

**SUBDIVISION REVIEW SHEET****CASE NO.:** C8-2017-0170.0A**P. C. DATE:** September 25, 2018**SUBDIVISION NAME:** Second 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 Engineers  
(Travis Flake)**ADDRESS OF SUBDIVISION:** 3611 Munson Street**GRIDS:** L-22**COUNTY:** Travis**WATERSHED:** Boggy Creek**JURISDICTION:** Full Purpose**EXISTING ZONING:** SF-3-NP**DISTRICT:** 1**PROPOSED LAND USE:** Residential**NEIGHBORHOOD PLAN:** MLK**SIDEWALKS:** Sidewalks will be provided along Munson Street.**VARIANCE:** From Land Development Code (LDC) 25-4-175 to allow a flag lot.

**DEPARTMENT COMMENTS:** The request is for approval of a variance to LDC 25-4-175 to allow a flag lot and of the final plat, namely Second Resubdivision of a Portion of Lot 8, Block A, Eastover. The proposed plat is composed of 2 lots on 0.25 acres and is the eastern half of Lot 8, Block A.

The western half of Lot 8, Block A was previously resubdivided with a flag lot – approved and recorded in 2017.

**STAFF RECOMMENDATION:** The staff recommends approval the variance and the plat. 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  
**E-mail:** [Sylvia.limon@austintexas.gov](mailto:Sylvia.limon@austintexas.gov)**PHONE:** 512-974-2767



Subject Tract



Base Map

CASE#: C8-2017-0170.0A  
ADDRESS: 3611 MUNSON STREET

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.



## MEMORANDUM

**TO:** Members of the Planning Commission

**FROM:** Sylvia Limon, Planner Senior  
Development Services Department

**DATE:** September 18, 2018

**SUBJECT:** C8-2017-0110.0A Second Resubdivision of a Portion of Lot 8, Block A, Eastover subdivision 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 creating 4 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;**

*The immediate area is zoned SF-3-NP which is the appropriate zoning for the proposed use. See attached, Surrounding Neighborhood Exhibit which generally shows the development pattern in the immediate vicinity.*

*The western half of the original Lot 8, Block A, Eastover subdivision was previously resubdivided into 2 lots with one being a flag lot. That plat is recorded in Document Number 201700115 of the Travis County property records.*

