

CITY OF AUSTIN
Board of Adjustment/Sign Review Board
Decision Sheet

DATE: Monday, March 9, 2015

CASE NUMBER: C15-2015-0018

☐ Y ☐ Jeff Jack - Chair
☐ Y ☐ Michael Von Ohlen **Motion to PP to 4-13-15**
☐ Y ☐ Melissa Whaley Hawthorne - Vice Chair
☐ Y ☐ Sallie Burchett
☐ OUT ☐ Ricardo De Camps
☐ OUT ☐ Brian King
☐ Y ☐ Vincent Harding **2nd the Motion**
☐ Y ☐ Will Schnier - Alternate
☐ Y ☐ Stuart Hampton - Alternate

APPLICANT: Jim Bennett

OWNER: Bob Herd

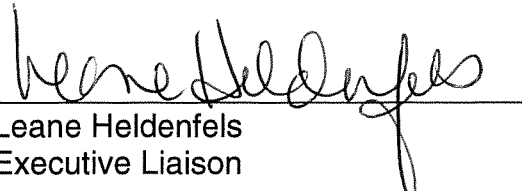
ADDRESS: 7909 BIG VIEW DR

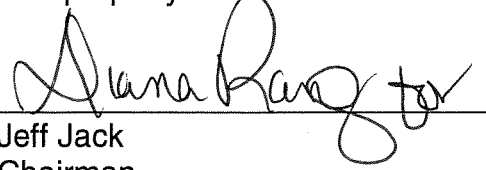
VARIANCE REQUESTED: The applicant has requested a variance(s) from Section 25-2-551(C) (2) (a) (*Lake Austin (LA) District Regulations*) to increase the maximum impervious cover from 20% (required) to 35.2% (requested) in order to construct a single family home in an "LA", Lake Austin zoning district.

BOARD'S DECISION: The public hearing was closed on Board Member Melissa Hawthorne motion to Postpone to March 9, 2015, Board Member Michael Von Ohlen second on a 6-0 vote; **POSTPONED TO MARCH 9, 2015.** MARCH 9, 2015 The public hearing was closed on Board Member Michael Von Ohlen motion to Postpone to April 13, 2015, Board Member Vincent Harding second on a 7-0 vote; **POSTPONED TO APRIL 13, 2015.**

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because:
2. (a) The hardship for which the variance is requested is unique to the property in that:
(b) The hardship is not general to the area in which the property is located because:
3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:


Leane Heldenfels
Executive Liaison


Jeff Jack
Chairman

Heldenfels, Leane

From: Randy Lawson <~~clawson@austintexas.gov~~>
Sent: Tuesday, March 10, 2015 4:28 PM
To: Heldenfels, Leane
Subject: RE: Case #C15-2015-0018 - 7909 Big View Dr. (Request for Variance)

Leane, this is to confirm that the River Place HOA voted last Friday, March 06, 2015 to allow our letter of opposition to this variance request case to stand. After carefully considering the facts of this variance request as we know them, the RP HOA has decided not to ask for that letter of opposition to be withdrawn. We will, furthermore, stand by any decision that the City of Austin Board of Adjustment makes relative to this variance request.

Thanks for your assistance to date on this case.

Randy Lawson - Board Member, RP HOA

From: Heldenfels, Leane [mailto:Leane.Heldenfels@austintexas.gov]
Sent: Wednesday, February 25, 2015 11:14 AM
To: Randy Lawson
Subject: FW: Case #C15-2015-0018 - 7909 Big View Dr. (Request for Variance)

Hi Randy – see below. No 245 determination approved for neighboring property.
FYI –
Leane

From: Johnson, Christopher [PDRD]
Sent: Wednesday, February 25, 2015 11:02 AM
To: Heldenfels, Leane
Subject: RE: Case #C15-2015-0018 - 7909 Big View Dr. (Request for Variance)

I heard back from Susan and she has confirmed that there has been no approval of a 245 Determination for Lot 52. As requests in that subdivision have been consistently denied grandfathering, based on the fact that there is a 2011 plat. I'm not sure what Mr. Lawson heard or where he heard it.

From: Johnson, Christopher [PDRD]
Sent: Wednesday, February 25, 2015 8:22 AM
To: Heldenfels, Leane; Scallon, Susan
Subject: RE: Case #C15-2015-0018 - 7909 Big View Dr. (Request for Variance)

I don't see anything in AMANDA indicating that there was a 245 determination for the lot next door at 7913 (lot 52A)—there is not even any application submittals in 2014 that would correspond with those dates Mr. Lawson is listing, so I'm not sure what he is referring to on the adjacent lot.

I've copied Susan Scallon, to see if she is aware of a 245 determination that was granted for lot 52—I didn't see anything scanned in with the building plans for the house or the boat dock on that lot, so I'm not really convince this alleged approval actually exists for the lot at 7913.

From: Heldenfels, Leane
Sent: Tuesday, February 24, 2015 4:54 PM

City of Austin Residential Permit Application

Master Comment Report

**Property:** 7909 BIG VIEW DR**Case #:** 2014-121785 PR**Case Manager:** Shahin Moezzi**Original Submittal Date:** November 12, 2014**Application Expiration:** May 11, 2015**Comment-report Sent:** November 24, 2014**Comment-report #:** 1**Manager Contact:** Shahin.Moezzi@austintexas.gov

This report includes all staff comments received to date concerning your most recent residential permit application submittal. The comments may include requirements, recommendations, and/or information.

The application will be approved when ALL comments from each review discipline have been addressed. Your application is considered disapproved until the update process occurs. *(Additional comments may be generated as a result of information or design changes provided in your update.)*

Please contact your case manager or appropriate reviewer(s) if you have any questions, concerns, or require additional information about this report **to schedule an appointment** so that your concerns can be addressed. **Please understand that you CANNOT meet with your reviewer(s) during General Information Walk-In Hours** – we **DO NOT** take walk-ins for projects under review; **you must schedule an appointment with your reviewer.**

Requirements:

- Prepare a separate document **OR** use this report to explain how each comment is being addressed. **Include the document with this Master Comment Report upon time of re-submittal.**
- Submit 3 separate sets of updated drawings (assembled and stapled) – correctly sized and to-scale *(according to original intake requirements)*.
- Label all additional reviewer-specific paperwork accordingly.
- If information on the application changed from the initial submittal, you must provide a new application with the appropriate revisions.
- If revisions of the site plan are required, the small format set must be re-stamped by Austin Energy and Austin Water Utility – as necessary.

Update Fees and Submittal:

It is required that you submit all documents requested for the update together. Residential Review will **NOT** accept informal updates for any case – NO EXCEPTIONS. If there are remaining comments to be addressed on this comment report, it will be **REJECTED** which will incur a review update fee (\$342.00 plus 4% development surcharge) on all subsequent update submittals. Invoices will use the billing information obtained during Intake. The fee must be paid at the Cashier on the first (1st) floor of the One Texas Center (OTC) before the update will be accepted. Your update must be formally submitted to the Residential Intake desk on the second (2nd) floor of the OTC during Intake hours (MWF 8a – 11p, W 1p – 3p).

Update Deadline (LDC 25-1) and extensions:

It is the responsibility of the applicant or his/her agent to update this application. The final update to clear all comments must be submitted by the application expiration date. Otherwise, the application will automatically expire. If this date falls on a weekend or City of Austin holiday, the next City of Austin workday will be the deadline. Contact your case manager to request an extension. Note that an extension may be granted only one (1) time and must be requested prior to expiration.

Online Reference:

Your project information is available online:

<http://www.austintexas.gov/page/interactive-development-review-permitting-and-inspection>

Residential Zoning Review - Paul Yadro - 512-974-3553

I have reviewed the above noted application and have the following comments that must be addressed before a permit will be released:

1. FYI: A paid Planner Consultation prior to submittal would have been extremely beneficial to the applicant, property owner, and all Design Professionals involved with this project.
2. As submitted the plot plan and slope map exhibit are not properly prepared and do not demonstrate compliance with LDC 25-2-551. Both are missing required information. Thus, staff can only provide comments with regards to what is missing.
3. The lot is legal flag lot and the flagpole/access portion of the lot is not allowed to be used in the total lot size (area calculation) for the impervious cover calculations per LDC 25-1-22. Approximately 18,121sf of lot area must be excluded (based on staff's estimates using GIS data). Provide this area calculation on the plot plan to demonstrate that it has been excluded.
4. The lot is zoned LA and will be reviewed per LA zoning regulations contained in 25-2-551. Front setback = 40', interior side setbacks = 10' and the shoreline setback is 75' as prescribed per LDC 25-2-551(A) and (B). Impervious cover /slope intervals are prescribed per LDC 25-2-551(C). Revise plot plan and slope map accordingly.
5. The area within the required shoreline setback must be excluded from the prescribed impervious cover/slope intervals per LDC 25-2-551(B) 1.
6. On the plot plan, correct the lot size to 1.152 Acres per recorded plat (C8J-2011-0102.0A).
7. On the plot plan depict and label all easements as depicted on the recorded plat (C8J-2011-0102.0A). The access easement that transects the NE corner of the lot is not depicted on the plot plan or the slope map as recorded per C8J-2011-0102.0A.
8. On the plot plan and the slope map, depict and label the 492.8' contour (Lake Austin Shoreline per LDC 25-2-551).
9. On the plot plan and the slope map, depict and label the shoreline setback (75' setback) as drawn parallel from the 492.8' contour and depict its calculated area within the slope map table (add a column).
10. Update the Slope Map Table with revised and corrected area values (subtracting the flagpole/access and shoreline area) within the three slope intervals along with the area(s) within the shoreline setback.
11. Update the Slope Map Table and include a column for Proposed SF within the table.
12. On the plot plan and slope map exhibit remove the Building Lines (and any text/labeling of their recording information) that were included on the initial submittal. Staff does not enforce Building Lines on Plats. Setbacks are determined by the current Zoning (which is LA).
13. On the plot plan depict all flatwork (driveways, concrete, and uncovered paved areas) with some type of textured stencil/symbol for clarification and review.
14. Proposed residence does not comply with the required 10' interior side yard setbacks. Revise plans accordingly or the applicant must seek a Board of Adjustment.
15. Per plans submitted, staff cannot determine what the correct maximum allowed Impervious Cover is for this lot because the lot size used for the calculation did not subtract the area flagpole/access area of the flag lot and the area within the required shoreline setback. Based on what was submitted, it appears that what is proposed will exceed the maximum allowed Impervious Cover for this property per LDC 25-2-551. Major revisions will be required or the applicant must seek a Board of Adjustment Variance.
16. No further comments – expect the possibility of new comments with any future revisions/Updates.
17. Staff strongly advises that the applicant contact their Zoning Reviewer to set up a meeting to go over Zoning Review rejection comments prior to submitting any future updates.
18. For submittal of next update: submit 3 complete plan sets (2 full-size sets and 1 small-size or 3 complete sets on 11"x17" sheets) drawn to scale and Sealed by your Design Professional. Complete plan sets include both architectural and structural drawings.

19. When submitting next Update, make for certain to submit revisions that will address all comments. Do not piecemeal (submitting multiple updates to address rejection comments) your Updates because as of October 1, 2013 new Residential Review Fees have gone into effect for Plan Reviews and Plan Review Updates. As of October 1, 2013, the combined plan review fee covers the initial review and one (1) update. Note: After a Plan Review receives two rejections; a Plan Review Update Fee (\$342 + 4% Development Services Surcharge Fee) is automatically generated and must be paid before submitting future Updates. If you have unpaid fees on a Plan Review Application and attempt to submit Updates, our Intake Staff will not accept your Update and revised plans until any unpaid fees are paid.
20. Staff will hold the plans and application as submitted in our office. If you have questions regarding the comments or would like to make an appointment with the Zoning Reviewer, please contact Paul Yadro at Paul.Yadro@austintexas.gov or via phone at 512-974-3553. Note: I do not take walk-ins during walk-in general information hours on Monday, Wednesday, and Friday (8am to 11am) for projects under review; you must set an appointment or you will be turned away at the Intake window.

Tree Ordinance Review - Keith Mars - 512-974-2755

A tree permit review is required for this proposal, or the current tree permit does not match or address what is proposed. Please contact the City Arborist to initiate the tree review. Foundation design plans, plan, detail and notes pages, are required to complete the tree review for this site. It is helpful to submit the tree permit separately than including it into the residential building permit application packet. It is the responsibility of the permit applicant to ensure that the tree permit applications are received on the 4th floor of One Texas Center. Residential Review does not forward the application if included with the building permit application

Project Name:
Address: 7909 BIG VIEW DR
File Number: 2014-121785 PR

Fire Reviewer - Marvin Lewis 512-974-0219

November 24, 2014

Update 0 – Rejected

Property at the end of a dead end main. Fire flow test required at Hydrant #219268.

The Fire Area of this new home/addition/remodel exceeds 3600 SF (approx. fire area calculated is 5770 S.F.). 2012 International Fire Code (IFC) Table B105.1 requires at least 2000 GPM Fire Flow for this property. No current data is available to determine the fire flow in this area. The available options for compliance with 2012 IFC are as follows:

- a. Request a fire flow test at nearest hydrant to this address online @ <http://www.austintexas.gov/service/fire-hydrant-flow-testing> . You MUST provide a copy of the fire flow test data to this reviewer immediately upon completion. Please send test to marvin.lewis@austintexas.gov .

- b. If the available fire flow (as shown by the flow test) is less than the required fire flow of at least 2000 GPM, your options for compliance with the IFC 2012 are as follows:
- c. Reduce the fire area of the home to under 3600 SF.
- d. Provide a full fire sprinkler system designed per NFPA 13D or IRC Sec. P2904.
- e. Upgrade the construction type as defined by the International Building Code according to the size of this property to reduce the fire flow required as per the City of Austin amendments to the 2012 IFC Sec. B105.1 thru B105.1.2.

Technical Building Code Review - Paul Yadro - 512-974-3553

I have reviewed the above noted application and have the following comments that must be addressed before a permit will be released:

1. Provide roof and wall framing details within the Structural Drawings. None were included/provided for within the Structural Drawings prepared by Duffy Engineering.
2. VISITABILITY: Provide a clear note on plan(s) showing compliance with R320 Visitability (See Ordinance No. 20140130-021 for: Visitable light switches, receptacles, and environmental controls. Hint: The easiest way to address this comment is to include the note on the Sealed 1st floor plan.

1520050018

Impervious Cover Enforcement
River Place Section 16 & 17 Lots with New Houses or Additions
since 2009 Annexation
According to City Website Information

	Lot and Section	Address Big View Dr.	Year Built	House Size (sf)	Lot Size (sf)	Initial IC Sq.ft.	Initial IC%	IC Addition (%)	Year of Addition
1	Lot 2 \$17	8818	2010	7,043.0	103,568	9,015	8.7%	1,000 (9.7%)	2011**
2	Lot 17 \$17	8816	2011	4,602.0	28,946	17,692	32%	272 (33%)	2011
3	Lot 18 \$17	8808	2011	5,860.5	43,516	10,006	29.4%	1,201 (32.8%)	2011
4	Lot 25 \$17	8612	2012	4,754.5	45,738	12,335	24.75%	n/a	n/a
5	Lot 26 \$17	8600	2010	4,608.0	47,741	9,118	19.8%	1,032 (22%)	2010**
6	Lot 63 \$16	8401	2006	5,992	46,199	11,891	23%	1,113 (25.74%)	2014
7	Lot 32 \$16	8316	2010	6,274.0	43,887	11,976	27.2%	1,446 (30%)	2010
8	Lot 33 \$16	8308	2011	5,808.0	44,318	8,313	18.75%	1,107 (19.76%)	2012**
9	Lot 39 \$16	8116	n/a	n/a	46,461	*	n/a	n/a	n/a
10	Lot 40 \$16	8108	2006	6,020	47,384	8,860	18.6%	712 (20.2%)	2011
11	Lot 42 \$16	8024	2011	6,851.0	48,800	15,300	31.3%	n/a	**
12	Lot 57 \$16	8021	2010	6,989.0	50,303	8,704	17%	1,908 (21%)	2010**
13	Lot 48 \$16	7904	2006	7,481.0	62,417	14,010	22%	238 (23%)	2014**
14	Lot 52A \$16	7913	2012	5,788.0	56,530	12,582	22.3%	588 (23.3%)	2012**
		Average		6004		11,745			
		7909		5,829	50,181	8,238	16.4%	n/a	n/a

* October 2014 Chapter 245 determination that plat note, and not LA zoning regulations, control impervious cover limit.
** City records reflect maximum allowable impervious cover as 35%.

River Place Section 16 & 17 Lake Front Lots with New Houses or Additions
since 2009 Annexation

Based on LA Zoning Impervious Cover Regulations

	Address <u>Big View</u> <u>Dr.</u>	Lot Size <u>(SQ FT)</u>	Year of Last Permit*	75' shoreline setback	Net Lot Area	IC <u>Sq.ft.</u> ****	LA ***** Zoning IC%
1	Lot 17 \$17	8816	2011	20,641***	33,809	17,964	53%
2	Lot 18 \$17	8808	2011	18,093***	25,423	11,207	44%
3	Lot 25 \$17.	8612	2012	7,500	38,238	12,335	32.6%
4	Lot 32 \$16	8316	2010	10,200	33,687	13,422	39.8%
5	Lot 40 \$16	8108	2011	7,500	39,884	9,572	24%
6	Lot 42 \$16	8024	2011	14,625	34,175	15,300	44.8%
7	Lot 48 \$16	7904	2014	15,256	47,161	14,349	30.4%
8	Lot 52A \$16	7913	2012	8,250	29,299	13,170	45%
	Average						
	Proposed 7909	32,141**	n/a	7,589	24,552	8,238	33.5%

* Reflects year of last building permit authorizing construction of impervious cover.

** Lot area reduced by subtracting flag pole Section 25-1-22(A)(1).

*** Shoreline setback area includes area below 492.8' contour line. Section 25-1-22(A)(2).

**** Includes all impervious cover.

***** Lot area based on deductions in Section 25-1-22(A) when calculating allowable impervious cover.

Net lot area for each lot is assumed to be 0-25% slope category. The variance requested has a higher percentage than shown in this chart because a portion of Lot 51A is in the 25-35% slope category.

7909 BIG VIEW DR

HEATED AREA

FIRST LEVEL FLOOR PLAN	3,451 sq.ft.
SECOND LEVEL FLOOR PLAN	2,378 sq.ft.
TOTAL HEATED AREA =	5,829 sq.ft.

IMPERVIOUS COVERAGE

LOT AREA =	50,181 sq.ft.
POLE AREA =	18,040 sq. ft.
LOT - POLE AREA =	32,141 sq.ft.

FOOTPRINT OF MAIN RESIDENCE (COV. FOUNDATION)	5,688 sq.ft.
PATIOS	435 sq.ft.
CONCRETE WALKS & PLANTERS	245 sq.ft.
EXISTING DRIVEWAY	1,160 sq.ft.
NEW DRIVEWAY	683 sq.ft.
A/C PADS	27 sq.ft.
TOTAL IMP. COVERAGE =	8,238 sq.ft.

