

# ROB ROY ON THE LAKE SECTION ONE

Vol. 83 Page 114B

APR - 25 - 83 RCCHA 4643 & 140.00

STATE OF TEXAS    I  
COUNTY OF TRAVIS   I  
KNOW ALL MEN BY THESE PRESENTS   I

THAT ROB ROY NORTH LIMITED, A TEXAS LIMITED PARTNERSHIP, ACTING HEREIN BY AND THROUGH ITS' GENERAL PARTNER, JOHN LLOYD, OWNERS OF 491.381 ACRES OF LAND OUT OF THE ISAAC PERKINS SURVEY NO. 37 AND THE ISSACS PERKINS SURVEY NO. 38 IN TRAVIS COUNTY, TEXAS, AS CONVEYED TO IT BY DEED RECORDED IN VOLUME 7893, PAGE 359 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, DO HEREBY SUBDIVIDE 227.153 ACRES OF LAND OUT OF THE SAID 491.381 ACRE TRACT, BEING 153.3 ACRES OUT OF THE ISAAC PERKINS SURVEY NO. 37 AND 73.853 ACRES OUT OF THE ISAAC PERKINS SURVEY NO. 38 IN ACCORDANCE WITH THE PLAT AS SHOWN HEREON, TO BE KNOWN AS **ROB ROY ON THE LAKE SECTION ONE** AND DO HEREBY DEDICATE TO THE PUBLIC THE USE OF THE STREETS AND EASEMENTS AS SHOWN HEREON. SAID TRACT IS SUBJECT TO ANY EASEMENTS OR RESTRICTIONS HERETOFORE GRANTED.

WITNESS THE HAND OF JOHN LLOYD, GENERAL PARTNER OF ROB ROY NORTH LIMITED, THIS THE 31 DAY OF MARCH, 1983, A.D.

*John S Lloyd*  
JOHN LLOYD, General Partner  
Rob Roy North Limited  
1101 Capitol of Texas Highway South  
Bldg. D - Suite 210  
Austin, Texas 78746

STATE OF TEXAS    I  
COUNTY OF TRAVIS   I

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE 31<sup>st</sup> DAY OF MARCH, 1983, A.D. BY JOHN LLOYD, GENERAL PARTNER ON BEHALF OF ROB ROY NORTH LIMITED, A LIMITED PARTNERSHIP.

*W.H. Thurman*  
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS  
My Commission expires: April 16, 1985  
W.H. THURMAN  
My Commission Expires April 16, 1985

APPROVED FOR ACCEPTANCE THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 1983, A.D.

*Richard R. Little*  
DIRECTOR OF PLANNING  
Richard R. Little

ACCEPTED AND AUTHORIZED FOR RECORD BY THE CITY PLANNING COMMISSION, CITY OF AUSTIN, TEXAS, THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 1983, A.D.

CHAIRMAN *William M. Markey* SECRETARY *Judith E. Fowler*  
WILLIAM M. MARKEY JUDITH E. FOWLER

STATE OF TEXAS    I  
COUNTY OF TRAVIS   I

I, DORIS SHROPSHIRE, COUNTY CLERK OF TRAVIS COUNTY, TEXAS, DO HEREBY CERTIFY THAT ON THE 25<sup>th</sup> DAY OF April, 1983, A.D., THE COMMISSIONERS' COURT OF TRAVIS COUNTY, TEXAS, PASSED AN ORDER AUTHORIZING THE FILING FOR RECORD OF THIS PLAT AND THAT SAID ORDER HAS BEEN DULY ENTERED IN THE MINUTES OF SAID COURT IN BOOK 3, PAGE 445.

WITNESS MY HAND AND SEAL OF THE COUNTY COURT OF SAID COUNTY THIS THE 25<sup>th</sup> DAY OF April, 1983, A.D.

