

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)

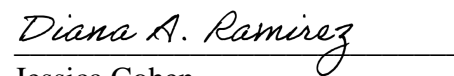
BOARD’S DECISION: POSTPONED TO NOVEMBER 14, 2022 The public hearing was closed by Madam Chair Jessica Cohen, Board member Michael Von Ohlen motions to Approve with conditions that the project not deviate from rendering on drawing Item 6/11 and floor plan Item 6/10 and a friendly amendment to limit to 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.**

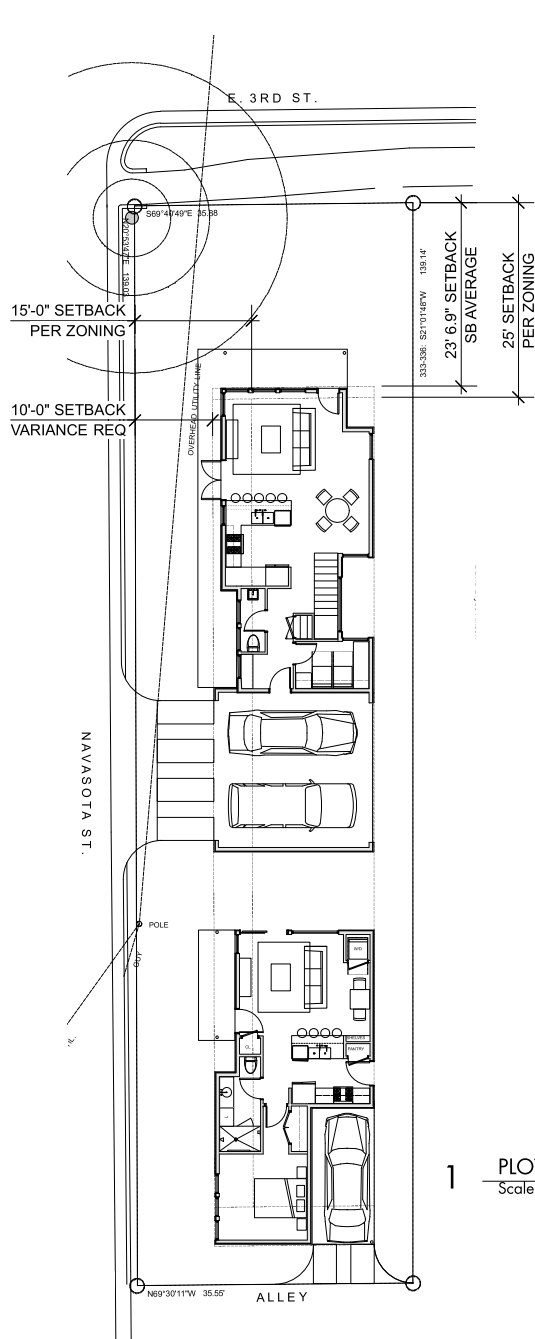
FINDING:

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.

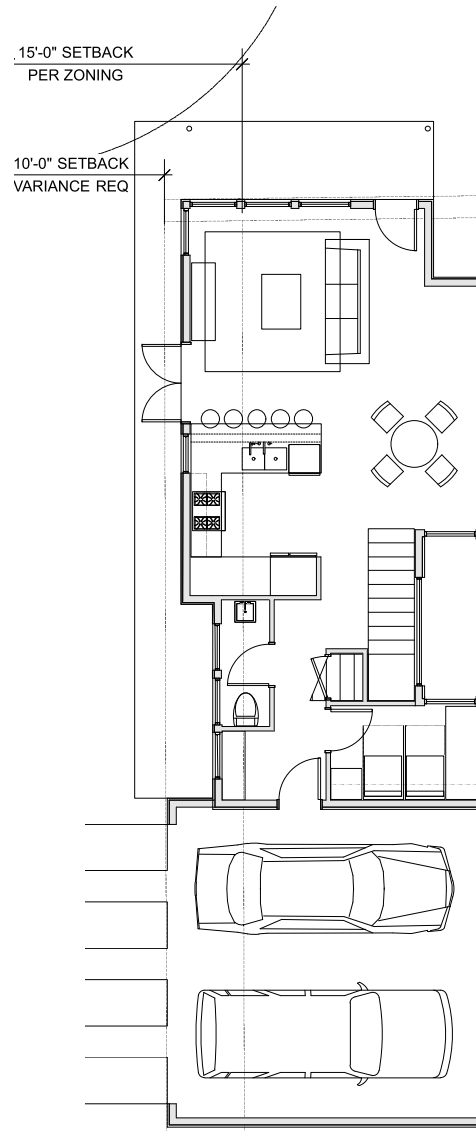
(b) The hardship is not general to the area in which the property is located because: other lots in the area that are either substandard lots or corner lots are able to achieve the 40% building coverage allowable by the zoning regulations.
3. The variance will not alter the character of the area adjacent 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

