

AGENDA



Thursday, July 29, 2010

**Public Hearings and Possible Actions
RECOMMENDATION FOR COUNCIL ACTION****Item No. 133**

Subject: Conduct a public hearing and consider an ordinance regarding floodplain variances requested by Mr. Charles Haren and Mrs. Casta Calderon-Haren for an existing development that converted an attached garage into a habitable area at the single-family residence at 332 Heartwood Drive. This structure is in the 100-year floodplain 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 332 Heartwood Drive is partially within the 25-year floodplain and entirely within the 100-year floodplain 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 owners, Mr. Charles Haren and Mrs. Casta Calderon-Haren, 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 2009-125211 PR.

The development included converting approximately 250 square feet of garage area into conditioned space. A previous owner of the property converted the garage, which was not in compliance with the Land Development Code when purchased by the current owners. 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 332 Heartwood Drive is approximately 0.7 feet and 3.7 feet for the 25-year and 100-year flood events. The depth of water at the existing house is approximately 2.2 feet for the 100-year flood event.