

SUBDIVISION REVIEW SHEET**CASE NO.:** C8-2016-0102.0A**PC DATE:** July 11, 2017**SUBDIVISION NAME:** Resubdivision of Lot 5, Theodore Low Heights**AREA:** 0.081 acre**LOTS:** 3**APPLICANT:** Clawson Development LLC
(Muazaz Younes)**AGENT:** Vincent Gerard &
Associates (Vincent Huebinger)**ADDRESS OF SUBDIVISION:** 3200 Clawson Avenue**GRIDS:** MG19**COUNTY:** Travis**WATERSHED:** West Bouldin Creek**JURISDICTION:** Full Purpose**EXISTING ZONING:** SF-3**DISTRICT:** 5**LAND USE:** Residential**NEIGHBORHOOD PLAN:** South Lamar Combined NPA

VARIANCES: The applicant is requesting a flag lot variance for Lots 5A and 5B. A variance for lot width for Lot 5C was approved by the Board of Adjustment on May 9, 2016. As evidenced by the expiration date on that variance, the applicant was required to submit a plat within one year. Because the plat was submitted on May 23, 2016, the variance remains active as long as the plat application is active (LDC 25-4-217).

SIDEWALKS: A sidewalk will be constructed along Clawson Avenue.

DEPARTMENT COMMENTS: The request is for the approval of the resubdivision of Lot 5, Theodore Low Heights, comprised of two flag lots and one regular lot on 0.81 acre, including a variance for the two flag lots. The applicant proposes to resubdivide an existing lot into two lots for residential use. If the flag lot variance is approved, the proposed lots comply with zoning requirements for use, lot width and lot size.

STAFF RECOMMENDATION: The staff recommends approval of the plat and the variance. The resubdivision meets all applicable State and City of Austin Land Development Code requirements.

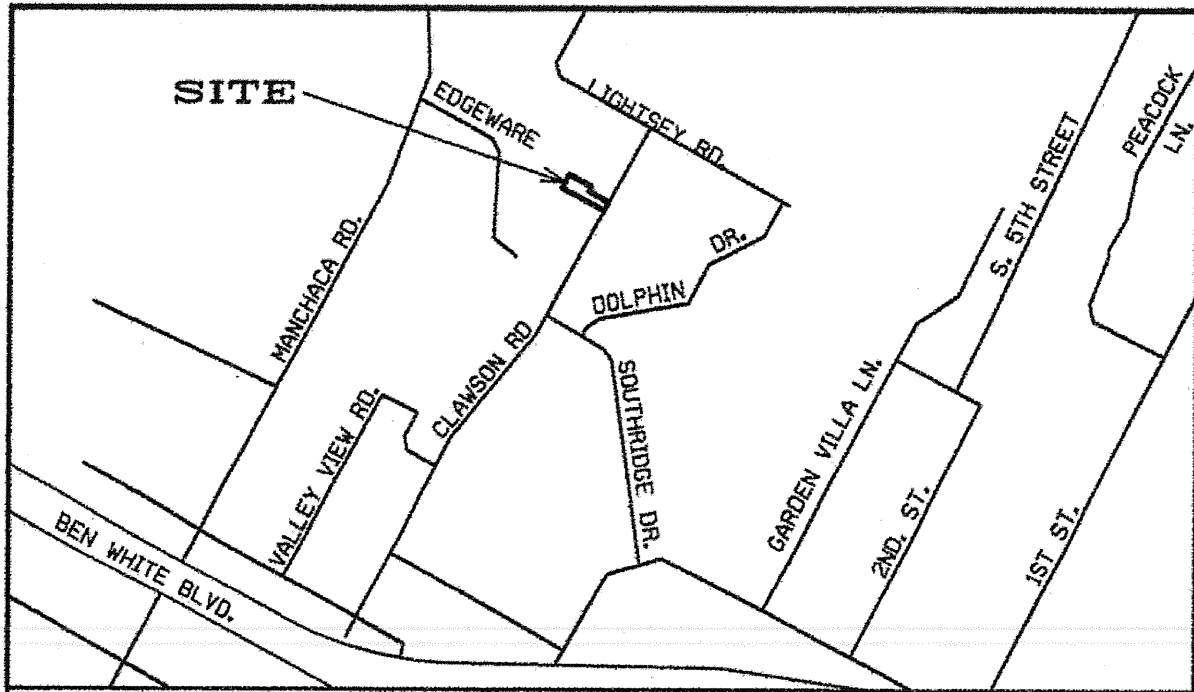
PLANNING COMMISSION ACTION:

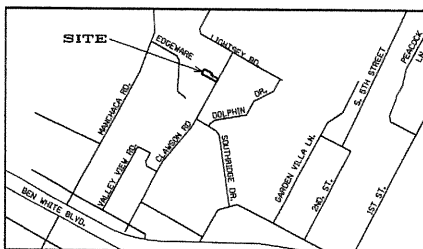
CASE MANAGER: Steve Hopkins
E-mail: steve.hopkins@austintexas.gov

PHONE: 512-974-3175

3200 Clawson Road

Vicinity Map





VACINITY MAP
NOT TO SCALE

LOT SUMMARY		
TOTAL NUMBER OF LOTS = 3		
LOT 5A	13,761 SQ. FT.	
LOT AREA WITHOUT LEG PORTION	11,243 SQ. FT.	
LOT 5B	14,685 SQ. FT.	
LOT AREA WITHOUT LEG PORTION	12,499 SQ. FT.	
LOT 5C	8,485 SQ. FT.	
TOTAL AREA	= 34,911 SQ. FT. = 0.801 ACRE	

RESUBDIVISION OF LOT 5,
THEODORE LOW HEIGHTS SUBDIVISION
PLAT RECORDED IN VOLUME 11, PAGE 37
TRAVIS COUNTY, TEXAS.

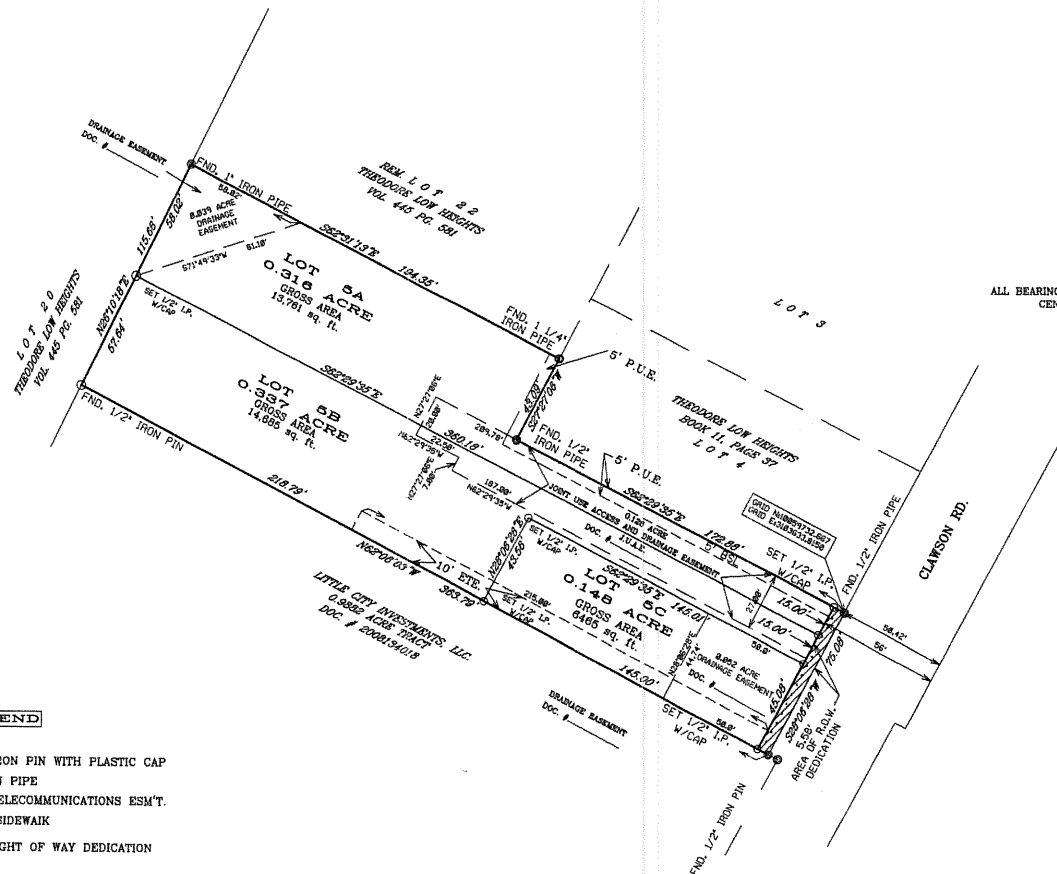
SCALE: 1" = 40'

