

**ORDINANCE NO. 20060727-084**

**AN ORDINANCE GRANTING A WAIVER FOR PROPERTY LOCATED AT 1411 GASTON AVENUE 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 1411 Gaston Avenue. The single family residence will have 3,998 square feet of gross floor area and a two-family residential of 534 square feet.

**PART 2.** Applicant has filed a waiver application requesting that Council waive Part 4(C) of Ordinance No. 20060309-058 which limits construction of a new single family 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 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;
- (B) the development proposed by the applicant will not adversely affect the public health, safety, and welfare; and
- (C) waiving the regulations will not have a substantially adverse impact on neighboring properties.

**PART 4.** A waiver is granted from Part 4(C) of Ordinance 20060309-058 to allow the construction of a single-family residence located at 1411 Gaston Avenue with a square footage not to exceed 3,998 square feet, and a two-family residential not to exceed 534 square feet.

**PART 5.** This ordinance takes effect on August 7, 2006.

**PASSED AND APPROVED**

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July 27, 2006

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Will Wynn  
Mayor

**APPROVED:** \_\_\_\_\_  
David Allan Smith  
City Attorney

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