

## **ZONING CHANGE REVIEW SHEET**

CASE: C14-2023-0154 (Randy Road – Hyman) DISTRICT: 6

ADDRESS: 11401 Randy Road

ZONING FROM: DR

TO: SF-3-CO\*

\*The applicant submitted a letter on January 17, 2024, amending their request from SF-3 to SF-3-CO to add a conditional overlay to prohibit two-family residential and duplex uses on the property (*please see Applicant's Amendment Letter - Exhibit C*).

SITE AREA: 1.48 acres

PROPERTY OWNER: Eric and Laurie Hyman

AGENT: Land Answers, Inc. (Jim Wittliff)

CASE MANAGER: Sherri Sirwaitis (512-974-3057, [sherri.sirwaitis@austintexas.gov](mailto:sherri.sirwaitis@austintexas.gov))

STAFF RECOMMENDATION:

**The staff's recommendation is to grant SF-3-CO, Family Residence-Conditional Overlay Combining District, zoning. The conditional overlay will prohibit two-family residential and duplex residential uses on the property.**

ZONING AND PLATTING COMMISSION RECOMMENDATION:

**March 5, 2024**

CITY COUNCIL ACTION:

ORDINANCE NUMBER:

ISSUES: N/A

CASE MANAGER COMMENTS:

The property in question is currently developed with a single-family residence, with a separate garage structure. There are single-family residences to the north, south, east and west. The applicant has stated that the primary reason that they are requesting SF-3 zoning is to comply with the city's impervious cover limit of 45%. The applicant's intent is to replace the existing garage with a new garage that is connected to the main house with a breezeway. Above the garage will be a guest house to be used primarily by the property owner's adult children.

The staff recommends SF-3-CO, Family Residence-Conditional Overlay Combining District, zoning at this location. The property meets the intent of the SF-3 zoning district and it is surrounded by existing single-family residential uses and will maintain single-family neighborhood characteristics. The lot under consideration is 1.48 acres and currently does not meet the minimum lot size requirements for the existing DR zoning of 10 acres. The applicant's request for SF-3 zoning will bring the lot into conformance with site development standards regarding lot size and impervious cover. Neighbors that own property within this subdivision have notified the staff that there is a deed restriction that limits these lots to one single-family residence (*please see Anderson Mill Oaks Deed Restriction - Exhibit D*). The applicant has stated that they are aware of the deed restriction which states that there will be no detached garages and only one residence per property.

The applicant agrees with the staff's recommendation.

BASIS OF RECOMMENDATION:

1. *The proposed zoning should be consistent with the purpose statement of the district sought.*

Family Residence district is intended as an area for moderate density single-family residential use, with a minimum lot size of 5,750 square feet. Duplex use is permitted under development standards which maintain single-family neighborhood characteristics. This district is appropriate for existing single-family neighborhoods having typically moderate sized lot patterns, as well as for development of additional family housing areas with minimum land requirements.

2. *The proposed zoning should promote consistency and orderly planning.*

The property in question is surrounded by existing single-family residential uses within a platted residential subdivision.

3. *The proposed zoning should allow for a reasonable use of the property.*

The proposed SF-3-CO zoning will permit the applicant to bring the property into compliance with site development standards regarding minimum lot size and maximum impervious cover.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	DR	Single-Family Residence
<i>North</i>	DR	Single-Family Residence
<i>South</i>	DR	Single-Family Residence
<i>East</i>	DR	Single-Family Residence
<i>West</i>	DR	Single-Family Residence

NEIGHBORHOOD PLANNING AREA: N/A

WATERSHED: Bull Creek Watershed

NEIGHBORHOOD ORGANIZATIONS:

2222 Coalition of Neighborhood Associations, Inc.  
 Austin Lost and Found Pets  
 Bull Creek Foundation  
 Canyon Creek H.O.A.  
 Friends of Austin Neighborhoods  
 Long Canyon Homeowners Assn.  
 Long Canyon Phase II & III Homeowners Assn Inc.  
 Mountain Neighborhood Association (MNA)  
 Neighborhood Empowerment Foundation  
 SELTexas  
 Sierra Club, Austin Regional Group  
 TNR BCP - Travis County Natural Resources

SCHOOLS: Round Rock I.S.D.

Spicewood Elementary School  
 Canyon Vista Middle School  
 Westwood High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2019-0113 (11408 Antler Lane)	DR to SF-1	10/01/19: Approved staff's recommendation of SF-1 zoning by consent (10-0); H. Smith-1 <sup>st</sup> and N. Barrera-Ramirez-2 <sup>nd</sup> .	10/31/19: The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20191031-041 for single-family residence-large lot (SF-1) district zoning was approved on Council Member Tovo, s motion, Council Member Renteria's second on a 10-0 vote. Council Member Casar was off the dais.
C14-2009-0097 (11505 Anderson Mill Road Rezone)	DR to LR	02/02/10: Approved LR-CO zoning by consent (7-0); D. Tiemann-1 <sup>st</sup> , S. Baldrige-2 <sup>nd</sup> , with the following conditions from the applicant's agreement with the neighborhood: 1) Limit the site the 1,333 vehicle trips per day; 2) Prohibit the following uses on the site: Consumer Convenience Services, Restaurant (Limited), Service Station; College and University Facility Facilities, Day Care Services (Commercial), Day Care Services (General), Day Care Services (Limited), Private Primary Educational Facilities, Private Secondary Educational Facilities, Public Primary Educational Facilities, Public Secondary Educational Facilities, Safety Services, Group Home, Class I (General), Group Home, Class II, Drive-In Services; 3) Prohibit buildings greater than 1-story to be located within 75 feet of the eastern property line; 4) Restrict the Food Sales, General Retail Sales (Convenience) and General Retail Sales (General) uses to hours of operation from 7:00 a.m. to 8:00 p.m. and limit these uses to ground/1st floor	2/11/10: Approved LR-CO district zoning on consent (6-0, Cole-off dais); Spelman-1 <sup>st</sup> , Morrison-2 <sup>nd</sup>



