Late Backup August 19, 2010; agenda items #66-81

Motion to Amend
Fairview Neighborhood Floodplain Variances
granting variances from design and certification requirements

I. *Move to amend Part 3 of the ordinances in back up for items 66-81 to* add new subsections (E) and (F) to read:

PART 3. A variance is granted from:

* * *

(E) the requirement that the design and construction located in flood hazard areas be in accordance with American Society of Civil Engineers Manual 24 (*Flood Resistant Design and Construction*) prescribed in City Code Section 25-12-3, Building Code Section 1612.4 (*Design and Construction*); and

(F) the requirement for documentation from a registered design professional prescribed in City Code Section 25-12-3, Building Code Section 1612.5 (*Flood Hazard Documentation*).

II. Move to change the designation from Part 3 subsection (E) to Part 3 subsection (G) in the ordinance in back up for item #80.

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Factors to consider in Amending Fairview Neighborhood Floodplain Variances

These cases do not increase flood levels or cause adverse flooding on other properties.

The development involved in these cases does not put other citizens or the current owners in harm's way, since these homes are already in the floodplain and the development did not increase the footprint of the home.

The development involved in these cases consists solely of one or two walls enclosing an existing garage or carport, which is not a substantial improvement to the houses.

The houses, garages, and carports in these cases were legally built before the area was in the floodplain.

In most cases, the garage or carport enclosure appears to have been completed at a time before the area was in the floodplain—though without a building permit this cannot be documented.

These cases deal with development completed up to 36 years ago and in most cases not by the current owner.

The variances are considered the minimum necessary to provide relief from a minimum level of development.

Granting variances from the professional certifications for these cases should not set a precedent for or suggest the lack of importance of these certifications for cases involving proposed development in the floodplain.