

## ORDINANCE NO.

1 AN ORDINANCE GRANTING A WAIVER FOR PROPERTY LOCATED AT  
2 1305 WALLER STREET FROM CERTAIN INTERIM DEVELOPMENT  
3 REGULATIONS PRESCRIBED BY ORDINANCE NO. 20060309-058 FOR  
4 CONSTRUCTION OF A DUPLEX RESIDENCE.  
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6 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:  
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8 **PART 1.** This ordinance applies to the construction of a 3,806.4 square foot duplex  
9 residence located at 1305 Waller Street.

10 **PART 2.** Applicant has filed a waiver application requesting that Council waive Part  
11 3(2) of Ordinance No. 20060309-058 which limits construction of a new single family  
12 structure on a lot where a structure has been or will be demolished or relocated to the  
13 greater of the following:

- 14 (A) 0.4 to 1 floor-to-area ratio;  
15 (B) 2,500 square feet; or  
16 (C) the existing size plus 1,000 square feet, if the applicant has been granted a  
17 homestead exemption for the duplex.

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

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

24 **PART 4.** A waiver is granted from Part 3(2) of Ordinance 20060309-058 to allow the  
25 construction of a 3,806.4 square foot duplex residence located at 1305 Waller Street.

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2 **PART 5.** This ordinance takes effect on \_\_\_\_\_, 2006.

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4 **PASSED AND APPROVED**

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8 \_\_\_\_\_, 2006

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§  
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9  
10 Will Wynn  
Mayor

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12  
13 **APPROVED:**

14 David Allan Smith  
City Attorney

15 **ATTEST:**

Shirley A. Gentry  
City Clerk