

ORDINANCE NO. 20131212-092

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 3715 WESTLAKE DRIVE FROM LAKE AUSTIN RESIDENCE (LA) DISTRICT TO SINGLE FAMILY RESIDENCE STANDARD LOT-CONDITIONAL OVERLAY (SF-2-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 lake austin residence (LA) district to single family residence standard lot-conditional overlay (SF-2-CO) combining district on the property (the "Property") described in Zoning Case No. C14-2013-0048, on file at the Planning and Development Review Department, as follows:

Tract 1:

A 0.62 acre tract of land, more or less, being a part of Lots 92 and 93, Lake Shore Addition Subdivision, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance;

Tract 2:

A 0.63 acre tract of land, more or less, being a part of Lots 92 and 93, Lake Shore Addition Subdivision, the tract of land being more particularly described by metes and bounds in Exhibit "B" incorporated into this ordinance; and,

Tract 3:

A 0.03 acre tract of land, more or less, being a part of Lot 93, Lake Shore Addition Subdivision, the tract of land being more particularly described by metes and bounds in Exhibit "C" incorporated into this ordinance,

locally known as 3715 Westlake Drive in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "D".

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

- A. Development of the Property shall comply with a shoreline setback (defined in City Code) of 75 feet.

- B. A permanent improvement on the Property is prohibited in the shoreline setback area, except for a retaining wall, pier, wharf, boat-house or marina or a pedestrian access facility.
- C. Not more than 30 percent of the woody vegetation within the shoreline setback area may be removed.
- D. Except for surveying or testing, vegetation within the shoreline setback area may not be removed before a building permit is issued. For surveying or testing, areas up to 15 feet wide may be cleared, and trees smaller than 6 inches in diameter may be removed.
- E. Development on the Property with a gradient that exceeds 35 percent shall be limited to 650 square feet. This does not apply to a fence, driveway, road or utility that cannot be reasonably placed elsewhere, or a pedestrian access facility.
- F. Development of the Property shall not exceed a maximum of 37 percent impervious coverage.
- G. Development of the Property shall comply with a 10 foot side yard setback.
- H. An integrated pest management (IPM) plan shall be submitted to the Director of Watershed Protection Department for approval of the plan.
- I. Development of the Property may not exceed one single family land use.
- J. Impervious cover on the Property may not exceed:
 - 1. 650 square feet, on a slope with a gradient of 35 percent or more;
 - 2. 7,900 square feet, on a slope with a gradient of more than 15 percent and not more than 25 percent; and,
 - 3. 4,000 square feet, on a slope with a gradient of more than 25 percent and not more than 35 percent.

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the single family residence-standard lot (SF-2) base district and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on December 23, 2013.

PASSED AND APPROVED

December 12, 2013 §
§
Lee Leffingwell
Mayor

APPROVED: Karen M. Kennard
City Attorney
ATTEST: Jannette S. Goodall
City Clerk



Windrose Land Services Austin Ltd
3913 Todd Lane, Suite 512
Austin, Texas 78744
Phone (512) 326-2100 Fax (512) 326-2770
Professional Surveying Services

