

ORDINANCE NO. 20050407-048

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 1209 KINNEY AVENUE FROM FAMILY RESIDENCE (SF-3) DISTRICT TO FAMILY RESIDENCE-CONDITIONAL OVERLAY (SF-3-CO) COMBINING DISTRICT FOR TRACT ONE AND MULTIFAMILY RESIDENCE LOW DENSITY-CONDITIONAL OVERLAY (MF-2-CO) COMBINING DISTRICT FOR TRACT TWO.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district on the property described in Zoning Case No. C14-04-0145, on file at the Neighborhood Planning and Zoning Department, as follows:

Tract One: From family residence (SF-3) district to family residence-conditional overlay (SF-3-CO) combining district.

A 0.194 acre tract of land, more or less, a portion of Lot 6, J.W. Templer Subdivision, in the City of Austin, Travis County, Texas, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance; and

Tract Two: From family residence (SF-3) district to multifamily residence low density-conditional overlay (MF-2-CO) combining district.

A 0.797 acre tract of land, more or less, a portion of Lot 6, J.W. Templer Subdivision, in the City of Austin, Travis County, Texas, the tract of land being more particularly described by metes and bounds in Exhibit "B" incorporated into this ordinance (the "Property"),

locally known as 1209 Kinney Avenue, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "C".

PART 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

1. The maximum number of residential units on the Property is thirteen units.

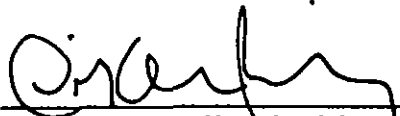
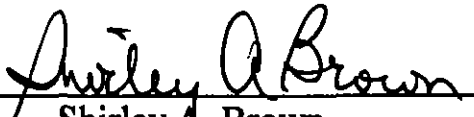
2. The maximum number of residential units on Tract One is two units.
3. The maximum number of residential units on Tract Two is 11 units.
4. A building or structure constructed on Tract One:
 - a. may not exceed a height of 30 feet from ground level,
 - b. may not exceed a height of two stories, and
 - c. must be at least 10 feet apart from another building as measured from wall face to wall face.
5. The off-street parking requirement for a multifamily residential use of Tract Two shall be increased by seven off-street parking spaces.

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the respective base districts and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on April 18, 2005.

PASSED AND APPROVED

_____ April 7 _____, 2005 §
 §
 §

APPROVED:  ATTEST: 
 David Allan Smith Shirley A. Brown
 City Attorney City Clerk

Will Wynn
Mayor

EXHIBIT A
FIELD NOTES TO ACCOMPANY MAP OF SURVEY
PREPARED FOR ZONING PURPOSES
TRACT 1
0.194 ACRES OF LAND
PORTION OF LOT 6
J.W. TEMPLER SUBDIVISION
CITY OF AUSTIN, TRAVIS COUNTY

FIELD NOTES DESCRIPTION OF A 0.194 ACRE TRACT OF LAND OUT OF LOT 6, J.W. TEMPLER SUBDIVISION, A SUBDIVISION OF RECORD IN BOOK 3, PAGE 188 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS AND BEING OUT OF THAT CERTAIN PORTION OF LOT 6 CONVEYED TO VOLMA ROBERT OVERTON, JR. AND WIFE, SHIRLEY LOVE OVERTON BY DEED RECORDED IN VOLUME 11089, PAGE 1215 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS. THE SAID 0.194 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a an Iron pipe found on the east line of Kinney Avenue at the southwest corner of the said Lot 6 and northwest corner of Lot 5 of the said J.W. Templer subdivision;

THENCE N 30°11'54" E, a distance of 104.96 feet along the said east line of Kinney Avenue to a ½ inch diameter steel pin set with cap stamped Lenz & Assoc. at the northwest corner of the said Lot 6, the same being the southwest corner of Lot 7 of the said J.W. Templer subdivision;

THENCE, S 60°20'53" E, a distance of 80.50 feet along the common line between the said Lot 6 and Lot 7 to a point, from which a ½ inch diameter steel pin found at the northeast corner of the said Lot 6 and southeast corner of the said Lot 7 bears S 60°20'53" E, 331.22 feet;