NOTE: SET 1/2" IRON PINS HAVE
ORANGE PLASTIC CAP STAMPED "RPLS 4020"

SUBMITTAL DATE MAY 4, 2016

BEARING BASIS

ALL BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM,
CENTRAL ZONE, (4203), NAD83, ALL DISTANCES ARE SURFACE



LEGEND

- = SET 1/2" IRON PIN WITH PLASTIC CAP
- = FOUND IRON PIPE
- 10' ETE = ELECTRIC TELECOMMUNICATIONS ESM'T.
- = PROPOSED SIDEWALK
- ▨ = AREA OF RIGHT OF WAY DEDICATION

H.A. KUEHLEM SURVEY COMPANY

14350 NORTHBROOK DRIVE SUITE 130
SAN ANTONIO, TEXAS 78252
PHONE: (210) 490-7847
FAX (210) 490-7857
FIRM REGISTRATION NO. 10059500

GENERAL NOTES

1. ALL RESTRICTIONS AND NOTES FROM THE PREVIOUS EXISTING SUBDIVISION, "THEODORE LOW HEIGHTS VOLUME 11, PAGE 37, PLAT RECORDS, TRAVIS COUNTY, TEXAS SHALL APPLY TO THIS RESUBDIVISION PLAT.
2. PRIOR TO CONSTRUCTION, EXCEPT DETACHED SINGLE FAMILY ON ANY LOT IN THIS SUBDIVISION, A SITE DEVELOPMENT PERMIT MUST BE OBTAINED FROM THE CITY OF AUSTIN.
3. PRIOR TO CONSTRUCTION LOTS IN THIS SUBDIVISION, DRAINAGE PLANS WILL BE SUBMITTED TO THE CITY OF AUSTIN FOR REVIEW. RAINFALL RUN-OFFS SHALL BE HELD TO THE AMOUNT EXISTING AT UNDEVELOPED STATUS BY FLOODING OR OTHER APPROVED METHODS. ALL PROPOSED CONSTRUCTION OR SITE ALTERATION ON LOTS 5A,5B AND 5C, REQUIRES APPROVAL OF A SEPARATE DEVELOPMENT PERMIT.
4. NO LOT SHALL BE OCCUPIED UNTIL THE STRUCTURE IS CONNECTED TO THE CITY OF AUSTIN WATER AND WASTEWATER UTILITY SYSTEM.
5. THE WATER AND WASTEWATER UTILITY SYSTEM SERVING THIS SUBDIVISION MUST BE IN ACCORDANCE WITH THE CITY OF AUSTIN UTILITY DESIGN CRITERIA. THE WATER AND WASTEWATER UTILITY PLAN MUST BE REVIEWED AND APPROVED BY THE AUSTIN WATER UTILITY. ALL WATER AND WASTEWATER CONSTRUCTION MUST BE INSPECTED BY THE CITY OF AUSTIN. THE LANDOWNER MUST PAY THE CITY INSPECTION FEE WITH THE UTILITY CONSTRUCTION.
6. BUILDING SETBACK LINES SHALL BE IN CONFORMANCE WITH THE CITY OF AUSTIN ZONING ORDINANCE REQUIREMENTS
7. NO BUILDINGS, FENCES, LANDSCAPING OR OTHER OBSTRUCTIONS ARE PERMITTED IN DRAINAGE EASEMENTS EXCEPT AS APPROVED BY THE CITY OF AUSTIN.
8. ALL DRAINAGE EASEMENTS ON PRIVATE PROPERTY SHALL BE MAINTAINED BY THE PROPERTY OWNER OR HIS ASSIGNS.
9. PROPERTY OWNERS SHALL PROVIDE FOR ACCESS TO DRAINAGE EASEMENTS AS MAY BE NECESSARY AND SHALL NOT PROHIBIT ACCESS BY GOVERNMENTAL AUTHORITIES.
10. THE OWNER OF THIS SUBDIVISION, AND HIS OR HER SUCCESSORS AND ASSIGNS, ASSUMES RESPONSIBILITY FOR PLANS FOR CONSTRUCTION OF IMPROVEMENTS WHICH COMPLY WITH APPLICABLE CODES AND REQUIREMENTS OF THE CITY OF AUSTIN. THE OWNER UNDERSTANDS AND ACKNOWLEDGES THAT PLAT VACATION OR REPLATING MAY BE REQUIRED, AT THE OWNER'S SOLE EXPENSE, IF PLANS TO CONSTRUCT THIS SUBDIVISION DO NOT COMPLY WITH SUCH CODES AND REQUIREMENTS.
