

SUBDIVISION REVIEW SHEET**CASE NO.:** C8-2017-0221.0A**P.C. DATE:** August 14, 2018**SUBDIVISION NAME:** Resubdivision Of The South 74 Feet Of Lot 18, Block 1, Crest Haven Addition**AREA:** 0.5083 acres**LOT(S):** 2**OWNER/APPLICANT:** Joaquin Avila Graces**AGENT:** Nobel Surveying & Engineering, LLC (Gabriel Morales)**ADDRESS OF SUBDIVISION:** 2106 E M Franklin Ave**GRIDS:** L-24**COUNTY:** Travis**WATERSHED:** Tannehill Branch**JURISDICTION:** Full Purpose**EXISTING ZONING:** SF-3-NP**DISTRICT:** 1**NEIGHBORHOOD PLAN:** MLK/East MLK Combined**PROPOSED LAND USE:** Residential**SIDEWALKS:** Sidewalks will be provided along E M Franklin Ave.**VARIANCE:** From LDC 25-4-175 to allow a flag lot (See attached memo).**DEPARTMENT COMMENTS:** The request is for approval of a variance to allow a flag lot (LDC 25-4-175) and a resubdivision namely, Resubdivision Of The South One-Half Of Lot 18, Block 1, Crest Haven Addition. The proposed plat is composed of 2 lots on 0.5083 acres.**STAFF RECOMMENDATION:** The staff recommends approval of the variance and the resubdivision. With approval of the variance - this plat will meet all applicable City of Austin and State Local Government code requirements.**PLANNING COMMISSION ACTION:****CASE MANAGER:** Sylvia Limon**PHONE:** 512-974-2767**E-mail:** Sylvia.limon@austintexas.gov



 Subject Tract

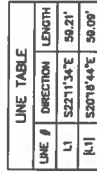
 Base Map

CASE#: C8-2017-0221.0A
ADDRESS: 2106 E.M. FRANKLIN AVENUE

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 the Planning and Development Review Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

SCALE: 1" = 2000'



LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	S22°11'34"E	59.21'
[L1]	S20°18'44"E	59.09'

LOT 4

LOT 16

(N70°35'00"E 300.00')

(N68°41'30"E 300.00')

(B)
RESUBDIVISION OF
LOT 6, BLOCK 2
CREST HAVEN ADDITION
VOL. 30, PG. 50
P.R.T.C.T.

[D]
CALLED SOUTH 74' OF
LOT 5, BLOCK "1"
CREST HAVEN ADDITION
OWNER: HENRY D. HARPER
DOC. # 2016045122
O.P.R.T.C.T.

[E]
2102-1 MOCKINGBIRD
CONDOMINIUMS
DOC. # 2017049478
O.P.R.T.C.T.

BEARING BASIS:
BEARINGS ARE BASED ON THE TEXAS
MTH, CENTRAL ZONE, (4203), NAD83,
G A COMBINED SCALE FACTOR OF 1

THE PLANE GRID CONTROL FOR THIS
WARD CONTROL" CAP SET, GRID COOR
IVED FROM GPS STATIC OBSERVATION
J.P.U.S.

PROPERTY IS LOCATED WITHIN ZONED
ANNUAL CHANCE FLOODPLAIN, AS
DATED JANUARY 1, 1996.
FLOOD STATEMENT DOES NOT IMPLY
FLOODING WILL BE FREE FROM FLOODING
L. NOT CREATE LIABILITY ON THE P

[illegible]

NOT SUMMARY.

LOT 1	0.3708 AC.	16,154 SQ. FT.
LOT 2	0.1375 AC.	5,989 SQ. FT.
TOTAL =	0.5083 AC.	22,143 SQ. FT.