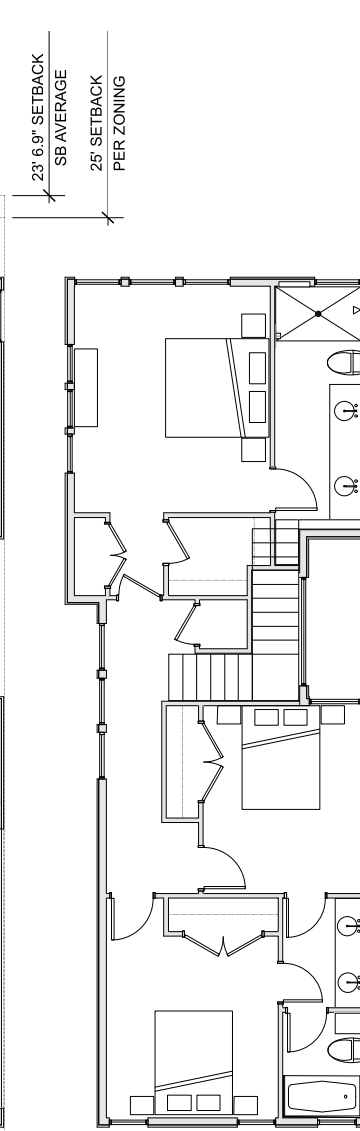

Jessica Cohen
Madam Chair



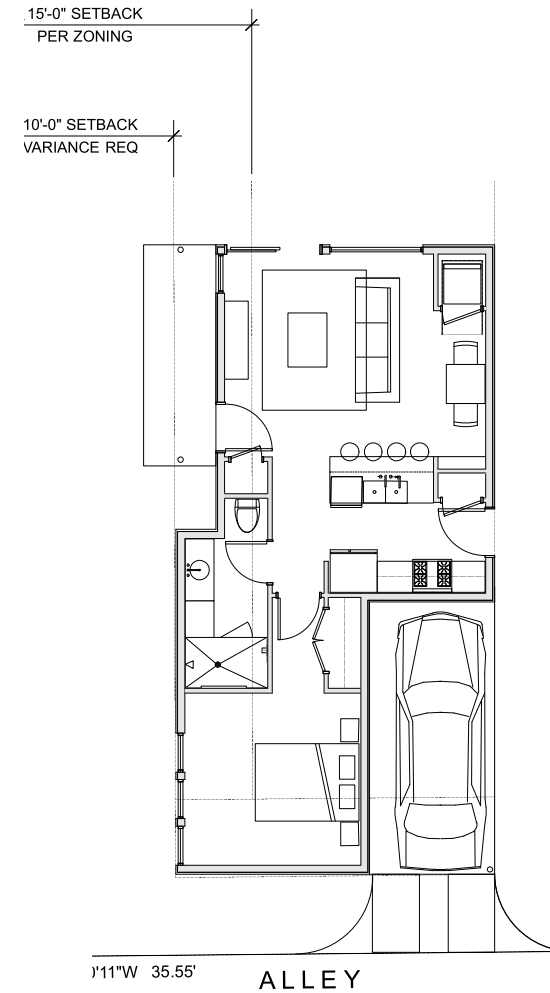
1 PLOT PLAN
Scale: 1/16" = 1'-0"



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

DTA
DESIGNTRAIT ARCHITECTS



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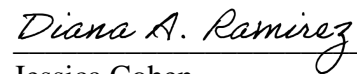
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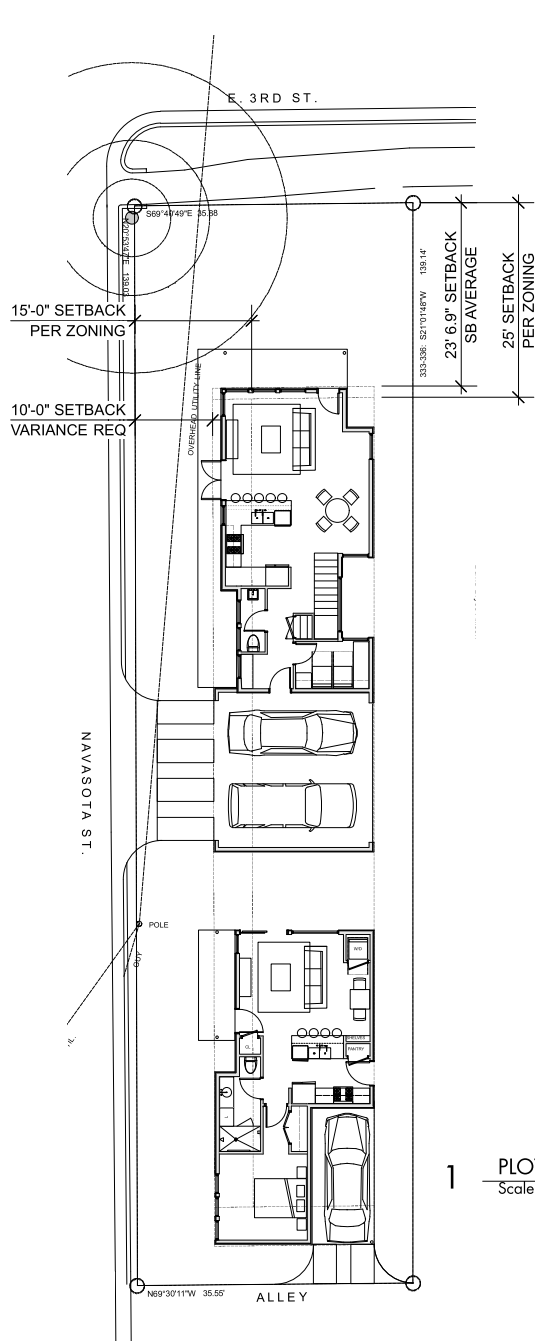
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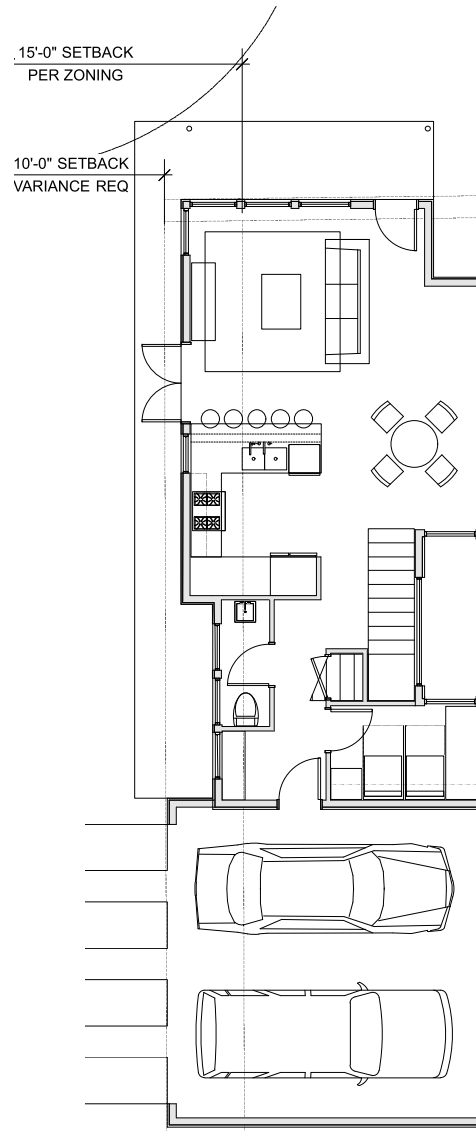
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Elaine Ramirez
Executive Liaison

