

SUBDIVISION REVIEW SHEET**CASE NO.:** C8-2015-0086.0A**Z.A.P. DATES:** April 19, 2016**SUBDIVISION NAME:** Resubdivision of Lot 1, Block F, Allandale Oaks**AREA:** 0.37 acres**LOTS:** 2**APPLICANT:** Delwood Development, LLC
(Chris Wood)**AGENT:** Bleyl and Associates
(Kenny Watkins)**ADDRESS OF SUBDIVISION:** 6101 Cary Dr.**GRIDS:** J28**COUNTY:** Travis**WATERSHED:** Shoal Creek**JURISDICTION:** Full Purpose**EXISTING ZONING:** SF-2**PROPOSED LAND USE:** Residential**ADMINISTRATIVE WAIVERS:** None**SIDEWALKS:** Sidewalks will be provided on the subdivision side of all boundary streets.**DEPARTMENT COMMENTS:** The request is for the approval of the Resubdivision of Lot 1, Block F, Allandale Oaks Subdivision. The applicant proposes to resubdivide an existing lots into a two lot subdivision for residential use on 0.37 acres.**STAFF RECOMMENDATION:** Staff recommends approval of the resubdivision, the plat meets applicable State and City of Austin Land Development Code requirements.**ZONING & PLATTING COMMISSION ACTION:****CASE MANAGER:** Cesar Zavala**PHONE:** 512-974-3404**E-mail:** cesar.zavala@austintexas.gov



CASE#: C8-2015-0086.0A
 ADDRESS: 6101 CARY DR.
 PROJECT: RESUBDIVISION OF LOT 1,
 BLOCK F,
 ALLANDALE OAKS
 CASE MANAGER: CESAR ZAVALA

OWNER'S CONSENT

That DELWOOD DEVELOPMENT, LLC, owner of Lot 1, Block F, Allandale Oaks, a subdivision recorded in Volume 5, Page 175 of the Plat Records of Travis County, Texas, and conveyed to me by instrument of record in Document No. 2015151024, of the Official Public Records of Travis County, Texas, said subdivision having been approved for resubdivision pursuant to the public notification and hearing provision of chapter 212.014, of the Local Government Code, do hereby resubdivide said lots to be known as:

RESUBDIVISION OF LOT 1, BLOCK F, ALLANDALE OAKS

and do hereby dedicate to the public use of the streets and easements as shown thereon. Subject to any easements and restrictions heretofore granted and not released.

WITNESS MY HAND this _____ day of _____, 20____, A.D.

CHRIS WOOD, President of DELWOOD DEVELOPMENT, LLC
11754 JOLLYVILLE RD., SUITE 106
AUSTIN, TEXAS 78759

NOTARY'S CERTIFICATE

Before me, the undersigned authority, on this day personally appeared CHRIS WOOD, known by me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and considerations expressed therein.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 20____, A.D.

Notary Public in and For the State of Texas

Printed Name of Notary
My Commission Expires: _____

THIS SUBDIVISION PLAT IS LOCATED WITHIN THE FULL PURPOSE JURISDICTION OF THE CITY OF AUSTIN ON THIS _____ DAY OF _____, 20____, A.D.

ACCEPTED AND AUTHORIZED FOR RECORD BY THE DIRECTOR, DEVELOPMENT SERVICES DEPARTMENT, CITY OF AUSTIN, COUNTY OF TRAVIS, THIS THE _____ DAY OF _____, 20____, A.D.

J. RODNEY GONZALES, DIRECTOR
DEVELOPMENT SERVICES DEPARTMENT

ACCEPTED AND AUTHORIZED FOR RECORD BY THE ZONING & PLATTING COMMISSION OF THE CITY OF AUSTIN, TEXAS, THIS THE _____ DAY OF _____, 20____.

GABRIEL ROJAS, CHAIRPERSON

JOLENE KJOLBASSA, SECRETARY

STATE OF TEXAS §
COUNTY OF TRAVIS §

I, Dana DeBeauvoir, Clerk of Travis County, Texas, do hereby certify that the foregoing instrument of writing and its Certificate of Authentication was filed for record in my office on this _____ day of _____, 20____, A.D. at _____ o'clock _____ M.

duly recorded on this _____ day of _____, 20____, A.D., at _____ o'clock _____ M. of said County and State in Document Number _____ Official Public Records of Travis County.

