



Board of Zoning Appeals Agenda Item

Meeting Date: 12/12/23
From: Josh White, Principal Planner
Item: 1020 W 5th Ave Floodplain variance

Purpose: 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.

***At the June 13, 2023, Board of Zoning Appeals Meeting, the Board tabled this item for 180 days. The 180 days have passed. Staff looked into alternatives to elevating the structure but have found no feasible alternative. Staff recommends denial of the variance with direction to the property owner to bring the structure into compliance. ***

Action:

Consider the update, then 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>