

**SUBDIVISION REVIEW SHEET****CASE NO.:** C8s-76-150(vac)**Planning Commission DATE:** 10.12.2021**SUBDIVISION NAME:** Gentry Estates Final Plat – Total Plat Vacation**AREA:** 5.76 acres**LOT(S):** 1 Lot**OWNER/APPLICANT:** Century Communities, Inc. (Kathleen Toomey)**AGENT:** LJA Engineering, Inc (John Clark)**ADDRESS OF SUBDIVISION:** Nuckols Crossing Road**GRIDS:** N/A**COUNTY:** Travis**WATERSHED:** Onion Creek**JURISDICTION:** 2-Mile ETJ**EXISTING ZONING:** N/A**MUD:** N/A**PROPOSED LAND USE:** N/A**ADMINISTRATIVE WAIVERS:**

None

**VARIANCES:**

None

**SIDEWALKS:** N/A

**DEPARTMENT COMMENTS:** The request is for approval of a total plat vacation for Gentry Estates, a lot subdivision located in the city's 2-Mile ETJ. The purpose of this plat vacation is the applicant is proposing to replat this property into a 70 small lot subdivision, Jennings Place (Small Lot Subdivision). This final plat will be presented to this commission at a later date.

**COUNTY COMMENTS**

This property is located in the 2-Mile, ETJ (Extra-Territorial Jurisdiction) of the City of Austin. The Texas Local Government prohibits the city and the county from regulating land uses, lot size, density, height and building coverage in the ETJ to name a few. There are no land use controls that can be imposed by the city or the county. In the county, there are 2 uses: Single-Family and Other. "Other" can mean commercial, retail, multi-family, office and industrial, any use that is not single-family residential. There are no zoning laws in the county.

**ISSUES:**

Staff has not received any inquiries from anyone regarding the proposed plat vacation.

**STAFF RECOMMENDATION:** This plat vacation meets all applicable state, county, and City of Austin Title 30 – Land Development Code requirements and staff recommends approval.

**ZONING AND PLATTING COMMISSION ACTION:**

**CASE MANAGER:** Jose Luis Arriaga  
Email address: [joe.arriaga@traviscountytexas.gov](mailto:joe.arriaga@traviscountytexas.gov)

**PHONE:** 512-854-7562

**EXHIBIT A****TOTAL VACATION OF "GENTRY ESTATES"****THE STATE OF TEXAS****COUNTY OF TRAVIS**

**WHEREAS**, Cecil F. Gentry, Ernest A. Dittmar, Simone H. Gentry, & Madie M. Dittmar, owners, A 5.746 acres of land out of the Santiago Del Valle Ten League Grant in Travis County, Texas, as conveyed to us by deed as recorded in Volume 5521 Pages 1133-1136, did heretofore subdivide the same into the subdivision designated GENTRY ESTATES, the plat of which is recorded in Book 75, Page 88 of Travis County, Texas Plat Records, and

**WHEREAS**, The following lots in subdivision are now owned by the parties indicated, to wit:  
**LOT 1 OWNER KATHLEEN TOOMEY GILMORE**

**WHEREAS**, KATHLEEN TOOMEY GILMORE who collectively constitute the owners of all original, intact lots in GENTRY ESTAES are desirous of (partially) vacating said subdivision plat so as to destroy the force and effect of the recording of such subdivision plat insofar and only insofar as the same pertains to Lot(s).

**NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:**

That KATHLEEN TOOMEY GILMORE for and in consideration of the premises and pursuant to the provisions of Chapter 212.013 of the Local Government Code, does hereby vacate Lot(s) 1 only. Said subdivision shall, however, remain in full force and effect as to all other lots in GENTRY ESTATES.

**EXECUTED THE DAYS HEREAFTER NOTED.****DATE**04-29-2021**OWNER'S SIGNATURE**

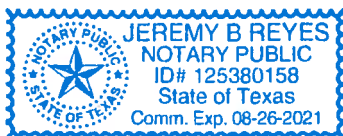
Kathleen Toomey Gilmore  
 Kathleen Toomey Gilmore

KATHLEEN TOOMEY GILMORE

(Enter owner's printed name)

**ACKNOWLEDGEMENT (FOR EACH OWNER)****THE STATE OF TEXAS §****COUNTY OF TRAVIS §**

This instrument was acknowledged before me on the 29<sup>th</sup> of APRIL, 2021, by  
KATHLEEN TOOMEY GILMORE, in the capacity stated herein.



Jeremy B Reyes  
 Signature of Notary

## APPROVAL OF TOTAL PLAT VACATION

BE IT KNOWN, that on the \_\_\_\_\_ day of \_\_\_\_\_, 20 21 , the \_\_\_\_\_ Zoning and Platting \_\_\_\_\_ Commission of the

City of Austin, at its regular meeting, did approve the total vacation of the subdivision known as

GENTRY ESTATES, as recorded in Book 75 , Page 88 ,

TRAVIS County Plat Records, upon application therefore by all of the owners of all of the lots in said subdivision.

EXECUTED, this \_\_\_\_\_ day of \_\_\_\_\_, 2021 .

