

## AGENDA



Thursday, August 19, 2010

**Public Hearings and Possible Actions  
RECOMMENDATION FOR COUNCIL ACTION****Item No. 80**

---

**Subject:** Conduct a public hearing and consider an ordinance regarding floodplain variances requested by Mr. Efrain V. Avila for an existing development that converted an attached garage into a habitable area at the single-family residence at 306 Heartwood Drive. This structure is the 25-year and 100-year floodplains 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:** October 1, 2009- Council denied this variance request by a vote of 4-2-1. August 5, 2010- Council set a public hearing for August 19, 2010.

---

The property owner is requesting reconsideration of the original variance request, which occurred October 1, 2009, and which Council denied. This development is similar to the other Fairview neighborhood variances that Council will have public hearings conducted on August 19, 2010. In order to ensure a more efficient public hearing process, this variance request is made within one year of the date of the original denial.

Mr. Efrain Avila proposes to validate development on his property for a residential remodel that converted the garage to conditioned space at the single-family residence at 306 Heartwood Drive. The property is entirely within the 25-year and 100-year floodplains of Williamson Creek. The development is the subject of Building Permit application number 2009-033439 PR.

The development included converting approximately 340 square feet of garage area into conditioned space. The applicant seeks variances to the City of Austin's floodplain management regulations to: 1) alter the structure in a way which increases its nonconformity; 2) not provide normal access from the building to an area that is a minimum of one foot above the design flood elevation; 3) not require the finished flood elevation of the converted area to be one foot above the design flood elevation; 4) to exclude the building footprint from the drainage easement; and 5) to reconsider the same variance request within one year of the date of the denial.

The depth of water at the curb of 306 Heartwood Drive and at the existing house is approximately 6.9 feet during the 100-year flood event and 3.9 feet during the 25-year flood event.