LEGAL DESCRIPTION

TRACT 1

BEING A TRACT OR PARCEL OF LAND CONTAINING 0.6234 ACRE (27,157 SQ. FT.) BEING A TRACT OF LAND BEING PARTS OF LOTS 92 AND 93 (INCLUDING THE AREA BETWEEN THE FRONTS OF THOSE PORTIONS OF SAID LOTS AND THE WATER'S EDGE OF THE WEST SHORE OF LAKE AUSTIN) LAKE SHORE ADDITION, A SUBDIVISION IN THE WILKINSON SPARKS SURVEY NO. 4 AND THE DAVID THOMAS SURVEY NO. 1 IN TRAVIS COUNTY, TEXAS (THE PLAT OF LAKE SHORE ADDITION IS RECORDED IN BOOK 3, PAGE 30 AND 31, OF THE PLAT RECORDS OF SAID COUNTY). SAID 0.6234 ACRE BEING THAT SAME TRACT DESCRIBED AS "TRACT ONE" BY VOLUME 4175, PAGE 1439, T.C.D.R. AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING ON THE WEST SHORE OF LAKE AUSTIN AS DESCRIBED BY VOLUME 4175, PAGE 1439, T.C.D.R., AT A CAPPED 1/2 INCH IRON ROD SET AT THE WATER'S EDGE AS DESCRIBED BY VOLUME 4175, PAGE 1439, T.C.D.R., FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE SOUTH 77 DEGREES 18 MINUTES 00 SECONDS WEST, 15.00 FEET TO A CAPPED 1/2 INCH IRON ROD SET IN THE EAST BOUNDARY OF LOT 92, FROM WHICH THE NORTHEAST CORNER OF LOT 92 OF LAKE SHORE ADDITION, AS THAT CORNER IS DELINEATED ON THE PLAT OF SAID LAKE SHORE ADDITION, BEARS NORTH 14 DEGREES 20 MINUTES 00 SECONDS WEST, 11.84 FEET;

THENCE SOUTH 70 DEGREES 12 MINUTES 00 SECONDS WEST (CROSSING THE NORTH BOUNDARY OF LOT 92 AND THE SOUTH BOUNDARY OF LOT 93), 301.40 FEET TO A 1/2 INCH IRON PIPE FOUND ON THE EAST BOUNDARY OF WESTLAKE DRIVE AND IN THE WEST BOUNDARY OF LOT 93 FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE WITH THE EAST BOUNDARY OF WESTLAKE DRIVE SOUTH 25 DEGREES 15 MINUTES 00 SECONDS EAST (PASSING AT 17.00 FEET A 1/2 INCH IRON PIPE FOUND FOR THE COMMON WEST CORNER OF LOTS 92 AND 93 OF LAKE SHORE ADDITION) A TOTAL OF 73.00 FEET, TO A 1/2 INCH IRON ROD FOUND ON THE EAST BOUNDARY OF WESTLAKE DRIVE AND THE WEST BOUNDARY OF LOT 92 FOR THE SOUTHWEST CORNER OF THIS TRACT, SAME BEING THE NORTHWEST CORNER OF THE LYDICK TRACT, CALLED 0.55 ACRE, AS DESCRIBED IN VOLUME 10882, PAGE 449, T.C.R.P.R.;

THENCE NORTH 75 DEGREES 43 MINUTES 00 SECONDS EAST, 286.20 FEET TO A CAPPED 1/2 INCH IRON ROD SET IN THE EAST BOUNDARY OF LOT 92, FROM WHICH THE SOUTHEAST CORNER OF SAID LOT 92 BEARS SOUTH 14 DEGREES 20 MINUTES 00 SECONDS EAST 43.70 FEET;

THENCE NORTH 74 DEGREES 29 MINUTES 00 SECONDS EAST, 21.00 FEET TO A CAPPED 1/2 INCH IRON ROD SET AT THE WATER'S EDGE OF LAKE AUSTIN AS DESCRIBED BY VOLUME 4175, PAGE 1439, T.C.D.R., FOR THE SOUTHEAST CORNER OF THIS TRACT, SAME BEING THE NORTHEAST CORNER OF SAID LYDICK TRACT;

THENCE WITH THE WEST SHORE OF LAKE AUSTIN AS DESCRIBED BY VOLUME 4175, PAGE 1439, T.C.D.R., AND ITS MEANDERS, NORTH 17 DEGREES 40 MINUTES 22 SECONDS WEST, 99.96 FEET (RECORD: NORTH 17 DEGREES 46 MINUTES 00 SECONDS WEST, 100.00 FEET) TO THE PLACE OF BEGINNING AND CONTAINING 0.6234 ACRE (27,157 SQ. FT.) OF LAND.

