

**ORDINANCE NO. 20060518-029**

**AN ORDINANCE GRANTING A WAIVER FOR PROPERTY LOCATED AT 506 ATLANTA STREET FROM CERTAIN DEVELOPMENT REGULATIONS PRESCRIBED BY ORDINANCE NO. 20060309-058 FOR CONSTRUCTION OF A SINGLE FAMILY RESIDENCE.**

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

**PART 1.** This ordinance applies to the construction of a single family residence located at 506 Atlanta Street. The two story structure will have a floor area of 2,424 square feet.

**PART 2.** Applicant has filed a waiver application requesting that Council waive Part 5 Section (D)(4) of Ordinance No. 20060309-058 which prescribes minimum and maximum front yard setbacks for a lot on a block face on which three lots are developed for a use described in Subsection (B):

- (a) the lot with a principal structure closest to the street is disregarded, and the lot with a principal structure farthest from the street is disregarded;
- (b) the minimum front yard setback is equal to the minimum front yard setback of the principal structure on the remaining lot minus ten percent of the distance of that setback; and
- (c) the maximum front yard setback is equal to the minimum front yard setback of the principal structure on the remaining lot plus ten percent of the distance of that setback.

**PART 3.** Council has considered the factors for granting a waiver from development regulations prescribed by Ordinance No. 20060309-058. Council finds that such a waiver is justified because:

- (A) the development limitation imposes undue hardship on the applicant; and
- (B) the development proposed by the applicant will not adversely affect the public health, safety, and welfare.

**PART 4.** A waiver is granted from Part 5 Section (D)(4) of Ordinance 20060309-058 to allow the construction of a single family residence located at 506 Atlanta Street with a front yard setback of no less than 28 feet.

**PART 5.** This ordinance takes effect on May 29, 2006.

**PASSED AND APPROVED**

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May 18, 2006

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*Will Wynn*  
Will Wynn  
Mayor

**APPROVED:**

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*David Allan Smith*  
David Allan Smith  
City Attorney

**ATTEST:**

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*Shirley A. Gentry*  
Shirley A. Gentry  
City Clerk