

CITY OF CORINTH

Floodplain Variance Application

A variance is a one-time departure from the provisions of the floodplain ordinance. The National Flood Insurance Program (NFIP) authorizes the use of variances for situations such as the repair or rehabilitation of historic structures or for the construction of smaller accessory buildings. The City Floodplain Administrator has the authority to approve variances to the floodplain regulations provided that:

- the variance is not contrary to the public interest
- there are no new threats to public safety
- no variance is allowed within the floodway
- there will be no increase in flood heights

Application Requirements:

To apply for a variance, you must complete an application form (attached), pay the \$2500 application fee and provide specific justification of why the variance is necessary. The Floodplain administrator shall consider technical data and the following criteria in determining whether to allow a variance:

- 1) Is there a danger that materials and debris may be swept onto other lands resulting in damage?
 - 2) Is there an increased danger to life and property due to flooding or erosion damage?
 - 3) Will there be a susceptibility of the proposed development and contents to flood damage and what is the effect on current and future owners?
 - 4) What is the importance of the services to the community provided by the development?
 - 5) Are there other locations for the development which are not subject to flooding or erosion?
 - 6) Is the proposed development compatible with existing and planned future development?
 - 7) Does the proposed development conform to the City's comprehensive plan and floodplain management program?
 - 8) Is there safe access to the property during floods for ordinary and emergency vehicles?
 - 9) What are the expected heights, velocity, duration and rate of rise of flood waters and what debris, sediment transport or effects of wave action may be expected at the site?
 - 10) What are the costs of providing governmental services during and after flood conditions (maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, streets and bridges)?
- And,
- 11) Is the variance the minimum that will allow the proposed improvements?

Approval Process:

The Floodplain Administrator can approve a variance only if the findings of review that each of the above factors applies to the matter at hand.

[Corinth, Texas - Code of Ordinances](#)

[TITLE XV: - LAND USAGE](#)

[CHAPTER 152: - FLOODPLAIN DAMAGE PREVENTION](#)

[§ 152.21 - VARIANCE PROCEDURES.](#)

- A) The Floodplain Administrator shall hear and render judgment on requests for variances from the requirements of this chapter.
- B) The Appeal Board shall hear and render judgment on an appeal only when it is alleged there is an error in any requirement, decision, or determination made by the Floodplain Administrator in the enforcement or administration of this chapter.
- C) Any person or persons aggrieved by the decision of the Appeal Board may appeal such decision in the courts of competent jurisdiction.
- D) The Floodplain Administrator shall maintain a record of all actions involving an appeal and shall report variances to the Federal Emergency Management Agency upon request.
- E) The Appeal Board may approve a variance for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the state inventory of historic places, without regard to the procedures set forth in the remainder of this chapter.
- F) The Appeal Board may approve a variance for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the relevant factors in § 152.20(B)(2) have been fully

CITY OF CORINTH

considered. As the lot size increases beyond one-half acre, the technical justification required for issuing the variance increases.

- G) Upon consideration of the factors noted in this chapter, the Appeal Board may attach such conditions to the granting of a variance as it deems necessary to further the purpose and objectives of this chapter.
- H) Variances shall not be issued for improvements within any designated floodway if any increase in flood levels during the base flood discharge would result.
- I) Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
- J) Prerequisites for granting variances:
 - 1) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief for a functionally dependent use.
 - 2) Variances shall only be issued upon:
 - (a) Showing a good and sufficient cause
 - (b) A determination that failure to grant the variance would result in exceptional hardship to the applicant; and
 - (c) 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. This determination shall be based upon calculations performed and submitted by a professional engineer, licensed in the State of Texas, on behalf of the applicant.
 - 3) Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation. Flood insurance rates are determined by insurance carriers and are not subject to the jurisdiction of the city.
- K) The Appeal Board may issue a variance for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that the criteria outlined in divisions (A) through (J) of this section are met, and the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.



CITY OF CORINTH

... All development must conform to the City of Corinth Code of Ordinance, Chapter 152 – Floodplain Damage Prevention.

DEVELOPMENT INFORMATION		(BOX 1 OF 8)	
Development Type		Construction Type	
	Residential		New Construction
	Non-Residential		Substantial Improvement to an existing structure
	Placement of Fill		Creebank Stabilization
	Alteration of Natural Drainage Course/Floodway		Commercial Building
	Other		Mobile Home
			Accessory Structure
			Fence
			Other
APPLICANT INFORMATION		(BOX 2 OF 8)	
Applicant Name:		Company:	
Address:			
City/State/Zip:			
Contact Number Primary:		Secondary No.:	
Email:			
Project Name: Click or tap here to enter text.			
POINT-OF-CONTACT INFORMATION		(BOX 3 OF 8)	
Name:		Company:	
Contact Number:			
Email:			
PROPERTY OWNER INFORMATION		(Box 4 of 8)	
Owner's Name:		Company:	
Address:			
City/State/Zip:			
Contact Number Primary:		Secondary No.:	
Email:			
SUBJECT PROPERTY INFORMATION		(Box 5 of 8)	
Address:			
Parcel Tax ID#:			
Legal Description:		Block:	Lot:
Subdivision Name:			



CITY OF CORINTH

BILL FEES TO	(Box 6 of 8)
Name:	Company:
Address:	
City/State/Zip:	
Contact Number:	
Contact Email:	
Property Owner Consent/ Agent Authorization	(Box 7 of 8)
<p>By my signature, I hereby affirm that I am the property owner of record, or if the applicant is an organization or business entity, that authorization has been granted to represent the owner, organization or business in this application. I certify that the preceding information is complete and accurate, and it is understood that I agree to the application being requested for this property. Additionally, my signature below indicates my awareness of the fee required at the time of the application submittal and any additional fees as noted in the City's fee schedule. This fee is non-refundable even in the event of application withdrawal. I have the power to authorize and hereby grant permission for City of Corinth officials to enter the property on official business as part of the application process.</p> <p>By signing this form, the owner of the property authorizes the City of Corinth to begin proceeding in accordance with the process for the type of application indicated on this application. The owner/applicant further requests a Waiver of Right to 30-Day Action. The owner acknowledges that submission of an application does not in any way obligate the City to approve the application, and, that although City staff may make certain recommendations regarding this application, the decision making authority may not follow that recommendation and may make a final decision that does not conform to the staff's recommendation.</p> <p>We, the undersigned, being owners of subject real property, do hereby authorize:</p>	
Printed Name:	
Address:	
<p>...to act as our Agent in the matter of this request. The term agent shall be construed to mean any lessee, developer, option holder, or authorized individual who is authorized to act in behalf of the owner(s) of said property.</p>	
<u>SIGNATURES OF ALL PROPERTY OWNERS</u>	
Printed Name:	
Signature:	
Address:	
Printed Name:	
Signature:	
Address:	
Printed Name:	



CITY OF CORINTH

Signature: _____

Address: _____

NOTARY

(Box 7 of 8)

STATE OF TEXAS §
COUNTY OF §

BEFORE ME, the undersigned authority in and for _____ County, Texas, on this day personally appeared _____, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that he/she is _____, and that he/she is authorized to execute the foregoing instrument for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the _____ day of _____, 20__.

Notary Public in and for the State of Texas

Type or Print Notary's Name

My Commission Expires: _____

FOR USE BY FLOODPLAIN ADMINISTRATOR

Flood Insurance Rate Map Determination:

Watercourse Name: _____

Panel Number: _____ Panel Date: _____ Zone: _____

- Floodplain Floodway
- Elevation Certificate Required CLOMR
- LOMR LOMF
- LOMA

Notes:

