



# Board of Zoning Appeals Agenda Item

**Meeting Date:** 6/13/23  
**From:** Josh White, Principal Planner  
**Item:** 1020 W 5<sup>th</sup> Ave Floodplain variance

**Purpose:** Hold a public hearing to consider the advisability of granting a variance to allow construction of a home 1.75 feet below the required elevation of 1071.0 feet at 1020 W 5th Avenue.

**Background:**

Marcela Jimenez has requested a variance to allow the construction of a home 1.75 feet below the required elevation of 1071.0 feet at 1020 W 5th Avenue. The property is currently developed with one home. The area surrounding the property is residential. Due to an error in measuring, the home was built lower than required. The required elevation is one foot above the base flood elevation of 1070.0 feet. The options to remedy this situation are limited. The first option is to elevate the home. The second option is to relocate the home to a site that is not in the floodplain. The homeowner has been made aware that if the variance is approved, the house will remain in non-conformance with FEMA regulations, and this will require a much higher premium on flood insurance. Based on site observations and historical knowledge, it appears likely that the base flood elevation is too high and should be adjusted downward which may mean the property will be brought into compliance administratively in the future, but staff must enforce current regulations including the current base flood elevation regardless of that.

Based on FEMA and National Floodplain Insurance Program (NFIP) regulations, staff cannot recommend approval of this variance but does recognize that there may be issues with the current mapping including that the historical flood depth has been well below the base flood elevation in this area.

**Action:**

Hold a public hearing. After the public hearing is closed, make a motion to approve/disapprove a variance to allow construction of a home 1.75 feet below the required elevation of 1071.0 feet at 1020 W 5th Avenue.

**Attachments:**

Staff report Presentation Link <https://arcg.is/1y588G0>