

# Flood Plain Variance

## *Application Packet*

1. **Application Packet** The Application Packet for a *Flood Plain Variance* includes the following:

- Application Form
- Supporting Information
- Site Plan Checklist
- Adjoining Property Owner Statement (*Completion of this form is optional*)

**Be sure to complete and submit all the required materials that are part of this Application Packet. Failure to do so will result in a delay in accepting your application until it is complete.**

2. **Zoning Board of Adjustment Meetings** Within three days after the application is received, staff will determine if the application is complete and notify the applicant. Once staff has determined it is complete, staff will contact the applicant to discuss the application, including possible timelines for Board consideration. The *Zoning Board of Adjustment* conducts a public hearing, considers the recommendation of the Planning and Housing staff and makes the final decision based on the standards in the Ordinance. **The Board meets on the second Wednesday of the month at 6:00 p.m. in the City Council Chambers.** Additional meetings may be held on the fourth Wednesday of the month, April through October. The *Board* must approve, deny, or modify the Flood Plain Variance application within 60 days of the public hearing.
3. **Submittal and Filing Fee** The completed Application Packet and filing fee must be submitted to:

Department of Planning and Housing  
City of Ames  
515 Clark Avenue, Room 214  
Ames, Iowa 50010  
E-mail: [planning@cityofames.org](mailto:planning@cityofames.org)

**The filing fee of \$150.00 is required at the time the application is submitted.**

4. **Site Plan** The applicant shall submit a *Site Plan*, drawn to scale, that clearly shows the subject property for which the Flood Plain Variance is being sought. If a *Major or Minor Site Development Plan* was submitted as part of the development approval process for the subject property, then that *Major or Minor Site Development Plan* should also be submitted with the Flood Plain Variance application.

**The Site Plan shall include at a minimum the following information:**

- Description of the land on which the proposed work is to be done (i.e., lot, block, tract, street address, or similar description) that will readily identify and locate the work to be done
- Identification of the use or occupancy for which the proposed work is intended
- The base flood elevation (BFE)

- Elevation (in relation to National Geodetic Vertical Datum NGVD29) of the lowest floor (including basement) of buildings or of the level to which a building is to be flood-proofed
  - For buildings being improved or rebuilt, the estimated cost of improvement and the market value of the building prior to the improvements
  - Such other information as the Administrator deems reasonably necessary for the purpose of this ordinance, including:
    - Dimensioned property lines
    - Abutting streets and alleys
    - Location and size of all existing and proposed buildings and structures (include distances to all property lines and distances between buildings and structures)
    - Required setbacks
    - Driveways and parking areas, fully dimensioned
    - Other pertinent information necessary to fully understand the need for a Flood Plain Variance (e.g., significant change in topography, location and size of mature trees, etc.)
5. **Photos and Exhibits** Materials submitted with the application or presented as evidence during the public hearing ***will not be returned*** and must be kept as part of the public record.
6. **Notification** The City will mail a notice to all property owners within 200 feet of the property that an application for a *Flood Plain Variance* has been filed. This notification is done so that concerned individuals will have an opportunity to learn about what is being proposed and can present information on this matter to the Zoning Board of Adjustment.

**IF YOU HAVE QUESTIONS ABOUT COMPLETING THIS APPLICATION  
PLEASE CONTACT THE DEPARTMENT OF PLANNING AND HOUSING.**

Phone: 515-239-5400  
E-mail: [planning@cityofames.org](mailto:planning@cityofames.org)

# Flood Plain Variance

## *Application Form*

(This form must be completely filled out before the application will be accepted.)