11. ALL STREETS, DRAINAGE, SIDEWALKS, EROSION CONTROLS, WATER AND WASTEWATER LINE ARE REQUIRED TO BE CONSTRUCTED AND INSTALLED TO CITY OF AUSTIN STANDARDS. ALONG THE FRONT AND SIDE OF ALL LOTS.
12. AUSTIN ENERGY HAS THE RIGHT TO CUT AND TRIM TREES AND SHRUBBERY AND REMOVE OBSTRUCTIONS TO THE EXTENT NECESSARY TO KEEP THE EASEMENTS CLEAR OF OBSTRUCTIONS. AUSTIN ENERGY WILL PERFORM ALL TREE WORK IN COMPLIANCE WITH THE CITY OF AUSTIN LAND DEVELOPMENT CODE.
13. THE OWNER/DEVELOPER OF THIS SUBDIVISION/LOT MAY PROVIDE AUSTIN ENERGY WITH ANY EASEMENT AND/OR ACCESS REQUIRED FOR THE INSTALLATION AND ONGOING MAINTENANCE OF OVERHEAD AND UNDERGROUND ELECTRIC FACILITIES WITHIN OR ALONG THE PERIMETER OF THIS SUBDIVISION/LOT. THESE EASEMENT/ACCESS ARE REQUIRED TO PROVIDE ELECTRIC SERVICE TO SERVICE TO THE BUILDINGS AND WILL NOT BE LOCATED AS TO CAUSE THE SITE TO BE OUT OF COMPLIANCE WITH THE CITY OF AUSTIN LAND DEVELOPMENT CODE.
14. THE OWNER SHALL BE RESPONSIBLE FOR TEMPORARY EROSION CONTROL, REVEGETATION AND TREE PROTECTION, IN ADDITION, THE OWNER SHALL BE RESPONSIBLE FOR THE INITIAL PRUNING AND TREE REMOVAL THAT IS WITHIN TEN FEET OF THE CENTER LINE OF THE PROPOSED OVERHEAD ELECTRICAL FACILITIES DESIGNED TO PROVIDE ELECTRIC SERVICE TO THIS PROJECT. THE OWNER SHALL INCLUDE AUSTIN ENERGY'S WORK WITHIN THE LIMITS OF CONSTRUCTION FOR THIS PROJECT.
15. BY APPROVING THIS PLAT, THE CITY OF AUSTIN ASSUMES NO OBLIGATION TO CONSTRUCT ANY INFRASTRUCTURE IN CONNECTION WITH THIS SUBDIVISION. ANY SUBDIVISION INFRASTRUCTURE REQUIRED FOR THE DEVELOPMENT OF THE LOTS IN THIS SUBDIVISION IS THE RESPONSIBILITY OF THE DEVELOPER AND/OR THE OWNERS OF THE LOTS. FAILURE TO CONSTRUCT ANY REQUIRED INFRASTRUCTURE TO THE CITY STANDARDS MAY BE JUST CAUSE FOR THE CITY TO DENY APPLICATIONS FOR CERTAIN DEVELOPMENT PERMITS INCLUDING BUILDING PERMITS, SITE PLAN APPROVALS, AND/OR CERTIFICATES OF OCCUPANCY.
16. THE LANDOWNER IS RESPONSIBLE FOR PROVIDING THE SUBDIVISION INFRASTRUCTURE, INCLUDING THE WATER AND WASTEWATER UTILITY IMPROVEMENTS.
17. NO PORTION OF THIS SUBDIVISION IS WITHIN THE BOUNDARIES OF THE 100 YEAR FLOOD PLAIN OF ANY WATERWAY THAT IS WITHIN THE LIMITS OF STUDY OF THE FEDERAL FLOOD ADMINISTRATION FIRM PANEL 45453C0605H, DATED SEPTEMBER 28, 2008.