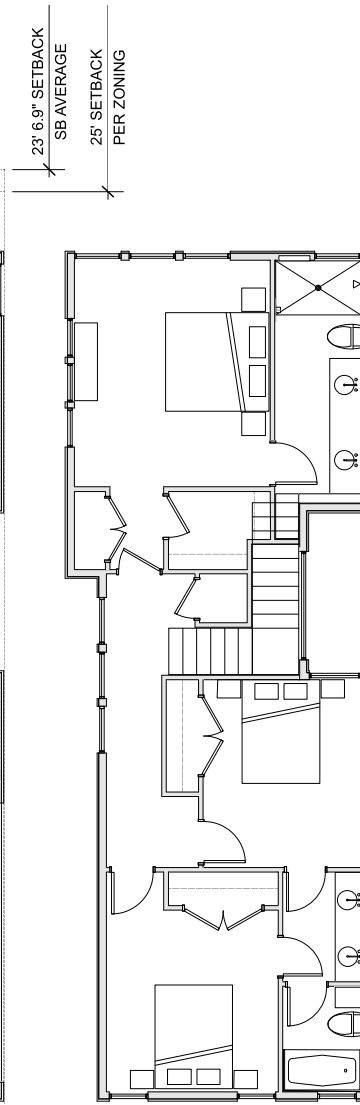

Jessica Cohen
Madam Chair



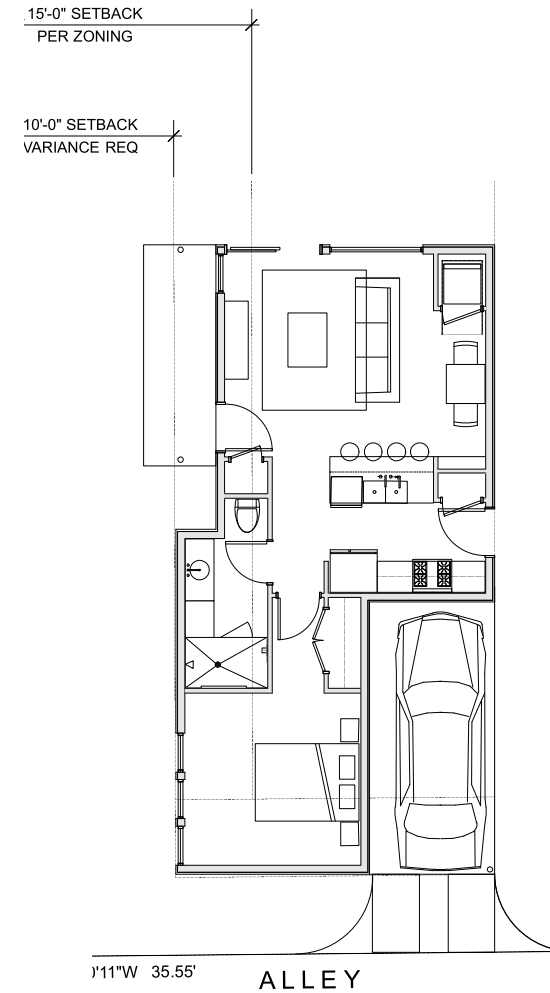
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EAST 3RD RESIDENCE
SCHEMATIC PLANS

SEPT 2022

DTA
DESIGNTRAIT ARCHITECTS



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

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](#).

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

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> 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
____ Michael Von Ohlen
____ Nicholl Wade OUT
____ Kelly Blume (Alternate)
____ Carrie Waller (Alternate)
____ Marcel Gutierrez-Garza (Alternate)

APPLICANT: Nikelle Meade

OWNER: Cortlandt Chalfant

ADDRESS: 1401 E 3RD ST

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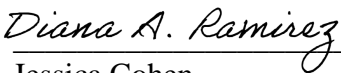
unit in a “SF-3-NP”, Single-Family Residence-Neighborhood Plan zoning district. (East Cesar Chavez Neighborhood Plan)

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 3rd 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

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

October 28, 2022

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111 Congress Ave., Suite 1400
Austin TX, 78701