		occupancy within a structure on the site.	
C14-2009-0038	DR to LR (On May 8, 2009, the agent for this case sent the staff an e-mail amending the requested zoning from GR to LR)	5/19/09: Approved staff's recommendation of LR-CO zoning with conditions by consent (7-0); K. Jackson-1 <sup>st</sup> , T. Rabago-2 <sup>nd</sup> .	6/11/08: Approved LR-CO with conditions on all 3 readings (6-0, Cole-absent); B. McCracken-1 <sup>st</sup> , L. Morrison-2 <sup>nd</sup> .
C14-04-0028	GR-CO to CS	3/16/04: Approved staff's recommendation of CS zoning by consent (8-0, K. Jackson-absent); J. Martinez-1 <sup>st</sup> , J. Gohil-2 <sup>nd</sup> .	4/15/04: Approved ZAP recommendation of CS zoning (7-0); 1 <sup>st</sup> reading  4/22/04: Approved CS zoning (6-0), McCracken-off dais); 2 <sup>nd</sup> /3 <sup>rd</sup> readings
C14-04-0027	GR-CO to CS-1	3/16/04: Approved staff's recommendation of CS-1 zoning by consent (8-0, K. Jackson-absent); J. Martinez-1 <sup>st</sup> , J. Gohil-2 <sup>nd</sup> .  5/4/04: Approved staff's recommendation of CS-1 zoning by consent (5-0, J. Martinez, J. Pinnelli, C. Hammond-absent); J. Gohil-1 <sup>st</sup> , J. Donisi-2 <sup>nd</sup> .	4/15/04: Pulled off agenda. Case re-noticed and sent back to ZAP Commission.  6/10/04: Granted CS-1 (7-0); all 3 readings
C14-03-0111	DR to GR-CO	8/26/03: Approved staff's recommendation of GR-CO zoning by consent (8-0, K. Jackson-absent)	9/25/03: Approved GR-CO & RC-for TIA recommendations (7-0); all 3 readings
C14-02-0041	SF-2, DR to GR	11/19/02: Approved staff's recommendation of GR-CO zoning with conditions of: <ul style="list-style-type: none"> <li>• 300' (depth) x 400' parallel to FM 620, will have 'LR' uses only (Tract 2);</li> <li>• conditions set out by staff in the T.I.A.;</li> <li>• No Pawn Shop Services;</li> <li>• No Adult Oriented Businesses;</li> <li>• No Automotive Uses</li> </ul> (Vote: 7-0, A. Adams-absent)	1/30/03: Granted GR-CO on 1 <sup>st</sup> reading (7-0)  3/6/03: Approved (7-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings
C14-95-0167	SF-2 to MF-2	Approved GR-CO, LO-CO, and LR-CO w/ conditions (8-0)	Approved GR-CO, LO-CO, & LR-CO subject to conditions

			(5-0); 1 <sup>st</sup> reading  Approved GR-CO (SW area); LO-CO (NE 300'); LR-CO (NW 300') (7-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings
C14-94-0124	DR to SF-2	Approved SF-2-CO w/ conditions (9-0)	Approved SF-2-CO w/ conditions (5-0); 1 <sup>st</sup> reading  Approved SF-2-CO (5-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings
C14-93-0032	SF-2, DR to GR	Approved GR-CO as recommended	Approved GR-CO w/ conditions (5-0), 1 <sup>st</sup> reading  Approved GR-CO (7-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings

RELATED CASES:

Subdivision: Lot 10, Anderson Mill Oaks Addition, a subdivision in Travis County, according to the Map or Plat thereof recorded in Volume 16, Page 96, Plat Records of Travis County, Texas.

OTHER STAFF COMMENTS:Comprehensive Planning

**Project Name and Proposed Use:** 11401 RANDY ROAD. C14-2023-0154. Project: Randy Road – Hyman. 1.48 acres from DR to SF-3. Existing: Single Family Residence. Proposed: Single Family Residence.

