

VARIANCE REQUEST TO THE FLOODPLAIN MANAGEMENT REGULATIONS OF WALKER COUNTY, TEXAS

Copy all pages of this form and all attachments for (1) community official, (2) building owner.
If any section is not applicable to the proposed development project please mark that section "NA"

SECTION A – PROPERTY INFORMATION		FOR COUNTY USE ONLY
A1. Building/Site Owner's Name		Permit Number:
A2. Building/Site Street Address		Date of Submittal:
City	State	ZIP Code
A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.)		

SECTION B – FLOOD INSURANCE RATE MAP (FIRM) INFORMATION							
(For projects involving multiple map panels an additional sheet may be listed below or included in an additional attachment)							
B1. NFIP Community Name & Community Number				B2. County Name		B3. State	
B4. Map/Panel Number	B5. Suffix	B6. FIRM Index Date	B7. FIRM Panel Effective/ Revised Date		B8. Flood Zone(s)		

THE ABOVE NAMED PERMIT APPLICANT DOES HEREBY MAKES AN APPEAL TO THE COMMISSIONER'S COURT OF WALKER COUNTY FOR A VARIANCE TO THE CONDITIONS OF PERMIT APPROVAL AND/OR CONSTRUCTIONS STANDARDS REQUIRED BY THE WALKER COUNTY FLOOD PLAIN MANAGEMENT REGULATIONS FOR PROPOSED DEVELOPMENT WITHIN AN IDENTIFIED FLOOD HAZARD AREA RELATED TO THE ABOVE REFERENCED DEVELOPMENT PERMIT APPLICATION.

SECTION C – BASE FLOOD ELEVATION UTILIZED IN DESIGN
(If a determination of the base flood elevation has been made, then a copy of a *Determination of Base Flood Elevation Form* must be submitted and the elevation shown in C1 below should correspond with the elevation that appears in subsection E3 on that form. For large projects subject to varying or multiple flood heights please place an "X" in the box adjacent to D2)

C1) _____ **The Base Flood Elevation for the proposed location/project is:** _____ **ft mean sea level.**

C2) _____ **This project is subject to multiple Base Flood Elevations, the BFE is provided in attached plans/submittals as project overlay, detailed method of determination, drainage plans, and BFE impact summary.**

C3) _____ **No Base Flood Elevation has been determined for this property**

SECTION D – VARIANCE(S) RELATED TO ELEVATION REQUIREMENTS AND DRY FLOODPROOFING
Applicant requests a variance to the elevation requirements of Sections 5:02(a), 5:02(b), or 5:02(c) (requiring that new or substantially improved structures be elevated a minimum of twelve (12) inches above the base flood elevation authorization is requested to construct the lowest floor of the listed structure(s) at the elevations listed below. (Elevation must be listed in the same datum used for the base flood elevation listed in Section "C" or if no BFE is provided then listed as a distance to the tenth of a foot above lowest natural grade.

Description of Structure(s)	Proposed Elevation of lowest floor including basement	Proposed Elevation of Flood Proofing (Non-Residential Structures Only)
D.1		
D.2		
D.3		
D.4		

SECTION E – OTHER VARIANCE

(All Variance requests need to include the specific variance along with the Section(s) of the Regulation to which they apply)

E.1 A Variance is requested to Section(s) _____ of the Walker County Flood Plain Regulations as follows:

_____.

SECTION F – APPLICANT’S JUSTIFICATION AND PRESENTATION FACTORS EFFECTING VARIANCE

(All variance requests to the Walker County Floodplain Regulations need to be included along with the Section(s) of the Regulation to which they apply)

F.1 Is the variance for new construction or substantial improvement of a structure to be erected on a lot of one-half acre or less in sized contiguous to and surrounded by lots with existing structures constructed below the base flood elevation?

Yes _____ No _____

F.2 Please explain the cause or reason the variance is being requested (attach additional pages as “Exhibit F.2”):

_____.

F.3 Will the failure to grant the variance result in any exceptional hardship to the applicant?

Yes _____ No _____

If yes please explain below:

_____.

F.4 Is the variance requested within a regulatory floodway?