\_\_\_\_\_  
CHAIR, Jolene Kiolbassa  
Zoning and Platting Commission  
City of Austin  
Travis County, Texas

ATTEST:

\_\_\_\_\_  
Ana Aguirre , Executive Secretary  
Zoning and Platting \_\_\_\_\_ Commission of the City of Austin

THE STATE OF TEXAS  
COUNTY OF TRAVIS

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared \_\_\_\_\_ Jolene Kiolbassa \_\_\_\_\_, known to be the person whose name is subscribed to the foregoing instrument as Chairperson of the \_\_\_\_\_ Zoning and Platting \_\_\_\_\_ Commission of the City of Austin, Texas, a municipal corporation, and she/he acknowledged to me that she/he executed the same for the purpose and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20 \_\_\_\_\_ .

SEAL

\_\_\_\_\_  
Printed name \_\_\_\_\_  
Notary Public in and for the State of  
Texas

My commission expires: \_\_\_\_\_

STATE OF TEXAS

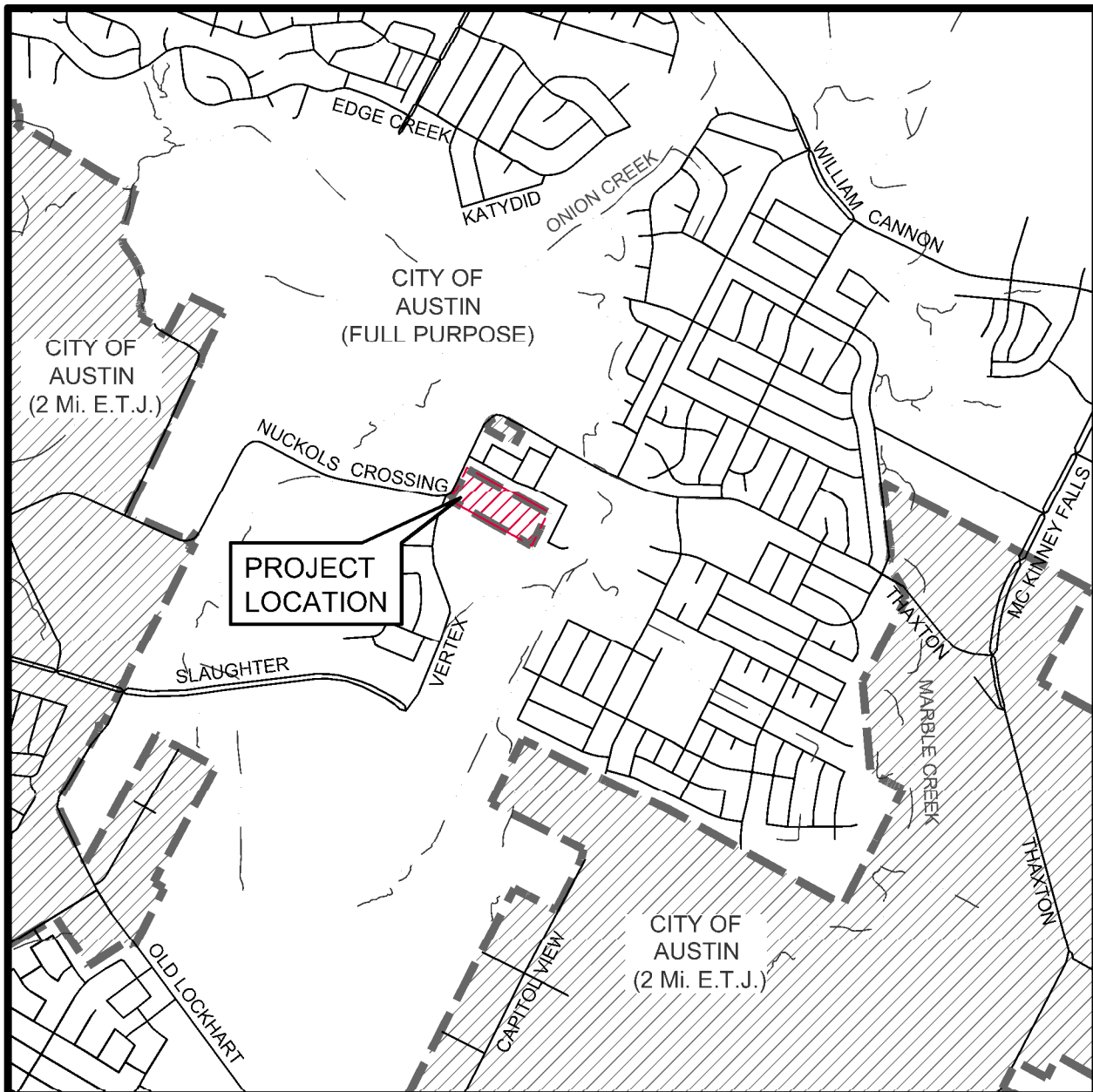
COUNTY OF TRAVIS

On \_\_\_\_\_, 20\_\_\_\_, the Travis County Commissioners Court approved the total cancellation of the subdivision known as \_\_\_\_\_, as described above.

EXECUTED, this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

Dana Debeauvoir, County Clerk  
Travis County, Texas

By: \_\_\_\_\_  
Deputy



## LOCATION MAP

SCALE: 1" = 2,000'

CITY OF AUSTIN GRID NO. H-13, J-13, & J-12  
MAPSCO: 674Z, 675W, & 705A

