

ORDINANCE NO. 20060525-052

AN ORDINANCE GRANTING A WAIVER FOR PROPERTY LOCATED AT 1001 EAST RIVERSIDE DRIVE FROM CERTAIN DEVELOPMENT REGULATIONS PRESCRIBED BY ORDINANCE NO. 20060309-058 FOR CONSTRUCTION OF A TWO-FAMILY RESIDENCE.

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

PART 1. This ordinance applies to the construction of a two-family residence located at 1001 East Riverside Drive. The two story structure will have a floor area of 3,570 square feet.

PART 2. Applicant has filed a waiver application requesting that Council waive Part 5(E) of Ordinance No. 20060309-058 which prescribes minimum and maximum street side yard setbacks:

- (1) Subsection (D) is applied to the block face on which the street side yard is located.
- (2) The minimum street side yard setback is equal to the minimum front yard setback on that block face under Subsection (D).
- (3) The maximum street side yard setback is equal to the maximum front yard setback on that block face under Subsection (D).

PART 3. Council has considered the factors for granting a waiver from the 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(E) of Ordinance 20060309-058 to allow the construction of a two-family residence located at 1001 East Riverside Drive with a street side yard setback of no less than 15 feet.

PART 5. This ordinance takes effect on June 5, 2006.

PASSED AND APPROVED

May 25, 2006

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Will Wynn
Mayor

APPROVED: _____
David Allan Smith
City Attorney

ATTEST: _____
Shirley A. Gentry
City Clerk