**RESUBDIVISION OF
THE SOUTH ONE-HALF
OF LOT 18, BLOCK 1,
CREST HAVEN
ADDITION
City of Austin, Travis
County, Texas**

PLAT PREPARATION DATE: 09/18/2017
APPLICATION SUBMITTAL DATE: 10/18/2017

Date:	6/1/2017	00033
Project:		
Scale:	1" = 50'	
Revised:	PRB	
Ref:	PL	
Field Crew:	H1/D0	
Survey Date:	Aug. 2017	
Sheet:	1	Of 2

P:\00033\000333_AJT.dwg

ENGINEER'S CERTIFICATION:

I, P. J. HORN, R. L. AM, REGISTERED IN THE STATE OF TEXAS AS AN ENGINEER, DO HEREBY CERTIFY THAT THIS PLAT COMPLETES THE ENGINEERING PORTIONS OF CHAPTER 25 OF THE CITY OF AUSTIN LAND DEVELOPMENT CODE, AND THAT I AM NOT PROVIDING ANY INFORMATION TO CORRECT WITH RECORDS TO ENGINEERING PRACTICES TO THE BEST OF MY KNOWLEDGE.

DATE
REGISTERED PROFESSIONAL ENGINEER
NO. 00441 STATE OF TEXAS
1313 E. 54TH STREET, SUITE 100
78146-1101, FARM 6822
78146-1101, FARM 6822
512-535-1620

SURVEYOR'S CERTIFICATE:

I, STEVEN M. QUARTE, DO HEREBY CERTIFY UNDER THE LAWS OF THE STATE OF TEXAS THAT I AM A LICENSED SURVEYOR IN THE STATE OF TEXAS, AND THAT I HAVE EXAMINED THE PLAT AND THE RECORDS THEREOF, AND THAT I AM NOT PROVIDING ANY INFORMATION TO CORRECT WITH RECORDS TO ENGINEERING PRACTICES TO THE BEST OF MY KNOWLEDGE, AND WAS PRESENT ON THE DAY OF THE SURVEY, AND WAS PRESENT ON THE DAY OF THE SURVEY, AND WAS PRESENT ON THE DAY OF THE SURVEY.



THIS SUBDIVISION PLAT IS LOCATED WITHIN THE _____ DAY OF _____ OF THE CITY OF AUSTIN ON THIS _____ DAY OF _____ OF THE CITY OF AUSTIN, COUNTY OF TRAVIS, TEXAS. THIS PLAT WAS ACCEPTED AND AUTHORIZED FOR RECORD BY THE PLANNING COMMISSION OF THE CITY OF AUSTIN, COUNTY OF TRAVIS, TEXAS, THIS _____ DAY OF _____ OF THE CITY OF AUSTIN, COUNTY OF TRAVIS, TEXAS.

J. RODNEY GONZALEZ, DIRECTOR
DEVELOPMENT SERVICES DEPARTMENT

ACCEPTED AND AUTHORIZED FOR RECORD BY THE PLANNING COMMISSION OF THE CITY OF AUSTIN, COUNTY OF TRAVIS, TEXAS, THIS _____ DAY OF _____ OF THE CITY OF AUSTIN, COUNTY OF TRAVIS, TEXAS.

STEPHEN QUARTE, CHAIR
JAMES SHUP, SECRETARY

STATE OF TEXAS
COUNTY OF TRAVIS

I, DANA DEBAUVER, CLERK OF TRAVIS COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING AND ITS CERTIFICATE OF AUTHORIZATION WAS FILED FOR RECORD IN MY OFFICE ON THE _____ DAY OF _____ OF THE CITY OF AUSTIN, COUNTY OF TRAVIS, TEXAS.

WITNESS MY HAND AND SEAL OF OFFICE OF THE COUNTY CLERK.

DATE PREPARED: _____ M. AND ONLY RECORDED ON THE _____ DAY OF _____ OF THE CITY OF AUSTIN, COUNTY OF TRAVIS, TEXAS.

RECORDS OF TRAVIS COUNTY AND STATE IN DOCUMENT # _____

WITNESS MY HAND AND SEAL OF OFFICE OF THE COUNTY CLERK.

DATE PREPARED: _____ M. AND ONLY RECORDED ON THE _____ DAY OF _____ OF THE CITY OF AUSTIN, COUNTY OF TRAVIS, TEXAS.