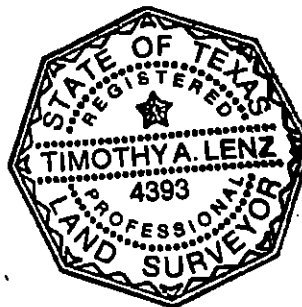
THENCE, S 30°11'54" W, a distance of 104.96 feet, crossing the said Lot 6, to a point on the common line between the said Lot 6 and Lot 5;

THENCE, N 60°20'53" W, a distance of 80.50 feet to the **PLACE OF BEGINNING**, containing 0.194 acre of land, more or less;

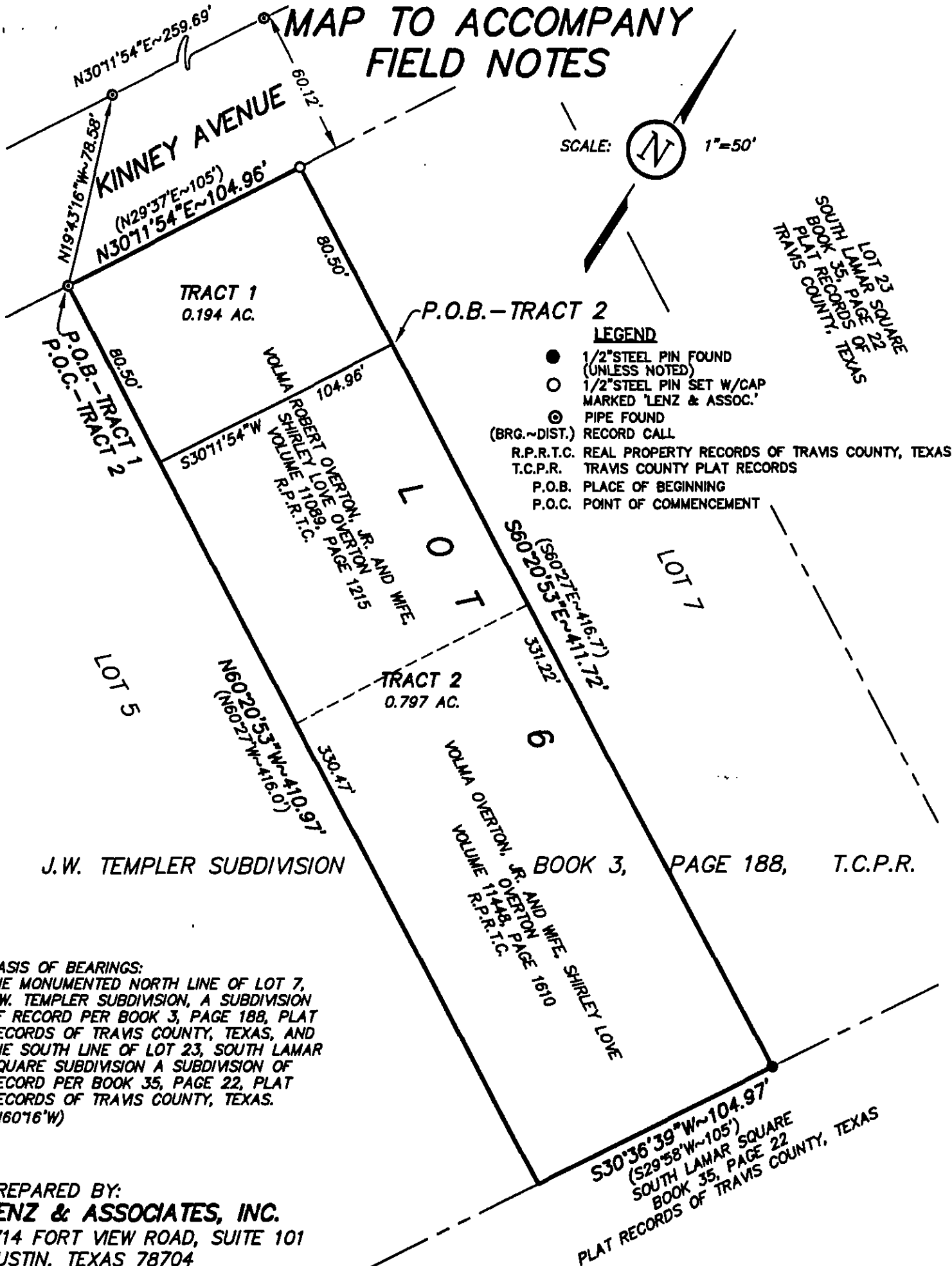
THIS DESCRIPTION WAS PREPARED FOR ZONING PURPOSES ONLY.

