



AGENDA ITEM SUMMARY

Agenda Date	July 1, 2024
Requested Action	CONSIDER A REQUEST FOR A VARIANCE TO CHAPTER 8.1(D)(3)(i)(i), FLOODPLAIN MANAGEMENT, OF THE UNIFIED DEVELOPMENT CODE FOR A PROPERTY LOCATED AT 303 JAMES ST (KAD 19788).
Contact Person	Cheryl Rogers – City Engineer
Background Information	<p>BACKGROUND:</p> <p>In February 2020, City Council adopted changes to the City’s floodplain ordinance. The current floodplain rules do not allow for residential subdivisions to create lots within the floodplain that are less than 1 acre. Additionally, primary habitable structures cannot be constructed within the floodplain for lots platted after February 11, 2020.</p> <p>REQUEST:</p> <p>The applicant is requesting a variance to the City’s Floodplain Ordinance Section 8.1(D)(3)(i)(i) which states “All proposed residential subdivisions shall layout the lots as follows: All residential lots, with an acreage of less than one (1) acre, shall be designed such that no portion of the lot is located within the one (1) percent annual chance (one hundred (100) year) local or FEMA floodplain limits.”</p> <p>ANALYSIS:</p> <p>The property is located at 303 James and exists today as one 0.41 acre tract. The legal description of the tract is part of lot 29 and part of lot 31 in the Beversdorff subdivision which was recorded in 1886. One house is located on the property which is built on top of the existing lot line. The house appears to have been constructed in 1908 and later expanded in 2019. The applicant’s goal is to reorient the lot line by replatting in order to locate the existing home within one lot and provide a second buildable lot for an additional home.</p> <p>The property is located outside of the 1% annual chance FEMA effective floodplain, but fully within the 1% annual chance floodplain as studied by the San Antonio River Authority (SARA floodplain) and submitted to</p>

	<p>FEMA for review and adoption. This City began using the SARA floodplain as the “best available information” on January 1, 2023. The property is located outside of drainageway protection zones 1 and 2.</p> <p>As stated in the UDC, variances to the floodplain regulations shall only be issued upon:</p> <ol style="list-style-type: none"> 1. showing a good and sufficient cause; and 2. a determination that failure to grant the variance would result in exceptional hardship to the applicant; and 3. a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances. <p>MOTIONS FOR CONSIDERATION:</p> <p>The following motions are provided to assist the Commission’s decision.</p> <ul style="list-style-type: none"> - I move that the Planning and Zoning Commission APPROVE the variance request to Chapter 8.1(D)(3)(i)(i) of the UDC to allow a residential subdivision within the 1% annual chance floodplain and permit a primary residence to be constructed on the new buildable lot after the subdivision is platted. - I move that the Planning and Zoning Commission DENY the variance request to Chapter 8.1(D)(3)(i)(i) of the UDC.
Item Justification	<div> <div> <input type="checkbox"/> Legal/Regulatory Obligation <input type="checkbox"/> Reduce Costs <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Mitigate Risk <input type="checkbox"/> Master Plan Recommendation </div> <div> <input type="checkbox"/> Infrastructure Investment <input type="checkbox"/> Customer Pull <input type="checkbox"/> Service Enhancement <input type="checkbox"/> Process Efficiency <input checked="" type="checkbox"/> Other: <u>Variance Request</u> </div> </div>
Strategic Alignment <i>(Example: C2 – Customer Feedback, B1 – Data Driven Decision)</i>	N/A
Financial Considerations	N/A
Citizen Input/Board Review	N/A

Legal Review	N/A
Alternative Options	N/A
Supporting Documents	Variance Application, Site Plan