



## PUBLIC WORKS

May 5, 2023

Sandra Martinez  
13 Oakwell Farms Pkwy  
San Antonio, Tx 78218

**Re: Floodplain Variance (FPV) #AEVR-23-44400094  
FPDP #2023326 for Permit #22-35504333  
4130 Moana Drive**

Dear Ms. Martinez;

The Public Works Department Storm Water Division has been in review of Floodplain Development Permit (FPDP) #2023326 associated with the proposed reconstruction and addition at 4130 Moana Drive. 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-F125(a)(2) which indicates that “Habitable structures are prohibited within the regulatory floodplain.”
- Appendix F, Section 35-F132 (b) (6), which indicates that “an existing structure may be improved (remodeled) without conforming to the requirements of this ordinance when the improvement does not constitute a substantial improvement. In the even the work is considered a substantial improvement then the structure must be brought into compliance with this ordinance.”
- 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 meet the requirements of the City’s Floodplain ordinance. Where the existing slab/foundation will be elevated at least one foot (1’) above the BFE of the future conditions 1% annual chance floodplain (regulatory floodplain) of 682.3 feet, thus a finish floor elevation of at least 683.3 feet.
  - A letter from a civil engineer has been provided indicating the proposed 360-square foot addition to the original footprint of the home will not create an adverse impact to adjoining properties or infrastructure but does recommend a roof gutter system be in place to direct runoff to the front of the property towards the public ROW.
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 does include an addition beyond the existing footprint of 360 square feet. An engineer’s letter has been provided to indicate the increase in impervious cover will not create an adverse impact. The Future permits will be reviewed separately from this specific variance and may be denied if they are not in compliance with the floodplain ordinance.
  - Based on draft DFIRM 2.0 mapping the subject property will be removed from the regulatory floodplain.

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](mailto:sabrina.santiago@sanantonio.gov).

Sincerely,

*Sabrina Santiago*

Sabrina Santiago, CFM  
Storm Water Engineering Manager/Floodplain Administrator

Attachments: AEVR #23-44400094 Application  
Variance Request Hardship Letter  
Elevation Certificate  
Denied FPDP #2023326

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