



Monday, June 6, 2022

To: Board of Adjustments
City of Austin
301 W 2nd St,
Austin, TX 78701

Reference: - Supplemental Letter - 2715 Long Bow Trail - Case # C15-2022-0011

I am writing to provide you with the additional information requested by the Board of Adjustments during our meeting on April 11, 2022. I have attached a copy of the supporting documents for the comments below and answer the questions and concerns you had during the hearing. Directly below, you will see our justifications for approval, and below that is the backup information concerning the property and the reasoning for our justifications.

Justifications for approval: - The less is more version

1. Based on the slope analysis, the current site only allows for 1,097.55 sf of IC. We are requesting 2,000 sf of impervious coverage to meet the Apache Shores POA minimum living area requirements, a two-car garage for proper parking, and the required driveway using ribbon designs.
 - a. This lot needs more IC than the adjacent one to protect the large tree in the center of the lot.
 - b. As an item of reference, this lot will only have 22% of the total site area, which is half of the standard IC allowed under typical zoning regulations.
2. The new design that the developer created reduced the originally requested IC by 40% by utilizing a single-car ribbon drive and reducing the house size and footprint.
3. Based on the engineering report and design provided by 3PX engineers, they created a drainage plan that will prevent any additional/adverse runoff created by the proposed development. This plan was created by using Vegetative Strips that are allowed under the ECM Section 1 - 1.6.7 (B)
4. Without this variance, we will not be able to develop any structure on this property that will meet the COA development regulations and the Apache Shores POA development requirements on the deed restrictions.

Backup Information

Zoning Regulations: The primary basis of our request is that the property has been zoned for both LA (Lake Austin) zoning and the Lake Austin overlay. As shown below, both regulations require a min. of 1-acre lot size per the City of Austin development regulations. The application of the LA regulations on this lot makes it non-developable for reasonable use. The LA regulations are also shown as the strictest zoning regulations specified in 25-2-33 (b).

1. Per 25-2-492 site development regulations, the LA zoned lot must be a minimum of 43,560 SF in size (1 acre), and the lot in question is only 8,822.11 sf (.20 acres). In addition, all LA zone lots are governed by 25-2-551 (C)-3 Impervious coverage restrictions based on a slope analysis of the property.
2. Per 25-2-53 of the Land Development Code - Lake Austin residence (LA) district is the designation for a low density single-family residential use on a lot that is a minimum of one acre, and that is located 1,000 feet or less, measured horizontally, from the 492.8-foot topographic contour line on either side of Lake Austin.
3. The City of Austin zoning guide published in September of 2016 in chapter II states the following.
 - a. The City of Austin has established twelve Zoning Principles to preserve the compatibility of land uses. City Staff, stakeholders, and property owners should use the following principles to evaluate all zoning requests.
 - i. Zoning should be consistent with the Future Land Use Map (FLUM) or adopted neighborhood plan.
 1. This item does not apply to our case

F-1/2-PRESENTATION

- ii. Zoning should satisfy a public need and not constitute a grant of special privilege to an individual owner; the request should not result in spot zoning.
 - I. Within Apache Shores POA, less than 5% of the overall community has any form of zoning regulation. The current overlay unreasonably restricts the lot's development capabilities.
- iii. Granting a zoning request should result in equal treatment of similarly situated properties.
 - I. Within Apache Shores POA, less than 5% of the overall community has any form of zoning regulation. The current overlay unreasonably restricts the lot's development capabilities.
 - 2. Lots as close as 100' away have no zoning regulations
- iv. Granting the zoning should not in any way set an undesirable precedent for other properties in the neighborhood or within other areas of the city.
 - I. This is a lot-specific request on a non-conforming lot and would not result in any negative precedent.
- v. Zoning should allow for reasonable use of the property.
 - I. The current zoning does not allow for any reasonable use of the property.
- vi. Zoning changes should promote compatibility with adjacent and nearby uses and should not negatively impact the neighborhood character.
 - I. The request that we are asking for does not put the development capabilities of this property above or beyond the adjacent properties.
- vii. Zoning should promote a transition between adjacent and nearby zoning districts, land uses, and development intensities.
 - I. The request does not change the land use or density of the area.
- viii. Zoning should promote the policy of locating retail and more intensive zoning near the intersections of arterial roadways or at the intersections of arterials and major collectors.
 - I. This section does not apply to our request.
- ix. The request should serve to protect and preserve places and areas of historical and cultural significance. • Zoning should promote clearly identified community goals such as creating employment opportunities or providing affordable housing.
 - I. The request for Impervious Coverage is being made to develop single-family homes that are desperately needed in the greater Austin area.
- x. A change in conditions has occurred within the area, indicating that there is a basis for changing the originally established zoning and/or development restrictions for the property.
 - I. Before 2014 this property did not have any zoning regulations. This zoning overlay was added to the property making the lots non-developable.
- xi. The rezoning should be consistent with the policies adopted by the City Council or Planning Commission/Zoning and Platting Commission.
 - I. The City of Austin has been diligent in allowing for additional development of living units as it is necessary for future growth and the people who are currently here.

Apache Shores HOA Regulations: The following regulations are required by the deed restrictions within the community. These regulations were adopted on November 19, 1969, and recorded with Travis County document # 23-2467

- I. Paragraph #3 states that no residence shall have less than 650 SF of living space on the ground or first floor exclusive of the porch area.

Neighboring Properties: It has come into question the size of the proposed homes compared to the adjacent houses. We have gone through the Travis County property records and have identified the following.

- I. Based on the map attached to this report, 9 houses within a 1,000-foot radius of this lot are within the size range of the proposed projects. If you take the average size of all the houses shown on the map, you will get an average size of 2,443 SF.
 - a. A map showing the locations of the houses along with the TCAD information is attached to this packet.
- 2. On this map, you will also see 11 vacant lots on the same road (Long Bow Trail) that will be developed, and these lots are not within the COA LA zoning regulations, so they will most likely be constructed the same size larger than our proposed structure.

F-1/3-PRESENTATION

Conclusion: As you can see, based on the information provided in this report and the prior documentation, there are many reasons why this variance should be approved. I understand that the biggest concern of this area has to do with the Lake Austin watershed, and we have provided an engineered plan that will eliminate that concern.

Regards,

A handwritten signature in black ink that reads "Jonathan Kaplan". The signature is written in a cursive, flowing style.

Jonathan Kaplan
Managing Member

Urban Building Services of Texas LLC
512-768-2789 ext. 501



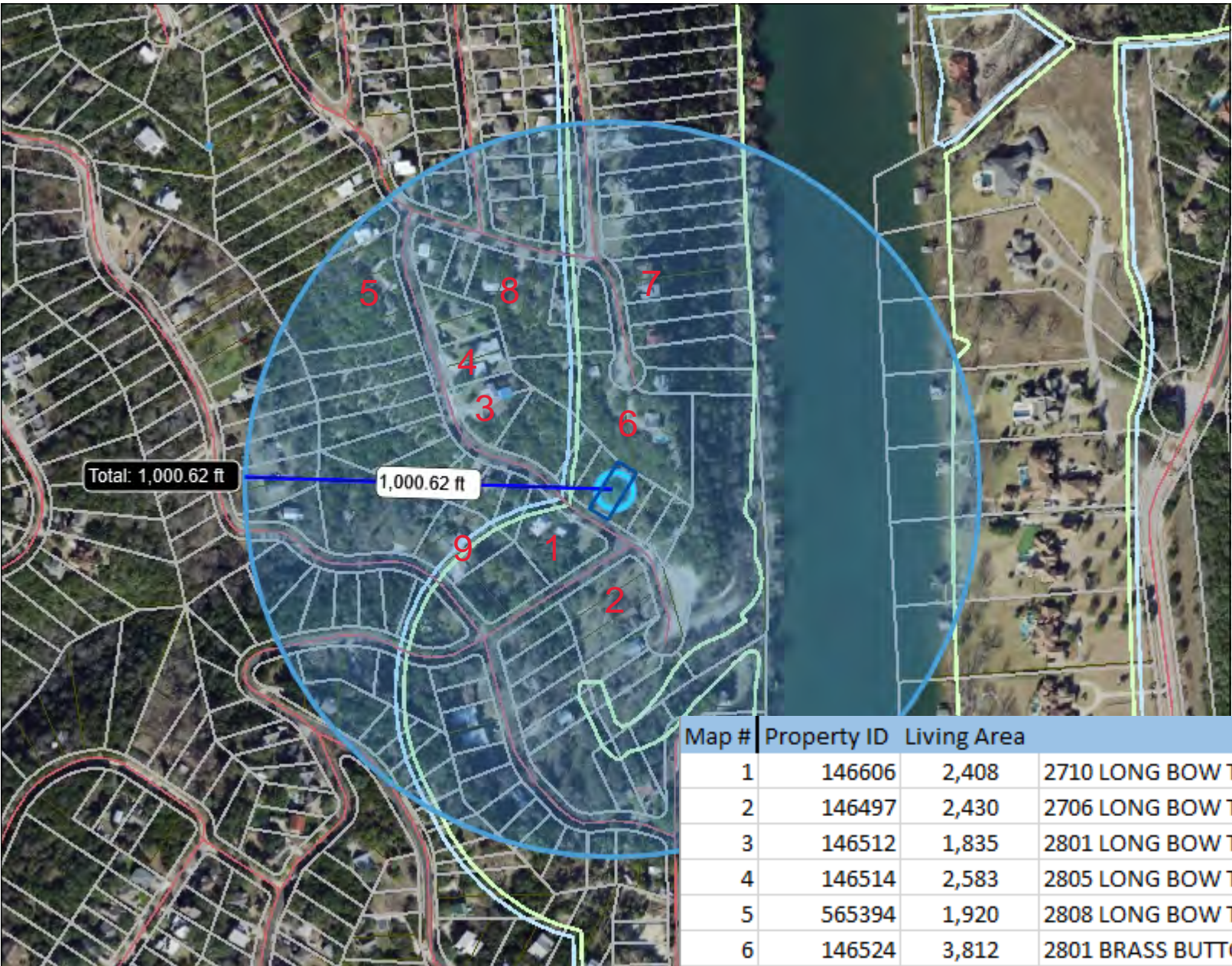


Property Profile

F-1/4-PRESENTATION

Legend

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



Map #	Property ID	Living Area	Address
1	146606	2,408	2710 LONG BOW TRL AUSTIN TX 78734
2	146497	2,430	2706 LONG BOW TRL AUSTIN TX 78734
3	146512	1,835	2801 LONG BOW TRL AUSTIN TX 78734
4	146514	2,583	2805 LONG BOW TRL AUSTIN TX 78734
5	565394	1,920	2808 LONG BOW TRL TX 78734
6	146524	3,812	2801 BRASS BUTTONS TRL TX
7	146529	2,687	2907 BRASS BUTTONS TRL AUSTIN TX 78734
8	146516	2,316	14107 RED FEATHER TRL AUSTIN TX 78734
9	146610	1,994	2613 GERONIMO TRL TX 78734

0.2 0 0.08 0.2 Miles

NAD_1983_StatePlane_Texas_Central_FIPS_4203_Feet

Date Printed:

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pro
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American Institute
of Building Design

Certification # 44-752

Office: 512-596-HOME (4663)

