

## AGENDA



Thursday, July 29, 2010

**Public Hearings and Possible Actions  
RECOMMENDATION FOR COUNCIL ACTION****Item No. 132**

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**Subject:** Conduct a public hearing and consider an ordinance regarding floodplain variances requested by Mr. Robert Abeita for an existing development that converted an attached garage into a habitable area at the single-family residence at 317 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

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The property located at 317 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 current owner, Mr. Robert Abeita 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 2010-005220 PR.

The development included converting approximately 270 square feet of garage area into conditioned space. The owner purchased the house in 1971 and converted the garage into a living room area in 1974. 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 25-year nor during a 100-year flood event.

The depth of water at the curb of 317 Heartwood Drive is approximately 2.7 feet and 5.6 feet for the 25-year and 100-year flood events. The depth of water at the existing house is approximately 1.2 feet and 4.0 feet for the 25-year and 100-year flood events.