WITNESS MY HAND AND SEAL OF OFFICE OF THE COUNTY CLERK,

this _____ day of _____, 20____, A.D.

DANA DEBEAUVOUR, COUNTY CLERK TRAVIS COUNTY, TEXAS

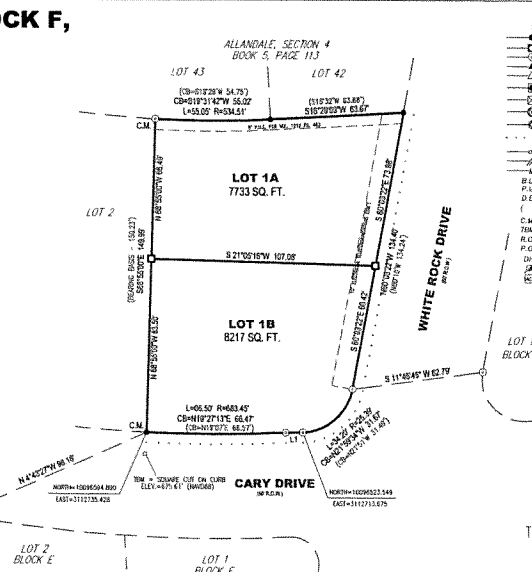
BY: _____ DEPUTY

RESUBDIVISION OF LOT 1, BLOCK F,
ALLANDALE OAKS

40' 0 40'