**(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 dark ink, appearing to read "Alpha L", is written on the page.



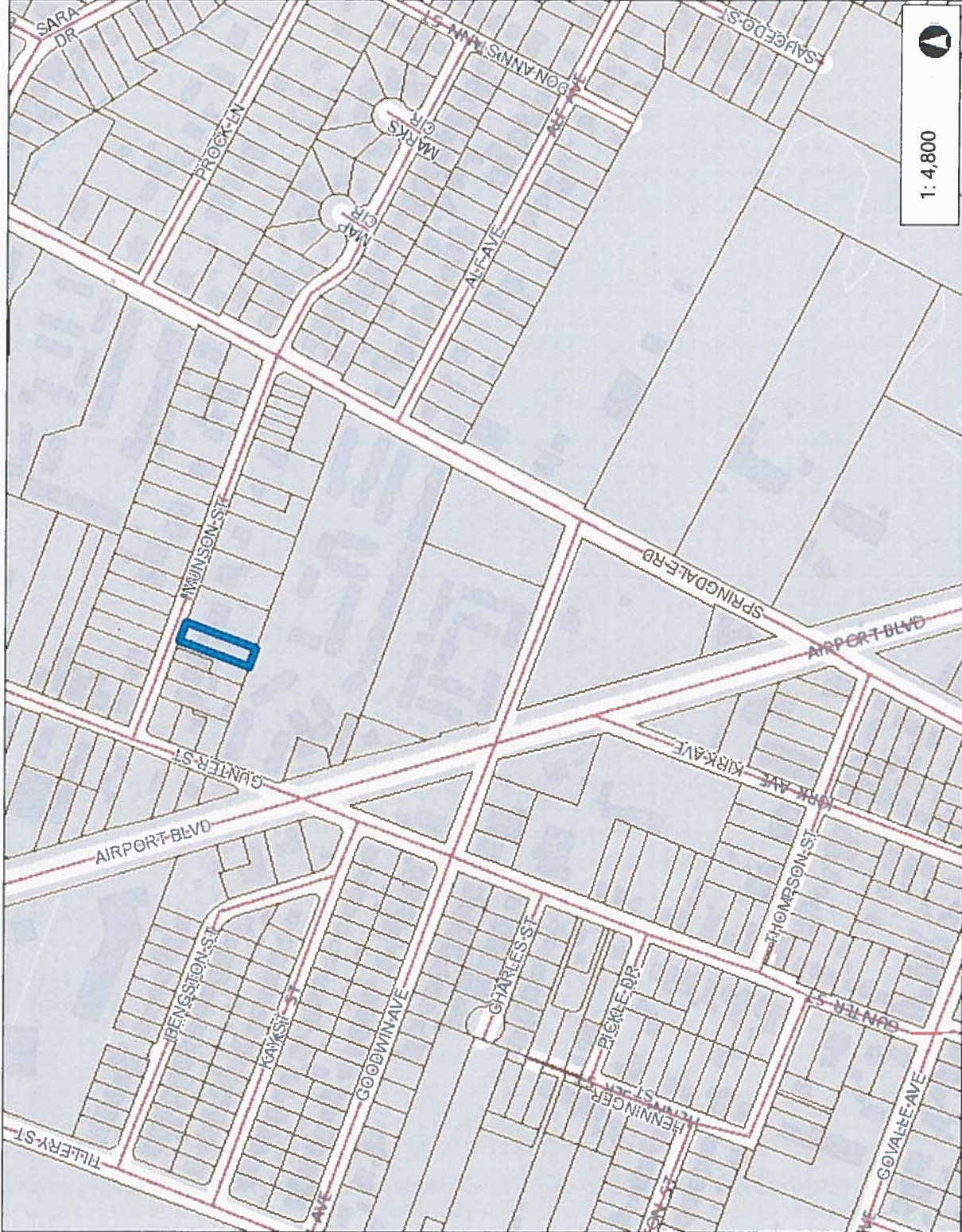
# Property Profile



## Legend

- Streets
- Street Labels
- Jurisdiction
- FULL PURPOSE
- LIMITED PURPOSE
- EXTRATERRITORIAL JURISDICTION
- 2 MILE ETJ AGRICULTURAL AGR
- OTHER CITY LIMITS
- OTHER CITIES ETJ
- Lot Line

## Notes



1: 4,800

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0.2 Miles

0.06

0

0.2

NAD\_1983\_StatePlane\_Texas\_Central\_FIPS\_4203\_Feet

Date Printed

**SOUTHWEST ENGINEERS**

Civil | Environmental | Land Development

TBPE NO. F-1909

**HEADQUARTERS**

www.swengineers.com

**CENTRAL TEXAS**

307 St. Lawrence Street, Gonzales, TX 78629

142 Cimarron Park Loop Ste. A, Buda, TX 78610

P: 830.672.7546 F: 830.672.2034

P: 512.312.4336

October 19, 2017

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

RE: Eastover; Second Resubdivision of a Portion of Lot 8 Block A  
SWE Project No. 0556-036-16  
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 3611 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 48453C0465J, dated January 6, 2016.

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:

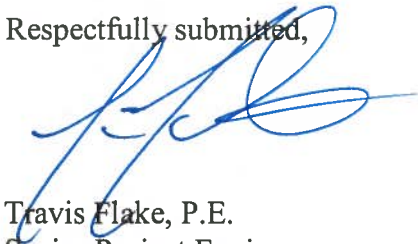
- (a)
- (i) The site provides accessibility for emergency responders via Munson Street and an increase in emergency vehicle access distance approved for Lot 8D per exception 3 to section 503.1 of the City of Austin fire code in effect on September 16, 2013.
  - (ii) The site has adequate room for required 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.



(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.

