

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 1804 FORT VIEW ROAD FROM NEIGHBORHOOD COMMERCIAL (LR) DISTRICT TO FAMILY RESIDENCE-CONDITIONAL OVERLAY (SF-3-CO) COMBINING DISTRICT.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from neighborhood commercial (LR) district to family residence-conditional overlay (SF-3-CO) combining district on the property described in Zoning Case No. C14-05-0115, on file at the Neighborhood Planning and Zoning Department, as follows:

A 1.19 acre tract of land, more or less, out of Lot 39, Theodore Low Heights Subdivision, Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 1804 Fort View Road, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

**PART 2.** The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

1. A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day.
2. Vehicular access from the Property to Fort View Road is prohibited. All vehicular access to the Property shall be from other adjacent public streets or through other adjacent property.

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the family residence (SF-3) base district and other applicable requirements of the City Code.

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**PART 3.** This ordinance takes effect on \_\_\_\_\_, 2006.

**PASSED AND APPROVED**

\_\_\_\_\_, 2006

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Will Wynn  
Mayor

**APPROVED:**

David Allan Smith  
City Attorney

**ATTEST:**

Shirley A. Gentry  
City Clerk

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FIELD NOTES TO ACCOMPANY MAP OF SURVEY  
1.19 ACRES OF LAND  
PORTION LOT 39, THEODORE LOW HEIGHTS  
CITY OF AUSTIN  
TRAVIS COUNTY, TEXAS

FIELD NOTES DESCRIPTION OF 1.19 ACRES OF LAND OUT THEODORE LOW HEIGHTS, A SUBDIVISION OF RECORD IN VOLUME 445, PAGE 581 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING THAT CERTAIN TRACT DESCRIBED IN A DEED TO J.W. HOWELL AND WIFE, LILLIAN E. HOWELL RECORDED IN VOLUME 2713, PAGE 443 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS. THE SAID 1.19 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING**, at a ½ inch diameter steel pin set with cap stamped Lenz & Assoc. on the east line of the said Lot 39, the same being the west right-of-way line of Valley View Road (called Juul Lane in Volume 856, Page 96 of the Deed Records of Travis County, Texas), at the intersection with the present north right-of-way line of Fortview Road, being at the northeast corner of that certain 2414 square foot portion of Lot 39 described in a deed to the City of Austin of record in Volume 2136, Page 255 of the Deed Records of Travis County, Texas, from which a round head bolt found bears S 01°15'12" W, 0.38 feet;

**THENCE**, N 60°21'20" W, along the present north right-of-way line of Fortview Road and north line of the said 2414 square foot City of Austin tract, being along a line thirty (30) feet north of and parallel with the City of Austin survey baseline found in Fortview Road, as shown on the accompanying map of survey, passing a ½ inch diameter steel pin found at 4.88 feet, passing a steel fence corner found at 163.17 feet and continuing a total distance of 163.57 feet to a ½ inch diameter steel pin set with cap stamped Lenz & Assoc. at the southwest corner of the said Howell tract, from which a steel bar found under a concrete walk at the intersection of the north right-of-way line of Fortview Road with the east line of that certain tract described in a deed of record in Volume 1416, Page 218 of the Deed Records of Travis County Texas bears N 60°21'20" W, 104.21 feet;

**THENCE**, N 30°27'43" E, a distance of 319.12 feet along the common line between the said Howell tract and that certain tract described in a deed to Einer Juul of record in Volume 610, Page 479 of the Deed Records of Travis County, Texas to a ½ inch diameter steel pin set with cap stamped Lenz & Assoc. on the north line of the said Lot 39, the same being the south line of Lot 2, Norris Addition, a subdivision of record in Book 28, Page 38 of the Plat Records of Travis County, Texas for the northwest corner of the said Howell tract, from which a steel fence corner post found bears N 30°27'43" E, 0.6 feet and an Iron pipe found bears N 60°00'00" W, 77.34 feet;

**THENCE**, S 60°00'00" E, along the common line between the said Lot 2 and the said Howell tract, passing a round head bolt found at the southeast corner of the said Lot 2 at 157.75 feet and continuing a total distance of 162.73 feet to a ½ inch diameter steel pin set with cap stamped Lenz & Assoc. on the west right-of-way of Valley View Road at the northeast corner of the said Howell tract, from which a steel fence corner post found bears S 60°00'00" E, 0.7 feet;

**THENCE**, S 30°18'41" W, a distance of 318.10 feet along a line twenty (20) feet west of and parallel with the calculated location of the City of Austin survey baseline, as shown on the attached map of survey, to the **PLACE OF BEGINNING**, containing 1.19 acres of land, more or less.