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River Place Section 16 & 17 Lake Front Lots with New Houses or Additions
since 2009 Annexation
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PLAT DOCUMENT#

PLAT

PLAT RECORDS INDEX SHEET:

SUBDIVISION NAME: RIVER PLACE SECTION 16OWNER'S NAME: FIRST RIVER PLACE RESERVE LTDRESUBDIVISION?(YES/NO) NO

ADDITIONAL RESTRICTIONS/COMMENTS:

NONE

RETURN:

CITY OF AUSTIN

PO BOX 1088

Austin Texas 78767

Fred Soliz/

Justin Fohn

PLAT FILE STAMP

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

01-17-2001 10 37 AM 200100017
BAZANJ \$181 00
DANA DEBEAUVOIR, COUNTY CLERK
TRAVIS COUNTY, TEXAS

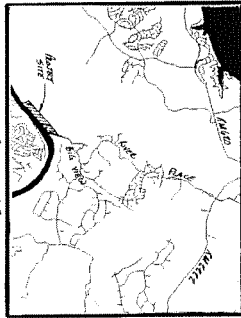
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RIVER PLACE SECTION 16

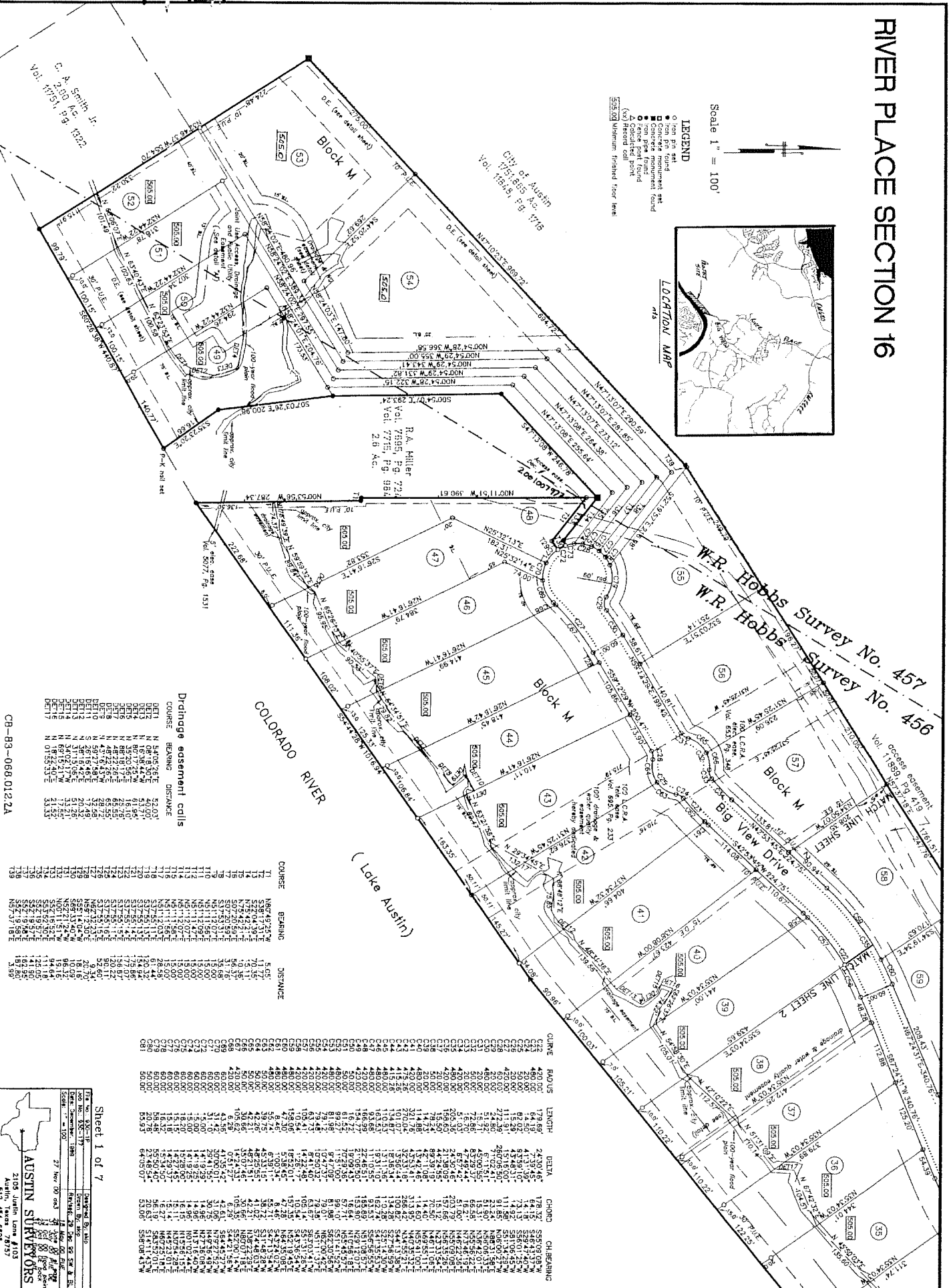
Scale 1" = 100'



LOCATION MAP

LEGEND

- Iron pin set
- Concrete monument set
- Concrete monument found
- Recessed post found
- Recessed post set
- Uniform finished floor level



Dredging easement calls

COURSE	BEARING	DISTANCE
DE1	N 54°05'26"E	52.03'
DE2	N 54°05'26"E	49.07'
DE3	N 54°05'26"E	61.94'
DE4	N 54°05'26"E	16.10'
DE5	N 54°05'26"E	6.55'
DE6	N 54°05'26"E	6.55'
DE7	N 54°05'26"E	6.55'
DE8	N 54°05'26"E	6.55'
DE9	N 54°05'26"E	6.55'
DE10	N 54°05'26"E	6.55'
DE11	N 54°05'26"E	6.55'
DE12	N 54°05'26"E	6.55'
DE13	N 54°05'26"E	6.55'
DE14	N 54°05'26"E	6.55'
DE15	N 54°05'26"E	6.55'
DE16	N 54°05'26"E	6.55'
DE17	N 54°05'26"E	6.55'
DE18	N 54°05'26"E	6.55'
DE19	N 54°05'26"E	6.55'
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DE23	N 54°05'26"E	6.55'
DE24	N 54°05'26"E	6.55'
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DE29	N 54°05'26"E	6.55'
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DE50	N 54°05'26"E	6.55'
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DE71	N 54°05'26"E	6.55'
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DE90	N 54°05'26"E	6.55'
DE91	N 54°05'26"E	6.55'
DE92	N 54°05'26"E	6.55'
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DE95	N 54°05'26"E	6.55'
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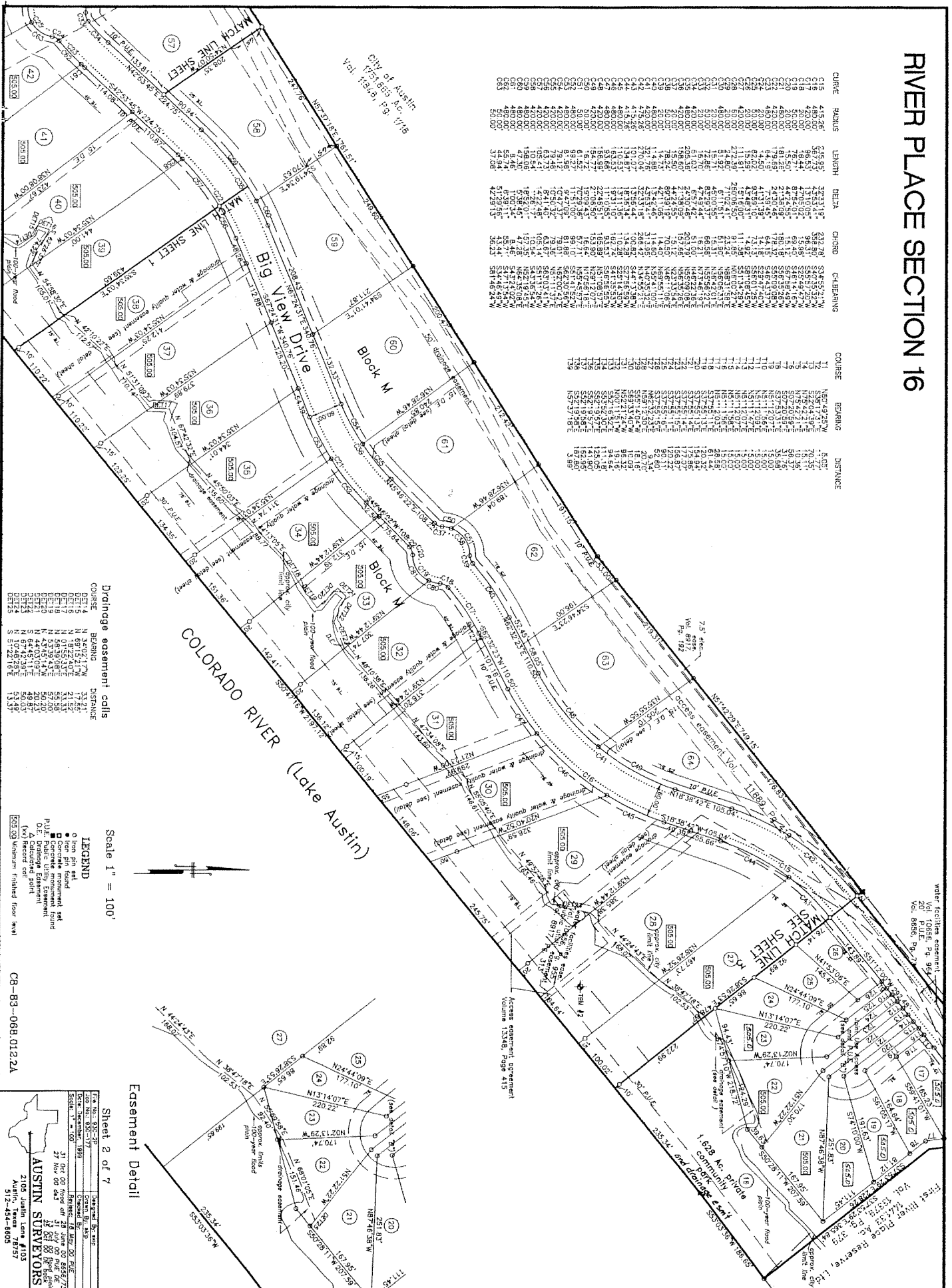
CB-83-068.012.2A

Sheet 1 of 7

AUSTIN SURVEYORS

2104 Austin Lane #103
Austin, Texas 78757
512-454-6805

RIVER PLACE SECTION 16

[illegible]

Drainage easement calls

Scale 1" = 100'


LEGEND

- ☐ Iron pin set
- ☒ Iron pin found
- ☐ Concrete monument set
- ☐ Concrete monument found
- ☐ Public Utility Easement
- ☐ Drainage Easement
- ☐ Calculated point

Easement Detail

Sheet 2 of 7

File No.: 93C-2P	Designed By: nnp
JOB No.: 93C-177	Drawn By: akp
Date: December, 1999	Checked By:
Scale: 1" = 100'	Revised: 18 May 00 PUE



AUSTIN SURVEYORS

31 Oct 00 flood off 28 June 00 8656/77
 27 Nov 00 daf 31 July 00 PUE DE
 23 Oct 00 flood plain 28 Oct 00 H. Beck

2105 Justin Lane #103
Austin, Texas 78757
512-454-6605

C8-83-068.012.2A

RIVER PLACE SECTION 16

Map Labels:

- Big View Drive**
- 100 Year Floodplain**
- Block M**
- 1.628 Ac. private property**
- City of Austin**
- River Place M.U.D.**
- Woodlands Park**
- First River Place Reserve, Ltd.**
- SEE SHEET 16**
- SEE SHEET 17**
- SEE SHEET 18**
- SEE SHEET 19**
- SEE SHEET 20**
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- SEE SHEET 97**
- SEE SHEET 98**
- SEE SHEET 99**
- SEE SHEET 100**

Map Data Table:

CURVE	RADIUS	LENGTH	DELTA	CHORD	CHORD ANG
C1	715.00'	148.35'	75.74°	148.35'	59.87°
C2	715.00'	148.35'	75.74°	148.35'	59.87°
C3	715.00'	148.35'	75.74°	148.35'	59.87°
C4	715.00'	148.35'	75.74°	148.35'	59.87°
C5	715.00'	148.35'	75.74°	148.35'	59.87°
C6	715.00'	148.35'	75.74°	148.35'	59.87°
C7	715.00'	148.35'	75.74°	148.35'	59.87°
C8	715.00'	148.35'	75.74°	148.35'	59.87°
C9	715.00'	148.35'	75.74°	148.35'	59.87°
C10	715.00'	148.35'	75.74°	148.35'	59.87°
C11	715.00'	148.35'	75.74°	148.35'	59.87°
C12	715.00'	148.35'	75.74°	148.35'	59.87°
C13	715.00'	148.35'	75.74°	148.35'	59.87°
C14	715.00'	148.35'	75.74°	148.35'	59.87°
C15	715.00'	148.35'	75.74°	148.35'	59.87°
C16	715.00'	148.35'	75.74°	148.35'	59.87°
C17	715.00'	148.35'	75.74°	148.35'	59.87°
C18	715.00'	148.35'	75.74°	148.35'	59.87°
C19	715.00'	148.35'	75.74°	148.35'	59.87°
C20	715.00'	148.35'	75.74°	148.35'	59.87°
C21	715.00'	148.35'	75.74°	148.35'	59.87°
C22	715.00'	148.35'	75.74°	148.35'	59.87°
C23	715.00'	148.35'	75.74°	148.35'	59.87°
C24	715.00'	148.35'	75.74°	148.35'	59.87°
C25	715.00'	148.35'	75.74°	148.35'	59.87°
C26	715.00'	148.35'	75.74°	148.35'	59.87°
C27	715.00'	148.35'	75.74°	148.35'	59.87°
C28	715.00'	148.35'	75.74°	148.35'	59.87°
C29	715.00'	148.35'	75.74°	148.35'	59.87°
C30	715.00'	148.35'	75.74°	148.35'	59.87°
C31	715.00'	148.35'	75.74°	148.35'	59.87°
C32	715.00'	148.35'	75.74°	148.35'	59.87°
C33	715.00'	148.35'	75.74°	148.35'	59.87°
C34	715.00'	148.35'	75.74°	148.35'	59.87°
C35	715.00'	148.35'	75.74°	148.35'	59.87°
C36	715.00'				

Sheet 3 of 7

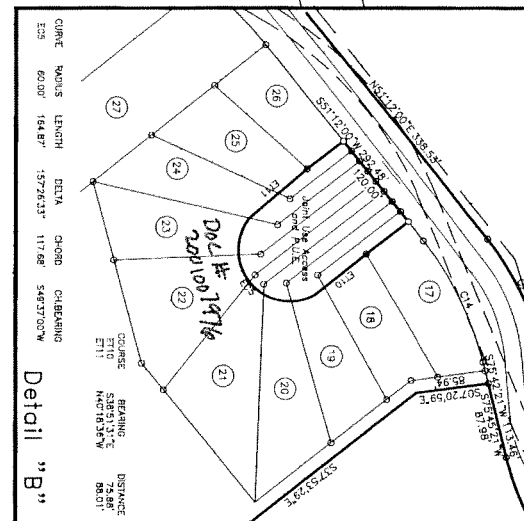
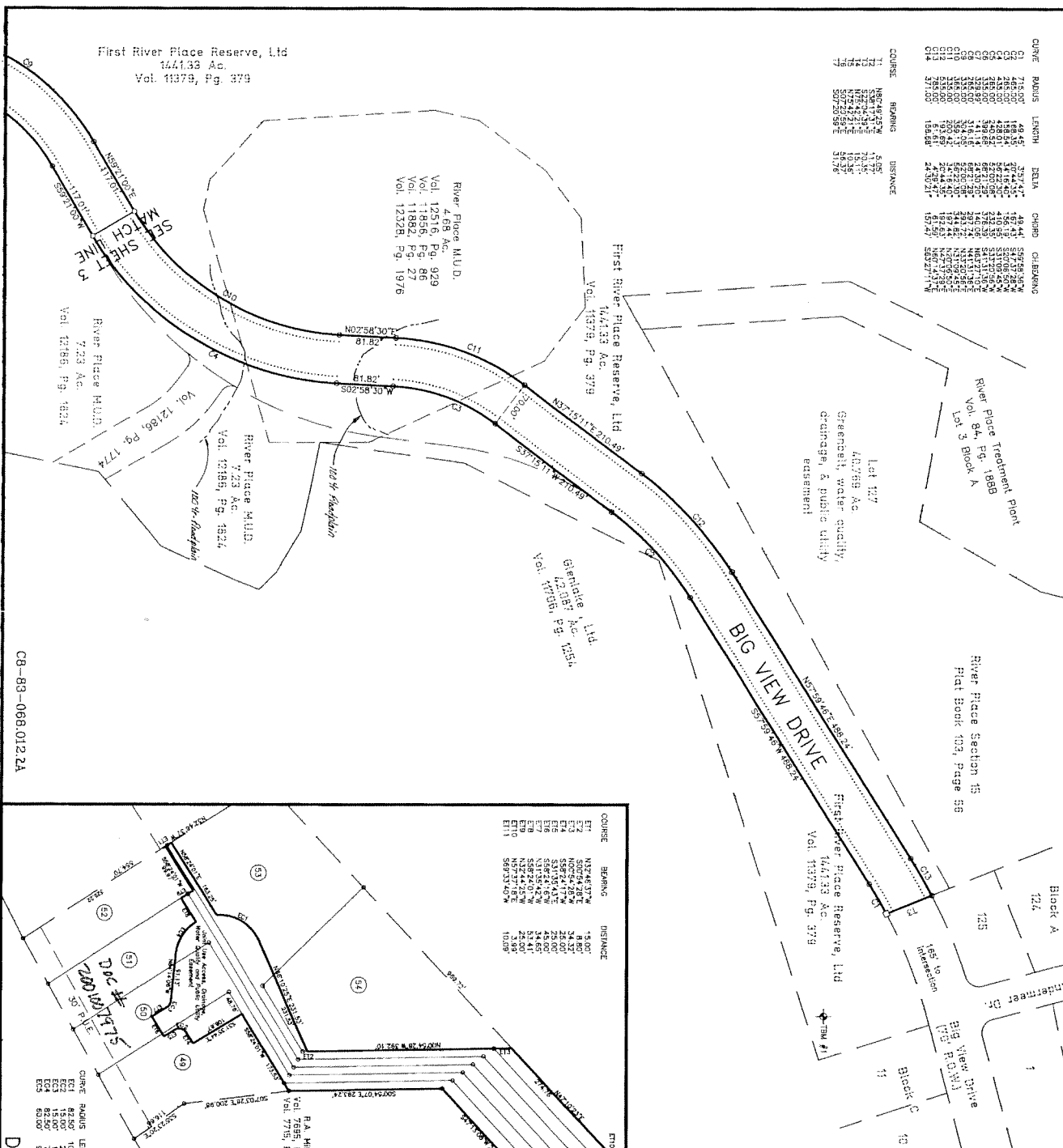
File no.: 93-32	Assigned By: aip
Doc No.: 93-177	Drawn By: MJS
Date: December, 1993	Checked By:
Scale: 1" = 100'	Revised: 27 Dec 93 FILE

31 Oct 00 Road of 10 mi SW of FLE
27 Nov 50 643 31 May 00 8 mi SE of
31 May 00 8 mi SE of
31 May 00 8 mi SE of
31 May 00 8 mi SE of

AUSTIN SURVEYS

2105 Justin Lane #103
Austin, Texas 78757
512-454-6605

RIVER PLACE SECTION 16

[illegible]


COURSE	BEARING	DISTANCE
E11	N32°45'37"W	15.00'
E12	S05°54'28"E	8.80
E13	N05°44'26"W	34.32'
E14	S58°24'17"W	25.00'
E15	S13°54'13"E	25.00'
E16	S58°41'52"W	45.00'
E17	N31°35'42"E	34.83
E18	S58°24'01"W	51.41
E19	N32°44'25"W	25.00'
E110	N57°17'18"E	3.94
E111	S69°33'40"W	10.09'