DANA DEBAUVER, COUNTY CLERK, TRAVIS COUNTY, TEXAS

RESUBDIVISION OF THE SOUTH ONE-HALF OF LOT 18, BLOCK 1, CREST HAVEN ADDITION

City of Austin, Travis
County, Texas

PLAT PREPARATION DATE: 09/18/2017
APPLICATION SUBMITTAL DATE: 10/18/2017

Date:	09/18/2017
Project:	00033
Scale:	1" = 50'
Reviewer:	PRB
Field:	PRB
Field Clerk:	PRB
Survey Date:	AUG. 2017
Sheet:	2 OF 2
Drawn By:	TRAVIS COUNTY

CR-2017-0221.0A

GENERAL NOTES:

- 1) THE SUBDIVISION IS REQUIRED FOR ALL CONSTRUCTION IN THE SUBDIVISION, PURSUANT TO THE CITY OF AUSTIN LAND DEVELOPMENT CODE, AND THE CITY OF AUSTIN ENVIRONMENTAL CRITERIA, OR LANDSCAPING SHALL BE ALLOWED IN DRAINAGE EASEMENTS EXCEPT AS SPECIFICALLY APPROVED BY THE CITY OF AUSTIN.
- 2) NO OBJECTS INCLUDING BUT NOT LIMITED TO, BUILDINGS, FENCES, OR LANDSCAPING SHALL BE ALLOWED IN DRAINAGE EASEMENTS EXCEPT AS SPECIFICALLY APPROVED BY THE CITY OF AUSTIN.
- 3) THE SUBDIVISION IS REQUIRED FOR ALL CONSTRUCTION IN THE SUBDIVISION, PURSUANT TO THE CITY OF AUSTIN LAND DEVELOPMENT CODE, AND THE CITY OF AUSTIN ENVIRONMENTAL CRITERIA, OR LANDSCAPING SHALL BE ALLOWED IN DRAINAGE EASEMENTS EXCEPT AS SPECIFICALLY APPROVED BY THE CITY OF AUSTIN.
- 4) ALL DRAINAGE EASEMENTS ON PRIVATE PROPERTY SHALL BE MAINTAINED BY THE PROPERTY OWNERS OR ASSIGNS.
- 5) ALL STREETS, DRAINAGE IMPROVEMENTS, SIDEWALKS, WATER AND WASTEWATER LINES, AND EROSION CONTROLS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF AUSTIN LAND DEVELOPMENT CODE.
- 6) THE WATER AND WASTEWATER UTILITY SYSTEMS IN 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 CITY OF AUSTIN.
- 7) ALL WATER AND WASTEWATER CONSTRUCTION MUST BE INSPECTED BY THE CITY OF AUSTIN. THE LANDOWNER MUST PAY FOR ALL INSPECTION FEES.
- 8) THE CITY OF AUSTIN RESERVES THE RIGHT TO 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 OF THE CITY OF AUSTIN LAND DEVELOPMENT CODE.
- 9) THE CITY OF AUSTIN RESERVES THE RIGHT TO 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 OF THE CITY OF AUSTIN LAND DEVELOPMENT CODE.
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STATE OF TEXAS
COUNTY OF TRAVIS

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

WITNESS MY HAND AND SEAL OF OFFICE, THIS _____ DAY OF _____ OF THE CITY OF AUSTIN, COUNTY OF TRAVIS, TEXAS.

NOTARY PUBLIC FOR TRAVIS COUNTY, TEXAS

DATE PREPARED: _____ M. AND ONLY RECORDED ON THE _____ DAY OF _____ OF THE CITY OF AUSTIN, COUNTY OF TRAVIS, TEXAS.

JOAQUIN ANILA GARCES AND OLGA GONZALEZ DE ANILA

2108 E. M. FRANKLIN AVENUE

AUSTIN, TEXAS 78723

OLGA GONZALEZ DE ANILA

2108 E. M. FRANKLIN AVENUE

AUSTIN, TEXAS 78723

STATE OF TEXAS
COUNTY OF TRAVIS

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WITNESS MY HAND AND SEAL OF OFFICE, THIS _____ DAY OF _____ OF THE CITY OF AUSTIN, COUNTY OF TRAVIS, TEXAS.

