



YAVAPAI COUNTY
FLOOD CONTROL DISTRICT
www.yavapaiaz.gov/ycflood



MINOR VARIANCE FROM SETBACK REQUIREMENTS

Owner: _____ Date: _____

Agent/Applicant: _____ Parcel No. _____

Mailing Address: _____

Property Address: _____

Attached is the Minor Variance information packet explaining the requirements and procedures when applying for a variance from the Yavapai County Flood Control District Ordinance 2018-1. Please read the entire packet before attempting to fill it out or complete any of the requirements.

In order to process this request the following items must be submitted:

- Minor Variance Application form must be completed, signed and submitted to the District
- Complete the "Permission to Enter Property" document
- Submit Engineering Analysis or Scour Report (if applicable)
- Elevation of Floodplain Property (if applicable)
- The Building Permit Plot Plan should be completed according to the applicable communities requirements

As soon as the District has all the required paper work District staff will review the information and make a decision to either grant or deny the request and will inform the applicant of the decision. The decision along with any stipulation(s) will be indicated on the "Minor Variance" document that will be recorded in the office of the Yavapai County Recorder. When the recorded document has been returned to the District a copy will be sent to you.

Applying for a variance in no way automatically assures you of having the variance approved. The decision to approve or deny a variance is ultimately decided by the District based on the information supplied and data available to the District at that time.

If you have any questions please contact the District.

Yavapai County Flood Control District

YAVAPAI COUNTY FLOOD CONTROL DISTRICT ORDINANCE 2018-1, SECTION 6.3 and 6.4

6.3 CONDITIONS FOR VARIANCES

- A. Variances may be issued for the repair, rehabilitation or restoration of structures listed in the National Register of Historic Places or the State Inventory of Historic Places, 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.
- B. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result in a high risk of loss of life or property damage.
- C. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- D. Variances shall only be issued upon:
 - 1. a showing of good and sufficient cause;
 - 2. a determination that failure to grant the variance would result in exceptional hardship to the applicant; and
 - 3. 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.
- E. Any applicant to whom a variance is granted shall be given written notice over the signature of a community official that:
 - 1. 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
 - 2. 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 as required in Paragraph 6.1.E. of this ordinance. Such notice will also state that the land upon which the variance is granted shall be ineligible for exchange of land pursuant to any flood relocation and land exchange program. A copy of the notice shall be recorded by the Floodplain Board in the office of the Yavapai County Recorder and shall be recorded in a manner so that it appears in the chain of title of the affected parcel of land.

6.4 MINOR VARIANCES

The Floodplain Board may identify uses which are not allowed by this Ordinance but which are minor in nature. The Floodplain Board may adopt written policies detailing specific conditions in addition to the conditions listed in Section 6.3 under which minor variances may be granted. The Floodplain Administrator may grant minor variances if all necessary conditions have been satisfied. The denial of a minor variance may be appealed to the Floodplain Board.

When recorded return to:
Yavapai County Flood Control District
1120 Commerce Dr. Prescott, AZ 86305

Parcel Number: _____

Minor Variance No: WWS - _____

MINOR VARIANCE FROM SETBACK REQUIREMENTS

AGENT/APPLICANT

OWNER

The degree of flood protection required by the Yavapai County Flood Control District Ordinance is considered reasonable for regulatory purposes. Larger floods can occur on rare occasions. Flood heights may be increased by manmade or natural causes. The Ordinance does not imply that land outside the areas of "special Flood hazards" or uses permitted within such areas will be free from flooding or flood damage.

PROPERTY DESCRIPTION:

REQUEST: Variance from the requirement of Yavapai County Flood Control District Ordinance 2018-1 Flood Damage Prevention Ordinance, Section 5.8, to allow an encroachment of _____ feet into the required 20 foot setback from the edge of the Floodway of _____.

REVIEWED BY: DISTRICT DIRECTOR

RULING DATED: _____

Lynn Whitman, P.E. CFM
Yavapai County Flood Control District Director

**YAVAPAI COUNTY FLOOD CONTROL DISTRICT
APPLICATION FOR MINOR VARIANCE
TO ALLOW AN ENCROACHMENT INTO THE REQUIRED SETBACK
FROM THE EDGE OF THE FLOODWAY**

Assessor's Parcel # _____

NAME: _____
OWNER (print)

AGENT/APPLICANT (print)

ADDRESS:

TELEPHONE NO.: _____

The degree of flood protection required by the Yavapai County Flood Control District Ordinance is considered reasonable for regulatory purposes. Larger floods can occur on rare occasions. Flood heights may be increased by manmade or natural causes. The Ordinance does not imply that land outside the areas of "special flood hazards" or uses permitted within such areas will be free from flooding or flood damage.

In accordance with the District Ordinance, Section 6.4 a Minor Variance may be granted from the requirements of the Flood Control District Ordinance if the following requirements are satisfied to the District Director by the applicant.

YAVAPAI COUNTY FLOOD CONTROL DISTRICT

PERMISSION TO ENTER PROPERTY

Assessor's Parcel # _____

DATE: _____

NAME: _____

Legal Description: (or attached)

Directions to Property:

I, the undersigned, hereby give permission to the Yavapai County Flood Control District in the discharge of his/her duties as stated herein, and for good and probable cause, to enter the above described property to inspect same in connection with the enumerated application made under the terms of the Yavapai County Flood Control District Ordinance, or for any investigation as to whether or not any portion of such property, building or other structure is being placed, erected, maintained, constructed or used in violation of the Yavapai County Flood Control District Ordinance; or for any investigation or conditions, compliance and stipulations under the terms of the Yavapai County Flood Control District and public hearings concerning this parcel. Such entry shall be within 60 days of the date of my signature (below). Such entry shall be limited between the hours of 7 AM and 6 PM MST. I understand that this permission to enter property is OPTIONAL and VOLUNTARILY GIVEN and may be withdrawn or revoked (either in writing or orally) at any time.

Applicant's Signature

Owner _____

Agent _____

Date: _____

Date: _____

State of Arizona)
) ss
County of Yavapai)

On this _____ day of _____ 20__ before me the undersigned Notary Public personally appeared _____ who executed the foregoing instrument for the purpose therein contained.

In witness whereof, I hereby set my hand and official seal.

NOTARY PUBLIC

Date Commission Expires: _____

(Seal)

State of Arizona)
) ss
County of Yavapai)

On this _____ day of _____ 20__ before me the undersigned Notary Public personally appeared _____ who executed the foregoing instrument for the purpose therein contained.

In witness whereof, I hereby set my hand and official seal.

NOTARY PUBLIC

Date Commission Expires: _____

(Seal)