

SUBDIVISION REVIEW SHEET**CASE NO.:** C8-2016-0079.0A**P.C. DATE:** April 11, 2017**SUBDIVISION NAME:** Resubdivision of a portion of Lot 8 Block A, Eastover**AREA:** 0.25 acres**LOT(S):** 2**OWNER/APPLICANT:** MX3 Homes, LLC
(Sal Martinez)**AGENT:** Southwest Engineering
(Miguel Gonzalez)**ADDRESS OF SUBDIVISION:** 3609 Munson St.**GRIDS:** L22**COUNTY:** Travis**WATERSHED:** Boggy Creek**JURISDICTION:** Full**EXISTING ZONING:** SF-3-NP**NEIGHBORHOOD PLAN:** M.L.K. - East M.L.K. Combined (Cottage Lot Infill)**PROPOSED LAND USE:** Single-Family

VARIANCES: A variance to section 25-4-175 to allow a residential flag lot(s) has been requested. The applicant is proposing one residential flag lot with this application. The applicant has obtained approval from the Fire Department to verify accessibility for emergency responders, approval from the Austin Water Utility, Austin Energy, and the City Arborist to verify there is adequate room for the required utilities and enhanced tree protection on the site. It is Staff's opinion that the proposed subdivision is compatible with the surrounding development, and follows the Martin Luther King Neighborhood Plan allowed Cottage Use lot size requirements. It should also be noted that there are no known deed restrictions on the site, and a note has been added that requires all addresses for residential lots utilizing a flag lot design must be displayed at their closest point of access to a public street for emergency responders. Because the application meets the flag lot criteria as required by the Land Development Code, the Staff recommends approval of the variance.

DEPARTMENT COMMENTS: The request is for the approval of the Resubdivision of a portion of Lot 8 Block A, Eastover subdivision composed of two lots on 0.25 acres. The applicant is proposing to resubdivide a portion of an existing lot into a two lot subdivision for residential uses.

STAFF RECOMMENDATION: If the variance is approved, the staff recommends approval of the plat. With variance approval, this plat would meet all applicable State and City of Austin LDC requirements.

PLANNING COMMISSION ACTION:

CASE MANAGER: Cesar Zavala
Email address: cesar.zavala@austintexas.gov

PHONE: 512-974-3404



CASE#: C8-2016-0079.0A
ADDRESS: 3609 MUNSON ST.
PROJECT: RESUBDIVISION OF LOT 8 BLOCK A
EASTOVER
CASE MANAGER: CESAR ZAVALA

RESUBDIVISION OF A PORTION OF LOT 8 BLOCK A EASTOVER

PLAT PREPARATION DATE: March 10, 2016
APPLICATION SUBMITTAL DATE: April 12, 2016

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

That, MX3 Homes, LLC acting by and through its President, Sal Martinez, owner of the West 1/2 of Lot 8, Block A, Eastover, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 3 Page 209 of the Plat Records of Travis County, Texas, as conveyed to it by General Warranty Deed recorded in Document No. 2016033247 of the Official Public Records of Travis County, Texas, said subdivision having been approved for resubdivision pursuant to the public notification and hearing provisions of Chapter 212.014 of the Local Government Code, do hereby resubdivide said portion of Lot 8 in accordance with the attached map or plat to be known as

**RESUBDIVISION OF A PORTION OF
LOT 8 BLOCK A
EASTOVER**

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 _____ day of _____, A.D. 20____

Sal Martinez President
MX3 Homes, LLC
1703 W. Koenig Lane
Austin, Texas 78756

THE STATE OF TEXAS
THE COUNTY OF TRAVIS

I, the undersigned authority, on this the _____ day of _____, A.D. 20____, did personally appear Sal Martinez, known to me to be the person whose name is subscribed to the foregoing instrument of writing, and he acknowledged before me that he executed the same for the purposes and considerations therein expressed.

NOTARY PUBLIC _____
Printed Name _____
Commission Expires _____

LOT SUMMARY
Number of Lots = 2
LOT 8A = 3,566 Square Feet
Cottage Lot Use
LOT 8B = 7,347 Square Feet
Area without "neck" = 5,207 Square Feet
Cottage Lot Use
Total Area = 10,913 Square Feet

Legend
 • Iron Rod Found
 • Iron Pipe Found
 • Iron Rod Set with plastic cap imprinted with "Holt Carson, Inc."
 • Chain-Link Fence Corner Post
 --- Proposed Concrete Sidewalk
 ETE = Electric/Telecommunications Easement (Record Bearing and Distance)

VICINITY MAP



MEMORANDUM

TO: Members of the Planning Commission

FROM: Cesar Zavala, Planner Senior
Development Services Department

DATE: April 4, 2017

SUBJECT: C8-2016-0079.0A Resubdivision of a portion of Lot 8 Block A, Eastover

The applicant for the above referenced subdivision application has requested a variance from Section 25-4-175(A)(2) of the Land Development Code to utilize a flag lot design for a resubdivision creating 2 single family residential lots. In reviewing the variance request, staff evaluated the request based upon the criteria below, (see criteria and staff response):

(i) has provided accessibility for emergency responders;

The applicant has met with Austin Fire Department review staff and AFD staff has determined that the flag lot configuration proposed will not inhibit accessibility for emergency responders.

(ii) has adequate room for required utilities

The applicant has provided a driveway and utility plan to reviewers for the City of Austin Water and Wastewater review and Austin Energy Departments. The reviewers have determined after review of the utility/driveway plan that there is adequate room to provide utility service to both lots and utilities will not cross the proposed new lot lines.

(iii) enhances environmental and tree protection;

The applicant has provided a tree survey to arborist staff with the City of Austin and the arborist have no objections or further recommendations.

(iv) is otherwise compatible with the surrounding neighborhood;

Other lots fronting Munson St. have been subdivided using the allowed small lot use. East of this property at 3713 through 3723 Munson St are platted as small lots at the intersection of Munson St. & Springdale Rd. Additionally, lots across the street on the north portion of Munson St. have been resubdivided as standard size lots.

The immediate area is zoned SF-3 which is the appropriate zoning for the proposed use, and the Martin Luther King Neighborhood plan allows for small lot infill. The use follows the Imagine Austin compact city principle. See attached, Surrounding Neighborhood Exhibit which generally shows the development pattern in the immediate vicinity. .

(v) the applicant provides a copy of any existing private deed restrictions;

The applicant has determined that there are no existing private deed restrictions that apply to this property.

Based upon review of these criteria, staff **recommends** the variance request to develop a flag lot as a part of this resubdivision request.

**SOUTHWEST ENGINEERS**

Civil | Environmental | Land Development

TBPE NO. F-1909

HEADQUARTERS

www.swengineers.com

CENTRAL TEXAS

307 St. Lawrence Street, Gonzales, TX 78629
P: 830.672.7546 F: 830.672.2034

142 Cimarron Park Loop Ste. A, Buda, TX 78610
P: 512.312.4336

July 11, 2016

Mr. Rodney Gonzales, Director
City of Austin
Development Services Department
505 Barton Springs Rd
Austin, Texas 78704

RE: Eastover; Resubdivision of a portion of lot 8 Block A
SWE Project No. 0556-027-16
Variance to LDC Section 25-4-175(A)(2)

Dear Mr. Gonzales:

Please accept this letter as a request for a variance to Section 25-4-175(A)(2) of the City of Austin ~~Drainage~~ Land Development Code for Flag Lots. The tract is described as 3609 Munson Street. This property is zoned for SF-3-NP and is in the Boggy Creek Watershed, which is classified as Urban. It will be developed, constructed, and maintained in accordance with the terms and conditions of the Land Development Code, Chapter 25. No portion of this property is located within the limits of the 100-year flood plain, according to the Federal Flood Insurance Administration Firm Panel 48453C0465H, dated September 26, 2008.

The proposed development activity meets the criteria for Section 25-4-175(A)(2) of the Land Development Code; therefore, the proposed development is allowed to consist of flag lots. The conditions are satisfied as follows:

(a)

- (i) The site provides accessibility for emergency responders via Pennsylvania Ave and an increase in emergency vehicle access distance approved for Lot 2 per exception 3 to section 503.1 of the City of Austin fire code in effect on September 16, 2013.
- (ii) The site has adequate room for required utilities as demonstrated on the attached Driveway and Utility Exhibit.
- (iii) The site enhances environmental and tree protection by minimizing the impacts to existing trees, including not removing protected trees.
- (iv) The site is compatible with the surrounding neighborhood as demonstrated on the attached Surrounding Area Map.

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(b) There are no known existing private deed restrictions for this site.

Your consideration of this request will be greatly appreciated. If you have any questions regarding this project, or if you require any additional information to assist you in your review of this project, please do not hesitate to contact me.

Respectfully submitted,

Miguel Gonzales, P.E.
Project Engineer

Attachments:

- (1) Driveway and Utility Exhibit
- (2) Surrounding Area Map



Southwest Engineers Inc.



Civil
Environmental
Planning

TBPE No.: 1909
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142 Cimarron Park Lp
Buda, Texas 78610
(512) 312-4336

SURROUNDING AREA

3609 MUNSON STREET
Portion of Lot 8, Eastover
MX3 Homes

Date: 7/6/16
File: EXHIBIT
Scale: N.T.S.
Tech: MNI
Project No.: 0556-027-16