Yes _____ No _____

F.5 Will the variance result in increased flood heights, additional threats to public safety, extraordinary public expense, create a nuisance, cause fraud, victimization of the public, or conflict with existing local laws or court orders?

Yes _____ No _____ Please provide analysis or explanation below or reference attachments:

_____.

SECTION H –VARIANCE(S) GRANTED

(All design elevations shall be given in the same elevation datum used for the elevation in section D1)

H.1 A VARIANCE TO THE WALKER COUNTY FLOOD PLAIN REGULATIONS IS GRANTED AS FOLLOWS:

H.2 THE FOLLOWING CONDITIONS ARE ATTACHED TO THE VARIANCE IN ADDITION TO THE REQUIREMENTS OF THE DEVELOPMENT PERMIT AND ANY REQUIREMENTS OF THE FLOOD PLAIN MANAGEMENT REGULATIONS:

SECTION J - NOTICE, ACKNOWLEDGEMENT, AND CERTIFICATIONS

NOTICE

ALL DEVELOPMENT MUST BE IN STRICT COMPLIANCE WITH THE VARIANCES STATED HERE AND OTHER CONDITIONS STATED ON THE DEVELOPMENT PERMIT. ANY VARIATION WILL RESULT IN IMMEDIATE SUSPENSION OF THIS VARIANCE AND THE DEVELOPMENT PERMIT. FLAGRANT VIOLAITON OF THE CONDITIONS OF THIS VARIANCE MAY RESULT IN THE COMMISSIONER’S COURT SEEKING INJUNCTIVE RELIEF, CIVIL, OR CRIMINAL PENALTIES.

WARNING

THE GRANTING OF A VARIANCE IS LIMITED TO THE PERMITTING STANDARDS AND LOCAL REGULATORY STANDARD ONLY. IT IS NOT A VARIANCE FROM THE REQUIREMENT TO PURCHASE FLOOD INSURANCE. **PREMIUMS FOR FLOOD INSURANCE COVERAGE FOR THE STRUCTURE WILL INCREASE** AS A RESULT OF CONSTRUCTING THE FIRST FLOOR BELOW THE LEVEL OF THE BASE FLOOD, AND MAY INCREASE AS A RESULT OF OTHER VARIANCES GRANTED. LOWERING THE FIRST FLOOR BELOW THE BASE FLOOD ELEVATION **MAY INCREASE THE POTENTIAL FOR FLOOD DAMAGE AND LOSS OF LIFE**. THE APPLICANT ACKNOWLEDGES THAT HE/SHE IS RESPONSIBLE TO ENSURE THAT ANY VARIANCE DOES NOT DAMAGE OR THREATEN ADJASCENT PROPERTIES AND COMPLIES WITH LOCAL, STATE, AND FEDERAL REGULATIONS.

DISCLAIMER

THE COMMISSIONER’S COURT OF WALKER COUNTY AND ANY OFFICER OR EMPLOYEE OF WALKER COUNTY ARE NOT LIABLE FOR DAMAGES OR LOSS OF LIFE RESULTING FROM FLOODING OF THE PROPERTY FOR WHICH A PERMIT OR VARIANCE IS GRANTED.

I, _____, do hereby acknowledge that I have reviewed the provisions, warnings, notices, and disclaimers stated above and that I understand them agree with them and intend to comply fully with them. I also acknowledge that my flood insurance costs will increase and flood damage potential to any structure or property subject to this variance will increase. I am fully aware that Walker County is not liable for damages to my property or structure, and that I accept full responsibility for the risks associated with this variance. I also certify that in the event I sell this property or structure in the future, that I will give notice of the variance to the purchaser prior to sale.

Signature of Owner/Applicant	Date
------------------------------	------

SECTION I – ACTION ON VARIANCE BY COMMISSIONER’S COURT

After careful consideration of the reasons for the request of variance, the Commissioner’s Court of Walker County, Texas has determined that it is within the scope of the variance procedures as outlined in the Walker County Flood Plain Management Regulations to _____ this request for variance.

Commissioner’s Court Signature	Printed Name	Date
--------------------------------	--------------	------