18. EROSION/SEDIMENTATION CONTROLS ARE REQUIRED FOR ALL CONSTRUCTION ON EACH LOT, INCLUDING SINGLE FAMILY AND DUPLEX CONSTRUCTION, PURSUANT TO THE CITY OF AUSTIN LAND DEVELOPMENT CODE AND ENVIRONMENTAL CRITERIA MANUAL (ECM).
19. THE OWNER OF THE PROPERTY IS RESPONSIBLE FOR MAINTAINING CLEARANCES REQUIRED BY THE NATIONAL ELECTRIC SAFETY CODE, OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) REGULATIONS, CITY OF AUSTIN RULES AND TEXAS STATE LAWS PERTAINING TO CLEARANCES WHEN WORKING IN CLOSE PROXIMITY TO OVERHEAD POWER LINES AND EQUIPMENT. AUSTIN ENERGY WILL NOT RENDER ELECTRIC SERVICE UNLESS REQUIRED CLEARANCES WILL BE CHARGED TO THE OWNER.
20. ALL ADDRESSES FOR RESIDENTIAL LOTS UTILIZING A FLAG LOT DESIGN MUST BE DISPLAYED AT THEIR CLOSEST POINT OF ACCESS TO THE PUBLIC STREET FOR EMERGENCY RESPONDERS
21. AN INCREASE IN EMERGENCY VEHICLE ACCESS DISTANCE HAS BEEN APPROVED FOR LOTS 5A AND 5B, THEODORE LOW HEIGHTS SUBDIVISION, AS REQUESTED BY THE OWNER, PER EXCEPTION 3 TO SECTION 503.1.1 OF THE CITY OF AUSTIN FIRE CODE IN AFFECT. THIS EXCEPTION IS LIMITED TO CONSTRUCTION OF NO MORE THAN TWO SINGLE FAMILY RESIDENCES IMPACTED BY THE INCREASED EMERGENCY VEHICLE ACCESS DISTANCE.
22. ALL ELECTRICAL EASEMENTS MUST BE SHOWN ON ALL PLAN SHEETS, LEFT CLEAR FOR ELECTRIC USE AND MAINTENANCE ON A 24/7 BASIS IN PERPETUITY AND MAINTAIN NECESSARY CLEARANCES FROM ANY PROPOSED STRUCTURES, VEGETATION, ETC. AT ALL TIMES. NECESSARY CLEARANCE INFORMATION (AE,OSHA,NESC & NEC) MAY BE FOUND IN AUSTIN ENERGY'S DESIGN CRITERIA MANUAL-SECTION 1.5.3.9. THE MANUAL IS AVAILABLE ON AUSTIN ENERGY'S WEBSITE UNDER CONTRACTORS/ELECTRIC SERVICE DESIGN & PLANNING.
23. PUBLIC SIDEWALKS BUILT TO CITY OF AUSTIN STANDARDS, ARE REQUIRED ALONG THE FOLLOWING STREETS AS SHOWN BY A DOTTED LINE ON THE FACE OF THE PLAT: CLAWSON ROAD. 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 OR UTILITY COMPANY.
24. THIS SUBDIVISION PLAT IS LOCATED WITHIN THE FULL-PURPOSE JURISDICTION OF THE CITY OF AUSTIN ON THIS THE ____ DAY OF ____.
25. A FEE -IN-LIEU OF PARKLAND DEDICATION HAS BEEN PAID FOR 2 DWELLING UNITS.
26. A VARIANCE TO LDC 25-2-492(D) WAS GRANTED BY THE BOARD OF ADJUSTMENT ON APRIL 11, 2016 (CASE # C15-2016-0041)
27. THE MAINTENANCE OF A JOINT USE DRIVEWAY WITHIN THE JOINT USE EASEMENT SHALL BE THE RESPONSIBILITY OF THE LOT OWNERS SERVED BY THE JOINT USE DRIVEWAY.
28. MOTOR VEHICULAR ACCESS TO LOTS 5A,5B AND 5C FROM CLAWSON ROAD, SHALL ONLY BE THROUGH THE JOINT USE ACCESS EASEMENT AS SHOWN IN THE RECORDED DOCUMENT.
29. THIS PLAT IS SUBJECT TO DRAINAGE EASEMENTS RECORDED AS DOCUMENT NUMBERS ____ AND ____.

