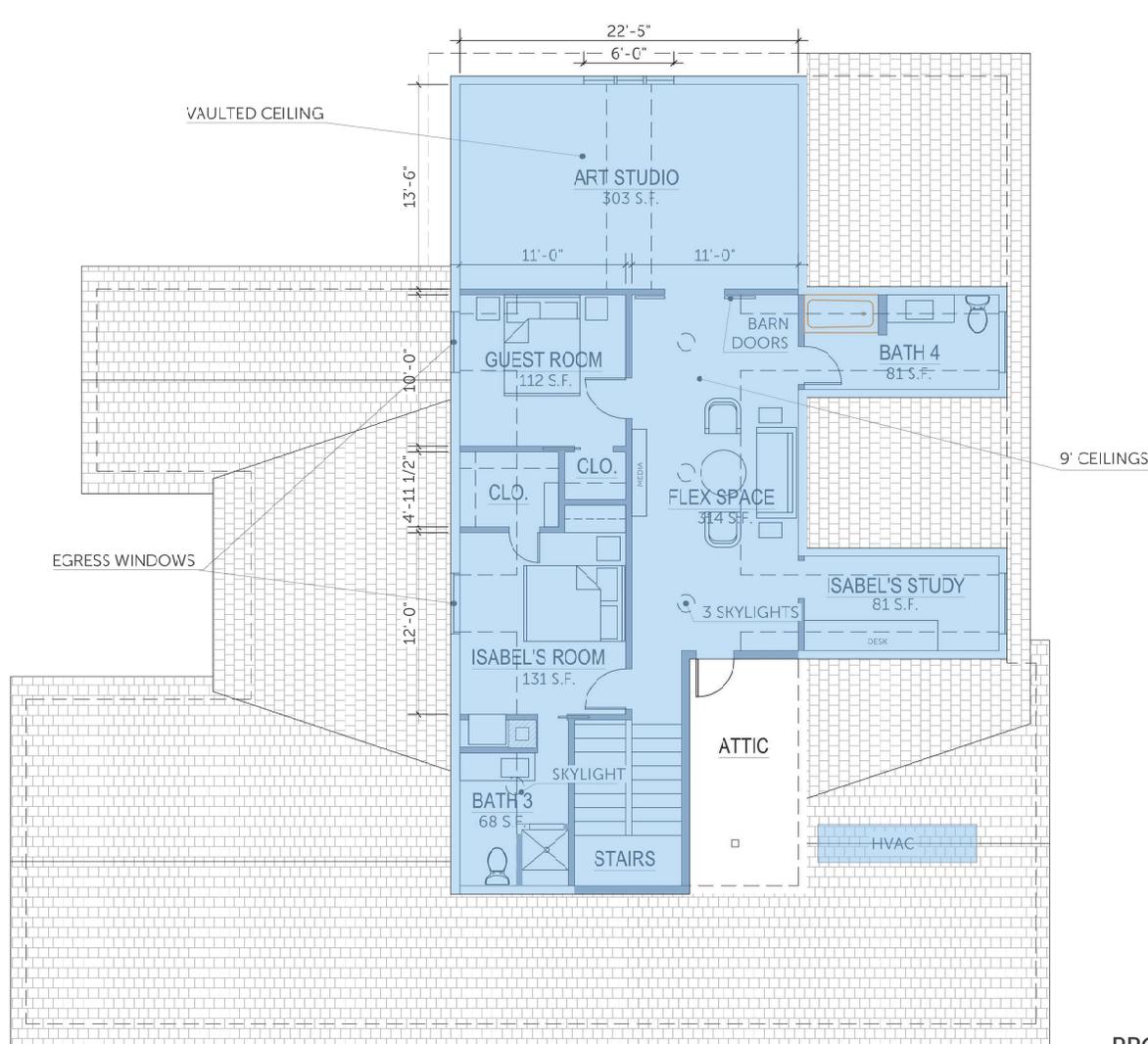
**SITE PLAN**



SHEET NO.