CURVE	RADIUS	LENGTH	DELTA	CHORD	CH BEARING
EC1	82.50'	101.45'	70.27° 37"	95.18'	N 87° 56' 42" E
EC2	82.50'	23.58'	69.59° 54"	21.21'	S 75° 24' 42" E
EC3	15.00'	11.78'	62.38° 20"	3.33'	N 75° 35' 01" E
EC4	82.50'	73.63'	51.08° 09"	71.25'	N 58° 39' 44" E
EC5	60.00'	92.86'	69.73° 02"	83.85'	S 28° 53' 08" W

Sheet 4 of 7

Revised: 18 May 00 time
21 July 00 0000
24 July 00 0000

AUSTIN SURVEYOR

 **AUSTIN SURVEYOR**
2105 Justin Lane #103
Austin, Texas 78757
512-454-6605

Scale 1" = 100'

LEGEND

- Iron pin found
- ▣ Concrete monument set
- Concrete monument found
- P.U.E. Public Utility Easement
- D.E. Drillage Easement
- △ Calculated point
- (xx) Record call

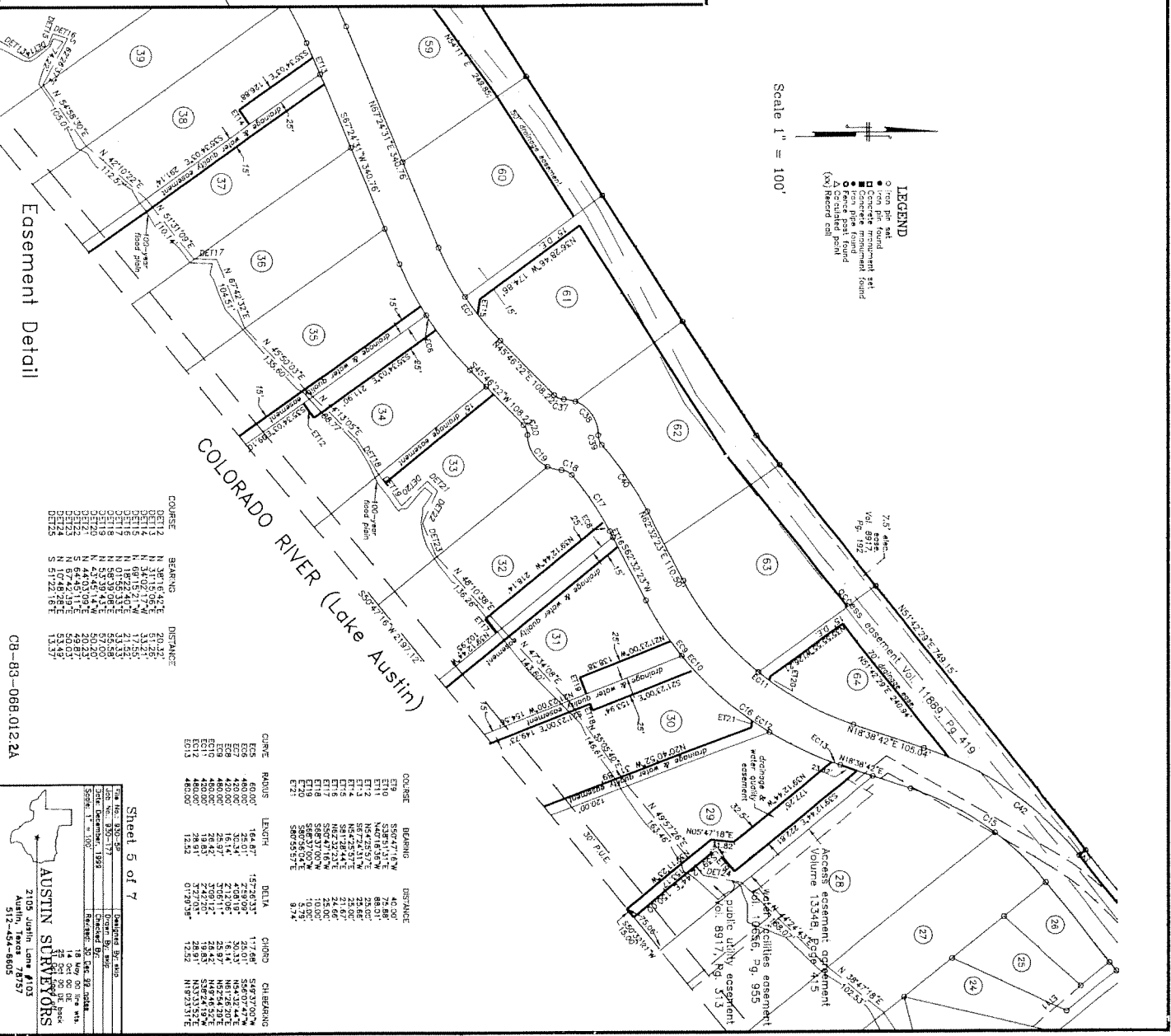


RIVER PLACE SECTION 16

Detail Sheet

Drainage Easement Detail

Easement Detail



Sheet 5 of 7

AUSTIN SURVEYORS

2105 Justin Lane #103
Austin, TX 78705
512-454-6605

Scale 1" = 100'

Legend:

- Iron pipe found
- Concrete monument set
- Concrete monument found
- Iron pipe found
- Survey point
- Record point
- (xx) Record call

01-17-2001

Doc # 200 10017

RIVER PLACE SECTION 16

Notes:

1. This property shall be developed and maintained in accordance with the "Second Amendment to Agreement Concerning Creation and Operation of River Place Municipal Utility District," executed on March 6, 1992, by and between the City of Austin, First River Place Reserve, Ltd. and River Place Municipal Utility District.
2. The property shall be developed and maintained in a manner which meets or exceeds the standards for landscaping set out in the City's Landscape Ordinance. As codified in Section 13-7, Article III of the Land Development Code of the City of Austin, as amended from time to time, or as such landscaping standards may be carried forward into any comprehensive revision to the City Zoning Ordinance which may hereafter be adopted.
3. The property shall be developed and maintained in a manner which meets or exceeds the standards set out in Section 13-5 article I of the Land Development Code of the City of Austin, as amended from time to time. All development within the district, including the routing and construction of infrastructure, shall comply with the applicable special watershed ordinances. The following additional provisions shall apply to the development of the property.
 - A. Erosion and sedimentation controls shall be provided for all development permitted after the date of this agreement in compliance with Section 13-7-14 of the LDC, as amended on October 17, 1991.
 - B. Water quality controls shall be provided for all streets and areas naturally draining to streets permitted for development after the date of this agreement in compliance with Section 13-7-19 of the LDC, as amended on October 17, 1991.
 - C. The impervious cover for all development permitted after the date of this agreement shall be restricted to land having a slope category of 0-25%. An exception from this limitation shall be made for public streets in conformance with City Ordinance #840301-G, Section 13-3-638 (Lake Austin Watershed Ordinance). With the exception of the 25% to 35% slope category, the impervious cover limits will conform to Ordinance #840301-G, Division 5, Part C (Lake Austin Watershed Ordinance).
4. Construction on the property shall be in compliance with the city's building code, including but not limited to any provisions thereof relating to construction in flood plains, the city's plumbing code and the city's electrical code, as revised from time to time. Inspection and approval of all construction by the city building inspection department for compliance with this plat note shall be required.
5. Any use of any portion of the property for a use or uses other than single family residential, cluster single family residential with not more than two units per structure, or duplex residential shall require site plan approval for such use(s) by the City Planning Commission in accordance with the site plan review procedures and the development standards prescribed by the city's Land Development Code, as codified in Title 13 of the 1981 Code of the City of Austin, as amended from time to time.
6. The erection and maintenance of billboards and signs on the property shall be consistent with the standards of Title 13 of the 1981 Code of the City of Austin, as amended from time to time.
7. Water saving devices are required in all structures prior to providing water or wastewater services to the structures, including but not limited to low flow shower heads, water conserving toilets and aerators on sink spouts.
8. All water and wastewater system improvements must be in accordance with the City of Austin water and wastewater system design criteria and specifications, State of Texas standards. All plans must be presented to the City of Austin Water and Wastewater Utility for review and approval. All construction must be inspected by the City of Austin.
9. Public sidewalks, built to City of Austin standards are required along the following streets and as shown by a dotted line on the plat in the street right-of-way: Big View Drive - both sides. These sidewalks shall be in place prior to the lot being occupied. Failure to construct the required sidewalks may result in the withholding of certificates of occupancy, building permits, or utility connections by the governing body.
10. The lots in this subdivision are subject to the Declaration of Covenants, Conditions and Restrictions as found in Volume 11479, Page 386 of the Real Property Records of Travis County, Texas.
11. This subdivision plat was approved and recorded before the construction and acceptance of streets and other subdivision improvements, pursuant to the terms of a subdivision construction agreement between the subdivider and the City of Austin dated **NOV. 3, 2000**. 2000, the subdivider is responsible for the construction of all streets and facilities needed to serve the lots within this subdivision. This responsibility may be assigned in accordance with the terms of that agreement. For the construction agreement pertaining to this subdivision, see separate instrument recorded in Document No. **2001007414** of the Real Property Records of Travis County, Texas.
12. No objects, including but not limited to buildings, fences or landscaping shall be allowed in drainage easements except as approved by the City of Austin and Travis County.
13. All drainage easements on private property shall be maintained by the property owners or their assigns.
14. Property owners shall provide for access to drainage easements as may be necessary and shall not prohibit access by governmental authorities.
15. Four off-street parking spaces will be required for each unit in the subdivision that is served by a joint use driveway. Each off-street parking space shall be provided outside the limits of the emergency access easement.
16. A Travis County development permit is required prior to any site development.
17. Streets within this subdivision shall be constructed to City of Austin urban or alternate urban standards.
18. Lot 2 & 3, Block A of River Place Golf Course final plat (Book 103, Page 3 of the Plat Records of Travis County, Texas) is used to calculate total impervious cover requirements for River Place Section 16. A restrictive covenant recorded in Document No. _____ of the Official Records of Travis County, Texas allows _____ square feet of impervious cover from Lots 2 & 3, Block A of River Place Golf Course to be used for River Place Section 16.
19. Any city reviews, permits, approvals, or inspections required by these plat notes or necessary to evidence compliance herewith shall require the payment to the city of the standard fees for performance of same.
20. No lot will be occupied until the structure is connected to the River Place Municipal Utility District water and wastewater systems.
21. Austin Energy has the right to prune and/or remove trees, shrubbery and other obstructions to the extent necessary to keep the easements clear. Austin Energy will perform all tree work in compliance with Chapter 25-8 Subchapter B of the City of Austin Land Development Code.
22. The owner/developer of this subdivision/lot shall provide the Austin Energy with any easement and/or access required, in addition to those indicated, for the installation and ongoing maintenance of overhead and underground electric facilities. These easements and/or access are required to provide electric service to the building and will not be located so as to cause the site to be out of compliance with Chapter 25-8 of the City of Austin Land Development Code.
23. The owner shall be responsible for installation of temporary erosion control, revegetation and tree protection. In addition the owner shall be responsible for any tree pruning and tree removal that is within 10 feet of the centerline of the centerline of the overhead electrical facilities designed to provide electric service to this project. Austin Energy work shall also be included within the limits of construction of this project.
24. A variance to Sections 13-3-639, 13-3-640, 13-3-651, and 25-4-152 of the Land Development Code was granted by the Planning Commission on July 27, 1999.
25. This subdivision is exempt from the detention requirements per Section 1.2.2.F of the City of Austin Drainage Criteria Manual.
26. All finished floor elevations in this subdivision shall be 1.0 feet above the 100-year frequency flood level. The following minimum finished floor elevations are hereby set for the affected lots:
 Lots 1 through 13, Block M FFE 505.00
 Lots 27 through 48, Block M FFE 505.00
 Lots 49 through 54, Block M FFE 505.00
 No fill shall be placed or allowed to remain on these lots except by separate permit.
27. Lot 16, Block M shall be deeded to the owners of Lots 17 through 26 as a private community park.
28. Direct access to Big View Drive is restricted from Lots 18-25, Lots 47 & 48, and Lots 49-55 in Block M. These lots will utilize the joint use access, drainage and public utility easement as shown hereon. See also the instrument recorded in Document No. **2001007414** of the Official Records of Travis County, Texas.
29. Parkland dedication requirements of the City of Austin Code are met by land dedication as per the Second Amendment to Agreement Concerning Creation and Operation of River Place Municipal Utility District, Article IX, Sec. D.(1).
30. The owner of this subdivision and his/her successors and assigns, assume responsibility for plans for construction of subdivision improvements which comply with applicable codes and requirements of the City of Austin. The owner understands and acknowledges that plat vacations or replating may be required, at the owners sole expense, if plans to construct this subdivision do not comply with such codes and requirements.
31. Access for Lots 17 and 26, Block M is restricted to Big View Drive.
32. The water quality easements shown are for the purpose of achieving compliance pursuant to Chapter 25-8 of the City Land Development Code. The use and maintenance of these easements are restricted by Sections 25-8-211 and 25-8-213 thereof.
33. Maintenance of water quality controls shall be according to the City of Austin standards.
34. Erosion and sedimentation controls are required for all construction on each lot including single family and duplex construction pursuant to LDC Section 25-8-181 and the Environmental Criteria Manual.
35. Construction of this subdivision is subject to the terms and conditions of the Travis County Subdivision Construction Agreement as recorded in Document No. **2001007414** of the Official Public Records of Travis County, Texas.

BENCHMARKS:

- BM #1 Spindle set in pole South ROW Big View at Vandermere Elev. = 693.0
- BM #2 Spindle set in power pole at intake structure Elev. = 514.4

SHEET 6 OF 7

File No: 930-EP	Designed By: shp
Job No: 930-177	Drawn By: sup
Date: December, 1999	Checked By:
Scale: 1" =	Reviewed: 13 May 00 msh
	31 July 00 gwl
	14 Oct 00 gwl

AUSTIN SURVEYORS
 2105 Justin Lane #103
 Austin, Texas 78757
 512-454-6605

CB-83-068.012.2A

01-17-2001

Jc #200 100017

RIVER PLACE SECTION 16

THE STATE OF TEXAS
THE COUNTY OF TRAVIS

KNOW ALL MEN BY THESE PRESENTS:

THAT First River Place Reserve, Ltd., a Texas limited partnership, acting herein by and through its sole general partner, Texas Highlands Inc., whose vice-president is John W. Gravenor, being the owner of 58.200 acres of land of land in the W.R. Hobbs Survey No. 456, the W.R. Hobbs Survey No. 457 in Travis County, Texas, being a part of a 1441.033 acre tract of land conveyed to River Place Reserve, Ltd. by deed recorded in Volume 11379, Page 379 of the Real Property Records of Travis County, Texas and River Place Municipal Utility District owner of 0.002 acres of land by virtue of a deed recorded in Volume 12186, Page 1824 of the said Real Property Records and do hereby subdivide the said 58.164 acres in accordance with the attached map or plat, to be known as

RIVER PLACE SECTION 16

and do hereby dedicate to the public the use of all streets and easements shown hereon, subject to any easements and/or restrictions heretofore granted and not released.

WITNESS MY HAND this the 22nd day of SEPTEMBER, 2000 A.D.

First River Place Reserve, Ltd.
a Texas limited partnership
By: Texas Highlands, Inc., its sole general partner

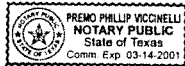
John W. Gravenor
John W. Gravenor, vice-president
Texas Highlands, Inc.
4207 River Place Boulevard
Austin, Texas 78730

THE STATE OF TEXAS
COUNTY OF TRAVIS

This instrument was acknowledged before me on the 22nd day of September, 2000 by John W. Gravenor.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 22nd day of September, 2000 A.D.

James P. Voss
Notary Public in and for
the State of Texas



River Place Municipal Utility District, a municipal utility district created and operated pursuant to Chapters 49 & 54 of the Texas Water Code

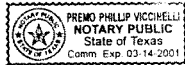
Print Name KENNETH L. DARTLEY
VICE President
River Place Municipal Utility District
c/o Winstead Secret & Minick, P.C.
100 Congress Ave, Suite 800
Austin, Texas 78701

THE STATE OF TEXAS
COUNTY OF TRAVIS

This instrument was acknowledged before me on the 24th day of September, 2000 by Kenneth L. Dartley

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 24th day of September, 2000 A.D.

James P. Voss
Notary Public in and for
the State of Texas



THE STATE OF TEXAS
COUNTY OF TRAVIS

That Norwest Bank, a Texas banking corporation, being the inheritor of record of the said 1441.33 acre tract does hereby approve of and join in the adoption of this plat.

IN WITNESS WHEREOF, Norwest Bank, a Texas banking corporation, has caused these presents to be executed this the 26th day of September, 2000, A.D.

Norwest Bank, a Texas banking corporation

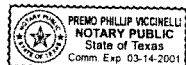
Wm. D. Taylor
By: Wm. D. Taylor, vice-president
Norwest Bank
111 Congress Ave.
Austin, Texas 78764

THE STATE OF TEXAS
COUNTY OF TRAVIS

This instrument was acknowledged before me on the 26th day of September, 2000 by William D. Taylor.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 26th day of September, 2000 A.D.

James P. Voss
Notary Public in and for
the State of Texas



APPROVED FOR ACCEPTANCE:

This subdivision is located within the ETJ of the City of Austin on this the 5th day of December, 2000, A.D.

Date 12-5-2000

Clark Patterson
Alice Glasco, Director
Development Review and Inspection Department

Accepted and authorized for record by the Planning Commission, City of Austin, on this the 5th day of December, 2000, A.D.

Betty Baker Lynne Davis
Chairperson Secretary

I, Dana DeBeauvoir, Clerk of the County Court of Travis County, Texas, do hereby certify that on the 11th day of January, 2001, A.D., the Commissioners Court of Travis County, Texas passed an order authorizing the filing for record of this plat and that said order was duly entered in the Minutes of said Court in Book 17, Page(s) 2.

WITNESS MY HAND AND SEAL OF THE COURT of said County on this 11th day of January, 2001 A.D.

Dana DeBeauvoir, Clerk, County Court, Travis County, Texas

Dana DeBeauvoir
By: Deputy

J. Doney

I, Dana DeBeauvoir, County Clerk of the Travis County Court, do hereby certify that the foregoing instrument of writing and its Certificate of Authentication, was filed for record in my office on the 12 day of January, 2000, A.D., at 10:37 o'clock AM in the Official Public Records of said County and State in Document No. 200100017
TRAVIS

WITNESS MY HAND AND SEAL OF THE OFFICE OF THE COUNTY CLERK OF SAID COUNTY, the 12 day of January, 2000 A.D.

Dana DeBeauvoir, County Clerk, Travis County, Texas

J. BAZAN
By: Deputy



In approving this plat, the Commissioners Court of Travis County, Texas, assumes no obligation to build the streets, roads, or other public thoroughfares shown on this plat or any bridges or culverts in connection therewith. The building of all streets, roads and other public thoroughfares shown on this plat and all bridges and culverts necessary to be constructed or placed in such streets, roads or other public thoroughfares or in connection therewith is the responsibility of the owner and/or developer of the tract of land covered by this plat in accordance with plans and specifications prescribed by the Commissioners Court of Travis County Texas.

The Owners of the subdivision shall construct the subdivision's street and drainage improvements, the improvements, to County Standards in order for the County to accept the public improvements for maintenance or to release fiscal security posted to secure private improvements. To secure this obligation, the Owner(s) must post fiscal security with the County in the amount of the estimated cost of the improvements. The Owner(s) obligation to construct the improvements to County Standards and to post the fiscal security to secure such construction is a continuing obligation binding on the owners and their successors and assigns until the public improvements have been accepted for maintenance by the County, or the private improvements have been constructed and are performing to County Standards.