 2-7-05 _____ DATE

TIMOTHY A. LENZ, R.P.L.S. No. 4393
Lenz & Associates, Inc
1714 Fort View Road, Suite 101
Austin, Texas 78704
(CoonsZoningTract1.doc)



MAP TO ACCOMPANY FIELD NOTES



BASIS OF BEARINGS:
THE MONUMENTED NORTH LINE OF LOT 7,
J.W. TEMPLER SUBDIVISION, A SUBDIVISION
OF RECORD PER BOOK 3, PAGE 188, PLAT
RECORDS OF TRAVIS COUNTY, TEXAS, AND
THE SOUTH LINE OF LOT 23, SOUTH LAMAR
SQUARE SUBDIVISION A SUBDIVISION OF
RECORD PER BOOK 35, PAGE 22, PLAT
RECORDS OF TRAVIS COUNTY, TEXAS.
(N60°16'W)

PREPARED BY:
LENZ & ASSOCIATES, INC.
1714 FORT VIEW ROAD, SUITE 101
AUSTIN, TEXAS 78704

EXHIBIT B

**FIELD NOTES TO ACCOMPANY MAP OF SURVEY
PREPARED FOR ZONING PURPOSES
TRACT 2
0.797 ACRES OF LAND
PORTION OF LOT 6
J.W. TEMPLER SUBDIVISION
CITY OF AUSTIN, TRAVIS COUNTY**

FIELD NOTES DESCRIPTION OF A 0.797 ACRE TRACT OF LAND OUT OF LOT 6, J.W. TEMPLER SUBDIVISION, A SUBDIVISION OF RECORD IN BOOK 3, PAGE 188 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS AND BEING OUT OF THOSE CERTAIN PORTIONS OF LOT 6 CONVEYED TO VOLMA ROBERT OVERTON, JR. AND WIFE, SHIRLEY LOVE OVERTON BY DEEDS RECORDED IN VOLUME 11089, PAGE 1215 AND VOLUME 11448, PAGE 1610 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS. THE SAID 0.797 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING, at an iron pipe found on the east line of Kinney Avenue at the southwest corner of the said Lot 6 and northwest corner of Lot 5 of the said J.W. Templer subdivision;

THENCE N 30°11'54" E, a distance of 104.96 feet along the said east line of Kinney Avenue to a ½ inch diameter steel pin set with cap stamped Lenz & Assoc. at the northwest corner of the said Lot 6, the same being the southwest corner of Lot 7 of the said J.W. Templer subdivision;

THENCE, S 60°20'53" E, a distance of 80.50 feet along the common line between the said Lot 6 and Lot 7 to a point for the **PLACE OF BEGINNING** of the herein described tract;

THENCE, S 60°20'53" E, a distance of 331.22 feet, continuing with the said common line, to a ½ inch diameter steel pin found at the northeast corner of the said Lot 6 and southeast corner of the said Lot 7;

THENCE, S 30°36'39" W, a distance of 104.97 feet to a point at the southeast corner of the said Lot 6, the same being the northeast corner of the said Lot 5;

THENCE, N 60°20'53" W, a distance of 330.47 feet along the common line between the said Lot 6 and Lot 5 to a point;

THENCE, N 30°11'54" E, a distance of 104.96 feet, crossing the said Lot 6, to the **PLACE OF BEGINNING**, containing 0.797 acre of land, more or less;

THIS DESCRIPTION WAS PREPARED FOR ZONING PURPOSES ONLY.