OWNER'S CONSENT

THAT 3900 CLAWSON DEVELOPMENT, BEING THE OWNER OF LOT 5, THE RESUBDIVISION OF A PORTION OF LOT 22, THEODORE LOW HEIGHTS A SUBDIVISION OF RECORDED IN VOLUME 11, PAGE 37, OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS AND CONVEYED BY DEED OF RECORD IN DOCUMENT NO. 2016022001 OF THE REAL PROPERTY 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 LOT 5 IN ACCORDANCE WITH THE MAP OR PLAT ATTACHED HERETO, TO BE KNOWN AS:

"RESUBDIVISION OF LOT 5, THEODORE LOW HEIGHTS SUBDIVISION"

AND DO HEREBY DEDICATE TO THE PUBLIC THE USE OF THE STREETS AND EASEMENTS AS SHOWN HEREON, SUBJECT TO ANY AND ALL EASEMENTS OR RESTRICTIONS HERETOFORE GRANTED AND NOT RELEASED.

EXECUTED THIS

THIS THE ____ DAY OF ____ A.D. 20 ____ A.D.

MUAZAZ YOUNES
816 CONGRESS AVENUE # 1620
AUSTIN TEXAS 787701

NOTARY CERTIFICATE

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

SWORN TO AND SUBSCRIBED BEFORE ME THIS THE ____ DAY OF ____ A.D. 2017

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES:

RESUBDIVISION OF LOT 5, THEODORE LOW HEIGHTS SUBDIVISION PLAT RECORDED IN VOLUME 11, PAGE 37 TRAVIS COUNTY, TEXAS.

ENGINEER'S CERTIFICATE

STATE OF TEXAS:

COUNTY OF TRAVIS

I, KURT PROSSNER, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF ENGINEERING AND HEREBY CERTIFY THAT THIS PLAT IS FEASIBLE FROM AN ENGINEERING STANDPOINT AND COMPLIES WITH THE ENGINEERING RELATED PORTIONS OF TITLE 25 OF THE AUSTIN CODE OF 1999, AS AMENDED, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

The seal appearing on this document was authorized by:
Kurt M. Prossner, P.E.
Texas Reg. No. 58181
on May 24, 2017

LICENSED PROFESSIONAL ENGINEER
KURT PROSSNER
13377 POND SPRINGS ROAD, STE 104
AUSTIN, TEXAS 78729

**SURVEYOR'S CERTIFICATE**

STATE OF TEXAS:

COUNTY OF TRAVIS

I, HENRY A. KUEHLEM, A REGISTERED PROFESSIONAL LAND SURVEYOR, HAVE PREPARED THE FOREGOING MAP FROM A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF; I HAVE BEEN ENGAGED UNDER CONTRACT TO SET ALL LOT AND BLOCK CORNERS AS SHOWN HEREIN AND TO COMPLETE SUCH OPERATIONS WITH DUE AND REASONABLE DILIGENCE CONSISTENT WITH SOUND PROFESSIONAL PRACTICE. ALSO THIS SURVEY COMPLIES WITH THE SURVEY RELATED PORTIONS OF TITLE 25 OF THE CITY OF AUSTIN CODE.

THIS THE 23 DAY OF MAY A.D. 20 17 A.D.



REGISTERED PROFESSIONAL LAND SURVEYOR
HENRY A. KUEHLEM NO. 4080
14950 NORTHBROOK DRIVE, STE 130
SAN ANTONIO, TEXAS 78232

APPROVED, ACCEPTED AND AUTHORIZED FOR RECORD BY THE DIRECTOR, DEVELOPMENT SERVICES DEPARTMENT, CITY OF AUSTIN, COUNTY OF TRAVIS,
THIS THE ____ DAY OF ____ A.D. 20 ____ A.D.

