

Aug. 2005

DEED RESTRICTIONS/RESTRICTIVE COVENANTS

Two topics generate more calls to members of the Balcones Civic Assn. Executive Committee than any others: deed restrictions and City building codes for additions and renovations on residential property. Because of widespread interest in these topics, we want to outline steps that any resident can take to obtain accurate information from the City of Austin and Travis County, about development of a residential site.

1. Find the legal description for the subject property (yours or someone else's) on your property tax statement or on the Travis County Central Appraisal District's web site, www.traviscad.org (Type in the street address for the subject property, then click "Search.")
2. Go to the Travis County Clerk's office at 5501 Airport Blvd. and ask for a copy of the restrictive covenants for the subdivision in which the subject property lies. The covenants are contained in the Deed Records of Travis County, Texas.
3. Obtain a copy of the plat for the subdivision by going to the City's Development Assistance Center in One Texas Center, 505 Barton Springs Rd., Austin. The zoning for the properties in the subdivision will be on the plat. Main phone number for the Development Assistance Center is 974-6370.
4. Specific regulations governing development of a lot zoned SF3 (Single Family district), are contained in a table entitled "Site Development Regulations," paragraph 25-2-492 of the City's Code of Ordinances.

The section of the City of Austin Code of Ordinances that contains the site development regulations table is: **Volume II, Title 25. Land Development**

Chapter 25-2. Zoning

Subchapter C. Use and Development Regulations

Article 2. Principal Use and Development Regulations

Division 1: Regulation Tables

5. To find this table on the City's web site, go to www.cityofaustin.org and click on "Site Map" near top of screen. Click on "Code of Ordinances" under the Services heading. Then click on "Volume I and Volume II, Code of Ordinances," and follow the steps listed below.
 - a. The American Legal Publishing Corp. screen will appear. [Am Legal is now hosting the City of Austin's online Code of Ordinances.] Choose the "no frames" option.
 - b. On the next screen, type 25-2 in the search box, then click on "search." Click on Title 25. Land Development on the next screen.
 - c. A list of the various chapters of Title 25 will appear. For information on zoning, double click on chapter 25-2. Zoning. Various subchapters and articles for chapter 25-2 will appear

5. c. cont.
on the next screen. Scroll through the list of subchapters for 25-2 until you come to Subchapter C. Scroll slowly through this subchapter, until you come to Article 2. "Principal Use and Development Regulations." Under this article is paragraph 25-2-492 "Site Development Regulations."
- d. Click on paragraph 25-2-492 under subchapter C to view the table that contains information on minimum lot size, max. dwelling units per lot, max dwelling height, etc., for various zoning districts. Most of the single family residences in our area are in the SF3 zoning district, so look under this column to find the desired development regulations.

Note: In order to see all the information on a given page, change the page setup from 'portrait' to 'landscape.' ("Page Setup" is an option under the File heading.)

- e. To print the table in paragraph 25-2-492 in 'landscape' format, do the following:
 - 1). click on File, then click on Page Setup and select 'landscape.'
 - 2). Click on File, then click Print Preview. Scroll through the first 110 pages one by one until you find the pages containing the Site Development Regulations Table. (By trial and error, one discovers that there are 369 pages in Chapter 25-2 in Landscape format, and the Site Development Regulations Table is on pp. 108-111. There are 279 pages in chapter 25-2 in Portrait format.)
 - 3) Click on Print and enter pages 108-111 in the page range box. Click OK.

Deed Restrictions

*Information compiled by Mary M. Tannahill, Chair
Balcones Civic Assn. Zoning Subcommittee*

Other useful phone numbers for development-related city services:

Zoning Enforcement: 974-2875
Environmental Enforcement: 974-2278
Residential Building Plan Review: 974-2380
Neighborhood Planning: 974-7695
City Clerk's Office: 974-2210