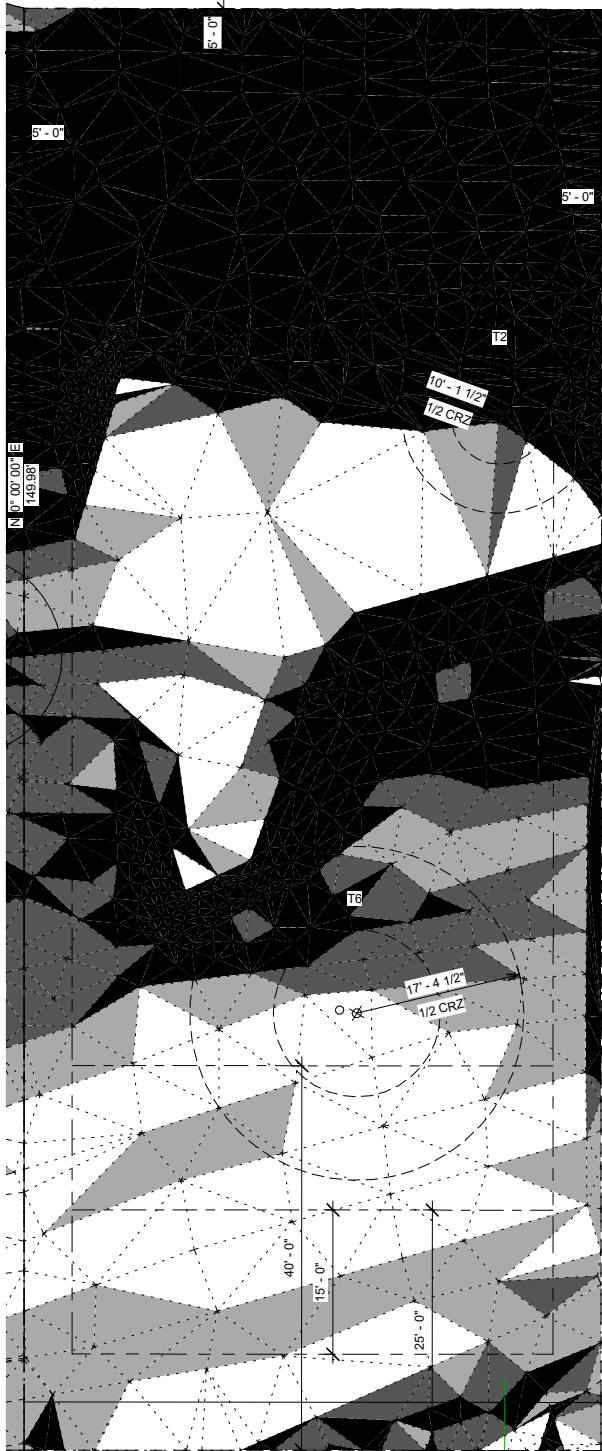
Mobile: 512-920-3439

Email: jon@urbandesignslc.com

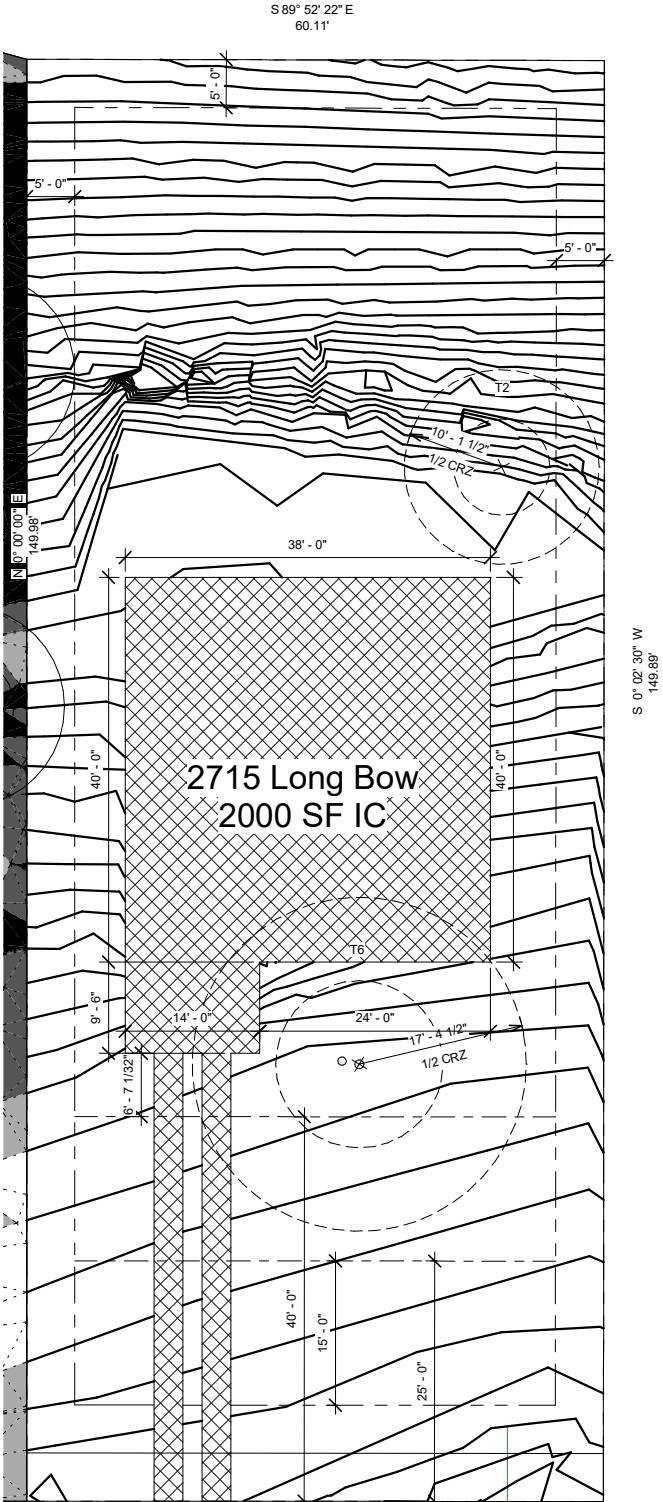
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2715 - Slope
1" = 10'-0"



2715 - Survey
1" = 10'-0"

2715 - Slope Analysis - Net Site Area	
Material: Range	Material: Area
0.00% to 15.00%	2,545 SF
15.00% to 25.00%	1,567 SF
25.00% to 35.00%	1,002 SF
35.00% to 4459.59%	4,958 SF

x 35% = 890.75

x 10% = 156.7

x 05% = 50.1

0

Allowed IC = 1,097.55 SF

IC Breakdown Option 1

x 40% = 1,018

x 40% = 626.8

x 40% = 400.8

x 0% = 0.00

Proposed IC = 2,045.6 SF

IC Breakdown Option 2

x 40% = 1,018

x 30% = 470.1

x 15% = 150.3

x 7.5% = 371.85

Proposed IC = 2,010.25 SF

PROJECT INFORMATION

Site Analysis

Art Village Development

2715 + 2717 Long Bow Trail, Austin

CONSTRUCTION DOCUMENTS

DRAWING TITLE:

Site Plan - LA

22' X 34' SCALE:

1" = 10'-0"

11' X 17' SCALE:

HALF SCALE

ISSUES DATE:

6/6/2022 1:21:42 PM

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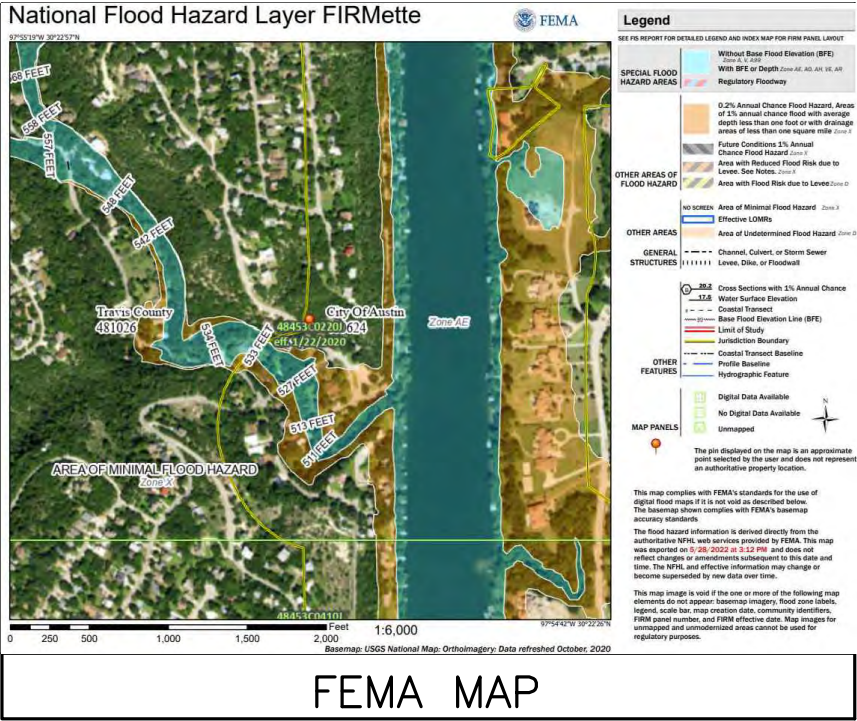
Author

SHEET NUMBER:

NEW SINGLE-FAMILY HOME

2715 LONGBOW TRAIL
AUSTIN, TX 78734

SHEET	DESCRIPTION
1	TITLE SHEET
2	REMOVALS PLAN
3	PROPOSED SITE CONDITIONS
4	SITE GRADING PLAN
5	EXISTING DRAINAGE PLAN
6	PROPOSED DRAINAGE PLAN
7	UTILITY PLAN
8	EROSION CONTROL PLAN
9	GENERAL NOTES
10	DETAILS
11	DETAILS
12	DETAILS
SHEET INDEX	



REVISION / DESCRIPTION

ISSUED FOR DRAINAGE REVIEW

DATE

5/27/22

No.

-

NEW SINGLE-FAMILY HOME

2715 LONGBOW TRAIL

TITLE PAGE

DRAWN BY:

PP

CHECKED BY:

AP

DATE:

05/27/2022

PROJECT No.:

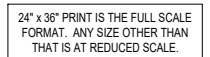
TX-129-1

3PX

Engineering

SHEET NO.

1



NOTE:
CONTRACTOR TO FOLLOW TREE PROTECTION
STANDARDS BY CITY OF AUSTIN.
SEE DETAIL 2, SHEET 9

OWNER: 2715 LONG BOW TRAIL LLC
2715 LONG BOW TRAIL
AUSTIN, TX 78734

PROPERTY ID: 146505

LEGAL: LOT 876 APACHE SHORES SEC 2

PROPERTY TYPE: (R)

LOT SIZE: 9,004.14 SF, ACRES= 0.21

EXISTING HOUSE: 0 SF

EXISTING HARDSCAPE: 0 SF

TOTAL EXISTING IMPERVIOUS: 0 SF

EXISTING LOT COVERAGE 0%

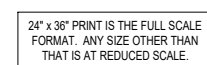
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DATE:	05/27/2022
PROJECT No.:	TX-129-1

SHEET NO.

2





24" x 36" PRINT IS THE FULL SCALE
FORMAT. ANY SIZE OTHER THAN
THAT IS AT REDUCED SCALE.



- NO OBJECTS, INCLUDING BUT NOT LIMITED TO BUILDINGS, FENCES, LANDSCAPING, OR OTHER OBSTRUCTIONS ARE PERMITTED IN ANY DRAINAGE EASEMENT EXCEPT AS APPROVED BY THE CITY OF AUSTIN
- PROPERTY OWNER AND/OR ASSIGNS SHALL PROVIDE ACCESS TO THE DRAINAGE EASEMENT AS MAY BE NECESSARY AND SHALL NOT PROHIBIT ACCESS BY THE CITY OF AUSTIN OR ASSIGNS FOR INSPECTION OR MAINTENANCE OF SAID EASEMENT

NOTE:
CONTRACTOR TO FOLLOW TYPE 1 RESIDENTIAL
DRIVEWAY STANDARDS BY CITY OF AUSTIN.
SEE DETAIL 1, SHEET 11

OWNER: 2715 LONG BOW TRAIL LLC
2715 LONG BOW TRAIL
AUSTIN, TX 78734

PROPERTY ID: 146505

LEGAL: LOT 876 APACHE SHORES SEC 2

PROPERTY TYPE: (R)

LOT SIZE: 9,004.14 SF, ACRES= .21

PROPOSED HOUSE : 1,713.78 SF

PROPOSED DRIVEWAY: 320.26 SF

NEW IMPERVIOUS AREA: 2034 SF

PROPOSED LOT COVERAGE: 22.59%

- BASE MAP/TOPOGRAPHY PROVIDED BY OTHERS. 3PX CANNOT BE HELD LIABLE FOR ACCURACY. CONTRACTORS SHALL FIELD VERIFY GRADES, UTILITY, AND ALL OTHER EXISTING FEATURES AND CONDITIONS. IF CONDITIONS ARE NOT AS SHOWN AS/OR PLANS CANNOT BE CONSTRUCTED AS SHOWN, CONTACT 3PX PRIOR TO CONSTRUCTION.
- ALL CONSTRUCTION SHALL MEET BUILDING CODES AS THEY APPLY.
- OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL REQUIRED PERMITS AND PAYING ALL PERMIT FEES. LANDSCAPE ARCHITECT WILL ASSUME OWNER HAS OBTAINED ALL PERMITS UNLESS SPECIFICALLY INSTRUCTED BY OWNERS TO OBTAIN PERMITS ON THEIR BEHALF.
- ROUGH GRADING SHALL BE INSPECTED PRIOR TO COMPLETION.
- ALL SALVAGEABLE MATERIALS AND ITEMS SHALL REMAIN PROPERTY OF OWNER.
- ALL CONCRETE FORMS TO BE INSPECTED BY LANDSCAPE ARCHITECT PRIOR TO POUR.
- PROVIDE 48 HOUR NOTICE FOR INSPECTIONS.

