

**CITY OF AUSTIN**  
**Board of Adjustment**  
**Decision Sheet**  
**Item 6**

**DATE: Monday November 14, 2022**

**CASE NUMBER: C15-2022-0061**

Y  Thomas Ates  
 Y  Brooke Bailey  
 Y  Jessica Cohen  
 Y  Melissa Hawthorne  
 Y  Barbara Mcarthur  
 Y  Darryl Pruett  
 -  Agustina Rodriguez OUT  
 -  Richard Smith OUT  
 Y  Michael Von Ohlen  
 -  Nicholl Wade OUT  
 Y  Kelly Blume (Alternate)  
 Y  Carrie Waller (Alternate)  
 -  Marcel Gutierrez-Garza (Alternate) ABSTAINED

**APPLICANT: Nikelle Meade**

**OWNER: Cortlandt Chalfant**

**ADDRESS: 1401 E 3RD ST**

**VARIANCE REQUESTED:** The applicant is requesting a variance(s) from the Land Development Code, Section(s) 25-2-492 (Site Development Regulations) from setback requirements to decrease the minimum interior side yard setback from 5 feet (required) to 2.77 feet (requested) in order to complete a Single-Family residence in a “SF-3-NP”, Single-Family Residence-Neighborhood Plan zoning district. (East Cesar Chavez Neighborhood Plan)

**BOARD’S DECISION:** **JULY 11, 2022 The public hearing was closed by Madam Chair Jessica Cohen, Board member Michael Von Ohlen motions to postpone to September 12, 2022; Board member Melissa Hawthorne seconds on a 10-1 vote (Board member Barbara Mcarthur nay); POSTPONED TO SEPTEMBER 12, 2022. POSTPONED TO OCTOBER 10, 2022 BY APPLICANT**

**VARIANCE REQUEST: RENOTICE-**The applicant is requesting a variance(s) from the Land Development Code, Section(s) 25-2-492 (*Site Development Regulations*) from setback requirements to decrease the minimum street side yard setback from 15 feet (required) to 10 feet (requested) in order to complete a Single-Family residence and accessory dwelling

unit in a “SF-3-NP”, Single-Family Residence-Neighborhood Plan zoning district. (East Cesar Chavez Neighborhood Plan)

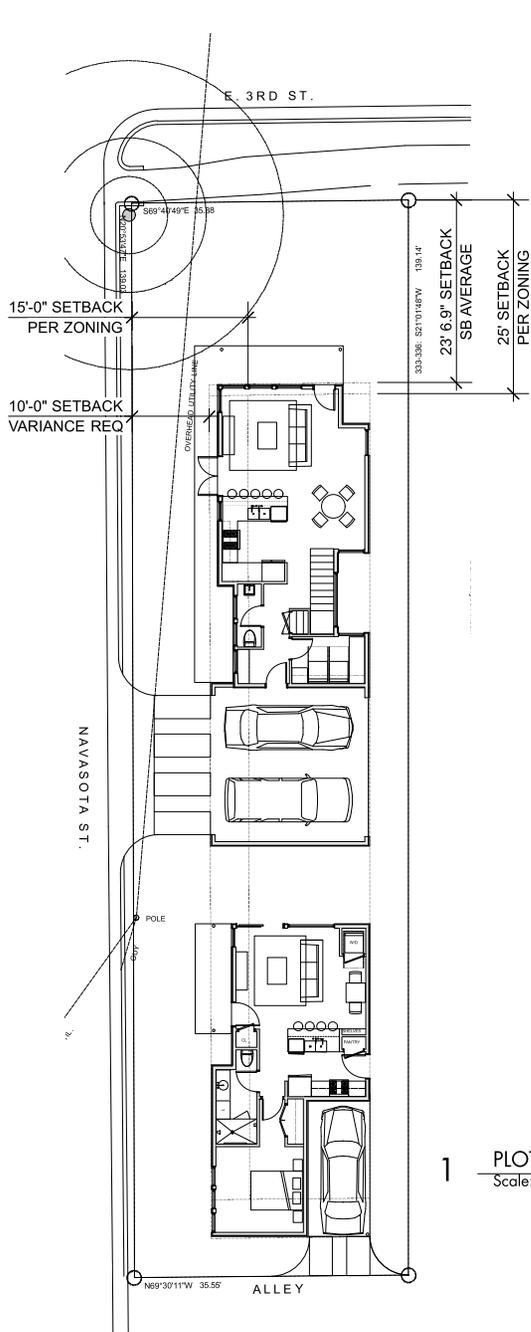
**BOARD’S DECISION: POSTPONED TO NOVEMBER 14, 2022** The public hearing was closed by Madam Chair Jessica Cohen, Board member Michael Von Ohlen motions to Approve with conditions that the project not deviate from rendering on drawing Item 6/11 and floor plan Item 6/10 and a friendly amendment to limit to 0.4 FAR; Board member Melissa Hawthorne second on 9-0-1 vote (Board member Marcel Gutierrez-Garza abstained); **GRANTED WITH CONDITIONS THAT THE PROJECT NOT DEVIATE FROM RENDERING ON DRAWING ITEM 6/11 AND FLOOR PLAN ITEM 6/10 AND A FRIENDLY AMENDMENT TO LIMIT TO 0.4 FAR.**

**FINDING:**

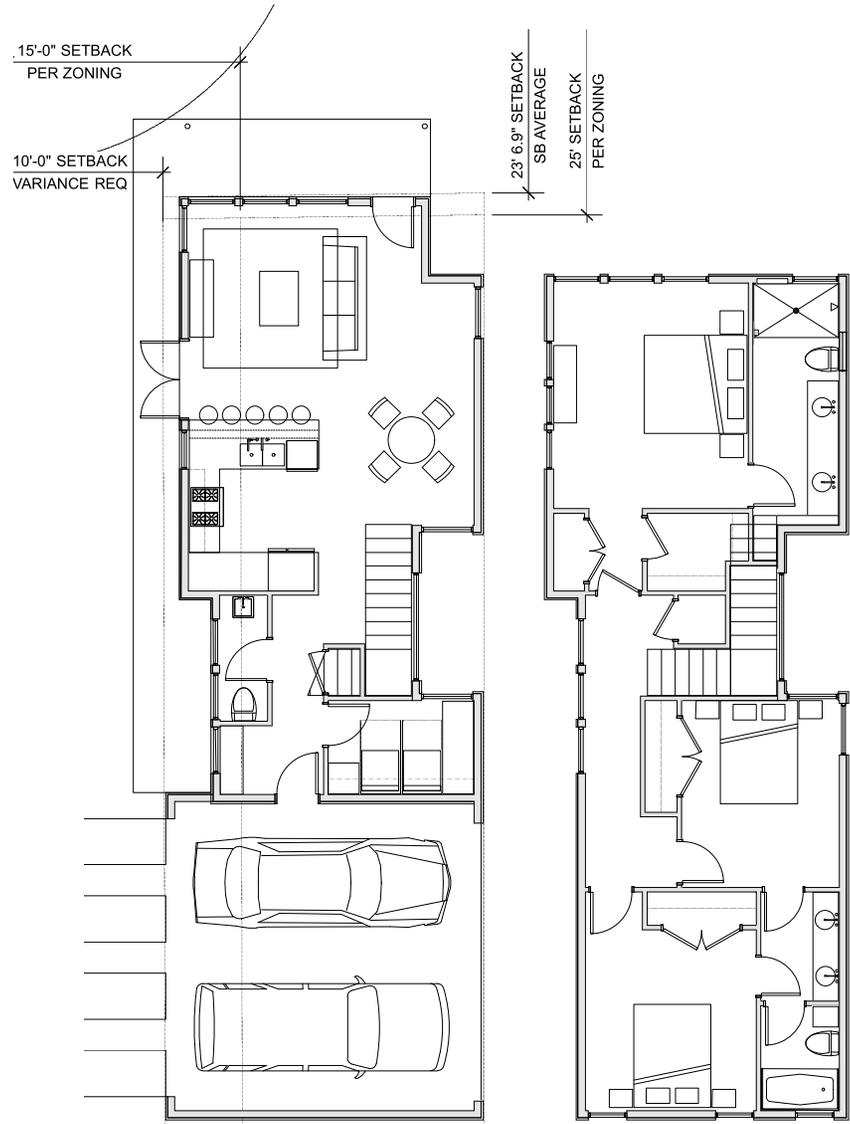
1. The Zoning regulations applicable to the property do not allow for a reasonable use because: the regulations only permit a structure approximately 15’ in width and 32% buildable area on the lot, this width does not adequately allow for the functional layout of interior rooms and forces the creation of a structure that does not blend in well with the community standard.
2. (a) The hardship for which the variance is requested is unique to the property in that: it results from the property being a substandard lot that is 35 feet wide located on a corner lot subject to 15 foot street side yard setback.  
  
