

SUBDIVISION REVIEW SHEET

C13
/

CASE NO.: C8-2015-0090.0A

P.C. DATE: August 25, 2015

SUBDIVISION NAME: McGuire's Subdivision No. 1; Resub of lots 6 & 7 and a portion of lot 5 Block 4

AREA: 0.373

LOT(S): 1

OWNER/APPLICANT: (Robert & Olga Levin)

AGENT: (Hector Avila)

ADDRESS OF SUBDIVISION: 4009 Sinclair Ave.

DISTRICT: 10

GRIDS: MJ26

COUNTY: Travis

WATERSHED: Shoal Creek

JURISDICTION: Full-Purpose

EXISTING ZONING: SF-3

MUD: N/A

NEIGHBORHOOD PLAN: Rosedale

PROPOSED LAND USE: Single-family

VARIANCES: None

SIDEWALKS: Sidewalks will be provided on both sides of all internal streets and the subdivision side of boundary streets.

DEPARTMENT COMMENTS: The request is for approval of the McGuire's Subdivision No. 1; Resub of lots 6 & 7 and a portion of lot 5 Block 4. The proposed plat is composed of 1 lot on 0.373 acres proposed for single-family residential use. The applicant proposes to combine two lots, and a portion of a lot into one lot. All City of Austin utilities are available. The developer will be responsible for all costs associated with any required improvements.

There were several letters of opposition turned in to staff and have been included in your back-up. The common theme of the protest letters is fear that making a larger lot in the neighborhood will increase the chances that large, out-of-character homes will be built. As information to the Commission, this application does fall within the boundaries of the McMansion regulations and any structure built on the proposed lot will have to comply with the McMansion regulations.

STAFF RECOMMENDATION: The staff recommends approval of the plat. This plat meets all applicable State and City of Austin LDC requirements.

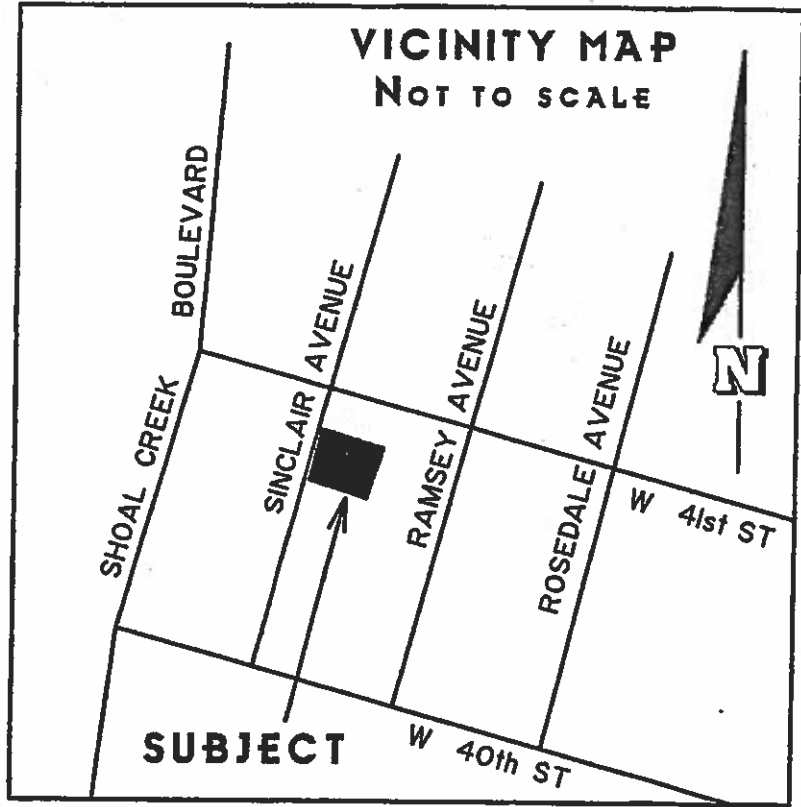
PLANNING COMMISSION ACTION:

CITY STAFF: Don Perryman
E-MAIL: don.perryman@austintexas.gov

PHONE: 512-750-6530

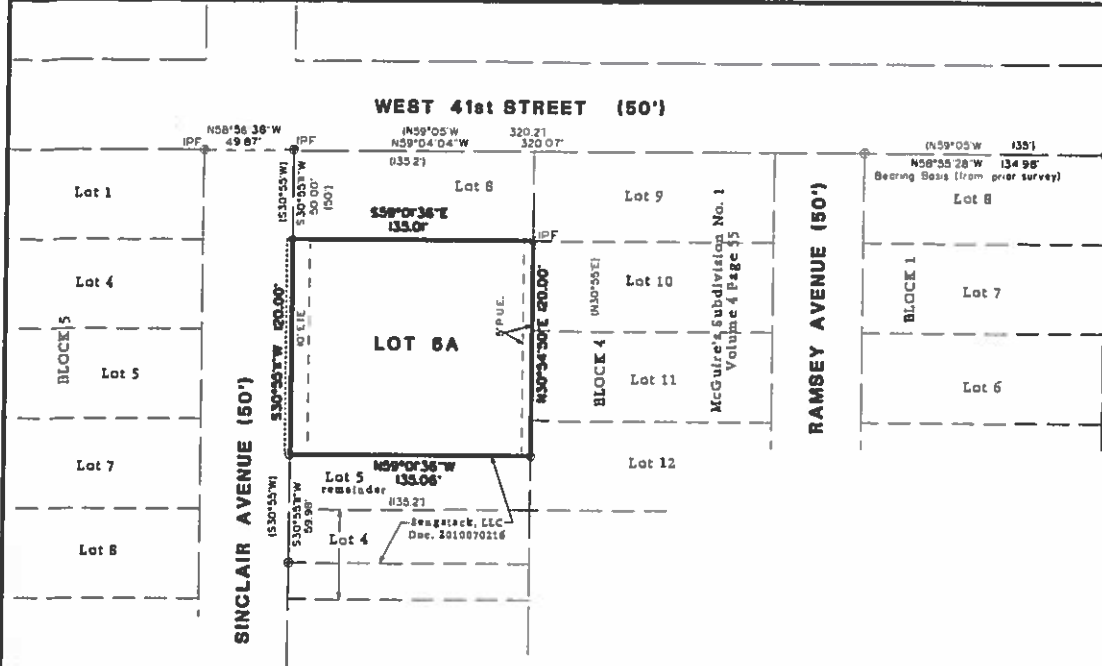
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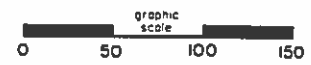


CASE NUMBER C8-2015-0000.0A

RESUBDIVISION OF LOTS 6 AND 7 AND A PORTION OF LOT 5 BLOCK 4 McGuire's Subdivision No. 1



SCALE: 1" = 50'



LOT SUMMARY	
Total Number of Lots	= 1
Lot 6A	= 16,207 Square Feet
Total Area	= 16,207 Square Feet = 0.373 Acre

- Legend**
- Iron Rod Found
 - IPF Iron Pipe Found
 - Metal Ball Found
 - Iron Rod Set with plastic cap imprinted with "Hall Carson, Inc." (Record Bearing and Distance) from plat Volume 4 Page 55
 - proposed Concrete Sidewalk
 - E.T.E. = Electric and Telecommunications Easement

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

That we, Robert Levin and Olga Levin, owners of all of Lots 6 and 7 and the North 20 feet of Lot 5, in Block 4, McGuire's Subdivision No. 1, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 4 Page 55 of the Plat Records of Travis County, Texas, as conveyed to us by virtue of General Warranty Deeds recorded in Document No 2014152637 and Document No 2015029228 of the Official Public Records of Travis County, Texas, do hereby resubdivide said tracts of land in accordance with the attached map or plat shown hereon pursuant to Chapter 212 of the Texas Local Government Code, to be known as

RESUBDIVISION OF LOTS 6 AND 7 AND A PORTION OF LOT 5 BLOCK 4 McGuire's Subdivision No. 1

subject to any easements and/or restrictions heretofore granted, and not released

WITNESS OUR HANDS this the _____ day of _____, A.D. 20____

Robert Levin
4512 Island Cove
Austin, Texas 78731

Olga Levin
4512 Island Cove
Austin, Texas 78731

THE STATE OF TEXAS
THE COUNTY OF TRAVIS

I, the undersigned authority, on this the _____ day of _____, A.D. 20____, did personally appear Robert Levin and Olga Levin, known to me to be the persons whose names are subscribed to the foregoing instrument of writing, and they acknowledged before me that they executed the same for the purposes and considerations therein expressed.

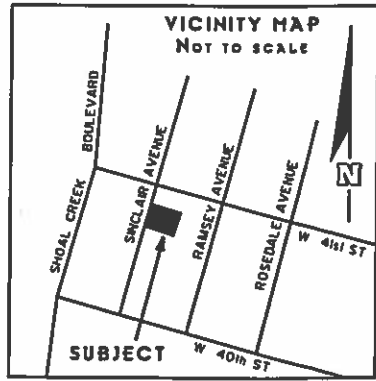
NOTARY PUBLIC _____
Printed Name _____
Commission Expires _____

This subdivision is located within the Full Purpose Jurisdiction of the City of Austin on this the _____ day of _____, 20____.

ACCEPTED AND AUTHORIZED for record by the Director, Planning and Development Review Department, City of Austin, County of Travis, this the _____ day of _____, 20____, A.D.

Greg Guernsey, Director, Planning and Development Review Department

NOTE:
THE WATER AND/OR WASTEWATER EASEMENTS INDICATED ON THIS PLAT ARE FOR THE PURPOSE OF CONSTRUCTION, OPERATION, MAINTENANCE, REPAIR, REPLACEMENT, UPGRADE, DECOMMISSIONING AND REMOVAL OF WATER AND/OR WASTEWATER FACILITIES AND APPURTENANCES. NO OBJECTS, INCLUDING BUT NOT LIMITED TO, BUILDINGS, FENCES, RETAINING WALLS, TREES OR OTHER STRUCTURES ARE PERMITTED IN WATER AND/OR WASTEWATER EASEMENTS EXCEPT AS APPROVED BY THE CITY OF AUSTIN



982044.09H

Perryman, Don

From: Debra Leff <~~debra.leff@cityofaustin.org~~>
Sent: Sunday, August 16, 2015 4:48 PM
To: Perryman, Don
Subject: C-8-2915-0090.OA

CLB/S

I object to the resubdivision of the lots at 4009-4011 Sinclair (along with part of the next lot). My name is Debra Leff and I have resided at 4110 Sinclair since 1980. My daytime phone is: 512-567-0859.