The authorization of this plat by the Commissioners Court for filing or the subsequent acceptance for maintenance by Travis County, Texas, of roads and streets in the subdivision does not obligate the County to install Street name signs or erect traffic control signs, such as speed limit, stop signs, and yield signs which is considered to be part of the developers construction.

FLOOD PLAIN NOTE:

The 100-year flood plain is contained within the drainage easements shown hereon. A portion of this tract is within the designated flood hazard area as shown on the Federal Flood Insurance Rate Map No. 48453C0290 E and 48453C0245 E, effective date June 16, 1993 for Travis County, Texas.

STATE OF TEXAS
COUNTY OF TRAVIS

This is to certify that I am authorized to practice the profession of engineering in the State of Texas, that I have reviewed the plat submitted herewith, and that all of the information shown hereon is accurate and correct to the best of my knowledge as related to the engineering portions of this plat and that said plat complies with Title 13 of the Austin City Code, of 1981, as amended, and all other applicable codes and ordinances.

Keith B. Jackson
Keith B. Jackson, Registered Professional Engineer # 55854
P.B.S.&J.
P.O. Box 519
Austin, Texas 78767
Fax: 327-2453

9/21/00
Date



STATE OF TEXAS
COUNTY OF TRAVIS

I, Claude F. Hinkle, Jr., a REGISTERED PROFESSIONAL LAND SURVEYOR, am authorized under the laws of the State of Texas to practice the profession of surveying and hereby certify that this plat complies with the surveying related portions of Title 13 of the Austin City Code of 1981, as amended, is true and correct to the best of my knowledge and was prepared from an actual on-the-ground survey of the property made under my direction and supervision.

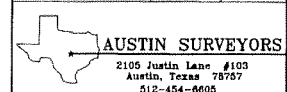
AUSTIN SURVEYORS
P.O. BOX 180243
AUSTIN, TEXAS 78718

Claude F. Hinkle, Jr.
Claude F. Hinkle, Jr.,
Registered Professional Land Surveyor No. 4829
Fax: not available



SHEET 7 OF 7

The No. 830-68	Designed by: esp
Job No. 830-177	Drawn by: esp
Date: December, 1999	Checked by:
Scale: 1"=	Reviewed: 19 May 00 cc.



Lot Summary
Residential Lots 49.458 Ac. 49 lots
Right-of-way 8.706 Ac. Big View Drive
Total 58.164 Ac.
Linear feet of road 5673 feet Big View Drive.

C8-83-088.012.2A



PLATS
3 PGS

200800232

PLAT DOCUMENT # _____

PLAT

PLAT RECORDS INDEX SHEET:

SUBDIVISION NAME: LOT 49A, BLOCK M, REPLAT OF LOTS 49
AND 50, BLOCK M, RIVER PLACE, SECTION 16

OWNERS NAME: JOHN MORRIS ANN MORRIS

RESUBDIVISION? YES ☐ NO ☒

ADDITIONAL RESTRICTIONS / COMMENTS:

2008137008

RETURN:

CITY OF AUSTIN
YOLANDA PARADES
974-2484

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

Dana DeBeauvoir

2008 Aug 13 09:39 AM 200800232

HAYWOODK \$92.00

DANA DEBEAUVOIR COUNTY CLERK
TRAVIS COUNTY TEXAS

CFAULKNER
ENGINEERING



907 W. 5TH ST. #250
Austin, Texas 78703
P: 512.495.9470
F: 512.495.9473
P.O. Box 1528
Austin, Texas 78767-1528
www.cfaulknerengineering.com

TRAVIS COUNTY, TEXAS

DATE: JANUARY, 2007
SURVEYOR: PAUL C. SAUVE, JR., PLS. No 2518
TECHNICIAN: JEFF A. MOUTS
FIELDBOOK: N/A
JOB NUMBER: 2111.001
DESCRIPTION: N/A
DRAWING: J. Johnson 49-52 N River Place
Survey: CADD: LOTS 49&50, REPEAT.dwg

LOT 49A, BLOCK M,
REPLAT OF LOTS 49 AND 50, BLOCK M, RIVER
PLACE, SECTION 16

THE STATE OF TEXAS
COUNTY OF TRAVIS
AND ALL MEN BY THESE PRESENTS:

THAT WE, JOHN MORRIS AND ANN MORRIS BEING THE OWNERS OF 2.49 ACRES OF LAND IN THE W.R. HOBBS SURVEY NO. 456, THE W.R. HOBBS SURVEY NO. 457 IN TRAVIS COUNTY, TEXAS, CONVEYED IN DOCUMENT NO. 21088737008 OF THE PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, BEING LOTS 49 & 50, RIVER PLACE SECTION 16, BLOCK M, RIVER PLACE, TRAVIS COUNTY, TEXAS, TO THE CITY OF AUSTIN, TEXAS, FOR THE PURPOSES OF REDEVELOPMENT AND DO HEREBY REPEAT LOTS 49 AND 50 AND CONSOLIDATE SAID LOTS, PURSUANT TO TITLE 30 OF THE AUSTIN CITY CODE AND CHAPTERS 212.016 AND 212.099 OF THE TEXAS LOCAL GOVERNMENTS CODE AND IN ACCORDANCE WITH THE ATTACHED MAP OR PLAT TO BE KNOWN AS:

"LOT 49A, BLOCK M, REPLAT OF LOTS 49 & 50, BLOCK M, RIVER PLACE SECTION 16"

AND DO HEREBY DEDICATE TO THE PUBLIC THE USE OF ALL STREETS AND EASEMENTS SHOWN HEREON, SUBJECT TO ANY EASEMENTS AND/OR RESTRICTIONS HERETOFORE GRANTED AND NOT RELEASED. WITNESS MY HAND THIS 13 DAY OF July, 2007 A.D.

John Morris
JOHN S. MORRIS
6404 N. SCOUT ISLAND CIRCLE
AUSTIN, TEXAS 78731

Ann Morris
ANN MORRIS
6404 N. SCOUT ISLAND CIRCLE
AUSTIN, TEXAS 78731

THE STATE OF TEXAS
COUNTY OF TRAVIS

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE 13 DAY OF July, 2007 A.D. BY JOHN MORRIS AND ANN MORRIS, OWNERS OF SAID 2.49 ACRES, SAME BEING LOTS 49 & 50, BLOCK M, RIVER PLACE, SECTION 16.

WITNESS MY HAND AND SEAL OF OFFICE THIS 13 DAY OF July, 2007 A.D.

Bruce J. Jurek
NOTARY PUBLIC IN AND FOR TRAVIS COUNTY, TEXAS



FLOODPLAIN NOTE

THE 100 YEAR FLOODPLAIN IS CONTAINED WITHIN THE DRAINAGE EASEMENTS AS SHOWN HEREON. A PORTION OF THIS TRACT IS WITHIN THE DESIGNATED FLOOD HAZARD AREA AS SHOWN ON THE FEDERAL FLOOD INSURANCE RATE MAP, DATED JANUARY 19, 2000 FOR TRAVIS COUNTY, TEXAS. 448510298.E & 448510298.F

DATE 7/2/07

Garret S. Bonn
GARRET S. BONN
REGISTERED PROFESSIONAL ENGINEER
NO. 2781, STATE OF TEXAS
CFAULKNER ENGINEERING, L.P.
907 W. 5TH ST., STE. 250
AUSTIN, TEXAS 78767-1528
PHONE: (512) 495-9470
FAX: (512) 495-9473



APPROVED FOR ACCEPTANCE

APPROVED, ACCEPTED AND AUTHORIZED FOR RECORD BY THE DIRECTOR, WATERSHED PROTECTION AND DEVELOPMENT REVIEW DEPARTMENT, CITY OF AUSTIN, COUNTY OF TRAVIS, THIS THE 17 DAY OF July, 2007 AD.

DATE 7-17-07

Don E. Ferguson
DON E. FERGUSON, ACTING DIRECTOR
CITY OF AUSTIN, WATERSHED PROTECTION AND DEVELOPMENT REVIEW DEPARTMENT

1. DANA DEBEAUVOUR, CLERK OF THE COUNTY COURT OF TRAVIS COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING AND ITS CERTIFICATE OF AND FOREGOING INSTRUMENT OF WRITING WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON THE 13 DAY OF July, 2007 AD AT 9:39 O'CLOCK A.M. IN THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS IN DOCUMENT NO. 200800232.

WITNESS MY HAND AND SEAL OF THE OFFICE OF THE COUNTY CLERK OF SAID COUNTY, THE 13 DAY OF July, 2007 AD.

DANA DEBEAUVOUR, COUNTY CLERK, TRAVIS COUNTY, TEXAS

Deborah Wood
BY DEPUTY
K. HAYWOOD



THE STATE OF TEXAS
COUNTY OF TRAVIS

1. PAUL C. SAUVE, A REGISTERED PROFESSIONAL LAND SURVEYOR, AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING, DO HEREBY CERTIFY THAT THIS PLAT, TOGETHER WITH THE SURVEYING RELATED PORTION OF TITLE 30 OF THE AUSTIN CITY CODE, IS TRUE AND CORRECT. I HAVE REVIEWED THE INSTRUMENT AND WAS PREPARED FROM SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION.

Paul C. Sauve
PAUL C. SAUVE, JR., PLS. # 2518
CFAULKNER ENGINEERING, L.P.
AUSTIN, TEXAS 78767-1528
PHONE: 512-495-9470
FAX: 512-495-9473

DATE 7-2-07



JOSEPH C. JENSEN, JR., NRECA MANAGER
TRANSPORTATION AND NATURAL RESOURCES

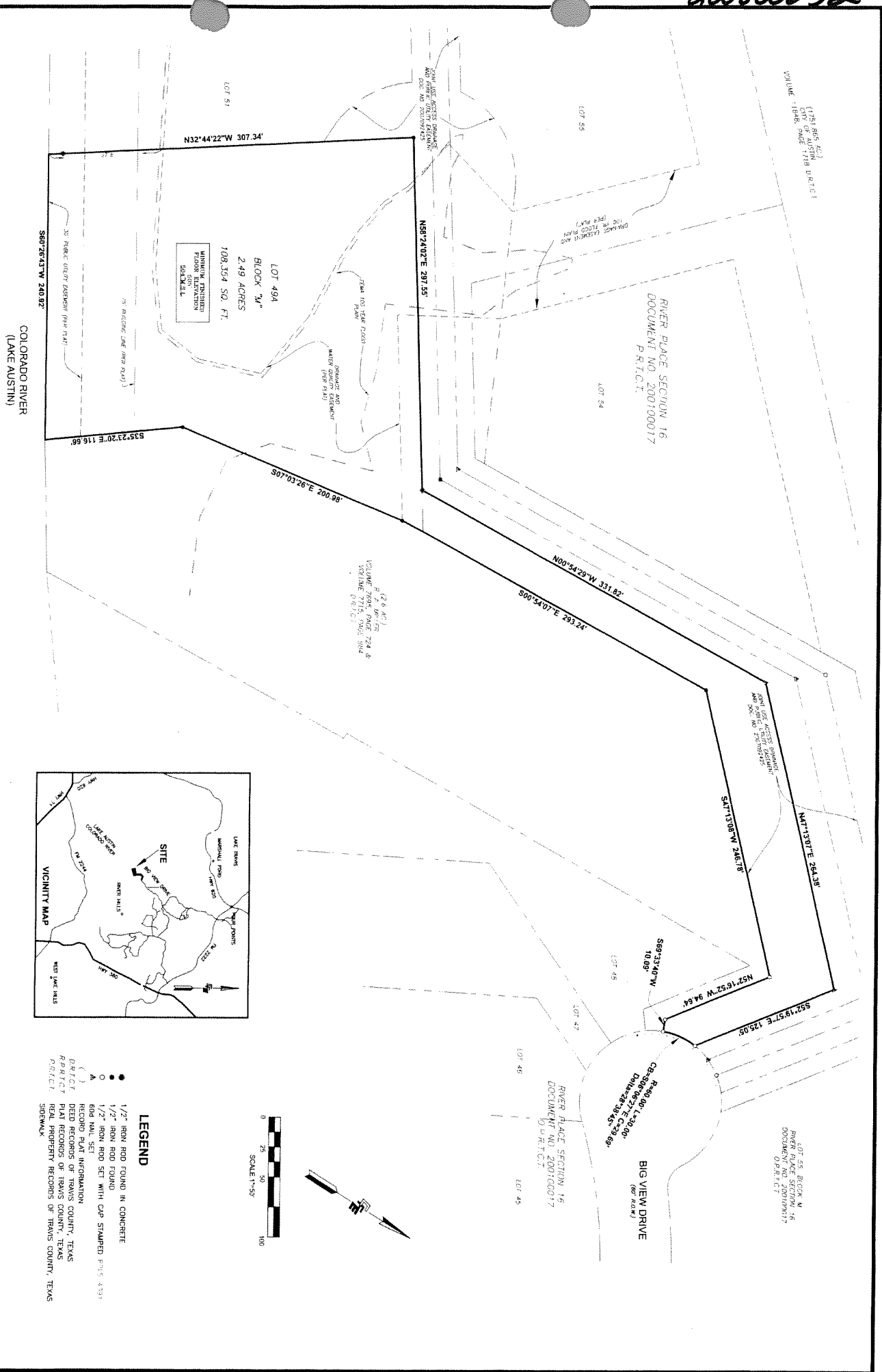
DATE 7/2/08

APPROVED, ACCEPTED AND AUTHORIZED FOR RECORD, UNDER SECTION 31-2-24(B)(2), AUSTIN/TRANVIA COUNTY SUBDIVISION REGULATIONS, BY THE EXECUTIVE MANAGER, TRANSPORTATION AND NATURAL RESOURCES, TRAVIS COUNTY, THIS THE 2 DAY OF July, 2008 AD.

LOT 49A, BLOCK M,
REPLAT OF LOTS 49 & 50, BLOCK M,
RIVER PLACE SECTION 16

CFAULKNER ENGINEERING
LOT 49 & 50
REPLAT.dwg

CFE PLAT NO
LOTS 49 & 50
REPLAT.dwg
3



09/21/87

**FIRST AMENDED SUPPLEMENTAL DECLARATION
TO THE RESTATED DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
FOR RIVER PLACE RESIDENTIAL AREAS
(SECTION 16)**

THE STATE OF TEXAS
COUNTY OF TRAVIS

§
§
§

KNOW ALL MEN BY THESE PRESENTS THAT

This First Amended Supplemental Declaration to the Restated Declaration of Covenants, Conditions and Restrictions for River Place Residential Areas (Section 16) (the "First Amendment") is made by LAKE AUSTIN RIVER PLACE, LTD, a Texas limited partnership ("LARP") and is as follows

RECITALS

A Prior Restrictions This First Amendment shall amend that one certain Supplemental Declaration to the Restated Declaration of Covenants, Conditions and Restrictions for River Place Residential Areas (Section 16) dated January 17, 2001, recorded as Document No 2001026354, Official Public Records of Travis County, Texas (the "Supplemental Declaration")

B Declarant LARP is the owner and developer of all lots (the "Lots") located within RIVER PLACE SECTION 16, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Document No 200100017, Official Public Records of Travis County, Texas (the "Property") and successor in interest of First River Place Reserve, Ltd, as Declarant in the Supplemental Declaration

C Authority for Amendment LARP, in its capacity as Declarant, has the authority to designate such additional covenants, conditions and restrictions or amendments thereto as Declarant deems appropriate for the Property as set forth in this First Amendment

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is acknowledged, the Supplemental Declaration is hereby amended as follows

1 Section 2 01 Construction of Improvements, is amended to read as follows

Any and all Improvements erected, placed, constructed, painted, altered, modified, or remodeled on any portion of the Property shall strictly comply with the requirements of the Master Declaration and the Architectural Guidelines, unless a variance is obtained pursuant to Section 7 07 of the Master Declaration

In addition, all of the Property shall be owned, held, encumbered, leased, used, occupied, and enjoyed subject to the following supplemental limitations and restrictions

(a) The minimum living area (exclusive of open or screened porches, terraces, patios, decks, driveways, and garages) for residences constructed within the Property shall be 3,800 square feet. The ACC may grant a variance to these restrictions due to site constraints such as flood plain limits, restricted views, and topography. However, in no event shall these variances be reduced beyond the minimums set forth then by the local governing agencies

(b) Unless otherwise expressly approved by the Architectural Control Committee the exterior walls of any residence shall consist of one hundred percent (100%) stucco and/or stone and/or brick constructed in strict compliance with the requirements of the Architectural Control Committee. No stucco board, ELFS or comparable material will be permitted. Notwithstanding the foregoing provision, the Architectural Control Committee shall have the authority to permit the use of wood siding in specific circumstances where the Architectural Control Committee determines the limited use of wood siding to be appropriate and consistent with the design requirements established by the Architectural Control Committee, but in no event shall the exterior walls of any residence consist of greater than five percent (5.0%) wood siding.

(c) All gates and fences shall not exceed six feet (6') in height. The height, location, design, material, and color of, gates, knees and retaining walls must be approved by the Architectural Control Committee. All retaining walls must be engineered to City of Austin regulations. Retaining walls should not exceed six feet (6') in height unless dictated by lot conditions or other circumstance accepted by the Architectural Control Committee. All retaining walls that exceed six feet (6') in height must be terraced and landscaped as required by the Architectural Control Committee.

(d) That portion of the foundation and poured concrete improvements, including driveways on the lot, that are visible from the exterior of the structure must be concealed by a combination of (a) facing with exterior stone or stucco all portions higher than twelve inches (12") above the finished grade, and/or (b) constructing terraced planter boxes, which shall be constructed of the same or substantially similar masonry material as the structure and designed so as to minimize the visual impact of the structure's mass and height. The design and materials of masonry facing on poured concrete improvements, terraces, and planter boxes shall conform to the requirements of the Architectural Control Committee.

(e) The design, specifications, construction materials, and location of all decks shall be approved in advance by the Architectural Control Committee and shall require all vertical supports to be constructed of masonry or masonry veneer.

(f) The Lots shall be used solely for private single family residential purposes and there shall not be constructed or maintained thereon more than one detached single family residence which shall not exceed the following height limitations and shall meet the following criteria:

- (i) Except as provided in (ii), below, the maximum building height shall be no more than forty-five feet (45') measured according to the following definition: the vertical distance between the top of the foundation at its highest point within the structure and the highest ridge, peak, or gable of a roof, excluding chimneys, cupolas, or other design features (which determination shall be made by the Architectural Control Committee (the "ACC") in its sole and absolute discretion). The ACC may grant a variance to these restrictions due to site constraints such as flood plain limits, restricted views and topography. However, in no event shall a variance be less restrictive than the minimum requirements set forth then by the local governing agencies.
- (ii) No roof shall have a pitch in excess of 10/12.

(g) Each Lot must contain a private garage for not fewer than three (3) automobiles and off-street parking space for a minimum of two (2) automobiles, which off-street parking shall be located no closer than twenty-five feet (25') from the front Lot line and otherwise comply with the side Lot line setbacks as set forth elsewhere in this Supplemental Declaration or the Master Declaration. The ACC may grant a variance to these restrictions due to site constraints such as flood plain limits, restricted views, and topography. However, in no event shall a variance be less restrictive than the minimum requirements set forth then by the local governing agencies.

(h) Garages may face or open toward any street, or greenbelt, in such event, the garage doors must be screened by a solid wall with similar architectural features consistent with the facade of the house. Plans for garages that face a street must be submitted for Architectural Control Committee review and written approval of the location and design of the garage orientation, doors, and screening.

(i) All roofs shall be constructed of clay or concrete tile, non-reflective metal, slate, or other material expressly approved by the Architectural Control Committee. The color and composition of all roof materials shall be expressly approved by the Architectural Control Committee.