(b) The hardship is not general to the area in which the property is located because: other lots in the area that are either substandard lots or corner lots are able to achieve the 40% building coverage allowable by the zoning regulations.
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: it is common for structures to be located in the setbacks in this neighborhood including many structures within 10’ or less of the street.

  
Elaine Ramirez  
Executive Liaison

  
Jessica Cohen  
Madam Chair

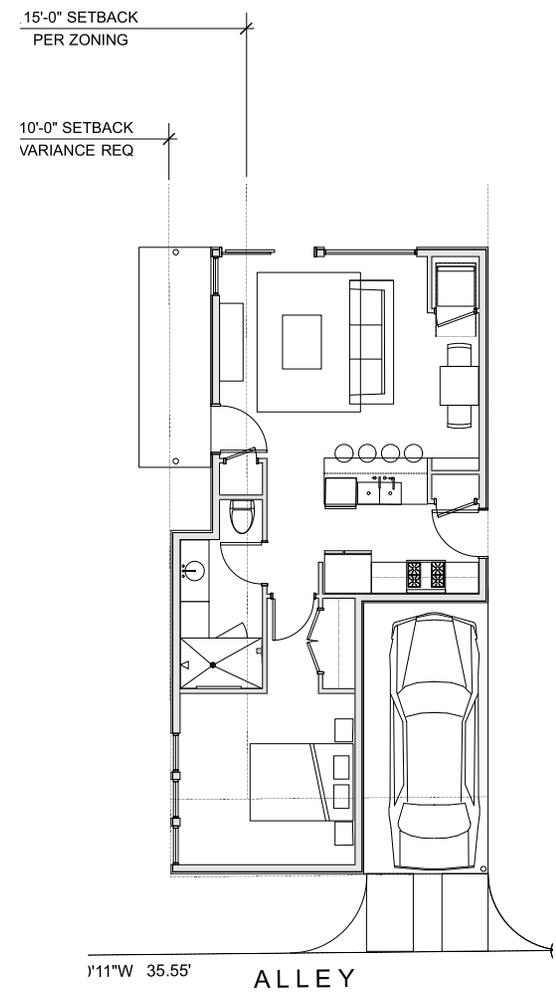


1 PLOT PLAN  
Scale: 1/16" = 1'-0"



2 MAIN UNIT, 1ST FLOOR  
Scale: 1/8" = 1'-0"

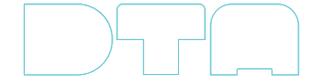
3 MAIN UNIT, 2ND FLOOR  
Scale: 1/8" = 1'-0"



4 REAR UNIT, 1ST FLOOR  
Scale: 1/8" = 1'-0"

EAST 3RD RESIDENCE  
SCHEMATIC PLANS

SEPT 2022



DESIGNTRAIT ARCHITECTS



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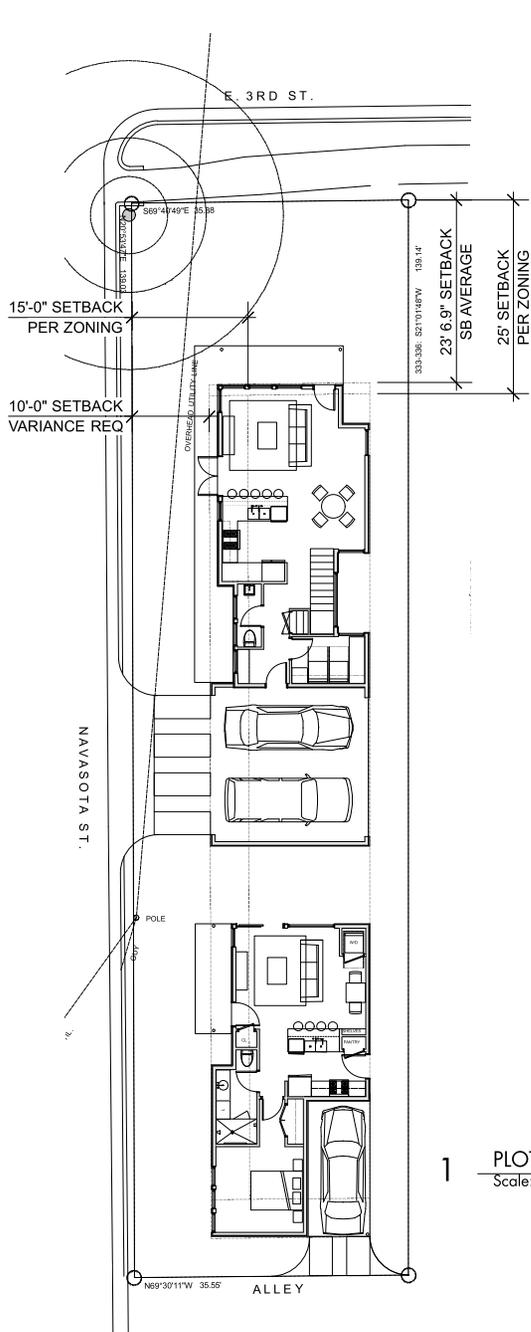
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**FINDING:**

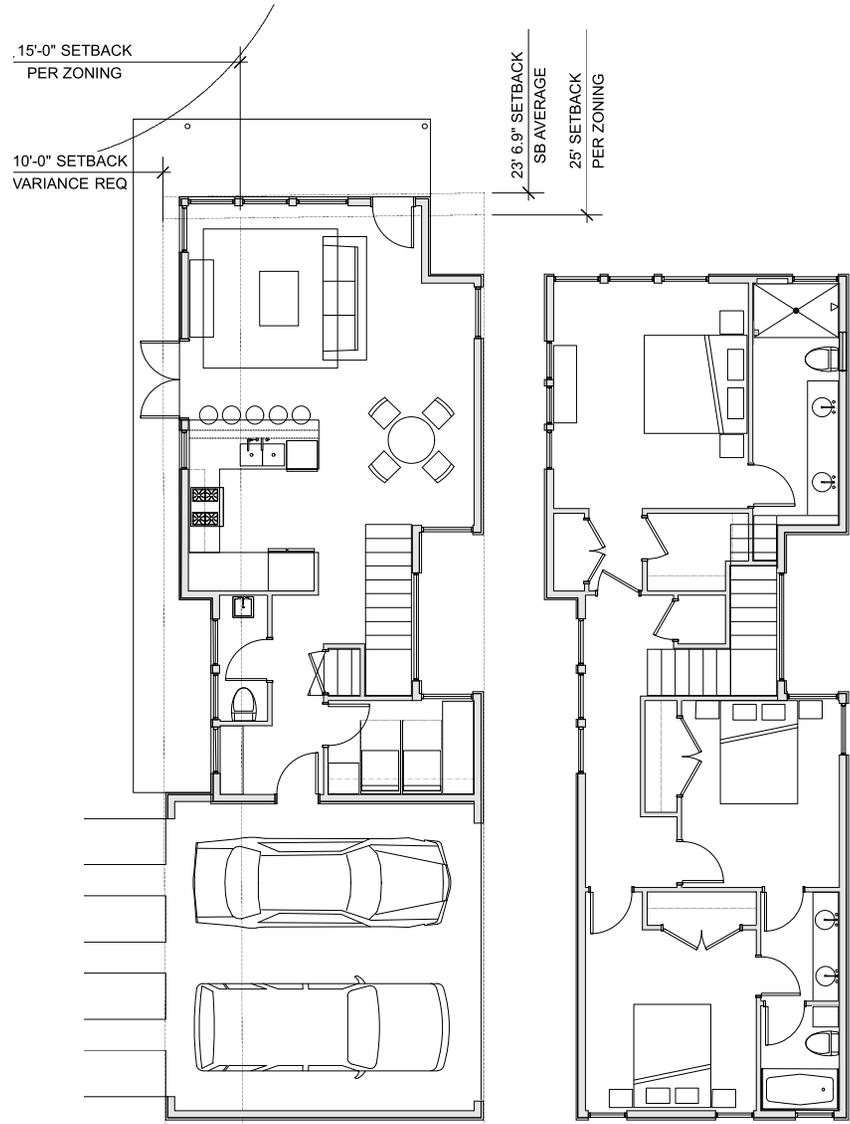
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Elaine Ramirez  
Executive Liaison

  
Jessica Cohen  
Madam Chair

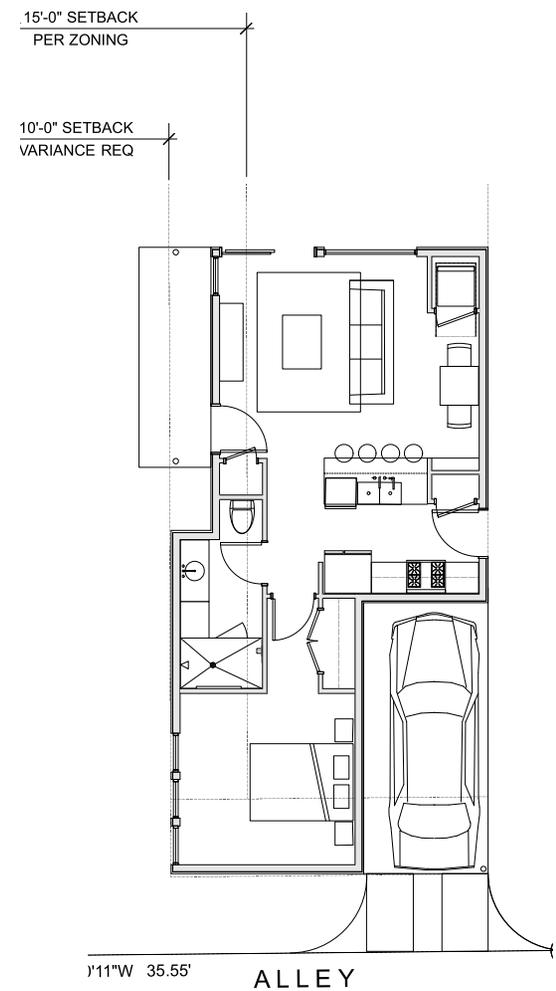


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4 REAR UNIT, 1ST FLOOR  
Scale: 1/8" = 1'-0"



November 15, 2022

Ms. Elaine Ramirez  
Planner Senior / Board of Adjustment Liaison  
City of Austin Development Services Department  
6310 Wilhelmina Delco Drive  
Austin, TX 78752  
(512) 974-2202

Re: Request for Reconsideration C15-2022-0061

Dear Elaine,

As you may recall, our case referenced above was unanimously approved at the November 14, 2022 meeting (which we appreciate) but we believe the motion to accept unintentionally incorporated a more restrictive 0.40 FAR cap than what is otherwise permitted under Subchapter F for this lot.

Subchapter F , Article 2.1 reads “MAXIMUM DEVELOPMENT PERMITTED: The maximum amount of development permitted on a property subject to this Subchapter is limited to the greater of 0.4 to 1.0 floor-to-area ratio or 2,300 square feet of gross floor area...”. In our case because of the small lot, 2,300 square feet is greater than 0.4 FAR and thus, as the maximum developable area per code, 2,300sf is the design basis for the proposed residences.

In addition, our architect who was a registered speaker for the presentation attempted to address how Subchapter F of the code permits a higher FAR when Board Member Von Ohlen referenced the cap “in accordance with the code” and after I responded “this is a question for our architect” but she either was not admitted into the conversation by staff or the technical difficulties with the chambers audio-visual systems of the evening prevented her from being heard.

However unintended, the result is that we would not be able to build the floorplan or elevations that we stipulated we would stick to as a condition of our approval and we’re respectfully requesting a reconsideration of our case in order to allow all of the terms of Subchapter F of the Code to apply (which would have the effect of restoring relief from the 0.40 FAR cap unintentionally imposed).

Relevant notes as follows:

- We are requesting a reconsideration not to ask for anything more than what is otherwise permitted under the Code but, rather to correct what we believe was an unintentional misinterpretation or recollection of what the Code permits by the party that made the motion to approve. A reference to Subchapter F was made in the discussion which defaulted to 0.4 FAR, a commonly known restriction for Subchapter F, however, the code actually reads “...the greater of 0.4 to 1.0 floor-to-area ratio or 2,300 square feet of gross floor area...” which is a technical detail less commonly known. In our case, the 2,300 square feet prevails because of the small lot size.
- The floorplans and elevations that we stipulated we would build reflect a 1,650 sq. ft. single-family home and a 650 sq. ft. ADU, or 2,300 in total. Subchapter F of the Code permits this level of development, which is greater than the 0.4 FAR cap included in the previous BOA approval.

- When Mr. Von Ohlen made his motion, he asked if we would stipulate to building the floorplans and elevations as presented subject only to minor changes and to the 0.40 FAR ratio as reflected in the Code. I agreed that we would gladly stipulate to the plans as submitted but that the FAR would be best answered by our architect. When I paused for our architect to speak, she began to address the question via teleconference but, her voice was never heard by any of us in the audience. Hearing no feedback from our architect and without the benefit of her explanation, all participants in attendance moved on, certainly in my case and I believe in everyone's case, not knowing that an error in the interpretation of the Code had just occurred.
- The floorplans and elevations presented to the Board are identical to those presented to neighborhood stakeholders. They reflect 2,300 sq. ft. of floor area as allowed per Subchapter F. We have stipulated that we will build in accordance with these plans subject to only minor modifications. However, the 0.40 FAR cap read into the record now precludes us from building as stipulated.
- We received a 9-0 vote of approval at or about 6:49 pm during which time our architect was frantically trying to contact me via text but, my phone was off as required. At 6:59 while leaving the building, I received notice of the problematic stipulation from our architect. At 7:18 pm our architect provided Elaine Ramirez with the email attached. By 7:36 I had returned to the chamber with the hope of raising the matter and to request a revote with a corrected motion. At 7:45 pm we were informed that there was no process for a reconsideration on the same day and that we would have to submit a formal request.
- At this time, I do not know if technical difficulties prevented our architect from being heard at the meeting or if she was not permitted to speak for whatever reason. In any event, she was a registered speaker and the one expert in the room who had knowledge of a matter that should have been heard.

Our goals and commitments have not changed. We wish simply to build in accordance with a plan that has gained the support of neighboring stakeholders as well as the Board. With that in mind, I respectfully ask for one last hearing so plans for the property don't end up in a stalemate scenario where we can't build at all because we can't build as stipulated.

Respectfully,



Cortlandt Chalfant  
Managing Member  
Nexus Management, LLC  
Manager, Nexus Series B, LLC

**Cort Chalfant**

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**From:** Becky Jeanes [REDACTED]  
**Sent:** Monday, November 14, 2022 7:18 PM  
**To:** Ramirez, Elaine  
**Cc:** Ramirez, Diana; Alecia Mosadomi; Cort Chalfant  
**Subject:** Re: Information for Virtual Applicants and Speakers in Opposition or Support for Mon. 11/14 BOA mtg.

Hi Elaine-

Yes there was a question asked about the acceptance of the 0.4 FAR and the owner deferred to his architect, me, who was on the phone. He paused. I began speaking but was not unmuted from your end. I was a registered speaker and followed all instructions. The technical issue has lead to a restriction I would imagine is unintentional by the board. Their concern was adopting to the Subchapter F code which we do. However the specificity of the 0.4 FAR is not the correct application of the code.

Can this point be brought up this evening again?

There have been severe technical issues all evening and this one has unfairly disadvantaged this agenda item.

Thank you  
Becky

Sent from my phone. Please excuse any typing errors.

On Nov 14, 2022, at 7:12 PM, Ramirez, Elaine <Elaine.Ramirez@austintexas.gov> wrote:

Hi Becky,  
Per the e-mail sent on 11/7 you cannot speak unless the Board asks for you to speak, you were only available for questions.

**Respectfully,**  
**Elaine Ramirez**  
*Planner Senior / Board of Adjustment Liaison*  
City of Austin Development Services Department  
6310 Wilhelmina Delco Dr, Austin, Texas 78752  
**Office:** 512-974-2202



**PER CITY ORDINANCE:** All individuals scheduling or accepting a meeting invitation with a City Official are requested to provide responses to the questions at the following link: [DSD Visitor Log](#).

