#28
05-18-06

ORDINANCE NO.

1 AN ORDINANCE GRANTING A WAIVER FOR PROPERTY LOCATED AT 505
2 DEEP EDDY AVENUE FROM CERTAIN DEVELOPMENT REGULATIONS
3 PRESCRIBED BY ORDINANCE NO. 20060309-058 FOR CONSTRUCTION OF A
4 DUPLEX RESIDENCE.

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6 **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**
7
8 **PART 1.** This ordinance applies to the construction of a duplex residence located at 505
9 Deep Eddy Avenue. The two story structure will have a floor area of 3,825 square feet.

10 **PART 2.** Applicant has filed a waiver application requesting that Council waive Part 4
11 Section (C) of Ordinance No. 20060309-058 which limits a building permit to construct
12 a duplex or single-family structure to the greater of the following:

13   (1)   0.4 to 1 floor-to-area ratio;

14   (2)   2,500 square feet; or

15   (3)   20 percent more square feet than the existing or pre-existing structure.

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

19   (A)   the development limitation imposes undue hardship on the applicant; and

20   (B)   the development proposed by the applicant will not adversely affect the
21   public health, safety, and welfare.

22 **PART 4.** A waiver is granted from Part 4 Section (C) of Ordinance 20060309-058 to
23 allow the construction of a duplex residence located at 505 Deep Eddy Avenue, for a total
24 structure size not to exceed 3,825 square feet. This waiver is conditioned upon a
25 maximum impervious cover of 45 percent for the lot.

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

PASSED AND APPROVED

§
§
_____, 2006   § _____
                                    Will Wynn
                                    Mayor

APPROVED: _____   **ATTEST:** _____
          David Allan Smith   Shirley A. Gentry
          City Attorney   City Clerk

DRAFT