J. RODNEY CONZALES, DIRECTOR
DEVELOPMENT SERVICES DEPARTMENT

ACCEPTED AND AUTHORIZED FOR RECORD BY THE PLANNING COMMISSION OF THE CITY OF AUSTIN, TEXAS ON THIS THE ____ DAY OF ____ A.D. 20 ____ A.D.

CHAIR

SECRETARY

I, DANA DEBEAUVOR, COUNTY CLERK OF SAID TRAVIS COUNTY, DO HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE, ON THE ____ DAY OF ____, A.D. ____ AT ____ M. AND DULY RECORDED THE ____ DAY OF ____, A.D. ____ AT ____ M. IN SAID COUNTY IN DOCUMENT NO. ____ OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

IN TESTIMONY WHEREOF, WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE, THIS ____ DAY OF ____, A.D., ____.

DANA DEBEAUVOR COUNTY CLERK, TRAVIS COUNTY, TEXAS.

BY: _____, DEPUTY

CASE # C8-2016-0102.0A

H.A. KUEHLEM SURVEY COMPANY

14350 NORTHBROOK DRIVE SUITE 130
SAN ANTONIO, TEXAS 78232
PHONE: (210) 490-7847
FAX (210) 490-7857
FIRM REGISTRATION NO. 10059500

SHEET 2 OF 2

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

DATE: Monday, May 9, 2016

CASE NUMBER: C15-2016-0041

☐ Y ☐ Brooke Bailey
☐ Y ☐ Michael Benaglio
☐ Y ☐ William Burkhardt
☐ Y ☐ Eric Goff
☐ Y ☐ Melissa Hawthorne 2nd the Motion
☐ Y ☐ Don Leighton-Burwell
☐ Y ☐ Rahm McDaniel
☐ - ☐ Melissa Neslund OUT
☐ Y ☐ James Valadez
☐ Y ☐ Michael Von Ohlen Motion to Grant
☐ Y ☐ Kelly Blume (Alternate)

APPLICANT: Vince Huebinger

OWNER: Muazaz Younes

ADDRESS: 3200 CLAWSON RD

VARIANCE REQUESTED: The applicant has requested variance(s) from Section 25-2-492 (D) (Site Development Regulations) to decrease the street frontage lot width from 50 feet (required) to 45 feet (requested) in order to subdivide this property into three lots in a "SF-3", Family Residence zoning district.

BOARD'S DECISION: The public hearing was closed on Board Member Michael Von Ohlen motion to Postpone to May 9, 2016, Board Member Brooke Bailey second on a 10-0 vote; POSTPONED TO MAY 9, 2016. MAY 9, 2016 The public hearing was closed on Board Member Michael Von Ohlen motion to Grant with condition that only three units on the three lots, Board Member Melissa Hawthorne second on a 10-0 vote; GRANTED WITH CONDITON THAT ONLY THREE UNITS ON THE THREE LOTS.

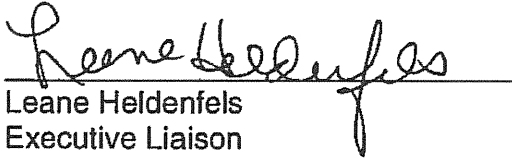
EXPIRATION DATE: MAY 9, 2017

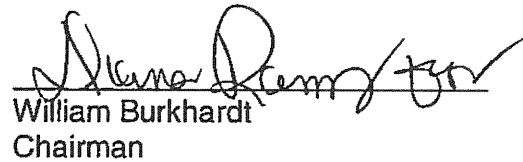
FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: Although the property is 0.8 acres in size, it is extremely deep relative to its width and contains heritage trees
2. (a) The hardship for which the variance is requested is unique to the property in that: in the tract's current configuration, including the width, depth, and the existing tree cover, the 25-4 current code requirements above restrict the flexibility for saving trees and limit the potential of the large area

(b) The hardship is not general to the area in which the property is located because: other tracts have been able to develop surrounding this site with similar conditions and development plans, there are different sized lots and most have trees, this tract has an abundance of protected and heritage trees and is larger than most other tracts

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: the area immediately across the street and to the south, along the numerous tracts along Clawson have been either platted, re-subdivided are under construction


Leane Heldenfels
Executive Liaison


William Burkhardt
Chairman