# A1.0





**LEGEND**

<span style="display:inline-block; width:15px; height:15px; background-color:lightblue; border:1px solid black;"></span> MODULE 2 2 BEDROOMS, 2 BATHROOMS, FLEX ROOM, ART STUDIO, ISABEL'S STUDY, STAIRWAY, NEW AND REWORKED HVAC SYSTEM	<span style="display:inline-block; width:15px; height:15px; border:1px solid black;"></span> ETR (EXISTING TO REMAIN)
<span style="display:inline-block; width:15px; height:15px; background-color:gray; border:1px solid black;"></span> NEW CONSTRUCTION (2X4 STUDS @ 16" OC UO/W)	

**PROPOSED FLOOR PLAN LEVEL 2**

SCALE: 1/8" = 1'-0"

PHASE: CONCEPT  
DATE: 1.27.2021



402 CORRAL LANE AUSTIN, TEXAS 78745  
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ADDITION&RENOVATIONS AT THE ADMIRAND-COX RESIDENCE | 1411 GASTON AUSTIN, TX 78703

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LEGEND

- MODULE 1  
STAIRWAY, REFRAME BEDROOM  
CEILING, NEW WALK-IN CLOSETS
- MODULE 2  
FAMILY ROOM REMODEL, REAR WINDOW  
REPLACEMENT



ALTERED REAR ELEVATION

SCALE: ##### 0 2 4 6 10

PHASE: CONCEPT  
DATE: 1.27.2021



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ADDITION&RENOVATIONS AT THE ADMIRAND-COX RESIDENCE | 1411 GASTON AUSTIN, TX 78703

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NO CHANGES WILL BE MADE TO THE FRONT ELEVATION.



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DESIGN-BUILD OFFICE: 512-444-1580 | FAX: 512-444-1790



EXISTING FRONT ELEVATION

SCALE: 1/8" = 1'-0"



PHASE: CONCEPT  
DATE: 2.05.2021

ADDITION&RENOVATIONS AT THE ADMIRAND-COX RESIDENCE | 1411 GASTON AUSTIN, TX 78703



NO CHANGES WILL BE MADE TO THE LEFT SIDE ELEVATION.



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DESIGN-BUILD OFFICE: 512-444-1580 | FAX: 512-444-1790



EXISTING LEFT SIDE ELEVATION

SCALE: 1/8" = 1'-0"

PHASE: CONCEPT  
DATE: 2.05.2021

ADDITION&RENOVATIONS AT THE ADMIRAND-COX RESIDENCE | 1411 GASTON AUSTIN, TX 78703



402 CORRAL LANE AUSTIN, TEXAS 78745  
DESIGN-BUILD OFFICE: 512-444-1580 | FAX: 512-444-1790



EXISTING REAR ELEVATION

SCALE: 1/8" = 1'-0" 0 2 4 8 10

PHASE: CONCEPT  
DATE: 2.05.2021

ADDITION&RENOVATIONS AT THE ADMIRAND-COX RESIDENCE | 1411 GASTON AUSTIN, TX 78703

THIS DRAWING MAY NOT BE 'LID OUT', REPRODUCED OR VIEWED BY ANY OTHER CONSTRUCTION COMPANIES WITH-OUT WRITTEN PERMISSION FROM CG&S DESIGN-BUILD.



402 CORRAL LANE AUSTIN, TEXAS 78745  
DESIGN-BUILD OFFICE: 512-444-1580 | FAX: 512-444-1790



EXISTING LEFT SIDE ELEVATION

SCALE: 1/8" = 1'-0"



PHASE: CONCEPT  
DATE: 2.05.2021

ADDITION&RENOVATIONS AT THE ADMIRAND-COX RESIDENCE | 1411 GASTON AUSTIN, TX 78703

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**ORDINANCE NO. 20060727-084**

**AN ORDINANCE GRANTING A WAIVER FOR PROPERTY LOCATED AT 1411 GASTON AVENUE FROM CERTAIN DEVELOPMENT REGULATIONS PRESCRIBED BY ORDINANCE NO. 20060309-058 TO ALLOW CONSTRUCTION OF A SINGLE-FAMILY RESIDENCE.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** This ordinance applies to construction of a single-family residence on property located at 1411 Gaston Avenue. The single family residence will have 3,998 square feet of gross floor area and a two-family residential of 534 square feet.

**PART 2.** Applicant has filed a waiver application requesting that Council waive Part 4(C) of Ordinance No. 20060309-058 which limits construction of a new single family structure on a lot where, before March 9, 2006, a structure has been or will be demolished or relocated to the greater of the following:

- (1) 0.4 to 1 floor-to-area ratio;
- (2) 2,500 square feet; or
- (3) 20 percent more square feet than the existing or pre-existing structure.