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**From:** Becky Jeanes [REDACTED]  
**Sent:** Monday, November 14, 2022 7:06 PM  
**To:** Ramirez, Elaine <Elaine.Ramirez@austintexas.gov>  
**Cc:** Ramirez, Diana <Diana.Ramirez@austintexas.gov>  
**Subject:** Re: Information for Virtual Applicants and Speakers in Opposition or Support for Mon. 11/14 BOA mtg.  
**Importance:** High

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

Hello-

I was trying to speak on the agenda item #6 on E 3rd Street - I'm the architect for the project. I was unmuted however you all could not hear me. There was critical information I needed to convey but was unable to do so.

The main concern is the language of the 0.4 FAR. We are following the language of the Subchapter code for this lot which allows the greater of 0.4 FAR OR 2300sf. Since this property is smaller, 0.4 FAR only allows 1986sf. Since 2300sf if greater, we're allowed to develop 2300sf of FAR, which amounts to ~0.46 FAR. This is an important distinction in the language of the approval.

What is the process to get this resolved?

Thank you,  
Becky

Becky Jeanes, AIA  
Architect | LEED AP  
DESIGNTRAIT  
[www.designtrait.com](http://www.designtrait.com)

2525 South Lamar #6  
Austin, TX 78704

o. (512) 542-0073  
m. (512) 484-6849

On Nov 14, 2022, at 12:36 PM, Ramirez, Elaine  
<[Elaine.Ramirez@austintexas.gov](mailto:Elaine.Ramirez@austintexas.gov)> wrote:

**CITY OF AUSTIN**  
**Board of Adjustment**  
**Decision Sheet**  
**Item 11**

**DATE: Monday October 10, 2022**

**CASE NUMBER: C15-2022-0061**

\_\_\_\_\_ Thomas Ates   OUT  
 \_\_\_\_\_ Brooke Bailey  
 \_\_\_\_\_ Jessica Cohen  
 \_\_\_\_\_ Melissa Hawthorne  
 \_\_\_\_\_ Barbara Mcarthur  
 \_\_\_\_\_ Darryl Pruett  
 \_\_\_\_\_ Agustina Rodriguez   OUT  
 \_\_\_\_\_ Richard Smith   OUT  
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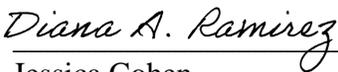
unit in a “SF-3-NP”, Single-Family Residence-Neighborhood Plan zoning district. (East Cesar Chavez Neighborhood Plan)

**BOARD’S DECISION: POSTPONED TO NOVEMBER 14, 2022**

**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

 for  
Jessica Cohen  
Madam Chair

October 28, 2022

Nikelle Meade  
111 Congress Ave., Suite 1400  
Austin TX, 78701

Property Description: W 35.6FT OF N138FT OF W193.4 OLT 20 DIVISION O

**Re: C15-2022-0061**

Dear Nikelle,

Austin Energy (AE) has reviewed your application for the above referenced property, requesting that the Board of Adjustment consider a variance request from LDC Section 25-2-492 at 1401 E 3<sup>rd</sup> St.

**Austin Energy does not oppose the request**, provided that any proposed or existing improvements follow Austin Energy's Clearance & Safety Criteria, the National Electric Safety Code, and OSHA requirements. Any removal or relocation of existing 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.

**Cody Shook, Planner II**

Austin Energy  
Public Involvement | Real Estate Services  
2500 Montopolis Drive  
Austin, TX 78741  
(512) 322-6881  
[Cody.Shook@austinenergy.com](mailto:Cody.Shook@austinenergy.com)

October 28, 2022

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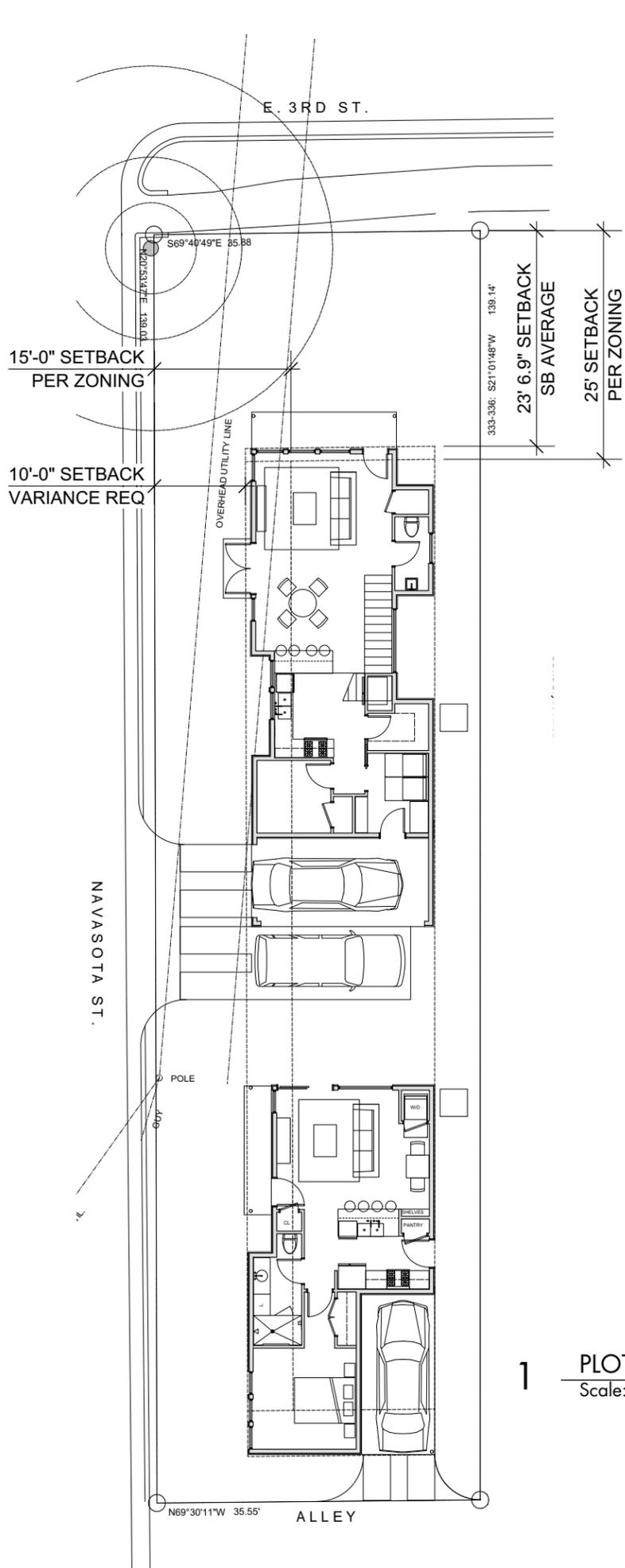
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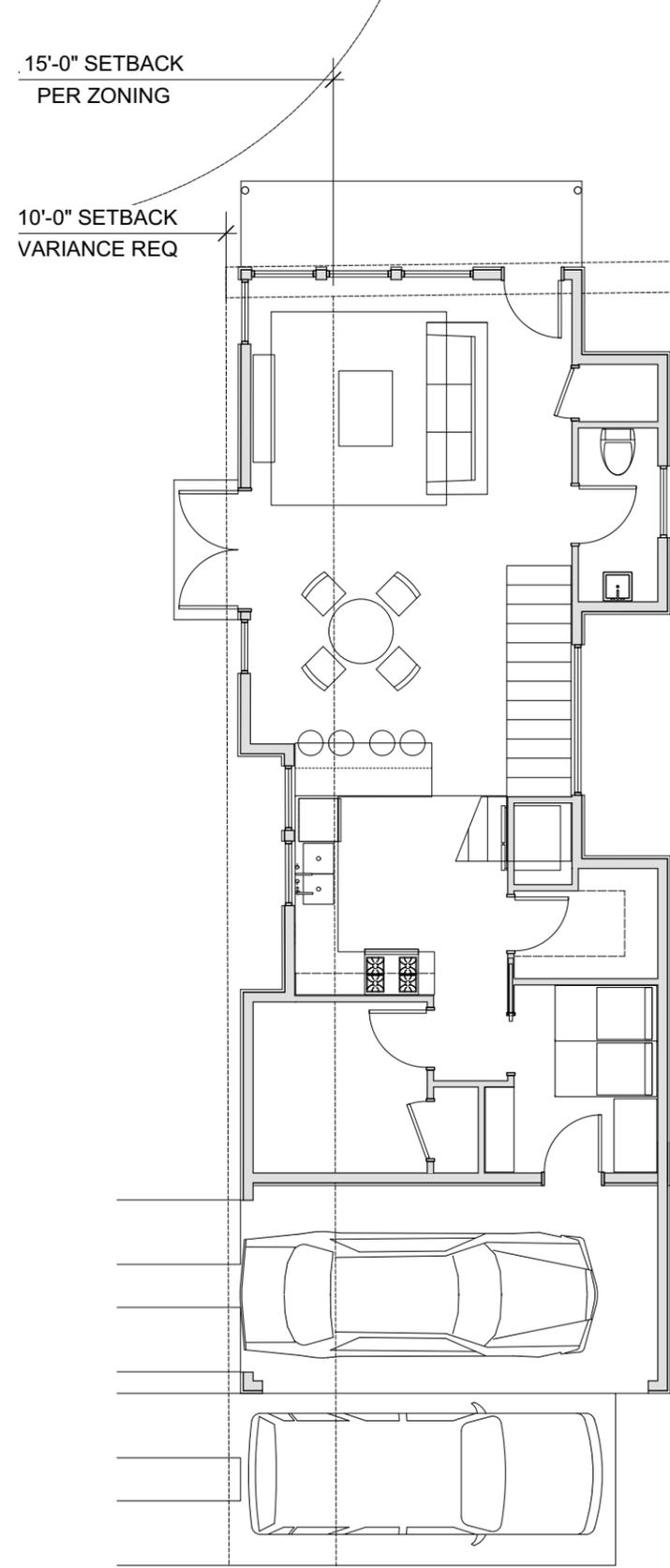
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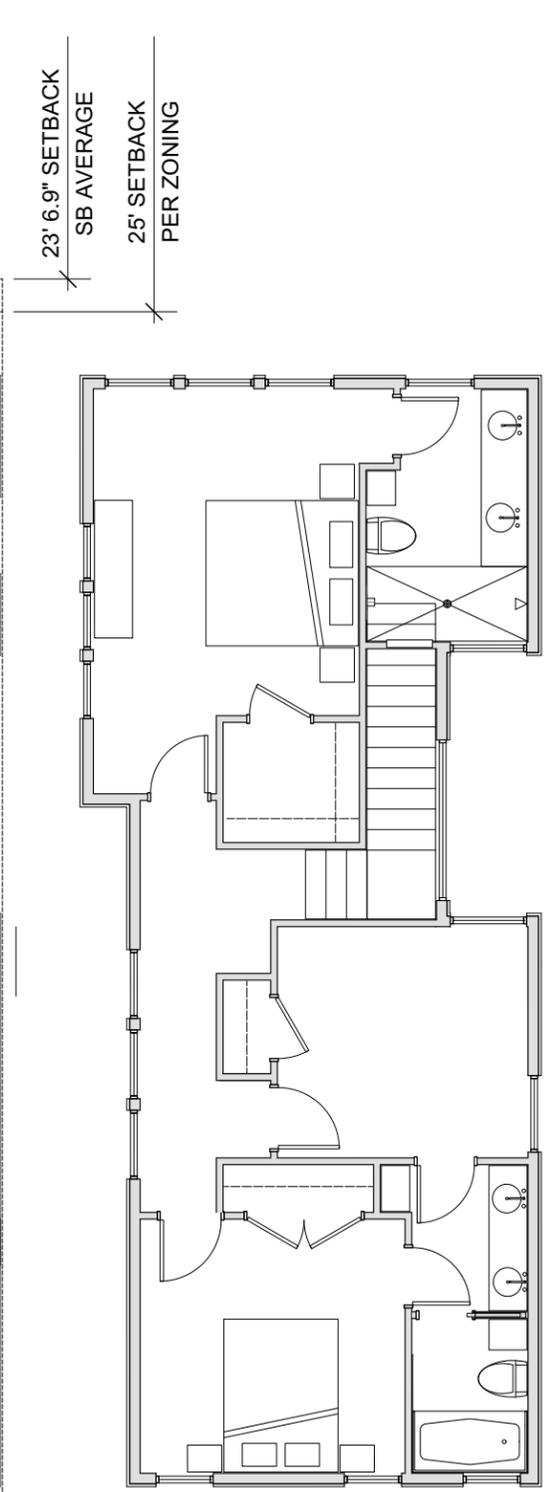
Austin Energy  
Public Involvement | Real Estate Services  
2500 Montopolis Drive  
Austin, TX 78741  
(512) 322-6881  
[Cody.Shook@austinenergy.com](mailto:Cody.Shook@austinenergy.com)