T. A. Lenz

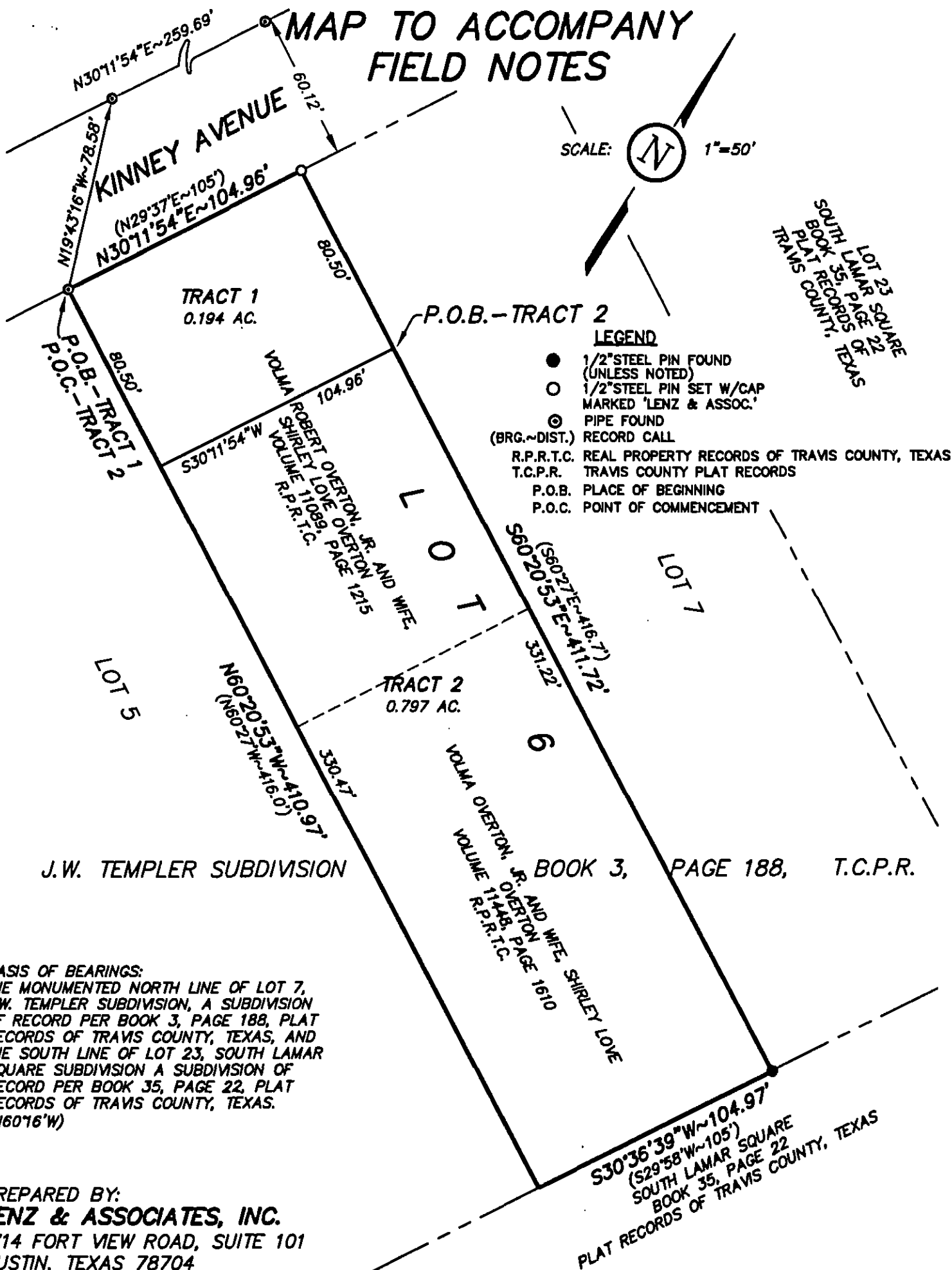
2-7-05

TIMOTHY A. LENZ, R.P.L.S. No. 4393
Lenz & Associates, Inc
1714 Fort View Road, Suite 101
Austin, Texas 78704
(CoonsZoningTract2.doc)

