



# **Travis County Commissioners Court Agenda Request**

Meeting Date: September 4, 2012

Prepared By: Paul Scoggins Phone #: 854-7619

Division Director/Manager: Anna Bow/in, Division Director of Development

Services

Department Head: Steven M. Manilla, P.E., County Executive-TNR Sponsoring Court Member: Commissioner Huber, Precinct Three

**AGENDA LANGUAGE**: Consider and take appropriate action on a request to authorize the filing of an instrument to vacate four 5' wide drainage easements located along the common lot lines of Lot 12 with Lots 13 and 17, Block 56 of Austin Lake Hills, Section Two – Precinct Three.

#### **BACKGROUND/SUMMARY OF REQUEST:**

TNR staff has received a request to vacate four 5' wide drainage easements located along the common lot lines of Lot 12 with Lots 13 and 17, Block 56 of Austin Lake Hills, Section Two. The easements are dedicated per plat note more specifically stated as a public utility easement and drainage easement. Lots 12 and 13 front on Winchester Road with Lot 17 fronting on Caracas Drive, two streets maintained by Travis County.

Professional engineer Steve Wenzel has stated that:

"Based on the fact that the up-gradient lots are fully developed with houses, any new homes and the associated lot grading will be cognizant of existing flow patterns and direct stormwater safely across the lots and into the ROW. We offer these justifications to support our request that there is no need for TNR to use these drainage easements and further, I don't believe granting this request will result in any adverse drainage conditions to these lots or the neighboring lots."

After review of the submitted request and recommendation, staff has no objections to this vacation request. Staff foresees no opposition to this request.

# **STAFF RECOMMENDATIONS:**

The request has been reviewed by TNR staff and staff finds the vacation request meets all Travis County standards. As such, TNR staff recommends the request.

# **ISSUES AND OPPORTUNITIES:**

According to the property owner, the future plan for Lot 12 is to construct a home along with its septic system. However, to accommodate the current setback requirements for a septic system as it pertains to a drainage easement, the subject easements will need to be vacated. The owners of Lots 13 and 17 are aware of the request and have no objection.

# **FISCAL IMPACT AND SOURCE OF FUNDING:**

N/A.

# **ATTACHMENTS/EXHIBITS:**

Order of Vacation Field Notes and Sketch Request/Engineer's Letter Sketch Sign Affidavit and Pictures Maps

# **REQUIRED AUTHORIZATIONS:**

Cynthia McDonald	Financial Manager	TNR	854-4239
Steve Manilla	County Executive	TNR	854-9429
Anna Bowlin	Division Director	Development Services	854-7561
John Ellis	Engineer	Development Services	854-9805

#### CC:

Stacey Scheffel	Program Manager	TNR Permits	854-7565	
***************************************				

SM:AB:ps

1101 - Development Services - Austin Lake Hills, Section Two

#### ORDER OF VACATION

#### STATE OF TEXAS

§

#### COUNTY OF TRAVIS §

WHEREAS, the property owner requests the vacation of four five foot wide drainage easements located along the common lot lines of Lot 12 with Lots 13 and 17, Block 56 of Austin Lake Hills, Section Two as recorded at Volume 13, Page 29 of the Real Property Records of Travis County, Texas;

WHEREAS, an independent Professional Engineer has submitted a letter recommending the vacation of the subject easements;

WHEREAS, Travis County staff has stated that there are no objections to the vacation of the drainage easements as described in the attached field notes and sketch;

WHEREAS, the Travis County Transportation and Natural Resources Department recommends the vacation of the subject drainage easements as described in the attached field notes and sketch;

WHEREAS, the required public notice was posted and the Travis County Commissioners Court held a public hearing on September 4, 2012 to consider the proposed action; and

NOW, THEREFORE, by unanimous vote, the Commissioners Court of Travis County, Texas, orders that the four five foot wide drainage easements located along the common lot lines of Lot 12 with Lots 13 and 17, Block 56 of Austin Lake Hills, Section Two, as shown on the attached sketch and described in the attached field notes, are hereby vacated.