DORIS SHROPSHIRE, CLERK COUNTY COURT, TRAVIS COUNTY, TEXAS

BY: DEPUTY *Maryann Rickey*

STATE OF TEXAS    I  
COUNTY OF TRAVIS   I

I, DORIS SHROPSHIRE, CLERK OF THE COUNTY COURT, WITHIN AND FOR THE STATE AND COUNTY AFORESAID, DO HEREBY CERTIFY THAT THE WITHIN AND FOREGOING INSTRUMENT OF WRITING WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON THE 25<sup>th</sup> DAY OF April, 1983, A.D. AT 4:10 O'CLOCK P.M. AND DULY RECORDED ON THE 25<sup>th</sup> DAY OF April, 1983, A.D. AT 4:15 O'CLOCK P.M. IN THE PLAT RECORDS OF SAID COUNTY IN PLAT BOOK 89, PAGES 112B, 113A, 113B, 113C, 113D, 114A, 114B.

WITNESS MY HAND AND SEAL OF THE COUNTY COURT OF SAID COUNTY THE DATE LAST WRITTEN ABOVE.

DORIS SHROPSHIRE, CLERK COUNTY COURT, TRAVIS COUNTY, TEXAS

BY: DEPUTY *L. Jones*  
L. JONES

FILED FOR RECORD AT 4:10 O'CLOCK P.M. THIS THE 25<sup>th</sup> DAY OF April, 1983, A.D.

DORIS SHROPSHIRE, CLERK COUNTY COURT, TRAVIS COUNTY, TEXAS

BY: DEPUTY *L. Jones*  
L. JONES

IN APPROVING THIS PLAT BY THE COMMISSIONERS' COURT OF TRAVIS COUNTY, TEXAS, IT IS UNDERSTOOD THAT THE BUILDING OF ALL STREETS, ROADS OR OTHER PUBLIC THOROUGHFARES OR ANY BRIDGES OR CULVERTS NECESSARY TO BE PLACED ON SUCH ROADS, STREETS OR OTHER PUBLIC THOROUGHFARES SHALL BE THE RESPONSIBILITY OF THE OWNER AND/OR DEVELOPER OF THE SAID TRACT OF LAND COVERED BY THIS PLAT AND IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS PRESCRIBED BY THE COMMISSIONERS' COURT OF TRAVIS COUNTY, TEXAS, AND SAID COURT ASSUMES NO OBLIGATION TO BUILD ANY OF THE STREETS, ROADS OR OTHER PUBLIC THOROUGHFARES OR ANY BRIDGES OR CULVERTS IN CONNECTION THEREWITH.

THE ACCEPTANCE FOR MAINTAINING BY TRAVIS COUNTY, TEXAS, OF THE ROADS OR STREETS IN REAL-ESTATE SUBDIVISIONS DOES NOT OBLIGATE THE COUNTY TO INSTALL STREET MARKING SIGNS, AS THIS IS CONSIDERED TO BE A PART OF THE DEVELOPERS' CONSTRUCTION; BUT THAT ERECTING SIGNS FOR TRAFFIC CONTROL SUCH AS FOR SPEED LIMITS AND STOP AND YIELD SIGNS, SHALL REMAIN THE RESPONSIBILITY OF THE COUNTY.

I, LARRY A. TURNER, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING AND HEREBY CERTIFY THAT THIS PLAT COMPLIES WITH CHAPTER 13-3 OF THE AUSTIN CITY CODE; IS TRUE AND CORRECT; AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION.

W. HARVEY SMITH SURVEYOR, INC.  
1214 West 5th Street - Austin, Texas 78703

*Larry A. Turner*  
LARRY A. TURNER  
REGISTERED PUBLIC SURVEYOR  
March 30, 1983



**FLOOD PLAIN NOTE:**

The 100 year flood is contained within the Drainage Easements as shown hereon.

**ENGINEERING BY:**

*George W. Murfee*  
GEORGE W. MURFEE  
Registered Professional Engineer No. 39116  
1101 Capitol of Texas Highway South - Bldg. D Suite 110  
Austin, Texas 78746  
March 31, 1983



**HEALTH DEPARTMENT RESTRICTIONS:**

No structure in this subdivision shall be occupied until connected to a public sewer system or to an individual sewage disposal system which has been approved by the Austin-Travis County Health Department.  
No structure in this subdivision shall be occupied until connected to a potable water supply from an approved public water source with adequate quantity for family use and operation of an approved sewage disposal system.

