## SUBDIVISION REVIEW SHEET

CASE NO.: C8-2015-0086.0A
Z.A.P.DATES: May 3, 2016

SUBDIVISION NAME: Resubdivision of Lot 1 , Block F, Allandale Oaks
AREA: 0.37 acres
LOTS: 2
APPLICANT: Delwood Development, LLC (Chris Wood)

AGENT: Bleyl and Associates (Kenny Watkins)

ADDRESS OF SUBDIVISION: 6101 Cary Dr.

GRIDS: J28
WATERSHED: Shoal Creek
EXISTING ZONING: SF-2
PROPOSED LAND USE: Residential
ADMINISTRATIVE WAIVERS: None
SIDEWALKS: Sidewalks will be provided on the subdivision side of all boundary streets.
DEPARTMENT COMMENTS: The request is for the approval of the Resubdivision of Lot 1 , Block F, Allandale Oaks Subdivision. The applicant proposes to resubdivide an existing lots into a two lot subdivision for residential use on 0.37 acres.

STAFF RECOMMENDATION: Staff recommends approval of the resubdivision, the plat meets applicable State and City of Austin Land Development Code requirements.

## ZONING \& PLATTING COMMISSION ACTION:

CASE MANAGER: Cesar Zavala
E-mail: cesar.zavala@austintexas.gov


## OWNER'S CONSEN




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## RESUBDIVISION OF LOT 1, BLOCK F,

## ALLANDALE OAKS

## 8 (8)

GENERAL NOTES

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AREA TABULATION



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## PUBLIC HEARING INFORMATION

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## Case Number: C8-2015-0086.0A <br> Contact: Cesar Zavala, 512-974-3404 or <br> Cindy Casillas, 512-974-3437

Public Hearing: April 19, 2016, Zoning \& Platting Commission


Your address(es) affected by this application


Daytime Telephone: $5 / 2 \cdot 929-9783$
Comments: $\qquad$

If you use this form to comment, it may be returned to:
City of Austin - Development Services Department / $4^{\text {th }}$ Fl
Cesar Zavala
P. O. Box 1088

Austin, TX 78767-8810

John J. Panak

To: City of Austin
Date: 08 April 2016
Development Services Department / 4th Fl
Cesar Zavala
Box 1088
Austin, TX 78767-8810
From: John J. Panak, P.E.
Subject: Public Hearing - April 19, 2016
Zoning \& Platting Commission
Case No. C8-2015-0086.0A
I will be out of town at the time of the above hearing to re-subdivide a lot at 6101 Cary Drive. The lot is about 310 feet from my residence where we have lived for 54 years.

A single-family home was removed from the property about two months ago.
I want to go on record that I object to the proposed re-subdivision at this time, at least until more site specific information is available.

Further information is needed on whether the proposed new lots will face on Cary or on White Rock. It is not clear from the plat printed on the back of the Notice of Public Hearing where the driveways are proposed for the two lots. A portion of that plat copy is enclosed with further annotation I have added.

All of the current lots on Cary face Cary which is approx 30 feet in width curb-to-curb which has only local resident traffic. White Rock is also about the same width, but has significantly more traffic. Adding additional driveway traffic to White Rock would be unsafe.

A copy of a memo I prepared in 2008 regarding Deed Restrictions is also attached. It applies to the subject address. Will the current restrictions on 6101 Cary apply to the two new lots? I should hope so as the current restrictions have maintained a reasonably good appearance to the neighborhood over the years. Points Nos. 5 ( 30 percent masonry), and (6) 35-ft setback, 4 - ft differential, are particularly important.
cc: Allandale Neighborhood Association
Attach: Annotated rough plat


Deed Restriction Summary of January 2008


John J. Panak

6008 Shoalcreek, Austin, TX 78757 (512) 453-8900 (H) 924-9383(M)

## MEMO

Date 13 January 2008

To: ANA Neighbors with Interest in Deed Restrictions
Subject: Deed Restrictions
As many of us are aware, the City of Austin does not enforce deed restrictions. They only enforce city ordinances. The "McMansion" ordinance enacted a few years ago was a step in the clarification of requirements for homes. Any changes to property that are not in accordance with deed restrictions must be enforced by actions taken by adjacent or affected property owners.

I have noticed in recent years that there are a number of homes in our area that have been extensively remodeled, torn down and rebuilt, or added to. Some of the two-story additions appear to possibly exclude light and view from adjacent houses.

I finally was able to get by my bank and look at the deed on the above property. I had remembered from over 40 years ago that there were restrictions, but not the specific ones.

The attached copy of the deed restrictions were included with the abstract and deed of my home. Also as part of the same deed was a copy of the subdivision plat for Allendale Oaks. I have outlined the area which is described as Allendale Oaks with a black line which I derived from the description on Page 379. I believe the exclusion of Lots 13 and 14 of Block A was probably a typo at the time.