ORDERED THIS THE	DAY OF	2012.
SAMUEL T.	BISCOE, COUNTY JUDO	<del>GE</del>
COMMISSIONER RON DAVIS PRECINCT ONE	COMMISSIONER SARAH ECKHARDT PRECINCT TWO	
COMMISSIONER KAREN HUBER PRECINCT THREE	COMMISSIC PRECINCT F	ONER MARGARET GOMEZ COUR



#### Windrose Land Services Austin Ltd

4120 Commercial Center Dr., Suite 300 Austin, Texas78744 Phone (512) 326-2100 Fax (512) 326-2770

**Professional Surveying Services** 

# LEGAL DESCRIPTION RELEASE OF 10' DRAINAGE EASEMENTS

BEING A TRACT OR PARCEL OF LAND CONTAINING 0.0488 ACRE (2125 SQ. FT.) OUT OF LOT 12, LOT 13, AND LOT 17, BLOCK 56, AUSTIN LAKE HILLS SECTION TWO, A RECORDED SUBDIVISION IN TRAVIS COUNTY, TEXAS, RECORDED IN VOLUME 13, PAGE 29, T.C.P.R., SAID 0.0488 ACRE BEING CERTAIN 10' DRAINAGE EASEMENTS DEDICATED BY SAID RECORDED PLAT, SAID 0.0488 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: ALL BEARINGS SHOWN HEREIN ARE BASED UPON THE RECORDED PLAT OF SAID AUSTIN LAKE HILLS SECTION TWO:

BEGINNING AT A POINT IN THE SOUTHERLY RIGHT-OF-WAY LINE OF WINCHESTER ROAD (50' R.O.W.), SAME BEING THE NORTHERLY LINE OF SAID LOT 13, BLOCK 56, SAID POINT BEING THE MOST EASTERLY CORNER OF AN EXISTING 10' DRAINAGE EASEMENT, FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT, FROM WHICH A FOUND CAPPED ½" IRON ROD FOR THE COMMON NORTH CORNER OF SAID LOT 12 AND LOT 13 BEARS NORTH 60°06'00" WEST, A DISTANCE OF 5.00':

THENCE LEAVING SAID RIGHT-OF-WAY LINE WITH THE FOLLOWING THREE (3) COURSES AND DISTANCES:

- 1. SOUTH 29°54'00" WEST WITH THE EASTERLY LINE OF SAID 10' DRAINAGE EASEMENT, SAID LINE BEING 5' EAST OF AND PARALLEL TO THE COMMON DIVIDING LINE OF SAID LOTS 12 AND 13, A DISTANCE OF 120.00' TO A POINT IN THE SOUTHERLY LINE OF SAID LOT 13, SAME BEING THE NORTHERLY LINE OF LOT 16, BLOCK 56;
- 2. NORTH 60°06'00" WEST, WITH THE COMMON DIVIDING LINE OF SAID LOTS 13 AND 16, A DISTANCE OF 5.00' TO A FOUND 60D NAIL FOR THE NORTH CORNER OF LOT 16, THE EAST CORNER OF SAID LOT 17, THE SOUTH CORNER OF LOT 12, AND THE WEST CORNER OF LOT 13;
- 3. SOUTH 29°54'00" WEST, WITH THE COMMON DIVIDING LINE OF LOTS 16 AND 17, A DISTANCE OF 5.00' TO A POINT, FOR THE MOST SOUTHERLY SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT:

THENCE NORTH 60°06'00" WEST INTO SAID LOT 17, ALONG A LINE 5' SOUTH OF AND PARALLEL TO THE COMMON DIVIDING LINE OF LOTS 17 AND 12, AND BEING THE SOUTHERLY LINE OF AN EXISTING 10' DRAINAGE EASEMENT, A DISTANCE OF 100.00' TO A POINT, FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE NORTH 29°54'00" EAST AT 5.00' PASSING THE COMMON DIVIDING LINE OF LOT 17 AND LOT 12, CONTINUING INTO LOT 12, A TOTAL DISTANCE OF 10.00' TO A POINT, FOR THE MOST WESTERLY NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE INTO AND ACROSS LOT 12. THE FOLLOWING TWO (2) COURSES AND DISTANCES:

- 1. SOUTH 60°06'00" EAST WITH THE NORTHERLY LINE OF SAID 10' DRAINAGE EASEMENT, SAID LINE BEING 5' NORTH OF AND PARALLEL TO THE COMMON DIVIDING LINE OF SAID LOTS 17 AND 12, A DISTANCE OF 100.00' TO A POINT IN THE WEST LINE OF AFORESAID 10' DRAINAGE EASEMENT;
- 2. NORTH 29°54'00" EAST WITH THE WESTERLY LINE OF SAID 10' DRAINAGE EASEMENT, SAID LINE BEING 5' WEST OF AND PARALLEL TO THE COMMON DIVIDING LINE OF SAID LOTS 12 AND 13, A DISTANCE OF 120.00' TO A POINT IN THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID WINCHESTER ROAD, SAME BEING THE NORTHERLY LINE OF SAID LOT 12, FOR THE MOST NORTHERLY NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE SOUTH 60°06'00" EAST ALONG SAID RIGHT-OF-WAY, AT 5.00' PASSING THE COMMON NORTH CORNER OF LOTS 12 AND 13, FOR A TOTAL DISTANCE OF 10.00' TO THE PLACE OF BEGINNING AND CONTAINING 0.0488 ACRE (2125 SQ. FT.) OF LAND.

SHEET 2 OF 2

RONNIE WILLIS, RPLS NO. 5462

JUNE 14, 2012 JOB # 25609 RECEIVED

JUL 1 8 2012

TRAVIS COUNTY - TNR
PERMITS DEPARTMENT

EXHIBIT FOR REALEASE OF 0.0488 ACRE (2151 SQ. FT.) BEING 10' DRAINAGE EASEMENTS OUT OF AND A PART OF LOT 12, LOT 13, AND LOT 17, BLOCK 56, OF AUSTIN LAKE HILLS SECTION TWO, RECORDED IN VOLUME 13, PAGE 29, T.C.P.R. WINCHESTER ROAD **LEGEND** - DRAINAGE EASEMENT - PUBLIC UTILITY EASEMENT - CONTROL MONUMENT SCALE: 1" = 30' LOT LINE lor 12 60.06.00. LOT 18/ BLOCK 56 LINE TABLE LINE DISTANCE **BEARING** 5.00 N 60.06,00, M LI S 29°54'00" W L2 5.00 10.00 N 29'54'00" E L3 S 60'06'00" E 10.00 LO7 18 Windrose Land Services Austin RONNIE WILLIS TEXAS R.P.L.S. NO. 5462

4120 Commercial Center Dr. Suite 300 Austin, Texas 78744 TEL. (512) 326-2100 FAX (512) 326-2770

OCOPYRIGHT 2012 WINDROSE LAND SERVICES AUSTIN, ALL RIGHTS RESERVED

DRAWN BY: CP DATE: 06/14/12

JOB NO. 25609 SHEET 1 OF 2

#### STEVE WENZEL, P.E.

April 9, 2011

Travis County Transportation & Natural Resources PO Box 1748
Austin, TX 78767



RE: Drainage Easement Vacation for Lot 11, 12, 13, &17, Blk 56, Austin Lake Hills, Sec

To Whom It May Concern:

On behalf of the owner, I request Travis County to vacate the 5' drainage easements (DE) that were dedicated by plat along on the side and rear lot lines of Lots 12, 13, &17, Blk 56, Sec 2 in Austin Lake Hills, Section 2 subdivision. Attached is a copy of the DE and PUE dedication note from the plat as well as a copy of the subject lots.

A preliminary study determined that the lots are unable to accommodate an on-site sewage facility (OSSF) and a house on the lots without vacating the easements. In particular, the current OSSF setback of 25 feet from a drainfield to a DE which was not in affect at the time of platting. The lots are also hampered by the fact that they are about 1/4 AC lots, which are sub-standard sizes by today's minimum lot sizing.

The 5 feet DE on these lots can be vacated for the following:

- 1. The attached drainage map and calculations show that there is no concentrated flow onto these lots. Therefore, no drainage facilities will be required to convey flow through the lots. All flow entering the lots is sheet flow per COA rational method with a L is less than 200 ft. A site inspection confirmed this condition and that there were no visible drainage channels on or near these lots. Most of the neighborhood is sheet flow through yards and this drainage scenario seems to work for all.
- The 5 foot DE dedicated on each side of these lots does not meet the TNR's minimum widths for storm sewer pipes or open channels. Therefore, no drainage facilities could be installed without acquiring additional DE's from lot owners.
- Travis County approved the plat and did not require any additional DE's near or through the subject lots.

Based on the fact that the up-gradient lots are fully developed with houses, any new homes and the associated lot grading will be cognizant of existing flow patterns and direct stormwater safely across the lots and into the ROW. We offer these justifications to support our request that there is no need for TNR to use these drainage easements and further, I don't believe granting this request will result in any adverse drainage conditions to these lots or the neighboring lots.