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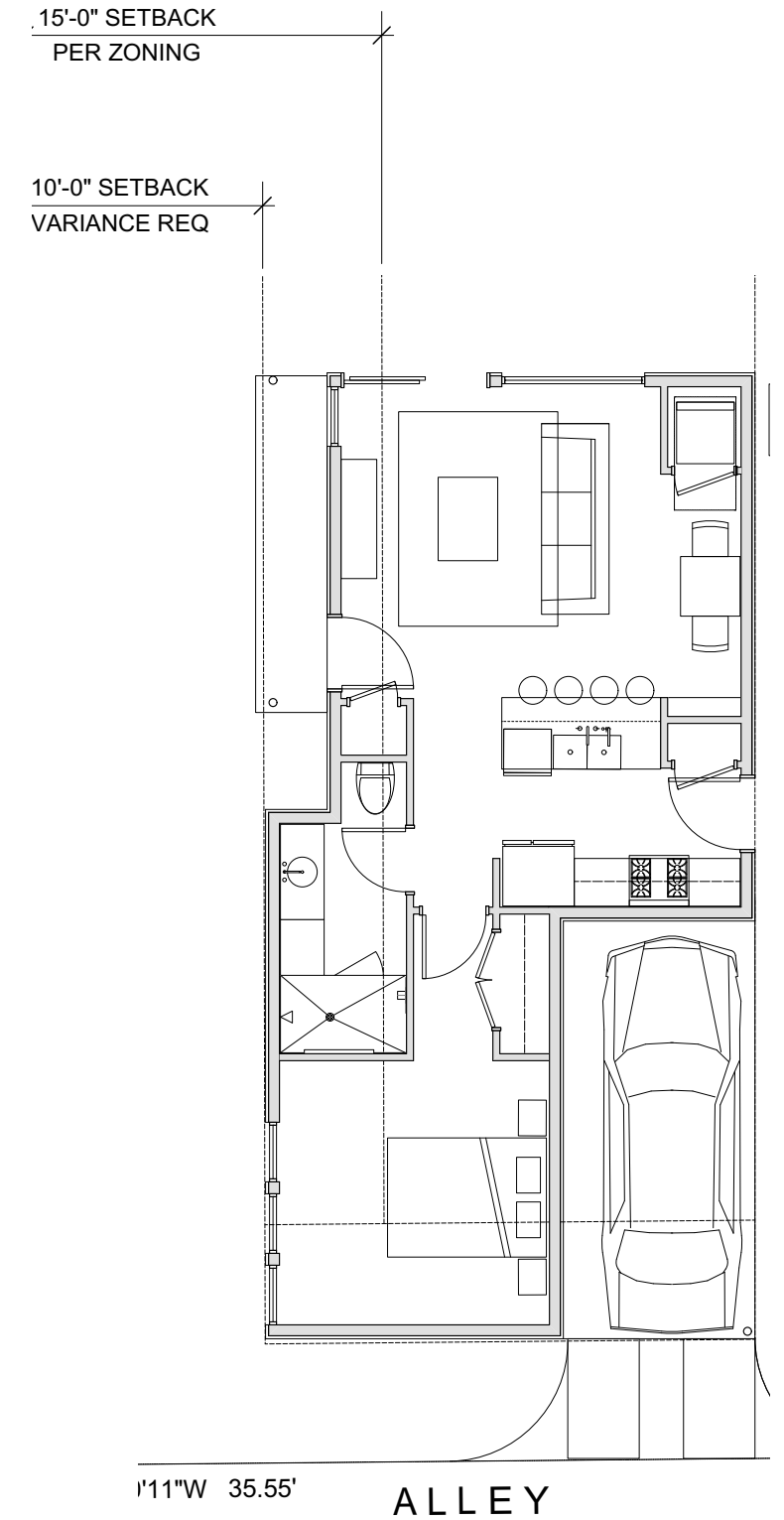
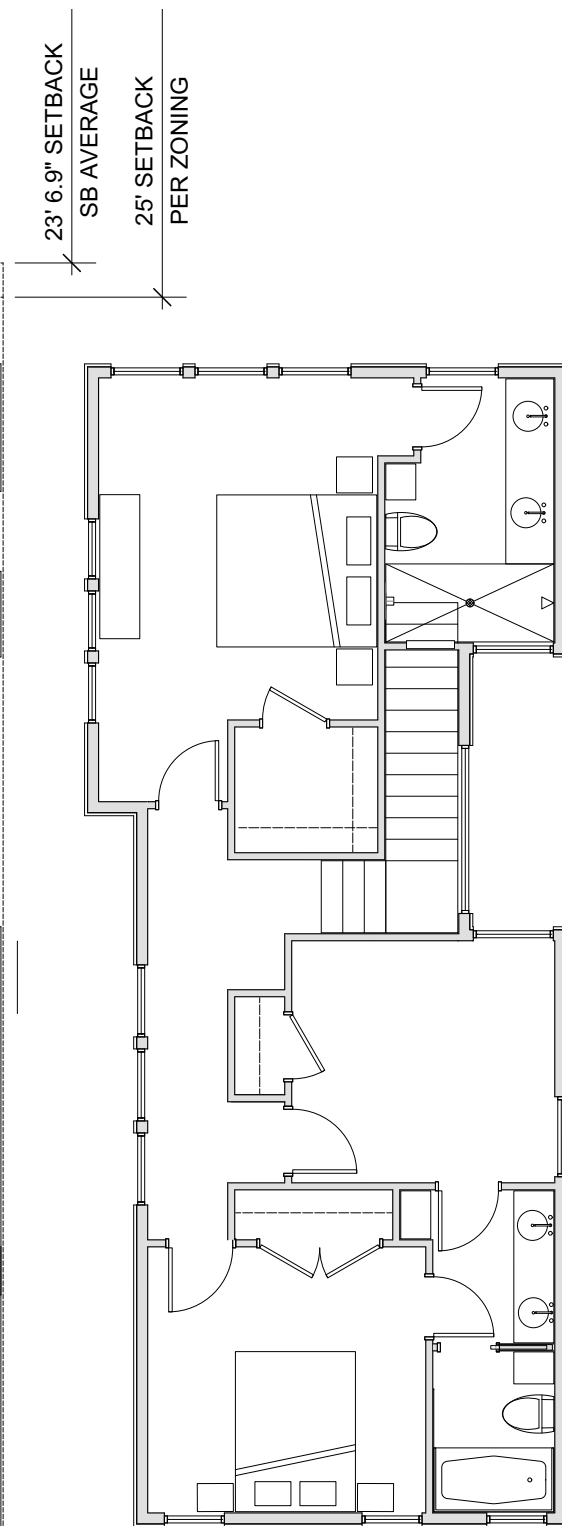
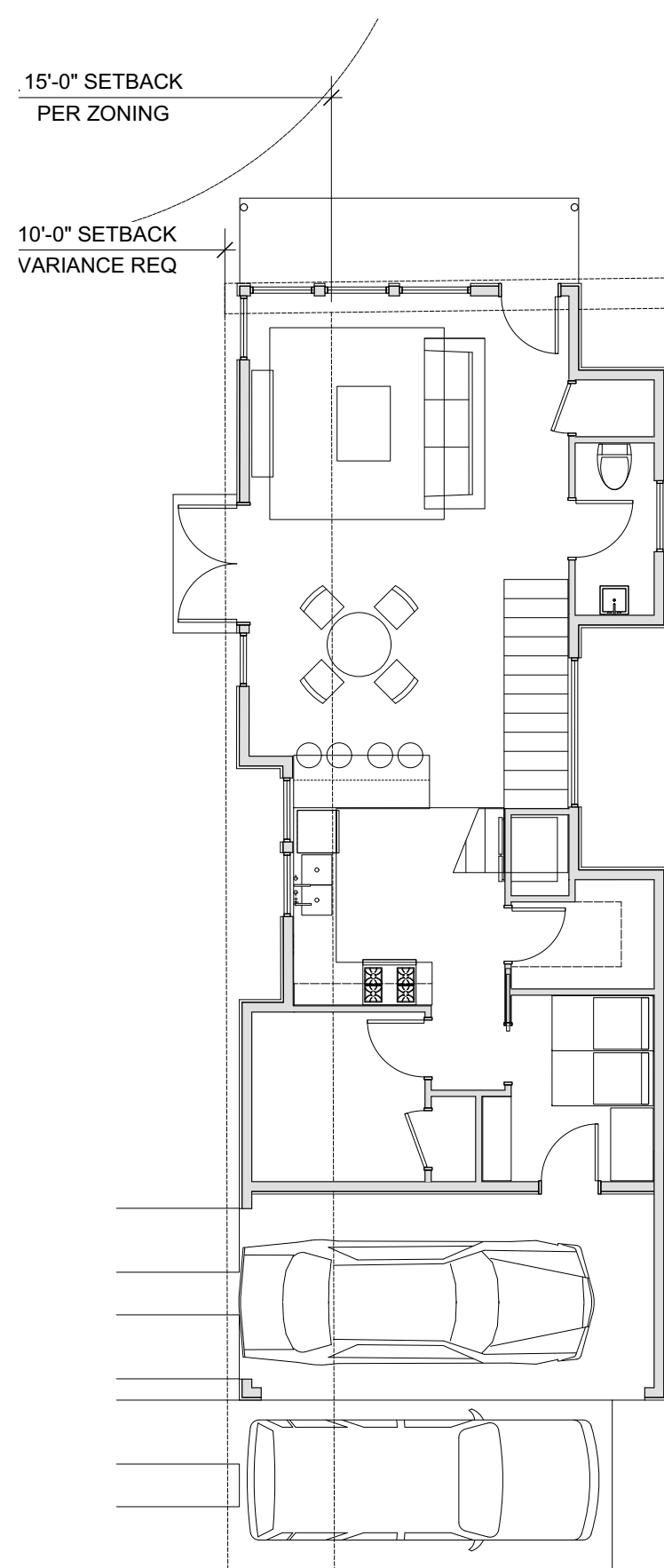