NOTARY PUBLIC FOR TRAVIS COUNTY, TEXAS

DATE PREPARED: _____ M. AND ONLY RECORDED ON THE _____ DAY OF _____ OF THE CITY OF AUSTIN, COUNTY OF TRAVIS, TEXAS.

JOAQUIN ANILA GARCES AND OLGA GONZALEZ DE ANILA

2108 E. M. FRANKLIN AVENUE

AUSTIN, TEXAS 78723

OLGA GONZALEZ DE ANILA

2108 E. M. FRANKLIN AVENUE

AUSTIN, TEXAS 78723



MEMORANDUM

TO: Members of the Planning Commission

FROM: Sylvia Limon, Planner Senior
Development Services Department

DATE: August 7, 2018

SUBJECT: C8-2017-0221.0A Resubdivision of South 74 Feet Of Lot 18, Block 1,
Crest Haven Addition Flag Lot variance request

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 that will include creating 2 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;

This resubdivision is compatible with the surrounding neighborhood in that there are several other flag lots in the area.

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.

A handwritten signature in black ink, appearing to read 'Sylvia Limon', with a stylized flourish at the end.

Sylvia Limon, Planner Senior
Development Services Department



Property Profile

Item C-13

7 of 10

Legend

Jurisdiction

- FULL PURPOSE
- LIMITED PURPOSE
- EXTRATERRITORIAL JURISDICTION
- 2 MILE ETJ AGRICULTURAL
- OTHER CITY LIMITS
- OTHER CITIES ETJ
- Lot Line

Flag Lot Subdiv's



1: 4,800

Notes

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0.2 Miles

0.08

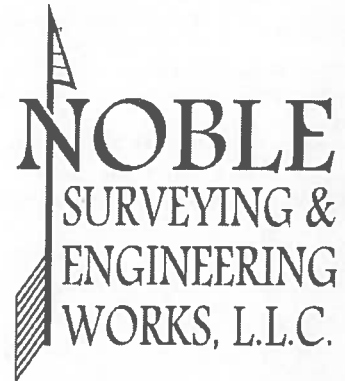
0

NAD_1983_StatePlane_Texas_Central_FIPS_4203_Feet

Date Printed:

January 16, 2018

Sylvia Limon
Case Manager
Development Review
505 Barton Springs Rd, 4th floor
Austin, TX 78704
Phone 512-974-2000



www.noble-tx.com
TBPE Firm #9852

RE: 2106 EM Franklin Ave – Re-Plat of S ½ Lot 18 Crest Haven Addition
Flag Lot – Variance Request Letter

Ms. Limon,

This letter is to officially request a variance for the use of an eighteen (18') foot flag lot rather than what is specified in Chapter 25 Land Development Code, Section 25-4-175. The variance should be granted since this flag lot meets all the points listed in Section 25-4-175-2a (reasons for why a flag lot shall be granted by the Land Use Commission). Furthermore, adjacent tracts are currently platted as flag lots, such as Doc #201600016 (Case # C8-2015-0113.0A). The requested width for the subject tract will allow ample space for utilities to serve both lots individually without the requirement of additional easements. Platting this property with a flag lot variance will be in compliance of requiring adequate access to first responders. As previously stated, there are 8 tracts of land within a 500' radius that are already platted with the use of flag lots.

It is for these reasons we formally request this waiver and look forward to your approval. If any questions should arise, give us a call at 512-535-1820.

