

	<div style="text-align: center;">AGENDA ITEM SUMMARY</div> <div style="border: 1px dashed purple; padding: 5px; margin-top: 10px;"> District Impacted <input type="checkbox"/> 1 = Wolosin <input type="checkbox"/> 2 = Woolard <input checked="" type="checkbox"/> 3 = Scott <input type="checkbox"/> 4 = Boddie <input type="checkbox"/> 5 = Macaluso <input type="checkbox"/> All </div>
Agenda Date	January 04, 2021
Requested Action	CONSIDER A REQUEST FOR A VARIANCE TO THE SUBDIVISION ORDINANCE, ARTICLE 3, DRAINAGE AND FLOOD HAZARDS, SECTION 6.03.005 DRAINAGEWAY PROTECTION ZONES FOR A .779 ACRE PARCEL LOCATED AT 320 ROSEWOOD (KAD NO. 26045) (TIM MCCLOSKEY)
Contact Person	Laura Talley, Planning and Community Development Director
Background Information	<p>The property owner is requesting a variance to the Subdivision Ordinance requirements for no construction in the drainageway protection zones. The .779 acre property is fully in the FEMA 100 year flood plain. There is even floodway on the site. There is an existing +/- 1,000 sf house on the property that was originally built in the 1940's. Per the owner, the property is currently under contract and the purchaser is interested in building a new home on the site.</p> <p>Section 6.03.005 of the Subdivision Ordinance provides for protection buffers (essentially setbacks) for property measured from the centerline of a waterway. It limits development in the buffer zone. See the attached map and the description below:</p> <ol style="list-style-type: none"> 1. <i>Protection Zone 1 is approximately the width of the riparian zone and is measured from the drainageway center line.</i> <ol style="list-style-type: none"> a. <i>Protection Zone 1 is intended to protect or allow restoration the physical and ecological integrity of natural stream corridors.</i> b. <i>Vegetation must remain undisturbed to the maximum practical extent in this zone to assure proper functioning of this zone. Limited access to a permanent water course is allowed in private or publicly dedicated recreational areas.</i> 2. <i>Protection Zone 2 is the outer protection zone and is measured from the outer edge of Protection Zone</i>

	<p><i>1 and extend horizontally the remaining distance of the Total Protection Width.</i></p> <p><i>a. The outer zone is intended to prevent encroachment into the riparian zone, and to provide distance between development activity and the riparian zone.</i></p> <p>3. Restrictions in Drainageway Protection Zones.</p> <p><i>Drainageway protection zones shall remain reasonably free of all construction activity. Protection zone 1 may allow those street crossings as identified in 6.06.004. Protection zone 2 shall remain free of all construction activity, development and alterations accept as allowed in 6.06.003.</i></p> <p>6.06.003 ...Protection zone shall remain free of all construction activity, development and alterations except for the following:</p> <p><i>A. Street crossings as provided by subsection 6.06.004 below;</i></p> <p><i>B. Utilities as provided by subsection 6.06.005 below;</i></p> <p><i>C. Fences that do not obstruct the flow of water;</i></p> <p><i>D. Public and private parks and similar open spaces, in which development is limited to trails and facilities (other than stables and corrals for animals) for hiking, jogging, non-motorized biking, and nature walks; and</i></p> <p><i>E. Water quality or flood control systems with minimum disruption to the natural surface and natural vegetation.</i></p> <p>The owner is requesting a variance to be allowed to build structures in the drainageway protection zone.</p>
Item Justification	<div> <div> <input checked="" type="checkbox"/> Legal/Regulatory Obligation <input type="checkbox"/> Reduce Costs <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Drive Down Risk <input type="checkbox"/> Master Plan </div> <div> <input type="checkbox"/> Infrastructure Investment <input checked="" type="checkbox"/> Customer Demand <input type="checkbox"/> Service Enhancement <input type="checkbox"/> Process Efficiency <input type="checkbox"/> Other: _____ </div> </div> <p>Recommendation _____</p>
Financial Considerations	

Citizen Input/Board Review	The Board of Adjustments considered a variance to the Flood Damage Prevention Ordinance for construction of a residence in the flood plain. The Board of Adjustments denied the request. Several neighbors spoke against it as well stating that they'd seen water cover the property and felt that adding impervious cover to the site could be hazardous to other properties in the area.
Legal Review	Staff consulted with the city attorney regarding this item.
Alternative Options	The property owner has a small home on the property and may remodel that home, but cannot increase impervious cover per the ordinance.
Supporting Documents	Supporting documentation is attached