

ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE 20130627-107, GRANTING VARIANCES FOR PROPERTY LOCATED AT 4518 AVENUE D FROM CERTAIN FLOODPLAIN REGULATIONS PRESCRIBED BY THE CITY CODE FOR A SECOND STORY ADDITION TO A SINGLE FAMILY RESIDENCE IN THE 25 AND 100-YEAR FLOODPLAINS; ESTABLISHING CONDITIONS FOR THE VARIANCES; AND PROVIDING AN EXPIRATION DATE FOR THE VARIANCES.

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

PART 1. Ordinance 20130627-107, PART 1 is amended to read:

PART 1. This ordinance applies to the remodeling of the interior and construction of a second story addition to a single family residence located at 4518 Avenue D within the 25 and 100-year floodplains as described in Building Permit application number 2013-016049 PR.

PART 2. All other terms and conditions in Ordinance 20130627-107 remain in full effect.

PART 3. Council has considered the factors for granting a variance from floodplain regulations prescribed by City Code Section 25-12-3, Building Code Appendix G, Section G105.7 (*Conditions for Issuance*). Council finds that the variances granted by this amending ordinance are the minimum necessary to afford relief, are based on good and sufficient cause, and failure to grant the variance would result in exceptional hardship. Council further finds that the variances granted in this amending ordinance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create a nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

PART 4. This variance expires if the project for which this variance is granted does not receive a Building Permit before July 8, 2014.

PART 5. Approval of this variance does not constitute approval of zoning, subdivision, a site plan, a building permit, or any other development permit, and it does not constitute a commitment to any particular land use, intensity of land use, or utility services. Approval of this variance does not constitute a guarantee of flood insurance availability, rates, or requirements.

PART 6. This ordinance takes effect on_____, 2013.

PASSED AND APPROVED

_____, 2013 §
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 § _____
 Lee Leffingwell
 Mayor

APPROVED: _____
 Karen M. Kennard
 City Attorney

ATTEST: _____
 Jannette S. Goodall
 City Clerk