

Osage County, MO

VARIANCE AND APPEAL REQUEST

A variance is a grant of relief from the terms of a land use, zoning, or building code regulation. If granted, it allows construction in a manner that is otherwise prohibited. The primary goals of the NFIP and local floodplain management regulations and codes are the reduction of damage and protection of public health and safety. Because a variance from the requirements for construction in Special Flood Hazard Areas (SFHA) can create an increased risk to life and property, local officials will carefully review and consider requests for variances from flood elevation or other floodplain management requirements.

Name of Applicant(s):

Phone Number:

Property Address:

Type of structure and intended use:

VARIANCE AND APPEAL REQUEST

1. Is structure located in the floodway? If structure is in the floodway, a “No-Rise” Certificate must accompany this request.

2. Can the development be located outside of the floodplain? If not, please state why it can't.

3. What have you done to show that there will be no additional threats to public safety, cause additional public expense, create nuisances, cause fraud or victimization of the public or conflict with existing laws of ordinances? (i.e. added to deed, show that structure is properly anchored, etc)

4. In order for the County Commission to approve this variance, you must indicate how the Osage County Floodplain Ordinance constitutes an exceptional hardship. According to 44 CFR § 60.6, variances shall only be based on the following:

- A showing of good and sufficient cause
- A determination that failure to grant the variance would result in exceptional hardship to the applicant. *(As a guiding principle, a variance should pertain to the unique characteristics of the land itself. A properly issued variance may be granted for a parcel of land with physical characteristics so unusual that complying with the regulation or code would create an exceptional hardship for the applicant. However, a variance should not be granted based on the personal circumstances of an individual).*
- 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
- Evidence that the variance is the minimum necessary, considering the flood hazard, to afford relief

5. In your proposal, what have you done (or will you do during construction) to provide the maximum flood protection? (i.e. elevate structure, elevate utilities, use flood resistant materials, etc.)

6. Is the request a structure listed on the National Register of Historic Places or State Historic Registry?

7. Do you acknowledge that your proposed structure is in the Special Flood Hazard Area (SFHA) and increases the risk to life and property?

8. Do you understand that your proposed structure (erected below base flood elevation) will result in increased premium rates for flood insurance up to \$25.00 for \$100.00 of coverage? Even though you may not be taking out a loan or want flood insurance at this time, any potential future buyer will likely be required to carry flood insurance. Flood insurance for non-complaint structures is very expensive and may be so high that the structure is virtually unsellable. Do you understand these terms?

As an applicant requesting a variance to build a structure with the lowest floor elevation below base flood elevation, I/we acknowledge that the reduced flood elevation will result in increased premium rates for flood insurance up to amounts as high as \$25 per \$100 of insurance coverage and that construction below the base flood level increases risks to life and property.

Applicant's Signature

Date

VARIANCE AND APPEAL RECORD ACTIONS *(to be completed by Appeal Board)*

Variance request submitted to _____
(Community and/or Appeal Board)

on _____.
(Date)

In accordance with the Osage County Floodplain Management Ordinance 60.3(d), updated

November 20, 2008, the _____ of
(Community and/or Appeal Board)

_____ hereby [] approves, [] denies the above request for
(Community Name)
variance.

By: _____
(Presiding Commissioner Signature)

(Date)

Decisions of the Appeal Board:

Special provisions of the Variance Approval:

Administrator's Signature

Date