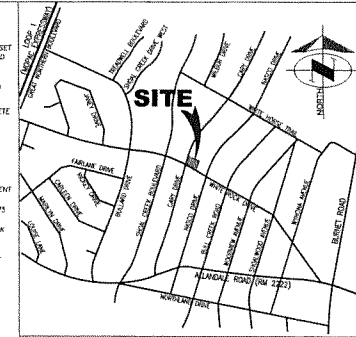
GENERAL NOTES

- ALL RESTRICTIONS AND NOTES FROM THE PREVIOUS EXISTING SUBDIVISION, "ALLANDALE OAKS", RECORDED IN BOOK 5, PAGE 175, PLAT RECORDS, TRAVIS COUNTY, TEXAS SHALL APPLY TO THIS RESUBDIVISION PLAT.
- PRIOR TO CONSTRUCTION, EXCEPT DETACHED SINGLE FAMILY ON ANY LOT IN THIS SUBDIVISION, A SITE DEVELOPMENT PERMIT MUST BE OBTAINED FROM THE CITY OF AUSTIN.
- PRIOR TO CONSTRUCTION ON LOTS IN THIS SUBDIVISION, DRAINAGE PLANS WILL BE SUBMITTED TO THE CITY OF AUSTIN FOR REVIEW. RAINFALL RUN-OFFS SHALL BE HELD TO THE AMOUNT EXISTING AT UNDEVELOPED STATUS BY PONDING OR OTHER APPROVED METHODS. ALL PROPOSED CONSTRUCTION OR SITE ALTERATION ON LOTS 1A AND 1B REQUIRES APPROVAL OF A SEPARATE DEVELOPMENT PERMIT.
- NO LOT SHALL BE OCCUPIED UNTIL THE STRUCTURE IS CONNECTED TO THE CITY OF AUSTIN WATER AND WASTEWATER UTILITY SYSTEM.
- THE WATER AND WASTEWATER UTILITY SYSTEM SERVING THIS SUBDIVISION MUST BE IN ACCORDANCE WITH THE CITY OF AUSTIN UTILITY DESIGN CRITERIA. THE WATER AND WASTEWATER UTILITY PLAN MUST BE REVIEWED AND APPROVED BY THE AUSTIN WATER UTILITY. ALL WATER AND WASTEWATER CONSTRUCTION MUST BE INSPECTED BY THE CITY OF AUSTIN. THE LANDOWNER MUST PAY THE CITY INSPECTION FEE WITH THE UTILITY CONSTRUCTION.
- THE WATER AND/OR WASTEWATER EASEMENTS INDICATED ON THIS PLAT ARE FOR THE PURPOSE OF CONSTRUCTION, OPERATION, MAINTENANCE, REPAIR, REPLACEMENT, UPGRADE, DECOMMISSIONING AND REMOVAL OF WATER AND/OR WASTEWATER FACILITIES AND APPURTENANCES. NO OBJECTS, INCLUDING BUT NOT LIMITED TO, BUILDINGS, RETAINING WALLS, TREES OR OTHER STRUCTURES ARE PERMITTED IN WATER AND/OR WASTEWATER EASEMENTS EXCEPT AS APPROVED BY THE AUSTIN WATER UTILITY.
- BUILDING SETBACK LINES SHALL BE IN CONFORMANCE WITH THE CITY OF AUSTIN ZONING ORDINANCE REQUIREMENTS.
- NO BUILDINGS, FENCES, LANDSCAPING, OR OTHER OBSTRUCTIONS ARE PERMITTED IN DRAINAGE EASEMENTS EXCEPT AS APPROVED BY THE CITY OF AUSTIN.
- ALL DRAINAGE EASEMENTS ON PRIVATE PROPERTY SHALL BE MAINTAINED BY THE PROPERTY OWNER OR HIS ASSIGNS.
- PROPERTY OWNER SHALL PROVIDE FOR ACCESS TO DRAINAGE EASEMENTS AS MAY BE NECESSARY AND SHALL NOT PROHIBIT ACCESS BY GOVERNMENTAL AUTHORITIES.
- THE OWNER OF THIS SUBDIVISION, AND HIS OR HER SUCCESSORS AND ASSIGNS, ASSUMES RESPONSIBILITY FOR PLANS FOR CONSTRUCTION OF SUBDIVISION IMPROVEMENTS WHICH COMPLY WITH APPLICABLE CODES AND REQUIREMENTS OF THE CITY OF AUSTIN. THE OWNER UNDERSTANDS AND ACKNOWLEDGES THAT PLAT VACATION OR REPLACING MAY BE REQUIRED, AT THE OWNER'S SOLE EXPENSE, IF PLANS TO CONSTRUCT THIS SUBDIVISION DO NOT COMPLY WITH SUCH CODES AND REQUIREMENTS.
- ALL STREETS, DRAINAGE, SIDEWALKS, EROSION CONTROLS, AND WATER AND WASTEWATER LINES ARE REQUIRED TO BE CONSTRUCTED AND INSTALLED TO CITY OF AUSTIN STANDARDS.
- AUSTIN ENERGY HAS THE RIGHT TO CUT AND/OR REMOVE TREES, SHRUBBERY AND OTHER OBSTRUCTIONS TO THE EXTENT NECESSARY TO KEEP THE EASEMENTS CLEAR. AUSTIN ENERGY WILL PERFORM ALL TREE WORK IN COMPLIANCE WITH CHAPTER 25-B SUBCHAPTER B OF THE CITY OF AUSTIN LAND DEVELOPMENT CODE.
- THE OWNER/DEVELOPER OF THIS SUBDIVISION/LOT SHALL PROVIDE AUSTIN ENERGY WITH ANY EASEMENT AND/OR ACCESS REQUIRED, IN ADDITION TO THOSE INDICATED, FOR THE INSTALLATION AND ONGOING MAINTENANCE OF OVERHEAD AND UNDERGROUND ELECTRIC FACILITIES. THESE EASEMENT AND/OR ACCESS ARE REQUIRED TO PROVIDE ELECTRIC SERVICE TO THE BUILDING AND WILL NOT BE LOCATED SO AS TO CAUSE THE SITE TO BE OUT OF COMPLIANCE WITH CHAPTER 25-B OF THE CITY OF AUSTIN LAND DEVELOPMENT CODE.



