

From:

David Parker
308 Laurel Ln
Madison, WI 53704

Regarding:

5162 Reynolds Ave
Westport, WI 53597
Parcel number 066/0809-284-4354-9

Members of the Board of Adjustment,

We are proposing to build an accessible single-family home to replace an existing cabin at 5162 Reynolds Ave, which partially lies within the 100-year floodplain of Lake Mendota. The portions within the 100-year floodplain are in the flood fringe district.

We are requesting a variance to Dane County Ordinance 17.09(3)(a)1, for structures within the flood fringe district, *the elevation of the lowest floor shall be at or above the flood protection elevation on fill and the fill shall be 1' or more above the regional flood elevation extending at least 15' beyond the limits of the structure.* The flood protection elevation is defined as *"an elevation of two feet of freeboard above the water surface profile elevation designated for the regional flood."*

With the exception of the north and south sides of the home, the fill outside the home will be 1' above the regional flood and extend at least 15' beyond the limits of the structure. There are a few reasons for not extending the fill 1' above the regional flood and 15' beyond the structure in these locations. First, the existing grades along the side yards are less than 1' above the regional flood elevation. Filling of the side yards without providing a swale on the subject property would re-direct water runoff to the neighboring properties, potentially resulting in a liability issue for us. Second, the grades along the side yards are also necessary to provide compensatory storage and maintain the direction of runoff flow to the lake. Finally, filling 15' past the structure will require filling onto the neighboring properties, which are under separate ownership. Grading onto the neighboring properties will likely result in a liability issue for us.

With the exception of four exposure elevations along the north side of the home, the fill along the home will be 1' above the regional flood. The four elevations are designated with an asterisk behind their proposed exposure grade on the Preliminary Grading & Erosion Control Plan. The reason for the fill being less than 1' above the regional flood in these locations is due to the existing grade along the property line. The existing grade is lower than the regional flood and the proposed exposure grades are necessary to provide a swale along the side yard, match the existing grade with a mowable slope, and maintain drainage to the lake. Raising the exposure grades in these locations would require the swale to be located on the north neighbor's property, potentially resulting in a liability issue for us.

With the exception of the entry vestibule slab at the existing garage, the lowest floor elevation of the proposed home will have an elevation at least at the flood protection elevation. The entry slab elevation will match the existing garage elevation of 853.56, which is 0.79 feet above the regional flood elevation of 852.77 (NAVD88-2012 datum). The entry slab is required to match the existing garage elevation to provide an accessible transition from the existing garage to the first floor. The proposed first floor elevation for the home is 854.80, which is more than 2' above the regional flood elevation. The entry vestibule will be constructed to be water resistant, and the adjacent exterior wall of the house will be structurally independent of the garage wall.

It is our understanding that the garage and water-resistant entry vestibule might not be considered the Lowest Floor per Floodplain Zoning Ordinance Chapter 17.06(45):

(45) LOWEST FLOOR. The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of 44 CFR 60.3.

The Shoreland Erosion Control Permit SE2018-02-63 for the existing garage was originally issued by Dane County on 9/26/2018 (updated on 11/5/2018). Building permit 18-136-13-066 was issued by the Town of Westport on 10/2/2018 and we took occupancy in July 2019. Our plans to build a multi-generational home on this site arose after the recent birth of our first daughter in May 2020 and the desire by my father to move closer to his granddaughter. We would construct this home to be accessible by persons with decreased mobility, so safe access to the existing garage is critical. In planning this new construction we have been very sensitive to the requirements of shoreland zoning, and believe we are meeting the intent of the Ordinances.

We appreciate your review of the attached plans and rationale for applying for the variance.