

RESOLUTION 2013 - XXX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALISTOGA, COUNTY OF NAPA, STATE OF CALIFORNIA, APPROVING A VARIANCE TO ORDINANCE NO. 564 REGARDING FLOODPLAIN MANAGEMENT ALLOWING A 6' X 10' STORAGE SHED WITHIN THE FLOODWAY AT 1322 CEDAR STREET (APN 011-223-006)

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42

**WHEREAS**, the requested variance to allow the construction of a 6' x 10' storage shed in the floodway is within the jurisdiction of the City of Calistoga, and the City of Calistoga has authority under Ordinance Number 564 to grant the requested variance; and

**WHEREAS**, the subject property is developed on a 5,520 square foot residential lot that is contiguous to and surrounded by lots with existing structures that are also constructed below the base flood elevation and within the floodway, which is a condition for the granting of this variance according to Ordinance Number 564 and other City and Federal Emergency Management Agency ("FEMA") regulations; and

**WHEREAS**, the requested variance is in harmony with the general purpose and intent of the Floodplain Management for the City of Calistoga; and

**WHEREAS**, the variance represents a grant of relief to the property from the requirements of this ordinance because specific enforcement would otherwise result in unnecessary hardship. This variance, therefore permits, as limited herein, development in a manner otherwise prohibited by this ordinance; and

**WHEREAS**, the City Council finds that the structure is located in a portion of the floodway that is over 250 feet from the river channel and that due to the limited size and use of the structure, the structure would not pose a threat to life, limb or property on the property or adjoining properties during a flood event; and

**WHEREAS**, the City Council finds that the 60 square foot non-habitable storage structure will not affect the public health, safety and welfare.

**NOW, THEREFORE BE IT RESOLVED** that the City Council of the City of Calistoga approves a variance to Ordinance No. 564 regarding floodplain management allowing a 6' x 10' storage shed within the floodway at 1322 Cedar Street (APN 011-223-006), as shown on the Site Plan received by the Planning and Building Department on March 12, 2013.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Calistoga at a regular meeting held this **16<sup>th</sup> day of April, 2013**, by the following vote:

- AYES:**
- NOES:**
- ABSTAIN:**
- ABSENT:**

\_\_\_\_\_  
**CHRIS CANNING, Mayor**

**ATTEST:**

43

44

---

**AMANDA DAVIS, Deputy City Clerk**