**PART 3.** Council has considered the factors for granting a waiver from development regulations prescribed by Ordinance No. 20060309-058. Council finds that such a waiver is justified because:

- (A) the development limitation imposes undue hardship on the applicant;
- (B) the development proposed by the applicant will not adversely affect the public health, safety, and welfare; and
- (C) waiving the regulations will not have a substantially adverse impact on neighboring properties.

**PART 4.** A waiver is granted from Part 4(C) of Ordinance 20060309-058 to allow the construction of a single-family residence located at 1411 Gaston Avenue with a square footage not to exceed 3,998 square feet, and a two-family residential not to exceed 534 square feet.

**PART 5.** This ordinance takes effect on August 7, 2006.

**PASSED AND APPROVED**

\_\_\_\_\_ July 27 \_\_\_\_\_, 2006      §  
   §  
   §  
   \_\_\_\_\_  
   Will Wynn  
   Mayor

**APPROVED:** \_\_\_\_\_  
   David Allan Smith  
   City Attorney

**ATTEST:** \_\_\_\_\_  
   Shirley A. Gentry  
   City Clerk

City of Austin:

I/We were contacted by Berry Shawn Cox who lives at 1411 Gaston Avenue, Travis County, Austin, Texas 78703, with his wife, Joan Harris Admirand.

He informed me/us of their intent to request for Variance for the build-out of the existing attic space to create habitable living space for their home at 1411 Gaston Avenue, Austin, Texas 78703.

In the proposed buildout, they stated they are requesting:

1. No expansion to the current exterior building envelope save the addition of 2 dormers in the back of the house for egress from the second floor to comply with fire code requirements and to allow sunlight into the attic rooms.
2. These dormers would be partially visible from the backyard of our home.
3. The rear exterior drawing attached shows the two dormers.

We have no objection to their application for this variance based on this information at this time.



Christian and/or Natalie Kopp (1407 Gaston)

04/15/2021

Date

City of Austin:

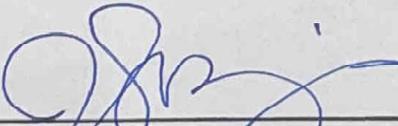
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In the proposed buildout, they stated they are requesting:

1. No expansion to the current exterior building envelope save the addition of 2 dormers in the back of the house for egress from the second floor to comply with fire code requirements and to allow sunlight into the attic rooms.
2. These dormers would be partially visible from the backyard of our home.
3. The drawing attached shows the two proposed dormers and the west facing window.

We have no objection to their application for this variance based on this information at this time.

  
\_\_\_\_\_  
Scott and/or Kelly Redding (1413 Gaston)

4/13/21  
\_\_\_\_\_  
Date

**Ramirez, Elaine**

---

**From:** John Volz <[REDACTED]>  
**Sent:** Friday, July 09, 2021 3:29 PM  
**To:** Ramirez, Elaine  
**Subject:** Case #C15-2021-0068

\*\*\* External Email - Exercise Caution \*\*\*

Dear Ms. Ramirez:

Please find attached below my objection to the referenced case and a satellite view of the property illustrating how overbuilt the property is already. The existing structure on the property exceeds the FAR for SF-3 due to a previous variance and appears to greatly exceed the mandated impervious cover requirements. Increasing the FAR and impervious cover further will aggravate drainage problems in the neighborhood and will set a bad precedent for the neighborhood.

I strongly object to any increase in FAR and impervious ground cover.

Sincerely,

Written comments must be submitted before 9 a.m. the day of the public hearing viewed by the Board the night of the the name of the board or commissioner public hearing; the Case Number; and All comments received will become

**Case Number: C15-2021-0068**

**Contact: Elaine Ramirez; elaine**

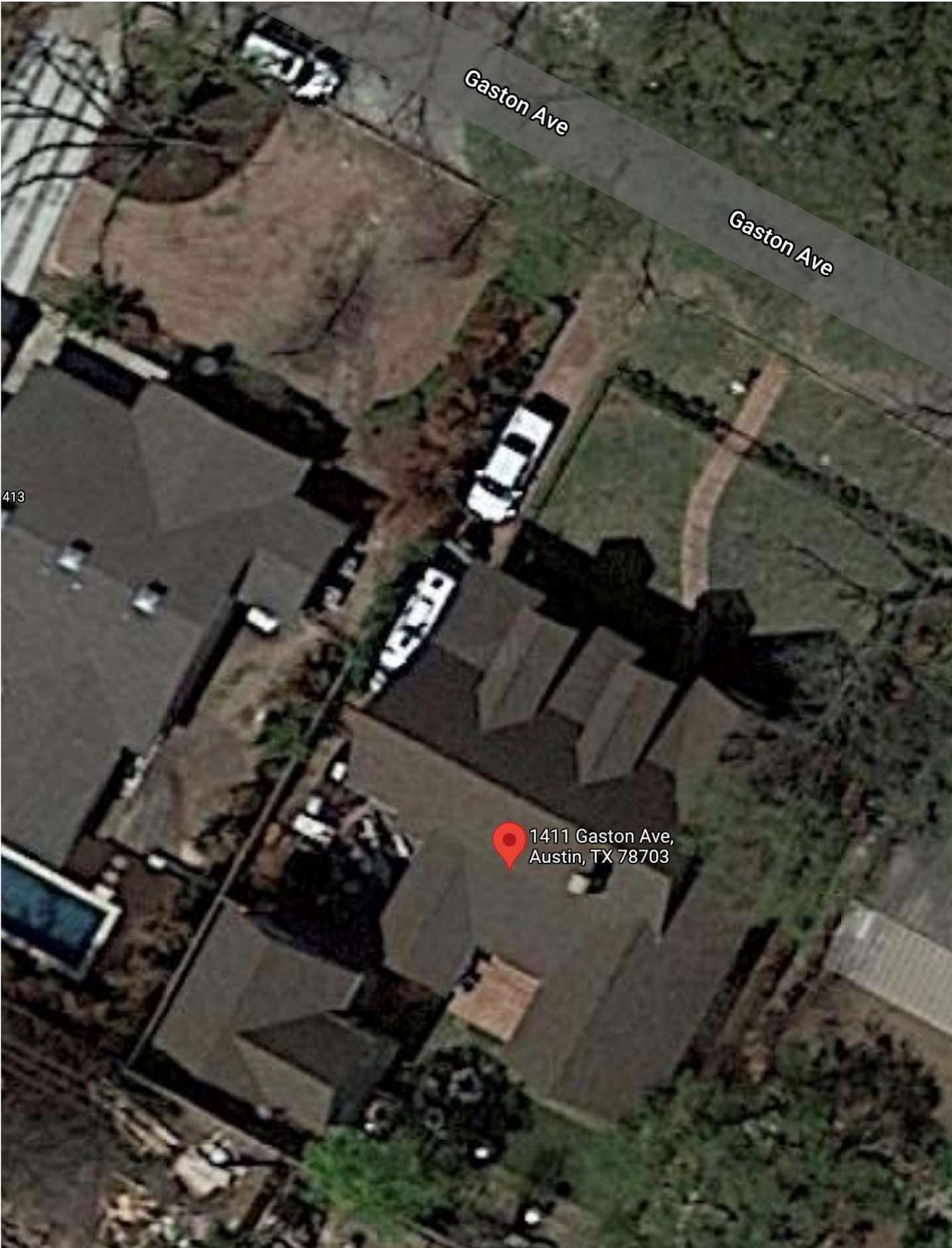
**Public Hearing: Board of Adj**

**JOHN VOLZ**

*Your Name (please print)*

**1406 PRESTON AV**

*Your address(es) affected by this app*



**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 development or change. 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 is required.

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

Written comments must be submitted to the contact person listed on the notice before 9 a.m. the day of the public hearing to be added to the Late Back-up and viewed by the Board the night of the meeting. 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: C15-2021-0068**  
**Contact: Elaine Ramirez; [elaine.ramirez@austintexas.gov](mailto:elaine.ramirez@austintexas.gov)**  
**Public Hearing: Board of Adjustment; July 12<sup>th</sup>, 2021**

Bill and Melanie Walters

Your Name (please print)

1414 GASTON AVE

Your address(es) affected by this application

*[Handwritten Signature]*

Signature

7/6/21

Date

Daytime Telephone: 512-983-3531

Comments: THIS IS A REASONABLE REQUEST BY THE PRIVATE PROPERTY OWNER - APPROVE IT PLEASE!

Bill and Melanie

**If you use this form to comment, it must currently be returned via e-mail (as we do not have access to our mail due to COVID-19 and social distancing) to:**

Elaine Ramirez

See & Email to: [elaine.ramirez@austintexas.gov](mailto:elaine.ramirez@austintexas.gov)