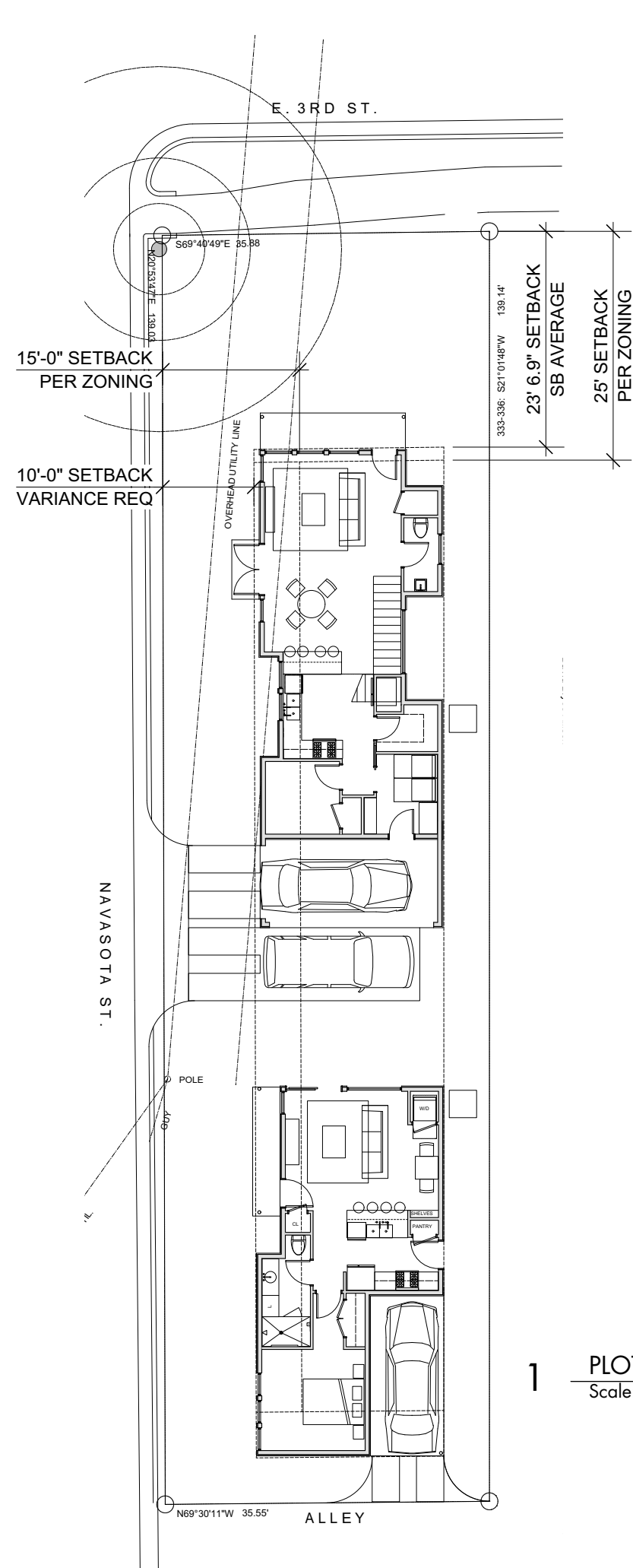
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(512) 322-6881
Cody.Shook@austinenergy.com