LEGEND

- 1/2" REBAR FOUND
- 1/2" CAPPED REBAR SET
- 1/2" IRON PIPE FOUND
- 600 NAIL FOUND
- 800 NAIL SET
- CAPPED REBAR FOUND
- "X" SET IN CONCRETE
- "X" FOUND IN CONCRETE
- SPALLS FOUND
- SEWALK
- CHAIN LINK FENCE
- WOOD FENCE
- METAL FENCE
- B.L. BUILDING LINE
- P.U.E. PUBLIC UTILITY EASEMENT
- D.E. DRAINAGE EASEMENT
- () PER PLAT VOL. 5 PG. 175
- C.M. CORNER MONUMENT
- T.B.M. TEMPORARY BENCHMARK
- R.O.W. RIGHT OF WAY
- P.O.B. PLACE OF BEGINNING
- O.H. OVERHEAD UTILITY LINE
- P.P. POWER POLE
- A.C. AIR CONDITIONER

VICINITY MAP
NOT TO SCALE

NO.	BEARING	DISTANCE
L1	N10°02'25"E	8.19'
	(N10°02'25"E)	(8.22')

AREA TABULATION

LOT 1A	7733 SQ. FT. (0.18 ACRES)
LOT 1B	8217 SQ. FT. (0.19 ACRES)
TOTAL	15,950 SQ. FT. (0.37 ACRES)

COORDINATES ARE BASED ON
TEXAS STATE PLANE, CENTRAL ZONE

SURVEYOR'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF TRAVIS §

I, Victor M. Garza, am Registered in the State of Texas to practice the profession of land surveying, and do hereby certify that this plat complies with the rules and regulations of Travis County, Texas, and Title 30 of the Austin City Code, as amended, and that said plat was prepared from a physical survey of the property under my direct supervision.

_____, Date: _____
Victor M. Garza
Registered Professional Land Surveyor No. 4740,
State of Texas
1404 West North Loop Blvd. Austin, Texas 78756
Phone (512) 458-6969 Fax (512) 458-9845

ENGINEER'S CERTIFICATION

I, Kenny Watkins, am authorized under the laws of the State of Texas to practice the profession of engineering and hereby certify that this plat is feasible from an engineering standpoint and complies with the engineering related portions of the City of Austin Subdivision Ordinance.

No portion of this subdivision is within a special flood hazard area as identified by the Federal Emergency Management Agency as shown on the Federal Flood Insurance Rate Map No. 48453C0455H, dated September 26, 2008.

Kenny Watkins
Kenny Watkins, P.E. No. 64738
Bleyl and Associates
1715 Capital of Texas Highway South
Suite 103
Austin, Texas 78745
(512)328-7878 (512)328-7884(f)



REVISED: 12/28/15
REVISED: 12/10/15
REVISED: 10/23/15
REVISED: 06/29/15
REVISED: 04/20/15

JOB #: B0111315_PLAT
DATE: 02/24/15
SCALE: 1"= 40'

CASE # CB-2015-0088.0A
PLAT PREPARATION DATE: 04/23/15
APPLICATION SUBMITTAL DATE: 04/23/15

B & G SURVEYING, LLC



WWW.BANDGSURVEY.COM
1404 West North Loop Blvd.
Austin, Texas 78756
Office 512-458-6969, Fax 512-458-9845

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.

Commission is required to approve the subdivision by State law if no variances are required, and if it meets all requirements. A board or commission's decision on a subdivision may only be appealed if it involves an environmental variance. A variance 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. A notice of appeal must be filed with the director of the responsible department no later than 14 days after the decision. An appeal form may be available from the responsible department.

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.

For additional information on the City of Austin's land development process, visit our web site: <http://www.austintexas.gov/development>.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. 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.

Case Number: C8-2015-0086.0A

Contact: Cesar Zavala, 512-974-3404 or

Cindy Casillas, 512-974-3437

Public Hearing: April 19, 2016, Zoning & Platting Commission

John J. Panak

Your Name (please print)

☐ I am in favor
☒ I object

6008 Shoal Creek, Austin 78757

Your address(es) affected by this application

John J. Panak

Signature

8 Apr '16

Date

Daytime Telephone: 512.924.9383

Comments:

See attached Letter,
Annotated Plat, and
copy of 13 Jan '08 Memo

If you use this form to comment, it may be returned to:

City of Austin – Development Services Department / 4th Fl

Cesar Zavala

P. O. Box 1088

Austin, TX 78767-8810

John J. Panak

6008 Shoalcreek Blvd, Austin, TX 78757 (512) 924-9383

To: City of Austin
Development Services Department / 4th Fl
Cesar Zavala
Box 1088
Austin, TX 78767-8810

Date: 08 April 2016

From: John J. Panak, P.E.