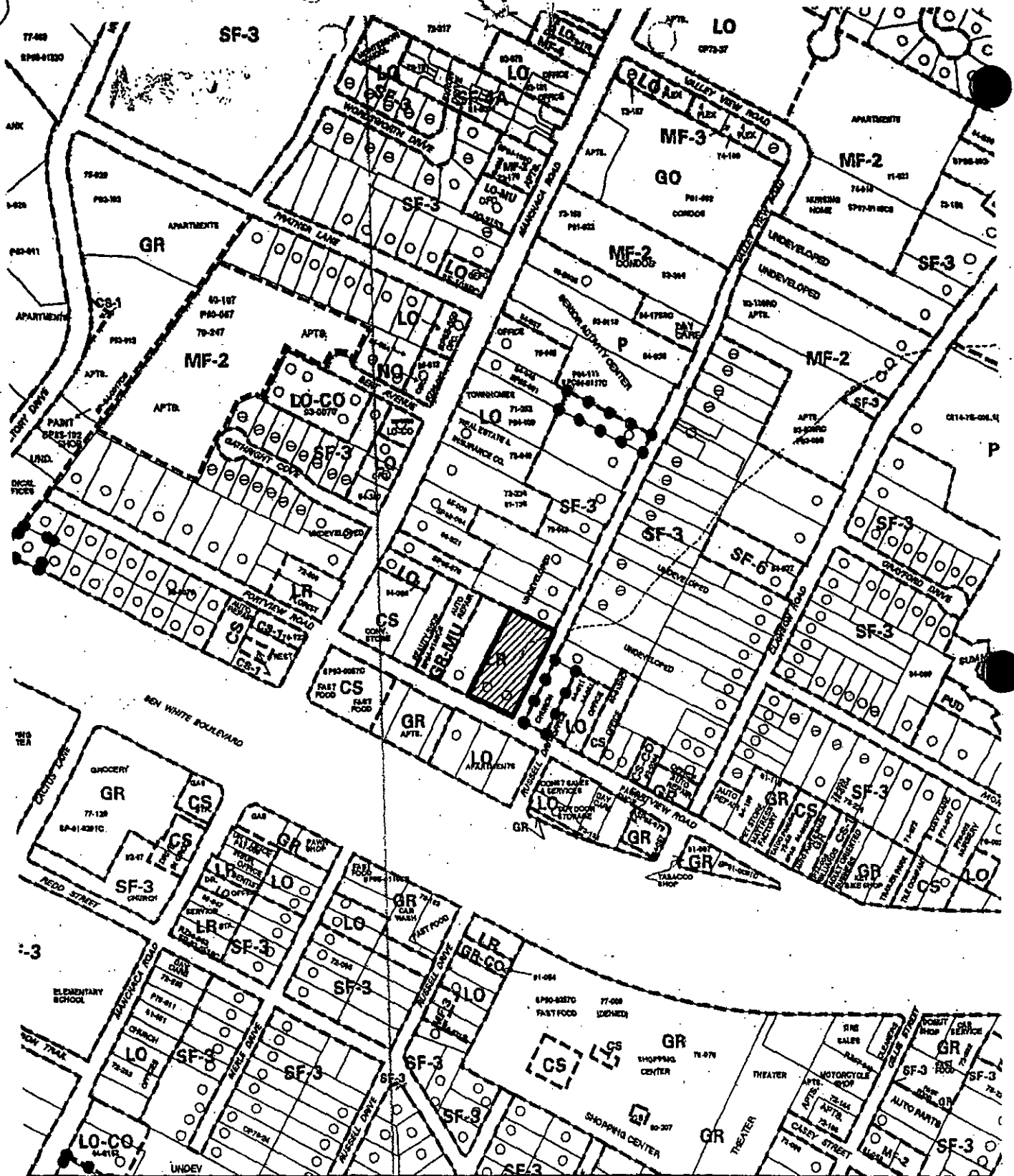
*T-A* *5-20-05*  
TIMOTHY A. LENZ, R.P.L.S. NO. 4393  
Lenz & Associates, Inc.  
1714 Fort View Road, Suite 101  
Austin, Texas 78704  
(512) 443-1174

(2005-0429.doc)



EXHIBIT A

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 1" = 400'	SUBJECT TRACT	 	ZONING EXHIBIT B		CITY GRID REFERENCE NUMBER G19
	PENDING CASE		CASE #: C14-05-0115	DATE: 05-07	
	ZONING BOUNDARY		ADDRESS: 1804 FORT VIEW RD	INTLS: SM	
	CASE MGR: R. HEIL		SUBJECT AREA (acres): 1.190		