

## AGENDA



Thursday, June 8, 2006

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RECOMMENDATION FOR COUNCIL  
ACTION**

ITEM 85

**Subject:** Approve an ordinance waiving the development regulations of Ordinance No. 20060309-058 to allow the remodel (addition) of a duplex at 4707 Caswell Drive, Austin, TX.

**Amount and Source of Funding:**

**Fiscal Note:** There is no unanticipated fiscal impact. A fiscal note is not required.

**Additional Backup Material**

(click to open)

No Attachments Available

**For More Information:** Sylvia Benavidez, 974-2522; Joi Harden, 974-3345

**Prior Council Action:****Boards and Commission Action:**

On March 9, 2006 the City Council adopted development regulations which provided development limits in subdivisions within the City limits for which the original plat was approved before March 7, 1974, or on a tract that may legally be developed without being platted. For a building permit to construct single-family, single family attached, two-family, secondary apartment, and duplex structures on a lot where for a remodel permit to increase the size of a structure, the structure's size after the remodel is limited to the greater of the following:

- (a) 0.4 to 1 floor-to-area ratio;
- (b) 2,500 square feet; or
- (c) the existing size plus 1000 square feet, if the applicant has been granted a homestead exemption for the structure.

This ordinance includes a provision which allows City Council to waive the development limitations if the Council determines that the development regulations impose an undue hardship on the applicant and the development proposed by the applicant will not adversely affect public health, safety, and welfare.

Applicant Mr. Ben Heimsath is requesting a waiver from Ordinance No. 20060309-058 in order construct a duplex at 4707 Caswell Drive, Austin, TX. If the new duplex is constructed, it will be a two story structure and will have 3800 square feet of gross floor area. The proposed development exceeds the floor to area ratio and square footage limitations under Ordinance No. 20060309-058. The proposed development would comply

with other zoning regulations, including building cover limitations as well as height requirements.

Applicant is also requesting a waiver from Ordinance No. 20060309-058 Part 4 (A) - An application for a demolition or relocation permit for a structure must be filed concurrently with an application for a permit described in Subsection (C) or (D).