Subject: Public Hearing - April 19, 2016
Zoning & Platting Commission
Case No. C8-2015-0086.0A

I will be out of town at the time of the above hearing to re-subdivide a lot at 6101 Cary Drive. The lot is about 310 feet from my residence where we have lived for 54 years.

A single-family home was removed from the property about two months ago.

I want to go on record that I object to the proposed re-subdivision at this time, at least until more site specific information is available.

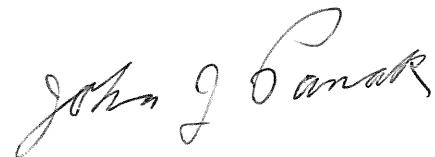
Further information is needed on whether the proposed new lots will face on Cary or on White Rock. It is not clear from the plat printed on the back of the Notice of Public Hearing where the driveways are proposed for the two lots. A portion of that plat copy is enclosed with further annotation I have added.

All of the current lots on Cary face Cary which is approx 30 feet in width curb-to-curb which has only local resident traffic. White Rock is also about the same width, but has significantly more traffic. Adding additional driveway traffic to White Rock would be unsafe.

A copy of a memo I prepared in 2008 regarding Deed Restrictions is also attached. It applies to the subject address. Will the current restrictions on 6101 Cary apply to the two new lots? I should hope so as the current restrictions have maintained a reasonably good appearance to the neighborhood over the years. Points Nos. 5 (30 percent masonry), and (6) 35-ft setback, 4-ft differential, are particularly important.

cc: Allandale Neighborhood Association

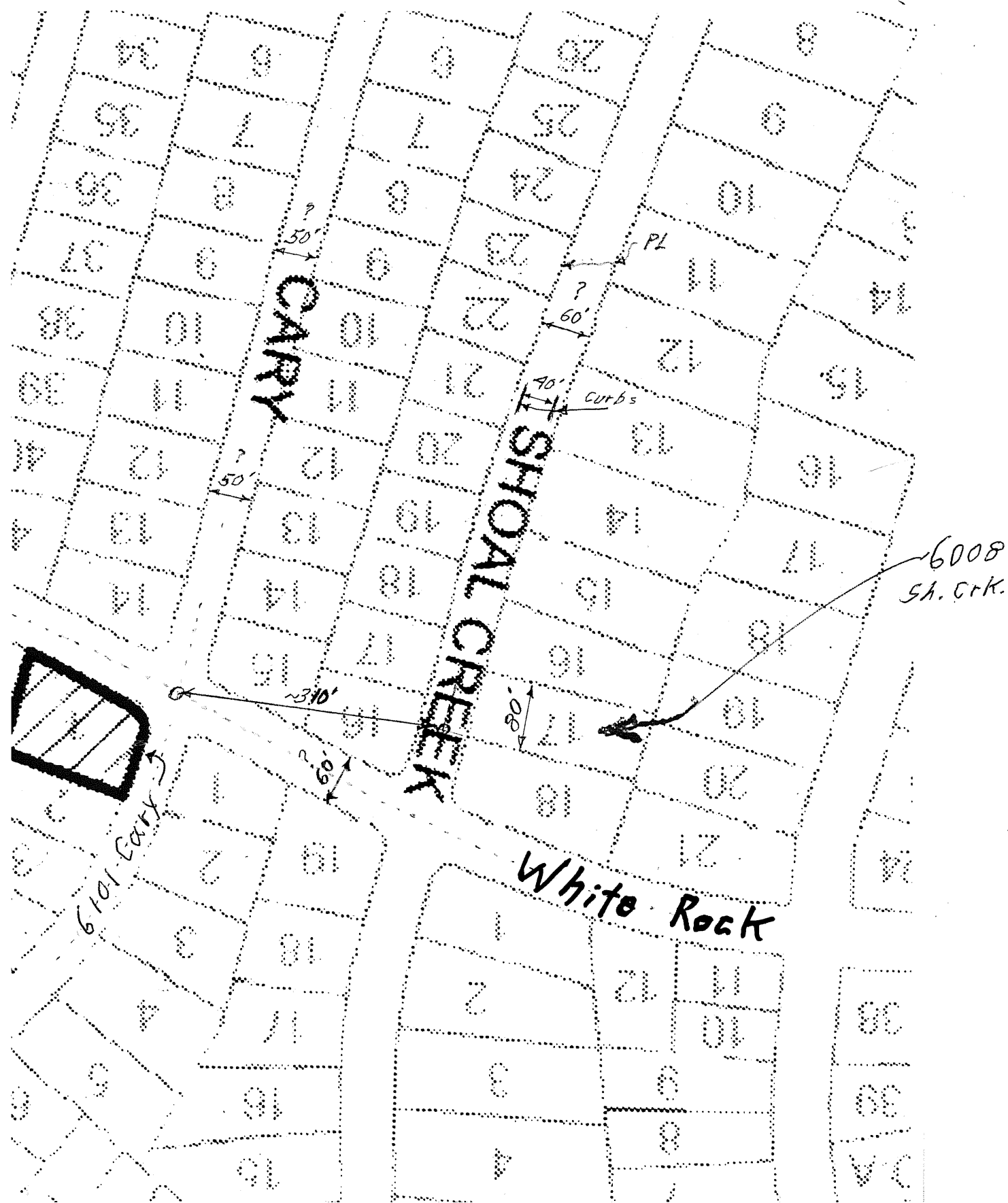
Attach: Annotated rough plat
Deed Restriction Summary of January 2008



