

MINOO R. COOPER

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April 09, 2015

To,

City Of Austin,

Watershed Protection Department

RE: 6109 Oakclaire Drive, Austin, TX 78736

Dear Sir,

In referring to your Nov. 12, 2013 Letter and subsequent meetings with city personal we have come up with a proposal to address all you concerns regarding the type of home that can be built on subject property. We have met with a civil engineer (his letter attached), a builder and a planer as follows:

1. THE PROPOSED DEVELOPMENT IS IN THE 25-YEAR FLOODPLAIN.

2. PROPOSED FINISHED FLOOR ABOVE MINIMUM REQUIRED ELEVATION. The Proposed house exceeds the minimum elevation requirements of one-foot above the 25-year floodplain elevation. The proposed finished floor will be about 2.0 feet above the 25-year floodplain.

3. NO SAFE ACCESS. The height of the street on Oakclaire Dr., at the front of the subject property is approximately 1' below the 25 year flood. First responder personnel will not have safe access to our property or to any adjacent homes during a 25-year flood event.

We have no control of how high or low the public streets are constructed and since there are no drains present on the entire street we are unable to remedy that situation without suffering hardship.

4. THE DEVELOPMENT DOES NOT PROVIDE COMPENSATORY VOLUME FOR THE FLOOD PLAIN VOLUME THAT WILL BE OCCUPIED BY THE PROPOSED STRUCTURE. The proposed development will be on a raised pier-beam foundation and as a result the displacement of water will be negligible having no consequence.

The applicant's engineer has demonstrated that the development alone will not increase the flood heights.

5. THE DEVELOPMENT WILL CAUSE AN ADVERSE IMPACT TO FLOODING ON OTHER PROPERTIES. The proposed development will be on a raised pier-beam foundation.

This will allow the water to flow freely under the house with minimal obstruction and will have no negative impact on adjacent properties and is an environmentally friendly option.

The applicant's engineer has demonstrated that the development alone will not increase flood heights.

We also like to bring to your attention that prior to purchasing this lot we contacted local city personal, the local insurance companies specifically regarding the flood conditions in that area. There was no indication that the property was in a floodplain zone by the Title Company and the land surveyors.

Therefore, a 2000 Sq ft., home on a slab was proposed and all drawings were submitted in order to obtain a building permit from the City of Austin. The building permit was granted on July 26, 2013 under City Code Chapter 25-12 and all fees for water & sewer tap, tree removal permits were paid and collected by the Cities building Department.

Construction started and as we were ready to pour the slab all building operations were stopped by the City and we were advised on October 10, 2013 that the foundation height had to be increased by 30" as the house was on a flood plain zone. However, subsequently we were notified by city personal that we were not allowed to build the type of house that was permitted to build. We were subsequently advice to withdraw our original permit (before it expired) and reapply after a complete new set of drawings and engineering plans were submitted

SPECIAL NOTE:

During heavy and long periods of rain the water runs into the creek on the left side of the of my lot and from across the street (church property drain).

As you are well aware that Oakclaire Drive has no City drainage so the rain water flows downhill into the creek and to some extent on to my lot.

In 2013 we started building a house on a slab after proper permits were issued. Following the September 2013 floods the city stopped us from continuing the building process. Subsequently the city advised the builder (Design Tech Homes) to change the type of construction to Pier Beam or we could not proceed. Due the extreme high cost of changing the foundation from slab to pier beam we were unable to work with that builder. We proceeded to redesign the house on Pier Beam foundation as recommended by the City and also having a much smaller footprint, paid for all the drawings engineering plans and Calvino Custom Homes presented all the information to the city and a permit was granted.

For some reason Calvino Custom Homes withdrew the application so we contacted Eli Hernandez (copied in) to resubmit the same plans, however, we were notified that since the Building Department did not consult the Watershed Department regarding our project there would be no permit issued.

In the new design the house ground floor will be 2 feet above the maximum flood height. We have about 36 X 12" piers or 36 Cu Ft.of volumes on a lot which is about 17,000 Sq Ft. Any excess water that flows on our property will travel under the house with minimal displacement of water from the piers and is almost considered to be negligible as per letters provided by the engineers.

The most important fact is there is nothing to stop flooding the 2 neighboring homes (to our left & right) if we get the same amount of rain as was the case in 2013 (Halloween flood) regardless if there is a house on 6109 Oakclaire Drive, Austin, TX., or not.

At this point we have invested a large portion of our savings into this project and the only way we will be able to recoup any part of our investment is by building a home after we obtain a variance from the City of Austin.

Yours respectfully,

Minoo (Mike) R Cooper

J.L. Trevino and Associates

9800 Northwest Fwy, Suite 500

Houston, TX 77092

Tel: 281.433.8688/Fax: 713.957.5105

TX Firm # 10510

March 7, 2014

Reference: Foundation Design

Mike Cooper

6109 Oakclaire Drive

Austin, TX 78735

To whom it may concern:

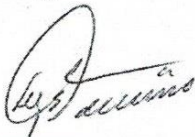
This is to certify that the new house designed for the property mentioned above that is located in the 100 year floodplain will meet all floodplain requirements. We have been retained by the property owner for the design of the foundation of the new house.

The new house will consist of a two story frame construction with a foot print of 43 ft. x 32 ft. (1,376 sq.ft. of crawlspace) and will include a two car open carport. The foundation for the new house will be a pier and beam design, except for the open carport where there will be a concrete slab.

This design will provide a finish floor elevation (792.71') above the base flood elevation (790.80'), and will allow any floodwaters to flow under the house. There will therefore be no negative effect on neighboring properties. As there will be minimal displacement of water, no retention pond is anticipated.

If you have any questions or comments regarding this letter, please contact me at (281) 433-8688.

Sincerely,



Jorge/L. Trevino, P.E.



03/07/14