RONNIE WILLIS, RPLS # 5462
MARCH 23, 2004
JOB # 8140
G.F. NO. 00040449





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TRACT 2

BEING A TRACT OR PARCEL OF LAND CONTAINING 0.6380 ACRE (27,790 SQ. FT.), BEING PARTS OF LOTS 92 AND 93, LAKE SHORE ADDITION, A SUBDIVISION IN THE WILKINSON SPARKS SURVEY NO. 4, AND THE DAVID THOMAS SURVEY NO. 1 IN TRAVIS COUNTY, TEXAS (THE PLAT OF LAKE SHORE ADDITION IS RECORDED IN BOOK 3, PAGE 30 AND 31, OF THE PLAT RECORDS OF SAID COUNTY). SAID 0.6380 ACRE TRACT BEING THAT SAME TRACT DESCRIBED AS "TRACT TWO" BY VOLUME 4175, PAGE 1439, T.C.D.R. AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5/8 INCH IRON ROD FOUND ON THE EAST BOUNDARY OF WESTLAKE DRIVE AND IN THE WEST BOUNDARY OF LOT 93, SOUTH 25 DEGREES 15 MINUTES 00 SECONDS EAST, 10.00 FEET FROM A 1/2 INCH IRON PIPE FOR THE COMMON WEST CORNER OF LOTS 93 AND 94 OF LAKE SHORE ADDITION, AS THE CORNER IS DELINEATED ON THE PLAT OF SAID LAKE SHORE ADDITION, FOR THE NORTHWEST CORNER OF THIS TRACT;

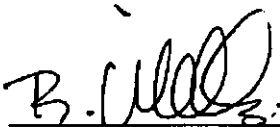
THENCE WITH THE EAST BOUNDARY OF WESTLAKE DRIVE, SOUTH 25 DEGREES 15 MINUTES 00 SECONDS EAST, 73.00 FEET TO A 1/2 INCH IRON PIPE FOUND IN SAME FOR THE SOUTHWEST CORNER OF THIS TRACT, FROM WHICH A 1/2 INCH IRON PIPE FOUND AT THE COMMON WEST CORNER OF LOTS 92 AND 93 BEARS SOUTH 25 DEGREES 15 MINUTES 00 SECONDS EAST, 17.00 FEET;

THENCE NORTH 70 DEGREES 12 MINUTES 00 SECONDS EAST (CROSSING THE NORTH BOUNDARY OF LOT 92 AND THE SOUTH BOUNDARY OF LOT 93), 301.40 FEET TO A CAPPED 1/2 INCH IRON ROD SET IN THE EAST BOUNDARY OF SAID LOT 92, FROM WHICH THE NORTHEAST CORNER OF LOT 92 BEARS NORTH 14 DEGREES 20 MINUTES 00 SECONDS WEST 11.84 FEET;

THENCE NORTH 77 DEGREES 18 MINUTES 00 SECONDS EAST, 15.00 FEET TO A CAPPED 1/2 INCH IRON ROD SET AT THE EDGE OF THE WATER ON THE WEST SHORE OF LAKE AUSTIN, AS DESCRIBED BY VOLUME 4175, PAGE 1439, T.C.D.R., FOR THE SOUTHEAST CORNER OF THIS TRACT;

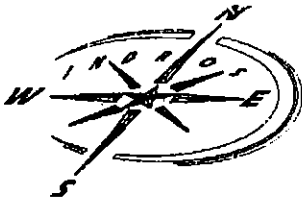
THENCE WITH THE WATER'S EDGE OF THE WEST SHORE OF LAKE AUSTIN, AS DESCRIBED BY VOLUME 4175, PAGE 1439, T.C.D.R., NORTH 21 DEGREES 55 MINUTES 09 SECONDS WEST, 103.57 FEET (RECORD: NORTH 21 DEGREES 56 MINUTES 00 SECONDS WEST, 103.50 FEET) TO A CAPPED 1/2 INCH IRON ROD SET AT THE WATER'S EDGE OF LAKE AUSTIN AS DESCRIBED BY VOLUME 4175, PAGE 1439, T.C.D.R., FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE SOUTH 65 DEGREES 01 MINUTES 00 SECONDS WEST, 320.70 FEET TO THE PLACE OF BEGINNING AND CONTAINING 0.6380 ACRE (27,790 SQ. FT.) OF LAND.