These restrictions are enforceable by the Austin-Travis County Health Department and for the lot owners or developer.

The following lots have been approved for ALTERNATE DISPOSAL SYSTEM usage:

- BLOCK A: Lots 2, 9, 10, 12, 13, 14, 17, 18, 19, 21 & 29
  - BLOCK B: Lots 72, 79, 78, 77, 80, 81, 84, 92, 98, 100, 101, 102, 103, 107, 108, 111, 113 & 114
- The following lots have been approved for E.T. SYSTEM usage:
- BLOCK A: Lots 3, 4, 5, 6, 7, 11, 15, 20, 22, 23, 26, 27 & 28
  - BLOCK B: Lots 73, 74, 76, 77, 82, 86, 87, 88, 89, 90, 91, 93, 105, 106 & 115

Lots not listed above are accepted for development with conventional septic tank use by the Austin-Travis County Health Department.  
This subdivision is restricted to one single family residence per lot only until a public sewer system is available.

*Tommy G. Green*  
TOMMY G. GREEN, P.E.  
Health Officer  
3-31-83  
DATE

Note: see page 16 of this plat for restrictive covenant reference.

C8-82-22.1(83)

83 6974

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## APPLICATION TO BOARD OF ADJUSTMENT

## GENERAL VARIANCES / PARKING VARIANCES

WARNING: Filing of this appeal stops all affected construction.

PLEASE USE BLACK INK

PART I: APPLICANTS STATEMENT

STREET ADDRESS: 1209 Weston Lane

LEGAL DESCRIPTION: Subdivision - Rob Roy on the Lake  
 Lot(s) 32 Block A Outlot \_\_\_\_\_ Division \_\_\_\_\_

I/We John K. Schwartz on behalf of myself/ourselves as  
 authorized agent for First Gibraltar Bank, FSB affirm that on  
July 12 19 90, hereby apply for a hearing before the Board of Adjustment for  
 consideration to:

ERECT - ATTACH - COMPLETE - REMODEL - MAINTAIN - SUBDIVIDE

A single family dwelling providing a shoreline setback of approximately 40 feet  
(garage) and approximately 60 feet (main structure), and an interior side yard  
of 9.2 feet.

in a "LA" Residence District zone.  
 (zone district)

NOTE: The Board must determine the existence of, sufficiency of and weight of  
 evidence supporting the findings described below. Therefore, you must  
 complete each of the applicable Findings Statements as part of your  
 application. Failure to do so may result in your application being  
 rejected as incomplete. Please attach any additional support documents.

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

REASONABLE USE:

1. The Zoning regulations applicable to the property do not allow for a  
 reasonable use because:

See attached Exhibit "A"

APPLICATION TO BOARD OF ADJUSTMENT

GENERAL VARIANCES / PARKING VARIANCES

WARNING: Filing of this appeal stops all affected construction.

PLEASE USE BLACK INK

PART I: APPLICANTS STATEMENT

STREET ADDRESS: 1209 Weston Lane

LEGAL DESCRIPTION: Subdivision - Rob Roy on the Lake

Lot(s) 32 Block A Outlot \_\_\_\_\_ Division \_\_\_\_\_

I/we Jalil Mirzadeqan on behalf of myself/ourselves as authorized agent for ourselves affirm that on Sept 10 19 90, hereby apply for a hearing before the Board of Adjustment for consideration to:

ERECT - ATTACH - COMPLETE - REMODEL - MAINTAIN - SUBDIVIDE

An existing single family dwelling providing a side line setback of .33 feet.

in a LA zone.  
(zone district)

NOTE: The Board must determine the existence of, sufficiency of and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional support documents.

