

MEMORANDUM

TO: Governing Board Members

FROM: Terrie Bates, Division Director, Water Resources

DATE: April 12, 2012

SUBJECT: Enter an Order Granting the Petition for Variance filed by Elizabeth Thomasco pursuant to Section 120.542, Florida Statutes, authorizing a variance from the specific landscape irrigation days and allowing the use of an advanced technology irrigation control system for landscape irrigation, subject to specific conditions

Background: Elizabeth Thomasco (Thomasco) owns and operates a residential irrigation system located in Palm Beach County at 172 Sonata Dr, Jupiter, FL 33478. The source of irrigation water for her property is potable water supplied by the Town of Jupiter. Rule 40E-24.201(7)(a), Florida Administrative Code (F.A.C.), allows users located in Palm Beach County to conduct landscape irrigation on Tuesday, Thursday, and Sunday for those properties bearing even addresses, no addresses, or those systems that irrigate even and odd numbered properties in the same zone.

Thomasco utilizes an advanced technology irrigation control system on her property. The system utilizes soil moisture sensors located in each zone of the system which relay soil moisture and temperature data to the irrigation controller several times each day. The irrigation controller uses this data to adjust the timing and duration of irrigation events based on specific site conditions to minimize water used to maintain a healthy landscape. Days of the week landscape irrigation restrictions limit the ability of this system to obtain maximum irrigation efficiency.

On January 19, 2012, Thomasco filed a Petition for Variance pursuant to Section 120.542(2), Florida Statutes. Staff is requesting approval of a Variance from Chapter 40E-24, F.A.C., for 172 Sonata Dr, Jupiter, FL 33478, authorizing Thomasco to conduct landscape irrigation as needed as determined by the advanced irrigation system, subject to conditions specified within the Order Granting Variance, rather than the days specified in the Rule.

How this helps meet the District's 10 Year Strategic Plan: Granting the Variance would prevent Thomasco from suffering a substantial hardship and the use of irrigation systems with soil moisture sensors accomplishes the underlying goal of conserving water and ensuring that the use of water for landscape irrigation is reasonable-beneficial.

Funding Source: This action is at no cost to the District.

This Board item impacts what areas of the District, both resource areas and geography: This item impacts the Water Use Bureau within the Regulation Division and the Water Supply Bureau.

What concerns could this Board item raise?

Use of smart or advanced irrigation technology based on either evapotranspiration or soil moisture sensor technology is becoming much more accessible. Smart or advanced technology irrigation controllers are becoming available at a price point which will make them attractive to typical homeowners. In the past, the price of these systems has limited their use to large landscape irrigation such as parks and golf courses. EPA WaterSense released the final specification for labeling weather based smart irrigation controllers in November of 2011 and WaterSense labeled irrigation controllers will reach retail irrigation product outlets in the near future. With the proliferation of advanced or smart irrigation controllers, it can be expected that more variance requests such as this will be received in the future as the technology becomes easily obtainable. One of the key marketing features of these controllers is their ability to manage irrigation based on local weather conditions and plant needs.

Why should the Governing Board approve this item?

District staff has reviewed the Thomasco Petition for Variance and determined the Petition met the requirements necessary to grant a variance. Thomasco demonstrated that she would suffer a substantial hardship if forced to conform to day-of-the-week irrigation restrictions required by Rule 40E-24-.201(7), in that its irrigation system would not be able to operate based on the plants needs, and that the system accomplishes the underlying goal of conservation.

Staff Contact – David Allen, Water Conservation Unit Supervisor, Water Supply Development Section, ext. 2888

TB/dja