RONNIE WILLIS, RPLS # 5462
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TRACT 3

BEING A TRACT OR PARCEL OF LAND CONTAINING 0.0378 ACRE (1,648 SQUARE FEET) OF LAND BEING PART OF LOT 93 (INCLUDING THE AREA BETWEEN THE FRONT OF THE PORTION OF SAID LOT AND THE WATER'S EDGE OF THE WEST SHORE OF LAKE AUSTIN) LAKE SHORE ADDITION, A SUBDIVISION IN THE WILKINSON SPARKS SURVEY NO. 4, AND THE DAVID THOMAS SURVEY NO. 1 IN TRAVIS COUNTY, TEXAS (THE PLAT OF LAKE SHORE ADDITION IS RECORDED IN BOOK 3, PAGE 30 AND 31, OF THE PLAT RECORDS OF SAID COUNTY). SAID 0.0378 ACRE TRACT BEING THAT SAME TRACT OF LAND DESCRIBED IN VOLUME 7953, PAGE 870, T.C.D.R. AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5/8 INCH IRON ROD FOUND IN THE EAST BOUNDARY OF WESTLAKE DRIVE AND IN THE WEST BOUNDARY OF LOT 93, SOUTH 25 DEGREES 15 MINUTES 00 SECONDS EAST, 10.00 FEET FROM A 1/2 INCH IRON PIPE FOUND MARKING THE COMMON WEST CORNER OF LOTS 93 AND 94 OF LAKE SHORE ADDITION, AS THE CORNER IS DELINEATED ON THE PLAT OF SAID LAKE SHORE ADDITION, FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE WITH THE EAST BOUNDARY OF WESTLAKE DRIVE, NORTH 25 DEGREES 15 MINUTES 00 SECONDS WEST, 5.00 FEET TO A 1/2 INCH IRON ROD FOUND IN SAME FOR THE NORTHWEST CORNER OF THIS TRACT, SAME BEING THE SOUTHWEST CORNER OF THE REID TRACT, AS REFERENCED BY TCAD ACCOUNT NO. 0127080112;

THENCE NORTH 64 DEGREES 58 MINUTES 14 SECONDS EAST, 321.70 FEET (RECORD: NORTH 64 DEGREES 54 MINUTES 00 SECONDS EAST, 321.76 FEET) TO A CAPPED 1/2 INCH IRON ROD SET IN THE EAST BOUNDARY OF LOT 93 FOR THE NORTHEAST CORNER OF THIS TRACT, SAME BEING THE SOUTHEAST CORNER OF SAID REID TRACT;

THENCE WITH THE EAST BOUNDARY OF LOT 93, SOUTH 14 DEGREES 30 MINUTES 06 SECONDS EAST, 5.35 FEET (RECORD: SOUTH 15 DEGREES 01 MINUTE 00 SECONDS EAST, 5.93 FEET) TO A CAPPED 1/2 INCH IRON ROD SET IN SAME FOR THE SOUTHEAST CORNER OF THIS TRACT;

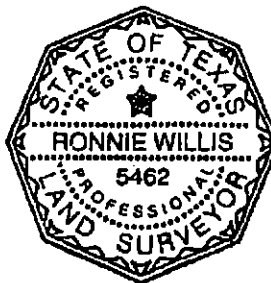
THENCE SOUTH 65 DEGREES 01 MINUTES 00 SECONDS WEST, 320.70 FEET (RECORD: SOUTH 65 DEGREES 03 MINUTES 00 SECONDS WEST) TO THE PLACE OF BEGINNING AND CONTAINING 0.0378 ACRE (1,648 SQUARE FEET) OF LAND.