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

REASONABLE USE:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because:

see Attach





October 9, 2020

To Whom it may concern:

My name is Terry Barnes and I am the current President of Rob Roy on the Lake Owners Association Inc which is the homeowners entity for my subdivision. I also served on this hoa board in the late 1990's and my wife served on the architectural review committee. We purchased our lot at 1409 N Weston Ln which touches Lake Austin in August 1994 and construction of our home did not begin until 1997. In order to get to our new home lot from Rollingwood we would drive Bee Caves Rd through Rollingwood, all of Westlake Hills and beyond loop 360. Bee Caves rd at that time West of 360 was an unassuming 2 lane country road. The impression was that we had left the bounds of the city limits of Austin and our subdivision was a subdivision in the country, this is what we were looking for and thought we had purchased. Evidence further support this believe during purchase closing as there was no taxation by the City of Austin. Everyone along the water in our subdivision were not being taxed by the City of Austin.

Our HOA's architectural review committee would issue packets to owners seeking approval of building plans, the checklist within these packets only directed the owners to the county for a building permit or exception. Suffice to say that everyone that owned out here in Rob Roy on the Lake Section One and Section Two believed that no permits were necessary to be pulled from the City of Austin during the 1980's and 1990's. My inquiry to the City staff in about the year 2000 as to just where the City limit boundary was resulted in a mixed bag of answers. From it's where the water touches or it's a contour line or it's a arbitrary line drawn along the bank or it's so many feet from the center line of the lake or it's so many feet from the bank of the lake. I was unable to obtain an answer. I didn't learn of "LA" zoning reaching in from a contour line along the shores of Lake Austin until my research in 2006 to oppose a PUD application by the Pier property owners just upstream.

We weren't being taxed by Austin, City Staff couldn't define where the city limits were on my lot if at all, residents where instructed by the HOA to only pull permits from the County and we all felt as a neighborhood that we had left the bounds of any city's rules.

Respectfully,



Terry A. Barnes  
Rob Roy on the Lake Owners Association Inc

November 9, 2020

City of Austin  
Planning & Development Services  
PO Box 1088  
Austin, TX 78701

*Re: 1209 North Weston Lane; June Goodwin, Property Owner/Applicant*

Ladies and Gentlemen,

The purpose of this letter is to provide you information regarding the application of regulatory authority in the Rob Roy on the Lake, Section 1 Subdivision. This subdivision application was filed in 1982 and the plat was recorded in 1983. Homes began being built in late 1983 and early 1984. There are 83 lots in the subdivision.

I was President of the HOA for two terms in the late 90's. Thereafter, I assumed the role of Chair of the Architectural Control Committee, a position that I held until I sold my house in the subdivision in 2014. I was very familiar with the permitting status of new home and remodel home construction during that period.

There are approximately 13 lots in the subdivision with frontage on Lake Austin. There are several other lots up the hill from the dead end of Weston Lane that, while not being on Lake Austin, are within 500' of the 504.9 contour line which historically was the limit of the City's jurisdiction. None of the original homes built on Lake Austin were built with City building permits. Furthermore, the City of Austin Water and Wastewater Utility did not review and approve on-site sewage facility permits for these homes. This was done by Travis County.

I am now aware that the City of Austin adopted a limited purpose annexation in May of 1982 that extended 500' from the 504.9 contour line and would encompass all of the lots in the subdivision that have frontage on Lake Austin and several of up the hill from the shoreline properties. I am aware that sometime several years after the year 2000 when the first original home on Lake Austin was demolished for construction of a new home that the City of Austin asserted its' limited purpose zoning jurisdiction and required a building permit. Thereafter the City consistently required building permits for any remodel home that was within the 500' limited purpose annexation.

City of Austin  
November 9, 2020  
Page Two

The Goodwin Home is an original home built at 1209 North Weston Lane. It was not built with a City of Austin building permit consistent with the City's non-assertion of regulatory authority and control over the property in the 1980's and 1990's.

Sincerely,

A handwritten signature in black ink, appearing to read "Terrence L. Irion", written in a cursive style with a long horizontal flourish extending to the right.

Terrence L. Irion

TLI:kc