CB-2015-0086

8 Apr '16 JJP

1" = 150'



John J. Panak

6008 Shoalcreek, Austin, TX 78757 (512) 453-8900 (H) 924-9383(M)

MEMO

Date 13 January 2008

To: ANA Neighbors with Interest in Deed Restrictions

Subject: Deed Restrictions

As many of us are aware, the City of Austin does not enforce deed restrictions. They only enforce city ordinances. The "McMansion" ordinance enacted a few years ago was a step in the clarification of requirements for homes. Any changes to property that are not in accordance with deed restrictions must be enforced by actions taken by adjacent or affected property owners.

I have noticed in recent years that there are a number of homes in our area that have been extensively remodeled, torn down and rebuilt, or added to. Some of the two-story additions appear to possibly exclude light and view from adjacent houses.

I finally was able to get by my bank and look at the deed on the above property. I had remembered from over 40 years ago that there were restrictions, but not the specific ones.

The attached copy of the deed restrictions were included with the abstract and deed of my home. Also as part of the same deed was a copy of the subdivision plat for Allendale Oaks. I have outlined the area which is described as Allendale Oaks with a black line which I derived from the description on Page 379. I believe the exclusion of Lots 13 and 14 of Block A was probably a typo at the time.

Pertinent points from the deed restrictions for Allendale Oaks:

- (1) Only single family use.
- (2) No business use.
- (3) No habitation allowed in any outbuildings except by servants.
- (4) Minimum of 1000 sq ft on ground floor.
- (5) Minimum of 30 percent masonry construction. I note that a number of rebuilt homes in

our area do not now meet this restriction.

- (6) Minimum of 35 ft setback from front property line (usually 10 ft behind curb) and 4 ft differential between adjacent homes. This means that if one house is constructed at 35 feet from the front, then the adjacent two houses must be set back at least 39 feet.
- (7) Minimum of 10 ft from side property lines or 12 feet to side street for corner lots.
- (8) Five-foot easement at back property line for utilities. However, note that the plat also includes a 50-ft easement for utilities for the homes along Shoal Creek Blvd that back up to Shoal Creek.
- (9) All covenants are binding unless changed or waived by a majority of the property owners. We have owned our home since August 1962, and to my knowledge, there has been no request for a change to the restrictions since then. Only a court order or judgement can invalidate any or all of the restrictions.

Please call if you have any questions.