Pertinent points from the deed restrictions for Allendale Oaks:
(1) Only single family use.
(2) No business use.
(3) No habitation allowed in any outbuildings except by servants.
(4) Minimum of 1000 sq ft on ground floor.
(5) Minimum of 30 percent masonry construction. I note that a number of rebuilt homes in
our area do not now meet this restriction.
(6) Minimum of 35 ft setback from front property line (usually 10 ft behind curb) and 4 ft differential between adjacent homes. This means that if one house is constructed at 35 feet from the front, then the adjacent two houses must be set back at least 39 feet.
(7) Minimum of 10 ft from side property lines or 12 feet to side street for corner lots.
(8) Five-foot easement at back property line for utilities. However, note that the plat also includes a 50 -ft easement for utilities for the homes along Shoal Creek Blvd that back up to Shoal Creek.
(9) All covenants are binding unless changed or waived by a majority of the property owners. We have owned our home since August 1962, and to my knowledge, there has been no request for a change to the restrictions since then. Only a court order or judgement can invalidate any or all of the restrictions.

Please call if you have any questions.

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## Case Number: C8-2015-0049.0A <br> Contact: Cesar Zavala, 512-974-3404 or Cindy Casillas, 512-974-3437

Public Hearing: April 5, 2016, Zoning and Platting Commission


Daytime Telephone: $512-470.7312$
Comments: ANA sugports its residents alw whet to chus vesubtencron laded on concerns abot incruased unpervors aover andlor mestesed rinuff
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If you use this form to comment, it may be returned to:
City of Austin - Development Services Department / $4^{\text {th }}$ FI
Cesar Zavala
P. O. Box 1088

Austin, TX 78767-8810

## PUBLIC ILA RING INFORMATION

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Case Number: ( 8 -2015-4086.0A
Contact: Cesar \%avala, 512-974-3404 or Cindy Casillas, 512-974-3437
Public Hearing: April 19, 2016, Zoning \& Platting Commission Trave> k Johnson Yon Name (please print)


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Daytime Telephone: $\quad 512-4 / 5-6724$
Comments $\qquad$

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City of Austin - Development Services Department / $4^{\text {th }} \mathrm{A}$<br>Cesar Zavala<br>P. O. Box 1088<br>Austin, TX 78767-8810

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Public Hearing: April 19, 2016, Zoning \& Platting Commission


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Public Hearing: April 19, 2016, Zoning \& Platting Commission
 6011 Shoal Creek Bird Your athos (fess) affected by this pplication


Daytime Telephone: $\quad 5 / 2-454-3012$
Comments: $\qquad$
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## Item C-08

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Public Hearing: April 19, 2016, Zoning \& Platting Commission


Daytime Telephone: (512) 454-6173 Comments: This is in opasition of the seighkarkod's deed restrictions and loppase this Aubdevisione a lot D purchased in this neightarhoof
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Public Hearing: April 19, 2016, Zoning \& Platting Commission


2707 White torse TR
Your addresses) affected by this application


Daytime Telephone: $65121+54-40173$
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6205 Nasco DRIXE ${ }^{-}$, AUSTIN $T_{x} 78757$
Your addresses) affected by this application


Daytime Telephone:
$512-779-3953$
Comments:
We oppose the subdivision of lats
because it creates or contributes to
density that impairs home owner values in the area. Also, it increases
impervious cover and encourages
developers to buy lots and subdivide
them and increase imperious coxed as
a mather of routine development- Planning
t Toning should be acting to protect our neighooshood.
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## PUBLIC LIEARING INFORMATION

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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: hitp://www.austintexas.gov/development.


## 16 of 18

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: C8-2015-0086.0A
Contact: Cesar Zavala, 512-974-3404 or
Cindy Casillas, 512-974-3437

Public Hearing: April 19, 2016, Zoning \& Platting Commission


Daytime Telephone: 512.451 .2022
comments: Mr. Eavala,
The proposed resubdivision is against oked rastrictions, incrases tiatfic, adds more impervieus courerto
andera near Shoal rect and makes the arga eurn less


City of Austin - Development Services Department $/ 4^{\text {th }}$ Fl
Cesar Zavala
P. O. Box 1088

Austin, TX 78767-8810

## Item C-08

## PUBLIC HEARING INFORMATION

1 applicants and/or their agent(s) are expected to attend a public you are not required to attend. However, if you do attend, you … . le opportunity to speak FOR or AGAINST the proposed deve. . ment or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.
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Contact: Cesar Zavala, 512-974-3404 or Cindy Casillas, 512-974-3437


## Public Hearing: April 19, 2016, Zoning \& Platting Commission



Your address(es) affected be this application


Daytime Telephone: $512-577-6020$
Comments: We waedto haune a nuee heightoorel chhere ownere lived in their fomek, Nove ave proptaxeo are skig high Sardinew in nose people for mare faxet: Mcmansionware


If you use this form to comment, it may be returned to:

## City of Austin - Development Services Department

Cesar Zavala

## P. O. Box 1088

Austin, TX 78767-8810


If 物的胡昭t to be in derelopers sockets thats your probedm．Subdivid．
our lots＋building
Huge，ugly honaes
on the m inusins muy Visual＋Aural environs increases pry sropertris takes \＆placex＂tmidtown （boy，thato original！！snabos in nij suleet hetro n＇rood


