

**Attention:**  
**Administrative Exception / Variance Request Review**  
**Development Services Department**  
**1901 S. Alamo**  
**San Antonio, Texas 78204**

From:  
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210-260-1500

Re: 7430 Deep Springs Residence  
AP# [2495636](#)  
UDC Code Section 35-F124 and 35-F125.

## Purpose

Request of a design variance to construct a residential home at 7430 Deep Springs in the Leon Creek floodplain.

Below are all the sections from the City of San Antonio UDC which prohibit construction in the floodplain:

Sec. 35-F124. - Allowable Development Within the Regulatory Floodplain.

(16) Improvements to a structure that do not fall under the definition of substantial improvement

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

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

- (1) Development without first obtaining a floodplain development permit.
- (2) 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 2011 at 7430 Deep Springs. We wish to construct a new home in the same property. The property at the time, and currently, is in the Leon Creek 100 YR floodplain. The Leon Creek effective DFIRM model was adopted in September of 2010 and does not have any revisions or updates in this area based on our research of the information found on the SARA Digital Data & Modeling Repository (D2MR).

## Proposed Work

As of February 2011, the property had an existing 1,800 square foot home, the proposed home is 1,718 which is reduction of 517 square feet of impervious. We performed a drainage analysis and determined that the current home will not have adverse impact to the floodplain. We also ran calculations using Atlas 14 precipitation data as per IB 570 to determine finish grade elevation. As per stated in the COSA UDC, finished grade will be 1 foot above 100-year floodplain elevation. The finished floor will be approximately 6' above the existing ground. A structural engineer will design the foundation. Also, the site will be graded to drain to the road and will not have adverse impact to the adjacent properties.

Atlas 14 1% WSE at RS 161805	810.77
Finished Floor Elevation	811.77

## 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 R6. It previously had an 1,800 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.

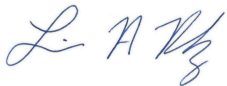
- *The granting of the exception/variance will not be injurious to other property and will not prevent the orderly subdivision of other property in the area in accordance with these regulations.*

The reconstruction of a residence at subject property will not impact downstream or adjacent properties. Effective conditions remain the same due to no change in the hydrology and or hydraulics. The finished grade design considered ultimate conditions and Atlas 14 hydrology. 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 in the floodplain and accept this design variance. Our conservative approach will not have an adverse impact to the floodplain, the new home, and the adjacent properties. As mentioned above and in drainage report, all calculations and design were determined by the Atlas 14 100-year ultimate condition, and in fact, is above the existing 500-year water surface elevation. As a registered professional, with absolute certainty, this 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.

Please contact me if you have any questions. Thank you for your help.



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President

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