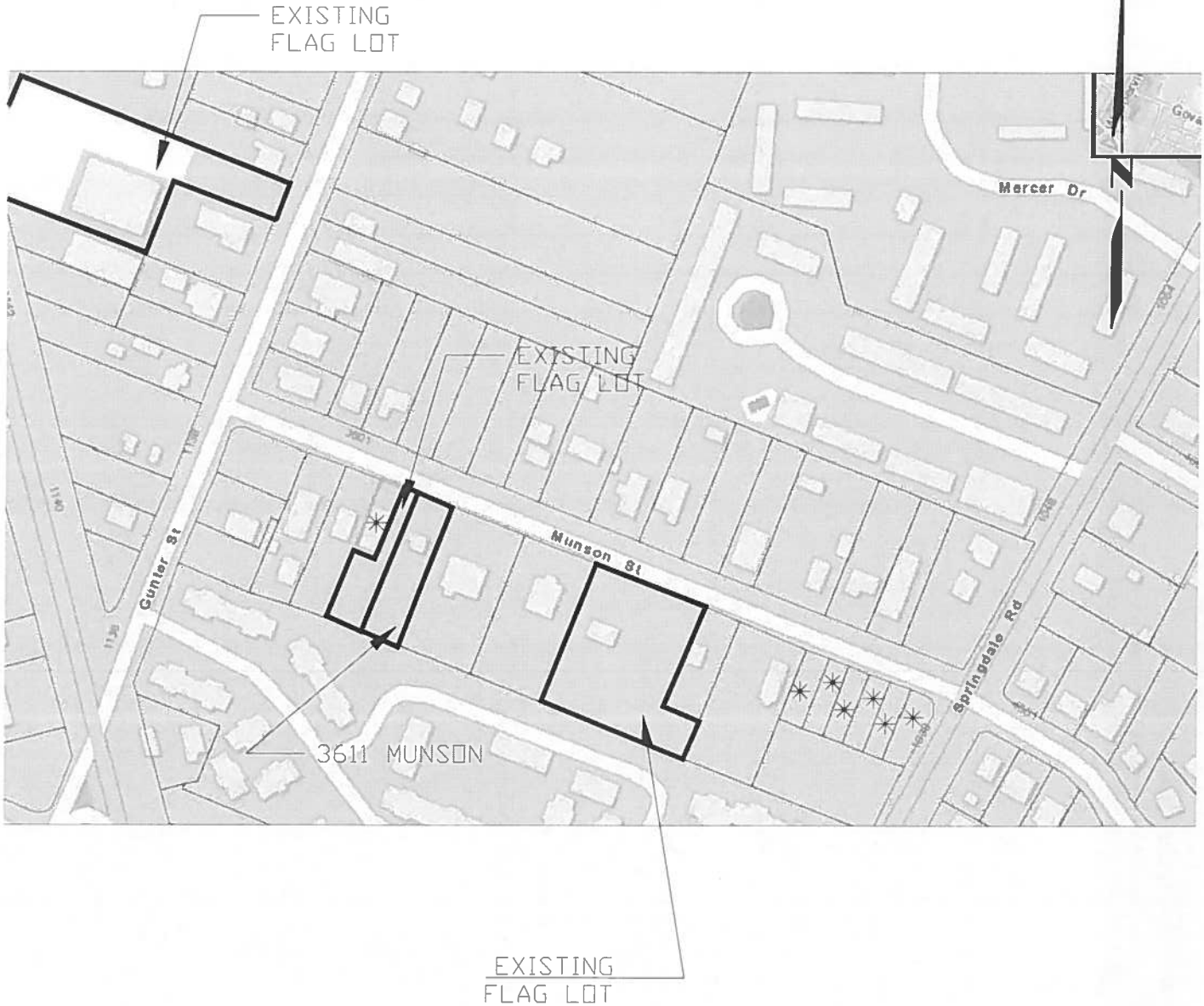
Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Travis Flake', is written over the closing text.

