

#67
6-8-06

ORDINANCE NO.

1 **AN ORDINANCE GRANTING A WAIVER FOR PROPERTY LOCATED AT**
2 **4711 CASWELL DRIVE 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:**

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8 **PART 1.** This ordinance applies to the construction of a duplex residence located at
9 4711 Caswell Drive. The two story structure will have a floor area of 3,800 square feet.

10 **PART 2.** Applicant seeks a waiver from Part 4(A) of Ordinance No. 20060309-058
11 which states that an application for a demolition or relocation permit for a structure must
12 be filed concurrently with an application for a permit described in Subsection (C) or (D)
13 of Ordinance No. 20060309-058.

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

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

20 **PART 4.** A waiver is granted from Part 4(A) of Ordinance 20060309-058 to allow
21 Applicant to fail to file a demolition permit concurrently with a building permit.

PASSED AND APPROVED

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APPROVED: _____
David Allan Smith
City Attorney

ATTEST: _____
Shirley A. Gentry
City Clerk