Yes	Imagine Austin Decision Guidelines
	<b>Complete Community Measures *</b>
	<b>Imagine Austin Growth Concept Map:</b> Located within or adjacent to an Imagine Austin Activity Center, Imagine Austin Activity Corridor, or Imagine Austin Job Center as identified the Growth Concept Map. <b>Names of Activity Centers/Activity Corridors/Job Centers *:</b>
	<b>Mobility and Public Transit *:</b> Located within 0.25 miles of public transit stop and/or light rail station.
	<b>Mobility and Bike/Ped Access *:</b> Adjoins a public sidewalk, shared path, and/or bike lane.
Y	<b>Connectivity, Good and Services, Employment *:</b> Provides or is located within 0.50 miles to goods and services, and/or employment center.
	<b>Connectivity and Food Access *:</b> Provides or is located within 0.50 miles of a grocery store/farmers market.
	<b>Connectivity and Education *:</b> Located within 0.50 miles from a public school or university.
	<b>Connectivity and Healthy Living *:</b> Provides or is located within 0.50 miles from a recreation area, park or walking trail.
	<b>Connectivity and Health *:</b> Provides or is located within 0.50 miles of health facility (ex: hospital, urgent care, doctor's office, drugstore clinic, and/or specialized outpatient care.)
	<b>Housing Choice *:</b> Expands the number of units and housing choice that suits a variety of household sizes, incomes, and lifestyle needs of a diverse population (ex: apartments, triplex, granny flat, live/work units, cottage homes, and townhomes) in support of Imagine Austin and the Strategic Housing Blueprint.
	<b>Housing Affordability *:</b> Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable housing.
	<b>Mixed use *:</b> Provides a mix of residential and non-industrial uses.
	<b>Culture and Creative Economy *:</b> Provides or is located within 0.50 miles of a cultural resource (ex: library, theater, museum, cultural center).
	<b>Culture and Historic Preservation:</b> Preserves or enhances a historically and/or culturally significant site.
	<b>Creative Economy:</b> Expands Austin's creative economy (ex: live music venue, art studio, film, digital, theater.)
	<b>Workforce Development, the Economy and Education:</b> Expands the economic base by creating permanent jobs, especially in industries that are currently not represented in a particular area or that promotes a new technology, and/or promotes educational opportunities and workforce development training.
	<b>Industrial Land:</b> Preserves or enhances industrial land.
	<b>Not located over Edwards Aquifer Contributing Zone or Edwards Aquifer Recharge Zone</b>
1	<b>Number of "Yes's"</b>

### Environmental

The site is located over the Edwards Aquifer Recharge Zone. The site is in the Bull Creek Watershed of the Colorado River Basin, which is classified as a Water Supply Suburban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Drinking Water Protection Zone.

Under the current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% NSA with Transfers</i>
One or Two Family Residential	30%	40%
Multifamily Residential	40%	55%
Commercial	40%	55%

Development within a Water Quality Transition Zone is limited to 18%.

According to floodplain maps there is no floodplain within or adjacent to the project location.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, site specific information is unavailable regarding vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2-year storm on site.

At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

### Fire

No comments.

### Parks and Recreation

Parkland dedication will be required for the new applicable uses proposed by this development, single family with SF-3 zoning, at the time of subdivision or site plan, per City Code § 25-1-601. The requirement may be met with fees in-lieu of dedicated land per the criteria in City Code Title 25, Article 14, as amended. Should fees in-lieu be required, those fees shall be used toward park investments in the form of land acquisition and/or park amenities within the surrounding area, per the Parkland Dedication Operating Procedures § 14.3.11.

If the applicant wishes to discuss parkland dedication requirements in advance of site plan or subdivision applications, please contact this reviewer: [thomas.rowlinson@austintexas.gov](mailto:thomas.rowlinson@austintexas.gov). At the applicant's request, PARD can provide an early determination of whether fees in-lieu of land will be allowed.

### Site Plan

No comments.

### Transportation

The Austin Strategic Mobility Plan (ASMP) calls for 58 feet of right-of-way for Randy Rd. It is recommended that 29-feet of right-of-way from the existing centerline should be dedicated for Randy Rd according to the ASMP with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

The adjacent street characteristics table is provided below:

Name	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Randy Rd	Local (1)	58 ft	53 ft approx.	17 ft	No	No	0.75 miles

### Austin Water Utility

No comments on zoning change.

FYI: The landowner intends to serve the site with existing City of Austin water utilities.

Based on current public infrastructure configurations, it appears that service extension requests (SER) will be required to provide service to this lot. For more information pertaining to the Service Extension Request process and submittal requirements contact the Austin Water SER team at [ser@austintexas.gov](mailto:ser@austintexas.gov).

