



**TURNER ENGINEERING INC.**  
CONSULTING CIVIL ENGINEERING

Paul W. Turner, P.E. CFM  
Michael D. Kearly, P.E. CFM

August 19, 2019

Mr. Jim Janecek, P.E., C.F.M.  
Stormwater Section Project Manager  
Floodplain Administrator  
City of Flagstaff, Water Services Division  
2323 N. Walgreens St., Flagstaff, AZ 86004

RE: KATLON Boat and RV Storage Auxiliary Building Floodway Variance

Dear Jim,

Turner Engineering, Inc. has been retained by Mr. Lon Franklin who is the owner of the KATLON Boat and RV Storage Yard at 5900 E. Old Walnut Canyon Road in Flagstaff. Assessor's Parcel No. 117-02-011A. The following provides the technical and other data to request a variance from the flood plain regulations.

The variance applied for is pursuant to SECTION 12-01-001-0007 VARIANCE PROCEDURE, specifically SECTION 12-01-001-0007.1 APPEAL AND VARIANCE BOARD. And SECTION 12-01-001-0007.2 VARIANCES.

It is the intent of the Owner to place a 200 square foot prefabricated building on the parcel near the entrance gate to the storage yard. The purpose of this building is ancillary to the use of a storage yard and will contain those facilities normal, customary and incidental to operating a storage yard. The property on which this proposed building is to be located (as new construction) is located within the Floodway as designated by Federal Emergency Management Agency. Please see the attached FIRMette. The Map Number is 04005C6829G, Panel 6829, Effective Date: September 3, 2010. The Floodway designation was made due to the fact that this area is actually a "backwater pool" that is created by a restriction to the Rio de Flag watercourse at Route 66 downstream. This area is also known as Big Fill Lake. It is not in the scope of this variance to identify all the parameters of the conditions or consequences of this backwater pool. We are recognizing it exists and will respond to the relevant factors for seeking a variance.

The following is a response to the qualifying requirements for passing on an application. Specifically Item G under SECTION 12-01-001-0007.1. We will cite each requirement (1-11) and respond to those requirements.

SECTION 12-01-001-0007 VARIANCE PROCEDURE

SECTION 12-01-001-0007.1 APPEAL AND VARIANCE BOARD

G. In passing upon such applications, the Board shall consider all technical evaluations, all relevant factors, standards specified in other sections of these regulations, and:

1. REQUIREMENT - The danger that materials may be swept onto other lands to the injury of others; RESPONSE: The proposed building will be elevated above the 100 yr. floodway. No material storage will be within the floodway but contained within the building.
2. REQUIREMENT -The danger of life and property due to flooding or erosion damage; RESPONSE: The building is ancillary to the use of the property as a storage yard and not be used as a residence. Due to the nature of a 'backwater pool' erosion due to velocities is negligible.
3. REQUIREMENT - The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner; RESPONSE: The building will be elevated above the floodway and therefore no flood damage to its contents is anticipated.
4. REQUIREMENT - The importance of the services provided by the proposed facility to the community; RESPONSE: This facility provides an important outlet for storage of boats and RV's. Continental County Club has CC&R's that prohibit storage on individual lots. This facility provides that service to the residents.
5. REQUIREMENT - The necessity to the facility of a waterfront location, where applicable; RESPONSE: Not applicable.
6. REQUIREMENT - The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage; RESPONSE: From the DFIRM attached, it can be seen that almost all of the adjacent property owned by KATLON, Inc. is inundated by the floodway backwater pool. Furthermore, the location of the proposed building is right next to the entry gate to provide for housing of components to operate the gate and security elements.
7. REQUIREMENT - The compatibility of the proposed use with existing and anticipated development; RESPONSE: Again, this building is ancillary to the storage yard. No anticipated development is expected to occur with the floodway without further variances and approval.
8. REQUIREMENT - The relationship of the proposed use to the comprehensive plan and floodplain management program for that area; RESPONSE: Again, this building is ancillary to the storage area, which is in existing plan as an existing use and is under the purview of the Floodplain Regulations.

9. REQUIREMENT - The safety of access to the property in time of flood for ordinary and emergency vehicles; RESPONSE: The use and occupancy of this property during a 100 yr. flood is not possible, therefore access and safety is not an issue.

10. REQUIREMENT - The expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters expected at the site; RESPONSE: It is anticipated, that during a Base Flood event (An event this is defined as 1% chance of flooding in any given year, aka as the 100 year event) the water will not inundate the building as the finish floor will be above the Base Flood. The velocity is expected to very low as it is a backwater pool. The duration doesn't matter due to elevation of the finished floor. Sediment transport would be minimal, however sediment laden floodwater would deposit some sediment on the site.

11. REQUIREMENT - The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, water system, and streets and bridges. RESPONSE: The building and the utility appurtenances are all privately owned. The government would not be responsible or liable for restoring such facilities.

Furthermore, in SECTION 12-01-001-0007.2 VARIANCES, the following is applicable pursuant to the request of Mr. Janecek, the recipient of the writing.

#### B. CONDITIONS FOR VARIANCES

3. CONDITION - Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief. FINDING: The requested variance is compliant with the determination, with the exception that pursuant to SECTION 12-01-001-0006.7 States in part: "The following are prohibited in, on, or over the regulatory floodway....." Even this small ancillary building fall under this prohibition as being over the regulatory floodway. The building itself is not in or on the regulatory floodway, it is over it, as it is elevated. This is where a variance is imperative to be able to place the building. No impact of any significance would be made to the regulatory floodway regarding impedance or elevation change to it, as this is a 'backwater pool'.

4. Variances shall only be issued upon:

a. CONDITION - A showing of good and sufficient cause; FINDING: As mentioned previously, the need to locate the building is ancillary to the operation of the storage yard gate and security appurtenances. A remote location would not work.

b. CONDITION - A determination that failure to grant the variance would exceptional hardship to the applicant; FINDING: Locating the ancillary building elsewhere out of the regulatory floodway (backwater pool) and still be within the storage yard property is not possible. Effectively there is no impact to the regulatory floodway. Only the Ordinance precludes the building location not sound engineering judgement.

d. CONDITION - A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense,

create nuisances, cause fraud on or victimization of, the public, or conflict with existing local laws or ordinances. FINDING: Granting a variance will not increase the regulatory flood elevation as the building will not reside in it. Footings of nominal dimensions will reside below grade and only the stem wall or piers will reside in the regulatory flood way to support the building above it. No threats to public safety and no public expense or nuisances are evident. No fraud or victimization of the public is made. The primary conflict with laws or ordinances is the fact the building would be 'over' the floodway as describe earlier under B. 3.

Sincerely,  
Turner Engineering, Inc.

**Paul W. Turner, P.E. CFM** Digitally signed by Paul W. Turner, P.E. CFM  
Date: 2019.08.19 13:23:40 -07'00'

Paul W. Turner, P.E. CFM  
President

Attachment:  
FIRMette with location