Sincerely,

F.P. (Tres) Howland, III, PE
Principal



Property Profile

Getting Around Search & identify Data

Drawing & Measurement

Printing & Reporting

[Printing & Reporting Help](#)

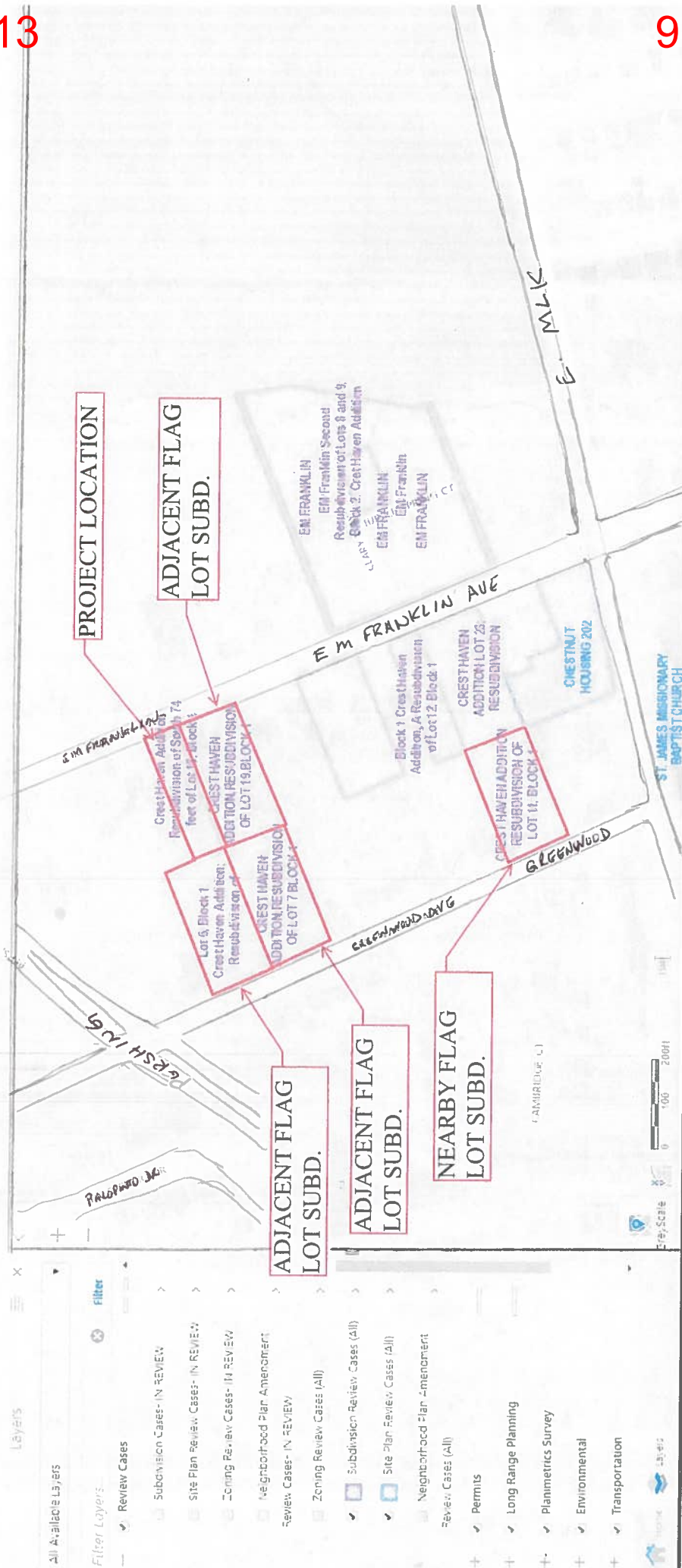
A Address Search



Review: 3.82



 PURDUE UNIVERSITY



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: C8-2017-0221.0A

Contact: Sylvia Limon, 512-974-2767 or

Elsa Garza, 512-974-2308

Public Hearing: August 14, 2018, Planning Commission

LEONARDO V. Gutierrez Jr.

Your Name (please print)

☒ I am in favor
☐ I object

Your address(es) affected by this application

Leonardo V. Gutierrez Jr.
Signature

July 28, 2018
Date

Daytime Telephone: 512 388 9795

Comments:

C8-2017-0221.0A SL 0212150727
GUTIERREZ LEONARDO & CAROLINA
Or Current Resident
FAMILY TRUST
2102 A GREENWOOD AVE
AUSTIN TX 78723-5811

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

City of Austin - Development Services Department / 4th Fl
Sylvia Limon
P. O. Box 1088
Austin, TX 78767-8810