

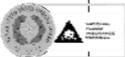
	FLOODPLAIN MANAGEMENT 101
	VARIANCES AND NFIP REQUIREMENTS

	FLOODPLAIN MANAGEMENT REGULATIONS
	<ul style="list-style-type: none"> ● 44 CFR Section 60.6(5) ● A community shall notify the applicant in writing over the signature of a community official that <ul style="list-style-type: none"> ○ (a) the issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage and ○ (b) such construction below the base flood level increases risks to life and property. Such notification shall be maintained with a record of all variance actions.

	VARIANCES
	<ul style="list-style-type: none"> ● Variances refer to the community's Flood Damage Prevention Ordinance and do not apply to the actuarial rate for flood insurance. ● A variance increases the risks to a structure; therefore, the flood insurance rates are higher than structures constructed at or above the BFE.

	<h2>VARIANCES</h2>
	<ul style="list-style-type: none"> ● Post-FIRM structures must be rated based on an elevation certificate that certifies the elevation of the lowest floor of the structure. ● If the lowest floor is 2 feet or more below the BFE, the policy must be submitted to NFIP for rating.

	<h2>CONDITIONS</h2>
	<ul style="list-style-type: none"> ● If compliance poses an exceptional hardship, the community may grant a request for variance. ● However all conditions of 44 CFR 60.6 of the NFIP regulations must be met: <ol style="list-style-type: none"> 1) Applicant must have good and sufficient cause; 2) Applicant will suffer exceptional hardship should the variance be denied;

	<h2>CONDITIONS</h2>
	<ol style="list-style-type: none"> 3) Variance will not cause increased flood heights, additional threats to public safety, create nuisances, cause fraud or victimization of the public, or conflict with existing local laws or ordinances, and 4) A variance is the minimum necessary, considering the flood hazard, to afford relief of the exceptional hardship. 5) Other property owners cannot be adversely affected in any material way.

	<h2 style="text-align: center;">VARIANCE CRITERIA</h2>
	<ul style="list-style-type: none"> ● The NFIP does not provide any absolute criteria for granting a variance. ● The best policy is not to grant a variance unless there are compelling reasons showing exceptional hardship, or it falls into the following categories.

	<h2 style="text-align: center;">ACCEPTABLE CASES</h2>
	<ol style="list-style-type: none"> 1. A structure listed on a Federal, State, or Local Register of Historic Places is not required to meet the elevation requirement when it is substantially improved. 2. A functionally dependent use, in which the use of the building is absolutely dependent on its close proximity to water. 3. A new structure or substantial improvement on a lot of one half acre or less and surrounded by existing structures below flood level.

	<h2 style="text-align: center;">VARIANCE MYTHS REASONS <u>NOT</u> TO GRANT VARIANCES</h2>
	<ul style="list-style-type: none"> ● Owner does not need flood insurance and believes he should not be forced to elevate. ● The variance applies only to current owner. ● The owner is handicapped and cannot climb stairs. ● "Why must I pay so much for flood insurance. I received a variance." ● The structure is <i>only</i> one foot below BFE.

 	<h2 style="text-align: right;">REMEMBER</h2>
	<ul style="list-style-type: none">● Variances are <u>related to the property</u> and are <u>not personal</u> in nature.● Economic hardship, physical handicap, personal preference, disapproval of neighbors, etc. are <u>not</u> acceptable justifications for a variance.● The increased need for flood fighting to protect flood-prone structures, increased risk to fire, evacuation or rescue operations, and the increased danger to neighbors must be considered before granting a variance.

 	<h2 style="text-align: right;">REFERENCES</h2>
	<ul style="list-style-type: none">● NFIP Regulations – 44 CRF 60.6● FEMA website – www.fema.gov