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

Item 9

DATE: Monday September 12, 2022

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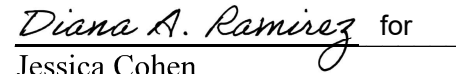
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Elaine Ramirez
Executive Liaison

 for
Jessica Cohen
Madam Chair

BOA GENERAL REVIEW COVERSHEET RENOTIFICATION

CASE: C15-2022-0061**BOA DATE:** October 10th, 2022**ADDRESS:** 1401 E 3rd 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 3rd 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, 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.

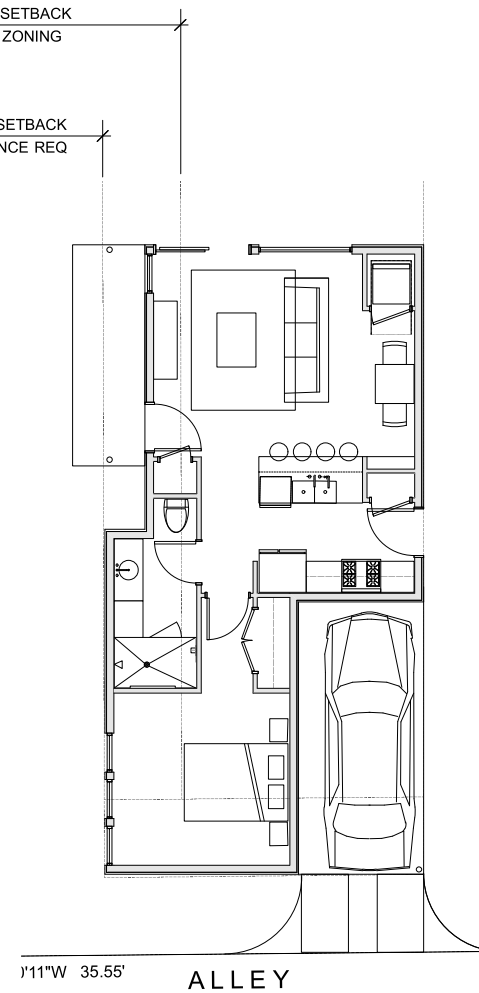
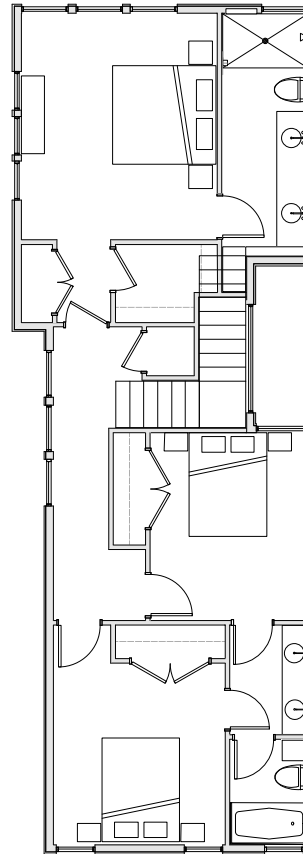
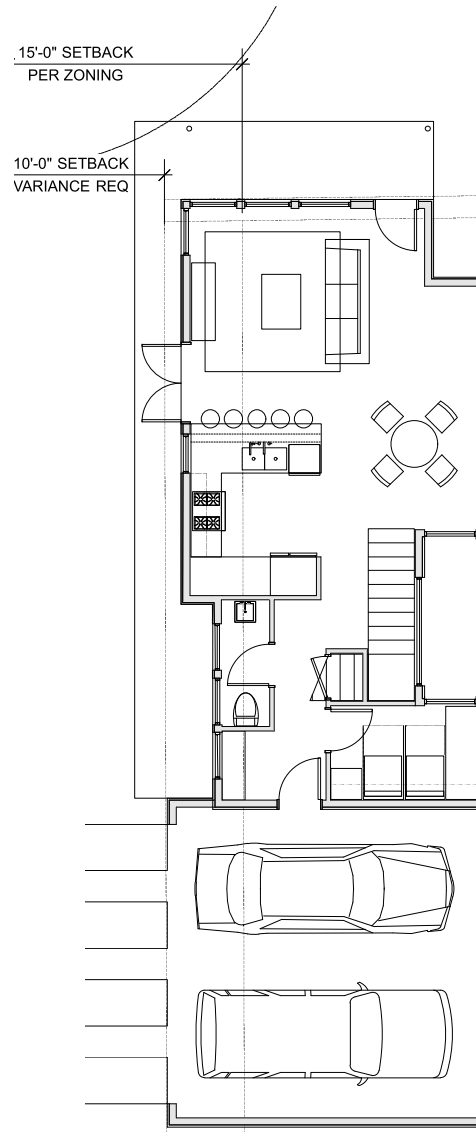
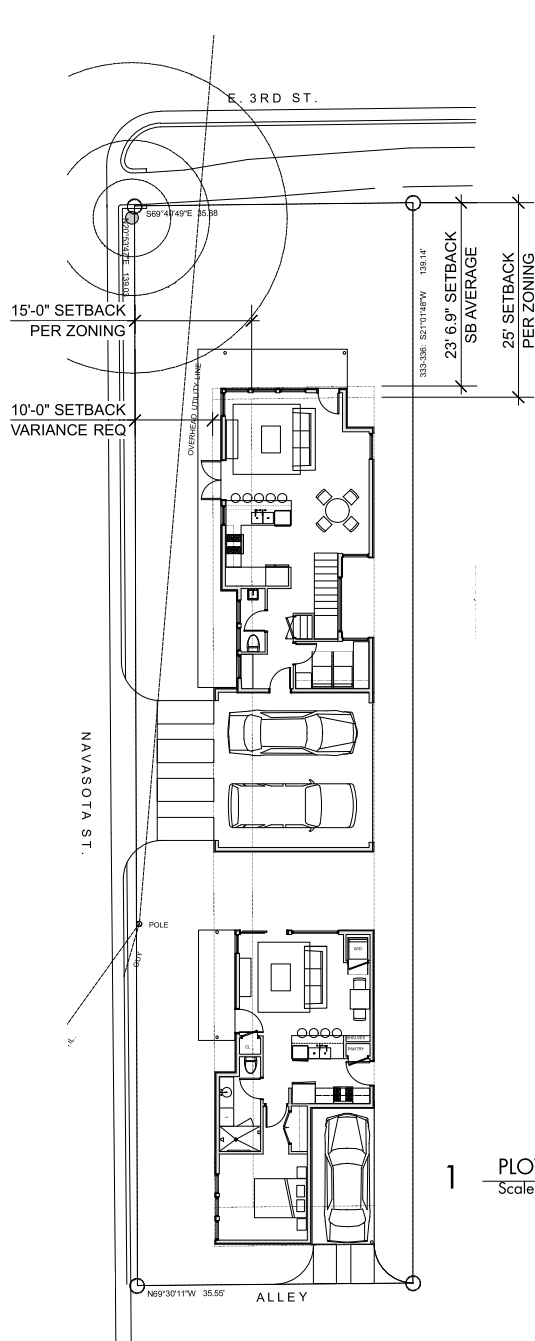
Please use this link to be advised of our clearance and safety requirements which are additional conditions of the above review action:

https://library.municode.com/tx/austin/codes/utilities_criteria_manual?nodeId=S1AUENDECR_1.10.0CLSARE

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



EAST 3RD RESIDENCE
SCHEMATIC PLANS

SEPT 2022

DTA
DESIGNTRAIT ARCHITECTS





updated variance request
9/9/2022
ITEM 8/27
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

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 # C15-2022-0061 ROW # 12953473 Tax # 0204061201

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.

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.

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.

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.