DATE

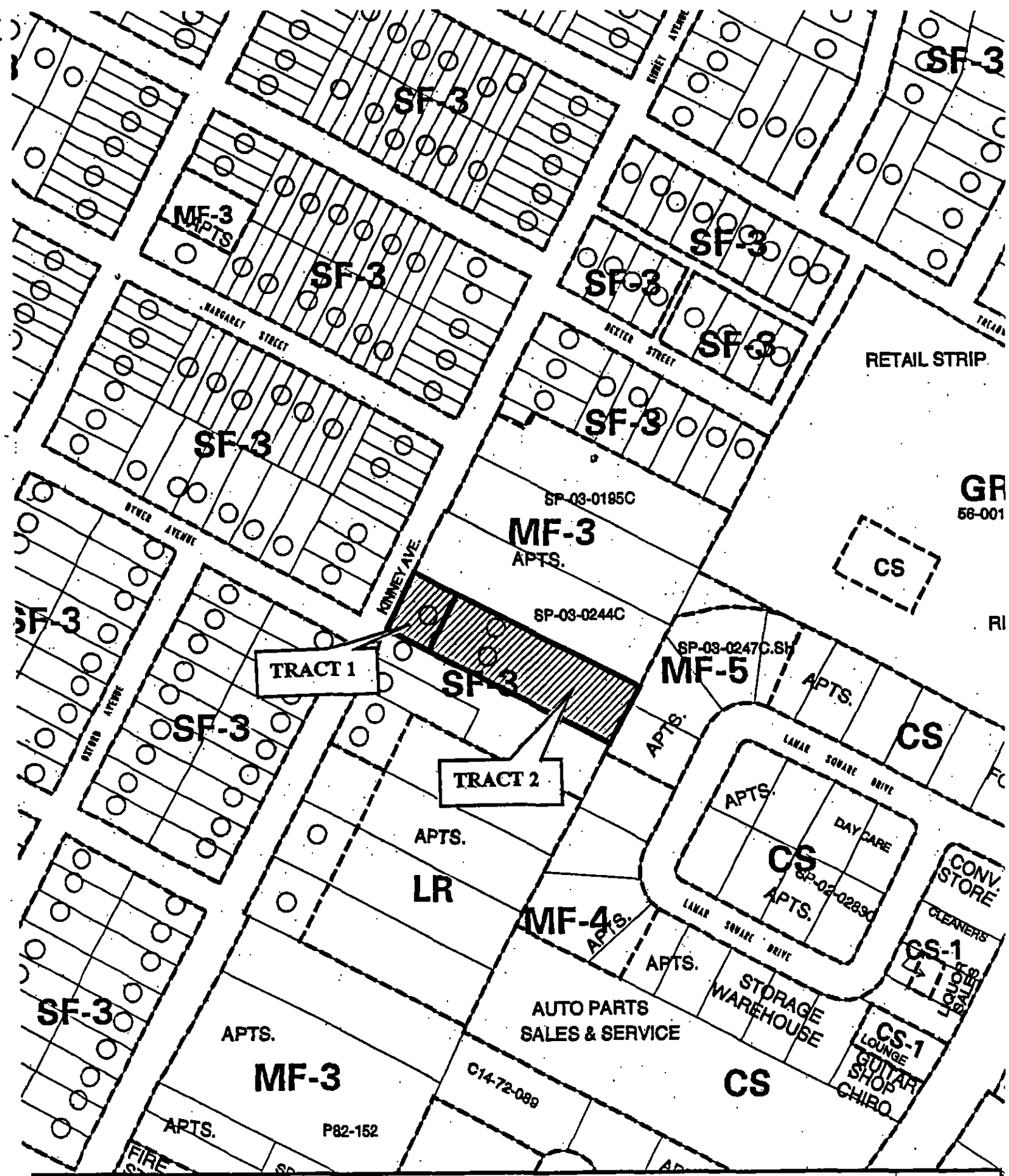


MAP TO ACCOMPANY FIELD NOTES







BASIS OF BEARINGS:
THE MONUMENTED NORTH LINE OF LOT 7, J.W. TEMPLER SUBDIVISION, A SUBDIVISION OF RECORD PER BOOK 3, PAGE 188, PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AND THE SOUTH LINE OF LOT 23, SOUTH LAMAR SQUARE SUBDIVISION A SUBDIVISION OF RECORD PER BOOK 35, PAGE 22, PLAT RECORDS OF TRAVIS COUNTY, TEXAS. (N60°16'W)

PREPARED BY:
LENZ & ASSOCIATES, INC.
1714 FORT VIEW ROAD, SUITE 101
AUSTIN, TEXAS 78704



TRACT 1

TRACT 2


 SUBJECT TRACT 
 PENDING CASE 
 ZONING BOUNDARY 
 CASE MGR: R.HEIL

CASE #: C14-04-0145
 ADDRESS: 1208 KINNEY AVE.
 SUBJECT AREA (acres): 0.991
 C14-57-05

ZONING EXHIBIT C

DATE: 05-03
 INTLS: TRC

CITY GRID
 REFERENCE
 NUMBER
 H21