Before spending the money for the surveyor's easement descriptions, we would like to know if TNR agrees that the DE's can be vacated. I will be happy to discuss this in more detail if you need. Feel free to call me 288-7207.

Sincerely,

Steve Wenzel, P.E..

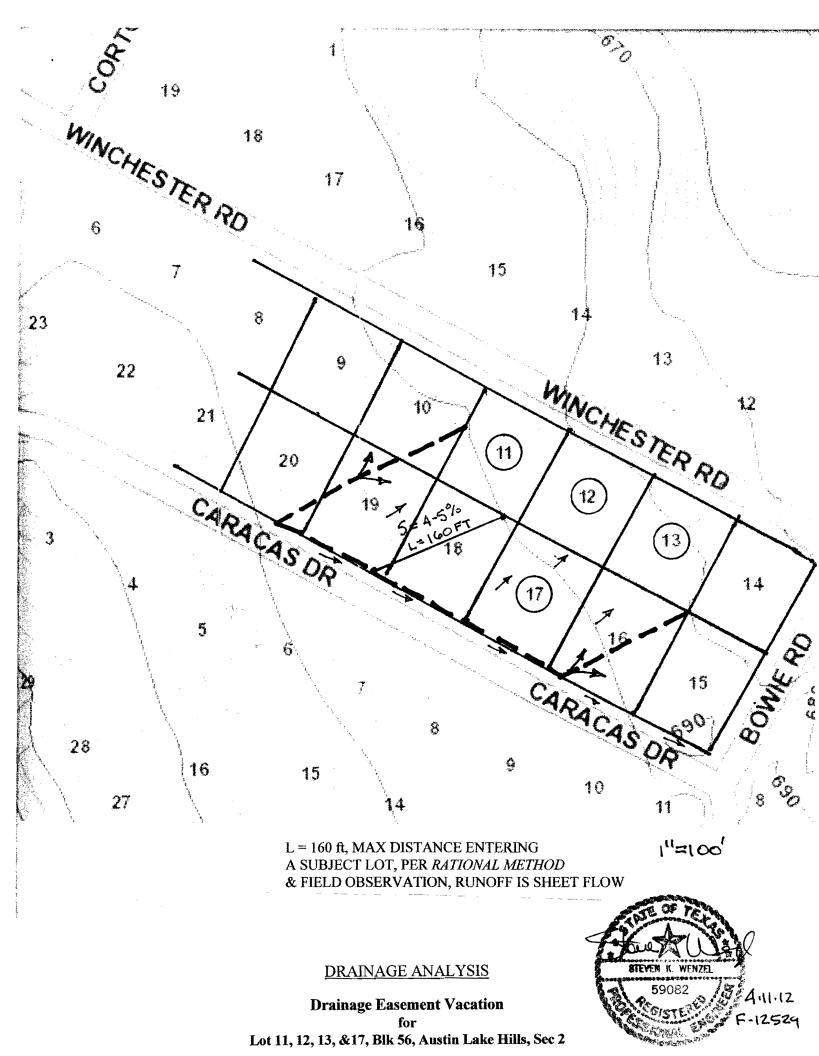
Austin, TX 78749

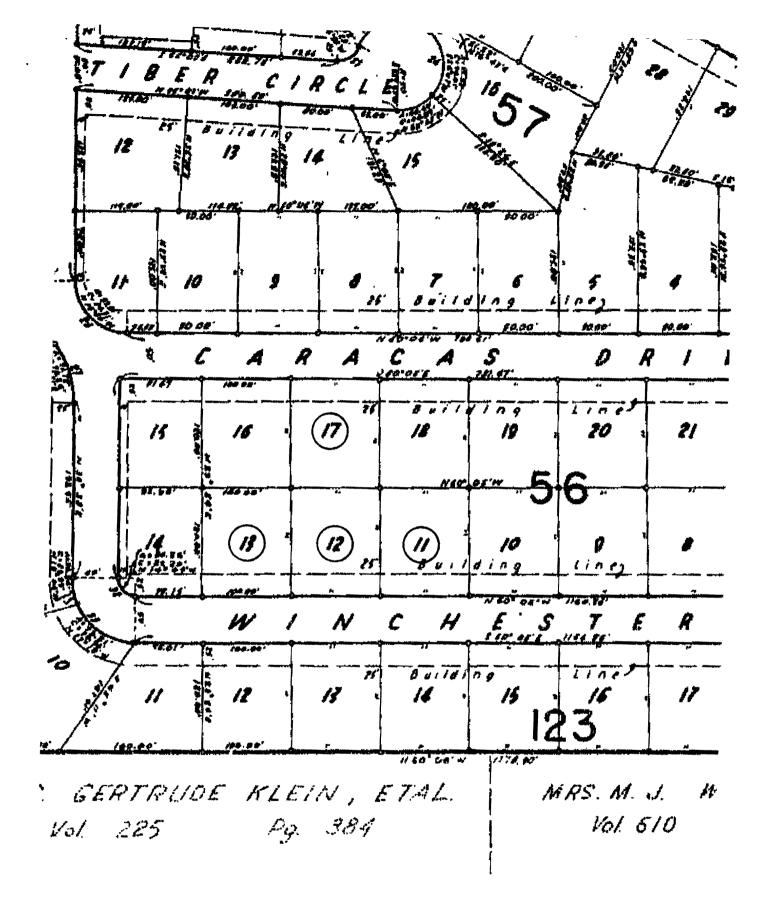
妆-12529

Enclosures Overall Drainage Tap

Subdivision PLAT & DE note
7005 Kenosha Pass

STEVEN K. WENZEL





Drainage Easement Vacation for Lot 11, 12, 13, &17, Blk 56, Austin Lake Hills, Sec 2

•			
Commissioner's Court of Travis County, Texas build the streets, roads, and other public t nection therewith."	and the Commissioner scour or a choroughfares shown on this plat or	of constructing any birdges or er	blighted to
THE STATE OF TEXAS I			
I, Emilie Limberg,	County Clerk of Travis County, Tes mer's Court of Travis County, Tesms been duly entered in the minutes of	, passed an order authorizing the	TOTAL AND THE
	ID SEAL OF OFFICE, this the 29	day of May	
or I. Clear	•	Emilie Limberg, Clark, County	31/6
supar.y		County, Texas	Contract
NOTE: Each house in this Subdivision shall to a public utility samitary seemes system. City of Austin and/or Travis County Bealth I IN ABDITION to the easements shown hereon, a the year of all lots is hereby dedicated for	Each house in this Subdivision con Departments. An ensement of five feet (5') along	meeted to a septic tank must be	approved by the