(j) The location of all buildings and Improvements shall comply with the Master Declaration and any City of Austin building requirements.

(k) Only wood or vinyl-clad wood windows, unless specifically approved by the Architectural Control Committee, shall be permitted. All windows on each residence shall have a consistent design throughout the residence and shall strictly comply with requirements established by the Architectural Control Committee.

(l) The design, construction materials, and location of (i) all driveways, and (ii) culverts incorporated into driveways for ditch or drainage crossings, shall be approved by the Architectural Control Committee. Driveways shall be a minimum of ten feet (10') in width at their narrowest point. Driveways on corner lots abutting a cul-de-sac and another roadway shall access off the cul-de-sac, unless otherwise required by the Plat or the City of Austin. The Architectural Control Committee shall establish design and materials requirements for all driveway culverts to insure that they are consistent in appearance throughout the Property. Appropriate facing materials for driveways include pavers, concrete or combination of concrete and brick or paved edging.

(m) The location, design, and materials used in construction of all mailboxes including, without limitation, an art address identification marker and a light, shall be approved in advance by the Architectural Control Committee in advance of and prior to construction.

(n) The Declarant shall be entitled to require each Owner of a Lot to install an address column (the "Address Column") on such Owner's Lot in accordance with design, construction, and electrical plans and specifications adopted by the Architectural Control Committee. Construction of the Address Column shall be completed prior to the occupancy of any residential structure located upon such Owner's Lot. Each Owner, at such Owner's sole cost and expense, shall be obligated to maintain the Address Column and all electrical fixtures associated therewith which are located on such Owner's Lot, provided, however, that the Sub-Association shall periodically replace the light bulbs located on each Address Column.

(o) The Architectural Control Committee shall establish design and material requirements for all landscaping for exterior lighting to ensure a consistent level of quality throughout the Property

(p) Notwithstanding any provision to the contrary in the Master Declaration or this Supplemental Declaration, one (1) private boat dock per Lot (the "Private Dock") may be constructed on each of Lots 27 through 52, of Block M on the Property, pursuant to the terms of this Section 2.01(o). The construction, operation, and maintenance of each Private Dock shall comply with all applicable governmental rules, ordinances, and regulations for design and materials conformance. Furthermore, the plans and specifications for the construction of each Private Dock shall be submitted and approved by the Architectural Control Committee in advance of and prior to construction.

2. Add to Article VI, Section 6.11 as follows: Notice regarding possible liability for additional taxes for River Place Municipal Utility District. The Property may be annexed into the River Place Municipal Utility District (the "District") as established by Declarant's execution of any applications, reports, plats, re-plats, amended plats and other submittals (the Documents") as reasonably required by the District, Travis County Texas, the City of Austin, or any governmental or quasi-governmental authority in connection with Declarant's petition for the annexation of the Property to be brought within the area of the District's boundaries. Owners of any Lot purchased within the Property agree to (i) join with Declarant as petitioner as necessary to such Documents, and (ii) execute any such Documents upon the request of Declarant, and each such Owner hereby appoints Declarant, its successors/assigns, and the Association's Board of Directors as Owner's attorney-in-fact to sign documents on Owner's behalf incident to such annexation.

Except as expressly provided herein, the Supplemental Declaration remains in full force and effect as written. In the event of a conflict between this First Amendment and the Supplemental Declaration, this First Amendment shall control. Any capitalized terms used, but not defined in this First Amendment, are used and defined as in the Supplemental Declaration.

Executed this 27th day of June, 2003

DECLARANT:

LAKE AUSTIN RIVER PLACE, LTD, a Texas limited partnership
By LYNX DEVELOPMENT COMPANY, INC. a Texas corporation,
its General Partner

By 
James Kerby, President

STATE OF TEXAS

COUNTY OF Travis

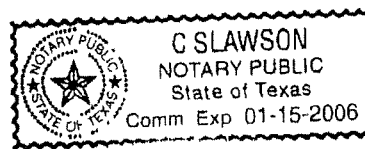
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§
§

This instrument was acknowledged before me on this 10 day of July, 2003, by James Kerby, as President of Lynx Development Company, Inc, a Texas corporation, as General Partner of Lake Austin River Place, Ltd, a Texas limited partnership, on behalf of said entity.

C Slawson
Notary Public, State of Texas

(seal)

Prepared in the Law Offices of
Whittenton & Hurst, L.L.P.
109 N Water St (Hwy 281)
Burnet, Texas 78611



After Recording, Return To:
Whittenton & Hurst, L.L.P.
109 N Water St (Hwy 281)
Burnet, Texas 78611

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Dana Debeauvoir
07-14-2003 02:56 PM 2003159529
PAREDEST \$17.00
DANA DEBEAUVOIR, COUNTY CLERK
TRAVIS COUNTY, TEXAS

Heldenfels, Leane

From: Robert Kleeman <rkleeman@comcast.net>
Sent: Wednesday, February 25, 2015 4:14 PM
To: Heldenfels, Leane; Michael Herd (michaelherd2006@yahoo.com); Gaylord T. Hughey Jr. (gaylord@thlay.net); Courtney Loggins (courtney@herdproducing.net)
Subject: Supplemental Information for BOA Packet C15-2015-0018
Attachments: PLAT 200100017.pdf; PLAT 200800232.pdf; Amendment to River Place Section 16 CCRs.pdf; Impervious Cover River Place Sections 16 & 17 Lake Front Lots.pdf; Table re River Place Sections 16 & 17 Impervious cover.pdf; 2-24-15 Charts for 7909 Big View.pdf

Leanne:

I represent Bob Herd with respect to the pending variance request before the Austin Board of Adjustment. At the February 9, 2015 BOA meeting, several board members requested information on the River Place Section 16 plat, the River Place Section 16 Covenants, Conditions and Restrictions, the calculation of impervious cover and more detail on the proposed impervious cover. Mr. Herd has asked me to respond to the Board on his behalf. Please include a copy of this email in the backup material for the Board.

The 2001 recorded subdivision plat and the 2012 amended plat that contains Lot 51A are attached. Plat note 3.C references the 1984 Lake Austin Watershed Ordinance. To be clear, the River Place Section 16 plat was designed under the 1984 Lake Austin Watershed Ordinance. Likewise, the sizing of each lot was premised on development occurring under the 1984 Lake Austin Watershed Ordinance. The lots at the end of the cul de sac are designed to "wrap around" an outparcel and to cross a drainage.

The Amendment to the River Place Section 16 CCRs that requires a minimum square footage of 3800 square feet of air conditioned space, a three car garage and two parking spaces outside of the front building set back is attached.

A chart describing how the amount of impervious cover is estimated and the size of the house is attached.

Finally, there are two attached charts that analyze permitted impervious cover on nearby lots. There are two distinct impervious cover regulations applicable to the subject property: the 1984 Lake Austin Watershed Ordinance ("LAWO") and the Lake Austin zoning district impervious cover restrictions. These two regulations calculate impervious cover very differently. The percentage of impervious cover reflected on the City website for permits issued for these lots cannot be used or compared to the percentage of impervious cover stated in the variance request.

Each chart analyzes the 7909 variance request under one set of impervious cover regulations. The first chart describes the 14 examples of houses/additions approved under the LAWO and then compares the examples to the proposed house as if the proposed house were being reviewed under the LAWO. That is, the 7909 house is reviewed the same way as the 14 examples. Figuratively speaking, this is an oranges to oranges comparison. The 14 examples provided are based on houses and additions approved under the 1984 Lake Austin Watershed Ordinance while those lots were zoned LA.

The second chart analyzes the impervious cover of 8 lake front lots under the LA zoning impervious cover regulations. The 75 foot shoreline setback area has been deducted from the area of each lot. Except for two lots denoted on this chart, it is assumed that the lake side property line is the shoreline. This chart puts the request for 35% impervious cover into a proper and fair context because the variance request pertains to LA zoning impervious cover regulations. Figuratively, this is an apples to apples comparison.

The property is burdened by a long flag pole and an existing driveway that provides access to an adjacent lot.

Please send me an email confirming your receipt of this email and the inclusion of this email in the Board's backup materials.

Thank you.

Robert Kleeman
Sneed, Vine & Perry, P.C.
900 Congress Avenue, Suite 300
Austin, Texas 78701
(512) 476-6955 – main
(512) 494-3135 - direct
(512) 476-1825 – fax

This communication may be protected by the attorney/client

PLAT DOCUMENT#



TRV 200100017
7 pgs

PLAT

PLAT RECORDS INDEX SHEET:

SUBDIVISION NAME: RIVER PLACE SECTION 16

OWNER'S NAME: FIRST RIVER PLACE RESERVE LTD

RESUBDIVISION?(YES/NO) NO

ADDITIONAL RESTRICTIONS/COMMENTS:

NONE

RETURN:

CITY OF AUSTIN

PO BOX 1088

Austin Texas 78767

Fred Soliz/

Justin Fohn

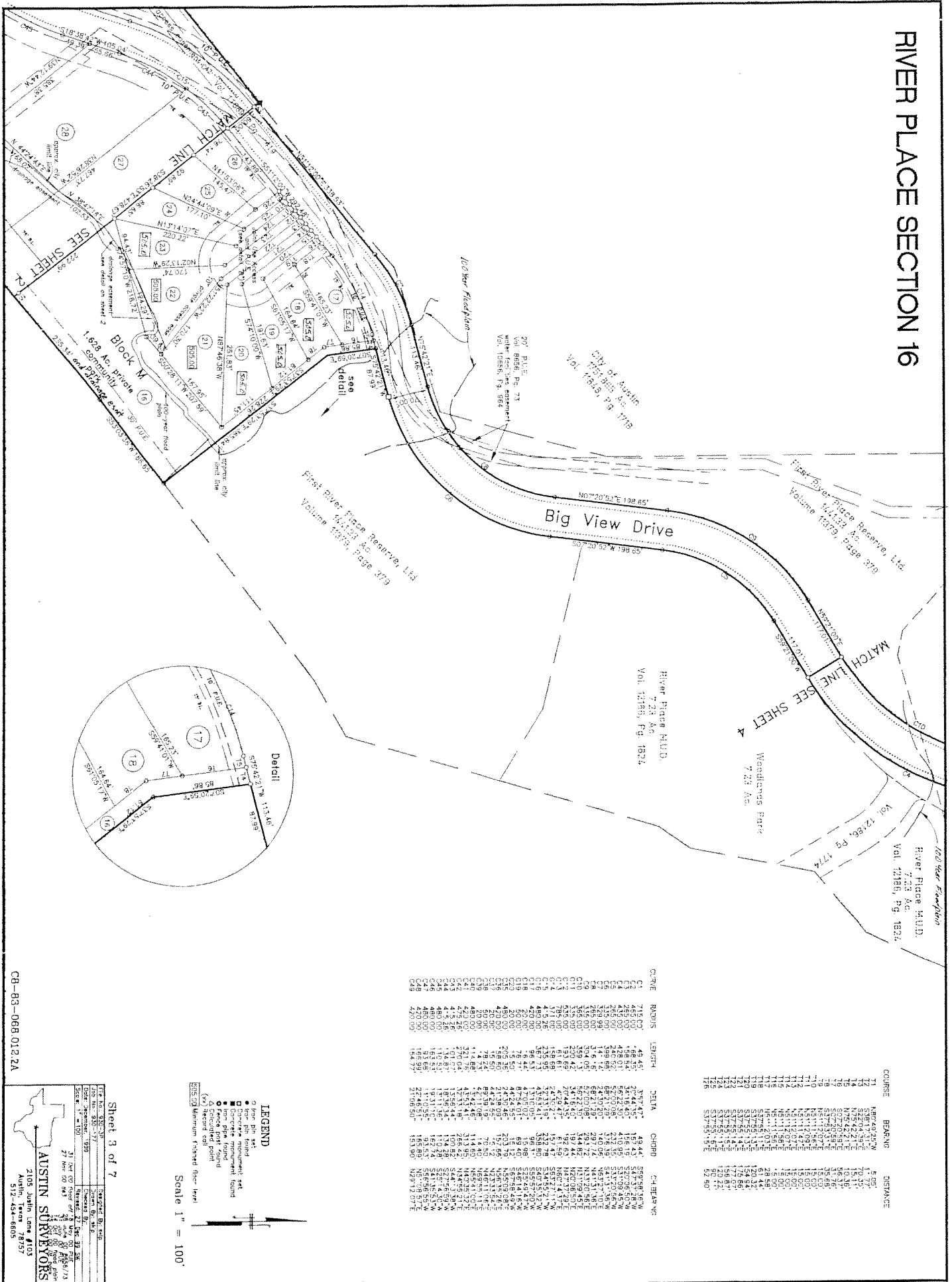
PLAT FILE STAMP

FILED AND RECORDED

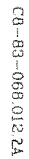
OFFICIAL PUBLIC RECORDS

01-17-2001 10 37 AM 200100017
BAZANJ \$181 00
DANA DEBEAUVOIR, COUNTY CLERK
TRAVIS COUNTY, TEXAS

RIVER PLACE SECTION 16



DATE	COURSE	PAUSES	REMARKS	DISPATCH	DELTA	CHRON	CH BEARING
01	101	10.0	48.4	15.7	49.4	58.1	27.0
02	102	10.0	48.4	15.7	49.4	58.1	27.0
03	103	10.0	48.4	15.7	49.4	58.1	27.0
04	104	10.0	48.4	15.7	49.4	58.1	27.0
05	105	10.0	48.4	15.7	49.4	58.1	27.0
06	106	10.0	48.4	15.7	49.4	58.1	27.0
07	107	10.0	48.4	15.7	49.4	58.1	27.0
08	108	10.0	48.4	15.7	49.4	58.1	27.0
09	109	10.0	48.4	15.7	49.4	58.1	27.0
10	110	10.0	48.4	15.7	49.4	58.1	27.0
11	111	10.0	48.4	15.7	49.4	58.1	27.0
12	112	10.0	48.4	15.7	49.4	58.1	27.0
13	113	10.0	48.4	15.7	49.4	58.1	27.0
14	114	10.0	48.4	15.7	49.4	58.1	27.0
15	115	10.0	48.4	15.7	49.4	58.1	27.0
16	116	10.0	48.4	15.7	49.4	58.1	27.0
17	117	10.0	48.4	15.7	49.4	58.1	27.0
18	118	10.0	48.4	15.7	49.4	58.1	27.0
19	119	10.0	48.4	15.7	49.4	58.1	27.0
20	120	10.0	48.4	15.7	49.4	58.1	27.0
21	121	10.0	48.4	15.7	49.4	58.1	27.0
22	122	10.0	48.4	15.7	49.4	58.1	27.0
23	123	10.0	48.4	15.7	49.4	58.1	27.0
24	124	10.0	48.4	15.7	49.4	58.1	27.0
25	125	10.0	48.4	15.7	49.4	58.1	27.0
26	126	10.0	48.4	15.7	49.4	58.1	27.0
27	127	10.0	48.4	15.7	49.4	58.1	27.0
28	128	10.0	48.4	15.7	49.4	58.1	27.0
29	129	10.0	48.4	15.7	49.4	58.1	27.0
30	130	10.0	48.4	15.7	49.4	58.1	27.0
31	131	10.0	48.4	15.7	49.4	58.1	27.0
32	132	10.0	48.4	15.7	49.4	58.1	27.0
33	133	10.0	48.4	15.7	49.4	58.1	27.0
34	134	10.0	48.4	15.7	49.4	58.1	27.0
35	135	10.0	48.4	15.7	49.4	58.1	27.0
36	136	10.0	48.4	15.7	49.4	58.1	27.0
37	137	10.0	48.4	15.7	49.4	58.1	27.0
38	138	10.0	48.4	15.7	49.4	58.1	27.0
39	139	10.0	48.4	15.7	49.4	58.1	27.0
40	140	10.0	48.4	15.7	49.4	58.1	27.0
41	141	10.0	48.4	15.7	49.4	58.1	27.0
42	142	10.0	48.4	15.7	49.4	58.1	27.0
43	143	10.0	48.4	15.7	49.4	58.1	27.0
44	144	10.0	48.4	15.7	49.4	58.1	27.0
45	145	10.0	48.4	15.7	49.4	58.1	27.0
46	146	10.0	48.4	15.7	49.4	58.1	27.0
47	147	10.0	48.4	15.7	49.4	58.1	27.0
48	148	10.0	48.4	15.7	49.4		



Detail "A"

Detail "B"

Scale 1" = 100

LEGEND

- ☐ Concrete monument not
- ☒ Concrete monument found
- FILE Public Utility Easement
- OE, Eminent Domain
- Δ Calculated point
- (xy) Record cdl

Sheet 4 of 7

No. 930-177

 $\epsilon(\theta) = 100$

AUS.