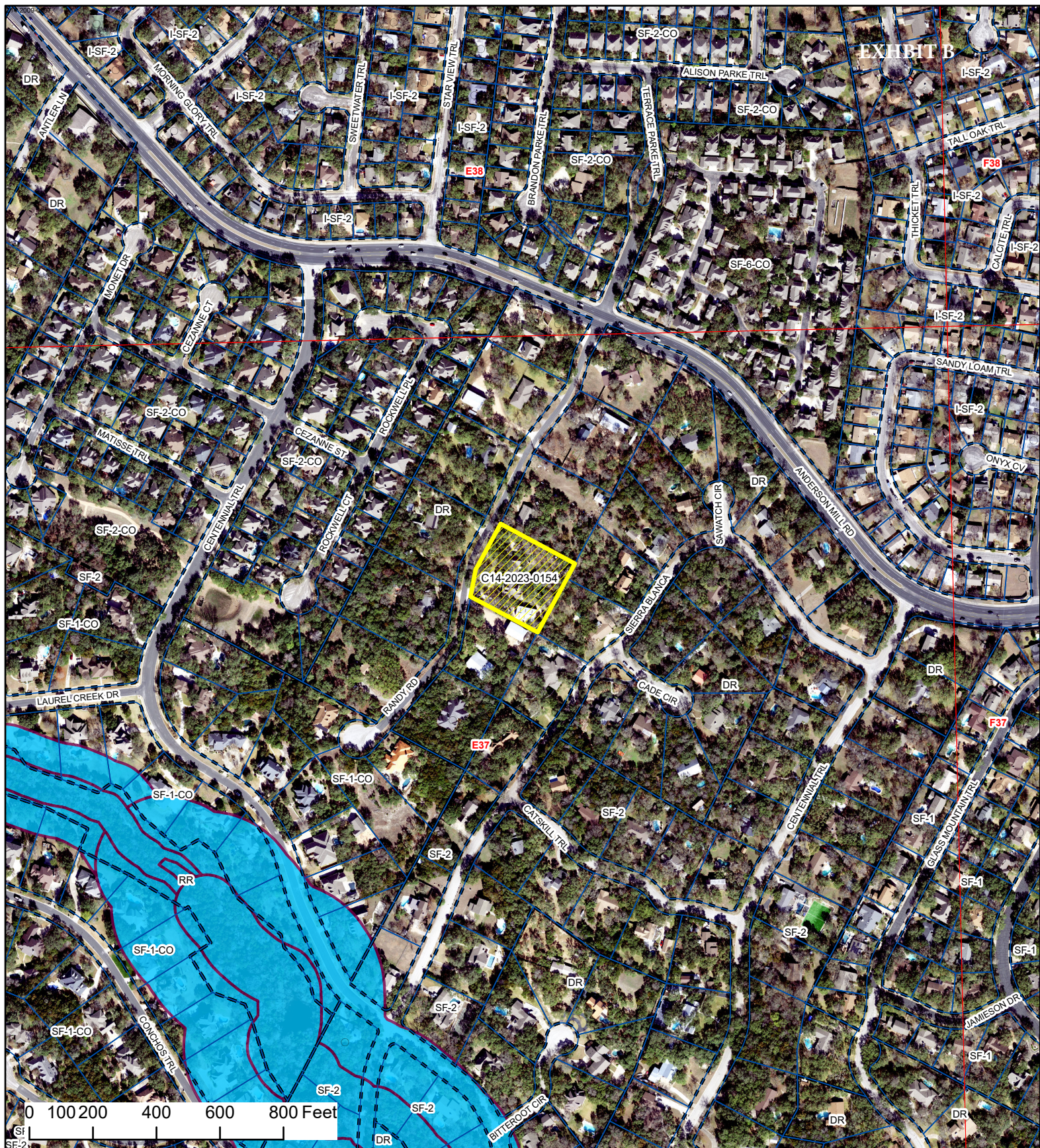
### INDEX OF EXHIBITS TO FOLLOW

- A: Zoning Map
- B. Aerial Map
- C. Applicant's Amendment Request Letter
- D. Anderson Mill Oaks Deed Restriction
- E. Comments Received







**Created: 12/19/2023**





## Randy Road - Hyman

-  SUBJECT TRACT
-  ZONING BOUNDARY
-  PENDING CASE
-  CREEK BUFFER

ZONING CASE#: C14-2023-0154  
 LOCATION: 11401 Randy Rd  
 SUBJECT AREA: 1.48 Acres  
 GRID: E37  
 MANAGER: Sherri Sirwaitis



This product has been produced by the Planning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

Created: 1/24/2024



# **Land ANSWERS, Inc.**

Development Planning Consultants

5311 Bull Run  
Austin, Texas 78727  
(512) 228-6022

[landanswers@sbcglobal.net](mailto:landanswers@sbcglobal.net)

Sherri Sirwaitis  
Case Manager  
City of Austin  
P.O. Box 1088  
Austin, TX 78767

Re: Zoning Case C14-2023-0154 (Randy Road-Hyman)

January 17, 2024

Dear Sherri,

We wish to amend the referenced rezoning application by adding a conditional overlay as follows:

Prohibited uses will include two-family residential and duplex. This will be a single-family residence with a guest house above the attached garage. The reason for requesting SF-3 zoning is to allow 45% impervious cover.

Thank you,

  
Jim Wittliff  
Applicant  
(512) 228-6022

Cc: Eric Hyman  
Cc: Moshe Wilke



VOL 2571 PAGE 308

MAR 26 1950 \* 3.50

THE STATE OF TEXAS

COUNTY OF TRAVIS

KNOW ALL MEN BY THESE PRESENTS:

That ANDERSON MILL OAKS, INCORPORATED, duly organized under the laws of the state of Texas, as the sole owner of all lots in Anderson Mill Oaks, an addition in Travis County, Texas, imposes the following covenants, conditions and restrictions, declared to be minimum restrictions, it being contemplated that as to certain lots the requirements may be more restrictive, upon all of the lots in said Anderson Mill Oaks.