	SORVETED BT:	The	
1		MARVIN TURNER REGISCORY	
	MTE: 26 MAY, 1961	Jost June	
		Registered Professional Service	
DRAINAGE	£ , }		<b>₹</b>
ESMT.			•
DEDICATION	4 / :		
			• •
			• ,
•			• .
		•	,
	LEGEND		,
	Iren Pin Set		- *
	Iron Pin Found		*
	SCALE:   = 100'		
	J G M L. L.   - 100		
		*	•

# AKE HILLS

ON TWO

1809-7

Travis County Transportation and Natural Resources Mr. Paul Scoggins West 13<sup>th</sup> St., Ste 411 Austin, TX

PO Box 1748 Austin TX 78767

RE: Drainage Easement Vacation Request Lot 13 Notification

Mr. Scoggins,

As the Owner of Lot 13 Block 56, Sec. 2 in the Austin Lake Hills Section 2 subdivision, I have been informed by Jason Beers, Owner of Lot 12, regarding his request for a vacation of the easement so that Mr. Beers may build his home and septic system on Lot 12.

In addition, Mr. Beers also made me aware of the proposed site plan and I am aware of the reason for his request. The vacation request is attached.

Trank G. Ganko

Print Name

Owner Lot 12 Jason Beers

RECEIVED

JUL 1 8 2012

RAVIS COUNTY TO

TRAVIS COUNTY - TNR PERMITS DEPARTMENT

CODE: 1101

RECEIVED

Travis County Transportation and Natural Resources Mr. Paul Scoggins West 13<sup>th</sup> St., Ste 411 Austin, TX