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:

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:

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 3rd Street, Travis County, Texas 78744 (the "Property")

To Whom It May Concern:

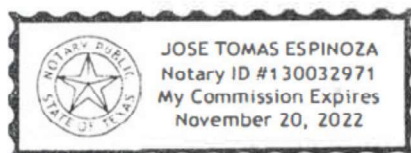
The undersigned, as the owner of the above-referenced Property, hereby appoints Husch Blackwell LLP (Nikelle Meade), as agent in connection with filing a variance application with the Board of Adjustment and related matters with the City of Austin.

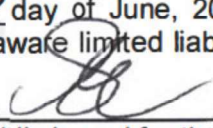
Nexus Series B, LLC,
a Delaware limited liability company

By: 
Cortlandt Chalfant, Managing Member

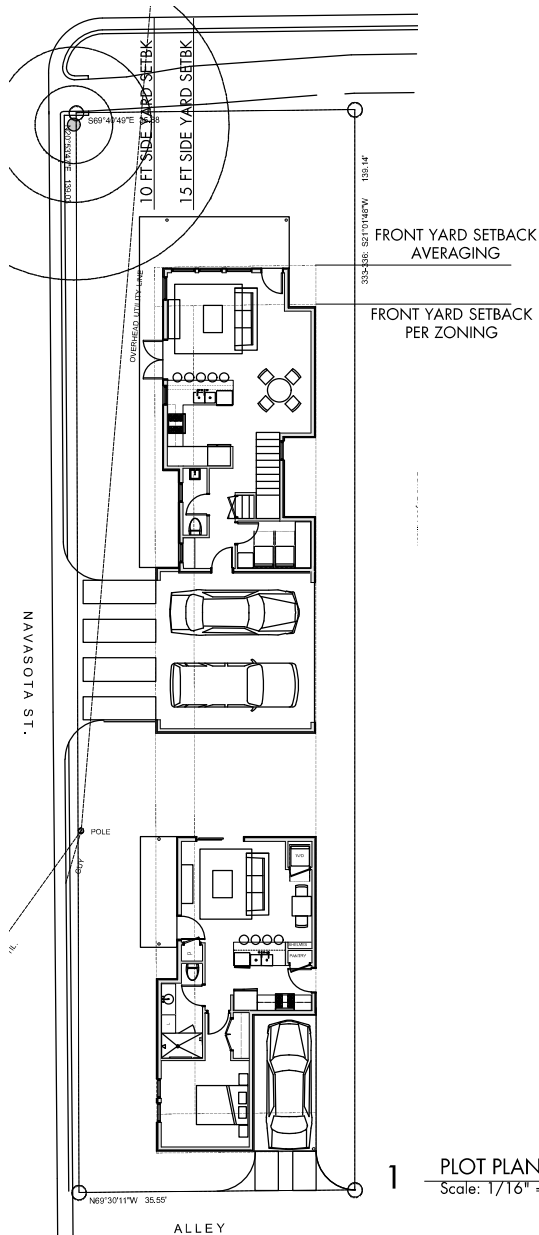
THE STATE OF TEXAS §
§
COUNTY OF TRAVIS §

This instrument was acknowledged before me on the 9th 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.

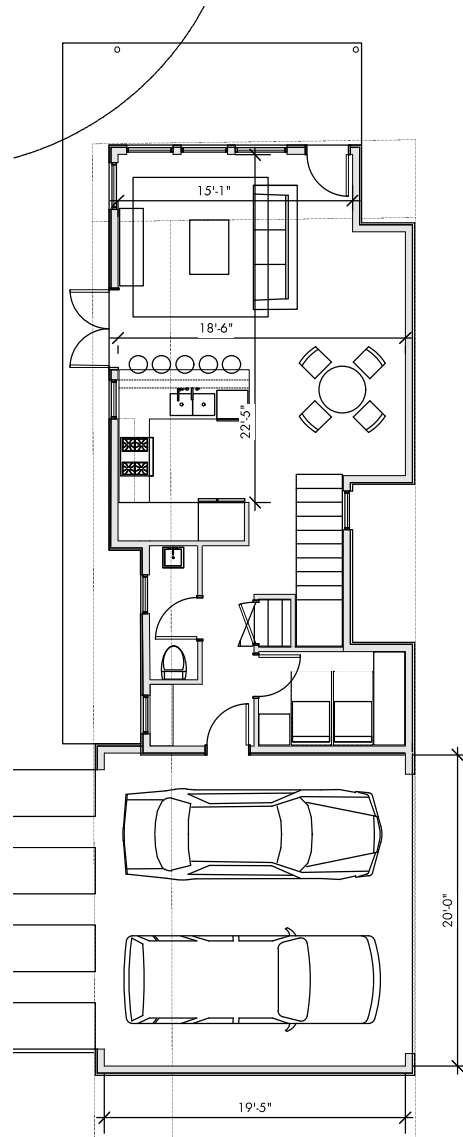



Notary Public in and for the State of Texas

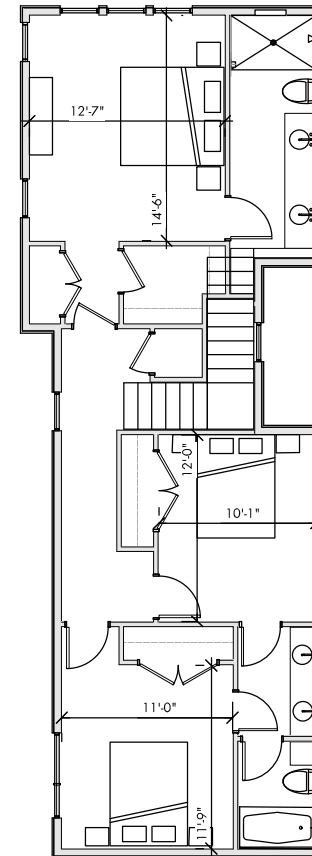
My Commission Expires: 11/20/22



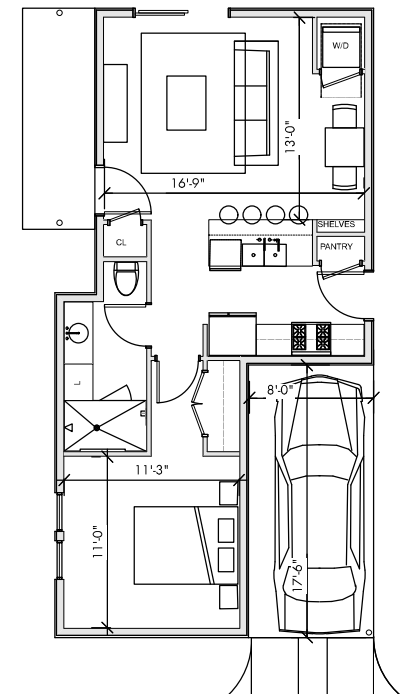
1 PLOT PLAN
Scale: 1/16" = 1'-0"



