

Date: April 13, 2023 Attention:
Administrative Exception / Variance Request Review
c/o Development Services Staff
Development Services Department
City of San Antonio
1901 S. Alamo
San Antonio, TX 78204

Re: 064130 Moana Dr.
NCB: 12385 Block: 15 Lot: 7
Subdivision: East Terrell Hills (NE)
REP-MBR-APP22-35504333
UDC Code Section 35-F125

Dear COSA DSD,

Purpose

Request to construct a residential home at 4130 Moana Drive with an addition in a FEMA 100 – year floodplain.

Below is all the section from the City of San Antonio UDC which prohibit construction in the floodplain:

Sec. 35-F125. - Prohibited Development Within the Regulatory Floodplain.

(a) The following development will not be allowed in the regulatory floodplain:

(1) Habitable structures.

Sec. 35-F135. - Variance Procedures.

(g) Variances may be granted by the commission only upon a finding that:

(1) The variance is the minimum necessary, considering the flood hazard, to afford relief.

(2) There is good and sufficient cause.

(3) Failure to grant the variance will result in exceptional hardship to the applicant; and

(4) The variance will not result in increased flood heights, cause an additional threat to public safety, result in extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

Introduction and Project Background

A home was demolished in June 2022 after being deemed a total loss by the SAFD when it sustained great fire damage in March 2022. We wish to construct a new home on the same property with an addition. The property is now currently in the 2010 FEMA FIRM 100 –year floodplain.

Proposed Work

At the time before the house sustained fire damage it was a 2-bedroom 1 bath with a living space of 947 square feet. The property included a porch of 107.5 Sqft, covered patio of 111Sqft and a garage of 301Sqft the total square foot of the above home was 1,466.5. We would like to rebuild

the house and include an addition of 360 living space to bring the total living space of 1,826.5 to be able to have a 3 bedroom and 2 bath home. An engineer certified that there will not be an adverse impact to the adjacent properties as a result of the increase in impervious cover. Rebuilding the house and adding an addition to make the property more functionable for a family. Expanding and rebuilding the home will be beneficial for a growing family to have more than one restroom and an additional bedroom. This improvement will allow a family to have a better dynamic to prepare for the day and an individual place to rest and compete daily activities. All improvements will be made to the structure so that the new home will meet the current floodplain requirements. A completed elevation certificate shows the elevation of the slab to be at 683.3 feet, where the new elevation will be at 683.5. This will ensure that the grade will be 1 foot above the 100-year floodplain elevation and to make sure the concert will not crack. This property is on the very edge of a floodplain. The completion of this project will benefit the appeal of this neighborhood as it will be fully remodeled, and we have taken measures to assure the overall safety of the new structure. Because we are on the border line of the floodplain, and we have adjusted the raise of the foundation to meet the requirement to build.

Summary of Hardship

The following responses are provided in accordance with the Variance Request hardship standard outlined in the revised December 19, 2019, Information Bulletin 124 AEVR memorandum:

- *If the applicant complies strictly with the provisions of these regulations, he/she can make no reasonable use of his/her property.*

The subject property is zoned as a residential R5. It previously had a 1,466.5 total square foot home and intended for the reconstruction of a similar home. It has no other use than for a residential home. Currently (and previously) the subject property, and adjacent properties are inundated in the floodplain.

- *The hardship relates to the applicant's land, rather than personal circumstances.*

The subject property is encumbered by the mapped FEMA floodplain and will not affect the floodplain or downstream and adjacent properties. The hardship is not of a personal circumstance, but rather one that applies to the subject property.

- *The hardship is unique, or nearly so, rather than one shared by many surrounding properties.*

The mapped 1% annual chance floodplain impacts the subject property and adjacent residential properties. The hardship is unique to the subject property and these adjacent properties and does not extend to any additional properties beyond those within the floodplain inundation area.

- *The hardship is not the result of the applicant's own actions.*

The City of San Antonio is a participating community in FEMA's National Flood Insurance Program (NFIP) and is required to maintain floodplain mapping information that meets FEMA's requirements, at a minimum. This hardship is due to the subject property conveying flows for the mapped FEMA floodplain area to mitigate community flood risk and not due to the applicant's own actions.

- *The granting of the exception/variance will not be injurious to other property and will not prevent the orderly subdivision of other property in the area in accordance with these regulations.*

The residential structure will have the lowest floor elevated one 1-foot above the regulatory floodplain with the lowest adjacent grade at or above the regulatory floodplain as per Sec. 35-F142 (a)(1) UDC. These conditions will not increase the 1% WSE nor will it impact downstream or adjacent properties.

Conclusion

Based on our due diligence and analysis, it is our request to allow for the construction of a new home with the prosed addition in the floodplain and accept this variance. Our conservative approach will not have an adverse impact on the floodplain, the new home, and the adjacent properties. In my professional opinion, the proposed administrative exception / variance remains in harmony with the spirit and intent of the UDC as it will not adversely affect the health, safety, or welfare of the public.

Sincerely,

Sandra Martinez

Signature and Title Block of Applicant

Signature of Owner (if applicable)

Attachment(s)

For Office Use Only: AEVR #: _____ Date Received: _____	
DSD – Director Official Action:	
APPROVED	APPROVED W/ COMMENTS
Signature: _____	Date: _____
Printed Name: _____	Title: _____
Comments: _____	



CITY OF SAN ANTONIO

DEVELOPMENT SERVICES DEPARTMENT

1901 S. Alamo, San Antonio, TX 78204

ADMINISTRATIVE EXCEPTION/VARIANCE REQUEST APPLICATION

Project Name:	4130 Moana Dr.
A/P # /PPR # /Plat #	REP-MBR-APP@@-35504333
Date:	Feb 17 2023
Code Issue:	Appendix F, Subdivision C, Section 35-F125(a)(2)
Code Sections:	Prohibited Development within the floodplain

Submitted By:	<input checked="" type="checkbox"/> Owner	<input type="checkbox"/> Owners Agent * (Requires notarized Letter of Agent)
Owners Name:	Sandra Martinez	
Company:		
Address:	131 OAKWELL F, RMS PKWY	Zip Code: 78218
Tel #:	Fax#	E-Mail: sandruchis_73@hotmail.com
Consultant:		
Company:		
Address:	Zip Code:	
Tel #:	Fax#	E-Mail:
Signature:	Sandra Martinez	

Additional Information – Subdivision Plat Variances & Time Extensions

- ☐ Time Extension ☐ Sidewalk ☒ Floodplain Permit ☐ Completeness Appeal
☐ Other _____
- City Council District _____ Ferguson Map Grid _____ Zoning District R-5
- San Antonio City Limits ☒ Yes ☐ No
- Edwards Aquifer Recharge Zone? ☐ Yes ☒ No
- Previous/existing landfill? ☐ Yes ☒ No
- Parkland Greenbelts or open space? Floodplain? ☒ Yes ☐ No