Travis Flake, P.E.  
Senior Project Engineer

Attachments:

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



# Southwest Engineers Inc.



142 Cimarron Park Lp  
Buda, Texas 78610  
(512) 312-4336

## SURROUNDING AREA

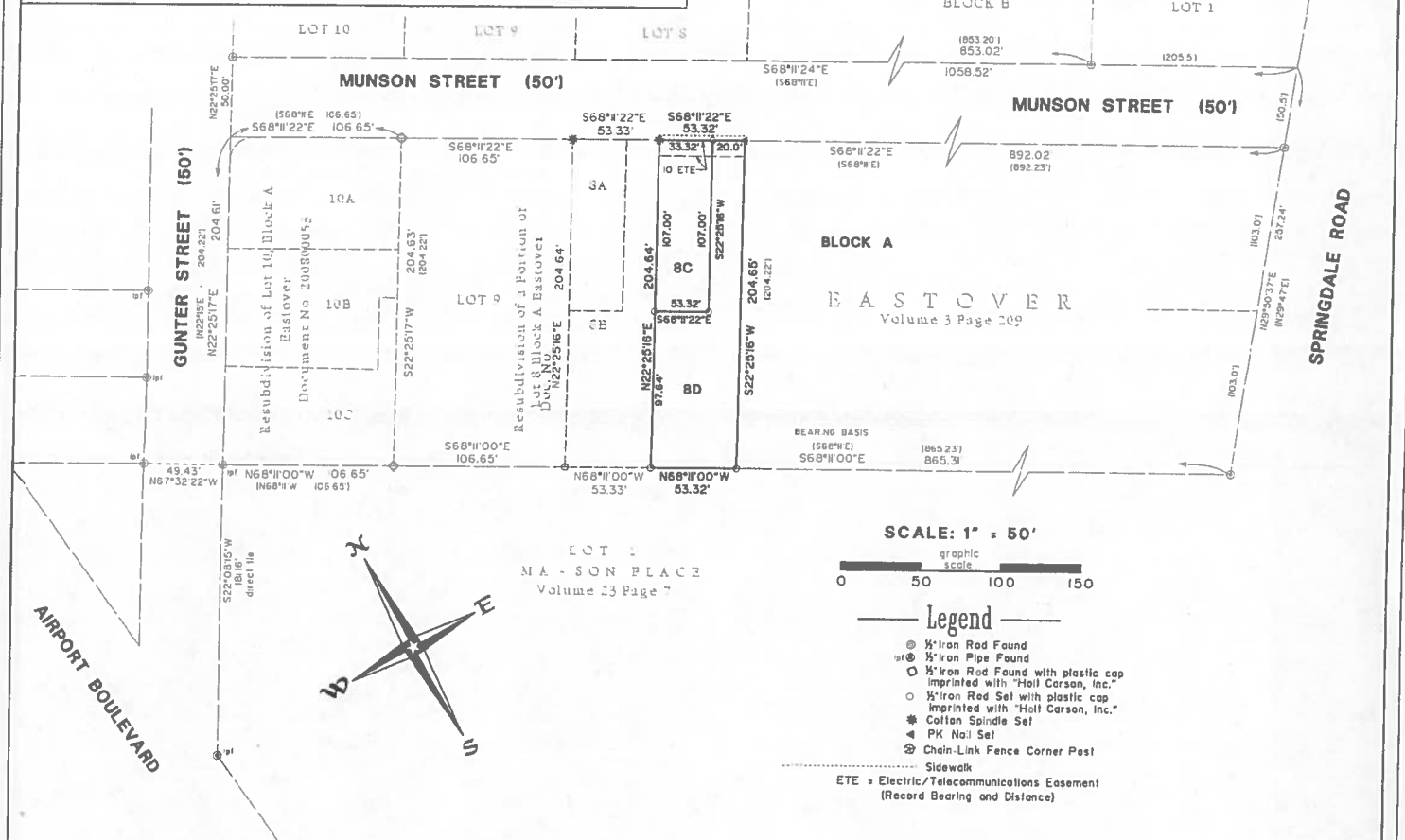
**3611 MUNSON STREET**  
**Portion of Lot 8, Eastover**  
**MX3 Homes**