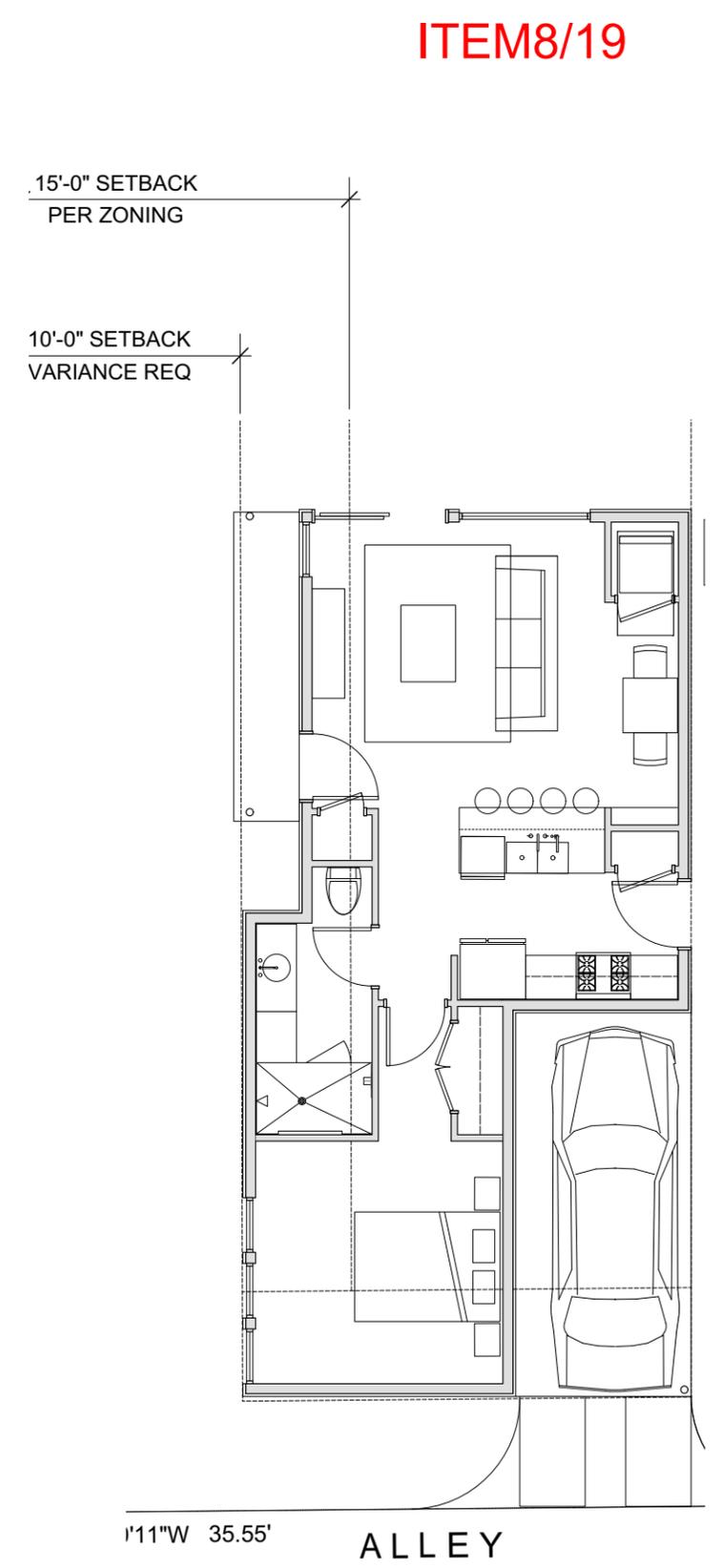
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**Decision Sheet**