1. Designation of Use

All lots shall be used for residential purposes only, provided, however, that after written consent is given by ANDERSON MILL OAKS, INC., sales offices may be maintained while construction and sales are in process.

2. Retention of Basements

Basements are reserved as indicated on the recorded plat of Anderson Mill Oaks, in the Travis County Plat Records.

3. Restriction against Nuisance Use

No trade or profession of any character shall be carried on upon any lot herein, nor shall anything be done thereon which may be or become an annoyance to the neighborhood.

None of said lots 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.

4. Restriction Against Temporary Structures and Garage Apartments

No trailer, tent, shack, detached garage, garage apartment, stable, or barn shall be placed, erected, or permitted to remain on any lot, nor shall any structure of temporary character be used at any time as a residence. No building or structure of any type may be moved on any lot.

5. Restriction as to Minimum Lot Size

No dwelling shall be erected or placed on any of said lots having a width of less than Sixty-three (63) feet at the minimum building setback line, nor shall any dwelling be erected or placed on any of said lots having an area of less than Forty-Three Thousand Two Hundred Sixty (43,260) square feet.

6. Restriction as to Number and Type of Dwellings

None of said lots shall be used except for residential purposes. No building shall be erected, altered, placed, or permitted to remain on any of said lots other than one detached single family dwelling not to exceed two stories in height and a private attached garage for not more than two cars, and a stable to house one horse or cow.

7. Restriction as to Garages, Servants Quarters, and other Outbuildings

No detached garage or servant house shall be built on any plot in said tract, but any garage or servants' quarters shall be a part of the main residence or attached thereto by a common wall or by a covered passage-way. No garage shall be for more than two cars. Ornamental fences and walls, greenhouses, garden houses and the like are permitted, subject to the provisions below.

8. Architectural Control

No building shall be erected or placed on any of said lots in Anderson Mill Oaks, nor shall any existing structure be altered, until the building and specifications and a plot plan have been submitted to and approved in writing by ANDERSON MILL OAKS, INC., a Texas Corporation, or its successor, or a representative designated in writing by ANDERSON MILL OAKS, INC. or its successor. If said building plans and specifications and said plot plan be not approved or disapproved within thirty days following the date on which the same are submitted for approval, or if no injunction suit shall have been commenced prior to the completion of the work, then proper approval of the building plans and specifications and of the plot plan shall be conclusively presumed to have been had and obtained.

9. Restriction as to Size and Cost of Dwelling

No dwelling, exclusive of open porches, garages, carports and patios, shall be permitted on any of said lots at a cost of less than Thirteen Thousand Dollars (\$13,000) based upon cost levels prevailing on the date these covenants are recorded, it being the intention and purpose of the covenants to assure that all dwellings shall be of a quality of workmanship and materials substantially the same or better than that which can be produced on the date these covenants are recorded at the minimum cost stated herein for the minimum per-

ANDERSON HILL OAKS, INC.

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mitted dwelling size. The ground floor area of the main structure, exclusive of one-story open porches and garages, shall be not less than One Thousand Two Hundred (1,200) square feet for a one-story dwelling, the ground floor area of the main structure of a two-story dwelling shall not be less than One Thousand (1,000) square feet, exclusive of open porches and patios.

## 10. Restriction as to Setbacks

No building shall be located on any of said lots nearer to the front lot line or nearer to the side street line than the minimum building set-back lines shown on the recorded plat. No building shall be located nearer than Five (5) feet to an interior lot line. No building shall be located on any of the interior lots nearer than Twenty-five (25) feet to the rear lot line. For the purposes of this covenant, eaves, steps, and open porches shall not be considered as a part of a building, provided, however, that this shall not be construed to permit any portion of a building on a lot to encroach upon any other lot.

## 11. Restriction as to Signs

No sign of any kind shall be displayed to the public view on any of said lots except one professional sign of not more than Five (5) square feet advertising the property for sale or rent, or signs used by a builder to advertise the property during the construction and sales period.

## 12. Restriction as to Mineral Development

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

## 13. Restriction as to Resubdivision

No lot may be resubdivided or used so as to permit an additional dwelling.

## 14. Restriction as to Animals and Livestock

One horse or cow may be raised and kept on any of said lots, also dogs, cats, or other household pets may be kept provided they are not kept, bred or maintained for any commercial purpose.

## 15. Restriction as to Fences, Hedges, Walls and Shrubs

No fence, wall, hedge, or shrub planting which obstructs sight lines at elevation between two (2) and six (6) feet above the roadways shall be placed or permitted to remain on any corner lot herein described within the triangular area formed by the street property lines and a line connecting them at points Twenty-five (25) feet from the intersection of street lines, or in the case of rounded property corner from the intersection of the street property lines extended. The same sight line limitations shall apply on any of said lots within ten feet from the intersection of a street property line with the edge of a driveway or alley pavement. No tree shall be permitted to remain within such distances of such intersections unless the foliage line is maintained at sufficient height to prevent obstruction for such sight lines.

