



Cascade County
Special Commission Meeting
August 4, 2022 @ 1:30 p.m.
Commission Chambers, Room 105
325 2nd Avenue North, Great Falls, MT



The Board of Cascade County Commissioners will be broadcasting the Commission Meeting via Zoom.

Webinar participants must register in advance for the Commission Meeting:

https://us02web.zoom.us/webinar/register/WN_LW6uQoGkTGArwZWrPhGEa

After registering, you will receive a confirmation email containing information about joining the webinar.

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Please note the agenda order is tentative and subject to change by the Board without prior notice.

Therefore, members of the public are encouraged to be in attendance at the time the meeting is scheduled to begin.

Public comment during public participation is limited to a maximum seven (7) minutes.

Call to Order

Chairman Joe Briggs

Pledge of Allegiance

1. Motion to Approve or Disapprove:

Contract 22-88: Floodplain Variance #2022-013 Request

Project Location: 76 Eaton Avenue, Great Falls, MT

Initiated by: Greg & Elizabeth Mackenstadt

(Tabled: 7/26/2022 Commission Meeting)

- 2. Public comment on any public matter that is not on the meeting agenda, and that is within the Commissioners' jurisdiction. (MCA 2-3-103)**
- 3. Adjournment.**

August 4, 2022

AGENDA #1

Agenda Action Report
Prepared for the
Cascade County Commission

ITEM	Staff Report for Floodplain Variance #2022-013
INITIATED BY	Greg & Elizabeth Mackenstadt
SUBJECT	Variance Request from Cascade County Floodplain Regulations (“CCFR”) § 9.3(1)
PURPOSE	Variance from CCFR § 9.3(1) requiring the lowest floor elevation (including basement) including electrical, heating, duct work, ventilation, plumbing and air conditioning equipment and other services to be two (2) feet above the Base Flood Elevation (BFE). The Design Plan proposes the lowest floor over 7 feet below the BFE.
PROJECT LOCATION	76 Eaton Avenue, Great Falls, MT Lot 6D of Block 1 of the Amended Eaton Suburban Addition, Section 20, Township 20 North, Range 04 East, PMM, Cascade County, MT FIRM Panel #30013C0626E Parcel #2005900
RECOMMENDATION	Denial of Variance Request
PRESENTED BY	Charity N. Yonker, CFM Planning Director/Floodplain Administrator



CASCADE COUNTY PLANNING DEPARTMENT

"Working Together to Provide Efficient and Effective Public Service"

Floodplain Variance #2022-013 – Staff Report Addendum

Presented By: Cascade County Planning Department
Charity N. Yonker, Planning Director/Floodplain Administrator

Regarding: Floodplain Variance #2022-013 to allow an enclosure below the Base Flood Elevation of a residential structure on Parcel #2005900.

The original Staff Report was prepared in advance of the public hearing in front of the Board of County Commissioners on July 26, 2022. On July 22, 2022, the Applicants provided an Elevation Certificate and revised Design Plans, that were not incorporated into the Staff Report. However, the additional materials submitted by the Applicants were provided to the Board of County Commissioners the same day they were received, and they were considered in the July 26, 2022, Commission hearing. The Elevation Certificate shows the lowest floor at 3350.4' as compared to the Engineer's original Certifications at 3351'. The revised Design Plans submitted removed all flood vents from the original proposal. Therefore, the July 22, 2022, did not change the Staff Report's analysis as to whether the variance criteria had been satisfied. The removal of the flood proofing adversely effected the floodproofing criterion.

On July 26, 2022, the Board of County Commissioners postponed the decision on FP Variance #2022-013 after the close of the public hearing. During the hearing, the Applicants clarified that the utilities would be installed at least two (2) feet above the BFE, and no appliances would be placed in the enclosure. Following the hearing, the Applicants provided a clearer copy of the Design Plans to the Planning Department. The Design Plans removed the gypsum from the enclosure. Applicants were also made aware of the need to correct the Elevation Certificate to reference the correct FIRM Panel, to amend the Engineer's Certification with the correct Base Flood Elevation reference to correspond to the Elevation Certificate, and that these documents may need further amending depending on the outcome of this variance application. On July 29, 2022, the Commission met with the Department of Natural Resources and Conservation (DNRC). DNRC discussed potential liability to the county and consequences to the community as a result of approving the requested floodplain variance.

Originally, the Applicants had stated that the reason for wanting the enclosure at the start of permitting was due to concern that the utilities that ran from the elevated residence to the ground would freeze. A utility chase is allowed, and it can be insulated to prevent freezing. No other reason has been submitted as to why the enclosure is necessary.

A variance shall **only** be issued upon a determination that the variance is the minimum allowance necessary, considering the flood hazard, to afford relief from the CCFR and provided all of the findings are met.