City of Austin

Recommendation for Action

File #: 26-2954, **Agenda Item #:** 30. 11/5/2026

Posting Language
Conduct a public hearing and consider an ordinance granting floodplain variances for the property located at 1213 Fort Branch Boulevard from certain floodplain regulations prescribed by City Code for the construction of two single-family dwelling units within the 25-year and 100-year floodplains of Fort Branch Creek; establishing the conditions for the variances; and providing an expiration date for the variances. Funding: This item has no fiscal impact.

Lead Department
Austin Watershed Protection.

Fiscal Note
This item has no fiscal impact.

For More Information:
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Additional Backup Information:
The owner of the property located at 1213 Fort Branch Boulevard, through their agent, Jennifer Hanlen, has filed an application for a residential building permit (permit application number 2025-091168) for two proposed single-family dwelling units. The proposed development is to construct one three-story, 2,775- square-foot building with a 116-square-foot porch and one two-story, 2,332-square-foot building with a 121- square-foot patio. One single-family building existed on this lot at the time of the application.

The property is located partially within the 25-year and 100-year floodplains of Fort Branch Creek. One proposed building is located in the 25-year and 100-year floodplains and one proposed building is located in the 100-year floodplain.

The owner seeks variances from the City's floodplain management regulations to: 1) encroach on the 25-year and 100-year floodplains with the proposed buildings; 2) not provide normal access from the buildings to an area that is a minimum of one foot above the design flood elevation (100-year floodplain); and 3) exclude the proposed building footprints from the required drainage easement.

Austin Watershed Protection recommends denial of this variance request. Since there was one legal single-family building on the property prior to this application, the floodplain regulations allow the owner to replace that building with a new building that would have reduced flood risk. Staff could have approved this administratively.

Replacing one single-family dwelling that is within the floodplain with two single-family dwellings that are within the floodplain increases the number of residents that could be impacted by flooding and is not allowed by the floodplain regulations.

The City receives credit under the Federal Emergency Management Agency's Community Rating System

(CRS) for its more stringent flood control regulations, which results in flood insurance premiums being discounted for some residents. If the City continually approves variances to its regulations, it may lose some of the credit it receives in the CRS program.

If Council choses to approve the request, Austin Watershed Protection recommends including the following conditions:

1. The applicant shall dedicate an easement to the City as required by City Code Section 25-7-152 (Dedication of Easements and Rights-of Way) to the limits of the 100-year floodplain, less the footprint of the buildings. The City shall not issue a certificate of occupancy for the buildings until the applicant submits all information and documentation necessary for the easement and the easement, as approved by the City Attorney, is filed by the applicant in the Official Records of Travis County, Texas.
2. Before the City issues a certificate of occupancy for the buildings, the applicant must submit a completed Elevation Certification certifying the elevation of the finished floor of the buildings as proposed by the approved site plan or development permit application and signed by a professional land surveyor, engineer, or architect authorized by law to certify elevations.

If approved, these variances will expire if the building for which the variances are granted does not receive a residential building permit within one year.