CONTRACTOR NOTES:

- ALL CONSTRUCTION CONTRACTS SHALL BE BETWEEN HOMEOWNER AND CONTRACTOR EXCLUSIVELY. ARCHITECT/PROJECT MANAGER, ACTS AS AGENT FOR OWNER AND IS NOT RESPONSIBLE FOR PAYMENT TO CONTRACTORS.
- CONTRACTOR OR OWNER MUST VERIFY ON SITE DIMENSIONS PRIOR TO PURCHASE OF MATERIALS OR CONSTRUCTION, AND INFORM OWNER OR LANDSCAPE ARCHITECT OF DISCREPANCIES. CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATION AND PROTECTION OF ALL UNDERGROUND UTILITIES AND SHALL ACCEPT FULL RESPONSIBILITY DUE TO NEGLIGENCE.
- CONTRACTOR SHALL BE FULLY RESPONSIBLE FOR STRUCTURAL INTEGRITY AND DURABILITY OF ALL ARCHITECTURAL AND LANDSCAPE CONSTRUCTION.

- STRIP SHALL UTILIZE DENSE VEGETATIVE COVER, MIN. 95% AS MEASURED AT THE BASE OF THE VEGETATION. SUITABLE VEGETATION INCLUDES GRASSES, FORBS, SHRUBS AND TREES.
- MINIMUM OVERALL SOIL DEPTH OF 12" WITH AT LEAST 6" OF TOPSOIL AT THE SURFACE AND AT LEAST 6" OF NATIVE OR FILL SOIL BELOW

SCALE: 1"=10'



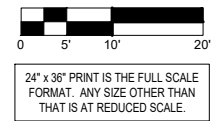
**NEW SINGLE-FAMILY HOME
2715 LONGBOW TRAIL
PROPOSED SITE CONDITIONS**

DRAWN BY:	PP
CHECKED BY:	AP
DATE:	05/27/202
PROJECT No.:	TX-129-1

3PX Engineering

SHEET NO.

3

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**NEW SINGLE-FAMILY HOME
2715 LONGBOW TRAIL
GRADING PLAN**

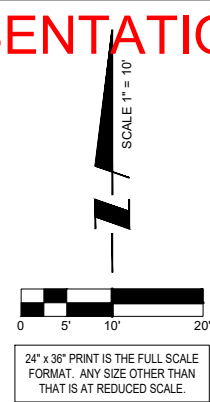
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DATE:	05/27/2022
PROJECT No.:	TX-129-1

3PX Engineering

SHEET NO.

4





**NEW SINGLE-FAMILY HOME
2715 LONGBOW TRAIL
EXISTING DRAINAGE PLAN**

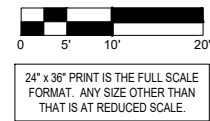
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DATE:	05/27/2022
PROJECT No.:	TX-129-1

3PX Engineering

SHEET NO.

5



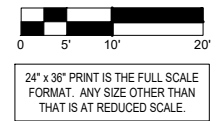


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DATE:	05/27/2022
PROJECT No.:	TX-129-1

SHEET NO.

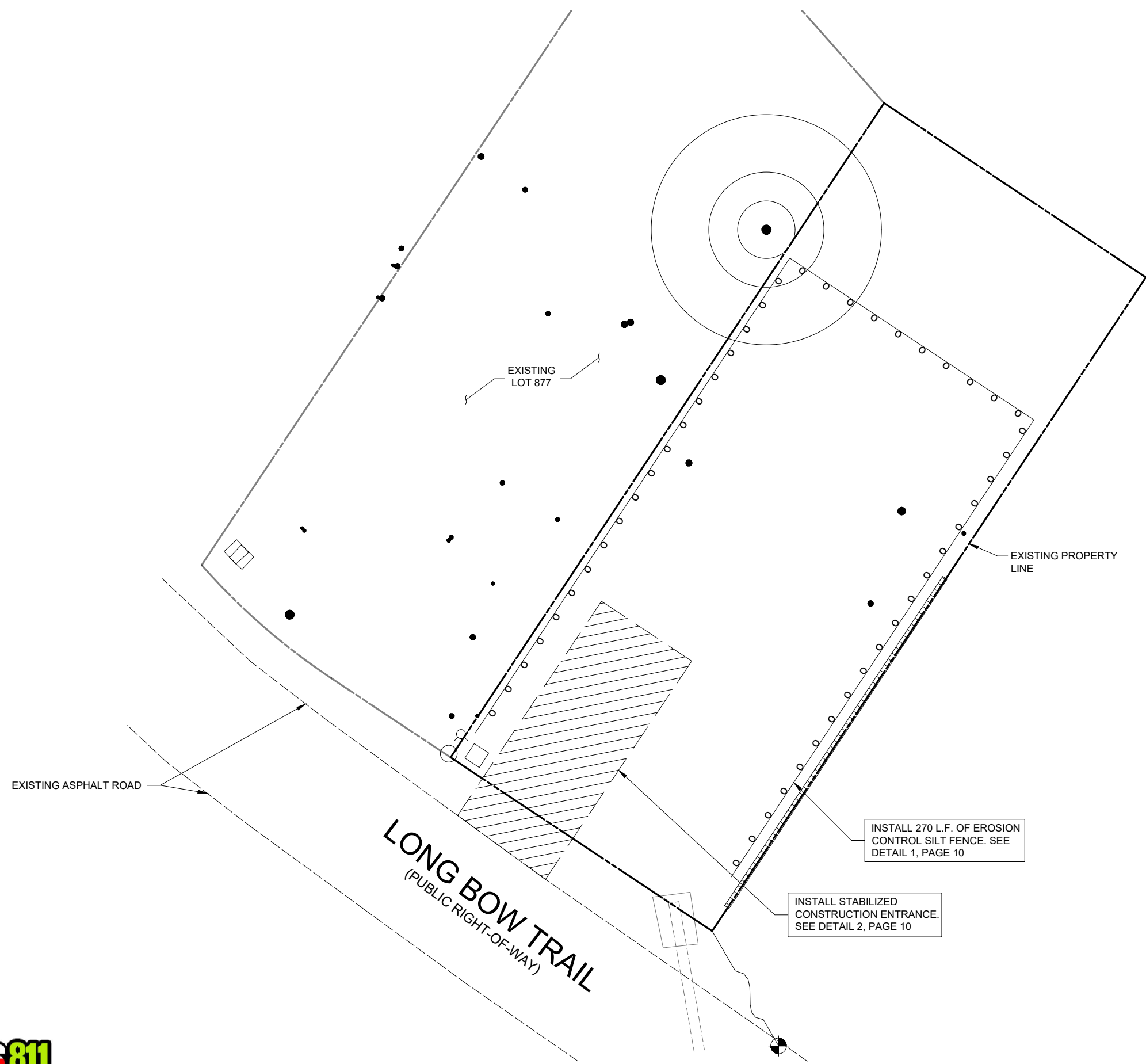
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**Know what's below.
Call before you dig.**

6-5-22



EROSION CONTROL PLAN
SCALE: 1"=10'



REVISION / DESCRIPTION		DATE
ISSUED FOR DRAINAGE REVIEW		5/27/22
No.		
NEW SINGLE-FAMILY HOME 2715 LONGBOW TRAIL EROSION CONTROL PLAN		
DRAWN BY: PP		
CHECKED BY: AP		
DATE: 05/27/2022		
PROJECT No.: TX-129-1		
3PX Engineering		
SHEET NO. 8		



- CITY OF AUSTIN
WATERSHED PROTECTION DEPARTMENT

RECORD COPY SIGNED
BY MORGAN BYARS

09/01/2011

ADOPTED

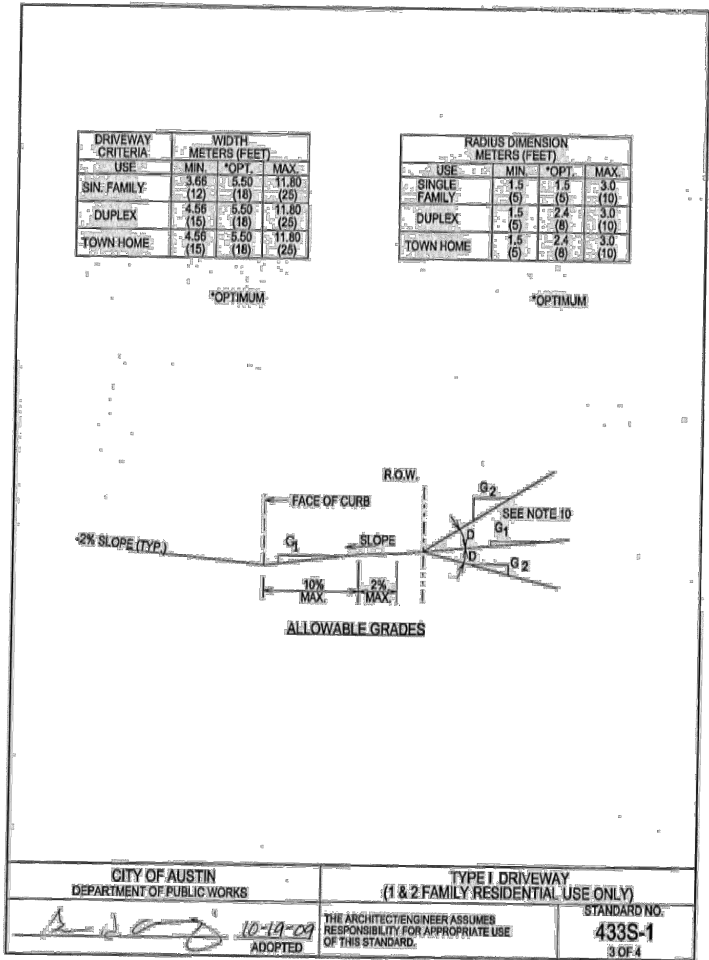
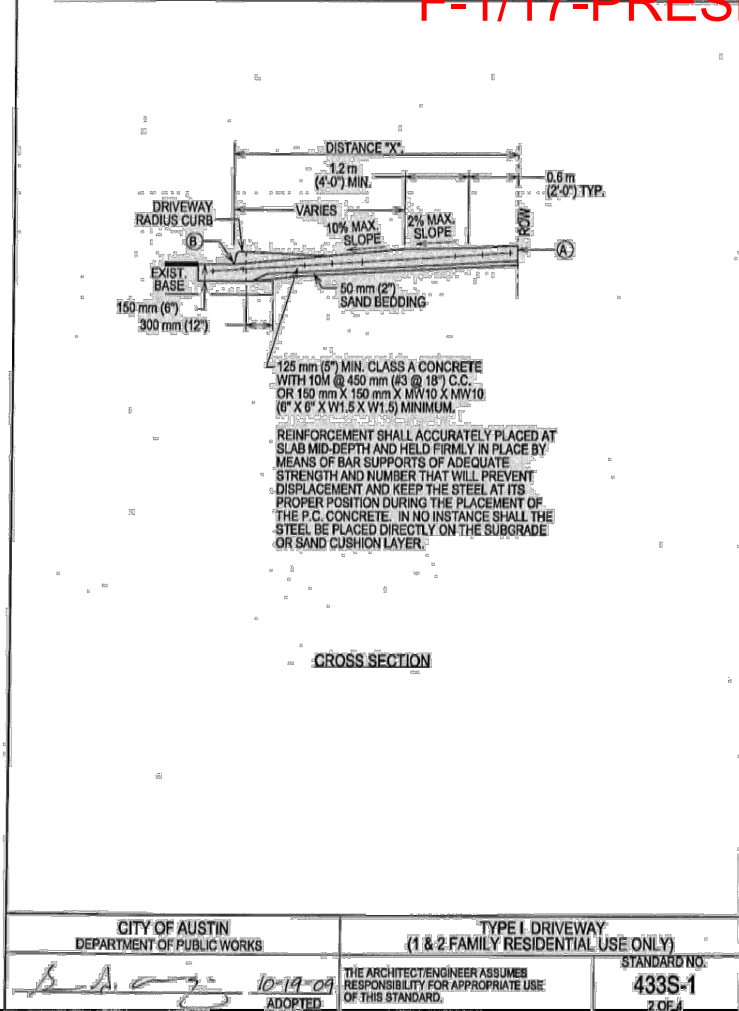
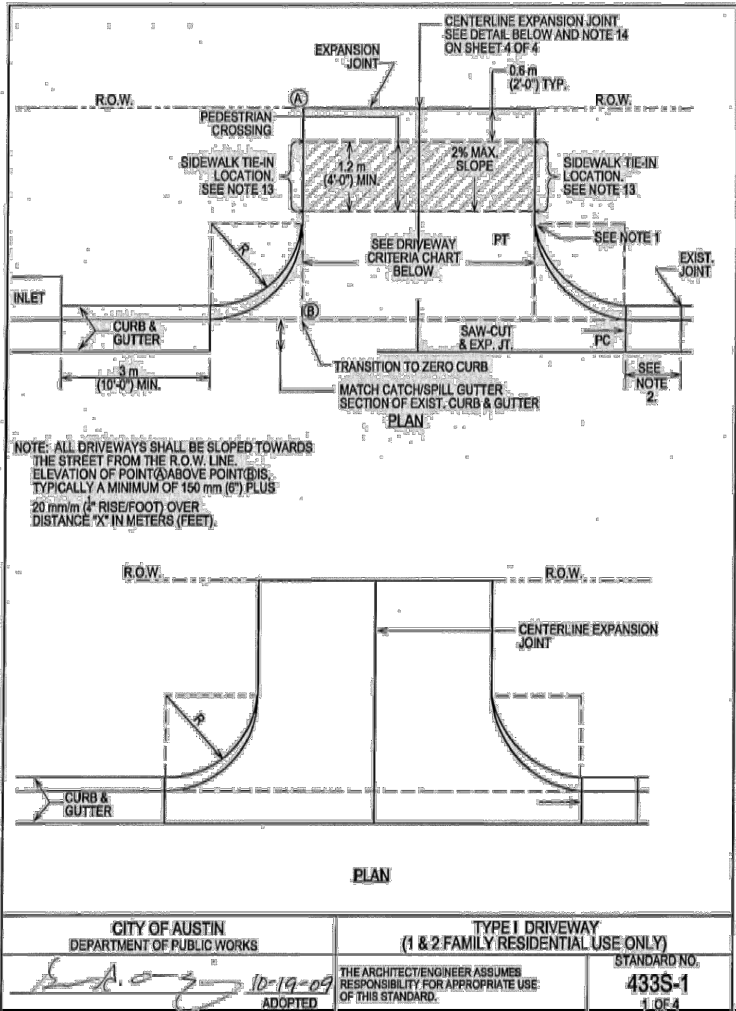
STANDARD NO.
E 642S-1



