

1022.06

Item # 666

**ORDINANCE NO.**

**AN ORDINANCE GRANTING A WAIVER FOR PROPERTY LOCATED AT 1422 PRESTON AVENUE FROM CERTAIN DEVELOPMENT REGULATIONS PRESCRIBED BY ORDINANCE NO. 20060309-058 FOR CONSTRUCTION OF A SINGLE-FAMILY RESIDENCE.**

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

**PART 1.** This ordinance applies to the construction of a single-family residence located at 1422 Preston Avenue. The two story structure will have a floor area of 3,822 square feet.

**PART 2.** Applicant has filed a waiver application requesting that Council waive Part 4(C) of Ordinance No. 20060309-058 which limits a building permit to increase the size of a new structure on a lot where, before March 9, 2006, a structure has been or will be demolished or relocated, to the greater of the following:

- (1) 0.4 to 1 floor-to-area ratio;
- (2) 2,500 square feet; or
- (3) 20 percent more square feet than the existing or pre-existing structure.

**PART 3.** Council has considered the factors for granting waivers from development regulations prescribed by Ordinance No. 20060309-058. Council finds that such waivers are 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 4(C) of Ordinance 20060309-058 to allow construction of a single-family residence located at 1422 Preston Avenue, for a total structure size not to exceed 3,822 square feet.

1  
2 **PART 5.** This ordinance takes effect on \_\_\_\_\_, 2006.

3  
4 **PASSED AND APPROVED**

5  
6  
7  
8 \_\_\_\_\_, 2006

§  
§  
§

Will Wynn  
Mayor

9  
10  
11  
12  
13 **APPROVED:**

David Allan Smith  
City Attorney

**ATTEST:**

Shirley A. Gentry  
City Clerk