No fence, wall, or hedge shall be built or maintained forward of the front wall line of any house erected on any of said lots. No existing dwelling shall be moved onto any lot in this subdivision.

## 16. Restriction as to Masonary

Each house constructed in this addition shall be not less than Fifty per cent (50%) masonry, excluding windows and doors.

## 17. Right to Waive Restrictions

At any time any of the above restrictive covenants placed upon the property may be waived by the Architectural Control Committee as the same may be constituted from time to time.

## 18. General Covenants

These restrictions and covenants are hereby declared to be covenants running with the land and shall be fully binding upon all persons acquiring property in Anderson Mill Oaks, whether by descent, devise, purchase or otherwise; and any person by the acceptance of title to any lot or plot of this subdivision shall thereby agree and covenant to abide by and fully perform the foregoing restrictions and covenants. These restrictions and covenants shall be binding until January 1, 1988. On and after January 1, 1988, said restrictions and covenants shall be automatically extended for successive periods of ten years each unless, by a vote of a three-fourths majority of the then owners of the lots in the then platted sections of Anderson Mill Oaks, it is agreed to change said restrictions in whole or in part; each lot, or plot, to admit of one vote.

## 19. Penalty Provisions

If any person or persons shall violate or attempt to violate any of the re-

ANDERSON MILL OAKS, INC.

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strictions and covenants herein, it shall be lawful for any other person or persons owning any real property situated in the platted sections of Anderson Mill Oaks, to prosecute proceedings at law or in equity against the person violating or attempting to violate any such restriction and covenant, and either prevent him or them from so doing, or to correct such violation, or to recover damages or other dues for such violation. Invalidation of any one or any part of these restrictions by judgment or court order shall in no wise affect any of the other provisions or part of provisions which shall remain in full force and effect.

EXECUTED this the 24<sup>th</sup> day of March, 1963.

ANDERSON MILL OAKS, INC.

By: Wayne T. Dayton, Jr.  
Wayne T. Dayton, Jr., President

ATTTEST:

Richard Baker  
Secretary

No Seal

THE STATE OF TEXAS

I  
I  
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COUNTY OF TRAVIS

BEFORE ME, the undersigned authority, on this day personally appeared Wayne T. Dayton, Jr., President of ANDERSON MILL OAKS, INC., a Texas corporation, 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, as the act and deed of ANDERSON MILL OAKS, INC., and in the capacity therein stated.

GIVEN UNDER MY HAND and seal of office this the 24<sup>th</sup> day of March, 1963.



Walter Johnson  
Notary Public in and for Travis County,  
Texas

Filed Mar 26 1963 at 3:30 P.M.  
Recorded Mar 26 1963 at 3:30 P.M.

THE S...

2571 306 308  
By Walter Johnson  
Clerk of Court, Travis County, Texas

THE STATE OF TEXAS    X  
                               X  
 COUNTY OF TRAVIS       X

AMENDMENTS OF RESTRICTIONS

Know all men by these presents that:

Anderson Mill Oaks, Incorporated, the subdivider of Anderson Mill Oaks, an addition in Travis County, Texas, according to the plat thereof recorded in Book 16, Page 96, of the Plat Records of Travis County, Texas, having imposed the covenants, conditions and restrictions on the lots in the subdivision as those covenants, conditions and restrictions are recorded in Volume 2571, Pages 306-308, of the Deed Records of Travis County, Texas, and now holding a lien against certain of the lots in the subdivision; and Wilma Lavon Dayton (a feme sole), Wayne T. Browning and Dorothy K. Browning (husband and wife), Leonard L. Fate and Deanna Fate (husband and wife), James G. Samuelson, Jr., and LaRue M. Samuelson (husband and wife), Jack Futrell and Jo A. Futrell (husband and wife), Conus L. Stacks and Mary L. Stacks (husband and wife), and Roy R. Lovelady and Mary Katherine Lovelady (husband and wife), being all of the owners of lots and, among them, owning all of the lots in Anderson Mill Oaks;

mutually covenant and agree to and do hereby amend the paragraphs numbered 4 and 6 in the covenants, conditions and restrictions imposed on the lots in Anderson Mill Oaks, as those covenants, conditions and restrictions are recorded in Volume 2571, Pages 306-308, of the Deed Records of Travis County, Texas, so that the paragraphs numbered 4 and 6 will hereafter read, respectively, as follows:

"4. Restriction Against Temporary Structures and Garage Apartments

No trailer, tent, shack, detached garage, garage apartment, stable (except as authorized in paragraph numbered 6), or barn shall be placed, erected or permitted to remain on any lot, nor shall any structure of temporary character be used at any time as a residence. No building or structure of any type may be moved on any lot."

"6. Restriction as to Number and Type of Dwellings

None of said lots shall be used except for residential purposes. No building shall be erected, altered, placed or permitted to remain on any of said lots other than one detached single family dwelling not to exceed two stories in height and a private attached garage for not more than three cars, and a stable to house one horse or cow."

Executed this 13<sup>th</sup> day of December, 1967.

ANDERSON MILL OAKS, INC.