21

4

Journal of Management Inquiry 20(1) 3-14

1-17-2001

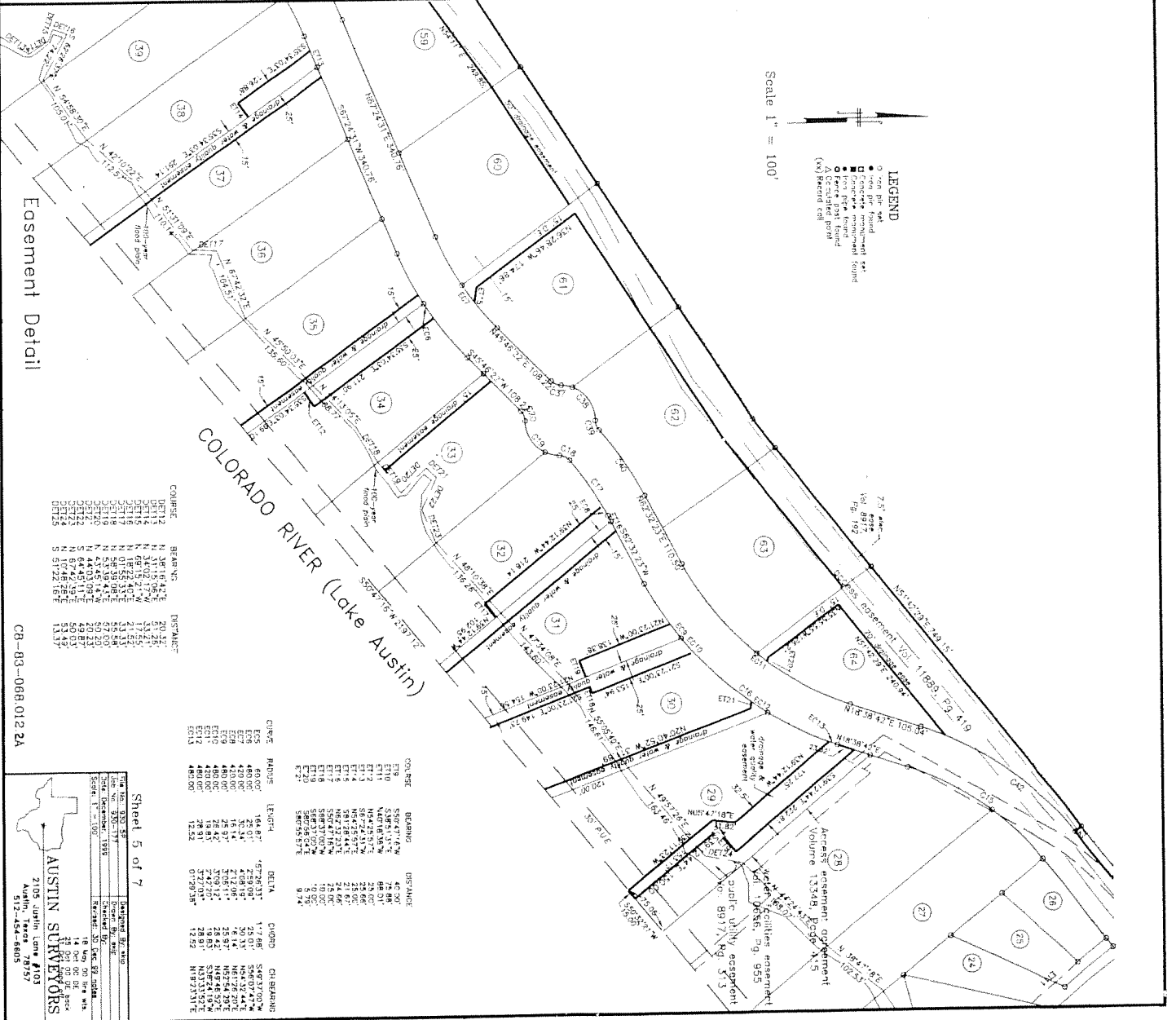
Doc # 200100017

PHOTOGRAPHIC MYLAR

RIVER PLACE SECTION 16

Detail Sheet

Drainage Easement Detail



01-17-2001

Doc # 200 10017

RIVER PLACE SECTION 16

Notes:


1. This property shall be developed and maintained in accordance with the "Second Amendment to Agreement Concerning Creation and Operation of River Place Municipal Utility District," executed on March 6, 1992, by and between the City of Austin, First River Place Reserve, Ltd. and River Place Municipal Utility District.
2. The property shall be developed and maintained in a manner which meets or exceeds the standards for landscaping set out in the City's Landscape Ordinance. As codified in Section 13-7, Article III of the Land Development Code of the City of Austin, as amended from time to time, or as such landscaping standards may be carried forward into any comprehensive revision to the City Zoning Ordinance which may hereafter be adopted.
3. The property shall be developed and maintained in a manner which meets or exceeds the standards set out in Section 13-6 article I of the Land Development Code of the City of Austin, as amended from time to time. All development within the district, including the routing and construction of infrastructure, shall comply with the applicable special watershed ordinances. The following additional provisions shall apply to the development of the property.
 - A. Erosion and sedimentation controls shall be provided for all development permitted after the date of this agreement in compliance with Section 13-7-14 of the LDC, as amended on October 17, 1991.
 - B. Water quality controls shall be provided for all streets and areas naturally draining to streets permitted for development after the date of this agreement in compliance with Section 13-7-19 of the LDC, as amended on October 17, 1991.
 - C. The impervious cover for all development permitted after the date of this agreement shall be restricted to land having a slope category of 0-25%. An exception from this limitation shall be made for public streets in conformance with City Ordinance #940301-G, Section 13-3-638 (Lake Austin Watershed Ordinance). With the exception of the 25% to 35% slope category, the impervious cover limits will conform to Ordinance #940301-G, Division 5, Part C (Lake Austin Watershed Ordinance).
4. Construction on the property shall be in compliance with the city's building code, including but not limited to any provisions thereof relating to construction in flood plains, the city's plumbing code and the city's electrical code, as revised from time to time. Inspection and approval of all construction by the city building inspection department for compliance with this plat note shall be required.
5. Any use of any portion of the property for a use or uses other than single family residential, cluster single family residential with not more than two units per structure, or duplex residential shall require site plan approval for such use(s) by the City Planning Commission in accordance with the site plan review procedures and the development standards prescribed by the city's Land Development Code, as codified in Title 13 of the 1981 Code of the City of Austin, as amended from time to time.
6. The erection and maintenance of billboards and signs on the property shall be consistent with the standards of Title 13 of the 1981 Code of the City of Austin, as amended from time to time.
7. Water saving devices are required in all structures prior to providing water or wastewater services to the structures, including but not limited to, low flow shower heads, water conserving toilets and aerators on sink spouts.
8. All water and wastewater system improvements must be in accordance with the City of Austin water and wastewater system design criteria and specifications, State of Texas standards. All plans must be presented to the City of Austin Water and Wastewater Utility for review and approval. All construction must be inspected by the City of Austin.
9. Public sidewalks, built to City of Austin standards are required along the following streets and as shown by a dotted line on the plat in the street right-of-way: Big View Drive - both sides. These sidewalks shall be in place prior to the lot being occupied. Failure to construct the required sidewalks may result in the withholding of certificates of occupancy, building permits, or utility connections by the governing body.
10. The lots in this subdivision are subject to the Declaration of Covenants, Conditions and Restrictions as found in Volume 11479, Page 386 of the Real Property Records of Travis County, Texas.
11. This subdivision plat was approved and recorded before the construction and acceptance of streets and other subdivision improvements, pursuant to the terms of a subdivision construction agreement between the subdivisor and the City of Austin dated **NOV. 3, 2000**, the subdivisor is responsible for the construction of all streets and facilities needed to serve the lots within this subdivision. This responsibility may be assigned in accordance with the terms of that agreement. For the construction agreement pertaining to this subdivision, see separate instrument recorded in Document No. **2001021911** of the Real Property Records of Travis County, Texas.
12. No objects, including but not limited to buildings, fences or landscaping shall be allowed in drainage easements except as approved by the City of Austin and Travis County.
13. All drainage easements on private property shall be maintained by the property owners or their assigns.
14. Property owners shall provide for access to drainage easements as may be necessary and shall not prohibit access by governmental authorities.
15. Four off-street parking spaces will be required for each unit in the subdivision that is served by a joint use driveway. Each off-street parking space shall be provided outside the limits of the emergency access easement.
16. A Travis County development permit is required prior to any site development.
17. Streets within this subdivision shall be constructed to City of Austin urban or alternate urban standards.
18. Lot 2 & 3, Block A of River Place Golf Course final plat (Book 103, Page 3 of the Plat Records of Travis County, Texas) is used to calculate total impervious cover requirements for River Place Section 16. A restrictive covenant recorded in Document No. _____ of the Official Records of Travis County, Texas allows _____ square feet of impervious cover from Lots 2 & 3, Block A of River Place Golf Course to be used for River Place Section 16.
19. Any city reviews, permits, approvals, or inspections required by these plat notes or necessary to evidence compliance herewith shall require the payment to the city of the standard fees for performance of same.
20. No lot will be occupied until the structure is connected to the River Place Municipal Utility District water and wastewater systems.
21. Austin Energy has the right to prune and/or remove trees, shrubbery and other obstructions to the extent necessary to keep the easements clear. Austin Energy will perform all tree work in compliance with Chapter 25-8 Subchapter B of the City of Austin Land Development Code.
22. The owner/developer of this subdivision/lot shall provide the Austin Energy with any easement and/or access required, in addition to those indicated, for the installation and ongoing maintenance of overhead and underground electric facilities. These easements and/or access are required to provide electric service to the building and will not be located so as to cause the site to be out of compliance with Chapter 25-8 of the City of Austin Land Development Code.
23. The owner shall be responsible for installation of temporary erosion control, revegetation and tree protection. In addition the owner shall be responsible for any tree pruning and tree removal that is within 10 feet of the centerline of the centerline of the overhead electrical facilities designed to provide electric service to this project. Austin Energy work shall also be included within the limits of construction of this project.
24. A variance to Sections 13-3-639, 13-3-640, 13-3-651, and 25-4-152 of the Land Development Code was granted by the Planning Commission on July 27, 1999.
25. This subdivision is exempt from the detention requirements per Section 1.2.2.F of the City of Austin Drainage Criteria Manual.
26. All finished floor elevations in this subdivision shall be 1.0 foot above the 100-year frequency flood level, the following minimum finished floor elevations are hereby set for the affected lots:
 Lots 17, 18, 19, 20, 21, 22, Block M FFE 505.00
 Lots 27 through 48, Block M FFE 505.00
 Lots 49 through 51, Block M FFE 505.00
 No fill shall be placed or allowed to remain on these lots except by separate permit.
27. Lot 16, Block M shall be deeded to the owners of Lots 17 through 26 as a private community park.
28. Direct access to Big View Drive is restricted from Lots 18-25, Lots 47 & 48, and Lots 49-55 in Block M. These lots will utilize the joint use access, drainage and public utility easement as shown hereon. See also the instrument recorded in Document No. **2001021911** of the Official Records of Travis County, Texas.
29. Parkland dedication requirements of the City of Austin Code are met by land dedication as per the Second Amendment to Agreement Concerning Creation and Operation of River Place Municipal Utility District, Article IX, Sec. D.(1).
30. The owner of this subdivision and his/her successors and assigns, assume responsibility for plans for construction of subdivision improvements which comply with applicable codes and requirements of the City of Austin. The owner understands and acknowledges that pot vactions or replanting may be required, at the owner's sole expense, if plans to construct this subdivision do not comply with such codes and requirements.
31. Access for Lots 17 and 26, Block M is restricted to Big View Drive.
32. The water quality easements shown are for the purpose of achieving compliance pursuant to Chapter 25-8 of the City Land Development Code. The use and maintenance of these easements are restricted by Sections 25-8-211 and 25-8-213 thereof.
33. Maintenance of water quality controls shall be according the City of Austin standards.
34. Erosion and sedimentation controls are required for all construction on each lot including single family and duplex construction pursuant to LDC Section 25-8-121 and the Environmental Criteria Manual.
35. Construction of this subdivision is subject to the terms and conditions of the Travis County "Subdivision Construction Agreement" as recorded in Document No. **2001021911** of the Official Public Records of Travis County, Texas.

BENCHMARKS:

- BM #1 Spindle set in pole South ROW Big View at Vardnerme Elev = 693.0
- BM #2 Spindle set in power pole at intake structure Elev = 514.4

CB-83-068 012 2A

SHEET 6 OF 7

File No. 930-0P	Designed by ship
Job No. 930-177	Drawn by ship
Date December, 1999	Checked by
Scale 1" = 100'	Reviewed by
	31 July 00 04:37
	14 Oct 00 #35
 AUSTIN SURVEYORS 2105 Justin Lane #103 Austin, Texas 78757 512-454-6805	

01-17-2001

Doc #200 100017

RIVER PLACE SECTION 16

THE STATE OF TEXAS
THE COUNTY OF TRAVIS

KNOW ALL MEN BY THESE PRESENTS,

THAT First River Place Reserve, Ltd., a Texas Limited partnership, acting herein by and through its sole general partner, Texas Highlands Inc., whose vice-president is John W. Gravenor, being the owner of 58,200 acres of land in the W.R. Hobbs Survey No. 456, the W.R. Hobbs Survey No. 457 in Travis County, Texas, being a part of a 1441.033 acre tract of land conveyed to River Place Reserve, Ltd. by deed recorded in Volume 11379, Page 379 of the the Real Property Records of Travis County, Texas and River Place Municipal Utility District owner of 0.002 acres of land by virtue of a deed recorded in Volume 12186, Page 1824 of the said Real Property Records and do hereby subdivide the said 58,164 acres in accordance with the attached map or plat, to be known as

RIVER PLACE SECTION 16

and do hereby dedicate to the public the use of all streets and easements shown hereon, subject to any easements and/or restrictions heretofore granted and not released.

WITNESS MY HAND this the 22nd day of SEPTEMBER, 2000 A.D.

First River Place Reserve, Ltd.
a Texas limited partnership

By: John W. Gravenor, its sole general partner

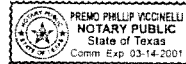
John W. Gravenor, vice-president
Texas Highlands, Inc.
4207 River Place Boulevard
Austin, Texas 78730

THE STATE OF TEXAS
COUNTY OF TRAVIS

This instrument was acknowledged before me on the 22nd day of September, 2000 by John W. Gravenor.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 22nd day of September, 2000 A.D.

Notary Public in and for
the State of Texas



River Place Municipal Utility District, a municipal utility district created and operated pursuant to Chapters 49 & 54 of the Texas Water Code

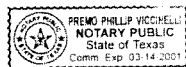
Kenneth L. Bartlett
VICE President
River Place Municipal Utility District
170 Westwood Secretariat & Minick, P.C.
100 Congress Ave. Suite 800
Austin, Texas 78701

THE STATE OF TEXAS
COUNTY OF TRAVIS

This instrument was acknowledged before me on the 24th day of September, 2000 by Kenneth L. Bartlett

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 24th day of September, 2000 A.D.

Notary Public in and for
the State of Texas



THE STATE OF TEXAS
COUNTY OF TRAVIS

That Norwest Bank, a Texas banking corporation, being the lender of record of the said 1441.33 acre tract does hereby approve of and join in the adoption of this plat.

IN WITNESS WHEREOF, Norwest Bank, a Texas banking corporation, has caused these presents to be executed this the 26th day of September, 2000, A.D.

Norwest Bank, a Texas banking corporation

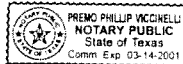
William D. Taylor, vice-president
Norwest Bank
111 Congress Ave.
Austin, Texas 78764

THE STATE OF TEXAS
COUNTY OF TRAVIS

This instrument was acknowledged before me on the 26th day of September, 2000 by William D. Taylor

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 26th day of September, 2000 A.D.

Notary Public in and for
the State of Texas



APPROVED FOR ACCEPTANCE:

This subdivision is located within the ETJ of the City of Austin on this the 5th day of December, 2000, A.D.

12-5-2000
Date

Clark Patterson
Alice Glasco, Director
Development Review and Inspection Department

Accepted and authorized for record by the Planning Commission, City of Austin, on this the 5th day of December, 2000, A.D.

Ally Baker, Chairperson
Lynne Davis, Secretary

I, Dana DeBeauvoir, Clerk of the County Court of Travis County, Texas, do hereby certify that on the 22nd day of January, 2000, A.D., the Commissioners Court of Travis County, Texas passed an order authorizing the filing for record of this plat and that said order was duly entered in the Minutes of said Court in Book 16, Page(s) 2

WITNESS MY HAND AND SEAL OF THE COURT of said County on this the 22nd day of January, 2000, A.D.

Dana DeBeauvoir, Clerk, County Court, Travis County, Texas

By: Dana DeBeauvoir
Deputy

I, Dana DeBeauvoir, County Clerk of the Travis County Court, do hereby certify that the foregoing instrument of writing and its Certificate of Authentication, was filed for record in my office on the 22nd day of January, 2000, A.D., at 9:37 o'clock AM in the Official Public Records of said County and State in Document No. 200100017
TRAVIS

WITNESS MY HAND AND SEAL OF THE OFFICE OF THE COUNTY CLERK OF SAID COUNTY, the 22nd day of January, 2000, A.D.

Dana DeBeauvoir, County Clerk, Travis County, Texas

By: J. Bazan
Deputy

In approving this plat, the Commissioners Court of Travis County, Texas, assumes no obligation to build the streets, roads, or other public thoroughfares shown on this plat or any bridges or culverts in connection therewith. The building of all streets, roads and other public thoroughfares shown on this plat and all bridges and culverts necessary to be constructed or placed in such streets, roads or other public thoroughfares or in connection therewith is the responsibility of the owner and/or developer of the tract of land covered by this plat in accordance with plans and specifications prescribed by the Commissioners Court of Travis County, Texas.

The Owners of the subdivision shall construct the subdivision's street and drainage improvements, "the improvements", to County Standards in order for the County to accept the public improvements for maintenance or to release fiscal security posted to secure private improvements. To secure this obligation, the Owner(s) must post fiscal security with the County in the amount of the estimated cost of the improvements. The Owner(s) obligation to construct the improvements to County Standards and to post the fiscal security to secure such construction is a continuing obligation binding on the owners and their successors and assigns until the public improvements have been accepted for maintenance by the County, or the private improvements have been constructed and are performing to County Standards.

The authorization of this plat by the Commissioners Court for filing or the subsequent acceptance for maintenance by Travis County, Texas, of roads and streets in the subdivision does not obligate the County to install Street name signs or erect traffic control signs, such as speed limit, stop signs, and yield signs which is considered to be part of the developers construction.

FLOOD PLAN NOTE.

The 100-year flood plan is contained within the drainage easements shown hereon. A portion of this tract is within the designated flood hazard area as shown on the Federal Flood Insurance Rate Map No. 48453C0290 E and 48453C0245 E, effective date June 16, 1993 for Travis County, Texas.

STATE OF TEXAS
COUNTY OF TRAVIS

This is to certify that I am authorized to practice the profession of engineering in the State of Texas, that I have reviewed the plat submitted herewith, and that all of the information shown hereon is accurate and correct to the best of my knowledge as related to the engineering portions of this plat and that said plat complies with Title 13 of the Austin City Code, of 1981, as amended, and all other applicable codes and ordinances.

Keith B. Jackson, 9/21/00
Keith B. Jackson, Registered Professional Engineer # 56854
P.E. &
P.O. Box 519
Austin, Texas 78767
Fax: 327-2453



STATE OF TEXAS
COUNTY OF TRAVIS

I, Claude F. Hinkle, Jr., a REGISTERED PROFESSIONAL LAND SURVEYOR, am authorized under the laws of the State of Texas to practice the profession of surveying and hereby certify that this plat complies with the surveying related portions of Title 13 of the Austin City Code of 1981, as amended, is true and correct to the best of my knowledge and was prepared from an actual on-the-ground survey of the property made under my direction and supervision.

AUSTIN SURVEYORS
P.O. BOX 180243
AUSTIN, TEXAS 78718

Claude F. Hinkle, Jr., 11 Sept 00
Claude F. Hinkle, Jr.
Registered Professional Land Surveyor No. 4629
Fax: not available



SHEET 7 OF 7

Lot Summary
Residential Lots 49 458 Ac 43 lots
Right-of-way 8706 Ac Big View Drive
Total 58 164 Ac
Linear feet of road 5673 feet Big View Drive.

The Map: 930-08	Designed By: smp
Map No: 930-117	Drawn By: smp
Date: December, 1999	Checked By:
Scale: 1" =	Revised: 19 May 00 ac

AUSTIN SURVEYORS
2105 Justin Lane #103
Austin, Texas 78707
512-454-6605

CB-83-068.012 2A



PLATS 200800232
3 PGS

PLAT DOCUMENT # _____

PLAT

PLAT RECORDS INDEX SHEET:

SUBDIVISION NAME: LOT 49A, BLOCK M, REPLAT OF LOTS 49
AND 50, BLOCK M, RIVER PLACE, SECTION 16

OWNERS NAME: JOHN MORRIS ANN MORRIS

RESUBDIVISION? YES ☐ NO ☒

ADDITIONAL RESTRICTIONS / COMMENTS:

2008137008

RETURN:

CITY OF AUSTIN
YOLANDA PARADES
974-2484

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

Dana DeBeauvoir

2008 Aug 13 09:39 AM 200800232

HAYWOODK \$92.00

DANA DEBEAUVOIR COUNTY CLERK

TRAVIS COUNTY TEXAS

13-08

#920

200800232



907 W 5TH ST. #250
Austin, Texas 78703
P: 512.495.9470
F: 512.495.9473
P.O. Box 1528
Austin, Texas 78767-1528
www.cfaulknereengineering.com

TRAVIS COUNTY, TEXAS

DATE	JAN 13, 2007
SURVEYOR	PAUL C. SAIVE, JR., P.E. L.S. 2516
RECORDING	BOOK 4, PAGE 2516
FILE NO.	171
JOB NUMBER	2111.00
DESCRIPTION	N/A
DRAWING	1-11-07



DATE 7/2/07
PAUL C. SAIVE, JR.
REGISTERED PROFESSIONAL ENGINEER
NO. 2516, STATE OF TEXAS
C. FAULKNER ENGINEERING, L.P.
907 W. 5TH ST. STE. 250
AUSTIN, TEXAS 78703
PHONE: 512.495.9470
FAX: 512.495.9473

FLOODPLAIN NOTE

THE 100-YEAR FLOODPLAIN IS CONTAINED WITHIN THE DRAINAGE EASTMENTS AS SHOWN HEREON. A PORTION OF THIS TRACT IS WITHIN THE DESIGNATED FLOOD HAZARD AREA AS SHOWN ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) NO. 48500290 E.A. 44500246C, DATED JANUARY 19, 2000 FOR TRAVIS COUNTY, TEXAS.



