



GRAVES DOUGHERTY HEARON & MOODY
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Agenda Item #3
August 9, 2006

August 4, 2006

Ms. Wendy Walsh
Department of Neighborhood Planning and Zoning
505 Barton Springs Road, Suite 500
Austin, Texas 78704

RE: Zoning Case#: C14-05-0150; Revisions to the restrictive covenant ("Restrictive Covenant") and ordinance ("Ordinance")

Dear Wendy:

Per your voice mail message, thank you for the City Staff's offer to put a memo in the file explaining that the phrase "dwelling unit" in the Restrictive Covenant executed by John and Joyce Harmon is defined in §25-1-21(35) of the Austin Land Development Code as:

a residential unit other than a mobile home providing complete, independent living facilities including permanent provisions for living, sleeping, eating and cooking.

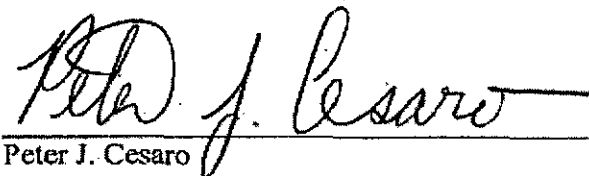
Also, based on more accurate measurements, the distance for the building setback in Section 1(a) of the Ordinance should be 646 feet rather than 670 feet along the North property line of the 30 acre tract adjacent to the residential zoned district. Per our discussions, we can take up this clarification from the podium at the special city council meeting on August 9, 2006.

In accordance with your suggestion, we want to specify in Section 1(b) of the Ordinance that all residential development shall achieve a minimum two-star rating under the Austin Energy Green Building Program effect as of August 9, 2006.

If you have any questions or comments, please let us know.

Yours truly,

GRAVES, DOUGHERTY, HEARON & MOODY, P.C.


Peter J. Cesaro

PJC/lec