Item 9

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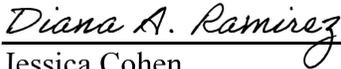
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Elaine Ramirez  
Executive Liaison

 for  
Jessica Cohen  
Madam Chair

# BOA GENERAL REVIEW COVERSHEET RENOTIFICATION

**CASE:** C15-2022-0061

**BOA DATE:** October 10<sup>th</sup>, 2022

**ADDRESS:** 1401 E 3<sup>rd</sup> St  
**OWNER:** Cortlandt Chalfant

**COUNCIL DISTRICT:** 3  
**AGENT:** Nikelle Meade

**ZONING:** SF-3-NP (East Cesar Chavez)

**LEGAL DESCRIPTION:** W 35.6FT OF N138FT OF W193.4 OLT 20 DIVISION O

**VARIANCE REQUEST:** decrease the minimum street side yard setback from 15 feet to 10 feet.

**SUMMARY:** complete construction of a Single-Family residence and Accessory Dwelling unit

**ISSUES:** corner lot and substandard lot

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

**NEIGHBORHOOD ORGANIZATIONS:**

Austin Independent School District  
 Austin Lost and Found Pets  
 Austin Neighborhoods Council  
 Barrio Unido Neighborhood Assn.  
 Bike Austin  
 Capital Metro  
 Del Valle Community Coalition  
 East Austin Conservancy  
 East Cesar Chavez Neighborhood Association  
 East Cesar Chavez Neighborhood Plan Contact Team  
 El Concilio Mexican-American Neighborhoods  
 Friends of Austin Neighborhoods  
 Greater East Austin Neighborhood Association  
 Guadalupe Neighborhood Development Corporation  
 Homeless Neighborhood Association  
 Neighborhood Empowerment Foundation  
 Neighbors United for Progress  
 Preservation Austin  
 SELTexas  
 Sierra Club, Austin Regional Group  
 Tejano Town



October 10, 2022

Nikelle Meade  
111 Congress Ave, Ste 1400  
Austin TX, 78701

Property Description: W 35.6FT OF N138FT OF W193.4 OLT 20 DIVISION O

**Re: C15-2022-0061**

Dear Nikelle,

Austin Energy (AE) has reviewed your application for the above referenced property, requesting that the Board of Adjustment consider a variance request from LDC Section 25-2-492 at 1401 E 3<sup>rd</sup> St.

**Austin Energy cannot approve this variance request until plans have been reviewed and approved by AE's Transmission Engineering Department. Please send georeferenced CAD drawings for this project to [Cody.Shook@austinenergy.com](mailto:Cody.Shook@austinenergy.com), along with any site plans or surveys you have showing the overhead electric transmission lines located along Navasota St.** Any development on this site must meet Austin Energy's Clearance & Safety Criteria, the National Electric Safety Code, and OSHA requirements. Any removal or relocation of existing facilities will be at the owner's/applicant's expense.

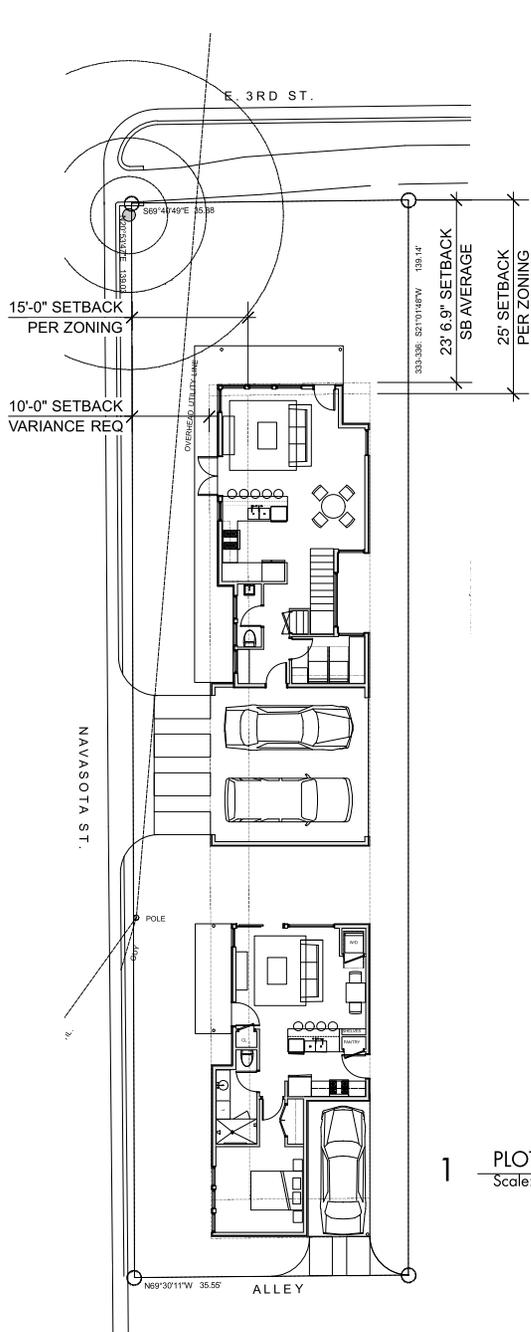
Please use this link to be advised of our clearance and safety requirements which are additional conditions of the above review action:

[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)

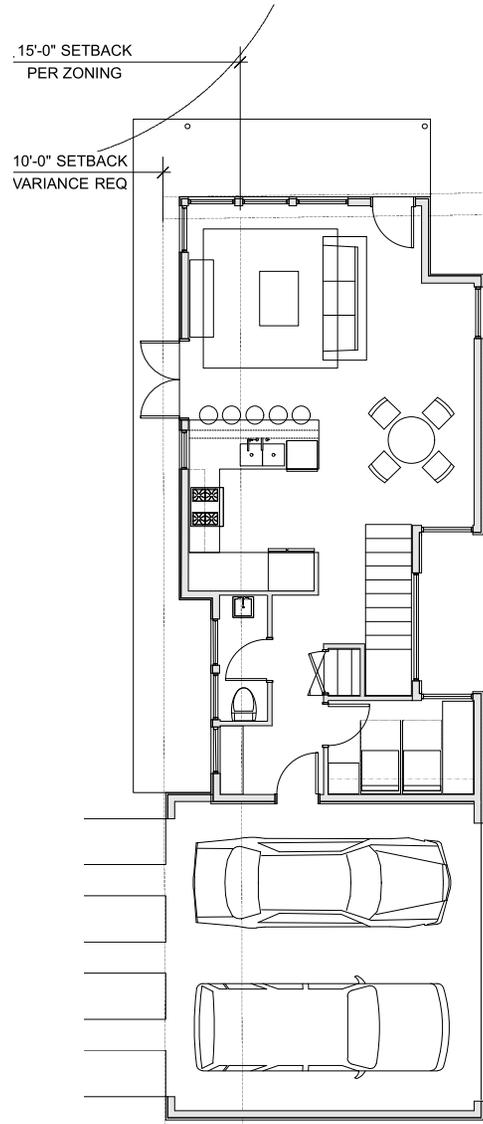
If you require further information or have any questions regarding the above comments, please contact our office. Thank you for contacting Austin Energy.

**Cody Shook, Planner II**

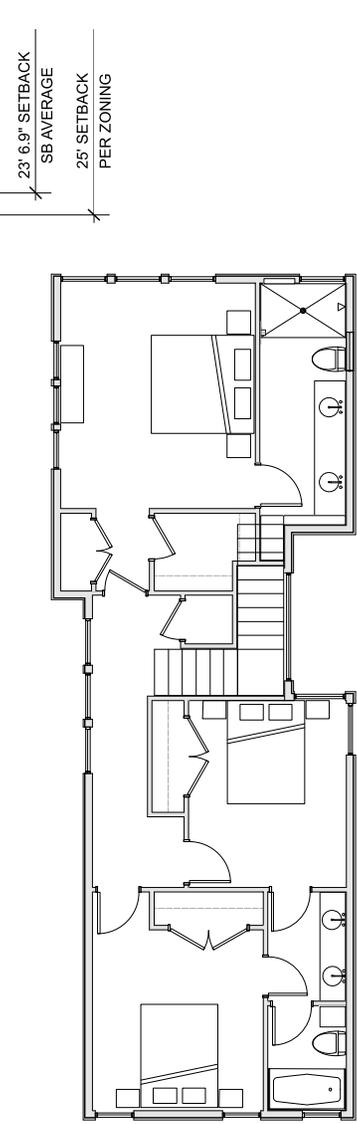
Austin Energy  
Public Involvement | Real Estate Services  
2500 Montopolis Drive  
Austin, TX 78741  
(512) 322-6881  
[Cody.Shook@austinenergy.com](mailto:Cody.Shook@austinenergy.com)



