

ITEM: Floodplain Permit application for the construction of a patio and replacement of a fence at 3124 Meadow Ave. in the Canadian River floodplain.

BACKGROUND:

APPLICANT: Holly Hawk

ENGINEER: Gary Keen, P.E.

The applicant owns a condo that is one of four units in the same structure on the fringe of the Canadian River floodplain. Ms. Hawk replaced the masonry blocks that composed her patio with a pour-cast concrete pad and replaced a wooden fence. This work was completed without a floodplain permit as the applicant wasn't aware that one was needed. There is a FEMA approved LOMA on the structure but it does not cover the backyard. Staff has reviewed the engineer's report that was provided by the applicant's engineer and agree with the findings he provided based on the evidence Mr. Keen and Ms. Hawk provided. The replacement fence is constructed with wood slats and has approximately an inch of clearance from the ground to bottom of the panels. Based on images provided, the concrete porch slab was poured at grade so no new fill was added as a result of this project.

STAFF ANALYSIS:

Site located in Little River Basin or its Tributaries? Yes ___ no ☒

According to the DFIRM, the patio and fence were installed on the fringe of the Canadian River floodplain. The BFE at the planned location is approximately 1100.0'.

Applicable Ordinance Sections:

36-533 (e)2(a)
(e)2(e)
(e)(3)(j).....
(f)3(a)8

Subject Area:

Fill Restrictions in the Floodplain
Compensatory storage
Fencing in the floodplain
No Rise Considerations

(e)2(a) and (e)2(e) - Fill Restrictions in the Floodplain and Compensatory Storage – The use of fill in the floodplain is restricted. However, the placement of fill is allowed to elevate structures if compensatory storage is provided.

The applicant's engineer has indicated that no fill was brought into the floodplain as a result of the work.

(e)(3)(j) Fencing in the Floodplain – All new fences or replacement of existing fences in the SFHA require a floodplain permit. Approved fences shall be designed and installed to be breakaway or in some other manner so that flows will not be impeded.

While the fence is not a breakaway style fence, there is about a one inch gap under most areas of the fence that would allow water to flow freely. As the applicant's engineer indicates, this is also on the very fringe of 2400 foot wide floodplain, so flooding in this area would be expected to be from backwater effects and not direct flow. In addition, the fence is technically above the BFE along several sections according to the survey information provided by the applicant's engineer. With all of this information taken into account, staff agrees with the applicant's engineer's assertion that this fence should cause no negative impacts on adjacent areas of the floodplain.

5(a)(viii) No Rise Considerations – For proposed development within any flood hazard area (except for those designated as regulatory floodways), certification that a rise of no more than

0.05 ft. will occur in the BFE on any adjacent property as a result of the proposed work must be provided. For proposed development within a regulatory floodway, certification of no increase in the BFE is required.

The engineer has certified that the project will not cause a rise of more than 0.05 feet to the BFE which meets this ordinance requirement.

RECOMMENDATION: Staff recommends that Floodplain Permit Application #701 be approved.

ACTION TAKEN: _____