

AGENDA



Thursday, July 29, 2010

**Public Hearings and Possible Actions
RECOMMENDATION FOR COUNCIL ACTION**

Item No. 139

Subject: Conduct a public hearing and consider an ordinance regarding floodplain variances requested by Ms. Susie Osio for an existing development that converted an attached garage into a habitable area at the single-family residence at 318 Heartwood Drive. This structure is in the 25-year and 100-year floodplains of Williamson Creek, and the applicant also requests waiving the requirement to dedicate a drainage easement to the full limit of the 100-year floodplain to exclude the footprint of the existing house from the easement dedication requirement.

Amount and Source of Funding: There is no unanticipated fiscal impact.

Fiscal Note: A fiscal note is not required.

For More Information: Kevin Shunk, 974-9176; Mapi Vigil, 974-3384

The property located at 318 Heartwood Drive is entirely within the 25-year and 100-year floodplains of Williamson Creek and is currently developed with a single-family residence. The City issued a violation as a result of a complaint and a site visit by an inspector. The Code Enforcement inspector examined the property and noticed that the garage had been converted into conditioned space without proper permits from the City. The owner, Ms. Susie Osio, submitted a residential permit application to the City to validate the conversion of the garage. The development is the subject of Building Permit application number 2009-122100 PR.

The development included converting approximately 400 square feet of garage area into conditioned space. According to Ms. Osio, she hired a contractor to convert the garage, which is now not in compliance with the Land Development Code. The development does not increase flood levels on other properties. However, habitable living area is increased in the floodplain, which increases the non-compliance of the property. The house does not have access during a 100-year flood event.

The depth of water at the curb of 318 Heartwood Drive is approximately 3.6 feet and 6.4 feet for the 25-year and 100-year flood events. The depth of water at the existing house is approximately 4.1 feet and 7.0 feet for the 25-year and the 100-year flood events, respectively.