By Wayne T. Dayton, Jr.  
Wayne T. Dayton, Jr. President

ATTEST:

Richard L. Baker  
Secretary

Wilma Lavon Dayton  
Wilma Lavon Dayton, a feme sole

Leonard L. Fate  
Leonard L. Fate

Wayne F. Browning  
Wayne F. Browning

Deanna Fate  
Deanna Fate

Dorothy K. Browning  
Dorothy K. Browning

Jack Futrell  
Jack Futrell

James G. Samuelson, Jr.  
James G. Samuelson, Jr.

Jo A. Futrell  
Jo A. Futrell

LaRue M. Samuelson  
LaRue M. Samuelson

Roy R. Lovelady  
Roy R. Lovelady

Conus L. Stacks  
Conus L. Stacks

Mary Katherine Lovelady  
Mary Katherine Lovelady

Mary L. Stacks  
Mary L. Stacks

DEED RECORDS  
Travis County, Texas

3408 251

THE STATE OF TEXAS    X  
                              X  
COUNTY OF TRAVIS       X

Before me, the undersigned authority, on this day personally appeared Wayne T. Dyton, Jr., President of Anderson Mill Oaks, 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 13<sup>th</sup> day of December, 1967.

(NOTARY SEAL)

Dana Stiefelmen  
Notary Public in and for Travis  
County, Texas

THE STATE OF TEXAS    X  
                              X  
COUNTY OF TRAVIS       X

Before me, the undersigned authority, on this day personally appeared Wilma Lavon Dayton, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this the 15<sup>th</sup> day of December, 1967.

(NOTARY SEAL)

Linda M. Wright  
Notary Public in and for Travis  
County, Texas

THE STATE OF TEXAS    I  
                                  I  
COUNTY OF TRAVIS    I

Before me, the undersigned authority, on this day personally appeared Leonard L. Fate and wife, Deanna Fate, both known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they each executed the same for the purposes and consideration therein expressed; and the said Deanna Fate, wife of the said Leonard L. Fate, having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said Deanna Fate acknowledged such instrument to be her act and deed, and declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

Given under my hand and seal of office, this 17<sup>th</sup> day of December, 1967.

(NOTARY SEAL)

*Robert H. Hargis*  
Notary Public in and for Travis  
County, Texas

THE STATE OF TEXAS    I  
                                  I  
COUNTY OF TRAVIS    I

Before me, the undersigned authority, on this day personally appeared Wayne T. Browning and wife, Dorothy K. Browning, both known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they each executed the same for the purposes and consideration therein expressed; and the said Dorothy K. Browning, wife of the said Wayne T. Browning, having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said Dorothy K. Browning acknowledged such instrument to be her act and deed, and declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

Given under my hand and seal of office, this 14<sup>th</sup> day of December, 1967.

(NOTARY SEAL)

*Robert H. Hargis*  
Notary Public in and for Travis  
County, Texas

DEED RECORDS  
Travis County, Texas

3408    253

THE STATE OF TEXAS

COUNTY OF TRAVIS

Before me, the undersigned authority, on this day personally appeared Jack Futrell and wife, Jo A. Futrell, both known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they each executed the same for the purposes and consideration therein expressed; and the said Jo A. Futrell, wife of the said Jack Futrell, having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said Jo A. Futrell acknowledged such instrument to be her act and deed, and declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

Given under my hand and seal of office, this 14th day of December, 1967.

NOTARY SEAL

*Elbert Hoppe*  
Notary Public in and for Travis  
County, Texas

THE STATE OF TEXAS

COUNTY OF TRAVIS

Before me, the undersigned authority on this day personally appeared James G. Samuelson, Jr. and wife LaRue M. Samuelson, both known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they each executed the same for the purposes and consideration therein expressed; and the said LaRue M. Samuelson, wife of James G. Samuelson, Jr., having been examined by me privily and apart from her husband, and having the same fully explained to her, she the said LaRue M. Samuelson acknowledged such instrument to be her act and deed, and declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

Given under my hand and seal of office, this 14th day of December, 1967.

NOTARY SEAL

*Elbert Hoppe*  
Notary Public in and for Travis  
County, Texas

DEED RECORDS  
Travis County, Texas

3408

254



THE STATE OF TEXAS

COUNTY OF TRAVIS

Before me, the undersigned authority, on this day personally appeared Roy R. Lovelady and wife, Mary Katherine Lovelady, both known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they each executed the same for the purposes and consideration therein expressed; and the said Mary Katherine Lovelady, wife of Roy R. Lovelady, having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said Mary Katherine Lovelady acknowledged such instrument to be her act and deed, and declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

Given under my hand and seal of office, this 14th day of December, 1967.

NOTARY SEAL

Albert Zappa  
Notary Public in and for Travis  
County, Texas

THE STATE OF TEXAS

COUNTY OF TRAVIS

Before me, the undersigned authority, on this day personally appeared Conus L. Stacks, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this 14th day of December, 1967.

