

ORDINANCE NO.

**AN ORDINANCE GRANTING A WAIVER FOR PROPERTY LOCATED AT
1007 ½ EAST 16TH STREET FROM CERTAIN DEVELOPMENT
REGULATIONS PRESCRIBED BY ORDINANCE NO. 20060309-058 TO
ALLOW CONSTRUCTION OF A SINGLE-FAMILY RESIDENCE.**

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

PART 1. This ordinance applies to construction of a single-family residence on property located at 1007 ½ East 16th Street. The three-story single family residence will have 1,904 square feet of gross floor area.

PART 2. Applicant has filed a waiver application requesting that Council waive Part 5(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 or more 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 structures 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.

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2 **PART 4.** A waiver is granted from Part 4(D) of Ordinance 20060309-058 to allow the
3 construction of a three story single-family residence located at 1007 ½ East 16th Street
4 with a front yard setback of no more than 87 feet.

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

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7 **PASSED AND APPROVED**

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10 _____, 2006

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Will Wynn
Mayor

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16 **APPROVED:** _____

David Allan Smith
City Attorney

ATTEST: _____

Shirley A. Gentry
City Clerk