1. **Property Address** for this Flood Plain Variance Application: \_\_\_\_\_  
\_\_\_\_\_

2. **Legal Description** (attach if lengthy): \_\_\_\_\_  
\_\_\_\_\_

3. I (We) the undersigned, do hereby respectfully apply to the Ames Zoning Board of Adjustment to grant a Flood Plain Variance to authorize: \_\_\_\_\_  
\_\_\_\_\_

4. **Property Owner:** \_\_\_\_\_

Business: \_\_\_\_\_

Address: \_\_\_\_\_  
(Street) (City) (State) (Zip)

Phone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_

5. **Applicant:** \_\_\_\_\_

Business: \_\_\_\_\_

Address: \_\_\_\_\_  
(Street) (City) (State) (Zip)

Phone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_

6. **Contact Person:** \_\_\_\_\_

Business: \_\_\_\_\_

Address: \_\_\_\_\_  
(Street) (City) (State) (Zip)

Phone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_

**The Zoning Board of Adjustment may grant a Flood Plain Variance, provided the Board members can make a finding that the Standards in Section 9.7(3)(d) are met.**

Approval of the Flood Plain Variance by the Zoning Board of Adjustment in no way absolves the applicant from subsequently obtaining the necessary building permits or other permits from the City of Ames or from other applicable agencies.

*I (We) certify that I (we) have submitted all the required information to apply for a Flood Plain Variance, and that said information is factual.*

**Signed by:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
**Property Owner(s)**

\_\_\_\_\_  
**Print Name**

*Note: No other signature may be substituted for the Property Owner's Signature.*

# Flood Plain Variance

## *Supporting Information*

(This form must be filled out completely before your application will be accepted)

***The Zoning Board of Adjustment may authorize upon request in specific cases such variances from the terms of the flood plain ordinance as will not be contrary to the public interest, where owing to special conditions a strict enforcement of the provisions of the ordinance will result in unnecessary hardship.***

In order to facilitate review of this application for a Flood Plain Variance, the applicant must address each of the *Standards* set forth in Section 9.7(3)(d) of the *Municipal Code*, which are listed below. (Additional sheets of paper may be attached if sufficient space is not provided.)

1. **Variance Standards** The Zoning Board of Adjustment shall review each application for the purpose of determining that the variance standards are satisfied. Pursuant to the *Municipal Code*, a Flood Plain Variance shall be granted only if the following applicable standards are satisfied:

**(a) No variance shall be granted for any development within the Floodway Overlay District which would result in any increase in the base flood elevation. Consideration of the effects of any development on flood levels shall be based upon the assumption that an equal degree of development would be allowed for similarly situated lands.**

Explain how the request meets this standard: \_\_\_\_\_

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**(b) Variances shall only be granted upon:**

- (i) A showing of good and sufficient cause,**
- (ii) A determination that failure to grant the variance would result in an unnecessary hardship to the applicant, and**
- (iii) A determination that the granting of the variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, or cause fraud on or victimization of the public.**

Explain how the request meets this standard:

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**(c) Variance shall only be granted upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.**

Explain how the request meets this standard:

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**(d) In cases where the variance involves a lower level of flood protection for buildings than what is ordinarily required by this ordinance, the applicant shall be notified in writing over the signature of the Administrator that:**

- (i) The issuance of a variance will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage, and**
- (ii) Such construction increases risks to life and property.**

Explain how the request meets this standard:

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**(e) All variances granted shall have the concurrence or approval of the Department of Natural Resources.**

Explain how the request meets this standard:

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# Flood Plain Variance

## *Site Plan Checklist*

The applicant shall submit a *Site Plan*, drawn to scale, that clearly shows the subject property for which the Flood Plain Variance is being sought. If a *Major or Minor Site Development Plan* was submitted as part of the development approval process for the subject property, then that *Major or Minor Site Development Plan* should also be submitted with the Flood Plain Variance application.

**The Site Plan shall include, at a minimum, the following information:**

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  - Other pertinent information necessary to fully understand the need for a Flood Plain Variance (e.g., significant change in topography, location and size of mature trees, etc.)



# Adjoining Property Owner Statement

(Completion of this form by the applicant is optional)

To Whom It May Concern:

We, the undersigned, own property adjoining \_\_\_\_\_ Ames, Iowa.

It is our understanding that \_\_\_\_\_

has filed an Application for a Flood Plain Variance with the Zoning Board of Adjustment to allow:

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As adjoining property owners, we would have no objections to the issuance of this building permit for the purposes stated above.

NAME	ADDRESS	DATE