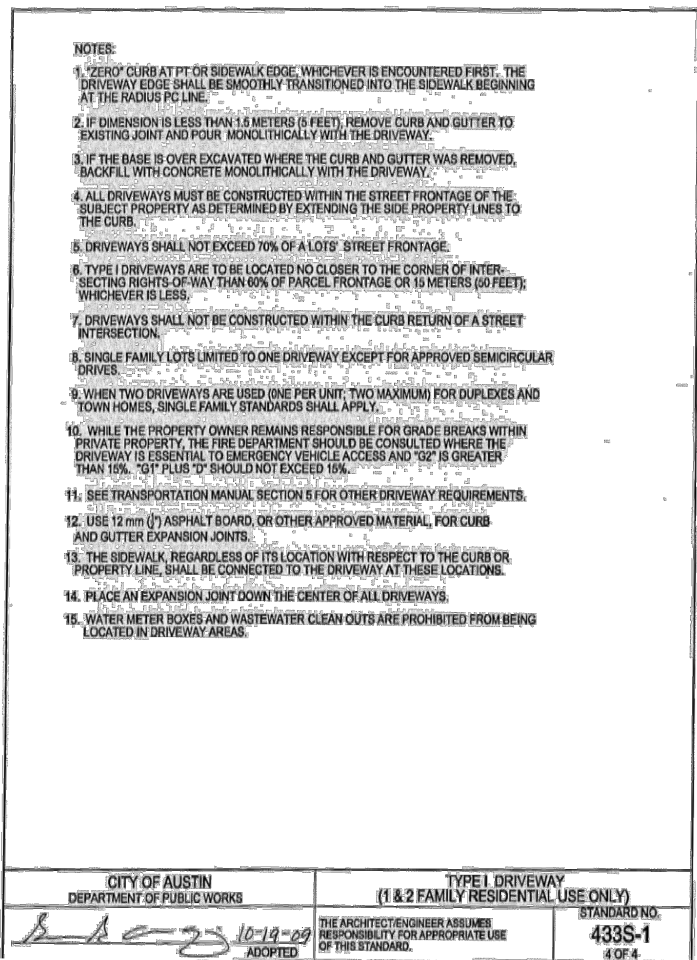
- CITY OF AUSTIN
WATERSHED PROTECTION DEPARTMENT

RECORD COPY SIGNED BY J. PATRICK MURPHY 5/23/00

THE ARCHITECT/ENGINEER ASSUMES RESPONSIBILITY FOR APPROPRIATE USE OF THIS STANDARD.	STANDARD NO. 641S-1
---	------------------------



1 TYPICAL DRIVEWAY DETAIL



Stormwater Drainage report

For

Single Family Residence

2715 Longbow Trail, Austin TX

Prepared By:

**Tony Puljic, P.E.
3PX Engineering**

May 27th, 2022



INTRODUCTION:

The subject parcel is approximately 0.2607 s.f. and is wooded. There is no existing impervious area on the property. A new house and driveway are being proposed to be built on the site. As a result of the new improvements, the new impervious area added to the site will be 2003.76 s.f.,

FEMA FLOOD PLAIN INFO:

Based on FEMA maps the site is located within Zone X of the flood plain. See attached Firmette in appendix.

TOPOGRAPHY:

The site is on a hill with a slope of approximately 37 % from the back of the property to the front of the property.

HYDROLOGIC PATTERNS:

The site is being proposed within an existing residential subdivision. There are no features that will affect the drainage patterns of streams, wetlands, seeps, springs, closed depressions, or drainage swales and ditches.

STORMWATER:

The natural flow of water flows from the back of the property to the front of the property north to south. The proposed grading plan does not alter the drainage pattern nor does it direct water into the neighbor's yards. The site is designed such that water flows into an underground basin.

METHODOLOGY:

Based on the size of the development, the proposed residence, and the site will be required to discharge stormwater such that the post-development peak runoff is below the discharge rates for the 2,10, 25, and 100-year design storms. Calculations were made using the rational method. The time of concentration was determined by equation 2-5 in the City Code and determined to be .63 min. Based on the result, the minimum time of concentration of 5 min. was used. The amount of detention required was determined by determining the existing 2-year release rate and determining the post-development runoff for the 2,10 25, and 100-year storm events. Detention will be provided in a storage tank in front of the property. Also, a vegetative strip was designed based on Austin standards as a BMP prior to stormwater discharging from the property.

Sincerely,
3PX Engineering

3PX Engineering



ATTACHMENTS

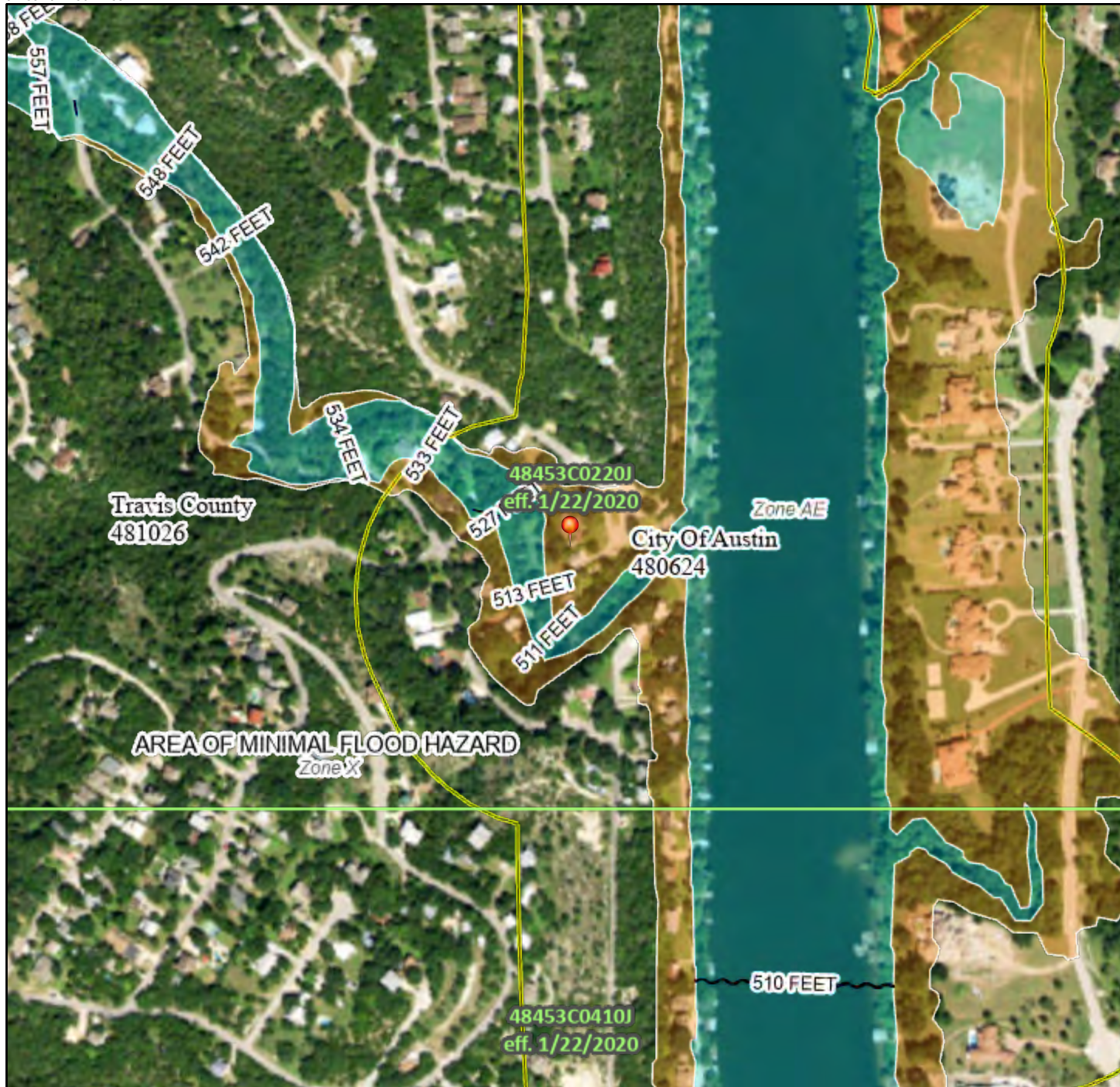


National Flood Hazard Layer FIRMette



E-1/21-PRESENTATION

97°55'18"W 30°22'53"N



0 250 500 1,000 1,500 2,000 Feet

1:6,000

97°54'40"W 30°22'22"N

Basemap: USGS National Map: Orthoimagery: Data refreshed October, 2020

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
GENERAL STRUCTURES		Area of Undetermined Flood Hazard Zone D
		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		20.2 Cross Sections with 1% Annual Chance Water Surface Elevation
		17.5 Cross Sections with 1% Annual Chance Water Surface Elevation
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
MAP PANELS		Coastal Transect Baseline
		Profile Baseline
		Hydrographic Feature
		Digital Data Available
		No Digital Data Available
		Unmapped



The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 5/29/2022 at 4:56 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

New Residence, 2715 Longbow Trail
Release rate and detention calculation for the 10-Yr. Storm Event
Using the 2-Year release rate
5/28/2022

Calculate Composite "c" of Existing Area			
TOTAL	AREA =	0.2067 ACRE	
IMPERVIOUS	AREA =	0.0000 ACRE	"c" Value = 0.9
GRAVEL	AREA =	0.0000 ACRE	"c" Value = 0.85
PERVIOUS	AREA =	0.2067 ACRE	"c" Value = 0.45
COMPOSITE	"c" =	0.45	

