



PUBLIC WORKS

February 28, 2023

Lydia Garza
4119 W Houston St
San Antonio, Tx 78207

**Re: Floodplain Variance (FPV) #23-001
FPDP #2023228 for Permit #21-35010726
4119 W Houston St**

Dear Ms. Garza;

The Public Works Department Storm Water Division has been in review of Floodplain Development Permit (FPDP) #2023228 associated with the proposed addition to the home at 4119 W Houston St. The proposed development is not in compliance with the current City of San Antonio Unified Development Code (UDC) Appendix F – Floodplains.

1. The proposed development does not meet the following UDC requirements:

- Appendix F, Section 35-F124(f)(16), which allows “Improvements to a structure that do not fall under the definition of substantial improvement.”
- Appendix F, Section 35-F135 (7) (A), which indicates that the “once a property has been issued a floodplain development permit (FPDP) using fifty (5) percent of the fair market value of the existing structure, any improvements thereafter will be tracked over a total of 10 -years. These improvements within the ten-year period can not exceed fifty (50) percent of the fair market value of the existing structure.”
- The code requirements above are supported by Appendix F, Section 35-F106, which defines habitable structure, substantial improvement, and substantial damage.
 - “Habitable structure means a structure that has facilities to accommodate people for an overnight stay. These include, but are not limited to, residential homes, apartments...”
 - “Substantial improvement means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure before “start of construction” of the improvement. This includes “substantial damage”, regardless of the structures which have incurred “repetitive loss” or actual repair work performed.”

- “Substantial damage means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed fifty (50) percent of the market value of the structure before the damage occurred.”
2. A variance to the above UDC requirements will be required by Public Works Storm Water Division prior to approval of any building permit and issuance of the Floodplain Development Permit (FPDP).
 3. The applicant has provided the following information to assist with the review of the variance to the above UDC requirements:
 - The applicant’s engineer has provided an elevation certificate indicating the 1% annual chance (100-year) floodplain Base Flood Elevation (BFE), and the existing bottom floor and lowest adjacent grade elevations.
 - The applicant has indicated that the reconstructed building will be elevated to at least one foot (1’) above the BFE of the future conditions Atlas 14 1% annual chance floodplain (regulatory floodplain) of 669.60 feet, thus a finish floor elevation of at least 670.60 feet.
 4. Public Works will support a variance to the above UDC requirements with the following conditions:
 - Construction activities associated with the project within the FEMA designated floodplain shall not commence prior to approval of a building permit and FPDP submitted to and approved by the Public Works Storm Water.
 - The lowest finished floor will be at least one foot (1’) above the regulatory floodplain.
 - The owner will provide an elevation certificate or survey once the foundation forms are in place to ensure the finished floor elevation is at least one foot (1’) above the regulatory floodplain. Additionally, a post-construction elevation certificate will be required to document the finished floor elevation relative to the regulatory floodplain. The home cannot be occupied until the post-construction elevation certificate has been submitted to, reviewed, and accepted by the Public Works Storm Water Division.
 - The proposed construction will not include additions beyond the existing footprint. Future permits will be reviewed separately from this specific variance and may be denied if they are not in compliance with the floodplain ordinance.

If the Variance is approved by the Planning Commission, Public Works Storm Water Division will issue a floodplain development permit once the above conditions are met. If you have further questions or require any further assistance and/or information, please contact Sabrina Santiago at (210) 207-0182 or sabrina.santiago@sanantonio.gov.

Sincerely,

Sabrina Santiago

Sabrina Santiago, CFM
Storm Water Engineering Manager/Floodplain Administrator

Attachments: AEVR #23-001 Application
Variance Request Hardship Letter
Elevation Certificate
Denied FPDP #2023228

cc: Roberto Reyna, PE, CFM Assistant Director, Public Works Storm Water Division
City of San Antonio, Planning Commission