NOTARY SEAL

Albert Zappa  
Notary Public in and for Travis  
County, Texas

DEED RECORDS  
Travis County, Texas

3408 255

THE STATE OF TEXAS    X  
                              X  
COUNTY OF TRAVIS    X

Before me, the undersigned authority, on this day personally appeared Mary L. Stacks, wife of Conus L. Stacks, known to me to be the person whose name is subscribed to the foregoing instrument, and having been examined by me privily and apart from her husband, and having the same by me fully explained to her, she, the said Mary L. Stacks acknowledged such instrument to be her act and deed, and she declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

Given under my hand and seal of office on this the 15<sup>th</sup> day of December, 1967.

NOTARY SEAL

*Edward Zepher*  
Notary Public in and for Travis  
County, Texas

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

DEC 20 1967



*Emilie Limburg*  
COUNTY CLERK  
TRAVIS COUNTY, TEXAS

DEED RECORDS  
Travis County, Texas

3408      256

FILED  
DEC 20 8 01 AM '67  
*Emilie Limburg*  
COUNTY CLERK  
TRAVIS COUNTY, TEXAS

## PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to participate in a public hearing, you are not required to participate. This meeting will be conducted both online and in-person at which you will have the opportunity to speak FOR or AGAINST the proposed development or change. Contact the case manager for further information on how to participate in the public hearings. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

Staff is conducting a pilot program to receive case-related comments online which can be accessed through this link or QR code:  
<https://bit.ly/ATXZoningComment>



During its public hearing, the board or commission may postpone or continue an application's hearing to a later date or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. 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.

During its public hearing, the City Council may grant or deny a zoning request or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website: [www.austintexas.gov/planning](http://www.austintexas.gov/planning).

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before the public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice. Correspondence and information submitted to the City of Austin are subject to the Texas Public Information Act (Chapter 552) and will be published online.

**Case Number: C14-2023-0154**

**Contact: Sherri Sirwaitis, 512-974-3057**

**Public Hearing: March 5, 2024, Zoning and Platting Commission**

Roger Ferris

Your Name (please print)

11405 Rockwell Place, Austin 78726

☐ I am in favor  
☒ I object

Your address(es) affected by this application (optional)

*Roger Ferris*

02/28/2024

Signature

Date

Daytime Telephone (Optional): 512-924-4065

Comments: I generally object to any rezoning of properties on Randy Rd to SF-3 including the property at 11401 Randy Rd that is the subject of this case. I believe the appropriate rezoning for lots on Randy Rd in the Anderson Mill Oaks Addition should be to SF-1, Single Family Large Lot, including any conditional overlays. This zoning is appropriate for lots larger than 10,000 square feet.

Please see the attached page for further comments.

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

City of Austin, Planning Department

**Sherri Sirwaitis**

P. O. Box 1088, Austin, TX 78767

Or email to:

[sherri.sirwaitis@austintexas.gov](mailto:sherri.sirwaitis@austintexas.gov)

Zoning and Platting Commission  
For scheduled hearing on March 5, 2024, 6:00 PM  
Re: Case Number C14-2023-0154  
Attn: Sherri Sirwaitis, Contact Person

Continuation page for stating objection to proposed rezoning at 11401 Randy Rd, Austin

Submitted by:

Roger Ferris, property owner and resident at 11405 Rockwell Place, Austin, Estates of Brentwood subdivision.

Rockwell Place and Rockwell Court are one block west of Randy Road, the location of the zoning change request. The backyard of my lot and the 11 other lots with homes on the east side of Rockwell Place and Rockwell Court abut the backyards of lots on Randy Road.

I believe that the only appropriate zoning change to the lot at 11401 Randy Road should be to SF-1-CO, Single Family Large Lot, due to the size of that lot (64,406 square feet). This zoning would be consistent with the SF-1 definition, intended for low density single-family residential use on lots with a minimum of 10,000 square feet, and is consistent with the character and makeup of the Randy Road and contiguous neighborhoods for the following reasons:

1. There are three additional lots at the end of Randy Road in the Laurel Canyon subdivision, each zoned SF-1-CO, with an average lot size of 46,439 square feet.
2. There are 12 lots on Randy Road (a 1-block long street) in the Anderson Mill Oaks Addition, all of which are currently zoned DR, Development Reserve. The average area of these 12 lots is 62,678 square feet.
3. The 12 lots with residences on the east side of Rockwell Place and Rockwell Court in the Estates of Brentwood subdivision whose property borders properties on Randy Road are all zoned SF-2-CO, Single Family Standard Lot. These 12 lots range in area from 9,162 square feet to 19,149 square feet, with an average area of 10,431 square feet.
4. If SF-3 zoning is approved for the subject lot, it is reasonably possible that every other lot on Randy Road currently zoned DR could be granted the same SF-3 zoning if requested. Based on current lot sizes, SF-3 minimum lot size of 5,750 square feet, and absent other restrictions, the 12 lots on Randy Road in the Anderson Mill Oaks Addition hypothetically could be redeveloped to contain 126 homes.
5. Such intense redevelopment likely would be inconsistent with the reason current Randy Road residents purchased their large properties. Those properties have a rural character, including water wells, large workshops and other outbuildings, and livestock such as geese, roosters and chickens.
6. Such intense development also would be inconsistent with the SF-2 character of the adjoining Estates of Brentwood subdivision.