Existing Release Rate from 2-Year Storm Event			
(See Exhibit of Existing Drainage Area for 'S' & 'Tc')			
$Q = C * I * A$			
	C =	0.45 (From above calculation)	
	I =	6.30 inches/hour, (
	A =	0.21 acres	
	Q =	0.5860 cfs (Max. release rate for proposed condition)	

Calculate Composite "c" of proposed development			
TOTAL	AREA =	0.2067 ACRE	
IMPERVIOUS	AREA =	0.0460 ACRE	"c" Value = 0.9
GRAVEL	AREA =	0.0000 ACRE	"c" Value = 0.85
PERVIOUS	AREA =	0.1607 ACRE	"c" Value = 0.45
COMPOSITE	"c" =	0.55	



DETENTION REQUIRED

(BASED City of Austin Data)

DURATION (HOURS)	I (IN/HR)	INFLOW (CFS)	STORED (CFS)	RESERVOIR (AC-FT)	
0.0833	5.7600	0.655	0.069	0.0005	MAX
0.2500	3.9200	0.446	-0.140	-0.0029	
0.5000	2.6400	0.3002	-0.2858	-0.0119	
1.0000	1.7200	0.196	-0.390	-0.0325	
2.0000	1.0800	0.123	-0.463	-0.0772	
3.0000	0.7773	0.088	-0.498	-0.1244	
6.0000	0.4450	0.051	-0.535	-0.2677	
12.0000	0.2550	0.029	-0.557	-0.5570	
24.0000	0.1430	0.016	-0.570	-1.1395	



6-5-22

New Residence, 2715 Longbow Trail
Release rate and detention calculation for the 10-Yr. Storm Event
Using the 2-Year release rate
5/28/2022

Calculate Composite "c" of Existing Area			
TOTAL	AREA =	0.2067 ACRE	
IMPERVIOUS	AREA =	0.0000 ACRE	"c" Value = 0.9
GRAVEL	AREA =	0.0000 ACRE	"c" Value = 0.85
PERVIOUS	AREA =	0.2067 ACRE	"c" Value = 0.45
COMPOSITE	"c" =	0.45	

Existing Release Rate from 2-Year Storm Event			
(See Exhibit of Existing Drainage Area for 'S' & 'Tc')			
Q = C * I * A			
	C =	0.45 (From above calculation)	
	I =	6.30 inches/hour, (
	A =	0.21 acres	
	Q =	0.5860 cfs (Max. release rate for proposed condition)	

Calculate Composite "c" of proposed development			
TOTAL	AREA =	0.2067 ACRE	
IMPERVIOUS	AREA =	0.0460 ACRE	"c" Value = 0.9
GRAVEL	AREA =	0.0000 ACRE	"c" Value = 0.85
PERVIOUS	AREA =	0.1607 ACRE	"c" Value = 0.45
COMPOSITE	"c" =	0.55	



DETENTION REQUIRED

(BASED City of Austin Data)

DURATION (HOURS)	I (IN/HR)	INFLOW (CFS)	STORED (CFS)	RESERVOIR (AC-FT)	
0.0833	8.5700	0.975	0.389	0.0027	MAX
0.2500	5.8800	0.669	0.083	0.0017	
0.5000	3.9600	0.4503	-0.1357	-0.0057	
1.0000	2.6800	0.305	-0.281	-0.0234	
2.0000	1.7100	0.194	-0.392	-0.0653	
3.0000	1.2400	0.141	-0.445	-0.1112	
6.0000	0.7020	0.080	-0.506	-0.2531	
12.0000	0.4010	0.046	-0.540	-0.5404	
24.0000	0.2540	0.029	-0.557	-1.1142	



6-5-22

New Residence, 2715 Longbow Trail
Release rate and detention calculation for the 25-Yr. Storm Event
Using the 2-Year release rate
5/28/2022

Calculate Composite "c" of Existing Area			
TOTAL	AREA =	0.2067 ACRE	
IMPERVIOUS	AREA =	0.0000 ACRE	"c" Value = 0.9
GRAVEL	AREA =	0.0000 ACRE	"c" Value = 0.85
PERVIOUS	AREA =	0.2067 ACRE	"c" Value = 0.45
COMPOSITE	"c" =	0.45	

Existing Release Rate from 2-Year Storm Event			
(See Exhibit of Existing Drainage Area for 'S' & 'Tc')			
$Q = C * I * A$			
	C =	0.45 (From above calculation)	
	I =	6.30 inches/hour, (
	A =	0.21 acres	
	Q =	0.5860 cfs (Max. release rate for proposed condition)	

Calculate Composite "c" of proposed development			
TOTAL	AREA =	0.2067 ACRE	
IMPERVIOUS	AREA =	0.0460 ACRE	"c" Value = 0.9
GRAVEL	AREA =	0.0000 ACRE	"c" Value = 0.85
PERVIOUS	AREA =	0.1607 ACRE	"c" Value = 0.45
COMPOSITE	"c" =	0.55	



6-5-22

DETENTION REQUIRED

(BASED City of Austin Data)

DURATION (HOURS)	I (IN/HR)	INFLOW (CFS)	STORED (CFS)	RESERVOIR (AC-FT)	
0.0833	10.1000	1.149	0.563	0.0039	
0.2500	7.0400	0.801	0.215	0.0045	MAX
0.5000	4.7200	0.5367	-0.0493	-0.0021	
1.0000	3.2800	0.373	-0.213	-0.0178	
2.0000	2.1000	0.239	-0.347	-0.0579	
3.0000	1.5200	0.173	-0.413	-0.1033	
6.0000	0.8570	0.097	-0.489	-0.2443	
12.0000	0.4920	0.056	-0.530	-0.5300	
24.0000	0.3180	0.036	-0.550	-1.0997	



6-5-22

New Residence, 2715 Longbow Trail
Release rate and detention calculation for the 100-Yr. Storm Event
Using the 2-Year release rate
5/28/2022

Calculate Composite "c" of Existing Area			
TOTAL	AREA =	0.2067 ACRE	
IMPERVIOUS	AREA =	0.0000 ACRE	"c" Value = 0.9
GRAVEL	AREA =	0.0000 ACRE	"c" Value = 0.85
PERVIOUS	AREA =	0.2067 ACRE	"c" Value = 0.45
COMPOSITE	"c" =	0.45	

Existing Release Rate from 2-Year Storm Event	
(See Exhibit of Existing Drainage Area for 'S' & 'Tc')	
$Q = C * I * A$	
C =	0.45 (From above calculation)
I =	6.30 inches/hour, (
A =	0.21 acres
Q =	0.5860 cfs (Max. release rate for proposed condition)

Calculate Composite "c" of proposed development			
TOTAL	AREA =	0.2067 ACRE	
IMPERVIOUS	AREA =	0.0460 ACRE	"c" Value = 0.9
GRAVEL	AREA =	0.0000 ACRE	"c" Value = 0.85
PERVIOUS	AREA =	0.1607 ACRE	"c" Value = 0.45
COMPOSITE	"c" =	0.55	



6-5-22

DETENTION REQUIRED

(BASED City of Austin Data)

DURATION (HOURS)	I (IN/HR)	INFLOW (CFS)	STORED (CFS)	RESERVOIR (AC-FT)	
0.0833	12.5000	1.421	0.835	0.0058	MAX
0.2500	6.0800	0.691	0.105	0.0022	
0.5000	2.4600	0.2797	-0.3063	-0.0128	
1.0000	4.3700	0.497	-0.089	-0.0074	
2.0000	2.8300	0.322	-0.264	-0.0440	
3.0000	2.0400	0.232	-0.354	-0.0885	
6.0000	1.1400	0.130	-0.456	-0.2282	
12.0000	0.8060	0.092	-0.494	-0.4943	
24.0000	0.5640	0.064	-0.522	-1.0437	



6-5-22

DRAINAGE AREA AND WATER QUALITY VOLUME DATA:

Drainage Area (DA)	<u>.21</u>	ac	
Drainage Area Impervious Cover (IC)	<u>22.5</u>	%	<u>.046</u> ac
Capture Depth (CD)	<u>12</u>	in	
Total Site Required Water Quality Volume (WQV=CD*DA*3630)	<u>9,147.6</u>	cf	

VEGETATIVE FILTER STRIP CALCULATIONS:

Drainage Area to Proposed Vegetative Filter Strip	<u>.095</u>	ac	
Impervious cover of area treated by Vegetative Filter Strip (Treated IC)	<u>.04</u>	ac	
Soil Type (Type A, B, C, Amended C, or Amended D)	<u>A/B</u>		
	<u>Required</u>		<u>Provided</u>
Size of Vegetative Filter Strip per ECM 1.6.7(B) - Table B-1	<u>.02</u>	ac	<u>.02</u> ac
Width of Vegetative Filter Strip (VFS _{width})			<u>17</u> ft
Hydraulic Loading Rate (HLR _{VFS} = Q _{peak} / VFS _{width})			<u>.004</u> cfs/ft

WATER QUALITY CREDIT:

Impervious Area Factor (IAF = Treated IC / IC)	<u>maximum 1.0</u>	<u>.84</u>	
Percent Infiltration Provided by VFS (I _{VFS}) per ECM 1.6.7.5(B) - Table B-2		<u>50</u>	%
BMP Design Factor (BMPDF)			
For HLR<0.05 cfs/ft: BMPDF = I _{VFS} / 65	<u>maximum 1.0</u>	<u>.76</u>	
For HLR>0.05 and <0.15 cfs/ft: BMPDF = (I _{VFS} / 65)*(0.05/HLR _{VFS})	<u>maximum 1.0</u>	<u>N/A</u>	
Water Quality Credit (WQC = IAF * BMPDF)	<u>maximum 1.0</u>	<u>.63</u>	
Water Quality Volume Reduction (WQV * WQC)		<u>5762</u>	cf



