

ORDINANCE NO.

AN ORDINANCE GRANTING VARIANCES FOR PROPERTY LOCATED AT 4905 PROCK LANE FROM CERTAIN FLOODPLAIN REGULATIONS PRESCRIBED BY THE CITY CODE FOR CONSTRUCTION OF A DUPLEX IN THE 100-YEAR FLOODPLAIN OF TANNEHILL BRANCH CREEK; 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 construction of a duplex located at 4905 Prock Lane within the 100-year floodplain of Tannehill Branch Creek, as described in residential building permit application number 2024-084851 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 proposed building from the requirement to dedicate an easement to the limits of the 100-year floodplain.