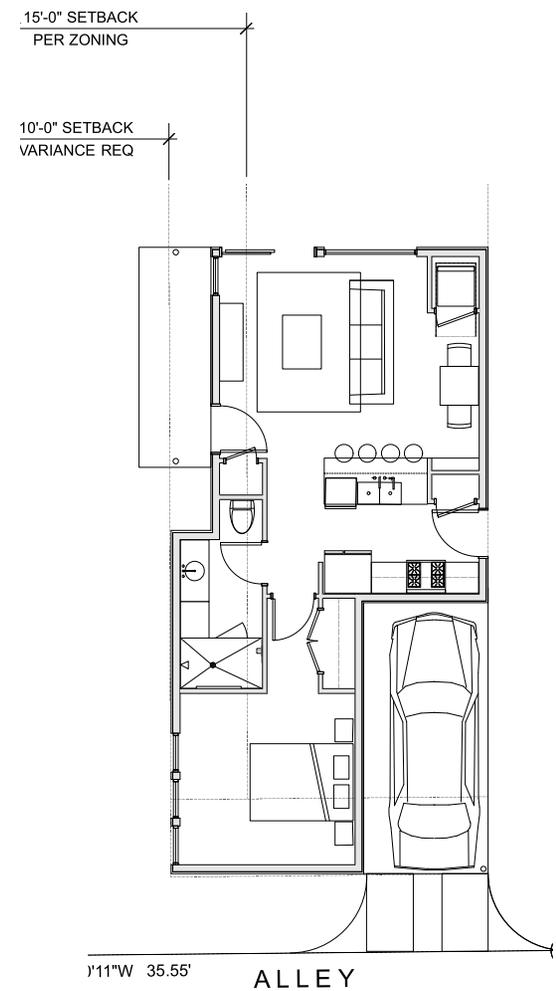
1 PLOT PLAN  
Scale: 1/16" = 1'-0"



2 MAIN UNIT, 1ST FLOOR  
Scale: 1/8" = 1'-0"



3 MAIN UNIT, 2ND FLOOR  
Scale: 1/8" = 1'-0"



4 REAR UNIT, 1ST FLOOR  
Scale: 1/8" = 1'-0"

EAST 3RD RESIDENCE  
SCHEMATIC PLANS

SEPT 2022







# 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 #	<b>C15-2022-0061</b>	ROW #	<b>12953473</b>	Tax #	<b>0204061201</b>
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### Section 1: Applicant Statement

Street Address: 1401 E 3rd St, Austin, TX 78702

Subdivision Legal Description:  
W 35.6 FT OF N138 FT OF W193.4 OLT 20 DIVISION O

Lot(s): \_\_\_\_\_ Block(s): \_\_\_\_\_

Outlot: 20 Division: O

Zoning District: SF-3-NP (East Cesar Chavez NP) Council District: **3**

I/We Nikelle Meade (Husch Blackwell LLP) on behalf of myself/ourselves as authorized agent for Nexus Series B LLC affirm that on Month September, Day 9, Year 2022, 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 residence

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

Section 25-2-492 (Site Development Regulations) from setback requirements to decrease the street side setback from 15 ft (required) to 10 ft (requested) in order to complete a single family residence and accessory dwelling unit in an "SF-3-NP", Single-Family Residence-Neighborhood Plan zoning district (East Cesar Chavez Neighborhood Plan) in place of the existing structure which will be torn down.

**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 regulations only permit a structure approximately 15' in width and 32% buildable area on the lot. This width does not adequately allow for the functional layout of interior rooms and forces the creation of a structure that does not blend in well with the community standard.

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**Hardship**

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

It results from the property being a substandard lot that is 35 feet wide located on a corner lot subject to a 15-foot street side yard setback.

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

Other lots in the area that are either substandard lots or corner lots are able to achieve the 40% building coverage allowable by the zoning regulations.

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**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:

It is common for structures to be located in the setbacks in this neighborhood including many structures within 10' or less of the street. In many cases the encroachments are due to errors in the original surveying and lot creation.

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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: Nikelle Meade Date: 09/09/2022

Applicant Name (typed or printed): Nikelle Meade

Applicant Mailing Address: 111 Congress Ave, Suite 1400

City: Austin State: TX Zip: 78701

Phone (will be public information): (512) 992-6001

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: [Signature] Date: 9/9/22

Owner Name (typed or printed): Corlandt Chalfant

Owner Mailing Address: 809 S Lamar Blvd, Suite D

City: Austin State: TX Zip: 78704

Phone (will be public information): (512) 230-9867

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

**Section 5: Agent Information**

Agent Name: Nikelle Meade

Agent Mailing Address: 111 Congress Ave, Suite 1400

City: Austin State: TX Zip: 78701

Phone (will be public information): (512) 992-6001

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).

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Nexus Series B, LLC  
809 S Lamar Blvd, Suite D  
Austin, TX 78704

**AGENT DESIGNATION LETTER**

June 8, 2022

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

Re: Letter appointing agent regarding a variance application with the Board of Adjustment and any related matters for property located at 1401 E 3<sup>rd</sup> Street, Travis County, Texas 78744 (the "Property")

To Whom It May Concern:

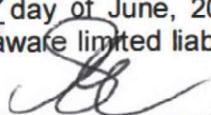
The undersigned, as the owner of the above-referenced Property, hereby appoints Husch Blackwell LLP (Nikelle Meade), as agent in connection with filing a variance application with the Board of Adjustment and related matters with the City of Austin.

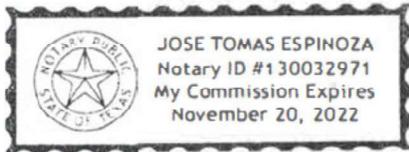
Nexus Series B, LLC,  
a Delaware limited liability company

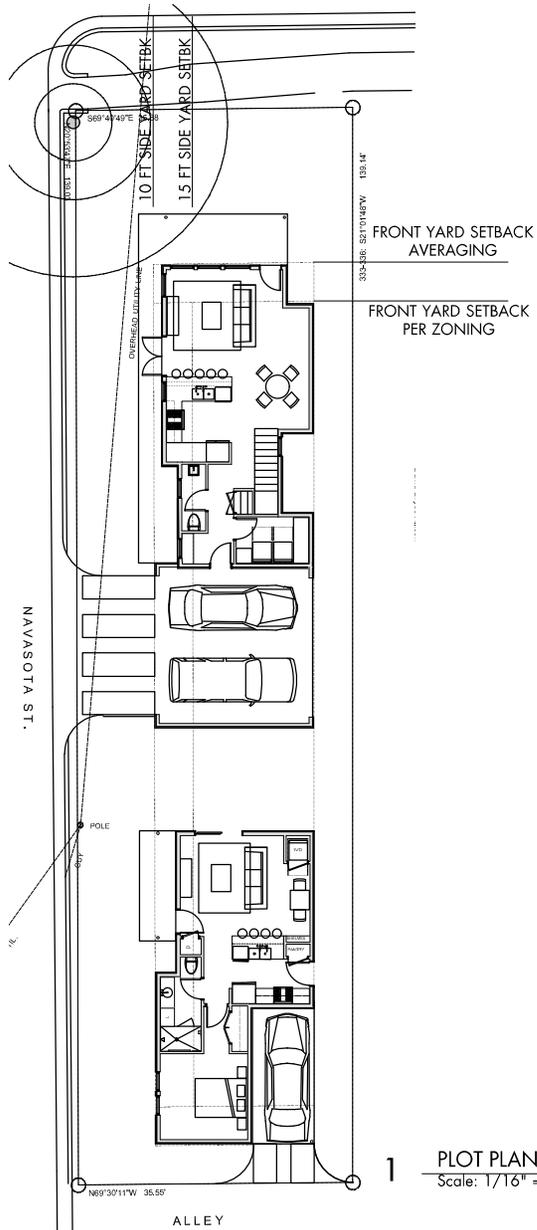
By:   
Cortlandt Chalfant, Managing Member