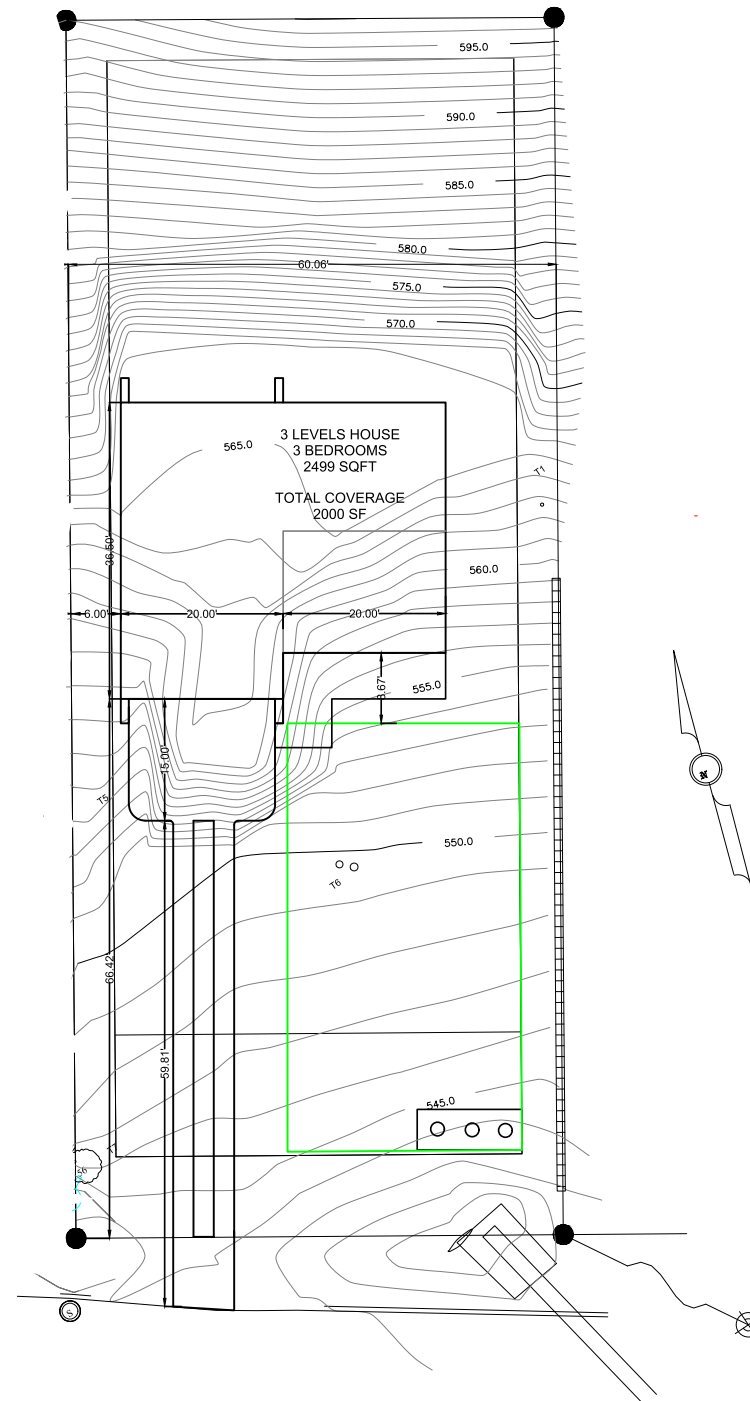
6-5-22



2715 LONG BOW TRAIL

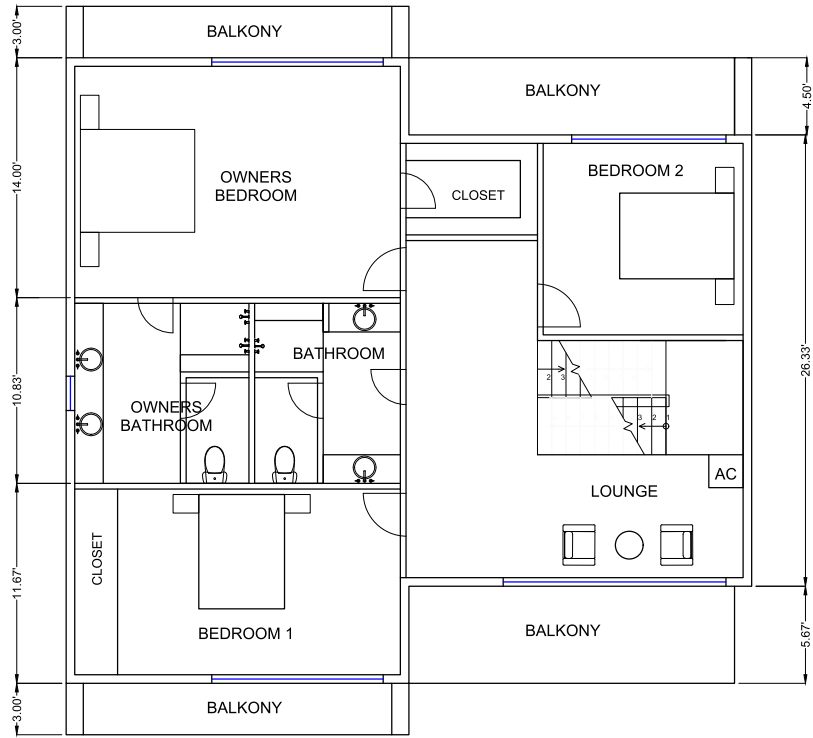
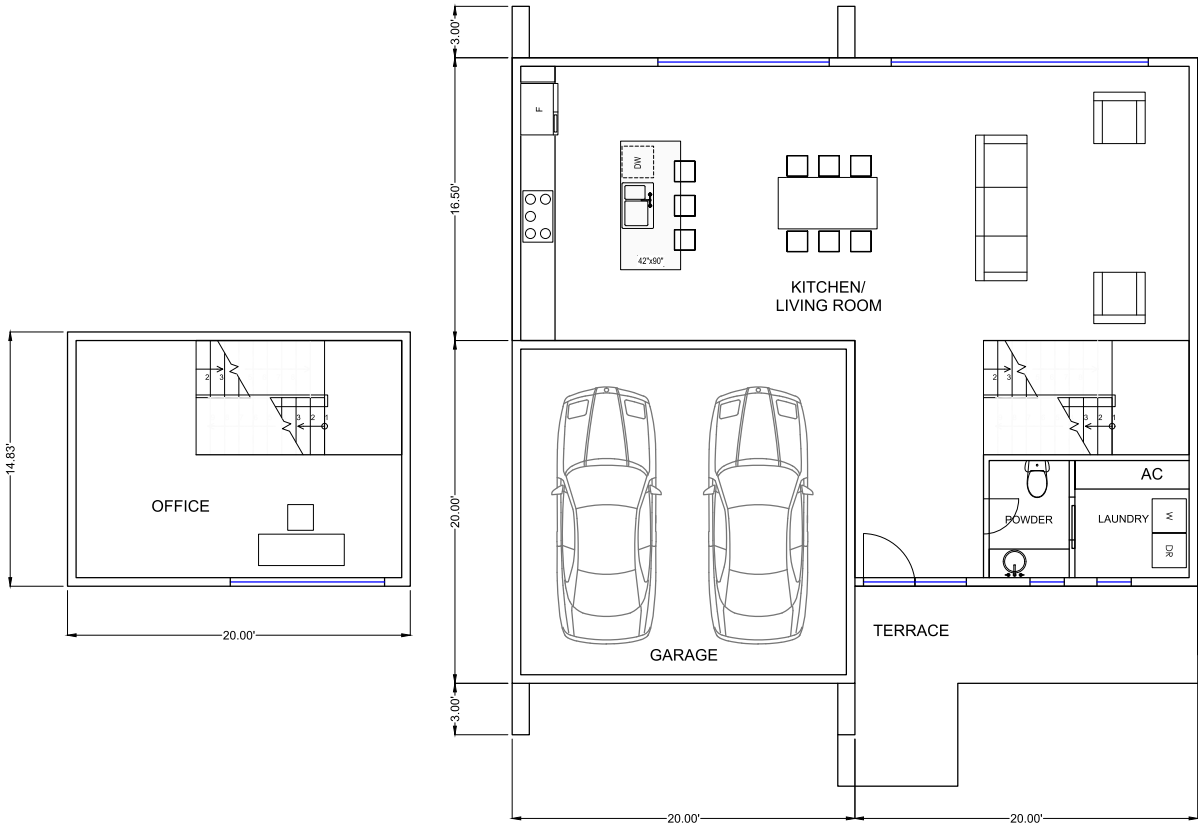
SITE PLAN

F-1/32-PRESENTATION



2715 FLOOR PLANS

HEATED AREA 2499 SF





VISUALISATIONS

F-1/35-PRESENTATION





+15122994069
artvillageus@gmail.com
www.artvillage.us
2202 Crazyhorse Pass,
Austin TX 78734



February 24, 2022

Mr. Jon Kaplan
C.P.B.D. - 44-752
ICC Combination Inspector - 9061592
Urban Building Services of Texas LLC
214 Sailors Run
Lakeway, TX 78734

Re: Lot 876
2715 Longbow Trail
Austin, TX 78734

Dear Mr. Kaplan,

This letter is in response to your request for a Tree Protection Plan for Lot 876 on Longbow Trail, TX 78734. I visited the site on February 22, 2022. I met with you to review the design plans and develop a tree condition report.

My report is attached. Please feel free to contact me regarding specification details or with any other questions.

Respectfully,

A handwritten signature in black ink that reads "Scott E. George". The signature is written in a cursive, flowing style.

Scott E. George
Austin Beautiful Trees - President
American Society of Consulting Arborists – Registered Consulting Arborist # 752
International Society of Arboriculture Certified Arborist TX #3996-A
Risk Assessment Qualified Arborist
Oak Wilt Risk Assessment Qualified Arborist
Wildfire Risk Assessment Qualified Arborist



Tree Condition Report - Lot 876
February 24, 2022

Prepared for: Jon Kaplan
Property Address: 2715 Long Bow Trail
Austin, Texas 78734

Tree: Live oak (*Quercus fusiformis*)
Location: northeast side of lot
Tree Tag Number: T2
DBH: 20.25"

I measured the tree at four feet six inches from the high side of the grade.
I did not observe obvious defects in the tree and consider the tree in good condition.

Tree: Live oak (*Quercus fusiformis*)
Location: Southeast side of lot
Tree Tag Number: T6
DBH: 23.5"/22.5" twin trunked and combined measurement of 34.75"

The tree is designated as a "Heritage" tree by the City of Austin (see Appendix A, Photo 1). Heritage trees are a group of protected trees measuring 24" and larger. I observed multiple obvious defects in the tree and determined that the subject tree was in "Fair" condition. The eastern (or right side) leader of the tree has a significant column of dead wood protruding from the living leader (see Appendix A, Photo 2). This old column of dead wood was "Imminent" for failure. I observed another large column of dead wood that emerged from the upper canopy of the left trunk. This upper leader with the dead column of wood was also "imminent" for failure (see Appendix A, Photo 3).

I also observed numerous large scaffold branches with significant decay pockets in both trunks (see Appendix A, Photos 4 and 5). Most of the defects I observed were "Probable" for failure within an eighteen-month time frame.

The mitigation option with the lowest residual risk is removal of the large columns of dead wood. It is my opinion that the scaffold branches with the most significant decay pockets also need to be partially removed back to healthier sections of wood. I estimated that this could require pruning approximately fifty percent of the existing tree canopy and perhaps more. This would require a permit from the City of Austin and would exceed industry and municipal standards for pruning in a single year. Tree health



could be compromised by the scope of pruning required to reduce the likelihood of large branch failures.

I observed that the remaining surveyed trees on Lot 876 were not of protected size. Please feel to contact me with questions regarding this report.

Respectfully,

A handwritten signature in black ink that reads "Scott E. George". The signature is written in a cursive, flowing style.

Scott E. George
Austin Beautiful Trees - President
American Society of Consulting Arborists – Registered Consulting Arborist # 752
International Society of Arboriculture Certified Arborist TX #3996-A
Risk Assessment Qualified Arborist
Oak Wilt Risk Assessment Qualified Arborist
Wildfire Risk Assessment Qualified ArboristMember



Appendix A - Photos

Photo 1 - Live oak (*Quercus fusiformis*)

Location: Southeast side of lot

Tree Tag Number: T6

DBH: 23.5"/22.5" twin trunked and combined measurement of 34.75"

Note: General overview picture





Appendix A - Photos

Photo 2 - Live oak (*Quercus fusiformis*)

Location: Southeast side of lot

Tree Tag Number: T6

DBH: 23.5"/22.5" twin trunked and combined measurement of 34.75"

Note: The eastern (or right side) leader of the tree has a significant column of dead wood protruding from the living leader. This old column of dead wood was "Imminent" for failure.





Appendix A - Photos

Photo 3 - Live oak (*Quercus fusiformis*)

Location: Southeast side of lot

Tree Tag Number: T6

DBH: 23.5"/22.5" twin trunked and combined measurement of 34.75"

Note: Another large column of dead wood that emerged from the upper canopy of the left trunk. This upper leader with the dead column of wood was also "imminent" for failure.





Appendix A - Photos

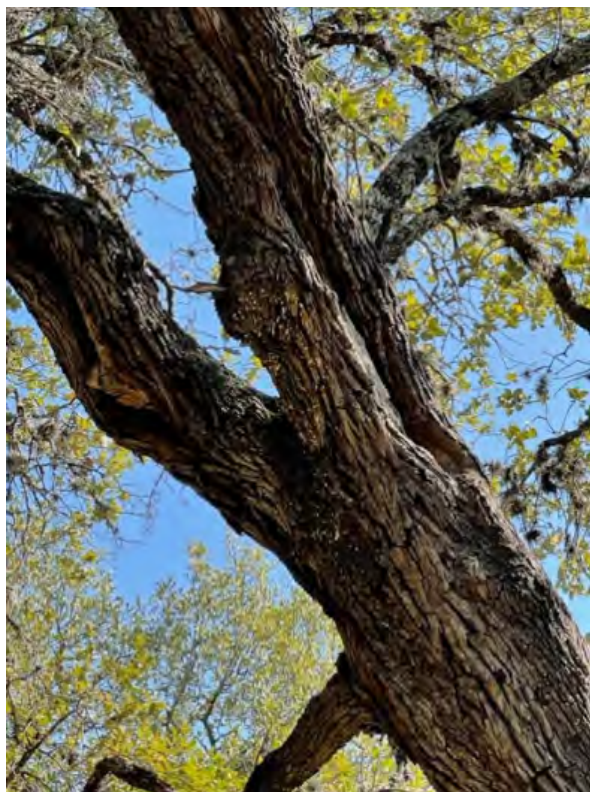
Photo 4 and 5 - Live oak (*Quercus fusiformis*)

Location: Southeast side of lot

Tree Tag Number: T6

DBH: 23.5"/22.5" twin trunked and combined measurement of 34.75"

Note: Numerous large scaffold branches with significant decay pockets in both trunks. Most of the defects I observed were "Probable" for failure within an eighteen-month time frame.