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

Bldg Wall is
5.3 - 8.4'
West of ROW

Bldg Wall is
8.3 - 8.4'
West of ROW

Bldg Wall is
6.4 - 6.5'
West of ROW

Bldg Wall is
14.5 - 15.0'
West of ROW

Bldg Wall is
17.5 - 18.1'
West of ROW

Bldg Wall is
6.4 - 6.8'
West of ROW

Bldg Wall is
4.1 - 4.5'
West of ROW

Bldg Wall is
5.9 - 6.1'
West of ROW

Bldg Wall is
11.3 - 11.7'
West of ROW

Bldg Wall is
0.17 - 0.64'
Into ROW

EAST 4TH ST

Bldg Wall is
8.3 - 10.2'
East of ROW

Centerline of 40 ft. wide ROW of Navasota Street
partially part of R.H. PECK'S SURVEY AND THE
OUTLOT 19 IN DIVISION "O" Vol. 29, Pg. 551 TCDR
plotted in 666 ft. West of Established Centerline
of R.H. ROW of Canal Street

Line 20.00 ft. East
of Centerline

Bldg Wall is
7.2 - 7.3'
East of ROW

Bldg Wall is
7.6 - 7.8'
East of ROW

Bldg Wall is
25.8 - 26.1'
East of ROW

EAST 3RD ST

Line 18.00 ft. East
of Outlot Line for
East line of Navasota

The common line of Outlots 20 and 19, Division "O"
per K.W. Ford's 1870 survey (See Surveyor's Report
No. 21-1009)

Bldg Wall is
48.6 - 48.8'
East of ROW

Bldg Wall is
45.6'
East of ROW

EAST 2ND ST

Bldg Wall is
7.4 - 7.4'
East of ROW

Bldg Wall is
5.9 - 6.1'
East of ROW

Line 8.08 ft. East of Soback's 1901 Baseline
for East line of Navasota Street Easements
granted to City Vol. 45, Pg. 1126 and
Vol. 45, Pg. 1153 TCDR

Bldg Wall is
9.3 - 9.5'
East of ROW

Baseline in Navasota Street as run by C.F. Soback
on 02/27/1901 and described as "base line
Navasota Street in Street City public Utilities
Easements granted to the City of Austin per
Vol. 45, Pg. 1126 and Vol. 45, Pg. 1153 TCDR
(See Surveyor's Report 21-1009)

EAST CESAR CHAVEZ (formerly EAST 1ST ST.)

302 315: L12

302 329: L1

LINE DATA TABLE

Bearings refer to GRID NORTH of
the Texas Coordinate System of
1983 (Central Zone)
Distances are Horizontal Surface
Distances in units of 100 Survey
Feet, computed using an Average
Slope of 0.000000
Surface elevations of 0.000000

Surface elevations of 0.000000

MARK FROM TO (DISTANCE) BEARING

L1 302-329 653-36-26W 673.49

L2 302-329 653-36-26W 673.49

L3 302-329 653-36-26W 673.49

L4 302-329 653-36-26W 673.49

L5 302-329 653-36-26W 673.49

L6 302-329 653-36-26W 673.49

L7 302-329 653-36-26W 673.49

L8 302-329 653-36-26W 673.49

L9 302-329 653-36-26W 673.49

L10 302-329 653-36-26W 673.49

L11 302-329 653-36-26W 673.49

L12 302-329 653-36-26W 673.49

L13 302-329 653-36-26W 673.49

L14 302-329 653-36-26W 673.49

L15 302-329 653-36-26W 673.49

L16 302-329 653-36-26W 673.49

L17 302-329 653-36-26W 673.49

L18 302-329 653-36-26W 673.49

L19 302-329 653-36-26W 673.49

L20 302-329 653-36-26W 673.49

KEY TO SURVEY MARKS

21 Benchmark on 1/8 in. spike with a 3/4 in.

42 Surveyor's Rule 4241, numbered as noted.

300 Position of City Engineer's monument formerly

304 Position of City Engineer's monument formerly

315 Reconstructed position of Soback's Wall & Cap

316 Reconstructed position of Soback's Wall & Cap

328 Position of end of property in place marking the

329 Point of intersection of City Engineer's

337 Position of City Engineer's monument formerly

338 Position of City Engineer's monument formerly

341 Marked Point at Intersection of East Navasota

343 Marked Point at Intersection of East Navasota

401 Marked Point at Intersection of East Navasota

402 Marked Point at Intersection of East Navasota

403 Marked Point at Intersection of East Navasota

404 Marked Point at Intersection of East Navasota

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412 Marked Point at Intersection of East Navasota

413 Marked Point at Intersection of East Navasota

414 Marked Point at Intersection of East Navasota

415 Marked Point at Intersection of East Navasota

COORDINATE LIST

Coordinates in the following list are
in units of the survey feet and are given
in the Texas Coordinate System of 1983
(Central Zone) NAD 83 (2011) Epoch 0.0
as derived from the National CORS network
segment of the National CORS network

PT. NO.	W. C. Co.	Coordinates
23	10068008.687	311813.279
24	10067731.120	3119072.705
25	10067731.120	3119072.705
26	10067731.120	3119072.705
27	10067731.120	3119072.705
28	10067731.120	3119072.705
29	10067731.120	3119072.705
30	10067731.120	3119072.705
31	10067731.120	3119072.705
32	10067731.120	3119072.705
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97	10067731.120	3119072.705
98	10067731.120	3119072.705
99	10067731.120	3119072.705
100	10067731.120	3119072.705



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. 22-1009,
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, 2022

Kent Neal McMillan
Kent Neal McMillan
Registered Professional Land Surveyor
No. 4341
1200 Cascade Trail, San Marcos 78666
Telephone (512) 667-7455