PO Box 1748 Austin, TX 78767 JUL 17 2012 TNR

RE: Drainage Easement Vacation Request Lot 17 Notification

Mr. Scoggins,

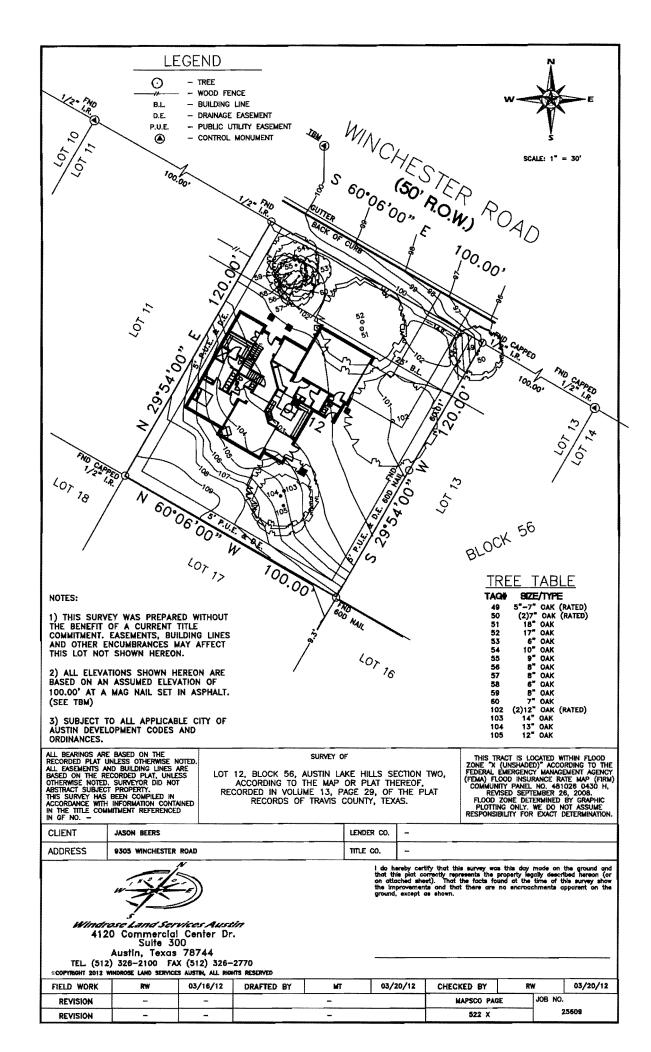
As the Owner of Lot 17 Block 56, Sec. 2 in the Austin Lake Hills Section 2 subdivision, I have been informed by Jason Beers, Owner of Lot 12, regarding his request for a vacation of the easement so that Mr. Beers may build his home and septic system on Lot 12.

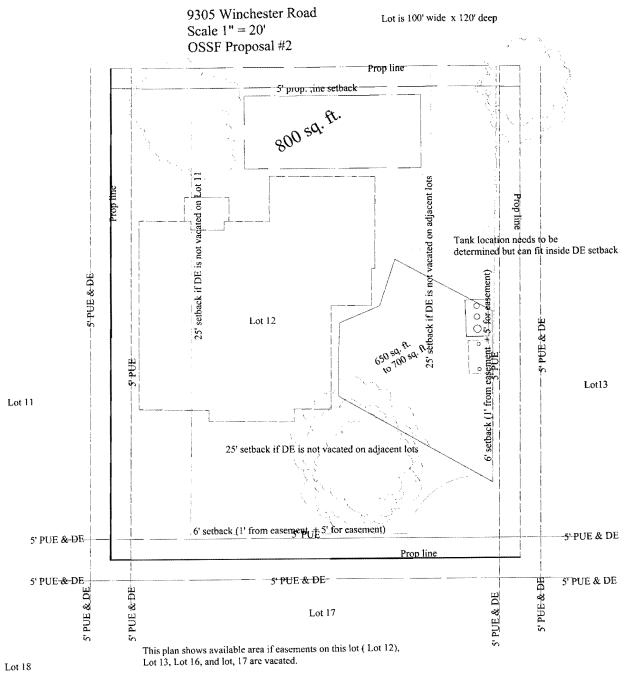
In addition, Mr. Beers also made me aware of the proposed site plan and I am aware of the reason for his request. The vacation request is attached.

My Bellia
Owner Lbt 17

Amy Bellia
Print Name

Jason Beers





This area exceeds the bare minimum area required under the regulations for class III soil. by only 25%. System will have difficulty functioning over long term and cannot be guaranteed to function for any length of time. If Add-ons are made system can function better but may still overload hydraulically. Systems generally need a 0.05 to 0.1 oapplication rate to function hydraulically. An application rate of 0.1 requires 2,400 sq. ft.