Appendix B - Assumptions and Limiting Conditions

1. Loss or alteration of any part of this report invalidates the entire report.
2. The report and the opinions expressed herein represent the professional opinion of the author. The fee generated from this report is not contingent upon any prior or future outcome or subsequent event. Any future work done by this author related to this tree or other trees of the client shall be billed separately from this work.
3. Possession of this report or a copy, therefore, does not imply the right of publication or use for any purpose by any other than the person to whom it is addressed, without the prior, expressed written or verbal consent of the author.
4. The author does not have any financial or business associations with any commercial arborist. Any future work done by a commercial arborist shall be performed via a separate contract between the client and the arborist.
5. Care has been taken to obtain information from reliable sources. The author cannot guarantee accuracy nor be responsible for the information provided by others.
6. Unless otherwise specified, the information contained in this report covers only those items that were examined and reflects the condition of those items at the time of inspection. The inspection is limited as stated in the text of this report. There is no warranty or guarantee that problems or deficiencies of the tree in question will not arise in the future.
7. The author and Austin Beautiful Trees cannot guarantee the health or safety of any tree, regardless of any examination given or care treatments recommended and/or employed. Even with the best of care, trees sometimes die and/or branches fail. Therefore, the author and Austin Beautiful Trees make no such guarantees and are at no fault if such occurs.
8. The author shall not be required to give testimony or attend court by reason of this report unless subsequent contractual arrangements are made, including payment of an additional fee for such services as described in a subsequent contract for services.



Appendix C - Certificate of Performance

- I, Scott George, certify that:
- I have personally inspected the subject trees of this report and I have stated my findings accurately;
- That the analysis, opinions, and conclusion stated herein are my own;
- That my analysis, opinions, and conclusions were developed and this report has been prepared according to commonly accepted arboricultural practices and standards;
- That no one provided significant professional assistance to the author, unless specified herein;
- That my compensation is not dependent upon the reporting of a predetermined conclusion or opinion that favors my cause, my client, or any other party;
- I have no current or prospective interest in the tree or the property that is the subject of this report and have no personal interest or bias with respect to the party(ies) involved.

I further certify that I am a member in good standing of the American Society of Consulting Arborists (ASCA) and the International Society of Arboriculture (ISA).

A handwritten signature in black ink that reads "Scott E. George". The signature is written in a cursive, flowing style.

Scott E. George
February 24, 2022



February 24, 2022

Mr. Jon Kaplan
C.P.B.D. - 44-752
ICC Combination Inspector - 9061592
Urban Building Services of Texas LLC
214 Sailors Run
Lakeway, TX 78734

Re: Lot 877
2717 Long Bow Trail
Austin, TX 78734

Dear Mr. Kaplan,

This letter is in response to your request for a Tree Protection Plan for Lot 877 on Longbow Trail, TX 78734. I visited the site on February 22, 2022. I met with you to review the design plans and develop a tree condition report.

My report is attached. Please feel free to contact me regarding specification details or with any other questions.

Respectfully,

A handwritten signature in black ink that reads "Scott E. George". The signature is written in a cursive, flowing style.

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Austin Beautiful Trees - President
American Society of Consulting Arborists – Registered Consulting Arborist # 752
International Society of Arboriculture Certified Arborist TX #3996-A
Risk Assessment Qualified Arborist
Oak Wilt Risk Assessment Qualified Arborist
Wildfire Risk Assessment Qualified Arborist



Tree Condition Report - Lot 877
February 24, 2022

Prepared for: Jon Kaplan
Property Address: 2717 Long Bow Trail
Austin, Texas 78734

Tree: Live oak (*Quercus fusiformis*)
Location: southwest side of lot closest to Long Bow Trail
Tree Tag Number: T13
DBH: 21"

I did not observe obvious defects in the tree and consider the tree in good condition.

Tree: Live oak (*Quercus fusiformis*)
Location: east side of lot
Tree Tag Number: T23
DBH: 14"

Live oak number T23 is indicated as a single twin trunked tree, and the survey shows that each trunk measured 15." When I reviewed live oak number T23, I did not observe that the trees shared any common tissue, included bark, or juncture above grade. I performed minor excavation to the area between the trees, and still did not observe any common tissue (see Appendix A, Photos 1, 2, and 3). I measured each of these individual trees as 14" dbh and as such, they are not of protected size.

Tree: Live oak (*Quercus fusiformis*)
Location: east side of lot
Tree Tag Number: T24
DBH: 21"

I observed a decay column in the trunk and basal area of the tree and a fungal fruiting body ordinarily associated with heartwood decay (see Appendix A, Photo 4). The tree has numerous long branches and poor form. The overall condition of this tree is fair to poor.

Tree: Live oak (*Quercus fusiformis*)
Location: northeast side of lot
Tree Tag Number: T25
DBH: 20.75" measured from the high side of grade surrounding the tree



I observed several co-dominant branch junctures in this tree, and in general, the tree had fair form (see Appendix A, Photos 5 and 6). While I observed several leaning and over-extended branches, the canopy appeared to be evenly distributed (see Appendix A, Photo 7). The overall condition of the tree was good. Proper pruning can begin to correct form issues and should be within the protection limits of no more than 25% removed in a calendar year.

I observed that the remaining surveyed trees on Lot 877 were not of protected size.

Please feel to contact me with questions regarding this report.

Respectfully,

A handwritten signature in dark ink, reading "Scott E. George". The signature is written in a cursive, flowing style.

Scott E. George
Austin Beautiful Trees - President
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Risk Assessment Qualified Arborist
Oak Wilt Risk Assessment Qualified Arborist
Wildfire Risk Assessment Qualified ArboristMember



Appendix A - Photos

Photos 1-3 - Live oak (*Quercus fusiformis*)

Location: east side of lot

Tree Tag Number: T23

DBH: 14"

Note: Live oak number T23 is indicated as a single twin trunked tree, and the survey shows that each trunk measured 15." When I reviewed live oak number T23, I did not observe that the trees shared any common tissue, included bark, or juncture above grade. I performed minor excavation to the area between the trees, and still did not observe any common tissue. I measured each of these individual trees as 14" dbh and as such, they are not of protected size.





Appendix A - Photos

Photo 4 - Live oak (*Quercus fusiformis*)

Location: east side of lot

Tree Tag Number: T24

DBH: 21"

Note: Decay column in the trunk and basal area of the tree and a fungal fruiting body ordinarily associated with heartwood decay. The tree has numerous long branches and poor form. The overall condition of this tree is fair to poor.





Appendix A - Photos

Photos 5-6 - Live oak (*Quercus fusiformis*)

Location: northeast side of lot

Tree Tag Number: T25

DBH: 20.75" measured from the high side of grade surrounding the tree

Note: I observed several co-dominant branch junctures in this tree, and in general, the tree had fair form.





Appendix A - Photos

Photo 7 - Live oak (*Quercus fusiformis*)

Location: northeast side of lot

Tree Tag Number: T25

DBH: 20.75" measured from the high side of grade surrounding the tree

Note: While I observed several leaning and over-extended branches, the canopy appeared to be evenly distributed. The overall condition of the tree was good. Proper pruning can begin to correct form issues and should be within the protection limits of no more than 25% removed in a calendar year.





Appendix B - Assumptions and Limiting Conditions

1. Loss or alteration of any part of this report invalidates the entire report.
2. The report and the opinions expressed herein represent the professional opinion of the author. The fee generated from this report is not contingent upon any prior or future outcome or subsequent event. Any future work done by this author related to this tree or other trees of the client shall be billed separately from this work.
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4. The author does not have any financial or business associations with any commercial arborist. Any future work done by a commercial arborist shall be performed via a separate contract between the client and the arborist.
5. Care has been taken to obtain information from reliable sources. The author cannot guarantee accuracy nor be responsible for the information provided by others.
6. Unless otherwise specified, the information contained in this report covers only those items that were examined and reflects the condition of those items at the time of inspection. The inspection is limited as stated in the text of this report. There is no warranty or guarantee that problems or deficiencies of the tree in question will not arise in the future.
7. The author and Austin Beautiful Trees cannot guarantee the health or safety of any tree, regardless of any examination given or care treatments recommended and/or employed. Even with the best of care, trees sometimes die and/or branches fail. Therefore, the author and Austin Beautiful Trees make no such guarantees and are at no fault if such occurs.
8. The author shall not be required to give testimony or attend court by reason of this report unless subsequent contractual arrangements are made, including payment of an additional fee for such services as described in a subsequent contract for services.



Appendix C - Certificate of Performance

- I, Scott George, certify that:
- I have personally inspected the subject trees of this report and I have stated my findings accurately;
- That the analysis, opinions, and conclusion stated herein are my own;
- That my analysis, opinions, and conclusions were developed and this report has been prepared according to commonly accepted arboricultural practices and standards;
- That no one provided significant professional assistance to the author, unless specified herein;
- That my compensation is not dependent upon the reporting of a predetermined conclusion or opinion that favors my cause, my client, or any other party;
- I have no current or prospective interest in the tree or the property that is the subject of this report and have no personal interest or bias with respect to the party(ies) involved.

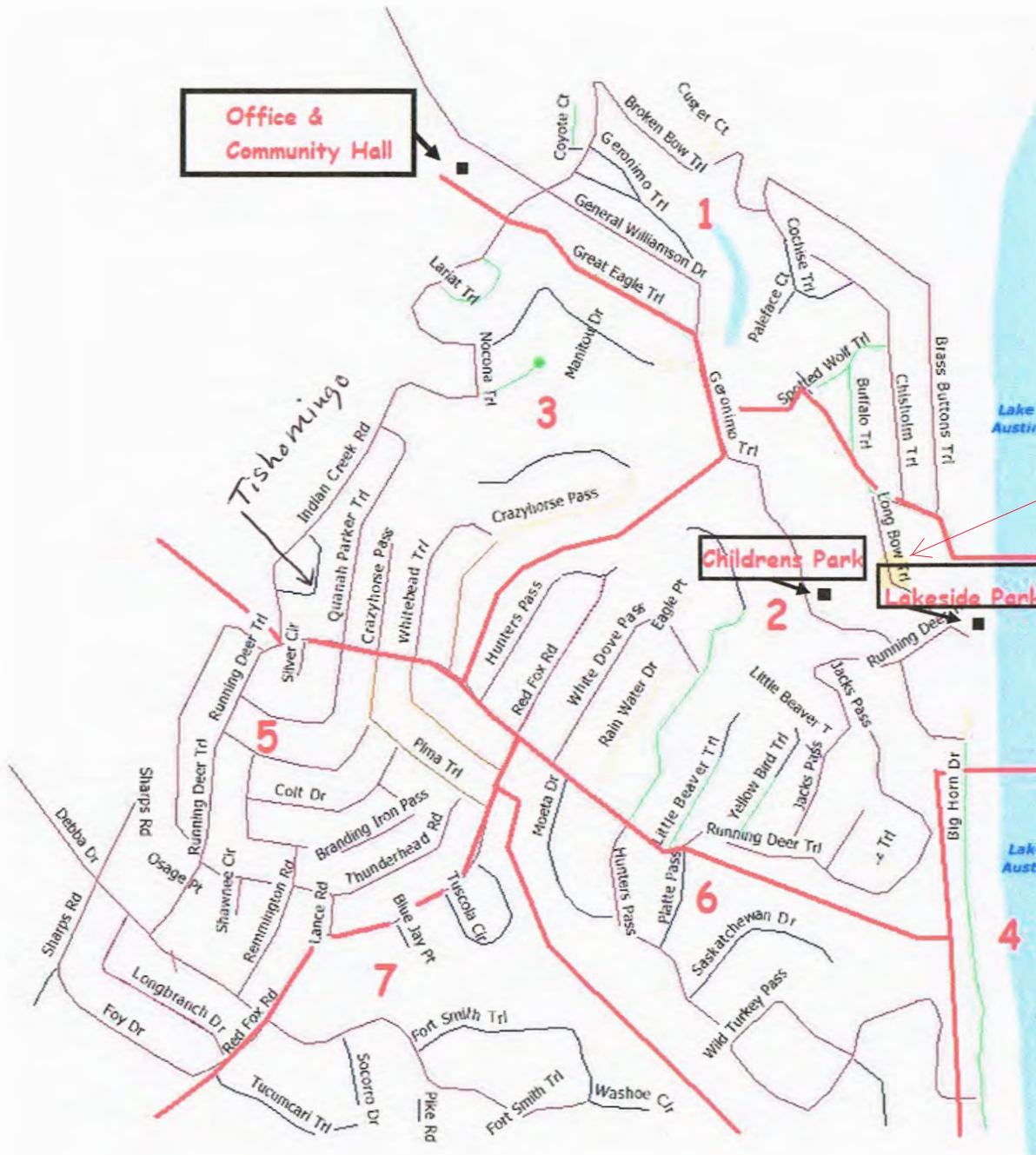
I further certify that I am a member in good standing of the American Society of Consulting Arborists (ASCA) and the International Society of Arboriculture (ISA).