NOTARY PUBLIC IN AND FOR TRAVIS COUNTY, TEXAS
WITNESS MY HAND AND SEAL OF OFFICE THIS 13 DAY OF July, 2007 A.D.

THE STATE OF TEXAS
COUNTY OF TRAVIS

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE 13 DAY OF July, 2007 A.D. BY JOHN MORRIS AND ANN MORRIS, OWNERS OF SAID 2.49 ACRES, SAME BEING LOTS 49 & 50, BLOCK M, RIVER PLACE SECTION 16.

JOHN MORRIS
ANN MORRIS
6400 N. SCOUTS ISLAND CIRCLE
AUSTIN, TEXAS 78731

AND DO HEREBY DEDICATE TO THE PUBLIC THE USE OF ALL STREETS AND EASEMENTS SHOWN HEREON, SUBJECT TO ANY EASEMENTS AND/OR RESTRICTIONS HERETOFORE GRANTED AND NOT REVERSED.
WITNESS MY HAND THIS 13 DAY OF July, 2007 A.D.

LOT 49A, BLOCK M, REPLAT OF LOTS 49 & 50, BLOCK M, RIVER PLACE SECTION 16
THAT V.E. JOHN MORRIS AND ANN MORRIS BEING THE OWNER OF 2.49 ACRES OF LAND IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, HAVE CAUSED THIS INSTRUMENT TO BE RECORDED IN THE PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING LOTS 49 & 50, RIVER PLACE SECTION 16, RECORDED IN DOCUMENT NO. 200800232, OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, WHICH SAID LOTS WERE VACATED BY INSTRUMENT NO. 200800232, AND DO HEREBY REPEAT LOTS 49 AND 50 AND CONSOLIDATE SAID LOTS PURSUANT TO TITLE 30 OF THE AUSTIN CITY CODE AND CHAPTER 177 OF THE TEXAS VACATING ACT, TEXAS LOCAL GOVERNMENT'S CODE AND IN ACCORDANCE WITH THE ATTACHED MAP OR PLAN TO BE KNOWN AS:

LOT 49A, BLOCK M,
REPLAT OF LOTS 49 AND 50, BLOCK M, RIVER
PLACE, SECTION 16

APPROVED FOR ACCEPTANCE

APPROVED, ACCEPTED AND AUTHORIZED FOR RECORD BY THE DIRECTOR, WATERSHED PROTECTION AND DEVELOPMENT REVIEW DEPARTMENT, CITY OF AUSTIN, COUNTY OF TRAVIS, THIS 17 DAY OF July, 2007 AD.

DATE 7-17-07
Victoria J. Heston, Director
CITY OF AUSTIN, WATERSHED PROTECTION AND DEVELOPMENT REVIEW DEPARTMENT

I, DANA DEPAULON, CLERK OF THE COUNTY CLERK OF TRAVIS COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF VACATING AND ITS CERTIFICATE OF AND FINGERPRINTS OF THE INSTRUMENTS WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON THE 12 DAY OF July, 2007 AD, AND IS RECORDED IN THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, IN DOCUMENT NO. 200800232.
WITNESS MY HAND AND SEAL OF THE OFFICE OF THE COUNTY CLERK OF SAID COUNTY, THIS 12 DAY OF July, 2007 AD.

DANA DEPAULON, COUNTY CLERK, TRAVIS COUNTY, TEXAS

BY [Signature]
DEPUTY

THE STATE OF TEXAS
COUNTY OF TRAVIS

I, PAUL C. SAIVE, A REGISTERED PROFESSIONAL LAND SURVEYOR, AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PREPARE THE PROFESSION OF SURVEYING, DO HEREBY CERTIFY THAT THIS PLAT COMPLETES WITH THE SURVEYING RELATED PORTION OF TITLE 30 OF THE AUSTIN CITY CODE, IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND WAS PREPARED FROM SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION.



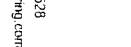
PAUL C. SAIVE, JR., P.E. L.S. 2516
C. FAULKNER ENGINEERING, L.P.
907 W. 5TH ST. STE. 250
AUSTIN, TEXAS 78703
PHONE: 512.495.9470
FAX: 512.495.9473
DATE 7-2-07

APPROVED, ACCEPTED AND AUTHORIZED FOR RECORD UNDER SECTION 30-2-24(B)(2), AUSTIN TRAVIS COUNTY SUBDIVISION AND DEVELOPMENT REVIEW DEPARTMENT, CITY OF AUSTIN, COUNTY OF TRAVIS, THIS 17 DAY OF July, 2007 AD.

DATE 7/2/08

LOT 49A, BLOCK M,
REPLAT OF LOTS 49 & 50, BLOCK M,
RIVER PLACE SECTION 16

C/E PLAT NO.
LOTS 49 & 50
REPLAT.dwg



REPLAT OF LOTS 49 & 50, BLOCK M,
RIVER PLACE SECTION 16

CFE PLAT NO
LOTS 49 & 50
REPLAT.dwg

11. ALL DRAINAGE EASEMENTS ON PRIVATE PROPERTY SHALL BE MAINTAINED BY THE PROPERTY OWNER.
12. IF DRAINAGE EASEMENTS ON PRIVATE PROPERTY SHALL BE MAINTAINED BY THE PROPERTY OWNER.
13. IF DRAINAGE EASEMENTS ON PRIVATE PROPERTY SHALL BE MAINTAINED BY THE PROPERTY OWNER.
14. PROPERTY OWNERS SHALL PROVIDE FOR ACCESS TO DRAINAGE EASEMENTS AS MAY BE NECESSARY AND SHALL NOT PROVIDE ACCESS TO UNDESIRABLE ADJACENTS.
15. FOUR OF SIXTY-ONE PARKING SPACES WILL BE REQUIRED FOR EACH UNIT IN THE SUBDIVISION THAT IS SERVED BY A SHORT USE DRIVEWAY. EACH OF SIXTY-ONE PARKING SPACES SHALL BE PROVIDED OUTSIDE THE LIMITS OF THE ELECTRICITY ACCESS EASEMENT.
16. A TRAVEL CORridor DEVELOPMENT PERMIT IS REQUIRED PRIOR TO ANY SITE DEVELOPMENT.
17. STREETS WITHIN THIS SUBDIVISION SHALL BE CONSTRUCTED TO CITY OF AUSTIN URBAN OR ALTERNATE URBAN STANDARDS.
18. ANY CITY REVIEWS, PERMITS, APPROVALS, OR INSPECTIONS REQUIRED BY THESE PLAT NOTES OR NECESSARY TO EVIDENCE COMPLIANCE HEREWITH SHALL REQUIRE THE PAYMENT TO THE CITY OF THE STANDARD FEES FOR PERMITS/ORDINANCES OF SAME.
19. NO LOT WILL BE OCCUPIED UNTIL THE STRUCTURE IS CONNECTED TO THE RIVER PLACE MUNICIPAL UTILITY DISTRICT WATER AND WASTEWATER SYSTEMS.
20. AUSTIN ENERGY HAS THE RIGHT TO PLUMB AND/OR MAINTAIN TIE-INS, SANITARY AND OTHER CONNECTIONS TO THE UTILITY NECESSARY AFTER THE EASEMENTS CLEAR AUSTIN ENERGY WILL PERFORM ALL TIE-INS WITHIN COMPLIANCE WITH SECTION 20.5 OF THE CITY OF AUSTIN LAND DEVELOPMENT CODE.
21. THE DEVELOPER OF THIS SUBDIVISION OF SHALL PROVIDE THE AUSTIN ENERGY WITH ANY EXISTING AND/OR ACCESS REQUIRED IN ADDITION TO THOSE INDICATED TO THE INSTALLATION AND MAINTENANCE OF OVERHEAD AND UNDERGROUND ELECTRIC FACILITIES. THESE EASEMENTS AND/OR ACCESS ARE REQUIRED TO PROVIDE ELECTRIC SERVICE TO THE BUILDING AND WILL NOT BE LOCATED SO AS TO CAUSE THE SITE TO BE OUT OF COMPLIANCE WITH TITLE 20.0 OF THE CITY OF AUSTIN LAND DEVELOPMENT CODE.
22. THE OWNER SHALL BE RESPONSIBLE FOR INSTALLATION OF TEMPORARY EROSION CONTROL, REVEGETATION AND TREE PROTECTION. IN ADDITION THE OWNER SHALL BE RESPONSIBLE FOR ANY TREE REMOVAL AND TREE REPLANTING THAT IS WITHIN 10 FEET OF THE CENTRINE OF THE OVERHEAD ELECTRIC FACILITIES. IN ORDER TO PROVIDE ELECTRIC SERVICE TO THE BUILDING AND/OR OTHER WORK SHALL ALSO BE INCLUDED WITHIN THE LIMITS OF CONSTRUCTION OF THIS PROJECT.
23. THIS SUBDIVISION IS EXEMPT FROM THE DETENTION REQUIREMENTS PER SECTION 12.2 OF THE CITY OF AUSTIN DRAINAGE CRITERIA MANUAL.
24. DIRECT ACCESS TO RIVER PLACE DRIVE IS RESTRICTED FROM THIS LOT. THIS LOT WILL INVOKE THE JOINT EASEMENT, DRAINAGE AND PUBLIC UTILITY EASEMENTS AS SHOWHEREIN. SEE ALSO THE INSTRUMENT RECORDED IN DOCUMENT NO. 200903934 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.
25. PLUMBING AND REVEGETATION REQUIREMENTS OF THE CITY OF AUSTIN, TEXAS ARE APPLICABLE TO THIS PROJECT. THE CITY OF AUSTIN, TEXAS WILL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE PLUMBING AND REVEGETATION AND OPERATION OF RIVER PLACE MUNICIPAL UTILITY DISTRICT. ARTICLE IX, SECTION 11.
26. THE OWNER OF THIS SUBDIVISION AND HIS/her SUCCESSORS AND ASSIGNS ASSUME RESPONSIBILITY FOR THE DESIGN, CONSTRUCTION, MAINTENANCE, AND OPERATION OF THE PLUMBING AND REVEGETATION EASEMENTS AND REQUIREMENTS OF THE CITY OF AUSTIN. THE OWNER UNDERSTANDS AND ACKNOWLEDGES THAT PLUMBING AND REVEGETATION REQUIREMENTS WILL BE REQUIRED AT THE OWNERS SOLE EXPENSE. IF PLUMBING AND REVEGETATION REQUIREMENTS DO NOT COMPLY WITH SUCH CODES AND REQUIREMENTS.
27. THE WATER QUALITY EASEMENTS SHOWN ARE FOR THE PURPOSE OF AVOIDING COMPLIANCE PRESIDENT TO SECTION 20.5 OF THE CITY OF AUSTIN LAND DEVELOPMENT CODE. THE USE AND MAINTENANCE OF THESE EASEMENTS ARE RESTRICTED BY SECTIONS 20.5-21.1 AND 20.5-27.3 THEREOF.
28. CONSTRUCTION OF THIS SUBDIVISION IS SUBJECT TO THE TERMS AND CONDITIONS OF THE TRAVIS COUNTY SUBDIVISION CONSTRUCTION AGREEMENT AS RECORDED IN DOCUMENT NO. 200903934 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.
29. MAINTENANCE OF WATER QUALITY CONTROL SHALL BE ACCORDING TO THE CITY OF AUSTIN STANDARDS.

30 FLOODPLAIN AND ELEVATION CONTROL REQUIREMENTS ARE REQUIRED FOR ALL CONSTRUCTION ON EACH LOT INCLUDING SINGLE-FAMILY AND DUPLEX CONSTRUCTION PURSUANT TO LDC SECTION 30-5-161 AND THE ENVIRONMENTAL CRITERIA MANUAL.

31 WATERSHED STATUS: THIS PROJECT IS LOCATED IN THE LAKE AUSTIN WATERSHED, IS CLASSIFIED AS WATER SUPPLY RIVERINE WATERSHED. THE SITE IS NOT LOCATED OVER THE EDWARDS AQUIFER RECHARGE ZONE.

32 A FLOODPLAIN SUPERVISION PLAN THAT PROPOSES A SINGLE FAMILY RESIDENTIAL LOT ON A SLOPE WITH A GRADIENT OF MORE THAN 16 PERCENT MUST INCLUDE A PLAN NOTE REFLECTING THE LOT AND DESCRIBING THE REQUIREMENTS OF SECTION 30-5-303, SUBSECTION B(1) OF THE CITY LAND DEVELOPMENT CODE.

33 BY APPROVING THIS PLAN, THE CITY OF AUSTIN ASSURES NO OBLIGATION TO CONSTRUCT ANY INFRASTRUCTURE IN CONNECTION WITH THIS SUBDIVISION AND SUPERVISION INFRASTRUCTURE REQUIRED FOR THE DEVELOPMENT OF THE LOTS IN THIS SUBDIVISION IS THE RESPONSIBILITY OF THE DEVELOPER AND/OR THE OWNERS OF THE LOTS FAILING TO CONSTRUCT ANY REQUIRED INFRASTRUCTURE TO SERVE THE DEVELOPMENT OPERATIONS INCLUDING BUT NOT LIMITED TO THE PLAN APPROVALS AND/OR CERTIFICATES OF OCCUPANCY.

34 BUILDING SETBACK REQUIREMENTS WITH CITY OF AUSTIN ZONING.

35 BUILDING SETBACK REQUIREMENTS:

35.1 BLOCK 2.3 BLOCK A OF RIVER PLACE GOLF COURSE FINAL PLAT BLOCK 3 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS IS USED TO CALCULATE TOTAL IMPERVIOUS COVER REQUIREMENTS FOR RIVER PLACE SETBACK IN A RESTRICTIVE COVENANT RECORDED IN DOCUMENT NO. 200909017 OF THE SPECIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

35.2 BLOCK 2.3 BLOCK A OF RIVER PLACE GOLF COURSE TO BE USED FOR RIVER PLACE SECTION 16.

36 FENCING AND SECURITY CONTROL REQUIREMENTS ARE REQUIRED FOR ALL CONSTRUCTION ON EACH LOT INCLUDING SINGLE-FAMILY AND DUPLEX CONSTRUCTION PURSUANT TO LDC SECTION 30-5-161 AND THE ENVIRONMENTAL CRITERIA MANUAL.

37 LOTS 49 AND 50, RIVER PLACE SETBACK ARE RECORDED IN DOCUMENT NO. 200909017 VACATED BY DOCUMENT NO. 20081317008 OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS.

38 WATER AND WASTEWATER PROVIDED BY RIVER PLACE MAID.

FLOODPLAIN AND ELEVATION CONTROL REQUIREMENTS:

THE 10-YEAR FLOODPLAIN IS CONTAINED WITHIN THE FLOODPLAIN ELEVATIONS AS SHOWN HEREON. A FLOODPLAIN OF THIS TRACT IS WITHIN THE DESIGNATED FLOODPLAIN AREA AS SHOWN ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) NO. 44545C0209E AND 44545C0245E, DATED JANUARY 19, 2000 FOR TRAVIS COUNTY, TEXAS.

UNDESIGNED FLOODPLAIN ELEVATION FOR ALL AFFECTED STRUCTURES SHALL BE ONE (1) FOOT ABOVE THE ELEVATION OF THE 10-YEAR FLOOD PLAIN AS SHOWN HEREON.

504 M.A.S.L.

FLOODPLAIN DISCLOSURE NOTE:

BY LAW, THE MAXIMUM PERMITTED FLOOR ELEVATION (FFL) OF ANY HABITABLE STRUCTURE MUST BE AT LEAST ONE FOOT ABOVE THE 10-YEAR FLOODPLAIN ELEVATION. THE FLOODPLAIN MANAGEMENT AGENCY (FEMA) MAPS INDICATE THAT THE 10-YEAR FLOODPLAIN IS NOT PRESENT AT THIS LOCATION AS SHOWN ON THIS DOCUMENT. HOWEVER, FEMA HAS RELEASED NEW DATA, MANY MAPS SHOWING AN INCREASE IN THE AREA COVERED BY THE 10-YEAR FLOODPLAIN. ANY FLOODPLAIN MAPS SHOWING AN INCREASE IN THE NEW MAPS, IT IS RECOMMENDED THAT NEW HABITABLE STRUCTURES HAVE A FFL OF AT LEAST ONE FOOT ABOVE THE BASE FLOOD ELEVATION. THE 10-YEAR FLOODPLAIN ELEVATION FOR THIS TRACT IS SHOWN ON THIS DOCUMENT. THE FLOODPLAIN ELEVATION MAY BE LESS THAN ONE FOOT ABOVE THE FFL. THE OWNER ACKNOWLEDGES THE POTENTIAL FOR FLOODING INDICATED BY THE NEW MAPS. CHOICES NOT TO FOLLOW THIS RECOMMENDATION MAY INCREASE THE RISK OF FLOODING AND/OR LIABILITY FOR DAMAGE TO THE STRUCTURE OR ITS CONTENTS, OR ANY OTHER LIABILITY ARISING FROM ACTUAL OR POTENTIAL FLOODING.