Lot 16

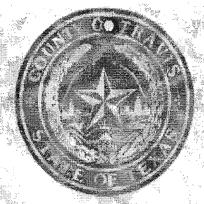


#### TRANSPORTATION AND NATURAL RESOURCES

Steven M. Manilia. P.E., County Executive 411 West 13th Street Executive Office Building P.O. Box 1748 Austin, Texas 78767 tel 512-854-9383 fax 512-854-4649

#### AFFIDAVIT OF POSTING

TO: County Judge County Commissioners Travis County, Texas	
August 13 common lot line of Lots 12 and 13. I	5' wide drainage easements sign was posted on 2012, on the southerly side of Winchester Road along the Block 56 of Austin Lake Hills. Section Two at a point as cated, and was also posted at the Travis County Courthouse
CERTIFIED THIS THE 13	DAY OF August, 2012.
	NAME (PRINT): <u>Jaime Garcia</u> TITLE: TNR/ R&B Supervisor



# NOTICE OF PUBLIC HEARING

SEPTEMBER 4, 2012 AT 900 AM

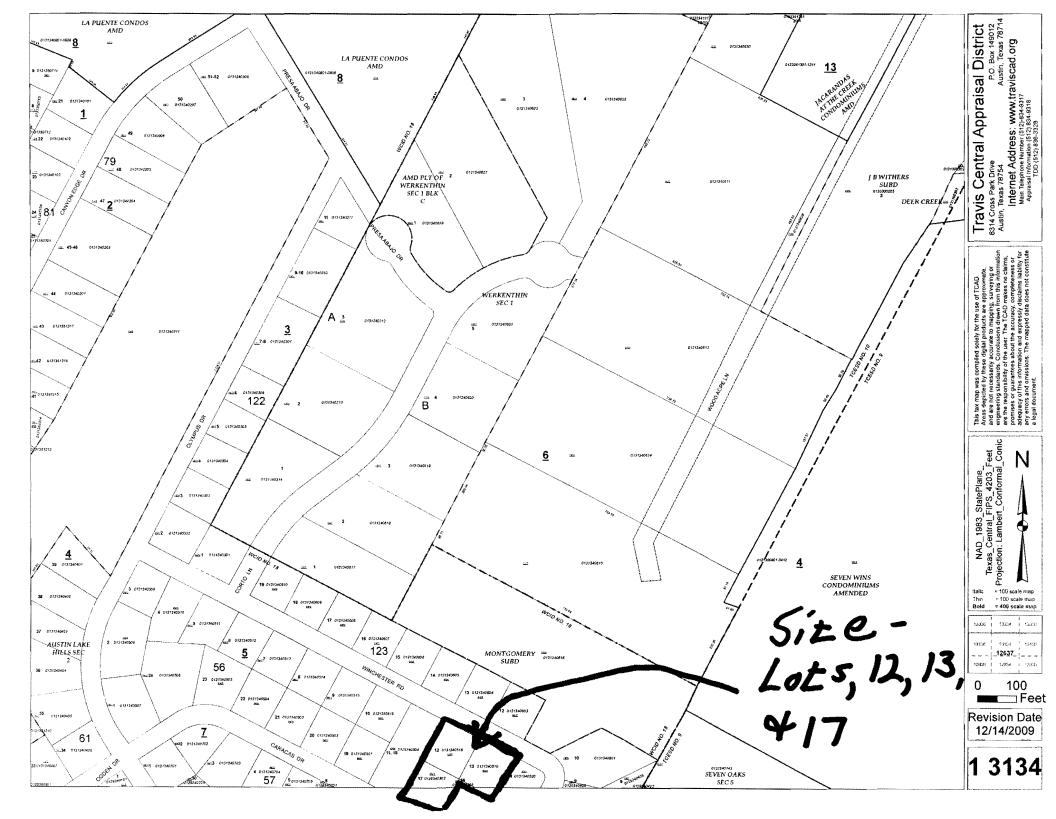
DRAINAGE EASEMENT VACATION

TO APPROVE THE VACATION OF FOUR FIVE FOOT WIDE DRAINAGE EASEMENTS LOCATED ALONG THE COMMON LOT LINES OF LOT 12 WITH LOTS 13 AND 17, BLOCK 56 OF AUSTIN LAKE HILLS SECTION TWO — A SUBDIVISION IN PRECINCT THREE

AT THE TRAVIS COUNTY
COMMISSIONERS COURTROOM
700 LAVACA STREET AUSTIN, TX

FOR MORE INFORMATION CALL 854-9383





# Site

