

ORDINANCE NO.

AN ORDINANCE GRANTING VARIANCES FOR PROPERTY LOCATED AT 1120 DENFIELD STREET FROM CERTAIN FLOODPLAIN REGULATIONS PRESCRIBED BY THE CITY CODE FOR THE CONVERSION OF AN ACCESSORY STRUCTURE INTO A DWELLING UNIT IN THE 100-YEAR FLOODPLAIN; ESTABLISHING THE 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. This ordinance applies to the conversion of an accessory structure into a dwelling unit at 1120 Denfield Street within the 100-year floodplain, as described in residential building permit application number 2024-108448 PR.

PART 2. Council has considered the factors for granting a variance from floodplain regulations prescribed by Subsection (F) of City Code Section 25-12-54 (*Flood Resistant Construction*). Council finds that the variances granted by this ordinance are the minimum necessary to afford relief, are based on good and sufficient cause, and failure to grant the variances would result in exceptional hardship. Council further finds that the variances granted in this ordinance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, a nuisance, fraud on or victimization of the public, or conflict with existing local laws or ordinances.

PART 3. Variances are granted from:

- (A) the requirement in City Code Section 25-7-92 (*Encroachment on the Floodplain Prohibited*) that a development application may not be approved if a proposed building or parking area encroaches on the 100-year floodplain;
- (B) the requirement in City Code Section 25-12-53 (*Flood Loads*) that normal access to a building be by direct connection with an area that is a minimum one foot above the design flood elevation; and
- (C) the easement requirements in City Code Section 25-7-152 (*Dedication of Easements and Rights-of-Way*) to exclude the footprints of the converted building and primary single-family dwelling from the requirement to dedicate an easement to the limits of the 100-year floodplain.

PART 4. The variances granted in this ordinance are effective only if the applicant meets the following conditions:

