

## AGENDA



Thursday, August 19, 2010

**Public Hearings and Possible Actions  
RECOMMENDATION FOR COUNCIL ACTION****Item No. 78**

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**Subject:** Conduct a public hearing and consider an ordinance regarding floodplain variances requested by Mr. John Anguiano and Mrs. Lupe Anguiano for an existing development that converted an attached garage into a habitable area at the single-family residence at 401 Heartwood Drive. This structure is in the 100-year floodplain of Williamson Creek.

**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

**Prior Council Action:** June 10, 2010- Council set a public hearing for July 29, 2010. July 29, 2010- Council postponed the public hearing to August 19, 2010.

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The property located at 401 Heartwood Drive is 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 Compliance inspector examined the property and noticed that the garage had been converted into conditioned space without proper permits from the City. The current owners, Mr. John Anguiano and Mrs. Lupe Anguiano 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 2009-118792 PR.

The development included converting approximately 387 square feet of garage area into conditioned space. The owner purchased the house in 1970 and converted the garage into living space in 1975. 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 401 Heartwood Drive is approximately 1.5 feet for the 100-year flood event. The finished floor elevation is approximately 0.5 feet above the 100-year floodplain elevation. The required height for finished floor elevations is to be 1.0 foot above the 100-year floodplain per the Land Development Code.