Date: 10/19/17  
File: EXHIBIT  
Scale: N.T.S.  
Tech: MNI  
Project No.: 0556-036-16



# SECOND RESUBDIVISION OF A PORTION OF LOT 8 BLOCK A EASTOVER

PLAT PREPARATION DATE February 27, 2017  
APPLICATION SUBMITTAL DATE July 26, 2017



SCALE: 1" = 50'



## Legend

- ⊙ 1/2" Iron Rod Found
- ⊙ 1/2" Iron Pipe Found
- ⊙ 1/2" Iron Rod Found with plastic cap imprinted with "Holt Carson, Inc."
- ⊙ 1/2" Iron Rod Set with plastic cap imprinted with "Holt Carson, Inc."
- ⊙ Cotton Spindle Set
- ⊙ PK Nail Set
- ⊙ Chain-Link Fence Corner Post
- Sidewalk
- ETE = Electric/Telecommunications Easement (Record Bearing and Distance)

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 East 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 Warranty Deed recorded in Document No. 2016205807 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

## SECOND 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

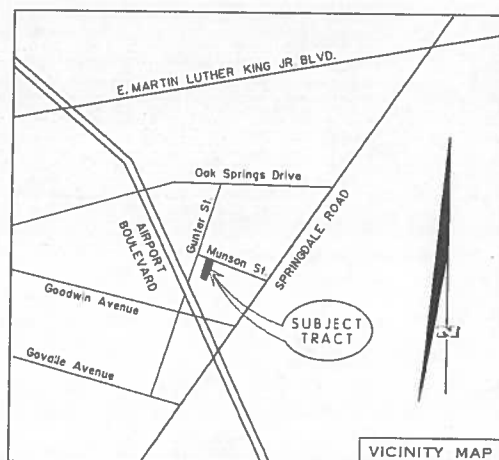
THE STATE OF TEXAS  
THE COUNTY OF TRAVIS

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 \_\_\_\_\_



VICINITY MAP

# SECOND RESUBDIVISION OF A PORTION OF LOT 8 BLOCK A EASTOVER

PLAT PREPARATION DATE February 27, 2017  
APPLICATION SUBMITTAL DATE July 26, 2017

This subdivision is located in the Full Purpose Jurisdiction of the City of Austin  
this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, A.D.

ACCEPTED AND AUTHORIZED for record by the Director, Development Services  
Department, City of Austin, County of Travis, this the \_\_\_\_\_ day of  
\_\_\_\_\_, 20\_\_\_\_, A.D.

J Rodney Gonzales, Director, Development Services Department

ACCEPTED AND AUTHORIZED for record by the Planning Commission of the City of Austin,  
Texas, on this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, A.D.

Chair

Secretary

THE STATE OF TEXAS  
THE COUNTY OF TRAVIS

I, Dana DeBeauvoir, Clerk of Travis County, Texas, do hereby certify that the foregoing  
Instrument of Writing and its Certificate of Authentication was filed for record in my office on the  
\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, A.D., at \_\_\_\_\_ o'clock \_\_\_\_\_ M and duly recorded  
on the \_\_\_\_\_ day of \_\_\_\_\_, A.D., at \_\_\_\_\_ o'clock \_\_\_\_\_ M in the Official  
Public Records of said County and State in Document No. \_\_\_\_\_

WITNESS MY HAND AND SEAL OF OFFICE OF THE COUNTY CLERK OF SAID  
COUNTY this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, A.D.

DANA DEBEAUVOIR, COUNTY CLERK TRAVIS COUNTY, TEXAS

BY \_\_\_\_\_  
Deputy

THE STATE OF TEXAS  
THE COUNTY OF TRAVIS

I do hereby certify that the engineering work being submitted herein complies with all  
provisions of the Texas Engineering Practice Act, including Section 131.152(e), thereby  
acknowledge that any misrepresentation regarding this certification constitutes a violation  
of the Act, and may result in criminal, civil and/or administrative penalties against me as  
authorized by the Act.

