

**ORDINANCE NO.**

1 **AN ORDINANCE WAIVING CITY CODE SECTION 15-5-10 (D)(2) RELATING**  
2 **TO MINIMUM LOT SIZING REQUIREMENTS FOR SUBDIVISIONS OF**  
3 **SINGLE FAMILY DWELLINGS TO BE SERVED BY AN ON-SITE SEWAGE**  
4 **FACILITY FOR PROPERTY LOCATED AT 1750 CHANNEL ROAD, AUSTIN**  
5 **TEXAS.**

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

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9 **PART 1. FINDINGS.**

- 10 (A) The lot located at 1750 Channel Road is located in the full purpose boundaries of  
11 the City of Austin. This lot has not been platted. The current property owner  
12 plans to replace the existing house and on-site sewage facility (“OSSF”).
- 13 (B) City Code requires that the property be platted. The current owner of this property  
14 is also proposing to combine the existing lot (0.14 acres) with 0.035 acres and  
15 0.025 acres of adjacent tracts. Austin Water OSSF’s review and approval is  
16 required as part of the subdivision process for joining the lots. Per City Code  
17 Section 15-5-10 (D)(2), the minimum size of a lot to be served by an OSSF and  
18 platted or created after October 14, 2013 is one acre, if served by a private water  
19 supply.
- 20 (C) Texas Commission on Environmental Quality (“TCEQ”) has delegated to the City  
21 of Austin authority to enforce OSSF regulations. Although the property does not  
22 meet the current State lot sizing requirements, TCEQ staff provided Austin Water  
23 written clarification that the lot is grandfathered from the State’s sizing  
24 requirements.
- 25 (D) Austin Water staff recommends waiving City Code Section 15-5-10 (D)(2) relating  
26 to the minimum lot size for an OSSF to serve the property located at 1750  
27 Channel Road.

28 **PART 2.** The Council waives requirements of City Code Section 15-5-10 (D)(2) relating  
29 to the minimum lot size for an OSSF for the property located at 1750 Channel Road,  
30 Austin, Texas. All other OSSF regulations regarding the design (including separation  
31 distances and setback requirements), construction, and maintenance of the OSSF will  
32 apply. This waiver shall not be construed as approval of an OSSF design.

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