THE STATE OF TEXAS §  
  §  
COUNTY OF TRAVIS §

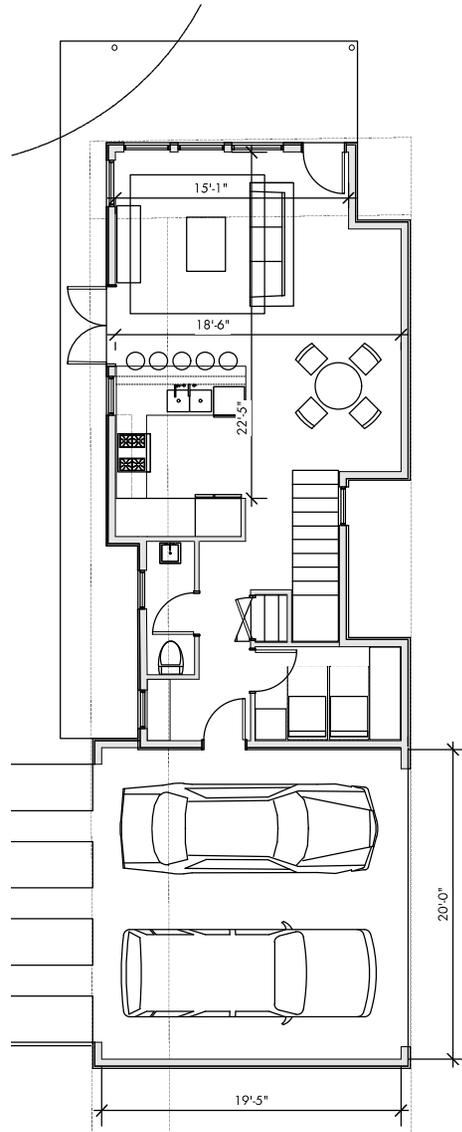
This instrument was acknowledged before me on the 9<sup>th</sup> day of June, 2022, by Cortlandt Chalfant, Managing Member of Nexus Series B, LLC, a Delaware limited liability company, on behalf of said limited liability company.

  
Notary Public in and for the State of Texas  
My Commission Expires: 11/20/22

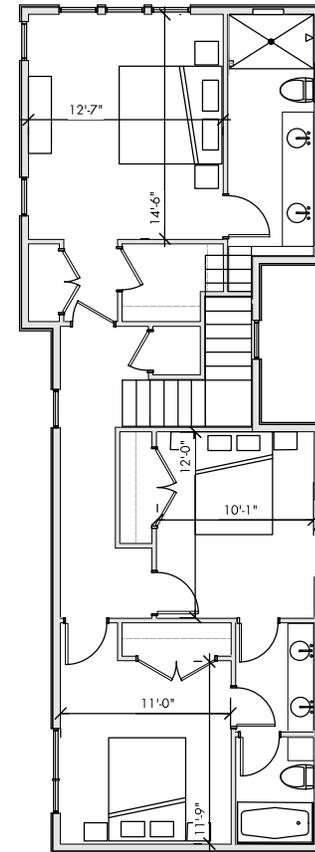




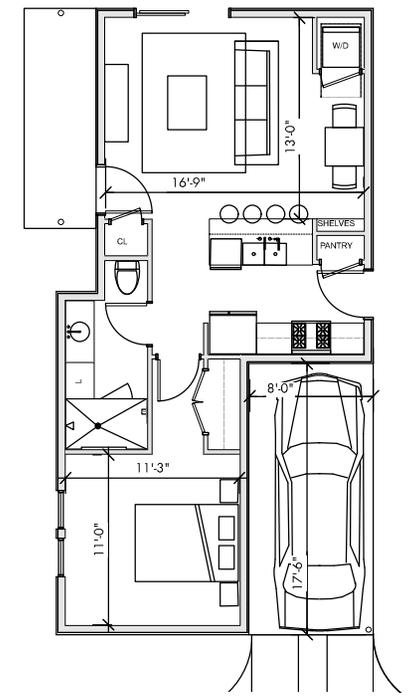
1 PLOT PLAN  
Scale: 1/16" = 1'-0"



2 MAIN UNIT, 1ST FLOOR  
Scale: 1/8" = 1'-0"



3 MAIN UNIT, 2ND FLOOR  
Scale: 1/8" = 1'-0"



4 REAR UNIT, 1ST FLOOR  
Scale: 1/8" = 1'-0"

CAUTION: DO NOT SCALE DRAWINGS  
THESE DRAWINGS ARE THE PROPERTY OF  
THE ARCHITECT AND MAY ONLY BE USED  
IN CONJUNCTION WITH THIS PROJECT

SET ISSUE  
1 Sept 2022 | SD PLAN

DRAWN BY  
xx

PROJECT  
E. 3RD RESIDENCE  
1401 E 3rd Street Austin, TX 787002

DRAWING TITLE





**LINE DATA TABLE**

Bearings refer to GRID NORTH of the Texas Coordinate System of 1983 (Federal Zone). Distances are HORIZONTAL surface distances in units of US Survey Feet, computed using an Average Earth Radius of 2090.0984. Surface elevations are in feet above the datum of 0.000000.

MARK	FROM TO	BEARING (DEG-SS)	DISTANCE (FEET)
L1	100-129	N63-36-26W	673.49
L2	223-537	N70-31-31E	300.03
L3	317-128	N71-51-21E	352.24
L4	324-314	S50-40-03E	671.38
L5	301-103	S20-41-30W	350.52
L6	405-302	S20-41-31W	357.14
L7	337-401	S20-18-55E	672.41
L8	304-341	N63-44-43W	666.03
L9	343-389	N63-36-26W	673.49
L10	339-301	S70-44-09W	666.02
L11	303-343	N63-36-26W	666.03
L12	317-128	N71-51-21E	352.24
L13	316-316	N00-00-00E	360.56
L14	316-401	S69-18-55E	664.99

**KEY TO SURVEY MARKS**

- 21 Benchmark on 1/8" in. spike with a 2" in. diameter metal cap and 1/2" diameter base.
- 42 Surveyor's Rule 4241, numbered as noted.
- 300 Position of City Engineer's Monument formerly in place at intersection of established line of East 4th St. and Engineer's baseline for East 4th St.
- 304 In place at intersection of established line of East 4th St. and Engineer's baseline for East 4th St.
- 315 In place at intersection of established line of East 4th St. and Engineer's baseline for East 4th St.
- 316 In place at intersection of established line of East 4th St. and Engineer's baseline for East 4th St.
- 328 Position of rock monument in place marking the north-south common corner of lots 19 and 20 in 1870 as shown on the plat of the Engineer's baseline for East 4th St.
- 329 Point of intersection of the prolongation of the Engineer's baseline for East 4th St. and the Engineer's baseline for East 3rd St.
- 337 Position of City Engineer's Monument formerly in place at intersection of established line of East 4th St. and Engineer's baseline for East 4th St.
- 343 Marked Point of Intersection of East 4th St. and Engineer's baseline for East 4th St.
- 341 Marked Point at intersection of East 4th St. and Engineer's baseline for East 4th St.
- 401 Iron pipe 1/2" in. diameter with concrete in iron casting at intersection of established centerline of East 4th St. and Engineer's baseline for East 4th St.

**COORDINATE LIST**

Coordinates in the following list are in units of the Survey Feet and Meter on the Texas Coordinate System of 1983 (Central Zone) MAP 23 (JULY) which will be derived from the National Control Segment of the National Control Network.

PT. NO.	UTM (Easting)	UTM (Northing)
23	10067808.827	3181812.576
24	10067731.120	3181972.708
25	10067653.413	3182132.840
26	10067575.706	3182292.972
27	10067498.000	3182453.104
28	10067420.293	3182613.236
29	10067342.587	3182773.368
30	10067264.880	3182933.500
31	10067187.174	3183093.632
32	10067109.467	3183253.764
33	10067031.761	3183413.896
34	10066954.054	3183574.028
35	10066876.348	3183734.160
36	10066798.641	3183894.292
37	10066720.935	3184054.424
38	10066643.228	3184214.556
39	10066565.522	3184374.688
40	10066487.815	3184534.820
41	10066410.109	3184694.952
42	10066332.402	3184855.084
43	10066254.696	3185015.216
44	10066176.989	3185175.348
45	10066099.283	3185335.480
46	10066021.576	3185495.612
47	10065943.870	3185655.744
48	10065866.163	3185815.876
49	10065788.457	3185976.008
50	10065710.750	3186136.140



**MAP SHOWING SETBACKS OF Existing Buildings Along Navasota Street in the City of Austin Travis County, Texas**  
 Map No. 22-1009



I, Kent Neal McMillan, a Registered Professional Land Surveyor, hereby certify that this Map No. 22-1009, taken together with my Map No. 21-1009 consisting of Sheets 1, 2, and 3 and my Surveyor's Report No. 201-1009, is a true and correct representation of the results of actual surveys performed by me upon the ground through August 9, 2022.

Witness my hand and seal of registration August 15, 2024.

*Kent Neal McMillan*  
 Kent Neal McMillan  
 Registered Professional Land Surveyor  
 No. 1341  
 1200 Cascade Trail, San Marcos 78666  
 Telephone (512) 667-7435