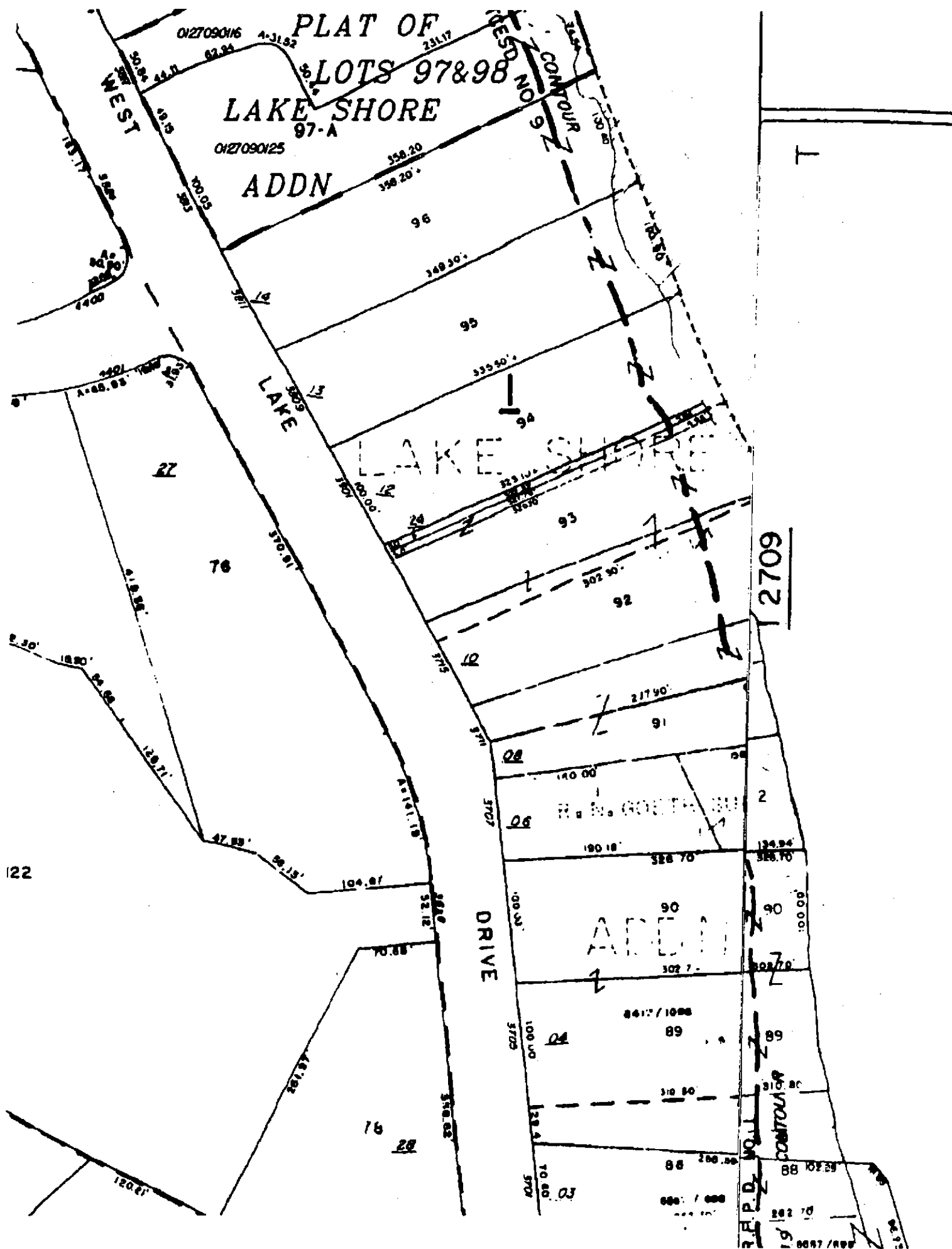
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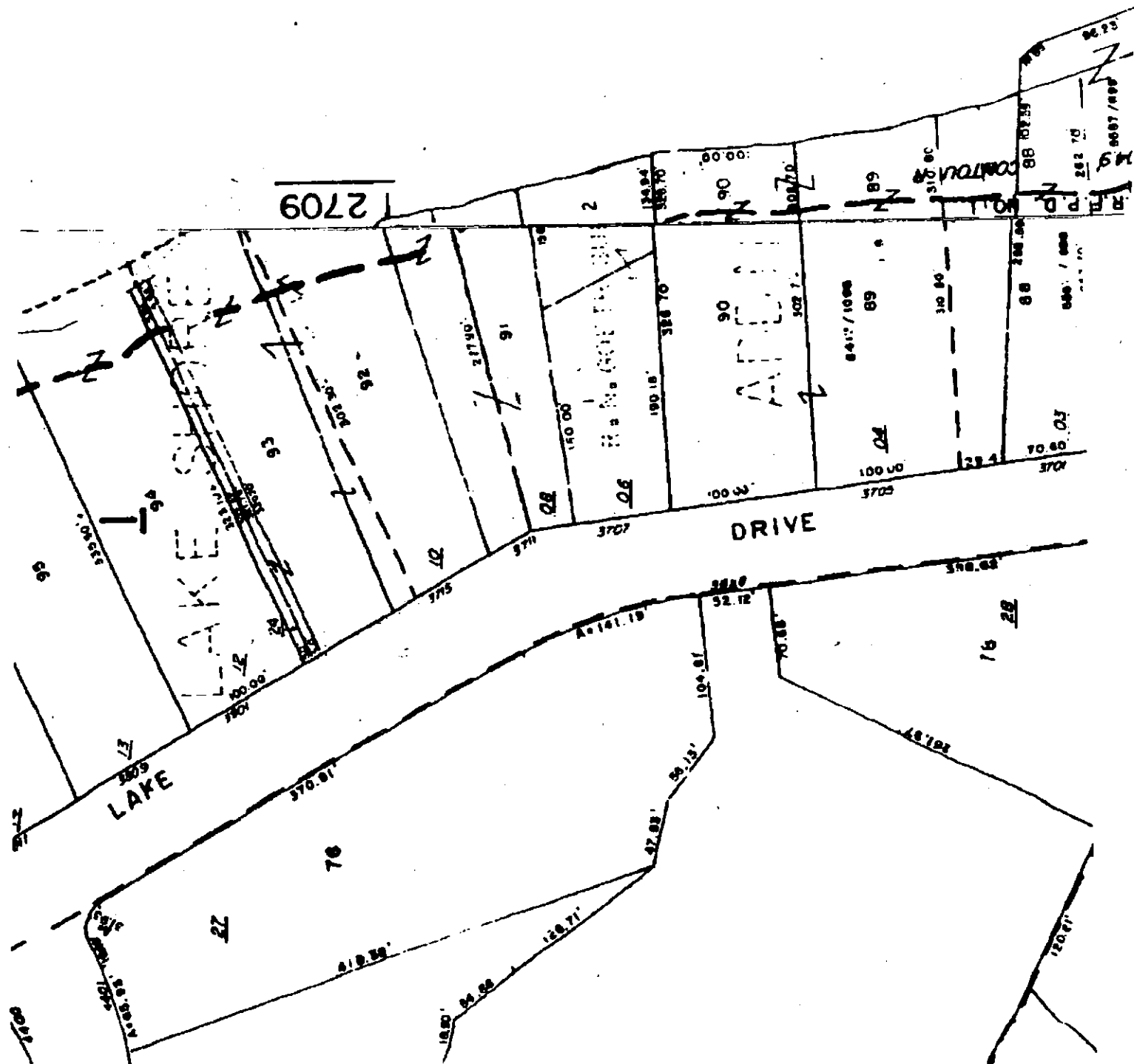
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