A handwritten signature in black ink that reads "Scott E. George". The signature is written in a cursive, flowing style.

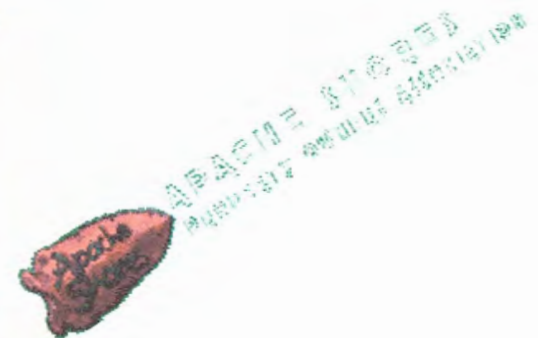
Scott E. George
February 24, 2022

F-1/55-PRESENTATION

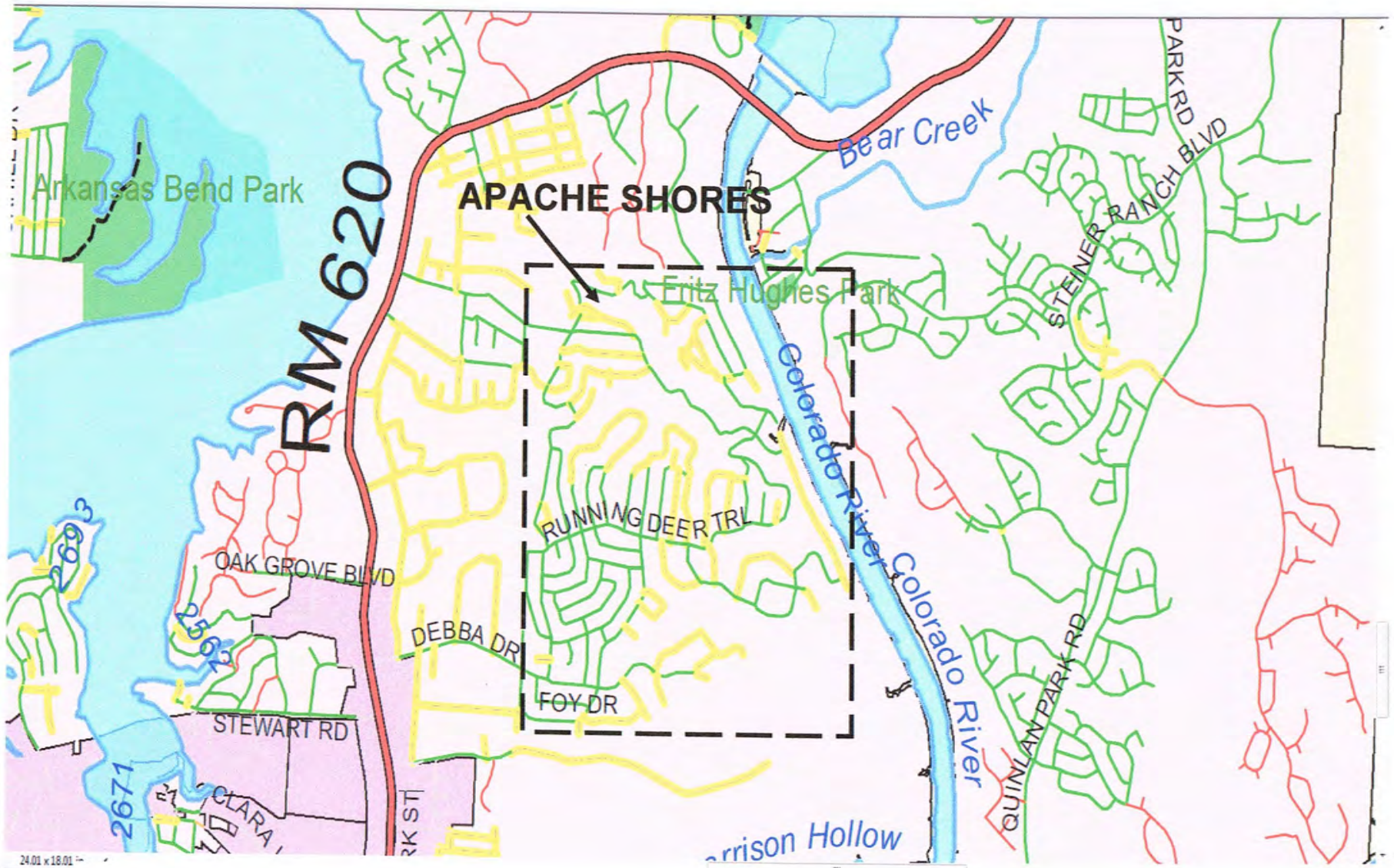
Apache Shores Sections 1 through 7



Lot Location



Roads in GREEN are maintained by Travis County



DECLARATION OF RESTRICTIONS FOR
APACHE SHORES, SECTION 2
TRAVIS COUNTY, TEXAS

23-2467 5⁰⁰

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

THAT APACHE SHORES, INC., as owner of all of the lots in APACHE SHORES, Section 2, a subdivision in Travis County, Texas, according to the map or plat thereof filed for record in Plat Book 48, Page 58, of the Plat Records of Travis County, Texas, does hereby declare that the above Section or Installment in the above subdivision shall from and after the date of this instrument be subject to the covenants, conditions, easements, restrictions and reservations hereinafter set out, as follows, to-wit:

1. Lots 852 and 899 shall not be subject to any of the hereinafter covenants, conditions, easements, restrictions or reservations. All of the rest of the lots are subject to the following, to-wit:

2. Not more than one single family dwelling may be erected or constructed on any one lot, nor more than one other building for garage or storage purposes and provided further that no building shall be erected prior to the erection of a dwelling house. No accessory or temporary building shall be used or occupied as living quarters. No building shall be constructed or erected on any lot unless built of solid or permanent material. Wood exteriors shall be stained or painted with at least two coats of stain or paint. No structure shall have tar paper, roll brick siding or similar material on the outside walls. No house trailers, tents, shacks or other similar structures shall be erected, moved to, or placed upon any lot. All buildings must be completed within six (6) months from the date construction commences.

3. No residence shall have less than 650 square feet of living space on the ground or first floor, exclusive of porch area. All building plans are subject to approval of APACHE SHORES, INC., or its assigns. No porch or other projection of any building shall extend nearer than 10 feet from any road right-of-way, nor nearer than 5 feet from the property line of any abutting property owner, nor within 30 feet from the normal high water line of Lake Austin, without the written permission of APACHE SHORES, INC., its successors or assigns.

4. No noxious or offensive trade or activity shall be permitted on any lot, nor shall anything be done thereon which shall be or become an annoyance or nuisance to the neighborhood. No animals or fowl shall be kept or maintained on said lots except customary household pets. No signs of any kind shall be displayed on any lot without the written permission of APACHE SHORES, INC., or its successors or assigns. No septic tanks shall be installed on any lot without prior approval of all appropriate governmental authorities. Further, all lots abutting Lake Austin shall be subject to the terms and restrictions set out on the recorded plat with regard to septic and sewer systems.

5. No boat docks, floats, or other structures shall be constructed or placed into or on Lake Austin without having first complied with all the rules and regulations of the City of Austin, Texas, and/or the Lower Colorado River Authority, but in no event shall such structures extend into the Lake from the property line more than 20 feet.

6. APACHE SHORES, INC., for itself, its successors, assigns and licensees reserves a 10 foot wide easement along the road rights-of-way, a 6 foot wide easement along the rear line, and a 5 foot wide easement along the side line of each and every lot for the purpose of installing, operating and maintaining the utility lines and mains thereon, together with a right to trim and/or cut or remove any trees and/or brush and the right to locate guy wires, braces and anchors wherever for said installation,

operation or maintenance; together with the right to install, operate and maintain gas and water mains and appurtenances thereto; sewer lines, culverts and drainage ditches, reserving also the right of ingress and egress to such areas for any other purposes mentioned above; excepting, however, where an owner of two or more adjoining lots constructs a building which will cross over or through a common lot line, said common lot line shall not be subjected to the aforementioned side lot line easements. APACHE SHORES, INC., for itself, its successors, assigns and licensees also reserves the right to cause or permit drainage of surface waters over and /or through said lots. The owners of said lots shall have no cause of action against APACHE SHORES, INC., its successors, assigns or licensees either at law or in equity excepting in the case of willful negligence, by reason of any damage caused to said lots or improvements thereon in installing, operation or maintaining the above mentioned installations.

7. No dwelling shall be placed or erected on any tract of land or re-subdivided lots smaller than the lots as subdivided and shown on the recorded plat.

8. No oil drilling, oil development operations, oil refining, quarrying or mining operations of any kind shall be permitted upon or in any lot, nor shall oil wells, tanks, tunnels, mineral excavations or shafts be permitted upon or in any lot. No derrick or other structure designed for use in boring for oil or natural gas shall be erected, maintained or permitted on any lot.

9. No lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage or other waste shall not be kept except in sanitary containers. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition.

10. No individual water supply system shall be permitted on any lot. All water must be furnished by APACHE SHORES UTILITY CORP., its successors or assigns.

11. These restrictions shall be considered as covenants running with the land, and shall bind the purchasers, their heirs, executors, administrators, and assigns, and if said owners, their heirs, executors, successors or assigns shall violate or attempt to violate any of the covenants or restrictions herein contained, it shall be lawful for any person or persons owning any such lots in the Subdivision to prosecute any proceeding at law or in equity against the person or persons violating or attempting to violate any such covenants or restrictions and either to prevent him or them from doing so by appropriate injunctive relief, or to recover damages for such occurrence. Further, APACHE SHORES Property Owner's Association, Inc., may in its name enforce these restrictions by any proceeding at law or in equity. These restrictions shall be in force and effect for a period of twenty-five (25) years from the date of the execution hereof, after which time said covenants and restrictions shall be automatically extended for successive periods of ten (10) years unless an instrument signed by a majority of the then owners of the lots has been recorded, agreeing to change said covenants and restrictions in whole or in part.

12. Invalidiation of any one or more of these covenants and restrictions by judgment or court order shall in no wise affect any of the other provisions or restrictions which on the other hand shall remain in full force and effect.

13. Each lot owner in APACHE SHORES, SECTION 2 shall be subject to an annual maintenance fee charge of \$35.00, which each lot owner agrees to pay to APACHE SHORES Property Owner's Association, Inc., its successors and assigns, annually on the first day of March commencing in the year following the date of the purchase of a lot by an owner. To secure the payment of said maintenance fee APACHE SHORES Property Owners's Association, Inc., is hereby granted a lien upon each lot to secure the payment thereof. APACHE SHORES, INC., its successors and assigns, does hereby reserve a lien against each lot in APACHE SHORES, Section 2, to secure the

prompt payment of the water assessments imposed upon each lot at the time water is made available to each lot, which assessment is in the amount of \$3.00 per running foot, with a minimum assessment of \$180.00.

EXECUTED this 19th day of November, 1969.

ATTEST:

APACHE SHORES, INC.

Linda Lively
Assistant Secretary

BY: *John M. Pennington*
Vice President

THE STATE OF TEXAS X

COUNTY OF HARRIS X

BEFORE ME, the undersigned, on this day personally appeared JOHN M. PENNINGTON, Vice President of APACHE SHORES, INC., known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 19th day of November, A.D., 1969.

Joe B. [Signature]
Notary Public in and for
Harris County, Texas

(NOTARY SEAL)

STATE OF TEXAS COUNTY OF TRAVIS
I hereby certify that this instrument was FILED on the
date and at the time stamped hereon by me; and was duly
RECORDED, in the Volume and Page of the named RECORDS
of Travis County, Texas, as stamped hereon by me, on

NOV 25 1969



Emilie Loringburg
COUNTY CLERK
TRAVIS COUNTY, TEXAS

FILED
NOV 24 8 00 AM '69
Travis County, Texas
COUNTY CLERK

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