This plat complies with Chapter 25 of the City of Austin Land Development Code.

No portion of this subdivision is within the boundaries of the 100-year flood plain (Zone X)  
according to the Federal Flood Administration FIRM panel 48453C 0465 J, dated January 6, 2016

Travis Flake P.E. 109871  
SOUTHWEST ENGINEERS, INC.  
112 Cimarron Loop  
Buda, Texas 78610  
(512) 312-4336

Date

THE STATE OF TEXAS  
THE COUNTY OF TRAVIS

I, Holt Carson, am authorized under the laws of the State of Texas to practice the  
profession of surveying and hereby certify that this plat complies with Title 25 of the Austin City  
Code, and is true and correct and was prepared from an actual survey of the property made by  
me or under my supervision on the ground.

Holt Carson  
Registered Professional Land Surveyor No. 5166  
HOLT CARSON, INC.  
1904 Fortview Road Austin, Texas 78704  
(512)-442-0990



8-29-2017

Date

## NOTES:

1. No lot shall be occupied until the structure is connected to the City of Austin water and wastewater utility system.
2. 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.
3. The landowner is responsible for providing the subdivision infrastructure, including the water and wastewater utility improvements.
4. Building Setback Lines shall be in conformance with the City of Austin Zoning ordinance requirements.
5. No buildings, fences, landscaping, or other obstructions are permitted in drainage easements except as approved by the City of Austin.
6. The owner of this subdivision, and his or her successors and assigns, assumes responsibility for plans for construction of subdivision 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.
7. Development activity for single family or duplex use for Lots 8C and 8D is not subject to Drainage Criteria Manual, 1.2.2.D. or E in accordance with Drainage Criteria Manual Section 1.2.2.G. and Engineer's certification dated \_\_\_\_\_.
8. All streets, drainage, sidewalks, erosion controls, and water and wastewater lines are required to be constructed and installed to City of Austin Standards.
9. 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 Chapter 25-8, Subchapter B of the City of Austin Land Development Code.
10. 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 easements/access are required to provide electric 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.
11. The owner shall be responsible for installation of temporary erosion control, revegetation and tree protection. In addition, the owner shall be responsible for any 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.
12. 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 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.
13. Public sidewalks, built to City of Austin standards, are required along the following streets and as shown by a dotted line on the face of the plat: Munson Street. 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.
14. Erosion/Sedimentation controls are required for all construction on each lot, including single family and duplex construction, pursuant to the Land Development Code and the Environmental Criteria Manual.
15. 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 are maintained. All costs incurred because of failure to comply with the required clearances will be charged to the owner.
16. A variance to Section 25-L-175(A)(2) of the Land Development Code was granted by the Planning Commission on \_\_\_\_\_, 20\_\_\_\_.
17. All electric 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, and 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 and planning.
18. Lots 8C and 8D will be developed under Cottage Use regulations.
19. 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.
20. Development of these lots shall comply with requirements of the Airport Hazard and compatible land use regulations, (Chapter 25-13) as amended.
21. A fee-in-lieu of parkland dedication and park development has been paid for 1 residence. No fee was charged for the existing residence.
22. All restrictions and notes from the previous existing subdivision, Eastover, as recorded in Volume 3 Page 209, Travis County Plat Records, shall apply to this resubdivision plat.
23. AFD access approved by the Fire Marshal shall be built prior to residential permit approval for Lot 8D.
24. Extended or obstructed fire access shall be mitigated with an AFD approved sprinkler system for buildings on Lot 8D.
25. Building separation from other buildings shall be a minimum of 10 feet or fire separation distance of 5 feet. Construction with less than 5 feet of fire separation distances shall conform to 2012 IRC Table R302.1(1) with 1 hour rated construction and openings as allowed or shall conform to Table R302.1(2) with minimum 130 fire sprinklers and rated construction as specified.
26. Participation in the Regional Stormwater Management Program was granted for this subdivision on \_\_\_\_\_ by the City of Austin Watershed Protection Department, Office of the Director.