Here is a bit of history on McGuire: Sub M McGuire's Subdivision, 1939 This subdivision goes way back. F.W. McGuire, owner of McGuire Dairy, retired and subdivided his dairy land into 75 lots. The subdivision ran from 40th Street to 42nd Street and from Shoal Creek Blvd. east to halfway between Ramsey and Rosedale.

It was a small plot subdivided to house homeowners eager to raise families in this new area of Austin. It has served us well. We have been able to breathe new life into Bryker Woods, our local elementary which was on the road to closure. We have been able to continue to house middle class families, such as my own, for many years.

I am not aware of any other double (plus) lots in this area. I do realize that some are 1.5 lots. However, 2 plus seems excessive for the size and style of this neighborhood. We want to continue to keep it attractive for families.

It does appear that the City Planning Commission rejected this request in May, but I suppose it could have been a paperwork snafu, as I understand that this is a legal maneuver.

I am hoping that the applicant will reign in their expectations a bit in order to fit into the fabric of the area.

I hope this will suffice as "written notice". If not, pls advise. Thank you.

Perryman, Don

From: Monica Harmon <~~mlharmon878@gmail.com~~>
Sent: Tuesday, August 18, 2015 2:50 PM
To: Perryman, Don
Subject: Resubdivision of 4009 and 4011 Sinclair Avenue - C8-2015-0090.0A

Hi Don,

I left you a voice mail and wanted to follow up with this email. I live at 4111 Sinclair avenue - one block from the proposed resubdivision. I had no idea that resubdividing was something that could happen in an established neighborhood, so I did a little research. I know you are probably very busy, but I was hoping you would be kind enough to help me understand this situation and answer a few questions.

This request was disapproved by the planning commission on May 26. Why was it disapproved?

Is there a neighborhood plan for Rosedale that limits this type of activity? Is this resubdivision in keeping with the plan (if one exists)?

The people that requested the resubdivision wrote a letter to the neighborhood (posted in the neighborhood email feed) saying that they needed this resubdivision to be able to add in a pool and build a bigger house. Is this in keeping with the intent of the McMansion ordinance?

I know this is a lot of questions, but I would appreciate any information/guidance on this issue.

Best regards,

Monica Harmon
4111 Sinclair Ave
~~mlharmon878@gmail.com~~
~~8122280287100~~

PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

Commission is required to approve the subdivision by State law if no variances are required, and if it meets all requirements. A board or commission's decision on a subdivision may only be appealed if it involves an environmental variance. A variance may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision. A notice of appeal must be filed with the director of the responsible department no later than 14 days after the decision. An appeal form may be available from the responsible department.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (it may be delivered to the contact person listed on a notice); or
- appearing and speaking for the record at the public hearing; and:
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

For additional information on the City of Austin's land development process, visit our web site: <http://www.austintexas.gov/development>.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice.

Case Number: C8-2015-0090.0A
 Contact: Don Perryman, 512-974-2786 or Elsa Garza, 512-974-2308
 Public Hearing: Planning Commission, August 25, 2015

Rodney Cummings
 Your Name (please print) I am in favor
 I object

4009 Ramsey Ave, Austin TX 78756
 Your address(es) affected by this application

Rodney Cummings 8/13/2015
 Signature Date

Daytime Telephone: 512 683 8544

Comments: A lot of this size will lead to building of a mansion, now or in the future. In addition to the inevitable increase in my property evaluation and taxes, the presence of a mansion dramatically reduces the quality of life in my neighborhood.

If you use this form to comment, it may be returned to:
 City of Austin - Development Services/4th Fl
 Don Perryman
 P. O. Box 1088
 Austin, TX 78767-8810

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Case Number: C8-2015-0090.0A

Contact: Don Perryman, 512-974-2786 or Elsa Garza, 512-974-2308
Public Hearing: Planning Commission, August 25, 2015

John C. Wilson

Your Name (please print)

4110 Sinclair Ave

Your address(es) affected by this application

John C. Wilson

Signature

8-12-15

Date

Daytime Telephone: 512-636-4110

Comments: *I have lived in Rosedale*

since purchasing my house in 1980

Never have two houses been taken

down to accommodate one owner.

I strongly oppose this action

as it sets a precedence for the

conversion of Rosedale to much

larger homes. Large homes are being

built here without asking for variances.
Please let me know what class surveys
If you use this form to comment, it may be returned to:
City of Austin - Development Services/4th Fl Austin
Don Perryman
P. O. Box 1088
Austin, TX 78767-8810