

#63  
6-8-06

**ORDINANCE NO.**

**AN ORDINANCE GRANTING A WAIVER FOR PROPERTY LOCATED AT 3202 GREENLEE DRIVE FROM CERTAIN DEVELOPMENT REGULATIONS PRESCRIBED BY ORDINANCE NO. 20060309-058 FOR CONSTRUCTION OF A DUPLEX RESIDENCE.**

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

**PART 1.** This ordinance applies to the construction of a duplex residence located at 3202 Greenlee Drive. The two story structure will have a floor area of 4,328 square feet.

**PART 2.** Applicant has filed a waiver application requesting that Council waive Part 5 Section (D)5 of Ordinance No. 20060309-058 regarding minimum and maximum front yard setbacks as follows:

- (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 average of the minimum front yard setbacks of the principal structures on the remaining lots minus ten percent of the distance of that average; and
- (c) the maximum front yard setback is equal to the average of the minimum front yard setbacks of the principal structures on the remaining lots plus ten percent of the distance of that average.

**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.

**PART 4.** A waiver is granted from Part 5 Section (D)(5) of Ordinance 20060309-058 to allow construction of a duplex residence located at 3202 Greenlee Drive, with a front yard setback of no less than 165 feet.

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2 **PART 6.** This ordinance takes effect on \_\_\_\_\_, 2006.

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4 **PASSED AND APPROVED**

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

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Will Wynn  
Mayor

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13 **APPROVED:** \_\_\_\_\_  
14 David Allan Smith  
15 City Attorney

**ATTEST:** \_\_\_\_\_  
Shirley A. Gentry  
City Clerk