TBM # 1- COTTON SPINDLE SET IN POWER POLE IN SOUTH ROW OF BIG VIEW DRIVE A
VANDEMEER ELEV = 893.0

TBM # 2 COTTON SPINDLE SET IN POWER POLE AT INTAKE STRUCTURE
ELEV = 814.4

200800232

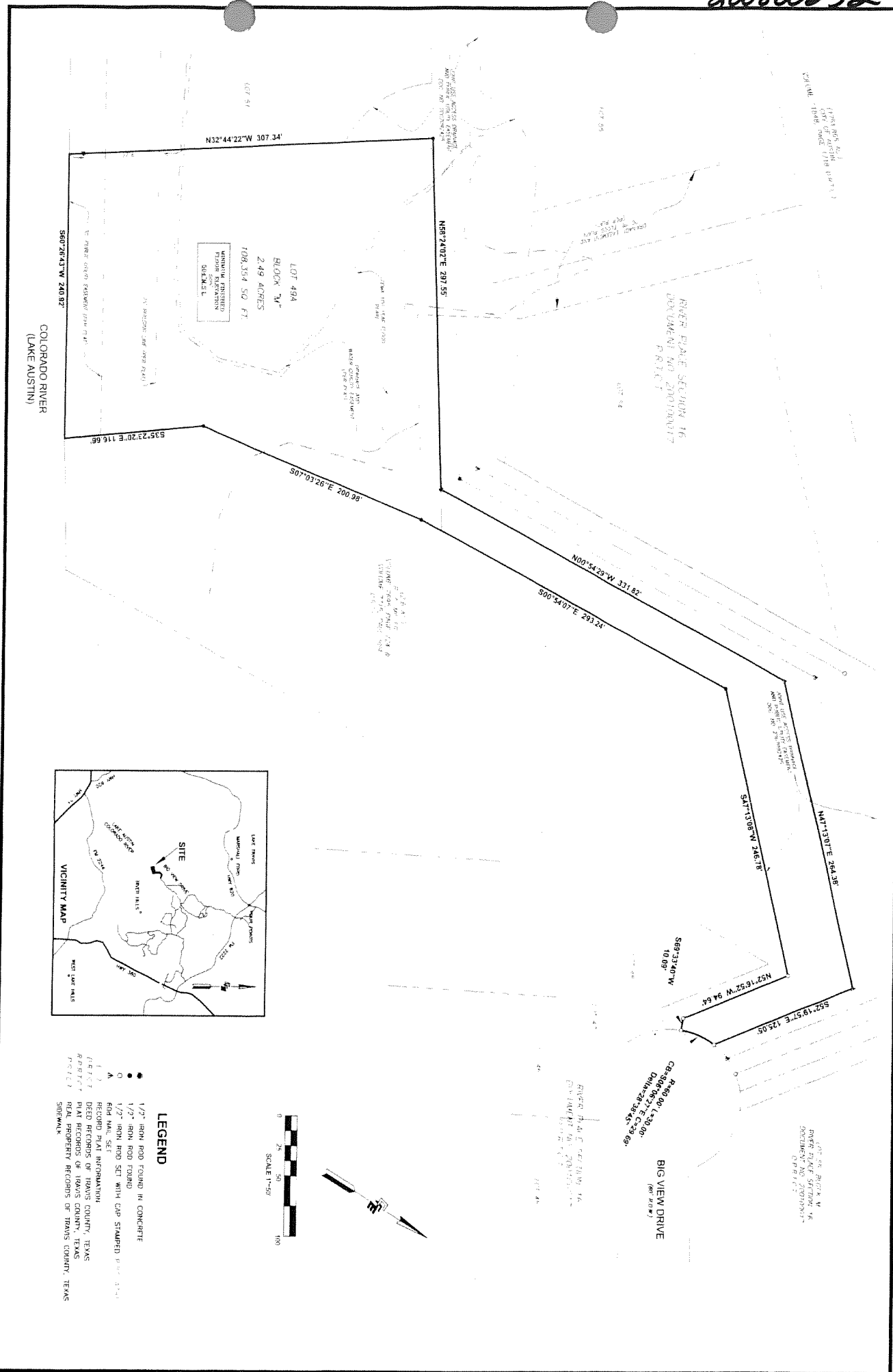


C F A K N I E R
ENGINEERING

507 W 5TH ST, #250
Austin, Texas 78703
P: 512.495.9470
F: 512.495.9473
P.O. Box 1528
Austin, Texas 78767-1528
www.chaknerengineering.com

TRAVIS COUNTY, TEXAS	
DATE	JANUARY, 2007
SURVEYOR	PAUL C. SAUER, JR., FPLS No. 2518
TECHNICIAN	JEFF ALMQUIST
FIELDBOOK	N/A
JOB NUMBER	211.001
DESCRIPTION	REPLAT
DRAWING	J.T. Johnson, 49-52 N River Place Survey\CD\LOT549&50\FINAL.dwg

LOT 49A, BLOCK M,
REPLAT OF LOTS 49 & 50, BLOCK M
RIVER PLACE SECTION 16



09/21/87

**FIRST AMENDED SUPPLEMENTAL DECLARATION
TO THE RESTATED DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
FOR RIVER PLACE RESIDENTIAL AREAS
(SECTION 16)**

THE STATE OF TEXAS
COUNTY OF TRAVIS

§
§
§

KNOW ALL MEN BY THESE PRESENTS THAT

This First Amended Supplemental Declaration to the Restated Declaration of Covenants, Conditions and Restrictions for River Place Residential Areas (Section 16) (the "First Amendment") is made by LAKE AUSTIN RIVER PLACE, LTD, a Texas limited partnership ("LARP") and is as follows

RECITALS

A Prior Restrictions This First Amendment shall amend that one certain Supplemental Declaration to the Restated Declaration of Covenants, Conditions and Restrictions for River Place Residential Areas (Section 16) dated January 17, 2001, recorded as Document No 2001026354, Official Public Records of Travis County, Texas (the "Supplemental Declaration")

B Declarant LARP is the owner and developer of all lots (the "Lots") located within RIVER PLACE SECTION 16, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Document No 200100017, Official Public Records of Travis County, Texas (the "Property") and successor in interest of First River Place Reserve, Ltd, as Declarant in the Supplemental Declaration

C Authority for Amendment LARP, in its capacity as Declarant, has the authority to designate such additional covenants, conditions and restrictions or amendments thereto as Declarant deems appropriate for the Property as set forth in this First Amendment

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is acknowledged, the Supplemental Declaration is hereby amended as follows

1 Section 2 01 Construction of Improvements, is amended to read as follows

Any and all Improvements erected, placed, constructed, painted, altered, modified, or remodeled on any portion of the Property shall strictly comply with the requirements of the Master Declaration and the Architectural Guidelines, unless a variance is obtained pursuant to Section 7 07 of the Master Declaration

In addition, all of the Property shall be owned, held, encumbered, leased, used, occupied, and enjoyed subject to the following supplemental limitations and restrictions

(a) The minimum living area (exclusive of open or screened porches, terraces, patios, decks, driveways, and garages) for residences constructed within the Property shall be 3,800 square feet The ACC may grant a variance to these restrictions due to site constraints such as flood plain limits, restricted views, and topography However, in no event shall these variances be reduced beyond the minimums set forth then by the local governing agencies

(g) Each Lot must contain a private garage for not fewer than three (3) automobiles and off-street parking space for a minimum of two (2) automobiles, which off-street parking shall be located no closer than twenty-five feet (25') from the front Lot line and otherwise comply with the side Lot line setbacks as set forth elsewhere in this Supplemental Declaration or the Master Declaration. The ACC may grant a variance to these restrictions due to site constraints such as flood plain limits, restricted views, and topography. However, in no event shall a variance be less restrictive than the minimum requirements set forth then by the local governing agencies.

(h) Garages may face or open toward any street, or greenbelt, in such event, the garage doors must be screened by a solid wall with similar architectural features consistent with the facade of the house. Plans for garages that face a street must be submitted for Architectural Control Committee review and written approval of the location and design of the garage orientation, doors, and screening.

(i) All roofs shall be constructed of clay or concrete tile, non-reflective metal, slate, or other material expressly approved by the Architectural Control Committee. The color and composition of all roof materials shall be expressly approved by the Architectural Control Committee.

(j) The location of all buildings and Improvements shall comply with the Master Declaration and any City of Austin building requirements.

(k) Only wood or vinyl-clad wood windows, unless specifically approved by the Architectural Control Committee, shall be permitted. All windows on each residence shall have a consistent design throughout the residence and shall strictly comply with requirements established by the Architectural Control Committee.

(l) The design, construction materials, and location of (i) all driveways, and (ii) culverts incorporated into driveways for ditch or drainage crossings, shall be approved by the Architectural Control Committee. Driveways shall be a minimum of ten feet (10') in width at their narrowest point. Driveways on corner lots abutting a cul-de-sac and another roadway shall access off the cul-de-sac, unless otherwise required by the Plat or the City of Austin. The Architectural Control Committee shall establish design and materials requirements for all driveway culverts to insure that they are consistent in appearance throughout the Property. Appropriate facing materials for driveways include pavers, concrete or combination of concrete and brick or paved edging.

(m) The location, design, and materials used in construction of all mailboxes including, without limitation, an art address identification marker and a light, shall be approved in advance by the Architectural Control Committee in advance of and prior to construction.

(n) The Declarant shall be entitled to require each Owner of a Lot to install an address column (the "Address Column") on such Owner's Lot in accordance with design, construction, and electrical plans and specifications adopted by the Architectural Control Committee. Construction of the Address Column shall be completed prior to the occupancy of any residential structure located upon such Owner's Lot. Each Owner, at such Owner's sole cost and expense, shall be obligated to maintain the Address Column and all electrical fixtures associated therewith which are located on such Owner's Lot, provided, however, that the Sub-Association shall periodically replace the light bulbs located on each Address Column.

STATE OF TEXAS

COUNTY OF Travis

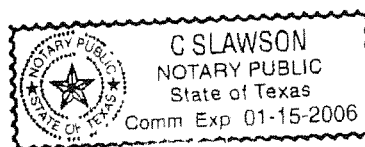
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This instrument was acknowledged before me on this 10 day of July, 2003, by James Kerby, as President of Lynx Development Company, Inc., a Texas corporation, as General Partner of Lake Austin River Place, Ltd., a Texas limited partnership, on behalf of said entity.

C Slawson
Notary Public, State of Texas

(seal)

Prepared in the Law Offices of
Whittenton & Hurst, L.L.P.
109 N. Water St. (Hwy. 281)
Burnet, Texas 78611



After Recording, Return To:
Whittenton & Hurst, L.L.P.
109 N. Water St. (Hwy. 281)
Burnet, Texas 78611

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Dana Debeauvoir
07-14-2003 02:56 PM 2003159529
PAREDEST \$17.00
DANA DEBEAUVOIR, COUNTY CLERK
TRAVIS COUNTY, TEXAS

CITY OF AUSTIN
Board of Adjustment/Sign Review Board
Decision Sheet

DATE: Monday, February 9, 2015

CASE NUMBER: C15-2015-0018

☐ Y ☐ Jeff Jack - Chair
☐ Y ☐ Michael Von Ohlen **2nd the Motion**
☐ Y ☐ Melissa Whaley Hawthorne - Vice Chair **Motion to Grant**
☐ - ☐ Sallie Burchett
☐ - ☐ Ricardo De Camps
☐ Y ☐ Brian King
☐ Y ☐ Vincent Harding
☐ - ☐ Will Schnier - Alternate
☐ Y ☐ Stuart Hampton - Alternate

APPLICANT: Jim Bennett

OWNER: Bob Herd

ADDRESS: 7909 BIG VIEW DR


VARIANCE REQUESTED: The applicant has requested a variance(s) from Section 25-2-551(C) (2) (a) (*Lake Austin (LA) District Regulations*) to increase the maximum impervious cover from 20% (required) to 35.2% (requested) in order to construct a single family home in an "LA", Lake Austin zoning district.

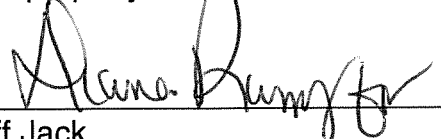
BOARD'S DECISION: The public hearing was closed on Board Member Melissa Hawthorne motion to Postpone to March 9, 2015, Board Member Michael Von Ohlen second on a 6-0 vote; **POSTPONED TO MARCH 9, 2015.**

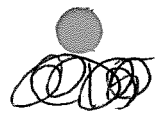
FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because:
2. (a) The hardship for which the variance is requested is unique to the property in that:

(b) The hardship is not general to the area in which the property is located because:
3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:


Leane Heldenfels
Executive Liaison


Jeff Jack
Chairman



Heldenfels, Leane

From: Randy Lawson <~~randylawson@att.net~~>
Sent: Friday, February 06, 2015 10:09 AM
To: Heldenfels, Leane
Subject: Case #C15-2015-0018 - 7909 Big View Dr. (Request for Variance)

Ms. Heldenfels:

Thank you for returning my phone call earlier this week on this subject project. The River Place HOA, which is officially registered in the City of Austin "Community Registry", has voted to oppose the subject case involving a requested variance to the impervious cover requirement (Sect 25-2-551(C) (2) (a) - Lake Austin (LA) District Regulations).

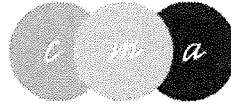
You will be receiving an email from Certified Management Associates (CMA), who is the management company that represents the River Place HOA (legally known as River Place Residential Community Association).

CMA will formally register our opposition to this requested variance on our behalf by email no later than noon on Monday, February 09, 2015.

Thanks in advance for registering our opposition. Please confirm that you have received this email. We look forward to working with you and others with the City of Austin on this project. Let me know if you have any questions or comments.

Sincerely,

Randy Lawson - River Place HOA board member



CERTIFIED MANAGEMENT OF AUSTIN, LLC

February 6, 2015

City of Austin Planning and Development Review Department
505 Barton Springs
Austin, Texas 78704

Attention: Ms. Leane Heldenfels

Re: **Case # C15-2015-0018 (7909 Big View Dr. Austin, Texas 78730) Variance Request**

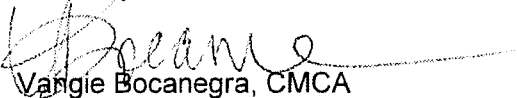
Dear Ms. Heldenfels:

As the managing agent for River Place Residential Community Association, Certified Management of Austin, LLC is responsible for the administration of the Association's governing documents, rules, and regulations.

The purpose of this letter is to bring to your attention that the board of directors of the River Place Residential Community Association (a.k.a. River Place HOA) opposes the requested variance to impervious cover regulations for the project at 7909 Big View Drive, Austin, Texas 78730.

Thank you in advance for your help in preserving the integrity of River Place Residential Community Association, Inc and our neighborhood. If you have any questions concerning this notice please contact Vangie Bocanegra at 512-339-6962, or via email at frontdesk@cmaaaustin.com.

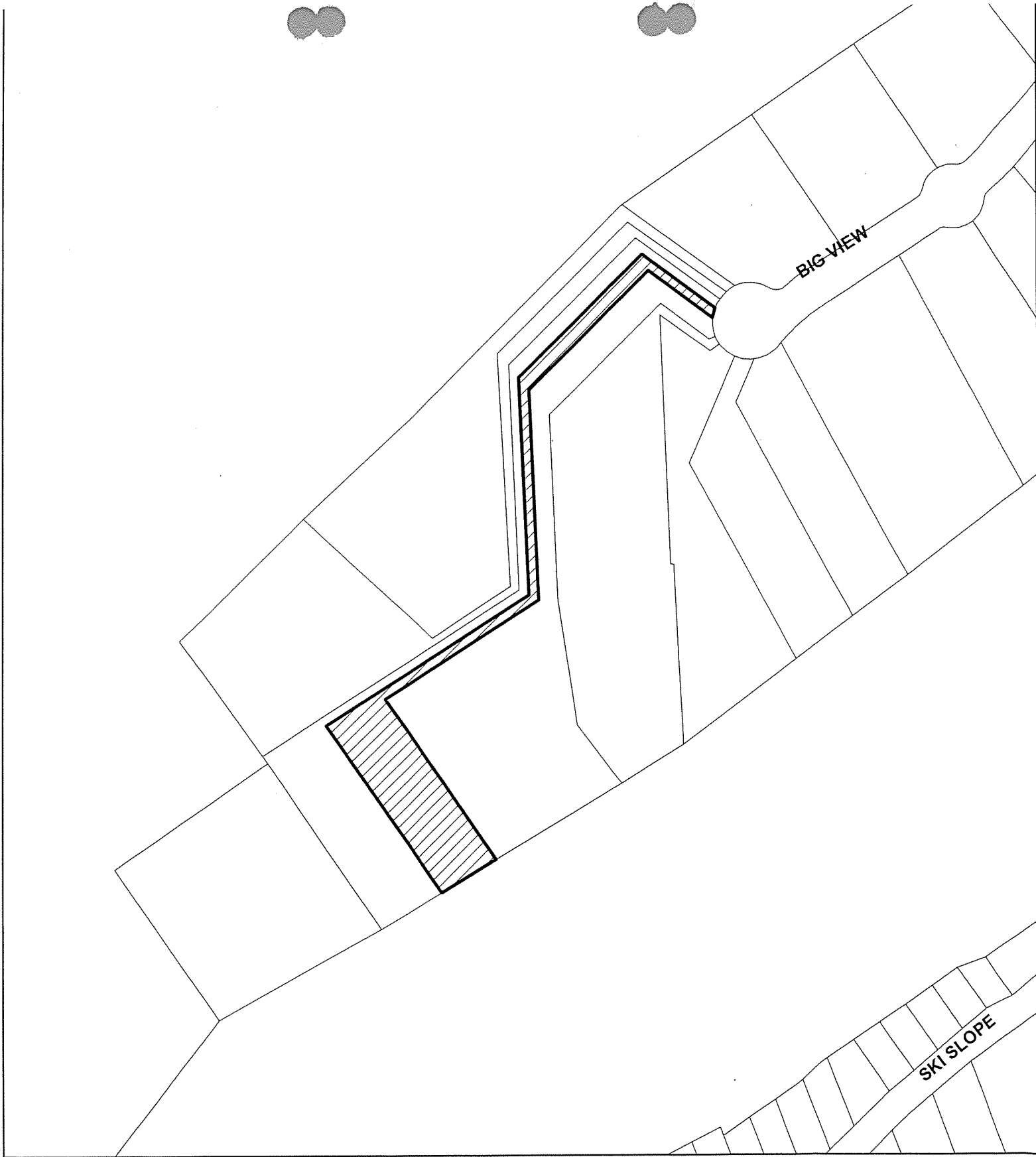
Sincerely,



Vangie Bocanegra, CMCA

CERTIFIED MANAGEMENT OF AUSTIN

Managing Agent for River Place Residential Community Association, Inc.



SUBJECT TRACT

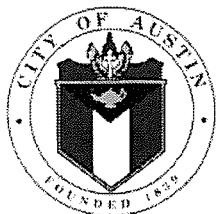


PENDING CASE



ZONING BOUNDARY

CASE#: C15-2015-0018
Address: 7909 BIG VIEW DRIVE



1" = 200'

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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.

CASE # C15-2015-0018

ROW 11274933

CITY OF AUSTIN
APPLICATION TO BOARD OF ADJUSTMENT
GENERAL VARIANCE/PARKING VARIANCE

ROLL 0135380220

(TCAD 0135380
234)

WARNING: Filing of this appeal stops all affected construction activity.

PLEASE: APPLICATION MUST BE TYPED WITH ALL REQUESTED INFORMATION COMPLETED.

STREET ADDRESS: 7909 Big View Drive

LEGAL DESCRIPTION: Subdivision – River Place Section 16

Lot(s) 51A Block M Outlot Division

I Jim Bennett as authorized agent for Bob Hird

 affirm that on 12/10/14 hereby apply for a hearing before the Board of

Adjustment for consideration to:

ERECT – ATTACH – COMPLETE – REMODEL – MAINTAIN

A single family residence providing a total impervious cover of 35.2% on slopes with a gradient of 0-25%.

 in a LA district.
(zoning district)

The Austin Electric Utility Department (Austin Energy) enforces electric easements and the setback requirements set forth in the Austin Utility Code, Electric Criteria Manual and National Electric Safety Code. The Board of Adjustment considers variance to the Land Development Code, and a variance granted by the Board of Adjustment does not waive the requirements enforced by Austin Energy. Please contact Christine Esparza with Austin Energy at 322-6112 before filing your application with the Board of Adjustment if your request is for a reduction in setbacks or height limits.

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: the impervious for this lot is comparable to other homes in this area. Other homes in the area were allowed to construct under the limits prescribed on the subdivision plat.

HARDSHIP:

2. (a) The hardship for which the variance is requested is unique to the property in that: This property shares impervious cover thru the access easement. Many lots in this subdivision were approved and permitted to use the 35% impervious cover shown on the subdivision plat.

(b) The hardship is not general to the area in which the property is located because: The configuration of this lot and the application of the reduced impervious cover distinguishes this lot and is not general to the area.

AREA CHARACTER:

3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

this proposed structure is compatible with the size and type of other homes in the area and is located to the rear of the lot and has intervening structures which limits visibility from the street.

PARKING: (Additional criteria for parking variances only.)

Request for a parking variance requires the Board to make additional findings. The Board may grant a variance to a regulation prescribed Section 479 of Chapter 25-6 with respect to the number of off-street parking spaces or loading facilities required if it makes findings of fact that the following additional circumstances also apply:

1. Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonable require strict or literal interpretation and enforcement of the specific regulation because:

2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

NOTE: The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.

APPLICANT CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed Jim Bennett Mail Address 11505 Ridge Dr
City, State & Zip Austin, TX 78748
Printed Jim Bennett Phone 512-282-3079 Date 12/10/14

OWNERS CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed Bob L Herd Mail Address PO Box 9340
City, State & Zip Tyler TX 75711
Printed Bob L Herd Phone 903-509-3456 Date 12.4.14