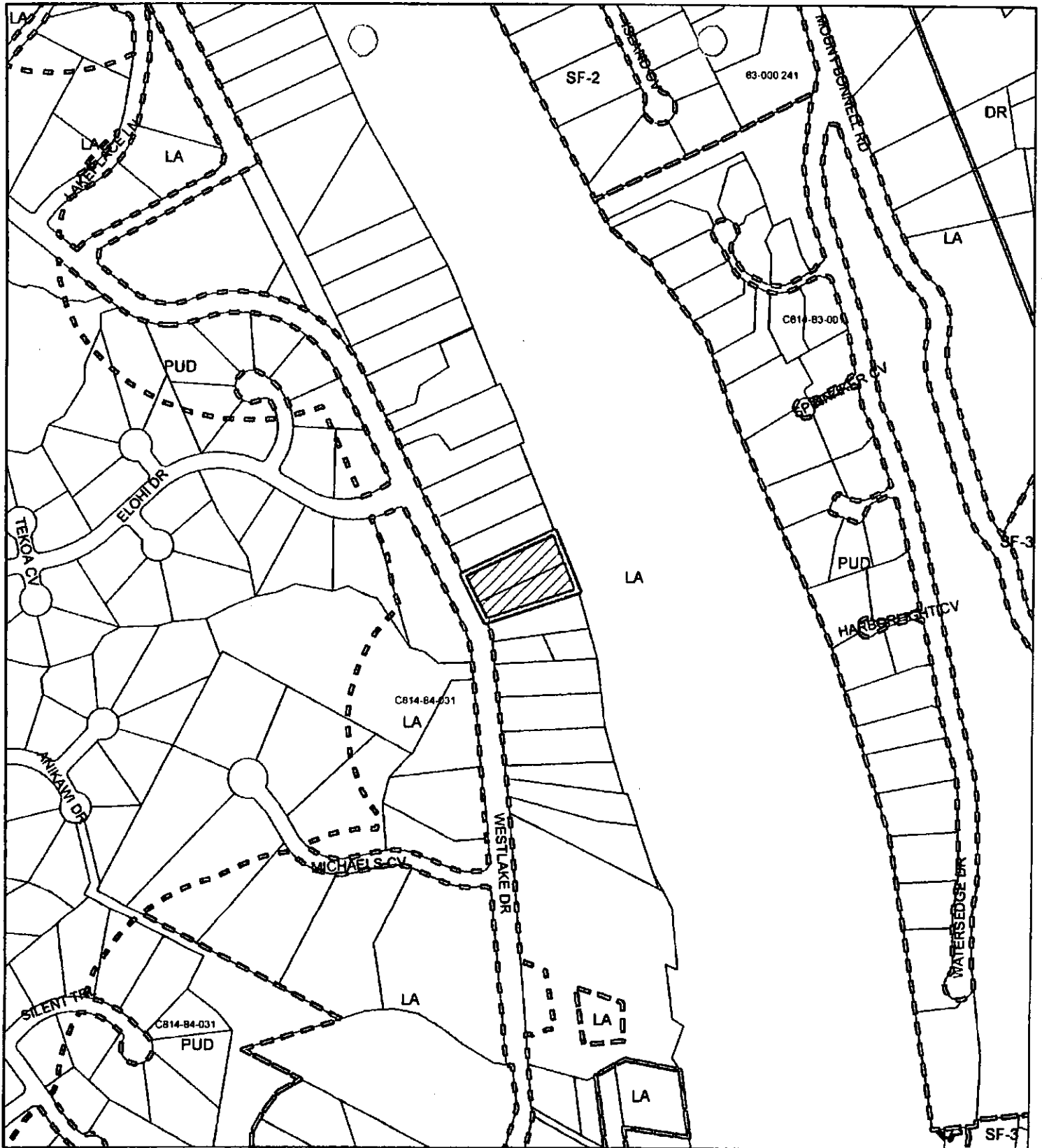




COLORADO

A. I. S. D.
E. A. N. E. S. I. S. D.





ZONING

ZONING CASE#: C14-2013-0048



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

1" = 400'

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This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



Exhibit D